

Motion By: Lemke
Second By: McCrank

AN ORDINANCE AMENDING THE GENERAL CODE OF THE COUNTY OF LINCOLN – CHAPTER 17, 17.2.03, ZONING ORDINANCE AS A RESULT OF A REZONING PETITION BY VICTORIA AND RONALD FORSTER FOR PROPERTY IN THE TOWN OF RUSSELL.

| Dist. | Supervisor | Y | N | Abs |
|---------------|---------------|---|---|-----|
| 1 | Bialecki | | | |
| 2 | Anderson-Malm | | | |
| 3 | McCrank | | | |
| 4 | Osness | | | |
| 5 | Wendorf | | | |
| 6 | Ashbeck | | | |
| 7 | Rusch | | | |
| 8 | Thiel | | | |
| 9 | Friske | | | |
| 10 | Boyd | | | |
| 11 | Detert | | | |
| 12 | DePasse | | | |
| 13 | Callahan | | | |
| 14 | Hafeman | | | |
| 15 | Lemke | | | |
| 16 | Loka | | | |
| 17 | Vacant | | | |
| 18 | Wickham | | | |
| 19 | Allen | | | |
| 20 | Cummings | | | |
| 21 | Simon | | | |
| 22 | Hartwig | | | |
| Totals | | | | |
| Carried | | | | |
| Defeated | | | | |
| Amended | | | | |
| Voice vote | | | | |
| Roll call | | | | |

WHEREAS, The County Board of Supervisors of Lincoln County, Wisconsin, does hereby ordain:

Chapter 17.2.03, Lincoln County Code, is amended to rezone tax parcel pin# 02033083549994 from Forestry (F) to Rural Lands (RL4). The parcel size is approximately 39 acres and is located at N4930 Hay Meadow Dr. in Section 35, T33N-R8E, in the Town of Russell.


Any areas designated as Wetlands on the Wisconsin Wetland Inventory Map will not be rezoned to upland.

STATE OF WISCONSIN)
) SS
 COUNTY OF LINCOLN)

I hereby certify that this resolution/ordinance is a true and correct copy of a resolution/ordinance adopted by the Lincoln County Board of Supervisors on:
 December 20, 2022

This ordinance shall take effect following its passage and posting.

Dated: 12/20/22


 Christopher J. Marlowe
 Lincoln County Clerk

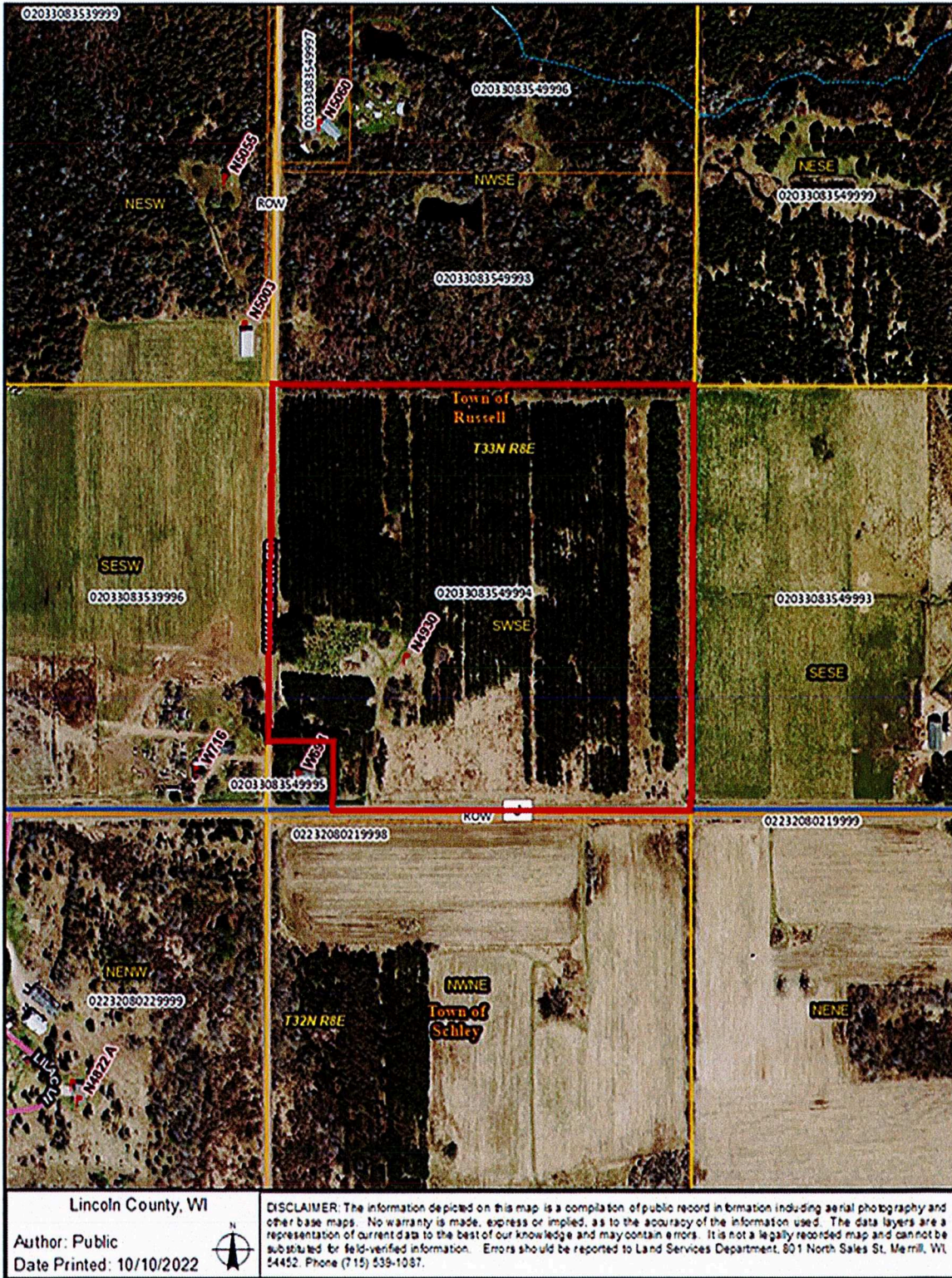
Authored by: Marty Lemke
 Co-Sponsored by: William Bialecki
 Committee: Land Services Committee
 Committee Vote: 7-0
 Fiscal Impact: None

Date Passed: 11/10/22

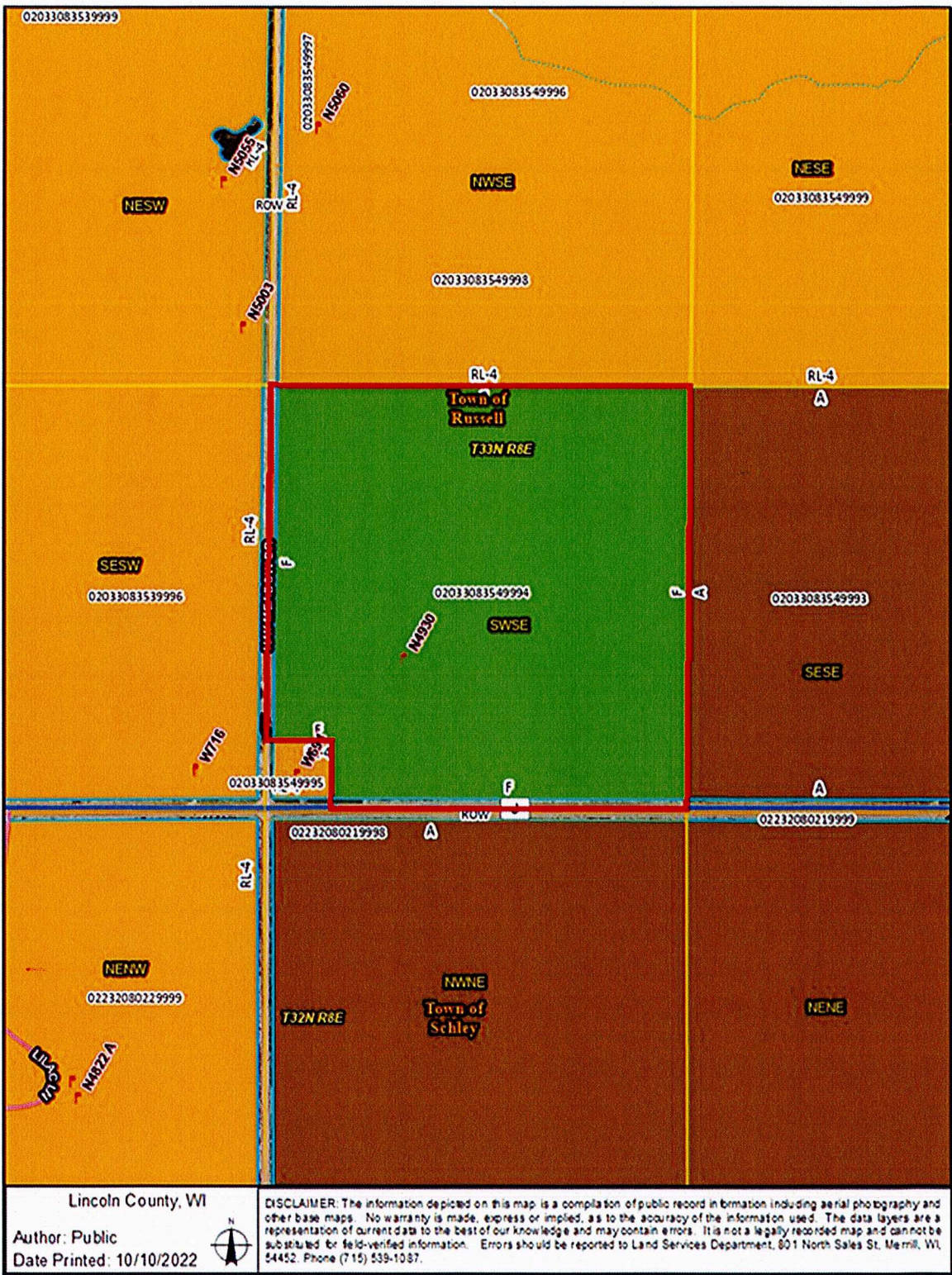
Drafted by: Mike Huth (Land Service Administrator- Zoning Program Manager)



Property Overview



Zoning District Map



Motion By: McCrank
Second By: Wickham

| Dist. | Supervisor | Y | N | Abs |
|---------------|---------------|---|---|-----|
| 1 | Bialecki | | | |
| 2 | Anderson-Malm | | | |
| 3 | McCrank | | | |
| 4 | Osness | | | |
| 5 | Wendorf | | | |
| 6 | Ashbeck | | | |
| 7 | Rusch | | | |
| 8 | Thiel | | | |
| 9 | Friske | | | |
| 10 | Boyd | | | |
| 11 | Detert | | | |
| 12 | DePasse | | | |
| 13 | Callahan | | | |
| 14 | Hafeman | | | |
| 15 | Lemke | | | |
| 16 | Loka | | | |
| 17 | Vacant | | | |
| 18 | Wickham | | | |
| 19 | Allen | | | |
| 20 | Cummings | | | |
| 21 | Simon | | | |
| 22 | Hartwig | | | |
| Totals | | | | |
| Carried | | | | |
| Defeated | | | | |
| Amended | | | | |
| Voice vote | | | | |
| Roll call | | | | |

AN ORDINANCE AMENDING THE GENERAL CODE OF THE COUNTY OF LINCOLN – CHAPTER 17, 17.1.12 AND 17.2.03, ZONING ORDINANCE AS A RESULT OF A COMPREHENSIVE PLAN AMENDMENT AND REZONING PETITION BY ANDREW WISKERCHEN FOR PROPERTY IN THE TOWN OF MERRILL.

The County Board of Supervisors of Lincoln County, Wisconsin, does hereby ordain:

Chapter 17.1.12, Lincoln County Code and the Planned Land Use Map of the Lincoln County Comprehensive Plan shall be amended to change the planned land use category for the approximately 1 acre in Section 6, T31N-R7E, in the Town of Merrill; tax pin# 01431070649954, from to Residential (Rural Single Family Residential) to Non-Residential (General Business Public).

AND

Chapter 17.2.03, Lincoln County Code, is amended such that the approximately 1 acre in Section 6, T31N-R7E, in the Town of Merrill; tax pin# 01431070649954, will be rezoned from a Rural Residential-4 (RR4) to General Business (GB) zoning district.


Any areas designated as Wetlands on the Wisconsin Wetland Inventory Map will not be rezoned to upland.

STATE OF WISCONSIN)
) SS
 COUNTY OF LINCOLN)

I hereby certify that this resolution/ordinance is a true and correct copy of a resolution/ordinance adopted by the Lincoln County Board of Supervisors on:
 December 20, 2022

This ordinance shall take effect following its passage and posting.

Dated: 12/20/22


 Christopher J. Marlowe
 Lincoln County Clerk

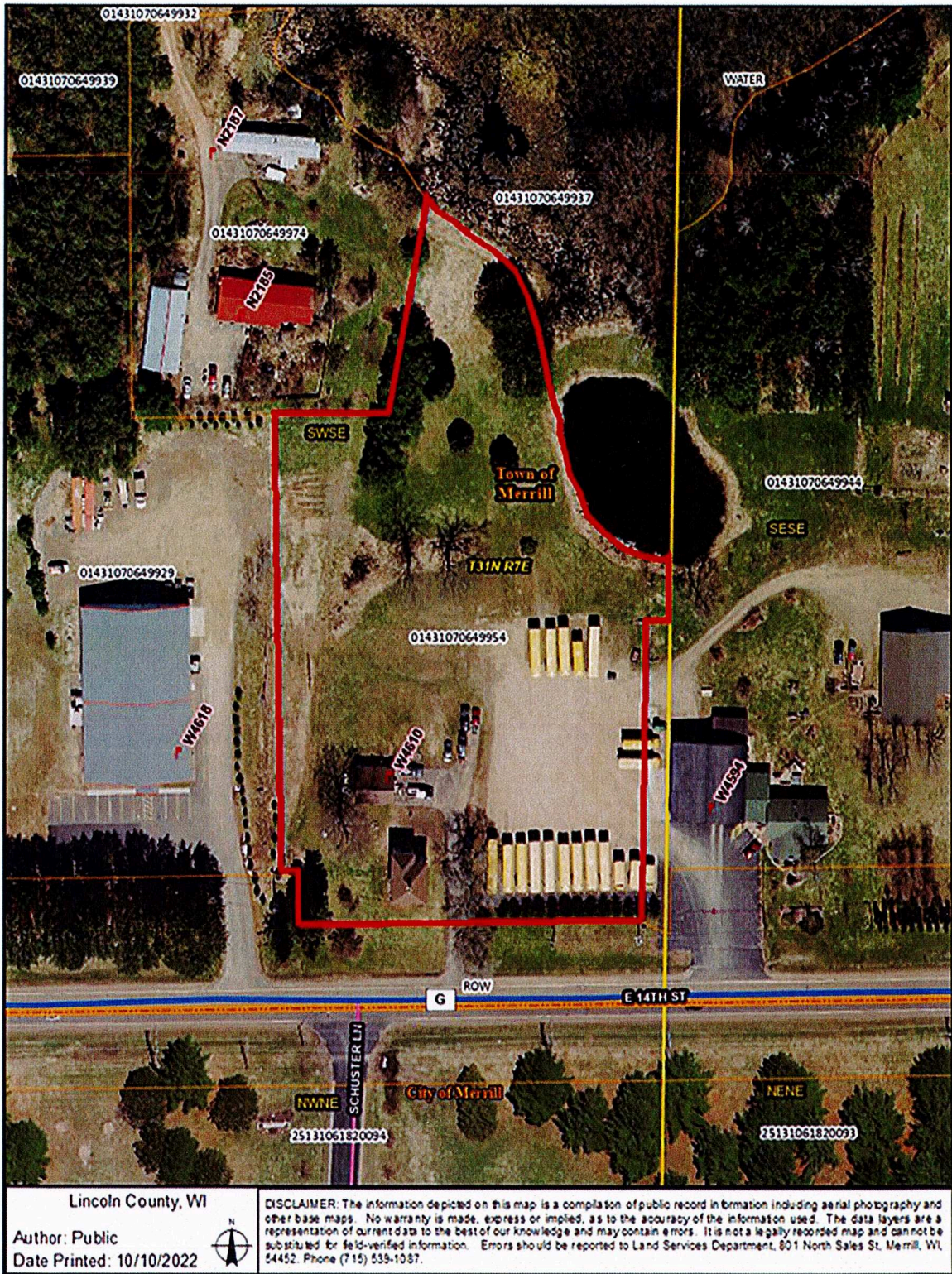
Authored by: Marty Lemke
 Co-Sponsored by: William Bialecki
 Committee: Land Services Committee
 Committee Vote: 7-0
 Fiscal Impact: None

Date Passed: 11/10/22

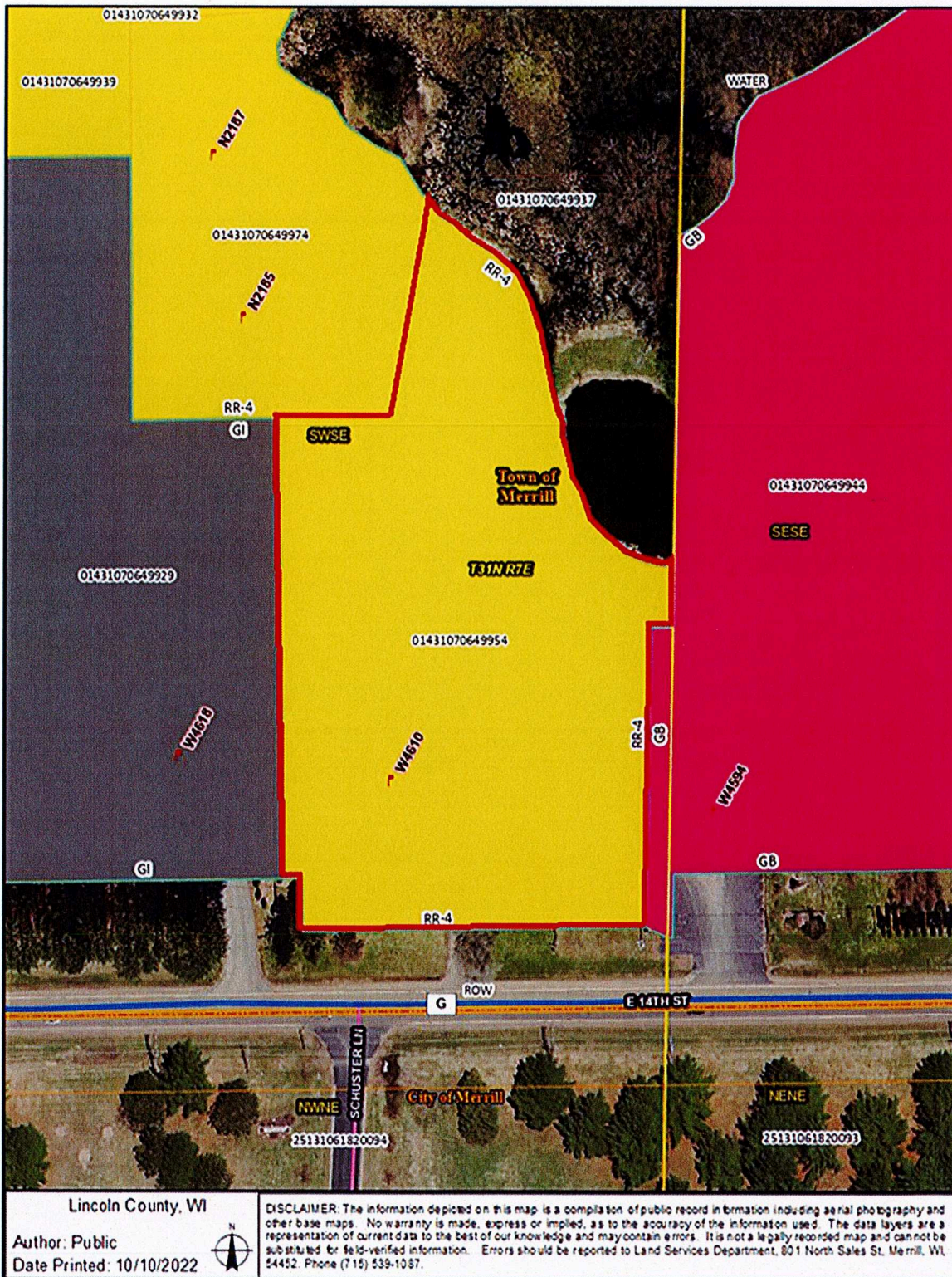


Drafted by: Mike Huth (Land Service Administrator- Zoning Program Manager)

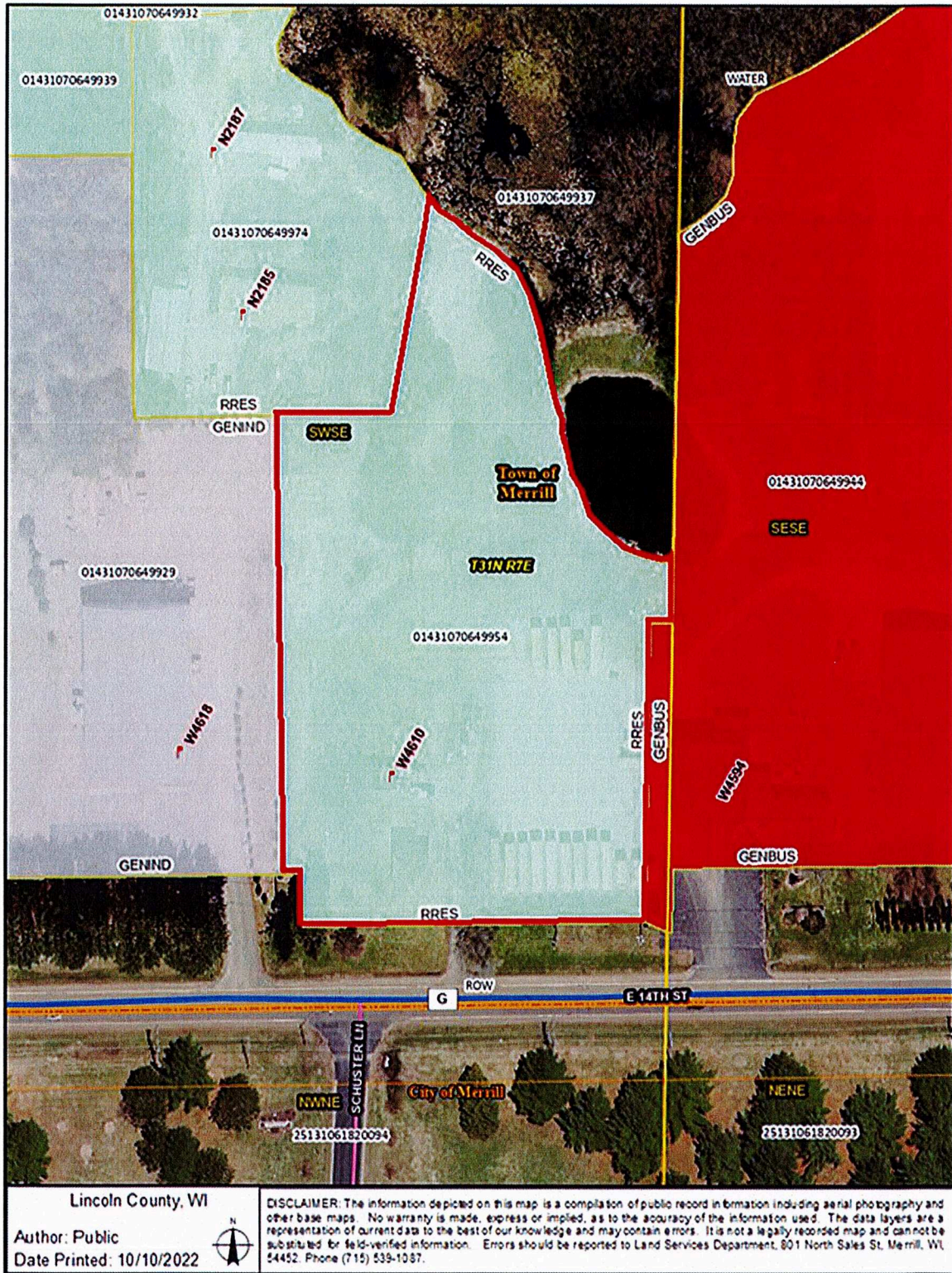
Property Overview



Zoning District Map - Existing



Planned Land Use Map - Existing



Motion By: Bialecki
Second By: Rusch

| Dist. | Supervisor | Y | N | Abs |
|---------------|---------------|---|---|-----|
| 1 | Bialecki | | | |
| 2 | Anderson-Malm | | | |
| 3 | McCrank | | | |
| 4 | Osness | | | |
| 5 | Wendorf | | | |
| 6 | Ashbeck | | | |
| 7 | Rusch | | | |
| 8 | Thiel | | | |
| 9 | Friske | | | |
| 10 | Boyd | | | |
| 11 | Detert | | | |
| 12 | DePasse | | | |
| 13 | Callahan | | | |
| 14 | Hafeman | | | |
| 15 | Lemke | | | |
| 16 | Loka | | | |
| 17 | Vacant | | | |
| 18 | Wickham | | | |
| 19 | Allen | | | |
| 20 | Cummings | | | |
| 21 | Simon | | | |
| 22 | Hartwig | | | |
| Totals | | | | |

AN ORDINANCE AMENDING THE GENERAL CODE OF THE COUNTY OF LINCOLN CHAPTER 17 –SPECIFICALLY 17.3.09(1A), (1B) AND 17.2.100 RELATING TO THE PERMITTING AND CONDITIONAL PERMITTING OF ACCESSORY STRUCTURES THAT ARE GREATER THAN 2,000 SQFT IN SIZE.

The County Board of Supervisors of Lincoln County, Wisconsin, does hereby ordain that portions of Chapter 17 be amended as indicated in the attachment.

- Carried
- Defeated
- Amended
- Voice vote
- Roll call

STATE OF WISCONSIN)
) SS
 COUNTY OF LINCOLN)


This ordinance shall take effect following its passage and posting.

I hereby certify that this resolution/ordinance is a true and correct copy of a resolution/ordinance adopted by the Lincoln County Board of Supervisors on:
 December 20, 2022

Dated: 12/20/22

Authored by: William Bialecki
 Co-Sponsored by: Julie DePasse, Randy Detert, Greg Hartwig, Elizabeth McCrank, and Greta Rusch
 Committee: Land Services Committee
 Committee Vote: 6-0
 Fiscal Impact: None

Date Passed: 12/08/22


 Christopher J. Marlowe
 Lincoln County Clerk

Drafted by: Mike Huth (Land Service Administrator- Zoning Program Manager)



Chapter 17-Proposed Zoning Ordinance Text Amendments.

- Plain text is existing text in our ordinance and no changes proposed.
- ~~Lined out text~~ is existing ordinance text that will be eliminated
- Underlined text is proposed revisions and updated language

17.3.09 ACCESSORY LAND USES.

(1) ACCESSORY STRUCTURE.

Detached accessory structure, including but not limited to: private garage, storage building, mechanical building, utility shed, in ground swimming pool, wind and solar energy system, outdoor wood furnace, and buildings clearly incidental to the approved use of the property. Items not included are listed in section 17.1.14 the definition of 'Structure' and structures with uses otherwise described under the "accessory farm and forestry structure" land use category.

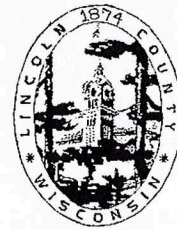
Regulations:

- (a) ~~Accessory structures less than or equal to 2,000 square feet are a permitted structure as indicated in section 17.2.100.~~
- (b) ~~Accessory structures greater than 2,000 square feet may require a conditional use permit as indicated in section 17.2.100.~~
- (c) The accessory structure building height shall not exceed 25 feet.
- (d) Accessory structures shall not be used as habitable space or as a separate dwelling unit; except when approved through the applicable permitting process.
- (e) Attached garages, other attached buildings, and decks shall be considered part of the principal building, not an accessory structure.
- (f) Accessory structures proposed in advance of a principal building on the same lot; shall site such accessory structure with relation to appropriate locations for a future dwelling or buildings, private well, Private Onsite Wastewater Treatment Systems (POWTS), and driveway.
- (g) Shall follow applicable zoning district maximum building coverage standards found in section 17.2.101.
- (h) Within a condominium there shall be not more than 2 detached accessory structures per unit; and the use of common/shared detached accessory structures are encouraged and shall be considered before individual detached structures are permitted. When common/shared detached accessory structures have not first been considered within the condominium, such may be grounds for denial of a zoning permit.
- (i) Within a mobile home park there shall be not more than one accessory structure per zoning lot or site as the mobile home which it is associated with.

PROPOSED ORDINANCE TABLE 17.2.100

| Forestry (F) | Agriculture (A) | Rural Lands (RL2) | Rural Lands (RL4) | Suburban Residential (SR) | Rural Residential (RR1 30,000-sf) | Rural Residential (RR2 40,000-sf) | Rural Residential (RR3 50,000-sf) | Rural Residential (RR4 100,000-sf) | Rural Residential (RR5 200,000-sf) | Mixed Residential (MR) | Mobile Home Park (MHP) | Recreation (RE) | Planned Business (PB) | General Business (GB) | Crossroads Mixed Use (CMU) | Planned Industrial (PI) | General Industrial (GI) | arrowleft ZONING DISTRICTS arrowright |
|--------------|-----------------|-------------------|-------------------|---------------------------|-----------------------------------|-----------------------------------|-----------------------------------|------------------------------------|------------------------------------|------------------------|------------------------|-----------------|-----------------------|-----------------------|----------------------------|-------------------------|-------------------------|---|
| P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | ACCESSORY LAND USES (See Section 17.3.09 for detailed descriptions and standards associated with each of the land uses listed below) |
| | | | | | | | | | | | | | | | | | | (1) Accessory structure < 2,000 sq. ft. |
| | | | | | | | | | | | | | | | | | | (1) Accessory structure > 2,000 sq. ft. |

C = Use permitted by conditional use district P = Use permitted by right Black = Use prohibited or nonconforming in



County Board Report

TO: County Board

FROM: Mike Huth, Zoning Program Manager-Land Services Administrator

DATE: 12/20/22

SUBJECT: Ordinance Text Amendment - Chapter 17 - Accessory Structures

At the September 2022 LSC meeting the committee directed staff to draft ordinance language regarding the permitting and conditional permitting of accessory structures that are greater than 2,000 sqft in size.

This memo is to provide information regarding the proposed amendment to sections 17.3.09 and 17.2.100 of the Lincoln County Zoning Ordinance. The purpose of section 17.2.100 is to identify which zoning districts contain land uses that are permitted, conditionally permitted, or prohibited.

It should be noted, sections 17.2.101 and 17.102 of ordinance contain dimensional standards for each zoning district relating to the maximum building coverage on a lot. The building lot coverage is calculated on a percentage basis of the total lot area. Should a project be identified to exceed such percentages, a variance request through the Board of Adjustment could be sought to show what hardships exist to exceed such building coverage amount.

Additionally, within the shoreland overlay district, section 21.13 – Impervious Surface Standards apply for lots that are entirely within 300 feet of the ordinary high water mark (OHWM) of any navigable waterway. In cases of exceeding such standards, section 21.14 provides guidance on mitigation measures that can be utilized to protect water quality, fish and wildlife habitat, and protect against pollution of navigable waters.

With the approval of the Land Services Committee (LSC), Land Services staff prepared the updated ordinance text, set a date/time for a public hearing to be held, and distributed the proposed text to all the Towns asking for resolutions of support or rejection. The public hearing was noticed in the proper manner and the LSC conducted the public hearing on December 8, 2022, at which time all interested persons/towns were encouraged to offer objections, approvals, criticisms, or suggestions to the proposed ordinance text. At the conclusion of the public hearing the LSC determined that a favorable recommendation should be made to the County Board regarding this matter with the ordinance text as proposed.

REQUESTED ACTION:

Staff and the LSC are recommending that the County Board approve of the proposed ordinance text amendment as presented in the attached ordinance and supplemental document showing the ordinance text edits.