

AN ORDINANCE AMENDING SECTION 2-167 OF CHAPTER 2 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO [TRANSIT COMMISSION] MEMBERSHIP; TERMS OF MEMBERS.

(Fox Cities Transit Commission – 7-19-2017)

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

Section 1: That Section 2-167 of Chapter 2 of the Municipal Code of the City of Appleton, relating to [Transit Commission] membership; terms of members, is hereby amended to read as follows:

Sec. 2-167. Membership; terms of members.

(a) The Fox Cities Transit Commission shall consist of thirteen (13) members as follows:

- (1) Four (4) members from the City of Appleton consisting of two (2) citizens and two (2) alderpersons, to be appointed by the Mayor subject to confirmation by the Common Council. The Common Council members shall be appointed annually for one- (1-) year terms and the other Appleton representatives shall serve three (3) year terms which shall expire on April 30.
- (2) The other nine (9) members shall be made up of representatives of municipalities that provide local funding for Valley Transit. These shall include the following:
 - a. City of Neenah – two (2);
 - b. Town of Grand Chute – two (2);
 - c. City of Menasha – one (1);
 - d. Village of Fox Crossing – one (1);
 - e. City of Kaukauna – one (1);
 - f. Village of Kimberly – one (1); and
 - g. Town of Buchanan – one (1).
- (3) The members listed in (2) shall serve three (3) year terms which shall expire on April 30 of the third year.

(b) The Commission shall report to the Common Council and be part of the City of Appleton's organizational structure.

(c) Any vacancies occurring during office shall be filled in the same manner for the

balance of the unexpired term.

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

53-17

AN ORDINANCE AMENDING SECTION 19-41 OF CHAPTER 19 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON AND THE OFFICIAL THROUGH STREET MAP WHICH IS A PART THEREOF, BY MAKING THE FOLLOWING CHANGES.

(Municipal Services Committee – 7-19-2017)

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

Section 1: That Section 19-41 of Chapter 19 of the Municipal Code of the City of Appleton and the Official Through Street Map, which is a part thereof, is amended by making the following additions:

Capitol Drive from Roemer Road to Conkey Street

Conkey Street from Northland Avenue (CTH “OO”) to Capitol Drive

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 traffic engineer is authorized and directed to make the necessary changes to the Official Through Street Map in accordance with this Ordinance.

54-17

AN ORDINANCE AMENDING SECTION 9-262(a)(2) OF CHAPTER 9 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO [SIDEWALK CAFES] CONDUCT OF BUSINESS GENERALLY.

(Municipal Services Committee – 7-19-2017)

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

Section 1: That Section 9-262(a)(2) of Chapter 9 of the Municipal Code of the City of Appleton, relating to [sidewalk cafes] conduct of business generally, is hereby amended to read as follows:

Sec. 9-262. Conduct of business generally.

(a) A permit holder under this division shall be subject to the following:

- (2) Sidewalk cafés may neither obstruct the defined pedestrian right-of-way adjacent to the amenity strip, nor have any items in excess of five (5) feet in height, with the exception of table umbrellas.

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

55-17

AN ORDINANCE AMENDING SECTION 23-206(b)(1) OF CHAPTER 23 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO FLOODPLAIN ZONING; STATUTORY AUTHORIZATION, FINDING OF FACT, STATEMENT OF PURPOSE, TITLE AND GENERAL PROVISIONS; GENERAL PROVISIONS; OFFICIAL MAPS AND REVISIONS; OFFICIAL MAPS BASED ON THE FIS.

(City Plan Commission – 8-2-2017)

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

Section 1: That Section 23-206(b)(1) of Chapter 23 of the Municipal Code of the City of Appleton, relating to floodplain zoning; statutory authorization, finding of fact, statement of purpose, title and general provisions; general provisions; official maps and revisions; official maps based on the FIS, is hereby amended to read as follows:

Sec. 23-206. General provisions.

(b) ***Official maps and revisions.*** The boundaries of all floodplain districts are designated as floodplains or A-Zones on the maps listed below and the revisions in the City of Appleton Floodplain Appendix. Any change to the base flood elevations (BFE) in the Flood Insurance Study (FIS) or on the Flood Insurance Rate Map (FIRM) must be reviewed and approved by the DNR and FEMA before it is effective. No changes to regional flood elevations (RFE's) on non-FEMA maps shall be effective until approved by the DNR. These maps and revisions are on file in the office of the Division of Inspections of the Department of Public Works for the City of Appleton. If more than one map or revision is referenced, the most restrictive information shall apply.

(1) ***Official maps based on the FIS:***

- a. Calumet County Flood Insurance Rate Map (FIRM), panel numbers 55015C0007E, 55015C0026E and 55015C0027E dated February 4, 2009; with corresponding profiles that are based on the Calumet County Flood Insurance Study (FIS), dated February 2009, volume number 55015CV000A.

- b. Outagamie County Flood Insurance Rate Map (FIRM) panel numbers 55087C0304E, and 55087C0308E dated January 20, 2016; with corresponding profiles that are based on the Flood Insurance Study (FIS) dated January 20, 2016, volume number 55087CV000B.
- c. Outagamie County Flood Insurance Rate Map (FIRM) panel numbers 55087C0309D, 55087C0314D, 55087C0316D, 55087C0317D, 55087C0318D, 55087C0319D, 55087C0330, 55087C0338D, 55087C0427D, 55087C0431D and 55087C451D dated July 22, 2010; with corresponding profiles that are based on the Outagamie County Flood Insurance Study (FIS) dated July 22, 2010 volume number 55087CV000A.
- d. Outagamie County Flood Insurance Rate Map (FIRM) panel numbers 55087C0328D, 55087C0329D, 55087C0336D, 55087C0337D dated July 22, 2010 and revised August 23, 2013 with corresponding profiles that are based on the Outagamie County Flood Insurance Study (FIS) dated July 22, 2010 volume number 55087CV000A, all revised and annotated pursuant to FEMA Letter of Map Revision Determination Document Case No: 12-05-6032P, Issue Date April 10, 2013, Effective Date August 23, 2013.
- e. LOMR – Case #11-05-7670P, Floodway and Floodplain revisions between Flood Insurance Study (FIS) Cross Section AW to BA, Outagamie County Flood Insurance Rate Map (FIRM) panels 55087C0318D and 55087C0319D, dated July 22, 2010. This reflects changes on the Fox River from just downstream of the Private Middle Dam to approximately 250 feet upstream of the Appleton Upper Dam.
- f. LOMR – Case #13-05-7920P, Floodplain revisions between Flood Insurance Study (FIS) Cross Section AN to AM, Outagamie County Flood Insurance Rate panels 55087C0319D, dated July 22, 2010. This reflects changes along the south side of the Fox River from the College Avenue Bridge to approximately 850 feet downstream.
- g. City of Appleton Kensington Pond Dam Break Analysis Hydraulic Shadow, Per Figure F-9 of Dam Failure Analysis and Assignment of the Hazard Rating for Kensington Pond Dam, by Earth Tech, dated January 2008, on file with City of Appleton Department of Public Works.
- h. LOMR – Case #17-05-1963P. Floodplain revisions on Outagamie County Flood Insurance Study (FIS) AAL Tributary Cross Section C, Outagamie County Flood Insurance Rate Map (FIRM) panel 55087C0336D, effective September 29, 2017. This reflects changes along the AAL Tributary from just downstream of Lightning Drive to approximately 200 feet upstream of East Glenhurst Lane.

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

56-17

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 8-2-2017)

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 lands located at 525 South Memorial Drive from C-2 General Commercial District to R-3 Multi-Family District. (Rezoning #4-17 – Harbor House Domestic Abuse Programs Inc.)

LEGAL DESCRIPTION:

The South 50 feet of Lot 7, Block 27, Grand Chute Plat 3rd Ward, City of Appleton, Outagamie County, Wisconsin, according to the recorded Assessor's Map of said City. EXCEPT Parcel 24 of Transportation Project Plat 6240-13130624006-21-4.02, recorded in Plat Cabinet L, Page 174 as Document Number 1821753, on February 6, 2009 in the Outagamie County Office of the Register of Deeds, being part of Lot 7, Block 27, of Grand Chute Plat, located in the NW ¼ of the NW ¼, Section 35, T21N, R17E, City of Appleton, Outagamie County, Wisconsin. Including all of the adjacent one-half (1/2) right of way of West Fifth Street and Memorial Drive (aka S.T.H. 47).

Tax Key No. 31-3-0624-00

COMMON DESCRIPTION:

525 South Memorial Drive

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.

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 7-19-2017)

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 lands located along Amethyst Drive between Aquamarine Avenue and Bluetopaz Drive/part of Parcel #31-1-7600-00 from AG Agricultural District to R-1B Single-family District. (Rezoning #3-17 – 4th Addition to Emerald Valley Estates)

LEGAL DESCRIPTION:

PART OF THE NORTHWEST 1/4, NORTHEAST 1/4 AND THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, SECTION 6, TOWNSHIP 21 NORTH, RANGE 18 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN, MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST CORNER OF SAID SECTION 6; THENCE SOUTH 00 DEGREES 02 MINUTES 25 SECONDS EAST, ALONG THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION, A DISTANCE OF 1131.30 FEET; THENCE SOUTH 89 DEGREES 57 MINUTES 35 SECONDS WEST, A DISTANCE OF 676.42 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 56 DEGREES 39 MINUTES 07 SECONDS WEST, ALONG THE NORTH LINE OF THE SECOND ADDITION TO EMERALD VALLEY, A DISTANCE OF 321.00 FEET; THENCE NORTH 33 DEGREES 20 MINUTES 53 SECONDS WEST, A DISTANCE 800.00 FEET; THENCE NORTH 56 DEGREES 39 MINUTES 07 SECONDS EAST, A DISTANCE OF 131.00 FEET; THENCE SOUTH 33 DEGREES 20 MINUTES 53 SECONDS EAST, ALONG THE WEST RIGHT OF WAY LINE OF AMETHYST DRIVE, A DISTANCE OF 110.00 FEET; THENCE NORTH 56 DEGREES 39 MINUTES 07 SECONDS EAST, ALONG THE SOUTH LINE OF THE FIRST ADDITION TO EMERALD VALLEY, A DISTANCE OF 190.00 FEET; THENCE SOUTH 33 DEGREES 20 MINUTES 53 SECONDS EAST, ALONG THE WEST LINE OF EMERALD VALLEY A DISTANCE OF 690.00 FEET TO THE POINT OF BEGINNING. CONTAINING 235,900 SQUARE FEET [5.416 ACRES]

COMMON DESCRIPTION:

Along Amethyst Drive between Aquamarine Avenue and Bluetopaz Drive

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.