

**CITY OF WASHBURN**  
**119 Washington Avenue**  
**P.O. Box 638**  
**Washburn, WI 54891**



**715-373-6160**  
**715-373-6161**  
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This meeting may have members participating via tele or web conferencing. Public participants can listen to the proceedings by utilizing a computer or smart phone and using the link <https://us02web.zoom.us/j/84959423675?pwd=cXlZbjdMaFR0OEtqc3JYQTRUVTNCQT09> and entering passcode 925377 or by calling 1 (877) 853-5247 (Toll Free) and entering Webinar ID: 849 5942 3675 and entering passcode 925377 as opposed to being present for the meeting. Limited seating will be available at the meeting and guests are asked to keep a six-foot distance from one another.

## **NOTICE OF PLAN COMMISSION MEETING**

**DATE:** Thursday, May 20, 2021  
**TIME:** 5:30P.M  
**PLACE:** Washburn City Hall

### **AGENDA:**

- Call to Order/Roll Call
- Approval of Minutes of April 15, 2021 Meeting
- Election of Vice Chairperson
- Discussion & Action on Application to place Mural on West Side of Smith Chiropractic Clinic Located at 713 W. Bayfield Street, C-2 District - Margaret Smith, Petitioner
- Discussion & Action of Request to Canopy Signage on Midland Services Convenience Station Located at 137 W. Bayfield Street, C-3 District - Rose City Canopy Petitioner
- Discussion & Action on Application for Projecting Sign on Front of Building and Mural Sign on West Side of Building, AdventuresUs, 324 W. Bayfield Street, C-3 District - Amy Trimbo, Petitioner
- Discussion & Action on Application for Wall Sign on Front of Bemused Design Building, Located at 14 E. Bayfield Street, C-3 District - Jamey Penney-Ritter Petitioner
- Discussion & Action on Downtown Design Review for Placement of a Yard Shed at 211 W. Bayfield Street, C-3 District - 211 LLC, David Sneed Petitioner
- Discussion & Action on Plan of Operation for Guitar Shop at 131 W. Bayfield St., - Michael Pully, Petitioner
- Discussion & Recommendation on Ordinance to Regulate Tourist Rooming Houses
- Action on Comprehensive Plan Re-Write Project - Review of the visioning elements (Goals/Objectives) from the previous Plan - Jason Laumann of NWRPC
- Review and Discussion on Potential Changes to Zoning Code - Land Matrix Exhibit 8-1
- Discussion on Downtown Design Standards Applying to Accessory Structures.
- Adjourn

April 15, 2021

CITY OF WASHBURN PLAN COMMISSION MEETING

5:30PM Washburn City Hall & Remote Video Conferencing

COMMISSION MEMBERS: Dave Anderson, Leo Ketchum-Fish, Mary Motiff, Adeline Swiston, Britt Serrine, Matt Simoneau

ABSENT: John Baregi,

MUNICIPAL PERSONNEL: Scott Kluver City Administrator, Tammy DeMars City Treasurer/Deputy Clerk

Meeting called to order at 5:30pm by Motiff attendance as recorded.

**Approval of Minutes – March 18, 2021 – Moved by Anderson to approve the minutes of March 18, 2021 second by Ketchum-Fish. Motion carried 6-0.**

**Discussion & Action on Special Exception Request to Place Garage in Front Yard, 201 N. 7<sup>th</sup> Avenue West, Dan Mick & Betsy Arnson, Petitioner-** Ms. Arnson in attendance. The petitioner is requesting to put a 30' x 34' Garage in the front yard of their home at 201 N. 7<sup>th</sup> Avenue West. In accordance with Article 7 of the Zoning Code, Plan Commission may approve a special exception to allow an accessory building in front of the principal building. Section 7-154 was reviewed as follows: 1) The size of the property in comparison to other properties in the area – *Property is 17,500 sq ft and is comparable to other properties as a residential neighborhood some of the neighboring properties also have garages in the front yard* 2) The extent to which the issuance of the special exception permit would be in keeping with the overall intent of this chapter; *this request is not unreasonable and all other set backs are met* 3) Whether there are any unique circumstances and the nature of those circumstances that warrant the issuance of the special exception; *this property previously had a slightly larger garage in same location, due to the deteriorating condition it was removed by the owner. If they are required to move the garage further back, they will also need to move the other shed as the garage would restrict their access.* 4) The nature and extent of anticipated impacts to the natural environment that could potentially occur if the special exception was granted; *by placing in the same location there would be no need for excavating nor would they have to extend the driveway* 5) The nature and extent of anticipated positive and negative effects on properties in the area; *no known negative effects*, would be a benefit to the neighborhood to allow for storage of items inside instead of outside 6) Actions the applicant will undertake to mitigate the negative effects, if any, of the proposed special exception; *no negative effects* 7) A factor specifically listed under a section of this chapter authorizing the issuance of a special exception; *Article 8, Section 8-75* and 8) Any other factor that relates to the purposes of this chapter set forth in s. 1-5 or as allowed by state law *none known.* Moved by Ketchum-Fish to approve the special exception request to place garage in front yard at 201 N. 7<sup>th</sup> Ave. W, based on the review and discussion of Section 7-154 as listed above, second by Anderson. Motion carries 6-0.

**Action on Comprehensive Plan Re-Write Project – Review of the Visioning Elements (Goals/Objectives) From the previous Plan – Jason Laumann of NWRPC –** Eric Howell with NWRPC leads the discussion, with Jason Laumann joining later in the meeting. This exercise was to review the elements of the 2007 Comprehensive Plan, adjusting or adding to the goals and objectives. Eric will forward Kluver the completed exercise and he will forward to the members. They will also forward the public comments from Land Use Goals and objective, to the Committee so they can prioritize as they did with their own.

**Review and Discussion on Potential Changes to Zoning Code -Land Matrix Exhibit 8-1 –** The commission would like to review the Land Matrix to determine if there are any changes that need to be made, to eliminate the need for so many Conditional Uses and the secondary review requirements needed. This will take months to do, but would like to start the review at the next meeting.

**Adjourn – Motiff adjourns meeting at 7:57pm**

Respectfully Submitted,  
Tammy L. DeMars

FYI

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To: City of Washburn Department Heads

Cc: Mayor Motiff  
Common Council  
Harbor Commission  
Plan Commission  
Park Committee

From: Scott J. Kluver, Administrator *SK*

Re: 2022 Budget Preparation Timeline

Date: May 11, 2021

Its that time of year again! As we begin to plan for 2022, as usual we have a number of unknowns with the state budget unsettled at this moment. We made it through last year alright, but do not expect any significant increases in revenues. Continue to plan for the worst, and hope for the best. Below is the timeline for budget submittals and process for preparing the next budget.

- General Fund operating budget and capital expense requests to Administrator by 8:00 a.m. on **July 23, 2021**. If I do not have your budget by then, you will have missed your opportunity to provide your recommendation and decisions will be made without your input.
- Administrator reviews budget proposals, prepares drafts, consults with Mayor and department heads July 23 through August 31.
- Mayor/Administrator present proposed 2022 General Fund, Capital and Debt Service budgets to Council on September 13, budget referred to Finance Committee.
- Finance Committee meetings between September 14 and October 8, report to Council with recommendations for October 11 Council Meeting. [Harbor Commission, Stormwater, Water, and Sewer budgets presented to Council in October and November (two each month).]

- 15-day public hearing notice submitted by October 19 for October 22 printing for public hearing on tax levy during November 8 Council meeting. Approval of tax levy at November 8, 2021 Council meeting following Public Hearing.
- List any special assessments and submit to County by November 15
- Statement of Tax to the County in December
- December 13, 2021 Council adopts final “department level” budget with proper notice, if there are changes as outlined in Wis. Statutes 65.90 (5); and TIF District Budgets are presented for approval
- Taxpayers should receive tax bills during third week of December

It is essential that the timeline be followed. Any deviation will affect meeting and publications dates. The schedule has been met and the process has been relatively smooth for the past 14 years thanks to your help. I am confident that it will happen again this year. Please note that this schedule does not call for any special meetings of the Council, but that may change. As expected, and as usual, it will be a tight fiscal year because the growth rate for new development has been abysmal. New development is essential to the City’s finances given the “box” the State of Wisconsin has put local governments in.

When preparing your budget, please give consideration to what your department can do to make Washburn a better place to live. What can be done to positively impact the community? What changes might increase revenue for the City? How can processes change to be more efficient and save money? Besides stagnant growth, we have to contend with levy limits and expenditure restraint penalties. It is necessary to think about the essential services we provide and what we can do without at this point.

Please provide an explanation for any significant deviations from your prior year’s budget and for capital requests. Also, please provide any justification and supporting documents you feel are important to convey. This will save time through the process.

If at any time you have any questions, please do not hesitate to contact me. As information such as employee benefit costs, changes from the State, or Council directives come through, I will keep you informed.

**TITLE 13  
CHAPTER 1 - ZONING CODE**

**ARTICLE 18  
SIGNS AND MURALS**

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**DIVISION 1  
SIGNS**

<b>Sections</b>	
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18-3 Applicability	18-15 Signs allowed without a permit
18-4 Prohibited signs	18-16 Signs allowed with a permit in a residential zoning district
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18-8 Projecting signs	18-20 Removal of illegal signs placed on public property
18-9 Awning signs	18-21 Abandoned signs
18-10 Free-standing signs	18-22 Nonconforming signs
18-11 Hanging signs	
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**18-1 Legislative findings**

The Common Council makes the following legislative findings relating to signs

- (1) In addition to signage allowed by this article, individuals, groups of people, and businesses have numerous means to communicate different types of speech, including print media, broadcast media, direct mailings to households, and dissemination of information on the Internet.
- (2) Sign regulations in this article (i) promote the public welfare, health, and safety of people using the public roads and other public travelways; (ii) advance the aesthetic goals of the city, and to ensure the effectiveness and flexibility in the design of, and the creativity of, the use of such devices without creating detriment to the general public; and (iii) reduce the visual clutter caused by advertising signage which is a significant cause of unsafe traffic and visibility conditions
- (3) Sign regulations in this article are not intended to control the content of a message, except as allowed by law, or to unduly restrict the appearance of a sign
- (4) The limitations placed on signs by this article are deemed to be the minimum necessary to accomplish the purposes of this article
- (5) A 70-mile segment of State Highway 13, including Bayfield Street in the City of Washburn, was designated a Wisconsin Scenic Byway in 2013 pursuant to s. 84.136, Wis. Stats., and the requirements in ch. Trans 202, Wis. Admin. Code. Designation as a scenic byway means that off-premise signs that can be seen from the route are not permitted (see s. Trans 201.23, Wis. Admin. Code)

**18-2 Purpose**

This article promotes the public health, safety, and general welfare and is intended to

- (1) promote the desired community character described in the City's comprehensive plan.
- (2) comply with all requirements related to designation as a Wisconsin scenic byway.
- (3) promote well maintained and attractive signage within the city.
- (4) provide for adequate business identification, advertising and communication.
- (5) protect the safety and efficiency of the transportation network by reducing confusion or distractions to motorists and enhancing motorists' ability to see and recognize pedestrians, obstacles, other vehicles and official traffic signs, signals, or devices by minimizing a proliferation of visual messages, and
- (6) protect the safety of the public by requiring proper maintenance of signs and establishing minimum design and construction standards.

### 18-3 Applicability

The regulations in this division apply to all signs except for the following, which are exempt.

- (1) A traffic control sign and other similar signage when located on public property along a roadway or other travelway when placed by or authorized by the federal government, the state of Wisconsin, Bayfield County, or a municipal government.
- (2) A sign inside of a building that does not meet the definition of a window sign.
- (3) A legal notice posted on private property as may be required or authorized by municipal, state, or federal law.
- (4) Scoreboards related to outdoor athletic fields which are reviewed as part of a site plan review as described in Article 7 of this chapter.
- (5) Team support banners that are temporarily affixed to a fence on an outdoor athletic field, which are subject to other regulations as may be adopted by the Common Council.
- (6) Civic event banners that are temporarily placed above a public right-of-way, which are subject to other regulations as may be adopted by the Common Council.

### 18-4 Prohibited signs

(a) **General prohibition.** Any sign not specifically allowed in this article is prohibited.

(b) **Vehicle signs.** Vehicles, including automobiles, trucks, trailers, semi-trailers, campers and buses that contain a sign for which the apparent purpose is to advertise a product or direct people to a business or an activity shall not be parked on a public right-of-way or on private property so as to be seen from a public right-of-way, except that such a vehicle is used in the daily operation of a business for service calls, deliveries, and the like (Exhibit 18-1).

(c) **Roof signs.** Signs affixed to a roof of a building in any manner, whether directly or indirectly, are prohibited.

(d) **Search lights and beacons.** Search lights and beacons are prohibited.

(e) **Wind signs.** Wind signs, consisting of a string of interconnected banners or pennants (with or without messages) are prohibited.

(f) **Off-premise signs.** Off-premise signs are prohibited, except as specifically allowed in this article.

### 18-5 General standards

A sign allowed by this article shall comply with the following general requirements in addition to other standards that may apply:

- (1) A sign shall be constructed of durable, weather-resistant materials.
- (2) A sign shall not resemble, imitate, or approximate the shape, size, form, or color of a railroad or traffic sign, signal, or device.

Exhibit 18-1. Example of a vehicle sign



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- (3) A sign shall not obstruct or interfere with the effectiveness of railroad or traffic signs, signals, or devices.
- (4) A sign shall not be erected, relocated, or maintained so as to prevent free ingress to or egress from any door, window, driveway, or fire escape.
- (5) A sign shall not be attached to a staircase or fire escape.
- (6) A sign is allowed in a vision triangle if the sign complies with the standards in s. 8-76.
- (7) A sign shall not oscillate or rotate.
- (8) A sign shall not emit an audible sound, odor, or any visible matter (e.g., steam, smoke, confetti).
- (9) A sign shall not be placed on a telecommunication tower, except as required or permitted under Article 8.
- (10) A sign shall be constructed and mounted so as to comply with state and local building codes as applicable.
- (11) A sign containing electrical wiring shall be constructed, installed, and operated so as to comply with state and local electrical codes as applicable.
- (12) A sign shall not be painted on or similarly affixed to a natural object, such as a tree or rock.
- (13) When a sign is authorized to contain electrical power or when a sign is illuminated by one or more external light fixtures, the electric wire providing the electric power to the sign or the light fixture shall be placed underground from the service disconnect.
- (14) Signs shall not be located on public property except as specifically allowed in this article.

#### 18-6 Sign lighting

Lighting of a sign when allowed by this article shall comply with the following standards:

- (1) Internal or external illumination shall not flash or change color.
- (2) Lighting for an externally illuminated sign shall be shaded, shielded, and directed away from surrounding properties and vehicular traffic.
- (3) Neon lighting or lighting having the same appearance of neon lighting may be used.
- (4) For a sign with internal illumination, the background of the sign face shall be made of an opaque material to allow internal light to project only through the lettering and/or logos or a colored translucent material (i.e., not white, cream, off-white, or other light color) with either translucent or opaque lettering and/or logos.
- (5) Lighting shall not oscillate or move or give the appearance of movement.

#### 18-7 Electronic message displays

(a) **Findings.** The common Council makes the following findings regarding electronic message displays:

- (1) Electronic displays are designed to produce sufficient brightness to ensure clear legibility during daylight hours. However, daytime brightness settings are usually inappropriate for night-time viewing.
- (2) Electronic displays that are too bright at night can be offensive and reduce the legibility of the display copy.
- (3) Technology exists to control lighting levels, with scheduled dimming based on sunset-sunrise tables or with photocells.
- (4) Appropriate standards are necessary to ensure electronic displays do not become a nuisance to surrounding property owners or pedestrians or a distraction to passing motorists.

(b) **General standards.** An electronic message display when allowed by this article shall comply with the following standards:

- (1) An electronic message display must be equipped with technology the sign owner can use to program lighting levels to comply with the lighting standards in this section.
- (2) Except for time and temperature displays, the message shall remain static at least 2 minutes before the next message appears.

- (3) No part of the message shall give the appearance of movement.
- (4) There shall be no transition between messages (i.e., no traveling, scrolling, dissolving, or fading).
- (5) Lighting levels shall not exceed 0.3 footcandles over ambient lighting conditions when measured at the specified distance in the table below, based on the size of the display. However, lighting levels shall not exceed 0.1 footcandles over ambient lighting conditions at the property boundary line of a residential property or 0.2 footcandles over ambient lighting conditions at the property boundary line of a commercial, industrial, or institutional property.

Sign Area (square feet)	Measurement Distance (feet)
10	32
15	39
20	45
25	50
30	55

Note: The sign areas listed in this table are for illustration only. The Village's sign regulations may not allow the sign areas listed. For sign areas not listed, the measurement distance is calculated with the following formula:

$$\text{Measurement Distance} = \sqrt{\text{Area of Sign Sq. Ft.} \times 100}$$

- (6) The background of the message display shall be a solid color.
- (7) The message on an electronic message display shall only relate to the premises on which it is located, except for public service announcements.
- (8) The electronic message display shall be turned off by 11:00 p.m. each day or one hour after the close of the business on the premises whichever is later and shall remain off until 5:00 a.m. the following day.
- (9) An electronic message display shall be located on no more than one sign per road frontage.

#### 18-8 Projecting signs

A projecting sign shall comply with each of the following:

- (1) The sign shall complement the scale, proportion, and architectural style of the building on which it is to be attached.
- (2) The sign shall not extend more than 8 feet from the building on which it is attached.
- (3) The top of the sign shall not be higher than the building on which it is located.
- (4) When located above a walkway, the bottom edge of the sign shall be at least 10 feet above the surface of the walkway beneath the sign.
- (5) When located above a driveway or an alley, the bottom edge of the sign shall be at least 15 feet above the surface of such driveway or alley.
- (6) If a projecting sign extends over public property (i.e., above a public sidewalk), the property owner shall provide all assurances as may be specified by the city administrator and/or the city attorney before a sign permit can be issued.

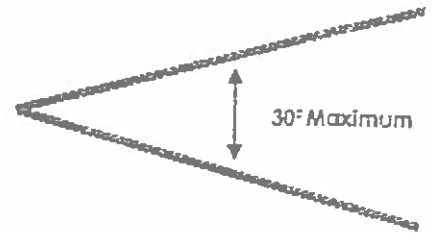


**18-9 Awning signs**

A sign on an awning shall comply with each of the following:

- (1) The sign shall complement the scale, proportion, and architectural style of the building on which it is to be attached.
- (2) If a canopy extends over public property (i.e., above a public sidewalk), the property owner shall provide all assurances as may be specified by the city administrator and/or the city attorney, before a sign permit can be issued for a canopy sign.
- (3) When located above a walkway, the bottom edge of the canopy shall be at least 8 feet above the surface of the walkway beneath the canopy.
- (4) The sign shall only be placed on the vertical flap of the canopy and may not occupy more than 50 percent of the area of the flap.
- (5) The canopy, whether existing or proposed, shall be made of an opaque material.

Exhibit 18-2. Maximum angle for a double-faced monument sign

**18-10 Free-standing signs**

(a) **General standards.** A free-standing sign shall comply with each of the following:

- (1) When a free-standing sign is located in a residential zoning district, landscaping shall be provided and maintained around the base of the sign for a minimum distance of 5 feet. Such landscaping may consist of turf, small shrubs, ground cover, or a combination thereof.
- (2) The base of a monument sign shall be covered with brick, stone, split-face masonry block, wood, stucco, or other material that complements the materials on the principal building.
- (3) The base of a monument sign shall be at least 50 percent of the width of the sign.
- (4) A monument sign may be double-faced, provided the angle between the two sign faces does not exceed 30 degrees (Exhibit 18-2). If the sign faces are more than 30 degrees, both faces are considered single-sided and included in determining the area of the sign.
- (5) A pole or pylon sign may be double-faced provided the two faces are parallel to one another.
- (6) A free-standing sign shall be located at least 5 feet from the front lot line, 5 feet from a side or rear lot line if the adjoining property is non-residential, and 10 feet from a side or rear lot line if the adjoining property is in a residential zoning district.
- (7) A free-standing sign shall be located at least 15 feet from an access drive and 5 feet from a parking lot.
- (8) A free-standing sign shall be self-supporting (i.e., no guy wires or the like).
- (9) A free-standing sign shall be attached to a permanent foundation set in the ground.
- (10) A free-standing sign shall not unreasonably obstruct the view of a conforming sign on another property.

Exhibit 18-3. Measuring the area of a free-standing sign

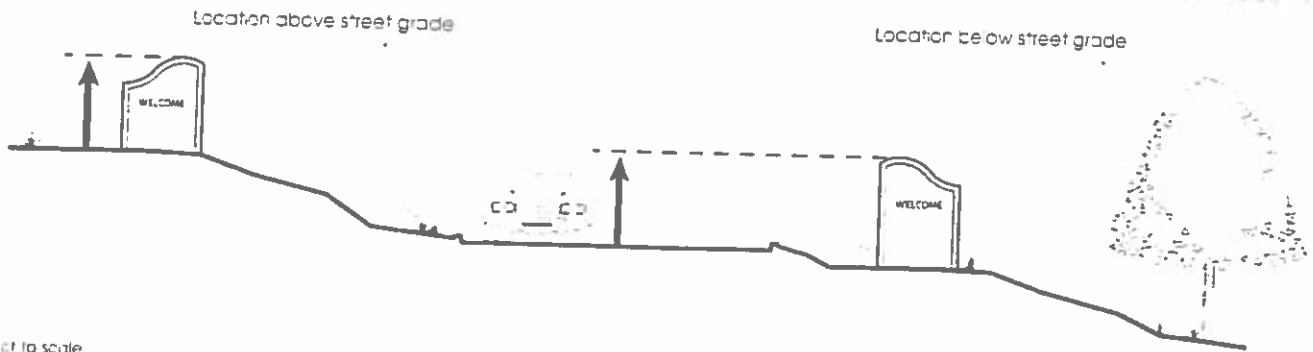


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(b) **Measuring the area of a free-standing sign.** The area of a freestanding sign is the entire surface area on which the message could be placed (Exhibit 18-3). The supporting structure or bracing is not included.

(c) **Measuring the height of a free-standing sign.** If the location of a freestanding sign is above street grade, the height of the sign is measured from the surrounding grade which may not be modified so as to increase the overall height of the sign (Exhibit 18-4). If the location of a monument sign is below street grade, the height of the sign is measured from the centerline of the street immediately in front of the sign (Exhibit 18-4).

Exhibit 18-4. Measuring the height of a free-standing sign



Not to scale

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### 18-11 Hanging signs

(a) **Standards** A hanging sign shall comply with each of the following

- (1) The sign shall be constructed of rigid material.
- (2) The sign may be externally illuminated, internal lighting is strictly prohibited.
- (3) The bottom edge of the sign shall be at least 8 feet above the sidewalk beneath the sign.
- (4) The sign shall not have more than two faces.

(b) **Measuring the area of a hanging sign** The area of a hanging sign is the entire surface area on which the message could be placed.

### 18-12 Wall signs

(a) **Standards** A wall sign shall comply with each of the following:

- (1) The sign shall complement the scale, proportion, and architectural style of the building on which it is to be attached.
- (2) A wall sign shall not project from the wall on which it is attached by more than 12 inches.
- (3) No portion of the sign shall extend above the wall face on which the sign is located.

(b) **Measuring the area of a wall sign** The area of a wall sign without a distinctive border or background is the smallest rectangle encompassing all words, letters, figures, emblems, and other elements of the sign message. The area of a wall sign with a distinctive border or background is the small rectangle encompassing the border or background (Exhibit 18-5).

Exhibit 18-5. Measuring the area of a wall sign



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### 18-13 Window signs

A window sign shall comply with each of the following:

- (1) The placement of a window sign shall not be placed on a door window or window so as to constitute a hazard for pedestrian or guest traffic and safety.
- (2) Signage shall be placed on the interior of the glass.

**18-14 Sidewalk signs**

A sidewalk sign shall comply with each of the following:

- (1) A sidewalk sign shall have a small, but legible label identifying the business that owns the sign, a contact name, address, and phone number.
- (2) The overall width of a sidewalk sign including all components shall not exceed 36 inches.
- (3) A sidewalk sign must be securely weighted or otherwise designed to not shift, move, or topple over in the wind or present a hazard to the public.
- (4) A sidewalk sign may have two stabilized wheels for moving the sign.
- (5) A sidewalk sign shall only be placed at the location specified on the approved sign permit.
- (6) A sidewalk sign shall be located immediately in front of business, except the zoning administrator may approve an alternate location in the sign permit when necessary to accomplish the intended purpose of the sign.
- (7) A sidewalk sign shall not obstruct vehicular/bus stops, benches, fire hydrants, or other features located legally in the right-of-way or be located closer than 10 feet to another sidewalk sign. A sidewalk sign shall be located near the curb, rather than the building face.
- (8) A sidewalk sign shall not obstruct the use of the sidewalk by pedestrians.
- (9) A sidewalk sign shall not be located closer than 5 feet to an adjacent parcel line.
- (10) A sidewalk sign shall not be located in a vision triangle as specified in s. 8-76.

**18-15 Signs allowed without a sign permit**

(a) Signage for a property zoned for single-family is allowed without a permit as follows:

- (1) **Maximum sign area:** the area of all signs shall not exceed 14 square feet on a single-side sign or 28 feet on a double-sided sign.
- (2) **Number permitted:** no limitation, except by total sign area.
- (3) **Type:** signage may be temporary or permanent.
- (4) **Placement:** signage may be free-standing or affixed to the house, except no signage shall be placed above the roof eaves or on a gable end.
- (5) **Time limitation:** none.
- (6) **Type of illumination permitted:** none except for indirect ambient lighting.
- (7) **Type of display permitted:** static display.

Types of signage can include the following:

- (1) Signage for an authorized commercial use of the property (e.g., bed and breakfast).
- (2) Building marker signage (i.e., signage with the name of the building or date of construction or both).
- (3) Construction/maintenance signage (i.e., signage that identifies the architects, engineers, contractors, and other individuals or firms involved with construction/maintenance taking place on the premises).
- (4) Free speech signage, including political and religious messages.
- (5) Historic marker (i.e., signage marking a historic building, site, landmark, or similar designation by the federal government, the state of Wisconsin, Walworth County, a local government, or a non-profit organization).
- (6) Open house real estate signage (i.e., signage that indicates that a particular residence that is for sale/lease is or will be open to the public for viewing).
- (7) Personal greeting and congratulatory sign (i.e., signage related to a homecoming of a person or group of people or a personal event or accomplishment).
- (8) Private property protection signage (i.e., signage containing wording indicating an intent to deny entry to the general public, such as "no trespassing" or "private property").

- (9) Property address
- (10) Quasi-public event signage (i.e., signage announcing a noncommercial event or celebration in the community that is sponsored by a civic, educational, patriotic, religious, or nonprofit organization)
- (11) Yard sale signage (i.e., signage announcing a yard, rummage, or garage sale as may be authorized by this chapter)
  - (b) Window sign(s) for a commercial business not located in a residential zoning district is allowed without a permit as follows:
    - (1) **Zoning district** Commercial and Industrial zoning districts
    - (2) **Placement / type** no limitation
    - (3) **Time limitation** none
    - (4) **Number permitted** no limitation
    - (5) **Maximum sign area** 30 percent of glass area located on the ground floor level per road frontage
    - (6) **Type of illumination permitted** none
    - (7) **Type of display permitted** static display

**18-16 Signs allowed with a permit in a residential zoning district**

Signage for the specified uses as may be allowed in a residential district is allowed with a sign permit consistent with the standards in Table 18-1

Table 18-1. Signs allowed with a permit in a residential zoning district

Land use / sign type		Number of signs	Maximum sign area	Maximum sign height	Illumination	Type of display permitted
Identification sign for a residential complex	A Wall sign	1 per street frontage	16 square feet or 10 percent of the wall area, whichever is less	8 feet	Externa	Static display
	B Free-standing sign - monument sign only	1 per premises	16 square feet when single-sided 32 square feet per side when double-sided	8 feet	Externa	Static display
Identification sign for a subdivision	Free-standing sign - monument sign only	1 per vehicular access point	32 square feet when single-sided 32 square feet per side when double-sided	8 feet	Externa	Static display
Temporary identification sign for an approved subdivision	Free-standing sign - monument sign only	1 per vehicular access point	32 square feet when single-sided 32 square feet per side when double-sided	8 feet	Externa	Static display
Identification sign for a neighborhood	Free-standing sign - monument sign only	1 per vehicular access point	32 square feet when single-sided 32 square feet per side when double-sided	8 feet	Externa	Static display
Identification sign for an institutional use	A Wall sign	1 per street frontage	32 square feet or 10 percent of the wall area, whichever is less	10 feet	Externa or interna	Static display
	B Free-standing sign - monument sign only	1 per premises	32 square feet when single-sided 32 square feet per side when double-sided	8 feet	Externa	Static display
	C Parking lot entrance sign	One at each vehicular access point to the site but no closer than 300 feet on the same road frontage or closer than 300 feet to another free-standing sign	8 square feet when single-sided 8 square feet per side when double-sided	8 feet	Externa	Static display

**18-17 Signs allowed with a permit in a commercial, industrial, or special purpose zoning district**

(a) **Maximum area.** The maximum sign area that is permitted on a given parcel is dictated by the floor area of the building on the parcel as set forth in Table 18-2.

(b) **Permitted signs.** The signs listed in Table 18-3 are allowed with a permit as specified

**Table 18-2. Maximum sign area allowed in a commercial, industrial, or special purpose district**

Floor area of business	Maximum sign area on the premises
5 000 square feet or less	100 square feet
5 000 - 9 999 square feet	150 square feet
10 000 - 19,999 square feet	300 square feet
20 000 square feet and more	450 square feet

**Table 18-3. Signs allowed with a permit in a commercial, industrial, or special purpose district**

Sign type	Number of signs	Maximum sign area by type of sign (1)	Maximum sign height	Illumination	Type of display permitted
Wall sign	1 per street frontage	100 square feet or 10 percent of the wall area whichever is less	8 feet	External or internal	Static display
Projecting sign in lieu of an awning sign or a canopy sign	1 per frontage	36 square feet per side	NA	External or internal	Static display
Canopy sign in lieu of an awning sign or a projecting sign	Signage on one canopy	50 percent of the gross surface area of the smallest face of the canopy to which the sign is affixed	NA	None	Static display
Awning sign in lieu of a canopy sign or a projecting sign	Signage on one awning	One line of copy no higher than 8 inches on the vertical flap	NA	None	Static display
Free-standing sign - pole or monument	1 per premises (2)	80 square feet when single-sided; 80 square feet per side when double-sided	Monument 6 feet Pole 8 feet	External or internal	Static display
Side walk sign (3)	1 per distinct business	1,215 square inches with a maximum width of 27 inches (27" x 45")	NA	None	Static display

**Notes**

- 1 See Table 18-2 for maximum sign area on a premises
- 2 Free-standing signs are not allowed in the C-3 district
- 3 Side walk signs are only allowed in the C-3 district

(c) **Supplemental signage** In addition to the signage allowed in this section, an owner is granted an additional 24 square feet of signage (48 square feet if double-sided) that can be used for wall signage or free-standing sign. Such signage may be used for any message including non-commercial speech and for indicating the property is for sale, rent, or lease.

**18-18 Signs in a planned development district**

Signs in a planned development district shall comply with the requirements of the underlying zoning district as set forth in this article except as modified by the approved project plan.

**18-19 Maintenance**

The person owning the property on which a sign is located shall maintain such sign in a safe, presentable, and good structural condition at all times, including replacement of defective parts, painting, repainting, cleaning, and other acts required for proper maintenance. A dangerous sign shall be made to conform or removed within 5 calendar days of receipt of a written notice from the zoning administrator, unless a shorter compliance period as

specified in the notice is required to protect public safety. If the property owner does not comply, the Common Council may remove such sign pursuant to the authority and subject to the requirements set forth in s. 66.0413 Wis. Stats.

**18-20 Removal of illegal signs placed on public property**

Government personnel may remove a sign placed illegally on public property (e.g. within a street right-of-way or a public park) without notice to the person who installed or authorized the installation of the sign. The official removing such sign may dispose of the sign at his or her discretion.

**18-21 Abandoned signs**

A sign or sign message shall be removed by the owner or lessee of the premises upon which an on-premises sign is located when the business it advertises is no longer conducted or, for an off-premises sign, when the lease payment and rental income are no longer provided. If the owner or lessee fails to remove the sign, the City of Washburn, or its legal designee, shall give the owner 60 days' written notice to remove the said sign. Upon failure to comply with this notice, the City of Washburn, or its legal designee, may cause removal to be executed, the expenses of which shall be assessed to the tax roll of the property on which the abandoned sign is located. (s. of the current zoning code)

**18-22 Nonconforming signs**

Nonconforming signs shall comply with the requirements set forth in Article 19.

**18-23 to 18-40 Reserved**

**DIVISION 2  
MURALS**

**Sections**

18-41 Legislative findings

18-43 Review procedure

18-42 Applicability

18-44 Design, installation, and maintenance

**18-41 Legislative findings**

The Common Council makes the following legislative findings relating to murals:

- (1) A mural, by definition, does not communicate a commercial message, and therefore does not constitute a sign.
- (2) A mural can help foster community identity by depicting a scene or event of natural, social, cultural, or historical significance.
- (3) Given the prominence of most murals, standards must be established so that murals become a community asset.

**18-42 Applicability**

The regulations in this division apply to all murals visible from an adjoining property or a public roadway.

**18-43 Review procedures**

A mural must be approved pursuant to the procedures and requirements set forth in Article 7.

**18-44 Design, installation, and maintenance**

- (1) Prior to painting or affixing a mural to the building, the surface of the building must be fully repaired and/or deemed suitable for the proposed mural. The City building inspector shall check the surface of the structure for general suitability. However, the City of Washburn and/or the building inspector shall not be responsible for any potential future failures associated with the structure or the mural.

- (2) A clear sealer shall be applied to the surface of the mural to extend the life of the mural and to make it easier to clean and maintain.
- (3) Exterior lighting may be allowed depending on location and potential off-site impacts on residential properties.
- (4) The property owner is responsible for ongoing maintenance and cleaning of the mural.
- (5) If any work related to the installation, cleaning, or maintenance of the mural occurs on public property, the property owner shall provide evidence of adequate liability insurance in an amount and of a type acceptable to the city administrator and the city may require measures to address parking impacts, if any, and to protect pedestrians and the public infrastructure.



**CITY OF WASHBURN**  
**119 Washington Avenue**  
**P.O. Box 638**  
**Washburn, WI 54891**



**715-373-6160**  
**715-373-6161**  
**FAX 715-373-6148**

To: Honorable Mayor and Plan Commission Members

From: Tammy DeMars, Deputy Zoning Administrator

Re: Mural Signs – 713 W. Bayfield Street

Date: May 3, 2021

Margaret Smith, Co-Owner Smith Chiropractic Clinic has applied for a permit to place, 32” x 48” Metal Mural Sign to be attached to West side of their business.

Since this business is located in the C2 District it requires architectural review.

# SIGN PERMIT APPLICATION

Date Received \_\_\_\_\_



No sign shall be erected, relocated, remodeled, enlarged or repaired until this Permit Application has been approved by the Zoning Administrator.

The erection, relocation, remodeling, enlargement, and repair of signs must conform to the provisions of the City of Washburn Zoning Code. Certain signs are exempt from the provisions of the Sign Ordinance. See Article 18-15, Signs Not Requiring a Permit, if you think a sign might be exempt.

### PROJECT INFORMATION

Applicant's Name and Mailing Address Margaret Smith  
201 Faulkner Rd, Washburn Phone # 715-208-4159  
 Site Address 713 W Bayfield St Parcel # \_\_\_\_\_  
 Subdivision \_\_\_\_\_ Block No. \_\_\_\_\_ Lot(s) \_\_\_\_\_ C 2 District  
 Property Owner Name, Address & Phone # (if different from applicant) \_\_\_\_\_

Written Permission: Yes \_\_\_ No \_\_\_ (Please attach to application.)

Description of Project I am buying a metal sign mural  
from Jamey Penney-Ritter. Its a 32" x 48"  
picture of a heron Estimated Cost \$ 211.00

In the space provided on the back, please describe the overall dimensions of the sign and indicate unique characteristics of the sign. A photo, drawing, or sketch may be provided here. Be sure to include dimensions in the drawing as well as the location of the sign on, or in relation to the building. If more space is needed, please attach another sheet.

I am familiar with the Washburn Sign Ordinance and the regulations contained therein. I understand that if this permit request is granted, I am responsible to see that the sign is in conformance with the requirements of the Sign Ordinance and that such sign conforms to the standards set in this application.

I agree to comply with all applicable codes, statues and ordinances and with the conditions of this permit; understand that the issuance of the permit creates no legal liability, express or implied, on the State of Wisconsin or the City of Washburn; and certify that all of the above information is accurate. If I am an owner applying for an erosion control or construction permit; I have read the cautionary statement regarding contractor financial responsibility on the reverse side of this application form.

Applicant Signature Margaret Smith Date 9-27-21



This lovely 32" x 48"  
heron  
will go  
approximately



here

Sign Type Mural # Signs 1 # Faces 1

Lighting Type \_\_\_\_\_ Sign Dimensions 32" x 48" Total Sq Ft 12

Location of Sign 713 W Bayfield St Height to Top of Sign from Ground 8 feet?

**CONDITIONS OF APPROVAL:** This permit is issued pursuant to the following conditions. Failure to comply with these conditions may result in suspension or revocation of this permit or other penalty.

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

Fees: Section 13-1-106 The minimum fee for a sign permit shall not be less than \$15.00 for any sign or for an amount based on the sign area as follows: On-premise signs visible from a public right-of-way shall be calculated on the basis of \$2.00 per square foot in addition to the base fee of \$15.00. The calculation of the area of a ground sign or projection sign shall be the gross area of one face of the sign. The area of the sign shall be the gross area as calculated in this article.

**PERMIT DENIAL:**

**PERMIT APPROVAL:**

Your request for a sign permit is denied. The reasons for the denial are specified Below. If you wish to appeal this finding, please contact the Zoning Administrator at City Hall.

The sign(s) described in this application meet the provisions of the Sign Ordinance as described in this application.

PERMIT DENIED BY \_\_\_\_\_

PERMIT ISSUED BY \_\_\_\_\_

DATE DENIED \_\_\_\_\_

DATE ISSUED \_\_\_\_\_

REASONS FOR DENIAL \_\_\_\_\_

PERMIT # \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**CITY OF WASHBURN**  
**119 Washington Avenue**  
**P.O. Box 638**  
**Washburn, WI 54891**



**715-373-6160**  
**715-373-6161**  
**FAX 715-373-6148**

To: Honorable Mayor and Plan Commission Members

From: Tammy DeMars, Deputy Zoning Administrator

Re: Sign Permit - 137 W. Bayfield Street

Date: May 3, 2021

Rose City Canopy have applied for a permit to replace the canopy fascia on the Midland Service Convenience Station with new Cenex logo and Blue Swoosh as shown in the attached picture. The canopy fascia will also have an internal light bar on all four sides.

Since they are in the Downtown Design District Article 14, Section 14-5(b)(3) considers it major work and requires Plan Commission approval.

I have no concerns with this application.

City of

# SIGN PERMIT APPLICATION

Date Received \_\_\_\_\_



No sign shall be erected, relocated, remodeled, enlarged or repaired until this Permit Application has been approved by the Zoning Administrator.

The erection, relocation, remodeling, enlargement, and repair of signs must conform to the provisions of the City of Washburn Zoning Code. Certain signs are exempt from the provisions of the Sign Ordinance. See Article 18-15, Signs Not Requiring a Permit, if you think a sign might be exempt.

### PROJECT INFORMATION

Applicant's Name and Mailing Address Rose City Canopy

31208 County Road 71, Eagle Bend, MN Phone # 218-738-3188

Site Address 137 W Bayfield, Parcel # 33229

Subdivision Orig town site of Washburn, Blk Block No. 46 Lot(s) \_\_\_\_\_

top with w/2 of vac 2nd Ave W in V.737 P.417 & W 21' of E 1/2, vac 2nd Ave in  
Property Owner Name, Address & Phone # (if different from applicant) Midland Services

SAME

Written Permission: Yes  No \_\_\_\_\_ (Please attach to application.)

Description of Project Reimage Canopy at Site.. See attachments

Estimated Cost 15,000

In the space provided on the back, please describe the overall dimensions of the sign and indicate unique characteristics of the sign. A photo, drawing, or sketch may be provided here. Be sure to include dimensions in the drawing as well as the location of the sign on, or in relation to the building. If more space is needed, please attach another sheet.

I am familiar with the Washburn Sign Ordinance and the regulations contained therein. I understand that if this permit request is granted, I am responsible to see that the sign is in conformance with the requirements of the Sign Ordinance and that such sign conforms to the standards set in this application.

I agree to comply with all applicable codes, statues and ordinances and with the conditions of this permit; understand that the issuance of the permit creates no legal liability, express or implied, on the State of Wisconsin or the City of Washburn; and certify that all of the above information is accurate. If I am an owner applying for an erosion control or construction permit; I have read the cautionary statement regarding contractor financial responsibility on the reverse side of this application form.

Applicant Signature Tammy Westberg Co Date 4/13/21  
Rose City Sign

Owner is ultimately responsible for all code compliance related to the work for which this permit is issued.

## Tammy Demars

---

**From:** Tammy <tammy@rosecityinc.com>  
**Sent:** Tuesday, April 13, 2021 2:55 PM  
**To:** 'Tammy Demars'  
**Subject:** [SPF-SoftFail] RE: [SPF-SoftFail] Cenex, 137 W Bayfield, Washburn, WI  
**Attachments:** New Image front.jpg; New Image side.jpg

See answers below.  
Tammy



### **TAMMY WESTERBERG | Project Manager**

ROSE CITY INCORPORATED CANOPY. ELECTRIC. SIGN. VINYL GRAPHICS. BBQ. LED.  
31208 Cty. Rd. 71, Eagle Bend MN 56446 | [www.rosecityinc.com](http://www.rosecityinc.com) | [800-594-9451](tel:800-594-9451)

EMAIL [tammy@rosecityinc.com](mailto:tammy@rosecityinc.com)

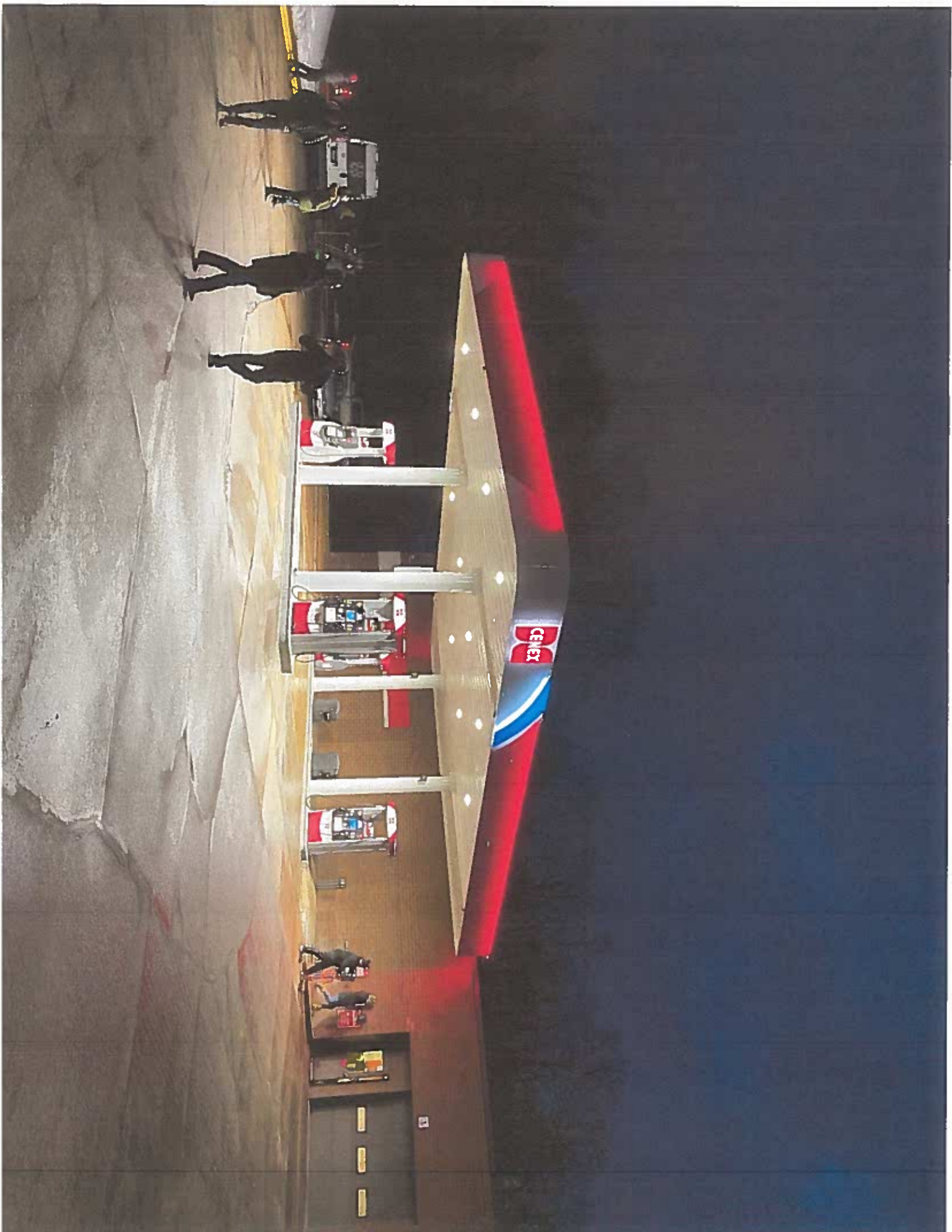
**From:** Tammy Demars <tdemars@cityofwashburn.org>  
**Sent:** Tuesday, April 13, 2021 2:39 PM  
**To:** 'Tammy' <tammy@rosecityinc.com>  
**Subject:** RE: [SPF-SoftFail] Cenex, 137 W Bayfield, Washburn, WI

Tammy,

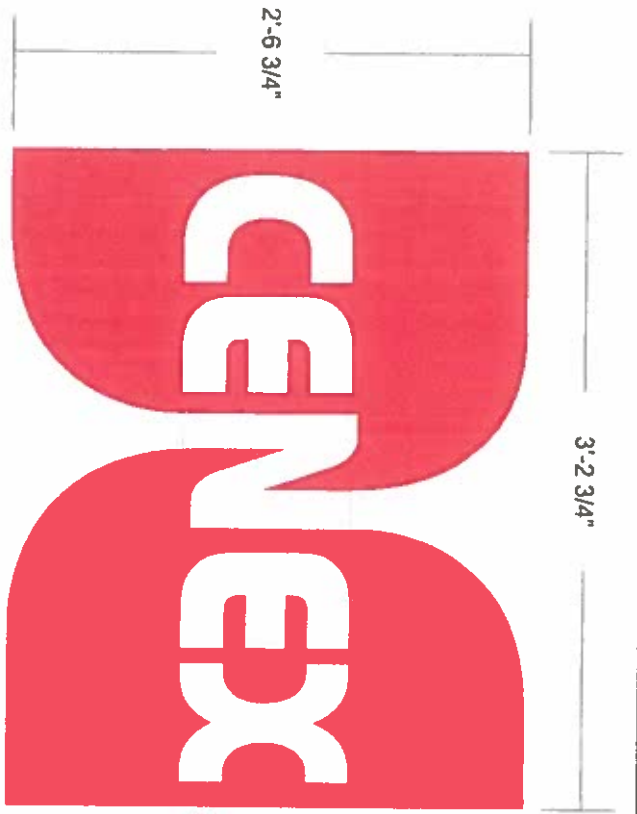
**This will require the sign permit, but I need some additional information to determine if it will have to go to Plan Commission.**

- 1) Are you replacing everything around the canopy or just the Cenex logo with the blue arch signs? Yes the canopy will get new fascia and the new Cenex log and Blue Swoosh. But the structure and footings will remain existing.**
- 2) The lightbar you are talking about is it just for the logo and the blue arch and is it already lighted? The Light bar will be on 4 side of the Canopy. And that will be lit along with the Cenex logo and blue swoosh.**

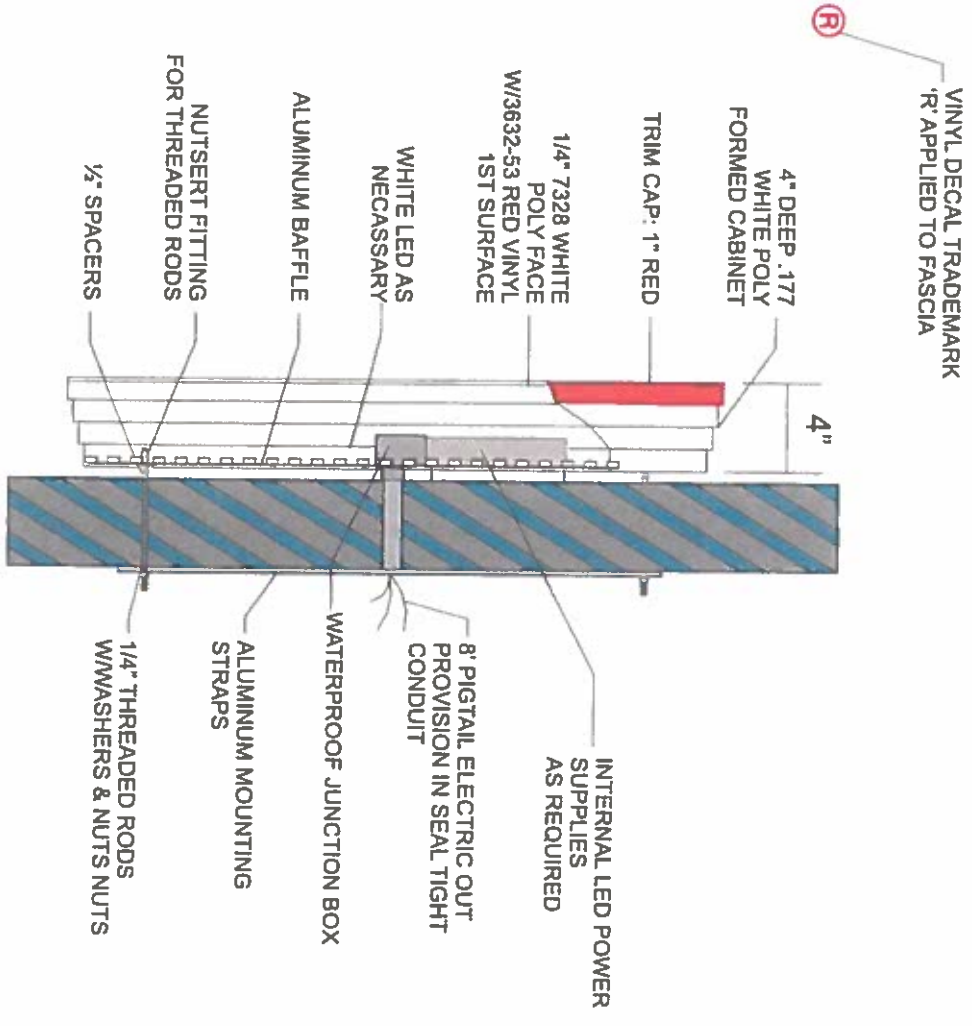
*Tammy L. Demars*  
City Treasurer/Deputy Clerk  
Deputy Zoning Administrator  
City of Washburn  
119 Washington Ave.  
PO Box 638  
Washburn, WI 54891







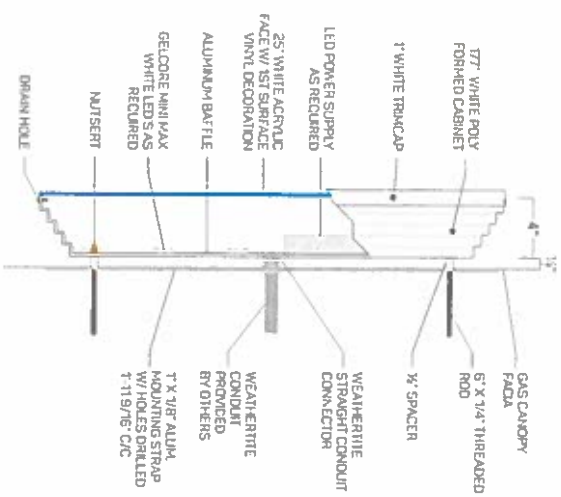
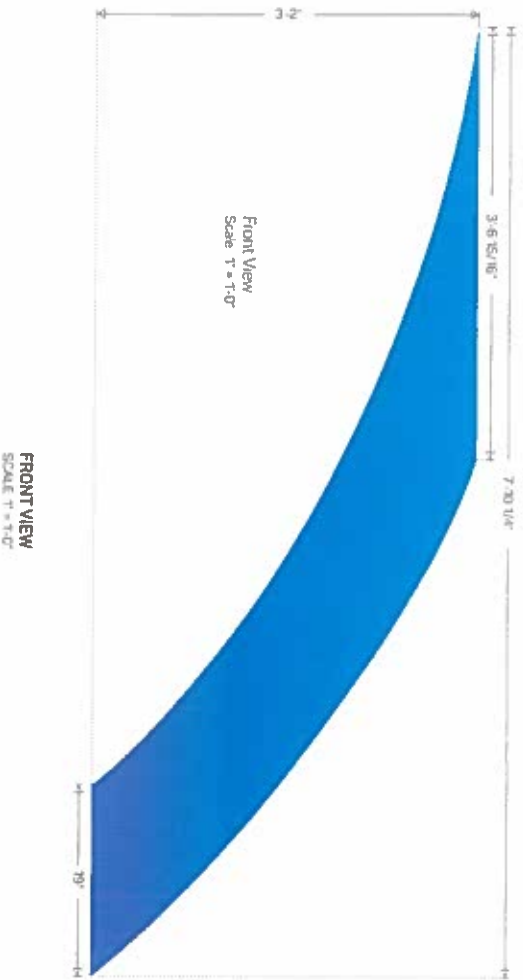
NOTES:  
 .177" WHITE POLY CABINET FOR 'GLOW' EFFECT  
 FACE IS GLUED TO CABINET  
 THREADED RODS AND 1/2" SPACERS INCLUDED  
 U.L. APPROVED  
 ELECTRICAL: 0.85 AMPS - 120 VOLTS -



JUNCTION BOX AND PRIMARY POWER ARE PROVIDED BY OTHERS

Customer:	CENEX		Date:	5-9-08	Prepared By:	MWR/GR	Notes:	Color request may not be exact. Please verify or pickup the drawing. All colors used in this drawing are for reference only. If there are any changes, please provide the correct PMS number and a reference to the drawing will be made.
Location:	VARIOUS		File Name:	C-PRINT - R1 - 2X3 BUTTERFLY MOUNTING				
ENG:	X		DISTRIBUTED BY SIGN UP COMPANY 700 21st STREET SOUTHWEST WATERLOO, IA 52201-4210					

**PERSOANA**  
 Sign Makers / Image Builders  
 Ph: 1-800-843-9888



CHANNEL LETTER CROSS SECTION  
SCALE NTS

1-800-594-9451 1-218-738-3186

www.rosecityinc.com

11205 County RD 71, Eagle Bend MN 55436

ROSE CITY  
INCORPORATED  
CANOPY, ELECTRIC, SIGN, VINYL GRAPHICS

Trent Allen,

Below is an ESTIMATED cost to convert your location from Cenex to the Cenex Image Retention.

OCI #: 65913A

Date: 2/15/21

Customer: Midland Sevices Incorporated, 220 3rd Ave West, Ashland, WI, 54806, (Trent Allen)

Store Name:	Midland Services Inc
Address:	137 West Bayfield
City:	Washburn
State:	WI
Zip:	54891
Contact:	Trent Allen

Current Brand:	Cenex
Proposed Brand:	Cenex
Canopy Qty:	1
Pump Qty:	5
MID Signs:	1
Hi-Rise Signs:	0

**Description of Canopy #1 Labor:**

Accent Band Install (171 LF) (Electric Included), Canopy Arch Install (2) (Electric Included), Island Paint (5), Add'l Valance Kit (4), Pump #6 to receive 91 Octane Decal & Credit Card Decal,

Estimated Forecourt Labor: \$6,820.00

If the installation of image materials requires removal of items such as speakers, lighting or cameras, it is the Site's responsibility to reinstall the equipment.

Estimated MID Labor: \$0.00

Customer agrees to order according to the above quote.

\*\* Electrical connections for the Primary Signage will be Charged on Final Invoice if Connection is completed by our Hired Contractors.

**Standard Image Labor Summary Estimated Totals**

Estimated Forecourt Labor: \$6,820.00

**Standard Image Labor Estimated Total: \$6,820.00**

\*\* Permits will be acquired at cost plus procurement fee, (procurement will be \$85.00 per hour).

By: Trent Allen

The cost of any additional materials selected by Customer is not included above but will be reflected on a separate page entitled "Optional Image Materials", which is incorporated herein by reference.

**CITY OF WASHBURN**  
**119 Washington Avenue**  
**P.O. Box 638**  
**Washburn, WI 54891**



**715-373-6160**  
**715-373-6161**  
**FAX 715-373-6148**

**To: Honorable Mayor and Plan Commission Members**

**From: Tammy DeMars, Deputy Zoning Administrator**

**Re: Sign Permit/Mural - 324 W. Bayfield Street**

**Date: May 5, 2021**

Amy Trimbo has applied for a permit to place a 48" x 44" Projecting Sign and a 36" x 36" Mural Sign for her business AdventureUS, located at 324 W. Bayfield Street. The pictures of the sign and mural are included in the packet. The sign meets all of the sign requirements outlined in Article 18.

Since they are in the Downtown Design District Article 14, both the sign and the mural require architectural review.

I have no concerns with this application.

# SIGN PERMIT APPLICATION



Date Received \_\_\_\_\_

**No sign shall be erected, relocated, remodeled, enlarged or repaired until this Permit Application has been approved by the Zoning Administrator.**

The erection, relocation, remodeling, enlargement, and repair of signs must conform to the provisions of the City of Washburn Zoning Code. Certain signs are exempt from the provisions of the Sign Ordinance. See Article 18-15, Signs Not Requiring a Permit, if you think a sign might be exempt.

### PROJECT INFORMATION

Applicant's Name and Mailing Address Amy Trimbo, PO Box 64, Washburn

WI 54806 Phone # 715-209-4057

Site Address 324 w. Bayfield St. Parcel # \_\_\_\_\_

Subdivision \_\_\_\_\_ Block No. \_\_\_\_\_ Lot(s) \_\_\_\_\_

Property Owner Name, Address & Phone # (if different from applicant) \_\_\_\_\_

Written Permission: Yes \_\_\_\_\_ No \_\_\_\_\_ (Please attach to application.)

Description of Project Hanging Business Sign with Name + Logo  
perpendicular to building + Lake Superior Barn Quilt Mural  
on west lower facade. Estimated Cost \$1,850

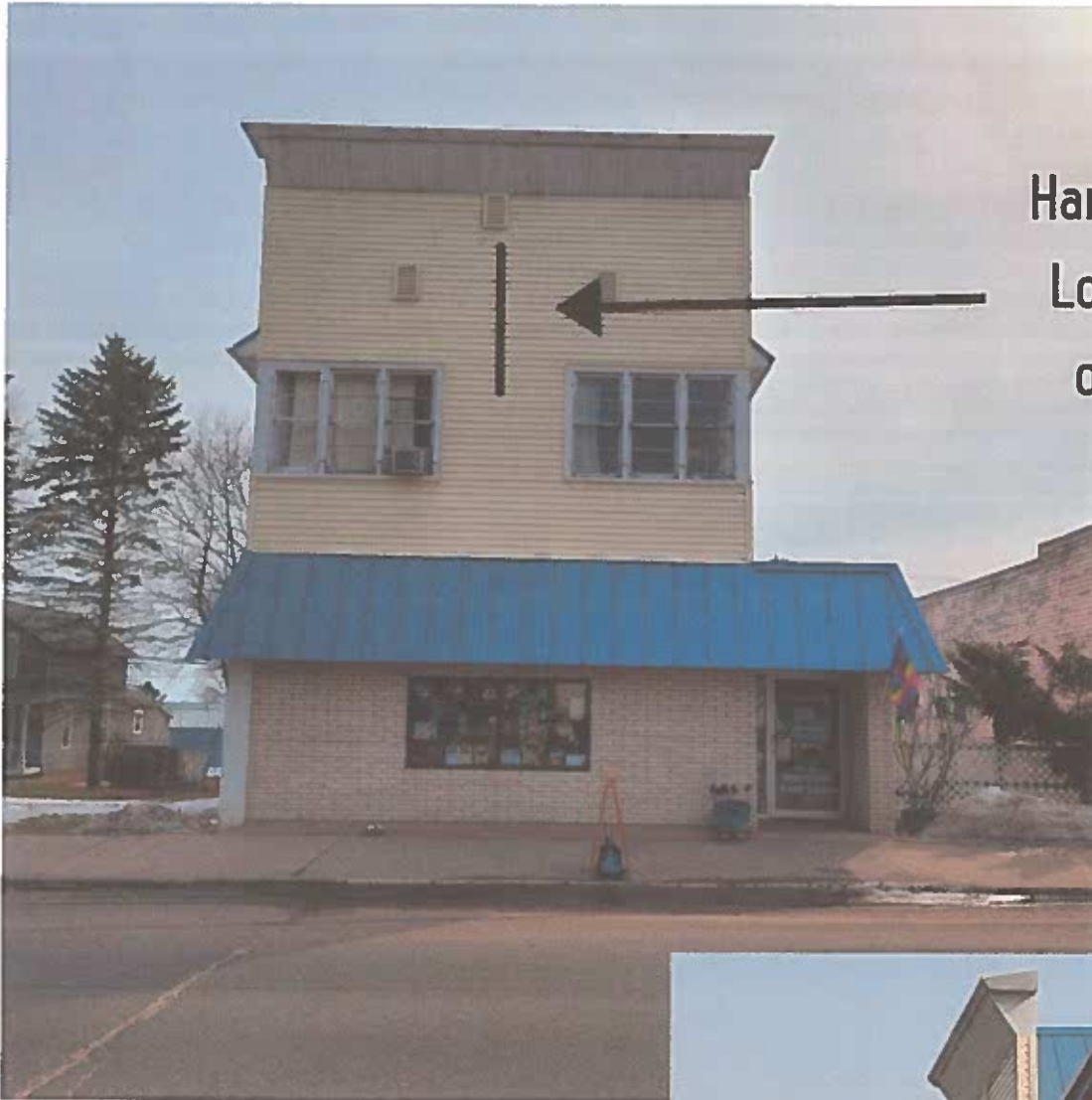
In the space provided on the back, please describe the overall dimensions of the sign and indicate unique characteristics of the sign. A photo, drawing, or sketch may be provided here. Be sure to include dimensions in the drawing as well as the location of the sign on, or in relation to the building. If more space is needed, please attach another sheet.

**I am familiar with the Washburn Sign Ordinance and the regulations contained therein. I understand that if this permit request is granted, I am responsible to see that the sign is in conformance with the requirements of the Sign Ordinance and that such sign conforms to the standards set in this application.**

**I agree to comply with all applicable codes, statues and ordinances and with the conditions of this permit; understand that the issuance of the permit creates no legal liability, express or implied, on the State of Wisconsin or the City of Washburn; and certify that all of the above information is accurate. If I am an owner applying for an erosion control or construction permit; I have read the cautionary statement regarding contractor financial responsibility on the reverse side of this application form.**

Applicant Signature *Amy Trimbo* Date 4/30/2021

Owner is ultimately responsible for all code compliance related to the work for which this permit is issued.



Hanging Sign with  
Logo and Name  
on both sides



Vinyl on Metal  
Size: 48" x 44"

Logo & Name Sign



Attachment Style



Vinyl on Metal  
Size: 36" x 36"  
Lake Superior Barn Quilt Mural



**CITY OF WASHBURN**  
**119 Washington Avenue**  
**P.O. Box 638**  
**Washburn, WI 54891**



**715-373-6160**  
**715-373-6161**  
**FAX 715-373-6148**

To: Honorable Mayor and Plan Commission Members

From: Tammy DeMars, Deputy Zoning Administrator

Re: Sign Permit - 14 E. Bayfield Street

Date: May 10, 2021

Jamey Penney-Ritter has applied for a permit to place a 47" x 27" Wall Sign at her new business, located at 14 E. Bayfield Street. The sign will be made of gold leaf vinyl and placed on exterior glass. The sign meets all of the sign requirements outlined in Article 18.

Since is located in the Downtown Design District Article 14, requires architectural review.

I have no concerns with this application and recommend approval.

# SIGN PERMIT APPLICATION



Date Received \_\_\_\_\_

**No sign shall be erected, relocated, remodeled, enlarged or repaired until this Permit Application has been approved by the Zoning Administrator.**

The erection, relocation, remodeling, enlargement, and repair of signs must conform to the provisions of the City of Washburn Zoning Code. Certain signs are exempt from the provisions of the Sign Ordinance. See Article 18-15. Signs Not Requiring a Permit, if you think a sign might be exempt.

### PROJECT INFORMATION

Applicant's Name and Mailing Address Jamey Penney-Ritter; PO Box 301, Washburn, WI 54891

bemusedwi@gmail.com Phone # 715-209-1126

Site Address 14 East Bayfield St., Washburn, WI 54891 Parcel # 291-2-48-04-05-1 00-312-4170  
Tax ID 3333

Subdivision Original Townsite of Washburn Block No. 59 Lot(s) Part of 6; All of 7

Property Owner Name, Address & Phone # (if different from applicant) \_\_\_\_\_

Kathy Holt, 608-212-7950

Written Permission: Yes  No  (Please attach to application.)

Description of Project Two-color application of vinyl on exterior glass. Mostly transparent. Gold leaf vinyl is not available for interior application. Dimensions 47" wide x 27" high. Application will be on the outside of the 8' x 5' tinted window. Image centered.

Historically similar to original building signage. Estimated Cost \$400

In the space provided on the back, please describe the overall dimensions of the sign and indicate unique characteristics of the sign. A photo, drawing, or sketch may be provided here. Be sure to include dimensions in the drawing as well as the location of the sign on, or in relation to the building. If more space is needed, please attach another sheet.

**I am familiar with the Washburn Sign Ordinance and the regulations contained therein. I understand that if this permit request is granted, I am responsible to see that the sign is in conformance with the requirements of the Sign Ordinance and that such sign conforms to the standards set in this application.**

**I agree to comply with all applicable codes, statues and ordinances and with the conditions of this permit; understand that the issuance of the permit creates no legal liability, express or implied, on the State of Wisconsin or the City of Washburn; and certify that all of the above information is accurate. If I am an owner applying for an erosion control or construction permit; I have read the cautionary statement regarding contractor financial responsibility on the reverse side of this application form.**

Applicant Signature Jamey Penney-Ritter Date 5/7/21

Owner is ultimately responsible for all code compliance related to the work for which this permit is issued.



Sign Type Window/Wall Sign # Signs 1 # Faces 1  
Lighting Type None Sign Dimensions 47" x 27" Total Sq Ft 8.82  
Location of Sign Front Window Height to Top of Sign from Ground \_\_\_\_\_

**CONDITIONS OF APPROVAL:** This permit is issued pursuant to the following conditions. Failure to comply with these conditions may result in suspension or revocation of this permit or other penalty.

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

Fees: Section 13-1-106 The minimum fee for a sign permit shall not be less than \$15.00 for any sign or for an amount based on the sign area as follows: On-premise signs visible from a public right-of-way shall be calculated on the basis of \$2.00 per square foot in addition to the base fee of \$15.00. The calculation of the area of a ground sign or projection sign shall be the gross area of one face of the sign. The area of the sign shall be the gross area as calculated in this article.

**PERMIT DENIAL:**

Your request for a sign permit is denied. The reasons for the denial are specified Below. If you wish to appeal this finding, please contact the Zoning Administrator at City Hall.

PERMIT DENIED BY \_\_\_\_\_

DATE DENIED \_\_\_\_\_

REASONS FOR DENIAL \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**PERMIT APPROVAL:**

The sign(s) described in this application meet the provisions of the Sign Ordinance as described in this application.

PERMIT ISSUED BY \_\_\_\_\_

DATE ISSUED \_\_\_\_\_

PERMIT # \_\_\_\_\_

ESTABLISHED 2007

& PHOTOGRAPHY LLC

BEMUSED DESIGN

JAMEY PENNEY-RITTER  
PROPRIETRESS

GALLERY & STUDIO



Courtesy of the Washburn Area Historical Society

**CITY OF WASHBURN**  
**119 Washington Avenue**  
**P.O. Box 638**  
**Washburn, WI 54891**



**715-373-6160**  
**715-373-6161**  
**FAX 715-373-6148**

To: Plan Commission Members

From: Scott J. Kluver, <sup>SK</sup>Administrator

Re: 211 Storage Shed/ Application of Downtown Design Standards to Accessory Structures

Date: May 13, 2021

Enclosed you will find a request for the placement of a yard shed at the property located at 211 W. Bayfield Street. It is my understanding that the siding would be changed to look similar to the primary structure. The Plan Commission will need to decide if they find the roof acceptable.

This is another example of the application of the Downtown Design Standards applying to an accessory structure. If it were not for the Downtown Design Standards chapter, this request would have needed just a simple zoning permit. The Plan Commission should determine if they wish to pursue an ordinance that exempts accessory structures from Downtown Design Standards or not. If no action is taken, we will continue to apply the Downtown Design Standards to accessory structures.

DRAFT

City of Washburn Plan Commission

DOWNTOWN DESIGN DECISION

DRAFT

211 LLC

Filing Date: May 7, 2021

Proper notice of hearing provided: Yes

Hearing Date: May 20, 2021

Applicant Name and Address: David Sneed  
211 W. Bayfield Street  
Washburn, WI 54891  
Tax ID 33204

1. **Decision:** The application for downtown design review is ???.
2. **Description of the Proposed Project:** To install a yard shed on the property.
3. **Reasons for the Decision:** The Plan Commission must determine whether the project complies with all applicable design principles and standards:

Downtown Standards:

- (1) **Building height.** The height of a building shall not be more than one story taller or shorter than the height of the adjoining building. In no event, shall the height of a building exceed the maximum building height established for the base zoning district. **No change to the main structure is occurring.**
- (2) **Special requirements for large buildings.** A building façade fronting on a public street with a frontage of 75 feet or more shall be designed to look like two or more individual building fronts. This may be achieved by using different building materials, facade articulations, or other design approach that gives the appearance of separate, but attached buildings. **N/A.**
- (3) **Horizontal rhythms.** The horizontal pattern of exterior building elements formed by patterns of building openings for windows and doors, and related elements such as piers and columns shall be spaced at regular intervals across all visible façades of the building. **Plan Commission finds no issues with this provision.**
- (4) **Vertical rhythms.** The floor heights on main façades shall complement those of adjoining buildings. The rhythm of the ground floor shall harmonize with the rhythm of upper floors. The vertical pattern of exterior building elements formed by patterns of building openings for windows and doors, and related elements such as sills, headers, transoms, cornices, and sign bands shall be compatible in design and elevation with adjoining buildings in immediate area. **The Plan Commission finds structure is one story, and will be sided similar to that of the primary structure.**
- (5) **Roof forms.** Flat or gently sloping roofs which are not visible from the street grade shall generally be used. Mansards or other exotic roof shapes are not characteristic of the district's character and are prohibited. **The roof of the shed is gently sloping, but does faces the street. The Plan Commission finds.....**

## City of Washburn Plan Commission

- (6) **Awnings.** The size, color, placement, and design of an awning should be complementing the architectural character of the building on which it is located. Soft, weather-treated canvas or vinyl materials which allow for flexible or fixed installation shall be used. Awnings covered with shingles, metal roofing, or the like are prohibited. Backlit awnings are prohibited. **N/A – No awning proposed.**
- (7) **Building materials.** Selected building materials shall be compatible with those of existing buildings in the immediate area which generally consist of natural materials such as stone, brick, and wood. Concrete masonry units, corrugated metal, half-log siding, and vinyl siding are prohibited. **The shed shall be sided similar to the main structure.**

4. List of Conditions Imposed: **None**

5. If one or more conditions of approval are imposed, the property owner must sign this decision document and return it to the Zoning Administrator for his signature and as acceptance of the conditions of this decision.
6. This decision may be appealed to the Common Council of the City of Washburn within 30 days of receipt of this decision by filing a written statement of appeal stating the grounds for such appeal.
7. Any person aggrieved by this decision may also appeal this decision and any work done by the Applicant as authorized by this approval is done at the applicant's own risk.

Dated: May 21, 2021

By: \_\_\_\_\_  
Scott J. Kluver, Zoning Administrator  
On behalf of the City of Washburn Plan  
Commission

**If Conditions Are Imposed:**

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Property Owner

# CONSTRUCTION PERMIT APPLICATION

Permit Request:  Remodeling  Windows  Doors  Roofing  Siding  Plumbing/HVAC  
 New Construction  Deck  Fence  Flat Work  Electrical  Other

**Complete the following with name, address, (house # and mailing address) & telephone**

Owner Dave Sneed E-Mail DAVE@REPLANTUS.ORG  
 Construction Contractor \_\_\_\_\_ Phone 803-995-4226  
 Address \_\_\_\_\_ License # \_\_\_\_\_  
 Excavation Contractor \_\_\_\_\_ Phone: \_\_\_\_\_  
 Address \_\_\_\_\_ License # \_\_\_\_\_

Owner is ultimately responsible for all code compliance related to the work for which this permit is issued.

**PROJECT INFORMATION**

Site Address 211 W. Bayfield St Pin # 0429124804052 00312 28500  
 RE Tax ID # 33204 Zoning District C3 Lot Area \_\_\_\_\_

Description of work INSTALL low profile shed along retaining wall  
for lawn equipment - 10x20 with 20' side parallel to  
Bayfield St. Sort of a garden shed style - Siding color (or) black.  
 Estimated Project Cost \$3000

<b>NEW CONSTRUCTION</b>	Area Involved	Water & Sewer:
Building Height _____	Basement _____ sq ft	Water Municipal or Private Well
1-story _____ Other _____	Living Area _____ sq ft	Sewer Municipal or Septic
2-story _____ Basement _____	Garage _____ sq ft	Permit Numbers _____
	Total <u>200</u> sq ft	

*Additional permits that may not be covered by this application: Driveways; Sewer; Water, Demolition, Sidewalks*

I agree to comply with all applicable codes, statutes and ordinances and with the conditions of this permit; understand that the issuance of the permit creates no legal liability, express or implied, on the State of Wisconsin or the City of Washburn; and certify that all of the above information is accurate. If I am an owner applying for an erosion control or construction permit, I have read the cautionary statement regarding contractor financial responsibility on the reverse side of this application form.

Applicant Signature [Signature] Date 7 April 21

**CONDITIONS OF APPROVAL** This permit is issued pursuant to the following conditions. Failure to comply with these conditions may result in suspension or revocation of this permit or other penalty.


See Attached Condition Letter

<b>NOTES</b>	<b>FEES (per Title 15 Municipal Code)</b>		<b>PERMIT ISSUED BY:</b>
	<input type="checkbox"/> Remodeling <input type="checkbox"/> New Construction <input type="checkbox"/> Fence <input type="checkbox"/> Flat Work <input type="checkbox"/> Siding <input type="checkbox"/> Roofing <input type="checkbox"/> Driveway	<input type="checkbox"/> Demolition <input type="checkbox"/> Deck <input type="checkbox"/> Shelter <input type="checkbox"/> _____ <input type="checkbox"/> _____ <input type="checkbox"/> Early Start	DATE ISSUED _____  <b>PERMIT NO.</b> _____
	TOTAL _____		

# Untitled Map

Write a description for your map.

## Legend

-  211 W Bayfield St
-  Blockbuster Express

49'

SHED

10'

Proposed shed  
up against berm

211 W Bayfield St

70 ft



Google Earth

© 2021 Google



## Tammy Demars

---

**From:** Dave Sneed <dave@replantus.org>  
**Sent:** Monday, May 10, 2021 3:24 PM  
**To:** Tammy Demars  
**Subject:** Re: Shed Permit

I'm thinking this shape but different  
color



**CITY OF WASHBURN**  
**119 Washington Avenue**  
**P.O. Box 638**  
**Washburn, WI 54891**



**715-373-6160**  
**715-373-6161**  
**FAX 715-373-6148**

To: Plan Commission Members  
From: Scott J. Kluver, ~~Administrator~~  
Re: Plan of Operation for Cozy Corner Guitar Sales and Repair  
Date: May 13, 2021

Enclosed you will find a Plan of Operation for Cozy Corner Guitar Sales and Repair. As this business is going in an existing facility with no planned exterior modifications, a Plan of Operation is all that is needed for approval. The attached plan meets the requirement of the code in my opinion.

If at some point in the future, there is a desire for a sign, that would require separate approval.

Please let me know if you have any questions on this request.

## **Cozy Corner Guitar Sales and Repair**

### **Plan of Operation**

**Owner:** Michael L Pully

**Business Address:** 131 West Bayfield St  
Washburn, Wi 54891  
**Phone:** 715-292-0476

**Email:** cozycornerguitar@gmail.com

**Website:** www.cozycornerguitar.com

Our Mission is to provide Washburn and the surrounding areas with professional quality guitar repair and service at an affordable price. We have decades of experience building, repairing, and selling guitars. We are targeting area musicians of all ages to be able to provide professional service, accessories, and most importantly build a community for area musicians. We can provide guidance to fit the right instruments, repair services, or related products to suit the needs of our customers.

The business will be a sole proprietorship and is aiming to open in June, 2021.

### **Hours of operation:**

Tuesday – Friday 10 am – 5pm

Saturdays 11am - 4pm

### **Outline of current services**

- Service and repair all stringed instruments.
- Sell stringed instruments such as guitars, bass, ukuleles, and more.
- Sell stringed instrument accessories such as strings, picks, tuners, etc.
- Service and repair local area school stringed instruments
- Stringed instrument appraisal service

### **Future services**

- On-site guitar and bass lessons

### **Business details**

The business will strictly a sole proprietorship with no employees. I Michael Pully, will be running the business as an owner/operator.

I will not be planning any exterior changes to the outside of the building. The only modifications I plan to make in the inside of the building is the addition of slat board and pegboard to on two of the interior walls in order to hang merchandise.

I don't anticipate any deliveries via large trucks. Generally my shipments come via UPS and FedEx and are generally limited to a few boxes at a time (guitars and accessories).

I do not plan on using any hazardous substances other the usual guitar polish, wax, and lemon oil.

**7-96 Amendment of an approval**

Following approval, the Plan Commission shall review all proposed changes to the approval. If in the opinion of the Plan Commission, the proposed change constitutes a minor alteration, the Plan Commission may approve the requested change in writing at a regular or special meeting of the Plan Commission without following the review procedure in this division. If the proposed change constitutes a major alteration, the review procedure in effect at the time of submittal shall be followed.

**7-97 Fees**

(a) **Professional services fees.** Costs incurred by the City in obtaining legal, planning, engineering, and other technical and professional advice in connection with an application shall be charged to the applicant as set forth in s. 6-14.

(b) **Limitation on fees.** The total of all fees associated with the review of an application shall not exceed the limits established by s. 66.0404(4)(d), Wis. Stats.

**7-98 to 7-110 Reserved**

**DIVISION 6  
PLAN OF OPERATION**

**Sections**

7-111	Generally	7-117	Staff report content
7-112	Initiation	7-118	Content of decision document
7-113	Review procedure	7-119	Effect of approval
7-114	Basis of decision	7-120	Expiration of an approval
7-115	Imposition of conditions	7-121	Amendment of an approval
7-116	Application form and content		

**7-111 Generally**

The way in which many land uses operate has a direct effect on the nature of the use and potential effects on nearby properties, including existing and anticipated land uses. This division describes the requirements and procedures for reviewing those land uses that must submit a plan of operation for review and approval.

**7-112 Applicability**

Those land uses designated as requiring plan of operation review in the land-use matrix (Exhibit 8-1) must comply with the requirements in this division.

**7-113 Initiation**

The owner of the subject property may submit an application for a plan of operation.

**7-114 Review procedure**

(a) **Initial review.** The general steps outlined below shall be used in the review of a plan of operation application.

- (1) **Submittal of application materials.** The applicant shall submit a completed application and other required materials to the zoning administrator along with the application fee as may be established by the Common Council.
- (2) **Staff review.** Within 30 calendar days of submittal, the zoning administrator shall either place the matter on the agenda for the meeting at which the matter will be considered allowing for proper public notice or make a determination that the application is incomplete and notify the applicant of any deficiencies. If the application is incomplete, the applicant has 3 months to resubmit the application or forfeit the application fee. The zoning administrator shall take no further steps to process the application until the deficiencies are remedied. The incomplete application shall be retained as a public record.

- (3) **Staff report preparation and distribution.** The zoning administrator shall prepare a written staff report as described in this division and provide a copy of it to each member of the Plan Commission and the applicant prior to the meeting at which the matter will be considered. The zoning administrator shall also provide a copy to interested people upon request.
  - (4) **General notice.** Consistent with Division 2 of Article 6, the zoning administrator shall place the matter on the meeting agenda of the Plan Commission.
  - (5) **Meeting.** Allowing for proper notice, the Plan Commission shall consider the application at a regular or special meeting.
  - (6) **Decision.** The Plan Commission shall (i) approve the plan of operation, (ii) approve the plan of operation with conditions, or (iii) deny the plan of operation. The Plan Commission may render its decision at the same meeting the matter was initially considered or at a subsequent meeting, but no later than 40 calendar days after the initial meeting unless the applicant agrees to an extension of a specified duration.
  - (7) **Preparation of decision document.** Based on the action of the Plan Commission, the zoning administrator shall prepare a decision document consistent with this division.
  - (8) **Applicant notification.** Within a reasonable time following the Plan Commission's decision, the zoning administrator shall mail the decision document to the applicant by regular mail.
  - (9) **Acceptance by property owner.** If the application is approved, the property owner and the operator, if different, shall sign the decision document to acknowledge the terms of the approval and return the same to the zoning administrator within 6 months of the decision. Prior to the expiration of the previously specified time period, the property owner or operator, if different, may submit a petition to the City Clerk requesting an extension and the Common Council may, with cause, extend the period within which the decision document must be signed. If the signed decision document is not returned within the initial or extended time period, if any, the decision shall become null and void without any further action by the City. The decision document shall only become effective when all required signatures have been obtained and the original signature copy is returned to the zoning administrator.
  - (10) **Public record copy.** A duplicate copy of the decision document shall be retained as a public record.
- (b) **Common Council review on appeal.** If a final decision of the Plan Commission is appealed as provided for in this division, the general steps outlined below shall be used in the review of a plan of operation application.
- (1) **Submittal of application materials.** The zoning administrator shall forward the application and other required materials the applicant initially submitted along with the decision document approved by the Plan Commission to the Common Council.
  - (2) **General notice.** Consistent with Division 2 of Article 6, the zoning administrator shall place the matter on the meeting agenda of the Common Council.
  - (3) **Meeting.** Allowing for proper notice, the Common Council shall consider the application at a regular or special meeting.
  - (4) **Decision.** The Common Council shall (i) approve the plan of operation, (ii) approve the plan of operation with conditions, or (iii) deny the plan of operation. The Common Council may render its decision at the same meeting the matter was initially considered or at a subsequent meeting, but no later than 40 calendar days after the date of the initial meeting unless the applicant agrees to an extension of a specified duration.
  - (5) **Preparation of decision document.** Based on the action of the Common Council, the zoning administrator shall within 15 calendar days of such decision prepare a decision document consistent with this division.
  - (6) **Applicant notification.** Within a reasonable time following the Common Council's decision, the administrator shall mail the decision document to the applicant by regular mail.
  - (7) **Acceptance by property owner.** If the application is approved, the property owner and the operator, if different, shall sign the decision document to acknowledge the terms of the approval and return the same to the zoning administrator within 6 months of the decision. Prior to the expiration of the previously specified time period, the property owner or the operator, if different, may submit a petition to the City Clerk requesting an extension and the Common Council may, with cause, extend the period within which the decision document must be signed. If the signed decision document is not returned within the initial or extended time period, if any, the decision shall become null and void without any further

action by the City. The decision document shall only become effective when all required signatures have been obtained and the original signature copy is returned to the zoning administrator.

- (8) **Public record copy.** A duplicate copy of the decision document shall be retained as a public record.

#### **7-115 Basis of decision**

The Plan Commission and the Common Council on appeal shall consider the following factors in making their decision:

- (1) the nature of the land use with regard to the number of employees, nature and extent of truck shipments to and from the site, hours of operation, use of hazardous substances, and other operational characteristics;
- (2) the nature and extent of anticipated positive and negative effects on properties in the area;
- (3) actions the applicant will undertake to mitigate the negative effects, if any, of the proposed land use; and
- (4) any other factor that relates to the purposes of this chapter set forth in s. 1-5 or as allowed by state law.

#### **7-116 Imposition of conditions**

(a) **Generally.** In approving a plan of operation, the Plan Commission or the Common Council on appeal may impose one or more conditions deemed necessary to further the intent and purposes of this chapter. Such conditions, for example, may relate to operational characteristic of the land use, including hours of operation and processes or activities related to the land use.

(b) **Effect on contracts with another party.** The Plan Commission or the Common Council on appeal shall not condition or withhold approval based upon the property owner entering into a contract or discontinuing, modifying, extending, or renewing any contract, with a third party under which the third party is engaging in a lawful use of the property.<sup>9</sup>

#### **7-117 Application form and content**

The application submittal shall include an application form as may be used by the City.

#### **7-118 Staff report content**

The staff report shall contain the following:

- (1) a description of the proposed project;
- (2) preliminary findings for the decision criteria listed in this division;
- (3) a recommendation to approve the application, approve the application with conditions, or deny the application;
- (4) a preliminary list of conditions whether the staff recommendation is for approval or denial; and
- (5) other information deemed necessary.

#### **7-119 Content of decision document**

(a) **Approval.** If the application for a plan of operation is approved, the decision document shall include the following:

- (1) a statement that the application is approved,
- (2) a description of the land use along with operational characteristic,
- (3) reasons for the decision based on the criteria listed in this division,
- (4) conditions of approval, if any,

<sup>9</sup> Commentary: See s. 62.23(7)(gm), Wis. Stats. The City, for example, could not require an applicant to terminate an existing contract with another party that is engaged in a lawful use of the property.

- (5) a statement indicating that the property owner and operator, if different, must sign the decision document and return it to the zoning administrator to acknowledge acceptance of the same,
- (6) a statement that the applicant may appeal the decision to a court of competent jurisdiction,
- (7) a statement that an aggrieved person, other than the applicant, may appeal the decision and that any work done by the applicant as authorized by the approval is done at the applicant's risk,
- (8) other information the Plan Commission or zoning administrator deems appropriate,
- (9) the signature of the zoning administrator on behalf of the Plan Commission, and
- (10) the date of the decision.

(b) **Denial.** If the application for a plan of operation is denied, the decision document shall include the following:

- (1) a statement that the application is denied,
- (2) a description of the land use,
- (3) reasons for the decision based on the criteria listed in this division,
- (4) a statement indicating that the denial does not limit the applicant's ability to resubmit a revised application for consideration,
- (5) a statement that the decision may be appealed as provided for in this division,
- (6) other information the Plan Commission or zoning administrator deems appropriate,
- (7) the signature of the zoning administrator on behalf of the Plan Commission, and
- (8) the date of the decision.

#### **7-120 Effect of approval**

An approved plan of operation is personal to the applicant. Any change in ownership shall require a new approval.

#### **7-121 Expiration of an approval**

An approval of a plan of operation shall automatically expire 12 months after the date of issuance unless substantial work has commenced under the permit and continues in good faith to completion. Upon petition and with cause, the zoning administrator may grant a one-time extension not to exceed 12 months provided (i) the permit holder requests the extension prior to the expiration of the permit, (ii) the permit holder clearly demonstrates that circumstances beyond his or her control prevented the start of construction and the continuation of the same, and (iii) the project complies with this chapter in effect at the time the extension is granted.

#### **7-122 Amendment of an approval**

Following approval of a plan of operation, the Plan Commission shall review all proposed changes to the approval. If in the opinion of the Plan Commission, the proposed change constitutes a minor alteration, the Plan Commission may approve the requested change in writing at a regular or special meeting of the Plan Commission without following the review procedure in this division. If the proposed change constitutes a major alteration, the review procedure in effect at the time of submittal shall be followed.

#### **7-123 to 7-130 Reserved**



**CITY OF WASHBURN**  
119 Washington Avenue  
P.O. Box 638  
Washburn, WI 54891



715-373-6160  
715-373-6161  
FAX 715-373-6148

To: Plan Commission Members  
From: Scott J. Kluver, Administrator  
Re: Conceptual Ordinance to Regulate Short-Term Rentals  
Date: May 12, 2021

Enclosed you will find a draft ordinance that would regulate short-term rentals in the City. It is a topic that has generated some discussion and controversy recently. We have had numerous requests and interest in tourist rentals in the City. What are the impact to the City of this? How does it affect available housing for residents? Are there long-term impacts by less population, available workers, an eventual reduction in school population? These are potential issues that are difficult for us to quantify on our own or to measure. Nonetheless, I believe they are real concerns that should be considered. An ordinance such as this is also bound to generate a great deal of discussion as it is a classic debate between property rights and the protection of neighborhoods/community.

Note that this is not a zoning ordinance, so the Plan Commission has no formal process for this particular ordinance; nonetheless, if the Council would approve this ordinance, it likely would lead to future adjustments of the zoning code. Therefore, I believe it is important to add your two cents to the discussion. This draft ordinance, if approved by Council, would become part of the licensing and regulation section of the general code.

**CITY OF WASHBURN**  
**Ordinance No. 21-004**

An ordinance adopted by the Common Council for the City of Washburn at its regular meeting of \_\_\_\_\_, 2021, for the purpose of adding Title 7, Chapter 11 to its Code of Ordinances to regulate the operation of short-term rentals.

1. Add Title 7, Chapter 11 as follows:

**Sec. 7-11-1 Purpose:**

The purpose of this ordinance is to ensure that the quality and nature of the short-term rentals operating within the City of Washburn are adequate for protecting public health, safety, and general welfare and to protect the character and stability of neighborhoods within the City.

**Sec. 7-11-2 Definitions:**

(a) **Bed and Breakfast:** Any place of lodging that provides eight (8) or fewer rooms for rent for more than ten (10) nights in a twelve (12) month period, is the owner's personal residence, is occupied by the owner at the time of rental, and in which the only meal served is breakfast. Notwithstanding this Ordinance, a Bed and Breakfast is required to be licensed by the Wisconsin Department of Agriculture, Trade and Consumer Protection.

(b) **Owner:** The title-owner of a Short-Term Rental Accommodation.

(c) **Property Manager.** A person who is not the property owner who provides property management services and who is authorized to act as the agent of the property owner for the purpose of responding to problems at the property.

(d) **Short-Term Rental:** Rental of a residential dwelling for a period of less than one-month.

(e) **Short-Term Rental Accommodation:** A building, or buildings, on the same lot, with one to four units for human occupancy used for Short-Term Rentals but not including a Bed and Breakfast.

**Sec. 7-11-3 Short-Term Rentals:**

(a) **Exemptions:** The restrictions set forth herein do not apply to a Bed and Breakfast.

(b) **Duration of Stay:** No Short-Term Rental Accommodation may be rented for a period of 6 or fewer days.

(c) **Restrictions:**

(i) A Short-Term Rental Accommodation's Owner must, at all times, keep the City apprised of the Owner's or Property Manager's current phone number and/or email address and must agree to respond within 24 hours of

**Commented [MTL1]:** We can prohibit rentals of less than 7 days. There are 2 approaches to this, one can be that it can't be rented for less than 7 days, the other is that you can only rent to one person/family in each 7 day period. The latter approach allows owners to rent for shorter stays, i.e. a weekend, but then they have to block off the rental for the rest of the week.

any attempted contact by any representative of the City. The Owner and/or Property Manager must provide the City with updated contact information within three (3) days of such change.

- (ii) The Owner or Property Manager must provide all short-term renters with written information containing the Owner's or Property Manager's 24/7 contact information, local emergency and non-emergency numbers, and a listing of any special restrictions, limitations or considerations with respect to the property and/or the neighboring properties so as to minimize the likelihood of any conflict between renters and neighboring residents.
- (iii) The Short-Term Rental Accommodation shall have not less than 100 square feet of floor space for the first occupant thereof and at least an additional 50 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 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 unit without a separate enclosed bedroom is two people.
- (iv) Short-Term Rental Accommodations must have at least one full bathroom per every four (4) occupants.
- (v) A Short-Term Rental Accommodation must have adequate off-street parking sufficient to accommodate at least one car per bedroom being rented.
- (vi) No recreational vehicle, camper, tent, or other temporary lodging arrangement shall be permitted on site as a means of providing additional accommodations for paying guests or other invitees.
- (vii) No vehicular traffic shall be generated that is greater than normally expected in the residential neighborhood.
- (viii) Short-Term Rental Owners, guests, and Property Managers shall comply with all federal, state, county, and local regulations, including but not limited to City of Washburn ordinances regarding sign restrictions, noise restrictions, and parking requirements.
- (ix) If using a Property Manager:
  - a. The Property Manager must be explicitly designated in the license application as the "property manager," including their name, address, telephone number, and email address.
  - b. The Property Manager must be located within 15 miles of the short-term rental property, be available 24-hours a day, and be able to be physically present at the short-term rental within 20-minutes of being notified of a problem.
- (x) The Owner of the Short-Term Rental shall have liability insurance with a minimum \$500,000 liability limit that covers short-term renters and

guests. Proof of such insurance must be provided to the City upon license application and renewal.

**Sec. 11-7-4** Licensing:

- (i) A person who owns, maintains, manages or operates a Short-Term Rental Accommodation shall obtain and maintain all permits and licenses required by state law, which may include the following:
  - a. "Tourist Rooming House" permit from the Department of Agriculture, Trade and Consumer Protection, through the Bayfield County Health Department
  - b. Seller's permit issued by the Wisconsin Department of Revenue
  - c. City of Washburn Short-Term Rental Permit
  - d. City of Washburn Room Tax Permit. Each Short-Term Rental shall be subject to the City of Washburn Accommodations Tax Ordinance Title 3, Chapter 4.
- (ii) All applications for a short-term rental license shall be made by the owner of the residential building.
- (iii) A renewal application and renewal fee must be filed with the City Clerk at least 45 days prior to a short-term rental license expiration to ensure that there is not a gap in coverage. Reapplications to the City for a short-term rental license shall be required with a change in ownership, alterations to the operational rules, non-compliance with the standards of this Ordinance, or documented violations.
- (iv) A copy of the City of Washburn short-term rental license shall be posted on an exterior wall near the main entrance of the Short-Term Rental Accommodation during all times that it is being rented.
- (v) Any license granted under this section shall be valid through December 31 of the year of application. The Applicant must submit a renewal application to continue to operate the short-term rental for the following year.

**Commented [MTL2]:** This type of restriction requires the owner to have some personal connection to the application. It is not necessary but some communities have this. It prevents the property manager from submitting the application on the Owner's behalf.

**Sec. 11-7-5** Renewal:

- a) Each application for a renewal of a license shall include updated information for the documentation on file with the City Clerk and payment of the applicable fee. The City Clerk shall verify that the information provided on the renewal application is complete and in accordance with the requirements of this article. The City Clerk may request reports from the Fire Department and the Police Department regarding any complaints received, calls for service, or actions taken regarding the short-term rental properties. The City Clerk shall issue renewal licenses within 30 days of the filing of the application unless the information provided is incomplete or otherwise not in compliance with the requirements of this article or the reports from the Police Department, Fire Department, and the City Clerk indicate that there are complaints or actions involving the property.

- b) If the City Clerk finds that the license should not be renewed due to non-compliance with any sections of this Chapter, they shall deny the renewal.
- c) No license shall be issued or renewed unless there is filed with the City Clerk a completed report prepared by the County Department of Health Inspector dated within one year of the application date.
- d) No license shall be renewed if the applicant or property has outstanding fees, taxes or forfeitures owed to the City, unless arrangements for payment have been approved by the City Council.

**Sec. 11-7-6** Fees: The short-term rental license fee and renewal fee shall be \$300.00.

**Sec. 11-7-7** Non-compliance:

- (i) Fines: A fine of \$50.00 shall be assessed for each violation of this Ordinance, plus all applicable surcharges, assessments and costs for each violation. Each day that a violation continues shall be determined to be a separate violation.
- (ii) The Common Council may suspend, revoke, or non-renew a short-term rental license following a due process hearing if the Council determines that the licensee: (a) failed to comply with any requirements of this ordinance; (b) has been convicted of engaging in illegal activity while on the short-term rental premises on 2 or more separate occasions within the past 12 months; (c) has outstanding fees, taxes, or forfeitures owed to the City; or (d) if the licensee's short-term renters are shown, by sworn testimony, to have repeatedly and unreasonably interfered with the neighbor's quiet enjoyment of their own properties or of the neighborhood.
- (iii) Penalties set forth herein are in addition to all other remedies of injunction, abatement or costs, whether existing under this ordinance or otherwise.

**2. Approval of Short-Term License Application**

The Common Council approves of the Short-Term Rental License Application Form as attached hereto.

**3. Effective Date of Ordinance.** This ordinance shall take effect upon passage and publication.

Attest:

\_\_\_\_\_  
Mary Motiff  
Mayor

\_\_\_\_\_  
Scott J. Kluver  
City Clerk

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

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

**City of Washburn**  
**Short-Term Rental License Registration Form**

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To register for a short-term rental license, please complete this form and submit it to the City Clerk, 119 Washington Avenue, PO Box 638, Washburn, WI 54891, along with the \$300.00 registration fee and proof of all required State permits and/or licenses. Please note that your registration is effective from the date of application through December 31 of that year, after which it must be renewed in additional yearly increments. The short-term rental Owner and/or Property Manager must, at all times, keep the City apprised of their current phone number and email contact, and must agree to respond within 24 hours of any attempted contact by the City.

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**REGISTRATION TYPE**

Please check one below:

- Initial Registration  
 Renewal Registration  
 Update to Contact Information (due within 3 days of change)

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**RENTAL PROPERTY INFORMATION**

Address of Rental Property: \_\_\_\_\_

Number of Bedrooms: \_\_\_\_\_ Maximum Number of Overnight Guests: \_\_\_\_\_

Owner's Last Name: \_\_\_\_\_ Owner's First Name: \_\_\_\_\_

Owner's E-mail Address: \_\_\_\_\_

Owner's Phone Number: \_\_\_\_\_

If using a Property Manager:

Property Manager's Full Name and Business Affiliation (if any): \_\_\_\_\_

Property Manger's Address: \_\_\_\_\_

Property Manager's E-mail Address: \_\_\_\_\_

Property Manager's Phone Number: \_\_\_\_\_

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**OWNER'S SIGNATURE**

Under penalty of law, I swear that I have read and understand Title 7, Chapter 11 of the City of Washburn Ordinances pertaining to short-term rentals, and that the information provided in this application is true and correct to the best of my knowledge.

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

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Date Filed: \_\_\_\_\_ Amount Paid: \_\_\_\_\_ Receipt # ; \_\_\_\_\_ Received by: \_\_\_\_\_

Return a copy to Applicant upon filing.