

ADOPTED: September 2, 2020
PUBLISHED: September 7, 2020
Office of the City Clerk

99-20

AN ORDINANCE AMENDING THE
COMPREHENSIVE PLAN FOR THE
CITY OF APPLETON.

The Common Council of the City of Appleton does ordain as follows:

Section 1: The Comprehensive Plan 2010-2030 Future Land Use Map for the following area of the city be amended as follows:

#1-20: For land generally located between North French Road and North Cherryvale Avenue, south of the creek/trail corridor (Tax Id #31-1-6411-00 and Tax Id #31-1-6410-00) to amend the Comprehensive Plan Future Land Use Map from Multi-Family Residential land use to One and Two-Family Residential land use. (Emerald Valley Estates LLC and B&H Properties, Inc., owners/applicants)

LEGAL DESCRIPTION:

Tax Id: 31-1-6410-00

The part of Lot 2, Certified Survey Map 3566, lying west Cherryvale Avenue as described in Certified Survey Map 6782, City of Appleton, Outagamie County, Wisconsin. Including all of the adjacent one-half (1/2) right of way of North French Road and North Cherryvale Avenue.

Tax Id: 31-1-6411-00

All of Outlot 1, Certified Survey Map 7878, City of Appleton, Outagamie County, Wisconsin.

Section 2: This ordinance shall be in full force and effect from and after its passage and publication.

Dated: September 2, 2020

Jacob A. Woodford, Mayor
CityLaw A19-1150

Kami Lynch, City Clerk

ADOPTED: September 2, 2020
PUBLISHED: September 7, 2020
Office of the City Clerk

100-20

AN ORDINANCE AMENDING CHAPTER 23 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON AND THE OFFICIAL ZONING MAP WHICH IS A PART THEREOF, BY MAKING THE FOLLOWING CHANGES IN THE DISTRICT AS NOW PROVIDED.

(City Plan Commission 9/2/2020)

The Common Council of the City of Appleton does ordain as follows:

Section 1: That Zoning Ordinance, Chapter 23 of the Municipal Code of the City of Appleton and the Official Zoning Map, which is a part thereof, is amended by making the following changes:

To rezone the subject parcels generally located between North French Road and North Cherryvale Avenue, south of the creek/trail corridor (Tax Id #31-1-6411-00, #31-1-6410-00 and #31-1-7513-00), including the adjacent one-half (1/2) right-of-way of French Road and Cherryvale Avenue, from temporary AG Agricultural District, R-3 Multi-Family District, R-2 Two-Family District, and P-I Public Institutional District to R-1B Single-Family District. (Rezoning #6-20 – Trail View Estates South – N. French Road and N. Cherryvale Avenue)

LEGAL DESCRIPTION:

PARCELS: 31-1-6410-00, 31-1-7513-00, and 31-1-6411-00 (formerly 101164606)

All of Outlot 1, Trail View Estates, being part of the Southwest 1/4 of the Northwest 1/4 and part of the Southeast 1/4 of the Northwest 1/4; and all of Outlot 1, Certified Survey Map 7878 and part of Lot 2, Certified Survey Map 3566, all being part of the Northwest 1/4 of the Southwest 1/4 and part of the Northeast 1/4 of the Southwest 1/4 of Section 8, Township 21 North, Range 18 East, City of Appleton, Outagamie County, Wisconsin, containing 1,382,055 Square Feet (31.7276 Acres) of land described as follows:

Commencing at the West 1/4 Corner of Section 8; thence, along the North line of the Southwest 1/4 of said Section 8, S88°59'32"E, 1092.78 feet to the point of beginning, thence, continuing along said North line, S88°59'32"E, 65.44 feet to the Southwest corner of Outlot 1, Trail View Estates; thence along the Westerly

line of said Outlot 1, N50°02'12"E, 414.43 feet to the Northwest Corner of said Outlot 1; thence along the North line of said Outlot 1, S88°29'02"E, 800.13 feet to the West line of Lot 3 of said Trail View Estates; thence, along said West line of said Lot 3 and the West line of Lot 2 of said Trail View Estates, S14°44'20"W 71.95 feet; thence, along said West line of said Lot 2 and the West line of Lot 1 of said Trail View Estates, S01°00'28"W, 134.74 feet to the Southwest corner of said Lot 1; thence along the South line of said Lot 1, S88°59'32"E, 173.15 feet to the West right of way line of Cherryvale Avenue; thence along said West right of way line, 189.17 feet along the arc of a curve to the left with a radius of 1105.18 feet and a chord of 188.94 feet which bears S05°29'50"W; thence, continuing, along said West right of way line, S00°35'37"W, 100.00 feet; thence, continuing, along said West right of way line, 512.88 feet along the arc of a curve to the right with a radius of 500.00 feet and a chord of 490.69 feet which bears S29°58'47"W to the North line of Crosswind Estates, N89°07'03"W, 2125.93 feet to a point on the East right of way line of French Road; thence, along said East right of way line, N00°10'32"E, 269.51 feet to the South line of Lot 1, Certified Survey Map 7878; thence, along said South Line S88°55'23"E 1052.80 feet to the Southeast corner of said Lot 1; thence along the East line of said Lot 1, N00°10'34"E, 394.13 feet to the point of beginning, subject to all easement and restrictions of record.

Including all of the adjacent one-half (1/2) right of way of French Road and Cherryvale Avenue.

COMMON DESCRIPTION:

Generally located between N. French Road and N. Cherryvale Avenue, south of the creek/trail corridor (Tax Id #31-1-6411-00 included in the "Trail View Estates South" annexation, #31-1-6410-00 and #31-1-7513-00), including the adjacent one-half (1/2) right-of-way of French Road and Cherryvale Avenue

Section 2: This Ordinance shall be in full force and effect from and after its passage and publication, and upon its passage and publication the Director of Community and Economic Development is authorized and directed to make the necessary changes to the Official Zoning Map in accordance with this Ordinance.

Dated: September 2, 2020

Jacob A. Woodford, Mayor
City Law 19-1150

Kami Lynch, City Clerk

ADOPTED: September 2, 2020
PUBLISHED: September 7, 2020
Office of the City Clerk

101-20

AN ORDINANCE AMENDING SECTION 10-11 OF CHAPTER 10 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO MISUSE OF 911.
(Safety and Licensing Committee – 8/19/2020)

The Common Council of the City of Appleton does ordain as follows:

Section 1: That Section 10-11 of Chapter 10 of the Municipal Code of the City of Appleton, relating to misuse of 911, is hereby amended to read as follows:

Sec. 10-11. Misuse of 911.

(a) No person shall use the 911 Emergency Telephone System for regular business or non-emergency calls.

(b) No person shall dial 911 Emergency Telephone number to report an emergency, knowing that the fact or situation reported does not exist.

(c) No person shall use the 911 Emergency Telephone System to knowingly make a false report to law enforcement for suspicious or illegal activity, when that individual has been intentionally selected by the person because of the person's belief or perception of the individual's race, religion, color, disability, sexual orientation, national origin, ancestry, gender, or gender identity.

(d) Any person who violates any provision of this section shall be subject to a penalty as provided in Sec. 1-16.

Section 2: This ordinance shall be in full force and effect from and after its passage and publication.

Dated: September 2, 2020

Jacob A. Woodford, Mayor

Kami Lynch, City Clerk

ADOPTED: September 2, 2020
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102-20

AN ORDINANCE AMENDING SECTION 19-91(i) OF CHAPTER 19 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO PARKING IN FRONT AND SIDE YARD IN RESIDENTIAL DISTRICT; PARKING ON TERRACES; PENALTY.

(Safety and Licensing Committee – 8/19/2020)

The Common Council of the City of Appleton does ordain as follows:

Section 1: That Section 19-91(i) of Chapter 19 of the Municipal Code of the City of Appleton, relating to parking in front and side yard in residential district; parking on terraces; penalty, is hereby amended to read as follows:

Sec. 19-91. Parking in front and side yard in residential district; parking on terraces.

(i) ***Penalty.***

- (1) *First offense parking forfeiture.* Any person to whom a ticket has been issued for a violation of this section shall incur a forfeiture of forty-five dollars (\$45.00), which may be satisfied by paying twenty dollars (\$20.00) within fifteen (15) days of the date of the ticket. The procedures in Sec. 19-90(i), (k), and (l) apply to first offenses of this section.
- (2) *Second and subsequent violations of this section.* Any person who violates any provision of this section more than one time in a twelve (12) month period shall be subject to a penalty as provided in Sec. 1-16 of the Municipal Code.

Section 2: This ordinance shall be in full force and effect from and after its passage and publication.

Dated: September 2, 2020

Jacob A. Woodford, Mayor

Kami Lynch, City Clerk

ADOPTED: September 2, 2020
PUBLISHED: September 7, 2020
Office of the City Clerk

103-20

AN ORDINANCE DETACHING TERRITORY
FROM THE CITY OF APPLETON, WISCONSIN.
(Plank Road / Lake Park Road Detachment)

The Common Council of the City of Appleton does ordain as follows:

Section 1: Territory Detached. In accordance with Section 66.0227 of the Wisconsin Statutes for 2017 – 2018, the following described territory in the City of Appleton, Calumet County, Wisconsin, is hereby detached to the Village of Harrison, Wisconsin.

A part of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) and the Northeast Quarter (NE ¼) of the Southeast Quarter (SE ¼) of Section 5, Township 20 North, Range 18 East, City of Appleton, Calumet County, Wisconsin, containing 4.3326 Acres of road right of way and being further described by:

Commencing at the East ¼ corner of said Section 5;
Thence South 00°46'05" West 138.05 feet along the East line of the SE ¼ of said Section 5 to the reference line of C.T.H. "AP" (aka Plank Road) according to State R/W Project Number 4984-01-21 and being the point of beginning;
Thence North 60°00'30" East 3.31 feet along said reference line to a reference line for C.T.H. "LP" (aka Lake Park Road);
Thence South 00°49'58" West 2,505.09 feet along said reference line for C.T.H. "LP" (aka Lake Park Road);
Thence North 89°10'02" West 50.00 feet to the West line of said C.T.H. "LP" (aka Lake Park Road);
Thence North 00°49'58" East 2,271.46 feet along the West line of said C.T.H. "LP" (aka Lake Park Road);
Thence North 05°20'40" West 84.41 feet along the West line of said C.T.H. "LP" (aka Lake Park Road);
Thence North 43°22'20" West 54.78 feet along the West line of said C.T.H. "LP" (aka Lake Park Road) to the Southeasterly line of C.T.H. "AP" (aka Plank Road);
Thence South 60°00'30" West 371.72 feet along the Southeasterly line of C.T.H. "AP" (aka Plank Road);
Thence South 62°52'15" West 100.12 feet along the Southeasterly line of C.T.H. "AP" (aka Plank Road);
Thence South 60°00'30" West 731.57 feet along the Southeasterly line of C.T.H. "AP" (aka Plank Road);

Thence Southwesterly 230.50 feet along the arc of curve to the left having a radius of 11,419.16 feet and the chord of which bears South 59°25'48" West 230.50 feet along the Southeasterly line of C.T.H. "AP" (aka Plank Road); Thence North 00°28'00" East 46.94 feet to said reference line for C.T.H. "AP" (aka Plank Road);

Thence Northeasterly 206.70 feet along the arc of a curve to the right having a radius of 11,459.16 feet and the chord of which bears North 59°29'30" East 206.70 feet along said reference line for C.T.H. "AP" (aka Plank Road);

Thence North 60°00'30" East 1,340.11 feet along said reference line for C.T.H. "AP" (aka Plank Road) to the point of beginning.

The population of such territory is 0.

This territory lies within the City of Appleton, Calumet County, Wisconsin.

Section 2: Effect of Detachment. From and after the date of this ordinance, and subject to the satisfaction of the terms and conditions set forth in Sec. 5 of an intermunicipal agreement between the City of Appleton and Village of Harrison entered into on June 15, 2020, the territory described in Section 1 shall be a part of the Village of Harrison for any and all purposes provided by law and all persons coming or residing within such territory shall be subject to all ordinances, rules and regulations governing the Village of Harrison.

Section 3: Severability. If any provisions of this ordinance are invalid or unconstitutional, or if the application of this ordinance to any person or circumstances is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or application of this ordinance which can be given without the invalid or unconstitutional provision or application.

Section 4: Effective Date. This ordinance shall take effect upon passage and publication.

Dated: September 2, 2020

Jacob A. Woodford, Mayor

Kami Lynch, City Clerk