



## **AMENDED AGENDA FOR PLANNING COMMISSION**

### **MEETING NOTICE**

A Planning Commission meeting will be held on **Thursday, July 28, 2022 at 5:30 PM**  
in the **Council Chambers at City Hall, 819 Superior Avenue, Tomah, WI.**

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### **ZOOM MEETING INFO**

Join Zoom Meeting

<https://us06web.zoom.us/j/2708608080?pwd=ZTZ0cmllVEFEb1dzVDNwdi91UHFYQT09>

Meeting ID: 270 860 8080

Passcode: 206751

+13126266799,,2708608080#,,,,\*206751# US (Chicago)

### **ROLL CALL**

### **APPROVAL OF MEETING MINUTES**

- A. [June 2022 Minutes](#)

### **DISCUSSION ITEMS**

- A. [Certificate of Appropriateness WWTC](#)
- B. [Discussion and recommendation on setting the bond amount for an upcoming house move to 209 W Benton St.](#)
- C. [Discussion on amending our current ordinance to retitle and redefine the Industrial Development Fund to fit the City of Tomah goals for economic development.](#)
- D. [Discussion on amending our current ordinance to give the Plan Commission the authority to review the permit applications for "Shipping Containers" to be used for accessory structures in Industrial zoned districts](#)
- E. [Discussion on amending our current ordinance to allow farm animals on properties zoned A-1 Agricultural District.](#)

### **ADJOURNMENT**

**NOTICE:** It is possible that a quorum of members of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information. No action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice. Please note that, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact Becki Weyer, City Clerk, at 819 Superior Avenue, Tomah, WI 54660.

## MINUTES FOR PLANNING COMMISSION

A Planning Commission was held on **Thursday, June 23, 2022 at 5:30 PM** in the Council Chambers at City Hall, 819 Superior Avenue, Tomah, WI. Mike Murray called the meeting to order at 5:30 PM.

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### **Zoom Info**

<https://us06web.zoom.us/j/2708608080?pwd=ZTZ0cmJLVFEFb1dzVDNwdi91UHFYQT09>

Meeting ID: 270 860 8080

Passcode: 206751

+13126266799,,2708608080#,,,,\*206751# US (Chicago)

### **ROLL CALL**

Present: Bryan Meyer, Brian Rice, Eric Prise, Tina Thompson, Mike Murray and John Glynn.

Absent: Adam Gigous.

### **APPROVAL OF MEETING MINUTES**

- A. Motion made by Meyers and second by Prise to approve previous months minutes. All ayes.  
Motion carried.

### **PUBLIC HEARING**

Public hearing, Section 52-68, to consider the Conditional Use Permit application of Jan Sherwood, to obtain a permit to operate a physical and online sale of hair and beauty supplies from her residence at 612 Mubarak St. Parcel #: 286-02654-3214 HILL CREST LOT 14 was opened at 5:32PM. Shane went over the outline of the business that Jan Sherwood provided. No community members were present in the audience. Public hearing was closed at 5:34 PM.

Discussion and recommendation related to the request from Jan Sherwood to obtain a Conditional Use Permit to operate a home business from her residence at 612 Mubarak St.

Motion made by Prise to approve conditional use permit contingent on no signage, second by Glynn. All ayes. Motion carried.

### **DISCUSSION ITEMS**

- A. Site Plan Review: 1520 N Superior Ave, Lebakken's Store

Shane went over the site plan of Lebakken's Store. Shane recommends 2 more parking stalls to be added to meet City of Tomah parking ordinance. Motion made by Thompson, second by Meyer to approve the site plan. All ayes. Motion carried.

- B. Discuss Downtown Design Standards.

Sacred Space wants to put up window decals of their business name, Shane stated that the decals do meet standards. Motion made by Meyer to approve the window decals, second by Glynn. All ayes. Motion carried.

- C. Discuss Ordinance Change to Residential District - Sec. 52-34 (a) (1)

Discussion on ordinance 52-34 and removal of agricultural use as a conditional use. Remove from section 52-34 (a)(3) Conditional uses. Section 52-34 (a)(1) to be reviewed by Shane. Ordinance amendment will be brought back at a later date.

### **ADJOURNMENT**

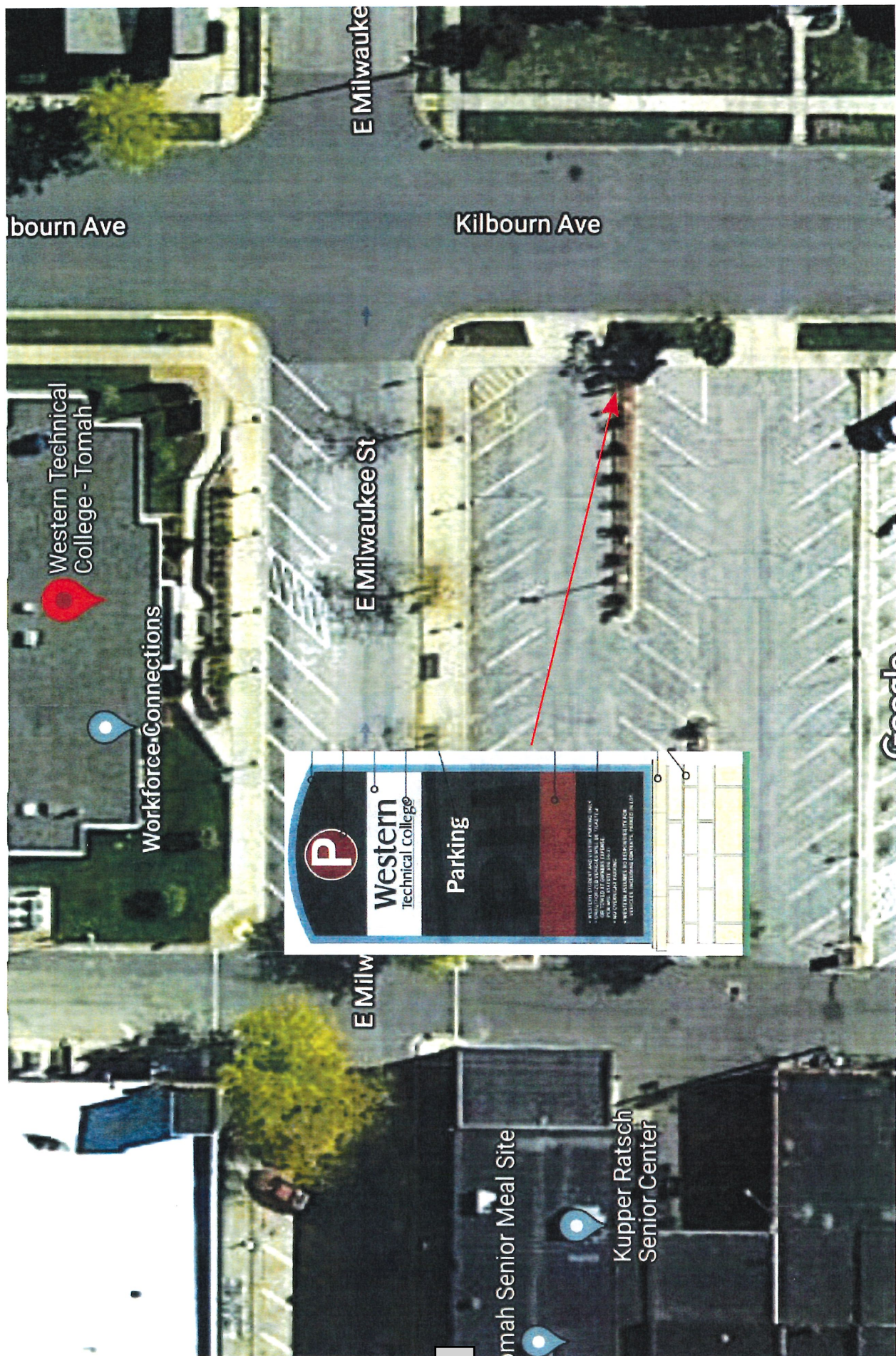
Motion made by Prise, second by Rice to adjourn at 5:49 PM. All ayes. Motion carried.



ALL RIGHTS RESERVED. THIS IS A CONCEPTUAL DESIGN. THE CLIENT HAS THE SOLE RESPONSIBILITY FOR THE STRUCTURAL INTEGRITY OF ALL EXISTING STRUCTURES TO SUPPORT THE SIGNAGE. PLEASE REVIEW SPECS & PROOF CAREFULLY - CHECK FOR TYPOGRAPHICAL ERRORS & DIMENSIONS. LAYOUT ACCURACY, ETC. CUSTOMER HAS SOLE RESPONSIBILITY TO CORRECT ANY ERRORS. THE INK COLORS SHOWN IN THIS RENDERING ARE CONCEPTUAL ONLY. THE COLORS SHOWN WILL NOT MATCH THE ACTUAL AUTOMOTIVE PAINTS, PAINTS OR VINYL COLORS THAT WILL BE USED ON OR IN THE SIGNS SHOWN. ALL SIZES, SHAPES, COLORS, ETC. ARE CONCEPTUAL & MAY VARY FROM ACTUAL PRODUCT.

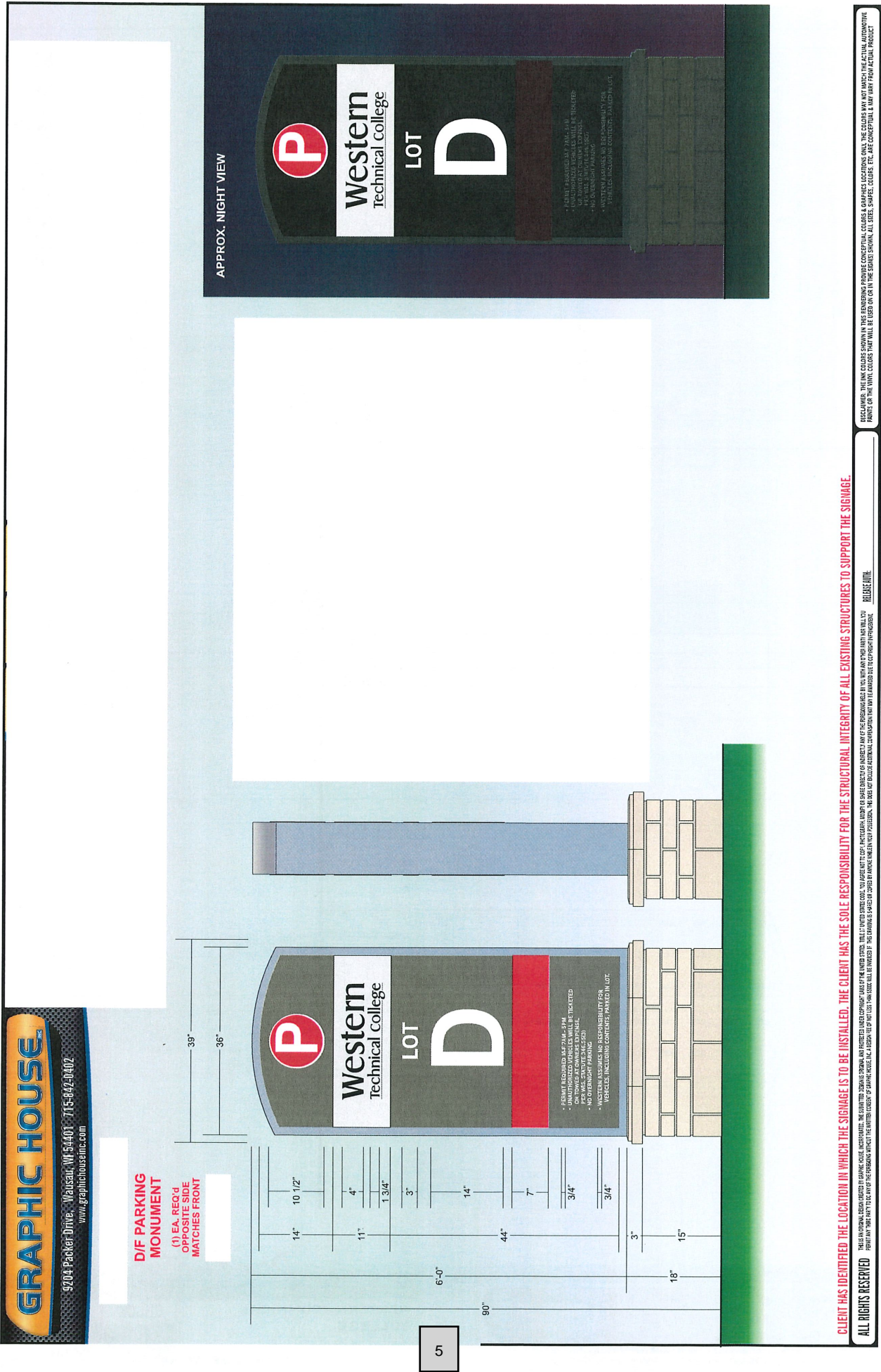
New Sign

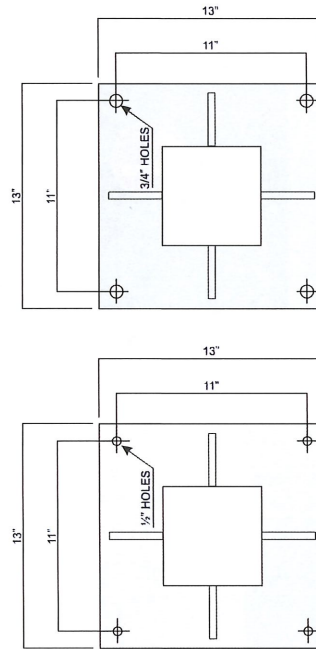
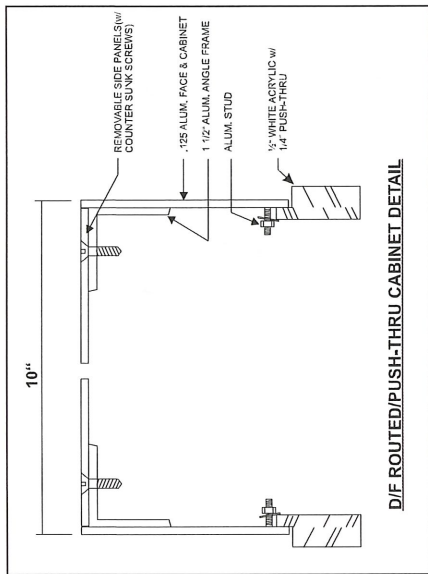






A.

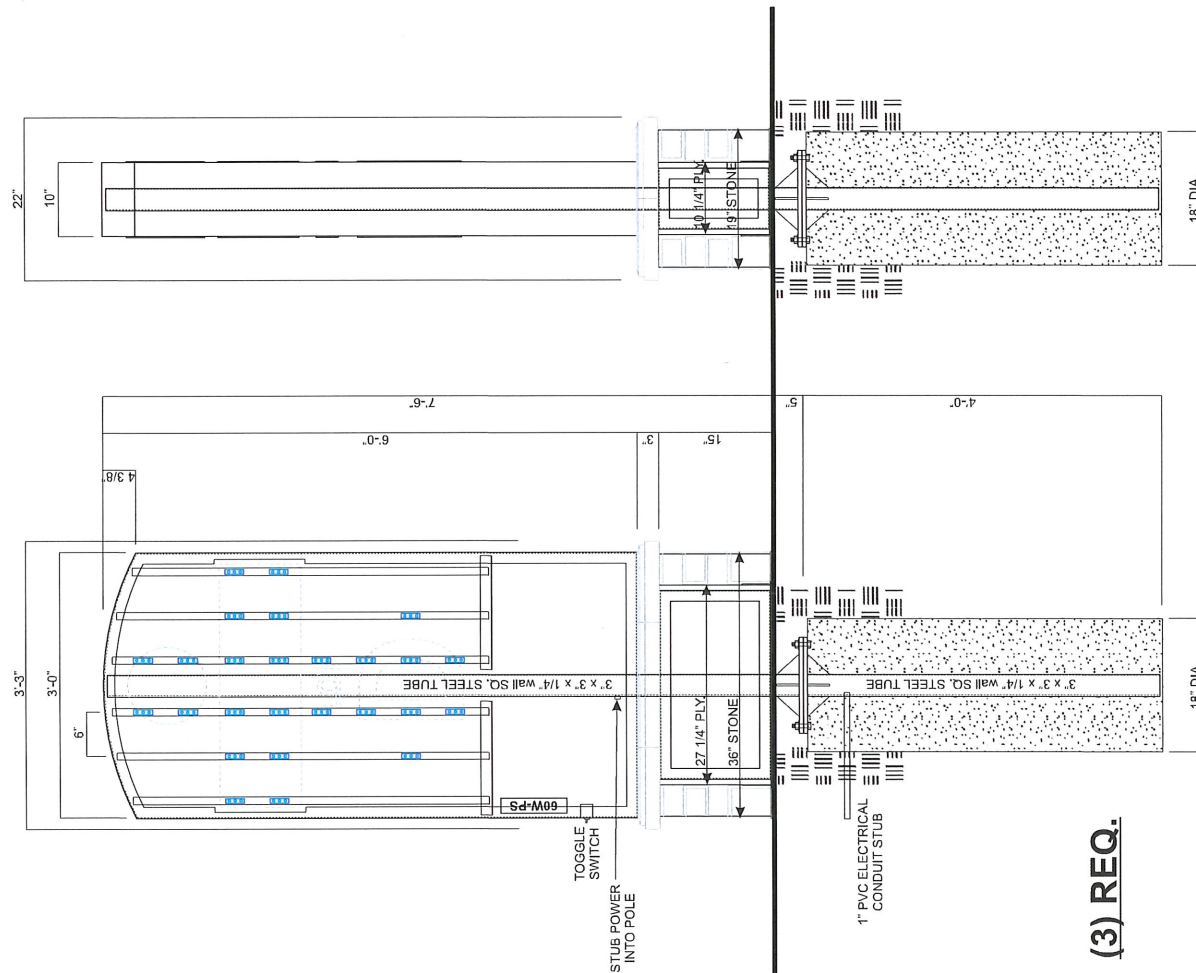




(3) 1/2" STEEL TOP PLATE  
1/4" x 3" x 3" GUSSETS

(3) 1/2" STEEL BOTTOM PLATE  
1/4" x 3" x 3" GUSSETS - 1/2" x 2" BOLTS

**ELECTRICAL:**  
SIGN TO DRAW **2.0** AMPS / 120VOLT



(3) REQ.

**GRAPHIC HOUSE**  
9204 PACKER DRIVE WAUSAU, WI 54401  
PHONE (715) 842-0402 • WIL-800-472-0402 • FAX (715) 848-9108

CLIENT AUTH: \_\_\_\_\_  
SALE: \_\_\_\_\_  
6

CLIENT: **WESTERN TECHNICAL COLLEGE**  
LA CROSSE, WI

SALES REP:	W.O. #	PAGE
CHUCK	4211	5
REVISION DATE:	DATE:	OF
8-22-16		12

*Production Print*





ORIGINAL SIGN • removed by client



819 SUPERIOR AVENUE  
TOMAH, WI 54660  
Ph: (608) 374-7429  
srolff@tomahonline.com

**APPLICATION FOR SIGN PERMIT**

DATE 6-23-2022

MEUSSA ALISA  
(Applicant's name)

8101 International Dr., Wausau, WI 54401  
(Applicant's mailing address)

715-842-0402 x226  
(Phone #)

120 E. MILWAUKEE ST.  
(Address / Location of proposed sign)

Remove Post & Panel Sign & install new directional  
(Description of proposed sign installation)

Does hereby apply for permission to place a sign, on the described premises, to comply with City Ordinance # 52-150. The fee of \$ **40.00** to be paid at the time of application.

Attached to this application is a complete drawing of the proposed sign, including location on premises, distance from lot lines, sign dimensions, and building frontages (wall signs only).

(Signature of applicant)

\*\*\*\*\*

(This section for office use only)

PERMIT: **GRANTED / DENIED**

\_\_\_\_\_  
Shane Rolff, Building Inspector

\_\_\_\_\_  
Date



# Certificate of Appropriateness

## City of Tomah: Building/Site Improvement Review Application for Certificate of Appropriateness

Address of Property:

100 E. MILWAUKEE ST.

Property Owner Name:

WESTERN TECHNICAL COLLEGE

Property Owner Address (if different from Address of Property):

Street

Municipality

State

Property Owner Phone Number: (Home/Mobile):

608-785-9120

Have you reviewed the Downtown Tomah Design Standards (if applicable)?

☐ Yes

☐ No

☒ Not Applicable

Have you reviewed the City's Historic Preservation Ordinance (if applicable)?

☐ Yes

☐ No

☒ Not Applicable

Is your property a historic site, in a historic district, or contain a historic structure?

☐ Yes

☒ No

Scope of project to include: (Please check appropriate items.)

☐ New Construction

☐ Siding

☒ Signage

☐ Building Addition

☐ Landscaping / Fencing

☐ Exterior Lighting

☐ Façade Restoration

☐ Parking / Rear Access

☐ Other: \_\_\_\_\_

☐ Awning/Canopy/Shutters

☐ Doors, Windows, & Entrances

☐ Roofing

☐ Exterior Painting

Briefly explain the proposed work: (Attach extra sheets if necessary.)

REMOVING EXISTING PARKING LOT DIRECTIONAL  
and replacing it with a new DIRECTIONAL

Last Modified: March 2, 2017

Page 1 of 2

Design Standards Checklist

# Certificate of Appropriateness

## City of Tomah: Building/Site Improvement Review Application for Certificate of Appropriateness

**Please submit the following information:**

- One historical (if available) and one modern photograph of building
- Eight (8) copies of plans of proposed work, including color and/or material samples if appropriate.
- A completed downtown design standards checklist

Estimated total cost/budget for proposed project:

\$8300.00

Do you have any questions or concerns?

NO

I understand the criteria for this application, approval and reviews by the Long Range Planning Committee and/or Historic Preservation Commission (check with Zoning Administrator if unknown whom will review), and agree to be subject to the Downtown Design Standards and/or Historic Preservation Ordinance (if applicable) for the above described work in accordance with City ordinances.

Signed: Melissa Kluska

Date: 6-24-22

Property Owner / Applicant

**FOR OFFICE USE ONLY**

Application Number: Shane Rolf

Received By: 7/28/22

Date of Meeting: \_\_\_\_\_

Approved or Denied?: \_\_\_\_\_

Date Received: \_\_\_\_\_

Conditions of Approval or Reasons for Denial:

Last Modified: March 2, 2017

Page 2 of 2

Design Standards Checklist

MSA

Downtown Design Standards

29



# Checklist

## Instructions

If a section of these standards does not apply to the proposed project (e.g. *parking standards for a facade renovation project*) the entire section can be skipped by checking the "does not apply" box ☐ NA. If any part of a section does apply, please fill out the entire section with checks for completed standards and cross out ☐ for any that do not apply.

In addition to this checklist, a site plan shall be submitted, including (as applicable):

- ☐ Trash and recycling containers
- ☐ Pedestrian pathways
- ☐ Parking and circulation
- ☐ Landscaping
- ☐ Stormwater management features
- ☐ Lighting

Applicant  
Staff / ZA  
LRPC

## SIGNAGE DESIGN

### Sign Type Usage Standards

☐ NA

Comments (office use only):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Waiver Request  
to 8'

<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

1. All signs conform to the sign design and maintenance requirements in the City's Zoning Ordinance, -AND- have applied/acquired sign permit

2. The project does not include following sign types: roof-mounted, pole, external neon cabinet/canister, billboard, -AND- there is no canopy in the public right-of-way.

3. All ground signs, if any, utilize monument-style design.

4. Ground signs do not extend higher than the mean street grade following the restriction shown below.

- ☒ Downtown Core Only: 5 feet
- ☒ Transitional Area Only: 8 feet

5. Signage on awnings, marquees and canopies is > 75% of the front valance, flat profile, and/or roof. - AND - no signage is placed on the side of the structure.

6. LED changeable messaging sign incorporated in monument sign does not comprise > 30% of the sign area, inclusive of the base area.

7. Signage is > 25% of each storefront display window/door area, excluding product display.

Design Standards Checklist



# Design Standards Checklist

1. Signs are placed to fit in with the building's overall architectural composition **-AND-** do not significantly obscure the building's architectural features.
2. Placement of signs and mounting systems do not obscure windows or doorways, including door, glass panes, and corresponding trim and supports.
3. Signage on masonry buildings are mounted through the mortar joints rather than through the masonry itself, if possible.
4. Signs do not extend above the roofline, cornice or parapet, whichever is lowest.
5. If a historic sign board area exists above the transom windows, the primary wall sign is placed inside this space **-AND-** does not extend above, below or beyond the edges of the signboard area.
6. Awnings are not internally illuminated.
7. Exterior lamps are located and shielded to prevent the casting of direct light or glare on roadways, adjacent properties and the sky, **-AND-** does not interfere significantly with the sign or sign bracket.
8. **Downtown Core Only**, if wall/projecting sign is internally illuminated, the sign face (background) is opaque with only push thru lettering/symbols illuminated.
9. There are no color changing and "chasing" LED features.

Applicant

Staff / Z/A

LRPC

## Sign Placement, Installation & Lighting Standards

NA

Comments (office use only):



# Checklist

	Applicant	Staff / ZA	LRPC	
<b>Sign Materials, Colors &amp; Lettering Standards</b>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1. Sign substrate is either MDO, Aluminum, or Aluminate. Acrylic material, if used, simulates metal or wood.
<input type="checkbox"/> NA	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2. The sign style, color and materials complement the character of the building and other signage.
Comments (office use only):	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3. Highly reflective material is not used.
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	4. The color tones between the sign's lettering/symbols and background have sufficient contrast to make the sign clearly legible.
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	5. The main lettering and predominant background does not use fluorescent colors.

## SITE DESIGN

<b>Street Relationship Standards</b>				1. <b>Downtown Core Only</b> , primary structures will be built no more than 3-FT from the front property line, except a portion of the building may be set back per the following limitations:
<input type="checkbox"/> NA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> The space provides an outdoor seating area, a hardscape plaza, or similar accessible pedestrian space, AND <input type="checkbox"/> 25%, or minimum of 10-FT, of the building width is built to the restricted setback, -AND- <input checked="" type="checkbox"/> Maximum setback of 10-FT.
Comments (office use only):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2. <b>Transitional Area Only</b> , primary structures will be built within 25-FT of the front property line.
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3. There is at least one functional building entrance provided on the facade facing the (most prominent) street.





CITY OF TOMAH PLAN COMMISSION  
STAFF COMMITTEE PREPARATION REPORT  
July 28<sup>th</sup>, 2022

**Agenda Item:** Discussion and recommendation on setting the bond amount for an upcoming house move to 209 W Benton St.

**Summary and background information:** The Plan Commission is required by ordinance to establish the bond amount for moving of a building. The applicant has met the standards for issuance in Sec. 10-319.

**Sec. 10-319. - Standards for issuance.**

No permit shall be issued under this section until the applicant meets the following standards:

- (1) The building must not be too large, in the state of deterioration or disrepair or otherwise so structurally unsafe that it could not be moved without endangering persons or property in the city.
- (2) The applicant's equipment for removal must be safe so as not to endanger persons and property by its use.
- (3) The applicant must agree in writing to indemnify the city for any damage caused to its facilities by the move and pay to the city and any public utilities the cost of moving and replacing their facilities if required.
- (4) The applicant shall provide proof of insurance to the satisfaction of the city attorney.
- (5) The applicant must provide in writing the route of transfer and obtain the approval of the route by the chief of police.
- (6) If the new location is in the city, the building may not be structurally unsafe or unfit for the purpose for which it is moved. Additionally, the applicant shall provide a site map showing the new location of the building after the proposed move, including lot boundaries, setback distances and any other information reasonably required by the planning commission or the building inspector. Zoning or other ordinances must not be violated by the building in its new location.

**Sec. 10-320. - Bond required.**

Prior to the building inspector issuing a permit involving the moving of a building to a location within the city, the applicant shall provide to the city a bond in an amount determined by the planning commission. The amount of the bond shall be sufficient to cover the cost of completing the conditions outlined in the permit should the applicant fail to substantially comply with the same.

**Recommendation:** Set the bond amount as deemed appropriate

*Shane Rolff*  
\_\_\_\_\_  
Zoning Administrator/Building Inspector

7/26/22  
\_\_\_\_\_  
Date

**CITY OF TOMAH PLAN COMMISSION  
STAFF COMMITTEE PREPARATION REPORT  
July 28<sup>th</sup>, 2022**

**Agenda Item:** Discussion on amending our current ordinance to retitle and redefine the Industrial Development Fund to fit the City of Tomah goals for economic development.

**Summary and background information:** Our current ordinance sets the parameters of uses for the Industrial Development Fund as stated in Sec. 2-350 below. The ordinance restricts the uses to only projects related to Industrial Development. Staff believes it would be advantageous to expand the uses to fit with Economic Development as defined in the proposed amendments. I would also like to discuss allowing the Long Range Planning Committee to oversee these duties and fund.

**Sec. 2-350. - Industrial development duties. (Existing)**

The plan commission shall have the power to collect, hold, manage, control and use all funds appropriated and provided for industrial development to collect, hold, manage, control and use all proceeds, earnings, and monies available for the sale, lease, rental, conveyance or other disposition of any property held or acquired; to construct, acquire by gift or purchase, reconstruct, improve or extend any industrial building within the city limits; and to acquire by gift or purchase lands or rights in lands in connection therewith in the name of the city; to develop an industrial park and to do or cause to be done all matters and things in connection therewith; to employ the personnel, agents, engineers, and consultants as the commission shall deem necessary; and to cause to be sold, leased, rented, conveyed, transferred, assigned, or donated any property acquired by the commission; and to exercise the other power and authority necessary to accomplish the purpose of this division. Provided, however, that any and all contracts entered into by the commission shall be subject to the approval of the city council.

**Sec. 2-351. - Industrial development fund.**

The industrial development fund previously created by ordinance is hereby re-established and shall be used for the purposes of financing and exercising the power of industrial development described above. Such fund shall consist of the sums of money as may be hereafter appropriated and provided for by the city council, and of all rentals, interest, income, dividends, earnings and monies available from the sale, lease, conveyance or other disposition of any property acquired pursuant to the power exercised by the commission under the terms of this division, and the other sums as may be provided for by ordinance or statute.

**Sec. 2-350. Economic development duties. (Proposed)**

The long-range planning commission (LRPC) shall have the power to collect, hold, manage, control and use all funds appropriated and provided for economic



development (the Economic Development Fund, as defined in Section 2-351). The LRPC shall make recommendations to the city council for the use of said funds to promote economic development in the city consistent with the purposes of the Fund, which may include but are not limited to the sale, lease, rental, conveyance, donation, or other disposition of any property or building held or acquired by the city; to construct, acquire by gift or purchase, reconstruct, demolish, improve or extend any building or infrastructure within the city limits; and to acquire by gift or purchase lands or rights in lands in connection therewith in the name of the city; to employ the personnel, agents, engineers, and consultants as the LRPC shall deem necessary; and to exercise the other power and authority necessary to accomplish the purpose of the Fund. Provided, however, that any and all contracts entered into by the LRPC shall be subject to the approval of the city council and that any and all funds are utilized in the facilitation and advancement of the purposes defined in Section 2-351.

### **Sec. 2-351. Economic development fund.**

The economic development fund (previously created by ordinance as the industrial development fund) is hereby re-established and redesignated to be used for the purposes of financing and promoting economic development in the city in order to increase the tax base, increase employment, increase housing, eliminate blight, attract businesses, residents and visitors, or similar purposes to strengthen the economy and financial health of the city and its businesses and residents. Such purposes and activities may include but are not limited to the facilitation and advancement of adopted city plans or studies in the following areas: industrial, commercial, and housing development or any combination thereof; brownfield and environmental assessment and remediation; city planning; grant procurement; floodplain management; or financial strengthening of the city's tax increment financing districts and business improvement districts. Such fund shall consist of the sums of money as may be hereafter appropriated and provided for by the city council, and of all rentals, interest, income, dividends, earnings, and monies available from the sale, lease, conveyance or other disposition of any property or building acquired pursuant to the power exercised by the authorized commission under the terms of this division, and the other sums as may be provided for by ordinance or statute.

**Recommendation:** Discuss the proposed amendments.

Shane Rolff  
Zoning Administrator/Building Inspector

7/25/22  
Date





CITY OF TOMAH PLAN COMMISSION  
STAFF COMMITTEE PREPARATION REPORT  
July 28<sup>th</sup>, 2022

**Agenda Item:** Discussion on amending our current ordinance to give the Plan Commission the authority to review the permit applications for “Shipping Containers” to be used for accessory structures in Industrial zoned districts.

**Summary and background information:** Current ordinance states the Building Inspector shall review the applications for safety and aesthetics.

**Secs. 18-98—18-122. - Reserved.**

**ARTICLE V. - SUBSTITUTE BUILDINGS**

**Sec. 18-129. - Lands zoned for business or industrial use.**

(a) *Permit required.* No person shall place, erect, maintain or use in the city upon lands zoned business or industrial any shipping container, wagon, motor vehicle, railroad car, trailer, semi-trailer, truck or similar conveyance for the purpose of storage, warehousing or as the location for the operation of any business without a permit. This section shall specifically not apply to the temporary parking of any of the above while engaged in the loading and unloading of cargo and merchandise.

(b) *Application; fee; issuance; term.* Upon receipt of the appropriate application as provided by the city, plus a nonrefundable fee per unit in the amount established by the city council, the ~~building inspector~~ **Plan Commission** may issue a permit as required in this section. Each permit is valid from January 1 or the date of issuance until the following December 31.

(c) *Display of permit.* The permit shall be displayed on the unit in a location readily viewable by the public.

(d) *Safety and aesthetic requirements.* No permit shall be issued under this section unless the unit meets the safety and aesthetic requirements as determined by the ~~building inspector~~ **Plan Commission**. Vertical stacking of shipping containers or similar conveyances shall not be permitted. Such shipping containers or similar conveyances shall be kept in good repair and condition so as not to constitute a nuisance or unsightly condition.

**Recommendation:** Discuss the proposed amendments.

Shane Rolff  
Zoning Administrator/Building Inspector

7/25/22  
Date

CITY OF TOMAH PLAN COMMISSION  
STAFF COMMITTEE PREPARATION REPORT  
July 28<sup>th</sup>, 2022

**Agenda Item:** Discussion on amending our current ordinance to allow farm animals on properties zoned A-1 Agricultural District.

**Summary and background information:** The A-1 Agricultural Zoning District allows for livestock raising but ordinance section 8-61 prohibits the housing for farm and exotic animals within the city limits. The current ordinance contradicts itself and needs clarification.

**Sec. 52-37. - A-1 agricultural district.**

- (a) *Principal uses of the A-1 agricultural district.* Agriculture, dairying, floriculture, forestry, general farming, grazing, horticultural, **livestock raising**, nurseries, orchards, paddocks, pastures, stables, truck farming and viticulture. Farm dwellings for resident owners, managers and laborers actually engaged in the principal permitted uses are accessory uses and shall comply with all the provisions of the R-2 residential district.

**Sec. 8-61. - Housing of farm and exotic animals prohibited.**

- (a) *Prohibited.* No farm or exotic animal shall be housed, quartered, stabled, pastured, kept, or in any manner maintained within the city limits except temporarily during special events or as otherwise specifically approved by the city council. **The raising of livestock is permitted in the A-1 Agricultural District.** \*Option A

- (b) *Applicability.* The animals prohibited by this section include, but are not limited to, horses, ponies, mules, cows, sheep, goats, llamas, pigs (including potbellied pigs), chickens and roosters, geese, ducks, peacocks, ostriches, and any other farm or exotic animals. The animals prohibited by this section also include any animal, other than domestic dogs and cats, that in wild state are carnivorous or that, because of their nature or physical makeup, are capable of inflicting physical harm on human beings or property, including, but not limited to, animals that belong to the cat family, snakes (either poisonous or that otherwise present a risk of physical harm to human beings as a result of their nature or physical makeup, including constrictors), bears, wolves, wolverines, badgers, lions, tigers and any hybrids of the same. **The raising of livestock is permitted in the A-1 Agricultural District.** \*\*Option B

- (c) *Exception.* This section shall not apply to animals that are housed, quartered, stabled, pastured, kept, or in any manner maintained within the city limits as of the date of the adoption of the ordinance from which this section is derived by the city council; provided, however, that the exception granted herein shall terminate immediately upon the occurrence of any of the following:

- (1) Transfer of ownership of the real property, by sale or otherwise, of the property upon which the animal is housed;
- (2) Transfer of ownership of the animal that is subject to this exception, whether by sale or otherwise;



(3) Death of the animals existing on the date of the adoption of the ordinance from which this section is derived and subject to this exception; and

(4) Acquisition by the owner of an animal subject to this exception of one or more additional prohibited animals.

The application of this exception to a specific property due to preexisting use shall not be construed so as to authorize the acquisition of additional prohibited animals but shall permit continued use only until the property or animal is sold or the animal dies. Violation of this section shall result in immediate termination of the exception.

**Recommendation:** Discuss the proposed amendments.

*Shane Rolff*

\_\_\_\_\_  
Zoning Administrator/Building Inspector

*7/25/22*

\_\_\_\_\_  
Date