

PLAN COMMISSION MEETING

Monday, March 13, 2017 at 4:30 p.m.

Council Chambers in the Municipal Building

AGENDA:

- 1) Preliminary Review of Floodplain & Shoreline Ordinance (adding language)
- 2) Review PH Comments – Section 550-15, Definitions Amendments for Large-Scale & Small-Scale Alcoholic Beverage Production
- 3) Plan Commission Minutes – February 13, 2017

Review Chapter 532: Floodplain and Shoreland-Wetland Zoning, Recodification Changes

Background:

On October 4, 2016 the City of Watertown Common Council adopted the recodified General Code of the City of Watertown. However, during the recodification process, the City revisions in Chapter 532, Floodplain and Shoreland-Wetland Zoning, was not subject to the review (including DNR review), notice and hearing required by the DNR.

Issues:

The following issues have been identified by the City of Watertown Zoning Administrator:

1. Please review attached documents

Options:

These are the following options, but not limited to, for the Plan Commission based on the information received by the City of Watertown Zoning Administrator:

1. The Plan Commission needs to set a Public Hearing date before the Common Council
 - a. The Zoning Administrator recommends April 3, 2017

COMMUNITY CHECKLIST FOR FLOOD STORAGE FLOODPLAIN ORDINANCE REVIEW – All Sections

Community Name City of Watertown County Dodge/Jefferson State: Wisconsin Date 02/08/2017

Community Contact Jacob A. Meas Title Zoning Administrator Phone (920) 262-7041

Item Description / Ordinance Requirements	Model Section	Local Section	Local Page	Comments
Statutory Authority, Fact	1.1-2	532-1 + 532-2	1	
Purpose	1.3	532-3	1	
Title	1.4	532-4	2	
General Provisions	1.5	Article II	2	
- areas to be regulated	1.5(1)	532-6	2	
- official maps and revisions	1.5(2)	532-11	3	
- establishment of districts	1.5(3)	532-16C	7	
- locating floodplain boundaries	1.5(4)	532-16D	7	See attached Schedule A-19, Chpt. 532, bullet A
- removal of lands from floodplain	1.5(5)	532-16E	8	
- compliance	1.5(6)	532-5	2	
- agencies regulated	1.5(7)	532-6B	2	
- abrogation/greater restrictions	1.5(8)	532-7	2	
- interpretation	1.5(9)	532-8	3	
- warning and disclaimer of liability	1.5(10)	532-9	3	
- severability	1.5(11)	532-50	37	Was removed, will return to Ordinance
- annexed areas for cities and villages	1.5(12)	532-11	3	
General Standards – All Districts	2.0	532-16	7	
H & H Analysis	2.1	532-16F	8	
- obstruction/increase	2.1(1)	532-16F(1)	8	
- deny if increases by greater than .01 ft.	2.1(2)	532-16F(2)	8	
Watercourse Alterations	2.2	532-16G	8	
Chapter 30.31 Wis. Statutes.	2.3	532-16H	8	

<u>Item Description / Ordinance Requirements</u>	<u>Model Section</u>	<u>Local Section</u>	<u>Local Page</u>	<u>Comments</u>
Public or Private Campgrounds	2.4	532-16I	8	
Floodway District (FW)	3.0	532-17	9	
Applicability	3.1	532-17A	9	
Permitted Uses	3.2	532-17B	9	
Standards for Development (FW)	3.3	532-17C	10	
Prohibited Uses (FW)	3.4	532-17D	11	
Floodfringe District (FF)	4.0	532-18	11	
Applicability	4.1	532-18A	11	
Permitted Uses	4.2	532-18B	11	
Standards for Development (FF)	4.3	532-18C	11	
- Standards for Development (FF) (residential uses)	4.3(1)	532-18C(1)	12	
- Accessory Structures or Uses	4.3(2)	532-18C(2)	12	
- Standards for Development (FF) (commercial, manufacturing and industrial uses)	4.3(3)&(4)	532-18C(3) 532-18C(4)	12	
- Storage of Materials	4.3(5)	532-18C(5)	12	
- Public Utilities, Streets and Bridges	4.3(6)	532-18C(6)	12	
- Sewage Systems and Wells	4.3(7)&(8)	532-18C(7)	13	
- Solid Waste Disposal Sites	4.3(9)	532-18C(7)	13	
- Deposition of Materials	4.3(10)	532-18C(8)	13	
- Manufactured Homes	4.3(11)	532-18C(9)	13	
- Mobile Recreational Vehicles	4.3(12)	532-18C(9)	13	
Other Floodplain Districts	5.0	532-19	13	
General Floodplain District (GFD)	5.1	532-20	13	
- applicability	5.1(1)	532-20A	13	

<u>Item Description / Ordinance Requirements</u>	<u>Model Section</u>	<u>Local Section</u>	<u>Local Page</u>	<u>Comments</u>
- permitted uses	5.2(2)	532-20B	13	
- standards for development (GFD)	5.3(3)	532-20C	14	
- determining FW and FF limits	5.4(4)	532-20D	14	
Flood Storage Districts	5.2	532-21	14	
- applicability	5.2(1)	532-21B	14	
- permitted uses	5.2(2)	532-21C	14	
- standards for development (FSD)	5.3(3)	532-21D	14	
Nonconforming Uses	6.0	Article V	15	
General	6.1	532-23	15	
- applicability	6.1(1)	532-22	15	
- modifications and additions < 50%	6.1(2)(a)	532-25A	16	
- deck conditions	6.1(2)(a)	532-25A	16	
- discontinued use 12 for months	6.1(2)(b)	532-25J	17	Was Removed, will return to Ordinance
- recordkeeping	6.1(2)(c)	532-25B	16	
- modifications and additions > 50%	6.1(2)(d)	532-25C	16	
- maintenance > 50%	6.1(2)(e)	532-25D	16	
- modification/maintenance combined > 50%	6.1(2)(f)	532-25E	16	
- destroyed or damaged > 50%	6.1(2)(g)	532-25F	16	
- non-flood disasters	6.1(2)(h)	532-25G	16	
- historic structures	6.1(3)	532-25H	17	
Floodway areas	6.2	532-26	17	
- floodproofing modifications and additions	6.2(1)	532-26A	17	
- no sewage disposal	6.2(2)	532-26B	18	
- no wells	6.2(3)	532-26C	18	

<u>Item Description / Ordinance Requirements</u>	<u>Model Section</u>	<u>Local Section</u>	<u>Local Page</u>	<u>Comments</u>
Floodfringe areas	6.3	532-27	18	
- modifications and additions on fill	6.3(1)	532-27A	18	
- variance to 6.3(1)	6.3(2)	532-27B	18	
- sewage systems to SPS 383	6.3(3)	532-27C	18	
- wells to NR 811 and NR 812	6.3(4)	532-27D	18	
Flood Storage areas	6.4	532-28	18	
Administration	7.0	Article VI	18	
Zoning Administrator	7.1	532-30	19	
- ZA duties	7.1(1)	532-30	19	
- substantial damage assessment	7.1(1)(c)	532-30C	19	
- land use permits	7.1(2)	532-31	19	
- general information	7.1(2)(a)	532-31B(1)	20	
- site development plan	7.1(2)(b)	532-31B(2)	20	
- data for analysis to DNR	7.1(2)(c)	532-32	20	
- expiration	7.1(2)(d)	532-31C	20	
- certificate of compliance	7.1(3)	532-33	22	See attached Schedule A-19, Chpt. 532, bullet B
- other permits	7.1(4)	532-34	23	
Zoning Agency	7.2	532-36	23	See attached Schedule A-19, Chpt. 532, bullet C
Board of Adjustment/Appeals	7.3	532-37	23	
- powers and duties	7.3(1)	532-37A	24	
- appeals to the Board	7.3(2)	532-37B	24	
- boundary disputes to board	7.3(3)	532-37D	24	
- variance	7.3(4)	532-38	24	
To Review Appeals of Permit Denials	7.4	532-40	26	
- review appeals-data	7.4(1)	532-40A	26	
- review appeals—process	7.4(2)	532-40B	26	

<u>Item Description / Ordinance Requirements</u>	<u>Model Section</u>	<u>Local Section</u>	<u>Local Page</u>	<u>Comments</u>
- review appeals-increases	7.4(3)	532-40C	26	
Floodproofing	7.5	532-42	26	
- floodproofing-dry	7.5(1)	532-42A	26	
- floodproofing-wet	7.5(2)	532-42C	27	
- floodproofing-measures	7.5(3)	532-42B	26	
Public Information	7.6	532-41	26	
Amendments	8.0	Article VII	27	
General	8.1	532-44	27	
Procedures	8.2	532-45	28	See attached Schedule A-19, Chpt. 532, bullet C
Enforcement/Penalty	9.0	Article VIII	28	
Definitions	10.0	532-49	29	See attached Schedule A-19, Chpt. 532, bullet D

Schedule A-19

Any physical connection or arrangement between the municipal sewer system which contains wastewater or other processed water ~~from~~ and a private source such as a building, residence or other private property which has been used for any purpose.

*Chapter 532, Floodplain and Shoreland-Wetland Zoning.

- A. References to “land use permit” in § 532-16D and elsewhere in this chapter are revised to “building permit.”
- B. In § 532-33A(4) “registered land surveyor” is revised to “professional land surveyor.”
- C. In §§ 532-36B and 532-45F references to “zoning agency” (or board) are revised to “Plan Commission.”
- D. In § 532-49 the definition of “municipality or municipal” is amended to read: “The City of Watertown, Wisconsin.”

Chapter 545, Subdivision of Land.

- A. Section 545-5A(1) is amended to add: “and the State of Wisconsin in accordance with § 236.12, Wis. Stats.”
- B. In § 545-5A(6) 6 months is changed to 36 months.
- C. In § 545-6A(6) 30 days is changed to 60 days.
- D. Section 545-6A(8) is amended to read:

The final plat shall be recorded with the Dodge or Jefferson County Register of Deeds only after certificates of the Wisconsin Department of Administration, of the Common Council, of the surveyor, and those certificates required by § 236.21, Wis. Stats., are placed on the face of the plat. The developer shall record the final plat with the proper County Register of Deeds within 12 months after the date of the last approval of the plat and within 36 months after the first approval. All required fees shall be due and payable prior to the proper City officials' signing of the approved final plat. If the final plat is not recorded within this time period, or an extension is not approved by the Plan Commission, then a penalty payment of \$100 per calendar day shall accrue, beginning with the 31st day through the date of recording. The penalty payment shall be made to the City Clerk/Treasurer and must be paid in full prior to the issuance of building permits by the City within the platted area.

- E. Section 545-6A(10) is amended to add “or digital file.”
- F. Section 545-7A(3) is amended to change 45 days to 90 days.

AN ORDINANCE

TO ADOPT, AMEND AND RECREATE CHAPTER 532, FLOODPLAIN AND SHORELAND-WETLAND ZONING (FORMERLY CHAPTER 22, FLOODPLAIN AND SHORELAND-WETLAND ZONING, THROUGH THE CITY'S RECODIFICATION OF THE CITY OF WATERTOWN GENERAL CODE)

Sponsor: Mayor David
From: Plan Commission with Positive Recommendation

SECTION 1. Section Specific Amendments to Chapter 532, Floodplain and Shoreland-Wetland Zoning:

* * *

1. References to "land use permit" in § 532-16D and elsewhere in this chapter are revised to "building permit."
2. In § 532-33A(4) "registered land surveyor" is revised to "professional land surveyor."
3. In §§ 532-36B and 532-45F references to "zoning agency" (or board) are revised to "Plan Commission."
4. In §532-49 the definition of "municipality or municipal" is amended to read" "The City of Watertown, Wisconsin."
5. Section 545-37B is amended to change 12 inches to 8 inches.

* * *

SECTION 2. Recreate mandatory sections of Chapter 532, Floodplain and Shoreland-Wetland Zoning, deleted during the recodification process:

* * *

Discontinued Use for 12 Months (Section 532-25J)

- J. If a nonconforming use or the use of a nonconforming structure is discontinued for 12 consecutive months, it is no longer permitted and any future use of the property, and any structure or building thereon, shall conform to the applicable requirements of this ordinance;

532-50. Severability

Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

* * *

SECTION 3. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed

SECTION 4. This ordinance shall take effect and be in force the day after its passage and publication.

DATE:	04/04/2017		04/18/2017	
READING:	1ST		2ND	
	YES	NO	YES	NO
MCFARLAND				
SMITH				
BERG				
LARSEN				
ZGONC				
RAETHER				
TIETZ				
MARON				
ROMLEIN				
MAYOR DAVID				
TOTAL				

ADOPTED _____

CITY CLERK/TREASURER

APPROVED _____

MAYOR

Review Chapter 550: Subdivision of Land, Recodification Changes

Background:

As the current Zoning Ordinances are written, brewpubs, micro-breweries, micro-distilleries are deemed an Agricultural Services land use. Agricultural Services land uses are only permitted in Heavy Industrial and Rural Holding zoning districts. The proposed amendment to the Zoning Code allows for flexibility for brewpubs, micro-breweries and micro-distilleries outside of Heavy Industrial zoning districts

Issues:

The following issues have been identified by the City of Watertown Zoning Administrator:

1. Common Council Public Hearing
 - a. There were no comments made during the Public Hearing in regards to the recodification and amendment of Chapter 545: Subdivision of Land
2. Attached is the Ordinance that defines, creates & identifies appropriate Zoning Districts and Land Uses for Large-Scale & Small-Scale Alcoholic Beverage Production

Options:

These are the following options, but not limited to, for the Plan Commission based on the information received by the City of Watertown Zoning Administrator:

1. The Plan Commission can make a negative recommendation to the Ordinance Amendment.
 - a. The Ordinance would still go forward to the Common Council, but with the negative recommendation
2. The Plan Commission can make a positive recommendation to the Ordinance Amendment without changes.
 - a. The Ordinance would go forward to the Common Council, with a positive recommendation
3. The Plan Commission can make a positive recommendation to the Ordinance Amendment with changes.
 - a. The Ordinance would go forward to the Common Council, but with the identified changes and a positive recommendation



VANDEWALLE & ASSOCIATES INC.

To: Jacob Maas, City of Watertown
From: Mike Slavney and Jackie Mich, City Planning Consultants
CC: John David, Mayor; Jaynellen Holloway, City Engineer
Date: 20 January 2017
Re: Draft Text to Address Beverage Production Land Uses

RECOMMENDED APPROACH:

We recommend amending Article 1 to include definitions of “large-scale alcoholic beverage production” and “small-scale alcoholic beverage production.” Rather than creating new land uses, we recommend fitting these two definitions into existing land use categories. Specifically, large-scale alcoholic beverage production will be considered a type of Heavy Industrial land use, and small-scale alcoholic beverage production will be considered a type of Indoor Commercial Entertainment and Outdoor Commercial Entertainment land use.

Large-scale alcoholic beverage production:

- Includes beer production of 300,000 barrels or more per year
- Includes production of 25,000 gallons or more per year of all other beverages
- Regulated as a type of Heavy Industrial land use, which is permitted by right in the Heavy Industrial (HI) zoning district.
- Allows for tasting of products produced on-site and sale of related products

Small-scale alcoholic beverage production:

- Includes beer production of less than 300,000 barrels per year
- Includes production of less than 25,000 gallons per year of all other beverages
- Indoor facilities are regulated as a type of Indoor Commercial Entertainment land use, which is permitted by Conditional Use in the following zoning districts: Neighborhood Office (NO), Planned Office (PO), Neighborhood Business (NB), Planned Business (PB), General Business (GB), Central Business (CB), and Planned Industrial (PI)
- Outdoor facilities are regulated as a type of Outdoor Commercial Entertainment land use, which is permitted by Conditional Use in the following zoning districts: General Business (GB) and Central Business (CB)
- Allows for tasting of products produced on-site and sale of related products

PROPOSED CHANGES TO ZONING TEXT:

1. Add the following definitions to Article I:

Large-scale alcoholic beverage production: a large-scale facility devoted primarily to production of fermented malt beverages at or above 300,000 barrels per calendar year (or as established by Wis. Stats. 125.29), or the production of wine, distilled spirits, or any other alcoholic beverage at or above 25,000 gallons per calendar year. Such facilities may include indoor or outdoor tasting or sampling facilities for products produced on-site and sale of other products directly related to on-site activities.

Small-scale alcoholic beverage production: a small-scale facility devoted primarily to production of fermented malt beverages at a level of less than 300,000 barrels per calendar year, or the production of less than 25,000 gallons of wine, distilled spirits, or any other alcoholic beverage per calendar year. Such facilities may include tasting or sampling facilities for products produced on-site and sale of other products directly related to on-site activities.

2. Add “large-scale alcoholic beverage production” to the list of example land uses under Heavy Industrial land use in Section 550-55(B):

B. Heavy industrial land use. Description: Heavy industrial land uses are industrial facilities which do not comply with one or more of the following criteria: are conducted entirely within an enclosed building; are not potentially associated with nuisances such as odor, noise, heat, vibration and radiation which are detectable at the property line; and do not pose a significant safety hazard (such as danger of explosion). More specifically, heavy industrial land uses are industrial land uses which may be wholly or partially located outside of an enclosed building; may have the potential to create certain nuisances which are detectable at the property line; and may involve materials which pose a significant safety hazard. However, in no instance shall a heavy industrial land use exceed the performance standards listed in Article XI. Examples of heavy industrial land uses include meat product producers; large-scale alcoholic beverage production, alcohol beverage producers; paper, pulp or paperboard producers; chemical and allied product producers (except drug producers) including poison or fertilizer producers; petroleum and coal product producers; asphalt, concrete or cement producers; tanneries; stone, clay or glass product producers; primary metal producers; heavy machinery producers; electrical distribution equipment producers; electrical industrial apparatus producers; transportation vehicle producers; commercial sanitary sewage treatment plants; railroad switching yards; and recycling facilities not involving the on-site storage of salvage materials.

(1) Regulations.

(a) Facility shall provide a bufferyard with a minimum opacity of 1.00 along all borders of the property abutting properties which are not zoned heavy industrial (see § 550-99).

(b) All outdoor activity areas shall be located a minimum of 100 feet from residentially zoned property. No materials shall be stacked or otherwise stored so as to be visible over bufferyard screening elements.

(2) Parking requirements. One space per each employee on the largest work shift.

3. Add “small-scale alcoholic beverage production” to the list of example land uses under Indoor Commercial Entertainment land use and Outdoor Commercial Entertainment land uses in Sections 550-52(H) and (I):

C. **Indoor commercial entertainment.** Description: Indoor commercial entertainment land uses include all land uses which provide entertainment services entirely within an enclosed building. Such activities often have operating hours which extend significantly later than most other commercial land uses. Examples of such land uses include restaurants, taverns, theaters, health or fitness centers, all forms of training studios (dance, art, martial arts, etc.), [small-scale alcoholic beverage production](#), bowling alleys, arcades, roller rinks, and pool halls.

(1) Regulations:

- (a) If located on the same side of the building as abutting residentially zoned property, no customer entrance of any kind shall be permitted within 150 feet, or as far as possible, of a residentially zoned property.
- (b) Facility shall provide bufferyard with minimum opacity of 0.60 along all borders of the property abutting residentially zoned property (see § 550-99).

(2) Parking requirements. One space per every three patron seats or lockers (whichever is greater) or one space per three persons at the maximum capacity of the establishment (whichever is greater).

D. **Outdoor commercial entertainment.** Description: Outdoor commercial entertainment land uses include all land uses which provide entertainment services partially or wholly outside of an enclosed building. Such activities often have the potential to be associated with nuisances related to noise, lighting, dust, trash and late operating hours. Examples of such land uses include outdoor commercial swimming pools, driving ranges, miniature golf facilities, [small-scale alcoholic beverage production](#), amusement parks, drive-in theaters, go-cart tracks, and racetracks.

(1) Regulations:

- (a) Activity areas shall not be located closer than 300 feet to a residentially zoned property.
- (b) Facility shall provide bufferyard with minimum opacity of 0.80 along all borders of the property abutting residentially zoned property (see § 550-99).
- (c) Activity areas (including drive-in movie screens) shall not be visible from any residentially zoned property.

(2) Parking requirements. One space for every three persons at the maximum capacity of the establishment.

This approach accommodates a wide variety of uses that may arise, including breweries, liquor distilleries, wineries, cider production, or mead production. We do not recommend allowing artisan coffee roasters (at any scale) outside of industrial zoning districts. Experience is showing that neighborhoods tend to object to odors associated with these uses.

AN ORDINANCE

TO ADOPT & AMEND CHAPTER 550, ZONING, THROUGH DEFINING, CREATING & IDENTIFYING APPROPRIATE ZONING DISTRICTS AND LAND USES FOR LARGE-SCALE & SMALL-SCALE ALCOHOLIC BEVERAGE PRODUCTION

Sponsor: Mayor David
From: Plan Commission with Positive Recommendation

SECTION 1. Add the following definitions to Section 550-15:

* * *

Large-scale alcoholic beverage production: a large-scale facility devoted primarily to production of fermented malt beverages at or above 300,000 barrels per calendar year (or as established by Wis. Stats. 125.29), or the production of wine, distilled spirits, or any other alcoholic beverage at or above 25,000 gallons per calendar year. Such facilities may include indoor or outdoor tasting or sampling facilities for products produced on-site and sale of other products directly related to on-site activities.

Small-scale alcoholic beverage production: a small-scale facility devoted primarily to production of fermented malt beverages at a level of less than 300,000 barrels per calendar year, or the production of less than 25,000 gallons of wine, distilled spirits, or any other alcoholic beverage per calendar year. Such facilities may include tasting or sampling facilities for products produced on-site and sale of other products directly related to on-site activities.

* * *

SECTION 2. Add “large-scale alcoholic beverage production” to the list of example land uses under Heavy Industrial land use in Section 550-55(B):

* * *

B. Heavy industrial land use. Description: Heavy industrial land uses are industrial facilities which do not comply with one or more of the following criteria: are conducted entirely within an enclosed building; are not potentially associated with nuisances such as odor, noise, heat, vibration and radiation which are detectable at the property line; and do not pose a significant safety hazard (such as danger of explosion). More specifically, heavy industrial land uses are industrial land uses which may be wholly or partially located outside of an enclosed building; may have the potential to create certain nuisances which are detectable at the property line; and may involve materials which pose a significant safety hazard. However, in no instance shall a heavy industrial land use exceed the performance standards listed in Article XI. Examples of heavy industrial land uses include meat product producers; large-scale alcoholic beverage production, ~~alcohol beverage producers~~; paper, pulp or paperboard producers; chemical and allied product producers (except drug producers) including poison or fertilizer producers; petroleum and coal product producers; asphalt, concrete or cement producers; tanneries; stone, clay or glass product producers; primary metal producers; heavy machinery producers; electrical distribution equipment producers; electrical industrial apparatus producers; transportation vehicle producers; commercial sanitary sewage treatment plants; railroad switching yards; and recycling facilities not involving the on-site storage of salvage materials.

(1) Regulations.

(a) Facility shall provide a bufferyard with a minimum opacity of 1.00 along all borders of the property abutting properties which are not zoned heavy industrial (see § 550-99).

(b) All outdoor activity areas shall be located a minimum of 100 feet from residentially zoned property. No materials shall be stacked or otherwise stored so as to be visible over bufferyard screening elements.

(2) Parking requirements. One space per each employee on the largest work shift.

* * *

SECTION 3. Add “small-scale alcoholic beverage production” to the list of example land uses under Indoor Commercial Entertainment land use and Outdoor Commercial Entertainment land uses in Sections 550-52(H) and (I):

C. Indoor commercial entertainment. Description: Indoor commercial entertainment land uses include all land uses which provide entertainment services entirely within an enclosed building. Such activities often have operating hours which extend significantly later than most other commercial land uses. Examples of such land uses include restaurants, taverns, theaters, health or fitness centers, all forms of training studios (dance, art, martial arts, etc.), [small-scale alcoholic beverage production](#), bowling alleys, arcades, roller rinks, and pool halls.

(1) Regulations:

(a) If located on the same side of the building as abutting residentially zoned property, no customer entrance of any kind shall be permitted within 150 feet, or as far as possible, of a residentially zoned property.

(b) Facility shall provide bufferyard with minimum opacity of 0.60 along all borders of the property abutting residentially zoned property (see § 550-99).

(2) Parking requirements. One space per every three patron seats or lockers (whichever is greater) or one space per three persons at the maximum capacity of the establishment (whichever is greater).

D. Outdoor commercial entertainment. Description: Outdoor commercial entertainment land uses include all land uses which provide entertainment services partially or wholly outside of an enclosed building. Such activities often have the potential to be associated with nuisances related to noise, lighting, dust, trash and late operating hours. Examples of such land uses include outdoor commercial swimming pools, driving ranges, miniature golf facilities, [small-scale alcoholic beverage production](#), amusement parks, drive-in theaters, go-cart tracks, and racetracks.

(1) Regulations:

(a) Activity areas shall not be located closer than 300 feet to a residentially zoned property.

(b) Facility shall provide bufferyard with minimum opacity of 0.80 along all borders of the property abutting residentially zoned property (see § 550-99).

(c) Activity areas (including drive-in movie screens) shall not be visible from any residentially zoned property.

(2) *Parking requirements. One space for every three persons at the maximum capacity of the establishment.*

SECTION 4. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed

SECTION 5. This ordinance shall take effect and be in force the day after its passage and publication.

DATE:	03/21/2017		04/03/2017	
READING:	1ST		2ND	
	YES	NO	YES	NO
MCFARLAND				
SMITH				
BERG				
LARSEN				
ZGONC				
RAETHER				
TIETZ				
MARON				
ROMLEIN				
MAYOR DAVID				
TOTAL				

ADOPTED _____

CITY CLERK/TREASURER

APPROVED _____

MAYOR

Plan Commission Minutes
Monday, February 13th, 2017

The Plan Commission met on the above date at 4:30pm in Council Chambers of Municipal Building with the following members present: John David, Ken Berg, Rick Tortomasi and Jaynellen Holloway, along w/ Zoning Administrator Jacob Maas, City Planner Mike Slavney & Rodney Johnson.

1: County Rd E—Rodney Johnson—CSM: Mayor David asked Jacob Maas to give a summary of the request by Rodney Johnson for a Preliminary CSM on a newly created parcel on Highway E in the Town of Watertown. It would be a new 6 acre lot from a 40.82 acre “parent” parcel, which Mr. Johnson plans to build a house on, if the Township, Jefferson County & our City give approval for. It was noted there are no pre-existing structures on the proposed lot. However, Jacob stated that the 120’ Right of Way, which is indicated on the Preliminary CSM, must be retained on the Final CSM, due to County Rd E being identified on our 2009 Comprehensive Plan for an expanded Right of Way, Secondly, our City’s Airport Approach Protection Zone limits development on this proposed lot to 968’ above mean sea level, since it is w/in the flight path of planes visiting this Airport. John David moved to approve the proposed SCM for a lot owned by Mr. Johnson on Highway E, with the two conditions outlined by our Zoning Administrator, seconded by Jaynellen Holloway and approved unanimously.

2: Preliminary Review: Amendment of Chapter 550, Zoning Code, Alcoholic Beverage Production: Jacob Maas reported that under current City Code, brew pubs, micro-breweries & micro-distilleries are defined as Agricultural Services land uses, and as such are only permitted in Heavy Industrial & Rural Holding zoning Districts. This proposed Amendment to Chapter 550 would separate large scale alcoholic beverage production establishments & allow their existence in Heavy Industrial land use zoning districts while small scale alcoholic beverage production would be allowed to operate and exist in Indoor Commercial Entertainment & Outdoor Commercial Entertainment zoning districts. Both Large scale & small scale alcoholic beverage production are Defined, based on the volume of beer production per year. The next step is to take our Zoning Administrator’s proposed Amendment to Chapter 550 & set a Public Hearing in front of our Council for a future date following public notice requirements. John David then moved to set up a Public Hearing for March 7th 2017 to solicit any and all public comment on the merits of proposed Amendments to Chapter 550, seconded by Rick Tortomasi and approved unanimously.

3: Revisited: Preliminary Review of Amendment to Chapter 545, Subdivision Code, Parkland Dedication & Improvement Fees: Jacob provided an update stating that last year our Plan Commission approved revisions to Chapter 545 that were recommended by our City Attorney to remain compliant with Wisconsin Act 44. However, it became known during the fall of last year when we were re-codifying portions of our City Code, that sections of Chapter 545 were inadvertently removed. This proposed Amendment to Chapter 545, in ordinance form, re-submits the compliant portions of Chapter 545 with the deleted sections that were taken out. However, Mayor David expressed concerns about portions of the proposed Ordinance creating new fees for travel & worktime reimbursement to city employees, along with the creation of a predevelopment surety type of fee on a per acre of development basis. He felt these charges, if enacted into our City Code, would make our City unattractive comparatively with other communities competing for residential development.

Therefore, John David moved to send this proposed Ordinance amending Chapter 545 back to Engineering & Building Inspection for further review, seconded by Rick Tortomasi and approved unanimously

4: Plan Commission Minutes—January 23rd, 2017: Motion made by John David to approve Plan Commission minutes for January 23, 2017 as written, which was seconded by Jaynellen Holloway & approved unanimously.

There being no further business to come before the Commission, a motion to adjourn at 4:46pm was made by Jaynellen Holloway and seconded by Rick Tortomasi. So ordered.

Respectfully Submitted, Ken Berg Alderperson