

ORDINANCE No. 2009-12

**An Ordinance Amending Sec. 13-1-71 of
the City of Cedarburg Code of Ordinances Pertaining
to the Community Exhibition District
and Amending Sec. 13-1-82(f)(3) and (4) Pertaining to
Landscaping and Surfacing, Curbing, Storm Sewers
within the Parking Requirements**

The Common Council of the City of Cedarburg, Wisconsin, hereby ordains as follows:

SECTION 1: Section 13-1-71 of the City of Cedarburg Municipal Code is hereby amended to read as follows:

SEC. 13-1-71 COMMUNITY EXHIBITION GROUNDS DISTRICT

- (a) **Purpose.** The CEG district is a special-purpose zoning district intended to provide for areas where exhibition ground uses can be carried out. This district is intended to allow uses of an active recreation nature, and related uses conducted by community groups and civic entities. ~~Limited commercial uses are permitted only when sponsored by community-based organizations.~~ To qualify for this district, lands must be owned by a community-based, non-stock, not-for-profit organization or governmental entity or agency thereof. Because the uses permitted in the CEG District can have an impact on surrounding properties and on the nearby street system, uses permitted by right shall be limited to the permitted uses indicated below. Any extensions thereof, or new operations, shall be processed as conditional uses.
- (b) **Permitted Uses.**
- (1) Archery ranges.
 - ~~(1)~~(2) Assembly areas and meetings for Community and Business Groups.
 - ~~(2)~~(3) Athletic/sporting events, practices and facilities.
 - ~~(3)~~(4) Boat shows, storage and display.
 - ~~(4)~~(5) Circuses.
 - ~~(5)~~(6) Dog, horse, and livestock shows.
 - (7) Educational activities related to small animals.
 - ~~(6)~~(8) Exhibitions, ~~and exhibition halls~~ conventions, trade shows, family, community, and church celebrations.
 - ~~(7)~~(9) Fairs and festivals including uses, concerts, food booths and stands, games, rides, sales and auctions, demolition derbies.
 - ~~(8)~~(10) Fire Department training and demonstrations.
 - (9) ~~Horse shows, stables and riding rings.~~
 - (10) ~~Livestock shows and stables.~~
 - (11) Remodeling and normal maintenance of permitted uses.
 - ~~(11)~~(12) Sales and display of new and used merchandise.

- ~~(12)~~(13) Educational activities related to small animals.
 - (14) Training and educational activities for Community or Governmental Entities.
 - ~~(14)~~(15) Vehicle storage shows and displays.
 - ~~(15)~~ Remodeling and normal maintenance of permitted uses not requiring expansion, enlargement or extensions.
- (c) **Permitted Accessory Uses.**
- (1) Buildings and structures accessory to the principle permitted uses.
 - (2) Off-street parking and loading areas.
 - (3) Food sales (excluding restaurants) only in conjunction with other permitted uses.
 - (4) Overnight camping associated with permitted and conditional uses.
- (d) **Conditional Uses.**
- (1) ~~Amphitheaters.~~ Expansions, enlargements or extensions of a permitted use.
 - (2) ~~Amusement parks.~~ Amphitheaters.
 - (3) ~~Aquariums.~~ Amusement parks.
 - (4) ~~Archery ranges.~~ Aquariums.
 - ~~(5) Arenas and field houses.~~
 - ~~(6) Auditoriums.~~
 - ~~(7) Expansions, enlargements or extensions of a permitted use.~~
 - ~~(8)~~(5) Military installations and operations.
 - ~~(9)~~(6) Stadiums.
 - ~~(10)~~(7) Zoos.
- (e) **Lot Area and Width.** No minimum area and width. Lots in the CEG District shall provide sufficient area for the principle permitted use, principle structures and accessory structures, loading areas, and all required yards.
- (f) **Setback and Yards.**
- (1) ~~The street yard setback shall be a minimum of twenty (20) feet from an existing or planned public street right-of-way. There shall be a minimum building setback of twenty (20) feet from the ultimate right-of-way of all existing and future public streets.~~
 - (2) ~~A setback of not less than ten (10) feet shall be provided from all interior lot lines for buildings existing prior to the date of adoption of this Ordinance. There shall be a minimum of ten (10) feet from all interior lot lines for existing buildings.~~
 - (3) ~~Any buildings constructed after the date of adoption of this Ordinance shall be located a minimum of ten (10) feet from any interior lot line, or a minimum of one hundred (100) feet from any adjacent residential building, whichever is greater. There shall be a minimum of ten (10) feet from interior lot lines, or one hundred (100) feet from any adjacent residential building, excluding garages and sheds, whichever is greater.~~
 - (4) Outdoor uses and activities in the CEG District shall be carried on not less than 50 feet from any adjacent residentially-zoned property lot.

- (g) **Building Height.** ~~(Also see Article E.)~~ No building or parts of a building shall exceed thirty-five (35) feet in height. (Also see Article C.)
- (h) **Traffic, Loading, Parking and Access.** (See Article D.)
- (i) **Nonconforming Uses, Structures, and Lots.** (See Article G.)
- (j) **Performance Standards.** (See Article H.)
- (k) **Signs.** (See Title 15, Chapter 5 of the Municipal Code.)
- (l) **Site Plan Review.** (See Article F.)
- (m) **Architectural Review.** (See Article F.)

~~LIST OF CURRENT USES AT COMMUNITY EXHIBITION GROUNDS
FIREMEN'S PARK/OZAUKEE COUNTY FAIRGROUNDS/4 H GROUNDS~~

Operations at the subject site ~~currently include the following:~~

- ~~(a) **Firemen's Park Uses.** Uses listed under permitted are being conducted without limitations on intensity or frequency. The following uses are currently (1992) being conducted at the frequencies indicated below.~~
 - ~~(1) Sales and display of new and used merchandise is limited to~~
 - ~~a. Four (4) Maxwell Street Days.~~
 - ~~b. One (1) new/used car event.~~
 - ~~c. One (1) antique vehicle display with sales.~~
 - ~~d. One (1) fire equipment display with sales.~~
 - ~~e. One (1) lawn and landscape equipment display with sales.~~
 - ~~(2) In addition, the following uses are anticipated:~~
 - ~~a. One (1) Circus.~~
 - ~~b. Two (2) unspecified events at the owner's discretion.~~
- ~~(b) **Ozaukee County Lands/4 H Fairgrounds Uses.**~~
 - ~~(1) Three (3) 4 H meetings regularly 10-12 months (30-36 times).~~
 - ~~(2) Three (3) 4 H meetings in summer for 4 months (8 times).~~
 - ~~(3) Dog Project (50-60 youth and 10 adults).~~
 - ~~a. October March returning members meeting weekly (24 times).~~
 - ~~b. April July all members meet twice a week training (36 times).~~
 - ~~c. One (1) or two (2) clinics.~~
 - ~~d. Two (2) dog shows (4 days).~~
 - ~~e. Two (2) parent Night meetings.~~
 - ~~(4) Saddle Club (75 youth and 30 adults).~~
 - ~~a. One (1) general meeting.~~
 - ~~b. One (1) equine lock-in educational event for 20 youths (2 days).~~
 - ~~c. Six (6) educational clinics.~~
 - ~~d. One (1) County Fair sign-up night.~~
 - ~~e. Ten (10) horse shows.~~
 - ~~f. Ten (10) clean up nights.~~
 - ~~g. One (10) show preparation (2 days).~~
 - ~~(5) Red Meat Association (75 youth and 20 adults).~~
 - ~~a. Two (2) to three (3) meetings each year.~~

- b. ~~One (1) weigh in day.~~
- c. ~~One (1) to two (2) day Youth Sheep Show.~~
- d. ~~One (1) day area Animal Day event.~~
- e. ~~Two (2) to four (4) Rabbit & Poultry county project group meetings (40-50 youth and 10 adults).~~
- f. ~~One (1) to two (2) 4 H Summer Camp staff training (30 youth and 10 adults).~~
- g. ~~One (1) to two (2) Incredible Tuesday 4 H Day Camps (60 youth).~~
- h. ~~Four (4) to five (5) Older Youth meetings and exchange activities (20-40 youth).~~
- i. ~~Four (4) to eight (8) self-determined county project meetings.~~
- j. ~~Three (3) to four (4) 4 H Leaders Association meetings.~~
- k. ~~Two (2) to three (3) Agricultural Society meetings.~~
- l. ~~One (1) Ozaukee County Fair (1-week duration).~~

SECTION 2: Section 13-1-82(f)(3) and (4) of the City of Cedarburg Municipal Code is hereby amended to read as follows:

SEC. 13-1-82 PARKING REQUIREMENTS.

- (3) Landscaping. All off-street parking areas described in this Subsection, except parking areas in the CEG Community Exhibition District, which are built or redesigned and rebuilt subsequent to August 13, 1990, shall be provided with accessory landscape areas as provided in these specific requirements:
 - a. Perimeter and interior lot line greenbelts. A perimeter greenbelt of at least five (5) feet in width shall be installed along the street frontage and along all interior lot lines. Perimeter edges should be landscaped with a combination of plant material and earth berming whenever possible. Perimeter greenbelt landscaping may be omitted along side lot lines which have shared driveways with adjacent lots. The omitted area is limited to that portion from the street to the required minimum building setback line or as necessary to accommodate access cuts.
 - b. Additional interior greenspace. The interior of parking lots shall be provided with landscape areas consisting of at least four percent (4%) of the total surface parking area, plus one (1) tree for each ten (10) spaces shall be installed. Existing trees may be used to comply with this requirement.
 - c. Location. Interior landscape plantings may be located in protected areas such as along walkways, in center islands, in end islands, or between parking stalls. Rows of parking spaces shall be broken by a landscape island at the rate of one (1) island for each linear row of twelve (12) parking spaces for single row configurations, or for each twenty-four (24) parking spaces in double row configurations.

Perimeter edge screening and berming should be limited in height to allow a line of sight to the building and not obstruct sight distance at entry drives.

- d. Landscape Materials. Landscape materials may include shrubs, hardy flowering trees and/or decorative evergreen and deciduous trees. New trees shall have a minimum caliper of two inches (2") to two and one-half inches (2-1/2") for canopy trees. The area around trees and planting beds shall be planted with shrubs or ground cover and covered with mulch, bark or appropriate landscape stones.
 - e. Landscape requirements for parking areas in the CEG Community Exhibition District shall be determined on a case-by-case basis by the Plan Commission at the time of site plan approval.
- (4) Surfacing, Curbing, Storm Sewers. Parking areas subject to these requirements shall be surfaced with bituminous or portland cement concrete pavement or concrete pavers in accordance with the City of Cedarburg standards and specifications. Concrete curbing shall be installed as a border along all pavement edges, except for parking areas in the CEG Community Exhibition District, and shall conform to City standards. Concrete curbing requirements in the CEG Community Exhibition District shall be determined by the Plan Commission on a case-by-case bases at the time of site plan approval. As an option, wheel stops may be installed instead of curbing along peripheral edges if curbs are not required for stormwater control. Parking areas shall be graded and storm sewers may be installed, as required by the City Engineer, to manage storm water runoff. Pavement marking shall be provided to delineate each parking space.

SECTION 3. This ordinance shall take effect upon publication as provided by law.

Passed and adopted this 9th day of November 2009.

Gregory P. Myers, Mayor

Attest:

Constance K. McHugh, City Clerk

Approved as to form:

Kaye K. Vance, City Attorney