

ORDINANCE NO. XX – 09/21

**AMENDING SECTION(S) 74-56, 74-65, AND 74-102 OF
THE WALWORTH COUNTY CODE OF ORDINANCES - ZONING AND
SECTION(S) 74-183, 74-192, AND 74-231 OF THE WALWORTH COUNTY
CODE OF ORDINANCES - SHORELAND ZONING**

**THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS
FOLLOWS:**

PART I: That Section 74-56 of the Walworth County Code of Ordinances is hereby amended to read as follows (additions shown by underline; deletions shown by strike-through):

“Sec. 74-56. Industrial districts.

...

M-2 Heavy industrial district. The M-2 district is intended to provide for more intense manufacturing and industrial development.

(1) *Principal uses.*

- a. All principal uses permitted in the M-1 industrial district.
- b. Freight yards, terminals, and transshipment depots.
- c. Inside storage.
- d. Breweries.

(2) *Conditional uses.*

- a. Living quarters for watchman or caretaker.
- b. Crematories.
- c. ...
- ...

u. High-bay warehouses using oxygen reduction fire prevention.

...

PART II: That Section 74-65 of the Walworth County Code of Ordinances is hereby amended to read as follows (additions shown by underline; deletions shown by strike-through):

“Sec. 74-65. Industrial and related uses.

Except where specifically permitted as a principal use in division 3 the following industrial and related uses shall be conditional uses and may be permitted as specified. In approving or disapproving the location of a conditional use, the Committee shall view the proposed site or sites and shall consider such evidence as may be presented at the public hearing upon the general purpose and intent of this ordinance set forth in sections 74-28 and 74-29 and upon the particular land use problems related to development of the site or sites as proposed.

- 1 (1) *Sewage disposal plants* in all districts.
- 2 (2) *Pea vineries, creameries, and condenseries* in the A-4 and M-2 districts.
- 3 (3) ...
- 4 ...

5 (18) High-bay warehouses using oxygen reduction fire prevention in the M-2 district. The County Zoning
6 Agency may deny such a request or limit the maximum height if the community providing primary fire
7 protection is not able to serve the proposed structures with existing equipment.

9 **PART III: That Section 74-102 of the Walworth County Code of Ordinances is hereby**
10 **amended to read as follows (additions shown by underline; deletions shown by strike-**
11 **through):**

12
13 **“Sec. 74-102. Height.**

14 The district height limitations stipulated elsewhere in this ordinance may be exceeded but such modification
15 shall be in accord with the following:

- 16 (1) *Special structures*, such as elevator penthouses, gas tanks, grain elevators, scenery lofts, manufacturing
17 equipment and necessary mechanical appurtenances, cooling towers, substations, and smoke stacks,
18 shall not exceed in height their distances from the nearest lot line.
- 19 (2) *Essential services*, utilities, water towers, electric power and communication transmission lines are
20 exempt from the height limitations of this ordinance.
- 21 (3) ...
- 22 ...

23 (7) High-bay warehouses using oxygen reduction fire prevention may exceed the district height limitations
24 if the structure is setback at least one and one-half (1.5) times the structure height to the nearest lot
25 line or street.

26
27 **PART IV: That Section 74-183 of the Walworth County Code of Ordinances is hereby**
28 **amended to read as follows (additions shown by underline; deletions shown by strike-**
29 **through):**

30
31 **“Sec. 74-183. Industrial districts.**

32 ...

33 *M-2 Heavy industrial district.* The M-2 district is intended to provide for more intense manufacturing and
34 industrial development.

- 35 (1) *Principal uses.*
 - 36 a. All principal uses permitted in the M-1 industrial district.
 - 37 b. Freight yards, terminals, and transshipment depots.
 - 38 c. Inside storage.
 - 39 d. Breweries.

- 1 (2) *Conditional uses.*
- 2 a. Living quarters for watchman or caretaker.
- 3 b. Crematories.
- 4 c. ...
- 5 ...

6 u. High-bay warehouses using oxygen reduction fire prevention.

7 ...

8 ...

9

10 **PART V: That Section 74-192 of the Walworth County Code of Ordinances is hereby**
11 **amended to read as follows (additions shown by underline; deletions shown by strike-**
12 **through):**

13

14 **“Sec. 74-192. Industrial and related uses.**

15 Except where specifically permitted as a principal use in division 3, the following industrial and related uses
16 shall be conditional uses and may be permitted as specified. In approving or disapproving the location of a
17 conditional use, the Committee shall view the proposed site or sites and shall consider such evidence as may be
18 presented at the public hearing upon the general purpose and intent of this ordinance set forth in sections 74-153
19 and 74-154 and upon the particular land use problems related to development of the site or sites as proposed.

- 20 (1) *Sewage disposal plants* in all districts.
- 21 (2) *Pea vineries, creameries, and condenseries* in the A-4 and M-2 districts.
- 22 (3) ...
- 23 ...

24 (18) High-bay warehouses using oxygen reduction fire prevention in the M-2 district. The County Zoning
25 Agency may deny such a request or limit the maximum height if the community providing primary fire
26 protection is not able to serve the proposed structures with existing equipment.

27

28 **PART VI: That Section 74-231 of the Walworth County Code of Ordinances is hereby**
29 **amended to read as follows (additions shown by underline; deletions shown by strike-**
30 **through):**

31

32 **“Sec. 74-231. Height.**

33 The district height limitations stipulated elsewhere in this ordinance may be exceeded but such modification
34 shall be in accord with the following:

- 35 (1) *Special structures*, such as elevator penthouses, gas tanks, grain elevators, scenery lofts, manufacturing
36 equipment and necessary mechanical appurtenances, cooling towers, substations, and smoke stacks,
37 shall not exceed in height their distances from the nearest lot line.
- 38 (2) *Essential services*, utilities, water towers, electric power and communication transmission lines are
39 exempt from the height limitations of this ordinance.
- 40 (3) ...
- 41 ...

1 (7) High-bay warehouses using oxygen reduction fire prevention may exceed the district height limitations
2 if the structure is setback at least one and half (1.5) times the structure height to the nearest lot line or
3 street.

4
5
6 **PART IV: This Ordinance shall become effective upon passage.**

7
8 **PASSED and ADOPTED** by the Walworth County Board of Supervisors this _____ day of
9 _____, 2021.

10
11
12 County Board Meeting Date: September xx, 2021

13
14 Action Required: Majority Vote X Two-thirds Vote _____ Other _____

15
16
17 _____
18 Nancy Russell
19 County Board Chair

Kimberly S. Bushey
County Clerk

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances:

Michael P. Cotter Date
Corporation Counsel

Jessica Conley Date
Finance Director

Mark W. Lubarda Date
County Administrator

If unsigned, exceptions shall be so noted by the County Administrator.

