STATE OF WISCONSIN VILLAGE OF EAST TROY WALWORTH COUNTY

ORDINANCE 2020-__

- Public Hearing Draft -

AN ORDINANCE TO MAKE REVISIONS TO THE ZONING REGULATIONS IN CHAPTER 510 OF THE VILLAGE OF EAST TROY MUNICIPAL CODE

WHEREAS, the Village Board for the Village of East Troy adopted zoning regulations for the Village of East Troy and has amended such regulations from time to time; and

WHEREAS, the zoning regulations, as amended, are codified as Chapter 510 of the Village of East Troy municipal code, which is titled "Zoning;" and

WHEREAS, Kwik Trip Inc. submitted a petition to amend the zoning code to allow truck stops in the Highway Business (HB) zoning district; and

WHEREAS, upon due notice as required by the zoning code, the Plan Commission conducted a public hearing on October 12, 2020; and

WHEREAS, within a reasonable time after the public hearing, the Plan Commission reported its recommendation to the Village Board as set forth in this ordinance; and

WHEREAS, the Village Board considered the Plan Commission's recommendation at its meeting on October 19, 2020; and

WHEREAS, the Village Board accepted the Plan Commission's recommended text amendment without revision OR with minor revision.

WHEREAS, the Village Board for the Village of East Troy, after careful review and upon consideration of the recommendation of the Plan Commission of the Village of East Troy and having given the matter due consideration having determined that all procedural requirements and notice requirements have been satisfied, and having based its determination on the effect of the adoption of the ordinance on the health, safety and welfare of the community and the preservation and enhancement of property values in the community, and having given due consideration to the municipal problems involved hereby determine that the ordinance amendment will serve the public health, safety and general welfare of the Village of East Troy, will enhance property values in the Village and will not be hazardous, harmful, noxious, offensive or a nuisance, and will not unduly limit or restrict the use of property in the Village or for any other reason cause a substantial adverse effect on the property values and general desirability of the Village.

NOW, THEREFORE, the Village Board of the Village of East Troy, Walworth County, Wisconsin, do ordain as follows:

Section 1. Create subsection 510-42(S) to read as follows:

S. Truck stop. A place where fuels primarily for tractor trucks are offered for retail sale. Ancillary uses are limited to retail sale of motor vehicle fuel for cars, motorcycles, and light trucks; retail sale of food and beverages; a restaurant; sleeping quarters; overnight parking; a truck wash; truck scales; tire repair and sales; light maintenance activities, such as engine tune-ups, lubrication, and minor repairs; and other incidental uses customarily associated with a truck stop. The term does

not include transferring or off-loading of goods, or long-term storage or parking of vehicles. This use shall adhere to the following regulations:

(1) All access drives and parking areas must be hard surfaced.

(2) Parking spaces for tractor trucks must be clearly marked.

(3) The subject property, in whole or in part, must be located within 1,250 feet of an Interstate highway interchange. Such measurement is taken from the center point of the two intersecting right-of-ways.

(4) A bufferyard with a minimum opacity of 0.60 must be installed and maintained along all lot lines that abut a residentially zoned property. A bufferyard with an opacity of 0.50 must be installed and maintained along all lot lines that abut a commercial or institutionally zoned property, except when such parcel has a truck stop or a fuel station.

(5) Areas designated for daily parking of tractor trucks must located at least 250 feet from any abutting residentially zoned property.

Section 2. Amend the Table of Land Uses (referenced as 510 Attachment 1) as follows:

1. Include truck stops under Section 510-42, titled "Commercial Uses" and indicate it is a conditional use in the Highway Business (HB) zoning district.

Section 3. This ordinance shall become effective upon passage and posting or publication as provided by law.

Section 4. The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful, or unenforceable, such decision shall apply only to the specific Section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections, or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

Adopted this __ day of October, 2020

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Scott Seager, President

ATTEST:

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Lorri Alexander, Village Clerk