

**Lincoln County Planning and Zoning Committee
Wednesday, September 12, 2007 at 7:00 p.m.
Land Resource Center Meeting Room**

1. Call Meeting to Order - Meeting was called to order by Chairman Saal at 7:00 p.m. in the Land Services Building meeting room. Members present: Saal, Meyer and Short along with Dan Miller; Zoning Administrator, Dan Bowers; Zoning Specialist, Tom Cadwallader, Agriculture Agent and 11 other town representatives. He explained that the focus of the meeting would be the previously mailed discussion document regarding contemplated changes to chapter 17. He turned it over to Dan Miller for further explanation.

Miller explained that just as we had reconvened one year after adopting the ordinance to discuss problems that had arisen in implementation of the new ordinance there were 4 other issues that needed to be addressed now. We wanted to discuss them in a round table format to garner the town's input before holding formal hearings on the changes.

Miller started the discussion by explaining that the Towns of Bradley and Schley had brought up concerns about a lack of limits on maximum building coverage in the Cross Roads Mixed Use district. He explained the original intent of the district and how it was perhaps overused by some towns in their zoning mapping.

Bill Jelinek explained why Bradley had raised it as an issue and he primarily felt that without a cap then the entire lot could be covered in buildings and pavement and that would also run counter to the intent for the district. He felt a cap of 40% as exists in the Planned Business District would be appropriate.

Tom Cadwallader explained some of the reasons why the Town of Scott found it difficult to constrain use to the district to only one or two specific crossroads locations.

Charles Reinhardt from Scott concurred and stated that he did not feel a cap on building coverage should be established as it may hurt some of the development prospects contemplated for his township.

Earl Welker felt that there should be some kind of standard but didn't have a good number. He brought up an example in his town on the corner of hwy's J and X in which a property owner who owns 17 acres has to obtain a Conditional Use Permit because a building that he is proposing puts the total building coverage on the entire property over the 5,000 square foot threshold. He felt that it was an unnecessary burden in this instance. He felt that perhaps a cap is needed but it should be based upon a threshold lot size (smaller lots like in Gleason have a higher cap than those properties in the country).

Karen Olsen returned to the written intent of the Cross Roads Mixed Use District and felt that instead of tweaking the language a better solution might be to reconsider the use of the district in the rural areas and rezone them to a more appropriate district.

It was decided that no clear recommendation could be provided at this time so Miller moved on to the next issue.

He explained the typographical error regarding the location of Utility and Institutional uses near residences or residentially zoned properties. Everyone agreed with the suggested change.

Miller then explained why an exemption should not be granted to individuals who submit an erosion control and stormwater plan to the DNR and Dept of Commerce. Originally it was felt that both agencies would adequately scrutinize these plans but experience indicates that these plans are not being reviewed and standards of our ordinance are not being met. All agreed to remove the exemption.

Miller moved on to explain problems encountered while trying to implement the density tracking provisions of the ordinance. Because existing homes (those that were already in place or permitted prior to the time that the ordinance was enacted) are discounted from density tracking, an over-inflated density in the RL and Ag zones can result. Dan Bowers directed the group's attention to a graphic he drew on the black board that demonstrated a worst case scenario. An original 40 could have been subdivided into 8 five acre parcels, each with a residence on it. Because the ordinance discounts those homes, an ultimate density of 16 homes could be realized on the original 40 acres if it were zoned RL-4.

Ron Hornischer expressed dismay and stated that the example certainly runs counter to the concept as explained to him when he served on the Land Use Advisory Committee. He felt that only larger tracks of land should have been zoned RL or Ag and perhaps mapping those districts may have been applied too liberally too.

Stacey Pettit discussed generally how people have to be held accountable too for their input or lack there of in the planning process and ultimately how there properties became zoned. If the maps are based upon the plans then they shouldn't be changed so easily. The towns should have the fortitude to "stick to their guns" if they are supported by the plan.

Miller explained how the proposed changes will soften the blow of the density application while still allowing present homes to be replaced if they exceed density now. He also explained why clarification of splitting lands zoned RL and Ag was necessary. All agreed with the suggested changes.

Since there was some time left, Chairman Saal suggested returning to the CMU issue. He asked if perhaps the group couldn't live with the current standard that required a Conditional Use Permit for now and think about another solution to the maximum building coverage issue and return to it at a later date. All present were polled and agreed to that compromise.

2. Adjourn - Motion by Meyer, seconded by Saal to adjourn at 8:45 p.m. Motion carried all ayes.