

STAFF REPORT LAND MANAGEMENT COMMITTEE

Land Management Committee Meeting, April 4, 2018

Agenda Item 4

Applicant: Prescott Sportsman's Club Inc.

Request: Private Outdoor Recreation

Background:

The Prescott Sportsman's Club owns a 40 acre parcel in the Town of Oak Grove. They are applying to use the property for a variety of outdoor activities for club members and the public. The application proposes, "Activities related to the enjoyment and recreation of the outdoors and continuing education experiences that will enhance the public's appreciation of the outdoors."

In February, 2017 the club presented an application for a Trap Shooting Range which was denied by the Land Management Committee due to a high likelihood of lead migration off the site as well as inconsistency with the public interest as it relates to the Town of Oak Grove and their Comprehensive Plan. The applicant has indicated that they will likely continue efforts to pursue the establishment of a firearms shooting range at this site in the future.

Issues Pertaining to the Request:

- The property is located in the SE ¼ of the NW ¼ of Section 6, T26N, R19W in the Town of Oak Grove. The property is zoned General Rural Flexible-8. Access to the site is off of 620th Ave.
- 240-15 Purpose and intent of Zoning Districts.

General Rural (GR). This district is established to maintain and enhance agricultural operations in the county. The district also provides for low-density residential development which is consistent with a generally rural environment and allows for nonresidential uses which require relatively large land areas and/or are compatible with surrounding rural land.

General Rural-Flexible (GRF/8). This district is established to achieve the same objectives as the General Rural (GR) District but to allow a greater density of residential development with the approval of the town board.

- "Private Outdoor Recreation" is defined as: "Land uses which offer recreation activities primarily outdoors, including such uses as private parks, sportsmen's clubs, golf courses and ski hills, and which are operated for members or on a commercial basis for members of the public and may include multiple related uses managed as one operation."
- The site is currently being used for agriculture and woodlands. The surrounding land uses are agriculture, low-density residential, and undeveloped land. The City of Prescott's compost site/former landfill is on the neighboring property to west.
- Member only activities proposed are:
 - Picnics
 - Up to 4 picnics a year (May through October) to be held on a weekend for members and their families. Picnics will be held between the hours of 10am and 7pm.
 - Meetings
 - Regular meeting once per month, generally between 7pm and 10 pm.
 - Board and committee meetings, with less than 15 members, up to 4 times per year.

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- General outdoor activities: hiking, gardening, apple harvesting, camp fires, snowshoeing, cross country skiing
- Small farming of food plots or other grains
- Raising of various livestock and poultry (such as pheasants and quail).
- Tree cutting for firewood.
- Hunting and trapping as it relates to the available Wisconsin DNR licenses
 - No more than 4 individual hunters with a gun at any one time.
 - No more than 4 days per week, based on DNR regulation hours.
 - Days would be filled by member lottery pick if more member interest is high enough.
 - Firearm use will be appropriate for the targeted game.
- Member and Public (the public is only allowed when a member is present) activities proposed are:
 - Educational and practice clinics (fishing, trapping, forestry, wood projects, air guns)
 - Limited to 3 per year.
 - Clinics would be scheduled between the hours of 8am and 3pm.
 - Clinics will include instruction and practice.
 - Clinics will only include air guns.
 - Youth and disabled hunts related to the available Wisconsin DNR licenses
 - No more than 2 armed individual hunters at any one time.
 - No more than 4 days per week, based on DNR regulation hours
 - Includes bow or gun (12 or 20 gauge shotgun).
 - Learn-to-hunt turkey program for first time turkey hunters
 - 10-25 participants
 - Program is 1 day between the hours of 8am and 3pm.
 - Program includes group instruction and training, lunch, and learning stations related to blind setup and turkey decoy placement.
 - Approximately 1.5 hours to have participants shoot their shotgun at target to understand shot pattern.
 - Will work with the DNR to organize the event.
 - Fundraising Events
 - Two events held annually on weekends between the hours of 8am and 4pm.
 - Carnival type events with various stations to view and participate.
 - Bow competition with no more than 5 shooting at any one time and with 2 members supervising at all times.
 - Air gun competition with no more than 5 shooting at any one time with 2 members supervising at all times.
 - Bow range and course for practice, leagues and events
 - No more than 2 days during the week and one weekend day.
 - Weekday hours are 4pm to dusk. Weekend hours 8am to 4pm.
 - No more than 5 shooters at any one time with 2 members supervising at all times.
 - Air gun range and course for practice and future adult and youth leagues
 - Guns would consist of BB, CO2 or pneumatic.
 - Ammunition would be lead free BBs or pellets, or bio-degradable BBs.
 - No more than 3 days during the week (4pm – dusk) and one weekend day (8am – 4pm).
 - Air gun range has no more than 5 shooting at any one time with 2 members supervising at all times.
 - Shooting no farther than 25 yards.

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- Long term plan is to construct a clubhouse for the members for meetings, picnics, seminars and events as well as up to 5 pavilions and/or out buildings for the various activities. The Club is also proposing to place a storage container on the property.
- Equipment to be used includes motorized vehicles such as tractors, cars/trucks, lawnmowers and UTVs/ATVs. Vehicles will be used from dawn to dusk.
- Hours of operation for certain activities were listed. The hours of operation for the remaining activities are 7am-10pm., with exceptions for club member only events may extend to 12am on weekends only. No more than 6 exceptions annually.
- The following items will be stored outside: bow targets, lawn equipment and tractor/implements, lumber for projects, and portable hunting stands.
- Portable toilets will be used for all fundraising events as necessary. State code requires one portable toilet per 50 people.
- The Club is proposing to construct two parking lots on the south end of the property. The southeast parking lot will use an existing farm access. A new driveway will need to be constructed for access to the southwest parking lot. Pavilions will be constructed near each parking lot.
- The clubhouse is proposed to be constructed near the southeast parking lot. Dimensions of the structure have not been provided. Commercial plan approval may be needed.
- The site has moderate slopes. The total elevation change from the south of the property to the north is approximately 90 feet. The highest point is near the road access and the lowest by the west half of the north property line. There are no mapped wetlands or wetland soil indicators on the site.

Multiple grass waterways run through the property. There is no navigable water on the site, but an intermittent stream runs through the northern portion of the property. The intermittent stream carries enough water that the floodplain also extends onto the property.

- The club is proposing to construct a pond at the intersection of two of the waterways. No dimensions or depths were provided. The proposed pond is not located in the floodplain. Two pavilions are proposed near the pond.
- The Town of Oak Grove recommended "partial approval and partial denial" of this request on March 6, 2018. The Town Recommendation is attached. The Town has no issues with parts of the application, but has issues with others.
 - Supported Activities:
 - Regular picnics
 - Regular meetings and campfires
 - Hiking, gardens, apple harvesting
 - Small farming of food plots or other grains throughout the property
 - Raising of various live stock or poultry
 - Cutting trees for firewood
 - Winter activities such as snowshoeing or cross-country skiing
 - Educational and practice clinics (such as fishing, trapping, forestry, building) which total no more than 3 calendar days per year and occur between the hours of 8am and 3pm as proposed, provided the clinics do not involve activity that would constitute a "sport shooting range" as defined by Wis. Statute 895.527 or create a nuisance that would unreasonably impact neighboring properties.
 - Two fund raising events annually, which shall be no more than two calendar days

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- Archery range, only if an archery range is not considered a "sport shooting range" as defined by Wisconsin Statutes Section 895.527
- An air gun range is only supported by the Town if it is conducted within a building and is not considered to be a public "sport shooting range" as defined by Wis. Statute 895.527. No high-power air guns would be allowed to be used on the property and all air guns must be used indoors.
- Supported Structures, The Town of Oak Grove supports the construction/placement of the clubhouse, pavilions or outbuildings (up to 5) and storage container subject to proper permitting.
- Hours of operation. The Town recommends that "Club only" events go no later than 10pm. The Town does not object to the other proposed hours so long as the noise/sound generated by the activities remain at a level that does not unreasonably impact the neighboring property owners' enjoyment of their property, especially in the evening and on weekends.
- Town Concerns: The Town is of the position that a firearm shooting range at this location is not appropriate given the proximity of neighbors, the proximity of animals and livestock which can be sensitive to loud noise or shooting, and the potential for decreased safety and issues with lead migration.

Oak Grove Comprehensive Plan, Chapter 9 – All Conditional Uses:

- Consider recommending approval of conditional use permits only when the proposed conditional uses will not conflict with or negatively impact the use and enjoyment of nearby or surrounding properties and land uses
- Ensure that the proposed conditional use will be compatible with surrounding land uses that exist when the proposed use commences

"Given that use of and/or approval of this site to target practice could potentially vest the Club with the "right" to an expanded sport shooting range, the Town does not support any activities that may ultimately result in the establishment of firearms shooting range of any kind. The Town strongly objects to any activity that would be considered a "sport shooting range" as defined by Wisconsin Statutes Section 895.527, and recommends denial of the conditional use application as it relates to firearms and "sport shooting ranges." The Town is concerned with protecting farmland, limiting noise and traffic and a reduction in the quality of life on surrounding properties."

The Town has concerns regarding the potential impacts of the following activities:

- Air gun range and course for future adult and youth leagues
- Bow range and course for target practice and competitive events or leagues
- Hunting and trapping
- Learn to hunt programs such as annual spring turkey hunt (including learning to pattern a shotgun)
- Youth or disabled hunts related to available Wisconsin DNR licenses

The Town does not support hunting activities on the property and is concerned with noise that can result as well as potential safety issues from multiple hunters using long-range rifles. If hunting is approved, the Town suggests a mechanism to limit numbers of hunters present at one time to a safe and reasonable level.

The Town requests that a deed restriction be placed upon the property which would prohibit the property from ever being used for a public "sport shooting range."

The Town is concerned with the use of any guns on the property. The only gun use that would be supported by the Town is the use of air guns within a building as previously described. The Town is concerned that "air guns" is a broad category inclusive of weapons posing significant safety hazards, and

that an outdoor air-gun range would create a nuisance for surrounding properties inconsistent with the Town's Comprehensive Plan.

Town also has the following concerns:

- Protecting farmland and preserving the quality of rural life on surrounding properties.
 - Property boundaries and wants the applicant to have all the property boundaries surveyed and marked.
 - Dogs running at large on the property.
 - Consumption of alcohol on the property.
- Staff requested a legal opinion from Pierce County's Corporation Counsel regarding the potential implications of the use of firearms, air guns, and archery equipment on the site, including the implications associated with the establishment of a "range" for their use. Staff has been advised that the Town's concerns regarding the potential vesting of rights if a "sport shooting range" were authorized on the site, appear to be valid. Given the definitions of "sport shooting range" contained in Wisconsin Statutes, even the establishment of an archery range or air gun range would constitute a "sport shooting range" with all the expansion rights and protections that accompany that designation.

Staff has also been advised that the "patterning of shotguns" on the site (proposed as part of "learning to hunt" seminars) would constitute a "sport shooting range" as defined.

Staff was also advised that occasional incidental hunting on the site, similar to that occurring on private land in much of the County, would not constitute a "sport shooting range", and that such use could be allowable as long as all state and local regulations and restrictions are adhered to.

Recommendation:

Staff recommends the LMC determine whether the proposed use in the proposed location is contrary to the public interest and whether it would be detrimental or injurious to public health, public safety, or the character of the surrounding area.

If found to be not contrary to the public interest, nor detrimental or injurious to public health, safety, or the character of the surrounding area, staff recommends approval of this request with the following conditions:

1. All activities shall be conducted consistent with the application unless modified by a condition of this permit.
2. No weapons (including firearms, air guns, and archery equipment) shall be used on the site except when used for lawful hunting purposes.
3. All hunting activities shall be conducted as presented in the application and shall follow all DNR and local regulations.
4. Plans for parking areas shall be submitted to Land Management Department staff for review and approval.
5. Portable toilets (1 per 50 people) shall be provided onsite for all activities except for incidental hunting.
6. Club only events shall end by no later than 10pm.
7. Information and plans regarding structures to be built shall be provided to Land Management Department staff for review and construction shall commence with one year of the date of issuance of this permit for structures presented in the application. For structures not built within one year, a Land Use Permit shall be required.
8. A Land Use Permit shall be obtained for any structures and signs not described in this application.
9. All structures shall comply with Uniform Commercial Code requirements, if applicable.

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10. Access approval shall be acquired from the Town of Oak Grove, a Uniform Address Number (UAN) shall be assigned, and an address sign acquired and placed.
11. Final designs of the pond shall be submitted to Land Management Department staff prior to construction to determine permitting requirements.






Submitted By: Brad Roy, Zoning Administrator

Land Management Committee

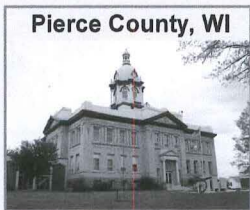
PRESCOTT SPORTSMANS CLUB, INC.
(April 4th, 2018)

CUP - Private Outdoor Recreation

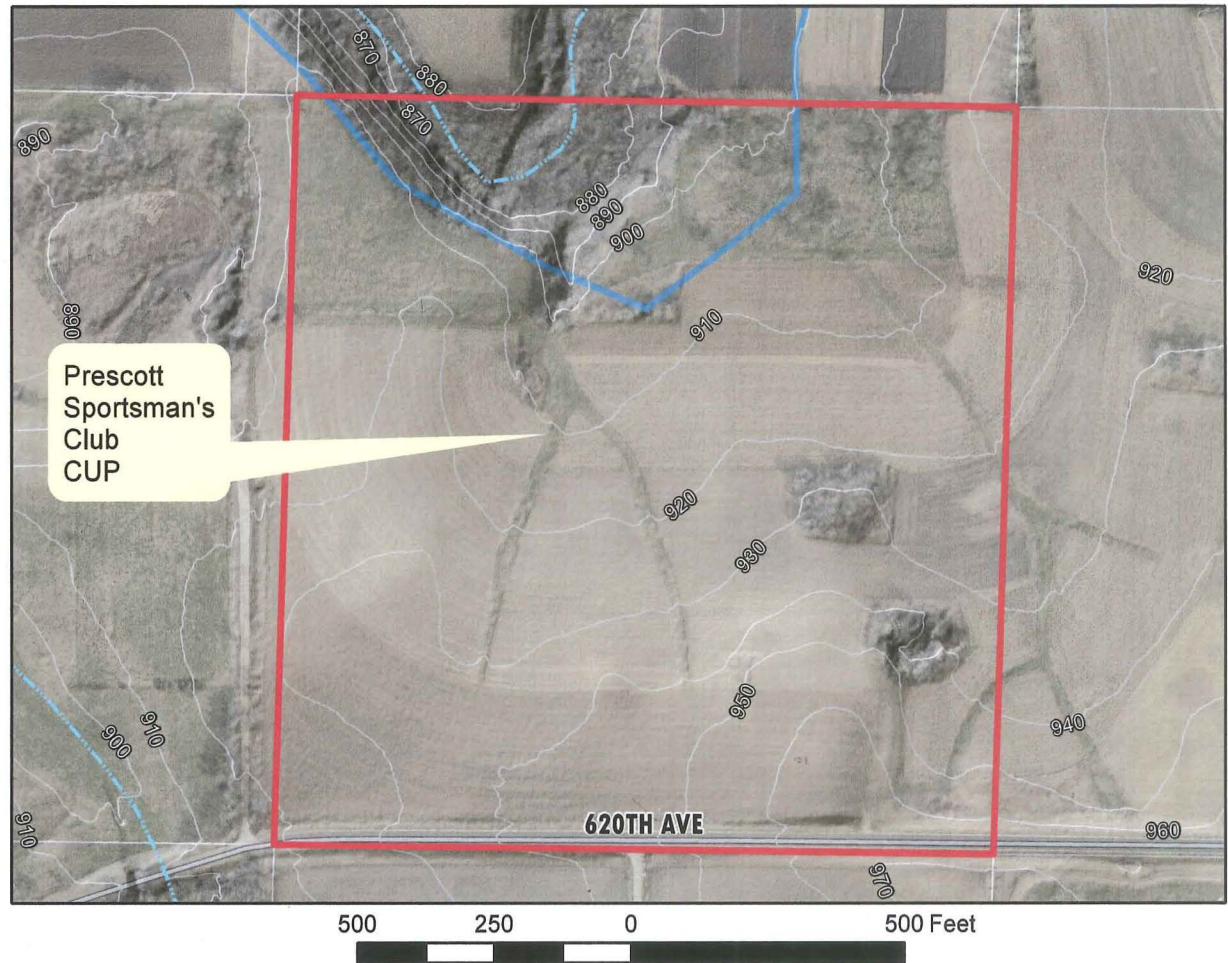
Legend

-  Dwellings
 -  Sportsman's Club CUP
 -  Parcels
 -  Contours (10ft)
 -  Floodplain
- ### Zoning
-  General Rural Flexible - 8
 -  Light - Industrial
 -  Primary Agriculture
 -  Rural Residential - 12

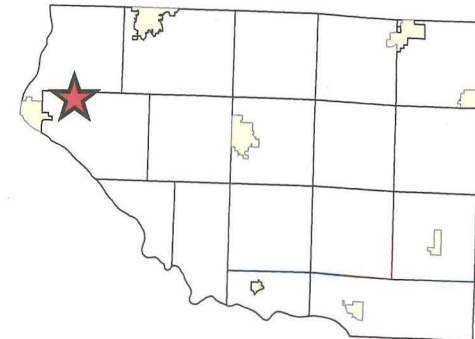
Orthophotography - 2015 Pierce County



Prepared by the Department of Land Management



Site Location
TWN 26, RNG 19, SEC 06
TOWN OF OAK GROVE





These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

Prescott Sportsman Club

- A = Club House
- B = Pavilion
- C = Park Lot
- D = Pond

1:3,120

Date: 10/11/2017

This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.

Pierce County, WI



PIERCE COUNTY WISCONSIN
DEPARTMENT OF LAND MANAGEMENT & RECORDS
Zoning: 715/273-6747
Planning: 715/273-6746 Fax: 715/273-6864

Pierce County Courthouse
414 W. Main Street, P.O. BOX 647
Ellsworth, Wisconsin 54011
www.co.pierce.wi.us

Town Recommendation Form

Request: Conditional Use Permit Plat Approval – Concept, Preliminary, Final (Circle One)
 Map Amendment - (Rezone) Other- _____

Applicant/Agent:

Name Prescott Sportsmans Club Inc.

Site Address (if applicable) _____

Property Description: SE ¼ of the NW ¼, or Gov. Lot # 06 Section 26 T 19 N, R _____ W,

Lot _____, Block _____, Subdivision _____ Town of Oak Grove

Parcel # _____ - _____ - _____ Alternate Parcel # 020010120900

Zoning District General Rural Flex - 8 Acreage 40

A town recommendation is required as part of the application for a rezone (map amendment) or a conditional use permit. This recommendation is necessary whether a town has adopted a comprehensive plan or has not. Pierce County will seek to further each Town's planning goals when considering the establishment of conditionally permitted uses and when considering approval of a request for a rezone/map amendment.

Pierce County will consider adherence to applicable goals, objectives, and policies, of an adopted or amended town comprehensive plan to be consistent with the "public interest" for decisions relating to that Town. In cases where an adopted plan gives guidance regarding the establishment of a proposed conditional use, the specific portion of the plan relating to the request should be referenced. If a town plan is silent regarding the establishment of a proposed use, or a town has not adopted a comprehensive plan, the recommendation will be advisory in nature.

Pierce County will approve re-zonings (map amendments) within a given town only when the proposed amendment is consistent with that town's comprehensive plan. The specific portion of the plan which supports the rezone request should be referenced. It should be noted that if a town's comprehensive plan is silent on a proposed rezone, approval cannot be granted unless consistency is achieved through plan amendment. In cases where a town has not adopted a comprehensive plan, a rezoning request will be considered based upon its consistency with the Pierce County Comprehensive Plan. In such cases, a town's recommendation regarding the proposed rezone will be used to assist the Land Management Committee in evaluating applicable goal statements.

Questions regarding the need for a Town Recommendation and its generation or use should be directed to Land Management Department Staff at (715) 273-6746.

Town Recommendation: Approval Denial

Justification/Plan Reference: Partial Partial

See Attached

Concerns/Suggested Conditions: _____

Please attach additional information as necessary.

Town Chair Signature: Joseph Kasin

Meeting Date: March 6, 2018

**Town of Oak Grove Recommendation
Prescott Sportsmans Club Inc.
Conditional Use Permit Application dated 10/13/17
and Revised as of 11/11/2017**

The Town of Oak Grove has reviewed the Conditional Use Application dated October 13, 2017 and revised as of November 11, 2017. The Town of Oak Grove Plan Commission having recommended to the Town Board that the Conditional Use Application be denied and the Town Board having considered the revised application, public input and having recommended denial of the application as it relates to shooting and sport shooting ranges. The Town had no issues with parts of the application, but had issues with other parts of the application.

1. Supported Activities - The Town of Oak Grove recommends approval of the following activities proposed by the Prescott Sportsmans Club:

- a. Regular picnics
- b. Regular meetings, camp fires
- c. Hiking, gardens, apple harvesting
- d. Small farming of food plots or other grains throughout the property
- e. Raising of various live stock or poultry
- f. Cutting trees for firewood
- g. Winter activities such as snowshoeing or cross-country skiing
- h. Educational and practice clinics (such as fishing, trapping, forestry, building) which total no more than 3 calendar days per year and occur between the hours of 8:00 a.m. and 3:00 p.m. as proposed, provided the clinics do not involve activity that would constitute a "sport shooting range" as defined by Wis. Statute 895.27 or create a nuisance that would unreasonably impact neighboring properties.
- i. Two fund raising events annually, which shall be no more than two calendar days

2. Supported Structures – The Town of Oak Grove supports the following proposed structures, subject to proper permitting:

- a. Clubhouse
- b. Pavilions or Outbuildings – Up to 5
- c. Storage Container

3. Hours of Operation – Most activities are proposed to take place between 7:00 a.m. and 10:00 p.m., with an exception for "Club only" events to go no later than 12:00 a.m. on weekends only and only up to six times per year. The town recommends that "Club only" events go no later than 10:00 p.m. Some activities have more restrictive hours as described in the revised application.

The Town does not object to the proposed hours so long as the noise/sound generated by proposed activities remain at a level that does not unreasonably impact the neighboring property owners' enjoyment of their property, especially in the evening and on weekends. The Club is reminded that the Club's activities remain subject to the Town's Special Event Ordinance, which requires necessary precautions to ensure that the sound of the Special Event does not carry beyond the enclosed boundaries of the event location.

4. Town Concerns - The Town supports the ability of the Sportsman's Club to utilize their property for club activities consistent with their mission statement, but continues to be of the position that a firearm shooting range at this location is not appropriate given the proximity of neighbors, the proximity of animals and livestock which can be sensitive to loud noise or shooting, and the potential for decreased safety and issues with lead migration. This position is supported by the Town's comprehensive plan. (Chapter 9, Goals, Objectives, and Recommended Policies, Programs and Actions for Conditional Uses – All Conditional Uses – Goals 1 and 2 – Goal 1 is to recommend approval of conditional uses only when it will not conflict with or negatively impact the use and enjoyment of nearby or surrounding properties and land uses and Goal 2 provides that it is a goal to “ensure that the proposed conditional use will be compatible with surrounding land uses that exist when the proposed use commences.”) Given that use of and/or approval of this site to target practice could potentially vest the Club with the “right” to an expanded sport shooting range, the Town does not support any activities that may ultimately result in the establishment of a firearms shooting range of any kind. The Town strongly objects to any activity that would be considered a “sport shooting range” as defined by Wisconsin Statutes Section 895.527, and recommends denial of the conditional use application as it relates to firearms and “sport shooting ranges.” The Town is concerned with protecting farmland, limiting noise and traffic and a reduction in the quality of life on surrounding properties.

As such, the Town has concerns regarding the potential impacts and consequence of permitting the following proposed activities:

- a. Air gun range and course for future adult and youth leagues
- b. Bow range and course for target practice and competitive events or leagues
- c. Hunting and trapping
- d. Learn to hunt programs such as annual spring turkey hunt (includes learning to pattern a shotgun)
- e. Youth or disabled hunts related to available Wisconsin DNR licenses

The Town does not support hunting activities on the property. The Town is concerned with noise that can result from hunting activities as well as potential safety issues that may result from multiple hunters using long-range rifles. If hunting is approved, a mechanism to limit numbers of hunters present at one time to a safe and reasonable level should be instituted.

The Town requests that a deed restriction be placed upon the property which would prohibit the property from ever being used for a public "sport shooting range."

The Town supports an archery range, but only if an archery range is not considered a "sport shooting range" as defined by Wisconsin Statutes Section 895.527.

An air gun range is only supported by the Town if it is conducted within a building and is not considered to be a public "sport shooting range" as defined by Wisconsin Statutes Section 895.527. In addition, no high-power air guns would be allowed to be used on the property and all air guns must be used indoors.

The Town is concerned with the use of any guns on the property. The only gun use that would be supported by the Town is the use of air guns within a building as described above. The Town is concerned that "air guns" is a broad category inclusive of weapons posing significant safety hazards, and that an outdoor air-gun range would create a nuisance for surrounding properties inconsistent with the Town's Comprehensive plan as cited under Item 4 above. The Town would consider a revised proposal for an air-gun range provided the activity were indoors, no high-power weapons were permitted, and that the air-gun range did not constitute a "sport shooting range" under Wisconsin statutes or vest the Club with related "rights."

The Town is concerned with protecting farmland and preserving the quality of rural life on surrounding properties, which would be diminished by the noise, traffic and the nuisance the opposed club activities would present.

The Town is concerned with property boundaries for the subject property and would want the applicant to have all property lines surveyed and marked (the Town is aware that the West property line was recently surveyed and marked).

The Town is aware that people using the property may bring dogs onto the property and the Club is reminded that Wisconsin Statutes Section 174.042 prohibits dogs from running at large and must be under the control of the owner or some other person.

The Town is concerned with the consumption of alcohol on the property, in particular with the use of any air gun, bow or hunting use. The town recommends that any alcohol consumption on the property be only under limited circumstances and in limited amounts.

STAFF REPORT LAND MANAGEMENT COMMITTEE

Land Management Committee Meeting, April 4, 2018

Agenda Item 5

Applicant: John Grabrick, Big Dog Daddy's Roadhouse LLC

Request: Resort

Background:

The applicant is requesting to operate a year-round resort on the property. The resort is proposed to include 42 campsites, 24 cabins, a support structure with bathrooms and showers, and infrastructure (new roads, septic, electrical and water services).

A Bar and Grill and a mobile home are currently present on the property. A previous owner operated a campground on the site, but that use has been discontinued. The applicant received a conditional use permit (CUP) for a campground on the 5 acre parcel on June 4, 2014. The LMC terminated the permit on October 1, 2014 for failure to comply with the established conditions.

Issues Pertaining to the Request:

- The property is located in the NE ¼ of Section 7, T24N, R17W in the Town of Isabelle. Parcel is five acres and has two zoning districts. The northwest portion (volleyball courts) is zoned Commercial and the remaining property is zoned General Rural.
- Resorts are Conditionally Permitted in the General Rural zoning district. The applicants submittal does not include any area zoned Commercial.
- Resort is defined as: "A facility for transient guests where the primary attraction is generally on-site recreational features or activities and may include multiple related uses managed as one operation."
- Surrounding land uses include the Red Wing Airport to the north, railroad right-of-way to the south, vacant DNR property to the east and residential to the west.

The applicant has stated that he is in the process of purchasing the neighboring property to the west and intends to make that his primary residence.

- The proposed design is for camping cabins lining the exterior west, south and east borders of the property. The 42 campsites will be in the interior area. Interior roads will have a minimum width of 26'.
- Each campsite will be 1500 square feet, have 2 parking spaces, with 1 space for a camping unit and open area. Each proposed campsite is set back at least 50' from property lines.
- The applicant is proposing two styles of cabin. One style of cabin will have full bathroom and kitchenette. The other style will be a sleeping cabin. The applicant anticipates each cabin to be approximately 25' x 15' however final dimensions have not been determined; the applicant will bring additional information to the meeting. All of the cabins will have heat. The cabins are to be set back 10 feet from the property lines. Cabins will need to meet the Uniform Commercial Code (UCC).
- Resorts do not have any predetermined requirements such as setbacks and density. However, Pierce County Code 240-39A regulates campgrounds. The following requirements are applicable to the request:
 1. Each campsite shall be plainly marked and surfaced with gravel, asphalt or other surface to free the site of mud.
 2. The maximum number of campsites shall be 15 per acre.
 3. Minimum lot size shall be 5 acres.

Applicant: Grabrick
Resort
April 4, 2018

4. Each campsite shall be a minimum of 1,000 square feet.
 5. There shall be two off-street parking spaces for each campsite.
 6. All sites shall meet the required setbacks from roads and from the ordinary high-water mark and shall be located at least 50 feet from all exterior lot lines.
 7. No more than one mobile recreational vehicle shall be allowed on any individual campsite.
 8. No porches, lean-to's or additions shall be constructed outdoor immediately adjacent to a camping unit. Canvas screen rooms or awnings shall be allowed.
 9. A wooden deck may be provided adjacent to a camping unit subject to the following:
 - a. The deck shall not exceed 256 square feet in area.
 - b. The deck may be enclosed by open railings but shall not have built-in benches or tables.
 - c. The deck shall not have a permanent foundation in the ground.
- The campsites, as proposed, satisfy all of the dimensional requirements of PCC 240-39A.
 - The applicant received a Land Use Permit to construct a shed in 2016. The structure was permitted to only be used for storage. The applicant intends to use this structure for the resort bathrooms and showers. The structure will need to have Commercial Plan approval from DSPS, prior to resort use. The plan is to also include retail space within the structure. A rezone of that area (including the Bar and Grill) to commercial will be pursued in the future.

The Land Use Permit for the shed had the following condition, "Not to be used for Camping/commercial use/activity. Need red stamped Commercial Plan approval before camping/commercial activity can be done. Must be at least 10 feet from the lot line."

- Pierce County Code 184 regulates campground under the Public Health Department. Permits are issued on an annual basis. Public Health campground regulations reference WI Administrative Code DHS 178 which address items such as:
 - Physical Layout
 - Water Supply
 - Sewage Disposal Systems
 - Toilets
 - Sanitary Stations
 - Garbage and Refuse
- There is an existing sanitary system and holding tank that was apparently used as a dumpstation for the campground by the previous owner. The applicant intends to update the systems to satisfy current state codes and use it for the resort.
- Phase 1 of the plan includes construction of 17 campsites. Further development of campsites and cabins will occur based on demand.

Staff is unclear if all campsites are proposed to have water, sewer and electrical services. The applicant will provide that information at the meeting.

- The applicant will also construct a pavilion near the volleyball courts (in the General Rural district) and replace an old sign and post with a new sign for the business. No dimensional information has been provided at this time.

Applicant: Grabrick
Resort
April 4, 2018

- A survey of the site will be completed to verify all lot lines and setbacks prior to any resort construction.
- The applicant presented this request to the Town of Isabelle on December 18, 2017. The Town provided a list of recommended conditions as well as a list of concerns. ***The LMC should review town recommend conditions to determine which are appropriate for inclusion in any final approval.***

Recommended conditions:

1. Each site shall not be occupied by more than six persons.
2. The number of vehicles at each campsite shall not exceed two (2) cars or six (6) motorcycles. For combinations of vehicles one car is equivalent to three motorcycles. Thus, one car and three motorcycles would be one limit. If four motorcycles exist, no cars would be permitted.
3. The campgrounds shall be closed to non-campers between 10pm and 6am. All visitors must leave the park by 10pm. No camping party may set up or take down a camping unit between 10pm and 6am.
4. Fires are allowed in fire rings and grill only. All fires shall not be left unattended and all fires shall be extinguished before being left unattended. The burning of garbage, plastic, glass, cans or other recyclable items shall not be permitted. To minimize the spread of diseases, firewood shall be purchased locally. Locally is defined as within a 25 mile radius of the site not including the State of Minnesota.
5. Electrical generators shall not be permitted at campsites.
6. Excessive noise is inconsiderate of fellow campers and of the general residences of the areas near the campground and bar area. Noise levels shall not exceed 80 decibels, DBs, at the property lines of Parcel #014-01019-0700 (applicant parcel) at any time. Additionally, the noise level shall not exceed 55 DBs 200 feet west of the West property line of Parcel #014-01019-0700 – which is the West property line of Parcel #014-01018-0910 (neighboring residential parcel). In addition, noise levels shall not exceed 70 DBs (with the exception of air conditioners) at the property lines of Parcel #014-01019-0700 for a time duration of eight (8) hours commencing at 10 pm each day of the week except Friday and Saturday. The start time of the 70 DB limitation on Friday and Saturday shall be no later than 11pm.
7. Fireworks shall not be permitted at any time on Parcel #014-01019-0700.
8. The campground shall comply with all applicable codes and regulations of Pierce County and the State of Wisconsin such as but not limited to Pierce County Code 240, Pierce County Code Chapter 184, pierce County Public health Department, and Wisconsin Administrative Code Chapter DHS 17.
9. Storage at any campsite shall be limited to 80 square feet. Open storage shall not be permitted.
10. The warm weather camping season shall run from May 1st through October 31st. Approved electric, sewer, and water hookups shall be provided during the warm weather camping season for each campsite as shown in Exhibit B. Cold weather camping shall be permitted if and only if permanent restrooms as defined by applicable Wisconsin Codes are operational. Year round residences shall not be permitted at the designated campsites and cabin sites.
11. The maximum number of campsites including cabin sites as shown in Exhibit A shall be limited to 66.
12. The campground shall comply with all requirements listed in the Conditional Use Permit. The Conditional Use Permit is subject to an annual review by the Town of Isabelle, the Perce County Public health Department, and the Pierce County Land Management Department. Non-compliance with applicable requirements of the CUP may result in the immediate termination of the CUP.
13. The Town of Isabelle shall be provided with documentation verifying compliance the applicable Pierce County and State Codes including but not limited to sanitary codes, plumbing codes, electrical codes, and building codes.

Applicant: Grabrick
Resort
April 4, 2018

Town Concerns:

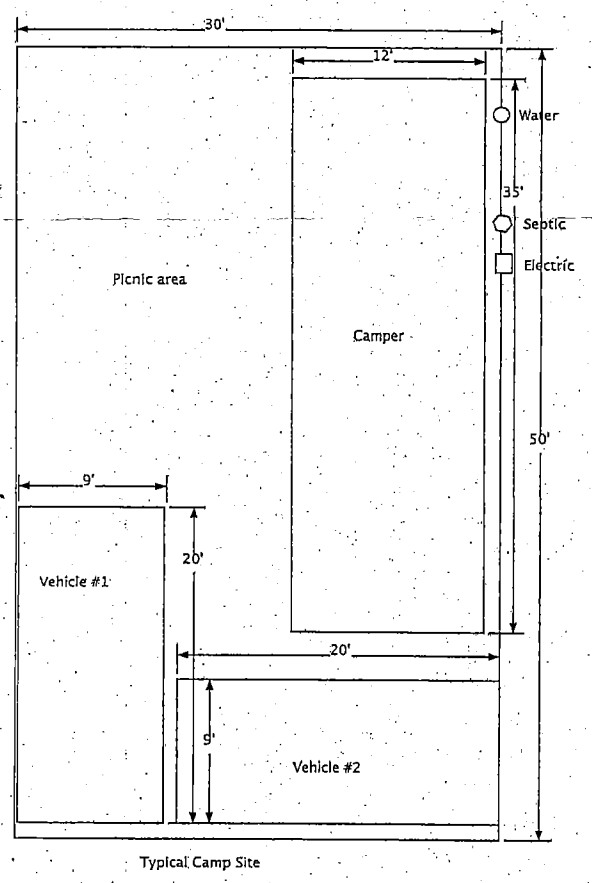
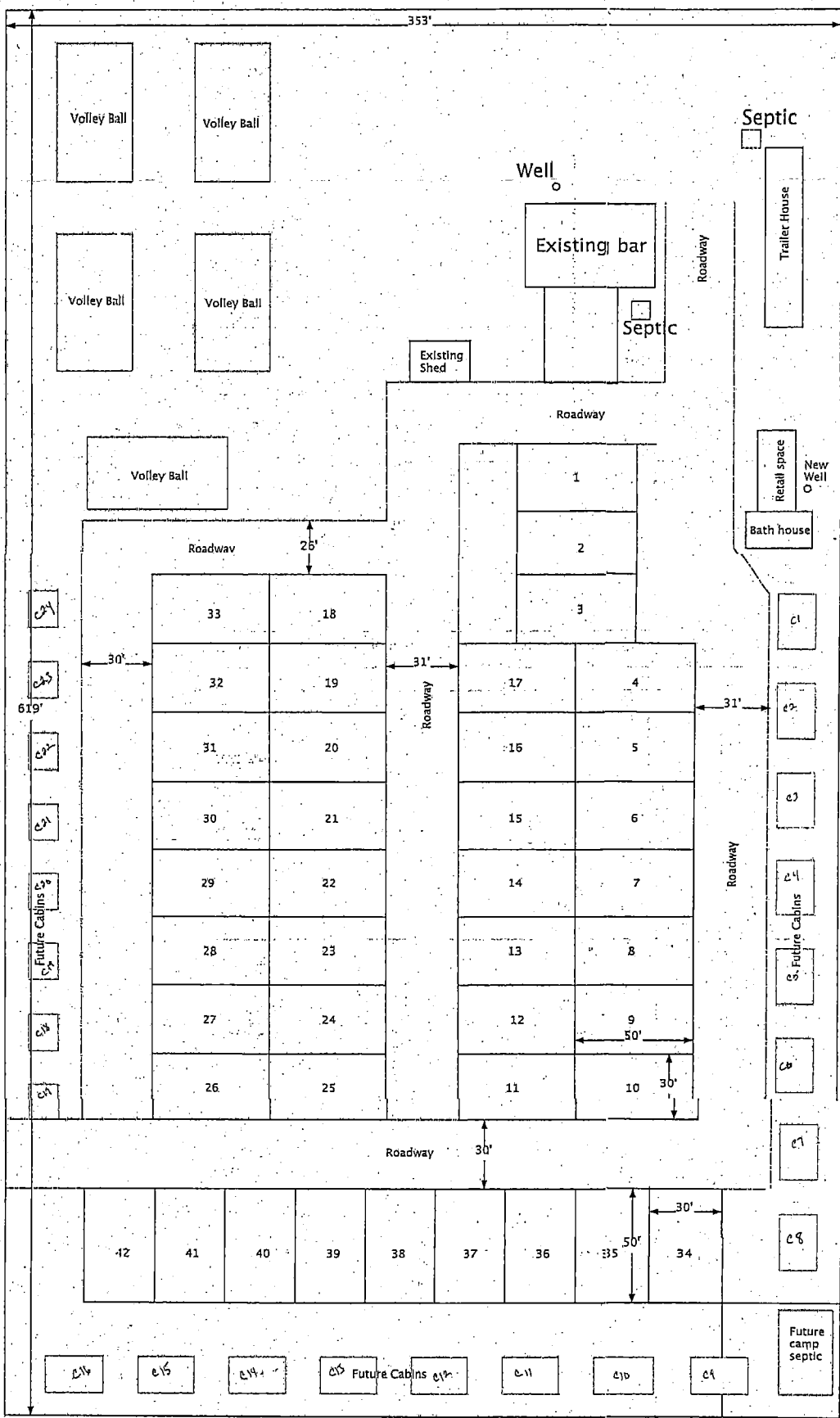
1. One of the primary concerns is potential noise levels from Parcel #014-01019-0700.
2. The width and orientation of the roadways and campsites as shown appear to make parking and maneuvering campers difficult for normal drivers.
3. Six people at each of 66 campsites for a potential total of 396 people plus the bar patrons seems like far too many people for the area.
4. No screening per Section 240-31 is shown on the site layout.
5. Appears to be no intention of complying with DHS 178.04 – obtaining State approval before construction begins.

Staff Recommendation:

Staff recommends that the Land Management Committee determine whether the proposed use in the proposed location is contrary to the public interest and whether it would be detrimental or injurious to public health, public safety, or the character of the surrounding area. If found to be not contrary to the above, staff recommends the Land Management Committee approve this conditional use permit for a Resort with the following conditions:

1. The resort shall be conducted as described in the application, unless modified by a condition of this permit.
2. A survey of all property lines, existing structures, and setbacks for cabins and campsites shall be completed. Land Management Department staff shall verify side yard setbacks and minimum campsite dimension requirements prior to campground operation.
3. State Plan approval for the required improvements to the sanitary dump station, holding tank, and sewer services, as well as associated service contracts and contact information, shall be submitted to the Land Management Department prior to construction.
4. If the applicant does not own the neighboring property to the west, a Screening plan shall be submitted to the LMC for approval. Any required screening shall be established prior to resort operation.
5. Internal roads, camping pads, and water and sanitary improvements shall be constructed or implemented prior to operation of the resort. Staff shall be contacted to verify prior to operation.
6. All advertising signage shall comply with the Pierce County Zoning Code.
7. Applicant shall comply with all relevant local and state ordinances and building codes and secure all necessary permits, licenses, and approvals (e.g. Department of Safety & Professional Services (DSPS), Department of Health-DHS standards etc.).
8. The applicant shall comply with conditions _____ as recommended by the Town of Isabelle dated December 18, 2017 unless modified by another condition of this CUP.
9. Applicant understands that expansion or intensification of this use will require issuance of a new conditional use permit. If the applicant has questions as to what constitutes an expansion or intensification, Land Management staff should be contacted.
10. This permit shall in one year. A status report shall be presented to the LMC in 6 months to verify compliance.

Submitted By: Brad Roy, Zoning Administrator



SCALE 1"=30'

Land Management Committee

BIG DOG DADDY'S ROADHOUSE LLC
(April 4th, 2018)

CUP - RESORT

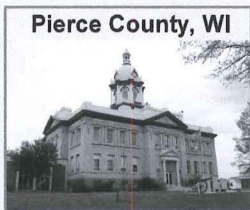
Legend

-  Dwellings
-  Big Dog Daddy's CUP
-  Parcels
-  Contours (10ft)
-  Floodplain
-  Red Wing Airport

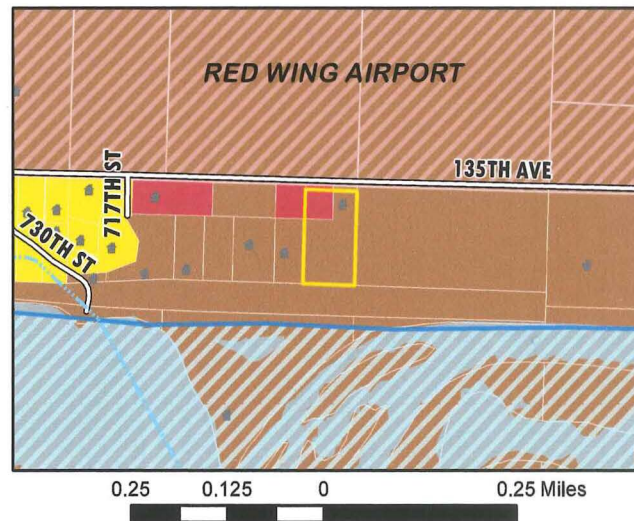
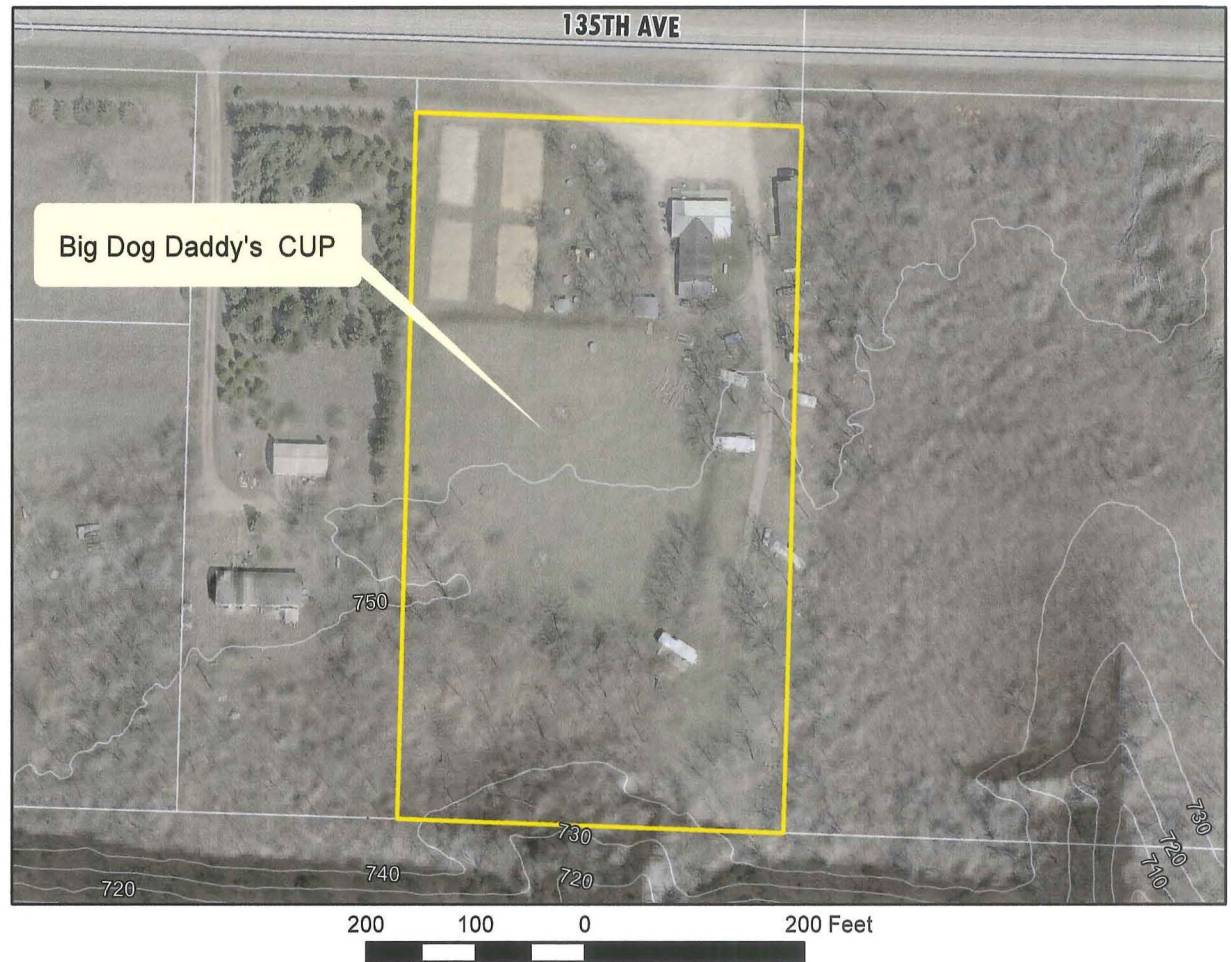
Zoning

-  Commercial
-  General Rural
-  Rural Residential - 20

Orthophotography - 2015 Pierce County



Prepared by the Department of Land Management



Site Location

W7037 135TH AVE
TOWN OF ISABELLE



STAFF REPORT LAND MANAGEMENT COMMITTEE

Land Management Committee Meeting,

April 4, 2017

Agenda Item 6

Applicant: Kevin G. Peterson

Request: Conditional Use Permit (CUP) Renewal and Potential Modification

Background:

In 2011, the applicant received a Conditional Use Permit for a Farm and Home Based Business. The business is named Construction Design Management (CDM). The applicant makes erosion control logs that are used for construction site stabilization by using special bagging equipment to fill erosion socks with wood, corn stalks, and giant miscanthus grass.

Due to several complaints being received since the last renewal, staff is referring renewal of the CUP to the Land Management Committee for review and potential modification. Condition # 5 states "renewal shall be referred to the Land management Committee if complaints or compliance issues arise."

Issues Pertaining to the Request:

- This legal description for this property is Lot 5 CSM vol. 5 pg. 53 (AKA Mesa Ridge land division) that begin in the E ½ of the SE ¼ and the NE ¼ of the SE ¼ in Section 20, T27N, R19W, Town of Clifton. The property is 6.782 acres in size.
- The property is zoned General Rural Flexible 8. Surrounding properties are all zoned General Rural Flexible 8.
- Adjacent land uses are residential and agricultural.
- Section 240-36(E) allows farm and home based businesses as accessory to single family residential uses subject to the following:
 1. The farm and home based business shall be conducted by the owner of the dwelling unit. No more than eight persons not residing on the site may be employed in the business.
 2. If located in the dwelling unit, the farm and home business shall occupy no more than 50% of the dwelling unit. If located in an accessory building, the farm and home business shall not occupy an area greater than 5,000 square feet.
 3. Minimum lot size shall be 5 acres.
 4. Such other conditions as specified by the Land Management Committee pursuant to Sec. 240-76 shall apply.
- The applicant stated that up to 3 employees work at the business during times when the erosion socks are being made.
- Business operations are run out of a Quonset storage shed that is 40 ft by 120 ft with an addition that is 16 ft by 90 ft (6,240 sq. ft. total). The applicant has stated that approximately 3,184 sq. ft. of the Quonset storage shed is used for personal storage, personal vehicles, and a general use shop. The remaining 3,056 sq. ft. are used for business activities (storing equipment and erosion control products).

Applicant: Kevin G. Peterson
CUP Renewal & Potential Modification
April 04, 2018

- Equipment utilized for this business includes: trucks, trailers, skid steers, and erosion control equipment. The original application states that all of the equipment is to be stored in the shed except that trailers are parked outside.
- Pierce County Code Ch. 240-54 (A) Parking Requirements - requires 2 off-street parking spaces for contractor establishments. There is one service door and the site has more than 2 parking spots currently available.
- Established hours of operation are 8 a.m. to 5 p.m. Monday thru Friday, Closed on Saturday and Sunday.
- The applicant currently has two wall signs present on the property (photo attached). Pierce County Code § 240.60 (K) establishes that a wall sign may not exceed 15% of the area of the side of the building to which it is attached and it cannot extend more than six inches from the building wall nor beyond the end of the wall. After review, both signs were determined to be compliant.
- In May of 2017 staff received a complaint about a hoop structure placed on the property. Staff contacted the applicant and subsequently issued a LUP for a 32 ft. by 40 ft. hoop structure (1280 sq. ft.) that is currently used to store mulch for the erosion socks. This brought the total sq. footage of area utilized by the business to 4,336 sq. ft.
- Staff has received several complaints since the last renewal. The latest complaint was November 20, 2017. Staff visited the site on November 21, 2017 to determine if any compliance issues existed. The following is a list of complaints brought up by the anonymous caller and staff's response to each complaint.
 1. A complaint that equipment used to operate the business was being stored outside and erosion socks were being stored outside under tarps. Staff observed one delivery truck and two trailers parked outside. Several pallets of erosion socks were being stored outside under tarps behind the Quonset hut and essentially out of public view. Staff is of the position that the equipment being stored was consistent with what was presented in the application and that the temporary storage of product behind the Quonset hut was not a compliance issue. Limited outdoor storage has been typically allowed of other Farm and Home Based Businesses, but was not explicitly addressed in either the application or conditions of the permit. Staff has proposed language to allow limited outdoor storage for LMC consideration.
 2. A complaint that pallets were laying around the site and mulch was spilling out of the hoop structure. Staff observed a few stacks of pallets neatly stacked in the hoop structure and another few stacks of pallets stacked behind the Quonset hut, essentially out of public view. Staff also observed a small amount of much piled up right outside the front of the hoop structure. Staff's position was that the site was being well maintained and no compliance issues existed.
 3. A complaint that erosion socks were being stored by the driveway and delivery trucks were making pickups during the night. Staff spoke with the applicant regarding this issue and he stated that approximately twice last summer individuals arrived later than anticipated to pick

up products, but that in both cases pickup had occurred before 9:00 PM. Staff views these pickups as isolated occurrences that do not constitute a pattern warranting enforcement action.

- Staff contacted the Town of Clifton regarding this CUP renewal. No issues or concerns were reported other than the complaint listed in the staff report.
- The existing conditions are:
 1. Activities shall be conducted as presented in the application, including hours of operation.
 2. Any proposed advertising signs shall comply with the zoning code standards and any necessary permits secured.
 3. No more than 8 persons not residing on the site shall be employed in the business.
 4. The entire business area shall not exceed 5,000 square feet in an accessory structure.
 5. The CUP shall be renewed every 2 years. Renewal may be completed administratively if no complaints or compliance issues arise. Renewal shall be referred to the Land Management Committee if complaints or compliance issues arise.
 6. Applicant understands that expansion or intensification of this use will require modification to this conditional use permit.

Recommendation:

Staff recommends that the Land Management Committee consider whether existing conditions remain adequate to protect public health, public safety, and the character of the surrounding area. If no additions or changes to the established conditions are determined to be necessary, staff recommends the Land Management Committee renew this conditional use permit for a campground with the following conditions (suggested changes in **bold**):

1. Activities shall be conducted as presented in the application, including hours of operation **unless modified by another condition of this permit.**
2. Any proposed advertising signs shall comply with the zoning code standards and any necessary permits secured.
3. No more than 8 persons not residing on the site shall be employed in the business.
4. The entire business area shall not exceed 5,000 square feet in an accessory structure.
5. The CUP shall be renewed every 2 years. Renewal may be completed administratively if no complaints or compliance issues arise. Renewal shall be referred to the Land Management Committee if complaints or compliance issues arise.

Applicant: Kevin G. Peterson
CUP Renewal & Potential Modification
April 04, 2018

6. Applicant understands that expansion or intensification of this use will require modification to this conditional use permit.
7. **Limited outdoor storage is allowable if screened to the extent practical by existing buildings.**
8. **A Uniform Address Number (UAN) shall be assigned and a sign acquired and placed at the business driveway.**

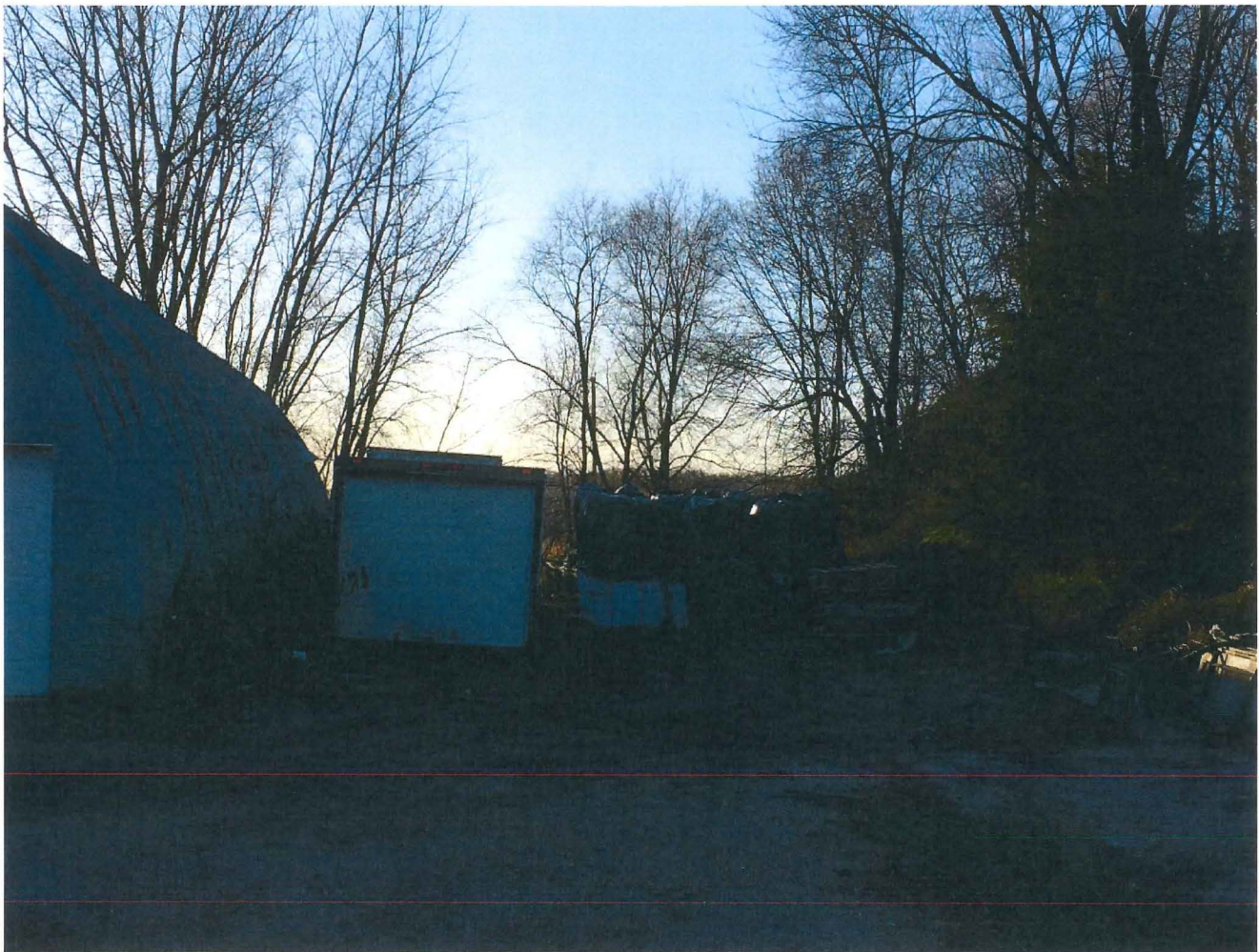
Submitted By: Adam Adank
Zoning Specialist



Working today for a better tomorrow



Working today for a better tomorrow



Working today for a better tomorrow

Land Management Committee

Kevin Peterson
(April 4th, 2018)

Renewal / Potential Modification
Farm & Home Based Business

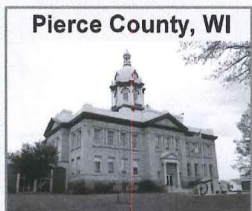
Legend

-  Dwellings
-  Peterson Renewal
-  Parcels
-  Contours (10ft)

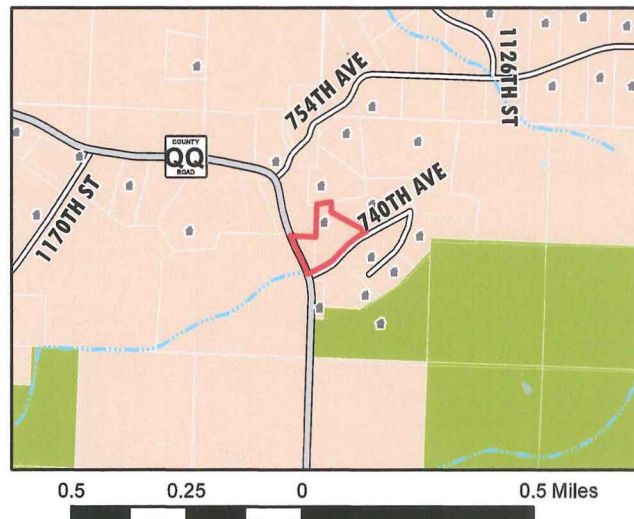
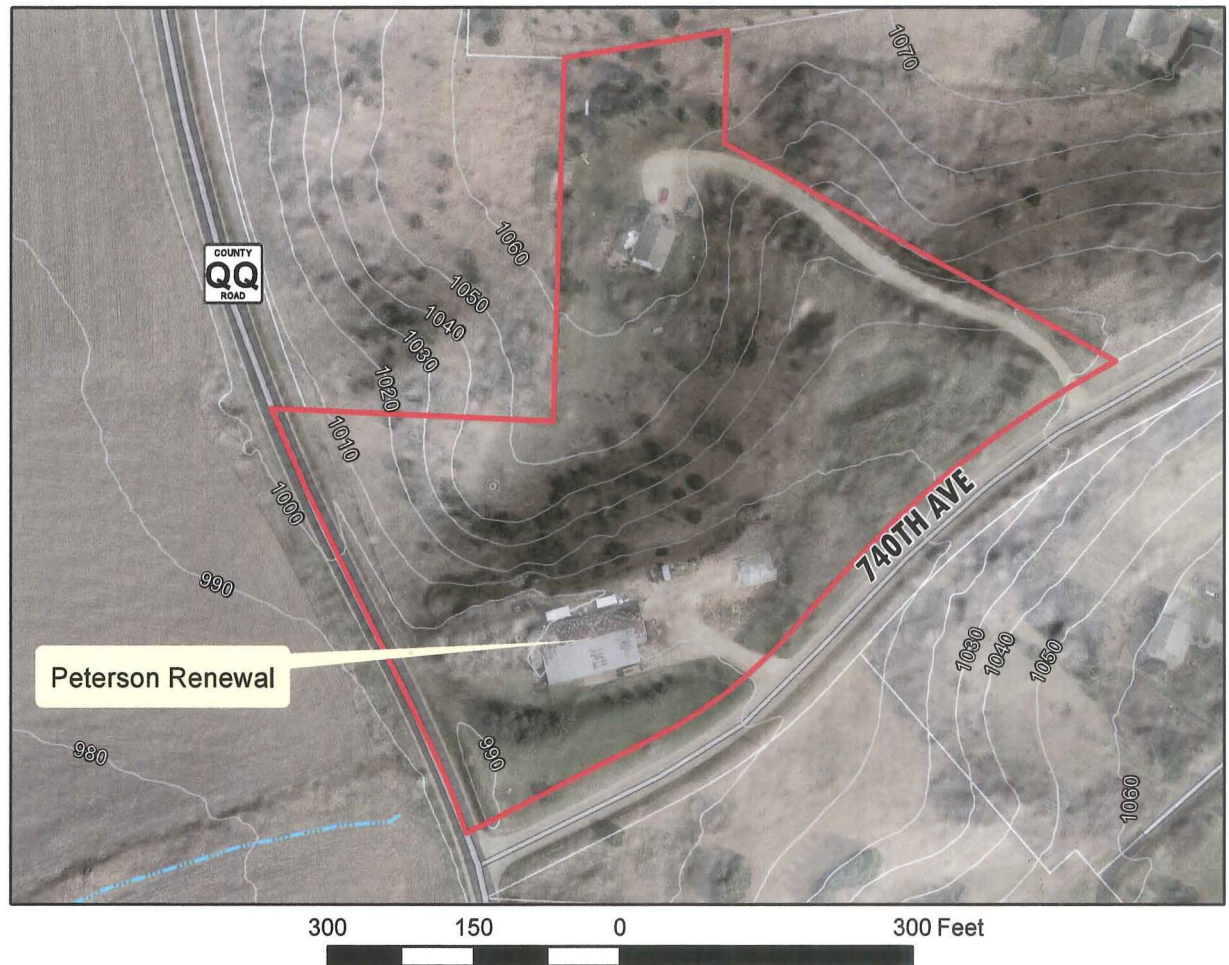
Zoning

-  General Rural Flexible - 8
-  Primary Agriculture

Orthophotography - 2015 Pierce County



Prepared by the Department of Land Management



Site Location

W11340 740TH AVE
TOWN OF CLIFTON

