



Committee on Planning & Development
AGENDA

January 14, 2025

6:00 P.M.

Courthouse – Room 1277
721 Oxford Ave, Eau Claire, WI

Join by Phone:

Dial in Number: 1-415-655-0001
Access Code: 25324743265##

Join by Meeting Number:

Meeting Number: 2532 474 3265
Meeting Password: 5ykMauvgN68

Join from Meeting Link:

<https://eauclairecounty.webex.com/eauclairecounty/j.php?MTID=mcdfecc407e6d02d134bf4493216d9a24>

A majority of the county board may be in attendance at this meeting, however, only members of the committee may take action on an agenda item.

For those wishing to make public comments, you must email Rod Eslinger at rod.eslinger@eauclairecounty.gov at least 60 minutes prior to the meeting to the start of the meeting.

1. Call to Order and confirmation of meeting notice
2. Roll Call
3. Public Comment
4. Review/Approval of December 10, 2024 Meeting Minutes / Discussion – Action **Pages 3-5**
5. Public Hearings for Discussion / Action
 - a. **Proposed Ordinance: File No. 24-25/092** to rezone 30.95 acres +/- from I-H Industrial-Heavy District to the PUD-Planned Unit Development District. Owner: Pedersen Properties, LLC. Applicant: Russ Kiviniemi PE – Cedar Corporation. Legal: Lot 1 CSM 3266, Vol 18, P198, #1144045, in the NE ¼ of the SE ¼, Section 3, T25N, R9W, Town of Pleasant Valley, Eau Claire County, Wisconsin. **RZN-0027-24**
Pages 6-25
 - b. A conditional use permit request to modify CUP2006-57 to add a living space in the existing religious retreat center. Owner: Helge & Rachel Vestnes. Legal: Lot 2 CSM 3625, Vol 20 P 269, #1202658, in the NE ¼ of the SW ¼ and NW ¼ of the SE ¼, Section 6, T25N, R9W, Town of Pleasant Valley, Eau Claire County, Wisconsin. **CUP-0012-24**
Pages 26-37
 - c. A conditional use permit request for an amendment to permits CUP2007-22 and CUP-0014-16 to increase the size of the existing animal kennel facility, and to allow a maximum of 12 cats to be added to the existing facility. Owner: Travis Quella – Bob’s House for Dogs, LLC. Legal: The East Half of the North Half of the NE ¼ of the NW ¼, Section 3, T25N, R9W, Town of Pleasant Valley, Eau Claire County, Wisconsin. **CUP-0014-24**
Pages 38-58
6. Farmland Preservation Plan Update / Discussion
7. Preliminary Land Use & Development Ordinance Amendments / Discussion **Pages 59-66**

Prepared by: Heidi Pederson

PLEASE NOTE: Upon reasonable notice, efforts will be made to accommodate the needs of individuals with disabilities through sign language, interpreters, remote access, or other auxiliary aids. Contact the clerk of the committee or Administration for assistance (715-839-5106). For additional information on ADA requests, contact the County ADA Coordinator at 839-7335, (FAX) 839-1669 or 839-4735, TTY: use Relay (711) or by writing to the ADA Coordinator, Human Resources, Eau Claire County Courthouse, 721 Oxford Avenue, Eau Claire, WI 54703.

8. Review of December bills / Discussion **Pages 67-68**
9. Proposed Future Agenda Items
 - a. Next scheduled meeting February 25, 2025
10. Director's Update
11. Announcements
 - a. Plan Commission Workshop **Pages 69-96**
 - b. Robert's Rules of Order **Pages 97-105**
12. Adjourn

Prepared by: Heidi Pederson

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MINUTES

Eau Claire County

- PLANNING & DEVELOPMENT COMMITTEE •

Date: Tuesday, December 10, 2024

Time: 6:00 p.m.

Location: Eau Claire County Courthouse, 721 Oxford Ave, Room 1277, Eau Claire, Wisconsin 54703

Members Present: Dane Zook, Robin Leary, James Dunning, Michele Skinner (remote)

Members Absent: Caleb Aichele

Ex officio Present:

Staff Present: Rod Eslinger, Ben Bublitz, Val Desio

Call to Order and confirmation of meeting notice

Chair Zook called the meeting to order at 6:00 pm and confirmed the meeting notice with Director Eslinger.

Roll Call:

Director Eslinger called the roll. The members that were present are noted above.

Public Comment:

No members of the public wished to make a comment.

Review/Approval of November 12, 2024, Meeting Minutes

Motion by James Dunning to approve the November 12, 2024, committee meeting minutes as corrected by Director Eslinger. Motion carried on a voice vote: 4-0-0.

Public Hearings

A conditional use permit request for addition of a special event within a 12-month period. Owner: James Bischel. Applicant: Mark Bischel. Legal: NW-SE, NE-SW except easement described in Vol 214/483, SE-SW except part of Lot 1 OF CSM VOL 2 PG 89, AND SW-SE except W 20 Rods (330') of S 40 rods (660'), Section 27, T27N-R10W, Town of Union, Eau Claire County, Wisconsin. **CUP-0009-24**

Ben Bublitz, Eau Claire County Land Use Manager, presented his staff report to the committee. He indicated the applicant is requesting an amendment of their existing conditional use permit for Pines Music Park to hold a second concert event in August of 2025. The event is planned for August 15 – 16th and will include onsite camping. Ben reviewed the past permitting of the site, including site (expanded camping area) and area conditions. He reviewed the ordinance standards with the committee as well. Ben indicated that the Town of Union met on November 12th and unanimously recommended approval of the CUP amendment. Mr. Bublitz concluded by recommending approval of the applicant's request.

Mark Bischel, 2413 Barbie Lane, Madison, applicant and the event's co-owner, spoke in favor of the amendment. He clarified the traffic plan for the committee and how local residences receive notification of the event.

No one else spoke in favor or in opposition.

Motion by Robin Leary to approve the conditional use permit request for addition of special event within a 12-month period per staff's recommended conditions. Motion carried on a roll call vote: 4-0-0.

A conditional use permit request for a restaurant with a drive-thru. Owner: Indianhead Oil Co., Inc. (Dennis and Kristin Arneson). Applicant: CBS Squared, Inc.-Tyler Hastings. Legal: Lot 3 of CSM Vol 5 of CSM Page 315-317 as Document #669320, Section 9, T27N-R10W, Town of Union, Eau Claire County, Wisconsin, except a part of Lot 3 of CSM Vol 5 of

CSM, Page 315-317 as Document #669320 described in document #674189 and containing 12,600 square feet more or less. **CUP-0010-24**

Ben Bublitz described the applicant's request to locate a Culver's restaurant with a drive-thru on property zoned C3 in the Town of Union off STH 312. He reviewed the site's location in the town, an aerial map, site plans, and addressed the proposed signage. The Town of Union met on November 12th and recommended approval of the request. Ben concluded by recommending approval of the CUP request subject to his conditions.

Dennis Arneson, 2828 20th Street, Elk Mound co-owner, spoke in favor of the request. He noted that they own the adjacent property to the east and are planning to locate a storage facility there in the future. He also clarified that the existing stormwater feature that was constructed on the property prior to 1999 didn't conform to today's stormwater sizing and siting requirements and therefore couldn't be used.

No one else spoke in favor or opposition to the request.

Motion by Robin Leary to approve the conditional use permit request for a restaurant with a drive-thru subject to staff's recommended conditions. Motion carried on a roll call vote: 4-0-0.

Preliminary Plat for Wild Turkey Ridge

Director Eslinger reviewed the staff report for the preliminary plat of Wild Turkey Ridge with the committee. The development is in the Town of Pleasant Valley adjacent to the Stone Brook Plat. The plat contains 21 lots, an out lot, and is adjacent to Lowes Creek. The applicant's engineers have developed a stormwater management plan as required by county code that addresses the stormwater requirements. The development will be served by a 2000-foot town road that will be mapped to the adjacent properties to the south and east for future road connectivity. Staff concluded by recommending approval of the plat subject to the conditions listed in the staff report.

Sean Bohan, owner of AEC and the senior engineer working on the stormwater plan for the plat, spoke in favor of the development. Sean noted that a four-foot berm would be constructed along the easternly boarder of the development to provide a buffer to the agricultural lands lying to the east. Mr. Bohan also noted that a few of the lots that abut Lowes Creek may have individual stormwater designs for the impervious surfaces.

Motion by Robin Leary to approve the Preliminary Plat of Wild Turkey Ridge as recommended by staff. Motion carried on a roll call vote: 4-0-0.

Review/Approval of 2025-2027 Eau Claire County Emergency Operations Plan

Val Desio, Emergency Management Specialist, presented the 2025-2027 Eau Claire County Emergency Operations Plan to the committee. Ms. Desio answered various questions from the committee pertaining to the plan and its implementation.

Motion by Robin Leary to approve the 2025-2027 Eau Claire County Emergency Operations Plan as presented. Motion carried on a roll call vote: 4-0-0.

Review of November bills

The committee review the November bills.

Proposed Future Agenda Items

Next scheduled meeting January 14, 2025

Director's Update – 2024 Planning & Development Dept. 3rd Quarter Review

Updated the committee on year-end department financials.

Announcements - None

Adjourn

Meeting adjourned by unanimous consent at 7:18 PM.

Respectfully Submitted,

Rodney Eslinger
Clerk, Committee on Planning & Development

1 **Enrolled No.**

ORDINANCE

File No. 24-25/092

2
3 -AMENDING THE 2023 OFFICIAL ZONING DISTRICT BOUNDARY MAP FOR THE TOWN OF
4 PLEASANT VALLEY -

5
6 The County Board of Supervisors of the County of Eau Claire does ordain as follows:

7
8 **SECTION 1.** That the 2023 Official Zoning District Boundary Map for the Town of Pleasant Valley,
9 described as follows:

10
11 A parcel of land being located in the NE ¼ of the SE ¼, Section 3, T25N, R9W, Town of
12 Pleasant Valley, Eau Claire County, Wisconsin. Being more particularly described as
13 follows:

14
15 All of Lot 1, CSM 3266, Vol 18, P198, document #1144045.

16
17 Said described parcel of land containing 30.95 acres +/-, of land and is subject to the
18 easements and restrictions of record to be reclassified from the I-H Industrial-Heavy
19 District to the Planned Unit Development (PUD) District.

20
21 **SECTION 2.** Where a certified survey map is required and may alter the above described property
22 description, the official zoning district map for the town shall be automatically amended to reflect the
23 property description of the certified survey map.

24
25 ENACTED:

26
27
28
29 **Committee on Planning & Development**

	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Supervisor Dane Zook	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Supervisor Robin Leary	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Supervisor Jim Dunning	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Supervisor Caleb Aichele	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Supervisor Michele Skinner	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

30
31
32
33 ATTEST:

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35
36 _____
37 Rod Eslinger – Committee Clerk

38 Dated this 14 day of January, 2025

39
40 hp

REZONE NUMBER: RZN-0027-24 **COMPUTER NUMBER:** 018100904030

PUBLIC HEARING DATE: January 14, 2025

STAFF CONTACT: Matt Michels, Senior Planner

OWNER: Pedersen Properties, LLC, S10744 State Rd 93, Eleva, WI 54738

AGENT: Russ Kiviniemi, P.E., Cedar Corporation, 604 Wilson Ave, Menomonie, WI 54751

REQUEST: Rezone 30.95 acres +/- from I-H (Industrial-Heavy) District to PUD (Planned Unit Development) District for the purpose of allowing multiple light industrial uses on individual lots accessed from a private roadway. Further, the applicant requests approval of the attached General Development Plan submitted with the rezoning petition.

LOCATION: S10744 State Rd 93

LEGAL DESCRIPTION: Part of the NE¼ SE¼ and SE¼ SE¼ of Section 3, T25N, R9W, Town of Pleasant Valley, Eau Claire County, Wisconsin (complete legal description attached)

RECOMMENDATION Approval of PUD rezoning and General Development Plan based on findings and recommended condition outlined on Page 7 of this report.

BACKGROUND

SITE CHARACTERISTICS:

- The property has frontage on State Rd 93 and is accessed an existing driveway off State Rd 93.
- The property to be rezoned is developed with a commercial building on the east side of the property (PacBasic) used for the manufacturing and warehousing of packaging materials.
- Portions of the property were previously used as a salvage yard, which was discontinued and cleaned up by the current owners.
- The southwest portion of the property contains mapped wetlands (outlined in orange and crosshatched on aerial map) and floodplains (outlined in blue and crosshatched). A wetland delineation was completed in May, 2024, and is shown on the General Development Plan.



EXISTING ZONING DISTRICT:

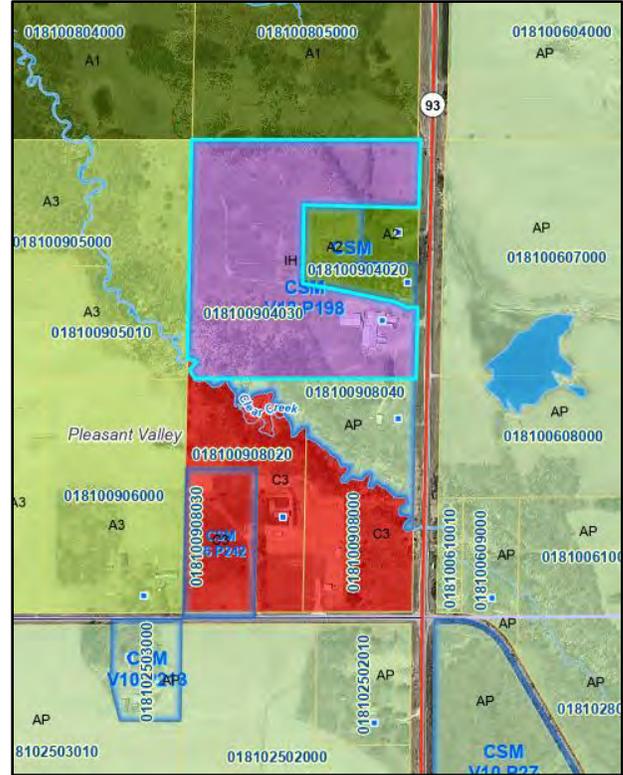
I-H Industrial-Heavy District (formerly known as I-1 Non-Sewered Industrial). The I-H Industrial-Heavy District is established to “provide areas for industrial uses that are likely to produce noise, odor, vibration, glare, or other objectionable influences, or otherwise have adverse effects on surrounding properties.”

REQUESTED ZONING DISTRICT:

Planned Unit Development District. According to the zoning ordinance, “The PUD Planned Unit Development district accommodates master planned development that cannot be approved within one of the other zoning districts, and that demonstrates a high degree of design quality or accomplishes an important public purpose.”

Note that the purpose of this rezoning to the PUD district is to allow the expansion of the existing PacBasic business with a new building to the west of the existing building, and the development of multiple light industrial uses on individual one acre +/- lots, to be located on a private road. The private road is

necessary because the Town of Pleasant Valley does not wish to accept additional maintenance responsibilities associated with a public road. Further, the applicant is requesting deviation from the zoning standards of the I-L Industrial-Light District which the existing development was built under.



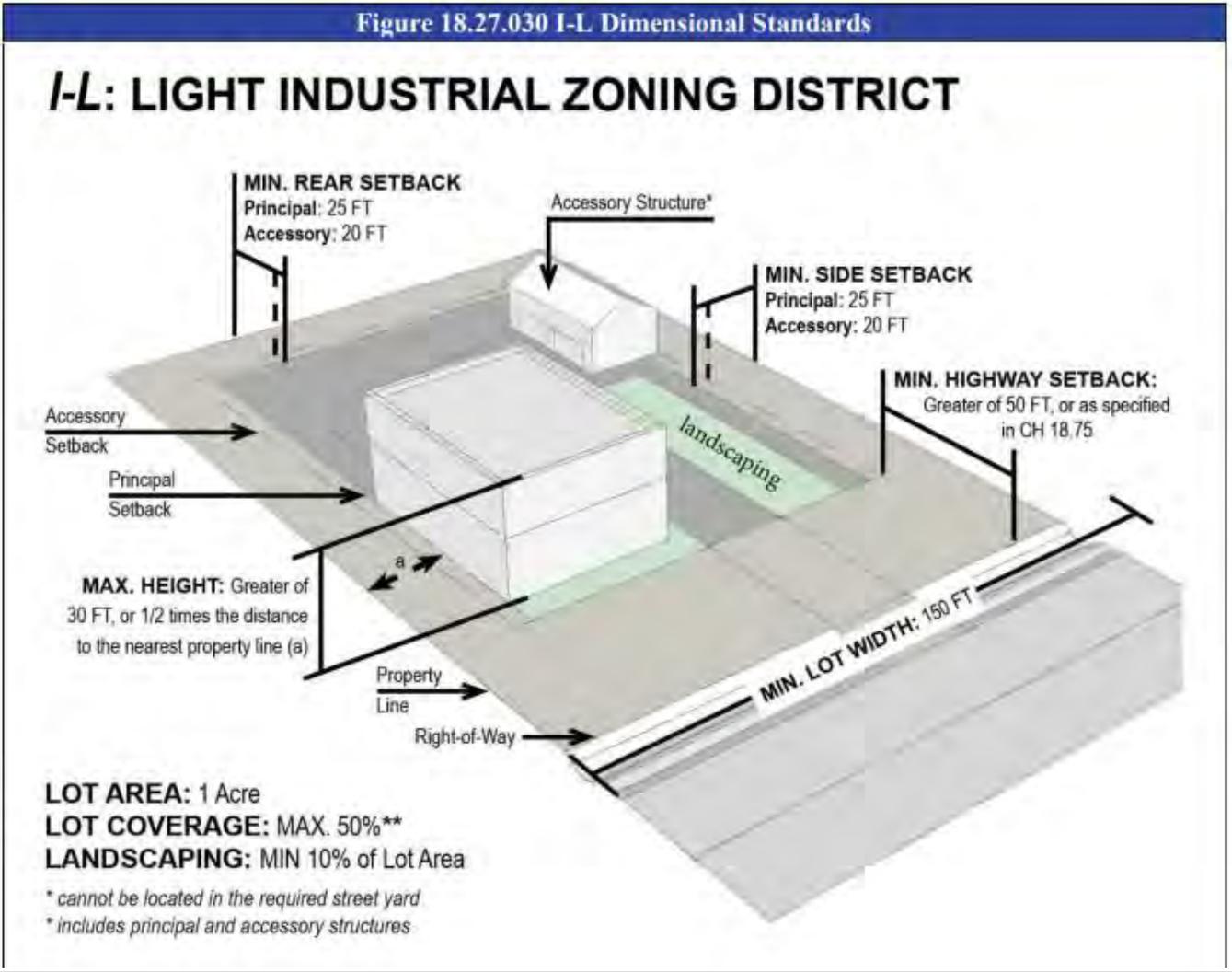
Per Chapter 18.107.010.B, “Planned Unit Developments require a general development plan (GDP) to establish the standards that will be applied to the development and a specific implementation plan (SIP) that demonstrates compliance with those standards.” Since this rezoning is for a developed property and does not entail additional development or deviation from the zoning standards, the GDP and SIP have been combined into one overall document, which is permitted under Chapter 18.107.040.B.1 of the zoning ordinance.

Following is an overview of the proposed rezoning’s conformance with the applicable PUD district standards. The code language is provided followed by staff comments, *in italics*.

CHAPTER 18.31.030 – DIMENSIONAL STANDARDS

- A. Development and performance standards for the PUD zoning district shall be established in an approved general development plan.
- B. When approved by the committee, a general development plan and specific implementation plan establish, together, the standards and expectations for development on the lands to which they apply. Any aspect of development that is not explicitly addressed in those documents is still governed by applicable standards within Title 18.

The attached General Development Plan provides the required information and establishes the standards of the proposed development. As mentioned, the property is to be developed consistent with the standards of the I-L district and no specific deviations from those standards are requested.



CHAPTER 18.107 – PLANNED UNIT DEVELOPMENT (PUD) REZONINGS

18.107.070 Approval criteria.

...

- B. Approval Criteria for PUD Rezonings. The following standards apply to any petition to rezone land to the PUD district:
1. The proposed use and approximate density or intensity of use is consistent with the county and town comprehensive plans. [See Wis. Stat. § 66.1001(3)(j)] *The proposed uses are consistent with this standard. See discussion of comprehensive plan consistency later in this report.*
 2. The proposed development is compatible with the physical nature of the site, with particular concern for protection of surface water and groundwater resources. *The site is currently developed and has a permitted, functional on-site septic system and on-site stormwater basin, and no additional land disturbing activities are currently proposed.*
 3. There is adequate service and infrastructure capacity to support the development, including roads, water, and wastewater. *The existing development meets this standard as the property has three existing driveways from Friedeck Road, as well as on-site septic system and well.*
 4. The proposed zoning will result in development that is aesthetically and ecologically desirable, economically viable, and functionally practical. *While ecological desirability is difficult to quantify, the development is demonstrably economically viable and functionally practical.*

- C. Approval Criteria for General Development Plan. Approval, conditional approval, or disapproval of a general development plan shall be based on the following criteria:
1. The proposed development is consistent with the comprehensive plan. *See discussion of comprehensive plan consistency later in this report.*
 2. Departures from the standards of development as set forth in Title 18 will not negatively affect the aesthetic desirability, ecological function, economic stability, or functional practicality of the development. *As discussed, no deviations from Title 18 standards are proposed.*
 3. The development is compatible with the site, with particular concern for preservation of natural features, tree growth, and open space. *The proposed development will be compatible with the site as there are no notable natural features, such as wooded areas or open space, to preserve.*
- ...
- F. There are adequate public facilities to serve the proposed and potential land use changes that would be enabled by the rezoning; and
- G. The burdens on the county or town for providing the needed services to the proposed and potential land use changes that would be enabled by the rezoning are reasonable; and
- H. The development will not cause unreasonable air or water pollution, soil erosion, or adverse effects on valued natural areas.
The standards of “D”, “F”, “G”, and “H” have been satisfied as demonstrated by the fact that the property has existing services and infrastructure to adequately serve the uses proposed with this rezoning.

ZONING/LAND USE CONTEXT:

LOCATION	ZONING	LAND USE
Subject	I-H	Packaging manufacturing facility; Vacant property
North	A-1	Undeveloped
East	A-2 & A-P	Residential; Agricultural (across State Rd 93)
South	A-P & C-3	Undeveloped wetlands and floodplains; Utility facilities further south
West	A-3	Undeveloped wetlands and floodplains

COMPREHENSIVE PLANS:

The Eau Claire County Future Land Use Map includes the property in the Rural Lands (RL) planning area and the Town of Pleasant Valley Future Land Use Map includes the property in the Rural Industrial (RI) planning area, which is consistent with this rezone request. The Town of Pleasant Valley held a public hearing on Monday, December 9, 2024, and approved an amendment to the Town of Pleasant Valley Comprehensive Plan Future Land Use Map from RL (Rural Lands) to RI (Rural Industrial). The meeting minutes are attached and excerpted below.

Amend Comprehensive Plan – Ordinance No. 24-15-04

The Plan Commission met and held a public hearing prior to this meeting. The request was received from Pedersen Properties (Pac Basic) to amend the comprehensive plan for their property from a Rural Lands (RL) classification to Rural Industrial (RI) classification. Russ Kiviniemi from Cedar Corp, who is representing the Pedersen’s, explained the intentions for the reclassification so that the Pedersen’s can rezone to accommodate a Planned Unit Development. The Town Plan Commission approved a resolution recommending amending the Town Comprehensive Plan on this parcel from RL to RI.

Motion (Nelson/Iverson) to approve Ordinance No. 24-15-04 Amending the Comp Plan as presented. Chairman Hanson announced the ayes carry 3-0 and the motion is adopted.

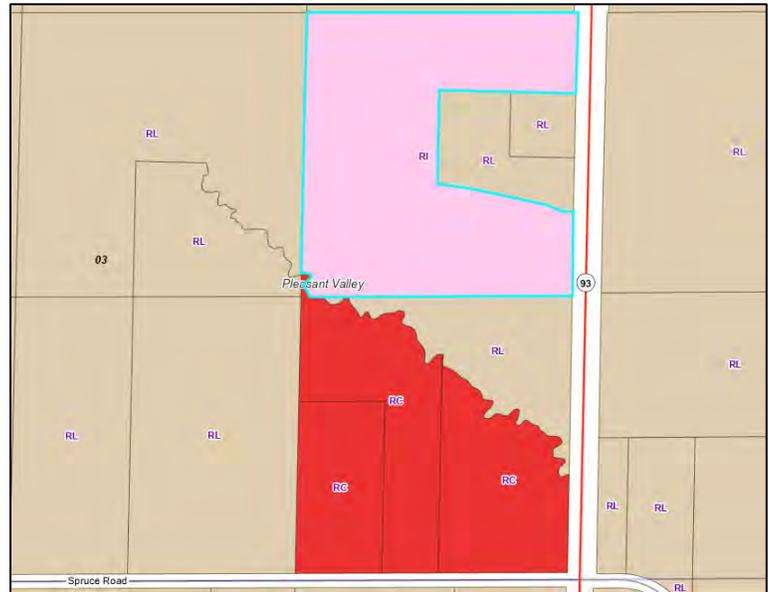
Note that the county has adopted a policy to follow the town future land use designation when town comprehensive plan amendments create discrepancies between the county and town future land use. The county future land use map will be updated to reflect the town map at a future date.

Also, note that the County Comprehensive Plan Future Land Use plan does not specifically discuss the new PUD Zoning District, but Chapter 18.31.020.B of the zoning ordinance states that, “the PUD district is available in any future land use category designed in the Eau Claire County Comprehensive Plan.”

Following are descriptions of the intent of the applicable Town comprehensive plan future land use category and applicable policies.

Town of Pleasant Valley:

- Rural Industrial Comprehensive Plan Intent and Description: The primary intent of this classification is to “identify areas suitable for planned industrial development. There are some existing scattered industrial developments throughout the Town and these areas are expected to stay in industrial use. Additional industrial land has not been identified in this plan.”



- Applicable Policies: The following policies are applicable to this rezoning petition:
 1. In accordance with the policies of this plan, industrial development shall be encouraged to locate near incorporated areas, existing business developments, or along collector & arterial roadways.
 2. When rezoning is requested, only that portion of land necessary for the contemplated use shall be rezoned.
 3. The following Eau Claire County Zoning Districts will be considered for approval within RI areas: I-1 Non-sewered Industrial District, I-L Light Industrial District.

The application has been found to be substantially consistent with the intent, description, and the applicable policies of the Eau Claire County Rural Industrial land use category. Note that Policy #3 doesn’t specifically include the PUD Planned Unit Development District. However, the PUD District is permitted in any zoning district, including I-L Light Industrial District, which is the base district this PUD rezoning is based on.

FARMLAND PRESERVATION PLAN:

The property is currently included in the Eau Claire County Farmland Preservation Plan based on the previous Rural Lands future land use designation. However, there is no evidence of previous or current agricultural use, and the Town of Pleasant Valley Future Land Use has been amended to Rural Industrial – consistent with existing I-H the zoning of the property – which does not allow agricultural uses.

ANALYSIS

When rezoning land, a finding should be made that the purpose of the proposed zoning district and the uses that are allowed in that district are appropriate for the location; and that the rezoning will uphold the purpose of the zoning ordinance. A finding should also be made that the rezone is consistent with the County's Comprehensive Plan. Staff finds that the proposed rezoning meets these standards.

Town Board Action: The Pleasant Valley Town Board will consider the rezoning petition on Thursday, January 13, 2025.

The rezoning petition has been evaluated for consistency with the purpose of the PUD District and the uses allowed in the district. The request is generally consistent with the purpose of the zoning code based on the following findings:

- The proposed rezoning is substantially consistent with the intent and purpose of the Eau Claire County Future Land Use plan, which – by policy adopted by the Committee on Planning and Development – defers to the Town Comprehensive Plan when discrepancies occur due to amendments to the town plan that are not yet reflected in the county plan.
- Existing uses in the area include light industrial development, residential development, and agricultural uses.
- Zoning in vicinity of the subject property includes I-1, C-3, A-P, A-1, A-3, and A-2.
- The property was developed for and has been utilized for industrial uses for many years, and the proposed uses associated with this rezoning are of a similar type and character.
- The range of permitted, accessory, and conditional uses in the I-L Light Industrial District that the PUD is based are less intensive and incompatible with adjacent residential and agricultural land uses than the existing I-H Heavy Industrial District.

CONCLUSION

The rezone petition has been evaluated for consistency with the following:

- Eau Claire County and Town of Pleasant Valley Comprehensive Plan future land use designations
- Eau Claire County and Town of Pleasant Valley Comprehensive Plan goals, objectives, and policies
- Eau Claire County Zoning Ordinance, including purpose of the zoning code and approval criteria for PUD rezonings

In addition, the following factors have also been considered:

- Input of surrounding property owners. No correspondence in support or opposed to the proposed rezoning has been received, to date. An adjacent property owner called staff with some questions regarding the proposed rezoning and development requirements.

FINDINGS

Findings in Favor of PUD rezoning:

1. The proposed use and approximate density or intensity of use is consistent with the town comprehensive plan.
2. The property was developed for and has been utilized for commercial and industrial uses for many years, and the proposed uses associated with this rezoning are of the same type and character.
3. The proposed development is compatible with the physical nature of the site, with particular concern for protection of surface water and groundwater resources through the application of Eau Claire

County Title 17 Land Conservation ordinances that require stormwater management, as well as City-County Health Department regulations for private on-site wastewater treatment systems and private wells.

4. Adequate service and infrastructure capacity exists to support the development, including roads, water (via private wells), and wastewater (via individual septic systems).
5. The proposed zoning will result in development that is aesthetically and ecologically desirable, economically viable, and functionally practical, in the context of Rural Industrial planned lands.

Findings in Favor of General Development Plan:

1. The proposed development is consistent with the comprehensive plan.
2. The development is compatible with the site, with particular concern for preservation of natural features, tree growth, and open space.
3. The range of permitted, accessory, and conditional uses in the I-L Light Industrial District that the PUD is based are less intensive and incompatible with adjacent residential and agricultural land uses than the existing I-H Heavy Industrial District.

Findings Against General Development Plan:

1. The layout depicts a single point of ingress and egress, which may result in excessive vehicle stacking in the driveway area and issues with on-site vehicular circulation.

RECOMMENDED CONDITIONS

The following condition is recommended by County P&D staff to address the above finding against the General Development Plan:

1. Applicant shall work with WisDOT and the adjacent property owner to determine if a second access point can be created on the northern side of the property.



Department of Planning and Development
 Eau Claire County Courthouse
 721 Oxford Avenue, Room 3344
 Eau Claire, Wisconsin 54703
 715-839-4741

Application Accepted:	11/22/2024
Accepted By:	Matt Michels
Receipt Number:	79232
Town Hearing Date:	1/13/2025
Scheduled Hearing Date:	01/14/2025
Application No:	RZN-0027-24
Application Status:	Applied

Rezoning Petition

Owner/Applicant Name(s):

Owner: PEDERSEN PROPERTIES LLC

Applicant: Russ Kiviniemi, PC, Cedar Corporation, 604 Wilson Ave, Menomonie, WI 54751

Telephone: 715-235-9081

EMail: russ.kiviniemi@cedarcorp.com

Site Address(es):

S 10744 STATE ROAD 93

Property Description:

Sec 03 Twn 25 Rge 09
 Town of Pleasant Valley

Zoning District(s):

H - Nonsewered Industrial District

1-H

Lot Area(s) - Acres:

30.95

Overlay District(s):

Flood Zone

Shoreland

PIN

1801822509034109001

Legal (partial)

LOT 1 CSM 3266 (VOL 18 P 198 #1144045) STATE ASSESSED MANUF BEG 2020

Pursuant to the procedure described in Wisconsin Statutes Section 59.69(5), I hereby petition the Eau Claire County Board of Supervisors to amend the following Zoning District from:

RECEIVED
 NOV 25 2024
 COUNTY CLERK

At the public hearing, the applicant may appear in person or through an agent or an attorney of his/her choice. The applicant/agent/attorney may present testimony, evidence, and arguments in support of the application. All site plans, pictures, etc. become the property of the Department, and will remain in the file.



Department of Planning and Development
 Eau Claire County Courthouse
 721 Oxford Avenue, Room 3344
 Eau Claire, Wisconsin 54703
 (715) 839-4741

Office Use Only

Application Accepted:	11/25/24
Accepted By:	mm
Application Number:	RZN 0027-24
Town Hearing Date:	12/9/24
Scheduled Hearing Date:	1/13/24

REZONING APPLICATION

Pursuant to the procedure described in Wisconsin Statutes Section 59.69(5), I hereby petition the Eau Claire County Board of Supervisors to amend the Zoning District from:

Existing Zoning District: ~~I-1 Non-Sewered Industrial District~~ I-4 Proposed Zoning District(s): PUD Industrial District

Acres to be rezoned: 30.95 Acres

Property Owner Name: Pedersen Properties LLC Phone# 715-552-1722
 Mailing Address: S10744 State Road 93, Eleva, WI 54738
 Email Address: mpedersen@pacbasic.com

Agent Name: Russ Kiviniemi, P.E., Cedar Corporation Phone# 715-235-9081
 Mailing Address: 604 Wilson Avenue, Menomonie, WI 54751
 Email Address: russ.kiviniemi@cedarcorp.com

SITE INFORMATION

Site Address: S10744 State Road 93, Eleva, WI 54738

Property Description: NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 03, T25 N, R09 W, Town of Pleasant Valley

Zoning District: I-1 Non-Sewered Ind. District Code Section(s): Title 18 Chapter 18.15

Overlay District: Shoreland Floodplain Airport Wellhead Protection Non-Metallic Mining

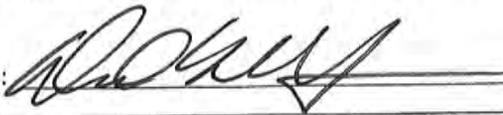
Computer #(s): 1801822509034109001
 or PIN #(s): 0018100904030

Applications will not be accepted until the applicant has met with department staff to review the application and determine if all necessary information has been provided. All information from the checklist must be included.

Complete attached information sheet Confirmed with the Town their submittal deadline and process.

Provide legal description of property to be rezoned Provide \$630.00 application fee (non-refundable), (\$550.00 application processing fee and \$80.00 mapping surcharge fee). Send application to landuse@eauclairecounty.gov or to the address above.

I certify by my signature that all information presented herein is true and correct to the best of my knowledge. I give permission for the staff of the Eau Claire County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the public hearing process. I further agree to withdraw this application if substantive false or incorrect information has been included.

Owner/Agent Signature:  Date 11-22-24

At the public hearing, the applicant may appear in person or through an agent or an attorney of his/her choice. The applicant/agent/attorney may present testimony, evidence, and arguments in support of the application. All site plans, pictures, etc. become the property of the Department, and will remain in the file.

REZONING APPLICATION CHECKLIST

Applications are due by Tuesday at 12:00 PM three weeks prior to the Committee on Planning and Development meeting. The application must include the items listed below. After a preliminary review, additional information may be needed. A hearing will not be scheduled until the application is deemed complete. Applications are considered complete when all materials and associated fees are received and approved by staff.

Required Application Items:

- Application must be signed by the property owner(s)
- A legal description of land and address of land to be rezoned
- Complete the attached supplemental rezoning information sheet
 - Describe the reason for the request
 - Describe how the proposed zoning district and the uses allowed in that district are appropriate for the selected location, and how the proposed change in zoning will uphold the purpose of the zoning ordinance
 - Explain and justify why this particular property is under consideration for rezoning
 - For rezoning requests from A-P to any zoning district other than the AR district must consider the factors in Section 18.32.055 A. – D.
 - For rezoning requests from the A-P to the AR zoning district must consider the factors in Section 18.06.050 A. – D.
 - For rezoning requests out of the Shoreland-wetland district must consider Section 18.19.100 B

SUPPLEMENTAL INFORMATION FOR A REZONING PETITION

In order to process your application as quickly as possible, please fill in all of the sections below that are applicable to your request, and attach all appropriate maps or plans described below that are relevant to your request.

Describe the reason(s) for your rezoning request:

SEE ATTACHED.

When evaluating a rezoning petition, staff from the Eau Claire County Department of Planning and Development consider whether the purpose of the proposed zoning district and the uses allowed in the district are appropriate for the selected location. Staff also considers whether the change in zoning will uphold the purpose of the zoning ordinance, which is to separate incompatible land uses from one another, to maintain public health and safety, to protect and conserve natural resources, to prevent overcrowding, to preserve property values, and to maintain the general welfare of the citizens. Please describe how the proposed zoning district and the uses allowed in that district are appropriate for the selected location, and how the proposed change in zoning will uphold the purpose of the zoning ordinance.

SEE ATTACHED.

PEDERSEN PROPERTIES LLC EAU CLAIRE COUNTY REZONING PETITION APPLICATION

Describe the reasons(s) for your rezoning request:

The reason for Pedersen Properties LLC PUD non-sewered industrial park development rezoning request is to provide 1.0 acre minimum lot size in conformance with July 18, 2024 effective Eau Claire County Code Title 18 Zoning Districts Chapter 18.27 Light Industrial Park (IL) District, and because Town of Pleasant Valley does not desire to own, operate and maintain the proposed access road to subject lots as depicted on attached General Development Plan document.

The property existing I-1 Zoning District and IL Zoning District effective July 18, 2024, requires all lots be accessed by a public dedicated right-of-way and road. The only option available for this proposed development to proceed and accommodate PacBasic building expansion need and additional lots for sale within the property, is to rezone to PUD zoning with private dedicated access road ownership, operation and maintenance dedication utilizing the industrial condominium plat process and condominium document preparation.

Describe how the proposed zoning district and the uses allowed in that district are appropriate for the selected location, and how the proposed zoning will uphold the purpose of the zoning ordinance:

Pursuant to the attached General Development Plan document, the PUD rezoning petition application request is intended to be in conformance with existing I-1 Zoning District and effective July 18, 2024 IL Zoning District (minimum 1.0 Acre Lots in lieu of 1.5 Acre Lots), with noted private dedicated right-of-way access road to service the proposed 6 lots utilizing the condominium plat and condominium owners association documents creation methodology option; and therefore the rezoning petition application upholds the purposed of the zoning ordinance.

UNPLATTED LANDS

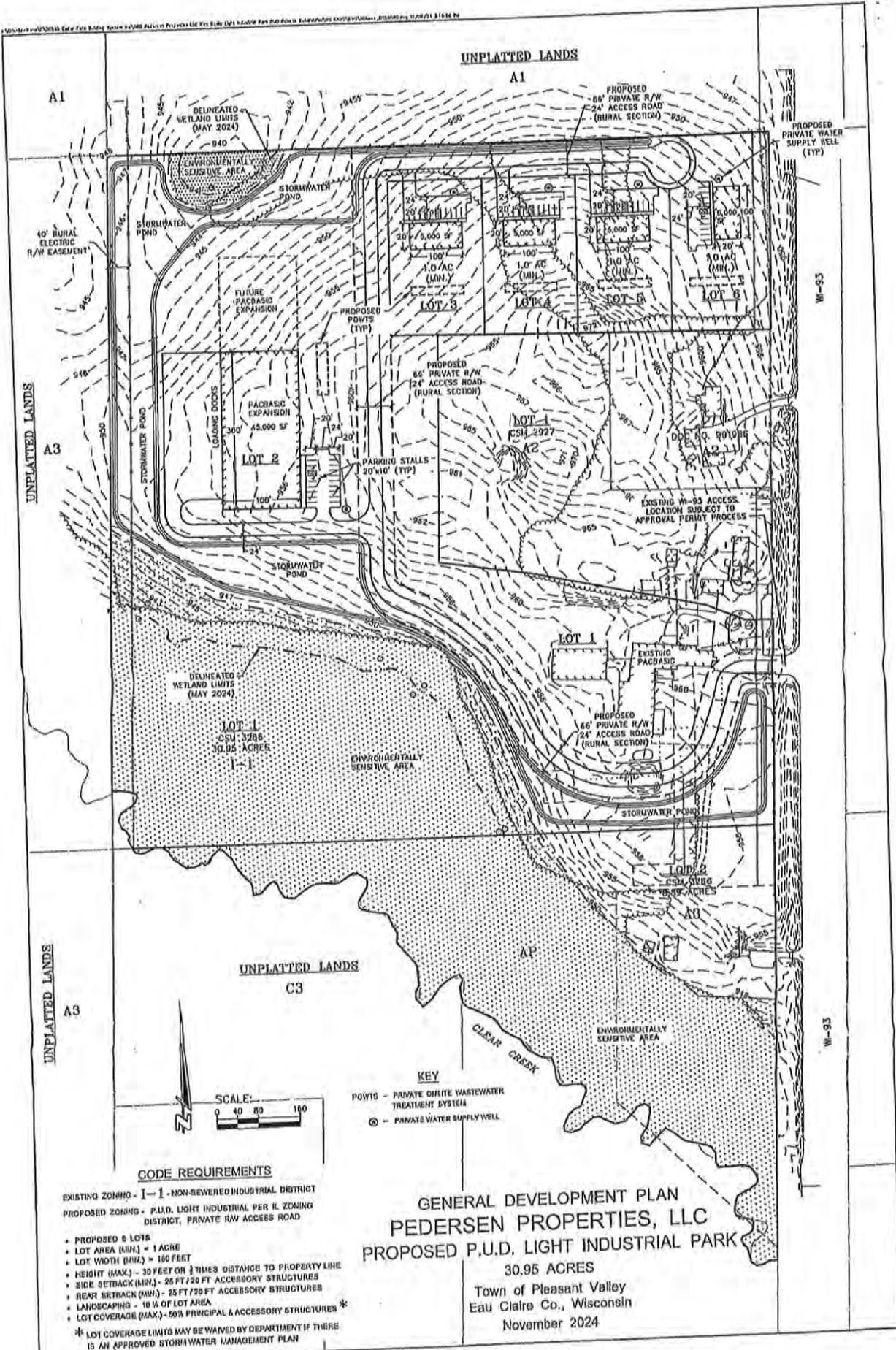
A1

A1

A3

W-93

W-93



UNPLATTED LANDS

C3

UNPLATTED LANDS

A3

AP
CLEAR CREEK

ENVIRONMENTALLY SENSITIVE AREA

KEY

- POWTS - PRIVATE ONSITE WASTEWATER TREATMENT SYSTEMS
- ⊙ - PRIVATE WATER SUPPLY WELL

CODE REQUIREMENTS

EXISTING ZONING - I-1 - NON-SERVED INDUSTRIAL DISTRICT
 PROPOSED ZONING - P.U.D. LIGHT INDUSTRIAL PER IL ZONING DISTRICT, PRIVATE R/W ACCESS ROAD

- PROPOSED 6 LOTS
- LOT AREA (MIN) = 1 ACRE
- LOT WIDTH (MIN) = 100 FEET
- HEIGHT (MAX) - 30 FEET OR 1/2 TIMES DISTANCE TO PROPERTY LINE
- SIDE SETBACK (MIN) - 25 FT / 20 FT ACCESSORY STRUCTURES
- REAR SETBACK (MIN) - 25 FT / 20 FT ACCESSORY STRUCTURES
- LANDSCAPING - 10 % OF LOT AREA
- LOT COVERAGE (MAX) - 50% PRINCIPAL & ACCESSORY STRUCTURES *

* LOT COVERAGE LIMITS MAY BE WAIVED BY DEPARTMENT IF THERE IS AN APPROVED STORMWATER MANAGEMENT PLAN

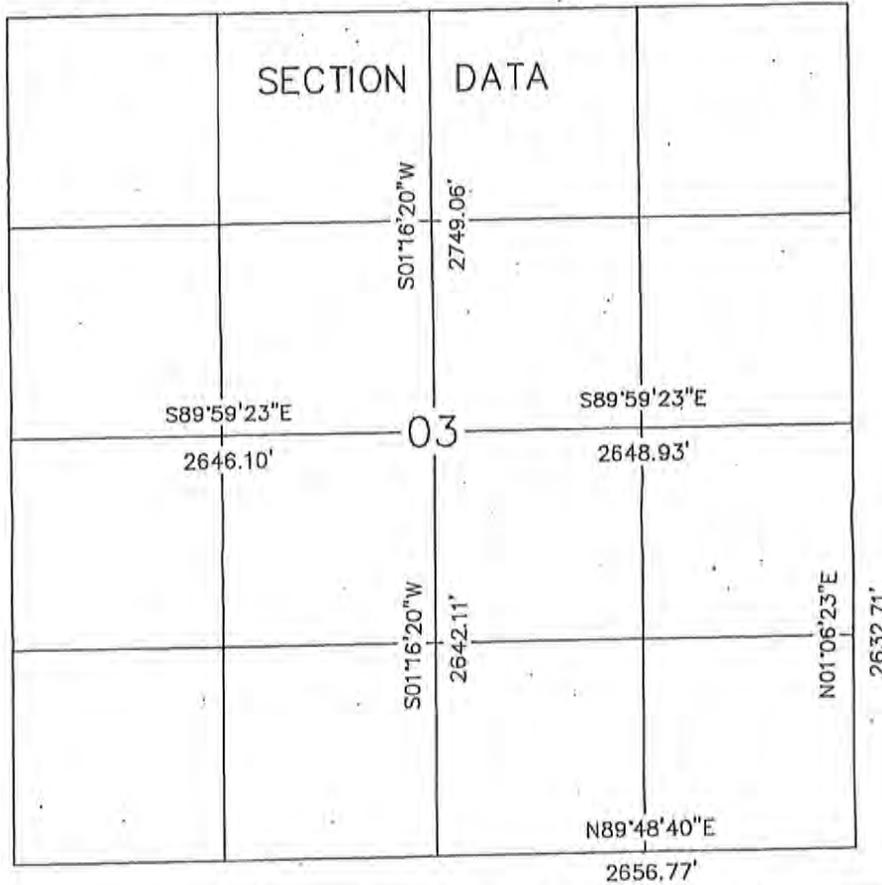
GENERAL DEVELOPMENT PLAN
 PEDERSEN PROPERTIES, LLC
 PROPOSED P.U.D. LIGHT INDUSTRIAL PARK

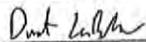
30.95 ACRES
 Town of Pleasant Valley
 Eau Claire Co., Wisconsin
 November 2024

CERTIFIED SURVEY MAP NO. 3266

VOLUME 18 Cont, PAGE 199

PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER AND PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, SECTION 03, TOWNSHIP 25 NORTH, RANGE 09 WEST, TOWN OF PLEASANT VALLEY, EAU CLAIRE COUNTY, WISCONSIN



 SURVEYOR'S SIGNATURE DATE: 04/05/17	CORNER	TYPE AND CONDITION OF CORNER MONUMENT AND TIES
	NORTHEAST	
STAMP 	EAST 1/4	FOUND ALUMINUM MONUMENT OF RECORD - GOOD CONDITION
	SOUTHEAST	FOUND ALUMINUM MONUMENT OF RECORD - GOOD CONDITION
	SOUTH 1/4	FOUND CAST-IRON MONUMENT OF RECORD - GOOD CONDITION
	SOUTHWEST	
	WEST 1/4	FOUND ALUMINUM MONUMENT OF RECORD - GOOD CONDITION
	NORTHWEST	
	NORTH 1/4	FOUND ALUMINUM MONUMENT OF RECORD - GOOD CONDITION
	CENTER	
	MEANDER	

Dustin J. LaBlonde, PLS
 Cedar Corporation
 604 Wilson Avenue
 Menomonie, WI 54751

SHEET 2 OF 3 SHEETS

CERTIFIED SURVEY MAP NO. 3266

VOLUME 18 CSM, PAGE 200

PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER AND PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, SECTION 03, TOWNSHIP 25 NORTH, RANGE 09 WEST, TOWN OF PLEASANT VALLEY, EAU CLAIRE COUNTY, WISCONSIN

SURVEYOR'S CERTIFICATE

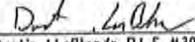
I, Dustin J. LaBlonde, Wisconsin Professional Land Surveyor, hereby certify that I have surveyed, divided, and mapped part of the Northeast Quarter of the Southeast Quarter and part of the Southeast Quarter of the Southeast Quarter, Section 03, Township 25 North, Range 09 West, Town of Pleasant Valley, Eau Claire County, Wisconsin, more particularly described as follows:

Commencing at the East Quarter corner of Section 03, Township 25 North, Range 09 West:
 Thence N89°59'23"W 62.87 feet along the North Line of the Southeast Quarter of Section 03 to a point on the Westerly right-of-way of S.T.R. 93 and the point of beginning;
 Thence S01°16'28"W 374.08 feet along said Westerly right-of-way;
 Thence N88°45'46"W 636.14 feet;
 Thence S01°19'04"W 433.54 feet;
 Thence S81°35'09"E 179.58 feet;
 Thence S77°47'56"E 338.00 feet;
 Thence S66°49'14"E 80.96 feet;
 Thence S88°53'37"E 51.30 feet to said Westerly right-of-way;
 Thence S01°16'28"W 10.93 feet along said Westerly right-of-way;
 Thence S00°58'20"W 1187.08 feet along said Westerly right-of-way to a meander line,
 Thence N05°31'16"W 164.30 feet along said meander line;
 Thence N54°16'25"W 694.64 feet along said meander line;
 Thence N42°49'06"W 266.01 feet along said meander line;
 Thence N79°57'33"W 229.60 feet along said meander line;
 Thence N59°11'29"W 300.59 feet along said meander line to a point on the West line of the Northeast Quarter of the Southeast Quarter of said Section 03;
 Thence N01°11'22"E 1164.31 feet along said West line to the Northwest corner of said Northeast Quarter of the Southeast Quarter of said Section 03;
 Thence S89°59'23"E 1261.60 feet along the North line of said Northeast Quarter of the Southeast Quarter of said Section 03 to a point on said Westerly right-of-way and the point of beginning.

Said parcel contains 1,735,515 square feet (39.84 acres) including all lands lying between the described meander line and the center of Clear Creek.

That I have made such survey, land division, and map at the direction of Dan & Mindy Pedersen, Pedersen Properties, LLC, S 14700 County Road 1, Eleva, Wisconsin, 54738. That such map is a correct representation of the exterior boundaries of the land surveyed, and the subdivision thereof made. That I fully complied with the provisions of Chapter 236.36 of the Wisconsin State Statutes, A-E 7 of the Wisconsin Administrative Code and the subdivision regulations of Eau Claire County in surveying, dividing and mapping the same. Said survey is subject to easements of record and as shown.

Dated this 5th day of April, 2017.


 Dustin J. LaBlonde, P.L.S. #3096

I, Lance J. Gurney, Director of the Eau Claire County Department of Planning and Development, hereby certify that this Certified Survey Map is Approved as complying with Subtitle III, Subdivision Control, of Title 18 of the County Code of General Ordinances.

Dated this 6th day of APRIL, 2017.


 Lance J. Gurney

OWNER:
 WILSON & ARLYSS LUND
 S 10850 STATE ROAD 93
 ELEVA, WI 54738

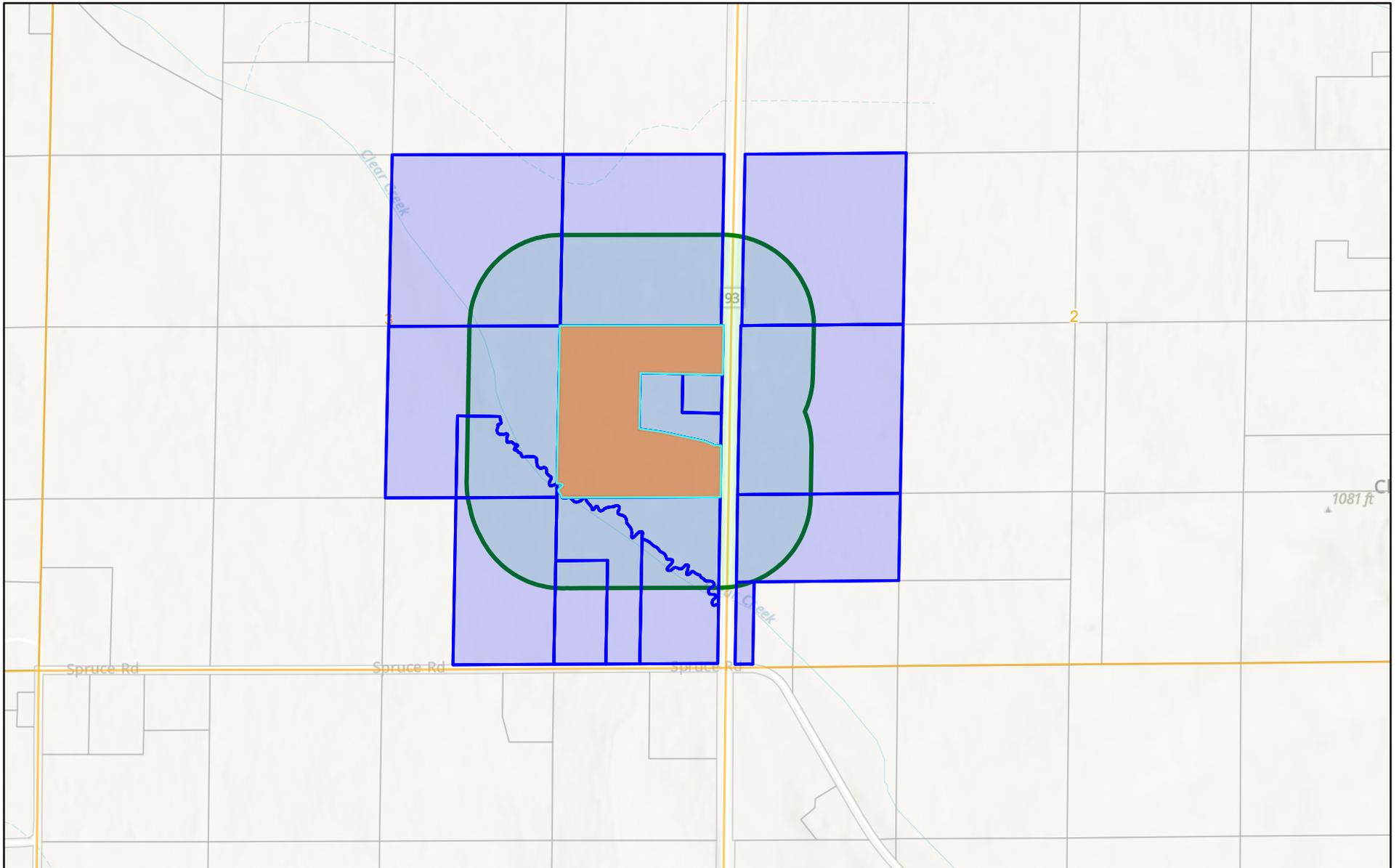
PREPARED FOR:
 DAN & MINDY PEDERSEN
 PEDERSEN PROPERTIES, LLC
 S 14700 COUNTY ROAD 1
 ELEVA, WI 54738



Line Table		
Line #	Length	Direction
L1	80.96'	S66°49'14"E
L2	51.30'	S88°53'37"E
L3	10.93'	S01°16'28"W
L4	41.74'	S03°48'51"W
L5	44.60'	S17°11'54"E
L6	49.96'	S66°02'28"E
L7	75.22'	N79°54'14"E
L8	91.75'	N54°54'28"E
L9	42.88'	N25°56'48"E

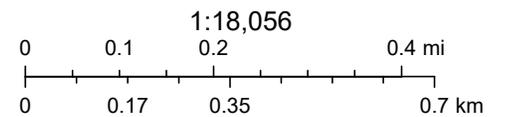
Dustin J. LaBlonde, PLS
 Cedar Corporation
 604 Wilson Avenue
 Menomonie, WI 54751

Public Notification



11/25/2024, 12:27:07 PM

-  County Boundary
-  Tax Parcel
-  Section



Esri, NASA, NGA, USGS, FEMA, Esri Community Maps Contributors, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS,

FirstName LastName	Address	City State Zip
LOVELL PEDERSON	N1656 TIMBER LN	LA CROSSE WI 54601-8447
LARRY I HEATH IRREV TRUST	E5954 BUTTERNUT RD	FALL CREEK WI 54742-9200
CHARLOTTE A & RONALD D FRANSON REV LIV TRUST	E3850 SPRUCE RD	ELEVA WI 54738-4114
LARRY D & CRYSTAL M SANDS	W 1055 OLSON RD	ELEVA WI 54738-9252
NCAP LLC	2514 GOLF RD STE 3	EAU CLAIRE WI 54701-6031
NINA LOGAN	E3370 SPRUCE RD	ELEVA WI 54738-9065
KOCH REFINING COMPANY	PO BOX 2917	WICHITA KS 67201-2917
EAU CLAIRE ELECTRIC COOP	PO BOX 368	FALL CREEK WI 54742-0368
WILSON A LUND	S10850 STATE ROAD 93	ELEVA WI 54738-9136
THE SPARROW'S NEST LLC	935 PALM CIR	MAPLEWOOD MN 55109-1952
GARY BOLLINGER	S 10742 STATE ROAD 93	ELEVA WI 54738-9136
PEDERSEN PROPERTIES LLC	S10744 STATE ROAD 93	ELEVA WI 54738-9136
BERNARD CHILSON	S7355 HOMESTEAD RD	EAU CLAIRE WI 54701-2421



EAU CLAIRE COUNTY PLANNING STAFF RECOMMENDATION

CONDITIONAL USE PERMIT NUMBER: CUP-0012-24

COMPUTER NUMBERS: 018-1015-10-010

PUBLIC HEARING DATE: January 14, 2025

STAFF CONTACT: Ben Bublitz, Land Use Manager

OWNER: Helge and Rachel Vestnes, W1741 Easterson Road, Eleva, WI 54738

AGENT: Owner

REQUEST: To modify CUP2006-57 to add a living space in the existing religious retreat center.

LOCATION: 6178 W Cameron St, Eau Claire, WI 54703

LEGAL DESCRIPTION: Lot 2 CSM 3625, Vol 20 P 269, #1202658, in the NE ¼ of the SW ¼ and NW ¼ of the SE ¼, Section 6, T25N, R9W, Town of Pleasant Valley, Eau Claire County, Wisconsin.

SUMMARY

The applicant is requesting to modify the existing religious retreat center to add a living area for the owners to reside. The area to be modified is approximately 22'x24' (528 sq. ft.) and identified on the original permit as open area intended for future guest rooms. The owner will move into the building from their current residence located on the parcel to the North of the parcel in question. After the owner moves into this location, they intend to have their daughters move into the existing dwelling to the North.

BACKGROUND

The applicant has requested a modification to the existing retreat center to add a new permanent living space for the owner. A modification to the building will require additional building permitting through our office to verify all construction meets the Uniform Dwelling Code Standards. There is no intent to modify the operations of the retreat center at this time.

The application materials include site plan, building elevation and floor plans.

SITE CHARACTERISTICS:

- The lot size is approximately 65.05 acres.
- The lot is located East of Easterson Road cul-de-sac.
- The proposal will allow the owner to construct an apartment within the existing retreat center.

CURRENT ZONING: AP Agricultural Preservation. The AP Agricultural Preservation district is established to:

- Preserve and protect those areas best suited for agricultural, forestry, or open-space uses by minimizing fragmentation of contiguous agricultural or forest lands for the benefit and use of current and future generations;
- Provide for a wide range of agricultural uses typically associated with the continued production of food and fiber while recognizing that such uses may involve noise, dust, odor, or operation of heavy equipment for long periods of time;
- Strengthen and diversify a predominately agricultural and forestry-based economy by providing for a range of economic opportunities for property owners which are generally compatible with and supportive of agriculture or forestry operations as either permitted or conditional uses;
- Comply with standards contained in Wis. Stat. Ch. 91 to permit eligible landowners to receive tax credits under Wis. Stat. § 71.09, in conjunction with their agricultural operations;
- Preserve rural character and promote the efficient use of public infrastructure and utilities by minimizing the adverse effects of urban sprawl along with its associated expense;
- Promote environmental quality through the use of conservation practices designed to minimize erosion of productive soils and deter the delivery of sediment and nutrients to the waters of our state;
- Minimize land use conflicts which occur when agricultural and non-agricultural uses are intermixed or not adequately separated;
- Provide for carefully regulated extraction of nonmetallic mineral resources through Eau Claire County’s permitting processes to ensure compatibility with adjacent land uses, minimize impacts to natural resources, and to restore lands to productive agricultural use consistent with locally approved reclamation plans.

ADJACENT ZONING & LAND USES:

	ZONING	LAND USE
North	AP/A2	Residential
West	A3	Residential
South	AP	Vacant - Forest
East	AP	Vacant - Forest

LAND USE PLANS: The County Land Use Plan and Town of Pleasant Valley Comprehensive Plan include this property in a Rural Lands area.

Rural Lands (RL)

Intent and Description: The primary intent of these areas is to preserve productive agricultural lands, protect existing farm & forestry operations from encroachment by incompatible uses, promote further investments in farming, maintain farmer eligibility for incentive programs, and preserve wildlife habitat and open spaces. In other words, to preserve the rural character of these areas.

APPLICABLE ZONING REGULATIONS

Section 18.02 Purpose This section describes the purpose of the zoning code. Generally, the purpose of the zoning ordinance is as follows: to separate incompatible land uses from one another; to maintain public health and safety; to protect and conserve natural resources; to prevent overcrowding; to preserve property values; and to maintain the general welfare of the citizens.

Section 18.13.010 Purpose. This section outlines the purpose of the AP zoning district as listed in this document above.

Chapter 18.103 Conditional Uses. Standards for approval of conditional uses: 1) the use must be in conformance with the purpose of the zoning district it is located in; 2) the use will not be injurious to the use and enjoyment of other property in the immediate vicinity; 3) adequate utilities, access, drainage and other necessary facilities have been or are provided; 4) adequate off-street parking is provided; 5) adequate measures have been taken to prevent or control offensive odors, fumes, dust, noise and vibration so these will not constitute a nuisance, and lighting is controlled so that it does not result in disturbance to neighboring properties; 6) soil conditions are adequate to support the use; 7) access does not pose traffic congestion or hazards.

ANALYSIS: The request meets the requirements for conditional use permits as outlined in section 18.103 of the County Code. The proposal will allow the property owners to remain on the property while providing additional housing for their daughters in the existing dwelling to the North of the structure in question.

TOWN BOARD ACTION: The Town of Union Board will meet January 13, 2025, and forward their recommendation prior to the Planning and Development Committee meeting.

STAFF CONCLUSIONS AND RECOMMENDATION: Staff concludes that the to modify CUP2026-57 to add a living space in the existing religious retreat center, will meet all the standards for approval of conditional use permits; and will be consistent with the purpose of the zoning code, and adheres to 2017 Wisconsin Act 67 and Wis. Stat. 59.69(5e).

Staff recommends that the committee approve the conditional use permit with the following conditions:

1. The site plan, floor plan, and elevation drawings submitted with the application shall be attached to and made a part of the permit. The structure shall be modified in accord with the drawings submitted and located on the property as shown on the site plan.
2. Prior to construction, the applicant shall obtain all necessary permits including but not limited to a land use permit from the Department of Planning and Development.
3. The applicant shall notify the Land Use Manager upon completion of the modification so staff can verify compliance with the terms of this approval.
4. The Land Use Manager can approve minor alterations from the terms of the permit. A major change requires the approval of the committee at a public hearing.
5. The owners shall allow staff from the Department to enter the property at reasonable times to inspect the premises for compliance with the conditions of this permit.
6. The permit is subject to Sections 18.155 of the Zoning Code. These provisions establish when a conditional use permit lapses, the conditions under which it can be revoked, and when a CUP expires due to the abandonment of a use.



**Eau Claire County
DEPARTMENT OF PLANNING
AND DEVELOPMENT
Eau Claire County Courthouse - Room 3344
721 Oxford Avenue
Eau Claire, Wisconsin 54703-5212
(715) 839-4741**

Building Inspection
839-2944
Emergency Management
839-4736
Geographical Information Systems
839-4730
Land Conservation
839-6226
Land Records
839-4742
Land Use Management
839-4743
Planning
839-5055
Recycling
839-2756

December 18, 2024

Notice of Application Received

The Eau Claire County Department of Planning and Development has received the following application for a conditional use permit scheduled for the Committee on Planning and Development on 1/14/2025

Owner: Helge & Rachel Vestnes

Applicant: Owner

Application Number: CUP-0012-24

Legal Description: Lot 2 CSM 3625 (Vol 20 P 269 #1202658), Town of Pleasant Valley, Eau Claire County, Wisconsin.

Zoning District: A-P Agricultural Preservation

Site Address: W 1745 Easterson Road, Eleva, WI 54738

Purpose: To modify CUP2006-57 to add a living space in the existing religious retreat center

Date Received: 12/5/2024

To view the application materials, click on link below.

[Planning and Development | Eau Claire County \(eauclairecounty.gov\)](https://eauclairecounty.gov/planning-and-development)



Department of Planning and Development
 Eau Claire County Courthouse
 721 Oxford Avenue, Room 3344
 Eau Claire, Wisconsin 54703
 (715) 839-4741

Date Application Accepted:	12/05/2024
Accepted By:	Ben B.
Receipt Number:	
Town Hearing Date:	01/13/2025
Scheduled Hearing Date:	01/14/2025

CONDITIONAL USE PERMIT APPLICATION

Property Owner Name:	Helge E & Rachel Vestnes	Phone#	715 797-6414
Mailing Address:	1741 Easterson Rd. Elkva, WI 54738		
Email Address:	hevestnes@gmail.com		

Agent Name:	Phone#
Mailing Address:	
Email Address:	

SITE INFORMATION

Site Address:	1745 Easterson Rd. Elkva, WI 54738		
Property Description:	¼	¼	Sec. 06, T 25 N, R 09 W, Town of Pleasant Valley
Zoning District:	AP	Code Section(s):	
Overlay District:	<input type="checkbox"/> Shoreland <input type="checkbox"/> Floodplain <input type="checkbox"/> Airport <input type="checkbox"/> Wellhead Protection <input type="checkbox"/> Non-Metallic Mining		
Computer #(s):			
or			
PIN #(s):			

GENERAL APPLICATION REQUIREMENTS

Applications are due by 12:00 PM of the Tuesday three weeks prior to the Planning and Development Committee meeting. All information from the checklist below must be included. The department is allowed 10 working days after submitting an application to determine if an application is approved, conditionally approved or denied.

<input type="checkbox"/> Complete attached information sheet	<input type="checkbox"/> Site Plan Drawn to Scale	<input type="checkbox"/> Confirmed with the Town their submittal deadline and process.	<input type="checkbox"/> Provide \$550.00 application fee (non-refundable). Send application to landuse@eauclairecounty.gov or to the address above.
--	---	--	---

I certify by my signature that all information presented herein is true and correct to the best of my knowledge. I give permission for the staff of the Eau Claire County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the public hearing process. I further agree to withdraw this application if substantive false or incorrect information has been included.

Owner/Agent Signature Helge E Vestnes Date 12/5/24

NOTICE: PERMIT FEES DOUBLE WHEN WORK BEGINS PRIOR TO ISSUANCE OF PERMITS & APPROVALS.

At the public hearing, the applicant may appear in person or through an agent or an attorney of his/her choice. The applicant/agent/attorney may present testimony, evidence, and arguments in support of the application. All site plans, pictures, etc. become the property of the Department, and will remain in the file.

STANDARDS FOR CONDITIONAL USE PERMITS

The Committee on Planning and Development has the authority to grant conditional use permit only when the standards are met. The conditional use permit standards are located in Section 18.21.060 of the Eau Claire County Code. Those standards are as follows:

- A. The proposed use is in conformance with the purpose of the zoning district in which it is located.
- B. The use will not be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted.
- C. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.
- D. Adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.
- E. Adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise, and vibration so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.
- F. Soil conditions are adequate to accommodate the proposed use.
- G. Proper facilities and access points are provided which would eliminate any traffic congestion or hazard which may result from the proposed use.

SUPPLEMENTAL INFORMATION FOR A CONDITIONAL USE PERMIT

In order to process your application as quickly as possible, please fill in all the sections below that are applicable to your request, and attach all appropriate maps or plans described below that are relevant to your request.

WRITTEN DESCRIPTION OF THE PROPOSED USE:

General description of the use (home occupation, accessory structure in excess of 1,200 square feet, filling in a floodplain, non-metallic mining, or any other listed conditional use in zoning districts).

Applying to change the use of the North-West part of the ground level to a apartment.

Modification CUP 2006-57

IF THE PROPOSED USE INVOLVED A BUSINESS ACTIVITY, DESCRIBE THE PROPERTY

Description of the type of business activity:

Equipment used in the business activity:

Days and hours of operation:

Number of employees:

Nuisance abatement measures that will be implemented:

Noise abatement measures:

Vibration abatement measures:

Dust control measures:

Measures to control fumes or odors:

Visual screening measures (plants, fences, walls, etc.)

DESCRIPTION OF ANY OTHER FEATURES OR CHARACTERISTICS THAT MAY BE SUBJECT TO ZONING REGULATIONS

Exterior appearance of any structure, including a description of the building materials used, the height of eaves, the color of the structure, etc. (required for conditional use permit applications for accessory structures in excess of 1,200 square feet)

Any proposed excavation or fill, the amount of material that will be mined in a non-metallic mining operation, the amount of material that will be stockpiled, etc.

Other features or characteristics (signs, fences, outdoor display areas, etc.)

SCALED SITE PLAN-<https://beaconschneidercorp.com/> (Select Wisconsin and then Eau Claire County, WI-View Map)

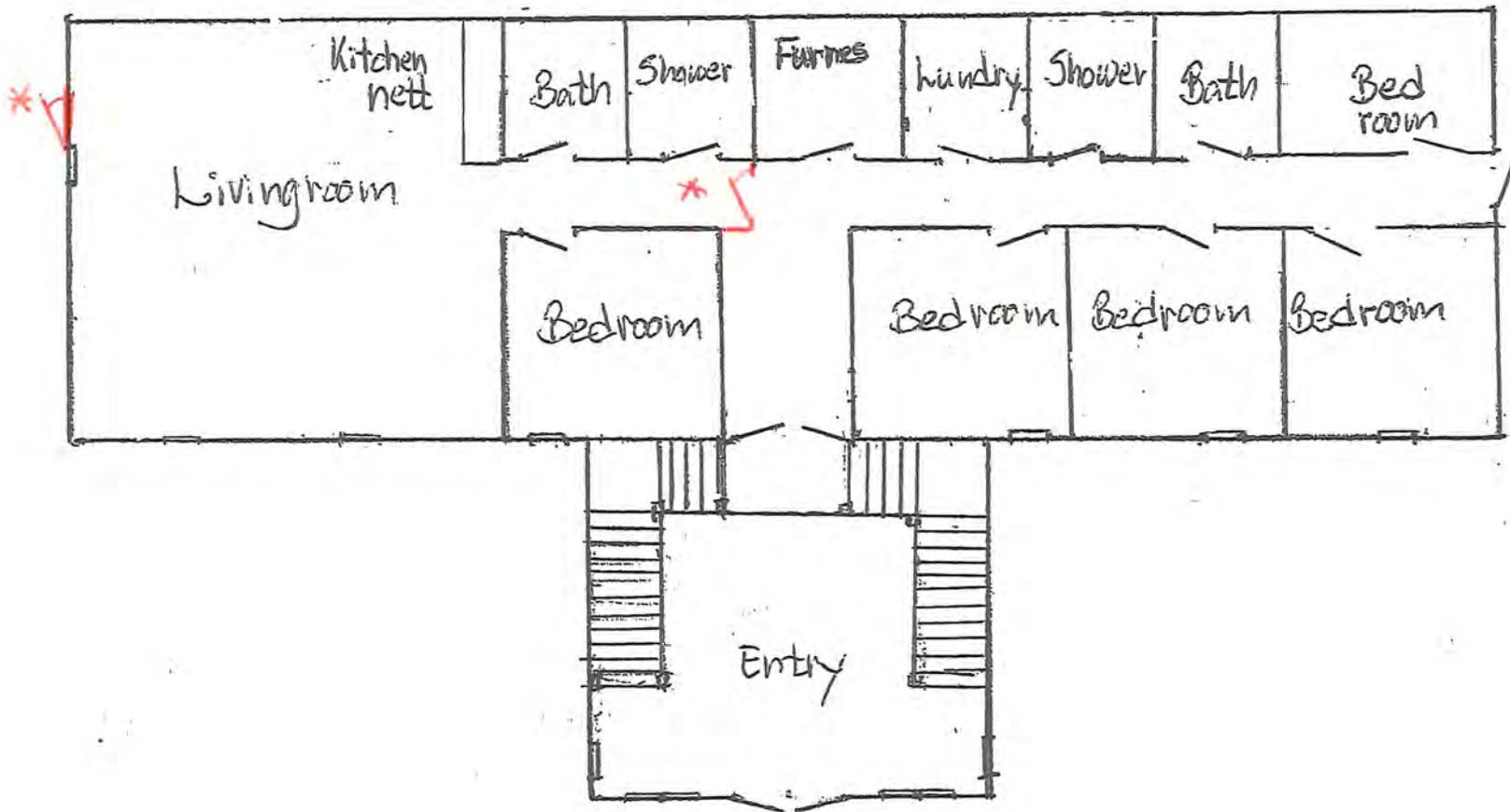
- | | |
|---|---|
| <input type="checkbox"/> Show parcel and building dimensions of all existing and proposed structures | <input type="checkbox"/> Landscape and screening plans |
| <input type="checkbox"/> Show all signs, fences and other features that may be regulated by zoning | <input type="checkbox"/> Show the well and septic system |
| <input type="checkbox"/> Site access, driveway, and nearest road (labeled) | <input type="checkbox"/> Parking areas with spaces |
| <input type="checkbox"/> Drainage plans including the erosion control plan | <input type="checkbox"/> Show all navigable water ways, wetlands, floodplains, slopes in excess of 20%, and any other unique limiting condition of the property |
| <input type="checkbox"/> The layout of the use within the structure; if the use only occupies part of the structure, the floor plan should illustrate only the layout of that part of the structure occupied by the use and any access to the use through halls, doorways, etc. | |
| <input type="checkbox"/> The location of any equipment that will be used | |

FOR ALL NON-AGRICULTURAL ACCESSORY STRUCTURES

- Show floor plan, including attics
- Show scaled building elevations
- Show color scheme
- Provide information addressing 59.69 (5e) with substantial evidence supporting your request

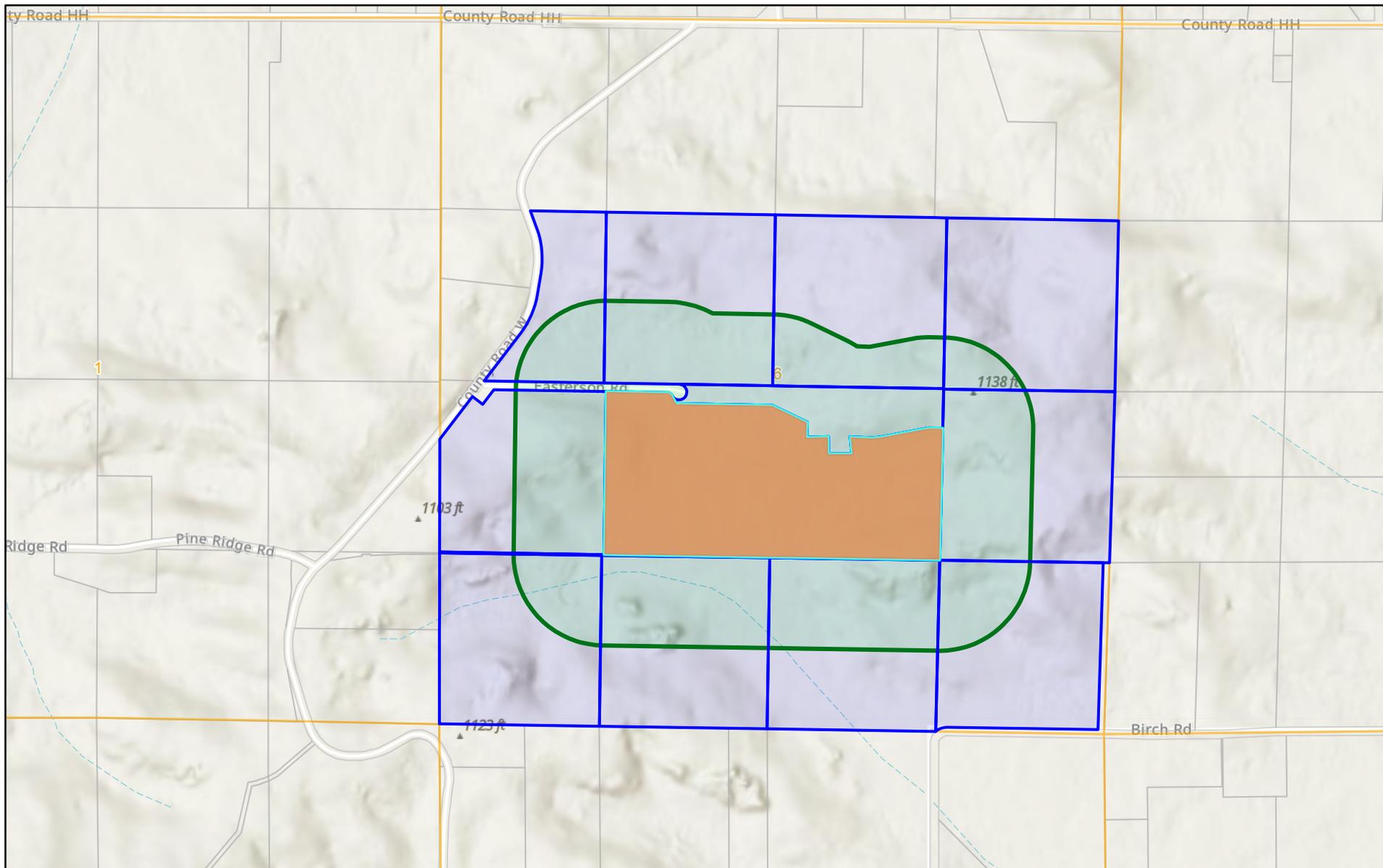
Ground floor of Pleasant Valley Christian Center

* Two new doors and a short wall to be installed upon approval of the new apartment



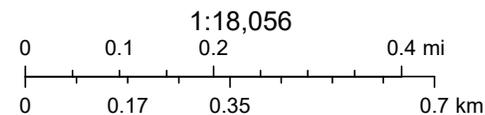


Public Notification



12/5/2024, 12:39:25 PM

-  County Boundary
-  Tax Parcel
-  Section



Esri, NASA, NGA, USGS, FEMA, Esri Community Maps Contributors, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS,

FirstName LastName	Address	City State Zip
DEWAYNE C & JOYCE E HAZEN FAMILY TRUST	W1065 COUNTY ROAD HH	EAU CLAIRE WI 54701-9637
LEI GUO	S7650 S DAVIS DR	EAU CLAIRE WI 54701-9296
JOHN D & RUTH M POORE	S 10995 COUNTY ROAD W	ELEVA WI 54738-9229
THOMAS THORSON	W 980 BIRCH RD	ELEVA WI 54738-9002
KURT SEEMAN TRUST	535 FAIRFAX ST	ALTOONA WI 54720-1057



EAU CLAIRE COUNTY PLANNING STAFF RECOMMENDATION

CONDITIONAL USE PERMIT NUMBER: CUP-0014-24

COMPUTER NUMBERS: 018-1008-06-020

PUBLIC HEARING DATE: January 14, 2025

STAFF CONTACT: Ben Bublitz, Land Use Manager

OWNER: Travis Quella, E20255 ND Loop, Augusta, WI 54722

AGENT: Bob's House for Dogs, LLC. E3015 County Road HH, Eleva, WI 54738

REQUEST: To amend permits CUP2007-22 and CUP-0014-16 to increase the size of the animal kennel facility, and to allow a maximum of 12 cats to be added to the existing facility.

LOCATION: E3015 County Road HH, Eleva, WI 54738

LEGAL DESCRIPTION: The East Half of the North Half of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 3, T25N, R9W, Town of Pleasant Valley, Eau Claire County, Wisconsin.

SUMMARY

The applicant is requesting to modify existing permits CUP2007-22 and CUP-0014-16 which were reviewed and approved to allow for the care of up to 20 dogs at the facility. The request is to increase the physical footprint of the building and allow for the addition of up to 12 cats to be housed onsite.

BACKGROUND

The intent of this facility is to act as an adjunct to the Humane Association kennels. Boarding of dogs for private individuals or breeding of dogs for sale is not permitted under their active permit and is not proposed to be added under this amendment. The amendment request is for an increase in structure footprint and the addition of 12 cats to be housed on the property. The number of dogs is not going to increase, since the increased structure size is to better accommodate the number of animals currently onsite and space for the cat expansion. An increase in structure size will allow staff to provide a higher level of animal care with a larger kitchen to prepare food and give medication, allowing these activities to be performed outside of the current mechanical room. In addition to the kitchen area there will be increased storage area, a dedicated surgery recovery room, meeting space, and additional area to isolate the animals from people while visiting.

The application materials include site plan, building elevation and floor plans, and a narrative of their overall intent.

SITE CHARACTERISTICS:

- The lot size is approximately 10.8 acres.
- The lot is located on the East side of County Road HH West of State Road 93.
- The proposal will not increase the number of dogs onsite but will allow up to 12 cats.

CURRENT ZONING: A2 Agriculture Residential. The A2 Agriculture Residential district is established to:

- Provide an area for limited residential and hobby farm development in a rural atmosphere.
- Preserve the county's natural resources and open space.

ADJACENT ZONING & LAND USES:

	ZONING	LAND USE
North	A2	Residential
West	RH/A1	Residential
South	A1	Vacant – Forest
East	A1	Vacant - Forest

LAND USE PLANS: The County Land Use Plan and Town of Pleasant Valley Comprehensive Plan include this property in a Rural Lands area.

Rural Lands (RL)

Intent and Description: The primary intent of these areas is to preserve productive agricultural lands, protect existing farm & forestry operations from encroachment by incompatible uses, promote further investments in farming, maintain farmer eligibility for incentive programs, and preserve wildlife habitat and open spaces. In other words, to preserve the rural character of these areas.

APPLICABLE ZONING REGULATIONS

Section 18.02 Purpose This section describes the purpose of the zoning code. Generally, the purpose of the zoning ordinance is as follows: to separate incompatible land uses from one another; to maintain public health and safety; to protect and conserve natural resources; to prevent overcrowding; to preserve property values; and to maintain the general welfare of the citizens.

Section 18.15.010 Purpose. This section outlines the purpose of the A2 zoning district. Provide an area for limited residential and hobby farm development in a rural atmosphere; and B. Preserve the county's natural resources and open space. as listed in this document above.

Chapter 18.103 Conditional Uses. Standards for approval of conditional uses: 1) the use must be in conformance with the purpose of the zoning district it is located in; 2) the use will not be injurious to the use and enjoyment of other property in the immediate vicinity; 3) adequate utilities, access, drainage and other necessary facilities have been or are provided; 4) adequate off-street parking is provided; 5) adequate measures have been taken to prevent or control offensive odors, fumes, dust, noise and vibration so these will not constitute a nuisance, and lighting is controlled so that it does not result in disturbance to neighboring properties; 6) soil conditions are adequate to support the use; 7) access does not pose traffic congestion or hazards.

ANALYSIS: The request meets the requirements for conditional use permits as outlined in section 18.103 of the County Code. The proposal will allow the facility to offer better accommodations to the animals currently housed onsite and allow for the addition of 12 cats.

TOWN BOARD ACTION: The Town of Union Board will meet January 13, 2025, and forward their recommendation prior to the Planning and Development Committee meeting.

STAFF CONCLUSIONS AND RECOMMENDATION: Staff conclude and the amendment to CUP2007-22 and CUP0014-16 to increase the size of the existing animal kennel facility, and allow a maximum of 12 cats to be added, will meet all the standards for approval of conditional use permits; and will be consistent with the purpose of the zoning code, and adheres to 2017 Wisconsin Act 67 and Wis. Stat. 59.69(5e).

Staff recommends that the committee approve the conditional use permit with the following conditions:

1. The site plan, floor plan, and elevation drawings submitted with the application shall be attached to and made a part of the permit. The structure shall be modified in accord with the drawings submitted and located on the property as shown on the site plan.
2. Prior to construction, the applicant shall obtain all necessary permits including but not limited to a land use permit from the Department of Planning and Development.
3. The maximum number of dogs cannot exceed 20.
4. The maximum number of cats onsite cannot exceed 12.
5. The applicant shall notify the Land Use Manager upon completion of the modification so staff can verify compliance with the terms of this approval.
6. The Land Use Manager can approve minor alterations from the terms of the permit. A major change requires the approval of the committee at a public hearing.
7. The owners shall allow staff from the Department to enter the property at reasonable times to inspect the premises for compliance with the conditions of this permit.
8. The permit is subject to Sections 18.155 of the Zoning Code. These provisions establish when a conditional use permit lapses, the conditions under which it can be revoked, and when a CUP expires due to the abandonment of a use.



Eau Claire County
DEPARTMENT OF PLANNING
AND DEVELOPMENT
Eau Claire County Courthouse - Room 3344
721 Oxford Avenue
Eau Claire, Wisconsin 54703-5212
(715) 839-4741

Building Inspection
839-2944
Emergency Management
839-4736
Geographical Information Systems
839-4730
Land Conservation
839-6226
Land Records
839-4742
Land Use Management
839-4743
Planning
839-5055
Recycling
839-2756

December 18, 2024

Notice of Application Received

The Eau Claire County Department of Planning and Development has received the following application for a conditional use permit scheduled for the Committee on Planning and Development on 1/14/2025

Owner: Travis Quella – Bob’s House for Dogs, LLC

Applicant: Owner

Application Number: CUP-0014-24

Legal Description: The East Half of the North Half of the Northeast Quarter of the Northwest Quarter of Section 3, Township 25 North, Range 9 West, Town of Pleasant Valley, Eau Claire County, Wisconsin.

Zoning District: A-2 Agriculture-Residential

Site Address: E 3015 County Road HH, Eleva, WI 54738

Purpose: an amendment to permits CUP2007-22 and CUP-0014-16 to increase the size of the existing animal kennel facility, and to allow a maximum of 12 cats to be added to the existing facility.

Date Received: 12/11/2024

To view the application materials, click on link below.

[Planning and Development | Eau Claire County \(eauclairecounty.gov\)](https://eauclairecounty.gov)



Department of Planning and Development
 Eau Claire County Courthouse
 721 Oxford Avenue, Room 3344
 Eau Claire, Wisconsin 54703
 (715) 839-4741

Office Use Only

Date Application Accepted:	12/11/2024
Accepted By:	Ben B.
Receipt Number:	079368
Town Hearing Date:	01/14/2025
Scheduled Hearing Date:	01/13/2025

CONDITIONAL USE PERMIT APPLICATION

Property Owner Name: Travis Quella	Phone# 715-225-3343
Mailing Address: E20255 ND Loop Augusta WI 54722	
Email Address: travis.bobhousefordogs@gmail.com	

Agent Name: Bob's House for Dogs, LLC.	Phone# 715-878-4505
Mailing Address: E3015 County Road HH Eleva, WI 54738	
Email Address: director@bobshousefordogs.org	

SITE INFORMATION

Site Address: E3015 County Rd HH	
Property Description: NE ¼ NW ¼ Sec. 03, T25 N, R9 W, Town of Pleasant Valley	
Zoning District:	Code Section(s):
Overlay District: Check Applicable	<input type="checkbox"/> Shoreland <input type="checkbox"/> Floodplain <input type="checkbox"/> Airport <input type="checkbox"/> Wellhead Protection <input type="checkbox"/> Non-Metallic Mining
Computer #(s): or PIN #(s):	1801822509032100003

GENERAL APPLICATION REQUIREMENTS

Applications are due by 12:00 PM of the Tuesday three weeks prior to the Planning and Development Committee meeting. All information from the checklist below must be included. The department is allowed 10 working days after submitting an application to determine if an application is approved, conditionally approved or denied.

<input checked="" type="checkbox"/> Complete attached information sheet	<input checked="" type="checkbox"/> Site Plan Drawn to Scale	<input checked="" type="checkbox"/> Confirmed with the Town their submittal deadline and process.	<input checked="" type="checkbox"/> Provide \$550.00 application fee (non-refundable). Send application to landuse@eauclairecounty.gov or to the address above.
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I certify by my signature that all information presented herein is true and correct to the best of my knowledge. I give permission for the staff of the Eau Claire County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the public hearing process. I further agree to withdraw this application if substantive false or incorrect information has been included.

Owner/Agent Signature Date 12.10.2024

NOTICE: PERMIT FEES DOUBLE WHEN WORK BEGINS PRIOR TO ISSUANCE OF PERMITS & APPROVALS.

At the public hearing, the applicant may appear in person or through an agent or an attorney of his/her choice. The applicant/agent/attorney may present testimony, evidence, and arguments in support of the application. All site plans, pictures, etc. become the property of the Department, and will remain in the file.

STANDARDS FOR CONDITIONAL USE PERMITS

The Committee on Planning and Development has the authority to grant conditional use permit only when the standards are met. The conditional use permit standards are located in Section 18.21.060 of the Eau Claire County Code. Those standards are as follows:

- A. The proposed use is in conformance with the purpose of the zoning district in which it is located.
- B. The use will not be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted.
- C. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.
- D. Adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.
- E. Adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise, and vibration so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.
- F. Soil conditions are adequate to accommodate the proposed use.
- G. Proper facilities and access points are provided which would eliminate any traffic congestion or hazard which may result from the proposed use.

SUPPLEMENTAL INFORMATION FOR A CONDITIONAL USE PERMIT

In order to process your application as quickly as possible, please fill in all the sections below that are applicable to your request, and attach all appropriate maps or plans described below that are relevant to your request.

WRITTEN DESCRIPTION OF THE PROPOSED USE:

General description of the use (home occupation, accessory structure in excess of 1,200 square feet, filling in a floodplain, non-metallic mining, or any other listed conditional use in zoning districts).

See attached

IF THE PROPOSED USE INVOLVED A BUSINESS ACTIVITY, DESCRIBE THE PROPERTY

Description of the type of business activity:

Non-profit dog and cat rescue and adoption facility

Equipment used in the business activity:

N/A

Days and hours of operation: No specific business hours. Staff on site 7am to 9 pm daily.

Number of employees: Please see attached

Nuisance abatement measures that will be implemented: Please see attached

Noise abatement measures: Please see attached

Vibration abatement measures: N/A

Dust control measures: N/A

Measures to control fumes or odors: N/A

Visual screening measures (plants, fences, walls, etc.)

N/A

DESCRIPTION OF ANY OTHER FEATURES OR CHARACTERISTICS THAT MAY BE SUBJECT TO ZONING REGULATIONS

Exterior appearance of any structure, including a description of the building materials used, the height of eaves, the color of the structure, etc. (required for conditional use permit applications for accessory structures in excess of 1,200 square feet)

The exterior style and color will match the existing Bob's House as well as the shed it is being attached to. The construction will be standard 16" on center, dimensional lumber framing.

Any proposed excavation or fill, the amount of material that will be mined in a non-metallic mining operation, the amount of material that will be stockpiled, etc.

300 yards or less of sandy loam or other suitable material for new parking area

Other features or characteristics (signs, fences, outdoor display areas, etc.)

There is an existing 7' brown, chain link fence which encloses one acre of property which is connected to the main facility by a narrow chain link run.

SCALED SITE PLAN- <https://beacon.schneidercorp.com/> (Select Wisconsin and then Eau Claire County, WI-View Map)

<input checked="" type="checkbox"/> Show parcel and building dimensions of all existing and proposed structures	<input checked="" type="checkbox"/> Landscape and screening plans
<input checked="" type="checkbox"/> Show all signs, fences and other features that may be regulated by zoning	<input checked="" type="checkbox"/> Show the well and septic system
<input checked="" type="checkbox"/> Site access, driveway, and nearest road (labeled)	<input checked="" type="checkbox"/> Parking areas with spaces
<input checked="" type="checkbox"/> Drainage plans including the erosion control plan	<input checked="" type="checkbox"/> Show all navigable water ways, wetlands, floodplains, slopes in excess of 20%, and any other unique limiting condition of the property
<input checked="" type="checkbox"/> The layout of the use within the structure; if the use only occupies part of the structure, the floor plan should illustrate only the layout of that part of the structure occupied by the use and any access to the use through halls, doorways, etc.	
<input checked="" type="checkbox"/> The location of any equipment that will be used	

FOR ALL NON-AGRICULTURAL ACCESSORY STRUCTURES

- Show floor plan, including attics
- Show scaled building elevations
- Show color scheme
- Provide information addressing 59.69 (5e) with substantial evidence supporting your request

Description of Proposed Use

Bob's House for Dogs received a conditional use permit in 2007 #CUP2007-22.

We started operations in early 2010.

Bob's House for Dogs applied for and received an amended conditional use permit in 2014 #CUP2014-16.

This amended version changed the allowable number of animals from 12 to 20.

We have served as a foster care and adoption facility for dogs since our opening and have rehomed hundreds of dogs to new owners. Certain dogs have lived out their days at Bob's House due to their unique circumstances.

We plan to build an addition to the existing facility (See please attached or previously submitted plans).

It is important to note from the onset that we WILL NOT increase the number of dogs at our facility.

Our biggest change will be the addition of homeless cats. We would like to cap the maximum amount of cats at 12. Our board members did a significant amount of research into the best practices of keeping and adding cats in a colony.

The dogs and cats will never come into contact with each other based on our design plans.

Many people have wondered why we are doing this expansion if we are not increasing the number of dogs.

First off, the addition of cats plays a large role. This alone necessitates expansion.

Secondly, the below listed reasons specific to operational efficiency and efficacy are critical.

- A large kitchen area to prepare food, give medications, store food and wash dishes (currently done in a mechanical room and small tub which doubles as a dog wash)
- Increase storage space
- A dedicated surgery recovery room (because of the age and medical needs of our average resident)
- Office and meeting space
- Isolate the dogs from people coming and going (barking abatement)

We have done a lot with less. We are proud of that, but over time we have learned what has been lacking.

We expect very little increase in vehicle traffic. We may have one more person at the facility at any given time compared to our current operations (paid staff or volunteer).

We have never had signage and do not intend to in the future.

We will still be by appointment only for prospective adopters.

Please see attached plans with measurements for full details. In general summary, the new building will be the approximate length of the existing Bob's House and the same width.

The 8' overhang of the existing building will be removed and the space will become part of the new building.

The NE corner of the new building will be connected to the existing outbuilding by a walkway.

Builder Pabich Homes has been in contact with Russ Ryan of the Health Department regarding the septic. It is hoped that an extension can be used, but if required, a new septic will be installed per the wishes of the department.

Sincerely,

Travis Quella – Founder

715 225 3343

BOB'S HOUSE FOR DOGS BUILDING ADDITION

E3015 CTY RD HH
ELEVA, WI 54738

L&P PROJECT NO: 24046

GENERAL

- G100 TITLE SHEET, SHEET INDEX, PROJECT LOCATION MAPS
- G101 EGRESS PLAN, CODE ANALYSIS
- G102 BUILDING COMPONENTS

CIVIL

- C200 SITE PLAN

ARCHITECTURAL

- A200 DEMOLITION FLOOR PLAN
- A201 DEMOLITION ROOF PLAN
- A300 PROPOSED FLOOR PLAN
- A301 WALL TYPES, DOOR TYPES, FRAME TYPES, WINDOW TYPES, SCHEDULES
- A302 PROPOSED ROOF PLAN
- A400 EXTERIOR ELEVATIONS
- A500 BUILDING SECTIONS
- A600 INTERIOR ELEVATIONS
- A700 PROPOSED REFLECTED CEILING PLAN

STRUCTURAL

- S100 STRUCTURAL DESIGN NOTES



3 VICINITY MAP
N.T.S.



2 EAU CLAIRE COUNTY MAP
N.T.S.



1 STATE MAP
N.T.S.

**PRELIMINARY
NOT FOR CONSTRUCTION**

LIEN & PETERSON ARCHITECTS, INC ARCHITECTS
L&P ENGINEERS
4675 ROYAL DRIVE
EAU CLAIRE, WI 54701
715-835-7500
admin@zdlp.com

PROJECT CONTACTS:

OWNER CONTACT
MATT DELLA
matt@zdlp.com
715-835-7500
ARCHITECT / STRUCTURAL ENGINEER
LIEN & PETERSON ARCHITECTS, INC.
WILLIAM BOSTTCHER
wb@zdlp.com
715-835-7500

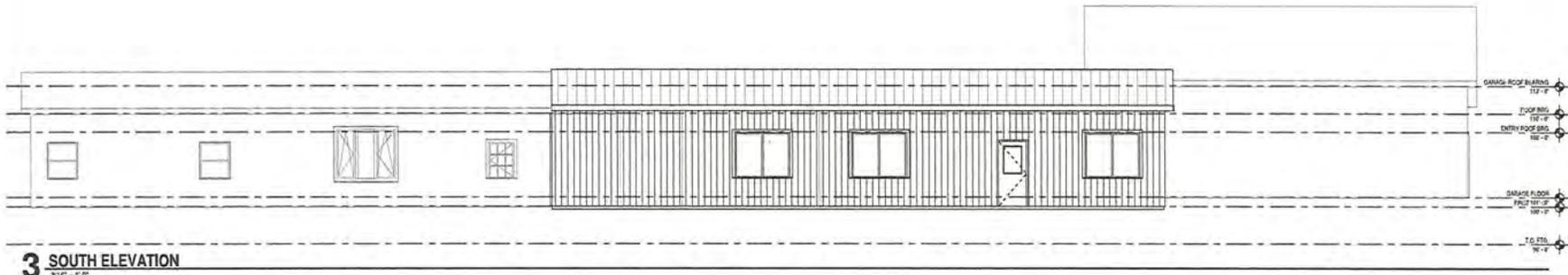
BOB'S HOUSE FOR DOGS
BUILDING ADDITION
E3015 CTY RD HH
ELEVA, WI 54738

TITLE SHEET, SHEET
INDEX, PROJECT
LOCATION MAPS

REVISIONS	NO.	DATE

08.16.2024
G100
L&P PROJECT # 24046

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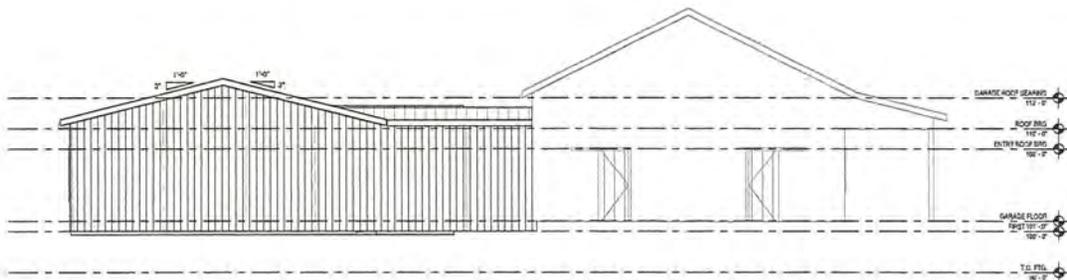


3 SOUTH ELEVATION
3/16" = 1'-0"

**PRELIMINARY
NOT FOR CONSTRUCTION**



2 NORTH ELEVATION
3/16" = 1'-0"



1 EAST ELEVATION
3/16" = 1'-0"

ARCHITECTS
L&P
ENGINEERS

LIEN & PETERSON ARCHITECTS, INC
4675 ROYAL DRIVE
EAU CLAIRE, WI 54701
715-835-7500
admin@2djp.com

**BOB'S HOUSE FOR DOGS
BUILDING ADDITION**
E3015 CTY RD HH
ELEVIA, WI 54738

EXTERIOR ELEVATIONS

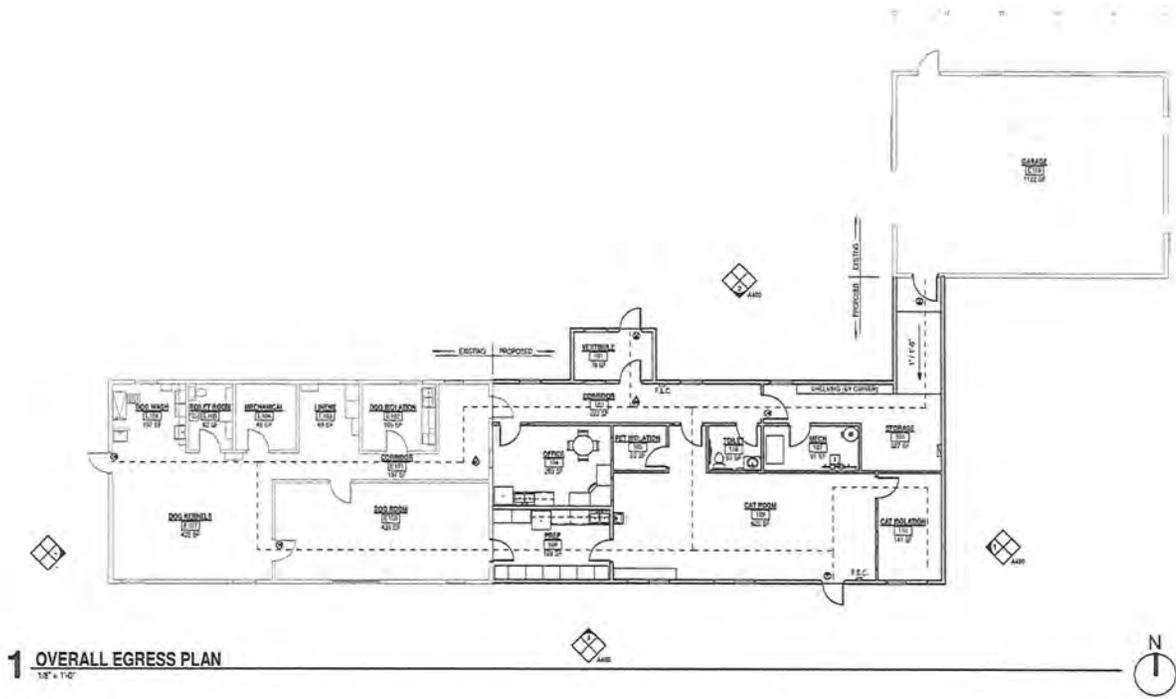
REVISION	DATE

DATE: 08.16.2024

A400

L&P PROJECT # 24046

**PRELIMINARY
NOT FOR CONSTRUCTION**



1 OVERALL EGRESS PLAN
1/8" = 1'-0"

CODE ANALYSIS		
BUILDING CODE	IBC 2015	
ACCESSIBILITY CODE	ICC ANS A117.1 (2009)	
CONSTRUCTION TYPE	III	
OCCUPANCY GROUP	B	
OCCUPANT LOAD	31	
ALLOWABLE BLDG HT & SF	3	5,888
AREA INCREASE	NA	
PROPOSED BLDG HT & SF	1 STORY	2,189 SF
FIRE SUPPRESSION	1.50A	
MAX TRAVEL DISTANCE	200'	
EXIT (REQ'D PROVIDED)	2 EA.	2 EA.
WORK AREA	2,103 SF	
PARKING (REQ'D PROVIDED)	NA	NA
TOILET ROOM (REQ'D PROVIDED)	1 EA.	1 EA.

CODE LEGEND	
⊕	EXIT LIGHT
- - -	PATH OF EGRESS
⊕	NEW EXTINGUISHER ORIENT AND EXTINGUISHER
⊕	BRACKET MOUNTED FIRE EXTINGUISHER

LIEN & PETERSON ARCHITECTS, INC
 ARCHITECTS
L&P
 ENGINEERS
 4675 ROYAL DRIVE
 EAU CLAIRE, WI 54701
 715-835-7500
 admin@l2p.com

**BOB'S HOUSE FOR DOGS
 BUILDING ADDITION**
 6305 CTY RD HH
 ELEVA, WI 54735

EGRESS PLAN, CODE
 ANALYSIS

REVISION	DATE

DATE: 08.16.2024

G101

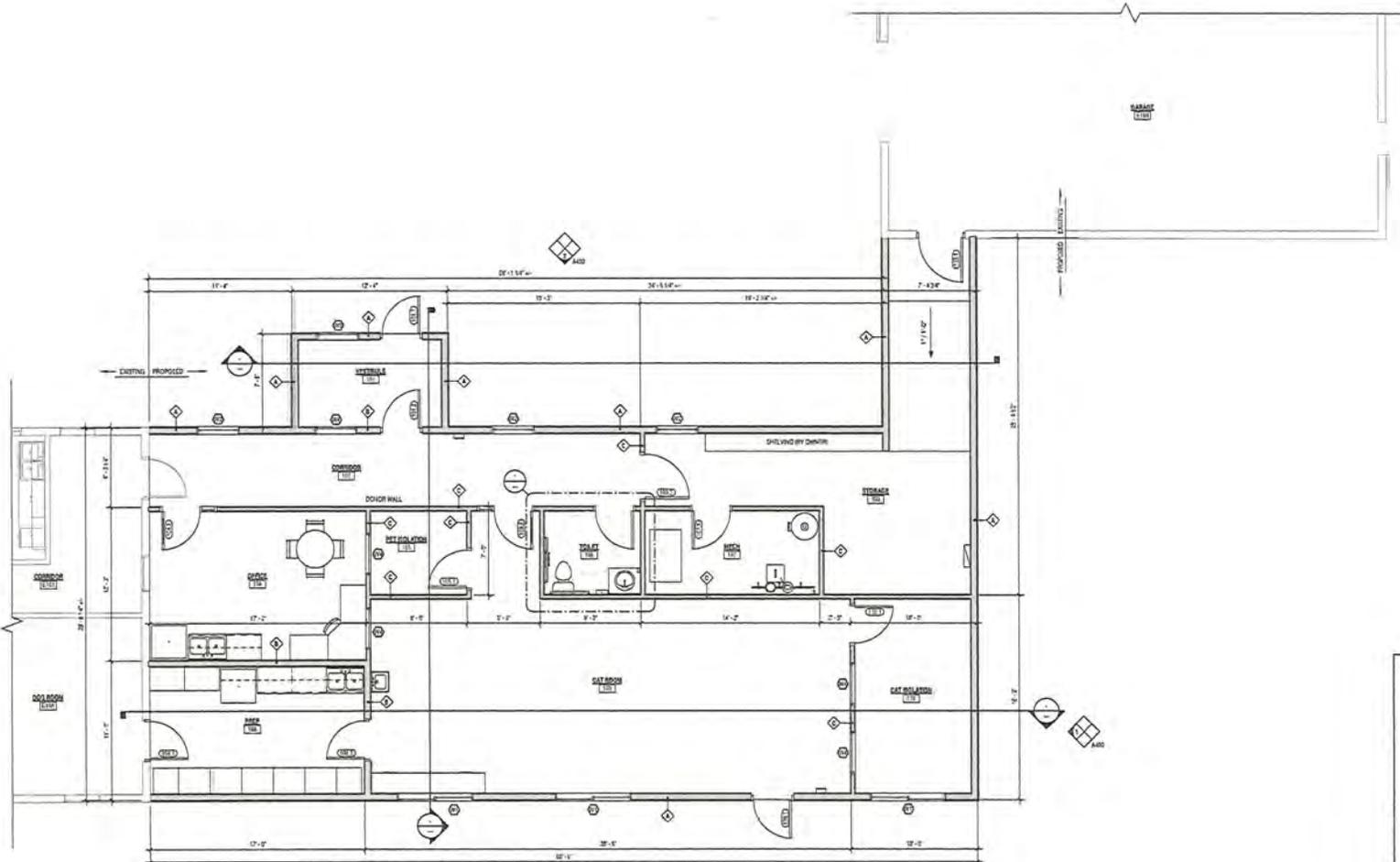
L&P PROJECT # 24046

**PRELIMINARY
NOT FOR CONSTRUCTION**

GENERAL FLOOR PLAN NOTES:

- INTERIOR AND EXTERIOR FINISHES
- EXTERIOR STUD WALLS: FACE OF EXTERIOR SIDE OF STUD
- OPENING EDGES OF STUDS
- EXTERIOR STUD WALLS: FACE OF STUD, NOMINAL
- WOOD BLOORING
- PROVIDE FOLD DOWN BLOORING FOR ALL WALL AND SOFFIT EXPOSED PRODUCTS AND EQUIPMENT INDICATED ON DRAWINGS
- PROVIDE CORNER GUARD PROTECTION AT ALL OUTSIDE CORNERS
- DOOR FRAMES SHALL BE LOCATED 1/2" FROM ADJACENT WALL
- WALLS 0" THICKNESS NOTED
- SPIN @ WALLS TO HAVE CONTROL JOINTS @ 30" O.C. MAX. TYP.
- REQUIRED ADA COMPLIANCE AT PLUMBING FIXTURES INDICATED WITH SHAPED LINES

KEYED FLOOR PLAN NOTES:



FLOOR PLAN LEGEND:

	ROOM TAG
	DOOR TAG
	ELEVATION TAG
	SECTION TAG
	WINDOW TAG
	WALL TAG
	ELEVATION DATUM
	CURTAIN

ARCHITECTS
L&P
ENGINEERS

LIEN & PETERSON ARCHITECTS, INC
4675 ROYAL DRIVE
EAU CLAIRE, WI 54701
715-835-7500
admin@l&p.com

**BOB'S HOUSE FOR DOGS
BUILDING ADDITION**
E305 CITY RD HH
ELEVIA, WI 53758

PROPOSED FLOOR PLAN

REVISION	NO.	DATE

05.16.2024
A300

L&P PROJECT # 2404n

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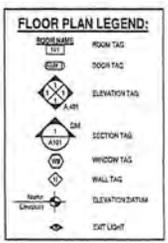
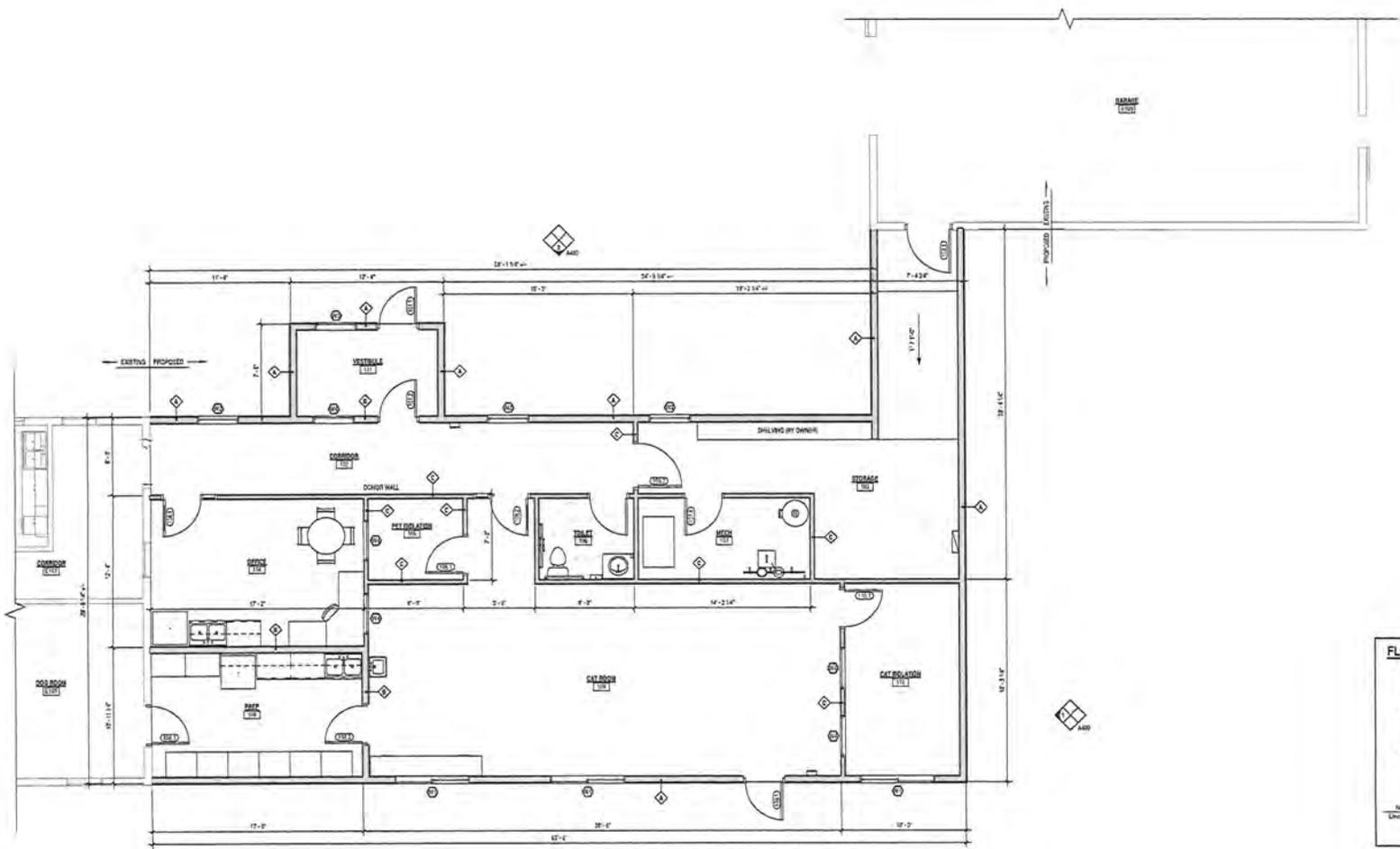
1 FIRST FLOOR PROPOSED
1/4" = 1'-0"

**PRELIMINARY
NOT FOR CONSTRUCTION**

GENERAL FLOOR PLAN NOTES:

- INTERIOR AND EXTERIOR FINISHES
- EXTERIOR STUO WALLS: FACE OF EXTERIOR SIDE OF STUO
- CROWN: EDGES OF EXTERIOR
- INTERIOR STUO WALLS: FACE OF STUO, NOMINAL
- WOOD BLOCKING
- PROVIDE SOLID WOOD BLOCKING FOR ALL WALL AND SOFFIT
- PROVIDE PRODUCTS AND EQUIPMENT INDICATED ON DRAWINGS
- PROVIDE CORNER GUARD PROTECTION AT ALL OUTLETS CORNERS
- DOOR FRAMES SHALL BE LOCATED 1" FROM ADJACENT WALL
- SEE ALL DIMENSION NOTES
- SPROG @ WALLS TO AIR CONTROL JOINTS @ 24" O.C. MAX. TYP.
- INSURE ALL C/F FINANCES AT PLUMBING FITTINGS CONDUCTED WITH DRAINAGE LINES.

KEYED FLOOR PLAN NOTES:



1 FIRST FLOOR PROPOSED
1/4" = 1'-0"

ARCHITECTS
L&P
ENGINEERS

LIEN & PETERSON ARCHITECTS, INC
PO BOX 925
EAU CLAIRE, WI 54701
715-835-7500
admin@l2p.com

BOB'S HOUSE FOR DOGS
BUILDING ADDITION
E805 CITY RD HH
ELEVIA, WI 53738

PROPOSED FLOOR PLAN

DATE: 08.16.2024
A300
L&P PROJECT # 24046

8/16/2024 10:09:15 AM

E3015 County HH

Created by: Quella, T



- Addresses
- Address Labels
- Parcels
- Parcel Numbers
- Parks
- Towns
- Surrounding Counties
 - Eau Claire
 - Surrounding
- Platted_Lands
 - Assessor Plat or Subdivision
 - Certified Survey Map
 - Condominium
 - Plat of Survey
 - Transportation Plat
- Sections
- Rivers and Streams
- Lakes and Rivers
- Flood Hazard Zones
 - 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
 - A
 - AE
 - X
- Interstate
- US Highway
- State Highway
- Ramp
- Major Arterial
- Minor Arterial
- Collector
- Local
- Private Drive
- Recreation
- Service
- Other

CONDITIONAL USE PERMIT #CUP2007-22

On Tuesday, July 24, 2007 the Eau Claire County Committee on Planning and Development approved the issuance of a conditional use permit for an animal kennel to foster dogs for adoption, Town of Pleasant Valley, Eau Claire County, Wisconsin and subject to the following conditions:

1. The site plan that was submitted with the application shall be revised to include the following: the location of the driveway and access to the kennel; the location of a parking lot as required by the code; the location of the fenced area; and the location of any facilities that may be used for animal waste management such as dumpsters or other storage areas. The revised site plan shall be submitted to the Department of Planning and Development and shall be attached to and made a part of the permit.
2. A floor plan, drawn to scale, shall be drawn up for the kennel and submitted to the Department of Planning and Development showing the following: location and size of kennels; aisles between kennels; storage facilities for animal waste; other storage facilities for food and other materials used in the operation of the kennel; any office space and/or reception area; space for washing or grooming animals; and bathroom facilities.
3. The kennel is to be used as an adjunct to Humane Association kennels. Boarding of dogs for private individuals or breeding of dogs for sale shall not be allowed. A new conditional use permit shall be required for boarding of dogs for private individuals or breeding dogs for sale.
4. An animal waste management plan shall be submitted to the Land Conservation Division of the Department of Planning and Development.
5. The hours of operation during which clients who may adopt dogs can visit the property shall be from 8:00 am – 8:00 pm by appointment only, Monday through Sunday. The hours that dog may be allowed outside in the fenced area for exercise shall be between 8:00 am and 8:00 pm daily and the caretaker shall supervise the dogs at all times. Individual dogs may be allowed outside under supervision by the owner or other caretaker one-at-a-time at any hour for sanitary purposes.
6. All lighting shall be shielded and deflected in such a way that light does not encroach on neighboring parcels.
7. Any signs shall meet the requirements of Section 18.26.020.E of the Zoning Code. All new signs shall require the issuance of a land use permit by the Planning Department.
8. The applicant shall obtain all other necessary permits and approvals including but not limited to a land use permit, commercial building permit, and sanitary permit.
9. The owner shall allow staff from the Eau Claire County Department of Planning and Development to enter the property at reasonable times to inspect the premises for compliance with the conditions of this permit.
10. The permit is subject to Sections 18.21.080 to 18.21.100 of the Zoning Code. These provisions establish when a conditional use permit lapses, the conditions under which it can be revoked, and when a CUP expires due to the abandonment of a use.
11. No more than 12 dogs shall be allowed in the kennel at any given time.
12. There shall be at least one caretaker on the premises at all times during the hours of operation. Caretakers may include volunteers who have agreed to work for the kennel and the owners of the property.

Under Section 18.21.080 of the county zoning code, a conditional use permit shall lapse and become void one year after the approval of the committee unless a certificate of occupancy has been issued or a land use permit has been issued.

Under Section 18.21.090, this permit is subject to revocation or modification of or further conditioning by the Committee if:

A. The Committee finds that there has been noncompliance with any of the conditions established above.

B. The Committee finds that the use for which this permit is hereby granted is so exercised as to be substantially detrimental to persons or property in the neighborhood of the use. Any such revocation shall be preceded by a public hearing and heard in the following manner.

CONDITIONAL USE PERMIT # CUP-0014-16

On Tuesday, November 15, 2016, the Eau Claire County Committee on Planning and Development approved the issuance of a conditional use permit to amend CUP2007-22 to allow for 20 dogs onsite for Bob's House in the A-2 District in the Town of Pleasant Valley, Eau Claire County, Wisconsin, and subject to the following conditions.

1. The site plan that was submitted with the application shall be revised to include the following: the location of the driveway and access to the kennel; the location of a parking lot as required by the code; the location of the fenced area; and the location of any facilities that may be used for animal waste management such as dumpsters or other storage areas. The revised site plan shall be submitted to the Department of Planning and Development and shall be attached to and made a part of the permit.
2. A floor plan, drawn to scale, shall be drawn up for the kennel and submitted to the Department of Planning and Development showing the following: location and size of kennels; aisles between kennels; storage facilities for animal waste; other storage facilities for food and other materials used in the operation of the kennel; any office space and/or reception area; space for washing or grooming animals; and bathroom facilities.
3. The kennel is to be used as an adjunct to Humane Association kennels. Boarding of dogs for private individuals or breeding of dogs for sale shall not be allowed. A new conditional use permit shall be required for boarding of dogs for private individuals or breeding dogs for sale.
4. An animal waste management plan shall be submitted to the Land Conservation Division of the Department of Planning and Development.
5. The hours of operation during which clients who may adopt dogs can visit the property, shall be from 8:00 a.m. – 8:00 p.m. by appointment only, Monday through Sunday. The hours that dog may be allowed outside in the fenced area for exercise shall be between 8:00 a.m. and 8:00 p.m. daily and the caretaker shall supervise the dogs at all times. Individual dogs may be allowed outside under supervision by the owner or other caretaker one-at-a-time at any hour for sanitary purposes.
6. All lighting shall be shielded and deflected in such a way that light does not encroach on neighboring parcels.
7. Any signs shall meet the requirements of Section 18.26.020.E of the Zoning Code. All new signs shall require the issuance of a land use permit by the Planning Department.
8. The site plan that was submitted with the application shall be attached to and made a part of the permit.
9. No more than 20 dogs shall be allowed in the kennel at any given time.
10. There shall be at least one caretaker on the premises at all times during the hours of operation. Caretakers may include volunteers who have agreed to work for the kennel and the owners of the property.

11. The Land Use Manager can approve minor alterations from the terms of the permit. A major change does require the approval of the committee at a public hearing.
12. The owners shall allow staff from the Department to enter the property at reasonable times to inspect the premises for compliance with the conditions of this permit.
13. The permit is subject to Sections 18.21.080 to 18.21.100 of the Zoning Code. These provisions establish when a conditional use permit lapses, the conditions under which it can be revoked, and when a CUP expires due to the abandonment of a use.

Under Section 18.21.080 of the county zoning code, a conditional use permit shall lapse and become void one year after the approval of the committee unless a certificate of occupancy has been issued or a land use permit has been issued.

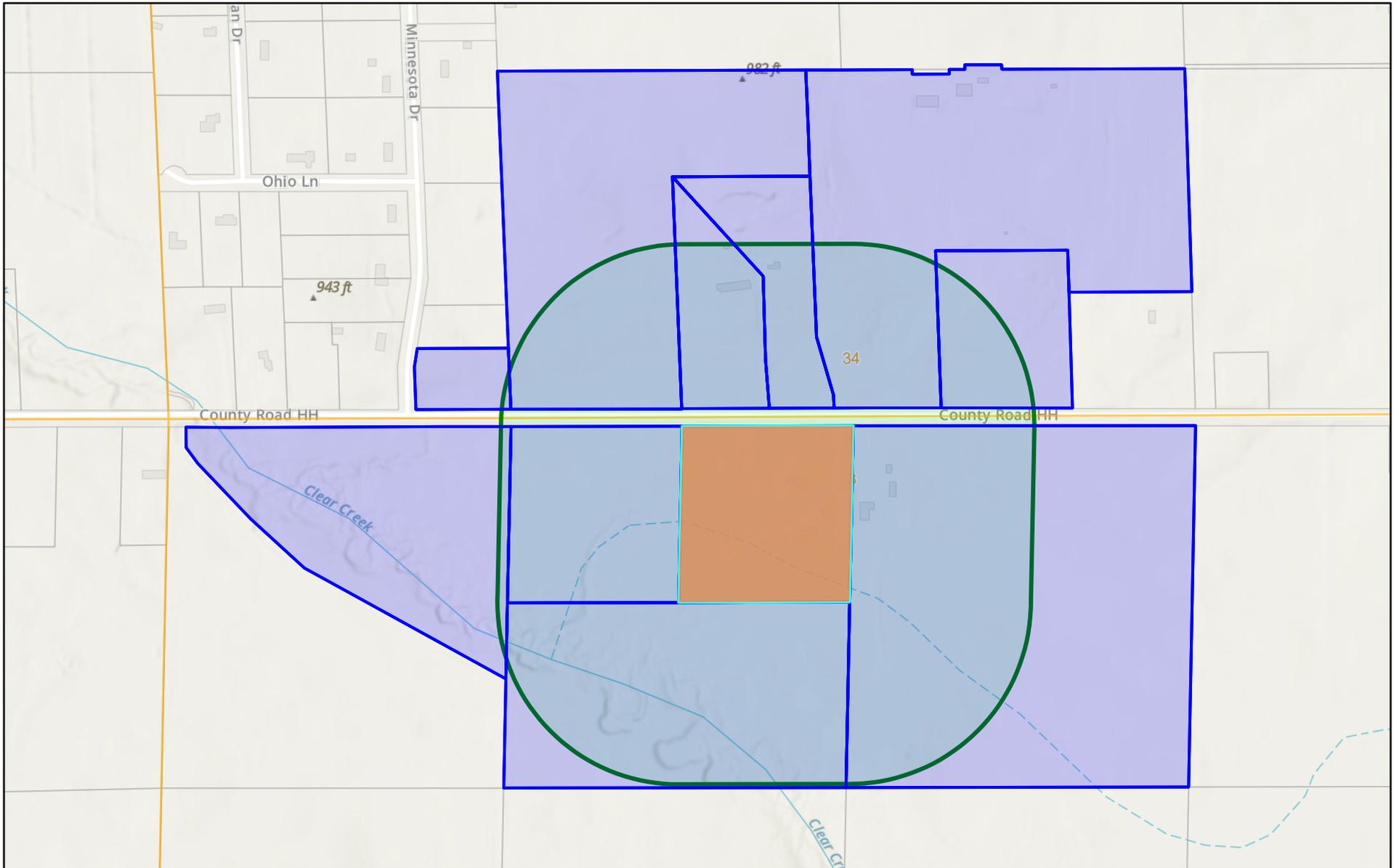
Under Section 18.21.090, this permit is subject to revocation, modification, or further conditions by the committee if:

- A. The committee finds that there has been noncompliance with any of the conditions established above.
- B. The committee finds that the use for which this permit is hereby granted is so exercised as to be substantially detrimental to persons or property in the neighborhood of the use. Any such revocation shall be preceded by a public hearing, and heard in the manner described below.

Whenever, in the opinion of the Land Use Supervisor, or the committee, the conditions required of this conditional use permit have been violated, the Land Use Supervisor shall call a hearing to be held on the matter of revocation of said permit by providing notice of a hearing as described in the Eau Claire County Zoning Code. In addition, the owner of the property, as described by the most current tax rolls of Eau Claire County, shall be served by mail with an order to show cause.

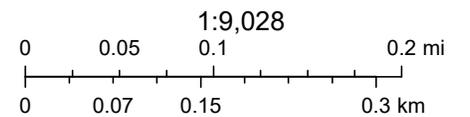
After the revocation hearing has been conducted, the committee may revoke or modify the original permit, or deny the revocation.

Public Notification



12/18/2024, 11:06:04 AM

 County Boundary  Tax Parcel
 Section



Esri, NASA, NGA, USGS, FEMA, Esri Community Maps Contributors, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph,

FirstName LastName	Address	City State Zip
WAYNE C & CONSTANCE J ROINESTAD	E 3065 COUNTY ROAD HH	ELEVA WI 54738-9017
BETH PALCHIK	E2853 COUNTY ROAD HH	ELEVA WI 54738
CANDYCE LUND	S9530 COUNTY ROAD I	ELEVA WI 54738-9161
DEPT NATURAL RESOURCES STATE OF WISCONSIN	PO BOX 7921	MADISON WI 53707-7921
CALEB ZIEGLER	E3150 COUNTY ROAD HH	ELEVA WI 54738-9018
CHRISTOPHER SEBESTA	S10229 MINNESOTA DR	ELEVA WI 54738
CHRISTIAN FLATEN	S 10095 MINNESOTA DR	ELEVA WI 54738-2201
JEFFREY JACKSON	E3130 COUNTY ROAD HH	ELEVA WI 54738-9018

2
3 TO AMEND SECTION 18.13.030 OF THE CODE: DIMENSIONAL STANDARDS; TO
4 AMEND SECTION 18.50.030 OF THE CODE: DIMENSIONAL STANDARDS; TO AMEND
5 SECTION 18.18.030 OF THE CODE: AGRICULTURE CONSERVATION-RESIDENTIAL
6 (AC-R); TO AMEND SECTION 18.33.030 D. (TABLE) USES NOT LISTED; TO AMEND
7 SECTION 18.47.030 G. 2. OF THE CODE: ACCESSORY DWELLING UNITS; TO AMEND
8 SECTION 18.53.030 A. 1. OF THE CODE: SITING & CONSTRUCTION OF ANY NEW
9 TELECOMMUNICATION TOWER & FACILITIES AND CLASS 1 COLLOCATION; TO
10 AMEND SECTION 18.54.110 B. 2. OF THE CODE: TEMPORARY RESIDENTIAL USES; TO
11 AMEND SECTION 18.71.040 D.,E., F. AND G. OF THE CODE: ACCESS DRIVEWAYS; TO
12 AMEND SECTION 18.85.020 A. 2. OF THE CODE: APPLICABILITY; TO AMEND SECTION
13 18.125.030 B. OF THE CODE: FEES FOR LAND USE PERMITS; TO AMEND SECTION
14 18.134.030 A. OF THE CODE: STRUCTURAL REPAIRS, ALTERATIONS & EXPANSIONS;
15 TO RENUMBER SECTION 18.162.010 A. 33. THROUGH 115. TO 34. THROUGH 116. OF
16 THE CODE: PURPOSE; TO CREATE SECTION 18.162.010 A. 33. OF THE CODE:
17 PURPOSE; TO RENUMBER SECTION 18.162.010 A. 116. THROUGH 329. TO 118.
18 THROUGH 331. OF THE CODE: PURPOSE; TO CREATE SECTION 18.162.010 A. 117. OF
19 THE CODE: PURPOSE; TO AMEND SECTION 18.162.010 A. 177. And 282. OF THE CODE:
20 PURPOSE;

21
22 The County Board of Supervisors of the County of Eau Claire does ordain as follows:
23

24 SECTION 1. That Section 18.13.030 of the code be amended to read:

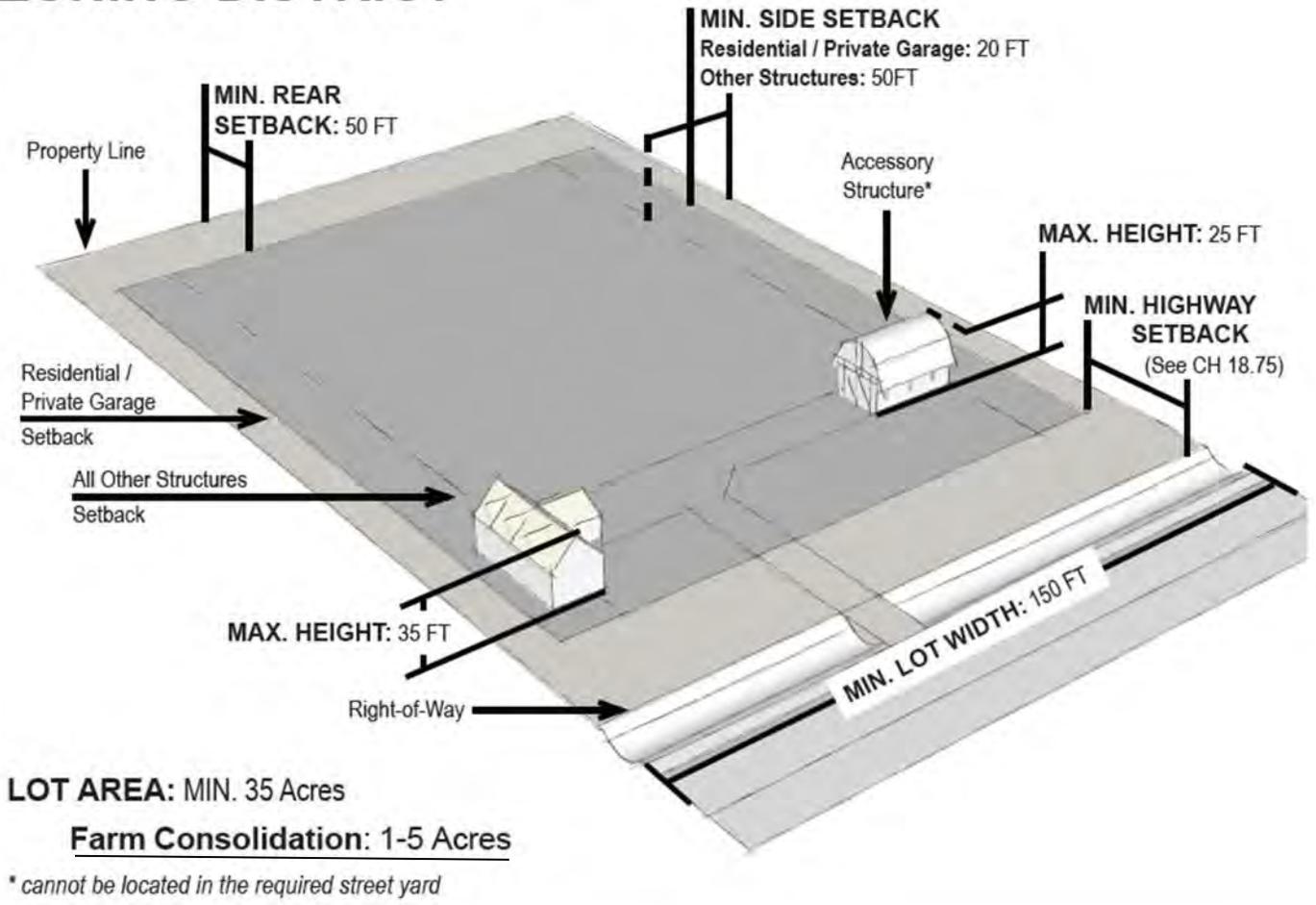
Lot Area (min)	35 ac
	<u>The lot size for a farm residence or structure, which existed prior to the adoption of the ordinance codified in this subtitle, or which is situated upon a parcel or lot separated and distinct from a principal parcel acquired through farm consolidation or acquisition, shall be a minimum of 1 acre with a maximum lot size of 5 acres.</u>
Lot Width (min)	150 ft
Height (max):	
<i>Agricultural Structures</i>	No max
<i>Residential Structures</i>	35 ft
<i>Accessory Structures</i>	25 ft
Street Yard:	
<i>Highway Setback (min)</i>	See Section 18.71, Access Management & Driveways
<i>Accessory Structures</i>	Cannot be located within the required street yard
Side Setback (min):	

25

<i>Residential Structures</i>	20 ft
<i>Private Garages</i>	20 ft
<i>All Other Structures</i>	50 ft
Rear Setback (min)	50 ft

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2

A-P: AGRICULTURAL PRESERVATION ZONING DISTRICT



3
4

SECTION 2. That Section 18.50.030 be amended to read:

Sections:

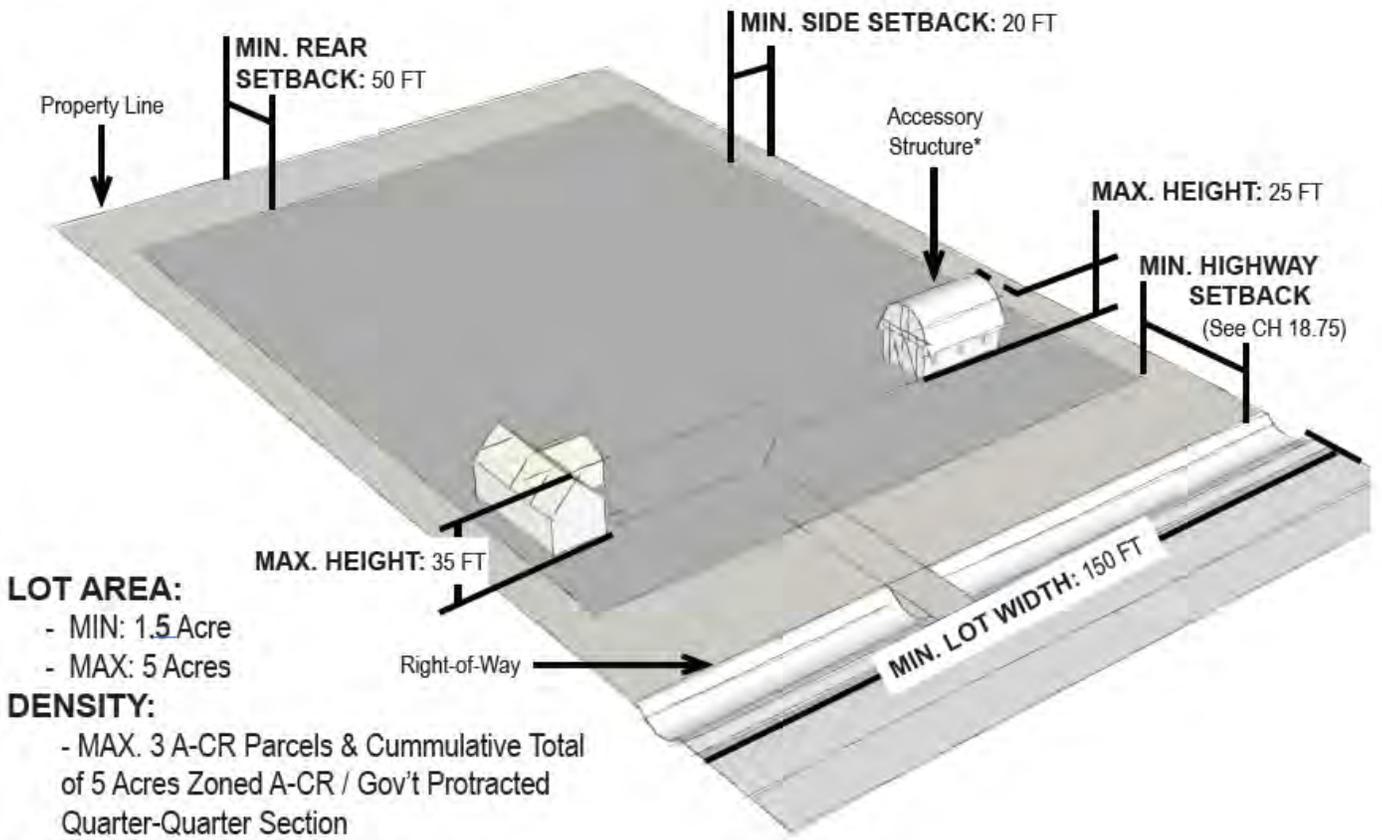
18.15.010 Purpose.
18.15.020 Permitted & conditional uses
18.50.030~~15.030~~ Dimensional standards.

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1 SECTION 3. That Section 18.18.030 Figure be amended to read:
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Figure 18.18.030 AC-R Dimensional Standards

A-CR: AGRICULTURAL-CONSERVATION RESIDENTIAL ZONING DISTRICT



LOT AREA:
- MIN: 1.5 Acre
- MAX: 5 Acres

DENSITY:
- MAX. 3 A-CR Parcels & Cumulative Total of 5 Acres Zoned A-CR / Gov't Protracted Quarter-Quarter Section

* cannot be located in the required street yard

3

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1 SECTION 4. That Subsection D. of Section 18.33.030 of the code be amended to read :

2

USE TABLE																		
P = Permitted Principal Use C = Conditional Principal Use A = Permitted Accessory Use blank cell = Prohibited																		
	A-P	A-1	A-2	A-3	A-R	AC-R	RH	R-L	R-1	R-2	R-3	C-1	C-2	C-3	I-L	I-1	F-1	F-2
Use Category																		
AGRICULTURE, FORESTRY, & NATURAL RESOURCES																		
<i>Agricultural & Horticultural:</i>																		
Agricultural Accessory Uses*	A	A	A	A												A	A	A
Agricultural Processing	C ⁴	C														P		
Agri-Tourism	P ³	P	P	P													P	P
Apiculture (Beekeeping)	P	P	P	P	P	P	A	A	A	A	A							
Aquaculture	P	P	P	P											P	P		P
Community Garden	P ²	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

3

RESIDENTIAL																		
	A-P	A-1	A-2	A-3	A-R	AC-R	RH	R-L	R-1	R-2	R-3	C-1	C-2	C-3	I-L	I-1	F-1	F-2
<i>Residences:</i>																		
Caretaker Residence*													A	A	A	A		
Dwelling, Accessory* Accessory Dwelling Units, as specified under 18.47.010*	A ¹	A	A	A	A	A	A	A	A									A
Dwelling, Multiple-Family											P	C	C					
Dwelling, Single-Family*		P	P	P	P	P	P	P	P	P	C	P		C				P

4

WAREHOUSING, STORAGE, & DISTRIBUTION																		
	A-P	A-1	A-2	A-3	A-R	AC-R	RH	R-L	R-1	R-2	R-3	C-1	C-2	C-3	I-L	I-1	F-1	F-2
Building & Landscaping Materials Suppliers														P		P		
Contractor's Office and Storage Yards														C				

5

6

ACCESSORY USES*																		
	A-P	A-1	A-2	A-3	A-R	AC-R	RH	R-L	R-1	R-2	R-3	C-1	C-2	C-3	I-L	I-1	F-1	F-2
Accessory activities and uses not expressly listed here, but customarily associated with permitted or conditional principal uses												P	P	P	P	P	P	P
<i>Other:</i>																		

Mail Kiosks							P	P	P	P	P	P	P	P	P	P		
Non-commercial alternative energy facilities: solar or wind energy	p ³	P	P	P	P	P	P	P	P	P	P	p	p	P	p	p	p	P
Non-commercial alternative energy facilities such as biofuels & methane digesters	p ³														P	P		
<i>Residential:</i>																		
Rental of principal or secondary residences in existence on a farm as of January 1, 2014 and no longer utilized in the operation of a farm	P																	
Accessory Dwelling Units, as specified under 18.47.010	P	P	P	P	P	P	P	P	P	P								P

*Permission, standards, and location determined by [Subtitle III, Use Regulations](#). Use regulations may apply whether the use is permitted, conditional, or accessory.

¹ All residential uses in the A-P District shall meet the definition of a farm residence in . Chapter 18.162.

² Conditional uses in the A-P District shall meet the applicable siting criteria of Wis. Stat. §§ 91.46.

³ Accessory uses in the A-P District shall also comply with Wis. Stat. §§ 91.44 or Wis. Stat. §§ 91.46 and shall meet the use definition in Wis. Stat. §§ 91.01 (1).

⁴ Agricultural uses in the A-P District shall also comply with Wis. Stat. §§ 91.44 or Wis. Stat. §§ 91.46 and shall meet the use definition in Wis. Stat. §§ 91.01 (23).

SECTION 5. That paragraph 2. of Subsection G. of Section 18.47.030 of the code be amended to read:

1. 1,200 square feet – includes ~~attached garages, basements, and four-season rooms; excludes attached garages, basements,~~ three season rooms, decks and porches.

SECTION 6. That paragraph 1. of Subsection A. of Section 18.53.030 of the code be amended to read:

1. A ~~conditional~~ land use permit is required for the siting and construction of any new telecommunications tower or facility.

SECTION 7. That subparagraph c. of paragraph 2. of Subsection B. of Section 18.54.110 of the code be amended to read:

a. Must be tied down, ~~though~~ if a foundation is not required.

SECTION 8. That Subsections D., E., F. and G. of Section 18.71.040 of the code be amended to read:

~~D. Driveway Location and Number.~~

~~1. Location of Driveways.~~

~~a. Driveway access for corner lots shall be to a minor road if a minor road is present.~~

~~b. If no minor road is present or if the terrain (wetlands, etc.) prevents access to the minor road, then the driveway access location shall be determined by the Highway Department.~~

~~2. Number of Driveways.~~

~~a. One (1) driveway access is allowed. A corner lot shall not receive access to each road.~~

~~b. The Highway Department may grant exceptions for large corner lots.~~

~~E.D.~~ Maximum Surfaced Width of Driveways. The maximum surfaced width of driveways is specified in Table 8.71.040-1.

Table 18.71.040-1 Maximum Surfaced Width of Driveways.

Zoning District	Maximum Width
Agricultural & Forestry (A-P, A-1, A-2, A-3, F-1, F-2)	36 feet
Residential (A-CR, RH, R-L, R-1, R-2, R-3)	24 feet
Commercial (C-1, C-2, C-3)	36 feet
Industrial (I-L, I-H)	36 feet

1 ~~F.E.~~ Driveway Slope. A driveway shall slope down and away from the road at a
 2 minimum 2% grade and a maximum 5% grade for the first 10 feet from the edge of the shoulder
 3 to minimize water flowing onto the public road.

4 ~~G.F.~~ Maintenance Responsibility. The property owner or occupant is responsible for the
 5 construction, maintenance, and replacement of a driveway and any associated drainage culvert.

6

1 SECTION 9. That paragraph 2. of Subsection A. of Section 18.85.020 of the code be
2 amended to read:

3
4 2. This subtitle applies to any division of a lot, parcel, or tract of land,
5 including divisions under land contract, for the purpose of transfer of ownership or building
6 construction where the act of division creates a Lot of less than 40 contiguous acres excluding
7 one quarter (1/4) of one quarter (1/4) section as defined as the original Public Land Survey
8 System and condominium developments, all located within the unincorporated areas of the
9 county.

10
11 SECTION 10. That Subsection B. of Section 18.125.030 of the code be amended to read:

12
13 B. A double fee shall be charged by the department if construction or structural
14 alteration is started or a use is changed prior to the issuance of a land use permit. The fee may be
15 increased to a maximum of quadruple the original fee at the discretion of the Planning and
16 Development Department Director. Such ~~double~~-fee shall not release the applicant from full
17 compliance with this subtitle nor from prosecution for violation of this subtitle.

18 SECTION 11. That Subsection A. of Section 18.134.030 of the code be amended to
19 read:

20
21 A. Structural Repairs, Alterations, & Expansions Prohibited. Structural repairs,
22 alterations, and expansions to nonconforming structures are prohibited, except as provided in
23 subsections B. and C. ~~through D.~~ below.

24
25 SECTION 12. That paragraphs 33. through 115. be renumbered to 34. through 116. of
26 Subsection A. of Section 18.162.010.

27
28 SECTION 13. That paragraph 33. of Subsection A. of Section 18.162.010 be created to
29 read:

30 33. “Bathroom” means a water closet lavatory and a bathtub or shower as
31 defined in Wis. Admin. Code ch. SPS 382.

32
33 SECTION 14. That paragraphs 116. through 329. be renumbered as 118. through 331.
34 of Subsection A. of Section 18.162.010.

35
36 SECTION 15. That paragraph 117. of Subsection A. of Section 18.162.010 of the be
37 created to read:

38
39 117. “Finished Side, Fence” the side of the fence that does not contain any
40 exposed structural elements. When an equal number of structural elements are visible from both
41 sides of the fence, it can be considered finished on both sides.

42
43 SECTION 16. That paragraphs 177. and 282. of Subsection A. of Section 18.162.010 of
44 the code be amended to read:

45
46 177. “Lot of Record” A Lot legally created and recorded on a deed with the

1 Eau Claire County Register of Deeds prior to the effective date of this Title, which is July 18,
2 2023. A Lot of Record may include multiple tax parcels but may not include more than one tax
3 parcel created by subdivision plat or certified survey map
4

5 282. “Special Event, Minor” A Special Event with a duration and location as
6 specified in Section 18.54.~~060~~100 D.(1)
7

8 **Committee on Planning & Development**

9		<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
10	Caleb Aichele	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11	Jim Dunning	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12	Robin Leary	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13	Michele Skinner	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14	Dane Zook	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

15
16
17 Dated this 14 day of January, 2025.
18

19 ATTEST:

20
21
22 _____
23 Rodney Eslinger – Committee Clerk
24 Resolution 24-25.094

**Planning and Development
December 2024**

The following bills were sent to the Finance Department for payment:

Planning

Vendor	Amount	Description	Line Item#
Town of Pleasant Valley	100,000.00	Broadband Infrastructure Project	201-00-57195-819-000
Town of Washington	91,000.00	Broadband Infrastructure Project	201-00-57195-819-000
ECC Highway	68.76	September Fuel	100-15-56920-330-000
ECC Highway	1,751.27	Bike Sign Installation	405-15-57730-820-000
ECC Highway	1,170.64	Bike Sign Installation	201-15-57730-810-000
ECC Highway	225.05	October Fuel	100-15-56920-330-000
APG	98.81	11/12 & 12/10 Public Hearing Notices	100-15-56920-321-000
Dave Hayden	825.00	BEAD Consulting Services	100-15-56925-200-749
Matt Michels	37.45	October Mileage Reimbursement	100-15-56920-330-000
Rod Eslinger	34.84	November Mileage Reimbursement	100-15-56920-330-000

Resurvey

Vendor	Amount	Description	Line Item#

Emergency Management

Vendor	Amount	Description	Line Item#
Valerie Desio	58.00	November EM Supplies Reimbursement	100-15-52924-390-000
Valerie Desio	220.61	December EM Supplies Reimbursement	100-15-52924-390-000

Recycling

Vendor	Amount	Description	Line Item#
GFL Environmental	44,710.80	November Curbside	211-15-53635-201-000
GFL Environmental	8,527.30	November Dropsite	211-15-53635-208-000
Town of Wilson	120.00	October Recycling Attendant	211-15-53635-208-000
WRR	1,130.50	November Clean Sweep	211-15-53636-200-745
First Choice Computer Recycling	3,862.61	November Electronics & Batteries	211-15-53636-309-745
Trash on Trucks	5,332.86	November Curbside	211-15-53635-201-000
Village of Fairchild	130.45	November Recycling Attendant	211-15-53635-208-000
Waste Management	41,836.08	November Curbside	211-15-53635-201-000
Town of Drammen	1,564.00	Recycling Attendant	211-15-53635-208-000
Town of Wilson	150.00	November Recycling Attendant	211-15-53635-208-000

Land Conservation

Vendor	Amount	Description	Line Item#
Alvin Peterson	5,360.00	2024 SEG	207-15-56924-200-707
Barbara Zempel	165.50	WA-24-07	207-15-56924-390-703
Kathleen Dennis	350.00	WA-24-08	207-15-56924-390-703
Charles Scott	1,000.00	2024 NMFE	207-15-56924-200-708
Matthew Krenz	1,250.00	2024 NMFE	207-15-56924-200-708
Tyler Hart - Hart Farms	1,215.00	2024 NMFE	207-15-56921-200-708
Todd Stanek	1,065.00	2024 NMFE	207-15-56924-200-708
Don Von Haden	1,000.00	2024 NMFE	207-15-56924-200-708
Brent Bredlau	735.00	2024 NMFE	207-15-56924-200-708
Bears Grass Dairy	1,250.00	2024 NMFE	207-15-56924-200-708
Derek Frank	272.00	2024 NMFE	207-15-56924-200-708
National Association of Conservation Districts	27.00	NACD Dues (<i>additional payment - full amount \$102.00</i>)	100-15-56922-324-000
Chippewa Valley Energy Coperative	31,328.46	Financial Assurance Release (SW-21-02)	100-00-23172-000-000
John Menard III	3,602.00	Financial Assurance Release (SW-22-05)	100-00-23172-000-000
Rebecca Maug	65,635.47	Financial Assurance Release (SW-23-08)	100-00-23172-000-000
Northland Excavating LLC	17,149.46	BD-23-09 DATCP	207-15-56924-200-706
Northland Excavating LLC	1,224.96	BD-23-09 BOND	207-15-56924-200-706
Graeff	3,492.50	Storwater Contracted Services	100-15-56922-200-000
Lake Eau Claire Protection & Rehab	44,919.41	Lake EC Sediment & Aeration Costs	405-15-57730-829-000
RTK Mobile	30.00	GPS Data	100-15-56920-226-000

Planning and Development

December 2024

Quality Seamless Gutters_Henchen	100.00	BD-23-09 BOND	207-15-56924-390-703
Quality Seamless Gutters_Henchen	1,500.00	BD-23-09 DATCP	207-15-56924-200-706
Alpha Nurseries	1,421.00	Tree Sale Order	100-15-56922-829-701
Voyager	164.67	November Fuel	100-15-56920-330-000
Paint Creek Nursery	2,748.00	Tree Sale Order	100-15-56922-829-701

Division	Totals
Planning	195,211.82
Resurvey	-
Emergency Management	278.61
Recycling	107,364.60
Land Conservation	187,005.43
Total	302,855.03

Plan Commission Workshop



Baldwin, St. Croix County
December 18, 2024
<https://bit.ly/CLUEworkshops>



What is your role?

- Elected Official
- Plan Commission / Zoning Committee
- Zoning Board of Adjustment / Appeals
- Planning and Zoning Staff
- Clerk, Administrator, Other

Rebecca Roberts
Center for Land Use Education
roberts@uwsp.edu



Key Takeaways

- Three primary tools – comprehensive plan, zoning ordinance, subdivision ordinance
- Zoning basics – rezones, conditional uses
- Roles and responsibilities

Three Most Common Land Use Tools



Comprehensive Plan describes the future vision of the community and how to achieve that vision.



Subdivision Ordinance regulates the division of land, street and lot layout, and public improvements.

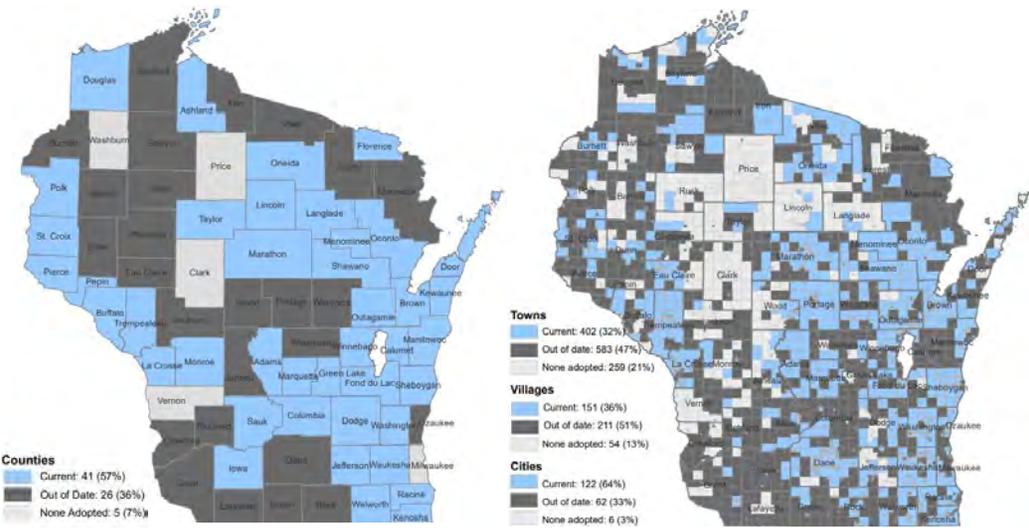
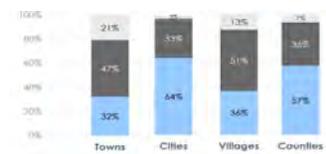


Zoning Ordinance regulates land use, density, and dimensions of lots and structures.

Comprehensive Plan

Comprehensive Plan Currency

■ Current ■ Out of date ■ No comprehensive plan



2023 Wisconsin Comprehensive Plan and Local Land Regulations Inventory Report
<https://doa.wi.gov/DIR/2023-Comp-Plan-and-Land-Regs-Inventory-Report.pdf>

<https://www.sccwi.gov/Comprehensive-plan>



Comprehensive Plan Update Project

St. Croix County Comprehensive Plan Updates
 The St. Croix County Comprehensive Plan 2024-2045 was adopted by the St. Croix County Board of Supervisors on March 5th 2024.

[St. Croix County Comprehensive Plan 2024-2045](#)

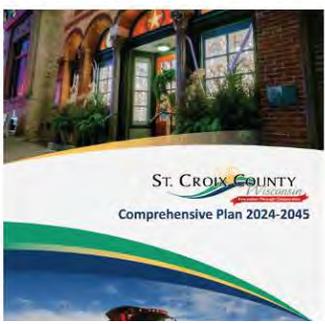
The St. Croix County Comprehensive Plan 2024-2045 PDF includes a drop-down menu Table of Contents that can be utilized to navigate the document by clicking the upper-left contents icon.

St. Croix County is updating the county's Comprehensive Plan document, last adopted in 2012. The plan update process is being facilitated by St. Croix County staff under the guidance of the County Board of Supervisors, and the Community Development Committee. The process began in August 2022 and is anticipated to proceed through March 2024.

[Notify me](#) - Share your email address to receive project updates.

Plan Purpose

In accordance with Wisconsin Statutes 66.1001 Comprehensive planning, the purpose of this Comprehensive Plan is to



Contact Us

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When we plan, we're deciding how we want our community to look, function, and feel. We create a comprehensive plan, but this is not just the title of a document, it's the description of a process, too.

Comprehensive Plan

- Statement of community’s long-term vision
- Includes goals, objectives, policies, data and maps
- Recommendations to implement plan (i.e. regulations, design guidance, funding, voluntary programs, etc.)

(Wis Stat. 66.1001)



Image: City of New London Plan Commission, <http://communityplanningandconsulting.com>

The Legal Framework

Wisconsin’s Comprehensive Planning Law provides structure for the plan and process:

- Address 9 elements
- Include written public participation procedures
- Distribute plan for review and comment
- Plan commission recommends plan
- Governing body adopts plan by ordinance
- Update at least once every 10 years

(Wis Stat. 66.1001)

Nine Required Elements

-  Issues & Opportunities
-  Housing
-  Transportation
-  Utilities & Community Facilities
-  Agricultural, Natural & Cultural Resources
-  Economic Development
-  Intergovernmental Cooperation
-  Land Use
-  Implementation

Flexibility: Add Elements



Rename / Reframe



Overarching Themes



Consistency Requirement

- New or amended zoning, land division, and official mapping ordinances must be consistent with an adopted comprehensive plan
- Consistent means “furthers or does not contradict the objectives, goals and policies contained in the comprehensive plan”

Guiding Document



Comprehensive Plan

Guiding Document



Comprehensive Plan

Regulatory Tools to Implement the Plan



Zoning Ordinance



Subdivision Ordinance



Official Map

Non-Regulatory Tools to Implement the Plan



Specific Plans



Programs



Funding

Questions

- Do you have a copy of your plan?
- How are you using your plan?
- When did you last update it?

Common Answers

- Consult when making development decisions
- Provide input on county zoning (rezones)
- Prioritize capital spending/road improvements
- Support for grant applications

Grant Opportunities

- Many require updated plans to be eligible
- Bonus points when you plan/prioritize projects
- Ready source of data and maps to justify project and determine eligibility
- Partner with county, RPC, or consultants to update plans and seek grants

Example

KNOWLES-NELSON STEWARDSHIP GRANTS

KNOWLES-NELSON STEWARDSHIP PROGRAM



Knowles-Nelson Stewardship funds support several DNR-administered grant programs. Available to local governments and nonprofits, Stewardship grants fund recreational development and conservation land purchases statewide.

REQUIRED

Comprehensive Outdoor Recreation Plan:

(Required) The project is identified in or supports a goal identified in a Comprehensive Outdoor Recreation Plan approved by the applicant or the county where the applicant resides.

BONUS POINTS

Comprehensive Plan:

(1 point) The applicant has or is developing a comprehensive plan with provisions that support intergovernmental cooperation.

(1 point) The proposed project is supported by or included in the applicant's comprehensive plan.

River/Lake Management Plan:

(1 point) For land acquisition projects, the proposed acquisition will contribute significantly to the overall success of an urban river project or comprehensive riverway or lake management plan.

Other Plans:

(1 point) The project is referenced in or supports other applicable plans, such as a local green space plan, integrated resource management plan, riverfront restoration plan, water quality plan, or other applicable plan adopted by the governing body

<https://dnr.wisconsin.gov/topic/Stewardship/ApplyLUG>

Example

New Loan Programs



Vacancy to Vitality Loan: converts vacant and underutilized commercial properties to housing.



Restore Main Street Loan: rehabs second and third-floor rental housing over commercial space.



Infrastructure Access Loan: covers the costs of installing, replacing, upgrading, or improving public infrastructure related to workforce housing or senior housing.

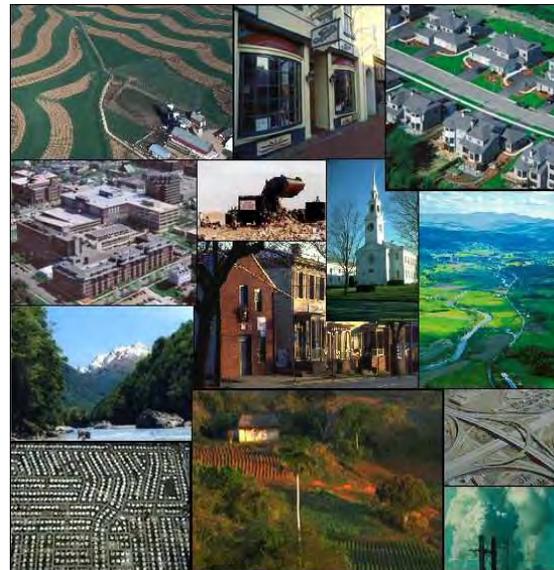
Important Statutory Requirements

The municipality must:

1. Confirm that it has updated the housing element of its comprehensive plan within five years.
2. Ensure its comprehensive plan is updated at least once every 10 years and is compliant with other Wisconsin Statutes.
3. Make changes to ordinances or regulations to decrease the costs for new workforce housing developments.



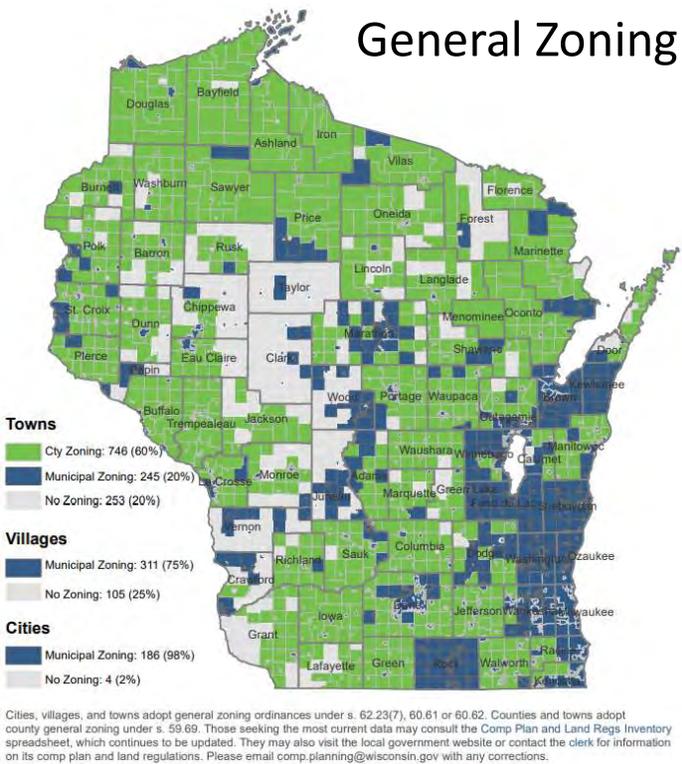
Why do we have zoning?



Zoning is one tool to achieve community goals such as:

- Public health, safety, and welfare
- Natural resource protection
- Community character and aesthetics
- Protection of public and private investments

General Zoning by Municipality



Counties

- May adopt general zoning in unincorporated areas with town approval
- Required to administer shoreland, wetland and floodplain zoning

Towns

- May adopt general zoning if no county zoning, or with county approval following adoption of village powers

Cities and Villages

- May adopt general zoning
- May adopt extra-territorial zoning up to 1½-3 miles
- May have shoreland or floodplain zoning (required in some circumstances)

Who administers general zoning in your community?

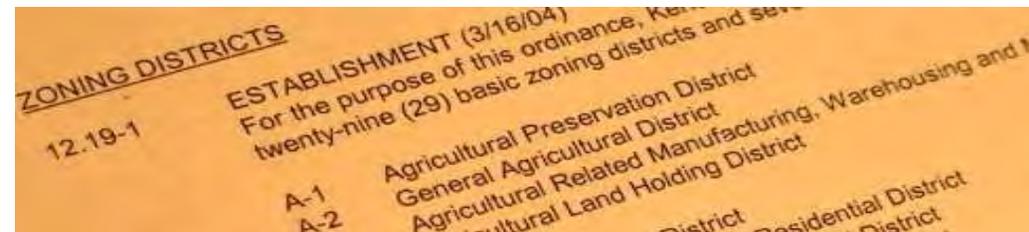
- City, village, or town zoning
- County zoning
- No zoning



Special Types of Zoning

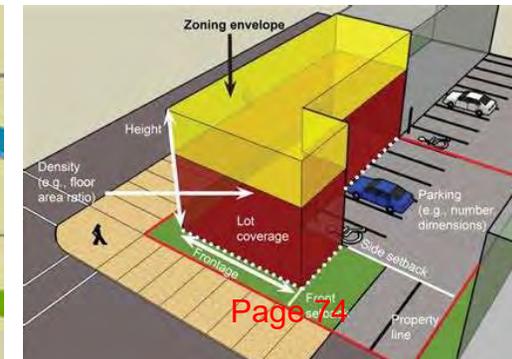
Standards may be created to protect specific resources. Rules from a “base” zoning district often apply together with rules from an “overlay” district.

- Shoreland zoning
- Floodplain zoning
- Wellhead protection
- Airport protection
- Historic overlay
- Bluff or steep slopes
- Farmland preservation



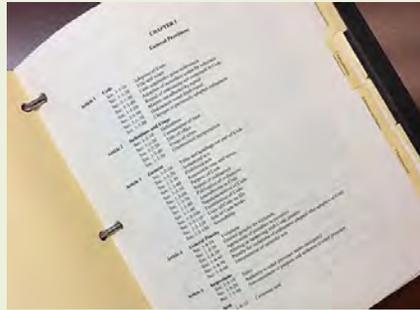
Map – Divides the community into zoning districts

Text – Describes regulations that apply community wide or within each district



Basic Elements of Zoning

- Purpose statements
- Zoning districts
- Allowed uses
- Dimensional standards
- Development standards
- Administrative procedures



Section 1.1	Section Heading
A.	Subsection Heading
I.	Paragraph heading.
a.	Subparagraph heading.
(1)	Clause.

A

Purpose Statements

- Purpose statements provide justification for regulations
- Help elected and appointed officials, zoning staff, and courts interpret and apply regulations
- Statements may be found in several locations throughout ordinance

*LEGAL BASIS:
PROTECT HEALTH, SAFETY,
WELFARE OF CITIZENS*

B

Zoning Districts



Residential		
R-1	One Family	
R-2	1-2 Family	
R-3	1-3 Family/Townhouse	
R-4	Multifamily Low-Rise	
R-5	Multifamily Mid-Rise	
R-6	Multifamily High-Rise	
Commercial		
C-1	Neighborhood	
C-2	Community	
C-3	Regional	
Industrial		
I-1	Light	
I-2	Medium	
I-3	Heavy	
Mixed-Use		
MX-1	Low-Density RES/COMM	
MX-2	Med-Density Res/Comm/Ind	
MX-3	High-Density Res/Comm/Ind	
Other		
INST	Institution	
PARK	Parks/Open Space	
CEM	Cemetery	
EWR/S	Airport/Airport Support	
PORT	Port Industrial	
RDV	Redevelopment Zone	

C

Allowed Uses

Town Center, Permitted Uses	
<ul style="list-style-type: none"> • adult day-care homes • bakery • barber shop or salon • bed and breakfast inn • bicycle shop • bookstore • candy, pastry, ice cream, or snack shop • child day-care homes • copy center • delicatessen • financial institution • florist • fruit and vegetable market • general office • gift shop • hardware/garden supply store • health and fitness facility • hotel/motel • instructional services • laundry and dry cleaning • medical clinic • neighborhood retail establishments 	<ul style="list-style-type: none"> • multi-family dwelling units • pharmacy • place of worship • plant nurseries, sales & greenhouses • police, fire or rescue station • post office • printing and publishing • restaurants • retail sales • single-family, attached dwelling unit • single-family, detached dwelling unit • theaters • video rental store
Town Center, Conditional Uses	
<ul style="list-style-type: none"> • automobile service station • car wash • motor vehicle repair • retail gasoline • veterinary 	

D Dimensional Standards

Dimensional Standards

LOT DIMENSIONS

A. Minimum Lot Width:
60 feet

B. Minimum Lot Depth:
100 feet

SETBACKS

A. Maximum Front Building Setback: Min. 25' setback from 441, max. 15' setback from internal street

B. Minimum Side Building Setback: 5 feet

C. Minimum Rear Building Setback: 10 feet

LOT COVERAGE

Maximum Impervious Surface Coverage: 80%

Maximum FAR (Floor Area Ratio): 2.0

Minimum Common Open Space: 15%

HEIGHT

Maximum Structure Height:
A. Primary: 45 feet*
B. Accessory: 35 feet*

E Development Standards

Development Standards

Dumpster Enclosures	Sect. 6.3	Building Massing	Sect. 7.3
Utility Equipment	Sect. 6.4	Building Façade Character	Sect. 7.4
Exterior Lighting	Sect. 6.5	Roof Form & Articulation	Sect. 7.5
Landscaping	Sect. 6.6	Rooftop Equipment	Sect. 7.6
Buffers	Sect. 6.7	Franchise Architecture	Sect. 7.7
Fences	Sect. 6.8	Architecture Unity	Sect. 7.8
Stormwater Mgmt.	Sect. 6.9	Signage	Article 8
Bldg Material & Color	Sect. 7.1	Viewshed Protection	Article 9
Building Height	Sect. 7.2	Parking	Article 10

F Administrative Procedures

Division IV: Administration and Permits

Chapter 17.30 Planning Authorities Division IV, Page 1

17.30.010 PurposeDivision IV, Page 1

17.30.020 City CouncilDivision IV, Page 1

17.30.030 Planning Commission.....Division IV, Page 1

17.30.040 Community Development Director.....Division IV, Page 2

17.30.050 Zoning Administrator.....Division IV, Page 3

17.30.060 Summary of Review Authorities for Decisions and Appeals.....Division IV, Page 4

Chapter 17.31 Common Procedures Division IV, Page 5

17.31.010 PurposeDivision IV, Page 5

17.31.020 Application Forms and Fees.....Division IV, Page 5

17.31.030 Pre-Application Review.....Division IV, Page 6

17.31.040 Review of Applications.....Division IV, Page 6

17.31.050 Environmental ReviewDivision IV, Page 7

17.31.060 Public NoticeDivision IV, Page 7

17.31.070 Conduct of Public Hearings.....Division IV, Page 8

17.31.080 Timing and Notice of Action and Findings RequiredDivision IV, Page 9

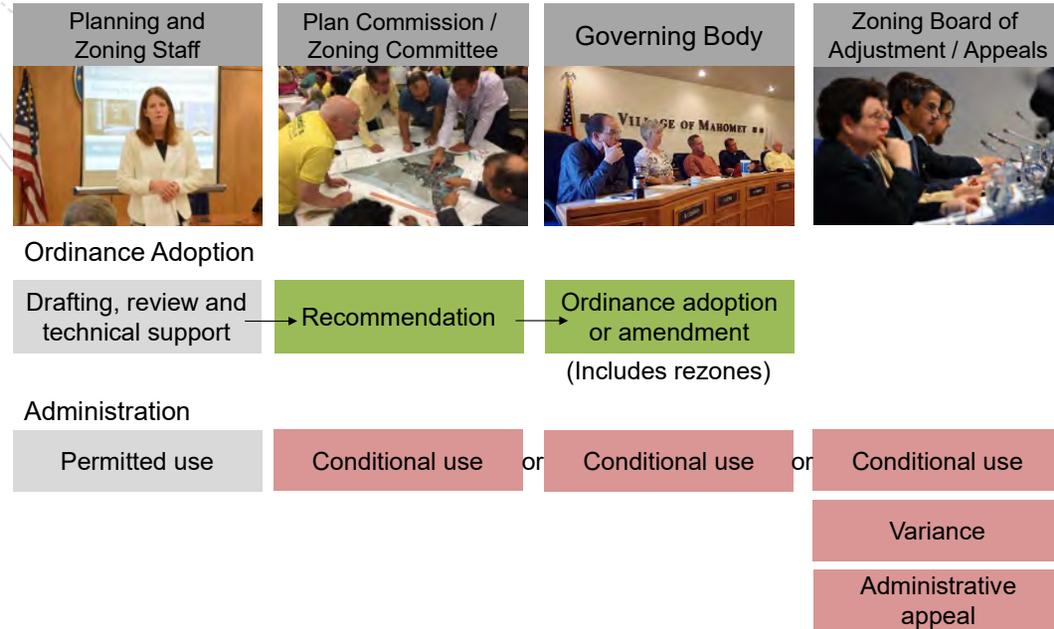


Common Zoning Decisions

1. **Permitted Use** – use that is listed and allowed by-right within a given zoning district
2. **Conditional Use** – use that is listed and may be allowed, subject to local ordinance requirements and conditions
3. **Rezone or Zoning Amendment** – change to zoning ordinance map or text
4. **Variance** – relaxation of an ordinance standard that may be allowed by zoning board when state standards are met
5. **Administrative Appeal** – contested decision or interpretation of zoning ordinance

Who Does What?

Let's Review!
Role of Local Officials



Types of Decisions



Legislative

Exercise broad discretion in making policy.

Example:

- Plans
- **Ordinances**
- **Amendments**
- Rezones

Responsibility of governing body, with recommendation of plan commission.



Quasi-Judicial

Exercise limited discretion in evaluating proposals and applying policy.

Example:

- **Conditional Use**
- Variance
- Administrative Appeal

Assigned to governing body, plan commission, or zoning board.



Administrative

Apply clear and objective standards while handling routine ministerial duties.

Example:

- Permitted Use

Handled by the zoning administrator or staff.



Legislative

Create new standards that apply to the community as a whole or a broad segment of the community.

Broad discretion

- Must be reasonable and constitutional.
- Broad public participation encouraged.
- No concern about discussion outside of hearing.



vs. Quasi-Judicial

Apply ordinance standards to a specific land use proposal.

Limited discretion

- Impartial decision-makers.
- Input, fact-finding, and decision-making limited to public hearing.
- Must apply ordinance as written.
- May approve or deny.
- May attach conditions to minimize negative impacts.

Zoning Amendments

Rezoning and Zoning Amendments

Text amendment – change to district regulations (i.e. allowed uses, setback, etc.)

Map amendment – change to district boundaries (often called a “rezone”)

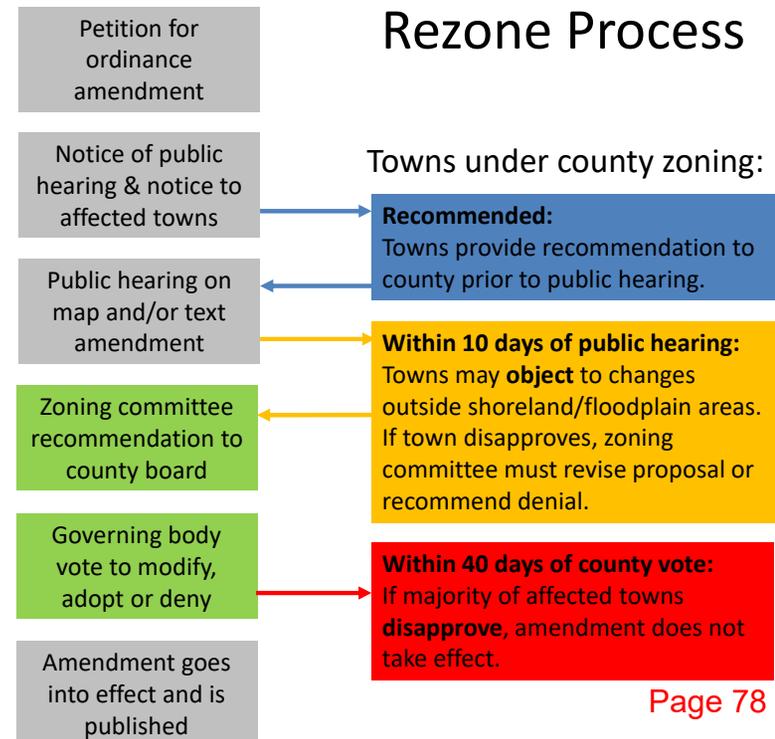
Legislative decision

- Must be reasonable and constitutional
- Consistent with comprehensive plan
- Rezone standards may be listed in zoning ordinance

Sample Rezoning Standards

- ✓ The amendment is consistent with the comprehensive plan.
- ✓ The amendment will not be detrimental to property in the immediate vicinity or to the community as a whole.
- ✓ The amendment will not have a significant adverse impact on the ability to provide adequate public facilities or services
- ✓ The amendment will not have a significant adverse impact on the natural environment (i.e. air, water, noise, stormwater management, soils, wildlife, vegetation, etc.)
or the impact could be mitigated by improvements on the site or in the immediate vicinity.

Rezone Process



Town Recommendation

- Look at town comprehensive plan – describe how the rezone is consistent with or contrary to the plan
- Look to see if there are rezoning standards found in the county ordinance – base your recommendation on these standards
- Provide facts and information, not just opinions
- Work with county to develop process for town input (notice, timeline, checklist, form)

Recommendation Form

PIERCE COUNTY WISCONSIN
 DEPARTMENT OF LAND MANAGEMENT & RECORDS
 Zoning: 715/273-6747 Planning: 715/273-6746 Fax: 715/273-6864

Pierce County Courthouse
 414 W. Main Street P.O. BOX 647
 Ellsworth, Wisconsin 54011

Town Recommendation Form

Request: Conditional Use Permit Plat Approval – Concept, Preliminary, Final (Circle One)
 Map Amendment – (Rezone) Other- _____

Applicant/Agent:

Name _____
 Site Address (if applicable) _____

Property Description: _____ ¼ of the _____ ¼, Section _____, T _____ N, R _____ W, Lot _____, Block _____,
 Subdivision _____ Town of _____

Computer # _____ - _____ - _____ Parcel # _____
 Zoning District _____ Acreage _____

A town recommendation is required as part of the application for a rezone (map amendment) or a conditional use permit. This recommendation is necessary whether a town has adopted a comprehensive plan or has not. Pierce County will seek to further each Town's planning goals when considering the establishment of conditionally permitted uses and when considering approval of a request for a rezone or map amendment.

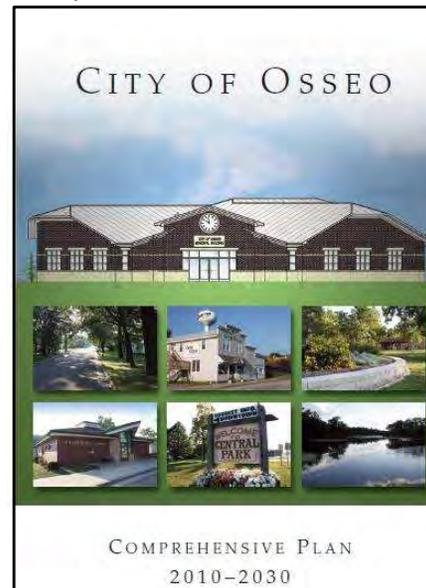
Consistency Requirement

- New or amended zoning, land division, and official mapping ordinances must be consistent with an adopted comprehensive plan
- Consistent means “furthers or does not contradict the objectives, goals and policies contained in the comprehensive plan”

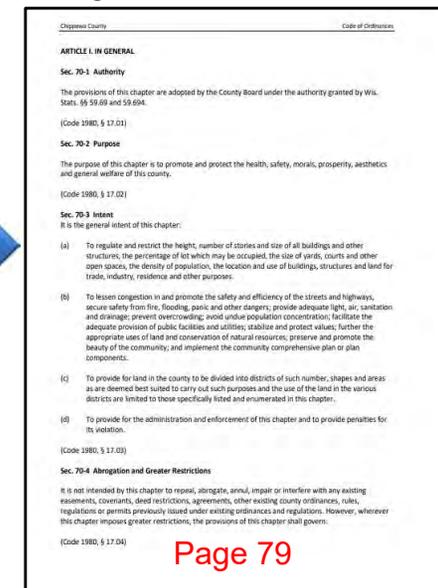
(Wis Stat. 66.1001)

Plan does not translate directly to ordinance

Comprehensive Plan



Zoning Ordinance



Plan does not translate directly to ordinance

Comprehensive Plan

Visionary/Guiding
 Future-oriented
 Inventory of existing resources
 Vision, goals, objectives, policies, tools
 Generalized future land use and other maps



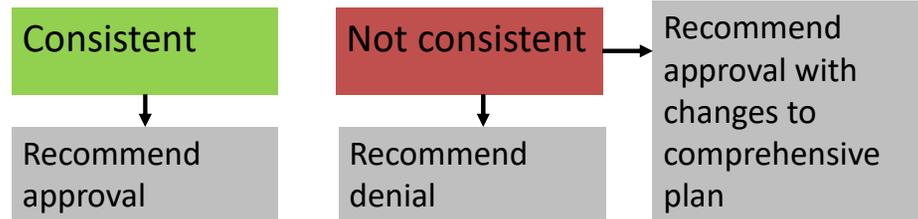
Zoning Ordinance

Regulatory
 Force of law applies today
 Detailed regulations control location, density, use, etc.
 Zoning map with detailed zoning districts

Determining Consistency

Rezone Example:

1. Look to future land use map
2. Look to text of comprehensive plan
3. Determine if proposal is consistent with plan



1. Look to future land use map

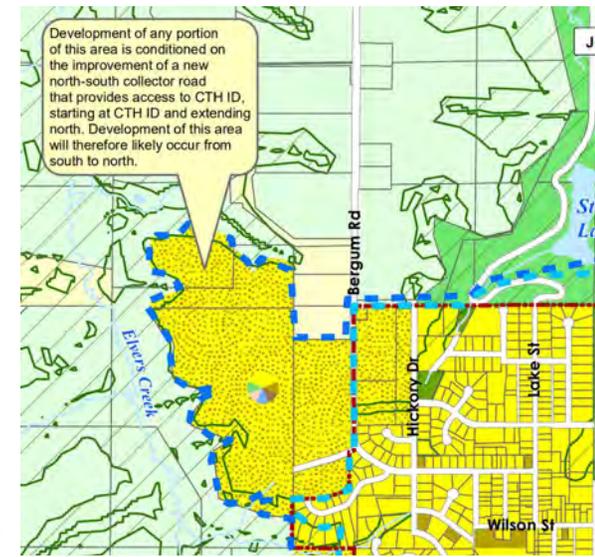
Ex. Village of Mount Horeb – Future Land Use Map

Plan specifies conditions under which growth may occur:

“development of this area is conditioned on the improvement of a new north-south collector road”

Planned Neighborhood may include:

1. Single-Family (Sewered)
2. Two-Family Residential
3. Multi-Family Residential
4. Government and Institutional
5. Neighborhood Mixed-Use
6. Parks and Recreation



Current Urban Service Area Boundary
 Potential Future Urban Service Area Boundary

Ex. Village of Mount Horeb – Future Land Use Map

Plan specifies conditions under which growth may occur:

“development of this area is constrained by utility capacity...”

“gross density is limited to 2.25 dwelling units per acre unless alternative utility arrangements are made”



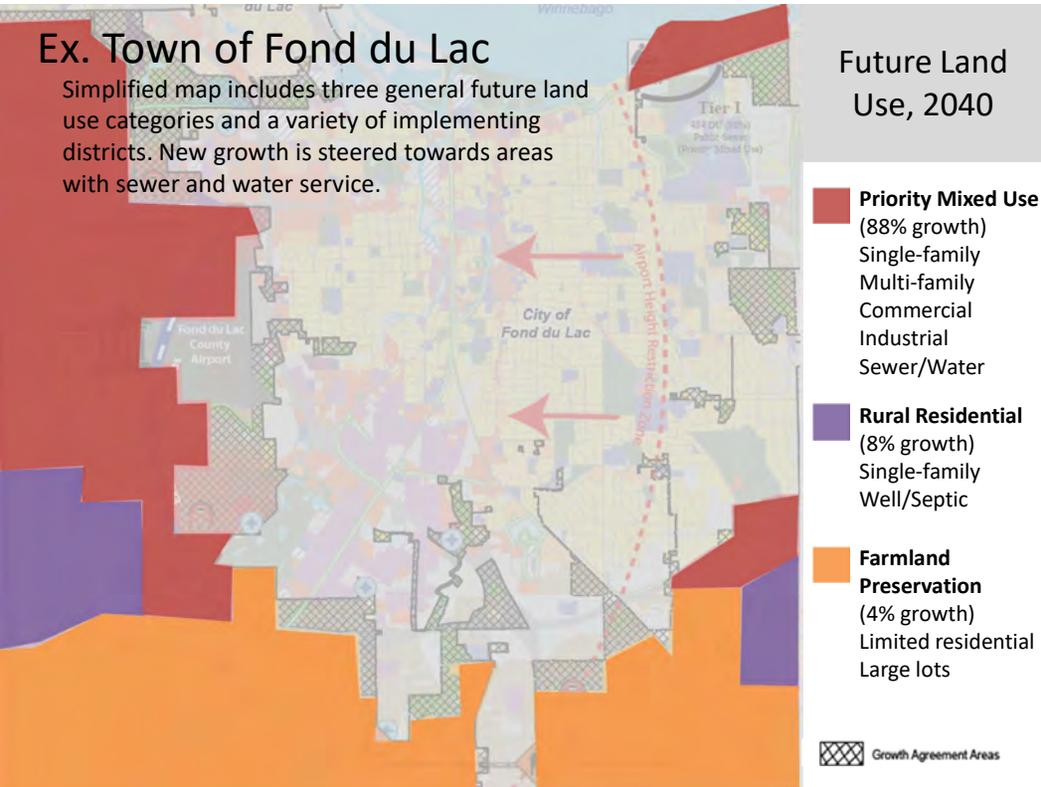
2. Look to text of comprehensive plan

Ex. Village of DeForest – Future Land Use Categories and Policies

Future Land Use Category (shown on Map 6-1)	General Description of Land Uses Allowed	Typical Implementing Zoning Districts	Lot Size and/or Density Range	Development Policies (see also Village zoning, subdivision, stormwater management, official map, and other ordinances)
Commercial	High-quality indoor retail, commercial service, office, health care, and institutional buildings on sites with generous landscaping and modest lighting and signage; served by a public sewer system (except for A-B district)	B-2 General Business (preferred) B-3 Highway Business PUD Planned Unit Development A-B Agricultural Business (in ETZ and other rural settings)	Per associated zoning district requirements	<ol style="list-style-type: none"> In addition to zoning requirements, meet commercial design policy in the Economic Development chapter. Time rezoning to when public sanitary sewer and water services available and a specific development proposal is offered. Assure that development provides access and an attractive rear yard appearance and existing and future development behind these sites. Require developments to address off-site traffic, environmental, and neighborhood impacts.
Downtown	Mix of specialty retail, restaurants, service, office, institutional, and mainly upper-story residential uses, in a pedestrian-oriented environment and mixed use buildings, with on-street parking, minimal setbacks, and buildings compatible with a downtown setting	B-1 Central Business District (preferred) PUD Planned Unit Development	See Chapter 3: Downtown for density and other site utilization recommendations for the Downtown and specific sites within it. Also see B-1 requirements	<ol style="list-style-type: none"> Encourage uses most appropriate for the Village downtown area to develop or remain there. Pay special attention to design and scale when considering approvals in the Downtown. Preserve the architectural and historic character of the core downtown historic buildings. See the Downtown chapter for more specific land use, redevelopment, and revitalization recommendations.
Office/Research	High-quality indoor professional office, research, development, and testing uses, health care facilities and other institutional uses, support uses such as day care, health club, bank, and compatible assembly operations; served by public sewer system	O-R Office and Research District (preferred) PUD Planned Unit Development B-2 General Business	Per associated zoning district requirements	<ol style="list-style-type: none"> Design and approve developments within Office/Research areas to result in higher-end 'office park' or 'office/research campus' setting. Encourage warehousing and manufacturing uses to locate away from lands designated for Office/Research use, except where the building, site, and activities are designed to blend within an office/research setting.

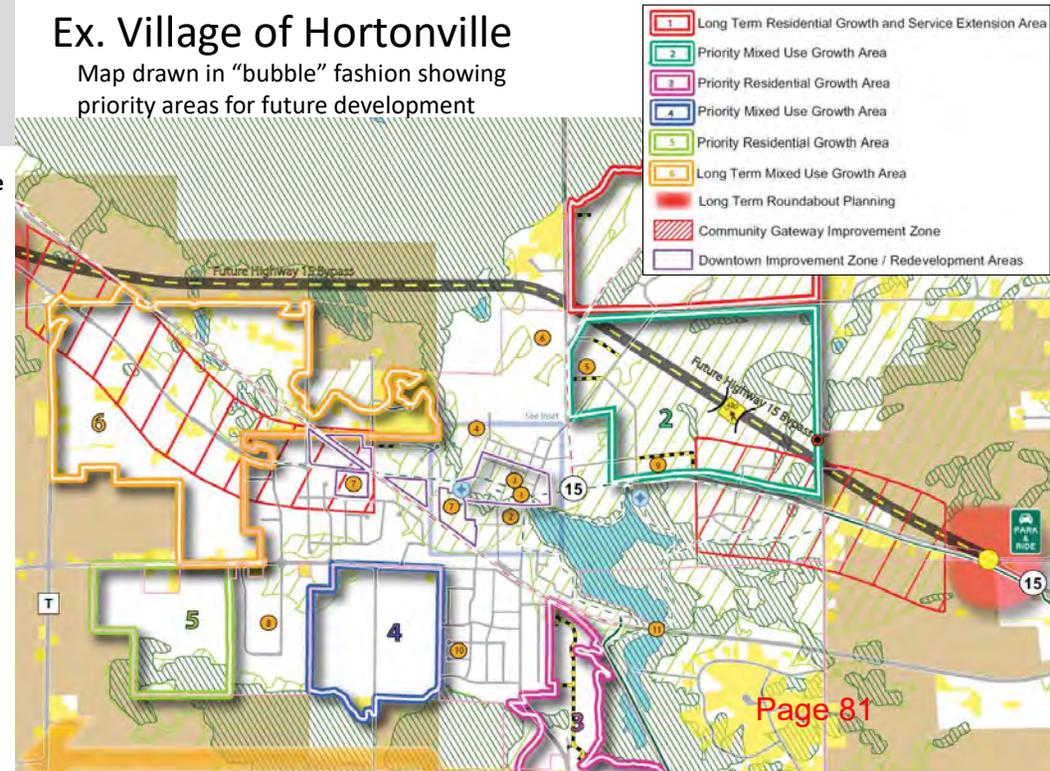
Ex. Town of Fond du Lac

Simplified map includes three general future land use categories and a variety of implementing districts. New growth is steered towards areas with sewer and water service.

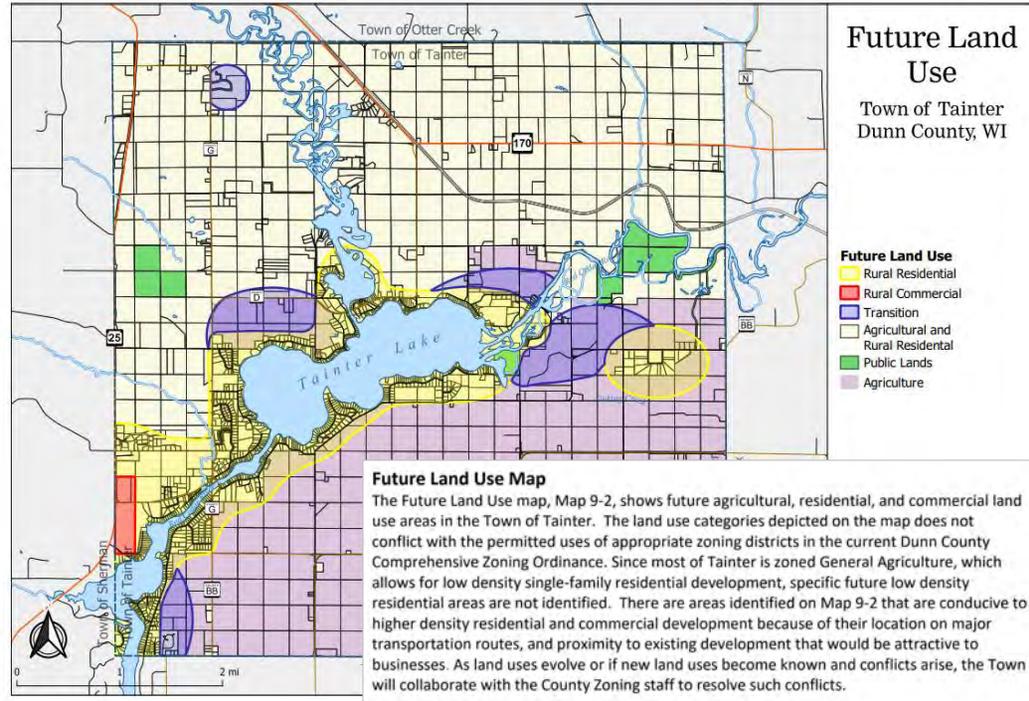


Ex. Village of Hortonville

Map drawn in “bubble” fashion showing priority areas for future development



Ex. Town of Tainter – Future Land Use Map



Ex. Town of Tainter – Text

Development Principles

When evaluating development plans and land use changes that have not been identified in the Town of Tainter Comprehensive Plan, the Town could support them if they are consistent with the goals of this Plan. To determine if the Town should consider supporting new residential, commercial, and/or industrial development, the town should review the proposal against following development principles.

Residential Development

- Evaluate the compatibility of the proposal to existing uses in the neighborhood.
 - Neighborhood means all lands adjacent to and within one-quarter mile of the proposal.
- Evaluate proposed practices/methods to mitigate or eliminate neighborhood land use conflicts caused by the proposal.
- Evaluate practices/methods to conserve/protect neighborhood agricultural lands and agricultural uses.
- Evaluate proposed practices/methods to conserve/enhance Rural Identity such as protecting natural resources, topography, native vegetation (trees, shrubs, and grasses), to maintain desirable rural aesthetics and reduce the visual impact of proposed development.
- Evaluate proposed practices/methods to address transportation issues such as connectivity (through roads), road capacity, intersections, turning lanes, speed, drainage and undue roadway wear and tear.
- Evaluate proposed practices/methods for alternative neighborhood transportation choices such as bicycle and pedestrian facilities.
- Evaluate proposed practices/methods to provide adequate infrastructure such as roads, sewer, water, drainage, and broadband.
- Evaluate proposed practices/methods to control stormwater and erosion.
- Evaluate proposed practices/methods to meet access requirements for Emergency Responders.
- Evaluate proposed practices/methods to conserve/protect Environmentally Sensitive Areas.
- Evaluate proposed practices/methods to mitigate or eliminate neighborhood nuisances, caused by the proposal, such as noise, light, dust, odor, traffic congestion, etc.
- Evaluate proposed practices/methods to address sustainability/renewables.

Examine area within 1/4 mile for impacts:

- Agriculture and rural character
- Environmentally sensitive areas
- Transportation and infrastructure
- Emergency access
- Land use conflicts and nuisances

= basis to provide input to county on zoning amendments

**Conditional Uses
(Special Exceptions)**

Uses for each district:

Permitted Use

Use is listed and allowed by right in all parts of the zoning district

Granted by zoning administrator

Conditional Use

Use is listed for the district and may be allowed if suited to the location

Decided by zoning board, plan commission, or governing body

Prohibited Use

Use is not listed for the district or is expressly prohibited

May apply for rezone or use variance, if allowed



Ex. Residential District

Sample Use Table

Permitted Uses



Conditional Uses



Prohibited Uses



P Permitted **C** Conditional - Prohibited

Zoning District	A1 Intense Agriculture	A2 Light Agriculture	RR Rural Residential	R1 Single Family	R2 Multi Family	C1 Commercial
Livestock facility	P	C	-	-	-	-
Residential poultry and beekeeping	P	P	P	C	C	-
Agricultural tourism	C	C	C	-	-	C
Agriculture-related business	P	P	C	-	-	C
Roadside stand	P	P	P	-	-	C

Which types of conditional uses are most controversial in your community?

-  Gravel pits or quarries
-  Frac sand operations
-  Large livestock farms
-  Solar or wind farms
-  Shooting ranges
-  Campgrounds
-  Other

Which body has final authority to decide conditional uses in your community?

-  Plan commission or zoning committee
-  Governing body
-  Zoning board

Conditional Uses

New law!
2017 Wis
Act 67

Definition

Conditional Use means a use allowed under a conditional use permit, special exception, or other special zoning permission, but does not include a variance



See Wis. Stat. 59.69(5e), 60.61(4e), 60.62(4e), and 62.23(7)(de)

Conditional Uses

New law!
2017 Wis
Act 67

Process

Class 2 notice, public hearing

Decision by zoning board → appeal to circuit court

Ordinance may specify alternate route, typically:

plan commission → appeal to zoning board
governing body → appeal to circuit court

(See Wis. Stat. 59.69(2)(bm), 59.694(1), 62.23(7)(e)1)

Conditional Uses

New rules!
2017 Wis
Act 67

- Ordinance must list specific uses allowed in each district and measurable criteria for judging application
- May grant or deny based on ability to meet ordinance standards
- May attach reasonable conditions related to ordinance purpose
- Conditions may limit permit duration, transfer, or renewal
- Local government and applicant must both provide “substantial evidence” supporting decision
- If applicant meets or agrees to meet all requirements and conditions, the local government must grant conditional use

Conditional Uses

New rules!
2017 Wis
Act 67

“Substantial Evidence” means:

- facts and information, other than merely personal preferences or speculation
- directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit
- that reasonable persons would accept in support of a conclusion

Types of Decisions

Legislative role in ordinance adoption and amendment



Legislative

Exercise broad discretion in making policy.

Example:

- Plans
- Ordinances
- **Amendments**
- Rezones

Responsibility of governing body, with recommendation of plan commission.



Quasi-Judicial

Exercise limited discretion in evaluating proposals and applying policy.

Example:

- **Conditional Use**
- Variance
- Administrative Appeal

Assigned to governing body, plan commission, or zoning board.



Administrative

Apply clear and objective standards while handling routine ministerial duties.

Example:

- Permitted Use

Handled by the zoning administrator or staff.

Quasi-judicial role in ordinance administration

Permit Review Checklist

Review proposal against ordinance criteria

Make sure conditions imposed are reasonable, measurable, relate to the ordinance purpose, and are supported by substantial evidence

Determine credibility of information presented

Create an adequate record of your decision to provide support if the decision is appealed

Determine if you will grant or deny based on substantial evidence

Ordinance Review Checklist

Review conditional uses listed in your ordinance

Review process for granting conditional uses (class 2 notice, public hearing)

Review standards, requirements and conditions listed in your ordinance

Provide specific authority in your zoning ordinance if you wish to assign review of conditional uses to a body other than the zoning board

Review purpose statements to make sure they support conditions you are likely to attach

Common Ordinance Standards

No harm to public health or safety

Compatible with surrounding uses

Site access and traffic safety

Consistent with comprehensive plan

Adequate utilities and public facilities

Drainage and stormwater management

No harm to environment

Neighborhood character

Property values

Aesthetics

Review standards to make sure they are reasonable and measurable

Consider adding specific standards for commonly granted uses

Two recent unpublished court cases have supported these factors

Specific Standards

Ex. Sawyer County Zoning Ordinance

- Kennel allowed by conditional use in RR-2, A-1 and A-2 zoning districts

6.8 KENNEL FOR SMALL DOMESTIC ANIMALS

A kennel for small domestic animals shall meet the following minimum requirements:

- 6.81 Lot size** - five (5) acres.
- 6.82 Lot width** - 200 feet.
- 6.83 Side yard setback** - 50 feet.
- 6.84 Back yard setback** - 50 feet.
- 6.85 Front yard setback**-Section 4.21 Setback Requirements on Highways and Roads.
- 6.86 Sanitary facilities provided for under Section 2 of the Sawyer County Private Sewage System Ordinance.**
- 6.87 Perimeter fencing.** Minimum height of five (5) feet with minimum depth underground of twelve (12) inches; minimum fence gauge of eleven (11).
- 6.88 Living quarters on same premises as kennel;** occupancy restricted to property owner-operator.
- 6.89** Subject to the provisions of Chapter 174 of the Wisconsin Statutes.

Consider adding specific standards for commonly granted uses

Application Packet



Waupaca County Planning & Zoning Office
 811 Harding St
 Waupaca WI 54981-2087
 Phone: 715-258-6255 Fax: 715-258-6212
 www.co.waupaca.wi.us

Provide criteria, instructions, and examples to help applicant

Conditional Use Permit Application Packet

Conditional Use Packet Includes:

- Checklist
- Conditional Use Application
- Town Recommendation Form for Conditional Use (2 pages)
- Conditional Use Standards and Diagram of Plans

PRIOR TO SUBMITTING YOUR CONDITIONAL USE PERMIT APPLICATION:

- Consult Planning & Zoning Staff regarding your proposal
- Complete the Conditional Use Permit Application with the Waupaca County Planning & Zoning Office and submit the following along with the Application:
 - Detailed explanation and plans showing the location of the proposed area of use. Plans must be drawn to scale showing all dimensions necessary to determine compliance with standards. (i.e. parking spaces, driveway area, building size(s), building height(s), and setbacks from all property lines)
 - Where the property is not owned by the applicant, a letter must be attached giving consent of the owner to apply for the Conditional Use Permit.
 - Application Fee (payable to Waupaca County) "After the Fact" fee is double ** Check with your Township to see if they require an additional fee. *
 - Once the Conditional Use Permit application is complete, the Waupaca County Planning & Zoning Office will forward it to the Town.
- Attend Town Planning Commission Meeting
 - Have Plan Commission complete applicable portions of the Town Recommendation Form

Recommendation Forms

TOWN RECOMMENDATION FORM
 For Waupaca County Conditional Use Application

THIS TOWN RECOMMENDATION FORM MUST BE SUBMITTED TO THE PLANNING & ZONING OFFICE WITH THE CONDITIONAL USE APPLICATION. INCOMPLETE APPLICATIONS MAY BE DELAYED.

Is the proposal consistent with the Town vision statement as found in the Town Comprehensive Plan? Yes No
 Explain:

Is the proposal consistent with the Town Goals, Objectives & Development Strategies as found in the Town Comprehensive Plan? Yes No (Please give detailed information including page numbers from the comprehensive plan supporting the recommendation) Explain:

If Applicable, please list recommended conditions for the Waupaca County Planning & Zoning Committee to consider.

Please attach any additional comments, minutes, or information further supporting the recommendation.)

Town Plan Commission
 Recommend Approval Recommend Denial

Use form to seek input from town or other review bodies

Recommended conditions must relate to purpose of ordinance

Staff Report

Memo

To: Plan Commission, Village Board
 Fr: Trevor Fuller, Planning and Zoning Administrator

Re: ACTION RE: CONDITIONAL USE REQUEST FROM SKB TERRACE LLC TO ALLOW FOR TWO 9-UNIT APARTMENT BUILDINGS AT 3241-3245 RIVERSIDE DRIVE

Date: 03 January 2020

A Conditional Use Permit (CUP) has been requested by SKB Terrace LLC to allow for apartment buildings on parcel AL-125-8, located at 3241-3245 Riverside Drive. The parcel is currently zoned Commercial District, which allows for multi-family residential use as a conditional use.

Included is an exterior picture, an aerial photograph of the existing property, and a conceptual site plan. The property owner intends to construct two, nine-unit apartment buildings on the vacant lot. The residential development cannot proceed without being granted a conditional use permit.

Any site improvements (i.e. building plans) and future additions will have to go through the Site Plan and Design Review process and be consistent with the applicable zoning requirements for "Commercial District" and "High-Density District."

Staff can provide relevant facts, analysis, and recommendations



How would you respond?

Zoning Ordinance

(20) CONDITIONAL USE: A use which is permitted by this ordinance provided that certain conditions specified in the ordinance are met and that a permit for such use is granted by the Zoning Committee.

8.12 BASIS OF APPROVAL

The County Zoning Committee shall consider the effect of such grant on the health, general welfare, safety, and economic prosperity of the county and of the immediate area in which such use would be located; including such considerations as the effect on established character and quality of the area, its physical attractiveness, existing topography, drainage features, erosion potential, vegetative cover, the prevention and control of water pollution, the location with respect to floodplains and floodways, the movement of traffic, and the relationship to existing or proposed roads, the demand for related services, the possible hazardous, harmful, noxious, offensive, or nuisance effect resulting from noise, dust, smoke, odor, and other factors.



How would you respond?

Kennel allowed by conditional use in RR-2, A-1 and A-2 zoning districts subject to provisions of Section 6.8

6.8 KENNEL FOR SMALL DOMESTIC ANIMALS

A kennel for small domestic animals shall meet the following minimum requirements:

- 6.81 Lot size - five (5) acres.
- 6.82 Lot width - 200 feet.
- 6.83 Side yard setback - 50 feet.
- 6.84 Back yard setback - 50 feet.
- 6.85 Front yard setback-Section 4.21 Setback Requirements on Highways and Roads.
- 6.86 Sanitary facilities provided for under Section 2 of the Sawyer County Private Sewage System Ordinance.
- 6.87 Perimeter fencing. Minimum height of five (5) feet with minimum depth underground of twelve (12) inches; minimum fence gauge of eleven (11).
- 6.88 Living quarters on same premises as kennel; occupancy restricted to property owner-operator.
- 6.89 Subject to the provisions of Chapter 174 of the Wisconsin Statutes.



How would you respond?

- Disgruntled neighbor 1:
 - Stands up and begins speaking out of turn
 - I don't think my neighbor Lucy should ever have a dog kennel! We don't like dog kennels and don't want any of them in our neighborhood. We paid a substantial sum for our house here and chose this location 15 years ago for the peace and quiet.
- Chair response:
 - Please wait until you are called on.
 - Dog kennels are allowed by conditional use in this zoning district if they meet the standards.
 - The decision to allow dog kennels in the general agriculture district was made by the county board when they adopted or amended the zoning ordinance.



How would you respond?

- Disgruntled neighbor 2:
 - I've been over by that kennel on Forest Street and it's awful! I don't trust Lucy to do any better with this kennel. Do you know she ran into my car last month and it cost me \$3,000 dollars to get repaired because she didn't have insurance.
- Chair response:
 - Thank you for your testimony.
 - Decisions made by this board are required to be based on the conditional use standards found in the ordinance.
 - Those standards relate to the circumstances of the property and what is being proposed, not the applicant. Most conditional uses transfer to all future owners of the property.



How would you respond?

- Applicant:
 - I have owned my property in the town for 33 years. I have also volunteered as a little league coach for 10 years. I need this dog kennel to supplement my income since my hours were reduced at my day job.
- Chair response:
 - Thank you for your service
 - We must apply the ordinance standards regardless of personal characteristics



How would you respond?

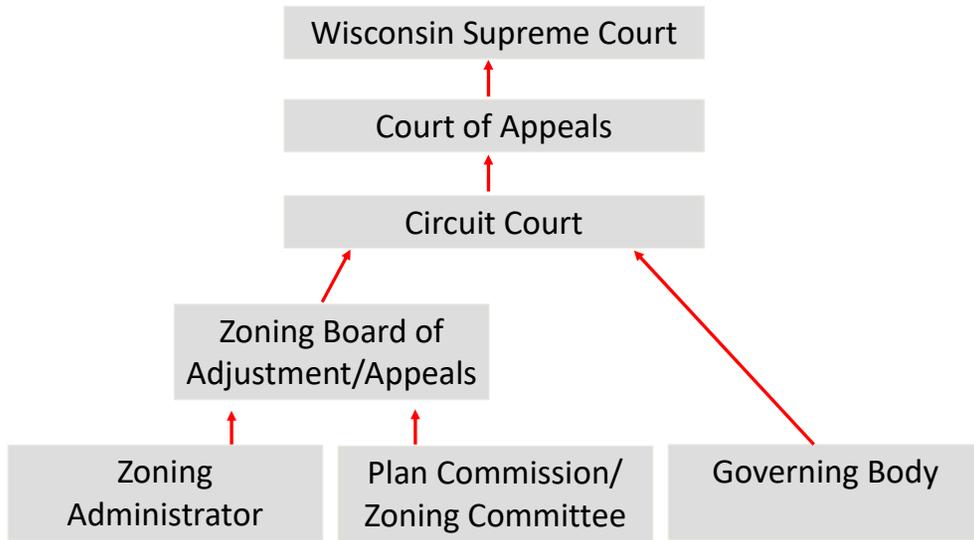
- Applicant:
 - I only want the same thing you approved for my friend five years ago for a kennel on Forest Road. My site plan is exactly the same as his, same number of kennels, and same footprint.
- Chair response:
 - We are required to evaluate each case against the ordinance standards
 - I have found that situations that appear similar often have substantial differences that are not obvious

Decision

- Review ordinance standards
- Provide substantial evidence (facts and information) demonstrating how proposal meets standards
- Conditions must relate to ordinance purpose
- Describe appeal rights

Appeals and Legally
Defensible Decisions

Appeal of Zoning Decisions



Legally Defensible Decisions

Courts defer to local decision makers when these tests are met:

-  **Authority** Are you empowered by statute or ordinance to act on the matter?
-  **Proper procedures** Did you follow proper procedures? (notice, open meeting, public hearing)
-  **Proper standards** Did you apply the proper standards? (ordinance, state statute, case law)
-  **Rational basis** Were you unbiased? Could a reasonable person reach the same conclusion?
-  **Evidence** Do facts in the record support your decision?

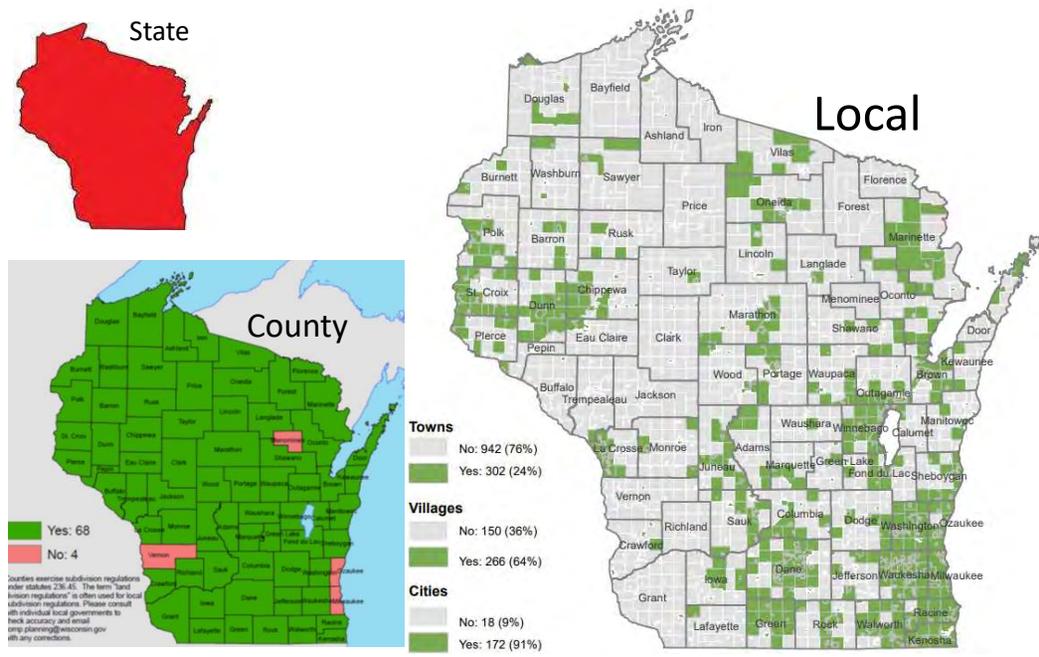
Subdivision Ordinance



- Legal process for dividing land and recording property
- Review for physical layout of new development, connections with existing development, public safety, utilities, other improvements



Three Levels of Authority



State Subdivision Law



- State provides minimum standards for subdivisions
 - Subdivision = creation of 5 or more parcels of 1½ acre or less within 5-year period
 - State reviews for surveying, layout, mapping and plat submittal requirements

(Wis Stat. ch 236)

Approving Authorities

- The following units of government have authority to “approve” of state-defined subdivision plats:
 - County Planning Agency – if the subdivision is located in an unincorporated area of the county
 - Town Board – if the subdivision is located in the town or an area whose annexation is being contested by the town
 - City Council/Village Board – if the subdivision is located in a city/village or its extraterritorial plat review jurisdiction

Objecting Authorities

- The following agencies have authority to certify or “object” to state-defined subdivision plats:
 - Department of Administration – all state-defined subdivisions are reviewed for compliance with surveying, layout, mapping and plat submittal requirements. (Wis. Stat. 236)
 - Department of Transportation – subdivisions that abut a state trunk or connecting highway are reviewed for public safety issues and preservation of public interests/investments. (Trans 233)
 - County Planning Agency – 18 counties review plats located in cities/villages for conflicts with parks, highways, airports, schools, and other planned public developments. (Wis. Stat. 236.12(2)(b))

- Brown, Calumet, Dane, Dodge, Door, Fond du Lac, Jefferson, Juneau, Manitowoc, Milwaukee, Oconto, Racine, Rock, St. Croix, Sheboygan, Washington, Waukesha, and Winnebago

Local Subdivision Regulations

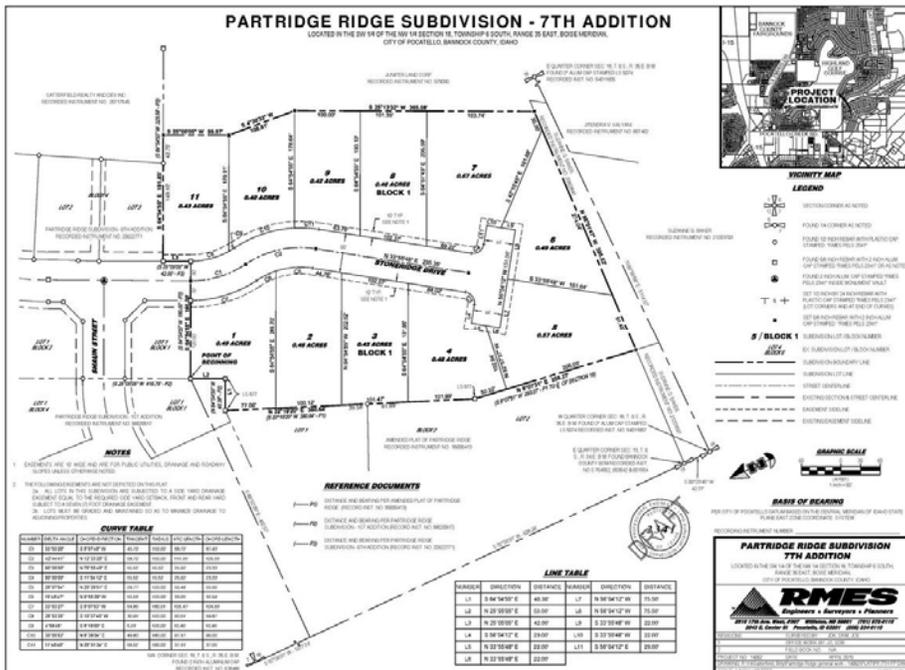
Local Subdivision Regulations



- Local ordinances may define subdivision differently
 - Ex. 4 or more parcels
 - Ex. 5 acres or less
- Local ordinances may impose additional requirements
 - Ex. public improvements
- When review authority overlaps, the most restrictive provision applies

(Wis Stat. 236.45)

Plat = a map of a subdivision



- Basic requirements and design standards related to:

- Roads and sidewalks
- Water and sewer
- Fire protection
- Parks and public access
- Street signs, lighting
- Drainage
- And more...
- Steep slopes
- Shoreland/wetland/floodplain
- Road/driveway access/connectivity
- Road naming/addressing
- Recording of easements
- Public utilities
- Shore access



CSM = Certified Survey Map

Expedited process for land divisions that do not meet state or local definition of subdivision (based on number or size):

- Survey, monument, and map by professional land surveyor
- CSM dedicating streets or other land must be submitted to governing body – 90 days to act
- Filed with county register of deeds



Test Your Knowledge



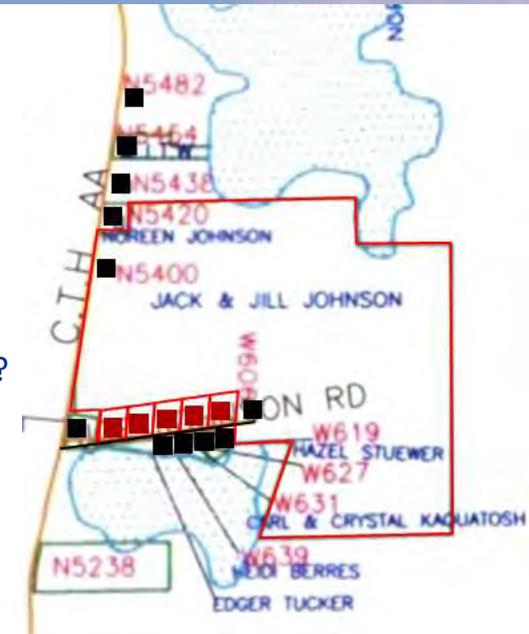
Is a subdivision plat required?

Scenario 1

Jack and Jill own a 160-acre parcel. They propose carving off 5 lots that are each 1.5 acres in size.

Is a subdivision plat required?

YES!



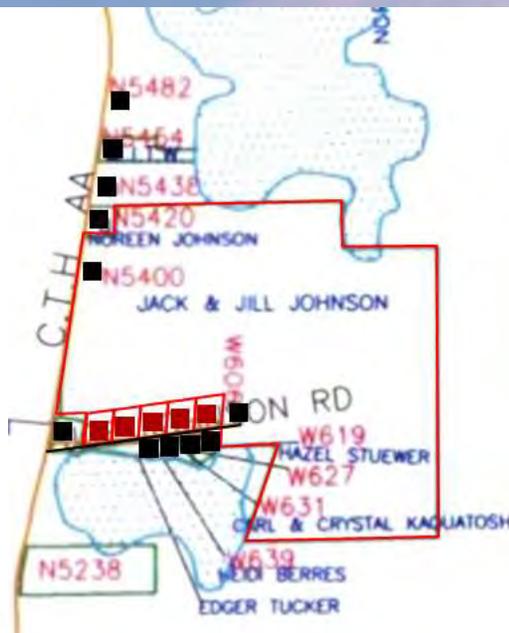
Who has plat review authority?

Scenario 1 – continued

The subdivision is located in a town approximately 1 mile from the nearest city.

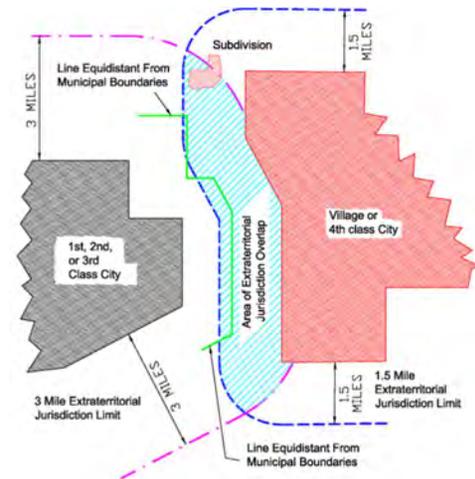
The county and city have a subdivision ordinance. The town does not. Who reviews?

Answer: state, county, city and town



Extraterritorial plat approval jurisdiction

- Extends 3 miles from a first, second, or third class city
- 1.5 miles from a fourth class city (pop. <10K) or village
- Overlapping jurisdiction divided at equidistant point



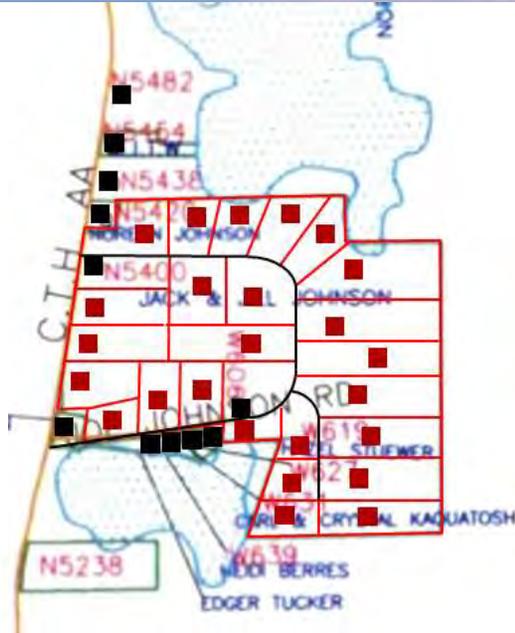
- A city or village must have an adopted subdivision ordinance or official map to exercise this authority
- It may not require public improvements or deny approval on the basis of use (extraterritorial zoning)

Is a subdivision plat required?

Scenario 2

Jack and Jill propose creating 25 lots ranging in size from 5-10 acres.

Is a subdivision plat required?



Is a subdivision plat required?

It depends on local regulations...

	# Parcels	Parcel size	Time	
State	5 or more	1.5 acres or less	5 years	No
Calumet Co.	5 or more	1.5 acres or less	5 years	
Washington Co.	5 or more	5 acres or less	5 years	Maybe
Jefferson Co.	5 or more	5 acres or less	10 years	
Dane Co.	5 or more	35 acres or less	5 years	Yes
Dodge Co.	5 or more	Any size	5 years	

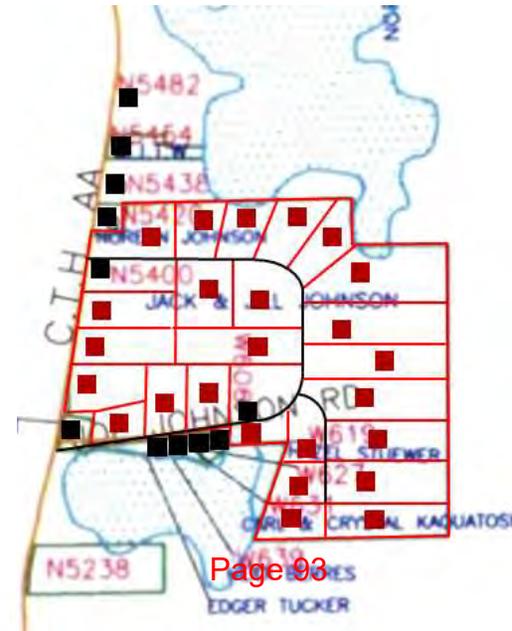
Is a subdivision plat required?

Tiered review:

	# Parcels	Parcel size	Time	
State	5 or more	1.5 acres or less	5 years	
Oneida Co.	1+	10 acres or more	Utility/Road Review	
Minor subdivision	1-8	10 acres or less	5 years	CSM
Major subdivision	8 or more	10 acres or less	5 years	Plat
St. Croix Co.				
Minor subdivision	1-4	Any Size	5 years	CSM
Major subdivision	5 or more	Any Size	5 years	Plat

What can you review for?

- **Layout, access and safety** (sight lines, turning radius, emergency vehicle access, etc.)
- **Public improvements** (provision of street lights, curb, gutter, etc.)
- **Efficient use of public facilities/services** (road length, proximity to existing utilities, etc.)
- **Preservation of natural features** (steep slopes, shorelands, wetlands, forests, etc.)
- **Compatibility with adjacent uses** (use, intensity, scale, etc.)



What can you review for?

- Plat approval may only be conditioned on:
 - Compliance with local ordinances in place at time of submittal
 - Consistency with comprehensive plan or official map
 - Provision of public improvements or financial guarantees (contained in a town/village/city subdivision ordinance)
 - Satisfaction of objections raised by state agencies
 - Other requirements of Wis. Stat. Ch. 236

Short answer... items contained in an adopted comprehensive plan, ordinance or official map.

Typical Process

1

Pre-Application Conference

Informal review intended to spot problems upfront

If requested or required by local ordinance

2

Preliminary Plat Approval

If required by local ordinance OR submitted by applicant

Act within **90 days**

3

Final Plat Approval

Submission of detailed engineering and design drawings that comply with Wis. Stat. Ch. 236

Act within **60 days**

Final plat is entitled to approval if it complies with local plans/ordinance, meets objections of state agencies, and substantially conforms with an approved preliminary plat.

Who Does What?

(Wis. Stat. 62.23(5) and 236.10(3))

Planning & Zoning Staff



Plan Commission



Governing Body



Ordinance Adoption

Drafting, review and technical support

Recommendation

Adoption or amendment of subdivision ordinance

Administration

Staff review

Recommendation

Preliminary and final subdivision plat approval

Staff review

May be assigned preliminary or final plat approval

Must approve land or road dedication

For More Information

Plat Review

<http://doa.wi.gov/platreview>
 Platting News
 Plat Review Documents
 Platting Manual
 Platting Statutes & Rules
 Intergovernmental Relations

Contact Us

Email
plat.review@wisconsin.gov

Phone
[\(608\)266-3200](tel:(608)266-3200)

Wisconsin Platting Manual

Full Manual June 2024

Manual Sections

A-E 7
 Annexation December 2021
 Assessor's Plats Sept. 2023
 Cemetery Plats
 Certificates Nov. 2016
 Condo Plats 2009
 Correction Instruments
 Certified Survey Maps (CSM) March 2023
 Discontinuances Jan. 2019
 Easements
 Example Plats Oct. 2023
 Local Plats Dec. 2014
 Lots & Outlots Dec. 2014
 Mapping Requirements Oct. 2023
 Monuments Dec. 2014
 Recording Dec. 2014
 Review Process Oct. 2023
 Restriction Release
 Submittals June 2024
 Time Limits Dec. 2014
 Streets Dec. 2014
 Subdivisions & Water Dec. 2014
 Vacations Jan. 2016

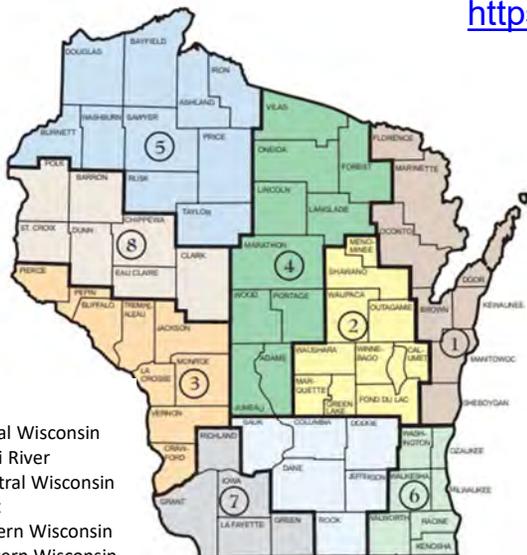
Questions

- Do you have a local subdivision ordinance?
- How frequently do you review plats/CSMs?
- Any areas in need of update?
 - Process
 - Standards

Recommended Resources

Regional Planning Commissions

<https://www.awrpc.org/>



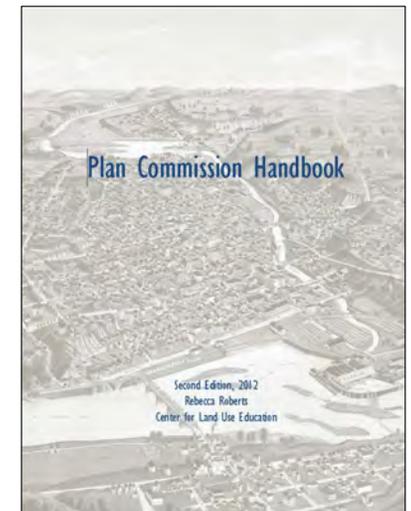
- 1 Bay-Lake
- 2 East Central Wisconsin
- 3 Mississippi River
- 4 North Central Wisconsin
- 5 Northwest
- 6 Southeastern Wisconsin
- 7 Southwestern Wisconsin
- 8 West Central Wisconsin
- 9 Capital Area

- Mapping
- Data and research
- Planning
- Economic development
- Transportation
- Grants and funding

Plan Commission Handbook

- I. Introduction to the Plan Commission
- II. Procedural Responsibilities
- III. Community Planning
- IV. Public Participation
- V. Plan Implementation
- V. Ordinance Administration
- VI. Zoning Regulations
- VII. Subdivision Regulations

Includes forms, worksheets, glossaries and recommended resources



Land Use Training & Resources



Preparing for a Digital Future

Information and community examples to assist in improving digital communication through your municipal website. Drive citizens to important information, hold remote meetings and conduct online training.

<https://fyi.extension.wisc.edu/landusetraining/>



Plan Commission Training

Plan Commission Training is designed to orient new members and interested citizens to the roles and responsibilities of the plan commission and to serve as a refresher for veteran members of the commission.



Zoning Board Training

Zoning Board Training is designed to provide an introduction for new zoning board members and staff to zoning board roles, procedures and standards.

Thank You!

Rebecca Roberts
Center for Land Use
Education
715-346-4322
rroberts@uwsp.edu



Workshop resources:
<https://bit.ly/CLUEworkshops>





Parliamentary Procedures, Robert's Rules of Order, and Open Meetings Law

Heather Amos | Corporation Counsel



Parliamentary Procedure

- The objective of rules of order is to facilitate the smooth functioning of the governmental body and to provide a firm basis for resolving questions of procedure that may arise.
- For many organizations, parliamentary procedures follows Robert's Rules of Order, Newly Revised 11th Edition (RONR).
- Article III, Section 4 of the St. Croix County Rules Governing County Board of Adjustment indicates that Robert's Rules of Order shall govern actions of the Board and conduct of its meetings if not covered by the rules or the County Code of Ordinances.
- Roberts Rules of Order cannot supersede Wisconsin law, such as the Open Meetings Law.

Avoid the Use of Member's Names

- Board Chair should not be referred to by name.
- Board Chair speaks of himself/herself in the third person.
- Avoid mentioning another Member's name when the person can be described in another way, i.e. "Supervisor Smith."

When to Speak

- Member should not speak without first having addressed the Board Chair and obtained the floor.
- Member has not obtained the floor until recognized by the Board Chair.

Address the Board Chair

- Address all remarks through the Board Chair - not the entire body, gallery, or TV cameras.
- Members should not address one another directly.
- Direct your questions to other Members through the Board Chair.

Duties of the Chair

- All persons at a meeting have an obligation to obey the presiding officer, which is the Board Chair.
- The Board Chair shall enforce the rules relating to debate, order, and decorum.
- The Board Chair shall remind Members to confine remarks to the merits of the agenda item.

Debate on the Question

- Members' remarks must be germane to the agenda item or motion before the Board of Adjustment.
- Members should maintain a courteous tone and should avoid interjecting a personal tone into the debate.

Bringing Business Before the Board

- Business is brought through a motion by a Member.
- A motion is a formal proposal to take action.
- The only item that brings business before the Board is the main motion.
- There are many other parliamentary motions, but none of those motions bring the agenda item to the Board floor.

Making a Motion

- A Member must obtain the floor when no other question is pending and when business of the kind represented by the motion is in order.
- A Member must obtain the floor before making a motion or speaking in a debate.
- Motion is not before the body until restated by the Board Chair.

Making a Motion (cont'd)

- The motion may be prefaced by a few words of explanation.
- The Board Chair may assist a Member in framing the motion.
- The maker of the motion may not withdraw motion once stated by the Board Chair as the motion is now the property of the body (i.e. Board of Adjustment).

Speaking to the Motion

- Discussion on an issue is permitted only with a reference to a pending motion.
- The maker of the motion may vote against it, but may not speak against their own motion.

Precedence in Speaking

- A Member who makes a motion is entitled to be recognized first.
- No one is entitled to the floor a second time if a Member who has not spoken desires the floor.

Ending Debate

- Not “Call the Question.”
- The proper way to end the debate is to make a Motion to Close Debate.
- A second is required.
- A 2/3 vote required.

Postpone or Table

- A motion to table is utilized to set aside a matter without designating when to take up the issue again.
- Example – Members need additional information or other matters need more attention.
- A motion to postpone to a definite time allows the agenda item to be set for a future meeting.
- A motion to postpone indefinitely is used to set aside the agenda item with no intention to take it up again.

Point of Order

- When a Member believes something incorrect is happening.
- No second or debate – Chair rules on the Point of Order.
- Waived if not raised at the time of the issue.
- Not waived if the action violates law or a fundamental procedural rule.

Appeal

- If a Member believes the Board Chair ruled incorrectly, the Member may make a motion for appeal.
- Second required and the motion is debatable.
- Takes precedence over pending question.
- Board Chair can concede issue before vote is taken.

Motion Ownership

- After a motion is made and seconded, an amendment or withdrawal of the motion is only allowed through the entire Board of Adjustment.
- Under RONR, no “friendly” amendments.



OPEN MEETINGS LAW – POLICY

- The policy of Wisconsin is that the public is entitled to the fullest and most complete information regarding the affairs of government as is compatible with the conduct of governmental business.
- The open meetings law requires that “all meetings of all state and local governmental bodies shall be publicly held in places reasonably accessible to members of the public and shall be open to all citizens at all times unless otherwise expressly provided by law.”

18



When does it apply?

- Applies to EVERY MEETING of a GOVERNMENTAL BODY.
- All provisions must be liberally construed to achieve the purpose of open government.

19



Definition of “Governmental Body”

- Includes a “state or local agency, board, commission, committee, council, department of public body corporate and politic created by constitution, statute, ordinance, rule or order.” Wis. Stat. § 19.82(1)
- Virtually any collective governmental entity, including purely advisory bodies.
- The Board of Adjustment is appointed by the County Board, pursuant to Wis. Stat. § 59.694.

20

Krueger v. Appleton Area School District Board of Education

- Recent Wisconsin Supreme Court decision from June 2017 which clarified the definition of “governmental body.”
- The Wisconsin Supreme Court explained that a “governmental body” includes more than just deliberate meetings involving governmental business between two or more officials. It also includes groups of individuals, such as the Communication Arts Materials Review Committee of the Appleton School District, which was composed of 17 individuals from the school who gathered to review curriculum.
- This recent decision of the Wisconsin Supreme Court has required governmental entities to review which boards, committees, councils, etc. must follow the open meetings law.

21

Showers Test

Purpose to Engage in Governmental Business

- Any formal or informal action on matters within the governmental body’s realm of authority; includes discussion, decision, or information gathering.

Number of Members Present

- Power to control the course of action is either affirmative action (i.e.: to pass) or negative power (i.e.: to defeat).
- Negative quorum = The number of members sufficient in size to defeat a course of action.

23

Definition of “Meeting”

- “The convening of members of a governmental body for the purpose of exercising the responsibilities, authority, power or duties delegated to or vested in the body.”
- *Showers Test*: It is a meeting when (1) there is a purpose to engage in governmental business; and (2) the number of members present is sufficient to determine the governmental body’s course of action.
- If half or more of the members of a governmental body are present, the meeting is rebuttably presumed to be for the purpose of exercising the responsibilities, authority, power or duties delegated to or vested in the body.

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Open Meetings and Technology

- Telephone conferences, video conferences, virtual meetings, internet chat rooms, and instant messaging can become a “meeting” if certain conditions are met.
- Email can constitute a meeting
 - Email features like “reply all” and “forward” make it possible for a message to be instantaneously transmitted to enough members to create a quorum.

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Walking Quorums

- A “walking quorum” is a series of gatherings among separate groups of members, each less than quorum size, who agree, tacitly or explicitly, to act uniformly in sufficient number to reach a quorum.
- “Walking quorums” produce a predetermined outcome and may render publicly-held meetings a mere formality.
- If there is no tacit or express agreement, exchanges among separate groups of members may take place without violating the Open Meetings Laws.

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Notice

- Every meeting shall be preceded by public notice at least 24 hours in advance of a meeting unless for good cause such notice is impossible or impractical. In no case may there be less than 2 hours notice.
- Notice must give the “time, date, place and subject matter of the meeting, including that intended for consideration and any contemplated closed session, in such form as is reasonably likely to apprise members of the public and the news media thereof.”
- If a subject/topic that was not specifically noticed comes up at a meeting, the governmental body should refrain from engaging in any information gathering or discussion or from taking any action that would deprive the public of information about the conduct of governmental business.

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Accessibility

- All meetings shall be publicly held in places reasonably accessible to members of the public and shall be open to all citizens at all times.
- The open meetings law grants citizens the right to tape record or videotape open session meetings, as long as doing so does not disrupt the meeting.
- The open meetings law also permits a governmental body to set aside a portion of the meeting as public comment period.

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Closed Session

- There are 11 exemptions to the open meeting requirement that permit (but do not require) a governmental body to convene in closed session:
 1. Judicial or quasi-judicial hearings
 2. Consideration of dismissal, demotion, discipline, licensing, and tenure
 3. Consideration of employment, promotion, compensation, and performance evaluations
 4. Consideration of financial, medical, social or personal information
 5. Deliberating or negotiating the purchasing of public properties or conducting other public business when there is competitive or bargaining implications

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Closed Session (cont'd)

6. Deliberating on unemployment insurance in a meeting at which all employer members or all employee members are excluded
7. Conferring with legal counsel with respect to litigation
8. Considering applications for probation or parole, or strategy for crime detection or prevention
9. Specified deliberations by the state council on unemployment insurance and worker's compensation
10. Specified deliberations involving the location of a burial site
11. Consideration of requests of confidential written advice from an ethics board

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Closed Session

- Must convene in open session.
- Governmental body must pass a motion, by majority vote, to convene in closed session.
- Before voting, the chair must announce and record in open session the nature of the business to be discussed and the specific statutory exemption which is claimed to authorize closed session. This needs to be more than just stating the statute. Must explain reasoning.
- Voting should be done in open session unless that would compromise the need for the closed session

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Enforcement and Penalties

- Both the Attorney General and the St. Croix County District Attorney have authority to enforce the open meeting law.
- A district attorney has authority to enforce the open meetings law only after an individual files a verified open meetings law complaint with the district attorney. If a district attorney refuses to commence an open meetings law enforcement action or fails to act within 20 days, the individual who filed the complaint has a right to bring an action, in the name of the state, to enforce open meetings law.
- A court may void any action taken at a meeting held in violation of open meetings law.

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Enforcement and Penalties (Cont'd)

- Any member of a governmental body who knowingly attends a meeting held in violation of the open meetings law, or otherwise violates the law, is subject to a forfeiture of between \$25 and \$300 for each violation and may be required to pay attorney's fees. Wis. Stat. § 19.96
- One way a member can avoid liability is to factually prove that he or she relied, in good faith and in an open and unconcealed manner, on the advice of counsel whose statutory duties include the rendering of legal opinions as to the actions of the body.

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Thank you!