

**TOWN OF GIBRALTAR
SPECIAL JOINT MEETING OF
GIBRALTAR TOWN BOARD AND PLAN COMMISSION
WEDNESDAY FEBRUARY 13, 2019
GIBRALTAR TOWN CENTER
4097 HIGHWAY 42, FISH CREEK WI 54212
6:00 PM**

Approved: May 1, 2019

Call to order: Dick Skare called the special joint meeting of the town board and plan commission at 6:00 p.m.

Roll call/quorum: A quorum of the town board and plan commission was present.

Town Board present: Dick Skare, Steve Sohns, Barb McKesson, Dwayne Daubner and Bill Johnson

Plan Commission present: Linda Merline, Brian Hackbarth and Don Freix

Plan Commission absent: Doug Lindeman and Tom Blackwood

Also present: Bob Kufrin

Agenda/proper notice/adopt agenda: The agenda was properly noticed. *Motion: (Johnson, Daubner) to adopt the agenda as presented. Carried*

Presentation of recommended County Zoning code adjustments to match the Gibraltar

Comprehensive Plan's vision: Skare stated that Monday's meeting allowed for the intake of the recommendations without much discussion so that discussion can be had this evening.

Sign Code and Outdoor Display: Concerns/Comments

- Bill pg. 3 questioned seasonal signs in areas where there is not a 10' setback i.e. Bayside Tavern with Christmas trees – should there be a variance available if there is less than 10' setback. Consensus to modify to have the sign no closer than 10' from the side and front lot lines unless the building is closer than 10' at which it can be on the building.
- 4(a) 2 square feet internally illuminated sign cannot be restrictive in wording. Should it be allowed for all businesses – board leaning toward all businesses vs. hotels/motels only, with a flag as an alternate.
- Steve pg. 2 (i) – parking on private lot, is the vehicle used or just a sign? Do not want to hinder someone's use of their vehicle or businesses coming to town i.e. fleet trucks. Issue is if it is a piece of advertising. Bob to come back with a fix – intention is to address signage.
- 6A Flags preconstruction grade definition was clarified
- Pg. 6 #4 Directional signs Add #6 A caveat that states that all the above codes shall superseded by the towns wayfinding sign code. Mariah stated that wayfinding signage carries with it its own set of restrictions.

Outdoor Display

- Pg. 8 11 Intention is signage, it is a double standard on signage restaurant vs. food truck. Dick will send to Attorney Bob Gagan.
- Are people going to be grandfathered in on outdoor and the number of items being displayed?
- Kufrin After page 6 line 11 is new code, previous to that was the old sign code. It is how big an area you can sell your inside stuff outside. That is the reason for the percentage.

Mariah Goode, Director of Door County Land Use Services stated the County is in the midst of a rewrite of the sign chapter due to the Supreme Court ruling. She did not believe that there will be different regulations for different types of signs. Most of what is being proposed will not be adopted by the county do to the amount of work that would be required. Mariah suggested that the town would adopt a town level sign and/or design ordinance that would be enforced strictly by the town. It would have to be more restrictive than the county. Whenever a new ordinance is added it is not retroactively applied.

Business occupations in residential districts

Intent is to control sprawl of home office, home businesses, home occupations

- Property owner has a right to know what if there will be high traffic in a residential area. The concern is high impact home businesses.
- The concern is balance and housing affordability.
- Not all home businesses are high impact, most are low impact, to broad. Flexibility, not a one size fits all situation.
- Current ordinance was written as a tiered response by employees, number and type of clients
- It is hard to regulate all home businesses
- Home office should not be regulated by 25% - nobody's business how much is used, as long as it remains their residence.
- 25% relates to state building code, building code is causing problems with home businesses even in accessory buildings.
- 9ab can have two home occupations as originally written, as rewritten can have of each of office, occupation and business.

Temporary Uses

- The issue is the number of times uses 10. Prompted by public events: weddings, Camp David, etc.
- There are 10 Saturdays or Sundays during the summer.
- Buildings that are not commercial, roads not built for commercial use, noise ordinance
- County permit for temporary use would be too cumbersome; ok to town issue permit
- Sohns 1b parcel or lot just gives clarity.
- Transactional uses – wedding charge.
- Remove 1d
- There is no “use” variance in Door County
- Easy fix would be to have Gibraltar added to sub (a) with Liberty Grove on the 6 day total per Mariah

Skare called a 5 minute break. The meeting reconvened at 8:55 p.m.

Outdoor active recreation

There were no concerns by the board. Mariah stated this section is redundant as if it is a government park you do not need an outdoor active recreation permit. Any size lot can have a park. If a commercial outdoor active recreation setbacks and parcel size would have to be adhered to.

Possible Planning to submit written questions for written response.

Village Commercial front setbacks

Keep as drafted as it keeps flexibility.

Village Commercial side setbacks

A few variance cases primarily in the village area. Kufrin this addresses new construction. Primarily unenclosed steps and stairways, not decks are requesting variances. Currently 25' back from ROW as the edge of the road can move.

Highly developed shoreline

The shoreland zoning code allows for the downtown area to be designated a “highly developed shoreline” which would raise the limit to 30% up to 60%. This upper limit is still below the Town standard of 75%. In order to become designate a highly developed shoreline it must meet one of three measures:

1. The area has a majority of lots with 30% impervious surface.
2. The area is composed of a majority of lots that are less than 20,000 square feet.
3. The area is on a lake and served by a sewer system.

Is there the potential to include Cottage Row; this would be determined by the county. This is something the town would want to consider drafting a letter to the county.

Allow hotels/motels in Village Commercial

Bob questioned why hotels were not listed in Village Commercial; Mariah responded that they were considered MOD's. Change from dwelling units vs bedrooms. How many bedrooms do you want to have in a footprint? Mariah simple ways to get what you want; get rid of your density overlay. Commission should reinvestigate and with county planning.

Adjourn: *Motion: (Johnson, Daubner) to adjourn at 10:07 p.m. Carried*

Respectfully Submitted,

Beth Hagen, Clerk