



COLUMBIA COUNTY

Planning and Zoning Department

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112 E. Edgewater Street
Portage, WI 53901

Public Hearing Item 2: Conditional Use Permit

Planning & Zoning Committee • December 2, 2025

<u>Proposed Use:</u>	Shoreland Filling and Grading
<u>Applicable Section(s):</u>	12.530.06
<u>Zoning District(s):</u>	A-1 Agriculture (existing) <i>C-2 General Commercial (proposed)</i>
<u>Property Owner(s):</u>	Highland Farms, LLC c/o Peter Wallace
<u>Applicant(s):</u>	Jim Lundberg of Point of Beginning Inc
<u>Property Location:</u>	Located in the Southeast Quarter of the Northeast Quarter and the Southwest Quarter of the Northeast Quarter of Section 33, Town 11 North, Range 12 East
<u>Town:</u>	Fountain Prairie
<u>Parcel(s) Affected:</u>	659
<u>Site Address:</u>	State Highway 16/Savanna Road

Background and Analysis:

Peter Wallace of Highland Farms LLC, owner, and Jim Lundberg, applicant, request the Planning and Zoning Committee review and approve a Conditional Use Permit for filling and grading over 10,000 square feet within the Shoreland district. Parcel 659 is 35.31 acres in size, is zoned A-1 Agriculture and planned for Industrial land use on the Future Land Use map. The property is under cultivation and has frontage on both State Highway 16 and Savanna Road. Soils within the building area are considered to be potentially highly erodible per NRCS. The western 31.30 acres of the property are designated as prime farmland. Wetlands are present on the eastern side of the property. No floodplain is present. DNR Waterways staff determined that the unnamed stream along the proposed southern property line is considered to be navigable. 12.530.06 of the Columbia County Shoreland-Wetland Protection Ordinance requires that a conditional use permit be obtained for any filling or grading over 10,000 square feet in size, if the filling or grading is located within 300 feet of the ordinary high-water mark of a navigable body of water and which has surface drainage towards the water.

Filling and grading for the project will exceed 10,000 square feet within the shoreland zone. The owner is proposing to disturb approximately 73,964 square feet within the shoreland zone as part of the development of a new commercial business (Dollar General) on the property. A separate shoreland land disturbance application has been filed for this request. A zoning permit is on file for the proposed store and a sanitary permit application are also on file.

Town and State Action:

Town review is not required prior to a Subchapter 500 Conditional Use Permit request. Instead, the Shoreland-Wetland Protection Ordinance requires a 10-day notice to the affected Town prior to the County Public Hearing. The Department notified the Town of Fountain Prairie of the proposed Shoreland Filling and Grading CUP.

The Wisconsin Department of Natural Resources (DNR) must also receive a copy of the application for a conditional use permit and the public hearing notice 10 days prior to the public hearing. This notice has been sent to the DNR.

Standards for Review:

The proposed use complies with the Review Criteria of Subsection 12.560.05(4) of the Columbia County Zoning Ordinance.

Recommendation:

Staff recommends approval of the Conditional Use Permit for shoreland filling and grading greater than 10,000 square feet subject to the adoption of the following recommended Findings, Conclusions, and Conditions.

Recommended Findings of Fact:

1. Highland Farms LLC, c/o Peter Wallace is the owner of the subject property.
2. Jim Lundberg of Point of Beginning Inc is the applicant for a Conditional Use Permit.
3. The owners of the property are proposing to fill and grade areas within 300 feet of the ordinary high-water mark of an unnamed waterway which exceed an aggregate of 10,000 square feet.
4. Filling and grading in excess of 10,000 square feet within 300' of the ordinary high-water mark of a navigable body of water requires a Conditional Use Permit under Section 12.530.06(2) of the Columbia County Shoreland-Wetland Protection Ordinance.
5. Upon review of the guidelines in Section 12.560.05(4) of the Columbia County Zoning Code, and with the explanation of the criteria in Attachment A of the Staff Report, the Committee finds the following:
 - a. The establishment, maintenance, or operation of the proposed use will not be detrimental to or endanger the public health, safety, or general welfare of the occupants of surrounding lands.
 - b. The use will be designed, constructed, operated, and maintained so as to be compatible, and be appropriate in appearance with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area such that the use will substantially impair or diminish the use, value, or enjoyment of existing or future permitted uses in the area.
 - c. The erosion potential of the site, based on topography, drainage, slope, soil type, and vegetative cover is minimal.
 - d. There is no existing or anticipated water pollution including sedimentation, and no impacts on floodplain and wetlands.
 - e. The site has adequate utilities, including acceptable disposal systems.
 - f. Access to streets and highways is suitable, and ingress and egress is designed to minimize traffic congestion and the potential effect on traffic flow.
 - g. The Conditional Use shall conform to the standards of the applicable district(s) in which it is located and associated with the particular conditional use if specified in Subchapter 12.125.

Recommended Conclusions of Law:

1. The subject property is located in the Town of Fountain Prairie and is zoned A-1 Agriculture.
2. The owner and applicant are requesting a rezone to the C-2 General Commercial district. The District uses are listed in Table 12.115.02(1).
3. Jim Lundberg of Point of Beginning Inc and Highland Farm LLC c/o Peter Wallace are the petitioners for a Conditional Use Permit. The petition followed the procedures of Subsection 12.560.050(3) of the Columbia County Shoreland-Wetland Protection Ordinance.
4. The Columbia County Planning and Zoning Committee has the authority under Subsections 12.560.030(2)(3) and 12.560.05 the Columbia County Shoreland-Wetland Protection Ordinance to conduct public hearings, review, and decide on requests for Conditional Use Permits.

Recommended Conditions for the Decision:

1. The Conditional Use Permit shall become effective upon recording of the Certified Survey Map associated with this request.
2. A permit for land disturbance activities shall be obtained within 12 months of the date of this Conditional Use Permit.
3. The owner shall comply with and obtain all necessary permits as required by applicable federal, state and local regulations. A copy of the State approvals shall be submitted to the Planning and Zoning Department.
4. The Planning and Zoning Department shall have the right of inspection for the purpose of determining compliance with this permit during normal working hours or upon reasonable notice outside of normal hours.
5. If the Planning and Zoning Committee finds that the review criteria of Subsection 12.560.05(4) the Columbia County Zoning Code, 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.