



CITY HALL • 100 STATE STREET • BELOIT, WI 53511

MEETING NOTICE AND AGENDA
Beloit City Plan Commission
Wednesday, March 6, 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 20, 2013 Meeting**
3. **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
4. **Certified Survey Map – East Hart Road Immediately East of I-39/I-90**
Review and consideration of a one-lot Certified Survey Map for the property located on East Hart Road immediately east of I-39/I-90 in the Town of Turtle
5. **Conditional Use Permit – Self-Service Storage - 3022 Ford Street**
Public hearing, review and consideration of a Conditional Use Permit for a self-service storage use in conjunction with the rental of trucks and trailers in a C-3, Community Commercial District, for the property located at 3022 Ford Street
6. **Alley Vacation – North-South Alley Located in the Block Bound by North Street, Sixth Street, Olympian Boulevard and Fourth Street**
Public hearing, review and consideration of the vacation of an unnamed north-south alley located in the block bound by North Street, Sixth Street, Olympian Boulevard, and Fourth Street
7. **Comprehensive Plan Amendment – 1528 and 1532 Forest Avenue and 1533 W. Grand Avenue**
Public hearing, review and consideration of an amendment to the Future Land Use Map of the City's Comprehensive Plan from Single-Family Residential – Urban to Institutional and Community Services for the properties located at 1528 and 1532 Forest Avenue and 1533 W. Grand Avenue

**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

8. **Ordinance to Amend Various Sections of the Code of General Ordinances of the City of Beloit Pertaining to the Reorganization of the Community Development Department**

Public hearing, review and consideration of an amendment to various sections of the Code of General Ordinances of the City of Beloit Pertaining to the Reorganization of the Community Development Department

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

10. **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: March 1, 2013

Approved: Julie Christensen
Community Development Director

MINUTES
BELOIT CITY PLAN COMMISSION
Wednesday, February 20, 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 was Chairperson Ramsden, Commissioner Jacobsen, Commissioner Moore, Commissioner Faragher, and Commissioner Kincaid. Commissioner Smith, Commissioner Kelly, and Commissioner Seifarth were absent.

2. **Approval of the Minutes of the February 6, 2013 Meeting**

Commissioner Faragher moved and Commissioner Moore seconded a motion to approve the February 6, 2013 minutes. The minutes were approved, with a vote of 4-0.

3. **Appointment of a Plan Commission member to the Greater Beloit Economic Development Corporation**

Commissioner Moore made a motion to nominate Commissioner Jacobsen to the Greater Beloit Economic Development Corporation and the motion was seconded by Commissioner Faragher. The motion carried, with a vote of 4-0.

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.

Commissioner Jacobsen had to abstain from voting on this item because of a conflict of interest, so it was laid over because of lack of quorum.

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 Peter Road south of County Trunk J in the Town of Turtle.

Ms. Christensen summarized the staff report and recommendation.

Commissioner Faragher moved and Commissioner Jacobsen seconded a motion to approve the Certified Survey Map. The motion carried. (4-0)

6. **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.

Harry Mathos, Director of Water Resources, presented a brief PowerPoint on the Wellhead Protection Ordinance. Mr. Mathos also gave an explanation of the purpose of the Wellhead Protection Ordinance and the details of who would be impacted by the adoption of the Ordinance.

Commissioner Jacobsen asked Ms. Christensen for clarification on the areas that impacted by the Wellhead Protection Ordinance, explaining that the Wellhead Protection Ordinance would have no impact on single-family residential properties.

Chairperson Ramsden opened the Public Hearing.

Jason Braun, property owner of 510 & 522 Broad St, and 524 St. Paul, stated that he was opposed to the Wellhead Protection Ordinance as proposed. He explained that he had spoken to staff at the Wisconsin Department of Natural Resources (DNR), and they had indicated that this ordinance was voluntary and not mandated by them. Ms. Christensen commented that from her understanding this would not be voluntary, but a requirement around all the City's wells. Mr. Braun commented that he would like for the Board to take into consideration the potential land value and what would happen to the properties in future generations. He also asked whether a new conditional use permit would be required every time the property sold. Ms. Christensen commented that a Conditional Use Permit goes with the property and once it is established it stays in place forever.

Harry Mathos, Director of Water Resources, explained that the City had received a letter from DNR on July 11, 2011, stating that the City would be required to adopt a Wellhead Protection Ordinance for all wells within 18 months, and that the City had already gotten an extension to ensure that they had gotten everything right within the ordinance.

Mike Kellicut, business owner of 2601 Park Avenue, wanted to know if this would apply in the Township. Ms. Christensen answered that the City Manager had indicated that we impose the same requirements in the towns because they are part of the City's Water Utility.

Commissioner Ramsden asked Mr. Kellicut what the Wellhead Protection Ordinance would require of him that is not already required. Mr. Kellicut commented that he does not really understand it himself, but if he has to go through the Conditional Use and do environmental studies, it would be an additional expense on him as a

small business owner. Ms. Christensen commented that unless he is expanding or re-building it would have no effect on him.

Chris Proctor, property owner of 631 St. Paul Avenue, asked how much the studies would cost and how long the studies would take to complete. Ms. Christensen commented that right now the ordinance does not have a cap on cost and that they would have to get bids. Mr. Mathos commented that he would make some contacts related to the costs and get estimates.

Tom Pohlman, property owner of 2785 Park Avenue, stated that his concerns were related to the cost and the potential loss of business because of the additional burdens. Mr. Pohlman said that with no limitations on professional fees, this could be crippling to smaller businesses. Another concern for Mr. Pohlman would be the Conditional Use Permit burden which could be an enormous expense to any business. Mr. Pohlman commented that it is difficult with the way it is worded to predict a cost but does not feel this would be an acceptable amount.

Roger Kimmon, property owner of 2549 Park Avenue, asked if the City knew how many businesses were affected. Ms. Christensen said that she thinks it is about 200 businesses. Mr. Kimmon said that his concern was that they did not know the cost of analysis and that the cost would mainly fall on the small business owner. Mr. Kimmon stated that another concern is that now technically one of his properties is worthless because this would limit what he can do with it and who can be there.

Commissioner Ramsden asked Mr. Kimmon if he now has certain rules from DNR on what he can and cannot do. Mr. Kimmon stated that yes he does, but they are not audited or checked.

Fred Braun, property owner of 510 Broad St., wanted to know if the July 11, 2011 letter available for public viewing. Ms. Christensen answered that she would get a copy for him later.

Ted House, 701 White Avenue, representing Fairbanks Morse, commented that they are half in and half out of the district and wanted to know how this would apply to them. Mr. Mathos said that he would assume that the ordinance would apply to the entire site.

Patrick Bliss, 2581 Park Avenue, stated that he wanted the City to know that they are regulated with their solvents, oil and antifreeze and are environmentally controlled to a certain extent.

Chairperson Ramsden closed the Public Hearing.

Commissioner Jacobsen commented that she thinks it is great that so many concerned citizens came out to help work through this. Ms. Jacobsen asked if the Board has the authority to recommend other things that should move to the other list and Ms. Christensen answered that they could.

Mr. Mathos commented that most businesses are already covered and this would just enhance their operation.

Commissioner Ramsden said that he feels the City should give some consideration to the people affected and try to minimize the cost.

Commissioner asked about the Town of Beloit following along with the City on this ordinance. Mr. Mathos read clause 26A, referencing the Water Utility agreement with the Town of Beloit, which contains a cooperative planning clause that calls for master planning and cooperative effort regarding future developments in relationship with water resources.

Commissioner Moore asked if the compliance letter to comply would be going out to the town just as it did to the City. Mr. Mathos answered that they would not necessarily be contacted because the City owns the water utility.

Commissioner Faragher moved and Commissioner to adopt the Zoning Text and Map Amendment with additional requests to set limitations on consultant fees in the ordinance, review the permitted and conditional uses in order to allow as many existing uses as possible, and to make sure that the requirements contained in Section 5-812 are not onerous and unreasonable or duplicate existing requirements. Commissioner Jacobsen seconded the motion. The motion carried, with a vote of 4-0.

7. **Connections: City Center Plan**

Review and consideration of the Connections: City Center Plan

Ryan Garcia, Schreiber Anderson and Associates, presented a PowerPoint on the details of the Connections: City Center Plan. Mr. Garcia stated that the plan is a great opportunity for the City of Beloit and South Beloit to work together and will benefit both communities.

Commissioner Ramsden commented that he thinks the overall concept is really good.

Commissioner Faragher inquired about the junkyard on the Stateline, and Mr. Garcia commented that they do recognize them as a business and a place of employment, as well as other businesses in the area.

Commissioner Faragher moved and Commissioner Moore seconded approval of the Connections: City Center Plan. The motion carried.

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

Ms. Christensen stated that the Conditional Use Permit for alcohol sales at 1623 Park Avenue was denied. The Rezoning for Lee Lane Park was approved. A Public Hearing was held on the Comprehensive Plan Amendment for the Hackett School site and 501 Prospect. Action will take place on these two items at the next City Council meeting. The Comprehensive Plan Amendment for 20 Park Avenue was withdrawn.

9. **Adjournment**

The meeting adjourned at 8:45 PM.

Respectfully submitted,
Gail Riddle

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION

Meeting Date: March 6, 2013

Agenda Item: 3

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:

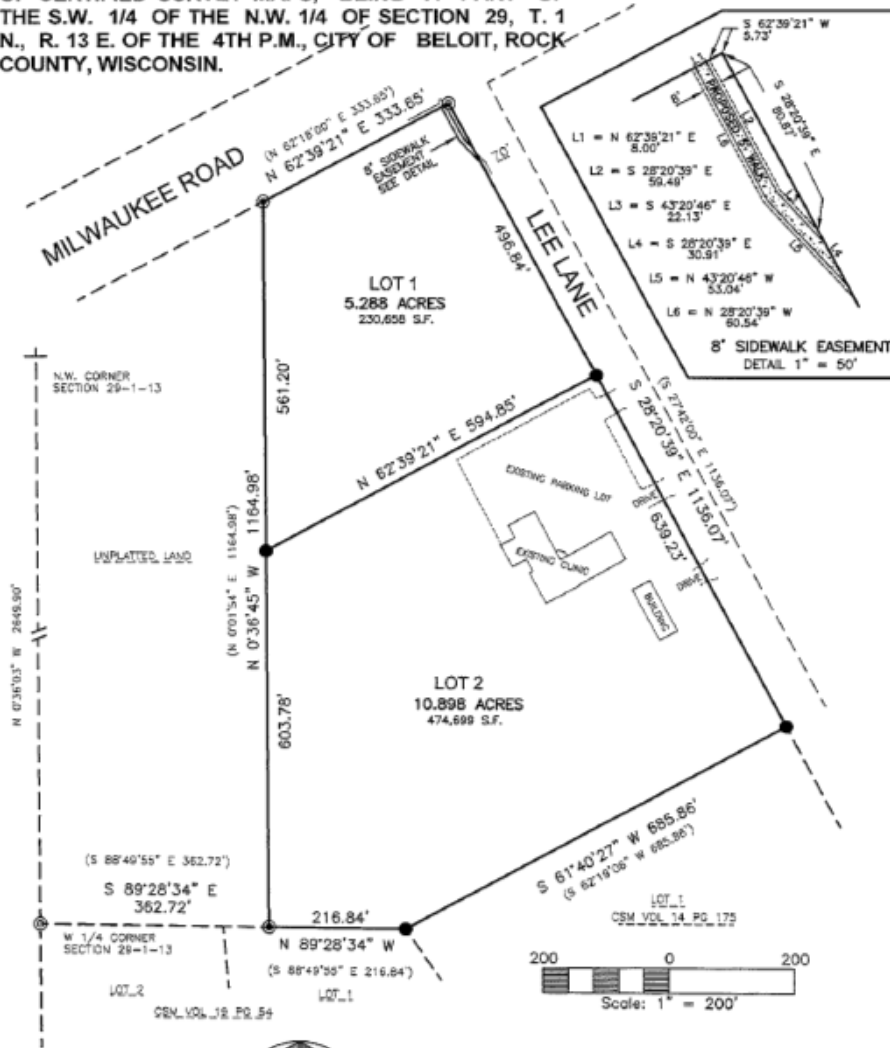
1. Lot 1 shall be addressed as 1670 Lee Lane and Lot 2 shall be addressed as 1650 Lee Lane.
 2. The final CSM shall be recorded with the Rock County Register of Deeds by December 31, 2013.
-

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 —X—X— Fences
- ⊙ Iron Rebar Found
- (xxxxxx) Record Date

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 X 2 DP 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) DP
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 DP 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>

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION

Meeting Date: March 6, 2013

Agenda Item: 4

File Number: CSM-2013-03

Applicant: Combs & Associates, Inc.

Owner: Henry Knueppel

Location: East Hart Road, Town of Turtle

Existing Zoning: A1, Exclusive Agriculture District (Town Zoning)

Existing Land Use: Agricultural Uses

CSM Area: 21.754 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 property located on East Hart Road immediately east of I-39/I-90 in the Town of Turtle within the City's Extraterritorial Jurisdiction. The attached Location Map shows the location of the property involved in this application.

Key Issues:

- Proposed Lot 1 was formerly connected with the lot located to the west of Interstate 90, however, both lots were separated in the 1950s or 1960s during the construction of Interstate 90. Both lots share the same parcel identification number.
- Before the property can be sold, Rock County is requiring that proposed Lot 1 be officially subdivided and a separate parcel identification number be assigned.
- Proposed Lot 1 is approximately 21.754 acres in area and is located east of Interstate 90. The nearest intersection is East Hart Road and South Lathers Road.
- Proposed Lot 1 includes approximately 361-feet of frontage on East Hart Road, and 2,575-feet along I-39/I-90.
- Proposed Lot 1 will continue to be used for agricultural purposes, and no dwellings may be constructed on it.
- The City's other 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 & Building Services Division recommends **approval** of the attached one-lot Certified Survey Map (CSM) for the property located on East Hart Road immediately east of I-39/I-90 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 & Building Services Division with a copy of the recorded CSM within one year of Plan Commission approval.

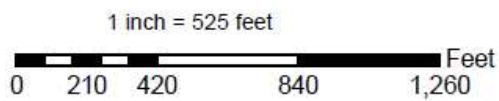
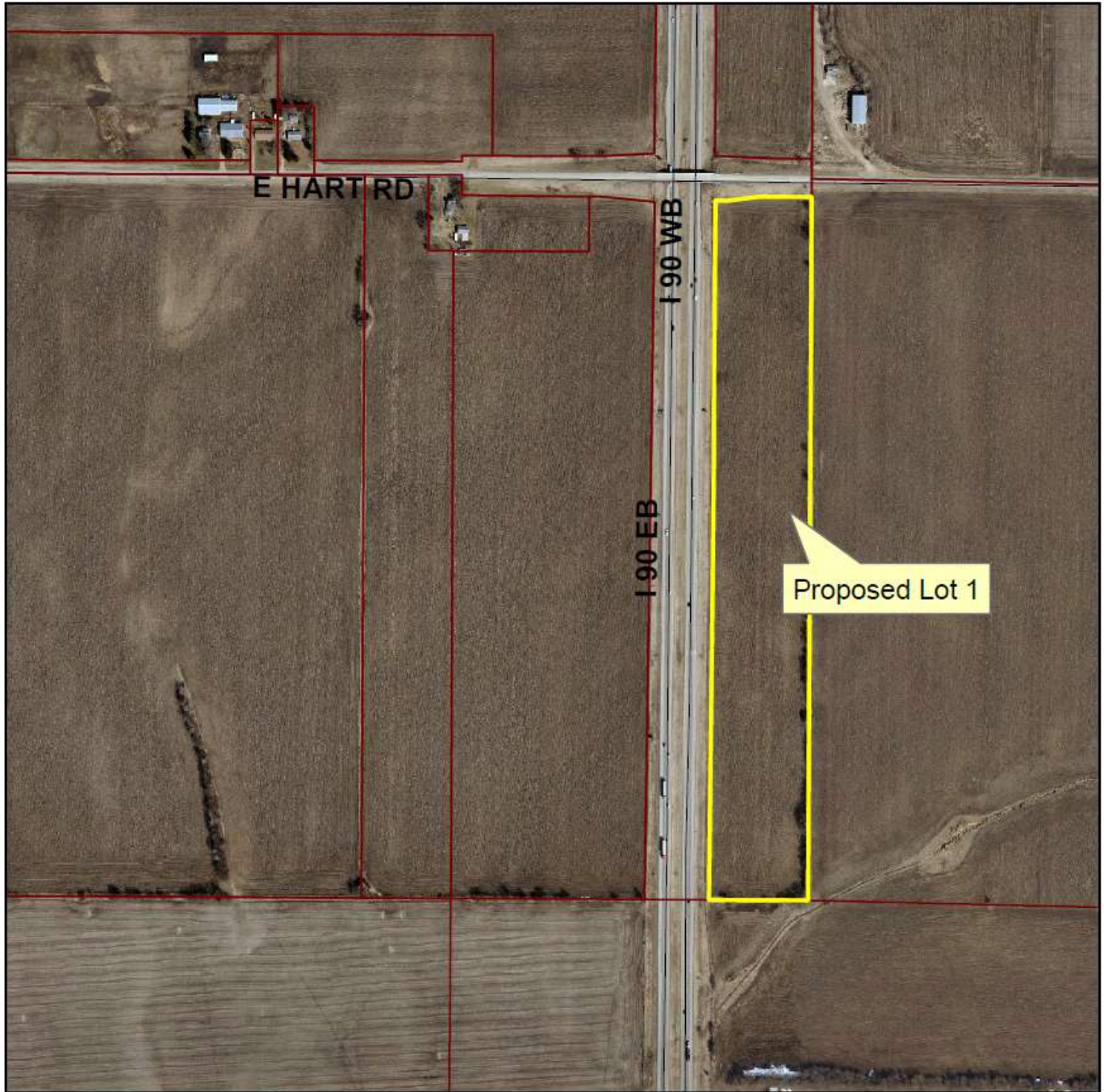
Fiscal Note/Budget Impact: N/A

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

Location Map

East Hart Road

CSM-2013-03



Map prepared by: Michael D. Lofton II
Date: February 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-2013-03

1. Address of property: NA
2. Tax Parcel Number(s): 6-19-194
3. Property is located in (circle one): City of Beloit or Town of Turtle; Beloit; Rock or LaPrairie
In the SE Quarter of Section 17, Township 1 North, Range 13 East of the 4th P.M.
4. Owner of record: Henry Knueppel Phone: 363-0921
1528 E. Colley Road Beloit 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 1 lot(s).
7. Total area of land included in this map: 21.754 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? No
10. The present zoning classification of this property is: A1
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 1/31/2013 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.

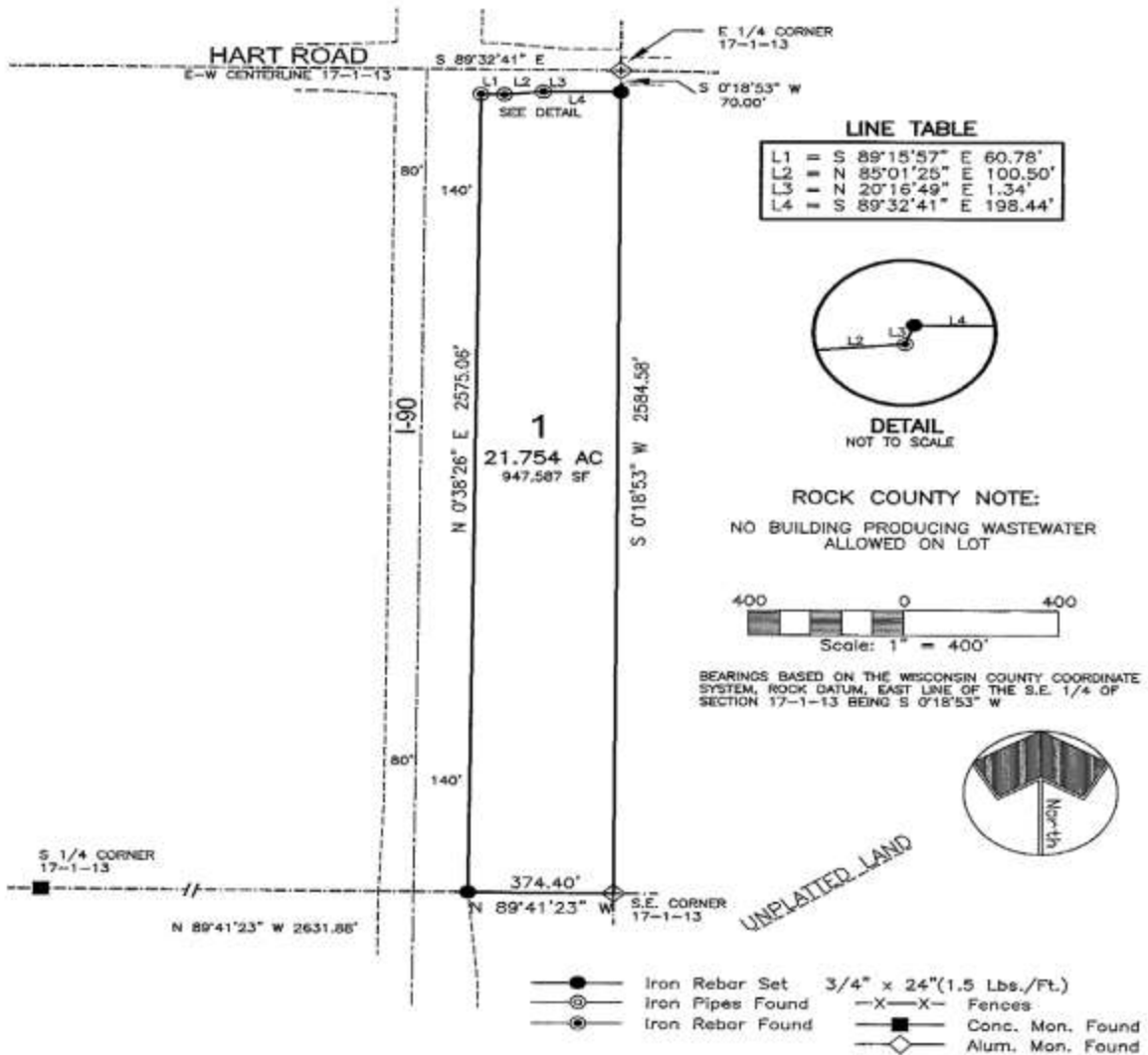
[Signature] RH BATTERMAN CO. / 2/1/13
(Signature of applicant) (Name of applicant) (Date)

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>\$160.00</u>
Scheduled meeting date: <u>March 6, 2013</u>
Application accepted by: <u>Michael D. Lofton II</u> Date: <u>2/1/13</u>

CERTIFIED SURVEY MAP

PART OF THE N.E. 1/4 OF THE S.E. 1/4 AND
PART OF THE S.E. 1/4 OF THE S.E. 1/4 OF
SECTION 17, TOWNSHIP 1 NORTH, RANGE 13
EAST OF THE 4TH PRINCIPAL MERIDIAN,
TURTLE TOWNSHIP, ROCK COUNTY,
WISCONSIN.



ORDER NO. 31476
BOOK xxx PAGE xxx
DATE FEBRUARY 1, 2013
FOR LES HULLAH
SHEET 1 OF 6

File Name: J:\31451-31499\31476\31476.dwg

Batterman
engineers surveyors planners

2857 Bartels Drive Beloit, Wisconsin 53511
808.365.4464 www.rhbatterman.com



CERTIFIED SURVEY MAP

PART OF THE N.E. 1/4 OF THE S.E. 1/4 AND PART OF THE S.E. 1/4 OF THE S.E. 1/4 OF SECTION 17, TOWNSHIP 1 NORTH, RANGE 13 EAST OF THE 4TH PRINCIPAL MERIDIAN, TURTLE TOWNSHIP, ROCK COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE OF COMPLIANCE WITH STATUTE

State of Wisconsin) I, Robert Leuenberger, a Registered Land Surveyor, do hereby certify that I
County of Rock) ss. have surveyed and mapped Part of the N.E. 1/4 of the S.E. 1/4
and part of the S.E. 1/4 of the S.E. 1/4 of Section 17, T. 1 N., R. 13 E. of the 4th P.M., Turtle Township, Rock
County, Wisconsin.

DESCRIBED AS FOLLOWS: Commencing at the East Quarter corner of Section 17, aforesaid; thence South 0°18'53" West 70.00 feet along the East line of said S.E. 1/4 to the place of beginning; thence continuing South 0°18'53" East 2584.58 feet to the Southeast corner of said Section 17; thence North 89°41'23" West 374.40 feet along the South line of said S.E. 1/4 to the East right of way line of I-90; thence North 0°38'26" East 2575.06 feet along said Easterly line to the Southerly line of Hart Road; thence along said Southerly line as follows: South 89°15'57" East 60.78 feet; thence North 85°01'25" East 100.50 feet; thence North 20°16'49" East 1.34 feet; thence South 89°32'41" East 198.44 feet to the place of beginning. Containing 21.754 acres, more or less.

Subject to any easements, agreements, covenants or restrictions, recorded or unrecorded.

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 the owners, and that I have complied fully with the provisions of Section 236.34 of the Wisconsin Statutes in surveying, dividing and mapping the same. Given under my hand and seal, this 1st day of February, 2013 at Beloit, Wisconsin.

Approved by the Town Board of the Town of Turtle, 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

This Final Land Division No. 2013 001 is approved, this
_____ day of _____, 2013, pursuant to Chapter 15
of the Rock County Ordinance.

By: _____
Rock County Planning, Economic and
Community Development Department

ORDER NO. 31476
FEBRUARY 1, 2013
FOR LES HULLAH
SHEET 2 OF 6



CERTIFIED SURVEY MAP

PART OF THE N.E. 1/4 OF THE S.E. 1/4 AND PART OF THE S.E. 1/4 OF THE S.E. 1/4 OF SECTION 17, TOWNSHIP 1 NORTH, RANGE 13 EAST OF THE 4TH PRINCIPAL MERIDIAN, TURTLE TOWNSHIP, ROCK COUNTY, WISCONSIN.

OWNERS CERTIFICATE

I, Henry W. Knueppel Owner of the land described in the foregoing description, do hereby certify that I have caused the land described on this plat to be surveyed, divided, mapped and dedicated as represented on the plat. I also certify that this plat is required by Sections 236.10 and .12 of the Wisconsin Statutes to be submitted to the following for approval or objection: The Town of Turtle, City of Beloit Plan Commission and the Rock County Department of Planning, Economic and Community Development.

WITNESS the hand and seal of said owners, this _____ day of _____, 2013.

Henry W. Knueppel

*State of Wisconsin)
County of Rock)*²²

Personally came before me, this _____ day of _____, 2013, the above-named Henry W. Knueppel, to me known to be the person who executed the foregoing certificate and acknowledge the same.

Notary Public, Rock County, Wisconsin

My Commission Expires _____

Approved by the Plan Commission of the City of Beloit, this _____ day of _____, 2013

By: _____

ORDER NO. 31476
FEBRUARY 1, 2013
FOR LES HULLAH
SHEET 3 OF 6



CERTIFIED SURVEY MAP

PART OF THE N.E. 1/4 OF THE S.E. 1/4 AND PART OF THE S.E. 1/4 OF THE S.E. 1/4 OF SECTION 17, TOWNSHIP 1 NORTH, RANGE 13 EAST OF THE 4TH PRINCIPAL MERIDIAN, TURTLE TOWNSHIP, ROCK COUNTY, WISCONSIN.

OWNERS CERTIFICATE

I, Paul B. Knueppel, co-personal representative of the Doris J. Knueppel Estate, Owner of the land described in the foregoing description, do hereby certify that I have caused the land described on this plat to be surveyed, divided, mapped and dedicated as represented on the plat. I also certify that this plat is required by Sections 236.10 and .12 of the Wisconsin Statutes to be submitted to the following for approval or objection: The Town of Turtle, City of Beloit Plan Commission and the Rock County Department of Planning, Economic and Community Development.

WITNESS the hand and seal of said owners, this _____ day of _____, 2013.

Paul B. Knueppel, co-personal representative

State of Wisconsin)
County of Rock)^{ss}

Personally came before me, this _____ day of _____, 2013,
the above-named Paul B. Knueppel, to me known to be the person who
executed the foregoing certificate and acknowledge the same.

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. 31476
FEBRUARY 1, 2013
FOR LES HULLAH
SHEET 6 OF 6



**RESOLUTION
APPROVING A ONE-LOT CERTIFIED SURVEY MAP
FOR THE PROPERTY LOCATED ON EAST HART ROAD IMMEDIATELY
EAST OF I-39/I-90 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 on East Hart Road immediately east of I-39/I-90 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:

Commencing at the East Quarter corner of Section 17, aforesaid; thence South 0°18'53” West 70.00 feet along the East line of said S.E. ¼ to the place of beginning; thence continuing South 0°18'53” East 2584.58 feet to the Southeast corner of said Section 17; thence North 89°41'23” West 374.40 feet along the South line of said S.E. ¼ to the East right of way line of I-90; thence North 0°38'26” East 2575.06 feet along said Easterly line to the Southerly line of Hart Road; thence along said Southerly line as follows: South 89°15'157” East 60.78 feet; thence North 85°01'25” East 100.50 feet; thence North 20°16'49” East 1.34 feet; thence South 89°32'41” East 198.44 feet to the place of beginning. Located in the NE ¼ of the SE ¼ and part of the SE ¼ of the SE ¼ of Section 17, Township 1 North, Range 13 East of the 4th Principal Meridian, Town of Turtle, Rock County, Wisconsin. Containing 21.754 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 on East Hart Road immediately east of I-39/I-90 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 6th day of March, 2013.

Charles Ramsden, Plan Commission Chairman

ATTEST:

Julie Christensen, Community Development Director

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION

Meeting Date: March 6, 2013

Agenda Item: 5

File Number: CU-2013-01

Applicant: Carlos Vizcarra, AMERCO Real Estate Co.

Owner: Jenny TeStrake, LN Real Estate, LLC

Location: 3022 Ford Street

Existing Zoning: C-3, Community Commercial District & MRO, Milwaukee Road Overlay District

Existing Land Use: Vacant (Former Wickes Lumber Company property)

Parcel Size: 11.124 Acres

Request Overview/Background Information:

Carlos Vizcarra of AMERCO Real Estate, on behalf of U-Haul, has filed an application for a Conditional Use Permit to allow a self-service storage use in conjunction with the rental of trucks and equipment in a C-3, Community Commercial District and MRO, Milwaukee Road Overlay District, for the property located at 3022 Ford Street.

Key Issues:

- The attached **Location and Zoning Map** shows the location of the parcel involved in this application. The adjacent zoning and land uses are as follows:
 - North: C-3, Community Commercial District & MRO, Milwaukee Road Overlay District; Retail Store (Shell - Gas Station)
 - South: M2, General Manufacturing; Manufacturing (Hormel Foods)
 - East: M-1, Limited Manufacturing District; Office Building (Kerry, Inc.)
 - West: C-3, Community Commercial District & MRO, Milwaukee Road Overlay District; Motel (Econo Lodge)
- The applicant is in the process of acquiring the subject property from the property owner. The acquisition of the property is contingent upon receiving approval of the requested Conditional Use Permit (CUP). If the CUP request is granted, the applicant will establish a self-service storage use in conjunction with the rental of trucks and equipment that would be associated with a U-Haul retail store.
- Self-service storage uses are a conditional use in C-3, Community Commercial Districts.
- The property is also located in the MRO, Milwaukee Road Overlay District, which is intended to provide for and promote the orderly development and redevelopment of the Milwaukee Road corridor (Section 19.5-600). The property is near the entryway into the City and is adjacent to I-90/I-39, making it a prime location to operate a business. In addition, the Wisconsin Department of Transportation (WDOT) intends to reconstruct the interchange layout in the near future. The layout change will increase the visibility of the property.
- The Wickes Lumber Company formerly operated from this location until 2008. Since 2008, the property has remained unoccupied.
- The property is 11.124 acres in area and includes one principal building and eight detached accessory structures. The applicant intends to reuse the existing buildings and adapt them to suit the needs of U-Haul.
- The applicant has proposed to use the principal building (Building "A") as a showroom with 402 self-storage units, one detached accessory structure (Building "C") is proposed to be used for 175 self-storage units, and another detached accessory structure (Building "B") will be used for portable self-storage units. The two existing canopies are proposed for parking and storing RVs. An equipment staging area and display areas for rental trucks and trailers are also proposed.
- Existing paved areas on the property have deteriorated and are not suitable for parking. Due to deterioration and lack of maintenance, all existing paved areas need to be repaved. In addition, the areas under the canopies are not paved. The Zoning Ordinance requires all off-street parking areas, loading and driveway areas to be paved (Section 19.8-113(d)(1)).
- The applicant has proposed 169 parking stalls, including 6 accessible parking stalls, which meets the off-street parking requirements for all proposed uses.
- The applicant has also proposed the construction of a 9th detached accessory building for a future development (shown as "Phase II Proposed Building" on attached site plan). The property exceeds the two-structure limit requirement for accessory structures, which makes it legal nonconforming. In the future, if the applicant intends to construct the proposed accessory building a Conditional Use Permit along with a detailed site plan of the entire property must be reviewed and approved by the City Council, or the applicant may choose to demolish seven of the eight accessory structures (Section 19-6.3.4(g)).
- Metal wall paneling has been proposed as the exterior finishes for the principal building and two detached accessory structures (buildings "B" and "C"). Metal wall paneling is prohibited with the MRO District. If approved, the applicant must choose a different exterior finish for the buildings. In addition, the applicant has chosen a color palette of different

shades (i.e. brown, tan, orange, blue, and white) that exceeds the 4-color limit requirement in the MRO District. If approved, staff will assist the applicant in choosing an appropriate building material and color palette during the Architectural Review.

- Existing chain-link fencing is proposed to be removed and a new white split rail fence to be installed on the east and north perimeters of the property (the property edges that are highly visible from Milwaukee Road and I-90/I-39).
- Currently, the property is connected to a septic tank system, which is inadequate to serve the proposed uses.
- The City Engineer is requiring that all graveled areas proposed for parking be paved, and that storm water drainage be incorporated into the newly paved areas in accordance with Best Management Practices (BMPs) for storm water drainage. In addition, because of the extensive redevelopment of the property the applicant must connect to City sewer and water, which is available along the west side of the property on Ford Street (unpaved right-of-way). Other City Review Agents had no comments.
- A preliminary Site Plan and other supporting documents are attached to this report.
- If the requested Conditional Use Permit is approved, the applicant will need to submit detailed site & architectural plans for staff review and approval.
- The attached Public Notice was sent to five nearby property owners. As of this writing, staff received a comment from one concerned resident regarding the proposed use. The resident is opposed to the proposed use being established at this location, and believes that the site can be used for a better purpose.

▪ **Findings of Fact**

Based on Section 2-504 of the Zoning Ordinance, the Plan Commission shall make a recommendation based on the following considerations:

- a. *Whether the establishment, maintenance, or operation of the conditional use will be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;*
 - Subject to certain conditions of approval, the proposed conditional uses will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.
- b. *Whether the conditional use will be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted;*
 - The proposed conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted.
- c. *Whether the conditional use will substantially diminish or impair property values within the neighborhood of the subject property;*
 - The proposed uses may diminish and/or impair property values within the neighborhood.
 - As mentioned above, the property is located within the MRO, Milwaukee Road Overlay District. Two of the purposes of the District is “to encourage and better articulate positive visual experience along Milwaukee Road, which serves as a major gateway to the City; and to provide for the continued safe and efficient use of Milwaukee Road.”
 - The proposed self-storage use does not contribute to the efficient use of Milwaukee Road, nor do the proposed building materials and color palette advance a positive visual experience along Milwaukee Road.
- d. *Whether the establishment of the conditional use will impede the normal and orderly development and improvement of the surrounding property;*
 - The incompatibility of the conditional use may impede the normal development and improvement of surrounding property. As mentioned above, the subject property is located in the MRO, Milwaukee Road Overlay District, which is intended to provide for and promote the orderly development and redevelopment of the Milwaukee Road corridor. The proposed conditional uses are very similar to prohibited uses in the MRO District (i.e. equipment storage yards).
- e. *Whether the exterior architectural design or site layout of the proposed conditional use is so dissimilar or otherwise incompatible with existing or proposed development in the immediate neighborhood that it will cause a depreciation in property values;*
 - The proposed metal wall paneling and color palette described above is inharmonious and incompatible with the existing developments in the neighborhood. Metal wall paneling is prohibited in the MRO, Milwaukee Road Overlay District, and the property is within the gateway into the City and is highly visible from the interstate.
- f. *Whether adequate utilities, access roads, drainage or other necessary facilities will be available to serve the proposed use at the time of its occupancy or use;*
 - The property is currently attached to a septic tank system, which is not adequate to serve the proposed uses, more specifically, waste from RVs stored on site.
- g. *Whether adequate measures will be taken to minimize traffic congestion; and*
 - Adequate measures will be taken to minimize traffic congestion.
- h. *Whether the conditional use will comply with all applicable regulations of the Zoning Ordinance.*
 - The proposed conditional use does not comply with all other applicable regulations of the Zoning Ordinance. While self-services storage uses may be allowed in C-3 Districts, pending review and approval from the City Council, the MRO District prohibits similar uses (Section 19.5-603).

Consistency with Comprehensive Plan and Strategic Plan:

The City's Comprehensive Plan recommends Community Commercial for the subject property and the surrounding parcels. 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 **denial** of a Conditional Use Permit to allow a self-service storage use in conjunction with the rental of trucks and equipment in a C-3, Community Commercial District and MRO, Milwaukee Road Overlay District, for the property located at 3022 Ford Street, based on the above Findings of Fact.

However, in the event that the City Council decides to issue a Conditional Use Permit to allow a self-service storage use in conjunction with the rental of trucks and equipment in a C-3, Community Commercial District and MRO, Milwaukee Road Overlay District, for the property located at 3022 Ford Street, the Planning and Building Services Division recommends the following conditions of approval:

1. This Conditional Use Permit authorizes a self-service storage use in conjunction with the rental of trucks and equipment in a C-3, Community Commercial District and MRO, Milwaukee Road Overlay District, for the property located at 3022 Ford Street
2. All existing asphalt shall be removed from the subject property and a new off-street parking lot shall be paved in accordance off-street and loading standards in the Zoning Ordinance (Section 19.8-100) prior to the establishment of the conditional uses.
3. The off-street parking lot shall include curb and gutter along the northern and eastern perimeters of the lot.
4. Metal wall panels **shall not** be used to refinish the buildings on the subject property.
5. All buildings on the subject property shall be reroofed and refinished with appropriate building materials and colors in accordance with Section 19.5-606 of the Zoning Ordinance.
6. The existing chain-link fencing on the east and north perimeters of the subject property shall be removed and a new fence shall be installed in accordance with Section 19.8-300 of the Zoning Ordinance.
7. Trucks and equipment shall only be parked or displayed in designated areas shown on the final site plan. Trucks and equipment shall only be parked or displayed on paved surfaces.
8. No outdoor storage of equipment.
9. Prior to the establishment of the conditional uses, the property shall be connected to City sewer and water.
10. In accordance with Section 19.6.3.4(g), a separate Conditional Use Permit shall be required before the construction of any additional detached accessory structures on the subject property.
11. Prior to issuance of Building Permits for this project, the applicant shall submit detailed site & architectural plans for Planning staff review and approval.
12. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission and City Council by amending this Conditional Use Permit. The Director of Planning & Building Services may approve minor changes administratively.

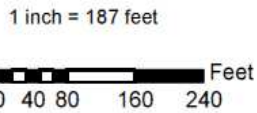
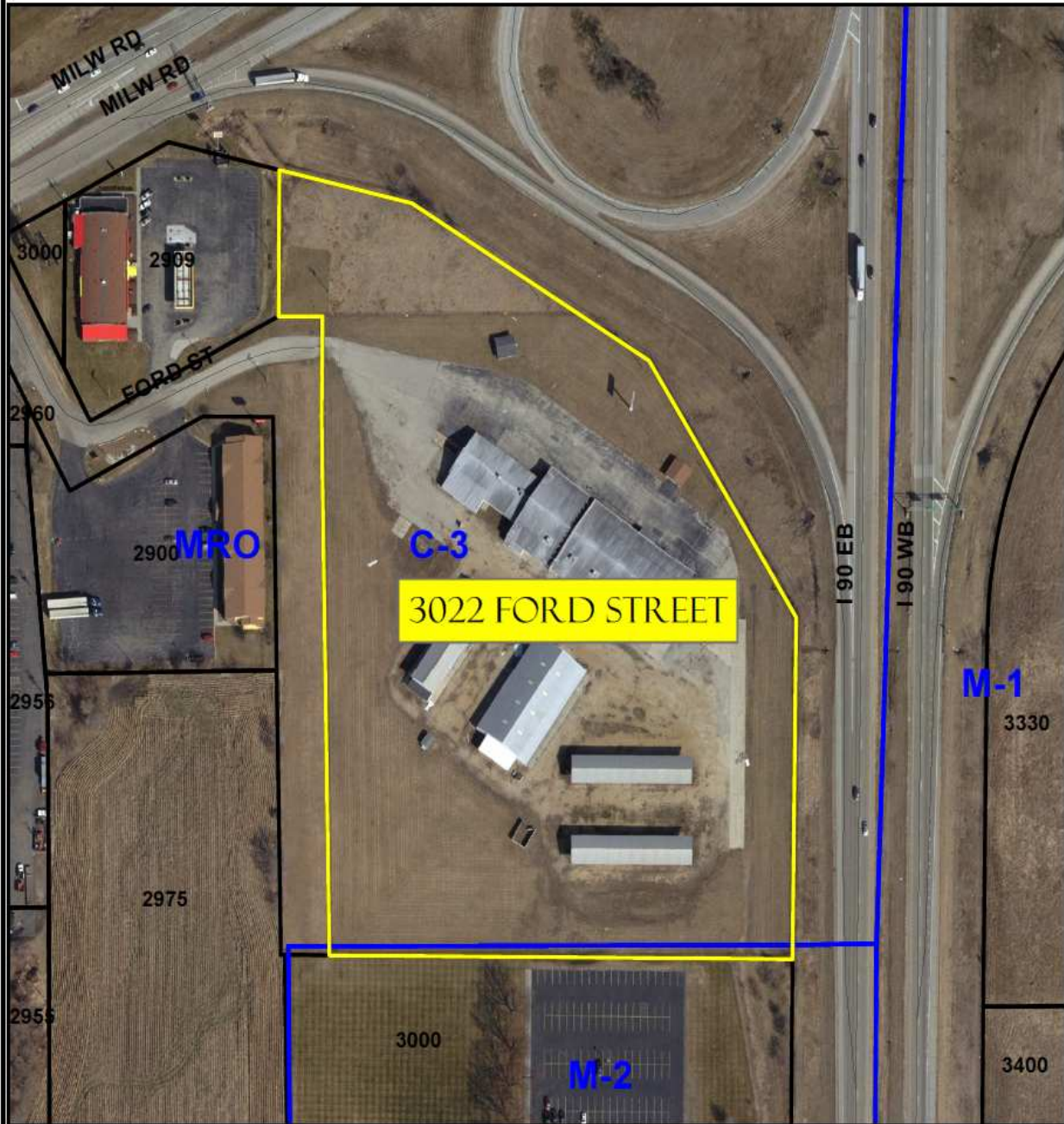
Fiscal Note/Budget Impact: N/A

Attachments: Location & Zoning Map, Photographs, Conceptual Plans, Rendering, Site Plan, Application, Public Notice, and Mailing List.

Location & Zoning Map

3022 Ford Street

CU-2013-01



Legend	
	Zoning District
	Parcels

Map prepared by: Michael D. Lofton II
 Date: December 2012
 For: City of Beloit, Planning & Building Services
 Date of Aerial Photography: April 2011

PLANNING & BUILDING SERVICES DIVISION



Principal Building a/k/a Building “A”

Detached Accessory Structure a/k/a Building “B”





Detached Accessory Structure a/k/a Building "C"

1 of 2 Canopies for Proposed RV Parking





Accessory Structures



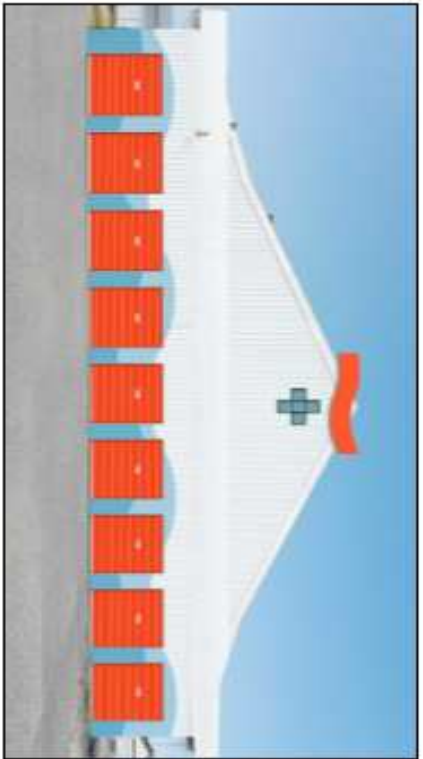


Accessory Structures





VIEW ENTRY OF RETAIL SHOWROOM- BLDG. 'A'



VIEW SELF-STORAGE- BLDG. 'A'



VIEW D&R- BLDG. 'A'



VIEW SIDE- BLDG. 'A'

<p>887015</p>		<p>AMERICA'S SELF STORAGE</p>		<p>3022 FORD STREET CUPERTINO, CA 95014 TEL: (408) 251-1000 F: (408) 251-1001</p>		<p>PROPOSED ACQUISITION 3022 FORD STREET CUPERTINO, CA</p>		<p>DATE: 03/06/15</p>		<p>BY: [Signature]</p>	
<p>887015</p>		<p>AMERICA'S SELF STORAGE</p>		<p>3022 FORD STREET CUPERTINO, CA 95014 TEL: (408) 251-1000 F: (408) 251-1001</p>		<p>PROPOSED ACQUISITION 3022 FORD STREET CUPERTINO, CA</p>		<p>DATE: 03/06/15</p>		<p>BY: [Signature]</p>	



STREET VIEW- ALL BUILDINGS



RV CANOPY- BUILDING 'D'

E-BAL-10783

E-10783

NO.	DESCRIPTION	AMOUNT	TOTAL
1	CONCRETE	10000	10000
2	STEEL	10000	20000
3	PAINT	10000	30000
4	ROOFING	10000	40000
5	MECHANICAL	10000	50000
6	ELECTRICAL	10000	60000
7	PLUMBING	10000	70000
8	LANDSCAPING	10000	80000
9	UTILITIES	10000	90000
10	PERMITS	10000	100000
11	CONTINGENCY	10000	110000
12	TOTAL		110000

AMERCO

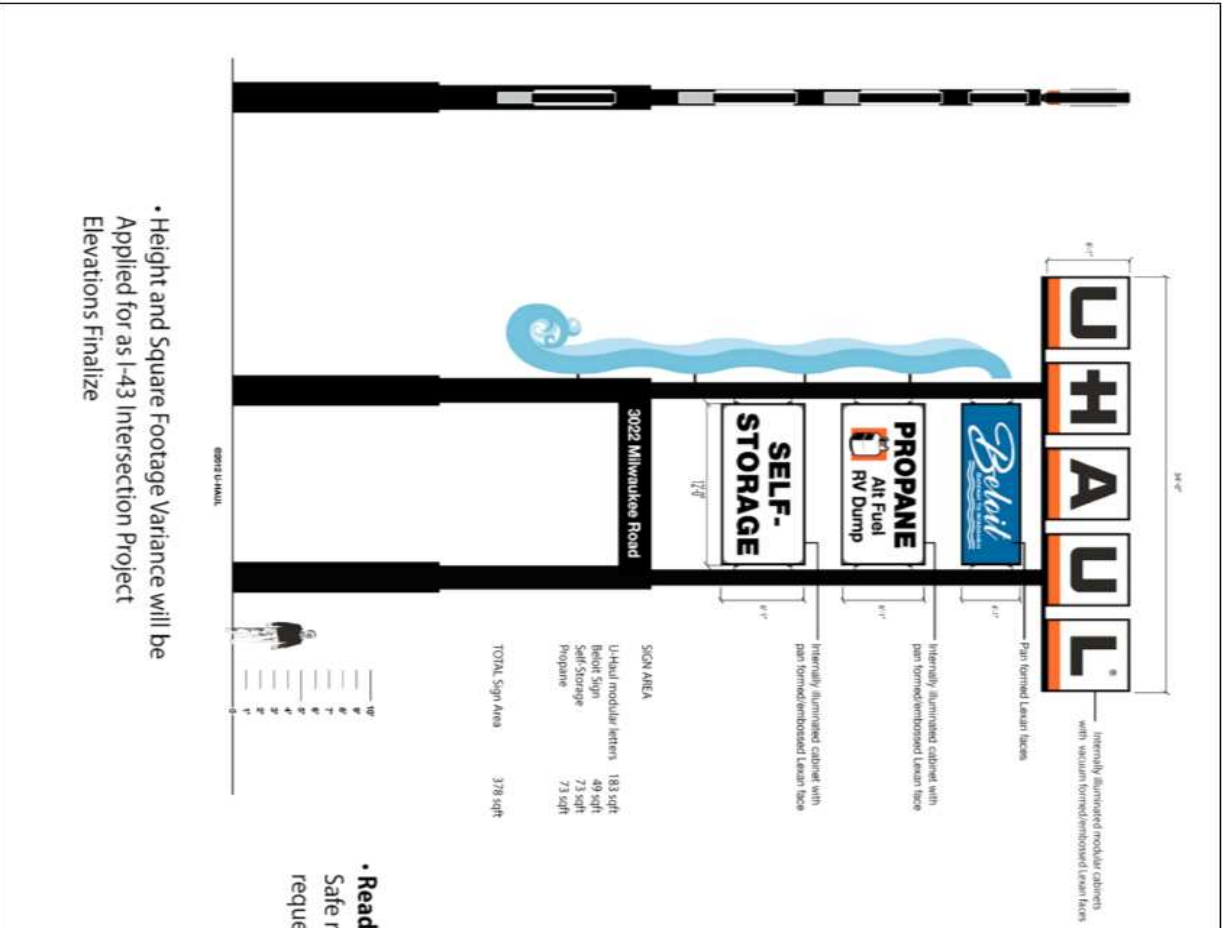
AMERCO
EQUIPMENT COMPANY

1000 N. EAST ST.
MERRILL, WI 53450
P: (414) 251-1000
F: (414) 251-1000

PROPOSED ACQUISITION
3022 MILWAUKEE RD
MILWAUKEE, WI

PROJECT NO. 887015
RV CANOPES

DATE	BY	REV
02/20/13	L	2



• Height and Square Footage Variance will be Applied for as I-43 Intersection Project Elevations Finalize



• **Readability at a Distance:**
Safe readability will determine requested signage size

LETTER VISIBILITY CHART

MARKABLE DISTANCE	READABLE DISTANCE FROM MAINWAY IMPACT	ACTUAL LETTER HEIGHT
100'	30'	3"
150'	40'	4"
200'	60'	6"
300'	90'	9"
400'	90'	9"
450'	100'	10"
500'	130'	12"
600'	150'	15"
750'	180'	18"
1000'	240'	24"
1500'	300'	30"
1600'	300'	30"
1750'	420'	42"
2000'	480'	48"
2250'	540'	54"
2500'	600'	60"

NOTE: Distances may vary approximately 10'.

CITY of BELOIT
Neighborhood Planning Division

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

Conditional Use Permit Application

(Please Type or Print)

File Number: CU-2013-01

1. Address of subject property: 3022 Milwaukee Road Ford Street

2. Legal description: See attached ALTA Survey

If property has not been subdivided, attach a copy of the complete legal description from deed.

Property dimensions are: _____ feet by _____ feet = _____ square feet.

If more than two acres, give area in acres: 11.2 acres acres.

3. Tax Parcel Number(s): 22910015 (Parcel Number)

4. Owner of record: LW Real Estate LLC - Jerry TeSizako Testate [414]6040404.com Phone: (206) 501-4520

801 Second Ave., Ste. 1300 Seattle WA 98104
(Address) (City) (State) (Zip)

5. Applicant's Name: AMERCO Real Estate Company - Carlos Vizcarra, President

2727 N. Central Ave., Ste. 500 Phoenix AZ 85004
(Address) (City) (State) (Zip)

(602) 283-8555 / daniela_warren @ uhaul.com
(Office Phone #) (Cell Phone #) (E-mail Address)

6. All existing use(s) on this property are: _____
Vacant home improvement stores

7. **THE FOLLOWING ACTION IS REQUESTED:**

A Conditional Use Permit for: Self-Storage
_____ in a(n) 'C-3' Community Commercial Zoning District.

8. All the proposed use(s) for this property will be:

Principal use: _____
Truck & Trailer Rental & Self-Storage

Secondary use: _____

Accessory use: _____

9. Project timetable: Start date: 1/31/2013 Completion date: 7/31/2013

10. I/We represent that I/we have a vested interest in this property in the following manner:

- Owner
- Leasehold, length of lease: _____
- Contractual, nature of contract: Acquisition
- Other, explain: _____

The applicant's signature below indicates the information contained in this application and on all accompanying documents is true and correct.

I/We, the undersigned, do hereby respectfully make application for and petition the City Plan Commission and City Council to grant the requested action for the purpose stated herein. I/We represent that the granting of the proposed request will not violate any of the required standards of the Zoning Ordinance of the City of Beloit. I/We also agree to abide by all applicable federal, state and local laws, ordinances, rules, and regulations.

Jenny TeStrake, Jenny TeStrake, 12/6/12
(Signature of Owner) (Print name) (Date)

Carlos Vizcarra, Carlos Vizcarra, 11/20/2012
(Signature of Applicant, if different) (Print name) (Date)

In order for your request to be heard and considered in a timely manner, you must submit the completed application, and all accompanying documents, to the Neighborhood Planning Division for acceptance by the filing deadline date prior to a scheduled Plan Commission meeting.

This application must be submitted with one copy of a scaled drawing showing the layout of the proposed development in accordance with all code requirements, and the \$275.00 application fee. Applicants will also be charged a fee for mailing public notices at the rate of \$0.50 per notice. An invoice for this fee will be sent to the applicant and these costs are typically between \$5.00 and \$15.00.

To be completed by Planning Staff		
Filing fee: \$275.00	Amount paid: <u>\$275.00</u>	Meeting date: <u>Jan. 9, 2013</u>
No. of notices: _____	x mailing cost (\$0.50) = cost of mailing notices: \$ _____	
Application accepted by: <u>D. Partridge</u>	Date: <u>12/14/12</u>	



NOTICE TO THE PUBLIC

February 21, 2013

To Whom It May Concern:

AMERCO Real Estate Company, on behalf of U-Haul, has filed an application for a Conditional Use Permit to allow a Self-Service Storage use in a C-3, Community Commercial District and MRO, Milwaukee Road Overlay District, for the property located at:

3022 Ford Street.

The applicant has proposed to rehabilitate the subject property, which has been vacant for a number of years, to accommodate a U-Haul Store in the near future. Self-Service Storage uses require a Conditional Use Permit in C-3, Community Commercial Districts.

The following public hearings will be held regarding this proposed Conditional Use Permit:

City Plan Commission: Wednesday, March 6, 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 18, 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 Plan Commission meeting must bring ten (10) copies and submit them to the Recording Secretary before the meeting begins. Staff is unable to leave the meeting area to make copies.

For additional information, please contact Michael Lofton in the Planning & Building Services Division at (608) 364-6708 or loftonm@ci.beloit.wi.us. Comments will be accepted via telephone, email, and U.S. Mail.

GEORGE A HORMEL & CO HORMEL
FOODS CORP
1 HORMEL PL
AUSTIN, MN 559123680

LN REAL ESTATE LLC
801 SECOND AVE STE 1300
SEATTLE, WA 98104

MCBAIN ENTERPRISES INC
2951 KENNEDY DR
BELOIT, WI 53511

CORNELLIER LIMITED
2909 FORD ST
BELOIT, WI 53511

SUN LODGING INC
2900 FORD ST
BELOIT, WI 53511

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION

Meeting Date: March 6, 2013

Agenda Item: 6

File Number: VA-2013-01

Applicant: School District of Beloit

Adjacent Zoning: R-1B, Single-Family Residential & PLI, Public Lands/Instit.

Adjacent Land Use: Athletic Fields & Vacant Land

Request Overview/Background Information:

The Planning & Building Services Division has received a petition to vacate the unnamed north-south alley in the block bound by North Street, Sixth Street, Olympian Boulevard, and Fourth Street.

Key Issues:

- The School District of Beloit has acquired all of the adjacent properties to the west of the alley, and is the process of amending the Comprehensive Plan, rezoning this block, and demolishing the remaining houses in order to expand the BMHS campus to the west.
- The attached Plat of Vacation shows the proposed right-of-way to be vacated.
- This Vacation will return the entire land area to the adjacent property owners. In this case, all of the adjacent properties are owned by the School District of Beloit.
- According to Wisconsin Statutes, the City Council may vacate an unpaved alley upon the written petition of the owners of more than 50% of the frontage of the lots abutting upon the portion of the unpaved alley to be vacated. The petition that has been submitted satisfies this requirement.
- All required Public Notices have been distributed and published and the Notice of Pendency was recorded with the Rock County Register of Deeds on January 28, 2013.
- AT&T has noted the presence of aerial facilities in the alley has requested a utility easement over the entire vacated alley. The City's other Review Agents did not submit any comments or concerns.

Consistency with Strategic Plan:

- Consideration of this request supports City of Beloit 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** – 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 request to vacate the unnamed north-south alley in the block bound by North Street, Sixth Street, Olympian Boulevard, and Fourth Street, as described in the attached Plat of Vacation, returning the entire right-of-way to the adjacent property owners, subject to the following condition:

1. A utility easement over the entire vacated right-of-way shall be noted on the final Plat of Vacation before the document is signed and recorded.

Fiscal Note/Budget Impact: N/A

Attachments: Location Map, Vacation Petition, Plat of Vacation, Resolution Setting Public Hearing Date, & Public Notice.

Location Map

Unnamed N-S Alley


VA-2013-01



1 inch = 107 feet



Legend

 COB Parcels

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

PLANNING & BUILDING SERVICES DIVISION

PETITION FOR VACATION OF A PUBLIC RIGHT-OF-WAY

We, the undersigned hereby petition the City of Beloit to vacate the following portion(s) of the public right-of-way know as: In between 1300 block of Sixth and 6th St
See Map ④ in between North St and Olympian Blvd
Space will be used for District Athletic fields and/or green space
 The portion of the right-of-way proposed to be vacated is further described on the attached Plat of Campus
Vacation prepared by Registered Land Surveyor: campus left

Print NAME and ADDRESS of PETITIONER:	SIGNATURE: (If jointly owned, both owners should sign petition.)	DATE SIGNED:
Name: School District of Beloit Address: 1633 Keeler Ave, Beloit WI 53511	Janelle Naratz	12/4/12
Name: School District of Beloit Address: 219 North St	Janelle Naratz	12/4/12
Name: School District of Beloit Address: 225 North St	Janelle Naratz	12/4/12
Name: School District of Beloit Address: 1313, 1317 6th St	Janelle Naratz	12/4/12
Name: School District of Beloit Address: 1323, 1327 6th St	Janelle Naratz	12/4/12
Name: School District of Beloit Address: 1339, 1343, 1349 6th St	Janelle Naratz	12/4/12
Name: School District of Beloit Address: 1353 Sixth	Janelle Naratz	12/4/12
Name: School District of Beloit Address: 1249, 1253, 1257 6th	Janelle Naratz	12/4/12
Name: School District of Beloit Address: 1203, 1233 Sixth	Janelle Naratz	12/4/12

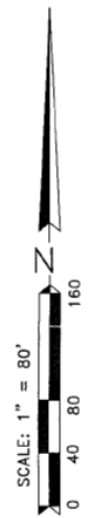
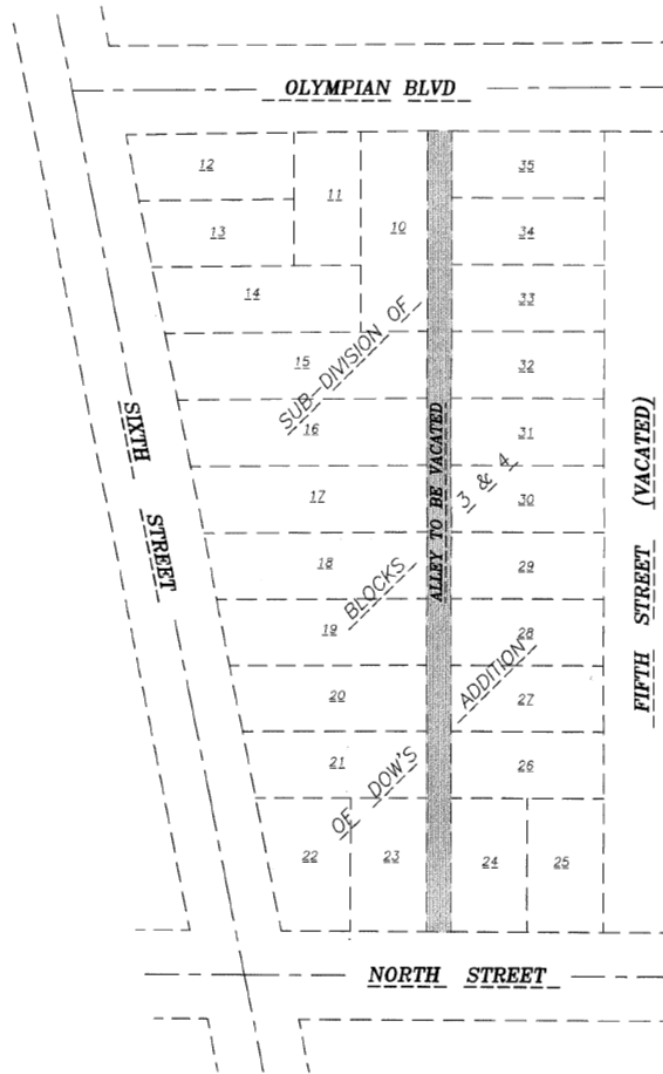
Contact person responsible for circulating this petition: Janelle Naratz
 Address of contact person: 1633 Keeler Ave, Beloit WI 53511
 Phone number of contact person: 608-367-4615
 Signature of contact person: Janelle Naratz

To be completed by Planning Staff

Filing fee: \$75.00 Amount paid: \$75.00 Meeting date: PC: March 6, 2013
CC: March 18, 2013
 Application accepted by: D. DeFornation Date: 1/17/2013

PLAT OF VACATION

OF ALL OF THE NORTH-SOUTH ALLEY AS PLATTED IN THE
THE SUB-DIVISION OF BLOCKS 3 & 4 OF DOW'S ADDITION,
TO THE CITY OF БЕЛОIT, ROCK COUNTY, WISCONSIN.



A RESOLUTION TO VACATE THE ALLEY AS SHOWN HEREON
WAS ADOPTED _____ 2013 AND IS REFERENCED AS CITY
OF БЕЛОIT CLERK FILE NO. _____

Jeffrey R. Garde
JEFFREY R. GARDE, R.L.S.
WISCONSIN LAND SURVEYOR S-2766
DATED THIS 17TH DAY OF JANUARY, 2013

ORDER NO. 31494
FOR THE EXCLUSIVE USE OF:
SCHOOL DISTRICT OF БЕЛОIT
SCALE: 1" = 80 FEET

File Name: d:\31451-31499\31494 SCHOOL DISTRICT OF БЕЛОIT ALLEY VACATION\31494.DWG
Plotted on 1/12/13 at 10:24:06.

Batterman
engineers surveyors planners

2857 Bartells Drive Beloit, Wisconsin 53511
608.365.4454 www.tbatterman.com

FILE# <u>3580</u>
FEB 4 2013
CITY OF БЕЛОIT CITY CLERK

RESOLUTION
SETTING A DATE FOR A PUBLIC HEARING FOR THE
VACATION OF AN UNNAMED NORTH-SOUTH ALLEY LOCATED IN THE
BLOCK BOUND BY NORTH STREET, SIXTH STREET,
OLYMPIAN BOULEVARD, AND FOURTH STREET
IN THE CITY OF БЕЛОIT, ROCK COUNTY, WISCONSIN

IT IS RESOLVED THAT a public hearing on the proposed Resolution to discontinue and vacate all of the north-south alley lying adjacent to Lots 10, 15, 16, 17, 18, 19, 20, 21, 23, 24, 26, 27, 28, 29, 30, 31, 32, 33, 34, and 35 in Dow's Subdivision of Blocks 3 & 4 of Dow's Addition to the City of Beloit, Rock County, Wisconsin, shall be held at the regular **City Council Meeting on Monday, March 18, 2013**, and the City Clerk is authorized and directed to give notices required under Section 66.1003, Wisconsin Statutes.

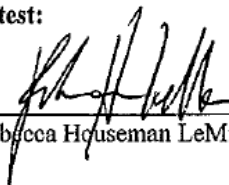
Adopted this 4th day of February, 2013.

City Council of the City of Beloit



Charles M. Haynes, Council President

Attest:



Rebecca Houseman LeMire, City Clerk



NOTICE TO THE PUBLIC

February 5, 2013

To Whom It May Concern:

The City of Beloit has received a petition requesting the vacation of the unnamed north-south alley located in the block bound by North Street, Sixth Street, Olympian Boulevard, and Fourth Street. The area that is proposed to be vacated is shown and described on the attached *Plat of Vacation*. This vacation will return the land area to the adjacent property owners and abandon the property as a public right-of-way.

This proposed vacation will be considered during the following meetings:

City Plan Commission: Wednesday, March 6, 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 (Public Hearing): Monday, March 18, 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 MEETINGS.

We are interested in your opinion.

Anyone bringing handouts to the Plan Commission meeting must bring ten (10) copies and submit them to the Recording Secretary before the meeting begins. Staff is unable to leave the meeting area to make copies.

For additional information, please contact Drew Pennington in the Planning & Building Services Division at (608) 364-6711 or penningtond@ci.beloit.wi.us. Comments will be accepted via telephone, email, and U.S. Mail.

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION



Meeting Date: March 6, 2013

Agenda Item: 7

File Number: RPB-2013-06

Request Overview/Background Information:

The School District of Beloit has submitted an application requesting several amendments to the Future Land Use Map (Map 10) of the City of Beloit Comprehensive Plan.

Wisconsin's Comprehensive Planning Law, §66.1001 of the Wisconsin Statutes, was signed into law in 1999. This legislation is commonly known as Wisconsin's "smart growth" law, although the law does not prescribe or require a particular type of development pattern. The Comprehensive Planning law requires all cities, towns, and villages that regulate land use through land use ordinances (e.g. zoning) to adopt a Comprehensive Plan. Comprehensive Plans are intended to guide development and redevelopment over a 20-year timeframe. The law also requires that land use decisions be consistent with the plan.

The Beloit City Council approved the City's Comprehensive Plan in March 2008 after an extensive public participation program. All land use decisions made by the City of Beloit, including any actions regarding official mapping, local subdivision regulation, and zoning regulations, must be consistent with the plan. The Beloit City Council established a process for amendments (minor changes) to the Comprehensive Plan on February 1, 2010.

If the Plan Commission votes to recommend approval of the proposed amendments, the attached Resolution will be forwarded to the City Council for consideration on April 15, 2013.

Key Issues:

- The applicant is requesting the following amendments to the Future Land Use Map (Map 10) of the City's Comprehensive Plan:
 - 1528 & 1532 Forest Avenue and 1533 W. Grand Avenue – From Single-Family Residential – Urban to Institutional & Community Services.
- The following table describes the status of the subject properties:

Property	Current Land Use	Zoning	Acres	Future Land Use	Proposed Future Land Use
1528 Forest Ave	SF Rental	R-1B	0.15	SF Residential - Urban	Institutional/Comm. Services
1532 Forest Ave	SF Rental	R-1B	0.15	SF Residential - Urban	Institutional/Comm. Services
1533 W. Grand	SF Rental	R-1B	0.15	SF Residential - Urban	Institutional/Comm. Services

- The proposed amendments are related to the proposed expansion of Gaston Elementary School, as illustrated on the attached preliminary site plan.
- The district has accepted offers to purchase on all three subject properties.
- A Location & Zoning Map and Future Land Use Map for this site are attached to this report.
- If the proposed amendments are approved, the applicant will rezone the subject properties and begin demolishing the residential structures on the subject properties.
- **Land Use Analysis**
 - The proposed amendments would designate all three subject properties as appropriate for Institutional & Community Services. This would allow the district to rezone the subject properties to PLI, Public Lands & Institutions District, demolish the existing structures, and expand the school grounds as shown on the attached preliminary site plan.
 - The proposed amendments would establish a new boundary between the single-family residential neighborhood to the west and the Gaston grounds. The district has indicated that this expanded area will be used for open space and recreation.
 - The proposed amendments are compatible with existing and planned land uses in the vicinity and will facilitate a significant improvement and expansion of this elementary school site.

Consistency with Comprehensive Plan and Strategic Plan:

- The City's compliance with the Comprehensive Planning law's consistency requirement is the impetus for this request.
- 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** – 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 following proposed amendments to the Future Land Use Map (Map 10) of the City's Comprehensive Plan:

1. 1528 & 1532 Forest Avenue and 1533 W. Grand Avenue – From Single-Family Residential – Urban to Institutional & Community Services.

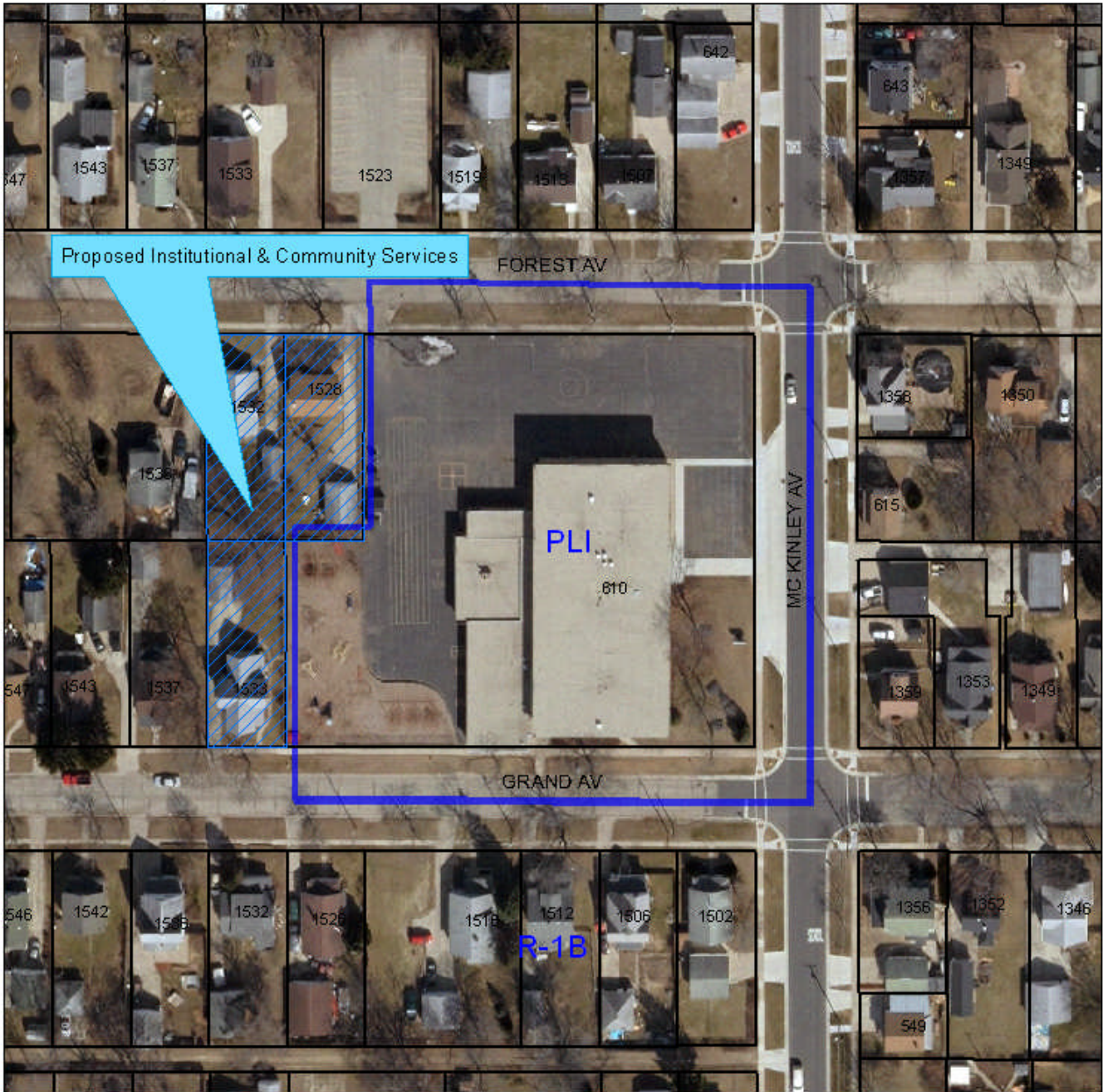
Fiscal Note/Budget Impact: N/A

Attachments: Location & Zoning Map, Future Land Use Map, Site Plan, Public Notice, Mailing List, and Resolution.

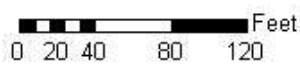
Location & Zoning Map

Gaston Expansion

RPB-2013-06



1 inch = 91 feet



Legend

- COB Parcels
- Zoning District

Map prepared by: Drew Pennington

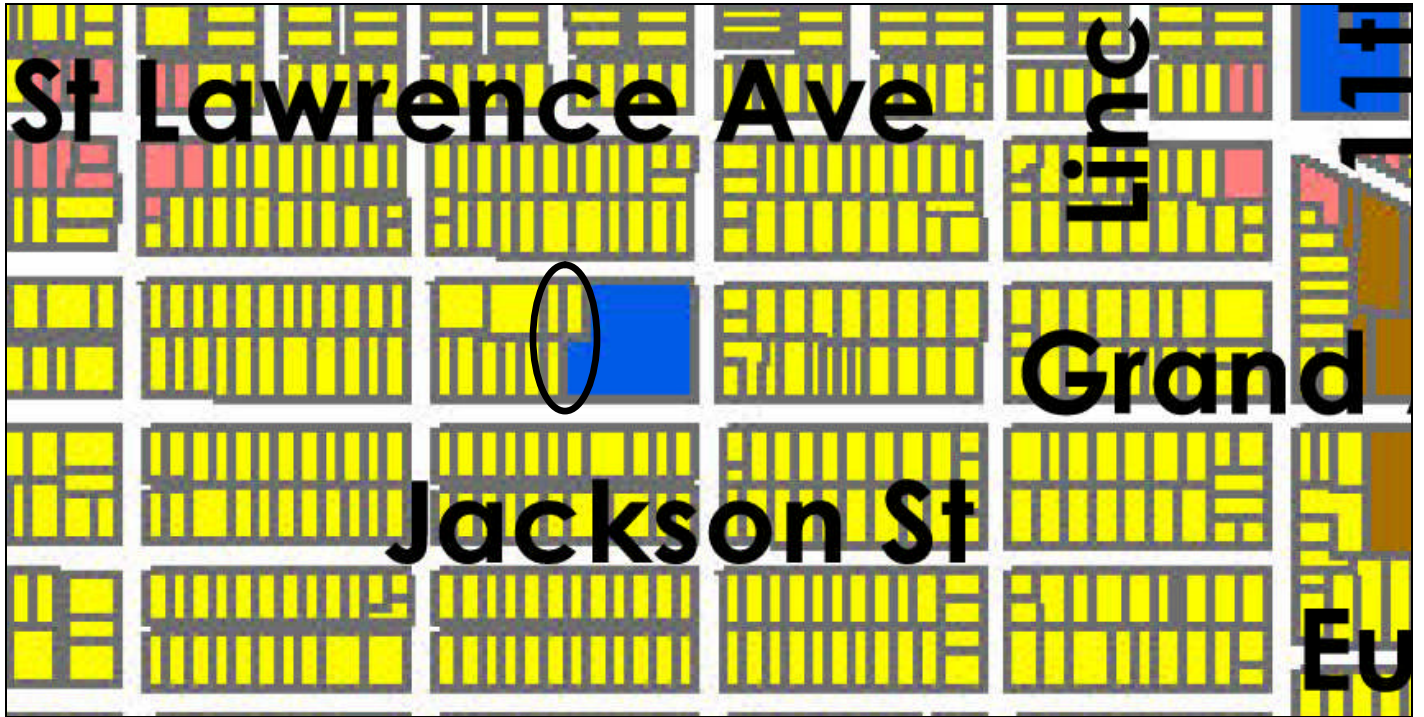
Date: February 2013

For: City of Beloit Planning & Building Services

Date of Aerial Photography: March 2011

PLANNING & BUILDING SERVICES DIVISION

Map 10, Future Land Use (Subject Properties Are Circled)



Legend

- Municipal Boundaries
- City of Beloit/Town of Turtle Boundary Adjustment Area
- Interstate Highways
- County Highways
- Existing Roads
- Potential Future Major Collector/Arterial Roads
- Railroads
- Surface Water

Future Land Use Categories

- Agricultural
- Single-Family Residential - Exurban
- Single-Family Residential - Urban
- Two-family/Townhouse Residential
- Mixed Residential
- Planned Neighborhood*
- Office
- Planned Mixed Use
- Neighborhood Commercial
- Community Commercial
- Downtown
- Business Park
- General Industrial
- Institutional & Community Services
- Environmental Corridor
- Parks and Open Spaces
- Long Range Urban Growth Area
- Right-of-Way

**Planned Neighborhood* should include a mix of the following:
 1. Single-Family - Urban (predominant land use)
 2. Two-family/Townhouse
 3. Mixed Residential
 4. Institutional and Community Services
 5. Office
 6. Neighborhood Commercial
 7. Parks and Open Space

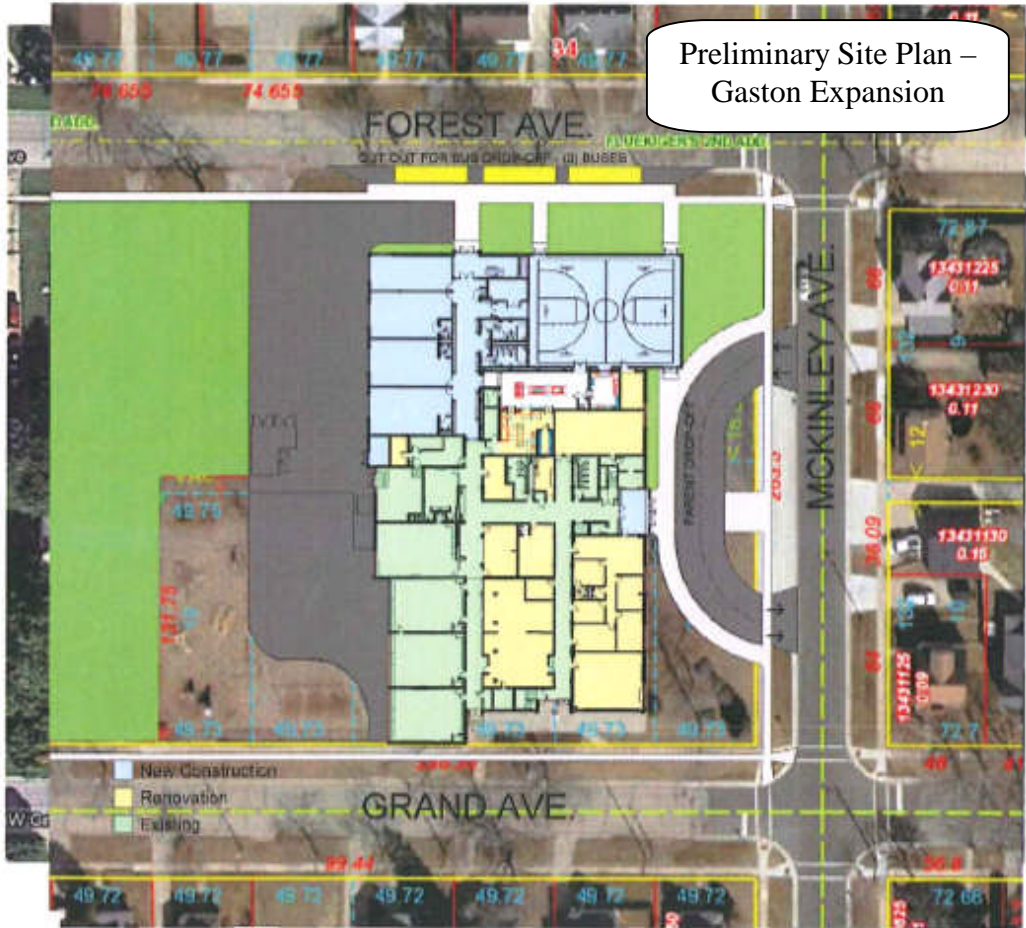
0 0.25 0.5 1 Miles

Date: March 17, 2008
 Source: City of Beloit, Rock County

City of Beloit
 Comprehensive Plan

Map 10:
 Future Land Use

Preliminary Site Plan –
Gaston Expansion



Site Plan (4 Track Option)

Scale 1" = 50'-0"



NOTICE TO THE PUBLIC

February 20, 2013

To Whom It May Concern:

The School District of Beloit has submitted an application requesting the following amendments to the Future Land Use Map (Map 10) of the City of Beloit Comprehensive Plan:

1. 1528 & 1532 Forest Avenue and 1533 W. Grand Avenue – From Single-Family Residential – Urban to Institutional & Community Services.

Information regarding the location, zoning, and land use of these properties is available for public review in the Planning & Building Services Division on the third floor of City Hall, 100 State Street.

The following public meetings will be held regarding the proposed amendments:

City Plan Commission: Wednesday, March 6, 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 (Public Hearing): Monday, April 15, 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 MEETINGS.

We are interested in your opinion.

Anyone bringing handouts to the Plan Commission meeting must bring ten (10) copies and submit them to the Recording Secretary before the meeting begins. Staff is unable to leave the meeting area to make copies.

For additional information, please contact Drew Pennington in the Planning & Building Services Division at (608) 364-6711 or penningtond@ci.beloit.wi.us. Comments will be accepted via telephone, email, and U.S. Mail.

Karry DeVault, Clerk
Town of Beloit
2871 S. Afton Rd.,
Beloit 53511

Frank Management Inc.
2501 Morse Street
Janesville, WI 53545

Janelle Marotz
School District of Beloit
1633 Keeler Avenue
Beloit, WI 53511

Deb Bennett, Clerk
Town of Turtle
6916 S. County Rd. J.
Beloit, WI 53511

Paul Benjamin
Rock County Planning
Rock County Courthouse, Room 266
51 South Main Street,
Janesville, WI 53545

Dr. Dennis McCarthy
Beloit-Turner School District
1237 Inman Parkway
Beloit, WI 53511

City Clerk
City of South Beloit
519 Blackhawk Blvd. Suite 2
South Beloit, IL 61080

Dr. Pamela Kiefert, Superintendent
Clinton Community School District
112 Milwaukee Road
Clinton, WI 53525

Kristi Howe
Beloit Public Library
605 Eclipse Boulevard
Beloit, WI 53511

Peter Herreid, Grant Administrator
Department of Administration
101 E. Wilson Street, 10th Floor
Madison, WI 53702-0001

Brad Austin
Corporate Contractors Inc.
655 3rd Street, Suite 300
Beloit, WI 53511

**RESOLUTION
RECOMMENDING APPROVAL OF AMENDMENTS TO THE
CITY OF БЕЛОIT COMPREHENSIVE PLAN**

WHEREAS, the Plan Commission of the City of Beloit recommended approval of the Comprehensive Plan of the City of Beloit (the Plan) on January 23, 2008, and the City Council of the City of Beloit approved an Ordinance adopting the Plan on March 17, 2008; and

WHEREAS, the Plan may be amended and changed in the years following adoption, particularly in instances where the Plan is becoming irrelevant or contradictory to emerging policies or trends, or does not provide specific advice or guidance on an emerging issue; and

WHEREAS, “Amendments” are generally defined as minor changes to the Plan’s maps or text; and

WHEREAS, the City Council of the City of Beloit approved a Resolution to Adopt a Process for Amending the City of Beloit Comprehensive Plan on February 1, 2010; and

WHEREAS, the approved process directs the Plan Commission to hold a public meeting on the proposed amendments, and following said public meeting, make a recommendation by Resolution to the City Council by majority vote of the entire Commission.

NOW, THEREFORE, BE IT RESOLVED that the Plan Commission of the City of Beloit, Rock County, Wisconsin, hereby recommends approval of the following amendments to the Future Land Use Map (Map 10) of the City of Beloit Comprehensive Plan:

1. 1528 & 1532 Forest Avenue and 1533 W. Grand Avenue – From Single-Family Residential – Urban to Institutional & Community Services.

Adopted this 6th day of March, 2013.

Charles Ramsden, Plan Commission Chairman

ATTEST:

Julie Christensen,
Community Development Director

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION



Meeting Date: March 6, 2013

Agenda Item: 8

File Number: ZTA-2013-02

Request Overview/Background Information:

In February, 2012, the City's Community Development Department was reorganized (see new organization chart). Prior to this reorganization, the Community Development Department included the Beloit Housing Authority, the Division of Neighborhood Planning, and the Division of Housing Services. Following the reorganization, the Community Development Department consisted of the Beloit Housing Authority, the Division of Planning and Building Services, and the Division of Community and Housing Services.

Key Issues:

- As a result of the reorganization of the Community Development Department, the titles of Director of Neighborhood Planning and Director of Housing Services had to be removed from the City's ordinances. The new titles of Director of Planning and Building Services and Director of Community and Housing Services had to be added to these same sections. These Division titles are included in various places throughout the City Ordinances.
 - Additionally, there were also a few references to other old job titles that needed to be updated to reflect the new job titles.
 - Section 1.50(3) was modified to reflect all the departments that are provided prosecutorial services from the Deputy City Attorney.
 - Section 1.54 was amended to reflect the actual duties and responsibilities of the three divisions contained within the Community Development Department.
 - Chapter 25 of the Code of General Ordinances that identifies who is authorized to issue municipal citations of City Ordinances was updated to include current titles of employees.
 - This ordinance amendment includes modifications to the Zoning Ordinance and Subdivision Ordinance which requires Plan Commission review and consideration and public hearings before both the Plan Commission and the City Council.
 - A public notice was published in the Beloit Daily News, notifying the public of this ordinance amendment and the dates of the public hearings.
-

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** – 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 Ordinance pertaining to the reorganization of the Department of Community Development.

Fiscal Note/Budget Impact: N/A

Attachments: Proposed Ordinance and Public Notice.

PUBLIC NOTICE

The City of Beloit has initiated amendments to various sections of the Code of General Ordinances of the City of Beloit pertaining to reorganization of the Department of Community Development. These amendments include the addition of new job titles and deletion of outdated job titles. The following public hearings will be held regarding the proposed amendment: **City Plan Commission**: Wednesday, March 6, 2013; and **City Council**: Monday, March 18, 2013, both at 7:00 PM, or as soon thereafter as the matter can be heard, in The Forum, Beloit City Hall, 100 State Street, Beloit, Wisconsin. The public is invited to attend these meetings. We are interested in your opinion. For additional information, contact Julie Christensen in the Community Development Department at (608) 364-6703.

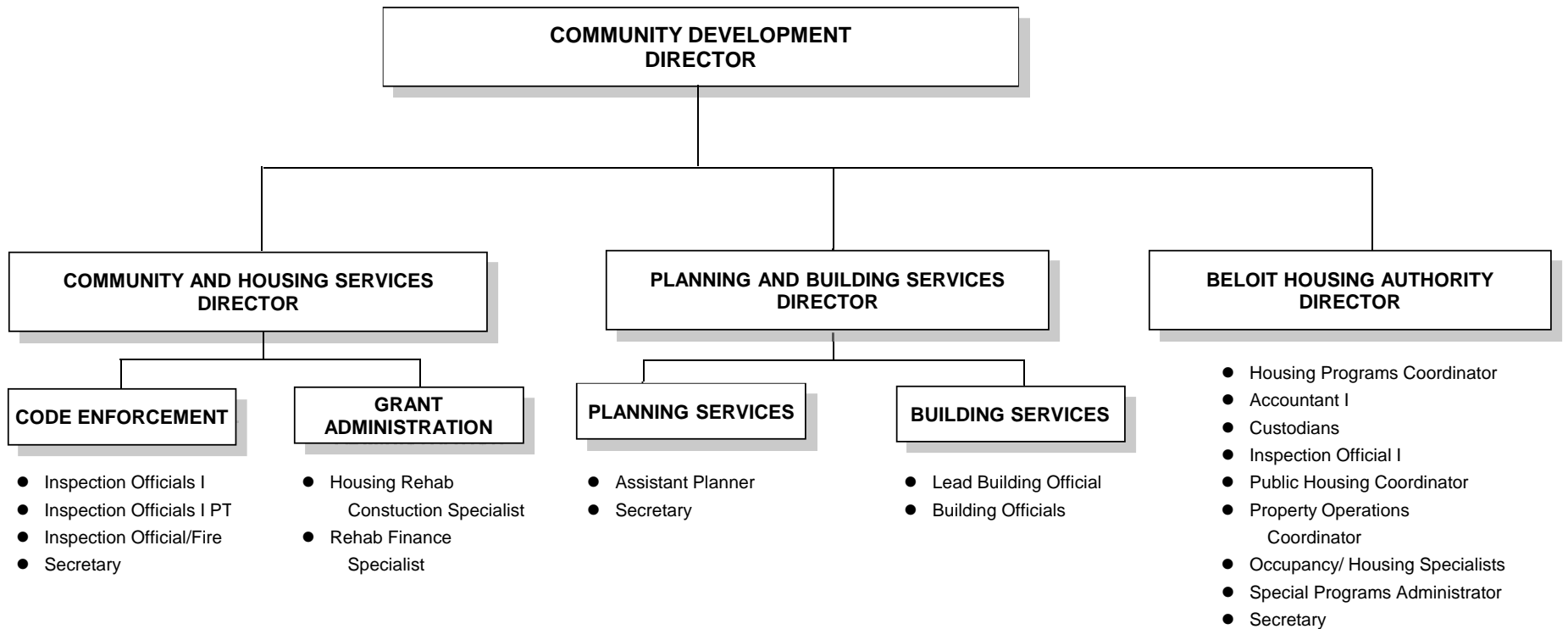
Rebecca S. Houseman, City Clerk

#01-611100-5231-29

Published: February 23, 2013

Published: March 2, 2013

**CITY OF БЕЛОIT, WISCONSIN
COMMUNITY DEVELOPMENT DEPARTMENT
REVISED ORGANIZATIONAL CHART
2012**



ORDINANCE NO. _____

AN ORDINANCE TO AMEND VARIOUS SECTIONS OF THE CODE OF GENERAL ORDINANCES OF THE CITY OF БЕЛОIT PERTAINING TO REORGANIZATION OF THE DEPARTMENT OF COMMUNITY DEVELOPMENT.

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

Section 1. Section 1.35(2) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"(2) DUTIES. **The Electrical Inspector** He shall serve under the direction of the Director of **Planning and Building Housing** Services and perform such functions as are contained in this Municipal Code and such other duties as may from time to time be directed ~~to him~~ by the Director of **Planning and Building Housing** Services."

Section 2. Section 1.36 of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"1.36 WEED COMMISSIONER. The Director of **Community and** Housing Services shall serve as Weed Commissioner and fulfill the duties of such office as directed in §§66.0407 and 66.0517, Wis. Stats., and §7.235 of the Code of General Ordinances of the City of Beloit."

Section 3. Section 1.50(3) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"(3) ORGANIZATION AND DIVISIONS. The City Attorney's Office shall include the City Attorney, who shall serve as director of legal services, and an **Deputy City Attorney or** Assistant City Attorney, who shall also serve as City Prosecutor. The Department will have the following divisions:

(a) Legal Services. All general legal services of the City shall be provided by, or coordinated through, this Department, which shall be headed by the City Attorney. This Department will oversee not only legal services provided directly by the Department, but also will coordinate with outside counsel, including those contracted directly by the City, or by various insurance companies providing liability and casualty coverage for the City.

(b) Prosecutorial Services. Under the direction of the **Deputy City Attorney or** Assistant City Attorney, this Department will provide all prosecutorial services required in support of the City's various enforcement activities, specifically to include Police Department, **Department of Community Development, Department of Public Works** ~~Division of Housing Services,~~ and Fire Department ~~operations,~~ as well as other prosecutorial activities as required."

Section 4. Section 1.54(3) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

(3) ~~ORGANIZATIONS AND SECTIONS.~~ The Department of Community Development shall include the following ~~divisions~~~~sections~~ which are established to ensure the proper administration of all functions assigned to the Department:

(a) **Community and Housing Services Division.** This division shall be under control of the Director of Community and Housing Services. The Director of Community and Housing Services shall report to the Community Development Director and shall be responsible for the following activities:

1. ~~Neighborhood~~ **Preservation** ~~Planning and Development.~~ This division shall be under control of a Division Head, and shall be responsible for all neighborhood ~~planning and preservation~~ **and development** activities, including the Neighborhood **Stabilization Program**, ~~Development Initiative~~**the Housing Assistance** ~~Program~~, as well as other activities associated with the City's neighborhood preservation efforts.
2. ~~Housing~~ **Inspection and Code Enforcement** ~~Activities.~~ ~~This~~ ~~is~~ ~~the~~ ~~division~~ shall be responsible for **the** enforcement and **administration of** ~~overseeing~~ all the ~~code enforcement activities of the City, including plan review, and the City's Property Maintenance Code Enforcement Program~~ **and the Rental Dwelling Unit Permit Program.** This division shall also **work collaboratively with the Fire Department to conduct multi-family residential fire inspections.** ~~Further, this division will also coordinate the housing assistance program funded under the Community Development Block Grant program and assist with various elements of the Community Development Initiatives Program.~~
3. **Grants Administration.** ~~Community Development Block Grant (CDBG) Program.~~ This division shall ~~will~~ be responsible for the administration, allocation, and use of **funding received through** the Community Development Block Grant **(CDBG) Program and the HOME Investment Partnership (HOME) Program.** ~~funds received by the City each year~~
4. **Fair Housing Enforcement and Administration.** This division shall be responsible for fair housing activities as well as providing staff support and otherwise assisting the Equal Opportunities and Human Relations Commission in performing its powers and duties."

(b) **Planning and Building Services Division.** This division shall be under the control of the Director of Planning and Building Services. The Director of Planning and Building Services shall report to the Community Development Director and shall be responsible for the following activities:

1. *City and Regional Planning.* This division shall be responsible for the overall general planning throughout the City as well as regional planning activities. This division shall have direct responsibility for enforcement and administration of the City's zoning and subdivision regulations, site plan review, comprehensive plan updates and coordination with other departments and divisions as necessary to ensure the enforcement of all land use related regulations.

2. *Building Services.* This division shall be responsible for the administration and enforcement of state and local building, heating and air conditioning, plumbing and electrical regulations.

3. *Landmarks Commission/Historic Preservation.* This division ~~will be headed by the Department Director and will~~ shall be responsible for ~~H~~historic ~~P~~reservation activities as well as providing staff support and otherwise assisting to the City's Landmarks Commission in performing its powers and duties.

(c) Housing Authority Division. This division shall be under the control of ~~a division head who shall be known as the~~ ~~d~~Director of the ~~h~~Housing ~~a~~Authority. The ~~d~~Director of the ~~h~~Housing ~~a~~Authority shall report to the Community Development Director and shall be responsible for providing staff support and otherwise assisting the Community Development Authority in performing its powers and duties ~~as a housing authority.~~ The ~~d~~Director of the ~~h~~Housing ~~a~~Authority shall also perform such other duties as may be assigned by the Community Development Director, City Manager or the Community Development Authority."

Section 5. Section 1.77(8) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"(8) OFFICERS AND DUTIES. The board shall elect a chair a vice chair and second vice chair annually at the board's first meeting in June. The board shall submit the chair's name to the City Clerk immediately after selection. The chair shall preside over all meetings of the board. The vice chair shall preside over the meetings in the chair's absence and the second vice chair shall preside in the absence of both the chair and vice chair. In the absence of the chair, vice chair and second vice chair, a president pro tem shall be chosen from those present and shall preside. The presiding officer may compel the attendance of witnesses and administer oaths. The ~~Director of Neighborhood Planning and~~ **Planning and Building Services Division**~~the Division of Neighborhood Planning~~ shall provide staff support services to the board, including secretarial services. The secretary shall record the minutes of each meeting, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the **Department of Community Development**~~office of the Division of Housing Services.~~ The secretary shall transmit a written copy of the minutes and records of the board to the City Clerk. The City Clerk shall be the custodian of the records of the board."

Section 6. Section 7.05(1) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(1) ENFORCEMENT OFFICER. The Director of **Community and** Housing Services and his/**her** authorized representatives shall enforce the provisions of this code. The Director of **Community and** Housing Services and his/**her** authorized representatives are hereafter referred to as "building officials." City police officers may also enforce this code in accordance with the procedures set forth herein.”

Section 7. Section 7.06(2)(c)1 of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“1. Under a systematic cyclical schedule devised by the **Director of Community and** Housing **Services** and ~~Code Enforcement Division~~; and/or”

Section 8. Section 7.11(2) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(2) SERVICE OF ORDERS.

- (a) Orders to correct violations shall be served upon the owner of record by first class mail at the address listed with the Director of **Community and** Housing Services or by delivering the order to **the owner** ~~him~~ personally. When the owner of record does not have an address listed with the Director of **Community and** Housing Services' office, the order may be served:
1. By delivering the order to the owner personally; or
 2. By first class mail addressed to the owner at ~~his~~ **the** last known address as shown on the most recent property tax bill for the property affected by the order; or
 3. By posting the order in a conspicuous place on the exterior of the structure affected by the order.”

Section 9. Section 7.13(1) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(1) ENFORCEMENT. The Chief of Police and the Director of **Community and** Housing Services shall enforce ~~these~~ provisions of this section that come within the jurisdiction of ~~their~~ **his/her** offices, and they, or their designees, shall make periodic inspections, and inspections upon complaint, to ensure that such provisions are not violated. No action shall be taken under this section to abate a public nuisance unless the officer, or his/**her** designee, shall have inspected, or caused to be inspected, the premises where the nuisance is alleged to exist and shall have satisfied himself/**herself** that a nuisance does in fact exist. See §7.245(4) of this chapter relating to the abatement of public nuisances by boarding up of windows and door openings.”

Section 10. Sections 7.18(1)(c) and (d) of the Code of General Ordinances of the City of Beloit are hereby amended to read as follows:

“(1) Whoever does any of the following may be required to pay a forfeiture as provided below:
(a) Violates any provision of this chapter.

- (b) Fails to comply with a lawful order of a building official to correct a violation of this chapter.
- (c) Builds any structure in a manner inconsistent with the detailed statement of specifications or plans submitted to **any division within the Department of Community Development Housing and Code Enforcement Division** and approved thereby.
- (d) Builds a structure in a manner inconsistent with any certificate or permit issued by **any division within the Department of Community Development. Housing and Code Enforcement Division.**

Section 11. Section 7.21(2) of the Code of General Ordinances of the City of Beloit insofar as it pertains to the definition of "building official" is hereby amended to read as follows:

"Building Official. The Director of **Community and** Housing Services and his/**her** authorized representatives."

Section 12. Section 7.23(11)(a) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

- "(a) Every accumulation or storage of logs, firewood, cut lumber, cut timber, etc. shall be neatly stacked and stored. If there is evidence of rodent infestation, the Director of **Community and** Housing Services shall have authority to order the property owner to raise the wood off the ground."

Section 13. Sections 7.24(12)(a)4 and 6 of the Code of General Ordinances of the City of Beloit are hereby amended to read as follows:

- "4. *Notification of Violation.* Whenever the ~~Division of~~**Community and** Housing Services **Division** determines that graffiti on any building or structure within the city is visible from the street or from other public or private property, the ~~Division of~~**Community and** Housing Services **Division** shall issue an order to the owner of the property to abate the graffiti in a timely manner. Such order shall be issued in compliance with the requirements of §§7.10 to 7.12 of this chapter."
- "6. *Failure to Comply.* If the property owner fails to comply with the order to abate the graffiti, the ~~Division of~~**Community and** Housing Services **Division** may cause the graffiti to be abated either by city employees or by independent contractor. The city and the independent contractor are expressly authorized to enter upon the property and abate the graffiti upon exterior walls, fences, billboards and other structures abutting public streets, property or right of way. The city or private contractor will take all reasonable precautions to avoid causing damage to the property where the graffiti is abated. Any paint used to obliterate graffiti shall be as close as practicable to the background color or colors in the area where the graffiti is abated. The cost of abating the graffiti shall, pursuant to §66.0627, Wis. Stats., shall be imposed as a special charge against the real property for the cost of the services provided. If the special charge is not paid within 30 days, the special charge shall be deemed delinquent. A delinquent special charge shall be a lien against the property as of the date of delinquency. The delinquent special charge shall be included in the current or next tax roll for collection and settlement under Ch. 74, Wis. Stats."

Section 14. Section 7.24(12)(b)3 of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"3. Graffiti on solid waste containers shall be removed within 3 working days following notification by the ~~Division of~~ **Community Housing Services Division** or within 3 working days of the last time the container is emptied, irrespective of any plan submitted under paragraph (b)."

Section 15. Section 7.243(2) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"(2) BARN AND STABLES. In all places in the City where livestock is permitted to be kept, the premises where such animals are kept shall be maintained in a sanitary and clean condition at all times, which condition shall meet the approval of the Director of **Community and** Housing Services. The manure from such animals shall be daily removed from the coops, stalls or pens where such animals are kept and placed in flytight and waterproof barrels or boxes made either of cement or metallic construction which can be thoroughly washed and cleaned. Between April 15 and October 15, such receptacles for containing manure shall be entirely emptied at least once a week and shall be emptied at least once a month during the rest of the year. Such manure shall be removed from the City. No manure shall be left in any street, alley or open area or lot in the inhabited section of the City. However, manure may be used as fertilizer on lawns or gardens within the City when properly applied."

Section 16. Section 8.01(2) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"(2) The position of Plumbing Inspector is hereby established. The Plumbing Inspector shall be certified by the State of Wisconsin as a commercial Plumbing Inspector who, under the direction of the Director of **Planning and Building** ~~Housing Services~~, shall be responsible for enforcement of this chapter, Chapter 26, Chapter 27 and the City's Water Utility Rules approved by the PSC. The Plumbing Inspector shall also be responsible for inspection of plumbing and other facilities as provided in §8.09 below."

Section 17. Section 8.07(1) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"(1) APPLICATION FOR PLUMBING PERMIT. Any person desiring to do plumbing work in the City of Beloit shall file an application for a plumbing permit with the **Planning and Building Services Division** ~~Housing and Code Enforcement Division of the City of Beloit~~ before starting any work. The permit application shall be made on forms provided by the **Planning and Building Services Division** ~~Housing and Code Enforcement Division~~. No person may obtain a plumbing permit unless the permit application is completely and legibly filled out by a person holding a valid Wisconsin master plumber's license or by a person who is the owner and occupant of a single-family residence where plumbing work will be performed. The application shall bear the applicant's signature, and in the case of a master plumber, his or her license number. The **Planning and Building Services Division** ~~Housing and Code Enforcement Division~~ shall issue a plumbing permit to an

applicant who complies with all requirements imposed by this section and other applicable provisions of this chapter.”

Section 18. Section 8.09(1)(d) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(d) Such other duties as may be assigned by the Director of **Planning and Building** ~~Housing~~ Services.”

Section 19. Sections 8.09(2) and (3) of the Code of General Ordinances of the City of Beloit are hereby amended to read as follows:

“(2) NOTIFICATION FOR INSPECTION. The plumber or owner/occupant to whom the permit has been issued, or his/**her** agent, shall notify the **Planning and Building Services Division** ~~Housing and Code Enforcement Division~~ in the manner prescribed by ~~§COMM~~ **§SPS 382.21(1)**, Wis. Adm. Code, when the work is ready for inspection and shall specify the street address and permit number under which the work is being done. Unless otherwise permitted by the Plumbing Inspector, all plumbing work shall be left uncovered until inspected and approved. The person making the request for inspection shall make such arrangements as will enable the Plumbing Inspector to reach all parts of the building and shall provide the equipment and labor for making tests of the system.

(3) FINAL INSPECTION. The plumber to whom the permit is issued, or his/**her** agent, shall notify the **Planning and Building Services Division** ~~Housing and Code Enforcement Division~~ when the work is completed and ready for final inspection. The person making the request for final inspection shall make arrangements for entry into all parts of the building where the inspection is to be performed.”

Section 20. Section 8.10(2) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(2) INFORMATION REQUIRED. The plumber making any opening into or connection with the City's sewer or water utility shall provide the Plumbing Inspector with all pertinent data concerning the work, including the location, size, depth, material and date of the work. The Plumbing Inspector shall keep a record of such information in the offices of **the Planning and Building Services Division** ~~Housing and Code Enforcement Division~~.”

Section 21. Section 8.20(4)(a) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(a) Orders to Correct Plumbing Violations. Orders to correct plumbing violations shall be served upon the owner of record by first class mail at the address listed with the Director of **Planning and Building** ~~Housing~~ Services or by delivering the order to **the owner** ~~him~~ personally. When the owner of record does not have an address listed with the Director of **Planning and Building Services** ~~Housing Services' office~~, the order may be served:

1. By delivering the order to the owner personally; or

2. By first class mail addressed to the owner at ~~his~~the last known address as shown on the most recent property tax bill for the property affected by the order; or
3. By posting the order in a conspicuous place on the exterior of the structure affected by the order.

If an order is served by first class mail, the person serving the order shall execute an affidavit which should include the following:

1. The date upon which the order was mailed.
2. An allegation that the envelope was postpaid.
3. The name of the person to whom the envelope was addressed.
4. The address on the envelope.
5. That the order was enclosed within the envelope.”

Section 22. Section 9.06(2)(c)2 of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

- “2. The ~~Division of Planning and Building~~ **Housing Services Division** may approve any change in use of an existing building or structure, even though the building is not made to fully conform to the requirements of this chapter, when it is obvious that the change of use will not extend or increase any nonconformity or hazard.”

Section 23. Section 9.06(2)(d) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

- “(d) The ~~Division of Housing~~ **Planning and Building** Services **Division** may require that an existing building be made to conform to the requirements of this chapter regulating the number, location, lighting, widths, heights and means of exiting where, in its judgment, a hazard to the occupants, users, owners or the public exists.”

Section 24. Section 9.07 of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“9.07 AUTHORITY.

The Director of ~~Housing~~ **Planning and Building** Services is hereby authorized and directed to administer and enforce all of the provisions of this chapter. The Director of **Planning and Building** ~~Housing~~ Services shall serve as the Building Inspector referred to in §1.34 of this Municipal Code and shall have such rights and powers ascribed to the Building Inspector in §1.34 of this Municipal Code.”

Section 25. Section 9.11(1) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

- “(1) Wherever any work is being done contrary to the provisions of this chapter or before having obtained a permit authorized by the ~~Division of Housing~~ **Planning and Building** Services **Division**, the **Planning and Building Services** ~~Division of Housing Services~~ may order the work stopped by notice in writing served upon the permittee or his/her agent or any contractor engaged in doing the work or causing such work to be done, or by

posting such stop order in a conspicuous place on the premises and any person shall stop such work until authorized by the **Planning and Building Services** Division of ~~Housing Services~~ to proceed with the work.”

Section 26. Section 9.12(1)(a) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(a) A permit shall be obtained before beginning construction, alteration, repair, improvement, demolition or moving any building or structure, including mobile homes, using application forms prescribed and furnished by the **Planning and Building** ~~Division of Housing Services~~ **Division.**”

Section 27. Section 9.12(4) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(4) WEATHER RESISTANT CARD. The ~~Division of Housing~~ **Planning and Building** Services **Division** shall issue, with each permit, a weather resistant card which shall be posted in a conspicuous place on the front of the building or structure where the work is being done. Such card shall be placed not more than 15 feet above adjacent grade, shall be unobstructed from public view and shall remain in place during the entire period of the work. All police officers shall, at once, report to the **Planning and Building** ~~Division of Housing Services~~ **Division** any work which is being carried on without a permit.”

Section 28. Section 9.12(6) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(6) REVOCATION. If the **Planning and Building** ~~Division of Housing Services~~ **Division** shall find, at any time, that any of the ordinances of the City or the plans and specifications are not being complied with, the permit may be revoked by written notice to the owner or agent, or by posting a notice in a conspicuous place at the work site.”

Section 29. Section 9.12(7) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(7) REISSUANCE. If any such permit is revoked, no further work shall be done until the permit is reissued, excepting such work the **Planning and Building** ~~Division of Housing Services~~ **Division** may order done as a condition precedent to the reinstatement of the permit.”

Section 30. Section 9.13(2) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(2) Applications for permits other than for original construction of one- and 2-family dwellings shall be made upon a form prescribed by the **Planning and Building Services** ~~Division of Housing Services~~ and shall be signed by the owner or agent representing the owner. Each application, when deemed necessary by the **Planning and Building Services** ~~Division of Housing Services~~, shall be accompanied by plans drawn of sufficient clarity to indicate the nature and extent of the proposed work and shall include a plot plan

showing locations of existing and proposed buildings, property lines, adjacent grades, drainage facilities, easement, north arrow, street address and legal description. An application for permit to construct a wireless communication tower or equipment facility shall not be issued unless all of the requirements of §22.04 of the City ordinances have been met.”

Section 31. Section 9.14(2) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(2) For construction other than regulated by subsection (1) above, the **Planning and Building Services** Division ~~of Housing Services~~ shall, upon notification from the contractor or his/her agent, make or cause to be made the following inspections and shall either approve that portion of the construction as completed or shall notify the permit holder or his/her agent wherein the same fails to comply with this chapter:”

Section 32. Section 9.14(2)(a) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(a) *Footing Inspection.* Footings shall be inspected after completion of excavation and all shoring and reinforcing is in place and prior to the placing of concrete. No concrete shall be placed until authorized by the **Planning and Building Services** Division ~~of Housing Services~~ or 3 work hours have elapsed after notification that the work is ready for inspection.”

Section 33. Section 9.14(2)(e) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(e) *Final.* Upon completion of all of the work to be done, but prior to occupancy, the **Planning and Building Services** Division ~~of Housing Services~~ shall make, or cause to be made, a final inspection to determine compliance with code and all other applicable regulations. If no violations of this chapter or other applicable regulations are found, the **Planning and Building Services** Division ~~of Housing Services~~ shall issue a certificate of occupancy stating the purpose for which the building is to be used, the maximum load and the maximum number of people who may be accommodated on each floor.”

Section 34. Section 9.15(1) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(1) No building or part thereof shall be occupied until the **Planning and Building Services** Division ~~of Housing Services~~ has issued a certificate of occupancy certifying that no violation of this chapter or any other applicable regulation exists, nor shall any building be occupied in any manner conflicting with the conditions set forth in the certificate of occupancy.”

Section 35. Section 9.15(3) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(3) The **Planning and Building Services** Division ~~of Housing Services~~ may permit the occupancy of buildings, or part thereof, prior to completion where, in its judgment and discretion, a particular hardship exists. Such permission shall be in writing and may not be issued until the **Planning and Building Services** Division ~~of Housing Services~~ has inspected the building, or parts thereof, to be occupied and determined that there are no deficiencies that would be hazardous to the health, safety or welfare of the occupants. Such written permission shall state a time definite by which all required work shall be completed. Failure to complete the work during the time required or violations in such work, will cause the owner to be subject to penalties as provided in §25.04 of this Municipal Code and possible vacation of the building.”

Section 36. Section 9.16(2) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(2) The Director of **Planning and Building** ~~Housing~~ Services and his/her authorized representative is empowered to act for the City under §66.0413, Wis. Stats., relating to condemnation and razing of buildings.”

Section 37. Section 9.19 of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“9.19 **ROOF DRAINAGE**

All water shall be conveyed from buildings so as to prevent dampness in walls, floors and ceilings of all stories, including attics and basements. Water shall not be allowed to fall or flow upon any sidewalk. Where such condition exists in any existing structure, provisions shall be made to carry the water under the sidewalk to the gutter or storm sewer and such changes shall be made within 30 days after the owner of the premises has been notified by the **Planning and Building Services** Division ~~of Housing Services~~ to make such changes. If the owner fails to make such changes, the **Planning and Building Services** Division ~~of Housing Services~~ may order the work done and the costs thereof shall be assessed and collected as a special tax against the property.”

Section 38. Section 9.20(1) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(1) The provisions of this chapter are not intended to prevent the use of any material or method of construction not specifically prescribed by this chapter, provided such alternate has been approved. The **Planning and Building Services** Division ~~of Housing Services~~ may approve any such alternate provided it finds that the proposed design is satisfactory and complies with accepted design criteria. The **Planning and Building Services** Division ~~of Housing Services~~ may require evidence or proof be submitted to substantiate any claims that may be made regarding its use.”

Section 39. Section 9.23(2) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(2) TEMPORARY ENCROACHMENTS. Subject to the approval of the **Planning and Building Services** Division ~~of Housing Services~~, sidewalk sheds, underpinning and other protective

guards and devices may project beyond street right-of-way lines where required to insure the safety of adjoining property and the public.”

Section 40. Section 9.23(4) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(4) UNSAFE EQUIPMENT. Whenever any doubt arises as to the structural quality or strength of scaffolding plank or construction equipment such material shall be replaced, provided the **Planning and Building Services** Division ~~of Housing Services~~ may accept a strength test to 2½ times the super-imposed live load to which the structural member is to be subjected. The use of suspect scaffolding or construction equipment shall be prohibited until tested or replaced.”

Section 41. Section 9.23(5) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(5) UNSAFE CONDITIONS. Where any unsafe or illegal condition exists, the **Planning and Building Services** Division ~~of Housing Services~~ shall notify the owner and direct him/her to take necessary action to remove the hazard or violation. Unless the owner shall take action to comply with the orders within 24 hours the **Planning and Building Services** Division ~~of Housing Services~~ shall have full power to correct the unsafe conditions and the expenses incurred shall be assessed and collected as a special tax upon the property.”

Section 42. Section 9.23(6)(d) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(d) Wherever a party wall is exposed the owner of the new or altered property shall preserve the party wall from damage and support it at his/her own expense. The wall shall be made weatherproof and structurally safe by adequate bracing until such time as permanent structural supports have been provided. Beam holes in party walls, exposed as a result of the work, shall be bricked up and wall anchors bent over at beam ends at the expense of the owner of the building or structure under work. No party wall balcony or horizontal exit shall be destroyed or rendered useless until a substitute means of egress has been approved by the **Planning and Building Services** Division ~~of Housing Services~~.”

Section 43. Section 9.23(7)(b) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(b) Fences. Every construction operation located 5 feet or less from a street right-of-way line shall be enclosed with a fence not less than 8 feet in height. When located more than 5 feet from the street right-of-way line, a fence or other barrier shall be erected when required by the **Planning and Building Services** Division ~~of Housing Services~~. All fences shall be adequate in strength to withstand high winds.”

Section 44. Section 9.23(7)(c) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(c) Sidewalk Bridges. Whenever ground is excavated under a sidewalk, a sidewalk bridge shall be constructed not less than 4 feet wide, or a protected walkway of equal width shall be erected in the street, providing the **Planning and Building Services** Division ~~of Housing Services~~ has authorized the street occupancy.”

Section 45. Section 9.23(8)(b)4 of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“4. If the person who causes the work to be done has reason to believe that an adjoining building or structure is unsafe, he/she shall forthwith notify the **Planning and Building Services** Division ~~of Housing Services~~ in writing. The **Planning and Building Services** Division ~~of Housing Services~~ shall inspect such premises, and if the structure is found to be unsafe, the **inspector** shall order it repaired or razed.”

Section 46. Section 9.23(15)(a) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(a) Temporary Heating. Whenever salamanders or other heating devices are used for temporary heating, all regulations as to maximum temperature, distance from combustible materials, spark arrestors, removal of noxious gases and other requirements of the **Planning and Building Services** Division ~~of Housing Services~~ shall be fully observed. When the source of heat consists of salamanders or other open flame devices, temporary canvas enclosures shall be flame and fire retardant.”

Section 47. Section 9.25(2)(a) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(a) Required. Before a permit to move, demolish or reduce the size of a building is granted, the party applying for the permit shall file with the **Planning and Building Services** Division ~~of Housing Services~~ liability insurance and surety bonds as set forth below.”

Section 48. Section 9.25(2)(e) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(e) Additional Coverage. Where the **Planning and Building Services** Division ~~of Housing Services~~, City Engineer or City Attorney shall determine that the amounts of coverage provided in this section are insufficient, they may require additional coverage in amounts reasonable to protect public and private property.”

Section 49. Section 9.25(4)(b) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(b) Route. Every application to move a building or structure shall set forth, in detail, a description of the building proposed to be moved and the route to be followed in moving the building. No permit shall be issued until the **Planning and Building Services** Division ~~of Housing Services~~ and City Engineer have approved the route to be followed, in writing. Where the **Planning and Building Services** Division ~~of Housing Services~~ or City

Engineer shall determine that the size of the building will cause damage to trees, streets, highways or other property, the permit may be conditioned upon a reduction in the size of the building prior to the moving of the building."

Section 50. Section 9.25(4)(c) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"(c) *Time of Moving.* The moving of buildings or structures along streets or alleys shall be done during daylight hours and shall continue during that period without interruption. No building shall be allowed to remain overnight on any street, highway or bridge. Where the **Planning and Building Services** Division ~~of Housing Services~~ shall determine that the moving will interfere with the orderly movement of traffic along busy streets **the Division** may require that the moving be done during the night time as well as during daylight, or that the entire operation be conducted during the night time."

Section 51. Section 9.25(4)(f) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"(f) *Completion.* The **Planning and Building Services** Division ~~of Housing Services~~ shall be notified when the building has reached its destination, or has been removed from the City limits. Such notification shall be given within 24 hours and shall cause the **Planning and Building Services** Division ~~of Housing Services~~ to survey the route taken to determine any damage."

Section 52. Section 9.26(9) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"(9) *INSPECTIONS.* Public swimming pools shall be periodically inspected by the Health Department to determine compliance with ordinances regarding health, sanitation and safety, whether under this chapter or other applicable codes, ordinances, statutes or regulations. The provisions of this section shall not be deemed to prevent enforcement of the provisions of this section of the chapter by the **Planning and Building Services** Division ~~of Housing Services~~. ~~In this subsection, the phrase "public swimming pool" shall have the meaning prescribed by §17.17(3) of the City Ordinances.~~"

Section 53. Section 9.28(2)(a)2c of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"c. Park Facilities Needs Assessment. The impact fee imposed by this subsection is the result of:

- (i) A public parks facilities needs assessment prepared by R.H. Batterman & Co., Inc. and Mid-America Planning Services, Inc. dated November 4, 2003; and
- (ii) The 2001-2005 parks and open space plan of the City of Beloit.

Both documents are on file in the **Department of Community Development** ~~office of the Planning Division~~ and are available for inspection and/or copying. The public parks facilities needs assessment includes:

- (ia) An inventory of existing public park facilities, including an identification of any existing deficiencies in the quantity or quality of those park facilities for which an impact fee is imposed.
- (iib) An identification of new park improvements or park expansions required to serve land developments for which impact fees may be imposed.
- (iiic) A detailed estimate of the capital costs for new park improvements and expansions identified in the park facilities needs assessment."

Section 54. Section 10.02(6) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"(6) ORDERS. If the Electrical Inspector determines that any electrical installation or appliance is dangerous or unsafe, the Electrical Inspector shall notify the person who owns, uses, operates or installs the same of the dangerous or unsafe condition. The written notice shall also contain an order specifying the time by which the dangerous or unsafe condition shall be corrected. The Electrical Inspector may order the discontinuance of electrical service to the dangerous or unsafe electrical insulation or appliance until that condition has been corrected. In all cases where a dangerous or unsafe condition is found, the Electrical Inspector shall provide a copy of the notice and order to the owner of the premises where the condition exists. The notice and order shall be served upon the owner personally or shall be left at the owner's usual place of residence with a person of suitable age and discretion. Alternatively, the notice and order may be served by certified or registered mail addressed to the owner at his/her last known address with postage prepaid. A copy of the notice and order shall also be posted in placard form in a conspicuous place on the premises where the unsafe or dangerous condition is found to exist. If the owner fails or refuses to make the required repairs, the Director of the **Planning and Building Services** ~~Division of Housing Services~~ or the Electrical Inspector may issue one or more municipal citations to the owner for failure to make such repairs. The municipal citation shall be issued in accordance with section 25.04 of this Municipal Code. The issuance of a municipal citation shall be in addition to any other remedy provided by this chapter."

Section 55. Section 12.01(4)(c)3 of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"3. A Plat of Survey showing the parcel to be transferred has been submitted for approval of the **Director of Planning and Building Services** ~~Neighborhood Planning Director~~, including a signature certificate and indicating the location for monuments placed at all new lot corners."

Section 56. Section 12.02(2) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"(2) PRE-APPLICATION MEETING. On the completion of the documents specified in §12.02(1), a pre-application meeting shall be held with the **Director of** ~~Neighborhood Planning and Building Services~~ **Director** and City Engineer to assist the subdivider or condominium developer in understanding the objectives of these regulations, the City's

comprehensive plan and elements thereof, the City's official map and any pertinent ordinances and plans, and to reach conclusions regarding the objectives and general program for the proposed development."

Section 57. Section 12.02(3)(a) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"(a) Plan Commission Review. The **Director of Planning and Building Services**~~Neighborhood Planning Director~~ may require, or the subdivider or condominium developer may request, Plan Commission review and comment on the submitted site assessment checklist and/or concept plan. Ten (10) copies of all documents shall be submitted by the subdivider or condominium developer to the **Director of Planning and Building Services**~~City Neighborhood Planning Director~~ who shall distribute the copies to the Plan Commission for review and comment. Said copies must be submitted at least 28 days prior to the date of the Plan Commission meeting at which the matter is to be reviewed."

Section 58. Section 12.02(4)(c) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"(c) Site Assessment Checklist Form. The subdivider or condominium developer shall complete a site assessment checklist on a form provided by the **office of the Director of Planning and Building Services**~~Neighborhood Planning Director's office.~~"

Section 59. Section 12.02(5)(b) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"(b) Hearing on Site Assessment Report. Following **receipt of the report from the subdivider or condominium developer,** ~~response to the written request to the~~ **Director of Planning and Building Services**~~City Neighborhood Planning Director,~~ the City shall distribute the report to all interested persons or agencies. The Plan Commission may schedule and hold a public hearing on the findings of the report. If scheduled, the hearing shall be preceded by a Class 1 notice under Ch. 985, Wis. Stats. Persons attending such hearing shall be afforded an opportunity to comment on the report."

Section 60. Section 12.03(2)(a) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"(a) Application. Prior to submitting a final plat or condominium plat for approval for all major subdivisions, or condominium developments, the subdivider or condominium developer shall prepare a preliminary plat and file a written application for its approval with the **Director of Planning and Building Services**~~Neighborhood Planning Director,~~ along with 10 copies of the preliminary plat. The submittal shall include all data required by this section. A preliminary plat shall not be submitted prior to City review of the site assessment checklist, the site assessment report when required, or the concept plan. The preliminary plat shall be filed at least 30 days prior to the date of the Plan Commission meeting at which action is expected to allow adequate time for review and

recommendation by appropriate agencies, staff, commissions, consultants, and nearby property owners.”

Section 61. Section 12.03(2)(c) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(c) Public Notice.

1. Following submittal of the preliminary plat, the **Director of Planning and Building Services**~~Neighborhood Planning Director~~ shall direct the preparation of a written notice containing the following information:
 - a. The date that the subdivider or condominium developer filed a preliminary plat application with the Plan Commission.
 - b. A copy of the preliminary plat.
 - c. A map of the area adjacent to the platted land.
 - d. The date, time and location of the Plan Commission's hearing on the preliminary plat.
 - e. The proposed use of the land to be subdivided.
 - f. Contact information for the **Director of Planning and Building Services**~~Neighborhood Planning Director~~, for further inquiry.
2. The **Director of Planning and Building Services**~~Neighborhood Planning Director~~ shall direct the mailing of the notices to the owners of all City property within 150 feet of the proposed major subdivision as derived by City Assessor records. Such notice shall be sent by first class mail, not less than 15 days nor more than 30 days prior to the Plan Commission hearing on the preliminary plat. The notice is intended as a courtesy to neighboring property owners. Failure of a neighboring property owner to receive or accept the notice shall not invalidate any subsequent action taken by the Plan Commission with reference to the preliminary plat. The cost of mailing the notice shall be paid by the subdivider or developer prior to the Plan Commission hearing on the preliminary plat.”

Section 62. Section 12.03(2)(e) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(e) Plan Commission Action. The Plan Commission shall hold a public hearing on the preliminary plat. The Plan Commission, at its earliest available scheduling, but no longer than 90 days from the date of filing of a complete application for a preliminary plat with the **Director of Planning and Building Services**~~Neighborhood Planning Director~~, shall take action to approve, conditionally approve, or reject the preliminary plat. In the case of a rejection, the Plan Commission shall list reasons for said recommendation. The time period within which Plan Commission action is required shall not commence until the City has received all maps, plans, drawings, and related data necessary for review of the latest version of the preliminary plat. Failure of the Plan Commission to act within 90 days shall be interpreted as a recommended approval of the preliminary plat except

where the 90-day period has been extended by written agreement of the subdivider or condominium developer.”

Section 63. Section 12.03(2)(f) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(f) The **Director of Planning and Building Services**~~Neighborhood Planning Director~~ shall notify the subdivider or condominium developer, in writing, of the Plan Commission action within 10 business days.”

Section 64. Section 12.04(1) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(1) FINAL PLAT REVIEW PROCEDURE. For all major subdivisions of land within the City and within the City's extraterritorial jurisdiction, the subdivider or condominium developer shall prepare a final plat and written application for approval of the plat. The subdivider shall file the application and 10 copies of the final plat with the **Director of Planning and Building Services**~~Neighborhood Planning Director~~. The application and final plat shall include all data required by this section, including written confirmation that the subdivider or condominium developer submitted the approved preliminary plat to utility providers as required by §12.03(2). Except as provided below, a final plat shall not be submitted prior to Plan Commission approval of the preliminary plat. The final plat shall be filed at least 30 days prior to the date of the Plan Commission meeting at which a recommendation is expected. In the case of condominium developments, a preliminary condominium plat that conforms to §703.11, Wis. Stats., shall be processed as a final plat.”

Section 65. Section 12.04(1)(c) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(c) *Review by Agencies.* The **Director of Planning and Building Services**~~Neighborhood Planning Director~~ shall transmit an adequate number of copies to the Plan Commission; and copies to all affected City boards, commissions or departments, for their review and recommendations concerning matters within their jurisdiction. For the final plat, the subdivider shall be responsible for obtaining approval of the final plat by the state of Wisconsin, in accordance with §236.12, Wis. Stats.”

Section 66. Section 12.04(1)(d) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(d) *Plan Commission Recommendation.* Within 60 days of receiving a complete application for final plat approval and all associated documents, the Plan Commission shall recommend approval, denial or approval with conditions of the final plat and transmit that recommendation to the City Council. Such review period may be extended by written agreement of the subdivider or condominium developer. The **Director of Planning and Building Services**~~Neighborhood Planning Director~~ shall forward the final plat to the City Council without a recommendation from the Plan Commission in the event that the Commission fails to act within said review period.”

Section 67. Section 12.05(1)(a) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

- “(a) *Application.* For all minor subdivisions of land within the City or within the City's extraterritorial jurisdiction, the subdivider shall file an application for approval of a minor subdivision with the **Director of Planning and Building Services**~~Neighborhood Planning Director~~, along with one copy of the proposed minor subdivision. The submittal shall include all data required by this section. A minor subdivision shall not be approved prior to Plan Commission review of the site assessment checklist, except as exempted under §§12.02(1) and 12.02(4). The proposed minor subdivision shall be filed at least 21 days prior to the date of the Plan Commission meeting at which a decision or recommendation is expected.”

Section 68. Section 12.05(1)(b) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

- “(b) *Final Decisions to be Made by Plan Commission.* The Plan Commission shall, within not less than 21 days nor more than 60 days from the date a complete application is submitted, approve, conditionally approve or reject any minor subdivision of land located within the City's extraterritorial jurisdiction or minor subdivision of land within the corporate limits of the City where there is no dedication of land to the City. Conditions of approval or reasons for rejection shall be stated in writing. The Plan Commission's determination shall not conflict with the provisions of this chapter or other ordinances, or recommendations of other City committees and commissions which have reviewed the subdivision plans. In all cases, the time period within which Plan Commission action is required shall not commence until the City has received all maps, plans, drawings and other data necessary for review of the latest version of the minor subdivision. Such time may be extended by written agreement of the subdivider. If the Plan Commission fails to act within the 60-day period and the time for review has not been extended by written agreement of the subdivider, the minor subdivision shall be deemed approved. A certificate to that effect shall be made on the face of the minor subdivision document by the **Director of Planning and Building Services**~~Neighborhood Planning Director~~ upon demand for such certification by the subdivider.”

Section 69. Section 12.05(1)(c) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

- “(c) *Recommendations to be Made by Plan Commission.* The Plan Commission shall, within not less than 21 days nor more than 60 days after the date the application for approval of the minor subdivision is submitted, recommend to the City Council approval, conditional approval or rejection of a minor subdivision that involves the dedication of public lands within the City's corporate limits. Such recommendation shall not conflict with the provisions of this chapter or other ordinances or recommendations of other City committees and commissions which have reviewed the subdivision plans. All minor subdivisions proposing to dedicate land for park and open space purposes shall be accompanied by a phase one environmental assessment indicating that such lands present no environmental hazard, and that they will not require environmental

mitigation or remediation measures. Said environmental assessment shall be produced at the subdivider's expense. In all cases, the time period within which the Plan Commission recommendation is required shall not commence until the City has received all maps, plans, drawings and other data necessary for review of the latest version of the minor subdivision. Such time may be extended by written agreement of the subdivider. If the Plan Commission fails to act within the 60-day period, and the time for such action has not been extended by written agreement of the subdivider, then the **Director of Planning and Building Services**~~Neighborhood Planning Director~~ shall forward the minor subdivision {documents} to the City Council without a recommendation from the Plan Commission."

Section 70. Section 12.05(1)(g) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"(g) *Upon Recordation by the Subdivider*, two (2) copies of the recorded document shall be furnished to the **Director of Planning and Building Services**~~Neighborhood Planning Director~~ along with a digital copy in the format determined by the City Engineer."

Section 71. Section 12.07(4)(b)(intro) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"(b) *Procedures*. Any person preparing or amending a plat or certified survey map that includes a public street or otherwise desirous of renaming an existing street or naming a new street or a street not previously named shall make application therefore to the City of Beloit. If a preliminary plat is required by this chapter, all street names shall be proposed on the face of the plat. The City may initiate said application for street naming on its own, should the City determine the need to name or rename a street. Said applications shall be in written form and be submitted to the Director of **Planning and Building Services**~~Neighborhood Planning~~. Except where street naming occurs through the platting or certified survey map process, all applications shall contain the following information:"

Section 72. Section 12.07(4)(c) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"(c) *Determination*. The Director of **Planning and Building Services**~~Neighborhood Planning~~ shall review said proposal for street naming consistent with the standards contained in subsection (d) below, and shall also make a determination as to whether the proposed name or a similar name is already in use, and shall forward its recommendations and determinations to the Plan Commission. Except where street naming occurs through the platting or certified survey map process, the Plan Commission shall set the matter on its agenda for public hearing and shall make its recommendations in the form of a report to the City Council taking into consideration the standards contained in subsection (d) below. For subdivision plats and certified survey maps including new public street dedications, street naming shall instead be established through the platting or certified survey mapping processes. City Council approval of a final plat or certified survey map including proposed street names shall constitute City Council approval of said street names."

Section 73. Section 12.07(11) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(11) **MULTIUSE PATHS AND WALKWAYS.** The minimum width of a right-of-way or easement for a multiuse path shall be 20 feet, with a minimum pavement width of 10 feet. The minimum width of a right-of-way or easement for a pedestrian-only walkway shall be 10 feet, with a minimum surface width of 5 feet. The substitution of a multiuse path or walkway for a sidewalk, as required in Table 1, may be approved at the discretion of the **Director of Planning and Building Services**~~Neighborhood Planning Director~~ and City Engineer where it can be demonstrated that such provision will both better meet the needs of subdivision or condominium development residents and is consistent with the City's park and open space and/or bikeways plans.”

Section 74. Section 14.06(2)(intro) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(2) **ANNUAL PERMIT REQUIRED.** No property owner shall lease any dwelling unit to another person unless, at the time the dwelling unit is let, the owner possesses a valid permit issued by the **Community and Housing Services** Division of the Department of Community Development for operation of that dwelling unit. No permit shall be issued if the owner of the dwelling unit has done any of the following:”

Section 75. Section 14.06(4)(a) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(a) **Application.** An application for a permit shall be filed with the **Community and Housing Services** Division of the Department of Community Development on a form provided by the **Community and Housing Services** Division.”

Section 76. Section 14.14(9) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(9) **INSPECTION OF LICENSED PREMISES.** The City Clerk shall notify the Chief of Police, Fire Chief, **and the Director of Planning and Building**~~Housing Services and Director of Neighborhood Planning~~ of each license application, including an application for license renewal, and these officials shall inspect or cause to be inspected the premises where the licensed activity will occur. These officials shall conduct such investigations as are necessary to determine whether the premises sought to be licensed comply with the regulations, ordinances and laws applicable thereto. These officials shall each furnish, in writing to the City Clerk, the information derived from, such investigation accompanied by a recommendation as to whether a public entertainment license shall be granted or refused.”

Section 77. Section 14.22(1)(b) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(b) Cafe Management and Review Committee (CMRC) means the ~~Planning~~-Director of **Planning and Building Services**, or his/her designee, and the Downtown Beloit Association.”

Section 78. Section 14.22(7)(c) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(c) If the City Clerk receives an application for a new sidewalk cafe license or an application to renew a prior sidewalk cafe license involving a change in the type or location of the sidewalk cafe furniture, furnishings and equipment, the City Clerk shall forward a copy of the application, together with the scale drawing, photographs, pictures and renderings to the ~~Planning~~-Director.”

Section 79. Section 14.22(7)(d) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(d) The ~~Planning~~-Director of **Planning and Building Services** shall notify the Cafe Management and Review Committee (CMRC) that the City has received an application for a new sidewalk cafe license or renewal of an existing cafe license with proposed changes.”

Section 80. Section 14.22(7)(e) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(e) The CMRC shall meet within 10 days of the receipt of the notice from the ~~Planning~~ Director of **Planning and Building Services**. The CMRC shall review the type of furniture, furnishings and equipment proposed by the applicant and determine whether they detract from the aesthetics of the area surrounding the proposed sidewalk cafe. The CMRC shall notify the applicant, in writing, of the CMRC's decision. If the CMRC denies the application for a sidewalk cafe license, the CMRC should state in writing:

1. The reason for denying the application.
2. What action on behalf of the applicant is necessary in order for CMRC approval.”

Section 81. Section 14.22(7)(f) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(f) The ~~Planning~~-Director of **Planning and Building Services** shall notify the applicant of the decision of the CMRC within 5 days of the meeting.”

Section 82. Section 15.21(2) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(2) RESPONSIBILITY OF OWNER/OCCUPANT. No owner or occupant of any premises shall store, or permit any other person to store, any junk, junk vehicle, debris, used, discarded or damaged construction material or other refuse from building renovation or repair upon the owner's or occupant's premises except in an enclosed building and out of public view or upon permit issued by the City Council. The Director of **Community**

and Housing Services or his/her authorized agent, may order the owner or the occupant violating this section to bring the premises into compliance.”

Section 83. Section 15.21(4) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(4) NONCOMPLIANCE OF ORDER. If the order is not complied with, the Director of **Community and** Housing Services may have the premises put into compliance and the cost thereof assessed as a special tax against the property. Such action shall not be taken without prior notice to the property owner.”

Section 84. Section 15.21(6) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(6) CITATION TO PERSON RESPONSIBLE FOR VIOLATION. In addition, the Director of **Community and** Housing Services or his/her authorized representative, may issue a citation to the person responsible for the violation of this section.”

Section 85. Section 21.17(1) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(1) WRECKED OR DAMAGED HOMES. Wrecked, damaged, or dilapidated mobile homes and travel trailers shall not be kept or stored in a mobile home park or a travel trailer park. The Director of **Community and** Housing Services, or his/her designee, shall determine if a mobile home or travel trailer is damaged or dilapidated to a point which makes said mobile home or travel trailer unfit for human occupancy on either a temporary or permanent basis. Whenever such a determination is made, the mobile home or travel trailer shall be vacated and removed from the premises by the owner of the park, within 30 days of formal notice by the Director of **Community and** Housing Services, or his/her designee.”

Section 86. Section 22.04(3)(b)3 of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“3. *List of other antenna facilities.* The applicant shall provide the ~~Planning~~ Director of **Planning and Building Services** with a list of the applicant's existing towers and antennas located within the City of Beloit or within one mile of the City limits. The list should identify the location, height and design of each tower and the location of each antenna. The ~~Planning~~ Director of **Planning and Building Services** may share such information with other applicants applying for a building permit to construct, install or alter wireless communication facilities.”

Section 87. Section 22.04(3)(b)5(intro) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“5. *Co-location statement for towers.* The applicant shall demonstrate, to the reasonable satisfaction of the ~~Planning~~ Director of **Planning and Building Services**, that no existing

tower or alternative tower structure can accommodate the applicant's proposed antenna. Upon a showing that any one of the following circumstances exists, the applicant shall be deemed to have satisfactorily demonstrated the need for a new tower:"

Section 88. Section 22.05(9) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"(9) A wireless communications facility shall be enclosed by a security fence not less than 6 feet in height and secured so that it is not accessible by the general public. Fence design, materials and colors shall reflect the character of the surrounding area as determined by the ~~Planning~~ Director **of Planning and Building Services.**"

Section 89. Section 22.06(2)(a) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"(a) *Form and Contents.* The owner or operator of a wireless communication facility shall complete an application for a license on a form prescribed by the ~~Planning~~ Director **of Planning and Building Services.** The application form shall be signed by the owner or operator of the wireless communication facility and by the owner of the property on which that facility is located. The application form shall be submitted to the ~~Planning~~ Director **of Planning and Building Services** ~~together with a receipt for payment of the applicable license fee. The applicant shall pay the license fee to the City Treasurer.~~"

Section 90. Section 22.06(2)(e) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"(e) *Annual Inspection.* The ~~Division of Housing~~ **Planning and Building Services Division** shall inspect each licensed wireless communication facility on an annual basis."

Section 91. Section 22.06(2)(f)1 of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"1. If the Director of **Planning and Building** ~~Housing~~ Services, or his/**her** designee, determines that a violation of this chapter exists, the Director ~~of Housing Services~~, or his/**her** designee, shall issue an order requiring that each violation be corrected within a specified time. The compliance time shall not be more than 30 days, depending upon the nature of the violation and the hazard involved."

Section 92. Section 22.06(2)(g)1(intro) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"1. *Contents of order.* Whenever the Director of **Planning and Building** ~~Housing~~ Services, or his/**her** designee, determines that there are reasonable grounds to believe that a violation of any provision of this chapter exists, he/**she** shall order the owner or operator of the wireless communication facility to correct the violation. The order shall be in writing and shall:"

Section 93. Section 22.06(2)(h) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(h) *Extension of Time To Comply With Orders.* The owner or operator served with an order to correct a violation may, prior to the compliance time specified in the order, request an extension of the compliance time. If the owner or operator who was served with the order to correct the violation demonstrates that **the owner or operator** is making diligent effort to comply with the order, the Director of **Planning and Building Housing Services**, or his/**her** designee, may extend the time for compliance for not more than 90 days.”

Section 94. Section 22.06(2)(i)(intro) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(i) *Suspension, Revocation, Refusal to Issue or Renew License.* The City Clerk shall refuse to issue or to renew a license issued pursuant to this section upon the grounds specified in subsection (9) of section 14.02 of this Municipal Code. The Director of **Planning and Building Housing Services**, or his/**her** designee, may commence a proceeding to suspend or revoke any license issued pursuant to this section. The proceedings shall be commenced by the filing of a sworn written complaint with the City Clerk alleging each of the following:”

Section 95. Section 22.08(2) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(2) NOTIFICATION OF ABANDONMENT. The owner or operator of a wireless communication facility shall notify the ~~City Planning~~ Director of **Planning and Building Services** whenever an antenna or tower is abandoned or its use discontinued. Such notice shall be given to the ~~Planning~~ Director within 30 days of such abandonment or discontinuance.”

Section 96. Section 22.11 of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“22.11 ENFORCEMENT; PENALTIES

The provisions of this chapter shall be enforced by the **Planning and Building Services** ~~Division of Housing Services~~. Any person who violates any provision of this chapter shall, upon a conviction for a first violation within 12 months, be subject to a penalty of not less than \$250 nor more than \$500. Any person who commits a second or subsequent violation of any provision of this chapter within 12 months of the commission of a prior violation of that provision shall, upon conviction of such second or subsequent violation, be subject to a penalty of not less than \$500 nor more than \$2,000.”

Section 97. Section 25.04(4)(d) of the Code of General Ordinances of the City of Beloit is hereby amended to include, in numerical order, the following deletions and additions to the list of city employees authorized to issue municipal citations for violation of city ordinances:

Chapter	Title	Enforcement Official
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6.15	Hazardous Materials	Fire Chief; Assistant Fire Chief; Deputy Fire Chief; Fire Captain; Fire Lieutenant; Acting Fire Lieutenant; Fire Department Inspection Officials; Housing Code Enforcement Inspector Inspection Official assigned to conduct Fire Inspections; Environmental Technician; Environmental Specialist; Environmental Coordinator; DPW Inspection Official
7	Property Maintenance Code	Director of Community and Housing Services; Building Inspector; Plumbing Inspector; Electrical Inspector; Housing Code Enforcement Inspector Inspection Official
7.23(11)	Wood Piles	Director of Community and Housing Services; Housing Code Enforcement Inspector Inspection Official ; Solid Waste Supervisor Public Works Sustainability and Safety Coordinator ; DPW Inspection Official
7.235	Weeds and Grasses	Director of Community and Housing Services; Housing Code Enforcement Inspector Inspection Official ; Solid Waste Supervisor Public Works Sustainability and Safety Coordinator ; DPW Inspection Official
8	Plumbing Code	Director of Planning and Building Housing Services; Plumbing Inspector
9	Building Code	Director of Planning and Building Housing Services; Building Inspector
10	Electrical Code	Director of Planning and Building Housing Services; Electrical Inspector
11	Streets and Sidewalks	Director of Public Works; Director of Community and Housing Services; Housing Code Enforcement Inspector Inspection Official ; Solid Waste Supervisor Public Works Sustainability and Safety Coordinator ; DPW Inspection Official
11.25	Streets and Sidewalks (gutters and culverts)	Public Works Director; Solid Waste Supervisor Public Works Sustainability and Safety Coordinator ; DPW Inspection Official ; Environmental Technician; Environmental Specialist; Environmental Coordinator
12	Subdivision Ordinance	Director of Planning and Building Services; Planner
14.06	Annual Rental Dwelling Permits	Director of Community and Housing Services; Housing Code Enforcement Inspector Inspection Official ; Secretary to Director of Community and Housing Services
14.22	Sidewalk Cafes	Director of Planning and Building Services; Planner
15.01(9)	Offenses against Animals	Community Services Officer; Animal Control Officer
15.12	Noise	Community Services Officer; Animal Control Officer
15.14	Abandoned or	Director of Community and Housing Services;

	Unattended Refrigerators, Ice Boxes, etc., Prohibited	Housing Code Enforcement Inspector Inspection Official ; Solid Waste Supervisor Public Works Sustainability and Safety Coordinator ; DPW Inspection Official
15.15	Fences	Director of Housing Services ; Housing Code Enforcement Inspector
15.165	Defecation of Dogs or Cats on Public and Private Property	Director of Community and Housing Services; Housing Code Enforcement Inspector Inspection Official ; Solid Waste Supervisor Public Works Sustainability and Safety Coordinator ; DPW Inspection Official Community Services Officer; Animal Control Officer
15.18	Handbills and Bill Posting	Director of Community and Housing Services; Housing Code Enforcement Inspector Inspection Official ; Solid Waste Supervisor Public Works Sustainability and Safety Coordinator ; DPW Inspection Official
15.19	Cottonwood Trees Prohibited	Solid Waste Supervisor Public Works Sustainability and Safety Coordinator ; DPW Inspection Official
15.20	Littering Prohibited	Director of Community and Housing Services; Housing Code Enforcement Inspector Inspection Official ; Solid Waste Supervisor Public Works Sustainability and Safety Coordinator ; DPW Inspection Official
15.21	Storage of Junk Regulated	Director of Community and Housing Services; Housing Code Enforcement Inspector Inspection Official ; Solid Waste Supervisor Public Works Sustainability and Safety Coordinator ; DPW Inspection Official
16	Public Nuisances, except §§16.04, 16.07	Director of Community and Housing Services; Housing Code Enforcement Inspector Inspection Official ; DPW Inspection Official
16.08	Smoking Prohibited	Fire Chief; Assistant Fire Chief; Deputy Fire Chief; Fire Captain; Fire Lieutenant; Acting Fire Lieutenant; Fire Department Inspection Officials; Housing Code Enforcement Inspector Inspection Official assigned to conduct Fire Inspections; Director of Community and Housing Services; Director of Planning and Building Services ; Housing Code Enforcement Inspector CHS Inspection Official ; Building Inspector
17	Regulation of Solid Waste	Public Works Director; Director of Community and Housing Services; Housing Code Enforcement Inspector Inspection Official ; Solid Waste Supervisor Public Works Sustainability and Safety Coordinator ; DPW Inspection Official

19	Zoning Code	Director of Community Development; Director of Community and Housing Services; Director of Planning and Building Services ; Housing Code Enforcement Inspector Inspection Official ; Community Planner
21	Mobile Homes and Travel Trailers	Director of Community and Housing Services; Building Inspector; Inspection Official
22	Wireless Communication Facilities	Director of Community and Housing Services; Director of Planning and Building Services ; Housing Code Enforcement Inspector Inspection Official ; Building Inspector; Planner
24	Stormwater Management	Public Works Director; Director of Water Resources; City Engineer; Stormwater Engineer; Director of Planning and Building Services ; Building Inspector; Plumbing Inspector
26	Heating and Air Conditioning	Director of Planning and Building Housing Services ; Plumbing Inspector
30	Sign Control Regulations	Director of Planning and Building Housing Services ; Building Inspector; Director of Community and Housing Services ; Housing Code Enforcement Inspector Inspection Official ; Planner
32	Historic Preservation	Director of Planning and Building Housing Services ; Director of Community and Housing Services ; Building Inspector; Housing Code Enforcement Inspector Inspection Official ; Community Planner
34	Architectural Review and Landscape	Director of Community Development; Director of Planning and Building Housing Services ; Community Planner

Section 98. Section 27.14(6) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(6) FAILURE TO COMPLY WITH NOTICE. If the owner or occupant fails to discontinue the cross-connection after reasonable notice, the Public Works Director shall, in addition to discontinuing water service to the premises, inform the Director of **Planning and Building** ~~Housing~~ Services that the owner ~~and~~ occupant has failed to comply with the notice.”

Section 99. Section 27.14(7) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(7) REMOVAL OF CROSS-CONNECTION BY CITY. If the owner or occupant fails to remove a cross-connection within the time specified in the notice from the Public Works Director, the Director of **Planning and Building**~~Housing~~ Services shall cause the cross-connection to be removed and shall certify the expense of removal to the City ~~Treasurer~~**Clerk** who shall assess the cost against the property as a special tax. The special tax shall be a lien on the property and shall be collected in the manner that other property taxes are collected.”

Section 100. Section 27.15(2)(a)4 of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“4. The property owner obtains a permit to drill or construct the new well from the Division of **Planning and Building**~~Housing~~ Services of the City of Beloit.”

Section 101. Section 27.14(2)(b)4 of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“4. The property owner obtains a permit to drill or construct the new well from the Division of **Planning and Building**~~Housing~~ Services of the City of Beloit.”

Section 102. Section 27.17(2) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(2) DEMOLITION OF BUILDING RECEIVING WATER UTILITY SERVICE. When the owner or other person intends to demolish a building served by the public water utility, that person must obtain a demolition permit from the Division of **Planning and Building**~~Housing~~ Services and must comply with the requirements of §COMM 84.40, Wis. Adm. Code, pertaining to the removal of public water utility service.”

Section 103. Section 27.18(3) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(3) PERMIT TO ABANDON WELL. No owner of any private well located in the City of Beloit shall abandon the well unless the owner obtains a permit to do so from the Division of **Planning and Building**~~Housing~~ Services and the abandonment is done by a well driller registered with the State of Wisconsin.”

Section 104. Section 27.18(5) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(5) INSPECTION AND REPORT OF ABANDONMENT. Immediately after the well is filled, the owner's well driller shall file a report of well abandonment with the Division of **Planning and Building**~~Housing~~ Services. The report shall be made on a form prescribed by the Wisconsin Department of Natural Resources, ~~currently DNR Form 3300.~~”

Section 105. Section 30.03 of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(5) BUILDING OFFICIAL. Means the Director of **Planning and Building Services** ~~the Housing and Code Enforcement Division~~ of the City of Beloit, or his/**her** designee.”

Section 106. Section 30.05(1) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(1) SIGN PERMIT REQUIRED. Except as provided in subsection (2) of this section, no person shall erect, alter or relocate any outdoor sign in the City of Beloit without first obtaining a permit to do so from the Director of **Planning and Building** ~~Housing~~ Services, or his/**her** designee. Permits for temporary banner signs, inflatable signs, portable signs, and special event/temporary signs shall be issued for no more than 30 days and not more than twice in any calendar year, nor more than once during any 90-day period for signs on the same premises. No permit is required for a temporary, large-scale development sign regulated by §30.24. No sign permit shall be required for performing routine maintenance or minor repairs involving the replacement of light bulbs, changing of sign copy, repainting the sign or sign structure or similar maintenance and repairs.”

Section 107. Section 30.05(5) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(5) ARCHITECTURAL REVIEW. Before a permit can be issued for a permanent sign, an application for an architectural review certificate must be submitted to the Community Development Department for review in accordance with the site plan review process. The Director of **Planning and Building** ~~Housing~~ Services, or his/**her** designee, shall not issue a sign permit for which the architectural review certificate is required until the certificate has been issued.”

Section 108. Section 30.06 of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“30.06 ENFORCEMENT OFFICIAL. The Director of **Planning and Building** ~~Housing~~ Services, or his/**her** designee, is hereby authorized and directed to enforce the provisions of this chapter.”

Section 109. Section 30.24(2)(b)7 of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“7. Be allowed from the time that construction begins until the Director of **Planning and Building** ~~Housing~~ Services determines that construction is 90 percent complete.”

Section 110. Section 30.31(3)(b) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(b) If the on-premises sign is a freestanding sign, other than a pole sign, the maximum allowed sign area of the freestanding sign may be increased by an additional 10 percent if the sign is in a landscaped area where there is a minimum of 2 square feet of landscaping approved by the **Director of Planning and Building Services** ~~Neighborhood Planning Division~~ for each square foot of sign area.”

Section 111. Section 30.31(3)(c)2 of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"2. By an additional 10 percent if the wall sign is located within a shopping center where all business establishments use a uniform or complementary design and color scheme approved by the **Director of Planning and Building Services**~~Neighborhood Planning Division~~; and"

Section 112. Section 30.49 of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"30.49 APPEALS OF DECISIONS OR ORDERS OF THE DIRECTOR OF **PLANNING AND BUILDING**~~HOUSING~~ SERVICES. Any person aggrieved by the Director of **Planning and Building**~~Housing~~ Services' interpretation of this chapter or order issued pursuant to this chapter may request review of that interpretation or order, or may appeal the same, within the time and in the manner provided by §1.15 of this Municipal Code. Any person who wishes to contest a municipal court citation issued by the Director of **Planning and Building**~~Housing~~ Services, or his/**her** designee, alleging a violation of this chapter may contest ~~that~~ citation in municipal court."

Section 113. Section 31.03(1)(a) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"(a) The City Clerk shall notify the Chief of Police, Chief of the Fire Department and Director of **Planning and Building**~~Housing~~ Services of each application, and these officials, or their designees, shall inspect or cause to be inspected each application and the premises, together with such other investigations shall be necessary to determine whether the applicant and the premises sought to be licensed comply with the regulations, ordinances and laws applicable thereto, and whether the applicant is a proper person to be the recipient of the license."

Section 114. Section 31.04(2) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"(2) Where the inspections required under §31.03(1) require corrections of deficiencies or the premises are to be renovated, the City Council may grant the license, but the license shall not be issued and delivered to the applicant until compliance with applicable codes and a certificate of occupancy is issued by the Director of **Planning and Building**~~Housing~~ Services."

Section 115. Section 32.02 of the Code of General Ordinances of the City of Beloit insofar as it pertains to the definitions of "Building Inspector" and "Planning Director" is hereby amended to read as follows:

"Building Inspector. The Director of **Planning and Building**~~Housing~~ Services ~~of~~ the City of **Beloit.**"

"Planning Director. The Director of Planning **and Building Services** for the City of Beloit."

Section 116. Section 32.12(1)(intro) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"(1) SELECTION. For preservation purposes, the Commission shall select geographically defined areas within the City to be designated as historic districts and shall with the assistance of the ~~City~~-**Planning and Building Services Division**~~Department~~ prepare an historic preservation plan in ordinance form for each area. An historic district may be designated for any geographic area of particular historic architectural or cultural significance to the City which:"

Section 117. Section 34.09 of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"34.09 ADMINISTRATION OF ARCHITECTURAL REVIEW CERTIFICATE BY THE DIVISION OF **PLANNING AND BUILDING**~~HOUSING~~ SERVICES. After the granting of an architectural review certificate, the Director of **Planning and Building**~~Housing~~ Services or his or her designee shall review the progress of the project to insure that there are no unauthorized deviations from the plans upon which the approval of the architectural review certificate was based."

Section 118. Section 2-602(d) of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit, is hereby amended to read as follows:

"(d) Issuance of Permits. No Certificate of Zoning Compliance shall be issued by the Zoning Officer and no final Certificate of Occupancy shall be issued by the Division of **Planning and Building**~~Housing~~ Services unless all the provisions of the Code of General Ordinances of the City of Beloit, including the parking lot and landscaping improvements, have been completed according to the approved site plans."

Section 119. Section 2-1101(b)(1) of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit, is hereby amended to read as follows:

"1. *Preapplication Conference*. Before submitting an application for a Traditional Neighborhood Development project, the applicant shall schedule an appointment and meet with ~~Neighborhood~~-**Planning and Building Services** Division ~~staff~~ to discuss the procedure for approval of a Traditional Neighborhood Development project, including submittal requirements and design standards."

Section 120. Section 2-1101(b)(2)a of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit, is hereby amended to read as follows:

"a. Preliminary Development Plan Process. Following the preapplication conference, the applicant shall submit a preliminary development plan to the ~~Neighborhood~~-**Planning and Building Services** Division together with an application for a zoning map amendment to Traditional Neighborhood Development District."

Section 121. Section 2-1101(b)(3)a of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit, is hereby amended to read as follows:

- "a. Final Development Plan Process. Following approval of the Preliminary Development Plan, the applicant shall submit a Final Development Plan to the ~~Neighborhood-Planning~~ **and Building Services** Division.
- (1) Within 45 days following receipt of the Final Development Plan, the Plan Commission shall receive a report from the ~~Neighborhood-Planning~~ **and Building Services** Division recommending approval, disapproval or approval with specified modifications. The Plan Commission shall determine that the proposed Final Development Plan is in substantial conformance with the approved Preliminary Development Plan. Upon due consideration, the Plan Commission shall recommend that the City Council either:
 - a) Approve the Final Development Plan as being in substantial conformance with the Preliminary Development Plan;
 - b) Approve the Final Development Plan as being in substantial conformance with the Preliminary Development Plan with specified modifications; or
 - c) Deny the Final Development Plan.
 - (2) Following Plan Commission recommendation, the City Council shall receive the recommendation from the Plan Commission and the report from the City staff. Upon due consideration, the City Council shall either:
 - a) Approve the Final Development Plan as being in substantial conformance with the Preliminary Development Plan;
 - b) Approve the Final Development Plan as being in substantial conformance with the Preliminary Development Plan with specified modifications; or
 - c) Deny the Final Development Plan."

Section 122. Section 2-1101(b)(3)c of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit, is hereby amended to read as follows:

- "c. Amendments to the Final Development Plan. Minor changes to the Final Development Plan adopted by the City Council may be approved by the ~~Neighborhood-Planning~~ **and Building Services** Division, provided that the changes do not involve:
- (1) Increases or decreases of more than 10 percent in floor area of structures or number of dwelling units.
 - (2) Change in exterior building material.
 - (3) Alteration of any conditions attached or modification to the Final Development Plan made by the City Council.

A major change to a Final Development Plan, which is less restrictive than any conditions of approval for the initial Preliminary Development Plan, shall require approval by a majority vote of all members of the City Council."

Section 123. Section 8-300(b)(intro) of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit, is hereby amended to read as follows:

"b. APPLICATION. An application shall be filed with the Division of **Planning and BuildingHousing** Services on a form provided by the City. An application shall be completed in full and include the following information:"

Section 124. Section 8-300(f) of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit, is hereby amended to read as follows:

"f. PERMIT ISSUANCE. The Director of **Planning and BuildingHousing** Services, or **his/her** designee, shall review, approve and issue a fence permit provided the application and other submitted documentation is in compliance with this section. The fence permit may contain reasonable conditions stated in the permit."

Section 125. This ordinance shall be in force and take effect upon passage and publication.

Adopted this __ day of March, 2013.

BELOIT CITY COUNCIL

By: _____
Charles M. Haynes, President

ATTEST:

By: _____
Rebecca Houseman LeMire, City Clerk

PUBLISHED: _____

EFFECTIVE DATE: _____

01-611100-5231- _____

tdh/ordinances/Department of Community Development Reorganization 2012 = ORD 130208 (13-1025)