

ADOPTED: June 17, 2020
PUBLISHED: June 22, 2020
Office of the City Clerk

77-20

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 6/17/2020)

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 vacant parcel at the northwest corner of North Viola Street and East Wisconsin Avenue (Tax Id # 31-1-2865-00), including the adjacent ½ road right-of-way from C-2 General Commercial District to M-2 General Industrial District. (Rezoning #2-20 – CaMPSbuilt, LLC c/o Carl Romenesko)

LEGAL DESCRIPTION:

All of Lots one (1) through five (5), both inclusive, Fox's Plat, City of Appleton, Outagamie County, Wisconsin, excepting therefrom that part of said Lots 1 and 2 conveyed for street purposes and described in Volume 215 of Deeds, Page 507, including the adjacent 1/2 road right-of-way of North Viola Street and East Wisconsin Avenue

COMMON DESCRIPTION:

Vacant parcel at the northwest corner of North Viola Street and East Wisconsin Avenue, including the adjacent ½ road right-of-way

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: June 17, 2020

Jacob A. Woodford, Mayor

Kami Lynch, City Clerk

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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 6/17/2020)

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 vacant land generally located east of Rubyred Drive (part of Tax Id #31-1-7610-00) from R-1B Single-Family District to R-2 Two-Family District. (Rezoning #3-20 – North Edgewood Estates Development, LLC c/o Kurt Coenen)

LEGAL DESCRIPTION:

Part of Lot 3 of CSM 7488, being part of the North 1/2 of the Southwest 1/4 Section 5, Township 21 North, Range 18 East, City of Appleton, Outagamie County, Wisconsin, containing 718,615 Square Feet (16.4971 Acres) of land more or less, including all lands between the meander line and the centerline of a tributary of Apple Creek, described as follows:

Commencing at the South 1/4 Corner of Section 5; thence N00°16'55"E, 1326.58 feet to the point of beginning; thence, along the South line of Lot 3 CSM 7488, N88°34'21"W, 1489.74 feet to a meander point being S88°34'21"E, 45 feet more or less from the centerline of a tributary of Apple Creek; thence, along a meander line N37°24'34"W, 178.62 feet; thence, continuing along said meander line, N15°26'27"E 277.09 feet; thence, continuing along said Meander line, N10°15'42"E, 158.23 feet to a meander point being S77°29'09"E, 35 feet more or less from said centerline of a tributary of Apple Creek; thence S77°29'09"E 152.01 feet; thence S36°28'44"E 79.51 feet; thence S77°29'09"E 158.42 feet; thence S24°18'25"W 40.14 feet; thence S88°34'11"E 219.39 feet; thence 78.70 feet along the arc of a curve to the right with a radius of 220.00 feet and a chord of 78.29 feet which bears N14°57'35"E; thence S64°20'18"E, 107.65 feet; thence S83°26'13"E, 131.00 feet; thence S89°43'05"E, 485.00 feet; thence S66°31'11"E,

76.16 feet; thence S89°43'05"E, 142.50 feet to the East line of the Southwest 1/4; thence, along said East line, S00°16'55"W, 409.15 feet to the point of beginning, subject to all easements, and restrictions of record.

COMMON DESCRIPTION:

Vacant land generally located east of Rubyred Drive (part of Tax Id #31-1-7610-00)

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: June 17, 2020

Jacob A. Woodford, Mayor

Kami Lynch, City Clerk

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79-20

AN ORDINANCE RELATING TO THE TEMPORARY AMENDMENT OF SEC. 9-262(a)(1) AND SEC. 9-262(b)(4) TO ALLOW FOR EXPANDED USE OF THE AMENITY STRIP AND HOURS OF SERVICE FOR SIDEWALK CAFES IN RESPONSE TO THE COVID-19 CORONAVIRUS PUBLIC HEALTH EMERGENCY DECLARED BY THE STATE OF WISCONSIN.

(Municipal Services Committee – 6/8/2020)

WHEREAS, on March 12, 2020, Governor Evers, by Executive Order #72, declared a public health emergency in Wisconsin due to the COVID-19 virus; and,

WHEREAS, as a result of the public health emergency, all schools and non-essential businesses were temporarily closed, and the Governor issued a “Stay safer at home order” on March 24, 2020 to slow the spread of the virus in the community, reduce the demands on the healthcare system, and to protect the health, safety, and welfare of the public; and

WHEREAS, as a result of the community-wide closures and stay home orders, many city businesses continue to face lost or significantly reduced revenue and economic uncertainty; and

WHEREAS, these same businesses are looking for creative ways to serve their customers while still practicing social distancing; and

WHEREAS, these businesses provide employment and support the local economy and it is in the public’s interest that some temporary relief be provided to allow the businesses to continue to function by amending the necessary ordinances to allow for expanded use of the amenity strip and hours of service for sidewalk cafes; and

NOW, THEREFORE BE IT RESOLVED, that until October 1, 2020, the following changes to Sec. 9-262(a)(1) and Sec. 9-262(b)(4) shall be in effect:

DIVISION 4. SIDEWALK CAFES

9-262. Conduct of business generally.

- (a) A permit holder under this division shall be subject to the following:
 - (1) The parameters of the sidewalk café shall be limited to the area of the amenity strip located immediately in front of the establishment and shall not extend beyond the width of the establishment’s property line **unless written permission is granted by the immediately adjacent property owner to also use the amenity strip immediately in front of that owner’s property.**

(b) If a permit holder is going to serve alcoholic beverages within the parameters of the sidewalk café, the permit holder shall also be subject to the following:

- (4) The permit holder can begin serving alcoholic beverages in the sidewalk café at ~~4:00 p.m.~~ **11:00 a.m.** Monday through Friday and 11:00 a.m. on Saturday and Sunday. All alcoholic beverages must be removed from the sidewalk café by 9:30 p.m.

Section 2: This ordinance shall be in full force and effect immediately and shall automatically repeal on October 1, 2020.

Section 3: Due to the temporary nature of this ordinance, it shall not be codified in the Municipal Code of the City of Appleton.

Dated: June 17, 2020

Jacob A. Woodford, Mayor

Kami Lynch, City Clerk

Publication Notice

Please take notice that the City of Appleton enacted ordinance 79-20 TEMPORARY AMENDMENT OF SEC. 9-262(a)(1) AND SEC. 9-262(b)(4) TO ALLOW FOR EXPANDED USE OF THE AMENITY STRIP AND HOURS OF SERVICE FOR SIDEWALK CAFES IN RESPONSE TO THE COVID-19 CORONAVIRUS PUBLIC HEALTH EMERGENCY DECLARED BY THE STATE OF WISCONSIN.

The full text of the ordinance may be obtained at the Office of the City Clerk, 100 North Appleton Street, Appleton, WI 54911 and through the City's website at www.appleton.org.