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City of Ashland, Wisconsin

601 Main Street West Ashland, WI 54806 www.coawi.org

PLAN COMMISSION MEETING

June 22, 2021 at 6:30PM via Go To Meetings

The meeting can be joined from a computer, tablet or smartphone at <https://global.gotomeeting.com/join/575916581>. The meeting can also be accessed by phone at 1 866 899 4679 using Access Code: 575-916-581

AGENDA

1. Call to Order and Roll Call
2. Approval of the Agenda
3. Consent Agenda
 - a. Approval of minutes from the April 6, 2021 Plan Commission meeting
4. Public Comment (non-agenda items)
5. Action Items:
 - a. Public Hearing and Vote regarding Amendment to Unified Development Ordinance Chapter 781 to permit emergency residential facilities within the Light Industrial zoning district. Applicant: Crossroads Outreach
 - b. Public Hearing and Vote regarding Amendment to Unified Development Ordinance Chapter 781 to create reference to a new demolition recycling and reuse ordinance governing demolition of structures which are not blighted/damaged
6. Announcement/Reports/Comments/Questions
7. Adjournment

It is possible that a quorum of members of other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information or speak about a subject, over which they have decision-making responsibility. Any governmental body at the above stated meeting will take no action other than the governmental body specifically referred to above in this notice. The City of Ashland does not discriminate on the basis of sex, race, creed, color, national origin, sexual orientation, age or disability in employment or provision of services, programs or activities. NOTE: Upon reasonable notice, the City of Ashland will accommodate the needs of disabled individuals through auxiliary aids or services. For additional information or to request this service, contact Megan McBride at (715) 682-7041.

City of Ashland – Plan Commission Meeting Minutes

A meeting of the Ashland Plan Commission was held on **Tuesday, April 6, 2021 at 6:30 p.m.** via GoToMeeting.

Committee Members Present: Matt Mackenzie, John Beirl, Ana Tochtermann, David Mettill, Katie Gellatly, Mayor Lewis, Laurie Gregor

Committee Members Absent: N/A

Staff Present: Megan McBride

Guest Presenters: Sean Lentz

Mayor Lewis opened the meeting at 6:30 p.m.

Agenda

1) Approval of Agenda

Motion to approve the agenda by Ana Tochtermann, seconded by Laurie Gregor. Passed unanimously.

2) Consent Agenda

Motion to approve minutes from the February 16, 2021 and March 16, 2021 Plan Commission meetings by Ana Tochtermann, seconded by David Mettill. Passed unanimously.

3) Public Comment (non-agenda items)

Kevin Porter spoke in support of the proposed TID #10 amendments, and said he is very excited to see these downtown development resources come together.

4) Action Items

- a) Public Hearing regarding the proposed amendment of boundaries and project plan for Tax Incremental District No. 10 (See the Public Hearing Notice which was published on March 30, 2021)

Motion to go into Public Hearing by David Mettill, seconded by Laurie Gregor. Passed unanimously.

Megan McBride summarized the public hearing notice which was posted in the newspaper on March 30, 2021, and also at City Hall, the Vaughn Public Library, Ashland County Courthouse. It was mailed to all properties proposed for inclusion in the TID #10 boundary.

Mayor Lewis stated that she had been contacted by Bobbi Baron-Smith, the daughter of the current owner of 501 3rd Street West. She had questions regarding how the inclusion of this property within the TID boundary would impact the property.

Megan McBride said that she was also contacted by somebody prior to the meeting, which was Darren Smith, husband of Bobbi Baron-Smith who contacted the Mayor. Mr. Smith also had questions regarding the impacts of inclusion in the district, and McBride explained that it would not impact their property taxes but would make the property more eligible for redevelopment incentives.

Sean Lentz provided some context regarding the creation of TID #10, which is a Slum and Blight Elimination TID. He went through the attached slideshow to summarize the proposed changes to the TID #10 Project Plan and boundary. He also highlighted the importance of ongoing oversight of the TID revenue and expenses to ensure that financially responsible decisions continue to be made for each project. He emphasized that approval of the proposed boundary and Project Plan amendments would not authorize any borrowing or spending on its own, as all individual projects would still need to come back to City Council for approval.

Motion to go out of Public Hearing by David Mettillie, seconded by Laurie Gregor. Passed unanimously.

- b) Consideration and possible action on “Resolution Designating Proposed Amended Boundaries and Approving a Project Plan Amendment for Tax Incremental District No. 10, City of Ashland, Wisconsin”

Motion to recommend approval of proposed Resolution to amend the boundaries and Project Plan for Tax Incremental District No. 10 by Mayor Lewis, seconded by David Mettillie.

Laurie Gregor asked what the downsides of the proposed changes would be.

Megan McBride explained that the biggest concern she typically hears is around property taxes, with concern from property owners that inclusion in the TID will increase their taxes, or concern that including additional parcels in the TID will negatively impact the taxing jurisdictions (City of Ashland, Ashland County, Ashland School District, and Wisconsin Indianhead Technical College). She explained that property owners will continue to pay property taxes at the same rate as properties located outside of the TID, and that current property tax values are frozen when properties are included in the TID so there is also no negative financial impact for taxing jurisdictions.

Sean Lentz agreed, and said that he typically sees more opposition involving green sites where there would be new construction that is not constrained by any outside development factors. He explained that downtown and particularly Slum and Blight elimination TID’s typically need more assistance, so the types of programs identified in the proposed Project Plan are in line with this intent.

John Beirl said that he is opposed to the proposed extension of the TID boundary, which he feels is random and seems like a type of gerrymandering which could raise suspicions of favoritism. He also said he does not support the proposed Project Plan as he felt he did not have sufficient information, because the values for anticipated future development seem arbitrary.

Mayor Lewis explained that the proposed amendments are not meant to be specific or all-encompassing, but to identify projects as we currently anticipate them and set this up as a development tool with the best information we have at this time. She reminded the Commission that each individual project will need to be reviewed and approved by Council.

John Beirl said that when TID #10 was created, it was in conjunction with a very specific project plan for the Cobblestone Hotel. He would be more likely to support this type of project-specific amendment than the proposed Project Plan amendments which rely on estimates for anticipated future tax increment.

Katie Gellatly asked why the specific boundary was identified.

Megan McBride explained that the additional parcels recommended for inclusion in the district have been strategically identified based on anticipated development projects and associated tax increment to be generated in the next three to five years.

Sean Lentz agreed, and added that there is a balance between strategically adding additional parcels to the district and not adding so many or such a broad area that it would no longer meet the Equalized Value and Blight tests that are required for Slum and Blight Elimination TID's.

Motion to approve proposed Resolution to amend the boundaries and Project Plan for Tax Incremental District No. 10 passed with a 5-2 vote, Beirl and Mackenzie opposed.

- c) Review and recommendation to City Council regarding a Development Agreement with El Tarasco, LLC for redevelopment of the northern portion of the City-owned former Timeless Timber Site

Matt Mackenzie expressed his support for the project.

John Beirl asked if supporting documentation such as proof of financing commitment for the updated project costs and a full business plan and pro forma will be required from the developer.

Megan McBride explained that these types of items will be listed as conditions of approval of the Development Agreement.

Ana Tochtermann recommended including specific language requiring that green infrastructure be incorporated within the site.

Megan McBride said she would share this input with the City Attorney for inclusion in the final Development Agreement draft which will go to City Council on April 20, 2021.

Motion to recommend approval of Development Agreement with El Tarasco, LLC for redevelopment of the northern portion of the City-owned former Timeless Timber site by Ana Tochtermann, seconded by David Mettelle. Passed unanimously.

5) Announcements/Reports/Comments/Questions

Matt Mackenzie announced that it would be his last Plan Commission meeting since he will no longer be on City Council. The Mayor thanked him for his service to the Commission.

6) Adjournment

Motion to adjourn by Matt Mackenzie. Seconded by Ana Tochtermann. Passed unanimously.

Meeting was adjourned at 8:00 pm. Minutes done by Megan McBride.



City of Ashland

**Boundary and Project Plan Amendment of Tax
Increment District (TID) No. 10**

Joint Review Board and Plan Commission Meeting

April 6, 2021



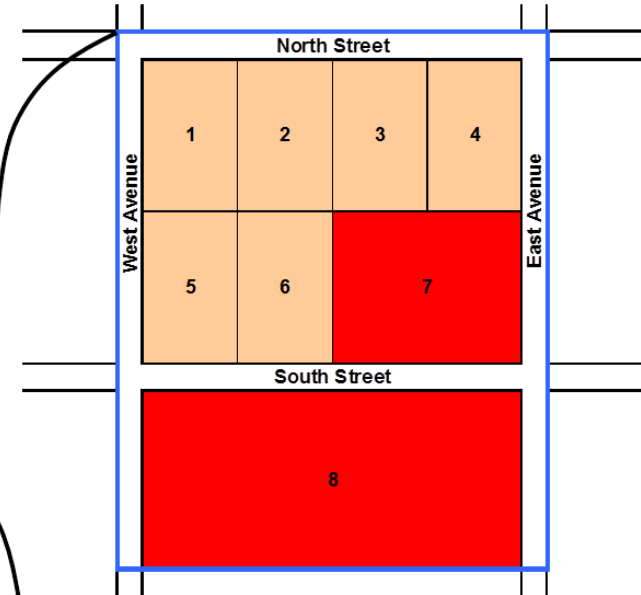
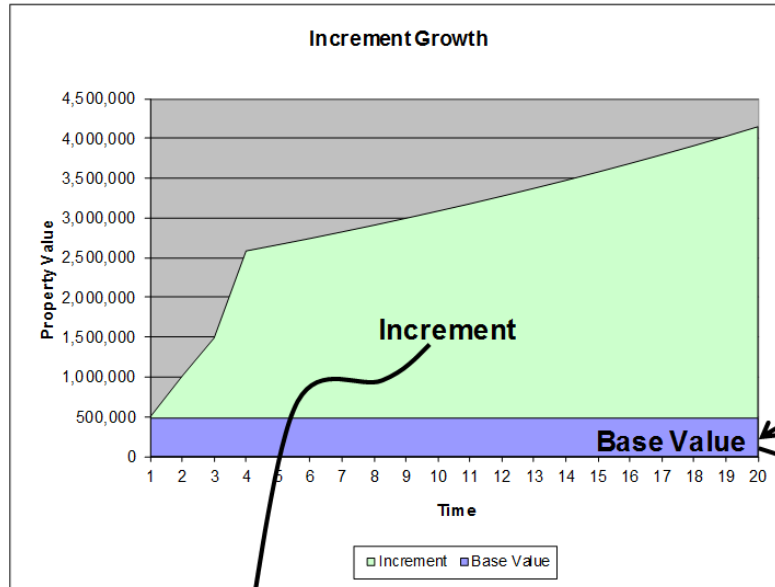
Tax Increment Financing

Tax Increment Financing captures new tax revenue from construction to create a funding source for incentives and infrastructure that can redevelop a downtown





How does TIF work?



	Mill Rate
TID	20.00
Total	20.00



The TID receives taxes on the increment value at the combined rate of all taxing entities

	Mill Rate
Local	6.50
County	4.00
School	7.50
VTAE	2.00
Total	20.00



All taxing jurisdictions continue to receive their share of the tax levy on the base value of the TID



TID No. 10 Amendment

- TID 10 is an existing blight district created in 2017.
 - ✓ Initial Cobblestone Hotel project has created a solid annual revenue stream for TID No. 10
- Proposed amendment will add territory to the existing TID 10 and add new projects including:
 - ✓ City directed Downtown building improvement grant program
 - ✓ Main Street West construction debt
 - ✓ Business plan Competitions
 - ✓ Development Incentives for:
 - 417 Main St.
 - 501 3rd St.
 - 509-515 Main St.
 - Potential future projects





TID No. 10:

Preliminary Development & Increment Assumptions

City of Ashland, Wisconsin Tax Increment District #10 Tax Increment Projection Worksheet

Type of District	Blighted Area	Base Value	1,539,978
District Creation Date	May 30, 2017	Appreciation Factor	0.00%
Valuation Date	Jan 1, 2017	Base Tax Rate	\$25.09
Max Life (Years)	27	Rate Adjustment Factor	
Expenditure Period/Termination	22 5/30/2039		

Construction Year	Value Added	Valuation Year	Inflation Increment	Total Increment	Revenue Year	Tax Rate	Tax Increment
1 2017	-	2018	-	-	2019	\$25.09	0
2 2018	4,073,100	2019	-	4,073,100	2020	\$24.38	99,307
3 2019	(139,300)	2020	-	3,933,800	2021	\$25.09	98,711
4 2020	-	2021	-	3,933,800	2022	\$25.09	98,711
5 2021	500,000	2022	-	4,433,800	2023	\$25.09	111,257
6 2022	-	2023	-	4,433,800	2024	\$25.09	111,257
7 2023	400,000	2024	-	4,833,800	2025	\$25.09	121,294
8 2024	-	2025	-	4,833,800	2026	\$25.09	121,294
9 2025	-	2026	-	4,833,800	2027	\$25.09	121,294
10 2026	300,000	2027	-	5,133,800	2028	\$25.09	128,822
11 2027	-	2028	-	5,133,800	2029	\$25.09	128,822
12 2028	-	2029	-	5,133,800	2030	\$25.09	128,822
13 2029	300,000	2030	-	5,433,800	2031	\$25.09	136,350
14 2030	-	2031	-	5,433,800	2032	\$25.09	136,350
15 2031	-	2032	-	5,433,800	2033	\$25.09	136,350
16 2032	-	2033	-	5,433,800	2034	\$25.09	136,350
17 2033	-	2034	-	5,433,800	2035	\$25.09	136,350
18 2034	-	2035	-	5,433,800	2036	\$25.09	136,350
19 2035	-	2036	-	5,433,800	2037	\$25.09	136,350
20 2036	-	2037	-	5,433,800	2038	\$25.09	136,350
21 2037	-	2038	-	5,433,800	2039	\$25.09	136,350
22 2038	-	2039	-	5,433,800	2040	\$25.09	136,350
23 2039	-	2040	-	5,433,800	2041	\$25.09	136,350
24 2040	-	2041	-	5,433,800	2042	\$25.09	136,350
25 2041	-	2042	-	5,433,800	2043	\$25.09	136,350
26 2042	-	2043	-	5,433,800	2044	\$25.09	136,350
27 2043	-	2044	-	5,433,800	2045	\$25.09	136,350
Totals	5,433,800		0		Future Value of Increment		3,314,845

- Future redevelopment in the downtown area expected to generate \$1,500,000 in new taxable value.
- Total tax increment revenue is projected to be approximately \$3.3 million through the life of the TID.
- No inflation on the base or increment values is projected.



TID No. 10: Preliminary Cash Flow

City of Ashland, Wisconsin

Tax Increment District #10

Cash Flow Projection

Year	Projected Revenues			Expenditures												Balances					Year				
	Tax Increments	Interest Earnings/ (Cost)	Total Revenues	State Trust Fund Loan 550,000			State Trust Fund Loan 357,500			State Trust Fund Loan 75,000			G.O. Bond 1,000,000			Business Plan Competition	Other Development Incentives	Admin.	Total Expenditures	Advances from General Fund					
				Dated Date: Principal	Est. Rate 09/05/18	Interest	Dated Date: Principal	Est. Rate 06/01/21	Interest	Dated Date: Principal	Est. Rate 06/01/21	Interest	Dated Date: Principal	Est. Rate 06/01/28	Interest					Cap. Int.		Annual	3%	Cumulative	Principal Outstanding
2017			0															0	0	0	2,385,000	2017			
2018			0															0	0	0	2,385,000	2018			
2019		0	0															0	0	(9,634)	2,385,000	2019			
2020	99,307		99,307	41,900	4.00%	33,573											5,000	80,473	18,835	(289)	8,912	2,343,100	2020		
2021	98,711		98,711	55,149	4.00%	20,324											15,000	90,473	8,238	-	17,150	2,287,952	2021		
2022	98,711		98,711	57,354	4.00%	18,118	14,851	4.00%	11,244	6,586	4.00%	2,280					5,000	115,434	(16,723)	-	427	2,209,160	2022		
2023	111,257		111,257	59,649	4.00%	15,824	12,389	4.00%	13,706	6,230	4.00%	2,637					5,000	115,434	(4,177)	-	(3,750)	2,130,892	2023		
2024	111,257		111,257	61,998	4.00%	13,475	12,849	4.00%	13,247	6,472	4.00%	2,394				10,000	5,000	125,434	(14,177)	(112)	(18,039)	2,039,574	2024		
2025	121,294		121,294	64,515	4.00%	10,958	13,399	4.00%	12,696	6,738	4.00%	2,128					10,000	5,000	(4,140)	(541)	(22,720)	1,944,923	2025		
2026	121,294		121,294	67,095	4.00%	8,377	13,935	4.00%	12,160	7,007	4.00%	1,859					10,000	5,000	(4,140)	(682)	(27,541)	1,846,886	2026		
2027	121,294		121,294	69,779	4.00%	5,694	14,492	4.00%	11,603	7,287	4.00%	1,579					10,000	10,000	5,000	(4,140)	(826)	(32,507)	1,745,327	2027	
2028	128,822		128,822	72,562	4.00%	2,910	15,042	4.00%	11,054	7,575	4.00%	1,291					10,000	10,000	5,000	(6,612)	(975)	(40,094)	1,630,148	2028	
2029	128,822		128,822				15,673	4.00%	10,422	7,882	4.00%	984	10,000	3.00%	48,225	(13,907)		10,000	5,000		(1,203)	(6,754)	1,586,593	2029	
2030	128,822		128,822				16,300	4.00%	9,795	8,197	4.00%	669	40,000	3.00%	31,350			15,000	5,000	2,511	(203)	(4,446)	1,507,095	2030	
2031	136,350		136,350				16,952	4.00%	9,143	8,525	4.00%	341	45,000	3.00%	30,075			15,000	5,000	6,314	(133)	1,735	1,421,617	2031	
2032	136,350		136,350				17,607	4.00%	8,488				50,000	3.00%	28,650			15,000	5,000	124,745	11,605	-	13,340	1,339,010	2032
2033	136,350		136,350				18,335	4.00%	7,760				55,000	3.00%	27,075			15,000	5,000	138,170	(1,820)	-	11,520	1,240,675	2033
2034	136,350		136,350				19,068	4.00%	7,027				45,000	3.00%	25,575			15,000	5,000	116,670	19,680	-	31,200	1,161,607	2034
2035	136,350		136,350				19,831	4.00%	6,264				55,000	3.00%	24,075			15,000	5,000	125,170	11,180	-	42,379	1,071,776	2035
2036	136,350		136,350				20,609	4.00%	5,486				60,000	3.00%	22,350			15,000	5,000	128,445	7,905	-	50,284	976,167	2036
2037	136,350		136,350				21,449	4.00%	4,647				60,000	3.00%	20,550			15,000	5,000	126,645	9,705	-	59,989	879,718	2037
2038	136,350		136,350				22,307	4.00%	3,789				60,000	3.00%	18,750			15,000	5,000	124,845	11,505	-	71,494	782,412	2038
2039	136,350		136,350				23,199	4.00%	2,896				65,000	3.00%	16,875			15,000	5,000	127,970	8,380	-	79,874	679,213	2039
2040	136,350		136,350				24,121	4.00%	1,974				65,000	3.00%	14,925			20,000	5,000	131,020	5,330	-	85,204	570,092	2040
2041	136,350		136,350				25,092	4.00%	1,004				65,000	3.00%	12,975			20,000	5,000	129,070	7,280	-	92,484	460,000	2041
2042	136,350		136,350										95,000	3.00%	10,575			20,000	5,000	130,575	5,775	-	98,259	345,000	2042
2043	136,350		136,350										95,000	3.00%	7,725			20,000	5,000	127,725	8,625	-	106,884	230,000	2043
2044	136,350		136,350										100,000	3.00%	4,800			20,000	5,000	129,800	6,550	-	113,434	110,000	2044
2045	136,350		136,350										110,000	3.00%	1,650				5,000	116,650	19,700	-	133,134	0	2045
Total	3,314,845	0	3,314,845	550,000		129,253	357,500		164,405	72,500		16,162	1,075,000		346,200	(13,907)	30,000	300,000	140,000	3,167,112				Total	

- Preliminary finance plan - Development incentives to be funded with State Trust Fund Loans.
- Main Street West construction (TID 10 portion) debt to be funded with G.O. Bond.
- Business Plan Competitions and Other Development Incentives to be funded with pay-as-you-go contributions.
- All TID No. 10 projects will need Council approval before incurring the actual expenses.



Preliminary Timeline

- April 6, 2021
 1. Initial Joint Review Board Meeting
 2. Planning Commission Public Hearing
 3. Approval of Resolution recommending the amended TID No. 10 Project Plan
- April 13, 2021 – **City Council meeting** with approval of TID No. 10 Project Plan Amendment
- TBD - Joint Review Board reconvenes to vote on Project Plan Amendment



Questions?

Sean Lentz

Senior Municipal Advisor

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Josh Low

Financial Specialist

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City of Ashland, Wisconsin

601 Main Street West Ashland, WI 54806 www.coawi.org

DEPARTMENT OF
PLANNING &
DEVELOPMENT

601 Main Street West
Ashland, WI 54806

STAFF REPORT

Plan Commission – June 22, 2021

Agenda Items #5a and 5b: Public Hearing & Vote on Text Amendments to the Unified Development Ordinance # 781

Staff Contact:

Megan McBride

Background

Crossroads Human Services request to allow emergency residential facilities within the Light Industrial zoning district

“Crossroads Outreach Center, Inc. is requesting the change in the current language to allow for short term housing of 6 to 9 months for phase 1 participants in our Changing Hope - Addiction Transformation Program. We currently have use of 3600 Ellis Av. Ashland WI for our Reclamation Workshop, which is a training location for participants in our program. In this shop, we teach our participants how to develop good work skills in a manufacturing environment and mentor them through the process with staff and community volunteers.

Many of our participants enter the program from a homeless state and the housing allows for the beginning of having stability in their lives and removes outside pressures to return to an unhealthy environment” (Ken Welker on behalf of Crossroads Human Services).

Revision to Demolition Permit procedure

Staff is recommending revision to the Demolition Permit procedure in Unified Development Ordinance to refer to a newly proposed ordinance drafted by the Historic Preservation Commission. These changes would require that applicants requesting demolition of structures over 25 years in age which do not meet the blight definition included in the ordinance must submit a demolition recycling and reuse plan to the City. The plan must identify how the applicant will recycle or reuse a minimum of 10% of demolition materials by volume. The ordinance was modeled off of a template provided by the Wisconsin DNR, and was unanimously recommended by the Historic Preservation Commission. The intent of building this development delay into local demolition review procedures is to promote recycling of materials, and reuse of significant historic fixtures. The proposed ordinance will be reviewed separately by City Council, but has been included for reference.

The attached document gives a general description of the proposed changes that staff would like to consider at this time, followed by the language that is being proposed. The ~~red with a strike-out~~ indicates language that staff proposes should be eliminated from the UDO. Proposed language additions are indicated in **blue bold text**. Staff would like to continue updating the

UDO in the future, as there are more sections than indicated in this report that need additional revisions.

Review Criteria (As specified in UDO Section 3.4,C)

1. Consistency with Comprehensive Plan

a. Allow emergency residential facility use in the Light Industrial (LI) zoning district

The proposed UDO text amendments to allow emergency residential facilities in the Light Industrial (LI) district conform to the goals and principles of the Comprehensive Plan. A central housing goal identified in the Comp Plan is diversification of the existing housing stock to meet the wide range of community needs. The City's 2018 Housing Report and City's Housing Strategic Plan both identify emergency and transitional housing as needs in addressing community issues of housing insecurity and homelessness, the substance abuse epidemic, and the local shortage of resources to adequately meet the needs of those who need immediate, stable housing.

b. Amend Demolition Permit application process to require non-blighted structures over 25 years in age to meet Demolition Reuse and Recycling standards

The proposed UDO text amendments and associated Demolition Reuse and Recycling ordinance conform to Comprehensive Plan goals of promoting historic preservation, sustainability, and efficient use of resources. The proposed addition of a demolition delay to require submission of a recycling and reuse plan will promote recycling of natural resources, encourage reuse of fixtures with historic significance, and require sufficient planning for demolition of homes which do not meet the definition of blight.

2. Promotes public health, safety, morals, and the general welfare, as well as efficiency and economy in the process of development

a. Allow emergency residential facility use in the Light Industrial (LI) zoning district

The proposed UDO text amendment to allow emergency residential facilities in the LI district would promote public health and safety by expanding opportunities for emergency residential facilities, which has been identified as a community need in the City's 2018 Housing Report. Housing instability and substance abuse are both important community health issues, and the City should strive to remove barriers to development of such community resources when possible. Including emergency residential facilities as a conditional use in the Light Industrial (LI) district will ensure that sufficient community input and City review are maintained, and that this use is allowed when it is beneficial in promoting health, safety and efficiency in development. This proposed text amendment was also reviewed by staff with the Legacy Alliance Community for Health to evaluate potential health benefits and consequences of allowing the requested change, and recommended that the text amendment be approved on the basis of the community health benefits it could provide.

b. Amend Demolition Permit application process to require non-blighted structures over 25 years in age to meet Demolition Reuse and Recycling standards

The proposed UDO text amendment will promote health, general welfare and efficiency of resource use. Requiring this additional level of oversight for demolition of such structures and planning by the applicant for diversion of at least 10% of materials from our local landfills promotes more sustainable and

efficient demolition practices, and also encourages applicants to think more intentionally about the significance and potential for reuse of any unique or historic features of the property.

3. Compatible with the present zoning and conforming uses of property and the character of neighborhoods

a. Allow emergency residential facility use in the Light Industrial (LI) zoning district

The proposed text amendment to allow emergency residential facilities in the LI district as a conditional use would be compatible with the current allowable uses and the intent of the zoning district. The LI district is intended to be “a transitional land use between the more intensive heavy industrial sites and other residential and business uses.” The LI district is varied in nature with a mixture of pre-existing light industrial, residential and commercial uses, and therefore the inclusion of the emergency residential facility use would be appropriate and beneficial in certain areas, and should be evaluated using the CUP process to determine compatibility.

b. Amend Demolition Permit application process to require non-blighted structures over 25 years in age to meet Demolition Reuse and Recycling standards

The proposed text amendment would apply only to properties for which a Demolition Permit is requested to demolish a building which is over 25 years in age and does not meet the state definition of blight (see draft ordinance for definition). Requiring an additional level of review for such properties to ensure that a recycling and reuse plan is developed before permit issuance will better facilitate preservation of historic resources and sustainable demolition practices. This will take into account the unique history and makeup of the structure requested for demolition, thus ensuring that the approved plan conforms to City standards and preserves when possible important characteristics of the building or neighborhood.

4. Consistent with UDO Principles of Sustainability

a. Allow emergency residential facility use in the Light Industrial (LI) zoning district

This proposed text amendment promotes UDO principles of sustainability including promoting compact development, meeting human needs fairly and equitably, and “integrating opportunities for... emergency residential facilities... throughout the community.”

b. Amend Demolition Permit application process to require non-blighted structures over 25 years in age to meet Demolition Reuse and Recycling standards

This proposed text amendment promotes UDO principles of sustainability including reducing and recycling materials when possible and reducing dependence on natural resources and extracted materials. This promotes a more sustainable and efficiency in resource use within the community, while also helping to preserve unique fixtures which can be repurposed in future development projects.

Recommendation

Staff recommends APPROVAL of the suggested changes as indicated (~~in red and crossed-out~~ signifies sections where language is removed) (in BLUE and **bold** signifies new language that has been added).

Additionally, as a Public Hearing is scheduled for the proposed text amendments, the Plan Commission should hear all input from the public prior to making a decision. The required Class 2 Public Hearing Notice was issued to give the public sufficient notice about the nature of these text amendments.

Approvals are based on background information provided by the applicant and known conditions. Deviations from this information may be considered a change in the application and reconsideration and possible revision to the approvals may be made by the Plan Commission and Common Council.

Proposed Text Amendments: 06/22/2021

1. *Crossroads Human Services has requested that “emergency residential facility” be added as an allowable use within the Light Industrial (LI) zoning district*

Proposed Changes:

Section 4.21B, 2, a

2. Conditional uses. The following conditional uses are allowed in the LI Light Industrial District subject to the issuance of a conditional use permit as specified in Section 3.9: Conditional Use Permit and pursuant to all applicable specific use standards.

a. Residential uses.

- (1) Bed and breakfast establishment associated with a permitted dwelling, pursuant to Section 5.1, B.:
Bed and Breakfast Establishment
- (2) Dwelling that serves as a caretaker’s residence for a permitted or conditional use
- (3) Home occupation associated with a permitted dwelling, if the use exceeds the pertinent standards specified in Section 5.1, F.: Home Occupation

(4) Emergency residential facility

-
2. *The City’s Historic Preservation Commission has unanimously recommended that the City create a Demolition Reuse and Recycling ordinance*

Proposed Changes:

Section 6.1 J, 2

J. Demolition and Moving of a Building or Structure

1. Applicability.

No building, structure, or part thereof (as determined by the Building Inspector or Designated Authorized Agent), shall be moved, removed, razed or demolished without prior approval and/or a demolition permit or a permit to move a building or structure pursuant to Section 3.33: Demolition Permit and/or Section 3.34: Permit to Move a Building or Structure.

2. Other Permits and/or Authorizations Required.

- a. A City Work-in-Right-of-Way permit must be obtained as required by City Ordinances.

b. If the building, structure or site is listed on a Local, State or National Historical Registry, or is located in a historic district as determined by the Local, State or National Historical Registry, a Certificate of Appropriateness may be required pursuant to Section 3.22 and City of Ashland Ordinance 826. If required, the Certificate of Appropriateness shall be issued prior to the issuance of a demolition permit or a permit to move a building or structure.

c. If the building or structure was constructed 25 years or more from the date of Demolition Permit submission, refer to Section 6.1J, 2, e for additional review standards.

~~e.~~ **d.** The use of explosives shall only be allowed upon prior written authorization and coordination with the Building Inspector, Director of Public Works, Police Chief and Fire Chief.

~~d.~~ **e.** The location of sites for the disposal, reuse or recycling of materials shall be supplied with the demolition permit or permit to move a building or structure applications. Only local and/or State approved and/or permitted disposal and recycling sites shall be used.

~~e.~~ **f.** The State of Wisconsin and any other local governmental authority (i.e. a County, Township, City) or department, may also regulate and require a permit for any vehicle or trailer used in the process of hauling or moving of a building or structure.

~~f.~~ **g.** A building permit is required for the placement or installation of any building or structure on a parcel located in the City of Ashland.

~~g.~~ **h.** Authorization or permits may be required by other local governmental authorities (i.e. a County, Township, City) for placement or installation of a building or structure within their boundaries.

3. Standards and Inspections.

a. Utilities.

(1) Capping of water and sewer laterals shall occur at the parcel line by a licensed plumber. Inspection of the disconnection, capping and abandonment is required. The owner, contractor, or owner's agent shall call the Public Works Department to schedule an inspection at least two (2) business days prior to performing any utility disconnection, capping or abandonment work.

(2) If a Private Onsite Wastewater Treatment System (P.O.W.T.S.), such as a holding tank or septic drain field is connected to the building or structure, or is located on the parcel and not in use, the P.O.W.T.S. shall be properly abandoned in accordance with Comm. 83.33 of the State Plumbing Code. A letter stating the P.O.W.T.S. has been abandoned to code by a licensed plumber, shall be submitted to the Building Inspector and the Public Works Director.

(3) If a private well is connected to the building or structure, or is located on the parcel and not in use, the well shall be properly abandoned or capped in accordance with

Department of Natural Resources regulation NR 812.26 and other related requirements. A copy of an approval letter or permit from the Department of Natural Resources to maintain the well, or a letter stating the well has been abandoned to code from a licensed well driller, shall be submitted to the Building Inspector and the Public Works Director.

b. Dust control.

(1) The owner, contractor, or owner's agent shall be required to control and minimize airborne dust so as to not impact adjacent parcels, public rights-of-way and public infrastructure. It is the responsibility of the owner, contractor, or owner's agent to minimize airborne dust through the application of water, or another approved method, during the demolition and loading process. Other methods proposed shall be approved by the Building Inspector or Designated Authorized Agent.

c. Stormwater and erosion control.

(1) The owner, contractor, or owner's agent shall be required to provide stormwater and erosion control methods for the demolition or moving of a building or structure.

(2) All stormwater and erosion control practices shall be approved and installed prior to any up-slope soil disturbing activities and shall be in place until the site achieves final stabilization.

(3) All stormwater and erosion control measures shall be removed within 30-days after final site stabilization is achieved or the Director of Public Works or Designated Authorized Agent determines that the controls are no longer needed.

(4) A Sediment and Erosion Control Plan and/or a Post-Construction Management Plan may be required pursuant to Section 8.2 and Section 8.3.

(5) No later than fourteen (14) days following the land disturbing activities, all disturbed areas shall be restored to the final grade and restored with vegetation as approved by the Building Inspector or Designated Authorized Agent.

d. Asbestos inspection.

(1) NR 447 of the Wisconsin Administrative Code requires that all commercial structures and residential structures having more than four (4) dwelling units be inspected for the presence of asbestos by an asbestos inspector licensed by the WI Department of Health and Family Services (DHFS). Refer DNR publication WA-651-07 for more detailed information. A copy of the asbestos inspection report meeting the requirements of NR 447 must be submitted to the Building Inspector prior to issuance of a permit.

e. Buildings and structures constructed 25 years or greater from date of Demolition Permit submission, regardless of historic designation.

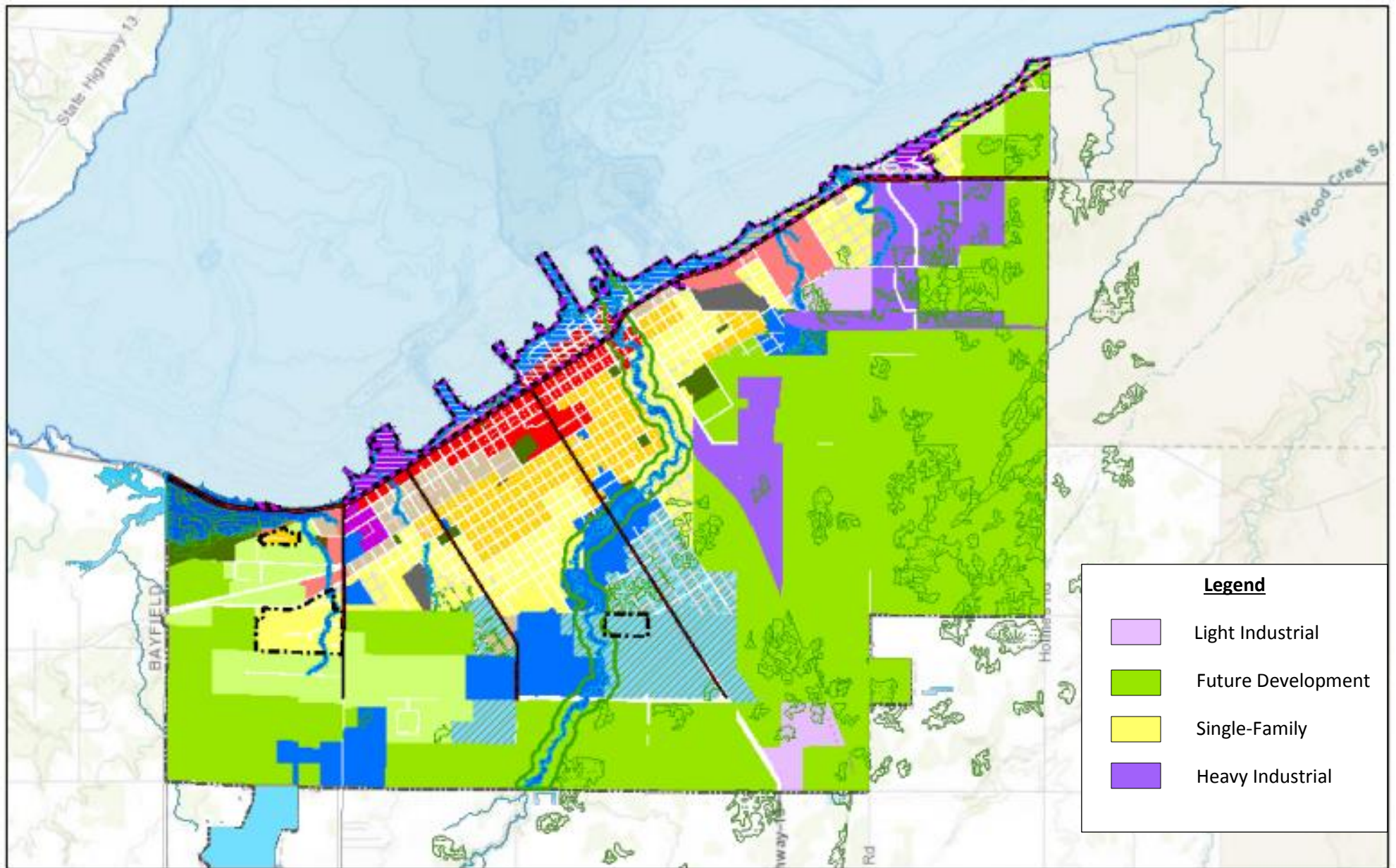
(1) Blighted buildings and structures, as approved by the City Building Inspector, shall be exempt from the standards of this subsection.

(2) All applicants must submit a Preliminary Recycling/Salvage Plan with the Demolition Permit application, and a Final Recycling/Salvage Report upon completion to document salvaged material types and quantities.

g. General standards.

- (1) All remaining concrete slabs, below grade footings, walls, and floors shall be completely removed and hauled off site to an approved disposal site. Clean suitable soil, as determined by the Building Inspector or Designated Authorized Agent shall be utilized to bring the site to level grade (average grade of site abutting the building or structure prior to demolition or removal). The affected area shall be graded to eliminate ponding and allow for natural drainage patterns. Topsoil shall be installed and the site re-seeded to stabilize the site.
- (2) On-site storage – The storage of materials resulting from the demolition or moving of a building or structure activities shall not remain on-site for more than thirty (30) days following the demolition or removal.
- (3) It is the responsibility of the owner, contractor, or owner's agent to properly secure the site for public safety.

City of Ashland Base Map



DRAFT ORDINANCE FOR RECYCLING AND REUSE OF DEMOLITION MATERIALS

Intent: The provisions of this Ordinance are intended to establish proper procedures for 1) evaluating demolition projects, 2) documenting Ashland's building stock and historic resources, and 3) promoting reuse and recycling of materials to further community historic preservation and environmental sustainability goals. This ordinance is intended to provide an additional level of review and documentation of all structures over twenty-five (25) years in age prior to demolition, and pertains to interior and exterior, complete and partial demolition activities.

Applicability: This section applies to buildings where any part of the structure is twenty-five (25) years old or greater as of the date of Demolition Permit submission. These Ordinance standards apply regardless of historic designation on a local, state, or national level.

Exemptions: Buildings and structures which are deemed as blighted by the City Building Inspector or Designated Authorized Agent shall be exempt from the requirements of this ordinance. No photos or Recycling/Reuse Plan will be required for demolition of blighted buildings or structures.

Review Process:

- 1. Application submission.** Demolition Permit applications for complete or partial demolition of any building or structure shall be reviewed by the Planning and Development Director and Building Inspector to determine applicability of these ordinance standards.
- 2. Initial Application Review.** The Planning and Development Director and Building Inspector will have thirty (30) days to establish if the building is of sufficient age to be subject to the standards outlined in this ordinance, and does not qualify for exemptions.
- 3. Staff Review.** If the building is determined to be greater than twenty-five (25) years old, the Planning Director reserves the right to delay demolition for up to sixty (60) days. If a demolition delay is ordered, the following steps will be taken:
 - a. Documentation of Property.** The property owner or contractor shall be responsible for submitting interior and exterior photos of buildings or structures requested for demolition, which are subject to the standards of this ordinance (see above for *Applicability* and *Exemptions*).
 - b. Evaluation and Review of Alternatives.** Alternatives to demolition will be considered, if it is economically feasible and will not create an undue burden to the property owner. This may include the possibility of selling the property to a developer who is interested in rehabilitating or restoring the property, or donating the property to the City.
 - c. Recycling and Reuse of Materials.** Unless otherwise approved by the City Building Inspector or other Authorized Designated Agent, all demolition activities in buildings or structures greater than twenty-five (25) years in age shall be required to achieve a minimum 10% diversion rate for demolition materials. This diversion rate can be accomplished through recycling and/or reuse of construction demolition materials.

d. Recycling/Reuse Plan. A plan for how the property owner/contractor will achieve the minimum diversion rate shall be submitted for approval by the City Building Inspector prior to issuance of a Demolition Permit.

Approval Criteria: No Demolition Permit shall be issued for a building or structure constructed 25 years or greater shall be issued unless the standards described above are met, in addition to applicable standards as detailed in other City ordinances.

Definitions.

Blighted property: Any property within a city, whether residential or nonresidential, which by reason of dilapidation, deterioration, age or obsolescence, inadequate provisions for ventilation, light, air or sanitation, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency or crime, and is detrimental to the public health, safety, morals or welfare, or any property which by reason of faulty lot layout in relation to size, adequacy, accessibility or usefulness, insanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair market value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, substantially impairs or arrests the sound growth of a city, retards the provisions of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety, morals or welfare in its present condition and use, or any property which is predominantly open and which because of obsolete platting, diversity of ownership, deterioration of structures or of site improvements, or otherwise, substantially impairs or arrests the sound growth of the community (WI Stat. 66.1333).

Diversion of waste: Repurpose of construction and demolition materials in place of disposal in a landfill, including recycling and reuse activities.



CITY OF ASHLAND

Demolition Recycling/Reuse Plan

A Recycling/Reuse Plan shall be submitted for all demolition projects involving a building or structure over 25 years in age at the time of application. The Recycling/Reuse Plan must be approved by the City Building Inspector prior to issuance of a Demolition Permit.

NOTE: Check with the City Building Inspector if you believe the building or structure may meet the definition of a "blighted property." Blighted buildings and structures are not subject to the standards of [Ordinance #___].

☐ Provide photos of interior and exterior of structures

☐ Recycling activities and amounts:

Clean Wood _____ (tons) and/or (cy)

Drywall _____ (tons) and/or (cy)

Metals _____ (tons) and/or (cy)

Concrete _____ (tons) and/or (cy)

Cardboard _____ (tons) and/or (cy)

Shingles _____ (tons) and/or (cy)

Other** _____ (tons) and/or (cy)

Total _____ (tons) and/or (cy)

☐ Reuse activities and descriptions

List all fixtures and construction materials which will be reused:

Material/fixture: _____ Amount: _____

Material/fixture: _____ Amount: _____

Material/fixture: _____ Amount: _____

Total materials landfilled: _____ tons and/or cy

Total recycling/reuse rate*: _____ %

All information listed above is attached to this application unless otherwise marked "Does Not Apply." I understand that incomplete submittals may delay the processing of the application. I will apply separately for all proposed new signage, if applicable.

Applicant Signature

Printed Name & Title

Date

Property Address

Year of Construction

The completed documents have been received by:

City of Ashland Authorized Staff Member

Date

**For assistance in calculating recycling/reuse rate, contact Ashland City Building Inspector, Stephen Schraufnagel, at 715-209-6372.*