



VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

ORDINANCE NO. 16-044

**AN ORDINANCE AMENDING SECTION 94.4.07(3) *FREIGHT TERMINAL* AND REFLECTING A CHANGE IN NAME OF A LAND USE CATEGORY FROM *FREIGHT TERMINAL* TO *FREIGHT TERMINAL/ TRANSPORTATION DEPOT* IN FIGURES 3.04 AND 3.05 AND SECTIONS 94.4.07(5) *LIVESTOCK OR FARM COMMODITY TRUCKING* AND 94.17.04 *DEFINITIONS*.**

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, 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 October 10, 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 94.4.07(3) is hereby amended to read as follows:

**(3) Freight Terminal and Mass Transportation Depot.**

Lands and buildings representing either end of one or more truck carrier line(s) principally serving several businesses, bus storage yards or garages, bus transfer stations, train stations, or similar facilities focused on the storage or staging of multiple trucks, busses, train cars, and/or other large vehicles designed to carry goods or passengers. Such uses may have some or all of the following facilities: large vehicle storage and/or staging yards, multiple loading docks, management offices, indoor and outdoor storage yards, fueling stations, weighing stations,

parking areas, vehicle maintenance and repair facilities serving the use, and other related facilities.

**Performance Standards:**

1. A bufferyard meeting the requirements of Section 94.11.02(3)(d) shall be provided along all property borders abutting residentially zoned property.
2. For freight terminals and train stations, all buildings, structures, outdoor storage areas, and any other activity areas shall be located a minimum of 100 feet from all lot lines abutting residentially zoned property.
3. For freight terminals and train stations, all outdoor storage areas and vehicles shall be completely enclosed by any permitted combination of buildings, structures, walls, and/or fencing. Such walls or fencing shall be designed to completely screen all stored materials and vehicles from view from non-industrial zoned areas and public rights-of-way, up to the maximum fence heights allowed under Section 94.12.03. For other types of transportation depot uses, landscaping installed to screen the vehicles from view are sufficient meet this requirement (but not outdoor storage areas).
4. Activity and storage areas shall not be permitted in the minimum required front yard setback, except for employee or patron parking.
5. Minimum Required Off-Street Parking: one space per each employee onsite employee on the largest work shift and one space for each four passengers for uses where patrons are parking on-site.

SECTION 2: Sections 94.4.07 (5) and 94.17.04 *Definitions* are hereby amended to reference the new name of Section 94.4.07(3) *Freight Terminal and Mass Transportation Depot*.

SECTION 3: Figure 3.04 within Section 94.3.04 of the Weston Municipal Code is hereby amended to reference the new name “(3) *Freight Terminal and Mass Transportation Depot*”.

SECTION 4: Figure 3.05 within Section 94.3.05 of the Weston Municipal Code is hereby amended to reference the new name “(3) *Freight Terminal and Mass Transportation Depot*”.

SECTION 5: 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 6: 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 7: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 17<sup>th</sup> day of October, 2016

WESTON VILLAGE BOARD

By: \_\_\_\_\_  
Barbara Ermeling, its President

Attest:

\_\_\_\_\_  
Sherry Weinkauff, its Clerk

APPROVED: \_\_\_\_\_

PUBLISHED: \_\_\_\_\_

DRAFT