



AGENDA
PLAN COMMISSION MEETING
RICHFIELD VILLAGE HALL
4128 HUBERTUS ROAD, HUBERTUS, WISCONSIN
SEPTEMBER 8, 2016
7:00 P.M.

Pursuant to the requirements of Section 19.84, Wis. Stats., notice is hereby given of a meeting of the Village of Richfield Plan Commission, at which a quorum of the Village Board may attend in order to gather information about a subject which they have decision making responsibility. The meeting will be held at the above noted date, time and location. Notice of Village Board Quorum, (Chairperson to announce the following if a quorum of the Village Board is in attendance at the meeting: "Please let the minutes reflect that a quorum of the Village Board is present and that the Village Board members may be making comments under the Public Comments section of the agenda, during any Public Hearing(s) or if the rules are suspended to allow them to do so.")

1. Call to Order/Determination of quorum
2. Verification of Open Meetings Law compliance
3. Pledge of Allegiance
4. Approval of Minutes:
 - a. August 4, 2016 – Regular Meeting
5. DISCUSSION/ACTION
 - a. Discussion/Action regarding Chapter 70, Zoning Recodification
 - b. Discussion/Action regarding a Temporary Use Zoning Permit for the Wooded Hills Bible Church, located at 777 STH 164 – Living Nativity
 - c. Discussion/Action regarding proposed amendments to Section 70.190(B), A-2, General Ag. District
 - d. Discussion/Action regarding an amendment to the Ch. 70 Zoning Code- "legal non-conforming structures"
 - e. Discussion and possible recommendation to the Village Board regarding a one-lot CSM for Otzelberger Revocable Trust (Tax Keys: V10_1293 & V10_129300A)
 - f. Discussion and possible recommendation to the Village Board for Resolution R2016-09-01, a Resolution to commence the process for amending the Village's Comprehensive Plan
 - g. Discussion and possible recommendation to the Village Board regarding Ordinance O2016-08-01, an Ordinance to rezone by Mr. and Mrs. Calvin Schneider for properties identified by Tax Key: V10_0382, V10_0381, and V10_0380, from A-1, Exclusive Agricultural District to A-2, General Agricultural District
 - h. Discussion and possible recommendation to the Village Board regarding a petitioned Conditional Use Permit for Mr. Kurt Schwendimann to operate a "small batch dairy production" operation pursuant to Section 70.197(D)(2) at 106 STH 164 (Tax Key: V10_131000Z)
 - i. Discussion/Action regarding a Site, Building and Plan of Operation for Lake Five Farms, located at 106 STH 164 (Tax key: V10_131000Z)
6. ADJOURNMENT

Additional explanation of items on the agenda (Communication Forms) can be found on the village's website at www.richfieldwi.gov. Notification of this meeting has been posted in accordance with the Open Meeting Laws of the State of Wisconsin. It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information; no action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice. Requests from persons with disabilities who need assistance to participate in this meeting or hearing should be made to the Village Clerk's office at 628-2260 with as much advance notice as possible.

4 a

1. Call to order/determination of quorum

Chairman Jim Otto called the meeting to order at 7:05 p.m.

In attendance were Chairman Jim Otto, Vice-Chairman Berghammer, Commissioners Melzer, Bartel, Coté, Lalk, Trustee Collins, and Village Administrator Jim Healy

2. Verification of Open Meetings Law compliance

Administrator Healy stated that the agendas were posted at the Richfield, Hubertus, and Colgate U.S. Post Offices as well as Village Hall. Digital copies of the agenda were sent to the *West Bend Daily News*, *Germantown Express News*, *Hartford Times Press*, and the *Milwaukee Journal Sentinel*.

3. Pledge of Allegiance

4. Approval of Minutes

a. June 2, 2016 – Regular Meeting

Motion by Commissioner Melzer to approve the minutes of the regular June 2, 2016 Plan Commission meeting; Seconded by Vice-Chairman Berghammer; Motion passed without objection.

5. PUBLIC HEARING

- a. Discussion regarding a rezoning petition by Mr. and Mrs. Calvin Schneider for properties identified by Tax Key: V10_0382, V10_0381, and V10_0380, from A-1, Exclusive Agriculture District to A-2 General Agricultural District**
- b. Discussion regarding a petitioned Conditional Use Permit for Mr. Kurt Schwendimann to operate a “small batch dairy production” operation pursuant to Section 70.197(D)(2) at 106 STH 164 (Tax Key: V10_131000Z)**

Administrator Healy introduced the topic.

Chairman Otto asked for a motion to open both Public Hearings for the agenda items 5a. and 5b. and that the public speak on agenda item 5a. first.

Motion by Vice Chairman Berghammer to open the Public Hearing; Seconded by Commissioner Bartel; Motion passed without objection.

Editor’s Note: No one spoke on agenda item 5a.

Therese Nelson, N95 N52805, Town of Lisbon; voiced concerns about the trees on the south boundary line.

Ian Prust, Attorney represented Mr. Kurt Schwendimann and spoke in favor of the proposal for ‘small batch dairy production’.

Motion by Commissioner Lalk to close the Public Hearing; Seconded by Commissioner Coté; Motion passed without objection.

6. DISCUSSION/ACTION

- a. Discussion and Possible recommendation to the Village Board regarding Ordinance O2016-08-01, an Ordinance to rezone by Mr. and Mrs. Calvin Schneider for properties**

identified by Tax Key: V10_0382, V10_0381, and V10_0380, from A-1, Exclusive Agricultural District to A-2, General Agricultural District

Discussion was had regarding the proposed rezoning and the allowable 'Permitted Principal Uses' in the A-2, General Agricultural District.

Chairman Otto requested an informal subcommittee be formed consisting of himself and Village President John Jeffords to potentially consider the creation of an A-3 zoning district if the petitioner would be interested in that sort of a change. The A-3 District would mirror the A-2 District and the Rs-1 District in some respects.

Motion by Commissioner Lalk to table the adoption of Ordinance O2016-08-01, an Ordinance to rezone Tax Keys: V10_0382, V10_0381, and V10_0380 as indicated in the ordinance exhibit, from A-1, Exclusive Agricultural District to A-2, General Agricultural District to September 1, 2016 at 7PM; Seconded by Commissioner Bartel; Motion passed without objection.

b. Discussion and possible recommendation to the Village Board regarding a petitioned Conditional Use Permit for Mr. Kurt Schwendimann to operate a "small batch dairy production" operation pursuant to Section 70.197(D)(2) at 106 STH 164 (Tax Key: V10_131000Z)

Commissioner Melzer questioned what happens with the 'gray water' byproduct from the small batch dairy production.

Motion by Commissioner Lalk to table the adoption of the proposed Conditional Use Permit for Lake Five Foods, located at 106 STH 164 (Tax Key: V10-1310-00Z) to September 1, 2016 at 7PM; Seconded by Commissioner Bartel; Motion passed without objection.

c. Discussion/Action regarding a Site, Building and Plan of Operation for Lake Five Farms, located at 106 STH (Tax Key: V10_131000Z)

Plan Commissioners requested more specificity as to the business operations for the grocery store and restaurant and directed Staff to work with the petitioner's attorney on clarifying the Plans of Operation, the Site Plan for the property, and the parking lot layout.

Motion by Commissioner Lalk to table the approval of the proposed Plan of Operation for Lake Five Foods, LLC to operate at 106 STH 164 (Tax Key: V10_1310-00Z) until September 1, 2016 at 7PM; Seconded by Commissioner Dick Melzer; Motion passed without objection.

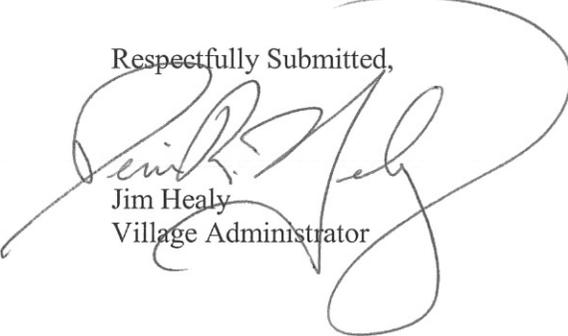
d. Discussion/Action regarding a potential amendment to the Village's Zoning Code relating to "legal non-conforming structures"

Motion by Commissioner _____ to table the proposed ordinance to September 1, 2016 at 7PM; Seconded by Commissioner _____; Motion passed without objection.

7. ADJOURNMENT

Motion by Commissioner Lalk to adjourn; Seconded by Village Trustee Collins; Motion passed without objection at 9:30PM

Respectfully Submitted,


Jim Healy
Village Administrator

5 a



VILLAGE OF RICHFIELD
PLAN COMMISSION COMMUNICATION FORM

5a.

MEETING DATE: September 8, 2016

SUBJECT: Zoning Code Rewrite

DATE SUBMITTED: September 1, 2016

SUBMITTED BY: Jim Healy, Village Administrator

POLICY QUESTION: NONE.

ISSUE SUMMARY:

The Village of Richfield's Zoning Code in its current form was last re-codified in the early 1980s. At that time the Village made several major policy shifts in large part due to the growth of the community. Since that time, the Village has adopted several key zoning amendments which have continued to help aid with the strategic growth and stability of the community. The most important of which being the Village's Rs-1b, Single Family Cluster/Open Space Residential District. This Zoning District continues to be the standard by which residential subdivisions are developed in the Village of Richfield primarily due to the three (3) acre densities and the positive effect that sort of development pattern has on the Village's groundwater. The model of Zoning Code was drafted by one of the Village's first professional staff members, Mr. Harlan Clinkenbeard. This Zoning Code model has been replicated in several communities across southeastern Wisconsin and was at one time widely considered the standard for how a municipality's zoning laws should be written and organized.

Over the course of the last six (6) years, Village Staff has worked intimately with the Code and since 2014 one of the Village Board's organizational priorities has been for Staff to work in collaboration with the Village Board, Plan Commission, and Board of Zoning Appeals on elements of the Zoning Code for the purposes of a recodification. Our intent is to prepare a comprehensive update of the Zoning Code which reflects present day planning standards and is more user-friendly. We proposed our approach to be one that continues to build upon the already established language in the Code, account for changes in the law, fix irregularities and circular references, and simplify how the information is currently being presented with the aid of charts, color pictures of defined vocabulary, visual depictions of complex planning concepts, and an overall reorganization of the presentation of information. In the opinion of Staff, the overall structure of the code needs to be reworked so that it is easier for Staff and the general public to find what they are looking for. The current code is bottom heavy. For example, there are instances where there are five (5) sublevels below a section which makes citations incredibly hard to use.

Regarding land use categories, in some instances there seems to be fine distinctions between various land uses that may not be all that necessary. In the A-2 District, for example, "Contract sorting, grading and packaging of fruits and vegetables" is a use permitted by right, while "drying vegetables" is allowed only as a Conditional Use. Although that distinction may potentially make sense, it is important to raise those types of questions as a part of this review. During the month of August, the Plan Commission appeared to express great angst regarding the lists of permitted principal uses in the A-2 District. To Staff's knowledge, this is the second such time those concerns have been brought up. Perhaps it is time to examine those uses along with the uses in other Districts to make those same value-based decisions.

The current Zoning Code for the Village has more than 20 base zoning districts. These should be evaluated in an effort to consolidate or eliminate districts if at all possible while considering the possibility for new land use districts which may allow for higher density uses between 5 and 10 acres. The purpose of this step is to see if the Code and Zoning Map can be simplified. In addition, some of the environmental zoning districts could potentially be depicted as overlay zoning districts. To that end, the zoning map will need to be analyzed on a parcel-by-parcel basis to ensure consistency with the Village's adopted Comprehensive Plan.



VILLAGE OF RICHFIELD
PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: September 8, 2016

SUBJECT: Zoning Code Rewrite

DATE SUBMITTED: September 1, 2016

SUBMITTED BY: Jim Healy, Village Administrator

Key Principles in Drafting New Zoning Code:

1. Divide the code into logical parts.
2. Include legislative findings, also called “findings of fact” for additional context to the reader.
3. Include purpose statements to define what the code is intended to accomplish.
4. Keep each of the sections short by covering only one topic.
5. Write simply and unambiguously.
6. Use tables, charts, and matrixes for visual representations of the code, when appropriate.
7. Incorporate color photos and drawings to illustrate complex information.
8. Eliminate inconsistencies and duplicative language.
9. Craft the code so subsequent amendments can be easily incorporated.
10. Eliminate conflicting provisions.
11. Eliminate legalese and ambiguous verbiage.
12. Focus on details in context of the “larger picture”.
13. Differentiate between legislative, quasi-judicial, and administrative decisions.
14. Establish step-by-step procedures for each of the various development review processes.
15. Include examples of where a formula is used (ie: land use calculations of open space v. developable land)
16. Update citations for state and federal regulations.

When completed, the Zoning Code will look and feel different. Provisions will be clear and internally consistent, with no overlapping or contradictory requirements. The code will be readable and understandable – in other words, it will be “user-friendly”. People will be able to find the information they are looking for without having to do a global review of the entire Code. To accomplish this task, Village Staff is proposing a small subcommittee be formed with the Chairman of the Plan Commission, the Village President, the Village Attorney and Village’s Consultant Planner. This subcommittee will then periodically present the code piece-by-piece to the Plan Commission, the Board of Zoning Appeals, and the general public for review/comment. Much of the proposed reorganization to the Code has already been reviewed and approved by Village Attorney John Macy and we believe that such an endeavor can be accomplished utilizing the services of Consultant Planner Schwecke while still being under budget for FY2016.

FUTURE IMPACT AND ANALYSIS:

REVIEWED BY: _____
Village Deputy Treasurer

Forward to Village Board: No
Additional Approvals Needed: No
Signatures Required: No

ATTACHMENTS:

1. “Building a Land-Use Matrix for a Zoning Code” prepared by CiviTek Consulting



VILLAGE OF RICHFIELD
PLAN COMMISSION COMMUNICATION FORM

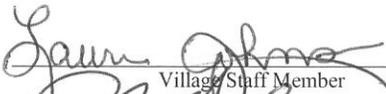
MEETING DATE: September 8, 2016

SUBJECT: Zoning Code Rewrite
DATE SUBMITTED: September 1, 2016
SUBMITTED BY: Jim Healy, Village Administrator

STAFF RECOMMENDATION:

Motion to establish a subcommittee consisting of the Village Plan Commission Chairman, Village President, Village Attorney and Village's Consultant Planner.

APPROVED FOR SUBMITTAL BY:



Village Staff Member



Village Administrator

VILLAGE CLERK USE ONLY
BOARD ACTION TAKEN

Resolution No. _____
Ordinance No. _____
Approved _____
Other _____

Continued To: _____
Referred To: _____
Denied _____
File No. _____

Building a Land-Use Matrix for a Zoning Code

How a simple chart answers most zoning questions



What can we do with this property?



Where can I put my business?



Exhibit 7-1 Land-use matrix

										Supplemental Standards	Secondary Review	
1	Agriculture	P-1	C-1	A-P	A-1	RH	SE	R-1	R-2	B-2		
1.01	Agriculture support services	-	-	C	C	C	-	-	-	-	82-681	SP,PO,ZP
1.03	Animal production, general	-	-	P	P	-	-	-	-	-	82-682	-
1.04	Animal production, intensive	-	-	C	C	-	-	-	-	-	82-683	SP,PO,ZP
1.05	Aquaculture	-	-	P	P	P	-	-	-	-	82-684	SP,PO,ZP
1.06	Crop production	-	-	P	P	P	P	-	-	-	82-685	-
1.07	Greenhouse	-	-	P	P	P	-	-	-	-	82-686	SP,PO,ZP
1.08	Horticulture	-	-	P	P	P	-	-	-	-	82-687	ZP
2 Agri-Tourism												
2.01	Agro-ecology center	-	-	C	C	-	-	-	-	-	82-691	BP,SP,PO,ZP
2.02	Bird hunting preserve	-	C	C	C	-	-	-	-	-	82-692	SP,PO,ZP
2.03	Conference/education center	-	-	C	C	-	-	-	-	-	82-693	BP,SP,PO,ZP
2.04	Farm education											P,PO,ZP
2.05	Farm inn											P,PO,ZP
2.06	Farm recreation											P,PO,ZP
2.07	Farm restaurant											P,PO,ZP
2.08	Farm store											P,PO,ZP
2.09	Fee fishing											PO,ZP
2.10	Glamorous camping (glamping)											P,PO,ZP
2.11	Health spa											P,PO,ZP
2.12	Petting farm											PO,ZP
2.13	Special event venue											P,PO,ZP
2.14	U-Cut Christmas tree operation											PO,ZP
2.15	U-Pick operation											PO,ZP
2.16	Winery											P,PO,ZP
3 Resource-Based Uses												
3.02	Dam	C	C	C	C	C	C	C	-	C	82-711	SP,PO,ZP
3.03	Forestry	P	P	P	P	P	P	P	P	P	82-712	-
3.04	Limited nonmetallic mine	C	-	C	C	C	-	-	-	-	82-713	SP,PO,ZP
3.05	Open lands	P	P	P	P	P	P	P	P	P	82-714	-
4 Residential												
4.01	Duplex	-	-	-	-	-	-	-	C	C	82-721	ZP
4.02	Multifamily housing	-	-	-	-	-	-	-	C	P	82-722	BP,SP,ZP
4.03	Single-family dwelling	-	-	P	P	P	P	P	P	-	82-723	ZP
5 Special Care Facilities												
5.01	Adult family home	-	-	P	P	P	P	P	P	-	82-731	BP,SP,ZP
5.02	Community living arrangement, 8 or fewer residents	-	-	P	P	P	P	P	P	-	82-732	ZP
5.03	Community living arrangement, 9 to 15 residents	-	-	C	C	C	C	C	C	-	82-733	BP,SP,PO
5.04	Foster home and treatment foster home	-	-	P	P	P	P	P	P	-	82-734	ZP
5.05	Group day care center	P	-	-	C	C	C	C	-	P	82-735	BP,SP,PO,ZP
5.06	Hospice care center	P	-	-	C	C	C	C	C	P	82-736	BP,SP,ZP
5.07	Nursing home	P	-	-	C	C	C	C	-	P	82-737	BP,SP,ZP

Land uses (from soup to nuts)

Three main types:

- Principal uses (~120 to 150)
- Accessory uses (~30 to 40)
- Temporary uses (~15 to 20)

Continued on next page

Exhibit 7-1 Land-use matrix

1													
		P-1	C-1	A-P	A-1	RH	SE	R-1	R-2	B-2	Supplemental Standards	Secondary Review	
Agriculture													
1.01	Agriculture support services	-	-	C	C	C	-	-	-	-	82-681	SP,PO,ZP	
1.03	Animal production, general	-	-	P	P	-	-	-	-	-	82-682	-	
1.04	Animal production, intensive	-	-	C	C	-	-	-	-	-	82-683	SP,PO,ZP	
1.05	Aquaculture	-	-	P	P	P	-	-	-	-	82-684	SP,PO,ZP	
1.06	Crop production	-	-	P	P	P	P	-	-	-	82-685	-	
1.07	Greenhouse	-	-	P	P	P	-	-	-	-	82-686	SP,PO,ZP	
1.08	Horticulture	-	-	P	P	P	-	-	-	-	82-687	ZP	
2 Agri-Tourism													
2.01	Agro-ecology center	-	-	C	C	-	-	-	-	-	82-691	BP,SP,PO,ZP	
2.02	Bird hunting preserve	-	-	C	C	-	-	-	-	-	82-692	SP,PO,ZP	
2.03	Conference/education center	-	-	C	C	-	-	-	-	-	82-693	BP,SP,PO,ZP	
2.04	Farm education	-	-	C	C	-	-	-	-	-	82-694	BP,SP,PO,ZP	
2.05	Farm inn	-	-	C	C	-	-	-	-	-	82-695	BP,SP,PO,ZP	
2.06	Farm recreation	-	C	C	C	-	-	-	-	-	82-696	BP,SP,PO,ZP	
2.07	Farm restaurant	-	-	C	C	-	-	-	-	-	82-697	BP,SP,PO,ZP	
2.08	Farm store	-	-	C	C	-	-	-	-	-	82-698	BP,SP,PO,ZP	
2.09	Fee fishing	-	C	C	C	-	-	-	-	-	82-699	SP,PO,ZP	
2.10	Glamorous camping (glamping)	-	C	C	C	-	-	-	-	-	82-700	BP,SP,PO,ZP	
2.11	Health spa	-	-	C	C	-	-	-	-	-	82-701	BP,SP,PO,ZP	
2.12	Petting farm	-	-	C	C	-	-	-	-	-	82-702	SP,PO,ZP	
2.13	Special event venue	-	-	C	C	-	-	-	-	-	82-703	BP,SP,PO,ZP	
2.14	U-Cut Christmas tree operation	-	P	P	P	C	-	-	-	-	82-704	SP,PO,ZP	
2.15	U-Pick operation	-	-	P	P	C	-	-	-	-	82-705	SP,PO,ZP	
2.16	Winery	-	C	C	C	C	-	-	-	-	82-706	BP,SP,PO,ZP	
3 Resource-Based Uses													
3.02	Dam	C	C	C	C	C	C	C	-	C	82-711	SP,PO,ZP	
3.03	Forestry	P	P	P	P	P	P	P	P	P	82-712	-	
3.04	Limited nonmetallic mine	C	-	C	C	C	-	-	-	-	82-713	SP,PO,ZP	
3.05	Open lands	P	P	P	P	P	P	P	P	P	82-714	-	
4 Residential													
4.01	Single-family detached	-	-	-	-	-	-	-	C	C	82-721	ZP	
4.02	Multifamily housing	-	-	-	-	-	-	-	C	P	82-722	BP,SP,ZP	
4.03	Single-family dwelling	-	-	P	P	P	P	P	P	-	82-723	ZP	
5 Special Care Facilities													
5.01	Adult family home	-	-	P	P	P	P	P	P	-	82-731	BP,SP,ZP	
5.02	Community living arrangement, 8 or fewer residents	-	-	P	P	P	P	P	P	-	82-732	ZP	
5.03	Community living arrangement, 9 to 15 residents	-	-	C	C	C	C	C	C	-	82-733	BP,SP,PO	
5.04	Foster home and treatment foster home	-	-	P	P	P	P	P	P	-	82-734	ZP	
5.05	Group day care center	P	-	-	C	C	C	C	-	P	82-735	BP,SP,PO,ZP	
5.06	Hospice care center	P	-	-	C	C	C	C	C	P	82-736	BP,SP,ZP	
5.07	Nursing home	P	-	-	C	C	C	C	-	P	82-737	BP,SP,ZP	

Land uses are grouped into logical categories (~10 to 15)

Continued on next page

Exhibit 7-1 Land-use matrix

										Supplemental Standards	Secondary Review	
1	Agriculture	P-1	C-1	A-P	A-1	RH	SE	R-1	R-2	B-2		
1.01	Agriculture support services	-	-	C	C	C	-	-	-	-	82-681	SP,PO,ZP
1.03	Animal production, general	-	-	P	P	-	-	-	-	-	82-682	-
1.04	Animal production, intensive	-	-	C	C	-	-	-	-	-	82-683	SP,PO,ZP
1.05	Aquaculture	-	-	P	P	P	-	-	-	-	82-684	SP,PO,ZP
1.06	Crop production	-	-	P	P	P	P	-	-	-	82-685	-
1.07	Greenhouse	-	-	P	P	P	-	-	-	-	82-686	SP,PO,ZP
1.08	Horticulture	-	-	P	P	P	-	-	-	-	82-687	ZP
2 Agri-Tourism												
2.01	Agro-ecology center	-	-	C	C	-	-	-	-	-	82-691	BP,SP,PO,ZP
2.02	Bird hunting preserve	-	C	C	C	-	-	-	-	-	82-692	SP,PO,ZP
2.03	Conference/education center	-	-	C	C	-	-	-	-	-	82-693	BP,SP,PO,ZP
2.04	Farm education	-	C	C	C	-	-	-	-	-	82-694	BP,SP,PO,ZP
2.05	Farm inn	-	-	C	C	-	-	-	-	-	82-695	BP,SP,PO,ZP
2.06	Farm recreation	-	C	C	C	-	-	-	-	-	82-696	BP,SP,PO,ZP
2.07	Farm restaurant	-	-	C	C	-	-	-	-	-	82-697	BP,SP,PO,ZP
2.08	Farm store	-	-	C	C	-	-	-	-	-	82-698	BP,SP,PO,ZP
2.09	Fee fishing	-	C	C	C	-	-	-	-	-	82-699	SP,PO,ZP
2.10	Glamorous camping (glamping)	-	C	C	C	-	-	-	-	-	82-700	BP,SP,PO,ZP
2.11	Health spa	-	-	C	C	-	-	-	-	-	82-701	BP,SP,PO,ZP
2.12	Petting farm	-	-	C	C	-	-	-	-	-	82-702	SP,PO,ZP
2.13	Special event venue	-	-	C	C	-	-	-	-	-	82-703	BP,SP,PO,ZP
2.14	U-Cut Christmas tree operation	-	P	P	P	C	-	-	-	-	82-704	SP,PO,ZP
2.15	U-Pick operation	-	-	P	P	C	-	-	-	-	82-705	SP,PO,ZP
2.16	Winery	-	C	C	C	C	-	-	-	-	82-706	BP,SP,PO,ZP
3 Resource-Based Uses												
3.02	Dam	C	C	C	C	C	C	C	-	C	82-711	SP,PO,ZP
3.03	Forestry	P	P	P	P	P	P	P	P	P	82-712	-
3.04	Limited nonmetallic mine	C	-	C	C	C	-	-	-	-	82-713	SP,PO,ZP
3.05	Open lands	P	P	P	P	P	P	P	P	P	82-714	-
4 Residential												
4.01	Single-family detached	-	-	C	C	C	C	C	C	C	82-721	ZP
4.02	Multifamily housing	-	-	C	C	C	C	C	C	P	82-722	BP,SP,ZP
4.03	Single-family dwelling	-	-	C	C	C	C	C	C	P	82-723	ZP
5 Special Care Facilities												
5.01	Adult family home	-	-	P	P	P	P	P	P	-	82-731	BP,SP,ZP
5.02	Community living arrangement, 8 or fewer residents	-	-	P	P	P	P	P	P	-	82-732	ZP
5.03	Community living arrangement, 9 to 15 residents	-	-	C	C	C	C	C	C	-	82-733	BP,SP,PO
5.04	Foster home and treatment foster home	-	-	P	P	P	P	P	P	-	82-734	ZP
5.05	Group day care center	P	-	-	C	C	C	C	-	P	82-735	BP,SP,PO,ZP
5.06	Hospice care center	P	-	-	C	C	C	C	C	P	82-736	BP,SP,ZP
5.07	Nursing home	P	-	-	C	C	C	C	-	P	82-737	BP,SP,ZP

Land uses are defined (elsewhere in code)

Continued on next page

Exhibit 7-1 Land-use matrix

										Supplemental Standards	Secondary Review	
1	Agriculture	P-1	C-1	A-P	A-1	RH	SE	R-1	R-2	B-2		
1.01	Agriculture support services	-	-	C	C	C	-	-	-	-	82-681	SP,PO,ZP
1.03	Animal production, general	-	-	P	P	-	-	-	-	-	82-682	-
1.04	Animal production, intensive	-	-	C	C	-	-	-	-	-	82-683	SP,PO,ZP
1.05	Aquaculture	-	-	P	P	P	-	-	-	-	82-684	SP,PO,ZP
1.06	Crop production	-	-	P	P	P	P	-	-	-	82-685	-
1.07	Greenhouse	-	-	P	P	P	-	-	-	-	82-686	SP,PO,ZP
1.08	Horticulture	-	-	P	P	P	-	-	-	-	82-687	ZP
2 Agri-Tourism												
2.01	Agro-ecology center	-	-	C	C	-	-	-	-	-	82-691	BP,SP,PO,ZP
2.02	Bird hunting preserve	-	C	C	C	-	-	-	-	-	82-692	SP,PO,ZP
2.03	Conference/education center	-	-	C	C	-	-	-	-	-	82-693	BP,SP,PO,ZP
2.04	Farm education	-	C	C	C	-	-	-	-	-	82-694	BP,SP,PO,ZP
2.05	Farm inn	-	-	C	C	-	-	-	-	-	82-695	BP,SP,PO,ZP
2.06	Farm recreation	-	C	C	C	-	-	-	-	-	82-696	BP,SP,PO,ZP
2.07	Farm restaurant	-	-	C	C	-	-	-	-	-	82-697	BP,SP,PO,ZP
2.08	Farm store	-	-	C	C	-	-	-	-	-	82-698	BP,SP,PO,ZP
2.09	Fee fishing	-	C	C	C	-	-	-	-	-	82-699	SP,PO,ZP
2.10	Glamorous camping (glamping)	-	C	C	C	-	-	-	-	-	82-700	BP,SP,PO,ZP
2.11	Health spa	-	-	C	C	-	-	-	-	-	82-701	BP,SP,PO,ZP
2.12	Petting farm	-	-	C	C	-	-	-	-	-	82-702	SP,PO,ZP
2.13	Special event venue	-	-	C	C	-	-	-	-	-	82-703	BP,SP,PO,ZP
2.14	U-Cut Christmas tree operation	-	P	P	P	C	-	-	-	-	82-704	SP,PO,ZP
2.15	U-Pick operation											PO,ZP
2.16	Winery											P,PO,ZP
3 Resource-Based Uses												
3.02	Dam											PO,ZP
3.03	Forestry											-
3.04	Limited nonmetallic mine											PO,ZP
3.05	Open lands											-
4 Residential												
4.01	Detached single-family dwelling											ZP
4.02	Multifamily housing											SP,ZP
4.03	Single-family dwelling											ZP
5 Special Care Facilities												
5.01	Adult family home											SP,ZP
5.02	Community living arrangement, 8 or fewer residents											ZP
5.03	Community living arrangement, 9 to 15 residents	-	-	C	C	C	C	C	C	-	82-733	BP,SP,PO
5.04	Foster home and treatment foster home	-	-	P	P	P	P	P	P	-	82-734	ZP
5.05	Group day care center	P	-	-	C	C	C	C	-	P	82-735	BP,SP,PO,ZP
5.06	Hospice care center	P	-	-	C	C	C	C	C	P	82-736	BP,SP,ZP
5.07	Nursing home	P	-	-	C	C	C	C	-	P	82-737	BP,SP,ZP

Continued on next page

Sample definitions

4.02 Multifamily housing A building with three or more dwelling units.

4.03 Single-family dwelling A building containing one dwelling unit that is situated on one lot and is not attached to any other dwelling unit by any means. The term includes manufactured homes, modular homes, panelized homes, pre-cut homes, and site-built homes, but excludes mobile homes.

Exhibit 7-1 Land-use matrix

										Supplemental Standards	Secondary Review	
1	Agriculture	P-1	C-1	A-P	A-1	RH	SE	R-1	R-2	B-2		
1.01	Agriculture support services	-	-	C	C	C	-	-	-	-	82-688	SP,PO,ZP
1.03	Animal production, general	-	-	P	P	-	-	-	-	-	82-689	-
1.04	Animal production, intensive	-	-	C	C	-	-	-	-	-	82-690	SP,PO,ZP
1.05	Aquaculture	-	-	P	P	P	-	-	-	-	82-691	SP,PO,ZP
1.06	Crop production	-	-	P	P	P	P	-	-	-	82-692	-
1.07	Greenhouse	-	-	P	P	P	-	-	-	-	82-693	SP,PO,ZP
1.08	Horticulture	-	-	P	P	P	-	-	-	-	82-694	ZP
2 Agri-Tourism												
2.01	Agro-ecology center	-	-	C	C	-	-	-	-	-	82-707	BP,SP,PO,ZP
2.02	Bird hunting preserve	-	C	C	C	-	-	-	-	-	82-708	SP,PO,ZP
2.03	Conference/education center	-	-	C	C	-	-	-	-	-	82-709	BP,SP,PO,ZP
2.04	Farm education	-	C	C	C	-	-	-	-	-	82-710	BP,SP,PO,ZP
2.05	Farm inn	-	-	C	C	-	-	-	-	-	82-711	BP,SP,PO,ZP
2.06	Farm recreation	-	C	C	C	-	-	-	-	-	82-712	BP,SP,PO,ZP
2.07	Farm restaurant	-	-	C	C	-	-	-	-	-	82-713	BP,SP,PO,ZP
2.08	Farm store	-	-	C	C	-	-	-	-	-	82-714	BP,SP,PO,ZP
2.09	Fee fishing	-	C	C	C	-	-	-	-	-	82-715	SP,PO,ZP
2.10	Glamorous camping (glamping)	-	C	C	C	-	-	-	-	-	82-716	BP,SP,PO,ZP
2.11	Health spa	-	-	C	C	-	-	-	-	-	82-717	BP,SP,PO,ZP
2.12	Petting farm	-	-	C	C	-	-	-	-	-	82-718	SP,PO,ZP
2.13	Special event venue											
2.14	U-Cut Christmas tree operation											
2.15	U-Pick operation											
2.16	Winery											
3 Resource-Based Uses												
3.02	Dam											
3.03	Forestry											
3.04	Limited nonmetallic mine											
3.05	Open lands											
4 Residential												
4.01	Detached single-family dwelling											
4.02	Multifamily housing											
4.03	Single-family dwelling											
5 Special Care Facilities												
5.01	Adult family home											
5.02	Community living arrangement, 8 or fewer residents											
5.03	Community living arrangement, 9 to 15 residents	-	-	C	C	C	C	C	C	-	82-740	BP,SP,PO
5.04	Foster home and treatment foster home	-	-	P	P	P	P	P	P	-	82-741	ZP
5.05	Group day care center	P	-	-	C	C	C	C	-	P	82-742	BP,SP,PO,ZP
5.06	Hospice care center	P	-	-	C	C	C	C	C	P	82-743	BP,SP,ZP
5.07	Nursing home	P	-	-	C	C	C	C	-	P	82-744	BP,SP,ZP

Some definitions include photos (again, elsewhere in code)



4.02 Multifamily housing
4.03 Single-family dwelling

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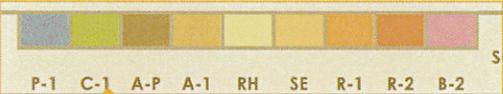
Exhibit 7-1 Land-use matrix

												Supplemental Standards	Secondary Review
1 Agriculture													
1.01	Agriculture support services	-	C	C	C	-	-	-	-	-	82-681	SP,PO,ZP	
1.03	Animal production, general										82-682	-	
1.04	Animal production, intensive										82-683	SP,PO,ZP	
1.05	Aquaculture										82-684	SP,PO,ZP	
1.06	Crop production										82-685	-	
1.07	Greenhouse										82-686	SP,PO,ZP	
1.08	Horticulture										82-687	ZP	
2 Agri-Tourism													
2.01	Agro-ecology center	-	-	C	C	-	-	-	-	-	82-691	BP,SP,PO,ZP	
2.02	Bird hunting preserve	-	C	C	C	-	-	-	-	-	82-692	SP,PO,ZP	
2.03	Conference/education center	-	-	C	C	-	-	-	-	-	82-693	BP,SP,PO,ZP	
2.04	Farm education	-	C	C	C	-	-	-	-	-	82-694	BP,SP,PO,ZP	
2.05	Farm inn	-	-	C	C	-	-	-	-	-	82-695	BP,SP,PO,ZP	
2.06	Farm recreation	-	C	C	C	-	-	-	-	-	82-696	BP,SP,PO,ZP	
2.07	Farm restaurant	-	-	C	C	-	-	-	-	-	82-697	BP,SP,PO,ZP	
2.08	Farm store	-	-	C	C	-	-	-	-	-	82-698	BP,SP,PO,ZP	
2.09	Fee fishing	-	C	C	C	-	-	-	-	-	82-699	SP,PO,ZP	
2.10	Glamorous camping (glamping)	-	C	C	C	-	-	-	-	-	82-700	BP,SP,PO,ZP	
2.11	Health spa	-	-	C	C	-	-	-	-	-	82-701	BP,SP,PO,ZP	
2.12	Petting farm	-	-	C	C	-	-	-	-	-	82-702	SP,PO,ZP	
2.13	Special event venue	-	-	C	C	-	-	-	-	-	82-703	BP,SP,PO,ZP	
2.14	U-Cut Christmas tree operation	-	P	P	P	C	-	-	-	-	82-704	SP,PO,ZP	
2.15	U-Pick operation	-	-	P	P	C	-	-	-	-	82-705	SP,PO,ZP	
2.16	Winery	-	C	C	C	C	-	-	-	-	82-706	BP,SP,PO,ZP	
3 Resource-Based Uses													
3.02	Dam	C	C	C	C	C	C	C	-	C	82-711	SP,PO,ZP	
3.03	Forestry	P	P	P	P	P	P	P	P	P	82-712	-	
3.04	Limited nonmetallic mine	C	-	C	C	C	-	-	-	-	82-713	SP,PO,ZP	
3.05	Open lands	P	P	P	P	P	P	P	P	P	82-714	-	
4 Residential													
4.01	Duplex	-	-	-	-	-	-	-	C	C	82-721	ZP	
4.02	Multifamily housing	-	-	-	-	-	-	-	C	P	82-722	BP,SP,ZP	
4.03	Single-family dwelling	-	-	P	P	P	P	P	P	-	82-723	ZP	
5 Special Care Facilities													
5.01	Adult family home	-	-	P	P	P	P	P	P	-	82-731	BP,SP,ZP	
5.02	Community living arrangement, 8 or fewer residents	-	-	P	P	P	P	P	P	-	82-732	ZP	
5.03	Community living arrangement, 9 to 15 residents	-	-	C	C	C	C	C	C	-	82-733	BP,SP,PO	
5.04	Foster home and treatment foster home	-	-	P	P	P	P	P	P	-	82-734	ZP	
5.05	Group day care center	P	-	-	C	C	C	C	-	P	82-735	BP,SP,PO,ZP	
5.06	Hospice care center	P	-	-	C	C	C	C	C	P	82-736	BP,SP,ZP	
5.07	Nursing home	P	-	-	C	C	C	C	-	P	82-737	BP,SP,ZP	

Base zoning districts and corresponding color from zoning map

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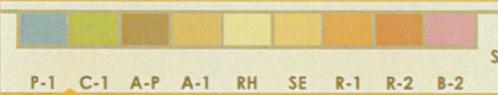
Exhibit 7-1 Land-use matrix

												Supplemental Standards	Secondary Review
		P-1	C-1	A-P	A-1	RH	SE	R-1	R-2	B-2			
1 Agriculture													
1.01	Agriculture support services	-	C	C	C	-	-	-	-	-	82-681	SP,PO,ZP	
1.03	Animal production, general										82-682	-	
1.04	Animal production, intensive										82-683	SP,PO,ZP	
1.05	Aquaculture										82-684	SP,PO,ZP	
1.06	Crop production										82-685	-	
1.07	Greenhouse										82-686	SP,PO,ZP	
1.08	Horticulture										82-687	ZP	
2 Agri-Tourism													
2.01	Agro-ecology center	-	-	C	C	-	-	-	-	-	82-691	BP,SP,PO,ZP	
2.02	Bird hunting preserve	-	C	C	C	-	-	-	-	-	82-692	SP,PO,ZP	
2.03	Conference/education center	-	-	C	C	-	-	-	-	-	82-693	BP,SP,PO,ZP	
2.04	Farm education	-	C	C	C	-	-	-	-	-	82-694	BP,SP,PO,ZP	
2.05	Farm inn	-	-	C	C	-	-	-	-	-	82-695	BP,SP,PO,ZP	
2.06	Farm recreation	-	C	C	C	-	-	-	-	-	82-696	BP,SP,PO,ZP	
2.07	Farm restaurant	-	-	C	C	-	-	-	-	-	82-697	BP,SP,PO,ZP	
2.08	Farm store	-	-	C	C	-	-	-	-	-	82-698	BP,SP,PO,ZP	
2.09	Fee fishing	-	C	C	C	-	-	-	-	-	82-699	SP,PO,ZP	
2.10	Glamorous camping (glamping)	-	C	C	C	-	-	-	-	-	82-700	BP,SP,PO,ZP	
2.11	Health spa	-	-	C	C	-	-	-	-	-	82-701	BP,SP,PO,ZP	
2.12	Petting farm	-	-	C	C	-	-	-	-	-	82-702	SP,PO,ZP	
2.13	Special event venue	-	-	C	C	-	-	-	-	-	82-703	BP,SP,PO,ZP	
2.14	U-Cut Christmas tree operation	-	P	P	P	C	-	-	-	-	82-704	SP,PO,ZP	
2.15	U-Pick operation	-	-	P	P	C	-	-	-	-	82-705	SP,PO,ZP	
2.16	Winery	-	C	C	C	C	-	-	-	-	82-706	BP,SP,PO,ZP	
3 Resource-Based Uses													
3.02	Dam	C	C	C	C	C	C	C	-	C	82-711	SP,PO,ZP	
3.03	Forestry	P	P	P	P	P	P	P	P	P	82-712	-	
3.04	Limited nonmetallic mine	C	-	C	C	C	-	-	-	-	82-713	SP,PO,ZP	
3.05	Open lands	P	P	P	P	P	P	P	P	P	82-714	-	
4 Residential													
4.01	Duplex	-	-	-	-	-	-	-	C	C	82-721	ZP	
4.02	Multifamily housing	-	-	-	-	-	-	-	C	P	82-722	BP,SP,ZP	
4.03	Single-family dwelling	-	-	P	P	P	P	P	P	-	82-723	ZP	
5 Special Care Facilities													
5.01	Adult family home	-	-	P	P	P	P	P	P	-	82-731	BP,SP,ZP	
5.02	Community living arrangement, 8 or fewer residents	-	-	P	P	P	P	P	P	-	82-732	ZP	
5.03	Community living arrangement, 9 to 15 residents	-	-	C	C	C	C	C	C	-	82-733	BP,SP,PO	
5.04	Foster home and treatment foster home	-	-	P	P	P	P	P	P	-	82-734	ZP	
5.05	Group day care center	P	-	-	C	C	C	C	-	P	82-735	BP,SP,PO,ZP	
5.06	Hospice care center	P	-	-	C	C	C	C	C	P	82-736	BP,SP,ZP	
5.07	Nursing home	P	-	-	C	C	C	C	-	P	82-737	BP,SP,ZP	

Base zoning districts are described (elsewhere in code)

Continued on next page

Exhibit 7-1 Land-use matrix

												Supplemental Standards	Secondary Review
		P-1	C-1	A-P	A-1	RH	SE	R-1	R-2	B-2			
1 Agriculture													
1.01	Agriculture support services			C	C	C	-	-	-	-	82-681	SP,PO,ZP	
1.03	Animal production, general										82-682	-	
1.04	Animal production, intensive										83	SP,PO,ZP	
1.05	Aquaculture										84	SP,PO,ZP	
1.06	Crop production										85	-	
1.07	Greenhouse										86	SP,PO,ZP	
1.08	Horticulture										87	ZP	
2 Agri-Tourism													
2.01	Agro-ecology center										91	BP,SP,PO,ZP	
2.02	Bird hunting preserve										92	SP,PO,ZP	
2.03	Conference/education center										93	BP,SP,PO,ZP	
2.04	Farm education										94	BP,SP,PO,ZP	
2.05	Farm inn										95	BP,SP,PO,ZP	
2.06	Farm recreation										96	BP,SP,PO,ZP	
2.07	Farm restaurant										97	BP,SP,PO,ZP	
2.08	Farm store										98	BP,SP,PO,ZP	
2.09	Fee fishing										99	SP,PO,ZP	
2.10	Glamorous camping (glamping)										00	BP,SP,PO,ZP	
2.11	Health spa										01	BP,SP,PO,ZP	
2.12	Petting farm										02	SP,PO,ZP	
2.13	Special event venue										03	BP,SP,PO,ZP	
2.14	U-Cut Christmas tree operation										04	SP,PO,ZP	
2.15	U-Pick operation										05	SP,PO,ZP	
2.16	Winery										06	BP,SP,PO,ZP	
3 Resource-Based Uses													
3.02	Dam										11	SP,PO,ZP	
3.03	Forestry										12	-	
3.04	Limited nonmetallic mine										13	SP,PO,ZP	
3.05	Open lands										14	-	
4 Residential													
4.01	Duplex	-	-	-	-	-	-	-	C	C	82-721	ZP	
4.02	Multifamily housing	-	-	-	-	-	-	-	C	P	82-722	BP,SP,ZP	
4.03	Single-family dwelling	-	-	P	P	P	P	P	P	-	82-723	ZP	
5 Special Care Facilities													
5.01	Adult family home	-	-	P	P	P	P	P	P	-	82-731	BP,SP,ZP	
5.02	Community living arrangement, 8 or fewer residents	-	-	P	P	P	P	P	P	-	82-732	ZP	
5.03	Community living arrangement, 9 to 15 residents	-	-	C	C	C	C	C	C	-	82-733	BP,SP,PO	
5.04	Foster home and treatment foster home	-	-	P	P	P	P	P	P	-	82-734	ZP	
5.05	Group day care center	P	-	-	C	C	C	C	-	P	82-735	BP,SP,PO,ZP	
5.06	Hospice care center	P	-	-	C	C	C	C	C	P	82-736	BP,SP,ZP	
5.07	Nursing home	P	-	-	C	C	C	C	-	P	82-737	BP,SP,ZP	

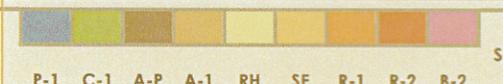
Sample descriptions

Public (P-1) This district is intended to accommodate publicly-owned facilities which serve a public use, such as education, recreation, medical care, or government.

Conservancy (C-1) This district is intended to include (1) land designated as 100-year floodplain on the flood insurance rates maps adopted by Waukesha County in 2009, (2) land designated as wetland by the Wisconsin Department of Natural Resources as part of the 2005 wetland inventory for Waukesha County, and (3) land within 100 feet of the centerline of a navigable waterway as designated or recognized by the Wisconsin Department of Natural Resources. Given the various development constraints associated with these lands, development is restricted to land uses compatible with these constraints.

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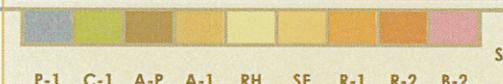
Exhibit 7-1 Land-use matrix

											Supplemental Standards	Secondary Review
		P-1	C-1	A-P	A-1	RH	SE	R-1	R-2	B-2		
1 Agriculture												
1.01	Agriculture support services	-	-	C	C	C	-	-	-	-	82-688	SP,PO,ZP
1.03	Animal production, general	-	-	-	-	-	-	-	-	-	82-689	-
1.04	Animal production, intensive	-	-	-	-	-	-	-	-	-	-	ZP
1.05	Aquaculture	-	-	-	-	-	-	-	-	-	-	ZP
1.06	Crop production	-	-	-	-	-	-	-	-	-	-	-
1.07	Greenhouse	-	-	-	-	-	-	-	-	-	-	ZP
1.08	Horticulture	-	-	-	-	-	-	-	-	-	-	-
2 Agri-Tourism												
2.01	Agro-ecology center	-	-	C	C	-	-	-	-	-	82-707	BP,SP,PO,ZP
2.02	Bird hunting preserve	-	C	C	C	-	-	-	-	-	82-708	SP,PO,ZP
2.03	Conference/education center	-	-	C	C	-	-	-	-	-	82-709	BP,SP,PO,ZP
2.04	Farm education	-	C	C	C	-	-	-	-	-	82-710	BP,SP,PO,ZP
2.05	Farm inn	-	-	C	C	-	-	-	-	-	82-711	BP,SP,PO,ZP
2.06	Farm recreation	-	C	C	C	-	-	-	-	-	82-712	BP,SP,PO,ZP
2.07	Farm restaurant	-	-	C	C	-	-	-	-	-	82-713	BP,SP,PO,ZP
2.08	Farm store	-	-	C	C	-	-	-	-	-	82-714	BP,SP,PO,ZP
2.09	Fee fishing	-	C	C	C	-	-	-	-	-	82-715	SP,PO,ZP
2.10	Glamorous camping (glamping)	-	C	C	C	-	-	-	-	-	82-716	BP,SP,PO,ZP
2.11	Health spa	-	-	C	C	-	-	-	-	-	82-717	BP,SP,PO,ZP
2.12	Petting farm	-	-	C	C	-	-	-	-	-	82-718	SP,PO,ZP
2.13	Special event venue	-	-	C	C	-	-	-	-	-	82-719	BP,SP,PO,ZP
2.14	U-Cut Christmas tree operation	-	P	P	P	C	-	-	-	-	82-720	SP,PO,ZP
2.15	U-Pick operation	-	-	P	P	C	-	-	-	-	82-721	SP,PO,ZP
2.16	Winery	-	C	C	C	C	-	-	-	-	82-722	BP,SP,PO,ZP
3 Resource-Based Uses												
3.02	Dam	C	C	C	C	C	C	C	-	C	82-715	SP,PO,ZP
3.03	Forestry	P	P	P	P	P	P	P	P	P	82-716	-
3.04	Limited nonmetallic mine	C	-	C	C	C	-	-	-	-	82-717	SP,PO,ZP
3.05	Open lands	P	P	P	P	P	P	P	P	P	82-718	-
4 Residential												
4.01	Duplex	-	-	-	-	-	-	-	C	C	82-724	ZP
4.02	Multifamily housing	-	-	-	-	-	-	-	C	P	82-725	BP,SP,ZP
4.03	Single-family dwelling	-	-	P	P	P	P	P	P	-	82-726	ZP
5 Special Care Facilities												
5.01	Adult family home	-	-	P	P	P	P	P	P	-	82-738	BP,SP,ZP
5.02	Community living arrangement, 8 or fewer residents	-	-	P	P	P	P	P	P	-	82-739	ZP
5.03	Community living arrangement, 9 to 15 residents	-	-	C	C	C	C	C	C	-	82-740	BP,SP,PO
5.04	Foster home and treatment foster home	-	-	P	P	P	P	P	P	-	82-741	ZP
5.05	Group day care center	P	-	-	C	C	C	C	-	P	82-742	BP,SP,PO,ZP
5.06	Hospice care center	P	-	-	C	C	C	C	C	P	82-743	BP,SP,ZP
5.07	Nursing home	P	-	-	C	C	C	C	-	P	82-744	BP,SP,ZP

Dimensional standards for base zoning districts are specified (elsewhere in code)

Continued on next page

Exhibit 7-1 Land-use matrix

1												Supplemental Standards	Secondary Review
Agriculture		P-1	C-1	A-P	A-1	RH	SE	R-1	R-2	B-2			
1.01	Agriculture support services	-	-	C	C	C		-	-	-	82-695	SP,PO,ZP	
1.03	Animal production, general	-	-	P	P				-	-	82-696	-	
1.04	Animal production, intensive	-	-										
1.05	Aquaculture	-	-										
1.06	Crop production	-	-										
1.07	Greenhouse	-	-										
1.08	Horticulture	-	-										
2 Agri-Tourism													
2.01	Agro-ecology center	-	-										
2.02	Bird hunting preserve	-	C										
2.03	Conference/education center	-	-										
2.04	Farm education	-	C										
2.05	Farm inn	-	-										
2.06	Farm recreation	-	C										
2.07	Farm restaurant	-	-										
2.08	Farm store	-	-										
2.09	Fee fishing	-	C										
2.10	Glamorous camping (glamping)	-	C	C	C	-	-	-	-	-	82-732	BP,SP,PO,ZP	
2.11	Health spa	-	-	C	C	-	-	-	-	-	82-733	BP,SP,PO,ZP	
2.12	Petting farm	-	-	C	C	-	-	-	-	-	82-734	SP,PO,ZP	
2.13	Special event venue	-	-	C	C	-	-	-	-	-	82-735	BP,SP,PO,ZP	
2.14	U-Cut Christmas tree operation	-	P	P	P	C	-	-	-	-	82-736	SP,PO,ZP	
2.15	U-Pick operation	-	-	P	P	C	-	-	-	-	82-737	SP,PO,ZP	
2.16	Winery	-	C	C	C	C	-	-	-	-	82-738	BP,SP,PO,ZP	
3 Resource-Based Uses													
3.02	Dam	C	C	C	C	C	C	C	-	C	82-719	SP,PO,ZP	
3.03	Forestry	P	P	P	P	P	P	P	P	P	82-720	-	
3.04	Limited nonmetallic mine	C	-	C	C	C	-	-	-	-	82-721	SP,PO,ZP	
3.05	Open lands	P	P	P	P	P	P	P	P	P	82-722	-	
4 Residential													
4.01	Duplex	-	-	-	-	-	-	-	C	C	82-727	ZP	
4.02	Multifamily housing	-	-	-	-	-	-	-	C	P	82-728	BP,SP,ZP	
4.03	Single-family dwelling	-	-	P	P	P	P	P	P	-	82-729	ZP	
5 Special Care Facilities													
5.01	Adult family home	-	-	P	P	P	P	P	P	-	82-745	BP,SP,ZP	
5.02	Community living arrangement, 8 or fewer residents	-	-	P	P	P	P	P	P	-	82-746	ZP	
5.03	Community living arrangement, 9 to 15 residents	-	-	C	C	C	C	C	C	-	82-747	BP,SP,PO	
5.04	Foster home and treatment foster home	-	-	P	P	P	P	P	P	-	82-748	ZP	
5.05	Group day care center	P	-	-	C	C	C	C	-	P	82-749	BP,SP,PO,ZP	
5.06	Hospice care center	P	-	-	C	C	C	C	C	P	82-750	BP,SP,ZP	
5.07	Nursing home	P	-	-	C	C	C	C	-	P	82-751	BP,SP,ZP	

Sample dimensional standards

Suburban Estates (SE) District

- Minimum lot size: 22,000 sq ft
- Minimum front yard setback: 30 feet
- Minimum side yard setback: 15 feet
- Minimum rear yard setback: 15 feet
- Maximum impervious surface: 20 percent

Continued on next page

Exhibit 7-1 Land-use matrix

										Supplemental Standards	Secondary Review	
1	Agriculture	P-1	C-1	A-P	A-1	RH	SE	R-1	R-2	B-2		
1.01	Agriculture support services	-	-	C	C	C	-	-	-	-	82-681	SP,PO,ZP
1.03	Animal production, general	-	-	P	P	-	-	-	-	-	82-682	-
1.04	Animal production, intensive	-	-	C	C	-	-	-	-	-	82-683	SP,PO,ZP
1.05	Aquaculture	-	-	P	P	P	-	-	-	-	82-684	SP,PO,ZP
1.06	Crop production	-	-	P	P	P	P	-	-	-	82-685	-
1.07	Greenhouse	-	-	P	P	P	-	-	-	-	82-686	SP,PO,ZP
1.08	Horticulture	-	-	P	P	P	-	-	-	-	82-687	ZP
2 Agri-Tourism												
2.01	Agro-ecology center	-	-	C	C	-	-	-	-	-	82-691	BP,SP,PO,ZP
2.02	Bird hunting preserve	-	-	C	C	C	-	-	-	-	82-692	SP,PO,ZP
		-	-	C	C	-	-	-	-	-	82-693	BP,SP,PO,ZP
		-	-	C	C	-	-	-	-	-	82-694	BP,SP,PO,ZP
		-	-	C	C	-	-	-	-	-	82-695	BP,SP,PO,ZP
		-	-	C	C	-	-	-	-	-	82-696	BP,SP,PO,ZP
		-	-	C	C	-	-	-	-	-	82-697	BP,SP,PO,ZP
		-	-	C	C	-	-	-	-	-	82-698	BP,SP,PO,ZP
		-	-	C	C	-	-	-	-	-	82-699	SP,PO,ZP
		-	-	C	C	-	-	-	-	-	82-700	BP,SP,PO,ZP
		-	-	C	C	-	-	-	-	-	82-701	BP,SP,PO,ZP
2.12	Petting farm	-	-	C	C	-	-	-	-	-	82-702	SP,PO,ZP
2.13	Special event venue	-	-	C	C	-	-	-	-	-	82-703	BP,SP,PO,ZP
2.14	U-Cut Christmas tree operation	-	P	P	P	C	-	-	-	-	82-704	SP,PO,ZP
2.15	U-Pick operation	-	-	P	P	C	-	-	-	-	82-705	SP,PO,ZP
2.16	Winery	-	C	C	C	C	-	-	-	-	82-706	BP,SP,PO,ZP
3 Resource-Based Uses												
3.02	Dam	C	C	C	C	C	C	C	-	C	82-711	SP,PO,ZP
3.03	Forestry	P	P	P	P	P	P	P	P	P	82-712	-
3.04	Limited nonmetallic mine	C	-	C	C	C	-	-	-	-	82-713	SP,PO,ZP
3.05	Open lands	P	P	P	P	P	P	P	P	P	82-714	-
4 Residential												
4.01	Duplex	-	-	-	-	-	-	-	C	C	82-721	ZP
4.02	Multifamily housing	-	-	-	-	-	-	-	C	P	82-722	BP,SP,ZP
4.03	Single-family dwelling	-	-	P	P	P	P	P	P	-	82-723	ZP
5 Special Care Facilities												
5.01	Adult family home	-	-	P	P	P	P	P	P	-	82-731	BP,SP,ZP
5.02	Community living arrangement, 8 or fewer residents	-	-	P	P	P	P	P	P	-	82-732	ZP
5.03	Community living arrangement, 9 to 15 residents	-	-	C	C	C	C	C	C	-	82-733	BP,SP,PO
5.04	Foster home and treatment foster home	-	-	P	P	P	P	P	P	-	82-734	ZP
5.05	Group day care center	P	-	-	C	C	C	C	-	P	82-735	BP,SP,PO,ZP
5.06	Hospice care center	P	-	-	C	C	C	C	C	P	82-736	BP,SP,ZP
5.07	Nursing home	P	-	-	C	C	C	C	-	P	82-737	BP,SP,ZP

Is the land use allowed, or not?

- Permitted by right "P"
- Allowed as a conditional use "C"
- Prohibited "-"

Continued on next page

Exhibit 7-1 Land-use matrix

												Supplemental Standards	Secondary Review
1	Agriculture	P-1	C-1	A-P	A-1	RH	SE	R-1	R-2	B-2			
1.01	Agriculture support services	-	-	C	C	C	-	-	-	-		82-681	SP,PO,ZP
1.03	Animal production, general	-	-	P	P	-	-	-	-	-		82-682	-
1.04	Animal production, intensive	-	-	C	C	-	-	-	-	-		82-683	SP,PO,ZP
1.05	Aquaculture	-	-	P	P	P	-	-	-	-		82-684	SP,PO,ZP
1.06	Crop production	-	-	P	P	P	P	-	-	-		82-685	-
1.07	Greenhouse	-	-	P	P	P	-	-	-	-		82-686	SP,PO,ZP
1.08	Horticulture	-	-	P	P	P	-	-	-	-		82-687	ZP
2 Agri-Tourism													
2.01	Agro-ecology center	-	-	C	C	-	-	-	-	-		82-691	BP,SP,PO,ZP
2.02	Bird hunting preserve	-	C	C	C	-	-	-	-	-		82-692	SP,PO,ZP
2.03	Conference/education center	-	-	C	C	-	-	-	-	-		82-693	BP,SP,PO,ZP
2.04	Farm education	-	C	C	C	-	-	-	-	-		82-694	BP,SP,PO,ZP
2.05	Farm inn	-	-	C	C	-	-	-	-	-		82-695	BP,SP,PO,ZP
2.06	Farm recreation	-	C	C	C	-	-	-	-	-		82-696	BP,SP,PO,ZP
2.07	Farm restaurant	-	-	C	C	-	-	-	-	-		82-697	BP,SP,PO,ZP
2.08	Farm store	-	-	C	C	-	-	-	-	-		82-698	BP,SP,PO,ZP
2.09	Fee fishing	-	C	C	C	-	-	-	-	-		82-699	SP,PO,ZP
2.10	Glamorous camping (glamping)	-	C	C	C	-	-	-	-	-		82-700	BP,SP,PO,ZP
2.11	Health spa	-	-	C	C	-	-	-	-	-		82-701	BP,SP,PO,ZP
2.12	Petting farm	-	-	C	C	-	-	-	-	-		82-702	SP,PO,ZP
2.13	Special event venue	-	-	C	C	-	-	-	-	-		82-703	BP,SP,PO,ZP
2.14	U-Cut Christmas tree operation	-	P	P	P	C	-	-	-	-		82-704	SP,PO,ZP
2.15	U-Pick operation	-	-	P	P	C	-	-	-	-		82-705	SP,PO,ZP
2.16	Winery	-	C	C	C	C	-	-	-	-		82-706	BP,SP,PO,ZP
3 Resource-Based Uses													
3.02	Dam	C											
3.03	Forestry	P											
3.04	Limited nonmetallic mine	C											
3.05	Open lands	P											
4 Residential													
4.01	Duplex	-											
4.02	Multifamily housing	-											
4.03	Single-family dwelling	-											
5 Special Care Facilities													
5.01	Adult family home	-											
5.02	Community living arrangement, 8 or fewer residents	-											
5.03	Community living arrangement, 9 to 15 residents	-	-	C	C	C	C	C	C	-			BP,SP,PO
5.04	Foster home and treatment foster home	-	-	P	P	P	P	P	P	-		82-704	ZP
5.05	Group day care center	P	-	-	C	C	C	C	-	P		82-705	BP,SP,PO,ZP
5.06	Hospice care center	P	-	-	C	C	C	C	C	F		82-736	BP,SP,ZP
5.07	Nursing home	P	-	-	C	C	C	C	-	P		82-727	BP,SP,ZP

Sample Supplemental Standards

Section 82-736 Hospice care center

Prior to the establishment of a hospice care center, the operator must obtain a license from the state as provided for in s. 50.92 Wis. Stats., and maintain such license for the life of the use or until the state no longer requires such license.

Continued on next page

Exhibit 7-1 Land-use matrix

											Special Standards	Secondary Review
1	Agriculture	P-1	C-1	A-P	A-1	RH	SE	R-1	R-2	B-2		
1.01	Agriculture support services	-	-	C	C	C	-	-	-	-	82-681	SP,PO,ZP
1.03	Animal production, general	-	-	P	P	-	-	-	-	-	82-682	-
1.04	Animal production, intensive	-	-	C	C	-	-	-	-	-	82-683	SP,PO,ZP
1.05	Aquaculture	-	-	P	P	P	-	-	-	-	82-684	SP,PO,ZP
1.06	Crop production	-	-	P	P	P	P	-	-	-	82-685	-
1.07	Greenhouse	-	-	P	P	P	-	-	-	-	82-686	SP,PO,ZP
1.08	Horticulture	-	-	P	P	P	-	-	-	-	82-687	ZP
2 Agri-Tourism												
2.01	Agro-ecology center	-	-	C	C	-	-	-	-	-	82-691	BP,SP,PO,ZP
2.02	Bird hunting preserve	-	C	C	C	-	-	-	-	-	82-692	SP,PO,ZP
2.03	Conference/education center	-	-	C	C	-	-	-	-	-	82-693	BP,SP,PO,ZP
2.04	Farm education											BP,SP,PO,ZP
2.05	Farm inn											BP,SP,PO,ZP
2.06	Farm recreation											BP,SP,PO,ZP
2.07	Farm restaurant											BP,SP,PO,ZP
2.08	Farm store											BP,SP,PO,ZP
2.09	Fee fishing											SP,PO,ZP
2.10	Glamorous camping (glamping)											BP,SP,PO,ZP
2.11	Health spa											BP,SP,PO,ZP
2.12	Petting farm											SP,PO,ZP
2.13	Special event venue											BP,SP,PO,ZP
2.14	U-Cut Christmas tree operation											SP,PO,ZP
2.15	U-Pick operation											SP,PO,ZP
2.16	Winery	-	C	C	C	C	-	-	-	-	82-706	BP,SP,PO,ZP
3 Resource-Based Uses												
3.02	Dam	C	C	C	C	C	C	C	-	C	82-711	SP,PO,ZP
3.03	Forestry	P	P	P	P	P	P	P	P	P	82-712	-
3.04	Limited nonmetallic mine	C	-	C	C	C	-	-	-	-	82-713	SP,PO,ZP
3.05	Open lands	P	P	P	P	P	P	P	P	P	82-714	-
4 Residential												
4.01	Duplex	-	-	-	-	-	-	-	C	C	82-721	ZP
4.02	Multifamily housing	-	-	-	-	-	-	-	C	P	82-722	BP,SP,ZP
4.03	Single-family dwelling	-	-	P	P	P	P	P	P	-	82-723	ZP
5 Special Care Facilities												
5.01	Adult family home	-	-	P	P	P	P	P	P	-	82-731	BP,SP,ZP
5.02	Community living arrangement, 8 or fewer residents	-	-	P	P	P	P	P	P	-	82-732	ZP
5.03	Community living arrangement, 9 to 15 residents	-	-	C	C	C	C	C	C	-	82-733	BP,SP,PO
5.04	Foster home and treatment foster home	-	-	P	P	P	P	P	P	-	82-734	ZP
5.05	Group day care center	P	-	-	C	C	C	C	-	P	82-735	BP,SP,PO,ZP
5.06	Hospice care center	P	-	-	C	C	C	C	C	P	82-736	BP,SP,ZP
5.07	Nursing home	P	-	-	C	C	C	C	-	P	82-737	BP,SP,ZP

List other types of reviews that may be needed before construction can begin.

- Site plan/plan of operation
- Building plan review
- Zoning permit

Continued on next page

Exhibit 7-1 Land-use matrix

										Special Standards	Secondary Review	
1	Agriculture	P-1	C-1	A-P	A-1	RH	SE	R-1	R-2	B-2		
1.01	Agriculture support services			C	C	C	-	-	-	-	82-681	SP,PO,ZP
1.03	Animal production, general	1		P	P	-	-	-	-	-	82-682	-
1.04	Animal production, intensive			C	C	-	-	-	-	-	82-683	SP,PO,ZP
1.05	Aquaculture	-	-	P	P	P	-	-	-	-	82-684	SP,PO,ZP
1.06	Crop production	-	-	P	P	P	P	-	-	-	82-685	-
1.07	Greenhouse	-	-	P	P	P	-	-	-	-	82-686	SP,PO,ZP
1.08	Horticulture	-	-	P	P	P	-	-	-	-	82-687	ZP
2 Agri-Tourism												
2.01	Agro-ecology center	-	-	C	C	-	-	-	-	-	82-691	BP,SP,PO,ZP
2.02	Bird hunting preserve	-	C	C	C	-	-	-	-	-	82-692	SP,PO,ZP
2.03	Conference/education center	-	-	C	C	-	-	-	-	-	82-693	BP,SP,PO,ZP
2.04	Farm education	-	C	C	C	-	-	-	-	-	82-694	BP,SP,PO,ZP
2.05	Farm inn	-	-	C	C	-	-	-	-	-	82-695	BP,SP,PO,ZP
2.06	Farm recreation	-	C	C	C	-	-	-	-	-	82-696	BP,SP,PO,ZP
2.07	Farm restaurant	-	-	C	C	-	-	-	-	-	82-697	BP,SP,PO,ZP
2.08	Farm store	-	-	C	C	-	-	-	-	-	82-698	BP,SP,PO,ZP
2.09	Fee fishing	-	C	C	C	-	-	-	-	-	82-699	SP,PO,ZP
2.10	Glamorous camping (glamping)	-	C	C	C	-	-	-	-	-	82-700	BP,SP,PO,ZP
2.11	Health spa	-	-	C	C	-	-	-	-	-	82-701	BP,SP,PO,ZP
2.12	Petting farm	-	-	C	C	-	-	-	-	-	82-702	SP,PO,ZP
2.13	Special event venue	-	-	C	C	-	-	-	-	-	82-703	BP,SP,PO,ZP
2.14	U-Cut Christmas tree operation	-	P	P	P	C	-	-	-	-	82-704	SP,PO,ZP
2.15	U-Pick operation	-	-	P	P	C						
2.16	Winery	-	C	C	C	C						
3 Resource-Based Uses												
3.02	Dam	C	C	C	C	C						
3.03	Forestry	P	P	P	P	P						
3.04	Limited nonmetallic mine	C	-	C	C	C						
3.05	Open lands	P	P	P	P	P						
4 Residential												
4.01	Duplex	-	-	-	-	-						
4.02	Multifamily housing	-	-	-	-	-						
4.03	Single-family dwelling	-	-	P	P	P						
5 Special Care Facilities												
5.01	Adult family home	-	-	P	P	P						
5.02	Community living arrangement, 8 or fewer residents	-	-	P	P	P						
5.03	Community living arrangement, 9 to 15 residents	-	-	C	C	C						
5.04	Foster home and treatment foster home	-	-	P	P	P	P	P	P	-	82-734	ZP
5.05	Group day care center	P	-	-	C	C	C	C	-	P	82-735	BP,SP,PO,ZP
5.06	Hospice care center	P	-	-	C	C	C	C	C	P	82-736	BP,SP,ZP
5.07	Nursing home	P	-	-	C	C	C	C	-	P	82-737	BP,SP,ZP



Continued on next page

Exhibit 7-1 Land-use matrix

											Special Standards	Secondary Review
1	Agriculture	P-1	C-1	A-P	A-1	RH	SE	R-1	R-2	B-2		
1.01	Agriculture support services			C	C	C	-	-	-	-	82-688	SP,PO,ZP
1.03	Animal production, general	1		P	P	-	-	-	-	-	82-689	-
1.04	Animal production, intensive			C	C	-	-	-	-	-	82-690	SP,PO,ZP
1.05	Aquaculture	-	-	P	P	P	-	-	-	-	82-691	SP,PO,ZP
1.06	Crop production	-	-	P	P	P	P	-	-	-	82-692	-
1.07	Greenhouse	-	-	P	P	P	-	-	-	-	82-693	SP,PO,ZP
1.08	Horticulture	-	-	P	P	P	-	-	-	-	82-694	ZP
2 Agri-Tourism												
2.01	Agro-ecology center	-	-	C	C	-	-	-	-	-	82-707	BP,SP,PO,ZP
2.02	Bird hunting preserve	-	C	C	C	-	-	-	-	-	82-708	SP,PO,ZP
2.03	Conference/education center	-	-	C	C	-	-	-	-	-	82-709	BP,SP,PO,ZP
2.04	Farm education	-	C	C	C	-	-	-	-	-	82-710	BP,SP,PO,ZP
2.05	Farm inn	-	-	C	C	-	-	-	-	-	82-711	BP,SP,PO,ZP
2.06	Farm recreation	-	C	C	C	-	-	-	-	-	82-712	BP,SP,PO,ZP
2.07	Farm restaurant	-	-	C	C	-	-	-	-	-	82-713	BP,SP,PO,ZP
2.08	Farm store	-	-	C	C	-	-	-	-	-	82-714	BP,SP,PO,ZP
2.09	Fishing	-	C	C	C	-	-	-	-	-	82-715	SP,PO,ZP
2.10	Glamorous camping (glamping)	-	C	C	C	-	-	-	-	-	82-716	BP,SP,PO,ZP
2.11	Health spa	-	-	C	C	-	-	-	-	-	82-717	BP,SP,PO,ZP
2.12	Petting farm	-	-	C	C	-	-	-	-	-	82-718	SP,PO,ZP
2.13	Special event venue	-	-	C	C	-	-	-	-	-	82-719	BP,SP,PO,ZP
2.14	U-Cut Christmas tree operation	-	P	P	P	C	-	-	-	-	82-720	SP,PO,ZP
2.15	U-Pick operation	-	-	P	P	C	-	-	-	-		
2.16	Winery	-	C	C	C	C	-	-	-	-		
3 Resource-Based Uses												
3.02	Dam	C	C	C	C	C	-	-	-	-		
3.03	Forestry	P	P	P	P	P	-	-	-	-		
3.04	Limited nonmetallic mine	C	-	C	C	C	-	-	-	-		
3.05	Open lands	P	P	P	P	P	-	-	-	-		
4 Residential												
4.01	Duplex	-	-	-	-	-	-	-	-	-		
4.02	Multifamily housing	-	-	-	-	-	-	-	-	-		
4.03	Single-family dwelling	-	-	P	P	P	-	-	-	-		
5 Special Care Facilities												
5.01	Adult family home	-	-	P	P	P	-	-	-	-		
5.02	Community living arrangement, 8 or fewer residents	-	-	P	P	P	-	-	-	-		
5.03	Community living arrangement, 9 to 15 residents	-	-	C	C	C	-	-	-	-		
5.04	Foster home and treatment foster home	-	-	P	P	P	P	P	P	P	82-741	ZP
5.05	Group day care center	P	-	-	C	C	C	C	-	P	82-742	BP,SP,PO,ZP
5.06	Hospice care center	P	-	-	C	C	C	C	C	P	82-743	BP,SP,ZP
5.07	Nursing home	P	-	-	C	C	C	C	-	P	82-744	BP,SP,ZP

Continued on next page



Exhibit 7-1 Land-use matrix

												Special Standards	Secondary Review
1	Agriculture	P-1	C-1	A-P	A-1	RH	SE	R-1	R-2	B-2			
1.01	Agriculture support services			C	C	C	-	-	-	-		82-695	SP,PO,ZP
1.03	Animal production, general	1		P	P	-	-	-	-	-		82-696	-
1.04	Animal production, intensive			C	C	-	-	-	-	-		82-697	SP,PO,ZP
1.05	Aquaculture	-	-	P	P	P	-	-	-	-		82-698	SP,PO,ZP
1.06	Crop production	-	-	P	P	P	P	-	-	-		82-699	-
1.07	Greenhouse	-	-	P	P	P	-	-	-	-		82-700	SP,PO,ZP
1.08	Horticulture	-	-	P	P	P	-	-	-	-		82-701	ZP
2 Agri-Tourism													
2.01	Agro-ecology center	-	-	C	C	-	-	-	-	-		82-723	BP,SP,PO,ZP
2.02	Bird hunting preserve	-	C	C	C	-	-	-	-	-		82-724	SP,PO,ZP
2.03	Conference/education center	-	-	C	C	-	-	-	-	-		82-725	BP,SP,PO,ZP
2.04	Farm education	-	C	C	C	-	-	-	-	-		82-726	BP,SP,PO,ZP
2.05	Farm inn	-	-	C	C	-	-	-	-	-		82-727	BP,SP,PO,ZP
2.06	Farm recreation	-	C	C	C	-	-	-	-	-		82-728	BP,SP,PO,ZP
2.07	Farm restaurant	-	-	C	C	-	-	-	-	-		82-729	BP,SP,PO,ZP
2.08	Farm store	-	-	C	C	-	-	-	-	-		82-730	BP,SP,PO,ZP
2.09	Farm fishing	-	C	C	C	-	-	-	-	-		82-731	SP,PO,ZP
2.10	Glamorous camping (glamping)	-	C	C	C	-	-	-	-	-		82-732	BP,SP,PO,ZP
2.11	Health spa	-	-	C	C	-	-	-	-	-		82-733	BP,SP,PO,ZP
2.12	Petting farm	-	-	C	C	-	-	-	-	-		82-734	SP,PO,ZP
2.13	Special event venue	-	-	C	C	-	-	-	-	-		82-735	BP,SP,PO,ZP
2.14	U-Cut Christmas tree operation	-	P	P	P	C	-	-	-	-		82-736	SP,PO,ZP
2.15	U-Pick operation	-	-	P	P	C	-	-	-	-			
2.16	Winery	-	C	C	C	C	-	-	-	-			
3 Resource-Based Uses													
3.02	Dam	C	C	C	C	C							
3.03	Forestry	P	P	P	P	P							
3.04	Limited nonmetallic mine	C	-	C	C	C							
3.05	Open lands	P	P	P	P	P							
4 Residential													
4.01	Duplex	-	-	-	-	-							
4.02	Multifamily housing	-	-	-	-	-							
4.03	Single-family dwelling	-	-	P	P	P							
5 Special Care Facilities													
5.01	Adult family home	-	-	P	P	P							
5.02	Community living arrangement, 8 or fewer residents	-	-	P	P	P							
5.03	Community living arrangement, 9 to 15 residents	-	-	C	C	C							
5.04	Foster home and treatment foster home	-	-	P	P	P	F	F	F	-		82-748	ZP
5.05	Group day care center	P	-	-	C	C	C	C	-	P		82-749	BP,SP,PO,ZP
5.06	Hospice care center	P	-	-	C	C	C	C	C	P		82-750	BP,SP,ZP
5.07	Nursing home	P	-	-	C	C	C	C	-	P		82-751	BP,SP,ZP

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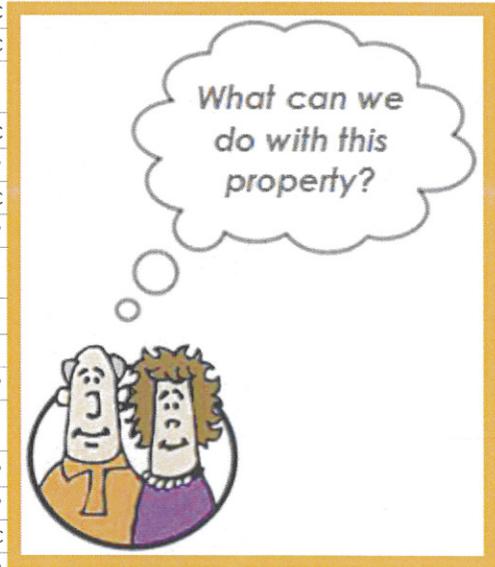


Exhibit 7-1 Land-use matrix

												Special Standards	Secondary Review
		P-1	C-1	A-P	A-1	RH	SE	R-1	R-2	B-2			
1	Agriculture												
1.01	Agriculture support services	-	-	C	C	C	-	-	-	-	82-702	SP,PO,ZP	
1.03	Animal production, general	-	-	P	P	-	-	2	-	-	82-703	-	
1.04	Animal production, intensive	-	-	C	C	-	-	-	-	-	82-704	SP,PO,ZP	
1.05	Aquaculture	-	-	P	P	P	-	-	-	-	82-705	SP,PO,ZP	
1.06	Crop production	-	-	P	P	P	P	-	-	-	82-706	-	
1.07	Greenhouse	-	-	P	P	P	-	-	-	-	82-707	SP,PO,ZP	
1.08	Horticulture	-	-	P	P	P	-	-	-	-	82-708	ZP	
2	Agri-Tourism												
2.01	Agro-ecology center	-	-	C	C	-	-	-	-	-	82-739	BP,SP,PO,ZP	
2.02	Bird hunting preserve	-	C	C	C	-	-	-	-	-	82-740	SP,PO,ZP	
2.03	Conference/education center	-	-	C	C	-	-	-	-	-	82-741	BP,SP,PO,ZP	
2.04	Farm education	-	C	C	C	-	-	-	-	-	82-742	BP,SP,PO,ZP	
2.05	Farm inn	-	-	C	C	-	-	-	-	-	82-743	BP,SP,PO,ZP	
2.06	Farm recreation	-	C	C	C	-	-	-	-	-	82-744	BP,SP,PO,ZP	
2.07	Farm restaurant	-	-	C	C	-	-	-	-	-	82-745	BP,SP,PO,ZP	
2.08	Farm store	-	-	C	C	-	-	-	-	-	82-746	BP,SP,PO,ZP	
2.09	Fee fishing	-	C	C	C	-	-	-	-	-	82-747	SP,PO,ZP	
2.10	Glamorous camping (glamping)	-	C	C	C	-	-	-	-	-	82-748	BP,SP,PO,ZP	
2.11	Health spa	-	-	C	C	-	-	-	-	-	82-749	BP,SP,PO,ZP	
2.12	Petting farm	-	-	C	C	-	-	-	-	-	82-750	SP,PO,ZP	
2.13	Special event venue	-	-	-	-	-	-	-	-	-	82-751	BP,SP,PO,ZP	
2.14	U-Cut Christmas tree operation	-	-	-	-	-	-	-	-	-	82-752	SP,PO,ZP	
2.15	U-Pick operation	-	-	-	-	-	-	-	-	-	82-753	SP,PO,ZP	
2.16	Winery	-	-	-	-	-	-	-	-	-	82-754	BP,SP,PO,ZP	
3	Resource-Based Uses												
3.02	Dam	-	-	-	-	C	C	-	C	-	82-723	SP,PO,ZP	
3.03	Forestry	-	-	-	-	P	P	P	P	-	82-724	-	
3.04	Limited nonmetallic mine	-	-	-	-	-	-	-	-	-	82-725	SP,PO,ZP	
3.05	Open lands	-	-	-	-	P	P	P	P	-	82-726	-	
4	Residential												
4.01	Duplex	-	-	-	-	-	-	C	C	-	82-730	ZP	
4.02	Multifamily housing	-	-	-	-	-	-	C	P	-	82-731	BP,SP,ZP	
4.03	Single-family dwelling	-	-	-	-	P	P	P	-	-	82-732	ZP	
5	Special Care Facilities												
5.01	Adult family home	-	-	-	-	P	P	P	-	-	82-752	BP,SP,ZP	
5.02	Community living arrangement, 8 or fewer residents	-	-	P	P	P	P	P	P	-	82-753	ZP	
5.03	Community living arrangement, 9 to 15 residents	-	-	C	C	C	C	C	C	-	82-754	BP,SP,PO	
5.04	Foster care and treatment foster home	-	-	P	P	P	P	P	P	-	82-755	ZP	
5.05	Group care center	P	-	-	C	C	C	C	-	-	82-756	BP,SP,PO,ZP	
5.06	Hospice care center	P	-	-	C	C	C	C	C	P	82-757	BP,SP,ZP	
5.07	Nursing home	P	-	-	C	C	C	C	C	P	82-758	BP,SP,ZP	



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5b



VILLAGE OF RICHFIELD
PLAN COMMISSION COMMUNICATION FORM

5b.

MEETING DATE: September 8, 2016

SUBJECT: Temporary Use Zoning Permit- Wooded Hills Bible Church
DATE SUBMITTED: September 1, 2016
SUBMITTED BY: Jim Healy, Village Administrator

POLICY QUESTION: DOES THE PLAN COMMISSION WISH TO APPROVE AN OUTDOOR "LIVING NATIVITY" AT WOODED HILLS BIBLE CHURCH?

ISSUE SUMMARY:

Section 70.135 is a portion of the Code which deals with "Use Restrictions". Essentially, "Use Restrictions" are those types of provisos which are applicable across all zoning districts in the Village. In subsection "E", this specific provision was created to deal with those types of uses which are temporary in nature. Meaning, ones that range from less than 30 days of use to one not more than 90 days of use. Typically the Plan Commission does not review these types of "special event permits" which I commonly refer to these as because 1) they typically do not last longer than 30 days, and 2) are generally innocuous (ie: vegetable sales, picnic, car show, etc.). So while Village Staff does have the Code-based permission to review and approve these events, there is a stipulation where if, based on the determination of the Planning and Zoning Administrator, the proposed use has the "potential of being detrimental to and/or incompatible with adjoining properties or the community at large (sic)" these types of events may be subject to the review and approval of the Village's Plan Commission.

After discussing the matter with a representative from Morning Star Productions, a non-profit 501(c)(3) based out of the City of Milwaukee, it became clear that this was more than a typical "church production" or special event. This proposed use involves the construction of semi-permanent structures, lighting, amplified sound, generators, hired staff/actors, and approximately 100 people rotating on and off the site attending the holiday event. The self-described description of the event is as follows:

The project is an interactive play in which the "audience" (groups of 12-20 people) will enter the woods on the Wooded Hills Bible Church property and go through what we are calling a "story course". At seven or eight points along the course they will confront various problems which they must solve as a group. Actors in costume will be playing the characters of the imaginary world, some sympathetic to the group's objective and some not. In this case the story is the nativity of Jesus Christ, so the audience is on a mission to help Mary and Joseph have their baby safely and escape to Egypt. The event is geared for families and in particular, Junior High and High School students.

The interactive play is scheduled to be presented on five (5) days in December, between December 5th and 23rd. At this point we are planning to have nine groups of 12 to 20 people go through the course from 5PM-9:30PM each evening on December 9, 10, 16, 17, and 23. Extra performances may be added depending on the demand for tickets."

Enclosed for your review is a narrative describing the organization putting the production on, descriptions of the stations patrons will encounter along their "story course", rough architectural drawings or renderings of proposed structures, community sensitivity alternatives, proposed restroom locations, parking and access consideration, and potential signage advertising for the event.

In making your decision tonight, the Plan Commission may include conditions or stipulations for such approval addressing such matters as parking, access, signage, lighting, security, solid waste disposal potable water and sanitary facilities, screening, noise, traffic control, hours and days of duration and operation, financial guarantees or warranties



VILLAGE OF RICHFIELD
 PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: September 8, 2016

SUBJECT: Temporary Use Zoning Permit- Wooded Hills Bible Church
 DATE SUBMITTED: September 1, 2016
 SUBMITTED BY: Jim Healy, Village Administrator

to ensure compliance and/or against defects or damage to public property, and other items which may be required to protect the health, safety and welfare of the public.

Some potential items for the consideration of the Plan Commission based on their submittal are the following:

- 1) Is 9:30PM reasonable for a closing time for their event?
- 2) If “extra performances” are added will they need subsequent approvals from the Plan Commission or can Staff administratively approve them if that is your purview?
- 3) Section 179-19(B)(1) states the following: “No fires shall be kindled before 7AM or after 6PM. All fires must be extinguished by 8PM.” Therefore, their proposed fire pit/bonfire time would be in conflict with the Village Code.
- 4) Station 2: I spoke with the petitioner and the “carts” he is speaking here of are essentially sleds the participants will pull the character actor “Mary” in.
- 5) Station 3: The “inn” will be a temporary structure that will be fully enclosed (20x16’) that patrons will enter. It will be heated presumably by generators powering electrical heating units. Is this a potential safety hazard? The Village’s Building Inspector will be working with their architects on the structural stability of the temporary structure.
- 6) Station 4: The sound effects are a relatively minor concern for Staff. Given the time of year, it is likely that any projected sound will not be audible to property owners from inside their homes. However, the use of “spot lights”, “projections”, and “bright lights” may give surrounding property owners concern even though the character actor “Angel” will “appear” for less than three (3) minutes each production cycle.
- 7) Station 7: The “nativity scene” echos some of the concerns described in #5. Compounding this potential safety hazard may be the introduction of live animals including one (1) cow, two (2) sheep, and two (2) goats. Will these animals be transported off-site after the conclusion of each event?

The Plan Commission tonight essentially has three (3) choices. It can approve the proposed operation as presented, approve with various conditions of approval, or deny. At a minimum, if the Plan Commission were to consider approving the proposed operations, it would be the recommendation of Staff that property owners directly abutting the church be notified by the Church and have the opportunity to comment on the proposal to Staff. Additionally, the use of any beacon lighting or projections should be either shielded to the greatest degree possible from neighboring property owners or the 20’ platform the character actor “angel” will be standing on could potentially be reduced in size so that any light projecting towards the actor will not be positioned towards the abutting neighborhood but the farm field to the north.

FUTURE IMPACT AND ANALYSIS:

REVIEWED BY: _____
 Village Deputy Treasurer

Forward to Village Board: No
 Additional Approvals Needed: No
 Signatures Required: No



VILLAGE OF RICHFIELD
 PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: September 8, 2016

SUBJECT: Temporary Use Zoning Permit- Wooded Hills Bible Church
 DATE SUBMITTED: September 1, 2016
 SUBMITTED BY: Jim Healy, Village Administrator

ATTACHMENTS:

1. Temporary Zoning Permit submittal by Wooded Hills Bible Church

STAFF RECOMMENDATION:

Approve, as presented:

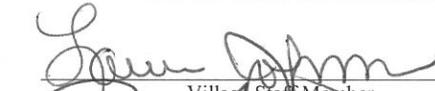
Motion to approve the proposed Temporary Use Zoning Permit for Wooded Hills Bible Church, located at 777 STH 164, as presented.

Approve with Conditions of Approval:

Motion to approve the proposed Temporary Use Zoning Permit for Wooded Hills Bible Church, located at 777 STH 164 subject to the following conditions of approval:

1. (Insert Conditions of Approval)

APPROVED FOR SUBMITTAL BY:


 Village Staff Member

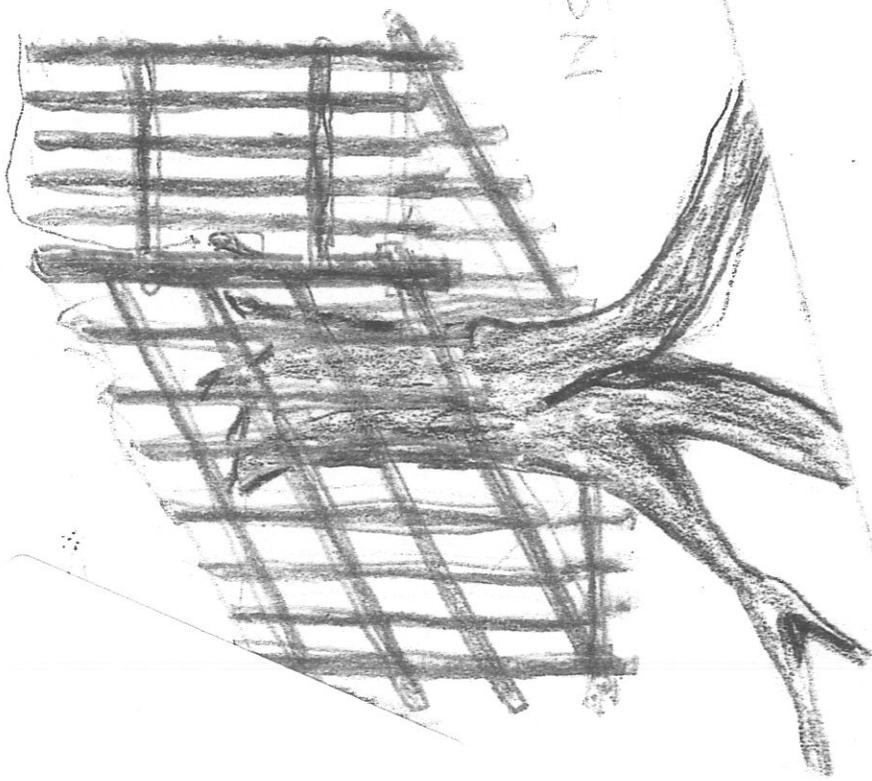

 Village Administrator

VILLAGE CLERK USE ONLY
 BOARD ACTION TAKEN

Resolution No. _____
 Ordinance No. _____
 Approved _____
 Other _____

Continued To: _____
 Referred To: _____
 Denied _____
 File No. _____

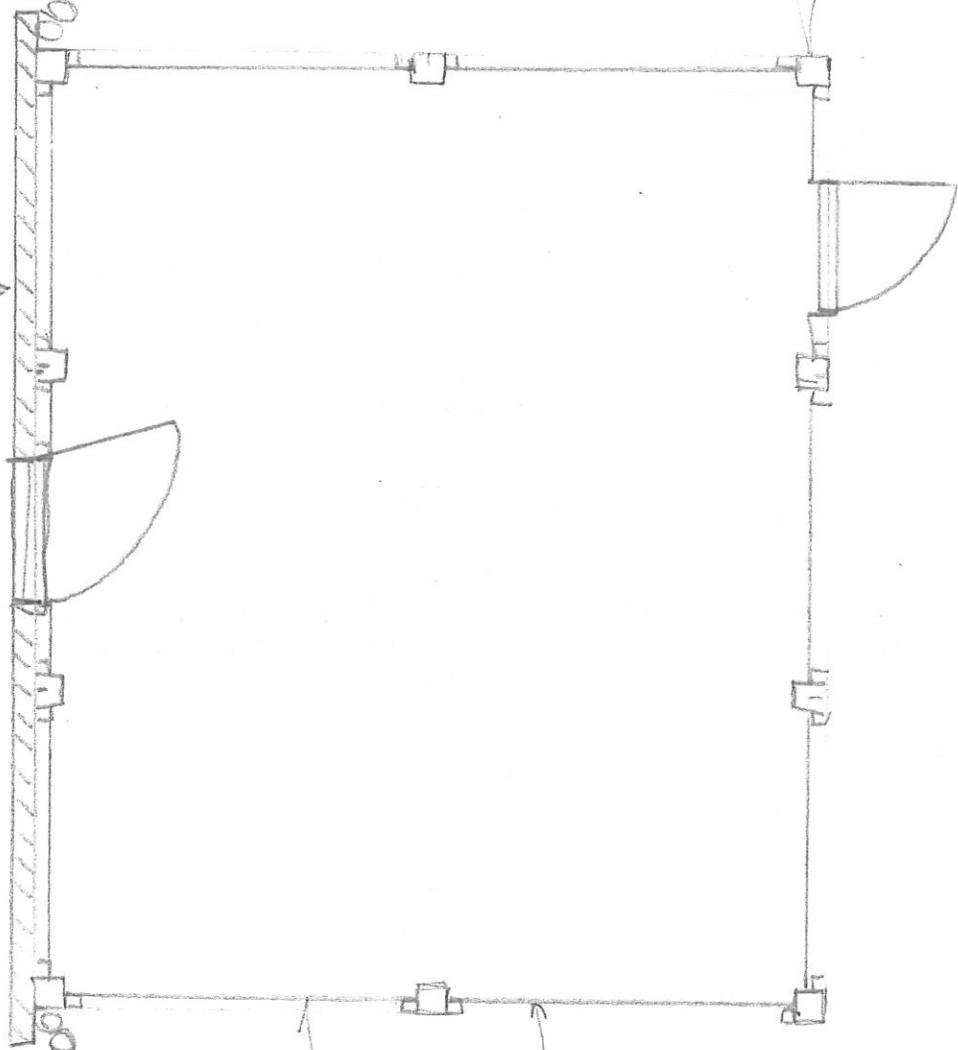
PRISON



FAKE STONE FACADE

STOCKADE FENCE

6" x 6" Posts



STOCKADE FENCE

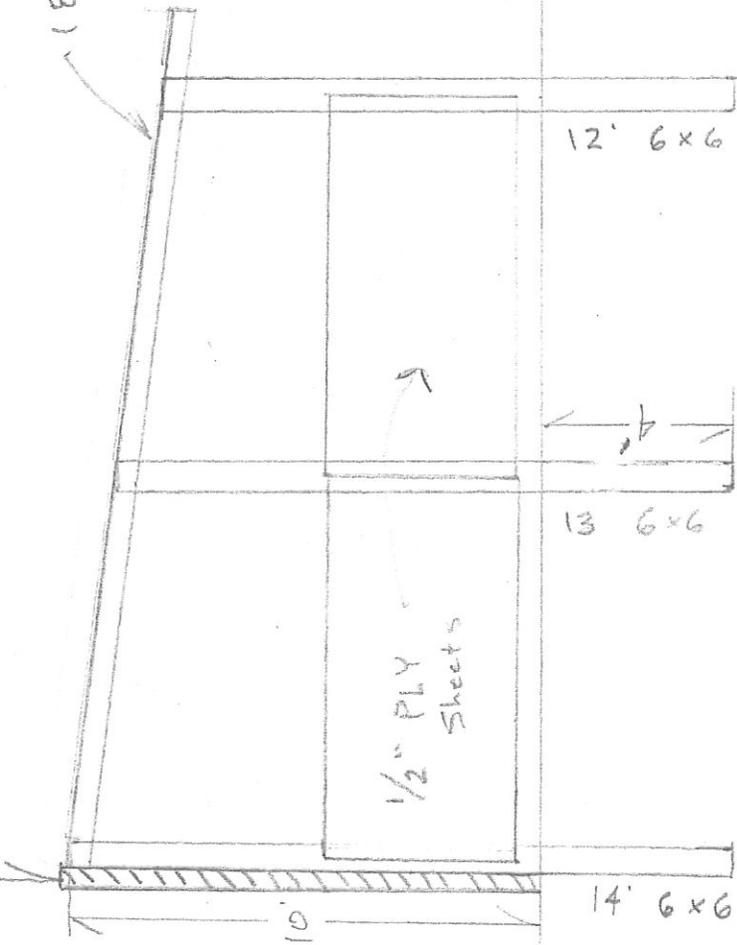
1/2" Ply sheets

1/4" = 1 foot

TOP VIEW

Facade of fake stone

18' 2x6s



1/4" = 1 Foot

SIDE VIEW

To: Village of Richfield Planning Commission

From: Alan Atwood, Executive Director of Morning Star Productions – 262-501-4798

Re: A joint production of Morning Star Productions and Wooded Hills Bible Church on the property of Wooded Hills Bible Church, 777 State Rd 164

Morning Star Productions: Is a non-profit 501(c)3 theatre company based at Eastbrook Church on the east side of Milwaukee. We have a yearly budget of around \$100,000 and have about 700 attending three plays we produce each season.

Description: The project is an interactive play in which the “audience” (groups of 12 to 20 people) will enter the woods on the Wooded Hills Bible Church property and go through what we are calling a “story course”. At seven or eight points along the course they will confront various problems which they must solve as a group. Actors in costume will be playing the characters of the imaginary world, some sympathetic to the group’s objective and some not. In this case the story is the nativity of Jesus Christ, so the audience is on a mission to help Mary and Joseph have their baby safely and escape to Egypt. The event is geared for families and in particular, Junior High and High School students.

The interactive play is scheduled to be presented on five days in December: between December 5th and 23rd. At this point we are planning to have nine groups of 12 to twenty people go through the course from 5:00 pm to 9:30 pm each evening on December 9, 10, 16, 17 and 23. Extra performances may be added depending on the demand for tickets.

The event will be staffed by actors who are paid a small fee for their work (around \$300 for the whole project) and volunteers from Wooded Hills and other churches.

Map: The event will take place in a woods just behind the church. I’ve included a map of the area, indicating where the audience would walk within the woods. Trails have been cleared through the wooded area that the audience will travel on. The loop through the woods is roughly a quarter of a mile.

This map indicates the 7 “stations” along the course. Here is a description of each:

Station #1) A campfire: This is a ring of large stones making a fire pit with another ring of stones around it about 7 feet in diameter, keeping the audience from getting too close to the fire. The fire will be contained in this inner circle or pit and there will be someone there to monitor it at all times while the fire is burning.

Station #2) A booth: This is a woman selling carts. There will be a small booth that only one actor will enter and one or two carts that the audience can rent.

Station #3) An Inn: This is a temporary structure that is fully enclosed. It is 20 feet wide and 16 feet deep. The audience will enter this structure and it will be heated. There will be one door in the front and one in the rear. (*See drawings*)

Station #4) An angel: This is the point on the course where the audience sees an angel. The “angel” is an actress on a platform 20 feet above the ground. The audience sees this from a distance. At this station there are some sound effects played on speakers and lighting (both spot lights and projections

onto the angel's wings) as well as a fog machine. This is the only station on the course that has amplified sound and bright lights. The angel "appears" for less than three minutes.

Station #5) A roadblock: This is a simple barricade across the road that can be raised and lowered. The "bad guys" are guarding it and the audience must find a way through.

Station #6) A prison cell. This is basically a fence with a door at one end. The "bad guys" detain some of the audience for a time. The door of the cell would be removable so that no one could be trapped in it when it wasn't in use. The actor(s) who guard the cell would make sure it was used safely.

Station #7) The stable – a nativity scene. This is another temporary structure that the audience would enter. Inside would be some animals in stalls as well as Mary and Joseph with their baby. The audience would not be able to touch the animals and they would be in secure pens that they will not leave while the audience is present. It would be constructed the same way as the Inn structure but would be decorated differently. *(See drawings)*

Drawings: The two drawings are my proposal for constructing the two temporary structures. I would like to plant 6x6 posts in the ground four feet deep and not use footings. These structures would only be used during the production and would then be dis-assembled except for the 10 posts which we would leave in the ground. IF we would decide to use them again in the future we would have the Village inspect them to make sure they were still usable. We will be working with the Village Inspectors to make sure the two structures are constructed to code and safe.

The attached map shows where these structures would be in relation to the near-by houses. It also indicates where cords would be run to provide power to lights in various parts of the woods and the location of two generators. Any other lights would be battery-operated.

Please note the location of the "Angel" on the plan. This is on the west side of the plot fairly near the closest house on Coyote Ct. At this location there will be a bright light that will come on and some amplified sound, but it will only be for 2 or 3 minutes at a time and will only happen every half hour while the show is running. No other lights or sounds should be noticeable to any of the neighboring homes.

Neighbors: We will be contacting the neighbors to let them know what we are up to and hopefully get their blessing on our project. Based on their feedback, we might need to mitigate the intensity of the lights and sound. The proximity of one of the homes on Coyote Court to the placement of our Inn might be an issue too. We will find out how they feel about that. It would be about 50 yards from their house. But there would be no amplified sound. Everything would go on inside the structure.

Restrooms: A cast of about 15 people will act out the scenes of the "play". They will be given places to keep warm when not acting. These will be in the Inn and stable. There will also be a staging area near Station #5 on the map. We are hoping to borrow an RV or Trailer that would have a restroom in it and place it here. It would also be possible for the actors to use the restrooms in the church and enter from a separate entrance from the audience. We are not planning to provide restrooms for the audience on the course since the whole course should be completed in an hour. Restrooms are, of course, available to the audience inside the church.

Liability: We are checking with the insurance agent for Wooded Hills Bible Church to see how much liability coverage they have for an event such as this and will be adding extra liability insurance to cover what is lacking.

Animals: The only animals we're planning to use are a cow, two sheep and two goats. These will be kept in the stable when on the property. Again, the audience will not be able to get close enough to them to touch them and they will never leave their stalls when the audience is present.

Professional Counsel: We are being advised on this project by a professional Architect and retired Landscape Architect. We also have several professional contractors among the volunteers helping us to build the structures.

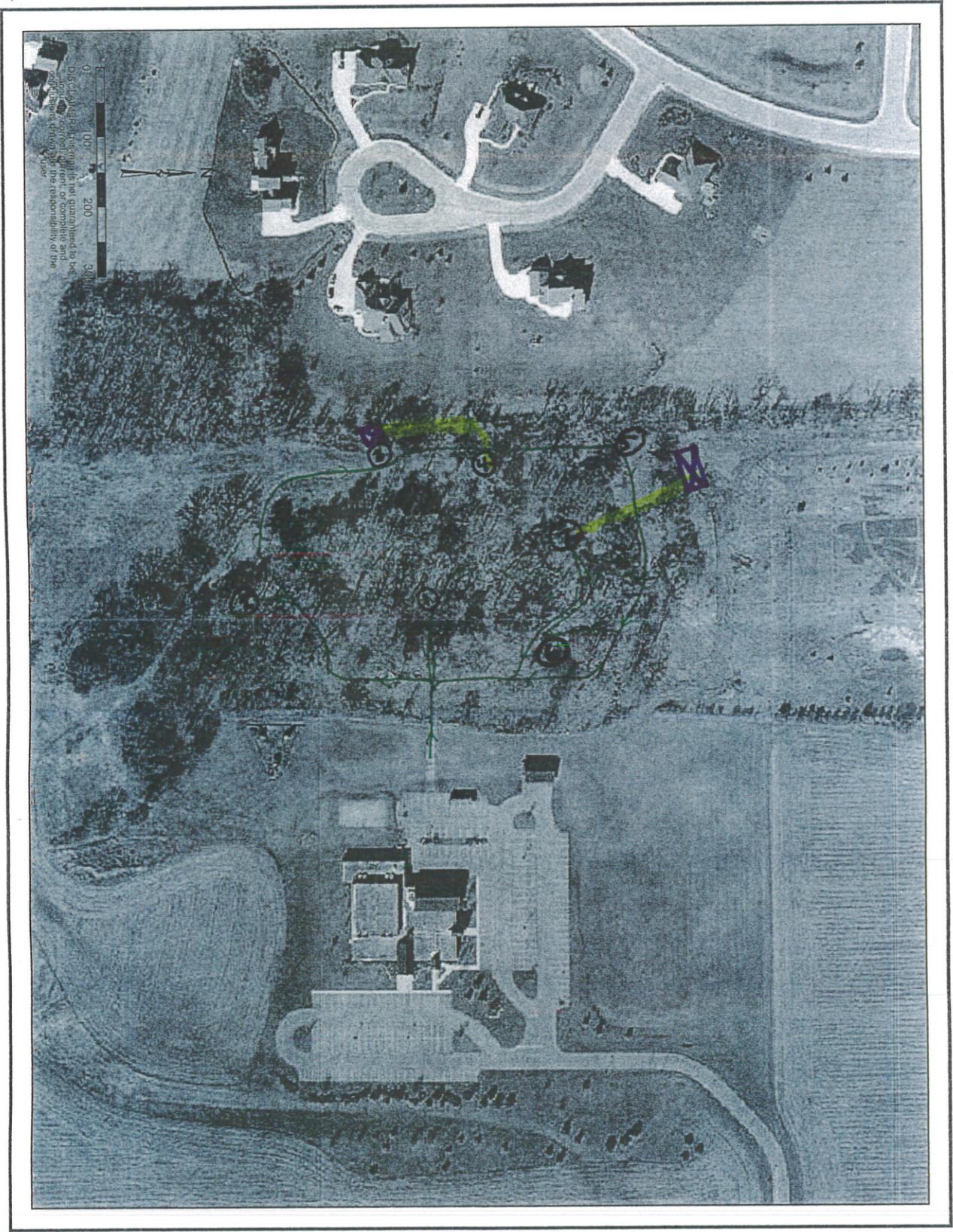
Audience Preparation: Before the audience enters the "course" they will be given directions on how the course operates and the rules for participation. They will be told that ABSOLUTELY NO VIOLENCE is allowed on the course. This includes pushing, tripping, pulling, etc. If anyone doesn't honor these rules they will be removed from the course. Some of the actors may engage in "staged" (controlled) violence, but the audience cannot.

Parking and Access: Since only 20 people can participate in this event every half-hour we don't anticipate more than one hundred people on-site at any given time including the volunteers. Parking and access should not be problem.

Security: Again, because of the relatively small number of people on-site at any given time and the number of volunteers present, both on and off the course, security should not be an issue.

Advertising: We are hoping to put some signs on Hwy 164 in front of the church to advertise the event. I have the Code for signage (309-28) and will comply.

Thank you for your consideration and your help in making this a safe and fun event for everyone who participates!



- 1 = Campfire
- 2 = Cart Seller
- 3 = Inn
- " " " "

- = Events
- 5 = Wagon
- 6 = Prison
- = Cell (Mortuary Room)

- = Trails
- ☒ = Staging Area with Generator
- = Electric Cord

5 c



VILLAGE OF RICHFIELD
PLAN COMMISSION COMMUNICATION FORM

5c.

MEETING DATE: September 8, 2016

SUBJECT: A-2, General Agricultural District – Ordinance Amendment
DATE SUBMITTED: September 2, 2016
SUBMITTED BY: Jim Healy, Village Administrator

POLICY QUESTION: DOES THE PLAN COMMISSION WISH TO RECOMMEND VILLAGE STAFF TO SCHEDULE A PUBLIC HEARING FOR THE MONTH OF OCTOBER TO CONSIDER PROPOSED AMENDMENTS TO THE A-2, GENERAL AGRICULTURAL DISTRICT?

ISSUE SUMMARY:

At the August Plan Commission Meeting some of the “permitted uses” in the A-2, General Agricultural District were discussed in a less than positive light due to the small size of the potential parcels (10ac) and the perceived negative impacts those uses might have on surrounding properties. While at one time a policy decision was made that these types of uses were appropriate, it seems as though the Plan Commission was debating for the second time in 2016 the merits of those uses in light of the Village’s development pattern. For example, it would likely be highly objectionable from surrounding property owners in a residential subdivision if one day a 10-acre farm located adjacent to the property decided it wanted to open a large-scale agricultural warehousing operation with semi-trucks frequently driving on local roads throughout the day to drop-off or deliver grains and other agricultural goods to surrounding farms. As a reminder, “Permitted Uses” are those types of uses which a property owner may exercise as a right of owning the subject land. In the Village’s residential zoning districts, a “single family residential home” or a “two-family dwelling unit” are listed as “Permitted Principal Uses” along with “foster homes” and “family day-care homes”- fairly unobjectionable uses.

A rezoning petition was tabled during the month of August based on the possibility of these uses occurring on this property at some point in the future. It was asked of Staff to speak with the property owner to see if he would be amenable to being rezoned to a new classification, potentially called A-3, which would be a newly created District that would neuter those aspects of the A-2 District that the Plan Commission deemed to no longer be appropriate land uses. The petitioner objected to the proposal for a number of reasons which are not germane to this discussion. However, this conversation from the August Plan Commission meeting got Staff and our consultants to think about the potential ramifications of those uses in the A-2 District from a globalized perspective. So, to put this potential issue into context, the Village currently has 306 parcels that are zoned A-2. This District makes up approximately 8% of the Village’s overall land mass at 1,662 acres. Right now, any one of those 306 property owners zoned A-2 could propose to do any one of those operations which the Plan Commission did not feel were compatible with surrounding land uses and there would be little opportunity for review by the Village. For example, if a property owner wanted to open a “Poultry Hatchery Service” business operation, the only points of discussion the Village would have to interject from an administrative perspective would pertain to 1) water consumption, 2) location of buildings, 3) height of buildings, 4) percent of lot coverage, and 5) parking.

Therefore, in order to address the more globalized issue of whether or not these uses are appropriate and in order for the Plan Commission to continue to protect the health, safety, and welfare of the Village at-large, those uses which were deemed to be no longer compatible with surrounding land uses due to the Village’s considerable residential growth could either be removed entirely or they could be made “conditional uses” so that the Village would have the opportunity to review potential operations, area property owners would have notice of activities taking place on adjacent land and have the opportunity to comment, and there would be greater transparency in overall operations.



VILLAGE OF RICHFIELD
PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: September 8, 2016

SUBJECT: A-2, General Agricultural District – Ordinance Amendment
DATE SUBMITTED: September 2, 2016
SUBMITTED BY: Jim Healy, Village Administrator

Before you tonight is an Ordinance amendment draft that would remove the following uses as being "Permitted Principal Uses" in the A-2 District and have them moved into the "Conditional Uses" subsection of the same:

- Agricultural warehousing
Animal hospital services and veterinarian services.
Contract sorting, grading, and packaging of fruits and vegetables.
Poultry hatchery services.

Again, these uses have not been deleted, but instead, have been proposed as a Conditional Use in the A-2 District. Therefore, the right of the property owner still exists but there is an opportunity for public involvement should any one of the 306 parcels Richfield ever want to turn their operations into a form of "agribusiness".

FUTURE IMPACT AND ANALYSIS:

REVIEWED BY: Village Deputy Treasurer

Forward to Village Board: Yes
Additional Approvals Needed: Yes
Signatures Required: No.

ATTACHMENTS:

- 1. Ordinance O2016-9-1, an Ordinance to Amend Ch. 70 of the Village of Richfield Municipal Code
2. A MS Word Redline version of Chapter 70.190 A-2 General Agricultural District

STAFF RECOMMENDATION:

Motion to recommend to Village Staff the scheduling of a Class II Public Hearing Notice to make the aforementioned amendments to A-2, General Agricultural District found in Section 70.190(B).

APPROVED FOR SUBMITTAL BY:

VILLAGE CLERK USE ONLY
BOARD ACTION TAKEN

Handwritten signature of Village Staff Member and Village Administrator

Resolution No.
Ordinance No.
Approved
Other

Continued To:
Referred To:
Denied
File No.

ORDINANCE 2016-09-01

AN ORDINANCE AMENDING CHAPTER 70. ZONING OF THE VILLAGE OF RICHFIELD MUNICIPAL CODE

WHEREAS, the Village of Richfield has numerous properties located in the Village of Richfield in the agriculture districts; and

WHEREAS, the makeup of the Village is changing and as such large agriculture activities that are currently allowed in the A-2 district may only be permitted in certain areas of the Village to allow for the least amount of nuisances to surrounding neighbors; and

WHEREAS, it is the belief that in the cases of Agricultural warehousing, animal hospital services and veterinary services, contract sorting, grading, and packaging of fruits and vegetables, and poultry hatchery service activities each of these operations must be highly scrutinized and evaluated on a case by case basis; and

NOW, THEREFORE BE IT RESOLVED, the Village Board of the Village of Richfield, Washington County, Wisconsin, do ordain the following changes to Chapter 70.190 A-2 general agricultural district of the Village of Richfield municipal code entitled "Zoning" as follows:

§70.190. A-2 General Agricultural District.

- A. Intent. The A-2 general agricultural district is intended to provide for, maintain, preserve, and enhance agricultural lands historically utilized for crop production but which are not included within the A-1 exclusive agricultural district and which are generally best suited for smaller farm units, including truck farming, horse farming, hobby farming, orchards, and other similar agriculture related farming activity.
- B. Permitted principal uses. Permitted principal uses in the A-2 district are as follows:
 1. Those principal agricultural uses permitted in the A-1 exclusive agricultural district.
 2. Corn shelling, hay baling, and threshing services.
 3. Horticultural services.
 4. Stables.
- C. Permitted accessory uses. Permitted accessory uses in the A-2 district are as follows:
 1. Accessory uses permitted in the A-1 exclusive agricultural district.
 2. Nonrental living quarters within permitted uses for watchmen or caretakers.
 3. Off-street parking and loading areas.
 4. One nonilluminated sign not larger than 10 square feet in area for use in advertising of products produced on the farm.

- D. Conditional uses (see section 70.241) Conditional uses in the A-2 district are as follows:
1. Bird seed and grain processing.
 2. Drying and dehydrating of fruits and vegetables.
 3. Livestock sales facilities.
 4. Poultry and small game dressing and packing incidental to farm operations providing that all operations are conducted within an enclosed building.
 5. Production of cheese or sausages incidental to farm operations providing that all operations are conducted within an enclosed building.
 6. Recreational vehicle and boat storage if completely enclosed within a building.
 7. Sportsmen's club.
 8. Major home occupations as provided for in section 70.303.
 9. Seasonal establishments or operations for the retail sale of vegetables, fruits, flowers, nursery stock, other selected farm or agricultural products, antiques, crafts, and similar items when both farm and nonfarm products are available for sale from roadside stands or similar accessory structures greater than 150 gross square feet.
 10. Agricultural warehousing.
 11. Animal hospital services and veterinary services.
 12. Contract sorting, grading, and packaging of fruits and vegetables.
 13. Poultry hatchery services.
- E. Lot area and width. Lot area and width in the A-2 district are as follows:
1. No agriculture related activity and/or structure shall be erected, moved, enlarged or structurally altered after the effective date of the ordinance from which this chapter is derived on a parcel of land less than 10 acres in area, and no such activity shall be conducted on a parcel that is less than 500 feet in width.
 2. When lands in the C-1 and/or F-1 district lie adjacent to lands in the A-2 general agricultural district and under the same ownership, such lands may be used to meet 70% of the lot area requirements of the A-2 general agricultural district.
- F. Building height and size. Building height and size in the A-2 district shall be as follows:
1. No residential building or parts of a residential building shall exceed 40 feet in height.
 2. Accessory buildings shall not exceed 15 feet in height except barns, elevators, grain dryers and silos which shall not exceed in height the distance of the base to the nearest property boundary.
 3. Farm dwellings or other residential units shall not exceed 40 feet in height and shall have not less than 1,000 square feet in total floor area per unit.
 4. The total first floor area of all buildings shall not exceed 5% of the entire parcel. Upon written petition, the Plan Commission may authorize a building coverage up to 10% of the entire parcel as a special exception on lots of five acres or greater pursuant to Section 70.161A of this chapter.

- G. Setback and yards. Setback and yards in the A-2 district are as follows:
 - 1. There shall be a minimum building setback of 65 feet from the established street, road, or highway right-of-way.
 - 2. There shall be a yard of not less than 50 feet in width on each side of all detached structures.
 - 3. There shall be a minimum rear yard of 50 feet on detached farm buildings.
 - 4. There shall be yards of not less than 25 feet in width on each side of other detached principal use structures.
- H. Off-street parking space. Off-street parking space in the A-2 district shall be as follows: No on-street parking will be allowed in an A-2 agricultural zoning district.
- I. Minimum utility service. The minimum utility service in the A-2 district shall be electricity and approved water supply and wastewater treatment and disposal systems.

Passed and adopted this 15st day of September 2016.

John Jeffords, Village President

ATTEST:

Jim Healy, Administrator/Clerk/Treasurer

§70.190. A-2 General Agricultural District.

- A. Intent. The A-2 general agricultural district is intended to provide for, maintain, preserve, and enhance agricultural lands historically utilized for crop production but which are not included within the A-1 exclusive agricultural district and which are generally best suited for smaller farm units, including truck farming, horse farming, hobby farming, orchards, and other similar agriculture related farming activity.
- B. Permitted principal uses. Permitted principal uses in the A-2 district are as follows:
 - 1. Those principal agricultural uses permitted in the A-1 exclusive agricultural district.
 - ~~2. Agricultural warehousing.~~
 - ~~3. Animal hospital services and veterinarian services.~~
 - ~~4. Contract sorting, grading, and packaging of fruits and vegetables.~~
 - ~~5.2. Corn shelling, hay baling, and threshing services.~~
 - ~~6.3. Horticultural services.~~
 - ~~7.4. Poultry hatchery services~~
 - ~~8.5. Stables.~~
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 - 5. Production of cheese or sausages incidental to farm operations providing that all operations are conducted within an enclosed building.
 - 6. Recreational vehicle and boat storage if completely enclosed within a building.
 - 7. Sportsmen's club.
 - 8. Major home occupations as provided for in section 70.303.
 - ~~9. Seasonal establishments or operations for the retail sale of vegetables, fruits, flowers, nursery stock, other selected farm or agricultural products, antiques, crafts, and similar items when both farm and nonfarm products are available for sale from roadside stands or similar accessory structures greater than 150 gross square feet.~~
 - ~~10. Agricultural warehousing.~~
 - ~~11. Animal hospital services and veterinarian services.~~
 - ~~12. Contract sorting, grading, and packaging of fruits and vegetables.~~

9-13. Poultry hatchery services.

- E. Lot area and width. Lot area and width in the A-2 district are as follows:
 - 1. No agriculture related activity and/or structure shall be erected, moved, enlarged or structurally altered after the effective date of the ordinance from which this chapter is derived on a parcel of land less than 10 acres in area, and no such activity shall be conducted on a parcel that is less than 500 feet in width.
 - 2. When lands in the C-1 and/or F-1 district lie adjacent to lands in the A-2 general agricultural district and under the same ownership, such lands may be used to meet 70% of the lot area requirements of the A-2 general agricultural district.
- F. Building height and size. Building height and size in the A-2 district shall be as follows:
 - 1. No residential building or parts of a residential building shall exceed 40 feet in height.
 - 2. Accessory buildings shall not exceed 15 feet in height except barns, elevators, grain dryers and silos which shall not exceed in height the distance of the base to the nearest property boundary.
 - 3. Farm dwellings or other residential units shall not exceed 40 feet in height and shall have not less than 1,000 square feet in total floor area per unit.
 - 4. The total first floor area of all buildings shall not exceed 5% of the entire parcel. Upon written petition, the Plan Commission may authorize a building coverage up to 10% of the entire parcel as a special exception on lots of five acres or greater pursuant to Section 70.161A of this chapter.
- G. Setback and yards. Setback and yards in the A-2 district are as follows:
 - 1. There shall be a minimum building setback of 65 feet from the established street, road, or highway right-of-way.
 - 2. There shall be a yard of not less than 50 feet in width on each side of all detached structures.
 - 3. There shall be a minimum rear yard of 50 feet on detached farm buildings.
 - 4. There shall be yards of not less than 25 feet in width on each side of other detached principal use structures.
- H. Off-street parking space. Off-street parking space in the A-2 district shall be as follows: No on-street parking will be allowed in an A-2 agricultural zoning district.
- I. Minimum utility service. The minimum utility service in the A-2 district shall be electricity and approved water supply and wastewater treatment and disposal systems.

5 d



VILLAGE OF RICHFIELD
PLAN COMMISSION COMMUNICATION FORM

5d

MEETING DATE: September 8, 2016

SUBJECT: Legal, Non-conforming Structures ordinance
DATE SUBMITTED: August 29, 2016
SUBMITTED BY: Jim Healy, Village Administrator

POLICY QUESTION: DOES THE PLAN COMMISSION BELIEVE THE PROPOSED ORDINANCE IS READY FOR PUBLIC HEARING IN SEPTEMBER?

ISSUE SUMMARY:

The Plan Commission at their June and August meetings expressed an interest in having Staff research a mechanism that would allow property owners (residential, commercial, manufacturing, etc.) with legal, non-conforming structures the ability to seek building permits and expand. Our Code of Ordinances currently has a provision that deals, in part, with this situation but only for residential properties and in limited circumstances. It is governed by Section 70.242(F) and it is attached herein for your convenience. After speaking with Consultant Planner Schwecke regarding the potential ‘goals’ for this ordinance, he recommended that we repeal and recreate Subsection “F” entirely. The feedback the Village Staff received in August was two (2) fold. First, there had to be a mechanism to notify adjacent property owners of proposed building modifications. To satisfy that concern, we built in a provision that adjacent properties will be notified via the USPO. The second issue mentioned to Staff was dealing with 1st generation subsections #5 and #6 which were:

- 5. the addition does not extend closer to the lot line than the existing building to which it is attached;
- 6. the addition does not extend into a setback area the building does not currently encroach upon; and

It appeared to be the belief of the Plan Commission that these two (2) provisions were ambiguous and in conflict with one another. When ordinances have the ability to be read and interpreted in different ways, it likely isn’t any good and should be modified accordingly. Staff believes that the additional proviso language we’ve added in **BOLD** will satisfy the concerns of the Commission and help the reader understand the intent of the subsection.

The proposed changes are shown below:

(F) *Building addition within setback.* The Plan Commission may, pursuant to s. 70.161A, grant a special exception authorizing the construction of a building addition within a street-yard, side-yard, or rear-yard setback area provided:

(1) property owners directly adjacent to the subject property are notified of the hearing via USPO 1st Class Mail (NEW)

- (2) the existing building to which the addition will be attached is currently located within a setback area;
- (3) the existing building was legally established;
- (4) the use of the existing building is legal conforming;
- (5) the addition is in compliance with the height limitations of the zoning district in which it is located, and is not greater in height than the contiguous portion of the existing building;

(6) the addition does not extend closer to the lot line than the existing building to which it is attached- [(e.g.: the non-conforming aspect(s) of the structure is not made worse by expansion. NEW];



VILLAGE OF RICHFIELD
PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: September 8, 2016

SUBJECT: Legal, Non-conforming Structures ordinance
DATE SUBMITTED: August 29, 2016
SUBMITTED BY: Jim Healy, Village Administrator

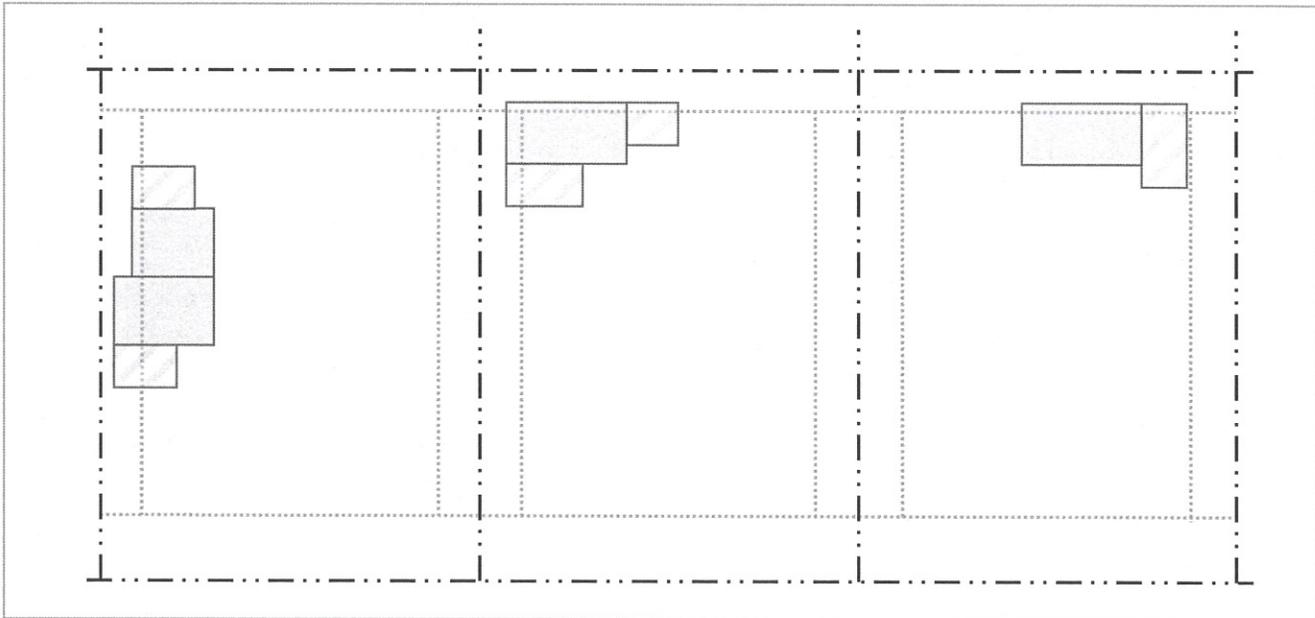
(7) the addition does not extend into a setback area the building does not currently encroach upon **rendering the structure non-conforming in a manner it was not previously, prior to the proposed addition (NEW); and**

(8) the addition complies with all other requirements that may apply.

See Figure 1 for examples of permissible additions. In making its decision, the plan commission should consider the following factors, in addition to those factors listed in s. 70.161A:

- (1) The size and location of the existing legal nonconforming structure.
- (2) The size and location of any other structure on the subject property.
- (3) The size and location of the proposed expansion.
- (4) The necessity of constructing the addition within the setback.
- (5) The proximity of buildings and other structures on adjoining properties.

Figure 1. Examples of permissible expansions within an offset area



Tonight Consultant Planner Tim Schwecke will be on-hand to discuss how the ordinance's language was originally interpreted by the Village Attorney and how the proposed modification clarifies the intent of the subsection.



VILLAGE OF RICHFIELD
PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: September 8, 2016

SUBJECT: Legal, Non-conforming Structures ordinance
DATE SUBMITTED: August 29, 2016
SUBMITTED BY: Jim Healy, Village Administrator

FUTURE IMPACT AND ANALYSIS:

REVIEWED BY: Village Deputy Treasurer

Forward to Village Board: N/A
Additional Approvals Needed: N/A
Signatures Required: N/A

ATTACHMENTS:

- 1. Section 70.242 of the Village's Zoning Code
2. Section 70.161(A) of the Village's Zoning Code

STAFF RECOMMENDATION:

If ordinance is viewed favorably:

Motion to direct Staff to schedule a Public Hearing for October 6, 2016 at 7PM to consider an amendment to 70.242(F).

If ordinance is not viewed favorably:

Motion to table the proposed ordinance to October 6, 2016 at 7PM.

APPROVED FOR SUBMITTAL BY:

VILLAGE CLERK USE ONLY
BOARD ACTION TAKEN

Handwritten signatures for Village Staff Member and Village Administrator

Resolution No.
Ordinance No.
Approved
Other

Continued To:
Referred To:
Denied
File No.

*Village of Richfield, WI
Friday, July 29, 2016*

Chapter 70. Zoning

ARTICLE IV. Uses

70.242. Nonconforming uses, structures, and lots.

- A. Existing nonconforming uses. The lawful nonconforming use of a structure, land, or water existing at the time of the adoption or amendment of the ordinance from which this chapter is derived may be continued although the use does not conform with the provisions of this chapter; however:
1. Only that portion of the structure, land or water in actual use may be so continued and the structures may not be extended, enlarged, reconstructed, substituted, moved or structurally altered except when required to do so by law or order so as to comply with the provisions of this chapter.
 2. Total lifetime structural repairs or alterations shall not exceed 50% of the Village assessed value of the structure unless it is permanently changed to conform to the use provisions of this chapter.
 3. Substitution of new equipment may be permitted by the Board of Appeals if such equipment will not increase the incompatibility of the nonconforming use with the neighboring uses.
- B. Abolishment or replacement. If a nonconforming use of a structure, land or water is discontinued or terminated for a period of 12 consecutive months, any future use of the structure, land or water shall conform to the provisions of this chapter. When a nonconforming use or a structure containing a nonconforming use is damaged by fire, explosion, flood, the public enemy, or other calamity to the extent of more than 50% of its most recent assessed value, it shall not be restored except so as to comply with the use

provisions of this chapter. A file of all nonconforming uses shall be maintained by the Planning and Zoning Administrator listing the following: owner's name and address; use of the structure, land, or water; and assessed value at the time of its becoming a nonconforming use as well as the most recent assessed value.

- C. Existing nonconforming structures. Lawful nonconforming structures existing at the time of the adoption of amendment of the ordinance from which this chapter is derived may be continued although the size or location does not conform with the area, yard, height, parking and loading, and access provisions of this chapter; however, such a structure shall not be added on to, expanded, replaced, or structurally altered in whole or in part, except when required to do so by law or court order, to comply with the provisions of section 70.242(F).
- D. Existing nonconforming land areas (see also section 70.161). Lots, parcels or tracts of land which do not conform to the minimum area, size and/or shape requirements of this chapter at the time of passage of the ordinance from which this chapter is derived may be allowed to be built upon so long as such parcels and the building to be built meet all other requirements of this chapter and no such land area is in the same ownership as adjacent lands which if combined would constitute a conforming lot, parcel or tract.
- E. Floodland nonconforming uses and structures. Floodland nonconforming uses or structures repaired or altered under the nonconforming use provisions of this chapter shall provide for floodproofing of those portions of the structures involved in such repair or alteration. Certification of floodproofing shall be made to the Planning and Zoning Administrator and shall consist of a plan or document certified by a registered professional engineer that the floodproofing measures are consistent with the flood velocities, forces, depths, and other factors associated with the established one-hundred-year recurrence interval flood.
- F. Nonconforming characteristics of residential structures. Residential dwellings (or other structures used for residential purposes where the residential use is the principal use of the structure) which encroach within required yard and/or setback requirements may be added on to, expanded, replaced, or structurally altered provided that such addition, expansion, replacement or structural alteration, either separately or cumulatively, does not:
 - 1. Create a greater degree of encroachment;
 - 2. Encroach within the required yard or setback requirements abutting a state or county highway or Village collector or arterial road;

3. Increase the total building area by more than 50% of that which existed on the date this section is adopted;
 4. Create or expand an attached garage greater than 720 square feet; or
 5. Constitute redevelopment of the dwelling or structure. Any addition, expansion, replacement or structural alteration, either separately or cumulatively, that exceeds or otherwise cannot meet one or more of these requirements shall meet all current yard, setback, height, etc., and other applicable zoning regulations.
- G. Changes and substitutions. Once a nonconforming use or structure has been changed to conform, it shall not revert back to a nonconforming use or structure. Once the Board of Appeals has permitted the substitution of a more restrictive nonconforming use for an existing nonconforming use, the substituted use shall lose its status as a legal nonconforming use and become subject to all conditions required by the Board of Appeals.

Village of Richfield, WI
Friday, July 29, 2016

Chapter 70. Zoning

ARTICLE II. Administration and Enforcement Generally

Division 5. Modifications and Amendments

70.161A. Special exception.

- A. Generally. Upon written petition, the Plan Commission may on a case-by-case basis grant a special exception permit for only those development standards specifically noted in this chapter.
- B. Application and review procedure. The review of a special exception application shall comply with the following steps and requirements:
 - 1. Submittal of application. The property owner shall submit a completed application to the Planning and Zoning Administrator along with the application fee as established by the Village Board.
 - 2. Notice. If the application is complete, the administrator shall place the matter on the agenda for the next meeting provided proper notice is given.
 - 3. Staff report. The administrator shall prepare a written staff report as described in this section and provide a copy of it to the Plan Commission members, the applicant, and the applicant's agent, if any, prior to the meeting at which the matter will be considered. He shall also provide a copy to interested people upon request.
 - 4. Decision. The Plan Commission shall approve the application, approve it with conditions, or deny it. Such decision shall be in writing and shall include the findings in support of its decision and if approved any conditions as may be imposed.
 - 5. Applicant notification. Within a reasonable time following the Plan Commission's decision, the administrator shall mail the applicant the official decision notice. If one or more conditions are imposed, the property owner shall also sign the approval notice to acknowledge the imposition of such condition or conditions.
 - 6. Public record copy. A copy of the official decision notice shall be retained for the public record.
- C. Basis of decision. In making its decision to approve the application, approve it with conditions, or deny it, the Plan Commission shall consider the following factors:
 - 1. The size of the property in comparison to other properties in the area;
 - 2. The extent to which the issuance of the special exception permit would be in keeping with the overall intent of the zoning code;

3. Whether there are any are unique circumstances and the nature of those circumstances that warrant the issuance of the special exception permit;
 4. The nature and extent of anticipated impacts to the natural environment that could potentially occur if the special exception permit was granted;
 5. The nature and extent of anticipated positive and negative effects on properties in the area;
 6. Actions the applicant will undertake to mitigate the negative effects, if any, of the proposed special exception;
 7. A factor specifically listed under the section authorizing the issuance of a special exception permit; and
 8. Any other factor not specifically or generally listed, but deemed appropriate given the particular circumstances.
- D. Imposition of conditions. In granting a special exception permit, the Plan Commission may impose one or more conditions deemed necessary to further the intent and purposes of this chapter. Such conditions, for example, may relate to landscaping and screening, outdoor lighting, hours of operation, and submittal of building plans to the Architectural Review Committee for review and approval.
- E. Limitations on issuing a special exemption permit. A special exception permit shall only be granted in those instances where issuance is specifically authorized in this chapter.
- F. Staff report content. At a minimum, the staff report shall contain the following information:
1. A description of the requested special exception;
 2. Findings for each of the decision criteria listed in this section;
 3. A recommendation to approve the application, approve it with conditions, or deny the application; and
 4. A preliminary list of conditions whether the staff recommendation is for approval or denial.
- G. Expiration of approval. A special exception permit shall expire one year after the date of issuance unless substantial work has commenced under the approval and continues in good faith to completion.
- H. Violation of a condition. If a property owner accepts the terms of the approval and does not comply with one or more conditions of approval, such action shall be deemed a violation of this chapter.
- I. Application form. The planning and zoning administrator shall prepare an application form and may amend it from time to time.
- J. Application fee. The Village Board may by resolution establish an application fee for a special exception application and may amend such fee by resolution from time to time.
- K. Appeal. The applicant or an aggrieved person may appeal a final decision made pursuant to this section by filing an appeal with a court of competent jurisdiction within 30 days of the final decision.

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VILLAGE OF RICHFIELD
PLAN COMMISSION COMMUNICATION FORM
MEETING DATE: September 8, 2016

SUBJECT: One-Lot CSM, Tax Keys: V10_1293 and V10_129300A

DATE SUBMITTED: August 19, 2016

SUBMITTED BY: Jim Healy, Village Administrator

POLICY QUESTION: DOES THE PLAN COMMISSION WISH TO RECOMMEND APPROVAL TO THE VILLAGE BOARD FOR THE ONE-LOT CSM?

ISSUE SUMMARY:

The proposed one-lot CSM would combine two (2) properties, Tax Keys: V10_1293 and V10_129300A into a single lot, which is geographically located on the east side of Lake Five where E. Lake Lane comes to a dead end. The properties are zoned Rs-4, Single Family Residential District, a classification of properties specifically created for land which abuts lake properties. These specific parcels do not have any floodplain issues from a FEMA or DNR regulatory standpoint, but there does appear to be mapped wetlands which the Village's Engineer notes. Combined, the parcels yield a lot 18,556sqft or 0.426 acres.

Like a lot of lake lots, these parcels are somewhat unique compared to other properties in the Village. For instance, there is not direct physical access to the property currently to the north. The paved roadway ends approximately 50' before the property to the south (V10_129300A). There is access via a recorded easement as indicated by Document #985500 recorded in the Washington County Register of Deeds Office. Also, it would appear that the neighboring property to the south (Tax Key: V10_1296) has a portion of single family residential dwelling right on the property boundary line. Couple those concerns with utility poles, easements for utilities, wetlands delineations, and a wooded lot, this property does present some minor obstacles to development which can be overcome with sound planning and advice.

Village Engineer Craig Kunkel has reviewed the CSM and it is attached herein with his comments shown in RED. His recommendation is for a conditional approval.

FUTURE IMPACT & ANALYSIS:

REVIEWED BY: [Signature] Village Deputy Clerk

Forward to Village Board: Yes
Additional Approvals Needed: Yes
Signatures Required: Yes

ATTACHMENTS:

- 1. Proposed CSM prepared by Richard Simon with a revision date of June 9, 2016
2. Village Engineer Craig Kunkel's Communication dated August 17, 2016
3. Washington County GIS aerial overview

STAFF RECOMMENDATION:

Motion to recommend to the Village Board the approval of the proposed One-Lot CSM for Otzelberger Revocable Trust indicated by Tax Keys V10_1293 and V10_129300A subject to the General and Specific Conditions of Approval listed below:



VILLAGE OF RICHFIELD
PLAN COMMISSION COMMUNICATION FORM
 MEETING DATE: September 8, 2016

Specific Conditions of Approval:

1. The Village of Richfield Plan Commission "Signature Block" be removed
2. "John Jeffords, Village President" be inserted into the Village Board "Signature Block"
3. "Jim Healy, Village Administrator/Clerk" be inserted into the Village Board "Signature Block"

General Conditions of Approval:

1. The subdivider shall satisfy all comments, conditions, and concerns of the Village Attorney, Village Engineer, the Village Planner, and all reviewing, objecting and approving bodies, including, but not limited to, the Wisconsin Department of Commerce per Ch. 236, Wisconsin Statutes and Ch. Comm. 85, Wisconsin Administrative Code; Wisconsin Department of Administration per Ch. 236, Wisconsin Statutes; and Washington County.
2. The subdivider shall, on demand, reimburse the Village all costs and expenses of any type that the Village incurs in connection with this development, including the cost of professional services incurred by the Village (including engineering, legal, planning and other consulting fees) for the review and preparation of required documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions in this conditional approval due to a violation of these conditions.
3. Any unpaid bills owed to the Village by the subject property owner or his or her tenants, operators or occupants, for reimbursement of professional fees (as described above); or for personal property taxes; or for real property taxes; or for licenses, permit fees, or any other fees owed to the Village; shall be placed upon the tax roll for the subject property if not paid within thirty (30) days of the billing by the Village, pursuant to Section 66.0627, Wisconsin Statutes. Such unpaid bills also constitute a breach of the requirements of this conditional approval that is subject to all remedies available to the Village, including possible cause for termination of this approval.

APPROVED FOR SUBMITTAL BY:

VILLAGE CLERKS USE ONLY
 BOARD ACTION TAKEN

 Village Staff Member

 Village Administrator

Resolution No. _____
 Ordinance No. _____
 Approved _____
 Other _____

Continued To: _____
 Referred To: _____
 Denied _____
 File No. _____



Mr. James Healy, Administrator
Village of Richfield
4128 Hubertus Road
Hubertus, WI 53033

August 17, 2016

RE: Certified Survey Map Review (Otzelberger Revocable Trust)

Dear Jim,

Please be advised that our office is in receipt of a proposed certified survey map (CSM) submitted on behalf of the Otzelberger Revocable Trust and prepared by Mr. Richard Simon, RLS of Cornerstone Land Surveying, LLC. Kunkel Engineering Group has reviewed the submittal in accordance with section 66.05 of the Village of Richfield code of ordinances.

As we understand it, the property owner intends to combine existing Lots 2 and 3 of Sullivan's Plat of Lake Five into a single parcel to effectuate the sale of the property. Moreover, it is understood that the property owner to the south of the parcels will purchase the property, in its entirety, once the lots have been combined.

As is evident by viewing the CSM, access to the lots is restricted due to the presence of a septic system on the parcel to the south and overhead utilities. Presently both a Wisconsin gas easement and an existing cabin are located on Lot 3. The total area of the combined lots will yield a parcel of 18,556 square feet or 0.426 acres.

The proposed CSM does not reflect existing wetlands on the property pursuant to the Washington County GIS map. It is generally incumbent upon the surveyor and property owner to have any wetlands delineated and reflected upon the map.

Our suggestion would be to require the surveyor to designate the approximate boundaries of the wetlands per the GIS coordinates and annotate the map to reflect that all wetlands be delineated. The delineation should be completed by a state registered wetland delineator and mapped prior to the future owner(s) undertaking any improvements requiring Village permits or listing the property for resale.

In this fashion the time and expense associated with retaining a wetland delineation and mapping the wetland could be temporarily postponed until plans for development or sale come to fruition. Again, however, this is a matter for consideration by the Village Plan Commission.

Based upon our review of the proposed CSM we recommend that the Village Plan Commission consider approval contingent on the following conditions:

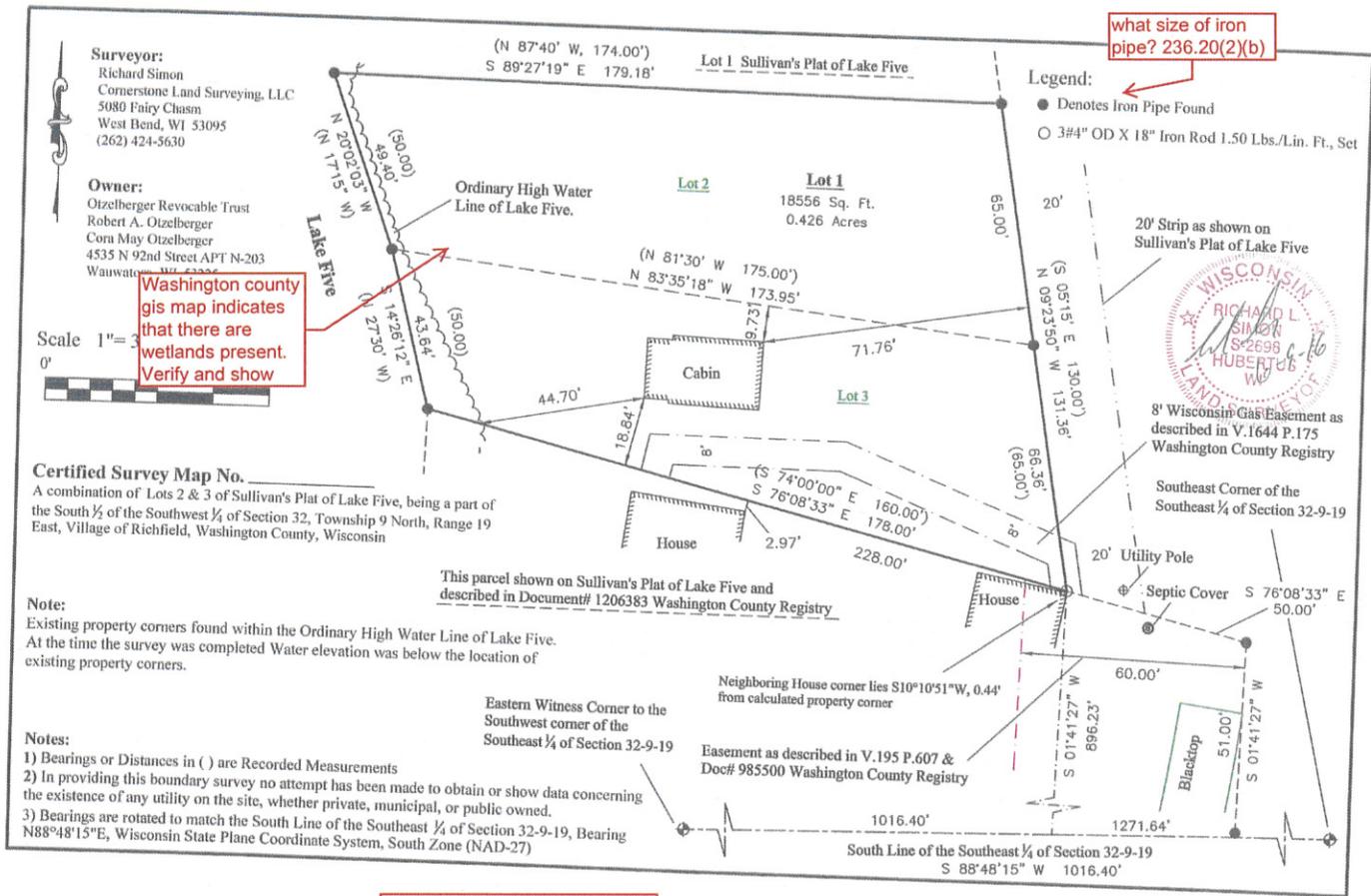
- 1) That wetlands identified on the property be delineated and mapped prior to being recorded or at a future date, should that be the Plan Commission's desire.
- 2) That the size of the property irons located by the surveyor be indicated upon the CSM.
- 3) That building setback lines be reflected upon the proposed CSM.
- 4) Any other conditions as set forth by the Plan Commission.

Jim, this transmittal along with the annotated CSM incorporate our review comments relative to the documents as provided. Should either you or the Village Plan Commission have any questions or comments please do not hesitate to contact our office.

Sincerely,
KUNKEL ENGINEERING GROUP

A handwritten signature in black ink, appearing to read 'C. Kunkel', written in a cursive style.

Craig J Kunkel, PE



Certified Survey Map No.

A combination of Lots 2 & 3 of Sullivan's Plat of Lake Five, being a part of the South 1/2 of the Southwest 1/4 of Section 32, Township 9 North, Range 19 East, Village of Richfield, Washington County, Wisconsin

Owner's Certificate

We, Robert A. Otzelberger and Cora May Otzelberger do hereby certify that we caused the land described in the foregoing affidavit of Richard L. Simon, Surveyor, to be surveyed, divided and mapped as represented on this Certified Survey Map.

WITNESS the hand and seal of said Signer, this _____ day of _____

Robert A. Otzelberger

Cora May Otzelberger

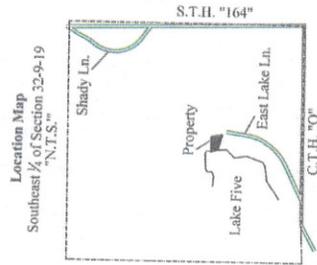
State of Wisconsin) SS
County)

Personally came before me this _____ day of _____, the above named, Robert A. Otzelberger and Cora May Otzelberger to me, known to be the people who executed the foregoing instrument and acknowledge the same.

Notary Public

_____ County, State of Wisconsin

My commission expires: _____



5 f



VILLAGE OF RICHFIELD
PLAN COMMISSION COMMUNICATION FORM

58.

MEETING DATE: September 8, 2016

SUBJECT: Comprehensive Plan Amendment – FLUM & Related Text
DATE SUBMITTED: August 29, 2016
SUBMITTED BY: Jim Healy, Village Administrator

POLICY QUESTION: DOES THE PLAN COMMISSION WISH TO ACCEPT THE PETITION OF THE VILLAGE BOARD TO AMEND THE VILLAGE’S ADOPTED COMPREHENSIVE PLAN?

ISSUE SUMMARY:

In March of 2009, J.B.J Development acting as agent for LaVerne Hansen petitioned to amend the adopted Zoning Map for the Village of Richfield by rezoning the property previously identified by Tax Key: V10_1309 from A-1, Exclusive Agricultural District to NAC-1, Neighborhood Activity Center. This petitioned rezoning was consistent with the Village’s Comprehensive Plan then in 2009 and now where the property is shown as “Neighborhood Activity Center”. The property was described legally in the rezoning ordinance as the following:

“The Southwest Quarter of the SOUTHWEST Quarter (SW ¼ SW 1/4) of Section 33, Township Nine (9) North of Range 19 East, Village of Richfield, Washington County, Wisconsin, EXCEPTION THEREFROM the following:

- 1. The West 330 feet of the South 924 feet thereof.
2. That portion thereof heretofore conveyed to Washington County as described by deed recorded in the Washington County Registry in Volume 702 of Records on page 454, as Document No. 415805.”

The Village’s Zoning Map was never updated to reflect this change. Since that time, representations were made to the current property owner that the property was zoned A-1, Exclusive Agricultural District. The Village Board has directed Staff to petition the Plan Commission to amend the Future Land Use Map and related text of the Comprehensive Plan to allow for “Agricultural Uses” on the subject property (previously described) and to petition to later rezone the subject land to A-1, Exclusive Agricultural District as it was believed to be.

FUTURE IMPACT AND ANALYSIS:

REVIEWED BY: Village Deputy Treasurer

Forward to Village Board: Yes
Additional Approvals Needed: Yes
Signatures Required: Yes

ATTACHMENTS:

- 1. Resolution R2016-09-01, A Resolution to amend various sections of the Village’s adopted Comprehensive Plan

STAFF RECOMMENDATION:

Motion to approve Resolution R2016-09-01, a Resolution to amend the Future Land Use Map and related text of the Village’s Comprehensive Plan and to direct Staff to fulfill requirements of Wisconsin State Statutes for giving notice of the proposed Public Hearing on October 20, 2016 at 7:00PM.

APPROVED FOR SUBMITTAL BY:

VILLAGE CLERK USE ONLY
BOARD ACTION TAKEN



VILLAGE OF RICHFIELD
PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: September 8, 2016

SUBJECT: Comprehensive Plan Amendment – FLUM & Related Text

DATE SUBMITTED: August 29, 2016

SUBMITTED BY: Jim Healy, Village Administrator

Village Staff Member

Resolution No. _____
Ordinance No. _____
Approved _____
Other _____

Continued To: _____
Referred To: _____
Denied _____
File No. _____

Village Administrator

Village of Richfield Plan Commission

Resolution No. R2016-09-01

A Resolution Acting and Recommending to the Village Board the Amendment of the Village's Comprehensive Plan

—WHEREAS, the Village Board is authorized by state law to adopt a comprehensive plan as defined in Sections 66.1001(1)(a) and 66.1001(2), Wis. Stats., and to amend it from time to time; and

WHEREAS, the Village Board adopted a comprehensive plan in 2014, following extensive public participation, and has amended such plan on multiple occasions since then; and

WHEREAS, the Village Board adopted a public participation plan which established procedures and requirements to amend the adopted comprehensive plan; and

WHEREAS, Lake 5 Farms LLC owns land indicated by Tax Key: V10-130900D, located at 4440 CTH Q and the Village Board has directed Staff to petition the Plan Commission to amend the future land use map (Map 12) included in the comprehensive plan by changing the land use classification of the area depicted in Exhibit A from "Neighborhood Activity Center" to "Agricultural"; and

WHEREAS, the Plan Commission reviewed the petitioner's request on September 8, 2016; and

WHEREAS, the Plan Commission finds that the comprehensive plan with the proposed amendments contains all of the required elements specified in Section 66.1001(2), Wis. Stats.; and

WHEREAS, the Village Board will hold at least one public hearing regarding the proposed amendment in compliance with the requirements of Section 66.1001(4)(d), Wis. Stats.

NOW THEREFORE, by a majority vote of the entire Commission recorded in its official minutes, the Plan Commission recommends the following amendments to the Village Board:

1. Change the land use classification of the area legally described in Exhibit A from "Neighborhood Activity Center" to "Agricultural"
2. Amend Table 11-8, entitled Future Land Use: 2014 to 2033 to reflect acreage and percent of total.

NOW THEREFORE, the Village Clerk is directed to send a copy of this resolution to each of the following:

- a. the clerk for Washington County;
- b. the clerk of every local government unit that is adjacent to the Village;
- c. the Wisconsin Land Council;
- d. the Wisconsin Department of Administration;
- e. Southeastern Wisconsin Regional Planning Commission; and
- f. those public libraries that serve the Village.

Passed and adopted this 8th day of September, 2016

James Otto, Plan Commission Chair

ATTEST:

James Healy, Village Administrator

Exhibit A.

(See Attached)

Ordinance No. 2009-3-3

An Ordinance to Amend the Adopted Zoning Map for the Village of Richfield

WHEREAS, J.B.J. Development acting as agent for LaVerne Hansen (property owner) has petitioned to amend the adopted Zoning Map for the Village of Richfield, per Section 70-183 of the Village Zoning Ordinance, by rezoning the property described herein from an A-1 Exclusive Agricultural to NAC-1 Neighborhood Activity Center; and

WHEREAS, at their meeting on March 5, 2009 the Village Plan Commission has made a recommendation to APPROVE the proposed rezoning petition for the entire parcel; and

WHEREAS, a public hearing was duly held on March 5, 2009.

NOW, THEREFORE, the Village Board does hereby ordain as follows:

Section 1: The Zoning Ordinance and Zoning Map adopted by the Village are hereby amended by rezoning the following described property from an A-1 to NAC-1, herein stated as follows:

The Southwest Quarter of the SOUTHWEST Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Thirty-three (33), Township Nine (9) North of Range Nineteen (19) East, Village of Richfield, Washington County, Wisconsin, EXCEPTING THEREFROM the following:

1. The West 330 feet of the South 924 feet thereof.
2. That portion thereof heretofore conveyed to Washington County as described by deed recorded in the Washington County Registry in Volume 702 of Records on page 454, as Document No. 415805

Tax Key: V10-1309

Location: Section 33- STH 164/County Line Q

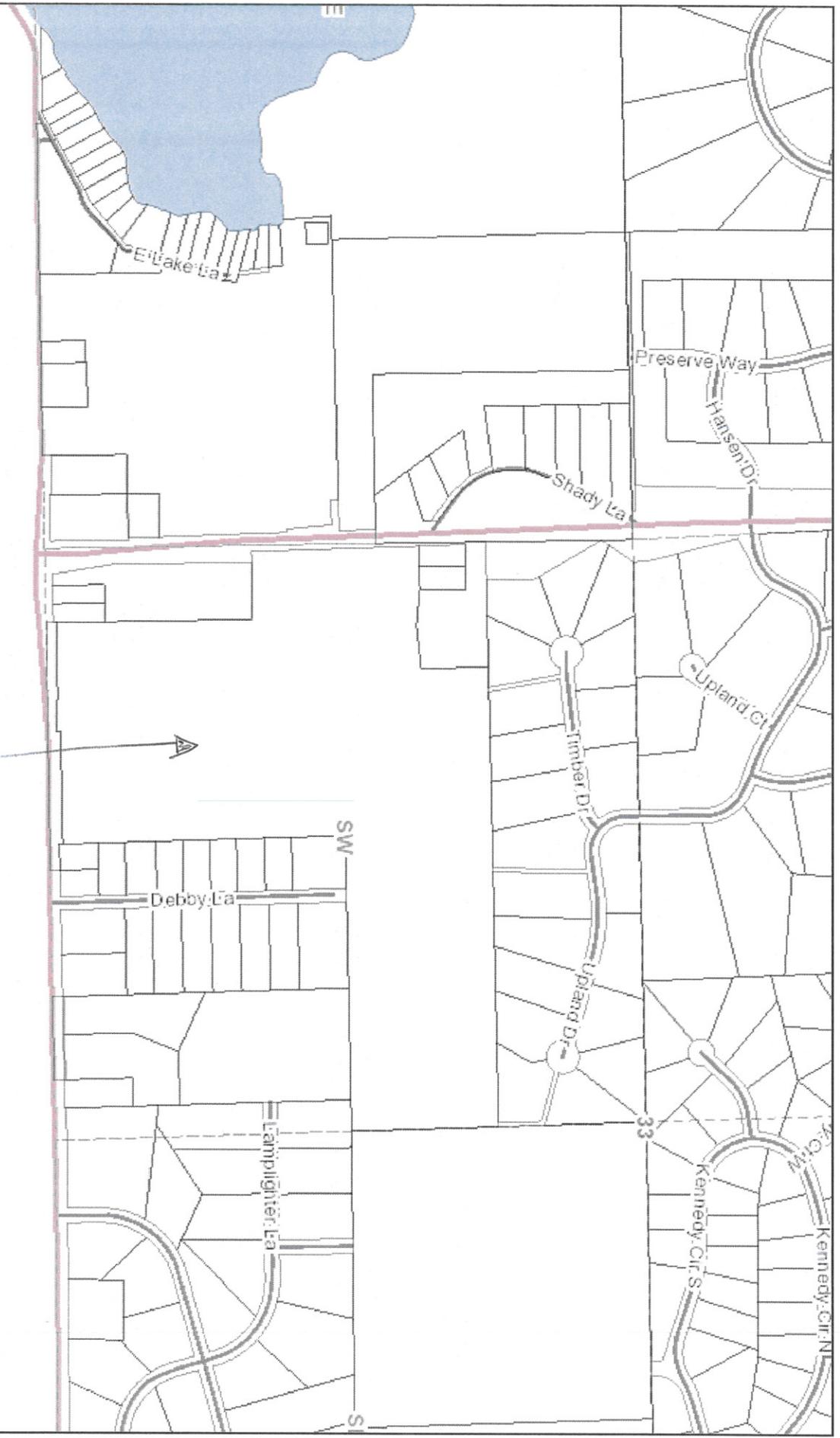
Section 2: The use and/or development of the property described herein and subject of the Zoning Ordinance and Zoning Map amendment(s) set forth herein is subject to all of the Village of Richfield, Washington County, Wisconsin and other applicable agency land use and development regulations in place at the time building permits are issued when such use or development occurs; and

The Ordinance shall take effect the day after proof of posting the same, in accordance with Section 60.80(1), Wis. Statutes, has been filed with the Clerk.

DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.



Subject Property



5 gg



5g

VILLAGE OF RICHFIELD
PLAN COMMISSION COMMUNICATION FORM
MEETING DATE: September 8, 2016

SUBJECT: Rezoning – Tax Keys: V10_0382, V10_0381, V10_0380, Mr. Calvin Schneider from A-1 to A-2

DATE SUBMITTED: September 1, 2016

SUBMITTED BY: Jim Healy, Village Administrator

POLICY QUESTION: DOES THE PLAN COMMISSION WISH TO RECOMMEND TO THE VILLAGE BOARD THE REZONING OF THE SOUTH SIDE OF THE 3700 BLOCK OF STH 167, FROM A-1, EXCLUSIVE AGRICULTURAL DISTRICT TO A-2, GENERAL AGRICULTURAL DISTRICT?

ISSUE SUMMARY:

The petition before us again tonight is being submitted by Mr. and Mrs. Calvin Schneider, for their property generally located on the southeast corner of STH 167 and Scenic Road on the south side of the 3700 block (Tax Keys: V10_0382, V10_0381, and V10_0380). Please refer to the Washington County GIS Map in the Ordinance attachment for locational purposes. The petitioner has been working with Staff over the course of the last few months regarding the future salability of his property. Currently, the entire property is considered to be legal, non-conforming due to its acreage. In the A-1 District, the minimum acreage for property is 35 acres. Each of these three (3) parcels is less than that amount at 19.12 acres, 19.24 acres, and 14.44 acres, respectively. These properties have access off of Scenic Road, STH 167, and Sleepy Hollow Road.

This property has been farmed for over a generation and the plan is to continue farming this land. However, the property owner is presently in discussions with an individual to purchase 10 to 20 acres of land and his present zoning will not allow Staff to approve a boundary line relocation for a parcel that will be non-conforming before and after the quit claim deed is drafted up. Additionally, financial institutions in recent years have tightened up regulations on issuing loans to properties that are considered “non-conforming”. They are oftentimes scrutinized much harder than ones which conform to local regulations. The property owner is requesting of the Village a change in zoning designation for all three of their properties from A-1, Exclusive Agricultural District to A-2, General Agricultural District. This is a permissible zoning request pursuant to the Village’s Comprehensive Plan. The intent of the A-2, General Agricultural District is as follows:

“The A-2, General Agricultural District is intended to provide for, maintain, preserve, and enhance agricultural lands historically utilized for crop production but which are not included within the A-1, Exclusive Agricultural District and which are generally best-suited for smaller farm units, including truck farming, horse farming, hobby farming, orchards, and other similar agriculture related farming activity.”

The minimum lot size for this District is ten (10) acres. The setbacks for the property are 65’ from the street, 50’ from the sides, and 50’ from the rear. If the property owner was able to come to terms with the proposed purchaser for the property he would be left with two parcels which would total 42 acres. One of which, V10_0381, would remain as the family homestead.

On August 4th a scheduled Public Hearing was held via a Class II Notice which ran for two consecutive weeks in the West Bend Daily News. Every property owner within 300’ of the subject property was contacted. Mailings were distributed to adjacent property owners on Monday, July 25th, which was 11 days prior to the hearing. Staff received no written comments from residents and nobody spoke either in favor or in opposition to the request during the Public Hearing.



VILLAGE OF RICHFIELD
PLAN COMMISSION COMMUNICATION FORM
 MEETING DATE: September 8, 2016

At the conclusion of the Public Hearing, it was requested of Village Staff to contact the property owner and gauge his desire to be rezoned to a zoning district not yet created, called A-3. This discussed zoning district would have all of the major elements of the A-2 District, however, the commercialized/manufacturing aspects of the District would be eliminated. After this discussion, the following motion was made:

Motion by Commissioner Lalk to table the adoption of Ordinance O2016-08-01, an Ordinance to rezone Tax Keys: V10_0382, V10_0381, and V10_0380 as indicated in the ordinance exhibit, from A-1, Exclusive Agricultural District to A-2, General Agricultural District to the September 1st Plan Commission Meeting at 7:00 PM; Seconded by Commissioner Bartel; Motion passed without objection.

Per the Plan Commission's direction, Staff contacted the property owner the next day and this proposal was not amenable with him. The property owner has requested the Village to act on his petition to be rezoned to A-2. Based on how the Plan Commission feels about a proposed amendment to the A-2 District as discussed in agenda item 5c tonight, the proposed rezoning could be approved conditionally based upon the Village Board adopting the proposed ordinance (or some variation thereof) that this body considered earlier tonight. This is a policy decision that only the Commission can decide at this point.

FUTURE IMPACT & ANALYSIS:

REVIEWED BY: 
 Village Deputy Clerk

Forward to Village Board: Yes
 Additional Approvals Needed: Yes
 Signatures Required: Yes

ATTACHMENTS:

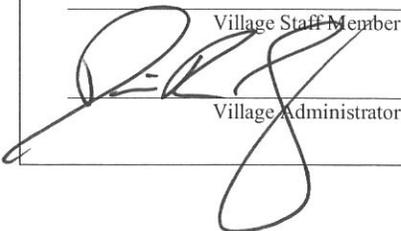
1. Class II Public Hearing Notice
2. Ordinance 2016-08-01, an Ordinance to rezone Tax Keys: V10_0382, 0381, 0380 from A-1 to A-2

STAFF RECOMMENDATION:

Motion to recommend to the Village Board the adoption of Ordinance O2016-08-01, an Ordinance to rezone Tax Keys: V10_0382, V10_0381, and V10_0380 as indicated in the Ordinance Exhibit, from A-1, Exclusive Agricultural District to A-2, General Agricultural District.

APPROVED FOR SUBMITTAL BY:

VILLAGE CLERKS USE ONLY
 BOARD ACTION TAKEN

 Village Staff Member


 Village Administrator

Resolution No. _____
 Ordinance No. _____
 Approved _____
 Other _____

Continued To: _____
 Referred To: _____
 Denied _____
 File No. _____

(Class II Public Notice)
NOTICE OF PUBLIC HEARING
VILLAGE OF RICHFIELD
Thursday, August 4, 2016

PLEASE TAKE NOTICE:

Notice is hereby given pursuant to Section 19.84, Wis. Stats., and provisions of the Village of Richfield Code of Ordinances, that the Village of Richfield Plan Commission will conduct a public hearing on Thursday, August 4, 2016 at 7:00PM at the Village Hall, located at 4128 Hubertus Road, Hubertus, WI 53033, to consider the following:

1. A petition by Mr. and Mrs. Calvin and Arlene Schneider to rezone their properties (V10_0382, V10_0381, and V10_0380) from A-1, Exclusive Agricultural District to A-2, General Agricultural District

For information regarding this public hearing, please contact Jim Healy, Village Administrator at (262)-628-2260. Information regarding the above referenced petition can be obtained from the Village Clerk during normal business hours. All interested parties will be heard. Requests from persons with disabilities who need assistance to participate in this meeting or hearing should be made to the Village Clerk's Office at (262)-628-2260 with as much advanced notice as possible.

Dated this 20th day of July, 2016

Publication Dates:

July 23, 2016

July 28, 2016

Jim Healy
Village Administrator
Village of Richfield
4128 Hubertus Road
Hubertus, WI 53033
(262)-628-2260

STATE OF WISCONSIN VILLAGE OF RICHFIELD WASHINGTON COUNTY
ORDINANCE O2016-08-01

AN ORDINANCE TO REZONE SUBJECT PARCELS OF LAND IN THE VILLAGE OF RICHFIELD AND TO AMEND THE ZONING MAP OF THE VILLAGE OF RICHFIELD PURSUANT TO SECTION 70.163 OF THE MUNICIPAL CODE

WHEREAS, the property owner, Mr. and Mrs. Calvin Schneider, are acting as the petitioners to rezone the properties shown in Attachment 1, otherwise described by Tax Key: V10_0382, V10_0381, and V10_0380 from A-1, Exclusive Agricultural District to A-2, General Agricultural District; and

WHEREAS, the subject properties contain less than the minimum acreage required for properties in the A-1, Exclusive Agricultural District with sizes of 19.12ac, 19.24ac, and 14.44ac, respectively; and

WHEREAS, the rezoning petition has been submitted to the Village of Richfield Plan Commission for report and recommendation; and

WHEREAS, the required public notice of the public hearing has been provided consistent with Section 62.23 of the Wisconsin Statutes and the Village's zoning regulations; and

WHEREAS, the Plan Commission conducted a public hearing on August 4, 2016; and

WHEREAS, the Plan Commission has recommended to the Village Board that the rezoning change be made; and of the recommendation of the Plan Commission, having determined that all procedural requirements and notice requirements have been satisfied, having given the matter due consideration, having determined that the rezoning is substantially conforming to the Village's Comprehensive Plan, and having based its determination on the effect of granting of said rezoning on the health, safety, and welfare for the community, and the immediate neighborhood in which said use will be located, and having given due consideration to the municipal problems involved, as well as the impact on the surrounding properties as to the noise, dust, smoke, odor and others, has hereby determined that the rezoning will not violate the spirit or intent the zoning ordinance for the Village of Richfield, will not be hazardous, harmful, noxious, offensive or a nuisance by reason of noise, dust, smoke odor or other similar factors and will not for any other reason cause a substantial adverse effect on the property values and general desirability of the neighborhood as long as the development is conducted pursuant to the following conditions and is in strict compliance with the same.

NOW, THEREFORE, the Village of Richfield Village Board, Washington County, Wisconsin ordains as follows:

Section 1. Zoning Map Change

The subject property is hereby rezoned as described above and depicted in Attachment 1, attached hereto, and the zoning map of the Village of Richfield is hereby amended to incorporate the zoning of the subject properties.

Section 2. Effective Date

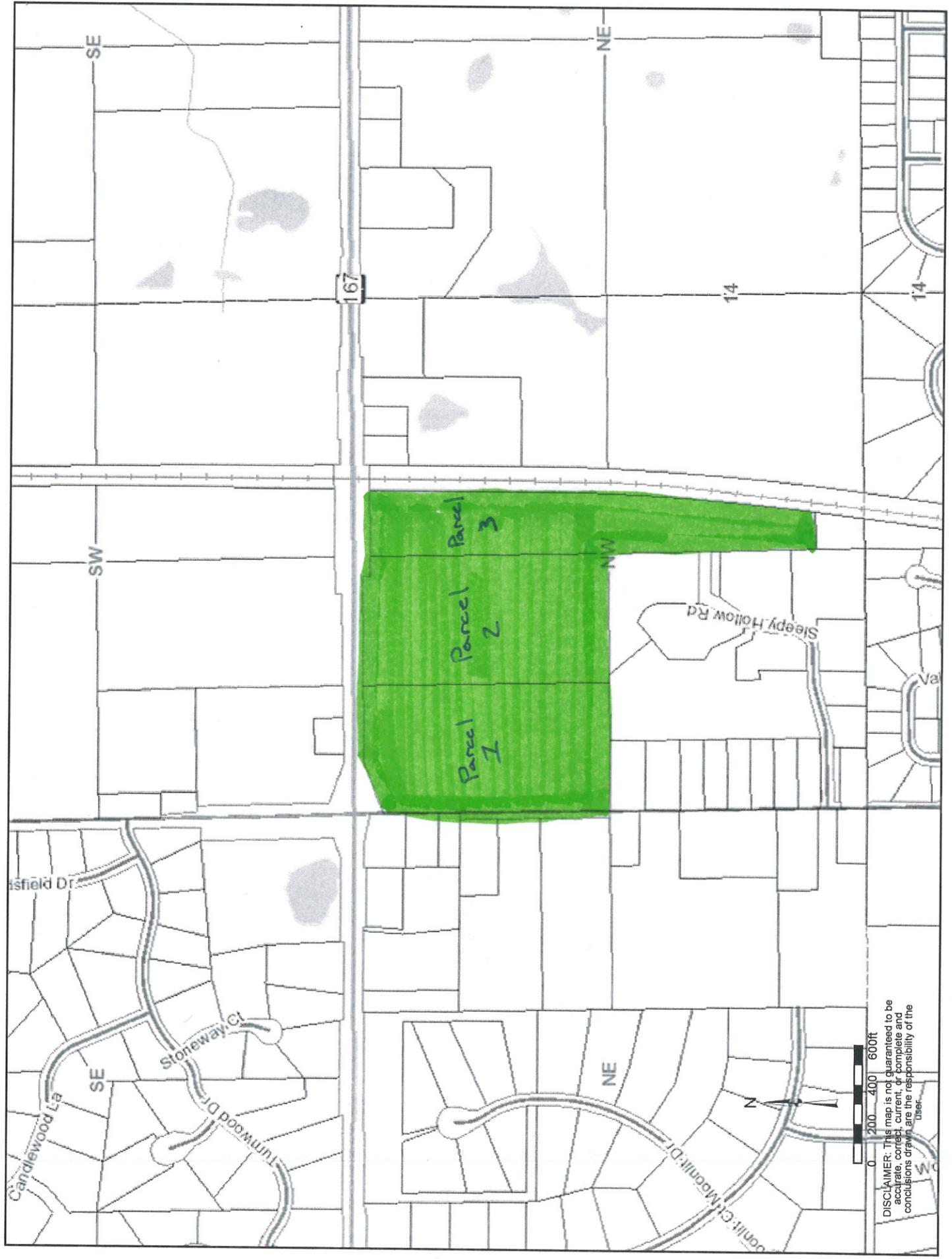
This ordinance shall be in full force and effect from and after its passage and posting or publication as provided by law.

Adopted this 18th day of August, 2016

Attest:

John Jeffords, Village President

Attest: Jim Healy, Village Administrator/Clerk



DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.

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VILLAGE OF RICHFIELD
 PLAN COMMISSION COMMUNICATION FORM
 MEETING DATE: September 8, 2016

5h.

SUBJECT: Conditional Use Permit for Lake Five Foods located at 106 STH 164 (Tax key V10_131000Z); Kurt Schwindemann, applicant on behalf of property owner, James Forester

DATE SUBMITTED: August 31, 2016

SUBMITTED BY: Jim Healy, Village Administrator

POLICY QUESTION: DOES THE PLAN COMMISSION WISH TO RECOMMEND TO THE VILLAGE BOARD THE APPROVAL FOR THE PROPOSED 'SMALL BATCH DAIRY PROCESSING' CONDITIONAL USE PERMIT?

ISSUE SUMMARY:

Over three (3) years ago the Village Board and Plan Commission amended its ordinances to allow “small batch dairy production” as an allowable Conditional Use in the B-1 Neighborhood Business District. The impetus for this Commission and the Board to agree with the petitioned change to our code text was based on this nearly identical proposed business operation, a boutique grocery store/deli, which would create various soft cheeses and dairy products from the milk collected from the dairy operation occurring on the 77-acre farm next door. The farm next door is owned by the agent of this petition who has worked out a private agreement for the use of the subject property for business purposes.

The definition of ‘small batch dairy production’ is the following:

“Any Processing of dairy products including, but not limited to, pasteurization, cheese making, production of processed dairy products and bottling of liquid milk products not to exceed 400,000 gallons in volume per calendar year”.

To give some perspective on the matter, Mr. Schwendimann’s Attorney Mr. Ian Prust indicated that 400,000 gallons is less than what an actual manufacturing plant could produce in a day. The production of this “small batch dairy” processing would be limited to a single room, much like it was proposed to be in 2013. Please refer to the proposed floor plan for additional details. In the event that Plan Commission would recommend approval to the Village Board like it previously did in 2013, Village Staff would relate the below listed Specific and General Conditions of Approval to this site.

A Public Hearing was scheduled and held on August 4, 2016 and pursuant to our municipal code a Class II Notice has ran for two consecutive weeks in the West Bend Daily News. Every property owner within 300’ of the subject property was contacted. Mailings were distributed to adjacent property owners on Monday, July 25th, which was 11 days prior to the hearing pursuant to your request. Staff has received no written comments from residents and one person spoke during the Public Hearing from the Town of Lisbon on a matter unrelated to the matter at-hand. At the conclusion of the Public Hearing, the following motion was made:

Motion by Commissioner Lalk to table the adoption of the proposed Conditional Use Permit for Lake Five Foods, located at 106 STH 164 (Tax Key: V10-1310-00Z) to the September 1st Plan Commission Meeting at 7:00PM; Seconded by Commissioner Bartel; Motion passed without objection.

FUTURE IMPACT & ANALYSIS:

Forward to Village Board: Yes
 Additional Approvals Needed: Yes
 Signatures Required: Yes

REVIEWED BY:


 Village Deputy Clerk



VILLAGE OF RICHFIELD
 PLAN COMMISSION COMMUNICATION FORM
 MEETING DATE: September 8, 2016

ATTACHMENTS:

1. Minutes from April 2013 Plan Commission meeting
2. Minutes from May 2014 Plan Commission meeting
3. Ordinance O2013-04-01, an ordinance to amend Sections 70.12 and 70.197 of the Village of Richfield code related to definitions of the zoning code and conditional uses in the B-1, neighborhood business district
4. Draft Conditional Use Permit for Lake Five Foods (2016)
5. Class II Public Hearing Notice

STAFF RECOMMENDATION:

Motion to recommend to the Village Board the approval of the proposed Conditional Use Permit for Lake Five Foods, located at 106 STH 164 (Tax Key: V10-1310-00Z) subject to the following Specific and General Conditions of Approval:

Specific Conditions of Approval:

1. The Site, Building and Plan of Operation for Lake Five Foods, LLC also be similarly approved.
2. The vegetable stand currently operating on site be properly permitted with a Temporary Zoning Permit.
3. The vegetable stands temporary signs on the site be properly permitted by the Village's Building Inspection Department.

General Conditions of Approval:

1. The property owner shall satisfy all comments, conditions, and concerns of the Village Engineer, the Village Planner, and all reviewing, objecting and approving bodies, including, but not limited to, the Wisconsin Department of Commerce per Ch. 236, Wisconsin Statutes and Ch. Comm. 85, Wisconsin Administrative Code; Wisconsin Department of Administration per Ch. 236, Wisconsin Statutes; and Washington County.
2. The property owner shall, on demand, reimburse the Village all costs and expenses of any type that the Village incurs in connection with this development, including the cost of professional services incurred by the Village (including engineering, legal, planning and other consulting fees) for the review and preparation of required documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions in this conditional approval due to a violation of these conditions.
3. Any unpaid bills owed to the Village by the subject property owner or his or her tenants, operators or occupants, for reimbursement of professional fees (as described above); or for personal property taxes; or for real property taxes; or for licenses, permit fees, or any other fees owed to the Village; shall be placed upon the tax roll for the subject property if not paid within thirty (30) days of the billing by the Village, pursuant to Section 66.0627, Wisconsin Statutes. Such unpaid bills also constitute a breach of the requirements of this conditional approval that is subject to all remedies available to the Village, including possible cause for termination of this approval.

APPROVED FOR SUBMITTAL BY:

VILLAGE CLERKS USE ONLY
 BOARD ACTION TAKEN


 Village Staff Member


 Village Administrator

Resolution No. _____
 Ordinance No. _____
 Approved _____
 Other _____

Continued To: _____
 Referred To: _____
 Denied _____
 File No. _____

1. Call to order/determination of quorum

Chairman Jim Otto called the meeting to order at 7:31 p.m. In attendance were Vice-Chairman Klug, Commissioners Lalk, Berghammer, Melzer, Trustee Neu, Village Administrator Schoemann, and Assistant to the Village Administrator Healy.

Commissioner Kurt Bartel, had an excused absence.

2. Verification of Open Meetings Law compliance

Assistant to the Village Administrator Healy stated that the agendas were posted at the Richfield, Hubertus, and Colgate U.S. Post Offices as well as Village Hall. Digital copies of the agenda were sent to the West Bend Daily News, Germantown Express News, Hartford Times Press, and the Milwaukee Journal Sentinel.

3. Pledge of Allegiance

4. Approval of Minutes

a. March 7, 2013 – Regular Meeting

Motion by Commissioner Bob Lalk to approve the minutes of the regular March 7, 2013, Plan Commission meeting with the revision to incorporate the written Public Hearing comments submitted by resident Sue Munger; Seconded by Commissioner Don Berghammer; Motion passed without objection.

5. Public Hearing:

Motion by Commissioner Bob Lalk to open the Public Hearing(s); Seconded by Commissioner Dick Melzer; Motion passed without objection.

No one from the public spoke.

- a. Discussion and possible recommendation to the Village Board regarding an ordinance amendment to Section 70.197 (B) and 70.197 (D), related to permissible Permitted Uses and Conditional Uses in the B-1, Neighborhood Business Districts- Restaurants and Drive-up/Drive-through Restaurants
- b. Discussion and possible recommendation to the Village Board regarding an ordinance amendment to Section 70.198 (D), related to Conditional Uses in the B-2, Community Business District- Drive-up/Drive-through Restaurants

- c. **Discussion and possible recommendation to the Village Board regarding an ordinance amendment to Section 70.199 (D), related to Conditional Uses in the B-3, General Business District- Drive-up/Drive-through Restaurants**
- d. **Discussion and possible recommendation to the Village Board regarding an ordinance amendment to Section 70.200 (B), related to Permitted Principle Uses in the B-4, Highway Business District- Drive-up/Drive-through Restaurants**
- e. **Discussion and possible recommendation to the Village Board regarding an ordinance amendment to Section 70.12, related to the newly created definitions of both ‘Restaurants’ and ‘Drive-up/Drive-through Restaurants’**

Motion by Commissioner Dick Melzer to close the Public Hearing(s); Seconded by Commissioner Don Berghammer; Motion passed without objection.

Motion by Commissioner Bob Lalk to recommend approval to the Village Board for ordinance amendments to Sections 70.197 (B), 70.197 (D), 70.198 (D), 70.199 (D), 70.200 (B), and 70.12 related to Drive-up/Drive-through Restaurants; Seconded by Commissioner Dan Neu; Motion passed 5-1, with Vice-Chairman Jeff Klug opposed.

- f. **Discussion and possible recommendation to the Village Board regarding an ordinance amendment to Section 70.12, related to a newly created definition for ‘small-batch dairy’**

Motion by Commissioner Don Berghammer to open the Public Hearing; Seconded by Vice-Chairman Jeff Klug; Motion passed without objection.

Ian Prust, 622 Elm Street, West Bend, WI 53095 spoke on behalf of the ‘small-batch dairy’ ordinance amendment which he has proposed on behalf of his client.

- g. **Discussion and possible recommendation to the Village Board regarding an ordinance amendment to Section 70.197 (D), related to Conditional Uses in the B-1, Neighborhood Business District- ‘small-batch dairy production’ (application 2013-2-1)**

Motion by Commissioner Don Berghammer to close the Public Hearing; Seconded by Vice-Chairman Jeff Klug; Motion passed without objection.

Motion by Vice-Chairman Jeff Klug to recommend approval of ordinance amendments to Sections 70.12 and 70.197 (D) related to small-batch dairy production to the Village Board; Seconded by Trustee Dan Neu; Motion passed 5-1, with Commissioner Jim Otto opposed.

6. Discussion/Action

- a. **Discussion/Action on a site plan for antenna and equipment upgrade at an existing telecommunications tower located at 3660 County Highway Q (Tax Key: V10-1356); Sprint, applicant (application 2013-3-1)**

- b. Discussion/Action on a site plan for antenna and equipment upgrade at an existing telecommunications tower located at 1101 STH 164 (Tax Key: V10-078500A); Sprint, applicant (application 2013-3-2)**

Motion by Commissioner Don Berghammer to recommend approval of a site plan for antenna and equipment upgrades at the existing telecommunications towers located at 3660 County Highway Q and 1101 STH 164 to the Village Board; Seconded by Commissioner Bob Lalk; Motion passed without objection.

- c. Discussion/Action regarding residential home plans for Lot 17 in Reflections Village (UBuildIt Custom Homes)(application 2013-3-4)**

Chairman Otto stated that he was not in favor of approving this design when he previously reviewed it in his capacity as a member of the Village's Architectural Review Board. In light of that fact, he re-stated for that record that he would not be voting for it again at the Plan Commission level. It was Chairman Otto's contention that this home is not up to the standard of other previously approved homes in Reflections Village and that additional work would be needed before he would be comfortable voting in favor of it.

Motion by Commissioner Bob Lalk to recommend approval of the residential home plans for Lot 17 in Reflections Village to the Village Board; Seconded by Vice-Chairman Jeff Klug; Motion passed 4-2, with Chairman Jim Otto and Commissioner Dick Melzer opposed.

- d. Discussion/Action regarding residential home plans for Lot 15 in Reflections Village (William Ryan Homes)(application 2013-3-5)**

Motion by Vice-Chairman Jeff Klug to recommend approval of the residential home plans for Lot 15 in Reflections Village to the Village Board; Seconded by Commissioner Dick Melzer; Motion passed without objection.

- e. Discussion and possible recommendation to the Village Board regarding acceptance of the 2014-2018 Capital Improvement Program**

Motion by Commissioner Don Berghammer to recommend approval of the 2014-2018 Capital Improvement Program to the Village Board; Seconded by Commissioner Bob Lalk; Motion passed without objection.

7. Adjournment

Motion by Commissioner Dick Melzer to adjourn; Seconded by Commissioner Don Berghammer; Motion passed without objection at approximately 8:20 p.m.

Respectfully Submitted,

Jim Healy, Assistant to the Village Administrator

1. Call to order/determination of quorum

Vice-Chairman Don Berghammer called the meeting to order at 7:33 p.m.

In attendance were Commissioners Bartel, Melzer, Cote, Lalk, Trustee Collins, Interim Village Administrator Healy and Consultant Planner Tim Schwecke.

Chairman Jim Otto was an excused absence.

2. Verification of Open Meetings Law compliance

Interim Village Administrator Healy stated that the agendas were posted at the Richfield, Hubertus, and Colgate U.S. Post Offices as well as Village Hall. Digital copies of the agenda were sent to the *West Bend Daily News*, *Germantown Express News*, *Hartford Times Press*, and the *Milwaukee Journal Sentinel*.

3. Pledge of Allegiance

4. Approval of Minutes

a. April 3, 2014 – Regular Meeting

Motion by Commissioner Lalk to approve the minutes of the regular April 3, 2014 Plan Commission meeting as drafted; Seconded by Trustee Collins; motion passed without objection.

5. PUBLIC HEARING

a. Discussion and possible recommendation to the Village Board regarding the rezoning petition by D&S Weyer No. III, LLC., Ordinance O2014-05-01, to rezone a vacant property designated by Tax Key: V10-0963 from A-1, Exclusive Agricultural District to Rs-1b, Single Family Cluster/Open Space Residential District

Pete Hurth, Engineer representing Don Weyer, gave a recap of the project before the public hearing began.

Motion by Commissioner Lalk to open the public hearing; seconded by Trustee Collins; motion passed without objection.

James Meleski, 3428 S Shore Drive, had concerns about rerouted water from the new subdivision running through his property. He had questions about the amount of water currently on the property and the engineering plans designed to prevent water problems on other residents properties in the future.

Gil Frank, 4156 Elmwood Road, wanted to know if any studies had been done to find out how the potential “contaminated water” would affect Bark Lake.

Mary Olsen, 793 S Shore Drive, had concerns about an increase in traffic and liked the idea of smaller houses and lots in the area.

Bill Weller, 3477 Lakeview Road, had several concerns about traffic and high traffic volumes going past his house. Another concern was about the narrowness of Lakeview Road.

Motion by Commissioner Bartel to close the public hearing; seconded by Trustee Collins; motion passed without objection.

Pete Hurth addressed some of the concerns expressed by residents.

Interim Village Administrator Healy stated in the coming months Village Staff will be evaluating a grading and erosion control plan for the site.

Motion by Commissioner Bartel to recommend to the Village Board approval of the petition for partial rezoning of the subject property indicated by Tax Key: V10-0963 from A-1, Exclusive Agricultural District to Rs-1b, Single Family Cluster/Open Space Residential District as outlined in Ordinance O2014-05-01, as amended; seconded by Trustee Collins; passed without objection.

b. Discussion and possible recommendation to the Village Board regarding a proposed Conditional Use to operate small batch dairy production at 106 STH 164 designated by Tax Key: V10-1310-00Z

Motion by Trustee Collins to open the public hearing; seconded by Commissioner Lalk; motion passed without objection.

Kurt Schwendimann, 214 West Sumner Street, Hartford, stated his family has had a dairy farm operation for 5 generation, and looking to expand and open a small batch dairy store.

Patti Groeschl, 129 E Lake Lane, bought a home across from a farm field that separates her lot from 106 STH 164. She was concerned about new animal waste and noise problems associated with having a farm move into the area. She also had several concerns about water being affected and asked that more residents be notified about the incoming business.

Motion by Commissioner Lalk to close the public hearing; seconded by Commissioner Cote; motion passed without objection.

Interim Administrator Healy stated just like any other development they would have to comply with water standards set by the Village.

Motion by Commissioner Lalk to recommend to the Village Board the approval of the proposed conditional use permit for Lake Five Foods located at 106 STH 164 (Tax Key: V10-1310-00Z); seconded by Commissioner Cote; motion passed without objection.

c. Discussion and possible recommendation to the Village Board regarding Ordinance O2014-05-02, an ordinance to repeal and recreate the Village's Shore Land Zoning District, 70.211 and other related sections so as to comply with 2013 Wisconsin Act 80

Motion by Commissioner Lalk to open the public hearing; seconded by Trustee Collins; Motion carried unanimously.

Jim Maleski, 3428 S Shore Drive, had a number of questions about the proposed ordinances but was unaware that the proposed text was available to read online.

Motion by Commissioner Bartel to close the public hearing; seconded by Commissioner Cote; motion passed without objection.

Motion by Trustee Collins to recommend to the Village Board the Ordinance O2014-05-02, an ordinance to modify various sections of chapter 70 relating to shoreland zoning and shoreland-wetland zoning and other provision along with the provisions recommended by the DNR and the Village Attorney; seconded by Commissioner Lalk; Motion passed without objection.

6. DISCUSSION/ACTION

- a. Discussion and possible recommendation to the Village Board regarding a CSM extraterritorial plat review on behalf of Dean Gunderson for a 7.154ac parcel in the Town of Polk, Tax Key: T9-1065**

Motion by Commissioner Bartel to recommend to the Village Board the approval of the Certified Survey map for Dean Gunderson in the Town of Polk as prepared by Donald Thoma, RLS, with a date of April 14, 2014; seconded by Commissioner Cote; Motion passed without objection.

- b. Discussion and possible recommendation to the Village Board regarding a CSM extraterritorial plat review on behalf of Andrew and Faye Ann Schneider for a 8.01ac parcel in the Town of Polk, Tax Key: T9-0960-00B, part of T9-096-00Z**

Motion by Trustee Bill Collins to recommend to the Village Board the approval of the Certified Survey Map for Andrew and Faye Ann Schneider in the Town of Polk as prepared by Donald Thoma, RLS, with a date of April 2, 2014; Seconded by Commissioner Kurt Bartel; Motion passed without objection.

- c. Discussion and possible recommendation to the Village Board regarding a CSM on behalf of Nancy Manhattan for a 1.37ac parcel, Johnny Manhattan's located at 3718 Hubertus Rd, Tax Key: V10-0423**

Motion by Commissioner Lalk to recommend to the Village Board the approval of the Certified Survey Map subject to the general and specific conditions listed below;

Specific Conditions of Approval:

1. The subject property is partially rezoned to B-1 & F-1.
2. The final CSM shall comply with all requirements in chapter 330 of the Village Code (subdivision regulations) and Chapter 236, Wis. Stats.
3. Insert "Interim Clerk, Jim Healy" signature block.
4. Insert "Village President, John Jeffords" signature block
5. Prior to any construction or any land-altering activity, the subdivider shall comply with all of the following:
 - (a) The property owner shall obtain all necessary permits and approvals from the Village of Richfield, Washington County, the State of Wisconsin, or the federal government as may be required for any construction or land-altering activity.
 - (b) The property owner shall work with the Village Engineer, Village Attorney and Interim Village Administrator to remedy the issue of the structure encroaching upon the right-of-way by either 1) the Village granting a revocable easement to the property owner, 2) the property owner obtaining a legal description for that portion of the building which encroaching upon the right-of-way and that portion of land which encroaches be given back to the property owner and a new legal description be created, 3) or any other method the Village Engineer deems necessary and appropriate.
 - (c) The Village Engineer shall review and provide written approval of the same.

General Conditions of Approval:

1. The property owner shall satisfy all comments, conditions, and concerns of the village engineer, the village planner, and all reviewing, objecting and approving bodies, including, but not limited to, the Wisconsin Department of Commerce per ch. 236, Wisconsin Statutes and ch. Comm. 85,

Wisconsin Administrative Code; Wisconsin Department of Administration per ch. 236, Wisconsin Statutes; and Washington County.

2. The property owner shall, on demand, reimburse the Village all costs and expenses of any type that the Village incurs in connection with this development, including the cost of professional services incurred by the Village (including engineering, legal, planning and other consulting fees) for the review and preparation of required documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions in this conditional approval due to a violation of these conditions
3. Any unpaid bills owed to the Village by the subject property owner or his or her tenants, operators or occupants, for reimbursement of professional fees (as described above); or for personal property taxes; or for real property taxes; or for licenses, permit fees, or any other fees owed to the Village; shall be placed upon the tax roll for the subject property if not paid within thirty (30) days of the billing by the Village, pursuant to Section 66.0627, Wisconsin Statutes. Such unpaid bills also constitute a breach of the requirements of this conditional approval that is subject to all remedies available to the Village, including possible cause for termination of this approval.

Seconded by Commissioner Cote; motion passed without objection.

Vice-Chairman Berghammer requested a suspension of the rules to move item 6f. up on the agenda to approve the SBOP for Johnny Manhattan's.

f. Discussion/Action regarding a Site, Building and Plan of Operation for Johnny Manhattan's, located at 3718 Hubertus Rd (Tax Key: V10-0423)

Motion by Commissioner Bartel to approve the site plan, as submitted, for Johnny Manhattan's located at 3718 Hubertus Road (Tax Key: V10-0434) provided that 1) prior to pulling building permits, Village Engineer Ron Dalton provides Staff with written verification that the plan is to his satisfaction; 2) that the proposed Certified Survey Map be approved and accepted by the Village Board and that the issues relating to the encroachment onto the Village's right of way be resolved to the Village's satisfaction; seconded by Trustee Collins; motion passed without objection.

Motion by Commissioner Bartel to approve the revised design elevations as approved by the Architectural Review Board on May 30th, 2014 for Johnny Manhattan's, located at 3718 Hubertus Road (Tax Key: V10-0423); seconded by Commissioner Lalk; motion passed without objection.

Motion by Commissioner Bartel to approve the plan of operation as presented for Johnny Manhattan's, located at 3718 Hubertus Road (Tax Key: V10-0423); seconded by Trustee Collins; motion passed without objection

d. Discussion/Action regarding a Site, Building and Plan of Operation for Tera Tec Landscaping, located at 2433 Slinger Road (Tax Key: V10-0114)

Motion by Trustee Collins to approve the site plan as submitted based on a finding that the site plan as amended is consistent with the spirit and intent of the 2009 conditional use approval, subject to the following specific conditions of approval: (1) the site plan is revised to show the bulk storage bins along Slinger Road at least 65 feet from the public right-of-way per subsection 4(j) of the 2009 Conditional Use Permit and (2) the zoning administrator verifies in writing that all of the conditions imposed in the 2009 conditional use order have been satisfied. Further, no building permits of any type may be issued on the subject property until such time as the administrator makes such determination; seconded by Commissioner Bartel; motion passed without objection.

e. Discussion/Action regarding a Site, Building and Plan of Operation for Northbrook Church, located at 4014 STH 167 (Tax Key: V10-0217)

Mika Frank from Groth Design Group gave a presentation about the Northbrook Church project asking that approvals not be tabled so delays in the project would not occur.

Motion by Trustee Collins to approve the site plan except for (i) the 12,000-square foot building expansion, (ii) the future access drive on Hillside Drive, and (iii) the two future parking areas labeled Phase A and B, all of which will be reviewed when those elements are in final design, subject to the following conditions of approval: 1. the applicant submits a landscaping plan to the Plan Commission and obtains approval of the same, and that a printed copy of the plan be submitted to Village staff and Engineer with approval contingent on their satisfaction; seconded by Commissioner Bartel; motion passed 5-1.

Motion by Trustee Collins to approve the outdoor lighting plan and authorize the zoning administrator to approve minor modifications to the same as may be requested by the applicant provided all such revisions comply with the Village's outdoor lighting regulations; seconded by Commissioner Lalk; motion passed 5-1.

Motion by Trustee Collins to accept the recommendation of the Architectural Review Board from January of 2014; seconded by Commissioner Lalk; motion passed without objection.

Motion by Trustee Collins to approve the grading and erosion control plan subject to Village Staff receiving written confirmation of the Village Engineer's acceptance thereof; seconded by Commissioner Lalk; motion passed 5-1.

g. Discussion/Action regarding a Site, Building and Plan of Operation for Lake 5 Food Mart, located at 106 STH 164 (Tax Key: V10-1310-00Z)

Motion by Commissioner Lalk to approve the design elevations, site plan, and plan of operation for Lake 5 Food Mart, located at 106 STH 164; seconded by Commissioner Cote; motion passed without objection.

h. Discussion/Action regarding residential home plans for Lot 40 in Reflections Village Subdivision

Motion by Commissioner Lalk to approve the residential home plans for Lot 40 in Reflections Village as approved by the Architectural Review Board on April 16th, 2014; seconded by Trustee Collins; motion passed without objection.

i. Discussion regarding potential amendments to the Village's Ch. 70 Zoning Code regarding 'Urban Chickening' in all residential zoning districts

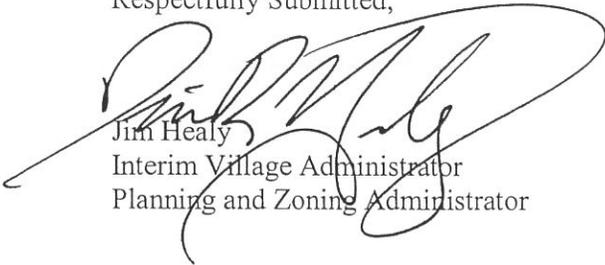
John and Barb Hughes gave a presentation on Urban Chickens and the effects that might have on properties in the Village of Richfield.

Plan Commission members thanks the Hughes for their time and insights onto this topic.

7. ADJOURNMENT

Motion by Trustee Collins to adjourn; seconded by Commissioner Bartel; motion passed without objection at 10:45 p.m.

Respectfully Submitted,



Jim Healy
Interim Village Administrator
Planning and Zoning Administrator

ORDINANCE 2013-4-1

AN ORDINANCE TO AMEND SECTIONS 70.12 AND 70.197 OF THE VILLAGE OF RICHFIELD VILLAGE CODE RELATED TO DEFINITIONS OF THE ZONING CODE AND CONDITIONAL USES IN THE B-1, NEIGHBORHOOD BUSINESS DISTRICT

WHEREAS, the Village of Richfield, wishes to encourage economic development, the creation of jobs and the increase of property values; and

WHEREAS, the Village of Richfield wishes to encourage the use and sale of locally produced agricultural products; and

WHEREAS, the proposed amendments of the Zoning Code will allow for conditional uses similar in nature to already permitted uses; and

NOW, THEREFORE, the Village Board of the Village of Richfield, Washington County, Wisconsin, do ordain as follows:

Section 1: Chapter 70 of the Village of Richfield Village Code entitled “Zoning Code”, Section 70.12 entitled “Definitions” is hereby amended as follows:

Insert the following language after the definition of “Side Yard” and before the definition of “Solar Detriment Area, Horizontal”:

Small-Batch Dairy Processing

Any Processing of dairy products including, but not limited to, pasteurization, cheesemaking, production of processed dairy produces and bottling of liquid milk products not to exceed 400,000 gallons in volume per calendar year.

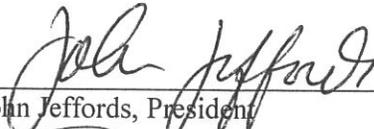
Section 2: Chapter 70 of the Village of Richfield Village Code entitled “Zoning Code”, Section 70.197 entitled “B-1, Neighborhood Business District,” subsection (D) entitled “Conditional Uses”, subsection 2. is hereby amended as follows:

Conditional Uses (see Section 70.241). Conditional uses in the B-1 district are as follow:

1. Any use similar in character to the permitted uses listed in subsections (B) and (C) of this section conducted as a retail business on the premises and catering to the general public.
2. The following general uses:
 - Small-batch Dairy Processing

Section 3. This ordinance shall become effective upon passage and posting.

Passed and adopted this 18 day of April, 2013



John Jeffords, President



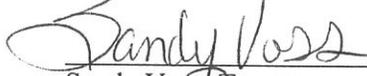
Rock Brandner, Trustee



Bill Collins, Trustee

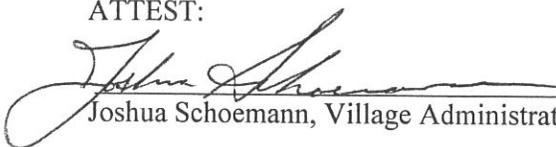


Daniel Neu, Trustee



Sandy Voss, Trustee

ATTEST:



Joshua Schoemann, Village Administrator

CONDITONAL USE PERMIT
LAKE FIVE FOODS
JAMES FORESTER, PROPERTY OWNER
106 STH 164 (Tax Key: V10-1310-00Z)

The Village Board of the Village of Richfield, Washington County, Wisconsin DO ORDAIN AS FOLLOWS:

WHEREAS, a petition has been filed by JAMES FORESTER (“Petitioner”) on behalf of the limited liability company he represents, JM1006, LLC.; and

WHEREAS, the Petitioner has authorized an agent, KURT SCHWENDIMANN, to seek a Conditional Use Permit to be issued for the Petitioner’s property located at 106 STH 164 (Tax Key: V10-1310-00Z); and

WHEREAS, in 2014 the agent petitioned the Village for an identical Conditional Use Permit as he was negotiating a deal with Landmark Credit Union for the purchase of the property; and

WHEREAS, in May of 2014, the Plan Commission and Village Board approved a proposed Conditional Use Permit for the agent, but it was never ratified or signed because KURT SCHWENDIMANN was not able to take ownership of the property and was not an authorized signor on behalf of Landmark Credit Union for the commercial operation; and

WHEREAS, the property is zoned B-1, Neighborhood Business District; and

WHEREAS, Petitioner seeks a Conditional Use Permit to operate a facility which has ‘small batch dairy processing’; and

WHEREAS, upon receipt of a written application for a Conditional Use Permit filed by the Petitioner, the Village Clerk properly referred such petition to the Plan Commission for the Village of Richfield for determination; and

WHEREAS, upon receipt of the petition by the Village Clerk, the Plan Commission for the Village of Richfield scheduled a public hearing thereon as soon as practical; and

WHEREAS, upon publication of the required “Notice of Public Hearing” and mailing of said “Notice of Public Hearing” to all property owners that are within 300 feet of Subject property, the Plan Commission for the Village of Richfield held a public hearing on August 4th as required by Section 70.241 of the Zoning Code for the Village of Richfield; and

WHEREAS, in the B-1, Neighborhood Business District pursuant to Section 70.197(D)(2), ‘small batch dairy processing’ is defined as ‘any processing of dairy products including, but not limited to, pasteurization, cheese making, production of processed dairy products and bottling of liquid milk products not to exceed 400,000 gallons in volume per calendar year’; and

WHEREAS, the Plan Commission for the Village of Richfield, following the public hearing and necessary study and investigation, have given the matter due consideration, and having based its determination on the effect of granting such Conditional Use Permit on the health, general

welfare, safety and economic prosperity of the Village and specifically of the immediate neighborhoods surrounding said location, and having given due consideration to the municipal problems involved, as well as impact on the surrounding properties hereby determine that the use of a restaurant will not violate the spirit or intent of the Zoning Ordinance for the Village of Richfield, will not be contrary to the public health, safety or general welfare of the Village of Richfield, will not be hazardous, harmful, noxious, offensive or a nuisance by reason of smoke, dust, odor or other similar factors and will not for any other reason cause a substantial adverse effect on the property values and general desirability of the neighborhood as long as the Conditional Use is operated pursuant to the following conditions and in strict compliance with the same.

THEREFORE IT IS ORDERED AS FOLLOWS:

Commencing upon the date hereof, a Conditional Use Permit for the subject premises is hereby granted for the establishment of a small batch dairy operation as allowed by the Village Municipal Code. The Conditional Use Permit shall continue in existence only so long as the Use is operated in compliance with this permit.

A. This Conditional Use Permit is granted to the Petitioner subject to the following conditions:

1. Subject Property: This Conditional Use Permit is limited to 106 STH 164 (Tax Key: V10-1310-00Z).
2. Signs: All signage shall conform to Chapter 309 of the Village Code.
3. Licenses and Permits: The Petitioner shall be required to obtain any and all required licenses and permits from the Village, County, State and federal government. If any license or permit is issued, any and all conditions of the same are incorporated herein and made part of this Conditional Use Permit.
4. Structure: Any structural additions or expansions shall be reviewed by the Architectural Review Board and Plan Commission and shall require an amendment to this Conditional Use Permit.
5. SBOP Process: Prior to the establishment of the use authorized herein, the Petitioner shall comply with the requirements of Section 70.133, Site, Building and Plan of Operations Plan Review. The business approval and all conditions of the same are incorporated herein and made part of this Conditional Use Permit.
6. Small Batch Dairy Processing: Any dairy processing shall be confined to the room indicated on Attachment "A" attached hereto.

B. Laws. The petitioner shall comply with all federal, state, county, and local rules, codes, ordinances, and regulations in the construction, operation, and maintenance of the subject property as amended from time to time.

C. Junk. No junk as defined in Section 263-8(A) of the Village code of ordinances; or disassembled, inoperable, junked or wrecked boats, motor vehicles, truck bodies, tractors, trailers also defined in Section 263-8(A); shall be accumulated or stored on the subject property. No burying or burning of junk is permitted on the subject property.

D. Fees and Expenses. Upon issuance of this conditional use permit, the petitioner shall reimburse the Village for all expenses incurred by the Village including all professional and technical assistance expenses, realized by the Village in reviewing, approving, and granting

this conditional use permit. The Village Clerk shall provide the petitioner with copies of all itemized invoices.

- E. Cost of Enforcement. Any attorney fees incurred by the Village of Richfield to enforce any of the conditions or requirements of this conditional use permit must be paid by the petitioner.
- F. Revocation or Modification of Approval. Whenever the Village Board has reasonable cause to believe that any of the conditions herein imposed are being or have been violated, or any use of the subject property related to the operation becomes hazardous, harmful, noxious, offensive, or a nuisance to surrounding properties, the Village Board shall have the right to revoke or modify this conditional use permit, including, but not limited to, imposing stricter conditions upon the use and/or operation through a revised permit by the following the process as set forth in Section 70-241(D)(2) of the Village code of ordinances.
- G. Acceptance. Within four (4) months of when the Village Board approves this Conditional Use Permit, the petitioner is required to accept the terms and conditions of this approval in writing.
- H. Effect of Approval on Heirs, Successors, and Assigns. The terms of this conditional use approval shall be binding on the owners of the subject property and their heirs, successors, and assigns.
- I. Right of entry for inspection. The petitioner hereby gives village officials, employees, and authorized agents the right to enter the subject property with reasonable notice for purposes of inspecting the premise to ensure compliance with the terms of this permit.
- J. Any use not specifically listed as permitted shall be considered to be prohibited except as may be otherwise specifically provided herein. In case of a question as to the classification of use the question shall be submitted to the Plan Commission for determination.
- K. No use is hereby authorized unless the use is conducted in a lawful, orderly, and peaceful manner. Nothing in this order shall be deemed to authorize any public or private nuisance or to constitute a waiver, exemption or exception to any law, ordinance, order or rule of either the municipal governing body, the county of Washington, the state of Wisconsin, the federal government, or other duly constituted authority, except only to the extent that it authorizes the use of the subject property above described in any specific respects described herein. This order shall not be deemed to constitute a building permit, nor shall this order constitute any other license or permit required by Village ordinance or other law.
- L. This conditional use hereby authorized shall be confined to the subject property described, without extension or expansion other than as noted herein, and shall not vary from the purposes herein mentioned unless expressly authorized in writing by the Plan Commission as being in compliance with all pertinent ordinances.
- M. Should the permitted conditional use be abandoned in any manner, or discontinued in use for twelve (12) months, or continued other than in strict conformity with the conditions of the original approval, or should the petitioner be delinquent in payment of any monies due and owing to municipality, or should a change in the character of the surrounding area or the use itself cause it to be no longer compatible with the surrounding area or for similar cause based

upon consideration of public health, safety or welfare, the conditional use may be terminated by action of the Plan Commission, pursuant to the enforcement provisions of this conditional use order.

- N. Any change, addition, modification, alteration and/or amendment of any aspect of this conditional use, including but not limited to an addition, modification, alteration and/or amendment to the use, premises (including, but not limited to, any change to the boundary limits of the subject property), structures, or lands other than as specifically authorized herein, shall require a new conditional use permit and all procedures in place at the time must be followed.
- O. Unless this conditional use permit expressly states otherwise, plans that are specifically required by this conditional use order may be amended upon the prior approval of the Plan Commission if the Plan Commission finds the plan amendment to be minor and consistent with the conditional use permit. Any change in any plan that the Plan Commission feels, in its sole discretion, to be substantial shall require a new permit, and all procedures in place at the time must be followed.
- P. Should any paragraph or phrase of this conditional use permit be determined by a court to be unlawful, illegal or unconstitutional, said determination as to the particular phrase or paragraph shall not void the rest of the conditional use and the remainder shall continue in full force and effect.
- Q. If any aspect of this conditional use permit or any aspect of any plan contemplated and approved under this conditional use is in conflict with any other aspect of the conditional use or any aspect of any plan of the conditional use, the more restrictive provision shall be controlling as determined by the Plan Commission.
- R. This conditional use may be reviewed by the Plan Commission at any time upon complaint or upon Plan Commission initiative as provided in Section 70.241(d)(2) of the Village of Richfield village code and as amended from time to time.

Passed this ____ day of _____, 2016

John Jeffords, President

ATTEST:

Jim Healy, Village Administrator

(Class II Public Notice)
NOTICE OF PUBLIC HEARING
VILLAGE OF RICHFIELD
Thursday, August 4, 2016

PLEASE TAKE NOTICE:

Notice is hereby given pursuant to Section 19.84, Wis. Stats., and provisions of the Village of Richfield Code of Ordinances, that the Village of Richfield Plan Commission will conduct a public hearing on Thursday, August 4, 2016 at 7:00PM at the Village Hall, located at 4128 Hubertus Road, Hubertus, WI 53033, to consider the following:

1. A petition by Agent Kurt Schwendimann to operate a “small batch dairy production” operation as an allowable Conditional Use pursuant to Section 70.197(D)(2) located at 106 STH 164 (Tax Key: V10-1310-00Z) in the B-1, Neighborhood Business District.

For information regarding this public hearing, please contact Jim Healy, Village Administrator at (262)-628-2260. Information regarding the above referenced petition can be obtained from the Village Clerk during normal business hours. All interested parties will be heard. Requests from persons with disabilities who need assistance to participate in this meeting or hearing should be made to the Village Clerk’s Office at (262)-628-2260 with as much advanced notice as possible.

Dated this 19th day of July, 2016

Publication Dates:

July 21, 2016

July 28, 2016

Jim Healy
Village Administrator
Village of Richfield
4128 Hubertus Road
Hubertus, WI 53033
(262)-628-2260

5 i



VILLAGE OF RICHFIELD
PLAN COMMISSION COMMUNICATION FORM
MEETING DATE: September 8, 2016

SUBJECT: Site, Building and Plan of Operation for Lake Five Foods, located at 106 STH 164 (Tax Key: V10_1310-00Z); Kurt Schwindemann, applicant on behalf of James Forester

DATE SUBMITTED: September 1, 2016

SUBMITTED BY: Jim Healy, Village Administrator

POLICY QUESTION: DOES THE PLAN COMMISSION WISH TO APPROVE THE PROPOSED SBOP APPLICATION FOR LAKE FIVE FOODS?

ISSUE SUMMARY:

A little over two (2) years ago, the Plan Commission reviewed a proposal for “Lake 5 Foods”. A single-story building retrofitted to include the following elements, a retail grocery store, restaurant with indoor seating, administrative offices, small-scale dairy processing, indoor storage, and a room for educational purposes. For whatever reason, the proposal which was approved by the Plan Commission in May of 2014 never materialized or received occupancy from the Village. The proposal before us tonight, on its face, is virtually identical to their original concept. However, this time, Lake 5 Foods LLC, is proposing to operate two (2) linked businesses on the premises located at 106 STH 164. A grocery/farm market and a restaurant. The two (2) business operations will be located in the same building, but will have separate entrances. They will not share public spaces within the building- except for bathrooms. Essentially it will function much like a condominium style business floorplan.

Lake 5 Foods proposed in August a grocery/farm market to sell the products produced by Lake Five Farms, LLC and its subsidiaries on the property adjacent to the Lake 5 Foods site. It is important to note that the operations on the farm site are in no way, shape or form being considered tonight. At the end of deliberations, the matter was tabled on August 4th with the following motion:

Motion by Commissioner Lalk to table the approval of the proposed Plan of Operation for Lake 5 Foods, LLC to operate at 106 STH 164 (Tax Key: V10_1310-00Z); Seconded by Vice-Chairman Don Berghammer; Motion passed without objection.

The layout of the grocery store and restaurant are now outlined per the request of the Plan Commission, albeit on separate drawings. The Lake 5 Foods layout is a typical grocery store by all accounts. Their intent is to have typical product shelving aisles, two (2) display cases along north side of the building acting as “bookends” to the entrance, four (4) vendor display booths, a series of coolers and refrigerated display cases, indoor seating area for 42 people, outdoor seating for 32 and three (3) point of sale ‘check out’ points.

The grocery store will include a limited amount of prepackaged grocery selections. Their assumed intent is not to compete with a traditional grocery store in that regard, but provide its patrons with the ability to purchase high-end and unique items you would see at a place like “Sendiks” or “Brennan’s”. Their deli counter will feature house-made products and a bakery which will essentially function around the clock to provide fresh artisan breads available for sale or consumption on-site. The deli/bakery will offer lunch service, ideal for people in both Waukesha and Washington County along the STH 164 corridor. It should be noted that Lake Five Foods is also applying for a Conditional Use Permit to operate a “small batch dairy” processing operation on the premises which will allow for the sale of dairy products, including milk and soft cheeses.



VILLAGE OF RICHFIELD
PLAN COMMISSION COMMUNICATION FORM
MEETING DATE: September 8, 2016

While not under the purview of the Plan Commission, Lake 5 Foods has stated their intention to apply for a Class “A” Beer license (to allow patrons to carry out purchases), a Class “B” Beer (to allow consumption on-site which the Village has an unlimited amount of these licenses) and “Class B” liquor licenses of which the Village only has three (3) reserve licenses left at the cost of \$10,000/ea. Lake 5 Foods plans to allow for the consumption of beer within the premises of the grocery store to accompany the sale of product for lunch. How they will avoid situations where intoxicating liquors could be carried into the grocery store side or vice versa will need to be addressed by internal controls and is subject to audit/inspection by the State of Wisconsin’s Department of Revenue.

Exact hours for the grocery store have yet to be determined, but will be within the following criteria:

- 1- Customer access to the premises: 6:00 am and 9:00 pm, seven days per week.
- 2- Employee Access: primarily during customer hours, but limited staff (primarily the employees working in the bakery) will need to be on the premises 24 hours per day.
- 3- Small batch dairy processing- 8:00 am until 5:00 pm, Monday through Friday.

Lake 5 Foods, LLC. is also proposing a restaurant called “The Harvest Grille”, contrary to what is visually depicted in your attachments where it is called “Harvest Bar and Grille” . Please refer to the attached floorplan for details. The restaurant will share a kitchen with the grocery/deli and will serve meals produced, in part, with products grown on Lake 5 Farms as well as products from other producers. The proposed hours of operation for the restaurant are from 3:00 pm until 2:00 am. The restaurant will feature an outdoor seating area where food and drinks may be served. Any area where food and drinks may be served must be approved by the Village Board with an “unenclosed premise permit” which is also forwarded to the State of Wisconsin’s Department of Revenue who oversees the administration of liquor licensing. With the restaurant proposing to seek a “Class B” liquor license and be open until 2am, it is then assumed that this establishment will also feature a “bar-like” atmosphere. Their application states they expect approximately 450 cars per day; 250 cars for the restaurant and 200 cars per day for the grocery store. They have 90 parking stalls on-site.

During the week of August 22nd, Village Staff had the opportunity to speak with a representative from WisDOT regarding this property. It was brought to the attention of Staff that the southernmost entrance to this property was to be removed for safety and site distance purposes should this property ever resume commercial operations. This information was brought to the attention of the property owner, who is acting in concert with the agent petitioner, but Staff has not heard as of the time of this Communication Form whether or not that entrance was planned to be removed. The current site plan does not reflect the removal of this access point.

Building Design – No new changes to the existing building are being proposed at this time and therefore no approvals are needed from the Plan Commission.

Site Plan – The subject property currently includes a single-story building (approximately 13,400 sq. ft.), a detached garage, and a surfaced parking lot. Per the WisDOT, Access to the site may only be off of the northern most access point along STH 164. The current layout of the site plan does not reflect this. The attorney for the agent has advised the Village of their intent to seal the parking lot for aesthetic purposes but they do not plan to structurally alter the grade in any way. How the lot will be lined for parking and laid out for internal traffic flow has not been provided to Staff. With the removal of the southern



VILLAGE OF RICHFIELD
PLAN COMMISSION COMMUNICATION FORM
 MEETING DATE: September 8, 2016

entrance to the property, it stands to reason that they will be able to increase their parking to some degree but the specifics are unknown at this time. This information was requested of the attorney for the petitioner on three (3) occasions. Those emails are attached for your consideration.

Plan of operation – Please refer to the attachment from the petitioner’s attorney received on Tuesday, August 30th and the accompanying SBOP application.

Outdoor lighting –No new lighting is being proposed at this time. Any additional lighting will be subject to the Village Code and Plan Commission approval.

Landscaping – No new landscaping is being proposed at this time. Any additional landscaping will be subject to the Village Code and Plan Commission approval.

Signage – No new signage is being proposed at this time except for two (2) wall mounted signs which are approved administratively by the Village’s Building Inspector. Any additional signage will be subject to the Village Code and potentially Plan Commission approval.

FUTURE IMPACT & ANALYSIS:

REVIEWED BY:


 Village Deputy Clerk

Forward to Village Board: No
 Additional Approvals Needed: No
 Signatures Required: No

ATTACHMENTS:

1. May 1, 2014 Plan Commission Minutes
2. SBOP Submittal Plans and application prepared by Skyline Development
3. Email dated 8/17 to Attorney Ian Prust
4. Email dated 8/22 to Attorney Ian Prust
5. Email dated 8/27 to Attorney Ian Prust
6. Memo received August 30th from Attorney Ian Prust
7. The Harvest Grille floorplan and artistic renderings

STAFF RECOMMENDATION:

Motion to conditionally approve the proposed Plan of Operation for Lake 5 Foods, LLC to operate the proposed grocery store/restaurant at 106 STH 164 (Tax Key: V10_1310-00Z) subject to the following Specific and General Conditions of Approval:

Specific Conditions of Approval:

1. The Site Plan be modified to show the removal of the southernmost entrance per the direction of the Wisconsin DOT access coordinator, Mr. David Yach.
2. The Site Plan be modified to show the parking layout with stripes for internal traffic flow subject to review and approval by the Village’s Consultant Planner, Tim Schwecke.



VILLAGE OF RICHFIELD
PLAN COMMISSION COMMUNICATION FORM
 MEETING DATE: September 8, 2016

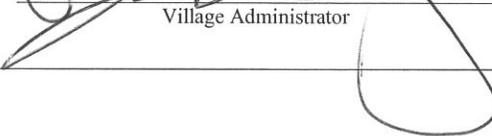
General Conditions of Approval:

1. The property owner shall satisfy all comments, conditions, and concerns of the Village Attorney, Village Engineer, the Village Planner, and all reviewing, objecting and approving bodies, including, but not limited to, the Wisconsin Department of Commerce per Ch. 236, Wisconsin Statutes and Ch. Comm. 85, Wisconsin Administrative Code; Wisconsin Department of Administration per Ch. 236, Wisconsin Statutes; and Washington County.
2. The property owner shall, on demand, reimburse the Village all costs and expenses of any type that the Village incurs in connection with this development, including the cost of professional services incurred by the Village (including engineering, legal, planning and other consulting fees) for the review and preparation of required documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions in this conditional approval due to a violation of these conditions.
3. Any unpaid bills owed to the Village by the subject property owner or his or her tenants, operators or occupants, for reimbursement of professional fees (as described above); or for personal property taxes; or for real property taxes; or for licenses, permit fees, or any other fees owed to the Village; shall be placed upon the tax roll for the subject property if not paid within thirty (30) days of the billing by the Village, pursuant to Section 66.0627, Wisconsin Statutes. Such unpaid bills also constitute a breach of the requirements of this conditional approval that is subject to all remedies available to the Village, including possible cause for termination of this approval.

APPROVED FOR SUBMITTAL BY:



 Village Staff Member



 Village Administrator

VILLAGE CLERKS USE ONLY
 BOARD ACTION TAKEN

Resolution No. _____
 Ordinance No. _____
 Approved _____
 Other _____

Continued To: _____
 Referred To: _____
 Denied _____
 File No. _____

1. Call to order/determination of quorum

Vice-Chairman Don Berghammer called the meeting to order at 7:33 p.m.

In attendance were Commissioners Bartel, Melzer, Cote, Lalk, Trustee Collins, Interim Village Administrator Healy and Consultant Planner Tim Schwecke.

Chairman Jim Otto was an excused absence.

2. Verification of Open Meetings Law compliance

Interim Village Administrator Healy stated that the agendas were posted at the Richfield, Hubertus, and Colgate U.S. Post Offices as well as Village Hall. Digital copies of the agenda were sent to the *West Bend Daily News*, *Germantown Express News*, *Hartford Times Press*, and the *Milwaukee Journal Sentinel*.

3. Pledge of Allegiance

4. Approval of Minutes

a. April 3, 2014 – Regular Meeting

Motion by Commissioner Lalk to approve the minutes of the regular April 3, 2014 Plan Commission meeting as drafted; Seconded by Trustee Collins; motion passed without objection.

5. PUBLIC HEARING

a. Discussion and possible recommendation to the Village Board regarding the rezoning petition by D&S Weyer No. III, LLC., Ordinance O2014-05-01, to rezone a vacant property designated by Tax Key: V10-0963 from A-1, Exclusive Agricultural District to Rs-1b, Single Family Cluster/Open Space Residential District

Pete Hurth, Engineer representing Don Weyer, gave a recap of the project before the public hearing began.

Motion by Commissioner Lalk to open the public hearing; seconded by Trustee Collins; motion passed without objection.

James Meleski, 3428 S Shore Drive, had concerns about rerouted water from the new subdivision running through his property. He had questions about the amount of water currently on the property and the engineering plans designed to prevent water problems on other residents properties in the future.

Gil Frank, 4156 Elmwood Road, wanted to know if any studies had been done to find out how the potential “contaminated water” would affect Bark Lake.

Mary Olsen, 793 S Shore Drive, had concerns about an increase in traffic and liked the idea of smaller houses and lots in the area.

Bill Weller, 3477 Lakeview Road, had several concerns about traffic and high traffic volumes going past his house. Another concern was about the narrowness of Lakeview Road.

Motion by Commissioner Bartel to close the public hearing; seconded by Trustee Collins; motion passed without objection.

Pete Hurth addressed some of the concerns expressed by residents.

Interim Village Administrator Healy stated in the coming months Village Staff will be evaluating a grading and erosion control plan for the site.

Motion by Commissioner Bartel to recommend to the Village Board approval of the petition for partial rezoning of the subject property indicated by Tax Key: V10-0963 from A-1, Exclusive Agricultural District to Rs-1b, Single Family Cluster/Open Space Residential District as outlined in Ordinance O2014-05-01, as amended; seconded by Trustee Collins; passed without objection.

b. Discussion and possible recommendation to the Village Board regarding a proposed Conditional Use to operate small batch dairy production at 106 STH 164 designated by Tax Key: V10-1310-00Z

Motion by Trustee Collins to open the public hearing; seconded by Commissioner Lalk; motion passed without objection.

Kurt Schwendimann, 214 West Sumner Street, Hartford, stated his family has had a dairy farm operation for 5 generation, and looking to expand and open a small batch dairy store.

Patti Groeschl, 129 E Lake Lane, bought a home across from a farm field that separates her lot from 106 STH 164. She was concerned about new animal waste and noise problems associated with having a farm move into the area. She also had several concerns about water being affected and asked that more residents be notified about the incoming business.

Motion by Commissioner Lalk to close the public hearing; seconded by Commissioner Cote; motion passed without objection.

Interim Administrator Healy stated just like any other development they would have to comply with water standards set by the Village.

Motion by Commissioner Lalk to recommend to the Village Board the approval of the proposed conditional use permit for Lake Five Foods located at 106 STH 164 (Tax Key: V10-1310-00Z); seconded by Commissioner Cote; motion passed without objection.

c. Discussion and possible recommendation to the Village Board regarding Ordinance O2014-05-02, an ordinance to repeal and recreate the Village's Shore Land Zoning District, 70.211 and other related sections so as to comply with 2013 Wisconsin Act 80

Motion by Commissioner Lalk to open the public hearing; seconded by Trustee Collins; Motion carried unanimously.

Jim Maleski, 3428 S Shore Drive, had a number of questions about the proposed ordinances but was unaware that the proposed text was available to read online.

Motion by Commissioner Bartel to close the public hearing; seconded by Commissioner Cote; motion passed without objection.

Motion by Trustee Collins to recommend to the Village Board the Ordinance O2014-05-02, an ordinance to modify various sections of chapter 70 relating to shoreland zoning and shoreland-wetland zoning and other provision along with the provisions recommended by the DNR and the Village Attorney; seconded by Commissioner Lalk; Motion passed without objection.

6. DISCUSSION/ACTION

- a. Discussion and possible recommendation to the Village Board regarding a CSM extraterritorial plat review on behalf of Dean Gunderson for a 7.154ac parcel in the Town of Polk, Tax Key: T9-1065**

Motion by Commissioner Bartel to recommend to the Village Board the approval of the Certified Survey map for Dean Gunderson in the Town of Polk as prepared by Donald Thoma, RLS, with a date of April 14, 2014; seconded by Commissioner Cote; Motion passed without objection.

- b. Discussion and possible recommendation to the Village Board regarding a CSM extraterritorial plat review on behalf of Andrew and Faye Ann Schneider for a 8.01ac parcel in the Town of Polk, Tax Key: T9-0960-00B, part of T9-096-00Z**

Motion by Trustee Bill Collins to recommend to the Village Board the approval of the Certified Survey Map for Andrew and Faye Ann Schneider in the Town of Polk as prepared by Donald Thoma, RLS, with a date of April 2, 2014; Seconded by Commissioner Kurt Bartel; Motion passed without objection.

- c. Discussion and possible recommendation to the Village Board regarding a CSM on behalf of Nancy Manhattan for a 1.37ac parcel, Johnny Manhattan's located at 3718 Hubertus Rd, Tax Key: V10-0423**

Motion by Commissioner Lalk to recommend to the Village Board the approval of the Certified Survey Map subject to the general and specific conditions listed below:

Specific Conditions of Approval:

1. The subject property is partially rezoned to B-1 & F-1.
2. The final CSM shall comply with all requirements in chapter 330 of the Village Code (subdivision regulations) and Chapter 236, Wis. Stats.
3. Insert "Interim Clerk, Jim Healy" signature block.
4. Insert "Village President, John Jeffords" signature block
5. Prior to any construction or any land-altering activity, the subdivider shall comply with all of the following:
 - (a) The property owner shall obtain all necessary permits and approvals from the Village of Richfield, Washington County, the State of Wisconsin, or the federal government as may be required for any construction or land-altering activity.
 - (b) The property owner shall work with the Village Engineer, Village Attorney and Interim Village Administrator to remedy the issue of the structure encroaching upon the right-of-way by either 1) the Village granting a revocable easement to the property owner, 2) the property owner obtaining a legal description for that portion of the building which encroaching upon the right-of-way and that portion of land which encroaches be given back to the property owner and a new legal description be created, 3) or any other method the Village Engineer deems necessary and appropriate.
 - (c) The Village Engineer shall review and provide written approval of the same.

General Conditions of Approval:

1. The property owner shall satisfy all comments, conditions, and concerns of the village engineer, the village planner, and all reviewing, objecting and approving bodies, including, but not limited to, the Wisconsin Department of Commerce per ch. 236, Wisconsin Statutes and ch. Comm. 85,

Wisconsin Administrative Code; Wisconsin Department of Administration per ch. 236, Wisconsin Statutes; and Washington County.

2. The property owner shall, on demand, reimburse the Village all costs and expenses of any type that the Village incurs in connection with this development, including the cost of professional services incurred by the Village (including engineering, legal, planning and other consulting fees) for the review and preparation of required documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions in this conditional approval due to a violation of these conditions
3. Any unpaid bills owed to the Village by the subject property owner or his or her tenants, operators or occupants, for reimbursement of professional fees (as described above); or for personal property taxes; or for real property taxes; or for licenses, permit fees, or any other fees owed to the Village; shall be placed upon the tax roll for the subject property if not paid within thirty (30) days of the billing by the Village, pursuant to Section 66.0627, Wisconsin Statutes. Such unpaid bills also constitute a breach of the requirements of this conditional approval that is subject to all remedies available to the Village, including possible cause for termination of this approval.

Seconded by Commissioner Cote; motion passed without objection.

Vice-Chairman Berghammer requested a suspension of the rules to move item 6f. up on the agenda to approve the SBOP for Johnny Manhattan's.

f. Discussion/Action regarding a Site, Building and Plan of Operation for Johnny Manhattan's, located at 3718 Hubertus Rd (Tax Key: V10-0423)

Motion by Commissioner Bartel to approve the site plan, as submitted, for Johnny Manhattan's located at 3718 Hubertus Road (Tax Key: V10-0434) provided that 1) prior to pulling building permits, Village Engineer Ron Dalton provides Staff with written verification that the plan is to his satisfaction; 2) that the proposed Certified Survey Map be approved and accepted by the Village Board and that the issues relating to the encroachment onto the Village's right of way be resolved to the Village's satisfaction; seconded by Trustee Collins; motion passed without objection.

Motion by Commissioner Bartel to approve the revised design elevations as approved by the Architectural Review Board on May 30th, 2014 for Johnny Manhattan's, located at 3718 Hubertus Road (Tax Key: V10-0423); seconded by Commissioner Lalk; motion passed without objection.

Motion by Commissioner Bartel to approve the plan of operation as presented for Johnny Manhattan's, located at 3718 Hubertus Road (Tax Key: V10-0423); seconded by Trustee Collins; motion passed without objection

d. Discussion/Action regarding a Site, Building and Plan of Operation for Tera Tec Landscaping, located at 2433 Slinger Road (Tax Key: V10-0114)

Motion by Trustee Collins to approve the site plan as submitted based on a finding that the site plan as amended is consistent with the spirit and intent of the 2009 conditional use approval, subject to the following specific conditions of approval: (1) the site plan is revised to show the bulk storage bins along Slinger Road at least 65 feet from the public right-of-way per subsection 4(j) of the 2009 Conditional Use Permit and (2) the zoning administrator verifies in writing that all of the conditions imposed in the 2009 conditional use order have been satisfied. Further, no building permits of any type may be issued on the subject property until such time as the administrator makes such determination; seconded by Commissioner Bartel; motion passed without objection.

e. Discussion/Action regarding a Site, Building and Plan of Operation for Northbrook Church, located at 4014 STH 167 (Tax Key: V10-0217)

Mika Frank from Groth Design Group gave a presentation about the Northbrook Church project asking that approvals not be tabled so delays in the project would not occur.

Motion by Trustee Collins to approve the site plan except for (i) the 12,000-square foot building expansion, (ii) the future access drive on Hillside Drive, and (iii) the two future parking areas labeled Phase A and B, all of which will be reviewed when those elements are in final design, subject to the following conditions of approval: 1. the applicant submits a landscaping plan to the Plan Commission and obtains approval of the same, and that a printed copy of the plan be submitted to Village staff and Engineer with approval contingent on their satisfaction; seconded by Commissioner Bartel; motion passed 5-1.

Motion by Trustee Collins to approve the outdoor lighting plan and authorize the zoning administrator to approve minor modifications to the same as may be requested by the applicant provided all such revisions comply with the Village's outdoor lighting regulations; seconded by Commissioner Lalk; motion passed 5-1.

Motion by Trustee Collins to accept the recommendation of the Architectural Review Board from January of 2014; seconded by Commissioner Lalk; motion passed without objection.

Motion by Trustee Collins to approve the grading and erosion control plan subject to Village Staff receiving written confirmation of the Village Engineer's acceptance thereof; seconded by Commissioner Lalk; motion passed 5-1.

g. Discussion/Action regarding a Site, Building and Plan of Operation for Lake 5 Food Mart, located at 106 STH 164 (Tax Key: V10-1310-00Z)

Motion by Commissioner Lalk to approve the design elevations, site plan, and plan of operation for Lake 5 Food Mart, located at 106 STH 164; seconded by Commissioner Cote; motion passed without objection.

h. Discussion/Action regarding residential home plans for Lot 40 in Reflections Village Subdivision

Motion by Commissioner Lalk to approve the residential home plans for Lot 40 in Reflections Village as approved by the Architectural Review Board on April 16th, 2014; seconded by Trustee Collins; motion passed without objection.

i. Discussion regarding potential amendments to the Village's Ch. 70 Zoning Code regarding 'Urban Chickening' in all residential zoning districts

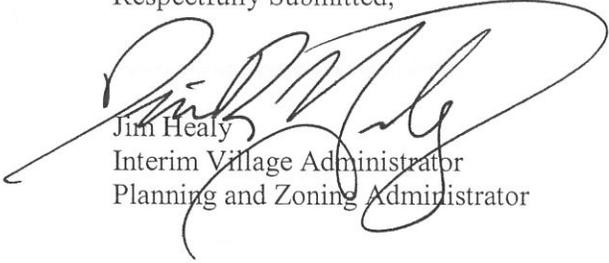
John and Barb Hughes gave a presentation on Urban Chickens and the effects that might have on properties in the Village of Richfield.

Plan Commission members thanks the Hughes for their time and insights onto this topic.

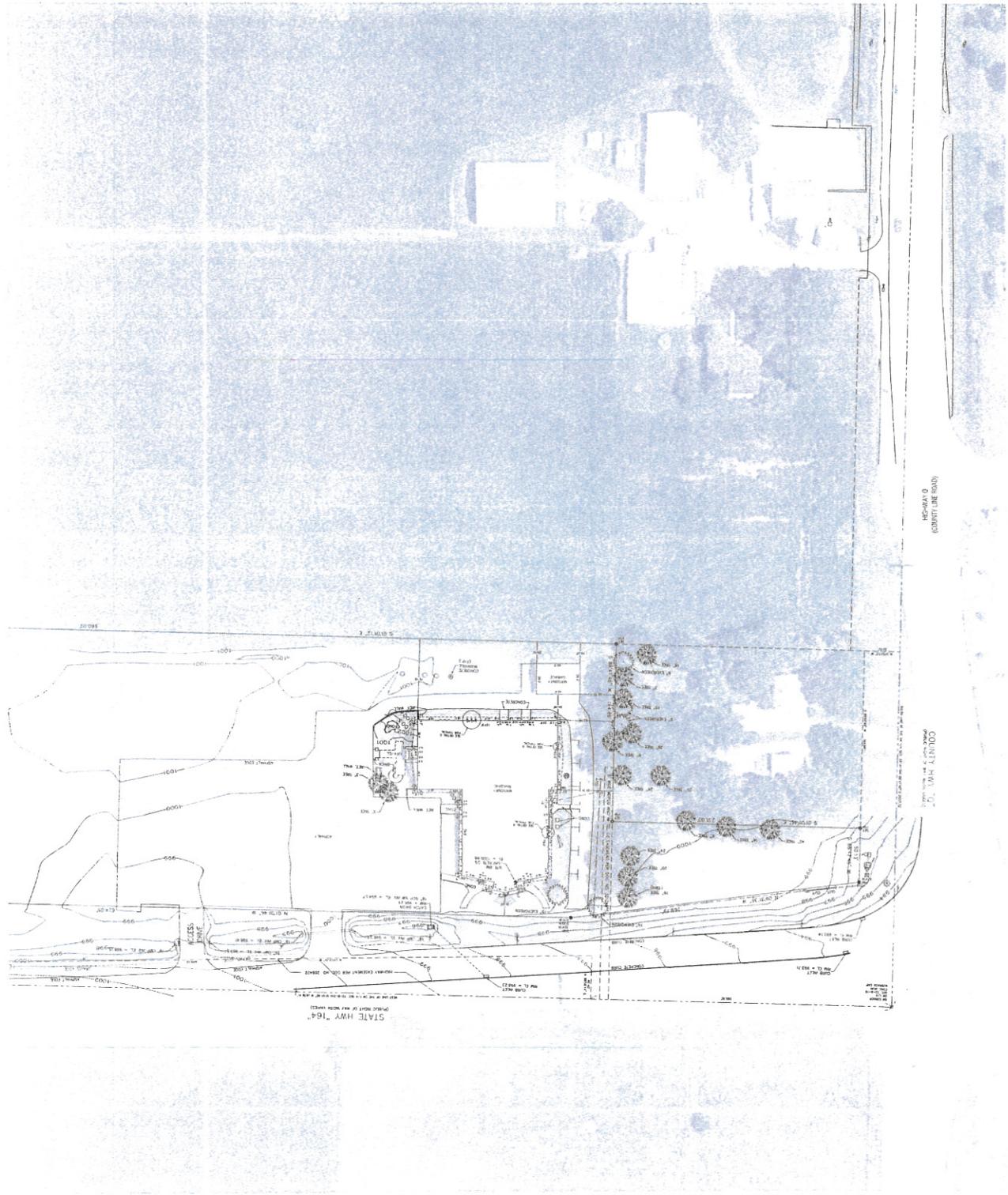
7. ADJOURNMENT

Motion by Trustee Collins to adjourn; seconded by Commissioner Bartel; motion passed without objection at 10:45 p.m.

Respectfully Submitted,

A large, stylized handwritten signature in black ink, appearing to read 'Jim Healy', is written over the typed name and title.

Jim Healy
Interim Village Administrator
Planning and Zoning Administrator



REVISION 0
(DATE/TIME 00:00)

DATE: 07.11.2013
DRAWN: J.C. LINDO



ROOM FINISH SCHEDULE

NO.	NAME	WALL	BASE	FLOOR	CEILING	GLASS	MECHANICAL	FINISHES
101	RESTROOM	S.C.	W.B.	P.F.1	P.F.1	P.F.1	P.F.1	101-1 101-2 101-3 101-4
102	OFFICE	S.C.	W.B.	P.F.1	P.F.1	P.F.1	P.F.1	102-1 102-2 102-3 102-4
103	OFFICE	S.C.	W.B.	P.F.1	P.F.1	P.F.1	P.F.1	103-1 103-2 103-3 103-4
104	OFFICE	S.C.	W.B.	P.F.1	P.F.1	P.F.1	P.F.1	104-1 104-2 104-3 104-4
105	OFFICE	S.C.	W.B.	P.F.1	P.F.1	P.F.1	P.F.1	105-1 105-2 105-3 105-4
106	EDUCATION ROOM	S.C.	W.B.	P.F.1	P.F.1	P.F.1	P.F.1	106-1 106-2 106-3 106-4
107	MILK IN COOLERS	S.C.	W.B.	P.F.1	P.F.1	P.F.1	P.F.1	107-1 107-2 107-3 107-4
108	DAIRY PROCESSING	S.C.	W.B.	P.F.1	P.F.1	P.F.1	P.F.1	108-1 108-2 108-3 108-4
109	DAIRY PROCESSING	S.C.	W.B.	P.F.1	P.F.1	P.F.1	P.F.1	109-1 109-2 109-3 109-4
110	RESTROOM	S.C.	W.B.	P.F.1	P.F.1	P.F.1	P.F.1	110-1 110-2 110-3 110-4
111	STORAGE	S.C.	W.B.	P.F.1	P.F.1	P.F.1	P.F.1	111-1 111-2 111-3 111-4
112	CORRIDOR	S.C.	W.B.	P.F.1	P.F.1	P.F.1	P.F.1	112-1 112-2 112-3 112-4
113	CORRIDOR	S.C.	W.B.	P.F.1	P.F.1	P.F.1	P.F.1	113-1 113-2 113-3 113-4
114	CORRIDOR	S.C.	W.B.	P.F.1	P.F.1	P.F.1	P.F.1	114-1 114-2 114-3 114-4
115	CORRIDOR	S.C.	W.B.	P.F.1	P.F.1	P.F.1	P.F.1	115-1 115-2 115-3 115-4
116	CORRIDOR	S.C.	W.B.	P.F.1	P.F.1	P.F.1	P.F.1	116-1 116-2 116-3 116-4
117	CORRIDOR	S.C.	W.B.	P.F.1	P.F.1	P.F.1	P.F.1	117-1 117-2 117-3 117-4
118	CORRIDOR	S.C.	W.B.	P.F.1	P.F.1	P.F.1	P.F.1	118-1 118-2 118-3 118-4
119	CORRIDOR	S.C.	W.B.	P.F.1	P.F.1	P.F.1	P.F.1	119-1 119-2 119-3 119-4
120	CORRIDOR	S.C.	W.B.	P.F.1	P.F.1	P.F.1	P.F.1	120-1 120-2 120-3 120-4
121	CORRIDOR	S.C.	W.B.	P.F.1	P.F.1	P.F.1	P.F.1	121-1 121-2 121-3 121-4
122	RESTROOM	S.C.	W.B.	P.F.1	P.F.1	P.F.1	P.F.1	122-1 122-2 122-3 122-4
123	RESTROOM	S.C.	W.B.	P.F.1	P.F.1	P.F.1	P.F.1	123-1 123-2 123-3 123-4

CURRENT ZONING
 B2 - COMMUNITY BUSINESS DISTRICT - VILLAGE OF RICHFIELD, WI
OCCUPANCY CALCULATIONS
 A2 - ASSEMBLY (6443 S.F.) 19 (NET) = 28 OCCUPANTS
 F1 - FACTORY (9343 S.F.) (100 BASIS) = 36 OCCUPANTS
 M - MERCHANT (2526 S.F.) 28 (NET) = 19 OCCUPANTS
TOTAL = 46 OCCUPANTS (1 SERVICE SINK, 1 DRINKING FOUNTAIN REQD)
PERMITTED OCCUPANCY = 46 OCCUPANTS (1 SERVICE SINK, 1 DRINKING FOUNTAIN REQD)
PERMITTED OCCUPANCY = 46 OCCUPANTS (1 SERVICE SINK, 1 DRINKING FOUNTAIN REQD)

ROOM FINISH LEGEND
 S.C. - STAINED CONCRETE
 W.B. - WATER BASE
 P.F.1 - POLYURETHANE
 P.F.2 - POLYURETHANE
 P.F.3 - POLYURETHANE
 P.F.4 - POLYURETHANE
 V.B. - VINYL BASE
 A.C. - ACoustICAL CEILING TILE
 C.T. - CERAMIC TILE
 Q.T. - QUARRY TILE
 Q.B. - QUARRY TILE BASE
 F.P.P. - FIBER REINFORCED PANEL
 V.F. - VINYL FACED GIB



Jim Healy

From: Jim Healy
Sent: Wednesday, August 17, 2016 2:12 PM
To: 'Ian Prust'
Subject: RE: layouts

Ian,

As a follow-up to this email, I understand from our conversation that the documents you previously submitted to me on August 4th may not be an accurate representation of what your client intends to do with the property. Specifically, you had made mention that the restaurant name is still being debated and from talking to Kurt yesterday I wasn't sure that the floor plan has been entirely finalized. Is that correct or is one of the two you submitted the one you would like to move forward with? I told Kurt that in my opinion there is some fluidity of floor plan design with restaurants outside of permanent fixtures like seating booths or amenities like a bar, waiting area, kitchen, offices, bathrooms, etc. Also, do you have the revised site plan showing the parking on the property or the respective plans of operation for the two (2) businesses?

If not, if you could provide me an update on when I will receive these documents it would be greatly appreciated.

Sincerely,

Jim Healy
Village Administrator
Planning and Zoning Administrator
(262)-628-2260
Village of Richfield
4128 Hubertus Road
Hubertus, WI 53033

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“Far and away the best prize that life has to offer is the chance to work hard at work worth doing.” – President Theodore Roosevelt

From: Ian Prust [mailto:prust@omearalawfirm.com]
Sent: Thursday, August 04, 2016 7:01 PM
To: Jim Healy <administrator@richfieldwi.gov>
Subject: Fwd: layouts

Jim Healy

From: Jim Healy
Sent: Monday, August 22, 2016 8:54 PM
To: Ian Prust
Subject: Re: Follow Up

Ian,

Will your client be providing us with the information requested in early August relating to his business on the church parcel? Our Plan Commission Chairman has said a 9/8 meeting would be okay with him, but right now we are in the process of contacting the other members to determine a quorum. Please advise.

Sincerely
Jim H.

Sent from my iPhone

Jim Healy

From: Jim Healy
Sent: Saturday, August 27, 2016 12:17 PM
To: Ian Prust
Subject: Re: Interior layout

Ian,

Please provide me the requested narrative information on Monday or Tuesday at the absolute latest. Is there an update on the parking lot layout?

Sincerely
Jim H.

Sent from my iPhone

O'Meara Law Firm, LLC

Attorneys at Law

TIMOTHY J. ALGIERS

Court Commissioner

IAN PRUST

ANDREW D. KLOPFENSTEIN

KAREN M. CHRISTIANSON

Of Counsel

124 E. Sumner Street, P. O. Box 270468
Hartford, WI 53027-0468

262-673-7700 Fax: 262-673-7087

PATRICK O'MEARA
1845-1934
THOMAS O'MEARA
1878-1937
THOMAS O'MEARA, JR.
1911-1988
STEPHEN O'MEARA
1917-1996

MEMO

LAKE 5 FOODS BUSINESS PLAN

Exhibit A to Business Plan of Operation Application

Description of Business Operation:

Lake 5 Foods, LLC is proposing to operate two linked businesses on the premises located at 106 State Hwy 164, Colgate, WI 53017—a grocery/farm market and a restaurant/bar. The two business operations will be located in the same building, but will have separate entrances and will not share public spaces within the building—except for shared bathrooms. The two business operations will share a kitchen and other employee areas.

Grocery/Farm Market

Lake 5 Foods, LLC is proposing a grocery/farm market to sell the products produced by Lake 5 Farms, LLC and its subsidiaries on the property adjacent to the Lake 5 Foods site. The premises of the grocery store are outlined on the Proposed Floor Plan accompanying the application and include approximately 4600 square feet of retail space. The grocery store will include a limited grocery selection, a deli featuring house made products and a bakery. The deli/bakery will offer lunch service. Indoor and outdoor seating is described in the proposed layout. Lake 5 Foods is also applying for a conditional use permit to operate a small batch dairy processing operation on the premises which will allow for the sale of dairy products produced by Lake 5 Farms, including milk and soft cheeses.

Lake 5 Foods is applying for both a Class "A" Beer license and Class "B" Beer and "Class B" liquor licenses. Lake 5 Foods plans to allow for the consumption of beer within the premises of the grocery store to accompany the sale of product for lunch.

Exact hours for the grocery store have yet to be determined, but will be within the following criteria:

1. Customer access to the premises: 6:00 am and 9:00 pm, seven days per week.

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in 1870

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2. Employee Access: primarily during customer hours, but limited staff (primarily the employees working in the bakery) will need to be on the premises 24 hours per day.
3. Small batch dairy processing- 8:00 am until 5:00 pm, Monday through Friday.

Restaurant

Lake 5 Foods, LLC is proposing a restaurant to be operated in the space marked as "Future Development 116" on the Proposed Floor Plan. The restaurant will share a kitchen with the grocery/deli and will serve products produced by Lake 5 Farms as well as products from other producers. The proposed hours of operation for the restaurant are from 3:00 pm until 2:00 am. The restaurant will feature an outdoor seating area where food and drinks may be served.

Lake 5 Foods is applying for a Class "B" Beer and "Class B" liquor license that would include the restaurant/bar premises. The Class "A" license premises would exclude the restaurant premises and no carryout sales of beer would be offered through the restaurant/bar.

Proposed Development

The proposed changes to the premises are primarily internal with additional landscaping changes necessary for the addition of outdoor seating areas. The existing parking lot would be used for both businesses and includes sufficient parking for the simultaneous operation of both businesses under the Village of Richfield code.

IAP:kr

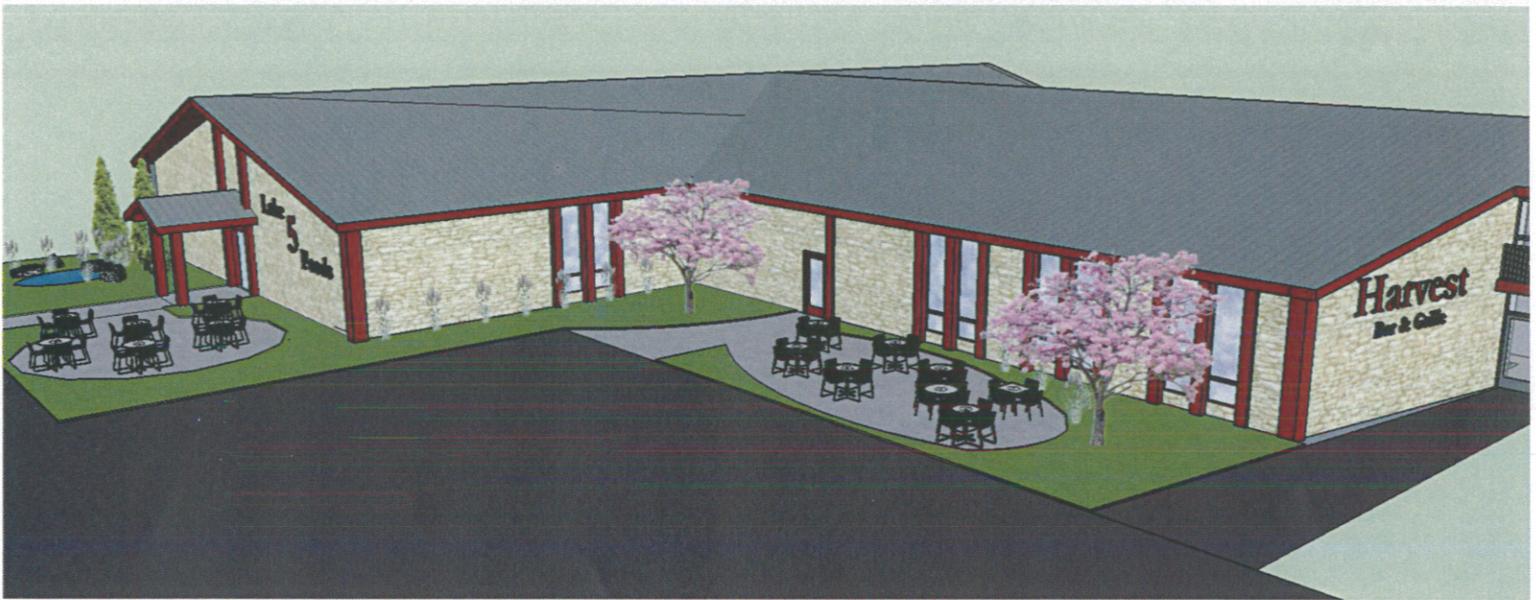
cc: Kurt Schwendimann

File No. s1730-4



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■ *design*BILD ■ Harvest Bar and Grille ■ exterior layout and design ■



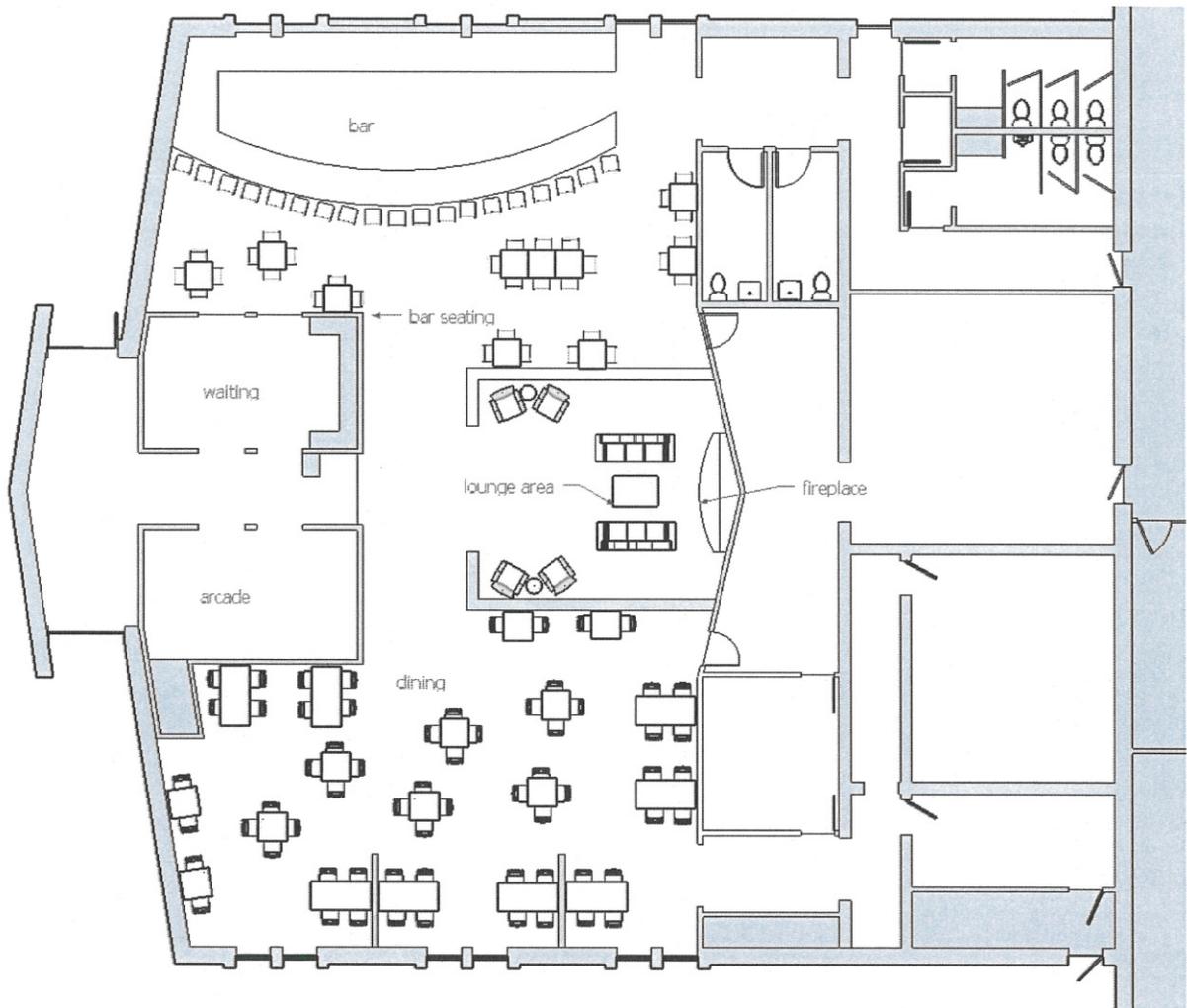
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■ *design*BILD ■ Harvest Bar and Grille ■ exterior layout and design ■



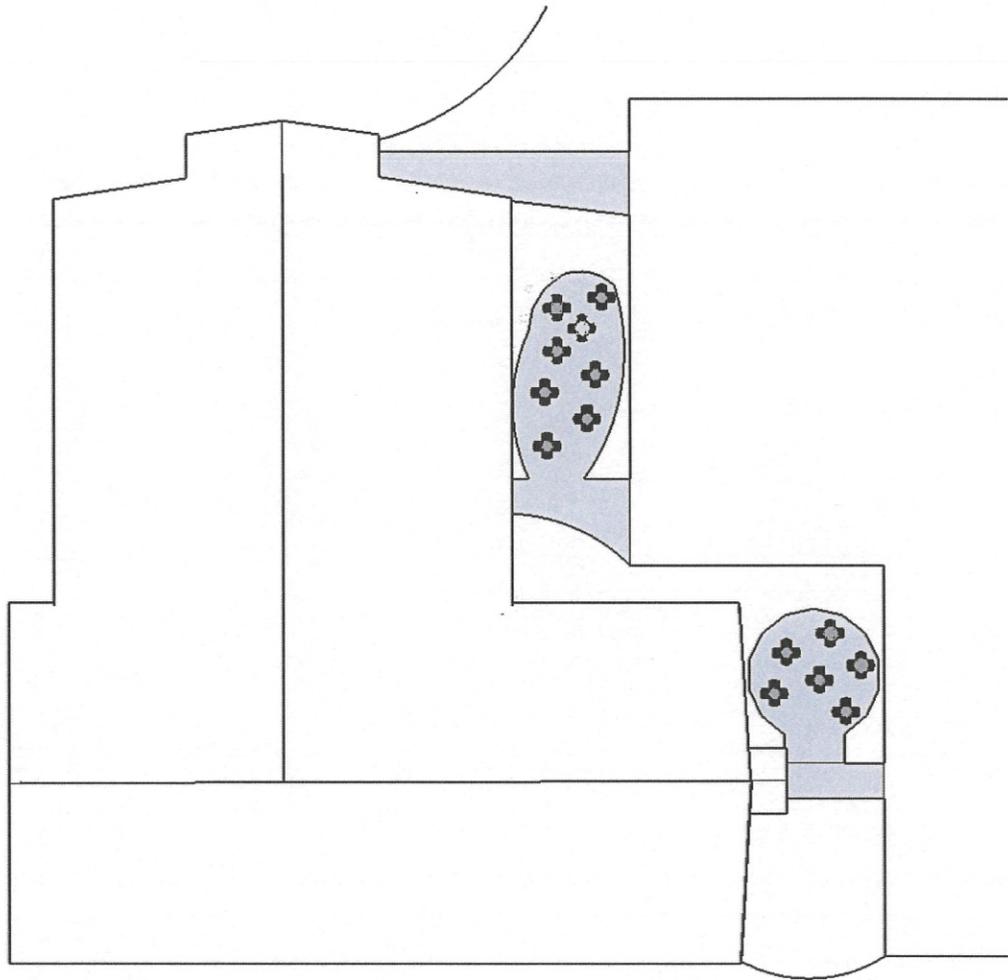
*design***bild**

■ *design*BILD ■ Harvest Bar and Grille ■ exterior layout and design ■



*design***bild**

■ designBILD ■ Harvest Bar and Grille ■ Interior layout plan options ■



*design***bild**

■ *design*BILD ■ Harvest Bar and Grille ■ exterior layout and design ■