



VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

ORDINANCE NO. 16-028

AN ORDINANCE AMENDING SECTION 94.12.08(10) OF THE ZONING ORDINANCE ENTITLED *PROVISIONS FOR SIDEWALK* AND CREATING SECTION 94.12.09(15) OF THE ZONING ORDINANCE ENTITLED *PEDESTRIAN FACILITIES*.

WHEREAS, the Village of Weston is authorized to prepare, amend and adopt a zoning ordinance under Wis. Stats. §§ 62.23 and 61.35; and

WHEREAS, the Village adopted a new Chapter 94 in March 2015, to serve as the Village's general zoning ordinance and the Village's extraterritorial zoning ordinance for the portions of the Town of Weston defined as the extraterritorial zoning area; and

WHEREAS, Village Staff has requested an amendment to the zoning ordinance to clarify provisions for sidewalk and pedestrian facilities and further the implementation of Village's Complete Streets Policy (Resolution VW-15-14, adopted June 1, 2015); and

WHEREAS, the Plan Commission has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Village limits; and

WHEREAS, the Joint Town and Village Extraterritorial Zoning Committee has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Extraterritorial Zoning limits of the Town of Weston; and

WHEREAS, the Joint Village and Town of Weston Extraterritorial Zoning Committee and Village Plan Commission have held a joint public hearing on this ordinance on May 9, 2016, in compliance with Wis. Stat. § 62.23, and following such hearing the Board considered public comments and the recommendation of the Village Plan Commission and Joint Village and Town of Weston Extraterritorial Zoning Committee; and

WHEREAS, the Village Board finds the proposed amendment is reasonable, consistent with the Village Comprehensive Plan, and in the public interest;

NOW, THEREFORE, the Village Board of Weston, Marathon County, Wisconsin, do ordain as follows:

SECTION 1: Section 94.12.08(10) of the Village of Weston Zoning Ordinance entitled *Provisions for Sidewalk* is hereby amended and Section 94.12.09(15) of the Village of Weston Zoning Ordinance entitled *Pedestrian Facilities* is hereby created to provide as follows:

Section 94.12.08 Access and Driveway Standards

(10) **Provision for Sidewalk.** Where there is existing curb and gutter street sidewalks shall be installed for all new construction and substantial remodels, which exceed 50% of the assessed value, of a structure, regardless if a sidewalk is present on either side of said project, in accordance with the

Village's Complete Streets Policy. Where ~~the Village has planned for or approved sidewalks the~~ construction project or remodel does not exceed 50% of the assessed value then all driveways, new or existing, shall accommodate a 5-foot wide concrete sidewalk section within the public right-of-way, built to Village sidewalk standards, to maintain connection with existing sidewalks or to allow for the connection of future sidewalks on either side of the driveway. Plan Commission may waive the above stated provisions under the following circumstances:

- (a) The Village Capital Improvement Plan and/or sidewalk and trail planning maps, or similar planning documents do not include sidewalks within the project neighborhood; or
- (b) The Director of Public Works has determined that future sidewalk grades cannot be determined or;
- (c) The Director of Public Works has determined that substantial grading of the area between the curb and the right-of-way line is required for both the subject parcel and both neighboring parcels.

Section 94.12.09: Off-Street Parking and Traffic Circulation Standards

(15) Pedestrian Facilities.

- (a) The site shall provide for safe pedestrian and bicycle access to all uses, and connections to existing and planned public pedestrian and bicycle facilities and adjacent properties.
- (b) Pedestrian walkways shall be provided from all building entrances to existing or planned public sidewalks and/or pedestrian/bike facilities. The minimum width for sidewalks adjacent to buildings shall be five feet.
- (c) Sidewalks other than street sidewalks or building aprons shall have adjoining landscaping along at least 50 percent of their length if said sidewalk is over 50 feet in length.
- (d) Crosswalks shall be distinguished from driving surfaces to enhance pedestrian safety by using different materials, or colors, or textures, and signage.

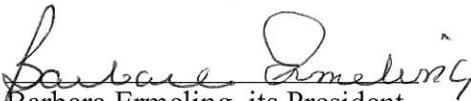
SECTION 2: The amendment effectuated by this Ordinance shall apply within the municipal limits of the Village and within its extraterritorial zoning jurisdiction in the Town of Weston.

SECTION 3: SEVERABILITY. If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. If an application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

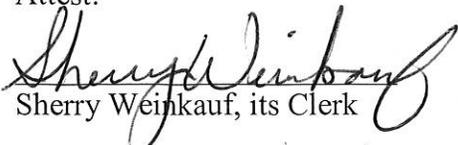
SECTION 4: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 16th of May, 2016

WESTON VILLAGE BOARD

By: 
Barbara Ermeling, its President

Attest:


Sherry Weinkauff, its Clerk

APPROVED: 5/16/10

PUBLISHED: 5/18/10

Notice of Newly Enacted Ordinances

Please take notice that the Village Board of Weston, Wisconsin enacted on May 16, 2016, the following Ordinances:

1. Ordinance No. 16-025: An Ordinance Amending Chapter 94 Zoning, Section 94.3.04, Figure 3.04 *Allowable Uses in Rural, Open Space and Residential Zoning Districts*, Section 94.3.05, Figure 3.05 *Allowable Uses in Non-Residential and Mixed Use Zoning Districts* and Section 94.4.08(1) *Light Industrial*.
2. Ordinance No. 16-026 An Ordinance Amending Section 94.16.11(2) of the Zoning Ordinance Entitled *Eligible Provisions for which Variances May Be Granted*.
3. Ordinance No. 16-027 An Ordinance Amending Section 94.13.07(7)(b)1. and (c)1. of the Zoning Ordinance Relating to On-Building Sign (Wall, Awning, Marquee, or Projecting Sign) in the INT Institutional and B-1 Neighborhood Business Districts; and B-2 Highway Business, B-3 General Business, BP Business Park, and I Industrial Districts; and Amending the Same in Figure 13.07: Summary of Maximum Dimensions and Number of On-Premise Business Signs (for Non-Residential, Agricultural, and PR Districts—See Section 94.13.05 for Residential and RR District Standards).
4. Ordinance No. 16-028 An Ordinance Amending Section 94.12.08(10) of the Zoning Ordinance Entitled *Provisions for Sidewalk* and Creating Section 94.12.09(15) of the Zoning Ordinance Entitled *Pedestrian Facilities*.

The full text of Ordinances may be obtained at the office of the Village Clerk, 5500 Schofield Avenue, Weston, Wisconsin or through the Village's website at <http://www.westonwi.gov/499/Adopted-Ordinances>.

Dated this 17th day of May, 2016
Sherry Weinkauff, Village Clerk

Published: 5-18-2016

DAILY HERALD media

A GANNETT COMPANY

STATE OF WISCONSIN
BROWN COUNTY

WESTON VILLAGE OF
5500 SCHOFIELD AVE
WESTON

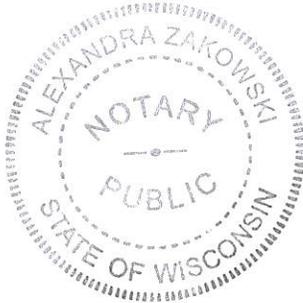
WI 544764333

10-06-56925-321-000
\$18.66
ET2 Ord Amend 16-025 through 16-028
VOUCHER APPROVAL Zoning
Account Number:
10-06-56910-321-000
Description: PC Ord Amend 16-025,
16-026, 16-027 - 16-028 - Zoning
Approved by [Signature] 6/2/16
Initials Date
\$18.66

I, being duly sworn, doth depose and say I am an authorized representative of The Wausau Daily Herald, a newspaper at Wausau Wisconsin and that an advertisement of which the annexed is a true copy, taken from said paper, which published therein on:

Account Number: GWM-WES425
Order Number: 0001288659
No. of Affidavits: 1
Total Ad Cost: \$37.32
Published Dates: 05/18/16

(Signed) [Signature] (Date) 5-20-16
Legal Clerk



Signed and sworn before me

[Signature]

My commission expires 3/3/19

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The full text of Ordinances may be obtained at the office of the Village Clerk, 5500 Schofield Avenue, Weston, Wisconsin or through the Village's website at <http://www.westonwi.gov/499/Adopted-Ordinances>.
Dated this 17th day of May, 2016
Sherry Weinkauff, Village Clerk
RUN: May 18, 2016 WNAXLP

WESTON VILLAGE OF
Re: Ord 16-025 thru 16-028



**VILLAGE OF WESTON
NOTICE OF PUBLIC HEARINGS**

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Village of Weston Plan Commission and Joint Town and Village of Weston Extraterritorial Zoning Committee, on **Monday, May 9, 2016, at 6:00 p.m.**, at the Weston Municipal Center, 5500 Schofield Avenue, Weston, WI 54476 to take testimony relative to the following:

1. Ordinance No. 16-025 An Ordinance Amending Chapter 94 Zoning, Section 94.3.04, Figure 3.04 *Allowable Uses in Rural, Open Space and Residential Zoning Districts*, Section 94.3.05, Figure 3.05 *Allowable Uses in Non-Residential and Mixed Use Zoning Districts* and Section 94.4.08(1) *Light Industrial*.
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The hearing notice and applicable application materials are available for public inspection on the Village of Weston website located at <http://westonwi.gov/421/Public-Hearing-Notices>. Proposed Ordinances can be found on the Village's website at <http://www.westonwi.gov/509/Proposed-Ordinances>.

Written testimony may be forwarded to the Village of Weston Plan Commission, Valerie Parker, Plan Commission Secretary, 5500 Schofield Avenue, Weston, WI 54476, or emailed to vparker@westonwi.gov, by noon on the day of the hearing. All interested persons will be given an opportunity to be heard. Any person with questions or planning to attend needing special accommodations in order to participate should call Valerie Parker, Administrative Specialist, Planning and Development Department, at 715-241-2607.

Dated this 21st day of April, 2016

Valerie Parker
Plan Commission and ETZ Committee Secretary

Published as a legal ad in the Wausau Daily Herald on Monday, April 25, 2016 and Monday, May 2, 2016.

DAILY HERALD media

A GANNETT COMPANY

STATE OF WISCONSIN
BROWN COUNTY

WESTON VILLAGE OF
5500 SCHOFIELD AVE
WESTON

WI 544764333

10-06-56925-321-000
VOUCHER APPROVAL
Account Number: 10-06-56910-321-000
Description: PC/ETZ hearing notice
for May 2016 Ord 16-025 to 16-028
Approved by: [Signature] 5/16/16
initials Date

I, being duly sworn, doth depose and say I am an authorized representative of The Wausau Daily Herald, a newspaper at Wausau Wisconsin and that an advertisement of which the annexed is a true copy, taken from said paper, which published therein on:

Account Number: GWM-WES425
Order Number: 0001217001
No. of Affidavits: 1
Total Ad Cost: \$101.34
Published Dates: 04/25/16, 05/02/16

(Signed) [Signature] (Date) 5-4-16
Legal Clerk



Signed and sworn before me

[Signature]

My commission expires 12-2-16

WESTON VILLAGE OF
Re: Notice of Public Hearings

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Legal Notices

ning and Development Department, at 715-241-2607.
Dated this 21st day of April, 2016
Valerie Parker
Plan Commission and
ETZ Committee Secretary
April 25 & May 2, 2016 WNAXLP

**Village of Weston, Wisconsin
AGENDA ITEM COVERSHEET
Requested for Official Consideration and Review**

REQUEST FROM: **JENNIFER HIGGINS; DIRECTOR OF PLANNING AND DEVELOPMENT
JARED WEHNER; ASSISTANT PLANNER**

ITEM DESCRIPTION: **ORDINANCE NO. 16-028 AN ORDINANCE AMENDING SECTION 94.12.08(10) OF THE ZONING ORDINANCE ENTITLED *PROVISIONS FOR SIDEWALK AND CREATING SECTION 94.12.09(15) OF THE ZONING ORDINANCE ENTITLED *PEDESTRIAN FACILITIES*.***

DATE/MTG: **BOARD OF TRUSTEES; MONDAY, MAY 16, 2016**

POLICY QUESTION: Should the Board of Trustees approve the amendment to the zoning ordinance as proposed by the Plan Commission/ETZ Committee?

RECOMMENDATION TO: I make a motion to endorse approval of Ordinance No. 16-028.

LEGISLATIVE ACTION:

- | | | |
|---|---|---------------------------------------|
| <input type="checkbox"/> Acknowledge/Approve | <input checked="" type="checkbox"/> Ordinance | <input type="checkbox"/> Proclamation |
| <input type="checkbox"/> Administrative Order | <input type="checkbox"/> Policy | <input type="checkbox"/> Reports |
| <input type="checkbox"/> Expenditure | <input type="checkbox"/> Procedure | <input type="checkbox"/> Resolution |
-

FISCAL IMPACT ANALYSIS:

- | | |
|--|-----|
| <input type="checkbox"/> Budget Line Item: | N/A |
| <input type="checkbox"/> Budget Line Item: | N/A |
| <input type="checkbox"/> Budgeted Expenditure: | N/A |
| <input type="checkbox"/> Budgeted Revenue: | N/A |
-

STATUTORY / RULEMAKING / POLICY REFERENCES:

- | | |
|---|------------|
| <input type="checkbox"/> WI Statue: | _____ |
| <input type="checkbox"/> WI Administrative Code: | _____ |
| <input type="checkbox"/> Case Law / Legal: | _____ |
| <input checked="" type="checkbox"/> Municipal Code: | Chapter 94 |
| <input type="checkbox"/> Municipal Rules: | _____ |
-

PRIOR REVIEW: Plan Commission Public Hearing – 5/9/16

BACKGROUND:

The Village has adopted a “Complete Streets” policy to make the Village more pedestrian friendly and less motorized vehicle oriented. This update makes the policy enforceable through the zoning code by making newly constructed sites or modified sites connect the main entrances to the Village’s expanding sidewalk network via a private sidewalk. This will increase the size and completeness of the sidewalk network in the Village giving pedestrians more opportunity to move about in a safe and organized fashion. More pedestrian movement ultimately means a healthier and happier community.

Attachments – Ord. No. 16-028

Village of Weston, Wisconsin
AGENDA ITEM COVERSHEET
Requested for Official Consideration and Review

REQUEST FROM: **JARED WEHNER; ASSISTANT PLANNER**
JENNIFER HIGGINS; DIRECTOR OF PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: **ORDINANCE NO. 16-028 AN ORDINANCE AMENDING SECTION 94.12.08(10) OF THE ZONING ORDINANCE ENTITLED *PROVISIONS FOR SIDEWALK AND CREATING SECTION 94.12.09(15) OF THE ZONING ORDINANCE ENTITLED *PEDESTRIAN FACILITIES*.***

DATE/MTG: **PLAN COMMISSION/ETZ COMMITTEE; MONDAY, MAY 9, 2016**

POLICY QUESTION: Should the Board of Trustees approve the amendment to the zoning ordinance as proposed by the Plan Commission/ETZ Committee?

RECOMMENDATION TO: I make a motion to endorse approval, and recommend to the Trustees.

LEGISLATIVE ACTION:

- | | | |
|---|------------------------------------|---------------------------------------|
| <input checked="" type="checkbox"/> Acknowledge/Approve | <input type="checkbox"/> Ordinance | <input type="checkbox"/> Proclamation |
| <input type="checkbox"/> Administrative Order | <input type="checkbox"/> Policy | <input type="checkbox"/> Reports |
| <input type="checkbox"/> Expenditure | <input type="checkbox"/> Procedure | <input type="checkbox"/> Resolution |
-

FISCAL IMPACT ANALYSIS:

- | | |
|--|-----|
| <input type="checkbox"/> Budget Line Item: | N/A |
| <input type="checkbox"/> Budget Line Item: | N/A |
| <input type="checkbox"/> Budgeted Expenditure: | N/A |
| <input type="checkbox"/> Budgeted Revenue: | N/A |
-

STATUTORY / RULEMAKING / POLICY REFERENCES:

- | | |
|---|------------|
| <input type="checkbox"/> WI Statue: | _____ |
| <input type="checkbox"/> WI Administrative Code: | _____ |
| <input type="checkbox"/> Case Law / Legal: | _____ |
| <input checked="" type="checkbox"/> Municipal Code: | Chapter 94 |
| <input type="checkbox"/> Municipal Rules: | _____ |
-

PRIOR REVIEW: None

BACKGROUND:

The Village has adopted a "Complete Streets" policy to make the Village more pedestrian friendly and less motorized vehicle oriented. This update makes the policy enforceable through the zoning code by making newly constructed sites or modified sites connect the main entrances to the Village's expanding sidewalk network via a private sidewalk. This will increase the size and completeness of the sidewalk network in the Village giving pedestrians more opportunity to move about in a safe and organized fashion. More pedestrian movement ultimately means a healthier and happier community.

Attachments – Ord. No. 16-028
