VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

ORDINANCE NO. 17-017

AN ORDINANCE TO AMEND SECTIONS 94.12.06(3) AND (4) TO ESTABLISH AND CLARIFY STANDARDS FOR PARKING OPERABLE AND INOPERABLE MOTORIZED VEHICLES IN ALL ZONING DISTRICTS.

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, in administering this new Chapter 94, Village staff has found Sec. 94.12.06 does not adequately address the standards for the parking of motorized vehicles on hard surfaces and within the proper setbacks in the Village and Town; and

WHEREAS, Village Staff is proposing amendments to Chapter 94 Zoning to clarify the regulations for the parking of motorized vehicles; 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 June 12, 2017, 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, does ordain as follows:

SECTION 1: Chapter 94 Zoning Ordinance is hereby amended to provide as follows:

Section 94.12.06: Exterior Storage Standards

(3) **Motor Vehicle Storage.** Except in AR and RM zoning districts, storage of operable and licensed motor vehicles shall be on a hard or gravel surface. No motor vehicle in any zoning district shall be

stored within the minimum hard or gravel surface setbacks of Article 5. All motor vehicle storage areas shall be landscaped in accordance with Article 11. Storage or parking of semi-trailers, busses, and heavy duty trucks on property zoned or used for residential purposes is prohibited.

(4) **Inoperable Vehicles and Junk.** The outside storage of inoperable or unlicensed vehicles, appliances, and other junk or trash shall be prohibited, except as described within the "Junkyard or Salvage Yard" and "Outdoor and Vehicle Repair and Maintenance" land use performance standards and for those uses approved in accordance with the requirements of this Chapter. The storage of inoperable vehicles in association with said uses shall be on a hard or gravel surface meeting applicable hard or gravel surface setback requirements; and is also subject to the regulations set forth in Section 50.105 of the Code.

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

Dated the 19th day of June, 2017

WESTON VILLAGE BOARD

By: Barbara Ermeling
Barbara Ermeling, its President

Attest:
Sherry Weinkauf
Sherry Weinkauf, its Clerk

APPROVED: 6-19-17

PUBLISHED: 6-21-17

Notice of Newly Enacted Ordinances

Please take notice that the Village Board of Weston, Wisconsin enacted on June 19, 2017, the following Ordinances:

- Ordinance No. 17-015: An Ordinance to Amend Sections 94.4.09(1) and (2) to Limit Front Yard Placement of Accessory Structures and Setting Additional Standards for Said Circumstance, Referencing the Definitions of Detached Garage, Utility Shed, Gazebo and Carport, Establishing Roof Load Standards, Driveway Requirements and a Code Reference.
- Ordinance No. 17-017: An Ordinance to Amend Sections 94.12.06(3) and (4) to Establish and Clarify Standards for Parking Operable and Inoperable Motorized Vehicles in all Zoning Districts.
- Ordinance No. 17-018: An Ordinance to Amend Section 94.16.12 to Establish Criteria for the Expiration of a Variance.
- Ordinance No. 17-019: An Ordinance to Amend Section 94.17.04 to Establish Definitions for Detached Garage, Utility Shed, Gazebo and Carport.
- Ordinance No. 17-020: An ordinance to amend Figure 3.05 in Section 94.3.05 Allowable uses in Non-Residential and Mixed Use Zoning Districts, to change the land use of Outdoor Display from a conditional use to a permitted use-by-right within the B-2 zoning district.
- Ordinance No. 17-021: An Ordinance Renumbering Chapter 86 "Utilities" Renumbering Section 86.158 "Permanently Installed In-Ground Sprinkler Systems" To Section 86.2.336 "Permanently Installed In-Ground Sprinkler Systems" and Repealing and Recreating Chapter 86 "Utilities, Article IV Sewerage Utility" of the Municipal Code for the Village of Weston, Marathon County, Wisconsin.

The full text of the above 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.

Dated this 20th day of June, 2017
Sherry Weinkauf, Village Clerk

Published: 6/21/2017

DAILY HERALD media
A GANNETT COMPANY

STATE OF WISCONSIN
BROWN COUNTY

WESTON VILLAGE OF

5500 SCHOFIELD AVE
WESTON WI 544764333

10-01-51420-321-000
WDH recording fees
Ord 17-021 Utilities
$5.94

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Dated this 20th day of June, 2017
Sherry Weinkauf, Village Clerk
RUN: June 21 WNAXLP

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 advertisment of which the annexed is a true copy, taken from said paper, which published therein on:

Account Number:	GWM-WES425
Order Number:	0002224709
No. of Affidavits:	1
Total Ad Cost:	$35.64
Published Dates:	06/21/17

10-06-56925-321-000
WDH recording fees 17-015, 17-017 to 17-020 -ET2
$14.85

VOUCHER APPROVAL
Account Number: 10-06-56910-321-000
Description: WDH recording fees 17-015 - 17-017 to 17-020 - PC
Approved by JLH Initials 6/30/17 Date
$14.85

(Signed) _____ **(Date)** 6-21-17
Legal Clerk

MELISSA ROME NOTARY PUBLIC STATE OF WISCONSIN

Signed and sworn before me
_____

My commission expires 1-12-2021

WESTON VILLAGE OF
Re: Ords. 17-015-17-021

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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, June 12, 2017, at approximately, or shortly after, 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 17-014: An Ordinance to amend Section 94.4.02: Residential Land Use, To Create a Townhome Use and Performance Standards and Modify Figures 3.04 And 3.05 to Allow Said Use Within the MF Zoning District as a Permitted Use-By-Right and Within the 2F and B-1 Zoning Districts as a Conditional Use.
2. Ordinance No 17-015: An Ordinance to Amend Sections 94.4.09(1) and (2) to Limit Front Yard Placement of Accessory Structures and Setting Additional Standards for Said Circumstance, Referencing the Definitions of Detached Garage, Utility Shed, Gazebo and Carport, Establishing Roof Load Standards, Driveway Requirements and a Code Reference.
3. Ordinance No 17-016: An Ordinance to Amend Sections 94.10.02(1) and 94.10.03(10) to Establish a Prohibition of Construction of New Carports for Single-Family, Two-Family And Multi-Family Dwelling Units.
4. Ordinance No 17-017: An Ordinance to Amend Sections 94.12.06(3) and (4) to Establish and Clarify Standards for Parking Operable and Inoperable Motorized Vehicles in all Zoning Districts.
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These proposals have the effect of changing the allowable uses of property within the Village. The amendments to the Residential Zoning districts may affect any properties in those districts.

The hearing notice and applicable application materials are also 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 and ETZ Committee 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 25th day of May, 2017

Valerie Parker
Plan Commission and ETZ Secretary

Published as a legal ad in the Wausau Daily Herald on Monday, May 29, 2017, Monday, June 5, 2017 and Sunday, June 11, 2017.

DAILY HERALD media

A GANNETT COMPANY

STATE OF WISCONSIN
BROWN COUNTY

VILLAGE OF WESTON

5500 SCHOFIELD AVE
WESTON WI 544764333

VOUCHER APPROVAL

Account Number: 10-06-56910 -321-000

Description: June PC mtg hearing notice text amendment

Approved by _____ Initials 6/15/15 Date

$56.30

10-06-56925-321-000
June ETZ mtg hearing notice text amendment
$56.29

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 advertisment of which the annexed is a true copy, taken from s paper, which published therein on:

Account Number:	GWM-1081606
Order Number:	0002170034
No. of Affidavits:	1
Total Ad Cost:	$112.59
Published Dates:	05/29/17, 06/05/17

(Signed) _____ **(Date)** 6-6-17

Legal Clerk

MELISSA ROME NOTARY PUBLIC STATE OF WISCONSIN

Signed and sworn before me

_____

My commission expires 1-12-2021

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Dated this 25th day of May, 2017
Valerie Parker
Plan Commission and ETZ Secretary
RUN: May 29 & June 5, 2017 WNAXLP

VILLAGE OF WESTON
Re: Ord 17-014

DAILY HERALD media
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STATE OF WISCONSIN
BROWN COUNTY

VILLAGE OF WESTON
5500 SCHOFIELD AVE
WESTON, WI 54476

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-1081606**

Ad Number: **0002193744**

Cost: **$64.04**

VOUCHER APPROVAL
Account Number: 10-06-56910-321-000
Description: June PC/ETZ rerun of hearing notice
Approved by [illegible] Initials 8/24/17 Date
$32.02
10-06-56925-321-000
$32.02

Published Dates: 6/11/17

(Signed): [illegible] Date: 8/16/2017
Legal Clerk

Signed and sworn to before me

[illegible]
Notary Public,
Brown County, Wisconsin
My commission expires 5-25-18

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Dated this 25th day of May, 2017
Valerie Parker
Plan Commission and ETZ Secretary

Published as a legal ad in the Wausau Daily Herald on Monday, May 29, 2017, Monday, June 5, 2017 and Sunday, June 11, 2017.
RUN: June 11, 2017 WNAXLP

VILLAGE OF WESTON, WISCONSIN
AGENDA ITEM COVER SHEET

MTG/DATE:	Board of Trustees, 06/19/17
FROM:	Jennifer Higgins, Planning & Development Director/Zoning Administrator
DESCRIPTION:	Ordinance 17-017: An Ordinance to Amend Sections 94.12.06(3) and (4) to Establish and Clarify Standards for Parking Operable and Inoperable Motorized Vehicles in all Zoning Districts.

ACTION:			
	☒ **Approve**	☒ **Ordinance**	☐ **Proclamation**
	☐ **Deny**	☐ **Policy**	☐ **Report**
	☐ **Expenditure**	☐ **Procedure**	☐ **Resolution**

QUESTION:
Should the BOT approve Ordinance 17-017 as recommended by the PC to establish and clarify standards for parking operable and inoperable motorized vehicles in all zoning districts.?

BRIEF:
In working with the new zoning code, Staff has found that the code was not clear regarding the parking of motorized vehicles in all zoning districts. Motorized vehicles shall be parked on a hard surface, within the hard surface setbacks of the corresponding zoning district.

RECOMMEND: Director/Zoning Administrator recommends approval.

COMMITTEE: Recommendation endorsed by PC & ETZ (6/12/17).

REQUEST: Approve Ordinance 17-017

☒ Amendment to Zoning Regulation (Text Amendment) Determination
☒ Draft Ordinance Number 17-017

AMENDMENT TO ZONING REGULATION (TEXT AMENDMENT) DETERMINATION
PLANNING AND DEVELOPMENT
PLAN COMMISSION / JOINT TOWN & VILLAGE EXTRATERRITORIAL ZONING COMMITTEE
BOARD OF TRUSTEES

Ordinance No.:	**17-017**	Hearing Date:	**June 12, 2017**
Applicant:	**Jennifer Higgins, Zoning Administrator, Village of Weston**		
Title:	**An amendment to Section 94.12.06(3) and (4): to establish and clarify standards for parking operable and inoperable motorized vehicles in all zoning districts.**		
Purpose:	**As the current code is written, the sections governing the parking of motorized vehicles are not clear and need to be more specific.**		

The Department of Planning and Development, Plan Commission and Board of Trustees of the Village of Weston, pursuant to the Village of Weston Zoning Code, Article 16 Processes, Section 94.16.02 Amendments to Zoning Regulations (Text Amendments), hereby makes the following findings and evaluation:

DETERMINATION:

1. Is the proposed text amendment consistent with the Comprehensive Plan, as is required by Wisconsin Statutes?

   Yes, the proposed changes coincide with the objectives within the Housing and Neighborhood element of the Comprehensive Plan

2. Does the proposed text amendment further the purposes and intent of this Chapter and section to which the amendment is proposed?

   Yes, this section continues to promote the general welfare and safety by preventing blight.

3. Does the amendment address any of the following deficiencies or omissions as compared to the current language of this Chapter?

   1. A change has occurred in the land market, or other factors have arisen that require a new form of development, a new type of land use, or a new procedure to meet said change(s).

   2. New methods of development or providing infrastructure make it necessary to alter this Chapter to meet these new factors.

   3. Changing governmental finances require amending this Chapter in order to meet the needs of the government in terms of providing and affording public services.

   4. There is an error or internal inconsistency in this Chapter.

4. Does the proposed amendment maintain the desired compatibility with allowable land uses, land use intensities, and impact on resources of the affected zoning district(s)?

   Yes, there is not any impact on the allowable land uses, intensities or resources in any of the zoning districts.

BACKGROUND INFORMATION:

Staff found that the definition of the above stated sections was not written clearly enough to convey the intent of those section and prevent the parking of vehicles on the grass and within the required setbacks.

Plan Commission Determination on 5/12/17:	Approve 7-0
ETZ Determination on 6/12/17:	Approve 6-0
Board of Trustees Determination on 6/19/17:	Approve / Deny 6-0