

AGENDA
CITY OF STURGEON BAY
CITY PLAN COMMISSION
Wednesday, December 18, 2013
7:00 p.m.
Council Chambers, City Hall
421 Michigan Street

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from October 16, 2013.
4. Public comment on non-agenda items.
5. Consideration of: Sign code amendment to allow electronic message signs in residential districts for churches.
6. Consideration of: Setback from navigable water.
7. Adjourn.

NOTE: DEVIATION FROM THE AGENDA ORDER SHOWN MAY OCCUR.

Notice is hereby given that a majority of the Common Council may be present at this meeting to gather information about a subject over which they have decision-making responsibility. If a quorum of the Common Council does attend, this may constitute a meeting of the Common Council and is noticed as such, although the Common Council will not take any formal action at this meeting.

2:00 p.m.
12/13/13
CN

Plan Commission Members:
Dan Wiegand – Chair
Richard Wiesner
Mike Gilson
Laurel Brooks
Jeff Norland
Steve Parent
Dennis Statz

CITY PLAN COMMISSION
Wednesday, October 16, 2013

A meeting of the City Plan Commission was called to order at 7:00 p.m. by Chairperson Dan Wiegand in Council Chambers, City Hall, 421 Michigan Street.

Roll call: Members Jeff Norland, Steve Parent, Rick Wiesner, Dan Wiegand, Laurel Brooks, Dennis Statz, and Mike Gilson were present. Also present were Community Development Director Marty Olejniczak and Community Development Secretary Cheryl Nault.

Adoption of agenda: Moved by Mr. Wiesner, seconded by Mr. Norland to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from September 18, 2013.
4. Public comment on non-agenda items.
5. Consideration of: Street vacations – Portions of N. 19th Drive and Iowa Street.
6. Adjourn.

Carried.

Approval of minutes from September 18, 2013: Moved by Mr. Statz, seconded by Mr. Parent to approve the minutes from September 18, 2013. Carried.

Public comment on non-agenda items: No one spoke during public comment.

Consideration of: Street vacations – Portions of N. 19th Drive and Iowa Street: Mr Olejniczak stated that this item was referred to the Plan Commission from the Council. It is a follow-up to the recent request from the YMCA to rezone their property acquired from Spring Oaks subdivision. It is now zoned Conservancy. Their plan is to turn the property into an outdoor recreation facility. Once the streets are vacated, they would like to combine all the acquired lots into one property. The YMCA has hired an engineering firm to design the first phase, which would include an outdoor amphitheater along with other improvements. The street vacation would formally remove the right-of-way from City ownership with half going to each side. In addition to the YMCA request, the City received requests from the two properties that abut the stub of Iowa Street (Holey and Fischer). Their request is for the stub street to also be vacated. There are no utilities located there, so it would make sense to vacate those streets. Because of what the YMCA is proposing to do with that property it might make sense to retain an option for a northerly access towards the YMCA property. If all of Iowa Street is vacated, 30' would go to the Holey and Fischer properties. An ability to have an access, a driveway or pedestrian walkway, would be lost. Staff would like to retain part of the right-of-way or vacate all of it, but require an access easement over a portion of the former 60' right-of-way.

Mark Holey, 410 N 19th Ave., stated their biggest concern is the width of the right-of-way to get into the property. Ideally, they would like to acquire 30' on both sides. Having a walking or biking path width would discourage vehicles from driving in on the north end of the property. It would maintain the access that the YMCA is envisioning for the property.

Mr. Holey read a letter from Mark Fischer, 382 N. 19th Ave., stating that he would rather have no access, but realizes it is necessary in case of emergency. He wondered if 30' of width was necessary and if there is a solution that would benefit everyone.

Mr. Wiesner was concerned if the YMCA had any needs in the future and what other access points there are. Mr. Olejniczak responded that 19th Place and Michigan Street parking lot are accesses that would allow construction vehicles.

Mr. Gilson stated that the property may have another use in the future, so we need to think about a future access into the YMCA area.

Mr. Wiegand would prefer to have a 20' – 30' right-of-way. The City should maintain a right-of-way for public use.

After further discussion, it was moved by Mr. Statz, seconded by Ms. Brooks to recommend to Council to vacate the portions of N. 19th Dr. and Iowa St. as requested, except for the center 20 feet of the west 137 feet of Iowa St.

Mr. Norland would like to see a 30' wide right-of-way to better accommodate anything needed in the future. The Holeys and Fischers will still obtain 15' of buildable area if the center 30 feet were kept.

Mr. Statz rescinded his motion, along with the second. Moved by Mr. Statz, seconded by Mr. Norland to recommend to Council to vacate the portions of N. 19th Dr. and Iowa St. as requested, except for the center 30 feet of the west 137 feet of Iowa St. All ayes. Carried.

Adjourn: Moved by Mr. Statz, seconded by Ms. Brooks to adjourn. Carried. Meeting adjourned at 7:33 p.m.

Respectfully submitted,


Cheryl Nault
Community Development Secretary

EXECUTIVE SUMMARY

Title: Sign Code Amendment – Electronic Variable Message Signs in Residential Districts

Background: Section 27.12(4) of the Sturgeon Bay Sign Code regulates electronic variable message signs. These are the digital reader boards that several businesses and institutions have installed in the City. They are permitted in the commercial and industrial districts and have several requirements and restrictions. However, the City received a request from several churches to amend the code to allow such signs in the residential zoning districts, which is where most of the churches are located.

From time to time the City gets inquiries from churches about electronic message centers as part of their signs. Currently, there is only one such sign located within a residential district. The Sturgeon Bay High School is zoned R-4, but erected its digital message center several years ago after it was granted a variance by the Common Council.

The current regulations for the electronic message centers include:

- Maximum size of 32 square feet (which is counted toward the maximum size of the overall sign).
- Only static messages can be displayed with no scrolling, flashing, or animation permitted.
- Each message must be displayed for a minimum of six seconds.
- Such signs must be equipped with equipment that automatically can adjust the brightness and contrast based upon ambient conditions.

Note: The rules regarding message display were adopted fairly recently so most of the existing electronic message signs were grandfathered.

The electronic message signs are becoming very prevalent throughout the region and offer advantages that the traditional manual reader boards do not. Many non-profit organizations, such as schools and the YMCA have found them to be cost effective means to get their messages out. The churches feel they should be allowed to use this technology as well, but nearly all of them are zoned residential.

A few points in favor of amending the code to allow such signs in the residential districts include:

1. Almost all of the churches are located along arterial or collector streets (especially Maple Street and Michigan Street). Due to their heavier traffic and mixture of nonresidential uses, these streets have less of a "pure" residential character, so adding electronic signs might not have a significant impact.
2. The new requirement for only static messages displayed for at least 6 seconds will help prevent the signs from detracting from the residential character of the districts.
3. The City recently adopted an aesthetic design and site plan review process that all nonresidential development must go through, including signs for churches. Thus, the City's design board would have authority to reject or require modifications to any such signs that were deemed inappropriate.
4. The overall size limits for signs in the residential districts are less than the commercial districts. So, the electronic message portion of the sign (if allowed) will typically be smaller than such existing signs in the commercial districts. For churches in the residential districts, wall signs are limited to one square foot of sign per foot of building fascia up to a maximum of 50 square feet. Ground signs are limited to 16 square feet on lots up to ½-acre and 32 square feet on lots greater than ½-acre. Therefore, even

though the electronic message portion of signs can be up to 32 square feet, it is likely that the overall size rules will ensure that the square footage of the electronic message portion of church signs will be smaller.

The Plan Commission should consider the request from the churches and determine whether to recommend an ordinance revision to Council. A basic amendment to accomplish the request from the churches is attached. It simply adds residential to the list of districts that are eligible for electronic viable message signs. If desired, the Commission could seek to include additional provisions that would apply to the residential districts. Examples include:

- a) List just churches as the only use that is permitted to install such signs (not other uses such as schools);
- b) Have tighter size limits for the electronic message portion of the sign (e.g. 16 or 24 sq. ft.);
- c) Increase the minimum length of display time for each message (e.g. 30 seconds or 1 minute); or
- d) Restrict the signs to certain areas (e.g. facing arterial or collector streets only).

Fiscal Impact: Other than the cost of publishing the code amendment (if adopted), there is no anticipated fiscal impact.

Options: The Plan Commission has several options to consider, including the following:

- 1. Recommend approval of the sign code amendment to add residential districts to the eligible areas for electronic variable message signs.
- 2. Add additional restrictions (as appropriate) and recommend approval of the amendment.
- 3. Reject the request from the churches (make no change to the code).

Recommendation: Planning staff recommends options 1 or 2, but prefers option 1 because it is less complicated to administer and the existing rules and design process will likely prevent any abuses or inappropriate use or operation of such signs.

Prepared by:


Martin Olejniczak
Community Development Director

12-14-13
Date

**Proposed amendment to allow electronic variable message signs
in the residential zoning districts**

Subsection 27.12(4) of the Sturgeon Bay Sign Code is amended as follows:

(4) Electronic variable message signs (EVMS). The sign inspector may issue a special sign permit for a EVMS in the residential commercial and industrial zoning districts. The sign inspector shall apply the following standards in reviewing the proposed sign:

[rest of Subsection not changed]

(g) Banners on the east and west city banner site standards will be permitted with the following additional restrictions:

1. Use of city owned banner sites to promote events outside the city shall only be allowed upon receipt of authorization from the community protection and services committee or chairman of said committee.
2. Banners shall not include any commercial advertising or promotions, other than listing corporate sponsors.
3. Temporary banners for events being held within the City of Sturgeon Bay will be given priority for use of city owned banner sites.
4. All permitted banners must be removed by expiration date on the permit.
5. A hold harmless agreement shall be signed at the time the permit is issued.

(h) If city property has been reserved for the purposes of conducting such social or civic event, one banner may be erected on such property without requiring a sign permit, provided the banner is not displayed for more than 24 hours prior to or after such event and provided such banner meets all other banner requirements of this subsection.

* (4) *Electronic variable message signs (EVMS)*. The sign inspector may issue a special sign permit for a EVMS in the commercial and industrial zoning districts. The sign inspector shall apply the following standards in reviewing the proposed sign:

(a) *Dimensional standards.*

1. EVMS shall meet the sign setback regulations for the appropriate zoning district.
2. EVMS shall not be permitted where they attempt or appear to attempt to direct the movement of traffic or which interfere with, imitate or resemble any official traffic sign, signal or device. EVMS shall not be permitted where they prevent the driver of a vehicle from having a clear and unobstructed view of official signs and approaching or merging traffic.
3. The illuminated or message display area of the EVMS shall be included within the area to be regulated as the maximum area of a sign for the site. The message display area shall not exceed 32 square feet.

(b) *Operational standards.*

1. The EVMS shall only display static messages and such displays shall not have movement, animation or scrolling, or the appearance or illusion of movement.
2. EVMS shall not be used as flashing signs or lights.
3. Each message displayed by the EVMS shall remain for a minimum of 6 seconds.
4. Each change of message must be accomplished within one second.
5. All EVMS must be equipped with photosensitive equipment which automatically adjusts the brightness and contrast of the sign in direct relation to the ambient outdoor illuminations.

6. Commercial messages displayed by a EVMS may promote only goods or services provided by companies occupying the site on which the sign is erected.
7. EVMS must be maintained in safe and orderly condition, and so as to be able to display messages in a complete and legible manner.
8. All EVMS shall comply with the minimum operational standards for EVMS contained in this section.
9. Subsections 1, 3, and 4 of section 27.12(4)(b) shall not apply to any existing electronic variable message signs as of the adoption date of this subsection.

(5) *Pennants, balloons and other similar articles.* The sign inspector may issue a special sign permit for pennants, balloons and other similar articles in connection with a special promotion or event, subject to the following requirements:

- (a) No wires or metallic materials will be used to attach such pennants.
- (b) No pennants shall be located in the vision triangle.
- (c) No pennants shall be located in such a manner that obstructs vehicular movement on the premises.
- (d) All pennants shall be set back from the property line five feet or more.
- (e) No pennants shall be erected in such a manner that any portion of the pennants is 20 feet or more in height or higher than the first floor level, whichever is greater.
- (f) Special permits for pennants shall be issued for a maximum of 30 days per calendar year.
- (g) All existing temporary pennants, balloons or similar articles shall comply with the restrictions applicable to such signs contained in this chapter.

(6) *Off-premises emergency medical facility directional signs.* Off-premises emergency medical facility directional signs are permitted subject to review and approval by the city plan commission, and issuance of a sign permit by the building inspector. Application containing maps and drawings showing proposed sign location, size, and design shall be submitted to the city plan commission. Upon plan commission approval, the building inspector may issue a special sign permit.

(7) *Cooperative ground signs.* A cooperative ground sign shall only be permitted under circumstances where there is benefit to both the petitioning business or uses and the city. Upon city plan commission approval, the sign inspector may issue a special sign permit for a cooperative ground sign identifying and/or advertising two or more separate uses or businesses, with the total land area consisting of five acres or more, subject to the following:

- (a) All uses which are to be identified upon the sign are located upon contiguous parcels of property, or are contiguous to an associated planned unit development.
- (b) The sign must be located upon a parcel occupied by one of the uses or businesses.

Dear Mr. Olejniczak,

My name is Steve Heinz, I am a member of the Evangelism Mission Board from Bay View Lutheran Church, located on 340 West Maple Street in Sturgeon Bay. We have spoken on a number of occasions, most recently on Thursday, September 26, 2013. Bay View Lutheran is considering installing a digital message board for the front of our Church. It is our feeling that this will allow us to better communicate the worship opportunities at our Church as well as promote Church and community activities that our Church may be involved with. The current Sturgeon Bay city ordinance does not allow Churches to utilize this type of technology for providing visual information.

Please use this email as a formal request to consider changing the current ordinance to allow electronic variable message signs for Churches. This would require changes to city ordinance Section 27.12 sub paragraph 4. I have attached to this email copies of three documents that contain either signatures or letters from various Clergy and Churches within the City of Sturgeon Bay that either support this change or would also consider at some point adding this type of technology for their Church.

Please let me know if there is anything that our Church or that I can do to facilitate this process in any way. Thanks for your assistance and your thoughtful consideration of this proposal.

Sincerely,

Steve Heinz

Home Address: 211 North 17th Drive, Sturgeon Bay, WI. 54235

Phone Number: 920 743-8525

email sheinz@charter.net

The United Methodist Church of Sturgeon Bay

836 Michigan Street
Sturgeon Bay, WI 54235-2654
(920) 743-3241

Joseph Mitchell, Pastor
joemitchell@wisconsinumc.org

Rev. Tim Malek
Bay View Lutheran Church
340 West Maple Street
Sturgeon Bay, WI 54235

Wednesday, April 24, 2013

Grace and Peace to you;

Thank you for inquiring about digital message board signage in front of churches in the community.

"Yes," this is something that our congregation, the United Methodist Church of Sturgeon Bay, was actively considering a couple years ago. The project was tabled, primarily because of zoning restrictions we understood to be in place precluding an electronic message board signage at our location. Given the signage and landscaping across the Michigan Street side of our property, we have considered changing our signage and entryway to clarify that we are the United Methodist church, and how to gain access to our parking lot and facility.

We have moved on to other improvements in our facility, but would be quite interested if there were a zoning change that would permit us to seriously consider a change in our signage and entrance.

I would be glad to discuss this with you or any other officials.

Thank you for the inquiry.

In Christ's service;



Joseph Mitchell, Pastor
United Methodist Church of Sturgeon Bay



sturgeon bay
Community
church

May 14, 2013

Bay View Lutheran Church
340 West Maple Street
Sturgeon Bay, WI 54235

RE: Zoning Ordinance Change

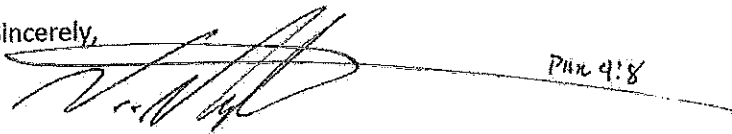
Pastor Tim Malek:

The Elders of Sturgeon Bay Community Church Support a change in residential zoning ordinances to allow churches in the community to build a monument style message board as a communication tool on their property. It is our position that anything which helps the church of Jesus Christ more effectively minister in the community is worth our effort and support.

We also wish to encourage the leadership of Bay View Lutheran Church in their pursuit of this endeavor. Anything more we can do to be helpful or supportive, we stand ready to do.

Keep up the good work ☺

Sincerely,



PHX 4:8

Pastor Will Shannon Souther

SS/kjm

To City of Sturgeon Bay Clergy and Congregations

Bay View Lutheran Church is currently considering the construction of a digital message board for the front of our church. We are leaning toward a monument style message board very similar to the digital sign located in the front of Sturgeon Bay High School. Currently, residential zoning ordinances prohibit the construction of this type of message board.

It has been suggested by some members of city government that we contact all of the congregations in the city and ask them if they would be interested in a communication tool like this, either now or in the future. The city officials that we spoke with feel that if there is interest by a group of congregations, a potential zoning ordinance change could be granted for all city churches.

There is no guarantee that even if all of the congregations were interested a zoning change would take place. However, we feel it is beneficial to all to deal with the issue now and hope to change the ordinance for future activity.

If you are in support of a change to the current zoning ordinances that would allow parishes in the city of Sturgeon Bay to obtain and construct digital message boards, please indicate your support by signing below.

Parish Name and Address	Authorized Signature & Title	Date
First Baptist Church 610 N 5th Avenue	Cory Dahl - Pastor	5-1-13
HOPE UCC 141 S 12th AVE	REV. [Signature]	5-22-13
Bay View Lutheran Church 340 W Maple St	Rev. Jundt D. Palett	5-22-13
Friends Community Church 204 W Maple St	Pastor Raymon Oller	6-5-13
Sturgeon Bay Moravian Church 323 S. 5th Ave.	Rev. Dr. Matthew Krapp	6-5-13

MEMO

To: City Plan Commission
From: Marty Olejniczak, Community Development Director
Date: March 14, 2013
Subject: Zoning Code Amendment – Setback from Navigable Water

Currently, the City does not have any specific regulations pertaining to how close a building can be to the shore of the bay or to navigable streams. In many cases the shoreline or the stream is also a lot line, so the minimum side yard or rear yard requirement can be applied in those instances. But, the minimum setback in those instances is usually only 10 or 25 feet and can be even less for accessory buildings.

The state requires counties to enforce a setback in the unincorporated portions of the county. Door County follows the state DNR-imposed 75-foot setback from the ordinary high water mark of the lake or stream. The county's rule includes an averaging provision whereby the required setback can be reduced to the average setbacks of the adjoining lots in cases where adjoining lots have structures that are closer to the shore. However, these rules are not enforced in the City of Sturgeon Bay, except for recently annexed areas.

During the drafting of the Sturgeon Bay Comprehensive Plan, the Plan Commission discussed whether it was a good idea to create a special setback requirement for the City. No final decision was made at that time, but the adopted Comp Plan contains a policy within the goals and objectives section of Chapter 4 to "consider adopting a setback from navigable water."

At a recent meeting the Plan Commission requested that this issue be further researched and options be brought forth. Using the County's GIS info, the Community Development Department staff looked at the existing setbacks of dwellings located along the water. This info and the conclusions gleaned from the data are shown below.

The following options may be considered for a setback from navigable water:

1. Adopt the shoreland zoning provision (75 feet with averaging to reduce to 40 ft).
2. Adopt the shoreland zoning provision, but allow the averaging provision to reduce the setback to 25 feet.
3. Adopt a 25-foot setback for all buildings.
4. Adopt setback requirements based on zoning district classification.
5. Adopt setback requirements based upon sanitary sewer service. Use 25 feet for areas served by sanitary sewer and use 75 feet with averaging to reduce to 25 feet in non-sewered areas (Cove Road and Duluth Place).
6. Make no changes.

Staff recommends option 3 or option 5. For the most part the imposition of a larger setback would be to protect the existing property owners from loss of view due to construction on adjoining lots. Thus, if the residents of Cove Road and/or Duluth Place feel the more stringent requirement is beneficial, it

should be considered. Otherwise, the straight 25 foot setback should be used since it applies to accessory buildings and make it more clear to property owners how close the principal buildings can be to the water compared to the current zoning code.

Residential Waterfront Lots

181 lots with dwellings

17 lots without dwellings*

198 total lots

Conclusions: Nearly all lots already contain a dwelling. Of those still vacant, the future building site is already dictated due to the size (depth) of the lot or other factors. Only Cove Road (7 lots) appears to have vacant lots whereby the placement of a new dwelling close to the water could impact views for adjoining lots.

A new setback from the water provision would, therefore, mostly likely have an impact on “rebuilt” whereby older homes set further from the water are proposed to be replaced by newer homes closer to the water.

*These consist of 3 at Strawberry Creek Estates, 2 on N. Hudson Avenue, and 1 each on Tacoma Beach Rd, Circle Ridge Circle, Vine Ct, and Duluth Place.

Existing Setbacks for Waterfront Lots with Dwellings**

0 – 25 feet = 21 lots (11.7%)

25 – 50 feet = 60 lots (33.3%)

50 – 75 feet = 50 lots (27.8%)

> 75 feet = 50 lots (27.8%)

** The current setbacks were measured from air photos with an estimated ordinary high water mark. Actual field measurements based upon on-site conditions could yield different results.

Conclusions: Nearly all of Sturgeon Bay’s waterfront dwellings are set back less than the shoreland zoning standard of 75 feet that is applicable in the unincorporated parts of the county. The county rule, however, does permit averaging, which can reduce the minimum setback to 40 feet. But, even with an averaging provision, many existing homes may become nonconforming if the county rule is adopted in Sturgeon Bay.

Many of the waterfront lots in Sturgeon Bay, particularly those served by sanitary sewer, are smaller. Therefore, there is less leeway in terms of placement of the home away from the ordinary high water mark.

Plan Commission Minutes - 6-19-13

Consideration of: Moved by Mr. Gilson, seconded by Ms. Brooks to act on this item at this meeting. Carried.

Mr. Olejniczak stated that Mr. Anderson is allowed to farm the tillable area of the property for up to 10 years.

After a short discussion, it was moved by Ms. Brooks, seconded by Mr. Norland to recommend to Council approval of the zoning map amendment as described. All ayes. Carried.

Presentation of: Zoning Map Amendment proposed by the YMCA for undeveloped lots along N. 19th Place – Single-Family Residential (R-1) to Conservancy (CON): Mr. Olejniczak explained that a presentation is the first step of this procedure, followed by a public hearing at a future meeting. The zoning map amendment would change the current residential district to Conservancy, which would match the intended use.

Dan Powell, Executive Director of the YMCA, explained that the YMCA has the intent to purchase 21 lots from Spring Oaks Subdivision, which is the property next to the YMCA, in order to create outdoor programming. Acquiring this property falls into their mission. They have an interested donor in purchasing this property. They like the idea of a park setting. Graef, the YMCA's Engineering Firm, assisted them with the design of their plan.

Mr. Powell added that the YMCA is looking at constructing an addition to the building. More parking spaces would be needed. The master plan, which has been approved by the YMCA Board, indicates a sports court where the "gym" can be taken outside and includes a multi-athletic surface. A picnic shelter, sand volleyball court, amphitheater, walking path, and exercise equipment are also in the plan. He envisions casual use of athletic fields and not regulation fields. All of these ideas need funding. The approximate cost is \$850,000 and is subject to the YMCA purchasing the property.

The members discussed the proposal with Mr. Powell, including potential changes to the site plan and consideration of parking off of 19th Place. No action was needed at this time.



Consideration of: Zoning Code Amendment – Setback from Navigable Water: Mr. Olejniczak stated that most of the County is under shoreland zoning, which requires a 75-foot setback from the ordinary high water mark. The City is not obligated to adopt the shoreland zoning except for newly annexed areas. Therefore, the City just uses the normal building setback from a lot line. The ordinary high water mark has been treated as a lot line. The Comp Plan contains a policy within the goals and objectives to consider adopting a setback from navigable water. One reason would be if there are still some undeveloped areas and worries from an ecological standpoint, to keep buildings further off the water to protect the riparian zone. Another reason is for aesthetics, as well as protecting existing residents where their buildings may be a certain distance from the water, but a new house is constructed next door that would be set closer to the water, thereby impacting views.

Mr. Olejniczak provided some options related to setbacks from navigable water, such as:

1. Adopt the shoreland zoning provision (75 ft., with averaging to reduce to 40 ft.).
2. Adopt the shoreland zoning provision, but allow the averaging provision to reduce the setback to 25 ft.
3. Adopt a 25 ft. setback for all buildings.

4. Adopt setback requirements based on zoning district classification.
5. Adopt setback requirements based upon sanitary sewer service. Use 25 feet for areas served by sanitary sewer and use 75 ft., with averaging to reduce to 25 ft. in non-sewered areas. (Cove Road and Duluth Pl.)
6. Make no changes.

Staff recommends option 3 or option 5. If the Commission decides to continue with this, a public hearing would be held at a future meeting.

Commission members discussed the options. Mr. Olejniczak said there was no urgency in making a decision. Letters could be sent out to waterfront owners asking their feedback and move forward.

Mr. Gilson didn't feel a need to move forward with this, but he said if the other Commission members wanted to proceed, he certainly would encourage no more than a 25' setback.

Mr. Olejniczak gave several suggestions to the Commission, such as to hold off on action at this time, direct staff to proceed with one of the options and come back with formal language, do not make any changes and the matter would be dropped, or refer to Council with a tentative recommendation to see what they think before a public hearing would be held.

No action was taken. By consensus, the members present decided this item will be put on a future agenda when all members are present.

Consideration of: Zoning Code Amendment – Minimum street yard for accessory buildings on waterfront lots: Mr. Olejniczak stated that there is a zoning code provision on how close to the street an accessory structure can be. It states that it cannot be any closer than the front edge of the house, unless the house is 60' or more from the street, in which case the accessory structure has to be at least 60 feet. For shore lots, there are situations where the garage may be forced to be on the water side of the house. Many homeowners consider the water side as the front. If the Commission feels this is an important enough issue to amend the code, it can be looked at. One option is to exempt the shore lot from this and keep the setback of 25'. In situations where the detached garage is forced to be built in the floodplain and it has to follow the 60' setback, loosening the rule to be less than 60' could be another option.

It was the consensus of the Commission to pursue ordinance language regarding minimum street yard to accessory buildings on waterfront lots.

Adjourn: Moved by Mr. Norland, seconded by Ms. Brooks to adjourn. Carried. Meeting adjourned at 8:09 p.m.

Respectfully submitted,

Cheryl Nault
Community Development Secretary