

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/86303340570?pwd=dDlhZnhUYkM4SXhPUFhScERMeGhyZz09> or by calling 1 (877) 853-5247 (Toll Free) and entering Webinar ID: **863 0334 0570** and entering passcode: **331115** as opposed to being present for the meeting.

NOTICE OF PLAN COMMISSION MEETING

DATE: Thursday, December 21, 2023
TIME: 5:30 PM
PLACE: Washburn City Hall – 119 Washington Ave

AGENDA:

- Call to Order/Roll Call
- Approval of Minutes of November 16, 2023
- Public Hearing
 - Discussion & Recommendation on Zoning Map Amendment Request to Change the Zoning of Tax ID 32756 from R-2 Single Family Residential to R-6 Mixed Residential – Irene Blakely, 803 Third Avenue East, Petitioner
- Discussion & Recommendation On to Vacate the Unopened Triton Avenue Between Grandview Boulevard and Sunrise Avenue – Darren & Tera Miller 1404 Grandview Blvd., Petitioners
- Discussion & Action on Plan of Operation for A Dog Store and Site Plan Review for Work/Live Dwelling Unit, 30 E. Bayfield St. – David Sneed and Pamela Dahlheimer, Petitioner
- Discussion on Conceptual Ordinance to Modify Special Standards for Heavy Vehicle Sales and Service Use
- Adjourn

November 16, 2023

CITY OF WASHBURN PLAN COMMISSION MEETING

5:30PM Washburn City Hall

COMMISSION MEMBERS: David Anderson, Felix Kalinowski, Mary Motiff, Matt Simoneau (via Zoom), Nicholas Suminski

ABSENT: Leo Ketchum- Fish, Michael Malcheski,

MUNICIPAL PERSONNEL: Scott Kluver-City Administrator, Tammy DeMars-Treasurer

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

Approval of Minutes – October 19, 2023 Minutes – Motion by Suminski to approve the minutes of October 19, 2023, second by Kalinowski. Motion carried 5-0.

Public Hearing, Discussion & Recommendation on Zoning Ordinance Amendment to City Zoning Code (Title 13), Chapter 1, Articles 14, 19, and 21 Regarding Signs & Outdoor Lighting Motion by Suminski to open floor for public hearing, second by Anderson. Motion carried 5-0. No public comment. Motion by Suminski to close the public hearing, second by Anderson. Motion carried 5-0. Motiff reports she will be having a phone conversation on Friday with the individual from the D.O.T who deals with signage and should have an answer about the legality of this amendment regarding the Scenic By-Way. Motion by Anderson to recommend approval of Ordinance Amendment 23-007 amending city zoning code, chapter 1, articles 14, 19, and 21 regarding signs and outdoor lighting, contingent on the State DOT approval, seconded Suminski. Motion carried 5-0.

Review Plan Commission Roles and Responsibilities Regarding Development on City Land – Article 4 Division 1 of the Zoning Code was reviewed. Motiff explains the purpose of this item is to go over the procedure the Plan Commission has regarding the sale, development, or change of use of City Property. What should happen first is the Administrator and/or Mayor should be contacted with whatever idea someone has to see if it is even feasible and what the steps would be to accomplish it. Things that would need to be consider is if it's a change of use, it may require a map change on the Comprehensive Plan Zoning Map, example would be if the proposed Bike Park would go on the Omaha Street Property or if you where to take existing park space and turn into commercial or residential it would require a map change, along with that, the properties would have to be added or taken off the property sale list. All these things would take up to six months to even accomplish. After some further discussion it was decided the Plan Commission would like to do the annual review of the property list in May to see if there are properties that could be added or removed from the list and what they could be used for.

Motiff adjourned the meeting at 6:25pm.

Respectfully Submitted,
Tammy L. DeMars
Treasurer

**CITY OF WASHBURN
NOTICE OF PUBLIC HEARING
ZONING MAP AMENDMENT**

Public Hearing will be held at the regularly scheduled Plan Commission Meeting, Thursday, December 21, 2023, at 5:30 P.M., at City Hall, 119 Washington Avenue, for public comment on the following issue:

Zoning Map Amendment:

For the purpose of discussing and approving an update to the Zoning Map to reflect changing a parcel (Tax ID 32756) from R-2 Single Family Residential to R-6 Mixed Residential. Irene H. Blakely, 803 Third Avenue East, Washburn WI, Petitioner.

Further details on the proposed amendment may be obtained in the Administration Office at the Washburn City Hall, Tuesday – Friday 10:00AM - 4:30 PM, or by calling 715-373-6160 Ext. 4.

Scott J. Kluver
Zoning Administrator

Block Ad November 24 and December 2, 2023 – Daily Press

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: Zoning Map Amendment - Blakely
Date: December 12, 2023

Enclosed you will find a zoning map amendment petition from Irene Blakely to change a very small portion of her property from R-2 to R-6. This change would allow her entire property to be the same zoning designation and allow her to better develop the property she has worked to prepare so far. The setbacks for R-6 would allow for a practical building compared to the buildable area that would be allowed under R-2 on a triangular piece of property.

For your reference, I have included the criteria for zoning map amendments. This amendment would be consistent with the Comprehensive Plan, there are no other planning documents that I can think of that would be inconsistent with this, there would be no changes to the number of non-conforming uses or structures, and it would allow practical development of the property.

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

the regional office of the Wisconsin Department of Natural Resources within 10 calendar days of the date of decision.

- (20) **Preparation of new zoning map.** If the proposed amendment is approved and modifies the zoning map, the zoning administrator shall cause a new zoning map to be prepared consistent with Division 2 of Article 8.

7-4 Effective date of adopted ordinance

- (a) **Generally.** Unless otherwise specified, an adopted ordinance shall take effect upon publication.
- (b) **Exceptions.** An amendment involving floodplain regulations shall not become effective until it is reviewed and approved by the regional office of the Wisconsin Department of Natural Resources. An amendment that modifies official floodplain zoning maps, floodway lines, or water surface profiles shall not become effective until it is reviewed and approved by the Federal Emergency Management Agency.

7-5 Basis of decision

(a) **Text amendment.** If a proposed amendment would revise the text of this chapter, the Plan Commission in making its recommendation and the Common Council in making its decision shall consider the following factors:

- (1) whether the amendment is consistent with the City's comprehensive plan;
- (2) whether the amendment is consistent with other planning documents adopted by the Common Council;
- (3) whether this chapter with the amendment is internally consistent;
- (4) whether the amendment is the least restrictive approach to address issues of public health, safety, and welfare;
- (5) the extent to which the text amendment will likely create new nonconforming uses and structures;
- (6) if the proposed amendment relates to floodplain regulations, whether the chapter as amended complies with ss. 62.23 and 87.30, Wis. Stats., ch. NR 116, Wis. Admin. Code, and other state laws;
- (7) if the proposed amendment relates to shoreland-wetland regulations, whether the chapter as amended complies with s. 62.231, Wis. Stats.; ch. NR 117, Wis. Admin. Code; and other state laws;
- (8) whether the proposed amendment is needed to comply with a new or revised state or federal law; and
- (9) any other factor not specifically or generally listed, but deemed appropriate by the Plan Commission or Common Council given the particular circumstances.

(b) **Zoning map amendment.** If a proposed amendment would revise the zoning map, the Plan Commission in making its recommendation and the Common Council in making its decision shall consider the following factors:

- (1) whether the amendment is consistent with the City's comprehensive plan, including future land use maps or similar maps;
- (2) whether the amendment is consistent with other planning documents adopted by the Common Council;
- (3) the extent to which the amendment will or will likely increase or decrease the number of nonconforming uses and structures; and
- (4) any other factor not specifically or generally listed, but deemed appropriate by the Plan Commission or Common Council given the particular circumstances.

(c) **Special review criteria for amendments to the shoreland-wetland overlay district boundary.** To ensure this chapter remains consistent with the shoreland protection objectives of s. 144.26, Wis. Stats., the Common Council shall not rezone a wetland in a shoreland-wetland zoning district, or any portion thereof, where the proposed rezoning may result in a significant adverse impact upon any of the following wetland functions:

- (1) storm and flood water storage capacity;
- (2) maintenance of dry season stream flow or the discharge of groundwater to a wetland, the recharge of groundwater from a wetland to another area or the flow of groundwater through a wetland;



Zoning Code Amendment
City of Washburn

Version: May 25, 2017

WASHBURN CITY HALL
119 Washington Avenue
Washburn, WI 54891

Overview: The Common Council adopted the City's zoning code, which consists of text and a zoning map. Both of these can be amended using this application form.

Governing regulations: The procedures and standards governing the review of this application are found in Article 7 of the City's zoning code.

General instructions: Complete this application and submit one copy to the City Clerk at the mailing address shown above. Before you formally submit your application, you may meet with the City Administrator who can answer any questions you may have.

Office Use Only
Date Received: 11/14/23
Received By: [Signature]
Fee Paid: \$200.00

1. Applicant and agent information Include the names of the agent, if any, that helped prepare this application including the supplemental information. Examples include surveyors, engineers, landscape architects, architects, planners, and attorneys.

Applicant Name: Irene H Blakely
Street address: 803 Third Ave East
City, state, zip code: Washburn, WI 54891
Daytime telephone: 715.209.5299
E-mail address: adahsdottir@gmail.com

2. Type of proposed amendment (check one or both)

- [X] Map amendment Complete Part A and C
[] Text amendment Complete Part B and C

Part A. Questions Related to Map Amendment

3. Subject property information

Physical address: Block 40
Tax key number(s): 291 1027 05 000

Note: The tax key number can be found on the tax bill for the property or it may be obtained from the City Clerk.

Is the subject property currently in violation of the City's Zoning Code as determined by the zoning administrator?

- [X] No
[] Yes

If yes, please explain.

[Empty box for explanation]

Comment: Pursuant to Section 6-10 of the City's zoning code, the City may not issue a permit or other approval that would benefit a parcel of land that is in violation of the zoning code, except to correct the violation or as may be required by state law.

Are there any unpaid taxes, assessments, or other required payment that are specifically related to the subject property?

- [X] No
[] Yes

If yes, please explain.

[Empty box for explanation]

Comment: Pursuant to Section 6-11 of the City's zoning code, the City may not issue a permit or other approval that would benefit a parcel of land where taxes, assessments, or other required payments are delinquent and due.

4. Zoning information

The subject property is located in the following zoning district(s). (check all that apply)

- R-1 Rural residential
- R-2 Suburban residential
- R-6 Mixed residential
- R-7 Waterfront residential
- C-1 Cottage commercial
- C-2 General commercial
- C-3 Downtown commercial
- MUW Mixed-use waterfront
- L-1 Lakefront
- M Marina
- I Industrial

Proposed zoning classification(s)

R-6

Comment: If the proposed amendment includes more than one parcel of land or if the parcel is to have more than one zoning classification, attach a map (8 1/2 x 11) that shows the location of the proposed zoning classifications.

5. Proposed map amendment. Select the general reason(s) why you believe the zoning classification should be changed and provide additional details.

- The zoning designation should be brought into conformity with the City's comprehensive plan.

The proposed zoning would conform to the comprehensive plan.

- A mapping error was made on the official zoning map.

This is a small speck of a property that is adjacent to property in the R-6 zone that has the same owners.

- Other

The current zoning only allows a triangular building area of approximately 2,000 sq.ft. Changing the zoning allows for a buildable area of over 5,000 sq.ft.

6. Consistency with zoning requirements

Are there any buildings on the subject property?

- No
- Yes

If yes, please describe each and state whether it is consistent with the proposed zoning classification.

1.
2.
3.
4.

Are there any existing land uses on the subject property?

- No – Land is vacant / undeveloped
- Yes

If yes, please describe each, including conditional uses, and state whether it is consistent with the proposed zoning classification.

1.
2.
3.
4.
5.
6.

Does the size of the subject property comply with the minimum lot size of the proposed zoning district?

- No
- Yes *→ not practical.*

If no, describe why you believe the map amendment should be made in spite of this.

--

Has the City approved a variance or special exception for the subject property?

- No
- Yes

If yes, provide the year of issuance and a short description of each one.

1.
2.
3.
4.

Part B. Questions Related to Text Amendment

7. **Proposed text amendment.** For each proposed text amendment, identify the section number (e.g., 7-444) to be revised and describe the proposed change and the reason(s) why you believe the change should be made.

Section number	Proposed change	Justification
1.	N/A	
2.		
3.		
4.		

Part C.

8. **Attachments.** List any attachments included with your application.

Maps included

9. **Other information.** You may provide any other information you feel is relevant to the review of your application.

10. Applicant certification

- I certify that all of the information in this application, along with any attachments, are true and correct to the best of my knowledge and belief.
- I understand that submission of this application authorizes city officials, Plan Commission members, Common Council members, employees, and other designated agents to enter the subject property to conduct whatever site investigations are necessary to review this application. This does not authorize any such individual to enter any building on the subject property, unless such inspection is specifically related to the review of this application and the property owner gives his or her permission to do so.
- I understand that this application and any written materials relating to this application will become a permanent public record and that by submitting this application I acknowledge that I have no right to confidentiality. Any person has the right to obtain copies of such written materials or view it online.
- I understand that the zoning administrator will review this application to determine if it contains all of the required information. If he or she determines that the application is incomplete, it will not be scheduled for review until it is deemed to be complete.
- I certify that I am the person identified below OR I am submitting this application on behalf the entity identified below.

- property owner
- Plan Commission
- Common Council

Applicant:

Irvin H Blakely

Date:

11/14/2023

City of Washburn Zoning Map

Base Zoning Districts

- Residential**
- R-1 Rural Residential
- R-2 Single-Family Residential
- R-6 Mixed Residential
- R-7 Waterfront Residential
- Commercial**
- C-1 Cottage Commercial
- C-2 General Commercial
- C-3 Downtown Commercial
- MUW Mixed-use Waterfront

- Industrial**
- I-1 Light Industrial
- Special Purpose**
- L-1 Lakefront Corridor
- M Marina

Planned Development Districts

- PDD-01 Brevak

Overlay Zoning Districts

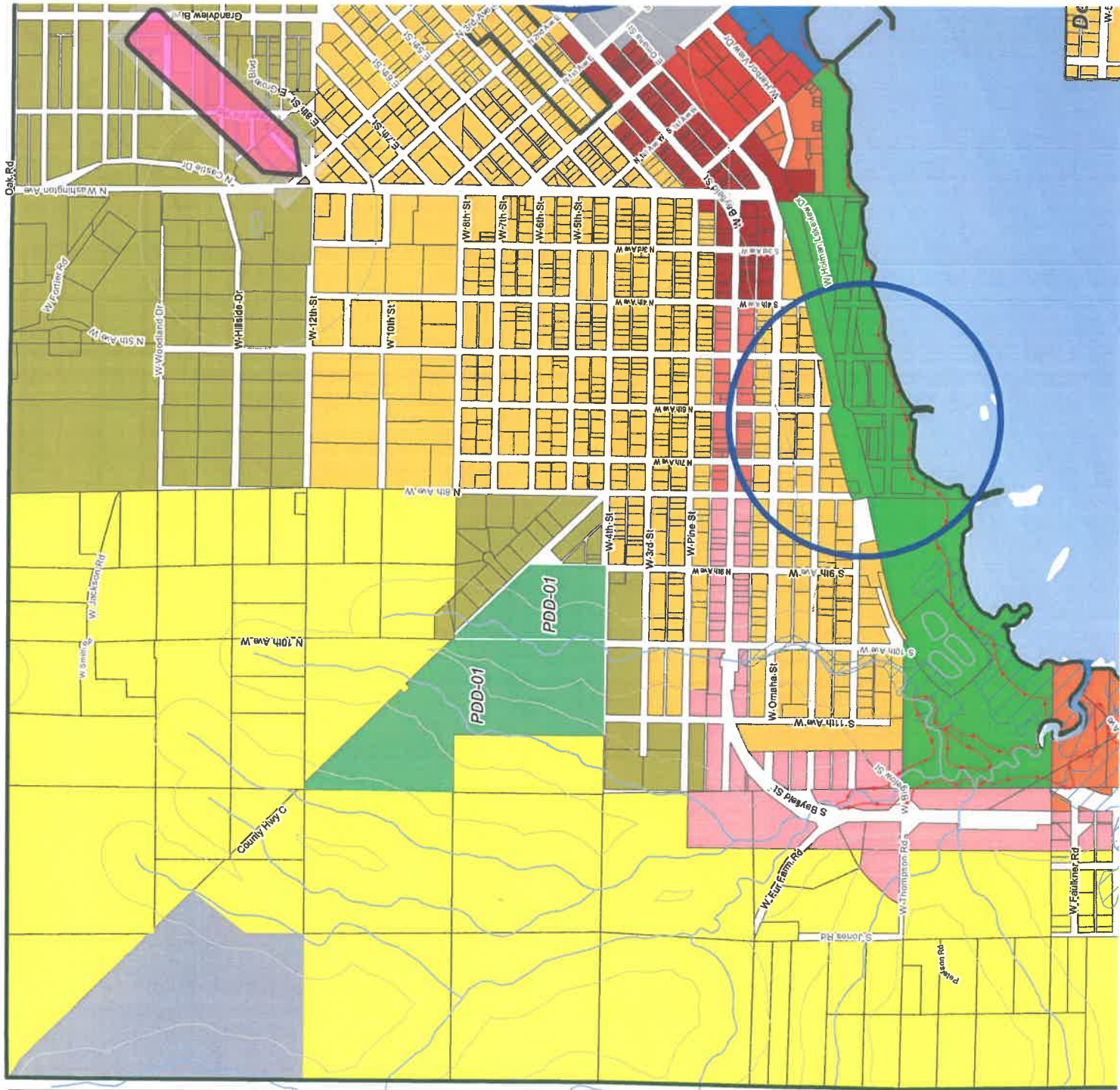
- Floodplain
- Shoreland-Wetland
- Shoreland
- Wellhead Protection

Map Features

- Navigable Stream
- Minor Arterial
- Major Collector
- Property Boundary Line

Other Zoning Districts

- Outdoor Lighting Zone 1



CITY OF WASHBURN

PO BOX 638

WASHBURN, WI 54891

Receipt Nbr: 35024

Date: 11/14/2023

Check

**RECEIVED
FROM**

IRENE BLAKELY

\$200.00

Type of Payment

Description

Amount

Accounting

ZONING PERMITS

200.00

ZONING CODE AMMENDMENT APPLICATION

TOTAL RECEIVED

200.00

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



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

To: Honorable Mayor and Plan Commission Members
From: ^{SK} Scott J. Kluver, Administrator
Re: Vacating Request of Triton Avenue Between Grandview Blvd. and Sunrise Avenue
Date: December 12, 2023

Enclosed you will find a request to vacate the unopened Triton Avenue between Grandview Blvd and Sunrise Avenue adjacent to Lots 14 through 23 of Block 3 and Lots 1 through 10 of Block 6 of the DuPont Park Addition to the City of Washburn.

Please see my memo to the Council for details related to this request. The Council is asking the Plan Commission to pay special attention of the Linear Park issue regarding this request. Should the Linear Park be retained as is, relocated, or should the concept be abandoned all together? This request would not land-lock any property. The Plan Commission should consider future plans, traffic flow, and potential impacts of development to the surrounding area when considering this request and in making a recommendation back to Council. I am not aware of any utilities or utility easements in this area. Only Charter has verified that with me at this point. The Millers have recorded the appropriate intention to vacate with the Register of Deeds office.

Please let me know if you have questions on this. I can review this Linear Park issue with you at the meeting.

The Council will have final action after the Plan Commission review and a Public Hearing.

Scott Kluver

From: Nelson, Ryan R <Ryan.Nelson@charter.com>
Sent: Monday, December 4, 2023 10:51 AM
To: Scott Kluver
Subject: RE: Vacating Street

Hello Scott,

We do not have any utility easements or underground cable going down Triton Avenue that I can find. We do have a cable running N and S on the East side of Grandview Blvd in the ROW.

Thanks!

From: Scott Kluver <administrator@cityofwashburnwi.gov>
Sent: Monday, December 4, 2023 9:45 AM
To: Nelson, Ryan R <Ryan.Nelson@charter.com>
Subject: [EXTERNAL] Vacating Street

CAUTION: The e-mail below is from an external source. Please exercise caution before opening attachments, clicking links, or following guidance.

Dear Mr. Nelson:

The City of Washburn is currently considering the vacation of Triton Avenue. This is an unopened street in the DuPont Park subdivision and can be reached off of Grandview Boulevard. I have attached a map for a little help. Let me know if you need anything else to help find it.

Can you please tell me if Spectrum has any utility easements along this street?

Scott J. Kluver, Administrator

City of Washburn
P.O. Box 638
119 Washington Ave.
Washburn, WI 54891
Phone – 715-373-6160 Ext. 4
Fax – 715-373-6148

<http://www.cityofwashburn.org/>

The City of Washburn is an equal opportunity provider, employer, and lender.

INTENT TO VACATE STREET

Document Number

Document Title

Application to vacate Triton Avenue Adjacent to Lots 14 through 23 of Block 3 in the DuPont Park Addition to the City of Washburn and Lots 1 through 10 of Block 6 in the DuPont Park Addition to the City of Washburn

**DOCUMENT NUMBER
2023R-601421**

**DANIEL J. HEFFNER
REGISTER OF DEEDS
BAYFIELD COUNTY, WI**

**RECORDED
12/01/2023 AT 12:24 PM
RECORDING FEE: \$30.00
PAGES: 10**

Recording Area

Name and Return Address

**Darren & Tera Miller
1404 Grandview Blvd.
Washburn, WI 54891**

Parcel Identification Number (PIN)

**04-291-2-49-04-32-1 00-166-04100
04-291-2-49-04-32-1 00-166-07000**

**Document Drafted by Scott J. Kluver
City of Washburn**

THIS PAGE IS PART OF THIS LEGAL DOCUMENT – DO NOT REMOVE.

This information must be completed by submitter: document title, name & return address, and PIN (if required). Other information such as the granting clause, legal description, etc., may be placed on this first page of the document or may be placed on additional pages of the document.

WRDA Rev. 12/22/2010

**PETITION FOR VACATION OF ALLEY(S) OR STREET(S)
CITY OF WASHBURN, WISCONSIN**

To: Mayor, Common Council and City Plan Commission of the City of Washburn, WI 54891

I (We), the undersigned, do hereby petition the City of Washburn to vacate (give street name or general location of street/alley):

Darren Miller

IN SUPPORT THEREOF, the following facts are hereby presented:

1. **THERE IS ATTACHED a sketch or copy of the plat of the area which depicts the requested vacation. (Map showing the vacation must agree with legal description of property listed in #2 below).**

2. **The property abutting the proposed vacation is legally described as:**

Within the Dupont Park Addition -

~~Business~~ Triton AVE. Between Blocks 3 + 6

See Attached Pictures

3. **Abutting property owner(s) and mailing addresses (see #2 Procedures for Vacation):**

1. Don Faith III And Nancy Faith
32750 OAK RD. Washburn WI 54891

2. _____

3. _____

4. _____

5. _____

4. For all vacations other than unpaved alleys: Property owner(s) and mailing addresses for at least 1/3 of the 2650 feet from each end of the section of road to be vacated (see #2 Procedures for Vacation):

- 1. Don Faith III & Nancy Faith
32750 OAK Rd Washburn WI 54891
 - 2. Jonathan Martin & Erika Ling
30 OAK rd Washburn WI 54891
 - 3. Peter & Lynda Warren
34 OAK Rd. Washburn WI 54891
 - 4. Eric & Angela Korpela
5202 Seaview AVE Castro Valley CA. 94546
 - 6. Donna Nemecek 709 WEST 3rd St Washburn WI 54891
- # 7 other side

See back FOR MORE

5. The undersigned petitioner(s) hereby agree to accept said property described above and shown on the attached sketch or plat, subject to conditions set forth by the City Council and City zoning regulations and including, but not limited to, the right of the City of Washburn and/or utility companies to retain any easement, drainageway, or floodplain land for the purpose of maintaining, conducting or constructing any required existing or future services or facilities on said easement which would serve or protect the public.

6. That the facts presented herein and attached hereto are true and correct to the best of my (our) knowledge.

Submitted this 09 day of 25th, 2023.

CIRCULATOR OF THIS PETITION:

Darren Miller
(Signature)

Please Print Below:

Darren Miller
Name of Petitioner
1404 GRANDVIEW BLVD. WASHBURN WI 54891
Address
715-373-0272
Telephone

STATUS (Check Below):

Property Owner Option Holder _____ Owner's Authorized Agent
 Contract Purchaser

Please sign and date below and return to me in the envelope included.

I (we), the undersigned, approve of Darren and Tera Miller's request to have a section of the unopened Triton Avenue vacated that lies adjacent to their property and the property of Don and Nancy Faith between Grandview Boulevard and the unopened Sunrise Avenue Tax IDS 32675 and 36370.

Legal Descriptions of adjacent lots:

DUPONT PARK ADDITION TO CITY OF WASHBURN LOTS 1-23 BLOCK 6 IN V.973 P.50 TOG WITH VAC NORTH/SOUTH ALLEY AND VAC 40' ALLEY ABUTTING LOTSS 9 & 15 IN V.974 P.224 2204

And

DUPONT PARK ADDITION TO CITY OF WASHBURN LOTS 1 - 23 BLOCK 3

Printed Name: Don C. Faith III Date: 9/15/23
Signature: Don C. Faith III

Printed Name: Nancy B. Faith Date: 9/15/23
Signature: Nancy B. Faith

Thank you very much!

Darren and Tera Miller

Please sign and date below and return to me in the envelope included.

I (we), the undersigned, approve of Darren and Tera Miller's request to have a section of the unopened Triton Avenue vacated that lies adjacent to their property and the property of Don and Nancy Faith between Grandview Boulevard and the unopened Sunrise Avenue Tax IDS 32675 and 36370.

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And

DUPONT PARK ADDITION TO CITY OF WASHBURN LOTS 1 - 23 BLOCK 3

Printed Name: Peter K Warren Date: 9/20/2023

Signature: Peter K. Warren

Printed Name: Lynnda Warren Date: 9/20/2023

Signature: Lynnda Warren

Thank you very much!

Darren and Tera Miller

Please sign and date below and return to me in the envelope included.

I (we), the undersigned, approve of Darren and Tera Miller's request to have a section of the unopened Triton Avenue vacated that lies adjacent to their property and the property of Don and Nancy Faith between Grandview Boulevard and the unopened Sunrise Avenue Tax IDS 32675 and 36370.

Legal Descriptions of adjacent lots:

DUPONT PARK ADDITION TO CITY OF WASHBURN LOTS 1-23 BLOCK 6 IN V.973 P.50 TOG WITH VAC NORTH/SOUTH ALLEY AND VAC 40' ALLEY ABUTTING LOTSS 9 & 15 IN V.974 P.224 2204

And

DUPONT PARK ADDITION TO CITY OF WASHBURN LOTS 1 - 23 BLOCK 3

Printed Name: Erika A. Lang Date: 9/19/23

Signature: 

Printed Name: Jonathan Martin Date: 09/21/2023

Signature: 

Thank you very much!

Darren and Tera Miller

7 Scott Armstrong and Kathleen GANB
1526 Holton St. St. Paul MN 55108

CO-PETITIONER (If Any):

 / 
Signature

Please Print Below:

Darren Miller & Tera Miller
Name
1404 GRAND View BLVD. Washburn WI 54891
Address
715 373-0272 HM Cell# 715-329-0498
Telephone

.....
FEES:

\$250 minimum for an alley; \$400 minimum for a street - due on filing; non-refundable.

SUBMIT MINIMUM FEE WITH PETITION. (Details regarding fees and the balance due, if any, are found in "Procedures for Vacation" which is given to the applicant with the petition).

SUBMIT ALL ATTACHMENTS. FAILURE TO DO SO MAY RESULT IN THE PETITION BEING DELAYED OR RETURNED. COMPLETED PETITIONS SHOULD BE RETURNED TO THE CITY CLERK, CITY HALL, 119 WASHINGTON AVENUE, WASHBURN, WI 54891. TELEPHONE #715-373-6160 Ext. 4 WITH QUESTIONS.

Dated this 1st day of December 2023.

[Handwritten Signature]
Signature

Darren Miller
Print Name

State of Wisconsin

) ss.

County of Bayfield

ACKNOWLEDGMENT

Personally, came before me this 1st day of December, 2023, the above named Darren Miller to me known to be the person who executed the foregoing instrument and acknowledged the same.

WITNESS my hand and official seal.

[Handwritten Signature]

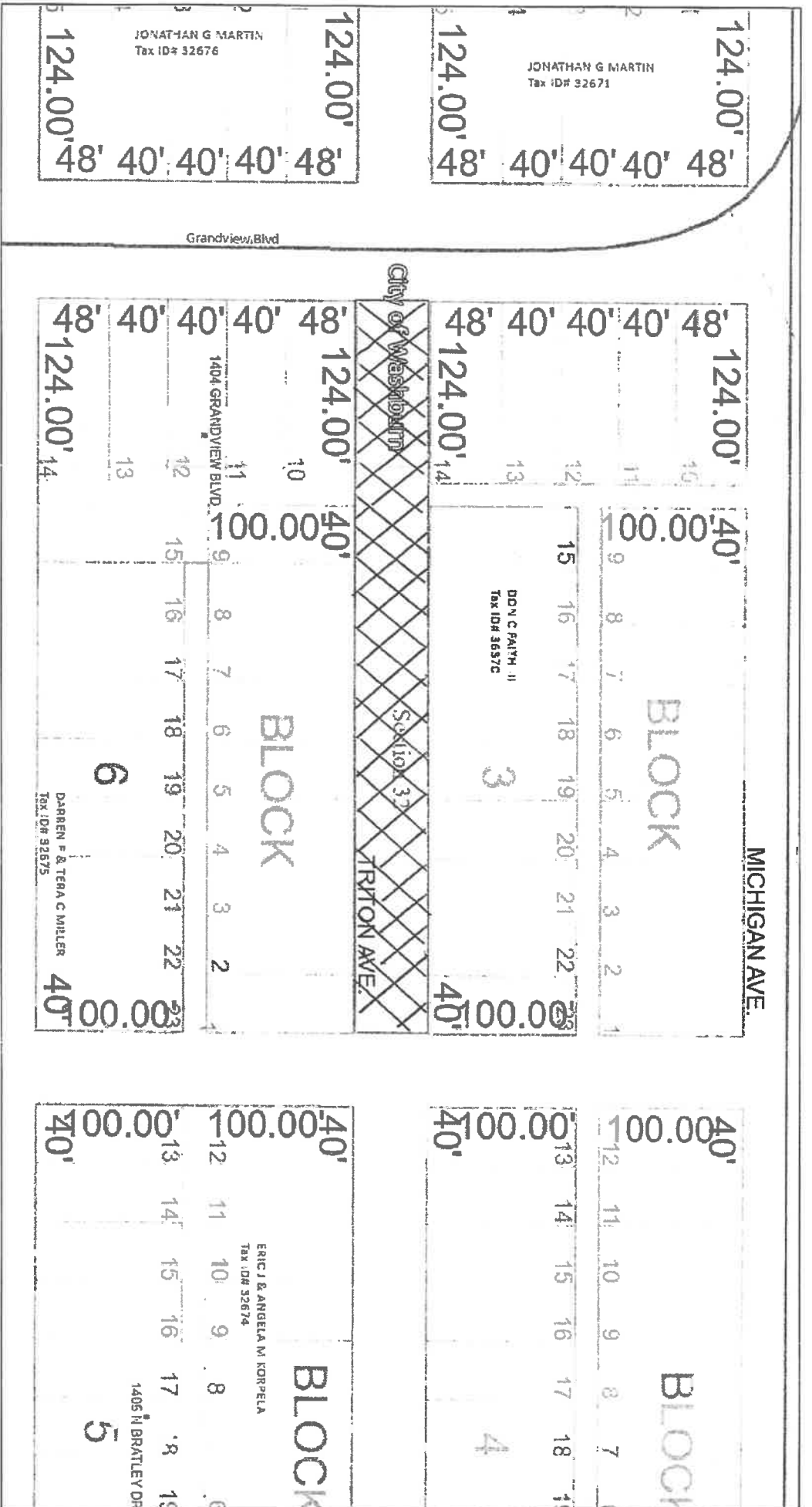
Notary Public, State of Wisconsin

Paige Terry
Print Name

My Commission is Permanent/Expires: 02/08/2025

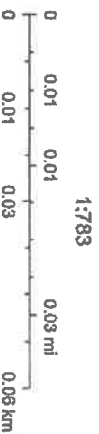


Bayfield County, WI



12/1/2023, 12:19:38 PM

- Override 1
- The Lines
- Meander Lines
- Approximate Parcel Boundary
- Section Lines
- Municipal Boundary
- All Roads
- Town
- Building Footprint 2009-2015
- Existing
- Driveways
- Buildings



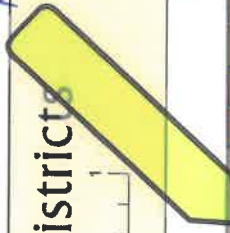
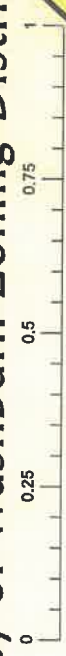
Pre April 2017 Zoning

City of Washburn Zoning Districts



The Zoning Districts on this map were provided by the City of Washburn, Bayfield County, and the Wisconsin Department of Transportation. The City of Washburn, Bayfield County, and the Wisconsin Department of Transportation make no warranty with respect to accuracy or completeness of this map and assume no liability for its use or misuse. This map was last updated on June 5, 2014.

Miles

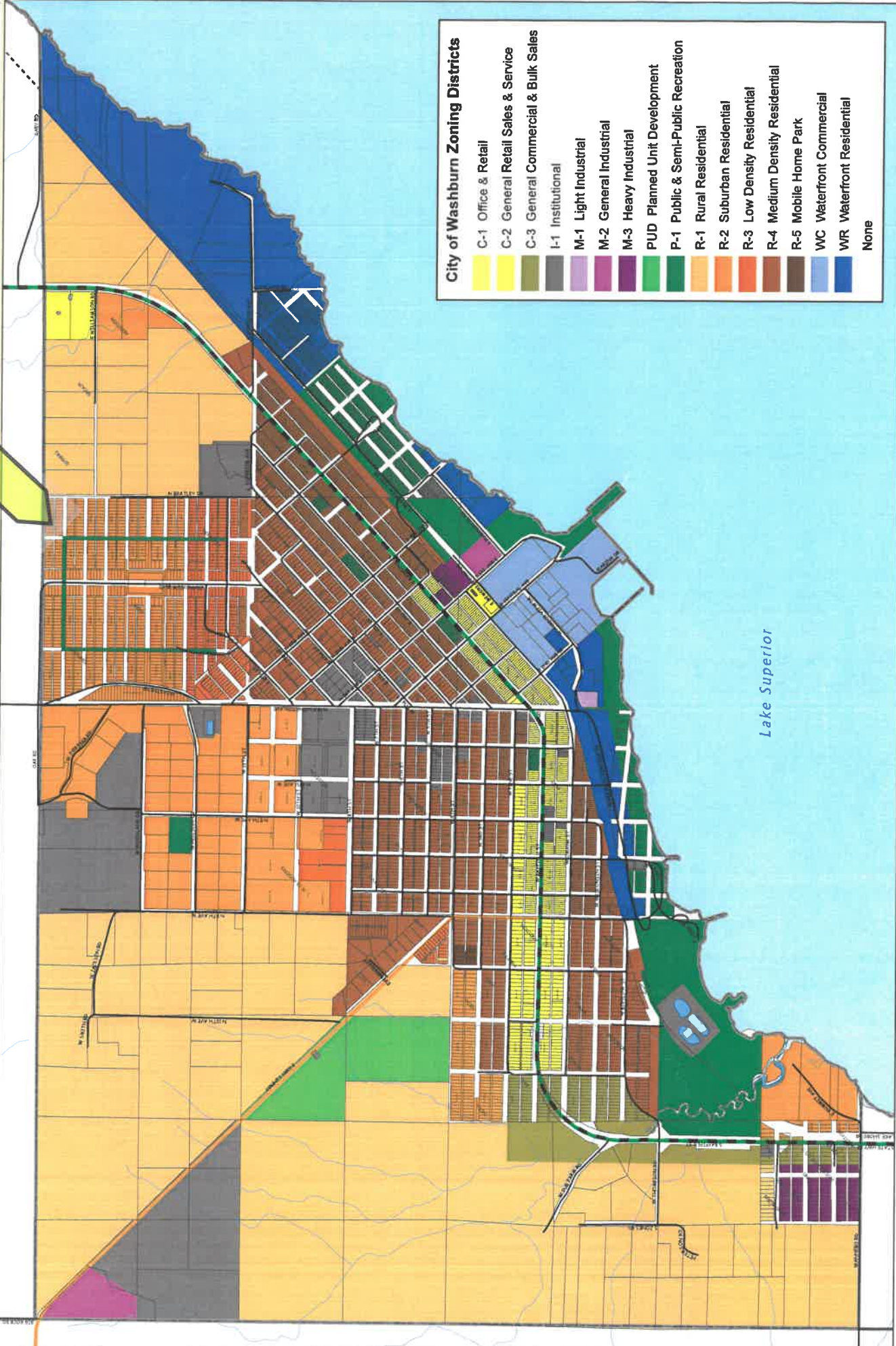


Features

- City of Washburn Boundary
- Approximate Parcel Boundary
- Lakes
- Rivers

Roads

- State
- County
- Town
- Private



City of Washburn Zoning Districts

- C-1 Office & Retail
- C-2 General Retail Sales & Service
- C-3 General Commercial & Bulk Sales
- I-1 Institutional
- M-1 Light Industrial
- M-2 General Industrial
- M-3 Heavy Industrial
- PUD Planned Unit Development
- P-1 Public & Semi-Public Recreation
- R-1 Rural Residential
- R-2 Suburban Residential
- R-3 Low Density Residential
- R-4 Medium Density Residential
- R-5 Mobile Home Park
- WC Waterfront Commercial
- WR Waterfront Residential
- None

Lake Superior

Future Conceptual Improvements & Projects

The following is a list of conceptual outdoor recreational projects.

Inter-Community Trail

- Prepare recreational trail plan over abandoned railroad corridor between Washburn and Ashland for mixed use activities.
- Prepare recreational trail plan over abandoned railroad or existing highway corridors between Washburn and Bayfield for silent sports.
- Legal work to purchase lands and acquire easements as necessary.
- Surface trail with gravel or asphalt as warranted.
- Provide trail heads and parking as needed.
- Prepare maps and trail brochures.
- Undertake clearing and grade trail as necessary.
- Install bridges as necessary.
- Install signage as necessary.

Dupont Linear Park

- Prepare park development plan.
- Provide clearing and grading of silent sports trail.
- Install benches.
- Surface trail with gravel.
- Prepare and publish maps and brochures of park.
- Purchase additional lands and easements as necessary to provide access to park, extend park, and establish trailheads.
- Provide signage as necessary.
- Install gates at access points to limit motorized vehicles.

Washburn Green Circle Trail

- Prepare trail development plan.
- Provide clearing and grading of silent sports trail.
- Install benches.
- Purchase trail maintenance equipment including ATV, trailers, and accessories.
- Surface trail with gravel.
- Install gates as necessary to limit motorized vehicles.
- Purchase additional lands and easements as necessary to provide access to park, extend park, and establish trailheads.
- Provide signage as necessary.
- Prepare and publish maps and brochures of park.
- Purchase of snowmobile and cross-country skiing trail grooming equipment.
- Bridge ravines and streams as necessary.

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: Plan of Operation and Live/Work Dwelling Unit – 30 E. Bayfield St.

Date: December 11, 2023

Mr. Sneed and Ms. Dahlheimer recently purchased 30 E. Bayfield Street, which formerly housed the Pathways office and Resource Store. This building is approximately 6,375 sq ft., their plan is to open a dog related general retail store and use approximately 1,175 square feet for a live/work dwelling unit.

As a new business the Plan Commission must approve the Plan of Operation for the business and a site plan must be approved for the live/work dwelling unit. This is in the C3 District and both requests are allowable uses. Their Plan of Operation is attached, along with a sketch outlining the purpose area for the live/work dwelling unit.

I have draft decision documents for Plan of Operation and Site Plan for Plan Commission review.

Plan of Operation, and Live/Work application for 30 E. Bayfield St
Washburn, WI

David Sneed and Pamela Dahlheimer



12/10/23

In order to create a retail space in Washburn that appeals to the needs of the local population, encourages regional day-trip visitors, and intercepts a potentially significant portion of Bayfield tourist traffic, we propose the following: A Dog Store.

More specifically:

(See attached diagram)

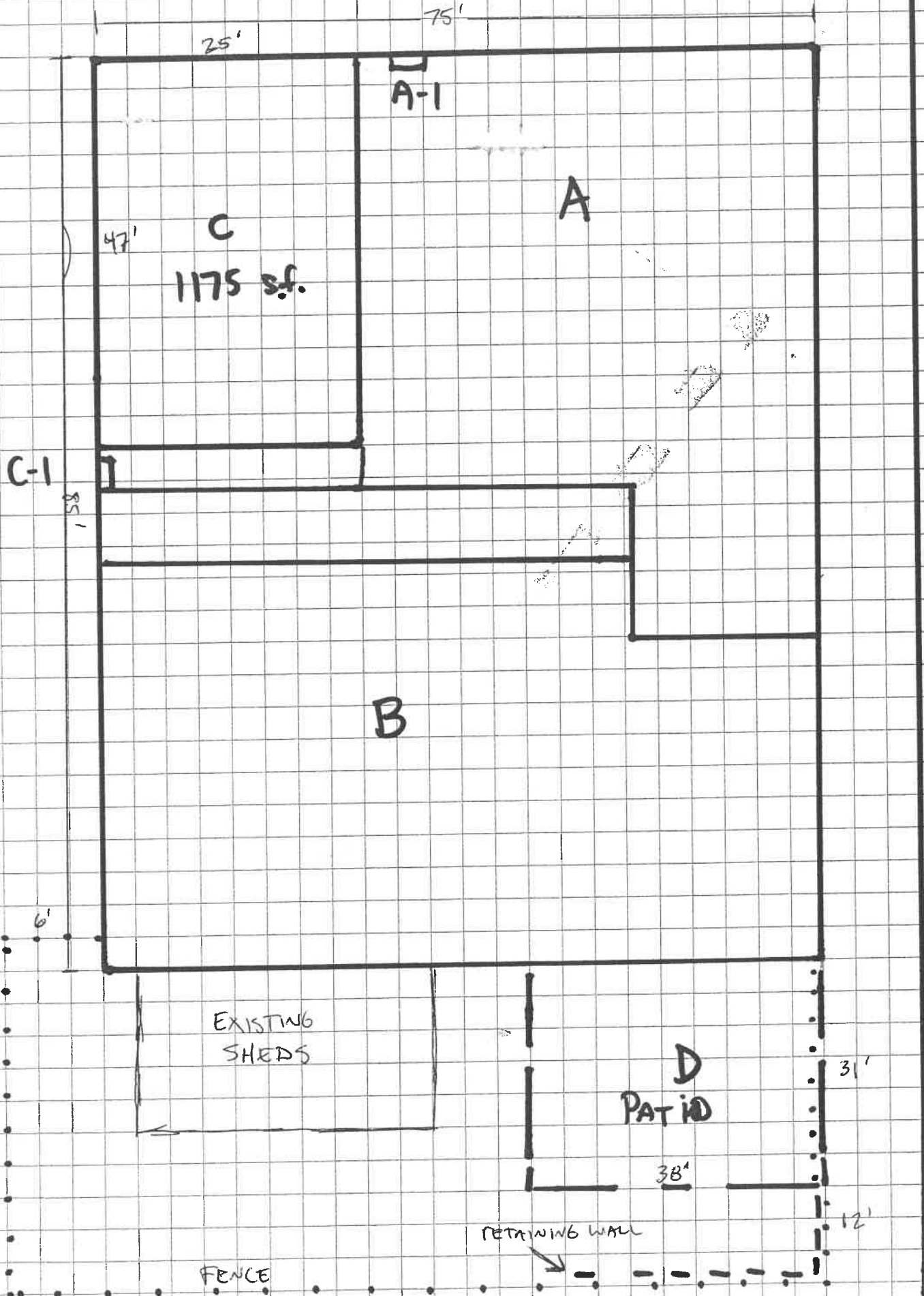
- 1) General retail in space A, focused on items for dogs, such as toys, leashes, treats, etc, as well as items for dog owners such as clothing, gifts, and souvenirs. Local vendors and manufacturers will participate in the wholesale supply chain.
- 2) Door A-1 is currently a residential exterior door and will be replaced with a commercial glass door to become the primary retail entry.
- 3) Space B is currently general retail, and after reaching an agreement with the current occupant for their relocation, will contain additional general retail of new dog items as well as recycled/reclaimed/used dog-related items like toys, leashes, portable car kennels and the like.
- 4) Space C is currently configured as offices; is not suitable for retail; and Washburn has a shortage of housing. We propose to convert it to living space per Washburn Zoning Code 8-553. This space is less than 1200 sf., is one of only two places in the building with windows as needed for egress, is already framed into rooms, and has access to plumbing through existing slab cuts and infrastructure layout. Door C-1 is distinct and separate access for the live-in unit. This minor change does not interfere with retail operations or access to customer-only restrooms in space A.
- 5) Space D is an exterior concrete slab in excellent condition. We propose preparing it as a place for customers with dogs to sit outside with a beverage facing the lake and the sun. Consequently, we propose a 6' privacy fence on the NE side along 1st Ave to shield the space from the Foundry, and a black iron fence along the alley (within code) to contain any dogs that may have an urge to run.
- 6) Construction permits will be obtained as required.
- 7) We will seek signage permits and façade change approval at a later date as changes become known.
- 8) We will likely change the color of the building exterior when weather makes it feasible, and after we've settled on a palette that suits the space.
- 9) Everything in this proposal is within the guidelines of current Washburn Zoning Code and we seek approval in full as written and intended.

E. BAYFIELD ST
#30



DIMENSIONS ARE APPROXIMATE

1st AVE





04/25/2009

City of Washburn Plan Commission

PLAN OF OPERATION REVIEW DECISION

A Dog Store

Filing Date: December 8, 2023

Proper notice of hearing provided: Yes

Hearing Date: December 21, 2023

Applicant Name and Address:

David Sneed & Pamela Dahlheimer
30 E. Bayfield St
Washburn, WI 54891
Tax ID 33338

1. **Decision:** The application for Plan of Operation review is **?????**

2. **Description of the Proposed Project:** To operate a general retail store, selling dog related items, as well as items for the dog owners, such as clothing and gifts at 30 E. Bayfield Street.

3. **Reasons for the Decision:** The Plan Commission must determine whether the project complies with all applicable standards:

Plan of Operation Standards:

- 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 – **The Plan Commission determines that there are no known issues. There are no known hazardous substances or other uncommon operational characteristics.**
- 2) The nature and extent of anticipated positive and negative effects on properties in the area – **No known negative effects. Positive effect is additional business in town.**
- 3) Actions the applicant will undertake to mitigate the negative effects, if any, of the proposed land use – **No known negative effects.**
- 4) Any other factor that relates to the purposes of this chapter set forth in s. 1-5 or as allowed by state law – **None.**

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.

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: December 13, 2023

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

If Conditions Are Imposed:

Dated: _____

By: _____

City of Washburn Plan Commission

SITE PLAN REVIEW DECISION

David Sneed and Pamela Dahlheimer Live/Work Dwelling Unit

Filing Date: December 8, 2023

Proper notice of hearing provided: Yes

Hearing Date: December 21, 2023

Applicant Name and Address: David Sneed & Pamela Dahlheimer
30 E. Bayfield Street
Washburn, WI 54891
Tax ID 33338

1. Decision: The application for site plan review **is ????**.
2. Description of the Proposed Project: Live/Work Dwelling Unit
3. Reasons for the Decision: The Plan Commission must determine whether the project complies with all applicable standards:

Site Plan Standards:

- 1) Effects of the project on traffic safety and efficiency and pedestrian circulation, both on-site and off-site - **Entrance is off Bayfield Street with on and off-street parking available.**
 - 2) Effects of the project on the natural environment – **No known detrimental effects.**
 - 3) Effects of the project on surrounding properties – **There nothing out of ordinary. Previously there were two businesses operating from this location, so traffic would not increase.**
 - 4) Compliance with the site design principles enumerated in s. 8-163 – **No exterior modifications being made so project does not appear to be in conflict.**
 - 5) Compliance with the design principles for parking lots enumerated in s. 17-3 – **This is in the Downtown Parking District, so there are no parking requirements, but the property does have off street parking and parking spaces in front of the building.**
 - 6) Compliance with other applicable requirements contained in this chapter – **Dwelling unit door is separate from business entrance.**
 - 7) Any other factor that relates to the purposes of this chapter set forth in s. 1-5 or as allowed by state law – **No other known factors.**
4. **List of Conditions Imposed: Deed restrictions required to be filed.**
 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 a court of competent jurisdiction.

City of Washburn Plan Commission

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: December 21, 2023

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

If Conditions Are Imposed:

Dated: _____

By: _____
Property Owner

8-552 Utility cabinet

(a) **Number limited.** No more than 4 utility cabinets shall be located on a parcel of land. Five or more utility cabinets on a parcel of land shall be considered a minor utility installation. A utility cabinet is considered an accessory use in all situations and may be placed on private property and public property, such as a public right-of-way.

(b) **Setbacks.** A utility cabinet is exempt from yard setback standards as may be established for the zoning district in which this use is located.

(c) **Placement on private property.** Prior to establishing a utility cabinet on private property, the operator and property owner shall establish a proper lease or easement governing the use of the property for this purpose and submit the same to the zoning administrator for his or her approval.

(d) **Placement on public property.** Prior to establishing a utility cabinet on public property under the jurisdiction of the city, county, or state, the operator shall obtain all approvals as may be required by the governmental entity having jurisdiction.

(e) **Placement in a stormwater easement.** Prior to establishing a utility cabinet within a stormwater management easement under the jurisdiction of the city, county, or state, the operator shall obtain all approvals as may be required by the governmental entity having jurisdiction.

8-553 Work/live dwelling unit

(a) **Number.** No more than one work/live dwelling unit shall be located on the subject property.

(b) **Occupancy.** A work/live dwelling unit shall be occupied and used only by the operator of the business, or a household of which at least one member shall be the business operator. If the business operator ceases to occupy the work/live dwelling unit for more than 12 months, the floor area of the work/live dwelling unit shall be converted to business purposes. If both the business area and the work/live dwelling unit are unoccupied, the work/live dwelling unit may remain during the vacancy.

(c) **Sale or rental of portions of unit.** No portion of a building with a work/live dwelling unit may be rented, leased, sold, or otherwise conveyed to any person not living in the work/live dwelling unit.

(d) **Prohibited uses.** A work/live dwelling unit shall not be established or used in conjunction with any of the following activities even if otherwise permitted in the zoning district:

- (1) adult-oriented establishment;
- (2) motor vehicle or heavy equipment maintenance or repair;
- (3) any use that stores or uses flammable, combustible, or hazardous materials beyond that normally associated with a residential use; and
- (4) any use, as determined by the reviewing authority, that is likely to not be compatible with residential activities because of the type of materials or processes used in the business operation or the presence of dust, glare, heat, noise, gasses or other emissions, odor, smoke, vibration, or any other similar or related condition created by the business operation.

(e) **Floor area.** The floor area of a work/live dwelling unit shall not exceed 30 percent of the floor area of the entire building in which the unit is located, or 1,200 square feet, whichever is less. The remaining floor area shall be reserved and regularly used for business purposes.

(f) **Exterior door.** There shall be an exterior entrance door to the work/live dwelling unit that is clearly separated from the entrance to the business.

(g) **Restriction on future land division changes to lot lines.** The subject property shall not be subdivided or otherwise divided by any means so long as the live/work dwelling unit is being occupied for residential purposes. Further, the location of the lot lines shall not be altered by any means without the written approval of the Common Council upon a recommendation of the Plan Commission.

(h) **Imposition of conditions.** The reviewing authority may establish conditions of approval that in the opinion of the reviewing authority, are needed to ensure the work/live dwelling unit is compatible with the business on the subject property and the commercial or industrial use of other properties in the vicinity.

(i) **Deed restriction.** Prior to the establishment of a work/live dwelling unit, the property owner shall file a deed restriction in the Bayfield County register of deeds office, acceptable to the zoning administrator, that

17.33 Work/live dwelling unit A dwelling unit located in a building also housing a business. The work/live dwelling unit is an accessory use to the business and its use is limited to the business operator or a household that includes the business operator.

17.34 Yard shed An accessory building designed to store yard furniture and tools, equipment, and supplies normally associated with lawn and garden care.

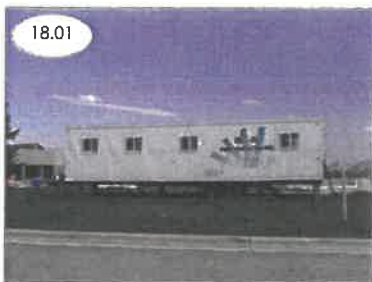


18.0 TEMPORARY USES

18.01 Contractor's office A portable building or enclosed trailer temporarily placed on a construction site for use by the contractor as a field office.

18.02 Earth materials stockpile A place where an earth material (e.g., topsoil or gravel) is piled and temporarily stored. The earth material must be derived from an on-site land development project and/or be used on site. For earth materials stockpiles that are intended to be used and/or placed in or from the waters of Lake Superior where storage on-site would be impossible or infeasible, such earth materials stockpiles may be stored on the dock and/or loading area where they will be directly loaded into the barge, boat, or other water-going vessel that will deposit the earth materials at its final destination.

18.03 Farmers market A place where agricultural producers gather on a regular basis to offer their agricultural products directly to retail consumers.



18.04 Farmstand, off-site A place where agricultural products not produced on the premises are offered for sale at retail.

18.05 Farmstand, on-site A place where agricultural products produced exclusively on the premises are offered for sale at retail.

CITY OF WASHBURN

PO BOX 638

WASHBURN, WI 54891

Receipt Nbr: 35118

Date: 12/12/2023

Check

RECEIVED FROM DAVID SNEED

\$50.00

<u>Type of Payment</u>	<u>Description</u>	<u>Amount</u>
Accounting	ZONING PERMITS PLAN OF OPERATION/LIVE/WORK SITE PLAN	50.00
<hr/>		
TOTAL RECEIVED		50.00
<hr/>		

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, ^{SK}Administrator
Re: Special Standards for Heavy Vehicle Sales and Service
Date: November 17, 2023

At the October meeting, it was requested that a review of Zoning Ordinance 8-311 occur related to the 50 feet provision from a residential zoned property. Currently, the Heavy Vehicles Sales and Service use is allowed as a conditional use in the C-1, C-2, and I-1 districts. Nearly all of the commercially zoned properties in the City are adjacent to residentially zoned properties. The rear yard setbacks for principle structures in the C-1, C-2, and C-3 districts are 10 feet, 25 feet, and 8 feet respectively. Why the C-2, the middle commercial district, has a higher rear yard setback is not logical to me. In only a few cases would the buffer-yard provisions come into play if where would be new development. Along the east-west portion of Bayfield Street, there is a 20-foot alley that divides the commercial districts from the residential district in the rear yard. This means that the provision for this use effectively creates a 30-foot rear yard setback.

If the Plan Commission wanted to recommend that the provision in 8-311 be reduced or eliminated, it could. In the case of Chequamegon Boats, the most that could effectively be gained without changing the rear-yard setback as well is five feet. Do keep in mind that if any of these provisions are changed, it would apply to any other future use where someone may rent larger heavy equipment as well.

Series 6. Food and Beverage Sales**8-301 Brewpub**

(a) **State permit.** Prior to the establishment of a brewpub, the operator shall obtain a restaurant permit from the Wisconsin Department of Health Services, or the department's authorized agent, and maintain such permit for the life of the use or until the department no longer requires such permit.¹² In addition, the operator shall obtain a brewpub permit from the Wisconsin Department of Revenue, or the department's authorized agent, and maintain such permit for the life of the use or until the department no longer requires such permit.¹³

(b) **Location of entrance.** A customer entrance to a brewpub that is located on the side or rear of the building shall not be located within 50 feet of a parcel in a residential zoning district or a planned development district that allows residential uses as the predominant land use.

(c) **Limitation on floor area devoted to production.** No more than 40 percent of the floor area shall be devoted to the production of fermented malt beverages, including storage of raw materials and finished products.

(d) **Limitation on production.** Not more than 10,000 barrels (310,000 gallons) of fermented malt beverages may be manufactured in a calendar year.

8-302 Restaurant

(a) **State permit.** Prior to the establishment of a restaurant, the operator shall obtain a restaurant permit from the Wisconsin Department of Health Services, or the department's authorized agent, and maintain such permit for the life of the use or until the department no longer requires such permit.¹⁴

(b) **Location of entrance.** A customer entrance to a restaurant that is located on the side or rear of the building shall not be located within 100 feet of a parcel in a residential zoning district or a planned development district that allows residential uses.

8-303 Tavern

(a) **Local license.** Prior to the establishment of a tavern, the operator shall obtain a license from the city and maintain such license for the life of the use or until the license is no longer required.

(b) **Compliance with state requirements.** A tavern shall comply with requirements as may be adopted by the state of Wisconsin.

(c) **Location of entrance.** A customer entrance to a tavern that is located on the side or rear of the building shall not be located within 50 feet of a parcel in a residential zoning district or planned development district that allows residential uses as the predominant land use.

8-304 to 8-310 Reserved**Series 7. Vehicle Rental, Sales, and Service****8-311 Heavy vehicle sales and service**

Outdoor display areas and other activity areas shall be located at least 50 feet from a property in a residential zoning district or a planned development district that allows residential uses and 25 feet from a property in a commercial or mixed-use zoning district.

8-312 Vehicle fuel station

(a) **Restroom facilities.** If a vehicle fuel station provides restroom facilities, the door to each restroom shall be accessed from within the interior of the building in which they are located.

¹² Commentary: See ch. DHS 196, Wis. Admin. Code

¹³ Commentary: See ch. 125, Wis. Stats

¹⁴ Commentary: See ch. DHS 196, Wis. Admin. Code

(f) **Placement within vision triangle.** Placement of a berm within a vision triangle shall be consistent with the standards in s. 8-76.

16-13 to 16-20 Reserved

DIVISION 2 BUFFERYARDS

Sections

16-21	General description	16-23	General provisions
16-22	Applicability	16-24	Determination of required bufferyard

16-21 General description

A bufferyard consists of a strip of undeveloped land with landscaping or other visual screening and is intended to provide a physical and visual separation between two incompatible land uses.

16-22 Applicability

(a) **Generally.** A buffer yard shall be required at the time of development along the side and rear lot lines of the lot being developed when it abuts another lot in a different zoning district and when the lot being developed was:

- (1) created by a land division of any type approved after December 31, 2016, or
- (2) rezoned to another zoning classification after December 31, 2016.

(b) **Conditional use.** As a condition of approving a conditional use, the Plan Commission may recommend and the Common Council may require that a bufferyard be incorporated into the project's overall design. The standard imposed shall be based on the degree of incompatibility between the adjoining use and the conditional use.

(c) **Dual responsibility.** When two adjoining parcels are vacant and they are located in different zoning districts, one half of the required bufferyard shall be located on each parcel (i.e., one half of the required width and one half of the required plants).

(d) **Single responsibility.** When a vacant parcel adjoins a developed parcel and each are located in different zoning districts, the bufferyard shall be located on the vacant parcel.

16-23 General provisions

(a) **Relationship of fencing and plantings.** When a fence or berm is used in conjunction with plantings, one-half of the required number of landscape points shall be planted between the fence or berm and the property line.

(b) **Use of bufferyard.** A bufferyard shall be undeveloped, except that the zoning administrator may allow the following in a bufferyard:

- (1) an unpaved fire lane,²
- (2) utility boxes and cabinets when necessary,
- (3) a paved bicycle/pedestrian path or a paved sidewalk when necessary to allow for proper on-site and off-site pedestrian circulation,
- (4) a paved vehicular access between the adjoining parcels provided it is located in the least intrusive location and is located generally perpendicular to the property boundary line,
- (5) stormwater management facilities, and
- (6) other structures and features deemed compatible by the administrator.

² Commentary: A number of products have been introduced in recent years that allow grass to grow in a plastic-type mesh that is capable of supporting a fire truck.

If a utility easement is located along the property boundary line where a bufferyard is also required, the width of the easement may be used to satisfy the width requirement of the bufferyard, in whole or in part, provided none of the required landscaping and/or fencing is located within the utility easement.

(c) **Multi-use developments and mixed use.** For multi-use developments on a single lot, the use nearest the property line shall determine the bufferyard requirement for that area. For mixed uses (two or more uses in the same structure), the higher intensity use shall be used to determine the bufferyard requirement.

(d) **Recording of easement.** The bufferyard shall be shown on the face of the final plat or certified survey map (CSM) with the following narrative:

"The bufferyard(s) shown on the face of this [plat /certified survey map] was established to comply with Section 16-## of Washburn's zoning code in effect at the time of approval. A bufferyard shall not be developed or used, except in conformance with Article 16 of the zoning code, and the property owner shall be responsible for maintaining a level of landscaping that meets the bufferyard requirements in effect at the time of filing of this [plat /certified survey map]. This bufferyard may only be removed by the Washburn Plan Commission consistent with Article 16."

(e) **Longevity.** Bufferyards shall be maintained in perpetuity. However, the Plan Commission may terminate a bufferyard when (1) the parcel containing the bufferyard is rezoned to the same zoning classification as the adjoining parcel or (2) when the adjoining parcel is rezoned to the same zoning classification as the parcel with the bufferyard. Such termination shall reference the original document depicting the bufferyard and be recorded with the register of deeds for Bayfield County.

(f) **Ownership.** When a bufferyard is required in a subdivision, it shall be held in common by a homeowners association or shall be incorporated into the adjoining lots.

16-24 Determination of required bufferyard

The determination of a bufferyard requirement is a two-step process as follows:

Step One – Identification of required bufferyard standard. The required bufferyard standard is determined

using Exhibit 16-7. First determine which of the two zoning districts allows the most intense development. Next, find that zoning designation at the top of the table and then move down the column to the cell where the zoning designation of the other district intersects. If a bufferyard is required, a letter will be shown in that cell. If the parcel being developed adjoins land in the town, that municipality's zoning classification that most closely corresponds to the city's zoning classification is used to determine bufferyard requirements.

Step Two – Identification of detailed bufferyard requirements. In the next step, the developer chooses how the required standard will be met. For each standard, a variety of width, landscaping point, berm, and fence combinations are possible as listed in Exhibit 16-8. The requirements shall be provided for each 100 feet or fraction thereof. Different landscaping point options may be used along the length of a bufferyard, provided no such segment is less than 100 feet.



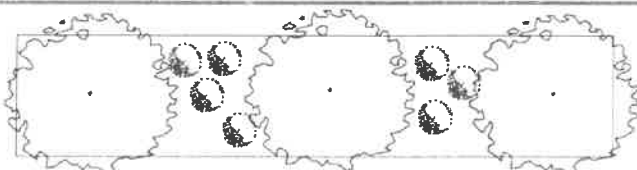


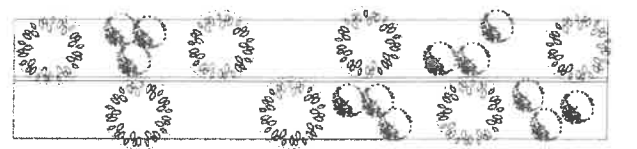
Exhibit 16-7. Standards for a bufferyard between different zoning districts

Other zoning district	Zoning district allowing the greatest intensity or density											
	R-1	R-2	R-6	R-8	R-9	C-1	C-2	C-3	MUW	I-1	L-1	M
R-1		-	-	-	-	-	A	B	B	D	-	D
R-2	-		-	-	-	-	A	B	B	D	-	D
R-6	-	-		-	-	-	-	A	C	-	D	
R-8	-	-	-		-	-	B	B	C	-	D	
R-9	-	-	-	-		-	B	B	C	-	D	
C-1	-	-	-	-	-		-	A	C	-	C	
C-2	-	-	-	-	-	-		-	B	-	C	
C-3	-	-	-	-	-	-	-		A	-	B	
MUW	-	-	-	-	-	-	-	-		A	-	A
I-1	-	-	-	-	-	-	-	-	-		-	-
L-1	-	-	-	-	-	-	-	-	-	-		-
M	-	-	-	-	-	-	-	-	-	-	-	

Notes:

1. A dash "-" means that a bufferyard is not required.
2. For A, B, C, and D see Exhibit 16-8 for the width of the bufferyard and related landscaping requirements.

Exhibit 16-8. Detailed bufferyard requirements

A	Width	Points per 100 feet	Required fence or berm [1]	Example schematic [2]
A-1	10'	200	-	A-3 
A-2	15'	150	-	
A-3	20'	125	-	
B				
B-1	15'	100	Fence [3,4,5]	B-3 
B-2	15'	300	-	
B-3	20'	200	-	
B-4	25'	150	-	
B-5	30'	125	-	
C				
C-1	15'	100	Fence [3,4,5]	C-3 
C-2	15'	350	-	
C-3	20'	250	-	
C-4	25'	200	-	
C-5	30'	175	-	
C-6	30'	125	4' berm	
D				
D-1	20'	200	Fence [3,4,5]	D-1 
D-2	25'	325	-	
D-3	30'	275	-	
D-4	35'	250	-	
D-5	40'	200	-	
D-6	40'	150	4' berm	

Notes:

1. A dash "-" means not applicable
2. All schematics are intended to be illustrative.
3. Maximum height allowed controlled by s. 8-530.
4. When a fence is used, at least 50 percent of the required plant materials shall be located on the exterior side (the side away from the center of the subject property) of the fence. If at the time of development, there is a fence on the adjoining property, this planting requirement shall not apply.
5. When a fence is used to enclose an activity or storage area, a fence may not be used in the bufferyard.

16-25 to 16-40 Reserved

Appendix B. Dimensional standards

Zoning district	Minimum lot area § 8-42	Minimum lot width § 8-43	Minimum street frontage § 8-44	Maximum front-yard setback	Minimum front-yard setback (1,9)	Minimum side-yard setback (2,3)	Minimum rear-yard setback (4)	Maximum building height (5)	Maximum building coverage § 8-47	Maximum impervious coverage § 8-48	Minimum residential living area per dwelling unit § 8-49(c)	Maximum garage area (5)	Maximum shed area (5)	Maximum number of accessory buildings (6)
Rural Residential (R-1)	4 acres	250 ft.	55 ft. on cul de sac; 250 ft. on other	NA	50 ft.	Principal: 50 ft. total of both sides with no less than 20 ft. on one side Detached accessory: 15 ft. Building housing livestock: 50 ft.	Principal: 50 ft. Detached accessory: 3 ft. without alley; 8 ft. with alley	Principal: 35 ft. or 2.5 stories, whichever is less Accessory: 25 ft. or height of principal building, whichever is less	20 percent (8)	25 percent (8)	400 sq. ft.	2,400 sq. ft. plus 250 sq. ft. for every full acre over 4 acres	Aggregate total of additional 250 sq. ft. of shed space plus 2 yard sheds over 4 acres per parcel	2 garages attached or detached, or 2 yard sheds
Single-Family Residential (R-2)	1.5 acres if served by on-site well and septic; 8,700 sq. ft. if served by city water and sewer	145 ft. on corner lot, 150 ft. on other lot types	55 ft. on cul de sac; 150 ft. on other	NA	30 ft.	Principal: 50 ft. total of both sides with no less than 20 ft. on one side Detached accessory: 3 ft.	Principal: 50 ft. Detached accessory: 3 ft. without alley; 8 ft. with alley	Principal: 35 ft. or 2.5 stories, whichever is less Accessory: 25 ft. or height of principal building, whichever is less	35 percent (8)	50 percent (8)	400 sq. ft.	2,400 sq. ft. plus 250 sq. ft. for every full acre over 4 acres	Aggregate total of additional 250 sq. ft. of shed space for every full acre over 4 acres per parcel	2 garages attached or detached plus 2 yard sheds
Mixed Residential (R-4)	4,300 sq. ft. for each dwelling unit	65 ft. on corner lot, 80 ft. on other lot types	55 ft. on cul de sac; 75 ft. on other	NA	20 ft.	Principal: 20 ft. total of both sides with no less than 8 ft. on one side Detached accessory: 3 ft.	Principal: 25 ft. Detached accessory: 3 ft. without alley; 8 ft. with alley	Principal: single-family: 35 ft. Principal: multi-family: 35 ft. Accessory: 25 ft. or height of principal building, whichever is less	30 percent (8)	50 percent (8)	Single-family: 400 sq. ft. Multi-family: (7)	2,400 sq. ft. plus 250 sq. ft. for every full acre over 4 acres	Aggregate total of additional 250 sq. ft. of shed space for every full acre over 4 acres per parcel	1 attached or detached garage plus 2 yard sheds
Volunteer Residential (R-7)	1.5 acres if served by on-site well and septic; 8,700 sq. ft. if served by city water and sewer	100 ft. on corner lot, 90 ft. on other lot types	55 ft. on cul de sac; 90 ft. on other	NA	30 ft.	Principal: 30 ft. total of both sides with no less than 8 ft. on one side Detached accessory: 30 ft.	Principal: 30 ft. Detached accessory: 3 ft. without alley; 8 ft. with alley	Principal: 35 ft. Accessory: 25 ft. or height of principal building, whichever is less	45 percent (8)	65 percent (8)	Single-family: 1,000 sq. ft. Multi-family: (7)	2,400 sq. ft. plus 250 sq. ft. for every full acre over 4 acres	Aggregate total of additional 250 sq. ft. of shed space for every full acre over 4 acres per parcel	1 attached or detached garage plus 2 yard sheds
Collage Commercial (C-1)	5,000 sq. ft.	145 ft. on corner lot, 150 ft. on other lot types	50 ft.	NA	25 ft.	Principal: 20 ft. total of both sides with no less than 8 ft. on one side Detached accessory: 3 ft.	Principal: 10 ft. Detached accessory: 3 ft. without alley; 8 ft. with alley	Principal: 35 ft. Accessory: 25 ft. or height of principal building, whichever is less	30 percent (8)	50 percent (8)	1,000 sq. ft.	NA	Aggregate total of additional 250 sq. ft. of shed space for every full acre over 4 acres per parcel	1 detached or detached garage plus 2 yard sheds
General Commercial (C-2)	7,000 sq. ft.	50 ft.	50 ft.	NA	10 ft.	Principal: 10 ft. 15 ft. when abutting a residential district Detached accessory: 3 ft.	Principal: 25 ft. Detached accessory: 3 ft. without alley; 8 ft. with alley	Principal: 35 ft. Accessory: 25 ft. or height of principal building, whichever is less	50 percent (8)	60 percent (8)	Multi-family: (7)	NA	No restriction	1 detached garage or 1 yard shed
Downtown Commercial (C-3)	None	50 ft.	90 ft.	10 feet	0 ft.	Principal: 0 ft. Detached accessory: 3 ft.	Principal: 8 ft. Detached accessory: 3 ft. without alley; 8 ft. with alley	Principal: 45 ft. Accessory: 25 ft. or height of principal building, whichever is less	80 percent	100 percent	Multi-family: (7)	NA	No restriction	1 detached garage or 1 yard shed
Light Industrial (I-1)	15,000 sq. ft.	100 ft.	100 ft.	NA	25 ft.	Principal: 15 ft.; 40 ft. when abutting a residential district Accessory: 5 ft.	Principal: 25 ft. Detached accessory: 3 ft. without alley; 8 ft. with alley	Principal: 45 ft. Accessory: 25 ft. or height of principal building, whichever is less	75 percent	85 percent	NA	NA	No restriction	1 detached garage and 1 yard shed
Mixed-Use Waterfront (MUW)	12,000 sq. ft.	50 ft.	50 ft.	NA	25 ft.	Principal: 10 ft.; 15 ft. when abutting a residential district	Principal: 25 ft. Detached accessory: 3 ft. without alley; 8 ft. with alley	Principal: 45 ft. Accessory: 25 ft. or height of principal building, whichever is less	65 percent	85 percent	Multi-family: (7)	NA	No restriction	No restriction
Leisure/Conifer (L-1)	20,000 sq. ft.	100 ft.	100 ft.	NA	30 ft.	Principal: 10 ft.; 15 ft. when abutting a residential district Detached accessory: 3 ft.	Principal: 25 ft. Detached accessory: 3 ft. without alley; 8 ft. with alley	Principal: 35 ft. Accessory: 25 ft. or height of principal building, whichever is less	20 percent	35 percent	NA	NA	No restriction	No restriction
Marina (M)	None	100 ft.	100 ft.	NA	25 ft.	Principal: 10 ft.; 15 ft. when abutting a residential district Detached accessory: 3 ft.	Principal: 25 ft. Detached accessory: 3 ft. without alley; 8 ft. with alley	Principal: 45 ft. Accessory: 25 ft. or height of principal building, whichever is less	60 percent	100 percent	NA	NA	No restriction	No restriction

Notes:
 1. In certain circumstances, the minimum front-yard setback may be less than or greater than what is stated if setback averaging applies. See the referenced section of the zoning code for applicable standards.
 2. If the lot width for an existing lot is less than what is required, the side-yard setback may be reduced proportionately to the ratio between the actual width and the required width, provided the side-yard setback is reduced to not less than 75 percent of the required setback.
 3. If a parcel abuts a more restrictive zoning district, the setback shall be the average of the minimum setbacks for the two districts.
 4. An institutional building (e.g., governmental office, or school) may exceed the height limitation established for the zoning district, up to a maximum height of 45 feet, provided the minimum required side-yard and rear-yard setbacks are increased one foot for each additional foot of height in excess of the permitted maximum of the district.