

**LAND MANAGEMENT COMMITTEE  
MEETING AGENDA  
Wednesday, February 7, 2018 – 6:00 p.m.  
County Board Room, Pierce County Courthouse,  
414 W. Main St. Ellsworth, WI 54011**

#	Action	Presenter
1	Call to order	Chair
2	Next meeting dates: February 21 <sup>st</sup> , March 7 <sup>th</sup> & 21 <sup>st</sup> , April 4 <sup>th</sup> & 18 <sup>th</sup> , all in 2018.	Chair
3	Approve minutes of the December 6, 2017 Land Management Committee meeting.	Chair
4	Discuss take action on a proposed amendment to Pierce County Zoning Code Chapter 240-29 Height Requirements.	Roy
5	Discuss take action on a proposed amendment to Pierce County Zoning Code Chapter 240-32A(1) Minor Structures.	Roy
6	Discuss take action on a proposed code amendment to Pierce County Zoning Code Chapter 240-32(D) Accessory Structures regarding shipping containers.	Roy
7	Discuss take action to authorize staff to apply for and accept a Strategic Initiative Grant available through the Wisconsin Land Information Program (WLIP).	Pichotta
8	Discuss take action on Travel/Training Requests.	Pichotta
9	Future agenda items.	Pichotta
10	Adjourn	Members

Questions regarding this agenda may be made to the Department of Land Management at 715-273-6746.

Upon reasonable notice, efforts will be made to accommodate the needs of individuals with disabilities requiring special accommodations for attendance at the meeting. For additional information or to make a request, contact the Administrative Coordinator at 715-273-6851.

A quorum of County Board supervisors may be present.

(1/26/18)

# STAFF REPORT      LAND MANAGEMENT COMMITTEE

Land Management Committee Meeting, February 7, 2018

Agenda Item 4

**Request:** Discuss take action on proposed amendments to Pierce County Code Chapter 240-29 Height requirements.

## **Background:**

Recently, there have been concerns raised by the public about the height limitation for residential structures in Pierce County. Two-story homes are becoming more common and for those homes with a walk-out basement the 35' limitation is difficult to comply.

Staff had been using an averaging method of the front height of the structure and the height at the walkout to determine the height. This method was chosen due for simplicity sake for the public as well as staff. This method was recently challenged and it was determined that an appeal would reverse our height determination.

To be consistent with the code, staff is now requiring that the grade around the proposed structure be averaged to make a height determination. This method is more difficult to calculate and may require the use of GIS.

Staff is seeking to provide an exemption for the height of residential structures in the Agricultural districts of up to 45', at the tallest point, with increased setbacks. Staff is not proposing this for Residential districts, since it is likely that development patterns have already been established in those areas.

## **Relevant Code Sections:**

Grade Elevation is defined as - The average elevation around the base of a building or a structure where such building or structure meets the surface of the ground.

### **§ 240-29 Height requirements.**

- A. Height limitation. Except as provided in Subsections B, ~~and C~~, D and E, no building, structure or sign shall exceed 35 feet in height above the grade elevation.
- B. Exemptions. The following shall be exempted from the height requirements of this section:
  - (1) Architectural projections, such as spires, belfries, parapet walls, domes, chimneys and cupolas, provided that such cupolas do not exceed 64 square feet in floor area, including stairwells, are not higher than eight feet above the adjacent roof ridge and contain no living quarters.
  - (2) Agricultural structures, such as silos, barns and grain storage buildings.
  - (3) Special structures, such as elevator penthouses, grain elevators, observation towers in parks, communication towers, electrical poles and towers and smoke stacks, provided such structures shall not exceed in height their distance from the nearest lot line.
- C. Public or semipublic facilities, such as schools, churches, monuments, libraries and government buildings, may be granted exemptions by the Land Management Committee to a height of 60 feet, provided that all required setbacks and yards are increased by not less than one foot for each foot the structure exceeds 35 feet in height.

Residential Height Exemption  
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- D. Industrial and commercial structure heights may be granted exemptions by the Land Management Committee, provided that all required setback and yards are increased by not less than one foot for each foot the structure exceeds 35 feet. [Amended 2-25-2014 by Ord. No. 13-12]
  
- E. Residential structures located in Agricultural Zoning Districts may be increased to a maximum of 45 feet in height, provided that all required setbacks and yards are increased by not less than one foot for each foot the structure exceeds 35 feet. Height shall be measured from the lowest exposed portion of the structures exterior.

**Recommendation:**

Staff recommends the Land Management Committee review the proposed revisions, and if appropriate, direct staff to schedule a future public hearing to consider adoption.

**Submitted By:** Brad Roy  
Zoning Administrator

# STAFF REPORT    LAND MANAGEMENT COMMITTEE

Land Management Committee Meeting, February 7, 2018

Agenda Item 5

**Request:** Discuss take action on proposed amendments to Pierce County Code Chapter 240 regarding minor structures.

**Background:**

This issue was previously discussed with the Land Management Committee, but no public hearing was scheduled at that time.

The Zoning Code requires that a Land Use Permit be obtained for accessory structures. §240-32 exempts minor structures from this requirement. There is no definition of minor structures in the code. In the past, staff has required that even small storage structures obtain a Land Use Permit for a fee of \$50. In many cases the public assumes that these small storage structures do not require a permit and place them on their property without benefit of a permit. In these cases, staff is required to begin the enforcement process which may take considerable time to achieve compliance. Staff believes that the use of these types of small structures is generally insignificant and can reasonably be considered “minor” and exempt from permits. However, setback requirements would still apply. Staff is proposing the following amendment to the Zoning Code:

**§ 240-32. Accessory structures.**

Accessory structures are permitted subject to the following:

A. Permit required. Accessory structures shall require a land use permit except:

- (1) Minor structures, such as birdhouses, yard light poles, birdbaths, doghouses (housing dogs which are licensed as the personal pets of the residents of the property), tree houses, noncommercial fuel storage tanks and pumps, clothesline poles, lawn ornaments, flagpoles, mailboxes, garbage containers, ice fishing shanties and school bus waiting shelters. Non habitable structures of not more than 100 square feet, that do not have a permanent foundation and can be easily moved, and meet applicable setback requirements, are also exempt.

**Recommendation:**

Staff recommends the Land Management Committee review the proposed revisions, and if appropriate, direct staff to schedule a future public hearing to consider adoption.

**Submitted By:** Brad Roy  
Zoning Administrator

# STAFF REPORT      LAND MANAGEMENT COMMITTEE

Land Management Committee Meeting, February 7, 2018

Agenda Item 6

**Request:** Discuss take action on proposed amendments to Pierce County Code Chapter 240-32 Accessory Structures.

**Background:**

Shipping containers have become a popular option for use as a storage structure, similar to a shed. Staff is proposing to allow shipping containers to be permitted as accessory structures in the Agricultural districts.

Also, Pierce County Code § 240-32 D. requires that certain personal property be permitted as an “accessory structure” and limit the time that they can be stored on the property. Staff is of the position that it is unreasonable to consider some of the items listed as “structures” and does not believe a permit should be required nor a time limit imposed to the storage of those items.

Staff does not believe that boats and trailers should be considered “structures”. Staff is also of the position that truck bodies and buses are also better addressed through Pierce County Code § 225 which regulates the storage of unlicensed and junked vehicles, as well as vehicle parts.

Staff proposes the following code amendments:

§ 240-32 Accessory structures.

Accessory structures are permitted subject to the following:

- D. Personal property permitted only as accessory structures. Except in the Industrial (I) District, where accessory structures shall be permitted without limitation as to number or duration, such personal property as, but not limited to, ~~boats, truck bodies, manufactured homes, buses, railroad cars, and~~ shipping containers located in Residential Districts and trailers may be used as accessory structures only upon issuance of a land use permit subject to the following:
  - (1) The land use permit shall expire ~~eight~~ 12 months from the date of issuance and the accessory structure shall be removed from the premises upon expiration of the permit. A subsequent land use permit for an accessory structure on the same parcel shall not be issued until 12 months has elapsed from the expiration of the previous permit.
  - (2) Only one such accessory structure shall be permitted at a time.

**Recommendation:**

Staff recommends the Land Management Committee review the proposed revisions, and if appropriate, direct staff to schedule a future public hearing to consider adoption.

**Submitted By:** Brad Roy  
Zoning Administrator

# STAFF REPORT      LAND MANAGEMENT COMMITTEE

## Land Management Committee Meeting, February 7, 2018    Agenda Item 7

**Request:**      Discuss take action to authorize staff to apply for and accept a Strategic Initiative Grant available through the Wisconsin Land Information Program (WLIP)

**Background:**

The Wisconsin Land Information Program has again made available \$50,000 Strategic Initiative Grants to counties participating in the program.

Strategic Initiative Grants are for the purposes of addressing statutory directives to create a statewide digital parcel map and to post certain parcel information online in a standard Searchable Format. Strategic Initiative grant funding is to be prioritized to achieve “benchmarks” for parcel quality and completeness.

There are four benchmarks for parcel data:

- Benchmark 1 – Parcel and Zoning Data Submission
- Benchmark 2 – Extended Parcel Attribute Set Submission
- Benchmark 3 – Completion of County Parcel Fabric
- Benchmark 4 – Completion and Integration of PLSS

Counties must prioritize their Strategic Initiative grant activities toward achieving the benchmarks in numerical order.

The following projects are proposed:

Project 1 - \$18,000

Conversion to ESRI Parcel Fabric (also includes Conversion to ESRI Government Model and installing Workgroup SDE on Server) – Will improve with organization and workflow of the GIS data. Also, it will assist with using the GIS data in the field (tablets, etc)

Project 2 – \$8,000

Parcel updates / Changes – Update and correct the existing parcel data set. Splits, etc.

Project 3 – 21,000

(Register of Deeds) Updating Fidlar-Avid Software/Hardware – Will improve workflow and replace outdated equipment

Project 4 – \$3,000

Building Footprint Creation – Used in maps to define buildings. Help with code enforcement and with statistical analysis.

**Recommendation:**

Staff recommends that the LMC authorize staff to apply for and accept available Strategic Initiative Grant Funds.

**Submitted By:**      Andy Pichotta