

Eau Claire County
PLANNING & DEVELOPMENT COMMITTEE MINUTES

Tuesday, April 23, 2019 • 7:00 p.m.
Eau Claire County Courthouse • 721 Oxford Avenue • Room 1277
Eau Claire, Wisconsin

Members Present: Gary Gibson, Robin Leary, Joe Knight, Nancy Coffey, Jim Dunning

Members Absent:

Staff Present: Rod Eslinger, Jared Grande, Matt Michels, Tyler Esh, Greg Leonard, Amanda Peters, Ben Publitz

1. Call to Order

Chairperson Gibson called the meeting to order at 7:00 p.m.

2. Confirmation of Compliance with Open Meetings Law

Chairperson Gibson confirmed compliance with the Open Meeting Law.

3. Public Input Session

Eleanor Wolf spoke in favor of the Ag. Ordinance, but offered that design capacity of the manure storage facilities include the 100-year 24- hour rain event.

4. Public Hearings

a. **Proposed Ordinance: File No. 19-20/004** "Amending the 1982 Zoning District Boundary Map for the Town of Union" (Haas) / Discussion – Action

Matt Michels, Senior Planner for Eau Claire County, presented the staff report for the rezoning petition. He stated that the site is in NW ¼ of the NW ¼, Section 3, T27N-R10W, Town of Union. Mr. Michels reviewed the site conditions (slopes/soils/land use activities) and the location of the site within the Town. He indicated that the Town of Union adopted zoning in January of 1998. Matt stated that the purpose of the rezoning is for the storage and stockpiling of aggregates onsite. The request is to rezone 11/43 acres from the A-2 District to the I-1 District. The area is planned for commercial/industrial. He further reviewed the rezoning standards and findings with the committee. This property contains mostly disturbed and is generally not suitable for traditional agricultural. The Town reviewed this request at their town board meeting on April 16, 2019 and recommended approval of the request to the I-1 District. The site has reasonable access to HWY 312 and I-94. A brief discussion was held regarding a berm to screen the site and to have it planted with vegetation (coniferous trees). He concluded with synopsis of the County and Town's comprehensive plan policies that apply to the request, and recommended approval of the request as submitted based on the findings outlined in the staff report.

Steve Haas, applicant and one of the owners, clarified for the committee that he is willing to complete the tree planting on the berm for screening purposes. He also stated that his company stores equipment on the site during the winter.

No one else spoke in favor or against the request.

Action: Motion by Joe Knight to approve **File No. 19-20/004** as presented. Motion carried, 5-0-0

b. **Proposed Ordinance: File No. 19-20/005** "Amending the 1982 Zoning District Boundary Map for the Town Union" (Krenz) / Discussion – Action

Mr. Michels gave a brief overview of the application and indicated that the Town of Union Plan Commission and Town Board still needs to review the application at their respective meetings. He recommended that the committee postpone their action to allow the town to hold their respective meetings.

Action: Motion by Jim Dunning to postpone **File No. 19-20/005** to May 28, 2019 Committee on Planning and Development meeting to allow the Town of Union Plan Commission and Town Board to meet. Motion carried, 5-0-0

- c. **Proposed Ordinance: File No. 19-20/006** "Amending the 1982 Zoning District Boundary Map for the Town of Washington" (Signature Homes) / Discussion – Action
- Matt Michels, Senior Planner for Eau Claire County, presented the staff report for the rezoning petition. He stated that the site is located in the Hidden Valley Subdivision, NE ¼ of NE ¼ and NW ¼ of NE ¼ of Section 16, T26N-R9W, Town of Washington. The development was created in 1994 as a planned unit development and was approved with a conditional use permit. He reviewed the standards with the development standards of the PUD and the requirement to maintain open space within the development. Mr. Michels noted that the existing lot was formerly two separate lots within the original plat and included some land from outside of the plat. The request is the rezone the property so that the owner could create two lots (3 and 4 acre lots) for the purposes of constructing two residences. Mr. Michels reviewed the site conditions with the committee. He further reviewed the slopes and soils conditions of the property. This property is mostly wooded. The Town reviewed this request at their town board meeting on April 18, 2019, and recommended approval of the request. He concluded with a synopsis of the County and Town's comprehensive plan policies that apply to the request, and recommended approval of the request as submitted based on the findings outlined in the staff report. Also, he stated that the proposed lot sizes are consistent with the existing development patterns of Hidden Valley Subdivisions

Matt Kuester, co-owner of Signature Homes and applicant, spoke in favor of the request and stated that they want to build two homes on these lots that fit the topography. They don't have any intention of clear cutting the sites. He indicated they plan to build high-end customer homes on the lots.

Rick Binder, owns outlot 1 of the Hidden Valley Subdivision west of the applicant's property. Spoke in opposition of the rezone petition.

Edward Hayes, lived in Hidden Valley Subdivision for the past 16 years, spoke in opposition of the petition and stated that he is concerned about the precedent this could set if approved.

Andy Pankratz, 6300 Whitetail Drive, spoke in opposition of the request and expressed concerns on how close the homes will be on the lots.

Bob Decker, 6455 Whitetail Drive, has lived there since 2005 and spoke in opposition of the request. He is also concerned about the precedent this could establish if approved.

No one else spoke in favor or against the request.

Action: Motion by Joe Knight to approve **File No. 19-20/006 as presented**. Motion carried, 5-0-0.

- d. A conditional use permit request for the cumulative area of all accessory structures to exceed 1200 square feet (1800 square feet requested) in the RH Rural Homes District (Hollister – Town of Brunswick) / Discussion – Action

Jared Grande, Land Use Manager for Eau Claire County, presented the request for the cumulative square footage of all accessory structures to exceed 1,200 square feet in the R-H District. Mr. Grande reported that the 36-foot by 50-foot garage will be used for personal storage and will be built before the residence is to be constructed. He reviewed the location of the site within the Town of Brunswick, site plan, and existing site conditions. The new garage would meet the setback requirements of the district, comply with the height requirements, the structure's exterior will match the residence, and that the lot is large enough to support the garage.

On March 12, 2019, the Town of Brunswick Town Board and recommended approval of the conditional use permit of the request. Mr. Grande stated that he received a phone call regarding the building setbacks and that he also received a letter opposing the conditional use application. Staff reviewed the application request and recommends approval subject to the conditions in the staff report. Mr. Grande presented a video of the property showing the site conditions and adjacent properties.

Jeremy Hollister, property owner, spoke in favor of the request.

No one else spoke in favor of or against the request.

Action: Motion by Jim Dunning to approve **CUP-0002-19 as presented**. Motion carried, 5-0-0.

- e. **Proposed Ordinance: File No. 18-19/107** Regarding the following amendments to the Eau Claire County Code:

TO RELETER SECTION 18.60.040 E. THROUGH Q. AS F. THROUGH R. OF THE CODE; DEFINITIONS; TO CREATE SECTION 18.60.040 E. OF THE CODE; DEFINITIONS; TO REPEAL AND RECREATE SECTION 18.60.050 A. OF THE CODE; GENERAL PROVISIONS; TO AMEND SECTION 18.60.070 B. OF THE CODE; ADMINISTRATION; TO AMEND SECTION 18.60.090 OF THE CODE; HAZARD MARKING AND LIGHTING; TO AMEND O SECTION 18.60.110 A. OF THE CODE; DISTRICT REGULATIONS; TO CREATE SECTION 18.60.110 A.1.M. OF THE CODE; DISTRICT REGULATIONS; TO AMEND SECTION 18.60.110 B.1.B. OF THE CODE; DISTRICT REGULATIONS; TO AMEND SECTION 18.60.110 B.3.I. OF THE CODE; DISTRICT REGULATIONS; TO AMEND SECTION 18.60.110 D.4. OF THE CODE; DISTRICT REGULATIONS / Discussion – Action

Jared Grande, Land Use Manager for Eau Claire County gave update of the ordinance and stated that the ordinance contains clean up and relaxes requirements for temporary structures (cranes).

Charity Zich, Airport Manager, answered questions regarding when the FAA lighting of structures and clarifies who would pay for the lighting.

Action: Motion by Robin Leary to approve **File No. 18-19/107**. Motion carried, 5-0-0

5. Emergency Management Update

- a. LEPC Appointment and Reappointments / Discussion – Action

Tyler Esh, Eau Claire County Emergency Management Coordinator, addressed the committee regarding the LEPC appointment and reappointments.

Action: Motion by Nancy Coffey to approve **the appointments and reappointments as presented.**
Motion carried, 5-0-0.

b. Annual Report

Mr. Esh gave his annual review to the committee and summarized the major events that Emergency Management participated in during the past year.

6. Review of Ag Ordinance Review Special Committee's recommendations and draft of "Agricultural Performance Standards and Manure Storage Ordinance" / Discussion – Action

Greg Leonard, Land Conservation Manager for Eau Claire County and Amanda Peters, Agronomist for Eau Claire County, reviewed the draft Agricultural Performance Standards and Manure Storage Ordinance with the Committee. They also gave the committee a brief summary of the moratorium and process that lead to the creation of the ordinance. He indicated that the Department of Agricultural, Trade and Consumer Protection is currently reviewing the ordinance and state staff may submit comments, but Mr. Leonard noted it is not an approval or denial process by the state. Corporation Counsel is preparing the final ordinance, which will be available at the public hearing.

Mr. Leonard clarified for the committee where existing agricultural facilities existed prior to October 2002 when NR 151 became effective, the county must offer cost share money to have them come into compliance. New facilities since October 2002, they are required to come into compliance regardless of cost share money.

Action: Motion by Robin Leary to approve **the draft "Agricultural Performance Standards and Manure Storage Ordinance" with staff edits.** Motion carried 5-0-0.

7. Violation Report / Discussion

Mr. Bublitz presented the violation report to the committee.

8. Quarterly Departmental Report/Fiscal Report / Discussion

Rod Eslinger reviewed the quarterly fiscal report with the committee and presented the "NEW" fiscal report format that the Finance Department for all the County departments. Mr. Eslinger also reported on the quarterly fiscal narrative that is a written summary review of current activities, issues on the horizon and trends, collaborations, and upcoming goals.

9. 2020 CIP Requests: Discussion – Action (material to be handed out at the meeting)

Mr. Eslinger presented the department's 2020 CIP requests to the committee. He noted that department had not received the Lake Districts application, which would likely change the Lake Rehabilitation capital request. The top CIP priorities for the department were a vehicle replacement, orthoimagery and Lidar.

Action: Motion by Robin Leary to approve **the CIP requests as submitted.** Motion carried, 5-0-0.

10. Review of March bills / Discussion

The committee reviewed the March bills.

11. Review/Approval of March 26, 2019 Meeting Minutes / Discussion – Action

Joe Knight offered a correction to the March 26th meeting minutes and noted that Eric Nibble's last name should be Dibble.

Action: Motion by Joe Knight to approve **the minutes as corrected**. Motion carried, 5-0-0.

12. Proposed Future Agenda Items / Discussion

- a. Next scheduled meeting – May 14, 2019

13. Adjourn

Action: Meeting adjourned by **unanimous consent** at 9:55 p.m.

Respectfully submitted,



Rodney Eslinger

Clerk, Committee on Planning & Development