



Planning, Development & Extension Education Committee  
Agenda  
Kenosha County Center  
Wednesday, July 10, 2019

NOTE: UNDER THE KENOSHA COUNTY BOARD RULES OF PROCEDURE ANY REPORT, RESOLUTION, ORDINANCE OR MOTION APPEARING ON THIS AGENDA MAY BE AMENDED, WITHDRAWN, REMOVED FROM THE TABLE, RECONSIDERED OR RESCINDED IN WHOLE OR IN PART AT THIS OR AT FUTURE MEETINGS. NOTICE OF SUCH MOTIONS TO RECONSIDER OR RESCIND AT FUTURE MEETINGS SHALL BE GIVEN IN ACCORDANCE WITH SECTION 2 C OF THE COUNTY BOARD RULES. FURTHERMORE, ANY MATTER DEEMED BY A MAJORITY OF THE BOARD TO BE GERMANE TO AN AGENDA ITEM MAY BE DISCUSSED AND ACTED UPON DURING THE COURSE OF THIS MEETING AND ANY NEW MATTER NOT GERMANE TO AN AGENDA ITEM MAY BE REFERRED TO THE PROPER COMMITTEE. ANY PERSON WHO DESIRES THE PRIVILEGE OF THE FLOOR PRIOR TO AN AGENDA ITEM BEING DISCUSSED SHOULD REQUEST A COUNTY BOARD SUPERVISOR TO CALL SUCH REQUEST TO THE ATTENTION OF THE BOARD CHAIRMAN

Notice is hereby given that a meeting will be held by the Kenosha County Planning, Development & Extension Education Committee on **Wednesday, July 10, 2019 at 6:00p.m. in Conference Room B followed by a public hearing at 7:00 p.m. in the Public Hearing Room** at the Kenosha County Center, 19600 75th Street, Bristol, Wisconsin on the following requests:

1. **CERTIFICATION OF COMPLIANCE WITH WISCONSIN OPEN MEETINGS LAW**
2. **FEATURE PROGRAM: "STRESS MANAGEMENT AND SELF-CARE CURRICULUM"**
3. **UW-EXTENSION EDUCATOR/PROGRAM UPDATES**
4. **UW-EXTENSION DIRECTOR UPDATES**

**7:00 p.m. - LAND USE ITEMS HEARINGS - KCC PUBLIC HEARING ROOM**

5. **M & W PROPERTIES LLC (OWNER), WOODROW EDGELL (AGENT) - CONDITIONAL USE PERMIT - WHEATLAND**

**M & W PROPERTIES LLC**, 8020 328th Ave., Burlington, WI 53105 (Owner),  
**Woodrow Edgell**, 8020 328th Ave., Burlington, WI 53105 (Agent) requesting a conditional use permit to allow an expansion of an existing construction contractor's warehouse in the B-5 Wholesale Trade and Warehousing Dist. on Tax Parcel #95-4-119-014-0101 located in the SE ¼ of Section 1, T1N, R19E, Town of **Wheatland**

Documents:

[SUBMITTED APP CUP.PDF](#)  
[EXHIBIT MAP CUP.PDF](#)

6. **COMPREHENSIVE PLAN AMENDMENT - PLANNING, DEVELOPMENT & EXTENSION EDUCATION COMMITTEE**

Public Hearing on Proposed Comprehensive Plan Amendment, Planning, Development & Extension Education Committee, 19600 75th Street, Suite 185-3, Bristol, WI 53104 (Sponsor), requests approval of Draft Annual Report, "A Multi-Jurisdictional Plan for Kenosha County: 2035, 2017 Annual Report"

Documents:

7. **APPROVAL OF MINUTES**
8. **CITIZEN COMMENTS**
9. **ANY OTHER BUSINESS ALLOWED BY LAW**
10. **ADJOURNMENT**

**NOTICE TO PETITIONERS**

**The petitioners:** M&W Properties LLC (Owner), Woodrow Edgell (Agent)

**NOTICE TO TOWNS**

The Town of Wheatland is requested to be represented at the hearing on **Wednesday, July 10, 2019, 7:00 p.m.**, at the Kenosha County Center Public Hearing Room, 19600 75th Street, Bristol, Wisconsin. You are requested to either attend or send in your recommendation to the committee.



**COUNTY OF KENOSHA**

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**Department of Planning and Development**

# CONDITIONAL USE PERMIT PROCEDURES



KENOSHA COUNTY

DEPARTMENT OF PLANNING  
AND DEVELOPMENT



# COUNTY OF KENOSHA

## Department of Planning and Development

### CONDITIONAL USE PERMIT PROCEDURES

- ☐ 1. Contact the Department of Planning and Development and check with staff to determine if your proposed use is a permitted use, an accessory use or a conditional use. If it is a conditional use, then a conditional use permit must be applied for and received prior to occupying or using the site for that use. Note: If the proposed conditional use is part of a proposed land division see the Certified Survey Map Information and Procedures. If the proposed conditional use is part of a proposed rezoning petition see the Rezoning Application Form.
- ☐ 2. Contact the Department of Planning and Development and schedule a pre-conference meeting, which is required for all conditional use permit requests.  
Meeting Date: NA
- ☐ 3. Complete and submit the Kenosha County Conditional Use Permit Application by the filing deadline (see Planning, Development & Extension Education Committee Schedule handout).
- ☐ 4. Submit a copy of the date-stamped application to your local township for placement on the agenda of the Town Planning Commission and Town Board, which recommends action to the County Planning, Development & Extension Education Committee. Keep a copy for your records.
- ☐ 5. Attend the Town Planning Commission and the Town Board meetings. **NOTE:** You must attend or the Town will not be able to act on your request.  
Town Planning Commission meeting date (tentative): \_\_\_\_\_  
Town Board meeting date (tentative): \_\_\_\_\_
- ☐ 6. Attend the Planning, Development & Extension Education Committee public hearing. **NOTE:** You must attend or the Planning, Development & Extension Education Committee will not be able to act on your request. At this meeting you will be asked to brief the Committee on your request.  
Kenosha County Planning, Development & Extension Education Committee meeting date: \_\_\_\_\_  
(tentative)
- ☐ 7. If denied by the Kenosha County Planning, Development & Extension Education Committee you have thirty (30) days to file an appeal with circuit court.
- ☐ 8. If approved you may proceed with obtaining site plan approval (site plan layout, stormwater, landscaping, lighting, parking/paving etc...).
- ☐ 9. Apply for and obtain any necessary zoning permit(s) for construction (i.e. new buildings, building additions, signage, fencing, etc...) with the Kenosha County Department of Planning and Development.
- ☐ 10. Apply for any obtain any necessary building permit(s) for construction (i.e. new buildings, building additions, signage, fencing, etc...) with you respective township.
- ☐ 11. Complete any obligations for foundation survey, waiver of liability of foundation survey, stormwater as-built requirement and/or certificate of occupancy.

## CONDITIONAL USE PERMIT PROCEDURES

### IMPORTANT TELEPHONE NUMBERS

#### Kenosha County Center

Department of Planning & Development  
19600 - 75<sup>th</sup> Street, Post Office Box 520  
Bristol, Wisconsin 53104-0520

Division of County Development (including Sanitation & Land Conservation) ..... **887-1895**  
Facsimile # ..... **857-1020**

Public Works Division of Highways ..... **857-1870**

#### Administration Building

Division of Land Information ..... **653-2622**

Brighton, Town of ..... **878-2218**

Paris, Town of ..... **859-3008**

Randall, Town of ..... **877-2165**

Salem, Town of ..... **843-2313**

Utility District ..... **862-2371**

Somers Town of ..... **859-2822**

Wheatland, Town of ..... **537-4340**

Wisconsin Department of Natural Resources - Sturtevant Office ..... **884-2300**

Wisconsin Department of Transportation - Waukesha Office ..... **548-8722**

### Conditional Use Permit Timeline



For Reference Purposes



December 2012

# COUNTY OF KENOSHA

## Department of Planning and Development

RECEIVED

MAY 27 2018

### CONDITIONAL USE PERMIT APPLICATION

RECEIVED

MAY 27 2019

Kenosha County  
Deputy County Clerk  
(a) Property Owner's Name:

Kenosha County  
Planning and Development

Print Name: Woodrow Edgell Signature: Woodrow Edgell  
Mailing Address: 8020 328th ave  
City: Burlington State: WI Zip: 53105  
Phone Number: 262-537-4473 E-mail (optional): CP 847-489 5215

Note: Unless the property owner's signature can be obtained in the above space, a letter of agent status signed by the legal property owner must be submitted if you are a tenant, leaseholder, or authorized agent representing the legal owner, allowing you to act on their behalf.

#### (b) Agent's Name (if applicable):

Print Name: \_\_\_\_\_ Signature: \_\_\_\_\_  
Business Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone Number: \_\_\_\_\_ E-mail (optional): \_\_\_\_\_

#### (c) Architect's Name (if applicable):

Print Name: \_\_\_\_\_ Signature: \_\_\_\_\_  
Business Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone Number: \_\_\_\_\_ E-mail (optional): \_\_\_\_\_

#### (d) Engineer's Name (if applicable):

Print Name: Lynch & Associates Signature: \_\_\_\_\_  
Business Name: Lynch & Associates  
Mailing Address: 440 Milwaukee st  
City: Burlington State: WI Zip: 53105  
Phone Number: 262-402-5040 E-mail (optional): \_\_\_\_\_

CONDITIONAL USE PERMIT APPLICATION

(e) Tax key number(s) of subject site:

Parcel NO 119-014-0101

Address of the subject site:

31902 Geneva - Solems WI

(f) Plan of Operation (or attach separate plan of operation)

Type of structure:

poll Barn

Proposed operation or use of the structure or site:

Pull through trailer  
storage area also Personal items Etc

Number of employees (by shift):

0

Hours of Operation:

0

Any outdoor entertainment? If so, please explain:

0 NA

Any outdoor storage? If so, please explain:

NO

Zoning district of the property:

B-3

(g) Attach a plat of survey prepared by a land surveyor registered by the State of Wisconsin or site plan drawn to scale and approved by the Department of Planning and Development showing all of the information required under section 12.05-1(h)3 for a zoning permit. In addition, the plat of survey or site plan layout shall show the location, elevation and use of any abutting lands and the location and foundation elevations of structures within 50 feet of the subject site; soil mapping unit lines; ordinary high water mark, historic high water marks and floodlands on or within 50 feet of the subject premises, and existing and proposed landscaping.

CONDITIONAL USE PERMIT APPLICATION

For conditional use permit applications that are made within shoreland and floodland areas, such description shall also include information that is necessary for the County Planning, Development & Extension Education Committee to determine whether the proposed development will hamper flood flows, impair floodplain storage capacity, or cause danger to human, animal or aquatic life. This additional information may include plans, certified by a registered professional engineer or land surveyor, showing existing and proposed elevations or contours of the ground; fill or storage elevation; basement and first floor elevations of structures; size, location, and spatial arrangement of all existing and proposed structures on the site; location and elevation of streets water supply and sanitary facilities; aerial photographs, and photographs showing existing surrounding land uses and vegetation upstream and downstream; soil types and any other pertinent information required by either the Planning, Development & Extension Education Committee or the Office of Planning and Zoning Administration:

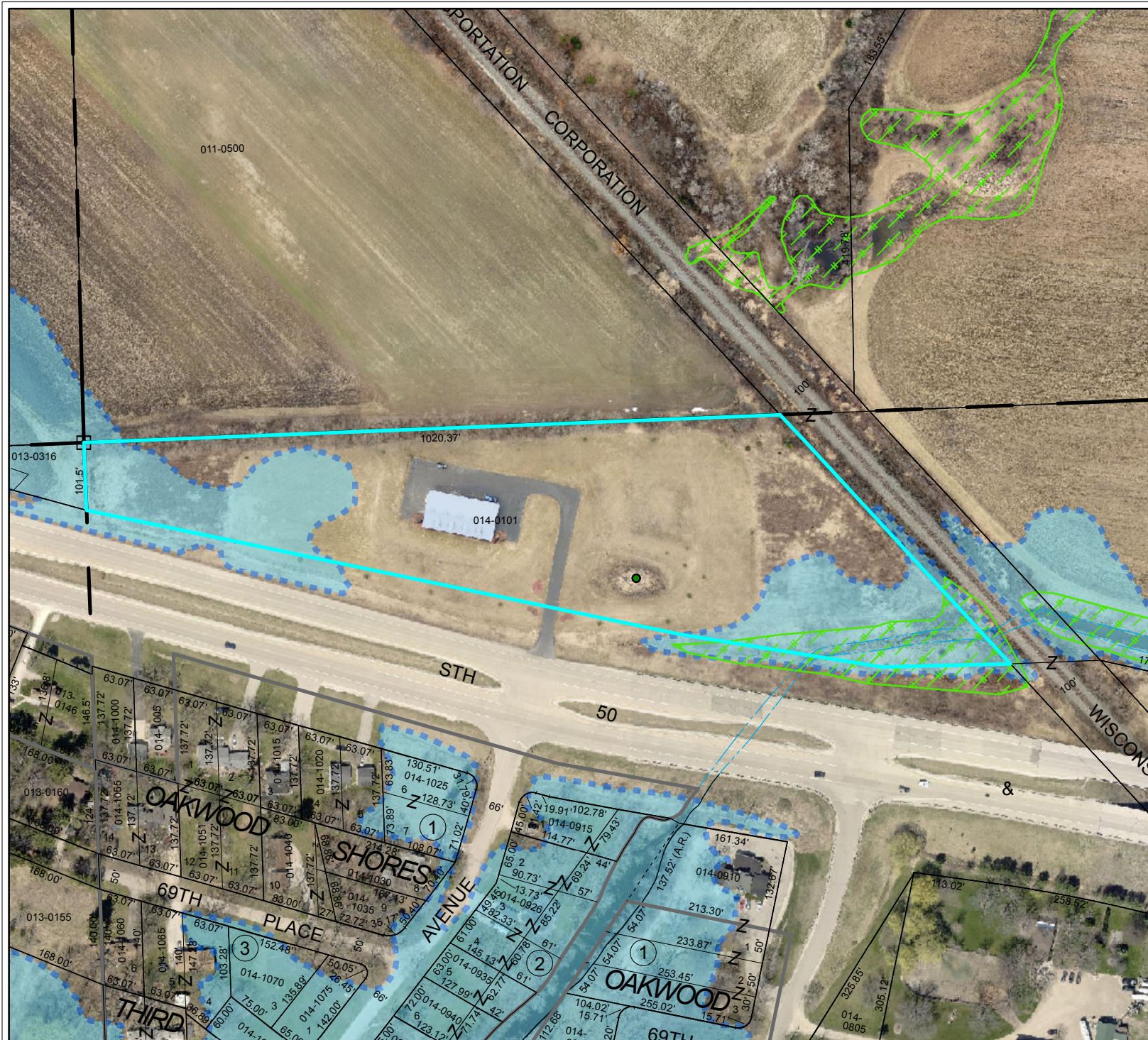
(h) The Kenosha County Department of Planning and Development may ask for additional information.

(i) The fee specified in Section 12.05-8 of this ordinance.  
Request for Conditional Use Permit..... \$750.00

(For other fees see the Fee Schedule)



THIS MAP IS NEITHER A LEGALLY RECORDED MAP NOR A SURVEY AND IS NOT INTENDED TO BE USED AS ONE. THIS DRAWING IS A COMPILATION OF RECORDS, DATA AND INFORMATION LOCATED IN VARIOUS STATE, COUNTY AND MUNICIPAL OFFICES AND OTHER SOURCES AFFECTING THE AREA SHOWN AND IS TO BE USED FOR REFERENCE PURPOSES ONLY. KENOSHA COUNTY IS NOT RESPONSIBLE FOR ANY INNACURACIES HEREIN CONTAINED. IF DISCREPANCIES ARE FOUND, PLEASE CONTACT KENOSHA COUNTY.



Source: Kenosha County Department of Planning and Development





# COUNTY OF KENOSHA

## Department of Planning and Development

*George E. Melcher, Director*

Department of Planning and Development

*Larry B. Brumback, Director*

Division of County Development

Department of Planning and Development

19600 - 75th Street, Post Office Box 520

Bristol, Wisconsin 53104-0520

Telephone: (262) 857-1895

Facsimile: (262) 857-6508

June 29, 2005

Olga Wisz et al.  
8300 W. Summerdale Avenue  
Chicago, IL 60656-1449

Woodrow Edgell  
8020 328<sup>th</sup> Avenue  
Burlington, WI 53105

Ladies and Gentlemen:

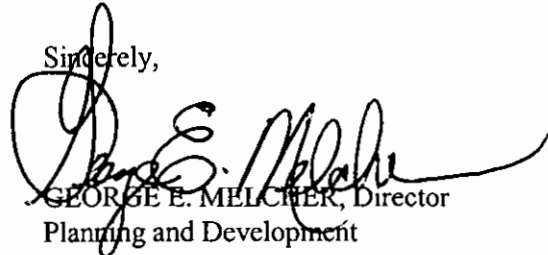
On Wednesday, June 8, 2005 the Land Use Committee of the Kenosha County Board of Supervisors approved and recommended to the County Board your zoning request for rezoning from A-2 General Agricultural District to B-5 Wholesale Trade and Warehousing District on Tax Parcel #95-4-119-014-0101 located in the southeast quarter of Section 1, Township 1 North, Range 19 East, Town of Wheatland.

The rezoning request was submitted to the County Board on June 21, 2005 and was approved when Ordinance No. 7 was adopted. The Kenosha County Executive subsequently approved the request on June 22, 2005.

The Land Use Committee also approved the Conditional Use Permit to allow a construction contractor's warehouse on Tax Parcel #95-4-119-014-0101 located in the southeast quarter of Section 1, Township 1 North, Range 19 East, Town of Wheatland. A copy of these conditions are enclosed, and it is your responsibility to see that they are complied with.

Should you have any questions or comments, please contact Mr. John F. Roth of this office.

Sincerely,



GEORGE E. MELCHER, Director  
Planning and Development

GEM:LBB:tk  
Enclosure  
cc: Wheatland Town Clerk



# COUNTY OF KENOSHA

George E. Melcher, Director  
Department of Planning and Development

Larry B. Brumback, Director  
Division of County Development  
Department of Planning and Development

## CONDITIONS OF APPROVAL

**OLGA WISZ ET AL. (OWNERS), WOODROW EDGELL (AGENT)**  
**REQUEST FOR A CONDITIONAL USE PERMIT**  
**FOR A DRYWALL CONTRACTOR'S WAREHOUSE**  
**ON TAX PARCEL #95-4-119-014-0101**  
**TOWN OF WHEATLAND**

1. Subject to the application dated February 14, 2005 and all corresponding plans submitted in conjunction with the application process.
2. The hours of operation shall be from (7:00 a.m. to 6:00 p.m.).
3. Subject to the Town of Wheatland conditions outlined in a June 7, 2005 letter from the Clerk, Sheila Siegler (copy attached).
4. Subject to compliance with the Kenosha County Sanitary Code.
5. Subject to review and approval of the following plans by the Department of Planning and Development.
  - a. Site Plan Review including design review of building
  - b. Stormwater Management Plan (completed by an engineer licensed in the State of Wisconsin)
  - c. Landscaping plan
  - d. Lighting plan
  - e. Parking plan (paving required)
6. Subject to receiving an access permit from the Kenosha County Highway Department.
7. There shall be no outside storage of materials or trucks.
8. Any change of the submitted plan of operation, change in use, and/or a proposed addition(s) to any existing principal building(s) or proposed new principal building(s), shall require the petitioner to reapply for a Conditional Use Permit to the Kenosha County Land Use Committee for its review and approval.
9. It is the total responsibility of the petitioner to assure and guarantee that the above stated conditions are fully complied with. Any deviation from the approved plans and conditions shall result in the issuance of a citation and associated stop work order until such time as the project is brought back into compliance. Continuance of the project shall result in a recommendation for revocation of the Conditional Use Permit.

I have read and understand the above conditions and hereby agree that I am willing to comply with them.

PRINT NAME: Woodrow W Edgell DATE: 6/8/05  
SIGNATURE: Woodrow Edgell

**TOWN OF WHEATLAND**

34315 Geneva Road · P.O. Box 797 · New Munster, Wisconsin 53152-0797 · Phone: (262) 537-4340 · Fax (262) 537-4261

VIA FACSIMILE MAIL

- Chairman - Wayne H. Kaddatz
- Supervisor - Jeffrey J. Butler
- Supervisor - Robert E. Herda
- Clerk - Sheila M. Siegler
- Treasurer - Deborah K. Vos

June 7, 2005

Kenosha County Board of Supervisors  
Land Use Committee  
c/o Office of Planning & Development  
19600 75th Street  
Bristol, WI 53104-0520

Dear Committee Members:

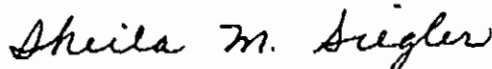
Re: Olga Wisz, (Owner), Woodrow Edgell (Agent)  
Tax Parcel #95-4-119-014-0101  
Requesting Rezoning from A-2 General Agricultural District to  
B-5 Wholesale Trade & Warehousing District and a  
Conditional Use Permit for a construction contractor warehouse

The Wheatland Town Board, at a Special Town Board Meeting on June 6, 2005, approved a favorable recommendation to your committee for the above rezoning and Conditional Use Permit, subject to the attached conditions and stipulations.

The Plan Commission had recommended approval at the February 28, 2005 meeting.

Please call if there is a comment or question.

Yours truly,



Sheila M. Siegler, Clerk

SMS:

copy: Woodrow Edgell  
Olga Wisz

<b>FAX MEMO</b>	
# PAGES <u>2</u>	DATE <u>6/7/05</u> FAX # _____
TO <u>John</u>	
FROM <u>Sheila</u>	
CC _____	
PH # _____	FAX # _____

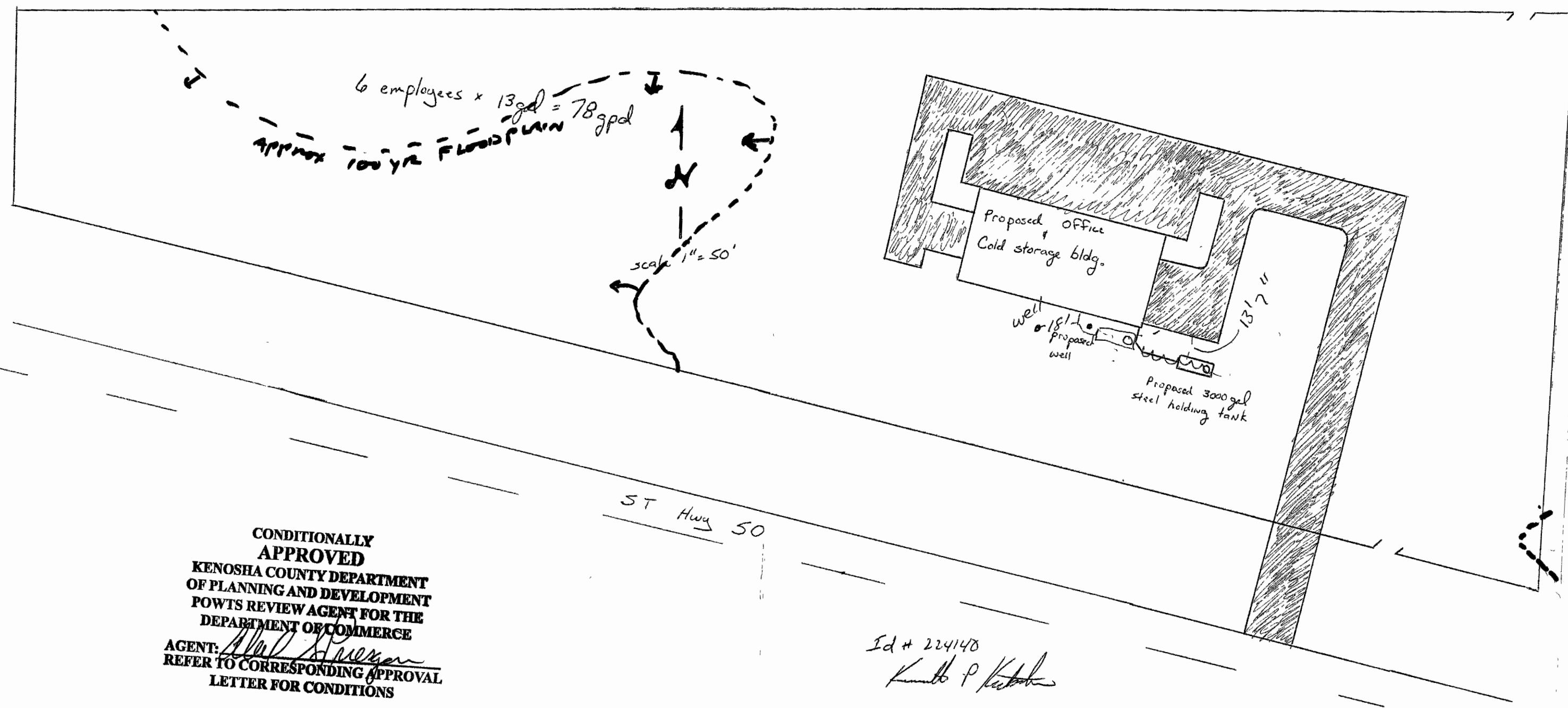
**Conditions for Approval  
Woodrow Edgell Conditional Use Permit  
Tax Parcel #95-4-119-014-0101  
June 6, 2005 Town of Wheatland  
Special Town Board Meeting**

1. Hours of operation - 7 a.m. to 6 p.m.
2. No outside storage.
3. No trucks stored on the property including inside the building.
4. No employees in the building and no office in the building unless bathroom facilities are constructed.
5. Parking lot and driveway must be paved.
6. Property must be landscaped according to the plan.
7. Height and size of landscaping plants, including the pine trees which are to be planted every 100 feet on the perimeter of the property, must be provided to the Town and County.
8. Outdoor lighting must be provided and cannot exceed two foot candles at property line with full cut-off fixtures.
9. A copy of the WisDOT approval letter for the driveway/street location must be furnished to the Town and County.
10. A dumpster must be provided, inside the building, so that no garbage/refuse is brought to the town transfer station from this property.
11. Subject to all plans submitted including:
  - a. building plan received February 21, 2005, Attachment #1
  - b. building layout on plat of survey received February 21, 2005, Attachment #2
  - c. revised building elevation and floor plan received February 28, 2005, Attachment #3
  - d. landscape plan received February 28, 2005, Attachment #4
  - e. landscape plan received February 28, 2005, Attachment #5
12. Grass is planted and maintained on the balance of the parcel.
13. A sign along Hwy "50" constructed to Kenosha County Zoning and Shoreland Zoning Ordinance standards and WisDOT permits.

Items numbered "7" and "9" on the list above have been satisfactorily fulfilled. At the June 6, 2005 Town Board Meeting, Mr. Edgell did furnish a copy of the WisDOT approval letter. He also supplied a landscaping list of the names and sizes of the plants, trees, and shrubs that will be planted according to his landscaping plan. This list is attached.

ANK PERMIT

Woodrow Edgell  
8020 328th Ave  
Burlington WI 53105  
SE 1/4 51 T1N R19E  
Town of Wheatland  
Kenosha County  
5/12/06



CONDITIONALLY  
APPROVED  
KENOSHA COUNTY DEPARTMENT  
OF PLANNING AND DEVELOPMENT  
POWTS REVIEW AGENT FOR THE  
DEPARTMENT OF COMMERCE  
AGENT: *Mark Stueger*  
REFER TO CORRESPONDING APPROVAL  
LETTER FOR CONDITIONS

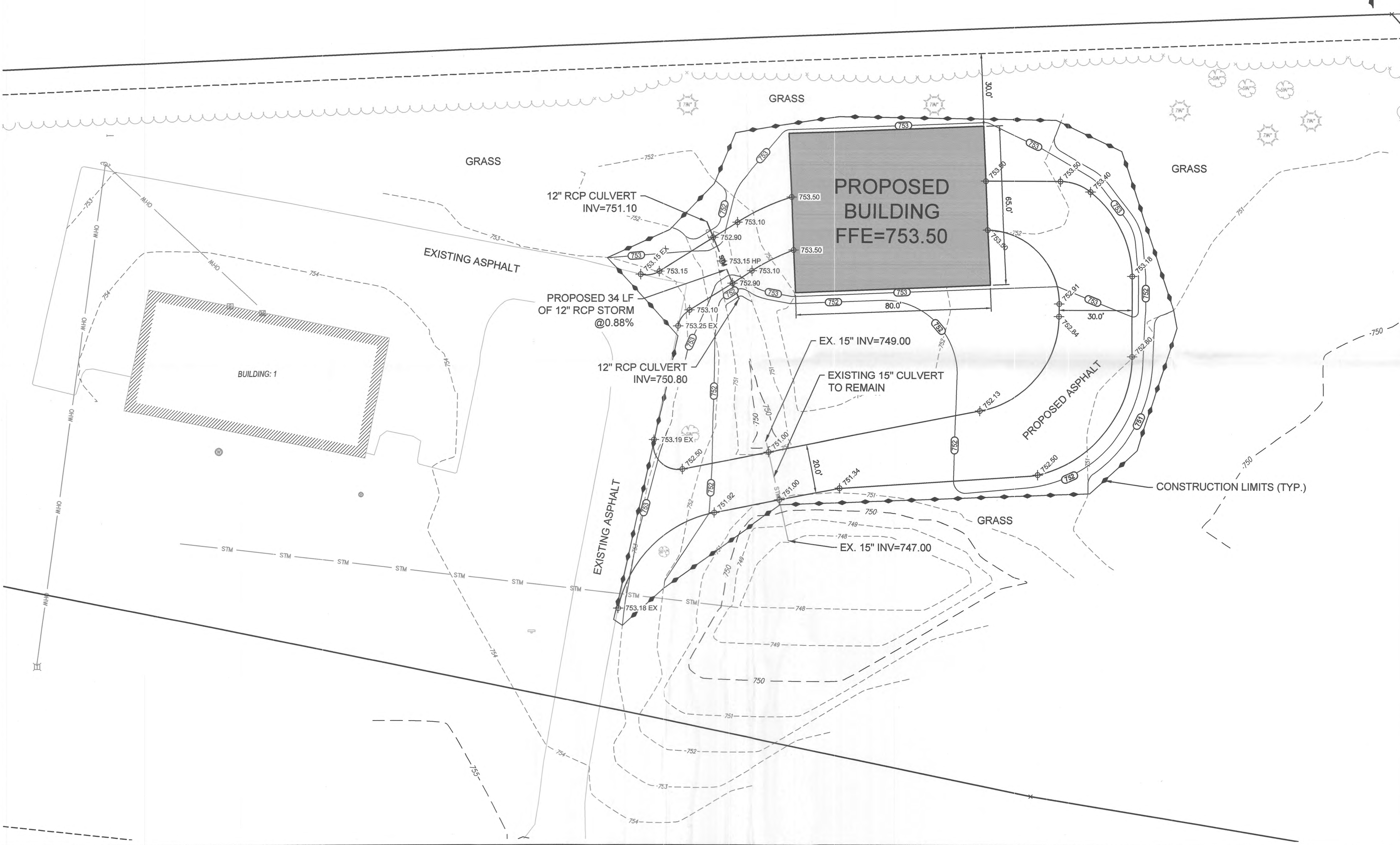
Id # 224140  
*Kenneth P. Ketchum*



DATA TABLE

TOTAL DISTURBANCE: 0.73 AC (31,773 SF)  
PROPOSED IMPERVIOUS: 0.37 AC (16,287 SF)

PROPOSED NEW BUILDING



SITE IMPROVEMENT PLANS FOR  
DRYWALL PLUS

BURLINGTON, WI

LYNCH & ASSOCIATES  
ENGINEERING CONSULTANTS, LLC

GRADING & EROSION CONTROL PLAN

NO. BY DATE

REVISIONS

ISSUED FOR  
REVIEW

PLAN DATE 11.06.18  
DESIGNED BY MRA

0 20'  
SCALE

PROJECT NO.  
18-0027

SHEET NO.

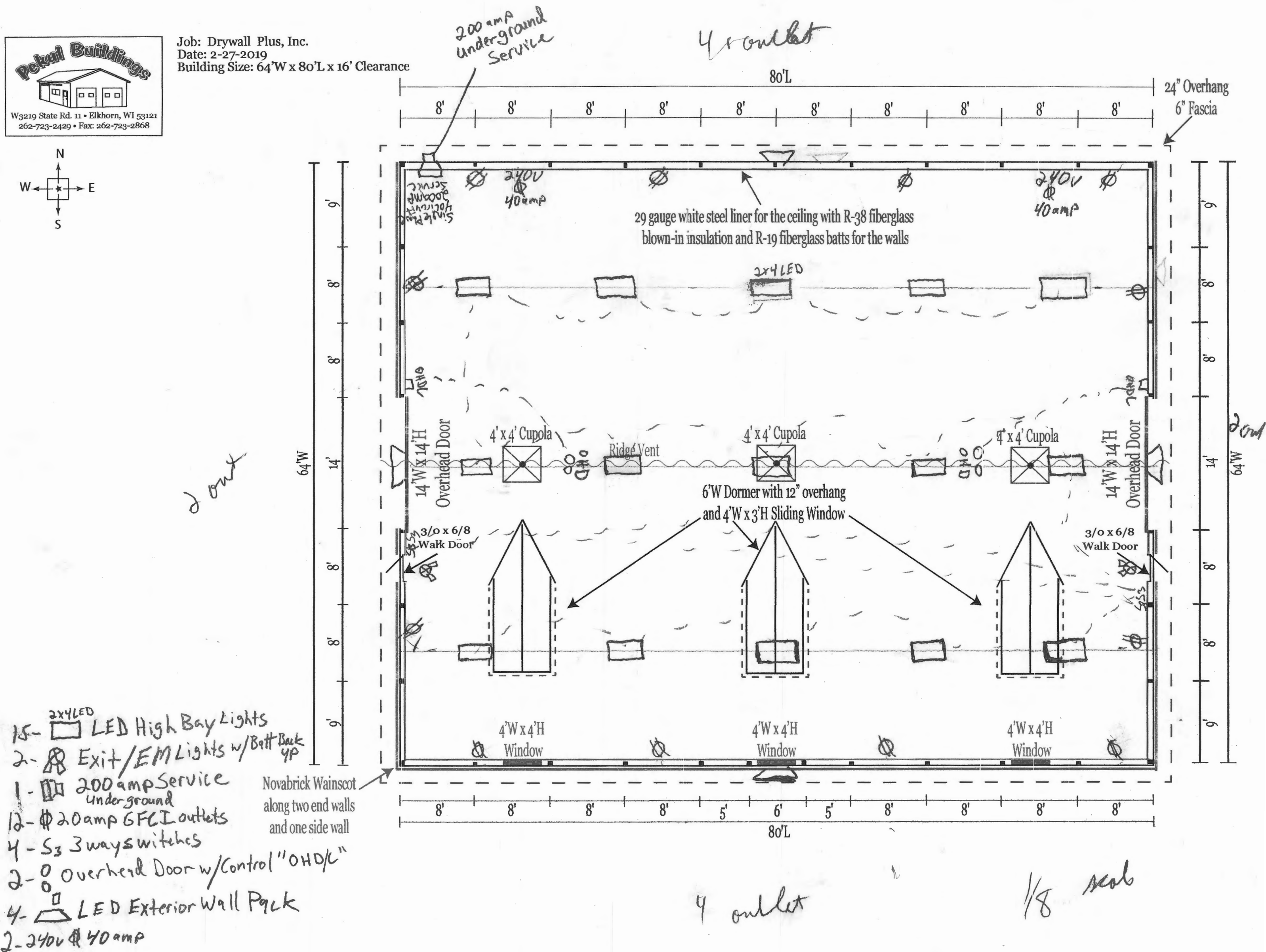
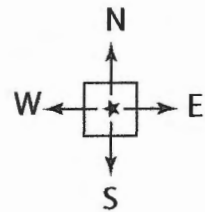
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# PROPOSED NEW BUILDING

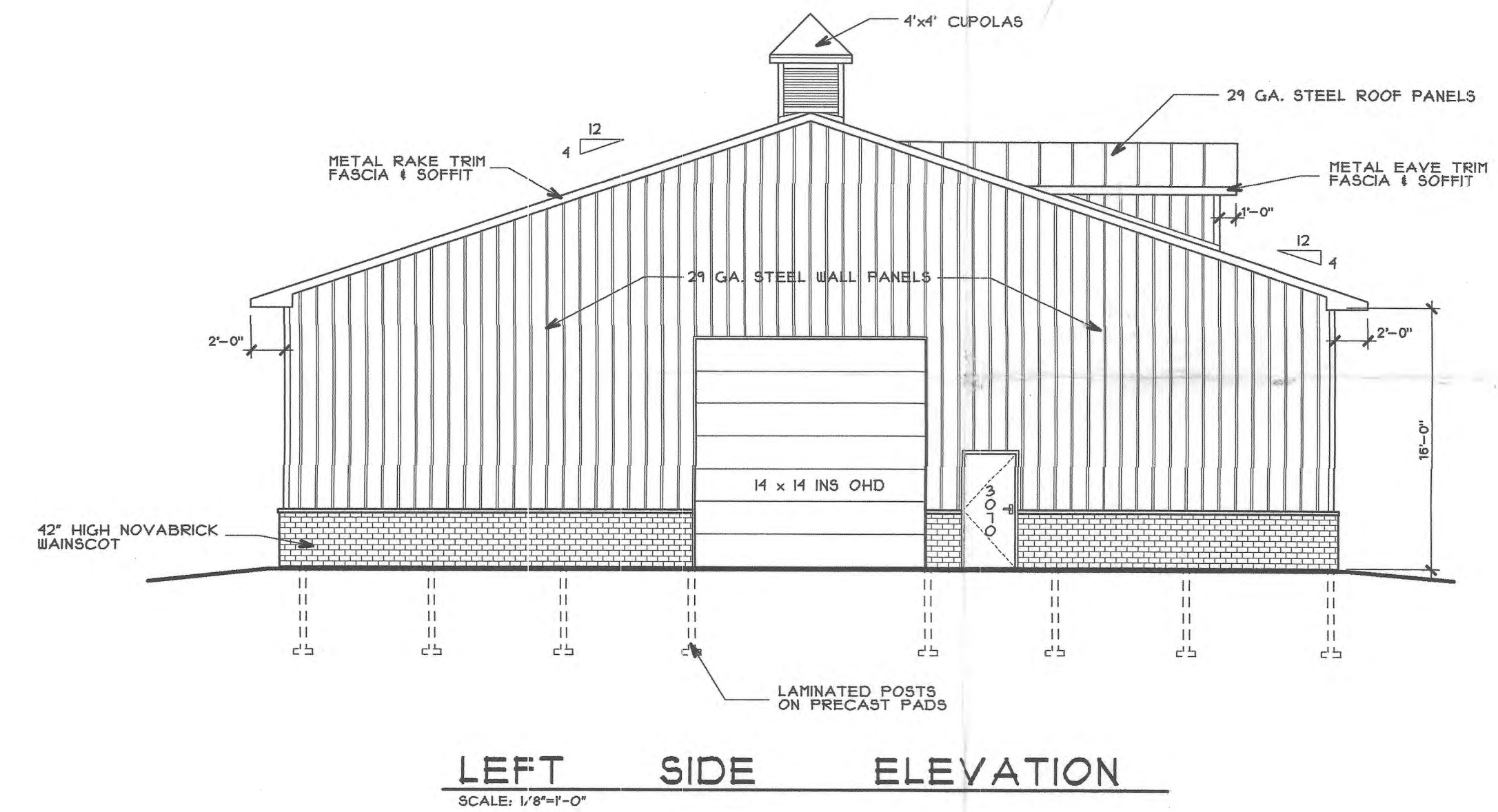
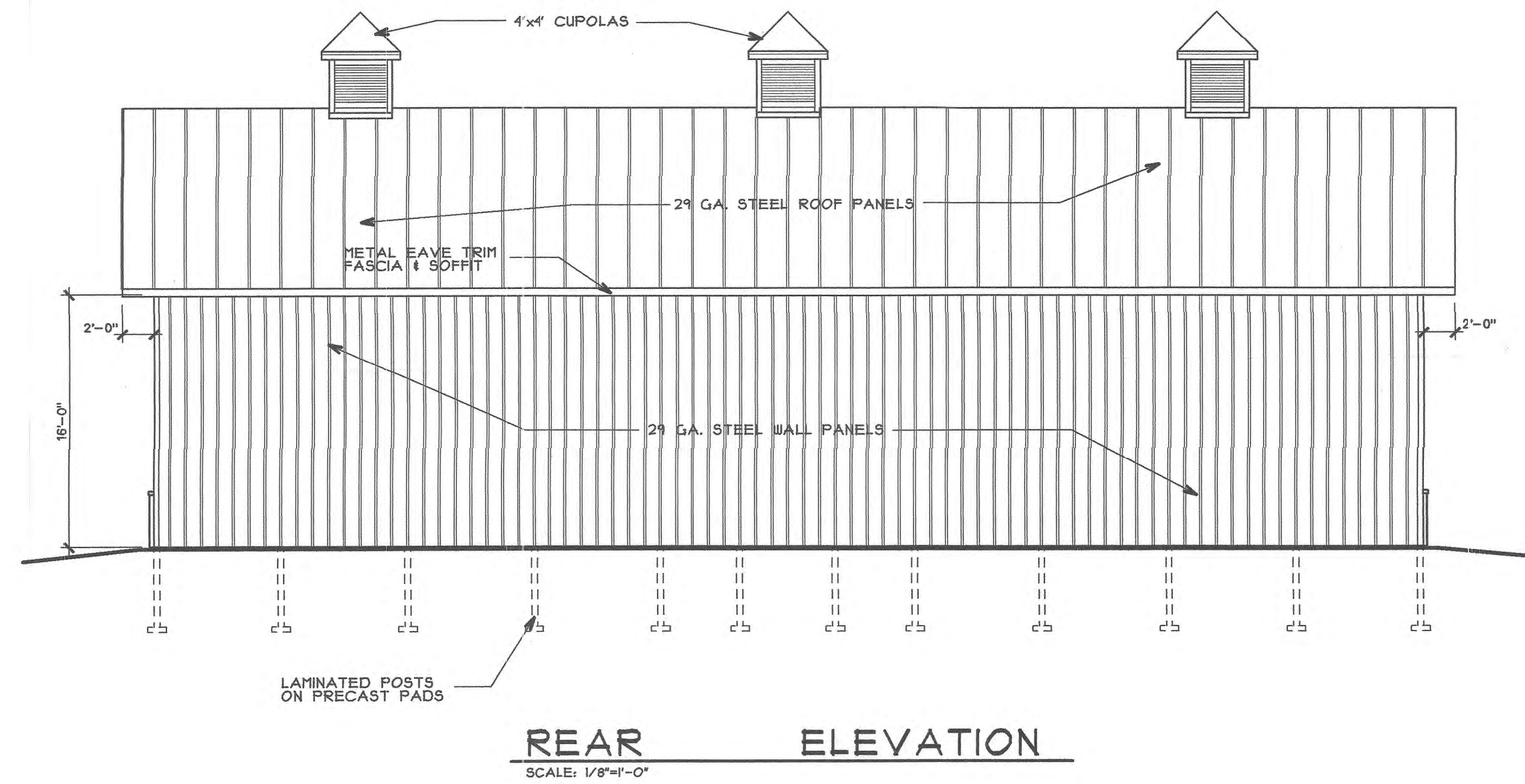
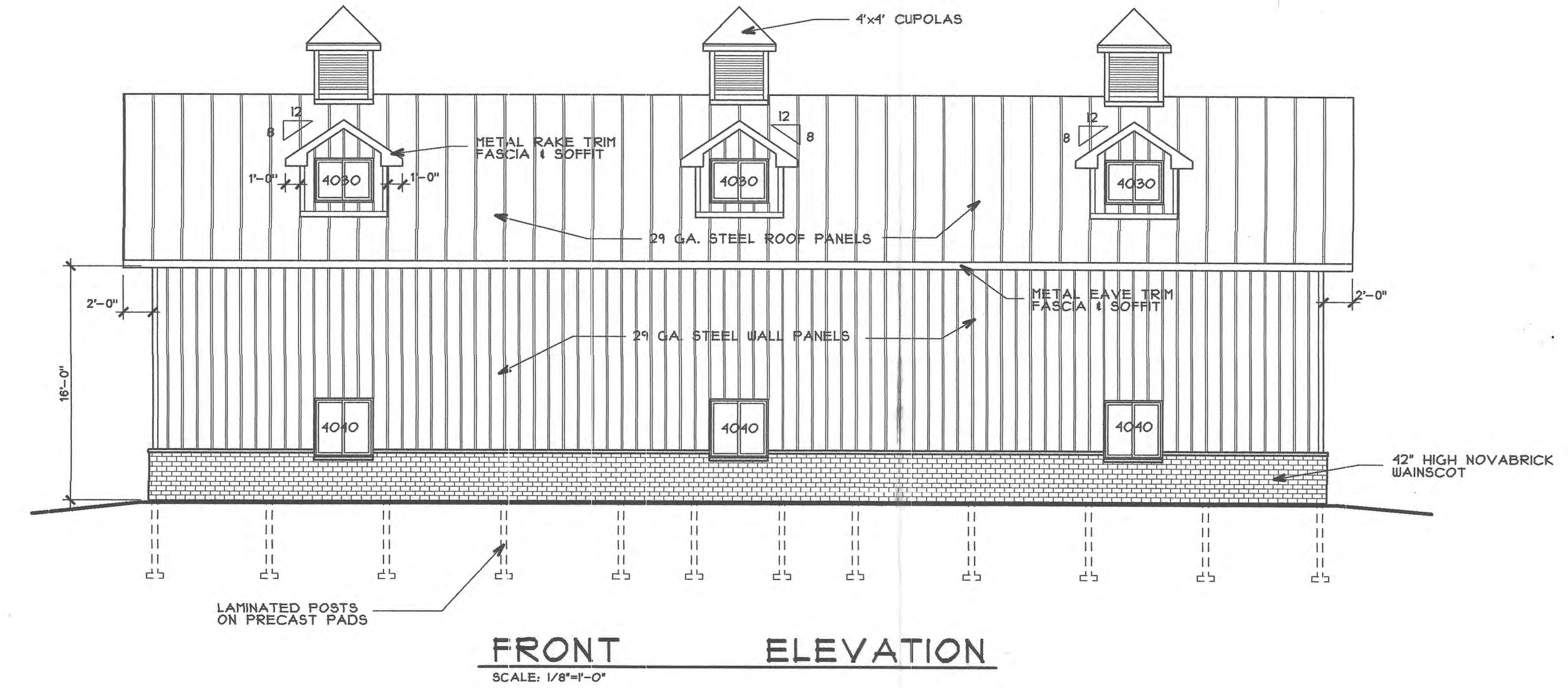
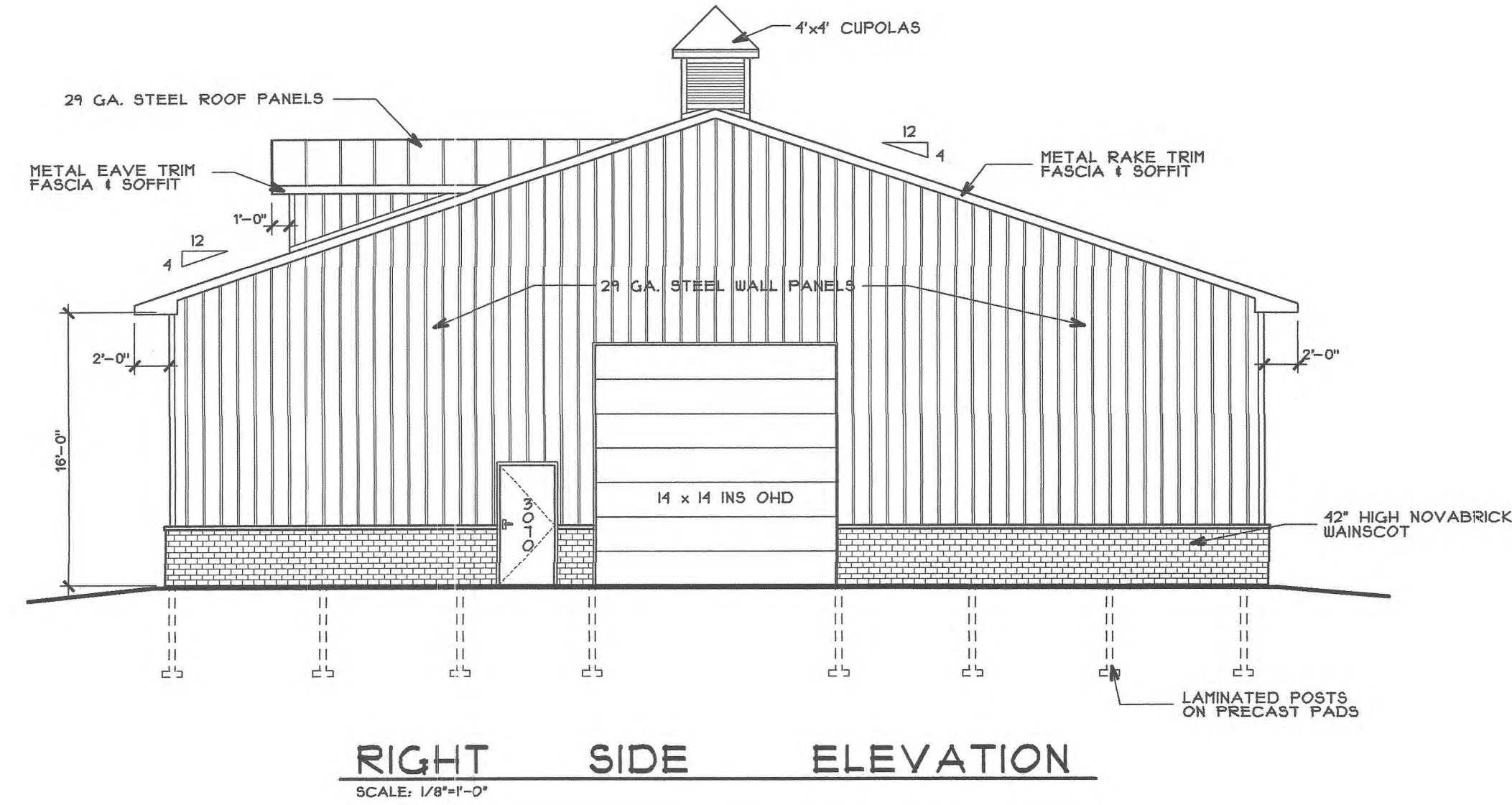


Job: Drywall Plus, Inc.  
Date: 2-27-2019  
Building Size: 64'W x 80'L x 16' Clearance





# PROPOSED NEW BUILDING



PROPOSED STORAGE BUILDING FOR  
DRYWALL PLUS INC.

EXTERIOR ELEVATIONS

**STAPLES ARCHITECTURAL SERVICES**

**BRIAN J. STAPLES - ARCHITECT**

W7898 CREEK ROAD  
DELAWARE, WI. 53115  
PHONE: (262) 949-0522 E-MAIL: staplesarch@charter.net

Proj. # 18-0101  
Date 12/01/18  
Designed by \_\_\_\_\_  
Drawn by BJS  
Checked by BJS  
Revised \_\_\_\_\_

Sheet No.  
**A-1**  
1 of 1 Sheets

3 pages



## II. STORMWATER MANAGEMENT

### A. Applicability and Exemptions

17.06-1

#### Stormwater Management Applicability

Unless otherwise exempted in this ordinance, a stormwater permit under Sec II. shall be required and all stormwater management and other provisions of this ordinance shall apply to all proposed land development activity that meet any of the following:

- (a) Is a subdivision plat
- (b) Any land development activity that may ultimately result in the addition of 0.5 acres or greater of impervious surfaces or that may result in land disturbing activity of one acre or greater.
- (c) Involves the construction of any new public or private road
- (d) Is a land development activity, regardless of size, that P&D determines is likely to cause an adverse impact to an environmentally sensitive area or other property. For purposes of this section, adverse impacts shall include causing chronic wetness on other property due to reoccurring discharges of stormwater, or violating any other stormwater management standard set forth in this ordinance.

17.06-2

#### Applicability Exemptions

The following activities shall be exempt from all of the stormwater requirements of this ordinance:

- (a) Land disturbing activities directly involved in the planting, growing and harvesting of any plant grown for human or livestock consumption and pasturing or yarding of livestock, including sod farms and tree nurseries.
- (b) Land development and land disturbing activities exempted by state or federal law, including highway construction and other projects conducted by a state agency, as defined under s. 227.01 (1), Wisconsin Statutes, or under a memorandum of understanding entered into under s. 281.33 (2), Wisconsin Statutes. To recognize an exemption under this paragraph, P&D may require documentation of the person(s) and regulatory agency charged with enforcing stormwater management for the project.
- (c) Land disturbing activity directly involved in the installation and maintenance of private on-site waste treatment systems (POWTS), as regulated under Chapter 15 of the County Code of Ordinances.
- (d) Land disturbing activities conducted for a project designed, funded or implemented under the supervision of the County Land and Water Conservation Division, the USDA Natural Resource Conservation Service, or the Wisconsin Department of Agriculture Trade, and Consumer Protection, if conducted according to County Conservation Standards.
- (e) Land disturbing activities required for the construction of individual one and two family residential buildings under COMM 21.125 Wisconsin Administrative Code or any accessory structures which are not regulated under COMM 21.125 or COMM 20.25 Wisconsin

**12.22-5 B-5 WHOLESALE TRADE AND WAREHOUSING DISTRICT** (8/9/94)

(a) Primary Purpose and Characteristics

The B-5 Wholesale Trade and Warehousing District is intended to provide for the orderly and attractive grouping at appropriate locations of commercial activities of a wholesale nature, bulk sales, and for the storage of goods and wares. The size and location of such districts shall be based upon relationships to the total community need and economy. All new structures and uses and changes or additions to existing structures and uses shall be in compliance with the site plan review requirements of this ordinance (See Section 12.08-2). (8/6/02)

It is recognized that it is neither possible nor practicable to list all of the principal and accessory uses that are compatible with those listed below and therefore it is intended that the following list of principal and accessory uses only be illustrative. Any individual aggrieved by a failure to list a particular principal or accessory use in this subsection shall have the right to file a petition with the Kenosha County Office of Planning and Zoning Administration pursuant to section 12.35 of this ordinance for a determination as to the similarity of the intended use with the principal and accessory uses listed below.

(b) Principal Uses

- 1 Wholesale and bulk sales, and warehousing of the following products, provided that no outdoor storage is permitted:
  - a. Air conditioning, refrigerated equipment, and supplies.
  - b. Apparel, footwear and accessories.
  - c. Appliances, furniture and home furnishings.
  - d. Automobile equipment.
  - e. Beer, wine, and distilled alcoholic beverages.
  - f. Commercial and industrial machinery, equipment, and supplies.
  - g. Confectionery.
  - h. Drugs and pharmaceuticals
  - i. Electronics
  - j. Food and Groceries (dairy products, fish and seafood, fruit and vegetables, meat and meat products not including slaughtering and outdoor confinement)
  - k. Hardware.
  - l. Household goods.
  - m. Lumber and construction materials.
  - n. Metals and minerals.
  - o. Paint and varnishes.
  - p. Paper and paper products.
  - q. Plumbing and heating equipment and supplies.
  - r. Professional equipment and supplies.
  - s. Service establishment equipment and supplies
  - t. Textiles and fabrics
  - u. Tires and tubes.
  - v. Tobacco and tobacco products.
  - w. Transportation equipment and supplies.
- 2 Mail order distribution centers
- 3 Printing and publishing houses.
- 4 Refrigerated warehousing.

- (c) Accessory Uses
  - 1 Garages for storage of vehicles used in conjunction with the operation of a business.
  - 2 Off-street parking and loading.
  - 3 Office areas customary to the operation of the business.
  - 4 Small wind energy system
  - 5 Solar energy system
- (d) Conditional Uses (See also Section 12.29-8) (8/6/02)
  - 1 Animal hospitals, shelters, veterinary services, and kennels accessory to a veterinarian or animal hospital.
  - 2 Automotive sales, service and repairs including related towing.
  - 3 Construction services including building contractors; carpentering; wood flooring; concrete services; landscaping, lawn care, tree trimming and plowing services; masonry, stonework, tile setting, and plastering services; roofing, siding and sheet metal services; septic tank installers; window installers; and water well drilling services.
  - 4 Freight terminals, yards, freight forwarding services, packing and crating services and related equipment storage and maintenance facilities.
  - 5 Fuel oil, bottled gas, and ice dealers.
  - 6 Fueling stations, automobile servicing and repair.
  - 7 Indoor shooting ranges
  - 8 Laboratories for testing, research, and experimental purposes.
  - 9 Large wind energy system
  - 10 Millwork, lumber yards, saw mills, and planing mills.
  - 11 Petroleum stations and terminals
  - 12 Self-storage facilities.
  - 13 Water storage tanks and towers, radio and television transmitting and receiving towers, and microwave relay stations.
- (e) Lot Area and Width
  - 1 Individual wholesale and warehousing establishments served by public sanitary sewer facilities shall provide a minimum lot area of 10,000 square feet and a minimum frontage of 75 feet in width.
  - 2 Individual wholesale and warehousing establishments served by on-site soil absorption sewage disposal systems or other approved private means of sewage disposal shall provide a minimum lot area of 40,000 square feet and a minimum frontage of 150 feet in width.
- (f) Building Height and Area
  - 1 No building and parts of a building shall exceed 35 feet in height.
  - 2 No maximum or minimum building area shall be required in the B-5 District due to the variety of uses within the District and the diverse building demands of each user.
- (g) Reserved for future use
- (h) Yards

- 1 Street yard - not less than 65 feet from the right-of-way of all Federal, State Trunk, or County Trunk highways; and not less than 30 feet from the right-of-way of all other roads. (8/6/02)
- 2 Shore yard - not less than 75 feet from the ordinary high water mark of any navigable water.
- 3 Side yard - not closer than 25 feet to any other lot line.
- 4 Rear yard - not closer than 25 feet to any other lot line.

**C. CONDITIONAL USES**

**12.29-1 PURPOSE**

A conditional use, as used in this ordinance, is designed to be a flexibility device designed to cope with situations where a particular use, although not inherently inconsistent with the use classification of a particular district, could create special problems and hazards if allowed to develop and locate as a matter of right in a particular district and therefore is in need of special consideration. Often the effects of these uses on the surrounding environment cannot be foreseen until a specific site has been proposed. The nature, character or circumstances of these uses are so unique or so dependent upon specific contemporary conditions that predetermination of permissibility by right or the detailing in the ordinance of all of the specific standards, regulations or conditions necessary or appropriate to such permissibility is not practical, it being recognized that the county is faced with practical difficulties in defining with precision in advance the conditions under which a conditional use permit will be granted. Those conditional uses hereinafter designated as such are deemed to have one or more of the following characteristics when located within certain districts:

- (a) Hazardous, dangerous or harmful to adjoining or nearby parcels, waters or the environment
- (b) Noxious, offensive, a nuisance or otherwise adverse to adjoining or nearby parcels, water or the environment
- (c) Inconsistent with or otherwise adverse to adjoining or nearby land or water uses in the absence of certain conditions

**12.29-2 INTENT**

It is the intent of the Kenosha County Board of Supervisors to allow the hereinafter designated conditional uses within the areas designated by this ordinance in accordance with section 12.29-5(g) of this ordinance and only when the conditions imposed thereon are met. Any conditions so imposed as a basis for granting the conditional use permit shall be binding on all grantees, assignees, heirs, legatees, donees, transferees and trustees of the petitioner.

**12.29-3 PERMITS**

The Kenosha County Planning, Development & Extension Education Committee may authorize the Department of Planning and Development to issue a conditional use permit for conditional uses as specified in each of the aforementioned districts set forth in sections 12.20 to 12.26 after review and a public hearing, as provided herein, provided that such conditional uses and structures are in accord with the provisions of this ordinance, its purpose and intent. (11/5/84)

**12.29-4 APPLICATION (8/6/02)**

- (a) Prior to application, the petitioner shall set up a pre-application conference with Planning and Development staff. This conference is intended to inform the petitioner of the purpose and objectives of these regulations. In so doing, the petitioner and the planning staff may reach mutual conclusions regarding the possible effect of the project on abutting properties and the petitioner will gain a better understanding of subsequent required procedures.
- (b) Applications for conditional use permits shall be made in triplicate to the Department of Planning and Development on forms furnished by the Department of Planning and Development and shall include the following:

- 1 Name, address and phone number of the applicant, owner of the site, architect, professional engineer, contractor, and authorized agent.
- 2 Description of the subject site by lot, block, and recorded subdivision or by metes and bounds; address of the subject site; type of structure; proposed operation or use of the structure or site; number of employees, and the zoning district within which the subject site is located.
- 3 Plat of survey and/or a site plan layout consisting of a survey prepared by a land surveyor registered by the State of Wisconsin or other map drawn to scale and approved by the Department of Planning and Development showing all of the information required under section 12.05-1(h)3 for a zoning permit. In addition, the plat of survey or site plan layout or map shall show the location, elevation and use of any abutting lands and the location and foundation elevations of structures within 50 feet of the subject site; soil mapping unit lines; ordinary high water mark, historic high water marks and floodlands on or within 50 feet of the subject premises, and existing and proposed landscaping. Such plans as, for example, a plan of operation, may be required as well as impact statements. (11/5/86)
- 4 For shoreland and floodland conditional uses, such description shall also include information that is necessary for the County Planning, Development & Extension Education Committee to determine whether the proposed development will hamper flood flows, impair floodplain storage capacity, or cause danger to human, animal or aquatic life. This additional information may include plans, certified by a registered professional engineer or land surveyor, showing existing and proposed elevations or contours of the ground; fill or storage elevation; basement and first floor elevations of structures; size, location, and spatial arrangement of all existing and proposed structures on the site; location and elevation of streets water supply and sanitary facilities; aerial photographs, and photographs showing existing surrounding land uses and vegetation upstream and downstream; soil types and any other pertinent information required by either the Planning, Development & Extension Education Committee or the Department of Planning and Development. (11/5/84)
- 5 Additional information relative to the elimination or alleviation or control of the danger, hazard or nuisance sought to be averted as may be required by the Planning, Development & Extension Education Committee or the Department of Planning and Development, such as, without limitation due to enumeration, ground surface elevations, basement and first floor elevations, utility elevations, detailed landscape plans, plans of operation, hours, parking plans and waste disposal plans as defined in this ordinance, historic and probable future flood water elevations, areas subject to inundation by flood waters, depths of inundation, floodproofing measures, soil type, slope, and boundaries, and plans for proposed structures giving dimensions and elevations pertinent to the determination of the hydraulic capacity of the structure or its effects on flood flows. (11/5/84)
- 6 A list of property owners and parties of interest and their addresses certified by the Kenosha County Assessor's Office as required by section 12.05(1)(e) of this ordinance.

- 7 An agreement to abide by the terms of this ordinance and any permit issued pursuant to it.
- 8 The fee as required by section 12.05-8 of this Ordinance.

#### **12.29-5 REVIEW AND APPROVAL**

- (a) After receipt of a petition for a conditional use permit, the Department of Planning and Development shall place the matter on the agenda for a public hearing before the Kenosha County Planning, Development & Extension Education Committee provided, however, that the requirements of 12.06-4 of this ordinance are complied with. (11/5/84)
- (b) Notice of the aforementioned public hearing shall be published as a class 2 notice in a newspaper of general circulation within Kenosha County pursuant to Chapter 985 of the Wisconsin Statutes and the Wisconsin Open Meeting Law, section 19.81 to 19.98 of the Wisconsin Statutes. In addition, notice of said public hearing shall be mailed to the last known address of all property owners certified by the Kenosha County Assessor as being owners of property within 300 feet of the subject property or parties of interest as defined in this ordinance. Failure to receive notice shall not invalidate any action taken by the committee. After publication and notice, the petitioner may request the Planning, Development & Extension Education Committee for a one-month postponement of the public hearing for good cause and no further publication or notice shall be required, provided, however, that notice of the adjourned hearing date is given in the record at the time of the published hearing. In the event the subject property lies within the shoreland jurisdiction of this ordinance, notice of the public hearing, at least 10 days before the hearing, and a copy of the application shall be mailed to the Southeast District office of the Department of Natural Resources in accordance with section NR115.05(6)(h) of the Wisconsin Administrative Code. In the event the subject property lies within a floodland district, notice of the public hearing and a copy of the application shall be mailed to the Southeast District Office of the Department of Natural Resources in accordance with section NR116.20(2)(c) of the Wisconsin Administrative Code. In the event the subject property is zoned A-1, notice shall be given as required by Wisconsin Statute, section 91.48(2) to the State Department of Agriculture, Trade and Consumer Protection. (3/1/94)
- (c) Upon receiving a petition for a conditional use permit, the Department of Planning and Development shall forward a copy of the petition to the town board and/or town planning commission of the town wherein the parcel is located and of any other town that may be immediately adjacent or opposite of such parcel and shall allow such board or planning commission 45 days to comment on said application. Within said period of 45 days, the town board and/or planning commission shall forward their recommendation to the county Planning, Development & Extension Education Committee along with standards or conditions which are found by them to be necessary for the issuance of a conditional use permit. Said standards or conditions shall be considered by the Planning, Development & Extension Education Committee. In the event that the town board or town planning commission recommends denial of the conditional use permit, said denial shall be considered by the Planning, Development & Extension Education Committee in rendering its decision. (11/5/84)
- (d) In hearing a petition requesting the issuance of a conditional use permit, the Planning, Development & Extension Education Committee shall call the petition at the public hearing. Upon the call of the petition, the petition shall be read by the Chairman of the Committee, and



at the conclusion thereof, the chairman shall hear and receive any evidence or sworn testimony presented by the petitioner or his authorized agent. At the conclusion of the petitioner's presentation, the Chairman shall first ask for any public comments from those in support of the petition and secondly from those in opposition to the petition. Any relevant and material evidence or sworn testimony presented by individuals either in favor of or in opposition to the petition shall be received by the Chairman provided however that said evidence or sworn testimony is properly identifiable for the record. Lastly, the Chairman shall ask for a recommendation from the Department of Planning and Development. (11/5/84)

- (e) Upon receiving the recommendation of the Department of Planning and Development, the Committee may table the petition for a period of up to three months from the date of public hearing so as to allow the petitioner an opportunity to provide any further information deemed pertinent by the Committee or so as to allow the committee members an opportunity to view the site in accordance with the guidelines set forth in section 12.36-11 or consider the conditions for issuing a conditional use permit or to view similar uses already in existence in accordance with the guidelines set forth in section 12.36-11 if a comparison is warranted. All deliberations and decisions of the committee relating to the issuance of a conditional use permit shall, however, be made at a meeting held in conformance with the Wisconsin Open Meeting Law.
- (f) Upon having received all evidence and hearing all sworn testimony relating to the petition, the Planning, Development & Extension Education Committee shall review the site plan, existing and proposed structures, architectural plans, neighboring land and water uses, parking areas, driveway locations, highway access, traffic generation and circulation, drainage, sewage and water systems, the proposed operation, the effects of the proposed use, structure, operation and improvement upon flood damage protection, water quality, shoreland cover, natural beauty and wildlife habitat, and any other pertinent requirements deemed necessary by the committee so as to eliminate, alleviate, or control any hazard, danger, harm, nuisance, adversity or inconsistency that exists or could develop. Upon completion of said review, the committee chairman shall entertain a motion that the committee either grant or deny the petition based upon specific findings and conclusions. (11/5/84)
- (g) In making its determination, the committee shall make the following findings:
  - 1 Identification of the hazard, danger, harm, noxiousness, offensiveness, nuisance or other adversity or inconsistency sought to be averted.
  - 2 The effect of the proposed conditional use on drainage, traffic circulation, and the provision of public services.
  - 3 Existing and proposed methods of eliminating, alleviating or controlling the identified hazard, danger, harm, noxiousness, offensiveness, nuisance or other adversity or inconsistency.
  - 4 That regardless of any other provisions of this ordinance to the contrary allowing for a conditional use permit for a particular use on a particular parcel, that the proposed and applied for use on a particular parcel is not inherently inconsistent with either the district in which it is located or adjoining districts or neighbor-hoods.
- (h) Unless specifically altered by section 12.29-8 of this ordinance, compliance with all of the minimum provisions of this ordinance, dealing with such matters as, without limitation due to enumeration, lot area and width, building height and area, yards, sanitary systems, signs,

parking, loading, traffic and highway access and performance standards shall be required of all conditional uses. Variances shall only be granted as provided in section 12.36 of this ordinance.

- (i) The decision of the committee shall be final unless a motion to review the decision of the committee is made and seconded at the County Board Meeting immediately following the decision of the Committee. All evidence or sworn testimony presented at said public hearing shall be preserved by the Kenosha County Department of Planning and Development. Notice of conditional uses granted in the A-1 Agricultural Preservation District shall be given to the State Department of Agriculture within 10 days following the decision. Notice of conditional uses granted in a floodland district or in any other area where the shoreland jurisdiction is applicable shall be given to the Southeast District office of the State Department of Natural Resources within 10 days following the decision. (3/1/94)
- (j) Any decision of the Kenosha County Planning, Development & Extension Education Committee or the Kenosha County Board of Supervisors related to the granting or denial of a conditional use permit may be appealed as provided for in section 12.35 of this ordinance. (11/5/84)
- (k) Any conditional use permit granted by the committee shall not be valid unless recorded by the applicant in the office of the Kenosha County Register of Deeds within 5 days after the issuance of the permit. Any recording fees shall be paid by the applicant. In addition, the Department of Planning and Development shall keep a record and/or map of all such conditional uses and permits which shall be open to the public.

#### **12.29-6 EXISTING USES**

- (a) All uses existing at the effective date of this ordinance which would be classified as conditional uses in the particular zoning district concerned if they were to be established after the effective date of this ordinance, are hereby declared to be conforming conditional uses to the extent of the existing operation only. Any addition, alteration, extension, repair or other proposed change in the existing operation shall be subject to the conditional use procedures as if such use were being established anew.
- (b) Campgrounds; contractor yards; salvage, wrecking, junk, demolition, and scrap yards; towing services; mineral extraction and related uses; and sanitary landfill uses shall within 180 days after the effective date of this ordinance register with the Department of Planning and Development and submit pertinent data relative to the present operation, including the boundaries of the operation, ownership data, maps or site plan showing the existing layout, and such other data as may be necessary to enable the Department of Planning and Development to create a permanent file establishing the size, layout and operational characteristics of the existing operation. A permit shall be granted to such existing operations for the extent of the existing operation only. The Department of Planning and Development may make a finding that an adequate file already exists concerning an existing operation and may accordingly waive the registration requirement and issue a permit accordingly. Notwithstanding the fact that the aforementioned use may not be permitted within a given district, any addition, extension, or change in the operation of the aforementioned uses may be permitted, provided that such addition, extension or change shall be subject to the conditional use procedures set forth in this ordinance.

- (c) Any other use not mentioned above which was a conforming conditional use before adoption or amendment of this ordinance, but is not a permitted conditional use in the district in which it is now located, shall be considered a legal non-conforming use and shall be subject to the requirements of section 12.28-1 through 12.28-11 of this ordinance.

#### **12.29-7 REVOCATION OF CONDITIONAL USE PERMIT**

Upon a complaint filed alleging non-compliance with the terms of the conditional use permit by any interested party with the Department of Planning and Development, or upon the motion of the Department of Planning and Development, the Planning, Development & Extension Education Committee shall schedule an open hearing within 45 days of the filing of the complaint and shall conduct a hearing pursuant to the general outline set forth in section 12.29-5. Upon a finding that the standards, regulations and conditions set forth in granting the conditional use permit have been violated, the Planning, Development & Extension Education Committee may suspend the conditional use permit until such time as there is compliance with the standards, regulations and conditions imposed in the past. In the alternative, the Committee may revoke the conditional use permit. Any continued operation of the conditional use after a suspension or revocation shall be deemed a violation of this ordinance and subject to the fines set forth in section 12.33 of this ordinance. The action of the Committee may be appealed pursuant to section 12.35 of this ordinance. Any failure to revoke a conditional use permit for past violations shall not operate as a waiver of the right to suppress future violations. (11/5/84)

#### **12.29-8 STANDARDS FOR CONDITIONAL USES**

- (a) In addition to the specific conditions required herein, additional reasonable conditions or requirements which bear a direct relationship to the hazard, danger, harm, noxiousness, offensiveness, nuisance or other adversity or inconsistency sought to be eliminated, alleviated or controlled such as without limitation due to enumeration: environmental, economic or social impact statements, storm drainage plans, landscaping, architectural design, type of construction, floodproofing, ground cover, anchoring of structures, construction commencement and completion dates in accordance with section 12.05-3 of this ordinance, sureties, letters of credit, performance bonds, waivers, lighting, fencing, location, size and number of signs, planting screens, operational control, hours of operation, improved traffic circulation, deed restrictions, highway access restrictions, increased yards or parking requirements, plat of survey maps, certified survey maps, easement or street dedications, increased building areas, increased water supply, essential services and utilities, sanitary and sewage requirements, installation of pollution abatement, security, and/or safety systems, higher performance standards, stages for development of the conditional use, future review of the conditional use operation, conditions surrounding termination of the conditional use permit and the period of time for which the conditional use will be permitted may be required by the Planning, Development & Extension Education Committee if upon its finding these are necessary to fulfill the purpose and intent of this ordinance and so as to eliminate, alleviate or control the hazard, danger, harm, noxiousness, offensiveness, nuisance, adversity or inconsistency sought to be averted. Where studies or impact statements are required, the committee can address problems called to its attention by the imposition of certain conditions aimed at eliminating, alleviating or controlling the problems. (11/5/84)
- (b) The following uses are deemed by the Kenosha County Board of Supervisors to be hazardous, dangerous, harmful, noxious, offensive, a nuisance or otherwise adverse to adjoining or nearby parcels, waters or the environment or inconsistent with or otherwise adverse to adjoining or

nearby land or water uses and therefore should be required to meet certain additional regulations, standards, and conditions hereinafter set forth and/or standards and conditions imposed by the Planning, Development & Extension Education Committee in accordance with section 12.29-5(g) so as to eliminate, alleviate or control the hazard, danger, harm, noxiousness, offensiveness, nuisance, adversity or inconsistency prior to being permitted in the particular district wherein said use is listed as a conditional use: (11/5/84)

- 1 Abrasives and asbestos in the M-2 District.
  - a There shall be adequate containment and disposal of waste and by-products used in the manufacturing of abrasives and asbestos.
  - b There shall be sufficient safeguards to insure against pollution and contamination of surrounding areas so as to insure against damage to the surrounding environment and to further insure against health hazards.
  - c The Department of Planning and Development shall be permitted access to the property and buildings located thereon at any time upon request to determine compliance with the specific conditions set forth by the Planning, Development & Extension Education Committee. (11/5/84)
- 2 Reserved for future use (3/16/04)
- 3 Airstrips, landing fields and hangars for personal or agricultural related uses in the A-1, A-2 and A-4 Districts and airports, heliport pads, aircraft hangars for storage and equipment maintenance and aircraft sales and maintenance in the I-1 District.
  - a The area shall be sufficient and the site otherwise adequate to meet the standards of the federal aviation agency and the Wisconsin Department of Transportation and any other Federal or State agency retaining jurisdiction over such airstrips and landing fields in accordance with their proposed rules and regulations. In no case shall the parcel be less than 35 acres in size.
  - b Any building, hangar or other structure shall be at least one hundred (100) feet from any street or boundary line.
  - c Any proposed runway or landing strips shall be situated so that the approach zones are free of any flight obstructions, such as towers, chimneys, other tall structures or natural obstructions outside the airport site.
  - d There shall be sufficient distance between the end of each usable landing strip to satisfy the requirements of the aforementioned agencies, and no landing strip shall be within 200 feet of any property line. If air rights or easements have been acquired from the owners of abutting properties in which approach zones fall, satisfactory evidence thereof shall be submitted with the application.

- 35 Conversion of a resort into a residential condominium in the PR-1 District, provided that: (8/15/89)
- a All structures shall comply with local building codes. (8/15/89)
  - b The condominium declaration shall be submitted with the conditional use permit application and shall be made part of the permanent review file. (8/15/89)
  - c The applicant shall submit a condominium plat showing how the property will be divided and identifying areas of common ownership. All relevant plat restrictions shall be shown on the face of the plat. Upon approval of the condominium plat, the plat shall be recorded with the Kenosha County Register of Deeds and a copy of the plat shall be made part of the permanent review file for the conditional use. (8/15/89)
  - d The Kenosha County Planning, Development & Extension Education Committee shall specify the permitted dwelling sizes, dwelling height, setback, side yards, rear yard, and shore yard of the resort/condominium conversion and shall make such determinations a part of the permanent file. (8/15/89)
  - e Additions and modifications to the converted condominium shall conform to the lot area, building bulk, and yard requirements of the R-10 District and shall be considered a new conditional use. (8/15/89)
- 36 Construction services including building contractors; carpentering, wood flooring; concrete services; masonry, stonework, tile setting, and plastering services; roofing and sheet metal services; and septic tank and water well drilling services in the B-5 District. (8/9/94)
- a All outside storage and work areas that are within 300 feet from residential, institutional or park districts shall be enclosed by a solid fence with a minimum height of six feet; screen plantings may be required around the perimeter of the use where such perimeter abuts residential districts or where such a screen planting is deemed necessary or advisable depending on surrounding land uses. (8/9/94)
  - b A detailed site and security plan shall be required indicating the location of storage areas, the type of material to be stored and a list of all hazardous materials stored on the property along with precautions necessitated by the storage of such hazardous material. (8/9/94)
  - c Lighting shall be required for the storage and work areas provided, however, that the glare from said lighting does not shine on adjoining properties. (8/9/94)
- 37 Repealed 8/20/91
- 38 Drive-in theaters in the B-3 District.
- a The site shall contain at least ten (10) acres.



## CONDITIONAL USE SITE MAP

PETITIONER(S):

M & W Properties LLC (Owner)

LOCATION:

SE 1/4 of Section 1

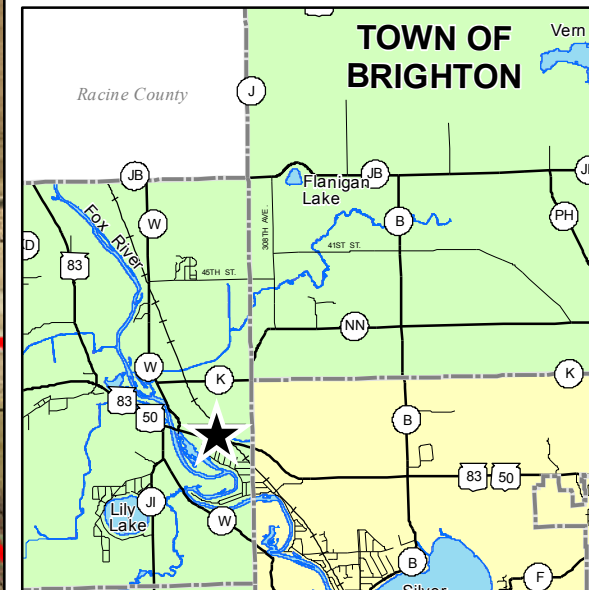
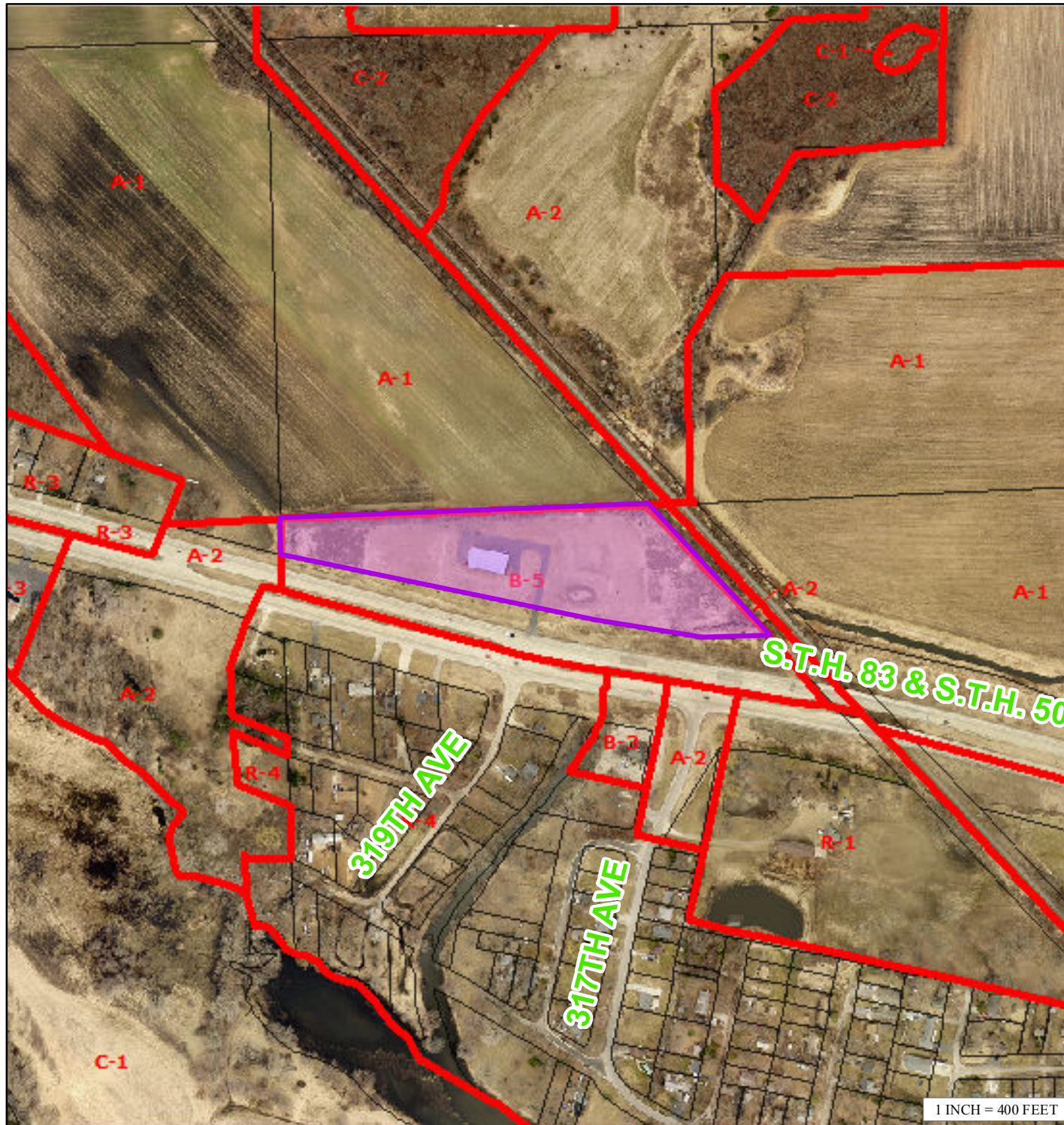
Town 2N, Range 19E, Town of Wheatland

TAX PARCEL(S):

#95-4-119-014-0101

REQUEST:

Requesting a Conditional Use Permit to allow an expansion of an existing construction contractor's warehouse in the B-5 Wholesale Trade and Warehousing Dist.



**Kenosha**



**County**

**BOARD OF SUPERVISORS**

**RESOLUTION NO. \_\_\_\_\_**

Subject: <u>Comprehensive Plan Amendment</u> , Planning, Development & Extension Education Committee, 19600 – 75 <sup>th</sup> Street, Suite 185-3, Bristol, WI 53104 (Sponsor), requests approval of Draft Annual Report, “A Multi-Jurisdictional Comprehensive Plan for Kenosha County: 2035, 2018 Annual Report”			
Original <input type="checkbox"/>	Corrected <input type="checkbox"/>	2nd Correction <input type="checkbox"/>	Resubmitted <input type="checkbox"/>
Date Submitted: July 16, 2019		Date Resubmitted:	
Submitted By: Planning, Development & Extension Education Committee			
Fiscal Note Attached <input type="checkbox"/>		Legal Note Attached <input type="checkbox"/>	
Prepared By: Andy M. Buehler, Director Division of Planning and Development		Signature:	

WHEREAS, in compliance with Wisconsin’s comprehensive planning law set forth in Section 66.1001 of the Wisconsin Statutes, Kenosha County adopted a Multi-Jurisdictional Comprehensive Plan for Kenosha County: 2035 on April 20, 2010; and,

WHEREAS, the Towns of Brighton, Paris, Randall, and Wheatland also adopted said comprehensive plan; and,

WHEREAS, the Planning, Development & Extension Education Committee, 19600 – 75<sup>th</sup> Street, Suite 185-3, Bristol, WI 53104 (Sponsor), requests approval of Draft Annual Report, “A Multi-Jurisdictional Comprehensive Plan for Kenosha County: 2035, 2018 Annual Report” and,

WHEREAS, the Department of Planning and Development has published said request in accordance to State Statutes; and

WHEREAS, the Kenosha County Multi-Jurisdictional Comprehensive Plan Advisory Committee held a meeting on May 28, 2019, and recommended approval of the request; and,

WHEREAS, the Kenosha County Planning, Development & Extension Education Committee held a public hearing on the request on July 10, 2019, and recommended approval of the request.

NOW, THEREFORE, BE IT RESOLVED that pursuant to Sections 59.69 and 66.1001(4) of Wisconsin Statutes, the Kenosha County Board of Supervisors hereby approve/accept the Draft Annual Report, “A Multi-Jurisdictional Comprehensive Plan for Kenosha County: 2035, 2018 Annual Report”.

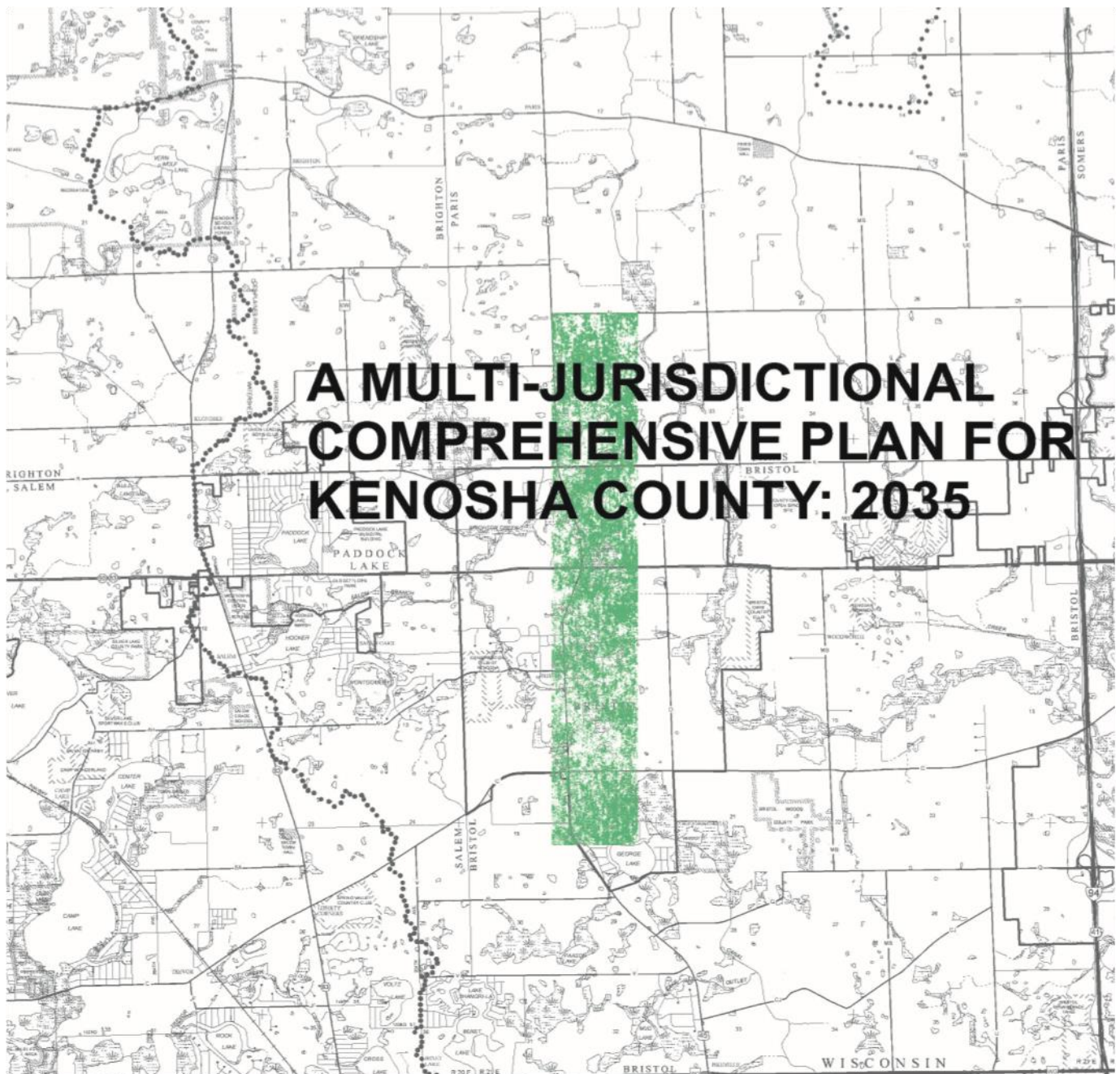
NOW, THEREFORE, BE IT FURTHER RESOLVED that the Kenosha County Board of Supervisors enact an ordinance adopting the comprehensive plan change.

Approved by:

PLANNING, DEVELOPMENT  
& EXTENSION EDUCATION  
COMMITTEE

	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Excused</u>
_____ Erin Decker, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Michael Skalitzky, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ John Poole	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Zach Rodriguez	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Mark Nordigian	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>





2018

ANNUAL REPORT



PREPARED BY:

Ben Fiebelkorn, Senior Land Use Planner

Kenosha County Department of  
Planning & Development

<p><b>Kenosha County Officials</b></p> <p>County Executive</p> <p>Jim Kreuser</p> <p>County Board of Supervisors</p> <p>Daniel C. Esposito – Chairman  John J. O’ Day – Vice Chairman  William Grady  Terry Rose  Jeffrey Gentz  Michael Goebel  David Celebre  Edward Kubicki  Daniel Gaschke  Zach Rodriguez  Andy Berg  Ronald J. Frederick  Gabe Nudo  John Franco  Boyd Frederick  Joseph Cardinali  Jeff Wambolt  Monica Yuhas  Michael J. Skalitzky  John Poole  Mark Nordigan  Erin Decker  Dennis Elverman</p>	<p><b>Multi-Jurisdictional Comprehensive Planning Advisory Committee</b></p> <p>Voting Members</p> <p>Erin Decker..... Planning, Development &amp; Extension Education Committee Chairperson</p> <p>John Holloway..... Town of Paris  Vice-Chairperson</p> <p>Jeff Labahn.....City of Kenosha  Mike Farrell.....Village of Bristol  Jean Werbie-Harris.....Village of Pleasant Prairie  Dennis Faber.... Village of Salem Lakes  George Stoner.....Village of Somers  Susan Crane.....Town of Brighton  Mark Molinaro..... Town of Somers  William Glembocki.....Town of Wheatland</p> <p>Non-Voting Members</p> <p>Todd Battle.....Kenosha Area Business Alliance (KABA)  Nelson Ogbuagu..... Kenosha Area Transit  Mark Edquist.....Farming Community Representative  Pat Finnemore.....Kenosha Unified School District  Colleen Fisch..... Kenosha-Racine Land Trust  Tim Popanda.....Village of Paddock Lake  Sandie Hansen..... Citizen Representative  Robert Stoll..... Town of Randall  Dr. Scott Pierce..... Westosha Central High School District  Lena Schlater..... Realty Industry Representative  Clement Obongwa..... Kenosha County Department of Public Works  Nancy Washburn ..... Building Industry Representative  Lon Wienke..... Village of Twin Lakes</p> <p>Alternate Advisory Committee Voting Members: Rich Schroeder, City of Kenosha; Randy Kerkman, Village of Bristol; Peggy Herrick, Village of Pleasant Prairie; Brad Zautcke, Village of Salem Lakes; Bill Morris, Village of Somers; Susan Crane, Town of Brighton; Virgil Gentz, Town of Paris; Bill Morris, Town of Somers; Sheila Siegler, Town of Wheatland.</p>
<p><b>Planning, Development &amp; Extension Education Committee Members</b></p> <p>Erin Decker - Chairperson  Michael J. Skalitzky - Vice-Chairperson  Mark Nordigan  Zach Rodriguez  John Poole</p>	<p><b>Staff Support</b></p> <p>Kenosha County</p> <p>Andy Buehler..... Director, Division of Planning Operations  Ben Fiebelkorn..... Senior Land Use Planner  Dan Treloar..... County Conservationist</p>

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## INTRODUCTION

Per Part 8 of Chapter XV – Implementation Element of the multi-jurisdictional comprehensive plan (*A Multi-Jurisdictional Comprehensive Plan for Kenosha County: 2035*), the Kenosha County Planning and Development Department has prepared this draft annual report on plan implementation for review by local governments and County officials. This draft annual report includes a list of map amendments made to the plan during the year; major changes to County or local ordinances made to implement the plan (such as the adoption of new zoning districts); a list of new or updated plans related to the multi-jurisdictional comprehensive plan (such as farmland protection or park and open space plans); a list of updated inventory information available from the County or Southeastern Wisconsin Regional Planning Commission (SEWRPC); proposed plan text amendments; and other information identified by local or County officials.

The following is an inventory of work products and other activities related to the *multi-jurisdictional comprehensive plan* conducted by Kenosha County Department of Planning & Development during the period of January 1, 2018 – December 31, 2018.

### Use of the Plan to Guide County Activities

The multi-jurisdictional comprehensive plan (*A Multi-Jurisdictional Comprehensive Plan for Kenosha County: 2035*) served as a guide in the creation and implementation of several County activities. Below is a summary of select key programs implemented from the multi-jurisdictional comprehensive plan.

#### Adoption of the Village of Somers West Side Plan in the Village of Somers

On November 10, 2017 the City of Kenosha, Village of Somers and Town of Paris gained approval of a cooperative plan under Section 66.0307, Wis. Stats. establishing certainty regarding municipal boundaries and land use development. As a result the Village of Somers adopted a comprehensive land use plan map amendment for multiple properties on the west side of the Village.

## LAND USE PLAN MAP AMENDMENTS: 2018

The following is a list of land use plan map amendments that have been made to the multi-jurisdictional comprehensive plan during the period of January 1, 2018 – December 31, 2018.

*△ Notes that an amendment to the Adopted Land Use Plan Map for Kenosha County: 2035 (Map 65) was required. Comparisons of plan categories between the local plan maps and the County map are shown in Appendix S of the multi-jurisdictional comprehensive plan.*

### City of Kenosha

#### Ordinance No. 3-18 △

An ordinance amending the comprehensive plan for the City of Kenosha. The Amendment establishes

various land use designations on multiple tax key parcels in the in the *Paris Growth Area*. Adopted by the City of Kenosha on February 5, 2018.

Ordinance No. 16-18 Δ

An ordinance amending the comprehensive plan for the City of Kenosha. The Amendment changes the land use designation from “Commercial” to “Medium-High Density Residential” on tax key parcel number 05-123-06-479-017 in the City of Kenosha. Adopted by the City of Kenosha on March 5, 2018.

Ordinance No. 58-18 Δ

An ordinance amending the comprehensive plan for the City of Kenosha. The Amendment changes the land use designation from “Commercial” to “Government and Institutional” on tax key parcel number 07-222-25-276-001 in the City of Kenosha. Adopted by the City of Kenosha on September 17, 2018.

Ordinance No. 72-18 Δ

An ordinance amending the comprehensive plan for the City of Kenosha. The Amendment changes the land use designation from “Secondary Environmental Corridor” to “Industrial” on tax key parcel numbers 03-122-04-426-021 and 03-122-04-426-030 in the City of Kenosha. Adopted by the City of Kenosha on December 3, 2018.

**Village of Bristol**

None.

**Village of Pleasant Prairie**

Ordinance No. 18-02 Δ

An ordinance to amend the Village 2035 Land Use Plan Map 9.9 to show the wetland area along the south property as shown an legally described on Exhibit 1 within the Park, Recreation and Other Open Space Lands with a field verified wetland land use designation on the property located at 10700 88<sup>th</sup> Avenue in LakeView Corporate Park and further identified as Tax Parcel Number 92-4-122-291-014; and to update Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan to reflect the above noted changes to the 2035 Land Use Plan Map 9.9. Adopted by the Village of Pleasant Prairie on January 15, 2018.

Ordinance No. 18-05 Δ

An ordinance to amend the Village 2035 Land Use Plan Map 9.9 to change the Park, Recreational and Other Open Space Lands with an Interpolated Wetlands land use designations to the Low-Medium Density Residential land use designation as a result of the Wisconsin Department of Natural Resources confirmation that there are no wetlands on the property generally located on 92<sup>nd</sup> Street east of 11<sup>th</sup> Avenue within Carol Beach Estates Unit #6 Subdivision (Lot 14 of Block 3) and further identified as Tax Parcel Number 93-4-123-184-0985; and to update Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan to reflect the above noted changes to the 2035 Land Use Plan Map 9.9. Adopted by the Village of Pleasant Prairie on February 19, 2018.

Ordinance No. 18-08 Δ

An ordinance to amend the 2035 Land Use Plan Map 9.9 to place the field delineated wetlands shown and legally described on Exhibit 1 (excluding the wetland that received an artificial exemption from the



Wisconsin Department of Natural Resources and verification that the U.S. Army Corps of Engineers is not taking jurisdiction) in the Park, Recreation and other Open Space Lands with a staked wetland land use designation; and to remove the Urban Reserve land use designation from the vacant property (Tax Parcel Number 91-4-122-071-0015); and to update Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan to include said amendments. Adopted by the Village of Pleasant Prairie on March 5, 2018.

Ordinance No. 18-12

An ordinance to amend the 2035 Land Use Plan Map 9.9 to remove the urban reserve land use designation for the properties generally located at the northeast corner of STH 31 and STH 165 and further identified as Tax Parcel Numbers 92-4-122-223-0110 and 92-4-122-223-0202 for the Main Street Market development; and to update Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan to reflect the above noted changes to the 2035 Land Use Plan Map 9.9. Adopted by the Village of Pleasant Prairie on April 16, 2018.

Ordinance No. 18-15 Δ

An ordinance to amend the 2035 Land Use Plan Map 9.9 to change the Freeway Oriented Business Center commercial land use designation to the Production Manufacturing Industrial land use designation on the property identified as Tax Parcel Number 91-4-121-241-0601 and to amend the Village 2035 Land Use Plan Map 9.9 to show the wetland areas as shown and legally described on Exhibit 1 within the Park, Recreation and Other Open Space Lands with field verified wetland land use designations on the property identified as Tax Parcel Number 91-4-121-241-0601; and to update Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan to reflect the above noted changes to the 2035 Land Use Plan Map 9.9. Adopted by the Village of Pleasant Prairie on May 7, 2018.

Ordinance No. 18-18 Δ

An ordinance to amend a portion of the Lakeview West Neighborhood Plan, a component of village of Pleasant Prairie, Wisconsin 2035 Comprehensive Plan as presented at the April 23, 2018 public hearing as shown and described in Exhibit 1; and to amend the land use plan from the Freeway Office Commercial land use designation to High Density Residential with and Urban Reserve for the following Tax Parcel Numbers: 92-4-122-302-0161 and 92-4-122-302-0162; and to update Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan to reflect the above noted changes to the 2035 Land Use Plan Map 9.9. Adopted by the Village of Pleasant Prairie on May 7, 2018.

Ordinance No. 18-22 Δ

An ordinance to amend the 2035 Land Use Plan Map 9.9 to show the wetlands as legally described on Exhibit 1 within the Park, Recreation and Other Open Space Lands with a field verified wetland land use designation on the property located southeast corner of 91st Street and 22nd Avenue and further identified as Tax Parcel Number: 93-4-123-183-0480; and to update Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan to reflect the above noted changes to the 2035 Land Use Plan Map 9.9. Adopted by the Village of Pleasant Prairie on June 18, 2018.

Ordinance No. 18-25 Δ

An ordinance to correctly show the location of the field delineated wetlands (excluding the wetlands allowed to be filled) within the Park, Recreation and Other Open Space lands with the field verified wetland land use designations on the properties as shown and legally described on Exhibit 1/ and the place the non-wetland areas of Outlot 1 of CSM 2849 and Outlot 1 of CSM 2866 into the Park, Recreation and Other Open Space land use designation on the properties generally located at the

northeast corner of 120th Avenue (West Frontage Road) and CTH Q (104th Street) and the northeast corner of 120th Avenue (West Frontage Road) and Goldbear Drive and further identified as Tax Parcel Numbers 91-4-121-241-0701 and 91-4-121-244-0602; and to update Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan to reflect the above noted changes to the 2035 Land Use Plan Map 9.9.amend the 2035 Land Use Plan Map 9.9 to show the wetlands as legally described on Exhibit 1 within the Park, Recreation and Other Open Space Lands with a field verified wetland land use designation on the property located southeast corner of 91st Street and 22nd Avenue and further identified as Tax Parcel Number: 93-4-123-183-0480; and to update Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan to reflect the above noted changes to the 2035 Land Use Plan Map 9.9. Adopted by the Village of Pleasant Prairie on June 18, 2018.

Ordinance No. 18-27 Δ

An ordinance to correctly show the location of the field delineated wetlands (excluding the wetlands allowed to be filled) within the Park, Recreation and Other Open Space lands with the field verified wetland land use designations as shown and legally described on Exhibit 1; and to place the non-wetland areas of Outlot 1 of CSM 2871 into the Park, Recreation and Other Open Space land use designation on the property general located at the northeast corner of 120th Avenue (east Frontage Road) and STH 165 (104th Street) and further identified as part of Tax Parcel Number 92-4-122-193-0166; and to update Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan to reflect the above noted changes to the 2035 Land Use Plan Map 9.9. Adopted by the Village of Pleasant Prairie on June 18, 2018.

Ordinance No. 18-35 Δ

An ordinance to amend the Village 2035 Land Use Plan Map 9.9 as shown and legally described on Exhibit 1 on the property generally located south of Corporate Drive and east of 116th Avenue further identified as Tax Parcel Numbers 92-4-122-302-0161 and 92-4-122-302-012 and the 110th Street right-of-way area proposed to be vacated:

- The woodland area being preserved in the northeast corner and the wetland/floodplain area in the southeastern area of the site are to be located within the Primary Environmental Corridor and the wetlands within these two areas will be located with a field delineated wetland land use designations.
- The other two wetland areas in the southwestern portion of the site shall be placed within a Park Recreation and Other Open Space land use designation with a field delineated wetland land use designation.
- The remainder of the properties will remain in the High Density Residential land use designation.
- The Urban Reserve Designation on the properties shall be removed.
- The location of the 100-year floodplain will remain without changes.

Adopted by the Village of Pleasant Prairie on August 20, 2018.

Ordinance No. 18-40 Δ

An ordinance to amend the 2035 Land Use Plan to amend the Village 2035 Land Use Plan Map 9.9 on a

portion of the property located at 9109 River Road (Lot 1 of CSM 2879 and further identified as part of Tax Parcel Numbers 92-4-122-184-0101):

1. The field delineated wetlands as shown and legally described on CSM 2879 are hereby placed within the Primary Environmental Corridor with a field verified wetland land use designations. The location of the 100-year floodplain will remain without changes and the non-wetland and non-100 year floodplain areas will remain in the low-medium density residential land use designations.
2. Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan is being amended and updated to reflect the above noted changes to the 2035 Land Use Plan Map 9.9

Adopted by the Village of Pleasant Prairie on September 17, 2018.

Ordinance No. 18-44 Δ

An ordinance to amend the Village 2035 Land Use Plan Map 9.9 on the property generally located at the 780 block of 128<sup>th</sup> Street (Lot 2 of CSM 2403 and further identified as Tax Parcel Number 92-4-122-334-0302):

1. The field delineated wetlands and the pond area as shown and legally described on Exhibit 1 are hereby placed within the Secondary Environmental Corridor with a field verified wetland land use designation. The non-wetland areas will be located within the low-medium density residential with an urban reserve land use designation and the 100 year floodplain will remain unchanged.
2. Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan is being amended and updated to reflect the above noted changes to the 2035 Land Use Plan Map 9.9

Adopted by the Village of Pleasant Prairie on October 15, 2018.

Ordinance No. 18-48 Δ

An ordinance to amend the Village 2035 Land Use Plan Map 9.9 on the properties known as Lots 15, 16 and 17 of the Countryside Estates Subdivision and located east of 32<sup>nd</sup> Avenue at 106<sup>th</sup> Place within U.S. Public Land survey Section 25, Township 1 North, Range 22 East of the 4<sup>th</sup> Principal Meridian, in the Village of Pleasant Prairie, Kenosha county, Wisconsin and further identified as Tax Parcel Numbers 92-4-122-252-0445, 92-4-122-252-0446 and 92-4-122-252-0447 as a result of wetland delineations being completed on the properties:

1. To place the field delineated wetlands on Lots 16 and 17, as shown and legally described on Exhibit 1, into the Park, Recreational and Other Open Space Lands with a Wetlands land use designation; and
2. To place the non-wetland areas on Lots 15, 16 and 17 within the Low-Medium Density Residential land use designation. (Note there are no wetlands on Lot 15).



Adopted by the Village of Pleasant Prairie on December 17, 2018.

## **Village of Paddock Lake**

None.

## **Village of Salem Lakes**

### Ordinance No. 18-07-09-(9) Δ

An ordinance to amend the multi-jurisdictional comprehensive plan (A Multi-Jurisdictional Comprehensive Plan for Kenosha County 2035) to change the land use category from "Business/Industrial Park" and "Non-Farmed Wetland" to "Governmental and Institutional" and "Non-Farmed Wetland" on tax parcel 70-4-120-104-0401 in the Village of Salem Lakes. Adopted by the Village of Salem Lakes on July 9, 2018.

## **Village of Somers**

### Ordinance No. ? Δ

An ordinance to amend the land use plan map for the Village of Somers (Map 80) as adopted in the Multi-Jurisdictional Comprehensive Plan for Kenosha County 2035 to change the land use category from Commercial to High-Density Residential on tax parcel 82-4-222-271-0304 & 82-4-222-271-0305 in the Village of Somers. Adopted by the Village of Somers on May 22, 2018.

### Ordinance No. 18-008 Δ

An ordinance to amend the land use plan map for the Village of Somers (Map 80) as adopted in the Multi-Jurisdictional Comprehensive Plan for Kenosha County 2035 to change the land use category on 258 tax parcels in the Village of Somers. Adopted by the Village of Somers on June 26, 2018.

## **Town of Wheatland**

None.

## **Kenosha County**

### Ordinance No. 2018-23 Δ

An ordinance to amend the multi-jurisdictional comprehensive plan (A Multi-Jurisdictional Comprehensive Plan for Kenosha County 2035) to change the land use category from Medium-Density Residential to Medium-Density Residential and Governmental and Institutional on tax parcel 60-4-119-172-1000 in the Town of Randall. Adopted by Kenosha County on March 20, 2018.

### Ordinance No. 2018-16 Δ

An ordinance to amend the multi-jurisdictional comprehensive plan (A Multi-Jurisdictional Comprehensive Plan for Kenosha County 2035) to change the land use from Farmland Protection to General Agricultural & Open Land on tax parcel 45-4-221-161-0102 in the Town of Paris. Adopted by Kenosha County on November 20, 2018.

Ordinance No. 2018-11 Δ

An ordinance to amend the multi-jurisdictional comprehensive plan (A Multi-Jurisdictional Comprehensive Plan for Kenosha County 2035) to change the land use “Farmland Protection” and SEC to Farmland Protection, General Agricultural & Open Land and SEC on tax parcel 30-4-220-334-0201 in the Town of Brighton. Adopted by Kenosha County on August 21, 2018.

Ordinance No. 2018-7 Δ

An ordinance to amend the multi-jurisdictional comprehensive plan (A Multi-Jurisdictional Comprehensive Plan for Kenosha County 2035) to change the land use category from Farmland Protection, SEC and Non-Farmed Wetland to Farmland Protection, Rural-Density Residential, SEC and Non-Farmed Wetland on tax parcel 45-4-221-111-0302 in the Town of Paris. Adopted by Kenosha County on June 19, 2018.

Ordinance No. 2018-2 Δ

An ordinance to amend the multi-jurisdictional comprehensive plan (A Multi-Jurisdictional Comprehensive Plan for Kenosha County 2035) to change the land use category from Farmland Protection and PEC to Farmland Protection, General Agricultural & Open Land and PEC on tax parcel 45-4-221-111-0302 in the Town of Paris. Adopted by Kenosha County on May 9, 2018.

Ordinance No. 2018-5 Δ

An ordinance to amend the multi-jurisdictional comprehensive plan (A Multi-Jurisdictional Comprehensive Plan for Kenosha County 2035) to change the land use category from Suburban-Density Residential to Suburban-Density Residential and Governmental and Institutional on tax parcel 95-4-219-323-0115 in the Town of Wheatland. Adopted by Kenosha County on May 15, 2018.

## MAP 65



## RECOMMENDED PROGRAMS & PRIORITIES

Part 7 of Chapter XV – Implementation Element, included a compilation of programs from each of the plan elements to implement the recommendations set forth in the plan. These programs were to be considered as having the highest priority in implementing the plan and were not listed in priority order.

The following are those recommended high-priority programs as included in the Implementation Element and how they have been addressed by Kenosha County staff during the period of January 1, 2018 – December 31, 2018. The recommended programs have been categorized as completed, continuous, in-progress, not addressed, or discontinued (see table below).

Completed ✓	Continuous ∞	In-Progress ~	Not Addressed ≠	Discontinued Ø
Programs that have been addressed and completed	Programs that are on-going throughout the plan year 2035	Programs that have been addressed but are not yet complete	Programs that have not yet been addressed	Programs that have been discontinued

Note: The following information on recommended programs is up to date and accurate to the best of County staff's knowledge at the time of publication.

### Agricultural, Natural, & Cultural Resources Element (Chapter VIII)

- **∞Program:** Continue to support the Kenosha County Planning and Development Department in its efforts to protect land and water resources, including farmland, and to implement recommendations set forth in the County Land and Water Resource Management Plan.
- **≠Program:** Study the concept of a transfer of development rights (TDR) program and/or a purchase of development rights (PDR) program for local and county government use that focuses on the protection of agricultural areas.
- **✓Program:** Update the *Kenosha County Farmland Preservation Plan* to reflect changes to the Wisconsin Farmland Preservation Program approved by the State Legislature in response to the Working Lands Initiative report. Encourage local governments to participate in developing and implementing the updated County Farmland Preservation Plan. (plan not implemented)
- **∞Program:** Designate Agricultural Enterprise Areas (AEA) containing contiguous lands devoted primarily to agricultural use as recommended in the updated County Farmland Preservation Plan. An AEA may be part of a broader strategy to protect farmland and promote agriculture and agriculturally-related development.
- **ØProgram:** Encourage the implementation of the Purchase of Agricultural Conservation Easements (PACE) program, which provides State funding for the purchase of such easements from willing landowners in order to preserve agricultural capacity and conserve unique agricultural resources.
- **ØProgram:** Update the Kenosha County zoning ordinance to meet or exceed farmland preservation standards in accordance with Section 71.613 and Chapter 91 of the *Statutes*, in order to maintain a



farmer's eligibility for State income tax credits and to implement the County Farmland Preservation Plan.

- **∞Program:** Continue to encourage intergovernmental cooperation to protect farmland, including the use of boundary agreements.
- **ØProgram:** Work with KABA (Kenosha Area Business Alliance) to develop programs to promote an agricultural economic cluster of farming operations and appropriate agri-businesses on lands designated for agricultural use on the County Land Use Plan Map (Map 65 in Chapter IX).
- **∞Program:** Continue to protect lowland portions of environmental corridors and other lowland areas, including wetlands, through enforcement of C-1 district regulations set forth in the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance.
- **∞Program:** Continue to protect upland portions of environmental corridors and other upland areas through enforcement of C-2 district regulations set forth in the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance.
- **∞Program:** Continue to work with the **Seno Kenosha/Racine Land Trust** and other NCOs to protect primary environmental corridors, natural areas, and critical species habitat sites through fee simple acquisitions and conservation easements.
- **∞Program:** Work to protect environmental corridors and natural areas through County and local plat review processes.
- **≠Program:** Consider amending the Rural Cluster Overlay District in the County zoning ordinance to require stewardship plans for the management of common open space in conservation subdivisions.
- **∞Program:** Support and, where applicable, implement sanitary sewer and stormwater management standards recommended in the regional water quality management plan update and subsequent amendments.
- **∞Program:** Incorporate the updated floodplain mapping from the Kenosha County floodplain map modernization project into the County zoning maps following approval of the maps by the DNR and FEMA.
- **∞Program:** Continue to administer and enforce floodplain and shoreland regulations included in the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance.
- **∞Program:** Continue to implement County ordinance requirements related to land suitability to avoid inappropriate development on severe structural or severe wet soils.
- **∞Program:** Maintain, update, and implement recommendations set forth in the Kenosha County Hazard Mitigation.
- **∞Program:** Plan as funding becomes available, including acquisition of properties in the floodplain without "buildable" areas.
- **≠Program:** Consider amending the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance to address Lake Michigan bluff erosion more comprehensively, and develop bluff setback requirements for new development and redevelopment projects, with assistance from the Wisconsin Coastal Management Program and Wisconsin Sea Grant. (Could be considered at the local zoning ordinance level for the City of Kenosha, Village of Somers and the Village of Pleasant Prairie. Not addressed at this time could pursue if need be.)
- **∞Program:** Continue to cooperate with Waste Management/Pheasant Run Landfill to conduct the countywide hazardous household waste collection program, and incorporate other recycling efforts and awareness into the program.
- **∞Program:** Continue to provide education and assistance to citizens on potential environmental

problems that may impact human health, including home health hazards such as mold, lead, and asbestos; indoor and outdoor air quality; solid and hazardous waste; and pest control.

- **✗Program:** Work with local governments and aggregate producers to identify suitable areas with commercially viable sources of sand and gravel. Ideally, suitable areas should be located in sparsely populated areas and not have significant surface natural resources. Exceptions may be considered for innovative mining methods that have minimal impacts on surrounding residents and land uses.
- **✓Program:** Update the County Park and Open Space Plan, including updates from the regional natural areas and critical species habitat plan, to maintain eligibility for DNR Stewardship funding.
- **∞Program:** Continue the development, enhancement, and management of recreational trail facilities to ensure connectivity of such facilities in Kenosha County including potential water trails, as illustrated in Map 61 and potential area-wide recreational bicycle trails, as illustrated in Map 63.
- **∞Program:** Preserve and maintain structures with significant historical value owned by the County.
- **∞Program:** Preserve and maintain sites owned by the County that have significant archaeological value.

## Land Use Element (Chapter IX)

- **∞Program:** Kenosha County will continue to work with Towns to develop land use plans and plan amendments for inclusion in the multi-jurisdictional plan that can be implemented through County land use-related ordinances, and identify and adopt needed amendments to such ordinances.
- **∞Program:** Kenosha County will continue to administer and enforce the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance in unincorporated areas in accordance with State and Federal requirements and the land use plan map (Map 65).
- **✓Program:** Communities may establish urban and rural design guidelines as a Town ordinance for which compliance may be mandatory (regulatory approach by converting guidelines into ordinance regulations) or voluntary (nonregulatory approach by encouraging developers to follow a design manual). As an integral part of this comprehensive plan and in unincorporated Towns, Towns may establish Town-specific urban and rural design guidelines for residential, commercial, industrial, office, business park, village/town center, recreational, and institutional development, provided said design guidelines are first approved by Kenosha County before a design guideline ordinance is enacted by a Town.
- **∞Program:** Encourage a full range of housing structure types and sizes, including single-family, two-family, and multi-family dwelling units, in sanitary sewer service areas to provide affordable housing options for households of all income levels, ages, and special needs projected for Kenosha County in 2035.
- **∞Program:** Encourage the development of nursing homes, community-based residential facilities, and other types of assisted living facilities for the elderly and persons with disabilities in appropriate locations.
- **~Program:** The County and affected local governments should cooperatively identify study areas for integrated land use and transportation plans around IH 94 interchanges and prepare plans for these areas to refine the land use development pattern set forth on Map 65.
- **~Program:** Local governments will consider developing neighborhood plans that include a planned street network plan to provide proper guidance to developers for connectivity of collector and land



access streets between subdivisions.

- **∞Program:** Encourage and support businesses and agribusiness that use “green” development techniques and focus on renewable, alternative, or sustainable energy resources.
- **✓Program:** Kenosha County will work with towns to update County shoreland zoning regulations to comply with pending updates to Chapter NR 115 of the *Wisconsin Administrative Code*.
- **∞Program:** Kenosha County and SEWRPC will continue to provide all inventory and additional planning maps produced for the multi-jurisdictional comprehensive planning process to local governments, on request, to facilitate joint land use planning.

## Housing Element (Chapter X)

- **≠Program:** Kenosha County should study the feasibility of creating a countywide housing trust fund to provide a dedicated source of revenue to support the development and preservation of affordable housing.
- **~Program:** Identify programs and potential funding sources for new programs to assist homeowners in creating more energy-efficient homes and in making needed repairs, including improvements to meet State and Federal lead-safe standards.
- **∞Program:** Continue cooperative efforts between the Kenosha County Health Department and local governments to enforce State public health Statutes, and County and local ordinances concerning dilapidated, unsafe, or unsanitary housing that pose a human health hazard.
- **∞Program:** Support and consider expanding the Kenosha County Housing Authority programs, including the Housing Rehabilitation Loan Program, the Homestead Opportunity Loan Program, and the Fox River Flood Mitigation Program.
- **≠Program:** Encourage local and county governments to incorporate Universal Design requirements into local zoning ordinances and building codes.
- **∞Program:** Continue to support and expand Kenosha County Division of Aging<sup>1</sup> services and programs, which provide support services and information to elderly and physically disabled residents, and to their families.
- **∞Program:** Continue to support nonprofit agencies and Kenosha County’s Division of Aging Services “stay-at-home” services to assist elderly and disabled residents living in traditional homes. Aside from personal and home healthcare, services include adult day care, home modification, housekeeping, meal delivery, lawn care, and snow removal.
- **~In-Program:** Identify causes and solutions for housing shortage as part of county-wide housing initiative.

## Transportation Element (Chapter XI)

- **≠Program:** Kenosha County, in cooperation with local governments, SEWRPC, and State agencies,

<sup>1</sup> The Kenosha County Division of Aging Services, through the Aging and Disability Resource Center, provides information, programs, and services pertaining to transportation, healthcare services, elderly housing, meal programs, benefit services, financial assistance, recreation and education programs, and other services for the elderly and disabled.

should prepare a Countywide transit plan, which would analyze and recommend fully coordinated transit improvements and connections within the County and equitable funding for transit services, in lieu of or as an interim measure until a permanent RTA is formed that would provide regional funding and management of transit services.

- **✓Program:** Prepare and implement City, Village, and Town neighborhood plans, small area plans, and bicycle and pedestrian plans to provide a coordinated system of bicycle and pedestrian trails, collector streets, and local land access streets.
- **≠Program:** Review the recommended transit service improvements set forth in the forthcoming Kenosha Area Transit System Development Plan 2009-2013 and subsequent updates and implement desired recommendations.
- **∞Program:** Continue operation of transportation services for persons with disabilities and elderly residents through operation of the Care-A-Van, Volunteer Escort, Discovery Bus, and similar programs through the comprehensive plan design year 2035.
- **✓Program:** Develop and implement a detailed bike and pedestrian trail plan for Kenosha County under the guidance of an advisory committee to be formed by Kenosha County. The plan should determine specific locations for bike and pedestrian trails and identify potential links to existing trails in Kenosha County, trails in adjacent counties, and a potential east-west trail in the County.
- **~Program:** Consider including facilities for walking and bicycling during the review and approval of all development projects, including street and highway improvements, to provide an alternative to motor vehicle travel and to promote a healthy lifestyle.
- **∞Program:** Continue working with SEWRPC and WisDOT to continue regional planning efforts and to develop methods to promote interconnection between all transportation modes and systems available within the County and the Region.
- **~Program:** Work with SEWRPC, WisDOT, and local governments to comprehensively review and update the Kenosha County jurisdictional highway system plan and to implement its recommendations.
- **≠Program:** Consider preparing and adopting a highway access management ordinance to regulate access to County highways, and coordinate with local governments to develop consistency between County highway access management regulations and local access management/driveway ordinances.
- **ØProgram:** Encourage the use of the design concept called “Complete Streets.”<sup>2</sup>
- **∞Program:** Continue to maintain existing County and local streets and highways, including resurfacing, reconstruction, and patching; snow clearing; sign maintenance; and mowing, trash removal, and tree trimming within highway rights-of-way.

## Utilities and Community Facilities Element (Chapter XII)

- **∞Program:** Continue the cooperative process among DNR, SEWRPC, and County and local governments for coordinated planning of land use, sewage treatment and disposal, stormwater management, and water supply facilities and services.
- **∞Program:** Continue to develop stormwater management plans and ordinances and joint agreements

<sup>2</sup> “Complete Streets” are designed and operated to enable safe access for all users, including pedestrians, bicyclists, motorists, and transit riders of all ages and abilities. See [www.completestreets.org](http://www.completestreets.org) for more information.

to provide centralized and/or shared stormwater management facilities, if cost savings and/or service level improvements would result.

- **∞Program:** Continue to implement recommendations from the Kenosha County Hazard Mitigation Plan to help protect County residents from natural and environmental hazards.
- **≠Program:** Consider the potential establishment of a County manure storage ordinance and a livestock siting ordinance, as authorized under Sections 92.15 and 92.16, respectively, of the *Wisconsin Statutes*.
- **≠Program:** Study the feasibility of providing permanent household hazardous waste drop-off sites in the County.
- **✓Program:** Work with pharmacies, medical centers, health care providers, hospice providers, and veterinarians in Kenosha County to develop a pharmaceutical collection program.
- **∞Program:** Continue local solid waste collection and disposal services and local recycling programs.
- **∞Program:** County and local governments should continue to work with State officials and agencies, private industry, and WE Energies to support projects that improve air quality.
- **∞Program:** Continue to provide public health, health care, and transportation programs and services offered by Kenosha County government departments and agencies, including the Aging and Disability Resource Center, Health Department, Children and Family Services, and the Veterans Service. The programs and services provided by Kenosha County agencies and departments should be assessed during the annual comprehensive plan review process.
- **∞Program:** Periodically assess local fire, police, and EMS services to determine if additional personnel, facilities, and equipment are needed to maintain an acceptable level of service.
- **∞Program:** Continue to provide dispatch services through the integrated County emergency call dispatch center, which is operated by the Kenosha City/County Joint Services-Communications Center and through local dispatch services.
- **∞Program:** Continue to prepare or initiate a Capital Improvements Program (CIP) in the County and in each local government to help identify major public projects, including land acquisition, equipment acquisition, transportation facility development and maintenance (including roadways and transit), building maintenance and development, and park projects; and funding sources to implement desired projects.
- **∞Program:** Cities, villages, and towns will initiate contacts with surrounding communities and the County prior to constructing new facilities or establishing or expanding community services to determine if there are opportunities for joint facilities and services.
- **∞Program:** Kenosha County will initiate contacts with local governments prior to constructing new facilities or establishing or expanding community services to determine if there are opportunities for joint facilities and services.

## **Economic Development Element (Chapter XIII)**

- **∞Program:** Continue administration of the Kenosha County Revolving Loan Fund (RLF) to create employment opportunities, encourage private investment, and provide a means to finance new and expanding businesses, including small businesses, in the County.
- **∞Program:** Support the continued use of Community Development Block Grant – Economic Development (CDBG –ED) funds. The funds can be used for loans to businesses wishing to expand in

Wisconsin or relocate to Wisconsin. The County is able to retain the funds to capitalize the Kenosha County RLF once they are repaid by the businesses.

- **∞Program:** Continue to support UW Extension's efforts to market and link Kenosha County agricultural products, including organic products, to restaurants and stores in Kenosha County and surrounding areas.
- **∞Program:** Continue to support KABA in its efforts to develop and distribute educational materials regarding various funding and incentive opportunities available for businesses located in Kenosha County or wishing to relocate to the County, including Wisconsin Department of Commerce, WHEDA, and Federal financing programs inventoried in Part 2 of Chapter XIII and Appendix U.
- **∞Program:** Encourage and assist KABA to continue involvement and partnership with educational and training programs such as Gateway Technical College Associate's Degree in Management.
- **∞Program:** Encourage and assist KABA's Education Foundation in its efforts to develop education initiatives with local schools to improve the quality of education and increase the number of County residents completing post-high school education.
- **≠Program:** Establish an outreach program to potential employees, including high school students, college students, and their parents to match desired skills.
- **~Program:** Identify sustainable lands to be retained in long-term agricultural use in consultation with Kenosha County and local governments.
- **✓Program:** Develop telecommunications and technology strategies for the County to ensure access to wireless voice and data communications networks for County businesses and residents, including residents who telecommute or operate a home-based business.
- **∞Program:** Support KABA and the Milwaukee 7 in promoting Kenosha County to businesses considering expanding or relocating to Kenosha County from outside the Southeastern Wisconsin Region.
- **≠Program:** Develop an incentive program to attract businesses that utilize sustainable and environmentally-friendly economic development concepts such as the use of renewable energy sources; building and landscape designs that reduce the use of toxic chemicals, reduce the use of impervious building materials, and utilize other "green" development measures; and provide jobs that pay wages sufficient to meet the cost of living in Kenosha County.
- **~Program:** Develop and implement a county-wide retail development strategy.

## Intergovernmental Cooperation Element (Chapter XIV)

- **∞Program:** Provide an arrangement for continuing dialog about land use planning and regulation issues and boundary issues among local governments, and between local governments and Kenosha County. The MJAC and Kenosha County Council of Governments are existing multi-jurisdictional groups that may provide the organizational setting for such discussions.
- **∞Program:** Continue to involve local governments in the promotion of county-wide strategic commerce marketing and the creation of a landing webpage to promote quality of life opportunities across the County.
- **∞Program:** If requested by local governments, Kenosha County will provide technical assistance and data to assist in the development of boundary agreements, subject to staff availability.
- **≠Program:** Consider the preparation of a multi-jurisdictional stormwater management plan, including

counties and local governments adjacent to Kenosha County within the same watershed.

- **∞Program:** Continue working with SEWRPC to prepare new and updated elements of the regional plan, such as the regional transportation, water quality, water supply, natural areas, and telecommunications plans and the County jurisdictional highway system plan.
- **∞Program:** Continue to involve local governments when County land use-related plans or ordinances or plans for developing or delivering County facilities or services are prepared or comprehensively updated.
- **∞Program:** Work with school districts and/or adjacent communities in the district, on request, to assess the impact of proposed new subdivisions on district facilities. Consider inviting school district officials to County and local meetings when new development projects will be discussed, and provide copies of meeting agendas to enhance communications.

## Zoning Ordinances

### Consistency Between the Multi-Jurisdictional Comprehensive Plan and County Ordinances

Section 66.1001 (3) of the Statutes requires that the following ordinances be consistent with a unit of Government's comprehensive plan by January 1, 2010:

- Official mapping established or amended under Section 62.23 (6) of the Statutes.
- County or local subdivision regulations under Section 236.45 or 236.46 of the Statutes.
- County zoning ordinances enacted or amended under Section 59.69 of the Statutes.
- City or village zoning ordinances enacted or amended under Section 62.23 (7) of the Statutes.
- Town zoning ordinances enacted or amended under Section 60.61 or 60.62 of the Statutes.
- Zoning of shorelands or wetlands in shorelands under Section 59.692 (for counties), 61.351 (for villages), or 62.231 (for cities) of the Statutes.

At the time of this annual report, Kenosha County's ordinances mentioned above are consistent with the multi-jurisdictional comprehensive plan. Consideration will also be given to the following potential changes to the County zoning ordinance, which have been identified in Town land use and comprehensive plans:

- **≠Program:** The addition of "open space" suburban cluster subdivision options in the R-2 and R-3 Districts to foster and accommodate "open space" suburban cluster subdivisions served by public sanitary sewer service and which would be located within approved sanitary sewer service areas.
- **≠Program:** Site plan review for uses proposed in residential zoning districts.
- **~Program:** The addition of landscaping standards and bufferyard requirements.
- **ØProgram:** Amend the Farmland Preservation Zoning Ordinance per s. 91.34, Wis. Stats., by December 31, 2015 to be consistent with the revised FPP.
- **✓Program:** With assistance from SEWRPC, Kenosha County adopted a new land division ordinance entitled The Kenosha County Land Division Ordinance on September 19, 2017.

## UPDATED INVENTORY DATA

None.

## PROPOSED PLAN AMENDMENTS

### Proposed Plan Text Amendments

None.

## SUMMARY

In the seventh year of implementation, Kenosha County staff has continued to work on some significant programs as recommended by the multi-jurisdictional comprehensive plan. These programs include work on study areas for integrated land use and transportation plans around IH 94 interchanges and plans for these areas to refine the land use development pattern set forth on Map 65, and continued work to update landscaping standards and bufferyard requirements found in the county zoning code.

Between January 1, 2018 and December 31, 2018 the adopted land use plan map for Kenosha County had 26 amendments. This included four amendments within the City of Kenosha, thirteen amendments within the Village of Pleasant Prairie, one amendment within the Village of Salem Lakes, two amendments within the Village of Somers and six amendments within the unincorporated areas of Kenosha County (Towns of Brighton, Paris, Randall, Somers and Wheatland).

### Summary of Recommended Programs and Priorities

Below is a summary of completed, continuous, in-progress, not addressed, and discontinued programs related to the *Kenosha County multi-jurisdictional comprehensive plan* conducted by Kenosha County staff during the period of January 1, 2018 – December 31, 2018.

	Completed ✓	Continuous ∞	In-Progress ~	Not Addressed ≠	Discontinued Ø
<b>Agricultural, Natural, &amp; Cultural Resources Element</b> (27)	2 (7.4%)	18 (66.7%)	0 (0.0%)	4 (14.8%)	3 (11.1%)
<b>Land Use Element</b> (10)	2 (20.0%)	6 (60.0%)	2 (20.0%)	0 (0.0%)	0 (0.0%)
<b>Housing Element</b> (8)	0 (0%)	4 (50.0%)	2 (25.0%)	2 (25.0%)	0 (0.0%)
<b>Transportation Element</b> (10)	1 (10.0%)	3 (30.0%)	2 (20.0%)	3 (30.0%)	1 (10.0%)



<b>Utilities and Community Facilities Element (15)</b>	1 (6.7%)	11 (73.3%)	0 (0%)	2 (13.3%)	1 (6.7%)
<b>Economic Development Element (13)</b>	1 (7.7%)	7 (53.8%)	2 (15.4%)	2 (15.4%)	1 (7.7%)
<b>Intergovernmental Cooperation Element (7)</b>	0 (0.0%)	6 (85.7%)	0 (0.0%)	1 (14.3%)	0 (0.0%)
<b>Zoning Changes (5)</b>	1 (20.0%)	0 (0.0%)	1 (20.0%)	2 (40.0%)	1 (20.0%)
<b>TOTAL: (95)</b>	<b>8 (8.4%)</b>	<b>55 (57.9%)</b>	<b>9 (9.5%)</b>	<b>16 (16.8%)</b>	<b>7 (7.4%)</b>

All other programs recommended in the multi-jurisdictional comprehensive plan that are not included in this annual report are considered on-going programs that should continue to be carried out throughout the life of the plan.

### Summary of Updated Inventory Data

None.