



# **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, September 28<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 minutes from the 9-14-2016 Plan Commission meeting.**
- 4.) Public Hearings:
  - a. **Discussion and possible action on amendments to Rib Mountain Municipal Code Section 17.056(8)(x) -Detached Energy Systems, related to Solar Panels and Permanently Placed Generators. Docket #2016-25.**
- 5.) Old Business:
  - a. **Discussion on potential amendments to Rib Mountain Municipal Code Subchapter X – Signage Regulations, related to Electronic Message Signs. Docket #2016-06.**
- 6.) Correspondence/ Questions/Town Board Update:
- 7.) Public Comment
- 8.) Adjourn

TOWN OF RIB MOUNTAIN  
PLANNING COMMISSION MEETING  
September 14, 2016

Chairman Harlan Hebbe called the meeting to order at 6:30 pm. Other Plan Commission members present included Ryan Burnett, Jim Hampton, Jay Wittman, Laura McGucken, Christine Nykiel and Tom Steele. 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 August 24, 2016 Plan Commission meeting. Motion carried 7-0.**

PUBLIC HEARINGS: None

NEW BUSINESS:

- a. *Discussion and possible action on permit fees for Habitat for Humanity homes. Docket #2016-42.*

Community Development Director Kunst began discussion by indicating the location of the two proposed single family homes, the method of land acquisition and estimated permit fees associated with those developments. Additionally, Kunst noted other municipalities have waived permit fees for Habitat's projects and because the homes are built primarily off-site and inspected by other licensed building inspectors, the impact on staff resources is minimized.

Commissioner Steele questioned the zoning and whether a small stream on the property was considered navigable. Kunst noted the zoning district was SR-3 and that the Wisconsin DNR determined the stream was not navigable. Paul Kufahl added that the DNR is allowing the property owner to remove the existing wedge dam on the property, which creates the current pond area, provided the stream bed is maintained.

Jay Wittman asked the Commission if they had previously waived fees for any other projects, to which many of the Commission members indicated they had not previously been asked. Jim Hampton asked about ownership plans for the third lot, to which Kufahl indicated Habitat plans to keep the lot, but not develop it due to the wetlands and stream on that parcel.

It was noted the parcel locations are nice for the small starter homes proposed and that Habitat for Humanity is a quality community organization.

**Motion by Jay Wittman, seconded by Laura McGucken to recommend approval of the request to waive the building permit and parkland fees for the construction of two single family residences by Habitat for Humanity. Motion Carried 7-0.**

*b. Discussion on update to the Rib Mountain Comprehensive Plan. Docket #2016-41.*

Kunst opened discussion by introducing the need to update the Town's Comprehensive Plan. He noted the intent of a Comprehensive Plan is to establish a rationale for making future land use decisions. Kunst also presented the nine (9) necessary plan elements as described Wisconsin State. Kunst mentioned additional specific elements, like a Rib Mountain Drive Corridor Design Standard, can be included if Town Board and Plan Commission feel it is necessary for future development. The process is anticipated to begin in January of 2017 with the help of the Northcentral Regional Planning Commission. Members of the Planning Commission were asked to help identify any priority items they would like to see in discussed as part of the planning process.

Plan Commission members and Kunst discussed the following items.

1. TIF (Tax Increment Financing) for future redevelopment
2. Research demand and development trends for multi-family/senior-living communities
3. Residential development potentials for Hall Farm property and other areas
4. Impact of Granite Peak Expansion and how it could impact commercial development needs
5. Development options for North Mountain Rd from Rib Mountain Dr. to Hummingbird Rd.
6. Development potential for Suburban Office zoning districts along Hummingbird Rd.
7. Where do we want to see commercial uses
8. Potential Revolving Loan Fund for older neighborhoods
9. Design Standards for Rib Mountain Dr. Corridor

OLD BUSINESS:

*a. Discussion on potential amendments to Rib Mountain Municipal Code Section 17.056(8)(x) - Detached Energy Systems, related to Solar Panels and Generators. Docket #2016-25.*

Staff presented to the Plan Commission modified code language and definitions as requested in previous meetings. Based on previous conversations, staff noted they have also included language regarding permanently placed generators to allow them to be permitted by-right, provided they meet the standards set forth in previous conditional use applications.

Jim Hampton suggested that Solar Energy Systems be changed to Photovoltaic Systems for permitted uses, so that any future advancement in technology or unique uses still be considered as a conditional use and included in the code in its own subsection. A formatting suggestion was also given for the conditional use requirements for windmill structures and other free-standing pole structures.

In general, Plan Commission members felt comfortable with the presented information, and advised staff to proceed with the Public Hearing to amend the code with the suggested changes.

*b. Discussion on potential amendments to Rib Mountain Municipal Code Subchapter X – Signage Regulations, related to Electronic Message Signs. Docket #2016-06.*

Kunst presented a recap of previous Plan Commission discussions related to electronic message signs and the proposed requirements. Plan Commission members primarily focused on message interval

requirements with the majority of members wanting to see two different standards based on highway speeds and typical town traffic speed. Plan Commission members noted the necessary balance between allowing for multi-messages and traffic concerns changing message may create. A number of members requested staff receive feedback from signage companies to get their input on best practices for electronic message sign usage. Additionally, Jay Wittman requested clarification on total signage area, so that electronic message sign sizes can be more easily determined. This item will likely proceed with another working meeting after receiving feedback from local signage companies.

**CORRESPONDENCE & QUESTIONS:**

- a. Kunst noted the Hall Farm Property is proceeding with their plans and will likely be an agenda item in November where the Commission.
- b. Kunst noted the Town Board approved the LIFT gym recommendation with the Plan Commission conditions as well as the Kuehn detached building.
- c. Plan Commission asked about updates on the Dog Park. Kunst noted the Marathon County Infrastructure Committee recommended the land exchange to the County's Finance Committee for review.

PUBLIC COMMENT: None received

**ADJOURN:**

**Motion by Tom Steele, seconded by Christine Nykiel to Adjourn. Motion carried 7-0. Meeting adjourned at 8:11 pm.**

Respectfully Submitted,

Paul Kufahl, Building Inspector / Assistant Zoning Administrator

**REPORT TO PLANNING COMMISSION**

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

**DATE:** September 22, 2016

**SUBJECT:** Regulation of Solar Energy Systems and Permanently Placed Generators

**APPLICANT:** Town of Rib Mountain

**REQUEST:** Amendments to Rib Mountain Municipal Code (RMMC) Section 17.056(8)(x) - related to Detached Energy Systems; specifically, Solar and Permanently Placed Generators.

**NARRATIVE:**

Town staff and the Plan Commission worked diligently on updates to the detached energy systems ordinance in an effort to simplify the process for certain solar panel and generator applications. Below is a summary of the recommended changes. Also included in this report is a clean version of the proposed amendments.

Solar Panels

The current Zoning Ordinance notes all forms of solar energy systems must go through the conditional use process for approval. The proposed amendments allow certain solar energy systems to be ‘permitted by right’ provided the following conditions are met:

1. The collector face is primarily facing the side or rear yard
2. Roofing material color shall be similar to that of the solar energy system
3. Building structure must be designed to support the additional imposed loads
4. Panels may not extend beyond the edges of the building or roof upon which it is mounted.
5. Solar Collector must be mounted parallel to the structural surface of the roof or wall in which it is attached and shall not extend above or behind the structural surface more than the thickness of the solar panel plus any manufacturer required air gap.

Generators

Prior to the proposed amendments, all permanently placed generator applications were handled as conditional uses. In the proposed updates, these generators are identified as ‘permitted by right’ provided the following conditions are met:

1. Generators shall meet the nuisance noise regulations as described in Section 9.21 and 17.179 of the Rib Mountain Municipal Code.
2. All equipment shall be screened from visibility of adjacent property through the use of fences and/or landscaping.
3. Weekly test run periods may only occur between the hours of 8:00am and 8:00pm Monday through Friday.
4. Generators may not be located in the required Front or Street Side yards.

**POSSIBLE ACTION:**

1. Recommend approval of the proposed amendments to RMMC Section 17.056(8)(x) – Detached Energy Systems, as presented.
2. Recommend approval of the proposed amendments to RMMC Section 17.056(8)(x) – Detached Energy Systems, with conditions/modifications.
3. Recommend denial of the proposed amendments to RMMC Section 17.056(8)(x) – Detached Energy Systems.
4. Send the item back to staff for additional considerations.

*Detached Energy Systems.* (Am. #13-01; Am. #2014-02; Am. #2016-10) Any detached energy system, such as wood or other solid fuel burners, liquid fuel burners, boilers or furnaces, windmills, solar energy systems or generators, associated with the production of useable heat or energy, which are not located within the primary structure shall be considered as an accessory use, under Section 17.225.

1. *Outdoor Wood Burning Unit (OWU) or other solid fuel burners, boilers, or furnaces:*

- a. Permitted by Right: Not applicable.
- b. Special Use Regulations: Not applicable.
- c. Conditional Use Regulations: {CR-5ac, RA-I-35ac, RA-2-35ac, OR-35ac, RR-35ac}:
  - 1. Minimum lot size shall be five acres.
- d. OWU Setbacks and Minimum Requirements:
  - 1. Minimum setbacks to side and rear yards shall be 200 feet.
  - 2. Minimum setback to an adjacent front yard or street residence shall be 200 feet.
  - 3. Minimum chimney stack height shall be 20 feet.
- e. All OWU's are required to meet emission standards currently required by the Environmental Protection Agency (EPA) and Underwriters Laboratories (UL) listing.

2. *Windmill structures, or similar freestanding poles, towers, or structures associated with energy production (This section includes all solar-electric devices which are ground or pole mounted):*

- a. Permitted by Right: Not applicable.
- b. Special Use Regulations: Not applicable.
- c. Conditional Use Regulations: (All Districts).
  - 1. Any windmill tower, pole or similar structure shall be erected at a setback distance equal to or greater than the height of the structure plus 20 feet, from any property line.
  - 2. Wind and Solar Energy Systems are also governed by Wis. Stats. § 66.0401, and shall conform to its regulations in addition to this section.

3. *Permanently placed generators, or similar energy producing devices:*

- a. Permitted by Right in All Districts provided the following conditions are met:
  - 1. Generators shall meet the nuisance noise regulations as described in Section 9.21 and 17.179 of the Rib Mountain Municipal Code.

2. All equipment shall be screened from visibility of adjacent property through the use of fences and/or landscaping.

3. Weekly test run periods may only occur between the hours of 8:00am and 8:00pm Monday through Friday.

4. Generators may not be located in the required Front or Street Side yards.

b. Special Use Regulations: Not applicable.

c. Conditional Use Regulations: (All Districts).

1. Any request outside the conditions identified in Section 17.056(8)(x)(3)

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.

#### 4. Roof Mounted or Building Integrated Photovoltaic Systems

*Photovoltaic System: A device or power system designed to collect and convert useable solar energy to electricity.*

*Roof Mounted, Photovoltaic System: A photovoltaic system structurally mounted to the roof of a building or structure.*

*Building Integrated, Photovoltaic System: A photovoltaic system serving the dual function of building envelope material and energy collector. Ex: roofing, window glazing, or siding*

a. Permitted by Right in All Districts provided the following are met:

1. The collector face is primarily facing the side or rear yard

2. Roofing material color shall be similar to that of the solar energy system

3. Building structure must be designed to support the additional imposed loads

4. Panels may not extend beyond the edges of the building or roof upon which it is mounted.

5. Solar Collector must be mounted parallel to the structural surface of the roof or wall in which it is attached and shall not extend above or behind the structural surface more than the thickness of the solar panel plus any manufacturer required air gap.

6. Neighboring property owners must be notified of the intent to exercise solar access rights, per § 66.0403.

b. Special Use Regulations:

c. Conditional Use Regulations: All Districts

1. When the request falls outside the conditions of 17.056(8)(x)(4)(a)

5. All other Detached Energy Systems

a. Permitted by Right: Not applicable.

b. Special Use Regulations: Not applicable.

c. Conditional Use Regulations: (All Districts).

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

1. Impacts: No detached energy system shall create an undesirable impact upon adjacent property or otherwise create a public nuisance.

**REPORT TO PLANNING COMMISSION**

**FROM:** Steve Kunst, Community Development Director  
**DATE:** September 21, 2016  
**SUBJECT:** RMMC Subchapter X – Signage Regulations

**APPLICANT:** Town of Rib Mountain

**REQUEST:** Plan Commission Discussion on Zoning Text amendments related to Electronic Message Signs

**NARRATIVE:**

Included in the meeting packet is a clean version of the proposed amendments to the Town’s zoning regulations of electronic message signs. The Plan Commission was generally in agreement with the amendments at the September 14<sup>th</sup> meeting. The majority of the discussion centered around the ‘Message Interval’ concept. Commissioners noted a preference for two (2) intervals, primarily based on traffic speed. The recommendation of the Commission was to reach out to industry professionals to get their feedback on message intervals prior to proceeding with a public hearing.

The proposed amendments were sent via email to seven (7) area sign companies for feedback. Companies were specifically asked to comment on the proposed message intervals. The deadline for written or phone comments from the sign companies was set for Monday, September 26<sup>th</sup>. The intent is to assemble all comments and email them to Commissioners in advance of Wednesday’s meeting. All companies were also notified of the meeting date and time. The companies included in the email list were:

- Finishing Touch Signs
- Graphic House
- D & L Signs
- Wausau Signs
- Fastsigns
- Stratford Sign
- Super Lettering

**POSSIBLE ACTION:** No formal action to be taken. Item is for general direction at this point.

(3) *Electronic Message Sign Requirements*

- a) Electronic message signs are only permitted through issuance of a conditional use permit per Section 17.225 and may only be installed as an integral and subordinate portion of a monument or pylon sign configurations (and not a wall, projecting, window or any other sign configuration).
- b) (b) Electronic message signs may be permitted as a conditional use, per Section 17.225, within the UC, SC, and SR-3 zoning districts, or part of an approved UDD project.
- c) (c) No electronic message signs shall be permitted within 100 feet of a neighboring residential zoning district.
- d) (d) Electronic message signs shall only display static messages. Messages shall not contain animation, effects simulating animation, or video. Messages shall not contain text or images that dissolve, fade, scroll, travel, flash, spin, revolve, shake, or include any other form of movement or motion during the message interval.
- e) The message interval, or the minimum amount of time a message is required to be displayed, shall not be less than the following:
  - 10 seconds for properties within the USH 51 and STH 29 Overlay District (per Section 17.039)
  - 30 seconds for properties outside of the USH 51 and STH 29 Overlay District
- f) The electronic message sign area or display face shall be included in the calculation of sign measurement and shall not exceed 50 percent of total sign area (per Section 17.213(3)(b)(1) – Sign Measurement).
- g) Electronic message signs shall be equipped with a sensor or other device programmed to automatically determine the ambient light level and adjust or dim the message board light level to not exceed a maximum brightness level of 0.3 foot-candles above ambient light conditions during both daylight hours (i.e. sunrise to sunset) and night time hours (i.e. sunset to sunrise).
- h) The electronic message sign shall be programmed or set in such a manner that the display face will turn dark and emit no light in case of a malfunction.