

Buffalo County Minutes

Committee/Board: Zoning Committee

Date of Meeting: February 8, 2018

Electronic and Hardcopy Filing Date: February 27, 2018

The meeting was called to order at 10:00 a.m. by LouAnne Roby, Chairperson. Roll call was taken with all members of the Zoning Committee in attendance; LouAnne Roby, John Kriesel, Bernard Brunkow, Michael Taylor.

Others present for all or part of the public meeting include Mike Owecke, Zoning Administrator, Keith Bollinger, Zoning Specialist, Julie Lindstrom, Administrative Assistant in the Zoning Department, Peter Fletcher, Mississippi River Regional Planning Commission (MRRPC) staff and Sonya Hansen, Buffalo County Administrative Coordinator. Others may have been in attendance that did not sign in.

Minutes are summarized as follows:

Public Comments Relating to the Agenda: There were no public comments.

Meeting Minutes. Motion by Mr. Kriesel, seconded by Mr. Taylor to approve the minutes from the December 14, 2017 Zoning Committee meeting as mailed. All in favor. Carried.

Uniform Dwelling Code (UDC) Inspector Contract Annual Review. Ms. Hansen reported that Fred Weber, the UDC Inspector was not able to attend the meeting for this discussion. Ms. Hansen explained that Mr. Weber was in her office and visited with her and provided the following information: There were 33 permits issued in 2017, 35 permits issued in 2016 and 28 permits issued in 2015. Ms. Hansen continued by saying that the biggest change for Mr. Weber, starting in 2018 was the online reporting with DSPS and Mr. Weber asked that it be part of the minutes and part of the record that it be crucial that he get the complete copy of the applications, the Zoning permits, the sanitary numbers, anything that is issued from the Zoning Department, because all of that information is required for him to fill in and submit to the state. Ms. Hansen stated that Mr. Weber received permit numbers, but that is not enough information for him to be able to complete the online record, so he wants to work with the Zoning Department to be sure he is getting the material as the permits are issued.

Comprehensive Zoning Ordinance Revision.

Mr. Fletcher reported that the first draft of the Comprehensive Zoning Ordinance revision was released and five meetings with the Towns were scheduled and three of those meetings have been held. Mr. Fletcher continued by saying that the Town Board members have been coming in and reviewing the zoning district maps; the biggest issue has been the poultry barn floors; this came out at the meeting at the Waumandee State Bank. Mr. Fletcher stated that the draft ordinance that is being used now, will stay as it is until after the last Town meetings are completed; following those meetings, the edits will be made to the draft ordinance and the second draft will be available. At that point we are looking at scheduling a couple public open houses. Mr. Owecke stated that one open house will be held in Mondovi at the Roger Marten Community Center and a second meeting will be held at the Courthouse in Alma. Mr. Fletcher commented that the open house format being used at these meetings has been working well and allows for more interaction between those attending, Zoning staff, Mr. Boniface and himself.

Mr. Owecke explained the edits that will be made in the second draft as follows: 1) as requested by the Zoning Committee at the last Zoning Committee meeting Outdoor and Open Burning has been added and language was taken from State of WI, model ordinance; these are the standards the state came up with; also addresses burning bans put in place by local fire chief and WI DNR. Mr. Kriesel questioned the grandfather clause and Mr. Owecke stated the Zoning Department would be able to use the ordinance when responding to a complaint; may not apply to all existing wood-fired furnaces; 2) Acknowledgement page was added to recognize all those who participated in making this happen and a second page to identify zoning staff and contact information where inquiries about the ordinance may be directed; 3) Vision triangle. Mr. Owecke stated there is no State Statute to address vision triangle, only guidance. He talked with Bob Platteter, Buffalo County Highway Commissioner. Language was added to exempt agricultural crops unless the county Zoning Department, Highway Department or Town Board requires removal of the crop for highway safety. It was suggested and Mr. Owecke will add language to address Town roads and discuss it with Mr. Platteter as well; 4) Farm animals on small parcels, language was changed to allow 2 animal units per 1 acre on parcels 10 acres and under. With this change you can have 20 head of cattle on a 10 acre parcel. 5) Poultry barn language has been changed for an option to use cohesive soil floors. Discussion was held on the requirement for a licensed professional engineer for the Development Plan. Ms. Roby questioned whether we were targeting one industry with the poultry barn language and Mr. Owecke stated that thru the Zoning Ordinance we would capture large livestock and hog operations with the requirement for a conditional use permit and permit for construction of agricultural buildings. Mr. Owecke also pointed out that the poultry barns specific use also addresses post construction floors requiring them to be covered with a permeable membrane immediately after construction and until a finished roof is constructed and screening would only be required where a poultry barn is adjacent to a state or federal highway. 6) Board of Adjustment (BOA) Chapter was discussed. Mr. Owecke explained that the BOA met on January 16, 2018 to address changes in State Statutes concerning variances and condition use permits, so the following language was added: variances do not expire and they run with the land. If commencement of construction has not started within 2 years of the date the variance was granted, it shall be deemed expired. Biggest change is that a BOA can no longer deny a CUP application if the applicant agrees to meet all conditions. Ms. Roby questioned and Mr. Owecke stated that the language in the ordinance is right from State Statute. Mr. Owecke stated that the BOA can still place conditions on the permit, but the BOA would need to come up with grounds as to how the applicant would not be able to meet the requirements to deny the application. Mr. Owecke explained that substantial evidence reduces the ability to use public input when making a decision. Decision making needs to be based on facts. 7) Definition chapter was added. Mr. Owecke handed out a list of definitions that have been added 8) Outfitters and guiding services was added as a permitted use in the Commercial District 9) Additional language to address development on steep slopes. Provisions in section 2 and 3 shall not apply to roads for timber harvesting or to roads exclusively for agricultural field access. Long term maintenance of construction on slopes 22-32% were discussed and Mr. Owecke stated you are not going to see much of that; most people do not build on those slopes. Mr. Owecke continued by saying that development on slopes over 22% are prohibited on the Headland Bluffs. This ended Mr. Owecke's edits to the draft zoning ordinance.

Mr. Owecke explained that once the Town meetings are completed this revised draft will go on-line and advertise for the 2 open houses. Mr. Fletcher stated that modification to the ordinance will be made following the input from the open houses and edits to the ordinance with draft #3; language in draft #3 will be will be used at the public hearing.

Ms. Hansen commented that she has not had time to read the revised ordinance and questioned any language regarding floodplain and flooding and Mr. Owecke responded by saying floodplain is a separate ordinance and there is no reference to floodplain in the zoning ordinance.

Dates were tentatively scheduled for the 2 open houses, the week of March 13th in Alma and the week of March 27th in Mondovi and will be confirmed following room scheduling and availability of Mr. Fletcher and Mr. Boniface from Mississippi River Regional Planning Commission. The current Zoning Committee members will conduct the public hearing and make the decision whether to pass it on to the County Board for adoption. The public hearing was scheduled for Thursday, April 5th, 2018 and a special meeting of the Zoning Committee was scheduled for Monday, April 16th, 2018 to take action on the Ordinance Revision. The regular meeting of the Zoning Committee was scheduled for Thursday, March 8th at 10:00 am. Discussion was held and it was the consensus of the Zoning Committee that each county board supervisor be mailed a hard copy of the 2nd draft of the Zoning Ordinance prior to the next public meeting.

Zoning Administrator Comments. Mr. Owecke handed out a spreadsheet showing the annual tally of permits issued for 2015, 2016 and 2017. Brief discussion was held. Mr. Owecke talked about a department project that is being completed by Mr. Bollinger preparing a county map showing the location where all the zoning permits (development) is happening in the county. Mr. Owecke stated that Mr. Poser in the GIS Department is also putting together a map to show where all the poultry barns have been permitted in 2016 and 2017 in Buffalo County.

Ms. Roby had no additional comments.
There were no public comments, not relating to the agenda.
Next meeting was scheduled earlier.

The meeting was adjourned at 11:45 a.m.

Respectfully Submitted,

Julie Lindstrom
Zoning Administrative Assistant