

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



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

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/83645023400?pwd=Q2Y3VmF1cDBUK1FJb2Z3bVNObkNnZz09> or by calling 1 (877) 853-5247 (Toll Free) and entering Webinar ID: 836 4502 3400 and entering passcode **489859** 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, July 15, 2021
TIME: 5:30 PM
PLACE: Washburn City Hall

AGENDA:

- Call to Order/Roll Call
- Approval of Minutes of July 7, 2021 Meeting
- Public Hearing
 - Discussion & Action on Conditional Use Permit Application to have Tourist Rooming House Located at 228 W. 4th Street, R6 Mixed Residential District - William Scripps, Petitioner
 - Discussion & Action on Conditional Use Permit Application to Operate an Indoor Entertainment Establishment and an Outdoor Entertainment Establishment at the property located at 110 West Harbor View Drive, MUW District – Washburn Development Property, LLC Petitioner
- Discussion & Action on Final Draw of Façade Loan for John Hopkins and Susan Lince at 406 W. Bayfield Street.
- Review and Discussion on Potential Changes to Zoning Code - Land Matrix Exhibit 8-1
- Adjourn

July 7, 2021

CITY OF WASHBURN PLAN COMMISSION MEETING

5:30PM Washburn City Hall & Remote Video Conferencing

COMMISSION MEMBERS: John Baregi, Leo Ketchum-Fish (late), Mary Motiff, Matt Simoneau, Britt Serrine

ABSENT: Dave Anderson, Adeline Swiston

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

Meeting called to order at 5:40pm by Motiff attendance shows only 4 of the Commission Members present. Motiff notes we do not have a quorum currently and notes Jason Laumann is not present.

Since we do not have a quorum, no action can be taken, we do have a citizen that would like to address the Commission and if no one objects she will allow him to speak. There were no objections.

Nicholas Suminski, 845 County Hwy C, addressed the Commission as a representative of the Harbor Commission. Informing the Commission that the Harbor Commission would like to retain the city vacant lot 48, they did request this from the City Council, but were turned down. The Commission has decided that they will make a proposal to the Plan Commission and the City Council to purchase or have the city turn over to the Harbor Commission this land. Since the Marina is currently at 100% capacity, they fill it is vital to keep this property for Marina expansion. They will put more detail in their proposal, but the thought is possible a boat storage building, they could use for boat storage in the winter, storing boat cradles in the summer which would allow them to expand the parking area.

Leo Ketchum-Fish arrives at 5:50pm, with this Motiff notes we now have a quorum.

Approval of Minutes – June 9, and 17, 2021 – Moved by Ketchum-Fish to approve the minutes of June 9th & 17th, 2021, second by Simoneau. Motion carried 5-0.

Action on Comprehensive Plan Re-Write Project – Land Use Evaluation and Mapping Review of the Visioning Elements – Jason Laumann of NWRPC – Jason Laumann, did not make the meeting so discussion or action took place on this item.

Motion by Baregi to adjourn, second by Ketchum-Fish. Motion carries 5-0 Meeting adjourned at 6:01pm

Respectfully Submitted,
Tammy L. DeMars
Treasurer/Deputy Clerk

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To: Plan Commission Members
From: Scott J. Kluver, Administrator *SSK*
Re: Scripps CUP - Tourist Rooming
Date: July 8, 2021

Enclosed you will find the application materials from William Scripps for a Tourist Rooming Conditional Use Permit (CUP) for the property located at 228 West 4th St. The property is in the R-6, Mixed Residential, District.

Tourist Rooming Houses are conditionally allowable in this district. A health permit will still need to be provided. As three bedrooms within the home will be used for tourist rooming, there will be adequate off-street parking to accommodate off of the alley.

No architectural changes or site modifications are planned for this property. Note the criteria in the ordinance by which the Commission should either approve or deny the permit in 7-55 of the enclosed ordinance.

Ms. Amanda Koch will be the agent for the property who will reside at 1300 Bratley Dr. Please let me know if you have any questions on this application. I have no objections to this request.

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**CITY OF WASHBURN
NOTICE OF PUBLIC HEARING**

A Public Hearing will be held by the Plan Commission on, Thursday, July 15, 2021, at 5:30 P.M. at City Hall, 119 Washington Avenue, for public comment on the following issue:

Conditional Use Permit Application:

Request for Tourist Rooming House – Operate a tourist rooming house out of the property located at 228 West 4th Street – William Scripps, Petitioner

The property is zoned R-6, Mixed Residential. Residents unable to attend the public hearing may provide written comment to the Zoning Administrator prior to the hearing.

Scott J. Kluver
Zoning Administrator

As required by ordinance, copy mailed to property owners within 150 feet of the subject property.

NOTICES MAILED FIRST CLASS MAIL 06/21/2021

REBECCA GEYER & NILE MERTON
216 W 4th ST.
WASHBURN, WI 54891

AMY DAY
212 W 4th ST.
WASHBURN, WI 54891

WASHBURN PUBLIC LIBRARY
307 WASHINGTON AVE
WASHBURN, WI 54891

CLIFFORD & RUTH HARNOIS
2702 HANNAH ST.
MARINETTE, WI 54143

KELLY & WENDIE LIBERT
217 W 3rd ST.
WASHBURN, WI 54891

KRISTINE MATSON
327 W. 3rd ST.
WASHBURN WI 54891

DANIEL & HEIDI WADZINSKI
30990 STH 137
ASHLAND, WI 54806

NOAH & CAITLIN MATHEWSON
325 E. 8th ST.
WASHBURN, WI 54891

JOHN PIKUS
522 2nd AVE E.
WASHBURN WI 54891

BERNICE BIZUB
230 W. 4th ST.
WASHBURN, WI 54891

WASHBURN PUBLIC SCHOOLS
PO BOX 730
WASHBURN, WI 54891

MICHAEL & MELISSA GUSTAFSON
227 W. 4th ST.
WASHBURN, WI 54891

KEVIN SMITH
PO BOX 394
WASHBURN, WI 54891

NICHOLAS & BRITTANY KUKA
217 W. 4th ST.
WASHBURN, WI 54891

DISRUPTIVE OPERATIONS LLC
220 MAIN ST. E
ASHLAND, WI 54806

PAULA JUNG
211 W. 4th ST.
WASHBURN, WI 54891

CITY OF WASHBURN CONDITIONAL USE PERMIT

A Conditional Use Permit is hereby granted, pursuant to Title 13, Chapter 1, Article 7, Division 3 of the City of Washburn Zoning Ordinance to Mr. William Scripps (hereinafter User), in respect to property currently zoned R-6 Mixed Residential, herein referred to as Subject Property, described as:

Street Address: 228 West 4th Street

Legal Description: ORIG TOWNSITE OF WASHBURN LOTS 2-3 BLOCK 39 IN DOC 2020R-584984 450

Tax ID: 33170 **PIN:** 04-291-2-48-04-05-2 00-312-25300

This Conditional Use Permit is granted for the purpose of permitting the User, and only the User, to engage in the permitted use set forth immediately below:

1. To operate a tourist rooming house in accordance with Section 13-1-8-294 of the City of Washburn Zoning Code.

This Conditional Use Permit is subject to the following special conditions:

1. This Conditional Use Permit is issued exclusively to the User, does not run with the land for which it is issued, and may not be sold, conveyed, assigned or otherwise transferred to any other person or entity. This permit will be effective once all conditions are complied with as specified in ordinance.
2. Issuance of a Conditional Use Permit does not indicate that the City of Washburn has certified the above referenced dwelling nor has it inspected the building, nor does it ensure that it meets local, state, federal, or professional requirements or standards related to the subject use.
3. The User must comply with Title 8, Chapter 3 of the City of Washburn ordinances regarding the placement and use of waste and recycling facilities.
4. Any sign placed on the property must comply with Article 18 of the City of Washburn Zoning Code.
5. User shall provide parking in accordance with 13-1-17-5.04 of the City of Washburn Zoning Code. At the time of issuance of this permit, one space is required per guest room. This provision needs to be complied with before the permit is valid.
6. All conditional uses referred to above may be carried out upon the Subject Property twenty-four (24) hours per day, seven (7) days a week.



7. This permit shall remain in effect so long as the permit holder complies with all conditions of this permit and applicable City of Washburn Ordinances.
8. Amanda Koch, 1300 Bratley Drive, shall be listed as the agent for this tourist rooming house.

Statement on the nature of the approval:

In approving this Conditional Use Permit, the Plan Commission confirmed the size of the parcel was not an issue, the use is compatible, the location of the use on the property is not a concern, traffic safety should not be a problem, it is a suitable additional use, there are no negative impacts on the environment known of, concerns with impacts on the neighbors were discussed and guest rules will be posted to help address these concerns, and it would not impede the normal development. The Common Council adopts these findings.

Appeal rights for applicant and other aggrieved persons:

Within 30 days of the decision date, a written appeal, including the reasons for the appeal, must be received by the City Clerk. The appeal process will follow the procedure outlined in 13-1-7-23 of the zoning ordinance.

William Scripps

Date

Personally came before me this ____ day of _____, 2021, the above-named William Scripps, to me known to be the person who executed for the foregoing instrument and acknowledge the same.

Notary Public, Bayfield County, Wisconsin

My commission expires: _____

Mary D. Motiff, Mayor
City of Washburn

Date

Personally came before me this ____ day of _____, 2021, the above-named Mary D. Motiff, known to be the person who executed for the foregoing instrument and acknowledge the same.



Notary Public, Bayfield County, Wisconsin

My commission expires: _____

Scott J. Kluver, Zoning Administrator
City of Washburn

Date

Personally came before me this ____ day of _____, 2021, the above-named Scott J. Kluver, known to be the person who executed for the foregoing instrument and acknowledge the same.

Notary Public, Bayfield County, Wisconsin

My commission expires: _____



shall only become effective when all required signatures have been obtained and the original signature copy is returned to the zoning administrator.

- (18) **Public record copy.** A duplicate copy of the decision document shall be retained as a public record.
- (19) **Recording of decision document.** If the property owner returns the decision document within the required time period with the required signatures, the zoning administrator shall record the decision document against the subject property in the office of the Bayfield County register of deeds.
- (20) **Administrative steps.** If the conditional use is approved and the zoning administrator has created a map showing conditional uses, the zoning administrator shall add the conditional use to that map.

Amendment(s):

1. Ordinance 18-001, adopted April 9, 2018

7-55 Basis of decision

(a) **Generally.** When reviewing conditional uses other than nonconforming conditional uses, the Plan Commission in making its recommendation and the Common Council in making its decision shall consider the following factors:

- (1) the size of the parcel on which the proposed use will occur;
- (2) the presence of and compatibility with other uses on the subject property, if any;
- (3) the location of the proposed use on the subject property (e.g., proximity of the proposed use to other existing or potential land uses);
- (4) effects of the proposed use on traffic safety and efficiency and pedestrian circulation, both on-site and off-site;
- (5) the suitability of the subject property for the proposed use;
- (6) effects of the proposed use on the natural environment;
- (7) effects of the proposed use on surrounding properties, including operational considerations relating to hours of operation and creation of potential nuisances;
- (8) effects of the proposed use on the normal and orderly development and improvement of the surrounding property for uses permitted in the zoning district and adjoining districts; and
- (9) any other factor that relates to the purposes of this chapter set forth in s. 1-5 or as allowed by state law.

(b) **Nonconforming conditional uses.** When reviewing nonconforming conditional uses, the Plan Commission in making its recommendation and the Common Council in making its decision shall make the following determinations:

- (1) The nonconforming use will not be adverse to the public health, safety or welfare.
- (2) The nonconforming use is in keeping with the spirit and intent of this chapter.
- (3) The nonconforming use would not be otherwise detrimental to the area and in particular the surrounding properties.

The Common Council shall grant approval for a nonconforming conditional use only if the council can make an affirmative finding for all of the criteria listed in this subsection.

(c) "Substantial evidence" as used in this Article means facts and information, other than mere personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion.

Amendment(s):

1. Ordinance 18-001, adopted April 9, 2018

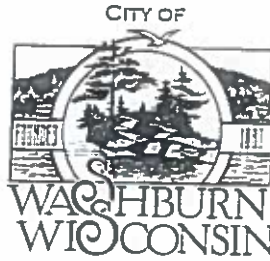
To Whom it may concern-

July 8, 2021

The proposed CUP would be used occasionally and unobtrusively. 228 W. 4th Street is on a double lot in Washburn with plenty of parking in back. As a three bedroom house, it will be limited to four adults and four children, with no pets. A substantial damage deposit will be required with rules clearly posted (quiet at 10 AM, respect for neighbors, etc). If there are any problems with or complaints from neighbors, I'll stop renting it out. I do think other families should be given the chance to experience the joys of this maritime community, and that Washburn is a treasure that should be shared.

Sincerely, Bill Scripps

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53170
APPLICATION FOR CONDITIONAL USE PERMIT

(Zoning Code 13-7-51 through 62)

Name: William Scripps Initial Application Amendment/Renewal

Physical and Mailing Address of Applicant: 228 W. 4th St Washburn

Telephone Number: 612 719 2354 E-mail: DillScripps@gmail.com

Address/Description of Permit Property: 228 W 4th St Washburn

Requested Conditional Use: occasional rent by weekend or week Zoning District: _____

Applicant shall submit a letter detailing the desired use, along with a scaled site plan of the property if new construction is involved.

It is the responsibility of the applicant to provide the name and address (both physical and mailing) of property owners within a 150 foot radius the permit property. Please use attachments for longer lists.

1. Rebecca Geyer 216 W. 4th St,
2. Adam ~~Bernice~~ Gustafson 227 W. 4th St
3. Kristine Matson 229 W 3rd
4. Bernice Bizub 230 W, 4th St
5. _____

APPLICATION FOR CONDITIONAL USE PERMIT --- Page 2

I have read municipal code 13-7-52 through 62 as presented to me upon application and understand the process related to the issuance of a Conditional Use Permit. I also understand that I may be required to submit supplemental information as may be required elsewhere in the zoning code for my particular request.

Application Signature:  Date: 7/14/21

Filing Fee: A \$150 filing fee is due at the time of submitting the application. A receipt of the fee payment shall be attached to this application form and shall serve as the application submission date.

OFFICE USE ONLY

Date of Review Completed by Zoning Administrator: 06/18/21

Date of Public Hearing: 07/15/21

Dates of Publication/Mailing: 06/21 / 06/25 '21

Recommendation of Plan Commission: _____

Approval by Council: _____

To Whom It may concern,

I bought the property located at 228 W. 4th St. last fall, mostly so my grandchildren could experience life on the great lakes. I love Washburn and feel privileged to live here. I also own a home in Minneapolis.

When my children were little, the only way we could stay on the lakes was to rent cottages, and I am still grateful to the people who let us do that. It helped form the character of our children.

I would like to rent out the property about 4-6 weeks per year, and let other families have the same experiences we had years ago. I would require a damage deposit and be very careful about who I would let stay in my house.

CITY OF WASHBURN

PO BOX 638

WASHBURN, WI 54891

Receipt Nbr: 31375

Date: 6/16/2021

Check

RECEIVED FROM SCRIPPS NORTHSTAR \$150.00

<u>Type of Payment</u>	<u>Description</u>	<u>Amount</u>
Accounting	ZONING PERMITS	150.00
	C.U.P WILLIAM SCRIPPS APP. FEE	
TOTAL RECEIVED		150.00

Bayfield County, WI



- Approximate Parcel Boundary
- Section Lines
- Government Lot
- Municipal Boundary
- Wildlife Reservation Boundary
- State
- County
- Town
- CFR
- Private

- Recorded Map
- Corner Tie Sheets
- Section Corner Monument on File
- Section Corner Monument Referenced on Survey
- Building Footprint 2009-2015
- Changed

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To: Plan Commission Members
From: Scott J. Kluver, Administrator *SK*
Re: Conditional Use Permit – Washburn Development Property, LLC
Date: July 8, 2021

A Conditional Use Permit application was received to operate an indoor and outdoor entertainment establishment at 130 W. Harbor View Drive. This establishment has already been operating an indoor entertainment establishment, so the focus really is on the outdoor entertainment portion of the application.

The operating plan is “to do outside what is already permitted inside.” Enclosed is a site depiction of where they would potentially have outdoor stages for what I presume will be music events. I have included the criteria for the Plan of Operation and the Site Plan review for your consideration. That, along with the special standards for outdoor events should be considered carefully. Please keep in mind, for any special events outside where alcohol is served, an extension of premises is required. While alcohol licensing is not under the purview of the Plan Commission, understand that a separate permit for each event would be needed to serve alcohol and that requires that a bartender has to see the entire served area. It is not legal for patrons to bring their own alcohol onto a licensed premise. This should be considered as the Plan Commission considers the special standards for this activity as well which I have also included in your packet.

As such, I have drafted a Conditional Use Permit that leaves open these special standard items for your consideration. As there are specific provisions in the code that give you the flexibility in this area, you will need to decide what is appropriate.

The final area that I do not have time to address as of this writing is related to parking. The provision that I am concerned with is the requirement that if the existing use is expanded by more than 125 percent, the existing parking would need to be brought into conformance. The parking requirement for both the indoor and outdoor entertainment is one parking space for every three patrons at maximum capacity plus one for each employee at the largest work shift. I do not have the numbers at this time to make that calculation. If the parking needs to be expanded, it would need to be done in accordance with the code to expand with a hard surface such as asphalt.

Please let me know if you have questions related to this application.

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**CITY OF WASHBURN
NOTICE OF PUBLIC HEARING**

A Public Hearing will be held by the Plan Commission on, Thursday, July 15, 2021, at 5:30 P.M. at City Hall, 119 Washington Avenue, for public comment on the following issue:

Conditional Use Permit Application:

Request to Operate and Indoor Entertainment Establishment and an Outdoor Entertainment Establishment at the property located at 110 West Harbor View Drive – Washburn Development Property, LLC Petitioner

The property is zoned MUW, Mixed Use Waterfront. Residents unable to attend the public hearing may provide written comment to the Zoning Administrator prior to the hearing.

Scott J. Kluver
Zoning Administrator

As required by ordinance, copy mailed to property owners within 150 feet of the subject property.

NOTICES MAILED FIRST CLASS MAIL 06/24/2021

KENNER & KIMBERLY CHRISTENSEN
204 HARBOR VIEW DR.
WASHBURN, WI 54891

MADLINE ISLAND WATER CO.
HWY 7 at 100
MINNEAPOLIS, MN 55416

WWS, LLC
7490 NORTH RD.
EAU CLAIRE, WI 54701

WASHBURN APARTMENTS LLC et.al.
620 DEERE DR.
NEW RICHMOND, WI 54017

CITY OF WASHBURN CONDITIONAL USE PERMIT

A Conditional Use Permit is hereby granted, pursuant to Title 13, Chapter 1, Article 7, Division 3 of the City of Washburn Zoning Ordinance to Washburn Development Property LLC (hereinafter User), in respect to property currently zoned MUW Mixed Use Waterfront District, herein referred to as Subject Property, described as:

Street Address: 130 W. Harborview Drive

Legal Description: LOT 2 CSM #2024 IN V.12 P.45 (LOCATED IN GOVT LOTS 1 & 2) 2483C; LOT 3 CSM #2024 IN V.12 P.45 (LOCATED IN GOVT LOTS 1 & 2)

Tax ID: 32610, 37746 **PIN:** 04-291-2-48-04-05-1 05-002-08000;
04-291-2-48-04-05-1 05-002-06200

This Conditional Use Permit is granted for the purpose of permitting the User, and only the User, to engage in the permitted use set forth immediately below:

1. To operate an Indoor Entertainment Establishment (existing use) and an Outdoor Entertainment Establishment at the property located at 130 W. Harbor View Drive, in a Mixed Use Waterfront District in accordance with Section 13-1-8-366 of the City of Washburn Zoning Code.

This Conditional Use Permit is subject to the following special conditions:

1. This Conditional Use Permit is issued exclusively to the User, does not run with the land for which it is issued, and may not be sold, conveyed, assigned or otherwise transferred to any other person or entity. This permit will be effective once all conditions are complied with as specified in ordinance.
2. Issuance of a Conditional Use Permit does not indicate that the City of Washburn has certified the above referenced dwelling nor has it inspected the building, nor does it ensure that it meets local, state, federal, or professional requirements or standards related to the subject use.
3. The User must comply with Title 8, Chapter 3 of the City of Washburn ordinances regarding the placement and use of waste and recycling facilities.
4. User shall provide parking in accordance with 13-1-17-10.06 of the City of Washburn Zoning Code. At the time of issuance of this permit, one space shall be provided for every three patrons at maximum capacity plus one space for each employee on the largest work shift. This provision needs to be complied with before the permit is valid.



5. All conditional uses referred to above may be carried out upon the Subject **Property between the hours of ??? and ???.**
6. This permit shall remain in effect so long as the permit holder complies with all conditions of this permit and applicable City of Washburn ordinances.

Statement on the nature of the approval:

In approving this Conditional Use Permit, the Plan Commission confirmed the size of the parcel was not an issue, the use is compatible, the location of the use on the property is not a concern, traffic safety should not be a problem, it is a suitable additional use, there are no negative impacts on the environment known of, concerns with impacts on the neighbors were discussed and it would not impede the normal development. The Common Council adopts these findings.

Appeal rights for applicant and other aggrieved persons:

Within 30 days of the decision date, a written appeal, including the reasons for the appeal, must be received by the City Clerk. The appeal process will follow the procedure outlined in 13-1-7-23 of the zoning ordinance.

Jeff Moberg

Date

Personally came before me this ____ day of _____, 2021, the above-named Jeff Moberg, to me known to be the person who executed for the foregoing instrument and acknowledge the same.

Notary Public, Bayfield County, Wisconsin

My commission expires: _____

Mary D. Motiff, Mayor
City of Washburn

Date

Personally came before me this ____ day of _____, 2021, the above-named Mary D. Motiff, known to be the person who executed for the foregoing instrument and acknowledge the same.



Notary Public, Bayfield County, Wisconsin

My commission expires: _____

Scott J. Kluver, Zoning Administrator
City of Washburn

Date

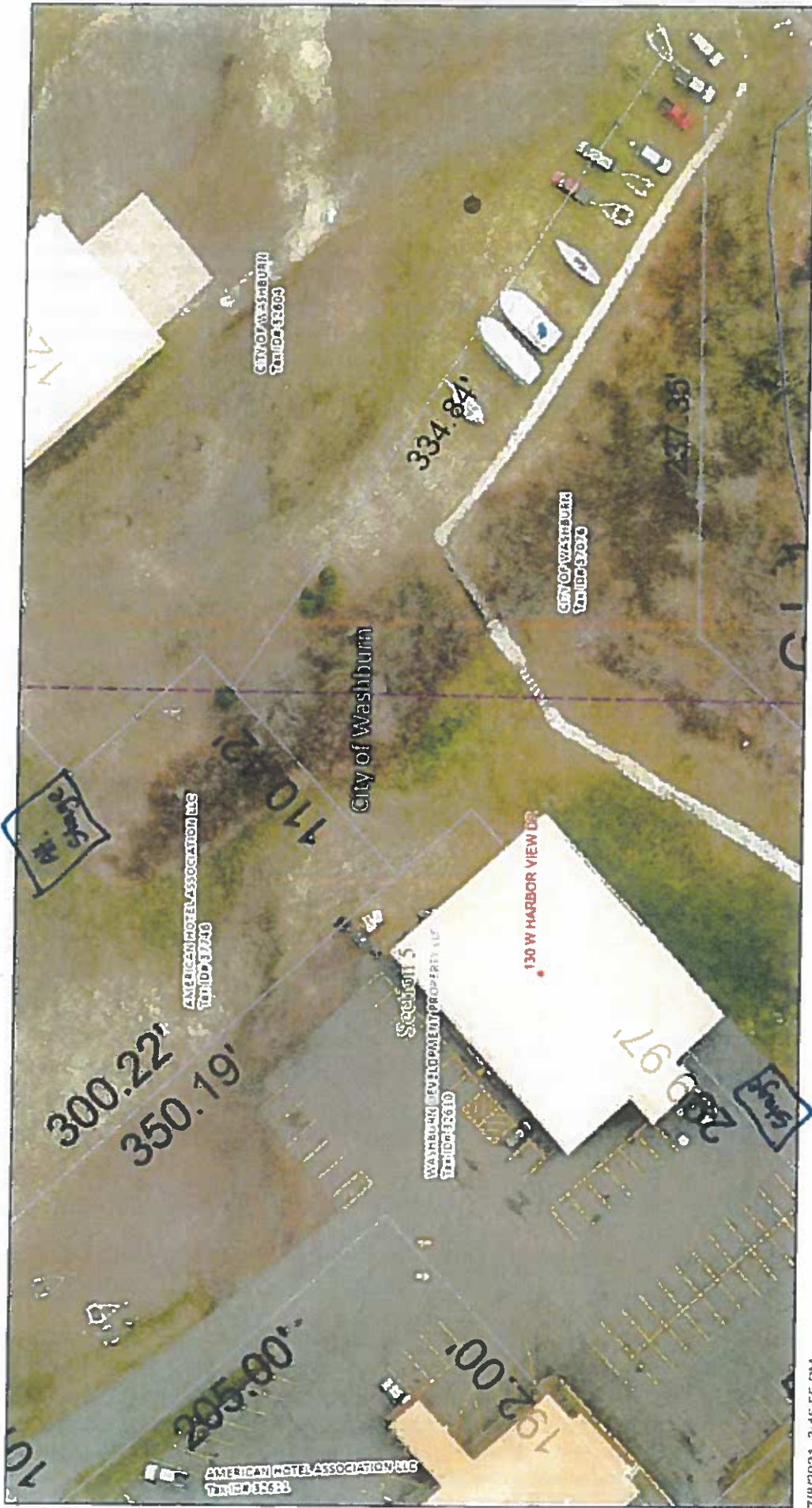
Personally came before me this ____ day of _____, 2021, the above-named Scott J. Kluver, known to be the person who executed for the foregoing instrument and acknowledge the same.

Notary Public, Bayfield County, Wisconsin

My commission expires: _____



Bayfield County, WI



7/8/2021, 3:45:55 PM

Lake Superior

- 1 Survey Maps
 - Approximate Parcel Boundary
 - Section Lines
 - Government Lot
 - Municipal Boundary
 - Recorded Map
 - Building Footprint 2009-2015
 - Existing
 - Buildings
- Rivers
- Meander Lines

shall only become effective when all required signatures have been obtained and the original signature copy is returned to the zoning administrator.

- (18) **Public record copy.** A duplicate copy of the decision document shall be retained as a public record.
- (19) **Recording of decision document.** If the property owner returns the decision document within the required time period with the required signatures, the zoning administrator shall record the decision document against the subject property in the office of the Bayfield County register of deeds.
- (20) **Administrative steps.** If the conditional use is approved and the zoning administrator has created a map showing conditional uses, the zoning administrator shall add the conditional use to that map.

Amendment(s):

- 1. Ordinance 18-001, adopted April 9, 2018

7-55 Basis of decision

(a) **Generally.** When reviewing conditional uses other than nonconforming conditional uses, the Plan Commission in making its recommendation and the Common Council in making its decision shall consider the following factors:

- (1) the size of the parcel on which the proposed use will occur;
- (2) the presence of and compatibility with other uses on the subject property, if any;
- (3) the location of the proposed use on the subject property (e.g., proximity of the proposed use to other existing or potential land uses);
- (4) effects of the proposed use on traffic safety and efficiency and pedestrian circulation, both on-site and off-site;
- (5) the suitability of the subject property for the proposed use;
- (6) effects of the proposed use on the natural environment;
- (7) effects of the proposed use on surrounding properties, including operational considerations relating to hours of operation and creation of potential nuisances;
- (8) effects of the proposed use on the normal and orderly development and improvement of the surrounding property for uses permitted in the zoning district and adjoining districts; and
- (9) any other factor that relates to the purposes of this chapter set forth in s. 1-5 or as allowed by state law.

(b) **Nonconforming conditional uses.** When reviewing nonconforming conditional uses, the Plan Commission in making its recommendation and the Common Council in making its decision shall make the following determinations:

- (1) The nonconforming use will not be adverse to the public health, safety, or welfare.
- (2) The nonconforming use is in keeping with the spirit and intent of this chapter.
- (3) The nonconforming use would not be otherwise detrimental to the area and in particular the surrounding properties.

The Common Council shall grant approval for a nonconforming conditional use only if the council can make an affirmative finding for all of the criteria listed in this subsection.

(c) "Substantial evidence" as used in this Article means facts and information, other than mere personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion.

Amendment(s):

- 1. Ordinance 18-001, adopted April 9, 2018

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.

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

7-75 Basis of decision

The Plan Commission in making its recommendation/decision and the Common Council in making its decision shall consider the following factors:

- (1) effects of the project on traffic safety and efficiency and pedestrian circulation, both on-site and off-site;
- (2) effects of the project on the natural environment;
- (3) effects of the project on surrounding properties;
- (4) compliance with the general site design principles enumerated in s. 8-163;
- (5) compliance with the design principles for parking lots enumerated in s. 17-3;
- (6) compliance with other applicable requirements contained in this chapter; and
- (7) any other factor that relates to the purposes of this chapter set forth in s. 1-5 or as allowed by state law.

7-76 Imposition of conditions

(a) **Generally.** The reviewing authority may impose one or more conditions deemed necessary to further the intent and purposes of this chapter. Such conditions, for example, may relate to landscaping and screening revisions to the site design, and outdoor lighting.

(b) **Effect on contracts with another party.** The reviewing authority 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.²

7-77 Application form and content

The application submittal shall include an application form as may be used by the City and a site plan prepared at a scale of 1" = 20' or other appropriate scale depicting the information listed in Appendix A.

7-78 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.

7-79 Content of decision document

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

- (1) a statement that the application is approved;
- (2) a description of the proposed project;
- (3) reasons for the decision based on the criteria listed in this division.

² 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.

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.²

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,

² Commentary: See s. 61.23(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.

accepted industry practices, including those derived from the sources identified in subsection (b) above. Such rules shall be conspicuously displayed inside of the indoor shooting range.

(e) **Security plan.** A security plan shall be established for the building securing the building from unauthorized entrants.

(f) **Storage of guns.** All firearms stored on the premises must be stored in a gun safe or other secure storage facility or container approved by the Chief of Police.

(g) **Enforcement of adopted rules and procedures.** At least one adult who is an experienced shooting range operator shall be present to manage the operation of the indoor shooting range when it is being used. The shooting range operator shall take reasonable actions to ensure that employees and patrons comply with the rules and procedures governing the operation of the indoor shooting range.

(h) **Minors.** No person under the age of 18 shall be permitted inside of the indoor shooting range unless accompanied by an adult at all times. A minor participating in a firearms safety class supervised by a qualified adult instructor shall be deemed to be accompanied by an adult.

(i) **Additional requirements.** Unless preempted by state or federal law, the Plan Commission may recommend and the Common Council may impose additional conditions or requirements including reporting or inspection requirements if it determines such conditions or requirements are reasonably necessary to protect the public health, safety, and welfare. Consideration shall be given to the cost and burden of such additional requirements upon the operation of the indoor shooting range and upon City resources compared to the additional public health benefits to be achieved, industry practices, and evidence of experiences with similar operations in other communities.

(j) **Additional criteria for conditional use reviews.** In those instances where an indoor shooting range is allowed for conditional use, potential nuisances to the surrounding area related to air quality and noise shall be considered during the review process in addition to those criteria used to evaluate conditional uses.

8-366 Outdoor entertainment

(a) **Hours of operation.** The Plan Commission may recommend and the Common Council may establish hours of operation for this use when the operation may negatively affect surrounding properties.

(b) **Site design considerations.** The site shall be designed to minimize the effects of outdoor lighting and noise on surrounding properties.

(c) **Locational standards.** Activity areas shall be located at least 300 feet from a property in a residential zoning district or a planned development district that allows residential uses.

8-367 Outdoor recreation

(a) **Hours of operation.** The Plan Commission may recommend and the Common Council may establish hours of operation for this use when the operation may negatively affect surrounding properties.

(b) **Site design considerations.** The site shall be designed to minimize the effects of outdoor lighting and noise on surrounding properties.

(c) **Locational standards.** Activity areas shall be located at least 300 feet from a property in a residential zoning district or a planned development district that allows residential uses.

8-368 to 8-380 Reserved

Series 11. Government and Community Services

8-381 Administrative government center

Aside from generally applicable standards, no special standards apply to administrative government centers.

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



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

APPLICATION FOR CONDITIONAL USE PERMIT
(Zoning Code 13-7-51 through 62)

Name: Washburn Development Property, LLC Initial Application Amendment/Renewal

Physical and Mailing Address of Applicant: 130 W. Harbor View Drive

Telephone Number: 715-373-2629 E-mail: john@washburnlawyers.com

Address/Description of Permit Property: 130 W. Harbor View Drive, Tax ID: 32610137746

Requested Conditional Use: Indoor Entertainment 10.03 Outdoor Entertainment 10.06 Zoning District: MUW

Applicant shall submit a letter detailing the desired use, along with a scaled site plan of the property if new construction is involved.

It is the responsibility of the applicant to provide the name and address (both physical and mailing) of property owners within a 150 foot radius the permit property. Please use attachments for longer lists.

1. Kenner & Kimberly Christensen
204 W. Harbor View Dr. Washburn, WI 54891
2. Washburn Apartments, LLC & Bayfield Properties, LLC & American Hotel Assn
620 Deere Dr., New Richmond, WI 54019
3. Madeline Island Water Co
Hwy 7 at 100, Minneapolis, MN 55416
4. WWS, LLC
7490 North Rd, Eau Claire, WI 54701
5. _____

APPLICATION FOR CONDITIONAL USE PERMIT --- Page 2

I have read municipal code 13-7-52 through 62 as presented to me upon application and understand the process related to the issuance of a Conditional Use Permit. I also understand that I may be required to submit supplemental information as may be required elsewhere in the zoning code for my particular request.

Application Signature: [Signature], as authorized agent Date: 6/11/21

Filing Fee: A \$150 filing fee is due at the time of submitting the application. A receipt of the fee payment shall be attached to this application form and shall serve as the application submission date.

OFFICE USE ONLY

Date of Review Completed by Zoning Administrator: 070921

Date of Public Hearing: ~~071521~~ 071521

Dates of Publication/Mailing: 06/24/21

Recommendation of Plan Commission: _____

Approval by Council: _____

CITY OF WASHBURN

PO BOX 638

WASHBURN, WI 54891

Receipt Nbr: 31392

Date: 6/18/2021

Check

RECEIVED FROM SPEARS, CARLSON, & COLEMAN, SC \$150.00

<u>Type of Payment</u>	<u>Description</u>	<u>Amount</u>
Accounting	ZONING PERMITS	150.00
	C.U.P WASHBURN DEVELOPMENT APP. FEE	
TOTAL RECEIVED		150.00

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, ^{SKL} Administrator
Re: Final Draw – Hopkins/Lince Façade Loan
Date: July 8, 2021

Enclosed you will find the final receipt for the final draw on the above referenced façade loan. The amount requested is \$3302.50. This brings the total amount spent to \$4,207.80 and approved amount of the loan was \$4,728.81. The receipt is for items that have been completed and that were part of the approved improvements.

Knock Out Property Services

521 E 4th ST
Washburn WI 54891
(715) 292-8891

Invoice #:
JHSL100-21
Date:
6-11-21

Client: John Lince-Hopkins and Susan Lince
Address: 631 W. Bayfield St, Washburn WI 54891
Site Address: 406 W. Bayfield St, Washburn WI 54891
Order: Paint Exterior

Description	Cost
Material	
4 Tubes Caulk and 1 Tube of Lexel	\$47.00
Treated 1X8 and Treated 1X4s	\$52.00
1 Gallon Primer	\$25.50
2 Gallons White Exterior Satin Paint	\$98.00
Labor	\$3080.00
Added – Paint Concrete Foundation and Trim Window	
Total	\$3302.50

Paid in Full
check # 1100
DHA

Exhibit 8-1. Land-use matrix

	Special Standards	Secondary Review	Zoning District												
			R-1	R-2	R-6	R-7	C-1	C-2	C-3	I-1	L-1	M	MUW		
1 Agriculture															
1.01	Agriculture, crop	8-231	-	P	-	-	-	-	-	-	-	-	-	-	-
1.02	Agriculture, general	8-232	-	P	-	-	-	-	-	-	-	-	-	-	-
1.03	Agriculture-support services	8-233	ZP	-	C	-	-	-	-	-	C	-	-	-	-
1.04	Greenhouse	8-234	ZP	C	-	-	-	P	P	P	C	-	-	-	-
2 Resource-Based Uses															
2.01	Dam	8-241	SP,PO,ZP	C	-	-	-	-	-	-	-	-	-	-	-
2.02	Forestry	8-242	-	P	P	P	P	P	P	P	P	P	P	P	P
3 Residential [1]															
3.01	Mixed-use housing	8-251	AR,SP,ZP	-	-	-	-	P	P	P	-	-	-	-	P
3.02	Multi-family, 2 units	8-252	ZP	P	P	P	C	C	C	-	-	-	-	-	C
3.03	Multi-family, 3 or more units	8-253	AR,SP,ZP	-	-	C	C	C	C	-	-	-	-	-	C
3.04	Single-family dwelling	8-254	ZP	P	P	P	P	P	C	-	-	-	-	-	C
3.05	Townhouse	8-255	AR,SP,ZP	-	C	C	C	C	C	-	-	-	-	-	C
3.06	Twin home	8-256	ZP	P	P	P	C	C	-	-	-	-	-	-	C
4 Special Care Facilities															
4.01	Adult family home	8-271	ZP	P	P	P	P	-	-	-	-	-	-	-	-
4.02	Community living arrangement, 8 or fewer residents [2]	8-272	ZP	P	P	P	P	-	-	-	-	-	-	-	-
4.03	Community living arrangement, 9–15 residents [2]	8-272	AR,SP,ZP	C	-	P	C	-	-	-	-	-	-	-	-
4.04	Foster home and treatment foster home [3]	8-273	ZP	P	P	P	P	P	P	P	-	-	-	-	-
4.05	Group day care center [4]	8-274	AR,SP,PO,ZP	C	C	C	C	P	P	P	C	-	-	-	C
4.06	Hospice care center	8-275	AR,SP,ZP	-	-	C	C	C	P	C	-	-	-	-	C
4.07	Nursing home	8-276	AR,SP,ZP	-	-	C	C	C	P	-	-	-	-	-	C
4.08	Retirement home (assisted living)	8-277	AR,SP,ZP	C	-	C	C	C	C	C	-	-	-	-	C
4.09	Temporary residential shelter	8-278	AR,SP,PO,ZP	-	-	C	-	C	C	-	-	-	-	-	C
4.10	Community childbearing center	8-279	AR,SP,PO,ZP	C	C	C	C	P	P	P	C	-	-	-	C
5 Group Accommodations [5]															
5.01	Campground	8-291	SP,PO,ZP	-	-	-	-	-	-	-	-	C	-	-	-
5.02	Overnight lodging	8-292	AR,SP,ZP	-	-	-	-	P	P	P	-	-	-	-	C
5.03	Resort	8-293	AR,SP,PO,ZP	C	-	-	C	C	-	-	-	-	-	-	C
5.04	Tourist rooming house	8-294	AR,SP,ZP	C	C	C	C	P	P	P	-	-	-	-	C
6 Food and Beverage Sales															
6.01	Brewpub	8-301	AR,SP,PO,ZP	-	-	-	-	-	P	P	C	-	-	-	C
6.02	Restaurant	8-302	AR,SP,PO,ZP	-	-	-	-	C	P	P	-	-	-	-	P
6.03	Tavern	8-303	AR,SP,PO,ZP	-	-	-	-	C	P	P	-	-	-	-	P

continued on next page

Exhibit 8-1. Land-use matrix – continued

	Special Standards	Secondary Review	Zoning District											
			R-1	R-2	R-6	R-7	C-1	C-2	C-3	I-1	L-1	M	MUW	
7 Vehicle Rental, Sales, and Service														
7.01 Heavy vehicle sales and service	8-311	SP,PO,ZP	-	-	-	-	C	C	-	C	-	-	-	-
7.02 Vehicle fuel station	8-312	AR,SP,PO,ZP	-	-	-	-	-	P	-	C	-	-	-	-
7.03 Vehicle repair shop	8-313	AR,SP,PO,ZP	-	-	-	-	-	C	-	P	-	-	-	-
7.04 Vehicle sales and rental	8-314	AR,SP,PO,ZP	-	-	-	-	C	P	-	C	-	-	-	-
7.05 Vehicle service shop	8-315	AR,SP,PO,ZP	-	-	-	-	C	P	-	P	-	-	-	-
7.06 Vehicle storage yard	8-316	SP,PO,ZP	-	-	-	-	-	-	-	C	-	-	-	-
8 General Sales														
8.01 Convenience retail sales	8-321	AR,SP,PO,ZP	-	-	-	-	C	P	P	C	-	-	C	-
8.02 General retail sales	8-322	AR,SP,PO,ZP	-	-	-	-	P	P	P	C	-	-	P	-
8.03 Outdoor sales	8-323	AR,SP,PO,ZP	-	-	-	-	C	C	-	C	-	-	-	-
9 General Services														
9.01 Administrative services	8-331	AR,SP,PO,ZP	-	-	-	-	P	P	P	C	-	-	P	-
9.02 Body-piercing establishment	8-332	AR,SP,PO,ZP	-	-	-	-	-	C	C	C	-	-	C	-
9.03 Commercial kennel	8-333	AR,SP,PO,ZP	-	-	-	-	C	C	-	C	-	-	-	-
9.04 Commercial stable	8-334	AR,SP,PO,ZP	C	-	-	-	-	-	-	-	-	-	-	-
9.05 Equipment rental, large	8-335	AR,SP,PO,ZP	-	-	-	-	-	-	-	P	-	-	-	-
9.06 Equipment rental, small	8-336	AR,SP,PO,ZP	-	-	-	-	P	P	P	P	-	-	P	-
9.07 Financial services	8-337	AR,SP,PO,ZP	-	-	-	-	P	P	P	-	-	-	P	-
9.08 Funeral home	8-338	AR,SP,PO,ZP	-	-	-	-	C	P	-	-	-	-	-	-
9.09 General repair	8-339	AR,SP,PO,ZP	-	-	-	-	C	P	C	P	-	-	-	-
9.10 General services	8-340	AR,SP,PO,ZP	-	-	-	-	P	P	P	C	-	-	P	-
9.11 Health care center	8-341	AR,SP,PO,ZP	-	-	-	-	C	C	C	C	-	-	-	-
9.12 Health care clinic	8-342	AR,SP,PO,ZP	-	-	-	-	C	P	P	C	-	-	P	-
9.13 Instructional services	8-343	AR,SP,PO,ZP	-	-	-	-	P	P	P	C	-	-	C	-
9.14 Landscape business	8-344	AR,SP,PO,ZP	-	-	-	-	C	P	-	P	-	-	-	-
9.15 Professional services	8-345	AR,SP,PO,ZP	-	-	-	-	P	P	P	P	-	-	P	-
9.16 Tattoo establishment	8-346	AR,SP,PO,ZP	-	-	-	-	-	C	C	C	-	-	C	-
9.17 Veterinary clinic, general	8-347	AR,SP,PO,ZP	C	-	-	-	C	P	-	C	-	-	-	-
9.18 Veterinary clinic, small animal	8-348	AR,SP,PO,ZP	C	-	-	-	P	P	P	C	-	-	P	-
10 Recreation and Entertainment														
10.01 Driving range	8-361	AR,SP,PO,ZP	C	-	-	-	-	-	-	-	-	-	-	-
10.02 Golf course	8-362	AR,SP,PO,ZP	C	-	-	-	-	-	-	-	-	-	-	-
10.03 Indoor entertainment	8-363	AR,SP,PO,ZP	-	-	-	-	-	C	C	-	-	-	C	-
10.04 Indoor recreation	8-364	AR,SP,PO,ZP	-	-	-	-	-	C	C	-	-	-	C	-
10.05 Indoor shooting range	8-365	AR,SP,PO,ZP	C	-	-	-	C	C	C	-	-	-	-	-
10.06 Outdoor entertainment	8-366	AR,SP,PO,ZP	-	-	-	-	C	C	-	-	-	-	C	-
10.07 Outdoor recreation	8-367	AR,SP,PO,ZP	C	-	-	-	-	-	-	-	-	-	C	-

continued on next page

Exhibit 8-1. Land-use matrix – continued

	Special Standards	Secondary Review	Zoning District													
			R-1	R-2	R-6	R-7	C-1	C-2	C-3	I-1	L-1	M	MUW			
11 Government & Community Services																
11.01	Administrative government center	8-381	AR,SP,PO,ZP	-	-	C	-	C	P	P	C	-	-	C		
11.02	Animal shelter	8-382	AR,SP,PO,ZP	-	-	-	-	-	-	-	C	-	-	-		
11.03	Cemetery	8-383	AR,SP,PO,ZP	C	C	-	-	-	-	-	C	-	-	-		
11.04	Civic use facility	8-384	AR,SP,PO,ZP	C	-	C	-	C	P	P	C	C	-	C		
11.05	Community center	8-385	AR,SP,PO,ZP	C	C	C	C	P	P	P	C	C	-	P		
11.06	Community cultural facility	8-386	AR,SP,PO,ZP	C	C	C	-	C	C	C	C	C	-	C		
11.07	Community garden	8-387	SP,ZP	P	P	C	P	P	P	P	P	C	-	C		
11.08	Educational facility, post-secondary	8-388	AR,SP,PO,ZP	C	C	C	-	C	P	C	C	-	-	-		
11.09	Educational facility, pre-K through 12	8-389	AR,SP,PO,ZP	C	C	C	-	C	C	-	-	-	-	-		
11.10	Maintenance garage	8-390	AR,SP,PO,ZP	-	-	-	-	-	-	-	P	-	-	-		
11.11	Park	8-391	AP,SP,PO,ZP	P	P	P	P	P	P	P	P	P	P	P		
11.12	Public safety facility	8-392	AR,SP,PO,ZP	C	-	-	-	C	P	C	C	-	-	C		
11.13	Recreation trail	8-393	-	C	C	C	C	C	C	C	C	C	C	C		
11.14	Worship facility	8-394	AR,SP,PO,ZP	C	C	C	-	C	P	C	C	-	-	-		
12 Telecommunications and Utilities [6]																
12.01	Radio broadcast facility	8-411	SP,PO,ZP	C	C	-	-	-	-	-	C	-	-	-		
12.02	Solar power plant	8-412	SP,PO,ZP	C	C	-	C	-	-	-	C	C	-	-		
12.03	Stormwater management facility	8-413	-	P	P	P	P	P	P	P	P	P	P	P		
12.04	Telecommunication collocation (class 1)	8-414	ZP	WT	WT	WT	WT	WT	WT	WT	WT	WT	WT	WT		
12.05	Telecommunication collocation (class 2)	8-415	ZP	P	P	P	P	P	P	P	P	P	P	P		
12.06	Telecommunication tower	8-416	ZP	WT	WT	WT	WT	WT	WT	WT	WT	WT	WT	WT		
12.07	Utility installation, major	8-417	SP,PO,ZP	C	C	C	C	C	C	C	C	C	C	C		
12.08	Utility installation, minor	8-418	ZP	P	P	P	P	P	P	P	P	P	P	P		
12.09	Utility maintenance yard	8-419	AR,SP,PO,ZP	-	-	-	-	-	-	-	P	-	-	-		
13 Transportation																
13.01	Bus storage facility	8-431	AR,SP,PO,ZP	C	-	-	-	C	C	-	C	-	-	-		
13.02	Marina	8-432	AR,SP,PO,ZP	-	-	-	-	-	-	-	-	-	P	-		
13.03	Mass transit terminal	8-433	AR,SP,PO,ZP	-	-	-	-	C	P	C	C	-	-	C		
13.04	Off-site parking lot	8-434	SP,ZP	-	-	-	-	C	P	C	C	C	-	C		
13.05	Park-and-ride lot	8-435	SP,PO,ZP	C	C	-	-	P	C	-	C	C	-	-		
13.06	Street	8-436	-	P	P	P	P	P	P	P	P	P	P	P		
14 General Storage																
14.01	Boat yard	8-451	AR,SP,PO,ZP	C	-	-	-	-	-	-	C	-	C	C		
14.02	Indoor boat storage	8-452	SP,PO,ZP	-	-	-	-	-	-	-	C	-	C	-		
14.03	Personal storage facility	8-453	AR,SP,PO,ZP	-	-	-	-	-	-	-	C	-	-	-		
14.04	Truck terminal	8-454	AR,SP,PO,ZP	-	-	-	-	-	-	-	C	-	-	-		
14.05	Warehouse	8-455	AR,SP,PO,ZP	-	-	-	-	-	-	-	C	-	-	-		

continued on next page

Exhibit 8-1. Land-use matrix – continued

	Special Standards	Secondary Review	Zoning District													
			R-1	R-2	R-6	R-7	C-1	C-2	C-3	I-1	L-1	M	MUW			
15 Industrial and Manufacturing																
15.01 Artisan shop, Type I	8-471	AR,SP,PO,ZP	-	-	-	-	P	P	P	C	-	-	-	-	-	C
15.02 Artisan shop, Type II	8-472	AR,SP,PO,ZP					C	C	C	C	-	-	-	-	-	C
15.03 Construction equipment repair	8-473	AR,SP,PO,ZP	-	-	-	-	-	-	-	C	-	-	-	-	-	-
15.04 Construction equipment sales and service	8-474	AR,SP,PO,ZP	-	-	-	-	-	-	-	C	-	-	-	-	-	-
15.05 Contractor yard	8-475	AR,SP,PO,ZP	-	-	-	-	-	-	-	C	-	-	-	-	-	-
15.06 Manufacturing	8-476	AR,SP,PO,ZP	-	-	-	-	-	-	-	C	P	-	-	-	-	-
16 Solid Waste																
16.01 Composting facility	8-491	AR,SP,PO,ZP	C	-	-	-	-	-	-	C	-	-	-	-	-	-
16.02 Recycling center	8-492	AR,SP,PO,ZP	-	-	-	-	-	-	-	C	-	-	-	-	-	-
16.03 Solid waste transfer station	8-493	AR,SP,PO,ZP	-	-	-	-	-	-	-	C	-	-	-	-	-	-
17 Accessory Uses																
17.01 Accessory dwelling unit [7]	8-521	SP,ZP	C	C	C	C	-	-	-	-	-	-	-	-	-	-
17.02 Adult family home [7]	8-522	ZP	P	P	P	P	-	-	-	-	-	-	-	-	-	-
17.03 Amateur radio and/or citizens band antenna [7]	8-523	ZP	P	P	P	P	P	P	P	P	P	P	P	P	P	P
17.04 Bed and breakfast [7]	8-524	SP,PO,ZP	C	C	C	C	C	-	-	-	-	-	-	-	-	-
17.05 Boat dock [7]	8-525	-	-	-	-	P	-	-	-	-	P	P	P	P	P	P
17.06 Boathouse [7]	8-526	ZP	-	-	-	P	-	-	-	-	-	-	-	-	-	-
17.07 Exterior communication device	8-527	-	P	P	P	P	P	P	P	P	P	P	P	P	P	P
17.08 Family day care home [7]	8-528	ZP	P	P	P	P	P	-	-	-	-	-	-	-	-	-
17.09 Farm building for non-farm storage	8-529	SP,PO,ZP	C	-	-	-	-	-	-	-	-	-	-	-	-	-
17.10 Fence	8-530	-	P	P	P	P	P	P	P	P	P	P	P	P	P	P
17.11 Firewood storage	8-531	-	P	P	P	P	P	P	P	P	P	P	P	P	P	P
17.12 Foster home and treatment foster home [2,7]	8-532	ZP	P	P	P	P	P	P	C	-	-	-	-	-	-	-
17.13 Garage, nonresidential	8-533	AR,ZP	C	C	C	-	P	P	P	P	P	P	P	P	P	P
17.14 Garage, residential [7]	8-534	ZP	P	P	P	P	P	P	P	-	-	-	-	-	-	P
17.15 Greenhouse [7]	8-535	ZP	P	P	P	P	P	P	P	-	-	-	-	-	-	-
17.16 Home occupation, major [7]	8-536	SP,PO,ZP	C	C	C	C	P	P	P	-	-	-	-	-	-	-
17.17 Home occupation, minor [7]	8-537	ZP	P	P	P	P	P	P	P	-	-	-	-	-	-	P
17.18 Household livestock [7]	8-538	ZP	C	-	-	-	-	-	-	-	-	-	-	-	-	-
17.19 Kennel, hobby [7]	8-539	SP,PO,ZP	C	C	-	C	-	-	-	-	-	-	-	-	-	-
17.20 Light industrial use incidental to sales/service	8-540	SP,PO,ZP	-	-	-	-	-	-	-	C	-	-	-	-	-	-
17.21 Outdoor food and beverage service	8-541	SP,PO,ZP	-	-	-	-	C	C	C	-	-	-	-	-	-	C
17.22 Play structure [7]	8-542	-	P	P	P	P	P	-	-	-	-	-	-	-	-	-
17.23 Pond	8-543	SP,ZP	P	P	P	P	C	-	-	-	P	-	-	-	-	-
17.24 Rural accessory building	8-544	-	P	-	-	-	-	-	-	-	-	-	-	-	-	-
17.25 Sales incidental to industrial use	8-545	SP,PO,ZP	-	-	-	-	-	-	-	C	-	-	-	-	-	-
17.26 Service window, drive-up	8-546	SP,PO,ZP	-	-	-	-	C	C	C	-	-	-	-	-	-	C
17.27 Service window, walk-up	8-547	SP,PO,ZP	-	-	-	-	C	C	C	-	-	-	-	-	-	C

continued on next page

Exhibit 8-1. Land-use matrix - continued

	Special Standards	Secondary Review	Zoning District											
			R-1	R-2	R-6	R-7	C-1	C-2	C-3	I-1	L-1	M	MUW	
17 Accessory Uses - continued														
17.28 Solar energy system, building-mounted	8-548	ZP	P	P	P	P	P	P	P	P	P	P	P	P
17.29 Solar energy system, free-standing	8-549	SP,ZP	P	P	P	P	P	P	P	P	P	P	P	P
17.30 Storage container	8-550	SP	-	-	-	-	-	C	-	-	-	-	-	-
17.31 Swimming pool [7]	8-551	ZP	P	P	P	P	-	-	-	-	-	-	-	-
17.32 Utility cabinet	8-552	ZP	P	P	P	P	P	P	P	P	P	P	P	P
17.33 Work/live dwelling unit [7]	8-553	SP,ZP	-	-	-	-	C	P	P	C	-	-	-	C
17.34 Yard shed	8-554	ZP	P	P	P	P	P	P	P	-	-	-	-	-
18 Temporary Uses														
18.01 Contractor's office	8-601	SP,ZP	-	-	P	-	P	P	P	P	-	P	P	P
18.02 Earth materials stockpile	8-602	SP,PO,ZP	P	P	P	P	P	P	P	P	-	P	C	C
18.03 Farmers market [8]	8-603	SP,PO,ZP	C	-	-	-	P	P	P	-	C	C	C	C
18.04 Farm stand, off-site	8-604	ZP	-	-	-	-	P	P	P	C	-	-	-	C
18.05 Farm stand, on-site [7]	8-605	ZP	P	P	P	-	P	P	-	-	-	-	-	-
18.06 Livestock for vegetation management	8-606	ZP	P	P	P	P	P	P	-	P	P	-	P	P
18.07 Model home	8-607	PO,ZP	C	C	C	C	-	-	-	-	-	-	-	-
18.08 Off-site construction yard	8-608	SP,PO,ZP	C	C	-	-	-	-	-	C	-	-	-	-
18.09 Party tent	8-609	-	P	P	P	P	P	P	P	P	P	P	P	P
18.10 Portable storage container	8-610	-	P	P	P	P	P	P	P	P	P	P	P	P
18.11 Seasonal product sales	8-611	ZP	C	-	-	-	C	C	-	C	-	C	C	C
18.12 Sidewalk café	8-612	ZP	-	-	-	-	P	P	P	-	-	-	-	P
18.13 Special event, major	8-613	SP,PO,ZP	C	C	C	C	C	C	C	C	C	C	C	C
18.14 Special event, minor	8-614	ZP	P	P	P	P	P	P	P	P	P	P	P	P
18.15 Wind test tower	8-615	ZP	P	P	P	P	P	P	P	P	P	P	P	P
18.16 Yard sale	8-616	-	P	P	P	P	P	P	P	-	-	-	-	-
18.17 Temporary greenhouse	8-617	ZP	-	-	-	-	P	P	P	-	-	-	-	-

Zoning Districts

R-1 Rural Residential; R-2 Single-Family Residential; R-6 Mixed Residential; R-7 Waterfront Residential; C-1 Cottage Commercial; C-2 General Commercial; C-3 Downtown Commercial; I-1 Industrial; L-1 Lakefront Corridor; M Marina; MUW Mixed-Use Waterfront

Key for Land Uses

- "-" indicates that the use is not permitted in the zoning district.
- "C" indicates that the use is permitted in the zoning district as a conditional. In addition, secondary review procedures may apply as indicated in the matrix.
- "P" indicates that the use is permitted in the zoning district by right subject to secondary review procedures as indicated in the matrix.
- "WT" indicates that the use is subject to the special review standards and procedures for Wireless Telecommunication Facilities.

Key for Secondary Review

- "AR" indicates a building plan is required.
 - "PO" indicates a plan of operation is required.
 - "SP" indicates a site plan is required.
 - "ZP" indicates a zoning permit is required.
- When a use is allowed as a conditional use, the reviewing authority may require submission and approval of a building plan, site plan, and/or plan of operation even when not otherwise required.

Notes:

1. An accessory dwelling unit is accessory to a residential use and is therefore listed in Series 17 (Accessory uses).
2. Refer to s. 8-46 that describes the extent to which the city may control the establishment of community living arrangements.
3. A foster home that is owned, operated, or contracted for by the state of Wisconsin or a county department, is not subject to this chapter pursuant to 63 Atty. Gen. 34. All other foster homes and treatment foster homes shall comply with this chapter.
4. A family day care home (4-8 children) is accessory to a residential use and is therefore listed in Series 17 (Accessory uses).
5. A bed and breakfast is accessory to a residential use and is therefore listed in Series 17 (Accessory uses).
6. An amateur radio and/or citizen band antenna is accessory to a residential use and is therefore listed in Series 17 (Accessory uses).