



VANDEWALLE & ASSOCIATES INC.

To: Columbia County Zoning Code Town Advisory Committee (TAC)
From: Mark Roffers, AICP, Planning Consultant
Date: August 18, 2010
Re: Outstanding Policy Issues Related to Draft Columbia County Zoning Code

Over the last couple weeks, we have spent time reviewing and compiling all of the TAC and County staff comments on the draft zoning code sections. Based on this review, we have identified several issues that were either never fully addressed with the TAC, or for which we still need additional guidance. These issues are as follows:

1. Should we retain the Highway Interchange zoning district? If so, what, if any, changes should be made to the district as it currently exists? How should we reconfigure the other commercial zoning districts that have been proposed?

[We propose that if the Highway Interchange district is added to the list of non-residential districts in the new code, the previously-proposed C-1 Crossroads Mixed Use district be combined with the C-2 Light Commercial district to create a revised C-1 Light Commercial zoning district. That new C-1 district would predominately maintain the provisions of the former Light Commercial district, with certain exceptions for development within rural hamlets. The C-3 General Commercial district would then become the C-2 district, and the Highway Interchange district would become the new C-3 district.]

2. Should the zoning ordinance provide enabling language for town-level Transfer of Development Rights (TDR) programs to be established in Columbia County?
3. Are there any questions, comments, or issues with respect to the County's sign ordinance, which was adopted in 2008 and would be brought forward into the new zoning code?
4. To what extent do temporary uses, such as those that follow, belong in the land use tables (i.e. specified as being permitted, conditional, or prohibited) versus allowing them to fall under the County's "radar" and be unregulated?
 - a. Outdoor assemblies (100+ people)
 - b. Contractor's project offices
 - c. Contractor's on-site equipment storage facilities
 - d. On-site real estate sales offices
 - e. Temporary relocatable buildings
 - f. General temporary outdoor sales
 - g. Portable outdoor storage units (i.e., PODS)

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Shaping places, shaping change

5. What direction should we take with respect to outdoor wood furnaces? At the last meeting at which we discussed this accessory land use, there were some concerns over the enforceability of the performance standards. Since that time we have made revisions to the performance standards based on a WisDNR model ordinance (see below).

Revised Outdoor Wood Furnace Language Based on WisDNR Model Ordinance

Outdoor wood furnace: An outdoor accessory structure designed to heat water through a wood fire, and then transmit that heated water to the principal building for direct use, heating of the principal building, or both. Indoor wood furnaces are not regulated under this accessory land use category.

a. Performance Standards:

1. Within and adjacent to residential zoning districts, no outdoor wood furnaces shall be permitted unless the lot upon which the furnace will be located is a minimum of five acres. For parcels with more than one dwelling unit located on the same lot, the lot shall be a minimum of five acres per dwelling unit.
2. The outdoor wood furnace shall not be used to burn any of the following materials:
 - i. Rubbish or garbage including but not limited to food wastes, food wraps, packaging, animal carcasses, paint or painted materials, furniture, composite shingles, construction or demolition debris, or other household or business wastes.
 - ii. Waste oil or other oily wastes except used oil burned in a heating device for energy recovery subject to the restrictions in Chapter NR 590, Wisconsin Administrative Code.
 - iii. Asphalt and products containing asphalt.
 - iv. Treated or painted wood including but not limited to plywood; composite wood product; or other wood products that are painted, varnished, or treated with preservatives.
 - v. Any plastic material including but not limited to nylon, PVC, ABS, polystyrene or urethane foam, and synthetic fabrics, plastic films, and plastic containers.
 - vi. Rubber including tires and synthetic rubber-like products.
 - vii. Newspaper, corrugated cardboard, container board, office paper, and other similar paper products, except as provided below:
 - a) Paper and cardboard products may be used as a starter fuel.
 - b) Small quantities of confidential papers from a residence may be burned if necessary to prevent the theft of financial records, identification or other confidential information. However, confidential papers from a commercial enterprise shall be shredded or destroyed in a manner other than burning.
3. The outdoor wood furnace shall be set back from all property lines and roads a distance equal to the minimum required yards for principal buildings.
4. The outdoor wood furnace shall be separated by at least 200 feet from any dwelling unit on an adjacent property.
5. If the outdoor wood furnace is less than 500 feet from any dwelling unit on an

adjacent property, the smoke stack shall be required to be raised to the height of the roofline of the dwelling that the furnace serves and a Class A (triple wall) chimney pipe shall be installed to facilitate the dispersion of smoke.

6. If the furnace is located within 500 feet from any dwelling unit on an adjacent property, the owner of the outdoor wood furnace shall obtain an annual permit from the Fire Chief in accordance with Chapter of this ordinance.