

**TOWN OF GRAND CHUTE
OUTAGAMIE COUNTY, WISCONSIN
O-01-2024**

AN ORDINANCE OF THE TOWN BOARD OF THE TOWN OF GRAND CHUTE, OUTAGAMIE COUNTY, WISCONSIN AMENDING EXISTING CHAPTER 535 OF THE CODE OF GENERAL ORDINANCES FOR THE TOWN OF GRAND CHUTE, OUTAGAMIE COUNTY, WISCONSIN, BY AMENDING SECTION 535-11 PERTAINING TO ZONING DEFINITIONS, AMENDING SECTION 535-24(D)(7) PERTAINING TO SPECIAL EXCEPTION USES AND STRUCTURES IN THE AGD GENERAL AGRICULTURAL DISTRICT, AMENDING SECTION 535-36(E)(6) PERTAINING TO SPECIAL EXCEPTION USES AND STRUCTURES IN THE CL LOCAL COMMERCIAL DISTRICT, AMENDING SECTION 535-38(D)(12) PERTAINING TO SPECIAL EXCEPTION USES AND STRUCTURES IN THE CP PLANNED COMMERCIAL DISTRICT, AND AMENDING SECTION 535-39(C) PERTAINING TO PERMITTED PRINCIPAL USES AND STRUCTURES IN THE IND INDUSTRIAL DISTRICT.

WHEREAS, Chapter 535 of the Town of Grand Chute Municipal Code provides certain zoning definitions, regulates certain special exception uses and structures, and regulates warehouse and storage establishments; and

WHEREAS, the Town of Grand Chute has determined the need to amend said Municipal Code for purposes of clarifying certain zoning definitions, regulating certain special exception uses and structures, and regulating warehouse and storage establishments.


NOW, THEREFORE, BE IT ORDAINED by the Town Board of the Town of Grand Chute, that Chapter 535 of the Code of General Ordinances is hereby amended Section 535-11, 535-24(D)(7), 535-36(E)(16), 535-38(D)(12), and 535-39(C) as shown on the attached Exhibit "A".

Dated this 6 day of February, 2024.

This ordinance shall take effect and be in full force from and after its passage and publication or posting.

I hereby certify that the foregoing ordinance was duly adopted by a majority of the Town Board with a quorum present at a properly noticed meeting.

Town of Grand Chute


By: Jason Van Eperen
Town Chair

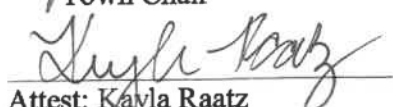

Attest: Kayla Raatz
Town Clerk

Exhibit "A"
TOWN OF GRAND CHUTE
ORDINANCE, SERIES OF O-01-2022

AN ORDINANCE OF THE TOWN OF GRAND CHUTE, OUTAGAMIE COUNTY, WISCONSIN, AMENDING EXISTING CHAPTER 535 OF THE CODE OF GENERAL ORDINANCES FOR THE TOWN OF GRAND CHUTE, OUTAGAMIE COUNTY, WISCONSIN, BY AMENDING SECTION 535-11 PERTAINING TO ZONING DEFINITIONS, AMENDING SECTION 535-24(D)(7) PERTAINING TO SPECIAL EXCEPTION USES AND STRUCTURES IN THE AGD GENERAL AGRICULTURAL DISTRICT, AMENDING SECTION 535-36(E)(6) PERTAINING TO SPECIAL EXCEPTION USES AND STRUCTURES IN THE CL LOCAL COMMERCIAL DISTRICT, AMENDING SECTION 535-38(D)(12) PERTAINING TO SPECIAL EXCEPTION USES AND STRUCTURES IN THE CP PLANNED COMMERCIAL DISTRICT, AND AMENDING SECTION 535-39(C) PERTAINING TO PERMITTED PRINCIPAL USES AND STRUCTURES IN THE IND INDUSTRIAL DISTRICT.

Chapter 535 Zoning (Existing code to be amended)

§ 535-11. Definitions.

For the purpose of this chapter, the following terms are defined:

ACCESS CONTROLLED SELF-STORAGE FACILITY — A completely enclosed, climate-controlled storage complex where individuals store their personal possessions for a fee. All possessions stored on-premises shall be located within a completely-enclosed and secure area dedicated to each individual customer's exclusive use; outdoor storage of personal possessions is prohibited. Access to storage spaces associated with a climate controlled self-storage facility shall be from the interior of the building only, with no direct exterior access to storage spaces allowed. Buildings should be designed and located so that overhead doors including loading and unloading areas shall not be visible from the adjacent public right-of-way. Access controlled self-storage facilities are not considered warehouses or self-storage facilities; see § 535-11, Warehouse, Self-Storage Facility; definition.

ACCESSORY USE OR STRUCTURE — A use or structure on the same lot with the principal use or structure and of a nature customarily incidental and subordinate to the principal structure.

AIRPORT (PUBLIC) — Any airport which complies with the definition contained in Ch. 114, Wis. Stats., or any airport which serves or offers to serve common carriers engaged in air transport.

ALLEY — A public or approved private way which affords only a secondary means of access to abutting property.

ALTERATION — A change or rearrangement in the structural parts of a structure, an enlargement of a structure, whether by extending on the side or by increasing the height, or the movement of a structure from one location to another.

AUTOMOBILE — A motorized passenger vehicle, car, van, or lightweight truck designed for operation on ordinary roads.[Added 6-21-2011 by Ord. No. 2011-16]

AUTOMOBILE FILLING STATION — Buildings and premises where gasoline, oil, grease, batteries, tires and automobile accessories and convenience retail goods may be supplied, dispensed and sold and where minor repair or maintenance work may be performed, such as ignition service, tire repair, repair and replacement of minor parts such as pumps and filters and the like. A filling station is not a repair or body shop.

AUTOMOBILE SALVAGE YARD — Premises used for the storing, dismantling, crushing, shredding or disassembly of used motor vehicles or their parts.

BILLBOARD — See Article XV, Signs and Billboards, § 535-105, of this chapter.[Amended 2-

SELF-STORAGE FACILITY – A building or premises consisting of individual secure storage units directly accessible by a customer through a locked door specific to each unit where individual customers store their personal possessions for a fee. All possessions stored on-premises shall be within completely-enclosed buildings except motor vehicles, recreational vehicles or boats, and other similar motorized equipment may be stored outdoors on the premises provided the screening requirements in § 535-39(D)(2) are met. Self-storage facilities are not warehouses or access controlled self-storage facilities; see § 535-11, Warehouse, Access Controlled Self-Storage Facility; definition.

SHRUB — A woody plant, smaller than a tree, which consists of small stems or branches at the ground and which is of either deciduous or evergreen species.[Added 4-7-2011 by Ord. No. 2011-09]

SIGN — See Article XV, Signs and Billboards, § 535-105 of this chapter.⁴

SPECIAL EXCEPTION — Those uses or structures that may not be appropriate generally or without restriction throughout a district but which, if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, welfare, comfort, convenience or the general welfare. Such uses or structures may be permitted in a zoning district if they meet the requirements of the district in which they are located and Article XI.

STABLE — Premises where more than one horse (livestock) is boarded, raised, kept or trained regardless of whether such horses are (livestock is) owned by the occupants or owners of the premises. A stable shall provide not less than one acre of lot area per horse.

STABLE, RIDING — Premises on which horses are (livestock is) kept for the purpose of renting them to the public on any basis. A riding stable shall consist of not less than five acres.

~~**STORAGE ESTABLISHMENT** — Premises where goods and materials or more than three motor vehicles, recreational vehicles or boats are stored for a fee.~~

STORY — That portion of a building, other than a basement, that is between the surface of any floor and the surface of the next floor above it or, if there is not a floor above, then the space between such floor and the ceiling next above it.

STREET LINE — The dividing line between the street and the lot. The street line shall be the same as the legal right-of-way line.

STRUCTURE — Anything constructed or erected with a fixed location on the ground or attached to something with a fixed location on the ground.

TREE — A large, woody plant having one or several self-supporting stems or trunks and numerous branches and which is of either deciduous or evergreen species.[Added 4-7-2011 by Ord. No. 2011-09]

TREE, ORNAMENTAL — A deciduous tree planted primarily for ornamental value or screening purposes and which at maturity will tend to be smaller than a shade tree.[Added 4-7-2011 by Ord. No. 2011-09]

TREE, SHADE — A deciduous tree planted primarily for its high crown of foliage or its overhead canopy.[Added 4-7-2011 by Ord. No. 2011-09]

VARIANCE — A relaxation of the terms of this chapter where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of this chapter would result in unnecessary and undue hardship. Variances may be granted only if they meet the requirements of Article XII of this chapter.

VEHICLE, COMMERCIAL — Any vehicle subject to registration fees under § 341.25(2), Wis. Stats., or any vehicle primarily intended for commercial business use, including trailers, semi-tractors/trailers, and school buses.[Added 6-21-2011 by Ord. No. 2011-16]

VEHICLE, RECREATIONAL/UTILITY — Any motorized or nonmotorized vehicle (other than

a passenger vehicle, car, van, or lightweight truck) primarily manufactured for the express purpose of providing recreational/utility activities, including but not limited to motor homes, trucks with camper shells, unmounted camper shells, camper and travel trailers, horse trailers, all-terrain vehicles, boats, jet skis, snowmobiles, motorcycles, farm or lawn/garden tractors, golf carts, neighborhood electric vehicles, ice shanties, utility trailers, trailers used to transport recreational/utility vehicles, and any motorized or nonmotorized vehicles similar to those listed herein.[Added 6-21-2011 by Ord. No. 2011-16]

WAREHOUSE – A building where raw material or manufactured goods may be transported to and from and stored before its export or distribution for sale and includes distribution facilities and transportation terminals. Warehouses are not considered self-storage facilities or access controlled self-storage facilities; see § 535-11, Self-Storage Facility, Access Controlled Self-Storage Facility; definition.

YARD — An open space, other than a court, on a lot, unoccupied and unobstructed from the ground upward; provided, however, that fences, walls, poles, posts and other customary yard accessory ornaments and furniture may be permitted in any yard subject to height limitations and requirements limiting obstruction to visibility. "Required yard" means that minimum distance specified by these regulations measured from the property line.

YARD, FRONT — A yard extending across the front of a lot between the side lot lines and extending from the street line to the nearest line of the principal structure or projection of the principal structure.

YARD, REAR — A yard extending across the rear of a lot between the side lots lines and extending from the rear property line to the nearest line of the principal structure or projection of the principal structure.

YARD, SIDE — A yard extending between the nearest building or projection thereof and the side lot line and extending from the front yard to the rear yard.

§ 535-24. AGD General Agricultural District.

D. Special exception uses and structures.

- (7) Warehouses, self-storage facilities, access controlled self-storage facilities, storage, and building supply establishments subject to the conditions in Subsection D(1) above. Self-storage facilities shall also be subject to the setback requirements outlined in § 535-39(C)(8).

§ 535-36. CL Local Commercial District.

E. Special exception uses and structures.

- (6) Light manufacturing uses and structures, such as packaging, bottling, storage facilities and laboratories, provided that all activities are conducted within completely enclosed buildings not involving odor, noise, smoke or other noxious effects detectable to normal senses from off the premises.

§ 535-38. CP Planned Commercial District.

D. Special exception uses and structures.

- (12) Light manufacturing uses and structures, such as packaging, bottling, ~~and storage facilities~~ and laboratories, provided that all activities are conducted within completely enclosed buildings, not involving odor, noise, smoke or other noxious effects detectable to normal senses from off the premises.

§ 535-39. IND Industrial District.

C. Permitted principal uses and structures.

- (1) Wholesaling ~~and warehouse, warehouse, storage or distribution~~ establishments (except bulk storage of flammable liquids), and uses of a similar nature.
- (2) Printing and publishing.
- (3) Service establishments catering to commercial and industrial uses, including business machine services, linen supply, freight movers, communication services, canteen services and uses of a similar nature.
- (4) Light manufacturing uses, including bottling, packaging, laboratories and uses of a similar nature.
- (5) Manufacturing uses, including production, processing, cleaning, testing and the distribution of materials and goods, except wrecking yards, fertilizer and chemical manufacture and canneries or slaughterhouses. All manufacturing uses are subject to the provisions of Subsection G.
- (6) Building contractor with storage yard.
- (7) Transportation terminals.

- (8) **Self-storage facilities, provided the following setback requirements are met. Self-storage facilities shall have a setback of 1,000 feet from the right-of-way line closest to the use of all federal, state, and county highway rights-of-way, which include but are not limited to Federal Highway Interstate-41, State Highways 15, 47, 96, 125, and 441, and County Highways A, AA, BB, CA, CB, E, EE, GV, JJ, and OO. The 1,000-foot buffer includes all buildings, outdoor vehicles, and parking/pavement areas. Sites with existing self-storage facilities, and those with a Site Plan approved by the Town of Grand Chute Plan Commission, prior to the date of this amendment are exempt from the setback requirement described above and shall be classified as conforming uses. Additionally, the setback requirement described above shall only be applicable to properties located west of State Highway 47, properties east of State Highway 47 shall be exempt from the setback requirements described above.**
- (9) **Access controlled self-storage facilities.**

