

**PLANNING & ZONING COMMITTEE MINUTES
NOVEMBER 1, 2016**

PRESENT: Fred Teitgen, Kevin Kessler, Harlan Baumgartner, John A. Stevenson, Susanna R. Bradley

STAFF: John Bluemke – Director of Planning & Zoning, Randy Thompson – Planning & Zoning Administrator, Susan Runnion - Office Administrator

ALSO PRESENT: Mary Cupery – Vice Chair, Columbia County Board of Supervisors, Chris Hardy – Columbia County Highway Commissioner, James Grothman, Grothman and Associates S.C., Lyn Jerde – Portage Daily Register

3:30 PM

1. Call to order
2. Certification of Open Meeting Law
3. Roll Call was taken and a quorum declared present
4. Approval of Agenda

Motion by Mr. Baumgartner to approve Agenda of November 1, 2016 with addition of Enforcement Report and WB Sales for Planning & Zoning Committee Regular Meeting & Public Hearing.

Seconded by Vice Chair Kessler.

Motion carried unanimously.

5. Approval of Minutes

Motion by Mr. Baumgartner to approve Minutes of October 4, 2016 Planning & Zoning Committee Regular Meeting.

Seconded by Ms. Bradley.

Motion carried unanimously.

6. Waiver of Access – Portage Country Club – Towns of Marcellon, Pacific, Wyocena

Motion by Chair Teitgen to recommend approval of a Waiver of Access for Lot 1 to have no frontage on a public road subject to the following conditions:

A note being placed on the CSM that states, "The Planning and Zoning Committee approved a variance on 11/1/16 for Lot 1 to have no frontage on a public road with pedestrian and all-terrain access to be provided via an easement by other recorded instrument". The variance will become effective when the Certified Survey Map and easement documents are recorded.

Seconded by Chair Teitgen.

Motion carried unanimously.

7. Department Report

a. Planning Update/Ordinance Update

Mr. Bluemke reports that proposed Land and Subdivision Ordinance amendments include changes to help automate process and road dedication.

Vice Chair Kessler asks if meeting should be scheduled before January 1st to share ideas for other amendments.

Chair Teitgen suggests providing Mr. Bluemke with suggestions and he will share with other committee members at next meeting.

b. WB Sales

Mr. Bluemke reports that based on the opinion of Corporation Counsel the ordinance went into effect for I-2 General Industrial zoning district. The zoning, sanitary permits and emergency response number were issued and that was when the town first became aware of approval. The applicant will need to go to the town for site plan approval.

Chair Teitgen explains that the town filed a "petition" and they should have adopted a "resolution" disapproving the county's ordinance and it must be "certified". Both of these items were missed by the town. It made what they did invalid and the county action stood.

Mr. Bluemke points out that when the comprehensive revision occurred, each town received a sample "Resolution to Disapprove Petition" and Resolution to Disapprove Ordinance" and all town clerks have this on file.

Vice Chair Kessler suggests copying all county board members if the chair doesn't copy all county board members.

Ms. Bradley states that she thinks the situation is unfortunate.

Mr. Bluemke explains the "process" must be followed and it can catch you.

Ms. Bradley inquires about what should have been done.

Mr. Bluemke replies that the forms were wrong and they needed to be "certified".

Ms. Bradley asks if there is time to file now.

Mr. Bluemke points out they had 40 days to file.

Columbia County Board of Supervisor -Vice Chair Cupery asks if this is the end.

Mr. Bluemke replies “yes”, unless we get sued.

Chair Teitgen explains that Dekorra has site plan review as part of their ordinance. They will need to work out the differences.

c. Financial

- Out of County Travel

Mr. Bluemke not aware of any travel at this time.

- Expenditure Report

Mr. Bluemke explains that \$5400 expense is for state sanitary permits which is paid quarterly.

Ms. Bradley inquires if that this is a pass through.

Mr. Bluemke replies “yes”.

Motion by Vice Chair Kessler to approve Expenditure Report.

Seconded by Ms. Bradley.

Motion carried unanimously.

- Replacement Requests

Mr. Bluemke explains Office Administrator will be retiring and Lauren Ramirez has accepted the position.

Motion by Vice Chair Kessler to approve Replacement Requests for Office Administrator and Administrative Assistant.

Seconded by Mr. Baumgartner.

Motion carried unanimously.

d. Enforcement

Mr. Thompson distributes the Enforcement Report. He reports that all violations have some sort of action and staff continues to work with property owners. Corporation Counsel is helping out as well.

Chair Teitgen asks about trailer removal in Town of Dekorra.

Mr. Thompson confirms there hasn't been activity in the last week. They are continuing to work with Corporation Counsel for solution.

Vice Chair Kessler asks why so many violations with action date of 2015.

Mr. Thompson explains that date indicates when it was determined as a "violation".

Site Visits (were not needed)

8. Public Hearing

Item I- Zoning Change – A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay; Hazel L. Mulryan Trust, Petitioner and Owner – Town of Wyocena

Chair Teitgen opens Public Hearing.

Mr. Bluemke presents staff report.

The Petitioners were represented by Jim Grothman and he had no additional comments.

Chair Teitgen asks if anyone has any questions.

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

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

Town Board Chair, Doug Cole was present to confirm town approval and Minutes are on file.

Chair Teitgen closes Public Hearing.

Motion by Mr. Baumgartner to approve rezoning from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay effective upon recording of Certified Survey.

Seconded by Mr. Stevenson.

Motion carried unanimously.

Item II- Conditional Use Permit for Expansion of Outdoor Shooting Range; Rio Conservation Club, Petitioner and Owner – Town of Wyocena

Chair Teitgen opens Public Hearing.

Mr. Bluemke presents staff report.

The Petitioner was present and states he has no additional comments.

Ms. Bradley asks how membership takes place.

Jay Walters, president of the Rio Conservation Club states they do not limit members. During club events the general public is able to attend.

Ms. Bradley states concern about extended hours attracting even more shooters. She wouldn't like it if she lived in the vicinity.

Mr. Walters explains that all neighbors were notified prior to town meeting and no neighbors showed up. Expansion is proposed to support the high school as well as make facility available for dog shows and trials along with other uses.

Chair Teitgen inquires about safety standards used to build new range.

Mr. Walters explains they have been working with standards in ordinance and they are above and beyond the required conditions. They also follow standards and guidelines in NRA resource book. Department of Natural Resources has also been involved.

Vice Chair Kessler expresses concern over magnitude of increase in weekday hours. He lives within hearing distance of shooting range and noted he is a gun owner and a shooter.

Mr. Walters doesn't think that extended hours will mean that people will be firing guns continuously during all those hours. The added hours would allow more flexibility, especially for students participating in trap shooting who may not be able to shoot on Monday nights.

Chair Teitgen inquire about lighting at the range.

Mr. Walters explains the range has lighting which falls into the current zoning ordinance requirements.

Ms. Bradley asks if the letter to neighbors included proposal for extended hours.

Mr. Walters explains the letter included proposal for slightly different hours.

Chair Teitgen confirms that it was similar to what you were proposing.

Mr. Walters replies "yes".

Chair Teitgen asks if anyone has any questions.

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

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

Town Board Chair, Doug Cole was present. He reports that the Town Board voted 2-0 in favor of granting the conditional use permit. He abstained from the vote because he has been a member of the Rio Conservation Club for more

than 50 years. The club has hosted activities such a hunting dog trials. They contribute to local causes including libraries and fire departments. The club has a history of zero complaints to his knowledge.

Chair Teitgen closes Public Hearing.

**Motion by Mr. Baumgartner to approve Conditional Use Permit for
Expansion of Outdoor Shooting Range.**

Seconded by Mr. Stevenson.

Motion carried unanimously.

Vice Chair Kessler inquires if there is ability to revisit the operating hours if there were citizen complaints.

Mr. Bluemke points out that condition #9 provides flexibility and the town always has the ability to bring complaints.

Vice Chair Kessler states that condition #4 allows extension of hours. My personal preference would be not to extend and perhaps cutback.

Mr. Baumgartner comments that it should be up to the neighbors and the Town Board to decide if a cutback in hours is warranted.

Findings of Fact:

- 1. Upon review of the guidelines in Section 16-150.070 D. of the Columbia County Zoning Code and with the explanation of the criteria in Exhibit D 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 site based on topography, drainage, slope, soil type, and vegetative cover is minimal.**
 - d. The prevention and control of water pollution including sedimentation, and the potential impacts on floodplain and wetlands is not an issue as there are no mapped floodplain or wetlands.**
 - e. The site has adequate utilities including, if necessary, 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.**

Conclusions of Law:

- 1. The subject property is located in the Town of Wyocena and is zoned A-1 Agriculture.**
- 2. The Rio Conservation Club is the petitioner for a Conditional Use Permit on lands they own, which petition followed the procedures of Section 16-150-070 C. of the Columbia County Zoning Code.**
- 3. The Rio Conservation Club wishes to expand their existing legal nonconforming use which is allowed as a Conditional Use Permit under Section 16-105-020 A of the Columbia County Zoning Code.**
- 4. The Wyocena Town Board has reviewed and approved the Conditional Use Permit with conditions in accordance with Section 16-105-070 of the Columbia County Zoning Code.**
- 5. The Columbia County Planning and Zoning Committee has the authority under Section 16-150-030 B. 3. and Section 16-150-070 of the Columbia County Zoning Code to conduct public hearings, review and decide on requests for conditional use permits.**

Conditions for the Decision:

- 1. This Conditional Use Permit shall become effective when the property is zoned RC-1 Recreational.**
- 2. Any agreement between the Town of Wyocena and the Rio Conservation Club or conditions established by the Town of Wyocena are hereby incorporated by reference as part of this Conditional Use Permit; however, the County is not responsible for enforcing said agreement or conditions, unless an individual point of agreement or condition is specifically included below as a condition of approval. In the event that the Town submits a finding of noncompliance with any item of the above referenced agreement 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.**
- 3. The outdoor facility may be used for archery, pistol, rifle and shotgun ranges as illustrated on the site plans.**
- 4. Operating hours will be Monday through Friday 9:00 am to 10:00 pm; Saturday and Sunday 9:00 am to 8:00 pm but limited to no more than 30 weekends per calendar year. The Club can request from the Town Board extended weekend hours for special events where longer shooting hours are necessary.**
- 5. All new lighting 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.**
- 6. Any significant changes to the site plan or building shall be reviewed and approved by the Town and County.**

7. Any range or facility on the approved site plan that is not operational within 5 years of the effective date of this permit shall be subject to a new Conditional Use Permit.
8. The Owner shall comply with and obtain all necessary permits required by applicable federal, state, and Town regulations.
9. If the Planning and Zoning Committee finds that the review criteria of Section 16-150-070 D of 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.

Item III- Conditional Use Permit for a Tourist Rooming House; TCRW Properties LLC, Petitioner and Lake Wisconsin Rental LLC, Owner – Town of Dekorra

Chair Teitgen opens Public Hearing.

Mr. Bluemke presents staff report.

The Petitioner was present and state they will be operating with same conditions.

Chair Teitgen asks if anyone has any questions.

Vice Chair Kessler asks if the facility is licensed by the state.

The Petitioner confirms that it is currently licensed by the seller.

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

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

Town Board not present, but Minutes on file.

Chair Teitgen closes Public Hearing.

Motion by Vice Chair Kessler to approve Conditional Use Permit for Tourist Rooming House.

Seconded by Mr. Baumgartner.

Motion carried unanimously.

Vice Chair Kessler states he is puzzled by the use of three houses.

Petitioner explains the smaller house which is two bedroom would be used for seasonal rental.

Findings of Fact:

1. Upon review of the guidelines in Section 16-150.070 D. 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 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.
2. The proposed tourist rooming house is consistent with the County Comprehensive Plan, Section 6.0 Goal 3 Objective 3 - Foster tourism that promotes the natural resource base and unique historical heritage of Columbia County.

Conclusions of Law:

1. The subject property is located in the Town of Dekorra and is zoned R-1 Single Family Residence which District uses are stated in Section 16-110-120.
2. Lake WI Rentals LLC are the owners and TCRW Properties LLC are the petitioners for a Conditional Use Permit which petition followed the procedures of Section 16-150-070 C. of the Columbia County Zoning Code.
3. The petitioners are proposing to operate a Tourist Rooming House which is allowed as a Conditional Use Permit under Section 16-110-120 of the Columbia County Zoning Code.
4. The Dekorra Town Board has reviewed and approved the Conditional Use Permit with conditions in accordance with Section 16-110-070 of the Columbia County Zoning Code.
5. The Columbia County Planning and Zoning Committee has the authority under Section 16-150-030 B. 3. and Section 16-150-070 of the Columbia County Zoning Code to conduct public hearings, review and decide on requests for conditional use permits.
6. The standards of Section 16-125-010 A of the Columbia County Zoning Code as noted below are applicable:

- a. Occupancy shall be limited to two persons per bedroom, plus an additional two persons. At no time may the number of guests exceed eight regardless of the number of bedrooms in the unit. Two exits are required for each bedroom.
- b. The number of guest vehicles allowed on site is limited to the number of bedrooms in the tourist rooming house. On-street parking is prohibited. No recreational vehicle or tent may be used for living or sleeping purposes.
- c. Must meet all requirements associated with a single-family dwelling in Section 16-125-090(A). The appearance or use of the tourist rooming house shall not be altered in a manner that would cause the premises to differ from its residential character either by the use of colors, materials, construction, lighting, signs, or the emission of sounds, odors, dust or vibrations that carry beyond the premises.
- d. The availability of the tourist rooming house to the public shall not be advertised on site.
- e. Must be licensed by the State of Wisconsin.
- f. In addition to any state required license fee, each operator of a tourist rooming house shall provide Columbia County with an annual fee to enable the County to confirm compliance with the standards of this chapter and fulfill state reporting requirements.
- g. Conditional use permit may be subject to revocation or alteration if the Planning and Zoning Committee finds that these standards, the recommended Conditions adopted by the Planning and Zoning Committee, or the standards for all conditional use permits in Section 16-150-070D are not being met.

Conditions for the Decision:

1. Any agreement or conditions pertaining to this Conditional Use Permit between the Town of Dekorra and TCRW Properties LLC are hereby incorporated by reference as part of this Conditional Use Permit; however, the County is not responsible for enforcing said agreement or conditions, unless an individual point of the agreement or condition is specifically included below as a condition of approval. In the event that the Town submits a finding of noncompliance with any item of the above referenced agreement for which the County has not assumed direct enforcement authority, upon written request by the Town the County reserves the right to the review the Conditional Use Permit.
2. The Conditional Use Permit shall not become effective until TCRW Properties LLC owns the property.
3. The Conditional Use Permit is not transferable to another owner.
4. Accessory buildings cannot be used as habitable structures.
5. Pets are not allowed.
6. Quiet hours on weekdays are between 10 PM and 8 AM and on weekends 11 PM and 8 AM on weekends and holidays.
7. All fires are to be in proper fire pit structures and must be extinguished during established quiet hours.

8. No fireworks are allowed at any time.
9. Provide the Planning and Zoning Department, Town Chair, Town Clerk and Town Constable with a 24 hour contact number.
10. A sign no larger than 12" by 18" shall be placed near the primary entrance door with a 24 hour contact number in case of a complaint or emergency. If the owner does not live within one hour's drive of the tourist rooming house, there shall be a local contact person.
11. A state sales tax number must be obtained and provided to the Planning and Zoning Department.
12. Property must remain free from citation and charges for nuisance, disorderly conduct or other illegal activity.
13. Garbage and recycled materials shall be properly stored.
14. Owner's website or other advertising shall state there are conditions associated with this use.
15. 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.
16. The owner shall comply with and obtain all necessary permits required by applicable federal, state, and local regulations.
17. If the Planning and Zoning Committee finds that the review criteria of Section 16-150-070 D of 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.

Item IV- Major Home Occupation for Residential Kennel; Guy L. Frost & Jodeen S. Neuhauser, Petitioners and Owners – Town of Otsego

Chair Teitgen opens Public Hearing.

Mr. Bluemke presents staff report.

The Petitioner was present and states she has no additional comments.

Ms. Bradley asks how the facility is inspected and excessive barking is monitored.

The Petitioner states she is not aware of inspections.

Mr. Bluemke explains that DATCP doesn't inspect boarding kennels, but do inspection "breeding" kennels. The county would inspect for barking dogs and we would the condition so that a determination can be by us or a licensed officer.

Columbia County Board of Supervisors – Vice Chair Cupery confirms the facility will not have puppies.

The Petitioner reports that the kennel will be well insulated and kennel only. Vice Chair Kessler inquires about condition #3 "Hours for the pickup and delivery of dogs must be established".

The Petitioner states that the hours of operation will be 8:00 am – 5:00 pm, seven days per week.

Vice Chair Kessler points out typographical error on page 2 of staff report. Sentence should be "an onsite compost site for the waste", not "composite".

Chair Teitgen asks if anyone has any questions.

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

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

Town Board Chair – Harlan Baumgartner was present and confirms approval by Town Board and Minutes are on file.

Chair Teitgen closes Public Hearing.

**Motion by Ms. Bradley to approve Home Occupation Permit for Residential Kennel with revised Condition #3 – Hours of operation will be from 8:00 am – 5:00 pm, seven days per week.
Seconded by Mr. Stevenson.
Motion carried unanimously.**

Findings of Fact:

1. Upon review of the guidelines in Section 16-150.070 D. of the Columbia County Zoning Code and with the explanation of the criteria in Exhibit 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 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.

Conclusions of Law:

1. The subject property is located in the Town of Otsego and is zoned A-1 Agriculture which District uses are stated in Section 16-105-120.
2. Guy and JoDeen Frost are the petitioners and owners for a Major Home Occupation/ Conditional Use Permit which petition followed the procedures of Section 16-150-070 C. of the Columbia County Zoning Code.
3. The petitioners are proposing to operate a residential boarding kennel which is allowed as a Conditional Use Permit under Section 16-105-120 of the Columbia County Zoning Code.
4. The Otsego Town Board has reviewed and approved the Conditional Use Permit with conditions in accordance with Section 16-105-070 of the Columbia County Zoning Code.
5. The Columbia County Planning and Zoning Committee has the authority under Section 16-150-030 B. 3. and Section 16-150-070 of the Columbia County Zoning Code to conduct public hearings, review and decide on requests for conditional use permits.

Conditions for the Decision:

1. The Major Home Occupation Permit is not transferable.
2. The kennel shall be constructed and maintained in accordance with information provided with application, changes to the site plan must be reviewed by the Planning and Zoning Department who may refer changes back to the Town and Planning and Zoning Committee for approval.
3. Hours for the pickup and delivery of dogs will be 8:00 am – 5:00 pm, seven days a week.
4. The Home Occupation Permit shall only be for a boarding kennel for a maximum of 12 dogs.
5. All dogs must be licensed and must have appropriate vaccinations and documentation of dogs on site and boarded in the past must be maintained on the premises.
6. Outside exercise and training activities shall be limited to the hours of 7:00 am to 6:00 pm and all outside activities must be under direct supervision of the owners or an employee.
7. Excessive barking, cries, howling or other noise will result in the permit being reviewed and subject to revision or revocation. The term excessive barking, cries, howling or other noise includes but is not limited to the creation of any noise by a dog, dogs, or puppies which can be heard at a property line by any person, including an enforcement officer, which noise occurs continuously or incessantly for a period of 10 minutes or intermittently for 30 minutes or more any time day or night. A dog or dogs shall not be deemed to be barking if at the time a dog is barking or making

- other noise, a person is trespassing or threatening to trespass upon the private property upon where the kennel is situated or when the dog or dogs are being teased or provoked.
8. There shall be strict observance of all sanitation and animal cruelty rules, regulations or laws of the Town, County, or State of Wisconsin.
 9. The applicant and owner shall comply with and obtain all necessary permits required by applicable federal, state, and local regulations.
 10. The owners will allow inspections any time during the period from 8 am to 5 pm by town officials and Planning and Zoning staff. Inspections outside of the period shall be arranged with the owners.
 11. Conditional use permit may be subject to revocation or alteration if the Planning and Zoning Committee finds that these standards or the standards for all conditional use permits in Section 16-150-070D are not being met.

Item V- Zoning Change – A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay; David C and Judith A Leege Trust, Petitioners and Owners – Town of Newport

Chair Teitgen opens Public Hearing.

Mr. Bluemke presents staff report.

The Petitioner was represented by Jim Grothman and he has no additional comments.

Chair Teitgen asks if anyone has any questions.

Chair Teitgen asks if access easement will be recorded.

Mr. Grothman confirms that it will be recorded.

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

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

Town Board not present, but Minutes on file.

Chair Teitgen closes Public Hearing.

Motion by Vice Chair Kessler to approve rezoning from A-1 Agriculture to RR- Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay effective upon recording of Certified Survey.

Seconded by Mr. Stevenson.

Motion carried unanimously.

Item VI- Revisions Title 16 Chapter 200 – Land Division and Subdivision Ordinance

Chair Teitgen opens Public Hearing.

Mr. Bluemke explains that the proposed amendments include timing of fee payment, proof of access requirement by surveyor, drop box related items and potential alternative for dedication of land.

Chair Teitgen asks if anyone has any questions.

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

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

Chair Teitgen closes Public Hearing.

Vice Chair Kessler reports that standing rules of County Board require 40 hours of advance notification for proposed change consideration. We need motion to consider today's handout of alternative language.

Motion by Vice Chair Kessler to consider alternate language for Revisions to Title 16 Chapter 200 – Land Division and Subdivision Ordinance.

Seconded by Ms. Bradley.

Motion carried unanimously.

Chair Teitgen requests input from Chris Hardy relating to dedication verbiage.

Mr. Hardy explains that dedication makes it easier for the future from a legal and financial aspect. Whenever construction occurs such as expanding our profile, wider shoulders, we encourage right-of-way (ROW) limit. We are not taking something that we don't already have. This proposal would define and save legal expense in the future.

Mr. Baumgartner asks the reason "why". He always considered the highway department would have the right to do whatever it needs. Why make the change. Why does it need to be spelled out as a "dedication"?

Columbia County Board of Supervisor Vice Chair Cupery asks if this affects county roads or town roads.

Mr. Bluemke clarifies that this only affects county roads.

Mr. Grothman confirms the concern of having a large farm and a county highway goes through it and you asks to dedicate, the property owner may give up a large portion of ROW. Some accessors adjust for taxes because the property owner may be giving up 5-10 acres of ROW in the process.

Mr. Hardy explains that many counties illustrate on their certified survey maps.

Mr. Grothman validates that we have shown road ROW. The land owner can create a certified survey map and convey the ROW or take an easement instead.

Mr. Hardy verifies that he doesn't have an issue with an easement because it provides a recorded document for future.

Mr. Baumgartner agrees with option for property owner to have a choice of an easement or dedication.

Mr. Grothman points out that legally the documents are similar. Perhaps there could be a standard easement document.

Chair Teitgen suggests adding a "period" after "County" to optional language. Then change sentence to "Land within the certified survey map being used by public as county highway shall be dedicated or shown as an easement drafted by the county and granted by the owner via another recorded document".

Mr. Grothman agrees that a standard easement type form be drafted with the assistance of Mr. Hardy and Corporation Counsel.

Chair Teitgen asks how the committee feels about alternate options.

Vice Chair Kessler asks the distinction between plat and certified survey map.

Mr. Grothman explains that a plat has to be dedicated ownership and has more than 4 lots.

Motion by Vice Chair Kessler that the Committee recommend to County Board adoption of changes to Title 16 Chapter 200 Land Division and Subdivision Ordinance as proposed by the staff including newly handed out language for 16-205-050 D with change to second sentence.

Seconded by Chair Teitgen.

Motion carried unanimously.

Mr. Baumgartner asks if we will have a standard easement document.

Mr. Bluemke confirms that the property owner determines if it will be dedication or easement. The easement will be prepared by the county and granted by the owner.

Mr. Baumgartner states that he wants to see the easement language. Bring it back next month along with the recommended code.

November 1, 2016

Mr. Bluemke suggests adopting the language or table for amendment.

Motion by Vice Chair Kessler that the Committee review easement format language before submitting recommended changes to Title 16 Chapter 200 Land Division and Subdivision Ordinance as proposed by the staff including newly handed out language for 16-205-050 D with change to second sentence.

Seconded by Chair Teitgen.

Motion carried unanimously.

9. Adjourn

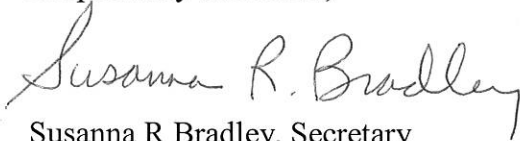
Motion by Vice Chair Kessler to adjourn meeting.

Seconded by Mr. Stevenson.

Motion carried unanimously.

Meeting adjourned at 5:20 PM

Respectfully submitted,



Susanna R Bradley, Secretary
Planning and Zoning Committee



Recording Secretary
Susan Runnion, Office Administrator

cc: Committee Members
Vern Gove, County Board Chair
Mary Cupery, County Board Vice Chair

