

June 17th, 2024
4:30PM

City Hall, Council Chambers
23 N 2nd St

AGENDA

**COUNCIL
MEMBERS**

STEVEN E TASKAY
MAYOR
TERM EXP. 2026
PRESIDING OFFICER

MICKEY LOKA
TERM EXP. 2025

PATRICIA E. HASKIN
TERM EXP. 2026

ED NYSTROM
TERM EXP. 2027

JEFF KAHLE
TERM EXP. 2025
PRESIDENT

DALE ERNST
TERM EXP. 2026

WILL GARSKE
TERM EXP. 2027

MIKE LOKA
TERM EXP. 2027

TADD WEGENER
TERM EXP. 2025

STEVE "DING" BARTZ
TERM EXP. 2026

- A. **Call to Order**
- B. **Roll Call**
- C. **Pledge of Allegiance**
- D. **Public Comments** (During this item on the agenda the Council listens to oral comments from members of the public on non-agenda items. When speaking please state your name and limit your time to five minutes.)
- E. **Ordinances**
 - 1. 2024-02, an ordinance of the City of Tomahawk to amend the Municipal Code, Chapter 94 Traffic and Vehicles, Article III. Operation of Vehicles Generally, Section 97-73 One-Way Traffic
- F. **Schedule Next Meeting Date and Time**
 - 1. July 2, 2024 at 5:30 p.m.
- G. **Adjournment**

Any additions to this agenda will be added to the original posted at City Hall. Any person who has a qualifying disability as defined by the Americans with Disabilities Act, that requires the meeting or materials at the meeting to be in an accessible location or format must contact the Clerk-Treasurer at City Hall, 453-4040, at least three days prior to the meeting so any necessary arrangements can be made to accommodate each request.

**City of Tomahawk Planning and Zoning Commission
Notice of Public Hearing**

NOTICE IS HEREBY GIVEN that a Public Hearing will be conducted by the City of Tomahawk Planning and Zoning Commission on Monday, June 17th, 2024 beginning at 4:00 p.m. at Tomahawk City Hall, 23 N 2nd Street, Tomahawk, WI to consider an amendment to the Zoning Code. The purpose of this hearing is to accept public comments on the proposed amendment.

During the Public Hearing, the public is invited to speak on the proposed Zoning Amendment. The Public Hearing shall be closed when all interested parties in attendance have had the opportunity to offer comment.

**Proposed Amendment to the City of Tomahawk Zoning Code
Section 17-27(6) M-1 Manufacturing
*Buffer Yard Requirement***

(6) *Buffer Yard Requirement.* Buffer yards shall be required where manufacturing uses, including the storage of materials, vehicles, and equipment, are located adjacent to a residential ~~use~~ district. Where a premise used for manufacturing is adjacent to the side yard or rear lot line of a residential ~~use~~ district, the manufacturing use shall be set back a minimum of 25 feet from the lot line. All manufacturing process(es) and uses that are not carried on in and enclosed building, including the outdoor storage of materials and equipment, shall be screened along any residential district boundary by a solid fence, not less than six feet high, or by evergreen plantings maintained at a height of not less than six feet high providing a year-round visual screen when viewed from the residential side.

Upon the close of the Public Hearing, the City Zoning Planning and Commission and Common Council shall take up the Amendment per the agenda.

Amanda L. Bartz, CMC
Clerk/Treasurer

Dated May 17th, 2024

Published in the Tomahawk Leader May 29th and June 5th, 2024

Underline = Text Added

~~Strikethrough~~ = Texted Removed

Section 17-27. M-1, Manufacturing District.

(1) *Intent.* The M-1, manufacturing district is intended to provide for warehousing, manufacturing or fabrication operations which, on the basis of physical and operational characteristics, would not be detrimental to the immediate surrounding area or to the city as a whole by reason of smoke, odor, noise, dust, flash, traffic, physical appearance or other similar factors; and to establish such regulatory controls as will reasonable insure (ensure) compatibility with the surrounding area in this respect. All uses in this district must meet the State of Wisconsin emission requirements.

(2) *Permitted Uses.*

(a) Buildings and yards for the storage and wholesale of goods and materials other than chemical, flammable, liquid, gaseous, vaporous or explosive substances where such goods or materials are temporarily stored inside a building or within an open area visually screened from public streets or highways and adjacent non-industrial uses.

(b) All uses involving the manufacture and fabrication of goods within the confines of a building and in compliance with any applicable state Department of Natural Resources permit requirements and in which no smoke, noise, dust, flash or odor produced in the manufacturing process is released from the building in excess of the standards contained in Section 17-42 of this Appendix A.

(c) All uses involving the provisions of a service (i) which is either manufacturing or fabrication-related and not permitted in business districts confined within a building; (ii) which is in compliance with any applicable state Department of Natural Resources permit requirements; and (iii) in which no smoke, dust, flash, heat, noise or odor produced by such service uses is released from the building in excess of the standards contained in Section 17-42 of this Appendix A.

(d) Residential uses permitted in the R-3 district, subject to the lot size, yard requirements, and other dimensional requirements of the R-3 district.

(e) Hospitals and clinics.

(f) Self-service storage facilities.

(Ordinance Number 2001-1, § 1, 5-15-2001; Ordinance Number 2001-4 § 1, 6-27-2011; Ordinance Number 2014-04, 02-04-2014)

(3) *Accessory Uses.*

(a) Enclosed as well as screened areas for the storage of materials other than explosive or flammable materials or substances used in the manufacturing or fabrication process.

(b) Offices normally accessory to the principal use.

(c) Garages for the storage of vehicles used in conjunction with the operation of the warehouse or industrial use.

(d) Auxiliary power generators.

(e) Off-street parking and loading areas.

(4) *Conditional Uses.*

(a) Buildings, structures or tanks used for the storage of chemicals, flammable liquids and gaseous or vaporous structures.

(b) Contractor's yards and the outdoor storage of construction equipment.

(c) Refuse transfer stations and recycling collection centers.

(d) Truck terminals/distribution centers.

(e) Municipal buildings and facilities, utility substations, water towers and water and wastewater treatment plants, public parks and public recreational facilities.

(f) Day care facilities licensed by the state.

(g) Communication towers, antennas and structures used for the transmission or reception of electromagnetic waves.

(h) Cemeteries, crematoriums.

(i) Adult establishments, as defined herein, and provided that either one of the following two conditions (of subsection i.) 1. or 2. are met:

(1) The person applying for the conditional use permit demonstrates that the building where the use shall occur is not located within 1,000 feet of any residential dwelling, rooming unit, hospital, church, school or stores frequented by persons under the age of 18 years, whether such structures are located in this city or in a contiguous town. The 1,000 foot distance shall be measured via a straight line from the nearest corners of such building to any portion of the parcel of land containing a residential dwelling, rooming unit, hospital, church, school or store frequented by persons under the age of 18 years; or

(2) The person applying for the conditional use permit files with the city clerk a petition favoring the proposed use signed by a minimum of 51 persons representing a minimum of 51 percent of the adult persons owning or occupying property within a radius of 1,000 feet of the location of the proposed establishment. The petitioner shall attempt to contact all eligible locations within the 1,000 foot radius and shall submit with the petition a list of all addresses at which no contact was made and, as far as practicable, a list of all persons refusing to sign the petition. In the event that the 1,000 foot radius is not sufficiently populated to provide a minimum of 100 adult persons owning or occupying property, the radius shall be increased in increments of 100 feet until there shall be an area large enough to contain 100 property owners and occupants. The petition circulated shall state the specified activities and/or specified anatomical area intended to be displayed and the conditional use permit sought. The 1,000 foot radius and 100-foot increments shall be measured as set forth above.

(3) One year after the date on which the conditional use permit is granted, and every year on that date thereafter, the person granted the conditional use permit shall provide information

to the plan (planning and zoning) commission to verify that either of the above conditions is met in order for the conditional use permit to be continued for the following year.

(4) The applicant shall provide the names and addresses of the owners and occupants of all property within 100 feet of the proposed establishment, measured as set forth above. In case of a protest signed by the owners or occupants of 20 percent or more of the land directly opposite thereto extending 100 feet from the street frontage of such opposite land, the grant of a conditional use permit shall require a vote of three-fourths of the members of the plan (planning and zoning) commission.

(5) *Dimensional Requirements.*

Lot width	Minimum 100 feet
Lot area	Minimum 20,000 square feet

Principal building:

Front yard	Minimum 25 feet
Side yards	Minimum 15 feet
Side yard adjacent to a residential use	Minimum 25 feet
Rear yard	Minimum 20 feet
Building height	Maximum 40 feet
Percentage of lot coverage, including parking and loading	Maximum 80 percent

Accessory buildings:

Front or street yard	Not allowed
Side yards and rear yards	Minimum 3 feet

(6) *Buffer Yard Requirement.* Buffer yards shall be required where manufacturing uses, including the storage of materials, vehicles and equipment, are located adjacent to a residential use. Where a premise used for manufacturing is adjacent to the side or rear lot line of a residential use, the manufacturing use shall be set back a minimum of 25 feet from the lot line. All manufacturing process(es) and uses that are not carried on in and enclosed building, including the outdoor storage of materials and equipment, shall be screened along any residential boundary by a solid fence, not less than six feet high, or by evergreen plantings maintained at a height of not less than six feet high providing a year-round visual screen when viewed from the residential side.

(7) *Site Plan.* Required.