

## **AGENDA**

Eau Claire County

### • PLANNING & DEVELOPMENT COMMITTEE •

**Date:** Tuesday, May 9, 2023

**Time:** 7:00 p.m.

**Location:** Eau Claire County Courthouse, 721 Oxford Ave, Room 1277, Eau Claire, Wisconsin 54703

\*Event link below can be used to connect to meeting and interact (by the chair) from computer or through the WebEx Meeting smartphone app.

**Join WebEx Meeting:** <https://eauclairecounty.webex.com> Meeting ID: 2593 420 7714

Password: dPf5BYr3dF5

\*Meeting audio can be listened to using this Audio conference dial in information.

**Audio conference:** 1-415-655-0001 Access Code: 25934207714##

***For those wishing to make public comment, you must e-mail Rod Eslinger at [Rod.Eslinger@eauclairecounty.gov](mailto:Rod.Eslinger@eauclairecounty.gov) at least 60 minutes prior to the start of the meeting.***

*\*Please mute personal devices upon entry*

1. Call to Order and confirmation of meeting notice
2. Roll Call
3. Public Comment **(15 minute maximum)**
4. Review/Approval of April 25, 2023 Meeting Minutes / Discussion – Action **Pages 2-4**
5. File No. 23-24/010 regarding the following changes to the Eau Claire County Code:  
To Repeal Title 18 Zoning and Title 20 Shoreland Protection Overlay District Of The Code: To Create Title 18 Of The Code: Land Use and Development **Page 5**

### **Comprehensive Zoning Code Update Summary**

<https://www.eauclairecounty.gov/home/showpublisheddocument/50157>

### **Comprehensive Zoning Code Update Public Hearing Draft. Ordinance No. 23-24/010**

<https://www.eauclairecounty.gov/home/showpublisheddocument/50159>

6. Proposed Future Agenda Items / Discussion
  - a. Next scheduled meeting May 23, 2023
7. Adjourn

Prepared by: Heidi Pederson

PLEASE NOTE: Upon reasonable notice, efforts will be made to accommodate the needs of individuals with disabilities through sign language, interpreters, remote access, or other auxiliary aids. Contact the clerk of the committee or Administration for assistance (715-839-5106). For additional information on ADA requests, contact the County ADA Coordinator at 839-6945, (FAX) 839-1669 or 839-4735, TTY: use Relay (711) or by writing to the ADA Coordinator, Human Resources, Eau Claire County Courthouse, 721 Oxford Avenue, Eau Claire, WI 54703.

## MINUTES

Eau Claire County

### • PLANNING & DEVELOPMENT COMMITTEE •

**Date:** Tuesday, April 25, 2023

**Time:** 7:00 p.m.

**Location:** Eau Claire County Courthouse, 721 Oxford Ave, Room 1277, Eau Claire, Wisconsin 54703

\*Event link below can be used to connect to meeting and interact (by the chair) from computer or through the WebEx Meeting smartphone app.

**Join WebEx Meeting:** <https://eauclairecounty.webex.com> Meeting ID: 2591 176 1396

Password: M2fZqeBJN55

\*Meeting audio can be listened to using this Audio conference dial in information.

**Audio conference:** 1-415-655-0001 Access Code: 25911761396##

***For those wishing to make public comment, you must e-mail Rod Eslinger at [Rod.Eslinger@eauclairecounty.gov](mailto:Rod.Eslinger@eauclairecounty.gov) at least 60 minutes prior to the start of the meeting.***

*\*Please mute personal devices upon entry*

Members Present: Dane Zook, James Dunning, Nancy Coffey, Todd Meyer Robin Leary

Members Absent: None

Ex officio Present: Nick Smiar

Staff Present: Matt Michels, Ben Bublitz, Regan Watts, Hannah Wirth, Madeline Marchiafava

#### 1. Call to Order and confirmation of meeting notice

Chair Leary called the meeting to order at 7 p.m. and confirmed with Senior Planner Michels the meeting was properly noticed.

#### 2. Roll Call – Members present are noted above. A quorum was present.

#### 3. Public Comment (**15 minute maximum**) - None

#### 4. Review/Approval of April 11, 2023 Meeting Minutes / Discussion – Action

The committee reviewed the April 11, 2023 meeting minutes.

**ACTION:** Motion by James A. Dunning to approve the April 11, 2023 committee meeting minutes as presented. Motion carried on a voice vote: 5-0-0

#### 5. Sustainability Intern Capstone Oral Report / Discussion

Madeline Marchiafava reviewed the projects she worked on and gave an overview of her accomplishments and highlights of her internship.

## 6. Public Hearings

- a. A request to modify conditional use permit CUP-0001-23 to allow a total of 11 businesses. Owner: John Kelly. Legal: Lot 2 CSM 3604, Vol 20, P 221 #1198748, Town of Washington, Eau Claire County, Wisconsin. CUP-0002-23

Ben Bublitz, Land Use Manager, provided an overview of the applicant's request to modify two conditions of previously-approved CUP-0001-23, changing condition one to permit eleven separate businesses within the planned unit development, and to modify condition four which currently requires structures to be constructed in a specific area shown on the preliminary condominium plat.

Staff concluded that the applicant's request for a conditional use permit for a commercial planned unit development complies with the code standards, is consistent with the purpose of the code and the standards for granting a conditional use. Mr. Bublitz recommended approval of the amendment to the conditional use permit, as requested and recommended for approval by the Town of Washington Board on April 20, 2023.

Committee members had questions regarding the total number of structures and square footage that may be allowed and the adequacy of the developable area to accommodate individual septic systems and wells, as well as providing adequate room for parking.

Jeremy Skaw of Real Land Surveying, representing the applicant, spoke in favor of the application. He addressed the committee's questions regarding the site design and limitations on development based on conditions in the CUP, the zoning ordinance, and City/County Health Department sanitary permit requirements.

John Kelly, applicant and property owner, spoke in favor of the request. Each building will conform with the conditions of the CUP and uses will follow the zoning code.

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

**ACTION:** Motion by Nancy Coffey to approve the modification to conditional use permit CUP-002-23 condition one to permit eleven separate businesses within the planned unit development, and to modify condition four which currently requires structures to be constructed in a specific area shown on the preliminary condominium plat, as recommended by the Town of Washington Board and county staff. Motion carried on a voice vote: 5-0-0

7. Committee Review – Reduce the required contiguous buildable area from 21,780 square feet to 3,489 square feet, located at Outlot 46, Block 4, Assessor's Plat of Lake Eau Claire North, Town of Bridge Creek, Eau Claire County, Wisconsin. (Kinderman/Pete Gartmann, RLS) / Discussion – Action

**ACTION:** Motion by Todd Meyer to postpone the request to the May 23, 2023 meeting. Motion carried on a voice vote: 5-0-0.

8. Update on Regional Housing Study / Discussion

Matt Michels, Senior Planner, provided an overview

9. Violation Status Report / Discussion

Hannah Wirth, Zoning Technician, provided an update on the status of zoning violations in the county.

10. Review of March bills / Discussion

The committee reviewed the March bills.

11. Proposed Future Agenda Items / Discussion

- a. Next scheduled meeting May 9, 2023

12. Adjourn

**ACTION:** Meeting adjourned by unanimous consent at 8:45 pm.

Respectfully Submitted,

Matt Michels  
Acting Clerk, Committee on Planning & Development

**FACT SHEET  
TO FILE NO. 23-24/010**

Ordinance 23-24/010, is an ordinance to repeal and recreate Title 18, Zoning of the County Code and to repeal Title 20 of the County Code, Shoreland Protection Overlay District. Title 18 will be renamed the “Land Use and Development Ordinance”, which will consist of the general zoning, subdivision, nonmetallic mining reclamation, and several resources specific overlays: wellhead protection, shoreland and floodplain. This ordinance is considered a comprehensive revision, which means it’s a complete rewrite of the existing zoning ordinance which changes numerous zoning provisions and adds zoning districts. The existing zoning ordinance was adopted by the County Board in 1982 and is in effect in the following towns: Brunswick, Clear Creek, Drammen, Lincoln, Otter Creek, Pleasant Valley, Seymour, Union, and Washington.

The update process started in the winter of 2018 and featured meetings with stakeholder committees, the Towns, and the public in the spring of 2019. We met again with the stakeholders’ groups from October to December 2019. The final phase of the process included agency review and input from the Wisconsin Department of Natural Resource, Department of Agricultural, Trade and Consumer Protection and the Eau Claire County Corporation Counsel’s office from January 2020 to March 2023. The final phase was impacted by COVID along with the departure of the lead staff on the project in January of 2022.

Upon adoption of the County Board in July of 2023, pursuant to section 59.69 5. (d.), each Town under county zoning will need to adopt the revised code by resolution within one year of the adoption date to continue with county zoning. The existing code will remain in effect until the towns file their adopting resolution with the county. If the town board fails to approve the resolution adopting the revision within a year neither the existing ordinance nor the revision will be in force in that town.

The outcome of the revision is to update the ordinance to ensure consistency with current state laws and legal standards, to consider policy adjustments in response to feedback from stakeholders across the county, and to make it easier for all users to understand and apply the ordinance.

Attached is a summary of the changes made in the Title 18 Revision for your reference.

Neither positive nor negative fiscal impacts are anticipated as a result of the adoption of this ordinance.

Respectfully submitted,

Rodney J. Eslinger  
Planning and Development Director

RE

Attachment: Title 18 Revision – Summary of Changes