

Appendix

TOWN OF MERRIMAC ORDINANCE NO. 2017-21

The Town Board of the Town of Merrimac, Sauk County, Wisconsin, ordain that the Town of Merrimac Zoning Ordinance be amended as follows:

1. Sections 8.03, 8.04, and 8.05 are created to read as follows:

8.03: Buildings, structures and land shall be used, and buildings and structures shall hereafter be erected, structurally altered or enlarged only for the following uses, plus such other uses as the commission and town board may deem similar and not more obnoxious or detrimental to the public health, safety and welfare. Allowable Commercial Uses include:

1. Retail Sales
2. Repair Services
3. Banks and financial institutions
4. Clinics or medical offices
5. Gym or health club
6. Professional Offices

8.04: The following uses may be permitted subject to a conditional use permit:

1. Public buildings.
2. Restaurants (except drive-ins).
3. Taverns.
4. Commercial daycare center

8.05: The following uses are expressly prohibited in the Crossroads Commercial District:

1. Residential uses;
2. Any combination of residential or nonresidential uses in any building or structure or on any lot;
3. Trailer parks;
4. Industrial uses;
5. Adult bookstore, adult mini-motion picture theater, adult motion picture arcade, adult motion picture theater and massage establishment:
 - a. Located within 500 feet of any area zoned for residential use;
 - b. Located within 500 feet of the property line of any of the following uses or facilities:
 1. Church or other facility used primarily for worship or other religious purposes,
 2. City, county, state, federal or other governmental public buildings, including, but not limited to: city halls, schools, libraries, police and fire stations and post offices,
 3. Hospitals and convalescent facilities,
 4. Parks and playgrounds,
 5. Senior, youth or similar centers;

2. Sections 9.03, 9.04, and 9.05 are created to read as follows:

9.03: Buildings, structures and land shall be used, and buildings and structures shall hereafter be erected, structurally altered or enlarged only for the following uses, plus such other uses as the commission and town board may deem similar and not more obnoxious or detrimental to the public health, safety and welfare.

A. Recreational Uses:

1. Archery range;
2. Batting cages;
3. Billiard parlor;
4. Bowling alleys;
5. Community Gardens;
6. Cross country skiing;
7. Nursery school or day nursery; provided it is operated in conjunction with the recreation facilities;
8. Picnic and barbecue facilities;
9. Playground;
10. Skating rinks;
11. Swim parks, natatoriums;
12. Tennis courts.
13. Professional offices
14. Commercial daycare center

B. Related commercial uses including, but not limited to, the following, when operated in connection with those uses listed in subsection (A) of this section:

1. Brew Pub or Micro-Brewery;
2. Off-street parking lot;
3. Restaurants;
4. Sporting goods stores;
5. Sports equipment rental and incidental maintenance;

9.04: The following uses may be permitted subject to a conditional use permit:

1. Clubs and lodges;
2. Conversion of residential buildings to nonresidential uses.
3. Fishing and fly-casting ponds;
4. Education or health activities including private schools, trade schools and health spas;
5. Liquor, on-sale;
6. Public riding stable;
7. Bed & Breakfasts, Hotels, or Motels.
8. Taverns
9. Downhill Skiing
10. Golf driving range
11. Golf pitch and putt courses
12. Lawn and court games
13. Miniature golf courses

9.05: The following uses are expressly prohibited in the Recreational Commercial District:

1. Residential uses;
2. Any combination of residential or nonresidential uses in any building or structure or on any lot;
3. Trailer parks;
4. Industrial uses;
5. Adult bookstore, adult mini-motion picture theater, adult motion picture arcade, adult motion picture theater and massage establishment:
 - a. Located within 500 feet of any area zoned for residential use;
 - b. Located within 500 feet of the property line of any of the following uses or facilities:
 1. Church or other facility used primarily for worship or other religious purposes,
 2. City, county, state, federal or other governmental public buildings, including, but not limited to: city halls, schools, libraries, police and fire stations and post offices,
 3. Hospitals and convalescent facilities,
 4. Parks and playgrounds,
 5. Senior, youth or similar centers;

3. Section 7.04 is modified to include (changes underlined):

7.04: Standards

- 1) Dimensional Rules and Standards for All Uses in this District
 - a) Lot area: All lots or parcels shall be sufficient in size and shape to satisfy highway setbacks, water setback, rear and side yard setbacks, off-street parking and sanitary requirements, and all lots or parcels shall meet the following minimum area and width requirements:
 - 1) Those lots provided with public sewer shall have a minimum area of 10,000 square feet and a minimum width of 100 feet.
 - 2) Those lots not provided with public sewer shall have a minimum lot area of 20,000 square feet and a minimum width in accordance with Department of Industry, Labor, and Human Relations Safety and Professional Services provisions for a Private Onsite Wastewater Treatment System.
 - b) Side yard: Nothing shall be built within 10 feet of any side lot line.
 - c) Rear yard: Nothing shall be built within 10 feet of any rear lot line.
 - d) Height: No building shall exceed 35 feet in height above grade.
 - e) Floor area: No residence shall contain less than 1,000 square feet of living area with a minimum width of 20 feet.
 - f) Home occupation and professional home offices shall be incidental to the principal residential use, situated in the same building, carried on by the residential occupant, and subject to the following conditions:
 - 1) Such use shall not occupy more than 20 percent of the floor area of the residence in which it is located.
 - 2) Such use shall not employ on the premises more than 2 full-time people not residents of the premises.

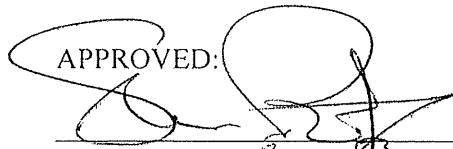

- 3) Any off-street parking area provided shall be paved, maintained and adequately screened from adjoining residential properties.
- 4) Such use shall not include the outside storage of materials or other operational activity which would create a nuisance or be otherwise incompatible with the surrounding residential uses.
- g) Signs: Only those signs listed below shall be permitted and all signs shall meet the standards of this Ordinance governing signs in addition to those below:
 - 1) Signs to advertise a home occupation or professional home office, provided that such sign shall not exceed 6 square feet in gross area.
 - 2) Temporary signs to advertise the sale, rent, lease or trade of the property on which the sign is placed, provided that such sign shall not exceed 6 square feet in area, except in subdivisions or unplatted lands newly opened for sale, such sign shall not exceed 32 square feet in area.
- h) Setbacks: Refer to the requirements set forth in Section 2.19.
- i) All lots shall have a limit of one dwelling unit per lot, except as permitted through a Planned Area Development (PAD).


2) Dimensional rules and Standards for Conditional Uses

- a) Conditional uses must be determined:
 - 1) Not to cause unusual public service needs
 - 2) Not to produce traffic which results in a major slowing of highway traffic, i.e. volume, ingress, egress
 - 3) To be compatible with residential use in this district
 - 4) Not to adversely affect property values in the area
 - 5) Not to cause population densities which would unreasonably overburden the land or required public services
 - 6) Not to endanger public health or safety or create a public nuisance

The Town Board further ordain that the above amendments of the Zoning Ordinance shall be effective immediately upon adoption and publication of this ordinance as provided by law.

The foregoing ordinance was adopted by the Town Board of the Town of Merrimac at a meeting held on December 6, 2017.

APPROVED: 
 ATTEST: 

Posted 12/7/17 

Published _____

TOWN OF MERRIMAC
ORDINANCE NO. 2017-22

The Town Board of the Town of Merrimac, Sauk County, Wisconsin, ordain that the Town of Merrimac Zoning Ordinance be amended as follows:

1. Section 2.30 (2) is amended to include these conditions:
 - q. The property owner is required to have owned the property at least two years.
 - r. The property must be at least 1,000 feet from any commercial property, school or daycare, and any other vacation rental establishment.
 - s. There shall be no outdoor storage of any kind allowed on the subject property, with the exception of trailers; and watercraft, snowmobiles, or ATVs on trailers.
 - t. No recreational vehicle or tent may be used for living or sleeping purposes.
 - u. The property owner shall post at the main entrance contact information for the owner and the contact information of a local property manager who can be reached twenty-four (24) hours a day, seven (7) days a week.
 - v. The property shall not be leased for a period of less than 7 days.

2. Section 2.30 (3) is created to read:

Description: A dwelling unit available for overnight, weekend or weekly stays by paying guests, which may or may not be owner-occupied for parts of the year. These uses are often referred to as vacation rentals and include timeshare units. This land use category is distinct from Bed and Breakfast, Commercial Indoor Lodging, and Boarding House land uses.

3. Section 2.30 (4) is created to read:

All leases 29 days or less are prohibited unless a conditional use permit has been granted in accordance with Section 2.30 of this ordinance. Leases over 29 days are not subject to the requirements of this Section.

The Town Board further ordain that the above amendments of the Zoning Ordinance shall be effective immediately upon adoption and publication of this ordinance as provided by law.

The foregoing ordinance was adopted by the Town Board of the Town of Merrimac at a meeting held on December 6, 2017.

APPROVED:

ATTEST:

POSTED 12/7/17

