

Date: September 15, 2023  
 To: City of Bayfield Plan Commission  
 From: Tim Schwecke and Charlie Handy  
 Subject: City of Bayfield Zoning Code Rewrite  
 Memo #13 (Development Review Procedures)



When we first started this rewrite project, we prepared a summary table that showed existing and proposed review procedures and the type of notice involved and also what bodies are involved in the review and decision-making process.

We've updated that table for your review. The proposed changes are highlighted in yellow.

Before reviewing the table as a group, you will need to make some decisions relative to the Historic Preservation Commission and Architectural Review Board and other related matters.

The ARB currently has the following powers:

1. Hear and decide applications for permission to erect, move, reconstruct, extend, alter, demolish or change the exterior of all structures.
2. Those powers given to it under Chapter 423, Historic Preservation, of the Code of the City of Bayfield.

**Critical Questions**

1. Reconstitute a historic preservation commission to (a) make recommendations on new/revise historic districts, (b) make recommendations on designating landmarks, and (c) take action on certificates of appropriateness.	Yes / No
2. Only apply historic preservation standards to existing buildings in the district.	Yes / No
3. Consider revising the extent of the current historic preservation district. (Potentially, one district for downtown core and one for residential). This would be done after adoption of the new zoning code and it would be based on a new/revise historic building survey that could be partially funded by a state grant.	Yes / No
4. The zoning code will have architectural review standards for: <ul style="list-style-type: none"> <li>• Single-family and duplexes (all areas)</li> <li>• Single-family and duplexes (only certain areas – TBD)</li> <li>• Multi-family + Townhomes</li> <li>• Commercial uses</li> <li>• Institutional uses</li> <li>• Civic uses</li> </ul>	Yes / No Yes / No Yes / No Yes / No Yes / No Yes / No
5. For those project types that will have architectural standards, who will decide? <ul style="list-style-type: none"> <li>• Single-family and duplexes (all areas)            Basic Standards <b>or</b> Involved Standards (circle one)      Staff      PC      ARB      (circle one)</li> <li>• Single-family and duplexes (only certain areas – TBD)            Basic Standards <b>or</b> Involved Standards (circle one)      Staff      PC      ARB      (circle one)</li> <li>• Multi-family + Townhomes      Staff      PC      ARB      (circle one)</li> <li>• Commercial uses      Staff      PC      ARB      (circle one)</li> <li>• Institutional uses      Staff      PC      ARB      (circle one)</li> <li>• Civic uses      Staff      PC      ARB      (circle one)</li> </ul>	

**Attachments:**

1. Summary of Notice and Review Authority – September 15, 2023

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Type of Application		Type of Notice					Public Hearing	Type of Involvement in Review Process						
		Class I Public Notice § 510.232	Class II Public Notice § 510.232	Property Owner Notice § 510.233	Distribution List Notice § 510.234	Meeting Agenda § 510.235		Zoning Administrator	Architectural Review Board	Historic Preservation Commission	Plan Commission	Common Council	Zoning Board of Appeals	Court of Competent Jurisdiction
1. Code amendment – citizen-initiated map amendment	Existing process	-	X	X – 100'	X	X	Plan Commission	SR	-	-	R	D	-	CA
Code amendment – city-initiated map amendment	Existing process	-	X	-	X	X	Plan Commission	SR	-	-	R	D	-	CA
Code amendment – citizen or city-initiated text amendment	Existing process	-	X	-	X	X	Plan Commission	SR	-	-	R	D	-	CA
2. Planned development district – General plan (§ 500-27)	Existing process	-	X	X – 100'	-	X	Plan Commission	SR	-	-	R	D	-	CA
Planned development district – Specific plan (§ 500-28)	Existing process	-	-	-	-	X	-	SR	-	-	R	D	-	CA
Planned development district – Specific plan	Recommended	-	-	-	-	X	-	SR	-	-	D	I	-	CA
3. Designation of historic district (§ 423-3)	Existing process	X	-	w/in and 200'	-	X	Plan Commission	SR	-	-	R	D	-	CA
	Recommended	X	-	w/in and 200'	-	X	Plan Commission	SR	R	R	R	D	-	CA
4. Designation of historic structures and sites (§ 423-3)	Existing process	X	-	X - 200'	-	X	Plan Commission	SR	-	-	R	D	-	CA
	Recommended	X	-	X - 200'	-	X	Plan Commission	SR	R	R	R	D	-	CA
5. Certificate of appropriateness (§ 423-3)	Existing process	-	-	-	-	X	-	SR	D	-	-	-	-	CA
6. Conditional use (§ 500-30)	Existing process	-	X	X – 100'	-	X	Plan Commission	SR	-	-	D	-	LA	CA
7. Wireless telecommunication facility (new tower & Class 1 collocation)	New process	I	X	X – 100'	I	X	Plan Commission	SR	I	-	D	I	I	CA
8. Solar energy system (§ 500-69) (handled like a site plan)	Existing process	-	-	-	-	X	-	SR	R	-	D	-	-	CA
9. Wind energy system (§ 500-70) (handled like a zoning permit)	Existing process	-	-	-	-	X	-	-	-	-	D	-	-	CA
10. Site plan (SPAR) (§ 500-95)	Existing process	-	-	-	-	X	-	SR	D	-	D(?)	-	-	CA
	Recommended	-	-	-	-	X	-	SR	I	-	D	-	-	CA
11. Architectural review (SPAR) (§ 500-96)	Existing process	-	-	-	-	X	-	SR	D	-	-	-	LA	CA
	Recommended	-	-	-	-	X	-	SR	R	-	D	-	-	CA
12. Special exception	New process	I	I	I	I	X	I	SR	I	-	D	I	I	CA
13. Registration of a nonconforming use	New process	I	X	X	I	X	I	SR	I	-	D	I	I	CA
14. Conversion of a nonconforming use (§ 500-47 and 103(c)4)	Existing process	-	X	X	-	X	Zoning Board of Appeals	SR	-	-	-	-	D	CA
	Recommended	-	X	X	-	X	Plan Commission	-	-	-	D	-	-	CA
15. Expansion of a nonconforming building (§ 500-47)	Existing process	-	-	-	-	X	-	SR	-	-	D	-	-	CA
16. Certificate of historic appropriateness (?)	Existing process	-	-	-	-	X	-	SR	D	-	-	-	LA	CA
17. Zoning permit (§ 500-94)	Existing process	-	-	-	-	-	-	D	-	-	-	-	LA	CA
18. Floodplain permit	Existing process	-	-	-	-	-	-	D	-	-	-	-	LA	CA
19. Termination of use - voluntary	New process	I	X	X	I	X	I	SR	I	-	I	D	I	CA
Termination of use - involuntary	New process	I	X	X	I	X	Plan Commission	SR	I	-	R	D	I	CA
20. Code interpretation (§ 500-103(c)3)	Existing process	-	-	-	-	X	-	-	-	-	-	-	D	CA
	Recommended	-	-	-	-	-	-	D	-	-	LA	-	-	CA
21. Administrative appeal (§ 500-103(c)1)	Existing process	-	X	-	-	X	Zoning Board of Appeals	-	-	-	-	-	D	CA
22. Variance (§ 500-103(c)2)	Existing process	-	X	X	-	X	Zoning Board of Appeals	-	-	-	-	-	D	CA
Temporary use permit (§ 500-103(c)6)	Existing process	-	-	-	-	X	-	-	-	-	-	-	D	CA
	Recommended	-	-	-	-	-	-	D	-	-	LA	-	-	CA
Unclassified use determination (§ 500-103(c)5)	Existing process	-	-	-	-	X	-	-	-	-	-	-	D	CA
	Recommended	-	-	-	-	-	-	D	-	-	LA	-	-	CA

Key for Type of Public Notice X – that type of notice is required; a dash "-" means that type of notice is not required

Key for Type of Involvement SR – staff report; R – recommendation; D – final decision; LA – local appeal; CA – court appeal