

ORDINANCE NO. 1854-2022

AN ORDINANCE REPEALING AND REPLACING SECTION 17.22 COMMERCIAL HIGHWAY DISTRICT, OF THE CITY OF KAUKAUNA ZONING CODE.

WHEREAS, the Common Council of the City of Kaukauna, having reviewed the recommendation of the City Plan Commission regarding the proposed change in zoning ordinance having scheduled a public hearing then to be decided by the Common Council; and

WHEREAS, a Class 2 Notice of Public Hearing regarding such proposed zoning ordinance change and, pursuant thereto, a public hearing having been held on the **4th day of January, 2022** at 7:00 p.m., and the Common Council having heard all interested parties or their agents and attorneys; and

WHEREAS, to promote the sustainable and orderly growth of the city and protect the city's tax ;

NOW, THEREFORE, the Common Council of the City of Kaukauna, Wisconsin, do ordain as follows:

Sec. 17.22. - CHD Commercial Highway District.

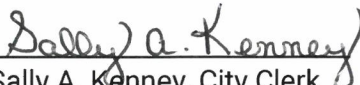
- (1) *Purpose.* This district is intended to provide highway-oriented uses ~~for general commercial uses convenient to major streets. Many of these uses require large lot areas, do not readily relate to pedestrian circulation, require significant parking and loading areas and, in general, operate independent of one another.~~ require the use of the highway and other heavily travelled major street for commercial visibility or transportation.
- (2) *Permitted principal uses and structures.*
 - (a) See section 17.21(2).
 - (b) Drive-in banks and restaurants.
 - (c) Building equipment and supply establishments.
 - (d) Taverns, billiard parlors, and bowling alleys.
 - (e) Automobile, boat, construction equipment and farm implement sales, service, repair, and automobile filling stations.
 - (f) Wholesale and warehouse establishments.
 - (g) Mortuaries.
 - (h) Veterinary hospitals and dog kennels.
 - ~~(i) Gardens, orchards, and nurseries, including where an office or store is maintained on the premises.~~
 - ~~(j) Agricultural-related uses, such as feedmills and farm co-ops.~~
 - (i) Senior care or day nursery.
 - (j) Medical, health, or social services.
 - (k) Financial and professional services.

- (l) Uses not explicitly enumerated in the section as permitted uses but determined by the Community Development Director to be closely related or similar to other uses permitted within this section.
- (3) *Permitted accessory uses and structures.* Uses and structures customarily accessory and clearly incidental to permissible principal uses and structures.
- (4) *Special exception uses and structures.*
- (a) Public utility installations.
- (b) Light manufacturing uses, including packaging bottling, storage, and laboratory uses, provided all activities are conducted in completely enclosed buildings.
- (c) Commercial recreational uses, such as golf and archery ranges, rinks, and the like.
- (d) Residential Medical Facility.
- (e) Uses permitted in Residential Multifamily Zoning (RMF). If RMF is the primary use of the site, all applicable standards and requirements from section 17.19 shall apply.
- (f) Agricultural related uses.
- (g) Gardens, orchards, and nurseries, including where an office or store is maintained on the premises.
- (5) *Dimensional requirements.* For all permissible principal uses and structures, the following apply:
- (a) *Minimum dimensions.*
1. Lot area: 15,000 square feet.
 2. Lot width: 100 feet.
 3. Front yard setback: twenty-five feet (25').
 4. Side yards setback: ten feet each (10').
 5. Rear yard setback: ten feet (10').
- (b) *Maximum dimensions.*
1. Lot coverage: 25 percent. Thirty five percent (35%). As a special exception, the Plan Commission may increase the lot coverage up to forty five percent (45%).
 2. Height: 45 feet. Fifty-six feet (56') or four stories, whichever is less. As a special exception, the Plan Commission may increase the maximum height and stories up to eighty-four feet (84') or six stories, whichever is less.
- (c) *Required yards.* Any required yard adjacent to a residential district shall be subject to the landscaped buffer requirements of section 17.32(10). To eliminate hazards involved in unchanneled ingress and egress, a landscaped strip not less than five feet in depth if at the front and five feet in width if at the side shall be required along any lot line adjacent to a street. Except for accessways, such strip shall be continuous for the entire length of the lot line adjacent to the street.
- (6) *Permitted accessory signs.* For all permissible principal uses and structures, for each ten lineal feet of frontage on a public street, frontage being determined by the principal entrance to the premises, a maximum of one sign and 30 square feet of sign area. The sign area may be used in a lesser number of signs than permitted, but the maximum number of signs shall not be exceeded even though the total area permitted is not used. No sign shall be erected within five feet of any lot line.
- (7) *Off-street parking requirements.*
- (a) *Applicable parking requirements as specified in the CBD district.* See section 17.21(7).
- (b) *Wholesale and warehouse establishments.* One per 300 feet of floor space.

(c) *Light manufacturing.* One per employee on maximum shift.
(Code 2011, § 17.22)

Adopted by the Common Council of the City of Kaukauna, Wisconsin, on this 4th day of January 2022.

APPROVED: 
Anthony J. Penterman, Mayor

ATTEST: 
Sally A. Kenney, City Clerk

