

NOTICE OF PUBLIC HEARING

A public hearing will be held by the Environmental Resources Committee of the Marathon County Board of Supervisors on Thursday, March 7, 2019 at 3:00 p.m., 500 Forest Street, Assembly Room Wausau WI 54403, at which time the Committee will consider the following:


1. The petition of Rebecca Frisch, Conservation, Planning, and Zoning (CPZ) Director, for text amendment changes to the General Code of Ordinance for Marathon County Chapter 17 Zoning Ordinance Code. The text amendments may be viewed online at <https://bit.ly/2sESOhp>, or at the Marathon County Conservation Planning and Zoning Office, 210 River Drive, Wausau WI 54403. Copies may be obtained by contacting the CPZ Department at 210 River Drive, Wausau WI 54403, or by calling (715) 261-6000.

Written testimony may be forwarded prior to the hearing to: Jacob Langenhahn – Environmental Resource Committee Chair, Conservation, Planning and Zoning Department, 210 River Drive, Wausau, WI 54403-5449. All interested persons will be given an opportunity to be heard. Any person planning to attend this meeting who needs some type of special accommodation in order to participate should call the County Clerk's Office at 715-261-1500 or e-mail infomarathon@co.marathon.wi.us one business day before the meeting.

Jacob Langenhahn



Jacob Langenhahn, Chairman
Environmental Resources Committee



Rebecca J. Frisch, Director
Conservation, Planning, and Zoning Department

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E-mailed to: Wausau Daily Herald (WDH-Legals@wdhmedia.com) on February 14, 2019 at 8:15 a.m.



MEMORANDUM

DATE: February 14, 2019
TO: Environmental Resource Committee (ERC)
FROM: Dominique Swangstu, Marathon County Zoning Administrator
SUBJECT: 2019 TEXT AMENDMENTS TO THE MARATHON COUNTY GENERAL CODE OF ORDINANCES – CHAPTER 17

At the February 7th, 2019 ERC meeting the proposed text amendments to Chapter 17 of the Marathon County General Code of Ordinances will be reviewed and Conservation, Planning, and Zoning (CPZ) staff will document any comments/questions about the proposed amendments from the committee. A similar memo has been sent to county zoned towns to gather their input as well.

In addition, CPZ will be hosting an Open House on February 12, 2019 from 10:00am to 6:00pm for further input on the proposed revisions. This will enable staff to modify the draft the code language in preparation for the public hearing on March 7, 2019 ERC meeting and possible County Board action on March 26th, 2019.

To better assist in reviewing the proposed amendments, CPZ staff has put together a few documents for the ERC:

- Copies of the proposed ordinance language, drafts, and summary can be found by clicking the links *below* or by visiting the Marathon County Website: <https://bit.ly/2T5qFMo>
- Summary of the text amendment revisions (overview of revisions): <https://bit.ly/2CtHiKh>
- Draft showing changes (old language shown with proposed new language): <https://bit.ly/2CqR6VE>

Major revisions include but are not limited to:

1. Setback distance for Class C town roads reduced from 50 feet to 30 feet from the Right-of-Way.
2. Road setback standard of measurement clarified.
3. Remove the Fencing/Wall requirement for private/public storage facilities.
4. Change in the Buildable Area Calculation standards and language.
5. Addition of Conditional Use Permit standards for accessory structures exceeding dimensional limitations.
6. Include structures used for handicap access in the “Minor Structure” definition.

Minor revisions include but are not limited to:

1. Spelling and Grammatical errors
2. Corrections to tables and sections clarifying language to reflect the purpose and intent of a particular section/chapter.
3. Update “Land, Conservation, and Zoning Committee” and “LCZ” with “Environmental Resource Committee” and “ERC”.

CPZ’s goal is to have the ERC recommend approval based on CPZ staff recommendations and town input at their March 7th, 2019 meeting and forward to the Marathon County Board of Supervisors for action at their meeting on March 21st, 2019 meeting. This will allow changes to be reflected in preparation for the upcoming building season.

If you have any questions or concerns regarding these text amendments, please call me at 715-261-6000 or send us an email at CPZ@co.marathon.wi.us.

Proposed Amendments to Marathon County's Chapter 17 Zoning Ordinance:

Amendment #	Title	Section (in proposed code)	Proposed Change	Reason for Change
1	Entire Document (Chapter 17)	Entire Document	Replace "Land, Conservation, and Zoning Committee" to "Environmental Resource Committee"	New committee
2	Entire Document (Chapter 17)	Entire Document	Spelling and Grammatical Errors	Correct errors to improve code
3	Entire Document (Chapter 17)	Entire Document	Replace "nonconforming" and "nonconformities" with "non-conforming" and non-conformities"	Consistency across the ordinance
4	Title 2: Districts and Uses	17.202.01 Standard Methods of Measurement	Replace existing road setback measurement standards to utilize the road Right-of-Way (ROW) and/or the road centerline, adopt the previous code language setback standards using the ROW and the centerline for consistency.	Proposed change will make road setbacks more practical, consistent with other county/municipal setback standards, and will be nearly identical to the standard of measurement prior to 2016.
5	Title 2: Districts and Uses	17.202.02 (Table 2) Schedule of Regulations	Update "Schedule of Regulations" <i>Table 2</i> with updated road Right-Of-Way setbacks and measurement standards.	Change will make road setbacks more practical and will be identical to the way of measuring prior to 2016.
6	Title 2: Districts and Uses	17.202.03 Footnotes to the Schedule of Regulations	Update "Footnotes to the Schedule of Regulations" with the new road Right-Of-Way setback requirements and measurement standards	Change will make road setbacks more practical and will be identical to the way of measuring prior to 2016.
7	Title 2: Districts and Uses	17.202.03(F) Footnotes to the Schedule of Regulations	Remove section 17.202.03(F)(e), the section is no longer necessary as the setback requirements will be updated. The non-conforming language is irrelevant	New road Right-Of-Way setback changes make this sub section unnecessary.
8	Title 2: Districts and Uses	17.202.04 Business Regional (B-R) District Building Design Standards	Change "NON RESIDENTIAL BUILDING DESIGN STANDARDS" to "BUSINESS REGIONAL (B-R) DISTRICT BUILDING DESIGN STANDARDS	Clarification of the section title to reflect the intent and purpose of the section, specifically intended for (B-R) districts
9	Title 2: Districts and Uses	17.202.04 Business Regional (B-R) District Building Design Standards	Remove "non-residential " from this section to reflect.	Residential structures are not permitted in Business Regional (B-R) District
10	Title 2: Districts and Uses	17.203.05 (Table 3) Table of Permitted Uses	Separate "Public Stables" and "Private Stables" into two different use sections, as well as change the Private Stable use to Permitted in the RE, FP, GA, and CV/RC zoning districts.	Consistency with permitted accessory structures housing animals in the allowed zoning districts.
11	Title 2: Districts and Uses	17.203.05 (Table 3) Table of Permitted Uses	Remove "Permitted - P" for the "Minor Occupation/Home Professional Business (in residential unit)" use in the CV/RC Zoning District from Table 3	Correction to Table 3 to reflect code standards and requirements, as residential structures are not permitted in the CV/RC zoning district.

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12	Title 2: Districts and Uses	17.203.05 (Table 3) Table of Permitted Uses	Insert a use row for "Accessory buildings exceeding the dimensional standards of Table 6". Making all of these buildings and structures conditional uses for all zoning districts.	Constancy across ordinance and Act 67
13	Title 2: Districts and Uses	17.204.14(B)	Change the minimum building setbacks to property lines for Private Stables from 50 feet to 25 feet to be consistent with the other agriculture related accessory structures housing animals minimum setback (per Section 17.204.01(3)(b)). Also change the minimum setback to dwellings (excluding the property owners home) from 100 feet to 50 feet.	Change language to be more consistent with current 25 foot property line setback for accessory structures housing animals other than horses.
14	Title 2: Districts and Uses	17.204.23 Farm Consolidation (General Ag & Farmland Preservation)	Remove the conditional use option for farm consolidation specifically for the creation of a lot between 5-10 acres in General Agricultural and Farmland Preservation Zoning Districts.	Previous language and requirement was not appropriate for the land use change/discussion
15	Title 2: Districts and Uses	17.204.54 Nonmetallic Mining	Remove "waste dumps" from Non-Metallic Mining general requirements then correct formatting.	Unnecessary requirement
16	Title 2: Districts and Uses	17.204.42 Public or Self-Storage	Remove the "Fence and Wall" requirement for <i>Public or Self Storage</i> facilities identified as a Conditional Use.	Staff recommendation based on town/municipality input is to remove fencing and wall requirement.
17	Title 2: Districts and Uses	17.204.59 Recreational Vehicles (Private)	Reword the "Use" and "Storage" standards to be more clear, as well as remove "natural screening" to allow for artificial screening such as fences and walls when looking at the use and storage of a Recreational Vehicles.	Clarification
18	Title 3: Special Districts	17.301.02 (Table 4) Permitted Agricultural Uses in the Farmland Preservation District	Correct an error in Table 4 to include "Wireless Transmission Tower" as permitted per Table 3.	Correction to Table 3
19	Title 3: Special Districts	17.301.02 (Table 4) Permitted Agricultural Uses in the Farmland Preservation District	Correct an error in Table 4 to include "Small Energy Conversion Systems: Wind and Solar" permitted per table 3	Correction to Table 4
20	Title 3: Special Districts	17.301.02 (Table 4) Permitted Agricultural Uses in the Farmland Preservation District	Remove the Conditional Use option for Farm Consolidation between (5 to 10 acres) in Table 4.	Previous language and requirement was not appropriate for the land use change/discussion
21	Title 3: Special Districts	17.301.07(A) Conditional Residential Uses	Remove the Conditional Use option for Residential Uses when looking at farm consolidation in Farmland Preservation Zoning Districts.	Consistency across the ordinance

Proposed Amendments to Marathon County's Chapter 17 Zoning Ordinance:

22	Title 4: General Provisions	17.401.02 Accessory Buildings	Correct the Section 17.401.02(E) Title	Ensuring the title is clear in stating a CUP can only be applied for to exceed the dimensional standards of Table 6, setback standards of Table 6
23	Title 4: General Provisions	17.401.02 Accessory Buildings	Insert three standards to be considered when reviewing a Conditional Use Permit to exceed the dimensional standards of a accessory structure seen in Table 6.	Act 67
24	Title 4: General Provisions	17.401.02 Accessory Buildings	Add the following clarification language to the existing sentence (underlined): Buildable area <u>maximum lot coverage</u> as used in Table 6 is the area of the lot remaining after allowing for the minimum required side, rear and front yard setback requirements <u>per the zoning district</u> .	Clarification when calculating buildable area percentages for accessory and principle structures.
25	Title 4: General Provisions	17.401.03(B) Decks and landings	Remove "Deck height. The surface of any attached deck that extends more than 10 feet from the face of the building to which it is attached shall not be higher than the first floor elevation of the principle structure."	Standard is unnecessary in Chapter 17 Ordinance and would be considered a building standard not a zoning requirement (UDC)
26	Title 4: General Provisions	Section 17.402.07 Wetland Boundary Policy	Insert "and/or Department of Natural Resources" in the language to include DNR delineations and approval. As well as replace "concurrence" with "confirmation".	To include DNR references in the ordinance to reflect past, current, and future zoning practices and permit approval processes.
27	Title 4: General Provisions	Section 17.403 Exterior Lighting Table 7	Reformat the table to be consistent with other tables within this ordinance.	Consistency with formatting
28	Title 7: Signs	17.702.01 (Table 13) Signs Allowed with a Permit	Correct the links for the Development Standards for each of the different sign "use(s)" to reflect the correct reference section.	Correction to Table 13
29	Title 7: Signs	17.702.03 On-Premise Ground Signs	Insert "A." to make the format of section 17.702.03 consistent with the rest of the ordinance.	Correction to format
30	Title 7: Signs	17.702.03 On-Premise Ground Signs	Remove the requirement to have a monunment base for ground mounted signs to be more consistant with the rest of the ordinance.	Clarification
31	Title 8: Administration	17.804.05(B)(11) Standards for Variance and Appeals	Replace "lower" with "less restrictive"	Clarification for interpretation

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32	Title 8: Administration	17.806.15 Reconsideration	Edit current language to be more concise as well as to allow for the county/CPZ to apply for such reconsiderations under this section. Also clarify in the language that no reconsideration shall be reconsidered again.	Language will now allow for all reconsideration options as well as make the reconsideration standards clear and concise.
33	Title 9: Definitions	17.902 General Definitions	Establish a definition for "Buildable Area" as "The remaining area of a parcel to be designated for buildings and structures excluding Right-Of-Way (ROW), easements side, rear, and front yard setbacks established for each zoning district."	Clarification on how to calculate Buildable Area for Maximum Lot Coverage to be more specific when looking at permitting accessory and principle structures.