



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

[Registration](#) for virtual attendee public input must be completed 24 hours prior to meeting start time.

Virtual Meeting Access: <https://us06web.zoom.us/j/88453443209?pwd=cWZCShNMazd1dGI5T2RqaW1Oai9kZz09>

Meeting ID: 884 5344 3209 **Passcode:** 723273 **Phone:** 1-312-626-6799

[Plan Commission Agenda](#)

1. Call to Order
2. Meeting Etiquette
 - The meeting Chair will:
 - Identify the number of public input registrations
 - Identify Alders or staff attending remotely (Stay muted when **not** speaking)
 - Acknowledge attendees prior to speaking
 - Virtual attendees should identify themselves in the chat box
 - In-person attendees should sign the attendance sheet
 - All attendees should raise their hand to be recognized prior to speaking
 - No side conversations
3. Roll Call
4. The Pledge of Allegiance
5. Public Input

Must state name and address. Must be limited to items not on the agenda. Limited to two minutes unless otherwise extended. Commission's role is to listen and not discuss the item. Personnel issues cannot be discussed nor individuals named. The Commission is unable to take action at this meeting.

6. Approval of Minutes from July 12, 2022

Documents:

[07 -12-22 PC Minutes.pdf](#)

7. Discussion Regarding Temporary Church Use at Parcel 359 (120 Portage Street) in the C-2 Zoning District

Documents:

[Staff Report_120 Portage Street_Church Use.pdf](#)

8. Discussion Regarding City of Lodi Design Guidelines (section 340-20)

Documents:

[Staff Report_Design Guidelines_2022_08_04.Pdf](#)

9. Adjourn

Posted: _____

By: _____

Members: Mayor Groves Lloyd, Alders Stevenson (Chair), Strasser, Tonn; Citizens Clark, Detmer, Larsen
Agendas may change up to 24 hours prior to the commencement of the meeting. Reasonable accommodations for persons with disabilities may be made in advance by calling City Hall at 608-592-3247.

Notice is hereby given that a majority of the City of Lodi Common Council may be present at a meeting of the Plan Commission to gather information about subjects over which they have decision making responsibility. This constitutes a meeting of the city council pursuant to State ex rel. Badke v. Greendale Village Bd., 173 Wis.2d 553, 494 N.W.2d 408 (1993), and must be noticed as such; although the City of Lodi Common Council will not take any formal action at this meeting.



PLEASE TAKE NOTICE that there will be a City of Lodi Plan Commission meeting held on Tuesday, July 12th, 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

3. Roll Call

*Commission members present: Groves Lloyd, Peter Tonn, Rich Stevenson, Nick Strasser, Ken Detmer (online), Jennie Clark
Staff present: Stephen Tremlett – MSA, Zoning Administrator, Brenda Ayers – City Clerk*

4. The Pledge Of Allegiance

5. Public Input

None.

6. Approve Minutes from June 14th, 2022.

Motion by Groves Lloyd, seconded by Tonn, to approve the minutes. Motion passed 7-0.

7. Public Hearing:

Conditional use permit to use Parcel 231.12 (216 S. Main Street - Unit A) for a church use.

Katy Helmer stated she attended the meeting last month discussing faith and service with the discussion covering a lot of talk about tourism dollars. She wanted to note that the current church is out in a cornfield and people travel from all around to attend the church. Also noting people will come weekly from other areas such as Poynette, Columbus, Portage, Sauk City, etc. Public closed at 6:40pm.

8. Discuss and consider recommending Common Council approval of a conditional use permit to use Parcel 231.12 for a church use.

Motion by Tonn, seconded by Groves Lloyd, to recommend approval of the conditional use permit per the conditions outlined in the zoning administrator's memo.

Stevenson noted the commission went through the discussion last month, so they were ready to vote on it. Strasser agreed that they had a good discussion the prior month. Tonn added this discussion began even two months when discussion the permitted and conditional use lists. Clark asked about parking usage, understanding parking is always a hot topic in downtown. Stevenson stated parking is light on Sundays. Larsen noted she allows usage of her resale store parking lot, as it can provide wheelchair accessible spaces. Tonn mentioned parking along the backside of the buildings is pretty full Monday through Friday with some use on Saturdays, but sleepy on Sundays. Larsen added there is typically available parking on Main Street on Sundays, offering additional parking. Motion carries 7-0.

9. Discussion regarding permit requirements for small sheds and accessory structures distance from principal structures.

Tremlett reviewed the staff report, dated July 7th, 2022. Larsen asked if "non-permanent" foundation is used elsewhere in the code, meaning it should also be defined in the definitions section of the zoning ordinance. Tremlett believed it to only be identified in this case. Groves Lloyd stated if that's the case it can be defined here and not added to the definitions section. Stevenson stated he is favor of the language as written, especially with the clarification that a permanent foundation is extended below the frost line.

Clark noted it was first time seeing a separation of six feet as noted in the current ordinance, as she has seen 5 or 10 feet typically. Clark asked if there is a definition in another section of the code, and if the City should adopt the definitions in the Wisconsin building code. The City could reference the building code and not worry about having to amend the definitions in the City ordinances. Tremlett stated this definition related to non-permanent foundation and foundation does not identify quantities and should be considered standard now and into the future. Ayers added that zoning review is not typically verifying to building codes. Some discussion on plastic sheds under 100 square feet and adherence to the ordinance without City review. Confirmed that all sheds are required to meet the ordinance, but those under 100 square feet would not be required to submit for a zoning permit.

Confidence motion by Tonn, to bring this amendment through adoption process in two months with other zoning amendments. All voted in favor of this motion.

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

Tremlett reviewed the draft zoning district amendments. Strasser asked if the amendments allow for cottage clusters. Tonn questioned if cottage clusters are covered in the multi-unit residential use category. Tremlett stated that cottage clusters are unique as they are single-family homes on shared land, so not specifically matching the definition of the multi-unit buildings. Stevenson stated he would like cottage clusters to be allowed without requiring a conditional use permit.

Tonn questioned how the layout of cottage clusters are reviewed if its not conditional use. Tremlett noted that all development, except with single-family and duplex homes, are reviewed based on existing design standards; however, the current standards are quite general. The updated Comp Plan included an action to look at these design standards and consider amendments to be consistent with the policies in the Comp Plan. Direction was given to Tremlett to revise the amendment to clearly permit cottage clusters in R-3 and conditionally allow in R-2.

Detmer asked if the zoning map requires amendment based on the district changes. Tonn stated new future requests can become R-1B and R-1C. Tremlett expanded on this by stating that all R-1 zoned parcels would change to R-1A, which is not a district change (rather a name change). The R-1B and R-1C are new zoning districts that can be requested in rezone applications. R-2 and R-3 zoning properties will remain in these categories, so no map amendment is required.

Tremlett discussed the nonconforming structures amendment to allow expansion and rebuilding of homes that matches the existing nonconformity in setback. Clark asked what led to this change. Tremlett noted that the most affordable homes in a community is the existing housing stock, and allowing for updates and expansions is important strategy to continue to provide affordable housing options. Ayers noted this removes the hardship on existing homeowners that would need to request a variance. Clark agreed this is a beneficial change to the ordinance. Larsen added that this especially important for the older lots that are smaller. Tonn added that this also came about in reviewing an attached garage request that required a variance, which complicated the process and required more time and money to approve.

Tremlett discussed making 3- and 4-unit residential structures as conditional in the R-2 zoning district. Strasser asked if there has been requests for this type of development to warrant a need to change the district. Ayers noted that after Act 67 that conditional use reviews are based on substantial evidence to deny. Tremlett discussed the potential change to how the City handles conditional uses by noting specific conditions to allow for a use without requiring the conditional use process, using the City's Article XII (Specific Requirements for Certain Land Uses and Activities).

Tremlett reviewed the draft accessory dwelling unit (ADUs) requirements. Tonn stated that separate water and sewer laterals are required for all cases except for interior ADUs. Larsen asked the cost for a separate lateral. Tonn noted likely around \$35,000. Clark asked what happens if someone subdivides the lot between the ADU and principal structure. Tremlett noted there is existing language for waiving separate lateral in the zero-lot line duplex regulations.

Ayers noted a need to have principal used properly throughout the ordinance as it is sometimes listed as principle and primary dwelling. Tremlett stated he would revise the current amendments based on today's conversation and share another draft at the next meeting.

11. 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).

Tremlett reviewed the staff report, dated July 5th, 2022.

12. Adjourn

Motion by Strasser, seconded by Groves Lloyd, to adjourn. Motion passed 7-0, meeting adjourned at 7:56pm.

To: Lodi Plan Commission
From: Stephen Tremlett, AICP, Zoning Administrator
Subject: Temporary Church Use in C-2 District (120 Portage St)
Date: August 5th, 2022

Background Information

The Grace Valley Church has been occupying a property in the C-2 zoning district without a conditional use permit (CUP). The property owner was sent a zoning violation letter, dated June 6, 2022, requiring the property or church to submit a CUP application for the July Plan Commission meeting. Brenda Ayers has communicated with the property owner and it's our understanding the church is moving to another location in the City; however, they will not close on the property until December.

Applicable Zoning & Development Code Regulations

- Chapter 340-32 C-2 Central Business District Core. Churches are conditional use.

Recommendation

Two options to consider.

- 1) Send a letter allowing the church to continue through the end of the year, but note fines that will be assessed should the use continue beyond 12/31/2022.
- 2) Send a cease-and-desist letter to stop church services, as the property already received a letter noting the use violation and actions is required to come into compliance.

Sincerely,
MSA Professional Services, Inc.



Stephen Tremlett, AICP
Zoning Administrator

Enc: C-2 Central Business District Core Proposed Update

To: Lodi Plan Commission
From: Stephen Tremlett, AICP, Zoning Administrator
Subject: Issue with Accessory Structures (Chapter 340-20 Design Guidelines Requirements)
Date: August 4th, 2022

Request

Review the use of tarp as a roof material over an accessory structure in the C-2 zoning district.

Background Information

Someone has questioned the allowance of a tarp being used as screening/protection over an accessory structure that stores a motorcycle (as pictured below). This alteration to the accessory structure has been in existing for at least two years, but not approved original with this material over the roof of the structure. The existing zoning ordinance does not directly regulate on this matter except for design review with new construction, additions and remodeling of commercial, industrial and multi-unit residential uses.



Applicable Zoning & Development Code Regulations

- **Chapter 340-11 Accessory buildings and uses.** *[no specific requirements matching this concern]*
- **Chapter 340-87 Wall and fence materials.**
 - A. Durable materials. All walls and fences hereafter erected shall be durable, weather-resistant, rustproof, and easily maintained.
 - D. Fence maintenance. All fences shall be kept in good condition, plumb and true, and without damage.

MEMO

8/04/2022

- **Chapter 340-91 Screening of trash areas.**
All trash, recyclable and/or garbage collection areas for multifamily dwellings and businesses shall be enclosed on at least three sides by screening at least as high as the height of the refuse container(s). Any open side shall not be visible from a street or abutting properties.

- **Chapter 340-92 Screening of outdoor storage in commercial and industrial districts.**
A. Permitted outdoor storage and outdoor storage areas in commercial and industrial districts exposed to view from any street adjacent to the property on which the storage area is located shall be screened by a six-foot-high sight-obscuring fence, wall, or landscape berm or planting strip when approved by the Administrator.

- **Chapter 340-20 Design guideline requirements.**
C. Guiding principles.
(1) Buildings shall be designed to present an inoffensive exterior appearance and to meet generally accepted taste and community standards.
(2) Building design shall not have an exterior appearance which is so similar to those within reasonable proximity as to create an excessive monotony.
(3) Exposed facades shall be constructed or faced with a finished material which is aesthetically compatible with other nearby facades or which presents an attractive appearance to the public and to the surrounding properties.
D. Design guidelines.
(1) Building design.
(a) Architectural style is not restricted; style of structures, however, should be consistent with the surrounding area.
(b) The composition of major building elements, such as massing, roof lines, colors and materials, should complement and contribute to a desirable community identity.
(c) Colors should be harmonious and relate to the overall site and to the City as a whole.
E. Permits, fees, and approval of designs.
(3) Minor projects. Permits for minor projects consisting of additions or remodeling of existing buildings, which consist of less than 50% in area of the square footage of the existing building, shall be reviewed and approved by the Zoning Administrator. The Zoning Administrator may, at his or her discretion, refer the permit approval to the Plan Commission.

Recommendation

It is unclear if a temporary tarp used permanently to the roof of this accessory (enclosure) structure should be reviewed as an "addition", requiring a design review application and approval. There are several design guideline requirements that would prohibit this particular use of the tarp (highlighted in red above). All other relevant sections of the zoning ordinance are silent on this matter. Two questions I have for Plan Commission.

1. Do you feel this use of temporary material as a permanent roofing material (as it has been up for at least two years) requires a design guideline application and review?
2. Do you want the zoning ordinance to more explicitly restrict this type of material use on accessory structures? If yes, I would recommend altering the design guidelines and/or screening regulations above.

Sincerely,
MSA Professional Services, Inc.



Stephen Tremlett, AICP
Zoning Administrator