

# City of Bayfield Plan Commission

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Bayfield City Hall, 125 South First Street, Bayfield, WI 54814, 715-779-5712

**Tuesday, August 30, 2016 at 5 p.m.**

**Call to Order - Roll Call:** Mayor Ringberg called the meeting to order at 5:00 p.m. at the Bayfield City Hall followed by roll call.

**Present:** Oeltjenbruns, Johnson, Burkel, Hackbarth Durfey, Dougherty, and Mayor Ringberg

**Others:** David Eades, Rich Ryan, Cheryl Fosdick, Don Albrecht and Sally Langhammer

**Approve Agenda:** Johnson/Burkel made a motion to approve the agenda as presented. Carried.

**Previous Meeting minutes of July 27, 2016:** Hackbarth/Johnson moved to approve the previous meeting minutes as presented. Carried.

Mayor Ringberg **called the Public Hearing to order.** He noted the hearing was being held in order to receive input on proposed Ordinance #382, which includes:

Chapter 200: Door to Door Sellers (*Direct Sellers Amended*)

Chapter 201: Direct Sellers (*Created*)

Chapter 349: Section 349-18 (C). Conditions of license. (1) and (1)(a) Bayfield Apple Festival provisions. (*Amended*)

Chapter 500: Zoning, Sections 500-19

- (B.) (17) Direct Sellers with Permit under Chapter 201 (*Added*)
- (C) (13) Semi-permanent Merchant (*Delete and re-number 14*)

Chapter 500: Zoning, Section 500-108 Definitions, Semi-Permanent Merchant (*Deleted*)

Mayor Ringberg began by asking for public input on the proposed revisions to Chapter 200. There were none. He then asked for input on Chapter 201. There was none. Hoopman explained we could open the floor up to any input on proposed Ordinance #382 in its entirety. There was no input received when asked.

Sally Langhammer, when asked by the Mayor if she had any input on the Plan Commission agenda, noted she was present to state she would like to sell as she has in the past. She briefly discussed past sales of her raspberries and holiday wreaths. Hoopman explained Ordinance #382, does not make any changes to the agricultural exemptions provide by State Statutes.

Don Albrecht spoke in favor of the proposed amendment to Section E, with regarding to allowing for handicap residences on the first floor, up to 40% area in the Commercial District. He noted he has a personal interest in wanting to see them allowed, and further stated "it doesn't hurt". It would be a real positive step in the City's Zoning that is needed.

Cheryl Fosdick, principal CF design, submitted a written petition for an amendment to the text regulation of City of Bayfield's Code; Chapter 500, Section 500-19 E. She is asking the Commission to consider changing Subsection E to read as follows:

*A Use subject to this subsection, shall comply with the following restrictions: the subject use shall not be permitted on any floor with an elevation of less than 9 vertical feet above or below the street level, measured from the highest street elevation adjoining that portion of the property on which the subject building is located, **EXCEPT for handicapped accessible/ disabled housing. Up to 40% of any such floor may be used for handicapped/disabled housing, provided that this use may not be located on the 50% of the floor area closest to the street or avenue adjoining the subject building.** Up to, but not more than, 50% of any such floor may be used for purposes ancillary to the subject use, such as parking or storage, provided that such ancillary use may not be located on the 50% of the floor area nearest the street or avenue adjoining the subject building (or, if the building is on a corner, nearest the avenue adjoining the building), nor may such area be reserved for use by occupants or users of the subject use.*

Fosdick then reiterated some points made in her written request. The text amendment proposed would give Commercial District properties the possible opportunity to include this type of housing, but only up to 40% of the first floor. She said there is a minimum space needed; approximately 620-680 sq. in order to build a fully handicap space (less for an efficiency apartment). The amendment supports ADA and the Fair Housing Code. It's an issue that has come up in many communities. This amendment helps make it's fair and equal for generations to come. She said the unit would not just be for wheel chair bound folks, but could be for an elder that might need to be in that type of facility.

A point of order was called.

The Mayor asked for any further input on Ordinance #382. Since there was none, Durfey/Johnson made a motion to close the Public Hearing on Ordinance #382, Carried. (5:12 pm)

The Mayor then asked for any further public input on agenda items. Hearing none, Johnson/Burkel motioned to close the public input on agenda items. Carried. 5:12 p.m.

### **Agenda Item(s):**

#### **1. Ordinance #382: Review, discuss and consider adoption**

Burkel/Johnson made a motion recommending approval of Ordinance #382 as presented by the Common Council at their next meeting. Durfey asked if we could change the ordinance to indicated ID Cards would be provided to door-to-door sellers. Hoopman explained this could be done in-house as part of the application and permitting process. The Mayor asked for clarification on how this impacts out of town charities. Hoopman explained out-of-town charities would need to seek a permit for door-to-door sales. Burkel called the question. Motion carried; all ayes.

#### **2. Sign Sub-Committee proposed Ordinance – Discussion**

David Eades and Mary Dougherty were present to answer questions and listen to concerns regarding the draft.

Pg. 2. 500-54 (H-1) is missing the word "Bracket" in the red highlighted area.

Pg. 2. 500-54 J – In accordance with Chapter 73, Lighting Exterior needs to be added.

Pg. 2. 500-54 J. (2) – amend to read top only (no bottom or side mounts allowed)

Pg. 3. 500-54 K. Discussed not allowing neon. By consensus the Commission asked the Sign-Subcommittee if they would be interested in defining a policy/guidelines on neon/lit signs.

Pg. 3. 500-56 (A). Some wordsmithing is needed now that painted windows have been defined as an Identifying Sign.

Pg. 4. 500-56 (E). Determine maximum lineal footage. 150'?

Pg. 5 500-56 K. Change font types to new style; A Garmond and Avenir.

Pg. 6 500-58 F. Sandwich board signs. Allowed on private property?

How will lineal foot signage be regulated? Will business owners be required to self-regulate?

Will they have any requirement to inform the City they are in compliance?

What about parking lot signage? Currently there are no regulations at all regarding signage.

Generally, the Plan Commission liked and appreciated the work done by the sign sub-committee and asked them to please continue!

### **3. Zoning Ordinance: Sec. 500-19 (C-1 Commercial District) E. - Discussion Regarding Sub-Section E**

Burkel asked for an explanation of what is planned for the building proposed on Lots 12&13, Block 90 (directly north of the Chamber Building). Both Ryan and Fosdick had some schematics which showed it's mixed retail with low income/affordable housing.

Johnson asked if they considered installing an elevator? Fosdick noted there is not a precedent to do so in Bayfield, cost, security and future use and maintenance issues.

Johnson said she recalled a meeting with CORE where discussion ensued about housing closer to the downtown area, but had lake views.

Durfey, who is an adjacent property owner said he thinks it's great; convenient. He noted adding an elevator takes space and they would lose a unit. Agreed with comments about security, use and maintenance.

Burkel asked about rent prices, what is affordable? Response received is, that's the owner's decision. It will be up to her and her financial situation. Fosdick said the units will not be finished with high-end fixtures or furniture. All the same and very basic.

The Commission seemed favorable to the idea of moving forward with the requested amendment. Hoopman asked the Commission if they still had concerns about using the first floor for nightly rentals, does it make a difference? She also questioned what tools would be in place for the City to know how or what was happening on the first floor? Could someone say they had a "Handicap/ADA" Unit but it really wasn't? How would we know?

Johnson made a motion to request Attorney Daly to revise the current ordinance Subsection E to allow up to 40% of the first floor to be used for Handicap/ADA long term housing (ONLY), with a minimum of 650 sq. ft. to be measured from the interior walls. These ground level handicap/ADA units would be for long-term housing/residential/one bedroom units. Plans, by an architect, must first be presented to the Plan Commission for prior approval. Hackbarth seconded. Carried.

### **4. Ordinance 370-29 – Regulation of motor buses parking with their motors running: consider amendment**

The Commission directed Hoopman to write a letter to Upper Lakes informing them of the City's rule. The Commission also suggested the Section be amended to read:

370-29 Regulation of motor ~~buses~~ **vehicles** parking with their motors running.

A. No operator of any motor ~~buses~~ **vehicle** weighing over 8000 pounds shall permit such motor ~~buses~~ **vehicle** to remain stationary with any engine or motor ~~the main power train~~ running for more than 15 minutes. After such time....

Burkel/Dougherty moved to approve the revised ordinance as stated. Carried.

## **5. Comprehensive Plan**

### **A. Plan Commission's Current Action items:**

1. Property Maintenance – Hoopman will work with Attorney Daly on revisions to present to the Commission.
2. Parking
3. Housing: Types/Mixed
4. Environmental Guidelines
5. Add Chairs to Beach Area – Parks & Recreation Committee receptive to idea.

**B. Comprehensive Plan – proposed update:** Tabled until next meeting.

**6. Property Maintenance Issues/Updates:** Slow going. Hoopman provided before and after photos of a property on Sixth Street. Improvements are being made. Commission urged homeowner to continue ahead with the good work. Also homeowner on Second Street requested extension until October 15 to move forward on house issues; provides time for those living on-site time to find alternative housing.

**7. Set next meeting(s):** September 27, 2016 @ 5 p.m.

**Adjournment:** Johnson/Durfey moved to adjourn. Carried. 6:22 p.m.

Minutes by: Billie L. Hoopman, Clerk