

**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/86532509831> or by calling 1 (877) 853-5247 (Toll Free) and entering Webinar ID: 865 3250 9831 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, December 17, 2020

**TIME:** 5:30P.M

**PLACE:** Washburn City Hall

### **AGENDA:**

- Call to Order/Roll Call
- Approval of Minutes of November 19, 2020 Meeting
- Discussion & Action on Downtown Design Review for Sign at 3 W. Bayfield St. – Historic Civic Center Foundation, Petitioner
- Public Hearing
  - Discussion & Recommendation on Draft Ordinance to Update the Procedural Requirements for Special Exceptions in the Zoning Code
- Conceptual Discussion & Action on Architectural Standard for Overhead Doors
- Adjourn

November 19, 2020

CITY OF WASHBURN PLAN COMMISSION MEETING

8:00am Washburn City Hall & Remote Video Conferencing

COMMISSION MEMBERS: Dave Anderson, John Baregi, Mary Motiff, Britt Sirrine, Adeline Swiston, Matt Simoneau

ABSENT: Leo Ketchum-Fish

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

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

**Approval of Minutes – October 15, 2020 – Moved by Baregi to approve the minutes of October 15, 2020 second by Swiston. Motion carried unanimously.**

**Discussion & Action on Architectural Review and Downtown Design Decision Review for Deck Addition to Yellow Bird Gallery, 318 W. Bayfield St. – Ron Piercy, Petitioner –** Mr. Piercy is asking to put a 17' x 22' deck on the east side of the building with steps facing the alley. The architectural standards 8-183 were reviewed; 1 Not applicable as this is a deck, not the main structure. 2 thru 7 Are not applicable. 8 The main structure is wood and the deck will also be wood. 9 thru 11 Are not applicable. The downtown design Article 14-7 building design was reviewed as follows; 1 No change in the main structure is occurring. 2 Non applicable. 3 Horizontal rhythms have been met. 4 thru 6 are non-applicable and 7 Building materials will be wood. The question came up if this would be ADA compliant since Mr. Piercy was not present the consensus was to add this a condition. **Moved by Anderson to approve the deck addition at 318 W. Bayfield Street, with the condition that all State requirements are met for ADA compliance, second by Sirrine. Motion carried unanimously.**

**Discussion and Recommendation on Comprehensive Plan Guiding Body and Public Participation Plan –** The Commission members discussed who should guide this process; since they have the knowledge of the Zoning Code, and wanting to stream line the process, along with the difficulties in trying to appoint an Ad-Hoc Committee it would be best for the Plan Commission to be the guiding body. **Motion by Anderson to recommend appointing the Plan Commission to be the guiding body in the revision of the Comprehensive Plan, second by Sirrine. Motion carried unanimously.** A modified version of a Public Participation Plan from the past was reviewed, many revision were also added including adding the locations and when postings will be done, removing County Journal and add Bottom Line News as places press releases will be submitted along with the City Facebook page, adding comments and questions could be put in the drop box 24hrs, 7 days a week, changing “photocopies may be requested as provided under step 1 above” to will be provided under state statue public records law. Be consistent to add “revision or revised” throughout the Public Participation Plan. Remove Surveys and visioning from participation strategy and add through various methods of input. In step 6 Participation Guidelines #1 to The Plan Commission, or its successor or designee(s), shall hold at least “one public meeting per year” to “*every two years*”. This is not a complete list but a general overview of what was discussed, a complete copy is on file in the Clerk’s office. **Moved by Anderson to recommend approval of the Public Participation Plan as written with the revisions as discussed tonight, second by Swiston. Motion carried unanimously.**

**Conceptual Discussion & Action on Architectural Standard for Overhead Doors – Sirrine moves to table this discussion until the next meeting, second by Baregi. Motion carried unanimously.**

Swiston moves to adjourn, second by Anderson. Meeting adjourned at 6:43p.m.

**Adjourn –** Motiff adjourns the meeting at 5:45pm

Respectfully Submitted,  
Tammy L. DeMars  
Treasurer/Deputy Clerk

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To: Plan Commission Members  
From: Scott J. Kluver, <sup>SK</sup>Administrator  
Re: Sign for Historic Civic Center Foundation  
Date: December 9, 2020

Enclosed you will see the permit application for a sign to be placed on the Civic Center building at 3 W. Bayfield Street. The sign meets all of the standard sign requirements; however, because the building is in the Downtown Design District, the Plan Commission must make sure the sign complies with 14-11(a) and (c) of the Zoning Code. I have attached a copy of that code for your reference. In my opinion, it is acceptable.

(d) **Screening.** Parking lots that are located on the side of a building should incorporate a screen to block the view of parked cars as generally depicted in Exhibit 14-1.

#### 14-9 Landscaping

Landscaping as described in Article 16 is not required. If provided, landscaping should complement street trees and other streetscape elements in the public right-of-way.

#### 14-10 Service areas and similar

Service areas, refuse collection areas, storage areas, and loading areas shall be located away from or screened from public view, especially from Bayfield Street.

#### 14-11 Signs

- (a) **Generally.** Signs should enhance the visual appeal of the district and its ability to attract the traveling public.
- (b) **Wall signs.** Wall signs should be designed to fit within the architectural space intended for signage.
- (c) **Compatibility.** Signs should be compatible with signs on adjoining buildings with respect to location, shape, style, graphics, size, material, illumination, and color, while allowing individual expression and identification.

#### 14-12 Utilities

Utility lines, such as telephone, electric, and cable, shall be installed underground, where feasible. Ground-mounted utility components, such as switch boxes and transformers, shall be screened by landscaping or a decorative wall and/or be located away from public view, especially from Bayfield Street.

Exhibit 14-1. An example of a parking lot screen



# SIGN PERMIT APPLICATION



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

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

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

### PROJECT INFORMATION

Applicant's Name and Mailing Address Historic Civic Center Foundation

PO Box 144, Washburn Phone # 715 685-4031

Site Address 3 West Bayfield ST Parcel # \_\_\_\_\_

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

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

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

Description of Project We would like to erect a 64" x 34" oval sign extending over and perpendicular to the sidewalk

Estimated Cost \$ 1000

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

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

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

Applicant Signature Scott Gule Date 12/4/20

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

Sign Type Projection Sign # Signs 1 # Faces 2  
 Lighting Type None Sign Dimensions 64" x 34" Total Sq Ft 12  
 Location of Sign West side of porch Height to Top of Sign from Ground 16'

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

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

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

**PERMIT DENIAL:**

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

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

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

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**PERMIT APPROVAL:**

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

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

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

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





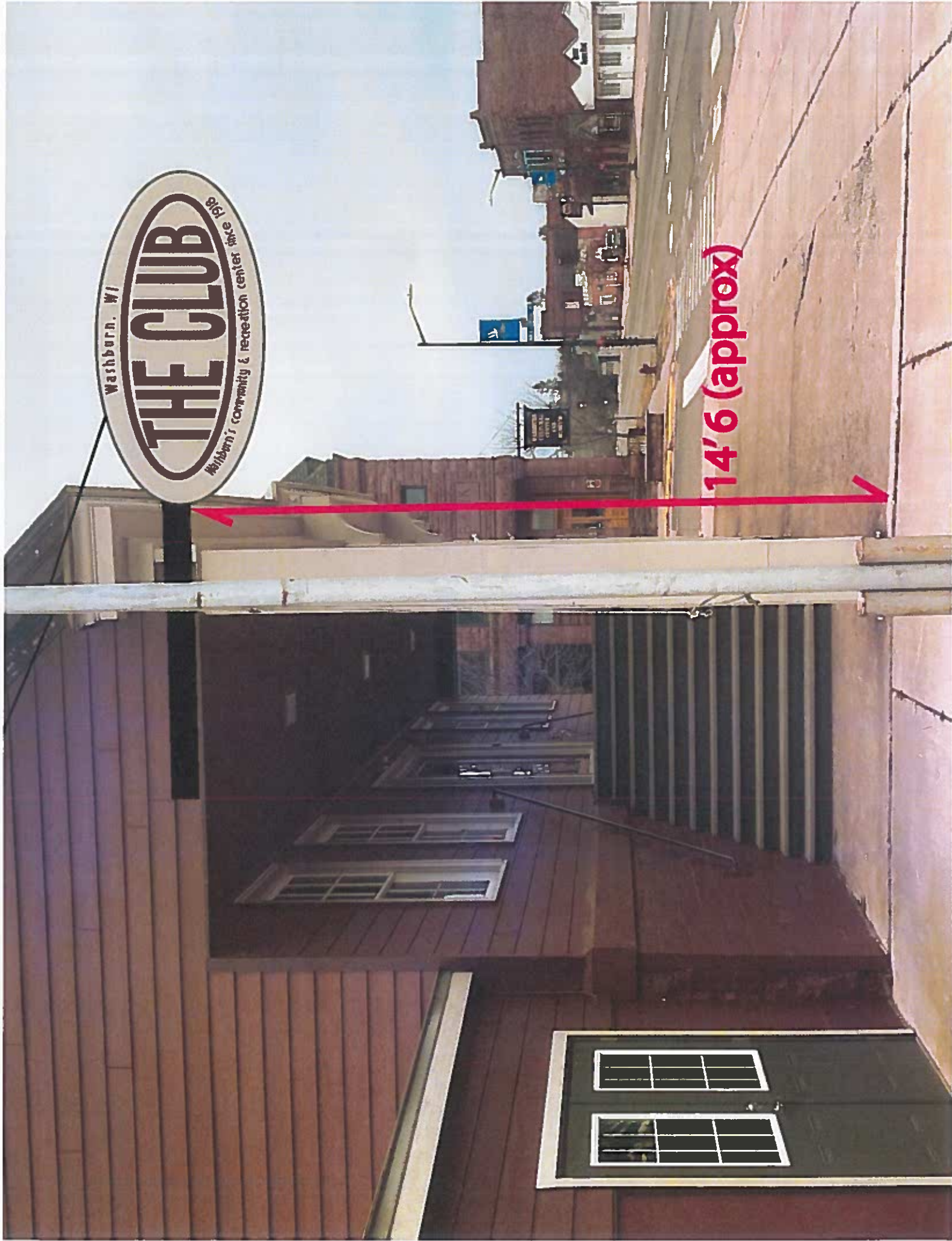
Washburn, WI  
**THE CLUB**  
Washburn's community & reception center since 1910

14'6 (approx)





14'6 (approx)





**washburnadmin@cityofwashburn.org**

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**From:** Max Lindsey <mlindsey@ncis.net>  
**Sent:** Friday, November 6, 2020 10:26 AM  
**To:** washburnadmin@cityofwashburn.org  
**Subject:** RE: Ordinance  
**Attachments:** Ordinance 2020-011 - Special Exception Procedure.docx

Proposed ordinance attached. I made it so that approval of special exception application by plan commission is a final decision, but a denial by plan commission goes to the full council for further review and reconsideration. Let me know if you want it changed from that.

Thanks,  
Max

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

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**From:** washburnadmin@cityofwashburn.org <washburnadmin@cityofwashburn.org>  
**Sent:** Friday, November 6, 2020 9:41 AM  
**To:** mlindsey@ncis.net  
**Subject:** Ordinance

Max,

Do you have the draft ordinance for the change on the process for special exception approvals? I am preparing items for the upcoming Plan Commission meeting.

Scott J. Kluver, Administrator  
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<http://www.cityofwashburn.org/>

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

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

Public Hearing will be held at the regularly scheduled Plan Commission Meeting, Thursday, December 17, 2020, at 5:30 P.M., at City Hall, 119 Washington Avenue, for public comment on the following issue:

Zoning Code Amendment:

for the purpose of amending the City's Zoning Code to update the City's procedural requirements for Special Exceptions to the zoning code.

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. Individuals may call City Hall at 715-373-6160 ext. 4 or e-mail [washburnadmin@cityofwashburn.org](mailto:washburnadmin@cityofwashburn.org) to obtain the information on the proposed amendment as well.

Scott J. Kluver  
Zoning Administrator

Block Ad November 20 and 27, 2020 – Daily Press

**CITY OF WASHBURN**  
**Ordinance No. 21-001**

An ordinance adopted by the Common Council for the City of Washburn at its regular meeting of January 11, 2021, for the purpose of amending the City's Zoning Code to update the City's procedural requirements for Special Exceptions to the zoning code. Additions are in *red italics*, deletions are in ~~strikeout~~.

1. Amend Chapter 13, Article 7, Division 8, as follows:

**Article 7, Division 8**

**Special Exception:**

**7-151 Generally**

Upon written petition, the ~~Common Council~~ *Plan Commission* may, on a case-by-case basis, grant a special exception for those development standards specifically noted as special exceptions in this chapter.

\* \* \*

**7-153 Review Procedure**

\*\*\*

(6) ~~Recommendation~~ *Plan Commission Decision*. The Plan Commission shall make a ~~recommendation to the Common Council based on the decision~~ *final decision based on the* criteria in this division to (i) approve the special exception, (ii) approve the special exception with conditions, or (iii) deny the special exception. The Plan Commission may render its decision at the same meeting the matter was initially considered or at a subsequent meeting, but no later than 40 calendar days after the public meeting unless the applicant agrees to an extension of a specified duration.

(7) ~~Transmittal of Recommendation~~ *Decision*. If the Plan Commission ~~recommendation~~ *decision* is favorable, the zoning administrator shall prepare a ~~draft~~ decision document effectuating its determination. If the Plan Commission ~~recommendation~~ *decision* is not favorable, the Plan Commission shall report its determination to the Common Council including its reasons for denial.

(8) **General Notice**. Consistent with Division 2 of Article 6, *if the Plan Commission denies a special exception request*, the zoning administrator shall place the matter on the meeting agenda of the Common Council.

(9) **Common Council Meeting.** Allowing for proper notice, *for any special exception application denied by the Plan Commission*, the Common Council shall consider the application at a regular or special meeting.

\* \* \*

(11) **Preparation of final decision document.** Based on the *final* action of the *Plan Commission or* Common Council, the zoning administrator shall prepare a final decision document consistent with this division.

(12) **Applicant notification.** Within a reasonable time following the *Plan Commission or* Common Council's *final* decision, the zoning administrator shall mail the decision document to the applicant by regular mail.

\* \* \*

**7-154 Basis of Decision**

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

\* \* \*

**7-155 Imposition of conditions**

(a) **Generally.** In approving a special exception, the *Plan Commission or* Common Council may impose one or more conditions deemed necessary to further the intent and purposes of this chapter.

(b) **Effect on contracts with another party.** The *Plan Commission or* Common Council 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. Effective Date of Ordinance. This ordinance shall take effect upon passage and publication.

Attest:

\_\_\_\_\_  
Mary D. Motiff  
Mayor

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

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

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



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To: Plan Commission Members  
From: Scott J. Kluver<sup>SK</sup>, Administrator  
Re: Conceptual Discussion on Architectural Standard for Overhead Doors  
Date: November 6, 2020

At the last Plan Commission meeting, there was a desire to consider changes to architectural standard [8-183 (9)] that states overhead doors shall not face the main street. The Plan Commission can consider a special exception to this when there are no alternatives. The exact language is attached.

Before I start to tinker with a potential amendment for the Plan Commission, and eventually the Council to consider related to this, I need to understand more of the desires related to what change you may be looking for. At present, this provision would only apply to any new use/construction where an architectural review is required (AR in the chapter 8 land use matrix) and when there would be a modification to an existing structure that would also require an architectural review based on the use. Note that at present, this provision could apply potentially anywhere in the city. It does not apply to residential construction (which so many doors face the street) because residential uses do not require architectural review.

So, is the intention to exempt additional uses that would not require an architectural review? If so, what would those be? Is the intention instead to exempt certain zoning districts from this requirement (e.g. Industrial, R-6 Residential)? Perhaps the intention is to only require this provision on Bayfield Street properties? Do you instead only want this to apply to the Downtown Design District? As you can see, there are a lot of different ways to tinker with this provision, and I am unclear as to what your desire is without the Plan Commission discussing and providing some direction.

**8-182 Applicability**

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

**8-183 Architectural standards**

Buildings subject to review under this division shall comply with the following architectural standards:

- (1) Excluding residential buildings and Industrial Zoning Districts, all building exteriors facing a street, not including an alleyway, shall have at least 50 percent of the street face constructed with brick, decorative masonry, glass panel, or other appropriate similar finished façade as may be approved by the Plan Commission. Such brick, masonry, glass, or other decorative facing shall extend for a distance of at least 25 feet along the sides of the structure that do not face a street or at least 25 percent of the that side wall distance, whichever is greater.
- (2) Outside of Industrial Zoning Districts, the appearance of any buildings with a front elevation or any building elevation facing Bayfield Street of more than 750 square feet in area shall be divided into distinct planes of 500 square feet or less. The following design features can be used to meet this provision (1) canopies or awnings; (2) arcades; (3) porches; (4) vertical wall offsets having a minimum depth of 8 inches and a minimum width of 10 feet; (5) horizontal offsets having a minimum depth of 2 feet; (6) pilasters having a minimum depth of 8 inches, a minimum width of 12 inches, and a minimum height of 80 percent of the wall height; (7) recessed areas for entryways and the like having a minimum depth of 8 inches; and (8) other suitable multidimensional design features.
- (3) On any building on Bayfield Street, the front entrance of a building shall be encouraged to face Bayfield Street. When that does not occur, the Bayfield Street Elevation shall have the same, or similar, materials and designs as the front entrance of the building. Except for one or two-family residential buildings, when a building rake elevation faces Bayfield Street the roof line must be hidden behind the façade facing Bayfield Street.
- (4) Oversized fenestration elements which tend to create a monumental scale shall not be used unless specifically required by the type of building or relationship to its surroundings.
- (5) Building entrances must be clearly recognizable from parking lots and pedestrian circulation routes.
- (6) Rooftop mechanical equipment shall be positioned so it is not readily visible from a public street or an abutting property in a residential zoning district or in a planned development district that allows residential uses. Rooftop mechanical equipment may be placed in an enclosure or screened from view provided such enclosure or screening is used as an element of the building's architecture.
- (7) Fencing shall complement the appearance of buildings onsite.
- (8) The exterior building materials of an accessory building shall be the same as or similar to those used on the principal building.
- (9) Overhead doors shall not face a public street. The Plan Commission may permit overhead doors to face a public street, but only when it has made a finding that there is no feasible alternative location for such doors. Consistent with the requirements in Article 7, the Plan Commission may approve a special exception to allow an overhead door to face a public street when there is no feasible alternative.
- (10) HVAC (heating, ventilating, air conditioning) equipment shall be screened from view. No HVAC shall create a noise level of more than 50 decibels as measured on a dB(A) scale at the nearest existing adjacent residence.
- (11) When trash, garbage and recyclable materials are stored out-of-doors, such materials shall be concealed or suitably screened from public view. A brick or stone wall, wood fence, chain-link fence with slats, and/or landscaping shall be used to totally obstruct vision into the storage areas. Any wall, fence and gate, and/or vegetative screening shall be installed or erected to a height at least 1' - 6" above the highest point of the dumpster as generally depicted below.

Amendment(s):

1. Ordinance 18-006, adopted October 8, 2018