



Town of Rome
Nekoosa, WI 54457
www.romewi.gov

AMENDED AGENDA
TOWN OF ROME PLAN COMMISSION

TUESDAY DECEMBER 10, 2024

4:00 P.M.

ROME MUNICIPAL BUILDING
1156 Alpine Drive
Nekoosa, WI 54457

1. Call to Order
2. Roll Call
3. Certify Posting of Meeting
4. Approve the Agenda
5. Citizen Comments – During the Citizen Comment period of the agenda the Plan Commission welcomes comments from any town resident, not a member of the Plan Commission, on any item not on the agenda. Please know that pursuant to State law the Commission cannot engage in conversation with you but may ask questions. The Commission may refer the item to staff, a standing committee or a future Commission agenda for discussion and action. Each person wishing to speak will have up to 3 minutes to speak. Speakers are asked to submit a card to the Commission Chair providing their name, address and topic for discussion
 - a. The Commission will also take comment from the public on agenda items as called by the Chair, but not during Citizen Comment. Please note that once the Commission begins discussion on an agenda item no further comment will be allowed from the public on that issue

NO ACTION CONTEMPLATED EXCEPT POSSIBLE REFERRAL TO FUTURE AGENDA:

6. Information Updates, Meeting Recaps, Recent Correspondence, Current Events, Announcements
7. Sub-Committee
Plan Commission RTC Sub-Committee Update
8. Open Public Hearing
 - a. Consideration of the issuance of a Conditional use permit for the following purpose: the short-term rental at the property located at 364A Pinehurst Drive owned by Birdie Holiday LLC, also described as Lot 54 of Pinehurst Addition of Lake Arrowhead, located in the NE ¼, SW ¼, Section 13, Town 20N, Range 05E, Town of Rome, Adams County, WI with a parcel number of 030-03778-0553.
 - b. Consideration of the issuance of a Conditional use permit for the following purpose: the short-term rental at the property located at 349A Pinehurst Drive owned by Christopher and Holly Zeige, also described as Lot 33 of Pinehurst

Addition to Lake Arrowhead, located in the NE $\frac{1}{4}$, SW $\frac{1}{4}$, Section 13, Town 20N, Range 05E, Town of Rome, Adams County, WI with a parcel number of 030-03778-0532.

- c. Consideration of the issuance of a Conditional use permit for the following purpose: the short-term rental at the property located at 1317 Bogey Trail owned by Joanna L and Lawrence R Bisaillon also described as Lot 35 of Bogey Addition to Lake Arrowhead, located in the SE $\frac{1}{4}$, NE $\frac{1}{4}$, Section 19, Town 20N, Range 06E, Town of Rome, Adams County, WI, with a parcel number of 030-02909-0534.
- d. Consideration of the issuance of a Conditional use permit for the following purpose: the short-term rental at the property located at 1014 E Queens Way owned by Phillip J and Rachel L Rutland also described as Lot 30 of Squire Addition to Lake Sherwood, located in the SW $\frac{1}{4}$, SE $\frac{1}{4}$, Section 16, Town 20N, Range 06E, Town of Rome, Adams County, WI, with a parcel number of 030-02570-0000.
- e. Consideration of the issuance of a Conditional use permit for the following purpose: the short-term rental at the property located at 1683 N Aurora Ln owned by 1683 Nekoosa LLC, also described as Lot 6 Block 2 of Amundson Subdivision, located in the SW $\frac{1}{4}$, SW $\frac{1}{4}$, Section 27, Town 20N Range 05E, Town of Rome, Adams County, WI, with a parcel number of 030-01167-0000.
- f. Consideration of proposed amendment to Chapter 360 (Zoning), Article III, General Regulations, 360-9 Use regulations, Article IV, Administration and Enforcement, 360-22 Zoning permits, Article VI, R-1- Single-Family Residence District, 360-36 Conditional uses, Article VII, R-1C Single-Family Conservation Residence District, 360-40 Conditional uses, and Article XII, LD Lake District, 360-61 Conditional uses, relating to zoning regulations for short-term rentals.

DISCUSS AND POSSIBLE ACTION ON THE FOLLOWING ITEMS:

9. Approval of the November 12, 2024 meeting minutes.
10. Discussion and Possible Action - Consideration of the issuance of a Conditional use permit for the following purpose: the short-term rental at the property located at 364A Pinehurst Drive owned by Birdie Holiday LLC, also described as Lot 54 of Pinehurst Addition of Lake Arrowhead, located in the NE $\frac{1}{4}$, SW $\frac{1}{4}$, Section 13, Town 20N, Range 05E, Town of Rome, Adams County, WI with a parcel number of 030-03778-0553.
11. Discussion and Possible Action – Consideration of the issuance of a Conditional use permit for the following purpose: the short-term rental at the property located at 349A Pinehurst Drive owned by Christopher and Holly Zeige, also described as Lot 33 of Pinehurst Addition to Lake Arrowhead, located in the NE $\frac{1}{4}$, SW $\frac{1}{4}$, Section 13, Town 20N, Range 05E, Town of Rome, Adams County, WI with a parcel number of 030-03778-0532.
12. Discussion and Possible Action – Consideration of the issuance of a Conditional use permit for the following purpose: the short-term rental at the property located at 1317 Bogey Trail owned by Joanna L and Lawrence R Bisaillon also described as Lot 35 of Bogey Addition to Lake Arrowhead, located in the SE $\frac{1}{4}$, NE $\frac{1}{4}$, Section 19, Town 20N, Range 06E, Town of Rome, Adams County, WI, with a parcel number of 030-02909-0534.

13. Discussion and Possible Action – Consideration of the issuance of a Conditional use permit for the following purpose: the short-term rental at the property located at 1014 E Queens Way owned by Phillip J and Rachel L Rutland also described as Lot 30 of Squire Addition to Lake Sherwood, located in the SW 1/4, SE 1/4, Section 16, Town 20N, Range 06E, Town of Rome, Adams County, WI, with a parcel number of 030-02570-0000.
14. Discussion and Possible Action – Consideration of the issuance of a Conditional use permit for the following purpose: the short-term rental at the property located at 1683 N Aurora Ln owned by 1683 Nekoosa LLC, also described as Lot 6 Block 2 of Amundson Subdivision, located in the SW 1/4, SW 1/4, Section 27, Town 20N Range 05E, Town of Rome, Adams County, WI, with a parcel number of 030-01167-0000.
15. Discussion and Possible Recommendation to Town Board - Consideration of proposed amendment to Chapter 360 (Zoning), Article III, General Regulations, 360-9 Use regulations, Article IV, Administration and Enforcement, 360-22 Zoning permits, Article VI, R-1- Single-Family Residence District, 360-36 Conditional uses, Article VII, R-1C Single-Family Conservation Residence District, 360-40 Conditional uses, and Article XII, LD Lake District, 360-61 Conditional uses, relating to zoning regulations for short-term rentals.
16. Discussion and Possible Recommendation to Town Board – Recommendation for proposed amendments to Chapter 234 (Licenses and Permits), Article VII, Short-Term Rentals.
17. Discussion and Possible Referral to Future Agenda – Review of Town Ordinance Requirements for Rome Town Center District (**Ch. 360, Art. XVII**), and consideration of recommendations from Rome Town Center Sub-Committee for unification of form-based/non-use controls for Subdistricts.

DATES AND ITEMS FOR FUTURE AGENDA/MEETINGS

18. Next agenda items
19. Next meeting date and time January 14th, 2025 4:00 p.m.

**Denotes amended agenda items*

ADJOURNMENT

"Speak Your Peace" Commitment – A reminder that the Plan Commission Members have adopted the Nine Tools of Civility which commits the Commission Members and Public to be mindful of how we treat each other at meetings.

Notification of this meeting has been posted in accordance with the Open Meeting Laws of the State of Wisconsin. The Plan Commission may take action on any item on the agenda. It is possible that the members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information; no action will be taken by any governmental body at the above-stated meeting other than the Plan Commission members. Please note that, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact Wendy Newsom, Town Clerk, at 1156 Alpine Drive, Nekoosa, WI 54457, ph. 715-325-8046.

Town of Rome Mission:

***Positively applying the tools of government to serve and protect our people,
strengthen our community and promote prosperity.***



Town of Rome
Nekoosa, WI 54457
www.romewi.gov

Plan Commission Zoning and Building Department Staff Report

Item 7

The RTC Sub-Committee Met on November 13th, and 22nd, we have our next meeting scheduled for December 13th. The last two meetings have primarily been set as working meetings. During the 11-13 meeting lead by Developer Baker Thompson the Committee members went through images they had collected in their vision board and pinpointed items they liked and did not like from each photo. Staff was then able to make a slideshow from these images to help detail these findings. During the next meeting the sub-committee members focused on nonuse controls again and looked at the standards that exist across the RTC. This included looking at the previous documents for the RTC, and 'Alpine Village' to try and understand where the discrepancy in numbers came from. During this meeting a recommendation was made to the Town Board in regards to the planner. The next meeting is set to be a working meeting where the sub-committee members will be working towards their presentation for Town Board.

Item 8a & 10

Birdie Holiday LLC has submitted a Short-Term Rental (STR) license application and Conditional Use Permit for the property located at 364A Pinehurst Drive requesting use for the 2024/2025 season that ends on June 30, 2025. Letters were sent to 6 property owners within 200' of the affected property. The Plan Commission places conditions on CUPs issued for STRs that will set maximum occupancy and maximum number of vehicles allowed on the property based on the standards found in Town Code, Chapter 234-61. Staff recommends a maximum occupancy of 12 and maximum vehicles of 6 to be parked on hard surfaces, not on the lawn/grass, at the property. The applicant has completed all license requirements including a property manager within 25 miles on record with the Town.

Item 8b & 11

Christopher and Holly Zeige have submitted a Short-Term Rental (STR) license application and Conditional Use Permit for the property located at 349A Pinehurst Drive, requesting use for the 2024/2025 season that ends on June 30, 2025. Letters were sent to 11 property owners within 200' of the affected property. The Plan Commission places conditions on CUPs issued for STRs that will set maximum occupancy and maximum number of vehicles allowed on the property based on the standards found in Town Code, Chapter 234-61. Staff recommends a maximum occupancy of 8 and maximum vehicles of 4 to be parked on hard surfaces, not on the lawn/grass, at the property. The applicant has completed all license requirements including a property manager within 25 miles on record with the Town.

Item 8c & 12

Joanna L and Lawrence R Bisaillon have submitted a Short-Term Rental (STR) license application and Conditional Use Permit for the property located at 1317 Bogey Trail requesting use for the

2024/2025 season that ends on June 30, 2025. Letters were sent to 8 property owners within 200' of the affected property. The Plan Commission places conditions on CUPs issued for STRs that will set maximum occupancy and maximum number of vehicles allowed on the property based on the standards found in Town Code, Chapter 234-61. Staff recommends a maximum occupancy of 6 and maximum vehicles of 3 to be parked on hard surfaces, not on the lawn/grass, at the property. The applicant has completed all license requirements including a property manager within 25 miles on record with the Town.

Item 8d & 13

Phillip J and Rachel L Rutland have submitted a Short-Term Rental (STR) license application and Conditional Use Permit for the property located at 1014 E Queens Way requesting use for the 2024/2025 season that ends on June 30, 2025. Letters were sent to 16 property owners within 200' of the affected property. The Plan Commission places conditions on CUPs issued for STRs that will set maximum occupancy and maximum number of vehicles allowed on the property based on the standards found in Town Code, Chapter 234-61. Staff recommends a maximum occupancy of 4 and maximum vehicles of 2 to be parked on hard surfaces, not on the lawn/grass, at the property. The applicant has completed all license requirements including a property manager within 25 miles on record with the Town.

Item 8e & 14

1683 Nekoosa LLC has submitted a Short-Term Rental (STR) license application and Conditional Use Permit for the property located at 1317 Bogey Trail requesting use for the 2024/2025 season that ends on June 30, 2025. Letters were sent to 13 property owners within 200' of the affected property. The Plan Commission places conditions on CUPs issued for STRs that will set maximum occupancy and maximum number of vehicles allowed on the property based on the standards found in Town Code, Chapter 234-61. Staff recommends a maximum occupancy of 8 and maximum vehicles of 4 to be parked on hard surfaces, not on the lawn/grass, at the property. The applicant has completed all license requirements including a property manager within 25 miles on record with the Town.

Item 8f & 15

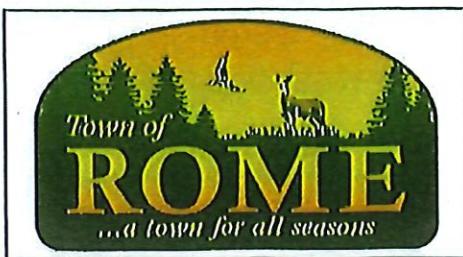
During the September 10, 2024 and October 8, 2024 Plan Commission meetings, discussion was had surrounding codifying certain steps of the short-term rental (STR) process to potentially remove STR Conditional Use Permit (CUP) requirements in all districts. At those meetings a large area of focus has been on evaluating the effectiveness of the existing Conditional Use Permit (CUP) requirements in managing STRs and the potential implications of removing these requirements; as well as discussing strategies for codifying short-term rental (STR) regulations to allow for internal management by staff, eliminating the need for Conditional Use Permits (CUPs). Ordinance amendments to Ch. 360 were reviewed at the October 8th meeting, and were to the November Plan Commission meeting to be brought forward for public hearing and possible recommendation to the Town Board for adoption. The conversation will focus on developing a framework that addresses community concerns while streamlining the approval process. The draft ordinance(s) have been included in your packet for your review.

Item 16

Similar to Item 15, Item 16 also deals with Short Term Rentals. In addition to codifying elements from the current CUP process and the language to allow for it to be dealt with internally with staff (as discussed at prior Plan Commission meetings), the proposed language reflects adjustments to Clerk/Treasurer references, due to the Clerk/Treasurer position having been split into a separate Clerk and Treasurer position.

Item 17

During the November 22nd Rome Town Center Sub-Committee Meeting it was made as a recommendation from the committee to the Plan Commission to consider the current zoning within the Rome Town Center specifically surrounding the Nonuse Controls, leading to possible rezoning of the Rome Town Center; this would help to achieve a more uniform RTC, and would align with the 15 Recommendations from Land Use Specialist Sam Schultz.



RECEIVED
OCT 25 2024
By _____

Planning and Zoning Department
1156 Alpine Drive
Nekoosa, WI 54457 zoning@romewi.com
Phone: 715 325 - 8019
Fax: 715 325 - 8035 www.romewi.com

PETITION FOR CONDITIONAL USE PERMIT

FEE: \$300.00⁽¹⁾

If the applicant does not appear or is not represented at the public hearing, the petition may be denied or tabled and the applicant may be requested to pay another application fee to reschedule the hearing.

Attach plot plan or location sketch showing the entire land parcel including the location, boundaries, uses and sizes of the following: subject site, existing and proposed structures, street rights-of-way, easements, alleys, off-street parking, loading areas, road access points, driveways and all other pertinent features.

Applicant:

Name of Owner Holly & Chris Zieg
Mailing Address 546 W32488 Hwy 11
Waukesha, WI 53189
Phone 414-731-5110

Property Location / Description:

1/4 1/4 Sec. T NR E
Lot Block Addition
Subdivision or CSM Lake Arrowhead
Address 364A Pinelast Dr -

Current zoning and use:

The total area of the property is .15 acres and is currently zoned as: RD district of the Rome Zoning Ordinance.

Current use is: Personal use

Proposed Conditional Use:

Proposed Conditional Use is: Short term rental & personal use

Proposed Conditional Use conforms to the standards set forth in code sec. 360-27G because:

We have met all requirements.

Proposed term (duration) of Conditional Use: Indefinite

The applicant's signature on this form grants consent for Dept, staff and Plan Commissioners to enter the property for inspection related to this application. Said consent does not include consent to enter a dwelling or other structure on the property. Furthermore, the undersigned hereby applies for the conditional use requested above and states that the information on this application and the attached documents are accurate. The application must be signed by all property owners of record. If an agent is to sign the application, written proof of authority is required to accompany the application. If the property is in a Trust, the Trustee must sign the application, and provide proof of trustee authority. If needed, obtain a TRUST INFORMATION form from the Planning and Zoning Department. The application must be complete including an address and phone number where someone can be reached for questions or information.

Holly Zieg & Chris Zieg
Landowner signature (W)

Date 10/25/2024

Office notes: _____

revised 6/2020

Br1 - 819.98

Br2 - 157.73

Br3 - 181.59

Br4 - 136.58

DR - 184.14

Office - 132.38

LR - 391.13

family rm - 823.54

2227.01 ft²

-150

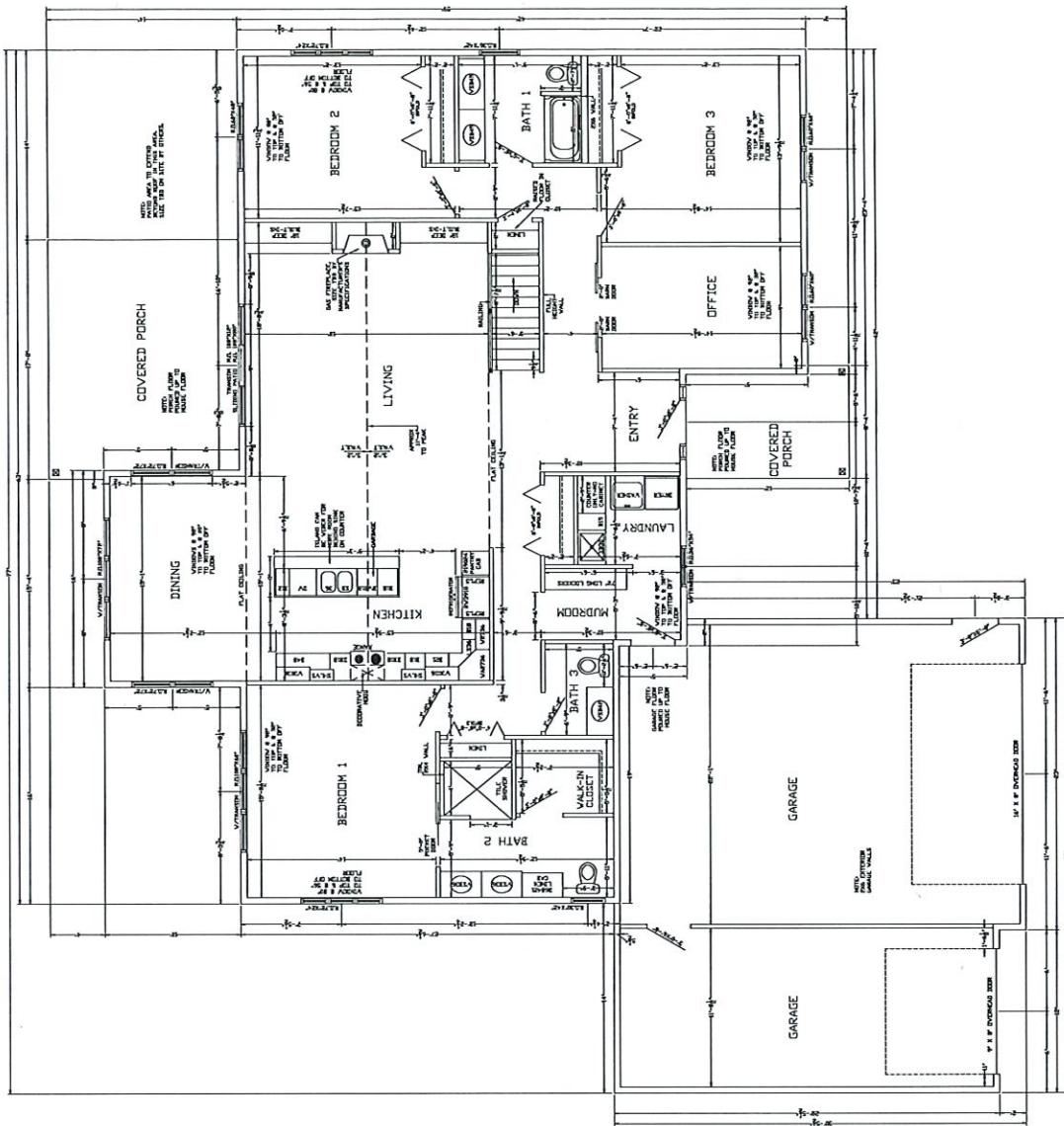
2677.01

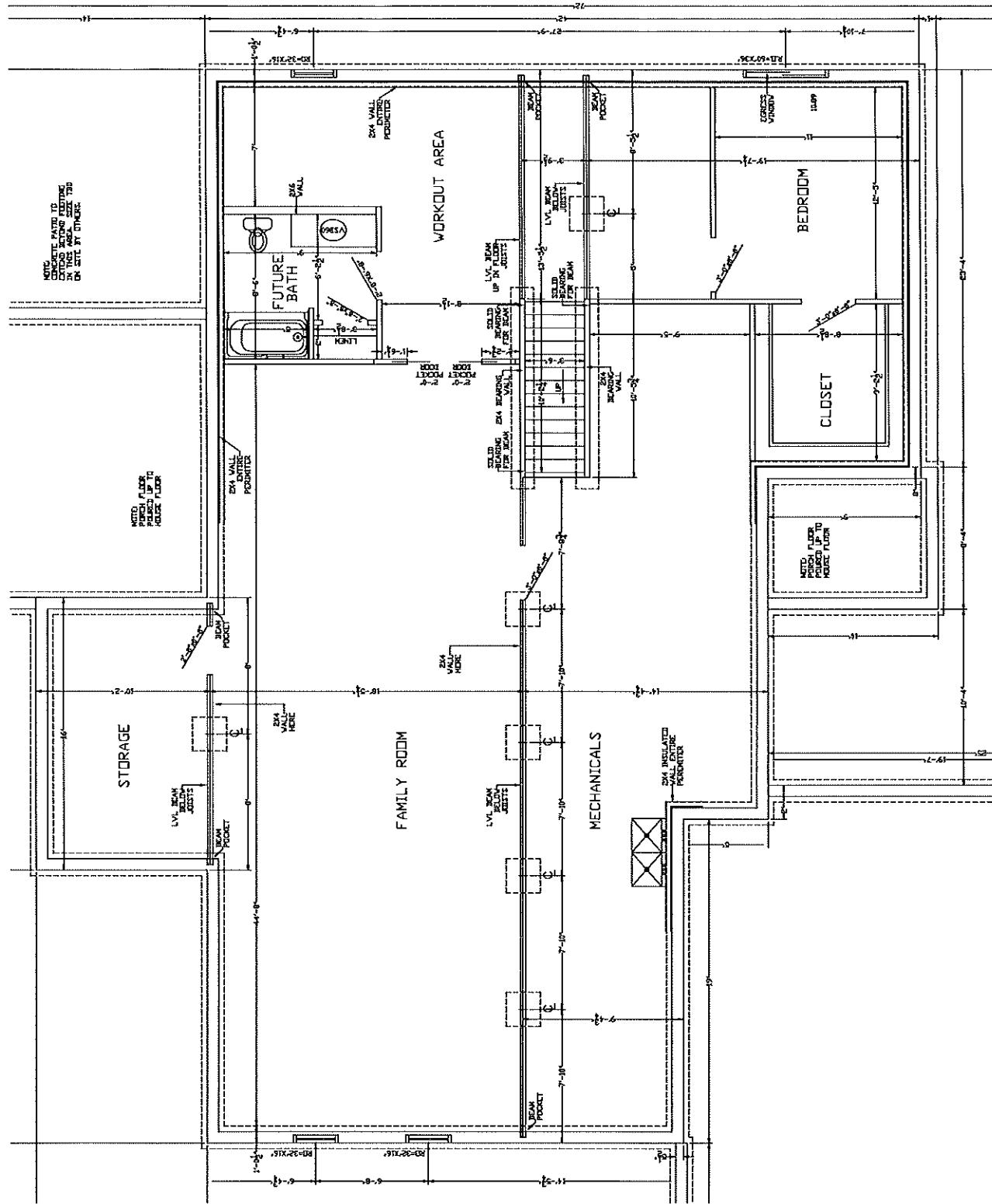
20.7701

21 occ

3 Bathrooms

= 12 occupants
6 cars





FINDINGS OF FACT:

1. A full and complete application was filed by Birdie Holiday LLC and received October 25, 2024 (herein referred to as "Application") seeking a Conditional Use Permit for 364A Pinehurst Drive, also described as Lot 54 of Pinehurst Addition to Lake Arrowhead, located in the NE ¼, SW ¼, Section 13, Town 20N, Range 05E, Town of Rome, Adams County, WI with a parcel number of 030-03778-0553.
2. The Conditional Use request is to allow Short-Term Rental at the property.
3. The property is zoned LD – Lake District, as defined in Chapter 360 of the Town of Rome's Ordinance.
4. Town of Rome Ordinance 360-61 requires a Conditional Use Permit for Short-term rental of a dwelling (30 days or less).
5. The Town of Rome Planning Commission duly set this matter upon the agenda of a public meeting and considered the above-described application with the public hearing a matter of record of the Planning Commission meeting of December 10th 2024.
6. At the public hearing on the Application held by the Town of Rome Plan Commission on December 10, 2024, evidence and testimony was presented by the Applicant, and all interested persons were allowed an opportunity to speak, a full and complete record of which will be detailed in the minutes of the Plan Commission.
7. At the conclusion of the public hearing, after consideration and discussion of the application, public comments, and the report received by staff, the Planning Commission, upon a motion duly seconded, approved the request for the Conditional Use Permit, and the following findings were found by the Plan Commission:
 - a. The conditional use conforms with the standards of the applicable district in which it is located.
 - b. The establishment, maintenance or operation of the proposed use will not be detrimental to or endanger the public health, safety or general welfare of the occupants of surrounding lands.
 - c. The Applicant has met all of the conditions of application/issuance for Short-term Rental License.
8. The following conditions were placed on the approval:
 - a. Maximum occupancy shall be 12
 - b. Maximum Vehicles of 6 to be parked on hard surfaces, not on lawn/grass
 - c. Property manager within 25 miles of the residence on file with the Town

The Town of Rome Planning Commission hereby recommends approval of the Conditional Use Permit request submitted by Birdie Holiday LLC, for Short-term rentals of 7 consecutive days or longer at parcel 030-03778-0553. The following additional conditions were placed on the approval:

1. _____
2. _____
3. _____

The term of the conditional use shall be indefinite as long as the applicant has a valid Short-Term Rental License with the Town of Rome.

Planning Commission Chair: _____ Date: _____

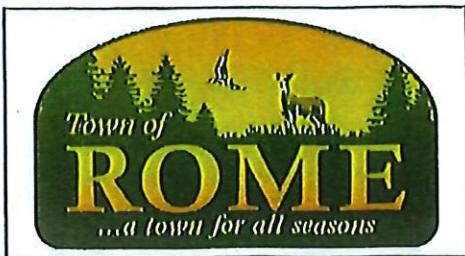
Planning Commission Secretary: _____ Date: _____

By signing, Applicant agrees to comply with all conditions placed on approval. Applicant further understands that failure to comply with the stated conditions may result in the termination of the Conditional Use Permit.

Signature of Owner/Applicant: _____ Date: _____

Signature of Owner/Applicant: _____ Date: _____

Note: if Owner is other than Applicant and is unable to sign, please attach written authorization from Owner allowing Applicant to sign on their behalf.



RECEIVED
OCT 25 2024
By _____

PETITION FOR CONDITIONAL USE PERMIT

FEES: \$300.00⁽¹⁾

⁽¹⁾ If the applicant does not appear or is not represented at the public hearing, the petition may be denied or tabled and the applicant may be requested to pay another application fee to reschedule the hearing.

Planning and Zoning Department
1156 Alpine Drive
Nekoosa, WI 54457 zoning@romewi.com
Phone: 715 325 - 8019
Fax: 715 325 - 8035 www.romewi.com

Office use:
File # _____ Date received 10-25-24
Waco \$ 7410 Check # _____
Parcel # _____ Total acres (sq. ft.) _____

Attach plot plan or location sketch showing the entire land parcel including the location, boundaries, uses and sizes of the following: subject site, existing and proposed structures, street rights-of-way, easements, alleys, off-street parking, loading areas, road access points, driveways and all other pertinent features.

Applicant:

Name of Owner Holly & Chris Zerbe
Mailing Address 546 W 32488 Highway Rd
Wausau, WI 53189
Phone 414-731-5110

Property Location / Description:

1/4 1/4 Sec. T NR E
Lot Block Addition
Subdivision or CSM Lake Arrowhead
Address 3491 Pinemont Dr.

Current zoning and use:

The total area of the property is .5 acres and is currently zoned as RD district of the Rome Zoning Ordinance.

Current use is: Personal use

Proposed Conditional Use:

Proposed Conditional Use is: Short term rental & Personal use

Proposed Conditional Use conforms to the standards set forth in code sec. 360-27G because:

We have met for all requirements,

Proposed term (duration) of Conditional Use: Indefinite

⁽¹⁾ The applicant's signature on this form grants consent for Dept. staff and Plan Commissioners to enter the property for inspection related to this application. Said consent does not include consent to enter a dwelling or other structure on the property. Furthermore, the undersigned hereby applies for the conditional use requested above and states that the information on this application and the attached documents are accurate. The application must be signed by all property owners of record. If an agent is to sign the application, written proof of authority is required to accompany the application. If the property is in a trust, the trustee must sign the application, and provide proof of trustee authority. If needed, obtain a TRUST INFORMATION form from the Planning and Zoning Department. The application must be complete including an address and phone number where someone can be reached for questions or information.

Holly Zerbe Chris Zerbe
Landowner signature⁽¹⁾

Date

10/25/2024

Office notes: _____

revised 6/2020

2 Bathrooms = 8

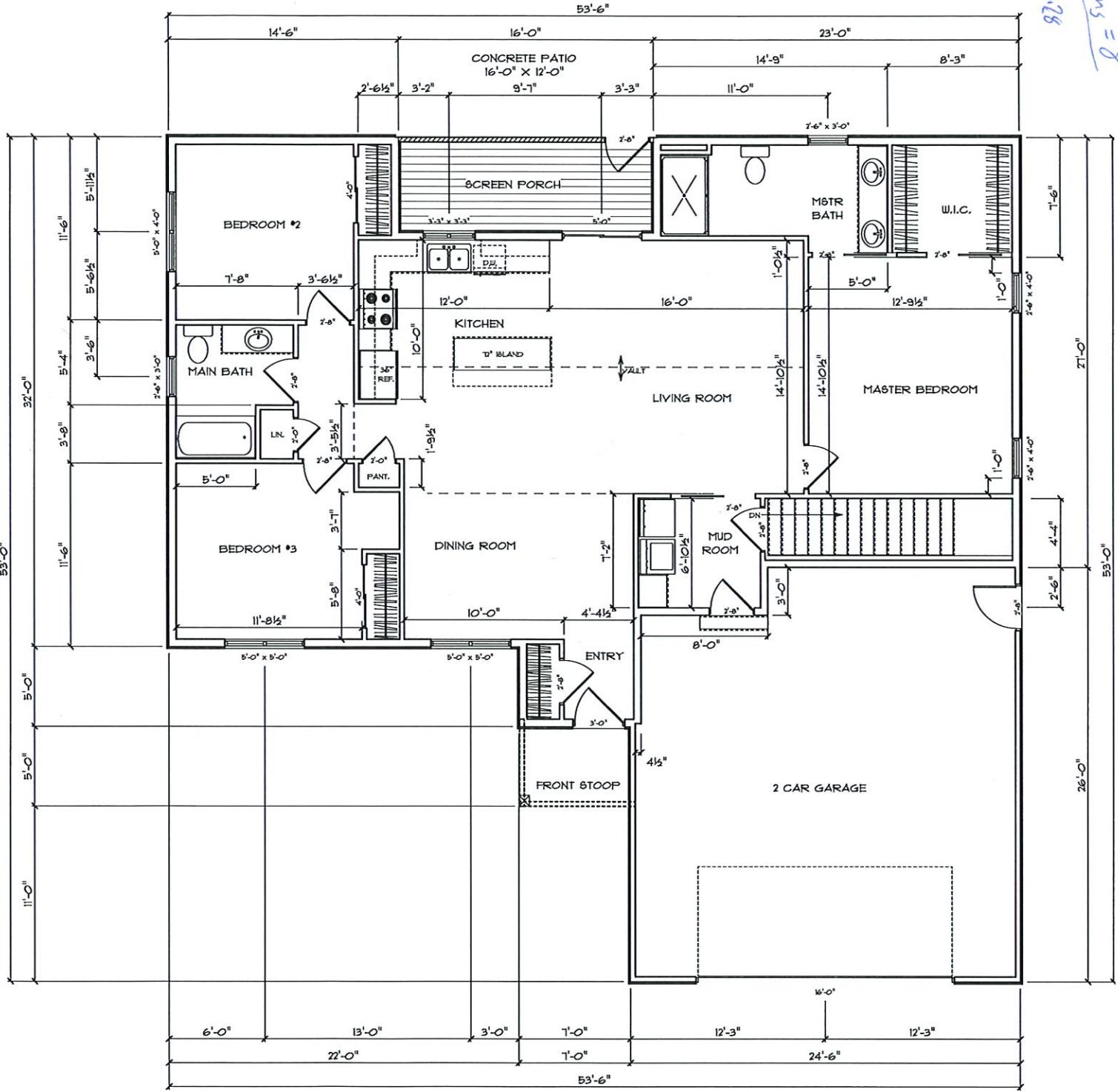
Master Bedrm-19028
BDR 2-125.9
BDR 3-134.65

LivingRm-328
= 884.85 ft²

- 150

734.85
- 150
7.34

8ft + 1'
occ
4 cars



FINDINGS OF FACT:

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7. At the conclusion of the public hearing, after consideration and discussion of the application, public comments, and the report received by staff, the Planning Commission, upon a motion duly seconded, approved the request for the Conditional Use Permit, and the following findings were found by the Plan Commission:
 - a. The conditional use conforms with the standards of the applicable district in which it is located.
 - b. The establishment, maintenance or operation of the proposed use will not be detrimental to or endanger the public health, safety or general welfare of the occupants of surrounding lands.
 - c. The Applicant has met all of the conditions of application/issuance for Short-term Rental License.
8. The following conditions were placed on the approval:
 - a. Maximum occupancy shall be 8
 - b. Maximum Vehicles of 4 to be parked on hard surfaces, not on lawn/grass
 - c. Property manager within 25 miles of the residence on file with the Town

The Town of Rome Planning Commission hereby recommends approval of the Conditional Use Permit request submitted by Christopher and Holly Zeige, for Short-term rentals of 7 consecutive days or longer at parcel 030-03778-0532. The following additional conditions were placed on the approval:

1. _____
2. _____
3. _____

The term of the conditional use shall be indefinite as long as the applicant has a valid Short-Term Rental License with the Town of Rome.

Planning Commission Chair: _____ Date: _____

Planning Commission Secretary: _____ Date: _____

By signing, Applicant agrees to comply with all conditions placed on approval. Applicant further understands that failure to comply with the stated conditions may result in the termination of the Conditional Use Permit.

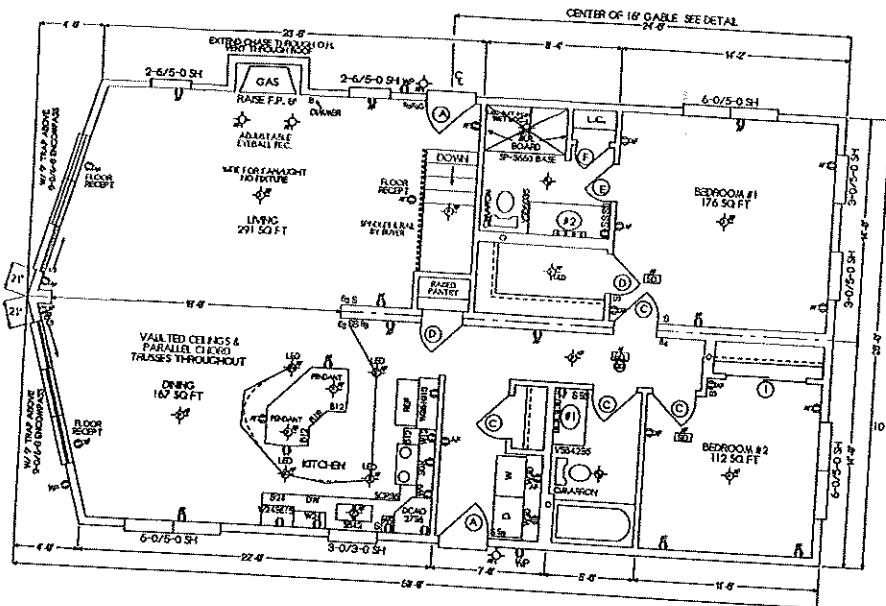
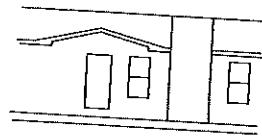
Signature of Owner/Applicant: _____ Date: _____

Signature of Owner/Applicant: _____ Date: _____

Note: if Owner is other than Applicant and is unable to sign, please attach written authorization from Owner allowing Applicant to sign on their behalf.

BUILDING PLANS
CONDITIONALLY
APPROVED
TOWN OF ROME

8-26-19 Comb for Dan Hanson
SEE LETTER ATTACHED # 653267
TO PERMIT APPLICATION
FOR CONDITIONS



DESIGN HOMES INC.		
P.O. BOX 230		
PAINE FIELD, WISCONSIN 53581		
PHONE: 888-833-0811		
BUILDERS OF QUALITY RESIDENTIAL STRUCTURES		
OWNER	LARRY & JOANNE BISALON	
ADDRESS	LAKE IN THE HILLS, L	
JOB #	ROVE, WI	
BUILDER	S.B.	DWYM NUMBER
SCALE	1/4" = 1'	DATE 5-20-19
50X20FF		PERIOD
		DRIVER BISALON

LR - 291

Dining 167

BR1 - 176

BR2 - 112

2 bathrooms

$$746 - 150 = 596/100 = 5.96$$

6 occupants
3 cars

FINDINGS OF FACT:

1. A full and complete application was filed by Joanna L and Lawrence R Bisaillon and received 11-1-2024 (herein referred to as "Application") seeking a Conditional Use Permit for 1317 Bogey Trail, also described as Lot 35 of Bogey Addition to Lake Arrowhead, located in the SE ¼, NE ¼, Section 19, Town 20N, Range 06E, Town of Rome, Adams County, WI, with a parcel number of 030-02909-0534.
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The term of the conditional use shall be indefinite as long as the applicant has a valid Short-Term Rental License with the Town of Rome.

Planning Commission Chair: _____ Date: _____

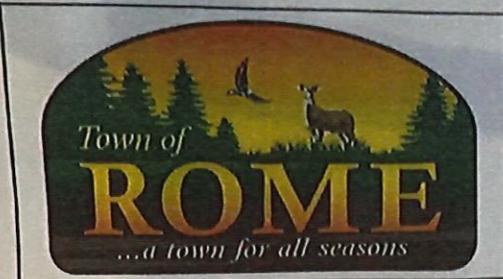
Planning Commission Secretary: _____ Date: _____

By signing, Applicant agrees to comply with all conditions placed on approval. Applicant further understands that failure to comply with the stated conditions may result in the termination of the Conditional Use Permit.

Signature of Owner/Applicant: _____ Date: _____

Signature of Owner/Applicant: _____ Date: _____

Note: if Owner is other than Applicant and is unable to sign, please attach written authorization from Owner allowing Applicant to sign on their behalf.



Planning and Zoning Department 1156
Alpine Drive
Nekoosa, WI 54457 zoning@romewi.gov
Phone: (715) 325-8019
Fax: (715) 325-8035 www.romewi.gov

PETITION FOR CONDITIONAL USE PERMIT

FEE: \$300.00⁽¹⁾

⁽¹⁾ If the applicant does not appear or is not represented at the public hearing, the petition may be denied or tabled and the applicant may be requested to pay another application fee to reschedule the hearing.

Office use:

File # _____ Date received 11-14-2024

Fee \$ _____ Check # _____

Parcel # _____ Total acres (sq. ft.) _____

Attach plot plan or location sketch showing the entire land parcel including the location, boundaries, uses and sizes of the following: subject site, existing and proposed structures, street rights-of-way, easements, alleys, off-street parking, loading areas, road access points, driveways and all other pertinent features.

Applicant:

Name of Owner Rachel and Phil Rutland

Mailing Address 1476 W. Stillwater ct.

Milwaukee, WI 53092

Phone 773-895-5435; 847-208-5814

Property Location / Description:

1/4 1/4 Sec. T N R E

Lot _____ Block _____ Addition _____

Subdivision or CSM _____

Address 1014 E. Queens way, Nekoosa, WI 54457

Current zoning and use:

The total area of the property is _____ acres and is currently zoned as: LD district of the Rome Zoning Ordinance.

Current use is: 2nd home

Proposed Conditional Use:

Proposed Conditional Use is: Short-term rental

Proposed Conditional Use conforms to the standards set forth in code sec. 360-27G because:

Short term rentals are an allowable conditional use

Proposed term (duration) of Conditional Use: Indefinite

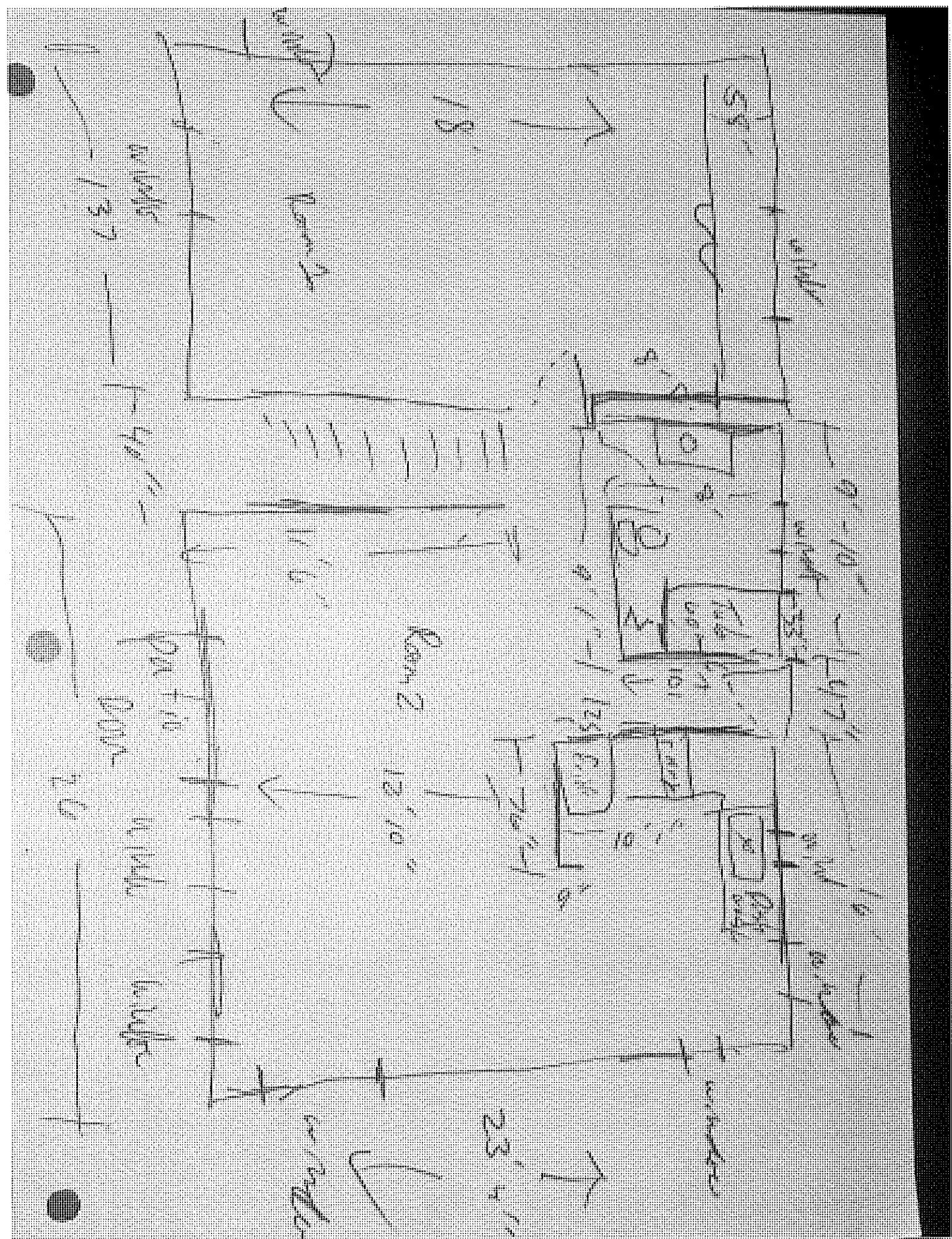
⁽²⁾ The applicant's signature on this form grants consent for Dept. staff and Plan Commissioners to enter the property for inspection related to this application. Said consent does not include consent to enter a dwelling or other structure on the property. Furthermore, the undersigned hereby applies for the conditional use requested above and states that the information on this application and the attached documents are accurate. The application must be signed by all property owners of record. If an agent is to sign the application, written proof of authority is required to accompany the application. If the property is in a Trust, the Trustee must sign the application, and provide proof of trustee authority. If needed, obtain a TRUST INFORMATION form from the Planning and Zoning Department. The application must be complete including an address and phone number where someone can be reached for questions or information.

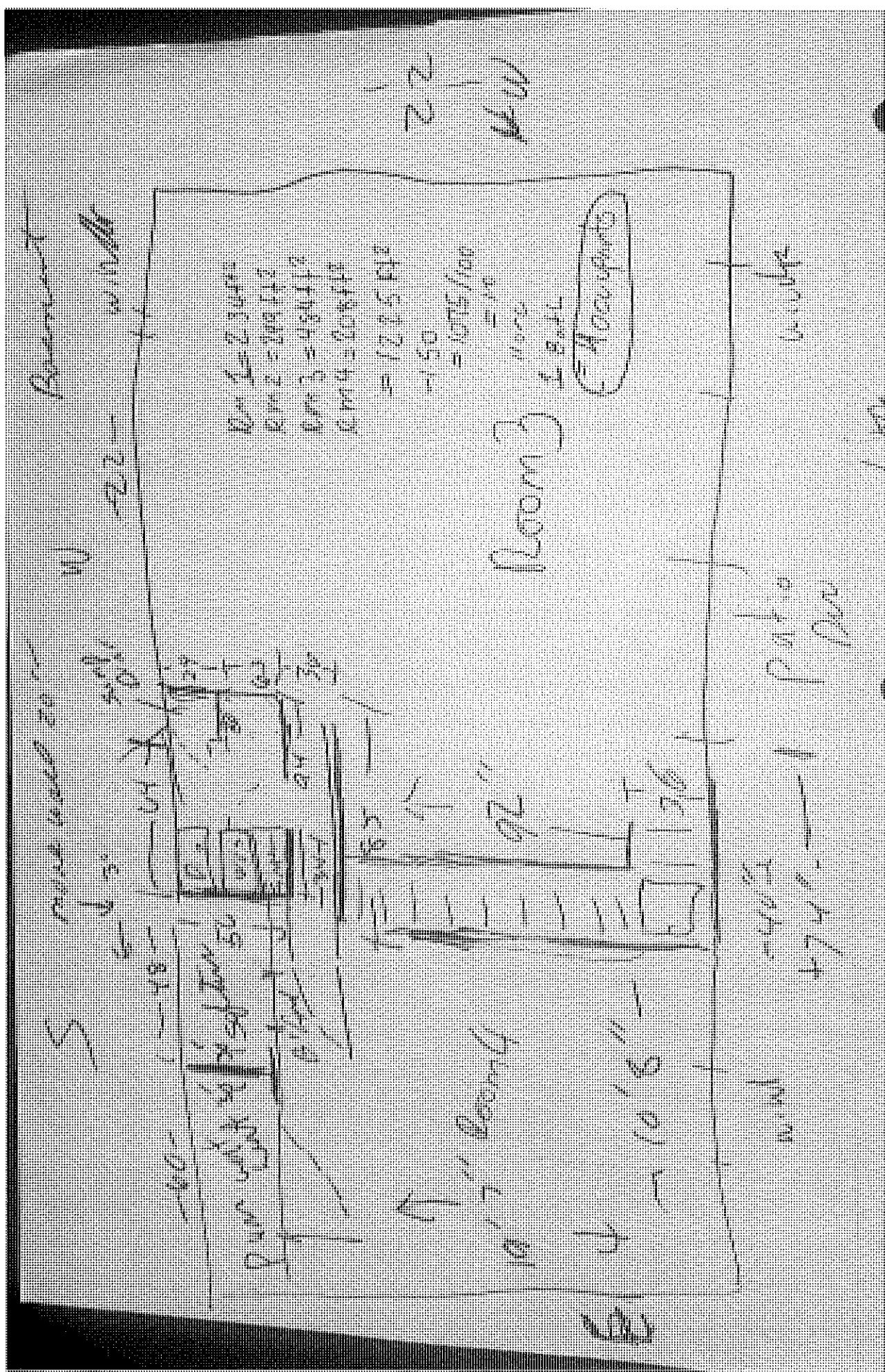
Landowner signature⁽²⁾ Rachel Rutland

11/14/24

Date

Office notes: _____





FINDINGS OF FACT:

1. A full and complete application was filed by Phillip J and Rachel L Rutland and received 11-14-2024 (herein referred to as "Application") seeking a Conditional Use Permit for 1014 E Queens Way, also described as Lot 30 of Squire Addition to Lake Sherwood, located in the SW 1/4, SE 1/4, Section 16, Town 20N, Range 06E, Town of Rome, Adams County, WI, with a parcel number of 030-02570-0000.
2. The Conditional Use request is to allow Short-Term Rental at the property.
3. The property is zoned LD – Lake District, as defined in Chapter 360 of the Town of Rome's Ordinance.
4. Town of Rome Ordinance 360-61 requires a Conditional Use Permit for Short-term rental of a dwelling (30 days or less).
5. The Town of Rome Planning Commission duly set this matter upon the agenda of a public meeting and considered the above-described application with the public hearing a matter of record of the Planning Commission meeting of December 10th 2024.
6. At the public hearing on the Application held by the Town of Rome Plan Commission on December 10, 2024, evidence and testimony was presented by the Applicant, and all interested persons were allowed an opportunity to speak, a full and complete record of which will be detailed in the minutes of the Plan Commission.
7. At the conclusion of the public hearing, after consideration and discussion of the application, public comments, and the report received by staff, the Planning Commission, upon a motion duly seconded, approved the request for the Conditional Use Permit, and the following findings were found by the Plan Commission:
 - a. The conditional use conforms with the standards of the applicable district in which it is located.
 - b. The establishment, maintenance or operation of the proposed use will not be detrimental to or endanger the public health, safety or general welfare of the occupants of surrounding lands.
 - c. The Applicant has met all of the conditions of application/issuance for Short-Term Rental License.
8. The following conditions were placed on the approval:
 - a. Maximum occupancy shall be 4
 - b. Maximum vehicles of 2 to be parked on hard surfaces, not on lawn / grass.
 - c. Property manager within 25 miles of the residence on file with the Town.

The Town of Rome Planning Commission hereby recommends approval of the Conditional Use Permit request submitted by Phillip J and Rachel L Rutland, for Short-term rentals of 7 consecutive days or longer at parcel 030-02570-0000 The following additional conditions were placed on the approval:

1. _____
2. _____
3. _____

The term of the conditional use shall be indefinite as long as the applicant has a valid Short-Term Rental License with the Town of Rome.

Planning Commission Chair: _____ Date: _____

Planning Commission Secretary: _____ Date: _____

By signing, Applicant agrees to comply with all conditions placed on approval. Applicant further understands that failure to comply with the stated conditions may result in the termination of the Conditional Use Permit.

Signature of Owner/Applicant: _____ Date: _____

Signature of Owner/Applicant: _____ Date: _____

Note: if Owner is other than Applicant and is unable to sign, please attach written authorization from Owner allowing Applicant to sign on their behalf.



PETITION FOR CONDITIONAL USE PERMIT

FEE: \$300.00⁽¹⁾

(i) If the applicant does not appear or is not represented at the public hearing, the petition may be denied or tabled and the applicant may be requested to pay another application fee to reschedule the hearing.

Attach plot plan or location sketch showing the entire land parcel including the location, boundaries, uses and sizes of the following: subject site, existing and proposed structures, street rights-of-way, easements, alleys, off-street parking, loading areas, road access points, driveways and all other pertinent features.

Applicant: Gabe Christenson, 1683 Nekoosa LLC
Name of Owner: Brian Bos
Mailing Address: 1683 N Aurora LN
Phone: 507-254-4128 Katie Christenson

Planning and Zoning Department 1156
Alpine Drive
Romeo, WI 54457 zoning@romewi.gov
Phone: (715) 325-8019
Fax: (715) 325-8035 www.romewi.gov

Office use:
File # _____ Date received 11-22-2024
Fee \$ _____ Check # _____
Parcel # _____ Total acres (sq. ft.) _____

Property Location / Description:
SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 27 T 20 N R 05 E
Lot 6 Block 2 Addition
Subdivision or CSM Plat AM43-Amundson Subdivision
Address 1683 N Aurora LN

Current zoning and use:

The total area of the property is .432 acres and is currently zoned as: G1 district of the Rome Zoning Ordinance.

Current use is: Residential

Proposed Conditional Use:

Proposed Conditional Use is: Short-term rental

Proposed Conditional Use conforms to the standards set forth in code sec. 360-27G because:

Positive economic impact- STR will contribute to community by attracting visitors. Compatibility w/

surrounding area: the SIR will be operated in a manner consistent w/ residential character of neighborhood. Measures will be taken to maintain appearance, the property will meet all health and safety requirements.

Proposed term (duration) of Conditional Use: Five + years

(2) The applicant's signature on this form grants consent for Dept. staff and Plan Commissioners to enter the property for inspection related to this application. Said consent does not include consent to enter a dwelling or other structure on the property. Furthermore, the undersigned hereby applies for the conditional use requested above and states that the information on this application and the attached documents are accurate. The application must be signed by all property owners of record. If an agent is to sign the application, written proof of authority is required to accompany the application. If the property is in a Trust, the Trustee must sign the application, and provide proof of trustee authority. If needed, obtain a **TRUST INFORMATION** form from the Planning and Zoning Department. The application must be complete including an address and phone number where someone can be reached for questions or information.

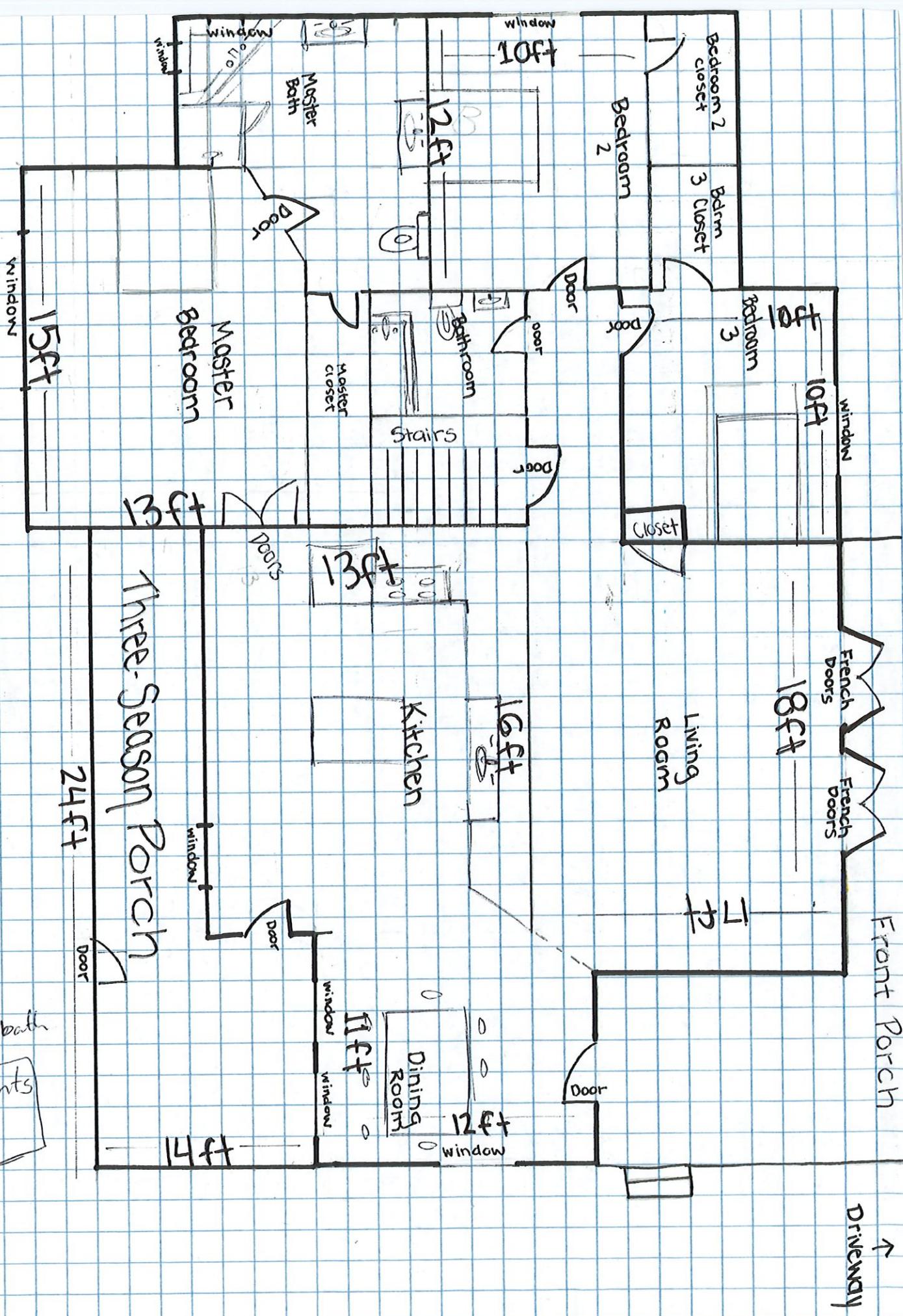
~~Landowner signature~~⁽²⁾

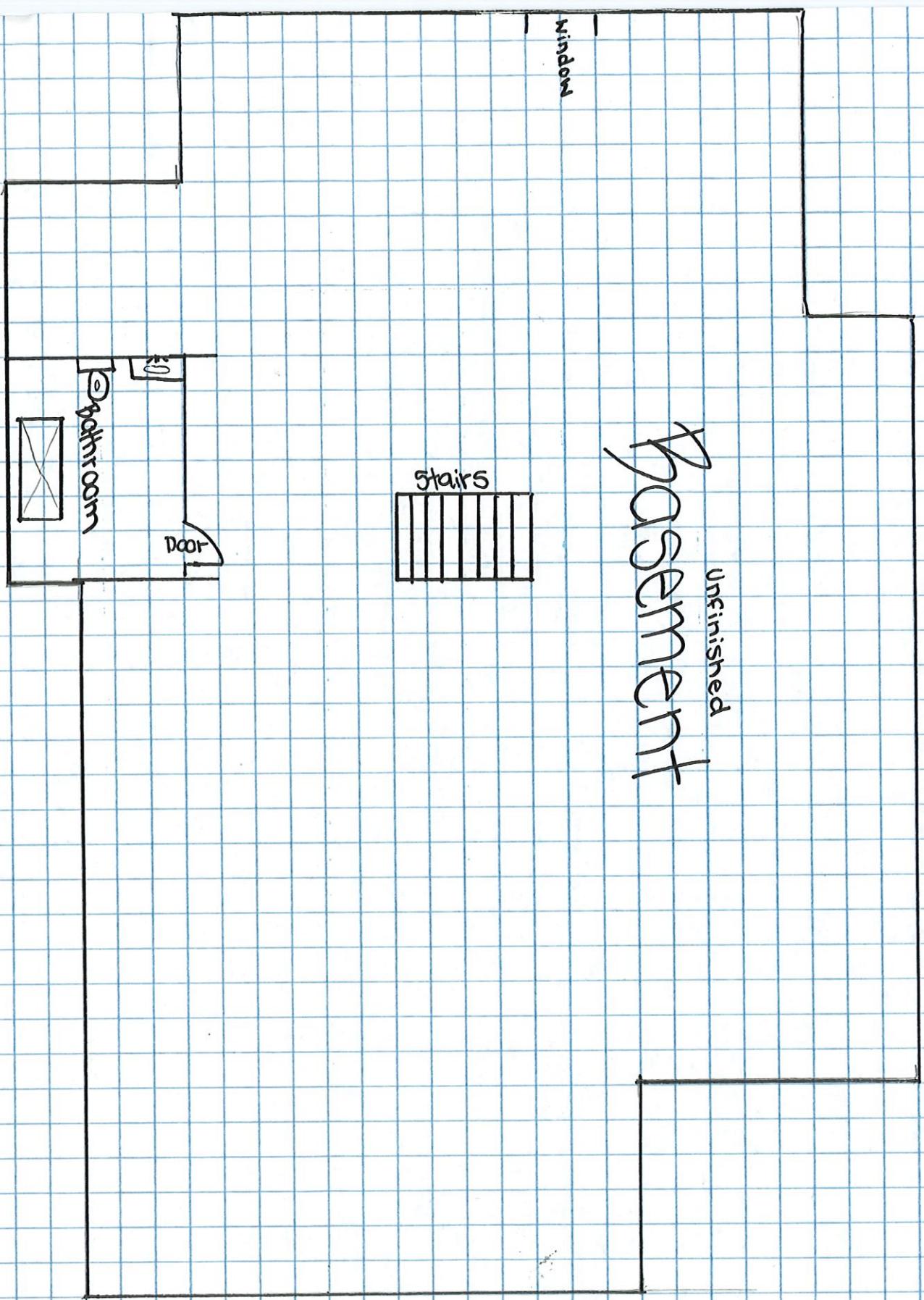
Date

11-17-2024

Office notes:

Office notes: _____





50ft

← N Aurora LN

10ft

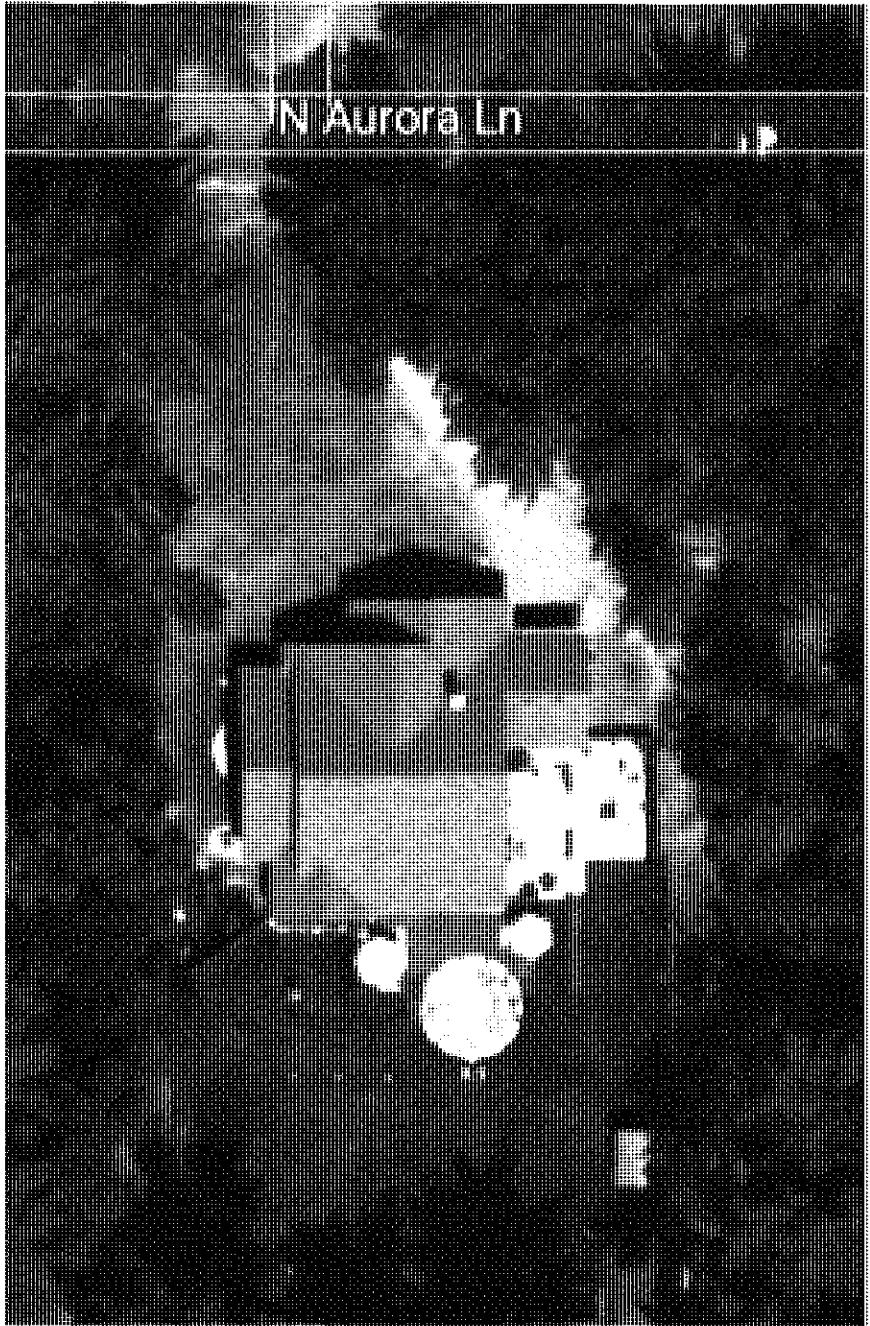
Driveway

10ft

Front Porch

Steps

N Aurora Ln



Allen Dr

NAurora

\$394k

\$189k

\$334k



+

-

FINDINGS OF FACT:

1. A full and complete application was filed by 1683 Nekoosa LLC and received 11-22-2024 (herein referred to as "Application") seeking a Conditional Use Permit for 1683 N Aurora Lane, also described as Lot 6 Block 2 of Amundson Subdivision, located in the SW ¼, SW ¼, Section 27, Town 20N Range 05E, Town of Rome, Adams County, WI, with a parcel number of 030-01167-0000.
2. The Conditional Use request is to allow Short-Term Rental at the property.
3. The property is zoned R-2 – One – and Two-Family and Manufacture Dwelling, as defined in Chapter 360 of the Town of Rome's Ordinance.
4. Town of Rome Ordinance 360-44 requires a Conditional Use Permit for Short-term rental of a dwelling (30 days or less).
5. The Town of Rome Planning Commission duly set this matter upon the agenda of a public meeting and considered the above-described application with the public hearing a matter of record of the Planning Commission meeting of December 10th 2024.
6. At the public hearing on the Application held by the Town of Rome Plan Commission on December 10, 2024, evidence and testimony was presented by the Applicant, and all interested persons were allowed an opportunity to speak, a full and complete record of which will be detailed in the minutes of the Plan Commission.
7. At the conclusion of the public hearing, after consideration and discussion of the application, public comments, and the report received by staff, the Planning Commission, upon a motion duly seconded, approved the request for the Conditional Use Permit, and the following findings were found by the Plan Commission:
 - a. The conditional use conforms with the standards of the applicable district in which it is located.
 - b. The establishment, maintenance or operation of the proposed use will not be detrimental to or endanger the public health, safety or general welfare of the occupants of surrounding lands.
 - c. The Applicant has met all of the conditions of application/issuance for Short-Term Rental License.
8. The following conditions were placed on the approval:
 - a. Maximum occupancy shall be 8
 - b. Maximum Vehicles of 4 to be parked on hard surfaces, not on lawn/grass
 - c. Property manager within 25 miles of the residence on file with the Town

The Town of Rome Planning Commission hereby recommends approval of the Conditional Use Permit request submitted by 1683 Nekoosa LLC, for Short-term rentals of 7 consecutive days or longer at parcel 030-01167-0000. The following additional conditions were placed on the approval:

1. _____
2. _____
3. _____

The term of the conditional use shall be indefinite as long as the applicant has a valid Short-Term Rental License with the Town of Rome.

Planning Commission Chair: _____ Date: _____

Planning Commission Secretary: _____ Date: _____

By signing, Applicant agrees to comply with all conditions placed on approval. Applicant further understands that failure to comply with the stated conditions may result in the termination of the Conditional Use Permit.

Signature of Owner/Applicant: _____ Date: _____

Signature of Owner/Applicant: _____ Date: _____

Note: if Owner is other than Applicant and is unable to sign, please attach written authorization from Owner allowing Applicant to sign on their behalf.

Chapter 234 Licenses and Permits

ARTICLE VII, Short-Term Rentals

[Adopted as Sec. 7.12 of the prior Code; amended in its entirety 11-1-2018 by Ord. No. 18-16]

§ 234-56. Purpose.

It is the purpose of this article to ensure that the quality of short-term rentals operating within the Town is adequate for protecting the health, safety and general welfare, including establishing minimum standards of space for human occupancy, and for an adequate level of maintenance; determining the responsibilities of owners, operators and property managers offering properties for tourists and transient occupants, to protect the character and stability of all areas, especially residential areas, within the Town of Rome; to provide minimum standards necessary for the health and safety of persons occupying or using buildings, structures or premises; and provisions for the administration and enforcement thereof.

§ 234-57. License required.

- A. No person may maintain, manage or operate a short-term rental in the Town of Rome for more than 10 nights in a 365-day period, without a short-term rental license. "Short-term rental" shall mean a residential dwelling that is offered for rent or a fee and for a duration of less than 29 consecutive days. Every short-term rental shall be operated by a property owner or property manager. Short-term rentals of six or fewer consecutive days in duration are prohibited.
- B. All applications for a short-term rental license shall be filed with the Town Clerk/~~Treasurer~~ on a form provided by the Town and approved by the Town Board. Applications must be filed by the property owner or authorized agent. No permit shall be issued unless the completed application form is accompanied by payment of the required short-term rental license fee.
- C. The Town Clerk/~~Treasurer~~ shall issue a short-term rental license to all applicants following the approval of an application and the filing of all documents and records required under § 234-58 of this article. Issuance of a short-term rental license under this article will be deemed as meeting the requirement of obtaining a business license under Article V, Business License, of this chapter.

§ 234-58. Conditions of application; issuance of license.

- A. Before an applicant may be issued a short-term rental license, the applicant shall first provide:
 - (1) Identity of the property owner and any property manager (if applicable), with contact information including mailing address, physical address, email, and twenty-four-hour phone number.
 - (2) A copy of tourist rooming house permit from the State of Wisconsin Department of Agriculture, Trade and Consumer Protection under ATCP 72.04.

- (3) A copy of a current, completed State Lodging Establishment Inspection form.
- (4) Proof of casualty and liability insurance issued by an insurance company authorized to do business in the state of Wisconsin, identifying the property as used for short-term rental, with liability limits of not less than \$300,000 per individual and \$1,000,000 aggregate.
- (5) Floor plan of the proposed property for rental, and requested maximum occupancy.
- (6) Site plan including available on-site parking.
- (7) Proof of an annual general building and fire inspection is required prior to issuance or renewal of the license, with no outstanding compliance orders remaining.
- (8) A room tax permit issued by the Town of Rome.
- (9) A zoning permit issued by the Town of Rome Zoning Administrator.
- (10) An employer identification number issued by the Internal Revenue Service or social security number.
- (11) Certification from the property owner that the property meets the requirements of this article.

B. During the initial application process, the Town Zoning Administrator shall notify property owners within a two-hundred-foot radius of an applicant's proposed rental property lot, of an applicant's intention to operate a short-term rental in the Town of Rome. Notification of property owners shall not be required for renewal of a license as long as there is no lapse in license renewal.

§ 234-59. License fees.

An annual fee shall be set by the Town Board. Fees are nonrefundable and shall not be prorated. Any renewal application received after the expiration date may be subject to a double fee.

§ 234-60. License duration and renewal.

- A. All licenses granted shall be for one calendar year, and shall be renewed on an annual basis on or before June 30 of each year. The fee shall accompany the application for license renewal. Any property operating as a short-term rental which has not renewed the short-term rental license prior to this date shall be deemed an illegal operation.
- B. Each application for renewal of a permit or license shall include updated information for the documentation on file with the Town Clerk/Treasurer. The Clerk/Treasurer shall verify that the information provided on the renewal application is complete and in accordance with this article. The Clerk/Treasurer shall request reports from the Town of Rome Police Department and the Zoning Administrator regarding any complaints received, calls for service or actions taken regarding the short-term rental property. The Clerk/Treasurer shall issue renewal licenses within 30 days of the filing of an application unless the information provided is incomplete or otherwise not in compliance with the requirements herein, and/or the staff reports received indicate that there are complaints or actions involving the property.
- C. No license shall be renewed if the subject property has outstanding fees, taxes or forfeitures

owed to the Town, or is under an order issued by the Building Inspector to bring the premises into compliance with Town ordinances, unless arrangements for payment have been provided to the Clerk/~~Treasurer~~ and approved by the Town Administrator.

D. If the Clerk/~~Treasurer~~ finds that the license should not be renewed, the Clerk/~~Treasurer~~ shall recommend to the Town Administrator a denial of the renewal. A denial of renewal under this section may be appealed in accordance with procedures under § 234-63.

§ 234-61. Standards for short-term rentals.

Each short-term rental shall comply with this section's requirements, along with all other Town of Rome ordinances. Each short-term rental shall meet the following minimum requirements:

- A. The maximum number of occupants allowed in any unit shall not exceed the following limits: not less than 150 square feet of floor space for the first occupant thereof, and at least an additional 100 square feet of floor space for every additional occupant thereof; the floor space shall be calculated on the basis of total habitable room area. Floor space is determined by using interior measurements of each room. Floor space does not include kitchens, bathrooms, closets, garages or rooms not meeting Uniform Dwelling Code requirements for occupancy. The maximum occupancy for any premises without a separate enclosed bedroom is two people.
- B. One internal bathroom for every four occupants.
- C. Not less than two on-site off-street parking space for every four occupants based upon maximum occupancy.
- D. A sign shall be posted in a conspicuous place inside the rental unit, during the license duration, specifying information on approved parking spaces, Town regulations of discharge of fireworks as designated in Chapter 196, Fireworks, of the Code of the Town of Rome, lake rules, limitations on loud and unnecessary noise as designated in Chapter 260, Noise, of the Code of the Town of Rome, and Town burning regulations under Chapter 191, Fires and Fire Prevention.
- E. Shall have functional smoke detectors and carbon monoxide detectors in accordance with the requirements of Chapter SPS 321 of the Wisconsin Administrative Code.
- F. No vehicular traffic shall be generated that is greater than normally expected in the neighborhood for the district for which the dwelling is zoned.
- G. There shall not be excessive noise, fumes, glare, or vibrations generated during the use of the dwelling as a short-term rental.
- H. Nameplates or other outdoor signage shall not exceed one square foot. No other signage advertising the short-term rental is permitted on site.
- I. A local property manager must be designated for contact purposes and his or her name must be included in the application filed with the Town Clerk. The local property manager must reside within twenty-five (25) miles of the short-term rental property and must be available at all times the property is rented. The property owner shall notify the Town Clerk within ten (10) business days of any change in the property manager's contact information for the short-term rental and submit any revised contact information to the Town Clerk within the same time period.

J. Each short-term rental shall maintain the following written records for each rental of the dwelling unit: the full name and current address of any person renting the property, the time period for that rental, and the monetary amount or consideration paid for that rental. Quarterly, on a form created and provided by the Town, every licensee shall certify and report to the Town a summary of these records.

K. Whenever the Town Clerk/~~Treasurer~~ has probable cause to believe that records submitted are not correct, or that probable cause exists to believe that a dwelling unit is not in compliance with this article, the Town Clerk/~~Treasurer~~ may inspect and audit the written records for each rental of the dwelling unit to determine compliance with the requirements of this article.

§ 234-62. Revocation of license.

A. A short-term rental license may be revoked by the Town Administrator for one or more of the following reasons:

- (1) Failure to make payment on taxes or debt owed to the Town of Rome.
- (2) Three or more police officer-verified violations in a twelve-month period for nuisance activities or other law violations as regulated in Chapters 57, Article I; 115; 120, Article I; 125, Article II; 142; 176; 185; 196; 220; 225; 240; 260; 266; 281; 287, Articles II and III. Lake violations that result from use of the property owner's watercraft shall also qualify for revocation under this section.
- (3) Three or more issued citations related to building inspection or the health department in a twelve-month period.
- (4) Failure to comply with applicable building inspection requirements.
- (5) Failure to maintain all required local, county, and state licensing requirements.
- (6) Failure to maintain written records required pursuant to § 234-61I herein, or failure to comply with an audit request made pursuant to § 234-61J herein.
- (7) Any violation of local, county or state laws that substantially harm or adversely impact the predominantly residential uses and nature of the surrounding neighborhood in R-1, R-1C, R-2, R-4, and LD Districts.

B. Upon revocation of a short-term rental license under this section, a renewal application will not be permitted until after January 1 of the next calendar year.

§ 234-63. Appeal.

The denial of a short-term rental license application or renewal under this article may be appealed by filing a written appeal request with the Town Clerk/~~Treasurer~~ within 10 days of the Town's notice of denial. The appeal shall be heard by the Town Board, which shall consider the application or renewal and staff recommendations and may approve or deny the application or renewal.

§ 234-64. Violations and penalties.

Any person who operates a short-term rental within the Town of Rome for more than 10 nights in a 365-day period, without a license, shall be deemed an illegal operation, and upon conviction,

be subject to a forfeiture per § 1-5, General penalty, together with the costs of prosecution. Each day a violation exists or continues shall constitute a separate offense. Prosecutions of violations of provisions of this article shall be commenced by citation pursuant to Chapter 800, Wis. Stats.

Chapter 360 Zoning

Article III, General Regulations

§ 360-9. Use regulations.

- A. Except as herein provided, in any district, no building or land shall be used and hereafter no building shall be erected, structurally altered or relocated except for one or more of the uses hereinafter stated for that district.
- B. Uses such as real estate sales field office or shelter for material and equipment being used in the construction of a permanent structure may be permitted by the Zoning Administrator.
- C. Camping. In any district which allows camping, the following standards shall apply:
[Amended 6-17-2021 by Ord. No. 21-12]
 - (1) Camping units shall, as applicable, remain mobile (e.g., wheels left on and no skirting), have a current license and self-containment facilities. A permissible camping unit is limited to a camping trailer, conversion van, motor home, park model, pickup truck with camper or a tent.
 - (2) An annual permit issued by the Zoning Administrator is required for seasonal camping on any lot on which a single-family residence does not exist. The camping season shall be April 14 through November 30.
 - (3) Off-season camping permit. Camping is permitted from December 1 through April 14 only upon issuance of an off-season camping permit by the Zoning Administrator. Such camping is limited to no more than two occurrences for a cumulative total of no more than 21 days during any off-season period. A separate permit is required for each occurrence and will only be issued upon proof that the camping unit will be connected to either a municipal sanitary sewer system or has direct access to a private on-site waste treatment system approved by the State of Wisconsin and Adams County.
 - (4) Guest camping permit. Additional camping units, to be occupied by guests of a lot owner, shall be subject to the following limits: One guest camping unit for parcels five acres in size or less, and one additional guest camping unit for each additional one acre of lot size, not to exceed 10 guest camping units, shall be permitted on a lot in any district which allows camping between April 15 and October 15 of each calendar year for no more than three nonsequential periods of a maximum of 10 days each in duration. At least 15 days must elapse between each such period. A guest camping permit issued by the Town of Rome is required for each additional camping unit. Additional camping units in the LD Lake District shall be subject to § 360-60B.
 - (5) All permits required herein must be displayed in a weather-resistant receptacle that is securely attached, below the address sign, to the Town-issued address identification post.
 - (6) Water/septic requirements.
 - (a) Commencing on January 1, 2012, camping may not occur on a lot on which a single-family residence does not exist unless said lot satisfies both of the following requirements:
 - [1] Is either connected to water service offered by the Rome Water Utility or is served by a private, code-compliant well providing potable water; and

[2] Is connected to a municipal sanitary sewer system or is directly served by a private on-site waste treatment system as defined in § 145.01(12), Wis. Stats., or is attached to a transfer container that is installed pursuant to the regulations set forth in Section 3-2.08 of the Adams County Private On-site Waste Treatment Systems Ordinance.

(b) Notwithstanding Subsection C(6)(a)[2] herein, portable toilets and vault privies are prohibited in these districts. Composting, chemical and incinerating toilets are permitted only if completely within the camping unit.

D. Utility service, including electric and telephone lines, shall be installed underground.

E. The Town of Rome finds that there is a distinction between short-term and long-term rental uses. Long-term (30 consecutive days or more) renters, like owner-occupants, by definition, tend to have a long-term interest in the property at issue and can be expected to engage in conduct and activities consistent with such an interest. Consequently, the Town of Rome finds that owner occupants and long-term renters are less likely to engage in conduct and activities that are contrary to the interest and purpose of residential districts. Therefore, single-family dwellings for long-term use are permitted uses in each residential district. Short-term use of property is similar to a commercial use, as demonstrated by the fact that hotels and motels are only permitted in the business district. In addition, the distinction between long-term and short-term rentals is provided for in the Wisconsin Statutes [§§ 77.52(2)(a)1. and 97.605]. The Town of Rome has determined that short-term rental of single-family dwellings may only occur upon issuance of a ~~conditional use zoning~~ permit with conditions imposed as are necessary to protect the residential character of the applicable neighborhood. The Town of Rome has further determined that, given the unique concerns and characteristics of the areas comprising all residential districts, it is necessary and appropriate to prohibit short-term rentals of six consecutive days or less in duration in each residential district.

F. No land which is located in a Residential District shall be used for driveway, walkway or access purposes to any land which is located in a Business, or Special Purpose District or used for any purpose not permitted in a Residential District.

G. Cutting of trees on all lots abutting lakes or streams shall be limited to control erosion and reduce flow of effluents or nutrients from the shore land. Thus, in a strip 35 feet inland from the ordinary high-water mark, no more than a total of 30% of any 100 feet may be cut. From the inland edge of the thirty-five-foot strip to the outer limits of the shore land, the cutting of trees and shrubbery shall be allowed pursuant to the Adams County Shoreland Protection Ordinance.

H. Common household pets are limited to five in aggregate per residence in all recorded and unrecorded subdivisions.

I. Domestic animals, other than common household pets, are prohibited outside of Agricultural and Conservancy Districts except as follows:

(1) R-1 District outside of subdivisions and with a minimum area of two acres, limit: one animal unit.

(2) R-2, R-4, R-5 and B-1 Districts.

(a) Minimum two acres, limit: one animal unit.

- (b) Minimum three acres, limit: one animal unit or two horses.
- (c) Minimum five acres, limit: two animal units or three horses.
- (d) Minimum nine acres, limit: two animal units or five horses.

Note: A conditional use permit (CUP) is required for keeping domestic animals in the B-1 District.

(3) Roosters are prohibited.

J. Any private driveway leading to a building or structure located 200 feet or more from the public right-of-way shall be at least 10 feet in surface width and provide 14 feet of clear-width: shall provide an unobstructed height throughout the entire length and width of the driveway of at least 14 feet, and shall provide a turnaround area located no more than 75 feet from the structure capable of turning around emergency vehicles. Driveway permits under this subsection shall require review and approval from the Fire Chief in order to verify that the installation standards will provide for the safe passage and turnaround of emergency vehicles accessing the structures served by the driveway. Greater dimensions may be required by the Director of Public Works, after consultation with the Fire Chief, if the proposed driveway would not be sufficient to accommodate specialized fire-fighting apparatus or equipment that may be required to service the property. **[Amended 11-18-2021 by Ord. No. 21-20]**

ARTICLE IV, Administration and Enforcement

§ 360-22. Zoning permits.

- A. A zoning permit shall be required for any change in the use of land, the short-term rental of a dwelling, and for any construction, relocation or alteration of a building or structure. Alterations that do not change the exterior dimensions of the building or structure shall be exempt from the requirement of a zoning permit.
- B. Except as hereinafter provided, no permit pertaining to the use of land or buildings shall be issued unless the application for such permit has been examined and approved by the Zoning Administrator. Any permit issued in conflict with the provisions of this chapter shall be null and void.
- C. Application. All applications shall be filed with the Zoning Administrator on the prescribed form(s) together with the fee set by the Town Board. The application shall be accompanied by such plans and/or data required by the Zoning Administrator. In the event that the lot lines for the subject property are not readily identifiable, the Zoning Administrator has the authority to require that the applicant have the lot lines located and marked by a registered land surveyor.
- D. The Zoning Administrator shall, after reviewing an application for a zoning permit, determine whether all requirements of this chapter have been satisfied. The Zoning Administrator shall issue the permit if that burden is satisfied. If it is not satisfied, the Zoning Administrator shall issue a written denial explaining the reasons that the application was denied. The Zoning Administrator may refer the zoning permit application to the Plan Commission for approval when deemed necessary and appropriate
- E. The Zoning Administrator shall retain continuing jurisdiction over all permitted uses for the purpose of resolving complaints and may order the removal or discontinuance of any unauthorized alterations or violations.
- F. Should a permit applicant, his heirs or assigns, fail to comply with the conditions of the permit issued or should the use or characteristics of the use be changed without prior approval, the permit may be revoked.
- G. A permit shall expire 24 months from the date of issuance, except that zoning permits issued for the short-term rental of a dwelling shall be indefinite as long as the current property owner holds a Town of Rome Short Term Rental License. The permit may be extended for a period of 90 days for justifiable cause, if an application is made to the Zoning Administrator at least 30 days before the expiration of said permit. Where a permitted use does not continue in conformity with the conditions of the original approval, the permit shall be terminated and may be considered as a violation of this section.

ARTICLE VI, R-1 Single-Family Residence District

§ 360-36. Conditional uses.

- A. Bed-and-breakfast establishment subject to ATCP 73, Wis. Adm. Code.
- B. Community center.
- C. Day care.
- D. Utility, provided all principal structures and uses are 50 feet or greater from any lot line.
- E. Cemetery subject to Chapter 157, Wis. Stats.
- F. Church.
- G. Fire station.
- H. Police station.
- I. Public emergency shelter.
- ~~J. Short term rental of a dwelling (30 days or less).~~

ARTICLE VII, R-1C Single-Family Conservation Residence District

§ 360-40. Conditional uses.

- A. Association lodge.
- B. Public emergency shelter.
- C. Multifamily dwelling.
- D. Marina.
- ~~E. Short term rental of a dwelling (30 days or less).~~

Article XII, LD Lake District

§ 360-61. Conditional uses.

~~Short term rental of a dwelling (30 days or less).~~

Chapter 360 Zoning

ARTICLE XVII, Rome Town Center District

[Added 4-16-2020 by Ord. No. 20-04¹]

§ 360-80. Purpose.

The purpose of the Rome Town Center District (RTC) is to implement the vision, guidelines, and objectives identified in the Rome Town Center Design Plan and the Town of Rome Comprehensive Plan to ensure high-quality development of lands located in the Town Center that seamlessly blends the convenience of contemporary living with nature and the timeless charm of rustic Wisconsin. The RTC District is intended to strengthen and promote prosperity in the community by creating a regional center of commerce and community gathering and permit developments that will be enhanced by coordinated area site planning and mixing of compatible uses, while maintaining standards that promote the health, safety and general welfare of Town residents and visitors.

A. Other goals of the RTC District include:

- (1) Ensure a high-quality and coordinated design for retail, residential, and other developments, while incorporating green space and pedestrian-friendly design;
- (2) Promote development flexibility that will be enhanced by coordinated area site planning and mixing of compatible uses;
- (3) Ensure design and development on a human scale that allows for multiple modes of transportation;
- (4) Preserve, improve and protect the quality of life and the natural environment; and
- (5) Encourage the efficient use of public services, facilities and tax dollars.

§ 360-81. Subdistricts.

The RTC District is divided into the following subdistricts:

- A. Commercial "A".
- B. Mixed Town Center.
- C. Senior Living.
- D. Mixed Multifamily.
- E. Mixed Commercial/Light Industrial.

§ 360-81.1. Commercial "A" Subdistrict.

- A. General characteristics. Development sites in the Commercial "A" Subdistrict shall have the following general characteristics:

1. Editor's Note: This ordinance superseded former Art. XVII, BP Alpine Village Business Park.

- (1) A diverse blend of development where no single use shall dominate.
- (2) Restricts areas for building, parking and septic for higher-density development.
- (3) Reduced setbacks and encroachments in setbacks for architectural elements such as porches.
- (4) Requires more aesthetic measures, including architectural requirements on all building elevations (faces) as required in the Rome Town Center Design Plan.
- (5) Additional landscaping requirements.

B. Principal uses for the Commercial "A" Subdistrict. The following table lists all permitted and conditional uses allowed in the Commercial A Subdistrict: **[Amended 9-16-2021 by Ord. No. 21-16]**

Use	Permitted	Conditional
Boutiques (flower shop, gift store)	x	
Business services (accountants, attorney, financial planners)	x	
Coffee shop, ice cream parlor, bakery, sandwich shop	x	
Day spas	x	
Handcrafted goods sales, home furnishings	x	
Lodging facilities comprised of at least 20 lodging units in any single structure	x	
Miniature golf course	x	
Personal services (dental/physician, pharmacy, hair salon, shoe repair)	x	
Restaurant and brewpub	x	
Retail trade (jeweler, clothing store, sporting goods)	x	
Art gallery and museum		x
ATV/UTV and snowmobile sales and rentals		x
Bank and credit union		x
Beverage store		x
Bicycle, kayak, canoe, SUP sales and rentals		x
Brewery		x
Building construction contractors		x
Civic use		x

Use	Permitted	Conditional
Convenience stores		x
Hardware store		x
Grocery stores		x
Tavern and tap house		x
Theater		x
Other uses deemed substantially the same as those listed herein		x

C. Dimensional, area, and other requirements:

- (1) Lot requirements:
 - (a) Frontage: minimum 70 feet.
 - (b) Area: minimum 10,000 square feet.
 - (c) Depth/width: maximum 4:1.
- (2) Roadway setback (from the furthest building projection):
 - (a) Internal Town Center road (whichever is greater):
 - [1] From center of roadway: minimum 43 feet.
 - [2] From lot line (no sidewalk): minimum 10 feet.
 - [3] From building edge of sidewalk: minimum five feet.
 - (b) Other Town road (whichever is greater):
 - [1] From center of roadway: minimum 63 feet.
 - [2] From lot line: minimum 30 feet.
- (3) Building setback (from the furthest building projection):
 - (a) Side: minimum 10 feet.
 - (b) Rear: minimum 10 feet.
 - (c) Between buildings: minimum 20 feet.
- (4) Other requirements:
 - (a) Building height: maximum 35 feet. Architectural appurtenances such as cupolas, finials and other ornaments shall not be included in building height calculations.
 - (b) Accessory building height: maximum 24 feet. Architectural appurtenances such as cupolas, finials and other ornaments shall not be included in building height calculations.
 - (c) No more than 65% of any parcel shall be covered by any impervious surface.

(d) Accessory buildings shall comply with the architectural standards and shall not be constructed before the principal structure is present.

(e) Accessory buildings are not allowed.

(f) All septic fields shall be located in rear or side yards. ~~Shared septic systems are~~

(g) ~~(e) encouraged subject to state and county regulations.~~

(h) ~~(f)~~ On-site parking shall be as set forth in § 360-81.6C and included on the site plan.

(i) ~~(g)~~ Loading docks and doors larger than 100 square feet are permitted at the rear of the building and must be screened from view from any street. Such doors shall be included on the site plan submitted.

(j) ~~(h)~~ No outdoor storage ~~except for screened waste containers of goods or materials~~, unless otherwise approved by the Plan Commission. Outdoor storage of waste containers must be screened. Merchandise may be displayed outdoors adjacent to a business during business hours.

(k) ~~(i)~~ Landscape plans for the Commercial A Subdistrict shall be subject to the following standards, unless otherwise approved by the Plan Commission on the conceptual landscape plan.

[1] Street and side yard plants may be planted anywhere within the yard area and per the following standards: street yard: horizontal mass or one small tree or two large shrubs per 10 feet of frontage; side yard: one small tree each side.

[2] Parking lot area landscaping shall be located within 15 feet of the periphery of the lot or within a planting island, spaced at a rate of one large tree per four parking spaces with a minimum of one tree per lot.

(l) ~~(j)~~ Signage in the Commercial A Subdistrict shall be limited to the following sign types:

[1] Street yard area: wall, hanging and ground signs shall be allowed.

[2] Other yard areas: only wall signs shall be allowed.

(m) ~~(k)~~ Developments shall incorporate the design standards identified in the Rome Town Center Design Plan.

(5) Architectural standards:

(a) Exterior finish materials: Materials shall be constructed of durable, permanent architectural commercial quality materials. At least 50% of the street and entry area elevations (including roof trim and eaves) shall incorporate one or more of the following materials into their design: rough wood or log siding, brick, stone, architectural block or textured concrete materials. Exposed plain-faced concrete block or plain-faced structural concrete panels are not permitted on any elevation. Metal siding shall be allowed as an acceptable quality material for all elevations except the 50% approved street/entry area materials as required above. Roof materials shall be architectural asphalt/fiberglass shingles, artificial slate or colored

standing-seam metal or other material as approved by the Plan Commission.

- (b) Building massing: Structures must avoid a monolithic, "big box," appearance. Roofs may be pitched or flat. If pitched, they shall be minimum 6/12 roof pitch and shall be gable end, hip, or gambrel type or a combination of these. Massing shall be further diminished by breaking up building sections with such elements as variable planes, projections, bays, dormers, setbacks, or changes in the roofline.
- (c) Building elevations: At least 25% of all elevations other than street and entry elevations shall include one of the building materials approved for street and entry elevations. All elevations shall be designed in a consistent and coherent architectural manner.
- (d) Building color: Colors shall be primarily (approximately 80%) earth-toned in appearance with accents (approximately 20%) of a contrasting color. Percentage shall include building wall and roof finish materials. Complementary colors, textures and materials are encouraged. No white, grey or primary colors shall be used as the overall color of the building. Building colors and accents shall be submitted as part of the site plan application.
- (e) Porches: Porches shall be incorporated into the entry area elevations of the building and any additional public entrances. Porches shall extend a minimum of 60% of the width of the front elevation and shall be a minimum of six feet in depth. Recessing an entry to meet up to 50% of the depth requirement is permitted. Porch roofs may be pitched or flat. If pitched, porch roofs shall be pitched at a minimum four-inch rise for every 12 inches of run (4:12 slope) and shall be either shed-type or hip-type, with posts at regular intervals incorporated into each design. Finish materials shall correspond to the primary finish materials used and may be included in the minimum required percentages. Porches are intended to be open to allow for interaction with the street or public area. Screens and glazing are not permitted.
- (f) HVAC units and miscellaneous equipment: Rooftop and ground-mounted mechanical and electrical units and other miscellaneous equipment shall either be integrated into the design of the building and/or screened from view.
- (g) Projections and architectural details: All projections and details such as louvers, exposed flashing, flues, vents, gutters, downspouts, flower boxes and planters are to be recognized as architectural features and shall be treated to match the color of the adjacent surface or a complementary color used elsewhere on the building and shall be noted on the site plan.

§ 360-81.2. Mixed Town Center Subdistrict.

- A. General characteristics. Development sites in the Mixed Town Center Subdistrict shall have the following general characteristics:
 - (1) A diverse blend of mixed-use development between nonresidential and residential land uses, with no single use dominating.
 - (2) Pedestrian-oriented designs with wide sidewalks between buildings and streets, with multi-use pathways connecting the Mixed Town Center Subdistrict to the remainder of Rome Town Center.

- (3) Reduced setbacks allowing for increased proximity between buildings and sidewalks.
- (4) Smaller residential designs compatible with the character of Rome Town Center and the housing needs of the greater community.
- (5) Residential units and/or lodging facilities shall comprise no more than 40% of the built environment, excepting those mixed-use units sharing a structure with a different land use category. **[Amended 9-16-2021 by Ord. No. 21-16]**

B. Principal uses for the Mixed Town Center Subdistrict. The following table lists all permitted and conditional uses allowed in the Mixed Town Center Subdistrict: **[Amended 9-16-2021 by Ord. No. 21-16]**

Use	Permitted	Conditional
Age-restricted rental units (part of a complex totaling no more than 20 units in any given residential development)	x	
Age-restricted owner-occupied units, including single-family dwellings and townhouses or condominiums (part of a complex totaling no more than 20 units in any given residential development)	x	
Boutiques (flower shop, gift store)	x	
Business service (accountants, attorney, financial planners)	x	
Coffee shop, ice cream parlor, bakery, sandwich shop	x	
Day spas	x	
Handcrafted goods sales, home furnishings	x	
Lodging facilities	x	
Miniature golf course	x	
Owner-occupied multifamily units (condominiums, townhouses) in complexes comprised of no more than 12 units in any given development)	x	
Personal services (dental/physician, pharmacy, hair salon, shoe repair)	x	
Rental units (duplexes, triplexes, and quadplexes)	x	
Restaurant and brewpub	x	
Retail trade (jeweler, clothing store, sporting goods)	x	
Art gallery and museum		x

Use	Permitted	Conditional
Assisted living facilities entailing apartment style housing, organized social interaction and private duty support services, designed for individuals requiring assistance with everyday activities		x
ATV/UTV and snowmobile sales and rentals		x
Bank and credit union		x
Beverage store		x
Bicycle, kayak, canoe, SUP sales and rentals		x
Brewery		x
Building construction contractors		x
Civic use		x
Convenience stores		x
Continuing-care retirement communities comprised of independent-living apartments or single-family dwellings offering the social, recreational and cultural activities of other retirement communities while also providing assisted-living and nursing-level care via external healthcare providers.		x
Hardware store		x
Grocery stores		x
Shared housing where two or more qualifying seniors live together in a single-family dwelling		x
Tavern and tap house		x
Other uses deemed substantially the same as those listed herein		x

C. Dimensional, area, and other requirements:

(1) Lot requirements:

- (a) Frontage: minimum 70 feet.
- (b) Area: minimum 10,000 square feet.
- (c) Depth/width: maximum 4:1.

(2) Roadway setback (from the furthest building projection):

- (a) Internal Town Center road (whichever is greater):

- [1] From center of roadway: minimum 43 feet.
- [2] From lot line (no sidewalk): minimum 10 feet.
- [3] From building edge of sidewalk: minimum five feet.
- (b) Other Town road (whichever is greater):
 - [1] From center of roadway: minimum 63 feet.
 - [2] From lot line: minimum 30 feet.
- (3) Building setback (from the furthest building projection):
 - (a) Side: minimum ~~five~~10 feet.
 - (b) Rear: minimum 10 feet.
 - (c) Between buildings: minimum 20 feet.
- (4) Other requirements: **[Amended 6-18-2020 by Ord. No. 20-14]**
 - (a) Building height: maximum 35 feet.
 - (b) Accessory building height: maximum 24 feet. Architectural appurtenances such as cupolas, finials and other ornaments shall not be included in building height calculations.
 - (c) No more than 65% of any parcel shall be covered by any impervious surface.
 - (d) Accessory buildings shall comply with the architectural standards and shall not be constructed before the principal structure is present.
 - (e) All septic fields shall be located in rear or side yards. ~~Shared septic systems are encouraged subject to state and county regulations.~~
 - (f) On-site parking shall be as set forth in § 360-81.6C and included on the site plan.
 - (g) Loading docks and doors larger than 100 square feet are permitted at the rear of the building and must be screened from view from any street. Such doors shall be included on the site plan submitted.
 - (h) No outdoor storage ~~except for screened waste containers of goods or materials~~, unless otherwise approved by the Plan Commission. Outdoor storage of waste containers must be screened. Merchandise may be displayed outdoors adjacent to a business during business hours.
 - (i) Landscape plans for the Mixed Town Center Subdistrict shall be subject to the following standards, unless otherwise approved by the Plan Commission on the conceptual landscape plan.
 - [1] Street and side yard plants may be planted anywhere within the yard area and per the following standards: street yard: horizontal mass or one small tree or two large shrubs per 10 feet of frontage; side yard: one small tree each side.
 - [2] Parking lot area landscaping shall be located within 15 feet of the periphery

of the lot or within a planting island, spaced at a rate of one large tree per four parking spaces with a minimum of one tree per lot.

(j) Signage in the Mixed Town Center Subdistrict shall be limited to the following sign types:

- [1] Street yard area: wall, hanging and ground signs shall be allowed.
- [2] Other yard areas: only wall signs shall be allowed.

(k) Developments shall incorporate the design standards identified in the Rome Town Center Design Plan.

(5) Architectural standards:

- (a) Exterior finish materials: Materials shall be constructed of durable, permanent architectural commercial quality materials. At least 50% of the street and entry area elevations (including roof trim and eaves) shall incorporate one or more of the following materials into their design: rough wood or log siding, brick, stone, architectural block or textured concrete materials. Exposed plain-faced concrete block or plain-faced structural concrete panels are not permitted on any elevation. Metal siding shall be allowed as an acceptable quality material for all elevations except the 50% approved street/entry area materials as required above. Roof materials shall be architectural asphalt/fiberglass shingles, artificial slate or colored standing-seam metal or other material as approved by the Plan Commission.
- (b) Building massing: Structures must avoid a monolithic, "big box," appearance. Roofs may be pitched or flat. If pitched, they shall be minimum 6/12 roof pitch and shall be gable end, hip, or gambrel type or a combination of these. Massing shall be further diminished by breaking up building sections with such elements as variable planes, projections, bays, dormers, setbacks, or changes in the roofline.
- (c) Building elevations: At least 25% of all elevations other than street and entry elevations shall include one of the building materials approved for street and entry elevations. All elevations shall be designed in a consistent and coherent architectural manner.
- (d) Building color: Colors shall be primarily (approximately 80%) earth-toned in appearance with accents (approximately 20%) of a contrasting color. Percentages shall include building wall and roof finish materials. Complementary colors, textures and materials are encouraged. No white, grey or primary colors used as the overall color of the building. Building colors and accents shall be submitted as part of the site plan application.
- (e) Porches: Porches shall be incorporated into the entry area elevations of the building and any additional public entrances. Porches shall extend a minimum of 60% of the width of the front elevation and shall be a minimum of six feet in depth. Recessing an entry to meet up to 50% of the depth requirement is permitted. Porch roofs may be pitched or flat. If pitched, porch roofs shall be pitched at a minimum four-inch rise for every 12 inches of run (4:12 slope) and shall be either shed-type

or hip-type, with posts at regular intervals incorporated into each design. Finish materials shall correspond to the primary finish materials used and may be included in the minimum required percentages. Porches are intended to be open to allow for interaction with the street or public area. Screens and glazing are not permitted.

- (f) HVAC units and miscellaneous equipment: Rooftop and ground-mounted mechanical and electrical units and other miscellaneous equipment shall either be integrated into the design of the building and/or screened from view.
- (g) Projections and architectural details: All projections and details such as louvers, exposed flashing, flues, vents, gutters, downspouts, flower boxes and planters are to be recognized as architectural features and shall be treated to match the color of the adjacent surface or a complementary color used elsewhere on the building and shall be noted on the site plan.

§ 360-81.3. Senior Living Subdistrict.

- A. General characteristics. Development sites in the Senior Living Subdistrict shall have the following general characteristics:
 - (1) Single- or multi-unit age-restricted housing and assisted-living facilities, where at least one person who is 55 or older must live in at least 80% of the occupied units.
 - (2) Restricts areas for building, parking and septic.
 - (3) Housing complexes may total no more than 20 units in any given residential development.
 - (4) Requires more aesthetic requirements, including architectural requirements on all building elevations.
 - (5) Landscaping requirements similar to Commercial "A" Subdistrict.
 - (6) Requires buffering/screening from adjacent subdistricts and properties.
 - (7) Provides for higher-density housing in the Town with close access to essential services and goods.
- B. Principal uses for the Senior Living Subdistrict. The following table lists all permitted and conditional uses allowed in the Senior Living Subdistrict:

Use	Permitted	Conditional
Age-restricted rental units (part of a complex totaling no more than 20 units in any given residential development)	x	
Age-restricted owner-occupied units, including single-family dwellings and townhouses or condominiums (part of a complex totaling no more than 20 units in any given residential development)	x	
Assisted living facilities entailing apartment-style housing, organized social interaction and private-duty support services, designed for individuals requiring assistance with everyday activities		x
Continuing-care retirement communities comprised of independent-living apartments or single-family dwellings offering the social, recreational and cultural activities of other retirement communities while also providing assisted-living and nursing-level care via external healthcare providers		x
Shared housing where two or more qualifying seniors live together in a single-family dwelling		x
Other uses deemed substantially the same as those listed herein		x

C. Dimensional, area, and other requirements:

(1) Lot requirements:

- (a) Frontage: minimum 70 feet.
- (b) Area: minimum 10,000 square feet.
- (c) Depth/width: maximum 4:1.

(2) Roadway setback:

- (a) Internal Town Center road (whichever is greater):
 - [1] From center of roadway: minimum 43 feet.
 - [2] From lot line (no sidewalk): minimum 10 feet.
 - [3] From building edge of sidewalk: minimum five feet.
- (b) Other Town road (whichever is greater):

- [1] From center of roadway: minimum 63 feet.
- [2] From lot line: minimum 30 feet.
- (3) Building setback (from the furthest building projection):
 - (a) Side: minimum 10 feet.
 - (b) Rear: minimum 25-10 feet.
 - (c) Between buildings: minimum 20 feet.
- (4) Other requirements:
 - (a) Building height: maximum 35 feet.
 - (b) Accessory building height: maximum 24 feet. Architectural appurtenances such as cupolas, finials and other ornaments shall not be included in building height calculations.
 - (c) No more than 65% of any parcel shall be covered by any impervious surface.
 - (d) Accessory buildings shall comply with the architectural standards and shall not be constructed before the principal structure is present.
 - (e) All septic fields shall be located in rear or side yards.
 - (f) On-site parking shall be as set forth in § 360-81.6C and included on the site plan.
 - (g) Loading docks and doors larger than 100 square feet are permitted at the rear of the building and must be screened from view from any street. Such doors shall be included on the site plan submitted.
 - (h) No outdoor storage of goods or materials, unless otherwise approved by the Plan Commission. Outdoor storage of waste containers must be screened, except for screened waste containers. Merchandise may be displayed outdoors adjacent to a business during business hours.
 - (i) Landscape plans for the Senior Living Subdistrict shall be subject to the following standards, unless otherwise approved by the Plan Commission on the conceptual landscape plan.
 - [1] Street and side yard plants may be planted anywhere within the yard area and per the following standards: street yard: horizontal mass or one small tree or two large shrubs per 30 feet of frontage; side yard: one small tree each side.
 - [2] Parking lot area landscaping shall be located within 15 feet of the periphery of the lot or within a planting island, spaced at a rate of one large tree per 10 parking spaces with a minimum of one tree per lot.
 - (j) Density shall be six to 10 units per acre.
 - (k) Signage in the Senior Living Subdistrict shall be limited to the following sign types:
 - [1] Street yard area: only wall, hanging and ground signs shall be allowed.

[2] Other yard areas: ~~only wall signs shall be allowed signs in other yard areas are not permitted.~~

(1) Developments shall incorporate the design standards identified in the Rome Town Center Design Plan.

(5) Architectural standards:

(a) Exterior finish materials: Materials shall be constructed of durable, permanent architectural commercial quality materials. At least 25% of all elevations exposed to view shall incorporate one or more of the following materials into their design: rough wood or log siding, brick, stone, architectural block or textured concrete materials. Exposed plain-faced concrete block or plain-faced structural concrete panels are not permitted on any elevation. Roof materials shall be architectural asphalt/fiberglass shingles, artificial slate or colored standing-seam metal or other material as approved by the Plan Commission.

(b) Building massing: Structures must avoid a monolithic, "big box," appearance. Roofs may be pitched or flat. If pitched, they shall be minimum 6/12 roof pitch and shall be gable end, hip, or gambrel type or a combination of these. Massing shall be further diminished by breaking up building sections with such elements as variable planes, projections, bays, dormers, setbacks, or changes in the roofline.

(c) Building color: Colors shall be primarily (approximately 80%) earth-toned in appearance with accents (approximately 20%) of a contrasting color. Percentages shall include building wall and roof finish materials. Complementary colors, textures and materials are encouraged. No white, grey or primary colors shall be used as the overall color of the building. Building colors and accents shall be submitted as part of the site plan application.

(d) Porches: Porches, if included, shall be incorporated into the entry area elevations of the building and any additional public entrances. Porches shall extend a minimum of 40% of the width of the front elevation and shall be a minimum of six feet in depth. Recessing an entry is permitted. Porch roofs may be pitched or flat. If pitched, porch roofs shall be pitched at a minimum four-inch rise for every 12 inches of run (4:12 slope) and shall be either shed-type or hip-type, with posts at regular intervals incorporated into each design. Finish materials shall correspond to the primary finish materials used and may be included in the minimum required percentages. Porches are intended to be open to allow for interaction with the street or public area. Screens and glazing are not permitted.

(e) HVAC units and miscellaneous equipment: Rooftop and ground-mounted mechanical and electrical units and other miscellaneous equipment shall either be integrated into the design of the building and/or screened from view.

(f) Projections and architectural details: All projections and details such as louvers, exposed flashing, flues, vents, gutters, downspouts, flower boxes and planters are to be recognized as architectural features and shall be treated to match the color of the adjacent surface or a complementary color used elsewhere on the building and shall be noted on the site plan.

§ 360-81.4. Mixed Multifamily Subdistrict.

A. General characteristics. Development sites in the Mixed Multifamily Subdistrict shall have the following general characteristics:

- (1) Providing a variety of housing options beyond single-family homes.
- (2) Conventional multistory apartment complexes and single-family homes are prohibited.
- (3) Smaller residential designs compatible with the character of Rome Town Center and the housing needs of the greater community.

B. Principal uses for the mixed multifamily subdistrict. The following table lists all permitted and conditional uses allowed in the Mixed Multifamily Subdistrict:

Use	Permitted	Conditional
Rental units (duplexes, triplexes, and quadplexes)	x	
Owner-occupied multifamily units (condominiums, townhouses) in complexes comprised of no more than 12 units in any given development)	x	
Other uses deemed substantially the same as those listed herein		x

C. Dimensional, area, and other requirements:

- (1) Lot requirements:
 - (a) Frontage: minimum 70 feet.
 - (b) Area: minimum 10,000 square feet.
 - (c) Depth/width: maximum 4:1.
- (2) Roadway setback:
 - (a) Internal Town Center road (whichever is greater):
 - [1] From center of roadway: minimum 43 feet.
 - [2] From lot line (no sidewalk): minimum 10 feet.
 - [3] From building edge of sidewalk: minimum five feet.
 - (b) Other Town road (whichever is greater):
 - [1] From center of roadway: minimum 63 feet.
 - [2] From lot line: minimum 30 feet.
- (3) Building setback (from the furthest building projection):
 - (a) Side: minimum 10 feet.

- (b) Rear: minimum 25-10 feet.
- (c) Between buildings: minimum 20 feet.

(4) Other requirements:

- (a) Building height: maximum 35 feet.
- (b) Accessory building height: maximum 24 feet. Architectural appurtenances such as cupolas, finials and other ornaments shall not be included in building height calculations.
- (c) No more than 65% of any parcel shall be covered by any impervious surface.
- (d) Accessory buildings shall comply with the architectural standards and shall not be constructed before the principal structure is present.
- (e) All septic fields shall be located in rear or side yards.
- (f) On-site parking shall be as set forth in § 360-81.6C and included on the site plan.
- (g) Loading docks and doors larger than 100 square feet are permitted at the rear of the building and must be screened from view from any street. Such doors shall be included on the site plan submitted.
- (h) No outdoor storage of goods or materials, unless otherwise approved by the Plan Commission except for screened waste containers. Outdoor storage of waste containers must be screened. Merchandise may be displayed outdoors adjacent to a business during business hours.
- (i) Landscape plans for the Mixed Multifamily Subdistrict shall be subject to the following standards, unless otherwise approved by the Plan Commission on the conceptual landscape plan.
 - [1] Street and side yard plants may be planted anywhere within the yard area and per the following standards: street yard: horizontal mass or one small tree or two large shrubs per 30 feet of frontage; side yard: one small tree each side.
 - [2] Parking lot area landscaping shall be located within 15 feet of the periphery of the lot or within a planting island, spaced at a rate of one large tree per 10 parking spaces with a minimum of one tree per lot.
- (j) Density shall be six to 10 units per acre.
- (k) Signage in the Mixed Multifamily Subdistrict shall be limited to the following sign types:
 - [1] Street yard area: wall, hanging and only ground signs shall be allowed.
 - [2] Other yard areas: only wall signs shall be allowed~~signs in other yard areas are not permitted~~.
- (l) Developments shall incorporate the design standards identified in the Rome Town Center Design Plan.

(5) Architectural standards:

- (a) Exterior finish materials: Materials shall be constructed of durable, permanent architectural commercial quality materials. At least 25% of all elevations exposed to view shall incorporate one or more of the following materials into their design; rough wood or log siding, brick, stone, architectural block or textured concrete materials. Exposed plain-faced concrete block or plain-faced structural concrete panels are not permitted on any elevation. Roof materials shall be architectural asphalt/fiberglass shingles, artificial slate or colored standing-seam metal or other material as approved by the Plan Commission.
- (b) Building massing: Structures must avoid a monolithic, "big box," appearance. Roofs may be pitched or flat. If pitched, they shall be minimum 6/12 roof pitch and shall be gable end, hip, or gambrel type or a combination of these. Massing shall be further diminished by breaking up building sections with such elements as variable planes, projections, bays, dormers, setbacks, or changes in the roofline.
- (c) Building color: Colors shall be primarily (approximately 80%) earth-toned in appearance with accents (approximately 20%) of a contrasting color. Percentage shall include building wall and roof finish materials. Complementary colors, textures and materials are encouraged. No white, grey or primary colors shall be used as the overall color of the building. Building colors and accents shall be submitted as part of the site plan application.
- (d) Porches: Porches, if included, shall be incorporated into the entry area elevations of the building and any additional public entrances. Porches shall extend a minimum of 40% of the width of the front elevation and shall be a minimum of six feet in depth. Recessing an entry is permitted. Porch roofs may be pitched or flat. If pitched, porch roofs shall be pitched at a minimum four-inch rise for every 12 inches of run (4:12 slope) and shall be either shed-type or hip-type, with posts at regular intervals incorporated into each design. Finish materials shall correspond to the primary finish materials used and may be included in the minimum required percentages. Porches are intended to be open to allow for interaction with the street or public area. Screens and glazing are not permitted.
- (e) HVAC units and miscellaneous equipment: Rooftop and ground-mounted mechanical and electrical units and other miscellaneous equipment shall either be integrated into the design of the building and/or screened from view.
- (f) Projections and architectural details: All projections and details such as louvers, exposed flashing, flues, vents, gutters, downspouts, flower boxes and planters are to be recognized as architectural features and shall be treated to match the color of the adjacent surface or a complementary color used elsewhere on the building and shall be noted on the site plan.

§ 360-81.5. Mixed Commercial/Light Industrial Subdistrict.

- A. General characteristics. Development sites in the Mixed Commercial/Light Industrial Subdistrict shall have the following general characteristics:
 - (1) Accommodates businesses that create minimal off-site impacts and are compatible with nearby residential and retail areas.

(2) Requires less aesthetic architectural requirements than the Commercial "A" Subdistrict. Architectural detail is primarily required only on street front.

(3) Outdoor storage is restricted.

(4) Requires landscaping on street frontage and restricts signage use.

(5) Requires buffering/screening from adjacent subdistricts and properties.

(6) Allows for retailing with attached warehousing/industrial component.

B. Principal uses for the Mixed Commercial/Light Industrial Subdistrict. The following table lists all permitted and conditional uses allowed in the Mixed Commercial/Light Industrial Subdistrict:

Use	Permitted	Conditional
Building construction and supply contractors	x	
Business, professional or public services	x	
Call centers	x	
General merchandise stores	x	
Greenhouses and nurseries	x	
Pet supplies retail	x	
Wholesale product sales with retail operations	x	
ATV/UTV and snowmobile sales and service		x
Automotive sales/service/repair shops (not including storage of junk or wrecked vehicles, unlicensed automobiles or parts)		x
Building materials and product sales		x
Car wash		x
Civic uses		x
Experimental, testing, and research laboratories not involving keeping of animals or use of animal products or any significant degree of danger or undesirable operational characteristics		x
Food processing/distribution of food products		x
General warehousing, not to include open storage		x
Home improvement products and services		x
Light industrial distribution		x
Lumber yards (no processing, retail only)		x

Use	Permitted	Conditional
Manufacturing assembly, fabrication and processing plants of a limited scope and not involving any substantial degree of heavy trucking or other operational characteristics which would adversely affect surrounding uses or be incompatible with the surrounding environmental character.		x
Marine sales and service		x
Printing and publishing houses and related activities		x
Product manufacturing and sales		x
Public utility offices and installations		x
Toolmaking, cabinetry and repair shops		x
Wholesale trade		x
Woodworking production and sales		x
Other uses deemed substantially the same as those listed herein		x

C. Dimensional, area, and other requirements:

(1) Lot requirements:

- (a) Frontage: minimum 70 feet.
- (b) Area: minimum 10,000 square feet.
- (c) Depth/width: maximum 4:1.

(2) Roadway setback:

- (a) Internal Town Center road (whichever is greater):
 - [1] From center of roadway: minimum 43 feet.
 - [2] From lot line (no sidewalk): minimum 10 feet.
 - [3] From building edge of sidewalk: minimum five feet.

(b) Other Town road (whichever is greater):

- [1] From center of roadway: minimum 63 feet.
- [2] From lot line: minimum 30 feet.

(3) Building setback (from the furthest building projection):

- (a) Side: minimum 10 feet.
- (b) Rear: minimum 10 feet.
- (c) Between buildings: minimum 20 feet.

(4) Other requirements:

- (a) Building height: maximum 35 feet.
- (b) Accessory building height: maximum 24 feet. Architectural appurtenances such as cupolas, finials and other ornaments shall not be included in building height calculations.
- (c) No more than 65% of any parcel shall be covered by any impervious surface.
- (d) Accessory buildings shall comply with the architectural standards and shall not be constructed before the principal structure is present.
- (e) All septic fields shall be located in rear or side yards.
- (f) On-site parking shall be as set forth in § 360-81.6C and included on the site plan.
- (g) Loading docks and doors larger than 100 square feet are permitted at the rear of the building and must be screened from view from any street. Such doors shall be included on the site plan submitted.
- (h) No outdoor storage of goods or materials, unless otherwise approved by the Plan Commission. Outdoor storage of waste containers must be screened. Merchandise may be displayed outdoors adjacent to a business during business hours. Outdoor storage of finished manufactured goods for the purpose of sales or promotional display may be permitted and the owner's plan for such storage shall be submitted during the site plan review process. Goods cannot be stored permanently outdoors; the stored goods must be rotated at least quarterly.
- (i) Landscape plans for the Mixed Commercial/Light Industrial Subdistrict shall be per the following standards unless otherwise approved by the Plan Commission on the conceptual landscape plan.
 - [1] Street and side yard plants may be planted anywhere within the yard area and per the following standards: street yard: one large or small tree or two large shrubs per 10 feet of frontage; side yard: one small tree each side or two large shrubs each side.
 - [2] Parking lot area landscaping shall be located within 15 feet of the periphery of the lot or within a planting island, spaced at a rate of one large tree per 10 parking spaces with a minimum of one tree per lot.
- (j) Signage in the Mixed Commercial/Light Industrial Subdistrict shall be limited to the following sign types:
 - [1] Front Street yard area: wall, hanging and ground signs shall be allowed.
 - [2] Other yard areas: only wall signs are permittedshall be allowed.

(k) Developments shall incorporate the design standards identified in the Rome Town Center Design Plan.

(5) Architectural standards:

- (a) Exterior finish materials: Materials shall be constructed of durable, permanent architectural commercial quality materials. At least 50% of the street front elevations shall incorporate one or more of the following materials into their design: rough wood or log siding, brick, stone, architectural block or textured concrete materials. Exposed plain-faced concrete block or plain-faced structural concrete panels are not permitted on the front elevation. Roof materials shall be architectural asphalt/fiberglass shingles, artificial slate or colored standing-seam metal built-up asphalt, rubber membrane roofing or other material as approved by the Plan Commission.
- (b) Building massing: Primary roofs may be flat (minimum pitch of 2%) but pitched roofs are encouraged, breaking up building sections with such elements as variable planes, projections, bays, dormers, setbacks, or changes in the roofline.
- (c) Building elevations: All elevations shall be designed in a consistent and coherent manner.
- (d) Building color: Colors shall be earth-toned in appearance. Complementary colors, textures and materials are encouraged. No white, grey or primary colors shall be used as the overall color of the building. Building colors and accents shall be submitted as part of the site plan application.
- (e) Porches: Porches, if included, shall be incorporated into the entry area elevations of the building and any additional public entrances. Porches shall extend a minimum of 40% of the width of the front elevation and shall be a minimum of six feet in depth. Recessing an entry is permitted. Porch roofs may be pitched or flat. If pitched, porch roofs shall be pitched at a minimum four-inch rise for every 12 inches of run (4:12 slope) and shall be either shed-type or hip-type, with posts at regular intervals incorporated into each design. Finish materials shall correspond to the primary finish materials used and may be included in the minimum required percentages. Porches are intended to be open to allow for interaction with the street or public area. Screens and glazing are not permitted.
- (f) HVAC units and miscellaneous equipment: Rooftop and ground-mounted mechanical and electrical units and other miscellaneous equipment shall either be integrated into the design of the building and/or screened from view.
- (g) Projections and architectural details: All projections and details such as louvers, exposed flashing flues, vents, gutters, downspouts, flower boxes and planters are to be recognized as architectural features and shall be treated to match the color of the adjacent surface or a complementary color used elsewhere on the building and shall be noted on the site plan.

§ 360-81.6. General requirements for all Rome Town Center Subdistricts.

A. Landscaping.

(1) Generally. Landscape standards should provide for an installation which incorporates

regionally native plants and trees which complement an overall common, public landscape design and is consistent with the guidelines in the Rome Town Center Design Plan.

- (2) **Buffering.** Landscape buffering between subdistricts shall be in a manner which creates a visual screen between subdistricts, where determined necessary, while preserving a woodland character and overall common public landscape design for Rome Town Center as a whole. Buffering shall have the following standards:
 - (a) Allowing limited visibility opening of 15 feet.
 - (b) Where required, buffers shall be continuous, with complementary small trees or large shrubs. Buffers may also be accomplished with fencing, plants, or a combination of these, where small trees or large shrubs are not already present, if permitted by the Plan Commission.
 - (c) Where a buffer is required between subdistricts, a buffer shall be a minimum of 10 feet wide per lot.
 - (d) Where trees are used for buffering, trees must be a minimum of four feet tall at the time of planting. Buffer trees species shall be of native species.
- (3) **Screening.** Screening of mechanical equipment, trash dumpsters, loading areas, or outside storage areas shall be accomplished in a manner which visually screens them from public streets and surrounding developed properties. Screening shall have the following standards:
 - (a) The height of a screen shall equal or exceed the height of the item to be screened, to a maximum height of 10 feet.
 - (b) Screening may be accomplished with fencing, berthing, plants or a combination of these. Screening shall be continuous, with the planting of buffer trees and with complementary small trees or large shrubs, if needed.
 - (c) Where fencing is used for screening, fencing must include wood, simulated wood or masonry walls. Steel or wrought iron may also be used in fencing but may not make up over 50% of the material used. Chain-link type fencing may only be used if privacy slats are included.
- (4) **Location and design.** Areas of landscaping shall be located to provide resource protection, transitions between adjacent sites, and a visual transition between public streets or parking lots and buildings.
 - (a) All unimproved areas of every developed lot in the Rome Town Center shall be maintained. Any unimproved area disturbed by construction shall be fine graded to provide adequate drainage, covered with four inches of nutrient-rich, friable, humus-like topsoil and seeded or sodded to be maintained as a lawn.
- (5) **Installation.** Unless otherwise referenced in a developer's agreement, all landscaping shall be completed within 90 calendar days of issuance of a certificate of occupancy or similar document allowing occupation and use of the property. If occupancy occurs after

October 15 of any given year, the developer of the site may complete the landscaping within 90 calendar days of April 1 of the following year, provided best management practices are utilized and maintained to control soil erosion until the ground cover (lawn) becomes established.

(6) **Maintenance.** All lawns, trees, shrubs and other ground cover shall be kept in good appearance at all times. If grass is not cut, or trees or shrubs not properly pruned and maintained, the Town may serve notice of violation. Prosecution and remediation of violations shall be as provided in § 360-81.8.

B. Outdoor lighting.

(1) **Illumination.** All outdoor lighting shall be provided by cut-off type fixtures which shall keep off-site overspill and night sky illumination to a minimum. Maximum illumination, as measured horizontally at the lot line at chest height shall not exceed 1.0 footcandle.

(2) **Location.** Lighting fixture location shall emphasize intersections and pedestrian access routes while providing uniform illumination of pedestrian access routes. The scale of fixtures shall be lowered in pedestrian and biking areas to emphasize sidewalk-type surfaces. Outdoor lighting shall be mounted and located so as to be consistent with illumination requirements of this subsection.

(3) **Design.** All lighting designs shall be reviewed and approved by the Plan Commission to ensure consistency with illumination and location standards of this subsection, and the guidelines in the Rome Town Center Design Plan.

C. Parking.

(1) **Parking location.** All parking, including employee and visitor parking, shall be provided on-site as set forth in the following schedule, unless otherwise approved by the Plan Commission:

Use	Minimum Parking Requirements
Motels, hotels, or resorts	One space for each guest room, plus one space for each three employees
Rooming and boarding houses, fraternity and sorority houses, dormitories, rectories	One space for each bed plus one for each employee
Retirement homes	One and one-half spaces per dwelling unit
Nursing homes	One space for each three beds plus one space for each three employees plus one space for each staff physician
Medical and dental clinics, day spas	One space for each 100 square feet of waiting room area

Use	Minimum Parking Requirements
Churches, theaters, auditoriums, community centers, vocational and night schools, and other public assembly	One space for each three seats
Restaurants, bars and similar places of entertainment	One space for every six seats
Manufacturing and processing plants (including meat and food processing), laboratories and warehouses	One space for each 500 square feet of primary floor area, plus one space for each two employees
Funeral homes	Twenty spaces for each viewing room
Bowling alleys	Five spaces for each alley
Lodges and clubs	One space for each five members
Automobile repair and service garages, car washes	One space for each regular employee plus one space for 250 square feet of floor area used for repair work/washing
Motor vehicle sales (new and used)	One space for each 500 square feet of outdoor display area on which motor vehicles are to be displayed (this requirement does not include service garages, see above)
Gasoline filling stations	Three spaces for each grease rack or similar facility plus one space for each attendant
Repair shops, retail and service stores	Two spaces for each 800 square feet of sales floor area
Golf courses	Two spaces per hole
Barber and beauty shops	Two spaces plus one-half space per chair
Offices and call centers	One space for each 300 square feet of primary floor area
Art gallery, museum and other civic uses	Two spaces for each 800 square feet of floor area
Bank/credit union	One space for each 300 square feet of floor area
Uses not listed	The provisions for a similar use shall apply
Combinations of any of the above uses	The sum of the number of stalls required for each individual use shall be provided

All on-site parking shall be located at least 10 feet from any parcel line, unless otherwise approved by the Plan Commission. Required off-street parking shall be on the same lot as the use it serves or on a lot located not more than 100 feet distant.

- (2) Parking space access and design. Each parking space shall be not less than nine feet wide and 20 feet in length, exclusive of the space required for driveways. Adequate access to a public street shall be provided for each parking space.
- (3) Parking surface. All parking areas and driveways shall be hard-surface paved, dust free, and properly marked. When curbs are desired, they shall be concrete.
- D. General property maintenance. All real property within the boundaries of the RTC District, whether occupied or unoccupied, and any buildings or other improvements placed thereon, shall at all times be maintained in such a manner as to prevent becoming unsightly by reason of accumulation of rubbish, or debris thereon, or unsightly condition of the improvements thereon. No building or improvement in the District shall be permitted by its owner to fall into disrepair, and such building and improvements shall at all times be kept in good condition and repair and adequately painted or otherwise finished. If, in the opinion of the Town, proper maintenance is not being undertaken, the Town may serve notice of violation. Prosecution and remediation of violations shall be as provided in § 360-81.8.
- E. Signage. Unless otherwise provided for in a subdistrict, general signage restrictions shall be as set forth in § 360-126B.

§ 360-81.7. Project review and approval.

The following describes the application and review process for development projects in the RTC:

- A. Pre-application conference. The pre-application conference is designed to allow an applicant to present a concept plan to the Town Zoning Administrator for a discussion of suggestions and concerns. Applicants are required to have a pre-application conference prior to submission of an offer to purchase.
- B. Application. Following the acceptance of an offer to purchase and development agreement, a developer shall submit to the Zoning Administrator eight copies of a completed site plan and plan of operation along with the application fee. A complete application shall be comprised of all the following for proper review:
 - (1) General information. The name and address of the owner or developer, the North point, date and scale of drawing, at a scale not less than one inch for each 100 feet.
 - (2) Intended use of the property, which shall be consistent with the principal use section in the applicable subdistrict.
 - (3) All property boundaries with dimensions.
 - (4) All setbacks.
 - (5) Locations of any existing buildings, proposed buildings, or additions.

- (6) Samples of proposed exterior finish colors.
- (7) Depiction/description of compliance with all requirements set forth in the design and architectural standards in this article and the Rome Town Center Design Plan.
- (8) Proposed floor elevation in relation to existing grade and street grade.
- (9) Location and names of center line of adjoining streets, proposed driveways, and parking.
- (10) Existing and proposed contours/grading.
- (11) Locations and descriptions of easements.
- (12) Utility plans: size and location of sewer and water main connection from curb to building. Show proposed metering points and arrangement.
- (13) Locations and type of proposed lighting (lighting plan with lighting specifications).
- (14) Design of ingress and egress.
- (15) Locations and type of proposed signs and/or existing signs.
- (16) Locations and type of refuse enclosure.
- (17) Completion of drainage plan specification form.
- (18) Drainage plan with drainage calculations (including total impervious area) as required by this article and county requirements.
- (19) NR 216 post-construction stormwater management plans (SWMP).
- (20) Best management practices, structures and areas with elevations and slope ratios.
- (21) High water line elevation of any adjoining stream or lake; floodways/floodplains and water elements.
- (22) A conceptual landscape plan, which includes the anticipated location/use of the following: landscaping and fencing, yards and setback area, use of landscaping and/or wall or fencing for screening purposes, and use of and/or removal of existing trees.
- (23) Any other plans and information deemed necessary by the Zoning Administrator or the Plan Commission to ensure that the requirements of this chapter are or will be fulfilled. This may include executing a contract by which the developer agrees to reimburse the Town for its reasonable costs incurred in considering Subsection B(8), (10), (12), (14), and (18) through (21) herein, together with any other issues identified by the Plan Commission or Town Board for compliance with federal, state and local regulations.

C. Review process.

- (1) Review and recommendation by Plan Commission. Within 40 days after submission of a completed application, the Plan Commission shall meet to review the application and make a recommendation to the Town Board. The applicant or developer must be

available to present and explain how the project meets the conditions set forth in this article and the Rome Town Center Design Plan. The Plan Commission may recommend approval, approval with conditions, or denial of the project proposal. If the Plan Commission fails to make a recommendation on an application within 40 days after a complete application submittal, the application shall be forwarded to the Town Board without a recommendation.

- (a) At the time of recommendation of a site plan and plan of operation to the Town Board, the applicant shall, at the discretion of the Plan Commission, file a bond, certificate of deposit, irrevocable letter or credit or certified check with the Town Clerk/Treasurer in an amount equal to the estimated cost of the required improvements as determined by the Plan Commission. Such security shall be in a form deemed acceptable by the Town Attorney and shall guarantee that all required improvements will be completed according to Town specifications by the applicant or its contractors not later than 24 months from the date the building permit is issued.
- (2) Review and action by Town Board. Upon recommendation by the Plan Commission, or its failure to make a recommendation within 40 days, the Town Board will review the application and any recommendation received from the Plan Commission. The Town Board shall consider the application within 45 days of the Plan Commission's recommendation or the expiration of 40 days after submission of a completed application to the Plan Commission, if the Plan Commission fails to make a recommendation.

D. Amending a site plan. After the approval of a site plan and plan of operation pursuant to this section, a developer may apply for approval of an amendment to the site plan and plan of operation under the following process:

- (1) An application must be submitted including a statement of the proposed amendment(s) and a site plan depicting the proposed amendment(s), along with payment of an application fee.
- (2) The Plan Commission shall review an application for amending a site plan and solicit a recommendation from the Zoning Administrator. The Plan Commission may recommend approval, approval with conditions, or denial of the application.
- (3) Upon recommendation by the Plan Commission, the Town Board will review the application and any recommendation received from the Plan Commission. The Town Board is vested with the final authority to approve amendments to a site plan and plan of operation.

E. Final landscape plan. A final landscape plan shall be submitted after substantial completion of the building to the Zoning Administrator for review and consideration by the Town Board. The final landscape plan shall meet the requirements set forth in this article.

§ 360-81.8. Violations.

The Town Zoning Administrator shall receive and investigate any suspected violations for

properties located in the RTC District.

- A. Upon report of a suspected violation, the Zoning Administrator shall conduct a site visit for the purpose of determining whether a violation has, in fact, occurred. If a violation exists, the Zoning Administrator shall meet in person with the property owner to discuss the violation and establish a timetable for remedying it. The initial discussion with the owner shall be followed by a letter from the Zoning Administrator confirming the discussion, the nature of the violation and a timetable to remedy.
- B. If the problem is substantially resolved within the timetable established, the Zoning Administrator shall contact the owner regarding any remaining issues that need to be addressed in order to bring the property into total compliance. That contact shall be followed up with a confirmation letter.
- C. If a problem has not been substantially resolved within the established timetable, the Zoning Administrator shall refer the matter to the Town Attorney for review and recommendation. The referral shall include an identification of the violation(s) of this article, the developer's agreement, or other agreements, as well as any nuisance issues to be addressed. Prosecution and remediation of violations shall be as provided in § 360-30.