



PLEASE TAKE NOTICE that there will be a City of Lodi Plan Commission meeting held on Wednesday, August 10th, 2022 at 6:30 pm in the Council Room, City Hall, 130 South Main Street, Lodi, WI.

Plan Commission Minutes

1. Call To Order

Rich Stevenson called the meeting to order at 6:31 pm.

2. Virtual Etiquette Announcement

None present online, etiquette skipped

3. Roll Call

Commission members present: Peter Tonn, Nick Strasser, Jessica Clark, Jennie Larsen, Ken Detmer, Rich Stevenson

Commission members excused: Ann Groves Lloyd

Staff present: Brad Vowels-Katter – MSA, Zoning Administrator (Substitute), Brenda Ayers – City Administrator

4. The Pledge Of Allegiance

5. Public Input

No public input noted

6. Approve Minutes from July 12th, 2022.

Motion to approve from Nick Strasser, seconded by Peter Tonn. Discussion as correction “Jennie Clark” corrected to Jessica Clark and Jennie Larsen. Brenda Ayers role changed to City Administrator. Motion Passed 7-0.

7. Discussion on temporary church use at Parcel 359 (120 Portage Street) in the C-2 zoning district.

B. Vowels-Katter briefed the Planning Commission on the current status of the issue, including options the Commission may consider. R. Stevenson discussion about options to send letter allowing use through December 2022 with no Conditional Use Permit (CUP). B. Ayers added clarification about existing owner previous letter sent with no response and occupant's plans to move in Dec. 2022, sign permit was approved previously with no guidance on applying for CUP, issue has persisted for 2 years with no action from Commission. P. Tonn noted changes to zoning ordinance since church has existed with other similar entities requiring the CUP process. B. Ayers clarified that occupant has responsibility to apply for CUP with owner's approval. J. Clark posed questions about timeline of CUP process being longer than expected occupancy. Discussion about when occupant will be out of the space. J. Clark noted sign application did not trigger CUP process back in 2020. Discussion about process not being clear and public/occupants may not know process. K. Detmer discussion about Zoning Ordinance enforcement, J. Larsen clarification about code violations. Fines & fees noted as based on offense, first offense between \$25 and \$1,000 as set by Police Chief. Discussion adding fine and penalties to violation letter per code language. Option to move vs staying with CUP process; application postmarked by Dec. 31, 2022 to meet requirement. CUP application fee noted as \$550. P. Tonn outlines violation letter language to be included in motion. Comments for zoning administrator (ZA) to include more compassionate language toward resolving issue as the ZA represents the Commission, past negative issues with other 3rd party ZA language discussed. J. Clark question about drafting motion with letter contents defined. Motion by P. Tonn to allow church to continue without CUP through end of 2022 stating that the church should relocate or file for a CUP with fees postmarked by Dec. 31, 2022 citing chapter 1-3 of City Code for fines/fees assessed, letter to be written by ZA and reviewed by City Administrator prior to sending. Second from J. Larsen. N. Strasser noted agreement with plan. J. Larsen noted meeting records has specific language that should be included in letter. K Detmer comment to include Police Chief in cc of letter as notice. B. Ayers noted violations do not always include fines, under discretion of Police Chief. P. Tonn clarifies compassionate response language. Motion carries 7-0.

8. Discussion on City of Lodi design guidelines (section 340-20).

R. Stevenson discussed history of zoning ordinance issue, storage area converted to accessory structure with temporary tarp roof as potential non-conforming use in existence for approximately past 2 years. P. Tonn discussed comments from last meeting that adding the roof makes the screening area converted to accessory structure that is not in compliance. If roof remains it is in violation, if roof is removed it is in compliance with existing outdoor storage ordinance. Questions about the ownership and property where it sits. B. Ayers clarified ownership vs use without permission is a civil issue, not zoning issue. R. Stevenson and P. Tonn comment about structure's intended use as dumpster screening area and is not designed as an accessory building thus making it illegal. J. Larsen questioned structural changes that could make it compliant. Existing layout and setbacks are in violation. B. Vowels-Katter clarified accessory building ordinance.

P. Tonn adds that response should include language where if they remove the roof, the structure will comply with screened storage areas. J. Clark commented on alternative scenarios that would be allowed vs following zoning ordinance. B. Ayers commented on design guidelines, tarp color, and complaints from community. B. Vowels-Katter added references to design guidelines and existing community character/style. Issue revolves around the tarp making the structure a non-conforming accessory building. J. Clark and P. Tonn discussion on options for owner including removing tarp or rebuilding the structure to conform with 340-11 and 340-20 with building permit required. Tarp roof makes it non-conforming, tarp color caused attention to be given, and complaint to be filed. Discussion about design standards and how buildings are required to fit into broader neighborhood appearance. Tarp noted as being on structure for 2 years while structure has been there for at least 10+ years. Noted that building colors should be harmonious with surrounding context or desirable to community identity.

R. Stevenson added issues regarding 'grandfathering' rules applying to structure, how the structure sits close to property line. Building a structure even a container corral would require a building permit and modifying it further would require another building permit. J. Clark specifies that using the structure as it is being used is illegal and to make it legal would require an accessory building at significant cost. Structure can be used for storage without roof and is then compliant. B. Vowels-Katter clarifies that owner may use alternatives to fix their problem, but that is not within responsibility of planning commission. R. Stevenson makes a recommendation to advise the zoning administrator (ZA) to draft a violation letter informing the owner that they must address the non-conforming structure. P. Tonn adds that the structure would comply with screening ordinance if roof is removed, letter should clarify that they don't need to remove the entire structure. P. Tonn made the motion to advise ZA to draft violation letter for lot owner. R. Stevenson seconded. Motion carries 6-0, K. Detmer abstained.

9. Discussion on zoning amendments to remove barriers to affordability.

R. Stevenson introduces the topic. P. Tonn recommends waiting until usual zoning administrator (ZA) has returned from vacation to proceed. J. Clark asked about preparation work from substitute ZA (B. Vowels-Katter), added as a joint effort and could briefly explain the changes and answer questions. B. Vowels-Katter describes each section changes to simplify existing codes and additions to permitted/conditional uses, definition changes to remove 'family' as replaced by 'unit', adding accessory dwelling unit (ADU) and detached condominiums (DC) to existing language per guidance of planning commission. R. Stevenson asks about 'cottage clusters' as defined under DC addition. Discussion about DC ordinance clarity provided by ZA.

P. Tonn addresses changes to ADU language to include more clarity for separate sewer and water lateral requirements for detached ADUs only. Discussion returns to appropriateness of detached condominium in R-2 versus R-3, limits of condominiums, larger condominiums would be permitted in R-3 as denser land use pattern. Clarification that ADU requirements fit within the Accessory Building code. Updated definition section overview by ZA. R. Stevenson questions similarities to other community zoning ordinances to streamline process, clarifies that new ordinance should be more clear and not more cumbersome for developer. ZA points to examples used to draft new sections as applied to the unique Lodi environment. P. Tonn comment that PC agrees with definition changes from ZA as providing more clarity. Questions address the flexibility and clarity for new developers and growth for new development. R. Stevenson and P. Tonn added that overlay was meant to protect existing development while allowing new development patterns as needed. R. Stevenson proposed that changes be reviewed prior to next meeting for comment and question with usual ZA.

K. Detmer supplied objection to detached condominiums being allowed in R-2 districts – too dense, should be in R-3 only. P. Tonn clarifies that detached condominium is not attached multifamily housing. Clarifying discussion about DC lot and building bulk requirements matching existing patterns of development for R-2/R-3 districts. B. Ayers and ZA clarifies DC definition typical pattern to neighborhood context. R. Stevenson addresses questions from public regarding senior housing in 'cottage clusters' concept. N. Strasser adds comments for R-2 means single and duplex units, DC units will fit into that pattern with single units. P. Tonn and R. Stevenson provided clarity on R-2 vs R-3 DC bulk requirements, structure sizes, and denser development pattern. J. Clark comments about intentionality of DC in R-2 districts for senior housing, age diverse neighborhoods, and affordability. Public perceptions of DC may cause some confusion. ZA reviewed the layout bulk requirements. P. Tonn proposed grouping R-2 next to R1C areas, and more transitional districts. B. Ayers addresses the mixed-use development approach and the review processes, new ordinance will allow more flexibility by default. Existing zoning maps will need to be changed across the board. ZA clarifies that the new zoning ordinances will apply to existing sites already zoned, and new developments applied to existing and future land use maps.

P. Tonn comments on the applicability of rezoning process with building on existing lots and zoning overlay defaults to new zoning scenario by lot sizes. ZA clarifies that non-conforming structure ordinance would apply to old development and how setbacks are addressed within renovations. J. Larsen supported ZA clarification about non-conforming structures on existing lots. N. Strasser comments on how zoning applies to prevent spot zoning. Broader support to simplify zoning and then applied to not build smaller than current building footprint. Request from PC to investigate potentially mapping lot sizes as applied to new zoning ordinance throughout the zoning overlay. N. Strasser proposes zoning based on lot sizes. How would overlay district be treated in new ordinance scenario. How do existing residents address different zoning changes and building new construction – automatically default to existing building footprint. B. Ayers suggests defaulting to ZA how the overlay district is treated under new ordinance.

J. Clark and R. Stevenson propose postponing the discussion and further question to next meeting when usual ZA will attend for clarity on issues after the PC has had 1 month to review new ordinance framework as applied to existing zoning map. Broader consensus to address the application of the new ordinance for existing and new development per input from ZA. P. Tonn clarifies how quickly a map for internal review based on zoning. ZA confirms that maps can be created to illustrate how zoning ordinance changes will be applied and clarifies process to adopt new ordinance. K Detmer questions total amount of R-2 and R-3 that will be impacted by new changes, how will existing residents be impacted by new ordinance. No motion put forth. Matter will be taken up at next meeting.

10. Update and Discussion on Zoning Administrator Report (zoning inquires or permits approved since the last meeting, on-going City project updates, and requests for future agenda items).

R. Stevenson opens discussion of Zoning Admin (ZA) report. N. Strasser questions dog daycare issue. Zoning Admin clarifies that complaint about dog daycare in residential area is under investigation for proof before an inspection can take place with police department and ZA for a cease and desist letter to be drafted. Preliminary police inquiries have not produced any evidence initiating a formal inspection. Advises PC not to proceed with letter until proof is identified beyond public complaint. ZA clarified formal inspection process for zoning code violations. B. Ayers followed up with checking on dog licenses and permits for property and following up with police department for other issues outside of zoning violations.

B. Ayers explained Riedesel zero-lot line CSM being brought before board with same application since postponement from 2021. Prior approval of Planning Commission was kept and will be carried forth at next City Board meeting with no significant changes.

11. Adjourn

N. Strasser makes motion to adjourn. J. Clark seconded. Motion unanimously carries. Meeting adjourned at 8:53pm.