PLANNING & ZONING COMMITTEE MINUTES
JANUARY 8, 2008

PRESENT: Douglas Richmond, Phil Baebler, Tim O’Neil, John Healy, Fred Teitgen

STAFF: John Bluemke, Director, Michael Stapleton, Zoning Administrator, Susan Runnion, Office Administrator, Randy Thompson, Planning Administrator

ALSO PRESENT: Harlan Baumgartner, Chair - Columbia County Board of Supervisors

BUSINESS MEETING

11:00 AM

1. Chair Doug Richmond called the meeting to order at 11:00 AM.

2. Certification of Open Meeting Law

3. Roll call was taken and a quorum declared present.

4. Approval of Agenda

Motion by Mr. Healy to approve Agenda of January 8, 2008 Planning & Zoning Committee Regular Meeting & Public Hearing, Seconded by Mr. Teitgen.
Motion carried unanimously.

5. Approval of Minutes

Motion by Mr. Teitgen to approve Minutes of December 4, 2007 Planning & Zoning Committee Regular Meeting & Public Hearing, Seconded by Mr. Healy.
Motion carried unanimously.

6. Department Report
   a. Financial
      • Out of County Travel - Brian Zirbes to travel to LaCrosse to attend “Managing Floodplain Development” course

Motion by Mr. Teitgen to approve Out of County Travel for Brian Zirbes, Seconded by Mr. Baebler.
Motion carried unanimously.
Motion by Mr. Teitgen to approve Expenditure Report. Seconded by Mr. Healy.
Motion carried unanimously.

b. Enforcement

Mike reviews Enforcement report.

c. Comprehensive Plan

Randy Thompson explains that all contracted towns have Comprehensive Plan drafts with the exception of Lodi, Pacific, Arlington, Caledonia and Columbus. A meeting took place with the Town of Wyocena to discuss their interest in contracting with the County for Comprehensive Plan preparation. A similar meeting will take place with the Town of Marcellon.

d. Ordinance Update

Mr. O'Neil points out spelling/grammar modifications.

e. West Point Park Plan

West Point has approached the department about preparing a Park Plan at a cost of $500.00.

Motion by Mr. Teitgen to approve task of West Point Park Plan at a cost of $500. Seconded by Mr. O'Neil
Motion carried unanimously.

f. Fees for rezoning Town land

John Bluemke conveys a request from the Town of Dekorra to waive Rezoning fee for property owned by the Town.

Motion by Mr. Baebler to deny request to waive Rezoning fee. Seconded by Mr. Healy.

Roll Call Vote -

Mr. Healy – Yes, Mr. Richmond – Yes, Mr. Baebler – Yes, Mr. O’Neil – Yes, Mr. Teitgen – No

g. Fees for new signs

John Bluemke explains that if the Sign Ordinance is approved by the Planning & Zoning Committee/Columbia County Board a fee schedule will need to accompany it. Proposed fees for signs:
Section 19-1-14 Planning and Zoning

<table>
<thead>
<tr>
<th>(h)</th>
<th>Zoning Permits</th>
<th>Existing Fee</th>
<th>New Fee</th>
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<tbody>
<tr>
<td>(4) Sign &lt; 32 sq. ft. (new)</td>
<td>$0.00</td>
<td>$50.00</td>
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<tr>
<td>(5) Sign &gt; 32 sq. ft.</td>
<td>$0.00</td>
<td>$50.00 (2.00 x total Sq. ft.)</td>
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Motion by Mr. O’Neil to approve proposed Fee Schedule for Signs.
Seconded by Mr. Teitgen
Motion carried unanimously.

1:00 PM
7. View Sites

4:00 PM
8. Public Hearing

Item 1 – Zoning Change – Agricultural to Rural Residential. Jeffrey Clark, Petitioner & Michael Dorhorst, Owner – Town of Dekorra

Chair Richmond opens Public Hearing.

Mr. Bluemke presents the staff report.

Chair Doug Richmond asks if anyone has any questions.

Petitioner present and did not have anything to add.

Chair Doug Richmond asks if anyone is in favor of petition. (no comments)

Chair Doug Richmond asks if anyone is against the petition. (no comments)

Town Board was present and stated that the Town recommended approving the rezoning.

Chair Richmond closes Public Hearing.

Motion by Mr. Teitgen to approve rezoning from Agricultural to Rural Residential effective upon recording of Certified Survey Map.
Seconded by Mr. O’Neil.
Motion carried unanimously.
Item II – Zoning Change – Agricultural to Rural Residential – Jeffrey Clark, Petitioner & Michael Dorshorst, Owner – Town of Dekorra

Chair Richmond opens Public Hearing

Mr. Bluemke presents the staff report.

Chair Doug Richmond asks if anyone has any questions.

Petitioner present and did not have anything to add.

Chair Doug Richmond asks if anyone is in favor of petition. (no comments)

Chair Doug Richmond asks if anyone is against the petition. (no comments)

Town Board was present and stated that the Town recommended approving the rezoning.

Chair Richmond closes Public Hearing.

Motion by Mr. Healy to approve rezoning from Agricultural to Rural Residential effective upon recording of Certified Survey Map.

Seconded by Mr. Baebler.

Motion carried unanimously.

Item III – Zoning Change – Agricultural to Rural Residential, Judy Fish, Petitioner and Owner – Town of Dekorra

Chair Richmond opens Public Hearing

Mr. Bluemke presents the staff report.

Petitioner not present.

Chair Doug Richmond asks if anyone has any questions.

Chair Doug Richmond asks if anyone is in favor of petition. (no comments)

Chair Doug Richmond asks if anyone is against the petition. (no comments)

Town Board was present and stated that the Town recommended approving the rezoning.

Chair Richmond closes Public Hearing.
Motion by Mr. Teitgen to approve rezoning from Agricultural to Rural Residential.
Seconded by Mr. Baebler.
Motion carried unanimously.

Item IV — Conditional Use Permit – Kerry Pribbenow, Petitioner, William J. Wilker,
Owner – Town of Arlington – New Restaurant

Chair Richmond opens Public Hearing

Mr. Bluemke presents the staff report.

Chair Doug Richmond asks if anyone has any questions.

Petitioner present and did not have anything to add.

Chair Doug Richmond asks if anyone is in favor of petition. (no comments)

Chair Doug Richmond asks if anyone is against the petition. (no comments)

Town Board not present, but Minutes on file. Town recommended approving rezoning.

Chair Richmond closes Public Hearing.

Motion by Mr. O’Neil to approve Conditional Use Permit for New Restaurant
And adopt the findings, conclusions and conditions.
Seconded by Mr. Teitgen.
Motion carried unanimously.

Findings:

1. The property is owned by RAM Holdings LLC.
2. RAM Holdings LLC is proposing to develop a restaurant that was originally proposed in 2002.
3. The Arlington Town Board has reviewed and recommended approval of the Conditional Use Permit.
4. Title 16, Chapter 1 of Columbia County Code of Ordinance is applicable to this site.

Conclusions:

1. The application qualifies for a Conditional Use Permit
2. This development is a highway interchange use that is consistent with the purpose and intent of the ordinance.
3. The proposed use does not conflict with current use of any adjacent property, nor does it limit the usefulness of adjacent properties for uses permitted under their current zoning classifications.

4. The property is physically well suited for the proposed use and has appropriate highway access.

5. The proposal does not present a likelihood of any unacceptable impacts when considered in light of the general criteria of Sec. 16-1-18 (e).

6. The development is compatible with the commercial character of the general vicinity and will not change the character of the area as to substantially impact current or future permitted uses in the vicinity.

7. The application qualifies for a Conditional Use Permit.

Conditions:

1. The conditions requested by the Town of Arlington in its November 7, 2007 minutes on are hereby incorporated by reference as part of this Conditional Use Permit; however, the County is not responsible for enforcing said conditions, unless an individual condition is specifically included below as a condition of approval. In the event the Town submits a finding of noncompliance with any item of the above referenced letter for which the County has not assumed direct enforcement authority, upon written request by the Town the County reserves the right to review the Conditional Use Permit.

2. All lighting for the facility shall be oriented so that the lighting elements (or transparent shield) are not visible from an adjacent property or right-of-way. The use of shielded luminaries and careful placement of fixtures is encouraged to facilitate compliance with this requirement.

3. A landscaping plan which shows species, size and location of all planting and landscape areas be submitted to and approved by the Planning and Zoning Department no later than March 31, 2008, and installed by October 1, 2008 or as approved by the Zoning Administrator. At the time of planting the minimum size of the planting shall be as follows: deciduous trees 3/4 inch in diameter; evergreen trees 4 feet in height; shrubs 12 inches in height. The landscaped area, including any mulch and edging and lawn shall be maintained, and all planting shall be maintained and replaced if diseased or dead.

4. Any mechanical equipment located either on the roof or the ground be screened so it is not visible from adjacent roads.

5. The cross parking agreement cannot be modified without the approval of the Department of Planning and Zoning.

6. Any amendments to the approved site plans, additions or changes in the design or size of the structures or capacity of the facility shall be referred to the Town for review and the Committee for action.

7. The applicant and owner shall comply with and obtain all necessary permits required by applicable federal, state, and local regulations.

8. If the Planning and Zoning Committee finds that the review criteria of Section 16-1-18(e) of the Columbia County Zoning Ordinance or the
conditions stipulated in the Committee Decision are not being complied with, the Planning and Zoning Committee, after a public hearing, may revoke the conditional use permit.

Item V – Major Home Occupation – Daniel Beechy, Petitioner and Owner – Town of Springvale – Woodworking Shop with Showroom and Sales Area

Chair Richmond opens Public Hearing

Mr. Stapleton presents the staff report.

Chair Doug Richmond asks if anyone has any questions.

Petitioner present and did not have anything to add.

Chair Doug Richmond asks if anyone is in favor of petition. (no comments)

Chair Doug Richmond asks if anyone is against the petition. (no comments)

Town Board Supervisor states that Town Board has approved and the contingencies are acceptable.

Chair Richmond closes Public Hearing.

Motion by Mr. Teitgen to approve Major Home Occupation for Woodworking Shop with Showroom and Sales Area
And adopt the findings, conclusions and conditions.
Seconded by Mr. Baebler.
Motion carried unanimously.

Findings:

1. Daniel and Edna Beechy are the owners of the subject property.
2. The applicant proposes to use an existing building for a woodworking shop and showroom, where rustic log furniture would be manufactured, displayed and sold.
3. The existing structure is 60 x 28 and will contain a showroom 11 x 20 in area.
4. The provisions of Sec. 16-1-13 (g) require a Major Home Occupation Permit for the business as it is described in the application and submittals.
5. The proposed parking area complies with the parking requirements of Sec. 16-1-13 (e)(9)(d).
6. The proposed driveway to CTH P is subject to the review and approval of the Columbia County Highway Department.
7. The application meets the applicable criteria for home occupations under Sec. 16-1-13 (g)(4).
8. The application meets the applicable criteria for conditional uses under Sec. 16-1-18 (e).
Conclusions:

1. The application qualifies for a Home Occupation Permit
2. The proposed home occupation is compatible with the general character of the subject property and surrounding area.
3. The proposed use is consistent with the purpose and intent of the ordinance.

Conditions:

1. The home occupation as described in the application and submittals shall be confined to the interior of the existing structure. Enlargements to the existing structure, use of other structures or construction of new structures for business-related use shall be subject to further review by the Planning & Zoning Committee.
2. The Home Occupation Permit is not transferable pursuant to Sec. 16-1-13 (g)(6).
3. One 3 x 4 foot sign is allowed as proposed in applicant’s submittals; no additional signs are allowed without a recommendation from the Town and approval of the Planning & Zoning Department.
4. Employees are limited to two as proposed by the applicant.
5. Outside storage or display of materials, equipment or finished products associated with the woodworking shop is not permitted. Waste material may be stored outside if kept in an enclosed environment secured from public view, but not on any side of the structure facing either highway.
6. The applicant and owner shall comply with and obtain all necessary permits required by applicable federal, state, and local regulations.
7. If the Planning and Zoning Committee finds that the review criteria of the Section 16-1-18(e) of the Columbia County Zoning Ordinance or the conditions stipulated by the Home Occupation Permit approved by the Committee Decision are not being complied with, the Planning and Zoning Committee, after a public hearing, may revoke the Home Occupation Permit.

Item VI – Zoning Change – Agricultural to Rural Residential, Jeff Kessenich and Robin Krueger, Petitioners and Owners – Town of Leeds

Chair Richmond opens Public Hearing

Mr. Bluemke presents the staff report.

Petitioner present and did not have anything to add.

Chair Doug Richmond asks if anyone has any questions.

Chair Doug Richmond asks if anyone is in favor of petition. (no comments)

Chair Doug Richmond asks if anyone is against the petition. (no comments)
Town Board was present and stated that the Town recommended approving the rezoning.

Chair Richmond closes Public Hearing.

Motion by Mr. Baebler to approve rezoning from Agricultural to Rural Residential effective upon recording of Certified Survey Map.
Seconded by Mr. Healy.
Motion carried unanimously.

Item VII – Conditional Use Permit – Robert Gust, Petitioner, James and Barbara Attoe, Owners – Town of Lowville – Wireless Communication Tower

Chair Richmond opens Public Hearing

Mr. Stapleton presents the staff report.

Chair Doug Richmond asks if anyone has any questions.

Mr. Baebler inquires about areas shown on Attachment A.

Mr. Stapleton explains they are elevation contours.

Mr. Teitgea inquires about lighting requirement.

Petitioner explains no requirement because the height is under 190’.

Mr. O’Neil asks what the proposed tower height is.

Petitioner answers that the height is 100’.

Petitioner present and reiterates Town of Lowville & FAA approval.

Chair Doug Richmond asks if anyone is in favor of petition. (no comments)

Chair Doug Richmond asks if anyone is against the petition. (no comments)

Town Board not present, but Minutes on file. Town recommended approving rezoning.

Chair Richmond closes Public Hearing.

Motion by Mr. O’Neil to approve Conditional Use Permit for Wireless Communication Tower
And adopt the findings, conclusions and conditions.
Seconded by Mr. Healy.
Motion carried unanimously.
Findings:

1. The property is owned James and Barbara Attoe.
2. U.S. Cellular will secure a lease on the subject property for the purpose of erecting a wireless communications tower and associated equipment.
3. The applicant proposes a 190 foot monopole tower capable of supporting the antennas of four service providers.
4. The proposed site is subject to the requirements of Title 16, Chapter 6, the Columbia County Wireless Communications Ordinance.
5. Sec. 16-6-7 (b)(2) requires that a conditional use permit be obtained for a new tower subject to the provisions of Sec. 16-1-18 of the Columbia County Zoning Ordinance.
6. The application complies with the requirements of Chapter 16-6, subject to the filing of certain additional documents that must be submitted prior to the issuance of a zoning permit for site development and construction.
7. The application also complies with the general criteria of Sec. 16-1-18 (e) of the Columbia County Zoning Ordinance.

Conclusions:

1. The proposed use is consistent with the purpose and intent of Title 16, Chapter 6.
2. The proposed use is also consistent with the purpose and intent of Title 16, Chapter 1.
3. The proposed use complies with all applicable standards and criteria.
4. The application qualifies for a Conditional Use Permit.

Decision:

Approval is recommended, subject to the following conditions:

1. Prior to or at the time of application for a zoning permit for construction of the tower, the applicant shall submit all applicable information necessary to meet the standards and requirements of Title 16, Chapter 6 of Columbia County Code of Ordinance, Wireless Communications.
2. Submittal of a landscaping plan to provide for vegetative screening around the perimeter of the fenced enclosure other than along that portion of the fence facing the wooded area or the gated entrance to the enclosure. Such plantings shall be capable of reaching a height of at least five feet. Landscaping shall be completed within twelve (12) months of the issuance of a zoning permit for construction of the tower or on a schedule approved by the Zoning Administrator. The applicant shall be responsible for the care and maintenance of the landscaping, and all plant material that has died shall be replaced with equivalent vegetation within twelve (12) months.
3. Submittal of approval for a highway access permit for the proposed service driveway entrance to King Road.
Item VIII – Zoning Text Amendments

Sign Ordinance – Chair Richmond opens Public Hearing on proposed Amendments

Jeffrey Clark
Poynette, WI

Many significant changes for Columbia County. Suggests selecting some businesses already in the county and try applying revisions to their business. Determine how many non-conforming and/or unallowable signs.

Other thoughts include the following:

- The restrictions of signs that flash, move, travel or use animation seem too limiting for this day and age.
- Prohibited Sign section seems too extreme
- Portable vs. temporary signs are difficult to distinguish
- Sign setbacks don’t match building setbacks
- Pylon/Signs on utility poles seems too restrictive
- Illuminated signs shall be designed so as not to direct any light appear to be an impossible standard to meet
- When any use is discontinued for a period of 180 consecutive days, all signs and sign supports relating to that use shall be removed. This standard could affect a lender if on-premise sign was not displayed at the site (i.e. Lakeside Restaurant).
- Shouldn’t have a requirement to place signs below the “roof line” without definition of roof line.
- “Temporary on-premise sign” condition to remove when the project is 80 percent completed, sold or leased doesn’t seem fair to developer.
- Need a variance procedure for items not covered in the Sign Ordinance.

Leonard Hein
NR263 State Highway 33
Pardeeville, WI

Have concerns that DOT gave him authority to erect a sign. Will the County deny me that right?

Mr. Bluemke inquires as to date that permits were received from State.

Mr. Hein replies that it was 1961 and two signs were allowed.

Mr. Bluemke explains that DOT has regulations and County needs to approve based on zoning. We would need additional information to answer question properly.
Larry Goodman
N9398 Carroll Road
Portage, WI

Inquires about why property on CTH CX was changed to Highway Interchange.

Mr. Bluemke explains that the Sign Ordinance is not the reason.

Dave Otto
N2580 Sanderson Road

I currently have a directional sign in corridor. Would it be allowed to remain?

Mr. Bluemke explains that if it came down, the proposed sign ordinance would not accommodate replacement.

Greg Goetz
N4235 County Highway U
Portage, WI

Owner of Petro Travel Plaza and feel the proposed ordinance is rather restrictive. Many of my existing signs would be non-conforming, particularly the high rise signs.

Marianne Hanson
Executive Director – PACC
132 W. Cook Street
Portage, WI

Representing Chamber of Commerce. Need to make sure that we make it easy for businesses and technology. Let’s compare to other communities.

Nancy Elsing
Columbia County Economic Development

We need to grow our economy; we need new businesses and make an effort to retain the ones we have. Let’s make it easy for our businesses to come and stay.

Ken Jahn
1102 W. Wisconsin
Portage, WI

Most of my thoughts have already been shared. Need to consider the definition for commercial speech. We can allow a sign, but we can’t have commercial speech so we can’t have what is “on” the sign.

Consider recreational areas; golf courses are not able to have signs?
Also, the Interstate system. Try to view a 32 sq. ft. sign when traveling 65 miles per hour; you would not see the number.

Andy Ross
744 Main Street
Poynette, WI

There will always be controversy. Encourage you to take into consideration what people have said today. As a County Board member I would vote against it.

Close Public Hearing on Sign Regulation Ordinance

Open Public Hearing on Zoning Ordinance Amendments

Phil Serta
1229 Enterprise Dr.

Ag Exclusive – lots should be a minimum of 35 acres in size. Problem is time to commute from Portage to east and cost of home in Dane vs. Columbia. Do you think it will discourage sprawl? If you allow the purchase 35 acres, you are putting in the reach of middle class people. Suggest cluster development.

Reconsider farm structure requirement for $6000 profit. Some years farmers don’t make profit. It should be based on gross income.

Jon Steinhaus
Briggsville, WI

As Town Chair, I oppose the proposed changes to the ordinance. When we began Comprehensive Plan many Towns were hesitate to team up with the County. They felt the County would control their destiny and now I feel like this is occurring.

Has a concern with several items. Notification of changes was distributed to the Towns at the end of December. Some Towns do not understand the affect of the changes.

Encourage a consultant to put the ordinance together and need an ordinance that interprets itself.

Doug Kammer
702 DeWitt Street
Portage, WI

I endorse the repeal of Section 16-1-5 because it has been a mess. You have succeeded in making it worse than original. It is a “Permitted Use” Ordinance. (i.e. hunting is illegal because it is not a permitted use).
Jeffrey Clark  
Main Street  
Poynette, WI

Biggest concern is how quickly this ordinance proposal is before us. I don’t like the piece mail process of only a few zoning districts. Also concerned about being told that we will work out details when we adopt the ordinance. Process has been short circuited. Where is the subdivision ordinance? Codifying the Comprehensive Plan into the ordinance seems backwards.

Agrees that the ordinance need revisions and that is the reason we keep coming. Don’t mean to be critical, we could work with you. Bring back all zoning and subdivision ordinances for review.

Don Nelson  
W14297 Broadway  
Wisconsin Dells, WI

Town of Newport, Town Chair. Need to provide for growth near the City – hope the growth doesn’t get too liberal.

Steve Pate  
N6852 County Highway U  
Portage, WI

Town of Caledonia, Town Chair. I have many concerns. Many people who farm don’t have income. Seems like it needs to be thought out further.

Tom Pinion  
W8022 Jonathon Drive  
Pardeeville, WI

What is the rush? Documents were sent out 33 days ago? Not a legal publication for this purpose. Town of Pacific could decline Ordinance which could complicate matters. Suggests Ad Hoc or Citizen Advisory Group or hiring consultant. We would happy to participate in process.

Jon Steinhaus  
Briggsville, WI

Town of Lewiston, Town Chair. As property owner, I have 360 acres of land and I can’t put up an agricultural building. Could drop property values and I don’t agree with ordinance.

Bruce Walker  
N8796 Wilcox Road  
Portage, WI
It seems from the Township level that this can’t be done one at a time. We have to work together and do it properly or not at all.

Larry Goodman
N9398 Carroll Road
Portage, WI

Doesn’t agree with limiting (2) animals for 5 acres. Why restrict?

Chair Richmond closes Public Hearing.

Motion by Mr. Healy to postpone ordinance deliberation until next Planning and Zoning Committee Meeting on February 5, 2008 at 4:00 pm. Seconded by Mr. O’Neil.

Motion carried unanimously.

9. Adjourn

Motion by Mr. Healy to adjourn meeting. Seconded by Mr. Baebler.

Motion carried unanimously.

Meeting adjourned at 6:45 pm.

Respectfully submitted,

[Signature]
Fred Teitgen, Secretary
Planning and Zoning Committee
Recording Secretary

[Signature]
Susan Runnion
Office Administrator

cc: Committee Members
   Harlan Baumgartner, County Board Chair
   Debra Wopat, County Board Vice Chair
   Susan M. Moll, County Clerk