



# **TOWN OF RIB MOUNTAIN**

Where Nature, Family & Sport Come Together

[www.townofribmountain.org](http://www.townofribmountain.org)

3700 North Mountain Road  
Wausau, Wisconsin 54401

(715) 842-0983

Fax(715) 848-0186

## **PLAN COMMISSION**

### **OFFICIAL NOTICE & AGENDA**

A meeting of the Town of Rib Mountain Plan Commission will be held on **Wednesday, May 25<sup>th</sup>, 2016; 6:30 P.M. at 3700 North Mountain Road, Town of Rib Mountain Municipal Center**. The Town Board may attend for purposes of gathering information. Subject matter for consideration and possible action follows:

- 1.) Call to Order
- 2.) Roll Call
- 3.) Minutes
  - a. **Approval of the minutes of the 4-27-2016 Plan Commission meeting.**
- 4.) Public Hearings:
  - a. **Keith Schmidt, owner, requests conditional use approval for a detached private residential garage in excess of 1,000 square feet at the property addressed 3101 Partridge Way, Parcel #34.755.000.010.00.00, per RMMC Section 17.056(8)(d) – Detached Private Residential Garage, Carport, or Utility Shed. Docket #2016-21.**
  - b. **Travis Carlson, owner, requests conditional use approval for a detached private residential garage in excess of 1,000 square feet at the property addressed 6909 Butternut Road, Parcel #34.930.002.004.00.00, per RMMC Section 17.056(8)(d) – Detached Private Residential Garage, Carport, or Utility Shed. Docket #2016-22.**
- 5.) New Business:
  - a. **Steve Miller, agent, requests special use approval for excavation of a pond at the property addressed 7800 Starflower Drive, Parcel # 34.208.000.009.00.00, per RMMC Section 17.056(8)(n) – Drainage Structure. Docket #2016-23.**
  - b. **Discussion and recommendation on the keeping of chickens in residential zoning districts. Docket #2016-24.**
  - c. **Discussion of RMMC Section 17.056(8)(x) – Detached Energy Systems related to solar panels. Docket #2016-25.**
- 6.) Correspondence/ Questions/Town Board Update:
- 7.) Public Comment
- 8.) Adjourn

TOWN OF RIB MOUNTAIN  
PLANNING COMMISSION MEETING  
April 27, 2016

Acting Chairman Tom Steele called the meeting to order at 6:30 pm. Other Plan Commission members present included Jim Hampton, Laura McGucken and Ryan Burnett. Harlan Hebbe and Christine Nykiel were excused. Also present were Community Development Director, Steve Kunst, and Building Inspector / Assistant Zoning Administrator, Paul Kufahl.

MINUTES:

**Motion by Jim Hampton, seconded by Laura McGucken to approve the minutes of the April 13, 2016 Plan Commission meeting, as presented. Motion carried 4-0.**

Public Hearings:

- a. *David Frome, owner, requests conditional use approval for a detached private residential utility shed in excess of 1,000 square feet at the property addressed 6702 North Mountain Road, Parcel #34.062807.014.011.00.00, per RMMC Section 17.056(8)(d) – Detached Private Residential Garage, Carport, Utility Shed. Docket #2016-17*

Community Director Kunst introduced the request and clarified the location of the existing detached buildings after questions from Plan Commission members. Kunst then indicated the proposal meets the applicable code requirements for size, location and exterior building materials.

David Frome, owner, noted that the siding profile and color, shingle color and roof pitch were designed to match the home. Commissioners Steele and McGucken questioned the owner about the buildings visibility and setback from the road. Frome indicated it would be visible, but is setback nearly 200' from the road right-of-way. He also stated neighbors had indicated they were ok with the construction in the proposed location.

Discussion was opened for public comment, none was received.

A question of access to the proposed building was asked by Commission, to which Frome indicated no additional access to the road would be need, and that they plan to use an existing gravel driveway to the proposed utility shed location.

**Motion by Laura McGucken, seconded by Jim Hampton to recommend approval of the Conditional Use request to allow construction of a detached utility shed greater than 1,000 square feet in area at the property addressed 6702 North Mountain Road. Motion Carried 4-0**

- b. *Paul Nielsen, Comprehensive Plan Future Land Use Map Amendment from Cropland and Forest Land to Residential and a Zoning Map Amendment from Rural Residential to Estate Residential – 1, for the property addressed 5908 South Mountain Road, Parcel(s) #34.172807.010.000.00.00 & #34.172807.011.000.00.00. Docket #2016-18*

Kunst opened discussion with a description of the request, noting the proposed parcel subdivision would result in the creation of three (3) new lots ranging in size from 10 to 17 acres for the southern parcels while the northern 40 acres remains intact with the addition of a 66' access from South Mountain Road.

Josh Prentice, REI, owner representative, then presented to those in attendance a display indicating current zoning districts and the proposed parcel subdivision. Prentice indicated the zoning change would be consistent with the majority of adjacent parcels and that the location of the access road to the northern 40-acre parcel was placed in accordance with Marathon County Highway access standards. The proposed access is intended to service proposed Lots 1, 2 and 3, with one additional access to Lot 4 as approved by the Marathon County Highway Department.

Plan Commissioners asked the intended use of the north parcel, or proposed Lot 2. Paul Nielsen, owner noted he plans to keep it for himself for hunting and recreation. McGucken questioned why the northern parcel needed to be rezoned if the owners intended use was consistent with its current zoning. Commissioners discussed why and for what benefit a rezone of that parcel would be sensible, to which Nielsen stated that he would like to remove proposed Lot 2 from the Comprehensive Plan and Zoning Map amendments request.

Public Comment was opened, at which time Ronald Strasser, of 5704 Dogwood Road, presented his concerns to the Commission. Strasser is concerned about additional development and the impact of more people on the south side of Rib Mountain. He described previous issues with neighbors and would prefer no development and to leave the area in forest and cropland.

Plan Commission members discussed possible actions and influences of future residential density and roads. They agreed that the proposed rezoning and parcel subdivision would be appropriate for the area.

**Motion by Laura McGucken, seconded by Jim Hampton to recommend approval of the Comprehensive Plan Future Land Use Map Amendment from 'Cropland and Forest Land' to 'Residential' for proposed Lots 1, 3 and 4 at the property addressed 5908 South Mountain Road, conditioned upon the approval of the proposed Certified Survey Map. Motion carried 4-0.**

**Motion by Laura McGucken, seconded by Jim Hampton to recommend approval of the Zoning Map Amendment from 'Rural Residential' to 'Estate Residential - 1' for proposed Lots 1, 3 and 4 for the property addressed 5908 South Mountain Road, conditioned upon the approval of the proposed Certified Survey Map. Motion carried 4-0.**

NEW BUSINESS:

- a. *Paul Nielsen, Certified Survey Map approval for the property addressed 5908 South Mountain Road, Parcel(s) #34.172807.010.000.00.00 & #34.172807.011.000.00.00. Docket #2016-19*

Kunst began discussion with brief review of the previous public hearing and indicated that any positive approval of the proposed Certified Survey Map would be contingent upon Town Board's approval of the

Comprehensive Plan and Zoning Map amendments. He also noted that the proposed parcel sizes were consistent with others zoned and developed nearby.

Josh Prentice, REI, owner representative, presented the proposed parcel subdivisions and pointed out the couple parcel shape oddities created by judicial action due to improper fence line marking during the parcels history.

Commission members had a brief discussion of wetland limitations and access restrictions. Prentice indicated a wetland delineation was completed and the report was submitted to the Army Corps of Engineers for any future roadway or access driveway concerns related to the wetlands.

**Motion by Laura McGucken, seconded by Jim Hampton to Approve the Certified Survey Map request to subdivide the property addressed 5908 South Mountain Road, conditioned upon Town Board's approval of the Comprehensive Plan Future Land Use Map Amendment and Zoning Map Amendment. Motion carried 4-0.**

*b. Dirks Holding LLC, owner, requesting Site Plan approval for a proposed parking lot expansion at the property addressed 3802 Hummingbird Road, Parcel #34.102807.014.022.00.00. Docket #2016-20*

Kunst opened discussion with an overview of the site plan specifics, including the proposed increase in parking stalls, landscaping points required, feedback from Street and Park Superintendent, Scott Turner, on ditching, the second access, and lighting requirements.

Commissioner Hampton asked if the proposed expansion would prohibit or inhibit the potential for a parcel split, to which Kunst noted that because the Town does not allow for off-premise parking lots in the Suburban Office zoning district, and the restrictive nature of the pond areas on the property, a future parcel split would be unlikely.

Tom Steele questioned whether the wetland indicators on the proposed plan would limit the expansion of the parking lot. Kunst noted he received a letter from the DNR indicating that the ponds on the parcel were not natural and not a mapped wetland. Kunst also noted Marathon County is currently reviewing the property related to potential Shoreland Zoning regulations.

**Motion by Jim Hampton, seconded by Laura McGucken to approve the Site Plan application for a parking lot expansion at the property addressed 3802 Hummingbird Lane, conditioned upon successful completion of the ditching requirement as requested by Streets and Parks Superintendent Scott Turner as part of the secondary access driveway permit. Motion carried 4-0.**

CORRESPONDENCE/QUESTIONS:

*a. Town Board Update*

Kunst noted all action taken at the last Plan Commission meeting was approved at the most recent Town Board Meeting. It was also noted that Administrator Rhoden was appointed by Chairman Opall to

represent the Town on a committee at the County-level on the implementation of the Countywide Addressing project.

*b. Fencing Ordinance*

Recent neighbor complaints over fencing locations, materials, and purpose have generated discussion at the staff level as to the intent of the fencing ordinance. Currently, the code does not distinguish between a privacy fence, garden fence, and other intended uses. Staff feels that based on the code language, garden fences and privacy fences were intended to be treated similarly. After some discussion about the intent of the code with Commission Members, it was determined that we should continue to enforce the same height and material standards for all fences.

PUBLIC COMMENT:

*a. Jay Wittman*

Jay Wittman, 2704 Fern Lane, introduced himself to Plan Commission and stated he is interested in becoming a Commissioner. He also noted he spoke with Administrator Rhoden and Community Development Director Kunst about the position and is excited for the opportunity.

ADJOURN:

**Motion by Jim Hampton, seconded by Ryan Burnett to Adjourn. Motion carried 4-0. Meeting adjourned at 7:38 pm.**

Respectfully Submitted,

Paul Kufahl, Building Inspector / Assistant Zoning Administrator

**REPORT TO PLANNING COMMISSION**

**FROM:** Steve Kunst, Community Development Director

**DATE:** May 19, 2016

**SUBJECT:** Conditional Use Request – Detached Accessory Building

**APPLICANT:** Keith Schmidt, owner

**PROPERTY ADDRESS:** 3101 Partridge Way

**PARCEL #:** 34.755.000.010.00.00

**REQUEST:** Conditional Use approval to allow the construction of a 24 ft. by 42 ft. accessory building on the property addressed 3101 Partridge Way, resulting in greater than 1,000 square feet, but less than 1,500 square feet of total accessory building area; per RMMC Sec. 17.056(8)(d) – Detached Private Residential Garage, Carport, or Utility Shed

**ZONING:** Suburban Residential - 3 (SR-3)

**ADJACENT ZONING:** SR-3 (North, East, and West); OR (South)

**NARRATIVE:**

The applicant is seeking Plan Commission recommendation to allow for construction of a 24 ft. x 42 ft. garage (1,008 ft<sup>2</sup>). Per RMMC Sec. 17.056 (8)(d), any one property may have greater than 1,000 square feet and up to a maximum of 1,500 square feet of accessory building area with Conditional Use approval. The proposal calls for the exterior to be vinyl lap siding with asphalt shingles.

**POSSIBLE ACTION:**

1. Recommend approval of the conditional use to allow construction of a detached garage greater than 1,000 square feet in area at the property addressed 3101 Partridge Way, as presented.
2. Recommend approval of the conditional use to allow construction of a detached garage greater than 1,000 square feet in area at the property addressed 3101 Partridge Way, with conditions/modifications.
3. Recommend denial of the conditional use to allow construction of a detached garage greater than 1,000 square feet in area at the property addressed 3101 Partridge Way.



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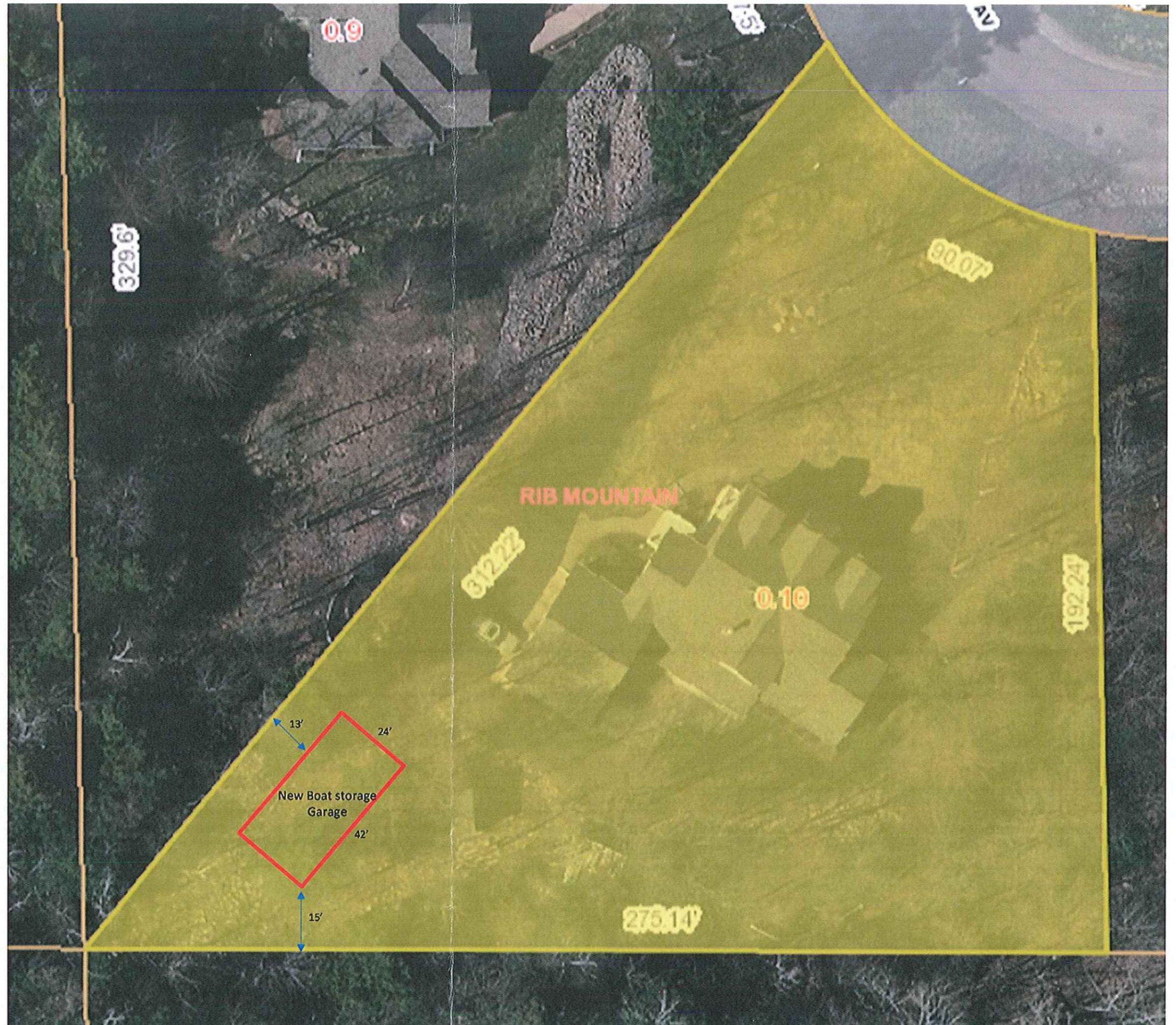
- |                                |                            |                         |                   |
|--------------------------------|----------------------------|-------------------------|-------------------|
| Zoning Districts (July 2014)   | SR-3 Suburban Residential  | UDD Unified Development | — Road Centerline |
| OR Outdoor Recreation          | UR-8 Urban Residential     | EO Estate Office        |                   |
| RA-1 Rural Agricultural        | ER-1 Estate Residential    | SO Suburban Office      |                   |
| RA-2 Rural Agricultural        | MR-4 Mixed Residential     | SI Suburban Industrial  |                   |
| RR Rural Residential           | SC Suburban Commercial     | ROW                     |                   |
| CR-5ac Countryside Residential | NC Neighborhood Commercial | Unzoned                 |                   |
| SR-2 Suburban Residential      | UC Urban Commercial        | Parcel Outline          |                   |
|                                |                            | Water Feature           |                   |
|                                |                            | Building (2010)         |                   |

4a-2

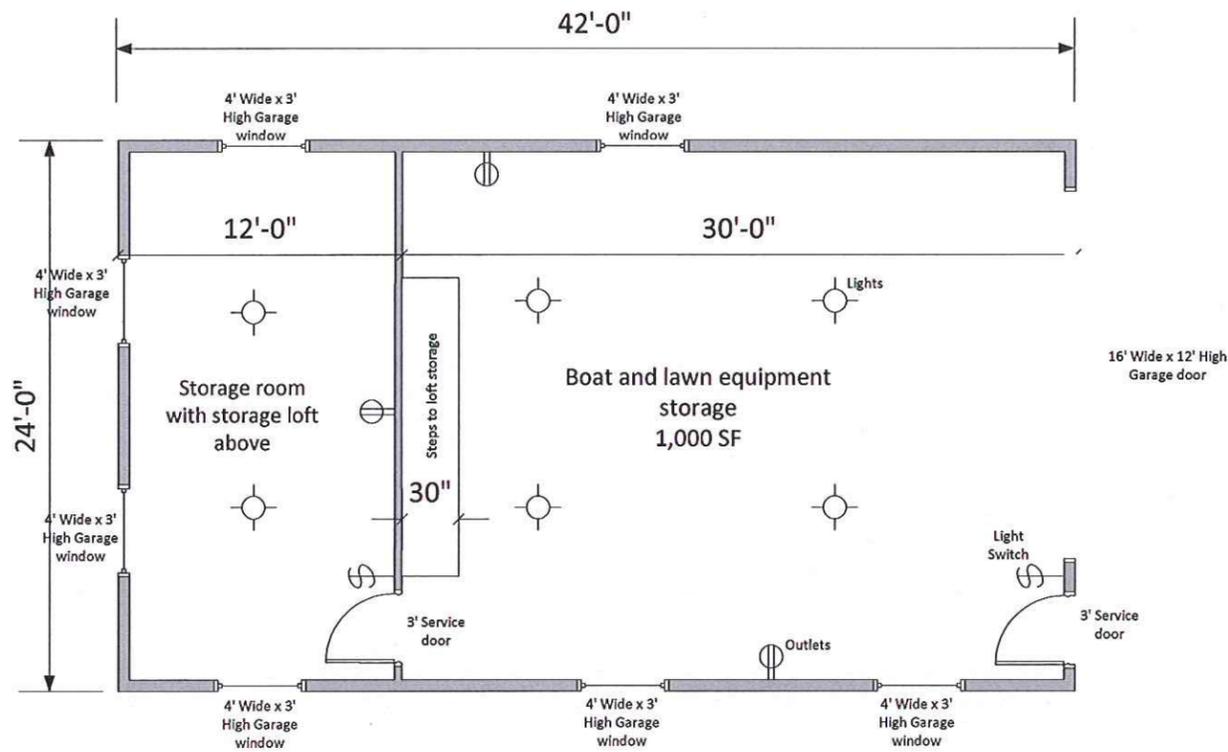


Map Printed: 5/5/2016

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Boat Storage Garage  
Keith Schmidt  
3101 Partridge Way  
Wausau WI  
715 432 0447



Back and West side



Front and East side

Building will have 4" concrete slab – 6 bag mix as foundation set on 2' sand pad

Building will have 14' ceiling framed with 2x6 24" O.C. studs and 4/12 pitch trusses 24" O.C.

Walls will be sheeted with 7/16" OSB and sided with vinyl lap siding to match house

Roof will have standard asphalt shingles

Loft storage will have 2x8 floor joists 16" O.C. with 3/4" sturdy floor plywood. Height will be 8' ceiling in lower section of loft. Loft and stairs will have code compliant railings.

**1,000 SF Boat Storage Garage**  
**Keith Schmidt**  
**3101 Partridge Way**  
**Wausau WI**  
**715 432 0447**

**REPORT TO PLANNING COMMISSION**

**FROM:** Steve Kunst, Community Development Director

**DATE:** May 19, 2016

**SUBJECT:** Conditional Use Request – Detached Accessory Building

**APPLICANT:** Travis Carlson, owner

**PROPERTY ADDRESS:** 6909 Butternut Road

**REQUEST:** Conditional Use approval to allow the construction of a 30 ft. by 45 ft. accessory building on the property addressed 6909 Butternut Road., resulting in greater than 1,000 square feet, but less than 1,500 square feet of total accessory building area; per RMMC Sec. 17.056(8)(d) – Detached Private Residential Garage, Carport, or Utility Shed

**ZONING:** Estate Residential - 1 (ER-1)

**ADJACENT ZONING:** ER-1 (North, South, East, and West)

**NARRATIVE:**

The applicant is seeking Plan Commission recommendation to allow for the construction of a 30 ft. x 45 ft. detached garage (1,350 ft<sup>2</sup>). Per RMMC Sec. 17.056 (8)(d), any one property may have greater than 1,000 square feet and up to a maximum of 1,500 square feet of accessory building area with Conditional Use Approval.

The property in question is currently vacant, with the owner planning to construct a new single family residence. No building permit for an accessory building would be issued until completion of the dwelling. The proposal calls for the exterior building materials of either steel or vinyl siding to match proposed residence.

**RECOMMENDED CONDITION(S):**

1. Any approval should be conditioned upon approval and completion of a single family residence. Accessory buildings are not permitted to be constructed prior to the principal structure.
  - a. A building permit would not be issued until completion of the residence

**POSSIBLE ACTION:**

1. Recommend approval of the conditional use to allow construction of a detached garage greater than 1,000 square feet in area at the property addressed 6909 Butternut Road, as presented.
2. Recommend approval of the conditional use to allow construction of a detached garage greater than 1,000 square feet in area at the property addressed 6909 Butternut Road, with conditions/modifications.
3. Recommend denial of the conditional use to allow construction of a detached garage greater than 1,000 square feet in area at the property addressed 6909 Butternut Road.

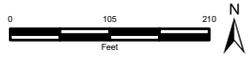


**TOWN OF  
MARATHON**

- |                                     |                                |                         |                 |
|-------------------------------------|--------------------------------|-------------------------|-----------------|
| <b>Zoning Districts (July 2014)</b> | SR-3 Suburban Residential      | UDD Unified Development | Road Centerline |
| OR Outdoor Recreation               | UR-8 Urban Residential         | EO Estate Office        |                 |
| RA-1 Rural Agricultural             | ER-1 Estate Residential        | SO Suburban Office      |                 |
| RA-2 Rural Agricultural             | MR-4 Mixed Residential         | SI Suburban Industrial  |                 |
| RR Rural Residential                | CR-5ac Countryside Residential | ROW                     |                 |
| CR-5ac Countryside Residential      | NC Neighborhood Commercial     | Unzoned                 |                 |
| SR-2 Suburban Residential           | UC Urban Commercial            | Parcel Outline          |                 |
| SR-2 Suburban Residential           |                                | Water Feature           |                 |
|                                     |                                | Building (2010)         |                 |

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4b-2

# PLOT PLAN

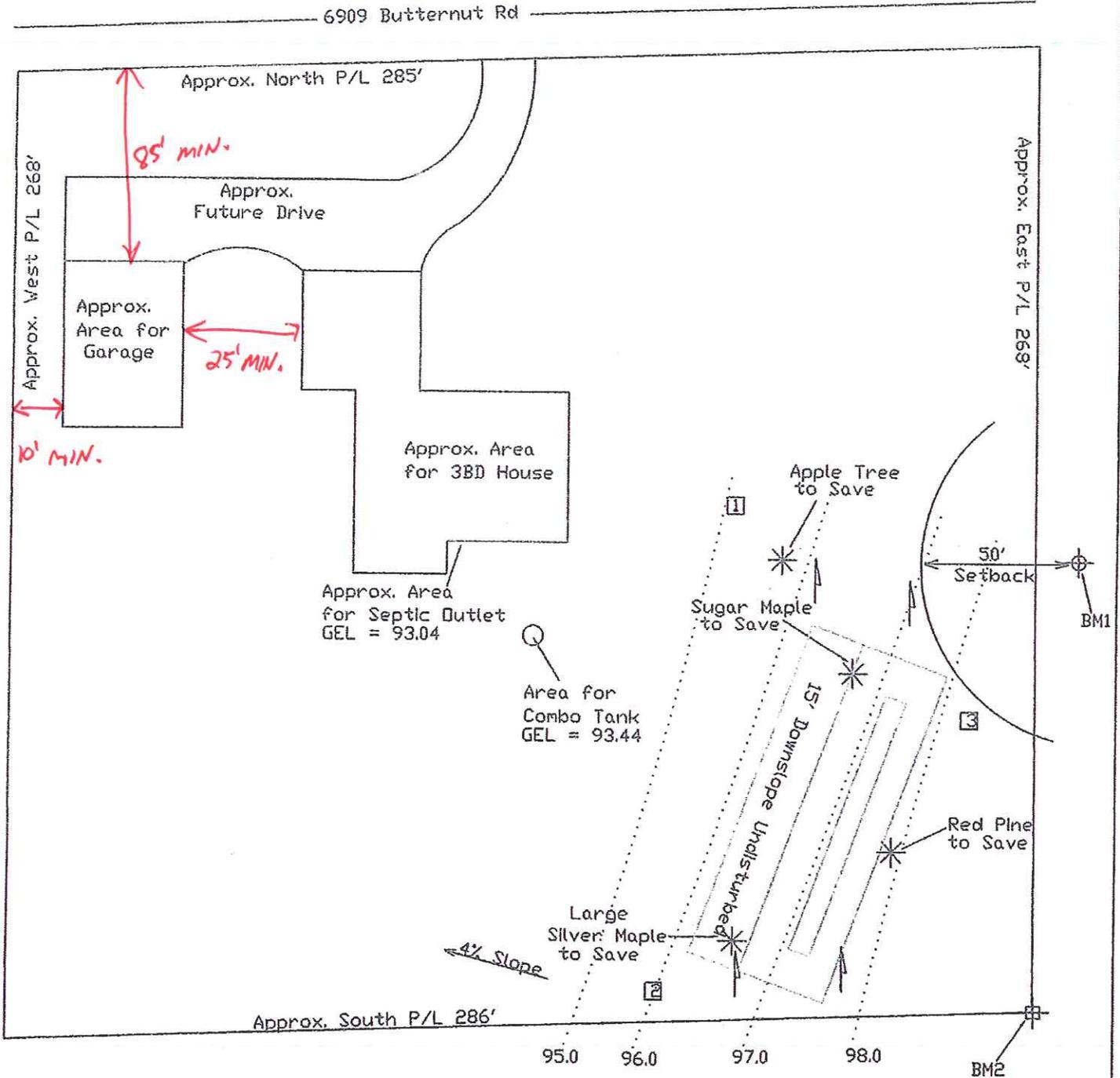
**Project:**

Travis & Karen Carlson  
 Lot 4, Blk 2, West Mtn Acres  
 Pt. SW1/4, NW1/4, Sec. 18, T28N, R7E  
 Town of Rib Mountain, Marathon County  
 PIN#: 068-2807-182-0014



**Created By:**

Star Environmental, Inc.  
 PO Box 434 Marathon, WI 54448  
 Phone: (715) 443-6115  
 Fax: (715) 443-6108  
 Email: Starenvironmental@hotmail.com



Scale 1" = 40'



Unless Noted

This is not a certified survey map

**Legend:**



BM1 Top of Neighbor's Well  
El. = 100.0



BM2 Top of Phone Ped  
El. = 102.53  
GEL = 99.3



Flags



Soil Pits

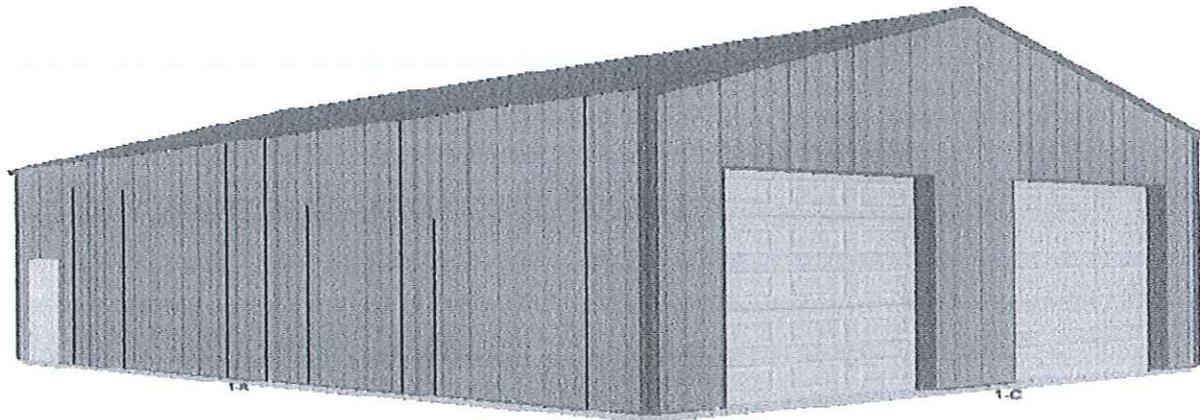
# ELEVATIONS

Design #: 301651609578  
Store: WAUSAU

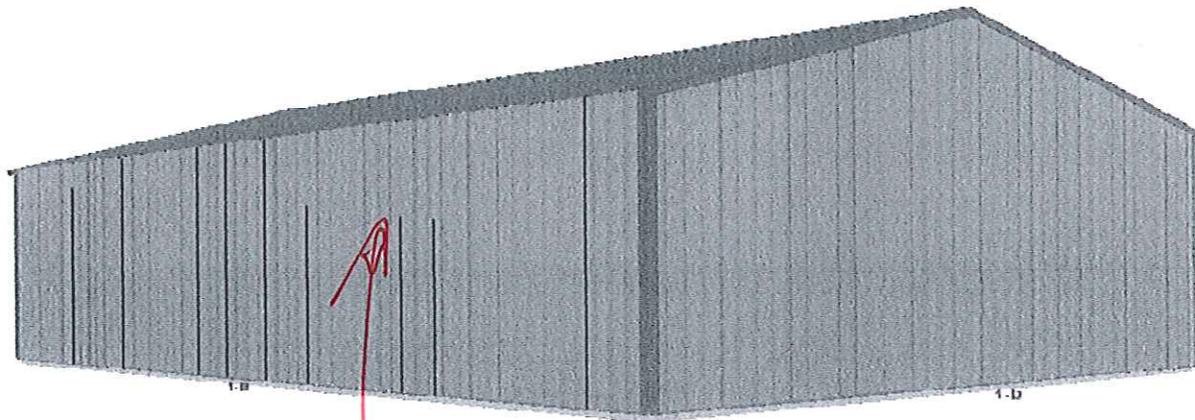


Post Frame Building Estimate  
Date: Mar 12, 2016 8:19:27 AM

## Elevation Views



12'-0"  
SIDEWALL



- Steel or VINYL SIDING TO MATCH  
PROPOSED HOUSE



### Building Information

1. Building Use:	Code Exempt
2. Width:	30 ft
3. Length:	45 ft
4. Inside Clear Height:	12 ft
5. Floor Finish:	Concrete
6. Floor Thickness:	4 in
7. Post Foundation:	Secured To Concrete

### Wall Information

1. Post Spacing:	9 ft
2. Girt Type:	Flat
3. Exterior Wall Panel:	Pro-Rib
4. Exterior Wall Color:	Ash Gray
5. Wainscot:	No
6. Trim Color:	Bronze
7. Sidewall A Eave Light:	None
8. Wall Fastener Type:	Screws
9. Sidewall B eave light:	None
10. Wall Fastener Location:	In the Flat
11. Wall Fastener Color:	Use Colored
12. Bottom Trim:	Yes
13. Eave Trim:	No
14. Gradeboard Type:	2x8 Treated Gradeboard

### Interior Finish

1. Wall Insulation Type:	None
2. Wall Liner Type:	None

### Roof Information

1. Pitch:	4/12
2. Truss Spacing:	9 ft
3. Heel Height:	7 7/8 in
4. Roof Type:	Pro-Rib
5. Roof Color:	Bronze
6. Ridge Options:	Ridge Cap
7. Roof Fastener Type:	Screws
8. Roof Fastener Location:	On the Rib
9. Roof Fastener Color:	Use Colored
10. Endwall Overhangs:	0 ft
11. Sidewall Overhangs:	0 ft
12. Skylight Size:	None
13. Ridge Vent Quantity:	None
14. Ceiling Liner Type:	None
15. Ceiling Insulation Type:	None

### Accessories

1. Inside Closure Strip:	None
2. Gable Vent Type:	None
3. Cupola Size:	None
4. End Cap:	No
5. Snow Guard:	No
6. Mini Print:	Hardcopy and E-mail

**REPORT TO PLAN COMMISSION**

**FROM:** Steve Kunst, Community Development Director

**DATE:** September 17, 2015

**SUBJECT:** Special Use Application for a Private Pond

**APPLICANT:** Steve Miller, agent

**OWNER:** Jo Ann Zindorf

**PROPERTY ADDRESS:** 7800 Starflower Drive

**PARCEL #:** #34.208.000.009.00.00

**REQUEST:** Special Use approval for a private pond, per RMMC Section 17.056(8)(n) – Drainage Structure

**ZONING:** Estate Residential – 1 (ER-1)

**ADJACENT ZONING:** ER-1 (North, South, East, and West)

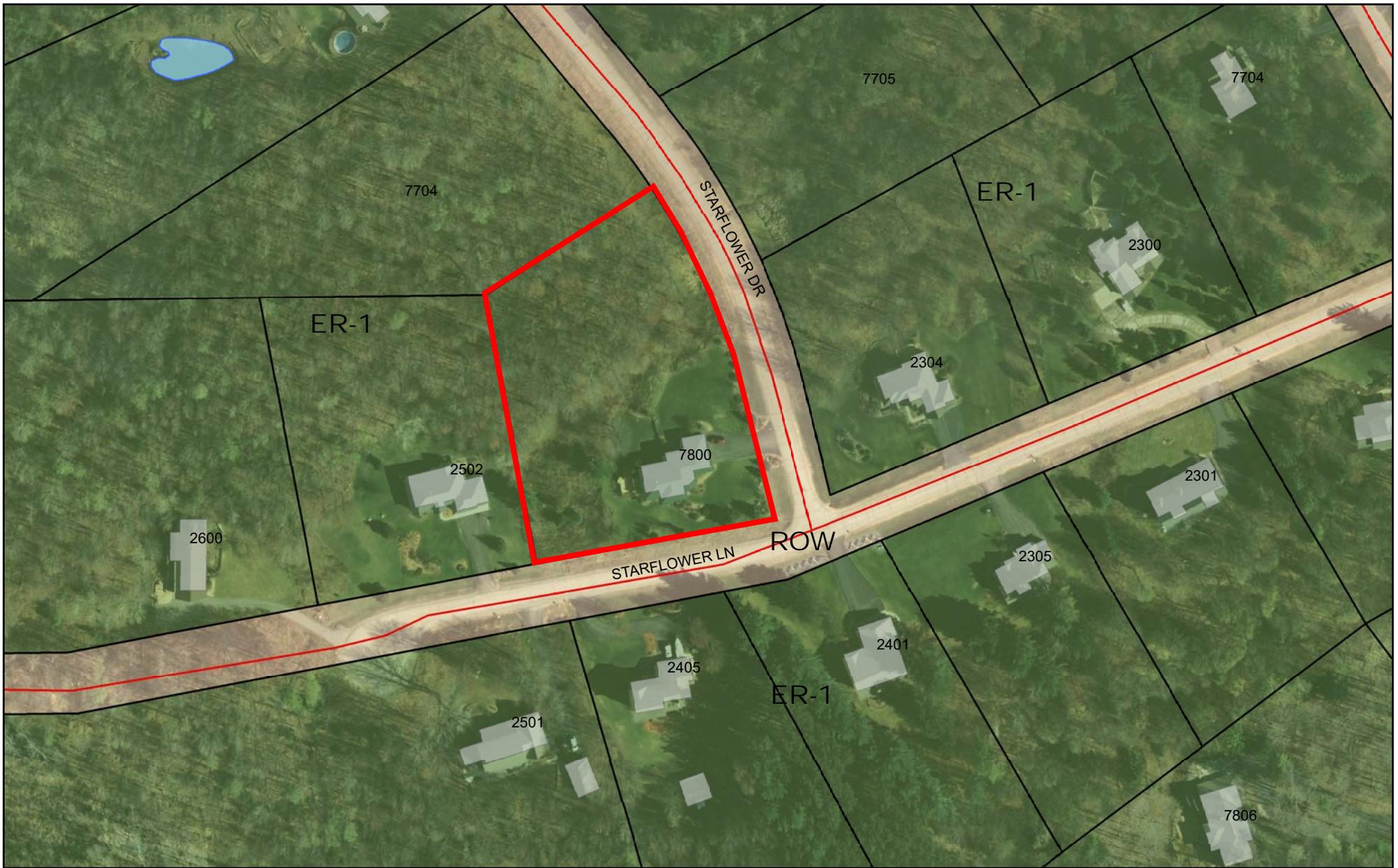
**FUTURE LAND USE DESIGNATION:** Residential

**NARRATIVE:**

The applicant seeks approval to create a private wildlife pond on the property addressed 7800 Starflower Drive. The proposal calls for a pond between 40 and 50 feet in diameter and roughly six (6) feet in maximum depth. In addition, the applicant plans to construct a six (6) foot high berm on the north side of the pond. Although the proposal does not fall under the jurisdiction of Marathon County, it does adhere to the County’s pond guidelines. Specifically, the pond banks are proposed to slope at a ratio of one (1) foot vertically to three (3) feet horizontally and all disturbed areas are to be reseeded (see attached).

**POSSIBLE ACTION:**

1. Recommend approval of the special use to allow a private pond at the property addressed 7800 Starflower Drive, as presented.
2. Recommend approval of the special use to allow a private pond at the property addressed 7800 Starflower Drive, with conditions/modifications
3. Recommend denial of the special use to allow a private pond at the property addressed 7800 Starflower Drive.



<p>Zoning Districts (July 2014)</p> <ul style="list-style-type: none"> <li>OR Outdoor Recreation</li> <li>RA-1 Rural Agricultural</li> <li>RA-2 Rural Agricultural</li> <li>RR Rural Residential</li> <li>CR-5ac Countryside Residential</li> <li>SR-2 Suburban Residential</li> </ul>		<ul style="list-style-type: none"> <li>SR-3 Suburban Residential</li> <li>UR-8 Urban Residential</li> <li>ER-1 Estate Residential</li> <li>MR-4 Mixed Residential</li> <li>SC Suburban Commercial</li> <li>NC Neighborhood Commercial</li> <li>UC Urban Commercial</li> </ul>		<ul style="list-style-type: none"> <li>UDD Unified Development</li> <li>EO Estate Office</li> <li>SO Suburban Office</li> <li>SI Suburban Industrial</li> <li>ROW</li> <li>Unzoned</li> <li>Parcel Outline</li> <li>Water Feature</li> <li>Building (2010)</li> </ul>		<p>— Road Centerline</p>	
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5a-2

0 75 150  
Feet

Map Printed: 5/19/2016

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**Owner - Jo Ann Zindorf**  
**7800 Starflower Dr, Wausau WI 54401**  
**715-581-8199**  
**Applicant - Steve Miller**  
**Miller Excavating**  
**1424 Hwy 107 North**  
**715-581-3893**



50' wide Drainage Easement

Directed Overflow

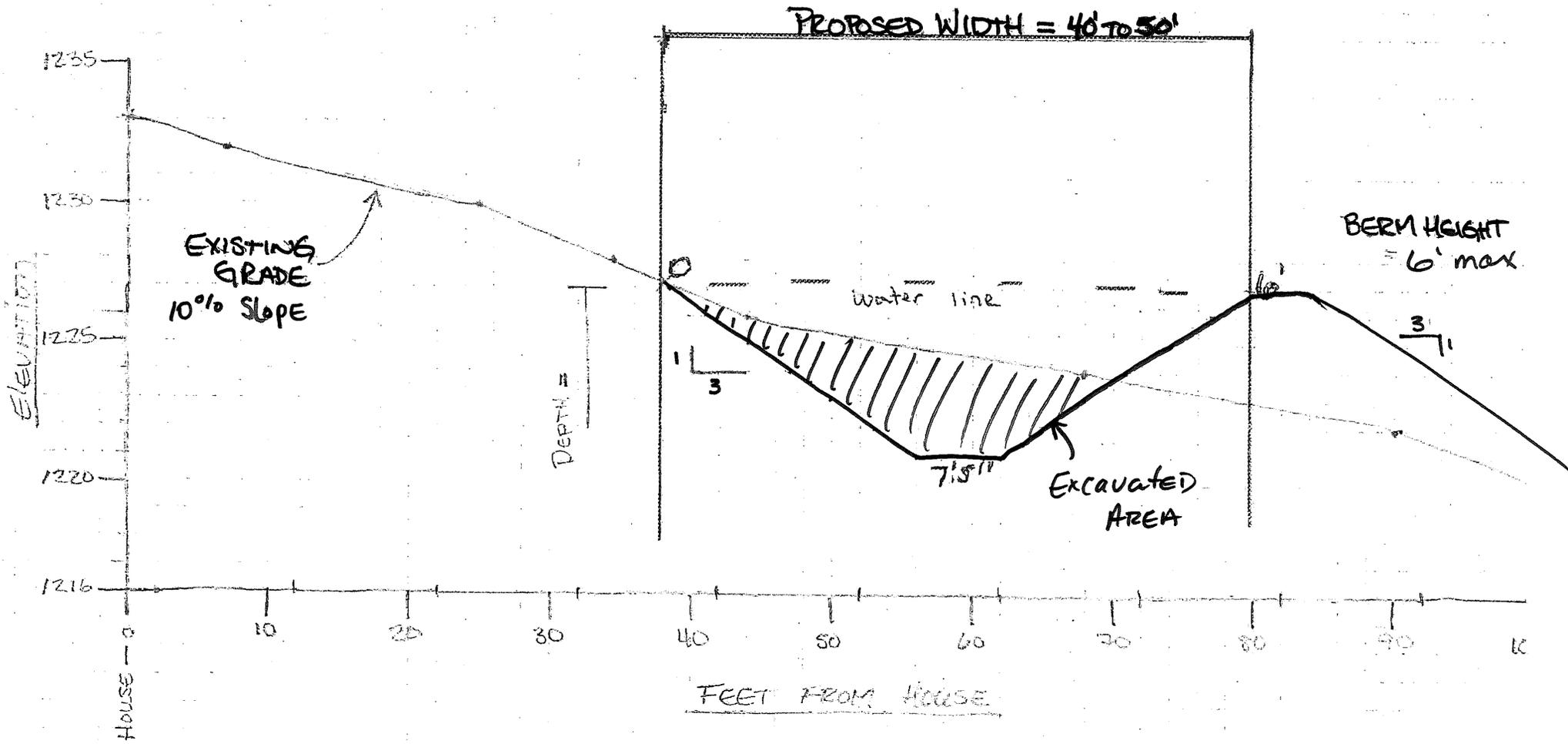
Approx. 180'

Approx. 60'

STARFLOWER LN

STARFLOWER DR

5a-3



**REPORT TO PLANNING COMMISSION**

**FROM:** Steve Kunst, Community Development Director  
**DATE:** May 20, 2016  
**SUBJECT:** Keeping of Chickens in Residential Zoning Districts

**APPLICANT:** Town of Rib Mountain

**REQUEST:** Plan Commission input on the Town of Rib Mountain Zoning Ordinance related to the keeping of chickens in residential zoning districts.

**NARRATIVE:**

Over the past year the Department received more than a dozen requests from residents interested in keeping chickens at their residential property. Currently, the Zoning Ordinance only identifies chickens, poultry, and other typical farm animals under the 'Husbandry' land use. This use is typically associated with our agricultural districts, and only available to residential parcels zoned Estate Residential – 1 as a conditional use. With the continued push towards locally sourced, more sustainable food, staff only foresees the number of these requests to continue increasing.

This is by no means a local phenomenon. Communities throughout Wisconsin and the rest of the country are taking a closer look at their regulations and for the most part, relaxing them. Included in this packet is a list of some Wisconsin communities recently addressing the idea of 'backyard chickens' and how they elected to handle it. This is by no means a comprehensive list, but should provide a good bit of background. Communities choosing to allow chickens typically permit between 4-8 and have a number of performance standards intended to limit the impacts on neighbors (setbacks, prohibition on roosters, containment, etc.) The intent of this conversation is to get a recommendation from the Plan Commission to either move towards allowing chickens in residential districts (ordinance amendments) or continue prohibiting them. This recommendation will go to Town Board to garner their general feelings as well.

**POSSIBLE ACTION:** No formal action necessary. Staff is seeking general direction at this point.

<b>Location</b>	<b>Are Chickens Allowed in this location</b>	<b>Max Chickens Allowed</b>	<b>Roosters Allowed</b>	<b>Permit Required</b>	<b>Coop Restrictions</b>
Oneida County	Yes	8	No	No	Required Coop & Pen
Green Bay	Yes	4	No	Yes (\$5 annually)	Chickens cannot be kept in a principal structure (home or business) past 8 weeks of age, chickens must be contained and cannot be housed in a front or side yard. Coop must be kept at least 25 ft from any neighboring principal structures.
Marinette	No				
Manitowoc	No				
Sturgeon Bay	Yes	No Limit	Yes	No	None
Fort Atkinson	Yes	6	No	No	None
Jefferson	Yes	4	No	No	The chickens shall be provided with a covered enclosure and must be kept in the covered enclosure or in a fenced enclosure at all times
Turtle	Yes	20 layers, 20 meaties- ZONING ORDINANCES APPLY	No	No	Sanitation, zoning, proximity, and noise restrictions apply.
Stoughton	Yes	4	No	Yes	Yes, Description: A maximum of 4 hen chickens are allowed by right on residentially zoned property with a single family, duplex or twin home residential unit including the following requirements: 1. Regulations: a. No person shall keep chickens without a city license. The license must be renewed annually. b. No chicken coop/run shall be closer than 25 feet to any residential structure on an adjacent lot and shall be located within the rear yard. c. All zoning requirements related to accessory structures are exempt for chicken coops/runs that are less than 65 square feet in area except the minimum setback shall be 4 feet from the side and rear lot line. d. Chicken coops/runs that are 65 square feet and larger in area must conform to the accessory structure requirements of the specific zoning district where located. e. Any electrical work requires an electrical permit through the department of planning and development. f. Chicken's shall not be allowed to be kept within a residential dwelling or garage.
Sheboygan	Yes		Yes	No	
Beloit	Yes	20	No	Yes	6.2.8 LIVESTOCK. (Am. #3240) Livestock, as defined in Section 7.243(1) of the Code of General Ordinances, may be kept in the DH, Development Holding District, provided that all required permits are obtained. A minimum lot area of 5 acres shall be required for the keeping of any livestock. A maximum of one animal unit shall be allowed per full acre of land area of a parcel. One animal unit shall be the equivalent of: one horse or pony, steer, bull, cow, heifer or calf; or 4 swine; or 10 sheep or goats; or 20 chickens, ducks, turkeys or pheasants.
New Berlin	Yes	Up to 4 chickens in a single family dwelling	No	No	No closer than 25 ft to neighboring dwellings and a minimum of five feet from the property line.

Wausau	Yes	na	No	No	Must be kept 300 feet from any residential boundary line and 100 feet from any stream or lake.
Antigo	Yes	2	No	No	Proximity, zoning, building, sanitation, noise ordinances apply.
Milwaukee	Yes	4	No	Yes	<p>Coop location and design</p> <ul style="list-style-type: none"> <li>• Chicken coops shall be constructed in a workmanlike manner, be moisture resistant, and either raised off the ground or placed on a hard surface such as concrete, patio block or gravel.</li> <li>• Chicken coops and yards shall be constructed so they will not have standing water.</li> <li>• Chicken coops shall be cleaned of hen droppings, uneaten feed, feathers and other waste daily and as necessary to ensure a health, odor or other nuisance does not exist.</li> <li>• Chicken coops and yards together shall be large enough to provide at least 16 square feet per chicken. Fenced enclosure space can be added to the coop space to add up to the minimum number of square feet. Coops cannot be taller than 10 feet. Coops cannot exceed 50 sq. ft..</li> <li>• Enclosures shall not be closer than 25 feet to any residential structure on an adjacent lot. Enclosures shall not be located in the front yard of a dwelling.</li> </ul>
Appleton	No				
Madison	Yes	4	No	Yes	coop must be 25' from neighbors
Oshkosh	Yes	4	No	Yes	The coop must be structurally sound, moisture proof and maintained in good repair with sufficient space for freedom of movement and retention of body heat. It should provide a sufficient quantity of suitable clean bedding material. It must be enclosed, predator-proof, free of rodents, insulated, and adequately vented, with elevated perches for natural roosting position. It should have a minimum size of 7 square feet in area or 3 square feet in area per chicken, whichever is greater with 1 nest box for every 2 chickens. It must be at least 25 feet from a neighbor's primary residence, at least 3 feet from the side & rear property lines and at least 5 feet from your residence.

**REPORT TO PLANNING COMMISSION**

**FROM:** Steve Kunst, Community Development Director  
**DATE:** May 20, 2016  
**SUBJECT:** RMMC Section 17.056(8)(x) – Related to Solar Panels

**APPLICANT:** Town of Rib Mountain

**REQUEST:** Plan Commission input on the Town of Rib Mountain Zoning Ordinance related to Solar Panels

**NARRATIVE:**

When the Plan Commission last discussed solar panel regulations, it was decided to discuss the item at a future meeting. Staff originally introduced the discussion to determine whether it was the wish of the Commission to continue handling solar panel requests as conditional uses. In each of the two separate meeting discussions, the majority of the Commission desired to maintain this practice. State Statute limits some of the regulatory authority of local governments related to solar panels, essentially making it easier for interested parties to install them. Knowing this, the best outcome of this discussion would be to identify specific points of concern from Commissioners. What are the primary concerns with solar panels in residential areas? Once those are identified the code can be amended to include specific conditions addressing the concerns.

**PREVIOUS PLAN COMMISSION DISCUSSION:**

March 9<sup>th</sup>, 2016

The Commission began discussion as to whether solar panels should continue to be handled as conditional uses. Discussion also included the regulation of generators. The general feel of the Commission was leaning towards potential changes to the code allowing generators to be approved with performance standards, but solar panels would still be conditional uses.

April 13<sup>th</sup>, 2016

It was suggested to revisit the definition of solar panels as a ‘detached energy system.’ Again, the general feel of the Commission was to continue handling solar panels as a conditional use. It was decided to discuss the topic again at a future meeting.

**REGULATORY LIMITATIONS IN STATE STATUTE:**

Per Wisconsin State Statute 66.0401, “No political subdivision may place any restriction, either directly or in effect, on the installation or use of a solar energy system...unless the restriction satisfies one of the following conditions:

- a) Serves to preserve or protect the public health or safety.
- b) Does not significantly increase the cost of the system or significantly decrease its efficiency.
- c) Allows for an alternative system of comparable cost and efficiency

**RMMC SECTION 17.056(8)(X) – DETACHED ENERGY SYSTEMS:**

3. *Permanently placed generators, or similar energy producing devices: (This section includes all solar-electric devices mounted flush with or integral with a roofing system design)*

- a. *Permitted by Right: Not applicable.*
- b. *Special Use Regulations: Not applicable.*
- c. *Conditional Use Regulations: (All Districts).*
- d. *Exemptions:*
  - 1. *Conditional use exemptions are granted for any demonstrated medical need for emergency power as determined by the Zoning Administrator.*
  - 2. *The Town may not prohibit the placement of emergency power systems for Mobile Service Towers per Wisconsin State Statute § 66.0404 - Mobile Tower Siting Regulations. Also see Rib Mountain Municipal Code [Section 17.056\(7\)\(c\)4.\(a\)](#).*
- e. *All generators shall meet nuisance noise regulations, and be screened from visibility of adjacent property through the use of fences and/or landscaping.*
- f. *Weekly test run periods may only occur between the hours of 8:00 a.m. to 8:00 p.m., Monday through Friday.*

- g. Solar Energy Systems are also governed by Wis. Stats. § 66.0401, and shall conform to its regulations in addition to this section.*

*In reviewing any conditional use application, the Plan Committee shall consider:*

- 1. Locations: No detached energy system shall be located in a front or street yard location.*
- 2. Impacts: No detached energy system shall create an undesirable impact upon adjacent property or otherwise create a public nuisance.*

**POSSIBLE ACTION:**

1. Recommend amending RMMC Section 17.056(8)(x) – Detached Energy Systems
2. Recommend retaining RMMC Section 17.056(8)(x) – Detached Energy Systems, as written.