

**ORDINANCE NO. 2020-05 TO AMEND CHAPTER 340 OF THE TOWN OF PORT
WASHINGTON
MUNICIPAL CODE, KNOWN AS THE ZONING AND
SUBDIVISION CODE, TO ALLOW EVENT VENUES AS A CONDITIONAL USE IN
AGRICULTURAL DISTRICTS**

WHEREAS, the Town of Port Washington has enacted a Zoning and Subdivision Code, which is codified as Chapter 340 of the Town of Port Washington Municipal Code and known as the Zoning and Subdivision Code; and

WHEREAS, the Town Board of Supervisors of the Town of Port Washington, with assistance from the Town Plan Commission, periodically reviews Chapter 340 to ensure that the requirements are fair and equitable to allow Town property owners adequate use of property while protecting the health, safety and welfare of the general public; and

WHEREAS, as part of the ongoing implementation of the Comprehensive Plan 2035, it is the desire of the Town of Port Washington to promote the economic viability of agriculture in a form that preserves rural character and farmland for present and future residents; and

WHEREAS, after careful consideration at regular and publicly posted meetings, standards were prepared by the Plan Commission to allow the addition of event venues as a conditional use in agricultural districts; and

WHEREAS, at the publicly posted meeting of November 11, 2020, the Plan Commission recommended approval to the Town Board to amend Chapter 340 to add event venues as a conditional use in agricultural districts; and

WHEREAS, after due public notice, the Town Board held a public hearing on December 7, 2020, soliciting public comment regarding the Plan Commission recommendation; and

WHEREAS, the Town Board of the Town of Port Washington having carefully reviewed the recommendation of the Plan Commission, having determined that all procedural requirements and notice requirements have been satisfied, having given the matter due consideration and considered the effect of the proposed ordinance amendment on the health, safety and welfare of the community, has determined that the zoning amendment will not violate the spirit or intent of the Zoning and Subdivision Code for the Town of Port Washington, will not be contrary to the public health, safety or general welfare of the Town of Port Washington, will not be hazardous, harmful, noxious, offensive or a nuisance by reason of noise, dust, smoke, odor or other similar factors and is consistent with the recommendations found in the Comprehensive Plan 2035 for the Town of Port Washington.

NOW THEREFORE, the Board of Supervisors of the Town of Port Washington, do hereby ordain as follows:

SECTION I. Section 340-38.L. of the Zoning and Subdivision Code of the Town of Port Washington Municipal Code is hereby created to read as follows:

L. Event venues. For purposes of this subsection an event venue is defined as a place for the gathering of individuals for social, celebratory, or entertainment purposes at an agricultural venue in an agricultural zoning district. The event venue shall be compatible with the agricultural setting of the district and may include uses such as weddings, receptions, corporate events, or other similar uses as approved by the Town Plan Commission. The intent of this subsection is to foster entrepreneurial opportunities in the Town that promote the use and preservation of farms and farmland while maintaining and safeguarding the zoning districts' rural, agrarian landscape. An event venue is subject to the following:

(1) The parcel must meet the following standards:

(a) Area: a minimum of 20 acres.

(b) Yards

[1] Minimum street yard distance: 50 feet.

[2] Minimum side yard distance: 25 feet.

[3] Minimum rear yard distance: 40 feet.

[4] No building, structure and/or use shall be closer than 100 feet to the lot line of an adjoining lot in a district permitting a residential use.

(2) Expansion of existing structures or construction of new accessory structures for use as an event venue may be permitted. The primary structure must have been in existence prior to the adoption of the Town's Exclusive Agricultural Zoning District, October 7, 1996.

SECTION III. Severability. The several sections and portions of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION IV. This ordinance shall take effect immediately upon passage and publication or posting as provided by law.

ADOPTED THIS 7th day of December, 2020.

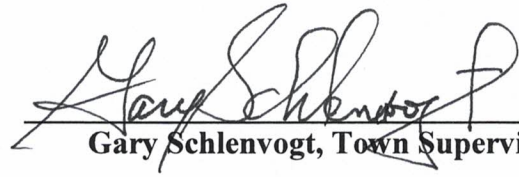
BY THE TOWN BOARD OF SUPERVISORS

TOWN OF PORT WASHINGTON

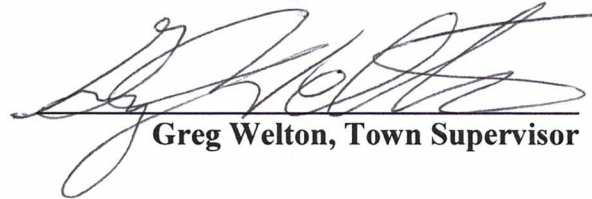
OZAUKEE COUNTY, WI



Michael Didier, Town Chair

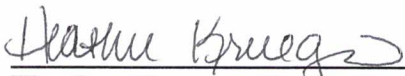


Gary Schlenvogt, Town Supervisor



Greg Welton, Town Supervisor

Attest:



Heather Krueger, Town Clerk