



TOWN OF RIB MOUNTAIN

Where Nature, Family & Sport Come Together

www.townofribmountain.org

3700 North Mountain Road
Wausau, Wisconsin 54401

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PLAN COMMISSION

OFFICIAL NOTICE & AGENDA

A meeting of the Town of Rib Mountain Plan Commission will be held on **Wednesday, June 8th, 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 minutes of the 5-25-2016 Plan Commission meeting.**
- 4.) Public Hearings:
 - a. **Finishing Touch Signs, agent, requests conditional use approval for a changeable message sign at the property addressed 4301 Rib Mountain Drive, Parcel #34.112807.011.012.00.00, per RMMC Section 17.213(1)(c-1) – Changeable Message Sign. Docket #2016-26.**
- 5.) New Business:
 - a. **Pre-application discussion regarding potential rezoning and subdivision of parcel #34.162807.003.000.00.00, Docket 2016-29.**
 - b. **Discussion and possible action to establish the Plan Commission Chairperson.**
 - c. **Discussion and possible action to establish the Plan Commission Vice-Chairperson, if necessary.**
- 6.) Correspondence/ Questions/Town Board Update:
- 7.) Public Comment
- 8.) Adjourn

TOWN OF RIB MOUNTAIN
PLANNING COMMISSION MEETING
April 27, 2016

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

MINUTES:

Motion by Tom Steele, seconded by Jim Hampton to approve the minutes of the April 27, 2016 Plan Commission meeting, as presented. Motion carried 6-0.

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.*

Community Director Kunst introduced the request and noted the subdivision in which the applicant is proposing the structure has restrictive and protective covenants also governing the proposal, but the Town has no enforcement over those covenants.

Keith Schmidt, applicant, apologized to the neighbors in attendance for creating unrest, and noted he had two contract and real estate attorneys review the covenants and both indicated he would need to build the structure to remain in compliance with covenant 12 and that the covenants do not definitively say detached garages are prohibited. He also noted that during a walk through the neighborhood, he noticed 22 direct violations of the covenants, 12 of which related to covenant 12 of which he is trying to comply with. Mr. Schmidt also noted he has a secondary option of attaching the structure if the proposal creates too many issues with neighbors.

Plan Commission members and the applicant discussed the lot size, appearance, square footage, and sidewall height of the proposed structure and compared those with the applicable zoning regulations. Tom Steele asked Kunst if staff felt the proposal meets all applicable zoning conditions, to which Kunst noted that strictly based on our zoning ordinances, it does meet the requirements.

Commissioner Hampton noted he felt the neighborhood, in its current condition, with no detached structures and general uniform appearance is good for the neighborhood and the addition of the proposed structure would detract from the appearance and open the door for other residences to build sheds and garages.

Prior to opening public comment, Acting Chairman Hebbe noted the Town had received correspondence from residents unable to attend the meeting. Kunst stated three written letters were received in

opposition to the proposed structure, one of which included 20 signatures from residents in the same neighborhood. Mikki & Ed Koth (3000 Partridge Ave) submitted another letter and an email was received from Darlene Caillouette (3101 Partridge Ave) in opposition. Additionally, a phone call was received in opposition from Paul Hatlestad (3100 Partridge Ave), stating he did not believe the structure was the right fit for the neighborhood.

Harlan Hebbeopened the discussion for public comment.

Ed & Mikki Koth, 3000 Partridge Ave, gave a brief history of the subdivision and noted their legal counsel believes the covenants prohibit detached buildings and that stance has been enforced previously. They stated that they value the integrity of the covenants and the development it has created. They hope the covenants can be enforced neighbor to neighbor and not through legal action. Additionally, they stated that the structure is too large, visually unappealing, and does not fit the neighborhood and asked for Plan Commission to recommend denial.

Plan Commission members discussed additional option (attached or detached), and how our ordinances and their covenants would control development. Discussion indicated that attaching the structure would satisfy both controlling regulations. The applicant stated that attaching the building was a secondary option; however, it would be placed in the same proposed location with a breezeway attaching it to the current garage.

The public comment period closed.

Christine Nykiel and Steele both identified that while the covenants are in place, and there seems to be willingness between both parties to compromise, the Plan Commission can only make recommendations based on the ordinances the Town has in place.

Motion by Tom Steele, seconded by Christine Nykiel to recommend approval of the Conditional Use request to allow construction of a detached private residential garage greater than 1,000 square feet in area at the property addressed 3101 Partridge Way. Motion Failed 2-3 with Ryan Burnett abstaining.

- 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.*

Kunst opened discussion with a description of the request, noting the unique feature with this proposal being that the detached garage would be built concurrently with a new single-family residence. He also noted that Conditional Use approvals are only good for 12 months.

Travis Carlson, applicant, noted he hopes to have the same construction crew work on the detached garage and the house, allowing him to save some time and money in the process. He indicated the

intended use of the garage is for storage of equipment, vehicles and a shop for personal use and that no business activity is related to the structure.

Commission members and the applicant discussed the construction type and appearance of both the detached building and single family home. Commission members indicated they had no issue with the appearance. Kunst noted he did receive one phone call from a notified neighbor. The neighbor had a few questions about the location of the proposed structure and indicated they had no issue with its construction.

Additional discussion about methods of control over the development led to conversation of occupancy bonds and concurrent construction and inspections. Jay Wittman indicated he was in favor of an additional occupancy bond.

Public Comment was opened and closed with no input

Motion by Jay Wittman, seconded by Tom Steele to recommend approval of the Conditional Use request for a detached private residential garage in excess of 1,000 square feet at the property addressed 6909 Butternut Road under the conditions that construction of the detached garage does not outpace the construction of the new single family dwelling and the project is subject to a \$1,000 occupancy bond which will be reimbursed upon compliant completion of the garage. Motion carried 6-0.

NEW BUSINESS:

- a. *Steve Miller, agent, requests special use approval for excavation of a residential 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.*

Kunst began discussion with a brief review of the special use procedure and the applicable considerations needed for a drainage structure/pond. Kunst noted all criteria appear to be met and that the applicant met with Marathon County representatives and the pond is designed in conformance with the standards they have in place.

Nykiel questioned the impact on neighbors and environment, to which Mr. Miller indicated the only impact will likely be equipment noise during the construction process and that trees and other vegetation which currently creates a visual buffer will remain in place after the pond is constructed. Miller also indicated he attempted to contact the neighbors on two occasions to make them aware of the proposed pond, but was unable to speak with them. He also indicated there appears to be no negative environmental impact and that there are benefits for wildlife and rain runoff control.

Kunst noted he had spoken with two of the applicants neighbors on an unrelated topic and mentioned the proposed pond, to which the neighbors indicated they had no issue with its construction. Commissioner Burnett asked for clarification of County versus Town jurisdiction and Mr. Steele questioned what items the Commission needs to consider for this application. Kunst indicated the

County has jurisdiction if the proposal is within a Floodplain or Shoreland area and that Plan Commission needs to consider if it will create increased drainage onto neighboring properties.

Mr. Miller and the Commission discussed the construction of the pond, its depth and directed overflow method. Mr. Miller indicated that they have done some hydrology studies to determine the size of the pipe/drain tile required to handle potential high water events.

Motion by Tom Steele, seconded by Ryan Burnett to Approve the Special Use request for excavation of a pond at the property addressed 7800 Starflower Drive. Motion carried 6-0.

b. Discussion and recommendation on the keeping of chickens in residential zoning districts. Docket #2016-24.

Kunst opened discussion by noting that staff has received a significant number of phone calls related to the keeping of chickens in residential neighborhoods and Town Board is interested in getting Plan Commissions direction on the topic.

Commission members indicated they have discussed this topic in the past and they have chosen to maintain the balance between forward thinking and the area's history, as well as, the overall appearance of the neighborhoods. They believe allowing chickens in the smaller lot neighborhoods would detract from Rib Mountain's appeal and appearance. The Commission noted they want to keep Rib Mountain residential neighborhoods residential.

Plan Commission's general direction is to continue prohibiting the keeping of chickens in residential zoning districts.

c. Discussion of RMMC Section 17.056(8)(x) – Detached Energy Systems related to solar panels. Docket #2016-25.

Harlan Hebbe reintroduced the subject in an effort to change the definition for roof-mounted solar panels and to potentially allow staff to approve these systems with performance standards rather than a conditional use public hearings and additional fees to residents. Jim Hampton indicated in previous discussions the Plan Commission had indicated a desire to see more applications before making that judgement.

Steele stated he would like to see some criteria that would allow staff to approve flush mounted solar panels, but proposals outside of those criteria would still be handled as a conditional use. Other Commission members agreed that if constructed correctly, flush roof mounted panels pose little issue to the public. Nykiel also addressed State Statutes which limit the amount of enforcement for municipalities as it relates to solar energy systems.

Plan Commission directed staff to review and provide potential definition changes for roof mounted solar energy systems along with applicable performance standards that would allow for staff to review and approve such applications without the need for conditional use approval.

CORRESPONDENCE/QUESTIONS:

a. Electronic Message Centers

Kunst noted that Town Board has not yet made a final decision on Plan Commission's recommendation to prohibit Electronic Messaging Signs, due in part to additional language requested to exempt fuel stations from the prohibition. Additionally, Kunst noted that an application for conditional use of an electronic message sign has been received and will be on the next Plan Commission agenda.

PUBLIC COMMENT:

a. Future Concerns for Covenant Restrictions

Hampton questioned whether the Town or Plan Commission should do more to aid in the enforcement of subdivision's restrictive covenants. He suggested the possibility of creating a review board, so that potential neighborly disputes may be handled prior to any formal Town action that may contradict the restrictive covenants. Nykiel stated that from an attorney's point of view, the Town is not a party to those private contracts and she believed it would be a drastic overreach for the Town to intervene in private matters.

Kunst noted the Town typically requires within a developer's agreement that the Town be made aware of, and receive a copy of the restrictive and protective covenants when a new plat is approved. He also noted that staff currently (and will continue) to make an effort to make applicants aware of existing covenants, but that the Town cannot prohibit residences from applying based on the covenants in place.

ADJOURN:

Motion by Jay Wittman, seconded by Christine Nykiel to Adjourn. Motion carried 6-0. Meeting adjourned at 8:18 pm.

Respectfully Submitted,

Paul Kufahl, Building Inspector / Assistant Zoning Administrator

REPORT TO PLANNING COMMISSION

FROM: Steve Kunst, Community Development Director

DATE: June 2, 2016

SUBJECT: Conditional Use Application for a Changeable Message Sign

APPLICANT: Finishing Touch Signs

OWNER: PCW Properties LLC

PROPERTY ADDRESS: 4301 Rib Mountain Drive

PARCEL #: 34.112807.011.012.00.00

REQUEST: Conditional Use request for a ‘Changeable Message’ or ‘Unique’ Sign

ZONING: Suburban Commercial (SC)

ADJACENT ZONING: SC (North, South, and East); UDD (West)

NARRATIVE:

Finishing Touch Signs seeks Conditional Use approval for an electronic message sign at Carbuff’s. The proposal calls for replacing the existing monument sign with an electronic message sign. Overall, the proposed sign is 80 ft² in area. The proposed electronic message area is 45 ft². The Town Zoning Ordinance prohibits flashing signs, or those signs changing their appearance more than once every 30 seconds.

ADDITIONAL CONSIDERATIONS:

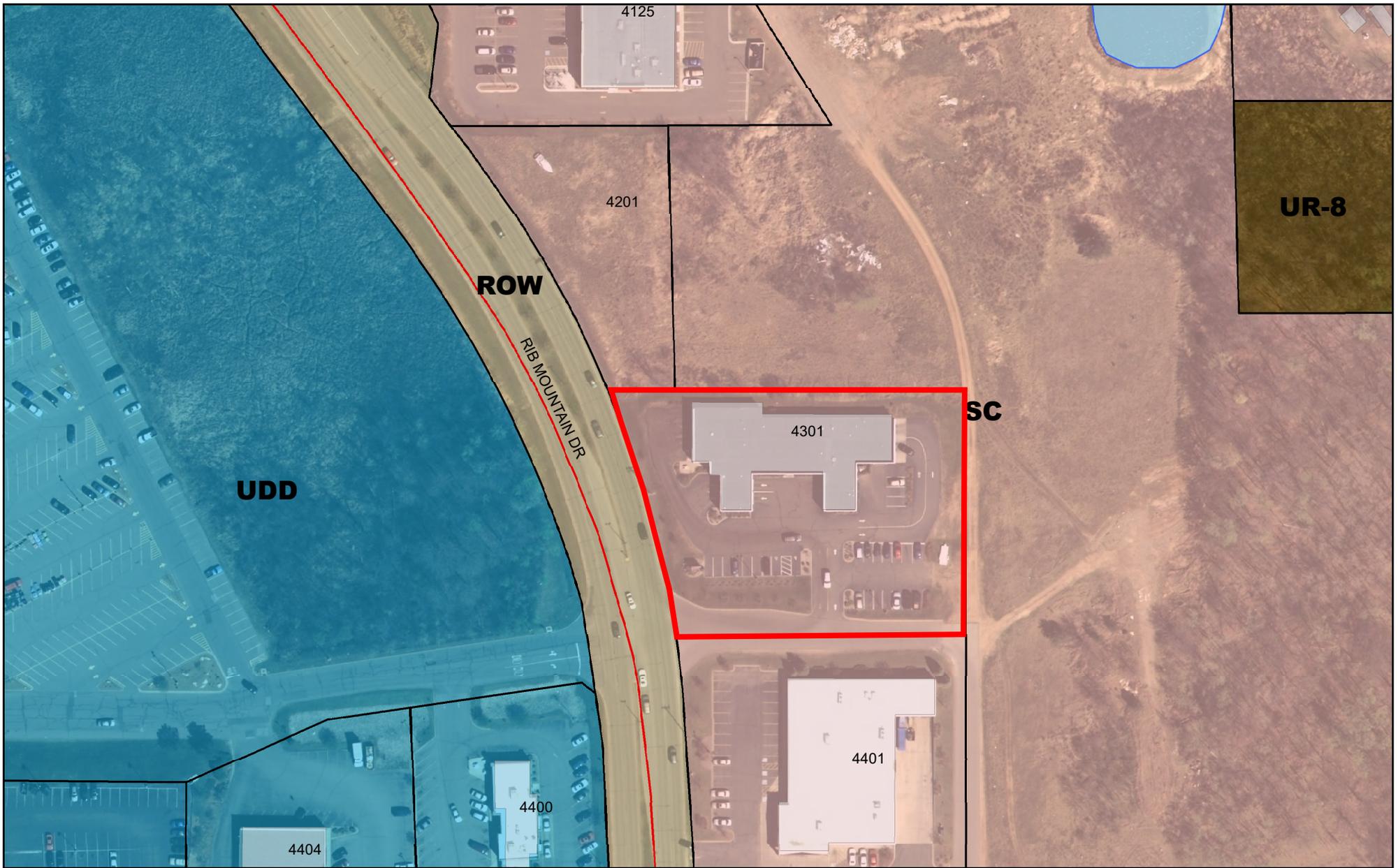
- As a whole, the property is permitted 121 ft² of business signage.
 - Property currently contains more signage than permitted, largely due to sign on rear of building installed without a permit in 2012.
- Any approval shall be contingent upon removal of existing signage to a point in which total signage is conforming.

ELECTRONIC MESSAGE SIGN ORDINANCE AMENDMENT - TIMELINE

- On February 24th, 2016 the Plan Commission recommended amending the Zoning Ordinance to prohibit electronic message signs (see attached track-changes).
- The Town Board took up the item at their March 1, 2016 meeting and directed the item back to staff to include language exempting fuel station price signs from the prohibition. Since then, staff has researched and sought Attorney opinion on the exempting language and its apparent conflict with the 2015 US Supreme Court ruling barring sign regulations from regulating signs based content.
- The item is on the June 7th, 2016 Town Board agenda for action.
- The applicant is aware of the recent Plan Commission and Town Board actions.

POSSIBLE ACTION:

1. Recommend approval of the Conditional Use for a Changeable Message Sign at the property addressed 4301 Rib Mountain Drive, as presented.
2. Recommend approval of the Conditional Use for a Changeable Message Sign at the property addressed 4301 Rib Mountain Drive, with conditions/modifications.
3. Recommend denial of the Conditional Use for a Changeable Message Sign at the property addressed 4301 Rib Mountain Drive.



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

Prepared by:
CWE
cweengineers.com

Map Printed: 6/3/2016

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There is no Statement of Accuracy for any parcel data; the parcel layer is considered an Index Parcel Layer not a Cadastral Parcel Layer. For planning purposes only.

Finishing Touch signs

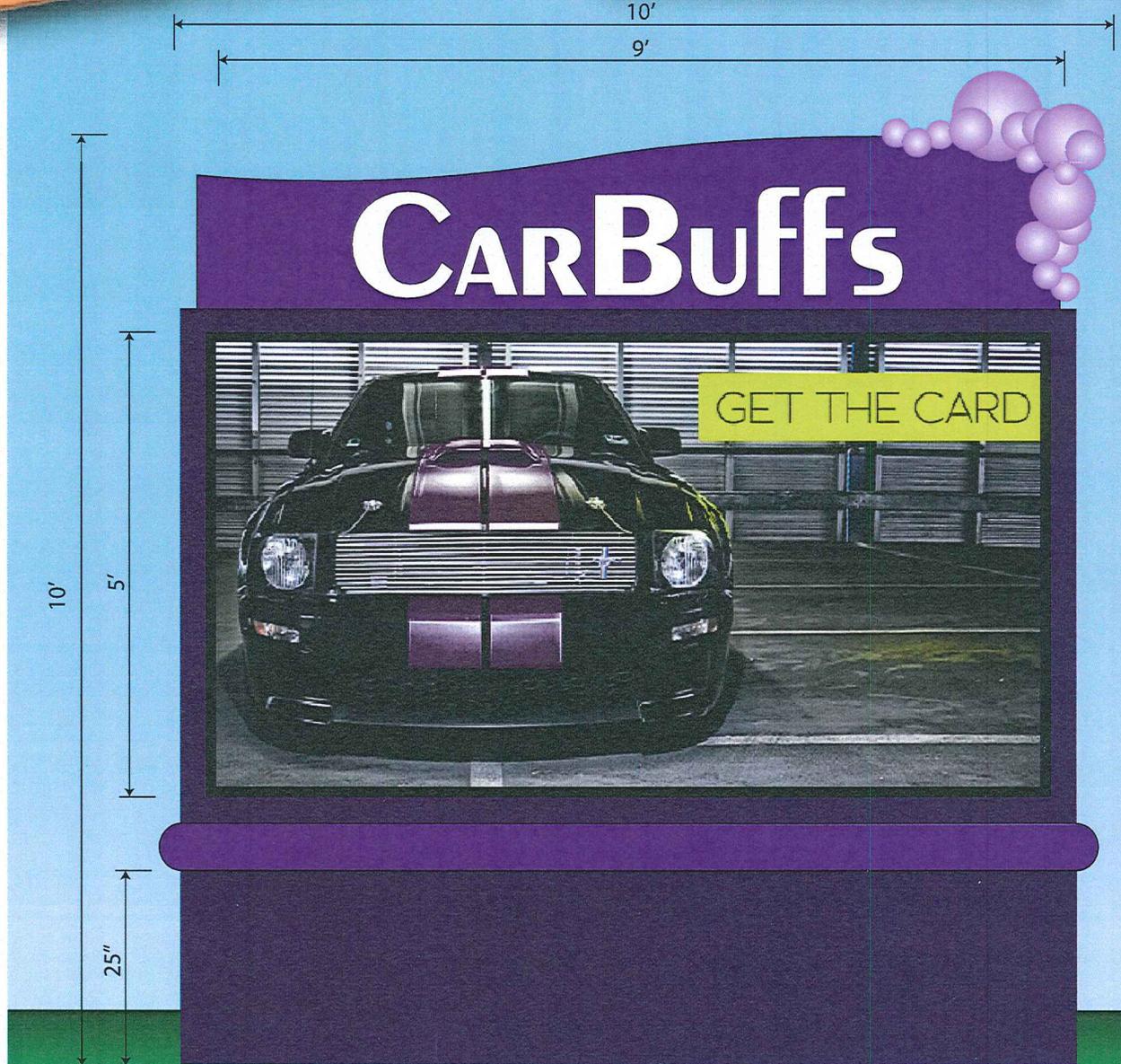
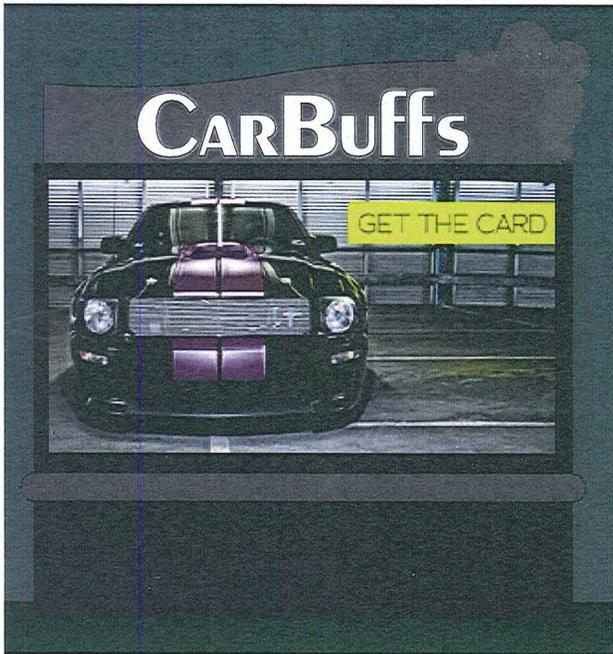
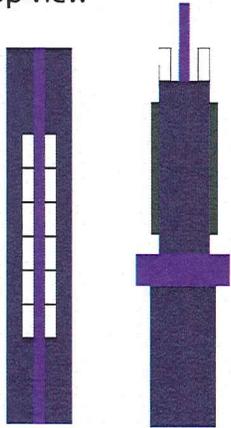
723 S. 72nd Avenue Wausau, WI
715-845-0500
ftsign.com

Client:
Car Buffs
Wausau, WI

SIGN SPECIFICATIONS
* 10' X 10' double sided monument sign
* 5' X 9' full color EMC
* internally lit dimensional letters attached to monument face
* exact build and size TBD



top view side view



Job Number
13462
file name and extension

THIS ARTWORK IS COPYRIGHTED AND MAY NOT BE USED WITHOUT PERMISSION. IT IS THE PROPERTY OF FINISHING TOUCH AND MUST BE RETURNED TO THEM.

Customer: *Car Buffs*
Sales Rep: *Dylan Alwin*

Date: *03/22/14*
Revision Date:

FINAL DRAWING APPROVAL
These drawings will be released to manufacturing once signed and returned. Any detail or dimension changes will delay fabrication and incur extra charges. ONCE THE DESIGN IS APPROVED FINISHING TOUCH WILL NOT BE RESPONSIBLE FOR ERRORS
signature: _____ date: _____

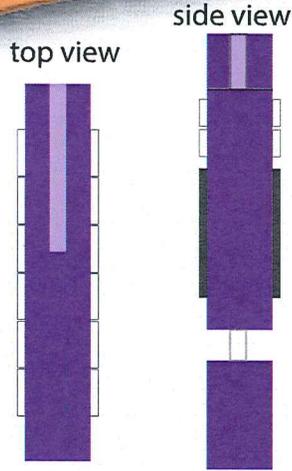
COLORS SHOWN FOR REPRESENTATION ONLY. ACTUAL PAINT OR VINYL GRAPHICS MAY NOT MATCH INK COLORS ON LAYOUT

Finishing Touch signs

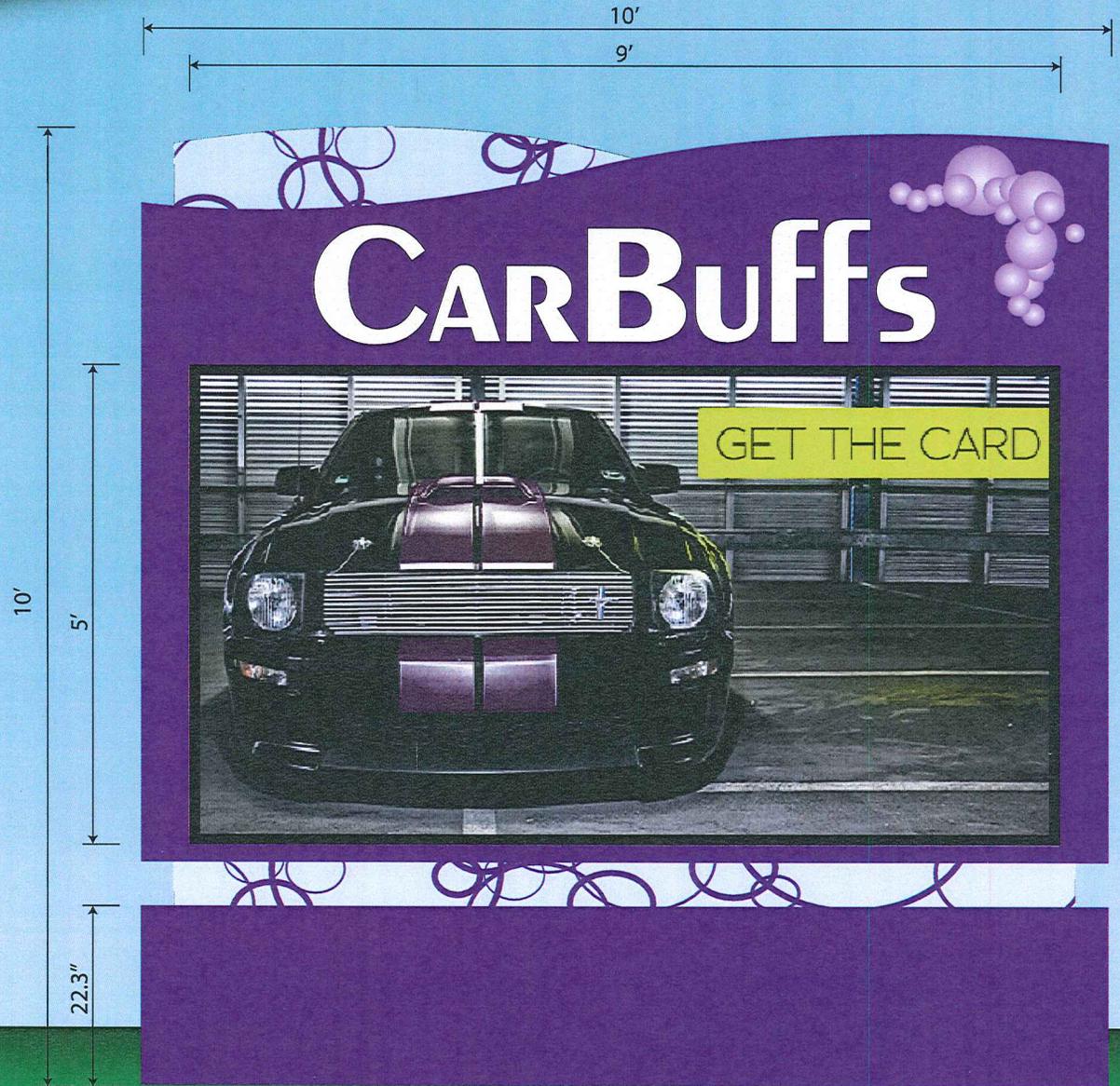
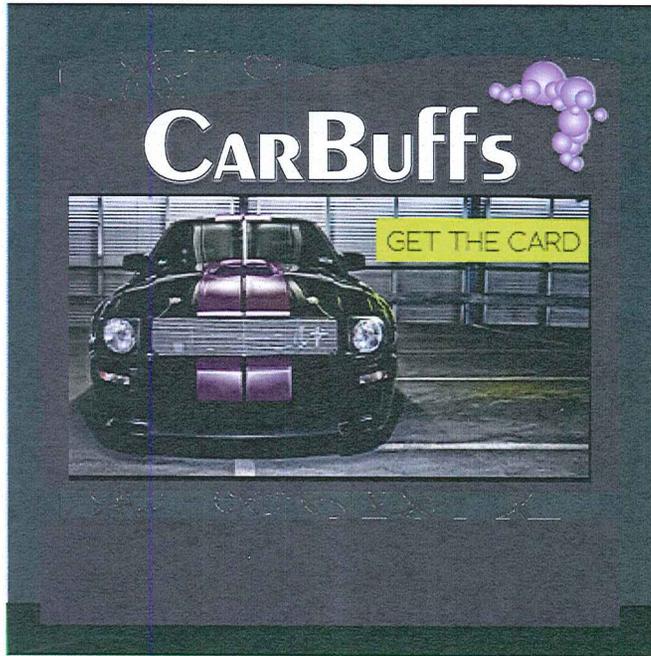
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Client:
Car Buffs
Wausau, WI

SIGN SPECIFICATIONS
* 10' X 10' double sided monument sign
* 5' X 9' full color EMC
* internally lit dimensional letters attached to monument face
* exact build and size TBD



NIGHT VIEW



Job Number
13462

file name and extension

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signature:

date:

COLORS SHOWN FOR REPRESENTATION ONLY. ACTUAL PAINT OR VINYL GRAPHICS MAY NOT MATCH INK COLORS ON LAYOUT

Section 17.213 - Definitions and Regulations Specific to Certain Signs.

The following definitions shall be used by this Subchapter to assist in the establishment of clear cut signage regulations. In general, Sign Purposes refers to where or how a sign is used. Sign Configurations refers to the style of the sign, and Sign Measurement explains how the dimensions of a sign are determined.

Sign: any object, device, display, structure, or part thereof, situated outdoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event, or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination, or projected images. Signs do not include the flag or emblem of any nation, organization of nations, state, city, religious, fraternal, or civic organization; also merchandise and pictures or models of products or services incorporated in a window display, works of art which in no way identify a product, or scoreboards located on athletic fields. Definitions of particular functional, locational, and structural types of signs are listed in this Section. (Traffic control and other public agency signs located within a right-of-way are not included within this definition and are not regulated by the provisions of this Chapter.)

(1) *Sign Purposes.*

- (a) *Advertising sign:* a sign which directs attention to a business, commodity, service, or entertainment conducted, sold, or offered elsewhere than upon the premises where the sign is displayed. Advertising signs include billboards. (Refer to Subsection 17.214(1)(g))
- (b) *Auxiliary sign:* a sign which provides special information such as price, hours of operation, or warning and which does not include brand names, or information regarding product lines or services. It may contain a business logo if the logo is under one square foot in area. Examples of such signs include directories of tenants in buildings, "no trespassing" signs, menu boards, and signs which list prices of gasoline. (Refer to Subsection 17.216(5))
- (c) *Business sign:* a sign which directs attention to a business, commodity, service, or entertainment conducted, sold, offered, or manufactured upon the premises where the sign is located. (Refer to Section 17.216 and Table 17.216(6))
- (c-1) *Changeable message sign:* a sign which is ~~electronically manually~~ capable of altering its color, appearance, or message. These signs are only permitted as unique signs under Section 17.216(8). (Cr. #09-02)

(c-2) *Electronic message sign:* A sign whose informational content can be changed or altered on a fixed display screen composed of electronically illuminated parts. Electronic message signs use changing lights to form a message in text form wherein the sequence of the text and rate of change is electronically programmed and can be modified by electronic processes. This form of sign is prohibited.

- (d) *Community information sign:* an officially designated sign which is limited to the display of information of interest to the general community regarding scheduled public events and public activities. (Refer to Subsection 17.212(2))
 - 1. Such sign shall only display information regarding events and information of general interest to the residents of Rib Mountain. Copy which may be considered as advertising a product, private or restricted participation event, or activity for private profit shall be prohibited.
 - 2. Such sign may be located on private or public property (including right-of way.)
 - 3. Such sign shall conform to the visibility requirements of Section 17.173
 - 4. Such sign shall not be counted as adding to the area of signage on the subject property for the purposes of regulating sign area per Section 17.216(6).
- (e) *Directional sign, off-premises:* a sign which indicates only the name, direction, and/or distance of a business or activity. It may contain a business logo if the logo is under one square foot in area.

(Refer to Subsections 17.214(1)(f) and (g). Counts against the permitted business sign area and requires a conditional use permit per Section 17.225

- (f) *Directional sign, on-premises*: a sign which indicates only the name or direction of a pedestrian or traffic facility, or a particular building within a complex of structures, on the property on which said facility or building is located. For each permitted or required parking area that has a capacity of more than 5 cars, one sign, not more than 2 square feet in area, designating each entrance and/or exit; and one sign, not more than 9 square feet in area, designating the conditions of use of the parking area. It may contain a business logo if the logo is under one square foot in area. On-premises directional signs shall not exceed 4 square feet in area. No lot shall contain more than 3 such signs.
 - (g) *Group sign*: a sign displaying the collective name of a group of uses such as the title of a shopping center, office park, or industrial park and its tenants. No sales or price information shall be permitted. Portions of the sign containing names of individual tenants shall be considered as part of the area of a group sign. Group signs shall only be permitted within developments serving 5 or more nonresidential tenants, and shall limit information to the name of the development. (Refer to Table 17.216(6))
 - (h) *Identification sign*: a sign indicating the name and/or address of the tenant of the unit or manager of the property located upon the residential premises where the sign is displayed. (Refer to Sections 17.215, and 17.216(1) and (2).)
 - (i) *Temporary sign*: a sign or advertising display intended to be displayed for a certain period of time (as permitted by Section 17.217). Included in the definition of "temporary signs" are retailers' signs temporarily displayed for the purpose of informing the public of a "sale" or special offer. If a sign display area is permanent but the message displayed is subject to periodic changes, that sign shall not be considered as temporary. A mobile or portable sign shall not be considered a temporary sign or used for such a purpose.
 - (j) *Unique sign*: A sign which, in the opinion of the Zoning Administrator, does not fall into any of the above categories.
 - (k) *Residential nameplate sign*: a freestanding sign indicating the name of the tenant and/or address of the premises. This type of sign may be attached to a mailbox, yard light, ornamental light or erected as a freestanding sign on posts. Except for those attached to a mailbox, this type of sign shall not be located closer ~~that~~ than 5 feet from the front or street side lot line per Section 17.096(4)(a)2.
- (2) *Sign Configurations.*
- (a) *Freestanding sign*: a self-supporting sign resting on or supported by means of poles, standards, or any other type of base on the ground. This type of sign includes monument signs and pylon signs. The base or support(s) of any and all freestanding signs shall be securely anchored to a concrete base or footing. The footing and related supporting structure of a freestanding sign including bolts, flanges, brackets, etc., shall be concealed by the sign exterior, masonry covering, earth and permanent groundcover, or through the use of evergreen shrubs. (Refer to Sections 17.213(3)(b)1. and 17.216(3).)
 - (b) *Marquee sign*: an overhanging sign providing a canopy of a theater, auditorium, fairground, museum or other use, which advertises present and scheduled events. (Refer to Section 17.213(3)(b)1.)
 - (c) *Mobile or portable sign*: Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs converted to A- or T-frames; menu and sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operation of the business. These signs are prohibited.

- (d) *Monument sign*: a freestanding sign whose top edge is located no more than 8 feet from ground level. The base or support(s) of any and all monument signs shall be securely anchored to a concrete base or footing. The height of a monument sign shall not exceed 8 feet in height, nor shall it be otherwise erected so that they impede visibility for safe pedestrian and/or vehicular circulation. The footing and related supporting structure of a monument sign including bolts, flanges, brackets, etc., shall be concealed by the sign exterior, masonry covering, earth and permanent groundcover, or through the use of evergreen shrubs. (Refer to Section 17.173 and Table 17.216(6).)
 - (e) *Projecting sign*: a sign, other than a wall sign which is attached to and projects more than one foot, generally perpendicular from a structure or building face. The bottom edge of such sign shall be located a minimum of 10 feet from the ground level directly under the sign. Such sign shall be mounted directly to a building. The sign must be located in an Urban Commercial District (UC).
 - (f) *Pylon sign*: a freestanding sign erected upon one or more pylons or posts. The base or support(s) of any and all pylon signs shall be securely anchored to a concrete base or footing. The height of a pylon sign shall be measured from the ground grade adjacent to the sign to the top of the sign. The height of a pylon sign shall not exceed 10 feet. Pylon signs shall be erected so that they do not obstruct vision triangles for street and/or driveway intersections. (Refer to Sections 17.214(2)(g) and Table 17.216(6).)
 - (g) *Wall sign*: a sign mounted parallel to a building facade or other vertical building surface. Wall signs shall not extend beyond the edge of any wall or other surface to which they are mounted, nor shall they project more than 18 inches from its surface. The height of a wall sign shall be measured from the base of the building below the sign to the top of the sign face. The top of the sign shall be no higher than the nearest portion of the building to which it is mounted.
- (3) *Sign Measurement.*
- (a) *Ground level*: the average elevation of the ground upon which the sign supports are placed, except when the sign supports rest upon a berm or other area elevated above the surrounding ground. In such cases, the average elevation of the base of such berm or other area shall be considered as the ground level.
 - (b) *Sign area* shall be measured in the following manner:
 1. In the case of a sign placed within a frame, marquee sign, or other structure, sign area consists of the entire surface area of the sign on which copy could be placed. The supporting structure or bracing of a sign shall not be counted as a part of the sign face area unless such structure or bracing is made a part of the sign's message. Where a sign has 2 display faces, the combined total area of one face or the largest face shall be considered the sign face area.
 2. In the case of a sign whose message is fabricated together with the background which borders or frames that message, sign face area shall be the total area of the entire background.
 3. In the case of a sign whose message is applied to a background which provides no border or frame, sign face area shall be the area of the smallest rectangle which can encompass all words, letters, figures, emblems, and other elements of the sign message.
 4. Signs less than one square foot in area are not regulated by this Ordinance.
 5. The following illustrations demonstrate how sign face area shall be determined.

Section 17.214 - General Signage Regulations.

The regulations contained in this Section apply to signs in all districts.

(1) *Sign Prohibitions and Limitations.*

- (a) *No sign shall use any word, phrase, symbol, shape, form, or character in such manner as to interfere with moving traffic, including signs which incorporate typical street-type and/or traffic control-type signage designs and colors.*
- (b) *No fluttering, undulating, swinging, rotating, or otherwise moving signs, pennants or other decorations shall be permitted.*
- (c) *No illuminated flashing signs shall be permitted. Flashing signs are those which change their appearance more than once in every 30 seconds. (Am. #09-02)*
- (d) *No illuminated sign shall be permitted unless the illumination of the sign is so designed that the lighting element is not visible from any property within a residential zoning district (per Section 17.032). All illuminated signs shall comply with the State Electrical Code, and limited to the hours of customer access.*
- (e) *No mobile or portable signs shall be permitted.*
- (f) *No off-premises directional signs shall be permitted for non-governmental or non-institutional uses or for any use outside of a public right-of-way except with the granting of a Conditional Use Permit per Section 17.213(1)(e). However, such signs are permitted within a public right-of-way per Subsection (2)(e), below, for governmental and institutional uses.*
- (g) *No advertising signs shall be permitted, except for specific information signs as provided within public rights-of-way per the State of Wisconsin Department of Transportation.*

Rationale: The adoption of Subsection (g), above, reflects a formal finding of fact on the part of the Town of Rib Mountain Plan Commission and Town Board that the prohibition of advertising signage furthers 2 compelling government interests: 1) the general public interest of reducing visual clutter caused by advertising signage which the Town has determined is a significant cause of unsafe traffic conditions; and 2) the public interest served by furthering the implementation of the purposes of this Chapter and the Town of Rib Mountain Comprehensive Master Plan in terms of limiting the further spread of strip commercial development—of which advertising signs are a primary contributor. Furthermore, the Town of Rib Mountain advocates that this regulation leaves ample and adequate alternative channels of commercial speech communication for the messages portrayable on such advertising signs—namely distributed print media, broadcast media, and point-of-purchase display, and is narrowly defined so as to limit said prohibition to commercial speech on exterior signage.

~~(h) *No electronic message signs shall be permitted.*~~

(2) *Sign Location Requirements.*

- (a) *No sign shall be erected or maintained at any location where by reason of its position, proximity to the street right-of-way, wording, illumination, size, shape, or color it may obstruct, impair, obscure, interfere with the view of, or be confused with, any authorized traffic control sign, signal or device.*
- (b) *No sign shall be erected or maintained at any location where by reason of its position, proximity to the street right-of-way, wording, illumination, size, shape, or color creates a safety hazard for pedestrians or the operators of motor vehicles.*
- (c) *No sign shall be located within a required bufferyard or within a permanently protected green space area (see Section 17.055).*

- (d) *No sign* shall be mounted on a *roof*.
- (e) *No sign*, temporary or otherwise, shall be affixed to a *tree or utility pole* unless otherwise authorized by the Director of Public Works.
- (f) *Private signs* shall not be allowed within any street *right-of-way*.
- (g) *Projecting signs* located over a *vehicle circulation area* shall not be permitted.
- (h) *Pylon signs* are not permitted in any *residential district* (See Section 17.032
- (i) *No signs* shall be located within the USH 51/STH 29 Overlay District unless a conditional use is granted in compliance with Section 17.225, standards and procedures applicable to all conditional uses.
- (j) *No sign* shall be erected which does not comply with the visibility standards of Section 17.173

REPORT TO PLAN COMMISSION

FROM: Steve Kunst, Community Development Director
DATE: June 2, 2016
SUBJECT: Pre-Application Discussion for potential rezoning and subdivision

APPLICANT: Royalty Custom Homes

PARCEL #: 34.162807.003.000.00.00

REQUEST: Pre-application discussion on a possible rezoning application to allow for the subdivision of property for single family residences

CURRENT ZONING: Rural Agricultural - 1 (RA-1)

FUTURE LAND USE DESIGNATION: Residential

ADJACENT ZONING: OR (North); RA-1 (South & West); SR-3 (East)

NARRATIVE:

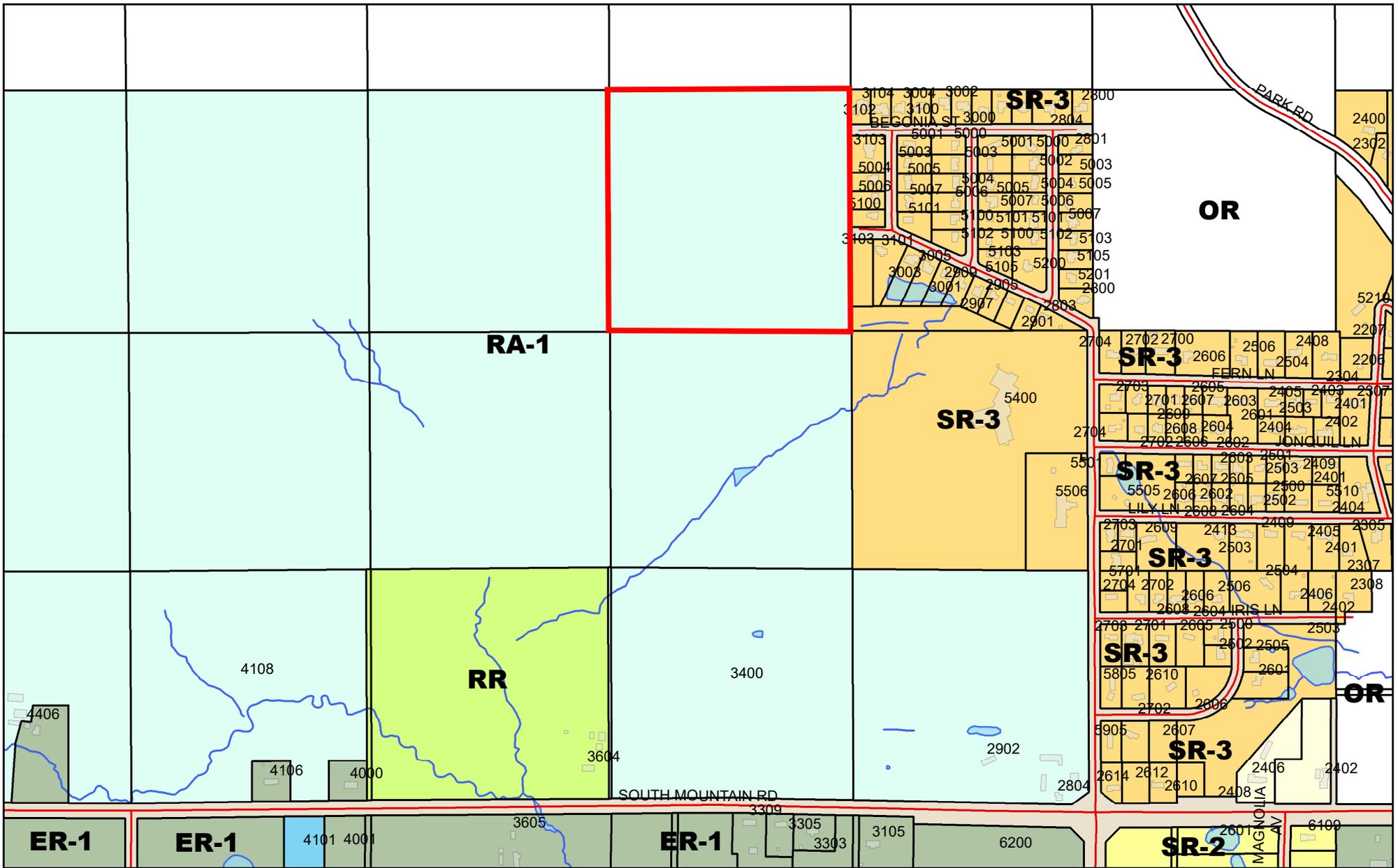
Royalty Custom Homes seeks a pre-application discussion with the Plan Commission regarding a potential rezoning to allow for the subdivision of land. No formal layouts have been provided, the intent of this discussion is general in nature. Below are provisions within the Zoning Ordinance related to appropriate discussion points for pre-applications.

PRE-APPLICATION TALKING POINTS:

- General location
- General project themes and images
- Mix of dwelling unit types and intensities
- General relationship to nearby properties and streets

Points of discussion and conclusions reached in this stage of the process shall be in no way be binding upon the Applicant or the Town, but should be considered as the informal, non-binding basis for proceeding to the next step.

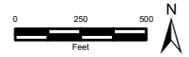
POSSIBLE ACTION: No action to be taken. Item is for informal discussion purposes only.



Rib Mountain:
"Where Nature,
Family, and
Sport Come
Together"

Prepared by:
CWE
cweengineers.com

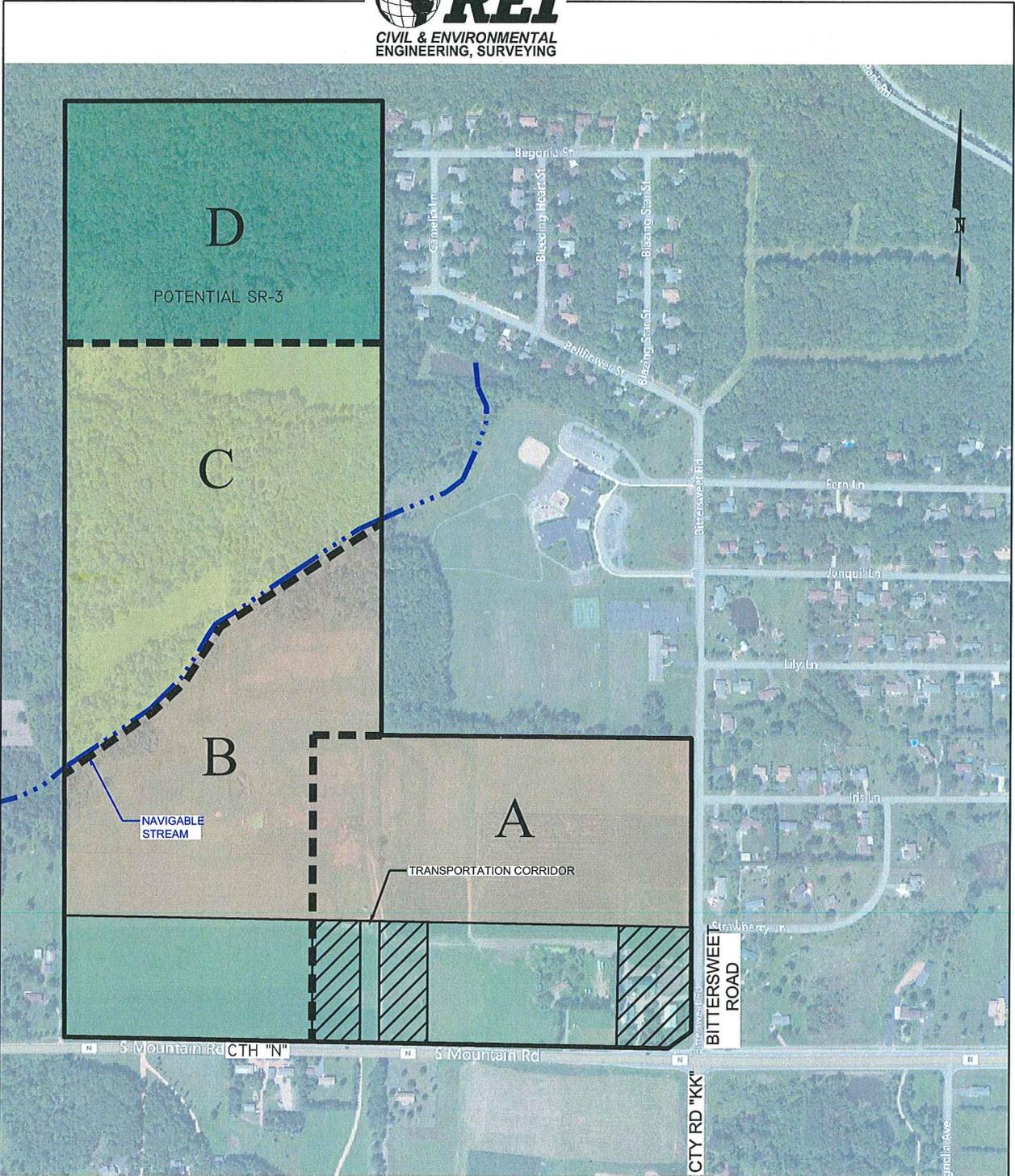
- | | | | |
|--------------------------------|----------------------------|-------------------------|-----------------|
| Zoning Districts (July 2014) | SR-3 Suburban Residential | UDD Unified Development | Road Centerline |
| OR Outdoor Recreation | UR-8 Urban Residential | EO Estate Office | |
| RA-1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



Map Printed: 6/3/2016

DISCLAIMER: The information and depictions contained herein are for informational purposes only. CWE specifically disclaims accuracy in this reproduction and advises that if specific and precise accuracy is required that certified maps, surveys, plats, or other official means be obtained.
There is no Statement of Accuracy for any parcel data; the parcel layer is considered an Index Parcel Layer not a Cadastral Parcel Layer. For planning purposes only.

DRAWING FILE: P:\17000-7099\17071 - HALL PROPERTY\DWG\EXHIBITS\7071-LAND USE.DWG LAYOUT: LAND USE PLOTTED: OCT 22, 2015 - 3:46PM PLOTTED BY: TODD W



LEGEND

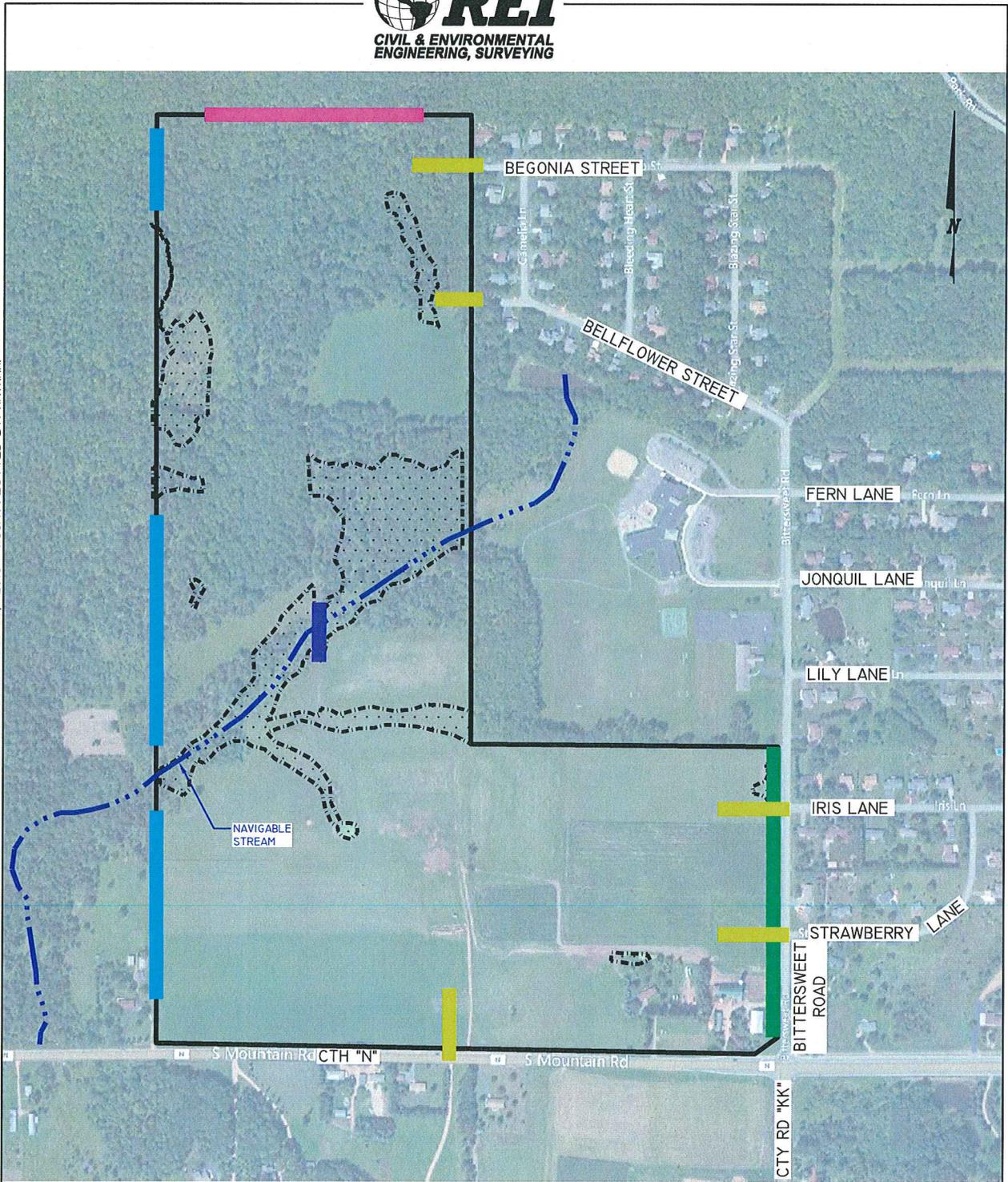
0 600
 SCALE: 1" = 600'

<p>A PROJECT PHASE IDENTIFIER</p> <p> ESTATE RESIDENTIAL (ER-1)</p> <p> SUBURBAN RESIDENTIAL (SR-2)</p> <p> SUBURBAN RESIDENTIAL (SR-3)</p>	<p> SUGGESTED PROJECT PHASE BOUNDARY</p> <p> MIXED RESIDENTIAL (MR-4)</p> <p> MR-4 DISTRICT - GROUP DAYCARE, INDOOR INSTITUTIONAL, INSTITUTIONAL RESIDENTIAL USES ENCOURAGED, POTENTIAL UDD PROJECTS</p>
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REI Engineering, INC.

HALL PROPERTY COUNTY ROAD N RIB MOUNTAIN, WISCONSIN 54401		FIGURE 9 : PROPOSED LAND USE PLAN	
PROJECT NO.	7071	DRAWN BY:	DATE:
	NAP		09/09/15

DRAWING FILE: P:\7000-7099\7071 - HALL PROPERTY\DWG\EXHIBITS\7071-ACCESS.DWG LAYOUT: ACCESS PLOTTED: OCT 05, 2015 - 1:58PM PLOTTED BY: NATHANP



LEGEND

0 600
 SCALE: 1" = 600'

- POTENTIAL FUTURE CONNECTION TO ADJACENT LANDS WITHIN THIS AREA
- STREET ACCESS POINTS
- PROPOSED TRAIL
- PROPOSED TRAIL CONNECTION TO STATE PARK SYSTEM WITHIN THIS AREA
- EXISTING NAVIGABLE STREAM / WETLAND CROSSING - FIELD ROAD

REI Engineering, INC.

HALL PROPERTY COUNTY ROAD N RIB MOUNTAIN, WISCONSIN 54401		FIGURE 7 : ACCESS EXHIBIT	
PROJECT NO.	7071	DRAWN BY:	DATE:
		NAP	09/09/15

REPORT TO PLANNING COMMISSION

FROM: Steve Kunst, Community Development Director

DATE: June 2, 2016

SUBJECT: Establishing Plan Commission Chair and Vice-Chair

NARRATIVE:

Former Chairman, Kevin Mataczynski, resigned from the Plan Commission earlier this year, so the Commission is in need of a new Chairperson. The Chairperson is appointed by the Town Board Chairman, but it is courteous to Chairman Opall to identify who is interested in the position.

Harlan Hebbe is the current Vice-Chair. Depending on the outcome of the Chairperson discussion, the Commission could need to fill this position. The Plan Commission Rules of Order do not specify a particular process, but as noted below, the Vice Chairperson is typically noted on by the Commission. Most often this is accomplished through a nomination by another member, followed by a second and a vote.

LOCAL GOVERNMENT CENTER MODEL ORDINANCE – TOWN PLAN COMMISSION

Section 11. Chairperson & Officers

(1) Chairperson. The Plan Commission Chairperson shall be appointed and serve a term as provided in sections 5 and 6 of this ordinance. The Chairperson shall, subject to Town ordinances and Commission rules:

- (a) provide leadership to the Commission;
- (b) set Commission meeting and hearing dates;
- (c) provide notice of Commission meetings and hearings and set their agendas, personally or by his or her designee;
- (d) preside at Commission meetings and hearings; and
- (e) ensure that the laws are followed.

(2) Vice Chairperson. The Plan Commission may elect, by open vote or secret ballot under sec. 19.88(1), Wis. Stats., a Vice Chairperson to act in the place of the Chairperson when the Chairperson is absent or incapacitated for any cause.

(3) Secretary. The Plan Commission shall elect, by open vote or secret ballot under sec. 19.88(1), Wis. Stats., one of its members to serve as Secretary, or, with the approval of the Town Board, designate the Town Clerk or other Town officer or employee as Secretary.