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| First Reading 12 / 05 / 2017<br>Referred to Council Meeting ___/___/___<br>Tabled ___/___/___<br>Withdrawn ___/___/___<br>Defeated ___/___/___<br><br>Motion: Steve Jungwirth<br>Second: Tim Doolittle<br><br>District 1 Jason Reeves Aye<br>Tim Doolittle Aye<br>District 2 Steve Jungwirth Aye<br>Kari Vonderloh Aye<br>District 3 James Braasch Aye<br>Larry E. Wright Absent<br><br>Vote: 5 to 0 Motion Carried by Majority | Second Reading 12 / 19 / 2017<br>Referred to Council Meeting ___/___/___<br>Tabled ___/___/___<br>Withdrawn ___/___/___<br>Defeated ___/___/___<br><br>Motion: Jason Reeves<br>Second: Steve Jungwirth<br><br>District 1 Jason Reeves Aye<br>Tim Doolittle Aye<br>District 2 Steve Jungwirth Aye<br>Kari Vonderloh Aye<br>District 3 James Braasch Absent<br>Larry E. Wright Aye<br><br>Vote: 5 to 0 Motion Carried by Majority | Adoption 12 / 19 / 2017<br>Referred to Council Meeting ___/___/___<br>Tabled ___/___/___<br>Withdrawn ___/___/___<br>Defeated ___/___/___<br><br>Motion: Jason Reeves<br>Second: Steve Jungwirth<br><br>District 1 Jason Reeves Aye<br>Tim Doolittle Aye<br>District 2 Steve Jungwirth Aye<br>Kari Vonderloh Aye<br>District 3 James Braasch Absent<br>Larry E. Wright Aye<br><br>Vote: 5 to 0 Motion Carried by Majority |
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**ORD: 171205-C#479 An Ordinance Amending Titles 17.12 Definitions, 17.16 Zoning Districts Established, 17.24 - R-1 Single-Family Residential District, 17.28 R-2 Duplex District, 17.32 R-3 Multi-Family District, 17.34 R-4 Mobile Home Park District, 17.40 C-1 Central Commercial District, 17.44 C-2 Highway Commercial District, 17.48 I-1 Light Industrial District, Chapter 17.64.020 Parking Requirements, and Creating Title 17.49 IP-1 Industrial Park Light Industrial / Commercial District For the City of Omro, County of Winnebago, State of Wisconsin**

WHEREAS, the common council of the City of Omro is desirous to amend multiple titles and chapters of the zoning code corresponding to the amending of zoning codes throughout the city and the creation of Title 17.49 IP-1 Industrial Park Light Industrial / Commercial District; and

NOW THEREFORE BE IT REOLVED that the above titled sections of the ordinance language shall read as follows:

**Chapter 17.12 DEFINITIONS**

“Mother-In-Law-Suite” means one or more rooms within a single-family dwelling, designed, occupied, or intended to be occupied by one or members of a family, provided that such rooms do not constitute or include a separate cooking facility and entry. No keyed entries between sides. The Mother-In-Law Suite shall not have a separate address or utilities nor shall it be designed, occupied, or intended to be occupied separately and exclusively as a separate dwelling unit.

**Chapter 17.16 ZONING DISTRICTS ESTABLISHED**

17.16.010 - Established.

For the purposes of this title, the city is divided into the following districts and these districts, along with their corresponding map codes, are listed below. The zoning districts shall be identified on the "Official

City of Omro Zoning Map" by means of these codes:

- A. A-1 agricultural district;
- B. R-1 single-family residential district;
- C. R-2 duplex;
- D. R-3 multifamily residential district;
- E. R-4 mobilehome park;
- F. R-5 planned unit development;
- G. C-1 central commercial district;
- H. C-2 highway commercial district;
- I. I-1 light industrial district;
- J. IP-1 industrial park light industrial / commercial district;
- K. P-1 park and recreational district.

17.16.020 - District map.

The boundaries of the districts enumerated in section 17.16.010, are established on the map entitled "Official City of Omro Zoning Map," which is on file in the office of the city administrator and is made a part of this title by reference. All notations and references shown on the Official City of Omro Zoning Map are as much a part of this title as though specifically described herein.

17.16.030 - District boundaries.

- A. The district boundaries are streets or alleys unless otherwise shown. Where the designation on the Official City of Omro Zoning Map indicate that various districts are approximately bounded by a street or alley line, such street or alley line shall be construed to be the district boundary line.
- B. Where the district boundaries are not otherwise indicated and where the property has been or may hereafter be divided into blocks and lots, the district boundaries shall be construed to be such lot or block lines.

#### **Chapter 17.24 - R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT**

17.21.010 - Purpose.

This district provides for one-family year-round residential development, protected from traffic hazards and the intrusion of incompatible land uses. It is intended to encourage such development around existing residential areas where soil conditions are suitable for such development and in those areas which can economically and readily be served by utilities and municipal facilities.

17.24.020 - Permitted uses.

- A. Single-family dwellings (for purposes of this title, manufactured homes are included in the definition of "single-family dwelling");
- B. Manufactured homes
- C. Private garages and carports;
- D. Authorized signs;
- E. Horticulture and gardening;
- F. Customary accessory uses, provided such uses are clearly incidental to the principal use and that no such use generates traffic or noise that would create a public or private nuisance;
- G. Up to two boarders or lodgers not family members;
- H. Telephone, telegraph and power transmission towers, poles and lines, including transformers, relay and repeater stations, substations, equipment housing and other necessary appurtenant equipment and structures. A plot plan shall be submitted to the planning commission for approval.

17.24.030 - Conditional uses.

- A. Community living arrangements and day care centers which have a capacity for eight or fewer persons;
- B. Home occupations;
- C. Public and semi-private uses, including, but not limited to the following: public and private schools, churches, hospitals, day care centers, rest homes and elderly housing, bed and breakfast establishments, fire and police stations and historic sites;
- D. Duplexes which were granted a conditional use under prior city of Omro zoning ordinances are lawful conditional uses under this subsection and shall be exempt from the requirements provided in Sections 17.60.020(A), (B) and (C) of this code. Without proof of conditional use, all duplexes within this code shall be considered existing non-conforming;
- E. Funeral Homes;
- F. Mother-In-Law Suites.

**17.24.040 - Dimensional requirements.**

- A. Maximum Building Height.
  - 1. Principal building: thirty-five (35) feet or a maximum of two and one-half stories.
  - 2. Accessory building: fifteen (15) feet.
- B. Minimum Lot Width.
  - 1. Forty-eight (48) feet for lots platted at less than sixty (60) feet prior to January 1, 1987.
  - 2. Sixty (60) feet for lots platted at less than eighty (80) feet prior to February 9, 1995.

3. Eighty (80) feet for all other lots after February 9, 1995.
- C. Minimum lot area: eight thousand (8,000) square feet.
- D. Front yard setback: twenty-five (25) feet.
- E. Rear Yard Setback.
  1. Principal building: twenty-five (25) feet.
  2. Accessory building: three feet.
- F. Side Yard Setback.
  1. Principal building: seven and one-half feet from foundation.
  2. Accessory building: three feet from foundation.
- G. Minimum living space: one thousand one hundred (1,100) square feet of which at least eight hundred (800) square feet shall have floor above grade.
- H. Finished grade at front of residence shall be established by the city engineer.
- I. Permit application for a single-family dwelling shall include a garage of not less than four hundred (400) square feet. (For maximum size see Chapter 17.72.).

### **Chapter 17.28 - R-2 DUPLEX DISTRICT**

#### 17.28.020 - Permitted uses.

- A. Duplexes: two-family dwellings;
- B. Single-family dwellings, in which case the R-1 single-family residential dimensional requirements shall be followed;
- C. As listed under Sections 17.24.020(C) through (H).

#### 17.28.030 - Conditional uses.

- A. Community living arrangements and day care centers which have a capacity for eight or fewer persons;
- B. Home occupations;
- C. Public and semi-private uses, including, but not limited to the following: public and private schools, churches, hospitals, day care centers, rest homes and elderly housing, bed and breakfast establishments, fire and police stations and historic sites;
- D. Funeral Homes.

#### 17.28.040 - Dimensional requirements.

- A. Maximum Building Height.

1. Principal building: thirty-five (35) feet or a maximum of two and one-half stories.
  2. Accessory building: fifteen (15) feet.
- B. Minimum lot area: eight thousand (8,000) square feet.
- C. Minimum lot width: eighty (80) feet.
- D. Front yard setback: twenty-five (25) feet.
- E. Rear Yard Setback.
1. Principal building: twenty-five (25) feet.
  2. Accessory building: three feet.
- F. Side Yard Setback.
1. Principal building: seven and one-half feet from foundation.
  2. Accessory building: three feet from foundation.
- G. Minimum living space: six hundred (600) square feet per unit.
- H. Finished grade at the front of residence shall be established by the city engineer.
- I. Permit application for a duplex shall include one or two garages with a total of six hundred (600) square feet. (For maximum size see Chapter 17.72.).

### **Chapter 17.32 - R-3 MULTIFAMILY RESIDENTIAL DISTRICT**

#### 17.32.020 - Permitted uses.

~~A. One- and two-family dwellings, in which case the respective dimensional requirements shall be followed;~~

- A. Multifamily year-round dwellings;
- B. Single Family Residential and Duplex uses and structures existing as of January 1, 2018 shall be considered to be legally conforming and such uses and structures may be expanded, replaced, rebuilt or altered without changing the legally conforming nature of the uses and structures.
- C. Authorized signs;
- D. Telephone, telegraph and power transmission towers, poles and lines, including transformers, substations, relay and repeater stations, equipment housing and other necessary appurtenant equipment and structures.

#### 17.32.030 - Conditional uses.

- ~~A. Any use authorized by a conditional use permit in the R-2 duplex residential district; Community living arrangements;~~
- B. Public and semi-private uses, including, but not limited to the following: public and private schools,

churches, hospitals, day care centers, rest homes and elderly housing, bed and breakfast establishments, fire and police stations and historic sites;

C. Rooming and boarding homes, tourist homes, bed and breakfasts and motels.

17.32.040 - Dimensional requirements.

A. Maximum Building Height.

1. Principal building: thirty-five (35) feet or a maximum of two and one-half stories.
2. Accessory building: fifteen (15) feet.

B. Minimum lot area: ten thousand (10,000) square feet and at least a minimum of two thousand (2,000) square feet per unit.

C. Minimum lot width: eighty (80) feet.

D. Front yard setback: twenty-five (25) feet.

E. Rear Yard Setback.

1. Principal building: twenty-five (25) feet.
2. Accessory building: ten feet.

F. Side yard setback: ten feet from foundation or utility easement.

G. Minimum living space: five hundred (500) square feet per unit.

~~H. Percentage of Lot Coverage. All buildings, including accessory buildings, shall not cover more than thirty percent of the lot area.~~ Landscaping. At least thirty percent of the site shall be open space and be landscaped with grass or permeable ground cover and shrubs or trees.

I. Landscaping and drainage plan to be approved by the planning commission, shall include site elevations, location of garbage and recycling dumpsters, loading and parking areas, air conditioners, utility meters, etc., screening fences and plantings.

J. The permit application shall include garages of at least two hundred (200) square feet per unit.

#### **Chapter 17.34 - R-4 MOBILE HOME DISTRICT**

17.34.010 - Purpose. This district is intended to provide year-round residential manufactured and mobile homes.

17.34.020 - Permitted uses.

A. Mobile homes and other such accessory structures as authorized in Chapter 15.16 of the Omro Municipal Code.

## Chapter 17.40 - C-1 CENTRAL COMMERCIAL DISTRICT

### 17.40.010 - Purpose.

- A. This district is intended to establish and preserve a central commercial district that is an attractive and convenient place to shop and that offers a wide range of retail uses, businesses, and government establishments and places of amusement. The central commercial district should be in a setting that is conducive to and safe for vehicular and pedestrian traffic.
- B. In blocks of the central commercial district, which are already developed, setbacks, minimum lot widths, commercial parking and truck unloading areas, for new or renovated building shall correspond with the existing setbacks, lot widths, parking areas and truck unloading areas providing that the planning commission determines that such action will be in keeping with the purposes of this chapter.

### 17.40.015 - Prohibited uses.

- A. Ground floor residences are prohibited in all current and future commercial structures. Residential uses and structures existing as of January 1, 2018 shall be considered to be legally conforming and such uses and structures may be expanded, replaced, rebuilt or altered without changing the legally conforming nature of the uses and structures.

### 17.40.020 - Permitted uses.

Facilities such as, but not limited to, the following:

- ~~A. Any use permitted in the R-1 single-family residential district and R-2 duplex residential district and R-3 multifamily residential district; except that ground floor residences are prohibited. The dimensional requirements of the respective districts shall apply;~~

- A. Retail department, grocery and specialty stores, including:

- Antique shops,
- Art and school supply,
- Automobile accessory,
- Book and stationery,
- Camera and photographic supply,
- Carpet and rug (retail only),
- China and glassware stores,
- Clothing stores,
- Drugstores,

Department stores,

Dry goods,

Electrical and household appliances and service stores, including radio and television,

Florist shops,

Food stores, including: grocery, meat, produce, bakeries, candy and delicatessens. Food stores with over two thousand (2,000) square feet of floor space are required to provide one off-street parking space for each two hundred (200) square feet of floor space,

Furniture,

Furrier shops,

Garden supply,

Gift shops,

Hardware, paint and wallpaper,

Hobby shops, including coins and stamps,

Interior decorating,

Jewelry stores,

Leather goods and luggage,

Liquor,

Medical supply,

Millinery,

Music stores,

Office supply,

Optical sales and service,

Pawnshops,

Pet shops, not including veterinary offices, clinics or hospitals,

Photographic studios,

Picture framing,

Plumbing and heating sales,

Sewing and needle craft shops, including  
material, patterns, instruction and machines,



Sporting goods,

Taxidermists,

Tobacco,

Toys,

Tailor shops,

Thrift shops and

Variety stores;

B. Personal and general service establishments, including:

Banks and financial institutions,

Barbershops and beauty parlors,

Bicycle sales, rental and repair,

Business machine sales and service,

Catering,

Dry cleaning establishments with less than five full-time employees,

Employment agencies,

Laundromats or hand laundries,

Newspaper distribution agencies,

Shoe, clothing and hat repair,

Telegraph offices,

Ticket agencies, amusement and

Travel bureaus;

C. Offices, public buildings and clinics, including:

Funeral homes,

Medical and dental clinics, not including veterinary clinics,

Post offices and

Undertaking;

D. Recreational establishments, except drive-in theaters, but including:

Bowling alleys and

Theaters, indoor;

E. Public and private institutional uses, including:

Clubs and lodges (nonprofit and fraternal), community centers,  
Exhibits and Libraries;

F. Lodging and dining, including:

Hotels, and motels, which must provide one parking space for each sleeping room or suite, and  
Restaurants without alcoholic beverages.

G. Printing and communication, including:

Blueprinting and photocopying establishments,  
Newspaper or magazine publishing,  
Radio and television stations and studios,  
Telephone booths and coin-operated telephones,

Telephone, telephone and power transmission towers, poles and lines, including transformers,  
substations, relay and repeater stations, equipment housing and other necessary appurtenant  
equipment and structures;

H. Transportation, including:

Bus depots,  
Public parking facilities and private parking facilities and  
Taxi stands and bus stops;

I. Dwellings, provided above the ground floor of the principal use;

J. Accessory uses and structures customarily and clearly incidental to the permissible principal use and structure;

K. Essential services and utilities intended to serve the principal permitted uses;

L. Authorized signs.

17.40.030 - Conditional uses.

~~A. Any conditional use permitted in the R-3 multifamily residential district, except that ground floor residences are prohibited.~~

A. The off-street parking requirements may be modified by the planning commission on a case-by-case basis. Such requirements, if any, shall be determined in relation to use, street parking, municipality-

owned parking lots and any other available parking areas.

- B. Dining and taverns, including: Bars, taverns and restaurants serving alcoholic beverages and/or including live entertainment or dancing.
- C. Wineries issued a class B license pursuant to section 125.51(3)(am), Wis. Stats., for the consumption of wine by the glass or in open containers on the premises, and for the sale of wine in the original package or container to be consumed off the premises.
- D. Micro/nano breweries, producing less than seven thousand five hundred (7,500) barrels per annum, issued a brewer permit by the Wisconsin Department of Revenue pursuant to section 125.29, Wis. Stats., and wholesalers issued a license pursuant to section 125.28, Wis. Stats.
- E. Brew pubs combining a restaurant use with a brewing facility.
- F. Sexually orientated adult entertainment establishments as licensed per Chapter 5.36 of this code; said code specifically does not allow such establishments to be located within two hundred (200) feet of any residentially zoned district, church, school, day care center, public park or other licensed adult orientated establishments.
- G. Automotive fuel filling stations.
- H. Automobile, boat, and small engine sales and repair services.

17.40.040 - Dimensional requirements.

- A. Maximum building height: thirty-five (35) feet.
- B. Minimum lot width: forty (40) feet.
- C. Front, rear and side yard setbacks: average of adjoining properties. Can be zero to lot line or easement if located in the downtown central district. Construction to be in accordance with state commercial building codes and fire regulations.
- D. Plot plans, which include drainage, landscaping, layout of loading areas, layout and number of parking areas, location and design of signs, location and screening of garbage and recycling dumpsters, utilities, etc...., means of erosion control, and building plans and elevations with information listing type of materials and colors on exterior surfaces, shall be submitted to the planning commission for approval.

## **Chapter 17.44 - C-2 HIGHWAY COMMERCIAL DISTRICT**

17.44.010 - Purpose.

This district is intended to establish and preserve general commercial areas consisting of establishments, which require larger than usual lot areas and where customers reach the business establishment primarily by automobile.

17.44.015 - Preliminary concept plan.

In order to maintain the integrity, aesthetics and growth appeal of the highway entrances to the city, a preliminary concept plan shall be submitted to the planning commission for approval prior to application of any building permits being issued for properties located in the C-2 highway commercial districts.

17.44.020 - Permitted uses.

- A. Any use permitted in the C-1 central commercial district;
- ~~B. Reserved;~~ Residential uses and structures existing as of January 1, 2017 shall be considered to be legally conforming and such uses and structures may be expanded, replaced, rebuilt or altered without changing the legally conforming nature of the uses and structures.
- C. Automobile fuel filling stations;
- D. Sexually oriented adult entertainment establishments as licensed per Section 5.36 of this code; said code specifically does not allow such establishments to be located within two hundred (200) feet of any residentially zoned district, church, school, day care center, public park or other licensed adult oriented establishments;
- E. Drive-in restaurants;
- F. Veterinary hospitals;
- G. Gardens, orchards and nurseries where an office or store is maintained on the premises;
- H. Accessory uses or structures customarily incidental to the principal permitted use or structure;
- I. Authorized signs;
- J. Telephone, telegraph, cable television and power transmission towers, poles and lines, including transformers, substations, relay and repeater stations, equipment housing and other necessary appurtenant equipment and structures. Wherever possible, cables shall be run underground.
- K. Wholesale and building material supply establishments;

17.44.030 - Conditional uses.

- A. Amusement parks, including baseball batting ranges, commercial skating rink, go-cart tracks, golf driving ranges and similar establishments;
- B. Marinas;
- C. Any conditional use permitted in R-1 single-family residential, R-2 duplex residential or R-3 multifamily residential districts, or C-1 central commercial districts;

- D. Breweries, producing up to fifteen thousand (15,000) barrels per annum, issued a brewer permit by the Wisconsin Department of Revenue pursuant to section 125.29, Wis. Stats.;
- E. Automobile, boats, mobilehomes and construction equipment dealers, sales and engine service or repair shops;
- F. Agriculture-related business such as feed mills, farms coops, farm implement dealers and other uses of similar nature;
- G. Drive-in theaters;
- H. Shopping centers and malls;
- I. ~~Wholesale and building material supply establishments;~~
- J. Storage facilities.

17.44.040 - Dimensional requirements.

- A. Maximum building height: thirty-five (35) feet.
- B. Minimum lot width: one hundred (100) feet.
- C. Front and rear yard setback: twenty-five (25) feet.
- D. Side yard setback: ten feet.
- E. Plot plans, which include drainage, landscaping, layout of loading areas, layout and number of parking areas, location and design of signs, location and screening of garbage dumpsters, utilities, etc...., means of erosion control and building plans and elevations with information listing type of materials and colors on exterior surfaces, shall be submitted to the planning commission for approval.

**Chapter 17.48 I-1 LIGHT INDUSTRIAL DISTRICT**

17.48.010 - General purpose and conditions.

~~This district is intended to provide for manufacturing and industrial operations, which on the basis of actual physical and operational characteristics, would not be detrimental to the surrounding areas by reason of smoke, noise, dust, odor, traffic, physical appearance, or similar factors relating to the public health, welfare and safety.~~ This district is intended to provide for manufacturing and industrial operations outside of the Omro Industrial Park, which on the basis of actual physical and operational characteristics, would not be detrimental to the surrounding areas by reason of smoke, noise, dust, odor, traffic, physical appearance, or similar factors relating to the public health, welfare and safety.

17.48.020 - Permitted uses.

The following uses are permitted in the I-1 Light Industrial District: permitted uses are those such as, but

not limited to, the following:

- A. Any permitted use in the C-2 Highway Commercial District;
- B. Wholesale business;
- C. Printing and publishing;
- D. Manufacture or products from paper, but not the manufacture of paper or pulp;
- E. Manufacturing and bottling of nonalcoholic beverages;
- F. Processing, packing and manufacture of feed, except meat and meat products, fish and fish products, sauerkraut and cabbage products;
- G. Manufacture of products from wood, except the manufacture of paper or paper pulp;
- H. Manufacture of sporting goods, home and office appliances and supplies;
- I. Manufacture of goods from leather, but not the tanning of hides or manufacture of leather;
- J. Commercial recycling operations;
- K. Transportation terminals and facilities;
- L. Laboratories;
- M. Manufacture of jewelry and cosmetics;
- N. Manufacture of cigars, cigarettes and smoking tobacco;
- O. Blacksmithing, tinsmithing, sheet metal working, and plumbing shops;
- P. Manufacture of goods from plastic;
- Q. Wholesale brewing operations;
- R. Accessory uses clearly incidental to a permitted use;
- S. Authorized signs;
- T. Telephone, telegraph and power transmission towers, poles and lines, including transformers, substations, relay and repeater stations, equipment housing and other necessary appurtenant equipment and structures, wherever possible, cables shall be underground;
- U. Public works, water and sewer facilities.

17.48.030 - Conditional uses.

The following conditional uses shall be allowed:

- A. Any conditional use ~~permitted~~ in C-2 highway commercial districts, ~~excluding wineries, micro/nano breweries or brewpubs.~~
- B. Breweries issued a brewer permit by the Wisconsin Department of Revenue pursuant to section 125.29, Wis. Stats., and wholesalers issued a license pursuant to section 125.28, Wis. Stats.
- C. Other uses found to be compatible with the purpose of this district, subject to the approval of the plan commission.
- D. Storage facilities, ~~excluding within the Omro industrial park.~~
- E. Knitting mills and the manufacture of products from the finished product.
- F. Cleaning, dyeing and pressing establishments, and laundries, except bag cleaning.

G. Enameling and painting establishments.

H. Farm related industries.

~~17.48.040 Omro area development corporation industrial park protective covenants.~~

~~I-1 light industrial zoned property which is located in the Omro industrial park is subject to the conditions, covenants, restrictions, easements and protections hereby declared to insure proper use and appropriate development and improvements of each building site thereof; to protect the environment in this planned Omro industrial park; to guard against the erection thereon of structures built of improper or unsuitable materials; to require conformance to applicable zoning ordinances and building codes; to insure reasonable development of said property as an industrial district including, but not limited to, proper setbacks from the street, adequate free space between structures, adequate parking, and in general, to provide for a high quality of improvements on said property, to insure that each building site will not adversely affect the general plan for physical development of the industrial workers in the area, nor be detrimental to the use or development of other properties in the Omro industrial park. It is the express purpose and intent of the Omro Area Development Corporation to create jobs and employment.~~

~~17.48.050 Omro industrial park land use.~~

~~All lands within the city of Omro industrial park shall be utilized as provided in the permitted uses in the city of Omro's light and heavy industrial zoning districts. In addition to the land use restrictions provided supra, the following guidelines shall be followed to allow for the orderly development of the properties within the Omro industrial park.~~

~~A. Omro industrial park lot numbers 6, 7, 8, 9, 10 <<https://www.municode.com/library/>>, 11 <<https://www.municode.com/library/>>, 27 and 28 shall be targeted for commercial development.~~

~~B. Omro industrial park real property located west of lot numbers 26, 27, 28, 29 and 30 shall be targeted for industrial development.~~

~~C. The Omro Area Development Corporation reserves the right to limit or restrict the use of a particular lot or lots in the Omro industrial park, which reserved rights, are hereby specifically regulated to the Omro Area Development Corporation.~~

~~17.48.060 Plans and specifications.~~

~~A. No buildings, fence, wall, sign, advertising device, roadway, loading facility, outside storage facility, parking areas, site grading, planting, landscaping, facility for industrial waste or sewage disposal, nor any other improvement shall be commenced, erected or constructed, nor shall any addition thereto or change or alteration therein be made (except to the interior of a building), nor shall any change in the use of any premises be made, until the plans and specifications therefore,~~

showing any natural, kind, shape, height, material, color scheme, lighting and location on the lot of the proposed use or change in the use of the premise, shall have been submitted to and approved in writing by the building inspector and also in the Omro industrial park, the Omro Area Development Corporation. A copy of plans and specifications as finally approved shall be filed permanently with the Omro Area Development Corporation. The plans and specifications required under this subsection shall be submitted to the Omro Area Development Corporation within one year of any purchase of industrial park property.

- B.—The Omro Area Development Corporation shall have the right to refuse to approve any such plans or specifications or proposed use of the premises for any reason which the Omro Area Development Corporation, in its sole direction, may deem in the best interests of the Omro industrial park, the owners/lessees, or prospective owners/lessees of the properties therein.
- C.—In the event the Omro Area Development Corporation should fail to approve or disapprove in writing such site plans and elevation sketch within thirty (30) days after they have been submitted to the Omro Area Development Corporation, such approval will not be required and this covenant will be deemed to have been complied with.
- D.—At such time as the Omro Area Development Corporation desires to relinquish its authority under these covenants, said authority shall inure to its successor or assigns.
- E.—The Omro Area Development Corporation or the lessor reserves the right to construct utility lines overhead and utility line, pipes and conduits underground through an area of not more than ten feet in width across the real estate covered by this instrument and the grantee or lessee agrees to execute any and all instruments necessary and reasonable for the further development of the district, including the granting of easements of not more than thirty (30) feet in width for future gas, water, sewerage, telephone, entrance and access roads and electrical lines, provided that no such area or easements shall interfere with any building planned for or constructed on the said real estate by the grantee or lessee.
- F.—Construction and alteration of all improvements in the Omro industrial park shall be in accordance with the requirements of all applicable building, zoning, and other codes and regulations.
- G.—No spoil excavated or dug black dirt or topsoil on the Omro industrial park premises shall be removed from the area of the Omro industrial park and if the owner of any lot has any excess of such spoil excavated during construction, it shall be deposited at such location within the Omro industrial park as the Omro Area Development Corporation shall in writing designate. However, the owner of the lot from which such spoil is removed shall not be responsible for the leveling thereof on any area so designated for depositing the excess spoil beyond.

#### 17.48.070 - Development standards.

##### A.—Buildings.

- 1.—The front facade and street side facades shall be made of bricks, stones, architectural concrete panels, architectural metals, architectural woods and/or glasses. Unfaced concrete block, structural concrete, prefabricated metal siding, and the like are discouraged from such facade areas. The use of these materials elsewhere shall only



~~be in a manner approved by the Omro Area Development Corporation.~~

- ~~2. All elevations of the building shall be designed in a consistent and coherent architectural manner. No building shall exceed a maximum height of thirty-five (35) feet.~~
- ~~3. No materials, supplies, or products shall be stored; temporarily stored, or permitted to remain on the premises outside a permanent structure without prior written consent of the Omro Area Development Corporation.~~

~~B. Parking.~~

- ~~1. All present and future vehicular parking, including trucks, trailers, employee and visitor parking shall be provided on the premises and shall comply with all the provisions of the applicable Omro City zoning regulations.~~
- ~~2. Parking is prohibited on all public streets within the Omro industrial park area.~~
- ~~3. Sufficient off-street parking shall be provided for and planned for all the businesses' employees, customers, and visitors.~~
  - ~~a. A minimum parking space ratio of two spaces for each three employees shall be required on the maximum employment labor shift of the grantee.~~
  - ~~b. The total parking area space shall be a minimum of one hundred eighty (180) sq. ft. per car.~~
  - ~~c. Lots bounded by more than one road may have parking areas within the building setback lines along roads other than the road on which the building fronts, subject to approval of the Omro Area Development Corporation.~~
  - ~~d. All parking areas and drives located to the sides, rear and front of any building shall be improved with concrete, asphalt, or equivalent within twelve (12) months from time of occupancy of the building improvement constructed on the site. Parking areas in the Omro industrial park shall be maintained in a dust free manner and must be properly drained. Seal coating, chip and tar, and other low cost methods of obtaining a hard surface may be used if in compliance with the city of Omro street standards.~~

~~C. Setback Requirements.~~

- ~~1. Front Yard. No building shall be constructed on a site nearer than thirty (30) feet of the right-of-way of any public street or highway. In the case of corner lots, no building shall be constructed within the designated setback of both abutting public streets or highways.~~
- ~~2. Side Yard. The minimum side yard shall be twenty (20) feet. In the event that two adjoining sites shall be owned by the grantee and in the improvements of such site a building shall be erected on these combined sites, then the side yard requirements on the interior line are waived.~~
- ~~3. Rear Yard. The minimum rear yards shall be twenty (20) feet, except the lots abutting U.S. Highway 21, will be setback thirty (30) feet from U.S. Highway 21.~~

~~D. Signs.~~

- ~~1. A scale drawing of any sign, trademark, or advertising device to be used on any lot or~~

exterior of any building or structure shall be submitted to the Omro Area Development Corporation for approval. Normally, the occupant's trademark and/or trade name may be displayed on the building in the manner in which they are generally used by the occupant.

2. Signs within the Omro industrial park shall comply with the city of Omro sign ordinance in effect on the date a sign is installed.
3. Billboards are not permitted.
4. Signs to be placed on the building or premises of the previously described land are prohibited unless such sign(s) has been reviewed and approved by the Omro Area Development Corporation. However, if any owner does not agree with the decision of the Omro Area Development Corporation, the owner shall have the right to appeal the decision to the city of Omro zoning board of appeals. The determination of the city of Omro zoning board of appeals shall be final. The decision on signs shall be based upon the design, location, size, and appropriateness to the area of the proposed sign(s) as well as the city of Omro sign ordinance.

#### E. Landscaping/Fencing

1. The front yard setback area of each site shall be landscaped with an effective combination of street trees, trees, groundcover (grass), and shrubbery. All unpaved areas not utilized for parking shall be landscaped in a similar manner, within one year after construction is completed. The entire area of any property fronting on the U.S. Highway 21 shall be densely landscaped with a combination of landscape plantings and each berming to create an effective visual screen on all use areas with the exception of the building facade.
2. Side and rear yard setback areas not used for parking or storage shall be landscaped utilizing ground cover and/or shrubs and trees.
3. Areas used for parking shall be landscaped and/or fenced in such a manner as to interrupt or screen said areas from view from access streets, freeways and adjacent properties. Plant materials used for this purpose shall consist of lineal or grouped masses or shrubs and/or trees.
4. Undeveloped areas proposed for future expansion shall be maintained in a weed free condition and shall be landscaped, as required by the Omro Area Development Corporation and municipal code.
5. Architectural review by the Omro Area Development Corporation will take into account the appearance of all buildings, parking areas, and storage areas as viewed from U.S. Highway 21.

#### F. Outdoor Storage

1. No outside storage of any kind (including pallets and skids) shall be permitted unless such storage material is visually screened from all access streets, U.S. Highway 21, and adjacent properties with a suitable fence at least six feet in height. Said screening shall form a complete opaque screen at least six feet or higher if needed or required by the Omro Area Development Corporation.

2. No storage shall be permitted between a frontage street, or public street, highway, and building line.
3. No waste materials of refuse may be dumped or permitted to remain on any part of the property outside of the building.
4. Storage of fuel, oil, or other bulk fluids must be underground.
5. Fences, walls or hedges may not exceed forward of building setback lines.

G. Street Number Marking. All buildings in the Omro industrial park must have their street number displayed in a clearly visible and lighted area on the side of the building facing the street. This will allow the building to be quickly located in the case of an emergency.

H. ~~Covenant Committee:~~

~~1.~~

~~A covenant committee shall be appointed consisting of five members, two of whom shall be designated by the owner of said Omro industrial park land owners and who are parties interested in the city of Omro and three members designated from the membership of the Omro Area Development Corporation.~~

~~2.~~

~~This committee make-up shall remain the same until fifty (50) percent of the land is sold or improved with buildings, at which time one of the members designated as a party interested in the city shall be replaced by a member to be chosen by the remaining four members, from among those persons who are either individual owners, or the principal officers of a corporate owner of lands within the said Omro industrial park, which is the subject of this declaration.~~

~~3.~~

~~Vacancies shall be filled in the same manner. The Omro Area Development Corporation may from time to time, select successor committee members from the Omro Area Development Corporation's membership. The successor to said office shall have the authority to succeed as a committee member. A majority of three members shall be empowered to act as and for the covenant committee on any matter under jurisdiction of said committee with a minimum of two Omro Area Development Corporation members present.~~

~~4.~~

~~The city of Omro industrial park protective covenant for the Omro industrial park shall be reviewed annually by the covenant committee and/or Omro Area Development Corporation.~~

I. Loading Docks.

~~1. Any lots fronting U.S. Highway 21 shall have loading docks facing Barnard Drive.~~

2. A designated maneuvering area shall be established within the dimensions of the site, and in observance of the respective setback requirements.

3. All loading and maneuvering areas shall be entirely contained on-site and behind the property line. No vehicle shall be allowed to protrude beyond the property line while loading or unloading.

J. Refuse Collection Areas. No rubbish may be burned on the premises, ~~within the Omro industrial park~~ except in an incinerator especially constructed and designated for this operation and approved by the ~~Omro Area Development Corporation~~ and the Wisconsin Department of Industry, Labor, and Human Relations.

K. ~~Maintenance.~~

A. ~~Each lot owner shall at all times keep his or her premises, buildings, improvements and appurtenances in a safe, clean, neat and sanitary condition and shall keep all grass (mowed and under eight inches in height), trees, and shrubbery in good appearance at all times and shall comply with all laws, ordinances, and regulations pertaining to health and safety codes. Each lot owner shall provide for the removal of trash and rubbish from his or her premises.~~

B. ~~During construction, it shall be the responsibility of each lot owner to ensure that construction sites are kept free of unsightly accumulations of rubbish and scrap materials, and that construction materials, trailers, shacks, and the like are kept in a neat and orderly manner.~~

C. ~~It is the responsibility of the property owner to ensure that the landscaping is maintained in an attractive condition. The property owner shall replace any damaged or dead trees, shrubs, groundcovers, and sod within twelve (12) months or upon notifications by the Omro Area Development Corporation.~~

D. ~~The declarant agrees to maintain all undeveloped land owned by it within the Omro industrial park in a manner compatible with the provisions of these covenants.~~

E. ~~The lot owner and prime contractor(s) shall control soil and water loss, so as to prevent damage to other properties and structures in the Omro industrial park and beyond.~~

L. ~~Commencement/Completion of Construction/Repurchase Options.~~

A. ~~The grantee agrees to commence in good faith the construction of building and site improvements, duly approved in accordance with these city of Omro industrial park covenants, [Section 17.48.060 <https://www.municode.com/library/>](https://www.municode.com/library/), "Plans and specifications" hereof, twenty-four (24) months from the date of the deed in which these protective covenants are attached or incorporated in by reference and substantially complete same within a reasonable time thereafter.~~

B. ~~If, after the expirations of said twenty-four (24) months, the grantee shall not have begun in good faith the construction of an acceptable building upon said property, the Omro Area Development Corporation shall have the option to refund the purchase price, minus any monies paid to the owner for consideration of easements, encroachments or any other consideration paid to the owner, and enter into possession of the property. The grantee hereby agrees to appoint the city of Omro's city administrator as the grantee's attorney-in-fact, to sign any such required deed and/or other transfer documents to accomplish the re-conveyance in the event the Omro Area Development Corporation exercises its repurchase option. The attorney-in-fact may execute documents deemed necessary to accomplish this purpose, on behalf of the grantee, without liability to the grantee.~~

C. ~~In the event any owner of land laying within the Omro industrial park shall desire to~~

sell any part of the land which at the time is unimproved, owned in such district separate and apart for the improved portion of the tract owned, then the Omro Area Development Corporation shall have the prior right and option to purchase the unimproved premises proposed to be sold at the same price per acre paid by the owner of said land when originally acquired from the Omro Area Development Corporation, minus any monies paid to the owner for consideration of easements, encroachments or any other consideration paid to the owner. Prior to any sale of such premises, the owner of such tract, his or her successors or assigns, shall notify the Omro Area Development Corporation in writing of his or her intention to sell, describing the premises to be sold, and the Omro Area Development Corporation shall have sixty (60) days from the date of receipt of such notice to exercise its option.

~~D.— In the event of acceptance of such offer by the Omro Area Development Corporation, conveyance shall be by warranty deed free and clear of all liens and encumbrances created by act or default of the purchaser. In the absence of written notification sent by the Omro Area Development Corporation or its election to exercise said option, such owner shall be free to sell such premises to any persons, firm, or corporation and at any price deemed desirable by such owners.~~

~~E.— Use of said lands by any purchases shall be subject to the applicable zoning ordinances, restrictions, and regulations of the city of Omro and these city of Omro industrial park protective covenants.~~

~~F.— All property owners of land in the city of Omro industrial park shall consult with the Omro Area Development Corporation prior to selling or leasing any parcel within the Omro industrial park.~~

~~M.— Variances. Notwithstanding anything herein contained to the contrary, the Omro Area Development Corporation expressly reserves the right at any time and from time to time to authorize variances from the strict application of these city of Omro industrial park protective covenants or any one or more of them where the circumstances, in its sole and exclusive judgment, justifies the granting of same. Any variances hereunder shall be in writing and executed by an authorized officer of the Omro Area Development Corporation.~~

~~N.— Enforcement and Invalidation.~~

~~1.— In the event the grantee violated any of the terms and conditions hereof and fails to cure same within thirty (30) days, after the receipt of a written notice from the Omro Area Development Corporation to do so, then the Omro Area Development Corporation hereby reserves the right, privilege, and license to enter upon the premises at any time and take action to cure such violation(s). All reasonable cost thereof shall be at the expense of the violator. In addition, the Omro Area Development Corporation may pursue any other legal remedies available to it to enforce the city of Omro industrial park protective covenants and restrictions set forth herein.~~

~~2.— The invalidation of any one or more of the city of Omro industrial park protective covenants, or restrictions herein set forth, or the failure to enforce any of the said restrictions at the time of its violation(s), shall in not way effect any of the other restrictions, nor be deemed a waiver of the right to enforce the same thereafter.~~

~~0. Subsequent Amendment/Alteration to Protective Covenants. Any purchaser of land within the Omro industrial park who purchases land with notice of these protective covenants agrees to be bound by any reasonable amendment to these covenants as determined by the Omro Area Development Corporation in its sole discretion. The Omro Area Development Corporation shall possess the absolute right and authority to alter or amend these protective covenants as it sees fit in the best interest of the Omro industrial park. All purchases of land within the Omro industrial park consent to any reasonable amendment to these covenants as determined by the Omro Area Development Corporation in its sole discretion.~~

## **Chapter 17.49 - IP-1 INDUSTRIAL PARK LIGHT INDUSTRIAL / COMMERCIAL DISTRICT**

### 17.49.010 General purpose and conditions.

This district is intended to provide for light manufacturing and light industrial operations, which on the basis of actual physical and operational characteristics, would not be detrimental to the surrounding areas by reason of smoke, noise, dust, odor, traffic, physical appearance, or similar factors relating to the public health, welfare and safety. All properties in this district are governed under the protective covenants of the Omro Area Development Corporation.

### 17.49.020 Permitted uses.

Permitted uses are those such as, but not limited to, the following:

- A. Wholesale business;
- B. Printing and publishing;
- C. Manufacture or products from paper, but not the manufacture of paper or pulp;
- D. Manufacturing and bottling of nonalcoholic beverages;
- E. Processing, packing and manufacture of feed, except meat and meat products, fish and fish products, sauerkraut and cabbage products;
- F. Manufacture of products from wood, except the manufacture of paper or paper pulp;
- G. Manufacture of sporting goods, home and office appliances and supplies;
- H. Manufacture of goods from leather, but not the tanning of hides or manufacture of leather;
- I. Commercial recycling operations;
- J. Transportation terminals and facilities;
- K. Laboratories;
- L. Manufacture of jewelry and cosmetics;
- M. Manufacture of cigars, cigarettes and smoking tobacco;
- N. Blacksmithing, tinsmithing, sheet metal working, and plumbing or electrical shops;
- O. Manufacture of goods from plastic;

- P. Wholesale brewing operations;
- Q. Properties fronting Highway 21 only: Any permitted use in the C-2 highway commercial district with approval of the Omro Area Development Corporation;
- R. Accessory uses clearly incidental to a permitted use;
- S. Authorized signs;
- T. Telephone, telegraph and power transmission towers, poles and lines, including transformers, substations, relay and repeater stations, equipment housing and other necessary appurtenant equipment and structures, wherever possible, cables shall be underground.

17.49.030 - Conditional uses.

- A. Other uses found to be compatible with the purpose of this district, subject to the approval of the Omro Area Development Corporation and the plan commission.
- B. Knitting mills and the manufacture of products from the finished product.
- C. Cleaning, dyeing and pressing establishments, and laundries, except bag cleaning.
- D. Enameling and painting establishments.

17.49.040 - Omro area development corporation industrial park protective covenants.

IP-1 light industrial park zoned property which is located in the Omro industrial park is subject to the conditions, covenants, restrictions, easements and protections hereby declared to insure proper use and appropriate development and improvements of each building site thereof; to protect the environment in this planned Omro industrial park; to guard against the erection thereon of structures built of improper or unsuitable materials; to require conformance to applicable zoning ordinances and building codes; to insure reasonable development of said property as an industrial district including, but not limited to, proper setbacks from the street, adequate free space between structures, adequate parking, and in general, to provide for a high quality of improvements on said property, to insure that each building site will not adversely affect the general plan for physical development of the industrial workers in the area, nor be detrimental to the use or development of other properties in the Omro industrial park. The City of Omro shall have the right to enforce any and all covenants that are deemed necessary to protect the environment of the Omro Industrial Park.

17.49.050 - Plans and specifications.

- A. No buildings, fence, wall, sign, advertising device, roadway, loading facility, outside storage facility, parking areas, site grading, planting, landscaping, facility for industrial waste or sewage disposal, nor any other improvement shall be commenced, erected or constructed, nor shall any addition thereto or change or alteration therein be made (except to the interior of a building), nor shall any change in the use of any premises be made, until the plans and specifications therefore, showing any natural,



kind, shape, height, material, color scheme, lighting and location on the lot of the proposed use or change in the use of the premise, shall have been submitted to and approved in writing by the building inspector and also in the Omro industrial park, the Omro Area Development Corporation. A copy of plans and specifications as finally approved shall be filed permanently with the Omro Area Development Corporation. The plans and specifications required under this subsection shall be submitted to the Omro Area Development Corporation within one year of any purchase of industrial park property.

- B. In the event the Omro Area Development Corporation should fail to approve or disapprove in writing such site plans and elevation sketch within thirty (30) days after they have been submitted to the Omro Area Development Corporation, such approval will not be required and the applicable covenant will be deemed to have been complied with.
- C. The City of Omro and the Omro Area Development Corporation or the lessor reserves the right to construct utility lines overhead and utility line, pipes and conduits underground through an area of not more than ten feet in width across the real estate covered by this instrument and the grantee or lessee agrees to execute any and all instruments necessary and reasonable for the further development of the district, including the granting of easements of not more than thirty (30) feet in width for future gas, water, sewerage, telephone, entrance and access roads and electrical lines, provided that no such area or easements shall interfere with any building planned for or constructed on the said real estate by the grantee or lessee.
- D. Construction and alteration of all improvements in the Omro industrial park shall be in accordance with the requirements of all applicable building, zoning, and other codes and regulations.
- E. All spoil excavated or dug or topsoil or black dirt on the Omro Industrial Park premises or any excess of such spoil excavated during construction, shall be reviewed and directed by the Omro City Engineer or Designee as to a location within the Omro Industrial Park as the Omro Area Development Corporation shall in writing designate. The owner of the lot from which such clean spoil are being removed shall be responsible for all costs including but not limited to the leveling, grade preparation, silt fencing and erosion control, proper compaction on any area so designated for depositing the excess spoil within the Omro Industrial Park premises.

#### 17.49.070 - Development standards.

##### A. Buildings.

1. The front facade and street side facades shall be made of bricks, stones, architectural concrete panels, architectural metals, architectural woods and/or glasses. Unfaced concrete block, structural concrete, prefabricated metal siding, and the like are discouraged from such facade areas. The use of these materials elsewhere shall only be in a manner approved by the Omro Area Development Corporation.
2. All elevations of the building shall be designed in a consistent and coherent architectural manner. No building shall exceed a maximum height of thirty-five (35) feet.
3. All buildings shall be no less than 2500 square feet.
4. No materials, supplies, or products shall be stored; temporarily stored, or permitted to remain on the premises outside a permanent structure without prior written consent of

the Omro Area Development Corporation.

B. Parking.

1. All present and future vehicular parking, including trucks, trailers, employee and visitor parking shall be provided on the premises and shall comply with all the provisions of the applicable Omro City zoning regulations (see 17.64.020(G)) and the requirements of the state statutes for accessibility.
2. Parking is prohibited on all public streets within the Omro industrial park area.
3. Sufficient off-street parking shall be provided for and planned for all the businesses' employees, customers, and visitors.
  - a. A minimum parking space ratio of two spaces for each three employees shall be required on the maximum employment labor shift of the grantee. Grantee shall follow all ADA codes as required by law.
  - b. The total parking area space shall be a minimum of one hundred eighty (180) sq. ft. per car.
  - c. Lots bounded by more than one road may have parking areas within the building setback lines along roads other than the road on which the building fronts, subject to approval of the Omro Area Development Corporation.
  - d. All parking areas and drives located to the sides, rear and front of any building shall be improved with concrete, asphalt, or asphalt millings within twelve (12) months from time of occupancy of the building improvement constructed on the site. Parking areas in the Omro industrial park shall be maintained in a dust-free manner and must be properly drained. If said parking area of other required improvements are not to be completed at the time of occupancy, a quote must be presented documenting the amount of said postponed improvement(s) and an escrow as designated by the City of Omro Administrator or letter of credit (or bond) equivalent to 110% of said quote must be provided to the Omro Area Development Corporation prior to occupancy.
  - e. All driveway aprons in the city right of way must be concrete or asphalt and meet all dimensions and specifications per Omro City Ordinance.

C. Setback Requirements.

1. Front Yard. No building shall be constructed on a site nearer than thirty (30) feet of the right-of-way of any public street or highway. In the case of corner lots, no building shall be constructed within the designated setback of both abutting public streets or highways.
2. Side Yard. The minimum side yard shall be twenty (20) feet.
3. Rear Yard. The minimum rear yards shall be twenty (20) feet, except the lots abutting U.S. Highway 21 will be setback thirty (30) feet from U.S. Highway 21.

D. Signs.

1. A scale drawing of any sign, trademark, or advertising device to be used on any lot or exterior of any building or structure shall be submitted to the Omro Area Development Corporation for approval prior to obtaining a sign permit. Normally, the occupant's trademark and/or trade name may be displayed on the building in the manner in which

they are generally used by the occupant.

2. Signs within the Omro industrial park shall comply with the city of Omro sign ordinance in effect on the date a sign is installed.
3. Billboards are not permitted.
4. Signs to be placed on the building or premises of the previously-described land are prohibited unless such sign(s) has been reviewed and approved by the Omro Area Development Corporation. The decision on signs shall be based upon the design, location, size, and appropriateness to the area of the proposed sign(s) as well as the city of Omro sign ordinance.

E. Landscaping/Fencing.

1. The front yard setback area of each site shall be landscaped with an effective combination of street trees, trees, groundcover (grass), and shrubbery. All unpaved areas not utilized for parking shall be landscaped in a similar manner, within one year after construction is completed. The entire area of any property fronting on the U.S. Highway 21 shall be densely landscaped with a combination of landscape plantings and each berming to create an effective visual screen on all use areas with the exception of the building facade.
2. Side and rear yard setback areas not used for parking or storage shall be landscaped utilizing ground cover and/or shrubs and trees.
3. Undeveloped areas proposed for future expansion shall be maintained in a weed-free condition and shall be landscaped, as required by the Omro Area Development Corporation and municipal code.
4. Fences, walls, structural, or other landscape foliage (other than grass) may not exceed forward of the city right of way.

F. Outdoor Storage.

1. No outside storage of any kind (including pallets and skids) shall be permitted unless such storage material is visually screened from all access streets, U.S. Highway 21, and adjacent properties with a suitable fence at least six feet in height or equal to the height of said contained material, whichever is greater. Said screening shall form a complete opaque screen six feet or higher if needed or required by the Omro Area Development Corporation.
2. No storage shall be permitted between a frontage street, or public street, highway, and building line.
3. No waste materials of refuse may be dumped or permitted to remain on any part of the property outside of the building.
4. Storage of fuel, oil, or other bulk fluids must be underground.

G. Street Number Marking. All buildings in the Omro industrial park must have their street number displayed in a clearly visible and lighted area on the side of the building facing the street. This will allow the building to be quickly located in the case of an emergency.

H. Loading Docks.

1. Any lots fronting U.S. Highway 21 shall have loading docks facing Barnard Drive.

2. A designated maneuvering area shall be established within the dimensions of the site, and in observance of the respective setback requirements.
  3. All loading and maneuvering areas shall be entirely contained on-site and behind the property line. No vehicle shall be allowed to protrude beyond the property line while loading or unloading.
- I. Refuse Collection Areas. No rubbish may be burned on the premises, within the Omro industrial park except in an incinerator especially constructed and designated for this operation and approved by the Omro Area Development Corporation and the Wisconsin Department of Industry, Labor, and Human Relations.
- J. Maintenance.
1. Each lot owner shall at all times keep his or her premises, buildings, improvements and appurtenances in a safe, clean, neat and sanitary condition and shall keep all grass (mowed and under eight inches in height), trees, and shrubbery in good appearance at all times and shall comply with all laws, ordinances, and regulations pertaining to health and safety codes. Each lot owner shall provide for the removal of trash and rubbish from his or her premises.
  2. During construction, it shall be the responsibility of each lot owner to ensure that construction sites are kept free of unsightly accumulations of rubbish and scrap materials, and that construction materials, trailers, shacks, and the like are kept in a neat and orderly manner.
  3. It is the responsibility of the property owner to ensure that the landscaping is maintained in an attractive condition. The property owner shall replace any damaged or dead trees, shrubs, groundcovers, and sod within twelve (12) months or upon notifications by the Omro Area Development Corporation.
  4. The declarant agrees to maintain all undeveloped land owned by it within the Omro industrial park in a manner compatible with the provisions of the covenants of the Omro Area Development Corporation and the city ordinances.
  5. The lot owner and prime contractor(s) shall control soil and water loss, so as to prevent damage to other properties and structures in the Omro industrial park and beyond.

#### **Chapter 17.64.020 PARKING REQUIREMENTS**

The off-street parking provisions of this title shall apply to all buildings and structures erected after the effective date of this zoning code, accessory parking shall be according to the provisions of this chapter; where an intensity of the use of any building structure or premises shall be increased, additional parking to match the increased intensity of use shall be provided; or wherever an existing building or structure is converted to a new use, parking shall be provided according to the requirements of the new use. All new nonresidential parking lots and all alterations of existing lots shall be subject to the approval of the zoning official. Requests for such parking lots shall be accompanied with detailed plans on landscaping, parking layout, drainage provisions, and driveway locations. In all districts, there shall be provided at the time any use or building is erected, enlarged,

extended or increased off-street parking stalls for all vehicles in accordance with the following:

17.64.020 G Number of Parking Spaces. Number of parking spaces required are shown in the following table:

| <b>Use</b>   | <b>Minimum Parking Required (Besides Garages)</b>   |
|--|---|
| Manufacturing and processing plants, laboratories and warehouses | <del>One</del> <u>Two</u> spaces for each <del>two</del> <u>three</u> employees, plus sufficient spaces to accommodate all trucks and other vehicles used in connection with the business |