



222 Lewis Street  
River Falls, WI 54022

(715) 425-0900  
FAX (715) 425-0915

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**AGENDA  
PLAN COMMISSION  
May 3, 2016 at 6:30 p.m  
City Council Chambers  
222 Lewis Street River Falls, WI 54022**

**CALL TO ORDER/ROLL CALL**

**APPROVAL OF AGENDA/MINUTES**

**NOTE:** Minutes of April 5, 2016

**PUBLIC COMMENTS – Non-Agenda Related Topics**

**PUBLIC MEETINGS**

1. Rezoning of Property 511-599 Cemetery Road
2. Ordinance Amending Wellhead Protection Regulation

**UPDATE AND INFORMATION**

3. Storm Water Presentation

**ADJOURNMENT**

*Council members may be in attendance for informational purposes only.  
No official Council action will be taken.*

Post: River Falls Journal, April 28, 2016  
Post: City Hall Bulletin Boards April 28, 2016



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**MINUTES  
PLAN COMMISSION  
April 5, 2016 at 6:30 p.m  
City Council Chambers  
222 Lewis Street River Falls, WI 54022**

**CALL TO ORDER/ROLL CALL** – meeting convened at 6:30 p.m.

**Members present:** Mayor Dan Toland, Andrew Brown, Lisa Moody, Scott Morrisette, Aleka Powell, Susan Reese, Todd Schultz, Mary Van Galen and Reid Wronski.

**Absent Excused:** None

**Staff present:** Tony Steiner, City Planner; Amy Peterson, Assistant Community Development Director and Jason Blatz, GIS/Planning Intern.

**Others Present:** Tim Lundgren (Eagle Storage):

**APPROVAL OF AGENDA/MINUTES**

The minutes of the previous regular Plan Commission Meeting were approved at the March 15, 2016 Workshop.

**PUBLIC COMMENTS – None**

**CURRENT PLANNING PROJECTS**

Stone Brook Townhome Community PUD- - Minor Amendment

Staff reviewed the memo sent to the Plan Commission on this request. In the fall of 2005 the City approved a Specific Implementation Plan for Stone Brook Townhome Community. Subsequently in 2007 the PUD was amended to reduce the number of overall units. Recently Eagle Storage purchased the last lot in the PUD, Lot 27 and has requested a minor change to the approved Specific Implementation Plan (SIP). Currently lot 27 of Stone Brook Townhome Community 1<sup>st</sup> Addition has a plat of condominium for the future development of 8 side by side units. The PUD as originally approved had 10 side by side units. This configuration was subsequently amended to 8 side by side units in 2007. Due to market preferences the developer has determined that two 4 plex's would be more marketable.

This is not the first minor change to a PUD that was approved after the economic downturn. The City has approved a number of minor alterations to aid in development of previously approved PUDs. It was noted that there are no changes to the roadway and the number of units will remain the same. There may need to be abandonment of sewer and water laterals due to a different configuration of the units and this will need to be coordinated with the Municipal Utility.

The Developer has reviewed the plans with the Stone Brook Town Home Community Home Owners' Association and has received no objections to the proposed change. The Plan Commission reviewed the request and found that the change did not constitute a substantial alteration of the general development plan.

**MSC Morrissette/Schultz** to approve the Resolution "Regarding Amendment to the Specific Implementation Plan for Stone Brook Townhome Community Planned Unit Development": **Unanimous.**

#### **UPDATE AND INFORMATION**

Annexation Primer: staff briefly reviewed a background memo sent to members on the annexation process. Staff is preparing a presentation on annexation for the Plan commission at the May 3<sup>rd</sup> meeting.

Community Development Monthly Status Report and Building Activity Dashboard: Staff reviewed the data and noted that in the future we will be using the Monthly Report format the Community Development Department uses for its report to council.

#### **ADJOURNMENT**

**MSC Moody/Van Galen** to adjourn/ 7:00 pm. Unanimous.

Respectfully submitted:

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Tony Steiner, City Planner



PLANNING DEPARTMENT

222 Lewis Street  
River Falls, WI 54022

(715) 425-0900  
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**PLAN COMMISSION**

**May 3, 2016**

**STAFF REPORT**

- FILE:** Rezoning of Property/Amendment to the Official Zoning Map and Comprehensive Plan Land Use Map (Cemetery Road)
- REQUEST:** Public Meeting to recommend action on amendments to the Official Zoning Map and the Comprehensive Plan Land Use Map.
- LOCATION:** Approximately 3.895 acres located at 551-599 Cemetery Road.
- LEGAL:** See attached Resolution
- APPLICANT/AGENT:** The River Church/ Mark Miraldi
- OWNER:** The River Church
- PURPOSE:** A public meeting to take comment and make a recommendation to the City Council on amending the Official Zoning Map. The request is to rezone approximately 3.895 acres from P (Park) to R2- (Multiple-Family-Medium Density and amend the Comprehensive Plan Land Use Map to reflect Medium density residential at 551-599 Cemetery Road.

**BACKGROUND:**

On March 13, 2016, the City of River Falls received a petition for amendment to the Zoning Map from The River Church. The request is to rezone approximately 3.895 acres at 551-599 Cemetery Road from P (Park) to R-2 (Multiple-Family Medium Density), all of which is located at 551-599 Cemetery Road.

**SURROUNDING LAND USE AND ZONING:**

- North of the property are single family homes which are zoned R-1 (Single Family).
- East of the property is an apartment building which is zoned R-2 (Multiple Family –Medium Density).
- South of the property are single family homes which are zoned R-1 (Single Family).
- West of the property is vacant land owned by St. Bridget’s Church which is zoned P (Park)

## **ANALYSIS:**

The City has received a request to rezone property from the River Church. The River Church purchased the property from St. Bridget's Catholic Church for the purpose of building their Church on the site at a future date. The River Church was aware at the time they acquired the property that a rezoning and special use permit would be necessary in order to proceed with their plans. The current zoning for the property is P (Park). This zone allows cemeteries which was the original intended use of the property by St. Bridget's. St. Bridget's also owns land to the west of the rezoning site and is planned for future expansion of the existing cemetery.

The future land use plan for the area to the east and adjacent to the rezoning site is currently shown as low density residential and is also zoned (R2) Medium Density Residential. Currently there is an apartment house adjacent to the east property line, vacant land being marketed for residential development at the northeast corner of 6th Street and Cemetery Road and the Wildcat Center which was also developed under (R2).

A church is allowed by special use permit in the (R2) district. A successful rezoning of the property to (R2) Medium Density Multi-Family would allow the River Church to proceed with a special use permit request at a later date. Cemetery Road is a minor arterial Street. The development pattern is not suitable for commercial or industrial uses as indicated by the Future Land Use Plan. Institutional development has taken place along Cemetery Road over the years (River Falls Area High School, the Wildcat Center, UWRF Farm, and St. Bridget's Cemetery). The vacant lot at the southeast corner of 6th Street and Cemetery Road was created with the intention of being held for future development of a YMCA which never happened. A church is an institutional building that fits in with the existing development pattern.

If the River Church decides at a future date not to build on this site the (R2) zoning provides flexibility for alternate development scenarios. It could be used for multi-family housing which is a transitional use to the existing single family development to the north and apartments already developed to the east. The site also perpendicular to South Ridge Road and ingress and egress for future use as a church or multi-family housing development would be in alignment with this street, greatly reducing potential turning movements with South Ridge Road and oncoming traffic on Cemetery Road.

A rezoning petition was circulated to residents within 300 feet of the proposed rezoning and returned to the City. A notice of this meeting was mailed out to property owners within 300 feet. Interested parties will be given an opportunity to speak.

## **NEIGHBORHOOD/PUBLIC COMMENTS:**

Notification letters were sent on April 19, 2016. As of the date of this memo, one local citizen called staff voicing concern that if plans change and the church is not built on the property, then another R2 use will not be required to go through the rezoning process.

## **FINDINGS OF FACT AND CONCLUSIONS OF LAW:**

### Findings of Fact:

1. The City of River Falls has received a verified petition for amendment to the zoning map.
2. The proposed rezoning district is found adjacent to and elsewhere along Cemetery Road and the proposed use is consistent with the development pattern along Cemetery Road.

3. The Comprehensive Plan Land Use Map should be amended to reflect a land use of Medium Density Residential on the subject 3.895 acres, which will correspond to the proposed zoning of the site.

Conclusions of Law:

The actions being taken per this report are in accord with the requirements of the Municipal Code 17.104.050.

**STAFF RECOMMENDATION:**

Staff recommends approval of the ordinance to amend the Official Zoning Map and the Comprehensive Plan Land Use Map based upon the findings of fact and conclusion of law herein described in the staff report and that the attached resolution is forwarded to the City Council with a favorable recommendation.

**PLAN COMMISSION OPTIONS:**

1. Approve the proposed amendments to the Official Zoning Map and Comprehensive Plan Land Use Map as recommended by staff.
2. Approve the proposed amendments to the Official Zoning Map and Comprehensive Plan Land Use Map with changes per the direction of the Plan Commission.
3. Table the item to a later hearing date with just cause.
4. Deny the application.

**FISCAL IMPACT:**

None

**EXHIBITS:**

1. Resolution
2. Location Map
3. Zoning Map
4. Land Use Map
5. Draft Ordinance

**PLAN COMMISSION RESOLUTION  
REGARDING REZONING AND  
COMPREHENSIVE LAND USE MAP  
FOR PROPERTY OWNED BY  
THE RIVER CHURCH  
551-599 CEMETERY ROAD**

**WHEREAS**, the River Church has acquired land to build their church at 551-599 Cemetery Road; and

**WHEREAS**, The River Church has requested their property be rezoned to (R2) Medium Density Multi-Family; and

**WHEREAS**, (R2) Medium Density Multi-Family zoning will allow the Church to apply for a Special Use Permit to build a church; and

**WHEREAS**, the Plan Commission reviewed their request to rezone at a public meeting held on May 3, 2016; and

**WHEREAS**, the Plan Commission found the request to be reasonable; and

**WHEREAS**, the Plan Commission also determined that the rezoning will require an amendment to the City Comprehensive Land Use Plan.

**NOW, THEREFORE, BE IT RESOLVED**, that the Plan Commission forwards the request to rezone to the City Council with a favorable recommendation to rezone the River Church property to (R-2) Multi-Family and to amend the Comprehensive Land Use Map for this property to Medium Density Residential.

**BE IT FURTHER RESOLVED** that the property to be rezoned and the land use plan amended to be amended is for the following described parcel:

CERTIFIED SURVEY MAP LOCATED IN THESE 1/4 OF THE MONUMENTED NE 1/4 OF SECTION 12. T27N, R19W, CITY OF RIVER FALLS, PIERCE COUNTY, WISCONSIN, BEING PART OF OUTLOT 241 OF THE /AMENDED ASSESSOR'S PLAT FOR THE CITY OF RIVER FALLS AND IS DESCRIBED AS FOLLOWS: BEGINNING AT THE E 1/4 CORNER OF SAID SECTION 12; THENCE N 88°30'53" W (BEARINGS REFERENCED TO THE EAST LINE OF SAID MONUMENTED NE 1/4, ASSUMED TO BEAR N 01°59'31" E) 530.50' ALONG THE SOUTH LINE OF SAID MONUMENTED NE 1/4; THENCE N 01°38'52" E 319.81' TO THE SOUTH LINE OF THE PLAT OF COLLEGE VIEW FOURTH ADDITION; THENCE S 88°23' 16" E 532.41' ALONG SAID SOUTH LINE OF THE PLAT OF COLLEGE VIEW FOURTH ADDITION; THENCE S 0°59'31" W 318.64' ALONG SAID EAST LINE OF THE MONUMENTED NE 1/4 OF SECTION 12 TO THE POINT OF BEGINNING. THIS PARCEL CONTAINS 3.895 ACRES, MORE OR LESS, BEING 169,651 SQUARE FEET, MORE OR LESS. SUBJECT TO ALL EASEMENTS, RESTRICTIONS, AND COVENANTS.

Dated this 3<sup>rd</sup> day of May, 2016

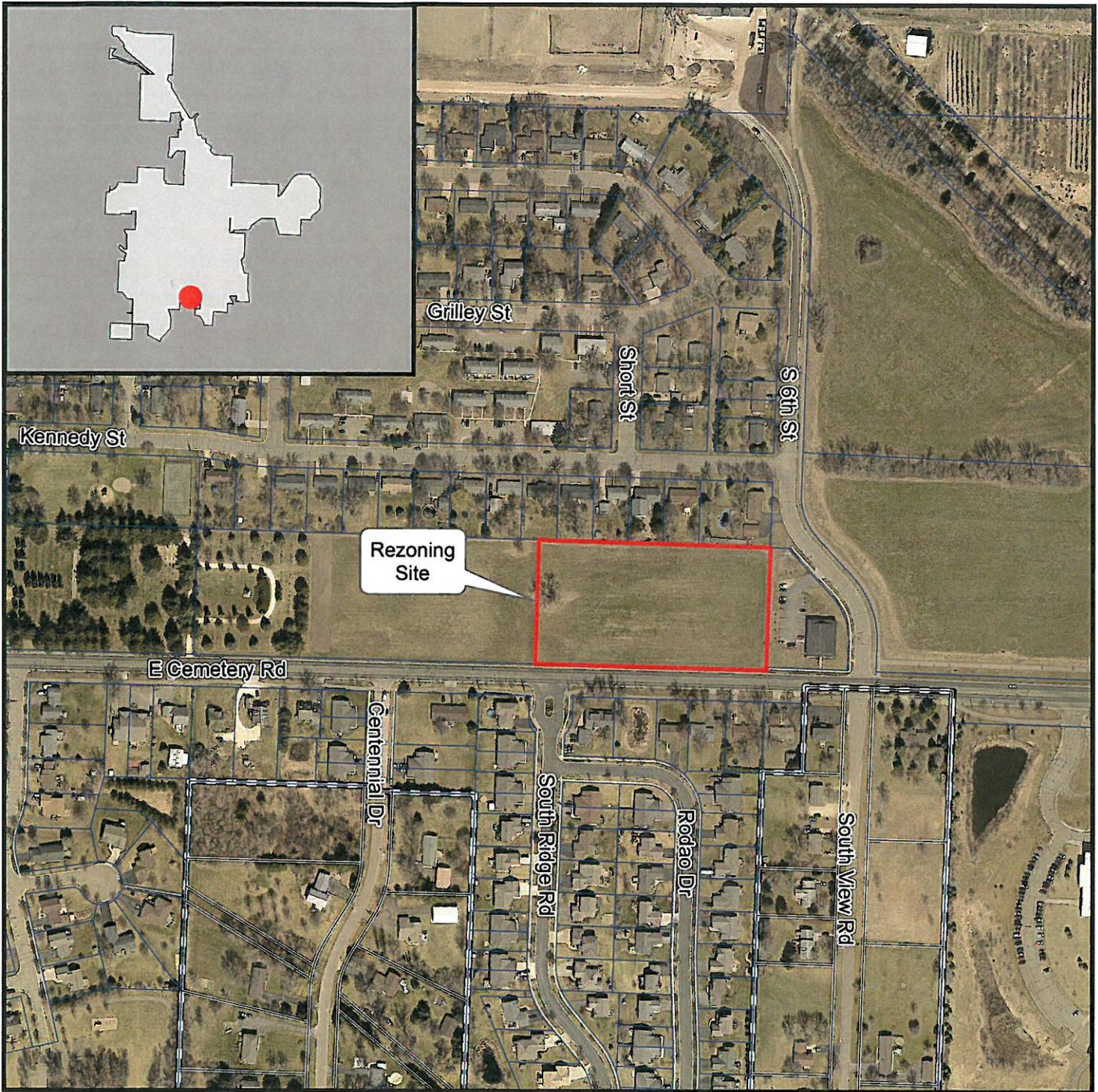
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Dan Toland, Mayor

ATTEST:

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Lu Ann Hecht, City Clerk



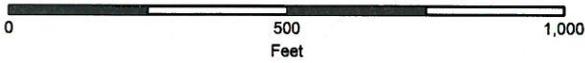
**Legend**

-  Township Boundary
-  Extraterritorial Zone
-  Subdivision Boundary
-  City Limits
-  Rezoning Site
-  City Parcels

**Location**  
**551-599 Cemetery Road**



  
 Date  
 4/19/2016

  
 0                      500                      1,000  
 Feet  
**1:4,000**





ORDINANCE NO. 2016-\_\_\_\_\_

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP AND  
COMPREHENSIVE PLAN FUTURE LAND USE MAP  
OF THE CITY OF RIVER FALLS  
(The River Church)

THE COMMON COUNCIL OF THE CITY OF RIVER FALLS HEREBY  
ORDAINS AS FOLLOWS:

**Section 1.** The Official Zoning Map of the City of River Falls is hereby amended by changing the zoning designation of P (Park) to R-2 (Multiple-Family- Medium Density) for the following described parcel:

CERTIFIED SURVEY MAP LOCATED IN THESE 1/4 OF THE MONUMENTED NE 1/4 OF SECTION 12. T27N, R19W, CITY OF RIVER FALLS, PIERCE COUNTY, WISCONSIN, BEING PART OF OUTLOT 241 OF THE /AMENDED ASSESSOR'S PLAT FOR THE CITY OF RIVER FALLS AND IS DESCRIBED AS FOLLOWS: BEGINNING AT THE E 1/4 CORNER OF SAID SECTION 12; THENCE N 88°30'53" W (BEARINGS REFERENCED TO THE EAST LINE OF SAID MONUMENTED NE 1/4, ASSUMED TO BEAR N 01°59'31" E) 530.50' ALONG THE SOUTH LINE OF SAID MONUMENTED NE 1/4; THENCE N 01°38'52" E 319.81' TO THE SOUTH LINE OF THE PLAT OF COLLEGE VIEW FOURTH ADDITION; THENCE S 88°23' 16" E 532.41' ALONG SAID SOUTH LINE OF THE PLAT OF COLLEGE VIEW FOURTH ADDITION; THENCE S 0° 59' 31" W 318.64' ALONG SAID EAST LINE OF THE MONUMENTED NE 1/4 OF SECTION 12 TO THE POINT OF BEGINNING. THIS PARCEL CONTAINS 3.895 ACRES, MORE OR LESS, BEING 169,651 SQUARE FEET, MORE OR LESS. SUBJECT TO ALL EASEMENTS, RESTRICTIONS, AND COVENANTS.

**Section 2.** The areas to be rezoned as described in Sections 1 shall also be amended to Medium Density on the Comprehensive Plan Future Land Use Map:

**Section 3.** The City shall authorize and cause to be made any necessary changes to the Official Zoning Map and Comprehensive Plan Future Land Use Map and shall file the amendments in accordance with the provisions of the Wisconsin Statutes and Chapter 17.12.020 of the Municipal Code of River Falls.

This ordinance shall take effect the day after passage and publication as provided by law.

FOR THE CITY OF RIVER FALLS

\_\_\_\_\_  
Dan Toland, Mayor

ATTEST:

\_\_\_\_\_  
Lu Anne Hecht, City Clerk

Adopted:  
Published:



**COMMUNITY DEVELOPMENT DEPARTMENT**  
**MEMORANDUM**

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**TO:** Mayor Toland and Plan Commission Members

**FROM:** Tony Steiner, City Planner *LAS*

**DATE:** May 3, 2016

**RE:** Wellhead Protection Ordinance

At Tuesday night's meeting Ray French, Management Analyst will present this issue at a public meeting for your formal recommendation to Council. Attached is a memo and resolution for your background.



## MEMORANDUM

**TO:** Mayor Toland and Plan Commission

**FROM:** Raymond French, Management Analyst

**DATE:** May 3, 2016

**TITLE:** Ordinance Amending Wellhead Protection Regulation

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### RECOMMENDED ACTION

Approve the Ordinance to Create Chapter 17.70 Relating to Wellhead Protection and to forward that recommendation to the Common Council.

### BACKGROUND

The 2015 Sanitary Survey Report of River Falls Waterworks completed by the Wisconsin Department of Natural Resources (DNR) identified deficiencies in the City's wellhead protection plan and ordinance. Namely, the wellhead protection plan on file with the DNR did not include Municipal Well No. 6 (MW6), which was also not incorporated into the City's Wellhead Protection ordinance contained in [Chapter 8.44](#). The updated Wellhead Protection Plan that includes MW6 has since been provided to the DNR.

The next major step is an update of the City's Wellhead Protection Ordinance. It was first adopted by Ordinance 2001-21 on October 9, 2001. This ordinance adopted separation distances for certain land uses around Municipal Well Nos. 2 – 5 and established permitted uses within the overall district. It was largely based on DNR sample ordinances and administrative code enacted at the time.

The existing ordinance was put to the test in the mid-2000s, specifically with regard to the location of gas stations near the Municipal Wells and the location of stormwater ponds. Opportunities for improvement were noted for how the districts are presented on a published map and how the separation distances worked with the recharge areas identified through the wellhead protection plan. This led to discussion in 2007 on updating the ordinance to create permitted use zones and move the regulations to the zoning code.

Since that discussion, the DNR has advised that the ordinance and map need to be updated to conform to current administrative code and show the area around Municipal Well No. 6. The attached draft ordinance accomplished these goals.

## **DISCUSSION**

Attached is a draft ordinance amendment that builds on the discussions and amendments drafted in 2007. There are three primary changes to the ordinance:

### *Creates Groundwater Protection Overlay District*

This ordinance change is built on moving the wellhead protection plan from Title 8 regarding Health and Safety to the Title 17 Zoning Code. Instead of general protection areas, the Wellhead Protection Zones will be shown as an overlay district on the City's Official Zoning Map, similar to the Downtown Overlay District. The draft Zoning Map is also attached for your reference.

Additionally, this ordinance creates three zones within the overlay district around each Municipal Well that establish the permitted uses. They are:

- Zone A – 400 ft radius
- Zone B – 600 ft radius
- Zone C – 1200 ft + any remaining 5 year time-of-travel to the well beyond the boundary

These zones are aligned with the separation distances noted later in the ordinance.

### *Requests for Exemptions and Waivers*

One of the issues previously discussed was the process for reviewing requests for exemptions (or variances) from the wellhead protection ordinance. To clarify the approval process, the required environmental assessment reports will be sent to the Utilities Director for review and recommendation of the Utility Advisory Board (then Utilities Commission) and Plan Commission, subject to a final decision by the Common Council.

### *Miscellaneous Updates*

All other updates to the wellhead protection ordinance are minor changes that reflect updates to the Administrative Code since 2001 or were discussed as potential updates in 2007.

## **CONCLUSION**

The 2015 Sanitary Survey Report of River Falls Waterworks requires an update to the wellhead protection ordinance to include the protection area for MW6 on the official map.

The attached draft ordinance establishes Chapter 17.70 – Groundwater Protection Overlay District from the existing Wellhead Protection ordinance in Chapter 8.44. It reflects the changes discussed by staff in 2007, recent revisions to the Administrative Code, and the intent to establish an overlay district to be shown on the Official Zoning Map.

The Utility Advisory Board reviewed and approved this ordinance at its April 18, 2016 meeting and forwarded the recommendation to the Plan Commission. Staff recommends the Plan Commission approve the Ordinance to Create Chapter 17.70 Relating to Wellhead Protection and forward that recommendation to the City Council.



City of  
**RIVER FALLS**  
WISCONSIN

St Croix & Pierce County



Certified: \_\_\_\_\_  
City Clerk, Lu Ann Hecht

Date: \_\_\_\_\_

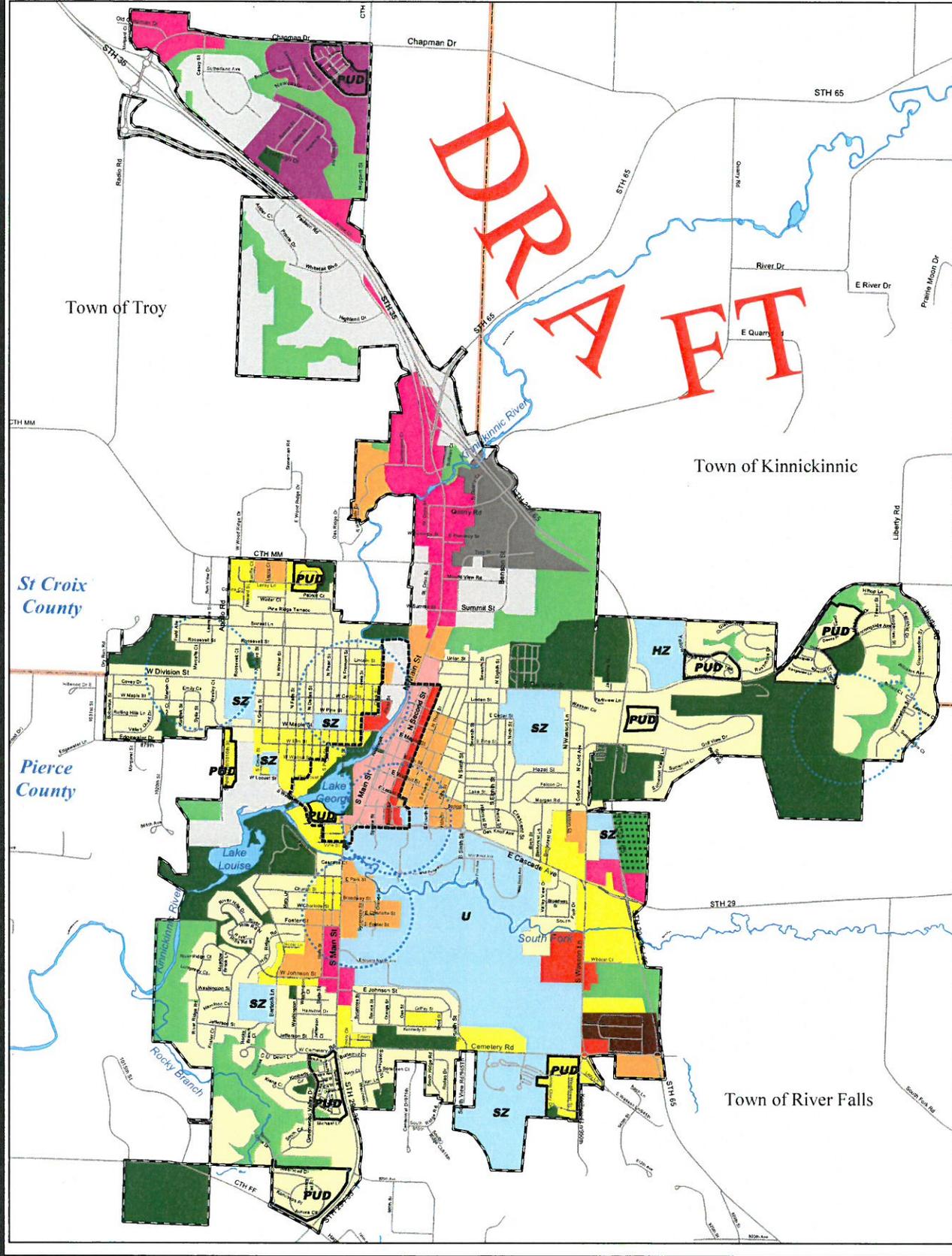
Draft XX, 2016 ORD 2016-XX

# CITY OF RIVER FALLS OFFICIAL ZONING MAP

R1 - Single Family Low Density	I1 - Industrial	PUD - Planned Unit Development
R2 - Multiple Family Medium Density	I2 - Heavy Industrial	Downtown Overlay District
R3 - Multiple Family High Density	A - Agriculture	Groundwater Protection Overlay District
MHP - Mobile Home Park	C - Conservancy	City Limits
TND - Traditional Neighborhood Development	P - Park	Township Boundaries
B1 - General Commercial	U - University	
B2 - Limited Commercial	HZ - Hospital Zone	
B3 - Highway Commercial	SZ - School Zone	

NOTES:

1. The Common Council may amend the Official Zoning Map. Any ordinances and/or resolutions reflecting revisions that are adopted after the most recent map date shown become a part of the Official Zoning Map.
2. The Official Zoning map is considered the official version when it has been certified as correct and contains the signature of the City Clerk. If the City Clerk's signature does not appear on this map, it is not an official version. The most recent official version of the Official Zoning Map is kept on file in the City of River Falls Community Development Division.
3. Any questions regarding specific zoning issues should be directed to the City of River Falls Community Development Division, 222 Lewis St., Suite 212, River Falls, WI 54022.





**PLAN COMMISSION RESOLUTION  
APPROVING AN ORDINANCE TO CREATE  
CHAPTER 17.70 RELATING  
TO WELLHEAD PROTECTION**

**WHEREAS**, the 2015 Sanitary Survey Report of the River Falls Waterworks completed by the Wisconsin Department of Natural Resources in the City's wellhead protection plan and ordinance requiring an update; and

**WHEREAS**, the Ordinance to Create Chapter 17.70 Relating to Wellhead Protection addresses these and other issues discovered since first adopted in 2001; and

**WHEREAS**, the Ordinance establishes a Groundwater Protection Overlay District in the Zoning Code, which requires an update to the City's Official Zoning Map; and

**WHEREAS**, the Utility Advisory Board approved the Ordinance at its meeting on April 18, 2016; and

**WHEREAS**, the Plan Commission found the Ordinance to be reasonable;

**NOW, THEREFORE, BE IT RESOLVED** that the Plan Commission approves the Ordinance to Create Chapter 17.70 Relating to Wellhead Protection and forwards that recommendation to the Common Council.

Dated this 3rd day of May, 2016.

\_\_\_\_\_  
Dan Toland, Mayor

ATTEST:

\_\_\_\_\_  
Lu Ann Hecht, City Clerk



ORDINANCE NO. 2016-XX

AN ORDINANCE TO CREATE CHAPTER 17.70  
RELATING TO WELLHEAD PROTECTION

THE COMMON COUNCIL OF THE CITY OF RIVER FALLS DO ORDAIN:

SECTION 1. That Chapter 8.44 of the City of River Falls Municipal Code be repealed.

SECTION 2. That Chapter 17.70 of the City of River Falls Municipal Code be hereby created to read:

Chapter ~~8.44~~17.70 – ~~Wellhead Protection~~ Groundwater Protection Overlay District

~~8.44~~17.70.010 – ~~Construction of chapter.~~

~~A. Title. This chapter shall be known, cited and referred to as the "Wellhead Protection Ordinance."~~

~~B. Purpose and authority.~~

~~1A.~~ The residents of the City of River Falls (hereafter city) depend exclusively on groundwater for a safe drinking water supply. Certain land use practices and activities can seriously threaten or degrade groundwater quality. The purpose of this chapter is to institute land use regulations and restrictions to protect the city municipal water supply and wells, and to promote the public health, safety and general welfare of the residents of the city.

~~2B.~~ These regulations are established pursuant to the authority granted to cities by ~~the Wisconsin Legislature in Sections 62.11(5) and 62.23(7)60.61(1), (2)(g), and 60.62, Wis. Stats., to adopt ordinances to protect groundwater and by the Department of Natural Resources pursuant to Wis. Adm. Code Ch. NR 811.~~

~~17.70.020 - C. - Applicability. The regulations specified in this chapter shall apply to the groundwater protection overlay district.~~

A. The regulations of this chapter shall apply to those areas of the city that lie within one or more of the Wellhead Protection Zones (WHPZ), which have been designated for municipal wells within the corporate limits.

B. Each WHPZ shall be shown on the official City Zoning Map. A detailed map together with the report of the zones and zoning districts underlying each WHPZ shall be kept at the office of the city clerk, available for public inspection during office hours.

8.44.02017.70.030 - Definitions.

A. "Aquifer" means a saturated, permeable geologic formation that contains and will yield significant quantities of water.

B. "Existing facilities" means current facilities, practices and activities which may cause or threaten to cause environmental pollution within that portion of the city's wellhead protection area that lies within the corporate limits of the city. Existing facilities include but are not limited to the type listed in the Department of Natural Resources' form 3300-215, Public Water Supply Potential Contaminant Use Inventory Form, which is incorporated herein as if fully set forth ~~(consult your attorney regarding incorporation by reference of Form 3300-215).~~

BC. "Groundwater divide" means a ridge in the water table or the potentiometric surface from which ground water flows away at right angles in both directions. A groundwater divide is represented by the line of highest hydraulic head in the water table or potentiometric surface.

CD. "Groundwater protection overlay district" means that area described within the city's wellhead protection plan. See ~~map attached to Ord. 2001-21~~ the Official Zoning Map for location.

DE. "Recharge area" means the land area which contributes water to a well by infiltration of water into the subsurface and movement with groundwater toward the well.

EF. "Time of travel" means the determined or estimated time required for a contaminant to move in the saturated zone from a specific point to a well.

FG. "Well field" means a piece of land used primarily for the purpose of supplying a location for construction of wells to supply a municipal water system.

8.44.03017.70.040 - Groundwater protection, overlay district.

The following described groundwater protection overlay district shall be created for the purposes of this ordinance, to be composed of three sub districts, designated as Zones "A", "B", and "C".

A. Intent. The areas to be protected as ~~a WHPZ district~~ Districts A, B, and C constitute ~~is~~ ~~that~~ portions of the River Falls well recharge areas ~~extending to the groundwater divide contained~~ within the city ~~boundary~~ limits and shown by their largest extent on the official zoning map attached to Ordinance 2001-21, as amended from time to time. These lands are subject to land use and development restrictions because of their close proximity to ~~the City~~ wells and ~~the~~ corresponding high threats of contamination thereto.

B. Permitted uses - Zone A. Subject to the exemptions listed in subsection ~~E-G~~ of this section, the following are the only permitted uses within the district. Uses not listed are to be considered non-permitted uses.

1. Parks, provided there is no on-site waste disposal or fuel storage tank facilities associated with this use;

2. Playgrounds;

3. Wildlife areas;

4. ~~Non-motorized~~ trails, such as biking, skiing, nature and fitness trails;

5. Rain barrels;

~~56.~~ Municipally sewerred residential development, free of flammable and combustible liquid underground storage tanks;

~~67.~~ Municipally sewerred business development zoned B-1, B-2, or B-3, except for the following uses:

a. Above ground storage tanks;

b. Asbestos product sales;

c. Automotive service and repair garages, body shops;

d. Blue printing and photocopying services;

e. Car washes;

f. Equipment repair services;

g. Laundromats and diaper services;

h. Dry cleaning;

- i. Gas stations;
- j. Holding ponds or lagoons;
- k. Nurseries, lawn and garden supply stores;
- l. Small engine repair services;
- m. Underground storage tanks;
- n. Wells, private, production, injection or other;
- o. Salt storage including sand/salt combinations;
- p. Any other use determined by the River Falls Utilities Director zoning administrator to be similar in nature to the above listed items.

~~78.~~ Agricultural uses in accordance with the county soil conservation department's best management practices guidelines;

~~89.~~ All storm drainage shall be ~~retained on-site or~~ discharged to a municipally operated storm drain. ~~If retained on-site, storm water shall be discharged to settling ponds where it will percolate through at least six inches of topsoil.~~ Use of drywells or other subsurface drains for storm water drainage is prohibited.

C. Permitted Uses – Zone B.

- 1. All uses listed as permitted in Zone A.
- 2. Storm water drainage ponds consistent with City storm water regulations.

D. Permitted Uses – Zone C.

- 1. All uses listed as permitted in Zones A and B.
- 2. Gasoline or fuel oil storage tank installation that has received written approval from the Wisconsin Department of Agriculture, Trade and Consumer Protection (hereafter ATCP) or its designated agent under Section ATCP 93.100, Wis. Adm. Code.

~~E.~~ Separation distances. The following separation distances as specified in Section. NR ~~811.12(5)(d)~~ ~~811.16(4)(d)~~, Wis. Adm. Code, shall be maintained and shall not be exempted as listed in subsection ~~E-G~~ of this section.

1. Fifty (50) feet between a well and a storm sewer main.
2. Two hundred (200) feet between a well and any sanitary sewer main, sanitary sewer manhole, lift station or a single family residential fuel oil tank. A lesser separation distance may be allowed for sanitary sewer mains where the sanitary sewer main is constructed of water main materials and joints and pressure tested in place to meet current AWWA C600 specifications. In no case may the separation distance between a well and a sanitary sewer main be less than fifty (50) feet.
3. Four hundred (400) feet between a well and a septic system, tank, or drain field, and receiving less than eight thousand (8,000) gallons per day, a cemetery or a storm water drainage pond. This distance corresponds with Zone A referenced above.
4. Six hundred (600) feet between a well and any gasoline or fuel oil storage tank installation that has received written approval from ~~the Wisconsin Department of Commerce (hereafter commerce)~~ ATCP or its designated agent under Section ATCP 93.100 ~~Comm 10.10~~, Wis. Adm. Code. This distance corresponds with Zone B referenced above.
5. One thousand (1,000) feet between a well and land application of municipal, commercial or industrial waste; boundaries of a landspreading facility for spreading of petroleum-contaminated soil regulated under ch. NR 718 while that facility is in operation; industrial, commercial or municipal wastewater, lagoons or storage structures; manure stacks or storage structures; and septic tanks or soils absorption units receiving eight thousand (8,000) gallons per day or more.
6. One thousand two hundred (1,200) between a well and any solid waste storage, transportation, transfer, incineration, air curtain destructor, processing, wood burning, one time disposal or small demolition facility; sanitary landfill; any property with residual groundwater contamination that exceeds ch. NR 140 enforcement standards that is shown on the Department of Natural Resources' geographic information system registry of closed remediation sites; coal storage area; salt or deicing material storage area; gasoline or fuel oil storage tanks that have not received written approval from ~~Commerce~~ ATCP or its designated agent under Section ~~Comm 10.10~~ ATCP 93.100, Wis. Adm. Code; bulk fuel storage facilities and pesticide or fertilizer handling or storage facilities. This distance, in addition to any of the five-year time of travel beyond this distance, corresponds with Zone C referenced above.

DF. Requirements for existing facilities.

1. Existing facilities shall provide copies of all federal, state and local facility operation approvals or certificate and on-going environmental monitoring results to the city.
2. Existing facilities shall provide additional environmental or safety structures/monitoring as deemed necessary by the city, which may include but is not limited to storm water runoff management and monitoring.
3. Existing facilities shall replace equipment or expand in a manner that improves the existing environmental and safety technologies already in existence.
4. Existing facilities shall have the responsibility of devising and filing with the city a contingency plan satisfactory to the city for the immediate notification of city officials in the event of an emergency.

**EG.** Exemptions and waivers.

1. Individuals and/or facilities may request the city in writing, to permit additional land uses in the district.
2. All requests shall be in writing, whether on or in substantial compliance with forms to be provided by the city and may require an environmental assessment report prepared by a licensed environmental engineer. Said report shall be forwarded to the city and/or designee(s) Utilities Director for review and recommendation of the Utility Advisory Board and Plan Commission, and subject to a final decision by the city common council.
3. The individual/facility shall reimburse the city for all consultant fees associated with this review at the invoiced amount plus administrative costs.
4. Any exemptions granted shall be conditional and may include required environmental and safety monitoring consistent with local, state and federal requirements, and/or bonds and/or securities satisfactory to the city.
5. Impermeable storm water holding vessels may be considered for an exemption or waiver under the conditions stated in one through four above.

**8.44.04017.70.050** - Enforcement.

- A. In the event that an individual and/or facility causes any person shall cause or permit the release of any contaminants upon land within the district which that endangers the district municipal water supply, the individual and/or facility causing said release the person so causing or permitting the discharge shall immediately stop the release and shall clean up the release to the satisfaction of the city.

B. ~~The individual/facility shall be responsible for all costs of cleanup~~Any person who shall cause or permit the release of any contaminants upon land within the district shall be responsible for all costs of cleanup, including all of the following:

1. City consultant fees at the invoice amount plus administrative costs for oversight, review and documentation;
2. The cost of city employees' time associated in any way with cleanup based on the hourly rate paid to the employee multiplied by a factor determined by the city representing the city's cost for expenses, benefits, insurance, sick leave, holidays, overtime, vacation, and similar benefits;
3. The cost of city equipment employed;
4. The cost of mileage reimbursed to city employees attributed to the cleanup;

C. Following any such discharge the city may require additional test monitoring and/or bonds/securities.

D. Enforcement shall be as provided pursuant to Section 11.05 of the code in chapter 17.104.

**SECTION 3.** This ordinance shall take effect on the day after publication.

Dated this 24th day of May, 2016.

**FOR THE CITY OF RIVER FALLS**

\_\_\_\_\_  
Dan Toland, Mayor

ATTEST:

\_\_\_\_\_  
Lu Ann Hecht, City Clerk

Adopted: \_\_\_\_\_

Published: \_\_\_\_\_



**COMMUNITY DEVELOPMENT DEPARTMENT**  
**MEMORANDUM**

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**TO:** Mayor Toland and Plan Commission Members  
**FROM:** Tony Steiner, City Planner *TS*  
**DATE:** May 3, 2016  
**RE:** Storm Water Presentation

At Tuesday night's meeting Crystal Raleigh will be present to give a presentation on storm water. Attached is a memo from Crystal for your background information.



## MEMORANDUM

**TO:** Mayor Toland and Plan Commission Members

**FROM:** Crystal M. Raleigh, PE - Sr. Civil Engineer

**DATE:** May 3, 2016

**TITLE:** City Storm Water Permit, Ordinance, and Technical Standards

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### BACKGROUND

Storm water is a concern because it creates water quality and water quantity impacts on the surface waters. Storm water carries heat, sediments, nutrients such as fertilizers, pet wastes, and possibly other toxic contaminants like metals, pesticides, and auto fluids. Large volumes of storm water runoff can also cause flooding. It is for these reasons, among others, that the US Environmental Protection Agency (EPA) passed the Clean Water Act in 1972. Since that time, regulations have been handed down to the states to improve the quality of storm water and reduce the quantity of storm water.

The City of River Falls received notice in March of 2006 that it was required to apply for a Municipal Separate Storm Sewer System (MS4) General Permit. An MS4 includes any streets, catch basins, curbs, gutters, and ditches which are publicly owned or operated. This does not include water going to the wastewater treatment plant; it is specifically for items designed or used for the collection and conveyance of storm water. The City of River Falls storm water conveyance system has been permitted since October 2006.

The University of Wisconsin – River Falls also has an MS4 Permit from the DNR. This permit has the same requirements as the City’s permit. In 2009, the City and University signed an intergovernmental cooperation agreement with regards to storm water management. The City is administering many aspects of the University’s permit in exchange for the University’s storm water utility payments.

### DISCUSSION

This permit has several requirements. One component is public education and outreach as well as public involvement and participation. We allow the public to get involved in our storm water program by participating in our Adopt A Pond program and offering rebates to those that install rain barrels on their property. We also spend several hours each year with students in classrooms and at events and festivals and we publish educational articles in the City newsletter and the River Falls journal on occasion.

Another permit requirement is to maintain mapping of our storm water system. We have modeled our storm systems ability to remove total suspended solids and will soon be modeling phosphorus removals. In addition to mapping and modeling, we perform annual inspections on storm water ponds, waterways, catch basins, and manholes.

We report on our salt usage during winter road clean up and we report on the amount of debris and organic material that are picked up by our street sweeper each summer. Last year we were required to create a storm water pollution prevention plan of our public buildings. Our public works garage didn't have one so we did create one.

We enforce a storm water management and erosion control ordinance as well as an illicit discharge detection and elimination ordinance. Both of these ordinances are required under the MS4 permit. Finally the permit requires us to annually hold a public meeting and to create a report detailing our storm water management activities from the previous year.