

TOWN OF RIB MOUNTAIN
PLANNING COMMISSION MEETING
November 14, 2018

Chairperson Harlan Hebbe called the meeting of the Plan Commission to order at 6:00 pm. Other Plan Commission members present included Jay Wittman, Jim Hampton, Ryan Burnett, Tom Steele, and Laura McGucken. Also present were Community Development Director, Steve Kunst and Building Inspector / Assistant Zoning Administrator, Paul Kufahl.

MINUTES:

Motion by Tom Steele, second by Jim Hampton to approve the minutes of the October 24, 2018 Plan Commission meeting. Motion carried 6-0.

OLD BUSINESS:

- a. *Discussion on potential zoning ordinance amendments related to small-scale nonmetallic mining operations. Docket #2018-26.*

Community Development Director Kunst indicated the discussion is intended to build upon conversations from previous meetings and Plan Commission members had a draft ordinance and minutes available for review. Kunst noted initial concerns from previous meetings were related to setbacks from property lines to activity areas and whether this type of use should be allowed in the ER-1 Zoning District. Kunst also noted the Jansen Non-Metallic Mine on Bittersweet Rd initiated the conversation.

Plan Commissioners initially identified noise, appearance, traffic, activity duration and property line setbacks as key concerns. Commissioners noted a need to establish strong boundaries to protect neighboring properties while still giving land owners who are seeking ponds, options to remove the materials.

Commissioners discussed and clarified the differences between pond creation and non-metallic mining as it relates to Marathon County's involvement, reclamation bonding, and the Town's role in approval and enforcement. That discussion led to the Plan Commission identifying three different land uses; large scale extraction or non-metallic mining, pond creation with removal of excavated material, and pond creation with all materials staying on site.

Commissioners indicated they were comfortable with the draft ordinance language for the Large-Scale Extraction Use in which new activity area, duration and setback requirements were established. They also noted acceptance with the current pond procedure as well, and continued discussion about the small-scale operations.

Plan Commission members discussed limiting the duration of the small-scale activity, the potential of additional bonding requirements, zoning district limitations and the procedure required for approval. The general consensus was small-scale operations where a pond is the final outcome and the property owner

would like to remove the excavated material from the site would be handled as a conditional use within the Drainage Structure Accessory Use section of the zoning code. They noted the duration should be limited to two (2) years with an option for the applicant to apply to the Plan Commission for a one (1) year extension. Where projects required surety bonding with Marathon County the town would not require additional bonds; and the land use could be allowed in ER-1 and larger zoning districts outside of existing subdivisions with an established effective date.

*b. Discussion on potential zoning ordinance amendments related to short-term rental operations.
Docket #2018-07.*

Kunst noted the Plan Commission discussed the concept of implementing an ordinance specific to short-term rentals earlier this year. At that time, the Commission recommend leaving the Town's current regulations in place, effectively prohibiting rentals of less than 30 days outside of hotels and bed and breakfasts. He indicated this recommendation was subsequently shared with the Town Board; however, the Board directed the Plan Commission to draft an ordinance regulating short-term rentals. Additionally, recent State legislative changes altered the way municipalities are able to regulate this use, by prohibiting local governments from enacting ordinances prohibiting the rental of a residential dwelling for seven (7) consecutive days or longer. To aid in the discussion, Kunst provided an example short-term rental ordinance from the Town of Minocqua and Tom Steele provided an article from Bloomberg Businessweek.

Commissioner Hampton referenced issues with AirBNB type rentals in the Lake DuBay area and asked staff to review Marathon County's decision and related ordinances. Plan Commissioners noted Rib Mountain's recreational opportunities make it a prime location for short-term rentals and they need to create a balance between property owners, users, and residents. They identified the following concerns or possible regulatory measures.

- Increased traffic volume in residential neighborhoods
- Total number of vehicles parked at a property
- Establish a total occupancy of the building based on bedroom and bath facilities
- Find a way to limit excessive noise/partying
- Make the process and fees significant enough so that owners take the responsibility seriously
- Establish a maximum number of stays per year
- Maintain neighborhood comfort and stability
- Possible challenges with enforcement of regulations

CORRESPONDENCE / QUESTIONS / TOWN BOARD UPDATE:

Next Meeting – Kunst noted the next meeting will be on December 12th.

Election Day – Kunst indicated staff received a variety of general comments and questions and had numerous conversations with residents about the Future Land Use and Zoning Maps at the election day booth they had setup. There were no concerns with the Future Land Use Map from residents.

PUBLIC COMMENT:

Max Rea, 6401 Magnolia Ave, indicated he is part of the Wisconsin Realtors Association and is interested in providing input and information on the topic of Short-Term Rentals/AirBNB as the Plan Commission continues discussion and ordinance creation. He noted it is important to find a balance between limiting neighborhood impact and still allowing the property owner to use their property.

ADJOURN:

Motion by Tom Steele, second by Jay Wittman to adjourn the Plan Commission Meeting. Motion carried 6-0. Meeting adjourned at 7:05 pm.

Respectfully Submitted,

Paul Kufahl, Building Inspector / Assistant Zoning Administrator