#### NOTICE

A meeting of the City of Evansville Plan Commission will be held on the date and time stated below at City Hall, 31 South Madison Street, Evansville, Wisconsin 53536. Notice is further given that members of the City Council might be in attendance. Requests for persons with disabilities who need assistance to participate in this meeting should be made by calling City Hall: (608)-882-2266 with as much advanced notice as possible. Please silence cell phones and electronic devices during the meeting.

City of Evansville **Plan Commission**Regular Meeting
Tuesday, September 3, 2019, 6:00 p.m.
City Hall (Third Floor), 31 South Madison Street

#### **AGENDA**

- 1. Call to Order
- 2. Roll Call
- 3. Motion to Approve Agenda
- 4. Motion to waive the reading of the minutes from the July 1, 2019 Meeting and approve them as printed.
- 5. Civility Reminder
- 6. Citizen appearances other than agenda items listed
- 7. New Business
  - A. Concept Discussion Regarding Westfield Meadows 1st Addition
  - B. Motion to recommend Double D Builder's offer to purchase and project plans for redevelopment of 317 Cherry Street to Common Council.
  - C. Motion to approve a 11' setback for Parcel 6-27-350 per Section 130-675(3)(5)
  - D. Motion to Recommend Ordinance 2019-04 Amending to Chapter 46, Property Maintenance to Common Council
  - E. Discuss Changing Regular 2020 Meeting Dates
- 8. Education and News: Upper Midwest Planning Conference
- 9. Next Meeting Dates: Tuesday, October 1, 2019 at 6:00pm
- 10. Motion to Adjourn

# City of Evansville Plan Commission Regular Meeting July 1, 2019, 6:00 p.m. City Hall (Third Floor), 31 South Madison Street

#### **MINUTES**

- **1. Call to Order** at 6:00 pm.
- 2. Roll Call:

Members Present/Absen		t Others Present	
Mayor Bill Hurtley	P	Jessica Nellen, 129 N Madison	
Alderperson Rick Cole	A	Gregg Peckham, 26 N First	
Alderperson Erika Stuart	A	Tedd Kronberg, 5303 E Kentwood Dr., Milton	
Bill Hammann	A	Forrest Ellsworth, 630 Windsor	
John Gishnock	P	Reese Sudtegte, 7500 Intl Dr, Bloomington, MN	
Mike Scarmon	P	Nick Christen, 6631 Cty Rd M	
Susan Becker	A	Marissa Cimorelli, 33 n First	
		C. Beridenbak, 1316 Bar Ct, Janesville	
		Jim Dell and Other Landmark Representatives	

- 3. Motion to approve the agenda, by Hammann, seconded by Gishnock. Approved unanimously.
- 4. <u>Motion to waive the reading of the minutes from the July 1, 2019 Meeting and approve them as printed by Gishnock, seconded by Scarmon. Approved unanimously.</u>
- **5. Civility Reminder.** Hurtley noted the City's commitment to civil discourse.
- 6. Citizen appearances other than agenda items listed.

#### 7. New Business

- A. Public Hearing and Review of Land Division Application LD-2019-05 to create a two family twin lot for an existing twin dwelling on Parcel 6-27-533.512 (Tax ID 22204701512) located at 538 and 540 Stonewood Court
  - **i. Review Staff Report and Applicant Comments.** Sergeant summarized the staff report, noting that more requests would be coming through similar to this one.
  - ii. Public Hearing. Opened at 6:04pm, closed at 6:05pm with no comments
  - iii. Plan Commissioner Ouestions and Comments. None
  - iv. Motion with Conditions. Motion to recommend to Common Council approval of certified survey map to divide parcel 6-27-533.512 (Tax ID 22204701512) into a Two-family twin lot located at 538/540 Stonewood Court, finding that the application is in the public interest and meets the objectives contained within Section 110-102(g) of city ordinances, with the condition the final CSM and joint cross access easement agreement is recorded with Rock County Register of Deeds. by Hammann, seconded by Scarmon. Approved unanimously.

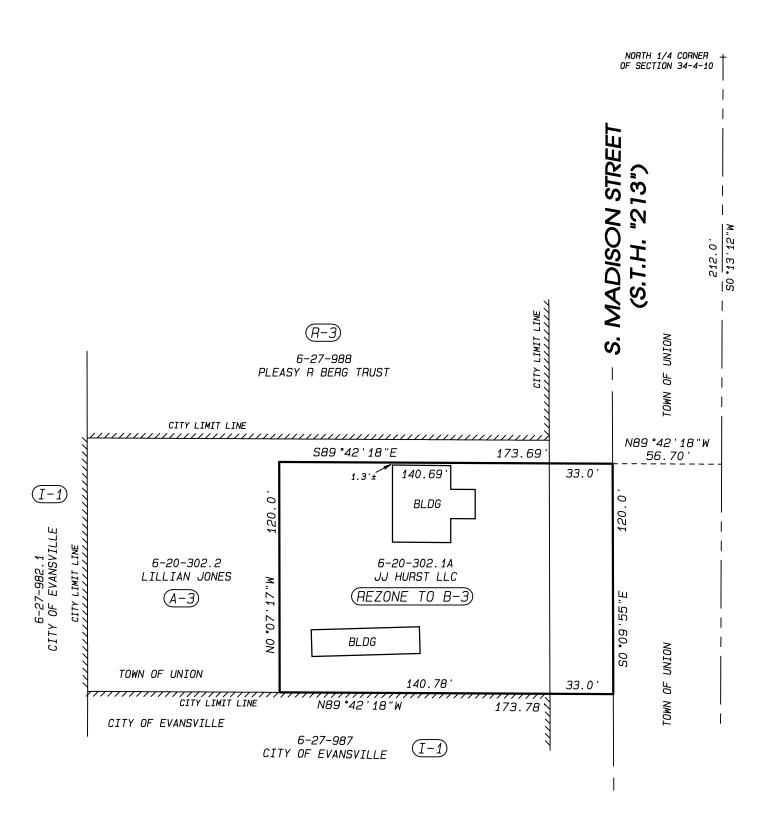
- B. Public Hearing and Review of Land Division Application LD-2019-06 to create a two family twin lot for an existing twin dwelling on Parcel 6-27-533.511 (Tax ID 22204701511) located at 530 and 532 Stonewood Court
  - i. Review Staff Report and Applicant Comments. Sergeant reviewed staff report
  - ii. Public Hearing. Opened at 6:04pm, closed at 6:05pm with no comments
  - iii. Plan Commissioner Questions and Comments. None
  - iv. Motion with Conditions. <u>Motion to recommend to Common Council approval of certified survey map to divide parcel 6-27-533.511 (Tax ID 22204701511) into a Two-family twin lot located at 530/532 Stonewood Court, finding that the application is in the public interest and meets the objectives contained within Section 110-102(g) of city ordinances, with the condition the final CSM and joint cross access easement agreement is recorded with Rock County Register of Deeds. by Hammann, seconded by Scarmon. Approved unanimously.</u>
- C. Public Hearing and Review of Conditional Use Permit Application CUP-2019-05 to construct a Two Family Twin Dwelling per section 130-983 on Parcel 6-27-316.165 (Tax ID 222009235) located at 42 Gunther Drive and 630 Windsor Lane
  - i. Review Staff Report and Applicant Comments. Sergeant reviewed staff report highlighting the corner duplex and how it will fit in better with neighborhood.
  - **ii. Public Hearing.** Gunther Land resident spoke regarding concern that a two family will not fit in with neighborhood.
  - **iii. Plan Commissioner Questions and Comments.** Commission discussed the property getting rezoned to R2 in the future and being split as a zero lot line duplex. Applicant agreed that would be preferred.
  - iv. Motion with Conditions. <u>The Plan Commission approves issuance of a Conditional Use Permit for construction of a two family dwelling on parcel 6-27-316.165, finding that the benefits of the use outweigh any potential adverse impacts, and that the proposed use is consistent with the required standards and criteria for issuance of a CUP set forth in Section 130-104(3)(a) through (e) of the Zoning Ordinance, subject to the condition the CUP is recorded with the Tock County Register of Deeds. Motion by Hammann, seconded by Scarmon. Approved unanimously.</u>
- D. Public Hearing and Review of Conditional Use Permit Application CUP-2019-06 to construct a new garage in the Historic Conservation Overlay District on Parcel 6-27-775 (Tax ID 222063020) located at 26 N First Street
  - i. Review Staff Report and Applicant Comments. Sergeant summarized the staff report.
  - ii. Public Hearing. Opened at 6:04pm, closed at 6:05pm with no comments
  - iii. Plan Commissioner Questions and Comments. Hammann asked if the requirements for landscaping could be cut in half. Sergeant saw no way to reduce landscaping requirements unless the ordinance was disregarded. Sergeant advised an approval would have to include full landscaping standards being met. However, the impervious surface calculations seemed too high and should be looked at closer by staff.
  - iv. Motion with Conditions. <u>The Plan Commission approves issuance of a Conditional</u>
    <u>Use Permit for construction of an addition to a historic structure on parcel 6-27-</u>
    <u>933.03, finding that the benefits of the use outweigh any potential adverse impacts, and that the proposed use is consistent with the required standards and criteria for issuance</u>

- of a CUP set forth in Section 130-104(3)(a) through (e) of the Zoning Ordinance, subject to the following condition:
- v. <u>Any variation from Historic Preservation Commission approved plans including exterior materials. Building openings or general building form will require a new CUP approval.</u> Motion by Hammann, seconded by Scarmon. Approved unanimously.
- E. Public Hearing and Review of Conditional Use Application CUP-2019-07 and Site Plan Application SP-2019-05 to expand a Group Development for Agricultural Services on Parcels 6-27-1200, 6-27-1200.1, 6-27-1160, and 6-27-1160.1 (Landmark Services Coop) located at 6401 N Weary Road
  - i. Review Staff Report and Applicant Comments. Sergeant summarized the staff report. Applicant asked if landscaping could be reduced.
  - ii. Public Hearing. Opened at 6:04pm, closed at 6:05pm with no comments
  - iii. Plan Commissioner Questions and Comments. Hammann asked if the requirements for landscaping could be cut in half. Sergeant saw no way to reduce landscaping requirements unless the ordinance was disregarded. Sergeant advised an approval would have to include full landscaping standards being met. However, the impervious surface calculations seemed too high and should be looked at closer by staff.
  - iv. Motion with Conditions. <u>The Plan Commission approves the Site Plan and issuance of a Conditional Use Permit for expansion of Agricultural Services Group Development to add a 60,000 SF Dry fertilizer facility with rail access, expand driveway and parking areas and construct up to 4 outdoor grain storage bins on parcels 6-27-1200, 6-27-1200.1, 6-27-1160, and 6-27-1160.1, finding that the benefits of the use outweigh any potential adverse impacts, and that the proposed use is consistent with the required standards and criteria for issuance of a CUP set forth in Section 130-104(3)(a) through (e) of the Zoning Ordinance, subject to the following conditions:</u>
    - 1) CUP is recorded with the Rock County Register of Deeds.
    - 2) <u>Applicable State of WI certifications, approvals and licensing for all facilities are maintained</u>
    - 3) A Variance to reduce setbacks is approved
    - 4) A Variance to permit construction of grain storage bins across parcel boundaries is approved or affected parcels are merged
    - 5) <u>Staff approves storm water, final site and landscape plans of two future outdoor grain storage bins.</u>
    - 6) <u>Municipal Services Director and City Engineer approves site plan, grading plans, utility connection plans, and storm water control plan</u>
    - 7) <u>Sidewalk constructed along CTY M within 5 years of city notice</u> Motion by Hammann, seconded by Gishnock. Approved unanimously.
- F. Public Hearing and Review of Rezone Application RZ-2019-01 to rezone to Light Industrial on Parcel 6-27-1150 (Tax ID 222080100) located at 551 S Cty Rd M
  - i. **Review Staff Report and Applicant Comments.** Sergeant summarized the staff report. Noting the change to I-1 Zoning and priority to certify the site as gold shovel.
  - ii. Public Hearing. Opened at 6:04pm, closed at 6:05pm with no comments
  - iii. **Plan Commissioner Questions and Comments.** Scarmon asked of I-1 would make the property less marketable, sergeant didn't believe it would.

iv. Motion with Conditions. <u>The Plan Commission recommends the City Council approve</u>
Ordinance 2019-03, Rezoning Territory from Agricultural (A) to Light Industrial (I-1)
Zoning, finding that the public benefits of the proposed rezoning outweigh any and all
potential adverse impacts of the proposed rezoning, as identified in Section 130174(3)a-c of City ordinance.

Motion by Hammann, seconded by Gishnock. Approved unanimously.

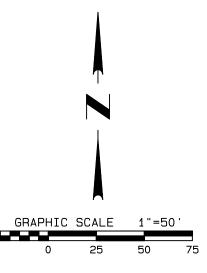
- 8. Cemetery Road. Hurtley summarized improvements to Cemetery Road
- 9. Education and News: Open Meetings Law Education Materials from City Attorney. Hurtley summarized information.
- 10. Next Meeting Dates: Tuesday, September 3, 2019 at 6:00pm
- 11. Motion to Adjourn by Hammann, seconded by Gishnock. Approved Unanimously



Description of Annexation Purposes Only

PART OF THE NE 1/4 OF THE NW 1/4 OF SECTION 34, T.4N., R.10E., OF THE 4TH P.M., TOWN OF UNION, ROCK COUNTY, WISCONSIN.

DESCRIBED AS FOLLOWS: Commencing at the North 1/4 Corner of said Section; thence SO °13'12"W along the North-South Centerline of said Section; 212.0 feet; thence N89°42'18"W 56.70 feet to the Centerline of S.T.H., "213", also being at the place of beginning for the land to be herein described; thence SO °09'55"E along said centerline, 120.0 feet; thence N89°42'18"W 173.78 feet; thence N0°07'17"W 120.0 feet; thence S89°42'18"E 173.69 feet to the place of beginning.



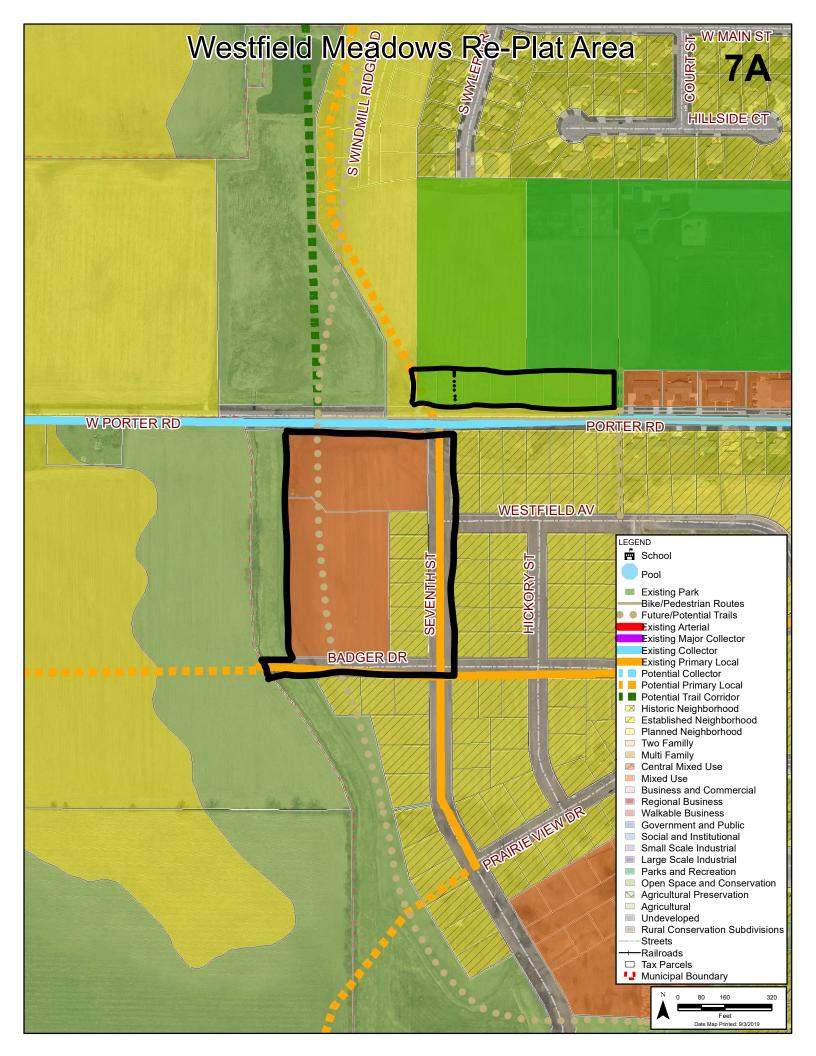
DATE: AUGUST 15, 2019

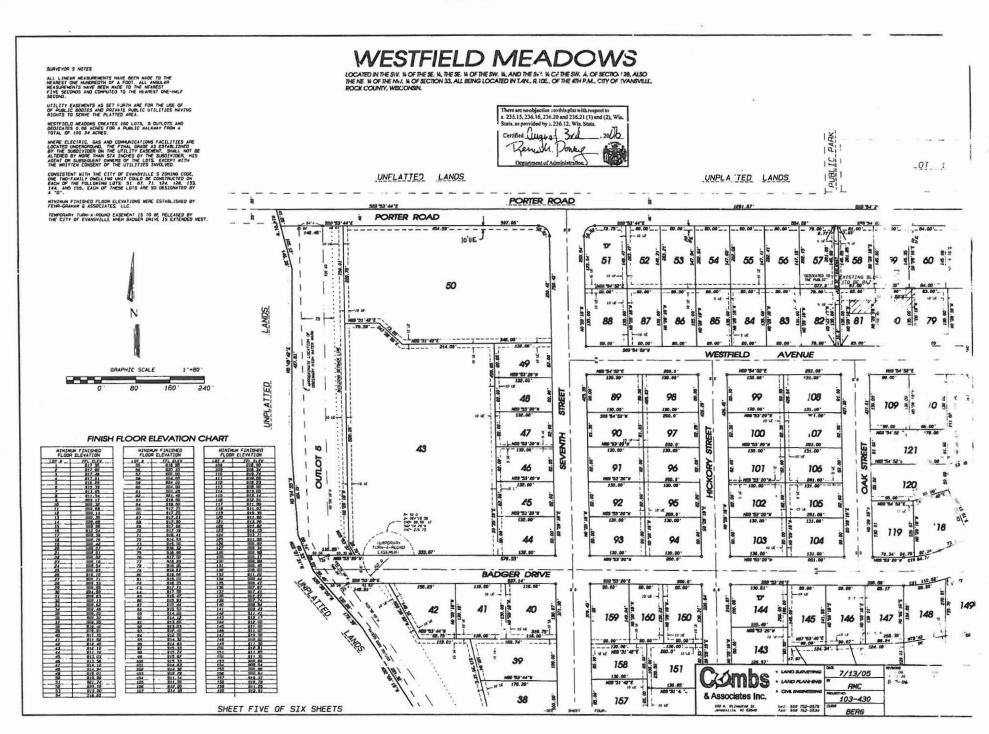


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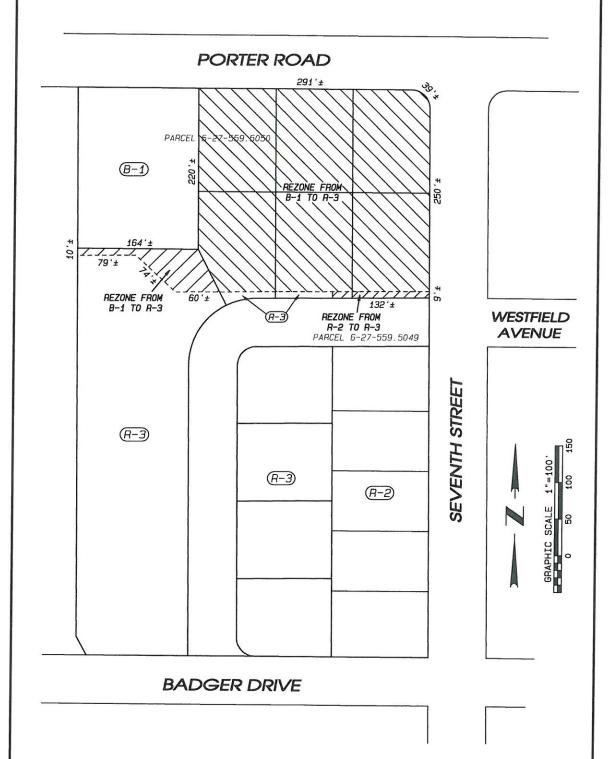


**Existing Plat** 



# REZONE MAP

PART OF LOTS 49 AND 50, WESTFIELD MEADOWS AND LOCATED IN THE SW /4 OF SECTION 28, T.4N. R.10E. OF THE 4TH P.M., CITY OF EVANSVILLE, ROCK COUNTY, WISCONSIN.



NOTES:

THIS MAP IS SUBJECT TO ANY AND ALL EASEMENTS AND AGREEMENTS, RECORDED AND UNRECORDED.

THE BASIS OF BEARINGS IS ASSUMED.

Project No. 118 - 608

DATE: AUGUST 20, 2019

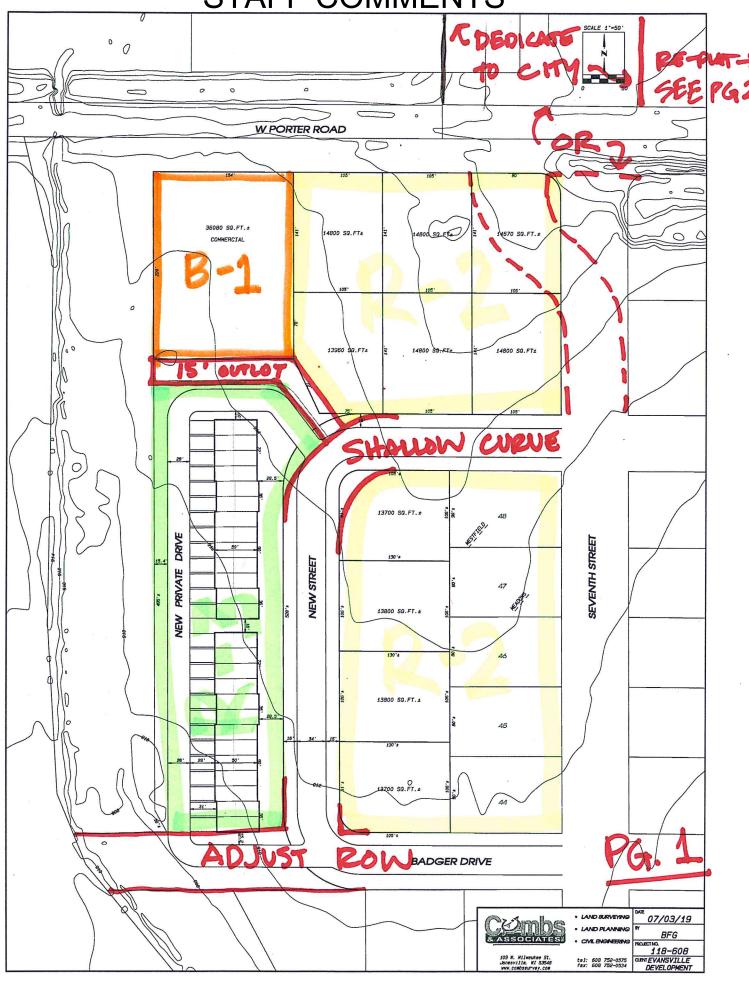


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# STAFF COMMENTS







# Double D Builders of Evansville LLC

EN 2009

-----10608 N East Union Rd. Evansville WI 53536------

To: City of Evansville Wisconsin

For: Proposal to purchase 317 Cherry Street Evansville, WI.

Double D Builders of Evansville proposes to purchase the lot located at 317 Cherry Street Evansville, WI. for \$26,025.00 (Twenty-Six Thousand Twenty-Five Dollars).

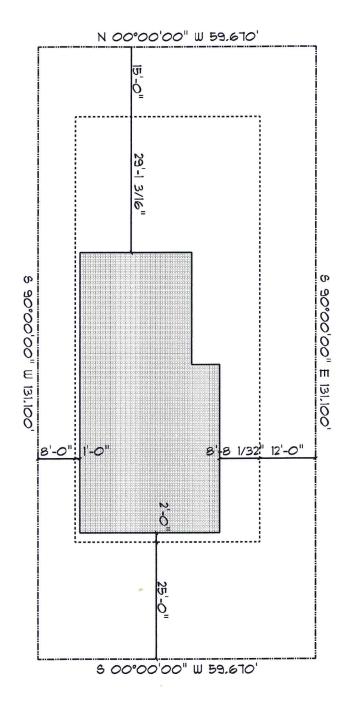
Included with this cover letter proposal:

- 1. One set of building plans 4 pages
- 2. One site plan

Thanks, *Aaron P Dobbs* 608-289-7202







CHERRY ST.

1'-0"

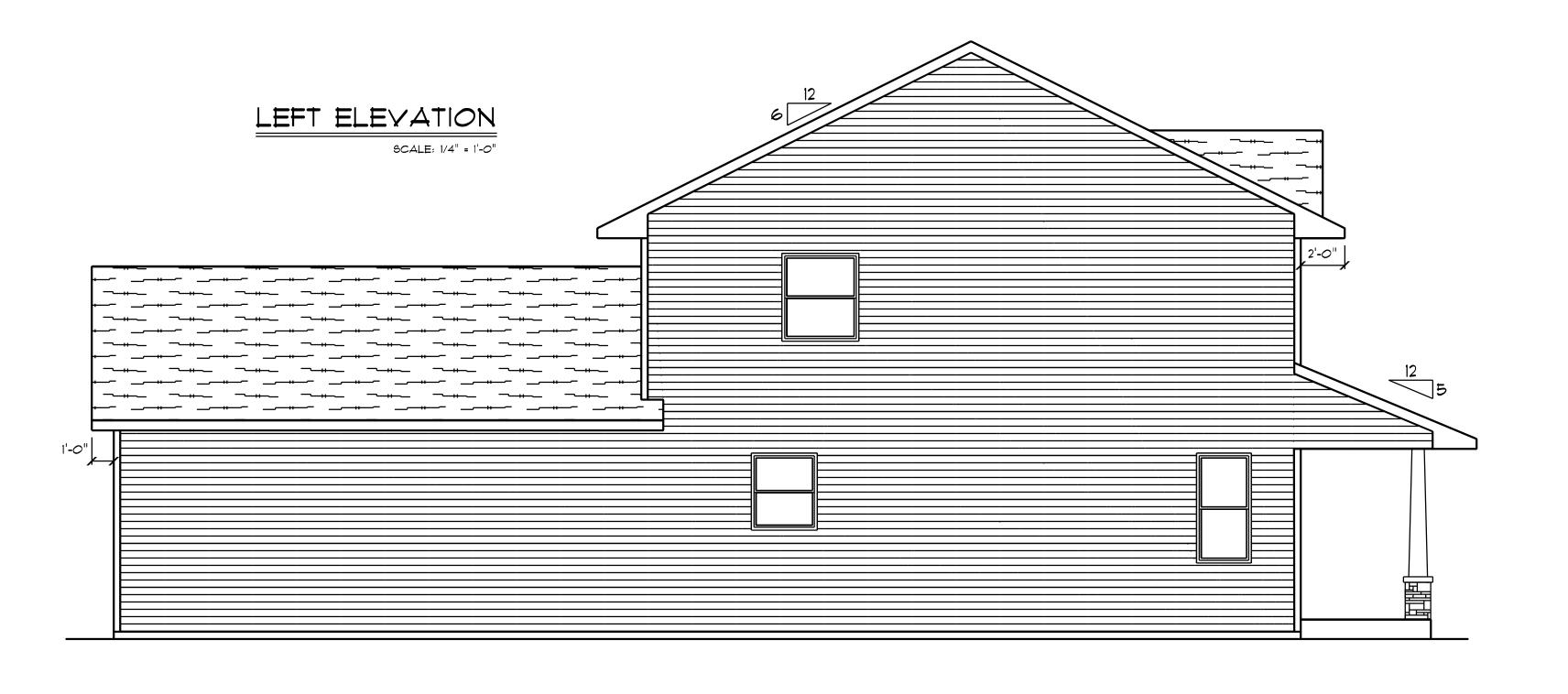
FRONT ELEVATION

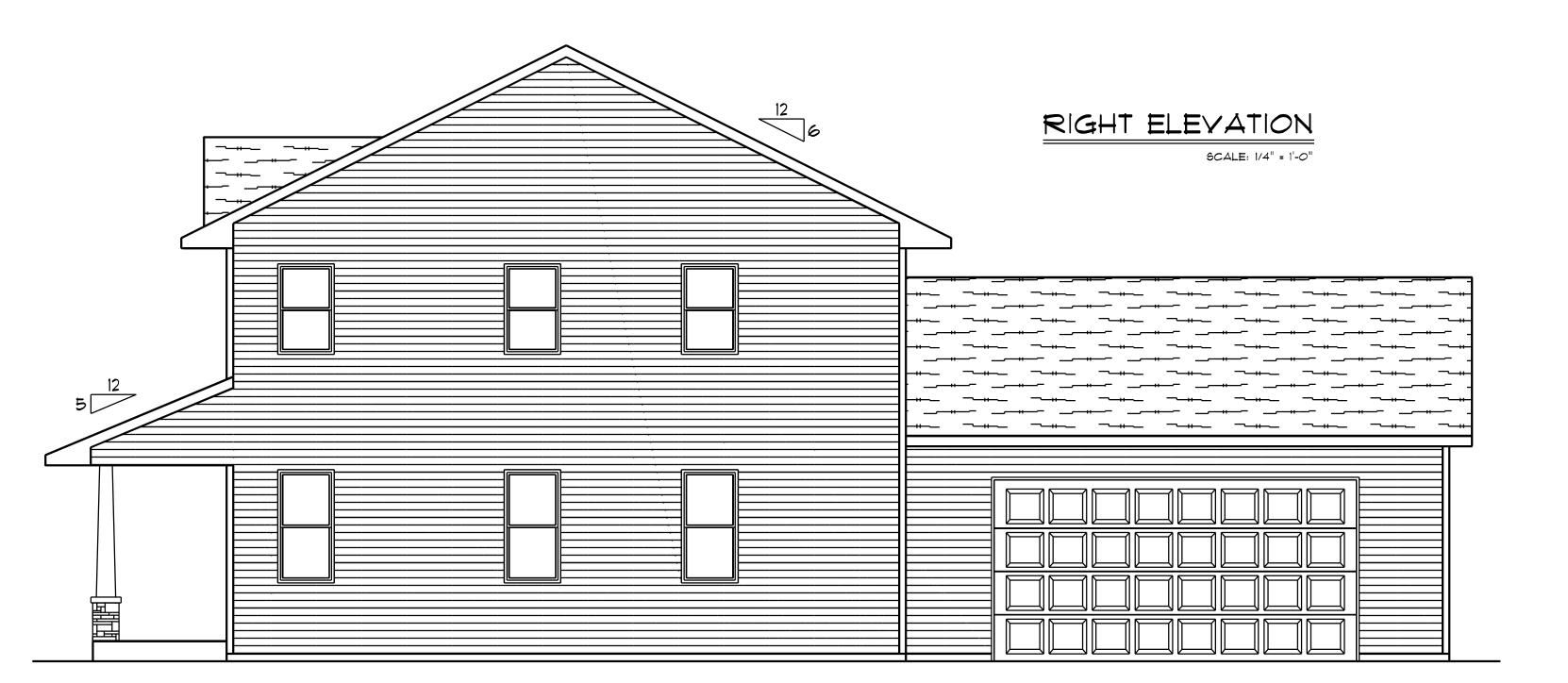
6CALE: 1/4" = 1'-0"

REAR ELEVATION

SCALE: 1/4" = 1'-0"

8/30/19 BID SET 8/15/19  $\exists$ EYANSVILLE, BUILDERS DOUBLE-D CHERRY 0 **A**加ER NELSON-YOUNG



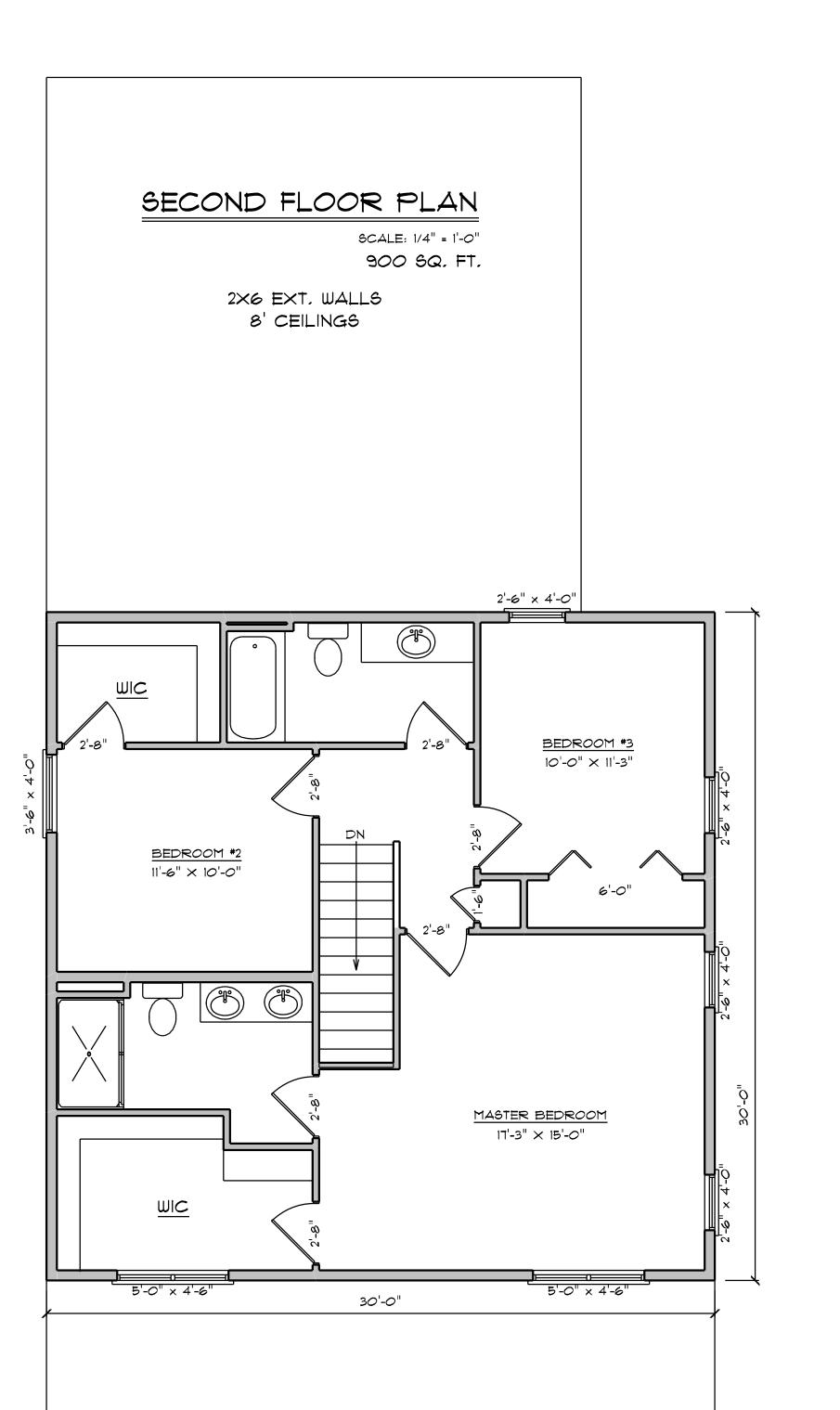


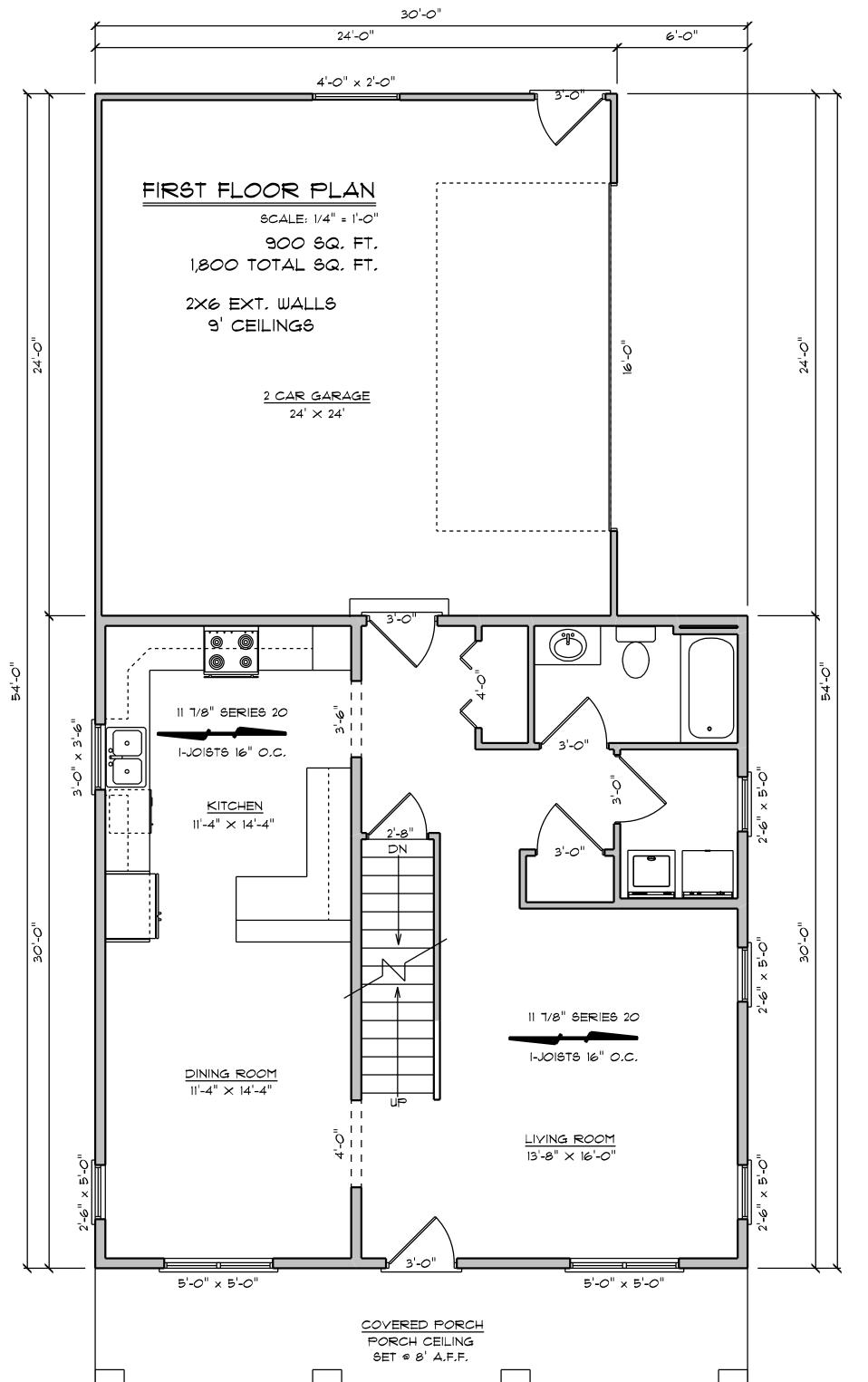
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II S. CATLIN ST. EDGERTON, WISC. 53534 VISIT US AT WWW.NYLUMBER.COM

3 EVANSVILLE, BUILDERS DOUBLE-D CHERRY  $\frac{\omega}{\Box}$ 





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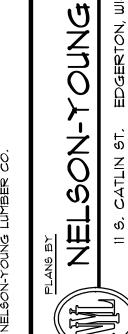
EVANSVILLE

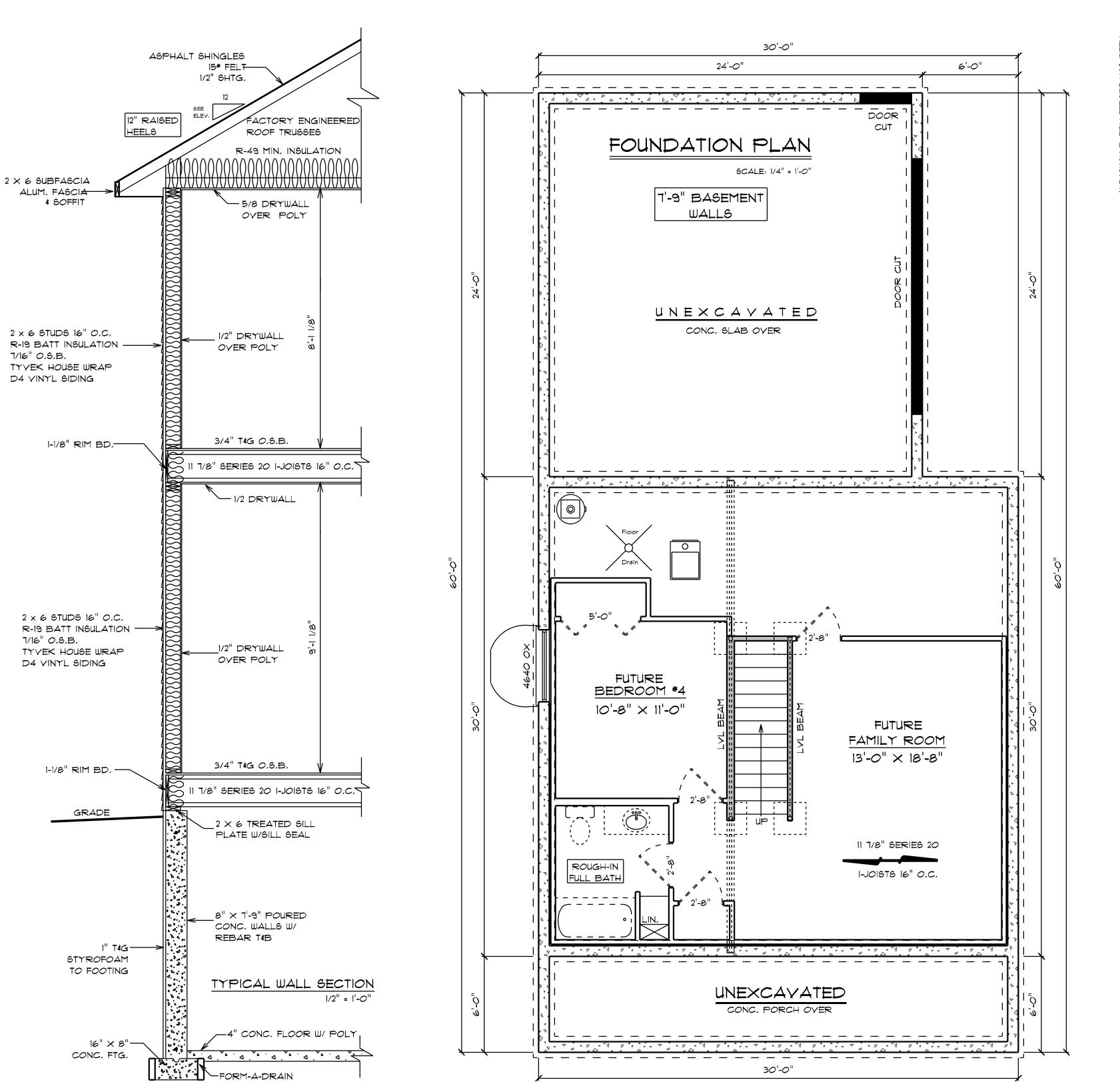
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BUILDERS

DOUBLE-D

加加





BUILDERS

BUILDERS

BID SET

BID SET

BID SET

BY SEVISIONS: 8/30/19

EVANSVILLE, WI

BRAWN BY: TOM CHROSTOWSKI

TREVOR WILSON

S

CHERRY

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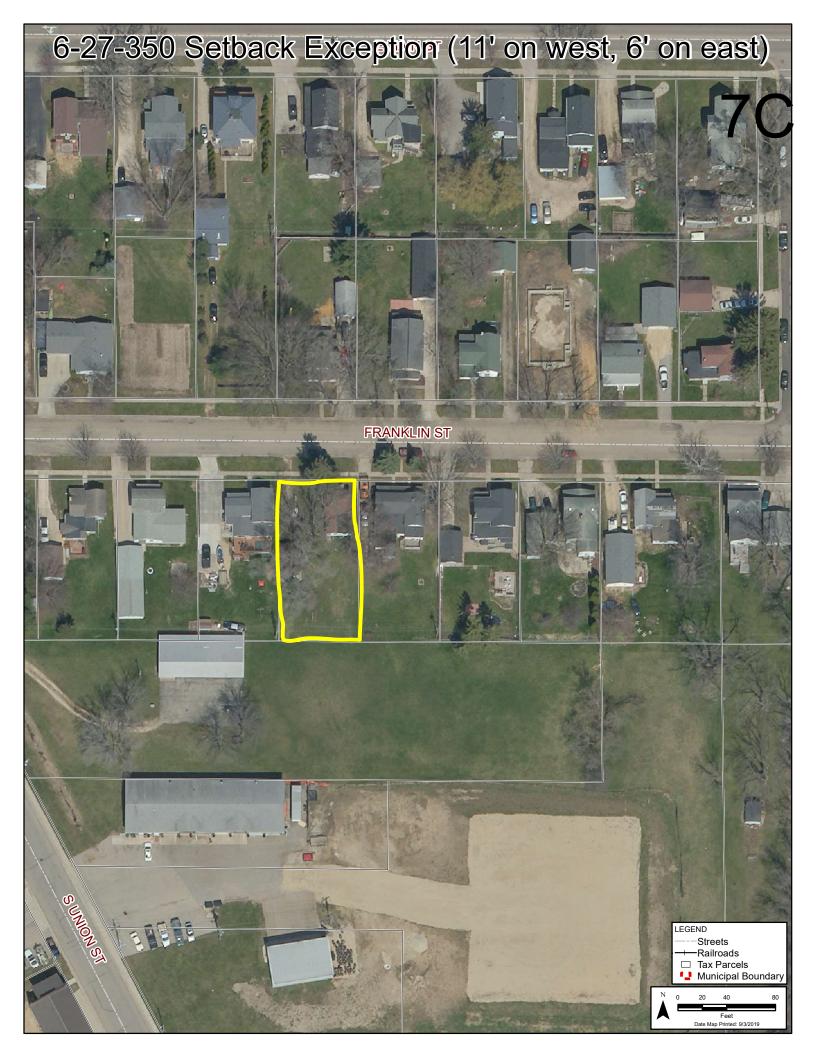
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NELSON-YOUNG

**MEN** 



# CITY OF EVANSVILLE ORDINANCE #2019-04

#### ENVIRONMENT AND PROPERTY MAINTENANCE AMENDMENT

The Common Council of the City of Evansville, Rock County, Wisconsin, do ordain as

follows:

\*

## Chapter 46

#### ENVIRONMENT AND PROPERTY MAINTENANCE<sup>1</sup>

#### **Article I. In General**

Secs. 46-01. Title.

Secs. 46-02. Intent and Purpose.

Secs. 46-03. Definitions.

Secs. 46-04--46-30. Reserved.

# Article II. Junked Vehicles or Other Junked or Discarded Property

Sec. 46-31. Storage generally.

Sec. 46-32. Storage in connection with automobile sales or repair business.

Sec. 46-33. Enforcement; removal.

Secs. 46-34--46-60. Reserved.

# **Article III. Open Burning**

Sec. 46-61. Prohibited burning.

Sec. 46-62. Restrictions on permitted burning.

Secs. 46-63--46-90. Reserved.

#### **Article IV. Nuisances**

Sec. 46-91. Penalty.

Sec. 46-92. Adoption of state law.

subdivisions, § 110-221 et seq.

<sup>&</sup>lt;sup>1</sup> Cross references: Animals, ch. 14; buildings and building regulations, ch. 18; moving buildings, § 18-221 et seq.; design and layout standards for erosion control, § 110-161; environmental consideration in

Sec. 46-93. Noxious weeds and rank vegetation.

Sec. 46-94. Public nuisances affecting peace and safety.

Secs. 46-95--46-100. Reserved.

# **Article V. Property Maintenance Standards**

Secs. 46-101. Safe and Sanitary Maintenance of Property.

Secs. 46-102. Fixing the Responsibility of Owners, Operators, and Occupants.

Secs. 46-103. Administration and Enforcement.

Secs. 46-104. Severability

Secs. 46-105 Abrogation and Greater Restrictions

Secs. 46-106. Interpretation.

#### ARTICLE I. IN GENERAL

#### Secs. 46-01. Title.

This chapter shall be known as the "Environment and Property Maintenance Code" of the City of Evansville.

### Secs. 46-02. Intent and Purpose.

- (1) This chapter is adopted for the purpose of preserving and promoting the public health, safety, comfort, convenience, prosperity, and general welfare of the people of the City and its environs. This includes, among others, physical, aesthetic, and monetary values.
- (2) It is recognized that there may now be, or may in the future be, residential and nonresidential buildings, structures, yards or vacant areas and combinations thereof which are so dilapidated, unsafe, dangerous, inadequately maintained so as to constitute a menace to the health, safety, and/or general welfare of the people. The establishment and enforcement of property maintenance standards is necessary to preserve and promote the private and public interests of the community.

#### Secs. 46-03. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

<u>Approved</u> means approved by the Administrative Officer under the regulations of this chapter or approved by an authority designated by law.

<u>City Inspector</u> means the Building Inspector or other designated inspector.

<u>Inspection</u> means an examination performed in conjunction with a lawful request of the Evansville Plan Commission, or City inspector for the purpose of certifying the fulfillment of an official requirement listed in the request.

(Ord. 2016-10)

Secs. 46-04-30. Reserved.

# ARTICLE II. JUNKED VEHICLES OR OTHER JUNKED OR DISCARDED PROPERTY<sup>2</sup>

#### Sec. 46-31. Storage generally.

- (1) Junked Vehicles. No person shall allow any disassembled, inoperative, unlicensed, junked or wrecked motor vehicle to be stored or to remain viewable from the public right of way on public or private property within the city for longer than thirty (30) days, unless in connection with an automotive sales or repair business enterprise located in a properly zoned area and in conformity with this article. To the extent that this article applies to abandoned vehicles the terms of Wis.Stats. § 342.40 shall be complied with. Removal of a vehicle or other junked or discarded property under this article shall be at the owner's expense.
- (2) Junked or Discarded Property, Trash, Litter, or Debris. No person shall allow to accumulate, or store, junk, litter, trash, or debris on any property in the City longer than thirty (30) days, including but not limited to the following:
  - 1. Any broken or otherwise inoperable or dilapidated furniture, dilapidated outdoor structures, or appliances or part thereof.
  - 2. Any electronic devices or part thereof including but not limited to televisions, stereo components, computers, printers, copiers and stereo components.
  - 3. Any accumulation of paper; cardboard; wood; trash; garbage; rubbish; used, reclaimed or rotting wood; glass; aluminum cans; plastic containers or other junk, waste, refuse, discarded material or similar items having little or no value.
  - 4. Any building material including used or reclaimed lumber, pallets or pallet lumber or other reclaimed or salvaged building materials, rocks, trees, stumps, or other debris from land development, materials for building construction, street grading, or installation of underground utilities, upon the surface of any land in the City of Evansville except on approved and active construction sites or at approved storage or disposal sites.

(Code 1986, § 7.09(1), Ord. 2016-10)

# Sec. 46-32. Storage in connection with automobile sales or repair business.

Any <u>vehicles</u>, disassembled <u>vehicles</u>—or, inoperative vehicles or other junked or discarded property stored or allowed to remain more than three days in connection with an automobile sales or repair business enterprise shall be kept in an area at least 50 feet distant and screened from the nearest city street <u>right of way</u>.

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<sup>&</sup>lt;sup>2</sup> Cross references: Traffic and vehicles, ch. 122.

### Sec. 46-33. Enforcement; removal.

- (1) Whenever any police officer finds any disassembled inoperative, unlicensed, junked or wrecked motor vehicle or other junked or discarded property, trash, litter or debris placed or stored in the open upon any public property within the city, he may issue a citation to the owner of such vehicle or other junked or discarded property and such owner shall be subject to a penalty as provided in section 1-11. In addition, after trying to notify the owner verbally or otherwise, he may cause such vehicle or other junked or discarded property to be removed to a junk or salvage yard and stored in such junk or salvage yard for 30 days, at the end of which time such junk or salvage yard shall dispose of such vehicle or other junked or discarded property unless previously claimed by the owner.
- (2)Whenever any police officer or other city officer or employee finds any such vehicle or other junked or discarded property, trash, litter or debris placed or stored in the open upon private property within the City, they shall notify the owner of the property upon which such vehicle or other junked or discarded property is placed or stored that the vehicle or other junked or discarded property constitutes a violation of this article. Such notice may be given to the owner personally or by mail to the owner at any place such owner may be found or to his last known address. The Owner may be notified that it is the intention of the city to remove such vehicle or other junked or discarded property, trash, litter or debris immediately. If such vehicle or other junked or discarded property, trash, litter or debris is not removed within three days, any police officer or other city officer may cause the vehicle or other junked or discarded property, trash, litter or debris to be removed, and the cost of such removal shall be charged to the property where the vehicle or other junked or discarded property is stored, which charges shall be entered as a special charge on the tax roll. The officer may also issue citations for each day of violation with the penalties as stated in section 1-11.
- (3) If such vehicle or other junked or discarded property trash, litter or debris is claimed by the owner, the junk or salvage yard shall charge to the owner a reasonable fee for handling or storage.

(Code 1986, § 7.09(3)--(5), Ord. 2016-10)

Secs. 46-34--46-60. Reserved.

#### ARTICLE III. OPEN BURNING<sup>3</sup>

# Sec. 46-61. Prohibited burning.

The following non-exclusive list of open burnings are prohibited on any land, public or private, in the city:

- (1) The burning of garbage, rubbish, yard refuse materials, recyclable materials, building materials, putrescible material, leather, rubber, plastic, petroleumbased materials or any material coated with plastic, rubber or petroleum-based substances.
- (2) The burning of anything in a street, gutter, or ditch or within 15 feet of any surface water.

(Code 1986, § 9.13(1), Ord. 2016-10)

### Sec. 46-62. Restrictions on permitted burning.

The following restrictions shall apply to all permitted open burning in the city:

- (1) All bonfires set to mark a public event, victory celebration, ceremony or similar event must be more than 25 feet from any building, utility pole, overhead wire or other combustible material and must be attended at all times.
- (2) All other types of open fires must be more than 25 feet from any building, utility pole, overhead wire or other combustible material and must be attended at all times.
- (3) Any burning within 25 feet of a building, utility pole, overhead wire or other combustible material, except for appliances intended solely for outdoor cooking, is prohibited.
- (4) The fire chief, fire inspector or city inspector may, in their discretion, require greater distances or otherwise further restrict instances of open burning that may pose a fire hazard to the people or property of the city.
- (5) The city fire chief, fire inspector or city inspector may, at their discretion, grant exemptions with or without conditions from these restrictions upon written advance request as long as people and property of the city are appropriately protected at the expense of the requesting party.

(Code 1986, § 9.13(2), Ord. 2016-10)

#### **Sec. 46-63. Penalty**

Any person who violates any provision of this article shall be subject to a citation and a penalty as provided in section 1-11 of the code of ordinances.

#### Secs. 46-64--46-90. Reserved.

<sup>&</sup>lt;sup>3</sup> Cross reference: Fire prevention and protection, ch. 50.

#### ARTICLE IV. NUISANCES

## Sec. 46-91. Adoption of state law.

The provisions of Wis. Stats. ch. 823, Nuisances, are hereby adopted by reference as a city ordinance as if set out at length in this article. This includes but is not limited to bawdyhouses, disorderly houses, drug or criminal gang houses, places of prostitution, places of illegal gambling, and dilapidated buildings.

(Code 1986, § 10.12, Ord. 2016-10)

### Sec. 46-93. Noxious weeds and rank vegetation.

- (1) The following acts, omissions, places, conditions and things are hereby specifically declared to be public health nuisances, but such enumeration shall not be construed to exclude other nuisances coming within the other provisions of this article or pursuant to state law: all noxious weeds and other rank growth of vegetation. All weeds and grass shall be kept cut to a height not to exceed eight (8) inches.
- (2) The city may cause all weeds and grass to be cut and removed and brush to be removed and the cost thereof charged to the property -as a special charge.

(Code 1986, § 10.03, Ord. 2008-15, Ord. 2016-10)

#### Sec. 46-94. Public nuisances affecting peace and safety.

The following acts, omissions, places, conditions and things are hereby declared to be public nuisances affecting peace and safety, but such enumeration shall not be construed to exclude other nuisances affecting public peace or safety coming within the other provisions of this article:

- (1) Signs, billboards, etc. All signs and billboards, awnings and other similar structures over or near streets, sidewalks, public grounds or places frequented by the public, so situated or constructed as to endanger the public safety.
- (2) Noisy animals or fowl. The keeping or harboring of any animal or fowl which by frequent or habitual howling, yelping, barking, crowing or making of other noises shall greatly annoy or disturb a neighborhood or any considerable number of persons within the city.
  - (2)(3) Animal Waste. All exterior property areas shall be properly maintained to be free from animal feces. All animal feces shall be removed within twenty-four (24) hours of deposit.

## Sec. 46-95. Notice.

(1) If the <u>City police officer, other City officer, or</u> City inspector shall determine with reasonable certainty that any public nuisance as defined in paragraph A above exists, he or she shall immediately cause written notice to be served on the owner, occupant or person in charge of the property that said public nuisance must be removed within five (5) days and that if not removed the City may take such actions as prescribed in paragraph 4 below.

- (2) Said notice may be served by any of the following means:
  - (a) Personal service,
  - (b) Certified mail, or
  - (c) First class mail if the notice is also posted no later than the same day as mailing on the front door of the main building or dwelling on the premises or, if no building or dwelling exists, by posting on the premises in a conspicuous manner.

#### **Sec. 46-96. Penalty.**

Any person who shall violate any provision of this article or cause a public nuisance shall be subject to citation and a penalty as provided in section 1-11for each day there is a violation. Injunctive relief, if available, may also serve as an enforcement remedy.

#### Secs. 46-97-100. Reserved.

(Code 1986, § 10.05(1), (8), Ord. 2016-10)

#### ARTICLE V. PROPERTY MAINTENANCE STANDARDS

# Secs. 46-101. Safe and Sanitary Maintenance of Property.

- (1) The purpose of this subsection is to recognize the private and public benefits resulting from the safe, sanitary and attractive maintenance of residential and nonresidential buildings, structures, yards, or vacant areas. Attractive and well-maintained property will enhance the neighborhood and City and provide a suitable environment for increasing physical and monetary values.
- (2) Every owner or operator shall improve and maintain all property under his/her ownership or control to comply with the following minimum requirements:
  - (a) All exterior property areas and buildings shall be properly maintained in a clean, safe and sanitary condition.
     (a) free from debris, rubbish or garbage, physical hazards, and animal
    - feces. All animal feces shall be removed within twenty-four (24) hours of deposit.
  - (b) Fences, other minor construction, walks, driveways, parking areas and similar paved areas shall be properly maintained in a safe, sanitary and substantial condition. Approved walks shall provide safe and convenient all weather access to buildings.
  - (c) Exterior surfaces of buildings and structures not inherently resistant to deterioration shall be treated with a protective coating of paint or other suitable preservative which will provide adequate resistance to weathering. Any exterior surface treated with paint or other preservative

- shall be maintained so as to prevent chipping, cracking or other deterioration of the exterior surface or the surface treatment. All paint or other preservative shall be applied in a workmanlike fashion. All exterior cabling, cords and piping shall be installed in a workmanlike fashion and maintain to prevent detachment or deterioration.
- (d) Every exterior window, door, and basement hatchway shall be reasonably weather tight, watertight and kept in proper repair. All exterior door and window hardware shall be installed and maintained in proper working condition. Interior window coverings shall be in good repair and consist of materials and installation. Tarps, drop cloths, stickers, etc shall not be used as window coverings.
- (e) Every outside stair, porch, deck, ramps, roofs, soffits, fascia and appurtenance thereto shall be so constructed as to be safe to use and capable of supporting the load that normal use may cause to be placed thereon, and shall be kept in proper condition and repair. All exterior stairs, steps, porches, decks, ramps, roofs, soffits, fascia and every appurtenance thereto shall comply with the requirements specified in Wis. Admin. Code secs. Comm. 20.04 or Comm. 51.16, 51.161, 51.162 and 51.164 (as may be amended) as dictated by the type of occupancy in the building.

### Secs. 46-102. Establishing the Responsibility of Owners, and Occupants.

- (1) The purpose of this subsection is to establish the responsibility of owners and occupants of buildings and structures.
- (2) The responsibility of owners and occupants of buildings is as follows:
  - (a) Every owner and occupant of a building shall keep in a clean, proper and sanitary condition that part of the building and premises thereof which he/she owns and/or occupies and controls. Every owner and/or occupant of a building shall dispose of all his/her refuse, recycling and garbage in an appropriate and sanitary manor.
  - (b) Every owner of a building containing two (2) or more units shall be responsible for maintaining in a clean, proper and sanitary condition the shared or public areas of the residential building and premises thereof.

#### Secs. 46-103. Administration and Enforcement.

- (1) The purpose of this section is to provide for the administration and enforcement of this Article.
  - (2) The Zoning Administrator, Police Chief, Building Inspector, and Municipal Services Superintendent or their designee are hereby given power to enforce this chapter. Therefore, for purposes of enforcement of this article, he/she shall

- be designated as and have the same powers as the officer referred to in the Wisconsin State Statutes as the City inspector.
- (3) The non-exclusive duties of the City inspector, the shall be as follows:
  - (a) Maintain permanent and current records of all matters arising out of this chapter.
  - (b) Determine compliance with the terms of this article, all state laws, City Ordinances and take such action as necessary to secure such compliance, including: imposition of forfeitures and injunctive action. They shall have full power to pass upon any question arising under the provisions of the housing, building, plumbing, electrical and heating codes and zoning procedures, subject to conditions contained herein.
  - (c) Initiate, direct, and review from time to time a study of the provisions of this chapter and make recommendations to the Common Council.
  - (d) Coordinate such inspection and code compliance programs with inspections or improvement programs of other neighborhood groups whose purpose is neighborhood improvement.
- (4) The process for enforcement shall be as follows:
  - (a) Any person or entity who shall violate any of the provisions of this article shall be notified by the City inspector of the violations and a reasonable timeframe for repair or remedy. Such notice may be given in person or by mail.
  - (b) If such violation(s) have not been repaired or remediated in the specified timeframe, the city may choose to take any or all of the following actions:
    - 1. Take appropriate action to remedy the violation and assess the cost of such repair or to the property in question as a special charge on the tax roll.
    - 2. Issue citations to the person(s) or entity responsible for the violations thereby subjecting them to penalty as provided in section 1-11. Each day a violation continues or occurs shall constitute a separate offense.
    - 3. Pursuit of injunctive relief.
  - (c) Citations permitted under this section may be issued by any City inspector.
  - (d) The issuance of a citation under this section shall not preclude the City or any individual from commencing any action against a violator under any other authority of law.

# Secs. 46-104. Severability.

If any provision of this chapter is invalid or unconstitutional or if the application of this chapter to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this chapter which can be given effect with the invalid or unconstitutional provisions or applications.

#### Secs. 46-105. Abrogation and Greater Restrictions.

It is not intended by this chapter to repeal, abrogate, annul, impair or interfere with any existing easements, covenants, deed restrictions, agreements, rules, regulations, chapter or permits previously adopted or issued pursuant to law. However, wherever this chapter imposes greater restrictions, the provisions of this chapter shall govern.

### Secs. 46-106. Interpretation.

Publication: / /2019

In their interpretation and application, the provisions of this chapter shall be held to be the minimum requirements and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes. Where any terms or requirements of this chapter may be inconsistent or conflicting, the more restrictive requirement or interpretation shall control.

1	
(Ord. 2016-10)	
**********	*************
This Ordinance shall be in full for	rce and effect upon passage and publication.
Passed and adopted this day o	of, 2019.
William C. Huntley, Mayon	
William C. Hurtley, Mayor	
Judy L. Walton, City Clerk	
Judy L. Walton, City Clerk	
Introduced:/_/2019	

# 2019 Upper Midwest APA Conference

Hosted by APA-Wisconsin

# Innovation: Planning on the Edge

Workshop, Session & Tour Descriptions

Wednesday – October 2
Workshops
2:00 – 4:00 pm
Concurrent workshops
(pre-registration required)

# Planning Law Innovation: A Three State Comparison

This "Deep Dive" workshop will commemorate the anniversaries of planning innovations in the Upper Midwest. 2019 marks the 20<sup>th</sup> anniversary of Wisconsin's comprehensive planning law (a.k.a. the "Smart Growth law"). Iowa is approaching the 10<sup>th</sup> anniversary of Iowa "Smart Planning" law (adopted in early 2010). Minnesota is approaching the 25<sup>th</sup> anniversary of the 1995 Amendments to the Metropolitan Land Planning Act. This "Deep Dive" workshop will commemorate the anniversaries of these planning innovations. We'll explore how these laws impacted comprehensive planning in each state, recent local planning innovations resulting from these laws, the meaning of zoning/planning consistency, and more. The workshop will then dive even deeper and focus on current planning practice influenced by conditional use law in each state. Wisconsin's new conditional use permit law is based on planning practice in Minnesota. What can planners learn from innovative practices and experiences in the 3 states? Come with your questions and share your knowledge! 1.5 CM

Brian Ohm, AICP – Professor UW-Madison and attorney
Gary Taylor, AICP – Professor Iowa State University and attorney
Barbara Thompson, AICP – Planning Manager for City of Plymouth, MN
James Thompson – Shareholder, Kennedy & Graven law firm, Minneapolis, MN

# Climate & Energy Planning Workshop

The trend of billion-dollar natural disaster events in the U.S. is only growing. There were 14 events in 2018 and the Upper Midwest is not immune. These threats are exacerbated by climate change and planners need to be better prepared to help their communities. APA National states climate change will almost certainly prove to be one of the most important planning challenges of the 21st century. A survey of the tri-state communities reveal though that there is a lack of understanding on the need to plan and how to do it.

This workshop will provide education, resources, tools, new skills, and strategies to equip planners with what they need to get started. Experts in the field will help attendees gain knowledge on climate change science and local impacts, along with what data sets are needed to track greenhouse gas emissions, set goals, and understand related energy use characteristics. Unique partnerships with energy utilities will be described and how their power generation goals and renewable energy offerings can often align to help communities.

Specific plans, civic engagement processes, equity considerations, and mitigation strategies will be highlighted from large cities, small cities, counties, and regions. What communities have control over and what they do not will be outlined. Investor-owned utility Xcel Energy will share how they have set their own carbon-free goal by 2050 and created an award winning offering called "Partners in Energy" to help communities develop energy plans in Minnesota, Wisconsin, and Colorado. In world café style, attendees will discuss together the need to plan, opportunities, and barriers for action. These conversations will help attendees assess their readiness to mitigate and adapt to a changing climate. Planners will leave with the ability to better lead and respond to the challenges that face their own community.

Abby Finis – Senior Energy planner, Great Lakes Institute (Minneapolis, MN)

Ned Noel, AICP – Associate Planner, City of Eau Claire, WI

Marisa Bayer – Community Energy Program Manager, Center for Energy & Environment (MN)

Tami Gunderzik – Senior Product Manager, Xcel Energy

# Navigating Your Competitive Future: Housing as an Economic Driver

This training session, hosted by the Urban Land Institute Minnesota (ULI MN), will explore what it takes to develop a market rate and affordable housing development from a real estate prospective. What are the key market drivers impacting housing development? What are the expectations of a developer from a City and how do they review project feasibility? What do lenders require from a developer to ensure that a project will live up to its performance standards?

ULI MN will convene a panel of for-profit and non-profit housing developers to provide a summary of the key levers they consider when looking to invest in a project. This will include an introduction on financial feasibility such as the calculation of net operating income, internal rate of return and development and operating costs. In addition, review of how the public sector can contribute to the financial success of a project by participating as a partner either financially or through land use concessions.

Cathy Bennett – Senior Advisory Services, Urban Land Institute Minnesota

Tammy Odahl – Senior Vice President, Northland Securities

Diana Dyste – Project Manager, Common Bond Communities

# 5:00 – 7:00 Informal Gathering & Planner's Round Table The Dive Bar at the Lismore

# Thursday – October 3 Continental Breakfast

7:30 - 8:30 am

### **Plenary Session**

8:30 - 9:45 am

### Supporting Members as Leaders of their Communities

**National APA President Kurt Christensen**, FAICP, will highlight how APA supports its members as leaders of their communities. By exploring opportunities through networking, knowledge, and advocacy, planners serve as unique leaders in creating stronger, safer and more just communities for all.

## Concurrent Sessions 10:30 – 11:30 am

#### **EQUITABLE & HEALTHY COMMUNITIES –**

"Wintermission" Eau Claire: Improving Health & Social Isolation in Winter

In November 2018, a multi-disciplinary team from Eau Claire was one of 62 U.S. cities to apply for technical assistance through a new North American program called Wintermission, looking "to combat social isolation and increase levels of physical activity in winter for all residents, no matter their age, ability, socio-economic, or ethno-cultural backgrounds" (wintermission.org) Three cities of varying sizes were chosen: Buffalo, NY (large); Leadville, CO (small); and Eau Claire, WI (medium).

As described by the Eau Claire Wintermission Team: "Winter time can make social outlets disappear, disproportionately impacting community members that already face pre-existing barriers to civic engagement and active lifestyles. Eliminating barriers to access, providing community resources and social opportunities in all seasons is a shared priority for the Eau Claire Wintermission Team." Eau Claire launched the public engagement phase in early March and is constructing it "winter city strategy" this summer, with pilot projects launching around the same time as this conference.

This diverse panel looks to share their unique perspectives and experiences from the Wintermission project and share translatable policies and strategies that other Upper Midwest communities can utilize in their efforts to become more "winter positive" and to view their social determinants of health with a winter-specific lens.

Scott Allen, AICP – Community Development Director, City of Eau Claire, WI Emily Berge – Councilor, City of Eau Claire, WI Jacob Wrasse – Government & Community Relations Specialist, UW-Eau Claire

#### **SMALL TOWN & RURAL ISSUES –**

### Linking Community and Economic Development Through Homesteading

How do people choose a community and why do they stay? Many studies, including the Soul of the Community study by the Knight Foundation have shown that people who are bonded to their communities are much more inclined to stay. Communities and planning organizations nationwide work to enhance quality of life features to improve community attractiveness. Since the attraction and retention of workers is a top economic development challenge, employers must also be proactive in rooting employees in their local communities. Research has demonstrated that owner-occupied housing is has a stabilizing effect on neighborhoods and homeowners who are bonded to their neighborhood are more likely to stay in their community reducing recruitment costs for employers.

There are many examples nationally and regionally where communities and employers acknowledge the importance of working together to retain employees, develop plans specifically for quality of life factors to attract talent, and provide incentives for homeownership as a local tool to attract and retain talent. These efforts take various forms (grants for recent graduates, loan forgiveness incentives, land banks that sell land cheaply, etc). The City of Wausau, WI partnered with local employers to create Live It Up Wausau, a down payment assistance program for local employees to buy and renovate homes in the City. To date the program has provided over 65 loans totaling nearly \$700,000 in down payment assistance loans to employees and was the model for another similar homesteading program in Menomonee.

**Christian Schock, AICP** – Director of Planning, Community and Economic Development, City of Wausau, WI

**Georgina Tegart** – Executive Director, Dunn County Community Foundation

#### **HOUSING FOR ALL-**

### Planning to House Adults Aging in Place

As calls to make our communities more age-friendly ramp up, many local governments continue to be challenged with issues surrounding the needs of a rapidly aging local population. Planners, architects and designers understand that it is not enough to plan for a built environment that includes decent sidewalks, trails, parks and gathering spaces along with enhanced transportation and housing options. These plans, and their accompanying goals, aspirations and recommendations, must also be translated into actual implementation mechanisms.

We focus specifically on local housing as it relates to aging in place and evaluate the preparedness of a sample of Midwestern communities to meet the housing needs of an aging population. We evaluate 30 local municipal plans and zoning ordinances to determine how well plans and their implementation tools support a variety of senior housing needs and desires. We chose the sample of 30 communities from states in the Upper Midwest, as these states are expected to experience continued growth in their aging populations, especially as

young adults choose to locate elsewhere. We chose the specific communities based on a population threshold (above 10,000) and percent of older adults (above 20 percent).

Our study communities represent a socio-demographically diverse geography that is often overlooked in favor of larger, denser metropolitan areas. In addition, we also highlight the extent to which local zoning ordinances reflect plan goals and aspirations surrounding housing for an aging population. The results of this analysis will enable greater understanding of local housing policies that are linked to successful aging in place in mid-size Midwestern communities. Research findings will also inform recommendations for participating communities which will help them modify their policy and regulatory environments and increase their support for those who want to age in place.

Anna Haines – Professor at College of Natural Resources, UW-Steven's Point

Mary Edwards – Professor, UW-Steven's Point

Lynne Dearborn – Professor, UW-Steven's Point

# TRANSPORTATION – Let's Try It Out! MnDOT's Guide to Active Transportation Demonstration Projects

Over the past year, Alta Planning + Design has been working closely with MnDOT to create a guide for implementing low-cost, temporary demonstration projects in communities across Minnesota. The Guide gives local communities and agencies best practices in national and state roadway safety planning and design to promote and advance Safe Routes to School and active transportation initiatives.

Demonstration projects use low cost and accessible materials like paint, traffic tape and flexible bollards or traffic cones to test more permanent and costly improvements like curb extensions, protected bike lanes, and median refuge islands. The Guide will be a resource for local communities to build a strong local team with technical and political support, select a demonstration project site, and design, install, and evaluate the project.

This presentation will highlight the process that went into developing the Guide – including working with state and local engineers, planners, and public health professionals. The presentation will also describe the process of a successful demonstration project by highlighting two "pilot" demonstration installations in Kasson, MN and New Hope, MN.

With MnDOTs support of this guide, state transportation agencies have started to formally recognize demonstration projects as a real and innovative option in the planning and engineering process to produce consensus and build community support for active transportation improvements. This presentation will highlight a process and a resource that are the first of their kind. It will be a perfect addition to the theme of Innovation and Experimenting – these are essential qualities of the demonstration project process.

**Colin Harris, PE, LEED AP** – Senior Engineering Associate, Alta Planning + Design **Dave Cowan** – Safe Routes to School Coordinator, Minnesota Department of Transportation Thursday – October 3 Lunch & Plenary 11:45 am – 1:00 pm

# Understanding Messy Cities: How we can Plan and Develop Valuable, Authentic and Equitable Places

**Kevin Klinkenberg**, Urbanist and Messy City Blog, will challenge us to prepare differently for the next generation, and to embrace a messy, less predictable approach to cities, towns and economic development. He will also share key lessons on what the rest of the country can learn from Savannah, Georgia.

Thursday – October 3 Concurrent Sessions 1:15 – 2:15 pm

# **EQUITABLE & HEALTHY COMMUNITIES - How Much is Enough? Limiting and Protecting Local Resources in Publicly Financed Development Projects**

Public financial participation in a private development project can be challenging endeavor. Determining the appropriate level of public assistance, negotiating with developers, and articulating the costs and benefits to the City Council and other community members are just a few of the issues local practitioners must navigate. This session will explore some of the best practices involved with fielding requests for public assistance that can help set your community on a path toward successful and fiscally responsible development outcomes.

Jason Aarsvold – Senior Municipal Advisor, Ehlers Brian Reilly – Senior Municipal Advisor, Ehlers

# SMALL TOWN & RURAL ISSUES - Downtown Oconomowoc – Implementing Changes & Getting Results!

From a failing Main Street to a booming Downtown, how did this happen. Years ago, the City created a Vision for the Downtown and after being very diligent, that Plan has been fully implemented. The City would like to tell our story and showcase some specific highlights that lead to this success. Through the efforts of the adopted site and architectural Downtown Design requirements, the City has been able to provide a blueprint to perspective developers for expectations for their redevelopment projects.

Presenters will show why this Zoning Ordinance amendment was needed, walk through the approval process and show the results. With the resulting insurgence of investment and rooftops within the Downtown, there has been a variety of public / private partnerships taking

place to improve the area. This includes a community reinvestment loan program, placemaking by creating gathering areas and bringing lively events to the Downtown. The City has now become a destination for many people to either reside or visit. The City is now truly the Heart of Lake Country. So where do we go from here? With growth comes the growing pains such as a perceived lack of parking, increase in traffic, and lack of volunteers to assist with the special events. City Staff wants to share how the renaissance of the Downtown went from a Vision to reality.

Jason Gallo, AICP – City Planner / Zoning Administrator, City of Oconomowoc, WI Robert Duffy – Director of Economic Development and Tourism, City of Oconomowoc, WI

## HOUSING FOR ALL – House Hacking: What it is, and why it's the next big thing in real estate

Kevin Klinkenberg will describe the pros and cons of house hacking, his three personal experiences with it, and why it's likely to be a big deal in real estate for years to come.

**Kevin Klinkenberg** – Principal, K2 Urban Design

### **TOUR (1:15-3:30 pm) - Walking tour of Downtown Eau Claire** (pre-registration required)

Specific project background will be provided on each destination along the route. The route will take about 1.5-2.0 hours and be about 1.0 miles. It will feature already built projects like remodeled City Hall, Library expansion, RR Lot redevelopment, Volume One Store, Oxbow Hotel, Lakely Restaurant, Block 7 redevelopment and "container park", JAMF office building, Phoenix Park and Farmers Market Pavilion, the new Pablo Center Performing Arts/Visit Eau Claire, Haymarket Landing and Plaza before returning to the Lismore Hotel.

Led by City of Eau Claire planning staff

Thursday – October 3 Concurrent Sessions 2:30 – 3:30 pm

## **EQUITABLE & HEALTHY COMMUNITIES - Mifflandia: A Social Practice Art Experience**

This is an experiment! We started a planning process with a promise that participants would be entering an environment that aimed to use Social Practice Art methods to engage residents, property owners, underrepresented groups and other stakeholders in a dialogue about the future of a near downtown neighborhood. The Mifflin Street Neighborhood is famous for its role in the 1960's counter-culture and antiwar movement, but more recently its infamous Block Party.

What is Social Practice Art? Social practice artists aim to affect their community and environment in a real (rather than symbolic) way to help guide social change. Social Practice Art is collaborative, often participatory and involves people as the medium or material of the work. Our public meetings were advertised as gallery events, and each had a unique experience to infuse art into planning.

Did it work? Learn more about how our experiment impacted overall participation, explored contradictions and tension of input gained through social practice art vs through traditional methods, lessons learned, and how planning can use this process to more equitably engage residents in the future of their communities.

Rebecca Cnare, PLA – Urban Design Planner, City of Madison, WI Karin Wolf – Arts Program Administrator, City of Madison, WI Borealis – Outreach Director, Arts + Literature Laboratory

# HOUSING FOR ALL - Wauwatosa in Transition: A Case Study in Community Process and Change

Wauwatosa, a first-tier suburb of Milwaukee, presents an intriguing mix of city and suburban issues that relate to diverse priorities, lifestyles, and even generations. This session will explore the recent story, progress, and sometimes conflicts and challenges presented by the various forces at work from the perspective of neighborhood and community leaders and a planner/urban designer from outside the city who has worked on three significant planning projects that have attempted to address and resolve some of these forces.

Wauwatosa, traditionally referred to as the "City of Homes," has historically protected its single-family suburban character. But the city's close-in location to central Milwaukee, its parks and environmental amenities, presence of the Milwaukee County Regional Health Center, and the County Grounds with its extensive public land holdings have made it a highly desirable site for new development and attraction of younger and more diverse households. This has led to a vigorous and continuing public debate on the future character of the community.

This presentation will consider this case study from the perspective of three planning and development initiatives; the North Avenue East Tosa Plan, addressing the process of planning and revitalizing a mile-long urban corridor that bridges the transition between inner city and suburb; the MidTown Tosa North Avenue Plan, that addresses the next section of this corridor through a neighborhood rapidly cycling into a neighborhood dominated by young urban families; and the Village of Wauwatosa Master Plan, guiding how new forms of development, including high-density residential and mixed uses, were incorporated into a traditional town center. The session will also examine controversial planning process for the County Grounds area. Wauwatosa's stance at the edge of demographic, generational, and urban development change will help create a case study uniquely consistent with the theme of "planning at the edge."

Martin Shukert, FAICP – Principal, RDG Planning & Design Mayor Kathy Ehley – Mayor, City of Wauwatosa, WI

**Jeff Roznowski** – Co-founder of MidTown Tosa Business Group & Former Alderman, City of Wauwatosa, WI

### TRANSPORTATION - The Rise of Bus Rapid Transit in Wisconsin

Bus Rapid Transit (BRT) is rapidly coming to the State of Wisconsin. Over the past several years, the City of Madison, WI and Milwaukee County, WI have each made major steps in implementing their first BRT line in a planned network of a BRT system throughout each of their regions.

Madison will be completing the East-West BRT Planning Study in September 2019 and will be quickly moving into the Small Starts project development program. Madison's planned first BRT line will travel nearly 20 miles from approximately East Towne Mall on the east side of Madison, to West Towne Mall on the west side of Madison, running through the Isthmus and the University of Wisconsin (UW) campus. Additionally, a transit maintenance facility will be built as part of the planned redevelopment of the closed Oscar Mayer site on the east side of Madison. The next phase of the Madison East-West BRT project will be to complete NEPA, Preliminary Engineering, and move the project further into the Federal Transit Administrations (FTA) Small Starts grant program.

Milwaukee County completed the East-West BRT Study in September 2016 and later that month the project was accepted into the FTA's Small Starts program. Milwaukee County's first BRT line will travel almost 10 miles from downtown Milwaukee along Wisconsin Avenue and into the City of Wauwatosa, WI traveling mostly along Bluemound Road and ending at the Milwaukee Regional Medical Center and a regional park-and-ride lot. For the last three years, Milwaukee County has completed NEPA (an EA with FONSI signed in November 2018), progressed the engineering to a 90% level, and will soon be receiving a Small Starts capital grant. Construction will begin in the Spring of 2020 and BRT service will begin in the Fall of 2021.

**Dan Meyers, AICP** – Senior Transit Planner, AECOM **Julia Suprock, AICP** – Deputy Project Manager, AECOM

Thursday – October 3 Concurrent Sessions 3:45 – 4:45 pm

# **EQUITABLE & HEALTHY COMMUNITIES - Funding and Public Engagement Tools for Every Planner**

Communities have access to many creative funding options and highly effective free online public engagement tools. This presentation will focus on innovative ways to fund your project and engage the public.

The funding portion of the presentation will discuss where to find money for projects and how to get it. Communities are always looking for more money to help fund their civic projects. They see neighboring municipalities building a new park or reconstructing a downtown road — and they want the same for their community! Starting with a strong purpose and need will allow the community to target agencies that want to "buy" their solutions. The presenters will walk through an exciting example in Chippewa Falls that successfully leveraged multiple funding sources to achieve their vision and downtown redevelopment. The session will provide a clear blueprint for obtaining funding and attendees will receive a funding calendar handout for the upcoming year.

The public engagement portion of the presentation will demonstrate several free online tools used successfully at workshops and charrettes. Attendees will be encouraged to create and participate in a hands-on Mentimeter demonstration – learning the value of real-time anonymity in a public setting. They will gain the understanding of how to use this powerful free tool.

A case study in Sturgeon Bay will set the stage for a decade-long history of planning for their West Waterfront. Diverse viewpoints and perceptions, lawsuits regarding the Ordinary High Water Mark, and no agreement to move forward left Sturgeon Bay's West Waterfront with no consensus plan. In early 2019, SEH designed and led a two-day public workshop/charrette that helped move the City in the right direction. With the help of these online tools and an inclusionary planning process, the team was able to provide an effective way to gather different viewpoints and ideas.

Nate Day, AICP – Senior Planner, SEH
Brad Hentschel, AICP – Planner, City of Chippewa Falls, WI

## SMALL TOWN & RURAL ISSUES - People, Trees, and Power: Tools and Strategies for Advancing Community Resilience

Weather and climate shape our economy. Temperature impacts everything from the amount of energy consumed to the ability for some occupations to work safely outside. Temperature and precipitation levels not only determine how much water we have to drink, (take out comma here) but also the performance of entire economic sectors, from agriculture to recreation and tourism. Extreme weather events, such as tornadoes, hail storms, droughts, and inland flooding can be particularly damaging. In the last ten years alone, extreme weather events have cost Wisconsin and the Midwest \$96 billion in damage and resulted in 440 deaths. (NOAA National Centers for Environmental Information).

Events such as flooding along the Kickapoo River, record-setting tornado streaks throughout the US, and Midwestern air quality affected by wild fires in the West, mean that resilience related disasters are now literally a weekly occurrence and strengthening community resilience is now an expectation of city planners, elected leaders, and planning consultants. The good news is that proactively engaging in resilience planning brings economic, social, and quality of life benefits to our communities.

This session will provide a broad review of resilience challenges and opportunities including, identifying the impacts these changes will have on Midwest communities, practical things planners can do to advance resilience their communities, and a survey of the following case studies:

- Identifying Vulnerable Populations and Adaptation Strategies: City of Albert Lea, MN
- Tree Canopy Study and strategies for increased pollution absorption, stormwater uptake, energy efficiency, and social equity: City of Burnsville, MN
- Renewable Energy Potentials and Resilient Energy Strategies: Village of LaFarge, WI

**Ted Redmond, AICP** – Co-Founder, PaleBLUEdot LLC

## COMMUNITY ENGAGEMENT - Planning on the Edge – University/Community Collaborations that Work

In 2007, Eau Claire undertook Clear Vision Eau Claire, a community visioning process focused on preserving quality of life, transforming the local economy and empowering individuals. Concurrently, UW-Eau Claire developed its first comprehensive facilities master plan. It was no coincidence that items identified as priorities in the community aligned with facility needs for the University – specifically a community arts center and a major events facility. Clear Vision Eau Claire germinated into what has been dubbed the "Mother of all Collaborations" – the Haymarket development and Pablo Center (a new arts center shared by the university and community) at the Confluence. These projects at the Confluence of the Eau Claire and Chippewa Rivers spurred more than \$120 million in new development in downtown Eau Claire. More importantly, it fostered a "can do" community attitude and understanding we are at our best when working together. This public-private partnership has extended into a major initiative of UW-Eau Claire, Mayo Clinic Health System and the business community to secure state funding for a new science and health sciences building on campus. This building will help transform science and health education as a representation of the innovative research partnership between UW-Eau Claire and Mayo Clinic.

These successes have helped focus attention on another key priority of Clear Vision, UW-Eau Claire and Invest Health (a Robert Wood Johnson Foundation national initiative): a major event/recreation and wellness facility in the community developed by UW-Eau Claire, the YMCA and Mayo Clinic Health System. These projects have fostered the use of creative and focused communication strategies, the infusion of public and private funding and bipartisan support among local and state elected officials. While Eau Claire has refined the definition of collaboration, ingredients leading to success exist in every community. This workshop provides a first-hand analysis of WHY these projects work and WHAT leaders can do to replicate public/private projects in their communities.

**Kimera Way** – President, UW-Eau Claire Foundation & Executive Director of Blugold Real Estate Foundation, UW-Eau Claire

Mike Rindo – Assistant Chancellor for Facilities and University Relations, UW-Eau Claire

# ETHICS CASE OF THE YEAR (1.5 CM) (3:45-5:15 pm)

#### **Ethics Jeopardy!**

An interactive ethics session – fun and informative.

**Jason Valerius, AICP** – President, Wisconsin Chapter - American Planning Association & Team Leader, MSA

Joshua Clements, AICP - Planning Director, City of Altoona

TOUR (3:45-5:15 pm) BRING YOUR OWN BIKE

**Bicycling Eau Claire's Downtown Riverfront and Trails** (pre-registration required)

The Eau Claire Community Development Department is proposing a leisurely bicycle ride along Eau Claire's extensive recreational trail system. The bicycle ride would be in the late afternoon on Thursday, October 3rd and would feature recent trail, park, and greenway improvements in proximity of Downtown Eau Claire. Eau Claire's trail system extends along the Chippewa River, Eau Claire River, and Half Moon Lake and includes eight pedestrian/bicycle bridge crossings of the waterways. The route will be approximately 10 miles in length and will include several stops to discuss current and up-coming projects.

Those interested will need to bring their bicycle and helmet. Secure bicycle storage will be available at the Lismore Hotel.

Patrick Ivory, AICP – Senior Planner, City of Eau Claire, WI

Thursday – October 3

Reception and Planning Awards
5:30 – 7:30 pm

Pablo Center at the Confluence

### Friday - October 4

#### **Continental Breakfast**

7:30 - 8:30 am

### WI Chapter Annual Meeting

7:45 - 8:15 am

Plenary Session: Three State Planner's Table

8:30 - 9:45 am

### **Forwarding Equity**

Planners can play a critical role in establishing more equitable participation, representation, and outcomes. This interactive session will explore the concept of equity in a planning context and discuss how planners can help put equity into practice.

Facilitator: Mike Slavney, FAICP – Principal Planner, Vandewalle & Associates

Friday – October 4 Concurrent Sessions 10:00 – 11:00 am

#### **EQUITABLE & HEALTHY COMMUNITIES**

How to be a Wizard of OZ: Making the most of your Opportunity Zone

The tornado known as the federal Tax Cut and Jobs Act of 2017 created the Opportunity Zone program as a yellow brick road to attracting investment in low income areas. Each state governor got to designate 20% of their low-income tracts as Opportunity Zones, and the program provides direct federal tax advantages to investors with capital gains. So, what is the role of the local community Dorothy's in all of this, particularly those that are not in Kansas anymore and outside of major metropolitan areas?

This will be an entertaining and interactive session to answer this question starting with the use of keypad polling to assess the munchkins' (participants') knowledge of the program. It will then include an overview of the OZ program and one regional and two local examples of how communities are combatting the flying monkeys of the program's complexity to attract good witches to their Emerald cities. This will include a discussion of the crystal ball of national models and resources available to assist cities in attracting investment and development. Following the brief presentations will be a moderated panel discussion in full color with the questions submitted by the munchkins on how they can become Wizards of their OZ's.

**Scott Harrington, AICP** – Principal Planner and Project Manager, Vandewalle & Associates **Gordon Crow, IOM** – Executive Director, Centergy, Inc.

#### **COMMUNITY ENGAGEMENT**

### Community Engagement Process Changes Frustration to Fantastic Results

As with many Comp Plans, the process can be a very painful and disappointing experience for city staff, contracted planning firms, and for community volunteers. The City of New Richmond experienced the same frustrations many cities experience when using passive community engagement methods. After two committee meetings it became clear the process was not engaging the committee members. The City decided to abort the entire engagement process and began searching for a better engagement alternative. This is the story of how a change in direction led to robust community engagement resulting in a great plan.

**Todd Streeter** – Principal, Community Collaboration **Brad Scheib, AICP** – Vice President, Hoisington Koegler Group Inc. **Noah Wiedenfeld** – Planning Director, City of New Richmond, WI

# TRANSPORTATION Greening the Edge

This presentation will discuss opportunities, challenges, and specific strategies that several Wisconsin cities are using to integrate green infrastructure into our most common urban and suburban landscapes features. The City of Milwaukee, and a regional collaborative, have developed new zoning standards and practices for creating green parking lots, greening the street edge, and incorporating stormwater treatment into buffer areas in urban environments.

Juli Beth Hinds will present the work of Milwaukee MSD and the Southeastern WI Watersheds Trust on best practices for revising zoning codes to incorporate stormwater treatment into urban street edge landscaping and sustainable parking lot design. Common issues with municipal codes, such as prescriptive standards and plant lists, will be addressed with ways to improve them to enhance sustainable design.

Kyle Gast from the City of Milwaukee will discuss the process the City went through to update the parking lot landscaping requirements in the City of Milwaukee's zoning code. Adopted in March 2019, the new code section features simplified regulations and incentives for green infrastructure. The code also addresses existing non-conforming parking lots by requiring property owners to retrofit their properties over time. As part of this effort, the City created an illustrated guide book to help property owners navigate the new code, and introduced a new grant program to assist with greening parking lots.

Luke Haas from RA Smith, consultant for the City on the landscape code project, will discuss his experience working with local government to update landscape standards to incorporate effective stormwater treatment and ecological design, and present case studies of how to green small commercial sites.

### **TOUR (10:00 am-12:00 pm) - Walking tour of Banbury Place (**pre-registration required)

This session will allow attendees to learn about the history behind Banbury Place, which is a two million square feet, multi-use facility adjacent to downtown Eau Claire. The facility was originally constructed as a tire factory, produced its first tire in 1917, and operated as a tire factory until WWII, when the U.S. government purchased the plant and turned it into an ammunition factory. After WWII, the facility then returned to making tires. At its peak, the facility was the third largest tire producing factory in the U.S. and employed 4,400 workers and produced over 20,000 tires daily.

In 1992, the tire factory was closed. One month later, the City sold the property to Jack Kaiser and Bill Cigan, two local developers. Over the next several years, through zoning and the Planned Development Ordinance, the factory became a mixed-use facility. Now Banbury Place is home to dozens of commercial, office, residential apartments, and industrial businesses. In addition, Banbury Place plays a role in the local art culture, is home to several local food producers, and has played a significant role as a business incubator for businesses to develop and grow.

The session will be two-hours long. The tour will start and end with a 10-minute walk to and from the hotel, partially along the beautiful Eau Claire River. The estimated 20 minutes of travel time is included in the two-hour long session. The on-site portion of the session will start with a brief overview of the facility and commence with a walking tour around Banbury Place. The tour will include the artist building, Harvester apartments, office space, learning about plans for low-income housing, and more.

**Jack Kaiser** – Owner, Banbury Place

Friday – October 4 Concurrent Sessions 11:15 am – 12:15 pm

### **EQUITABLE & HEALTHY COMMUNITIES - Advancing School-Community Planning**

This skill-building presentation is aimed towards municipal, county, regional, and consulting planners desiring to enhance relationships and outcomes with school districts. The priorities and actions of school districts are driven by multiple forces, including evolving educational demands, buildings that must evolve to meet these demands, either growing or declining enrollment and the multiple impacts this has (including fiscal), and growing appreciation and

prioritization towards equity. School districts are often marginally aware of how community planning and development influences these drivers, or if they are aware are often reluctant to engage on community development matters or do not know how. As just one example, districts are often grappling with significantly different socioeconomic profiles in their different schools, resulting in large part from community planning decisions that on their face seem inherently logical to municipal planners (e.g., locating low and moderate income housing close to existing services).

This session will focus on the various techniques that planners can use to improve outcomes for both the municipality/county and school district in a range of scenarios, using various case studies from throughout the state. It will include a Q&A component to enable dialogue and focus on participant needs.

Mark Roffers, AICP – Co-owner, MDRoffers Consulting

### **TECHNOLOGY - Tech Savvy Sign Regulations**

This interactive and informative session will provide the best practices on regulating electronic message centers. Attendees will also learn about how smart cities and smart signs are intersecting and how to deal with this new technology. In addition, the City of Waukesha will discuss their process to update the sign code, the adopted EMC regulations and lessons learned.

**James Carpentier, AICP** – Director State & Local government Affairs, International Sign Association

**Deacon Wardlow** – In-house Advisor/Consultant, Vantage LED **Charlie Griffith** – Associate Planner, City of Waukesha, WI

### HOUSING FOR ALL - Affordable Housing: National Problem, Regional Solutions

The Chippewa Valley Housing Task Force was assembled in spring 2018 to collect information and insight to better understand the regional housing market and to investigate potential solutions to housing supply and affordability challenges. Since then, the Task Force—comprised of nearly 80 stakeholders—has met five times to increase collective understanding of housing market conditions in the Chippewa Valley, identify factors that are constraining housing affordability and contribute to elevating cost of living, investigate potential solutions, generate recommendations, and to increase alignment around and collaboration in implementation. The group held multiple round-table discussions to: investigate impediments and constraints to generating affordable and workforce housing; effectively collaborate and partner to improve housing supply; and to determine desired outcomes and indicators of progress and success.

The Task Force assembled four "sector groups" to further define the issues and craft solutions: lived experience & support agencies; builders & developers; zoning & policy; and finance. The Task Force then drafted a Summary of Recommendations centered around five key areas: development regulations; city policies; public funding; public private partnerships;

and civic sector. From there, engaged municipalities have drafted and adopted individual twoyear work plans to carry forward the recommendations. This session will share lessons learned, difficulties experienced, and what's next.

**Scott Allen, AICP** – Community Development Director, City of Eau Claire, WI **Joshua Clements, AICP** – Planning Director, City of Altoona, WI & President-Elect, Wisconsin Chapter - American Planning Association

Friday – October 4 Lunch & Plenary 12:15 – 1:45 pm

### The Red Cedar: Land, Water & People Coming Together!

Information concerning the health and economic impact of the impaired waters in the Red Cedar Watershed. A project of this size depends on the skills of multiple disciplines, agencies, volunteers and the hard work of a dedicated team. The three speakers we will be able to take the audience through the process from initial funding and development, the current process and the impact it has had on 10 Counties, 1.2 million acres and a population of over 95,000.

Dick Lamers – Past President, Tainter Menomim Lake Improvement Association Inc. (TMLIA)

Dr. Rod Olson, MD – Co-Chair, Red Cedar River Conference

Elizabeth Usborne – President, Tainter Menomim Lake Improvement Association Inc. (TMLIA)

Friday – October 4 Concurrent Sessions 2:00 – 3:00 pm

### **EQUITABLE & HEALTHY COMMUNITIES - Net Zero Energy: Pipedream to Reality**

A Net Zero Energy (NZE) building, district, or community produces as much energy as it consumes over the course of a year. Getting to net zero usually comes from a combination of energy efficiency, local clean energy production, and purchasing of renewable energy. Net Zero strategies can provide a built environment that is healthy, energy efficient, resilient to energy and climate impacts, and has low ongoing costs. At a community level, a focus on advancing Net Zero can support community revitalization and economic development.

City planners, community leaders, planning consultants, and developers have an unprecedented opportunity to drive economic vitality, social equity, community resilience, and progress toward local energy goals by advancing net zero strategies and development in their community. This session will provide a broad survey of Net Zero design including:

What is Net Zero?

- A survey of Net Zero policies nationally.
- A review of the current and potential Net Zero market.
- Impacts urban design decisions can have on net zero energy buildings.
- Practical things planners can do to encourage Net Zero to benefit their communities.
- Case Study City of Eau Claire, WI.

**Ted Redmond, AICP** – Co-Founder, PaleBLUEdot LLC **Ned Noel, AICP** – Associate Planner, City of Eau Claire, WI

### TECHNOLOGY – Rebranding Community Outreach

In our changing world, the public has started to take a stronger interest in urban planning concepts. Quality of life, sustainability, affordable housing, and areas of Planners' focus are more important than ever to broader society. As such, the bar for public notification and participation in Planning projects is rising. The days of mass mailings being a sufficient form of public outreach have passed. What new, unique, and cost-effective ways can Planners share information with the public? Once Planners have engaged their audience, how can they obtain useful and authentic feedback from them?

To help find answers to such questions, the City of Green Bay's, WI Department of Community & Economic Development created an Outreach Team tasked with bringing the City's public participation efforts to the next level. Since being established in 2018, the Outreach Team has implemented several innovative ideas to better engage with residents and community partners to influence stronger forms of civic interaction. With a human-scaled approach to outreach, Green Bay staff will share what they have learned from different approaches, as well as share information about new programs like Pop-Up City Hall and the Better Block Project.

**Stephanie Hummel, AICP** – Planner II, City of Green Bay, WI **Matt Buchanan, AICP** – Economic Development Specialist, City of Green Bay, WI

### LEGISLATIVE & LAW UPDATE 2:00-3:30 pm (1.5 CM)

This interactive session will feature the board members leading legislative advocacy efforts at the state level in Iowa, Minnesota, and Wisconsin. Each chapter's legislative priorities, strategies, tools, and successes (or failures) will be highlighted and discussed. The presenters will discuss common themes and trends in state-level laws that influence housing, transportation, land use, and the environment. The session may include a moderated discussion featuring questions and dilemmas faced by attendees in an era of hyperpartisanship and polarization.

**Drew Pennington, AICP** – Planning & Building Services Director, City of Beloit, WI **Steven Van Steenhuyse, AICP** - Planning & Building Services Director, Mason City, IA **Thomas Jensen** -