



CITY HALL • 100 STATE STREET • BELOIT, WI 53511

MEETING NOTICE AND AGENDA
Beloit City Plan Commission
Wednesday, February 20, 2013 at 7:00 PM
The Forum
Beloit City Hall, First Floor
100 State Street, Beloit

1. **Call to Order and Roll Call**
2. **Approval of the Minutes of the February 6, 2013 Meeting**
3. **Appointment of a Plan Commission member to the Greater Beloit Economic Development Corporation**
4. **Certified Survey Map – Beloit Memorial Hospital - 1650 Lee Lane**
Review and consideration of a two-lot Certified Survey Map for the property located at 1650 Lee Lane in the City of Beloit
5. **Certified Survey Map – Terrapin Acres Corp - South Petter Road**
Review and consideration of a one-lot Certified Survey Map for the property located on South Petter Road south of County Trunk J in the Town of Turtle
6. **Connections: City Center Plan**
Review and consideration of the Connections: City Center Plan
7. **Zoning Text and Map Amendment – Wellhead Protection Ordinance**
Public hearing, review and consideration of a Zoning Ordinance Text Amendment to create Section 5-800 of the Zoning Ordinance to be known as the Wellhead Protection Ordinance, and to create a Map Amendment which would establish a Wellhead Protection Overlay District
8. **Status Report on Prior Plan Commission Items**
9. **Adjournment**

If you are unable to attend this meeting, please contact Gail Riddle in the Planning Office at 364-6700 **no later than 4:00 PM the day before the meeting.**

Notice Mailed: February 15, 2013

Approved: Julie Christensen, Community
Development Director

**Please note that, upon reasonable notice, at least 24 hours in advance, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information to request this service, please contact the City Clerk's Office at 364-6680, 100 State Street, Beloit, WI 53511

MINUTES
BELOIT CITY PLAN COMMISSION
Wednesday, February 6, 2013
The Forum, Beloit City Hall
100 State Street, Beloit

1. Call to Order and Roll Call

Chairperson Ramsden called the meeting to order at 7:00 PM. Gail Riddle called the roll. Present were Commissioners Jacobsen, Kelley, Smith, Moore, Faragher and Kincaid. Commissioner Seifarth was absent.

2. Approval of the Minutes of the January 9, 2013 Meeting

Commissioner Faragher moved and Commissioner Jacobsen seconded approval of the January 9, 2013 minutes. The minutes were approved (6-0).

3. Conditional Use Permit – Alcohol Sales – 1623 Park Avenue

Public hearing, review and consideration of a Conditional Use Permit to allow indoor alcohol sales in a C-2, Neighborhood Commercial District, for the property located at 1623 Park Avenue.

Community Development Director Julie Christensen summarized the Staff Report and Staff Recommendation.

Commissioner Moore asked about the residency issue and if the request would be allowed go any further if the applicant was not a resident of the state of Wisconsin. Ms. Christensen answered that the applicant could establish residency if she lived in the city for 90 days prior to applying for the liquor license. Ms. Christensen commented that the applicant could also acquire a local agent to apply for the liquor license.

Chairperson Ramsden opened the Public Hearing.

The applicant's daughter was present and stated that her mother lives in Beloit four days a week, Thursday through Sunday, but lives in Illinois Monday through Wednesday. She commented that her mother applied for a liquor license because customers requested it and that they would be selling alcohol from 1:00 PM until 9:00 PM. She stated that they would have sufficient equipment and monitoring to prevent the underage sale of alcohol and would be asking for state ID's at all times.

Patricia MaJeed, 1515 Park Avenue, owner of Clippers & Curls, was present and stated that they have been there for 25 years. Ms. MaJeed stated that the area is congested as it is and that the Merrill Neighborhood is a fragile neighborhood and does not need alcohol sales in the area.

Vanessa Graham, recent owner of the Christian Ark Children's Daycare at 1613 Park Avenue, was present. Ms. Graham commented that she does not want liquor sales there because her hours are 6:00 AM until 9:00 PM and will be extended to 11:30 PM in the near future. Ms. Graham added that because she has a daycare center and because the area is so congested she is concerned that people will not recognize the law. She stated that she feels it is best to not have liquor sales in the area at all for the safety of the children and the community.

Victor Murph, 1015 Washburn Avenue, a resident in the area, stated that he and others in the community are concerned about the traffic in the Merrill Community being very fragile at this time. Mr. Murph said that he commends the business owners for having a grocery store there and having a great entrepreneurial spirit. Mr. Murph stated that maybe the community can handle a liquor license at some point, but today is not the day.

Rory Owens, 1681 Wisconsin Avenue, Chairperson of the Merrill Revitalization Group, was present to represent the group. Mr. Owens said that they are requesting that the Commission deny the request for alcohol sales in this area because it is not in the best interest of the neighborhood.

Chairperson Ramsden clarified that most people support the business but not the sale of alcohol. Mr. Owens commented that would be correct.

Chairperson Ramsden closed the public hearing.

Commissioner Faragher commented that he understands that the community supports the business but not the alcohol sales and that he personally could not support the sale of alcohol in the community either.

Commissioner Faragher made a motion to recommend denial of the requested Conditional Use Permit and the motion was seconded by Commissioner Moore. The motion to recommend denial of the Conditional Use Permit carried (6-0).

4. Comprehensive Plan Amendment – 1500 and 1505 Gateway Boulevard

Public hearing, review and consideration of an amendment to the Future Land Use Map of the City's Comprehensive Plan from Mixed Residential to Business Park for the properties located at 1500 and 1505 Gateway Boulevard.

Ms. Christensen summarized the Staff Report and Staff Recommendation.

Chairperson Ramsden opened and closed the public hearing.

Commissioner Jacobsen moved and Commissioner Kelley seconded approval of the Resolution recommending approval of the requested amendments to the Comprehensive Plan. The motion carried (6-0).

5. **Zoning Map Amendment – 2208 N. Lee Lane – Lee Lane Park**

Public hearing, review and consideration of a Zoning Map Amendment to change the zoning of the property located at 2208 N. Lee Lane from R-1A, Single Family Residential, to PLI, Public Lands and Institutions District.

Ms. Christensen summarized the Staff Report and Staff Recommendation.

Chairperson Ramsden opened and closed the public hearing.

Commissioner Kelly moved and Commissioner Faragher seconded a motion to recommend approval of the requested Zoning Map Amendment for 2208 N. Lee Lane. The motion carried (6-0).

6. **Status Report on Prior Plan Commission Items.**

The annexation of 1035 and 1041 Udell drive was approved. The Comprehensive Plan Amendments for 501 Prospect Street and the school district properties will be considered by the City Council at their next meeting. The Comprehensive Plan Amendment for the former Cub Foods property has been withdrawn.

7. **Adjournment**

The meeting adjourned at 7:35 PM.

Respectfully submitted,
Gail Riddle

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION

Meeting Date: February 20, 2013

Agenda Item: 4

File Number: CSM-2013-02

Applicant: R.H. Batterman & Co., Inc.

Owner: Beloit Memorial Hospital

Location: 1650 Lee Lane

Existing Zoning: C-1, Office District

Existing Land Use: Vacant & Office

Total Area: 16.19 Acres

Request Overview/Background Information:

R.H. Batterman & Co., Inc. has submitted an Application for the Review of a Minor Subdivision and a 2-Lot Certified Survey Map (CSM) for the property located at 1650 Lee Lane. According to Section 12.05(1)(c) of the Subdivision Ordinance, the Plan Commission shall recommend to the City Council approval, conditional approval, or rejection of any minor subdivision of land within the City that involves the dedication of land to the public.

Key Issues:

- The intent of the proposed CSM is to create a buildable parcel (Lot 1) for a proposed cancer center that will be operated by Beloit Memorial Hospital and UW Health. Planning staff is currently reviewing site plans for this project.
 - Proposed Lot 2 includes the existing clinic building and parking lot and several acres of vacant land.
 - Proposed Lot 1 is 5.288 acres in area and includes 496.84 feet of frontage on Lee Lane, 333.65 feet of frontage on Milwaukee Road, and a public sidewalk easement near the stoplight that is 8 feet wide and approximately 114 feet long.
 - Proposed Lot 2 is 10.898 acres in area and includes 639.23 feet of frontage on Lee Lane.
 - Both proposed lots meet the minimum development standards for properties zoned C-1, Office District.
 - The proposed CSM must be reviewed by the City Council because of the perpetual public sidewalk easement.
 - The City Assessor's Office has reviewed the proposed CSM and has noted that proposed Lot 1 will be addressed as 1670 Lee Lane, with proposed Lot 2 retaining an address of 1650 Lee Lane.
 - AT&T has reviewed the proposed CSM and has noted the presence of buried cable in the right-of-way adjacent to proposed Lot 1. The City's other Review Agents did not submit any comments.
-

Consistency with Comprehensive Plan and Strategic Plan:

The Comprehensive Plan recommends Community Commercial uses, which includes larger office uses serving the entire community and nearby communities. This proposed land division is consistent with the Comprehensive Plan. Consideration of this request supports City of Beloit Strategic Goal #5.

Sustainability:

- **Reduce dependence upon fossil fuels** – N/A
 - **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature** – N/A
 - **Reduce dependence on activities that harm life sustaining eco-systems** – N/A
 - **Meet the hierarchy of present and future human needs fairly and efficiently** – N/A
-

Staff Recommendation:

The Planning & Building Services Division recommends **approval** of the attached two-lot Certified Survey Map (CSM) for the property located at 1650 Lee Lane, subject to the following conditions:

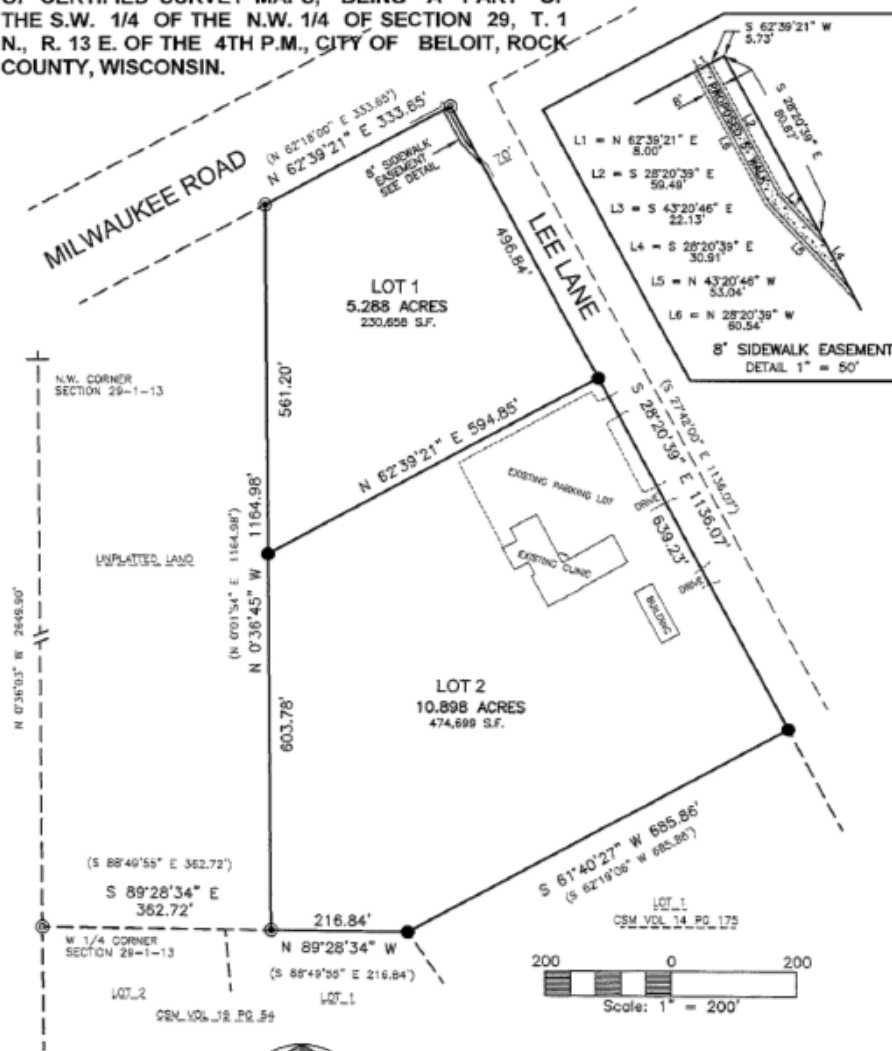
1. Lot 1 shall be addressed as 1670 Lee Lane and Lot 2 shall be addressed as 1650 Lee Lane.
 2. The final CSM shall be recorded with the Rock County Register of Deeds by December 31, 2013.
-

Fiscal Note/Budget Impact: N/A

Attachments: CSM, Application, and Proposed Site Plan.

CERTIFIED SURVEY MAP OF

LOT 1 OF CERTIFIED SURVEY MAP, DOCUMENT NO. 1728315, RECORDED IN VOLUME 29 ON PAGES 126-128 OF CERTIFIED SURVEY MAPS, BEING A PART OF THE S.W. 1/4 OF THE N.W. 1/4 OF SECTION 29, T. 1 N., R. 13 E. OF THE 4TH P.M., CITY OF БЕЛОИТ, ROCK COUNTY, WISCONSIN.



ORDER NO. 31431
 BOOK xxx PAGE xxx
 DATE JANUARY 28, 2013
 FOR БЕЛОИТ MEMORIAL HOSPITAL
 SHEET 1 OF 3

BEARINGS BASED ON THE WISCONSIN COUNTY COORDINATE SYSTEM, ROCK DATUM

File Name: J:\31400-31450\31431-BMH LEE LANE\CSM.dwg

- Iron Rebar Set 3/4" x 24"(1.5 Lbs./Ft.)
- ⊙ Iron Pipes Found
- ⊙ Iron Rebar Found
- (xxxxxxx) Record Data
- X-X- Fences

Batterman
 engineers surveyors planners

2857 Bartels Drive Beloit, Wisconsin 53511
 608.395.4464 www.mtbatterman.com

CERTIFIED SURVEY MAP OF

LOT 1 OF CERTIFIED SURVEY MAP, DOCUMENT NO. 1728315, RECORDED IN VOLUME 29 ON PAGES 126-128 OF CERTIFIED SURVEY MAPS, BEING A PART OF THE S.W. 1/4 OF THE N.W. 1/4 OF SECTION 29, T. 1 N., R. 13 E. OF THE 4TH P.M., CITY OF BELOIT, ROCK COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE OF COMPLIANCE WITH STATUTE

State of Wisconsin) I, Robert H. Leuenberger, a Registered Land Surveyor, do hereby
County of Rock)^{ss} certify that I have surveyed and mapped Lot 1 of Certified Survey Map, Document No. 1728315, Recorded in Volume 29 on Pages 126-128 of Certified Survey Maps, Being a Part of the S.W. 1/4 of the N.W. 1/4 of Section 29, T. 1 N., R. 13 E. of the 4th P.M., City of Beloit, Rock County, Wisconsin.

DESCRIBED AS FOLLOWS: Commencing at the West 1/4 corner of Section 29, aforesaid; thence South 89°28'34" East 362.72 feet to the Southwest corner of said Lot 1 and the point of beginning; thence North 0°36'45" West 1164.98 feet; thence North 62°39'21" East 333.65 feet; thence South 28°20'39" East 1136.07 feet; thence South 61°40'27" West 685.86 feet; thence North 89°28'34" West 216.84 feet to the place of beginning. Containing 16.186 acres more or less.

That such map is a correct representation of all exterior boundaries of the land surveyed and the division of that land. That I have made such survey and map by the direction of the Owner of said land, and that I have complied fully with the provisions of Section 236.34 of the Wisconsin Statutes in surveying and mapping the same. Given under my hand and seal, this 28th day of January, 2013 at Beloit, Wisconsin.

Approved by the City Council of the City of Beloit, this _____ day of _____, 2013.

By: _____

I hereby certify that the property taxes on the parent parcel are current and have been paid as of _____, 2013.

By: _____
Rock County Treasurer

ORDER NO. 31431
DATE: JANUARY 28, 2013
FOR: BELOIT MEMORIAL HOSPITAL

SHEET 2 OF 3



CERTIFIED SURVEY MAP OF

LOT 1 OF CERTIFIED SURVEY MAP, DOCUMENT NO. 1728315, RECORDED IN VOLUME 29 ON PAGES 126-128 OF CERTIFIED SURVEY MAPS, BEING A PART OF THE S.W. 1/4 OF THE N.W. 1/4 OF SECTION 29, T. 1 N., R. 13 E. OF THE 4TH P.M., CITY OF BELOIT, ROCK COUNTY, WISCONSIN.

CORPORATE OWNERS CERTIFICATE OF DEDICATION

Beloit Memorial Hospital, Inc., a Wisconsin corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, as Owner, does hereby certify that said corporation caused the land described on this plat to be surveyed, divided, mapped and dedicated as represented on this plat.

Beloit Memorial Hospital, Inc. does further certify that this plat is required by Sections 236.10 or 236.12 to be submitted to the following for approval or objection: the City of Beloit Planning Commission and the Beloit City Council.

IN WITNESS WHEREOF, the Beloit Memorial Hospital has caused these presents to be signed by Gregory Britton, its President and CEO, this _____ day of _____, 2013.

Gregory Britton, President and CEO
Beloit Memorial Hospital

State of Wisconsin) Personally came before me, this _____ day of _____, 2013, Gregory
County of Rock)^{ss.} Britton of the above-named corporation, to me known to be
the person who executed the foregoing instrument, and to me known to be
such President and CEO of said corporation, and acknowledged that he executed the foregoing
instrument as such officer as the deed of such corporation, by its authority.

Notary Public, Rock County, Wisconsin

My Commission Expires: _____

DOCUMENT NO. _____ RECEIVED FOR RECORD THIS _____ DAY OF _____
A.D. 2013 AT _____ O'CLOCK ____M. AND RECORDED IN VOLUME _____, PAGES
_____ OF CERTIFIED SURVEY MAPS OF ROCK COUNTY, WISCONSIN.

REGISTER OF DEEDS

ORDER NO. 31431
DATE: JANUARY 28, 2013
FOR: BELOIT MEMORIAL HOSPITAL

SHEET 3 OF 3



City of Beloit

Neighborhood Planning Division

100 State Street, Beloit, WI 53511 Phone: (608) 364-6700 Fax: (608) 364-6609

Application for Review of a Minor Subdivision

(Please Type or Print)

File Number: CSM-2013-02

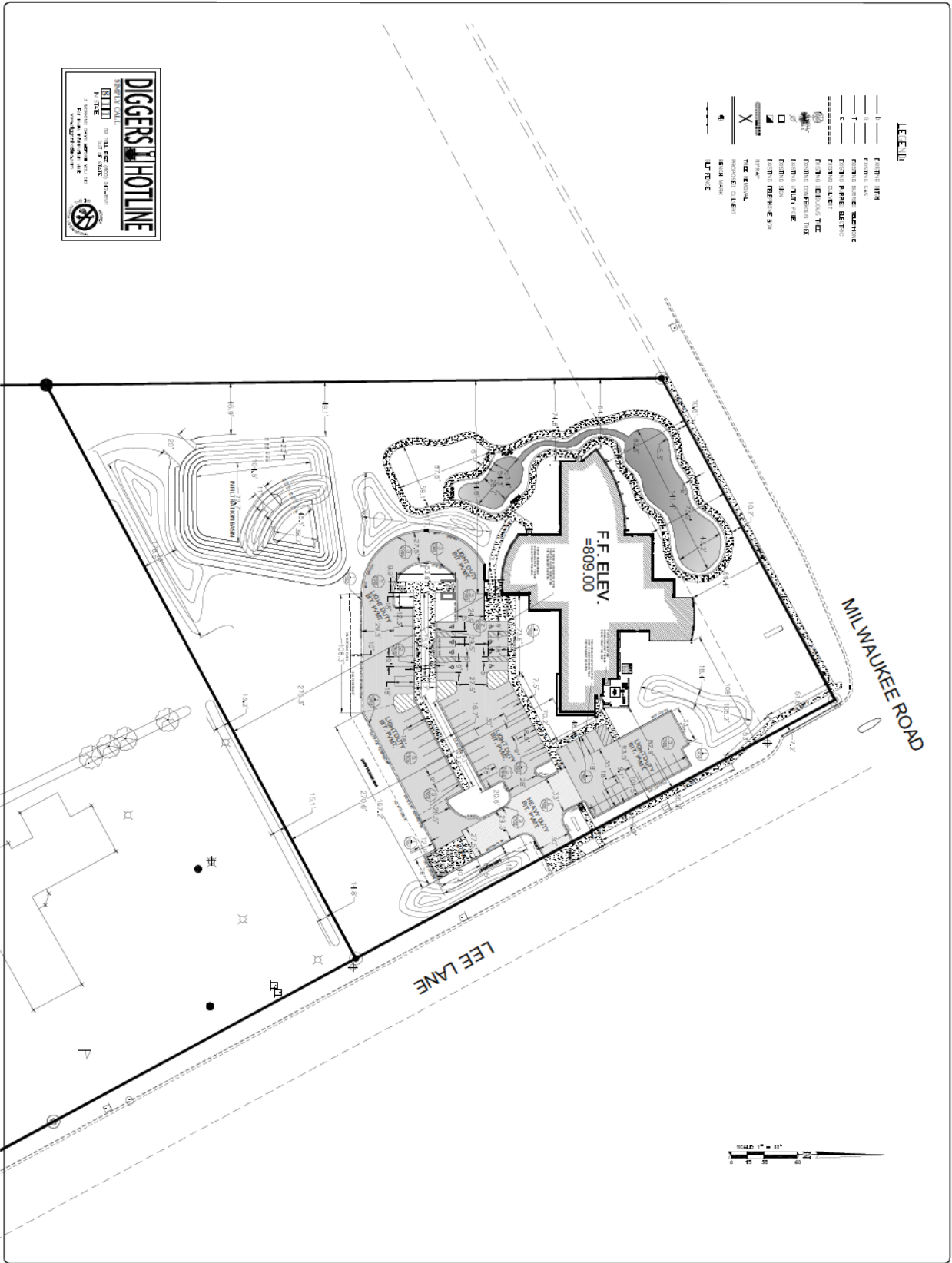
1. Address of property: 1650 & 1670 Lee Lane
2. Tax Parcel Number(s): 2297 0900
3. Property is located in (circle one): City of Beloit or Town of: Turtle; Beloit; Rock or LaPrairie
In the nw Quarter of Section 2, Township 1 North, Range 1 East of the 4th P.M.
4. Owner of Record: Beloit Memorial Hospital Phone: 364-5011
1969 Hart Road BELOI WI 53511
(Address) (City) (State) (Zip)
5. Surveyor's name: RH Batterman & Co., Inc. Phone: 365-4464
2857 Bartells Drive Beloit WI 53511
(Address) (City) (State) (Zip)
6. Number of new lots proposed with this land division is 2 lot(s).
7. Total area of land included in this map: 16.19 Acres
8. Total area of land remaining in parent parcel: NA
9. Is there a proposed dedication of any land to the City of Beloit? Yes (Easement only)
10. The present zoning classification of this property is: C 1
11. Is the proposed use permitted in this zoning district: YES
12. **THE FOLLOWING ITEMS MAY NEED TO BE COMPLETED AND/OR ATTACHED:**
 - Site Assessment Checklist;** is required if the total area of CSM is over 5 acres.
 - Pre-application meeting;** pre-application meeting was held on 1/9/13 with City of Beloit Staff.
 - Developer's Statement;** as required by section 12.02(7) of the Subdivision Ordinance.
 - Phase One Environmental Assessment;** as per section 12.05(1)(c) of the Subdivision Ordinance.
 - Certified Survey Map;** one copy as required by section 12.05(1) of the Subdivision Ordinance.

The applicant's signature below indicates the information contained in this application and on all accompanying documents is true and correct. The undersigned does hereby respectfully make application for and petition the City Plan Commission or City Council for approval of this Certified Survey Map for the purpose stated herein. The undersigned also agrees to abide by all applicable federal, state and local laws, rules, and regulations.

[Signature] / RH BATTERMAN CO. / 1/29/13
(Signature of applicant) (Name of applicant) (Date)

This application must be submitted at least 21 days prior to the Plan Commission meeting date.

Review fee: <u>\$150 plus \$10 per lot</u>	Amount Paid: <u>\$170.00</u>
Scheduled meeting date: <u>Feb. 20, 2013</u>	
Application accepted by: <u>[Signature]</u>	Date: <u>1/30/13</u>



C400 <small>SHEET NO.</small>	BHS CANCER CARE CENTER 16XX LEE LANE CITY OF БЕЛОИТ ROCK COUNTY, WISCONSIN <small>201405-201505161-BHS LEE LANE GP/INT/201405161.dwg</small>	SITE PLAN	<small>NOTE: DIMENSIONS SHOWN ARE TO BE OBTAINED IN FIELD AND FIELD IS NOT TO BE USED AS A SUBSTITUTE FOR THE ORIGINAL DRAWING.</small> <table border="0" style="width: 100%; font-size: small;"> <tr> <td>DESIGNED BY:</td> <td>AMP</td> <td>02/04/15</td> </tr> <tr> <td>DRAWN BY:</td> <td>AMP</td> <td>02/05/15</td> </tr> <tr> <td>CHECKED BY:</td> <td>FJL</td> <td>02/04/15</td> </tr> <tr> <td>APPROVED BY:</td> <td>FJL</td> <td>02/04/15</td> </tr> </table>	DESIGNED BY:	AMP	02/04/15	DRAWN BY:	AMP	02/05/15	CHECKED BY:	FJL	02/04/15	APPROVED BY:	FJL	02/04/15	 Batterman <small>engineers surveyors planners</small>	2857 Batters Drive Beloit, Wisconsin 53511 608.365.4454 www.batterman.com
DESIGNED BY:	AMP	02/04/15															
DRAWN BY:	AMP	02/05/15															
CHECKED BY:	FJL	02/04/15															
APPROVED BY:	FJL	02/04/15															



CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION

Meeting Date: February 20, 2013 **Agenda Item:** 5 **File Number:** CSM-2013-01

Applicant: Combs & Associates, Inc. **Owner:** Terrapin Acres Corp **Location:** South Petter Road, Town of Turtle

Existing Zoning: R-R, Rural Residential District (Town Zoning) **Existing Land Use:** Agricultural Uses **CSM Area:** 1.4 Acres

Request Overview/Background Information:

In accordance with Section 12.05 of the Subdivision Ordinance, the applicant has submitted an Application for Review of a Minor Subdivision and a one-lot Certified Survey Map (CSM) for the property located on South Petter Road in the Town of Turtle within the City's Extraterritorial Jurisdiction. The attached Location & Zoning Map shows the location of the property involved in this application. An aerial photograph for the property was not provided because it extends beyond the area of the City's aerial photographs.

Key Issues:

- The current owner would like to subdivide the land in order to sell it to a neighbor for development in the future.
 - Proposed Lot 1 is approximately 1.4 acres in area and is located east of Interstate 90. The nearest intersection is South County Road J and South Petter Road.
 - Proposed Lot 1 includes approximately 220 feet of frontage on South Petter Road. A 70-foot road reservation is shown on the proposed CSM that would allow the extension of South Petter Road. A 50-foot Drainage Easement is also shown on the proposed CSM. It crosses the western portion of Lot 1.
 - The City's Review Agents have not submitted any comments, concerns, or recommendations.
-

Consistency with Comprehensive Plan and Strategic Plan:

The Comprehensive Plan recommends agricultural uses and discourages non-agricultural uses for the subject property. Consideration of this request supports City of Beloit Strategic Goal #4.

Sustainability:

- **Reduce dependence upon fossil fuels** – N/A
 - **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature** – N/A
 - **Reduce dependence on activities that harm life sustaining eco-systems** – N/A
 - **Meet the hierarchy of present and future human needs fairly and efficiently** – N/A
-

Staff Recommendation:

The Planning and Building Services Division recommends **approval** of the attached one-lot Certified Survey Map (CSM) for the property located at South Petter Road in the Town of Turtle, subject to the following conditions:

1. The applicant shall record the CSM with the Rock County Register of Deeds and shall provide the Planning and Building Services Division with a copy of the recorded CSM within one year of Plan Commission approval.
-

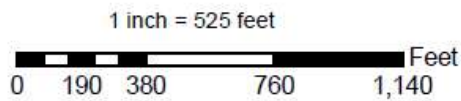
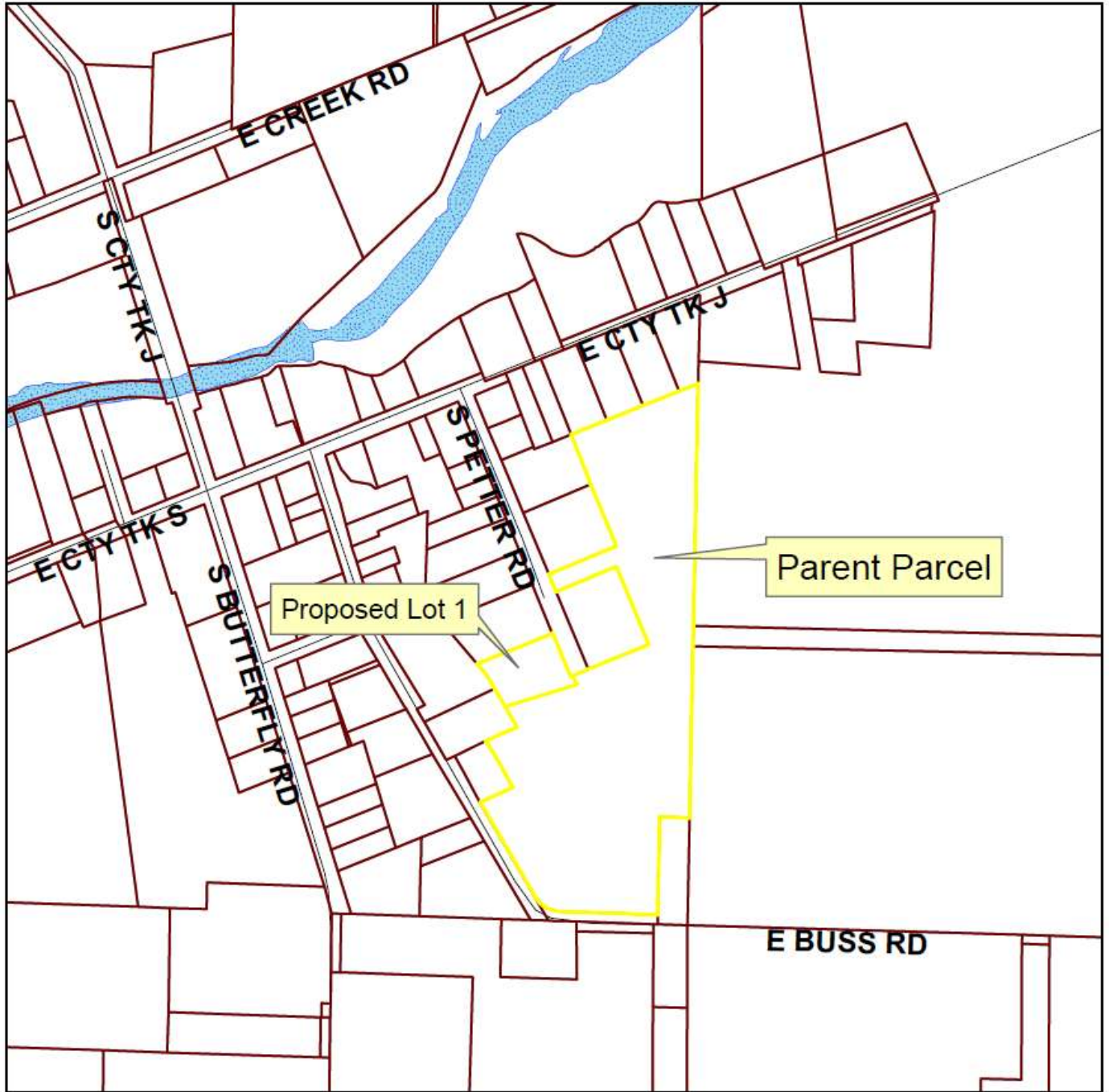
Fiscal Note/Budget Impact: N/A

Attachments: Location Map, Application, CSM, and Resolution.

Location Map

Soth Petter Road

CSM-2013-01



Map prepared by: Michael D. Lofton II
Date: January 2013
For: City of Beloit, Planning and Building Services
Date of Aerial Photography: April 2011

PLANNING & BUILDING SERVICES DIVISION

CITY of BELOIT

Neighborhood Planning Division

100 State Street, Beloit, WI 53511 Phone: (608) 364-6700 Fax: (608) 364-6609

Application for Review of a Minor Subdivision

(Please Type or Print)

File Number: CSM-2013-01

1. Address of property: S. PETER ROAD
2. Tax Parcel Number(s): 6-19-57-14
3. Property is located in (circle one): City of Beloit or Town of Turtle; Beloit; Rock or LaPrairie
In the SE Quarter of Section 3, Township 1 North, Range 13 East of the 4th P.M.
4. Owner of record: TERRAPIN ACRES CORP. Phone: 565-4218
5589 W. BUSS ROAD CLINTON WI 53525
(Address) (City) (State) (Zip)
5. Surveyor's name: COMBS AND ASSOCIATES, INC. Phone: 752-0575
109 W. MILWAUKEE STREET JANESVILLE WI 53511
(Address) (City) (State) (Zip)
6. Number of new lots proposed with this land division is ONE lot(s).
7. Total area of land included in this map: 61029 SQ. FT.
8. Total area of land remaining in parent parcel: 61029 SQ. FT.
9. Is there a proposed dedication of any land to the City of Beloit? NO
10. The present zoning classification of this property is: RURAL RESIDENTIAL
11. Is the proposed use permitted in this zoning district: YES
12. **THE FOLLOWING ITEMS MAY NEED TO BE COMPLETED AND/OR ATTACHED:**
 - Site Assessment Checklist; is required if the total area of CSM is over 5 acres.
 - Pre-application meeting; a pre-application meeting was held on 1-17-13 with City of Beloit Staff.
 - Developer's Statement; as required by section 12.02(7) of the Subdivision Ordinance.
 - Phase One Environmental Assessment; as per section 12.05(1)(c) of the Subdivision Ordinance.
 - Certified Survey Map; one copy as required by section 12.05(1) of the Subdivision Ordinance.

The applicant's signature below indicates the information contained in this application and on all accompanying documents is true and correct. The undersigned does hereby respectfully make application for and petition the City Plan Commission or City Council for approval of this Certified Survey Map for the purpose stated herein. The undersigned also agrees to abide by all applicable federal, state and local laws, rules, and regulations.

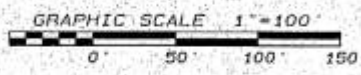
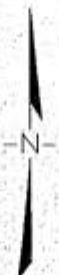
Ronald J. Combs Combs & Associates, Inc
(Signature of applicant) (Name of applicant) 1/21/13
(Date)

This application must be submitted at least 21 days prior to the Plan Commission meeting date.

Review fee: \$150 plus \$10 per lot Amount paid: \$160.00
Scheduled meeting date: Feb 20, 2013
Application accepted by: Michael D. Lofton Date: 1/22/13

CERTIFIED SURVEY MAP

PART OF LOT 4 OF A CERTIFIED SURVEY MAP AS RECORDED IN VOLUME 27, PAGES 229 THRU 231 OF CERTIFIED SURVEY MAPS OF ROCK COUNTY, WISCONSIN AS DOC. NO. 1674351, LOCATED IN THE SE 1/4 OF THE SE 1/4 OF SECTION 3, T. 1N., R. 13E. OF THE 4TH P.M., TOWN OF TURTLE, ROCK COUNTY, WISCONSIN.



LEGEND:

- FOUND IRON PIN
- ⊙ FOUND IRON PIPE
- ⊕ FOUND ALUMINUM MONUMENT

NOTE: ASSUMED S01°08'26"W ALONG THE EAST LINE OF THE SE 1/4 OF SECTION 3-1-13.

Project No. 112 - 199C For: STRAUB SHEET 1 OF 4 SHEETS

Combs & Associates

- LAND SURVEYING
- LAND PLANNING
- CIVIL ENGINEERING

109 W. Milwaukee St.
Janesville, WI 53548
www.combsurvey.com

tel: 608 752-0575
fax: 608 752-0534

CERTIFIED SURVEY MAP

PART OF LOT 4 OF A CERTIFIED SURVEY MAP AS RECORDED IN VOLUME 27, PAGES 229 THRU 231 OF CERTIFIED SURVEY MAPS OF ROCK COUNTY, WISCONSIN AS DOCUMENT NO. 1674351, LOCATED IN THE SE 1/4 OF THE SE 1/4 OF SECTION 3, T.1N, R.13E. OF THE 4TH P.M., TOWN OF TURTLE, ROCK COUNTY, WISCONSIN.

OWNER'S CERTIFICATE – Terrapin Acres Corp.

As owner, I hereby certify that I have caused the land described on this map to be surveyed, divided and mapped as represented hereon.



x _____
Thomas Straub

State of Wisconsin
County of Rock SS. Personally came before me this ____ day of _____, 20____, Thomas Straub to me well known to be the persons who executed the owner's certificate hereon shown and acknowledged the same.

Notary Public, Rock County, Wisconsin _____

My Commission _____

CITY OF BELOIT APPROVAL

Approved by the Planning Commission of the City of Beloit this ____ day of _____, 20____.

By: _____

TOWN BOARD APPROVAL

Approved by the Board of the Town of Turtle this ____ day of _____, 20____.

Town Clerk _____

SHEET TWO OF FOUR SHEETS
Project No. 112-199C STRAUB
COMBS & ASSOCIATES, INC.-SURVEYING-MAPPING-PLANNING-JANESVILLE, WI

CERTIFIED SURVEY MAP

PART OF LOT 4 OF A CERTIFIED SURVEY MAP AS RECORDED IN VOLUME 27, PAGES 229 THRU 231 OF CERTIFIED SURVEY MAPS OF ROCK COUNTY, WISCONSIN AS DOCUMENT NO. 1674351, LOCATED IN THE SE 1/4 OF THE SE 1/4 OF SECTION 3, T.1N, R.13E. OF THE 4TH P.M., TOWN OF TURTLE, ROCK COUNTY, WISCONSIN.

ROCK COUNTY TREASURER'S CERTIFICATE

I hereby certify that the Property Taxes on the parent parcel are current and have been paid as of _____, 20_____.

Rock County Treasurer _____

ROCK COUNTY PLANNING AND DEVELOPMENT

This Final Land Division No. _____ is approved this _____ day of _____, 20_____.

Secretary _____



SHEET THREE OF FOUR SHEETS

Project No. 112-199C STRAUB

COMBS & ASSOCIATES, INC.-SURVEYING-MAPPING-PLANNING-JANESVILLE, WI

CERTIFIED SURVEY MAP

PART OF LOT 4 OF A CERTIFIED SURVEY MAP AS RECORDED IN VOLUME 27, PAGES 229 THRU 231 OF CERTIFIED SURVEY MAPS OF ROCK COUNTY, WISCONSIN AS DOCUMENT NO. 1674351, LOCATED IN THE SE 1/4 OF THE SE 1/4 OF SECTION 3, T.1N, R.13E. OF THE 4TH P.M., TOWN OF TURTLE, ROCK COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE

State of Wisconsin
County of Rock SS. I, Ronald J. Combs, a Registered Land Surveyor, do hereby certify that I have surveyed, divided and mapped PART OF LOT 4 OF A CERTIFIED SURVEY MAP AS RECORDED IN VOLUME 27, PAGES 229 THRU 231 OF CERTIFIED SURVEY MAPS OF ROCK COUNTY, WISCONSIN AS DOCUMENT NO. 1674351, LOCATED IN THE SE 1/4 OF THE SE 1/4 OF SECTION 3, T.1N, R.13E. OF THE 4TH P.M., TOWN OF TURTLE, ROCK COUNTY, WISCONSIN. DESCRIBED AS FOLLOWS: Commencing at an iron pipe at the SE Corner of said Section; thence N.38°47'41"W. 1234.93 feet to the SW Corner of a Certified Survey Map as recorded in Volume 15, Pages 505 and 506 as Document No. 1168313, also being at the place of beginning for the land to be herein described; thence N.67°48'33"E. along the South Line of said Certified Survey Map, 299.78 feet to an iron pin; thence S.22°33'03"E. 220.00 feet to an iron pin; thence S.67°26'57"W. 260.19 feet to an iron pin; thence N.30°18'37"W. 175.15 feet to an iron pin; thence N.40°48'04"W. 50.90 feet to the place of beginning. Containing 1.4 acres. That such map is a correct representation of all exterior boundaries of the land surveyed and the division of that land. That I have made such survey, division and map by the direction of Thomas Straub and that I have fully complied with the provisions of Chapter 236.34 of the Wisconsin Statutes in surveying, dividing and mapping the same.

Given under his hand and seal this 9th day of January, 2013, at Janesville, Wisconsin.



RECORDING DATA

No. _____ received for record this _____ day of _____,
20____, at _____ o'clock __.M., and recorded in Volume _____,
Pages _____ of Certified Survey Maps of Rock County,
Wisconsin.

Register of Deeds _____

SHEET FOUR OF FOUR SHEETS
Project No. 112-199C STRAUB
COMBS & ASSOCIATES, INC.-SURVEYING-MAPPING-PLANNING-JANESVILLE, WI

RESOLUTION
APPROVING A ONE-LOT CERTIFIED SURVEY MAP
FOR THE PROPERTY LOCATED AT SOUTH PETTER ROAD
IN THE TOWN OF TURTLE

WHEREAS, Section 12.05(1)b of Chapter 12 of the Code of General Ordinances of the City of Beloit entitled “*Subdivision and Official Map Ordinance*” authorizes the City Plan Commission of the City of Beloit to approve, conditionally approve, or reject any minor subdivision of land within the extraterritorial jurisdiction of the City; and

WHEREAS, the attached one-lot Certified Survey Map for the property located at South Petter Road in the Town of Turtle is located within the extraterritorial jurisdiction of the City; and

WHEREAS, the City Plan Commission of the City of Beloit has reviewed the proposed one-lot Certified Survey Map, which pertains to the following described land:

Part of Lot 4 of a Certified Survey Map as recorded in Volume 27, Pages 229 thru 231 of Certified Survey Maps of Rock County, Wisconsin as DOC. NO. 1674351, Located in the SE ¼ of the SE ¼ of Section 3, T. 1N., R13E. of the 4th P.M., Town of Turtle, Rock County, Wisconsin. Containing 1.4 acres, more or less.

NOW, THEREFORE, BE IT RESOLVED THAT the City Plan Commission of the City of Beloit does hereby approve the attached one-lot Certified Survey Map for the property located at South Petter Road in the Town of Turtle, subject to the following conditions:

1. The applicant shall record the CSM with the Rock County Register of Deeds and shall provide the Planning and Building Services Division with a copy of the recorded CSM within one year of Plan Commission approval.

Adopted this 20th day of February, 2013.

Charles Ramsden, Plan Commission Chairman

ATTEST:

Julie Christensen, Community Development Director

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION

Meeting Date: February 20, 2013

Agenda Item: 6

File Number: RPB-2013-05

Applicant: City of Beloit

Owner: N/A

Location: City-wide

Request Overview/Background Information:

The Connections: City Center Plan is a plan initiated by Beloit 2020 in an effort to guide the physical development and improvement of bike and pedestrian paths in the "Confluence Corridor" located between the City of Beloit and City of South Beloit. The Confluence Corridor includes roughly 930-acres of land between both cities. In the City of Beloit the boundaries of the Confluence Corridor include lands east of the Rock River, west of State Highway-51, south of East Grand Avenue to the Stateline border into the City of South Beloit.

Key Issues:

- The plan is advisory and is intended to provide guidance to decision makers when considering any proposed developments, public improvements, or transportation proposals within the Confluence Corridor.
- As mentioned above, the Confluence Corridor includes 930-acres of land that is east of the Rock River, west of State Highway-51, south of East Grand Avenue. Most of the corridor area within the City of South Beloit is within the floodplain, which will affect future development in this portion of the corridor.
- The public and local government officials from Beloit and South Beloit were able to participate in the development of the plan by attending workshops and meetings throughout 2011 and 2012. During the process, participants were able to provide creative ideas on how the corridor could be redeveloped and the steps necessary to carry out the plan. Recommendations regarding the corridor's streetscape, transportation, and redevelopment were the results of the meetings and workshops.
- The majority of the recommendations are aimed toward the City of South Beloit and how its portion of the corridor can be improved upon to match that of the City of Beloit.
- The essential recommendation as it relates to the City of Beloit is the eastern extension of Shirland Avenue. The plan states that the eastern extension of Shirland Avenue will create sites with potential for commercial or recreational development (page 20).
- The plan also encourages the restoration of public open space along the Stateline border in both cities.
- For the City of South Beloit, the plan includes an extensive list of recommendations for improving its portion of the corridor. Some of the recommendations include: the creation of a land use plan for establishing appropriate uses in the corridor; the creation of design guidelines for improving the appearance and aesthetics of the area; infill development; increasing employment opportunities in the area; remediation of brownfields; realignment of its streets to promote and increase pedestrian traffic; and connection of its bicycle network with that of the City of Beloit. Actions on these recommendations within the corridor will enhance the area and the region.
- In addition, the plan suggests that the Wheeler Bridge in South Beloit should be rehabilitated and included in a bike and pedestrian route.
- The plan provides implementation steps for its recommendations to ensure that redevelopment and revitalization for the corridor comes into fruition (pages 31 - 35). It recommends that both cities cooperate and coordinate their efforts to improve the corridor to provide consistency, and suggest the creation of Design Guidelines among other implementation tools.
- The plan was reviewed and approved by the City of South Beloit on January 22, 2013.
- The Plan Commission's role is to review the plan in order to provide an advisory recommendation to the City Council.

Consistency with Comprehensive Plan and Strategic Plan:

- Consideration of this request supports City of Beloit Strategic Goal #4 and #5.

Sustainability: (Briefly comment on the sustainable long term impact of this policy or program related to how it will impact both the built and natural environment utilizing the four following eco-municipality guidelines)

- **Reduce dependence upon fossil fuels** – The implementation of this plan and its incorporation into other city policies may reduce vehicle trips by ensuring and offering multiple forms of transportation to residents.
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature** – N/A
- **Reduce dependence on activities that harm life sustaining eco-systems** – N/A

- **Meet the hierarchy of present and future human needs fairly and efficiently** – The incorporation and implementation of this plan will provide affordable and efficient transportation alternatives to present and future residents.

Staff Recommendation:

The Planning & Building Services Division recommends approval of the Connections: City Center Plan.

Fiscal Note/Budget Impact: N/A

Attachments: Connections: City Center Plan

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION



Meeting Date: February 20, 2013

Agenda Item: 7

File Number: ZTA-2013-01
ZMA-2013-02

Request Overview/Background Information:

In accordance with Wisconsin Department of Natural Resources (DNR) requirements, City of Beloit staff has drafted an Ordinance to create Section 5-800 of the Zoning Ordinance, Article V, Chapter 19 of the Code of General Ordinances of the City of Beloit, to be known as the Wellhead Protection Ordinance.

Key Issues:

- The purpose of the Wellhead Protection Ordinance is to create land use regulations and restrictions that will protect the City's water supply from sources of contamination. The DNR directed the City to adopt a Wellhead Protection Ordinance within 18 months in a letter dated July 20, 2011. City staff requested, and the DNR approved, an extension until March 14, 2013.
- Essentially, the Wellhead Protection Ordinance creates a Wellhead Protection Overlay District that encompasses the groundwater recharge area around each of the City's wells. As the name implies, the overlay district is a second zoning district classification, as affected properties will retain their underlying zoning district classification (e.g. residential, commercial, industrial, etc.). The more restrictive regulations will apply.
- As shown on the attached maps, the proposed Wellhead Protection Overlay Districts will cover a significant proportion of the City. According to staff's calculations, 3,023 properties will be affected. These properties are owned by 2,305 different owners, who have been individually notified.
- The Wellhead Protection Ordinance establishes permitted, conditional, and prohibited uses within the Wellhead Protection Districts. Permitted uses include residential (on City sewer), agricultural, open space, and most commercial, institutional, and industrial uses (on City sewer). The vast majority of properties in the proposed overlay districts are residential on City sewer, and these properties will not be affected.
- Conditional uses include those with the potential to cause contamination, including metal plating & working, commercial uses with septic systems, cemeteries, chemical manufacturers, dry cleaners, auto repair shops, businesses with above-ground fuel & chemical tanks, and others.
- Prohibited uses include those with a greater potential to cause contamination, including businesses with underground fuel & chemical tanks, radioactive waste facilities, coal storage, landfills, railroad yards, rendering plants & slaughterhouses, and others.
- Existing facilities that are listed as a conditional or prohibited use are grandfathered and are eligible to apply for a Conditional Use Permit to repair, rebuild, or expand the facilities, subject to very specific requirements and conditions.
- The proposed Wellhead Protection Ordinance consists of a Zoning Text Amendment in accordance with Section 2-200 and a Zoning Map Amendment in accordance with Section 2-300 of the Zoning Ordinance.
- The attached Public Notice was sent to 2,305 affected property owners. As of this writing, Planning staff has received 29 inquiries regarding the proposed ordinance. The vast majority of callers are seeking additional information, and only one has expressed outright opposition to the proposed Ordinance.

Consistency with Strategic Plan:

- Consideration of this request supports Strategic Goal #5.

Sustainability: (Briefly comment on the sustainable long term impact of this policy or program related to how it will impact both the built and natural environment utilizing the four following eco-municipality guidelines)

- **Reduce dependence upon fossil fuels** – N/A
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature** – The proposed Ordinance will regulate the use & storage of chemicals and other potential contaminants.
- **Reduce dependence on activities that harm life sustaining eco-systems** – The proposed Ordinance is intended to protect the City's water supply.
- **Meet the hierarchy of present and future human needs fairly and efficiently** – N/A

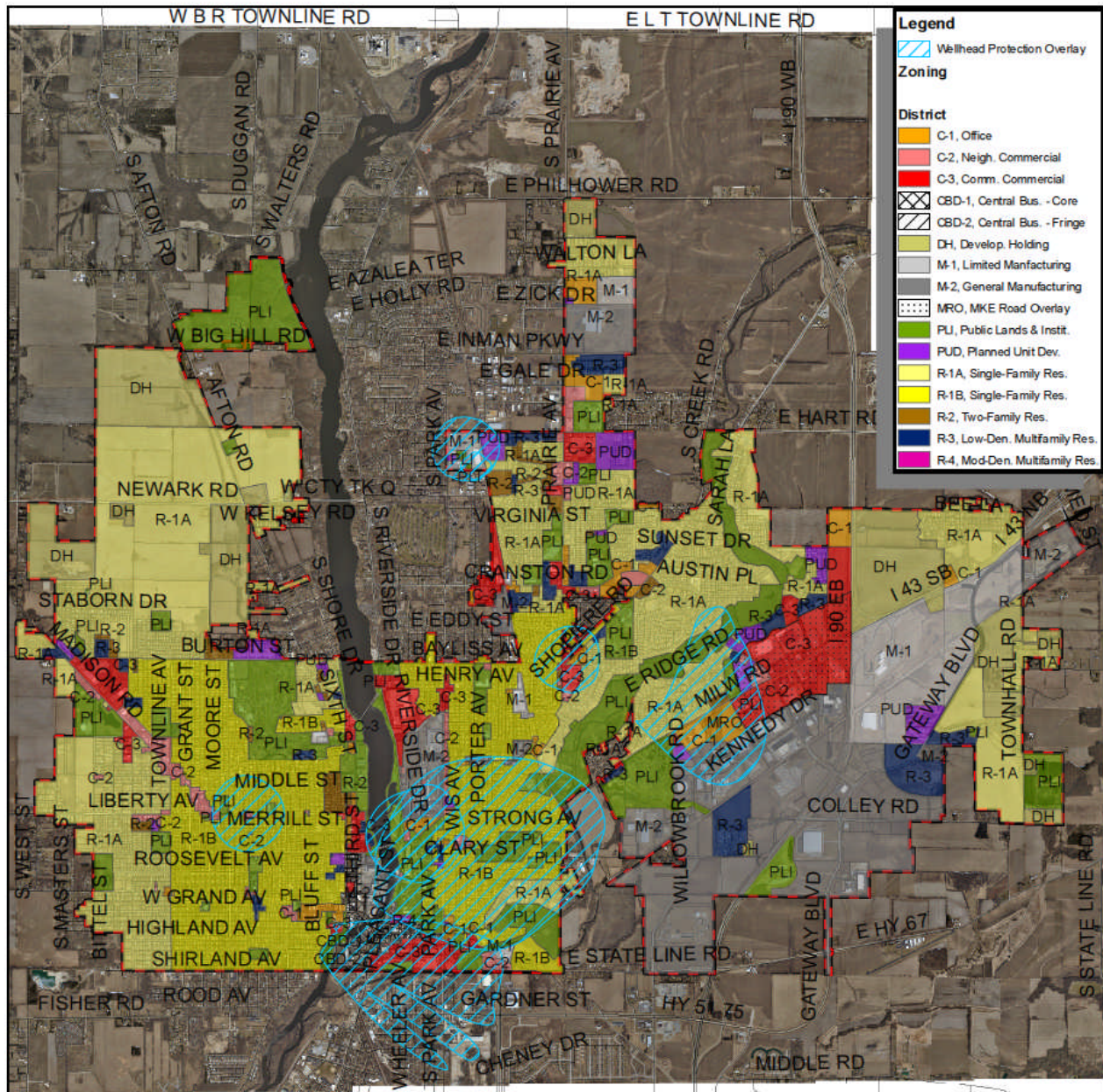
Staff Recommendation:

The Planning & Building Services Division recommends **approval** of the attached Ordinance to create Section 5-800 of the Zoning Ordinance, Article V, Chapter 19 of the Code of General Ordinances of the City of Beloit, to be known as the Wellhead Protection Ordinance.

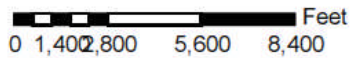
Fiscal Note/Budget Impact: The City has not received any funding to implement this Ordinance. Existing staff from the Planning Division, Water Resources Division, and City Attorney's Office are implementing this Ordinance.

Attachments: Proposed Zoning Map(s), Proposed Wellhead Protection Ordinance, and Public Notice.

Proposed Wellhead Protection Overlay District



1 inch = 4,871 feet



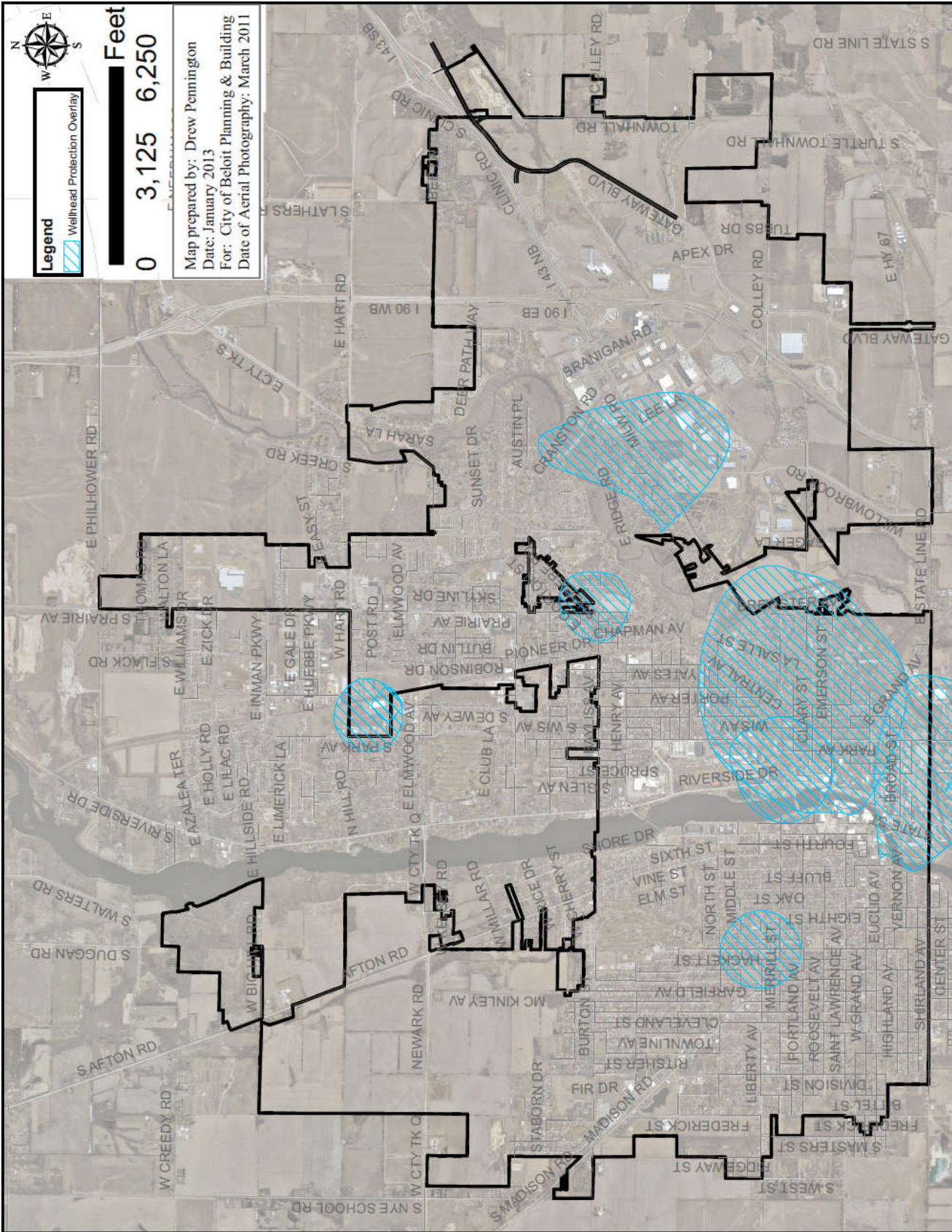
Map prepared by: Drew Pennington

Date: January 2013

For: City of Beloit Planning & Building

Date of Aerial Photography: March 2011

PLANNING & BUILDING SERVICES DIVISION



Legend
Wellhead Protection Overlay

Feet
0 3,125 6,250

Map prepared by: Drew Pennington
Date: January 2013
For: City of Beloit Planning & Building
Date of Aerial Photography: March 2011

ORDINANCE NO. _____

AN ORDINANCE CREATING SECTION 5-800 OF THE ZONING ORDINANCE, ARTICLE V, CHAPTER 19 OF THE CODE OF GENERAL ORDINANCES OF THE CITY OF БЕЛОIT, TO BE KNOWN AS THE WELLHEAD PROTECTION ORDINANCE

The City Council of the City of Beloit, Rock County, Wisconsin, do ordain as follows:

Section 1. Section 5-800 of the Zoning Ordinance, Article V, Chapter 19 of the Code of General Ordinances of the City of Beloit, is hereby created to read as follows:

“5-800 WELLHEAD PROTECTION

5-801 PURPOSE AND AUTHORITY.

- a. Purpose. The residents of the City of Beloit depend on groundwater for a safe drinking water supply. Certain land use practices and activities can seriously threaten or degrade groundwater quality. The purpose of this Wellhead Protection Ordinance is to institute land use regulations and restrictions protecting the municipal water supply of the City of Beloit (“City”) and promote the public health, safety and general welfare of the residents.
- b. Authority. Statutory authority of the City to enact these regulations was established by the Wisconsin legislature in Wis. Stats. 62.23(7)(a) and (c). Under these statutes, the City has the authority to enact this ordinance to encourage the protection of groundwater resources.

5-802 APPLICATION OF REGULATIONS. The regulations specified in this Wellhead Protection Ordinance shall apply to those areas of the City that lie within the Five-Year Time of Travel recharge area for municipal water supply wells as defined in section 5-805, and are in addition to the requirements in the underlying zoning district, if any. If there is a conflict between this ordinance and the underlying zoning ordinance, the more restrictive provision shall apply.

5-803 DEFINITIONS.

- a. Aquifer. A saturated, permeable geologic formation that contains and will yield significant quantities of water.

- b. Cone of Depression. The area around a well, where the water table dips down forming a “v” or cone shape causing the water level to be lowered at least one-tenth of a foot due to pumping a well.
- c. Facilities. A general term referring to land uses, business operations, activities, developed property, or material stored.
- d. Five-Year Time of Travel. The recharge area upgradient of the cone of depression, the outer boundary of which it is determined or estimated that groundwater will take five years to reach a pumping well.
- e. Municipal Water Supply. The municipal water supply of the City of Beloit.
- f. Person. An individual, partnership, association, corporation, municipality or state agency, or other legal entity.
- g. Recharge Area. The area which encompasses all areas or features that, by surface infiltration of water that reaches the zone of saturation of an aquifer, supplies groundwater to a well.
- h. Well Field. A piece of land used primarily for the purpose of locating wells to supply a municipal water system.
- i. Well. A boring into the earth for the purpose of extracting groundwater for supply to the municipal water supply.
- j. Zone of Saturation. The area of unconsolidated, fractured or porous material that is saturated with water and constitutes groundwater.

5-804 WELLHEAD TECHNICAL REVIEW COMMITTEE.

- a. The Wellhead Technical Review Committee shall consist of all of the following:
 - 1. The City’s Director of Planning and Building Services;
 - 2. The City’s Public Works Director;
 - 3. The City’s Engineer;
 - 4. The City’s Fire Chief; and
 - 5. The City’s Director of Water Resources.

- b. The purpose of the Wellhead Technical Review Committee is to provide objective and scientific technical review of requests for conditional use permits and to make recommendations to the Plan Commission and ultimately to the City Council to grant or deny conditional use permits based upon the facts discovered in those reviews, to make recommendations on any and all conditions placed on a conditional use permit, and to give advice on matters concerning groundwater.
- c. Professional Services. The City may retain the services of professional consultants (including engineers, environmental specialists, hydrologists, and other experts) to assist the City in the City's review of a proposal or submittal coming before the Wellhead Technical Review Committee. The submittal of a proposal by a petitioner shall be construed as an agreement to pay for such professional review services applicable to the proposal. The City may apply the charges for these services to the petitioner along with an administrative fee. Review fees, which are due the City from the petitioner, but which are not paid, may be assigned by the City as a special assessment to the subject property.

5-805 WELLHEAD PROTECTION OVERLAY DISTRICT. The Wellhead Protection Overlay District hereby created is intended to institute land use regulations and restrictions within a defined area which contributes water directly to a municipal water supply and thus promotes public health, safety, and welfare. The Wellhead Protection Overlay District is intended to protect the Five-Year Time of Travel recharge area for the existing or future municipal water supply from contamination.

5-806 SUPREMACY OF THIS DISTRICT. The regulations of an overlay district will apply in addition to all other regulations which occupy the same geographic area. The provisions of any zoning districts that underlay this overlay district will apply except when provisions of the Wellhead Protection Overlay District are more stringent.

5-807 WELLHEAD PROTECTION OVERLAY DISTRICTS BOUNDARIES. The Wellhead Protection Overlay Districts shall be part of the City of Beloit Zoning District Map and the locations and boundaries of the Wellhead Protection Overlay Districts established by this ordinance are incorporated herein and hereby made a part of this ordinance. Said map, together with everything shown thereon and all amendments thereto, shall be as much a part of this ordinance as though fully set forth and described herein.

5-808 PERMITTED USES IN WELLHEAD PROTECTION OVERLAY DISTRICTS.

- a. Subject to the conditions for existing uses listed in section 5-812, the following are the only permitted uses within the Wellhead Protection Overlay District:
 1. Public and private parks, and playgrounds, provided there are no on-site wastewater disposal systems or holding tanks;
 2. Wildlife and natural and woodland areas;
 3. Biking, hiking, skiing, nature, equestrian and fitness trails;
 4. Residential which is municipally sewered and free of flammable and combustible liquid underground storage tanks;
 5. Single-family residences on a minimum lot of 20,000 square feet with a private on-site sewage treatment system receiving less than 8,000 gallons per day, which meets the county and state health standards for the effluent, and free of flammable or combustible liquid underground storage tanks;
 6. Agricultural uses in accordance with the county soil conservation department's best management practices guidelines;
 7. Commercial, institutional, industrial or office establishments which are municipally sewered, subject to the prohibited and conditional uses listed in sections 5-810 and 5-811.

5-809 SEPARATION DISTANCE REQUIREMENTS IN WELLHEAD PROTECTION OVERLAY DISTRICTS.

- a. The following separation distances as specified in s. NR 811.16(4)(d), Wis. Adm. Code, shall be maintained. Measurements shall be from the wellhead to the specified structure, facility, edge of landfill or storage area as described in items 1 through 6 below.
 1. Fifty feet between a public water supply well and a stormwater sewer main or any sanitary sewer main

constructed of water main materials and joints which is pressure tested in place to meet current AWWA 600 specifications. NOTE: Current AWWA 600 specifications are available for inspection at the office of the Wisconsin Department of Natural Resources and the Secretary of State's office.

2. Two hundred feet between a public water supply well and any sanitary sewer main not meeting the above specifications, any sanitary sewer lift station or single-family residential fuel oil tank.
3. Four hundred feet between a public water supply well and a septic system receiving less than 8,000 gallons per day, or a stormwater detention, retention, infiltration or drainage basin.
4. Six hundred feet between a well and any gasoline or fuel oil storage tank installation that have received written approval from the Wisconsin Department of Safety and Professional Services or its designated Local Program Operator under s. SPS 310.110, Wis. Adm. Code, or another state agency of the State of Wisconsin with authority to issue such written approval.
5. One thousand feet between a well and land application of municipal, commercial or industrial waste; industrial, commercial or municipal waste water lagoons or storage structures; manure stacks or storage structures; and septic tanks or soil adsorption units receiving 8,000 gallons per day or more.
6. Twelve hundred feet between a well and any solid waste storage, transportation, transfer, incineration, air curtain destructor, processing, wood burning, one time disposal or small demolition facility; sanitary landfill; coal storage area; salt or deicing material storage area; gasoline or fuel oil storage tanks that have not received written approval from the Wisconsin Department of Safety and Professional Services or its designated Local Program Operator under s. SPS 310.110, Wis. Adm. Code, or another state agency of the State of Wisconsin with authority to issue such written approval; bulk fuel storage facilities; and pesticide or fertilizer handling or storage facilities.

5-810 PROHIBITED USES IN WELLHEAD PROTECTION OVERLAY DISTRICTS.

- a. The following uses are prohibited:
1. Buried hydrocarbon, petroleum or hazardous chemical storage tanks. (Hazardous chemicals are identified by OSHA criteria under 40 CFR Part 370.)
 2. Radioactive waste facilities.
 3. Coal storage.
 4. Industrial lagoons, pits or natural or manmade containment structures, primarily of earthen materials used for storage or treatment of wastewater, fermentation leachates or sludge.
 5. Landfills and any other solid waste facility, except post-consumer recycling.
 6. Manure and animal waste storage except animal waste storage facilities regulated by the county.
 7. Pesticide and fertilizer dealer.
 8. Railroad yards and maintenance stations.
 9. Rendering plants and slaughterhouses.
 10. Salt or deicing material storage for the purpose of distribution.
 11. Septage or sludge spreading.
 12. Septage, wastewater, or sewage lagoons.
 13. Motor vehicular filling stations.
 14. Wood preserving operations.

5-811 CONDITIONAL USES.

- a. Any person may request a conditional use permit, as provided for in Article II, section 2-500, for certain uses, activities and structures within the Wellhead Protection Overlay District not prohibited in section 5-810.
- b. The uses, activities, and structures that may be conditionally allowed are:
 1. Jewelry plating and metal plating.
 2. Machine or metal working shops as the principal business.
 3. Commercial, institutional, or office establishments utilizing a private on-site wastewater treatment system.
 4. Cemeteries.
 5. Chemical manufacturers (Standard Industrial Classification Major Group 28).
 6. Dry cleaners.
 7. Nonmetallic earthen materials extraction or sand and gravel pits.
 8. Salvage or junk yards.
 9. Stockyards and feedlots.
 10. Research labs, universities and hospitals.
 11. Exposed hydrocarbon, petroleum or hazardous chemical storage tanks. (Hazardous chemicals are identified by OSHA criteria under 40 CFR Part 370.) This shall not apply to residential LP gas tanks.
 12. Storage or processing of extremely hazardous substances, radioactive materials or substances listed in APPENDIX I TO TABLE 1 PUBLIC HEALTH GROUNDWATER QUALITY STANDARDS, ch. NR 140, Wis. Adm. Code (Extremely hazardous substances are identified by SARA/EPCRA criteria under 40 CFR Parts 302 and 355.)
 13. Septage or sludge storage or treatment.

14. Motor vehicular service stations, repair, renovation and body working.
- c. All applications for a conditional use permit shall be submitted in writing to the City Planning and Zoning Department, using such forms as are made available for that purpose by said Department, and shall include all of the following:
1. A site plan map with all building and structure footprints, driveways, sidewalks, parking lots, stormwater management structures, groundwater monitoring wells, and 2-foot ground elevation contours.
 2. A business plan and/or other documentation which describes in detail the use, activities, and structures proposed.
 3. An environmental assessment report prepared by a licensed environmental engineer which details the risk to, and potential impact of, the proposed use, activities, and structures on groundwater quality.
 4. An operational safety plan, which details the operational procedures for material processes and containment, best management practices, stormwater runoff management, and groundwater monitoring.
 5. A contingency plan which addresses in detail the actions that will be taken should a contamination event caused by the proposed use, activities, or structures occur.
- d. All applicants submitting a request for a conditional use permit shall reimburse the City for all consultant fees and expenses and technical review committee expenses associated with this review, plus administrative costs and processing fees.
- e. All conditional use permits granted shall be subject to conditions that will include environmental and safety monitoring determined necessary to afford adequate protection of the public water supply. These conditions shall include all of the following:
1. Provide current copies of all federal, state and local facility operation approval or certificates and on-going environmental monitoring results to the City.

2. Establish environmental or safety structures/monitoring to include an operational safety plan, material processes and containment, operations monitoring, best management practices, stormwater runoff management, and groundwater monitoring.
 3. Replace equipment or expand in a manner that improves the environmental and safety technologies in existence.
 4. Prepare, file and maintain a current contingency plan which details the response to any emergency which occurs at the facility, including notifying municipal, county and state officials. Provide a current copy to the City.
- f. The City Council shall decide upon a request for a conditional use permit only after full consideration of the recommendations made by the Wellhead Technical Review Committee. Any conditions above and beyond those specified in Conditional Uses, subsection (e) herein, that are recommended by the Wellhead Technical Review Committee may be applied to the granting of the conditional use permit.

5-812 REQUIREMENTS FOR EXISTING FACILITIES REQUIRING A CONDITIONAL USE OR LISTED AS A PROHIBITED USE.

- a. Existing facilities within the Wellhead Protection Overlay District at the time of enactment of such district which require a conditional use or are listed as a prohibited use in section 5-811 or section 5-810 are subject to the following provisions:
 1. The owners or operators of facilities described in section 5-812 (a), which facilities exist within the district at the time of enactment, shall, within 45 days of enactment, provide copies of all current, and within 30 days of receipt, revised or new federal, state and local facility operation approvals, permits or certificates; operational safety plan and on-going environmental monitoring results to the City.
 2. The owners or operators of facilities described in section 5-812 (a), which facilities exist within the district at the time of enactment of a district, shall have the responsibility of devising, filing and maintaining, with the City, a current contingency plan which details how they intend to respond to any emergency which may cause or threaten to cause environmental pollution that occurs at their facility, including notifying municipal, county and state officials.

3. In the event of casualty loss causing damage or destruction to building improvements exceeding 50 percent of the assessed valuation thereof, or the desire to expand or enlarge facilities, then the owners or operators of such facilities may be granted a conditional use permit, in accordance with this Code, and section 5-811 above, to repair, rebuild, or expand such facilities, provided that the conditions imposed shall generally require that:
 - (a) To the extent feasible, based upon scientific, engineering and economic factors, the building improvements shall be repaired, restored or rebuilt employing designs and technologies which are state of the art, such that they diminish the potential for wellhead contamination; and
 - (b) To the extent feasible, based upon scientific, engineering, and economic factors, the replacement or augmentation of equipment and machinery and the installation thereof, which diminishes potential for wellhead contamination. This section does not apply to normal maintenance or minor repairs.

5-813 ENFORCEMENT AND PENALTY.

- a. Penalty. Any person who violates, neglects or refuses to comply with any of the provisions of this ordinance shall be subject to a penalty as provided in section 25.04 of this Code.
- b. Injunction. The City of Beloit may, in addition to any other remedy, seek injunction or restraining order against the party alleged to have violated the provisions herein, the cost of which shall be charged to the defendant in such action.
- c. Cleanup Costs. As a substitute for, and in addition to any other action, the City of Beloit may commence legal action against both the person who releases the contaminants and the owner of the facility whereupon the contaminants were released to recover the costs, together with the costs of prosecution. Any person who causes the release of any contaminants which may endanger or contaminate the municipal water supply system associated with a Wellhead Protection Overlay District shall immediately cease such discharge and immediately initiate clean up satisfactory to the City and the other state and federal regulatory agencies.

The person who releases such contaminants and the person who owns the facility whereon the contaminants have been released shall be jointly and severally responsible for the cost of cleanup, consultant, or other contractor fees, including all administrative costs for oversight, review and documentation, including the City employees, equipment, and mileage.

5-814 CONFLICT, INTERPRETATION AND SEVERABILITY.

- a. Conflict and Interpretation of Provisions. If the provisions of the different chapters of this Code conflict with or contravene each other, the provisions of each chapter shall prevail as to all matters and questions arising out of the subject matter of such chapter. In their interpretation and application, the provisions of this ordinance shall be held to be the minimum and are not deemed a limitation or repeal of any other power granted by Wisconsin Statutes. Where any terms or requirements of this ordinance may be inconsistent or conflicting, the most restrictive requirements or interpretations shall apply.
- b. Severability of Code Provisions. If any section, subsection, sentence, clause or phrase of the Code is for any reason held to be invalid or unconstitutional by reason of any decision of any court of competent jurisdiction, such decision shall not affect the validity of any other section, subsection, sentence, clause or phrase or portion thereof. The City Council hereby declares that they would have passed this Code and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions may be declared invalid or unconstitutional.
- c. Amendments Adopted. Where the Wisconsin Statutes or the administrative regulations and codes of Wisconsin or the United States are adopted by reference in this section 5-800, such adoptions shall include any subsequent amendments or replacement citations thereto, which are hereby adopted by reference and incorporated herein as if they were fully set forth and made a part hereof.”

Section 2. This ordinance shall be in force and take effect upon passage and publication.

Adopted this _____ day of _____, 2013.

BELOIT CITY COUNCIL

By: _____
Charles M. Haynes, President

ATTEST:

By: _____
Rebecca Houseman LeMire, City Clerk

PUBLISHED: _____

EFFECTIVE DATE: _____

01-611100-5231- _____

tdh/ord/Wellhead Protection=ord=130211 1658 (cln) (11-1077)



City of
BELOIT, Wisconsin
Division of Planning and Building Services

CITY HALL • 100 STATE STREET • BELOIT, WI 53511

Office: 608/364-6700 • Fax: 608/364-6609

www.ci.beloit.wi.us

Equal Opportunity Employer

NOTICE TO THE PUBLIC

February 6, 2013

To Whom It May Concern:

In accordance with Wisconsin Department of Natural Resources (DNR) requirements, City of Beloit staff has drafted an Ordinance to create Section 5-800 of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit, to be known as the Wellhead Protection Ordinance. The purpose of the Wellhead Protection Ordinance is to protect the City's water supply from sources of contamination. Essentially, the Wellhead Protection Ordinance creates several Wellhead Protection Overlay Districts around each of the City's wells. As the name implies, the overlay district is a second zoning district classification, as affected properties will retain their underlying zoning district classification (e.g. residential, commercial, industrial, etc.). If you received this notice via U.S. Mail, our records indicate that you are the owner of property within one or more of the proposed overlay districts.

The Wellhead Protection Ordinance establishes permitted, conditional, and prohibited uses within the Wellhead Protection Districts. Permitted uses include residential (on City sewer), agricultural, open space, and most commercial, institutional, and industrial uses (on City sewer). Conditional uses include those with the potential to cause contamination, including metal plating & working, commercial uses with septic systems, cemeteries, chemical manufacturers, dry cleaners, auto repair shops, businesses with above-ground fuel & chemical tanks, and others. Prohibited uses include those with a greater potential to cause contamination, including businesses with underground fuel & chemical tanks, radioactive waste facilities, landfills, railroad yards, and others. Existing facilities that are listed as a conditional or prohibited use are eligible to apply for a Conditional Use Permit to repair, rebuild, or expand the facilities, subject to very specific requirements and conditions.

The proposed Wellhead Protection Ordinance consists of a Zoning Text Amendment in accordance with Section 2-200 and a Zoning Map Amendment in accordance with Section 2-300 of the Zoning Ordinance. The following public hearings will be held regarding this proposal:

City Plan Commission: Wednesday, February 20, 2013, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

City Council: Monday, March 4, 2013, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

The public is invited to attend these hearings. We are interested in your opinion. Anyone bringing handouts to the meetings must bring ten (10) copies and submit them before the meeting begins.

For additional information or to comment, please contact Drew Pennington in the Planning & Building Services Division at (608) 364-6711 or penningtond@ci.beloit.wi.us.