

Eau Claire County  
**PLANNING & DEVELOPMENT COMMITTEE MINUTES**

Tuesday, March 22, 2016 • 7:00 PM  
Eau Claire County Courthouse • 721 Oxford Avenue • Room 1277  
Eau Claire, Wisconsin

Members Present: Gary Gibson, Gordon Steinhauer, Jim Dunning, Stella Pagonis,

Members Absent: Steve Chilson

Staff Present: Lance Gurney, Rod Eslinger, Matt Michels

1. Call to order

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

2. Public Input Session: None.

3. Public Hearing:

- a. **Proposed Ordinance: File No. 15-16/132** “Amending the 1982 Official Zoning District Boundary for the Town of Pleasant Valley” (Welke) RZN-0007-16 / Discussion – Action  
Matt Michels presented the request to rezone 1.59 acres from the A-2 zoning district to the RH zoning district in a mapped Rural Hamlet of Cleghorn within the Town of Pleasant Valley by Ronald and Judy Welke. Mr. Michels presented the background report, including adjacent land uses and zoning, consistency with applicable comprehensive plans, and development patterns within the vicinity. A short video of the property was reviewed. The property consists of both agricultural and wooded lands. The Town of Pleasant Valley has voted to approve the request. Staff is recommending approval. Kevin Welke appeared as agent for the Welke family, to explain ownership in the area and support for the request.

**ACTION:** Motion by Gordon Steinhauer to approve file 15-16/132. Motion carried, 4-0.

- b. A conditional use permit request for a duplex in the A-2 Agriculture-Residential District (Atkinson – Town of Pleasant Valley) CUP-0003-16 / Discussion – Action  
Rod Eslinger presented the staff report and background information relating to a request for a conditional use permit to construct a duplex in the A-2 zoning district by Joann Atkinson in the Town of Pleasant Valley. The applicant has approximately 250 acres of land and is requesting an addition to an existing single family residence to accommodate additional occupancy by a family member. Mr. Eslinger noted the adjacent uses and existing zoning classifications in the vicinity of the request. A short video of the subject site was then presented. The addition is planned for the west-side of the existing residence. Staff has reviewed the request in accord with the seven zoning standards in code, and has determined that the request complies with all applicable standards and requirements. The Town of Pleasant Valley did review the matter and is now recommending approval. In consideration of this information, staff is recommending approval of the request with seven staff conditions as contained within the March 22, 2016 staff report. Stella Pagonis asked for clarification in terms of the Town of Pleasant Valley’s stated opposition to the development of duplexes. Dan Green appeared to relay that the Town of Pleasant Valley does not necessarily disagree with duplexes, but needed clarification that they are allowed through a conditional use. To the Town’s knowledge, this is the first request for a duplex in the Town. Joann Atkinson appeared to provide justification for the duplex to allow for aging in place by the owners and

**ACTION:** Motion by Stella Pagonis to approve the conditional use permit request with seven staff recommendations outlined on Page 20 of the Committee meeting packet. Motion carried, 4-0.

- c. **Proposed Ordinance: File No. 15-16/146** “Amending the 1982 Official Zoning District Boundary for the Town of Drammen” (Wolf) RZN-0008-16 / Discussion – Action  
Matt Michels presented the staff report and background information for the request to rezone approximately 6.9 acres of land from the A-P zoning district to the A-2 zoning district to allow the existing residence to be split off and sold while the remaining 82 acres of land would be retained and remain zoned as A-P. The subject property has isolated agricultural fields. The request is determined to be consistent with the Eau Claire County Comprehensive Plan. A short video of the request was then presented. The Town of Drammen has considered the request and has approved the request contingent upon the current owner retaining an access easement from the existing driveway access on Hwy 37. The remaining acreage would be considered an outlot and therefore unbuildable as it will not meet the minimum frontage requirements under the zoning code. Staff is recommending approval of the request as submitted.

**ACTION:** Motion by Jim Dunning to approve file 15-16/146. Motion carried, 4-0.

- d. **Proposed Ordinance: File No. 15-16/149** “Amending the 1982 Official Zoning District Boundary for the Town of Clear Creek” (Green) RZN-0009-16 / Discussion – Action  
Matt Michels presented the staff report and background information for the request to rezone approximately 9.3 acres from the A-P zoning district to the A-2 zoning district to allow a family member to construct a new residence on the subject property. The property is located within the Preservation Area of the Eau Claire County Farmland Preservation Plan and therefore must be considered in conjunction with four standards to approve a rezone. Mr. Michels confirmed that the adjacent land uses are consistent, the soils of the property are not considered prime, the land is better suited for the use (which is not allowed in the A-P zoning district), and the request is consistent with both the Town and County comprehensive plans. The Committee confirmed that the request would effectively resolve any potential gaps in zoning between the southern property and the proposed lot. Dan Green appeared as the applicant. He indicated that his daughter’s family would be building a new home. The request would effectively clean up the zoning in the area. The applicant is also working with the neighbor to exchange lands to square up lot lines in the area. Staff is recommending approval of the request as submitted.

**ACTION:** Motion by Jim Dunning to approve file 15-16/149. Motion carried, 4-0.

4. Screening for the Commercial and Industrial Districts Waiver (Hase – Town of Union) / Discussion – Action  
Rod Eslinger presented the request for a waiver from screening requirements adjacent to a residential zoning district. The applicant owns a towing business and would utilize a new building to store towed automobiles. Three waiver conditions are provided in Code Section 18.30.200.B in order to consider a waiver. First, there is a reasonable probability that the adjacent properties will be rezoned to a commercial or industrial use. The County Comprehensive Plan does recognize this area

on the Future Land Use map as commercial and industrial uses, meaning that a rezone would be consistent to the plan. There is existing natural topographic or vegetative screen. Staff confirmed that there is existing screening to the site already. Finally, written agreements with affected property owners have been provided which state that the screening is not desired. Staff confirmed that letters have been provided in accord with this requirement. Staff believes all three conditions have been satisfied in this instance and therefore is recommending approval of the waiver as submitted.

**ACTION:** Motion by Stella Pagonis to approve the waiver. Motion carried, 4-0.

5. **Proposed Resolution: File No. 15-16/137** "Resolution Adopting the Eau Claire County Outdoor Recreation Plan for 2016-2020" / Discussion – Action

Matt Michels presented the Eau Claire County Outdoor Recreation Plan (CORP) for consideration of adoption. The CORP is a five-year plan update required to maintain eligibility for state and federal grant funding opportunities. The last plan was updated in December of 2012, although the previous plan was for the time period of 2010 through 2015. Mr. Michels reviewed the plan layout, park space need requirements, a 5-year action plan, and community programs for each of the local units of government who may also wish to obtain grant funding for recreational projects. Mr. Michels explained that the plan is a balance between passive recreational and more intense recreational preferences throughout Eau Claire County. Highlights of the updates included improved access to the Eau Claire River corridor (including maps and plans for improvements), addition of equestrian related activities, a community survey, improved mapping, updated inventory and needs assessments, updates to each participating community plans, and numerous other revisions. A community survey with more than 400 responses and a stakeholder committee were utilized to engage the public in this update. The Parks and Forest Committee has reviewed the proposed plan and have recommended approval with minor revisions. Additional comments that the P&D Committee may wish to consider were provided by Supervisor Stelljes, who is a member of the Parks and Forest Committee but was unable to attend its discussion and review of the presented plan. The Committee felt that procedurally, such amendments would either need to come through the Parks and Forest Committee or be requested on the County Board floor.

**ACTION:** Motion by Stella Pagonis to approve file 15-16/137. Motion carried, 4-0.

6. **Proposed Resolution: File No. 15-16/144** "Requesting the Legislature Discontinue the Practice of Putting Forth and Fast-tracking Piecemeal Bills Regarding Planning, Zoning and Land Use" / Discussion – Action

Gary Gibson provided the background of the request and the need to allow the public to fully review and have opportunities to provide input on bills that have broad impacts. Numerous bills this last legislative session were introduced on a Thursday or Friday, and would have a public hearing scheduled the following Monday or Tuesday. This greatly limits the ability of local governments and citizens to review and weigh the impacts a new law may have.

**ACTION:** Motion by Jim Dunning to approve file 15-16/144. Motion carried, 4-0.

7. Correspondence: Richard Eaton, Assistant Corporation Counsel / RE: Title 18, General Zoning – Application in Shoreland Areas / Discussion  
Rod Eslinger reviewed correspondence provided by the Corporation Counsel office relating to impacts on shoreland zoning regulations from this past legislative session. There is broad confusion statewide in terms of what the existing regulatory framework is as a result of the numerous pieces of legislation that have been enacted in the last year. Based on the legislative amendments, Eau Claire County can no longer apply base underlying zoning through the shoreland zoning code for towns that have not adopted county comprehensive zoning. The Department will begin working with the four eastern towns, Parks and Forest Department, and Lake Eau Claire District/Association that do not have county zoning to determine what, if any, land use regulations they would be open to incorporating as part of an update to the Shoreland Zoning Code.
8. Legislative Act Update / Discussion  
Rod Eslinger provided an update of the impacts of the most recent legislative session as it relates to land use in the State of Wisconsin. Impacts to water resource protection, local control, and specifically shoreland zoning were discussed.
9. Review of February Bills / Discussion: No issues or concerns were indicated.
10. Review/Approval of February 23, 2016 Meeting Minutes / Discussion – Action  
**ACTION:** Motion by Gordon Steinhauer to approve the minutes as submitted. Motion carried, 4-0.
11. Proposed Future Agenda Items / Discussion  
None.
12. Gary Gibson adjourned the meeting at 8:45 p.m.

Respectfully submitted,

Lance J. Gurney  
Clerk, Committee on Planning & Development