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4 ORDINANCE BY THE RACINE COUNTY ECONOMIC DEVELOPMENT & LAND USE  
5 PLANNING COMMITTEE AMENDING SECTION 20-1 DEFINITIONS, SECTION 20-  
6 1009 PARKING, SECTION 20-1010 CONDITIONAL USES & SECTION 20-1089  
7 DRIVEWAY ACCESS; TO REPEAL & RE-CREATE SECTION 20-143  
8 RECOMMENDATIONS & TO CREATE SECTION 20-20 RE-FILING FOLLOWING  
9 DENIAL; WITHDRAWAL; DEFERRAL, SECTION 20-1091 ABANDONED,  
10 UNLICENSED, INOPERATIVE, DISCARDED OR JUNKED VEHICLES, SECTION 20-  
11 1166 CONDITIONAL USE REVOCATION & SECTION 20-1226(13) OFF-SEASON  
12 STORAGE FACILITIES OF CHAPTER 20, ZONING, RACINE COUNTY CODE OF  
13 ORDINANCES

14  
15 The County Board of Supervisors of Racine ordains as follows:

16  
17 AN ORDINANCE TO AMEND that Certain Ordinance Entitled RACINE COUNTY  
18 ZONING ORDINANCE adopted December 2, 1969, found on pages 185 to  
19 232 of the OFFICIAL PROCEEDINGS OF THE RACINE COUNTY BOARD OF  
20 SUPERVISORS FOR THE YEAR 1969 as recodified May 28, 1991, by  
21 Ordinance 91-196.

22  
23  
24 AMEND SECTION 20-1 AS FOLLOWS:

25  
26 *Junkyard (salvage yard)* shall mean any premises on which  
27 there is an accumulation of scrap metal, paper, rags, glass,  
28 lumber, inoperable machinery, tires, or other materials stored or  
29 customarily stored for salvage, buying, selling, exchanging,  
30 dealing, disassembling, packing, bailing, wrecking, or handling  
31 including the accumulation of more than three (3) inoperable  
32 vehicles unless such accumulation shall be housed in a completely  
33 enclosed building.

34  
35 RENUMBER SECTION 20-1009(e) AS 1009(f) & CREATE A NEW 1009(e) TO  
36 READ AS FOLLOWS:

37  
38 (e) Outdoor parking of semi-tractors/trailers on commercial  
39 property(B-district), that is not a principal use (e.g., truck  
40 sales), an accessory use (e.g., delivery vehicles), or which has  
41 been approved through the conditional use or site plan review  
42 process is prohibited.

43  
44 AMEND SECTION 20-1009(a) TO READ AS FOLLOWS:

45  
46 (a) Parking of vehicles accessory to a residential use shall  
47 be limited to those actually used by the residents or for temporary  
48 parking for guests. Vans or pickup trucks used for private and  
49 recreational use or a motor home (recreational vehicle) or a ~~van or~~  
50 ~~pickup truck used in a business or trade and~~ commercial vehicle  
51 used for transportation to and from a place of employment of the  
52 occupant may be parked on a residential property.

4 REPEAL & RE-CREATE SECTION 20-1009(b) TO READ AS FOLLOWS:

5 (b) One commercial vehicle of not over one ton rated capacity  
6 may be parked per dwelling unit, providing all of the following  
7 conditions are met; vehicle is registered and licensed; used by a  
8 resident of the premises; gross weight does not exceed 10,000  
9 pounds, including any load; height does not exceed nine feet,  
10 including any load, bed, or box; and total vehicle length does not  
11 exceed 26 feet.

12  
13 AMEND SECTION 20-1010 CONDITONAL USE BY ADDING PARAGRAPH (b) TO  
14 READ AS FOLLOWS:

15  
16 (b) Unless otherwise provided in the permit, a conditional  
17 use permit shall have an indeterminate duration provided that the  
18 use for which it was obtained is commenced as required by Sec. 20-  
19 1141(c) and continues without abandonment as provided in Sec. 20-  
20 1141(d) in accordance with its terms, and a conditional use permit  
21 shall be transferable with the land, provided that the use for  
22 which it was obtained does not change.

23  
24 AMEND SECTION 20-1089 DRIVEWAY ACCESS BY ADDING PARAGRAPH (f) &  
25 PARAGRAPH (g) TO READ AS FOLLOWS:

26  
27 (f) New or reconstructed access drives onto existing county  
28 trunk highways require the review and approval of the Racine County  
29 Public Works Department prior to their construction. Such approval  
30 will be based upon sight distances, road speeds, adopted Public  
31 Works Department policy, and other factors.

32  
33 (g) Access drives to principal structures which traverse  
34 wooded, steep, or open fields shall be constructed and maintained  
35 to a width and base material depth sufficient to support access by  
36 emergency vehicles. All driveways shall have a minimum width of  
37 twelve (12) feet with road strength capable of supporting emergency  
38 and fire vehicles.

39  
40 REPEAL & RE-CREATE SECTION 20-143 RECOMMENDATIONS TO READ AS  
41 FOLLOWS:

42  
43 The Economic Development and Land Use Planning Committee shall  
44 review all such proposed changes or amendments and shall make a  
45 recommendation to the Board of Supervisors In making its  
46 recommendation to the Board of Supervisors, the Committee may  
47 recommend approval or denial of an amendment, or any part thereof,  
48 as the public necessity, convenience, general welfare of good  
49 zoning practice may require. The Committee may also recommend  
50 modifications to an amendment, including, in the case of a map  
51 amendment, a different zoning classification than requested,  
52

4 provided that if the zoning classification recommended is a more  
5 intense, or higher, classification than that requested, at least  
6 one additional public hearing, with notice given in accordance with  
7 the provisions of this chapter, shall be held. The Committee may  
8 also, in the case of a map amendment, recommend reducing the area  
9 of the proposed amendment; or may recommend increasing the area of  
10 the proposed amendment, provided at least one additional public  
11 hearing, with notice given in accordance with the provisions of  
12 this chapter, is held. Recommendation to the Board of Supervisors  
13 shall be made in writing.

14 TO CREATE SECTION 20-20 RE-FILING FOLLOWING DENIAL; WITHDRAWAL;  
15 DEFERRAL TO READ AS FOLLOWS:  
16

17 (a) Upon denial by Racine County of any application by a  
18 property owner or his authorized agent for an amendment,  
19 conditional use, site plan review, or variance, no further  
20 application concerning any or all of the same property that is  
21 substantially the same as the application denied shall be made  
22 within one (1) year from the date of such denial.  
23

24 (b) Any such application may be withdrawn at any time;  
25 provided, that if the request for withdrawal is made after  
26 publication of the notice of any public hearing, no application  
27 which is substantially the same on all or any part of the same  
28 property may be filed within six (6) months of the withdrawal date.  
29 All such withdrawal requests must be done/confirmed in writing.  
30 Telephone requests by themselves are insufficient.  
31

32 (c) In no event shall there be any refund of fees in the case  
33 of withdrawal.  
34

35 (d) Whenever consideration of such an application is deferred  
36 after notice of any public hearing has been first published, the  
37 applicant shall bear the additional advertising costs.  
38

39  
40 CREATE SECTION 20-1091 ABANDONED, UNLICENSED, INOPERATIVE,  
41 DISCARDED OR JUNKED VEHICLES TO READ AS FOLLOWS:  
42

43 The outside storage of abandoned, unlicensed, inoperative,  
44 discarded or junked vehicles on privately owned properties within  
45 Racine County is a source of annoyance to members of the public and  
46 to owners and occupants of adjacent land. The outdoor storage of  
47 such vehicles on private property is unsightly and constitutes an  
48 attractive nuisance to children and peril to their safety. This  
49 legislation is intended hereby to protect public health and safety  
50 and to curb the deterioration of the community environment.  
51  
52

4 (a) No property shall be used for the outside storage of  
5 abandoned, unlicensed, inoperative, dismantled, partially  
6 dismantled, discarded or junked vehicles, except as may be  
7 otherwise permitted in this chapter.

8 (b) No dismantled, partially dismantled or parts of vehicles  
9 shall be stored outside on any property within the county, except  
10 as otherwise permitted within this chapter.

11 (c) No person shall abandon any vehicle within Racine County  
12 and no person shall leave any vehicle at any place within the county  
13 for such time and under such circumstance as to reasonably cause  
14 such vehicle to appear to have been abandoned.

15 (d) As used in this section, an abandoned, unlicensed,  
16 inoperative, discarded or junked vehicles is:

- 17 A. any vehicle that is:
- 18 1. without a current license;
  - 19 2. being held or used for the purpose of resale of  
20 used parts therefrom or for the purpose of  
21 reclaiming for use some of the materials therein  
22 for the purpose of disposing of the same;
  - 23 3. wrecked, discarded or dismantled;
  - 24 4. in such a condition as to cost more to repair and  
25 place in operating condition than its reasonable  
26 market value after such repair; or
  - 27 5. left unattended for more than 48 hours on property  
28 of another, if left without permission of the  
29 property owner.
- 30 B. With respect to any vehicle not required to be licensed  
31 or not usually used on the public highways, the fact that  
32 such vehicle has remained unused for more than six (6)  
33 months and is not in condition to be removed under its  
34 own power shall be presumptive evidence that such vehicle  
35 is an abandoned, junked and/or inoperative vehicle.
- 36 C. The fact that a vehicle does not display a current motor  
37 vehicle registration or license plate shall be  
38 presumptive evidence that such vehicle is not in any  
39 condition for legal use upon the highways.

40 (e) The provisions of this section do not apply to vehicles  
41 kept by collectors or hobbyists pursuant to Wis. Stats. 341.266(4)  
42 or 341.268(4).  
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4 CREATE 20-1166 CONDITIONAL USE PERMIT REVOCATION TO READ AS  
5 FOLLOWS:

6 (a) The Economic Development and Land Use Planning Committee  
7 may, by motion, initiate a revocation of a conditional use permit.  
8 When initiated, the revocation process shall be handled as would a  
9 new application for a conditional use permit, following the  
10 procedures set forth herein.

11  
12 (b) After review by the Planning Division and consideration  
13 and recommendation by the Economic Development and Land use  
14 Planning Committee, the Committee shall act on the proposal to  
15 revoke the conditional use permit. Grounds for revocation shall  
16 include, but not be limited to, the following:

- 17 (1) a change in conditions affecting the public health,  
18 safety, and welfare since adoption of the conditional use  
19 permit; or
- 20 (2) repeated violations of this Chapter by the owner/operator  
21 of the use, including violations of any conditions  
22 attached to the conditional use permit; or
- 23 (3) fraudulent, false, or misleading information supplied by  
24 the applicant or his agent for the conditional use  
25 permit; or
- 26 (4) improper public notice of the conditional use permit  
27 public hearing(s) when the permit was considered by the  
28 Economic Development and Land Use Planning Committee.

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30  
31 CREATE SECTION 20-1226(13) OFF-SEASON STORAGE FACILITIES TO READ  
32 AS FOLLOWS:

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34 Sec. 20-1226(13). Off-season storage facilities for boats and other  
35 recreational vehicles, such as campers, travel trailers,  
36 snowmobiles, off-road vehicles, and motor homes, in the B-3, B-5,  
37 M-2, M-3, and A-2 districts.

38  
39 In the A-2 District, such storage may only occur in a barn or other  
40 accessory building that was constructed prior to January 1, 2000.

41  
42 In the B-3, B-5, and M-2 districts, such storage may only occur as  
43 an accessory use to an approved self-service storage facility.

44  
45 The Racine County Clerk is directed to transmit duplicate copies of  
46 this ordinance by registered mail to all affected Town Clerks  
47 within seven (7) days after this ordinance is adopted.

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3 Respectfully submitted,  
4 ECONOMIC DEVELOPMENT & LAND USE PLANNING COMMITTEE  
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6

7  
8 Jeff Halbach, Chair Thomas Pringle, Vice Chair  
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10  
11  
12 Q. A. Shakoor, II, Secretary Karen A. Nelson  
13

14  
15  
16 Mark M. Gleason Michael J. Miklasevich  
17

18  
19  
20 Robert D. Grove  
21

22  
23  
24  
25 VOTE REQUIRED: MAJORITY

BOARD ACTION:

|    |                   |         |
|----|-------------------|---------|
| 26 |                   |         |
| 27 | 1st Reading _____ | Adopted |
| 28 |                   | For     |
| 29 | 2nd Reading _____ | Against |
| 30 |                   | Absent  |

31  
32 The Certificate of Publication, in compliance with State Statutes,  
33 is available at Racine County Planning.  
34

35 FISCAL NOTE - NOT APPLICABLE  
36  
37