



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^{to} 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 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*”.

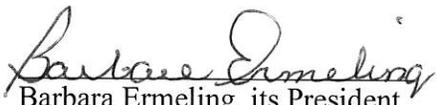
SECTION 5: The amendment effectuated by this Ordinance shall apply within the municipal limits of the Village and within its extraterritorial zoning jurisdiction in the Town of Weston.

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.

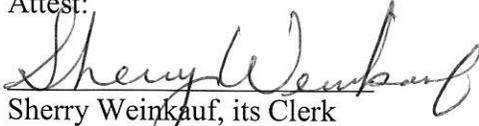
SECTION 7: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 17th day of October, 2016

WESTON VILLAGE BOARD

By: 
Barbara Ermeling, its President

Attest:


Sherry Weinkauff, its Clerk

APPROVED: 10-18-16

PUBLISHED: 10-20-16

DAILY HERALD media

A GANNETT COMPANY

Original filed w/
Ord No 16-043

STATE OF WISCONSIN
BROWN COUNTY

WESTON VILLAGE OF
5500 SCHOFIELD AVE
WESTON

WI 544764333

VOUCHER APPROVAL

Account Number:

10-06-56910 - 321-000

Description: PC NDH Notice

ord 16-043 & 16-044

Approved by [Signature] / Initials [Signature] / Date 11/1/16

\$9.98

10-06-56925 - 321-000

ET2 Notice Ord 16-043 & 16-044

\$9.97

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: 0001669791
No. of Affidavits: 1
Total Ad Cost: \$19.95
Published Dates: 10/20/16

(Signed) [Signature] (Date) 10-24-16
Legal Clerk

Signed and sworn before me

[Signature]

My commission expires

5-15-18



Notice of Newly Enacted Ordinances
Please take notice that the Village Board of Weston, Wisconsin enacted on October 17, 2016, the following Ordinances:
1. Ordinance No: 16-043 An Ordinance Amending Section 94.5.04 Intrusions in to required yards.
2. 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 Figure 3.04 and 3.05 and Sections 94.4.07(5) Livestock or Farm Commodity Trucking and 94.17.04 Definitions.
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 18th day of October, 2016
Sherry Weinkauff, Village Clerk
RUN: Oct 20, 2016 WNAXLP

WESTON VILLAGE OF
Re: Ord 16-043 & 044

Notice of Newly Enacted Ordinances

Please take notice that the Village Board of Weston, Wisconsin enacted on October 17, 2016, the following Ordinances:

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2. 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.

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 18th day of October, 2016
Sherry Weinkauff, Village Clerk

Published: 10/20/16

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. 16-044 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.**

DATE/MTG: **BOARD OF TRUSTEES; MONDAY, OCTOBER 17, 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. 16-044.

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

STATUTORY / RULEMAKING / POLICY REFERENCES:

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

PRIOR REVIEW: Plan Commission/ETZ Committee – October 10, 2016

BACKGROUND: It was determined when we received the Lamers project proposal that we still didn't have a clear land use listed in the zoning code for the school bus barn. The closest land use was the Freight Terminal land use listed in Sec 94.1.07(3). After staff discussion with Mark Roffers, it was determined this use should be amended as proposed to include some regulations for school and charter bus terminals like what Lamers is proposing. Planning and Development Staff drafted an ordinance amendment, with Mark Roffers assistance, which is attached.

The Plan Commission/ETZ held a public hearing on 10/10/16. No one spoke in opposition. PC/ETZ recommend approval.

Attachments – Ord. No. 16-044

**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. 16-044 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.**

DATE/MTG: **PLAN COMMISSION/ETZ; MONDAY, OCTOBER 10, 2016**

POLICY QUESTION: Should the Plan Commission and ETZ recommend the following draft ordinance amendments to the Village Board for approval?

RECOMMENDATION TO: I make a motion to endorse approval of Ordinance No. 16-044 and recommend it to the Trustees.

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: None.

BACKGROUND: It was determined when we received the Lamers project proposal that we still didn't have a clear land use listed in the zoning code for the school bus barn. The closest land use was the Freight Terminal land use listed in Sec 94.1.07(3). After staff discussion with Mark Roffers, it was determined this use should be amended as proposed to include some regulations for school and charter bus terminals like what Lamers is proposing. Planning and Development Staff drafted an ordinance amendment, with Mark Roffers assistance, which is attached.

Attachments – Ord. No. 16-043



**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, October 10, 2016, at 6:00 p.m.**, at the Weston Municipal Center, 5500 Schofield Avenue, Weston, WI 54476 to take testimony relative to the following Amendments to Chapter 94 Zoning:

1. Ordinance No. 16-043 An Ordinance Amending Section 94.5.04 *Intrusions into Required Yards*.
2. 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*.

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, Planning Technician, Planning and Development Department, at 715-241-2607.

Dated this 22nd day of September, 2016

Valerie Parker
Plan Commission and ETZ Committee Secretary

DAILY HERALD media

A GANNETT COMPANY

STATE OF WISCONSIN
BROWN COUNTY

WESTON VILLAGE OF
5500 SCHOFIELD AVE
WESTON

WI 544764333

VOUCHER APPROVAL

Account Number:

10-06-56910 - 321-000

\$3584

Description: WDH Hearing Notice - PC

16-043 and 16-044 Text Amend Zoning

Approved by

[Signature]
initials

10/21/16
Date

10-06-56925-321-000

ETZ portion - 16-043

\$35.83 + 16-044

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: 0001605982
No. of Affidavits: 1
Total Ad Cost: \$71.67
Published Dates: 09/26/16, 10/03/16

(Signed)

[Signature]

Legal Clerk

(Date)

10/5/16

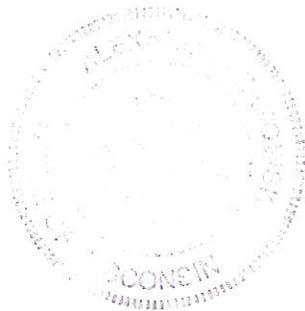
Signed and sworn before me

[Signature]

My commission expires

3/3/19

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Dated this 22nd day of September, 2016
Valerie Parker
Plan Commission and ETZ Committee Secretary
Run: Sept 26, Oct 3, 2016 WNAXLP



WESTON VILLAGE OF
Re: 10/10/16 Hearing Ordinances

GANNETT WI MEDIA
435 EAST WALNUT ST.
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GREEN BAY, WI 54305-3430

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