

ADOPTED: October 4, 2023
PUBLISHED: October 9, 2023
Office of the City Clerk

93-23

AN ORDINANCE AMENDING SECTION 23-91(b) OF CHAPTER 23 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO AG AGRICULTURAL DISTRICT; PRINCIPAL PERMITTED USES.

(City Plan Commission – 10-04-2023)

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

Section 1: That Section 23-91(b) of Chapter 23 of the Municipal Code of the City of Appleton, relating to AG agricultural district; principal permitted uses, is hereby amended to read as follows:

Sec. 23-91. AG Agricultural district.

(b) *Principal permitted uses.* The following uses are permitted as of right in the AG district:

Residential Uses	Public and Semi Public Uses	Non-Residential Uses
<ul style="list-style-type: none">• Dwelling, single family, detached	<ul style="list-style-type: none">• Community living arrangements serving eight (8) or fewer persons, pursuant to §23-22 and §23-52• Governmental facilities• Public parks or playgrounds	<ul style="list-style-type: none">• Agriculture• Community garden• Greenhouse or greenhouse nursery.• Mobile Service Support Structures and Facilities pursuant to §23-66(h)(22)• Nursery, orchards or tree farm• Urban farm pursuant to §23-66(h)(17)• Winery pursuant to §23-66(h)(21)

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

Dated: October 4, 2023



Jacob A. Woodford, Mayor



Kami Lynch, City Clerk

ADOPTED: October 4, 2023
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Office of the City Clerk

94-23

AN ORDINANCE AMENDING SECTION 23-92(b) OF CHAPTER 23 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO R-1A SINGLE-FAMILY DISTRICT; PRINCIPAL PERMITTED USES.

(City Plan Commission – 10-04-2023)

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

Section 1: That Section 23-92(b) of Chapter 23 of the Municipal Code of the City of Appleton, relating to R-1A single-family district; principal permitted uses, is hereby amended to read as follows:


Sec. 23-92. R-1A single-family district.

(b) *Principal permitted uses.* The following principal uses are permitted as of right in the R-1A district:

Residential Uses	Public and Semi Public Uses	Non-Residential Uses
<ul style="list-style-type: none">• Dwelling, single family, detached	<ul style="list-style-type: none">• Community living arrangements serving eight (8) or fewer persons, pursuant to §23-22 and §23-52• Day care, adult; serving five (5) or fewer persons• Day care, family• Family home, adult (A) and (D), pursuant to §23-22• Family home, adult (B) and (C), pursuant to §23-52• Governmental facilities	<ul style="list-style-type: none">• Mobile Service Support Structures and Facilities pursuant to §23-66(h)(22)

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

Dated: October 4, 2023



Jacob A. Woodford, Mayor



Kami Lynch, City Clerk

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95-23

AN ORDINANCE AMENDING SECTION 23-93(b) OF CHAPTER 23 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO R-1B SINGLE-FAMILY DISTRICT; PRINCIPAL PERMITTED USES.

(City Plan Commission – 10-04-2023)

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

Section 1: That Section 23-93(b) of Chapter 23 of the Municipal Code of the City of Appleton, relating to R-1B single-family district; principal permitted uses, is hereby amended to read as follows:

Sec. 23-93. R-1B single-family district.

(b) *Principal permitted uses.* The following principal uses are permitted as of right in the R-1B district:

Residential Uses	Public and Semi Public Uses	Non-Residential Uses
<ul style="list-style-type: none">• Dwelling, single-family, detached	<ul style="list-style-type: none">• Community living arrangements serving eight (8) or fewer persons, pursuant to §23-22 and §23-52• Day care, adult; serving five (5) or fewer persons• Day care, family• Family home, adult (A) and (D), pursuant to §23-22• Family home, adult (B) and (C), pursuant to §23-22 and §23-52• Governmental facilities	<ul style="list-style-type: none">• Mobile Service Support Structures and Facilities pursuant to §23-66(h)(22)

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

Dated: October 4, 2023



Jacob A. Woodford, Mayor



Kami Lynch, City Clerk

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Office of the City Clerk

96-23

AN ORDINANCE AMENDING SECTION 23-94(b) OF CHAPTER 23 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO R-1C CENTRAL CITY RESIDENTIAL DISTRICT; PRINCIPAL PERMITTED USES.

(City Plan Commission – 10-04-2023)

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

Section 1: That Section 23-94(b) of Chapter 23 of the Municipal Code of the City of Appleton, relating to R-1C central city residential district; principal permitted uses, is hereby amended to read as follows:

Sec. 23-94. R-1C central city residential district.

(b) *Principal permitted uses.* The following principal uses are permitted as of right in the R-1C district:

Residential Uses	Public and Semi Public Uses	Non-Residential Uses
<ul style="list-style-type: none">• Dwelling, single-family, detached	<ul style="list-style-type: none">• Community living arrangements service eight (8) or fewer persons, pursuant to §23-22 and §23-52• Day care, adult; serving five (5) or fewer persons• Day care, family• Family home, adult (A) and (D), pursuant to §23-22• Family home, adult (B) and (C), pursuant to §23-22 and §23-52• Governmental facilities	<ul style="list-style-type: none">• Mobile Service Support Structures and Facilities pursuant to §23-66(h)(22)

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

Dated: October 4, 2023



Jacob A. Woodford, Mayor



Kami Lynch, City Clerk

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97-23

AN ORDINANCE AMENDING SECTION 23-95(b) OF CHAPTER 23 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO R-2 TWO-FAMILY DISTRICT; PRINCIPAL PERMITTED USES.

(City Plan Commission – 10-04-2023)

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

Section 1: That Section 23-95(b) of Chapter 23 of the Municipal Code of the City of Appleton, relating to R-2 two-family district; principal permitted uses, is hereby amended to read as follows:

Sec. 23-95. R-2 two-family district.

(b) *Principal permitted uses.* The following principal uses are permitted as of right in the R-2 district:

Residential Uses	Public and Semi Public Uses	Non-Residential Uses
<ul style="list-style-type: none">• Dwelling, single-family, detached• Dwelling, two-family (duplex)• Dwelling, zero lot line two-family	<ul style="list-style-type: none">• Community living arrangements serving eight (8) or fewer persons, pursuant to §23-22 and §23-52• Day care, adult; serving five (5) or fewer persons• Day care, family• Family home, adult (A) and (D), pursuant to §23-22• Family home, adult (B) and (C), pursuant to §23-22 and §23-52• Governmental facilities	<ul style="list-style-type: none">• Mobile Service Support Structures and Facilities pursuant to §23-66(h)(22)

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

Dated: October 4, 2023



Jacob A. Woodford, Mayor



Kami Lynch, City Clerk

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98-23

AN ORDINANCE AMENDING SECTION 23-96(b) OF CHAPTER 23 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO R-3 MULTIFAMILY DISTRICT; PRINCIPAL PERMITTED USES.

(City Plan Commission – 10-04-2023)

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

Section 1: That Section 23-96(b) of Chapter 23 of the Municipal Code of the City of Appleton, relating to R-3 multifamily district; principal permitted uses, is hereby amended to read as follows:


Sec. 23-96. R-3 multifamily district.

(b) *Principal permitted uses.* The following principal uses are permitted as of right in the R-3 district:

Residential Uses	Public and Semi Public Uses	Non-Residential Uses
<ul style="list-style-type: none">• Assisted living facility or retirement home• Dwelling, multi-family, of three (3) or more units, apartment building, or townhouse• Dwelling, single-family, detached• Dwelling, two-family (duplex)• Dwelling, zero lot line two-family• Nursing or convalescent home• Residential care apartment complex	<ul style="list-style-type: none">• Community living arrangements serving fifteen (15) or fewer persons, pursuant to §23-22 and §23-52• Day care, adult; serving five (5) or fewer persons• Day care, family• Family home, adult (A) and (D), pursuant to §23-22• Family home, adult (B) and (C), pursuant to §23-22 and §23-52• Governmental facilities	<ul style="list-style-type: none">• Mobile Service Support Structures and Facilities pursuant to §23-66(h)(22)

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

Dated: October 4, 2023



Jacob A. Woodford, Mayor



Kami Lynch, City Clerk

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99-23

AN ORDINANCE AMENDING SECTION 23-100(b) OF CHAPTER 23 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO P-I PUBLIC INSTITUTIONAL DISTRICT; PRINCIPAL PERMITTED USES.

(City Plan Commission – 10-04-2023)

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

Section 1: That Section 23-100(b) of Chapter 23 of the Municipal Code of the City of Appleton, relating to P-I public institutional district; principal permitted uses, is hereby amended to read as follows:


Sec. 23-100. P-I public institutional district.

(b) *Principal permitted uses.* The following principal uses are permitted as of right in the P-I district:

Residential Uses	Public and Semi Public Uses	Non-Residential Uses
<ul style="list-style-type: none"> • Assisted living facility or retirement home • Nursing or convalescent home 	<ul style="list-style-type: none"> • Community living arrangements serving one (1) or more persons, pursuant to §23-22 and §23-52 • Educational institution; business, technical or vocational school • Educational institution; college or university • Educational institution; elementary school, junior high school, or high school • Family home, adult (A) and (D), pursuant to §23-22 • Family home, adult (B) and (C), pursuant to §23-22 and §23-52 • Governmental facility • Group housing • Hospital • Marina and/or boat landing • Museum • Place of worship • Public parks or playgrounds • Recreation facility, non-profit • Registered historic places open to the public and having retail space occupying not more than 10% of the gross floor area of the building 	<ul style="list-style-type: none"> • Mobile Service Support Structures and Facilities pursuant to §23-66(h)(22) • Multi-tenant buildings

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

Dated: October 4, 2023



Jacob A. Woodford, Mayor



Kami Lynch, City Clerk

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100-23

AN ORDINANCE AMENDING SECTION 23-100(e) OF CHAPTER 23 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO P-I PUBLIC INSTITUTIONAL DISTRICT; SPECIAL USES.

(City Plan Commission – 10-04-2023)

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

Section 1: That Section 23-100(e) of Chapter 23 of the Municipal Code of the City of Appleton, relating to P-I public institutional district; special uses, is hereby amended to read as follows:

Sec. 23-100. P-I public institutional district.

(e) *Special uses.* Special uses in the P-I district may include:

Residential Uses	Public and Semi Public Uses	Non-Residential Uses
<ul style="list-style-type: none">• None	<ul style="list-style-type: none">• Cemetery, including a mausoleum, provided that a mausoleum shall have a forty- (40-) foot setback from any lot line of the cemetery• Day care, group, when located and operated in an educational institution, place of worship or semi-public building• Essential services• Golf course. However, the clubhouse, practice driving range, practice greens, or miniature golf course shall not be located closer than two hundred (200) feet from any residential structure	<ul style="list-style-type: none">• Circus or carnival. However, carnival rides or midways shall not be located within three hundred (300) feet of any residential district and shall be pursuant to §23-66(h)(7)• Community garden• Electronic towers pursuant to §23-66(h)(1)• Helicopter landing pads pursuant to §23-66(h)(9)• Parking garage• Recycling collection point pursuant to §23-66(h)(14)• Recycling and waste recovery center pursuant to §23-66(h)(13)• Shelter facility• Urban farms pursuant to §23-66(h)(17)

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

Dated: October 4, 2023



Jacob A. Woodford, Mayor



Kami Lynch, City Clerk

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101-23

AN ORDINANCE AMENDING SECTION 23-101(b) OF CHAPTER 23 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO NC NATURE CONSERVANCY DISTRICT; PRINCIPAL PERMITTED USES.

(City Plan Commission – 10-04-2023)

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

Section 1: That Section 23-101(b) of Chapter 23 of the Municipal Code of the City of Appleton, relating to NC nature conservancy; principal permitted uses, is hereby amended to read as follows:

Sec. 23-101. NC nature conservancy district.

(b) *Principal permitted uses.* The following uses are permitted within the NC nature conservancy district:

Residential Uses	Public and Semi Public Uses	Non-Residential Uses
<ul style="list-style-type: none">• None	<ul style="list-style-type: none">• Bicycle or hiking trails• Dams, power stations, transmission lines• Fishing• Harvesting of wild crops such as marsh hay, mushrooms, moss, berries, fruit trees and tree seeds• Management of forestry and fish• Public or private parks which provide passive recreation pursuits• Water pumping and storage facilities	<ul style="list-style-type: none">• Mobile Service Support Structures and Facilities pursuant to §23-66(h)(22)

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

Dated: October 4, 2023



Jacob A. Woodford, Mayor



Kami Lynch, City Clerk

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102-23

AN ORDINANCE AMENDING SECTION 23-111(b) OF CHAPTER 23 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO C-O COMMERCIAL OFFICE DISTRICT; PRINCIPAL PERMITTED USES.

(City Plan Commission – 10-04-2023)

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

Section 1: That Section 23-111(b) of Chapter 23 of the Municipal Code of the City of Appleton, relating to C-O commercial office district; principal permitted uses, is hereby amended to read as follows:

Sec. 23-111. C-O commercial office district

(b) *Principal permitted uses.* The following principal uses are permitted as of right in the C-O district.

Residential Uses	Public and Semi Public Uses	Non-Residential Uses
<ul style="list-style-type: none">• None	<ul style="list-style-type: none">• Clubs• Educational institutions; business, technical or vocational school• Educational institutions; college or university• Governmental facilities• Museums• Places of worship• Public parks or playgrounds• Registered historic places open to the public and having retail space occupying not more than 10% of the gross floor area of the building	<ul style="list-style-type: none">• Mobile Service Support Structures and Facilities pursuant to §23-66(h)(22)• Multi-tenant building• Offices• Personal services• Professional services• Veterinarian clinics

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

Dated: October 4, 2023



Jacob A. Woodford, Mayor



Kami Lynch, City Clerk

ADOPTED: October 4, 2023
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Office of the City Clerk

103-23

AN ORDINANCE AMENDING SECTION 23-111(e) OF CHAPTER 23 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO C-O COMMERCIAL OFFICE DISTRICT; SPECIAL USES.

(City Plan Commission – 10-04-2023)

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

Section 1: That Section 23-111(e) of Chapter 23 of the Municipal Code of the City of Appleton, relating to C-O commercial office district; special uses, is hereby amended to read as follows:

Sec. 23-111. C-O commercial office district

(e) *Special uses.* Special uses in the C-O district may include:

Residential Uses	Public and Semi Public Uses	Non-Residential Uses
<ul style="list-style-type: none">• None	<ul style="list-style-type: none">• Educational institutions; elementary school, junior high school, or high school• Essential services• Golf courses. However the clubhouse, practice driving range, practice greens or miniature golf course shall not be located closer than two hundred (200) feet from any residential structure	<ul style="list-style-type: none">• Electronic towers pursuant to §23-66(h)(1)• Helicopter landing pads pursuant to §23-66(h)(9)• Parking garages• Recycling collection point pursuant to §23-66(h)(14)

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

Dated: October 4, 2023



Jacob A. Woodford, Mayor



Kami Lynch, City Clerk

ADOPTED: October 4, 2023
PUBLISHED: October 9, 2023
 Office of the City Clerk

104-23

AN ORDINANCE AMENDING SECTION 23-112(b) OF CHAPTER 23 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO C-1 NEIGHBORHOOD MIXED USE DISTRICT; PRINCIPAL PERMITTED USES.

(City Plan Commission – 10-04-2023)

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

Section 1: That Section 23-112(b) of Chapter 23 of the Municipal Code of the City of Appleton, relating to C-1 neighborhood mixed use district; principal permitted uses, is hereby amended to read as follows:

Sec. 23-112. C-1 neighborhood mixed use district.

(b) *Principal permitted uses.* The following principal uses are permitted as of right in the C-1 district.

Residential Uses	Public and Semi Public Uses	Non-Residential Uses
<ul style="list-style-type: none"> • Dwelling, multi-family, or three (3) or more units, apartment building, or townhouse 	<ul style="list-style-type: none"> • Clubs • Day care, group • Governmental facilities • Museums • Places of worship • Public parks or playgrounds • Registered historic places open to the public and having retail space occupying not more than 10% of the gross floor area of the building 	<ul style="list-style-type: none"> • Commercial entertainment; excluding sexually-oriented establishments • Hotel or motels • Mobile Service Support Structures and Facilities pursuant to §23-66(h)(22) • Multi-tenant building • Offices • Painting/Craft studio without alcohol sales • Personal services • Printing • Professional services • Restaurants (without alcohol) • Restaurants, fast foods • Retail businesses • Shopping centers • Urban farms pursuant to §23-66(h)(17) • Veterinarian clinics, with all activity within enclosed buildings and with no animals boarded overnight

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

Dated: October 4, 2023



Jacob A. Woodford, Mayor



Kami Lynch, City Clerk

ADOPTED: October 4, 2023
PUBLISHED: October 9, 2023
Office of the City Clerk

105-23

AN ORDINANCE AMENDING SECTION 23-112(e) OF CHAPTER 23 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO C-1 NEIGHBORHOOD MIXED USE DISTRICT; SPECIAL USES.

(City Plan Commission – 10-04-2023)

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

Section 1: That Section 23-112(e) of Chapter 23 of the Municipal Code of the City of Appleton, relating to C-1 neighborhood mixed use district; special uses, is hereby amended to read as follows:

Sec. 23-112. C-1 neighborhood mixed use district.

(e) *Special uses.* Special uses in the C-1 district may include:

Residential Uses	Public and Semi Public Uses	Non-Residential Uses
<ul style="list-style-type: none"> • None 	<ul style="list-style-type: none"> • Educational institutions; elementary school, junior high school or high school • Essential services • Recreation facilities, non-profit 	<ul style="list-style-type: none"> • Amusement arcade • Bar or Tavern pursuant to §23-66(h)(6) • Craft-Distillery pursuant to §23-66(h)(19) • Electronic towers pursuant to §23-66(h)(1) • Manufacturing, custom pursuant to §23-66(h)(16) • Microbrewery/Brewpub pursuant to §23-66(h)(19) • Outdoor commercial entertainment pursuant to §23-66(h)(11) • Painting/Craft studio with alcohol pursuant to §23-66(h)(6) • Parking garages • Recycling collection points pursuant to §23-66(h)(14) • Research laboratories or testing facilities • Restaurants with alcohol pursuant to §23-66(h)(6) • Tasting rooms pursuant to §23-66(h)(19, 20, 21, or 21) • Winery pursuant to §23-66(h)(21)

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

Dated: October 4, 2023



Jacob A. Woodford, Mayor



Kami Lynch, City Clerk

ADOPTED: October 4, 2023
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Office of the City Clerk

106-23

AN ORDINANCE AMENDING SECTION 23-113(b) OF CHAPTER 23 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO C-2 GENERAL COMMERCIAL DISTRICT; PRINCIPAL PERMITTED USES.

(City Plan Commission – 10-04-2023)

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

Section 1: That Section 23-113(b) of Chapter 23 of the Municipal Code of the City of Appleton, relating to C-2 general commercial district; principal permitted uses, is hereby amended to read as follows:

Sec. 23-113. C-2 general commercial district.

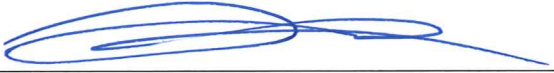
(b) *Principal permitted uses.* The following principal uses are permitted as of right in the C-2 district:

Residential Uses	Public and Semi Public Uses	Non-Residential Uses
<ul style="list-style-type: none"> • Assisted living or retirement homes • Nursing or convalescent homes 	<ul style="list-style-type: none"> • Clubs • Day care, group • Educational institutions; business, technical or vocational school • Educational institutions; college or university • Governmental facilities • Hospitals • Marina or boat landings • Museums • Places of worship • Public parks or playground • Recreation facilities; non-profit • Registered historic places open to the public and having retail space occupying not more than 10% of the gross floor area of the building 	<ul style="list-style-type: none"> • Automobile maintenance shops • Commercial entertainment; excluding sexually-oriented establishments • Drive through facilities pursuant to §23-49 • Greenhouses or greenhouse nurseries • Hotel or motels • Manufacturing, custom pursuant to §23-66(h)(16) • Mobile Service Support Structures and Facilities pursuant to §23-66(h)(22) • Multi-tenant building • Offices • Painting/Craft studio without alcohol sales • Parking lots • Personal services • Printing • Professional services • Restaurants (without alcohol) • Restaurants, fast food • Retail businesses • Shopping centers • Towing businesses pursuant to §23-66(h)(15)

		<ul style="list-style-type: none">• Urban farms pursuant to 23-66(h)(17)• Veterinarian clinics
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Section 2: This ordinance shall be in full force and effect from and after its passage and publication.

Dated: October 4, 2023



Jacob A. Woodford, Mayor



Kami Lynch, City Clerk

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107-23

AN ORDINANCE AMENDING SECTION 23-113(e) OF CHAPTER 23 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO C-2 GENERAL COMMERCIAL DISTRICT; SPECIAL USES.

(City Plan Commission – 10-04-2023)

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

Section 1: That Section 23-113(e) of Chapter 23 of the Municipal Code of the City of Appleton, relating to C-2 general commercial district; special uses, is hereby amended to read as follows:

Sec. 23-113. C-2 general commercial district.

(e) *Special uses.* Special uses in the C-2 district may include:

Residential Uses	Public and Semi Public Uses	Non-Residential Uses
<ul style="list-style-type: none"> • None 	<ul style="list-style-type: none"> • Educational institutions; elementary school, junior high school or high school • Essential services • Golf courses. However, the clubhouse, practice driving range, practice greens, or miniature golf course shall not be located closer than two hundred (200) feet from any residential structure 	<ul style="list-style-type: none"> • Amusement arcades • Any principal building that exceeds thirty-five (35) feet in height • Automobile, RV, truck, cycle, boat sales and display lots, new pursuant to §23-66(h)(5) • Automobile, RV, truck, cycle, boat sales and display lots when including used vehicles pursuant to §23-66(h)(5) • Bar or taverns pursuant to §23-66(h)(6) • Body repair and/or paint shops pursuant to §23-66(h)(4) • Bus terminals • Car washes • Circus or carnivals. However, carnival rides or midways shall not be located within three hundred (300) feet of any residential district and shall be pursuant to §23-66(h)(7) • Craft-Distillery pursuant to §23-66(h)(19) • Electronic towers pursuant to §23-66(h)(1) • Freight distribution and/or moving centers

Residential Uses	Public and Semi Public Uses	Non-Residential Uses
		<ul style="list-style-type: none"> • Gasoline sales pursuant to §23-66(h)(8) • Helicopter landing pads pursuant to §23-66(h)(9) • Indoor kennels • Landscape business • Manufacturing, light • Microbrewery/Brewpub pursuant to §23-66(h)(19) • Mobile home sales lots • Outdoor commercial entertainment pursuant to §23-66(h)(11) • Painting/Craft studio with alcohol sales pursuant to §23-66(11) • Parking garages • Recycling collection points pursuant to §23-66(h)(14) • Recycling and waste recovery centers pursuant to §23-66(h)(13) • Research laboratories or testing facilities • Restaurants with alcohol pursuant to §23-66(h)(6) • Sexually-oriented establishments pursuant to Article XII • Shelter facility • Tasting rooms pursuant to §23-66(H)(19, 20, 21, or 21) • Wholesale facilities • Winery pursuant to §23-66(h)(21)

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

Dated: October 4, 2023



Jacob A. Woodford, Mayor



Kami Lynch, City Clerk

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Office of the City Clerk

108-23

AN ORDINANCE AMENDING SECTION 23-114(b) OF CHAPTER 23 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO CBD CENTRAL BUSINESS DISTRICT; PRINCIPAL PERMITTED USES.

(City Plan Commission – 10-04-2023)

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

Section 1: That Section 23-114(b) of Chapter 23 of the Municipal Code of the City of Appleton, relating to CBD central business district; principal permitted uses, is hereby amended to read as follows:

Sec. 23-114. CBD central business district.

(b) *Principal permitted uses.* The following principal uses are permitted as of right in the CBD:

Residential Uses	Public and Semi Public Uses	Non-Residential Uses
<ul style="list-style-type: none"> • Assisted living or retirement homes • Nursing or convalescent homes • Dwelling, multi-family, of three (3) or more units, apartment building, or townhouse; however, residential uses are prohibited on the ground floor for any lot with frontage on College Avenue or within 120 feet of College Avenue frontage 	<ul style="list-style-type: none"> • Clubs • Day care, group • Educational institutions; college or university • Governmental facilities • Museums • Places of worship • Public park or playgrounds • Registered historic places open to the public and having retail space occupying not more than 10% of the gross floor area of the building 	<ul style="list-style-type: none"> • Automobile maintenance shops • Commercial entertainment; excluding sexually-oriented establishments • Hotel or motels • Mobile Service Support Structures and Facilities pursuant to §23-66(h)(22) • Multi-tenant building • Offices • Painting/Craft studio without alcohol sales • Personal services • Printing • Professional services • Restaurants (without alcohol) • Restaurant, fast foods • Retail businesses • Shopping centers • Urban farms pursuant to §23-66(h)(17) • Veterinarian clinics

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

Dated: October 4, 2023



Jacob A. Woodford, Mayor



Kami Lynch, City Clerk

ADOPTED: October 4, 2023
PUBLISHED: October 9, 2023
Office of the City Clerk

109-23

AN ORDINANCE AMENDING SECTION 23-114(e) OF CHAPTER 23 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO CBD CENTRAL BUSINESS DISTRICT; SPECIAL USES.

(City Plan Commission – 10-04-2023)

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

Section 1: That Section 23-114(e) of Chapter 23 of the Municipal Code of the City of Appleton, relating to CBD central business district; special uses, is hereby amended to read as follows:

Sec. 23-114. CBD central business district.

(e) *Special uses.* Special uses in the CBD district may include:

Residential Uses	Public and Semi Public Uses	Non-Residential Uses
<ul style="list-style-type: none"> • None 	<ul style="list-style-type: none"> • Educational institution; elementary school, junior high school or high school • Essential services • Hospital • Marina and/or boat landing 	<ul style="list-style-type: none"> • Amusement arcade • Automobile, RV, truck, cycle, boat sales and display lot, new pursuant to §23-66(h)(5) • Automobile, RV, truck, cycle, boat sales and display lot when including used vehicles pursuant to §23-66(h)(5) • Bar or Tavern pursuant to §23-66(h)(6) • Body repair and/or paint shop pursuant to §23-66(h)(4) • Bus terminal • Craft-Distillery pursuant to §23-66(h)(19) • Electronic towers pursuant to §23-66(h)(1) • Gasoline sales pursuant to §23-66(h)(8) • Indoor kennel • Manufacturing, custom pursuant to §23-66(h)(16). • Microbrewery/Brewpub pursuant to §23-66(h)(19) • Outdoor commercial entertainment pursuant to §23-66(h)(11) • Painting/Craft studio with alcohol sales pursuant to §23-66(h)(6) • Parking garage • Parking lot; however, surface lots are

Residential Uses	Public and Semi Public Uses	Non-Residential Uses
		prohibited on lots fronting on College Avenue <ul style="list-style-type: none"> • Recycling collection point pursuant to §23-66(h)(14) • Research laboratories or testing facilities • Restaurant with alcohol pursuant to §23-66(h)(6) • Shelter facility • Tasting rooms pursuant to §23-66(h)(19, 20, 21, or 21) • Wholesale facility • Winery pursuant to §23-66(h)(21)

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

Dated: October 4, 2023



Jacob A. Woodford, Mayor



Kami Lynch, City Clerk

ADOPTED: October 4, 2023
PUBLISHED: October 9, 2023
Office of the City Clerk

110-23

AN ORDINANCE AMENDING SECTION 23-115(b) OF CHAPTER 23 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO P PARKING DISTRICT; PRINCIPAL PERMITTED USES.

(City Plan Commission – 10-04-2023)

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

Section 1: That Section 23-115(b) of Chapter 23 of the Municipal Code of the City of Appleton, relating to P parking district; principal permitted uses, is hereby amended to read as follows:

Sec. 23-115. P parking district.

(b) *Permitted uses.* Principal uses permitted as of right in the parking district include:

Residential Uses	Public and Semi Public Uses	Non-Residential Uses
<ul style="list-style-type: none">• None	<ul style="list-style-type: none">• None	<ul style="list-style-type: none">• Mobile Service Support Structures and Facilities pursuant to §23-66(h)(22)• Parking garage• Parking lot

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

Dated: October 4, 2023



Jacob A. Woodford, Mayor



Kami Lynch, City Clerk

ADOPTED: October 4, 2023
PUBLISHED: October 9, 2023
Office of the City Clerk

111-23

AN ORDINANCE AMENDING SECTION 23-131(b) OF CHAPTER 23 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO M-1 INDUSTRIAL PARK DISTRICT; PRINCIPAL PERMITTED USES.

(City Plan Commission – 10-04-2023)

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

Section 1: That Section 23-131(b) of Chapter 23 of the Municipal Code of the City of Appleton, relating to M-1 industrial park district; principal permitted uses, is hereby amended to read as follows:

Sec. 23-131. M-1 industrial park district.

(b) *Principal permitted uses.* The following principal uses are permitted as of right in the M-1 district, subject to any contracts, agreements, covenants, restrictions and leases the City maintains on City-owned industrial properties.

Residential Uses	Public and Semi Public Uses	Non-Residential Uses
<ul style="list-style-type: none"> • None 	<ul style="list-style-type: none"> • Governmental facilities • Registered historic places open to the public and having retail space occupying not more than ten percent (10%) of the gross floor area of the building 	<ul style="list-style-type: none"> • Agriculture • Brewery pursuant to §23-66(h)(20) • Commercial entertainment • Community garden • Craft-Distillery pursuant to §23-66(h)(19) • Distillery pursuant to §23-66(h)(20) • Freight distribution or moving centers • Manufacturing, light • Microbrewery/Brewpub pursuant to §23-66(h)(19) • Offices • Mobile Service Support Structures and Facilities pursuant to §23-66(h)(22) • Multi-tenant buildings • Printing • Research laboratory or testing facilities • Urban farms pursuant to §23-66(h)(17) • Warehouses • Wholesale facilities • Winery pursuant to §23-66(h)(21)

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

Dated: October 4, 2023



Jacob A. Woodford, Mayor



Kami Lynch, City Clerk

ADOPTED: October 4, 2023
PUBLISHED: October 9, 2023
Office of the City Clerk

112-23

AN ORDINANCE AMENDING SECTION 23-131(e) OF CHAPTER 23 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO M-1 INDUSTRIAL PARK DISTRICT; SPECIAL USES.

(City Plan Commission – 10-04-2023)

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

Section 1: That Section 23-131(e) of Chapter 23 of the Municipal Code of the City of Appleton, relating to M-1 industrial park district; special uses, is hereby amended to read as follows:

Sec. 23-131. M-1 industrial park district.

(e) *Special uses.* Special uses in the M-1 district may include:

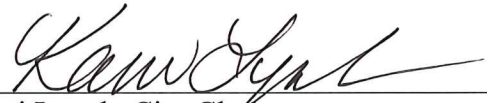
Residential Uses	Public and Semi Public Uses	Non-Residential Uses
<ul style="list-style-type: none">• None	<ul style="list-style-type: none">• Essential services	<ul style="list-style-type: none">• Electronic towers pursuant to §23-66(h)(1)• Helicopter landing pads pursuant to §23-66(h)(9)• Manufacturing, heavy• Outdoor commercial entertainment pursuant to §23-66(h)(11)• Parking garages• Recycling centers• Recycling collection points pursuant to §23-66(h)(14)• Recycling and waste recovery centers pursuant to §23-66(h)(13)• Sexually-oriented establishments pursuant to Article XII

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

Dated: October 4, 2023



Jacob A. Woodford, Mayor



Kami Lynch, City Clerk

ADOPTED: October 4, 2023
PUBLISHED: October 9, 2023
Office of the City Clerk

113-23

AN ORDINANCE AMENDING SECTION 23-132(b) OF CHAPTER 23 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO M-2 GENERAL INDUSTRIAL DISTRICT; PRINCIPAL PERMITTED USES.

(City Plan Commission – 10-04-2023)

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

Section 1: That Section 23-132(b) of Chapter 23 of the Municipal Code of the City of Appleton, relating to M-2 general industrial district; principal permitted uses, is hereby amended to read as follows:

Sec. 23-132. M-2 general industrial district


(b) *Principal permitted uses.* The following principal uses are permitted as of right in the M-2 district:

Residential Uses	Public and Semi Public Uses	Non-Residential Uses
<ul style="list-style-type: none"> • None 	<ul style="list-style-type: none"> • Governmental facilities • Registered historic places open to the public and having retail space occupying not more than ten percent (10%) of the gross floor area of the building 	<ul style="list-style-type: none"> • Automobile maintenance shops • Body repair and/or paint shops pursuant to §23-66(h)(4) • Brewery pursuant to §23-66(h)(20) • Bus terminals • Commercial entertainment • Commercial truck body repair or paint shops • Commercial truck maintenance shops • Community garden • Craft-Distillery pursuant to §23-66(h)(19) • Distillery pursuant to §23-66(h)(20) • Freight distribution or moving centers • Landscape businesses • Manufacturing, light • Microbrewery/Brewpub pursuant to §23-66(h)(19) • Mobile Service Support Structures and Facilities pursuant to §23-66(h)(22) • Multi-tenant buildings • Offices • Personal storage facility (self storage/mini-warehouse), including outdoor storage areas for recreational vehicles pursuant to §23-66(h)(18) • Printing

Residential Uses	Public and Semi Public Uses	Non-Residential Uses
		<ul style="list-style-type: none"> • Research laboratories or testing facilities • Towing businesses pursuant to §23-66(h)(15) • Truck or heavy equipment sales or rental • Urban farms pursuant to §23-66(h)(17) • Warehouses • Wholesale facilities • Winery pursuant to §23-66(h)(21)

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

Dated: October 4, 2023



 Jacob A. Woodford, Mayor



 Kami Lynch, City Clerk

ADOPTED: October 4, 2023
PUBLISHED: October 9, 2023
Office of the City Clerk

114-23

AN ORDINANCE AMENDING SECTION 23-132(e) OF CHAPTER 23 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO M-2 GENERAL INDUSTRIAL DISTRICT; SPECIAL USES.

(City Plan Commission – 10-04-2023)

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

Section 1: That Section 23-132(b) of Chapter 23 of the Municipal Code of the City of Appleton, relating to M-2 general industrial district; special uses, is hereby amended to read as follows:

Sec. 23-132. M-2 general industrial district

(e) *Special uses.* Special uses in the M-2 district may include:

Residential Uses	Public and Semi Public Uses	Non-Residential Uses
<ul style="list-style-type: none"> • None 	<ul style="list-style-type: none"> • Essential services • Marina or boat landing 	<ul style="list-style-type: none"> • Asphalt plant • Automobile, RV, truck, cycle, boat sales and display lot, new pursuant to §23-66(h)(5) • Automobile, RV, truck, cycle, boat sales and display lot when including used vehicles only pursuant to §23-66(h)(5) • Bulk flammable or combustible liquid storage or distribution facility • Concrete mixing • Electronic towers pursuant to §23-66(h)(1) • Gasoline sales, pursuant to §23-66(h)(8) • Manufacturing, heavy • Indoor or outdoor kennel pursuant to §23-66(h)(12) • Mobile home sales and display lot • Parking garage • Parking lot • Recycling collection point pursuant to §23-66(h)(14) • Recycling and waste recovery center pursuant to §23-66(h)(13) • Salvage yard or junk facility • Sexually-oriented establishments pursuant to Article XII • Towed vehicle storage

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

Dated: October 4, 2023



Jacob A. Woodford, Mayor



Kami Lynch, City Clerk

ADOPTED: October 4, 2023
PUBLISHED: October 9, 2023
Office of the City Clerk

115-23

AN ORDINANCE AMENDING SECTION 23-152(h)(2) OF CHAPTER 23 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO TND TRADITIONAL NEIGHBORHOOD DEVELOPMENT OVERLAY DISTRICT; PRINCIPAL PERMITTED USES; SPECIAL USES.

(City Plan Commission – 10-04-2023)

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

Section 1: That Section 23-152(h)(2) of Chapter 23 of the Municipal Code of the City of Appleton, relating to TND traditional neighborhood development overlay district; principal permitted uses; special uses, is hereby amended to read as follows:

(h) ***Principal permitted uses.*** The following principal permitted uses are permitted as of right in the TND overlay district.

(2) ***Special uses.*** Uses listed as special uses in the following underlying zoning district(s) may be listed as permitted uses in the TND overlay district and shall be reviewed and approved, approved with conditions or denied as part of the TND overlay district process:

- a. All R-1A, R-1B, and R-1C single-family residential district special uses;
- b. All R-2 two- (2-) family residential district special uses;
- c. All R-3 multifamily residential district special uses;
- d. All C-O commercial office district special uses, except the following:
 1. Electronic towers pursuant to §23-66(h)(1);
 2. Helicopter landing pads pursuant to §23-66(h)(9);
- e. All C-1 neighborhood mixed use district special uses, except the following:
 1. Electronic towers pursuant to §23-66(h)(1);
- f. All C-2 general commercial district special uses, except the following:
 1. Sexually-oriented establishments pursuant to Article XII;
 2. Automobile, RV, truck, cycle, boat sales and display lots, new pursuant to §23-66(h)(5);

3. Automobile, RV, truck, cycle, boat sales and display lots when including used vehicles pursuant to §23-66(h)(5);
4. Body repair and/or paint shops pursuant to §23-66(h)(4);
5. Electronic towers pursuant to §23-66(h)(1);
6. Helicopter landing pads pursuant to §23-66(h)(9);
7. Manufacturing, light;
8. Research laboratories or testing facilities;

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

Dated: October 4, 2023



Jacob A. Woodford, Mayor



Kami Lynch, City Clerk

ADOPTED: October 4, 2023
PUBLISHED: October 9, 2023
Office of the City Clerk

116-23

AN ORDINANCE AMENDING SECTION 23-570(c)(2)a. OF CHAPTER 23 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO SITE PLAN REVIEW AND APPROVAL; MINOR SITE PLAN REVIEW AND SITE PLAN REVIEW; DEVELOPMENT SUBJECT TO SITE PLAN REVIEW.

(City Plan Commission – 10-04-2023)

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

Section 1: That Section 23-570(c)(2)a. of Chapter 23 of the Municipal Code of the City of Appleton, relating to site plan review and approval; minor site plan review and site plan review; development subject to site plan review, is hereby amended to read as follows:

Sec. 23-570. Site plan review and approval.

(c) *Minor site plan review and site plan review.* In order to minimize submission requirements and expedite final approval for certain projects, there shall be two (2) types of site plan review: minor and major.

Minor site plan review shall be subject to review and approval by the Community and Economic Development Director and will require only that information identified in §23-570(g), Minor site plan required information, as deemed necessary by the Community and Economic Development Director to make an informed decision.

Site plan review shall be subject to the review and approval of the Community and Economic Development Director pursuant to *all* submission requirements of this section.

(2) *Development subject to site plan review.*

- a. The following new principal buildings, uses, building additions, or structures in any zoning district; except for one-(1) and two-(2) family dwellings or accessory buildings, structures, or uses when associated with or located within one-(1) and two-(2) family dwellings, unless required per Certified Survey Map, Subdivision Plat, or the like:
 - 1. Any new principal buildings or structures.
 - 2. Additions to existing principal buildings, structures or uses except single and two (2) family dwellings and accessory buildings, structures, or uses as established in the table below:

When the gross floor area of the existing building, structure or use, except for parking lots or parking spaces is . . .	And the proposed gross floor area of the addition or expansion of the existing building, structure or use except for parking lots or parking spaces is . . .
--	--

0-10,000 square feet	1,000 square feet or greater
10,001-25,000 square feet	2,500 square feet or greater
25,001-50,000 square feet	5,000 square feet or greater
50,001 square feet and over	7,500 square feet or greater

3. Construction, reconstruction, rehabilitation and/or expansion of off-street parking lots and loading areas that consist of twenty (20) or more parking spaces or loading spaces.
4. Off-street parking lot and loading area reconstruction (patching). Reconstruction (patching) of off-street parking lots and loading areas that affects greater than fifteen percent (15%) of the total square foot area of an existing off-street parking lot and/or loading area per calendar year.
5. Mobile Service Support Structures and Facilities and Mobile Service Support Structures and Facilities Substantial modification (Class I Collocation) pursuant to Section 23-66(h)(22).

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

Dated: October 4, 2023



Jacob A. Woodford, Mayor



Kami Lynch, City Clerk

ADOPTED: October 4, 2023
PUBLISHED: October 9, 2023
Office of the City Clerk

117-23

AN ORDINANCE AMENDING SECTION 23-22 OF CHAPTER 23 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO WORDS AND TERMS DEFINED.

(City Plan Commission – 10-04-2023)

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

Section 1: That Section 23-22 of Chapter 23 of the Municipal Code of the City of Appleton, relating to words and terms defined, is hereby amended by making the following changes:

**Definitions that are underlined will be added to this section and those stricken will be removed.*

Sec. 23-22. Words and terms defined.

For the purposes of this article, certain terms shall have the meanings ascribed to them in this section, unless the context clearly indicates otherwise.

Building Code means the various adopted codes of the City of Appleton, that regulate construction and required building, electrical, HVAC permits, plumbing permits and other permits to do work regulated and adopted by the Appleton Municipal Code pertaining to building/structure and building/structure regulation.

Broadcasting towers means a freestanding structure designed to support broadcast or receiving antennas.

Radio and television broadcasting stations means a use engaged in transmitting verbal and visual programs to the public and that consists of a studio, transmitter, antennas and towers.

Broadcast Equipment Building, Shelter or Cabinet means a cabinet or building used to house equipment used by broadcast station or an owner.

Broadcasting and receiving antennas means any broadcasting and receiving device mounted on a broadcast tower, building or structure and used in broadcasting or receiving audio or visual programming materials by a Radio & television broadcasting station or communications between individuals. This broadcasting or receiving device includes but is not limited to omni-directional antennas, such as whip antennas, satellite dishes and microwaves.

Certificate of Occupancy means a document issued by the proper authority certifying that a proposed development project complies with the provisions of this chapter.

Development project means the construction of a new building or other structures on a lot, the change in use of any building, structure or land, the expansion or alteration of an existing building or structure, the relocation of an existing building or structure on a lot or another lot, or the use of open land for a new use.

Grade, Finished means the elevation of the finished surface of the ground adjacent to the building or structure after final grading.

Height of towers means the vertical distance of the broadcast tower, mobile service support structure (cell tower) or other similar structure. Measurement of height shall include antenna, base pad and other appurtenances and shall be measured from finished grade below the center of the base of said tower to the highest point of the tower even if said highest point is an antenna or piece of equipment attached thereto.

Ordering station, drive through means a remote station from the building and along the vehicular drive-thru land from which the order is taken.

Satellite dish means a dish shaped antenna designed to receive radio or television broadcasts relayed by microwave signals from earth orbiting communication satellites.

~~*Tower and antenna for telecommunications services*~~ means a tower, pole, or similar structure that supports or acts as a transmission or reception device for licensed commercial wireless communications service including cellular, personal communications services (PCS), specialized mobilized radio (SMR), enhanced specialized mobilized radio (ESMR), paging and similar services that are marketed to the general public.

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

Dated: October 4, 2023



Jacob A. Woodford, Mayor



Kami Lynch, City Clerk