COMMUNITY ASSISTANCE
PLANNING REPORT NO. 165

A DEVELOPMENT PLAN FOR THE BURLINGTON INDUSTRIAL PARK NEIGHBORHOOD

CITY OF BURLINGTON RACINE COUNTY WISCONSIN

HF
2005
.S6
CAPR
165
c.2

SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

KENOSHA COUNTY

Leon T. Dreger
Francis J. Pitts
Sheila M. Siegler

RACINE COUNTY

David B. Falstad
Jean M. Jacobson, Secretary
Earl G. Skagen

MILWAUKEE COUNTY

John R. Bolden
Thomas W. Meaux
Jean B. Tyler

WALWORTH COUNTY

John D. Ames
Anthony F. Balestrieri
Allen L. Morrison, Vice-Chairman

OZAUKEE COUNTY

Allen F. Bruederle
Alfred G. Raetz
Elroy J. Schreiner

WASHINGTON COUNTY

Daniel S. Schmidt
Patricia A. Strachota
Frank F. Uttech, Chairman

WAUKESHA COUNTY

Richard A. Congdon
Robert F. Hamilton
William D. Rogan, Treasurer

CITY OF BURLINGTON OFFICIALS

MAYOR

Steven J. David

COMMON COUNCIL

Ann Beardsley
Norris E. Berry
Yvonne Braunschweig
Bruce A. Chevis
John Eckola
Barbara R. Eppers
Alvin A. Greason
Thomas R. Vos

CITY PLAN COMMISSION

Steven J. David, Chairman
Bruce A. Chevis
Mark A. Gustafson
Phillip Reinfeldt
Robert Sullivan III
Richard Tinder
Penny Torhorst

CITY ADMINISTRATOR

Thomas R. Lebak

BUILDING INSPECTOR/ZONING ADMINISTRATOR

Richard G. Alderman

CITY CLERK/TREASURER

Ralph F. Epping

CITY ENGINEER

Mark A. Gustafson

SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION STAFF

Kurt W. Bauer, PE, AICP, RLS . . . . . .Executive Director
Philip C. Evenson, AICP . . . . . .Assistant Director
Kenneth R. Yunker, PE . . . . . .Assistant Director
Robert P. Biebel, PE . . . . . .Chief Environmental Engineer
John W. Ernst . . . . . .Information Systems Manager
Leland H. Kreblin, RLS . . . . . .Chief Planning Illustrator
Donald R. Martinson . . . . . .Chief Transportation Engineer
John R. Meland . . . . . .Chief Economic Development Planner
Bruce P. Rubin . . . . . .Chief Land Use Planner
Roland O. Tonn, AICP . . . . . .Chief Community Assistance Planner
Joan A. Zenk . . . . . .Administrative Officer

Special acknowledgement is due SEWRPC Principal Planner Richard R. Kania and former SEWRPC Planners Patrick J. Meehan and Jean M. Werbie for their contribution to the preparation of this report.

COMMUNITY ASSISTANCE PLANNING REPORT
NUMBER 165

A DEVELOPMENT PLAN FOR THE BURLINGTON INDUSTRIAL PARK NEIGHBORHOOD

CITY OF BURLINGTON
RACINE COUNTY, WISCONSIN

Prepared by the

Southeastern Wisconsin Regional Planning Commission
P. O. Box 1607
Old Courthouse
916 N. East Avenue
Waukesha, Wisconsin 53187-1607

January 1991

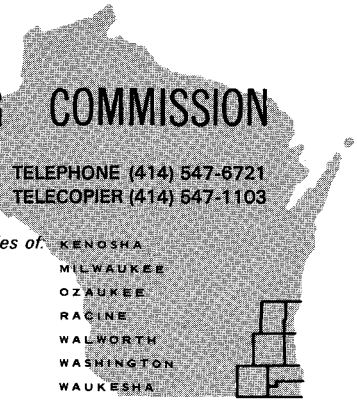
Inside Region $ 5.00
Outside Region $10.00

(This page intentionally left blank)

SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

916 N. EAST AVENUE • P.O. BOX 1607 • WAUKESHA, WISCONSIN 53187-1607 • TELEPHONE (414) 547-6721
TELECOPIER (414) 547-1103

Serving the Counties of: KENOSHA
MILWAUKEE
OZAUKEE
RACINE
WALWORTH
WASHINGTON
WAUKESHA



January 7, 1991

The Honorable Steven J. David
Mayor of the City of Burlington, and
Members of the Common Council
and City Plan Commission
City Hall
300 N. Pine Street
Burlington, Wisconsin 53105

Ladies and Gentlemen:

The Southeastern Wisconsin Regional Planning Commission has, since its inception in 1960, recommended and supported the preparation of detailed development plans for neighborhood units in urbanizing communities of the Region. By letter dated March 30, 1971, the City of Burlington asked the Regional Planning Commission staff to assist it in the delineation of neighborhood units for which such plans should eventually be prepared. This task was completed in February 1973, and the identified 13 neighborhood units were presented in SEWRPC Community Assistance Planning Report No. 1, Residential, Commercial, and Industrial Neighborhoods—City of Burlington and Environs.

In the late 1970's, the initially delineated 13 neighborhood units were refined and redelineated by the City into 10 neighborhood units. Three of the original 13 delineated neighborhoods were eliminated from further consideration since the areas in which they were located were not planned for public sanitary facility service in the foreseeable future at that time. To date, plans have been completed for two of the remaining 10 neighborhoods—the Quarry Ridge Neighborhood and the Echo Lake Neighborhood. This report presents a plan for the neighborhood unit known as the Burlington Industrial Park Neighborhood.

This report presents basic information on the present stage of development in the Burlington Industrial Park Neighborhood, including information on the existing real property boundary and land use patterns; the existing sanitary sewerage, water supply, and stormwater management facilities; and the topography, drainage patterns, soils, woodlands, wetlands, and other natural features of the neighborhood, all of which constitute important considerations in any neighborhood planning effort. Based on the findings of these inventories and on recommended neighborhood development standards, the report sets forth alternative neighborhood development plans and a recommended plan which is consistent with both regional and local development objectives.

The recommended plan presented in this report was adopted by the City Plan Commission on November 7, 1989, and by the City Common Council on December 5, 1989. The adopted plan as presented in this report is intended to be used over time by city officials as a point of departure in the making of development decisions affecting the Burlington Industrial Park Neighborhood.

The Regional Planning Commission staff is appreciative of the assistance provided by city staff and officials in the preparation of this plan. The Commission is also appreciative of the constructive efforts made by Racine County and the Town of Burlington in reviewing and commenting on the plan. The Commission staff stands ready to assist the City in implementing the adopted plan over time.

Sincerely,

Kurt W. Bauer
Executive Director

(This page intentionally left blank)

TABLE OF CONTENTS

LIST OF APPENDICES

LIST OF TABLES

LIST OF FIGURES

LIST OF MAPS

(This page intentionally left blank)

Chapter I

INTRODUCTION

The Southeastern Wisconsin Regional Planning Commission, since its inception in 1960, has urged local plan commissions to consider the preparation of detailed neighborhood unit development plans as an important means of guiding and shaping urban land use development and redevelopment in the public interest. SEWRPC Planning Guide No. 1, Land Development Guide, published in November 1963, discussed the importance of neighborhood unit planning to the attainment of good residential land subdivision. This guide indicated that effective public regulation of the important process of land subdivision—a process through which much of the form and character of a community are determined—requires the preparation of detailed neighborhood unit development plans. The regional land use plan originally adopted by the Commission in December 1966 more specifically recommended that local plan commissions identify neighborhood units within areas of existing or proposed urban use and prepare detailed plans for the development of these units.

The City of Burlington, on March 30, 1971, requested that the Regional Planning Commission assist the City in the delineation of neighborhood units for which detailed development plans are to be prepared. The Commission staff, working with the City Plan Commission, initially identified 13 neighborhood units. These 13 neighborhood units were presented in SEWRPC Community Assistance Planning Report No. 1, Residential, Commercial, and Industrial Neighborhoods—City of Burlington and Environs, published in February 1973. The report was adopted by the City on March 28, 1973. The City, by letter dated April 18, 1974, requested that the Regional Planning Commission assist the City in the preparation of a development plan for the delineated Quarry Ridge Neighborhood. The requested plan was completed and approved by the City Plan Commission in December 1977. The development plan for that neighborhood unit is documented in SEWRPC Community Assistance Planning Report No. 29, A Development Plan for the Quarry Ridge Neighborhood, City of Burlington, Racine County, Wisconsin. A second neighborhood unit development plan was subsequently prepared for the Echo Lake Neighborhood and is documented in SEWRPC Community Assistance Planning Report No. 63 (2nd Edition), A Development Plan for the Echo Lake Neighborhood, City of Burlington, Racine County, Wisconsin, August 1984. The plans for both the Quarry Ridge Neighborhood and the Echo Lake Neighborhood have been formally adopted by the Common Council of the City of Burlington as well as by the City Plan Commission.

At a meeting on December 10, 1987, the City Plan Commission asked the Regional Planning Commission to assist the City in the preparation of a detailed neighborhood unit development plan for the delineated Burlington Industrial Park Neighborhood. This report sets forth the requested plan. The plan suggests future arterial, collector, and land access street locations and alignments and attendant block configurations for industrial-related land uses. The plan further identifies areas that should be protected from intensive development for environmental protection and enhancement purposes, and identifies the needed reservation of land for major drainage and utility easements. The plan is intended to provide one of several means available to the City for attaining the following objectives:

1. The conservation and protection of desirable existing residential, commercial, industrial, and agricultural development;

2. The provision of a broad range of choice in industrial sites to meet the needs of a variety of industrial establishments;

3. The economical and effective provision of an adequate, flexible, and balanced level of community services and facilities;

4. The protection and wise use of the natural resource base;

5. The development of areas having distinctive individual character based on physical conditions, historical factors, and local desires; and

6. The provision of an energy-conscious and energy-efficient urban form.

GENERAL SETTING

The City of Burlington is located in the southwestern portion of Racine County in U. S. Public Land Survey Township 3 North, Range 19 East and Township 2 North, Range 19 East. The City is bordered on all sides by the unincorporated Town of Burlington. Map 1 shows the location of the City in the Southeastern Wisconsin Region, and the extent of the historic urban development of the Region.

The City of Burlington has experienced slow but steady population growth since 1950, as shown in Table 1. The population of the City increased from 4,780 persons in 1950 to 5,856 persons in 1960, to 7,479 persons in 1970, and to 8,385 persons in 1980. The 1989 resident population of the City is estimated at 8,780. Population forecasts prepared by the Regional Planning Commission indicate that the population of the city urban service area may be expected to reach about 16,600 persons by the year 2000. This population level is based upon the intermediate growth, centralized land use scenario, and represents the highest population level envisioned under any of the three alternative future scenarios considered by the Regional Planning Commission in the preparation of the the year 2000 regional land use plan. However, the future population level of the proposed urban service area could be as low as 11,900 persons under the stable or declining growth, decentralized land use scenario. Therefore, the year 2000 population could range from a minimum of 11,900 persons to a maximum level of 16,600 persons. This anticipated growth dictates the conduct of a sound city planning program to provide a basis for development decision-making by local officials.

THE NEIGHBORHOOD UNIT CONCEPT

The Regional Planning Commission recommendation that detailed neighborhood unit development plans be prepared by local plan commissions is based upon the concept that an urban area should be formed of, and developed in, a number of individual cellular units and not as a single, large, formless mass. These cellular units may be categorized by their primary or predominant land use and, as such, may be residential, commercial, institutional, or industrial.

Table 1

HISTORIC AND FORECAST POPULATION LEVELS FOR THE CITY OF BURLINGTON: 1900-2000

Year	Population	Percent Change from Previous Period
Actual		
1900	2,526	--
1910	3,212	27.2
1920	3,626	12.9
1930	4,114	13.5
1940	4,414	7.3
1950	4,780[a]	8.3
1960	5,856[b]	22.5
1970	7,479	27.7
1980	8,385	10.8
1989	8,780[c]	4.7
Forecast Range		
2000	11,900-16,600[d]	--

[a]Parts of the Town of Burlington were annexed by the City of Burlington in 1943 and 1950, and parts of the City of Burlington reverted to the Town of Burlington in 1941 and 1946.

[b]Subsequent to 1950, a part of the Town of Burlington was annexed to the City of Burlington.

[c]Wisconsin Department of Administration estimate.

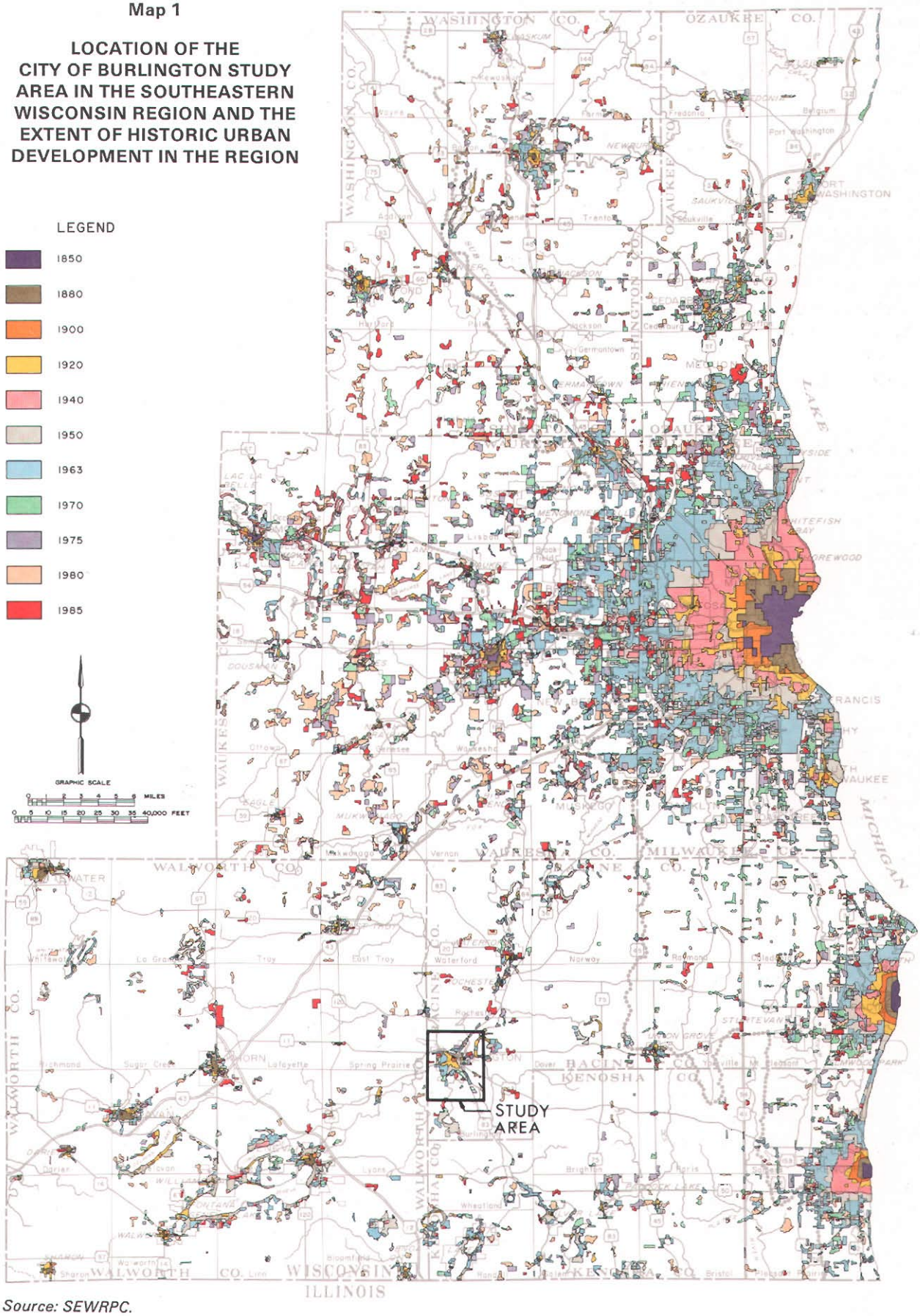
[d]Forecasts based upon sanitary sewer service area.

Source: SEWRPC.

Insofar as possible, each neighborhood unit should be bounded by arterial streets; major park, parkway, or institutional lands; bodies of water; or other natural or cultural features which serve to clearly and physically separate each unit from the surrounding units. The internal street pattern of industrial park neighborhood units should be designed to facilitate ready access by transportation systems, service vehicles, public works service vehicles, and emergency vehicles to the sites within the unit while facilitating the provision of necessary sanitary sewerage, water supply, and stormwater drainage facilities. Importantly, in developing areas, the neighborhood unit concept is intended to facilitate the difficult task of good land subdivision design. The proper relationship of individual subdivisions to areawide features, to existing and proposed land uses, and to other subdivisions can best be achieved through a precise plan for neighborhood unit development.

Map 1

LOCATION OF THE CITY OF BURLINGTON STUDY AREA IN THE SOUTHEASTERN WISCONSIN REGION AND THE EXTENT OF HISTORIC URBAN DEVELOPMENT IN THE REGION



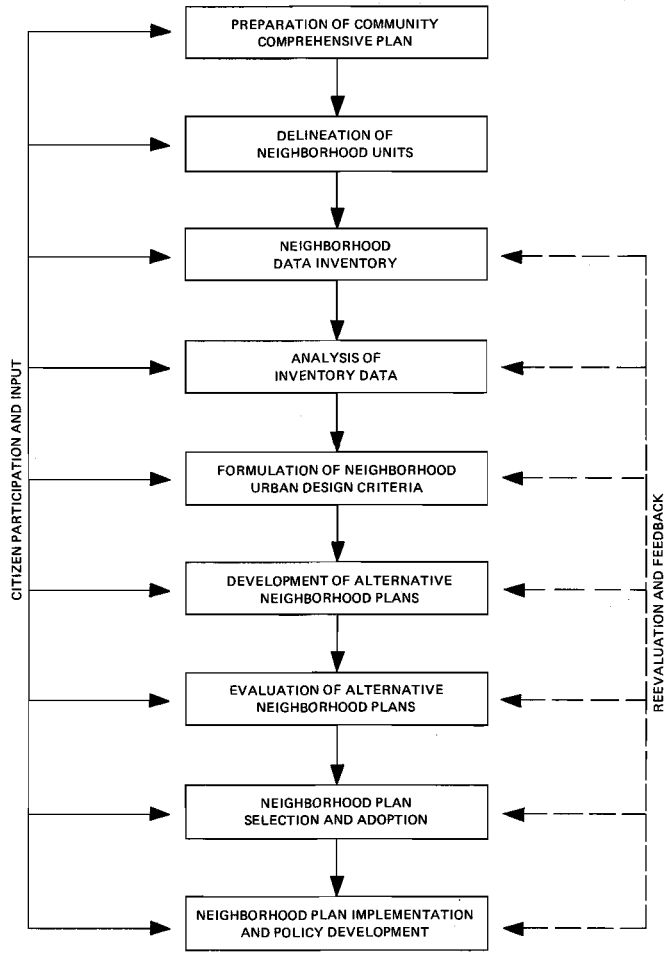
Source: SEWRPC.

Unlike the community comprehensive or master plan, which is necessarily quite general, the plan developed for a neighborhood unit is quite precise. It explicitly depicts alternative development patterns designed to meet such needs as traffic circulation, stormwater drainage, sanitary sewerage, water supply, and a sound arrangement of land uses. Neighborhood unit planning, therefore, must involve careful consideration of such factors as soil suitability, land slopes, drainage patterns, flood hazards, and woodland and wetland cover; existing and proposed land uses in and surrounding the neighborhood unit; and real property boundaries. Although the neighborhood unit concept most readily applies to residential areas, with modifications it can be applied to commercial and industrial areas.

The neighborhood unit development plan, while precise, must nevertheless be flexible. The plan is intended to be used as a standard for evaluating development proposals of private and public agencies as such proposals are advanced over time. It should not be presumed that private developers cannot present plans harmonious with sound convenient development standards, nor that any development plans that are privately advanced and at variance in some respect with the adopted neighborhood plan are necessarily unacceptable. Local planning officials should remain receptive to proposed plan changes which can be shown to be better than the adopted plan, yet compatible with the overall objectives for the development of the neighborhood and the community as a whole.

Figure 1

THE NEIGHBORHOOD PLANNING PROCESS



Source: SEWRPC.

THE NEIGHBORHOOD PLANNING PROCESS

The recommended neighborhood planning process consists of the following steps: 1) preparation of an overall community comprehensive plan; 2) neighborhood delineation; 3) inventory of the factors affecting land use development in the neighborhood area; 4) analysis of inventory data and identification of neighborhood developmental problems and potentials; 5) formulation of neighborhood urban design criteria; 6) development of alternative neighborhood plans; 7) evaluation of alternative neighborhood plans; 8) neighborhood plan selection and adoption; and 9) neighborhood plan implementation and policy development. The neighborhood planning process is outlined in graphic form in Figure 1. Important to the neighborhood planning process is citizen participation. Also important is the need to continually reevaluate alternative neighborhood plans based upon the emergence of new data and citizen input.

The Community Comprehensive Plan

A community should have a comprehensive plan as a basis for the preparation of precise neighborhood unit development plans. A master plan for the City of Burlington was prepared by Mead and Hunt, Inc., Consulting Engineers of Madison, Wisconsin, in 1960. That plan is documented in Burlington Wisconsin Master Plan-1960. The plan included information on Burlington's history and economic and demographic base, and addressed the areas of traffic

circulation, utilities, education, recreation, property identification, and municipal functions, as well as land use. The plan was prepared for the design year 1975 and did not extend much beyond the then-existing corporate limits. The delineation of neighborhood units was not included as part of that plan. The plan contained much information of value and, while now obsolete, was carefully reviewed as a part of the current planning effort in order to incorporate those concepts still held to be valid. Included in the plan was an analysis of historical and forecast population growth in the City; an analysis of transportation within and around the City; an analysis of stormwater drainage patterns, the sanitary sewer system, and the water distribution system; and an analysis of recreational and municipal facilities. The Mead and Hunt plan, however, was not adopted by the City.

Sound planning practice dictates that just as neighborhood plans should be prepared within the framework of community plans, community plans should be prepared within the framework of regional plans. The adopted regional land use plan for the year 2000 as it applies to the City of Burlington and surrounding area is shown on Map 2, together with the delineated Burlington Industrial Park Neighborhood boundary.

Several of the adopted regional plan elements are particularly important to the preparation of a general plan for the City of Burlington and, therefore, to the development of precise neighborhood development plans within the City. These elements are described in the following SEWRPC reports: SEWRPC Planning Report No. 12, A Comprehensive Plan for the Fox River Watershed, which provides information on flooding along the Fox River, White River, and Echo Lake and other hydrologic and hydraulic data pertinent to the sound development of the Burlington Industrial Park Neighborhood; SEWRPC Planning Report No. 38, A Regional Airport System Plan for Southeastern Wisconsin: 2010, which contains recommendations for airport system development; SEWRPC Planning Report No. 22, A Jurisdictional Highway System Plan for Racine County, which contains recommendations for highway system development; Amendment to the Racine County Jurisdictional Highway System Plan—2000, which contains recommendations for revising the Racine County jurisdictional highway system plan for use in the preparation of a new regional highway system plan; SEWRPC Planning Report No. 25, A Regional Land Use Plan and a Regional Transportation Plan for Southeastern Wisconsin: 2000, which contains recommendations for areawide land use and transportation system development and provides a particularly important basis for detailed neighborhood planning in Burlington; SEWRPC Planning Report No. 27, A Regional Park and Open Space Plan for Southeastern Wisconsin: 2000, which contains recommendations for park and open space reservation and development; and SEWRPC Planning Report No. 30, A Regional Water Quality Management Plan for Southeastern Wisconsin: 2000, which contains recommendations for the treatment of sanitary sewage, the sizing of sewage treatment plants, and the location and extent of sanitary sewer service areas. The regional water quality management plan has been refined for the Burlington area as documented in SEWRPC Community Assistance Planning Report No. 78, Sanitary Sewer Service Area for the City of Burlington, Racine County, Wisconsin. The findings and recommendations of these adopted regional plan elements are all reflected as appropriate in the neighborhood unit development plan presented herein.

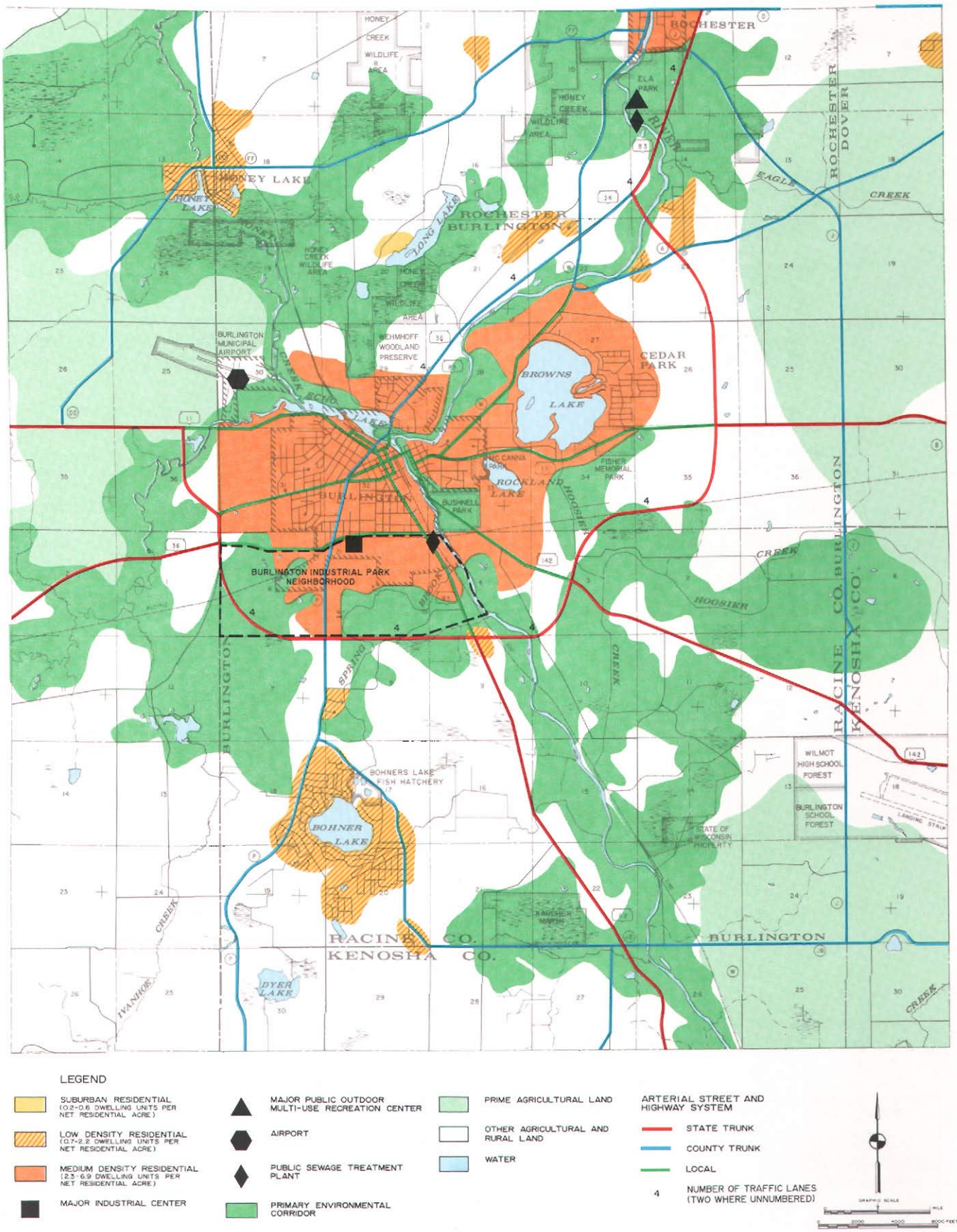
In anticipation of its neighborhood planning program, the City of Burlington in 1973 obtained copies of the Racine County 1 inch equals 200 feet scale, two-foot contour interval topographic maps, prepared to Regional Planning Commission specifications. Data used to determine real property boundary line patterns in the Burlington Industrial Park Neighborhood were compiled by the Southeastern Wisconsin Regional Planning Commission in 1987 from county tax records. The mapping of the real property boundaries upon the previously prepared topographic maps was performed by the Regional Planning Commission in 1987. The resulting topographic and real property boundary data were essential to the preparation of the precise neighborhood unit development plan documented herein.

Neighborhood Delineation

The 13 neighborhood units initially delineated in SEWRPC Community Assistance Planning Report No. 1, Residential, Commercial, and Industrial Neighborhoods—City of Burlington and Environs, were refined and redelineated in the late 1970's by the City into 10 neighborhood

Map 2

SELECTED ELEMENTS OF THE REGIONAL LAND USE, PARK AND OPEN SPACE, AND TRANSPORTATION PLANS FOR THE CITY OF BURLINGTON STUDY AREA: 2000



LEGEND

- SUBURBAN RESIDENTIAL (0.2-0.6 DWELLING UNITS PER NET RESIDENTIAL ACRE)
- LOW DENSITY RESIDENTIAL (0.7-2.2 DWELLING UNITS PER NET RESIDENTIAL ACRE)
- MEDIUM DENSITY RESIDENTIAL (2.3-6.9 DWELLING UNITS PER NET RESIDENTIAL ACRE)
- MAJOR INDUSTRIAL CENTER
- MAJOR PUBLIC OUTDOOR MULTI-USE RECREATION CENTER
- AIRPORT
- PUBLIC SEWAGE TREATMENT PLANT
- PRIMARY ENVIRONMENTAL CORRIDOR
- PRIME AGRICULTURAL LAND
- OTHER AGRICULTURAL AND RURAL LAND
- WATER
- ARTERIAL STREET AND HIGHWAY SYSTEM
  - STATE TRUNK
  - COUNTY TRUNK
  - LOCAL
  - 4 NUMBER OF TRAFFIC LANES (TWO WHERE UNNUMBERED)

Source: SEWRPC.

units—Browns Lake East Neighborhood, Browns Lake North Neighborhood, Browns Lake West Neighborhood, Burlington Industrial Park Neighborhood, Echo Lake Neighborhood, Hoosier Creek Neighborhood, Quarry Ridge Neighborhood, Spring Brook Neighborhood, Village Center Neighborhood, and White River Neighborhood. The neighborhood units, as initially identified in 1973, were based upon the first generation regional land use, sanitary sewerage, and transportation system plans in effect at that time. However, since 1973 significant changes have been made to these plans as they pertain to the Burlington area. For example, three of the original 13 delineated neighborhoods were eliminated from further consideration since the areas in which they were located were not planned for public sanitary facility service in the foreseeable future. While none of these changes significantly affect the Burlington Industrial Park Neighborhood, such changes do affect most of the other delineated neighborhoods. Accordingly, subsequent planning efforts in the City should be based upon the new and most recent regional land use, sanitary sewerage system, and transportation system plans.

Inventory and Analysis

The sound formulation of a neighborhood unit plan requires that factual data be developed—in addition to information on topography and real property boundary lines and ownerships—on the existing land use pattern; on the potential ultimate demand for each of the various major land use categories; and on the major determinants of these ultimate demands, as well as on the underlying natural resource and public utility base and its ability to support land use development.

The necessary inventories and analyses not only provide data describing existing conditions, but also provide a basis for identifying existing and potential problems in the planning area. The inventory data are also crucial to the forecasting of ultimate neighborhood land use needs, to formulating alternative neighborhood development plans, and to evaluating such plans.

Urban Design Criteria

Urban design criteria serve as a guide to the preparation of alternative neighborhood plans. Urban design criteria consist of a body of information which can be applied to the development of a solution or solutions to a specific design problem or set of problems and are of a high level of specificity. The neighborhood plan presented herein was related, in terms of physical design, to the attendant urban design criteria as set forth in Chapter III of this report.

Development of Alternative Neighborhood Plans

In the neighborhood planning effort, data regarding the ultimate design population and employment levels for the neighborhood unit must be considered and used to determine, in part, the ultimate land use pattern of the neighborhood unit. The ultimate design population and employment levels should be accommodated in each of the alternative plan designs for the neighborhood unit, as well as in the recommended plan.

Plan Evaluation and Selection

Alternative neighborhood plans should be evaluated based upon their relative ability to attain the agreed-upon neighborhood unit development objectives. Such evaluation involves the use of data obtained during the inventory and analysis stages of the neighborhood planning process, and of the results of the alternative plan preparation process. In addition, the neighborhood plan evaluation and selection process requires that citizen desires be considered prior to the selection and adoption of a neighborhood plan. These aspects are accommodated at public hearings on the alternative plans and the recommended plan.

Neighborhood Plan Implementation

Implementation of the recommended neighborhood plan presented herein will require the use of several legal planning tools. A zoning ordinance and accompanying zoning map should be used to determine the type and intensity of land use permissible to carry out the intent of the neighborhood plan. Subdivision regulations governing the review and approval of plats and certified survey maps should specify standards to be followed in the design of new streets, blocks, and lots, and in the provision of infrastructure improvements in conformance with the plan. An official map should be used to protect and preserve in advance of development the rights-of-way and site boundaries for streets, highways, waterways, and parkways, and the location and extent of railway rights-of-way, public transit facilities, parks, and playgrounds proposed in the neighborhood plan. The implementation of the neighborhood plan can also be promoted through

the promulgation of relevant public policies. The policies should be based upon the desired objectives of the plan and the effective attainment of those objectives over time.

BURLINGTON INDUSTRIAL PARK NEIGHBORHOOD LOCATION AND BOUNDARIES

The Burlington Industrial Park Neighborhood is located in the southern portion of the Burlington area. The neighborhood occupies portions of U. S. Public Land Survey Sections 4, 5, and 6 of Township 2 North, Range 19 East, Racine County, as shown on Map 2. The proposed Burlington Industrial Park Neighborhood is bounded on the north by both the Wisconsin Central Limited railway right-of-way and the proposed extension of W. Market Street; on the south generally by the south lines of U. S. Public Land Survey Sections 5 and 6; on the east by the Fox River; and on the west generally by the west line of U. S. Public Land Survey Section 6. The total area of the Burlington Industrial Park Neighborhood is 1,359 acres. Of this total area, 379 acres, or about 28 percent, lie within the City of Burlington, and 980 acres, or about 72 percent, lie within the Town of Burlington.

Chapter II

INVENTORY FINDINGS AND ANALYSIS

INTRODUCTION

Reliable planning and engineering data are essential to the formulation of workable development plans. Consequently, inventory becomes the first operational step in any planning process. The formulation of a neighborhood development plan requires that factual data be developed on the existing characteristics of the neighborhood area, including the topography and surface drainage patterns, the existence of any areas subject to special hazards such as flooding, the extent of woodlands and wetlands, the existing land use, the real property ownership, the community utilities and facilities, the street and highway facilities, and the soils.

TOPOGRAPHY AND SURFACE DRAINAGE

Map 3 shows the topography, surface drainage patterns, floodlands, and wetland areas in the Burlington Industrial Park Neighborhood in 1985. The area is marked by rolling to steep terrain, with a maximum local relief of approximately 100 feet.

The neighborhood is located within the Fox River watershed, and also lies in the Middle Fox River and Lower Fox River subwatersheds, and in the White River subwatershed, as indicated on Map 3. Stormwater from the Middle Fox River subwatershed generally flows to the east; from the Lower Fox River subwatershed to the northeast; and from the White River subwatershed to the west. The general pattern of stormwater runoff in each of these subwatersheds is graphically shown on Map 3.

Floodlands

The floodlands of a river or stream are the wide, gently sloping areas contiguous with, and usually lying on both sides of, a river or stream channel. Rivers and streams occupy their channels most of the time. However, during even minor flood events, stream discharges increase markedly such that the channel is not capable of conveying all of the flow. As a result, stages increase and the river or stream spreads laterally over the floodlands. The periodic flow of a river onto its floodlands is a normal phenomenon, and in the absence of major, costly structural flood control works will occur regardless of whether or not urban development is permitted on the floodlands. More specifically, for planning and regulatory purposes, floodlands are normally defined as the areas, excluding the channel, subject to inundation by the 100-year recurrence interval flood event. This is the event that may be expected to be reached or exceeded in severity once on the average of every 100 years. Stated another way, there is a 1 percent chance that this event will be reached or exceeded in severity in any given year. The 100-year recurrence interval floodland contains within its boundaries the areas inundated by floods of less severe but more frequent occurrence, such as the 50-, 25-, 10-, and 5-year recurrence interval events. Floodland areas are generally not well suited to urban development because of flood hazards, high water tables, and inadequate soils. Floodland areas are, however, generally prime locations for needed park and open space areas.

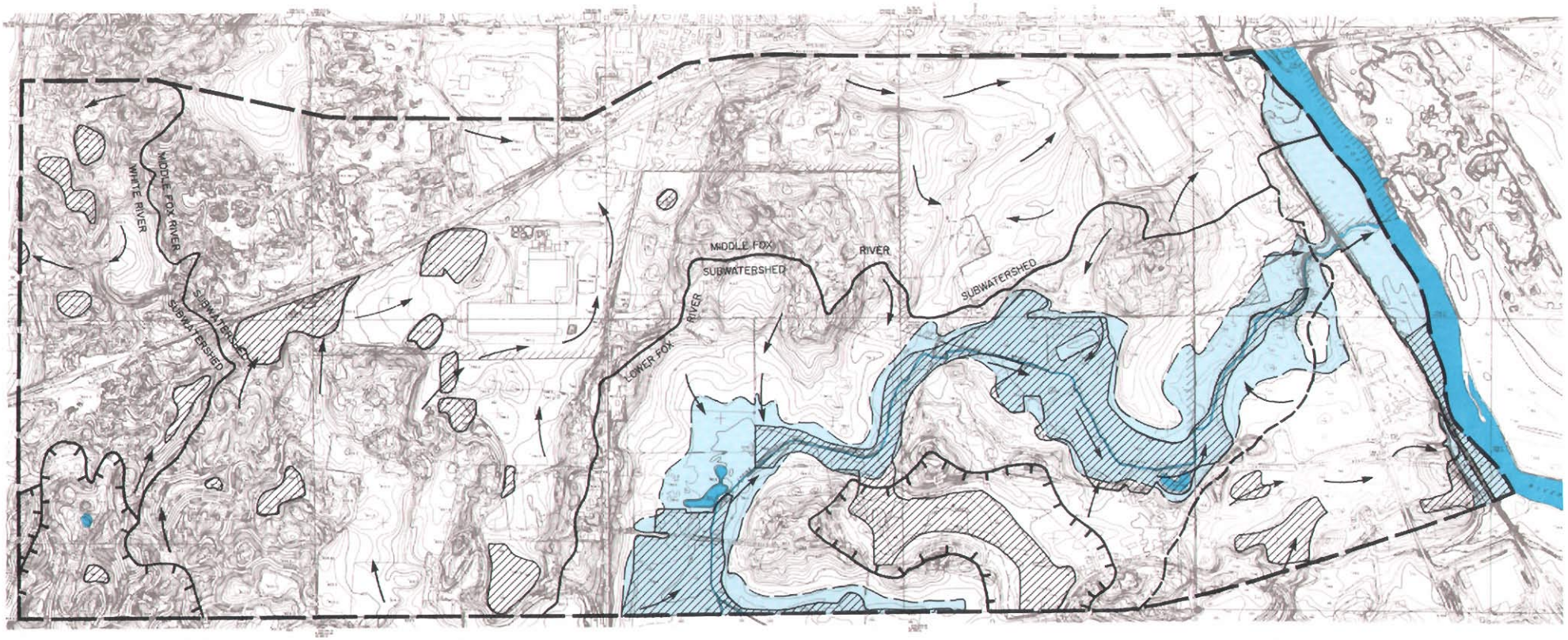
Within the Burlington Industrial Park Neighborhood, 100-year recurrence interval floodlands are located along both the Fox River on the eastern boundary of the neighborhood and along Spring Brook located in the south-central portion of the neighborhood, as indicated on Map 3. In 1985, the approximately 179 acres of floodlands in the Burlington Industrial Park Neighborhood accounted for about 13 percent of the neighborhood.

Wetlands

Wetlands are areas that are inundated or saturated by surface or groundwater at a frequency and with a duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands include swamps, marshes, bogs, and similar areas. Precipitation provides water to wetlands falling as either rain or snow, becoming surface water runoff or percolating through the soil to become groundwater seepage. Wetlands may receive mostly surface water (direct precipitation, overland flow, or lake and flood waters) or mostly groundwater (precipitation that infiltrates and moves through the ground). Surface

Map 3

TOPOGRAPHY, SURFACE DRAINAGE, WETLAND AREAS, AND WATERSHED FEATURES IN THE BURLINGTON INDUSTRIAL PARK NEIGHBORHOOD: 1985



LEGEND

- CONTOUR LINE (2 FOOT INTERVAL)
- NEIGHBORHOOD BOUNDARY
- SUBWATERSHED BOUNDARY
- SUBBASIN BOUNDARY
- AREA OF INTERNAL DRAINAGE
- DIRECTION OF SURFACE DRAINAGE FLOW
- SURFACE WATER
- WETLAND
- 100-YEAR RECURRENCE INTERVAL FLOODLANDS

GRAPHIC SCALE
0 400 800 1200 FEET

Source: SEWRPC.

water inflow is usually of short duration, whereas groundwater inflow is usually continuous. Where the wetland sits in the landscape affects the type of water it receives. Wetlands can occur in depressions or on slopes.

Wetlands have an important set of common, natural functions which make them valuable resources for the Burlington area. These resource values can be summarized as follows:

1. Wetlands affect the quality of water. Aquatic plants change inorganic nutrients such as phosphorous and nitrogen into inorganic material, storing it in their leaves or in the peat which is composed of their remains. The stems, leaves, and roots of these plants also slow the flow of water through a wetland, allowing the silt to settle out as well as catching some of it themselves. Thus, the removal of wetlands causes faster runoff and influences the quantity of runoff. Consequently, wetlands protect the downstream or offshore water resources from siltation and pollution.

2. Wetlands also influence the quantity of water runoff. As stated above, they act to retain water during dry periods and hold it back during floods, thus keeping the water table high and relatively stable.

3. Wetlands are important resources for overall environmental health and diversity. They provide essential breeding, nesting, resting, and feeding grounds and predator escape cover for many forms of wildlife. These factors have the social value of providing general environmental health, as well as opportunities for recreational, research, and educational activities, while enhancing the aesthetics of the community.

4. Wetlands may serve as groundwater recharge and discharge areas.

Recognizing the many environmental attributes of wetland areas, continued efforts should be made to protect this resource by discouraging costly, both in monetary and environmental terms, wetland draining, filling, and urbanization. The approximately 142 acres of wetlands located in the Burlington Industrial Park Neighborhood in 1985 totaled about 10 percent of the neighborhood. The greatest concentration of wetlands in the neighborhood is located in the south-central portion of the neighborhood, as shown on Map 3.

SOILS

Soil properties exert a strong influence on the manner in which man uses land. Therefore, a soil suitability survey of the Burlington Industrial Park Neighborhood has been conducted, mapping the geographic location of various soils in the neighborhood, and providing information on the characteristics of each soil type and on the suitability of each of the soil types for industrial uses.

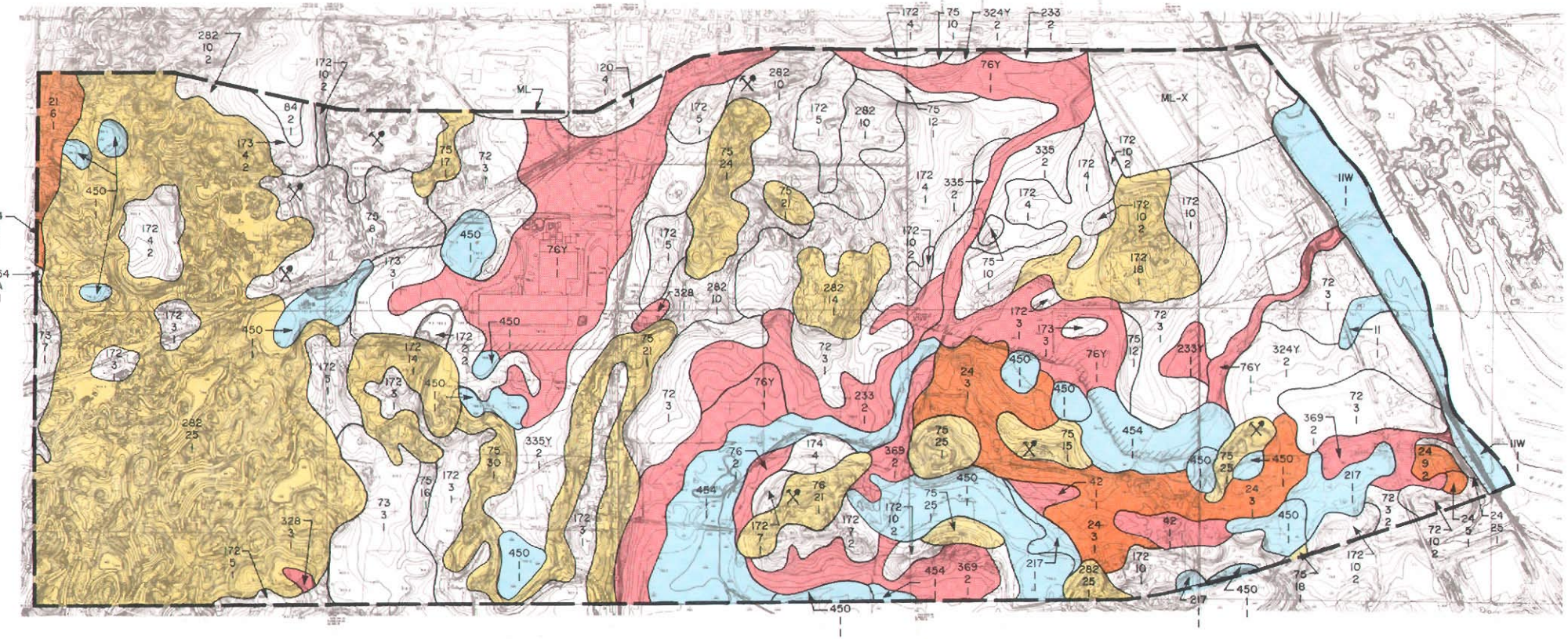
Pertinent Soil Characteristics

Twenty-eight types of soils have been identified within the Burlington Industrial Park Neighborhood. These soils, along with selected characteristics, are shown on Map 4 and summarized in Table 2. The most prevalent type of soil in the neighborhood is the Casco loam, which covers about 23 percent of the total area of the neighborhood. The second most prevalent soil type is the Casco-Rodman loams, which cover about 12 percent of the neighborhood. Table 2 and Map 4 indicate that large areas of the Burlington Industrial Park Neighborhood are covered by soils that area not well suited for urban development. Table 2 indicates that approximately 365 acres, or about 27 percent of the neighborhood, have soils with a slope of 12 percent or greater, or are lands having soils that may be erosive; that about 188 acres, or 14 percent of the neighborhood, have soils with a fluctuating or high water table or that are subject to ponding, overflow runoff, or overwash hazard; that about 167 acres, or about 12 percent of the neighborhood, have soils that are swamps, marshes, organic materials, or soils subject to flooding or overflow; and that about 80 acres, or about 6 percent of the neighborhood, have soils that have a slow permeability rate.

Table 3 lists all the soils found in the Burlington Industrial Park Neighborhood and indicates the suitability of these soils for light industrial and commercial buildings. The term "moderate limitation" indicates that the soil has limitations for the indicated use, but ones that can normally be overcome with proper planning, careful design, and average management. The term "severe limitations" indicates that the soil has limitations that are difficult and costly to

Map 4

SELECTED CHARACTERISTICS OF SOILS IN THE BURLINGTON INDUSTRIAL PARK NEIGHBORHOOD



LEGEND

- NEIGHBORHOOD BOUNDARY
- 172 — SOIL TYPE DESIGNATION
- 4 — PERCENT SLOPE
- I — EROSION FACTOR
- SWAMPS, MARSHES, ORGANIC MATERIALS, OR SOILS THAT ARE SUBJECT TO FLOODING OR OVERFLOW
- SOILS THAT HAVE A FLUCTUATING OR HIGH WATER TABLE OR ARE SUBJECT TO PONDING, OVERWASH, OR RUNOFF HAZARD
- SOILS THAT HAVE A SLOW PERMEABILITY RATE
- SOILS THAT HAVE A SLOPE OF 12 PERCENT OR GREATER
- OTHER SOILS

GRAPHIC SCALE
0 400 800 1200 FEET

Source: SEWRPC.

Table 2

SELECTED CHARACTERISTICS OF SOILS IN THE BURLINGTON INDUSTRIAL PARK NEIGHBORHOOD

Characteristic	Area Covered in Acres	Percent of Total
Swamps, marshes, organic materials, or soils subject to flooding or overflow	166.8	12.3
Soils that have a fluctuating or high water table or that are subject to ponding, overflow runoff, or overwash hazard	188.2	13.8
Soils that have a slow permeability rate	79.9	5.9
Soils that are underlain by shallow bedrock or in which filter fields are subject to siltation or the groundwater table is subject to contamination	--	--
Lands having a slope of 12 percent or greater and where soils may be erosive	365.0	26.9
All other soils	559.1	41.1
Total	1,359.0	100.0

Source: SEWRPC.

overcome and which require extraordinary planning, design, and management. The term "very severe limitations" indicates that development of the soil for the uses indicated will entail costs that are generally prohibitive, and major soil reclamation work will generally be required. About 11 percent of the soils in the neighborhood have very severe limitations for light industrial and commercial buildings, while about 42 percent of the soils exhibit severe limitations for light industrial and commercial buildings. These soils are scattered throughout the lower lying areas of the neighborhood. Map 5 shows the location and extent of soils in the neighborhood with severe or very severe limitations for commercial and industrial buildings.

WOODLANDS

Woodlands have important values beyond any potential monetary return from forest products. With good management, woodlands can serve a variety of uses and provide a number of important benefits. The quality of life within an area is greatly influenced by the overall quality of the environment, as measured in terms of clean air, clean water, scenic beauty, and diversity. In addition to contributing to clean air and water, woodlands can contribute to the scenic beauty of an area and to the maintenance of a diversity of plant and animal life in association with human life. Importantly, woodlands can add substantial value to industrial areas, and their preservation should, therefore, be carefully considered in the design of such areas. The existing woodlands of the area, which required a century or more to develop, can be destroyed through mismanagement within a comparatively short time. Such deforestation increases stormwater runoff, contributes to flooding and the siltation of lakes and streams, and destroys wildlife habitat. Woodlands should be maintained for their total values: scenic, wildlife habitat and open space, educational and recreational, and air and water quality protection and enhancement.

Woodlands in the Burlington Industrial Park Neighborhood in 1985 occupied a combined area of about 341 acres, or about 25 percent of the neighborhood. The woodlands are a particularly valuable resource of the neighborhood. Therefore, the preservation and wise use of these woodlands should be carefully considered in any neighborhood development planning.

Table 3

LIMITATIONS OF SOILS FOR LIGHT INDUSTRIAL AND COMMERCIAL DEVELOPMENT FOR SOILS SERIES FOUND IN THE BURLINGTON INDUSTRIAL PARK NEIGHBORHOOD

SEWRPC Symbol	Soil Name	Limitation for Light Industrial and Commercial Buildings	Area Covered in Acres	Percent of Neighborhood
11	Alluvial land	Severe—low bearing capacity; flood hazard; frost heave	2.9	0.2
11W	Alluvial land, wet	Very severe—high water table; frequent overflow	24.5	1.8
21	Hebron loam	Moderate—high shrink-swell potential; high compressibility; low shear strength	11.7	0.8
24	Hebron silt loam	Moderate—high shrink-swell potential; high compressibility; low shear strength	68.2	5.0
42	Tichigan silt loam	Severe—high water table; high shrink-swell potential; low bearing capacity; erosive on slopes	10.5	0.7
72	Fox loam	Slight on 0 to 6 percent, moderate on 6 to 12 percent, and severe on steeper slopes; erosive on slopes	142.3	10.4
73	Fox silt loam	Slight on 0 to 6 percent, moderate on 6 to 12 percent, and severe on steeper slopes; erosive on slopes	32.1	2.4
75	Rodman gravelly loam	Slight on 0 to 6 percent, moderate on 6 to 12 percent, and severe on steeper slopes; erosive on slopes; stony in places	102.6	7.6
76	Sebewa silt loam	Severe—high water table	2.3	0.1
76Y	Sebewa silt loam, loam substratum	Severe—high water table; occasional overflow; frost heave	121.8	8.9
84	Ockley silt loam	Slight on 0 to 6 percent and moderate on 6 to 12 percent slopes; erosive on slopes; frost heave	2.3	0.1
120	Warsaw loam	Slight on 0 to 6 percent, moderate on 6 to 12 percent, and severe on steeper slopes; erosive on slopes; frost heave	5.8	0.4
172	Casco loam	Slight on 0 to 6 percent, moderate on 6 to 12 percent, and severe on steeper slopes; erosive on slopes; cuts difficult to vegetate	312.0	22.9
173	Casco silt loam	Slight on 0 to 6 percent, moderate on 6 to 12 percent, and severe on steeper slopes; erosive on slopes; cuts difficult to vegetate	18.7	1.3

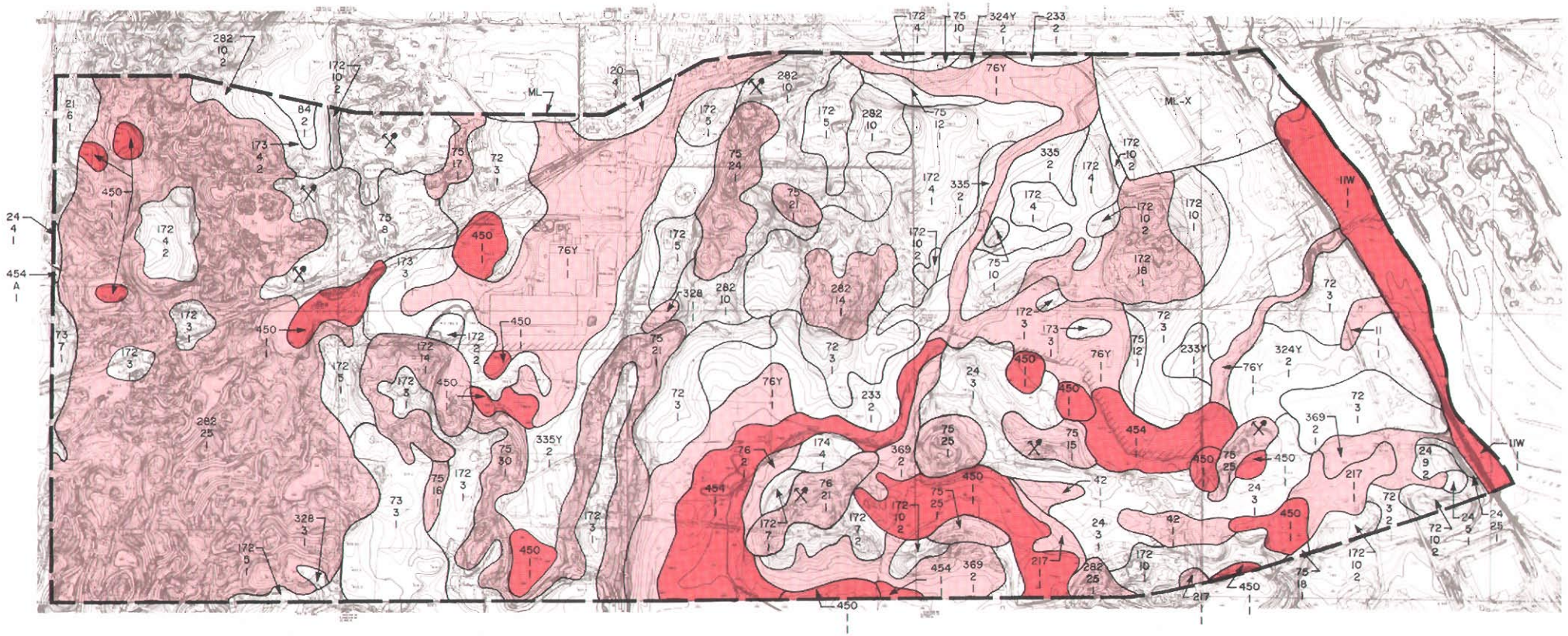
Table 3 (continued)

SEWRPC Symbol	Soil Name	Limitation for Light Industrial and Commercial Buildings	Area Covered in Acres	Percent of Neighborhood
217	Bono silty clay loam	Severe—high water table; high shrink-swell potential; low bearing capacity; low shear strength	9.9	0.7
233	Matherton silt loam	Moderate—high water table; frost heave	28.0	2.0
233Y	Matherton silt loam, loam substratum	Moderate—high water table; frost heave	2.9	0.2
282	Casco-Rodman loams	Slight on 0 to 6 percent, moderate on 6 to 12 percent, and severe on steeper slopes; erosive on slopes; stony in places	170.2	12.4
324Y	Ionia loam	Slight—high water table; erosive on slopes	25.7	1.9
328	Pistakee silt loam	Severe—high water table; low bearing capacity; piping; occasional overflow	2.9	0.2
335	Ionia silt loam	Slight on 0 to 6 percent and moderate on 6 to 12 percent slopes; high water table for short periods; erosive on slopes	2.9	0.2
335Y	Ionia silt loam, loam substratum	Slight—erosive on slopes; high water table for short periods; frost heave	35.6	2.6
369	Mosel silt loam	Severe—high water table; high shrink-swell potential; low bearing capacity; low shear strength; high compressibility	19.8	1.4
450	Houghton muck	Very severe—erosive; high compressibility and instability; high water table	66.5	4.8
454	Palms muck	Very severe—erosive; high compressibility and instability; high water table	63.0	4.6
ML	Filled Areas or made land	- -	17.5	1.3
ML-X	Filled areas or made land—sand and gravel	- -	26.8	2.9
	Gravel pit	- -	29.6	2.2
Total	- -	- -	1,359.0	100.0

Source: SEWRPC.

Map 5

SOIL LIMITATIONS FOR LIGHT INDUSTRY AND COMMERCIAL BUILDINGS IN THE BURLINGTON INDUSTRIAL PARK NEIGHBORHOOD



LEGEND

- NEIGHBORHOOD BOUNDARY
- 172 SOIL TYPE DESIGNATION
- 4 PERCENT SLOPE
- I EROSION FACTOR
- SOILS HAVING VERY SEVERE LIMITATIONS
- SOILS HAVING SEVERE LIMITATIONS
- OTHER SOILS

GRAPHIC SCALE
0 400 800 1200 FEET

Source: SEWRPC.

DELINEATION OF ENVIRONMENTALLY SIGNIFICANT AREAS

Environmental corridors are defined by the Regional Planning Commission as linear areas in the landscape containing concentrations of high-value elements of the natural resource base. Preservation of the natural resource base and natural resource-related elements, especially where these elements are concentrated in identifiable geographic areas, is essential to the maintenance of the overall environmental quality of an area, to the continued provision of certain amenities that provide a high quality of life for the resident population, and to the avoidance of excessive costs associated with the development, operation, and maintenance of urban land uses.

Seven elements of the natural resource base are considered by the Regional Planning Commission to be essential to the maintenance of the ecological balance and overall quality of life in an area. These elements are: 1) lakes, rivers, streams and the associated undeveloped shorelands and floodlands; 2) wetlands; 3) areas covered by wet, poorly drained, and organic soils; 4) woodlands; 5) wildlife habitat areas; 6) rugged terrain and high-relief topography having slopes exceeding 12 percent; and 7) prairies. Five of these seven elements of the natural resource base, as they occur in the neighborhood, have been described earlier in this chapter. Wildlife habitat is related to wetlands and woodland areas and need not, for neighborhood planning purposes, be considered separately from such uses. Prairies were not included in the analyses, as there are no data indicating the presence of prairies in the Burlington Industrial Park Neighborhood.

The environmental corridors and other environmentally significant areas in the neighborhood were delineated using the following criteria:

1. Point values between 1 and 20 were assigned to each natural resource and resource-related element. These point values were based on the premise that those elements having intrinsic natural resource values and a high degree of natural diversity should be assigned relatively high point values, whereas elements having only implied natural values should be assigned relatively low point values. These values for each element of corridor are shown in Table 4.

2. Each element was then depicted on 1 inch equals 400 feet scale, ratioed and rectified aerial photographs, or on 1 inch equals 400 feet scale base maps of the study area.

3. Cumulative point values were totaled for all areas of the Burlington Industrial Park Neighborhood containing natural resource-related elements.

4. Environmental corridors were then delineated based on the following criteria, as indicated in Table 5.

    a. Areas having a point value of 10 or greater, with a minimum area of 400 acres and a minimum length of two miles, were designated as primary environmental corridors. There were approximately 549 acres of primary environmental corridors delineated in the Burlington Industrial Park Neighborhood in 1985, representing about 40 percent of the total neighborhood, as shown on Map 6.

    b. Areas having point values of 10 or greater, with a minimum area of 100 acres and a minimum length of one mile, were designated as secondary environmental corridors. There were only six acres of secondary environmental corridors delineated in the Burlington Industrial Park Neighborhood in 1985, representing only about 0.4 percent of the total neighborhood.

    c. Isolated areas having point values of 10 or greater, with a minimum area of five acres, were designated as isolated natural areas. There were only six acres of isolated natural areas delineated in the Burlington Industrial Park Neighborhood in 1985, representing only about 0.4 percent of the neighborhood, as shown on Map 6.

It is important to note in this report that because of the many interlocking and interacting relationships that exist between living organisms and their environment, the destruction or deterioration of any one element of the total natural resource base may lead to a chain reaction of

Table 4

POINT VALUES FOR NATURAL RESOURCE AND NATURAL RESOURCE BASE-RELATED ELEMENTS

Resource Base or Related Element	Point Value
Natural Resource Base	
Lake	
Major (50 acres or more)	20
Minor (5-49 acres)	20
Rivers or Streams (perennial)	10
Shoreland	
Lake or Perennial River or Stream	10
Intermittent Stream	5
Floodland (100-year recurrence interval)	3
Wetland	10
Wet, Poorly Drained, or Organic Soil	--[a]
Woodland	10
Wildlife Habitat	
High Value	10
Medium Value	7
Low Value	5
Steep Slope	
20 Percent or Greater	7
12 to 19 Percent	5
Prairie	10
Natural Resource Base-Related	
Existing Park or Open Space Site	
Rural Open Space Site[b]	5
Other Park or Recreation Site	2
Potential Park Site	
High Value	3
Medium Value	2
Low Value	1
Historic Site	
Structural	1
Other Cultural	1
Archaeological	2
Scenic Viewpoint (combined with area of steep slope)	5
Natural and Scientific Area	
State Scientific Area	15
Natural Area of Statewide or Greater Significance	15
Natural Area of Countywide or Regional Significance	10
Natural Area of Local Significance	5

[a]Point values were not assigned for wet, poorly drained, or organic soils. The determination of these types of soils as part of environmental corridors is discussed in "Refining the Delineation of Environmental Corridors in Southeastern Wisconsin," Technical Record, Vol. 4, No. 2, 1981.

[b]Includes publicly owned forests and wildlife management areas.

Source: SEWRPC.

Table 5

MINIMUM REQUIREMENTS FOR CLASSIFICATION OF PRIMARY ENVIRONMENTAL CORRIDORS, SECONDARY ENVIRONMENTAL CORRIDORS, AND OTHER ENVIRONMENTALLY SIGNIFICANT LANDS

Classification	Minimum Cumulative Point Value	Minimum Area (acres)	Minimum Length (miles)
Primary Environmental Corridor	10	400	2
Secondary Environmental Corridor[a]	10	100	1
Isolated Natural Area	10	5	--

[a]*Secondary environmental corridors may serve to connect primary corridor segments or be linked to primary environmental corridor segments, particularly when they are related to surface drainage (no minimum area or length requirements).*

Source: SEWRPC.

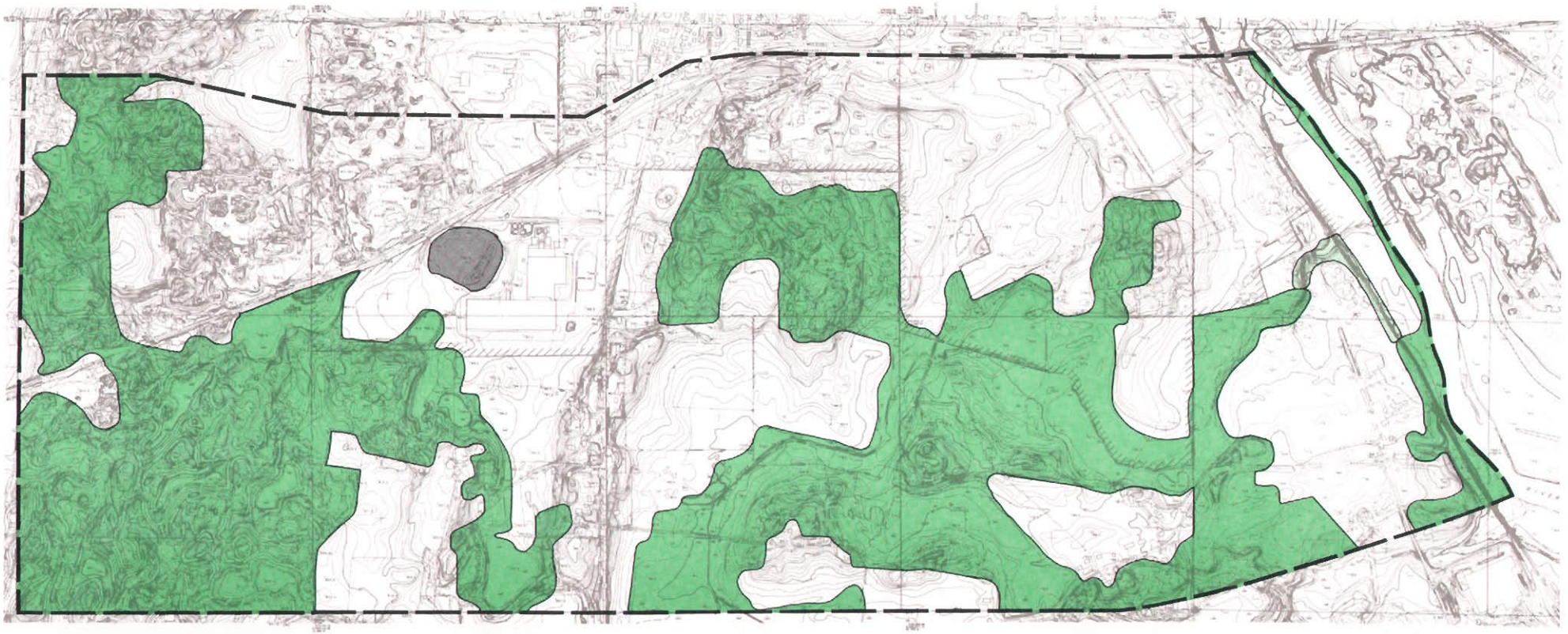
deterioration and destruction. The draining and filling of wetlands, for example, may destroy fish spawning grounds, wildlife habitat, groundwater recharge areas, and the natural filtration action and floodwater storage functions which contribute to maintaining high levels of water quality and stable streamflows and lake stages in a watershed. The resulting deterioration of surface water quality may, in turn, lead to the deterioration of the quality of the groundwater which serves as a source of domestic, municipal, and industrial water supply and on which low flows in rivers and streams may depend. Similarly, the destruction of woodland cover may result in soil erosion and stream siltation and more rapid stormwater runoff and attendant increased flood flows and stages, as well as the destruction of wildlife habitat. Although the effects of any one of these environmental changes may not in and of itself be overwhelming, the combined effects will eventually create serious environmental and developmental problems. These problems include flooding, water pollution, deterioration and destruction of wildlife habitat, loss of groundwater recharge, and destruction of the unique natural beauty of the area. The need to maintain the integrity of the remaining environmental corridors and environmentally significant lands thus becomes apparent.

The adopted regional land use plan accordingly recommends that all remaining primary environmental corridors be maintained in essentially natural, open uses, which may, in some cases, include limited agricultural and low-density residential uses, and certain other urban uses. As already noted, there were about 549 acres of primary environmental corridor areas in the Burlington Industrial Park Neighborhood in 1985, representing about 40 percent of the total neighborhood area.

The adopted regional land use plan also recommends that as the urban planning process proceeds at the local level, all remaining secondary environmental corridors and high-value isolated natural areas be considered for preservation in essentially open uses as drainageways and parks. Thus, the consideration of potential open space uses and the careful integration of isolated natural areas into the urban fabric is important to the planning of the Burlington Industrial Park Neighborhood. The combined total area of secondary environmental corridors

Map 6

ENVIRONMENTAL CORRIDORS AND ISOLATED NATURAL AREA IN THE BURLINGTON INDUSTRIAL PARK NEIGHBORHOOD: 1985



LEGEND

- NEIGHBORHOOD BOUNDARY
- PRIMARY ENVIRONMENTAL CORRIDOR
- SECONDARY ENVIRONMENTAL CORRIDOR
- ISOLATED NATURAL AREA

GRAPHIC SCALE

0 400 800 1200 FEET

Source: SEWRPC.

and isolated natural areas in the Burlington Industrial Park Neighborhood is about 12 acres, or about 8 percent of the neighborhood.

EXISTING LAND USE

Pertinent data on the existing land uses within the Burlington Industrial Park Neighborhood, as of April 1985, are provided on Map 7 and in Table 6. The largest land use category in the neighborhood is agricultural, open, and unused lands, occupying about 481 acres, or about 35 percent of the total 1,359-acre neighborhood. The second largest land use in the neighborhood is woodlands, with the existing woodland areas located in the central and western portions of the neighborhood and, as indicated above, occupying about 341 acres, or over 25 percent of the total neighborhood. The third largest land use is industrial, located in the northern portions of the neighborhood and occupying about 217 acres, or about 16 percent of the total neighborhood. The fourth largest land use is wetlands, located predominantly in the south-central portion of the neighborhood and, as indicated above, occupying about 142 acres, or about 10 percent of the total neighborhood. Residential land uses are of the single-family type and are located predominantly adjacent to CTH P, Spring Valley Road, Yahnke Road, STH 83, and in a single-family residential subdivision located adjacent to STH 83 on the east side of the neighborhood. Residential land uses, however, occupy only about 58 acres, or a little over 4 percent of the entire neighborhood.

EXISTING ZONING

Land use development within that part of the Burlington Industrial Park Neighborhood located in the City of Burlington is regulated by the City of Burlington Zoning Ordinance (Chapter 17 of the Municipal Code). Nine of the 21 zoning districts provided in the city ordinance were being applied within the neighborhood in 1986. Land use development within that part of the Burlington Industrial Park Neighborhood located in the Town of Burlington is regulated by the Town of Burlington Zoning Ordinance (Racine County Zoning Ordinance). Eight of the 27 zoning districts provided in the town ordinance have been applied within the neighborhood. The boundaries of these districts, together with the City of Burlington corporate limit lines in 1986, are shown on Map 8. Pertinent information regarding the regulations governing each of these 17 zoning districts is set forth in Table 7. Approximately 567 acres, or about 42 percent of the neighborhood, is currently zoned for industrial uses. Approximately 705 acres, or about 52 percent, is zoned for residential uses. The recommended neighborhood unit plan presented later in this report is intended to provide a basis for the redistricting of the neighborhood into zoning districts which are more suitable to achieving the regional and local development objectives, as expressed in the plan and presented in Chapter IV of this report.

NEIGHBORHOOD PUBLIC UTILITIES

Public utility systems are one of the most important elements influencing community growth and development. Moreover, certain utility facilities are closely linked to the surface water and groundwater resources of the area, and may, therefore, affect the overall quality of the natural resource base. This is particularly true of sanitary sewerage, water supply, and stormwater drainage facilities, which are in a sense modifications of, or extensions to, the natural lake, stream, and watercourse system of the area and of the underlying groundwater reservoir. Knowledge of the location and capacities of these utilities is, therefore, essential to intelligent land use planning for the neighborhood.

Sanitary Sewer

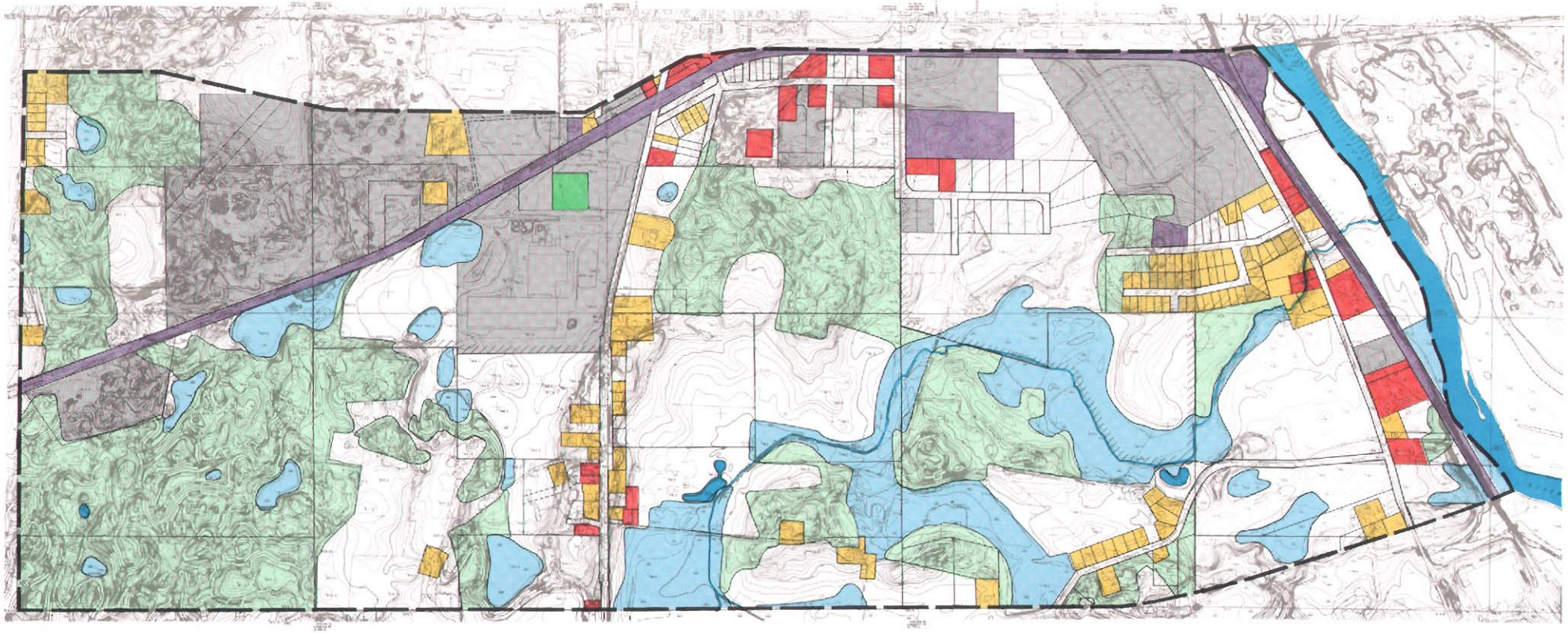
In 1985, approximately 230 acres in the neighborhood, or about 17 percent of the total area of the neighborhood, were served by centralized sanitary sewer facilities, or were capable of being served by such facilities in the near future, as shown on Map 9. The treatment and disposal of sanitary sewage in other parts of the neighborhood were provided by onsite soil absorption sewage disposal systems.

Water Supply

In 1985, about 217 acres in the neighborhood, or about 16 percent of the total area of the neighborhood, were served by public water supply facilities, as shown on Map 10. This area includes lands that are capable of being readily served by existing municipal water supply facilities, as well as lands actually served by such facilities. In other areas of the neighborhood, water was supplied by private onsite wells.

Map 7

EXISTING LAND USE IN THE BURLINGTON INDUSTRIAL PARK NEIGHBORHOOD: 1985



LEGEND

- NEIGHBORHOOD BOUNDARY
- CITY OF BURLINGTON CORPORATE LIMITS : 1985
- EXISTING PROPERTY BOUNDARY : 1989
- SINGLE FAMILY RESIDENTIAL
- RESIDENTIAL LAND UNDER DEVELOPMENT
- COMMERCIAL
- INDUSTRIAL
- RAILWAYS AND UTILITIES
- AGRICULTURAL AND OTHER OPEN LANDS
- WOODLANDS
- WETLANDS
- WATER
- RECREATION

GRAPHIC SCALE

0 400 800 1200 FEET

Source: SEWRPC.

Table 6

EXISTING LAND USE IN THE BURLINGTON INDUSTRIAL PARK NEIGHBORHOOD: 1985

Land Use Category	Number of Acres	Percent of Neighborhood
Urban[a]		
Residential		
Single-Family	58.2	4.3
Under Development	3.7	0.2
Commercial	22.9	1.7
Industrial		
Manufacturing and Related Services	135.8	10.0
Extractive	81.2	6.0
Recreational[b]	2.8	0.2
Transportation and Utilities		
Railways and Utilities	48.9	3.6
Streets and Highways	39.9	2.9
Urban Subtotal	393.4	28.9
Rural		
Natural Areas		
Woodlands	341.0	25.1
Wetlands	141.5	10.4
Water	2.2	0.2
Agricultural and Other Open Lands[c]	480.9	35.4
Rural Subtotal	965.6	71.1
Total	1,359.0	100.0

[a]*Includes related off-street parking.*

[b]*Includes only areas for intensive outdoor recreational activities.*

[c]*Includes unused lands.*

Source: SEWRPC.

Storm Sewer

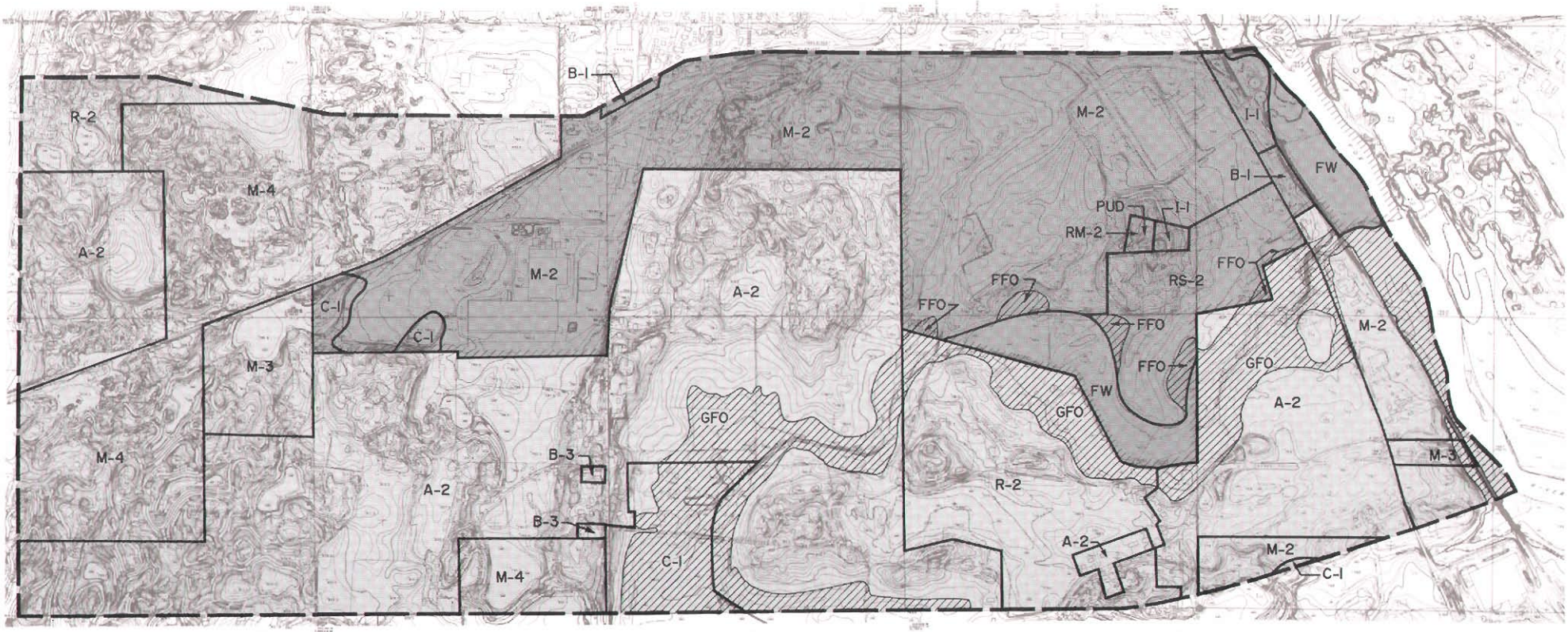
In 1985, about 110 acres in the neighborhood, or about 9 percent of the total area of the neighborhood, were served by an engineered stormwater drainage system, as shown on Map 11. In portions of the neighborhood not served by an engineered stormwater drainage system, stormwater runoff was accommodated by naturally occurring stormwater drainage and outfall areas.

STREET AND HIGHWAY FACILITIES

The existing streets and highways within and adjacent to the neighborhood are shown on Map 7. Pertinent information on the existing streets and highways is set forth in Table 8. Streets and highways, including one-half of the boundary arterial streets and highways, account for about 39.9 acres, or about 2.9 percent, of the

Map 8

EXISTING ZONING IN THE BURLINGTON INDUSTRIAL PARK NEIGHBORHOOD: 1986



LEGEND

- ZONING DISTRICT BOUNDARY
- CITY OF BURLINGTON ZONING DISTRICTS
- RS-2 SINGLE-FAMILY RESIDENTIAL DISTRICT
- RM-2 MULTI-FAMILY RESIDENTIAL DISTRICT
- B-1 NEIGHBORHOOD BUSINESS DISTRICT
- M-2 GENERAL MANUFACTURING DISTRICT
- I-1 INSTITUTIONAL DISTRICT
- C-1 CONSERVANCY DISTRICT
- FFO FLOODPLAIN FRINGE OVERLAY DISTRICT
- FW FLOODWAY DISTRICT
- PUD PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT
- TOWN OF BURLINGTON ZONING DISTRICTS
- A-2 GENERAL FARMING AND RESIDENTIAL DISTRICT II
- R-2 SUBURBAN RESIDENTIAL DISTRICT (UNSEWERED)
- B-3 COMMERCIAL SERVICE DISTRICT
- M-2 GENERAL INDUSTRIAL DISTRICT
- M-3 HEAVY INDUSTRIAL DISTRICT
- M-4 QUARRYING DISTRICT
- C-1 RESOURCE CONSERVATION DISTRICT
- GFO GENERAL FLOODPLAIN OVERLAY DISTRICT

GRAPHIC SCALE
0 400 800 1200 FEET

Source: SEWRPC.

Table 7

SUMMARY OF EXISTING ZONING DISTRICTS IN THE BURLINGTON INDUSTRIAL PARK NEIGHBORHOOD: 1986

Zoning District	Principal Permitted Uses	Conditional Uses	Minimum Lot Size		Minimum Yard Requirements			Maximum Principal Building Height (feet)	Existing 1986 Zoning	
			Total Area (square feet)	Width at Setback (feet)	Front Yard (feet)	Side Yard (feet)	Rear Yard (feet)		Acres	Percent of Total
City of Burlington Zoning Districts[a]										
Rs-2 Single-Family Residential	Single-family dwellings, foster homes, community living arrangements for eight or fewer persons	Community living arrangements for nine or more persons, greenhouses, churches, bed and breakfast establishments	11,000	70	25	8 on each side; 20 total	25	35	42.4	3.1
Rm-2 Multiple-Family Residential	Multiple-family dwellings, foster homes, community living arrangements for 15 or fewer persons	Community living arrangements for 16 or more persons, elderly housing, churches, mobile home parks	11,000	120	25	8 on one side; 20 total	25	35	1.3	0.1
B-1 Neighborhood Business	Retail stores, offices, restaurants, services	Drive-in establishments, automobile services, construction services, freight forwarding services, warehousing	10,000	80	25	10	--[b]	35	4.9	0.4
M-2 General Manufacturing	Processing, manufacturing, and/or storage	Airports, heliports, bus and rail depots, laboratories, lumber yards, dispensing or sales of liquids	7,200	60	15	9	25	50	282.5	20.8
I-1 Institutional	Public office buildings, schools, churches, hospitals	Utilities, cemeteries, crematory service, gift store	10,000	80	25	10	25	35	8.6	0.6
C-1 Conservancy	Existing agricultural uses, forest reserves, forest and game management	Essential services	--	--	--	--	--	--	6.9	0.5
FW Floodway	Agricultural uses excluding structures, fish hatcheries, forest preserves, utility facilities	Navigational structures bridges, utilities, park and recreational areas excluding structures, other open space uses	--	--	--	--	--	--	36.0	2.6
FFO Floodplain Fringe Overlay	Any use of land, except structures, permitted in the underlying district	Filling, structures on fill and permitted in the underlying district	--[c]	--[c]	--[c]	--[c]	--[c]	--[c]	7.9[d]	--[d]
PUD Planned Unit Development Overlay	--[c]	--[c]	--	--	--	--	--	--[c]	1.3[d]	--[d]
City of Burlington Zoning Area Subtotal									382.6[d]	28.1[d]

Table 7 (continued)

Zoning District	Principal Permitted Uses	Conditional Uses	Minimum Lot Size		Minimum Yard Requirements			Maximum Principal Building Height (feet)	Existing 1986 Zoning	
			Total Area (square feet)	Width at Setback (feet)	Front Yard (feet)	Side Yard (feet)	Rear Yard (feet)		Acres	Percent of Total
Town of Burlington Zoning Districts (Racine County Zoning Ordinance)[a]										
A-2 General Farming and Residential II	Agricultural uses, greenhouses, one- and two-family dwellings	Animal hospitals, commercial egg production and raising of animals, sod farming	40,000 per family	150	75	25 one-story; 35 two-story	25	28	545.8	40.2
R-2 Suburban Residential (unsewered)	Single-family dwellings on lots not served by public sanitary sewer	Utilities, schools, churches, clubs, home occupations, and professional offices	40,000	150	50	15	50	35	115.0	8.5
B-3 Commercial Service	Retail stores, offices, restaurants, services, churches	Public facilities, drive-in banks, vehicle services, certain recreational uses	15,000	75	25	10	25	35	2.5	0.2
M-2 General Industrial	Processing, manufacturing, and/or storage	All structures and improvements for principal permitted uses, airports, public facilities, animal hospitals, commercial service facilities	--	--	50	20	25	45	54.3	4.0
M-3 General Industrial	All M-2 District permitted uses, manufacturing and processing of certain other materials	All M-2 District conditional uses, including the manufacturing and processing of certain other materials	--	--	50	20	25	60	30.4	2.2
M-4 Quarrying	Existing mineral extraction operations	New mineral extraction operations	--	--	200	200	200	45	199.7	14.7
C-1 Resource Conservancy	Fishing, flood overflow and floodwater storage, hunting, historic and scientific areas	Boating, drainageways, game farms, orchards	--	--	--	--	--	--	28.7	2.1
GFO General Floodplain Overlay	Hunting, fishing, drainage, flood overflows, horticulture	Navigational structures, bridges, utilities, park and recreational excluding structures, other open space uses	--	--	--	--	--	--	126.3[d]	--[d]
Town of Burlington Zoning Area Subtotal									976.4[d]	71.9[d]
Total									1,359.0[d]	100.0[d]

[a] *Only the City of Burlington and Town of Burlington zoning districts used in the delineated Burlington Industrial Park Neighborhood are included in this table.*

[b] *No minimum rear yard is required except for those lots less than 15,000 square feet in area; and, except for those lots where the rear lot lines are contiguous to and abut residential districts, a minimum rear yard of 25 feet shall be provided. Lots 15,000 square feet in area or greater shall provide a rear yard of not less than 25 feet.*

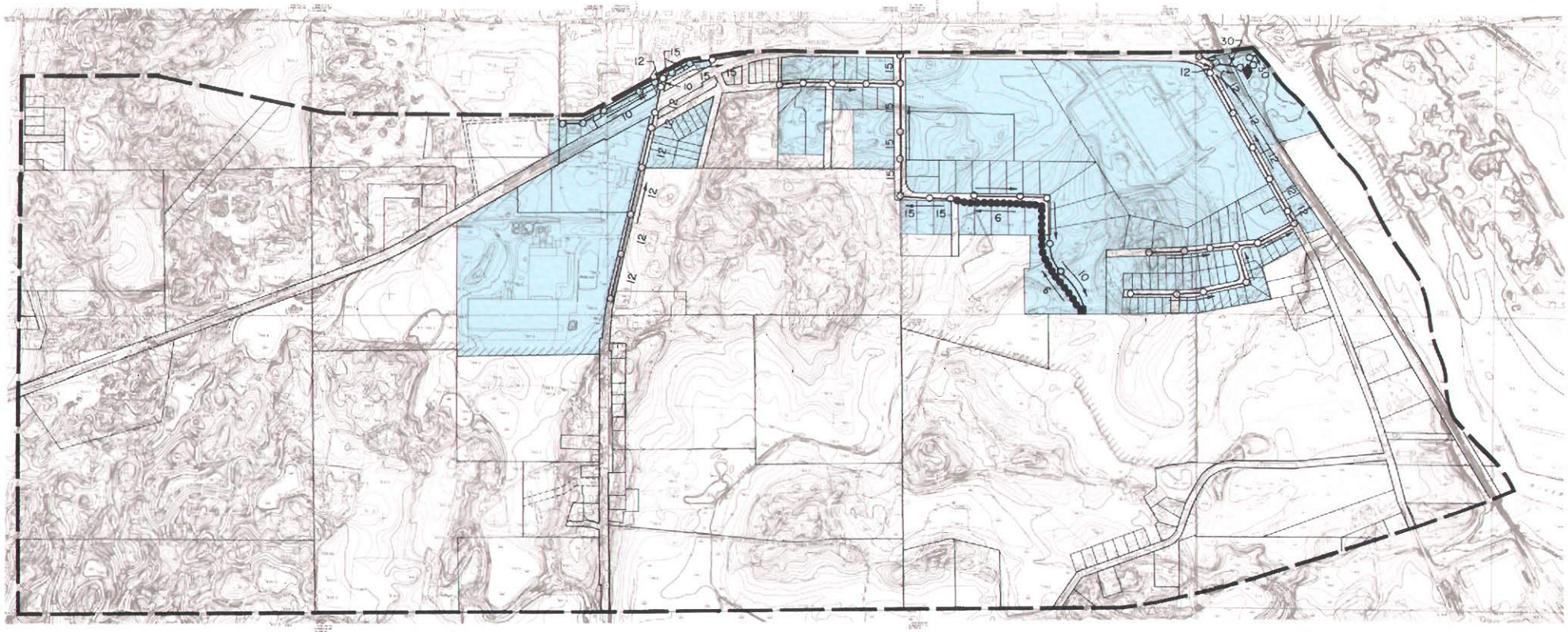
[c] *As per underlying basic zoning district requirements.*

[d] *Overlay zoning districts are excluded from the total.*

Source: SEWRPC.

Map 9

EXISTING SANITARY SEWER SERVICE IN THE BURLINGTON INDUSTRIAL PARK NEIGHBORHOOD: 1985



LEGEND

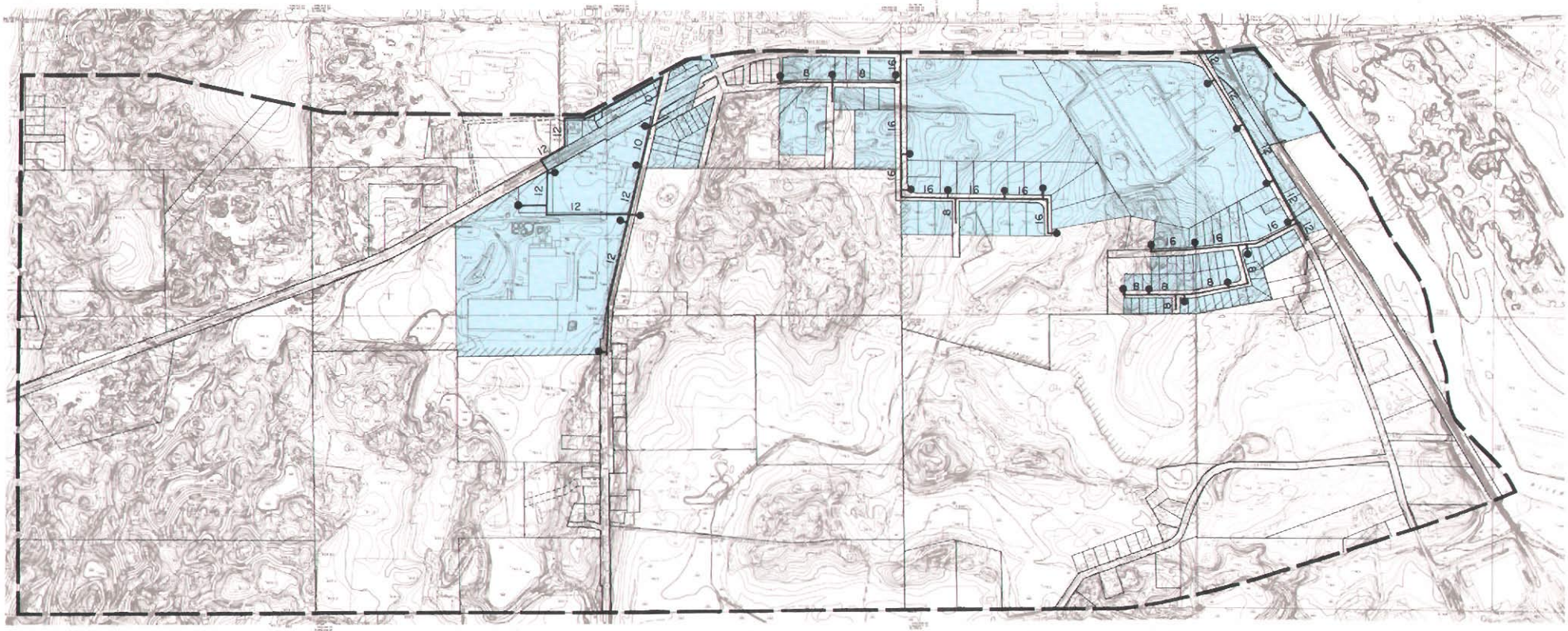
- NEIGHBORHOOD BOUNDARY
- 12 — EXISTING SANITARY SEWER AND SIZE IN INCHES (ALL 8 INCHES UNLESS OTHERWISE INDICATED)
- 6 — EXISTING FORCE MAIN AND SIZE IN INCHES
- DIRECTION OF FLOW
- EXISTING MANHOLE
- EXISTING LIFT STATION
- EXISTING SEWAGE TREATMENT FACILITY
- EXISTING SANITARY SEWER SERVICE AREA

GRAPHIC SCALE
0 400 800 1200 FEET

Source: City of Burlington Engineering Department and SEWRPC.

Map 10

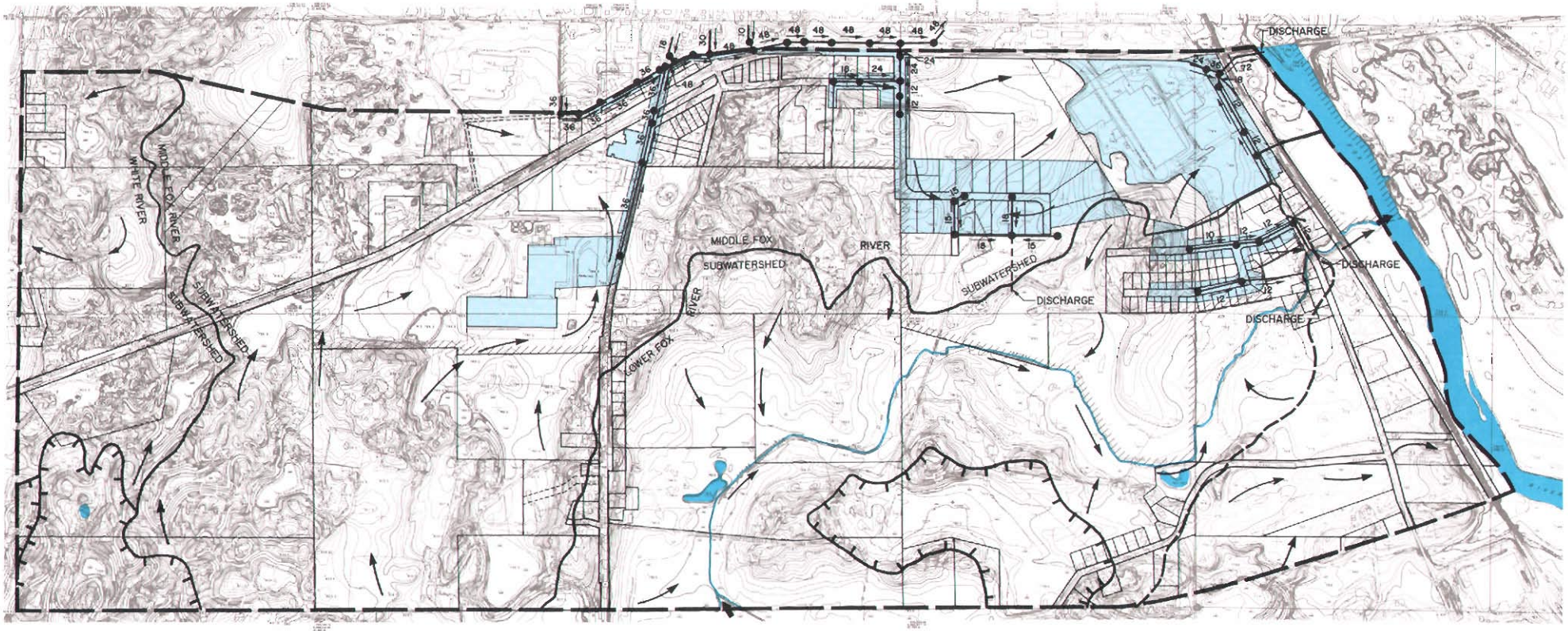
EXISTING PUBLIC WATER SUPPLY SERVICE IN THE BURLINGTON INDUSTRIAL PARK NEIGHBORHOOD: 1985



Source: City of Burlington Engineering Department and SEWRPC.

Map 11

EXISTING STORM SEWER SERVICE IN THE BURLINGTON INDUSTRIAL PARK NEIGHBORHOOD: 1985



LEGEND

- NEIGHBORHOOD BOUNDARY
- 18 STORM SEWER, DIRECTION OF FLOW, AND SIZE IN INCHES
- MANHOLE
- NATURAL DRAIN (WATERCOURSE)
- URBAN STORM SEWER SERVICE AREA
- SUBWATERSHED BOUNDARY
- SUBBASIN BOUNDARY
- AREAS OF INTERNAL DRAINAGE
- DIRECTION OF NATURAL DRAINAGE
- POINTS OF FLOW ENTRY AND EXIT TO AND FROM THE INDUSTRIAL PARK NEIGHBORHOOD
- WATER

GRAPHIC SCALE
0 400 800 1200 FEET

Source: City of Burlington Engineering Department and SEWRPC.

Table 8

EXISTING STREETS AND HIGHWAYS IN THE BURLINGTON INDUSTRIAL PARK NEIGHBORHOOD: 1985

Street Classification	Name	Direction	Existing Right-of-Way (feet)	Length (miles)
Arterial Streets	S. Pine Street (STH 83)	North-south	66 to 83	0.89
	McHenry Street (CTH P)	North-south	66 to 100	0.93
	Market Street	East-west	66	0.34
Subtotal	--	--	--	2.16
Land Access or Minor Streets	Brookview Avenue	North-south	66	0.09
	Dale Drive	East-west	66	0.12
	Dunford Drive	East-west	66	0.32
	Eastbrook Drive	North-south	66	0.03
	Front Street	East-west	54	0.42
	Industrial Drive	East-west	66	0.25
	Krift Avenue	North-south	66	0.05
	McKinley Street	North-south	66	0.14
	Kane Street	North-south	100	0.25
	Yahnke Road	East-west and north-south	66	0.67
	Fox River Street	North-south	66	0.14
Subtotal	--	--	--	2.48
Total	--	--	--	4.64

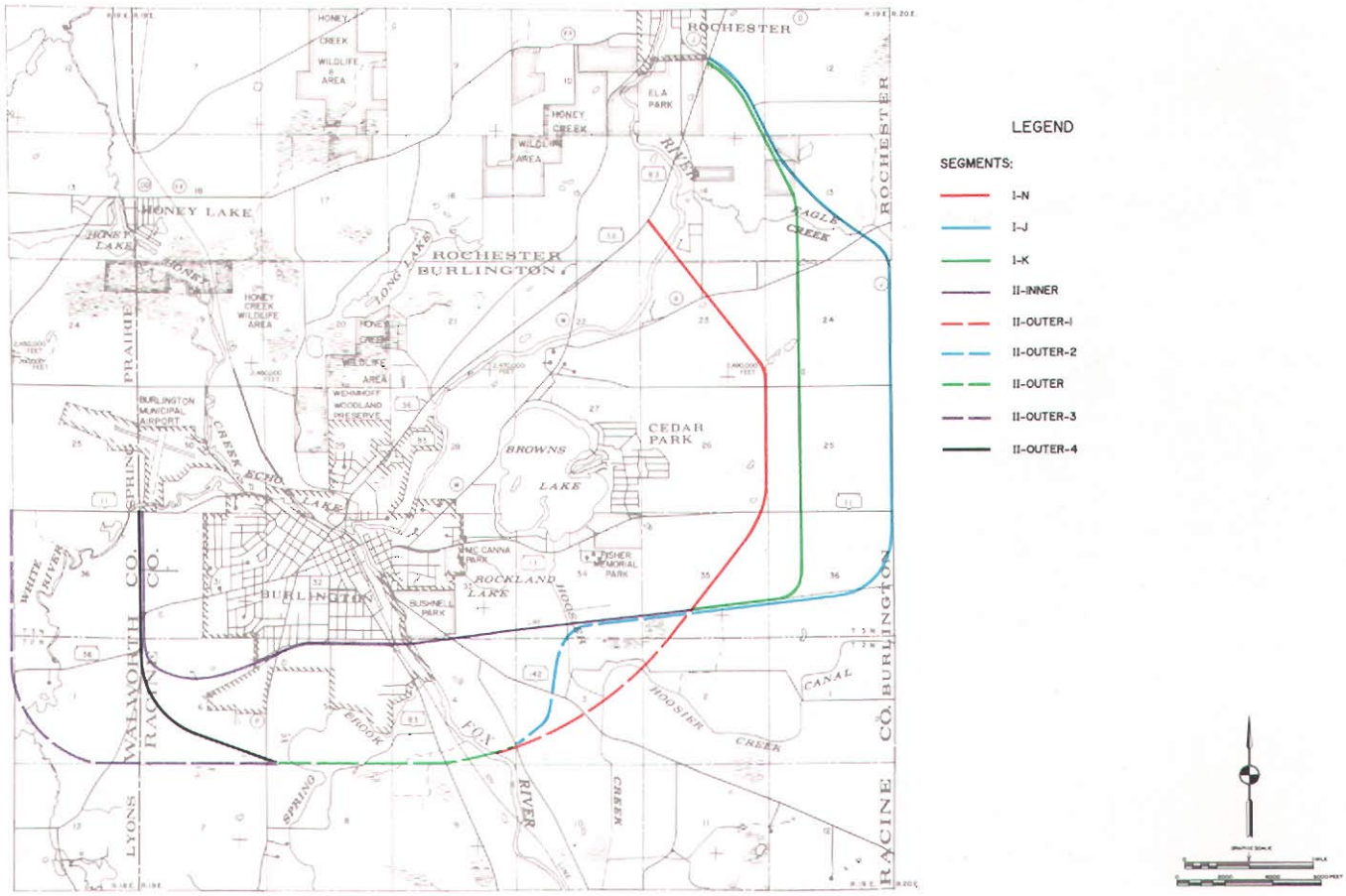
Source: SEWRPC.

total area of the neighborhood. Arterial streets and highways in the Burlington Industrial Park Neighborhood total 2.16 miles, and minor land access streets total 2.48 miles.

As noted in Chapter I, the regional transportation system plan and the Racine County jurisdictional highway system plan, and related amendments thereto, provide recommendations for a functional and jurisdictional system of arterial streets and highways to serve the Region, the County, and the City of Burlington. The Racine County jurisdictional highway system plan was comprehensively reevaluated in 1989, and a new county jurisdictional highway system plan adopted in 1990. This new recommended jurisdictional highway system as it pertains to the City of Burlington area is shown on Map 2 in Chapter I. As shown on this map, the amendment included the addition of an outer bypass for the Burlington area. The general location for this bypass was selected after careful evaluation of a number of alternative alignments for both an outer and inner bypass facility, as shown on Map 12. Segments I-N, II-Outer-2, II-Outer, and II-Outer-4 as shown on this map were ultimately recommended as the Burlington area outer bypass. The southern edge of the Burlington Industrial Park Neighborhood would be directly affected by the outer bypass. The recommended alignment for the Burlington area outer bypass is generally consistent with the alignment of a proposed bypass recommended in the original Racine County jurisdictional highway system plan adopted by the Racine County Board of Supervisors on December 2, 1975, and documented in SEWRPC Planning Report No. 22, A Jurisdictional Highway System Plan for Racine County.

Map 12

ALTERNATIVE ALIGNMENTS FOR THE BURLINGTON AREA OUTER BYPASS BY SEGMENTS



Source: SEWRPC.

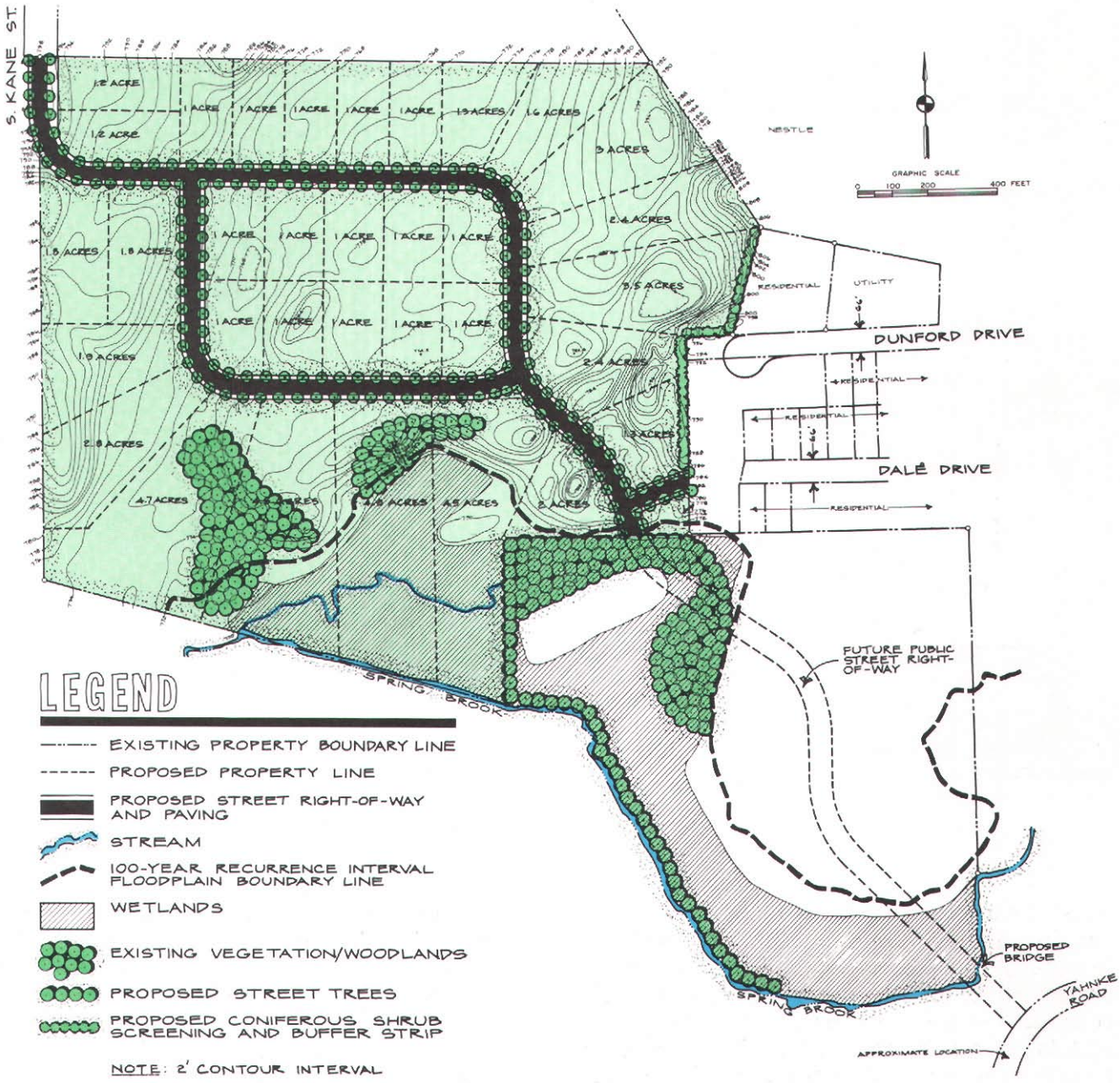
Final determination of the alignment for the outer bypass will require a preliminary engineering study that includes a full environmental assessment of the alternative alignments. At the conclusion of the preliminary engineering study, and following the required public hearings, a final decision would be made by the implementing agency—probably the Wisconsin Department of Transportation—with respect to the alignment and location of the bypass.

THE PLAN FOR THE BURLINGTON INDUSTRIAL PARK

Figure 2 shows the site development plan for the Burlington Industrial Park, which occupies approximately 68 acres of the Burlington Industrial Park Neighborhood. The plan was prepared for the City by the staff of the Regional Planning Commission in 1983. Approximately nine acres, or 13 percent, of the Burlington Industrial Park lie within the delineated environmental corridor along the neighboring Spring Brook at the southern extremities of the site. The recommended plan shows the park to be developed into about 33 lots for industrial uses, ranging in size from one acre to about five acres in area. However, the site development plan provides flexibility for the creation of larger parcel sizes by assembly of lots into larger ownerships based upon individual industrial clientele needs. The lots are, therefore, about twice as deep as they are wide. South Krift Avenue is proposed to be extended to Yahnke Road to serve the park. Industrial lots abutting existing residential

Figure 2

SITE DEVELOPMENT PLAN FOR THE BURLINGTON INDUSTRIAL PARK



Source: SEWRPC.

areas are buffered from those areas by a combination of existing and proposed vegetation, as well as earth slope. The park is organized so that lighter industry requiring small lot sizes—one acre or slightly larger—could be located in the northern portion of the park, with the industry requiring larger lot sizes being located in the southern portion of the park.

REAL PROPERTY OWNERSHIP

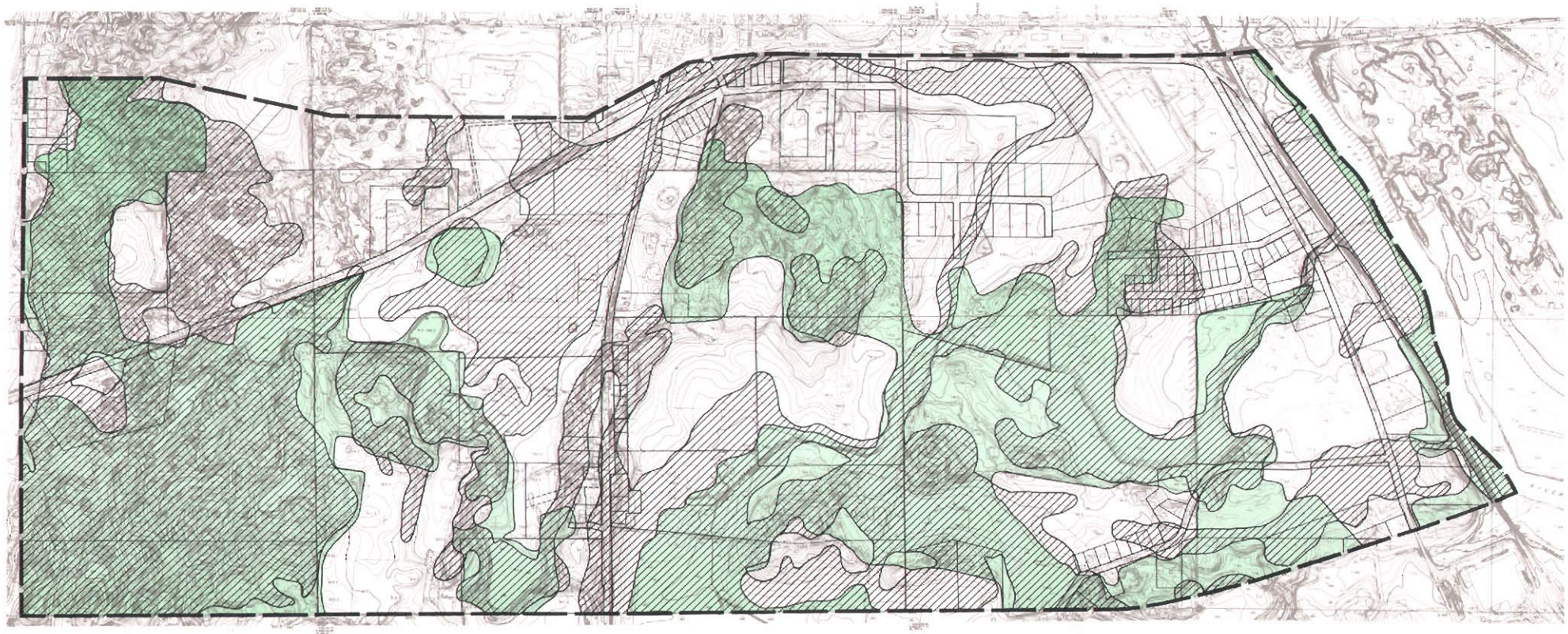
In 1989, 227 separate parcels of real property existed within the Burlington Industrial Park Neighborhood, ranging in size from about 0.25 acre to about 5 acres. The boundaries of these parcels are shown in their correct location and orientation on Map 13.

SUMMARY OF ENVIRONMENTAL LIMITATIONS

Map 13 provides a graphic summary of environmental constraints relating to the Burlington Industrial Park Neighborhood. Some the the areas identified as having environmental constraints may also provide opportunities for the enhancement of industrial development in the area. These constraints were identified through a careful analysis of the natural resource base of the area, including in particular soils, wetlands, floodlands, and woodlands; of the primary and secondary environmental corridors and isolated natural areas; and of existing real property boundaries and their location relative to these constraints.

Map 13

PROPERTY BOUNDARIES AND ENVIRONMENTAL LIMITATIONS FOR DEVELOPMENT IN THE BURLINGTON INDUSTRIAL PARK NEIGHBORHOOD



LEGEND

- NEIGHBORHOOD BOUNDARY
- EXISTING PROPERTY BOUNDARY LINE: 1989
- SOILS WITH SEVERE AND VERY SEVERE LIMITATIONS FOR URBAN DEVELOPMENT
- ENVIRONMENTAL CORRIDORS AND ISOLATED NATURAL AREA

GRAPHIC SCALE

0 400 800 1200 FEET

Source: SEWRPC.

Chapter III

NEIGHBORHOOD URBAN DESIGN CRITERIA AND INDUSTRIAL SITE PLANNING DESIGN GUIDE

INTRODUCTION

Urban design criteria may be defined as a body of information which can be applied in the development of sound solutions to a specific urban design problem or set of problems. Decisions concerning urban development and redevelopment should be based in part upon good urban design criteria. Urban design criteria must be of a relatively high level of specificity in order to assist in the development of detailed solutions to urban development problems. Accordingly, urban design criteria are herein proposed with respect to environmental preservation; the type, location, and extent of the various land uses; user motor vehicle characteristics; street facility design; automobile parking facility design; truck service area facility design; utility easements; stormwater drainage; erosion and sedimentation control; and landscaping.

URBAN DESIGN CRITERIA

Environmental Preservation

Environmental Corridors: Primary environmental corridors are, by definition, a composite of the best individual elements of the natural resource base. Through the preservation of these corridors, flood damage can be reduced, soil erosion abated, water supplies protected, air cleansed, wildlife populations enhanced, and opportunities provided for scientific, educational, and recreational pursuits. Accordingly, all remaining undeveloped lands identified in the inventories as primary environmental corridors should be preserved in essentially natural, open uses.

Secondary environmental corridors, while containing important elements of the natural resource base, do not necessarily contain the variety of such elements that the primary corridors do, nor are the secondary corridors equivalent in extent to the primary corridors. Nevertheless, such corridors may facilitate surface water drainage, maintain pockets of natural resource features, and provide for the movement of wildlife, as well as for the movement and dispersal of seeds for a variety of plant species. Accordingly, secondary corridors should also be preserved in essentially open, natural uses as urban development proceeds within an area, particularly when the opportunity is presented to incorporate such corridors into urban stormwater detention areas and associated drainageways and parks and open spaces.

Isolated Natural Areas: In addition to the primary and secondary environmental corridors, other, small concentrations of natural resource base elements exist within the neighborhood. These elements are isolated from the environmental corridors by urban development or agricultural uses. Although separated from the environmental corridor network, such isolated natural areas also have important natural value. Isolated natural areas may provide the only available wildlife habitat in an area, provide good locations for local parks and nature study areas, and lend aesthetic character and natural diversity to an area. Accordingly, high-value isolated natural areas should be protected from urban development.

Lakes and Streams: Inland lakes and streams contribute to the atmospheric water supply through evaporation, provide a suitable environment for desirable forms of plant and animal life, provide the resident population with wholesome recreational areas, provide a desirable aesthetic setting for certain types of land use development, serve to receive, store, and convey floodwaters, and provide certain water supply needs. Accordingly, inland lakes and streams and their associated undeveloped shorelands and floodlands should be protected from urban development and from the deleterious effects of such development.

Wetlands: Wetlands support a wide variety of desirable and sometimes unique plant and animal life, assist in the stabilization of lake levels and streamflows, trap and store plant nutrients in runoff, which reduces the rate of enrichment of surface waters, thus aiding in the control of noxious weed and algae growth, contribute to the atmospheric oxygen supply, reduce stormwater runoff by providing areas for floodwater impoundment and storage, trap soil suspended in runoff, thus reducing stream

Table 9

SITE-RELATED PHYSICAL CHARACTERISTICS OF MOTOR VEHICLES TYPICALLY USED IN AN INDUSTRIAL PARK

Type of Motor Vehicle	Typical Dimensions in Feet[a]							
	Wheelbase	Front Overhang	Rear Overhang	Overall Length	Overall Width	Height	Minimum Outside Turning Radius[b]	Minimum Inside Turning Radius[c]
Passenger Car	11	3	5	19	7.0	--	24	14.9
Single-Unit Truck	20	4	6	30	8.5	13.5	42	27.8
Intermediate-Size Semi-trailer Combination . . .	13 + 27 = 40	4	6	50	8.5	13.5	40	17.7
Large-Size Semitrailer Combination	20 + 30 = 50	3	2	55	8.5	13.5	45	16.6
Semitrailer-Fulltrailer Combination	9.7 + 20.0 + 9.4[d] + 20.9 = 60	2	3	65	8.5	13.5	45	21.4

[a] *These may vary slightly depending upon the vehicle manufacturer.*

[b] *To the path of the left front wheel.*

[c] *To the path of the right rear wheel.*

[d] *Distance between rear wheels of front trailer and front wheels of rear trailer.*

Source: Homburger, Wolfgang S. (Editor), Transportation and Traffic Engineering Handbook—Second Edition, Englewood Cliffs, N.J.: Prentice-Hall, Inc., 1982; and SEWRPC.

sedimentation, and provide the population with opportunities for certain scientific, educational, and recreational pursuits. Accordingly, high-value wetlands should be protected from urban development.

Woodlands and Vegetation: Woodlands assist in maintaining unique natural relationships between plants and animals, reduce stormwater runoff, contribute to the atmospheric oxygen supply, contribute to the atmospheric water supply through transpiration, aid in reducing soil erosion and stream sedimentation, provide the population with opportunities for certain scientific, educational, and recreational pursuits, and provide a desirable aesthetic setting for certain types of land use development. Accordingly, high-value woodlands should be protected from urban development.

Wildlife Habitat: Wildlife, when provided with a suitable habitat, supplies the population with opportunities for certain scientific, educational, and recreational pursuits, constitutes an integral component of the life systems which are vital to beneficial natural processes, including the control of harmful insects and other noxious pests and the promotion of plant pollination, offers an economic resource for the recreation industries, and serves as an indicator of environmental health. Accordingly, high-value wildlife habitat areas should be protected from urban development.

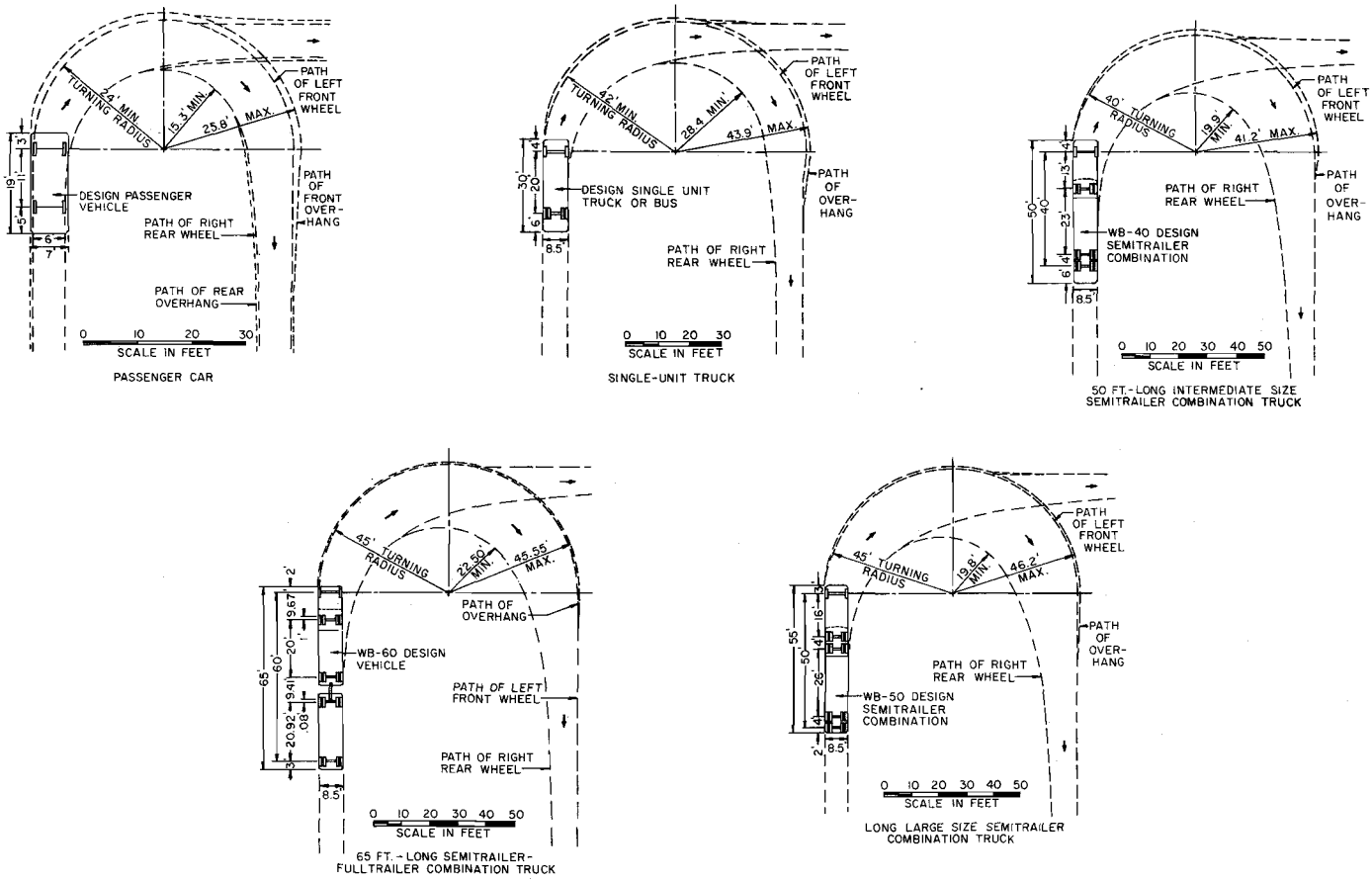
Soils: Properly relating urban land use development to soil type and distribution can serve to prevent the creation of costly environmental and developmental problems and promote the wise use of an irreplaceable resource. Urban development should not be located in areas covered by soils identified in the regional, detailed, operational soil survey as having very severe limitations for such development. Where soils exhibit severe limitations for urban development, improvements should be properly engineered so as to overcome these limitations.

Location and Extent of the Various Land Uses

Land Uses: In general, land uses in the Burlington Industrial Park Neighborhood should be limited to manufacturing and warehousing and related corporate offices, together with essential supporting uses such as street rights-of-way, utility sites and rights-of-way, drainageways, and stormwater retention or detention areas. The retail sale of any merchandise or service

Figure 3

TURNING RADII OF SELECTED MOTOR VEHICLES



Source: American Association of State Highway and Transportation Officials, A Policy on Geometric Design of Highways and Streets (Washington, D. C.: American Association of State Highway and Transportation Officials, 1984), and SEWRPC.

other than retail sales by industrial park occupants of those products which they manufacture or handle at wholesale should be prohibited.

Industry Clustering: Industries with similar characteristics generally should form clusters in an industrial park within the neighborhood, thus, light industrial uses should be grouped in one area of an industrial park neighborhood and heavy industrial uses in another. Clustering industries in this fashion permits adaptation of the site layout and design to the requirements of the intended uses. The light industries, which typically require smaller lot sizes than the heavy industries, should be clustered near arterial streets to provide easy access to the arterial street system in the neighborhood.

Buffers: Industrial land uses in the neighborhood should be effectively buffered from adjacent incompatible land uses such as residential, commercial, and institutional uses by such means as landscaping or fencing, or by maintaining an adequate distance between the incompatible uses.

User Motor Vehicle Characteristics

Streets, parking, and loading areas should be designed to accommodate motor vehicles of the type expected to be operated by occupants of an industrial park neighborhood. These motor vehicles types include passenger cars, single-unit trucks, intermediate-size semitrailer combinations, large semitrailer combinations, and semitrailer-fulltrailer combinations. The vehicle dimensions or specifications important to effective site planning for these vehicle types are summarized in Table 9 and in Figure 3. The vehicle dimensions are shown for the typical wheelbase, front overhang, rear overhang, overall length, overall width, overall height, minimum outside turning radius to the path of

the left front wheel, and minimum inside turning radius to the path of the right rear wheel.

Street Facility Design

Limitation of Access to Arterial Streets: Whenever proposed urban land uses abut an arterial street or highway, access from such abutting uses should be limited to protect the arterial facility adequately. This protection can be accomplished through the separation of through and local traffic, where possible, by use of reversed frontage lots. Provision should be made for a planting screen or landscaping in a reserved strip denied vehicular access along the rear property line of all such reversed frontage lots. This landscape planting reservation strip should be a minimum of 25 feet wide, and be used for a judicious mixture of conifers and deciduous planting materials, providing an opaque landscape screen. Figure 4 illustrates three alternative planting designs for this type of screen.

Street Cross-Sections: Street cross-section design criteria for the neighborhood are graphically shown in Figure 5. It is recommended that the desirable cross-section for a collector street, which shows a minimum right-of-way width of 80 feet, be used as the land-access street cross-section for industrial development within the neighborhood.

Turning Roadway Pavement Design: Figure 6 illustrates minimum edge-of-pavement design criteria for 50-foot intermediate-size semitrailers and the larger 55-foot semitrailers.

Street Grades: Unless necessitated by exceptional topography, the maximum grade of any street should not exceed the following: industrial park streets, 3 percent; arterial streets, 6 percent; collector streets, 8 percent; minor streets, alleys, and frontage streets, 12 percent; and pedestrian ways, 12 percent unless steps of acceptable design are provided. In addition, the grade of any street should not be less than five-tenths of 1 percent. Street grades should be established so as to avoid excessive grading, the promiscuous removal of ground cover and tree growth, and unnecessary leveling of the topography.

Stormwater Drainage and Street Location: Wherever practical, streets should follow natural lines of stormwater drainage.

Street Intersections: Streets should intersect each other at as nearly right angles as topography and other limiting factors of good design permit. In addition, the number of streets converging at one intersection should be held to a minimum, and the distance between intersections should, generally, not be less than 1,200 feet. Minor street or land-access street openings onto arterial streets should be minimized to improve traffic flow and reduce traffic hazards. Property lines at street intersections should be rounded on a minimum radius of 15 feet, or preferably, should be cut off by a straight line through the joints of tangency of an arc having a radius of 15 feet.

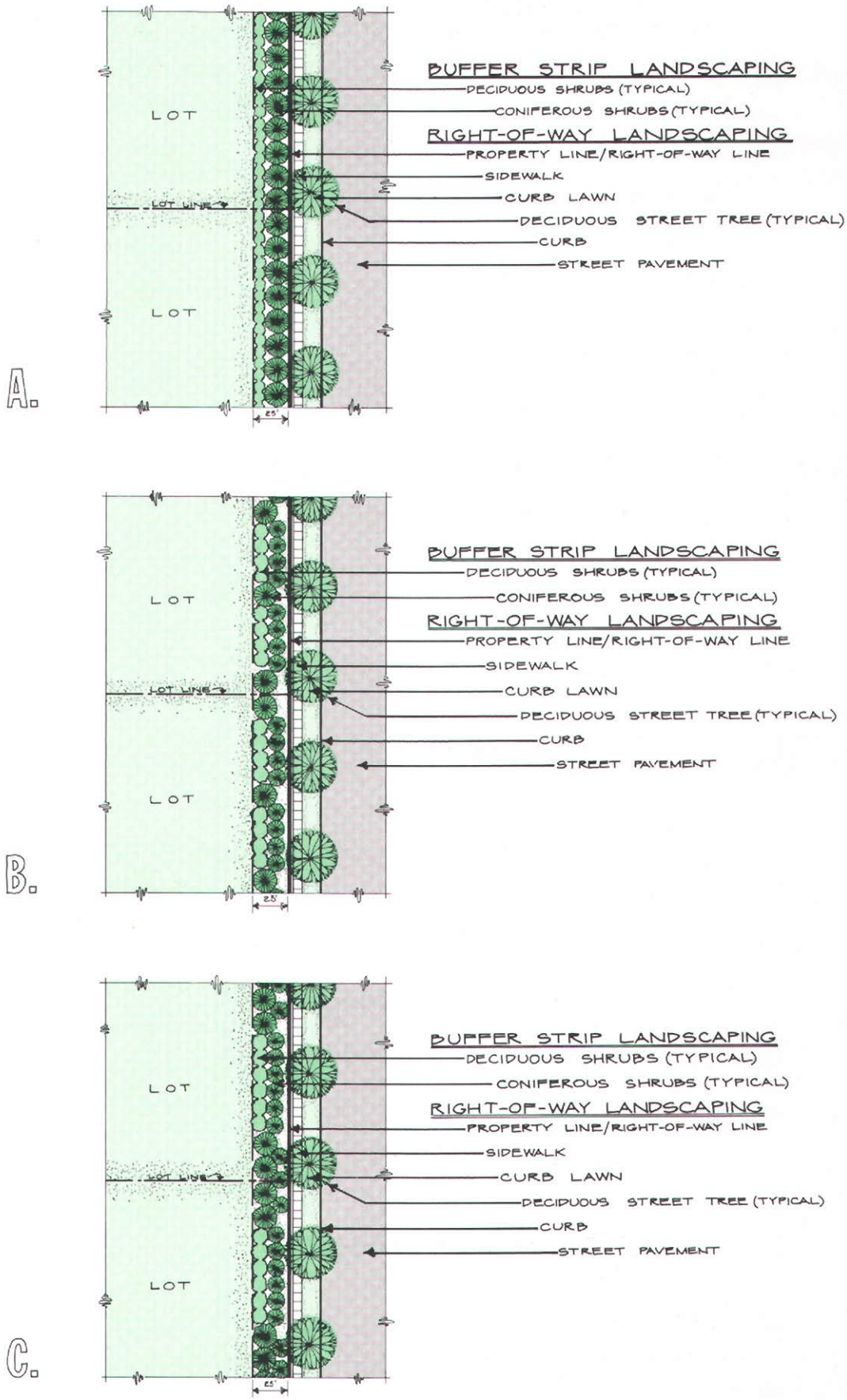
When a continuous street centerline deflects by more than 10 degrees at any given point, a centerline curve should be introduced with a radius along the centerline of not less than the following: arterial streets, 500 feet, collector and industrial park land-access streets, 300 feet, and minor or land-access streets, 100 feet. A tangent at least 100 feet long should be provided between reverse curves on arterial, collector, and industrial land-access streets. Minor and collector streets should not necessarily continue across arterial streets. If the distance between the centerline intersection of any street and the centerline intersection of any intersecting street is less than 250 feet, measured along the centerline of the intersected street, then the street location should be adjusted so that the distance is increased or the connection across the intersected street is continuous in alignment, avoiding a jog in the flow of traffic.

Half Streets: The platting of half streets should be avoided. Half streets put an unrealistic reliance on the chance that adjacent property owners will develop their adjacent properties at the same time. If half streets are allowed and then improved, their narrow width may result in street maintenance and traffic circulation problems.

Cul-de-sacs: Cul-de-sacs, which by design have one end permanently closed, should terminate in a circular turnaround designed in accordance with the City's Land Division Ordinance. They should generally not exceed 750 feet in length. Cul-de-sac or dead-end streets should not be permitted in industrial developments because of the severe problems the limited radii of their typical bulb design cause for large trucks.

Figure 4

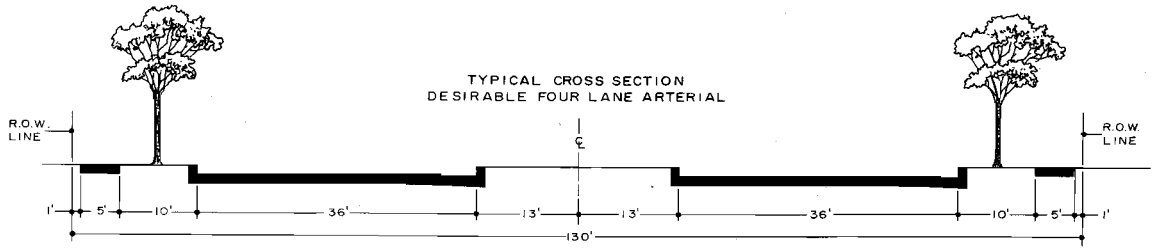
ALTERNATIVE 25-FOOT-WIDE PLANTING SCREEN FOR REVERSED FRONTAGE LOTS



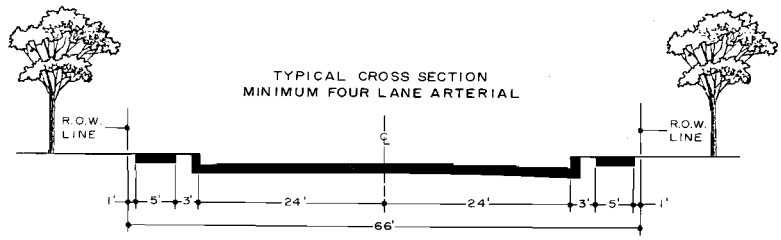
Source: SEWRPC.

Figure 5

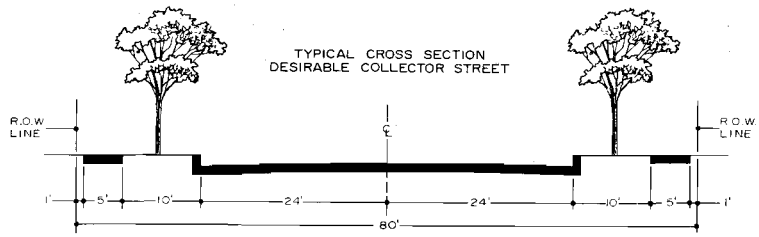
TYPICAL STREET CROSS-SECTION DESIGNS FOR THE BURLINGTON INDUSTRIAL PARK NEIGHBORHOOD



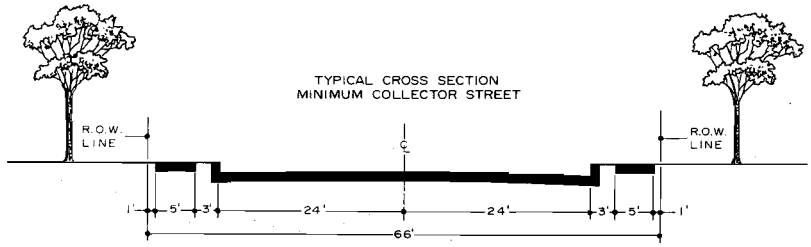
6" GRAVEL BASE
DUAL 36' HIGH TYPE PAVEMENT, 130' R.O.W.
SIDEWALK, STREET LIGHTING



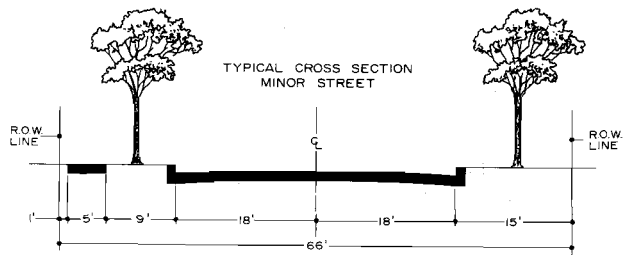
6" GRAVEL BASE
48' HIGH TYPE PAVEMENT, 66' R.O.W.
SIDEWALK, STREET LIGHTING



6" GRAVEL BASE
48' HIGH TYPE PAVEMENT
80' R.O.W.
SIDEWALK, STREET LIGHTING



6" GRAVEL BASE
48' HIGH TYPE PAVEMENT, 66' R.O.W.
SIDEWALK, STREET LIGHTING

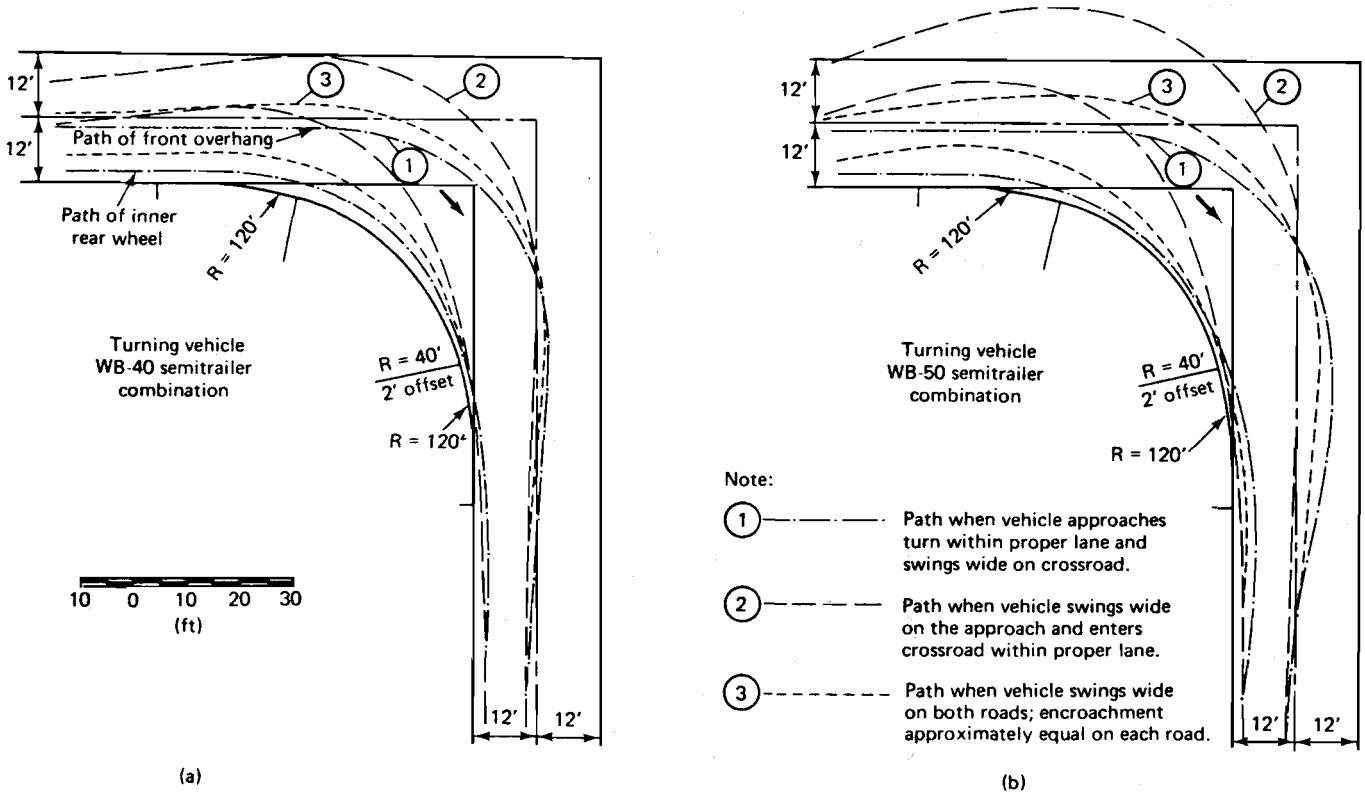


6" GRAVEL BASE
36' HIGH TYPE PAVEMENT
66' R.O.W.
SIDEWALK, STREET LIGHTING

Source: SEWRPC.

Figure 6

MINIMUM EDGE-OF-PAVEMENT DESIGN CRITERIA FOR SELECTED MOTOR VEHICLES



50 FT.-LONG INTERMEDIATE SIZE SEMITRAILER COMBINATION TRUCK

55 FT.- LONG LARGE SIZE SEMITRAILER COMBINATION TRUCK

Source: American Association of State Highway and Transportation Officials, A Policy on Geometric Design of Rural Highways (Washington, D. C.: American Association of State Highway and Transportation Officials, 1965), and SEWRPC.

Railway Facility Design

Horizontal Alignment: The horizontal alignment of railroad tracks generally should be limited to 12 degrees maximum curvature, or about a 500-foot radius.

Vertical Alignment: The vertical alignment of railroad tracks generally should not exceed a maximum grade of 1.5 percent, and no vertical curves should have a rate of change of grade greater than 1 percent per station.

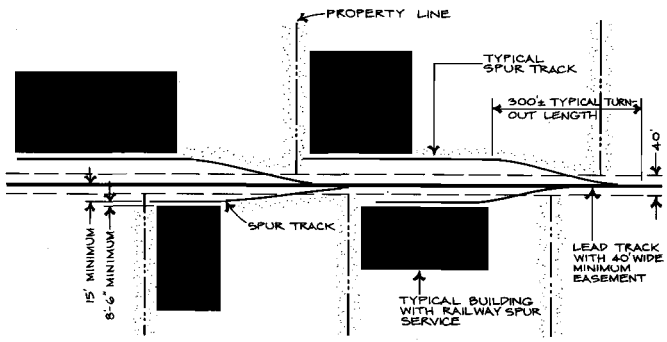
Turnouts: Turnouts from lead tracks should be No. 8 or greater.

Spur Tracks: Spur tracks serving industrial lots in the neighborhood should be laid out, at a minimum, as illustrated in Figure 7. Storage tracks may be provided pursuant to the needs of the industrial park clientele.

Typical Cross-Section: A typical cross-section of industrial railroad trackage is shown in Figure 8. The subgrade shoulder should not be less than 12 feet from the center of the track. In cuts or fills of less than two foot depth below the top of the subgrade, as shown in Figure 8, side slopes should be one on two, as is also shown in Figure 8. Generally, the desirable minimum right-of-way for industrial railway trackage is 24 feet for a single-track line and 38 feet for a double-track line.

Figure 7

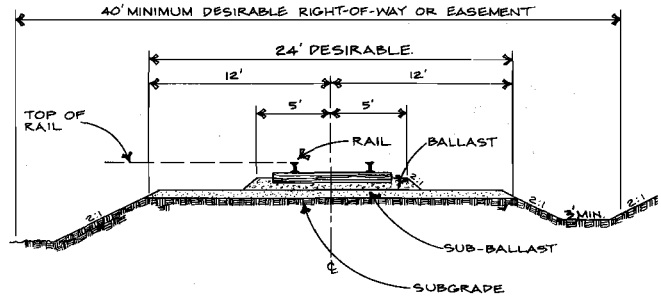
TYPICAL LAYOUT OF SPUR TRACKS SERVING INDUSTRIAL LOTS



Source: SEWRPC.

Figure 8

CROSS-SECTION OF SINGLE-TRACK INDUSTRIAL RAILROAD TRACKAGE



Source: SEWRPC.

Distance from Land Access Streets: The distance between an industrial railroad track serving an industrial lot in the neighborhood and the land-access street serving the same lot generally should not be more than 600 feet, except where a single principal building is to be accommodated on the lot. Industrial railroad trackage should be located at or near the rear lot lines of industrial lots in order to visually screen the tracks from public view, as well as to prevent potential vehicular traffic congestion due to conflicts in railroad and motor vehicle traffic movements.

Blocks

General: The widths, lengths, and shapes of blocks should be suited to the planned use of the land, to community zoning requirements, to the need for convenient access, control, and safety of street traffic, to the potential phasing or staged growth of an industrial park in the neighborhood, and to the limitations of and opportunities presented by the topography.

Block Length: Blocks in residential areas should not be less than 600 feet nor more than 1,200 feet in length unless otherwise dictated by exceptional topography or other limiting factors of good design.

Block Width: Blocks should generally be wide enough to provide for two tiers of lots of appropriate depth except where there is a need to separate urban developments from through traffic. The width of lots or parcels reserved or designated for commercial or industrial uses should be adequate to provide for the off-street service and parking required by the use contemplated and applicable zoning restrictions.

Lots

General: The size, shape, and orientation of lots should be appropriate for the type of development and use contemplated, and facilitate assembly of smaller lots into larger parcels. Lots should be designed to provide an aesthetically pleasing building site and a proper architectural setting for the building contemplated. Also, the overall topography of an industrial lot should not exceed slopes of about 6 percent, depending on the industry proposed to use the lot.

Side Lot Lines: Side lot lines should be at right angles to the straight street lines or radial to the curved street lines which the lots face. Lot lines should follow municipal boundary lines, rather than cross them.

Double-Frontage Lots: Double-frontage, or "through," lots should be avoided except where necessary to provide for separation of urban development from arterial traffic or to overcome specific disadvantages of topography and orientation. Where double-frontage lots prove to be a necessary design feature for an industrial park, the lots should have access to a minor land-access street only.

Street/Lot Access: Every lot should front or abut a public street. Lots generally should not have direct access to the arterial street system.

Lot Size: Area and dimensions of all lots should conform, at a minimum, to the requirements of the local municipal zoning ordinance for subdivisions within the neighborhood. The minimum permitted lot area in an industrial park should be about one acre.

Lot Shape: The shape or configuration of a lot should not be so irregular as to hamper efficient development of individual sites. The shape of an industrial lot should facilitate the development required by the industry locating on it, and should assist in promoting the assembly of individual lots into larger parcels of industrial property under one ownership.

Lot Depth: Excessive depth of lots in relation to width should be avoided, and a proportion of two to one should be considered a maximum depth-to-width ratio. The depth of lots or parcels designated for commercial or industrial use should be adequate to provide for the off-street service and parking required by the use contemplated. Industrial lots backing onto lands of a less intense land use should have adequate depth to permit landscape plantings or other means to serve as a buffer between the two land uses. Lot depths which permit the assembly of individual lots into larger parcels of industrial property under one ownership should be encouraged. Minimum permitted depth of industrial lots should be 200 feet.

Lot Width: Lots within the interior of a block should have the minimum average width required in the municipal zoning district.

Front Yards: Front yard setback for buildings and structures should conform, at a minimum, to the requirements of the City's zoning ordinance. Buildings and structures should not be located nearer than 30 feet from the front lot line of any industrial lot. Parking should not be permitted in the front yard of industrial lots except under special conditions.

Side Yards: Side yard setback for buildings and structures should conform, at a minimum, to the requirements of the City's zoning ordinance. Buildings and structures on interior industrial lots should have side yards of at least 10 percent of the lot width, or a minimum of 10 feet, whichever is greater. Side yards on all street sides of corner industrial lots should be at least 30 feet. The parking or storage of trucks, products, or equipment should be prohibited in any side yard of an industrial lot.

Rear Yards: Rear yard setback for buildings and structures should conform, at a minimum, to the requirements of the City's zoning ordinance. Buildings and structures should not be located nearer than 25 feet to any rear lot line of an industrial lot unless they are buildings or structures used for outside railroad car-loading or -unloading facilities.

Automobile Parking Facility Design

Placement of Off-Street Automobile Parking on Lots: Employee off-street parking should not be permitted within the front yards of lots. However, visitor or customer parking may be allowed in such yards.

Automobile Parking Spaces for Industrial Uses: One parking stall of not less than 180 square feet, excluding drives and parking stall access area, should be provided on each industrial property for each 1,000 square feet of building area, or for every two employees on the two largest shifts combined, whichever amount constitutes the greater number of parking stalls. Additional parking stalls should be provided on each property as needed to accommodate all employees as building facilities expand. Automobile parking spaces should also be provided for the handicapped pursuant to American National Standards Institute standards and the state building code.

Automobile Parking Lot Drive Width: Automobile parking lot drives should be a minimum of 24-feet wide for two-way traffic, and a minimum of 12-feet wide or greater for one-way traffic, depending on the angle of the parking stall.

Automobile Parking Lot Surfacing: All off-street automobile parking areas should be graded and hard surfaced so as to be dust-free and properly drained. Automobile parking areas for more than five vehicles should have the aisles and parking spaces clearly marked in order to distinguish between parking stalls and vehicular circulation areas. Recommended minimum dimensions for automobile parking lots are shown in Figure 9.

Automobile Parking Curbs and Barriers Near Side and Rear Lot Lines: Curbs or barriers should be installed a minimum of four feet from side and rear property lines so as to prevent the parked vehicles from extending over any lot lines and to provide space for visual screening when needed, as indicated in Figure 9.

Automobile Parking Lot Landscaping: Landscaping should be provided for automobile parking lots. Off-street parking areas which serve five or more vehicles should be provided with accessory landscape areas totaling not less than 5 percent of the surfaced area. Figure 10 illustrates the effective screening of parking lots from neighboring street rights-of-way through the use of plant materials and earthen berms. Also, a minimum of one planting island per 10 automobile parking spaces, as shown in Figure 10, should be provided to break up the visual monotony of the parking lot, as well as to add color, texture, interest, scale, and shade. In addition, ground cover, shrubs, and trees should be introduced on the borders of the paved parking areas. Landscaping materials should be placed so as not to interfere with parking lot maintenance, vehicular egress and ingress, and snow removal.

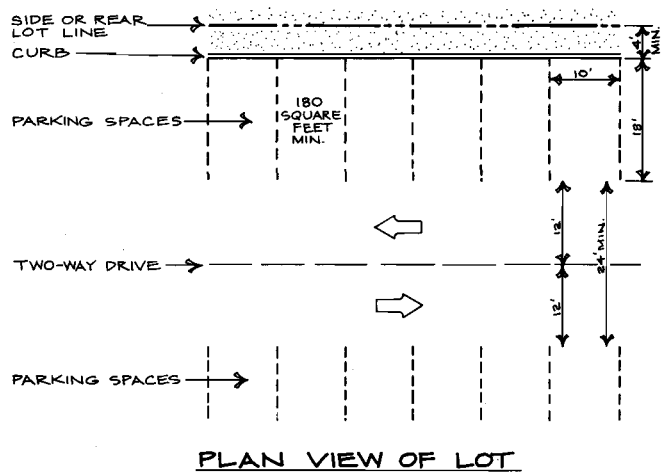
Drive and Parking Lot Lighting: Parking lot lighting should serve four purposes. First, the lighting should facilitate the safe movement of pedestrian and vehicular traffic. Second, it should promote real property and personal security and crime prevention. Third, it should aid in creating an aesthetically pleasing nighttime environment. Fourth, it should facilitate nighttime use of commercial or industrial facilities. Parking areas should be provided with an illumination of about 1.0 footcandle. Drives should be provided with an illumination of about 0.6 footcandle. The illumination should be designed with careful attention to luminaire height, luminaire spacing, transverse location of luminaires, luminaire selection, traffic conflict areas, glare onto adjacent parcels, and transition lighting requirements.

Automobile Parking Lot Location: Automobile parking lots should be so located so as to minimize employee, customer, and visitor walking distances to the facility that the parking lot is intended to serve.

Onsite Access and Egress Automobile Space: There should be sufficient onsite space to accommodate at least three queued automobiles waiting to enter or exit an automobile parking lot without using any portion of the land-access street or collector street which the lot fronts, or otherwise interfering with street traffic.

Figure 9

MINIMUM DESIGN DIMENSIONS FOR AUTOMOBILE PARKING



Source: SEWRPC.

Truck Service Area Facility Design for Industrial Lots

General Truck Access: The distance which trucks travel after entering an industrial lot should be minimized. The service drive entering the lot from land-access or collector streets should be at least twice as long as the longest truck anticipated to serve the industrial use, thus allowing for onsite vehicle queuing.

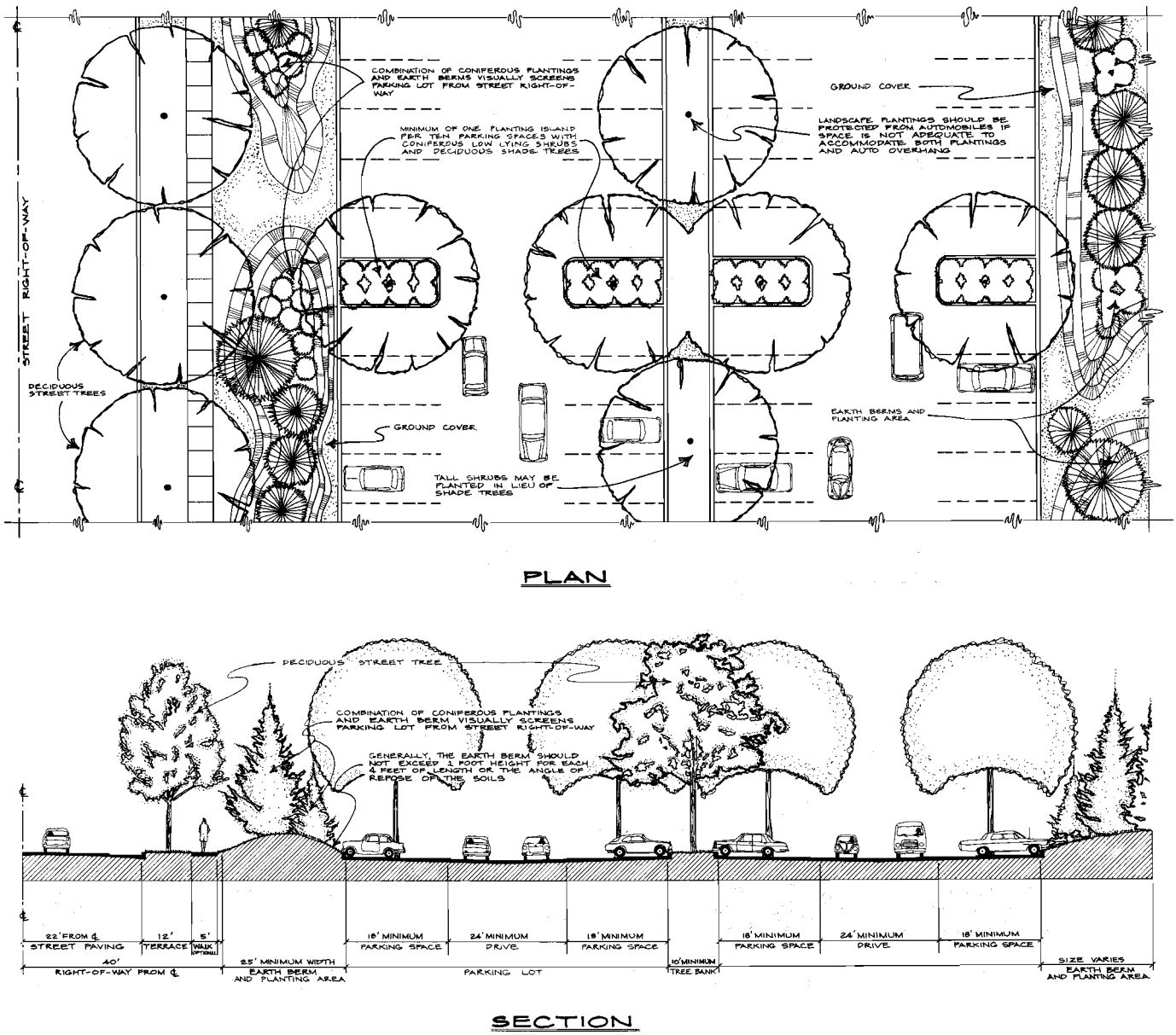
Truck Service Drives: Truck service drives should have a width of at least 12 feet for one-way traffic and 24 feet for two-way traffic. If required, pedestrian paths along service drives should have a width of at least four feet and should be separated from the vehicular drive by a curb lawn at least nine feet wide. Design cross-sections of one-way truck service drives, two-way truck service drives, and two-way truck service drives with pedestrian circulation are illustrated in Figure 11.

Truck Service Drive Landscaping: Suggested landscaping of truck service drives is shown in Figures 11 and 12. Such landscaping can include an array of plant materials, including trees, shrubs, and ground covers as well as earthen berms.

Truck Circulation: Onsite truck traffic should generally follow a counterclockwise pattern of flow to enhance visibility, safety, and efficiency.

Figure 10

LANDSCAPING OF AUTOMOBILE PARKING LOTS



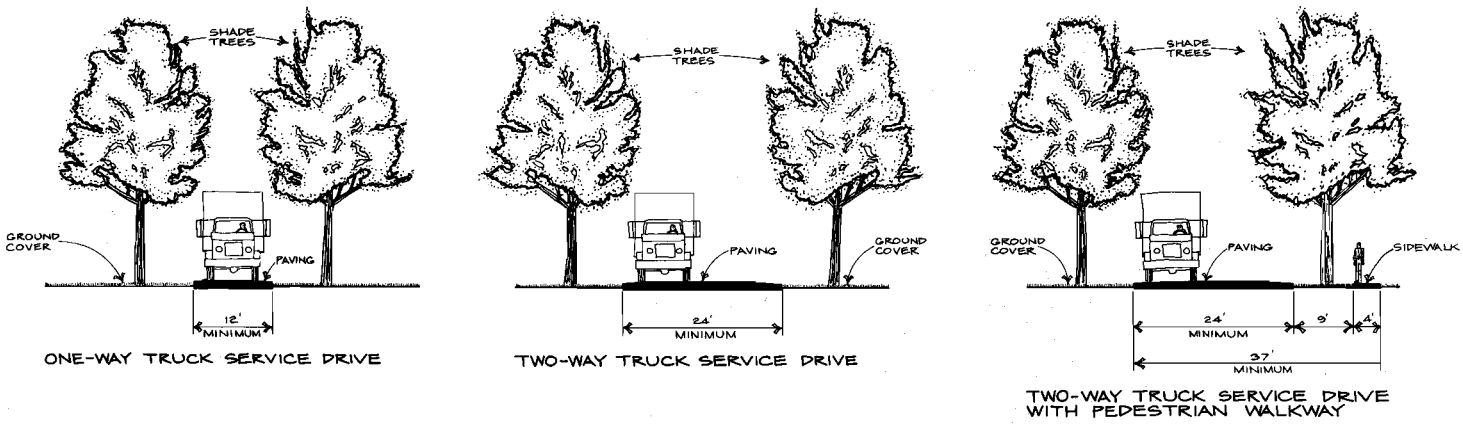
Source: SEWRPC.

Required Number of Truck Loading/Unloading Docks: Truck loading and unloading docks for manufacturing and warehouse uses should be provided at a minimum rate of one berth for the first 5,000 square feet of gross building floor area and one berth for each additional 40,000 square feet of gross building floor area. Truck loading and unloading docks for storage uses should be provided at a minimum rate of one berth for the first 10,000 square feet of gross building floor area and one berth for each additional 25,000 square feet of gross building floor area.

Truck Loading/Unloading Dock Location: Facilities for truck loading and unloading should be placed and/or screened so as not to be visible from public street rights-of-way.

Figure 11

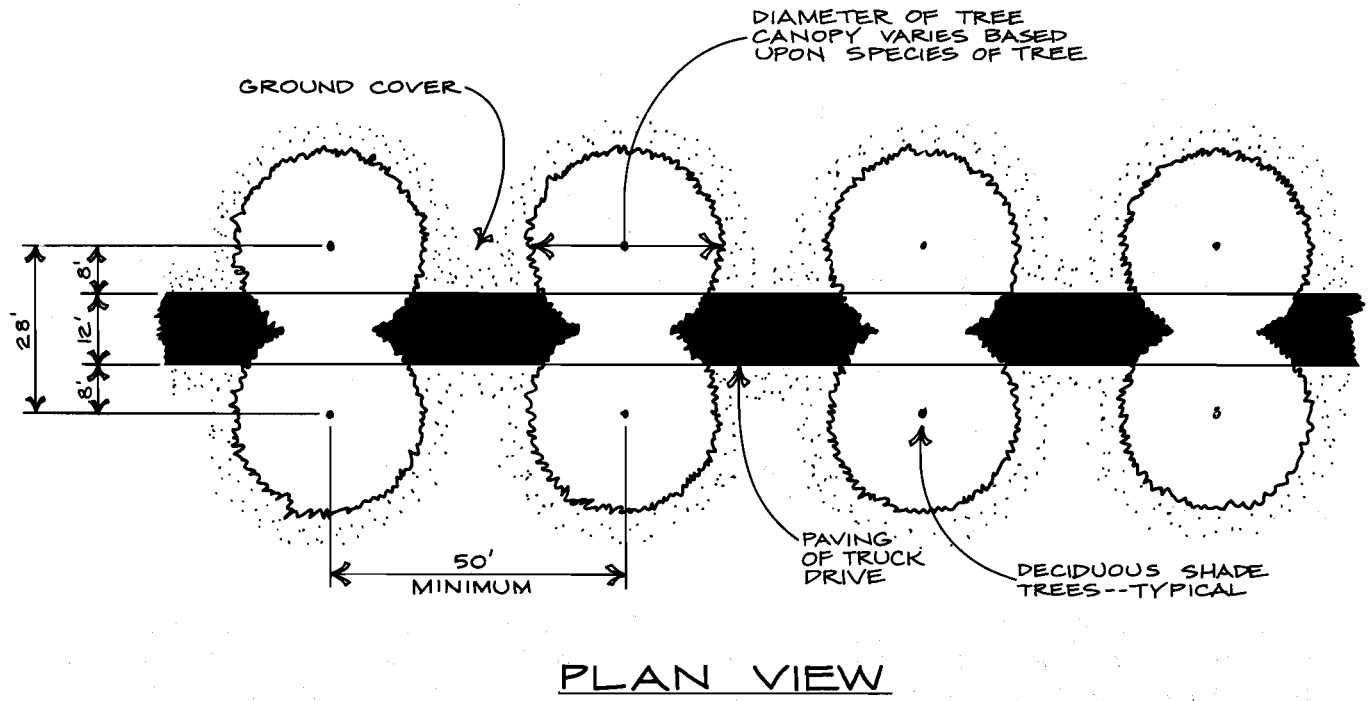
MINIMUM CROSS-SECTION DESIGN OF ONE-WAY, TWO-WAY, AND TWO-WAY WITH PEDESTRIAN CIRCULATION TRUCK SERVICE DRIVES FOR INDUSTRIAL LOTS



Source: SEWRPC.

Figure 12

SUGGESTED LANDSCAPING OF A TYPICAL TRUCK SERVICE DRIVE IN AN INDUSTRIAL LOT



Source: SEWRPC.

Table 10

RECOMMENDED MINIMUM TRUCK LOADING/UNLOADING DOCK DESIGN STANDARDS

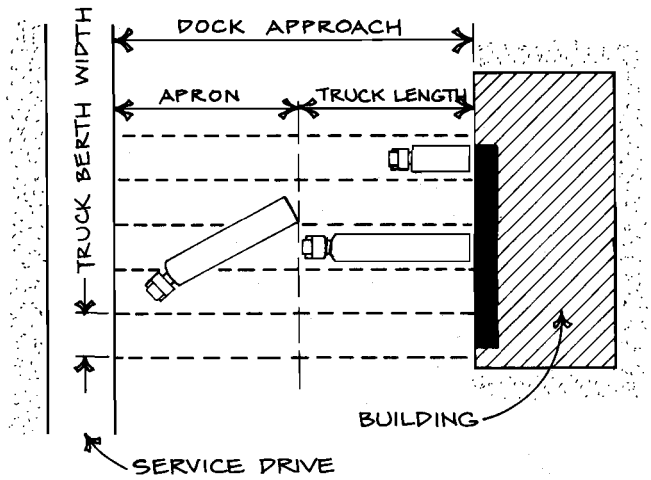
Overall Length of Truck (feet)	Truck Berth Width (feet)	Recommended Truck Apron Length (feet)[a]	Recommended Dock Approach (feet)
40	10	46	86
	12	43	83
	14	39	79
45	10	52	97
	12	49	94
	14	46	91
50	10	60	110
	12	57	107
	14	54	104
55	10	65	120
	12	62	117
	14	58	113
60	10	72	132
	12	63	123
	14	60	120

[a]*Additional truck apron length may be needed, depending upon the location and design of the service drive, in order to accommodate truck turning movements.*

Source: R. H. Haskell, "Recommended Yard and Dock Standards," Transportation and Distribution Management, October 1966, p. 27; and SEWRPC.

Figure 13

ELEMENTS OF TRUCK LOADING/UNLOADING DESIGN FOR AN INDUSTRIAL LOT



PLAN VIEW

Source: SEWRPC.

Truck Loading/Unloading Dock Design: Truck loading and unloading dock design should incorporate the minimum design standards set forth in both Figure 13 and Table 10.

Easements

Utility Cables: Underground locations for all utility lines should be considered, since poles and overhead wires detract from the overall appearance of the neighborhood.

Utility Easements: Utility easements of widths adequate for the intended purpose, but not less than five feet along each side of all rear lot lines and along side lot lines, should be provided for electric power and communication wires and conduits, storm and sanitary sewers, and gas, water, and other utility lines.

Where traversed by a watercourse or drainageway, an easement of adequate width should be provided for drainage purposes.

Pedestrian Ways: Pedestrian ways in wooded, wetland, and other open areas of the neighborhood should have a minimum width of 10 feet and should be located and constructed so as to cause minimal disturbance of the natural soil and minimal impairment of natural beauty.

Stormwater Drainage and Erosion/Sedimentation Control

Stormwater drainage facilities may include curbs and gutters, catch basins and inlets, storm sewer roadway ditches, culverts, open channels, and water detention and retention basins. The facilities should be of adequate size and grade to hydraulically accommodate the design volumes of flow through, and from within, the development, and should be so designed as to prevent and control soil erosion and sedimentation and to minimize hazards to life or property. Where possible, stormwater drainage should be maintained by landscaped open channels or swales of adequate size and grade.

Earth-moving activities such as topsoil removal, excavation and grading, waterway construction or enlargement, channel clearing, ditching, drain tile laying, dredging, and lagooning should be so conducted as to prevent erosion and sedimentation and to least disturb the natural fauna, flora, water regimen, and topography. Cut and filled lands outside of street rights-of-way should be graded to a maximum slope of one on four, or to the angle of repose of the soil. Urban developments should have grasses, trees, and vines and other protective and rehabilitative measures as may be necessary to prevent soil erosion and sedimentation. Erosion control plans should incorporate the best management practices to reduce soil loss during construction.

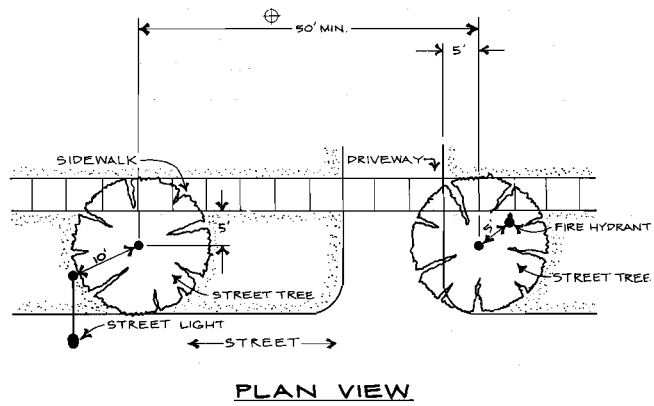
General Landscaping

Areas of Vegetation: Every effort should be made to protect and retain all existing trees, shrubs, vines, grasses, and forbs not actually located in public roadways, drainageways, paths, and trails. Trees should be protected and preserved during construction in accordance with sound conservation practices, including the preservation of trees by use of constructed wells, islands, or retaining walls whenever abutting grades are altered to the extent that existing trees could be damaged.

Soil and Landscape Planting: General landscape guides for the planting and selection of various trees, shrubs, and vines to perform a variety of functions, such as shade, street landscaping, lawn landscaping, hedges, screens, and windbreaks for the neighborhood, can be found in SEWRPC Planning Report No. 8, Soils of Southeastern Wisconsin.

Figure 14

MINIMUM STREET TREE PLANTING DISTANCE IN PUBLIC RIGHTS-OF-WAY



Source: SEWRPC.

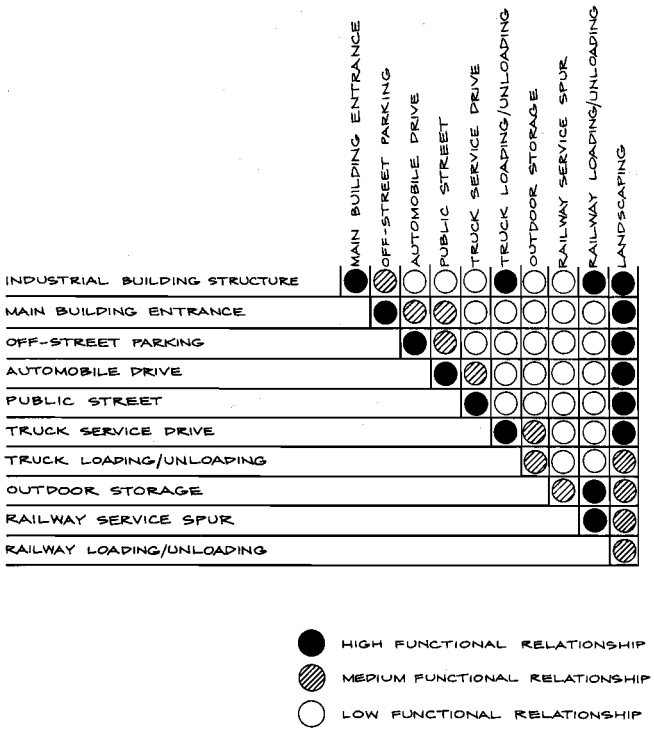
The landscape guides are based upon soil types found in the Region, and show the various types of trees, shrubs, and vines which can be utilized for a variety of landscaping purposes. The various soils in the Region have been grouped into categories termed "woodland suitability groups," based upon their response and suitability to various tree, shrub, and vine species. The woodland suitability groups have been numbered according to a statewide classification system.

Street Trees: At least one street tree of an approved species and at least six feet in height should be planted for each 50 feet of frontage on proposed streets. However, the placement and selection of street tree species should not interfere with access to natural light and air for nearby lots and structures. Tree species should be selected, in part, based upon soil conditions and species hardiness to soil conditions. Columnar varieties of street trees may require shorter distances between plantings. Street trees should be located so as to be a minimum of 10 feet from a street light and five feet from a fire hydrant, driveway, or sidewalk, as illustrated in Figure 14.

Wind and Landscape Planting: Landscaping should be done in such a way as to minimize winter wind and promote summer wind effects

Figure 15

FUNCTIONAL RELATIONSHIPS BETWEEN INDUSTRIAL SITE SPACES AND USES



Source: SEWRPC.

on structures. Winter wind protection is afforded by planting evergreen plant materials of an adequate height on the west side of structures. However, if sunlight would be blocked, low shrubs should be used to divert or enhance winds. An optimum distance between a winter windbreak and a structure is approximately twice the tree height.

Sunlight and Landscape Planting: With respect to sunlight, landscaping planted to the south of structures should be short, broad, deciduous species with open twig patterns, affording the passage of light through the branch structure in the winter.

Sunlight and Open Space: Open space should be located so that, whenever possible, it acts as a buffer between low structures and the shadows cast by neighboring structures or landscape materials. Sunlight should be afforded each building in order to permit potential solar energy use.

Noise and Landscape Planting: Groups of trees, shrubs, and other masses, such as earthen berms, can serve as noise barriers and should be utilized where noise could create problems for neighboring land uses. Such landscaped noise barriers are most effective when they are near either the noise source or the noise receiver. Landscape plantings should provide for noise reductions.

DETAILED SITE PLANNING FOR AN INDUSTRIAL LOT

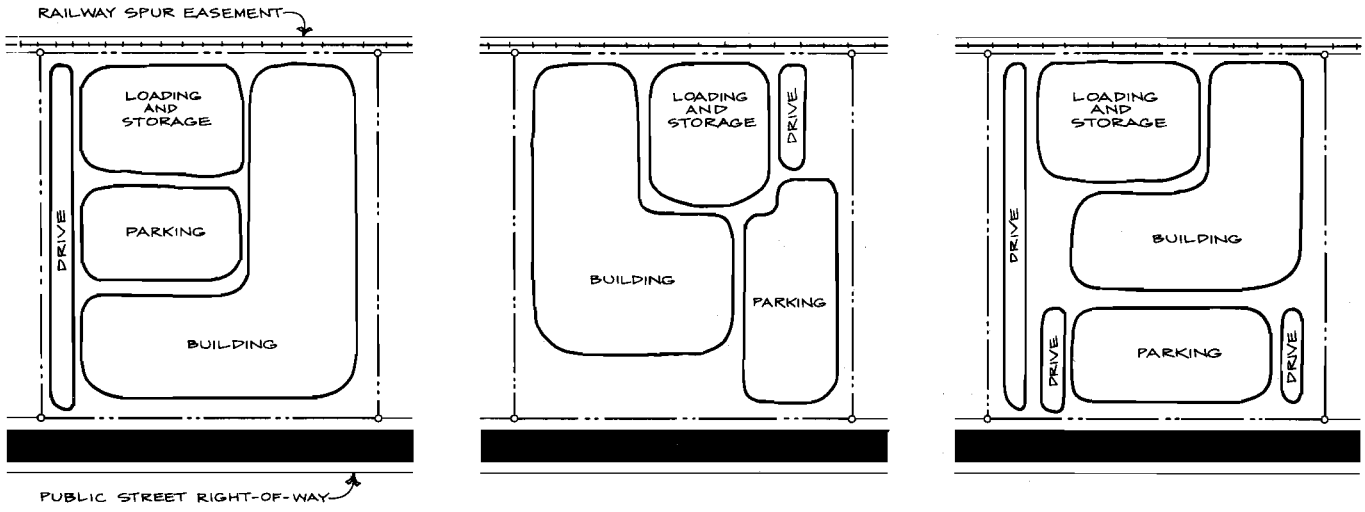
Functional Site Considerations

A typical industrial site must fulfill a number of needs and perform a number of functions. It must provide the proper location and setting for the buildings and the entrances to the buildings; for off-street parking; for automobile drives, truck service drives, truck loading/unloading; for outdoor storage; for railroad service and railroad car loading/unloading; and for landscaping. Figure 15 is a matrix illustrating the various functional relationships between site uses and spaces; these relationships are defined as high, medium, or low spatial relationships. The matrix should assist the industrial lot site planner in laying out the various functional areas of an industrial site in an orderly manner.

Nearby off-site uses which play a significant role in organizing the industrial site itself are the public land-access street and the railroad service spur. The public land-access street is the most critical factor affecting the overall industrial site plan, since the public image of the industry is projected to this publicly used area. That image can be manipulated by the site planner, primarily through the location on the site of the main building, parking, loading and storage areas, and drives. Figure 16 illustrates three alternative orientations of these uses on the industrial site. The Type A site plan illustrated in Figure 16 shows the main building as the dominant site feature, located in the front of the site, highly visible from the public street. Type B, also illustrated in the figure, shows the main building located on one side of the lot and automobile parking on the other. Type C shows the parking lot located along the front of the site and the main building adjacent to the parking lot. Each of these generalized schemes is a viable alternative which will influence the character and the image of the industry in the neighborhood. Also, each scheme can be greatly affected by the ultimate landscaping of the site.

Figure 16

ALTERNATIVE CONCEPTUAL SCHEMES FOR ORGANIZING AN INDUSTRIAL SITE



TYPE A:
BUILDING IN FRONT PORTION OF LOT AND AUTOMOBILE PARKING IN THE REAR. SHARED TRUCK AND AUTOMOBILE DRIVE.

TYPE B:
BUILDING LOCATED ON SIDE OF LOT AND AUTOMOBILE PARKING LOCATED ON SIDE OF LOT. SHARED TRUCK AND AUTOMOBILE DRIVE.

TYPE C:
PARKING LOCATED IN FRONT PORTION OF LOT WITH BUILDING BEHIND THE PARKING AREA. SEGREGATED AUTOMOBILE AND TRUCK DRIVES.

Source: SEWRPC.

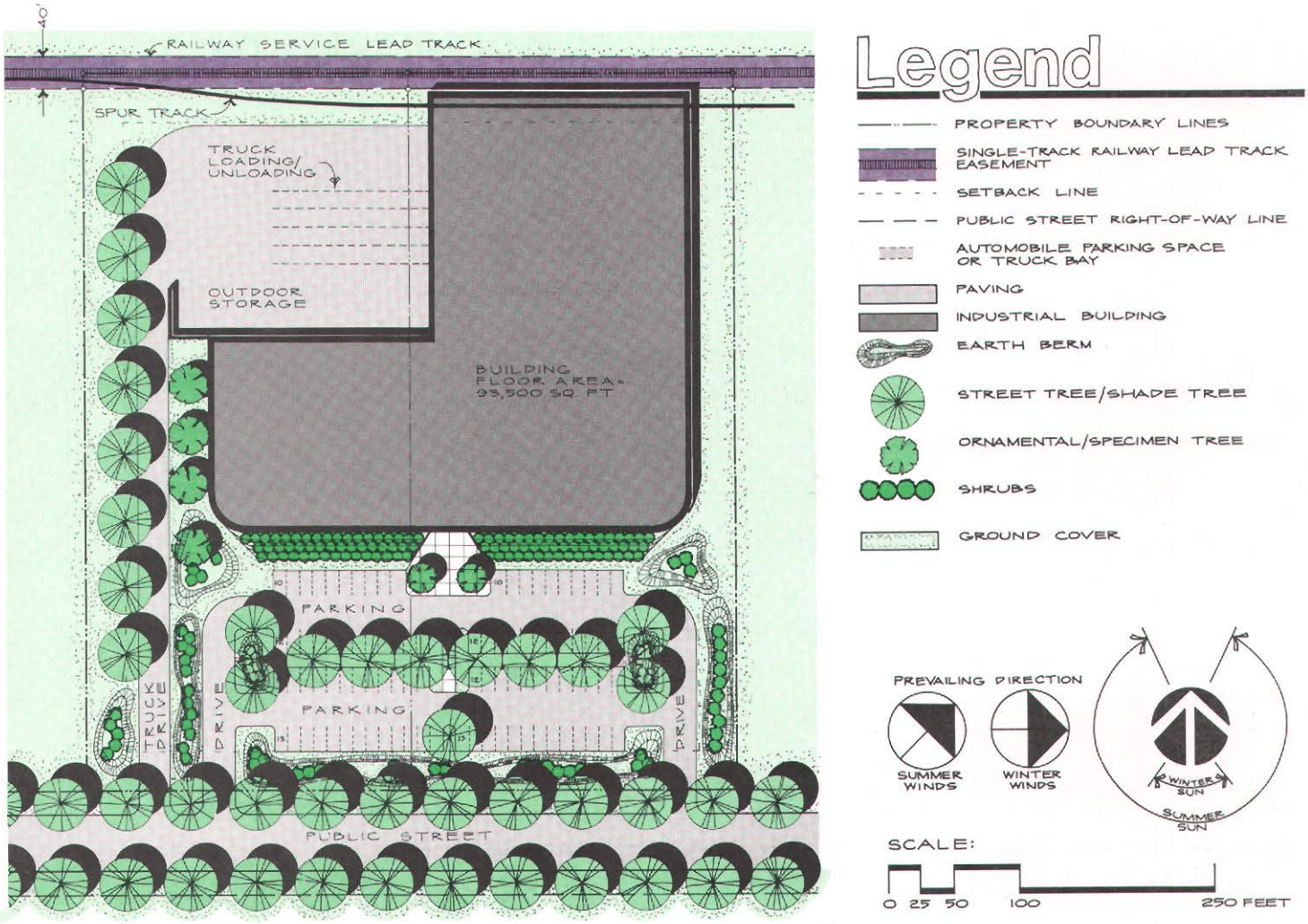
Detailed Site Plan for an Industrial Lot

Based upon the conceptual scheme of an industrial site plan illustrated by Type C in Figure 16, a detailed site plan was prepared for two adjoining three-acre lots based upon the previously discussed site planning design criteria. This plan is shown in Figure 17. These two lots are proposed to be under one ownership and have been combined to serve as a single site for industrial use. Figure 18 illustrates specific applications of some of the industrial site planning design criteria to the detailed site plan.

The industrial site plan illustrated in Figure 17 shows a six-acre parcel of land accommodating a 93,500-square-foot building, 94 ancillary automobile parking spaces, a truck service drive, a truck loading/unloading area, outdoor storage, and ancillary railroad car loading/unloading at the rear of the building. Employee and visitor automobile parking is provided between the public street and the industrial building, with a landscaped earthen berm lying between the street and the parking area in order to visually screen the parked automobiles from the public street. In addition, the loading, unloading, and storage areas are effectively hidden from public view at the rear of the parcel, behind the building. Landscape plantings are provided to improve the overall aesthetic quality of the development.

Figure 17

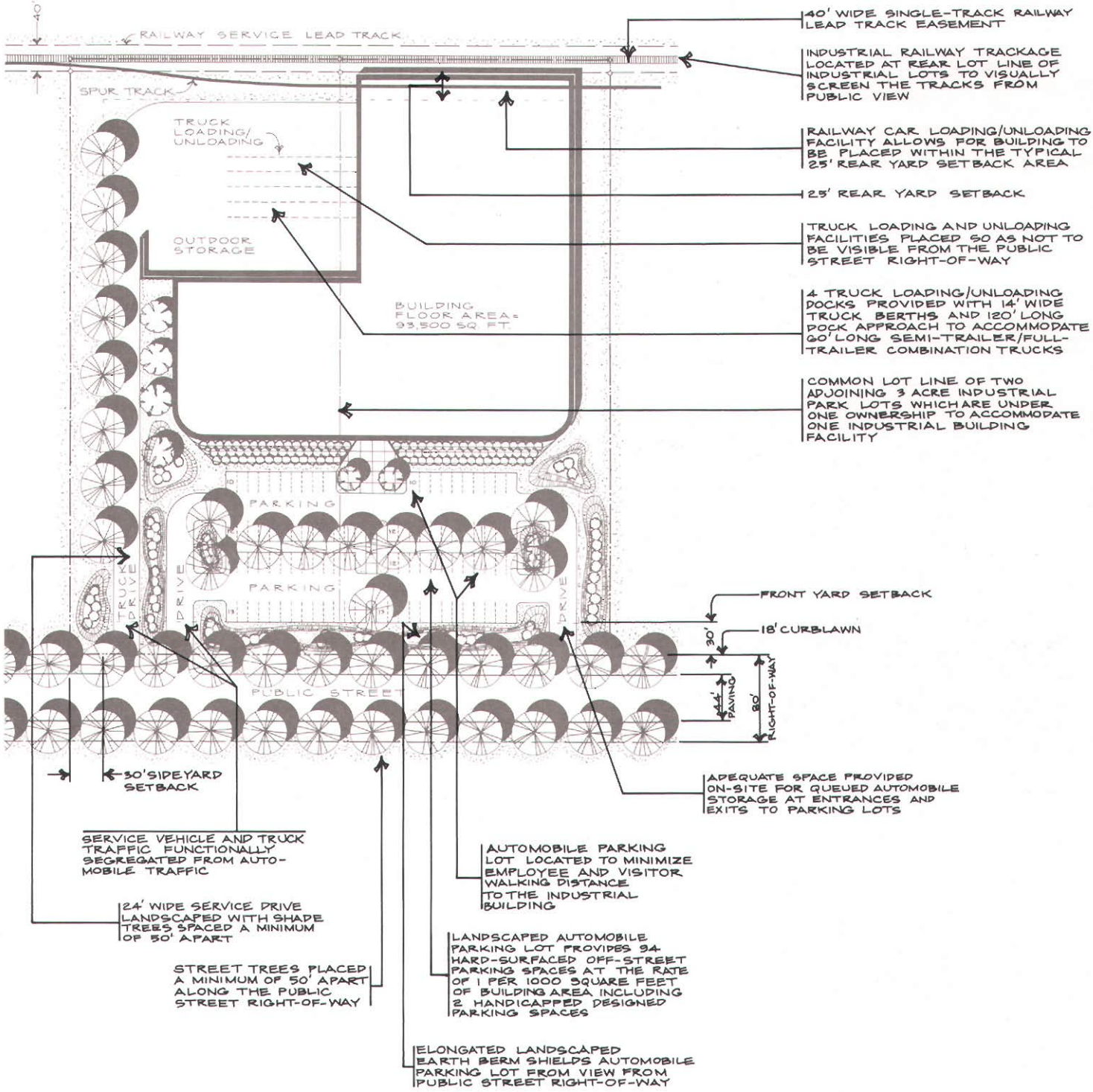
DETAILED SITE PLAN FOR TWO ADJOINING INDUSTRIAL LOTS



Source: SEWRPC.

Figure 18

APPLICATION OF DESIGN CRITERIA TO THE DETAILED PLAN FOR TWO ADJOINING INDUSTRIAL SITES



Source: SEWRPC.

Chapter IV

ALTERNATIVE PLANS AND RECOMMENDED PLAN FOR THE BURLINGTON INDUSTRIAL PARK NEIGHBORHOOD

INTRODUCTION

In accordance with the general community development objectives and neighborhood unit design principles previously outlined, several of alternative neighborhood development plans were prepared for the Burlington Industrial Park Neighborhood. Alternative Plans A and B for the neighborhood are shown on Maps 14 and 15, respectively, and Alternative Plan C, the recommended plan, is shown on Map 16. Each of these plans was quantitatively analyzed in Table 11 and compared to the existing 1985 land uses in the Burlington Industrial Park Neighborhood. The plans were prepared using topographic maps prepared to a scale of 1 inch equals 200 feet, with a vertical contour interval of two feet, on which cadastral data were superimposed. All of the basic data pertinent to good land subdivision design, as inventoried and analyzed in Chapter II of this report, were carefully considered in the preparation of the alternative and recommended neighborhood plan designs. The preparation of these designs was also guided by the various urban design criteria outlined and discussed in Chapter III.

THE ALTERNATIVE PLANS AND RECOMMENDED PLAN

Certain land use and urban design features are common to all three alternative plans for the Burlington Industrial Park Neighborhood presented here. However, each alternative plan contains some differences as a result of its addressing the concerns and issues raised at the public informational meetings and public hearings on the preliminary plan.

During an April 24, 1989, public informational meeting on a preliminary Burlington industrial park neighborhood plan, the City Plan Commission requested that consideration be given to protecting the floodplain fringe areas adjacent to Spring Brook, in the central portion of the neighborhood. This concern, along with other comments, was documented in an April 27, 1989, review letter, reproduced in Appendix A, from the Racine County Planning and Development Office. The Commission staff revised the preliminary plan to create Alternative Plan A, as shown on Map 14, which addressed the concerns raised at the meeting and in the letter, including the protection of additional floodplain fringe areas.

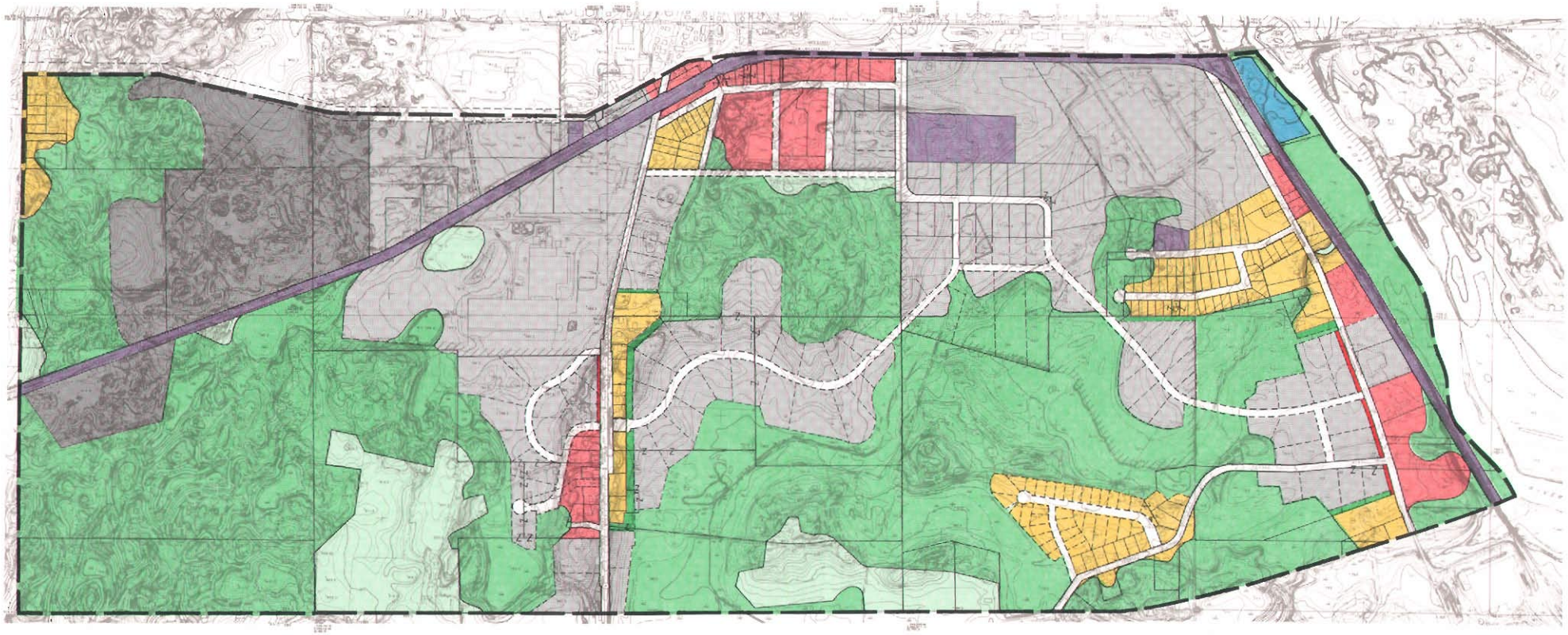
Another neighborhood unit development plan, Alternative Plan B, was prepared as a result of a public hearing concerning Alternative Plan A, held on June 6, 1989. The City Plan Commission requested that this latter plan be prepared to address the concerns raised by the citizens living in the Beverly-Jo Subdivision, located in the eastern part of the Burlington Industrial Park Neighborhood. To reduce the potential adverse impact of planned industrial development and attendant increased traffic on residential property, the citizens requested that the southeastern portion of the neighborhood be planned for residential development and that there be no proposed street connection, an extension of Krift Avenue to S. Pine Street, between the existing central industrial park and S. Pine Street (STH 83). Alternative Plan B, as shown on Map 15, reflects the citizens' requests in addition to providing a neighborhood park.

At a City Plan Commission meeting on the September 13, 1989, that body requested that a third alternative plan, Alternative Plan C, shown on Map 16, be prepared, to consist of a combination of land use concepts from the two previous alternative plans. The intent of this third alternative plan was to address three major concerns raised by the Racine County Planning and Development Office, by businesses within the existing industrial park, and by citizens living in the eastern part of the neighborhood. These concerns arose during a public hearing held on September 5, 1989, on Alternative Plan B.

First, the Racine County Planning and Development Office indicated that lands, some recently rezoned and some already zoned M-3, Heavy Industrial District, and M-4, Quarrying District, in the western part of the neighborhood, should continue to allow for quarrying operation. Accordingly, additional lands were designated for quarrying in Alternative Plan C, provided

Map 14

ALTERNATIVE A PRECISE NEIGHBORHOOD UNIT DEVELOPMENT PLAN FOR THE BURLINGTON INDUSTRIAL PARK NEIGHBORHOOD



LEGEND

- NEIGHBORHOOD BOUNDARY
- EXISTING PROPERTY BOUNDARY LINE: 1989
- PROPOSED PROPERTY BOUNDARY LINE
- SINGLE FAMILY RESIDENTIAL
- COMMERCIAL
- INDUSTRIAL
- EXTRACTIVE INDUSTRIAL LANDS TO BE RECLAIMED AND DEVELOPED FOR INDUSTRIAL USE
- RAILWAYS AND UTILITIES
- GOVERNMENTAL AND INSTITUTIONAL
- PRIMARY ENVIRONMENTAL CORRIDOR
- OPEN SPACE
- EXISTING PUBLIC STREET RIGHT OF WAY
- PROPOSED PUBLIC STREET RIGHT-OF-WAY (66 FT. MINIMUM WIDTH)
- PROPOSED NO VEHICULAR ACCESS EASEMENT (25 FT. WIDE)
- PROPOSED LANDSCAPE EASEMENT (50 FT. WIDE)

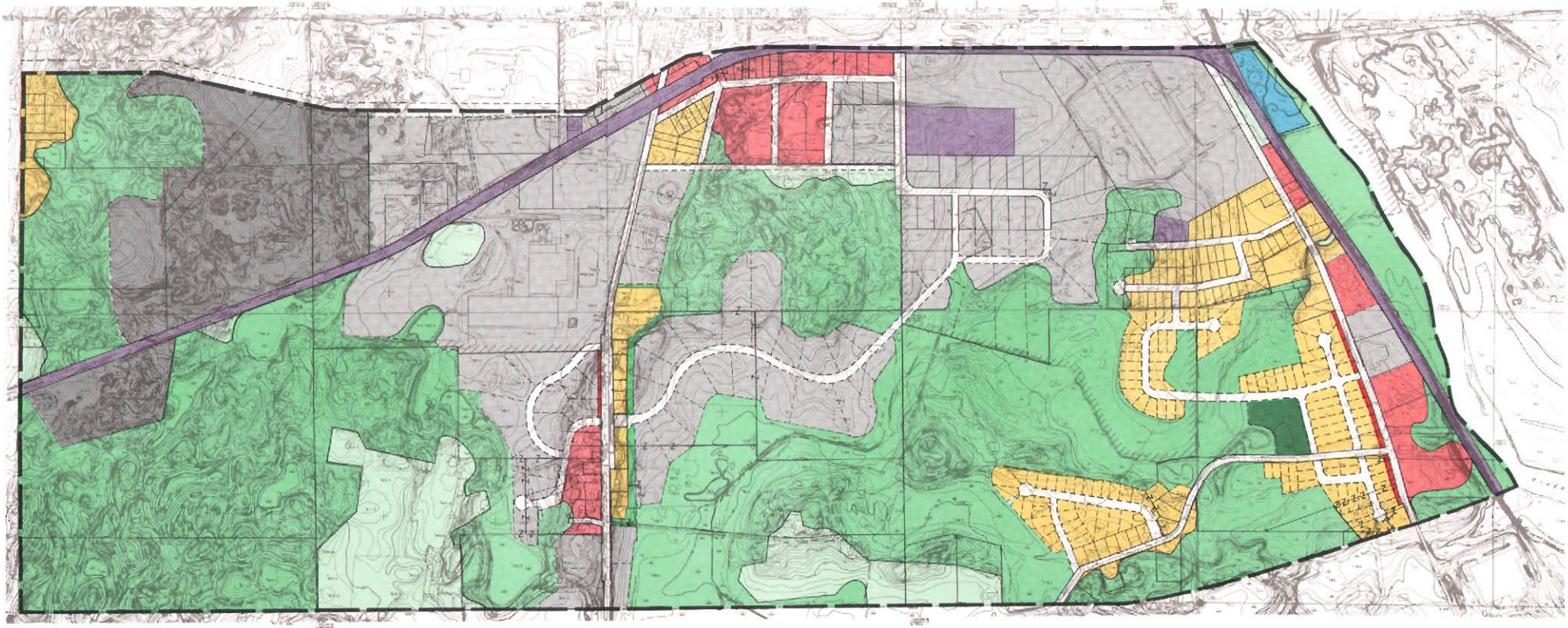
GRAPHIC SCALE

0 400 800 1200 FEET

Source: SEWRPC.

Map 15

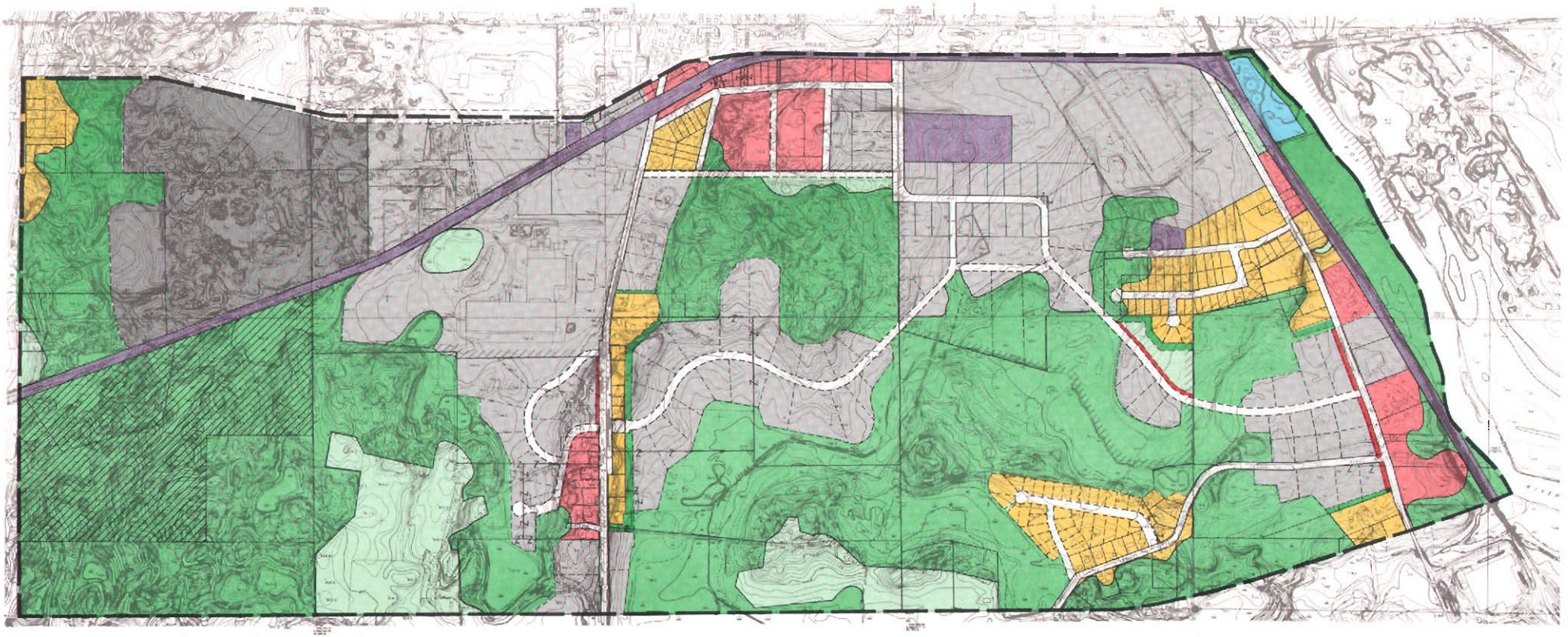
ALTERNATIVE B PRECISE NEIGHBORHOOD UNIT DEVELOPMENT PLAN FOR THE BURLINGTON INDUSTRIAL PARK NEIGHBORHOOD



Source: SEWRPC.

Map 16

RECOMMENDED ALTERNATIVE C PRECISE NEIGHBORHOOD UNIT DEVELOPMENT PLAN FOR THE BURLINGTON INDUSTRIAL PARK NEIGHBORHOOD



LEGEND

- NEIGHBORHOOD BOUNDARY
- EXISTING PROPERTY BOUNDARY LINE: 1989
- PROPOSED PROPERTY BOUNDARY LINE
- SINGLE FAMILY RESIDENTIAL
- COMMERCIAL
- INDUSTRIAL
- EXTRACTIVE INDUSTRIAL LANDS TO BE RECLAIMED AND DEVELOPED FOR INDUSTRIAL USE
- EXTRACTIVE INDUSTRIAL LANDS TO BE RECLAIMED AND RESTORED AS PRIMARY ENVIRONMENTAL CORRIDOR
- RAILWAYS AND UTILITIES
- GOVERNMENTAL AND INSTITUTIONAL
- PRIMARY ENVIRONMENTAL CORRIDOR
- OPEN SPACE
- EXISTING PUBLIC STREET RIGHT-OF-WAY
- PROPOSED PUBLIC STREET RIGHT-OF-WAY (66 FT. MINIMUM WIDTH)
- PROPOSED NO VEHICULAR ACCESS EASEMENT (25 FT. WIDE)
- PROPOSED LANDSCAPE EASEMENT (50 FT. WIDE)

GRAPHIC SCALE

0 400 800 1200 FEET

Source: SEWRPC.

Table 11

EXISTING AND PROPOSED LAND USE IN THE BURLINGTON INDUSTRIAL PARK NEIGHBORHOOD

Land Use Category	Existing Land Use: 1985		Alternative Plan A				Alternative Plan B				Recommended Alternative Plan C			
			Plan Increment		Planned Ultimate Land Use		Plan Increment		Planned Ultimate Land Use		Plan Increment		Planned Ultimate Land Use	
	Acres	Percent of Total	Acres	Percent Change	Acres	Percent of Total	Acres	Percent Change	Acres	Percent of Total	Acres	Percent Change	Acres	Percent of Total
Single-Family Residential[a]	61.9[b]	4.5	6.7	10.8	68.6	5.0	35.6	57.5	97.5	7.2	9.2	14.9	71.1	5.2
Commercial[a]	22.9	1.7	21.5	93.9	44.4	3.3	21.5	93.9	44.4	3.3	21.5	93.9	44.4	3.3
Industrial[a]														
Manufacturing and Related Services	135.8	10.0	205.1	151.0	340.9	25.1	168.3	123.9	304.1	22.3	199.6	147.0	335.4	24.7
Extractive Lands to be Reclaimed for Industrial Use	81.2	6.0	27.3	33.6	108.5	8.0	27.3	33.6	108.5	8.0	12.2	15.0	93.4	6.9
Subtotal	217.0	16.0	232.4	107.1	449.4	33.1	195.6	90.1	412.6	30.3	211.8	97.6	428.8	31.6
Governmental and Institutional[a]	--	--	5.3	--	5.3	0.4	5.3	--	5.3	0.4	5.3	--	5.3	0.4
Recreational[a]	2.8	0.2	-2.8	-100.0	--	--	1.4	50.0	4.2	0.3	-2.8	-100.0	--	--
Transportation and Utilities														
Streets and Highways	39.9	2.9	46.7	117.0	86.6	6.4	50.4	126.3	90.3	6.7	46.6	116.8	86.5	6.4
Railways and Utilities[a]	48.9	3.6	-2.0	-4.1	46.9	3.4	-2.0	-4.1	46.9	3.4	-2.0	-4.1	46.9	3.4
Subtotal	88.8	6.5	44.7	50.3	133.5	9.8	48.4	54.5	137.2	10.1	44.6	50.2	133.4	9.8
Agricultural and Other Open Lands	965.6	71.1	-307.8	-31.9	657.8	48.4	-307.8	-31.9	657.8	48.4	-289.6	-30.0	676.0[c]	49.7
Total	1,359.0	100.0	--	--	1,359.0	100.0	--	--	1,359.0	100.0	--	--	1,359.0	100.0

[a] *Includes related off-street parking.*

[b] *Includes 3.7 acres of single-family residential land under development.*

[c] *Includes 87.6 acres of extractive lands to be restored as primary environmental corridor.*

Source: SEWRPC.

that most of these additional extractive areas are eventually reclaimed and ultimately restored to a primary environmental corridor status.

Second, the business people within the existing industrial park indicated that an alternative route for truck traffic from Krift Avenue to S. Pine Street was necessary to reduce the impact of commercial traffic on W. Market Street, which abuts Burlington High School property and carries residential traffic. The site development plan prepared by the Regional Planning Commission staff for the existing industrial park, as shown on Figure 2, proposed the extension of Krift Avenue to Yahnke Road as an alternative street route to S. Pine Street. Alternative Plan C provides for a street connecting Krift Avenue directly to S. Pine Street, as opposed to Yahnke Road, in order to separate commercial traffic generated within the industrial park from residential traffic on Yahnke Road and to reduce street development within the environmentally sensitive floodplain.

Third, the residents living in the eastern portion of the park indicated that the visual and aural impacts of the industrial development and its traffic would adversely affect their property values and quality of life. A 300- to 600-foot-wide buffer was accordingly proposed in Alternative Plan C to mitigate or abate such impacts upon the existing and planned residential land use designated in the eastern portion of this neighborhood plan.

The recommended Alternative Plan C, as presented on Map 16 and quantitatively analyzed in Table 11, provides a final development design

which addresses the public concerns expressed about the earlier preliminary designs for the Burlington Industrial Park Neighborhood. The recommended plan places a greater emphasis on the protection of the floodplain fringe areas and residential land uses from intensive urban development and from the impacts of industrial development.

Land Use Descriptions

Residential: Alternative Plans A, B, and C, as shown on Maps 14, 15, and 16, respectively, each identify six general areas of the neighborhood for single-family residential uses. These areas are proposed to be buffered from the adjoining industrial and related land uses by either a minimum 50-foot-wide landscaped planting easement, earth slope, or existing environmental corridor. Table 11 indicates that single-family residential land uses would occupy about 69 acres, or about 5 percent of the neighborhood, under Alternative Plan A; about 98 acres, or 7 percent of the neighborhood, under Alternative Plan B; and about 71 acres, or about 5 percent of the neighborhood, under the recommended Alternative Plan C.

To address the concerns raised by the residents of the Beverly-Jo Subdivision, Alternative Plan B proposed more residential land use than the other two alternative plans in order to provide the residential portion of the neighborhood with a park. The recommended plan does not retain the neighborhood park shown on Alternative Plan B, but does retain the Beverly-Jo Subdivision as residential use. All other existing residential land uses are proposed to be phased out of the remaining areas of the neighborhood, thus preventing any potential land use conflicts with the proposed industrial uses.

Commercial (Industry-Related Service): The commercial land uses presented in Alternative Plans A, B, and C are located in the north and south-central portions of the neighborhood and also along S. Pine Street (STH 83). These commercial uses are intended to be industrial sales and service oriented types of businesses that would ultimately serve to support the planned industrial land uses. This type of land use would account for about 44 acres, or about 3 percent of the total neighborhood area under all of the three alternative plans.

Industrial: All three alternative plans proposed industrial land uses within the neighborhood. Table 11 indicates that industrial land uses under Alternative Plan A, shown on Map 14, would occupy about 449 acres, or about 33 percent of the total neighborhood area. A total of 86 new industrial lots are shown on this plan, in addition to 31 lots designated in 1989 for industrial uses. There are therefore a total of 117 industrial lots provided under Alternative Plan A. These lots would range in size from about 0.5 acre to over 40 acres. Of this total industrial area, about 109 acres, or about 8 percent of the total neighborhood area, are proposed as interim extractive use, to be reclaimed for future industrial use.

Alternative Plan B, as shown on Map 15 and quantified on Table 11, proposes about 413 acres, or about 30 percent of the total neighborhood area, for industrial use. A total of 93 industrial lots are proposed in this plan including the 31 industrial lots existing in 1989. Similar to Alternative Plan A, about 109 acres of this total industrial land area are designated for interim extractive use, to be reclaimed eventually for industrial use.

The recommended Alternative Plan C, as shown on Map 16 and quantified in Table 11, proposes that about 429 acres, or about 32 percent of the total neighborhood area, would be used for industrial purposes. This plan proposes only two fewer industrial lots than Alternative Plan A, with a total of 115 lots, including the 31 existing in 1989. This plan designates about 93 acres of a total of 181 acres of interim extractive uses to be reclaimed for industrial use. The remaining 88 acres of extractive lands are to be reclaimed and eventually restored as primary environmental corridor.

Governmental and Institutional: The area proposed for governmental and institutional land uses totals about 5 acres under all three alternative plans, as shown on Maps 14, 15, and 16. The existing sewage treatment plant on a five-acre site in the northeast part of the neighborhood is proposed to be abandoned, and a new plant is under construction downstream. It is anticipated that the site of the existing plant would be redeveloped for a future governmental use.

Recreational: Only Alternative Plan B proposes about 4 acres of lands to be designated as a future park with play facilities. This neighborhood park is proposed to serve the residential development planned for the eastern part of the neighborhood.

Table 12

STREETS AND HIGHWAYS IN THE BURLINGTON INDUSTRIAL PARK NEIGHBORHOOD: 1985 AND UPON ULTIMATE DEVELOPMENT

Street Classification	Name	Existing Right-of-Way (feet)	Proposed Right-of-Way (feet)	Typical Cross-Section	Existing 1985 Length (miles)	Alternative Plan A Length (miles)	Alternative Plan B Length (miles)	Recommended Alternative Plan C Length (miles)
Arterial Streets and Highways	S. Pine Street (STH 83)	66 to 83	66 to 83	Minimum four-lane	0.89	0.89	0.89	0.89
	McHenry Street (CTH P)	66 to 100	66 to 100	Minimum four-lane	0.93	0.93	0.93	0.93
	Market Street	66	66 to 130	Minimum four-lane and desirable four-lane	0.34	0.93	0.93	0.93
Subtotal	--	--	--	--	2.16	2.75	2.75	2.75
Land Access or Minor Streets	Brookview Avenue	66	66 to 80	Urban minor	0.09	0.83	0.83	0.83
	Dale Drive	66	66	Urban minor	0.12	0.18	0.18	0.18
	Dunford Drive	66	66	Urban minor	0.32	0.29	0.29	0.29
	Eastbrook Drive	66	66	Urban minor	0.03	--[a]	0.05	0.05
	Fox River Street	66	66	Urban minor	0.14	0.13	0.13	0.13
	Front Street	66	66	Urban minor	0.42	0.42	0.42	0.42
	Industrial Drive	66	66	Urban minor	0.25	0.25	0.25	0.25
	Krift Avenue	66	66 to 80	Urban minor	0.05	0.72	0.10	0.72
	McKinley Street	66	66	Urban minor	0.14	0.14	0.14	0.14
	Kane Street	100	100	Urban minor	0.25	0.25	0.25	0.25
	Yahnke Road	66	66	Urban minor	0.67	0.67	0.67	0.67
	Unnamed streets	--	66 to 80	Urban minor	--	1.81	2.76	1.72
Subtotal	--	--	--	--	2.48	5.69	6.07	5.65
Total	--	--	--	--	4.64	8.44	8.82	8.40

[a] *Proposed to be vacated.*

Source: SEWRPC.

Transportation: Land access under all three alternative plans would be accomplished mostly by a system of 66- and 80-foot-wide street rights-of-way. Land access, or minor, streets total about 5.7 miles under Alternative Plan A, about 6.1 miles under Alternative Plan B, and about 5.6 miles under the recommended Alternative Plan C. Arterial streets and highways abutting the neighborhood total about 2.7 miles under all three alternative plans. It is recommended that direct vehicular access to arterial streets and highways from corner and double frontage industrial lots located in the neighborhood be prohibited. Such access should be limited to the land access streets, and direct access to arterials should be prohibited through the use of deed restrictions. The sides and/or backs of industrial lots in the neighborhood which abut arterial streets should be landscaped for visual screening and noise mitigation. The lengths of existing and proposed street rights-of-way and typical street cross-sections for all public streets planned for the Burlington Industrial Park Neighborhood under the three alternative plans are shown in Table 12.

Natural Areas: Existing woodlands, wetlands, and water areas located throughout the neighborhood occupied about 485 acres, or about 36 percent of the total neighborhood area, in 1985. Under all three alternatives, these areas were planned to be effectively incorporated into industrial or industrial-related development projects and environmental corridor and isolated natural areas in order to utilize their natural beauty as a humanizing feature for the entire Burlington Industrial Park Neighborhood area.

To protect the natural areas and reduce the amount of filling within the floodplain fringe areas adjacent to Spring Brook, all three alternative plans minimize proposed development in

that portion of the floodplain fringe area, and require compensating flood water storage areas for any storage lost by filling to accommodate proposed developments. In conducting such compensating cutting and filling: 1) excavation would take place prior to or simultaneously with filling and would be located in areas within or contiguous to the floodplain; 2) any fill would be carried to an elevation of at least two feet above the elevation of the 100-year recurrence interval flood; and 3) the floodwater storage and capacity provided by the cutting would be equal to or exceed that lost by filling.

Under the recommended plan, floodplain storage lost due to the filling required to accommodate proposed lots would be about 8 acre-feet, while the floodplain storage created by proposed compensating cutting would be about 11 acre-feet. Map 17 shows the location of the 100-year recurrence interval floodplain and the created flood water storage compensating for storage lost by filling for proposed development, as shown on the recommended plan.

Delineated Environmental Corridors and Isolated Natural Areas: Alternative Plans A and B propose the preservation of 590 acres of existing and planned environmental corridors and isolated natural areas throughout the neighborhood. Under the recommended Alternative Plan C, approximately 602 acres of lands are to be preserved as environmental corridors and isolated natural areas. Of this total, 88 acres are lands proposed for interim extractive use and are proposed to be reclaimed and restored as primary environmental corridor. These corridors account for about 43 percent of the total neighborhood area under Alternative Plans A and B, and about 44 percent of the total neighborhood area under the recommended Alternative Plan C.

CONCLUDING REMARKS

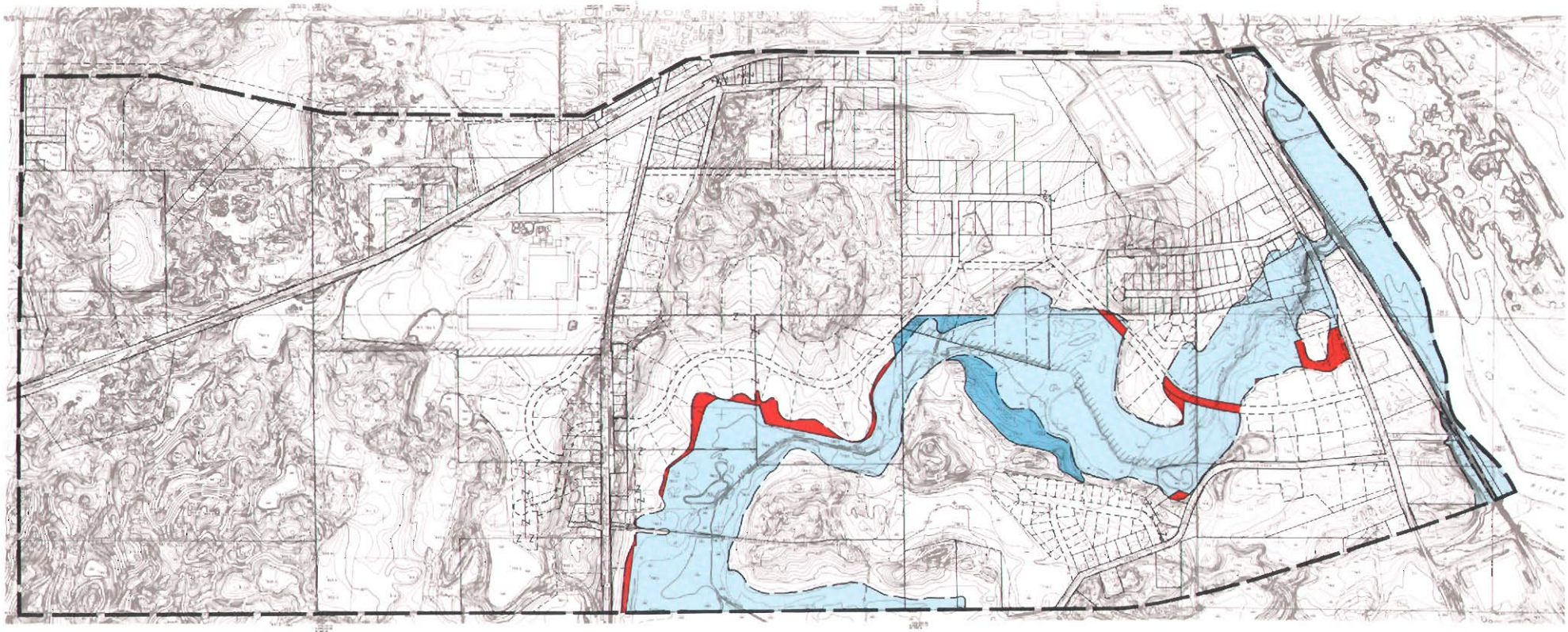
This recommended Burlington Industrial Park Neighborhood Plan is intended to constitute an ultimate, end-stage plan. The neighborhood unit plan is intended to be used as a point of departure for making development decisions over time, so as to avoid mistakes that could create serious and costly developmental or environmental problems, and to guide actual partial development of the plan over time into a coordinated and harmonious whole. In this respect, it must be recognized that over long periods of time, socioeconomic and related cultural conditions, and, therefore, development standards and practices, may change. Such change may dictate changes in the adopted neighborhood unit plan. The responsible public officials must therefore remain flexible in the use and application of the plan, and the plan itself should be periodically reviewed and revised as may be necessary.

Nevertheless, the recommended neighborhood unit plan, as presented herein, offers a sound guide to the rational physical development of the delineated neighborhood. The plan provides a framework upon which proposed land uses can be properly related to existing and probable future land uses in the area and to supporting transportation, utility, and stormwater drainage needs and facilities. The recommended plan provides for the development of a basic street network able to move traffic into and out of, as well as within, the neighborhood efficiently and safely. The proposed street pattern also provides the basic public rights-of-way necessary to accommodate needed utilities and stormwater drainage efficiently. The plan can accommodate a diversity of industrial needs and can, therefore, accommodate a wide range of land subdivision proposals. The plan recognizes soil limitations and flood hazards in the area and adjusts the proposed development to those limitations and hazards in order to avoid the creation of serious and costly developmental and environmental problems. The plan presents proposals for its implementation over time. Those proposals are set forth in Chapter V.

As already noted, the recommended plan should be applied over time in a thoughtful, flexible manner. The City Plan Commission must assume the final responsibility of determining when, where, and how future development is to take place in the neighborhood. The plan, however, provides the Plan Commission with a broad view of how individual development proposals may fit into the neighborhood as a whole without creating problems.

Map 17

FLOODWATER STORAGE AREAS REQUIRED FOR DEVELOPMENT PROPOSED UNDER ALTERNATIVE C PRECISE NEIGHBORHOOD UNIT DEVELOPMENT PLAN FOR THE BURLINGTON INDUSTRIAL PARK NEIGHBORHOOD



LEGEND

- 100-YEAR RECURRENCE INTERVAL FLOODPLAIN
- PLANNED COMPENSATING FLOODWATER STORAGE (10.8 ACRE-FEET)
- PLANNED FLOODWATER STORAGE LOSS DUE TO DEVELOPMENT (8.2 ACRE-FEET)

GRAPHIC SCALE

0 400 800 1200 FEET

Source: SEWRPC.

(This page intentionally left blank)

Chapter V

PLAN IMPLEMENTATION

INTRODUCTION

The preparation of a neighborhood development plan is only the first in a series of actions, both public and private, required for the ultimate proper development of a neighborhood. The realization of the neighborhood plan presented in this report requires the effective application of several plan implementation devices and, perhaps, the modification of certain existing plan implementation devices. In addition to the formal adoption of the plan, plan implementation devices applicable to the implementation of the neighborhood plan include: creation and maintenance of an industrial park development control board; adoption of zoning districts and zoning district regulations applicable to the neighborhood; development of deed restrictions and protective covenants for the industrial park; adoption of an official map showing the location of existing and proposed streets, highways, and parkways in the neighborhood plan; a subdivision plat review; and development of a community capital improvements program.

An important aspect of the neighborhood plan implementation is the installation of the public utility and facility infrastructure, such as streets, curbs and gutters, sanitary sewers, water mains, and storm sewers in a manner characteristic of a properly designed and developed neighborhood. The proper design and final appearance of sites within an industrial park, consistent with the urban design criteria and site planning design guide outlined in Chapter III, will ensure park marketability, and will stabilize or increase property values for the good of both the community and of the individual property owner.

PUBLIC INFORMATIONAL MEETING AND HEARING

State of Wisconsin legislation enabling municipal planning does not require local plan commissions to hold public hearings on proposed plan elements, such as a neighborhood plan, prior to adoption of those elements. It is, nevertheless, recommended that the City Plan Commission hold one or more public informational meetings and a formal public hearing to acquaint residents, landowners, and persons interested in industrial development with the details of the proposed industrial park neighborhood plan and to solicit public reaction to the plan proposals. Several such meetings have been held, and alternative plans were created, prior to adoption of a plan, to address concerns and to incorporate desirable new ideas advanced at these meetings.

PLAN ADOPTION

An important step in neighborhood plan implementation is the local plan commission's formal adoption of the plan and its certification to the governing body of the municipality pursuant to state enabling legislation. Upon such adoption, the industrial park neighborhood plan becomes an official guide for for local officials in making decisions concerning the development of the industrial park. The recommended Alternative Plan C was adopted by the City of Burlington Plan Commission on November 7, 1989, and by the City Common Council on December 5, 1989, as indicated in the resolutions in Appendices B and C, respectively.

INDUSTRIAL PARK CONTROL BOARD

The City of Burlington Industrial Park Control Board was established by Ordinance No. 1076 (15) on October 4, 1983, to ensure that property owners in the City of Burlington-owned industrial parks would have an active role in their governance and to ensure the proper enforcement of the industrial park deed restrictions and protective covenants. The complete text of the city ordinance which sets forth the composition and duties of the Board is presented in Appendix D. Currently, the Industrial Park Control Board has jurisdiction over the 68-acre City of Burlington Industrial Park shown in Figure 2 of Chapter II.

BURLINGTON INDUSTRIAL DEVELOPMENT, LTD., A NONPROFIT INDUSTRIAL DEVELOPMENT ORGANIZATION

Another vehicle for ensuring that property owners in City of Burlington-owned industrial parks have an active role in the governance of

the parks and that the proper enforcement of the industrial park deed restrictions and protective covenant is observed, is the private, nonprofit Burlington Industrial Development, Ltd., Corporation, created in 1983. The corporation is supported by donations from public and private entities, including local government and private businesses. A board of directors is specified in the bylaws of the organization, as provided in Appendix E.

ZONING

Zoning is considered probably the most important and versatile plan implementation method of all devices presently available. An initial, short-term zoning map, therefore, should first be created to foster the type of growth planned for the neighborhood. Later, an ultimate zoning map representing zoning for the ultimate planned development of the neighborhood area is created. As discussed in Chapter II, land use regulations in the Burlington Industrial Park Neighborhood are under the jurisdiction of both the City of Burlington zoning ordinance (for those portions of the neighborhood lying within the City of Burlington) and the Racine County zoning ordinance (for those portions of the neighborhood lying within the Town of Burlington). As a result, Map 18 shows the proposed initial zoning map for the neighborhood utilizing both the City of Burlington zoning ordinance districts, for those areas in the City, and the Racine County common council districts, for those areas in the Town of Burlington. Since it is uncertain at the present time whether or not those areas in the Burlington Industrial Park Neighborhood which are within the Town of Burlington will become a part of the City of Burlington, two ultimate zoning maps for the neighborhood are provided: a zoning map using city zoning districts for the areas in the City and county zoning districts for areas in the Town (see Map 19); plus a zoning map using the city zoning districts exclusively (see Map 20).

Table 13 provides a summary of the zoning district regulations for each of the districts proposed in Maps 18, 19, and 20. It should be noted here that a new zoning district, the Shoreland Wetland Overlay District (SWO), is proposed for the City of Burlington zoning ordinance and intended to be applied to those areas in the Burlington Industrial Park Neighborhood which are shoreland wetlands within the City's corporate limits. The text of the City of Burlington zoning ordinance should be modified, as indicated in Appendix F, in order to accommodate this recommended new district and to improve the regulations for controlling developments in floodplain areas. The Racine County zoning ordinance currently contains a Shoreland-Wetland Overlay District, as shown in Table 13, which regulates shoreland wetlands in the Town of Burlington in accordance with Chapter NR 115 of the Wisconsin Administrative Code.

To assure the necessary intergovernmental coordination in the development of the neighborhood, it is recommended that the City Plan Commission request the Town of Burlington Plan Commission and Town Board to adopt Alternative Plan C, "Neighborhood Unit Development Plan for the Burlington Industrial Park Neighborhood." The City Plan Commission should also request that the Town, following adoption of the neighborhood plan, review the zoning of those portions of the neighborhood in the Town and then petition the Racine County Board to amend the town zoning district map in the manner shown on Map 18 for town areas.

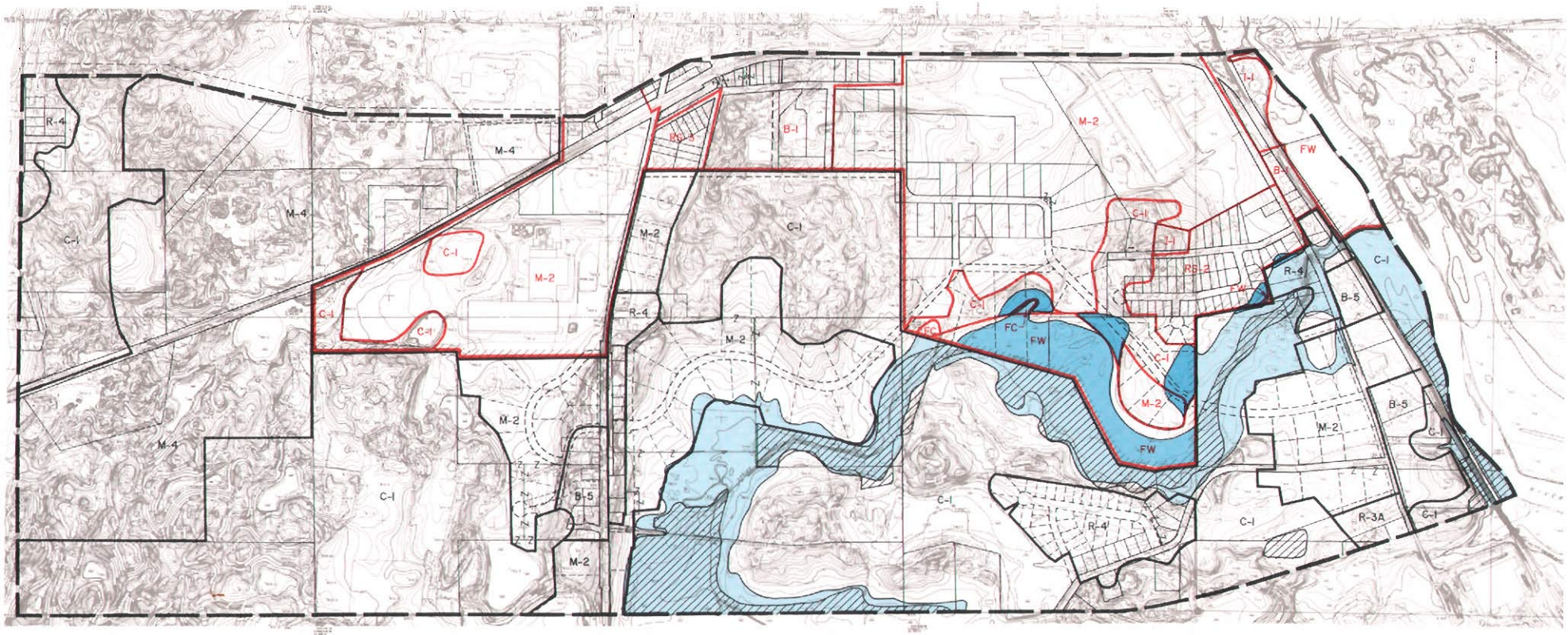
INDUSTRIAL PARK DEED RESTRICTIONS AND PROTECTIVE COVENANTS

In addition to the implementation tools mentioned previously, the City of Burlington has been successful in using deed restrictions and protective covenants in order better to regulate the development of the 68-acre Burlington Industrial Park, which is under City ownership. These deed restrictions and protective covenants can also be used to regulate future land holdings of the City located in the neighborhood and can be encouraged to be used by private sector interests in the neighborhood.

Deed restrictions and protective covenants may be defined as the limitations placed upon the use of real property in writing the deed transferring real property ownership. Deed restrictions and protective covenants are governed by the law of contracts, and the legal presumption is in favor of the free exercise of the right to contract. This generalization is subject to two important limitations: 1) contracts may not be contrary to public policy; and 2) contracts must not be unreasonable. Deed restrictions and protective covenants are intended to supplement other

Map 18

PROPOSED INITIAL ZONING MAP FOR THE BURLINGTON INDUSTRIAL PARK NEIGHBORHOOD USING THE CITY OF BURLINGTON ZONING DISTRICTS FOR CITY AREAS; THE RACINE COUNTY ZONING DISTRICTS FOR TOWN AREAS



LEGEND

- NEIGHBORHOOD BOUNDARY
- EXISTING PROPERTY BOUNDARY LINE: 1989
- PROPOSED PROPERTY BOUNDARY LINE

CITY OF BURLINGTON

- CITY OF BURLINGTON ZONING DISTRICT BOUNDARY LINE
- RS-2 SINGLE FAMILY RESIDENTIAL DISTRICT
- RS-3 SINGLE FAMILY RESIDENTIAL DISTRICT
- B-I NEIGHBORHOOD BUSINESS DISTRICT
- M-2 GENERAL MANUFACTURING DISTRICT
- I-I INSTITUTIONAL DISTRICT
- C-I CONSERVANCY DISTRICT
- FW FLOODWAY DISTRICT
- FC FLOODPLAIN CONSERVANCY DISTRICT
- FLOODPLAIN FRINGE OVERLAY DISTRICT
- SHORELAND WETLAND OVERLAY DISTRICT

RACINE COUNTY

- RACINE COUNTY ZONING DISTRICT BOUNDARY LINE
- R-3A SUBURBAN RESIDENTIAL DISTRICT (SEWERED)
- R-4 URBAN RESIDENTIAL DISTRICT (I)
- B-5 HIGHWAY BUSINESS DISTRICT
- M-2 GENERAL INDUSTRIAL DISTRICT
- M-4 QUARRYING DISTRICT

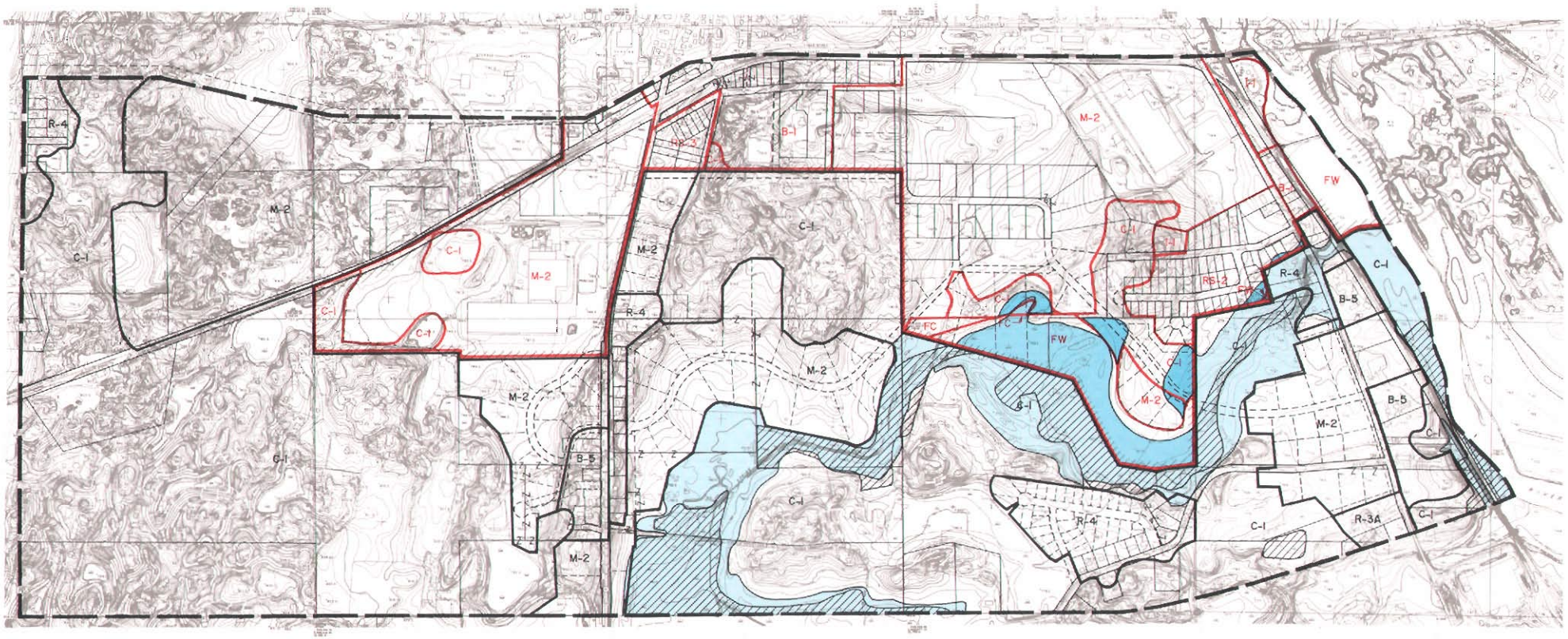
- C-I RESOURCE CONSERVANCY DISTRICT
- GENERAL FLOODPLAIN OVERLAY DISTRICT
- SHORELAND WETLAND OVERLAY DISTRICT

GRAPHIC SCALE
0 400 800 1200 FEET

Source: SEWRPC.

Map 19

PROPOSED ULTIMATE ZONING MAP FOR THE BURLINGTON INDUSTRIAL PARK NEIGHBORHOOD USING THE CITY OF BURLINGTON ZONING DISTRICTS FOR CITY AREAS; THE RACINE COUNTY ZONING DISTRICTS FOR TOWN AREAS



LEGEND

- NEIGHBORHOOD BOUNDARY
- EXISTING PROPERTY BOUNDARY LINE: 1989
- PROPOSED PROPERTY BOUNDARY LINE

CITY OF BURLINGTON

- CITY OF BURLINGTON ZONING DISTRICT BOUNDARY LINE
- RS-2 SINGLE FAMILY RESIDENTIAL DISTRICT
- RS-3 SINGLE FAMILY RESIDENTIAL DISTRICT
- B-1 NEIGHBORHOOD BUSINESS DISTRICT
- M-2 GENERAL MANUFACTURING DISTRICT
- I-1 INSTITUTIONAL DISTRICT
- C-1 CONSERVANCY DISTRICT
- FW FLOODWAY DISTRICT
- FC FLOODPLAIN CONSERVANCY DISTRICT
- FLOODPLAIN FRINGE OVERLAY DISTRICT
- SHORELAND WETLAND OVERLAY DISTRICT

RACINE COUNTY

- RACINE COUNTY ZONING DISTRICT BOUNDARY LINE
- R-3A SUBURBAN RESIDENTIAL DISTRICT (SEWERED)
- R-4 URBAN RESIDENTIAL DISTRICT (I)
- B-5 HIGHWAY BUSINESS DISTRICT
- M-2 GENERAL INDUSTRIAL DISTRICT
- C-1 RESOURCE CONSERVANCY DISTRICT

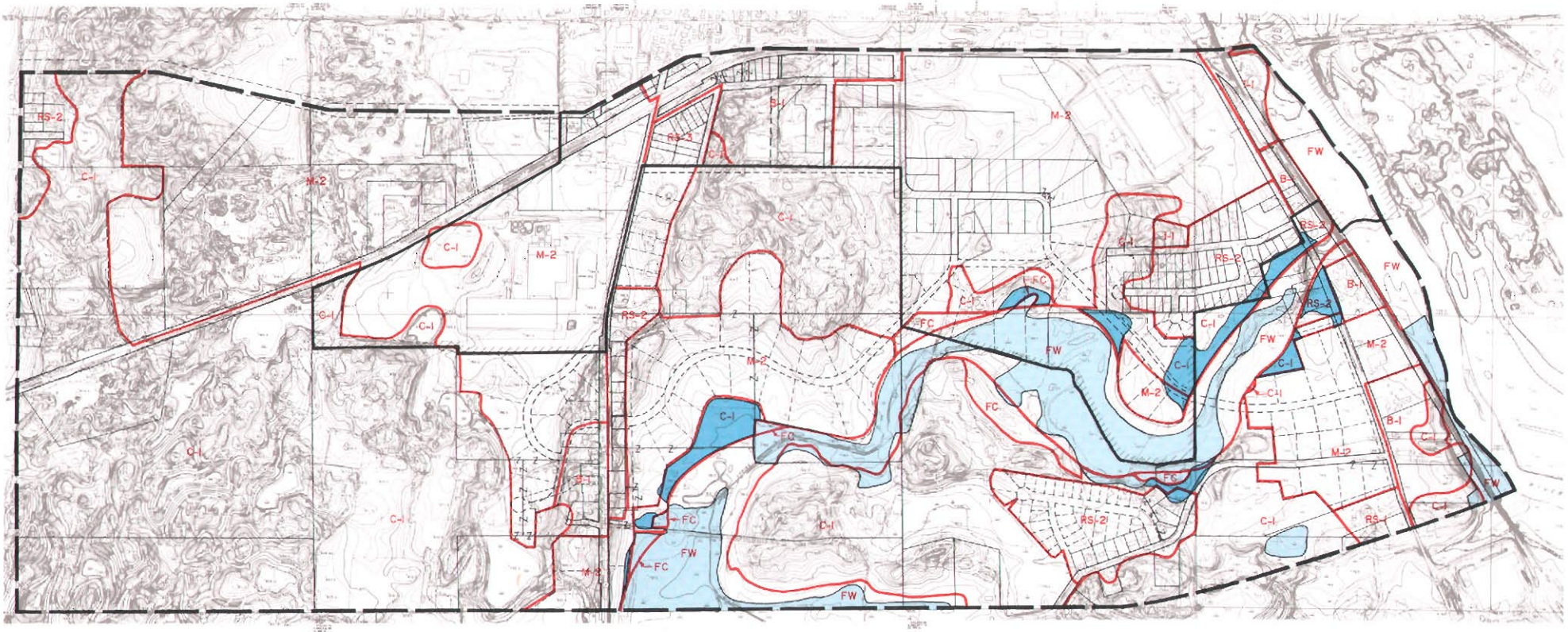
- GENERAL FLOODPLAIN OVERLAY DISTRICT
- SHORELAND WETLAND OVERLAY DISTRICT

GRAPHIC SCALE
0 400 800 1200 FEET

Source: SEWRPC.

Map 20

PROPOSED ULTIMATE ZONING MAP FOR THE BURLINGTON INDUSTRIAL PARK NEIGHBORHOOD USING THE CITY OF BURLINGTON ZONING DISTRICTS



LEGEND

- CITY LIMITS BOUNDARY: 1989
- NEIGHBORHOOD BOUNDARY
- EXISTING PROPERTY BOUNDARY LINE: 1989
- PROPOSED PROPERTY BOUNDARY LINE
- CITY ZONING DISTRICT BOUNDARY LINE
- RS-1 SINGLE FAMILY RESIDENTIAL DISTRICT
- RS-2 SINGLE FAMILY RESIDENTIAL DISTRICT
- RS-3 SINGLE FAMILY RESIDENTIAL DISTRICT
- B-1 NEIGHBORHOOD BUSINESS DISTRICT
- M-2 GENERAL MANUFACTURING DISTRICT
- I-1 INSTITUTIONAL DISTRICT
- C-1 CONSERVANCY DISTRICT
- FW FLOODWAY DISTRICT
- FC FLOODPLAIN CONSERVANCY DISTRICT
- FLOODPLAIN FRINGE OVERLAY DISTRICT
- SHORELAND WETLAND OVERLAY DISTRICT

Source: SEWRPC.

Table 13

SUMMARY OF THE CITY OF BURLINGTON AND TOWN OF BURLINGTON ZONING DISTRICTS PROPOSED TO BE USED IN THE BURLINGTON INDUSTRIAL PARK NEIGHBORHOOD

Zoning District	Principal Permitted Uses	Conditional Uses	Minimum Lot Size		Minimum Yard Requirements			Maximum Building Height (feet)	Proposed Zoning					
									Map 18		Map 19		Map 20	
									Initial Zoning Map Using City and Town Zoning Districts		Ultimate Zoning Map Using City and Town Zoning Districts		Ultimate Zoning Map Using City Zoning Districts	
			Total Area (square feet)	Width at Setback (feet)	Front Yard (feet)	Side Yard (feet)	Rear Yard (feet)		Acres	Percent of Total	Acres	Percent of Total	Acres	Percent of Total
	City of Burlington Zoning Districts[a]													
Rs-1 Single-Family Residential	Single-family dwellings, foster home, community living arrangements for eight or fewer persons	Community living arrangements for nine or more persons, greenhouses, churches, bed and breakfast establishments	14,000	80	25	Eight on one side; 20 combined	25	35	--	--	--	--	4.5	0.3
Rs-2 Single-Family Residential	Same as Rs-1 district	Same as Rs-1 district	11,000	70	25	Eight on one side; 20 combined	25	35	25.0	1.8	25.0	1.8	68.2	5.0
Rs-3 Single-Family Residential	Same as Rs-1 district	Same as Rs-1 district	8,000	60	25	8	25	35	7.1	0.5	7.1	0.5	7.1	0.5
B-1 Neighborhood Business	Retail stores, offices, restaurants, services	Drive-in establishments, automobile services, construction services, freight forwarding services, warehousing	10,000	80	25	10	--[b]	35	39.0	2.9	39.0	2.9	64.8	4.8
M-2 General Manufacturing	Processing, manufacturing, and/or storage	Airports, heliports, bus and rail depots, laboratories, lumber yards, dispensing or sales of liquids	7,200	60	15	9	25	50	226.1	16.6	226.1	16.6	506.4	37.3
Q-1 Quarrying/ Extractive	None	Mineral extractive operations	--[c]	80	200	200	200	75	--	--	--	--	--	--
I-1 Institutional	Public office buildings, schools, churches, hospitals	Utilities, cemeteries, crematory services, gift stores	10,000	80	25	10	25	35	8.6	0.6	8.6	0.6	8.6	0.6
C-1 Conservancy	Existing agricultural uses, forest reserves, forest and game management	Essential services	--	--	--	--	--	--	35.5	2.6	34.2	2.5	546.4	40.2
FW Floodway	Agricultural uses excluding structures, fish hatcheries, forest preserves, utility facilities	Navigational structures, bridges, utilities, park and recreational areas excluding structures, other open space uses	--	--	--	--	--	--	40.0	3.0	40.0	3.0	141.3	10.4
FC Floodplain Conservancy	Same as FW district	Same as FW district, floodproofed accessory structures	--	--	--	--	--	--	1.3	0.1	2.6	0.2	11.7	0.9
FFO Floodplain Fringe Overlay	Any use of land, except structure, permitted in the underlying district	Filling, structures on fill and permitted in the underlying district	--[d]	--[d]	--[d]	--[d]	--[d]	--[d]	8.8[e]	--[e]	8.8[e]	--[e]	26.5[e]	--[e]
SWO Shoreland Wetland Overlay	Recreational uses, existing agricultural uses, silviculture	Public streets, nonresidential buildings used for raising wetland or aquatic animals, public and private parks, utility transmission lines, railroad lines	--	--	--	--	--	--	18.5[e]	--[e]	18.5[e]	--[e]	86.4[e]	--[e]
City of Burlington Proposed Zoning Area Subtotal			--	--	--	--	--	--	382.6[e]	28.1[e]	382.6[e]	28.1[e]	1,359.0[e]	100.0[e]

Table 13 (continued)

Zoning District	Principal Permitted Uses	Conditional Uses	Minimum Lot Size		Minimum Yard Requirements			Maximum Building Height (feet)	Proposed Zoning					
									Map 18		Map 19		Map 20	
									Initial Zoning Map Using City and Town Zoning Districts		Ultimate Zoning Map Using City and Town Zoning Districts		Ultimate Zoning Map Using City Zoning Districts	
			Total Area (square feet)	Width at Setback (feet)	Front Yard (feet)	Side Yard (feet)	Rear Yard (feet)		Acres	Percent of Total	Acres	Percent of Total	Acres	Percent of Total
Town of Burlington (Racine County Zoning Ordinance)[a]														
R-3A Suburban Residential (sewered)	Single-family dwellings on lots served by public sanitary sewer	Utilities, schools, churches, clubs, home occupations, and professional offices	13,500	90	35	10	50	35	4.5	0.3	4.5	0.3	--	--
R-4 Urban Residential (I)	Same as R-3A district	Same as R-3A district	10,000	75	25	10	25	35	45.8	3.4	45.8	3.4	--	--
B-5 Highway Business	None	Retail stores, restaurants, services, public facilities, utilities, public transportation terminals	4 acres	400	100	40	40	35	25.8	1.9	25.8	1.9	--	--
M-2 General Industrial	Processing, manufacturing, and/or storage	Airports, public facilities, animal hospitals, manufacturing and processing of certain materials, commercial service facilities	--	--	50	20	25	45	149.0	11.0	280.3	20.7	--	--
M-4 Quarrying	Existing mineral extraction operation	New mineral extraction operations	--	--	200	200	200	45	219.6	16.2	--	--	--	--
C-1 Resource Conservancy	Fishing, flood overflow and floodwater storage, hunting, historic and scientific areas	Boating, drainageways, game farms, orchards	--	--	--	--	--	--	531.7	39.1	620.0	45.6	--	--
GFO General Floodplain Overlay	Hunting, fishing, drainage, flood overflows, horticulture	Navigational structures, bridges, utilities, park and recreational excluding structures, other open space uses	--	--	--	--	--	--	126.3[e]	--[e]	128.1[e]	--[e]	--	--
SWO Shoreland-Wetland Overlay	Recreational uses, harvesting of wild crops, silviculture, cultivation of agricultural crops	Construction of roads, nonresidential buildings used for raising wetland or aquatic animals, public and private parks, utility transmission lines, railroad lines	--	--	--	--	--	--	67.9[e]	--[e]	67.9[e]	--[e]	--	--
Town of Burlington Proposed Zoning Area Subtotal			--	--	--	--	--	--	976.4[e]	71.9[e]	976.4[e]	71.9[e]	--	--
Total	--	--	--	--	--	--	--	--	1,359.0[e]	100.0[e]	1,359.0[e]	100.0[e]	1,359.0[e]	100.0[e]

[a] *Only those City of Burlington and Town of Burlington zoning districts used in the delineated Burlington Industrial Park Neighborhood are included in this table.*

[b] *No minimum rear yard is required except for those lots less than 15,000 square feet in area and for those lots where the rear lot lines are contiguous to and abut residential districts, a minimum rear yard of 25 feet shall be provided. Lots 15,000 square feet in area or greater shall provide a rear yard of not less than 25 feet.*

[c] *Lots shall provide sufficient area for principal structures and accessory structures and off-street parking and loading.*

[d] *As underlying basic use district require.*

[e] *Overlay zoning districts are excluded from the total.*

Source: SEWRPC.

public land use controls such as those outlined earlier.

Industrial park deed restrictions and protective covenants should be designed to protect the investments of occupants of the park and the general community interest, and to ensure that property in the park will retain its value. In addition, protective covenants should ensure that industrial clientele locating in the industrial park improve their property in accordance with established standards and that individual site development will be in harmony with the overall development of the industrial park.

There are several reasons why private deed restrictions and protective covenants are valuable industrial land development control tools and are frequently preferred to public zoning regulations. Perhaps the most important of these is promotion of the specific development objectives embodied in a particular industrial park plan. Public zoning regulations set standards for the development of industrial districts which must be suitable for general application in the municipality, yet the industrial clientele may desire more restrictive requirements tailored to specific use in the particular industrial park.

Items which should be taken into account by these deed restrictions and protective covenants, for the benefit of both the industrial client and of the community, are the use of land, site plan and building plan approval, landscaping, off-street automobile parking, fencing, environmental control, signs, and maintenance. The deed restrictions and protective covenants currently used by the City of Burlington for its 68-acre Burlington Industrial Park, which is illustrated in Figure 2 of Chapter II, are provided in Appendix G.

OFFICIAL MAPPING

Following the adoption of the neighborhood plan, existing and proposed streets, highways, parks, and parkways on the plan should be incorporated into the official map of the City. Section 62.23(6) of the Wisconsin Statutes provides that the common council of any city may establish an official map for the precise designation of right-of-way lines and site boundaries of streets, highways, railways, public transit facilities, parkways, parks, and playgrounds. Such a map has all the force of law and is deemed to be final and conclusive with respect to the location and width of both existing and proposed streets, highways, railways, and parkways, and the location and extent of public transit facilities, parks, and playgrounds. The Statutes further provide that the official map may be extended to include areas beyond the corporate limits, yet within the extraterritorial plat approval jurisdiction of the municipality.

One of the basic purposes of the official map is to prohibit the construction of buildings or structures and their associated improvements on land that has been designated for current or future public use. Furthermore, the official map is the only street and highway system plan implementation device that operates on an areawide basis in advance of land development, and can thereby effectively assure the integrated development of the street and highway system. And, unlike subdivision control, which operates on a plat-by-plat basis, the official map can operate over a wide planning area well in advance of development proposals. The official map is a useful device to achieve public acceptance of long-range plans in that it serves legal notice of the government's intention to all parties concerned well in advance of any actual improvements. It thereby avoids the altogether too common situation of development being undertaken without knowledge of, or regard for, the long-range plan, and thereby this map does much to avoid local resistance when plan implementation becomes imminent.

SUBDIVISION PLAT REVIEW

The adopted neighborhood unit development plan should serve as a basis for the preparation of preliminary and final land subdivision and certified survey plats within the neighborhood. In this respect, the adopted neighborhood plan should be regarded as a standard against which all proposed land division plats are evaluated. Developers should be required to justify fully any proposed departures from the plan, demonstrating that such departures are an important improvement to, or a proper refinement of, the adopted plan. It should be noted that the Wisconsin Statutes specifically provide that the approval of a subdivision plat by the common council constitutes an amendment to the official map, thus providing administrative flexibility.

THE CAPITAL IMPROVEMENTS PROGRAM

A capital improvements program is simply a list of fundable major public improvements, such as an industrial park and its associated infrastructure, needed in a community over the next five years, arranged in order of preference, to assure that the improvements are carried out in priority of need and in accord with the community's ability to pay. These major public improvements include streets, sanitary sewers, storm sewers, water mains, public buildings, and parks, which together form the "urban infrastructure" required to support urban land use development and redevelopment. A capital improvements program is intended to promote well-balanced community development without overemphasis on any particular phase of development, and to promote coordinated development. With such a program, required bond issues and tax revenues can be foreseen and provisions made. Land needed for projects can be acquired in a timely fashion, and staged construction can be facilitated. Without such a coordinated program for the industrial park neighborhood, the improvement and sale of industrial park lands may not be completed.

The general procedure for the preparation of a capital improvements program is the following. An initial list of the improvements believed to be needed over the next five years is compiled. This list should be drawn, in part, from adopted community plan elements. The list is then evaluated to determine the relative importance and desirability of each proposed improvement. This evaluation should initially be divorced completely from the issue of funding availability. Criteria which may be helpful in assigning an order of priority to the list of projects include: protection of life, maintenance of public health, protection of property, conservation of resources, maintenance of property, provision of essential public services, and reduction in operating costs.

When the relative need or desirability of the various proposed projects has been determined, that is, when the list of projects has been prioritized, the available financial resources of the community can be analyzed, and the funds expected to become available for proposed improvements over the five-year period can be determined. The projects are then selected and scheduled for construction in accordance with their priority order and the funds available. The projects recommended for the first year of the five-year schedule are then included in the capital budget for the ensuing year and the recommended program is given legislative consideration. At the end of the first year, the program is again reviewed. Any new projects which appear to be needed are shifted in position in the schedule as new information may dictate; an additional year is added to replace the year completed; and the revised list of projects is again scheduled over the full period of the program. Thus, a carefully conceived public improvements program is always available and ready for use but, but only one year of the program is actually committed at any time. Since, as the process becomes established, proposed projects are evaluated year after year before ultimately reaching actual authorization, a safeguard is provided against hasty or ill-conceived actions.

The capital improvements program should be presented in a well-arranged tabular form listing projects in the proposed order of construction and in the order of year scheduled. The estimated cost of the proposed projects, together with attendant charges for operation and maintenance, should be shown. Where a project extends over more than one year, costs should be distributed accordingly. Proposed methods of financing should be indicated, and explanations regarding urgency of need provided. A financial summary sheet should be prepared showing the effect of the proposed program upon the finances of the community, and particularly upon taxes.

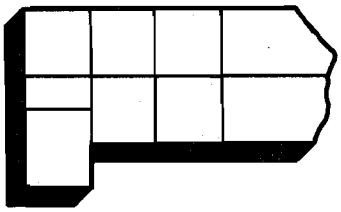
(This page intentionally left blank)

APPENDICES

(This page intentionally left blank)

Appendix A

LETTER FROM THE RACINE COUNTY PLANNING AND DEVELOPMENT OFFICE



Racine County
DIVISION OF PLANNING AND DEVELOPMENT
ARNOLD L. CLEMENT — DIRECTOR

14200 Washington Ave.
Sturtevant, WI 53177
(414) 886-8470
Metro Milwaukee 835-2535
Toll Free 800-522-6240

PLANNING 886-8470
SANITATION 886-8475
LAND CONSERVATION 886-8479
HOUSING AUTHORITY 636-3405
CODE ADMINISTRATION 886-8475
REAL ESTATE DESCRIPTION 636-3548

April 27, 1989

Mr. Kurt Bauer, Executive Director
Southeastern Wisconsin Regional Planning Commission
P. O. Box 769
916 North East Avenue
Waukesha, WI 53186

Dear Mr. Bauer:

This department has completed its review of the Commission's Community Assistance Planning Report #165, entitled "A Development Plan for the Burlington Industrial Park Neighborhood." We are hereby submitting for your consideration our comments on this proposal, which are as follows:

1. The plan provides for a variety of lot sizes ranging from approximately one to five acres. However, in many cases wetlands, floodplain, severe topography and unusually shaped or excessively deep parcels will restrict the buildability of a particular tract. Therefore, it may often become necessary to conduct significant site engineering or combine parcels in order to obtain an adequately sized buildable site, thereby effectively reducing the actual number of lots shown on the plan.

2. Consideration should be given to the use of additional non-conforming industrial zoning for certain areas shown on the plan to be residentially or commercially zoned. Since most of the small, isolated enclaves of residential growth are shown to be totally surrounded by industrial or commercial uses, such nonconforming status would allow and encourage these tracts to eventually be converted to industrial uses. There also seems to be little need to increase the amount of outlying commercial uses in this neighborhood.

Of greatest concern are the following residentially zoned areas: the southeast corner of McHenry Street and the railroad right-of-way; the southerly portion of McHenry Street; the southerly most parcels along Pine Street; the two parcels adjacent to Spring Brook on the east side of Pine Street; and the first two parcels on the west side of Pine Street north of Yahnke Road. The commercial areas of particular concern include all those areas located outside of the city limits

along McHenry and Pine Streets. The remaining residentially and commercially zoned areas should continue to be zoned for those respective uses as shown on the plan.

Also, the plan as shown is apparently based totally upon City of Burlington zoning districts, thereby presuming that all of these areas will one day be annexed. The plan as proposed should be compared to Racine County zoning district requirements as well, in the event that these annexations do not occur. The effect of different zoning districts should not be reason to invalidate any portion of the plan.

3. While the attempt to form a unifying link between each of the otherwise segregated industrial areas through the use of a continuous street system is recognized, there would seem to be some significant obstacles which could make this element of the design very difficult and expensive to attain. The proposed street between Yahnke Road and McHenry Street, for instance, must first bridge Spring Brook, then cross the floodplain twice, traverse a low area, and finally negotiate a 25 foot rise in less than 100 feet to reach McHenry Street. More careful consideration should be given to see whether this street is truly practical, as so many obstacles would have to be overcome. The engineering costs for this road and bridge could become extremely high and prohibit its construction.

4. The extensive amount of filling within the 100-year floodplain as depicted on the plan is inconsistent with Racine County's past policies of generally discouraging and disallowing intentionally planned floodplain filling. Accordingly, consideration should be given to revising the design to minimize filling within the floodplain by avoiding the existing floodplain areas to the greatest extent possible.

We appreciate the opportunity to review Planning Report #165 and trust these comments will be of use to your staff in the preparation of the final draft of the plan.

If you have any questions or need further clarification on the above points, please contact this office.

Yours truly,

Arnold L. Clement
Planning and Development Director

ALC/kc

Appendix B

CITY OF BURLINGTON PLAN COMMISSION RESOLUTION ADOPTING A BURLINGTON INDUSTRIAL PARK NEIGHBORHOOD UNIT DEVELOPMENT PLAN

WHEREAS, the City of Burlington Plan Commission, pursuant to the provisions of Section 62.23 of the Wisconsin Statutes, has the function and duty of making and adopting a master plan for the physical development of the City; and

WHEREAS, the City of Burlington Plan Commission has:

1. Adopted the regional land use and transportation plans for southeastern Wisconsin as prepared by the Southeastern Wisconsin Regional Planning Commission;
2. Prepared and adopted a zoning district map for the City of Burlington;
3. Prepared and adopted an official map ordinance for the City of Burlington;
4. Adopted a plan for the delineation of residential and industrial neighborhoods for the City of Burlington; and

WHEREAS, the City of Burlington Plan Commission, with the assistance of the staff of the Southeastern Wisconsin Regional Planning Commission, has proceeded to prepare precise plans to guide the future development of one of the neighborhoods within the City, known as the Burlington Industrial Park Neighborhood, a neighborhood generally located in U.S. Public Land Survey Sections 4 (West one-half), 5, and 6 in Township 2 North, Range 19 East, in the City and Town of Burlington, Racine County, Wisconsin; and

WHEREAS, the City of Burlington Plan Commission has held a public informational meeting and public hearing to acquaint residents and owners within the Burlington Industrial Park Neighborhood with and present public comments upon the recommendations contained in the plan as described in SEWRPC Community Assistance Planning Report No. 165 titled A Development Plan for the Burlington Industrial Park Neighborhood; and

WHEREAS, the City of Burlington Plan Commission has considered the plan, together with the statements and requests of individual landowners within the neighborhood, as presented at the public hearing on the plan and has proceeded to incorporate, as deemed advisable, such statements and requests into the plan.

NOW, THEREFORE, BE IT RESOLVED THAT:

Pursuant to Section 62.23 of the Wisconsin Statutes, the City Plan Commission on the 7th day of November, 1989, hereby adopts the precise neighborhood unit development plan described in SEWRPC Community Assistance Planning Report No. 165 as a guide for future development of the Burlington Industrial Park Neighborhood; this plan shall be further deemed to be a part of the master plan of the City of Burlington.

BE IT FURTHER RESOLVED THAT:

The Secretary of the Plan Commission transmit a certified copy of this Resolution to the Common Council of the City of Burlington and the Southeastern Wisconsin Regional Planning Commission.

s/Steven J. David
City of Burlington Plan Commission Chairman

ATTESTATION:

s/Mark A. Gustafson
Secretary, City of Burlington Plan Commission

(This page intentionally left blank)

Appendix C

CITY OF BURLINGTON COMMON COUNCIL RESOLUTION ADOPTING A BURLINGTON INDUSTRIAL PARK NEIGHBORHOOD UNIT DEVELOPMENT PLAN

RESOLUTION NO. 2838 (35)

Introduced by : Alderman Chevis

A RESOLUTION ADOPTING THE BURLINGTON INDUSTRIAL PARK NEIGHBORHOOD UNIT DEVELOPMENT PLAN

WHEREAS, the City of Burlington, pursuant to the provisions of Section 62.23(1) of the Wisconsin Statutes, has created a City Plan Commission; and

WHEREAS, the City Plan Commission has prepared, with the assistance of the Southeastern Wisconsin Regional Planning Commission, a plan for the physical development of the neighborhood, said recommended plan shown as Alternative Plan "C" embodied in SEWRPC Community Assistance Planning Report No. 165, A Development Plan for the Burlington Industrial Park Neighborhood, City of Burlington, Racine County, Wisconsin; and

WHEREAS, the City Plan Commission did on the 7th day of November, 1989, adopt SEWRPC Community Assistance Planning Report No. 165 and has submitted a certified copy of that resolution to the Common Council of the City of Burlington; and

WHEREAS, the Common Council of the City of Burlington concurs with the City Plan Commission and the objectives and policies set forth in SEWRPC Community Assistance Planning Report No. 165.

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Burlington on the 5th day of December, 1989, hereby adopts SEWRPC Community Assistance Planning Report No. 165 as a guide for the future development of the Burlington Industrial Park Neighborhood; and

BE IT FURTHER RESOLVED that the City Plan Commission shall annually review the Burlington Industrial Park Neighborhood Plan and shall recommend extensions, changes, or additions to the plan which the commission considers necessary. Should the Plan Commission find that no changes are necessary, this finding shall be reported to the Common Council.

Introduced: November 7, 1989

Adopted: December 5, 1989

s/Steven J. David
Steven J. David, Mayor

ATTEST:

s/Ralph F. Epping
Ralph F. Epping, City Clerk

(This page intentionally left blank)

Appendix D

AN ORDINANCE CREATING SECTION 1.35 OF THE MUNICIPAL CODE FOR THE ESTABLISHMENT OF AN INDUSTRIAL PARK CONTROL BOARD

Ordinance No. 1076 (15)
Introduced by: Alderman Thomas Reich

THE COMMON COUNCIL of the City of Burlington, Racine County, Wisconsin, does ordain as follows:

SECTION 1. Section 1.35 of the Municipal Code is hereby created as follows:

1.3501 ESTABLISHMENT
There is hereby established an Industrial Park Control Board for the City of Burlington for the purpose of administering and enforcing all deed restrictions and protective covenants associated with any city-owned industrial park.

1.3502 MEMBERSHIP
The Industrial Park Board shall consist of eight (8) members. Of the membership, one (1) shall be the Mayor; one (1) shall be the aldermanic member of the Planning Commission; one (1) shall be the City Engineer; one (1) shall be the City Attorney; and the Mayor shall appoint, subject to confirmation by the Common Council, four (4) citizen members chosen from the Board of Directors of Burlington Industrial Development, Ltd. The Mayor shall make his appointments at least one (1) month prior to the meeting at which they are to be confirmed.

Terms of the four (4) appointed members shall be staggered three-year periods, except that of those first appointed: one (1) shall serve for one (1) year; one (1) shall serve for two (2) years; and two (2) shall serve for three (3) years.

Chairman shall be elected by the members of the Industrial Control Board at their first meeting following the organizational meeting of the Common Council each year.

Secretary shall be the City Engineer.

Official Oaths shall be taken by all members in accordance with Section 19.01 of the Wisconsin Statutes within ten (10) days of receiving notice of their appointment.

Vacancies shall be filled for the unexpired term in the same manner as appointments for the full term.

1.3503 ORGANIZATION
The Common Council herein adopts rules for the conduct of the business of the Industrial Park Control Board in accordance with the provisions of this section. The Board may adopt further rules as necessary.

Meetings shall be held at the call of the Chairman or when requested by the Common Council or City Plan Commission or by three (3) members of the Board and shall be open to the public.

Minutes shall be kept showing all actions taken and shall be a public record. The grounds for every decision shall be stated in the minutes.

Quorum shall be five (5) members, and all actions shall require the concurring vote of at least five (5) members.

1.3504 POWERS

The Industrial Park Control Board shall have the following powers:

Administrate and Enforce the "Declaration of Restrictions and Covenants" and other applicable laws associated with the City of Burlington Industrial Development, Ltd. industrial park, including the review and approval of industrial park land use, site and landscape plans, building plans, building setback requirements, architectural control and appearance, landscaping and landscaping maintenance, off-street parking and loading, outdoor storage, waste incineration, security fencing, signs and billboards, utility control, easements, and drainage.

Variances. Hear and authorize certain variances from the "Declaration of Restrictions and Covenants" where, in the judgment of the Industrial Park Control Board, it would be inappropriate to apply literally the provisions of said "Declaration" because exceptional or undue hardship would result. Such variance shall not be contrary to the public interest and the public health, safety and welfare or to the zoning and land division ordinances.

Recommend, as provided for in the "Declaration of Restrictions and Covenants," to the City Plan Commission or Common Council approval, conditional approval, or denial of certain applications.

Request assistance from other city officers, departments, commissions, and boards.

Request the applicant to furnish additional information.

Oaths may be administered by the Chairman, who may compel the attendance of witnesses.

1.3503 APPLICATIONS

Applications for review by the Industrial Park Control Board shall be made to the City Engineer and shall be accompanied by plans for the building or improvement including site plan, landscape plan, and building plans which show floor plans as well as all exterior building elevations or facades of existing and proposed structures, indicating the proposed exterior building facade materials and floor grade, and a list of the names and addresses of the parties in interest.

SECTION 2. This Ordinance shall be effective upon its passage and publication according to law.

INTRODUCED: September 6, 1983

ADOPTED: October 4, 1983

s/Martin J. Itzin
Martin J. Itzin, Mayor

s/Ralph F. Epping
Ralph F. Epping, City Clerk

Appendix E

BYLAWS OF BURLINGTON INDUSTRIAL DEVELOPMENT, LTD.

Article I

ORGANIZATION

The name of this organization shall be BURLINGTON INDUSTRIAL DEVELOPMENT, LTD.

The organization shall
have a seal which shall
be in the following form:

The organization may, at its pleasure by a vote of the membership body, change its name.

Article II

PURPOSES

The following are the purposes for which this organization has been organized:

Section 1. This corporation shall be organized exclusively for charitable purposes within the meaning of Sec. 501(c)(3) of the Internal Revenue Code. It shall organize, administer, promote, and develop as a educational organization to provide a mechanism to coordinate the development efforts of Burlington, Wisconsin, a local unit of government located in Racine County; to act as a promotion organization for industrial relocation in the Burlington, Wisconsin, community and for information relative thereto; to assist and promote in the growth and development of business concerns, including industrial firms and small businesses in Burlington, Wisconsin; and to cooperate with surrounding municipal units of government and the State of Wisconsin in working toward improving the local, regional, and state economy. All funds realized from the operation of the corporation shall be used for the purpose of supporting such operation.

Section 2. No part of the activity of this corporation shall be the carrying on of propaganda or otherwise attempting to influence legislation, and no part of net earnings shall inure in whole or in part to the benefit of any private group, shareholder, member, or individual.

Section 3. No part of the net earnings of the organization shall inure to the benefit of, or be distributable to, its members, directors, officers, or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered.

Section 4. This corporation shall not discriminate on the basis of race, color, and national or ethnic origin, and shall comply with all local, state, and federal standards, ordinances, and laws enacted for the purpose of carrying out such a policy.

Article III

MEMBERSHIP

There shall be no members in this organization. There shall be directors and officers who shall conduct the business of the organization.

References to members in these By-Laws shall mean and refer to directors.

Article IV

MEETINGS

The annual membership meeting of this organization shall be held on the fourth Tuesday of June each and every year except if such day be a legal holiday; then and in that event the Board of Directors shall fix the day but it shall not be more than two weeks from the date fixed by these Bylaws. The Secretary shall cause to be mailed to every member in good standing at his address as it appears in the membership roll book of this organization a notice telling the time and place of such annual meeting.

Regular meetings of this organization shall be held the fourth Tuesday of each month at 4:30 p.m.

The presence of not less than seven (7) members shall constitute a quorum and shall be necessary to conduct the business of this organization; but a lesser number may adjourn the meeting for a period of not more than five (5) weeks from the date scheduled by these Bylaws and the Secretary shall cause a notice of this scheduled meeting to be sent to all those members who were not present at the meeting originally called. A quorum as heretofore set forth shall be required at any adjourned meeting.

Special meetings of this organization may be called by the President when he deems it for the best interest of the organization. Notice of such meeting shall be mailed to all members at their addresses as they appear in the roll book at least two (2) but not more than five (5) days before the scheduled date set for such special meeting. Such notice shall state the reasons that such meeting has been called, the business to be transacted at such meeting, and by whom called.

At the request of three (3) members of the Board of Directors, the President shall cause a special meeting to be called, but such request must be made in writing at least five (5) days before the requested scheduled date.

No other business but that specified in the notice may be transacted at such special meeting without the unanimous consent of all present at such meeting.

Article V

VOTING

At all meetings, except for the election of officers and directors, all votes shall be viva voce, except that for election of officers, ballots shall be provided and there shall not appear any place on such ballot any mark or marking that might tend to indicate the person who cast such ballot.

At any regular or special meeting, if a majority so requires, any question may be voted upon in the manner and style provided for election of officers and directors.

At all votes by ballot, the chairman of such meeting shall, immediately prior to the commencement of balloting, appoint a committee of three (3) who shall act as "Inspectors of Election" and who shall, at the conclusion of such balloting, certify in writing to the Chairman the results, and the certified copy shall be physically affixed in the minute book to the minutes of that meeting.

No inspector of election shall be a candidate for office or shall be personally interested in the question voted upon.

Article VI

ORDER OF BUSINESS

1 - Roll Call
2 - Reading of the Minutes of Preceding Meeting
3 - Reports of Committees
4 - Reports of Officers
5 - Old and Unfinished Business
6 - New Business
7 - Good and Welfare
8 - Adjournments

Article VII

BOARD OF DIRECTORS

The business of this organization shall be managed by a Board of Directors consisting of twelve (12) members, together with the officers of this organization. At least one (1) of the directors elected shall be a resident of the State of Wisconsin and a citizen of the United States.

The directors shall be elected by the initial directors. Four (4) members of the first Board of Directors shall be elected for one (1) year. Four (4) members shall be elected for two (2) years. Four (4) members shall be elected for three (3) year terms. No director shall serve more than two (2) full three (3) year terms except those first directors who are elected to serve one (1) or two (2) years; those directors may serve two (2) additional three (3) year terms.

The Board of Directors shall have the control and management of the affairs and business of this organization. Such Board of Directors shall only act in the name of the organization when it shall be regularly convened by its chairman after due notice to all the directors of such meeting.

Seven (7) of the members of the Board of Directors shall constitute a quorum and the meetings of the Board of Directors shall be held regularly on the fourth Tuesday of each month.

Each director shall have one (1) vote and such voting may not be done by proxy.

The Board of Directors may make such rules and regulations covering its meetings as it may, in its discretion, determine necessary.

Vacancies in the said Board of Directors shall be filled by a vote of the majority of the remaining members of the Board of Directors for the balance of the year.

The President of the organization, by virtue of his office, shall be Chairman of the Board of Directors. The Board of Directors shall select from one of their number a secretary.

A director may be removed when sufficient cause exists for such removal. The Board of Directors may entertain charges against any director. A director may be represented by counsel upon any removal hearing. The Board of Directors shall adopt such rules as it may, in its discretion, consider necessary for the best interests of the organization, for this hearing.

Article VIII

OFFICERS

The officers of the organization shall be as follows:

President
Vice President
Secretary
Treasurer

The President shall preside at all membership meetings.

He shall, by virtue of his office, be Chairman of the Board of Directors.

He shall present at each annual meeting of the organization an annual report of the work of the organization.

He shall appoint all committees, temporary or permanent.

He shall see all books, reports and certificates as required by law are properly kept or filed.

He shall be one of the officers who may sign the checks or drafts of the organization.

He shall have such powers as may be reasonably construed as belonging to the chief executive of any organization.

The Vice President shall, in the event of the absence or inability of the President to exercise his office, become acting president of the organization with all the rights, privileges and powers as if he had been the duly elected president.

The Secretary shall keep the minutes and records of the organization in appropriate books.

It shall be his duty to file any certificate required by any statute, federal or state.

He shall give and serve all notices to members of this organization.

He shall be the official custodian of the records and seal of this organization.

He may be one of the officers required to sign the checks and drafts of the organization.

He shall present to the membership at any meetings any communication addressed to him as Secretary of the organization.

He shall submit to the Board of Directors any any communications which shall be addressed to him as Secretary of the organization.

He shall attend to all correspondence of the organization and shall exercise all duties incident to the office of Secretary.

The Treasurer shall have the care and custody of all monies belonging to the organization and shall be solely responsible for such monies or securities of the organization. He shall cause to be deposited in a regular business bank or trust company a sum not exceeding five hundred dollars ($500), and the balance of the funds of the organization shall be deposited in a savings bank except that the Board of Directors may cause such funds to be invested in such investments as shall be legal for a savings bank in the State of Wisconsin.

He must be one of the officers who shall sign checks or drafts of the organization. No special fund may be set aside that shall make it unnecessary for the Treasurer to sign the checks issued upon it.

He shall render, at stated periods as the Board of Directors shall determine, a written account of the finances of the organization and shall physically affix such report to the minutes of the Board of Directors of such meeting.

He shall exercise all duties incident to the office of Treasurer.

Officers shall, by virtue of their office, be members of the Board of Directors.

No officer shall, for reason of his office, be entitled to receive any salary or compensation, but nothing herein shall be construed to prevent an officer or director from receiving any compensation from the organization for duties other than as a director of officer.

Article IX

SALARIES

The Board of Directors shall hire and fix the compensation of any and all employees who they, in their discretion, may determine to be necessary in the conduct of the business of the organization.

Article X

DUES

There shall be no dues or membership fees assessed against the directors or any other person on behalf of the corporation.

Article XI

These Bylaws may be altered, amended, repealed, or added to by an affirmative vote of not less than eight (8) members.

(This page intentionally left blank)

Appendix F

SUGGESTED CHANGES TO THE CITY OF BURLINGTON ZONING ORDINANCE CONCERNING THE ADDITION OF A SHORELAND WETLAND OVERLAY ZONING DISTRICT AND REVISIONS TO THE FLOODPLAIN REGULATIONS

1. Repeal and recreate Section 17.0101 to read as follows:

17.0101 AUTHORITY

This Ordinance is adopted under the authority granted by Sections 62.23(7), 62.231, 87.30, and 144.26 of the Wisconsin Statutes and amendments thereto. The Common Council of the City of Burlington does ordain as follows.

2. Repeal and recreate Section 17.0202 to read as follows:

17.0202 COMPLIANCE

No structure, land, water, or air shall hereafter be used and no structure or part thereof shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted, or structurally altered without a zoning permit and without full compliance with the provisions of this Ordinance and all other applicable local, county, and state regulations. However, no structure or development in a Conservancy or Floodland District shall be exempt from obtaining a zoning permit, and any work that does qualify for an exemption under this section shall be required to comply with the setback, yard, height, and other requirements set forth in this Ordinance.

Municipalities and State Agencies Regulated. Unless specifically exempted by law, all cities, villages, towns, and counties are required to comply with this Ordinance and obtain all required permits. State agencies are required to comply if Section 13.48(13) of the Wisconsin Statutes applies. The construction, reconstruction, maintenance, and repair of state highways and bridges by the Wisconsin Department of Transportation are exempt from compliance when Section 30.12(4)(a) of the Wisconsin Statutes applies.

3. Repeal and recreate Section 17.0301 to read as follows:

17.0301 ESTABLISHMENT

For the purpose of this Ordinance, the City of Burlington is hereby divided into the following 19 basic zoning districts:

A-1	Agricultural/Holding District
Rs-1	Single-Family Residence District
Rs-2	Single-Family Residence District
Rs-3	Single-Family Residence District
Rd-1	Two-Family Residence District
Rd-2	Two-Family Residence District
Rm-1	Multiple-Family Residence District
Rm-2	Multiple-Family Residence District
B-1	Neighborhood Business District
B-2	Central Business District
B-3	Professional Office District
M-1	Light Manufacturing District
M-2	General Manufacturing District
Q-1	Quarrying/Extractive District

I-1	Institutional District
P-1	Park District
C-1	Conservancy District
FW	Floodway District
FC	Floodplain Conservancy District

In addition, there are hereby established within the City of Burlington three (3) overlay districts which shall be known as:

FFO	Floodplain Fringe Overlay District
SWO	Shoreland Wetland Overlay District
PUD	Planned Unit Development Overlay District

Boundaries of these Districts are hereby established as shown on the maps entitled "Zoning Map—City of Burlington, Wisconsin," dated April 7, 1982, and subsequent amendments thereto, and "Supplementary Floodland Zoning Map—City of Burlington, Wisconsin," dated April 7, 1982, and subsequent amendments thereto, both maps which accompany and are herewith made a part of this Ordinance. The district boundaries in all districts, except the Floodland Districts and the SWO Shoreland Wetland Overlay District, shall be construed to follow: corporate limits; U. S. Public Land Survey lines; lot or property lines; centerlines of streets, highways, alleys, easements, and railroad rights-of-way, or such lines extended, unless otherwise noted on the Official Zoning Map.

Boundaries of the FW Floodway District shall be determined by use of the scale contained on the Supplementary Floodland Zoning Map. The boundaries of the FC Floodplain Conservancy and the FFO Floodplain Fringe Overlay Districts shall be determined by the floodland limits shown on the Supplementary Floodland Zoning Map. The flood stages, under floodway conditions, contained on the Supplementary Floodland Zoning Map were developed from technical data contained in the Flood Insurance Study—City of Burlington, Racine County, Wisconsin, published by the U. S. Department of Housing and Urban Development, Federal Insurance Administration, and dated November 1977. The information contained in the flood insurance study is further illustrated in the Federal Emergency Management Agency (FEMA) Flood Boundary and Floodway Map and Flood Insurance Rate Map, both maps dated January 15, 1982. Where a conflict exists between the floodland limits as shown on the Supplementary Floodland Zoning Map and actual field conditions, the elevations from the 100-year recurrence interval flood profile under floodway conditions shall be the governing factor in locating the regulatory floodland limits.

Boundaries of the SWO Shoreland Wetland Overlay District are based on the Wisconsin Wetland Inventory Map for the City of Burlington, dated October 26, 1988, and stamped "FINAL", and include, but are not limited to, all shoreland wetlands, five acres or greater in area shown on the map.

Vacation of public ways shall cause the land vacated to be automatically placed in the same district as the abutting side to which the vacated land reverts.

Annexations to or consolidations with the City subsequent to the effective date of this Ordinance shall be placed in the A-1 Agricultural/Holding District, unless the annexation ordinance temporarily places the land in another district. Within one (1) year, the City Plan Commission shall evaluate and recommend a permanent classification to the Common Council. Annexations or consolidations containing floodlands and shorelands shall be governed in the following manner:

(1) Annexations or consolidations containing floodlands shall be governed by the provisions of the Racine County Zoning Ordinance until such time that the Wisconsin Department of Natural Resources (DNR) certifies that amendments to the City of Burlington Zoning Ordinance meet the requirements of Chapter NR 116 of the Wisconsin Administrative Code.

(2) Annexations Containing Shorelands. Pursuant to Section 59.971(7) of the Wisconsin Statutes, any annexation of land after May 7, 1982, which lies within shorelands, as defined herein, shall be governed by the provisions of the Racine County Zoning Ordinance until such time that the City adopts an ordinance which is at least as restrictive as the regulations for shoreland areas defined in the Racine County Zoning Ordinance. Said regulations shall be administered and enforced by the City of Burlington Zoning Administrator.

4. Repeal and recreate Section 17.0320 to read as follows:

17.0320 FW FLOODWAY DISTRICT

The FW Floodway District is intended to preserve, in essentially open space land uses, the floodway of all navigable waters in the City of Burlington, such lands being found necessary to safely carry and discharge the 100-year recurrence interval flood. In delineating the FW District, the effects of development within the associated flood fringe shall be computed. No increase in flood stage shall be permitted that is equal to or greater than 0.01 foot in height unless the City of Burlington has made appropriate legal arrangements with all affected units of government and all property owners affected by the stage increase, and until all such affected units of government have amended their water surface profiles and floodland zoning maps to reflect the increased flood elevations. No Floodway District changes shall be permitted where the cumulative effect of changes increase flood stages by more than 1.0 foot in height. In addition to floodways delineated by detailed engineering methods, any "Unnumbered A Zones" which appear on the City's flood insurance rate maps shall be placed in the FW Floodway District.

Permitted Uses

—Drainage and movement of water.
—Navigation.
—Streambank protection.
—Flood overflows.
—Fish hatcheries.
—Sustained yield forestry.
—Uses essential for historic preservation or functionally dependent on a waterfront location.
—Wild crop harvesting.
—Impoundments.
—Any of the following uses are permitted provided that such use shall not involve the erecting or placing of a structure.
-Grazing
-Horticulture
-Open markets
-Open recreational uses, such as parks, sport fields, beaches, bathing, hunting, fishing, rinks, golf courses, and driving ranges.
-Off-street parking and loading areas accessory to permitted uses in adjacent districts, but not including new or used car sales or storage areas. Parking lots and loading areas shall not be subject to inundation depths greater than two (2) feet or flood velocities greater than two (2) feet per second.
-Outdoor plant nurseries
-Pasturing
-Sod farms
-Truck farming
-Utility poles, towers, and underground conduit for transmitting electricity, telephone, cable television, natural gas, and similar products and services.

-Viticulture (grape growing)
-Wildlife preserves

Conditional Uses (see Section 17.1205)

—Accessory structures, provided that all structures, when permitted, are not designed for human occupancy, have a low flood damage potential, are constructed and placed to provide minimum obstruction to flood flows (whenever possible, accessory structures shall be placed with their longitudinal axis parallel to the flow of floodwaters), are firmly anchored to prevent them from floating away and restricting bridge openings, and have all service facilities (such as electrical and heating equipment) at an elevation at least two (2) feet above the 100-year recurrence interval flood. Certification of floodproofing shall be made to the Zoning Administrator and shall consist of a plan or document certified by a registered professional engineer that the floodproofing measures as provided in Section 17.0910 are consistent with the flood velocities, forces, depths, and other factors associated with the 100-year recurrence interval flood.

—Open space and related uses may be permitted for the following uses provided that the applicant shall show that such use or improvement will not impede drainage, will not cause ponding, will not obstruct the floodway, will not increase flood flow velocities, will not increase the flood stage, and will not retard the movement of floodwaters. When permitted, all structures shall be floodproofed and constructed so as not to catch or collect debris nor be damaged by floodwaters. Certification of floodproofing shall be made to the Zoning Administrator and shall consist of a plan or document certified by a registered professional engineer that the floodproofing measures as provided in Section 17.0910 are consistent with the flood velocities, forces, depth, and other factors associated with the 100-year recurrence interval flood. Such uses shall include:

-Navigational structures
-Public water measuring and control facilities
-Bridges and approaches
-Marinas
-Filling as authorized by the Wisconsin Department of Natural Resources to permit the establishment of approved bulkhead lines.
-Other open space uses consistent with the purpose and intent of the district and compatible with uses in adjacent districts, not including structures.
-Municipal water supply and sanitary sewerage systems provided that the system is floodproofed as provided in Section 17.0910 to an elevation of at least two (2) feet above the elevation of the 100-year recurrence interval flood, and is designed to eliminate or minimize infiltration of floodwaters into the system. All floodproofed utilities shall be anchored to prevent floatation. Certification of floodproofing shall be made to the Zoning Administrator and shall consist of a plan or document certified by a registered professional engineer that the floodproofing measures as provided in Section 17.0910 are consistent with the flood velocities, forces, depths, and other factors associated with the 100-year recurrence interval flood level for the particular stream reach.

Maintenance of Drainageways

—No development in the Floodway District shall adversely affect the channels, floodways, or shorelands of the Fox River, any tributary thereto, drainage ditches, or other lands lying outside the floodlands.

Dumping and Filling Prohibited

—Lands lying within the Floodway District shall not be used for dumping or be filled except as authorized to permit establishment of approved bulkhead lines

or to accommodate bridge approaches. Normal earth grading activities to permit utilization of the lands for open space, outdoor recreation, yard, parking, and similar uses are permitted so long as the water carrying capacity of the floodway is not decreased.

Dangerous Materials Storage Prohibited

—Lands lying within the Floodway District shall not be used for the storage of materials that are buoyant, flammable, explosive, or injurious to property, water quality, human or animal life, fish or other aquatic life, or plant life.

Incompatible Uses Prohibited

—Lands lying within Floodway District shall not be used for any solid waste disposal site, onsite soil absorption sanitary sewerage system site, or the construction of any well which is used to obtain water for ultimate human consumption. Sewage treatment plants and treatment ponds shall not be constructed in the Floodway District.

Mobile Homes Prohibited

—No mobile home, mobile home park, or trailer camp shall be placed or moved onto lands lying in the Floodway District.

5. Repeal and recreate Section 17.0321 to read as follows:

17.0321 FC FLOODPLAIN CONSERVANCY DISTRICT

The FC Floodplain Conservancy District is intended to preserve in essentially open space and natural uses lands which are unsuitable for intensive urban development purposes due to poor natural soil conditions and periodic flood inundation. The proper regulation of these areas will serve to maintain and improve water quality, prevent flood damage, protect wildlife habitat, and prohibit the location of structures on soils which are generally not suitable for such use. In delineating the FC District, consideration shall be given to the maintenance of flood storage capacity and preventing significant increases in the flood discharges identified in the City's Flood Insurance Study. Significant increases are those which result in a rise in the regional flood profile of 0.01 foot or greater in height.

Permitted Uses

—Those permitted in the FW Floodway District.

Conditional Uses (see Section 17.1205)

—Those permitted as conditional uses in the FW Floodway District.

Maintenance of Drainageways

—No development in the Floodplain Conservancy District shall adversely affect the channels, floodways, or shorelands of the Fox River, any tributary thereto, drainage ditches, or other lands lying outside the floodlands.

Dumping and Filling Prohibited

—Lands lying within the Floodplain Conservancy District shall not be used for dumping or be filled except as authorized to permit establishment of approved bulkhead lines or to accommodate bridge approaches. Normal earth grading activities to permit utilization of the lands for open space, outdoor recreation, yard, parking, and similar uses are permitted so long as the water carrying capacity of the floodway is not decreased.

Dangerous Materials Storage Prohibited

—Lands lying within the Floodplain Conservancy District shall not be used for the storage of materials that are buoyant, flammable, explosive, or injurious to property, water quality, human or animal life, fish or other aquatic life, or plant life.

Incompatible Uses Prohibited

—Lands lying within Floodplain Conservancy District shall not be used for any solid waste disposal site, onsite soil absorption sanitary sewerage system site, or the construction of any well which is used to obtain water for ultimate human consumption. Sewage treatment plants and treatment ponds shall not be constructed in the Floodplain Conservancy District.

Mobile Homes Prohibited

—No mobile home, mobile home park, or trailer camp shall be placed or moved onto lands lying in the Floodplain Conservancy District.

6. Repeal and recreate Section 17.0322 to read as follows:

17.0322 FFO FLOODPLAIN FRINGE OVERLAY DISTRICT

The FFO Floodplain Fringe Overlay District is intended to provide for and encourage the most appropriate use of land and water in areas subject to periodic flooding and to minimize flood damage to people and property.

Overlay districts provide for the possibility of superimposing certain additional requirements upon a basic underlying zoning district without disturbing the requirements of the basic district. In the instance of conflicting requirements, the more strict of the conflicting requirements shall apply.

Permitted Uses

—Any use of land, except development involving structures, that is permitted in the underlying basic use district. Examples of such use would be croplands in an agricultural district; required yards in residential district; or parking or loading areas in a commercial or industrial district, provided that inundation depths for parking and loading areas do not exceed two (2) feet or that such areas are not subjected to flood velocities greater than two (2) feet per second upon the occurrence of a 100-year recurrence interval flood.

Conditional Uses (see Section 17.1205)

—Residential and commercial structures, provided that the structure is permitted in the underlaying basic use district and provided that such floodplain fringe area shall be filled to an elevation at least two (2) feet above the elevation of the 100-year recurrence interval flood. Such fill shall extend for at least 15 feet beyond the limits of the structure placed thereon. All structures shall be provided with dryland access to lands outside the floodplain. Where existing streets or sewer lines are at elevations which make dryland access impractical, the City may permit development where access roads are at or below the 100-year recurrence interval flood stage, provided that the City has written assurance from appropriate police and fire departments, and emergency service agencies, that rescue and relief service will be provided to properties in the area by wheeled vehicles during a flood event—or—the City has an adopted natural disaster plan concurred in by the Wisconsin Division of Emergency Government and approved by the Wisconsin Department of Natural Resources. The finished surface of the lowest floor (including basement) shall be constructed or placed at an elevation that is at least two (2) feet above the elevation of the 100-year recurrence interval

flood. Residential or commercial structures placed on fill may be removed from the Floodplain Fringe Overlay District provided that the fill is contiguous to lands lying outside the floodlands and further provided that the property owner, or his agent, has complied with all the requirements for amending the zoning map, as set forth in Section 17.1100 of this Ordinance.

—Industrial and other nonresidential structures, provided that the structure is permitted in the underlying district, and provided that the fill requirements and dryland access requirements for residential structures in the FFO District are complied with. However, when the intent and purpose of this Ordinance cannot be fulfilled by filling the floodplain fringe due to existing and committed development, and when the City Plan Commission has made a finding to this effect, all new structures and all additions to existing structures in the Floodplain Fringe Overlay District shall be floodproofed as provided in Section 17.0910 to a point two (2) feet above the elevation of the 100-year recurrence interval flood. All floodproofed structures shall be anchored to protect them from larger floods. Certification of floodproofing shall be made to the Zoning Administrator and shall consist of a plan or document certified by a registered professional engineer that the floodproofing measures as provided in Section 19.0910 are consistent with the flood velocities, forces, depths, and other factors associated with the 100-year recurrence interval flood level for the particular stream reach. Structures placed on fill may be removed from the Floodplain Fringe Overlay District provided that the fill is contiguous to lands lying outside the floodlands and further provided that the property owner, or his agent, has complied with all the requirements for amending the zoning map, as set forth in Section 17.1100 of this Ordinance.

—Municipal water supply and sanitary sewerage systems provided that the system is floodproofed as provided in Section 17.0910 to an elevation of at least two (2) feet above the elevation of the 100-year recurrence interval flood, and is designed to eliminate or minimize infiltration of floodwaters into the system. All floodproofed utilities shall be anchored to prevent floatation. Certification of floodproofing shall be made to the Zoning Administrator and shall consist of a plan or document certified by a registered professional engineer that the floodproofing measures as provided in Section 17.0910 are consistent with the flood velocities, forces, depths, and other factors associated with the 100-year recurrence interval flood level for the particular stream reach.

—Filling to remove lands from the FFO Floodplain Fringe Overlay District provided that such fill shall be to an elevation at least two (2) feet above the elevation of the 100-year recurrence interval flood and further provided that such lands are contiguous to lands lying outside of the floodlands. No such Floodplain Fringe Overlay District shall be removed from the Supplementary Floodland Zoning Map until the filling is complete and until the property owner, or his agent, has complied with all the requirements for amending the zoning map as set forth in Section 17.1100 of this Ordinance.

Maintenance of Drainageways

—No filling or development in the Floodplain Fringe Overlay District shall adversely affect the channels, floodways, or shorelands of the Fox River, any tributary thereto, drainage ditches, or other lands lying outside the floodlands.

Incompatible Uses Prohibited

—Lands lying within Floodplain Fringe Overlay District shall not be used for any solid waste disposal site, onsite soil absorption sanitary sewerage system site,

or the construction of any well which is used to obtain water for ultimate human consumption.

Mobile Homes Prohibited

—No mobile home, mobile home park, or trailer camp shall be placed or moved onto lands lying in the Floodplain Fringe Overlay District.

7. Renumber Section 17.0323 "PUD PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT" as Section 17.0324.

8. Create a new Section 17.0323 to read as follows:

17.0323 SWO SHORELAND WETLAND OVERLAY DISTRICT

The SWO Shoreland Wetland Overlay District is intended to preserve, protect, and enhance the ponds, streams, and wetland areas of the City of Burlington. The preservation, protection, and enhancement of these areas will serve to maintain safe and healthful conditions; maintain and improve water quality, both ground and surface; prevent flood damage; control stormwater runoff; protect stream banks from erosion; protect groundwater recharge and discharge areas; protect wildlife habitat; protect native plant communities; avoid the location of structures on soils which are generally not suitable for use; and protect the water-based recreation resources of the City.

The boundaries of the SWO Shoreland Wetland Overlay District are based on the Wisconsin Wetland Inventory Map for the City of Burlington, dated October 26, 1988, and stamped, "FINAL", and include, but is not limited to, all shoreland wetlands, five acres or greater in area shown on the map.

Overlay districts provide for the possibility of superimposing certain additional requirements upon a basic underlying zoning district without disturbing the requirements of the basic district. In the instance of conflicting requirements, the more strict of the conflicting requirements shall apply.

Permitted Uses

—Hiking, fishing, trapping, swimming, and boating, unless prohibited by other ordinances and laws.

—The harvesting of wild crops such as marsh hay, ferns, moss, wild rice, berries, tree fruits, and tree seeds, in a manner that is not injurious to the natural reproduction of such crops.

—The practice of silviculture, including the planting, thinning, and harvesting of timber, provided that no filling, flooding, draining, dredging, ditching, tiling, or excavating is done except for temporary water level stabilization measures to alleviate abnormally wet or dry conditions which would have an adverse impact on silvicultural activities if not corrected.

—Construction and maintenance of fences.

—Existing agricultural uses provided they do not involve extension of or creation of new drainage systems, and further provided they do not substantially disturb or impair the natural fauna, flora, topography, or water regimen.

—Ditching, tiling, dredging, excavating, or filling done to maintain or repair an existing agricultural drainage system only to the extent necessary to maintain the level of drainage required to continue the existing agricultural use.

—The construction and maintenance of piers, docks, and walkways, including those built on pilings.

—The maintenance, repair, replacement, and reconstruction of existing streets, roads, and bridges.

Conditional Uses (see Section 17.1205)

—The construction of streets which are necessary for the continuity of the City street system, necessary for the provision of essential utility and public safety services, or necessary to provide access to permitted open space uses in the SWO District, provided that:

(a) The street cannot as a practical matter be located outside the SWO District;
(b) The street is designed and constructed to minimize the adverse impact upon the natural functions of the wetland as listed in Section 17.1108 of this Ordinance;
(c) The street is designed and constructed for the minimum cross-section practical to serve the intended use;
(d) The street construction activities are to be carried but in the immediate area of the roadbed only; and
(e) Any filling, flooding, draining, dredging, ditching, tiling, or excavating that is to be done must be necessary for the construction or maintenance of the street.

—The construction and maintenance of nonresidential buildings used solely in conjunction with raising of waterfowl, minnows, or other wetland or aquatic animals or used solely for some other purpose which is compatible with natural resource preservation, provided that:

(a) The building cannot as a practical matter be located outside the SWO District;
(b) The building is not designed for human habitation and does not exceed 500 square feet in area; and
(c) Only limited filling or excavating necessary to provide structural support is conducted.

—The establishment and development of public and private parks, recreation areas, public boat access sites, natural and outdoor education areas, historic and scientific areas, wildlife refuges, game preserves, and private habitat areas, provided that:

(a) Any private recreation or wildlife habitat area must be used exclusively for that purpose;
(b) No filling is to be done; and
(c) Ditching, excavating, dredging, dike and dam construction may be done in wildlife refuges, game preserves, and private wildlife habitat areas, but only for the purpose of improving wildlife habitat or to otherwise enhance the value of a wetland or other natural resource.

—The construction and maintenance of electric, gas, telephone, water, and sewer transmission and distribution lines, and related facilities in the SWO District by public utilities and cooperative associations organized for the purpose of producing or furnishing heat, light, power, or water to members located outside the SWO District, provided that:

(a) The transmission and distribution lines and related facilities cannot as a practical matter be located outside SWO District; and
(b) Any filling, excavating, ditching, or draining that is to be done must be necessary for the construction or maintenance of the utility, and must be done in a manner designed to minimize flooding and other adverse impacts upon the natural functions of the wetland area.

—The construction and maintenance of railroad lines in the SWO District, provided that:

(a) The railroad lines cannot as a practical matter be located outside the SWO District; and
(b) Any filling, excavating, ditching, or draining that is to be done must be necessary for the construction or maintenance of the railroad, and must be done in a manner designed to minimize flooding and other adverse impacts upon the natural functions of the wetland area.

Prohibited Uses

—Any use not listed as a permitted use or a conditional use is prohibited unless the SWO Shoreland Wetland Overlay District lands concerned are first rezoned into another district.
—The use of a boathouse for human habitation and the construction or placement of a boathouse or fixed houseboat below the ordinary highwater mark of any navigable waters are prohibited.

9. Add the following as the third paragraph of Section 17.0324 "PUD PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT":

Overlay districts provide for the possibility of superimposing certain additional requirements upon a basic underlying zoning district without disturbing the requirements of the basic district. In the instance of conflicting requirements, the more strict of the conflicting requirements shall apply.

10. Create Section 17.0806 to read as follows:

17.0806 WETLAND NONCONFORMING USES

Notwithstanding Section 62.23(7)(h) of the Wisconsin Statutes, the repair, reconstruction, renovating, remodeling, or expansion of a legal nonconforming structure or of an environmental control facility in existence on May 7, 1982, related to that structure is permitted pursuant to Section 61.231(5) of the Wisconsin Statutes. Section 62.23(7)(h), however, applies to any environmental control facility that was not in existence on May 7, 1982, but was in existence on the effective date of this Ordinance or amendment thereto.

11. Create Section 17.0910 to read as follows:

17.0910 FLOODPROOFING

Where floodproofing by means of elevating on fill is deemed inappropriate or impractical, and where floodproofing by means other than filling is permitted, floodproofing measures shall be in accordance with the following:

Floodproofing Measures Shall be Designed to:

(a) Withstand the flood pressures, depths, velocities, uplift and impact forces, and other factors associated with the 100-year recurrence interval flood; and
(b) Assure protection to an elevation at least two (2) feet above the elevation of the 100-year recurrence interval flood; and
(c) Provide anchorage of structures to foundations to resist flotation and lateral movement; and
(d) Insure that the structural walls and floors are watertight and completely dry without human intervention during flooding to a point at least two (2) feet above the elevation of the 100-year recurrence interval flood.

No Permit or Variance shall be issued until the applicant submits a plan or document certified by a registered professional engineer or architect certifying that the floodproofing measures are adequately designed to protect the structure or development to a point at least two (2) feet above the elevation of the 100-year recurrence interval flood for the particular area.

Floodproofing Measures May Include, but are not limited to:

(a) Reinforcement of walls and floors to resist rupture or collapse caused by water pressure or floating debris;
(b) Addition of mass or weight to structures to prevent flotation;
(c) Placement of essential utilities above the flood protection elevation;
(d) Surface and subsurface drainage systems, including pumping facilities, to relieve external foundation wall and basement floor pressures;
(e) Construction of water supply wells and waste treatment and collection systems to prevent the infiltration of floodwaters into such systems;
(f) Cutoff valves on sewer lines and the elimination of gravity flow basement drains; and/or
(g) The construction of permanent or moveable watertight bulkheads, erection of permanent watertight shutters and doors, and installation of wire reinforced glass or glass block for windows.

12. Repeal and recreate part of Section 17.1004 "POWERS" to read as follows:

Interpretations. To hear and decide applications for interpretations of the zoning regulations and the boundaries of the zoning districts after the City Plan Commission has made a review and recommendation. Floodland boundaries shall be altered by the Board of Appeals only when the applicant presents evidence that clearly and conclusively establishes that the location as shown on the zoning map is incorrect. The Board may also make interpretations where it is alleged that a wetland is incorrectly mapped on the Wisconsin Wetland Inventory maps.

13. Repeal and recreate Section 17.1006 to read as follows:

17.1006 HEARINGS

The Board of Appeals shall fix a reasonable time and place for the hearing, publish a Class Two (2) notice thereof, and give notice to neighboring parties in interest, including the Zoning Administrator and the City Plan commission. At the hearing, the appellant or applicant may appear in person, by agent, or by attorney.

Notice to the DNR. The Zoning Board of Appeals shall transmit a copy of each application for a variance to the floodland regulations in a FW, FC, or FFO Floodland District or conservancy regulations of the SWO Shoreland Wetland Overlay District, and a copy of all Floodland and SWO District appeals, to the Wisconsin Department of Natural Resources (DNR) for review and comment at least 10 days prior to any public hearings. Final action on applications shall not be taken for 30 days or until the DNR has made its recommendations, whichever comes first. A copy of all decisions relating to variances to floodland and shoreland conservancy regulations, and a copy of all decisions to floodland and shoreland conservancy appeals, shall be transmitted to the DNR within 10 days of the effective date of such decision.

14. Add the following as the fourth paragraph of Section 17.1008 "DECISION":

Applicant Receiving Variances in Floodlands shall be notified, in writing, by the Board of Appeals that increased flood insurance premiums and risk to life and property may result from the granting of the variance. The Board shall keep a record of the notification in its files.

15. Create Section 17.1010 to read as follows:

17.1010 FLOODLAND AND WETLAND MAPPING DISPUTES

Floodland Disputes. When ever the Board of Appeals is asked to interpret a floodland boundary where an apparent discrepancy exists between the federal flood insurance study and actual field conditions, the following procedure shall be used. The floodland boundary shall be determined by use of the flood profiles contained in an engineering study, or where such information is not available, by experience, flood maps, or any other evidence available to the Board of Appeals. The person contesting the location of the district boundary shall be given the opportunity to present his own technical evidence. Where it is determined that the floodplain is incorrectly mapped, the Board of Appeals shall advise the City Plan Commission of its findings and the Plan Commission shall proceed to petition the City Common Council for a map amendment.

Wetland Disputes. Whenever the Board of Appeals is asked to interpret a SWO Shoreland Wetland Overlay District boundary where an apparent discrepancy exists between the City's Final Wetland Inventory Map and actual field conditions, the City shall contact the Wisconsin Department of Natural Resources (DNR) to determine if the wetland inventory map is in error. If the DNR staff concurs that the particular area was incorrectly mapped as a wetland, the Board of Appeals shall direct the City Plan Commission to initiate appropriate action to rezone the property within a reasonable amount of time.

16. Repeal and recreate Section 17.1107 to read as follows:

17.1107 FLOODLAND DISTRICT BOUNDARY CHANGES LIMITED

The Common Council shall not permit changes to the Floodland District boundaries that are inconsistent with the purpose and intent of the Ordinance, or in conflict with the applicable rules and regulations of the Wisconsin Department of Natural Resources (DNR) and the Federal Emergency Management Agency (FEMA).

Changes in the Floodland District Boundaries shall not be permitted where the change will increase the flood stage elevation by 0.01 foot or more, unless the petitioner has made appropriate legal arrangements with all affected units of government and all property owners affected by the stage increase. In no event shall a change be permitted that would increase the flood stage elevation by more than 1.0 foot. Petitions for the Floodland District changes for the FW and FC Districts shall show the affects of the change within the associated flood fringe, and shall provide adjusted water surface profiles and adjusted floodland limits to reflect the increased flood elevations.

Removal of Land from the Floodland Districts shall not be permitted unless the land has been filled to an elevation at least two (2) feet above the elevation of the 10-year recurrence interval flood and further provided that such land is contiguous to lands lying outside of the floodlands.

Amendment of Floodlands Which Were Delineated Approximate Methods shall not be permitted unless the petitioner provides the City with engineering data showing the flood profile, necessary river cross-sections, flood elevations, and any effect the establishment of a floodway/flood fringe will have on flood stages. The effects shall be limited as set forth in this section. If the approximate flood zone is less than five acres in area, and where the cost of the proposed development is estimated to be less than $125,000.00, the Department of Natural Resources (DNR) will assist the petitioner in determining the required flood elevations.

No River or Stream shall be altered or relocated until a floodland zoning change has been applied for and granted in accordance with the requirements of this section,

and until all adjacent communities have been requested to review and comment on the proposed alteration or relocation. The flood carrying capacity of the altered or relocated watercourse shall not be reduced to less than the flood carrying capacity before the watercourse was altered or relocated.

Notice to DNR and FEMA. A copy of all notices for amendments or rezoning in the Floodland Districts shall be transmitted to the Wisconsin Department of Natural Resources (DNR) and the Federal Emergency Management Agency (FEMA) at least 10 days prior to the public hearing. No amendments to the Floodland District boundaries or regulations shall become effective until approved by the DNR. In the case a Floodland District boundary changes, an official letter of map amendment from the FEMA may also be required.

17. Renumber Section 17.1108 "PROTEST" as Section 17.1109.

18. Create a new Section 17.1108 to read as follows:

17.1108 AMENDMENTS TO THE SHORELAND WETLAND OVERLAY DISTRICT

The Common Council shall not permit changes (text or map) in the Shoreland Wetland Overlay District that are not consistent with the guidelines set forth below, or in conflict with the applicable rules and regulations of the Wisconsin Department of Natural Resources (DNR).

Notice to DNR. The City shall transmit a notice of any change (text or map) in the SWO District to the Wisconsin Department of Natural Resources (DNR). Notice requirements shall be as follows:

(a) A copy of every petition for a text or map change mailed within five (5) days of filing with the City Clerk.
(b) At least 10 days prior notice of any public hearing on a SWO District zoning amendment.
(c) Notice of a City Plan Commission recommendation no later than 10 days following the recommendation.
(d) Notice of a Common Council decision no later than ten (10) days following the decision.

Review Standards. No wetland in a SWO District shall be rezoned if the rezoning may result in a significant adverse impact on storm or floodwater storage capacity; maintenance of dry season streamflow, the discharge of groundwater from the wetland to another area, or the flow of groundwater through a wetland; filtering or storage of sediments, nutrients, heavy metals, or organic compounds that would otherwise drain into navigable waters; shoreline protection against soil erosion; fish spawning, breeding, nursery, or feeding grounds; wildlife habitat; or areas of special recreational, scenic, or scientific interest, including scarce wetland types.

DNR Objections. If the DNR has notified the City Plan Commission that an amendment to the shoreland portion of the SWO District may have a significant adverse impact upon any of the criteria listed above, that amendment, if approved by the Common Council, shall contain the following provisions:

"This amendment shall not take effect until more than 30 days have elapsed since written notice of the Common Council's approval of this amendment was mailed to the Department of Natural Resources. During that 30-day period, the Department of Natural Resources may notify the Common Council that it will adopt a superseding shoreland ordinance for the City, pursuant to Section 62.231 of the Wisconsin Statutes. If the Department does so notify the Common Council,

the effect of this amendment shall be stayed until the Section 62.231 adoption procedure is completed or otherwise terminated."

19. Create Section 17.1202 "ZONING ADMINISTRATOR DESIGNATED", subsections (10) and (11) to read as follows:

    10. Recommend to the City Common Council and Plan Commission any additional regulations deemed necessary.

    11. Make available to the public, to the fullest extent possible, all reports and documents concerning the City's comprehensive plan and ordinances. In addition, information in the form of reports, bulletins, maps, and engineering data shall be readily available and widely distributed. The City Plan Commission may set fees necessary to recover the cost of providing information to the public. Where useful, the Zoning Administrator or his agent may set marks on bridges or buildings or other markers which show the depth of the 100-year recurrence interval flood; or may set marks delineating the boundaries of wetlands.

20. Create Section 17.1205a to read as follows:

    17.1205a OTHER PERMITS

    It is the responsibility of the permit applicant to secure all other necessary permits required by any state, federal, or local agency. This includes, but is not limited to, a water use permit pursuant to Chapter 30 and 31 of the Wisconsin Statutes or a wetland fill permit pursuant to Section 404 of the Federal Water Pollution Control Act.

21. Repeal and recreate part of Section 17.1205 "CONDITIONAL USE PERMIT" to read as follows:

    Notice to DNR. The City Plan Commission shall transmit a copy of each application for a conditional use in the FW Floodway District, the FC Floodplain Conservancy District, the FFO Floodplain Fringe Overlay District, and the SWO Shoreland Wetland Overlay District to the Wisconsin Department of Natural Resources (DNR) for review and comment at least 10 days prior to the public hearing. Final action on the application shall not be taken for 30 days or until the DNR has made its recommendation, whichever comes first. A copy of all decisions granting conditional uses in these districts shall be transmitted to the DNR within 10 days of the effective date of such permit.

22. Repeal the definition of the term "Equal Degree of Hydraulic Encroachment" in Section 17.1300 "DEFINITIONS" and create or recreate the following definitions in their appropriate alphabetical order:

    Dryland Access
    A vehicular access route which is above the regional flood elevation and which connects land located in the floodplain to land which is outside the floodplain, such as a road with its surface above the regional flood elevation and wide enough to accommodate wheeled vehicles.

    Encroachment
    Any fill, structure, building, use, or development in the floodway.

    Environmental Control Facility
    Any facility, temporary or permanent, which is reasonably expected to abate, reduce, or aid in the prevention, measurement, control or monitoring of noise, air, or water pollutants, solid waste or thermal pollution, radiation or other pollutants, including facilities installed principally to supplement or to replace existing property or equipment not meeting or allegedly not meeting acceptable pollution control standards or which are to be supplemented or replaced by other pollution control facilities.

Flood Frequency
The probability of a flood occurrence. A flood frequency is generally determined from statistical analysis. The frequency of a particular flood event is usually expressed as occurring, on the average, once in a specified number of years or as a percent (%) chance of occurring in any given year.

Flood Storage
Those floodplain areas where storage of floodwaters has been taken into account in reducing the regional flood discharge.

Floodplain Island
A natural geologic land formation within the floodplain that is surrounded, but not covered, by floodwater during the regional flood.

Floodproofing
Any combination of structural and nonstructural additions, changes, or adjustments which reduce or eliminate flood damage to unimproved and improved real estate, water and sanitary sewer facilities, structures and their contents.

Floodway
A designated portion of the 100-year flood that will convey the regulatory flood discharge with small, acceptable upstream and downstream increases, limited in Wisconsin to 0.01 foot unless special legal measures are provided. The floodway, which includes the channel, is that portion of the floodplain not suited for human habitation,. All fill, structures, and other development that would impair floodwater conveyance by adversely increasing flood stages or velocities or would itself be subject to flood damage should be prohibited in the floodway.

Freeboard
A flood protection elevation requirement designed as a safety factor which is usually expressed in terms of a certain amount of feet above a calculated flood level. Freeboard compensates for the effects of any factors that contribute to flood heights greater than those calculated. These factors include, but are not limited to, ice jams, debris accumulation, wave action, obstruction of bridge openings and floodways, the effects of urbanization on the hydrology of the watershed, loss of flood storage areas due to development and aggradation of a river or stream bed.

Habitable Buildings
Any building, or portion thereof, used for human habitation.

Hearing Notice
Publication or posting meeting the requirements of Chapter 985 of Wisconsin Statutes. A Class 1 notice is the minimum required for zoning appeals: published once at least one week (7 days) prior to the hearing. A Class 2 notice is the minimum required for all zoning ordinance amendments, including both map and text amendments: published twice, once each week consecutively, the last at least one week (7 days) before the hearing. Local zoning ordinances or bylaws may required additional notice, exceeding these minimums.

Human Habitation
A human residence or dwelling.

Increases In Regional Flood Height
A calculated upward rise in the regional flood elevation, equal to or greater than 0.01 foot, determined by comparing existing conditions and proposed conditions and which is directly attributable to manipulation of mathematical variables such as roughness factors, expansion and contraction coefficients, and discharge.

Navigable Water
Lake Superior, Lake Michigan, all natural inland lakes within Wisconsin, and all rivers, streams, ponds, sloughs, flowages, and other waters within the territorial limits of this state, including

the Wisconsin portion of boundary waters, which are navigable under the laws of this state. The Wisconsin Supreme Court has declared navigable all bodies of water with a bed differentiated from adjacent uplands and with levels of flow sufficient to support navigation by a recreational craft of the shallowest draft on an annually recurring basis. [Nuench v. Public Service Commission, 261 Wis. 492 (1952), and DeGaynor and Co., Inc. v. Department of Natural Resources, 70 Wis. 2d 936 (1975)].

For the purpose of this Ordinance, rivers and streams will be presumed to be navigable if they are designated as either continuous or intermittent waterways on the United States Geological Survey quadrangle maps until such time that the Wisconsin Department of Natural Resources has made a determination that the waterway is not, in fact, navigable. Furthermore, streams not shown on USGS quadrangle maps may later be determined to be navigable by physical investigation.

Ordinary Highwater Mark
The point on the bank or shore of a body of water up to which the presence and action of surface water is so continuous as to leave a distinctive mark such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristic.

Shorelands
Those lands lying within the following distances from the ordinary high water mark of navigable waters: 1,000 feet from a lake, pond or flowage; and 300 feet from a river or stream; or to the landward side of the floodplain, whichever distance is greater. Shorelands shall not include those lands adjacent to farm drainage ditches where (a) such lands are not adjacent to a navigable stream or river; (b) those parts of such drainage ditches adjacent to such lands were not navigable streams before ditching or had no previous stream history; and (c) such lands are maintained in nonstructural agricultural use.

Unnecessary Hardship
That circumstance where special conditions which are not self-created affect a particular property and make strict conformity with the restrictions governing dimensional standards (such as lot area, lot width, setbacks, yard requirements, or building height) unnecessarily burdensome or unreasonable in light of the purpose of the Ordinance. Unnecessary hardship is present only where, in the absence of a variance, no feasible use can be made of the property.

Variance
An authorization granted by the Zoning Board of Appeals to construct or alter a building or structure in a manner that deviates from the dimensional standards of this Ordinance. A variance may not permit the use of a property that is otherwise prohibited by the Ordinance or allow floodland construction that is not protected tot he flood protection elevation

Wetland
An area where water is at, near, or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation and which has soils indicative of wet conditions.

Appendix G

DECLARATION OF RESTRICTIONS AND COVENANTS FOR THE CITY OF BURLINGTON INDUSTRIAL DEVELOPMENT, LTD. (CITY OF BURLINGTON INDUSTRIAL PARK)

KNOW ALL MEN BY THESE PRESENTS, that

WHEREAS, the undersigned, CITY OF BURLINGTON, Racine County, Wisconsin, a municipal corporation, is the owner of that certain parcel of land more particularly described as:

PARCEL A

Part of the Northeast 1/4 of Section 5, Township 2 North, Range 19 East of the 4th P.M., and more particularly described as follows: commencing at the North 1/4 corner of said Section 5, as shown on the recorded plat of Perkins's South Park, a plat of record; thence South 2° 10' 17" East 1210.11 feet along the West line of the Northwest 1/4 of Section 5 to the place of beginning of parcel of land hereinafter described; thence continuing South 2° 10' 17" East 1389.57 feet to the center of said Section 5; thence North 88° 10' 36" East 1832.23 feet along the South line of said quarter section; thence North 1° 43' 03" West 566.19 feet; thence North 86° 05' East 400.75 feet; thence North 2° 37' 02" East (recorded as north 4° 03' 14" East) 249.86 feet; thence North 79° 06' 12" West (recorded as North 77° 40' West) 216.15 feet; thence North 34° 05' 50" West (recorded as North 32° 40' West) 571.73 feet; thence South 89° 06' 58" West 1745.65 feet (recorded as North 89° 23' 30" West 1746.64) feet to the place of beginning. Containing 61.354 acres of land, more or less. Said land being in the City of Burlington, County of Racine and State of Wisconsin.

EXCEPTING therefrom the following parcel: Part of the Southeast 1/4 of the Northeast 1/4 of Section 5, Township 2 North, Range 19 East of the 4th P.M., City of Burlington, County of Racine, State of Wisconsin, and more particularly described as follows: commencing at the North 1/4 corner of said Section 5 per the recorded plat of Perkin's South Park, thence South 2° 10' 17" East 1210.11 feet; thence North 89° 06' 58" East 1745.65 feet; thence South 34° 05' 50" East 571.73 feet to a concrete monument and the place of beginning of parcel of land hereinafter described; thence South 79° 06' 12" East, 216.15 feet to a concrete monument; thence South 2° 37' 02" West (Recorded as South 4° 03' 14" West) 249.86 feet to a 2" pipe; thence South 86° 05' West 253.00 feet along the north line of Dunford Drive to a 1" pipe; thence North 9° 30' 47" East 312.03 feet to the place of beginning. Containing 65,114 square feet of land.

PARCEL B

Part of the Northwest 1/4 of the Southeast 1/4 of Section 5, Township 2 North, Range 19 East of the 4th P.M., and more particularly described as follows: commencing at the center of said Section 5; thence North 88° 10' 36" East 1314.28 feet along the North line of said quarter section to the Northeast corner of the Northwest 1/4 of the Southeast 1/4 of Section 5; thence South 2° 00' 53" East 480.96 feet (recorded as about 28.25 rods) along the East line of aforesaid quarter quarter section and to the south bank of a ditch; thence North 75° 56' West 1367.70 feet along the south bank of said ditch and an extension thereof to the West line of said quarter section; thence North 2° 04' 07" West 106.49 feet (recorded as 90.75 feet) along the West line of said quarter section to the place of beginning. Containing 8.861 acres of land, more or less. Said land being in the City of Burlington, County of Racine and State of Wisconsin.

WHEREAS, the undersigned is undertaking and intends to divide and improve or cause to be improved the above described parcel of land for use as an industrial park to be known as the CITY OF BURLINGTON INDUSTRIAL DEVELOPMENT, LTD.,

NOW, THEREFORE, in consideration of the aforesaid and for the purpose of preserving the value of the lots contained within the City of Burlington Industrial Development, Ltd., as well as all land located in the general vicinity of the City of Burlington Industrial Development, Ltd., the undersigned hereby declare and provide that the entire area known as the City of Burlington Industrial Development, Ltd., shall be subject to the following restrictions, covenants, and conditions to-wit:

1. USE OF LAND

It is the intention of the City of Burlington that the City of Burlington Industrial Development, Ltd. be developed to enhance the future industrial growth of the City in a planned development for a general mix of heavy and light industry, distribution and limited retail operations if the latter are an integral part of the manufacturing or distribution process. The type of industry of industry mix will be subject to the review and approval of the Industrial Park Control Board.

2. AREA OF LOTS

No lot in the City of Burlington Industrial Development, Ltd. shall be created which is less than one (1) acre in area.

3. SUBMISSION OF PLANS

No building or improvement shall be erected, placed, or altered on any lot in the City of Burlington Industrial Development, Ltd. until the plans for such building or improvement, including site plan, landscape plan, and building plan and specifications have been approved by the Industrial Park Control Board. Said Board shall review and approve, approve conditionally, or disapprove such plans with respect to conformity with these restrictions and other applicable enactments of the City, and with respect to harmony of external design and land use as it affects property within and adjacent to the City of Burlington Industrial Development, Ltd. Failure of the aforesaid Board to act upon such building or improvement plans within 60 days after submission to the City of Burlington, City Clerk, shall be deemed to constitute approval of such plans.

4. BUILDING SETBACK REQUIREMENTS

(a) FRONT YARD:

No portion or part of any building shall be erected, constructed, or extended nearer than thirty (30) feet from the street right-of-way line, or both street right-of-way lines on a corner lot, of any lot in said industrial park. Parking of employee or visitor owned motor vehicles shall be prohibited within ten (10) feet of any street right-of-way line.

(b) REAR YARD:

No part or portion of any building shall be erected, constructed, or extended nearer than twenty-five (25) feet to any rear lot line except in the case of the erection or construction of any building or structure used for outside railway car loading or unloading facilities, to which this restriction shall not apply.

(c) SIDE YARD:

No part or portion of any building shall be erected, constructed, or extended nearer than ten (10) feet to any side lot line. The combined total of side yards for any parcel shall not be less than thirty (30) feet. Corner lots shall be deemed to have two side lot lines.

5. ARCHITECTURAL CONTROL AND APPEARANCE

Thirty (30) percent of the front of all buildings, that is, the side facing the street on which the building is deemed to front, shall be faced with concrete or brick masonry, stone, or other material approved by the Industrial park Control Board. That portion of any building facing a street other than the street on which the building fronts shall be finished in an attractive manner in keeping with the accepted standards used for industrial buildings, but need not be finished in a like manner as that portion of the building referred to as the front. It is the intent of these provisions that all structures shall be designed and constructed in such a manner as to provide an aesthetically pleasing and harmonious overall development of the industrial park. Except as otherwise provided herein, the sides and rear of all buildings shall be finished in an attractive manner in keeping with the accepted standards used for industrial buildings subject to the approval of Industrial Park Control Board. All faces of all buildings must be kept in good repair and appearance at all times. All buildings must be of approved construction in conformance with all applicable building codes. Buildings shall not exceed fifth (50) feet in height.

6. LANDSCAPING AND LANDSCAPING MAINTENANCE

The entire setback area shall be seeded or sodded and landscaped between the lot lines from the street curb to the building face. All landscaping shall be subject to the approval of the Industrial Park Control Board so as to provide an attractive appearance.

Location of landscape areas, plant materials, protection afforded the plantings, including curbing and provision for maintenance shall be subject to approval by the Industrial Park Control Board. Those off-street parking areas for five (5) or more vehicles if located adjoining a residential area shall be screened from such area by a solid wall or fence or by evergreen planting of adequate visual density, built and maintained at a minimum height of six (6) feet.

All such landscaping, drives, and walks shall be completed within six (6) months of the time of issuance of a building occupancy permit and zoning certificate of compliance unless weather or time of year does not permit completion.

7. OFF-STREET PARKING AND LOADING

(a) NO PARKING ON PUBLIC STREETS: Vehicle parking by employees, visitors, company or commercial trucks shall not be allowed on public streets within the City of Burlington Industrial Development, Ltd.

(b) PARKING SPACES AND LOCATION: At least one parking space of not less than 180 square feet, excluding driveway and approaches, shall be required for each two (2) employees to provide a sufficient number of off-street parking spaces to accommodate the maximum number of vehicles of employees and visitors expected on the site during peak hours of utilization. Employee or truck parking shall be prohibited within ten (10) feet of any street right-of-way line. Additional parking shall be provided on each property as required by the Industrial Park Control Board.

(c) LOADING: In addition to employee and visitor parking, there shall be space provided as necessary for the parking of trucks and trailers. Truck loading berths shall be prohibited in the front yard of all building lots unless the face of each truck loading berth is set back at least seventh (70) feet from the street right-of-way line and suitable maneuvering area is provided trucks.

Truck loading berths shall be provided at the rate of one (1) space of at least 10 by 50 feet for each 10,000 square feet of floor area or part thereof of the building served.

(d) CONSTRUCTION: All walks, driveways, parking lots, and loading areas in the front or side yards shall be surfaced with bituminous concrete or Portland cement concrete

extending to the public street pavement. Other walks, driveways, parking lots, and loading areas shall be surfaced with a dustless surface and may be surfaced with bituminous concrete or Portland cement concrete.

8. OUTDOOR STORAGE

All materials, products, or solid or liquid waste materials stored outside of buildings shall be kept behind the building setback line, and shall be screened from view from the street and adjoining properties with a solid wall or fence or other screening approved by the Industrial park Control Board. Walls and fences must be kept painted or have such other finish so as to provide a good appearance. Wire fence is not acceptable for this purpose.

9. WASTE INCINERATION

No waste material shall be burned on the premises except in an incinerator especially designed and constructed for such purpose.

10. SECURITY FENCING

Lots within the City of Burlington Industrial Development, Ltd. may be fenced subject to the following terms and conditions:

(a) TYPE: Fences shall be of chain-link design and may have located on the top thereof a barbed wire Y or angle security bank not to exceed eighteen (18) inches in height.

(b) HEIGHT: Fences shall not exceed ten (10) feet in height including the security band along the top.

(c) MAINTENANCE: All fences shall be maintained in good condition including painting as required.

(d) PLACEMENT: Fences shall not be permitted in the front yard building setback area.

11. SIGNS AND BILLBOARDS

No signs other than company and product identification, and directional signs shall be permitted. The type, location, and placement of signs shall be approved by the Industrial Park Control Board.

12. UTILITY CONTROL

All utilities including all electric power, telephone and other communication equipment, gas, water, storm and sanitary sewers, excepting electric power lines exceeding 12,000 volts, shall be underground. The location of the utility shall be subject to approval by Industrial Park Control Board and City Plan Commission.

13. COOPERATION FOR MINOR EASEMENTS

All owners and occupants of parcels within the City of Burlington Industrial Development, Ltd. shall cooperate with the City and other owners and occupants within said industrial park in the planning and granting of all necessary and reasonable easements for gas, electric, telephone, sewer, water, access roads, railway spurs, and loading tracks to the extent that such easements do not interfere with the existing uses of the land or unduly restrict future use or development. Nothing contained in this section shall be deemed to require the purchaser to grant any specific easement, nor grant easements or rights-of-way without reasonable compensation therefore.

14. DRAINAGE CONTROL

No land shall be developed and no use shall be permitted that results in flooding, erosion or sedimentation on adjacent properties. All runoff shall be property channeled into a storm drain, watercourse, storage area, or other stormwater management facility.

15. NUISANCE CONTROL

No operation, process, manufacturing, or building use in said industrial park shall product or create excessive noise, light, odors, smoke, dust, gas, vibration, heat, industrial waste, toxic matter, or other excessive measurable external nuisance to an extent greater than the following maximum allowable levels:

(a) AIR POLLUTION: No person or activity shall emit any fly ash, dust, fumes, vapors, mists, or gases in such quantities so as to substantially contribute to exceeding established state or federal air pollution standards.

(b) FIRE AND EXPLOSIVE HAZARDS: All activities involving the manufacturing, utilization, processing, or storage of flammable and explosive materials shall be provided with adequate safety devices against the hazard of fire and explosion and with adequate fire-fighting and fire-suppression equipment and devices that are standard in the industry. all materials that range from active to intense burning shall be manufactured, utilized, processed, and stored only in completely enclosed buildings which have incombustible exterior walls and an automatic fire extinguishing system. The above-ground storage capacity of materials that produce flammable or explosive vapors shall not exceed following 200,000 gallons.

(c) GLARE AND HEAT: No activity shall emit glare or heat that is visible or measurable outside its premises except activities which may emit direct or sky reflected glare which shall not be visible outside their district. All operations producing intense glare or heat shall be conducted within a completely enclosed building. Exposed sources of light shall be shielded so as not to be visible outside their premises.

(d) WATER QUALITY PROTECTION: No activity shall locate, store, discharge, or permit the discharge of any treated, untreated, or inadequately treated liquid, gaseous, or solid materials of such nature, quantity, obnoxiousness, toxicity, or temperature that might run off, seep, percolate, or wash into surface or subsurface waters so as to contaminate, pollute, or harm such waters or cause nuisances such as objectionable shore deposits, floating or submerged debris, oil or scum, color, odor, taste, or unsightliness or be harmful to human, animal, plant, or aquatic life.

(e) NOISE: All noise shall be so muffled or otherwise controlled as not to become objectionable due to intermittence, duration, beat frequency, impulse character, periodic character, or shrillness.

(f) ODORS: No activity shall emit any odorous matter of such nature or quantity as to be offensive, obnoxious, or unhealthful outside their premises.

(g) RADIOACTIVITY AND ELECTRICAL DISTURBANCES: No activity shall emit radioactivity or electrical disturbances outside its premises that are dangerous or adversely affect the use of neighboring premises.

(h) VIBRATION: No activity shall emit vibrations which are discernible without instruments outside its premises.

16. RECAPTURE AND RESALE OF LAND

(a) If a buyer of any lot does not commence construction of a building or buildings thereon within twelve (12) months after the date of purchase and complete the construction of a building or buildings thereon within two (2) years after the date of pur-chase, the City shall have the option to repurchase the property. Exercise of the option shall be effected by resolution adopted by the Common Council. Such option shall be exercisable upon delivery in writing of a notice to the buyer within six (6) months after the expiration of such twelve-month or two-year period. Closing shall take place within sixty (60) days following the exercise of such option on such date as shall be designated by the City specified in such notice. The purchase price to be paid by the City upon the exercise of such option shall be the sum of the following:

(1) The purchase price paid for the land by the buyer;

(2) All special assessments which may have been paid by the buyer or levied against the premises during the period of such buyer's ownership;

Less the sum of the following:

(1) Unpaid real estate taxes;

(2) Proration of current year's real estate taxes to date of closing;

(3) Title insurance policy premium;

(4) Liens and encumbrances on the property.

Conveyance shall be by warranty deed, free and clear of all liens and encumbrances, except those in existence prior to the buyer's ownership of the property, and subject to municipal and zoning and land division ordinances, recorded easements for public utilities, and recorded Declaration of Restrictions and Covenants and amendments thereto. Seller shall furnish title insurance policy at seller's expense for full amount of purchase price.

(b) In the event a buyer elects to sell all or any part of any parcel which is vacant, the same shall first be offered for sale, in writing, to the City at a price per acre computed as set forth in Subsection (a) above. The City shall have sixty (60) days from the receipt of such offer to accept or reject same. Acception or rejection of such offer shall be effected by resolution adopted by the Common Council. Upon acceptance by the City, conveyance shall be by warranty deed free and clear of all liens and encumbrances, except those in existence prior to the buyer's ownership of the property, and subject to municipal and zoning and land division ordinances, easements for public utilities, and building restrictions and ordinances. The seller shall furnish title insurance policy at seller's expense.

(c) If the City fails to timely exercise the option described in Subsection (a) above or fails to timely accept the offer described in Subsection (b) above or rejects said offer, buyer may then sell such property to any other buyer and the City shall have no further interest therein, except that any use of said property by any subsequent buyer shall be subject to applicable zoning and land division ordinances, restrictions, and regulations of the City relating to the use of said property at the time of such sale and to the provisions of this Declaration of Restrictions and Covenants.

(d) Nothing contained herein shall be deemed to give the City a right of first refusal or option in the event that a buyer of a parcel who has improved the same by construction of a building or buildings thereon shall propose to see all of the property as one parcel

together with the improvements thereon, it being intended that the provisions of this shall apply only to the resale of vacant parcels.

17. NUMBER OF YEARS RESTRICTIONS AND COVENANTS TO RUN WITH THE LAND

Each lot shall be conveyed subject to the within restrictions and covenants, all of which are to run with the land and shall be binding on all parties and all persons claiming them for a period of ten (10) years from the date this Declaration of Restriction and Covenants is recorded, after which time said restrictions and covenants as are then in force and effect shall be automatically extended for successive periods of ten (10) years each, unless an instrument terminating such restrictions and covenants by the Common Council as evidenced by a resolution duly adopted by at least three-fourths (3/4) favorable vote of all members of the Common Council.

18. MODIFICATION AND AMENDMENT OF DECLARATION OF RESTRICTIONS AND COVENANTS

The within restrictions and covenants, except the provisions of Paragraph 16 of these restrictions, may be modified and amended only upon the execution and recording of a written instrument to said effect by the majority of the Common Council evidenced by a resolution duly adopted by at least three-fourths (3/4) favorable vote of all members of the Common Council at any time.

19. ENFORCEMENT

The enforcement of the restrictions and covenants contained in this declaration of restrictions and covenants shall be by proceedings at law or equity against any person or persons violating or attempting to violate any restrictions or covenants, to restrain violation, obtain substantial compliance, and recover any damages. Such proceedings may be commenced by the City of Burlington or by any owner or owners of lots in said industrial park.

20. SEVERABILITY

Invalidation of any one of these restrictions or covenants contained within this Declaration of Restrictions and Covenants, by judgment or court order, shall in no way affect any of the other provisions hereof, which shall remain in full force and effect.

21. VARIANCES

Where, in the judgment of the Industrial Park Control Board, it would be inappropriate to apply literally the provisions of this Declaration of Restrictions and Covenants because exceptional or undue hardship would result, the Industrial Park Control Board may waive or modify any requirements of Sections 4, 5, 6, 7, 8, 10, and 11 of this Declaration of Restrictions and Covenants pursuant to City ordinances establishing the Industrial Park Control Board.

22. OTHER APPLICABLE LAWS

Notwithstanding the provisions contained herein in this Declaration of Restrictions and Covenants, all development within the City of Burlington Industrial Development, Ltd. shall be in accordance with all applicable local, state, and federal laws.

IN WITNESS WHEREOF, the said City of Burlington has caused these presents to be signed by Martin J. Itzin, its Mayor, and Ralph F. Epping, its Clerk, and its corporate seal to be hereunto affixed this 4th day of Oct., 1983.

Approved by Common Council
City of Burlington
10-4, 1983

By s/Martin J. Itzin
Martin J. Itzin, Mayor

ATTESTATION:

s/Ralph F. Epping
Ralph F. Epping, City Clerk

State of Wisconsin
Racine County

NOTARIZATION: