

PLAN COMMISSION

City of Kaukauna
Council Chambers
Municipal Services Building
144 W. Second Street, Kaukauna



Thursday, May 08, 2025 at 4:00 PM

AGENDA

In-Person in Common Council Chambers, City of Kaukauna

1. Roll Call.
2. Approval of Minutes.
 - [a.](#) Approve Minutes from April 17,2025 Meeting
3. Old Business.
 - [a.](#) Sign Ordinance Update
4. New Business.
 - [a.](#) Rezoning Request - Parcel 322111500
 - [b.](#) Certified Survey Map Review-Parcel 322111500
 - [c.](#) Park Donation-Location change request Ben Bay Bench
 - [d.](#) Site Plan Review-1900 Tower Dr
 - [e.](#) 14.07 Ordinance Amendment
 - [f.](#) 17.51 Ordinance Amendment
 - [g.](#) Park Donation Updates
 - [h.](#) Temporary Construction Easement-Wolfinger Apartments
 - [i.](#) Park Donation Application Review - Penterman bench
5. Other Business.
6. Adjourn.

NOTICES

IF REQUESTED THREE (3) DAYS PRIOR TO THE MEETING, A SIGN LANGUAGE INTERPRETER WILL BE MADE AVAILABLE AT NO CHARGE.

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Thursday, April 17, 2025 at 4:00 PM

MINUTES**In-Person**

Mayor Penterman called the meeting to order at 4:01 p.m.

1. Roll Call

Members Present: Giovanna Feller, John Neumeier, John Moore, Michael Avanzi, Pennie Thiele, Mayor Tony Penterman

Absent: Brett Jensen, Ken Schoenike

Other(s) Present: Planning and Community Development Director Dave Kittel, Associate Planner Adrienne Nelson, Times Villager Reporter Brian Roebke, Dan Meissner

Moore made a motion to excuse the absent member. Seconded by Feller. The motion passed unanimously.

2. Approval of Minutes

a. Approve Minutes from April 3, 2025

Thiele made a motion to approve the minutes from April 3, 2025. Seconded by Moore. The motion passed unanimously.

3. Old business

a. None

4. New business

a. Certified Survey Map Review – Parcel 323231000 & 323231100

Director Kittel introduced the proposed certified survey map for parcels 323231000 and 323231100. This CSM is for a simple lot line adjustment for the existing properties in order to bring them into compliance with side yard setback requirements. Previously, a CSM was done for these parcels and approved, but it was never recorded. Because of this, the house that was built did not follow side yard setback requirements. The proposed

CSM is not the same as the original, but it is a concession between the homeowners of both properties in order to rectify the document that was not recorded. Staff is recommending approval of the CSM in order to ensure compliance with side yard setback requirements.

Avanzi asked if any utility services follow the original property line.

Kittel stated that the utility service are all in the front area of the properties, so there should be no issues.

Moore made a motion to approve the certified survey map as presented. Seconded by Neumeier. The motion passed unanimously.

b. Preliminary Site Plan Review – 301 W Seventh Street (Club Ritz)
Director Kittel introduced the preliminary site plan for Club Ritz, located at 301 W Seventh Street. He clarified that this item does not require direct action at this time. The property owners and architect, Dan Meissner, simply want direction from the Plan Commission before they move forward in finalizing their plan to add ADA accessible bathrooms to the existing property. The main concern that they are requesting guidance on is parking. Although the building addition itself is compliant with all city ordinances, clarity is needed on the amount of parking stalls that are required to support the addition. The property is zoned Commercial Core District. In a CCD, parking is not determined by the square footage of the building or by its use, but instead the required number of parking spaces is determined directly by the Plan Commission. The Plan Commission must determine if there is adequate parking available for employees and customers. The planned addition to the building is about 2,000 square feet, but an area of the existing building will need to be razed in order to attach this addition. The addition will allow for two new bathrooms that are ADA compliant as well as a game room. Five new parking spaces will be added. Currently, there are fifteen off street parking stalls available, as well as some on-street parking. The owners of Club Ritz want to know if the additional five parking spots will be sufficient.

Thiele asked if there have been any complaints from neighbors regarding the current parking situation.

Kittel explained that, historically, there have been complaints from neighbors regarding the parking situation, but that nothing has been

reported recently. The existing fifteen parking spaces are sometimes all utilized, leading patrons to take up more of the on-street parking.

Neumeier commented that, when this process started two to three years ago, the original plan was to simply add additional parking. This current plan increases the usable space of Club Ritz instead. Their gravel parking already does not meet code. This plan could create additional parking issues.

Moore asked how far off the back of the building the new structure will be going south.

Dan Meissner, architect of the Club Ritz project, explained that it would probably be about thirty feet off the back of the building going south.

Moore asked if the addition would really only be 2,000 square feet.

Kittel clarified that it would be around 2,150 square feet, but that the addition will overlay part of the existing building.

Neumeier asked where the ADA accessible ramp will be located.

Meissner explained that they intend to repair the existing ramp on the western side of the building as well as extend the ramp to the upper residence. They want to make a better and safer environment, and they will maintain appropriate occupancy numbers.

Kittel explained that the previous proposal included ten new parking spaces instead of five. The previous proposal did not have the gaming room. He was unsure of the process for setting and enforcing an occupancy limit.

Meissner responded that they will restrict the occupancy number, and that the number is typically sent to the Fire Department.

Moore added that, in prior discussions, it was mentioned that there were concerns about outdoor music. He was glad to see that there were no provisions for that in this plan.

Kittel clarifies that, per the city's liquor license requirements, amplified music is not allowed. Establishments who received liquor licenses before amplified music was banned are only allowed it if they receive approval from the Common Council.

Thiele asked where the dumpster enclosure will be.

Kittel explained that Club Ritz is still getting that sorted, they want the ability to enclose the dumpster without losing a parking space. He reiterated that Club Ritz is simply looking for direction at this time, and that the final proposal would come back before the Plan Commission.

Moore asked if the dumpster issue would be cleared up in the final plan.

Kittel stated that it would be.

Moore pointed out that Club Ritz is one of several local bars in residential neighborhoods that utilize on-street parking.

Mayor Penterman mentioned that there had been an issue in 2023 with Club Ritz patrons speeding. The establishment said they would work with their patrons to eliminate that issue, and they had done so successfully.

Moore stated that, as long as the owners are cognizant of their neighbors, there is no need to monitor their clientele.

Kittel noted that it appeared that one commissioner was not in favor of the preliminary plan and asked what the general confidence level was for the body as a whole.

Feller asked for clarification on where this plan would be going next.

Kittel explained that this is a preliminary plan. The final plan will receive staff review and then come back to the Plan Commission.

Neumeier reiterated that the building will be getting bigger with a minimal amount of additional parking stalls added. He said the city might be inviting future problems if this plan is eventually approved, especially if the road is redone and the other parking spaces need to be adjusted. It isn't a guarantee that there will be issues, especially if the number of patrons can be restricted, but it is something that should be considered.

Meissner stated that the goal is not to increase the number of patrons, but just to make the building ADA compliant and to have the room to have pool tables.

Neumeier asked what would happen to the occupancy restrictions if the building was sold.

Kittel said that the occupancy restrictions would stay unless the new owner applied for a change of use.

Thiele stated that she can't see this addition leading to a dramatic growth in the clientele base. She can respect the concerns regarding parking but agrees that there is a need for ADA compliant bathrooms. She would lean towards being okay with the proposed addition. Pool tables won't bring 50-100 more people.

Avanzi said that he would support it.

Moore said that as long as the concerns regarding the addition, such as the enclosed dumpster are met, are addressed, we would be okay with it. Living in that neighborhood comes with the expectation of noise. Club Ritz has been there a long time.

Feller stated that she doesn't want to prevent a business from bettering themselves. She thinks this is something the city can work with the owners on, especially when it comes to occupancy requirements.

Meissner said that his clients are willing and able to work with the Plan Commission if there are any items that need to be addressed.

Kittel summarized the conversation. Generally speaking, as long as the dumpster issue is addressed and occupancy is restricted, there are merits for the owners of Club Ritz to submit a final proposal.

c. Sign Code Ordinance Update

Director Kittel explained that staff has not had much time to work on updates to the sign ordinance. There should be a bigger update at the next Plan Commission meeting.

5. Other Business

a. None

6. Adjourn

Avanzi made a motion to adjourn the meeting. Seconded by Moore. The motion passed unanimously. The meeting adjourned at 4:32 p.m.



MEMO

PLANNING AND COMMUNITY DEVELOPMENT

To: Plan Commission
From: Dave Kittel, Director of Planning and Community Development
Date: 5/05/2025
Re: Sign Ordinance Update: CCD

Background information:

To follow up from a previous discussion staff has begun the process of updating and reorganizing the sign ordinance for the City. Attached is a draft to show the possible update to remove sign regulations from the definition section and create a separate part of the ordinance for signs specifically. This proposal would create 17.33 and also remove sign/billboard regulations from 17.32. With this format it will simplify/clarify where to go for sign regulation information.

In regard to the Commercial Core District (CCD) specifically Staff has simplified some language for clarity. In addition, staff would like to propose a change that would allow properties that meet the lot requirements of the Commercial Highway District to be able to follow the sign regulation of that district upon approval of the Plan Commission. This will allow the few larger lots in the CCD zoning to be able to have additional signage with some control by the Plan Commission to help ensure that it is still in line with the overall district. With a change of this nature, it would be simpler for enforcement and eliminate many of the current pre-existing nonconformities for signage in the CCD district, a list of the properties that may benefit from this will be provided to the Plan Commission during the meeting. See draft language for 17.20 below:

6. Permitted Accessory Signs

Exterior Signs

Signs are allowed on walls fronting a street/public way. Name and logo must occupy at least 60% of the sign area. No advertising from manufacturers unless it's the business name (e.g., Domino's Pizza). No signs above the roofline or painted directly onto the building surface.

a. Flat Signs:

1. Area: Limited to 15% of the wall area fronting a street/public way.
2. Projection: May not project more than 18 inches beyond the building surface.
3. Lighting: Can be illuminated but no blinking/flashing lights. Electrical elements must be concealed.
4. Placement: Located in the signable area of the facade. The height between windows must not exceed two-thirds of the space.
5. Multiple Businesses: Signable area can include a business directory (max 7 sq ft) and be divided among occupants.

b. Projecting Signs

1. Quantity: One per street front.
2. Size: Max 16 sq ft.
3. Projection: No more than 5 feet from the building face. Minimum 3 feet from side property line. Minimum 9 feet above ground.
4. Shape: Simple geometric or symbolic shapes. Both sides must be finished.

c. Awnings

1. Material: Flameproofed fabric.
2. Information: Only name, logo, and street number. Combined area over 15 sq ft counts towards total exterior sign area.

d. Window Signs

1. Area: Max 30% of window area.
2. Content: Name, logo, address, phone number, product/service description. Not included in overall signage computation.

e. Detached Signs

1. Quantity: One per 100 feet of lot frontage.
2. Size: Max 50 sq ft per side (total 100 sq ft), max 25 feet in height. Building must be set back at least 35 feet from the street curb.

f. Nonpermanent Signs

1. Usage: Limited to special promotions/events. Max 14 consecutive days, up to 4 times per year with 30 days between uses. Max size 20 sq ft per face. Permit required.

g. Roof Street Signs

1. Area: Max 40% of signable area. If enclosed, total area including background counts. If individual letters, only letter area counts.
2. Multiple Occupancies: Signable area can be divided among occupants.

Properties that the lot dimensions meet the requirements of 17.22 may follow the sign requirements of that district by Plan Commission approval of the sign type, size and location for each requested sign not to exceed 300sqft in size per sign.

This language is not finalized, and this is primarily coming forth to the Plan Commission for general review and direction on size requirements and allowing certain properties to follow the regulations from another zoning district.

Strategic Plan:

Reviewing and updating ordinance is a procedural item and not directly tied to the Strategic Plan.

Budget: Not applicable

Recommendation:

Review the draft language and provide direction.



17.03 Definitions

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

A zones means areas shown on the official floodplain zoning map which would be inundated by the base flood or regional flood as defined herein. These areas may be numbered A0, A1 to A30, or A99. A zones may or may not be reflective of flood profiles, depending on the availability of data for a given area.

Accessory use or structure means a use or structure on the same lot with the principal use or structure and of a nature customarily incidental and subordinate to the principal use or structure.

Alteration means a change or rearrangement in the structural parts of a structure, an enlargement of a structure, whether by extending on the side or by increasing the height, or the movement of a structure from one location to another.

Automobile filling stations means buildings and premises where gasoline, oil, grease, batteries, tires, and automobile accessories may be supplied and dispensed at retail and where, in addition, minor repair work may be performed, such as ignition service, tire repair, repair and replacement of minor parts such as pumps and filters, brake service, and the like. The term "filling station" does not include a repair or body shop.

Base flood. See *Flood, regional*.

Base flood elevation. See *Flood, regional elevation*.

Boarding house means an establishment where meals and lodging are provided for compensation by prearrangement other than in dwelling units without limitation on time periods involved and for a total of at least four or more boarders.

Buildable area includes the portion of a lot remaining after the required yards have been provided. Buildings may be placed in any part of the buildable area, but limitations on percent of the lot which may be covered by buildings may require open space within the buildable area.

Building means a structure having one or more stories and a roof which is used or intended to be used for the shelter or enclosure of persons, property, or animals.

Building frontage, for purposes of computation of number and area of signs permitted on buildings, in cases where lineal feet of building frontage is a determinant, the frontage of a building shall be computed as nearly at ground level as computation of horizontal distance permits. In cases where this test is indeterminate or cannot be applied, as, for instance, where there is a diagonal corner entrance, or where two sides of a building have entrances of equal importance and carry approximately equal volumes of pedestrian traffic, the building inspector shall select building frontage on the basis of interior layout of the buildings, traffic on adjacent streets, or other indicators available. See also *Lot frontage*.

Building height means a building's vertical measurement, from the mean level of the finished grade in front of the building to the highest point on the roof line of a flat roof or of a roof having a slope of less than 15 degrees from the horizontal, and to a point midway between the peak and the eaves of a roof having a slope of 15 degrees or more.

Building line means the rear edge of any required front yard or the rear edge of any required setback line.

Bulkhead line means a geographic line along a reach of navigable water that has been adopted by a city ordinance and approved by the department, pursuant to Wis. Stats. § 30.11, and which allows complete filling to the landward side of the line, except where such filling is prohibited by the floodway provisions of this chapter.

Channel means a natural or artificial watercourse with definite bed and banks to confine and conduct normal flow of water.

Children's home. See *Convalescent home*.

Clinic means an establishment where patients, who are not lodged overnight, are admitted for examination and treatment by one person or a group of persons practicing any form of the healing arts, whether such persons are medical doctors, chiropractors, osteopaths, optometrists, dentists, or any such profession, the practice of which is regulated by the state.

Common open space means a parcel of land or an area of water or combination of land and water designated and intended for either the recreational use and enjoyment of residents of the development for which it was established and for the general public, or for the exclusive recreational use and enjoyment of residents of the development from which it was established. No yard required in connection with any principal use or structure shall be designated or intended for use as common open space.

Convalescent home means a place where regular care is provided to three or more infirm persons, children, or aged persons who are not members of the family if care is provided in a private residence. The term "convalescent home" includes institutions, whether operated for profit or not, including places operated by units of government.

Day nursery means a place where day care is provided to four or more children who are not members of the family which resides on the premises, provided that the term "day nursery" does not include public or private schools organized, operated or approved under state law.

Department (DNR) means the state department of natural resources.

Development means any manmade change to improved or unimproved real estate, including, but not limited to, construction of, or additions or substantial improvements to, buildings, other structures or accessory uses, mobile homes, mining, dredging, filling, grading, paving, excavation or drilling operations, and deposition or extraction of materials.

Dog kennel means a place where more than two adult dogs are boarded for a fee on a recurrent basis, or a place where more than three adult dogs are kept for any purpose.

Drive-in restaurant means any establishment dispensing or serving food in automobiles, including those establishments where customers serve themselves and may eat or drink in the building or in their automobiles on the premises.

Dry land access means a vehicular access route which is above the regional flood elevation and which connects land located in the floodplain to land outside the floodplain.

Dwelling, manufactured home, means a structure transportable in one or more sections which, in traveling mode, is eight body feet or more in width or 40 body feet or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and any plumbing, heating, air conditioning, or electrical systems are included and contained therein.

Dwelling, mobile home, means a building transportable in one or more sections, built on a permanent chassis, with body width exceeding eight feet or body length exceeding 32 feet, designed to be used as a single dwelling with a permanent foundation when connected to the required utilities.

Dwelling, multiple-family, means a building containing three or more dwelling units. The term "multiple-family dwelling" includes cooperative apartments, condominiums, apartments, and the like. Regardless of how rental units are equipped, any multiple-family dwelling in which units are available for rental periods of less than one week shall be considered a hotel.

Dwelling, single-family detached, means a building containing not more than one dwelling unit, entirely separated from structures on adjacent lots. The term "detached dwelling" shall not include mobile homes, travel trailers, or other forms of portable or temporary housing.

Dwelling, two-family, means one building, containing not more than two dwelling units or two buildings, attached at the side, with not more than one dwelling unit per building. The term "two-family dwelling" is intended to imply single-family semi-detached buildings and duplexes or any form which conforms to this definition.

Dwelling unit means a room connected together, constituting a separate, independent housekeeping establishment for one family only, for owner occupancy or rental, lease, or other occupancy on a weekly or longer basis, physically separated from any other rooms or dwelling units and containing independent cooking and sleeping facilities.

Encroachment means any fill, structure, building, accessory use, or development in the floodway.

Encroachment, hydraulic; equal degree of. Any encroachment into the floodway shall be computed by assuming an equal degree of hydraulic encroachment on the other side of a river or stream for a significant hydraulic reach. This computation assures that property owners up, down, or across the river or stream will have the same rights of hydraulic encroachment. Encroachments are analyzed on the basis of the effect upon hydraulic conveyance, not upon the distance the encroachment extends into the floodway.

Erected means anything built, constructed, reconstructed, moved upon, or any physical operation on the premises required for building. Excavation, fill, drainage, demolition of an existing structure and the like shall be considered part of erection.

Family means one or more persons occupying a single dwelling unit, provided that, unless all members are related by blood, marriage, or adoption, no such family shall contain over five persons, but provided, further, that domestic servants employed on the premises may be housed on the premises without being counted as family.

Flood or flooding means a general and temporary condition of partial or complete inundation of normally dry land areas caused by the overflow of inland waters or the unusual and rapid accumulation or runoff of surface waters from any source.

Flood fringe means that portion of the floodplain between the floodplain limits and the floodway area which is covered by floodwaters during the regional flood. The flood fringe is generally associated with standing water rather than rapidly flowing water.

Flood hazard boundary map means a map prepared by the federal emergency management agency (FEMA), designating approximate flood hazard areas. Flood hazard areas are designated as unnumbered A zones and do not contain floodway lines or regional flood elevations. Such map forms the basis for both the regulatory and insurance aspects of the national flood insurance program.

Flood insurance study means a technical engineering examination, evaluation, and determination of the local flood hazard areas. It provides maps designating those areas affected by the regional flood, provides both flood insurance rate zones and regional flood, provides both flood insurance rate zones and regional flood elevations and may provide floodway lines. The flood hazard areas are designated as numbered and unnumbered A zones. Flood insurance study maps form the basis for both the regulatory and the insurance aspects of the national flood insurance program.

Flood profile means a graph or a longitudinal profile line showing the relationship of the water surface elevation of a flood event to locations of land surface elevations along a stream or river.

Flood protection elevation means an elevation two feet of freeboard above the water surface profile elevation designated for the regional flood.

Flood, regional, means a flood determined to be representative of large floods known to have generally occurred in state and which may be expected to occur on a particular stream because of similar characteristics once every 100 years. This means that in any given year, there is a one percent chance that the regional flood may occur or be exceeded.

Flood, regional elevation, means an elevation equal to that which reflects the height of the regional flood.

Flood storage means those floodplain areas where storage of floodwaters has been taken into account in reducing the regional flood discharge.

Floodplain means land which has been or may be covered by floodwater during the regional flood. The floodplain encompasses both the floodway and flood fringe district.

Floodplain island means a natural geologic land formation within the floodplain that is surrounded, but not covered, by floodwater during the regional flood.

Floodplain, storage capacity of, means the volume of space above an area of floodplain land that can be occupied by floodwater of a given stage at a given time, regardless of whether the water is moving.

Floodproofing means any combination of structural provisions, changes or adjustments to properties and structures, water, and sanitary facilities and contents of buildings subject to flooding for the purpose of reducing or eliminating flood damage.

Floodway means the channel of a stream and those portions of the floodplain adjoining the channel that are required to carry and discharge the floodwaters or flood flows of any river or stream associated with the regional flood.

Floor area means the sum of the gross horizontal areas of the several floors of a building measured from the exterior faces of the exterior walls or from the center line of walls separating two buildings, excluding public corridors, common restrooms, attic areas, unenclosed stairways, elevator structures, heating, or other building machinery equipment or basement space.

Freeboard means a flood protection elevation requirement designed as a safety factor which is usually expressed in terms of a specified number of feet above a calculated flood level. Freeboard compensates for the effects of any factors that contribute to flood heights greater than the height calculated. These factors include, but are not limited to, ice jams, debris accumulation, wave action, obstruction of bridge openings and floodways, the effects of urbanization on the hydrology of the watershed, loss of flood storage areas due to development, and aggradation of the river or stream bed.

Garage, private, means an accessory structure designed or used for inside parking of private passenger vehicles, recreation vehicles, or boats by the occupants of the principal structure.

Habitable building means any building or portion thereof used for human habitation.

Hearing notice means a publication or posting meeting the requirements of Wis. Stats. ch. 985.

Height, building. See *Building height*.

High flood damage potential means damage that could result from flooding that includes any danger to life or health or any significant economic loss to a structure or building and its contents.

Home occupation means an occupation conducted entirely in a dwelling unit, provided that:

1. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants and shall, under no circumstances, change the residential character thereof.
2. No person, other than members of the family residing on the premises, shall be engaged in such occupation.
3. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than one sign, not exceeding two square feet in area, non-illuminated, mounted flat against the wall of the principal structure at a position not more than two feet in distance from the main entrance to the residence.
4. No home occupation shall occupy more than 25 percent of the first floor area of the residence. Home occupations may be conducted within an accessory building or structure, provided that business is conducted entirely within the confines of such a building or structure and between the hours of 8:00 a.m. to 8:00 p.m.
5. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood and any need for parking generated

by the conduct of such home occupation shall be met off the street and other than in the required front yard.

6. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates audible or visual interference in any radio or television receivers off the premises.

Hotel means an establishment where sleeping accommodations are offered to the public and intended primarily for rental to transients with daily charge, as distinguished from multiple-family dwellings and boarding houses, where rentals are for periods of a week or longer and occupancy is generally by residents rather than transients. Hotels may serve meals to both occupants and others. The term "hotel" is also intended to imply motel, motor court, motor lodge, tourist court, or any form which conforms to this definition.

Increase in regional flood height means a calculated upward rise in the regional flood elevation equal to or greater than 0.01 foot, resulting from a comparison of existing conditions and proposed conditions which is directly attributable to development in the floodplain, but not attributable to manipulation of mathematical variables, such as roughness factors, expansion, and contraction coefficients and discharge.

Kindergarten. See Day nursery.

Landscaping includes, but is not limited to, grass, ground covers, shrubs, vines, hedges, trees, berms, and complimentary structural landscape architectural features, such as rocks, fountains, sculpture, decorative walls, and tree wells.

Limited access roads means a street or highway to which private drives for vehicular access are prohibited by a governing jurisdiction.

Lot means a parcel of land used or set aside and available for use as the site for one or more buildings and building accessories thereto, or for any other purpose, in one ownership and not divided by a street, or including any land within the limits of a public or private street right-of-way. The term "record lot" means land designated as a distinct and separate parcel on a legally recorded deed or plat in the county clerk's office.

Lot, corner, means a lot located at the intersection of two or more streets. A lot abutting on a curved street shall be considered a corner lot if straight lines drawn from the foremost point of the lot meet at an interior angle of less than 135 degrees.

Lot coverage means the percentage of lot area that is covered or occupied by buildings, including accessory buildings, or the percentage of a lot that may be covered or occupied by buildings, including accessory buildings, under the terms of this chapter.

Lot depth means the distance between the midpoints of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.

Lot frontage means the portion nearest the street. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to a street shall be considered frontage, and yards shall be provided as set out in this chapter. For the purpose of computing number and area of signs, frontage of a lot shall be established by orientation of the

frontage of buildings thereon, or of principal entrance points to the premises if building frontage does not clearly indicate lot frontage. If neither of these methods are determinant, the building inspector shall select on the basis of traffic flow on adjacent streets, and the lot shall be considered to front on the street with the greater flow.

Lot, interior, means a lot other than a corner lot with only one frontage on a street.

Lot, reversed frontage, means a lot on which the frontage is at right angles or approximately right angles (interior angle less than 135 degrees) to the general pattern in the area. A reversed frontage lot may also be a corner, interior, or through lot.

Lot, through, means a lot other than a corner lot with frontage on more than one street. Through lots abutting two streets may be referred to as double frontage lots.

Lot types. The diagram which follows illustrates terminology used in these zoning regulations with reference to corner lots, interior lots, reversed frontage lots, and through lots.

Lot width means the distance between each side lot line as measured along the street line or right-of-way line. However, the width of lots facing cul-de-sacs may be reduced to not less than 85 percent of the normal required width.

May. The term "may" is permissive.

Mobile home means a structure transportable in one or more sections, which is built on a permanent chassis and is designed to be used as a dwelling with or without a permanent foundation, when connected to required utilities and includes the plumbing, heating, air conditioning, and electrical systems contained therein. The term "mobile home" does not include recreational vehicles or travel.

Mobile home park means premises where mobile homes are located for nontransient living purposes and where sites or lots are set aside or offered for lease or rent for use by mobile homes for living purposes, including any land, building, structure, or facility used by occupants of mobile homes on such premises.

Mobile home site means a lot or parcel within a mobile home park designated for the accommodation of not more than one mobile home.

Mobile home subdivision means a premises where mobile homes are located for nontransient living purposes and where lots are set aside or offered for sale or use as mobile homes for living purposes, including land, building, structure, or facility used by occupants of mobile homes on such premises.

Municipality or municipal means the city.

NGVD or National Geodetic Vertical Datum means elevations reference to mean sea level datum, 1929 adjustment.

Net acre means the total acreage of a lot, tract, or parcel, excluding land in existing and proposed streets and street rights-of-way.

Net density refers to the number of residential dwelling units permitted per net acre of land and is determined by dividing the number of units by the total area of land within the boundaries of a lot or parcel not including streets or street rights-of-way. In the determination of the number of

dwellings to be permitted on a specified parcel of land, a fractional unit shall not entitle the applicant to an additional unit.

Nonconforming structure means an existing lawful structure or building which is not in conformity with the dimensional or structural requirements of this chapter.

Nonconforming use means an existing lawful use or accessory use of a structure or building which is not in conformity with the provisions of this chapter.

Nursing home. See *Convalescent home*.

Obstruction to flow means any development which physically blocks the conveyance of floodwaters such that this development by itself or in conjunction with any future similar development will cause an increase in regional flood height.

Occupied. See *Used*.

Office, business, means an office for such activities as real estate agencies, advertising agencies, but not sign shops, insurance agencies, travel agencies and ticket sales, chamber of commerce, credit bureau, but not a finance company, abstract and title agencies, or insurance companies, stockbrokers, and the like. It is characteristic of a business office that retail or wholesale goods are not shown on the premises to a customer. The term "business office" does not include a barber and beauty shop.

Office, professional, means an office for the use of persons generally classified as professionals, such as architects, engineers, attorneys, accountants, doctors, dentists, veterinarians, psychiatrists, psychologists, and the like. It is characteristic that display advertising is not used and that the use is characterized by offering consultation services.

Official floodplain zoning map means that map, adopted and made part of this chapter, which has been approved by the department and FEMA.

Off-street loading space means any off-street space or berth located on the same site with a building or structure having the principal use of the site and utilized for the temporary parking, less than 24 hours, of commercial vehicles to facilitate the loading and unloading of merchandise and materials.

Off-street parking space means any off-street space or berth available to the general public to patronize businesses and serve nonresidential uses, for employees' on-the-job storage of their vehicles used for access to their jobs and for occupants of dwellings for storage of their personal vehicles.

Open space use means those uses having a relatively low flood damage potential and not involving structures.

Ordinary high watermark means the point on the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive mark, such as erosion, destruction, or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristics.

Pari-mutuel racing facility means an entertainment facility containing a racetrack, licensed under Wis. Stats. § 562.05(1), at which pari-mutuel betting is conducted. The term "pari-mutuel racing

facility" may include such accessory uses and structures as restaurants and taverns, as well as boarding and veterinary facilities for racing animals.

Person includes a firm, association, organization, trust, partnership, company, or corporation as well as an individual.

Planned unit development means a residential land development comprehensively planned as an entity via a unitary plan which permits flexibility in building siting, mixtures of housing types, usable open spaces, and the preservation of significant natural resources.

Present tense includes the future tense and the singular includes the plural.

Private sewage system means a sewage treatment and disposal system serving a single structure with a septic tank and soil absorption field located on the same parcel as the structure. The term "private sewage system" also means an alternative sewage system approved by the department of industry, labor, and human relations, including a substitute for the septic tank or soil absorption field, a holding tank, a system serving more than one structure or a system located on a different parcel than the structure.

Public utilities means those utilities using underground or overhead transmission lines, such as electric, telephone and telegraph, and distribution and collection systems, such as water sanitary sewer and storm sewer.

Reach, hydraulic, means that portion of the river or stream extending from one significant change in the hydraulic character of the river or stream to the next significant change. These changes are usually associated with breaks in the slope of the water surface profile and may be caused by bridges, dams, expansion and contraction of the water flow, and changes in the stream bed slope or vegetation.

Regional flood. See *Flood, regional*.

Regional flood elevation. See *Flood, regional elevation*.

Salvage or wrecking yards are sites or facilities at which vehicles, appliances, machinery, equipment, electronics, scrap metals, paper, cardboard, plastic or other like salvageable materials are collected, stored, processed, crushed, sorted, separated, dismantled, demolished or otherwise handled, whether such activity is conducted within or without a structure, and whether the same is screened, fenced or done in the open.

Shopping center means a commercial land development consisting of three or more establishments, comprehensively planned as an entity via a unitary plan, under one ownership or unified control or management.

Sign means any structure, part thereof or device attached thereto or painted or represented thereon, which displays or includes any numeral, letter, word, model, banner, emblem, device, trademark, or other representation used as or in the nature of an announcement, advertisement, direction, or designation of any person or thing in such a manner as to attract attention from outside of the building. ~~The following types of signs are exempted from permit requirements, but must be in conformance with all other requirements in this chapter:~~

- ~~1.—Construction signs. Two construction signs per construction site not exceeding 100 square feet in area which shall be confined to the site of construction and shall be~~

~~removed 30 days after completion of construction or prior to occupancy after construction, whichever is sooner.~~

- ~~2. *Directional and instructional signs.* Directional and instructional non-electric signs which provide instruction or direction and are located entirely on a property to which they pertain, do not exceed six square feet in area and do not in any way advertise a business. This includes, but is not limited to, such signs as those identifying restrooms, telephones, parking areas, entrances, and exits.~~
- ~~3. *Non-illuminated emblems.* Non-illuminated emblems or insignia of any nation, political subdivision, or nonprofit organization.~~
- ~~4. *Government signs.* Government signs for control of traffic and other regulatory purposes and including danger signs, railroad crossing signs, and signs of public utilities indicating danger or aids to service or safety which are erected by or on the order of a public officer in the performance of his duty.~~
- ~~5. *Home occupation signs.* Home occupation signs associated with permitted home occupations as defined in this section.~~
- ~~6. *House numbers and nameplates.* Property numbers, post box numbers, names of occupants of the premises, or other identification not having commercial connotations.~~
- ~~7. *Interior signs.* Interior signs located entirely within a building.~~
- ~~8. *Memorial signs and plaques.* Memorial signs or tablets, plaques, names of buildings, and date of erection, which are cut into masonry surfaces or inlaid so as to be part of a building or when constructed of bronze or other noncombustible material not more than four square feet in area.~~
- ~~9. *No trespassing or no dumping signs.* No trespassing and no dumping signs not to exceed 1 1/2 square feet in area.~~
- ~~10. *Public notices.* Public notices posted by public officials or employees in the performance of their duties.~~
- ~~11. *Public signs.* Public signs required as specifically authorized for a public purpose by any law, statute, or ordinance.~~
- ~~12. *Political and campaign signs.* Political and campaign signs on behalf of candidates for public office or measures on election ballots, provided that such signs are subject to the following regulations:~~
 - ~~1. Such signs, except billboards, may be erected not earlier than 30 days prior to the primary election and shall be removed within 15 days following such general election.~~
 - ~~2. No sign, except billboards, shall exceed 16 square feet in nonresidential zoning districts and eight square feet in residential zoning districts.~~
 - ~~3. No sign shall be located within 15 feet of the public right-of-way at a street intersection or over the right-of-way.~~

~~13. *Real estate signs.* One real estate sales sign for each street frontage on any lot or parcel, provided that such sign is located entirely within the property to which the sign applies and is not directly illuminated. Such signs are subject to the following regulations:~~

- ~~1. In residential zoning districts, such signs shall not exceed six square feet in area and shall be removed within seven days after the sale, rental, or lease has been accomplished.~~
- ~~2. In all other zoning districts, such signs shall not exceed 32 square feet in area and shall be removed within 15 days after the sale, rental, or lease has been accomplished.~~

~~14. *Temporary window signs.* In commercial and industrial zoning districts, the inside surface of any ground floor window may be used for attachment of temporary signs. The total area of such signs, however, shall not exceed 50 percent of the total window area and shall not be placed on door windows or other windows needed to be clear for pedestrian safety.~~

~~15. *On-premises symbols and insignia.* Religious symbols, commemorative plaques of recognized historic agencies, or identification emblems of religious orders or historic agencies.~~

~~16. *On and off premises temporary signs.* Temporary signs not exceeding 32 square feet in area pertaining to fund or pledge drives or events of civic, philanthropic, educational, or religious organizations, provided that such signs are posted not more than 30 days before such event and removed within five days after the event.~~

~~17. *Vehicular signs.* Truck, bus, trailer, or other vehicle signs while operating in the normal use of business, which is not primarily the display of signs.~~

~~18. *Neighborhood identification signs.* In any zone, a sign, masonry wall, landscaping, or other similar material and feature may be combined to form a display for neighborhood or tract identification, provided that the legend of such sign or display shall consist only of the neighborhood or tract name.~~

Sign area includes the entire area within the periphery of a regular geometric form or combinations of regular geometric forms, comprising all of the display area of the sign and including all of the elements of the matter displayed, but not including frames or structural elements of the sign bearing no advertising matter. In the case of double face signs, where both faces advertise a single facility, product, or service, only one face shall count toward the total aggregate area. Where both faces do not advertise a single facility, product, or service, each face shall be measured as surface area.

Sign, number, for the purpose of determining the number of signs, means a single display surface or device containing elements organized, related, and composed to form a unit. In the case of double face signs, where both faces advertise a single facility, product, or service, the total sign shall constitute a single sign. Where both faces do not advertise a single facility, product, or service, each sign face shall constitute a single sign. Where matter is displayed in a random manner without organized relationship of elements, or where there is reasonable doubt about the relationship of elements, each element shall be considered to be a single sign.

Sign, on-site, means a sign relating in its subject matter to the premises on which it is located. Unless provided otherwise, all permitted signs shall be on site.

Sign types.

Abandoned sign means a sign which no longer identifies or advertises a bona fide business, lessee, service, owner, product, or activity or for which no legal owner can be found.

Awning sign means a sign painted on, printed on, or attached flat against the surface of an awning. The term "awning" shall be defined as a shelter projecting from and supported by the exterior wall of a building constructed of non-rigid materials on a supporting framework.

Billboard sign means any wall-mounted or freestanding sign structure advertising an establishment, merchandise, service, or entertainment, which is not sold, produced, manufactured, or furnished at the property on which such sign is located.

Changeable copy sign, automatic, means a sign on which the characters, letters, or illustrations can be changed or rearranged automatically on a lampback or through mechanical means without altering the face or surface of the sign.

Delivery sign means signs identifying the occupant shall be permitted at the rear entrance doors to the premises. Such signs shall be of a nonluminous type, but may be illuminated by a protected, shielded incandescent light directed at the sign. The size of the sign shall not exceed six square feet in area. No other sign shall be permitted on the rear of the building.

Detached sign means a sign not attached to or painted on a building, but which is supported by structures or supports in or upon the ground, fence, or wall and independent of support from any building.

Directory sign means a sign identifying two or more persons, agencies, or establishments located in a place or location common to all.

Facade means the entire building front, including the store front, with an entrance and display windows, the upper facade, usually with regularly spaced windows, and the cornice that caps the building.

Flat sign means a sign attached to and parallel to the face of a building or erected or painted on the outside wall of a building and where support of such sign is provided by the wall. No part of such sign shall extend more than 18 inches from the building.

Ground sign means a sign erected on a freestanding frame, mast, pole, or more than one such mast or pole, not attached to any building.

Home occupation sign means a sign that identifies only the name or occupation of a practitioner or one conducting a permitted home occupation in a dwelling.

Identification sign means a sign whose copy is limited to the name and address of a building, institution, or person or to the activity or occupation being identified.

Illuminated sign means any sign illuminated in any manner by an artificial light source.

Logo means a symbol or trademark commonly used to identify a business or organization, but which in itself contains no word or numeral.

Marquee sign means any sign attached to or supported by a marquee structure. The term "marquee" shall be defined as a permanent roof-like structure or canopy of rigid materials supported by and extending from the facade of a building.

Nonpermanent sign means any sign not permanently affixed to a structure or a self-propelled or towed vehicle or not permanently ground mounted, which is intended to be displayed for a short time on the premises.

Owner means a person recorded as such on official records. For the purpose of this chapter, the owner of property on which the sign is located is presumed to be the owner of the sign, unless facts to the contrary are officially recorded or otherwise brought to the attention of the building inspector.

Projecting sign means a sign, other than a flat sign, which is attached to and projects 18 inches or more from the face of the building wall or other structure not specifically designed to support the sign.

Roof line means the uppermost line of the roof of a building or, in the case of an extended facade, the uppermost height of such facade, excluding any cupolas, pylons, chimneys, or minor projections.

Roof sign means a sign erected upon, against, or above a roof line and extending above the highest point of the roof.

Roof street sign means a sign erected on the roof of a building, no portion of which is above the roof line.

Signable area means one designated area of the facade of the building up to the roof line which is free of windows and doors or major architectural detail on which a sign is to be displayed. The size of the signable area is determined by calculating the number of square feet which are enclosed by an imaginary rectangle or square drawn around the selected area. The term "signable area" shall be limited to that portion of the building below the sill line of the second story, unless the business being signed is located on the second story, in which case the signable area may extend to the sill line of the third story.

Subdivision identification sign means a sign containing the name of the subdivision in which it is located.

Temporary sign means a sign not constructed or intended for long-term use.

Wall sign means a sign attached to or erected against the wall of a building with the face in a parallel place to the plane of the building.

Window sign means any sign installed inside or upon a window, facing the outside, and which is intended to be seen from the exterior.

Storage capacity of a floodplain. See *Floodplain, storage capacity of.*

Story means that portion of a building, other than a basement, that is between the surface of any floor and the surface of the next floor above it, or, if there is not a floor above, then the space between such floor and the ceiling next above it.

Street line means the dividing line between the street and the lot. The term "street line" is the same as the legal right-of-way line.

Structure means any manmade object with form, shape, and utility, either permanently or temporarily attached to, placed upon, or set into the ground, stream bed, or lake bed, which includes, but is not limited to, such objects as roofed and walled buildings, gas, or liquid storage tanks, bridges, dams and culverts.

Structure, accessory. See *Accessory use or structure*.

Substantial improvement means any structural repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the present equalized assessed value of the structure, either before the improvement or repair is started or if the structure has been damaged and is being restored, before the damage occurred. Ordinary maintenance repairs are not considered structural repairs, modifications, or additions. Such ordinary maintenance repairs include internal and external painting, decorating, paneling, and the replacement of doors, windows, and other nonstructural components. For purposes of this definition, substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term "substantial improvement" does not, however, include either:

1. Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to ensure safe living conditions.
2. Any alteration of a structure or site documented as deserving preservation by the state historical society or listed on the national register of historic places.

Unnecessary hardship means a situation in which circumstance or special conditions affecting a particular property, which were not self-created, have made strict conformity with restrictions governing areas, setbacks, frontage, height, or density unnecessarily burdensome or unreasonable, in light of the purpose of this chapter.

Used means intended, designed, or arranged to be used or occupied.

Utility storage structure means an uninhabited, subordinate structure not attached to the principal structure or the accessory structure, the use of which is incidental to and customary in conjunction with the principal use of the structure, e.g., storage of lawn and garden equipment, etc., to be located in the rear yard of the principal structure.

Variance means an authorization by the board of appeals for the construction or maintenance of a building or structure in a manner which is inconsistent with dimensional standards contained in this chapter.

Water surface profile means a graphical representation showing the elevation of the water surface of a watercourse for each position along a reach of river or stream at a certain flood flow. A water surface profile of the regional flood is used in regulating floodplain areas.

Well. An excavation opening in the ground made by digging, boring, drilling, driving, or other methods for the purpose of obtaining groundwater, regardless of its intended use.

Yard means an open space, other than a court, on a lot, unoccupied and unobstructed from the ground upward; provided, however, that fences, walls, poles, posts, and other customary yard accessory ornaments and furniture may be permitted in any yard subject to height limitations and requirements limiting obstruction of visibility.

Yard, front, means a yard extending across the front of a lot between the side lot lines and extending from the street line to the nearest line of the principal structure or projection of the principal structure.

Yard, rear, means a yard extending across the rear of a lot between the side lot lines and extending from the rear property line to the nearest line of the principal structure or projection of the principal structure.

Yard, side, means a yard extending between the nearest building or projection thereto and the side lot line and extending from the front yard to the rear yard.

(Code 2011, § 17.03; Ord. No. 1677, 3-20-2012)

17.20 CCD Commercial Core District

1. *Purpose.* This district is established to provide for a centrally located intensely developed core of commercial activity. It is intended that the physical development of the district be highly concentrated and integrated offering a convenient and attractive shopping environment. It is also intended that, to the maximum extent practicable, various establishments be operated and managed in a coordinated manner. Permitted uses are limited to those which are highly compatible, mutually reinforcing, and conducive to common approaches in operation, area design improvements, traffic and pedestrian circulation, and parking. In addition, buildings and structures are subject to a certificate of appropriateness in section 17.48.
2. *Permitted principal uses and structures.*
 1. Retail outlets for sale of food, home furnishings, appliances, and wearing apparel, including repair strictly incidental to sales, office equipment, hardware, toys, sundries and notions, books and stationery, leather goods and luggage, jewelry, art, camera or photographic supplies, including camera repair, alcoholic beverages for off-premises consumption, sporting goods, hobby and pet shops, delicatessen, bake shop (but not wholesale bakery), musical instruments, florist and gift shops, and similar products.
 2. Service establishments such as barber and beauty shops, shoe repair, restaurants, except drive-in restaurants, interior decorator, photographic studios, dance or music studio, tailor or dressmaker, laundry or dry cleaner, radio or television repair, and similar uses.
 3. Banks and other financial institutions, employment offices, business offices, professional offices, and similar establishments.
 4. Dwellings above or behind other principal uses so as to not interrupt business frontage.

5. High density multifamily dwellings (minimum of 24 units) not exceeding five stories or 75 feet in height.

6. Municipal parks.

3. *Permitted accessory uses and structures.*

1. Uses and structures customarily accessory and clearly incidental to permissible principal uses and structures which do not involve operations or structures not in keeping with the character of the district; provided, however, that garbage and trash shall be kept in closed containers and that such containers shall not be visible from portions of the premises customarily open to pedestrian or automobile circulation or parking.

2. Craft production, or small-scale on-site production and/or assembly of arts, crafts, foods, beverages or other type of product involving the use of small-scale equipment and/or hand tools. This use shall be an accessory use to a retail/eating/drinking/tasting component that occupies a minimum of 10 percent of usable space. The retail/eating/drinking/tasting component shall front the street at sidewalk level and shall remain open to the public. All production, processing and distribution activities shall occur within an enclosed building. Craft production includes, but is not limited to ceramic art, glass art, candle-making, custom jewelry manufacture, bakeries, confectionaries, butchers, coffee roasting establishments, food production.

3. Craft beverage production, including, but not limited to alcoholic beverages such as beer, wine, cider and intoxicating liquor.

1. Craft brewers shall meet the Wisconsin State Statute §§125.29 criteria for brewers and shall not manufacturing a total of more than 10,000 barrels of fermented malt beverages in a calendar year. Appropriate licensing shall be held to permit on-site tastings and retail purchase of fermented malt beverages.

2. Craft vintners (includes wine and cider production) shall meet the Wisconsin State Statute §§125.53 criteria for winery permits. Appropriate licensing shall be held to permit on-site retail operations under a State-issued winery permit.

3. Craft distillers (producing intoxicating liquor) shall meet the Wisconsin State Statute §§125.52 criteria for manufacturers' and rectifiers' permits. Appropriate licensing shall be held to permit on-site retail operations under a State-issued winery permit.

4. *Special exception uses and structures.*

1. Clubs and organizations.

2. Printing and publishing establishments.

3. Commercial recreation facilities in completely enclosed buildings, including theaters, arcades, and amusement centers.

4. Hotels.
 5. Taverns.
 6. Bowling alleys.
 7. Automobile sales and service.
 8. Automobile filling stations.
 9. Mortuaries.
5. *Dimensional requirements.* There are no minimum lot area or width requirements, no yard requirements or maximum height limitations; provided, however, that buildings and structures are subject to a certificate of appropriateness in section 17.48.
6. *Permitted accessory signs.* One exterior sign permitted on each sidewall of a building fronting on a street or public way. On all exterior signs, the name and graphics/logo of the business must occupy at least 60 percent of the sign area. Advertising by material or product manufacturers and suppliers shall not be considered the graphics/logo of the business, except when such manufacturer constitutes the entire official name of the business (i.e., Domino's Pizza or Pizza Hut). No sign or any part of a sign structure shall extend above the roofline of buildings. Signs shall not be permitted on sidewalls, unless fronting on a street or public way and no sign shall be painted directly onto the surface of a building.
1. *Flat signs.* For each principal structure, flat signs limited in aggregate area to 15 percent of the wall area fronting on a street or public way (total wall area, including the window area). Flat signs are permitted, provided that:
 1. Flat signs may not project more than 18 inches beyond the primary surface of the building.
 2. Flat signs may be luminous or illuminated by any acceptable method, but no blinking, flashing, or alternating lighting shall be permitted. All lighting and electrical elements, such as wires, conduit, junction boxes, transformers, ballasts, switches, and panel boxes shall be concealed from public view.
 3. Flat signs shall be located in the signable area of the building facade. If no signable area can be distinguished in the facade, a suitable signable area shall be determined by the redevelopment authority. If a sign is placed between windows, the height of the sign may not exceed more than two-thirds the height of the space.
 4. In buildings containing two or more businesses, the signable area may also include an area adjacent to the entrance to be used for a business directory. This sign shall not exceed seven square feet in total area. In addition, in buildings that contain two or more businesses, the owner may divide the signable area for the building occupants. In buildings where the facade is divided by architectural details, each business may be allowed a signable area.

2. *Projecting signs.* Projecting signs are permitted, provided that:
 1. One projecting sign per street front.
 2. Size of the sign not to exceed 16 square feet.
 3. Projecting signs may be displayed only if a building facade is 20 inches or more in width, unless the sign consists solely of a symbol.
 4. Signs shall project no more than five feet from the face of a building.
 5. Distance from a projecting sign to a side property line shall not be less than three feet.
 6. Projecting signs shall maintain a minimum vertical distance between the bottom of the sign and the grade of the right-of-way line of nine feet.
 7. Projection shall be at 90 degrees to the building face.
 8. Both sides of the sign shall be finished.
 9. Signs should be a simple, geometric shape, such as a square, rectangle, circle, hexagon, etc., or may be a cutout symbolic or representational shape related to the nature of the business.
 10. For one-story structures, projecting signs may extend to the juncture of roof and wall.
3. *Awnings.* Flameproofed, fabric awnings shall be permitted. The only items of information allowed on an awning shall be the name of the business, graphics/logo, and the street number and the combined area of such signs in excess of 15 square feet must be counted as part of the total area allowed that building for its exterior signs.
4. *Window signs.* No window sign shall occupy more than 30 percent of the total area of the window in which the sign is located. No window sign shall be affixed to a window surface, except that the name, monogram, logo, address, and telephone number of the person or firm occupying the premises as well as a description of products or services offered may be permanently affixed upon a window. The surface area of such signs is not to be included in the overall computation of allowable signage. The provisions of this subsection shall not restrict the reasonable application upon the glass surface of a door or window of lettering or decals giving the address, hours of business, entrance or exit information, professional or security affiliations or memberships, credit cards which are accepted or other similar information, nor shall the surface area of such lettering or decals be included in the overall computation of allowing window signs.
5. *Detached signs.* For every 100 feet of lot frontage, one detached sign limited to 50 square feet in area on each side (limit of two sides and 100 square feet) and 25 feet in height; provided, however, that the building is set back at least 35 feet from the street curb.

6. *Nonpermanent signs.* Nonpermanent signs shall be restricted in use to the display of special limited time promotions, sales, or events and shall be used for the sole purpose of serving as an identification sign. Such signs shall be limited in use on any premises to a period not to exceed 14 consecutive days at a time and not more frequently than four times per calendar year with a minimum of 30 days lapsed between each period of use. A sign permit shall be obtained prior to each time a sign is placed on a premises. The maximum size of such signs shall be 20 square feet on each face, back to back.
 7. *Roof street signs.* Roof street signs shall be displayed within the selected signable area. The gross area permitted for the sign may not be more than 40 percent of the signable area. If the sign is enclosed by a box or outline, the total area of the sign, including the background, is counted as the gross area. If the sign consists of individual letters, only the area of the letters is counted as the gross area. In case of multiple occupancies, the signable area may be divided among the occupants.
7. *Off-street parking requirements.*
1. *All permitted principal uses except dwelling units.* Any exterior expansion of a building or construction of a building shall be subject to review by the city plan commission to ensure that adequate off-street parking is available in the area. New construction or expansion creating 750 square feet or more of floor space shall provide specific locations of employee and customer parking and attest to its availability in writing, specifically noting if the parking is private or public and what parking space is available. Lack of parking is grounds for denial of the building permit application. Denials for permits shall be provided in writing, noting the reasons for denial and any supporting documentation of the denial. Appeals from this determination can be submitted to the city common council within 45 days of written notice of the denial. The common council can override the city plan commission's denial by a three-fourths vote of the common council.
 2. *Dwelling units.* 1 1/2 parking stalls per dwelling unit. Dwelling units classified as elderly housing through applicable state or federal designations shall have one parking stall per dwelling unit.
 3. *Parking surface requirements.* All parking areas shall be surfaced with a durable, dust-proof surface consisting of concrete or bituminous concrete properly sealed and surface treated.
8. *Incompatible use buffer requirements.* All areas wherein parking surfaces or vehicular traffic fall within ten feet of a property line abutting a single-family dwelling or two-family dwelling shall require a fence, hedge, or landscaped buffer, as set forth in section 17.32 Supplementary District Regulations.

(Code 2011, § 17.20; Ord. No. 1761, 10-17-2017; Ord. No. 1770, 1-16-2018)

HISTORY

Repealed & Replaced by Ord. [1844](#) on 10/5/2021

17.32 Supplementary District Regulations

1. *General application.* The regulations set forth in this section shall supplement or modify the regulations set forth in other applicable regulations set forth in this chapter.
2. *Lots and yards.*
 - a. *More than one building per lot.* In any district, more than one building housing a principal use may be erected on a single lot, provided that yard and other requirements of these regulations shall be met for each building as though it were on an individual lot.
 - b. *Through lots.* On through lots, the required front yard shall be as provided on each street, except that on through lots fronting limited access roads, the setbacks for fences, hedges, berms, or accessory buildings shall be as if for a rear yard setback in the yard adjacent a limited access road.
 - c. *Development in mapped streets.* Where an official line has been established for the future widening or opening of a street, the depth of a front yard or the width of a side yard shall be measured from such official line to the nearest line of the building.
 - d. *Access.* Every building housing a principal use erected or moved shall be on a lot with direct access to a public street and all such buildings shall be so located as to provide safe and convenient access for servicing and off-street parking.
 - e. *Building groups.* In any nonresidential district, a group of buildings separated only by common or party walls shall be considered as one building.
 - f. *Yard encroachments.* Every part of every required yard shall be open and unobstructed from 30 inches above the general ground level of the graded lot upward to the sky except as provided in this chapter or as otherwise permitted in these regulations:
 1. Roof eaves may project into a required side yard not more than three feet where the required side yard is eight feet or more in width. Roof eaves may project into a required side yard not more than two feet where the required side yard is less than eight feet.
 2. Sills, belt courses, cornices, vertical solar screens, and other ornamental features may project not over one foot into a required yard.
 3. Fire escapes, stairways, and balconies, whether unroofed, open and unenclosed, or enclosed, shall not intrude into required yards.
 4. Solar collectors which are part of the principal building may extend into a required rear yard for a distance not to exceed ten feet, and solar collectors may extend into a required side yard, provided that they have a minimum seven-foot clearance from grade, and provided, further, that such extension shall be at least five feet distant from the adjacent lot line and shall not extend more than three feet from the building.

- g. *Corner lots.* On corner lots, the street side yard shall equal the required front yard for lots fronting on that street.
- h. *Through lot map.* There shall be created and maintained for public review within the department of public works a through lot map that designates all through lots within the corporate limits of the city. The map shall label those roads listed as a limited access road for purposes of issuing building permits.

3. *Accessory uses and structures.*

- a. *Accessory buildings on vacant lots.* In any residential district, no accessory building shall be built on a lot without a principal building.
- b. *Fences, hedges and retaining walls.*
 - 1. *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning: *Hedge* means any combination of two or more vegetative plants that, when mature, provides an opaque visual barrier of 50 percent or more. *Height of fence, hedge, or retaining wall* means the vertical height of a fence, hedge or retaining wall shall be measured from the grade adjacent to the fence, hedge or foot of a retaining wall. *Permanent fence* means fences intended, designed, and constructed to be in place for longer than six months. *Permanent fence materials.* Permanent fences shall be constructed of naturally decay-resistant or treated wood, galvanized or vinyl-coated chainlink, prefabricated or manufactured vinyl, wrought iron, brick, masonry, concrete, stone or other similar materials as approved by the building inspector. *Prohibited fences,* except as may be permitted in areas zoned IND Industrial, no fence may be constructed with barbed or razor wire or designed to produce an electric shock or in any way designed to create a risk of injury to one crossing the fence. *Retaining wall* means a vertical or nearly vertical wall constructed to prevent lateral movement of soil. *Retaining wall materials* means retaining walls shall be constructed of naturally decay-resistant or treated wood, masonry brick and stone, landscape blocks designed for the purpose or other materials as approved by the building inspector. *Temporary fences* means fences intended, designed, and constructed to be in place for a maximum of six months, as evidenced by no permit being obtained prior to construction. Erosion control fences are an exception. *Temporary fence materials* means materials commonly known as "snow fence," "construction fence," "welded wire," "chicken wire" or other similar materials. Temporary fences may be supported with impact-driven posts.

2. *Permits and fees.*

- 1. *Permits required.* All permanent fences and retaining walls, regardless of length or height, shall require a permit to be issued by the building inspector. Hedges are exempt from permits and fees.

2. Permit fees. Permit fees shall be established by common council resolution and fee schedules shall be kept on file in the office of the city clerk.
3. *Temporary fences in residential zoning:*
 1. Temporary fences used for the protection of plantings, the control of snow or similar uses shall be permitted in residential zoning, provided that all of the height and location requirements for permanent fences are followed.
 2. Temporary fences are required to be removed no later than six months after placement. Temporary fences may not be re-established sooner than six months after removal.
 3. Permits are not required for temporary fences.
4. *Permanent fences and hedges in areas zoned residential.*
 1. *Fences and hedges in front yard.*
 1. Height. Fences and hedges in front yards shall have a maximum vertical height of 42 inches.
 2. Visibility. Fences in front yards shall be constructed to provide a minimum of 50 percent through-visibility.
 3. Additional requirements. Additional requirements, as required under section 8.11 of this Code, to include streets, alleys, and driveways.
 2. *Fences and hedges in side and rear yards.*
 1. Fences. Fences in rear and side yards shall have a maximum vertical height of 72 inches.
 2. Hedges. Hedges in rear and side yards may be allowed to grow to a natural height.
 3. Additional requirements. Additional requirements, as required under section 8.11 of this Code, to include streets, alleys, and driveways.
 3. *Locations of fences and hedges.*
 1. *Location of fences.* Fences may be located such that the finished exterior surface is at the property line.
 2. *Location of hedges.* Hedges shall be planted such that, when mature, foliage will not extend beyond the property line. This planting requirement shall not subject an owner to city enforcement action for hedges planted prior to the adoption of this revision.

3. *Location of property lines.* It shall be the responsibility of the property owner or permit holder to provide, to the satisfaction of the building inspector, an accurate, on-site representation of the property line. This shall include, but is not limited to:

1. The physical recovery and exposure of official property stakes or irons and the provision of a string line identifying the property line.
2. If unable to comply with subsection (3)(b)4.c.iii.A of this section, then, if requested by the building inspector, and at the expense of the owner or permit holder, a survey, signed and sealed by a state-registered land surveyor certifying the location of the finished fence shall be provided to the building inspector.
3. Appearance of fence: fences shall be constructed such that all supporting vertical and horizontal framing members of the fence shall face the interior of the lot on which the fence is erected.
4. Structural integrity: all fences shall be constructed to withstand a wind load of at least 30 pounds per square foot. The construction of any opaque fence that is four feet or more in height shall be properly anchored into a depth of not less than 36 inches below grade.

5. *Retaining walls in residential zoning.*

1. *Height.*

1. *Requirements.* A retaining wall within six feet of a property line shall have a maximum height of 24 inches. An additional wall may be erected, provided that a minimum 24-inch horizontal terrace is established between the lower and upper walls. Retaining walls with a total vertical height of greater than 48 inches shall be permitted only when designed through structural analysis by a registered professional.
2. *Additional requirements.* Additional requirements, as required under section 8.11, to include streets, alleys, and driveways.

2. *Location.* Retaining walls shall be located such that the finished exterior surface is one foot inside of the property line.

3. *Location of property lines.* It shall be the responsibility of the property owner or permit holder to provide, to the satisfaction of the building inspector, an accurate, on-site representation of the property line. This shall include, but is not limited to:
 1. The physical recovery and exposure of official property stakes or irons and the provision of a string line identifying the property line.
 2. If unable to comply with subsection (3)(b)5.C.a of this section, then, if requested by the building inspector, at the expense of the owner or permit holder, a survey, signed and sealed by a state-registered land surveyor, certifying the location of the finished retaining wall, shall be provided to the building inspector.
6. *Fences, hedges, and retaining walls in commercial, business, and institutional zoning.*
 1. *Requirements.* Except as provided in section 17.32(10), landscape buffers, fences, hedges and retaining walls shall comply with the requirements of fences, hedges and retaining walls in residential zoning.
 2. *Special exceptions.* Upon providing evidence of need, the city plan commission may grant a special exception to the requirements of this section.
7. *Fences, hedges, and retaining walls in industrial zoning.* Fences, hedges, and retaining walls in industrial zoning shall comply with the requirements of fences, hedges, and retaining walls in residential zoning with the following exceptions:
 1. Fences within industrial zoning shall have a maximum vertical height of eight feet.
 2. In industrial zoning, a barbed wire topper is permitted on a seven-foot high fence, provided that:
 1. The total height of the fence with the topper does not exceed eight feet.
 2. Topper arms that extend out may not extend over the property line.
 3. Except as provided in section 17.32(10), landscape buffers.
 4. Special exceptions: upon providing evidence of need, the city plan commission may grant a special exception to the requirements of this section.
- c. *Accessory parking and storage.*

1. In all residential districts, driveways in the front yard setbacks emplaced to provide access to an open parking area in the side or rear yard or to a garage or carport in the rear yard shall not be wider than 12 feet. In no case shall a driveway, patio, or any concrete or nonpermeable surface be placed within two feet of a property line. Expansions of driveways after construction require a permit from the Building Inspection department. In RSF zoning, maximum driveway width at the curb shall be the width at the right of way plus the flared driving area width as determined by the City Engineer, or designee, in no case shall driveway width curb exceed 37'. Driveway width right of way in RSF zoning shall not exceed the least of the following:
 1. *For Attached and Front Yard Detached Garages:*
 1. 34' maximum
 2. Width of the Outer-most to Inner-most garage door opening plus 4'
 3. 40% of the lot frontage
 2. *For Rear Yard Garage/Parking (Access from Street):*
 1. 12' maximum
 3. *For Rear Year Garage (Access from Alley):*
 1. Width of the garage frontage + 12'
 4. *50% of the lot frontage on the alleyException:* In all residential districts, driveways in the front yard setbacks emplaced to provide access to a garage or carport attached or adjacent to the front or side of the principal building shall be no more than 12 feet wider than the width of such garage or carport. All driveway expansions in the front or side yard setback shall remain a minimum of two feet off of a property line.
2. Persons who shall store any motor vehicle, vehicular-driven sports vehicle, boat, trailer, utility trailer, vehicular-driven camper, or any like business or recreational vehicle in the required front yard of any residential district, shall store such vehicles on the driveway emplaced to provide access to the garage. Such vehicles may be stored on driveway expansions in the side yard setback that extend beyond the width of the garage provided that the storage is in the side yard only – behind the garage opening, but not in the rear yard behind the garage or house. Any of the vehicles in this subsection parked within the front or side yards on the driveway shall be parked in such a manner as to maintain all wheels and the trailer tongues on the driveway surface.
3. No person shall park or store such units as defined in this subsection or any other equipment on any terrace in the city except for those places

where the common council has authorized the removal of a terrace for the purpose of parking.

4. The parking and storage of unregistered or inoperable vehicles shall be as governed under section 10.07.
5. No person shall store in the open more than three full cords of firewood in any residential district. No firewood shall be stored in any front yard or closer than two feet to any residential lot line.
4. *Height exceptions.* The height limitations in sections 17.15, 17.16 and 17.18 through 17.28 do not apply to belfries, cupolas, antennas, water tanks, elevator bulkheads, chimneys, spires, flagpoles, or other appurtenances usually required to be placed above the roof level and not intended for human occupancy.
5. *Corner visibility.* On a corner lot in all zoning districts, no fence, wall, hedge, planting, or structure shall be erected, placed, planted, or allowed to grow in such a manner as to obstruct vision between a height of 2 1/2 feet and ten feet above the centerline grades of the intersecting streets in the area bounded by the street lines of such corner lots and a line joining the points along such street lines 50 feet from the point of intersection.

~~6.—Signs.~~

~~a.—Prohibited signs. The following exterior building signs shall be prohibited within the city:~~

- ~~1.—Abandoned signs.~~
- ~~2.—Flashing signs, remnants, banners, streamers, and all other fluttering or spinning signs, except in connection with temporary sales, civic or cultural events, or officially recognized holidays.~~
- ~~3.—Snipe signs or signs attached to trees, telephone poles, public benches, street lights, or placed on any public property or public right-of-way.~~
- ~~4.—Signs placed on vehicles or trailers which are parked or located for the primary purpose of displaying such sign, excluding allowed portable signs or signs or lettering on buses, taxies, or vehicles operated during the normal course of business.~~
- ~~5.—Signs displaying flashing or intermittent lights customarily associated with danger or emergencies. An illuminated sign or lighting device shall employ only lights of constant intensity and no sign shall be illuminated by or contain flashing, intermittent, rotating, or moving lights or lights creating the illusion of movement. Signs located wholly within a building, public service information signs, and other electronic message or mechanical message centers which are classified as changing signs are permitted and are not subject to this restriction.~~
- ~~6.—Signs which purport to be or are an imitation of or resemble an official traffic sign or signal or which bear words "stop," "caution," "warning" or~~

~~similar words that are displayed in the colors normally associated with them as official signs are prohibited.~~

~~b. Construction specifications.~~

- ~~1. All signs shall be constructed in accordance with the requirements of chapter 14 of this Code and the national electric code, as amended, and the additional construction standards set forth in this section, where applicable.~~
- ~~2. All ground and roof sign structures shall be self-supporting Structures and permanently attached to sufficient foundations.~~
- ~~3. Electric service to ground signs shall be concealed.~~
- ~~4. All signs, except those attached flat against the wall of a building, shall be constructed to withstand wind loads as follows, with correct engineering adjustments for the height of the sign above grade:~~
 - ~~1. For solid signs: 30 pounds per square foot on any face of the sign or structure.~~
 - ~~2. For skeleton signs: 30 pounds per square foot of the total face cover of the letters and other sign surfaces or ten pounds per square foot of the gross area of the sign as determined by the overall dimensions of the sign, whichever is greater.~~
- ~~5. No sign shall be suspended by nonrigid attachments that will allow the sign to swing due to wind action. All freestanding signs shall have self-supporting structures erected on or permanently attached to concrete foundations. All nonpermanent signs shall be braced or secured to prevent motion.~~
- ~~6. No sign shall be erected, constructed, or maintained so as to obstruct any fire escape, required exit, window, or door opening used as a means of ingress and egress.~~
- ~~7. No sign shall be attached in any form, shape, or manner which will interfere with any opening required for ventilation, except that signs may be erected in front of and may cover transom windows when not in violation of the provisions of the city fire prevention code.~~
- ~~8. Signs shall be located in such a way as to maintain horizontal and vertical clearance of all overhead conductors in accordance with the national electrical code specifications, depending on voltages concerned. However, in no case shall a sign be installed closer than six inches horizontally or vertically from any conductor or public utility guy wire.~~

~~c. Signs in residential districts. No sign in a residential district shall exceed eight feet in height or produce artificial light from within.~~

~~d. Signs in commercial districts.~~

- ~~1. Temporary window signs advertising a sale or special event at an individual commercial establishment shall be exempt from the sign regulations.~~
 - ~~2. A detached sign, any part of which is closer than 15 feet to the right-of-way shall have a minimum vertical distance of ten feet between the bottom of the sign and the grade at the right-of-way line or shall not be more than three feet in height above grade.~~
 - ~~3. Any detached sign or projecting sign within 25 feet of an intersection or 15 feet of a driveway shall maintain a minimum vertical distance between the bottom of the sign and the grade at the right-of-way line of ten feet or shall be not more than three feet in height above grade.~~
 - ~~4. All other projecting signs shall maintain a minimum vertical distance between the bottom of the sign and the grade at the right-of-way line of nine feet.~~
 - ~~5. Canopy, marquee, and awning signs shall be placed at such a height so that the extreme lower edge of such structure is at least seven feet above sidewalk grade and such signs shall not extend more than 72 inches into the public right-of-way. The vertical dimension of a sign, any portion of which is below the lower edge of the canopy or marquee structure, shall not exceed 20 inches.~~
 - ~~6. Detached signs shall not project more than 72 inches into the public right-of-way, but in no case closer than two feet from the curbline as measured from the property line. The area of a ground sign shall not exceed 150 square feet per side.~~
- ~~e. *Billboard requirements.* Pursuant to chapter 14 of this Code, the following regulations shall be enforced:~~
- ~~1. No billboards may be erected within a 500-foot radius of another existing billboard.~~
 - ~~2. No billboard may be erected within 200 feet of an existing residential use or within 200 feet of a residential district.~~
 - ~~3. The maximum size of billboards shall be 300 square feet on each face, except within 100 feet of U.S. 41, where the maximum size shall be 400 square feet on each face.~~
 - ~~4. Billboards shall be set back from all property lines and existing buildings equal to the height to the top of the billboard.~~
 - ~~5. Roof-mounted billboards are not permitted.~~
 - ~~6. Billboards shall only be permitted in the commercial highway, commercial shopping center, industrial, and industrial park districts.~~

~~7. All billboards which are not in conformance with the above provisions shall be placed in conformance no later than July 9, 1990.~~

~~8. Exception. Signage permitted under section 17.24(6)(a) of this chapter.~~

~~f. *Installation, maintenance, and repair.*~~

~~1. All signs shall be constructed and installed in accordance with the requirements of chapter 14 of this Code and the national electric code. Every sign, including, but not limited to, those signs for which permits are required, shall be maintained in a safe, presentable and good structural condition at all times, including replacement of defective parts, painting, except when a weathered or natural surface is intended, repainting, cleaning, and other acts required for the maintenance of such signs.~~

~~2. The building inspector shall require compliance with all standards of this chapter. If the sign is not maintained to comply with safety standards outlined under chapter 14 of this Code, the building inspector shall require its removal in accordance with this section.~~

~~g. *Abandoned signs.* Except as otherwise provided in this chapter, any sign that is located on property which becomes vacant and is unoccupied for a period of two months or more or any sign which pertains to a time, event, or purpose which no longer applies shall be deemed to have been abandoned. Permanent signs applicable to a business temporarily suspended because of a change in ownership or management of such business shall not be deemed abandoned unless the property remains vacant for a period of three months or more. An abandoned sign is prohibited and shall be removed by the owner of the sign or owner of the premises. If the owner fails to remove the sign, the building inspector shall take appropriate legal action to cause the same to be removed.~~

~~h. *Defective signs and signs for which no permit has been issued.* The building inspector shall cause to be removed or repaired any sign that is defective or endangers the public safety, such as a dangerous or materially, electrically, or structurally defective sign or a sign for which no permit has been issued.~~

~~i. *Notice.* The building inspector shall give the owner of the sign 30 days' written notice to remove any abandoned sign, repair, or remove any defective sign or to remove a sign for which no permit has been issued. The notice shall describe the sign and specify the violation involved. The notice shall be sent by certified mail.~~

~~j. *Appeals.*~~

~~1. The owner of the sign may appeal the determination of the building inspector ordering removal or compliance by filing a written notice of appeal under section 17.50 within 30 days after the date of mailing the notice.~~

~~2. For property located within the commercial core district, the owner of the sign may appeal to and be heard before the redevelopment authority.~~

~~k. *Removal of signs by the building inspector.*~~

- ~~1. Notwithstanding the above, in cases of emergency, the building inspector may cause the immediate removal without notice of a dangerous or defective sign or for failure to comply with the written order of removal or repair.~~
- ~~2. After removal or demolition of the sign, a notice shall be mailed to the owner of the sign stating the nature of the work and the date on which it was performed and demanding payment of the costs as certified by the building inspector, together with an additional ten percent for inspection and incidental costs.~~
- ~~3. If the amount specified in the notice is not paid within 30 days of the notice, it shall become an assessment against the property of the sign owner and will be certified as an assessment against the property, together with interest at ten percent per annum, for collection in the same manner as real estate taxes.~~
- ~~4. The owner of the property upon which the sign is located shall be presumed to be the owner of all signs thereon, unless facts to the contrary are brought to the attention of the building inspector as in the case of a leased sign.~~
- ~~5. For the purpose of removal, the definition of the term "sign" includes all sign embellishments and structures designed specifically to support the sign.~~

7. *Off-street parking.*

- a. *Requirements not specified.* Parking requirements for a use not specified shall be the same as required for a use of similar nature or sufficient off-street parking shall be provided such that no public street shall be used for parking.
- b. *Fractional spaces.* Where computation of the required parking spaces results in a fractional number, only the fraction of two or larger shall be counted as one.
- c. *Changes in buildings or use.* Whenever a building or use is changed, structurally altered, or enlarged to create a need for an increase of 25 percent or more in the number of existing parking spaces, such spaces shall be provided on the basis of the enlargement or change. Whenever a building or use is enlarged to the extent of 50 percent or more in the floor area, such building or use shall then comply with the parking requirements set forth in the district in which it is located.
- d. *Mixed uses.* In the case of mixed uses, the parking spaces required shall equal the sum of the requirements of the uses computed separately.
- e. *Joint use.* Two or more uses may provide required off-street parking spaces in a common parking facility less than the sum of the spaces required for each use individually, provided such uses are not operated during the same hours. A written agreement satisfactory to the city attorney shall accompany any joint use arrangement.

- f. *Off-lot parking.* Required off-street parking spaces shall be located on the same lot with the principal use, or when this requirement cannot be met such parking spaces may be located off lot, provided the parking spaces are located in the same district. Off-lot parking spaces shall also be held in fee simple ownership by the owner of the use requiring such parking or be leased or rented through a written agreement satisfactory to the city attorney. Off-lot parking spaces for residential uses shall be within 200 feet of the principal entrance or the entrance for the individual occupants for whom the spaces are reserved while the farthest portions of a parking lot for all other uses shall be within 300 feet of the entrance of the establishment.
- g. *Off-street parking; measurement.* Floor space or area shall mean the gross floor area inside exterior walls, where floor space is indicated in section 17.15, 17.16, and 17.18 through 17.28 as a basis for determining the amount of off-street parking required.
- h. *Design standards.*
 - 1. Each required off-street parking space shall have a stall width of at least nine feet and a stall length of at least 18 feet.
 - 2. Minimum width of aisles providing access to stalls for one-way traffic shall be as follows:
 - 1. 11 feet for 30-degree parking.
 - 2. 20 feet for 90-degree parking.
 - 3. Minimum width of aisles providing access to stalls for two-way traffic shall be 24 feet.
 - 4. No parking area of more than two spaces shall be designed as to require any vehicle to back into a public street.
 - 5. Any parking area of more than five spaces shall be sufficiently screened in the form of a solid fence or shrubbery to protect adjacent residential uses.
 - 6. Large expanses of unchanneled parking areas shall be avoided by interior landscaping and safety islands.
 - 7. All parking areas shall be surfaced with a durable, dustproof surface consisting of concrete or bituminous concrete or of compacted gravel or crushed stone properly sealed and surface treated.
- 8. *Off-street loading.*
 - a. *Loading space requirements.* The loading space requirements specified in the following table shall apply to all districts.

Use	Floor Area (square feet)	Loading Spaces
Retail, wholesale, warehouse, service, manufacturing, and industrial establishments	2,000–10,000	1
	10,000–20,000	2
	20,000–40,000	3
	40,000–60,000	4
	Each additional 50,000	1
Hotels, offices, hospitals, places of public assembly	5,000–10,000	1
	10,000–50,000	2
	50,000–100,000	3
	Each additional 25,000	1
Funeral homes	2,500–4,000	1
	4,000–6,000	2
	Each additional 10,000	1

- b. *Multiple or mixed uses.* Where a building is devoted to more than one use or for different uses, and where the floor area for each use is below the minimum required for a loading space but the aggregate floor area of such uses is above such a minimum, then off-street loading space shall be provided as if the entire building were devoted to that use in the building for which the most loading spaces are required.

- c. *Location.* Required off-street loading spaces shall be located on the same lot with the principal use requiring such space. No loading space shall be located within 30 feet of the nearest point of intersection of two streets or require any vehicle to back into a public street.
- d. *Design standards.* Each off-street loading space shall have a width of at least 12 feet, a length of at least 45 feet and a vertical clearance of at least 14 feet. Dimensions for loading spaces in connection with funeral homes shall be reduced to ten feet in width, 25 feet in length, and eight feet in vertical clearance. Every loading space shall be sufficiently screened in the form of a solid fence or shrubbery to protect neighboring residences.

9. *Common open space.*

- a. *Nature.* Common open space shall not include street right-of-ways, driveways, parking areas, or yards required in connection with any building.
- b. *Buildings and structures.* Common open space areas may contain complementary buildings and structures appropriate for the recreational use and enjoyment of the residents of the development for which it was established.
- c. *Dedication.* When common open space or any portion thereof is approved for dedication, and complementary improvements are completed and accepted, a deed shall be conveyed to the city and the supervision and maintenance shall be the responsibility of the city.
- d. *Reservation.* When common open space or any portion thereof is to be reserved for the exclusive use and enjoyment of the residents of the development from which it was established, the developer shall establish conditions as to the ownership, maintenance, and use of such areas as deemed necessary by the city to ensure preservation of its intended purposes. Land designated as common open space shall be restricted by appropriate legal instrument satisfactory to the city attorney as open space perpetually or for a period of not less than 99 years. Such instrument shall be binding upon the developer, his successors, and assigns and shall constitute a covenant running with the land and be in recordable form.
- e. *Maintenance.* If common open space is improperly maintained, the city may serve written notice upon any property owner or association setting forth the manner in which such property owner or association has failed to maintain the common open space and demanding that maintenance deficiencies be corrected within 30 days. If maintenance deficiencies, as originally set forth or subsequently modified, are not corrected within 30 days, the city may enter upon such common open space and correct maintenance deficiencies. The cost of such maintenance shall be assessed ratable against the properties within the development that have the right to use the area and shall become a tax lien on such properties. The city, at the time of entry, shall file notice of any liens in the office of the city treasurer.

10. *Site plans.*

- a. *Applicability and procedures.* Where, by the terms of this chapter, a site plan is required prior to the issuance of a building permit, such site plan shall be submitted to the building inspector. The building inspector shall forward such site plan to the plan commission for their recommendation. No public notice and hearing is required for site plan consideration by the plan commission, but such matters shall be handled in a public session, as part of previously prepared agenda. All matters relating to plan commission consideration of site plans shall be a public record and approval shall require formal action of the plan commission. The site plan shall be submitted to the plan commission not less than 15 days prior to the public meeting of the plan commission at which approval is to be considered.
- b. *Contents.* A site plan required to be submitted by the requirements of this chapter shall include the following elements, where applicable:
 1. Statements of ownership and control of the proposed development.
 2. Statement describing in detail the character and intended use of the development.
 3. A site plan containing the title of the project and the names of the project planner and developer, date, and north arrow, and based on an exact survey of the property drawn to a scale of sufficient size to show:
 1. Boundaries of the project, any existing streets, buildings, water courses, easements, and section lines.
 2. Exact location of all buildings and structures.
 3. Access and traffic flow and how vehicular traffic will be separated from pedestrian and other types of traffic.
 4. Off-street parking and off-street loading areas.
 5. Recreation facilities, locations.
 6. All screening and buffers.
 7. Refuse collection areas.
 8. Access to utilities and points of utility hookups.
 4. Tabulations of total gross acreage in the project and the percentages thereof proposed to be devoted to:
 1. The various permitted uses.
 2. Ground coverage by structures.
 3. Impervious surface coverage.
 5. Tabulations showing:

1. The derivation of numbers of off-street parking and loading spaces shown in subsection (11)(b)4 of this section.
2. Total project density in dwelling units per net acre.
6. Architectural definitions for buildings in the development; exact number of dwelling units, sizes, and types, together with typical floor plans of each type.
7. Storm drainage and sanitary sewage plans.
8. If common facilities, such as recreation areas or structures, common open space, etc., are to be provided for the development, statements as to how such common facilities are to be provided and permanently maintained. Such statements may take the form of proposed deed restrictions, deeds of trust, homeowners' associations, surety arrangements, or other legal instruments providing adequate guarantee to the city that such common facilities will not become a future liability for the city.
9. Plans for signs, if any.
10. Landscaping plan, including types, sizes, and locations of vegetation and decorative shrubbery, and showing provisions for maintenance.
11. In the industrial districts, plans for the exterior walls of all buildings, lighting, outside storage, and industrial processes and materials pertinent to conformance with the industrial performance standards in this section.
12. Such additional data, maps, plans, or statements as may be required for the particular use or activity involved or as the applicant may believe is pertinent.

11. Placement of structures.

- a. No dwelling shall be erected, placed, or built within any district unless the structure has a minimum width of 22 feet for at least 70 percent of the structure's length and has a perimeter frost barrier footing.
- b. No dwelling built prior to June 15, 1976, shall be relocated to any residential lot within the city except to an approved mobile home lot. Dwellings built after June 15, 1976, must have proof of compliance with applicable department of housing and urban development (HUD) codes and bear the HUD seal of compliance in order to be eligible for a moving permit. Proof of compliance must be provided by the applicant to the city plan commission along with a site plan for commission concurrence prior to the issuance of a moving permit.
- c. No nondwelling structure exceeding 170 square feet in ground area, which has its place of origin off premises, shall be relocated onto any residentially zoned lot, unless the structure complies with current city building regulations and that a bond or irrevocable cashier's check be received by the city for 100 percent of the market replacement value of the structure. The bond or cashier's check shall be

returned upon final inspection of the structure finding compliance with all applicable building codes and zoning ordinances. If 60 days after issuance of a permit for the moving of the structure, the structure fails to comply with the building codes and zoning ordinances, then in addition to any compliance action taken by the building inspector, the bond or cashier's check shall be retained and may be applied to the costs of effecting compliance and to any forfeiture, court costs, and cost of prosecution imposed by the court.

12. *Telecommunications antennas and towers.*

- a. *Purpose.* The purpose of this subsection is to establish general guidelines for the siting of towers and antennas. The goals of this subsection are to:
 1. Encourage the location of towers in nonresidential areas and minimize the total number of towers throughout the community;
 2. Strongly encourage the joint use of new and existing tower sites;
 3. Encourage users of towers and antennas to locate them, to the extent possible, in areas where the adverse impact on the community is minimal;
 4. Minimize the adverse visual impact of the towers and antennas;
 5. Enhance the ability of the providers of telecommunications services to provide such services to the community quickly, effectively and efficiently; and
 6. Protect the public health, safety and general welfare of the city.
- b. *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning: *Antennas* means any exterior apparatus designed for telecommunications, radio or pager services through the sending or receiving of electromagnetic waves, digital signals, radio frequencies, wireless telecommunication signals, including, but not limited to, directional antennas, such as panels, microwaves and satellite dishes, and omni-directional antennas, such as whip antennas. *Antenna support structures* means any building, pole, telescoping mast, tower, tripod or any other structure which supports an antenna. *Co-location* means the location of multiple antennas of more than one commercial wireless communication service provider or governmental entity on a single tower or alternative tower structure. *FAA* means the Federal Aviation Administration. *FCC* means the Federal Communications Commission. *Height* refers to the distance measured from ground level to the highest point on the tower or other structure, even if the highest point is an antenna. *Personal communication services (PCS)* means a provider of personal wireless service facilities as defined by federal law. *Personal wireless facilities* means transmitters, antenna structures, and other types of installations used to provide personal wireless services. *Pre-existing towers and antennas* means any legally placed tower or antenna permitted prior to the effective date of the ordinance from which this section is derived that shall not be required to meet the requirements of this section other than applicable federal or state requirements

or city building codes. *Tower* means any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers or monopole towers. The term "tower" includes personal communication service towers, radio and television transmission towers, microwave towers, common carrier towers, cellular telephone towers, alternative tower structures and the like. The term "guy towers" are towers supported externally by a set or series of wires from the tower to the ground. *Tower site* means the area encompassing a tower and all supporting equipment, structures paved or graveled areas, fencing and other items used in connection with the tower. *Wireless telecommunications services* means licensed commercial wireless telecommunication services, including cellular, personal communication services (PCS), specialized mobilized radio (SMR), enhances specialized mobilized radio (ESMR), paging and similar services that are marketed to the general public.

- c. *Special exception required.* A special exception permit in accordance with section 17.47 shall be required for the locating and construction of a new tower or for the co-location of an antenna on an existing tower not previously granted a special exception.
 - 1. No special exception shall be granted for the placement of a tower in any residential zone or area zoned conservancy.
 - 2. Antennas not exceeding 30 feet in antenna height may be placed on existing structures that have an existing height greater than 45 feet, irrespective of the zoning district.
 - 3. No special exception for a tower site exceeding 30 feet in height shall be granted within 2,500 feet of an existing tower site whether the existing site is within or without the city.
 - 4. If a special exception permit is granted, the city council may impose conditions to the extent the city council concludes such conditions are necessary to minimize any adverse effect of the proposed tower on adjoining properties.
 - 5. Any information of an engineering nature required by the special exception that the applicant submits, whether civil, mechanical, or electrical, shall be certified by a licensed professional engineer.
 - 6. Private HAM radio operators and citizen band radio operators, along with their associated towers and apparatus, licensed under applicable FCC regulations, shall be exempt from the provisions of this section, provided that the facilities are situated on the same lot as the transmitter/receiver set.
- d. *Information required.* Each applicant requesting a special exception permit under this section shall submit a scaled site plan and a scaled elevation view and other supporting drawings, calculations, and other documentation, signed and sealed by appropriate licensed professionals, showing the location and dimensions of all

improvements, including information concerning topography, frequency coverage, tower height requirements, setbacks, drives, parking, fencing, landscaping, adjacent uses, and other information deemed by the city council to be necessary to assess compliance with this section, including, but not limited to, the provision of co-location per subsection 17.32(12)(f).

- e. *Considered in granting special exception permits.* The city council shall consider the following factors in determining whether to issue a special exception permit, although the city council may waive or reduce the burden on the applicant of one or more of these criteria if the city council concludes that the goals of this section are better served thereby:
 1. Height of the proposed tower.
 2. Capacity of the tower structure for additional antenna equipment to accommodate expansion, or to allow for co-location of another provider's equipment.
 3. Proximity of the tower to residential structures and residential district boundaries.
 4. Nature of uses on adjacent and nearby properties.
 5. Surrounding topography.
 6. Surrounding tree coverage and foliage.
 7. Design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness.
 8. Proposed ingress and egress to the tower site.
 9. Availability of suitable existing towers and other structures as discussed in section 17.32(13)(f).
 10. Compliance with current FAA and FCC regulations so as to, in part, minimize the possibility of interference with locally received transmissions.
- f. *Co-location.*
 1. Any proposed telecommunication tower and tower site shall be designed, structurally, electrically, and in all other respects to accommodate co-location of both the applicant's antennas and comparable antennas for at least two additional users. Towers and tower sites shall be designed to allow for future rearrangement of antennas upon the tower, to accept antennas mounted at varying heights, and to accommodate supporting buildings and equipment. The holder of a permit for a tower shall allow co-location for at least two additional users and shall not make access to the tower and tower site for the additional users economically unfeasible. If additional users demonstrate (through independent arbitration or other pertinent means) that the holder of a tower permit has made access to

such tower and tower site economically unfeasible, the original permit on the tower site shall become null and void.

2. No new tower shall be permitted unless the applicant demonstrates, to the reasonable satisfaction of the city council, that no existing tower or structure can accommodate the applicant's proposed antenna. Evidence submitted to demonstrate that no existing tower or structure can accommodate the applicant's proposed antenna may consist of any of the following:
 1. No existing towers or structures are located within the geographic area required to meet the applicant's engineering requirements.
 2. Existing towers or structures are not of sufficient height to meet the applicant's engineering requirements.
 3. Existing towers or structures do not have sufficient structural strength to support the applicant's proposed antenna and related equipment.
 4. The applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing towers or structures, or the antenna on the existing towers or structures would cause interference with the applicant's proposed antenna.
 5. The applicant demonstrates that there are other limiting factors that render existing towers and structures unsuitable.
 6. The fees, costs or contractual provisions required by the owner to share an existing tower or structure or to adapt an existing tower.
- g. *Setbacks and separation.* The following setbacks and separation requirements shall apply to all towers and antennas for which a special exception permit is required; provided, however, that the city council may reduce the standard setbacks and separation requirements if the goals of this subsection would be better served thereby.
 1. Towers must be set back a distance equal to the height of the tower from any off-site residential structure.
 2. Towers, guys, and accessory facilities must satisfy the minimum zoning district setback requirements.
- h. *Landscaping.* The following requirements shall govern the landscaping surrounding towers for which a special exception permit is required; provided however, that the city council may waive such requirements if the goals of this subsection would be better served thereby.
 1. Tower sites shall be landscaped with a mixture of deciduous and evergreen trees and shrubs that effectively screens the view of the tower compound from adjacent residential property. The standard buffer shall

consist of a landscaped strip at least four feet wide outside the perimeter of the compound.

2. In locations where the visual impact of the tower would be minimal, the landscaping requirement may be reduced or waived altogether.
 3. Existing mature trees growth and natural land forms on the site shall be preserved to the maximum extent possible. In some cases, such towers sited on large wooded lots, natural growth around the property perimeter may be a sufficient buffer.
- i. *Removal of abandoned antennas and towers.* Any antenna or tower that is not operated for a continuous period of six months shall be considered abandoned, and the owner of such antenna or tower shall remove same within 90 days of receipt of notice from the city council notifying the owner of such abandonment. If such antenna or tower is not removed within the 90 days, the city council may remove such antenna or tower at the owner's expense. If there are two or more users of a single tower, then this section shall not become effective until all users cease using the tower.
- j. *Applicability.*
1. *District height limitation.* The requirements set forth in this subsection shall govern the location of towers that exceed, and antennas that are installed, at a height in excess of the height limitations specified for each zoning district. The height limitations applicable to buildings and structures shall not apply to towers and antennas, however, in no case shall any tower, excluding antennas, exceed a height of 220 feet.
 2. *Inventory of existing sites.* Each applicant for an antenna and or tower shall provide to the planning department an inventory of all existing towers that are within a five-mile radius of the proposed site, on which the company is also located, leased or owned, including specific information about the location, height and design of each tower that applies. The city plan department may share such information with other applicants applying for special exception permits under this article or other organizations seeking to locate antennas within the jurisdiction of the city council; provided, however, that the planning and zoning department is not, by sharing such information, in any way representing or warranting that such sites are available or suitable.

13. *Small wind energy system ordinance.*

- a. *Authority.* This section is adopted pursuant to authority granted by Wis. Stats. §§ 62.23(7) and 66.0401.
- b. *Purpose.* The purpose of this section is to:
 1. Oversee the permitting of small wind energy systems.

2. Preserve and protect public health and safety without significantly increasing the cost or decreasing the efficiency of a small wind energy system (per Wis. Stats. § 66.0401).
- c. *Definitions.* The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning: *Administrator* means the city building inspector. *Common council* means the city common council. *Meteorological tower (met tower)* is defined to include the tower, base plate, anchors, guy cables and hardware, anemometers (wind speed indicators), wind direction vanes, booms to hold equipment, anemometers and vanes, data logger, instrument wiring, and any telemetry devices that are used to monitor or transmit wind speed and wind flow characteristics over a period of time for either instantaneous wind information or to characterize the wind resource at a given location. *Owner* means the individual or entity that intends to own and operate the small wind energy system in accordance with this section. *Rotor diameter* means the cross-sectional dimension of the circle swept by the rotating blades. *Small wind energy system* means a wind energy system that: (1) Is used to generate electricity; (2) Has a nameplate capacity of 100 kilowatts or less; and (3) Has a total height of 170 feet or less. Total height means the vertical distance from ground level to the tip of a wind generator blade when the tip is at its highest point. *Tower* means the monopole, freestanding, or guyed structure that supports a wind generator. *Wind energy system* means the equipment that converts and then stores or transfers energy from the wind into usable forms of energy, as defined by Wis. Stats. § 66.0403(1)(m). This equipment includes any base, blade, foundation, generator, nacelle, rotor, tower, transformer, vane, wire, inverter, batteries, or other component used in the system. *Wind generator* means blades and associated mechanical and electrical conversion components mounted on top of the tower.
- d. *Standards.* A small wind energy system shall be a conditionally permitted use in all zoning districts subject to the following requirements:
1. *Setbacks.* A wind tower for a small wind energy system shall be set back a distance equal to its total height from:
 1. Any public road right-of-way, unless permission is granted by the governmental entity with jurisdiction over the road. Such permission shall be in a form acceptable for recording in the county register of deeds office for the parcel on which the tower is located.
 2. Any overhead utility lines, unless permission is granted by the affected utility, such permission shall be in a form acceptable for recording in the county register of deeds office for the parcel on which the tower is located.
 3. All property lines, unless permission is granted from the affected landowner or neighbor, such permission shall be in a form acceptable for recording in the county register of deeds office for

both the parcel on which the tower is located and the affected parcel.

2. *Access.*

1. All ground-mounted electrical and control equipment shall be labeled and secured to prevent unauthorized access.
2. The tower shall be designed and installed so as to not provide step bolts or a ladder readily accessible to the public for a minimum height of eight feet above the ground.
3. *Electrical wires.* All electrical wires associated with a small wind energy system, other than wires necessary to connect the wind generator to the tower wiring, the tower wiring to the disconnect junction box, and the grounding wires shall be located underground.
4. *Lighting.* A wind tower and generator shall not be artificially lighted unless such lighting is required by the Federal Aviation Administration.
5. *Appearance, color, and finish.* The wind generator and tower shall remain painted or finished the color or finish that was originally applied by the manufacturer, unless otherwise approved in the building permit.
6. *Signs.* All signs, other than the manufacturer's or installer's identification, appropriate warning signs, or owner identification on a wind generator, tower, building, or other structure associated with a small wind energy system visible from any public road shall be prohibited.
7. *Code compliance.* A small wind energy system, including tower, shall comply with all applicable state construction and electrical codes, and the National Electrical Code.
8. *Utility notification and interconnection.* Small wind energy systems that connect to the electric utility shall comply with the public service commission of Wis. Admin. Code ch. PSC 119, "rules for interconnecting distributed generation facilities."
9. *Met towers.* Met towers shall be permitted under the same standards, permit requirements, restoration requirements, and permit procedures as a small wind energy system.

e. *Permit requirements.*

1. *Building permit.* A building permit shall be required for the installation of a small wind energy system.
2. *Documents.* The building permit application shall be accompanied by a lot plan which includes the following:
 1. Property lines and physical dimensions of the property.

2. Location, dimensions, and types of existing major structures on the property.
 3. Location of the proposed wind system tower.
 4. The right-of-way of any public road that is contiguous with the property.
 5. Any overhead utility lines.
 6. Wind system specifications, including manufacturer and model, rotor diameter, tower height, tower type (freestanding or guyed).
 7. Tower foundation blueprints or drawings stamped by a design professional.
 8. Tower blueprint or drawing stamped by a design professional.
 9. The property lines and dimensions, with the names and addresses of the owners, of any properties proposed to be restricted from activities interfering with the system.
3. *Fees.* The same fee required for a building permit for a permitted accessory use must accompany the application for a building permit for a small wind energy system.
 4. *Expiration.* A permit issued pursuant to this section shall expire if the small wind energy system is not installed and functioning within two years from the date the permit is issued.

f. *Abandonment.*

1. A small wind energy system that is out-of-service for a continuous two-year period, excluding time spent on repairs or improvements, will be deemed abandoned. The administrator may issue a notice of abandonment to the owner of a small wind energy system that is deemed abandoned. The owner shall have the right to respond to the notice of abandonment within 30 days from the notice receipt date. The administrator shall withdraw the notice of abandonment and notify the owner that the notice has been withdrawn if the owner provides information that demonstrates the small wind energy system has not been abandoned.
2. If it is determined the small wind energy system is abandoned, the owner of same shall remove the wind generator from the tower at the owner's sole expense within three months of receipt of notice of abandonment. If the owner fails to remove the wind generator from the tower, the administrator may pursue a legal action to have the wind generator removed at the owner's expense and such expense shall be entered as a special charge on the tax roll.

g. *Building permit procedure.*

1. An owner shall submit an application to the administrator for a building permit for a small wind energy system. The application must be on a form approved by the administrator and must be accompanied by two copies of the lot plan identified above.
 2. Within 30 days of receipt of an application, the administrator shall determine whether the application is satisfactorily completed and, if no other properties are to be restricted by the permit, place the application on the agenda before the city plan commission. If the application identifies other properties to be restricted by the permit, the applicant shall provide notice to the owners of those properties personally or by certified mail; and provide receipts for the delivery of such notice to the administrator. The administrator shall provide the notice form. The hearing before the city plan commission shall, in such cases, be scheduled in compliance with the timelines of Wis. Stats. § 66.0403(3) and (4). The plan commission shall approve or deny the application based on the criteria as provided within this Code.
 3. If the application is approved, the administrator will return one signed copy of the application with the permit and retain the other copy with the application.
 4. If the application is rejected, the administrator will notify the applicant in writing and provide a written statement of the reason why the application was rejected. The applicant may appeal the administrator's decision pursuant to Wis. Stats. ch. 68. The applicant may re-apply if the deficiencies specified by the administrator are resolved.
 5. The owner shall conspicuously post the building permit on the premises so as to be visible to the public at all times until construction or installation of the small wind energy system is complete.
- h. *Violations.* It is unlawful for any person to construct, install, or operate a small wind energy system that is not in compliance with the ordinance from which this section is derived or with any condition contained in a building permit issued pursuant to this section. Small wind energy systems installed and operated prior to the adoption of this section are exempt.
- i. *Administration and enforcement.*
1. The administrator or other designated official shall administer this section.
 2. The administrator may enter any property for which a building permit has been issued under this section to conduct an inspection to determine whether the conditions stated in the permit have been met.
 3. The administrator may issue orders to abate any violation of this section.
 4. The administrator may issue a citation for any violation of this section.
 5. The administrator may refer any violation of this section to legal counsel for enforcement.

j. *Penalties.*

1. Any person who fails to comply with any provision of this section or a building permit issued pursuant to this ordinance shall be subject to enforcement and penalties as provided in section 17.56.
2. Nothing in this section shall be construed to prevent the common council from using any other lawful means to enforce this section.

14. *Portable storage units (containers).*

- a. For the purpose of this section, the term “portable storage unit” shall mean any portable enclosed unit of whatever type construction or material, designed for permanent or temporary storage, which can be transported by vehicle and left on-site as determined by City Staff.
- b. In Residential Single Family (RSF), Residential Two Family (RTF), when incidental to a residential dwelling:
 1. One portable storage unit shall be the maximum number allowed on a lot for no more than 30 consecutive days and no more than 60 total days per calendar year.
 2. The portable storage unit shall be placed on an impervious surface.
 3. The portable storage unit shall not be located within 3 feet of a property line.
 4. The portable storage unit shall not be located within the vision corner.
 5. Portable storage units shall not be used for the purposes of a garage or shed.
- c. All other zoning districts. When incidental to a permitted principal use:
 1. A temporary use permit is required pursuant to this section.
 2. No more than three temporary use permits per business shall be issued per calendar year.
 3. Two portable storage units shall be the maximum allowed per temporary use permit.
 4. The maximum time limit per temporary use permit shall be 30 days, unless the plan commission approves a longer duration.
 5. Portable storage units shall be placed on an impervious surface.
 6. Portable storage units may be placed on a lot within a designated loading space.
 7. The portable storage unit shall not be located within the required front setback unless permitted by the Zoning Administrator.

8. Portable storage units shall not be used for the purposes of a garage, shed or other on-site storage.
9. Permanent use of a storage container at an Industrial or Commercial location may only be permitted by approval of the Plan Commission.
- d. Storage containers used in connection with a construction project may be permitted by the Zoning Administrator and must be only used for purpose related to the construction project, not placed within 3 feet of a property line, not located within the vision corner and must be removed from the site upon issuance of occupancy of the permanent structure.

(Code 2011, § 17.32)

HISTORY

Amended by Ord. [1867-2022](#) on 10/4/2022

Repealed by Ord. [1874-2022](#) on 12/6/2022

Repealed & Replaced by Ord. [1917-2025](#) on 2/4/2025

17.33 Sign and Billboard Regulations

1. *Signs.*

- a. *Prohibited signs.* The following exterior building signs shall be prohibited within the city:
 1. Abandoned signs.
 2. Flashing signs, remnants, banners, streamers, and all other fluttering or spinning signs, except in connection with temporary sales, civic or cultural events, or officially recognized holidays.
 3. Snipe signs or signs attached to trees, telephone poles, public benches, street lights, or placed on any public property or public right-of-way.
 4. Signs placed on vehicles or trailers which are parked or located for the primary purpose of displaying such sign, excluding allowed portable signs or signs or lettering on buses, taxies, or vehicles operated during the normal course of business.
 5. Signs displaying flashing or intermittent lights customarily associated with danger or emergencies. An illuminated sign or lighting device shall employ only lights of constant intensity and no sign shall be illuminated by or contain flashing, intermittent, rotating, or moving lights or lights creating the illusion of movement. Signs located wholly within a building, public service information signs, and other electronic message or mechanical message centers which are classified as changing signs are permitted and are not subject to this restriction.
 6. Signs which purport to be or are an imitation of or resemble an official traffic sign or signal or which bear words "stop," "caution," "warning" or

similar words that are displayed in the colors normally associated with them as official signs are prohibited.

b. *Construction specifications.*

1. All signs shall be constructed in accordance with the requirements of chapter 14 of this Code and the national electric code, as amended, and the additional construction standards set forth in this section, where applicable.
2. All ground and roof sign structures shall be self-supporting Structures and permanently attached to sufficient foundations.
3. Electric service to ground signs shall be concealed.
4. All signs, except those attached flat against the wall of a building, shall be constructed to withstand wind loads as follows, with correct engineering adjustments for the height of the sign above grade:
 1. *For solid signs:* 30 pounds per square foot on any face of the sign or structure.
 2. *For skeleton signs:* 30 pounds per square foot of the total face cover of the letters and other sign surfaces or ten pounds per square foot of the gross area of the sign as determined by the overall dimensions of the sign, whichever is greater.
5. No sign shall be suspended by nonrigid attachments that will allow the sign to swing due to wind action. All freestanding signs shall have self-supporting structures erected on or permanently attached to concrete foundations. All nonpermanent signs shall be braced or secured to prevent motion.
6. No sign shall be erected, constructed, or maintained so as to obstruct any fire escape, required exit, window, or door opening used as a means of ingress and egress.
7. No sign shall be attached in any form, shape, or manner which will interfere with any opening required for ventilation, except that signs may be erected in front of and may cover transom windows when not in violation of the provisions of the city fire prevention code.
8. Signs shall be located in such a way as to maintain horizontal and vertical clearance of all overhead conductors in accordance with the national electrical code specifications, depending on voltages concerned. However, in no case shall a sign be installed closer than six inches horizontally or vertically from any conductor or public utility guy wire.

c. *Signs in residential districts.* No sign in a residential district shall exceed eight feet in height or produce artificial light from within.

d. *Signs in commercial districts.*

1. Temporary window signs advertising a sale or special event at an individual commercial establishment shall be exempt from the sign regulations.
 2. A detached sign, any part of which is closer than 15 feet to the right-of-way shall have a minimum vertical distance of ten feet between the bottom of the sign and the grade at the right-of-way line or shall not be more than three feet in height above grade.
 3. Any detached sign or projecting sign within 25 feet of an intersection or 15 feet of a driveway shall maintain a minimum vertical distance between the bottom of the sign and the grade at the right-of-way line of ten feet or shall be not more than three feet in height above grade.
 4. All other projecting signs shall maintain a minimum vertical distance between the bottom of the sign and the grade at the right-of-way line of nine feet.
 5. Canopy, marquee, and awning signs shall be placed at such a height so that the extreme lower edge of such structure is at least seven feet above sidewalk grade and such signs shall not extend more than 72 inches into the public right-of-way. The vertical dimension of a sign, any portion of which is below the lower edge of the canopy or marquee structure, shall not exceed 20 inches.
 6. Detached signs shall not project more than 72 inches into the public right-of-way, but in no case closer than two feet from the curblin as measured from the property line. The area of a ground sign shall not exceed 150 square feet per side.
- e. *Billboard requirements.* Pursuant to chapter 14 of this Code, the following regulations shall be enforced:
1. No billboards may be erected within a 500-foot radius of another existing billboard.
 2. No billboard may be erected within 200 feet of an existing residential use or within 200 feet of a residential district.
 3. The maximum size of billboards shall be 300 square feet on each face, except within 100 feet of U.S. 41, where the maximum size shall be 400 square feet on each face.
 4. Billboards shall be set back from all property lines and existing buildings equal to the height to the top of the billboard.
 5. Roof-mounted billboards are not permitted.
 6. Billboards shall only be permitted in the commercial highway, commercial shopping center, industrial, and industrial park districts.

7. All billboards which are not in conformance with the above provisions shall be placed in conformance no later than July 9, 1990.
8. Exception. Signage permitted under section 17.24(6)(a) of this chapter.

f. *Installation, maintenance, and repair.*

1. All signs shall be constructed and installed in accordance with the requirements of chapter 14 of this Code and the national electric code. Every sign, including, but not limited to, those signs for which permits are required, shall be maintained in a safe, presentable and good structural condition at all times, including replacement of defective parts, painting, except when a weathered or natural surface is intended, repainting, cleaning, and other acts required for the maintenance of such signs.
2. The building inspector shall require compliance with all standards of this chapter. If the sign is not maintained to comply with safety standards outlined under chapter 14 of this Code, the building inspector shall require its removal in accordance with this section.

g. *Abandoned signs.* Except as otherwise provided in this chapter, any sign that is located on property which becomes vacant and is unoccupied for a period of two months or more or any sign which pertains to a time, event, or purpose which no longer applies shall be deemed to have been abandoned. Permanent signs applicable to a business temporarily suspended because of a change in ownership or management of such business shall not be deemed abandoned unless the property remains vacant for a period of three months or more. An abandoned sign is prohibited and shall be removed by the owner of the sign or owner of the premises. If the owner fails to remove the sign, the building inspector shall take appropriate legal action to cause the same to be removed.

h. *Defective signs and signs for which no permit has been issued.* The building inspector shall cause to be removed or repaired any sign that is defective or endangers the public safety, such as a dangerous or materially, electrically, or structurally defective sign or a sign for which no permit has been issued.

i. *Notice.* The building inspector shall give the owner of the sign 30 days' written notice to remove any abandoned sign, repair, or remove any defective sign or to remove a sign for which no permit has been issued. The notice shall describe the sign and specify the violation involved. The notice shall be sent by certified mail.

j. *Appeals.*

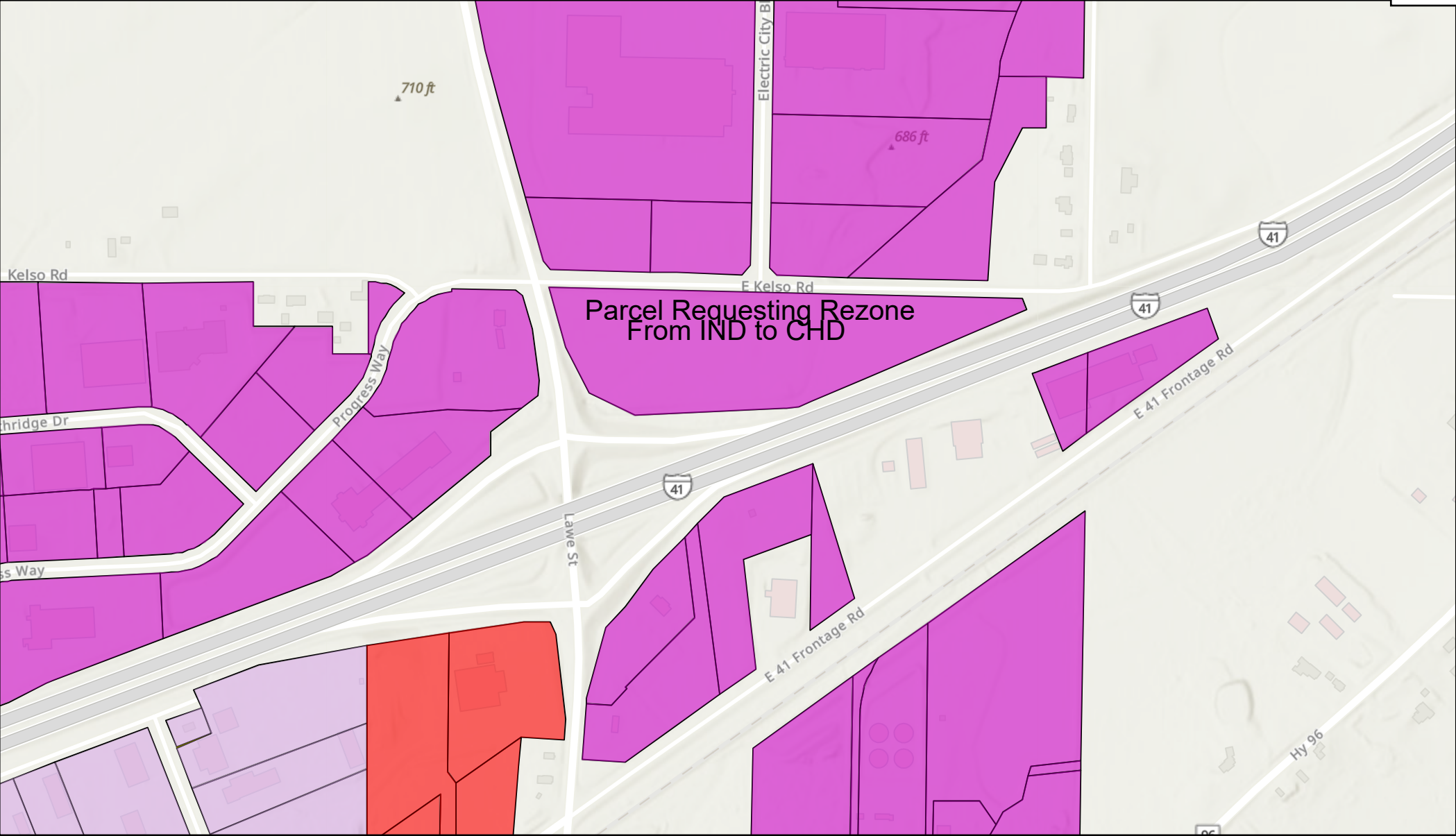
1. The owner of the sign may appeal the determination of the building inspector ordering removal or compliance by filing a written notice of appeal under section 17.50 within 30 days after the date of mailing the notice.
2. For property located within the commercial core district, the owner of the sign may appeal to and be heard before the redevelopment authority.

k. *Removal of signs by the building inspector.*

1. Notwithstanding the above, in cases of emergency, the building inspector may cause the immediate removal without notice of a dangerous or defective sign or for failure to comply with the written order of removal or repair.
2. After removal or demolition of the sign, a notice shall be mailed to the owner of the sign stating the nature of the work and the date on which it was performed and demanding payment of the costs as certified by the building inspector, together with an additional ten percent for inspection and incidental costs.
3. If the amount specified in the notice is not paid within 30 days of the notice, it shall become an assessment against the property of the sign owner and will be certified as an assessment against the property, together with interest at ten percent per annum, for collection in the same manner as real estate taxes.
4. The owner of the property upon which the sign is located shall be presumed to be the owner of all signs thereon, unless facts to the contrary are brought to the attention of the building inspector as in the case of a leased sign.
5. For the purpose of removal, the definition of the term "sign" includes all sign embellishments and structures designed specifically to support the sign.

Current Zoning Around Rezoning Request – Parcel 322111500 (101 Kelso Rd)

Item 4.a.



5/2/2025, 8:30:39 AM

Zoning Districts

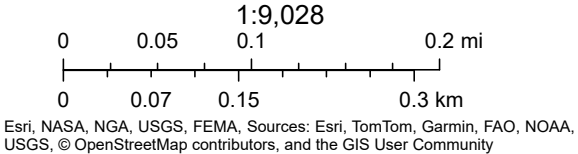
Residential Single Family (RSF)

Commercial Highway (CHD)

Industrial (IND)

Industrial Park (IPD)

Parcels

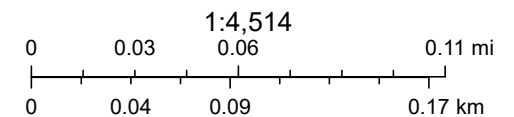
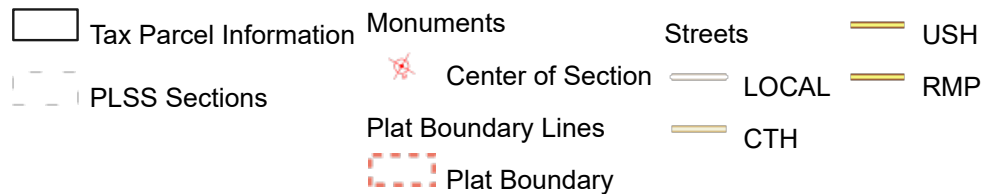


Rezoning Request – Parcel 322111500 (101 Kelso Rd)

Item 4.a.



5/2/2025, 8:28:39 AM





APPLICATION: ZONING CHANGE REQUEST FORM

To: Planning Commission, City of Kaukauna, Outagamie County, WI

Petitioner Information:

Name: Scott Andersen - Davel Engineering

Mailing Address: 1164 Province Terrace, Menasha WI 54952

Phone Number: 920-560-6569

Email: scott@davel.pro

Property Owner Information (If Not Petitioner):

Name: Van Epern Family Trust

Mailing Address: N2638 Bodde Road, Kaukauna WI 54130

Phone Number: 920-427-9110

Email: JandRGebert@sbcglobal.net

Property Information:

Site Address/Location: Parcel Id 322111500

Lot Dimensions and Area: SEE Proposed CSM and ReZoning Exhibit

Current Zoning: IND

Current Uses: Vacant Land

Proposed Zoning: CHD

Proposed Uses: Bank and TBD

Please State Reason(s) for Rezoning Request:

Rezoning this parcel will allow the construction of a new drive-in bank and expand the range of uses available for the remaining 2 parcels.

Additional Requirements: For zoning change requests that would result in split zoning (or two zoning classifications on one parcel), professionally drawn maps are required to be submitted. These maps must include all structures, lot lines, and streets with distances to each. Maps should be drawn to a scale of not less than 1":1,000'. Additional information may also be requested as may be appropriate per the proposal being made.

Rezoning/Zoning Change Fee Schedule: \$100.00

Please Note: Changes to zoning ordinances often require action by multiple governmental bodies. Between multiple meetings and statutory requirements for public hearings and noticing of meetings, sometimes reviews and authorizations can take more than 30 days. Please let staff know of your request as early as possible if you have a specific deadline that you need Plan Commission authorization by.

Signature of Petitioner:

DocuSigned by:
Scott Andersen
695015AE4EAB48D...

4/23/2025

Signature of Owner (If Not Petitioner):

DocuSigned by:
Roxanna Gebert
DAAA12A9176A4DF...
Owner by proxy

4/23/2025

Date Submitted to City of Kaukauna:

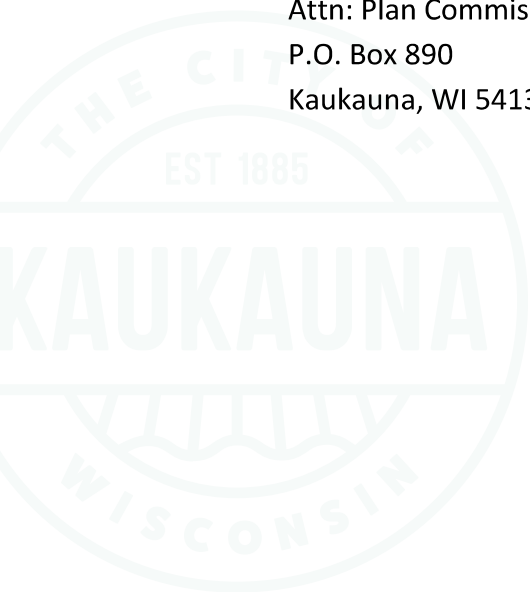
Please submit by email to planning@kaukauna.gov or by mail to:

City of Kaukauna

Attn: Plan Commission

P.O. Box 890

Kaukauna, WI 54130



Rezoning Exhibit Description

Item 4.a.

Rezoning Description

Current Zoning: IND (Industrial)

Proposed Zoning: CHD (Commercial Highway)

Area being part of the Northwest 1/4 of the Southwest 1/4 and part of the Northeast 1/4 of the Southwest 1/4, Section 07, Township 21 North, Range 19 East, City of Kaukauna, Outagamie County, Wisconsin, containing 572,966 Square Feet (13.1534 Acres) of land described as follows:

Commencing at the West 1/4 Corner of Section 7, T21N, R19E; thence S88°42'14"E along the North line of the Southwest 1/4 of said Section 7, 2635.76 feet; thence S01°17'46"W, 33.00 feet to the South right-of-way of Kelso Road, also the Point of Beginning of the area to be described; thence S20°40'43"E, 62.46 feet; thence S68°47'38"W, 599.64 feet; thence N01°17'48"E, 287.42 feet to said South right-of-way; thence along said South right-of-way, N88°42'14"W, 229.78 feet; thence S14°38'30"W, 51.03 feet; thence S47°24'49"E, 16.98 feet; thence S14°38'30"W, 357.89 feet; thence S72°10'56"W, 126.36 feet to the North right-of-way of Interstate "41"; thence along said North right-of-way, S85°32'32"W, 584.16 feet; thence N64°44'14"W, 205.97 feet; thence N27°02'55"W, 210.62 feet; thence N15°57'20"W, 204.51 feet; thence N45°55'26"E, 62.78 feet to the South right-of-way of Kelso Road; thence along said South right-of-way, S88°42'14"E, 1086.99 feet; thence continuing along said South right-of-way, S88°42'14"E, 229.78; thence continuing along said South right-of-way, S88°42'14"E, S88°42'14"E, 530.61 feet to the Point of Beginning. Described area subject to all easements and restrictions of record.

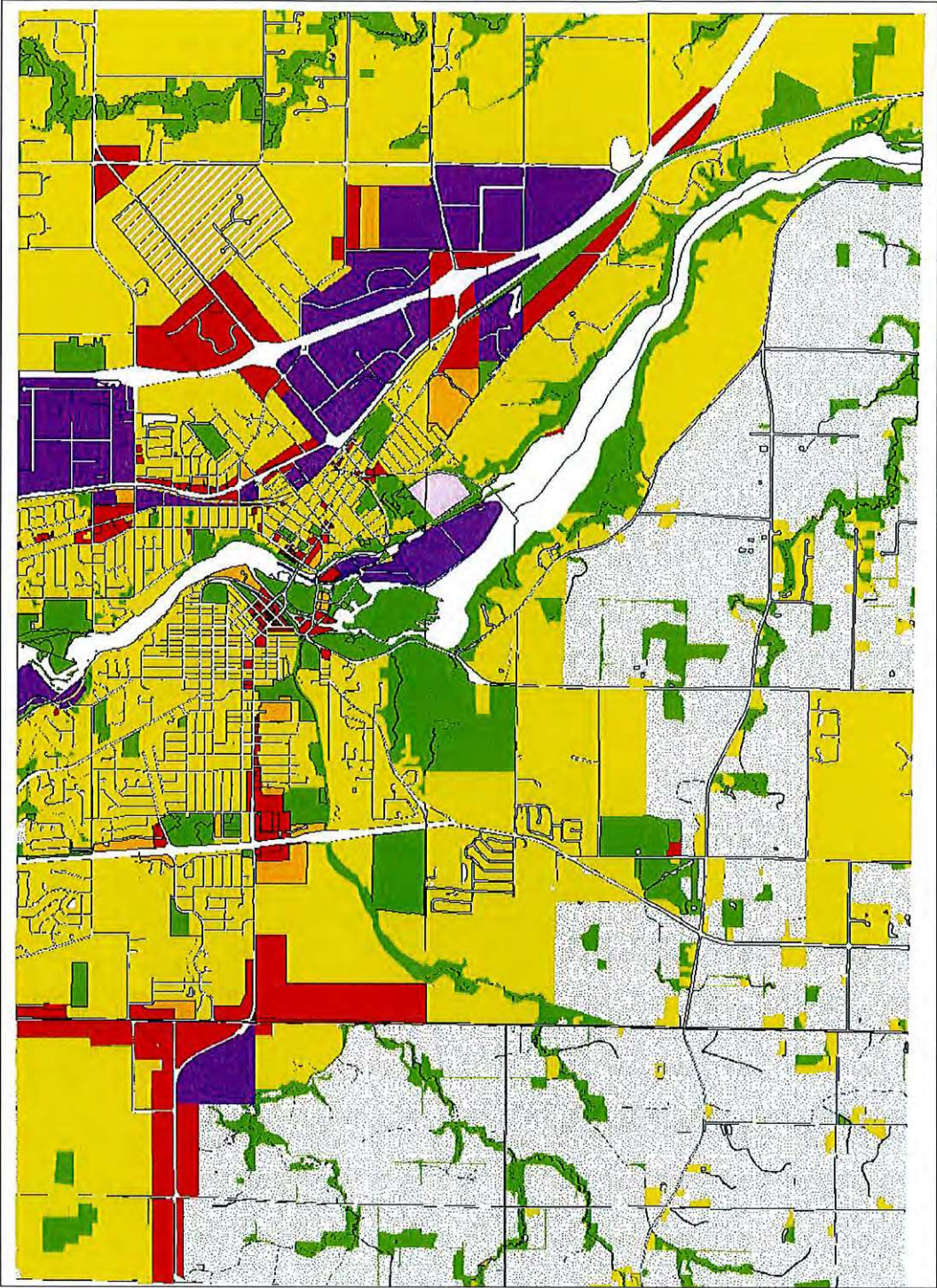
Scott R. Andersen,
Wisconsin Professional Land Surveyor No. S-3169











**DAVEL ENGINEERING &
ENVIRONMENTAL, INC.**

Civil Engineers and Land Surveyors

1164 Province Terrace, Menasha, WI 54952
Ph: 920-991-1866 Fax: 920-441-0804
www.davel.pro



Map Legend

- | | |
|--|--|
|  Multi Family |  Agriculture |
|  Public |  Commercial |
|  Industrial |  Single Family |
|  Mining |  Green Designed Housing |



City of Kaukauna Future Land Use Map



MEMO

PLANNING & COMMUNITY DEVELOPMENT

To: Plan Commission
From: Dave Kittel, Director of Planning & Community Development
Date: 5/2/2025
Re: Rezoning Request – Parcel 322111500 (101 Kelso Rd)

The Van Epreen Family Trust, owner of Parcel 322111500, has applied to rezone this property. The property is currently zoned Industrial (IND) and is requesting a rezone to the Commercial Highway District (CHD)

The purpose of this rezone is to facilitate future development on the site. Due to the shape of the lot, proximity to the Interstate and wetlands, this property is difficult for a larger Industrial type of development and the CHD format allows for uses that can take better advantage of a smaller lot with highway visibility. Per the City's future land use map this property was originally planned to be in the CHD. When the property was annexed in it was part of a larger parcel and likely for simplicity the land was all annexed in as Industrial. This rezoning would be in alignment with the Comprehensive plan and allow for the property to be developed.

Please see attachments for location reference.

Staff Recommendation:

Approve the Rezone of parcels 322111500 from Industrial (IND) to Commercial Highway District (CHD) and recommend the same to the Common Council.

Certified Survey Map No. _____

Part of the Northwest 1/4 of the Southwest 1/4 and part of the
Northeast 1/4 of the Southwest 1/4, Section 07, Township 21 North,
Range 19 East, City of Kaukauna, Outagamie County, Wisconsin



**DAVEL ENGINEERING &
ENVIRONMENTAL, INC.**

CIVIL ENGINEERING CONSULTANTS
1164 Province Terrace Menasha, WI 54952
Ph: 920-991-1866 Fax: 920-441-0804
www.davel.pro

LEGEND

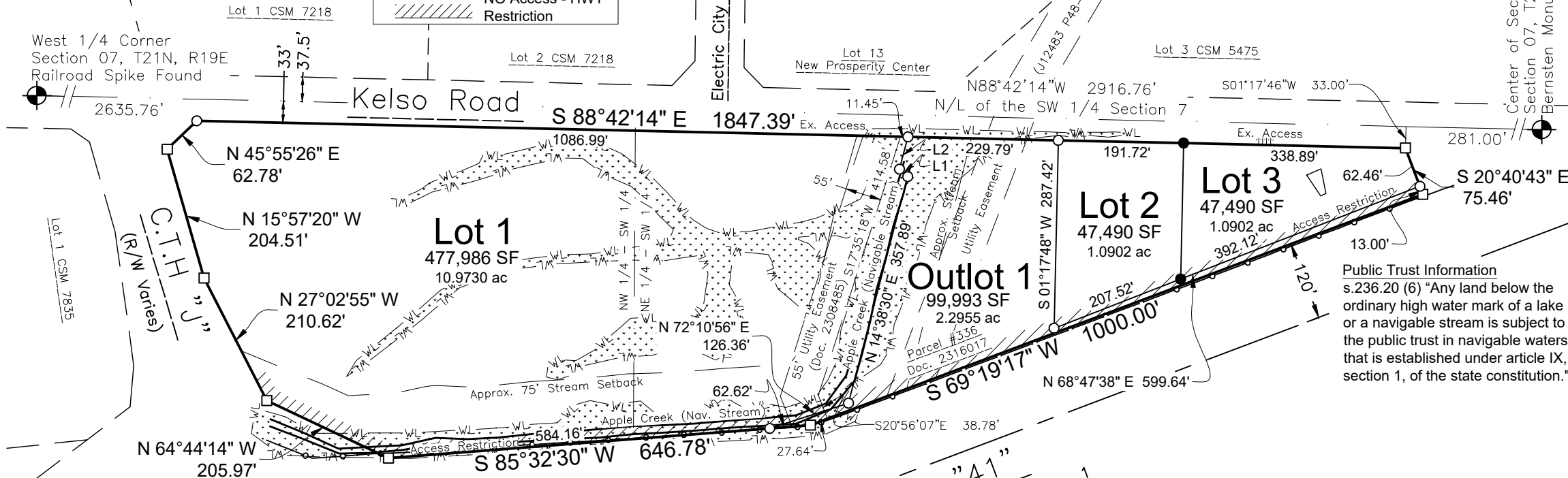
- 3/4" x 18" Steel Rebar
@ 1.50lbs/LF SET
- 3/4" Rebar Found
- 1" Iron Pipe Found
- ⊙ Government Corner
- WL Delineated Wetlands
Davel Eng 2023
- NO Access - HWY
Restriction



Bearings are referenced to the North line of the
Southwest 1/4, Section 07, T21N, R19E,
assumed to bear N88°42'14"W, base on the
Outagamie County Coordinate System.

Caveats:

- 1) Building zones depicted are based on building setbacks in effect at the time of the survey and should not be relied upon without first obtaining written verification thereof from the City of Kaukauna and any other local agencies.
- 2) **Additional action is required.** This map does NOT transfer ownership of the property or properties shown. Sale or transfer of ownership requires a separate document to be recorded at the Register of Deeds office.



LINE TABLE		
Line	Bearing	Length
L1	N 47°24'49" W	16.98'
L2	N 14°38'30" E	51.03'

Survey for:
CoVantage Credit Union
PO Box 1986
Wausau, WI 54402-1986

Public Trust Information
s.236.20 (6) "Any land below the
ordinary high water mark of a lake
or a navigable stream is subject to
the public trust in navigable waters
that is established under article IX,
section 1, of the state constitution."

Scott R. Andersen
Professional Land Surveyor
No. S-3169

Date: 04/22/2025
File: 7949CSM.dwg
Drafted By: scott
Sheet: 1 of 4

Certified Survey Map No. _____

Part of the Northwest 1/4 of the Southwest 1/4 and part of the
Northeast 1/4 of the Southwest 1/4, Section 07, Township 21 North,
Range 19 East, City of Kaukauna, Outagamie County, Wisconsin

Surveyor's Certificate

I, Scott R. Andersen, Professional Land Surveyor, hereby certify: That in full compliance with the provisions of Chapter 236 of the Wisconsin Statutes and the subdivision regulations of the City of Kaukauna, and under the direction of Van Epern Family Trust, the property owners of said land, I have surveyed, divided, and mapped this Certified Survey Map; that such map correctly represents all exterior boundaries and the subdivision of the land surveyed; and that this land is located in part Part of the Northwest 1/4 of the Southwest 1/4 and part of the Northeast 1/4 of the Southwest 1/4, Section 07, Township 21 North, Range 19 East, City of Kaukauna, Outagamie County, Wisconsin containing 672,959 Square Feet (15.4489 Acres) of land described as follows:

Commencing at the West 1/4 Corner of Section 7, Township 21 North, Range 19 East; thence S88°42'14"E along the North line of the Southwest 1/4 of said Section 7, 2635.76 feet; thence S01°17'46"W, 33.00 feet to the South right-of-way of Kelso Road, also the Point of Beginning of the parcel to be described; thence S20°40'43"E, 75.46 feet to the Northerly right-of-way of Interstate "41"; thence S69°19'17"W along said right-of-way line, 1000.00 feet; thence S85°32'30"W along said right-of-way line, 646.78 feet; thence N64°44'14"W along said right-of-way line, 205.97 feet to the easterly right-of-way line of C.T.H. "J"; thence N27°02'55"W along said right-of-way line, 210.62 feet; thence N15°57'20"W along said right-of-way line, 204.51 feet; thence N45°55'26"E along said right-of-way line, 62.78 feet to the south right-of-way line of Kelso Road; thence S88°42'14"E along said right-of-way line, 1847.39 feet to the Point Of Beginning of the parcel described. Described parcel is subject to restrictions and easement of record.

Given under my hand this _____ day of _____, _____.

Scott R. Andersen, Wisconsin Professional Land Surveyor No. S-3169

Certified Survey Map No. _____

Part of the Northwest 1/4 of the Southwest 1/4 and part of the
Northeast 1/4 of the Southwest 1/4, Section 07, Township 21 North,
Range 19 East, City of Kaukauna, Outagamie County, Wisconsin

Owners' Certificate

As Trustee of the Van Epern Family Trust, I hereby certify that we caused the land described on this certified survey map to be surveyed, divided, and mapped all as shown and represented on this map.

We do further certify this Certified Survey Map is required by s.236.10 or s.236.12 to be submitted to the following for approval or objection:

City of Kaukauna

Dated this _____ day of _____, 2025.

Helen M. Van Epern
Trustee

State of Wisconsin)
)SS
_____County)

Personally came before me on the _____ day of _____, 20_____, the above the property owner(s) to me known to be the persons who executed the foregoing instrument and acknowledge the same.

_____ My Commission Expires _____
Notary Public, Wisconsin

Scott R. Andersen Date
Professional Land Surveyor
No. S-3169

File: 7949CSM.dwg
Date: 04/22/2025
Drafted By: scott
Sheet: 3 of 4

Certified Survey Map No. _____

Part of the Northwest 1/4 of the Southwest 1/4 and part of the
Northeast 1/4 of the Southwest 1/4, Section 07, Township 21 North,
Range 19 East, City of Kaukauna, Outagamie County, Wisconsin

Treasurer's Certificate

I hereby certify that there are no unpaid taxes or unpaid special assessments on any of the lands shown hereon.

_____	_____	_____
County Treasurer	Print Name	Date

_____	_____	_____
City Treasurer	Print Name	Date

City of Kaukauna Common Council Approval Certificate

Resolved, that this certified survey map in the City of Kaukauna, Outagamie County, Van Epern Family Trust, the
property owners, is hereby approved by the Common Council.

_____	_____	_____
Mayor	Print Name	Date

_____	_____	_____
City Clerk	Print Name	Date

This Certified Survey Map is contained wholly within the property described in the following recorded instruments:

the property owner of record:	Recording Information:	Parcel Number(s):
Van Epern Family Trust	Doc. 1779597	322111500

_____	_____
Scott R. Andersen	Date
Professional Land Surveyor	
No. S-3169	

File: 7949CSM.dwg
Date: 04/22/2025
Drafted By: scott
Sheet: 4 of 4

RESOLUTION 2025-_____**RESOLUTION APPROVING A CERTIFIED SURVEY MAP TO DIVIDE ONE LOT INTO FOUR LOTS FOR PARCEL 322111500**

WHEREAS, Van Epern Family Trust as owner of Parcel 322111500 has presented a Certified Survey Map to the City of Kaukauna Common Council as prepared by Scott R. Anderson, a registered Land Surveyor; and

WHEREAS, a Certified Survey Map of the following described parcel of land has been presented to and recommended for approval by the Plan Commission:

Commencing at the West 1/4 Corner of Section 7, Township 21 North, Range 19 East; thence S88°42'14"E along the North line of the Southwest 1/4 of said Section 7, 2635.76 feet; thence S01°17'46"W, 33.00 feet to the South right-of-way of Kelso Road, also the Point of Beginning of the parcel to be described; thence S20°40'43"E, 75.46 feet to the Northerly right-of-way of Interstate "41"; thence S69°19'17"W along said right-of-way line, 1000.00 feet; thence S85°32'30"W along said right-of-way line, 646.78 feet; thence N64°44'14"W along said right-of-way line, 205.97 feet to the easterly right-of-way line of C.T.H. "J"; thence N27°02'55"W along said right-of-way line, 210.62 feet; thence N15°57'20"W along said right-of-way line, 204.51 feet; thence N45°55'26"E along said right-of-way line, 62.78 feet to the south right-of-way line of Kelso Road; thence S88°42'14"E along said right-of-way line, 1847.39 feet to the Point Of Beginning of the parcel described. Described parcel is subject to restrictions and easement of record.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Kaukauna, Wisconsin that the said Certified Survey Map attached and made a part hereof is hereby accepted and approved.

Adopted by the Common Council of the City of Kaukauna, Wisconsin, on this 20 day of May, 2025.

APPROVED: _____
Anthony J. Penterman, Mayor

ATTEST: _____
Kayla Nessman, City Clerk



MEMO

PLANNING AND COMMUNITY DEVELOPMENT

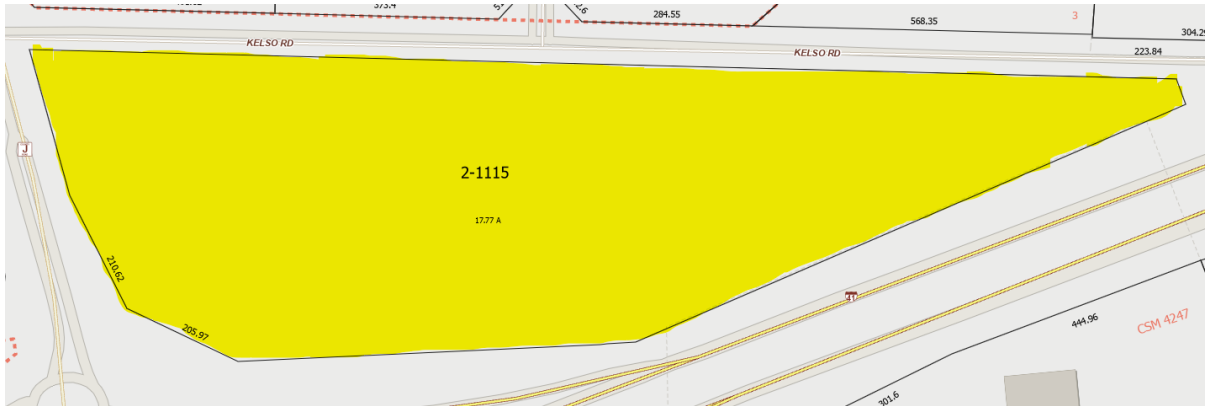
To: Plan Commission
From: Adrienne Nelson, Associate Planner
Date: May 1, 2025
Re: CSM Review – Parcel 322111500

Scott Andersen, agent, has submitted a certified survey map for the Van Epern Family Trust, owner, to create four lots from parcel 322111500. The Van Epern Family Trust would like to subdivide the existing parcel into four lots in order to accommodate three future developments and one right-of-way acquisition for the WisDOT improvement project.

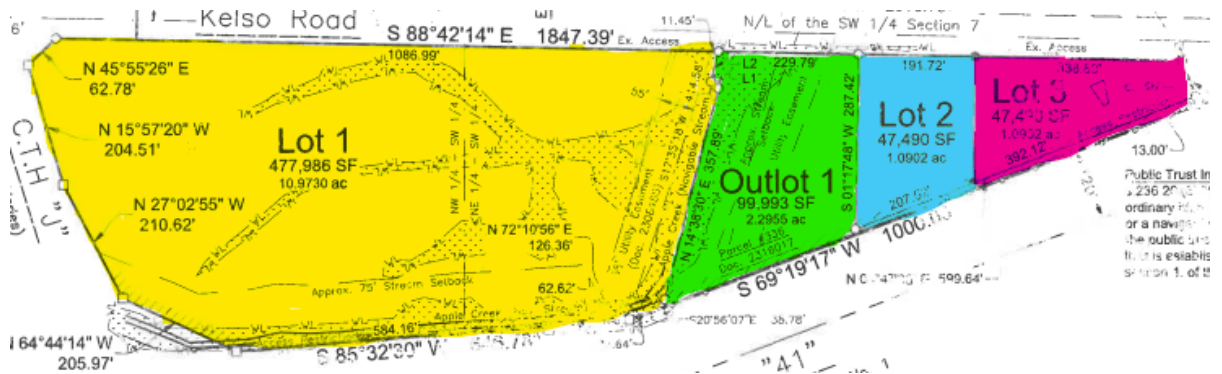
A draft of the CSM, the submitted application, and draft resolution are attached to this report. The current map and proposed map are shown below for additional detail/clarification of the proposed CSM.



Current:



Proposed:



Recommendation:

Approval of the Certified Survey Map creating four lots for the Van Epern Family Trust.



MEMO

PLANNING & COMMUNITY DEVELOPMENT

To: Plan Commission
From: Adrienne Nelson, Associate Planner
Date: April 29, 2025
Re: Park Donation Location Change – Bay Bench

A park bench donation application submitted by Benjamin Bay, which was to be installed on the Locks Trail, and was approved by the Plan Commission on October 17th, 2024. Bay is requesting that the installation location be changed from the Locks Trail to Quarry Point Park. A photo of the requested location is shown below.



Staff Recommendation

Staff recommend approval of the change in location from the Locks Trail to Quarry Point Park for Benjamin Bay, as the bench has not yet been installed, and direct staff to work with the donor to finalize the location of the bench.



MEMO

PLANNING AND COMMUNITY DEVELOPMENT

To: Plan Commission
From: David Kittel Director of Planning and Community Development
Date: 5/6/2025
Re: Site Plan Review – 1900 Tower Dr (Quick Transport)

Quick Transport is preparing to build a 30,000 square foot warehouse on there property on their property at 1900 Tower Dr. This will also add a third driveway opening to help in the movement of trucks in and out of the property.

Site Plan Review:

Site/Architectural: [17.32 \(10\)](#) *Supplementary District Regulations & applicable zoning*

All set back requirements are met and all applicable ordinances are being complied with to include zoning requirements.

Landscape: [17.52 Landscaping Requirements](#)

There are multiple trees and shrubs located on the property. There are no plans to remove these during the construction process. Landscaping requirements are being met.

Lighting:

This addition is not adding any lighting.

Stormwater: [22 Stormwater Management](#)

The developer will work with Engineering Department to complete Erosion Control and Stormwater Management permitting.

Ingress/Egress:

A new driveway is being requested on Tower Dr. There is ample distance between driveways and not intersections near the property. This driveway will help to facilitate trucks entering and exiting the facility.

Public Safety:

No concerns noted at this time.

Façade: [17.53 Façade Standards](#)

The proposed site elevations meet façade requirements as the building will not be facing a street.

Staff Recommendation:

Staff recommend approval of the development with the following conditions:

- **Prior to issuance of building permits, must obtain Stormwater and Erosion Control permits from the Engineering Department**





SITE PLAN REVIEW APPLICATION

PROPERTY OWNER	APPLICANT (IF DIFFERENT PARTY THAN OWNER)
Name: Kalies Enterprises 2, LLC. (Quinn Kalies)	Name: Alliance Construction & Design (Travis Zimmerman)
Mailing Address: 2884 Little Rapids Road, De Pere, WI 54115	Mailing Address: 1050 Broadway, Wrightstown, WI 54180
Phone: 920-471-8584	Phone: 920-660-1998
Email: quinn@qcktrans.com	Email: travis@alliancebuilds.com

PROPERTY INFORMATION	
Describe the Proposed Project in Detail: New 30,000 SF Storage Building with New Sewer and Water Service	
Property Parcel (#): 322092401	
Site Address/Location: 1900 Tower Drive	
Current Zoning and Use: IPD	
Proposed Zoning and Use: IPD	
Existing Gross Floor Area of Building:	Proposed Gross Floor Area of Building: 30,000
Existing Building Height:	Proposed Building Height: 35'
Existing Number of Off-Street Parking Spaces:	Proposed Number of Off-Street Parking Spaces:
Existing Impervious Surface Coverage Percentage:	Proposed Impervious Surface Coverage Percentage: 0 Increase of impervious surface

I certify that the attached drawings are, to the best of my knowledge, complete and drawn in accordance with all City of Kaukauna codes.

Owner/Agent Signature: Travis Zimmerman

Digitally signed by Travis Zimmerman
DN: c=US, e=travis.zimmerman@alliancebuilds.com, o=Alliance Construction & Design, cn=Travis Zimmerman
Reason: I am approving this document
Date: 2025.04.29 09:43:49-0500

Owner/Agent Name (printed): Travis Zimmerman

SITE PLAN REVIEW PROCEDURE

The plan review process is required for all new commercial, industrial, or multifamily buildings, as well as for building expansions/additions to structures.

Early in the process, consult the site application checklist shown below for a complete list of plan requirements and contact staff in the Planning and Community Development Department for initial direction and assistance. In addition, it is your responsibility to notify utility companies regarding your proposed development.

Completed site plans must be submitted 14 business days prior to the intended Plan Commission meeting. Those plans will be distributed amongst various city departments for an initial review. After review, questions, comments, and requested revisions will be returned to the applicant in advance of the Plan Commission meeting.

SITE PLAN CHECKLIST

- ✓ Completed site plan application
- ✓ Completed [erosion control and stormwater management permit application](#) and necessary fees
- ✓ Calculations for sanitary sewer and water
- ✓ Calculations for storm sewer design
- ✓ Site plan set to include:
 - Site plan layout and streets, including designated fire lanes
 - Utilities, grading, and drainage plan
 - Erosion control plan
 - Landscape and lighting plan
 - Architectural elevation and construction details
 - Floor plan set
 - Any other plans or information deemed necessary by the Planning and Community Development Department

SITE PLAN SUBMISSION

1. Email the Planning and Community Development Department at planning@kaukauna.gov

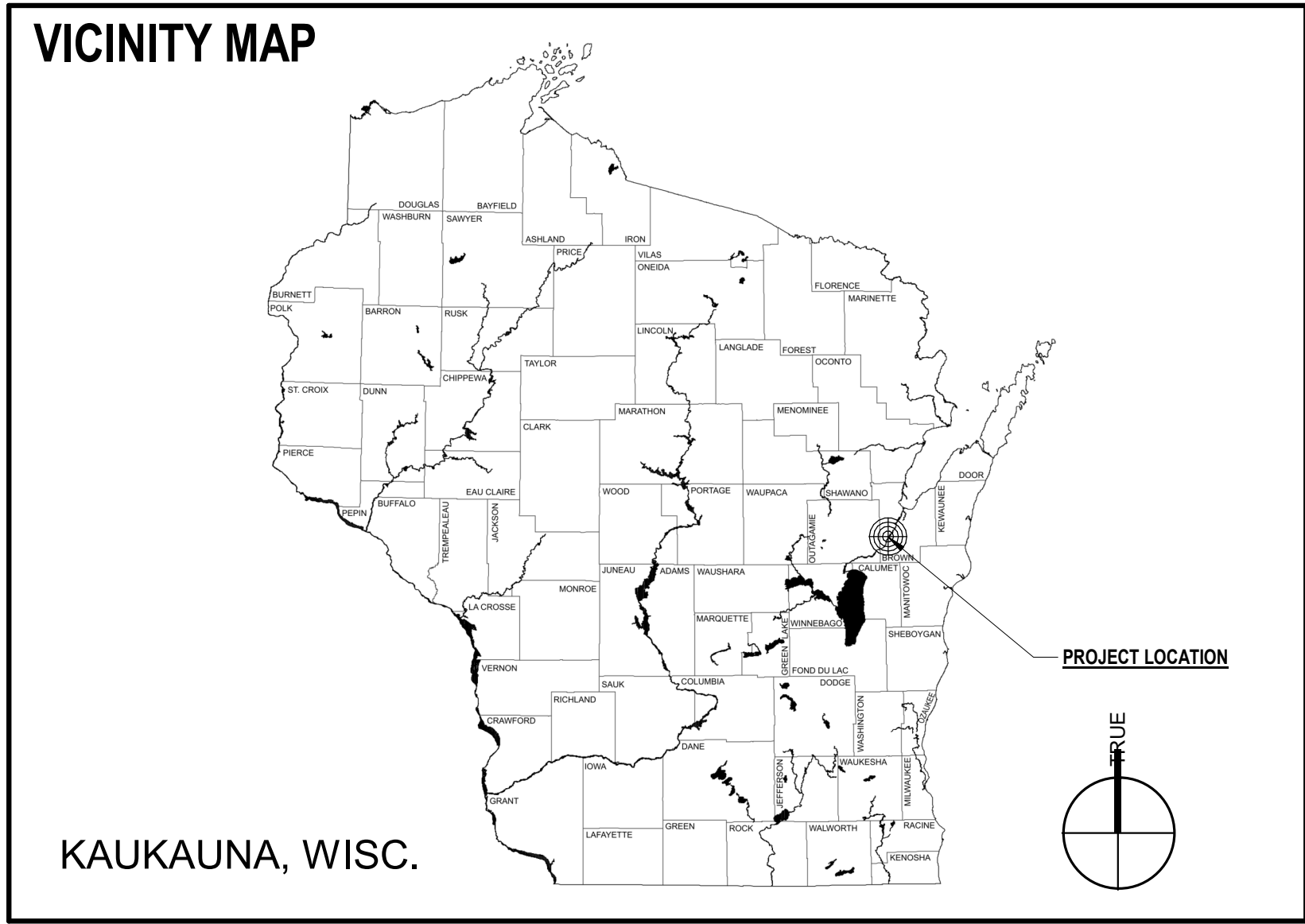
OR

2. Drop off in-person or send by mail to City of Kaukauna, Attn: Planning and Community Development Department, 144 W. 2nd Street, Kaukauna, WI 54130

TRANSPORT STORAGE



THESE RENDERINGS ARE FOR ILLUSTRATIVE PURPOSES ONLY AND ARE NOT MEANT TO BE AN EXACT DEPICTION OF THE RENDITION SHOWN. ANY RELIANCE ON THESE RENDERINGS SHALL BE AT THE USER'S SOLE RISK. ALLIANCE CONSTRUCTION & DESIGN, INC. IS NOT RESPONSIBLE FOR ANY RELIANCE OR MISUSE OF THESE RENDERINGS AND/OR DAMAGES, CLAIMS, LOSSES OR LIABILITY THAT MAY RESULT.



OWNER

OWNER / CONTACT

ADDRESS, CITY, STATE, ZIP

CONTACT NAME

PHONE: #####

CELL: #####

EMAIL: --

GENERAL CONTRACTOR

ALLIANCE CONSTRUCTION & DESIGN

1050 BROADWAY ST.,
WRIGHTSTOWN, WI 54180

PROJECT MANAGER

PHONE: 920-336-3400

CELL: #####

EMAIL: --

ARCHITECT

T.B.D.

ADDRESS, CITY, STATE, ZIP

CONTACT NAME

PHONE: #####

CELL: #####

EMAIL: --

MECHANICAL CONTRACTOR

T.B.D.

ADDRESS, CITY, STATE, ZIP

CONTACT NAME

PHONE: #####

CELL: #####

EMAIL: --

ELECTRICAL CONTRACTOR

T.B.D.

ADDRESS, CITY, STATE, ZIP

CONTACT NAME

PHONE: #####

CELL: #####

EMAIL: --

PLUMBING CONTRACTOR

T.B.D.

ADDRESS, CITY, STATE, ZIP

CONTACT NAME

PHONE: #####

CELL: #####

EMAIL: --

**FIRE PROTECTION
CONTRACTOR**

T.B.D.

ADDRESS, CITY, STATE, ZIP

CONTACT NAME

PHONE: #####

CELL: #####

EMAIL: --

GENERAL SHEET INDEX				
SHEET #	SHEET NAME	CURRENT REVISION	CURRENT REVISION DATE	
G000	TITLE SHEET			

SITE SHEET INDEX				
SHEET #	SHEET NAME	CURRENT REVISION	CURRENT REVISION DATE	
A050	ARCHITECTURAL SITE PLAN			

ARCHITECTURAL SHEET INDEX				
SHEET #	SHEET NAME	CURRENT REVISION	CURRENT REVISION DATE	
A110	FLOOR PLAN			
A200	ELEVATIONS			
A300	BUILDING SECTIONS			

STRUCTURAL SHEET INDEX				
SHEET #	SHEET NAME	CURRENT REVISION	CURRENT REVISION DATE	
S100	FOUNDATION PLAN			

Item 4.d.

2009

2024

A

Alliance

CONSTRUCTION & DESIGN

ALLIANCEBUILDS.COM

PHONE: (920)-336-3400 | FAX: (920)-336-3401

1050 BROADWAY ST., WRIGHTSTOWN, WI 54180

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TRANSPORT STORAGE

KAUKAUNA, WISC.

PROJECT #

25-053

PROFESSIONAL SEAL:

#

REVISIONS

#

STAGE

DATE

STATUS:

FOR BIDDING PURPOSES ONLY

SHEET ISSUE DATE:

04/10/2025

CURRENT AS OF:

4/25/2025 11:33:20 AM

DRAWN BY:

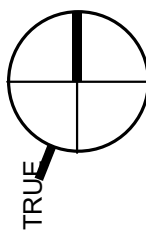
M.J.D.

SCALE:

TITLE SHEET

G000

82



1. PARKING COUNT:
2. VAN ACCESSIBLE PARKING STALL PROVIDED: ONE (1)
3. COORDINATE ALL STRUCTURAL, MECHANICAL, ELECTRICAL, PLUMBING DISCIPLINES AND ANY ADDITIONAL SUPPORTING DOCUMENTS. CONFLICTS SHALL BE BROUGHT TO THE ATTENTION OF THE GENERAL CONTRACTOR PRIOR TO START OF CONSTRUCTION.
4. COORDINATE DOWNSPOUT LOCATIONS AND/OR DOWNSPOUT TIE-IN TO STORM SEWER.
5. ALL UTILITY LOCATIONS AND SCOPE OF WORK SHALL BE COORDINATED PRIOR TO START OF CONSTRUCTION.
6. LANDSCAPING SHALL MEET LOCAL MUNICIPALITY REQUIREMENTS.

PLAN KEYNOTES

PLAN NOTES- SITE

TRANSPORT STORAGE

KAUKAUNA, WISC.

PROJECT # 25-053

PROFESSIONAL SEAL

<div style="display: flex; align-items: center;">  <div style="margin-left: 10px;">REVISIONS</div> </div>	
#	STAGE

STATUS:
FOR BIDDING PURPOSES
ONLY

SHEET ISSUE DATE: 03/01/2023

CURRENT AS OF: 4/25/2025 11:33:21 AM

DRAWN BY: M.J.D.

SCALE: As indicated

**ARCHITECTURAL SITE
PLAN**

A050

The logo features a stylized black and white graphic of a building or structure, possibly a bridge or a modern building facade, centered above the text. The text is arranged in a clean, professional layout. At the top, the year "2024" is flanked by horizontal lines. Below this is the company name "Alliance" in a large, bold, serif font, followed by "CONSTRUCTION & DESIGN" in a smaller, bold, sans-serif font. Underneath the company name is the website "ALLIANCEBUILDS.COM". The contact information "PHONE: (920)-336-3400 | FAX: (920)-336-3401" and "1050 BROADWAY ST., WRIGHTSTOWN, WI 54180" is listed. At the bottom, the tagline "© Alliance Construction & Design, Inc." is followed by a disclaimer: "All specifications, plans, designs, documents are instruments of service and as such are copyright protected and may not be sold, traded, transferred, altered or for any other work other than the owner, without the express written consent of Alliance Construction & Design."

KAUKAUNA, WISC.

PROFESSIONAL SEAL

STATUS:
FOR BIDDING PURPOSES
ONLY

SHEET ISSUE DATE: 03/01/2023

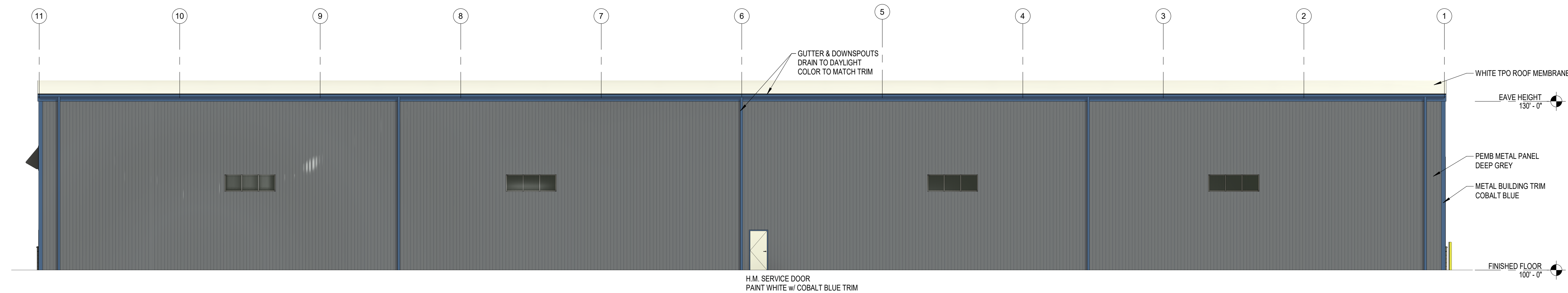
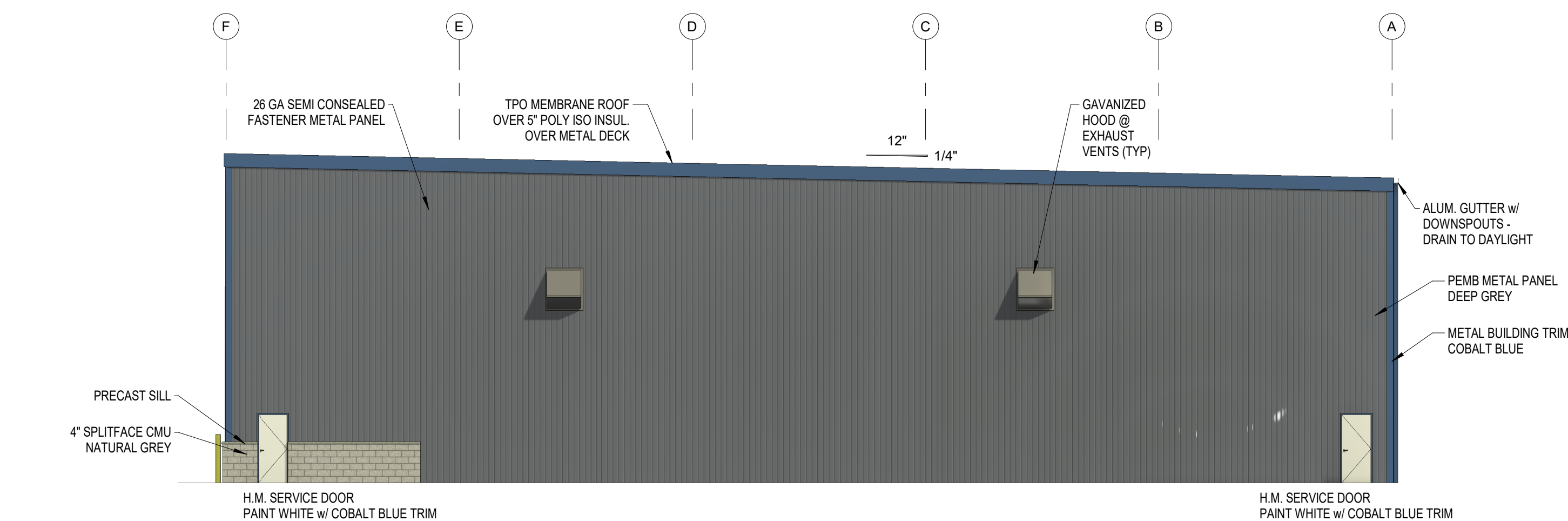
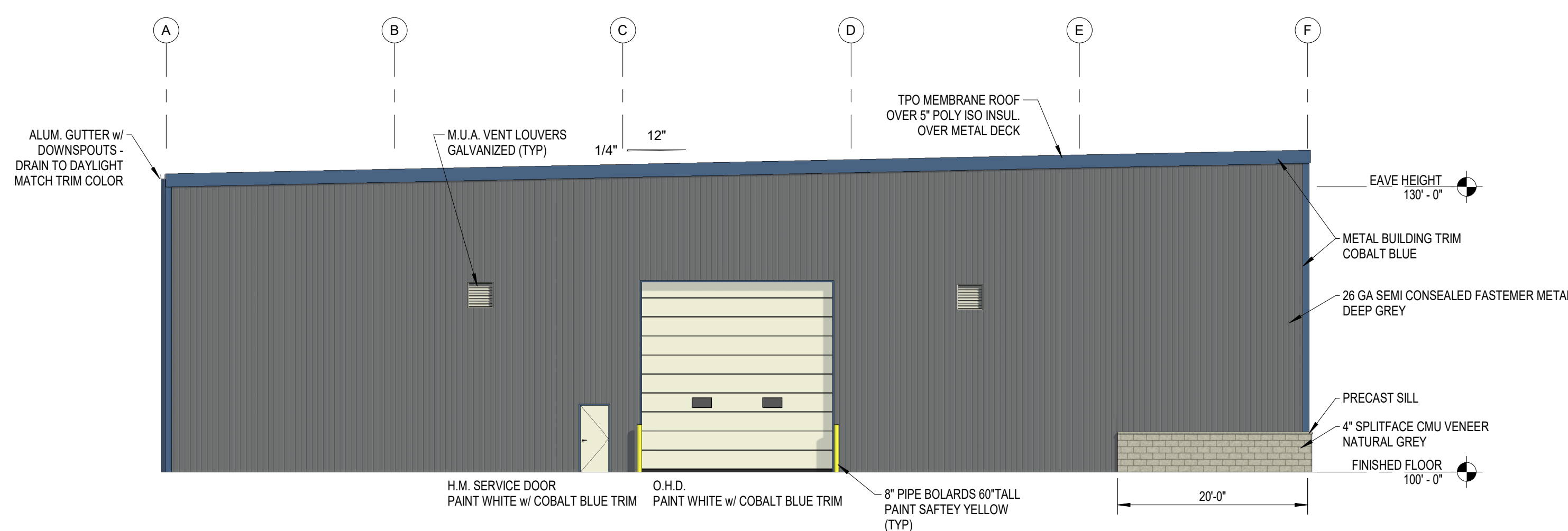
CURRENT AS OF: 4/25/2025 11:33:22 AM

DRAWN BY: M.J.D.

SCALE: As indicated

FLOOR PLAN

84

$$3/32'' = 1'-0''$$

$$3/32'' = 1'-0'$$

$$\frac{3}{32}'' = 1'-0''$$

$$\overline{3/32'' = 1'-0}$$


2009 **2024**

Alliance

CONSTRUCTION & DESIGN

ALLIANCEBUILDS.COM

PHONE: (920)-336-3400 | FAX: (920)-336-3401
1050 BROADWAY ST., WRIGHTSTOWN, WI 54180

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TRANSPORT STORAGE

KAUKAUNA, WISC.

PROJECT # 25-053

PROFESSIONAL SEAL:

[illegible]

STATUS:
FOR BIDDING PURPOSES
ONLY

SHEET ISSUE DATE: 03/01/2023

CURRENT AS OF: 4/25/2025 11:33:36 AM

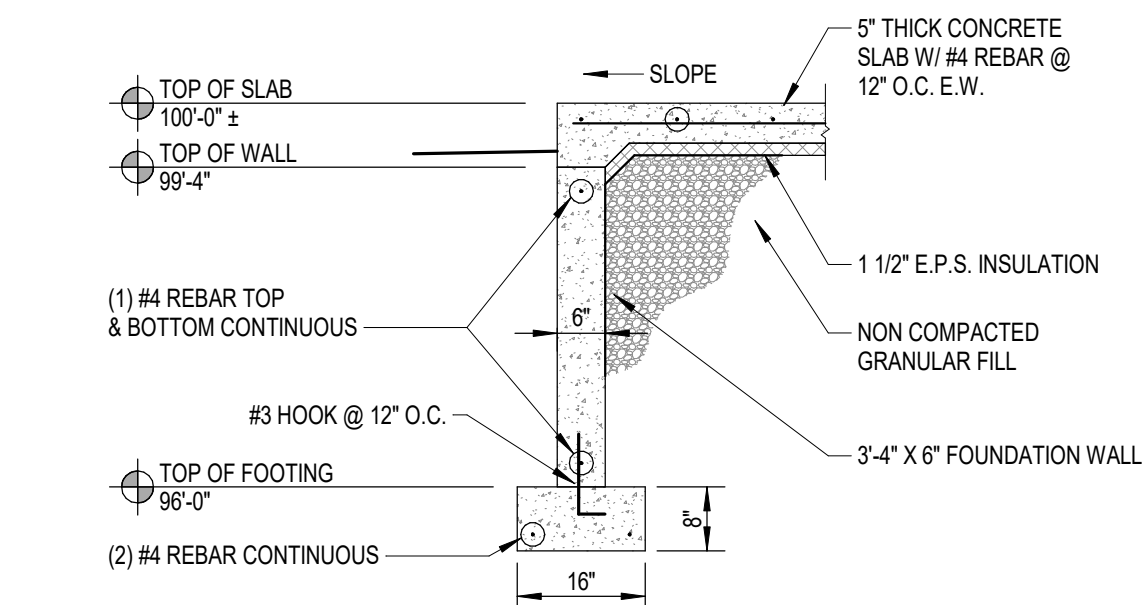
DRAWN BY: M.J.D.

SCALE: $3/32" = 1'-0"$

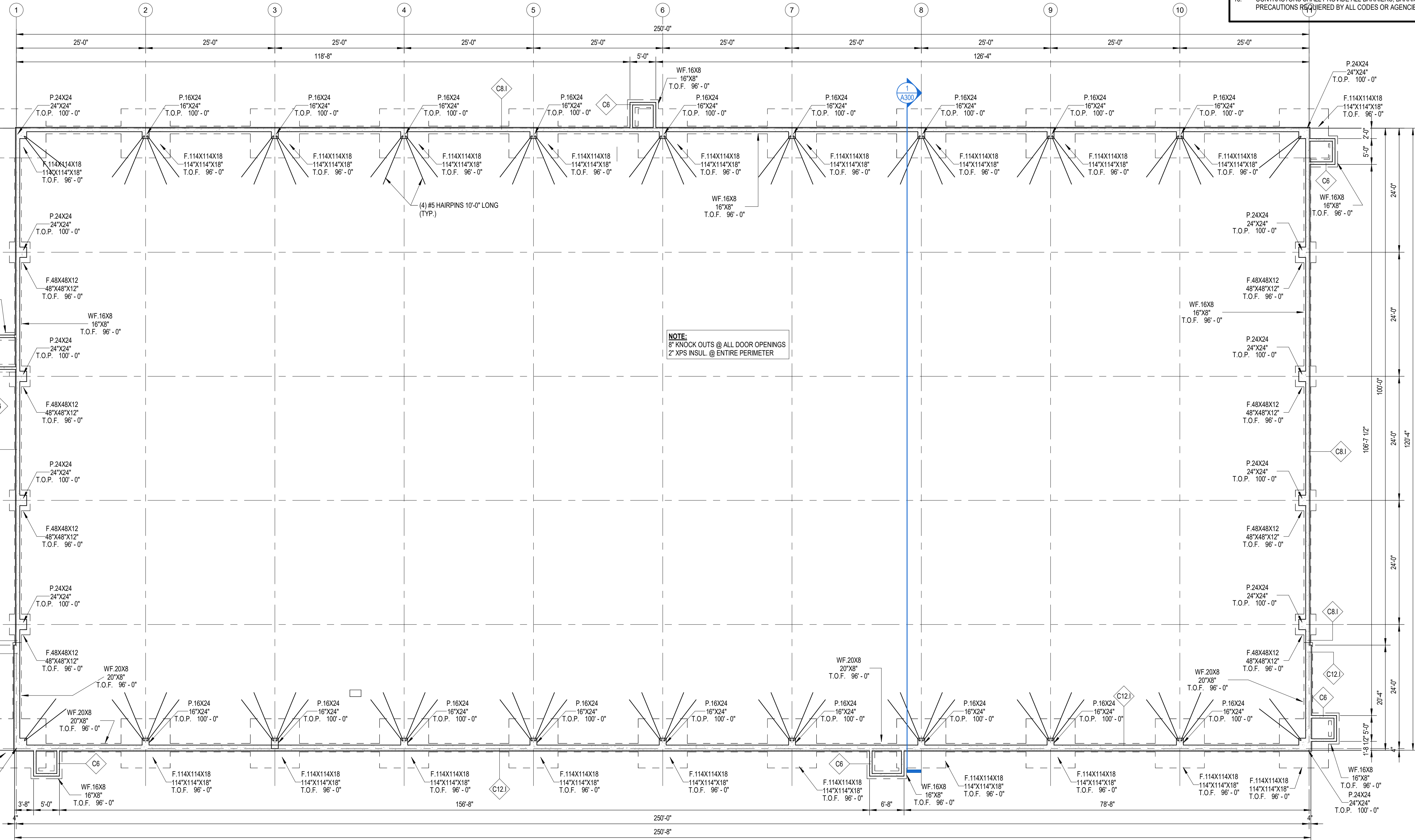
ELEVATIONS

A200





3 8" PIPE BOLLARD DETAIL
1/2" = 1'-0"



TRUE

MARK	WALL TYPE	STRUCTURE	CONTINUOUS INSULATION	REMARKS
C6	STOOP WALL - 6" CONC. W/ (1) #4 REBAR CONT. T&B	CONCRETE - CAST IN PLACE	N/A	VERIFY REINF. W/ ENG. DEPT.
C81	FOUNDATION WALL W/ INSULATION - 8" CONC. W/ (2) #4 REBAR CONT. T&B	CONCRETE - CAST IN PLACE	INSULATION - 2" RIGID	#3 HOOK @ 32" O.C. TO FOOTING
C121	FOUNDATION WALL W/ INSULATION - 12" CONC. W/ (2) #4 REBAR CONT. T&B	CONCRETE - CAST IN PLACE	INSULATION - 2" RIGID	#3 HOOK @ 32" O.C. TO FOOTING

FOOTING & PIER SCHEDULE			
MARK	SIZE	REINFORCING	REMARKS
F.48X48X12	48"x48"x12"	VERIFY w/ ENGINEERING	
F.114X114X18	114"x114"x18"	VERIFY w/ ENGINEERING	
P.16X24	16"x24"	(8) #5 VERT. w/ #3 TIES @ 10" O.C. w/ #6 FOOT	
P.24X24	24"x24"	(8) #5 VERT. w/ #3 TIES @ 10" O.C.	
WF. 16X8	16"x8"	(2) #4 CONT.	
WF. 20X8	20"x8"	(2) #4 CONT.	

MK	SIZE	REINFORCING	REMARKS
F-48X48X12	48"X48"X12"	VERIFY w/ ENGINEERING	
F-114X114X18	114"X114"X18"	VERIFY w/ ENGINEERING	
P-16X24	16"X24"	(8) #5 VERT. w/ #3 TIES @ 10" O.C. w/ 6" FOOT	
P-24X24	24"X24"	(6) #5 VERT. w/ #3 TIES @ 10" O.C.	
WF-16X8	16"X8"	(2) #4 CONT.	
WF-20X8	20"X8"	(2) #4 CONT.	

1. ALL CONC. SHALL BE PLACED IN ACCORDANCE w/ CURRENT PUBLICATIONS OF THE PORTLAND CEMENT ASSOCIATION.
2. BEND ALL REINFORCING RODS AROUND ALL CORNERS AND INTO ALL INTERSECTING WALLS.
3. COORDINATE w/ ALL OTHER TRADES FOR THE INSTALLATION OF ALL ANCHORS, SLEEVES, HANGERS, INSERTS OPENINGS & ETC.
4. REINFORCING STEEL SHALL BE ATSM-615 GRADE 60.
5. FABRICATION SHALL BE WITHIN CURRENT SPECIFICATIONS OF THE AMERICAN CONCRETE INSTITUTE.
6. COORDINATE w/ ALL OTHER TRADES LOCATIONS & SIZE OF ALL OPENINGS IN FLOORS, WALLS, CEILINGS, & ROOF, FOR MECH. EQUIP. & ETC.
7. STRUCTURAL STEEL SHALL BE ATSM DES. A36 IN ACCORDANCE w/ SPECIFICATIONS OF THE AMERICAN INSTITUTE OF STEEL.
8. ALL BOLTS SHALL BE HIGH-STRENGTH ATSM DES A325F.
9. ALL WELDS SHALL BE FULL.
10. ALL STEEL SHALL BE CLEAN, NEW, AND SHOP PRIMED.
11. ALL STEEL SHALL BE ERECTED TRUE AND PLUMB.
12. VERIFY ALL EXISTING CONDITIONS ON JOB SITE BEFORE CONSTRUCTION.
13. ALL BUILDING MATERIALS SHALL BE INSTALLED IN ACCORDANCE w/ MANUFACTURER RECOMMENDATIONS & SPECIFICATIONS.
14. CAULK ALL LOCATIONS WHERE DISSIMILAR MATERIALS MEET.
15. CONTRACTORS SHALL LOCATE ALL UTILITIES BEFORE CONSTRUCTION & NOTIFY ARCHITECT & OWNER OF ANY INTERFERENCES.
16. CONTRACTORS SHALL PROVIDE ALL BARRIERS, BARRICADES, FENCES, & SAFETY EQUIP. & PRECAUTIONS REQUIRED BY ALL CODES OR AGENCIES HAVING JURISDICTION OVER THE PROJECT.



ALLIANCEBUILDS.COM
PHONE: (920)-336-3400 | FAX: (920)-336-3401
1050 BROADWAY ST., WRIGHTSTOWN, WI 54180

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KAUKAUNA, WISC.

PROFESSIONAL SEAL

[illegible]

SHEET ISSUE DATE: 03/01/2023

CURRENT AS OF: 4/25/2025 11:33:39 AM

DRAWN BY: M.J.D

SCALE: As indicated

FOUNDATION PLAN

\$100



MEMO

PLANNING & COMMUNITY DEVELOPMENT

To: Common Council
From: Adrienne Nelson, Associate Planner
Date: March 24, 2025
Re: Survey Requirement for New Buildings & Additions

Planning and Community Development staff are requesting direction from the Common Council in pursuing ordinance updates to section 14.07 of the municipal code. This section contains information on the applications, plans, and specifications required to obtain a building permit. Currently, a survey is not required to obtain a building permit unless lot lines cannot be properly identified by permanent monuments. Changing 14.07(b) to require surveys for new buildings and additions would prevent future issues with approving permits for accessory structures and fences. Other communities that have this requirement include Combined Locks, Kimberly, Little Chute, Neenah, and Brillion.

Staff Recommendation

Staff recommend pursuing this ordinance change.

CITY OF KAUKAUNA

ORDINANCE NO. **xxxx-2025**

ORDINANCE AMENDING SECTION 14.07

WHEREAS, updates were needed to require surveys for new buildings and additions; and,

WHEREAS, this change will help prevent future issues with approving permits for accessory structures and fences; and,

WHEREAS, the Plan Commission has recommended the following ordinance changes; and,

WHEREAS, the Legislative Committee has recommended the following ordinance changes; and,

WHEREAS, the Common Council finds the following ordinance changes to be in the public interest;

NOW THEREFORE, it is ordained by the Common Council of the City of Kaukauna, Wisconsin, that Ordinance Section 14.07 of the Kaukauna Municipal Code be amended as follows:

BEFORE AMENDMENT**14.07 Applications, Plans, and Specifications**

Application for a permit shall be made by the owner of a building or structure or an authorized agent and shall be made in writing upon a blank form furnished by the building inspector. The permit application shall contain the name, mailing address, and phone number of the owner of the building and land; the name, mailing address, and phone number of the engineer, architect, designer, or contractor responsible for the work; and a general description of the location of the proposed work, the use and occupancy of all parts of the building or structure and such other information as required by the building inspector to enforce the provisions of this chapter.

1. *Plans required.*

- a. Building plans, site plans, and specifications shall accompany every application for a permit and shall be filed with the building inspector. All plans submitted shall be legible, drawn to scale, fully dimensioned, and shall contain sufficient information to determine compliance with this chapter and all other applicable regulations. Plans shall be prepared in accordance with the provisions of this chapter, shall bear the name of the architect, engineer, or designer who prepared them, if any, and shall be of sufficient clarity to clearly indicate the nature and character of the work proposed.
- b. When lot lines cannot be properly identified by permanent monuments, a survey shall be prepared and certified by a surveyor registered by the state.
- c. Delegated Appointed Agent Municipality. The municipality has adopted the Appointed Agent Municipality Status as described in SPS 361.60 of the Wisconsin Administrative Code.
 - (1) Responsibilities. The City shall assume the following responsibilities for the Department of Safety and Professional Services (Department):

- (A) Provide inspection of commercial buildings with certified commercial building inspectors.
- (B) Provide plan examination of commercial buildings with certified commercial building inspectors.
- (2) Plan Examination. Drawings, specifications and calculations for all the types of buildings and structures, except state-owned buildings and structures and other structures exempted in SPS 361.03(3), to be constructed within the limits of the municipality shall be submitted, if the plans are for any of the following:
 - (A) A new building or structure.
 - (B) An addition to a building, structure, or building system such as fire alarm, sprinkler, plumbing, or HVAC system.
 - (C) An alteration of a building space, element, or structure. Including alteration of an existing fire alarm system, fire sprinkler system, plumbing system, HVAC system or replacement of equipment or fixtures within those systems.
 - (D) A certified or delegated municipality may waive its jurisdiction for the plan review of a specific project or types of projects, or components thereof, in which case plans and specifications shall be submitted to the Department for review and approval.
 - (E) The department may waive its jurisdiction for the plan review of a specific project, where agreed to by a certified municipality, in which case plans and specifications shall be submitted to the certified municipality for review and approval.
- (3) Plan Submission Procedures. All commercial buildings, structures and alterations, including new buildings and additions require plan submission as follows:
 - (A) Building permit application
 - (B) Application for review – State of Wisconsin forms as applicable based on trade submitted or Municipal Equivalent.
 - (a) Fees per municipal fee schedule
 - (b) Fees apply to all commercial projects AND one of the following options
 - (C) 4 sets of plans
 - (a) Signed and sealed per SPS 361.31
 - (b) (1) set of specifications
 - (c) Component and system plans
 - (d) Calculations showing code compliance

OR

 - (D) 1 sets of plans with 3 Project cover sheets
 - (a) Signed and sealed per SPS 361.31
 - (b) (1) set of specifications
 - (c) Component and system plans
 - (d) Calculations showing code compliance

Note: Nothing in this code or chs. SPS 361 to 366 is intended to prohibit the submission and acceptance of plans and construction documents in an electronic or digital media. However, if plans are approved electronically, 2 sets of hard copies bearing the approval stamp of the reviewer is still required to be submitted prior to permit issuance.

2. *Review by other departments.* Building plans requiring review by other city departments, such as the fire department, planning and community development department, plan commission, or the state Department of Safety and Professional Services (DSPS), shall be reviewed and stamped "approved" or "conditionally approved" by such departments or agencies prior to submittal for permits.
3. *Quality of materials.* When the quality of materials is essential for conformity to this chapter, specific information shall be given on plans submitted to establish such quality and this chapter shall not be cited, or the term "legal" or its equivalent be used as a substitute for specific information.
4. *Waiver of plans.* The building inspector may waive the requirement for the filing of plans when the work involved is of a minor nature, when plans would not sufficiently show the nature and character of the work, or when the work is adequately described on the permit application. A detailed written description of all work proposed may also be substituted for building plans at the discretion of the building inspector.
5. *Amendments to plans.* Subject to the limitations described in subsection (6) of this section, amendments to a plan, application, or other record accompanying the same shall be filed at any time before completion of the work for which the permit is sought or issued. Such amendments are subject to the same review and approval process as the original plans and shall be deemed part of the original application.
6. *Time limitations.* An application for a permit for any proposed work shall be deemed to have been abandoned six months after the date of filing, unless such application has been diligently prosecuted or a permit shall have been issued, except that the building inspector may grant one or more extensions of time for additional periods not exceeding 90 days each if there is reasonable cause.

AFTER AMENDMENT

14.07 Applications, Plans, and Specifications

Application for a permit shall be made by the owner of a building or structure or an authorized agent and shall be made in writing upon a blank form furnished by the building inspector. The permit application shall contain the name, mailing address, and phone number of the owner of the building and land; the name, mailing address, and phone number of the engineer, architect, designer, or contractor responsible for the work; and a general description of the location of the proposed work, the use and occupancy of all parts of the building or structure and such other information as required by the building inspector to enforce the provisions of this chapter.

1. *Plans required.*
 - a. Building plans, site plans, and specifications shall accompany every application for a permit and shall be filed with the building inspector. All plans submitted shall be legible, drawn to scale, fully dimensioned, and shall contain sufficient information to determine compliance with this chapter and all other

applicable regulations. Plans shall be prepared in accordance with the provisions of this chapter, shall bear the name of the architect, engineer, or designer who prepared them, if any, and shall be of sufficient clarity to clearly indicate the nature and character of the work proposed.

- b. For new buildings and additions, or when deemed necessary by staff to verify lot lines and setbacks, a survey shall be prepared and certified in the following manner by a surveyor registered by the State:
 - (1) The survey shall be made within one year prior to the issuance of a building permit.
 - (2) The survey shall bear the date of the survey.
 - (3) The survey shall show the following:
 - (A) Location and dimensions of all buildings on the lot, both existing and proposed.
 - (B) Dimensions of the lot.
 - (C) Dimensions showing all setbacks to all buildings on the lot.
 - (D) The location of the centerline and lines of the street abutting the lot.
 - (E) Proposed grade of proposed structure, to city datum.
 - (F) Grade of lot and of the street abutting the lot.
 - (G) Grade and set-back of adjacent buildings. If adjacent lot is vacant, submit elevation of nearest buildings on same side of road.
 - (H) Type of monuments at each corner of lot.
 - (I) Watercourses or existing drainage ditches.
 - (J) Easements or other restrictions affecting the lot.
 - (K) Seal and signature of surveyor.
 - (4) Following approval of the survey, the lot corners and the proposed structure corners shall be staked on the ground before construction begins.
- c. Delegated Appointed Agent Municipality. The municipality has adopted the Appointed Agent Municipality Status as described in SPS 361.60 of the Wisconsin Administrative Code.
 - (1) Responsibilities. The City shall assume the following responsibilities for the Department of Safety and Professional Services (Department):
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 - (A) A new building or structure.
 - (B) An addition to a building, structure, or building system such as fire alarm, sprinkler, plumbing, or HVAC system.
 - (C) An alteration of a building space, element, or structure. Including alteration of an existing fire alarm system, fire

sprinkler system, plumbing system, HVAC system or replacement of equipment or fixtures within those systems.

- (D) A certified or delegated municipality may waive its jurisdiction for the plan review of a specific project or types of projects, or components thereof, in which case plans and specifications shall be submitted to the Department for review and approval.
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- (A) Building permit application
 - (B) Application for review – State of Wisconsin forms as applicable based on trade submitted or Municipal Equivalent.
 - (a) Fees per municipal fee schedule
 - (b) Fees apply to all commercial projects AND one of the following options
 - (C) 4 sets of plans
 - (a) Signed and sealed per SPS 361.31
 - (b) (1) set of specifications
 - (c) Component and system plans
 - (d) Calculations showing code compliance
- OR
- (D) 1 sets of plans with 3 Project cover sheets
 - (a) Signed and sealed per SPS 361.31
 - (b) (1) set of specifications
 - (c) Component and system plans
 - (d) Calculations showing code compliance

Note: Nothing in this code or chs. SPS 361 to 366 is intended to prohibit the submission and acceptance of plans and construction documents in an electronic or digital media. However, if plans are approved electronically, 2 sets of hard copies bearing the approval stamp of the reviewer is still required to be submitted prior to permit issuance.

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3. *Quality of materials.* When the quality of materials is essential for conformity to this chapter, specific information shall be given on plans submitted to establish such

quality and this chapter shall not be cited, or the term "legal" or its equivalent be used as a substitute for specific information.

4. *Waiver of plans.* The building inspector may waive the requirement for the filing of plans when the work involved is of a minor nature, when plans would not sufficiently show the nature and character of the work, or when the work is adequately described on the permit application. A detailed written description of all work proposed may also be substituted for building plans at the discretion of the building inspector.
5. *Amendments to plans.* Subject to the limitations described in subsection (6) of this section, amendments to a plan, application, or other record accompanying the same shall be filed at any time before completion of the work for which the permit is sought or issued. Such amendments are subject to the same review and approval process as the original plans and shall be deemed part of the original application.
6. *Time limitations.* An application for a permit for any proposed work shall be deemed to have been abandoned six months after the date of filing, unless such application has been diligently prosecuted or a permit shall have been issued, except that the building inspector may grant one or more extensions of time for additional periods not exceeding 90 days each if there is reasonable cause.

Introduced and adopted by Common Council on the X day of X, 2025.

APPROVED: _____

Anthony J. Penterman, Mayor

ATTEST: _____

Kayla Nessmann, Clerk



MEMO

PLANNING AND COMMUNITY DEVELOPMENT

To: Common Council
 From: Dave Kittel, Director of Planning and Community Development
 Date: 5/05/2025
 Re: Update to 17.51

Background information:

In 2017 Wisconsin Act 243 passed which repealed Wis. Stat. § 62.23(7)(d)2m.a, which required a three-fourths vote by the governing body to approve a proposed zoning amendment when a protest petition was filed. And in 2023 Wis. Act 16 created Wis. Stat. § 66.10015(3)(a), which provides that a zoning amendment only requires approval by a simple majority of a quorum of the members-elect. These law changes have implications for [Section 17.51](#) in the City's ordinances. Currently 17.51(4)a has language that would require a three fourths majority vote to approve a zoning amendment if 20 percent of the owners in the immediate area signed a petition in opposition. Based on the above-mentioned law changes and guidance from the Wisconsin League of Municipalities staff is recommending to update the ordinance to remove that specific provision. See the Ordinance language below with edits:

17.51 Amendments

1. *Power of amendment.* The city council may from time to time, on its own motion or petition, amend, supplement, or change this chapter, including the official zoning map.
2. *Procedures.* The city council shall refer every proposed amendment to the city plan commission for a report and recommendation. If the city council does not receive a report and recommendation from the city plan commission within 60 days of submitting the proposed amendment, the city council may proceed with the necessary hearing.
3. *Public hearing and notice.* No amendment of this chapter shall become effective until a public hearing is held before the city council where parties in interest and citizens shall have the opportunity to be heard. A class 2 notice in accordance with Wis. Stats. ch. 985 shall be published in the official newspaper of the city once during each of the two weeks prior to such hearing. At least ten days before

the public hearing, a written notice of such hearing shall also be given to the clerk of any city whose boundaries are within 1,000 feet of any lands included in the proposed amendment. Failure to give such notice shall not invalidate such amendment.

4. *Final approval.*

1. An amendment shall become effective upon a majority vote of the members of the city council voting on the proposed change. ~~However, in case of a protest against such amendment, duly signed and acknowledged by the owners of 20 percent or more of the land included in such proposed amendment or by owners of 20 percent or more of the area immediately adjacent extending 100 feet therefrom, or by owners of 20 percent or more of the land directly opposite thereto extending 100 feet from the street frontage of such opposite land, such amendment shall not become effective except by a favorable vote of three-fourths of the members of the city council voting on the proposal.~~
2. No amendment concerning the floodway, flood fringe, or general floodplain districts, shall become effective until also being approved by the department of natural resources, the Federal Insurance Administration and, in the case of district boundary amendments, until an official letter of the boundary change has been issued by the Federal Insurance Administration.

5. *Amendments to floodplain districts.*

1. *Actions requiring amendment.* Actions which require amendment include, but are not limited to, the following:
 1. Any change to the official floodplain zoning map, including the floodway lines or boundary of the floodplain area.
 2. Correction of significant discrepancies between the water surface profiles and floodplain zoning maps.
 3. Any fill in the floodplain which raises the elevation of the filled area to a height at or above the flood protection elevation and is contiguous to land lying outside the floodplain.
 4. Any fill or encroachment into the floodplain that will cause a change equal to or greater than 0.01 foot in the height of the regional flood.
 5. Any upgrading of floodplain zoning ordinances required by Wis. Admin. Code § NR 116.05(4), or otherwise required by law.
2. *Referral and approval.* Copies of the proposed amendment and notice of public hearing shall be submitted to the appropriate district office of the department. No amendment to the floodplain maps or text shall become effective until reviewed and approved by the department. When considering amendments to the official zoning map in areas where no water surface profile exists, the city shall consider data submitted by the department, on-site inspections, and other available information.
3. *Flood easements.* All persons petitioning for a map amendment which involves an increase in the height of the regional flood of 0.01 foot or

more shall obtain flooding easements or other appropriate legal arrangements from all affected local units of government and property owners before the city may approve such amendment.

6. *Fees.* Any petition for an amendment shall be accompanied by a fee ~~of \$25.00~~ as set by the City Council by resolution from time to time, to compensate the city for publication of notices and other expenses. No action shall be taken until such fee has been paid.
7. *Annexation to city.* All new territory annexed to the city shall automatically become residential single-family district until definite boundaries and regulations for such territory are recommended by the plan commission and adopted by the council.

(Code 2011, § 17.51)

See below links for more information:

League of Wisconsin Municipalities: <https://www.lwm-info.org/1135/Zoning-FAQ-5>

2017 Wis. Act 243: <https://docs.legis.wisconsin.gov/2017/related/acts/243>

2023 Wis. Act 16: <https://docs.legis.wisconsin.gov/2023/related/acts/16>

Strategic Plan:

This is a procedural review and not directly tied to the strategic plan

Budget:

No impact

Recommendation:

To Recommend approval of the updates to 17.51 to the Common Council.



MEMO

PLANNING & COMMUNITY DEVELOPMENT

To: Common Council
From: Adrienne Nelson, Associate Planner
Date: May 1, 2025
Re: Park Donations Guidelines & Price Updates

Planning and Community Development staff are requesting direction from the Common Council in pursuing updates to the park donation policy guidelines document. These updates would simplify language, add additional donation options, and increase the price of bench donations from \$1,200 to \$1,500 in order to keep up with rising costs.

Staff Recommendation

Staff recommend pursuing this policy guidelines update.





PARK DONATION POLICY GUIDELINES

The city will only accept donations that are consistent with current or future park, trail, and open space needs. Potential donations must be reviewed by city staff and the Plan Commission before approval. Please note that the prices listed are estimations and may be subject to change. Be sure to discuss your donation with Planning & Community Development staff before submitting your application and payment. Acceptable donations are listed below.

Bike Racks - \$500

Cambridge Benches - \$1,500

The city utilizes a standardized bench format (shown below).



Cash Donations - Any Amount

Concrete Cornhole Games - \$1,800

Dog Waste Stations - \$200

GaGa Ball Pits - \$1,700

Garbage Receptacles - \$1,000

Picnic Tables - \$300

Planters - \$750

The city utilizes a standard planter format (shown below).



Public Artwork - N/A

A variety of public artwork such as murals, statues, or sculptures are accepted. Please connect with Planning & Community Development staff to discuss pricing.

Trees - \$500

Accepted tree types include the following: arborvitae, blue beech, crab apple, eastern white pine, ginkgo, honey locust, kentucky coffeetree, oak, redmond linden, serviceberry, shagbark hickory, spruce, sugar maple, and tulip tree. If you wish to donate a different type of tree, please connect with Planning & Community Development staff to discuss. Fruit trees and trees susceptible to insects and diseases are prohibited.

Other

Any donation request not specified within this policy may be presented to staff and to the Plan Commission. Please provide as much additional information as possible upon submission.

Plaques

Plaques are automatically factored into the price estimate for each donation. The plaque used by the city is 6" x 8" cast aluminum and can be mounted on or in front of a donation, depending on donation type.

DONATION LOCATIONS

Different parks, trails, and open spaces have different needs. Please see the list of available parks for more information on which parks are in need of donations.

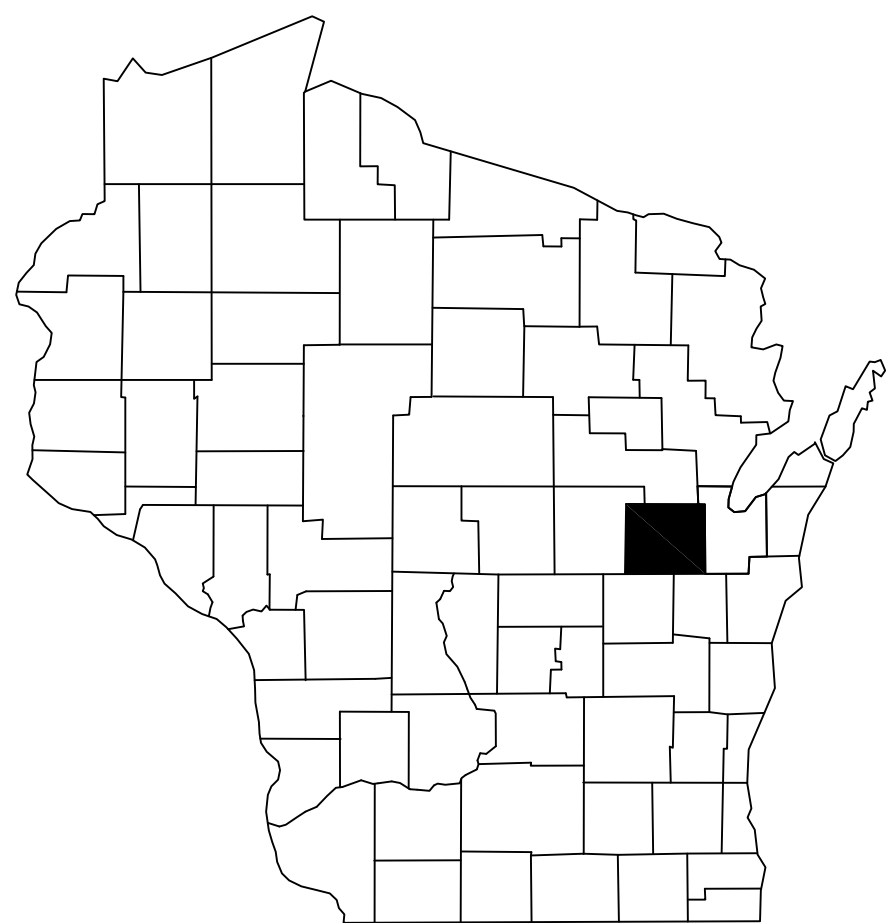
INSTALLATION

All donation applications must be submitted by **March 1st** to guarantee installation that same year. Donations received after this date may be installed the following year, depending on lead times for ordering materials, staff availability, and planting season limitations.

USEFUL LIFE

The city will maintain the donation only for the expected/useful life cycle of the donation. Any maintenance demands deemed excessive may render the donation unusable or unacceptable, at which point it may be removed without notification. The City of Kaukauna reserves the right to remove and/or relocate donations which are inappropriately located, no longer useful, or serve no continued value to the park system.

TYCORE BUILT WOLFINGER APARTMENTS VILLAGE OF COMBINED LOCKS

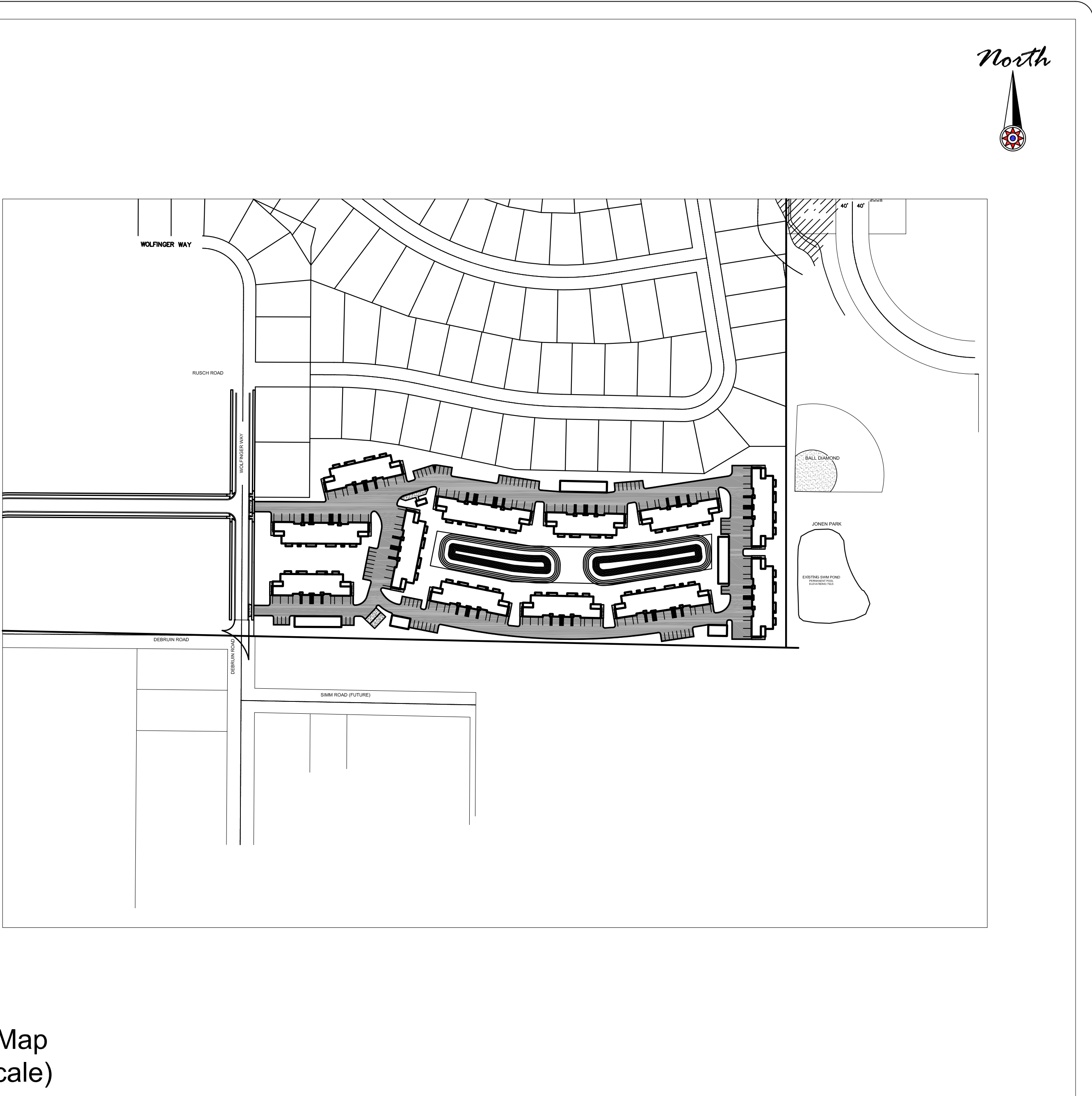


SITE STATISTICS:

SITE AREA , ENTIRE PARCEL:	12.86 AC.	100.00 %
BUILDING AREAS:	3.02 AC.	23.48%
ASPHALT PAVEMENT AREAS:	3.76 AC.	29.24%
CONCRETE AREAS:	0.14 AC.	1.09%
POND AREA:	0.75 AC.	5.83%
GREEN SPACE:	5.19 AC.	40.36%
IMPERVIOUS AREAS, (NOT INCLUDING POND AREA):	6.92 AC.	53.81%

PARKING STALL STATISTICS:

260 INTERIOR
288 EXTERIOR
548 STALLS / 126 UNITS = 4.35 STALL / UNIT



Vicinity Map
(not to scale)

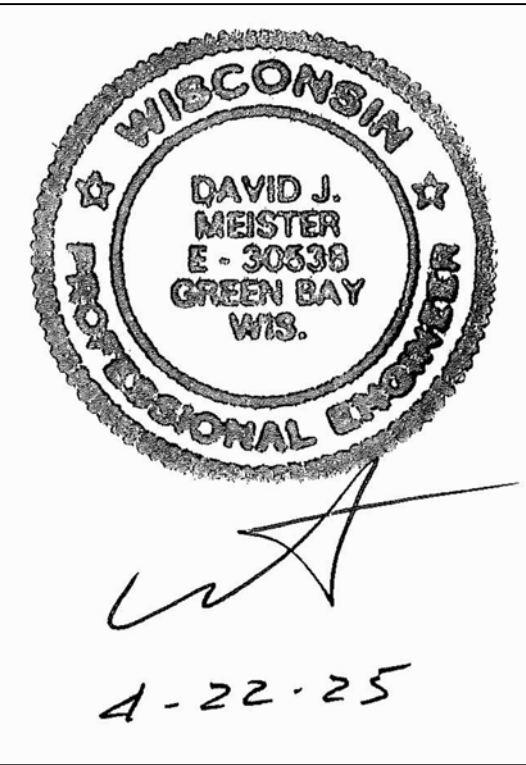
PROJECT INFORMATION

OWNER(S):	TYCORE BUILT
PROJECT NAME:	WOLFINGER APARTMENTS
PROJECT DESCRIPTION:	APARTMENT SITE AND STORMWATER MANAGMENT
PROJECT LOCATION:	NORTHEAST CORNER OF DEBRUIN ROAD
PARCEL NUMBER(S):	158038 THRU 158041, 158088 & 158089

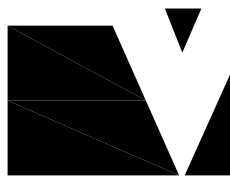
CONTACT INFORMATION

OWNER(S):	TYCORE BUILT 445 CARDINAL LANE, STE. 102 GREEN BAY, WI 54313 ATTN.: ALEX RYCZEK
ENGINEER:	VIERBICHER CONTACT: DAVID J. MEISTER, P.E. 400 SECURITY BLVD. GREEN BAY, WI 54313 PH.: 920-434-9670

SHEET INDEX:	
C1.0	TITLE SHEET
C2.0	SITE LAYOUT PLAN
C3.0	EROSION CONTROL PLAN
C4.0	GRADING PLAN
C5.0	SITE UTILITY PLAN
C6.0	POND PLAN & PROFILE
C7.0	NOTES & DETAILS (1)
C7.1	NOTES & DETAILS (2)



vierbicher
planners | engineers | advisors



DATE:	04-22-25
PROJECT NO.	240200
SHEET NO.	C1.0
DRAWING NO.	S-3980



DESIGNED BY
DJM

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TYCORE BUILDS

SITE LAYOUT

PROJECT NO.
240200

SHEET NO.
C2.0

DRAWING NO.
S-3980

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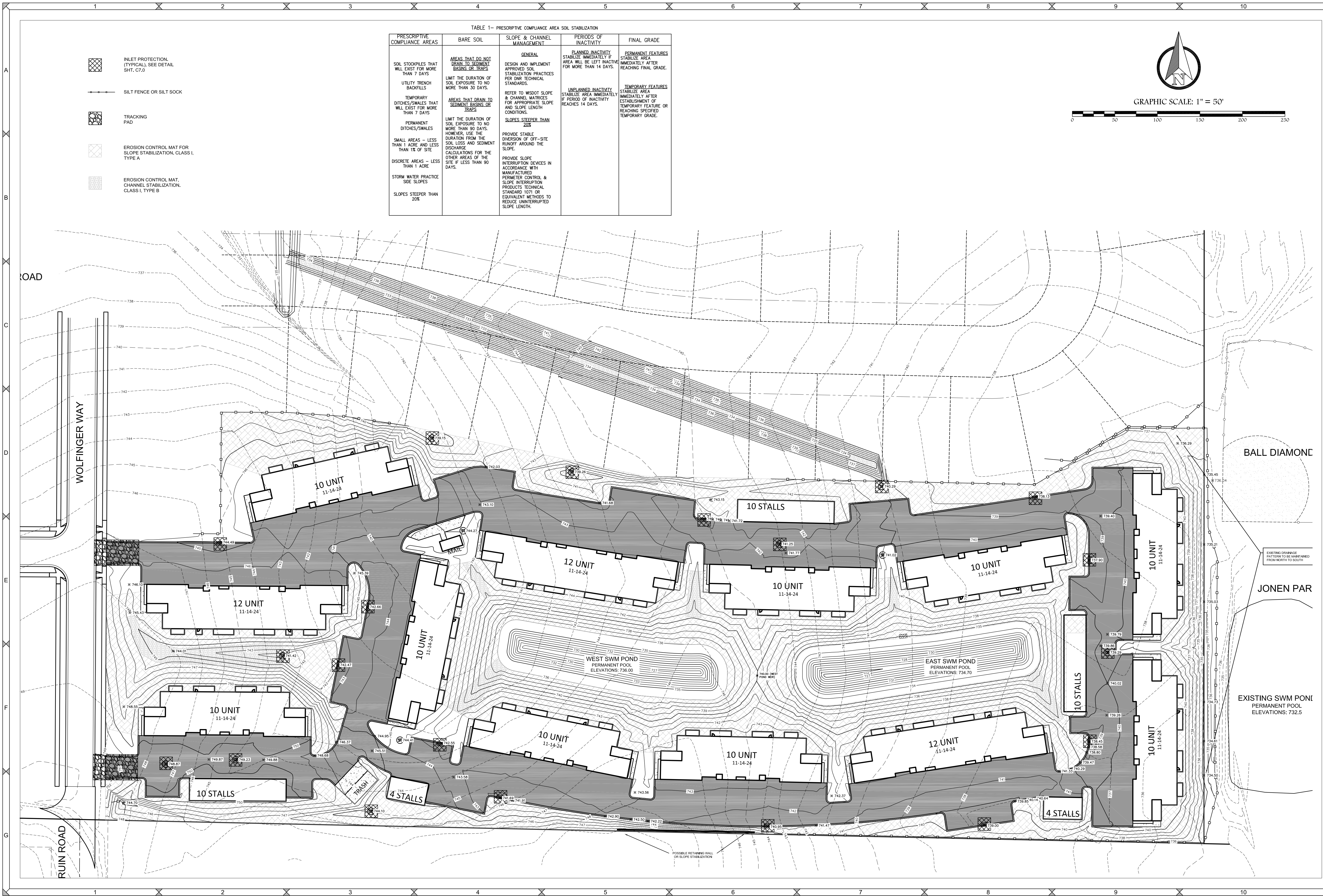
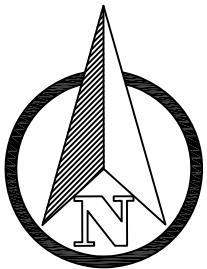
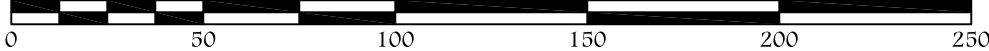


TABLE 1- PREScriptive COMPLIANCE AREA SOIL STABILIZATION

PREScriptive COMPLIANCE AREAS	BARE SOIL	SLOPE & CHANNEL MANAGEMENT	PERIODS OF INACTIVITY	FINAL GRADE
SOIL STOCKPILES THAT WILL EXIST FOR MORE THAN 7 DAYS	AREAS THAT DO NOT DRAIN TO SEDIMENT BASINS OR TRAPS	GENERAL DESIGN AND IMPLEMENT APPROVED SOIL STABILIZATION PRACTICES PER DNR TECHNICAL STANDARDS.	PLANNED INACTIVITY STABILIZE IMMEDIATELY IF AREA WILL BE LEFT INACTIVE FOR MORE THAN 14 DAYS.	PERMANENT FEATURES STABILIZE AREA IMMEDIATELY AFTER REACHING FINAL GRADE.
UTILITY TRENCH BACKFILLS	AREAS THAT DRAIN TO SEDIMENT BASINS OR TRAPS	REFER TO WSDOT SLOPE & CHANNEL MATRICES FOR APPROPRIATE SLOPE AND SLOPE LENGTH CONDITIONS.	UNPLANNED INACTIVITY STABILIZE AREA IMMEDIATELY IF PERIOD OF INACTIVITY REACHES 14 DAYS.	TEMPORARY FEATURES STABILIZE AREA IMMEDIATELY AFTER ESTABLISHMENT OF TEMPORARY FEATURE OR REACHING SPECIFIED TEMPORARY GRADE.
TEMPORARY DITCHES/SWALES THAT WILL EXIST FOR MORE THAN 7 DAYS	LIMIT THE DURATION OF SOIL EXPOSURE TO NO MORE THAN 30 DAYS. HOWEVER, USE THE DURATION FROM THE SOIL LOSS AND SEDIMENT DISCHARGE CALCULATIONS FOR THE OTHER AREAS OF THE SITE IF LESS THAN 90 DAYS.	SLOPES STEEPER THAN 20%		
PERMANENT DITCHES/SWALES	SMALL AREAS - LESS THAN 1 ACRE AND LESS THAN 1% OF SITE	PROVIDE STABLE DIVERSION OF OFF-SITE RUNOFF AROUND THE SLOPE.		
DISCRETE AREAS - LESS THAN 1 ACRE	STORM WATER PRACTICE SIDE SLOPES	PROVIDE SLOPE INTERRUPTION DEVICES IN ACCORDANCE WITH MANUFACTURED PERIMETER CONTROL & SLOPE INTERRUPTION PRODUCTS TECHNICAL STANDARD 1071 OR EQUIVALENT METHODS TO REDUCE UNINTERRUPTED SLOPE LENGTH.		
SLOPES STEEPER THAN 20%				



GRAPHIC SCALE: 1" = 50'



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TYCORE BUILDS
EROSION CONTROL PLAN

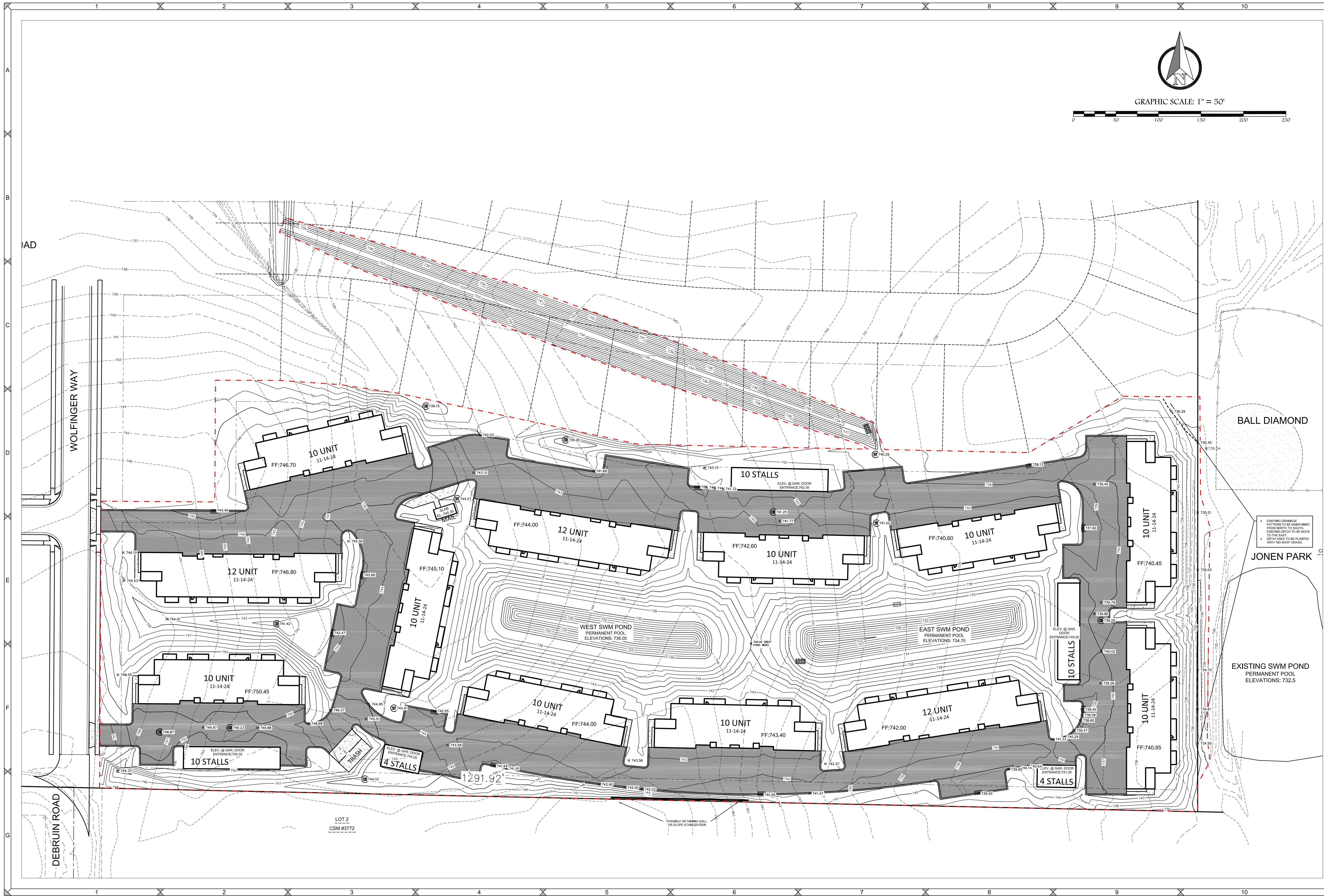
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240200

SHEET NO.

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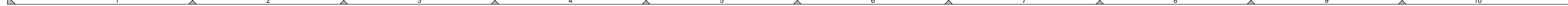
TYCORE BUILDS
GRADING PLAN

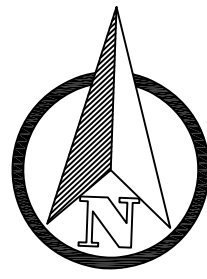
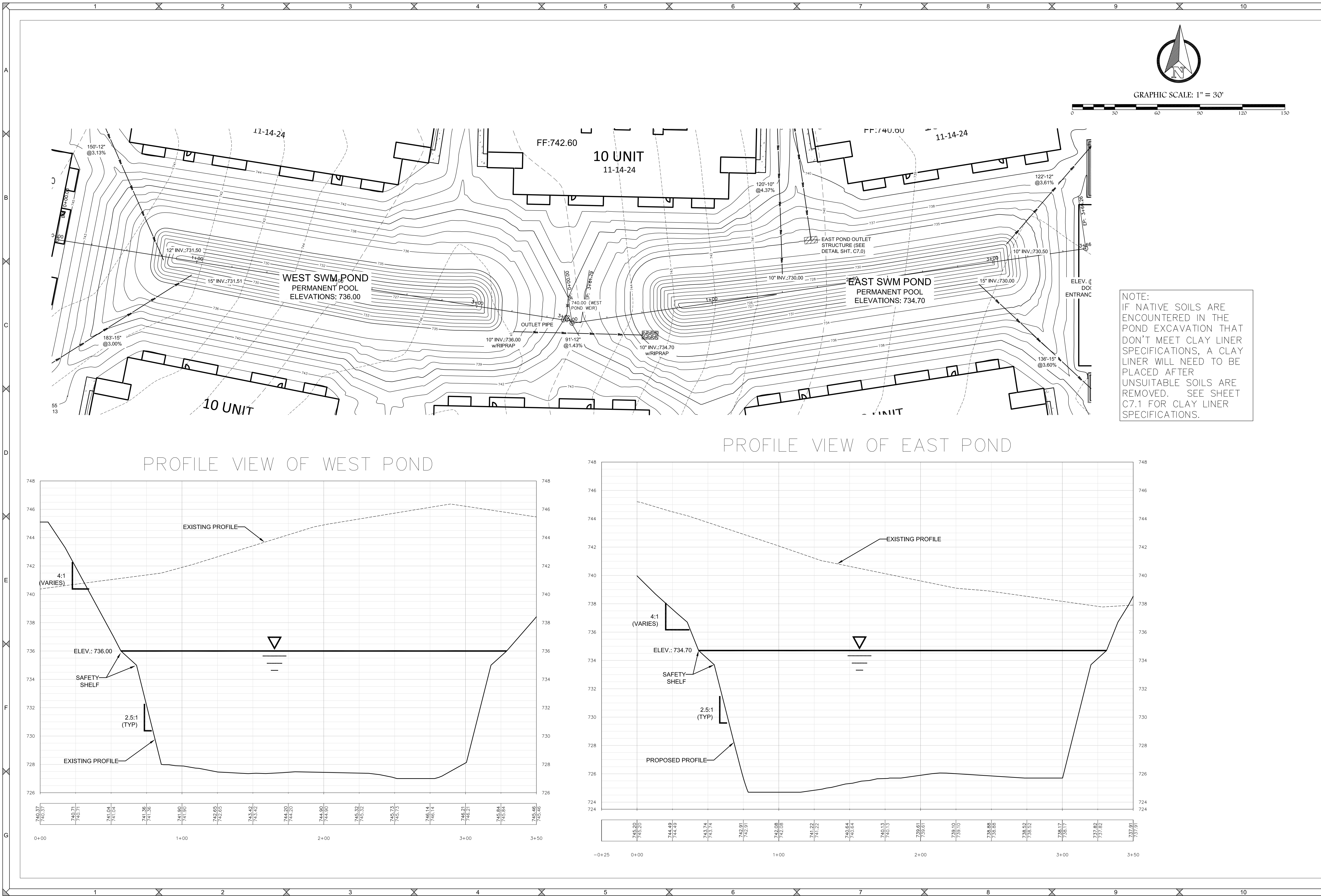
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240200

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C4.0

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S-3980

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NOTE:
IF NATIVE SOILS ARE
ENCOUNTERED IN THE
POND EXCAVATION THAT
DON'T MEET CLAY LINER
SPECIFICATIONS, A CLAY
LINER WILL NEED TO BE
PLACED AFTER
UNSUITABLE SOILS ARE
REMOVED. SEE SHEET
C7.1 FOR CLAY LINER
SPECIFICATIONS.

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TYCORE BUILDS
PONDS PLAN & PROFILE
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PROJECT NO.
240200

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C6.0

DRAWING NO.
S-3980

CONSTRUCTION SITE EROSION CONTROL

THE CONTRACTOR IS RESPONSIBLE FOR INSTALLING AND MAINTAINING EROSION AND SEDIMENT CONTROL MEASURES. ALL EROSION AND SEDIMENT CONTROL PRACTICES SHALL BE IN ACCORDANCE WITH THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES TECHNICAL STANDARDS AND IF NO STANDARD EXISTS THE WISCONSIN CONSTRUCTION SITE BEST MANAGEMENT PRACTICE HANDBOOK (CURRENT EDITION) SHALL BE REFERENCED. EROSION AND SEDIMENT CONTROL PRACTICES SHALL BE IN PLACE PRIOR TO DISTURBING THE SITE. CONTRACTORS SHALL MINIMIZE THE DURATION AND SIZE OF DISTURBED AREAS TO THE MAXIMUM EXTENT PRACTICABLE. EROSION AND SEDIMENT CONTROL PRACTICES PROPOSED FOR THIS PROJECT ARE DESCRIBED AS FOLLOWS:

SEDIMENT TRACKING FROM CONSTRUCTION SITE:

- STONE TRACKING PAD(S) - TECHNICAL STANDARD 1057

STONE TRACKING PADS WILL BE INSTALLED AT ENTRANCES SHOWN ON THE SITE. TRACKING PADS SHALL BE IN PLACE PRIOR TO LAND DISTURBING ACTIVITIES.

WASH WATER FROM VEHICLE AND WHEEL WASHING SHALL BE TREATED BEFORE ENTERING WATERS OF THE STATE.

- STREET SWEEPING/CLEANING

SEDIMENT TRACKED FROM THE CONSTRUCTION SITE SHALL BE CLEANED UP AT THE END OF EACH WORK DAY UNLESS THE SEDIMENT PRESENTS A HAZARD. SEDIMENT PRESENTING A HAZARD MUST BE CLEANED UP IMMEDIATELY.

SEDIMENT CARRIED OFF-SITE BY OVERLAND FLOW OR RUNOFF:

- SILT FENCE - TECHNICAL STANDARD 1056

SILT FENCE WILL BE INSTALLED DOWN-SLOPE OF ALL DISTURBED AREAS OF THE SITE. THE FENCE SHALL BE INSTALLED ALONG THE CONTOURS AND BE IN-PLACE PRIOR TO LAND DISTURBING ACTIVITIES.

- SEEDING - TECHNICAL STANDARD 1059; MULCHING - TECHNICAL STANDARD 1058

DISTURBED AREAS OF THE SITE SHALL BE SEEDED AND MULCHED AS SOON AS THEY ARE BROUGHT TO FINISHED GRADE. IN ADDITION, ANY STOCK PILES IN PLACE FOR 7 DAYS OR MORE SHALL BE SEEDED AND MULCHED.

- NON-CHANNEL EROSION MAT - TECHNICAL STANDARD 1052

EROSION CONTROL MAT SHALL BE PLACED AS SHOWN ON THE PLANS, AND/OR AS DETERMINED IN THE FIELD, TO PROTECT THE DISTURBED SLOPES FROM EROSION. NON-CHANNEL EROSION MAT SHALL BE INSTALLED AS SOON AS THE SLOPE HAS BEEN BROUGHT TO FINISHED GRADE.

- CONSTRUCTION SITE DIVERSION - TECHNICAL STANDARD 1066

WHERE POSSIBLE, THE SITE WILL BE GRADED SUCH THE RUNOFF FROM UNDISTURBED AREAS IS ROUTED AROUND DISTURBED AREAS OF THE SITE.

SEDIMENT CARRIED OFF-SITE BY DEWATERING OPERATIONS:

- DEWATERING - TECHNICAL STANDARD 1061

DEWATERING IS NOT ANTICIPATED FOR THIS PROJECT. IF IT IS REQUIRED, DEWATERING SHALL BE IN ACCORDANCE WITH THE DEWATERING TECHNICAL STANDARD. ANY NECESSARY PERMITS SHALL BE OBTAINED PRIOR TO DEWATERING OPERATIONS TAKE PLACE.

SEDIMENT ENTERING STORM DRAIN INLETS:

- STORM DRAIN INLET PROTECTION - TECHNICAL STANDARD 1060

ALL INLETS, PROPOSED AND EXISTING, ACCEPTING RUNOFF FROM DISTURBED AREAS OF THE SITE SHALL HAVE INLET PROTECTION INSTALLED PRIOR TO LAND DISTURBING ACTIVITY WITHIN THE AREA DISCHARGING TO THE INLET.

SEDIMENT BEING CARRIED OFF-SITE BY WIND:

- DUST CONTROL - TECHNICAL STANDARD 1068

WHEN REQUIRED, DUST CONTROL MEASURES SHALL BE EMPLOYED TO PREVENT DUST FROM BLOWING OFF-SITE.

CONCRETE WASHOUT

- CONCRETE WASHOUT SHALL BE COLLECTED AND RETAINED, BOTH WATER AND CONCRETE, IN LEAK PROOF CONTAINERS. WASHOUT CAN BE RECYCLED OR REUSED. SEE <http://water.epa.gov/polwaste/npd/es/swbomp/upload/concretewashout.pdf> FOR DETAILS.

INSPECTION AND MAINTENANCE

THE CONTRACTOR IS RESPONSIBLE FOR INSPECTION AND MAINTENANCE OF EROSION AND SEDIMENT CONTROLS UNTIL THE CONSTRUCTION SITE IS PERMANENTLY STABILIZED WITH A DENSE GRASS COVER. THE CONTRACTOR SHALL INSPECT EROSION AND SEDIMENT CONTROLS WEEKLY AND WITHIN 24 HOURS AFTER A RAINFALL EVENT OF 0.5 INCHES OR GREATER. THE CONTRACTOR SHALL INSPECT EROSION AND SEDIMENT CONTROLS FOR STRUCTURAL DAMAGE, SEDIMENT ACCUMULATION, OR ANY OTHER UNDESIRABLE CONDITION. THE CONTRACTOR SHALL REPAIR DAMAGED STRUCTURES PRIOR TO THE END OF EACH WORKING DAY. SEDIMENT SHALL BE REMOVED FROM THE STRUCTURE WHEN THE DEPTH OF SEDIMENT HAS ACCUMULATED TO ONE HALF THE HEIGHT OF THE DEVICE OR AS REQUIRED BY THE APPLICABLE WISCONSIN DEPARTMENT OF NATURAL RESOURCES TECHNICAL STANDARD (CURRENT EDITION).

THE CONTRACTOR SHALL SUMMARIZE WEEKLY INSPECTION AND MAINTENANCE ACTIVITIES ON A WEEKLY INSPECTION REPORT THAT IS AVAILABLE THROUGH THE WDNR.

THE WEEKLY INSPECTION REPORT SHALL INCLUDE THE FOLLOWING MINIMUM INFORMATION:

NAME OF INDIVIDUAL PERFORMING INSPECTION;

DATE, TIME, AND PLACE OF INSPECTION;

A DESCRIPTION OF THE CONSTRUCTION PHASE;

A DESCRIPTION OF EROSION AND SEDIMENT CONTROL INSTALLATIONS;

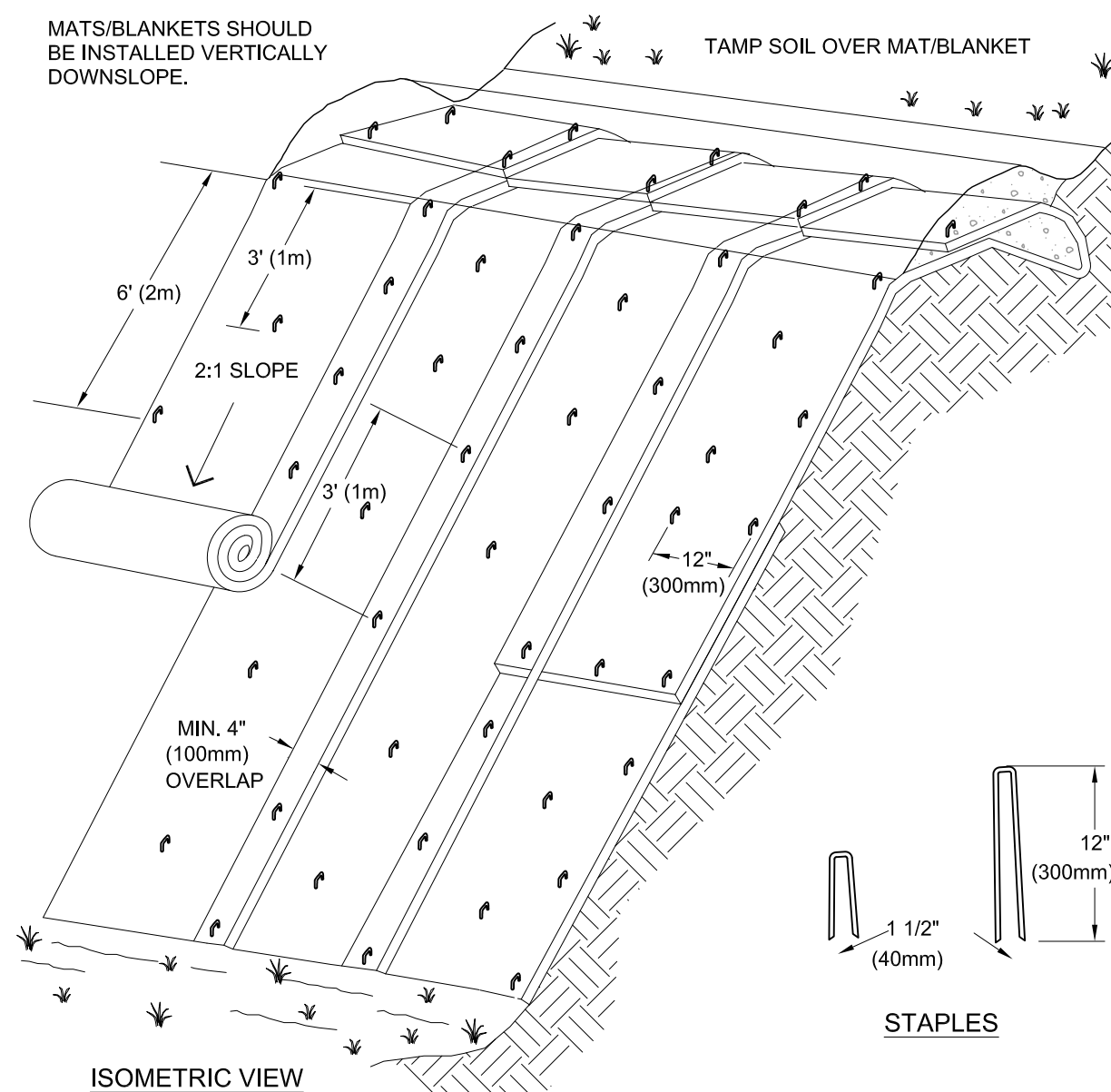
A DESCRIPTION OF EROSION AND SEDIMENT CONTROL MAINTENANCE ACTIVITIES;

AND AN ASSESSMENT OF EROSION AND SEDIMENT CONTROL CONDITIONS.

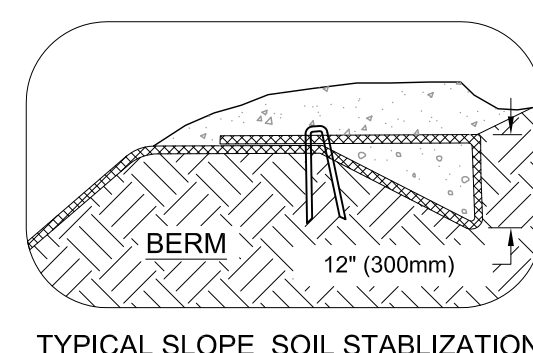
THE CONTRACTOR SHALL PROMPTLY FURNISH THE ORIGINAL WEEKLY INSPECTION REPORTS TO THE OWNER, OWNER'S REPRESENTATIVE, OR WISCONSIN DEPARTMENT OF NATURAL RESOURCES WHEN REQUESTED. THE CONTRACTOR SHALL KEEP A COPY OF THE APPROVED EROSION & SEDIMENT CONTROL PLAN, PERMITS, AND WEEKLY INSPECTION REPORTS ON-SITE AT ALL TIMES.

WEEKLY INSPECTIONS AND RAIN EVENT REPORTS SHOULD BE SENT TO "ErosionControl@greenbay.gov"

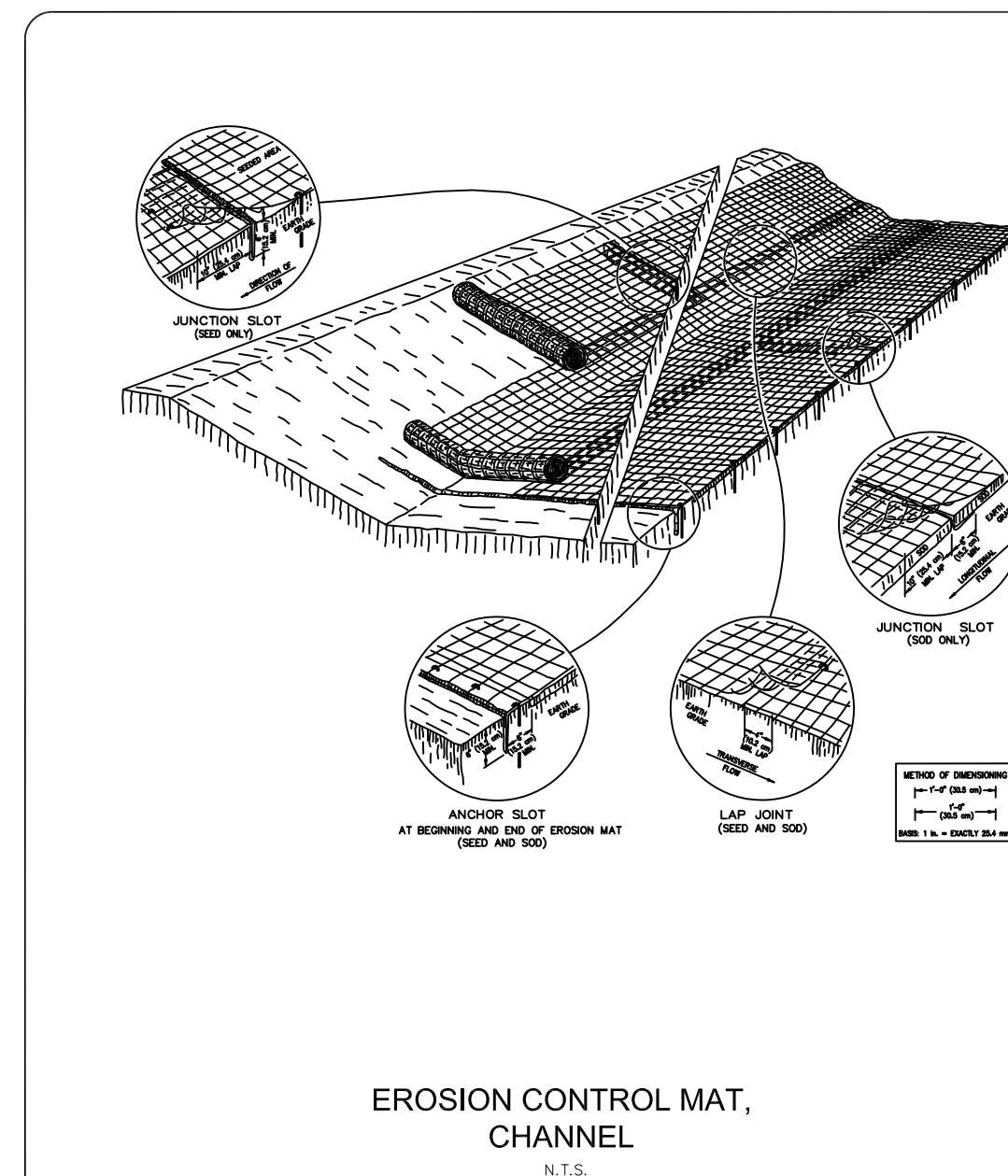
ALL WASTE FROM THE CONSTRUCTION SITE SHALL BE PROPERLY DISPOSED OF AND NOT BE ALLOWED TO ENTER THE STORM SEWER SYSTEM, DRAINAGE SYSTEM, OR OTHER ENVIRONMENTALLY SENSITIVE AREAS LOCATED WITHIN THE CONSTRUCTION SITE, INCLUDING GARNERS CREEK.



CLASS I: TYPE A MAT

**NOTES:**

- SLOPE SURFACE SHALL BE FREE OF ROCKS, CLODS, STICKS AND GRASS. MATS/BLANKETS SHALL HAVE GOOD SOIL CONTACT.
- APPLY PERMANENT SEEDING BEFORE PLACING BLANKETS.
- LAY BLANKETS LOOSELY AND STAKE OR STAPLE TO MAINTAIN DIRECT CONTACT WITH THE SOIL. DO NOT STRETCH.

EROSION CONTROL MAT FOR SLOPE INSTALLATION
N.T.S.**GENERAL NOTES**

DETAILS OF CONSTRUCTION, MATERIALS AND WORKMANSHIP NOT SHOWN ON THIS DRAWING SHALL CONFORM TO THE PERTINENT REQUIREMENTS OF THE SPECIFICATIONS AND MNR TECHNICAL STANDARDS

VARIATIONS IN THE DIMENSIONS OR MATERIALS SHOWN HEREON SHALL BE PERMITTED IF THEY PROVIDE EQUIVALENT PROTECTION AND MATERIAL STRENGTH AND IF PRIOR APPROVAL OF THE ENGINEER IS OBTAINED.

LAP JOINTS SHALL NOT BE PLACED IN THE BOTTOM OF V-SHAPED DITCHES.

JUNCTION SLOTS ON ADJACENT STRIPS OF MATTING SHALL BE STAGGERED A MINIMUM OF 4 FEET (1.219 m) APART.

EDGES OF THE EROSION MAT SHALL BE IMPRESSED IN THE SOIL. EROSION MAT WILL BE MEASURED AND PAID FOR IN ACCORDANCE WITH THE SPECIFICATIONS.

EROSION MAT OVER SOD

- ONLY AITE FABRIC WILL BE PERMITTED OVER SOD.
- WOOD STAKES FOR SOD MAY BE LIMITED BY THE ENGINEER IF THE EXISTING SLOPE AND SOIL CONDITIONS SO WARRANT.
- THE WIDTH OF THE EROSION MAT SHALL ALWAYS EQUAL THE SOD WIDTH.
- SOD STRIPS MAY BE PLACED EITHER LONGITUDINALLY OR TRANSVERSELY TO THE FLOW LINE OF THE DITCH.

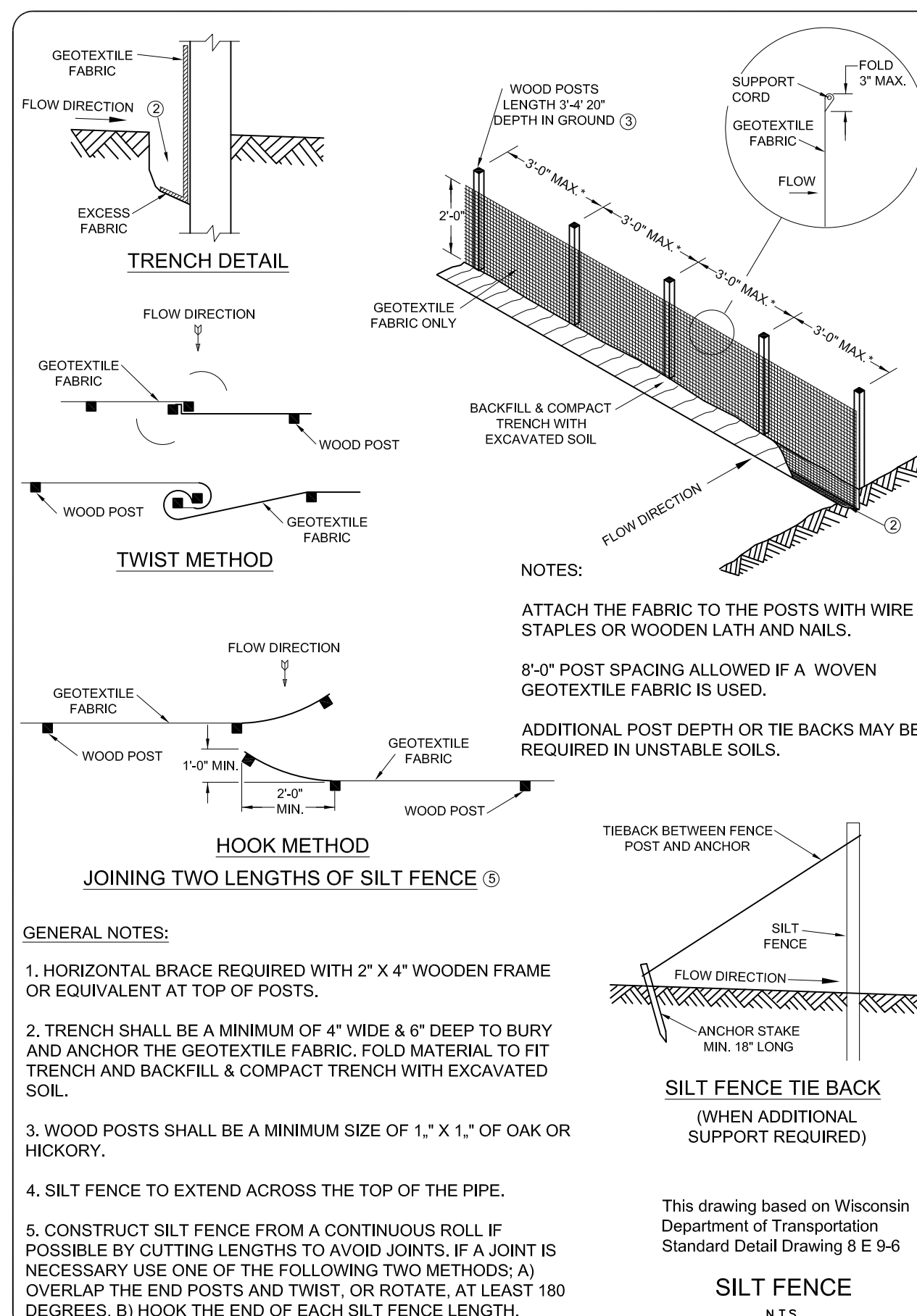
EROSION MAT OVER SEEDING

JUNCTION OR ANCHOR SLOTS SHALL BE AT MINIMUM INTERVALS OF 100 FEET (30.48 m) ON GRADES UP TO AND INCLUDING 3 PERCENT, AND 50 FEET (15.24 m) ON GRADES EXCEEDING 3 PERCENT.

EROSION MAT FOR SLOPES SHALL BE LISTED ON THE WISCONSIN DOT PRODUCT ACCEPTABILITY LIST (PAL) AND BE A 100% BIODEGRADABLE, CLASS 1 TYPE B DOUBLE NETTED PRODUCTS SHOULD BE USED IN CHANNELS.

STAPLES FOR ANCHORING THE EROSION MAT IN PLACE SHALL BE U-SHAPED, BIODEGRADABLE LANDSCAPE STAPLES. STAPLES TO BE E-STAPLE BY AMERICAN EXCELLOSUR OR EQUAL.

BD FORM AND PROJECT SPECIFICATIONS SHALL TAKE PRECEDENT OVER THIS DETAIL.

**GENERAL NOTES:**

1. HORIZONTAL BRACE REQUIRED WITH 2" X 4" WOODEN FRAME OR EQUIVALENT AT TOP OF POSTS.

2. TRENCH SHALL BE A MINIMUM OF 4" WIDE & 6" DEEP TO BURY AND ANCHOR THE GEOTEXTILE FABRIC. FOLD MATERIAL TO FIT TRENCH AND BACKFILL & COMPACT TRENCH WITH EXCAVATED SOIL.

3. WOOD POSTS SHALL BE A MINIMUM SIZE OF 1" X 1," OF OAK OR HICKORY.

4. SILT FENCE TO EXTEND ACROSS THE TOP OF THE PIPE.

5. CONSTRUCT SILT FENCE FROM A CONTINUOUS ROLL IF POSSIBLE BY CUTTING LENGTHS TO AVOID JOINTS. IF A JOINT IS NECESSARY USE ONE OF THE FOLLOWING TWO METHODS: A) OVERLAP THE END POSTS AND TWIST, OR ROTATE, AT LEAST 180 DEGREES; B) HOOK THE END OF EACH SILT FENCE LENGTH.

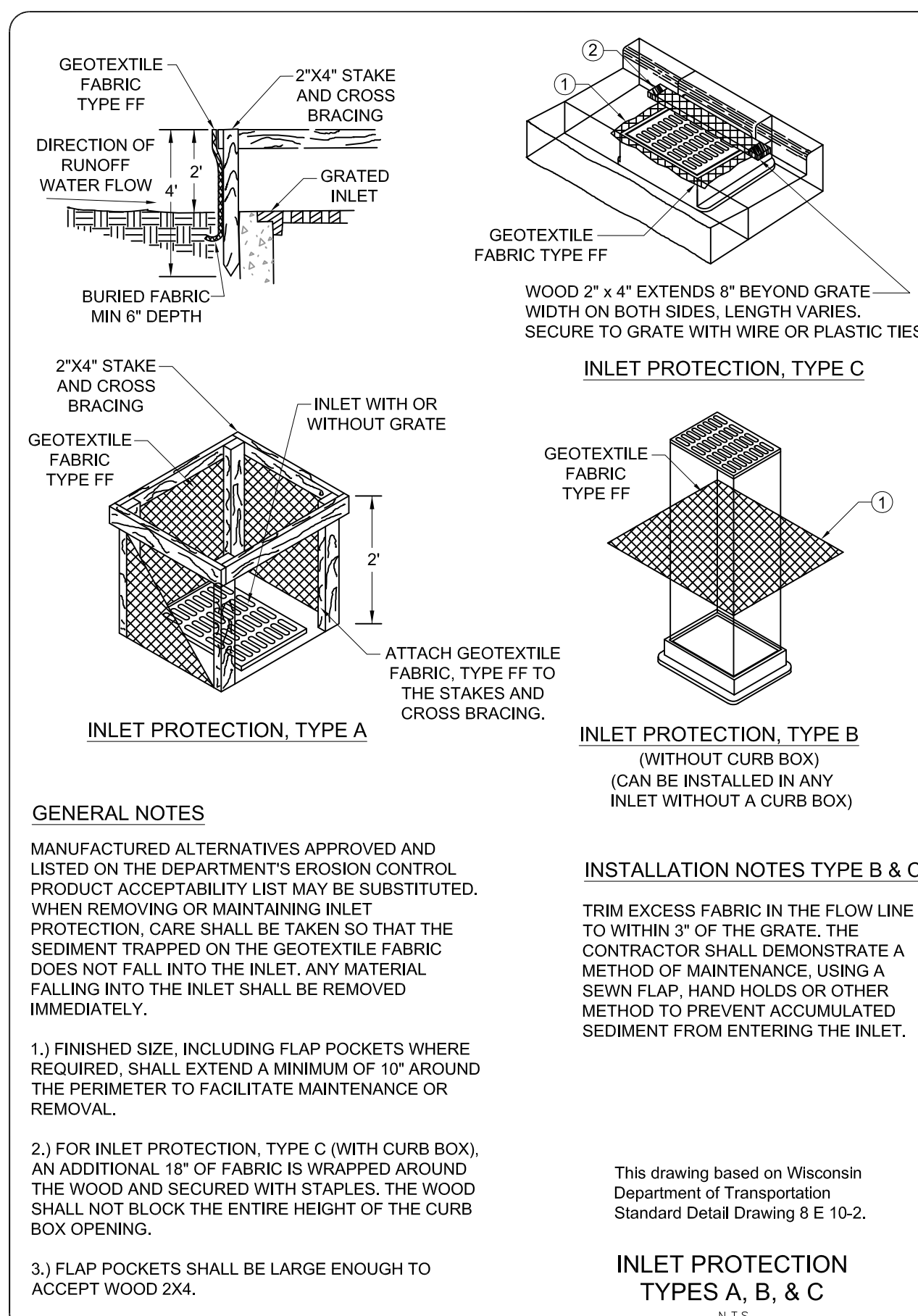
TIEBACK BETWEEN FENCE POST AND ANCHOR

SILT FENCE TIE BACK (WHEN ADDITIONAL SUPPORT REQUIRED)

This drawing based on Wisconsin Department of Transportation Standard Detail Drawing 8 E 9-6

SILT FENCE

N.T.S.

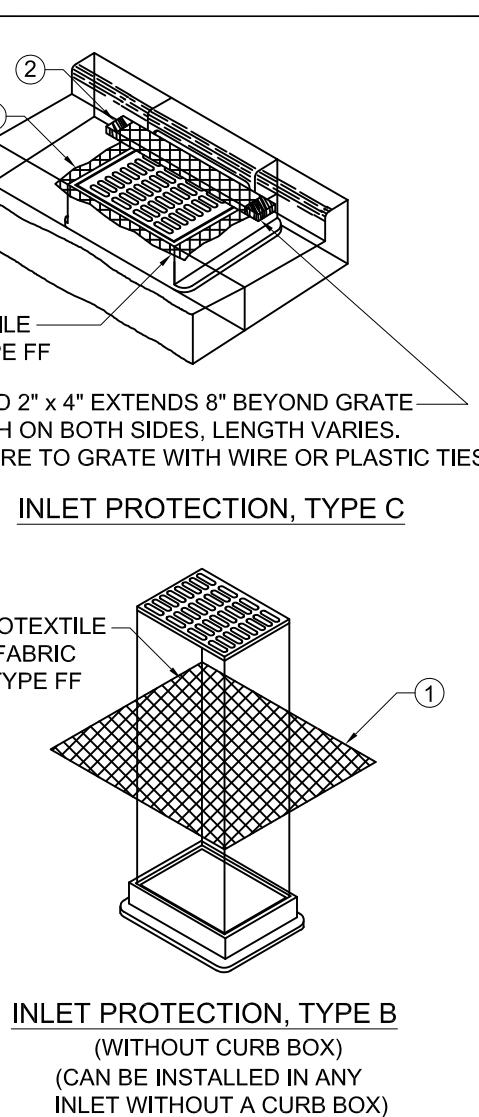
**GENERAL NOTES**

MANUFACTURED ALTERNATIVES APPROVED AND LISTED ON THE DEPARTMENTS EROSION CONTROL PRODUCT ACCEPTABILITY LIST MAY BE SUBSTITUTED, WHEN REMOVING OR MAINTAINING INLET PROTECTION, CARE SHALL BE TAKEN SO THAT THE SEDIMENT TRAPPED ON THE GEOTEXTILE FABRIC DOES NOT FALL INTO THE INLET. ANY MATERIAL FALLING INTO THE INLET SHALL BE REMOVED IMMEDIATELY.

1.) FINISHED SIZE, INCLUDING FLAP POCKETS WHERE REQUIRED, SHALL EXTEND A MINIMUM OF 10" AROUND THE PERIMETER TO FACILITATE MAINTENANCE OR REMOVAL.

2.) FOR INLET PROTECTION, TYPE C (WITH CURB BOX), AN ADDITIONAL 18" OF FABRIC IS WRAPPED AROUND THE WOOD AND SECURED WITH STAPLES. THE WOOD SHALL NOT BLOCK THE ENTIRE HEIGHT OF THE CURB BOX OPENING.

3.) FLAP POCKETS SHALL BE LARGE ENOUGH TO ACCEPT WOOD 2X4.

**INSTALLATION NOTES TYPE B & C**

TRIM EXCESS FABRIC IN THE FLOW LINE TO WITHIN 3" OF THE GRATE. THE CONTRACTOR SHALL DEMONSTRATE A METHOD OF MAINTENANCE, USING A SEWN FLAP, HAND HOLDS OR OTHER METHOD TO PREVENT ACCUMULATED SEDIMENT FROM ENTERING THE INLET.

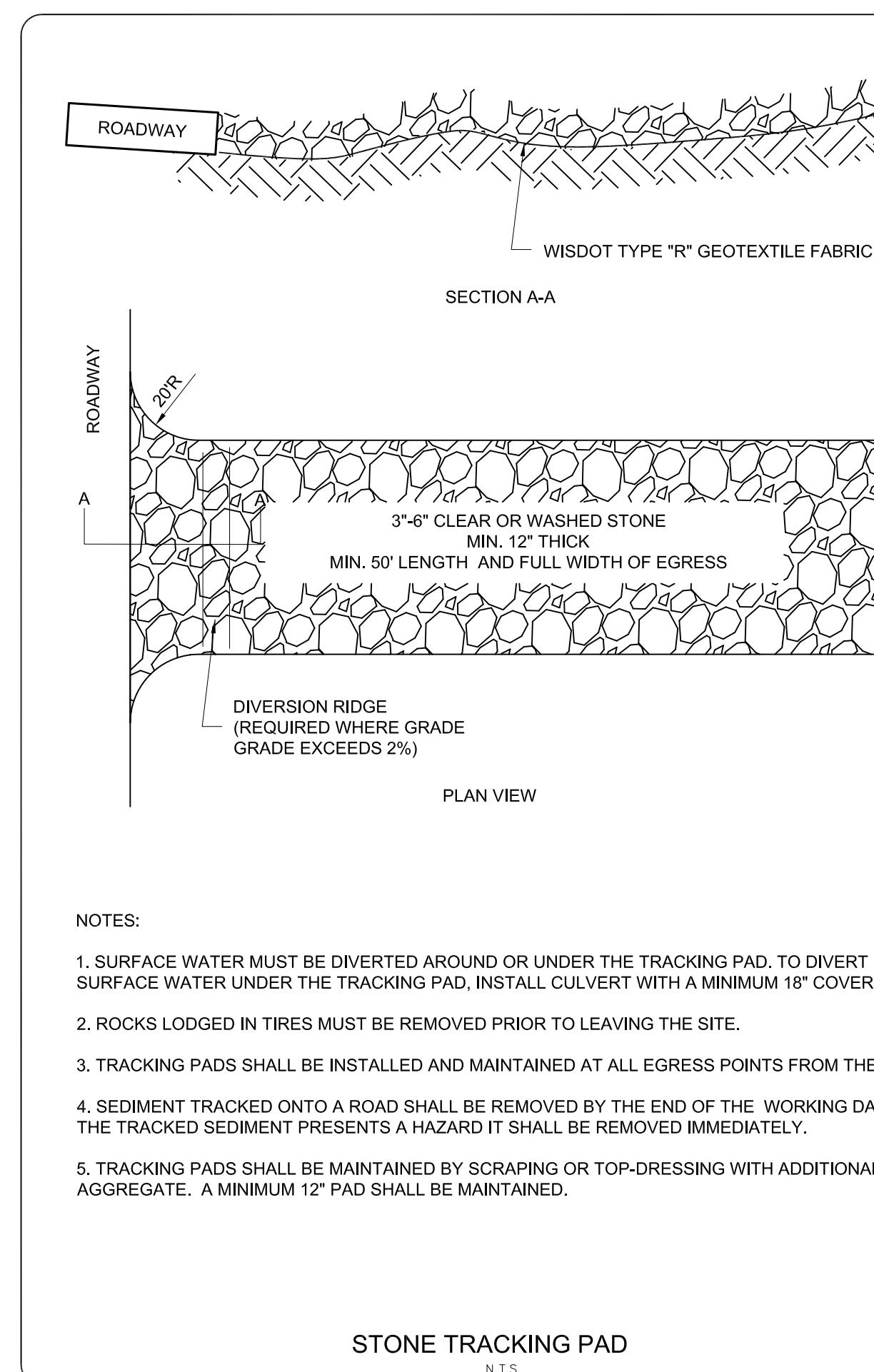
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3.) FLAP POCKETS SHALL BE LARGE ENOUGH TO ACCEPT WOOD 2X4.

INLET PROTECTION TYPES A, B, & C

N.T.S.

**NOTES:**

1. SURFACE WATER MUST BE DIVERTED AROUND OR UNDER THE TRACKING PAD. TO DIVERT SURFACE WATER UNDER THE TRACKING PAD, INSTALL CULVERT WITH A MINIMUM 18" COVER.

2. ROCKS LODGED IN TIRES MUST BE REMOVED PRIOR TO LEAVING THE SITE.

3. TRACKING PADS SHALL BE INSTALLED AND MAINTAINED AT ALL EGRESS POINTS FROM THE SITE.

4. SEDIMENT TRACKED ONTO A ROAD SHALL BE REMOVED BY THE END OF THE WORKING DAY. IF THE TRACKED SEDIMENT PRESENTS A HAZARD IT SHALL BE REMOVED IMMEDIATELY.

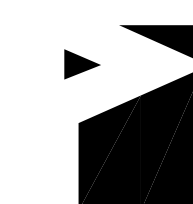
5. TRACKING PADS SHALL BE MAINTAINED BY SCRAPING OR TOP-DRESSING WITH ADDITIONAL AGGREGATE. A MINIMUM 12" PAD SHALL BE MAINTAINED.

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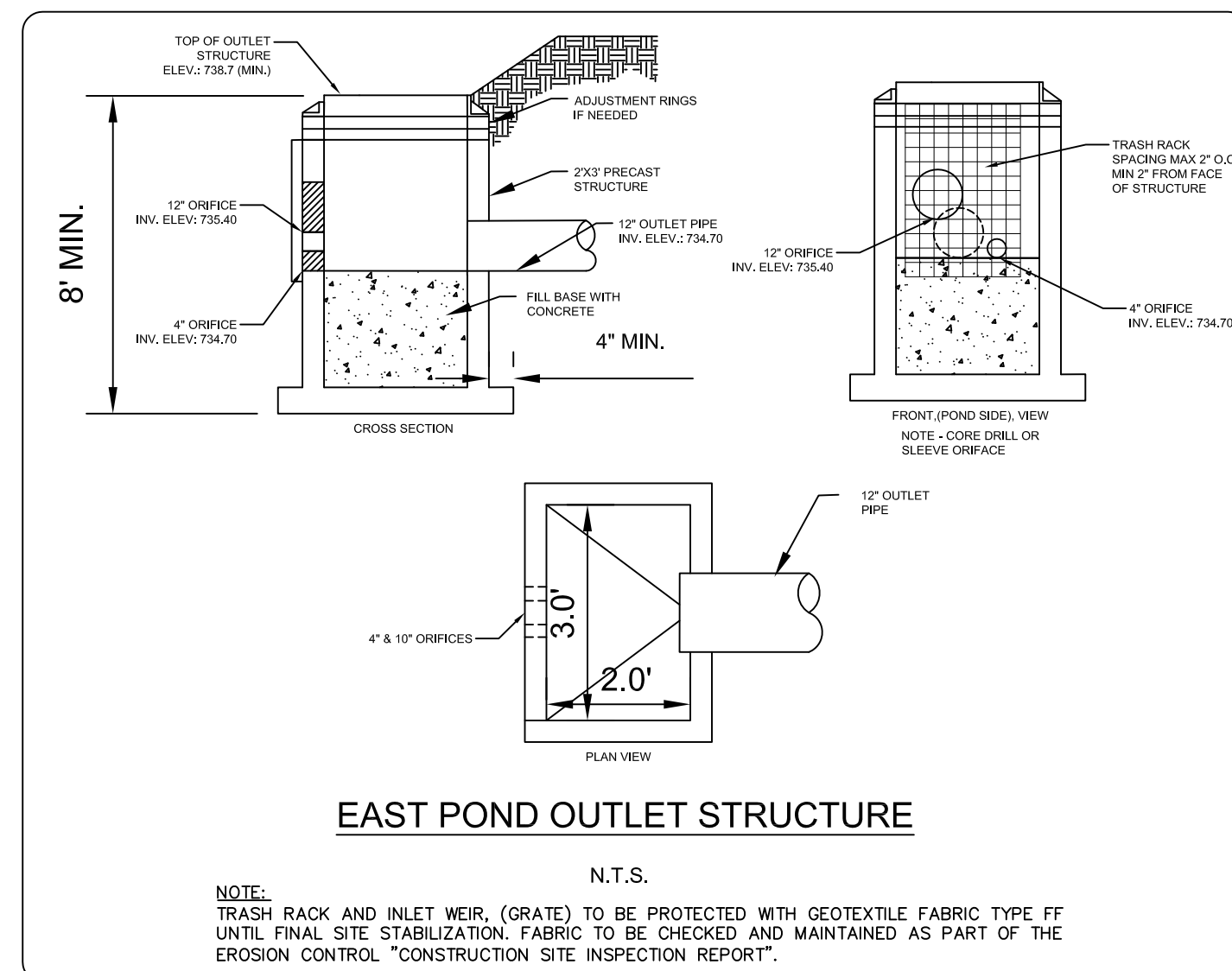
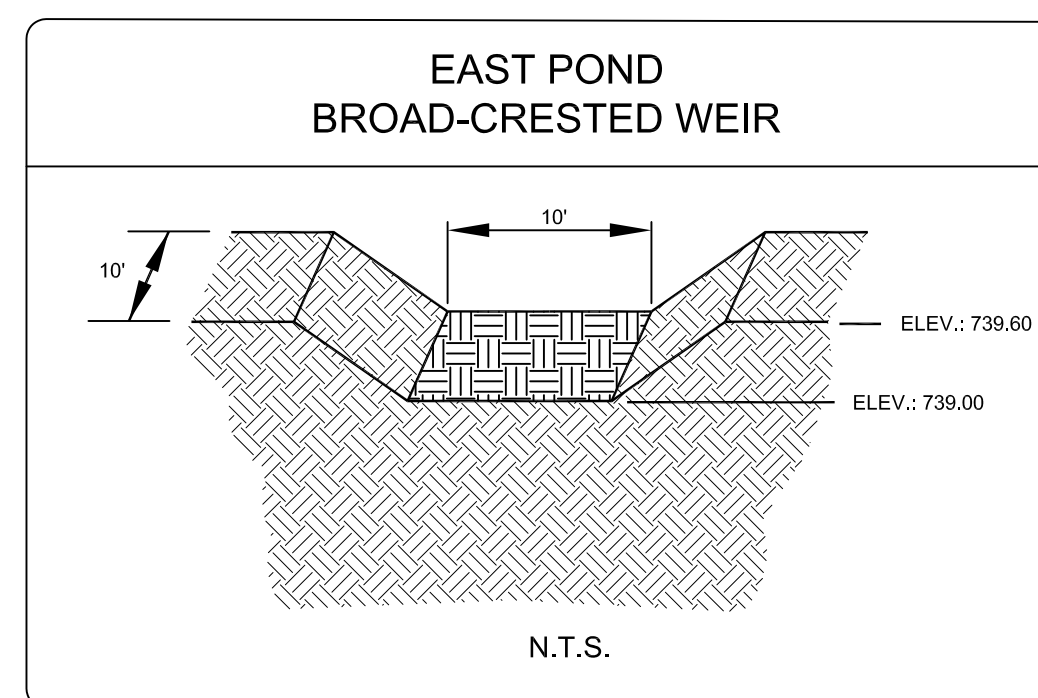
TYCORE BUILDS
NOTES & DETAILS (1)

PROJECT NO.
240200

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A CLAY LINER SHALL BE PLACED OVER NATIVE SOILS WITHIN THE PERMANENT POOL AREAS AND UP THE PONDS 2-YEAR 24-HOUR DESIGN STORM PEAK WATER SURFACE ELEVATION OF 106.00 (GREEN BAY POND)

CLAY MATERIAL USED TO CONSTRUCT THE LINER MUST MEET THE FOLLOWING MINIMUM SPECIFICATIONS:

LINER THICKNESS = 2 FEET
 IN PLACE HYDRAULIC CONDUCTIVITY = 1 X 10-6 CM/SEC OR LESS
 MINIMUM OF 50% BY WEIGHT WHICH PASSES THE 200 SIEVE
 AVERAGE LIQUID LIMIT OF 16 OR GREATER, NONE LESS THAN 14
 AVERAGE PLASTICITY INDEX OF 7 OR GREATER, NONE LESS THAN 5
 CLAY INSTALLED 2% WET OF OPTIMUM WHEN USING MODIFIED PROCTOR.
 FREE OF STONES AND INCLUSIONS OF OTHER SOIL TYPES LARGER THAN 3 INCHES IN LARGEST DIMENSION
 NON-ORGANIC SOIL CLASSIFIED AS CL OR CH BY UNIFIED SOIL CLASSIFICATION SYSTEM.

THE SOIL BORINGS INDICATE THAT SUITABLE CLAY MATERIAL MAY BE AVAILABLE FOR USE AS CLAY LINER MATERIAL. TESTING FOR HYDRAULIC CONDUCTIVITY AND ATTERBERG LIMITS WERE COMPLETED. THE GEOTECHNICAL REPORT IS AVAILABLE UPON REQUEST.

BECAUSE THE QUANTITY OF SUITABLE CLAY MATERIAL IS UNKNOWN, BORROW MATERIAL MAY BE REQUIRED TO FINISH THE CLAY LINER. THE CONTRACTOR SHALL PROVIDE HYDRAULIC CONDUCTIVITY PROPERTIES, A P200 SIEVE ANALYSIS, ATTERBERG LIMITS TEST RESULTS, AND A MODIFIED PROCTOR TEST FOR A SUPPLEMENTAL CLAY SOURCE NO LATER THAN THE PRECONSTRUCTION MEETING.

MATERIAL TESTING DATA SHALL DEMONSTRATE THAT THE CLAY SOURCE MEETS AND EXCEEDS THE REQUIREMENTS LISTED ABOVE. ADDITIONALLY, TESTING DATA SHALL DEMONSTRATE THAT THE CLAY SOURCE MATERIAL HAD A MAXIMUM HYDRAULIC CONDUCTIVITY OF 1×10^{-6} cm/s AT 90% OF THE MODIFIED PROCTOR DENSITY

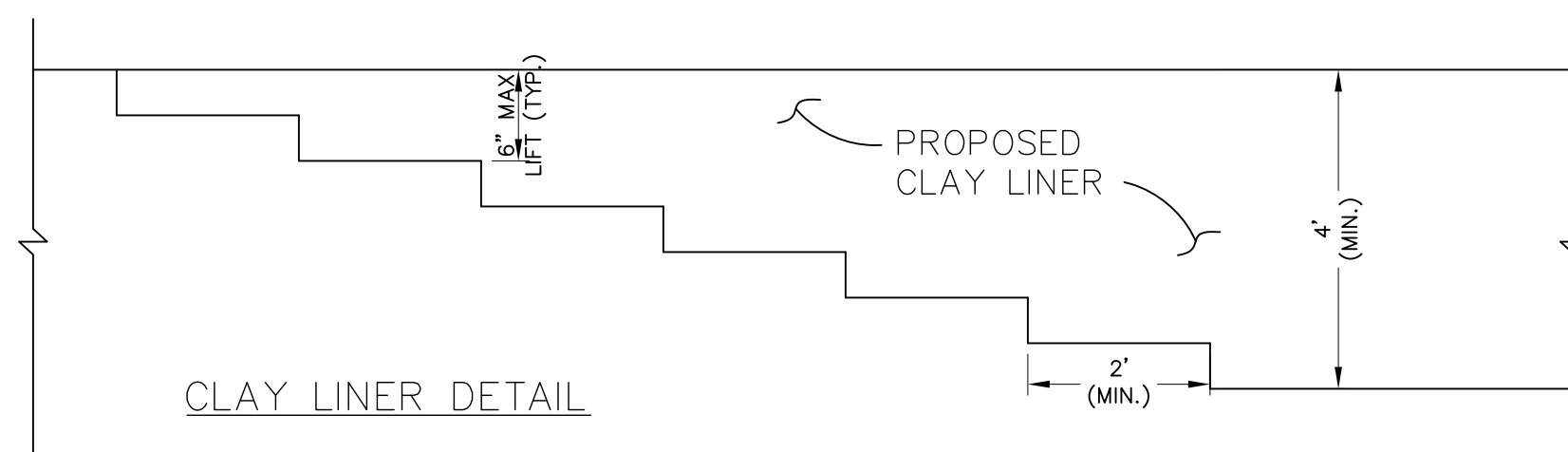
ALL CLAY LAYERS IN THE LINER TO BE CONSTRUCTED IN LIFT HEIGHTS NO GREATER THAN 6 INCHES AFTER COMPACTION USING FOOTED COMPACTION EQUIPMENT HAVING FEET AT LEAST AS LONG AS THE LOOSE LIFT HEIGHT. CLAY IS TO BE DISKED OR OTHERWISE MECHANICALLY PROCESSED BEFORE COMPACTION TO BREAK UP CLODS AND ALLOW FOR MOISTURE ADJUSTMENT. CLOD SIZE TO BE NO GREATER THAN 4 INCHES.

THE COMPACTION SHALL BE PERFORMED BY MEANS OF FOOTED COMPACTION EQUIPMENT HAVING FEET AT LEAST AS LONG AS THE LOOSE LIFT WORK. COMPACTION EQUIPMENT SHALL HAVE A MINIMUM OPERATING WEIGHT OF 25,000 LBS. SMOOTH DRUM ROLLERS ARE NOT SUITABLE FOR COMPACTION OF CLAY LINERS.

ALL CLAY IS TO BE COMPACTED TO 90% MODIFIED PROCTOR DENSITY AT A MOISTURE CONTENT OF AT LEAST 2% WET OF OPTIMUM

THE CLAY LINER IS TO BE KEYED TOGETHER TO FORM A CONTINUOUS CLAY SEAL, SEE THE DETAIL IN THE PLAN SET. SCARIFY AND ADJUST MOISTURE BETWEEN LIFTS TO PROVIDE FOR GOOD BONDING BETWEEN LIFTS.

CLAY LINER SHALL BE PLACED OVER NATIVE SOILS THAT DO NOT SATISFY THE CLAY LINER SPECIFICATIONS. A GEOTECHNICAL ENGINEER SHALL DETERMINE WHICH SOILS DO NOT SATISFY THE CLAY LINER SPECIFICATIONS. THE GEOTECHNICAL ENGINEER SHALL INSPECT SOILS WITHIN THE PERMANENT POOL AND UP TO THE POND'S 2-YEAR, 24-HOUR WATER SURFACE ELEVATION OF 600.85. UPON COMPLETION OF THE LINER, A GEOTECHNICAL ENGINEER REGISTERED IN WISCONSIN SHALL PROVIDE AN AFFIDAVIT INDICATING IF THE CLAY LINER SATISFIES THESE SPECIFICATIONS.

[illegible]



MEMO

PLANNING & COMMUNITY DEVELOPMENT

To: Plan Commission
From: Adrienne Nelson, Associate Planner
Date: May 5, 2025
Re: Park Donation Application Review – Penterman Bench

A park bench donation application has been submitted by Tony Penterman, to be installed at the Kaukauna Municipal Pool, in memory of Jeff Wittman. This bench would be in the City of Kaukauna's standard bench style and would include a plaque, which would read as follows:

"May the four winds blow you safely home
In loving memory of Jeff Wittman
November 30, 1974 – April 10, 2025
Forever Grateful Tony Penterman"

Staff Recommendation

Staff recommend approval of the park bench donation for Tony Penterman in memory of Jeff Wittman with the condition that staff will work with the donor to finalize the location of the bench.