

ORDINANCE NO. 2019-1

AN ORDINANCE TO AMEND SECTIONS 3.11 AND 12.0 OF CHAPTER 9 (ZONING) OF THE MUNICIPAL CODE OF THE VILLAGE OF HIGHLAND, IOWA COUNTY, WISCONSIN RELATING TO WATCHMEN IN THE M-1 ZONING DISTRICT

WHEREAS, the Village Board of the Village of Highland has determined to consider amendments to the Zoning Code of the Village for the purpose of clarifying the use of M-1 zoned property by watchmen; and

WHEREAS, the Plan Commission of the Village of Highland reviewed the proposed changes at a meeting held on December 12, 2018; and

WHEREAS, notice of a public hearing on said proposed amendments was posted in three public places not later than November 21, 2018; and

WHEREAS, a public hearing was held on December 12, 2018, with regard to said proposed amendments;

NOW, THEREFORE, THE VILLAGE BOARD OF THE VILLAGE OF HIGHLAND, IOWA COUNTY, WISCONSIN, DO ORDAIN AS FOLLOWS:

Section I: Section 3.11 of Chapter 9 of the Municipal Code of the Village of Highland shall be and hereby is amended to read as follows:

3.05 "M-1 INDUSTRIAL DISTRICT

The purpose of this district is to provide appropriate areas within the Village limits for manufacturing and related activities that strengthen the Village's economic base and that are not incompatible with other land uses in the Village.

Permitted Uses: Manufacture, fabrication, packing, packaging, and assembly or products from furs, glass, leather, metals, paper, plaster, plastics, textile, and wood; manufacture, fabrication, processing, packaging, and packing of confections, cosmetics, electrical appliances, electronic devices. Food (except cabbage, fish, and pea vining), instruments, jewelry, pharmaceuticals, tobacco, and toiletries; freight yards, freight terminals, and trans-shipment depots; inside storage; and any similar uses not specifically listed.

Conditional Uses: Disposal areas, incinerators, and sewage disposal plants; manufacturing establishments that require outside storage areas that may be objectionable to surrounding land uses; and a dwelling for a watchman employed on the premises and members of his or her family as described below. The Village Board may require solid fencing or evergreen plantings to screen objectionable outside storage areas from other properties or from the public right-of-way.

Prohibited Uses: Residential, education, or institutional uses; uses in conflict with village or state ordinances governing nuisances; abattoirs, except for slaughter of poultry; acid manufacture; cement, lime, gypsum, or plaster of paris manufacture; distillation of bones; explosives manufacture or storage; fat rendering; fertilizer manufacture; dead animal reduction or dumping; glue manufacture; junk yards; petroleum refining.

WITHIN THE M-1 DISTRICT, THE FOLLOWING STANDARDS SHALL APPLY:

Minimum Front Yard Setback	Principal building: 25 feet
Minimum Rear Yard Setback	Principal building: 25 feet Accessory building: 25 feet
Minimum Side Yard Setback	Principal building: 20 feet Accessory building: 10 feet
Minimum Lot Width	100 feet
Minimum Lot Area	20,000 square feet
Percent of Lot Coverage	50 %
Maximum Building Height	50 feet (2 stories)
Required Buffer Strips	Where the M-1 Industrial District abuts or adjoins along a street line opposite a residential district, a buffer strip of not less than 15 feet shall be provided. Plant materials at least 6 feet in height of such variety and growth habits as to provide a year-round effective visual screen when viewed from the residential district shall be planted within the butter strip.

Watchman's Dwelling: A conditional use permit may be issued for a portion or section of a principal building to be set aside as a dwelling for a watchman as defined under Section 12.0 if all of the following conditions are met:

- (1) The dwelling area must be separated from any other use of the principal building and located in a defined area of the principal building. The principal and primary use of the building must be either a permitted or conditional use in the M-1 Industrial District, not including a dwelling. Only one dwelling area is permitted.
- (2) The dwelling area must be specifically identified on any building permit application and a copy of the conditional use permit must be provided to the Village's Building Inspector at the time of application for a Building Permit.
- (3) The dwelling area must be located in the principal building and shall meet all UDC/residential dwelling requirements established by state law or local ordinance, including all fire and safety requirements.
- (4) The dwelling area may only be occupied by a watchman and his or her immediate family. A watchman may only be an owner (including a principal shareholder, partner or member of a limited liability company) of the business located in the principal building who is actively involved in business operations or an employee who is employed at least in part for the purpose of acting as a watchman. No rent may be charged of any person occupying the dwelling portion of the building although reasonable rental value may be included as part of the watchman's compensation. The Village Board may require proof of ownership or employment.
- (5) The location of a dwelling within a principal building does not permit the owner to deviate from the standards of this section (e.g., building height, percent of lot coverage, etc.)
- (6) The owner shall disclose to any watchman, in writing on a form provided by the Village, the fact that the building is located in an industrial zoning district, that businesses and industries in the industrial zoning district can create noise, odors or other conditions that would not typically be found in a residential neighborhood, that these types of activities are customary in industrial zoning districts and that a person choosing to live in an industrial zoning district may be subject to these conditions."

Section II: The following definition in Section 12.01 of Chapter 9 of the Municipal Code of the Village of Highland shall be and hereby is created as follows:

"Watchman: A person who keeps guard over a building to protect it from fire, vandals or thieves."

Section III: This ordinance shall be effective upon its passage and posting as required by law.

Adopted and approved this 2nd day of January 2019.


Chad Coyier, Village President

COUNTERSIGNED:


Becky Fredericks, Village Clerk

Date Adopted:	January 2, 2019
Date Recorded:	January 3, 2019
Date Posted:	January 3, 2019
Date affidavit filed:	January 3, 2019
Effective Date:	January 4, 2019