

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



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

NOTICE OF PLAN COMMISSION MEETING

DATE: Thursday, August 15, 2019
TIME: 5:30 P.M
PLACE: Washburn City Hall

AGENDA:

- Call to Order
- Roll Call
- Approval of Minutes – July 18, 2019
- Public Hearing(s)
 - Discussion and Recommendation to Adopt the Proposed Zoning Amendment Ordinance No. 19-009 Addressing Greenhouses in Commercial Zoning Districts
 - Discussion and Recommendation to Adopt the Proposed Zoning Amendment Ordinance No. 19-010 Addressing Earth Materials Stockpiles in the Marina District
 - Discussion and Recommendation to Adopt the Proposed Zoning Ordinance Amendment No. 19-011 Addressing Land Use Definition of Accessory Dwelling Unit
- Adjourn

July 18, 2019
5:30pm Washburn City Hall

CITY OF WASHBURN PLAN COMMISSION MEETING

COMMISSION MEMBERS: Dave Anderson, Richard Avol, John Baregi, John Gray, Leo Ketchum-Fish, Adeline Swiston

ABSENT: Laura Tulowitzky

MUNICIPAL PERSONNEL: Robert Anderson-DPW/Deputy Zoning Administrator, Tammy DeMars-City Treasurer/Deputy Clerk

Meeting called to order at 5:30PM by Avol attendance as recorded above. Also, in attendance City Administrator Scott Kluser

Approval of Minutes – June 20, 2019 – Moved by Gray to approve minutes of June 20, 2019 as presented, second by Swiston. Motion carried unanimously.

Continued Discussion on Accessory Dwelling Units Definition vs Standards 8-521(b) – At the last meeting the Commission discussed the possibility of adjusting the provisions related to accessory dwelling units, as of this time there are three potential options for individuals that would like an accessory dwelling unit; place on the upper level of a garage, larger parcels could potentially be split to allow for a new residential lot or if able to meet the regulations an addition could be added to the existing structure. What currently is not allowed is a subordinate residential structure to be placed on the same property as their primary residence. Would the Plan Commission want staff to proceed with drafting the provision that would be necessary for allowing stand-alone accessory dwelling unit or do you want to keep the current code and have staff draft a change to the definition to help eliminate confusion. Discussion. Baregi moves to direct staff to change the definition of Dwelling unit to match the Standards, second by Swiston. Motion carried unanimously.

Review of Sign Ordinance Provisions – Currently our sign ordinance does not permit or allow many of the signs we are seeing. There is limited provision of the code for businesses to have supplemental signage, the question is how flexible do we want to be, should some changes be made to the ordinance or take a hard line. Discussion on civic event signs/banners, temporary signs and other issues discussed including eliminating the Scenic By-Way so that off premise signs may be allowed. It was decided to get some information out to the public/business that this is being discussed, Avol will check to see what we would need to do if we decide to remove the City from the scenic by-way. Further discussion will be needed.

Review of Article 9-11 through 9-13 of Land Matrix for Zoning District R-6 – The former hospital/nursing home complex is zoned R-6, the current land use matrix does not allow any of the services being offered either conditionally or by right. This was discussed at length, no action taken but owner of the property will be put on notice and City Administrator will ask for a legal opinion from the City Attorney of options we may have.

Adjourn - Moved by Avol to adjourn @ 6:59pm, second by Swiston. Motion carried unanimously.

Respectfully Submitted,
Tammy L. DeMars
Treasurer/Deputy Clerk

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

Public Hearing will be held at the regularly scheduled Plan Commission Meeting, Monday August 15, 2019, at 5:30 P.M., at City Hall, 119 Washington Avenue, for public comment on the following issue:

Zoning Ordinance Amendment

Discussion and approval to adopt the proposed Zoning Amendment addressing Greenhouses in Commercial Zoning Districts within the City of Washburn.

Further details on the proposed amendment may be obtained in the Administration Office at the Washburn City Hall, Mondays 7:30AM - 4:30PM, and Tuesday – Friday 10:00AM - 4:30 PM.

Bob Anderson, P.E.
Assistant Zoning Administrator

Block Ad July 31, 2019 and August 7, 2019 – Daily Press

**CITY OF WASHBURN
Ordinance No. 19-009**

An ordinance adopted by the Common Council for the City of Washburn at its regular meeting of _____, 2019, for the purpose of amending the City's Zoning Code to update the City's regulation of Temporary Greenhouses.

1. Amend Chapter 13, Articles 3, 8, and 17 to add the following:

Article 3, Section 3-2 Land Use Definitions:

18.17 Temporary Greenhouse. A building intended for the propagation and retail sales of plants, whose roof and sides are made largely of glass or other transparent or translucent material and which the temperature and humidity can be regulated. A Temporary Greenhouse may only be erected and utilized on a temporary or seasonal basis.

Article 8, Exhibit 8-1 Land Use Matrix:

	Special Standards	Secondary Review	R-1	R-2	R-6	R-7	C-1	C-2	C-3	I-1	L-1	M	MUW
18.17 Temporary Greenhouse	8-617	ZP	-	-	-	-	P	P	P	-	-	-	-

Article 8, Series 18 Temporary Land Uses:

8-617 Temporary Greenhouse

- (a) **Use of Structure.** A structure may be used to store, display, or sell plants, provided the following conditions are met:
 - 1. **Term of Use.** The structure is used only from April 1 through November 30, and must be removed no later than December 3.
 - 2. **Structure Height.** The height of the structure shall not exceed 25 feet or the maximum height of the principle use, whichever is less.
 - 3. **Structure Location.** The structure may be located no closer than 15 feet from any lot line.
- (b) **Signage.** Signage shall comply with all applicable standards set forth in Article 18.

- (c) If the Plan Commission and/or Common Council determine that the anticipated or actual structure is detrimental to the public health, safety, or welfare, such bodies may, individually or jointly, revoke any application or previously issued permit.

Article 17, Exhibit 17-3 Off-street Parking:

18.17 Temporary Greenhouse Determined on a case-by-case basis.

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

Attest:

Richard Avol
Mayor

Scott J. Kluver
City Clerk

Adopted: _____

Published: _____

washburnadmin@cityofwashburn.org

From: Max Lindsey <mlindsey@ncis.net>
Sent: Thursday, July 18, 2019 11:00 AM
To: washburnadmin@cityofwashburn.org
Subject: RE: A few items
Attachments: Ordinance 2019-009 - Temporary Greenhouse.docx

Scott,

Attached is revised ordinance eliminating site plan review. The ordinance states that it may either be a transparent or translucent covering. The one at IGA is a translucent covering. I wanted to keep that language regarding transparent or translucent cover so that people don't put up a car port with an opaque top and throw some plants in it and call it a temporary greenhouse.

Thanks,
Max

Max T. Lindsey
Dallenbach, Anich & Wickman, S.C.
220 6th Ave. W.
P.O. Box 677
Ashland, WI 54806
Phone: (715) 682-9114
Fax: (715) 682-9504

From: washburnadmin@cityofwashburn.org <washburnadmin@cityofwashburn.org>
Sent: Thursday, July 11, 2019 9:45 AM
To: mlindsey@ncis.net
Subject: FW: A few items

Max,

I think we want to eliminate the site plan review too.

Scott Kluver
City of Washburn

From: Tammy Demars <tdemars@cityofwashburn.org>
Sent: Thursday, July 11, 2019 8:41 AM
To: washburnadmin@cityofwashburn.org; 'Bob Anderson' <dpw@cityofwashburn.org>
Subject: RE: A few items

One other thing, if this requires site plan review everyone of these will be required to go through Plan Commission and be charge a \$50.00 Site plan review charge each time. ?

Tammy

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

Public Hearing will be held at the regularly scheduled Plan Commission Meeting, Thursday August 15, 2019, at 5:30 P.M., at City Hall, 119 Washington Avenue, for public comment on the following issue:

Zoning Ordinance Amendment

Discussion and recommend approval to adopt the proposed Zoning Amendment addressing Earth Materials Stockpiles.

Further details on the proposed amendment may be obtained in the Administration Office at the Washburn City Hall. Mondays 7:30AM - 4:30PM, and Tuesday – Friday 10:00AM - 4:30 PM.

Bob Anderson, P.E.
Assistant Zoning Administrator

Block Ad July 31, 2019 and August 7, 2019 – Daily Press

CITY OF WASHBURN
Ordinance No. 19-010

An ordinance adopted by the Common Council for the City of Washburn at its regular meeting of _____, 2019, for the purpose of amending the City's Zoning Code to update the City's regulation of Earth materials stockpiling in the Marina District. Additions are in red, deletions are in ~~strikeout~~.

1. Amend Chapter 13, Articles 3 and 8 as follows:

Article 3, Section 3-2 Land Use Definitions:

18.03 **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.**

Article 8, Exhibit 8-1 Land Use Matrix:

		Special Standards	Secondary Review	R-1	R-2	R-6	R-7	C-1	C-2	C-3	I-1	L-1	M	MUW
18.03	Earth materials stockpile	8-602	SP, PO, ZP	P	P	P	P	P	P	P	-	-	P	C

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

Attest:

 Richard Avol
 Mayor

 Scott J. Kluver
 City Clerk

Adopted: _____

Published: _____

washburnadmin@cityofwashburn.org

From: Max Lindsey <mlindsey@ncis.net>
Sent: Thursday, July 18, 2019 11:22 AM
To: washburnadmin@cityofwashburn.org
Subject: RE: Ordinance on the Coal Dock
Attachments: Ordinance 2019-010 - Earth Materials Stockpile.docx

Scott,

Ordinance is attached. I had to revise the definition of stockpile since it was defined as only applying to materials either collected on site or to be deposited on site. I worded the additional language so that the Coal Dock would be allowed to store materials used for placement in the Lake.

It is an equal protection violation to state that a use has different allowances throughout the same district, i.e. we cannot state that earth materials stockpiles are allowed in the Marina District but only on the coal dock. Since we can't do that, I amended the definition to make it so that earth piles are not allowed to be stored anywhere else at the Marina, unless they are being directly used at or loaded from that location.

Let me know if you think this covers what we need. I also did not change the hours restriction to limit the operation of the earth stockpiles in the marina to between 7:00 am and 7:00 pm, as it is limited with residential districts. If that limitation of hours is something you think we should add, I can make that change. I understand that dock workers often load their barges very early in the morning in an effort to get the calmest water.

Thanks,
Max

Max T. Lindsey
Dallenbach, Anich & Wickman, S.C.
220 6th Ave. W.
P.O. Box 677
Ashland, WI 54806
Phone: (715) 682-9114
Fax: (715) 682-9504

From: washburnadmin@cityofwashburn.org <washburnadmin@cityofwashburn.org>
Sent: Thursday, July 11, 2019 9:51 AM
To: mlindsey@ncis.net
Subject: Ordinance on the Coal Dock

Max,

I would like to get an ordinance removing the issue of the "earthen piles" as a prohibited activity in the marina district.

Scott J. Kluver, Administrator
City of Washburn
P.O. Box 638
119 Washington Ave.
Washburn, WI 54891
Phone – 715-373-6160 Ext. 4

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

Public Hearing will be held at the regularly scheduled Plan Commission Meeting, Thursday August 15, 2019, at 5:30 P.M., at City Hall, 119 Washington Avenue, for public comment on the following issue:

Zoning Ordinance Amendment

Discussion and recommend approval to adopt the proposed Zoning Amendment addressing Land Use Definitions of Accessory Dwelling Unit.

Further details on the proposed amendment may be obtained in the Administration Office at the Washburn City Hall, Mondays 7:30AM - 4:30PM, and Tuesday – Friday 10:00AM - 4:30 PM.

Bob Anderson, P.E.
Assistant Zoning Administrator

Block Ad July 31, 2019 and August 7, 2019 – Daily Press

CITY OF WASHBURN
Ordinance No. 19-011

An ordinance adopted by the Common Council for the City of Washburn at its regular meeting of _____, 2019, for the purpose of amending the City's Zoning Code to update the City's regulation of Accessory Dwelling Units. Additions are in red, deletions are in ~~strikeout~~.

1. Amend Chapter 13, Article 3 as follows:

Article 3, Section 3-2 Land Use Definitions:

17.01 **Accessory Dwelling Unit (ADU).** A second dwelling unit **located on the upper floor of a detached garage** that is located on the same lot as a principal dwelling unit and is subordinate to the principal dwelling unit. ~~An ADU may be attached to the principal dwelling unit, detached, or located in another building (e.g. above a garage).~~

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

Attest:

Richard Avol
Mayor

Scott J. Kluver
City Clerk

Adopted: _____

Published: _____