

Planning Commission Meeting

July 9th, 2015

7:00 pm Community Center

Commission Members:

Janice Olson, Susan Keachie, Max Taubert, Larry Chernoff and Joni Vaughan

Members of the Public present: Judy Kerr

Max made a motion to approve the May Minutes, Joni 2nd and the Minutes were approved.

No Updates

No Correspondence

Review of Town of Bell existing ordinances

Commissioners began a review of the existing Town of Bell Ordinances as posted in the Comprehensive Plan. Judy Kerr mentioned that it may be that a Town Ordinance cannot exist if it is not enforceable and/or if it was enacted before the Town was given Village Powers. It was determined that the review could not continue without more information on the parameters for maintaining a legal ordinance.

Max made a motion to request that the Town Chairman consult the Town Attorney or the Towns Association for the criteria necessary to create and maintain an enforceable ordinance. Larry 2nd the motion. The Planning Commission would like to have the following questions answered:

Are there criteria for enforceable ordinances?

Is there a date that ordinances created before cannot be enforced?

When Village Powers were given to the Town of Bell what effect did that have on enforcement and what was that date?

All commissioners were in favor of this motion and it was approved.

Star North Sign Permit

At the last meeting of the Town Board a vote was taken to revoke the Town Sign Ordinance creating a need to revisit the Star North Sign Permit once again.

Several items were reviewed in consideration of the permit by the Commission. Joni and Max had both done research into the Comprehensive Plan for guidance. Those references will follow along with other resources for determining the position of the Commission and its recommendation to the Town Board.

The Bayfield County Sign Ordinance was consulted and some references from it considered:

Sec. 13-1-80 Sign Regulations Purposes

The intent of the Bayfield County sign ordinance is to balance the need to preserve the rural character and natural scenic beauty of the area with the equally important need to support the county's economic base.

Sec. 13-1-82 Number and Size of Permitted Signs

(a)(4) Notwithstanding Sec. 13-1-87 (a), if a business is located in the **Unincorporated Village Overlay District (UVOD)** as defined in Sec. 13-1-61, one of the on-premise signs allowed under Sec. 13-1-82(a) may be a light-emitting diode (LED) sign not exceeding 32 square feet.

Sec. 13-1-87

(a) No flashing, multi-colored, intermittent, or moving light, moving parts, or sound producing devices, shall be used with or on any sign.

An email from Rob Scheirman to Max that stated the process and clarified rights of the Town in approving or denying permits was introduced into the discussion:

From: Robert Schierman [mailto:RSchierman@bayfieldcounty.org]
Sent: Wednesday, December 10, 2014 3:44 PM
To: Max Taubert
Subject: Class A Special Uses

Max,

Thank you for your questions regarding Class A Special Use applications. I just wanted to send you this so you can refer back to it if needed in the future. When the Town is reviewing a request it is completely within their rights to recommend denial of the request. It is strongly recommended that if a request is denied the reasons for denial are written down in detail with references to the Town's Comprehensive Plan and attached to the form that is returned to our office. If the Town recommends denial, the Zoning Department can't issue the permit. The applicant has the right to appeal our denial by paying additional fees and bringing the request before the Zoning Committee as a Class B Special Use. Denials that are based on language contained in the Town's Comprehensive Plan and are legally defensible are generally upheld by the Zoning Committee. The current Zoning Committee has demonstrated that they will respect the Town's recommendation the vast majority of the time.

Robert Schierman
Director Planning & Zoning
Bayfield County
715-373-6138 (Office)

Joni and Max made reference to the Comprehensive Plan Survey that was taken of town residents for guidance in creating the Comprehensive Plan. References to the Survey are located in **Section 1.0 Introduction** to the Comprehensive Plan.

Page 1-4 shows highlights from the Survey results:

***75% favored establishing guidelines for signs, 63% favored establishing guidelines for lighting and 72% favored establishing guidelines for noise.**

***89% agreed or strongly agreed that it was important to maintain the Town's rural character**

Page 1-6 When asked in what ways the natural beauty of the Town's roadways and scenic views should be protected almost **60%** said that setback requirements were important and **61%** wanted to see the sign ordinance enforced.

Other references to the Comprehensive Plan include:

Page 2-13 – Land Use Element Issues

Retaining the rural characteristics of the Town was noted as important to a majority of land owners. Protecting those characteristics may involve setting up standards and requirements for future development that may include architectural review, lighting restrictions and signage oversight.

Page 6-16 Agriculture, Natural and Cultural Resources Element Issues

Issue: There is a need to maintain the existing quality of life and unique rural character of the Town.

Page 7-2 Economic Development Element

Future Economic Base Considerations: The Town of Bell should continue to implement means to maintain the natural beauty and ambience of the small and rural township. The Town of Bell will follow Bayfield County guidelines and develop additional guidelines should they be necessary.

Page 7-4 Economic Element Goals and Objectives

7.6.1 Economic Element Vision Statement

The Town of Bell shall nurture and promote the Economic Development of the Town to ensure that there will be adequate business service establishments and well as encourage the development of employment related activities while being cognizant of the historical traditions and the environmentally friendly culture.

Page 7-5

7.6.2 Economic Development Element Goals, Objectives, and Policies

Goal: To support and enrich the development of existing service establishments and to aggressively add to the business list those businesses that are perceived as being vital to the community at large.

Objective: All of these kinds of retail development must lie within the constraints of county zoning and state wide regulations and more importantly with the advice and consent of the community, as they impact the environment as well as the ambience of the community.

Joni also provided some information that she had researched from the American Planning Association on the impact of digital signage including video signage and moving lighted messages on signs including functional characteristics that could have an impact on traffic safety. Community aesthetics are also cited as a consideration and are commonly prohibited in neighborhood commercial districts, historic districts and scenic corridors in close proximity to schools and residential districts. www.planning.org/zoning/practice/2008/pdf/apr..pdf

Susan made a motion that the Planning Commission recommends that the Town Board deny the Star North sign permit application with references to before mentioned items in the Comprehensive Plan. These items should be attached to the permit when returned to Bayfield County Planning and Zoning.

Joni 2nd the motion. 4 commissioners were in favor and 1 against. The motion carried.

Since we no longer have a Town Sign Ordinance, consideration of establishing a set of criteria for future review of sign permit applications will be put on the next meeting agenda.

There will be no August meeting.

Janice made a motion to adjourn the meeting, Larry 2nd, all were in favor and the meeting was adjourned at 8:20 pm.

The next meeting of the Planning Commission will be September 3rd at 7:00 pm at the Community Center.

Respectfully submitted,
Susan Keachie
Secretary