

# CITY OF WISCONSIN DELLS MEETING AGENDA

## Meeting Description CITY PLAN COMMISSION

Date: WEDNESDAY, NOVEMBER 13, 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 OCTOBER 14, 2019 MEETING
3	PUBLIC HEARING FOR A SITE PLAN APPLICATION FROM RIVERWOOD EAGLE'S NEST, LLC TO ALLOW THE DEVELOPMENT PHASE 1A OF THE GENERAL DEVELOPMENT PLAN, WHICH IS A MEMORY CARE AND ASSISTED LIVING FACILITY ON CURRENT COUNTY PARCELS 11291-2200.1903 AND 11291-2200.1902.
4	DISCUSSION/DECISION ON ITEM 3 (RIVERWOOD)
5	DISCUSSION/DECISION ON CERTIFIED SURVEY MAP (CSM) SUBMITTED BY RIVERVIEW BOAT LINE TO DIVIDE THE TIMBAVATI SITE ON SAUK COUNTY PARCELS 291- 0106-00000 AND 291-0111-00000 LOCATED AT 2220 WISCONSIN DELLS PARKWAY.
6	DISCUSSION/DECISION ON CHANGES TO THE SIGN ORDINANCE REGARDING: MONUMENT SIGNS, ROOF SIGNS, PORTABLE SIGNS, PROJECTING SIGNS, AND MATCH LANGUAGE ON OFF-PREMISE SIGNS IN C-1 AND C-2 DISTRICTS. (REFERRED FROM THE DESIGN REVIEW COMMITTEE).
7	PRELIMINARY DISCUSSION ON POTENTIAL CHANGES TO THE ZONING ORDINANCE REGARDING (MUST BE REFERRED TO FUTURE MEETING FOR FORMAL ACTION): (a) WELL HEAD PROTECTION, (b) VEHICLE FUELING STATIONS IN ZONE C-2 COMMERCIAL – DOWNTOWN (c) CAMPING UNIT REGULATIONS / RV PARKING REGULATIONS (d) HAWKING (e) HOME OCCUPATION IN R-3 RESIDENTIAL – MIXED USE ZONE (f) MISC. CODE CLEAN-UP ITEMS
8	DISCUSSION ON CORRECTIONS TO ZONING REGARDING LAND ADJACENT TO THE TOWER VIEW MOBILE HOME PARK. SOME PROPERTIES NOT PART OF THE MOBILE HOME PARK DRAWN IN THE R-9 RESIDENTIAL-MOBILE HOME PARK ZONE
9	ANY OTHER ITEMS FOR REFERRAL TO FUTURE MEETINGS
10	SET DATE FOR THE NEXT PLAN COMMISSION MEETING (DECEMBER 9, 2019)
11	ADJOURNMENT
	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.
	MAYOR ED WOJNICZ CHAIRPERSON <span style="float: right;">DISTRIBUTED NOVEMBER 8, 2019</span>

**CITY PLAN COMMISSION  
CITY OF WISCONSIN DELLS  
MUNICIPAL BUILDING-300 LACROSSE STREET  
OCTOBER 14, 2019**

Mayor Wojnicz called the meeting to order at 5:00 PM. Notice of the meeting was provided to the Dells Events, WNNO/WDLS Radio, and posted in accordance with State Statutes.

1. Present: Mayor Ed Wojnicz, Ald. Mike Freel, Fire Chief Pat Gavinski, Phil Helley, and Ted Theiler, Lisa Delmore and Chris Lechnir  
Others: City Attorney Joseph Hasler, DPW Office Clerk Monica Dorow-Leis, Public Works Director David W. Holzem, City Clerk Nancy R. Holzem, Treas. Karen Terry, Ald. Marshall, Brad Boettcher with General Engineering, John and Shirley Tollaksen, and Rebecca Gussel
2. Motion by Theiler and seconded by Helley approve the September 9, 2019 meeting minutes. Motion carried.
3. Mayor Wojnicz declared the public hearing open for anyone to speak for or against the Conditional Use Permit Application from Riverview Boat Line to allow a development of Multi-family Residential and buildings in excess of 45 feet, Sauk County parcel 291-0130-0000. The property is zoned C-4 Commercial-large scale. With no one speaking for or against the matter, Mayor Wojnicz declared the public hearing closed. Motion carried.
4. John Tollaksen said he is concerned about water runoff with nowhere to go but the field south of the proposed project area, where the field would flood with a bad rainstorm. With the proposed area covered with asphalt, he is concerned about water runoff ending up in the field. Brad Boettcher with General Engineering said they are in the conceptual stage at this point. Zoning Administrator Chris Tollaksen included in his staff report about designing it for a 50yr storm event, so Brad Boettcher said they would be designing their storm water features from a peak flow standpoint for a 50yr event. He said there are many wetlands at that site. John Tollaksen said that he is not concerned about the project, but is concerned about storm runoff.

Motion by Delmore and seconded by Freel recommend to council approve the Conditional Use Permit Application from Riverview Boat Line to allow a development of Multi-family Residential and buildings in excess of 45 feet, Sauk County parcel 291-0130-0000 with the following conditions:

- 1) The development is approved by the property owner at the time of development.
- 2) A storm water plan is created to the satisfaction of the City
- 3) A buffer is established and maintained between this development and the surrounding properties. If a minimal buffer is allowed to be constructed, it is to be enhanced at the City's request, if in the City's sole discretion is deemed necessary.

Ald. Freel asked if this is the time to ask them to design the storm water plan to a 100yr storm event instead of a 50yr event, with Shirley Tollaksen agreeing. Lisa Delmore asked if they had the ability to decide at this meeting. Atty. Hasler said the recommendation is that the storm water plan is created to the satisfaction of the City, so it seems to him that the satisfaction of the City is something that is going to be determined, not tonight, but at some later date and he said he thinks the issue between a 50yr and 100yr event can be decided at that point and time. He said tonight the idea would be to start getting this moved down the field a little bit. Motion carried. The property is zoned C-4 Commercial-large scale.

5. Motion by Freel and seconded by Delmore recommend to council approve the Certified Survey Map submitted by Riverwood Eagles Nest, LLC to divide Columbia County parcel 11291-2200.1903 located at 103 Bowman Road. Motion carried.
6. Motion by Freel and seconded by Theiler table the changes to the Sign Ordinance regarding monument signs, roof signs, projecting signs, and appeals to the Sign Ordinance. This was referred from the last Design Review Committee meeting. Motion carried.
7. Item for referral: Look at updating the resort requirements.

8. Scheduled is the next Plan Commission meeting on WEDNESDAY, November 13 at 5:00pm.
9. Motion by Theiler and seconded by Helley to adjourn. Motion carried and the meeting adjourned at 5:17pm.

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Monica Dorow-Leis  
Public Works Office Clerk

Staff Report  
& Phase 1A Specific Site Plan (SSP).  
City of Wis. Dells Plan Commission, 11/13/2019

The City has received a Site plan application for the Specific Site Plan of Phase 1A of the Development. Riverwood has submitted a Site plan application for Phase 1A which consists of one single story development containing: 30 Assisted Living unit, 22 Memory Care units Phase 1A is limited to the development of 30 Assisted Living units and 22 memory care units with a Community Nook (coffee and grab-and-go food) and a Telemedicine Suite (clinical exam rooms, office space and waiting area) on Parcel 11291-2200.1903 with access and utilities on parcel 11291-2200.1902

In November 2016 Riverwood Eagle's Nest, LLC requested a zoning map change to re-zone the Riverwood Eagle Watch Condominiums and the associated Phase II and Phase III condominium expansion lands from R-5 Residential – multi-family to Planned Development District 2. A preliminary General Development Plan (GDP) indicated the development of a 50+ senior living community that will provide independent living, assisted care, memory care, and medical services. The full development also included food, recreation, and wellness activities; as well as worship, meeting, and social areas. Overnight lodging will also be made available in the development for it's resident families and guests.

In June 2017 the Common Council approved a Developments Agreement with Riverwood Eagle's Nest

A General Development Plan (GDP) was approved in June of 2017. This plan indicated the project would be developed in the following phases:

1. Phase 1A – Single Story Assisted Living (AL) and Memory Care (MC) facility with a Community Nook (coffee and grab and go food) and a Telemedicine Suite (clinical exam rooms, office space, and waiting area)
2. Phase 1B – A multi-story 38 unity Independent Living (IL) Residential Care Apartment Complex (RCAC) Flex apartment
3. Phase 2 – Additional Single Story Assisted Living (AL), Memory Care (MC), and Independent Living (IL)
4. Market Driven phasing in of up to 13 Independent Living duplexes would be constructed as needed south of the Apartment developments.
5. Phase 3 – Two single family homes anda retreat center that would include hotel-like accommodations, spa, food service, and meeting spaces.

It is noted that Phase 3 portion of the General Development Plan was very preliminary and has not been approved in any way. This phase included conflicts with the River Shore land Protection district that were not resolved. It is further noted that the current Phase 1A Site plan has additional conflicts with the Phase 3 concept as originally presented in the GDP. Future approvals of Phase 3 of this development require full approvals and are not granted with any entitlements for approval based on any of the GDP or Phase 1 approvals received so far.

The updated GDP presented in June 2017 had removed the looped road through the north of the facility, which greatly decreases the emergency access within that portion of the facility. Emergency access lanes and turnarounds have been included in the plan that seems to be acceptable.

In April of 2018 a Site Plan application was submitted by Riverwood to begin their development by constructing first the multi-story apartment building considered to be Phase 1B. Approval of this Site Plan was tabled by the Common Council at the April 23, 2018 meeting.

In May of 2018 an "Extended and Restate Development Agreement" is approved. The Common Council also approved the Site Plan for Phase 1B, the multi-story apartment. The applicant indicated that Phases 1a and 1b would begin concurrently.

In October of 2018 the City Common Council approved an amendment to the Extended and Restated Development Agreement.

In February of 2019 the City Common Council approval a Second Extended & Restated Development Agreement with Riverwood Eagle's Nest.

The applicant has now submitted a final Site Plan for Phase 1a. Approval granted at this time is limited to Phase 1A which consists of one single story development containing: 30 Assisted Living unit, 22 Memory Care units, with a Community Nook (coffee and grab-and-go food) and a Telemedicine Suite (clinical exam rooms, office space and waiting area.

It is noted that the access road and storm pond are not located on the same parcel as the building. It is also noted that the turn-around at the end of the access road does not match the CSM for the Phase 1a parcel. There should be easements for the access road and storm water ponds, and the parcel boundaries should be modified to match the modified Phase 1a development.

During the initial GDP approval it was made clear that all storm water facilities in this development are the responsibility of the developer. The developer is responsible to correct any storm water nuisances that this development may create. The developer had stated that their storm water management plan will control the 100 year storm event to pre-development levels.

There have already been storm water washout issues on Bowman Rd, so the City will require that the Bowman Rd crossing be designed to handle a high storm event. Historically, there have been storm water issues from the developed portion of the existing Phase II of the Riverwood development having an adverse effect on the original Phase I Riverwood development. These issues appear to have been privately corrected, but this development shall ensure that its storm water does not have an adverse effect on the property to the south, or any other property.

The Phase 1a Site Plan will direct storm water in two (2) directions. The developed property for Phase 1a will direct storm water to two (2) Biofilter ponds which will each direct water to a single wet pond that will discharge into the river. The undeveloped property to the north will send storm water to the Railroad ditch to the north. The Storm water plan indicates the peak flows to the north will be decreased up to and beyond the 100 yr storm. However, the area draining to the north appears to be increasing. It is understood that this water will run east and cross Bowman Rd near the RR crossing before draining into the DNR wetland south of the tracks. It appears this water may cross private property before getting to the DNR property. The City has never had any issue with storm water at Bowman Rd. on the south side of the tracks. If any issue arises following this development it will be due to the changes made by this development. The developer will be responsible for addressing any issues that may occur in the RR ditch, at the Bowman Rd crossing, on the private property, or anywhere else along the path of the storm water flow from their site.

For the developed part of the property, this development is utilizing Biofilter ponds as well as a wet detention pond. Except for some of the ponds to be on a separate parcel than the building (under the same ownership), it does not appear the storm water from the development will affect other properties. However, it is not explicitly clear from the plan the overflow path from the Biofilter ponds. It is possible that fouling of the Biofilters could significantly decrease the amount of water the Biofilter take over time. The developer will be responsible to following DNR and other standard guidelines for Biofilter maintenance.

It is understood that the storm water plan for this Phase of this development did not account for any future development. Site Plan for future the developments of future Phases of this project must perform new full Storm water management plans.

Generally, City owned main line water and sewer utilities are located within the road ROW. While the roads of this development will remain private, the developers intend to engineer and install the water and sewer utilities to City specifications and then turn those utilities over to the City with

easements to allow City access to maintain the utilities. The details of these easements must be ironed out and may be applied to the existing utilities, some of which may not be located in the roadway. As such, the utility easements shall allow City vehicles access onto and through the property to access these easement. The City should not be liable for any surface damage that may occur when accessing the water, sewer, or other utilities for maintenance purposes. The City has made a significant investment in a GIS mapping system to accurately map all public utilities. Prior to dedicating the underground utilities to the City, the developer has provide the City with accurately GPS maps of the facilities that is compatible with the new City mapping system.

The developer has very recently stated they may want to alter the utility plan to move utility mains out from underneath the paved road. Preliminarily, this creates a couple concerns with the sewer utility. Primarily, standard sewer main maintenance requires access to Manholes (MH) with the vactor truck. If MH are not on a paved road they are not accessible for cleaning and maintenance. In addition, there will be storm water drainage ditches, and if MH are placed in a ditch there will be more susceptible to surface water infiltration. The preliminary response is that it is unacceptable to move the utility mains out of the roadway.

It is also noted that the current road and utility path appears to be longer than necessary. It is understood that one of the reasons for this is to protect existing trees in the area. It should be made clear that any increased costs that result from protecting trees will be fully born by the developer.

A particular item of concern with the current site plan is the limited space at the dumpster locations. There is not enough room for the City garbage truck to maneuver at the dumpster location. The initial response from the developer was that the garbage trucks will be expected to turn around in the existing access road which is and drive backwards over 100 ft along the proposed new back road to the facility. This is not acceptable and an alternative acceptable to the City should be found. If the new road cannot provide adequate access for City garbage trucks the City cannot pickup garbage at that location. The standard is for the City to pick up garbage from public roads and avoid driving on private roads. Some exceptions are made to this policy, but it comes with the expectation the City is not responsible for wear and tear the large garbage trucks may cause on any private road. Before the City will provide service to this new development, the owner must provide adequate access and sign a waiver to hold the City harmless for damage done by the large garbage trucks. It is made clear that by not providing adequate access and turn-around areas for City garbage trucks, the developer is choosing not to received City garbage service.

As a standard issue with all new development, the City wants to ensure that proper buffers exist between the new development and existing properties. It appears the neighboring properties to the north and south would be the main concern. This development proposes duplexes neighboring the property to the south, which do not seem likely to create a nuisance. The apartments to the north would be more of a concern, but the RR row provides an additional approximately 150' set-back between the apartments and the neighboring residents. Still, efforts should be made to maintain as many of the existing mature trees as possible to retain a buffer, and additional buffering may be requested if deemed prudent by the City.

Approval of this PDD GDP came with the following contingencies, which are to be considered additive to the contingencies from the November 2016 meeting:

1. The utility easements within the facility do not hold the City responsible to repair any improvements above the utilities (i.e. pavement or landscaping)
2. Any public utilities within the development meet City standards, are approved by the City, and utility easements approved by the City are recorded.
3. Any underground facilities to be dedicated to the City are GPS and the City is provided adequate mapping of the facilities that is compatible with the City's GIS mapping system.
4. Fire lanes are accepted by the Fire Chief.

5. The secondary access plan, while land acquisition in place, is provided with the Phase 1B Site Plan application. The secondary access to the facility is in place prior to the occupancy of the Apartment building referred to as Phase 1B.
6. The developer is responsible to correct any storm water nuisances that their development creates.
7. Adequate buffers are established between the development and neighboring properties
8. The developer cooperates with the City to resolve any nuisances that may result from this development.

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**Approval of this Site plan application for Phase 1A should come with the following contingencies:**

1. All final utility plans (water, electric, sanitary and storm sewer) are provided to the City for review and approval prior to the commencement of any construction. If utilities are located outside of a road way, adequate access for utility maintenance and repair shall be provided. Plans for utilities outside of the roadway may be denied if they are found to be unacceptable to the City.
2. Any site improvements not part of this plan shall be approved by City staff at their sole discretion.
3. As-builts with GPS locations and easements acceptable to the City shall be provided for all utilities prior to the City accepting their dedication as public utilities. Issuance of building occupancy permits may be withheld if utility dedication is not completed
4. Storm water is not allowed to run on Bowman Rd. or anywhere else where it would cause a nuisance or damage. The developer is responsible for upsizing downstream culverts and installing additional erosion control measures if required. This would apply to any area taking storm water from this site, included Bowman Rd at the RR crossing.
5. The Biofilter ponds are adequately maintained so as to provide the expected performance in the future.
6. Overflow from any of the storm water features shall generally follow the design path. The developer will be responsible for any nuisances or damage that occur. The developer will need to add flow control measure for flow outside the design path and add additional erosion control measures if needed.
7. The access to the garbage dumpster location is not acceptable, as the road does not provide room for the City garbage truck to turn around. Before the City will provide garbage service, acceptable access must be provided and approved by the city.
8. The owner shall sign a waiver holding the City harmless for any damage caused to private roads by the large garbage trucks.

Chris Tollaksen  
City of Wis. Dells  
Zoning Administrator  
11/13/2019

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The following information was provided during the initial General Development Plan review in 2016. It is included here for reference.

Riverwood has stated that their licensing from DHS addresses emergency response accessibility to the Site. DHS was contacted to determine the extent of Site access in their review. The DHS referenced the State Administrative Code Chapter DHS 83 and referred the City to 2 section in particular. The exiting section 83.59(1)(g) and the emergency disaster plan 83.47(2).

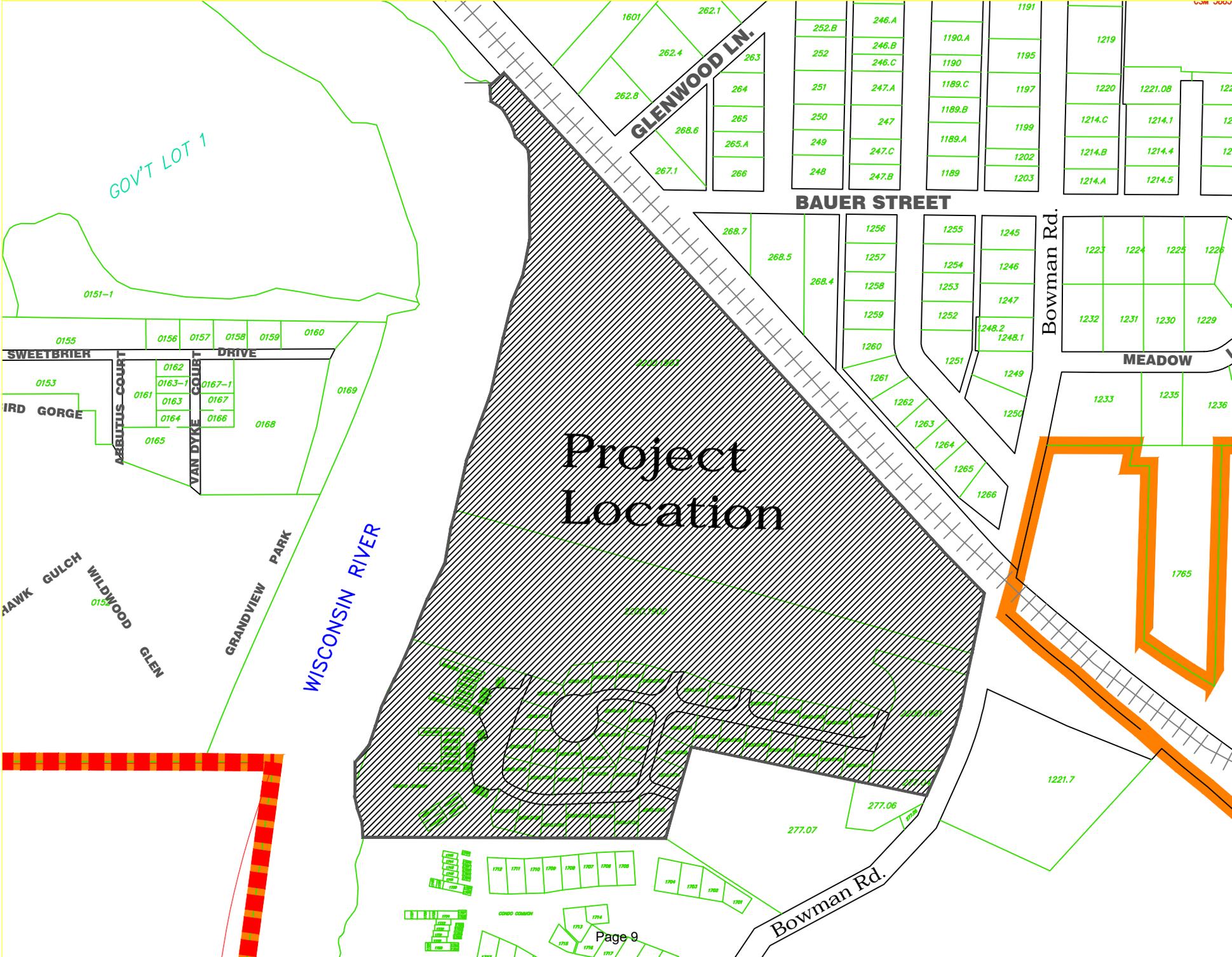
83.59(1)(g) states : (g) Exits, sidewalks and driveways used for exiting shall be kept free of ice, snow, and obstructions. For facilities serving only ambulatory residents, the CBRF shall maintain a cleared

pathway from all exterior doors to be used in an emergency to a public way or safe distance away from the building. For facilities serving semi-ambulatory and non-ambulatory residents, a CBRF shall maintain a cleared, hard surface, barrier-free walkway to a public way or safe distance away from the building for at least 2 primary exits from the building. All other required exits shall have at least a cleared pathway maintained to a public way or safe distance from the building. An exit door or walkway to a cleared driveway leading away from the CBRF also meets this requirement.

83.47(2) states: **(2) EMERGENCY AND DISASTER PLAN.**

- (a) *Written plan.* The CBRF shall have a written plan for responding to emergencies and disasters that is readily available to all employees. The plan shall specify the responsibilities of employees. The plan shall include all of the following:
1. Procedures for orderly evacuation or other department-approved response during an emergency or disaster. The plan shall include procedures for any resident who refuses to follow evacuation or emergency procedures.
  2. The CBRF's response to serious illness or accidents.
  3. Procedures to follow when a resident is missing.
  4. The CBRF's preparation for and response to severe weather including tornado and flooding.
  5. A route to dry land when the CBRF is located in a flood plain.
  6. Location of an emergency shelter for the residents.
  7. A means of transporting residents to the emergency shelter.
  8. How meals and medications will be provided to residents at the emergency shelter.
- (b) *Exit diagram.* The disaster plan shall have an exit diagram that shall be posted on each floor of the CBRF used by residents in a conspicuous place where it can be seen by the residents. The diagram shall identify the exit routes from the floor, including internal horizontal exits under par. (f) when applicable, smoke compartments or a designated meeting place outside and away from the building when evacuation to the outside is the planned response to a fire alarm.
- (c) *Emergency and disaster procedures.* Fire, tornado, flooding or other emergency or disaster procedures shall be clearly communicated to a new resident within 72 hours after admission.
- (d) *Fire drills.*
1. Fire evacuation drills shall be conducted at least quarterly with both employees and residents. Drills shall be limited to the employees scheduled to work at that time. Documentation shall include the date and time of the drill and the CBRF's total evacuation time. The CBRF shall record residents having an evacuation time greater than the time allowed under s. [DHS 83.35 \(5\)](#) and the type of assistance needed for evacuation. Fire evacuation drills may be announced in advance.
  2. At least one fire evacuation drill shall be held annually that simulates the conditions during usual sleeping hours. Fire evacuation drills may be announced in advance. Drills shall be limited to the employees scheduled to work during the residents' normal sleeping hours.
- (e) *Other evacuation drills.* Tornado, flooding, or other emergency or disaster evacuation drills shall be conducted at least semi-annually.

DHS staff advised their review for the licensing of a facility will take a general look at the site accessibility, but stressed local emergency responders are best equipped to evaluate their ability to serve the facility. Initial review of the DHS code and discussions with DHS staff indicate that DHS concerns lie more in the evacuation of the buildings, and emergency plans for a disaster. DHS would ask for the operator to work with local Emergency Response personnel to develop emergency response evacuation plans. Concerns from City Emergency Response personnel are focused on the vulnerability of tenants in this type of facility, and the significant number of Emergency call to similar facilities. Hindrances to site access impede normally expected emergency response.







# Current Phase 1a Site Plan over Original GDP

CITY SUBMITTAL

CONTROL POINT	EASTING	NORTHING	ELEVATION	NOTE
GEC CP #15	455205.9990'	422779.5100	567.33'	SPIKE
GEC CP #37	455115.9436'	423219.1086'	591.46'	SPIKE
GEC CP #13	455760.8910'	423128.5310'	568.57'	SPIKE

**DIAGRAM BY MORNINGSIDE**  
DIAL 811 or 1-800-242-8511

To Obtain Location of Participants (Underground) Facilities Before You Dig or Excavate:  
Call 811 or 1-800-242-8511  
Web Site: 182.2178.1974  
Business Hours: 8:00 AM - 5:00 PM  
Before You Excavate

- NOTES:
1. ALL EXISTING UNDERGROUND UTILITY LOCATIONS ARE APPROXIMATE AND SHOULD BE FIELD VERIFIED PRIOR TO CONSTRUCTION.
  2. ALL GENERAL NOTES FOUND ON SHEET G1.1.



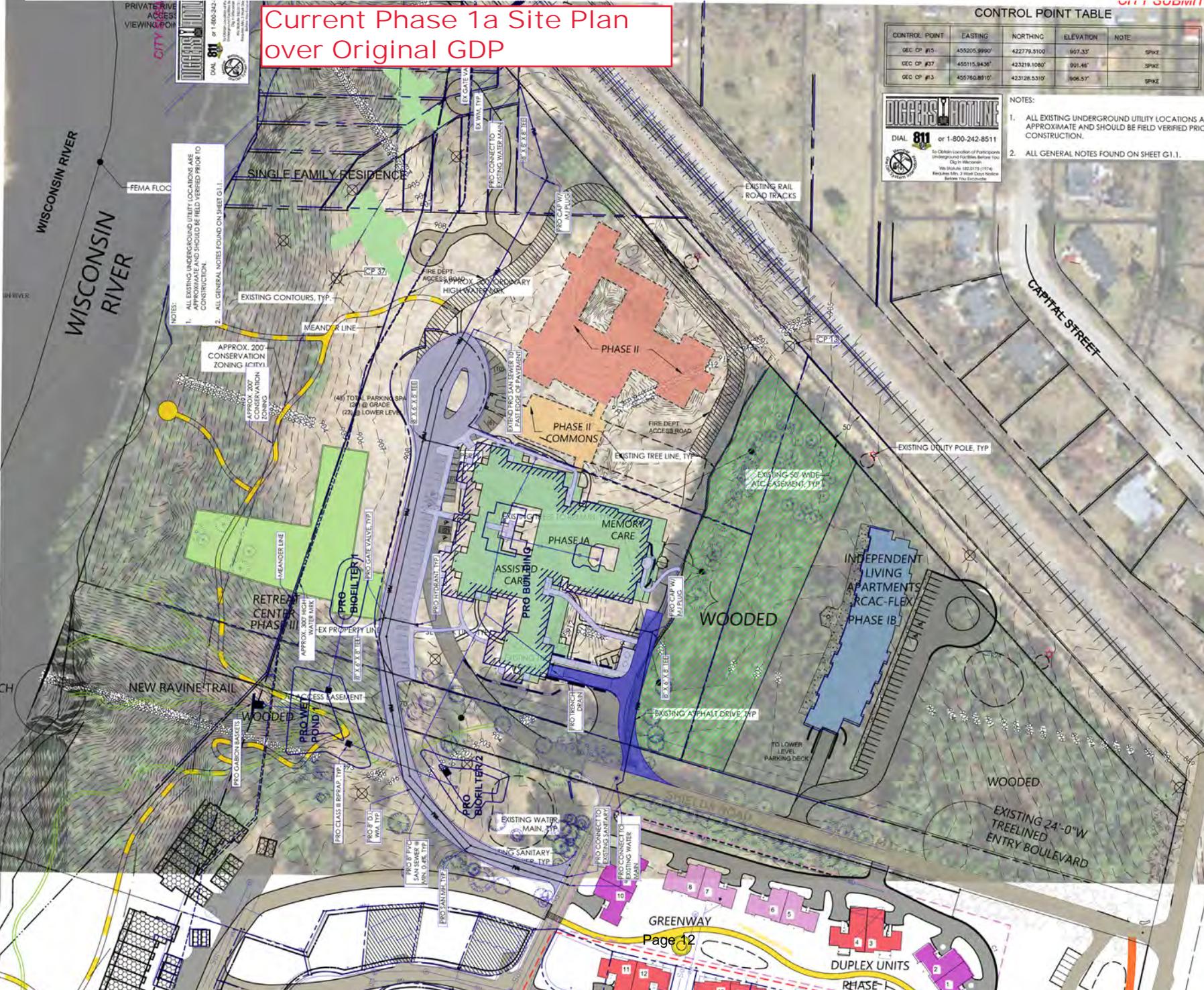
**General Engineering Company**  
P.O. Box 540 • 918 Silver Lake Dr. • Piquette, MI 48861  
616-242-2199 (Office) • 616-242-2300 (Fax)  
www.generalengineering.net

**EXISTING SITE PLAN**  
NEW MEMORY CARE & ASSISTED LIVING  
RIVERWOOD EAGLE'S NEST  
CITY OF WISCONSIN DELLS  
COLUMBIA COUNTY, WI

DATE	BY	NO.	REVISION
08/23/17	TCF	1	ISSUE



DRAWN BY: TCF  
REVIEWED BY: BRB  
ISSUE DATE: 10/23/19  
GEC FILE NO: 2-0918-4578  
SHEET NO: **C1.0**



# 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
	Receipt number
	Application number

**1. Applicant information**

Applicant name	Riverwood Eagle's Nest, LLC
Street address	8001 Terrace Avenue
City	Middleton
State and zip code	WI 53562
Daytime telephone number	(608) 829-3450
Fax number, if any	
E-mail, if any	steve@riverwoodlistens.com

**2. Subject property information**

Street address	Bowman Road, Wisconsin Dells, WI 53965	
Parcel number	2200.1902, 2200.1903	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)	PDD-2	
Describe the current use	Vacant Land	

**3. Proposed use.** Describe the proposed use.

The proposed site will include a memory care and assisted living facility.

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

Staff will be working all hours, daily in split shifts to assist residents. Surrounding properties will not be affected by hours of operation.

**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

**N/A**

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

**The proposed site will have two paved access points with limited to no pedestrian traffic. Pedestrian traffic will utilize sidewalks on-site.**

c. Effects of the project on the natural environment

**The proposed site contains 3 bald eagle nests which will not be disturbed. Tree removal will be kept to a minimum to preserve the natural environment.**

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

**Hours of operation will not create any nuisances due to the calm nature of the proposed facility.**

e. The overall appearance of the project

**The proposed project will be aesthetically pleasing from a site standpoint. Stormwater management features should be kept tidy through routine maintenance, and the project as a whole is meant to be as un-intrusive as possible to the existing environment around it.**

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.
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.

# SITE PLAN APPLICATION Wisconsin Dells, Wisconsin

Version: February 27, 2008

## 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.

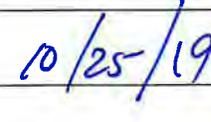
If the applicant does not pay for eligible costs, the City Clerk/Treasurer shall add the outstanding balance to the tax roll as a special assessment against the subject property. In addition, the City may pursue other legal means to obtain the outstanding balance as allowed by law.

### 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.



Applicant Signature



Date

# SITE PLAN APPLICATION

## Wisconsin Dells, Wisconsin

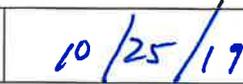
Version: February 27, 2008

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

Date

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

# SITE PLAN APPLICATION

## Wisconsin Dells, Wisconsin

Version: February 27, 2008

### Site Plan Check List

Project Information	Included ? Yes / No
Project name (e.g., business name, subdivision name)	<input checked="" type="radio"/> Y / N
Applicant name	<input checked="" type="radio"/> Y / N
Preparation date	<input checked="" type="radio"/> Y / N
<b>Survey Information</b>	
North arrow and graphic scale	<input checked="" type="radio"/> Y / N
Address of subject parcel or legal description	<input checked="" type="radio"/> Y / N
Property boundaries	<input checked="" type="radio"/> Y / N
Acreage of subject parcel	<input checked="" type="radio"/> Y / N
<b>Project Development Information</b>	
Easements/rights-of-ways (location, width, purpose, ownership)	<input checked="" type="radio"/> Y / N
Common areas/conservancy areas (location, purpose, ownership)	<input checked="" type="radio"/> Y / N
<b>Setting</b>	
Property boundaries within 50' of the subject parcel	<input checked="" type="radio"/> Y / N
Land uses within 50' of the subject parcel	<input checked="" type="radio"/> Y / N
Zoning district boundaries within 50' of the subject parcel	<input checked="" type="radio"/> Y / N
Municipal boundaries within 50' of the subject parcel	<input checked="" type="radio"/> Y / N
<b>Site Features (Existing and Proposed)</b>	
Ground contours when any slope exceeds 10 percent	<input checked="" type="radio"/> Y / N
Wetlands	<input checked="" type="radio"/> Y / N
Woodlands	<input checked="" type="radio"/> Y / N
Wildlife habitat, including critical wildlife habitat	<input checked="" type="radio"/> Y / N
Environmentally sensitive features	<input checked="" type="radio"/> Y / N
Water resources (rivers, ponds, etc.)	<input checked="" type="radio"/> Y / N
Floodplain boundaries	<input checked="" type="radio"/> Y / N
Environmental and man-made hazards including brownfields, contaminated sites, unstable soils, high groundwater, bedrock, high-pressure natural gas lines, and others as appropriate	<input checked="" type="radio"/> Y / N
Fences, buffers, and berms	<input checked="" type="radio"/> Y / N
Pervious and impervious surfaces by type	<input checked="" type="radio"/> Y / N
Site amenities (benches, fountains, etc.)	<input checked="" type="radio"/> Y / N
Existing trees and other prominent vegetation	<input checked="" type="radio"/> Y / N
Trees / shrubs to be planted, including a plant list and specs.	Y / <input checked="" type="radio"/> N
Trees / shrubs to be retained	<input checked="" type="radio"/> Y / N
<b>Outdoor Lighting (Existing and Proposed)</b>	
Location	Y / <input checked="" type="radio"/> N
Fixture specifications	Y / <input checked="" type="radio"/> N
<b>Utilities (Existing and Proposed)</b>	
Location	<input checked="" type="radio"/> Y / N
Type (sewer, telephone, etc.) (buried or overhead, if applicable)	<input checked="" type="radio"/> Y / N
<b>Stormwater Facilities (Existing and Proposed)</b>	
Location	<input checked="" type="radio"/> Y / N
Specifications for each facility	<input checked="" type="radio"/> Y / N
<b>Solid Waste Collection</b>	
Location	<input checked="" type="radio"/> Y / N
Enclosed	<input checked="" type="radio"/> Y / N

Transportation Facilities (Existing and Proposed)	Included ? Yes / No
Streets	<input checked="" type="radio"/> Y / N
Driveways and road access onto public and private roads	<input checked="" type="radio"/> Y / N
Sidewalks / trails	<input checked="" type="radio"/> Y / N
Clear visibility triangles (location and dimensions)	<input checked="" type="radio"/> Y / N
<b>Buildings / Structures (footprint, use, etc.)</b>	
Existing and proposed within subject parcel	<input checked="" type="radio"/> Y / N
Existing within 50' of subject parcel	<input checked="" type="radio"/> Y / N
<b>Signs (Existing and Proposed)</b>	
Location	<input checked="" type="radio"/> Y / <input checked="" type="radio"/> N
Specifications for each sign including type, height, dimensions, lighting, and other factors considered during the	Y / <input checked="" type="radio"/> N
<b>Parking</b>	
Number of stalls	<input checked="" type="radio"/> Y / N
Dimensions of stalls	<input checked="" type="radio"/> Y / N

Certified Survey Map (CSM)  
Owner -Riverview Boat Line  
Location – Timbavati Wildlife Park  
Plan Commission 11/13/2019

The City has received a Certified Survey Map (CSM) from Riverview Boat Line to divide parcels 291-0106-00000 and 291-0111-0000. There appears to be an intention for the Timbavati Wildlife park along Wisconsin Dells Parkway to sit on its own lot, separate from the rest of the Riverview controlled property. The CSM also creates a separate piece of property for the Goody Goody Gum Drop property, that is operated as an independent business. The CSM describes the Timbavati property as Lot 1, the Goody Goody Gum Drop property as Lot 2, and the remainder of parcel 291-0106-0000 is large and undefined.

It appears the remainder of parcel 291-0106-00000 will maintain compliant access to Wis. Dells Parkway, but this is not verified on the Map. Verification of this dimension should be added to the map.

There appears to be a potential for two (2) separate remnant parcels from parcels 106 and 111 in the North-west corner of the survey. This area should be clarified and addressed to ensure any remaining parcels meet City requirements, including right of way frontage.

It would be preferable for the small remnant parcels to be eliminated and that property incorporated into one of the larger parcels.

Lot 2 created for Goody Goody Gum Drop appears to meet City standards and has the required frontage along Wis Dells Parkway. However, the actual access to this property is from the existing drive access. This CSM should identify a minimum 24 foot wide access easement to Goody Goody Gum Drop from the existing access to Wisconsin Dells Parkway.

It appears that the new lot created for Goody Goody Gum Drop will be running rather close to the building. While the City Zoning code does not have building set-backs in this area, there are building code separation requirements that should be maintained. The State code does allow for a “no-build” easement to address building separation requirements. It appears a 10 foot building separation is required.

Items to be addressed at this time:

1. Verify building separation requirements comply with State code.
2. Verify parcel 291-0106 remnant maintains 40 feet of frontage along Wisconsin Dells Parkway.
3. Ensure remnant parcels in North-West area meet parcel requirements including frontage to Wisconsin Dells Parkway.

Prepared by:

Chris Tollaksen  
City of Wisconsin Dells  
Zoning Administrator

As prepared by:

# GA GROTHMAN & ASSOCIATES S.C. LAND SURVEYORS

825 EAST SLIFER STREET, P.O. BOX 373 PORTAGE, WI. 5390  
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(RED LOGO REPRESENTS THE ORIGINAL MAP)

SEAL:



G & A FILE NO. **319-119**



DRAFTED BY: A. MAST

CHECKED BY: TG

PROJ. 319-119

DWG. 319-119

SHEET 1 OF 8

11-06-2019

## SAUK COUNTY CERTIFIED SURVEY MAP NO. \_\_\_\_\_ GENERAL LOCATION

Volume \_\_\_\_\_, Page \_\_\_\_\_

**BEING PART OF VACATED QUISISANA PLAT, PART OF GOVERNMENT LOT 2, THE SW1/4 OF THE NE1/4, SECTION 9 AND PART OF GOVERNMENT LOT 1, SECTION 10, ALL IN T. 13 N, R. 6 E, CITY OF WISCONSIN DELLS, SAUK COUNTY, WISCONSIN. CONTAINING 1,484,172 SQ.FT. 34.07 ACRES**

**BASIS OF BEARINGS:** IS THE EAST LINE OF GOVERNMENT LOT 2 WHICH BEARS N01°06'09"W AS REFERENCED TO GRID NORTH SAUK CO. COORDINATE SYSTEM NAD83(97).

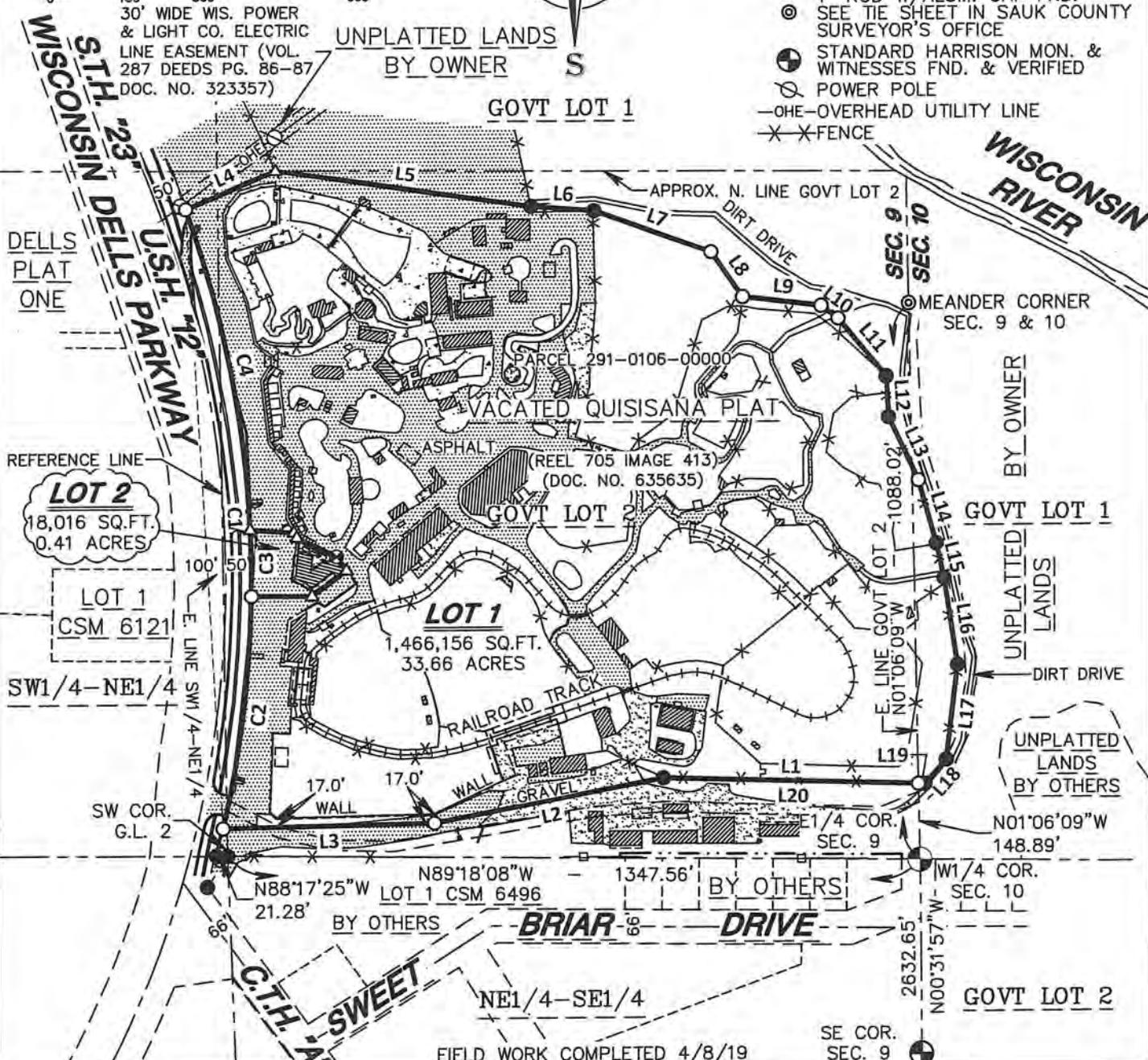
**SCALE: 1" = 300'**

0 150' 300' 600'



### LEGEND

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- △ MAG NAIL SET
- ⊕ CHISELED "X" IN CONC. SET
- 3/4" IRON ROD FND.
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- ⊕ SEE TIE SHEET IN SAUK COUNTY SURVEYOR'S OFFICE
- ⊕ STANDARD HARRISON MON. & WITNESSES FND. & VERIFIED
- ⊗ POWER POLE
- O— OVERHEAD UTILITY LINE
- X— FENCE



**OWNER/CLIENT:** RIVERVIEW BOAT LINE  
P.O. BOX 410  
WISCONSIN DELLS, WI 53965

As prepared by:

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G & A FILE NO. **319-119**



DRAFTED BY: A. MAST

CHECKED BY: TG

PROJ. 319-119

DWG. 319-119

SHEET 2 OF 8

## SAUK COUNTY CERTIFIED SURVEY MAP NO. \_\_\_\_\_

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Volume \_\_\_\_\_, Page \_\_\_\_\_

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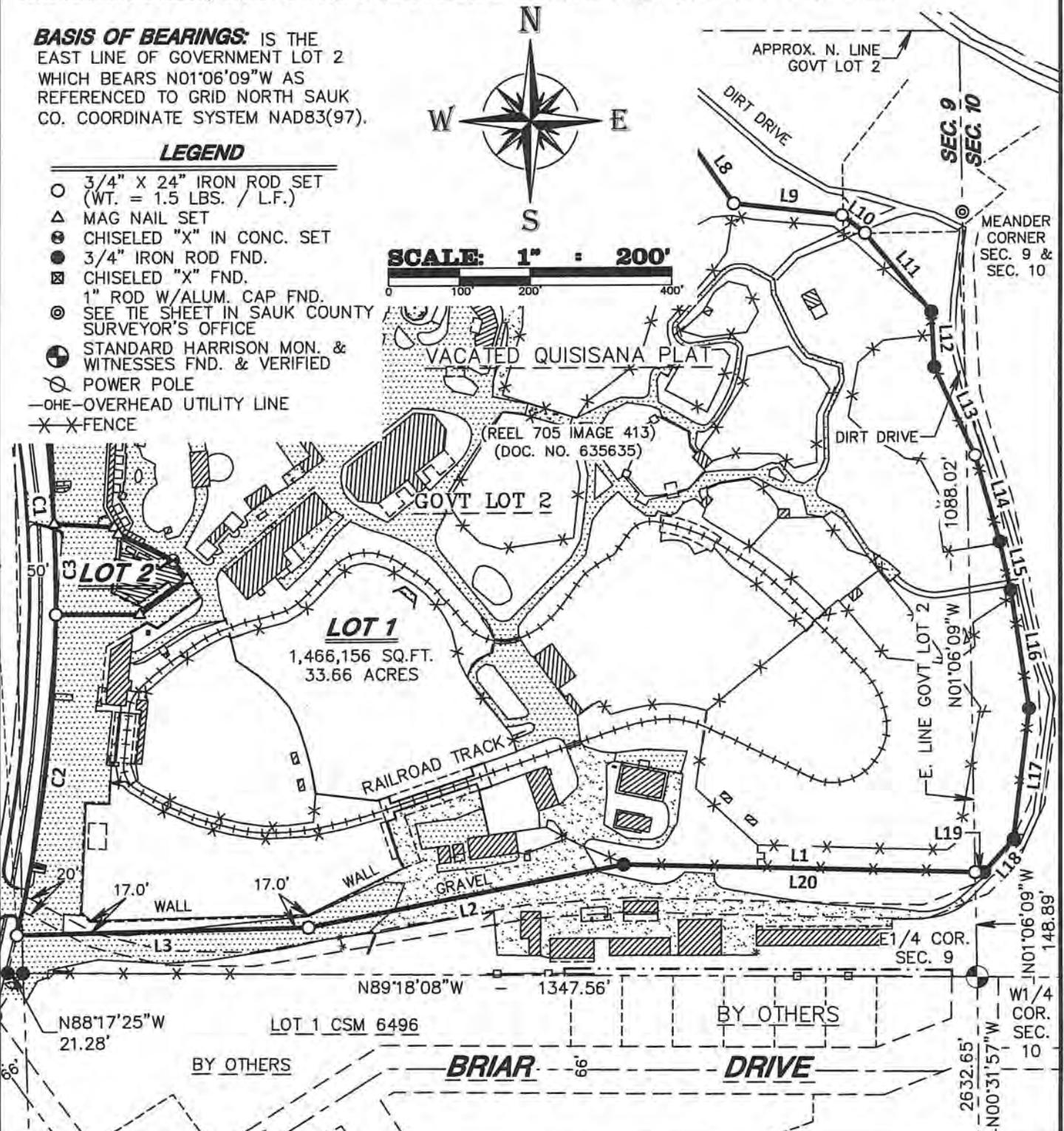
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- X—FENCE

SCALE: 1" = 200'

0 100' 200' 400'



**OWNER/CLIENT:** RIVERVIEW BOAT LINE  
P.O. BOX 410  
WISCONSIN DELLS, WI 53965

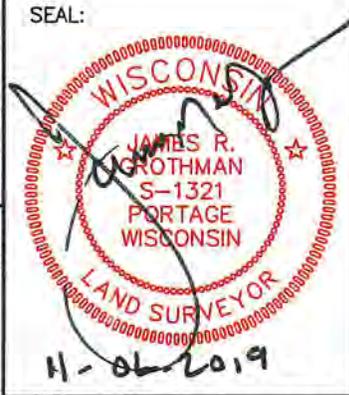
As prepared by:

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LAND SURVEYORS

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DRAFTED BY: A. MAST

CHECKED BY: TG

PROJ. 319-119

DWG. 319-119 SHEET 3 OF 8

## SAUK COUNTY CERTIFIED SURVEY MAP NO. \_\_\_\_\_ GENERAL LOCATION

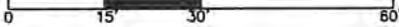
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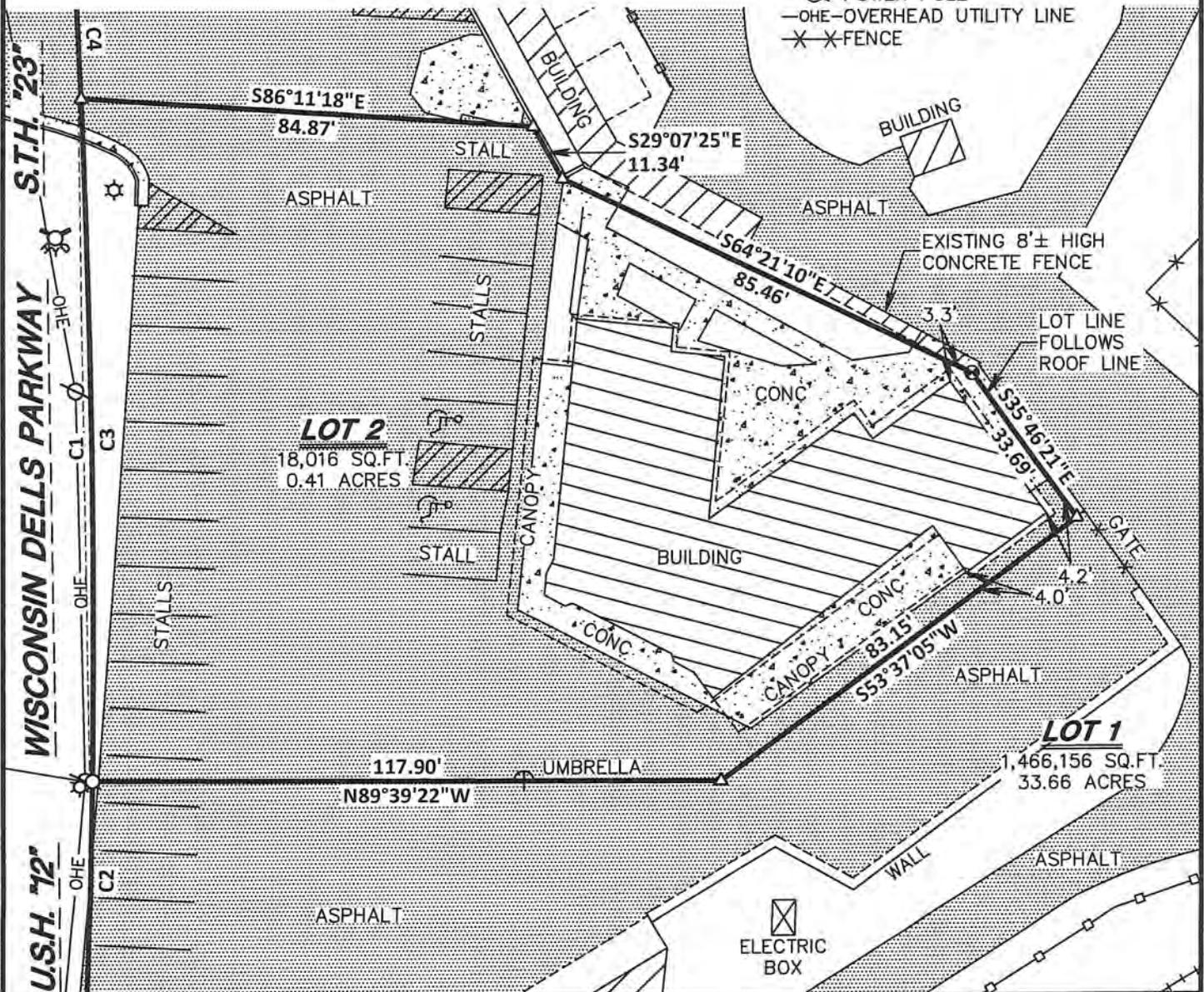


**SCALE: 1" = 30'**



### LEGEND

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- OHE—OVERHEAD UTILITY LINE
- ✕ FENCE



**OWNER/CLIENT:** RIVERVIEW BOAT LINE  
P.O. BOX 410  
WISCONSIN DELLS, WI 53965

As prepared by:

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SHEET 4 OF 8

11-06-2019

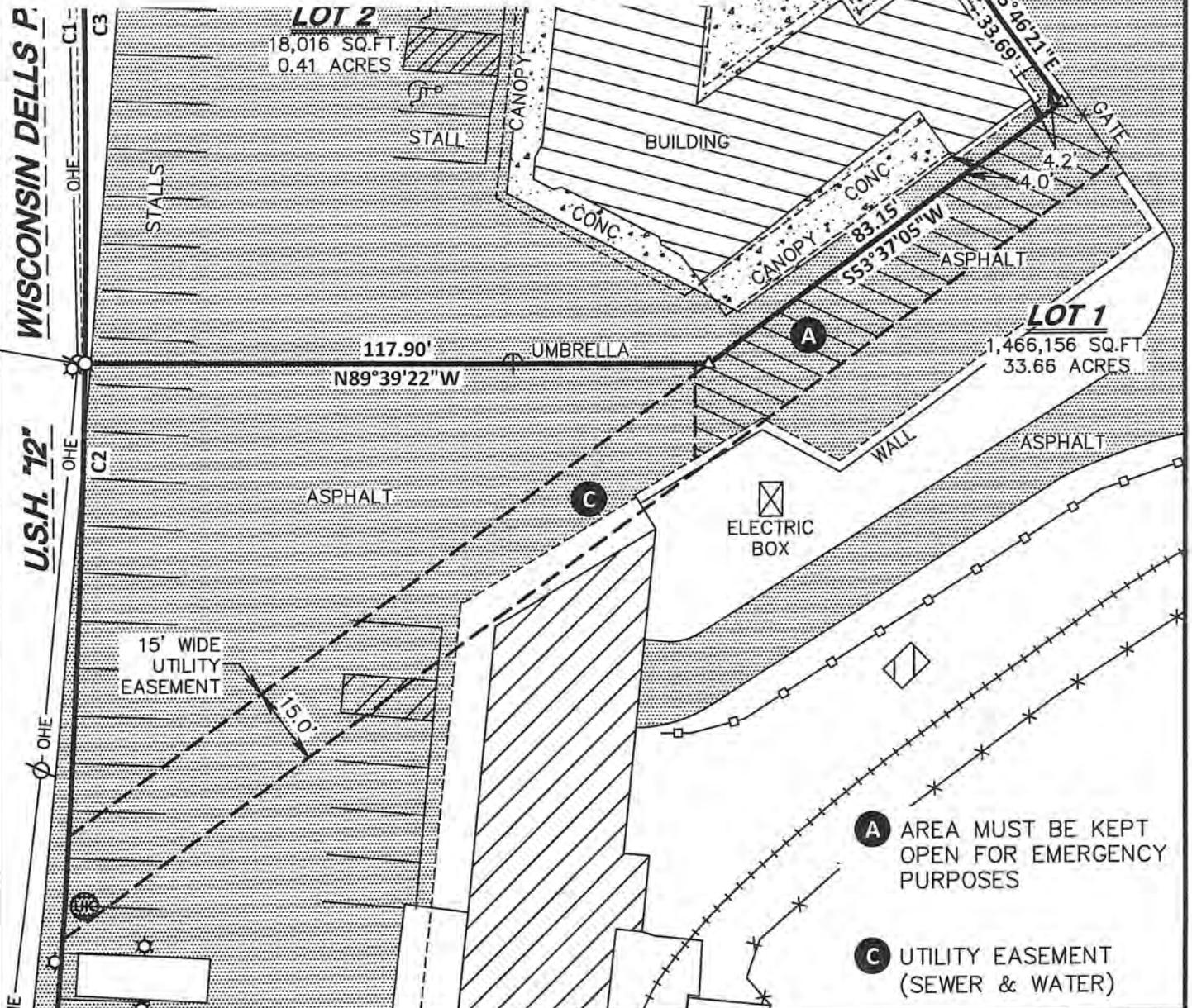
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**SCALE: 1" = 30'**



- A** AREA MUST BE KEPT OPEN FOR EMERGENCY PURPOSES
- C** UTILITY EASEMENT (SEWER & WATER)

**OWNER/CLIENT:** RIVERVIEW BOAT LINE  
P.O. BOX 410  
WISCONSIN DELLS, WI 53965

As prepared by:

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11-06-2019

G & A FILE NO. 319-119



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CHECKED BY: TG

PROJ. 319-119

DWG. 319-119 SHEET 5 OF 8

## SAUK COUNTY CERTIFIED SURVEY MAP NO. \_\_\_\_\_ GENERAL LOCATION

Volume \_\_\_\_\_, Page \_\_\_\_\_

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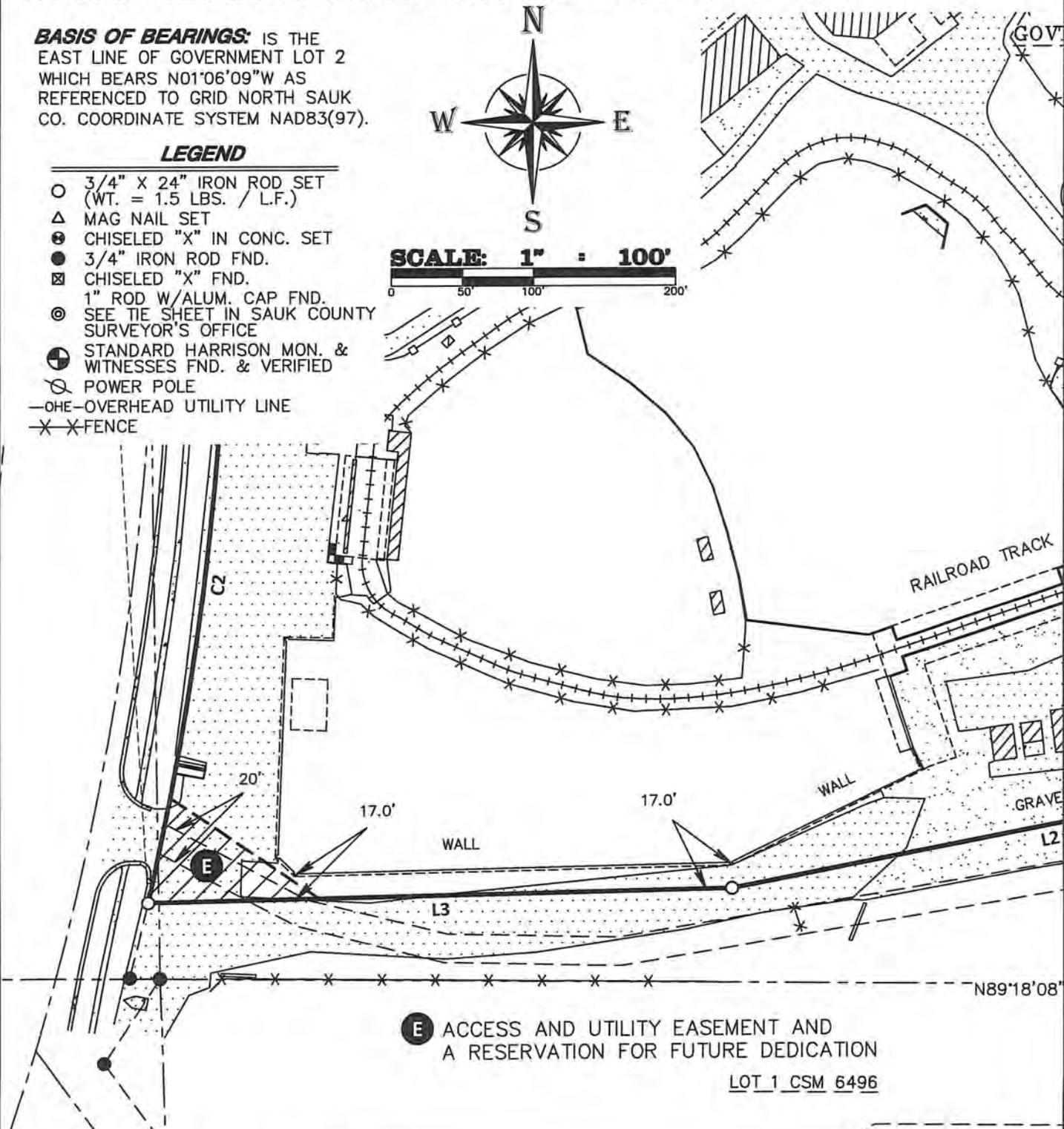
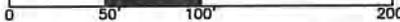
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- ⊙ POWER POLE
- OHE—OVERHEAD UTILITY LINE
- X—FENCE



SCALE: 1" = 100'



**E** ACCESS AND UTILITY EASEMENT AND A RESERVATION FOR FUTURE DEDICATION  
LOT 1 CSM 6496

**OWNER/CLIENT:** RIVERVIEW BOAT LINE  
P.O. BOX 410  
WISCONSIN DELLS, WI 53965

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PROJ. 319-119

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SHEET 6 OF 8

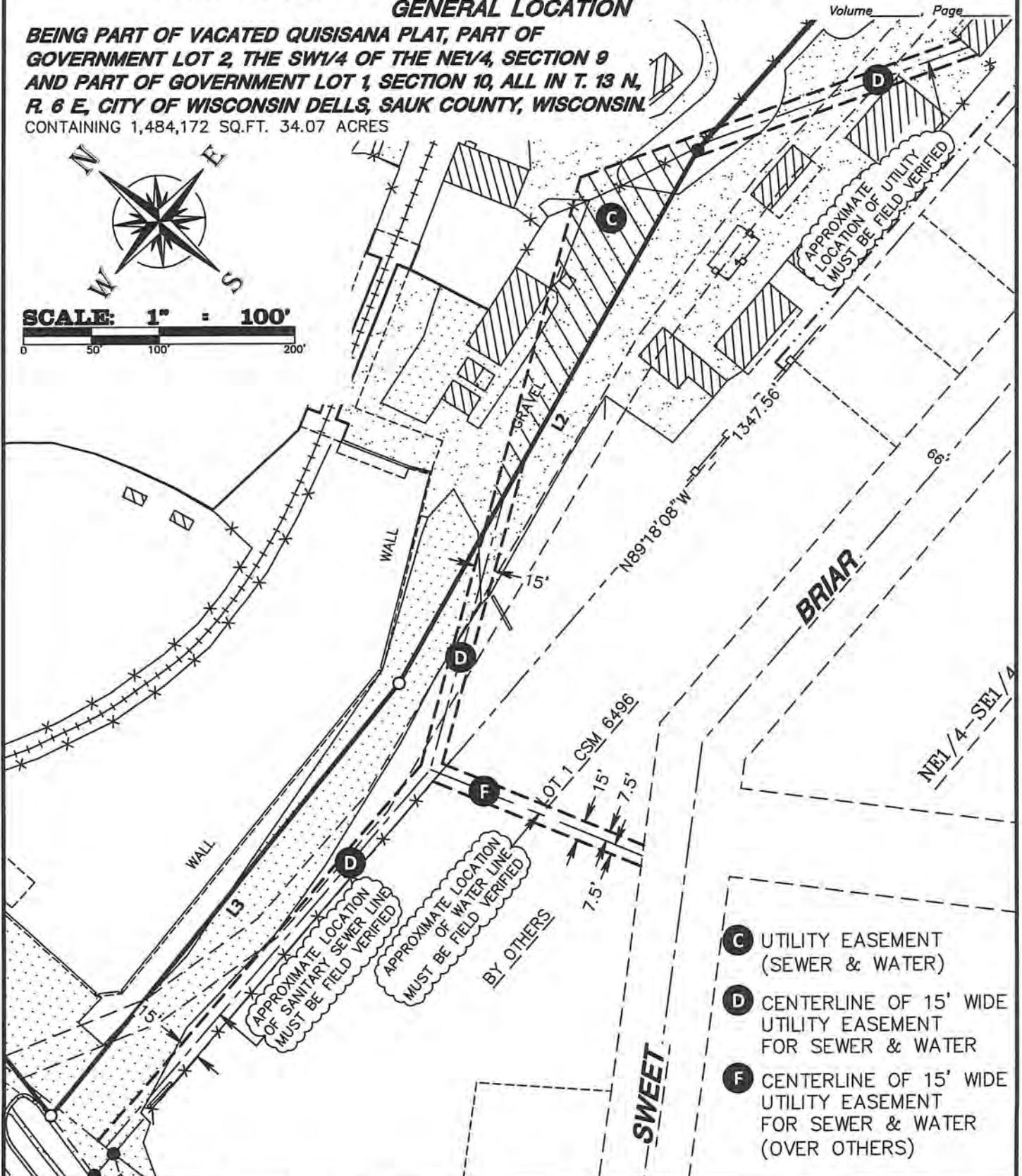
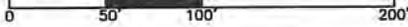
11-04-2019

### SAUK COUNTY CERTIFIED SURVEY MAP NO. GENERAL LOCATION

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SCALE: 1" = 100'



- C** UTILITY EASEMENT (SEWER & WATER)
- D** CENTERLINE OF 15' WIDE UTILITY EASEMENT FOR SEWER & WATER
- F** CENTERLINE OF 15' WIDE UTILITY EASEMENT FOR SEWER & WATER (OVER OTHERS)

**OWNER/CLIENT:** RIVERVIEW BOAT LINE  
P.O. BOX 410  
WISCONSIN DELLS, WI 53965

As prepared by:

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DRAFTED BY: A. MAST

CHECKED BY: TG

PROJ. 319-119

DWG. 319-119 SHEET 7 OF 8

## SAUK COUNTY CERTIFIED SURVEY MAP NO. \_\_\_\_\_

### GENERAL LOCATION

Volume \_\_\_\_\_, Page \_\_\_\_\_

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Parcel Line Table

Line No.	Direction	Length
L1	N88°19'17"W	497.33
L2	S79°10'05"W	453.48
L3	S88°53'39"W	410.34
L4	N67°12'00"E	188.70
L5	S81°56'19"E	501.70
L6	S85°51'34"E	122.46
L7	S70°25'55"E	242.43
L8	S34°48'24"E	107.41
L9	S83°27'39"E	154.06
L10	S52°44'06"E	41.38
L11	S39°36'52"E	147.08
L12	S03°17'08"E	78.81
L13	S24°42'25"E	137.77
L14	S15°42'23"E	127.73
L15	S12°47'36"E	69.50
L16	S08°41'29"E	171.99
L17	S06°43'01"W	186.77
L18	S41°38'40"W	62.82
L19	N88°19'17"W	12.78
L20	N88°19'17"W	510.11

C1

DELTA = 32°54'26"  
ARC = 1225.46  
RAD = 2133.70  
BEARING = N03°22'48"W  
DIST = 1208.69

C3

DELTA = 03°27'04"  
ARC = 128.52  
RAD = 2133.70  
BEARING = N00°55'58"W  
DIST = 128.50

C2

DELTA = 12°16'51"  
ARC = 457.34  
RAD = 2133.70  
BEARING = N06°56'00"E  
DIST = 456.46

C4

DELTA = 17°10'31"  
ARC = 639.60  
RAD = 2133.70  
BEARING = N11°14'45"W  
DIST = 637.21

### ZONING

C-4 COMMERCIAL LARGE SCALE  
SETBACKS:  
FRONT = 0 FEET  
SIDE = 0 FEET ADJACENT TO COMMERCIAL  
10 FEET ADJACENT TO RESIDENTIAL  
REAR = 10 FEET  
RIVER = 200 FEET FROM ORDINARY HIGH WATER MARK

**OWNER/CLIENT:** RIVERVIEW BOAT LINE  
P.O. BOX 410  
WISCONSIN DELLS, WI 53965

As prepared by:

**GA GROTHMAN & ASSOCIATES S.C.**  
LAND SURVEYORS

825 EAST SLIFER STREET, P.O. BOX 373 PORTAGE, WI. 53901  
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(RED LOGO REPRESENTS THE ORIGINAL MAP)

SEAL:



**G & A FILE NO. 319-119**



DRAFTED BY: A. MAST

CHECKED BY: TG

PROJ. 319-119

DWG. 319-119 SHEET 8 OF 8

**SAUK COUNTY CERTIFIED SURVEY MAP NO. \_\_\_\_\_**

**GENERAL LOCATION**

Volume \_\_\_\_\_, Page \_\_\_\_\_

**BEING PART OF VACATED QUISISANA PLAT, PART OF GOVERNMENT LOT 2, THE SW1/4 OF THE NE1/4, SECTION 9 AND PART OF GOVERNMENT LOT 1, SECTION 10, ALL IN T. 13 N, R. 6 E, CITY OF WISCONSIN DELLS, SAUK COUNTY, WISCONSIN. CONTAINING 1,484,172 SQ.FT. 34.07 ACRES**

**SURVEYOR'S CERTIFICATE**

I, **JAMES R. GROTHMAN**, Professional Land Surveyor, do hereby certify that by the order of **Riverview Boat Line**, I have surveyed, monumented, mapped and divided a part of vacated Quisisana Plat, part of Government Lot 2, the Southwest Quarter of the Northeast Quarter of Section 9 and a part of Government Lot 1, Section 10 all in Town 13 North, Range 6 East, City of Wisconsin Dells, Sauk County, Wisconsin, described as follows:

Commencing at the East Quarter corner of Section 9;  
thence North 01°06'09" West along the East line of Government Lot 2, Section 9, 148.89 feet to the point of beginning;  
thence North 88°19'17" West, 497.33 feet;  
thence South 79°10'05" West, 453.48 feet;  
thence South 88°53'39" West, 410.34 feet to a point in the East right-of-way line of US Highway 12, also known as Wisconsin Dells Parkway;  
thence Northwesterly along a 2,133.70 foot radius curve to the left in the East right-of-way line of US Highway 12, also known as Wisconsin Dells Parkway, having a central angle of 32°54'26" and whose long chord bears North 03°22'48" West, 1,208.69 feet;  
thence North 67°12'00" East, 188.70 feet;  
thence South 81°56'19" East, 501.70 feet;  
thence South 85°51'34" East, 122.46 feet;  
thence South 70°25'55" East, 242.43 feet;  
thence South 34°48'24" East, 107.41 feet;  
thence South 83°27'39" East, 154.06 feet;  
thence South 52°44'06" East, 41.38 feet;  
thence South 39°36'52" East, 147.08 feet;  
thence South 37°17'08" East, 78.81 feet;  
thence South 24°42'25" East, 137.77 feet;  
thence South 15°42'23" East, 127.73 feet;  
thence South 12°47'36" East, 69.50 feet;  
thence South 08°41'29" East, 171.99 feet;  
thence South 06°43'01" West, 186.77 feet;  
thence South 41°38'40" West, 62.82 feet;  
thence North 88°19'17" West, 12.78 feet to the point of beginning.

Containing 1,484,172 square feet, (34.07 acres), more or less. Being subject to servitudes and easements of use or record if any.

I DO FURTHER CERTIFY that this is a true and correct representation of the boundaries of the land surveyed and that I have fully complied with the Provisions of Section AE 7 of the Wisconsin Administration Code and Chapter 236.34 of the Wisconsin State Statutes and the City of Wisconsin Dells Land Division Ordinances to the best of my knowledge and belief.

**JAMES R. GROTHMAN**  
Professional Land Surveyor, No. 1321  
Dated: November 6, 2019  
File No.: 319-119

**PLANNING & ZONING APPROVAL**

This Certified Survey Map in the **City of Wisconsin Dells**, is hereby approved by the Planning & Zoning Administrator.

\_\_\_\_\_  
**Planning & Zoning Administer**

\_\_\_\_\_  
**Date**

**OWNER/CLIENT:** RIVERVIEW BOAT LINE  
P.O. BOX 410  
WISCONSIN DELLS, WI 53965



potential non-compliant remnant parcels

current property line

proposed property line

Goody Goody Gum Drop

Original parcel 291-0106-00000 remaining frontage

11291-306.3

11291-299

11291-309.2

112

291-0109-00000

291-0107-115

US-12 W  
US-12 E

12

23

291-0149-00000

291-0190-00000

0000025

291-0192-00000

00000

291-0172-10000

Sweetbriar Dr

Sweetbriar Dr

Shad

DRC Appeal Removed per October Plan Commission & Legal Council

Section 22.02 Definitions

(18) Monument Sign: a detached, self-supporting sign mounted or incorporated into a solid base. (In certain cases the base may have two (2) separate legs that are no taller than the width of the base, with approval of the DRC).

(33) Roof Sign: any sign erected, constructed or maintained wholly upon or above the roof of any building with the principal support attached to the roof structure. The Design Review Committee may consider signs technically attached to the roof of a structure a "Wall Sign" if such sign is within eighteen (18) inches of the building wall and projects no more than 5 feet above the roof line of the building

Section 22.05 Exemptions

The following signs are exempt from the permit requirements of this ordinance:

(16) Sandwich boards, "A" frame and Pedestal Signs in the C-1 or C-2 District, following the downtown design standard and subject to review of the Design Review Committee (DRC).

Section 22.09 General Sign Regulations

(9) Portable Signs.

(a) Location. The sign shall be located within ten (10) feet of the business entrance, but shall not be placed in a location where the public paved area for passage is reduced to less than six (6) continuous feet in width or within twelve (12) feet of an intersection, driveway, public stairwell or crosswalk. Where possible, portable signs shall be located on private property.

C-1 and C-2 Zoning District. The Design Review Committee may approve signs on public property in the C-1 and C-2 Zoning District. Where possible the signs are to be located in the dedicated terrace area, which is delineated from the public walking path as colored and stamped concrete or pavers that separates the walking path from the vehicle lanes.

(b) Usage. The sign shall only be used during business hours.

(c) Material. The sign shall be made of a durable material such as wood or metal.

(10) Projecting Signs.

(a) Area Limitations. Projecting signs shall not exceed three hundred (300) square feet on each side, or as defined in Code Sec. 22.10, whichever is stricter.

(b) Projection over Public Property. Every projecting sign shall be placed at least ten (10) feet above the public sidewalk over which it is erected. No projecting sign shall project more than four (4) feet, six (6) inches into the public way.

Off-Broadway Exception: The Design Review Committee may allow a projecting sign that is NOT ON BROADWAY to project up to six (6) feet into the public way. Following notification of property owners & business operators within 50 feet of the subject parcel, the Design Review Committee shall determine that such projection would not cause undue hardship to a neighboring business.

(c) Height. The highest point of a projecting sign shall be no more than ten (10) feet above the roof line of the building upon which the projecting sign is placed, or as

defined in Code Sec. 22.10, whichever is stricter.

- (d) Content. Projecting signs shall promote or relate only to on- premises goods, services or activities.
- (e) Placement. Projecting signs shall be a minimum of forty (40) feet apart; except that each building or business may have a projecting sign.
- (f) Declaration of Policy. The erection of a projecting sign over the public right-of- way is declared to be a privilege granted by the City of Wisconsin Dells. There is no guarantee that all applications for projecting signs will be approved or that all designs will be permitted. Applications will be considered on a case by case basis and evaluated on their contribution to downtown Wisconsin Dells.

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Section 22.10 Specific Sign Requirements, per Zoning District

(4) C-2 Downtown Commercial Zoning District.

- (a) Total Allowable Sign Area. The total sign area permitted (i.e. all sign areas within a facade combined) shall not exceed five (5) square feet per one (1) lineal foot of business frontage with the minimum of 144 square feet and a maximum of 300 square feet allowed.
- (b) Permitted Signs. The following signs or other advertising structures are permitted: Directional signs; Marquee/Awning/Canopy Signs; Monument signs; **Portable Signs**, Projecting and Blade signs; Temporary signs; Wall signs; and, Window Signs. See Table (E) for restrictions on these permitted signs.
- (c) Off-Premise Signs. Off-premise signs are prohibited, meaning content of signs is limited to the business, service, and activity available or conducted on the subject lot, except in the following condition.
  - (i) When a business or service does not have direct access to a public street, signs directing traffic to the subject business or service may be located off premises at the nearest point of access. Such signs are counted as part of the total allowable sign area.

(5) C-1 Neighborhood Commercial, C-3 Highway Commercial, C-4 Large-scale Commercial, and M-1 Mixed Use Zoning Districts.

- (a) Permitted Signs. The following signs or other advertising structures are permitted: Directional signs; Marquee/Awning/Canopy Signs; Monument signs; Pole signs; **Portable Signs**; Projecting and Blade signs; Roof signs; Temporary signs; Wall signs; Wind signs; and, Window Signs.
- (b) Off-Premise Signs. Off-premise signs are prohibited, meaning content of signs is limited to the business, service, and activity available or conducted on the subject lot, except in the following condition.
  - (i) When a business or service does not have direct access to a public street, signs directing traffic to the subject business or service may be located off premises at the nearest point of access. Such signs are counted as part of the total allowable sign area.

~~(b) Prohibited Signs. Off-premise signs are prohibited in the C-1 Commercial neighborhood Zoning District~~

## Zoning Discussion

11/13/2019 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 (2) Zoning conflicts on this property. 1) Approximately 40% of the property is covered by the Zone 2 Wellhead Protection Overlay District for municipal Well 3. 2) 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.

*Underground petroleum storage tanks and motor vehicle services, including filling and service stations are prohibited in the Wellhead Protection Overlay 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 these Zones, or the City could consider amending either or both of these prohibitions, considering the following.

### **Wellhead Protection Overlay District**

In 2007 the City implemented an entirely new and re-structured Zoning Ordinance. At that time a Wellhead Protection Overlay District was established in the City of Wisconsin Dells Zoning Code to comply with the requirement for a Wellhead Protection Plan as required by the State Administrative Code (NR 811).

It is understood that State Law required the establishment of a Wellhead Protection area, however State Law does not appear to provide specific requirements or standards that must be established within the Wellhead Protection area. State Law also required the establishment of a well head protection plan, but the only specific regulations or standards identified are the "Minimum Separation" distances established by well sitting in NR 811.12(5)(d).

State Law prohibits standard Gas Station construction within 600 feet of a well.

State Law allows Gas Stations constructed to a higher standard to be within 300 feet of a well.

The Indian Trail property is located approximately 600 ft from Municipal Well 3.

The DNR did provide examples of Wellhead Protection Ordinances that could be utilized to meet the State Law requirements, and these included recommended regulations that were above and beyond the "Minimum Separation" distances established by NR811.12(5)(d).

The Wellhead Protection Overlay District and applicable regulations established in the City of Wisconsin Dells Zoning Code adopted some of the recommended regulations identified in the DNR model Ordinances.

Therefore, it is understood that the City has some authority to modify the current Wellhead Protection Overlay Zoning regulations. The prohibition on underground tanks and vehicle filling is part of the local City Zoning Code that is not mandated by State Law.

If the City interested in pursuing a change to the Wellhead Protection Overlay district, some options may include:

Removing the prohibition of underground storage tanks further than 600 ft from a municipal well.

Removing the prohibition on vehicle fueling islands further than 600 ft from a municipal well.

Requiring any new petroleum tanks and piping in a Wellhead Zone to be constructed to meet the most restrictive installation requirements of the State Administrative Code (ATCP 93.260) and receive written approval from DSPS.

### **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.

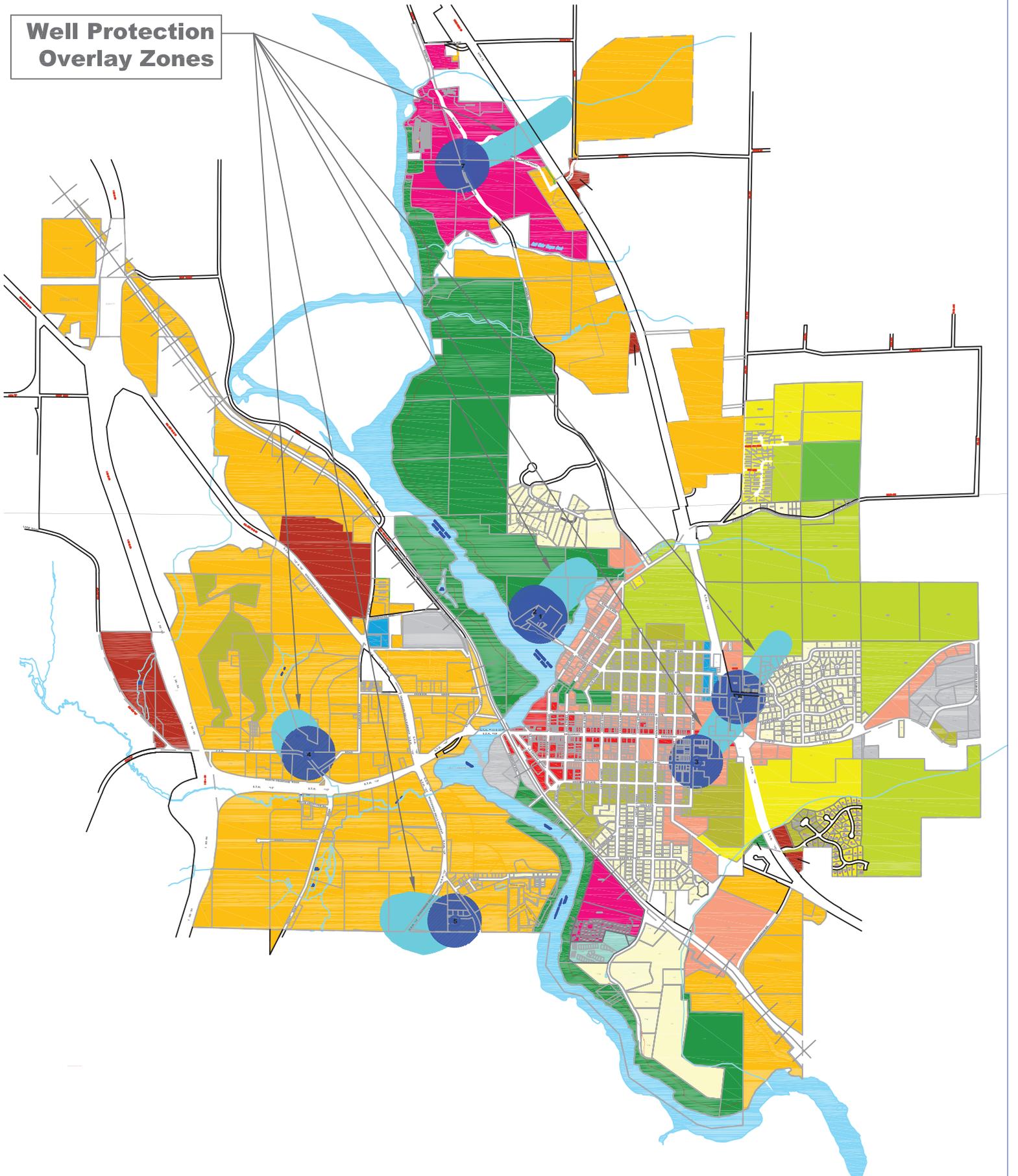
It should be noted that the property adjacent to Broadway and in the C-2 Commercial-downtown Zoning district is subject to the Design Standards, which prohibit parking in front of buildings. This Standard may be waived by the Design Review Committee during the design review process. The Design Standards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

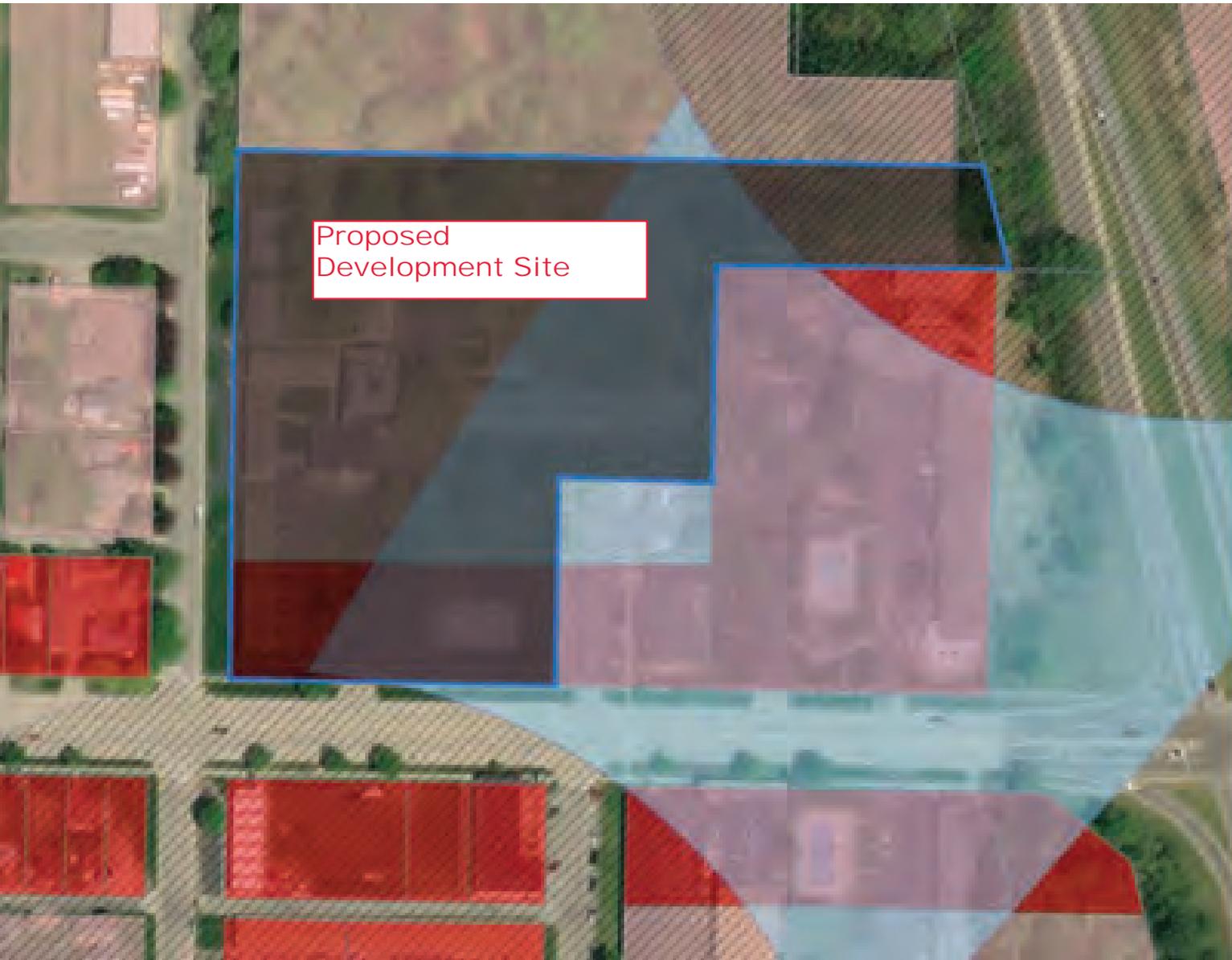
Consider allowing the Gas Station building in C-2 Downtown district or

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.

# Well Protection Overlay Zones

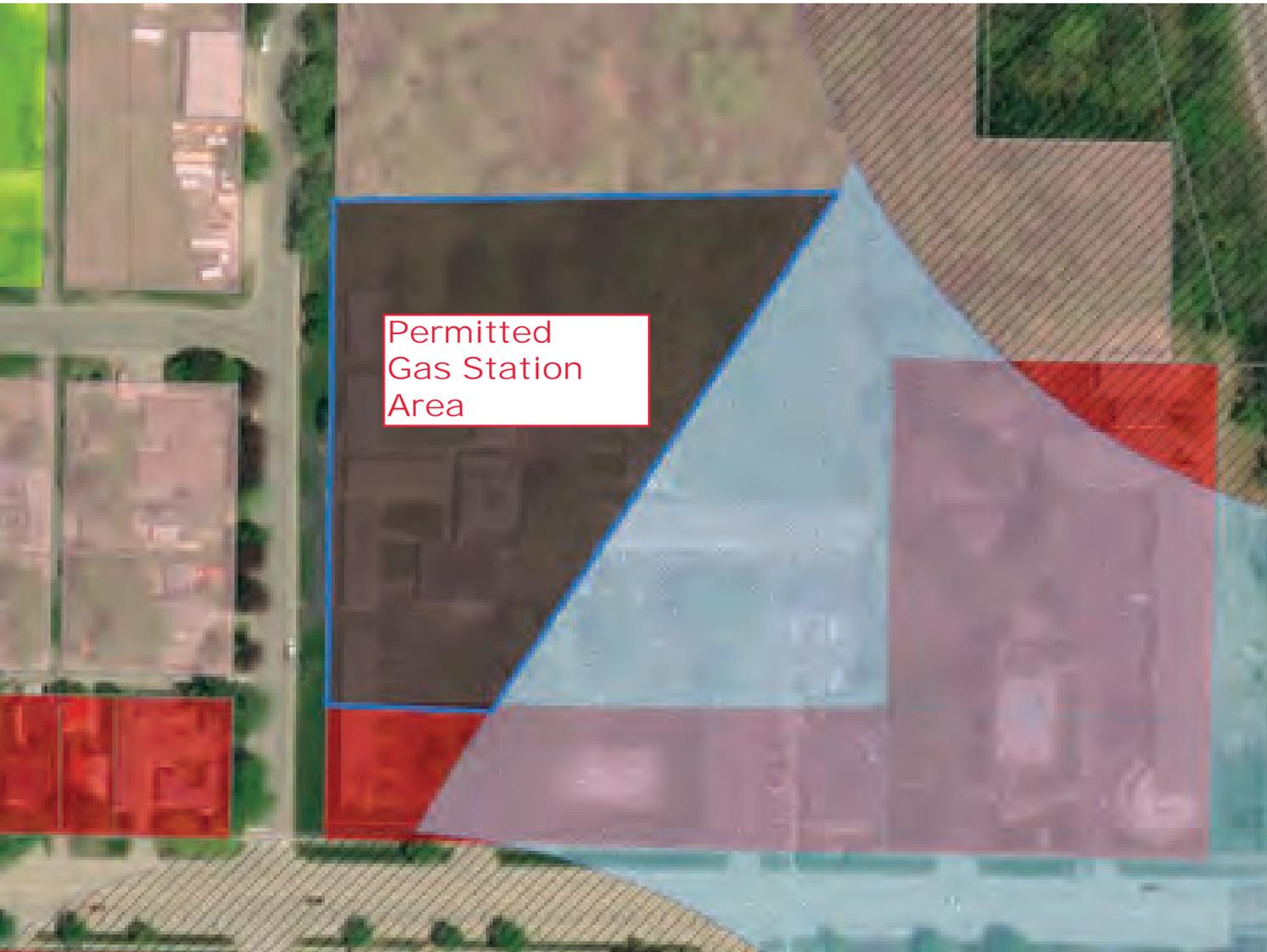




Measurement Result

253,480.5 Sq Feet

Clear



Permitted  
Gas Station  
Area

Measurement Result

126,923 Sq Feet

Clear

- (b) minimize warming of the river water;
- (c) protect important riparian and upland habitat;
- (d) minimize river bank erosion;
- (e) protect the natural functions of the river, including the removal of excess water from the land and sediment and nutrient transport; and
- (f) improve water quality.

**19.952 Establishment of district**

- (1) **Designation.** Where depicted on the official zoning map, the Wisconsin River shoreland buffer overlay district shall extend inland from the ordinary high-water mark a horizontal distance of 200 feet.
- (2) **Annexed lands.** Upon annexation, land along the Wisconsin River extending inland from the ordinary high-water mark a horizontal distance of 200 feet shall become a part of the overlay district. The city council may allow a lesser setback when it can be demonstrated that the 200-foot setback would result in an unnecessary hardship.

**19.953 Development standards**

- (1) **Land uses.** Land shall remain undeveloped except that recreation trails and water-dependent land uses such as boat launches, boat docks, wharves, and the like may be allowed as a conditional use.
- (2) **Existing vegetation.** Existing vegetation shall not be removed with the following exceptions:
  - (a) Removal of a tree that is dead, dying, or diseased provided a replacement tree is planted within this district and near the location where the tree was removed. Such replacement tree shall have a diameter at breast height of 1 inch and be of the same or similar species as the tree to be removed.
  - (b) Removal of a shrub provided a replacement shrub is planted within this district and near the location where the shrub was removed. Such replacement shrub shall be of the same or similar species as the shrub to be removed.
  - (c) Removal of existing vegetation to allow the establishment of a road or utility corridor provided the corridor is generally perpendicular to the river.
  - (d) Removal of noxious vegetation that poses a threat to health or safety (e.g., poison ivy).
  - (e) Removal of existing vegetation for the establishment of a path to the river that is no wider than 8 feet.
- (3) **Natural features.** Natural features including rock outcroppings shall not be disturbed.

**19.954 to 19.969 reserved**

**Division 10  
WELLHEAD PROTECTION OVERLAY DISTRICT**

**Sections:**

19.970	Legislative findings	19.977	Permitted uses
19.971	Authority	19.978	Conditional uses
19.972	Purpose	19.979	Separation standards
19.973	Responsibility of landowners and business operators	19.980	Design standards
19.974	Establishment of zones	19.981	Operational standards
19.975	Depiction of district boundaries on zoning map	19.982	Changing technology
		19.983	Spills, leaks, or discharges
19.976	Prohibited uses	19.984	Nonconforming uses

**19.970 Legislative findings**

The common council makes the following findings:

- (a) City residents depend exclusively on ground water for a safe drinking water supply.
- (b) Certain land use practices and activities can seriously threaten or degrade ground water quality.

**19.971 Authority**

Sec. 62.23 (7)(c), Wis. Stats., gives the city the authority to enact the provisions in this division.

**19.972 Purpose**

This division promotes the public health, safety, and welfare and is intended to help reduce the threat of contamination of the municipal water supply from land use activities.

**19.973 Responsibility of landowners and business operators**

Any person owning real property and/or operating a business within the wellhead protection overlay district has the responsibility to ensure compliance with the regulations in this division.

**19.974 Establishment of zones**

The wellhead protection overlay district is divided into two zones as follows:

- (a) Zone 1 is the area within 600 feet of the well.
- (b) Zone 2 is the area within the capture zone that lies beyond the 600-foot radius.

**19.975 Depiction of district boundaries on zoning map**

The boundaries of the wellhead protection overlay districts shall be shown on the zoning map.

**19.976 Prohibited uses**

The following uses are prohibited in zones 1 and 2:

- (a) buried hydrocarbon, petroleum, or hazardous chemical storage tanks;
- (b) cemeteries;
- (c) chemical manufacturers (Standard Industrial Classification Major Group 28);
- (d) coal storage;
- (e) dry cleaners;
- (f) industrial lagoons and pits;
- (g) landfills and any other solid waste facility, except post-consumer recycling;
- (h) manure and animal waste storage, except animal waste storage facilities regulated by the county;
- (i) mining including sand and gravel pits;
- (j) pesticide and fertilizer dealers, transfer or storage facilities, except products packaged for residential use;
- (k) railroad yards and maintenance stations;
- (l) rendering plants and slaughterhouses;
- (m) salt or deicing material storage;
- (n) salvage or junk yards;
- (o) septage or sludge spreading, storage, or treatment;
- (p) septage, wastewater, or sewage lagoons;
- (q) private on-site wastewater treatment systems or holding tanks receiving 8,000 gallons per day or more;
- (r) stockyards and feedlots;
- (s) storm water infiltration basins without pre-treatment, including vegetative filtration and/or temporary detention;
- (t) motor vehicle services, including filling and service stations, repair, renovation and body working; and
- (u) wood preserving operations.

Existing  
Prohibition

**19.977 Permitted uses**

- (1) **Zone 1.** The following uses, except those otherwise prohibited in sec. 19.976, are permitted by right in zone 1 subject to the separation distance requirements listed in sec. 19.979, design standards listed in sec. 19.980, and operational standards listed in sec.19.981:
  - (a) public and private parks, playgrounds, and beaches, provided there are no on-site wastewater disposal systems or holding tanks;
  - (b) wildlife and natural and woodland areas;
  - (c) biking, hiking, skiing, nature, equestrian and fitness trails;
  - (d) municipally sewered residences;
  - (e) municipally sewered commercial and industrial establishments that do not use regulated substances; and
  - (f) routine tillage, planting, and field management operations in support of agricultural crop production, where nutrients from legume, manure, and commercial sources are accounted for and credited toward crop nutrient need. The combination of all nutrient sources applied or available on individual fields may not exceed University of Wisconsin soil test recommendations for that field.
- (2) **Zone 2.** The following uses, except which are otherwise prohibited in sec. 19.976, are permitted by right in zone 2 subject to the separation distance requirements listed in sec. 19.979, design standards listed in sec. 19.980, and operational standards listed in sec.19.981:

- (a) all uses permitted in zone 1;
- (b) public parks, playgrounds, and beaches, provided onsite wastewater is discharged to a holding tank or municipal sewer;
- (c) residential use of above-ground LP gas tanks for heating, not to exceed 1,000 gallons;
- (d) commercial and industrial establishments that are municipally sewered and whose aggregate use, storage, handling and/or production of regulated substances does not exceed 20 gallons or 160 pounds at any time, except under the following circumstances (1) the regulated substance is used for non-routine maintenance or repair of property or equipment, and the aggregate of regulated substances does not exceed 50 gallons or 400 pounds at any time; (2) the regulated substance is used for medical purposes or by a research laboratory and is stored, handled, or used in containers not to exceed 5 gallons or 40 pounds of each substance and the aggregate inventory of regulated substances does not exceed 250 gallons or 2,000 pounds; and (3) the regulated substances are cleaning agents (but not including hydrocarbon or halogenated hydrocarbon solvents) and are packaged for personal or household use or are present in the same form and concentration as a product packaged for use by the general public, and the aggregate inventory of such cleaning agents does not exceed 100 gallons or 800 pounds at any time.

#### 19.978 Conditional uses

- (a) The use, storage, handling, or production of regulated substances in excess of quantities outlined in sec. 19.9779 (2) may be allowed as a conditional use in zone 2.
- (b) Motor vehicle fueling islands (excluding underground storage tanks) may be allowed as a conditional use in Zone 2.

#### 19.979 Separation distance requirements

The following separation distances as specified in sec. NR 811.16, Wis. Adm. Code, as amended, shall be maintained:

- (a) Fifty feet between a public well and a storm sewer main.
- (b) Two hundred feet between a public well and any sanitary sewer main, sanitary sewer manhole, lift station or single family residential fuel oil tank. A lesser separation distance may be allowed for sanitary sewer mains where the sanitary sewer main is constructed of water main materials and joints and pressure tested in place to meet current American Water Works Association C600 specifications. In no case may the separation distance between a well and a sanitary sewer main be less than 50 feet.
- (c) Four hundred feet between a public well and a septic tank or soil adsorption unit receiving less than 8,000 gallons per day, a cemetery, or a storm water drainage pond.
- (d) Six hundred feet between a public well and any gasoline or fuel oil storage tank installation that has received written approval from the department of commerce or its designated agent under sec. Comm 10.10, Wis. Admin. Code.
- (e) One thousand feet between a public well and land application of municipal, commercial or industrial waste; the boundaries of a landspreading facility for spreading of petroleum-contaminated soil regulated under chapter NR 718, Wis. Admin. Code, while that facility is in operation; industrial, commercial or municipal waste water lagoons or storage structures; manure stacks or storage structures; and septic tanks or soil adsorption units receiving 8,000 gallons per day or more.
- (f) Twelve hundred feet between a public well and any solid waste storage, transportation, transfer, incineration, air curtain destructor, processing, wood burning, one time disposal or small demolition facility; sanitary landfill; any property with residual ground water contamination that exceeds chapter NR 140, Wis. Admin. Code, enforcement standards that is shown on the department's geographic information system registry of closed remediation sites; coal storage area; salt or deicing material storage area; gasoline or fuel oil storage tanks that have not received written approval from the department of commerce or its designated agent under sec. Comm 10.10, Wis. Admin. Code; bulk fuel storage facilities; and pesticide or fertilizer handling or storage facilities.

#### 19.980 Design standards

- (1) **Zone 1.** The following design standards apply to land use activities allowed within zone 1:
  - (a) All parking lots shall be paved with asphalt or concrete. Use of drywells or other subsurface drains is prohibited.
  - (b) All storm water retention/infiltration ponds shall be designed to maximize natural filtration. The city engineer may require the design to include spill containment measures, initial and secondary detainment weirs, and outfall control valves as deemed appropriate.
- (2) **Zone 2.** The following design standards apply to conditional uses allowed within zone 2:

- (a) All design standards listed above for zone 1.
- (b) Facilities that handle regulated substances shall have a minimum of one loading/unloading area designated for the handling of regulated substances. The designated loading/unloading area shall be designed with spill and/or runoff containment. The loading/unloading area shall be designed to minimize precipitation or storm water run on from entering the sanitary sewer. Regulated substances may be loaded/unloaded only in a designated handling area.
- (c) Storage areas for regulated substances shall be designed with secondary containment capable of controlling 125 percent of the maximum design capacity of the liquid storage area.
- ~~(e)~~(d) Motor vehicle fueling installations shall meet the most restrictive installation requirements of ATCP 93.260 and receive written approval from the department of safety and professional services or its designated Local Program Operator under s. ATCP 93.110
- ~~(d)~~(e) Facilities involved in the handling of regulated substances will, when determined necessary by the ground water technical review committee, prepare a ground water monitoring plan.
- ~~(e)~~(f) All rail spurs used to transport regulated substances shall be designed to minimize infiltration and convey runoff to a storm water conveyance system. Rail car loading/unloading areas used to handle regulated substances shall be designed with spill and/or runoff containment. The loading/unloading area shall be designed to minimize precipitation or storm water run on from entering the sanitary sewer.

**19.981 Operational standards**

- (1) **Zone 1.** The following operational standards apply to land use activities allowed within zone 1:
  - (a) No outdoor storage of product, material, or equipment other than that approved through the provisional use permitting process shall be allowed. Any designated outdoor storage area shall be an impervious surface paved with concrete or asphalt and have secondary containment when applicable.
  - (b) Regulated substances associated with paving, the pouring of concrete, or construction for which all necessary permits have been obtained may be handled in the ground water protection overlay district, provided such regulated substances are present at the construction site for which the permits have been issued and do not pose a real and present danger of contaminating surface and/or ground water. For the onsite storage of fuel for vehicles or other equipment, which may be associated with such construction activity, the fuel storage containers shall be secondarily contained. Regulated substances not used in the construction process and all wastes generated during construction shall be removed from the construction site not later than at the time of the completion of the construction. If construction activity has ceased for 30 days, all regulated substances shall be removed from the site until such time as the construction activity resumes.
  - (c) The use of deicing salt or other chemical deicing materials shall be minimized and used only when threats to safety occur.
- (2) **Zone 2.** The following operational standards apply to conditional uses permitted within zone 2:
  - (a) All operational standards listed above for zone 1.
  - (b) Except in the case of seasonal discontinuation of operation, the owner or operator of any non-residential property that becomes unoccupied or has discontinued operation for a period of 30 consecutive days shall remove all regulated substances from the property, except those approved to be exclusively used for heating, cooling, and providing electrical lighting for the premises, within 30 days after the date upon which the property initially became unoccupied or the operation discontinued. The owner or operator shall secure the regulated substances on the property until they have been removed. No later than the day after the operation ceases or the property becomes unoccupied, the owner or operator shall notify the city building inspector in writing of the date of the cessation, and the owner's name, phone number, and address and the operator's name, phone number, and forwarding address.
  - (c) Truck, truck trailer, rail car, or tank truck loading and unloading procedures for regulated substances shall meet the minimum requirements of the U.S. Department of Transportation and Wisconsin Department of Transportation.
  - (d) No truck, trailer, rail car, or tank truck shall be used for onsite storage of a regulated substance. Regulated substances shall be transferred from the delivery vehicle to the regulated substance storage area as soon as feasibly possible and shall only occur in designated loading/unloading areas.
  - (e) Warning signs and chock blocks shall be provided in the loading and unloading area to prevent premature vehicular departure.
  - (f) Daily visual inspections of regulated substances shall be conducted to check for container damage or leakage, stained or discolored storage surfaces in all storage areas, excessive accumulation of water in outdoor curbed areas, and to ensure that dike drain valves are securely closed in outdoor curbed areas.
  - (g) Storage areas for regulated substances shall have access restricted to properly authorized and trained personnel.

- (h) The owner/owner shall maintain spill response equipment and supplies onsite to contain and cleanup spills of regulated substances.
- (i) The owner/owner shall give personnel handling regulated substance adequate training to ensure they understand established operational safety plans and contingency plans. In addition, an annual spill prevention briefing shall be held to highlight any past spill events or failures and recently developed precautionary measures. Records of these briefings shall be kept for documentation purposes.
- (j) Instructions and phone numbers for reporting spills to the city fire department and other local, state, and federal agencies shall be posted in areas where regulated substances are handled.

**19.982 Changing technology**

- (1) The uses prohibited by this district are prohibited based upon the combined pollution experience of many individual uses, and the technology generally employed by a particular use considered to be of a high risk for pollution to the ground water resource. As the technology of other uses change to low or non-risk materials or methods, upon petition from such use, after conferring with the ground water technical review committee or other expert opinion, and after appropriate public notice and hearing, the city, through appropriate procedures and actions to change these provisions of the municipal code, may remove from the designated prohibited uses such uses as are demonstrated convincingly that they no longer pose a ground water pollution hazard.
- (2) In dealing with uses which attempt to become permissible, under the terms of this district, by continuing to utilize pollutant materials but altering their processing, storage and handling, it is not the intention to accept alternate or reduced hazards as the basis for making a use permissible. It is the intention to continue a prohibition on such uses until the technology of the use removes reliance upon the pollutant materials or processes deemed to be a ground water hazard.

**19.983 Spills, leaks, or discharges**

- (1) If a spill, leak, or discharge escapes containment or contacts a pervious ground surface and is not immediately and completely remediated, any person with direct knowledge of the event shall within 30 minutes of the event give notice to the city fire department utilizing the countywide 911 service and the superintendent of public works or the operator on duty at the affected or potentially affected water treatment facility. The notification shall include at a minimum, the location of the incident, name, and telephone number of the contacting party, date, and time thereof, type of substance(s), concentration, and volume, and control or corrective action taken. Such notification shall in no way alleviate other local, state, and federal reporting obligations.
- (2) Any person who spills, leaks, or discharges a regulated substance shall be liable for any reasonable expense, loss, or damage incurred by the city in response to such an incident, in addition to the amount of any fines imposed on account thereof under state and federal law; said entity or person shall document and maintain sufficient records so as to reflect accurately the circumstances related to any such incident and develop and implement procedures to substantially eliminate the likelihood of reoccurrence of such spills, leaks or discharges as soon as practicable following the incident, but no later than 180 days after the incident.

**19.984 Nonconforming uses**

A nonconforming use is allowed to continue and exist provided it meets the standards outlined in sec. 19.1204 (article 7).

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	-
<b>9.0 Rental and General Repair</b>																
9.1	General repair	-	-	-	-	-	-	-	-	C	-	P	-	-	P	-
9.2	Large equipment rental	-	-	-	-	-	-	-	-	-	-	P	-	-	P	-
9.3	Small equipment rental	-	-	-	-	-	-	-	-	-	-	P	-	-	P	-
<b>10.0 Vehicle Trade and Service</b>																
10.1	Specialty vehicle sales and rental	-	-	-	-	-	-	-	-	-	-	P	-	-	P	-
10.2	Vehicle fuel sales	-	-	-	-	-	-	-	-	C	C	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	-	-
<b>11.0 General Storage</b>																
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	-
<b>12.0 Recreation / Sports / Entertainment</b>																
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	-	-
<b>13.0 Community Services / Uses</b>																
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	-	-

Zoning Discussion

11/13/2019 Plan Commission Meeting

**Zoning Code Maintenance Updates**

**Items related to removal of the Campground Ordinance** 7(c)

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

7(d)

**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.**

**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.

### **Items related to Soft Sided Accessory Structures** 7(d)

#### **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.

### **General code clean up items related to Soft Sided Accessory Structures** 7(e)

#### **Article 5 Division 3 – ALLOWABLE USES**

##### **Exhibit 5-2 Accessory uses by district**

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

Home Occupation is Prohibited in Zone R-3 Residential – mixed use. This Zone is meant to allow a mix of Single family, two family, and multi-family dwelling

Amend to allow Home Occupation as a Conditional Use in the R-3 Zone

### **Article 2 – INTERPRETATIONS, CONSTRUCTION, AND DEFINITIONS** 7(f)

#### **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

**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]

7(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.

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**

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.

7(c)

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

**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**

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.

7(d)

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.

**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.

7(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.

7(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.

7(d)

**19.678 Hawking Prohibited.**

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.

**19.818 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) **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.

7(f)

~~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.

Zoning Discussion

11/13/2019 Plan Commission Meeting

**Zoning Map Error**

**R-9 Residential – mobile home park**

It has been recently discovered that the R-9 Residential – mobile home park Zoning District includes properties that are not in a mobile home park.

The R-9 District was newly created in 2007 and it is assumed this was an error in the original drawing of that Zoning Map.

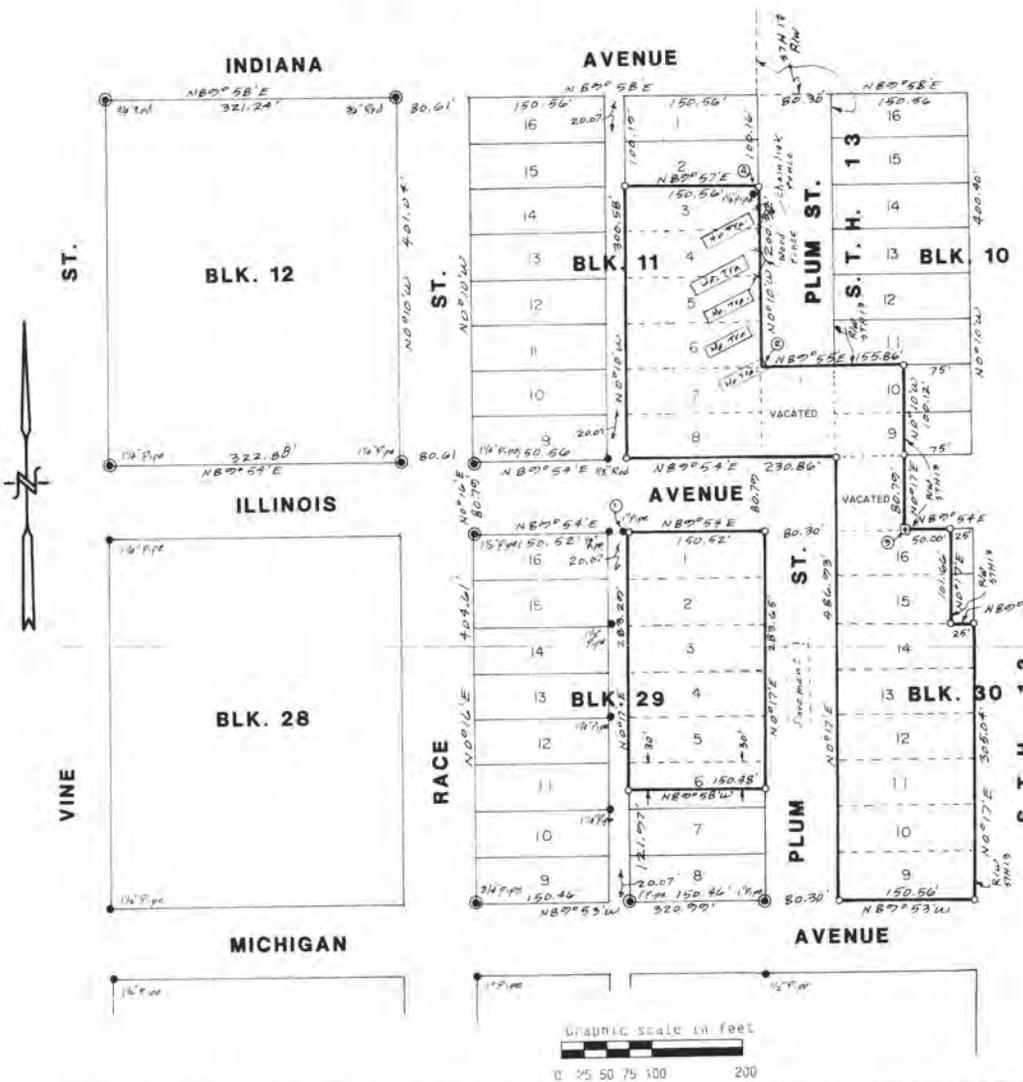
It is proposed to amend the Zoning map so that properties outside of the mobile home park are zoned consistently with the other neighboring properties not in the mobile home park.

There is also some property that was previously State Highway 13 Right-of-Way that was purchased from the State. The Zoning Map should be updated to give this property the same Zoning designation as the adjoining property.

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#/lineal foot.

Bearings are referenced 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.

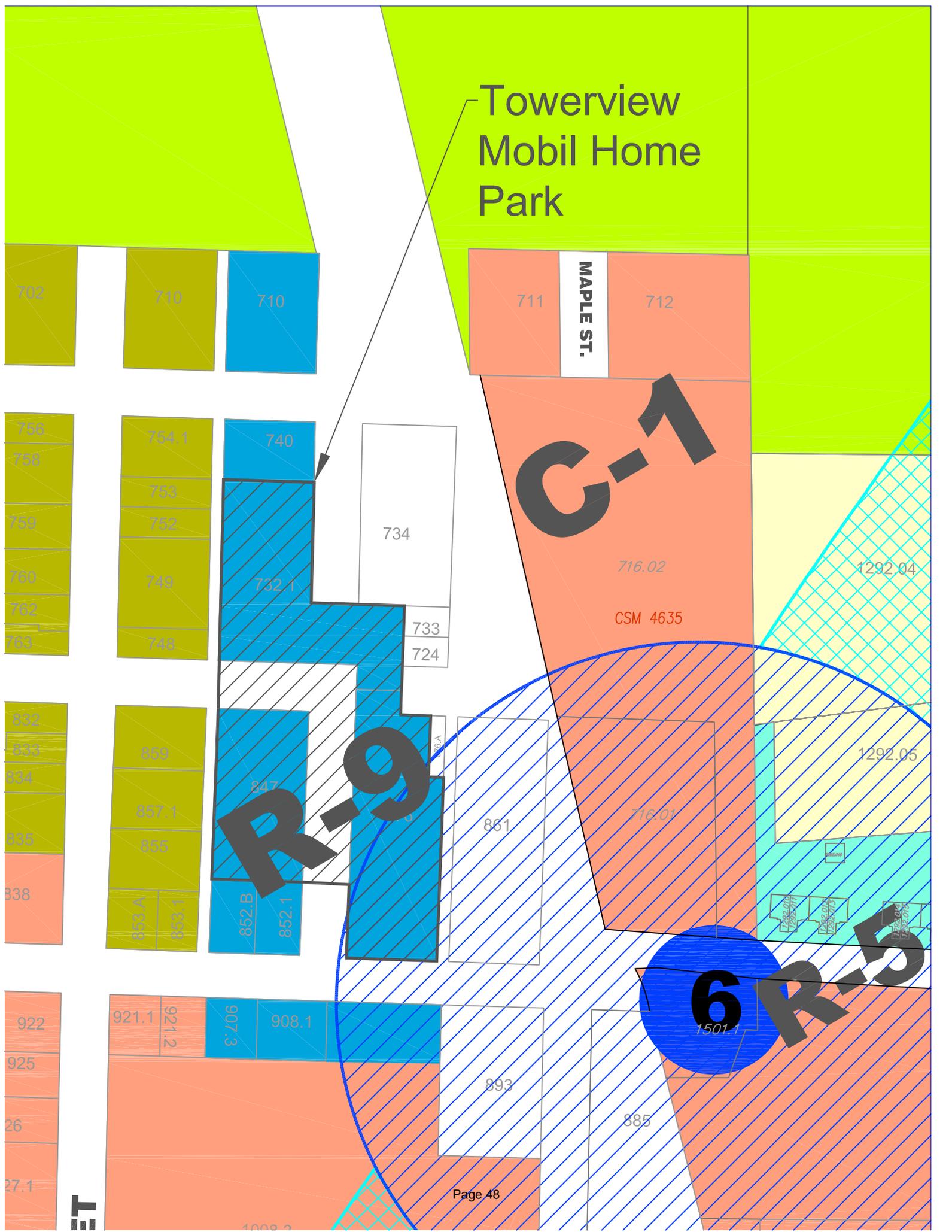
Client: Ray Dahlbalk, 4445 S. 13th St., Milwaukee, WI 53221. Surveyor: Carlson Surveying, 127 10th Ave., Baraboo WI 53913

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



MAPLE ST.

**C-1**

**R-9**

**6 R-15**

