



**NEENAH PLAN COMMISSION**

**Tuesday, February 26, 2019**

**4:15 P.M.**

**HAUSER ROOM, City Administration Building**

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1. Approval of Minutes: February 12, 2019
2. Public Appearances (Ten minutes divided among those wishing to speak on topics pertinent to the Plan Commission)
3. Public Hearings:
  - a. Zoning Code Updates (Misc. Updates)
4. Action Items:
  - a. Zoning Code Updates (Misc. Updates) - (Ord. No. 2019-08)
5. Announcements and future agenda items:
  - a. Next Meeting: March 12, 2019

**Neenah City Hall is accessible to the physically disadvantaged.  
If special accommodations are needed please contact the  
Department of Community Development Office  
at 886-6125 at least 24 hours in advance of the meeting.**

**MINUTES OF THE NEENAH PLAN COMMISSION**  
**Tuesday, February 12, 2019**  
**4:15 p.m.**

**Present:**

Mayor Dean Kaufert, Chairman	PRESENT	Gerry Kaiser, Director of Public Works	PRESENT	Nick Piergrossi, Vice Chairman	ABSENT
Kate Hancock-Cooke	PRESENT	Ald. Christopher Kunz	PRESENT	Karen Genett	ABSENT
Gerry Andrews	PRESENT	Ald. Jane Lang	PRESENT		

**Also present:**

Brad Schmidt – Deputy Director of Community Development	Cassandra Kohls, Administrative Assistant Community Development	Rich Van Sistine – 1430 Freedom Ct
Chris Haese – Director of Community Development	Corey Kalkofen – McMahon Associates, Inc. – 1445 McMahon Drive	

**Minutes:**

**MSC Hancock-Cooke/Kaiser to approve the January 29, 2019 meeting minutes. All Aye. Motion passed.**

Ald. Lang called the meeting to order at 4:15 p.m.

**Public Appearances:** None

**Public Hearings:** None

**Action Items:**

**1. Annexation – Loren’s Auto Recycling – Town of Neenah (#212 – Ord. No. 2019-04)**

Deputy Director Schmidt provided an overview of the latest petition submitted by Loren Rangeloff, owner of Loren’s Auto Recycling, LLC. He explained the initial petition submitted by Mr. Rangeloff was approved by Plan Commission but was withdrawn due to a misinterpretation of the State Statues. Mr. Rangeloff submitted a new annexation petition for direct annexation by one-half approval as the railroad did not want to sign the annexation petition as it was originally proposed. The new annexation area is approximately 19 acres (reduced from 30 acres) as it no longer includes the railroad right-of-way extending south of Mr. Rangeloff’s property to County Road G.

Member Hancock-Cooke asked for a definition of annexation by one-half approval. Deputy Director Schmidt explained Mr. Rangeloff’s property represents a land area greater than 50 percent of the total annexation area, allowing for an annexation by one-half approval.

Ald. Kunz raised a question on how the annexation area is calculated. Deputy Director Schmidt explained a portion of the annexation area identified as highway right-of-way is not considered in the total amount of annexation land area.

**MSC Andrews/Kaiser, Plan Commission recommends Council approve Annexation #212 (Ordinance #2019-04) and the property also receive a temporary I-1, Planned Business Center District zoning classification.**

**All Aye.**

**2. Preliminary Plat Review – Integrity Acres Subdivision**

Deputy Director Schmidt explained a preliminary plat for Integrity Acres Subdivision (Phase I) has been submitted by McMahon Associates, Inc. The proposed plat is 7.5 acres of undeveloped land. The plat includes 10 single-family residential lots and one outlot designed for a storm water retention pond to support this subdivision and future Phase 2 development. A new unnamed road is proposed to extend through the subdivision (off of Woodenshoe Road) and continue west when the next phase of the subdivision is developed. A concept plan for Phase 2 is to come in the future. The proposed lots exceed the minimum lot size for single-family residential and are deeper than typical. A stream runs along the south portion of lots 7-10, resulting in a deeper setback. Deputy Director Schmidt displayed a concept of Phase 2 for Plan Commission.

Deputy Director Schmidt explained Staff’s requirements:

1. Create turnaround feature at the end of the proposed road
2. Include street name on the final plat
3. Install sidewalk on both sides of the street
4. Produce development agreement outlining the fees and responsibilities between the City and the developer
5. Upsize water main to 16-inches to accommodate future growth
6. Increase depth of stormwater pond to 10 feet

**Ord. No. 2019-04**

Ald. Kunz inquired about the development on the east side of Woodenshoe Road. Deputy Director Schmidt explained this area was one lot which was subdivided into 3 lots. The developer installed water and sewer to service these lots as they are planned for development.

Ald. Kunz asked if the connectivity of the roads running east and west will pose any issues. Director Kaiser stated this did not raise concern. Ald. Kunz expressed drainage concerns along the back lot lines. Deputy Director Schmidt explained there is a catch basin and a drainage easement on the north end of the development to prohibit the issuance of building permits within the easement area.

Director Kaiser indicated the grading changes from the rear of the lots to the front of the lots. In the event that the grade is modified in a way that doesn't adhere to the drainage plan, Staff has the ability to show the owner the plan and explain what it should look like.

Ald. Kunz inquired about spreading awareness of the limitation of walk-out basements on Lots 7-10. Director Kaiser indicated he has seen issues where walk-out basements were built without keeping in mind drainage situations. Liberty Heights has identified lots which shouldn't have walkout basements.

Deputy Director Schmidt offered that the building inspection software has the capability to flag parcels that have restrictions as part of their plat. This allows staff to enforce those restrictions.

Member Andrews provided an example of a community, City of De Pere, which has similar drainage issues. He stated the City of De Pere requires the installation of a drainage area prior to the construction which cannot be altered.

Deputy Director Schmidt indicated the developer intends to build on all of the lots.

Corey Kalkofen (McMahon Associates, Inc.) asked when the submittal of the final plat should occur. Deputy Director Schmidt indicated the engineering plan would need to be updated and reviewed by Staff before the submittal of the final plat.

Mayor Kaufert asked if the developer was in agreement with the modifications. Mr. Kalkofen agreed with the modifications and explained the grade elevation was determined based off of the State requirement that all new structures in the floodplain have the first floor elevated to 2-feet above the base flood elevation. He indicated he has no issues with the requirement for walk-out basements.

Rich Van Sistine (1430 Freedom Ct.) complimented the Public Works department for marking all of the lot corners which he stated as a huge benefit to developers.

Member Hancock-Cooke inquired about accuracy of floodplain maps due to recent flooding. Director Kaiser indicated FEMA takes a relatively conservative approach. He indicated recent flooding was most likely a result of system limitations and obstructions.

Discussion arose about how to handle basement restrictions due to drainage concerns. Deputy Director Schmidt stated easements are easier to enforce. Ald. Kunz stated most drainage issues occur between neighbors and suggested the development of a more robust plan to handle these issues.

Ald. Kunz inquired whether the oversized water main would raise concern with the Town of Vinland. Deputy Director Schmidt indicated Staff has made the city's intentions clear and explained the larger plan with the Town. The city is working toward a boundary agreement and would like to maintain a relationship with the Town.

**MSC Kaufert/Andrews, Plan Commission recommends Common Council approve Preliminary Plat of the Integrity Acres Subdivision subject to the Preliminary Plat Review letter.**

All Aye.

**Announcements and future agenda items:**

Deputy Director Schmidt provided Plan Commission with an overview of the status of site plans reviewed from 2015-2018. He explained 54 total site plan were reviewed: 30 have been completed, 15 are in progress, 4 have withdrawn, and 5 have not started. He explain the various reasons why some projects have withdrawn or have not been completed.

Deputy Director Schmidt will provide Plan Commission with an overview of proposed Zoning Code changes including proposal that shift certain uses such as auto sales/repair, truck service/rental, and gas stations to a special use, eliminate certain uses from the C-1 District such as mini-warehouses and produce terminals, and finally review/change some definitions at the next meeting.

REPORT

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Next Plan Commission meeting is scheduled for February 26, 2019.

**Adjournment: The Commission adjourned its meeting at 4:55 P.M. MSC Kaiser/Andrews. All Aye.**

Respectfully Submitted,

A handwritten signature in blue ink that reads "Cassandra Kohls". The signature is written in a cursive, flowing style.

Cassandra Kohls  
Administrative Assistant, Community Development



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## M E M O R A N D U M

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**DATE:** February 22, 2019  
**TO:** Mayor Kaufert and Plan Commission  
**FROM:** Brad Schmidt, AICP, Deputy Director of Community Development  
**RE:** Zoning Code Amendment – Miscellaneous Changes (**Ordinance 2019-09**)

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### Summary

The Community Development Department periodically proposes amendments to the City's Zoning Ordinance. These changes may be a result of gaps in certain land use regulations, missing regulations, or a need to clarify a regulation. The Department's practice has been to introduce mass "clean-up" changes once every several years. This proposed "clean-up" proposes to add and modify several definitions, reclassify district permitted uses as special uses and modify the special use standards, clarify accessory structure height, clarify average setback language, and clean-up other miscellaneous errors.

### Definition Changes

- **Block (New Definition)**
- **Boardinghouse (Modified Definition)**
- **Church (Deleted and renamed Religious Institution)**
- **Electric Substation (New Definition)**
- **Mobile Service Facility (New Definition)**
- **Self-Storage Facility (New Definition)**
- **Telecommunication Tower (New Definition)**

### District Changes

#### **R-1, Single-Family Residence District**

- Removed "Utility Substation" as a permitted use and changed to a Special Use
- Modified Special Uses to include "Telecommunication Tower"
- Removed "Single-Family Attached dwellings" as a Special Use
- Modified front yard setback average setback language

#### **R-2, Two-Family Residence District**

- Removed "Utility Substation" as a permitted use and changed to a Special Use
- Modified Special Uses to include "Telecommunication Tower"
- Modified front yard setback average setback language
- Clarified garage language to limit total area of all garages to a maximum of 816 square feet
- Clarified accessory building language to limit total area of all accessory buildings to a maximum of 200 square feet
- Corrected an error which listed the title as "R-2 Single-Family District Standards"
- Modified front yard setback average setback language

**M-1, Multi-Family Residence District**

- Removed “Utility Substation” as a permitted use and changed to a Special Use
- Modified Special Uses to include “Telecommunication Tower”
- Modified front yard setback average setback language
- Clarified side and rear setback when adjacent to single-family district

**M-2, Multi-Family Residence District**

- Removed “Utility Substation” as a permitted use and changed to a Special Use
- Modified Special Uses to include “Telecommunication Tower”
- Modified front yard setback average setback language
- Clarified side and rear setback when adjacent to single-family district

**C-1, General Commercial District**

- Removed the permitted uses and placed the uses under the permitted uses requiring site plan approval section.
- Removed/Modified the following Permitted Uses:
  - Removed all permitted uses in M-2 District with the exception of multi-family residences with 3 or more units.
  - Automotive and truck rentals, sales, service and auto body repair – changed to a Special Use
  - Boat, camper and travel trailer sales/rentals– changed to a Special Use
  - Gasoline stations– changed to a Special Use
  - Recreational vehicle sales/rentals– changed to a Special Use
  - Video arcades – Deleted use
  - Communications radio, microwave or television towers – changed to a Special Use
  - Utility substation or tower– changed to a Special Use
  - Banks and financial institutions - modified to exclude drive-in facilities as a permitted use
  - Restaurants – modified to exclude drive-in restaurants as a permitted use
- Added/Deleted the following Special Uses:
  - Automotive and truck rentals, sales, service and auto body - Added
  - Bank and financial institution (Drive-in) - Added
  - Boat, camper and travel trailer sales/rentals - Added
  - Communication radios, telecommunication towers, microwave or television towers - Added
  - Gasoline Stations - Added
  - Produce terminal, wholesale - Deleted
  - Recreational vehicle sales/service - Added
  - Restaurant (Drive-In) - Added
  - Self-storage facilities (mini-warehouses) - Deleted
  - Electric Substation – Added
- Clarified standards for residential development

**C-2, Central Business District**

- Clarified the need for site plan approval for all permitted uses
- Modified Permitted Uses – Currently lists all permitted uses in the C-1 District with the exception of single-family and two-family residences as permitted uses.
- Add/Delete Special Uses as follows:
  - Produce Terminal Wholesale – Deleted
  - Public Parks – Added
  - Telecommunication Tower – Added
  - Religious Institution – Added
  - Schools (Public/Private) – Added
  - Warehousing – Deleted

**I-1, Planned Business Center District**

- Restricted mini-warehouses and self-storage facilities as permitted uses
- Added Electric Substations and Telecommunication Towers as Special Uses
- Restricts Outdoor storage of items not associated with business and requires screening of other business-related outdoor storage

**I-2, General Industrial District**

- Added Electric Substations as a Permitted Use
- Restricted mini-warehouses and self-storage facilities as permitted uses
- Added Produce Terminal Wholesale and Self-Storage (mini-warehouse facilities) as Special Uses

**Accessory Structures (Detached Garages)**

- Clarified wall height and overall height of accessory buildings (sheds)
- Added language limiting the size of dormers on accessory buildings and detached garages

**Special Use Standards**

Special Use	Minimum Lot Size	Minimum Yard (FT)	Distance from R-1 District, Churches, Schools or Community Facilities	Fencing	Landscape Standards	Off-Street Parking	Site Plan Review	Plan Commission Approval of Outdoor Signage and Lighting
<b><u>Automobile and truck rentals, sales, service and auto body</u></b>	<b><u>0.5 Acres</u></b>	<b><u>#</u></b>	<b><u>N/A</u></b>	<b><u>#</u></b>	<b><u>C-1</u></b>	<b><u>#</u></b>	<b><u>Yes</u></b>	<b><u>Yes</u></b>
<b><u>Automotive and truck washes</u></b>	<b><u>0.5 Acres</u></b>	<b><u>#</u></b>	<b><u>N/A</u></b>	<b><u>#</u></b>	<b><u>C-1</u></b>	<b><u>#</u></b>	<b><u>Yes</u></b>	<b><u>Yes</u></b>

<b><u>Boat, camper and travel trailer sales</u></b>	<b><u>1 Acre</u></b>	<b><u>#</u></b>	<b><u>N/A</u></b>	<b><u>#</u></b>	<b><u>C-1</u></b>	<b><u>#</u></b>	<b><u>Yes</u></b>	<b><u>Yes</u></b>
Cement, lime or gypsum, etc.	#	F-100 <b><u>S-100</u></b> <b><u>R-100</u></b>	<del>S-100</del> <b><u>300 Feet</u></b>	<b><u>N/A</u></b>	<b><u>I-2</u></b>	<b><u>1 per employee</u></b>	<b><u>Yes</u></b>	<b><u>No</u></b>
R-100	300-feet	N/A	I-2	1 per employee	Yes	No		
Church	25,000 sq. ft.	#	N/A	N/A	G-1	#	Yes	Yes
Clinics or medical office with 40 or more parking stalls	#	#	N/A	N/A	G-1	#	Yes	Yes
<b><u>Commercial greenhouse</u></b>	<b><u>#</u></b>	<b><u>#</u></b>	<b><u>N/A</u></b>	<b><u>Yes</u></b>	<b><u>C-1</u></b>	<b><u>#</u></b>	<b><u>Yes</u></b>	<b><u>Yes</u></b>
Gasoline Station	<b><u>#0.5 Acres</u></b>	#	N/A	N/A	C-1	#	Yes	Yes
Public utility structure <b><u>/Electric Substation</u></b>	N/A	#	N/A	N/A	N/A	N/A	Yes	N/A
<b><u>Recreational Vehicle Sales/Service</u></b>	<b><u>1 Acre</u></b>	<b><u>#</u></b>	<b><u>N/A</u></b>	<b><u>#</u></b>	<b><u>C-1</u></b>	<b><u>#</u></b>	<b><u>Yes</u></b>	<b><u>Yes</u></b>
<b><u>Religious Institution</u></b>	<b><u>25,000 sq. ft.</u></b>	<b><u>#</u></b>	<b><u>N/A</u></b>	<b><u>N/A</u></b>	<b><u>C-1</u></b>	<b><u>#</u></b>	<b><u>Yes</u></b>	<b><u>Yes</u></b>

**Recommendation**

Appropriate action at this time is for Plan Commission to recommend Common Council approve Ordinance No. 2019-09, amending Chapter 26 of the Code of Ordinances relating to miscellaneous corrections, additions/deletions, and modifications.





211 Walnut Street  
Neenah, WI 54956

AN ORDINANCE: By the Neenah Plan Commission  
Re: Amending Neenah Code §26-3, 26-149, 26-150, 26-152, 26-175, 26-176, 26-177, 26-178, 26-196, 26-197, 26-199, 26-217, 26-218, 26-220, 26-234, 26-235, 26-236, 26-237, 26-238, 26-271, 26-272, 26-300, 26-301, 26-303, 26-326, 26-327, 26-329, 26-466, and 26-656.

ORDINANCE NO. 2019-08  
Introduced: \_\_\_\_\_  
Committee/Commission Action: \_\_\_\_\_

**AN ORDINANCE**

The Common Council of the City of Neenah, Wisconsin, do ordain as follows:

**Section 1.** Section 26-3 of the Code of Ordinances of the City of Neenah is amended by adding the highlighted language and eliminating the stricken language to read as follows:

Block means the property abutting one side of a street lying between the two nearest intersecting streets (crossing or terminating) or between the nearest such street and railroad right-of-way, unsubdividable acreage, lake, river, or live stream, or between any of the foregoing and any other physical barrier to the continuity of development, or corporate boundary line of the municipality.

Boardinghouse means boarding or dwelling unit other than a motel, hotel, tourist house, or bed and breakfast inn, where, for compensation and by prearrangement, lodging is provided with or without meals for three or more persons.

~~Church means a building, together with its necessary buildings and uses, where persons regularly assemble for religious worship and which buildings, together with its accessory buildings and uses, is maintained and controlled by a religious body organized to sustain public worship.~~

Electric Substation means an assemblage of equipment for purposes other than generation or utilization, through which electric energy in bulk is passed for the purpose of switching or modifying its characteristics to meet the needs of the general public; provided that in residence districts an electric substation shall not include rotating equipment, storage of materials, trucks or repair facilities, housing or repair crews, or office or place of business.

Mobile Service Facility means the set of equipment and network components, including antennas, transmitters, receivers, base stations, power supplies, cabling, and associated equipment, that is necessary to provide mobile service to a discrete geographic area, but does not include the underlying support structure.

*Office uses* means those commercial activities that take place in office buildings, where goods are not produced, sold, or repaired. These include: banks, general offices, professional offices, governmental office, insurance office, real estate office, travel agency or transportation ticket office, ~~telephone exchange~~, utility office, radio broadcasting and similar uses.

*Religious Institution* means a building, together with its necessary buildings and uses, where persons regularly assemble for religious worship and which buildings, together with its accessory buildings and uses, is maintained and controlled by a religious body organized to sustain public worship.

*Self-Storage Facility* means a building or a group of buildings consisting of individual, self-contained units leased to individuals, organizations, or businesses for self-service storage of personal items.

*Telecommunication Tower* means an existing or new structure that supports or can support a mobile service facility, including a mobile service support structure, utility pole, water tower, building, or other structure (as per Wis. §66.0404).

**Section 2.** Section 26-149 of the Code of Ordinances is created to read as follows:

The following permitted uses requiring site plan approval are allowed in the R-1 Single-Family Residence District:

- ~~(1) Utility substation.~~
- ~~(2)~~**(1)** Communications Antenna.

**Section 3.** Section 26-150 of the Code of Ordinances is created to read as follows:

- (1) All commercial and public radio, communication and telecommunication towers, microwave and television towers; and all private radio and television towers exceeding 50 feet in height.
- (5) ~~Church~~ **Religious Institution**.
- ~~(14) Single family attached dwelling.~~
- ~~(14) Electric Substation~~

**Section 4.** Section 26-152 of the Code of Ordinances is created to read as follows:

- (1) Minimum front yard setback, 25 feet or the average setback for a principal dwelling or use along the block. Structures shall be placed within plus or minus 5 feet of the average setback

**Section 5.** Section 26-175 of the Code of Ordinances is created to read as follows:

The following permitted uses requiring site plan approval are allowed in the R-2 Single Two-Family Residence District:

- (1) ~~Utility substation.~~
- (2)(1) Communications Antenna.

**Section 6.** Section 26-176 of the Code of Ordinances is created to read as follows:

- (1) All commercial and public radio, communication and telecommunication towers, microwave and television towers; and all private radio and television towers exceeding 50 feet in height.
- (5) Church Religious Institution.
- (14) Electric Substation

**Section 7.** Section 26-177 of the Code of Ordinances is created to read as follows:

The following garages, accessory buildings and uses are allowed in the R-1 Single-family Residence District:

- (1) One private garage per dwelling unit; total area of all garages not to exceed 816 square feet in gross area.
- (2) One accessory building per dwelling unit; total area of all accessory buildings not to exceed 200 square feet in gross area.

**Section 8.** Section 26-177 of the Code of Ordinances is created to read as follows:

Standards for the R-2 ~~Single~~Two-Family Residence District are as follows:

- (1) Minimum front yard setback, 25 feet or the average setback for a principal dwelling or use along the block. Structures shall be placed within plus or minus 5 feet of the average setback.

**Section 9.** Section 26-196 of the Code of Ordinances is created to read as follows:

The following permitted uses requiring site plan approval are allowed in the M-1 Multifamily Residence District:

- (1) Multifamily dwellings with four or more units.
- (2) ~~Utility substation~~ Communication antenna.
- (3) Communications antenna.

**Section 10.** Section 26-197 of the Code of Ordinances is created to read as follows:

(1) All commercial and public radio, communication or telecommunication towers, microwave and television towers; and all private radio and television towers exceeding 60 feet in height.

(4) Church Religious Institution.

(13) Electric Substation

**Section 11.** Section 26-199 of the Code of Ordinances is created to read as follows:

(1) Minimum front yard setback, 20 feet or the average setback for a principal dwelling or use along the block. Structures shall be placed within plus or minus 5 feet of the average setback

(4) Minimum side yard and rear yard from parcel boundaries of adjoining single-family or two-family residential uses or districts, 30 feet.

**Section 12.** Section 26-217 of the Code of Ordinances is created to read as follows:

The following permitted uses requiring site plan approval are allowed in the M-2 Multifamily Residence District:

(1) Multifamily dwellings with four or more units.

(2) ~~Utility substation~~ Communication antenna.

(3) Communications antenna.

**Section 13.** Section 26-218 of the Code of Ordinances is created to read as follows:

(1) All commercial and public radio, communication or telecommunication towers, microwave and television towers; and all private radio and television towers exceeding 60 feet in height.

(4) Church Religious Institution.

(13) Electric Substation

**Section 14.** Section 26-220 of the Code of Ordinances is created to read as follows:

(1) Minimum front yard setback, 20 feet or the average setback for a principal dwelling or use along the block. Structures shall be placed within plus or minus 5 feet of the average setback

(4) Minimum side yard and rear yard from parcel boundaries of adjoining single-family or two-family residential uses or districts, 30 feet.

**Section 15.** Section 26-234 of the Code of Ordinances is created to read as follows:

~~Sec. 26-234.— Permitted uses.~~

The following permitted uses are allowed in the C-1 General Commercial District:

(1) ~~All permitted uses in the M-2 Multifamily Residence District.~~

(2) ~~Retail sale and repair services including:~~

~~Animal hospitals.~~

~~Antique shops.~~

~~Audio and video equipment and merchandise.~~

~~Automotive accessory stores.~~

~~Bakeries.~~

~~Barber shops.~~

~~Beauty shops.~~

~~Bicycle sales.~~

~~Book/stationery stores.~~

~~Candy and ice cream stores.~~

~~Carpet stores.~~

~~Camera and photographic supply stores.~~

~~Catering services.~~

~~China and glassware stores.~~

~~Clocks and watches.~~

~~Clothing and apparel stores.~~

~~Coin stores.~~

~~Computer and computer accessory stores.~~

~~Custom dressmaking.~~

~~Drug stores.~~

~~Dry cleaning and laundry.~~

~~Electronic and house ware appliance stores.~~

~~Flower shops.~~

~~Furniture and home furnishings stores.~~

~~Garden supply stores.~~

~~Gift shops.~~

~~Grocery stores.~~

~~Hardware and paint stores.~~

~~Hobby shops.~~  
~~Jewelry stores.~~  
~~Landscape nurseries.~~  
~~Leather goods and luggage stores.~~  
~~Locksmiths.~~  
~~Major department stores.~~  
~~Meat markets.~~  
~~Musical instrument stores.~~  
~~Office supply stores.~~  
~~Optical goods stores.~~  
~~Orthopedic sales and supply stores.~~  
~~Pet grooming shops.~~  
~~Pet stores.~~  
~~Photo studios.~~  
~~Picture frame shops.~~  
~~Schools for music, dance and the martial arts.~~  
~~Sewing machine shops.~~  
~~Shoe stores.~~  
~~Sporting goods stores.~~  
~~Tailor shops.~~  
~~Tobacco shops.~~  
~~Travel bureaus.~~  
~~Video arcades.~~

~~(3) Other establishments, institutions and uses including:~~

~~Adult establishments which are more than 500 feet from schools, churches, community living arrangements, day care centers/nursery schools, family day care homes, parks, playgrounds and other community facilities.~~

~~Boardinghouse.~~

~~Bed and breakfast inn.~~

~~Banks and financial institutions (except Drive-in facilities).~~

~~Clinics or medical offices requiring less than 40 parking stalls.~~

~~Public buildings.~~

~~Professional offices and similar establishments.~~

~~Restaurants (except drive-ins).~~

~~Taverns.~~

- (4) ~~Uses not explicitly enumerated in the section as permitted uses, but closely similar thereto provided that these uses are not specified elsewhere as requiring a special use permit or conditional site plan approval.~~

~~(Code 1977, § 20.13(2))~~

**Section 16.** Section 26-235 of the Code of Ordinances is created to read as follows:

Sec. 26-235.4. - Permitted uses requiring site plan approval.

The following permitted uses requiring site plan approval are allowed in the C-1 General Commercial District:

- (1) Multifamily dwellings with four **three** or more units.

- (2) Retail sale, rental, and repair services including:

~~Automotive and truck rentals, sales, service and auto body repair.~~

~~Boat, camper and travel trailer sales/rentals.~~

~~Gasoline stations.~~

~~Recreational vehicle sales/rentals.~~

~~Video arcades.~~

- (3) Other establishments, institutions and uses including:

Banks and financial institutions (not including drive-in).

~~Communications radio, microwave or television towers.~~

Restaurants (not including drive-in).

~~Utility substation or tower.~~

**Section 17.** Section 26-236 of the Code of Ordinances is created to read as follows:

Sec. 26-236.5. - Special uses.

The following special uses are allowed in the C-1 General Commercial District:

- (1) Airport/heliport.

(2) Automotive and truck rentals, sales, service and auto body.

(3) Bank and financial institution (Drive-in)

(4) Boat, camper and travel trailer sales/rentals.

(25) Commercial greenhouses.

(36) Commercial kennels.

(7) Communication radios, telecommunication towers, microwave or television towers.

- (8) Gasoline Stations
- (49) Manufactured home sales.
- (510) Office buildings exceeding three stories in height.
- (611) Outdoor commercial recreational facility.
- (7) Produce terminal, wholesale.
- (12) Recreational vehicle sales/service
- (13) Restaurant (Drive-In).
- (8) Self-storage facilities (mini-warehouses).
- (914) Stadium or auditorium.
- (4015) Theaters (outdoor).
- (4416) Truck sales and service.
- (17) Electric Substation

**Section 18.** Section 26-237 of the Code of Ordinances is created to read as follows:

Sec. 26-2376. - Accessory buildings and uses.

**Section 19.** Section 26-238 of the Code of Ordinances is created to read as follows:

Sec. 26-2387. - Standards.

- (4) If residential development is the principal use, then all requirements and standards of the applicable residential district apply (Single-Family Use (R-1 District), Two-Family Use (R-2 District), and Multi-Family Use (M-1 District)).

**Section 20.** Section 26-239 of the Code of Ordinances is created to read as follows:

Secs. 26-2398—26-269. - Reserved.

**Section 21.** Section 26-271 of the Code of Ordinances is created to read as follows:

The following permitted uses are allowed with site plan review in the C-2 Central Business District:

- (1) Any use permitted in the C-1 General Commercial District as defined in Section 26-234 except single-family and two-family dwelling units as a principal use.
  - Animal hospital.
  - Antique shops.
  - Bakeries.
  - Barber/Beauty shops.
  - Banks and Financial Institutions (except drive-in facilities).
  - Banquet hall.
  - Bed and Breakfast Inn.
  - Book store.
  - Coffee house.
  - Catering Services.
  - China and glassware stores.
  - Clinics or medical offices requiring less than 40 parking stalls.



Clothing and apparel stores.  
Custom Dressmaking stores.  
Dry cleaning and laundry services.  
Flower Shops.  
Furniture and home furnishing stores.  
Gift Shops.  
Grocery stores.  
Hardware stores.  
Hobby shops.  
Hotel or motel.  
Jewelry stores.  
Musical instrument sales/service.  
Multi-Family Residences (4 or more dwelling units).  
Off-street surface parking lot or parking structure.  
Photo studios.  
Professional offices and similar establishments.  
Public buildings.  
Restaurants (except drive-in).  
Residential dwelling units as an accessory use to a commercial use and located above the principle use.  
Schools for music, dance, fitness, and the martial arts.  
Shoe Stores.  
Tailor Shops.  
Taverns.  
Travel Bureaus.  
Uses not explicitly enumerated in the section as permitted uses, but closely similar thereto provided that these uses are not specified elsewhere as requiring a special use permit or conditional site plan approval.

**Section 22.** Section 26-272 of the Code of Ordinances is created to read as follows:

The following special uses are allowed in the C-2 Central Business District:

- (5) Gasoline stations ~~(self or full service).~~
- ~~(7) Produce terminal—wholesale.~~
- (7) Public park**
- (8) Radio, microwave or television tower, or telecommunication tower.
- (9) Religious Institution.
- (10) Schools (Public and Private).
- (911) Stadium or auditorium.
- ~~(10) Warehousing.~~

**Section 23.** Section 26-300 of the Code of Ordinances is created to read as follows:

- (9) Wholesale, warehousing, storage and distribution (not including self-storage or mini-warehouse facilities).

**Section 24.** Section 26-301 of the Code of Ordinances is created to read as follows:

The following special uses are allowed in the I-1 Planned Business Center District:

- (1) Public utility structures and electric substations.
- (2) Telecommunication towers.

**Section 25.** Section 26-303 of the Code of Ordinances is created to read as follows:

(11) Outdoor storage of material, equipment, or products for a period exceeding 24 hours is prohibited unless the outdoor storage area is completely screened with a 6-foot tall sight tight fence. Personal items not associated with the business such as recreational vehicles, trailers, personal vehicles or other similar vehicles are strictly prohibited from being stored on the property.

**Section 26.** Section 26-326 of the Code of Ordinances is created to read as follows:

- (6) Public utility structures and electric substations.
- (10) Wholesale, warehousing, storage and distribution (not including self-storage and mini-warehouse facilities).

**Section 27.** Section 26-327 of the Code of Ordinances is created to read as follows:

- (5) Produce Terminal – wholesale.
- (6) Self-storage and mini-warehouse facilities.
- (47) Smelting of ferrous or nonferrous metals.

**Section 28.** Section 26-329 of the Code of Ordinances is created to read as follows:

(9) Outdoor storage of material, equipment, or products for a period exceeding 24 hours is prohibited unless the outdoor storage area is completely screened with a sight tight fence. Personal items not associated with the business such as recreational vehicles, trailers, personal vehicles or other similar vehicles are strictly prohibited from being stored on the property.

**Section 29.** Section 26-329 of the Code of Ordinances is created to read as follows:

Unless otherwise herein specified, no detached accessory building or use shall exceed a maximum wall height of ten feet on no more than two elevations and a maximum overall height of 15 feet. In addition, no detached garage shall exceed a maximum wall height of ten feet on no more than two elevations and a maximum overall height of 20 feet.

Roof dormers on accessory buildings and detached garages shall be limited in size to no more than 1/3 of the main roof's length.

**Section 30.** Section 26-656 of the Code of Ordinances is created to read as follows:

Special Use	Minimum Lot Size	Minimum Yard (FT)	Distance from R-1 District, Churches, Schools or Community Facilities	Fencing	Landscape Standards	Off-Street Parking	Site Plan Review	Plan Commission Approval of Outdoor Signage and Lighting
<u>Automobile and truck rentals, sales, service</u>	<u>0.5 Acres</u>	<u>#</u>	<u>N/A</u>	<u>#</u>	<u>C-1</u>	<u>#</u>	<u>Yes</u>	<u>Yes</u>

<u>and auto body</u>								
<u>Automotive and truck washes</u>	<u>0.5 Acres</u>	<u>#</u>	<u>N/A</u>	<u>#</u>	<u>C-1</u>	<u>#</u>	<u>Yes</u>	<u>Yes</u>
<u>Boat, camper and travel trailer sales</u>	<u>1 Acre</u>	<u>#</u>	<u>N/A</u>	<u>#</u>	<u>C-1</u>	<u>#</u>	<u>Yes</u>	<u>Yes</u>
Cement, lime or gypsum, etc.	<u>#</u>	<u>F-100</u> <u>S-100</u> <u>R-100</u>	<u>S-100</u> <u>300 Feet</u>	<u>N/A</u>	<u>I-2</u>	<u>1 per employee</u>	<u>Yes</u>	<u>No</u>
R-100	300-foot	N/A	I-2	1 per employee	Yes	No		
Church	25,000 sq. ft.	<u>#</u>	<u>N/A</u>	<u>N/A</u>	<u>C-1</u>	<u>#</u>	<u>Yes</u>	<u>Yes</u>
Clinics or medical office with 40 or more parking stalls	<u>#</u>	<u>#</u>	<u>N/A</u>	<u>N/A</u>	<u>C-1</u>	<u>#</u>	<u>Yes</u>	<u>Yes</u>
<u>Commercial greenhouse</u>	<u>#</u>	<u>#</u>	<u>N/A</u>	<u>Yes</u>	<u>C-1</u>	<u>#</u>	<u>Yes</u>	<u>Yes</u>
Gasoline Station	<u>#0.5 Acres</u>	<u>#</u>	<u>N/A</u>	<u>N/A</u>	<u>C-1</u>	<u>#</u>	<u>Yes</u>	<u>Yes</u>
Public utility structure / <u>Electric Substation</u>	<u>N/A</u>	<u>#</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>Yes</u>	<u>N/A</u>
<u>Recreational Vehicle Sales/Service</u>	<u>1 Acre</u>	<u>#</u>	<u>N/A</u>	<u>#</u>	<u>C-1</u>	<u>#</u>	<u>Yes</u>	<u>Yes</u>
<u>Religious Institution</u>	<u>25,000 sq. ft.</u>	<u>#</u>	<u>N/A</u>	<u>N/A</u>	<u>C-1</u>	<u>#</u>	<u>Yes</u>	<u>Yes</u>

**Section 31. Severability.** In the event any section, subsection, clause, phrase or portion of this ordinance is for any reason held illegal, invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remainder of this ordinance. It is the legislative intent of the Common Council that this ordinance would have been adopted if such illegal provision had not been included or any illegal application had not been made.

**Section 32. Repeal and Effective Date.** All ordinances or parts of ordinances and resolutions in conflict herewith are hereby repealed. This ordinance shall take effect from and after its passage and publication.

Approved: \_\_\_\_\_

Published: \_\_\_\_\_

Moved by: \_\_\_\_\_

Adopted: \_\_\_\_\_

Approved:

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Dean R. Kaufert, Mayor

Attest:

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Patricia A. Sturn, City Clerk

THIS INSTRUMENT WAS DRAFTED BY:  
City Attorney James G. Godlewski  
211 Walnut Street  
Neenah, WI 54956  
State Bar No. 1005210