

**CITY OF KAUKAUNA
ORDINANCE 1880-2023**

**ORDINANCE AMENDING THE COMMERCIAL HIGHWAY DISTRICT CH. 17,
SEC 17.22 IN THE MUNICIPAL CODE OF ORDINANCES**

WHEREAS, the Common Council of the City of Kaukauna, having reviewed the recommendation of the City Plan Commission regarding the proposed changes to Municipal Code of Ordinances and having scheduled a public hearing then to be decided by the Common Council; and

WHEREAS, after due notice as required by law, a public hearing having been held on the 22nd of February, 2023 at 7:00 p.m., and the Common Council having heard all interested parties or their agents and attorneys;

NOW THEREFORE, be it ordained by the Common Council of the City of Kaukauna, in the State of Wisconsin, as follows:

SECTION 1: AMENDMENT “17.22 CHD Commercial Highway District” of the City of Kaukauna Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

17.22 CHD Commercial Highway District

1. *Purpose.* This district is intended to provide highway-oriented uses convenient to major streets. Many of these uses require large lot areas, do not readily relate to pedestrian circulation, require significant parking and loading areas and require the use of the highway and other heavily travelled major street for commercial visibility or transportation.
2. *Permitted principal uses and structures.*
 - a. See section 17.21(2).
 - b. Drive-in banks and restaurants.
 - c. Building equipment and supply establishments.
 - d. Taverns, billiard parlors, and bowling alleys.
 - e. Automobile, boat, construction equipment and farm implement sales, service, repair, and automobile filling stations.
 - f. Wholesale and warehouse establishments.
 - g. Mortuaries.
 - h. Veterinary hospitals and dog kennels.
 - i. Senior care or day nursery.
 - j. Medical, health, or social services.
 - k. Financial and professional services.
 - l. Uses not explicitly enumerated in the section as permitted uses but determined

by the Community Development Director to be closely related or similar to other uses permitted within this section.

3. *Permitted accessory uses and structures.* Uses and structures customarily accessory and clearly incidental to permissible principal uses and structures.
4. *Special exception uses and structures.*
 - a. Public utility installations.
 - b. Light manufacturing uses, including packaging bottling, storage, and laboratory uses, provided all activities are conducted in completely enclosed buildings.
 - c. Commercial recreational uses, such as golf and archery ranges, rinks, and the like.
 - d. Residential Medical Facility.
 - e. Uses permitted in Residential Multifamily Zoning (RMF). If RMF is the primary use of the site, all applicable standards and requirements from section 17.19 shall apply.
 - f. Agricultural related uses.
 - g. Gardens, orchards, and nurseries, including where an office or store is maintained on the premises.
5. *Dimensional requirements.* For all permissible principal uses and structures, the following apply:
 - a. *Minimum dimensions.*
 - (1) Lot area: 15,000 square feet.
 - (2) Lot width: 100 feet.
 - (3) Front yard setback: twenty-five feet (25').
 - (4) Side yard setback: ten feet each (10').
 - (5) Rear yard setback: ten feet.
 - b. *Maximum dimensions.*
 - (1) Lot coverage: .Thirty five percent (35%). As a special exception, the Plan Commission may increase the lot coverage up to forty five percent (45%).
 - (2) Height: Fifty-six feet (56') or four stories, whichever is less. As a special exception, the Plan Commission may increase the maximum height and stories up to eighty-four feet (84') or six stories, whichever is less.
 - c. *Required yards.* Any required yard adjacent to a residential district shall be subject to the landscaped buffer requirements of section 17.32(10). To eliminate hazards involved in unchanneled ingress and egress, a landscaped strip not less than five feet in depth if at the front and five feet in width if at the side shall be required along any lot line adjacent to a street. Except for accessways, such strip shall be continuous for the entire length of the lot line adjacent to the street.
6. *Permitted accessory signs.* For all permissible principal uses and structures, for each ten lineal feet of frontage on a public street, frontage being determined by the principal entrance to the premises, a maximum of one sign and 30 square feet of sign area. The

sign area may be used in a lesser number of signs than permitted, but the maximum number of signs shall not be exceeded even though the total area permitted is not used. No sign shall be erected within five feet of any lot line.

7. *Off-street parking requirements.*

- a. *Applicable parking requirements as specified in the CBD district.* See section 17.21(7).
- b. *Wholesale and warehouse establishments.* One per 300 feet of floor space.
- c. *Light manufacturing.* One per employee on maximum shift.

(Code 2011, § 17.22)

AFTER AMENDMENT

17.22 CHD Commercial Highway District

1. *Purpose.* This district is intended to provide highway-oriented uses convenient to major streets. Many of these uses require large lot areas, do not readily relate to pedestrian circulation, require significant parking and loading areas and require the use of the highway and other heavily travelled major street for commercial visibility or transportation.
2. *Permitted principal uses and structures.*
 - a. See section 17.21(2).
 - b. Drive-in banks and restaurants.
 - c. Building equipment and supply establishments.
 - d. Taverns, billiard parlors, and bowling alleys.
 - e. Automobile, boat, construction equipment and farm implement sales, service, repair, and automobile filling stations.
 - f. Wholesale and warehouse establishments incidental to a permitted commercial use.
 - g. Mortuaries.
 - h. Veterinary hospitals and dog kennels.
 - i. Senior care or day nursery.
 - j. Medical, health, or social services.
 - k. Financial and professional services.
 - l. Uses not explicitly enumerated in the section as permitted uses but determined by the Community Development Director to be closely related or similar to other uses permitted within this section.
3. *Permitted accessory uses and structures.* Uses and structures customarily accessory and clearly incidental to permissible principal uses and structures.
4. *Special exception uses and structures.*
 - a. Public utility installations.
 - b. Light manufacturing uses, including packaging bottling, storage, and laboratory uses, provided all activities are conducted in completely enclosed buildings.
 - c. Commercial recreational uses, such as golf and archery ranges, rinks, and the like.

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

(Code 2011, § 17.22)

PASSED AND ADOPTED BY THE CITY OF KAUKAUNA COMMON COUNCIL

_____.

Presiding Officer

Attest

Anthony J. Penterman, Mayor, City of
Kaukauna

Sally Kenney, Clerk, City of
Kaukauna