

**Lincoln County Land Services Committee
Minutes of Wednesday, July 9, 2015, 5:00 pm
Lincoln County Service Center, Room #156**

Members Present: Julie Allen, Loretta Baughan, Hans Breitenmoser, Jeff Hetfeld, Curtis Powell & Greta Rusch.

Visitors: Diane Wessel; Land Services Administrator, Matthew Bremer; Zoning Program Manager, June Winters; Zoning Program Assistant, Earl Welker & Harry Gladwin. Supervisor Plant was excused.

1. Call Meeting order - Meeting was called to order by Chairman Powell at 5:00 p.m.
2. Approval of the June 10, 2015 Land Services Committee Minutes – M/S Allen/Baughan to approve the minutes. Motion carried all ayes.
3. Public Comment – Wessel introduced the new Zoning Program Manager, Matthew Bremer.

REGISTER OF DEEDS - There were no items this month.

LAND SERVICES DEPARTMENT

4. 5:00 p.m. Public Hearing – Public Hearing was called to order at 5:02 p.m. Hearings were held on the items listed in the notice. Chairman Powell explained the rules of conduct for public hearings and introduced the Committee members. He called the first hearing.

ORDINANCE AMENDMENTS – SECTION 17.3.09 AND 17.2.100 LINCOLN COUNTY ZONING ORDINANCE

1. Section 17.3.09 and 1.2.100 of the Lincoln County Zoning Ordinance related to accessory residential structures over 1,500 ft² and accessory non-residential structures over 25,000 ft³ is proposed to be amended. The amendment eliminates the requirement of a conditional use permit for accessory residential structures over 1,500 ft² and for accessory non-residential structures over 25,000 ft³ in the General Business and Planned Business districts.

Earl Welker, Town of Schley Plan Commission, was present. Chairman Powell acknowledged that Welker presented a resolution from the Town of Schley. They were partially in favor of the text amendment. He said that maybe the current process for making these amendments is not working the way it should. The towns should be given more time/input for the changes. He read the town resolution to the Committee including the issues that they had. The definitions for residential/non-residential structure & residential/non-residential use are confusing or non-existent in the ordinance. He feels that this has not been reviewed enough to make any changes at this time. He discussed the information he had been given regarding maximum building coverage and minimum lot sizes. He gave examples of permits that had been issued in Rural Lands 4 that may have been inconsistent with what is currently in the ordinance. He feels this is complicated and that more time should be taken for review before changing the ordinance. There was discussion on the issues that Welker had brought forward. Wessel clarified the issues as; 1) define residential vs. non-residential use; 2) cubic feet issue to maybe have a height limitation instead; 3) Clarification on whether the Rural Lands districts are considered “residential”.

Hetfeld commented that good government starts at the local level and we need this input from the towns. He agreed that this requires more review & clarification.

Harry Gladwin, Town of Bradley Plan Commission, was present and said that the Town Board has not made a final decision. He spoke about how the Land Use Plan came about and shared that the cooperation between the towns & the county was good and hoped that would still hold true. He said that the Town Board wrote a memo to the Land Services Administrator with their concerns and that was in the Committee’s packets. He shared their concerns; 1) no size limit; 2) adjacent property owners not having input on how the request affects them; and, 3) the ability for the town and county to impose conditions. He gave some examples of where their concerns would come into play. He spoke about removing the restrictions on structures > 25,000 cu. ft. possibly would create problems also.

He said that because a Conditional Use Permit for an accessory residential structure >1500 sq. ft. has not been denied was probably due in part because it was reviewed by both the Town & County for potential problems. Gladwin explained the process that the Town of Bradley has prior to a public hearing at the county level for the applicant to obtain town recommendation. He feels that some issues are avoided because of this process. He summarized that the cooperation between the town & the county has been great. He feels that the Towns should be allowed more time to discuss the proposed changes. He doesn't know what their town board's final decision will be. He commented that the towns pay the county for services such as enforcing zoning through taxes. They feel that the town should have input for those regulations.

Chairman Powell called for any other proponents and/or opponents and there were none. Chairman Powell closed the public hearing for the Ordinance Amendment.

Hetfeld reviewed that the Towns of Harding, Tomahawk, Russell & Merrill have submitted paperwork indicating their approval. Powell said that there are options for the Committee at this point; to approve the amendment, lay it over for revisions or throw out completely.

Wessel suggested some changes to the proposed text amendment. She suggested leaving the Conditional Use Permit requirement but raising the threshold to a larger size. There was lengthy discussion on the process and/or problems of moving forward too quickly and the best way to move forward.

M/S Hetfeld/Rusch to layover the decision at this time. There was discussion. Motion carried 5-1 with Baughan voting nay. Baughan explained her nay vote by saying that by the positive responses and lack of negative responses that have/have not been received she feels the majority of the towns have indicated that they are fine with the changes.

5. Agency Updates – There were none.
6. Department Report - Wessel shared some correspondence regarding items attached to the state budget. She also shared a memo regarding "no till drills". A piece of equipment partially funded by Lincoln County for use by farmers. Corporation counsel suggested drafting a letter to Marathon County asking for use of this equipment by farmers in Lincoln County to be made available. Chairman Powell directed Wessel to draft that letter unless there is objection from the Committee. Being no opposition, Wessel will draft that letter and send it on behalf of the Lincoln County Land Services Committee.
7. Confirm next meeting/public hearing date – August 13, 2015 - Date confirmed.
8. Adjourn – M/S Allen/Baughan to adjourn at 5:52 p.m. Motion carried all ayes.