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

PLAN COMMISSION MEETING AGENDA

March 17th, 2026 at 6:30PM at the City Hall Council Chambers and via Go To Meetings

The meeting can be joined in person or by using a computer, smartphone or tablet at

<https://meet.goto.com/775025133>

**The meeting can also be joined by phone at
1 866 899 4679 using Access Code: 775-025-133**

AGENDA

1. Call to Order and Roll Call
2. Approval of the Agenda
3. Consent Agenda
 - a. Approval of minutes from the February 17th, 2026 Plan Commission meeting
4. Identify potential conflicts of interest
5. Citizen Participation (non-agenda items)
6. Action Items:
 - a. Public Hearing: Review and approval of a Specific Implementation Plan Amendment for a Multi-Family Residential land use on Parcel # 201-00356-0000, zoned Mixed Residential/Commercial (MRC) with Gateway Overlay (GTWY-O) and Planned Unit Development Overlay (PUD). Applicant: Vision, Inc.
 - b. Public Hearing: Review and approval of Unified Development Ordinance Text Amendments. Applicant: Planning and Development Department.
7. Discussion Items:
 - a. Update on Property Maintenance Enforcement
 - b. Update on Building Permits for February 2026
 - c. Update on Miscellaneous Planning and Development Items
8. Announcement/Reports/Comments/Questions
9. 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 the Planning & Zoning Dept. at (715) 682-7041.

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A S H L A N D

City of Ashland, Wisconsin
601 Main Street West — Ashland, WI 54806 — www.coawi.org

PLAN COMMISSION MEETING MINUTES

February 17th, 2026 at 6:30PM at the City Hall Council Chambers and via Go To Meetings

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Present: Jeff Beirl, JoAnn Erickson, Ana Tochterman, Shawn Brede, Laurie Gregor, Mayor Matt Mackenzie, Steven Wiley (Planning and Development Director), Terri Erickson (Assistant Planner)

Absent: David Eades (excused)

AGENDA

1. Call to Order and Roll Call
Mayor Mackenzie called the meeting to order at 6:30 pm and a quorum was declared present.
2. Approval of the Agenda
Mr. Bierl made a motion to approve the agenda and Ms. Gregor seconded. Motion Carried 6-0.
3. Consent Agenda
Mayor Mackenzie asked for approval of the minutes from the Jan 20th, 2026 Plan Commission meeting. Ms. Erickson made a motion and Mr. Brede seconded. The motion carried 6-0.
4. Identify potential conflicts of interest
5. Citizen Participation (non-agenda items)
None
6. Action Items:
 - a. Public Hearing: Review and approval of City Land Acquisition of vacant Parcel # 201-01538-0000 to be purchased from Joshua James Clark, zoned City Center (CC).
Applicant: Public Works Department

Mayor Mackenzie gave an introductory description of what the item was about. It is in regard to providing additional snow dump area to make up for the prior dumping area that had been provided by the Beaser site that is now being developed into housing. It will contain berms and other site design elements to prevent any contamination on the site into the adjacent creek. The item is not required to go through public hearing but he wanted to obtain feedback from the commission regardless.

Mr. Wiley presented on the acquisition. It is in the City Center zone district currently owned by Joshua James Clark. He reviewed the location and noted that the city already owns land in this block and currently dumps snow on a site nearby to the south. Public works was concerned the run-off from the site may drain into the creek and lake. The city is working on a grant extension to give us more time. We are proposing to buy it for the assessed value of \$14,000. He reviewed the location on the aerial GIS map in relation to our current snow storage. There were a few questions from an adjacent land owner which Mr. Wiley reviewed. The city would plan to do the work in the summer of 2026 and it will be grant funded. He covered the required review criteria. Staff recommends approval of the land acquisition with conditions as noted: agreed upon purchase price, Council approval and the implementation of best management practices. A public hearing notice was issued.

Mayor Mackenzie asked for a motion to go into public hearing. Mr. Beirl made a motion which was seconded by Ms. Gregor. Motion carried 6-0. No public comment occurred. Mackenzie asked for a motion to go out of public hearing. Motion to go out of public hearing by Ms. Gregor and seconded by Ms. Erickson. Motion carried 6-0.

A motion to put on the table for discussion and recommendation to council by Ms. Tochterman. Seconded by Mr. Beirl.

Discussion: Mr. Beirl asked for clarification on where Bay City Creek runs through. Mr. Wiley brought up the GIS map to clarify this. Mr. Beirl asked if the sizes of the berms have been determined to hold large amounts of snow melt. Madison Krzciok, the city utility engineer, responded that the design has not yet been developed but a consultant will be hired to help determine this and preservation of the creek will be taken to account. Krzciok noted the grant is geared toward remediation of the creek and helping to restore the urban corridor. She noted that the design work and construction is being covered by the grant funds but that the purchase price will be covered by the TID 11 funding. Ms. Erickson asked if the commission is being asked to approve this before knowing all the details? Mayor Mackenzie responded yes, this would be true. He clarified that this is for recommendation for the land purchase, not the snow storage use. Ms. Erickson commented that it is possible we are acquiring land we don't need. Mayor Mackenzie noted we could potentially make the purchase offer contingent upon the ability to use the site as snow storage. During large snow events it has become necessary for the city to find additional space to store snow as we have been using the Roffers site over the recent years along with a past discussion for additional space out by Farm road with funding from the DNR that never came to fruition due to increased gas costs. Mr. Brede expressed concerns about assurance that the berms would be constructed and the potential of contaminated water run-off into the creek. Krzciok noted that currently there is trash and sediment running into the creek off the site and this new development will actually improve the existing conditions where snow is already being dumped to the south. The berms will be placed further back which will promote more snow melting and infiltration before it flows into the creek. There will be engineers and environmental scientists on board who have determined that this site can be used for snow storage without causing negative environmental effects. Mr. Beirl asked how confident Public Works was that the grant funding will cover the costs for these environmental measures? Krzciok noted there is a \$500,000 DNR grant and \$150,000 grant from the US Fish and Wildlife Service. The funds are also partially being used for other projects but this project is a priority and cost should be covered. Ms. Tochterman asked if any other potential locations were considered for this use and are there any others that don't require as much investment? Krzciok noted that it was the previous Parks and Rec director who

helped get this project going before she became involved and she was not sure if any other sites were evaluated. Ms. Erickson asked how do we ensure that this work gets completed as planned as we have witnessed other project owners that don't follow through? Mayor Mackenzie responded that it is a city project and we should have the follow through to do what we say we are going to do. We have the ability to make them do it since we would own the property. In some other cases, such as the sand pit, we do not own the property. The future long-range plans for Bay City Creek include the development of a linear park.

Mayor Mackenzie called the question to recommend to the council that we approve this purchase with the noted conditions. Roll call vote: Brede – no, Erickson – no, Gregor – yes, Tochterman – yes, Beirl – yes, Mackenzie – yes. Motion carried 4-2.

7. Discussion Items:
 - a. Update on Property Maintenance Enforcement - none
 - b. Update on Building Permits for January 2026 - none
 - c. Update on Miscellaneous Planning and Development Items - none

8. Announcement/Reports/Comments/Questions

Ms. Gregor asked if we have obtained any more information from the owner of the Transitional Housing development. Mayor Mackenzie responded that we have not received any more information.

Mr. Brede inquired what steps would need to be taken to get the power plant painted. He's been approached about this from others. Mayor Mackenzie noted this inquiry was regarding the possibility of a mural to try to dress it up a bit.

Secondly, Brede asked us to think about how the city could support a bike path connecting Ashland to Washburn. There's a bike club in town and some people are pushing for it. The city line goes up to the county line and it may be feasible to connect into the corridor trail. There are several shorter trails along the route that could be used to tie into. It would likely be more of a regional collaboration with multiple partners involved.

9. Adjournment

Motion to adjourn by Mr. Beirl, Second by Ms. Tochterman. Motion carried 6-0.

Meeting closed at 7:13 pm

Recorded by:
Terri Erickson
Assistant Planner

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DEPARTMENT OF
PLANNING &
DEVELOPMENT
601 Main Street West
Ashland, WI 54806

STAFF REPORT

Plan Commission – March 17th, 2026

Agenda Item # 6a: **Public Hearing: Planned Unit Development Review – Specific Implementation Plan (SIP) Amendment Approval for a Multi-Family land Use**

Zoning District: Mixed Residential/Commercial (MRC) with Gateway Overlay (GTWY-O) and Planned Unit Development (PUD) District

Property Address: 400 Beaser Avenue

Parcel #: # 201-00356-0000

Applicant: Vision Inc.

Staff Contact: Steven Wiley

Background

Developer Vision, Inc. acquired the property at 400 Beaser Avenue (parcel # 201-00356-0000) in late 2025, obtained Plan Review and building permit approvals, and started construction on site in December. The developer has since completed footing and foundation work and laid block for the first floor of the building. The developer obtained Plan Commission and Council approval of their PUD-SIP in July, 2025. Since beginning construction, the developer has finalized their truss design for the proposed apartment building. It is common that elements such as HVAC and truss designs are finalized during the construction process. Recently the developer contacted planning staff and explained that due to the math for their final truss designs they may need to ask for a slightly taller maximum building height than what was originally approved. As part of the original PUD the developer was permitted a maximum building height of 55 feet. The developer now requests a maximum of 58 feet. Staff explained that though the increase in height requested is small the PUD process requires that the Plan Commission and Council review the requested height increase. The developer is not requesting any other change to the PUD conditions originally approved under the Specific Implementation Plan.

The Plan Commission voted to recommend approval of the PUD-GDP for the subject site at the April 22nd, 2025 Plan Commission meeting. The City Council subsequently voted to approve the PUD-GDP at the May 13th, 2025 Council meeting. Plan Commission voted to approve the PUD-SIP on July 15th, 2025 and Council voted to approve the PUD-SIP at the July 29th, 2025 Council meeting. The developer started construction onsite on December 15th, 2025 and hopes to complete construction by summer 2027 with a fall 2027 timeframe for occupancy. Staff is referring this PUD-SIP Amendment request to Plan Commission for review and a recommendation. The request is to alter the maximum height allowance under the original PUD from 55 feet to 58 feet. No other changes to existing PUD conditions are proposed.

Existing Land Use	Zoning
Under construction – Apartment complex - Former Roffers Site	Mixed Residential/Commercial (MRC) with Gateway Overlay (GTWY-O) and Planned Unit Development (PUD) Overlay

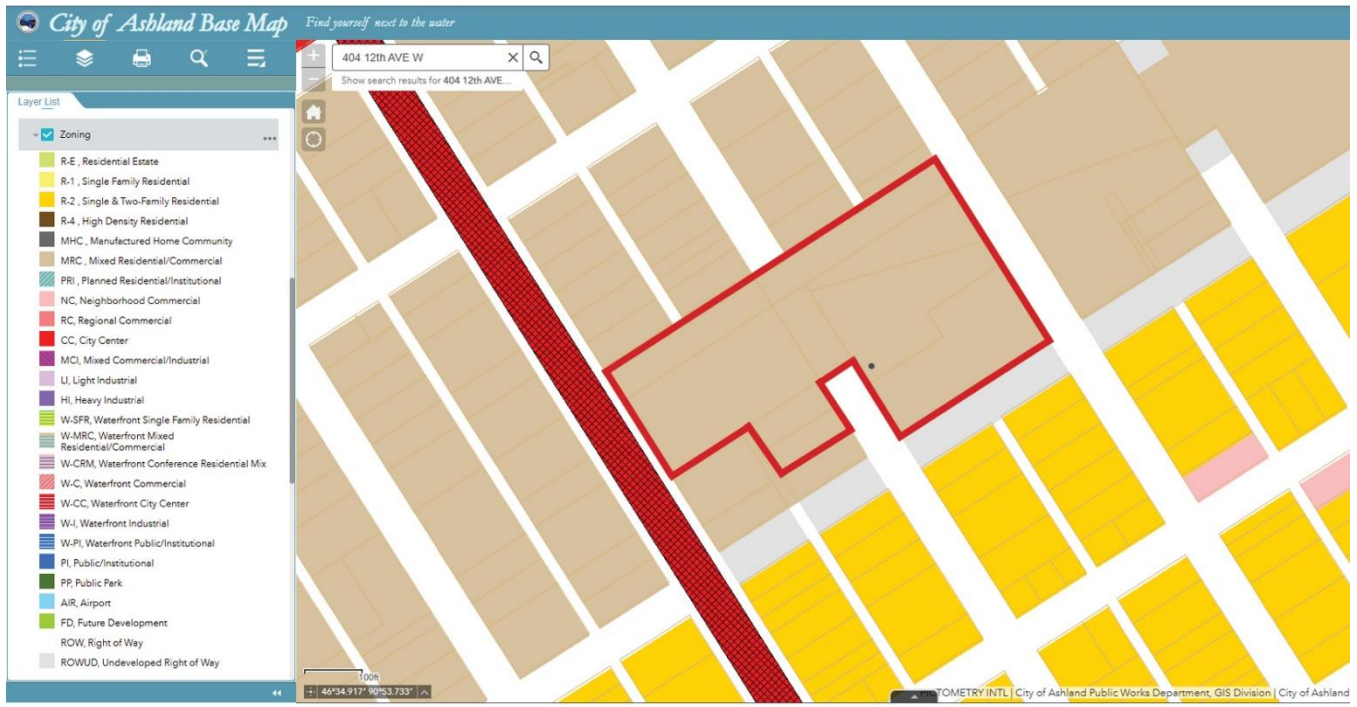
Adjacent Land Uses and Zoning

Existing Uses		Zoning
North	Single and Two-Family Residential	Mixed Residential/Commercial (MRC) with Gateway Overlay (GTWY-O), Mixed Residential/Commercial (MRC)
South	Single and Two-Family Residential	Single and Two-Family Residential (R-2) with Gateway Overlay (GTWY-O), Single and Two-Family Residential (R-2)
East	Ashland Police Department	Mixed Residential/Commercial (MRC)
West	Single and Two-Family Residential	Mixed Residential/Commercial (MRC) with Gateway Overlay (GTWY-O)

Land Use Recommendation	Land Use
Future Land Use Map Recommendation	Overlap of Downtown Core and Commercial Districts and Traditional Neighborhood & Mixed Use



The subject parcel is outlined in red in the above image. Beaser Avenue runs along the west edge of the subject parcel and 11th Avenue East is to the east of the subject parcel. The 5th Street Corridor trail runs along the south of the parcel.

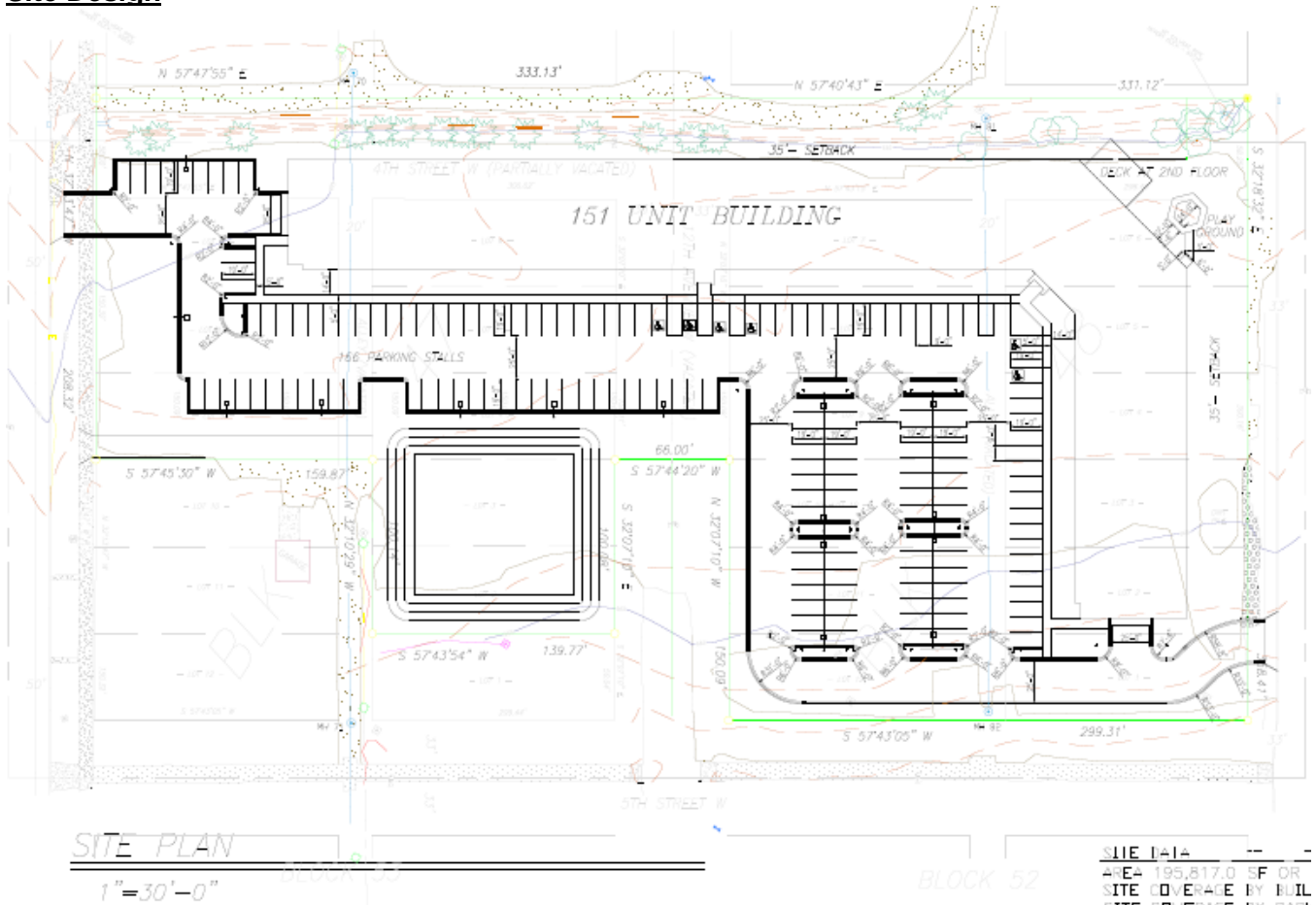


The subject property is outlined in red above. The tan is the current Mixed Residential/Commercial (MRC) zoning of the subject parcel and some adjacent properties. The yellow-orange to the south is the Single and Two-Family Residential (R-2) zoning. The red cross-hatched zoning along Beaser Avenue is Gateway Overlay zoning.

Use

The applicant is constructing the approved multi-family housing development and associated access drives/parking, open spaces, and stormwater retention on the subject site. The multi-family housing development and parking areas will be new structures on the formerly vacant parcel. The applicant's proposal to construct a multi-family use was discussed at the February 18th, 2025 Plan Commission meeting and the Commission expressed support for the proposal at that time. The Plan Commission recommended approval of the PUD-GDP at the April 22nd, 2025 Plan Commission meeting. The City Council also voted to approve the PUD-GDP at the May 13th, 2025 Council meeting. The Plan Commission and Council approved the original PUD-SIP in July of 2025. The developer is constructing the multi-family development as proposed in the PUD-SIP but would like an amendment to the original SIP to allow for three more feet in building height. No changes to the use as approved are proposed.

Site Design



The developers worked with their designer on a site plan which was approved under the original PUD-SIP. The plan includes the placement of a single building on the north and east portions of the site and the building will house covered parking and the proposed 151 apartment units along with associated community spaces. Access drives will be from Beaser Avenue and 11th Avenue West. One large stormwater retention pond will be constructed (on the southern portion of the site). Landscaping is proposed around the building and parking areas and in planter islands within the parking areas. Some landscaping on the north would serve as a partial buffer between the proposed building and neighboring residential homes. No changes to this plan are proposed with this SIP Amendment request.

	<u>Required</u>	<u>Provided</u>
Parking Spaces	1 per efficiency unit, 1 per one-bedroom unit, 2 per 2 bedroom unit - 185 spaces total	299 Spaces provided - 167 surface stalls, 132 covered stalls
Impervious Surface	R-4 Zoning Standards apply - 40% maximum for building, 60% maximum for impervious surfaces	22.6% by building, 36% by parking, 1.4% by other - 60% total
Building Height	Base code allows 45 feet. PUD-GDP allows 55 feet	55 feet maximum

	<u>Minimum</u>	<u>Provided</u>
Front Setback (11 th Ave W)	Base Zoning - 35 feet	35 feet
Side Setback (north)	Base Zoning - 15 feet	35 feet
Side Setback (south)	Base Zoning - 15 feet	70 feet
Rear Setback (Beaser Ave)	Base Zoning - 35 feet	>70 feet

Access to the site is provided off of Beaser Avenue and 11th Ave W. The site is a former brownfields site and to staff's knowledge there are no known wetlands on the site. The proposed multi-family building is situated on the north and east portion of the site. The total impervious area for the site is approximately 117,541.9 square feet which is about 60 percent of the total site area. The building's placement onsite is consistent with the site plan approved.

The PUD process allowed the Plan Commission and City Council to set the maximum impervious surface allowance for the site. The MRC zoning applies the standards for the zoning district most closely resembling the proposed land use. For the multi-family use provided the High Density Residential (R-4) standards apply. The UDO allows for up to 60% impervious coverage for residential uses. The approved plan is at 60 percent impervious coverage and meets the code maximum allowance. Plan Commission and Council agreed to this in 2025 and no changes to the impervious surface coverage are proposed.

Setbacks of the R-4 district apply. The applicants' site plan shows that the proposed building placement meets or exceeds these setbacks. No changes are proposed to setbacks in the originally approved site plan.

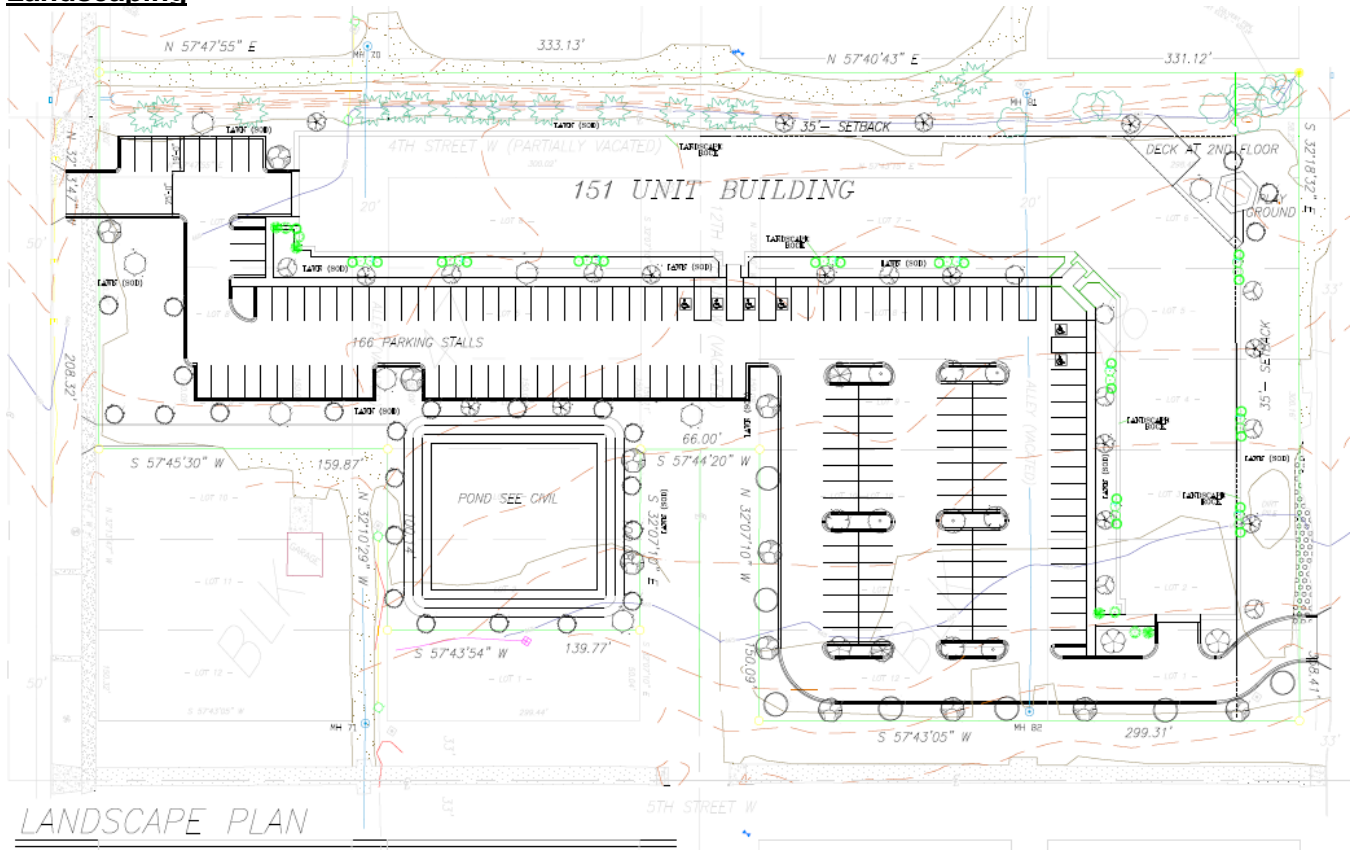
The Plan Commission and City Council may also set parking requirements for the site as part of the PUD process. Staff recommended and the Plan Commission and Council agreed to maintaining the ordinance requirement of one (1) parking space per efficiency unit, one (1) parking space per one-bedroom unit, and two (2) parking spaces per two-bedroom unit. The surface parking and covered parking together exceed the parking requirements. No changes are proposed to the parking plan.

The UDO requires that all parking and drive areas be paved with concrete or bituminous pavement. Properly designed porous pavement, concrete pavers, permeable pavers, or other materials may be approved provided that design and materials are consistent with the intent of the ordinance. The access drives and parking areas will consist of new bituminous pavement which is compliant with the UDO standards. The developer included an access from Beaser Avenue to the 12th Ave W alley in their plans that would allow property owners and visitors to access their properties from Beaser Avenue. No changes to the proposed access drives are proposed.

Stormwater Management/Utilities

Staff has had discussions with the applicants along with the Department of Public Works. The applicants and their designer submitted stormwater management plans and calculations as part of the PUD-SIP process. Since the original approval it was determined that the developer would install the proposed approximately 15,246 sq. ft. retention pond which will serve the site and turn the stormwater infrastructure over to the City which will own and maintain the stormwater infrastructure in perpetuity. No changes to the stormwater plans and calculations are proposed.

Landscaping

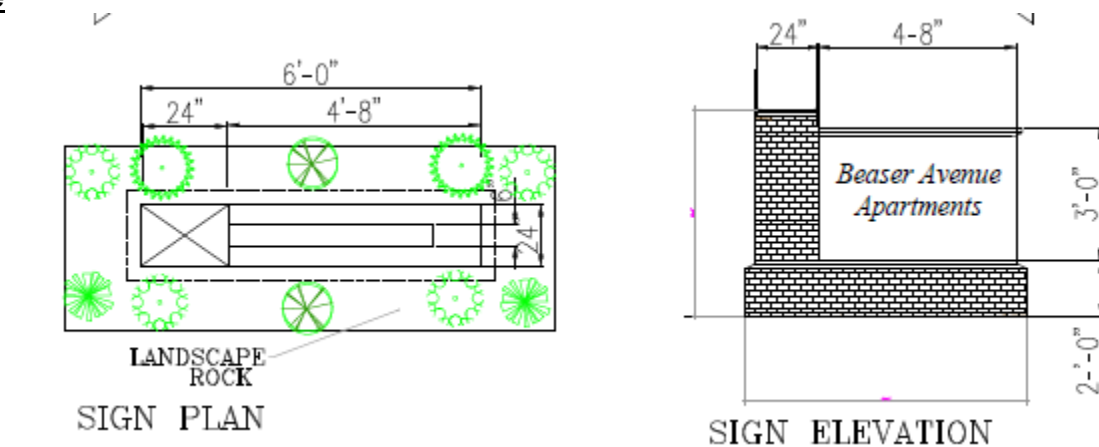


The applicants submitted a landscaping plan as part of the original PUD-SIP approval process. Staff determined that the plan exceeded code requirements and the plan was approved as part of the PUD-SIP. No changes are proposed to the landscaping plan.

Landscaping Requirements
Parcels less than 5 acres in area - Landscaping is based on undeveloped area
Deciduous trees: 1 tree per 2,500 sq. ft. (32 trees) OR
Coniferous trees: 1 tree per 1,000 sq. ft. (79 trees) AND
1 shrub per 1,000 sq. ft. (79 shrubs)
Parking Areas (20 or more spaces) - 10% of the interior parking area to be landscaped area. 25% of the required 10% to be planter islands

Landscaping Proposed
Black Hills Spruce – 21 trees
Crimson Cloud Hawthorn - 2 trees
Amur Maackia - 7 trees
Prairifire Crab Apple - 8 trees
American Hophornbeam - 7 trees
Ivory Silk Japanese Tree Lilac – 2 trees
Celebration Maple – 7 trees
Common Hackberry – 4 trees
Kentucky Coffeetree – 3 trees
White Oak – 8 trees
Northern Pin Oak – 2 trees
Sentry Linden – 5 trees
Purple Leaf Plum 3 Gal – 2 shrubs
2-2 ½" B&B – 2 shrubs
Anthony Waterer Spirea – 15" – 10 shrubs
Little Princess Spirea – 15" – 27 shrubs
Isanti Dogwood 2' – 14 shrubs
Scandia Juniper – 15" 26 shrubs
Total Coniferous Trees – 21 Trees
Total Deciduous Trees – 55 Trees
Total Shrubs – 81 Shrubs

Signage



Currently there are no permanent signs on the subject parcel. The applicant submitted a design for a monument sign in the plan set originally approved under the PUD-SIP. The sign standards for R-4 zoning will apply. A freestanding sign is permitted for a multi-family development such as this one. The sign copy area is limited to 32 sq. ft. and the maximum sign height permitted is 6 feet. The maximum sign structure area permitted is 75 sq. ft. Signs may not be internally illuminated. The base sign standards were applied for the PUD-SIP. The areas and heights of the monument sign as proposed would meet the ordinance requirements. The sign was proposed under the GDP at the north side of the

11th Ave W driveway entrance. Staff will work with the applicants to finalize the proposed placement of the signage as part of the sign permit process. Conditions of approval were that any signage meet the UDO sign requirements for R-4 zoning and that the applicants obtain a sign permit prior to constructing signage onsite. No changes are proposed to the conditions regarding signage.

Lighting

The applicants submitted a lighting plan which shows lighting levels. Ordinance requires minimum light levels for all drive and parking areas and that light trespass at the property lines not exceed 0.5 footcandles. Code states that for parking facilities for 3 or more vehicles on a residential site they should be lit to provide at least 0.25 footcandles on any surface with an average illumination level of at least 0.75 footcandles. The uniformity ratio between average and minimum illumination shall be no greater than 4 to 1. Staff reviewed the applicant's lighting plan and the light levels proposed for the parking and drive areas along with uniformity ratios appear to meet code. Staff does not recommend any changes in approval conditions regarding lighting.

Building Elevations

The UDO does not have many design standards for the MRC/R-4 zoning. The PUD process allows the Plan Commission and City Council the ability to set specific design requirements during the process. The applicants have provided building elevations as part of the GDP and SIP submittals. Elevations were included in the original application materials. The elevations show pitched roofs and balconies for the living units. The applicants finalized the appearances of their building facades as part of the SIP process. The overall building height originally proposed was 52 feet, 8 inches. The applicants requested and were granted a 55-foot height maximum for the proposed building under the PUD-GDP approval. They requested this because they need to accommodate one floor of covered parking and three floors of living units. Their design calls for a pitched roof which they believe is consistent architecturally with the neighborhood. Since starting construction and finalizing their truss designs the applicants have determined that the maximum building height may need to exceed 55 feet. Therefore, they have requested a 58-foot maximum building height. Staff does not have concerns with the new height maximum requested. No other changes to the originally approved PUD-SIP from 2025 are proposed.

Standards for Planned Unit Development Review

The City of Ashland's Unified Development Ordinance Section 3.8 (E) Creation of a Planned Unit Development (PUD) Overlay District – Approval Criteria provide the approval criteria for a PUD Specific Implementation Plan for the City of Ashland. The following decision criteria were used to review the submitted PUD-SIP Amendment:

1. Consistency with Comprehensive Plan.

The PUD-SIP with a proposed height amendment is consistent with the Comprehensive Plan goals. The subject parcel is located within the overlap of the Downtown Core & Commercial Districts and Traditional Neighborhood & Mixed-Use zones of the Future Land Use Map. The Plan recommends for the Downtown Core & Commercial Districts that mixed-use development increasingly populate this zone. Buildings would front the right-of-way more often than has occurred in the post WWII era. For the Traditional Neighborhood & Mixed-Use Districts zone typically single and two-family residential are the primary land uses in the zone. The Comprehensive Plan also recommends small cafes, local hardware stores, or pottery or art shops. The subject site is located within the overlap of the two future land use zones and the Comprehensive Plan does not delineate firm boundaries between each zone.

Part 1 of the Comprehensive Plan includes the goal to "Diversify and Upgrade via Infill Housing" (pg. 54). The proposed development involves the reuse of an urban infill site close to the

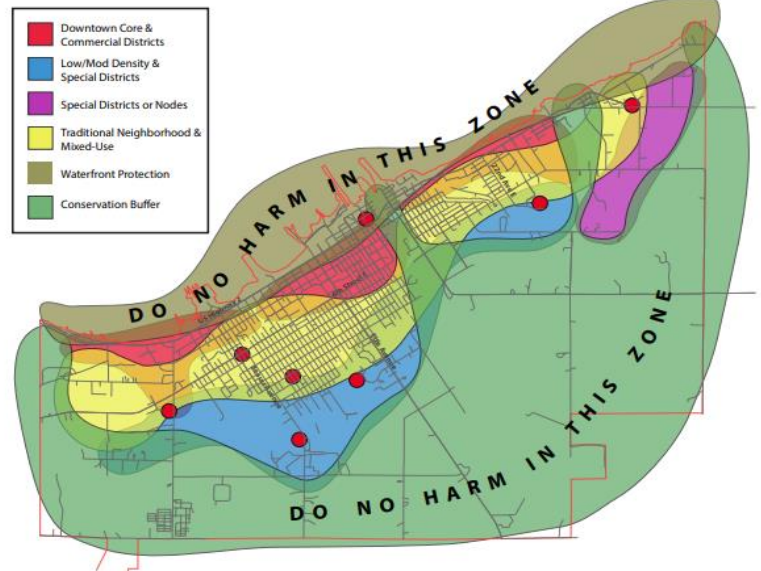
downtown where utilities are readily available. The plan encourages projects such as the one proposed and recognizes that the City will also need to provide incentives in many cases to get projects done. The plan states that there is a need for additional housing options within the City.

The project is consistent with the Comprehensive Plan in that it is a redevelopment of a vacant former brownfield site with much needed infill apartment housing. The project would provide amenities for its residents and the developer is taking measures to minimize the amount of outdoor surface parking present onsite.

2. Consistency with the UDO

This use is consistent with the UDO and would be permitted as a Conditional Use under the base MRC zoning. The land use, site coverage/impervious surface area, landscaping, and stormwater design will comply with the ordinance. Lighting, paving, and signage will also comply. The only relief from the ordinance requested and granted under the PUD-GDP and original SIP was for building height and minimum unit areas. Staff is of the opinion that the covered parking, pitched roofs, and building materials offer opportunities to offset the ordinance relief requested. Density, setbacks, and use of the proposed structure are consistent with the ordinance.

FUTURE LAND USE PLAN



The development is located on the northern and eastern portion of the parcel towards 11th Ave E and parking located on the interior of the site away from the streets wherever possible. Landscaping is planned around the building and parking areas and within parking areas so this will help aesthetically. Staff finds that granting relief from the height minimums of the UDO and the requested amendment to the original PUD-SIP is in the public interest if the applicants are providing features such as covered parking and pitched roofs which are not required by code.

3. Open Space

The design includes an outdoor patio and open areas for the residents. Additionally, there are landscaping areas and buffers planned around the building particularly to the north and east. There will be a stormwater retention pond to the south of the proposed building. The developers have stated that Ryan Nelson of their team will serve as the managing member of the ownership entity and provide leadership and oversight. Ongoing management and maintenance will be handled by Vision MC, Inc. a subsidiary of Vision, Inc. specifically established to manage all Vision, Inc.-owned properties. They are committed to retaining and maintaining their developments once completed.

4. Effect on the Neighborhood

The existing development around the subject site consists of single and two-family residential uses on standard urban residential parcels. The Ashland Police Department is located across 11th Ave W to the east. The former Beaser School/CESA property and Beaser Park are to the south. Though the proposed development is higher density than the existing residential

development the applicants are taking measures such as installing required landscaping, adding pitched roofs and gables, and breaking up the building facades with window openings, balconies, and material changes. All of these measures will ensure that the proposed development fits contextually with the surrounding neighborhood. Though traffic will result due to the new development, there are two means of entering and exiting the site (on Beaser Avenue and 11th Ave W) so not all of the traffic is anticipated to enter and exit onto one street. The developers have also planned an alley access to connect the 12th Ave W alley with Beaser Avenue to allow access for neighboring properties off of Beaser Avenue. Planning staff discussed this with Public Works and the Public Works Director believes an access from the alley to Beaser Avenue can work. The requested height allowance (from 55 feet of the original PUD to 58 feet) is small and the increase in impact of granting the additional few feet will be small when considered relative to the original 55-foot maximum height granted.

5. Phasing

The applicants plan to complete the development as proposed in one phase. In the future there could be potential for a second phase depending on how this project goes and land availability. The project as proposed is treated as one phase. The developers' intent is to implement the project as approved. The project consists of one building, associated access drives/parking, stormwater management, outdoor areas, and landscaping. If the applicants decide they need to deviate from the originally proposed GDP/SIP they would come back to City staff and the Plan Commission for further review.

6. Relationship to Existing Structures

The area around the subject site is well developed and urban in nature with single and two-family residential homes and some larger structures such as the Ashland Police Department and former Beaser School/CESA building. The proposed placement of the structure will not impact the developability of any surrounding parcels. There are existing City utilities running under the subject site and Public Works and Planning staff have been coordinating on plans to relocate these in anticipation of the proposed development. The relocation of the utilities will not negatively impact other properties. The proposed building's height (at up to 58 feet) is taller than the adjacent structures nearby but the pitched roofs and other façade design elements including balconies and material changes will mitigate the impact the building has on adjacent structures. Additionally, the developers are proposing a 35-foot side setback on the northern side of the site which will further reduce the impact because the building would be placed further back than the base 15-foot setback required. Staff does not have concerns with the proposed development's relationship to existing structures.

Application Submittal Requirements

UDO Section 3.8 includes the submittal requirements for a PUD-SIP review. These include the following items which staff and the Plan Commission reviewed under the original permit:

- a. Context Map: A map of the project including its relationship to the surrounding properties, topography, or other prominent site features. **The applicants and their designer submitted the required context map which contains this information as part of the original PUD-SIP. The map displays the proposed development's placement and layout in relation to the surrounding parcels, existing development on those parcels, and streets. An aerial of the site is included on the context map. No changes are proposed to this map from before.**
- b. Statement: A statement as to why the planned unit development (PUD) zoning is proposed. The statement shall identify reasons why planned unit development (PUD) zoning is preferable to development under standard zoning districts. **The applicants submitted a statement to staff**

explaining that they wish to develop this property as a multi-family land use. They have submitted elevations showing pitched roofs and indicating building heights. Additionally, they submitted building floor plans showing unit layouts. The applicants requested and obtained PUD zoning to allow them the flexibility required for building height and unit area to allow for pitched roofs that would aesthetically fit the neighborhood. Base zoning allows up to a 45-foot height maximum. The applicants requested and were granted 55 feet. They are now back at Plan Commission to request a small increase in building height up to 58 feet based on the proposed truss designs. They requested and were granted flexibility on unit size minimums also. They received up to a 10% allowance from the unit area minimums required by code and are using units similar to those in other developments they have done. The developers are accommodating covered parking and three floors of living units to achieve the unit count needed for the development to cash flow. The applicants have stated that they will meet the other UDO requirements. Therefore, the flexibility allowed by the PUD zoning is desirable.

- c. Site Plan: A site plan of the planned unit development (PUD) at a scale of not less than one-inch equals one hundred feet (1" = 100') showing the following:
- (1) Land uses and development densities: The drawings in the originally-approved plan set are all scaled at 1" = 100' or greater and show the proposed multi-family development. The site plan page includes data on unit counts and there was enough data as required by the original PUD-SIP process. No changes in land uses or densities are proposed.
 - (2) The size, arrangement, and location of parcels: The site plan shows the parcel which is the subject property for which the PUD will apply and includes the parcel location off of Beaser Avenue, 11th Ave W, and the 5th Street Corridor Trail. The parcel area of 195,817 sq. ft./4.49 acres is listed on the plan. This has not changed.
 - (3) The proposed general location of buildings or groups of buildings: The site plan shows the single multi-family building on the north and east portion of the site. This has not changed and the building is now under construction.
 - (4) The location, design, and construction of public and private streets: The site plan shows the existing streets that serve the area including Beaser Avenue, 11th Ave W, and 12th Ave W. For the access drive and drive areas within the subject development the plan shows their locations and includes dimensions and labels describing the surfacing (asphalt pavement) proposed. No changes to street and access layouts are proposed.
 - (5) The location of recreational areas and open space and a description of who will own and maintain the spaces: The site plan approved shows an outdoor lower level patio, and upper level deck, along with stormwater retention area. The PUD-GDP application also included a statement from the developer explaining that their management company (Vision MC, Inc.) will maintain the property including open spaces.
 - (6) A general landscaping plan: The applicant submitted a landscaping plan with locations, the number and type of proposed plantings, and a landscaping schedule and legend which was reviewed and approved under the original PUD-SIP. For parcels less than 5 acres in area landscaping required is based on the undeveloped area. The number of trees proposed exceeded the code requirement and the developer had updated the plan with required shrubs and parking lot landscaping for the original SIP approval. No changes to the landscaping plan are proposed.
 - (7) A general grading plan, indicating onsite stormwater management facilities and indicating the amount and location of off-site drainage: The applicant submitted a grading and erosion control plan as part of the original SIP submittal package and this plan was approved. This plan includes existing and proposed contours, proposed grade slopes, and stormwater management facilities. The plan does not indicate any off-site drainage occurring. No changes to these elements are proposed.

- (8) Identification of mature vegetation on the site and a proposal to preserve such vegetation worthy of protection: **The applicants' site plan identifies existing vegetation including trees on the northern edge of the site. The developer will plant new trees and shrubs in accordance with UDO requirements and the originally-approved plan and landscaping schedule. The landscaping plan has not changed.**
- (9) Identification and/or delineation of wetlands and floodplains within the site and a proposal to protect such areas from encroachment or degradation: **There are no wetlands or floodplains on site to staff's and the applicants' knowledge. This is also noted on the preliminary and finalized plans.**
- (10) Statistical data on the size of the development, density/intensity of various sub-areas, and expected phasing or staging: **The applicant's site plan includes data on the physical sizes of the building and on unit counts for each unit type. The project is planned in one stage of implementation. No changes to any of this are proposed.**
- (11) A description of the intended organizational structure for a property owner's association, if any: **The developers have explained to staff that upon completion of the development, Ryan Nelson, CEO of development company Vision, Inc., will serve as the managing member of the entity, providing leadership and oversight. Ongoing management and maintenance will be handled by Vision MC, Inc., a subsidiary of Vision, Inc., specifically established to manage all Vision, Inc.-owned properties. The developer is committed to retaining and maintaining their developments post-stabilization. No changes to this are proposed.**
- (12) A description of the deed restrictions or restrictive covenants, if any: **There are no deed restrictions or restrictive covenants to staff's or the applicant's knowledge. There is a DNR closure letter regarding measures that might need to occur if some areas of the site are disturbed. This letter was included in the RFP materials sent out and shared with the developers. The developers are aware of it and will continue to meet any DNR requirements during their construction process.**

Review Recommendation

Staff recommends APPROVAL of the PUD-SIP Amendment to allow an increase in the maximum permitted building height at 400 Beaser Avenue (Parcel # 201-00356-0000) contingent on the following conditions:

- Approval is for the increase in maximum building height from a 55-foot allowance to a 58-foot allowance. No other changes are proposed to the finalized plans originally submitted and approved at the July 29th, 2025 Council meeting under the original PUD-SIP. If the applicant decides to make changes from the approved plans the applicant shall follow up with Planning and Development staff, and obtain required approvals through staff, and if necessary Plan Commission and Council.
- City Council granted relief from UDO Section 4.6(C)(3) Maximum height of principal building. Forty-five (45) feet. Height allowance up to Fifty-five (55) feet was approved under the original PUD. The amended height maximum permitted is now Fifty-eight (58) feet.
- Any changes in the proposed land use or additional uses proposed shall require a PUD amendment and Plan Commission/City Council review.
- See the PUD-SIP approved by Council at the July 29th, 2025 Council meeting for all other applicable conditions for this PUD which remain in effect.

Additionally, as a Public Hearing is scheduled for the proposed PUD-SIP amendment, the Plan Commission should hear all input from the public prior to making a determination. A Class 2 public hearing notice was issued on February 26th & March 5th, 2026 and discretionary letters were sent to all surrounding property owners within 200 feet of the proposed development.

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.



PLANNED UNIT DEVELOPMENT (PUD) SUPPLEMENT FORM

Property Address: 400 Beaser Ave

Parcel # 201- 201-00356-0000

Zoning District: MRC

Applicant: Vision, Inc

E-mail/Mailing Address of Applicant:

Phone Number (daytime):

Application for:

PUD- General Development Plan (GDP): \$150

PUD- Specific Implementation Plan (SIP): \$75

Description of Proposed GDP/SIP:

Vision requests a minor amendment to the approved Specific Implementation Plan for the 151-unit multi-family housing development to increase the previously granted height variance from 55 feet to 58 feet. Preliminary truss calculations indicate the final structural design may slightly exceed the approved 55-foot limit. This modest 3-foot adjustment ensures structural integrity and code compliance while allowing flexibility in the engineering and design to support the project's overall intent.

Application Checklist:

Application fee

PUD completed checklist and items

For Office Use:

Approved Approval Date: _____ Paid

Conditions (if applicable):

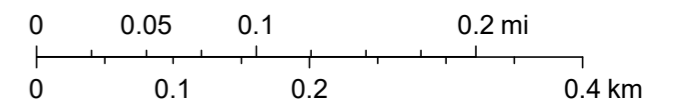
Proposed Vision Project Site



3/5/2025, 3:01:14 PM

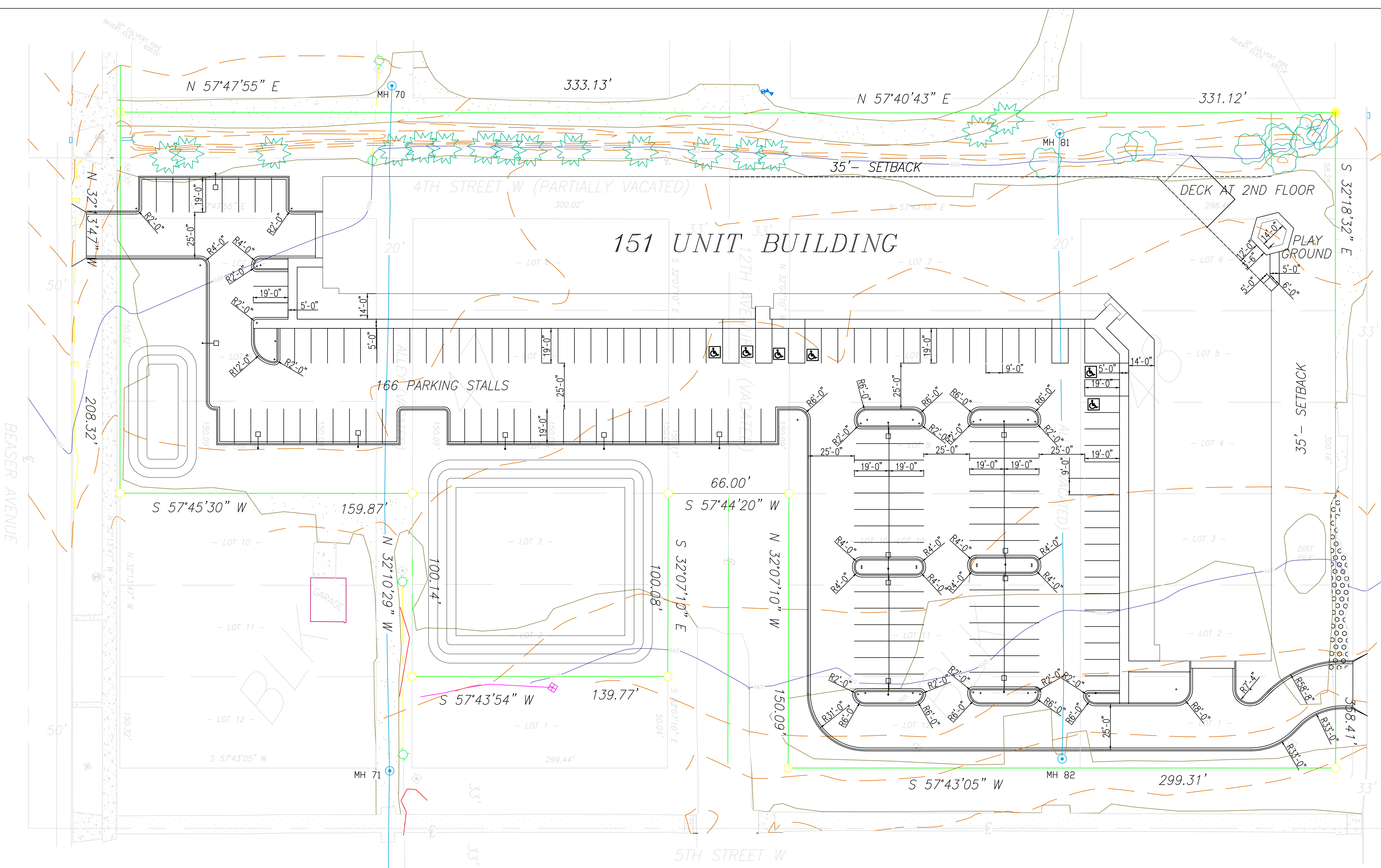
1:8,044

- Tax Parcels
- State Highway
- Ten Foot Contours 2015
- Road Centerlines
- Municipality
- World Hillshade
- US Highway
- Rivers & Streams



Esri, NASA, NGA, USGS, FEMA, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

ONE BEDROOM UNITS = 54
 TWO BEDROOM UNITS = 34
 EFFICIENCY UNITS = 63
 TOTAL = 151



SITE PLAN

1"=30'-0"

BLOCK 53

BLOCK 52

SITE DATA

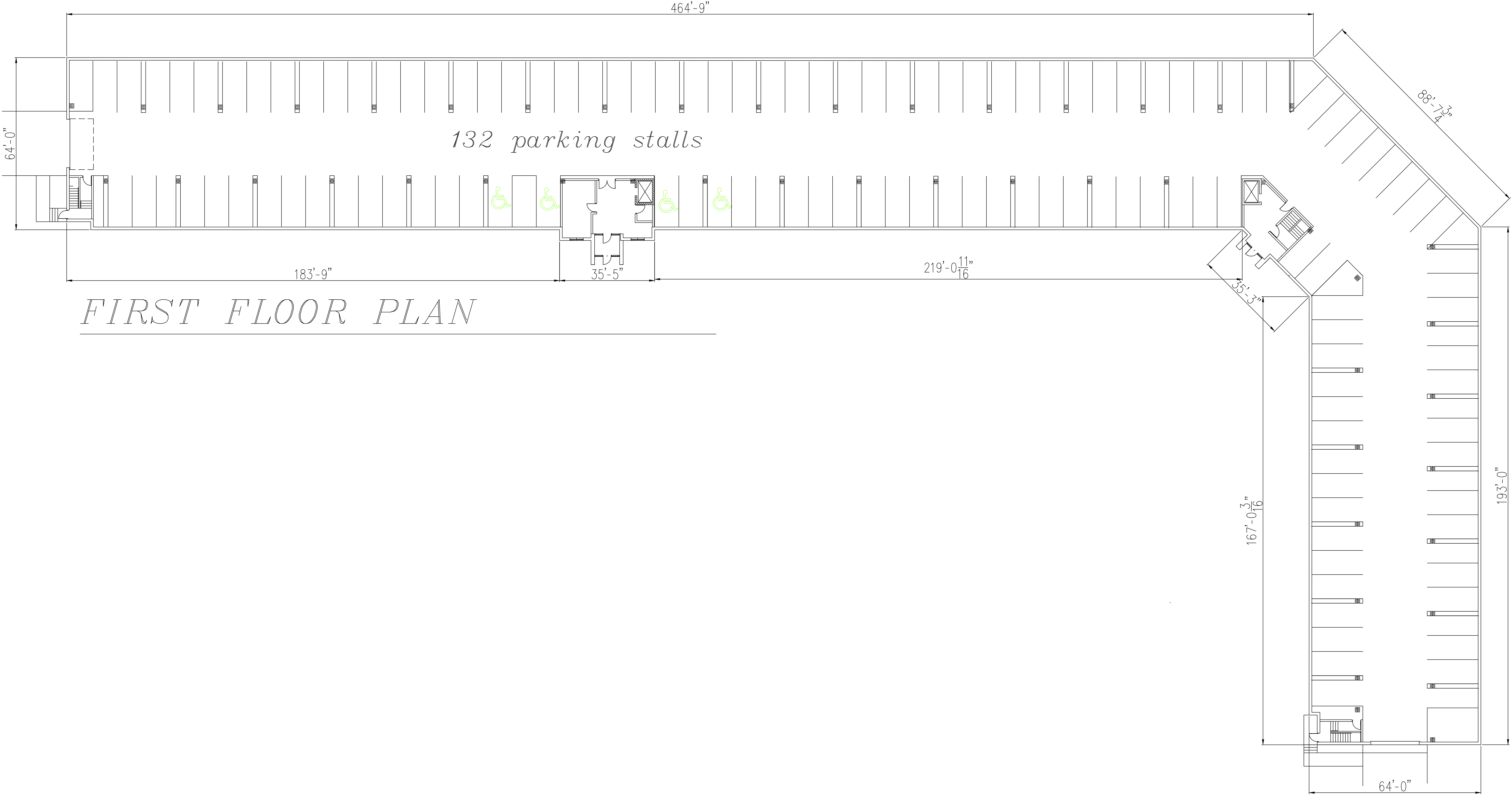
AREA 195,817.0 SF OR 4.49 ACRES
 SITE COVERAGE BY BUILDING = 44,441.8 SF OR 22.6%
 SITE COVERAGE BY PARKING AND WALKS = 72,277.4 SF OR 36%
 SITE COVERAGE BY PATIO = 822.7 SF
 TOTAL SITE COVERAGE = 117,541.9 SF OR 60%
 GREEN SPACE LAWN AREA 78,275.1 SF OR 40%

PARKING DATA

167 OPEN PARKING STALLS
 132 OPEN PARKING STALLS
 299 TOTAL PARKING STALLS

BUILDING DATA

FIRST FLOOR 44,441.8 SF
 SECOND FLOOR 44,441.8 SF
 THIRD FLOOR 44,441.8 SF
 FOURTH FLOOR 44,441.8 SF
 TOTAL 177,767.2 SF



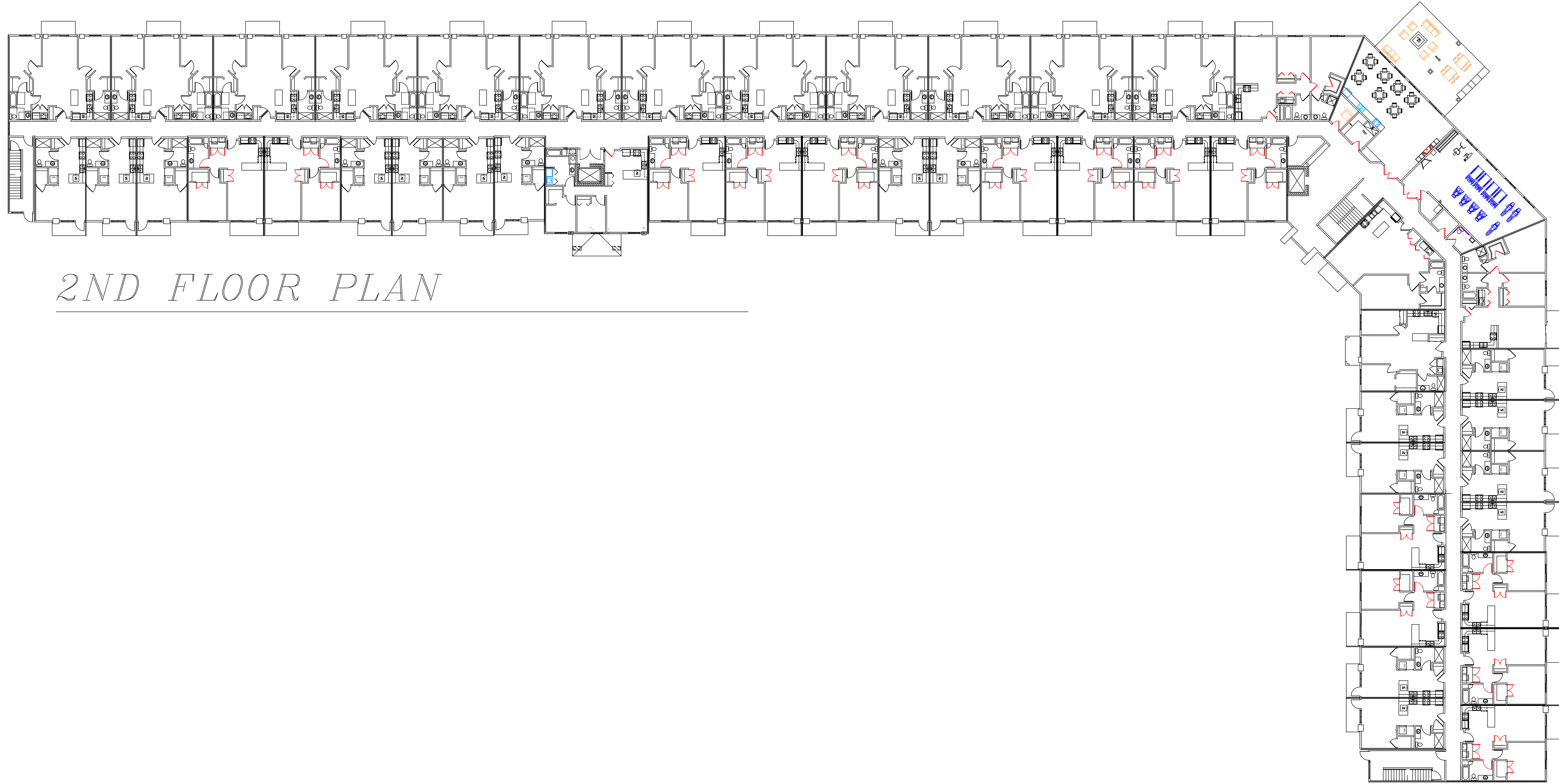
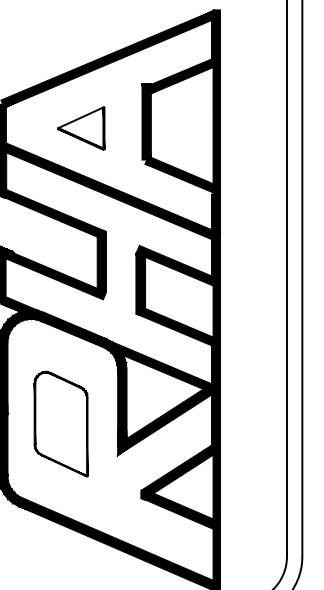
FIRST FLOOR PLAN



FRONT ELEVATION

151 UNIT APARTMENT
BUILDING
ASHLAND WISCONSIN

RHA ARCHITECT'S INC.
ARCHITECTS, PLANNERS, DESIGNERS
PO BOX 383 ST. CLOUD, MINNESOTA
PHONE 320-257-7115
EMAIL RHA4200@YAHOO.COM



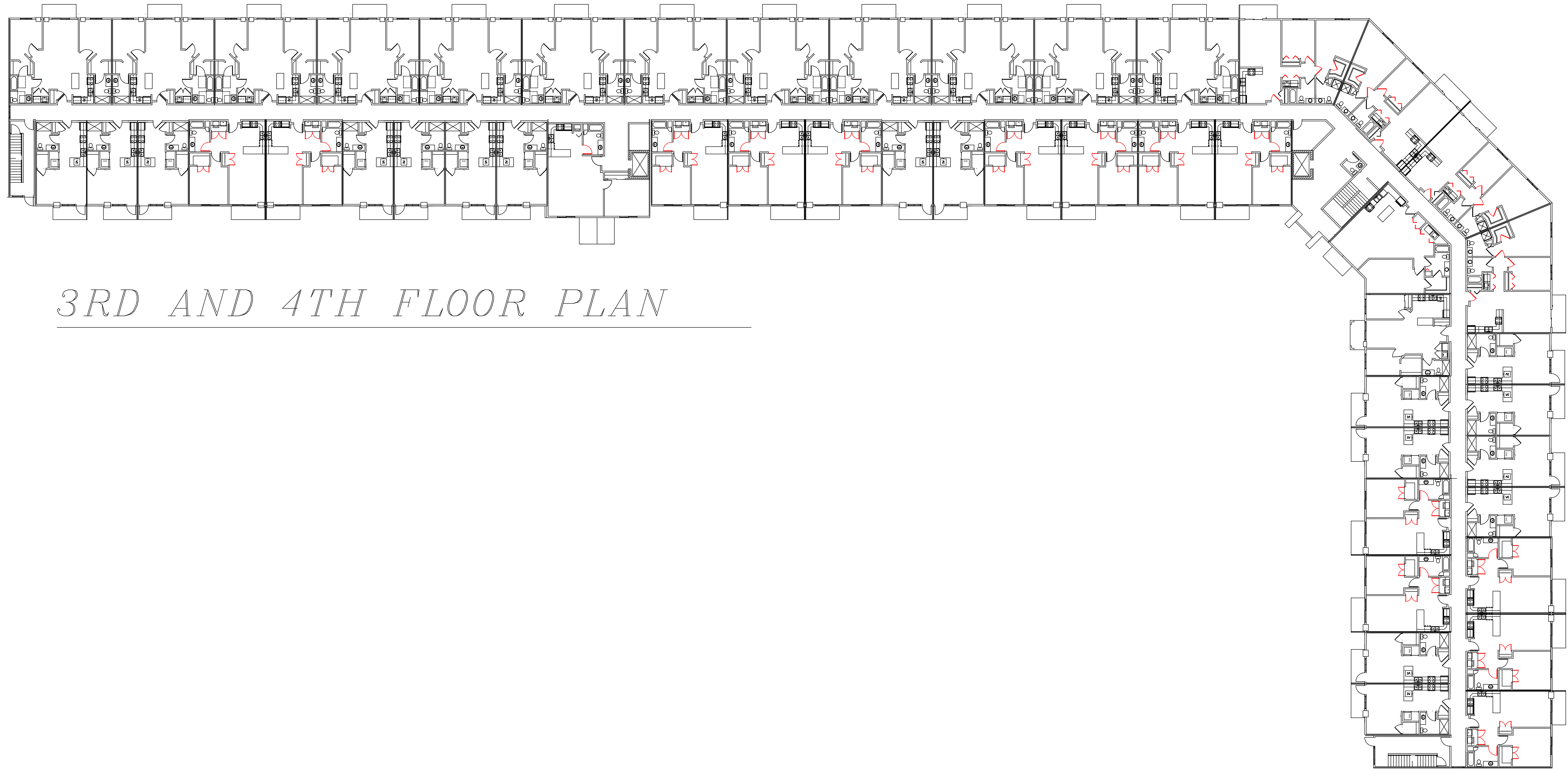
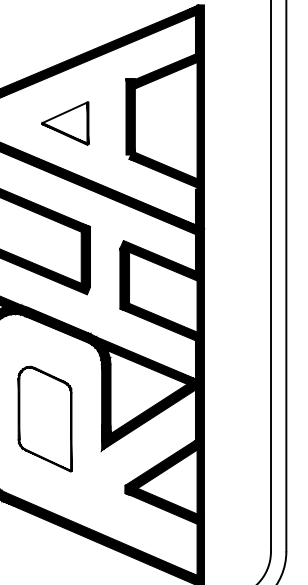
2ND FLOOR PLAN



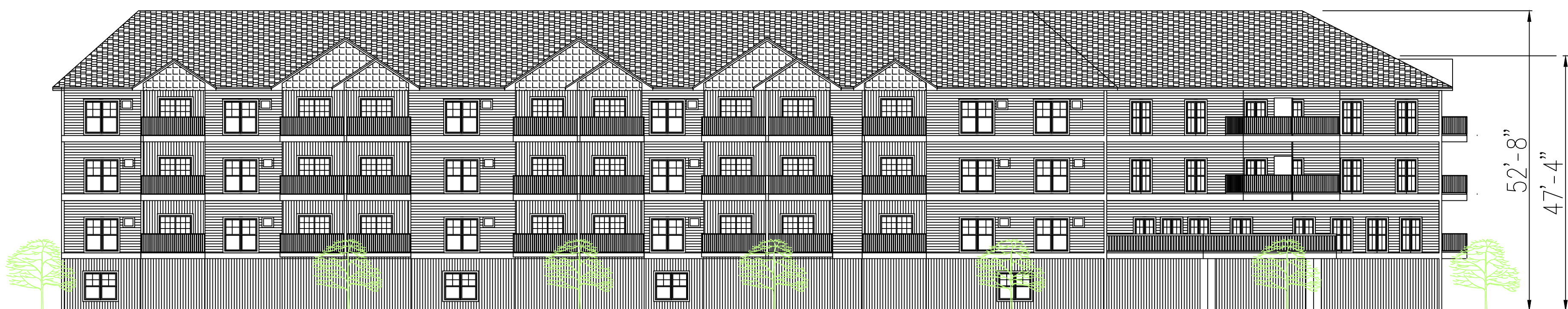
REAR ELEVATION

151 UNIT APARTMENT
BUILDING
ASHLAND WISCONSIN

RHA ARCHITECT'S INC.
ARCHITECTS, PLANNERS, DESIGNERS
PHONE: 320-257-7115
PO BOX 383 ST. CLOUD, MINNESOTA EMAIL: RHA4200@TAHOOCOM



3RD AND 4TH FLOOR PLAN

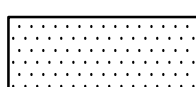
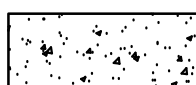
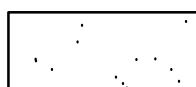


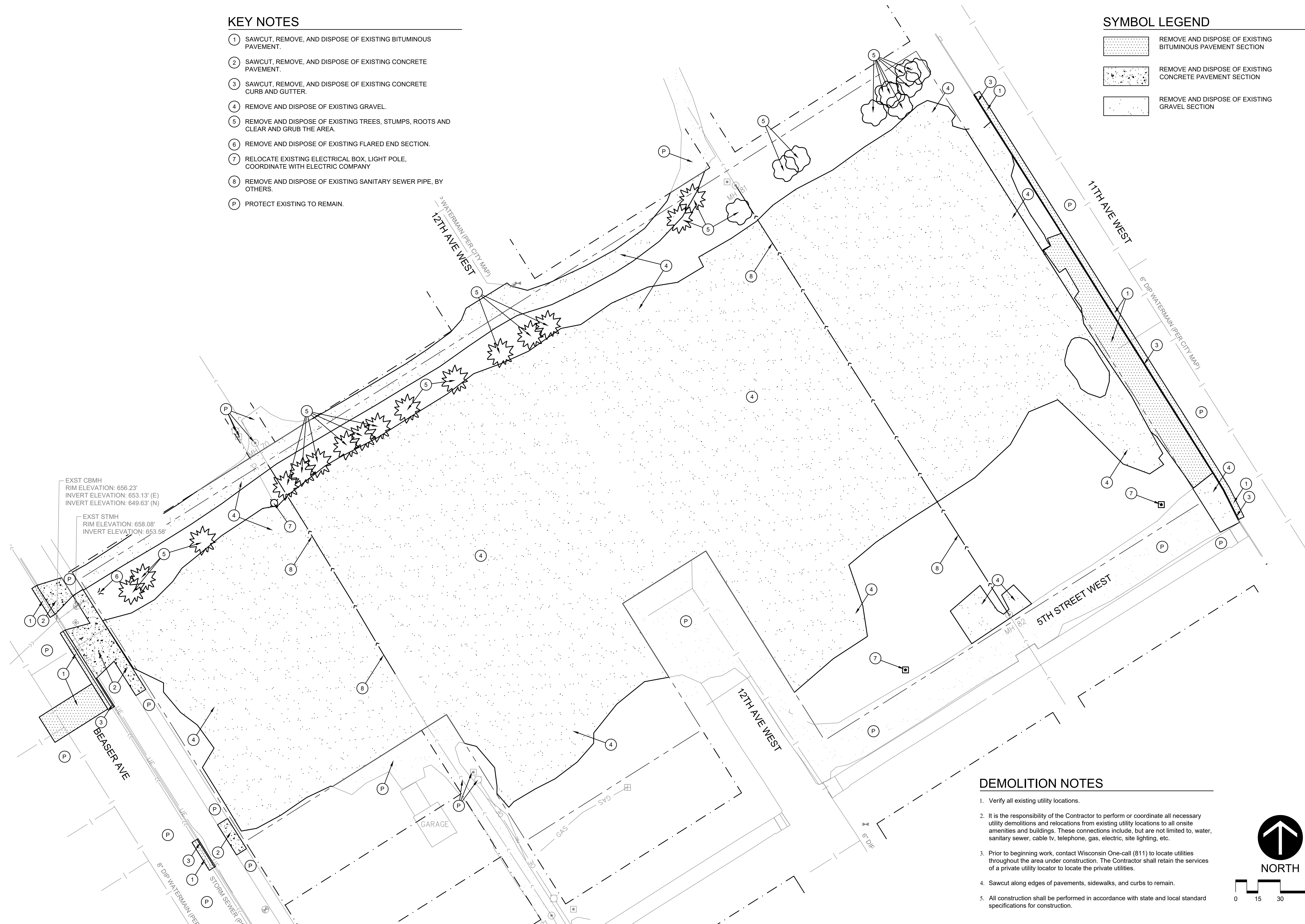
SIDE ELEVATION

KEY NOTES

- ① SAWCUT, REMOVE, AND DISPOSE OF EXISTING BITUMINOUS PAVEMENT.
- ② SAWCUT, REMOVE, AND DISPOSE OF EXISTING CONCRETE PAVEMENT.
- ③ SAWCUT, REMOVE, AND DISPOSE OF EXISTING CONCRETE CURB AND GUTTER.
- ④ REMOVE AND DISPOSE OF EXISTING GRAVEL.
- ⑤ REMOVE AND DISPOSE OF EXISTING TREES, STUMPS, ROOTS AND CLEAR AND GRUB THE AREA.
- ⑥ REMOVE AND DISPOSE OF EXISTING FLARED END SECTION.
- ⑦ RELOCATE EXISTING ELECTRICAL BOX, LIGHT POLE, COORDINATE WITH ELECTRIC COMPANY
- ⑧ REMOVE AND DISPOSE OF EXISTING SANITARY SEWER PIPE, BY OTHERS.
- P PROTECT EXISTING TO REMAIN.

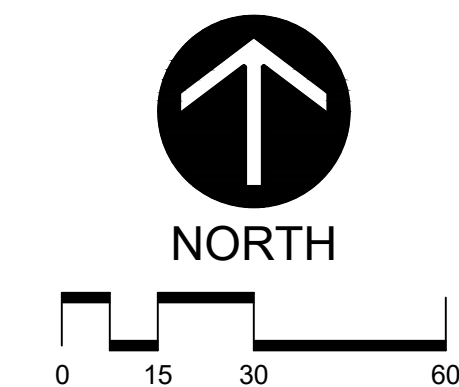
SYMBOL LEGEND

-  REMOVE AND DISPOSE OF EXISTING BITUMINOUS PAVEMENT SECTION
-  REMOVE AND DISPOSE OF EXISTING CONCRETE PAVEMENT SECTION
-  REMOVE AND DISPOSE OF EXISTING GRAVEL SECTION



DEMOLITION NOTES

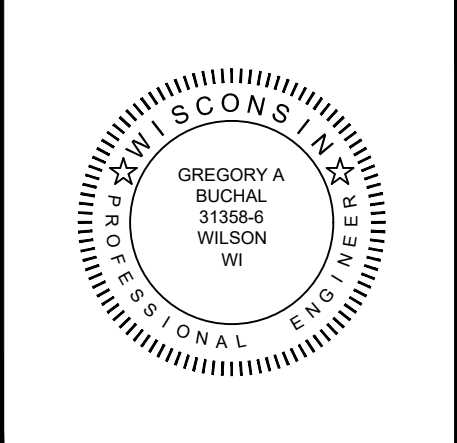
- Verify all existing utility locations.
- It is the responsibility of the Contractor to perform or coordinate all necessary utility demolitions and relocations from existing utility locations to all onsite amenities and buildings. These connections include, but are not limited to, water, sanitary sewer, cable tv, telephone, gas, electric, site lighting, etc.
- Prior to beginning work, contact Wisconsin One-call (811) to locate utilities throughout the area under construction. The Contractor shall retain the services of a private utility locator to locate the private utilities.
- Sawcut along edges of pavements, sidewalks, and curbs to remain.
- All construction shall be performed in accordance with state and local standard specifications for construction.



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VISION INC.
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ASHLAND APARTMENTS
 ASHLAND, WI



Rev.	Date	Description

Project #: 12256011
 Drawn By: KBK
 Checked By: TJH
 Issue Date: 06.27.25
 Sheet Title:



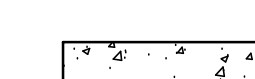
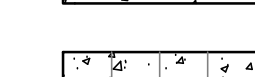
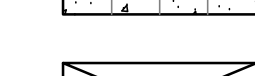
DEMOLITION PLAN

Sheet: **C100**

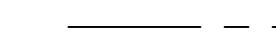

KEY NOTES

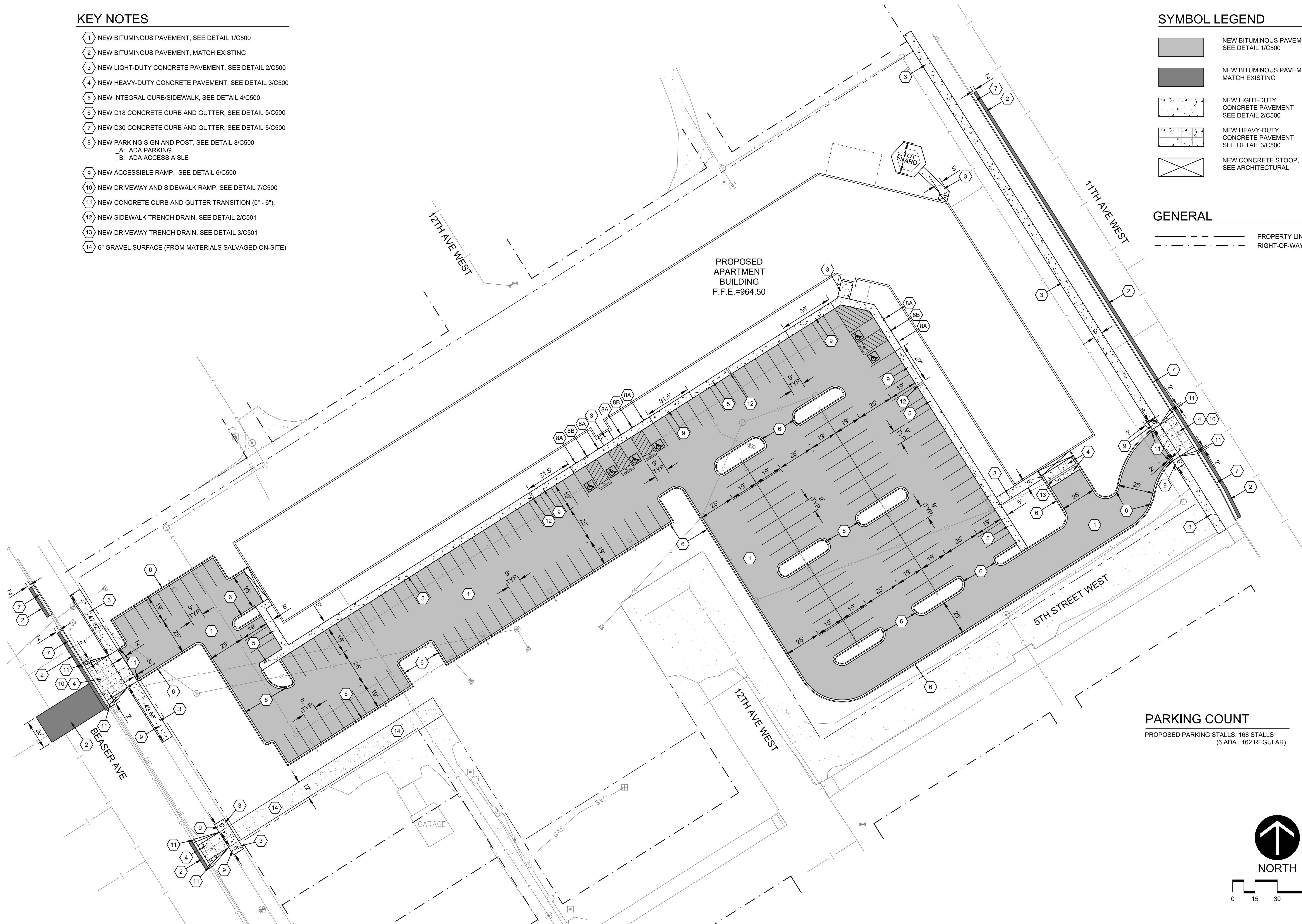
- 1 NEW BITUMINOUS PAVEMENT, SEE DETAIL 1/C500
- 2 NEW BITUMINOUS PAVEMENT, MATCH EXISTING
- 3 NEW LIGHT-DUTY CONCRETE PAVEMENT, SEE DETAIL 2/C500
- 4 NEW HEAVY-DUTY CONCRETE PAVEMENT, SEE DETAIL 3/C500
- 5 NEW INTEGRAL CURB/SIDEWALK, SEE DETAIL 4/C500
- 6 NEW D18 CONCRETE CURB AND GUTTER, SEE DETAIL 5/C500
- 7 NEW D30 CONCRETE CURB AND GUTTER, SEE DETAIL 5/C500
- 8 NEW PARKING SIGN AND POST, SEE DETAIL 8/C500
A: ADA PARKING
B: ADA ACCESS AISLE
- 9 NEW ACCESSIBLE RAMP, SEE DETAIL 6/C500
- 10 NEW DRIVEWAY AND SIDEWALK RAMP, SEE DETAIL 7/C500
- 11 NEW CONCRETE CURB AND GUTTER TRANSITION (0" - 6").
- 12 NEW SIDEWALK TRENCH DRAIN, SEE DETAIL 2/C501
- 13 NEW DRIVEWAY TRENCH DRAIN, SEE DETAIL 3/C501
- 14 6" GRAVEL SURFACE (FROM MATERIALS SALVAGED ON-SITE)

SYMBOL LEGEND

-  NEW BITUMINOUS PAVEMENT
SEE DETAIL 1/C500
-  NEW BITUMINOUS PAVEMENT
MATCH EXISTING
-  NEW LIGHT-DUTY
CONCRETE PAVEMENT
SEE DETAIL 2/C500
-  NEW HEAVY-DUTY
CONCRETE PAVEMENT
SEE DETAIL 3/C500
-  NEW CONCRETE STOOP,
SEE ARCHITECTURAL

GENERAL

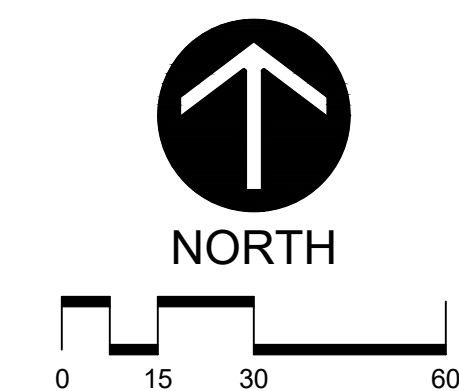
-  PROPERTY LINE
-  RIGHT-OF-WAY LINE



PROPOSED
APARTMENT
BUILDING
F.F.E.=964.50

PARKING COUNT

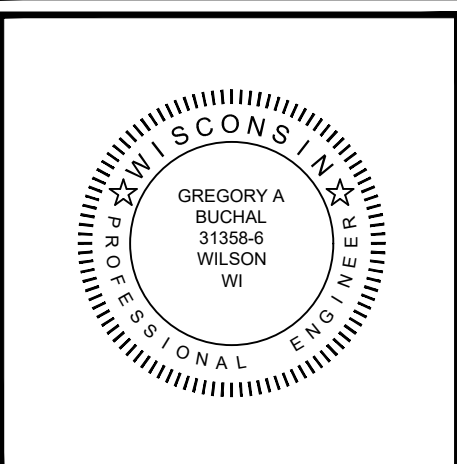
PROPOSED PARKING STALLS: 168 STALLS
(6 ADA | 162 REGULAR)



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ASHLAND APARTMENTS
ASHLAND, WI



Rev.	Date	Description

Project #: 12256011
Drawn By: KBK
Checked By: TJH
Issue Date: 06.27.25
Sheet Title:

SITE PLAN

Sheet:
C200

KEY NOTES

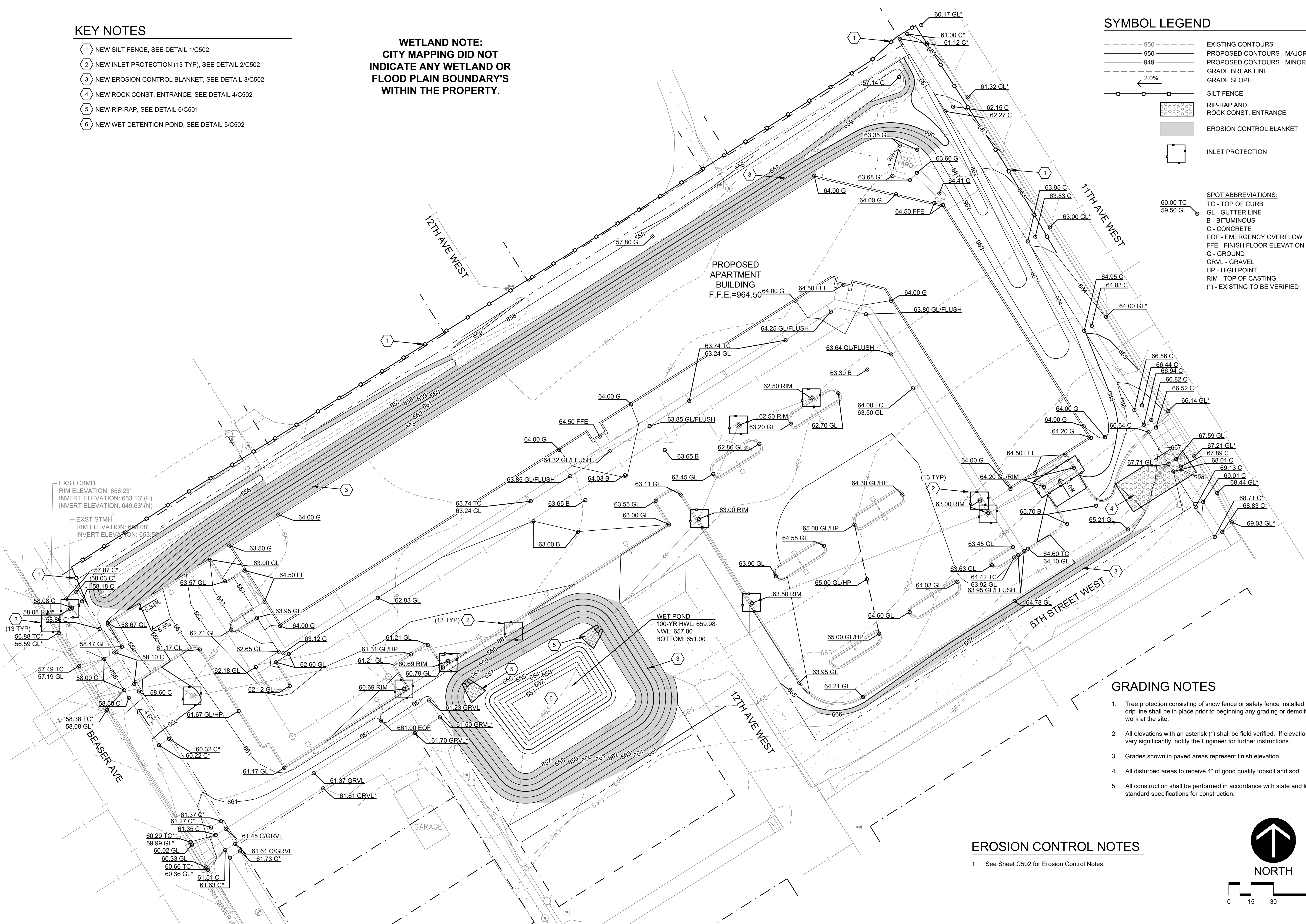
- 1 NEW SILT FENCE, SEE DETAIL 1/C502
- 2 NEW INLET PROTECTION (13 TYP), SEE DETAIL 2/C502
- 3 NEW EROSION CONTROL BLANKET, SEE DETAIL 3/C502
- 4 NEW ROCK CONST. ENTRANCE, SEE DETAIL 4/C502
- 5 NEW RIP-RAP, SEE DETAIL 6/C501
- 6 NEW WET DETENTION POND, SEE DETAIL 5/C502

**WETLAND NOTE:
CITY MAPPING DID NOT
INDICATE ANY WETLAND OR
FLOOD PLAIN BOUNDARY'S
WITHIN THE PROPERTY.**

SYMBOL LEGEND

- - - 950 - - - EXISTING CONTOURS
- - - 950 - - - PROPOSED CONTOURS - MAJOR INTERVAL
- - - 949 - - - PROPOSED CONTOURS - MINOR INTERVAL
- - - GRADE BREAK LINE
- 2.0% GRADE SLOPE
- SILT FENCE
- RIP-RAP AND ROCK CONST. ENTRANCE
- EROSION CONTROL BLANKET
- INLET PROTECTION

- SPOT ABBREVIATIONS:**
- TC - TOP OF CURB
 - GL - GUTTER LINE
 - B - BITUMINOUS
 - C - CONCRETE
 - EOF - EMERGENCY OVERFLOW
 - FFE - FINISH FLOOR ELEVATION
 - G - GROUND
 - GRVL - GRAVEL
 - HP - HIGH POINT
 - RIM - TOP OF CASTING
 - (*) - EXISTING TO BE VERIFIED



GRADING NOTES

1. Tree protection consisting of snow fence or safety fence installed at the drip line shall be in place prior to beginning any grading or demolition work at the site.
2. All elevations with an asterisk (*) shall be field verified. If elevations vary significantly, notify the Engineer for further instructions.
3. Grades shown in paved areas represent finish elevation.
4. All disturbed areas to receive 4" of good quality topsoil and sod.
5. All construction shall be performed in accordance with state and local standard specifications for construction.

EROSION CONTROL NOTES

1. See Sheet C502 for Erosion Control Notes.

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PO BOX 23
SUPERIOR, WI 54880

ASHLAND APARTMENTS
ASHLAND, WI

Client: VISION INC.
Project Title: GRADING AND EROSION CONTROL PLAN



Rev.	Date	Description

Project #: 12256011
Drawn By: KBK
Checked By: TJH
Issue Date: 06.27.25
Sheet Title: GRADING AND EROSION CONTROL PLAN

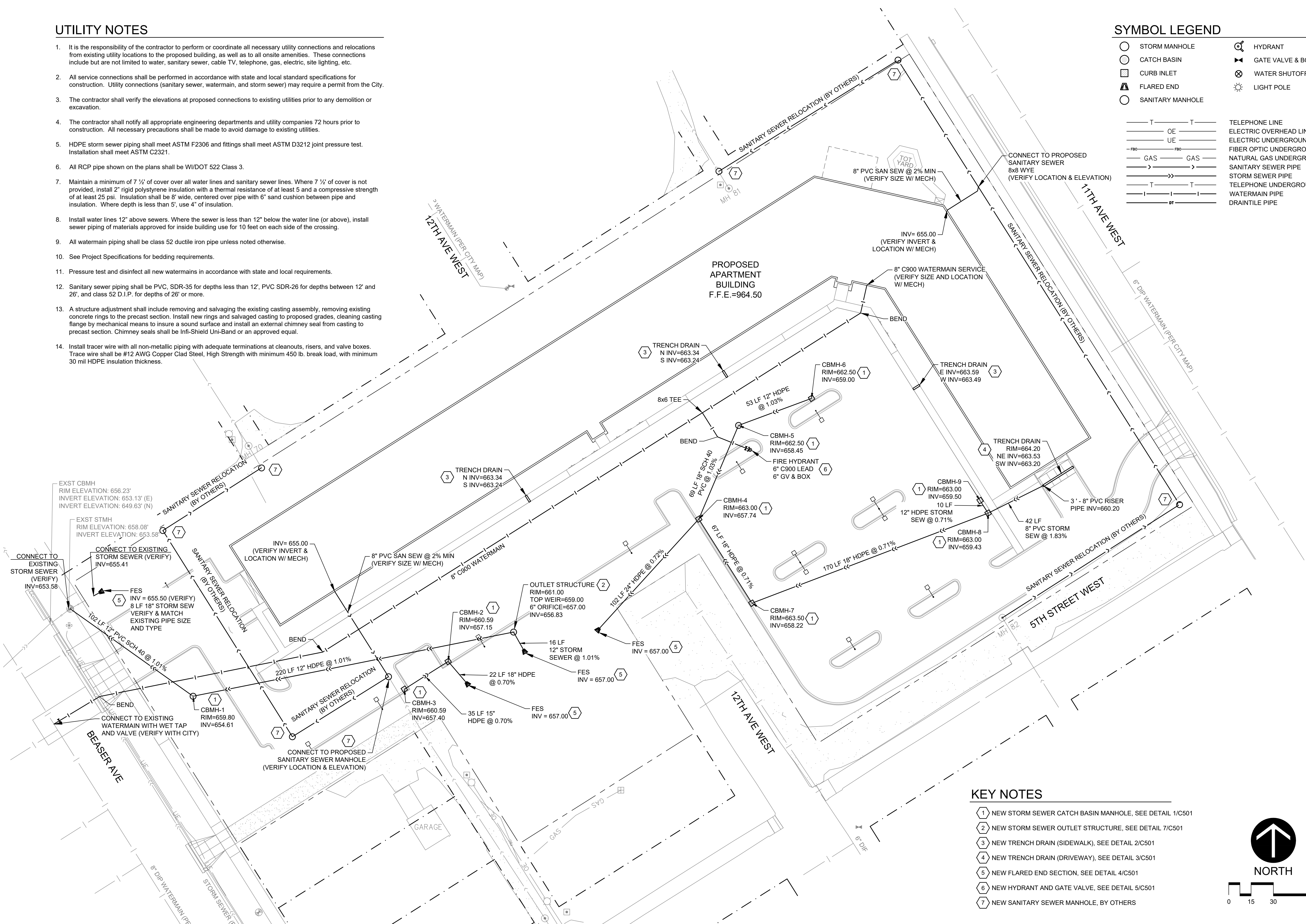
Sheet: **C300**

UTILITY NOTES

- It is the responsibility of the contractor to perform or coordinate all necessary utility connections and relocations from existing utility locations to the proposed building, as well as to all onsite amenities. These connections include but are not limited to water, sanitary sewer, cable TV, telephone, gas, electric, site lighting, etc.
- All service connections shall be performed in accordance with state and local standard specifications for construction. Utility connections (sanitary sewer, watermain, and storm sewer) may require a permit from the City.
- The contractor shall verify the elevations at proposed connections to existing utilities prior to any demolition or excavation.
- The contractor shall notify all appropriate engineering departments and utility companies 72 hours prior to construction. All necessary precautions shall be made to avoid damage to existing utilities.
- HDPE storm sewer piping shall meet ASTM F2306 and fittings shall meet ASTM D3212 joint pressure test. Installation shall meet ASTM C2321.
- All RCP pipe shown on the plans shall be WI/DOT 522 Class 3.
- Maintain a minimum of 7 1/2' of cover over all water lines and sanitary sewer lines. Where 7 1/2' of cover is not provided, install 2" rigid polystyrene insulation with a thermal resistance of at least 5 and a compressive strength of at least 25 psi. Insulation shall be 8" wide, centered over pipe with 6" sand cushion between pipe and insulation. Where depth is less than 5', use 4" of insulation.
- Install water lines 12" above sewers. Where the sewer is less than 12" below the water line (or above), install sewer piping of materials approved for inside building use for 10 feet on each side of the crossing.
- All watermain piping shall be class 52 ductile iron pipe unless noted otherwise.
- See Project Specifications for bedding requirements.
- Pressure test and disinfect all new watermains in accordance with state and local requirements.
- Sanitary sewer piping shall be PVC, SDR-35 for depths less than 12', PVC SDR-26 for depths between 12' and 26', and class 52 D.I.P. for depths of 26' or more.
- A structure adjustment shall include removing and salvaging the existing casting assembly, removing existing concrete rings to the precast section. Install new rings and salvaged casting to proposed grades, cleaning casting flange by mechanical means to insure a sound surface and install an external chimney seal from casting to precast section. Chimney seals shall be Infi-Shield Uni-Band or an approved equal.
- Install tracer wire with all non-metallic piping with adequate terminations at cleanouts, risers, and valve boxes. Tracer wire shall be #12 AWG Copper Clad Steel, High Strength with minimum 450 lb. break load, with minimum 30 mil HDPE insulation thickness.

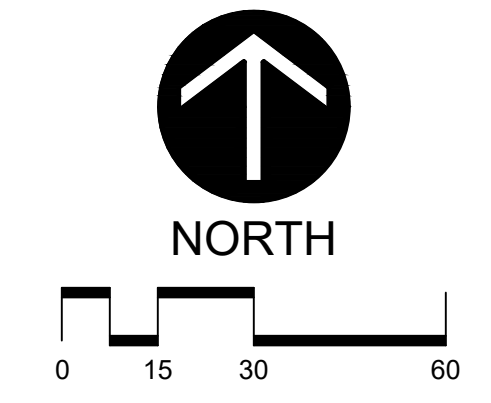
SYMBOL LEGEND

- STORM MANHOLE
- CATCH BASIN
- CURB INLET
- ▲ FLARED END
- SANITARY MANHOLE
- ⊕ HYDRANT
- ⊕ GATE VALVE & BOX
- ⊕ WATER SHUTOFF
- ⊕ LIGHT POLE
- T — T — TELEPHONE LINE
- OE — ELECTRIC OVERHEAD LINE
- UE — ELECTRIC UNDERGROUND LINE
- FBO — FIBER OPTIC UNDERGROUND LINE
- GAS — GAS — NATURAL GAS UNDERGROUND LINE
- S — SANITARY SEWER PIPE
- T — TELEPHONE UNDERGROUND LINE
- W — WATERMAIN PIPE
- D — DRAINTILE PIPE



KEY NOTES

- NEW STORM SEWER CATCH BASIN MANHOLE, SEE DETAIL 1/C501
- NEW STORM SEWER OUTLET STRUCTURE, SEE DETAIL 7/C501
- NEW TRENCH DRAIN (SIDEWALK), SEE DETAIL 2/C501
- NEW TRENCH DRAIN (DRIVEWAY), SEE DETAIL 3/C501
- NEW FLARED END SECTION, SEE DETAIL 4/C501
- NEW HYDRANT AND GATE VALVE, SEE DETAIL 5/C501
- NEW SANITARY SEWER MANHOLE, BY OTHERS



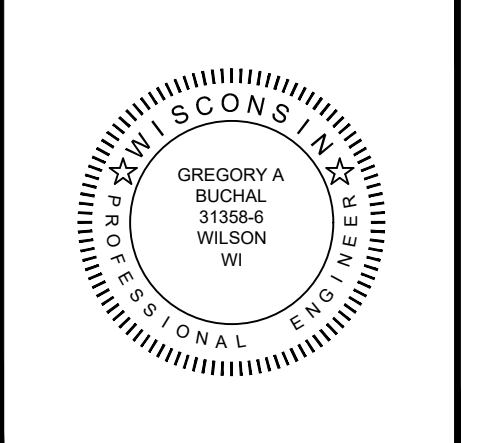
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 PO BOX 23
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ASHLAND APARTMENTS
 ASHLAND, WI

Client: VISION INC.
 Project Title: PRELIMINARY NOT FOR CONSTRUCTION

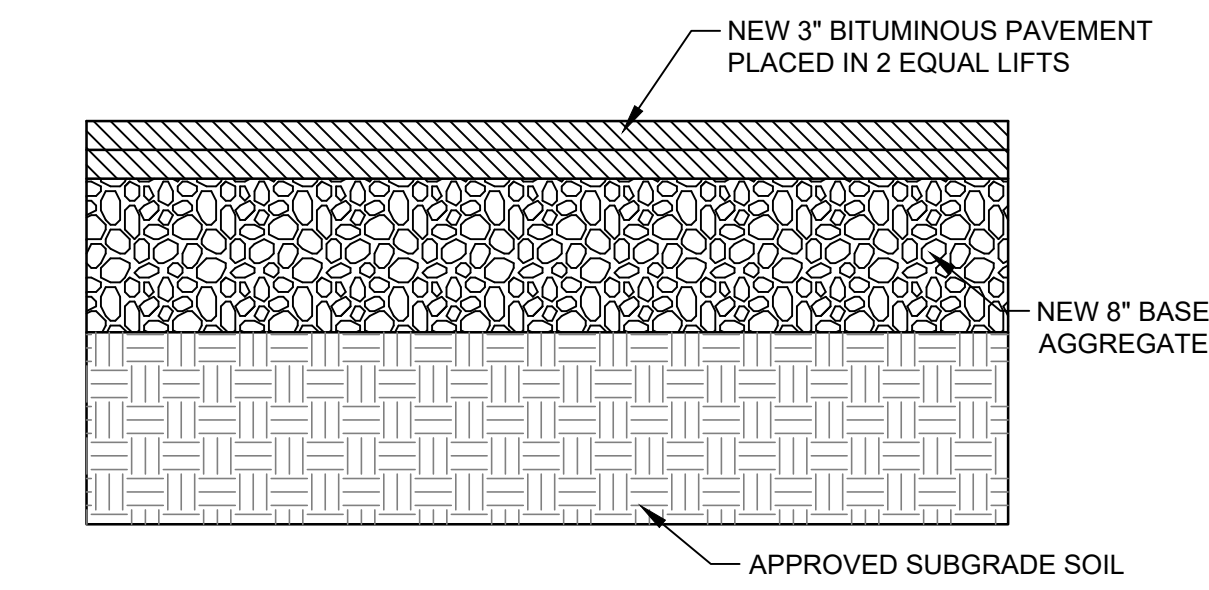


Rev.	Date	Description

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 Drawn By: KBK
 Checked By: TJH
 Issue Date: 06.27.25
 Sheet Title:

UTILITY PLAN

Sheet: **C400**

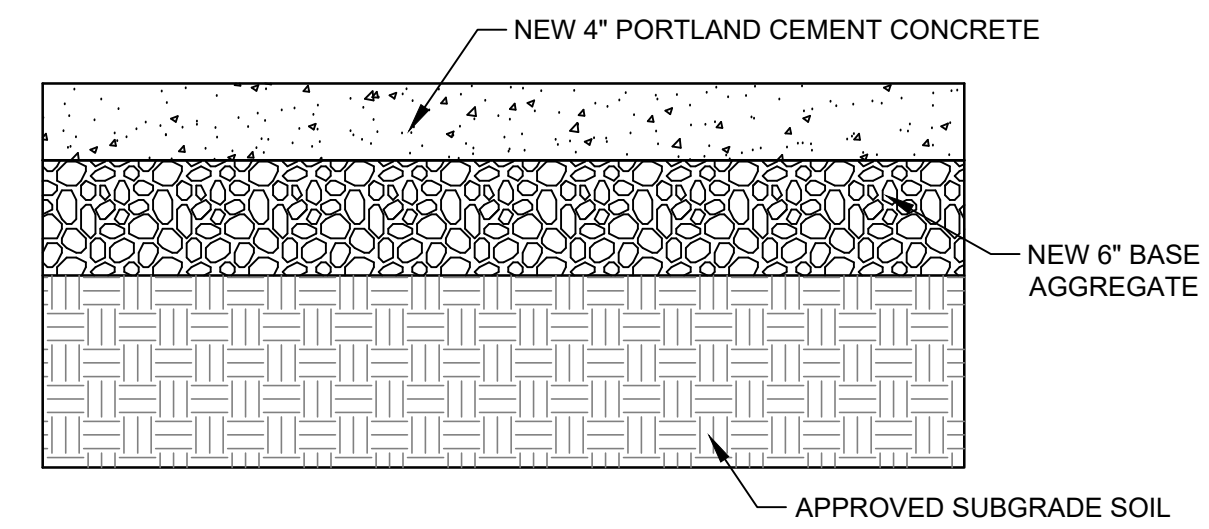


NOTE:
CONTRACTOR SHALL VERIFY PAVEMENT SECTION WITH GEOTECHNICAL REPORT.

BITUMINOUS PAVEMENT SECTION

NOT TO SCALE

1
C500

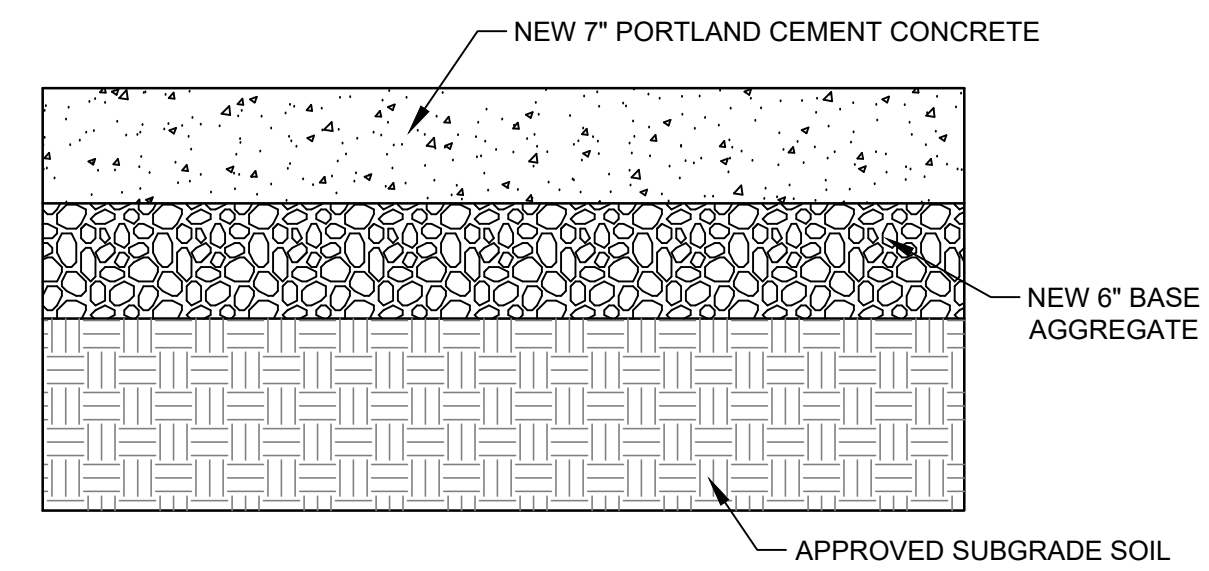


NOTE:
CONTRACTOR SHALL VERIFY PAVEMENT SECTION WITH GEOTECHNICAL REPORT.

LIGHT-DUTY CONCRETE CONSTRUCTION DETAIL

NOT TO SCALE

2
C500

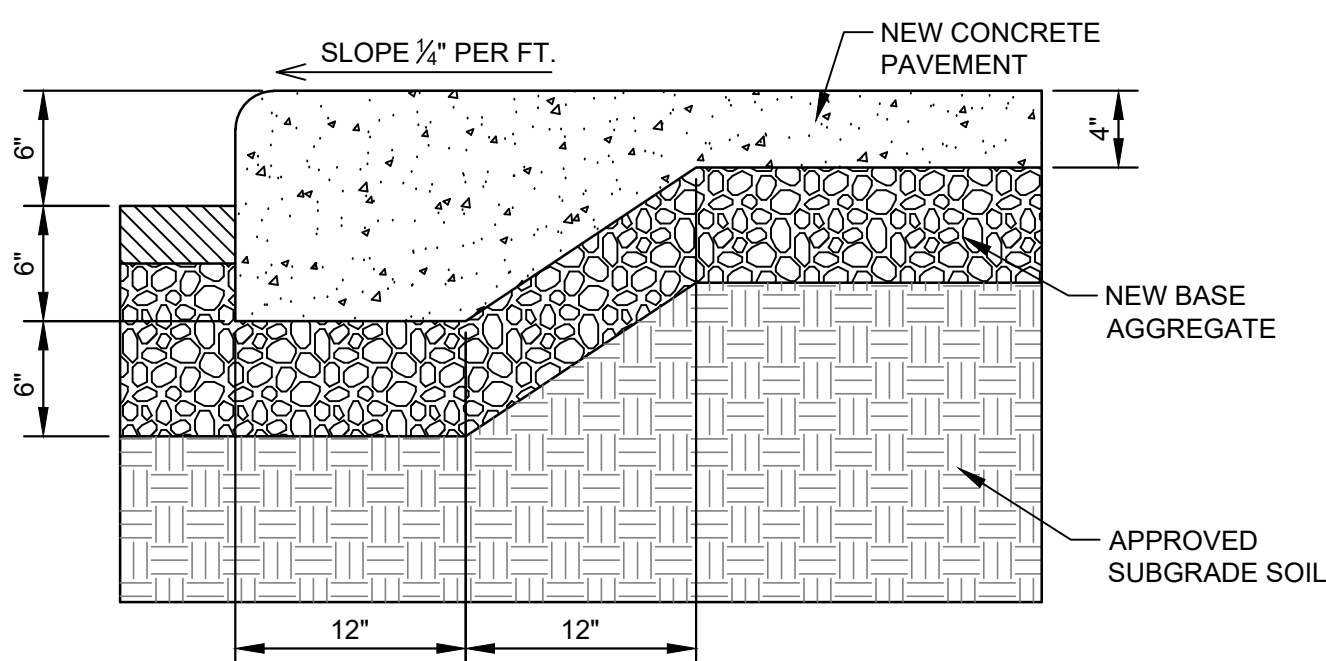


NOTE:
CONTRACTOR SHALL VERIFY PAVEMENT SECTION WITH GEOTECHNICAL REPORT.

HEAVY-DUTY CONCRETE CONSTRUCTION DETAIL

NOT TO SCALE

3
C500

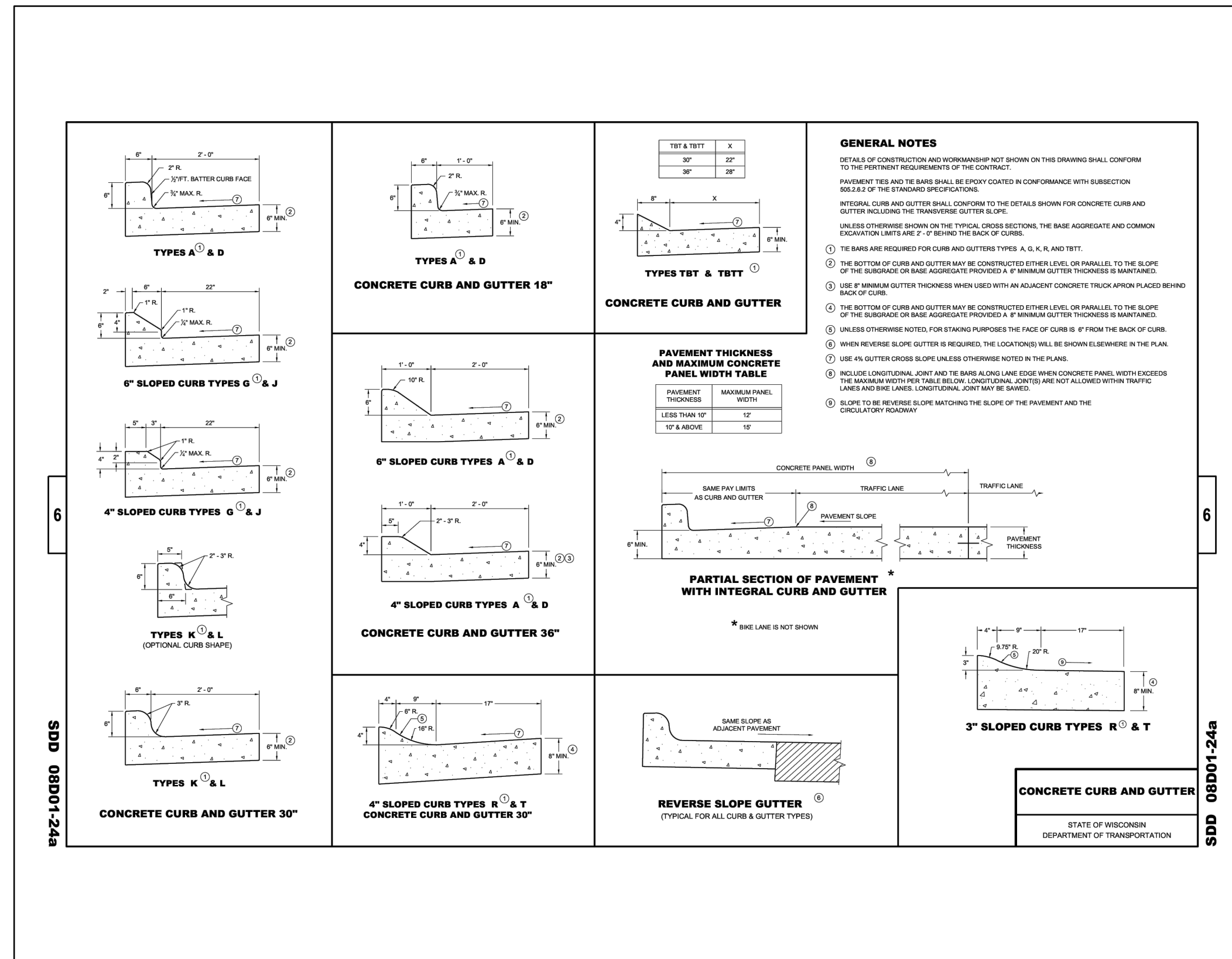


NOTE:
CONTRACTOR SHALL VERIFY PAVEMENT SECTION WITH GEOTECHNICAL REPORT.

INTEGRAL CURB & SIDEWALK DETAIL

NOT TO SCALE

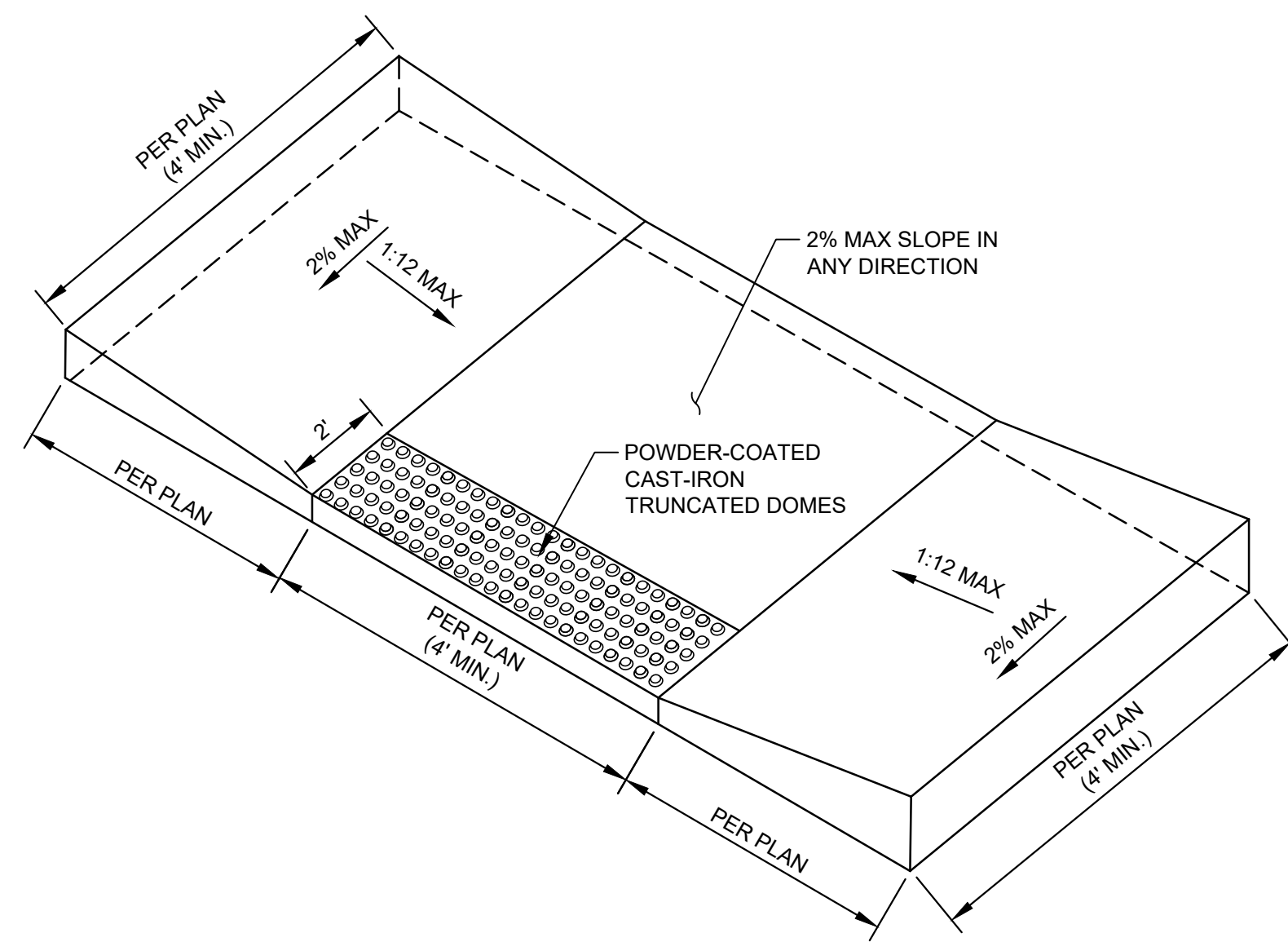
4
C500



CONCRETE CURB & GUTTER DETAIL

NOT TO SCALE

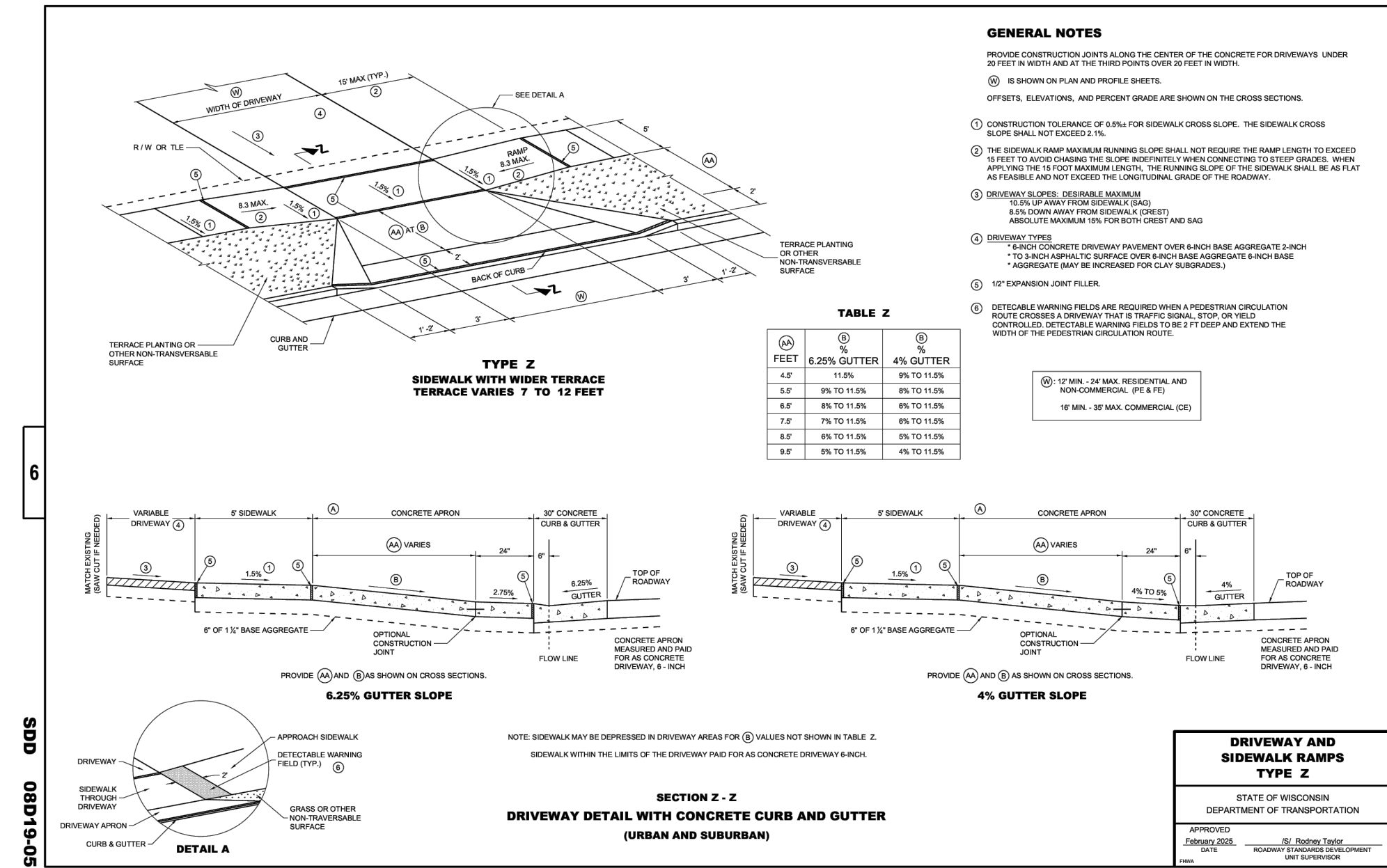
5
C500



ACCESSIBLE RAMP DETAIL WITH TRUNCATED DOMES

NOT TO SCALE

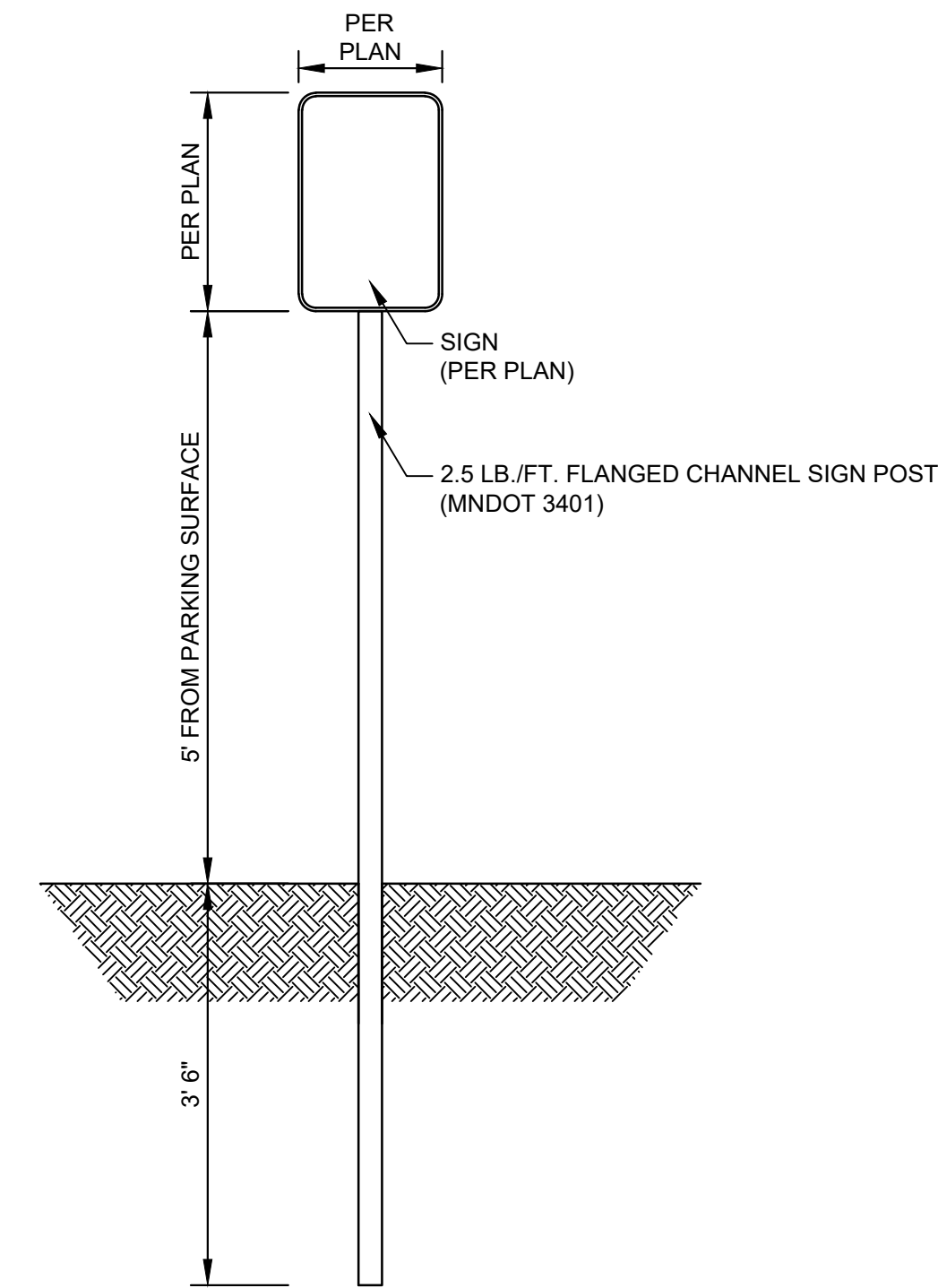
6
C500



DRIVEWAY AND SIDEWALK RAMP DETAIL

NOT TO SCALE

7
C500



- NOTES:
1. ALL SIGNS TO BE INSTALLED IN ACCORDANCE WITH MMUTCD AND MNDOT CURRENT STANDARD SIGNS MANUAL.
 2. SEE PROJECT MANUAL FOR SIGN TYPES AND SPECIFICATION.
 3. ALL SIGNS SHALL BE REVIEWED AND APPROVED BY OWNER/ENGINEER PRIOR TO CONSTRUCTION.
 4. SIGN POSTS TO BE 6" BEHIND THE BACK OF CURB, UNLESS OTHERWISE DIRECTED.
 5. SHARE POST WHERE APPLICABLE.
 6. SIGNS WITHIN CONCRETE SIDEWALKS SHALL BE SURFACE MOUNTED WITH APPROVED BREAK-AWAY DEVICES.

8
C500

PARKING SIGN AND POST DETAIL

NOT TO SCALE

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320.774.1944
www.larsonengr.com

VISION INC.
PO BOX 23
SUPERIOR, WI 54880

ASHLAND APARTMENTS
ASHLAND, WI

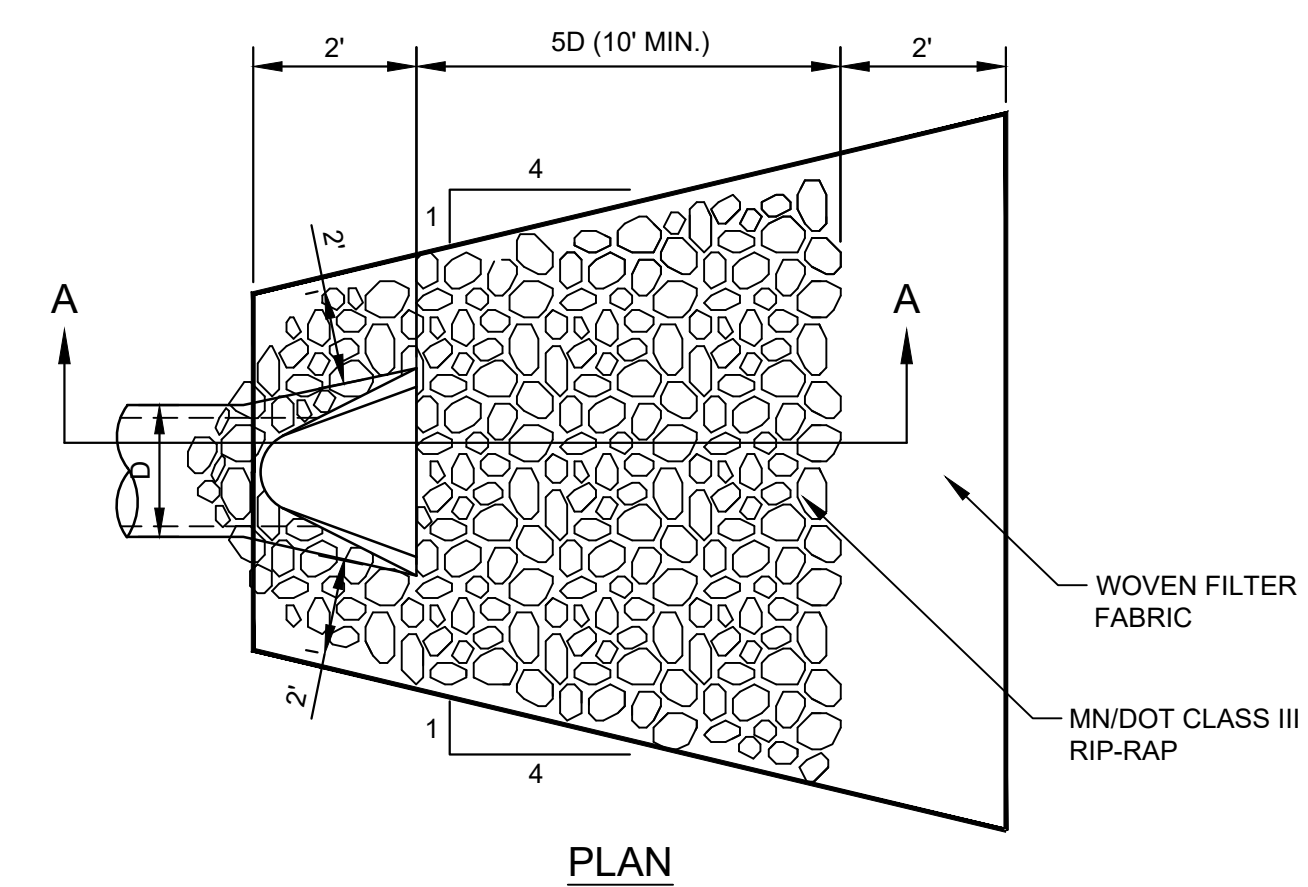
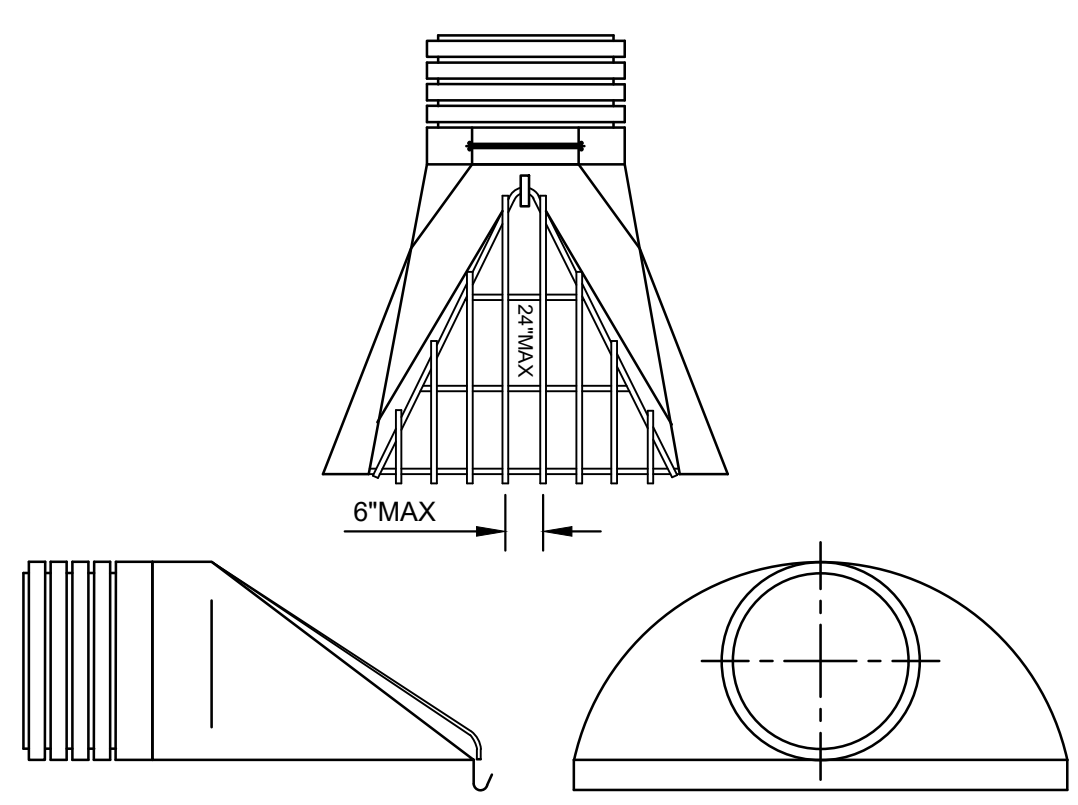
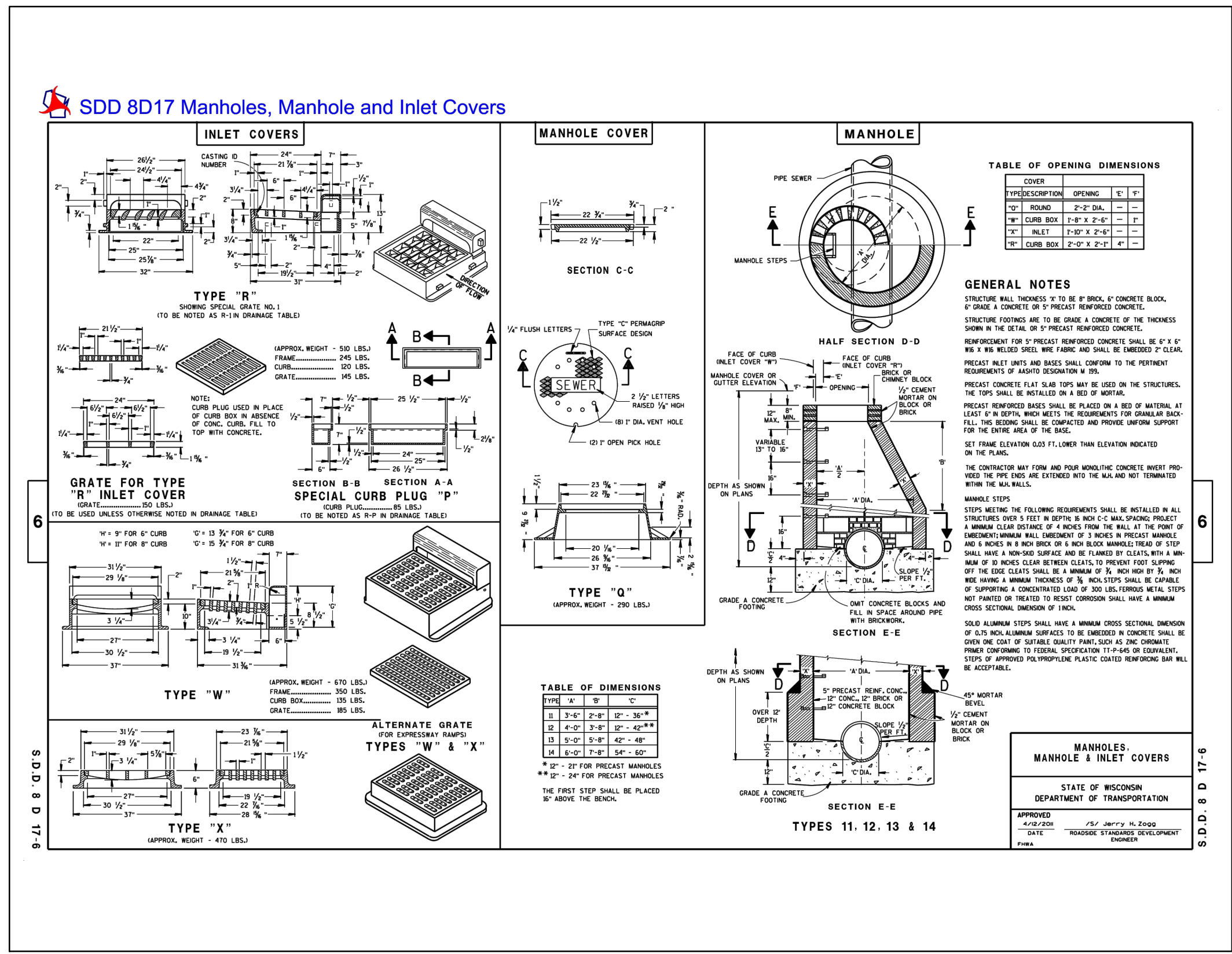
PROFESSIONAL ENGINEER
GREGORY A. BUCHAL
31358-6
WILSON
WI

Rev.	Date	Description

Project #: 12256011
Drawn By: KBK
Checked By: TJH
Issue Date: 06.27.25
Sheet Title:

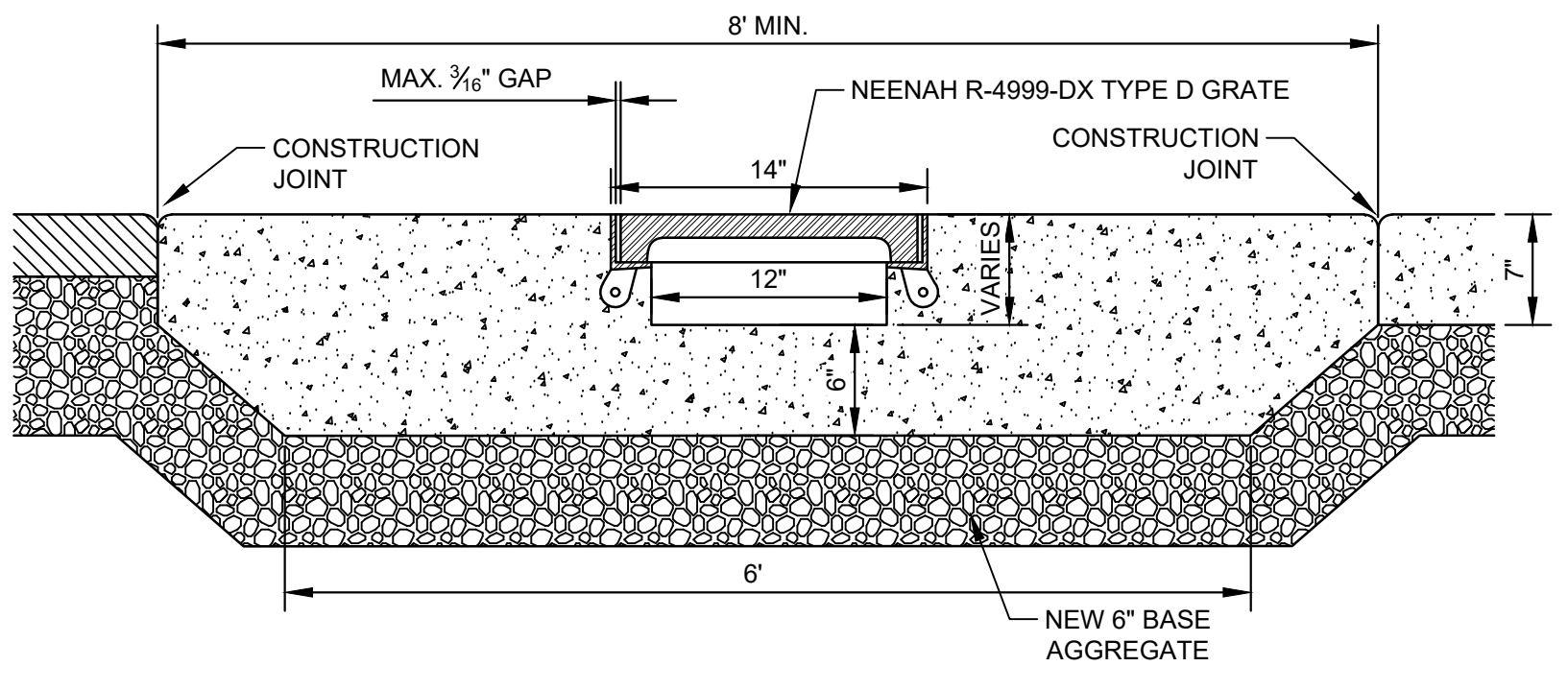
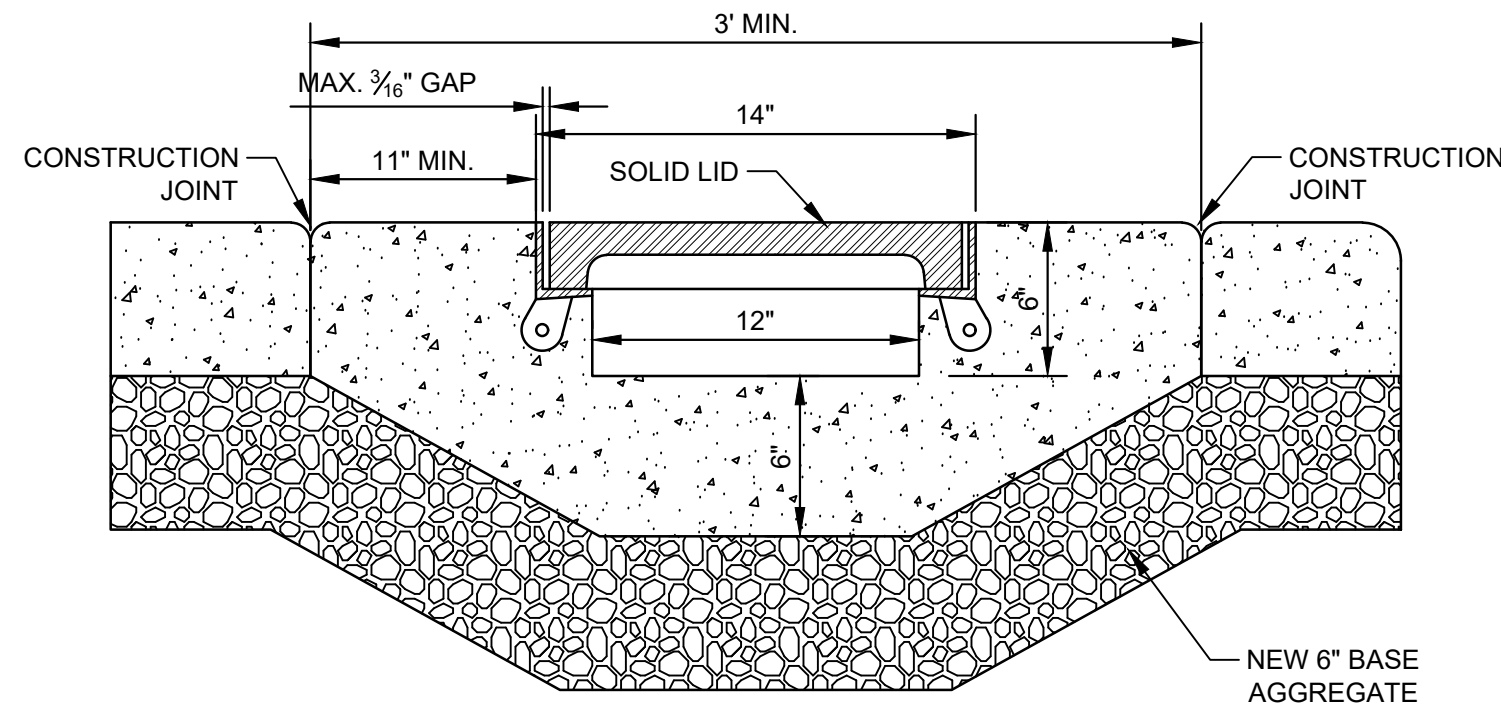
DETAILS

Sheet:
C500



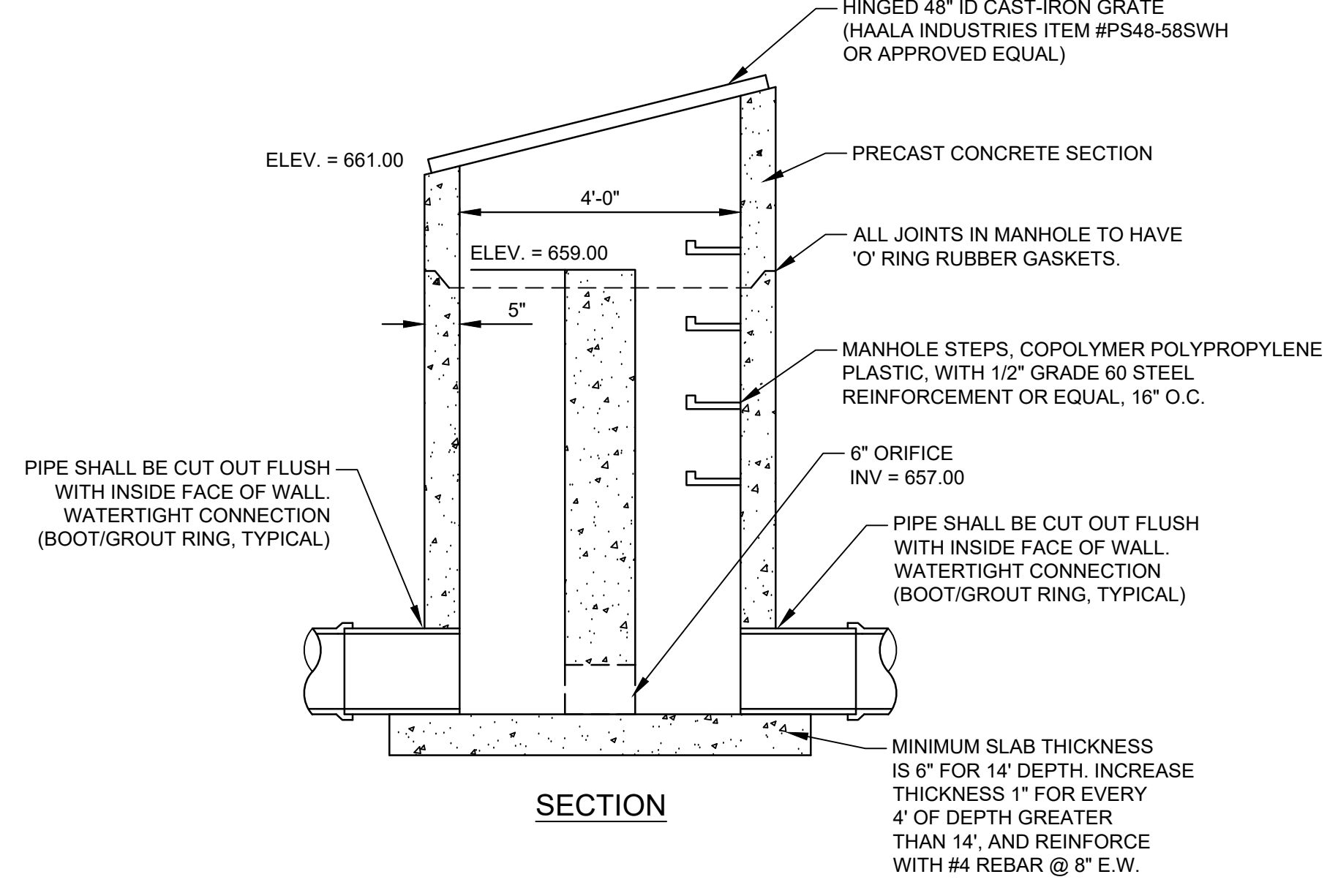
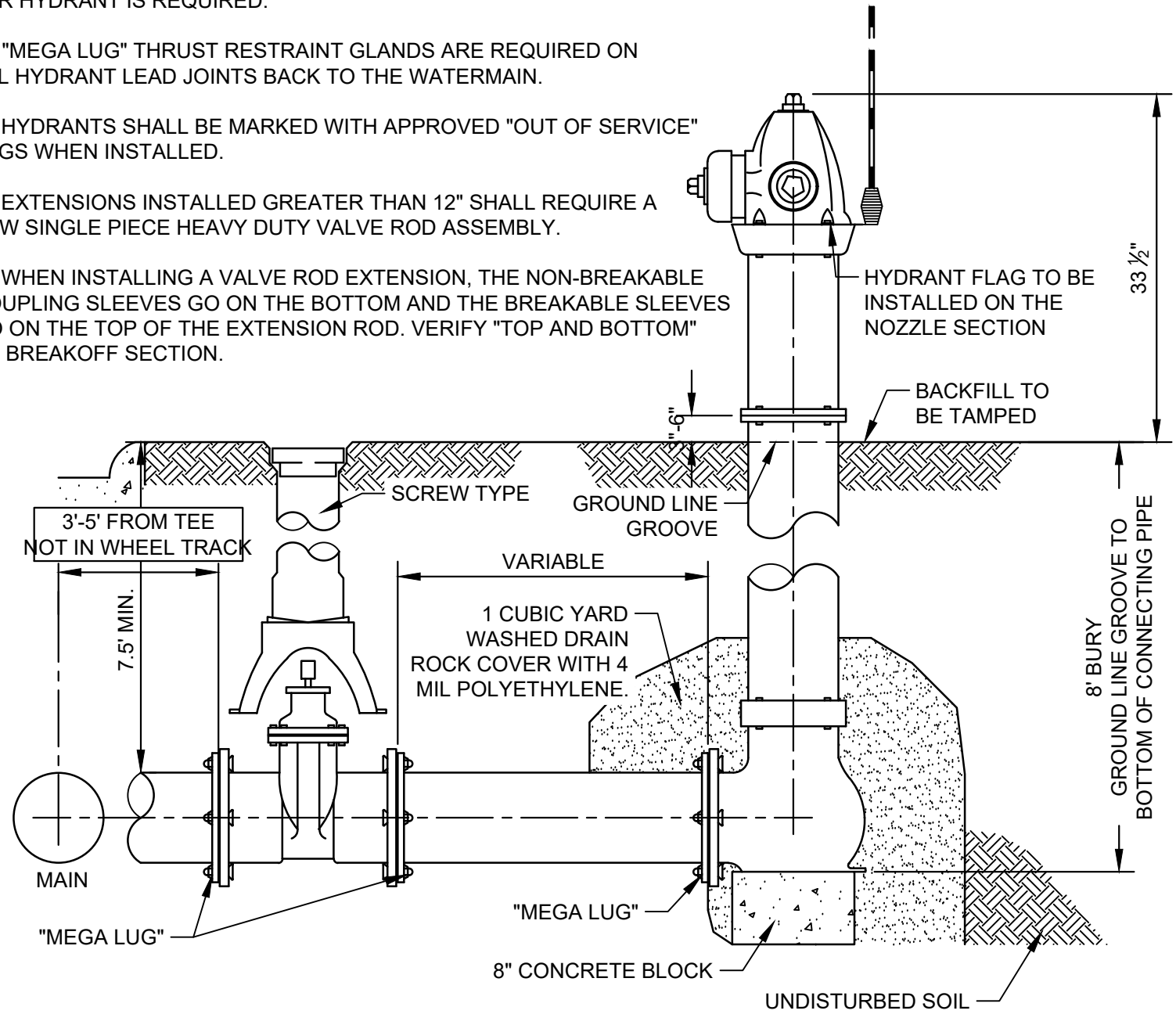
MANHOLES, MANHOLE & COVERS DETAIL

1 C501 NOT TO SCALE



NOTES:

- 1.) HYDRANT SPECIFICATIONS PER CITY STANDARDS.
- 2.) ALL HYDRANT LEADS SHALL BE VALVED.
- 3.) ONE (1) 5" "HYDRAFINDER" WITH SPRING BASE HYDRANT FLAG PER HYDRANT IS REQUIRED.
- 4.) "MEGA LUG" THRUST RESTRAINT GLANDS ARE REQUIRED ON ALL HYDRANT LEAD JOINTS BACK TO THE WATERMAIN.
- 5.) HYDRANTS SHALL BE MARKED WITH APPROVED "OUT OF SERVICE" TAGS WHEN INSTALLED.
- 6.) EXTENSIONS INSTALLED GREATER THAN 12" SHALL REQUIRE A NEW SINGLE PIECE HEAVY DUTY VALVE ROD ASSEMBLY.
- 7.) WHEN INSTALLING A VALVE ROD EXTENSION, THE NON-BREAKABLE COUPLING SLEEVES GO ON THE BOTTOM AND THE BREAKABLE SLEEVES GO ON THE TOP OF THE EXTENSION ROD. VERIFY "TOP AND BOTTOM" OF BREAKOFF SECTION.

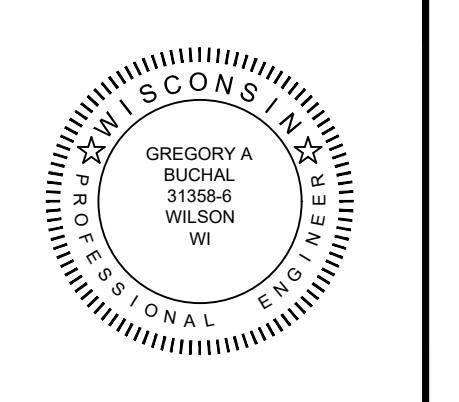


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PRELIMINARY NOT FOR CONSTRUCTION

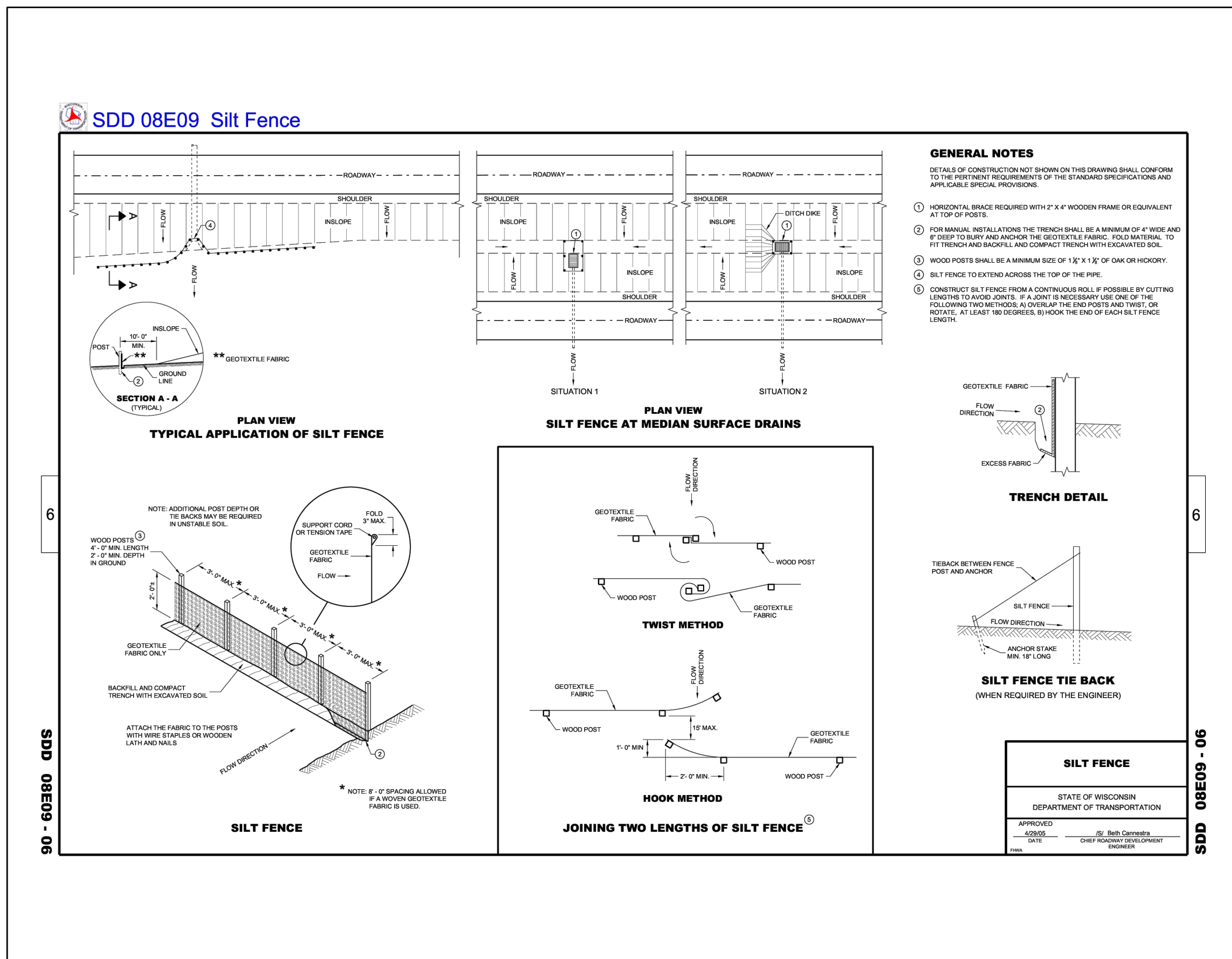
Client: **ASHLAND APARTMENTS**
 ASHLAND, WI



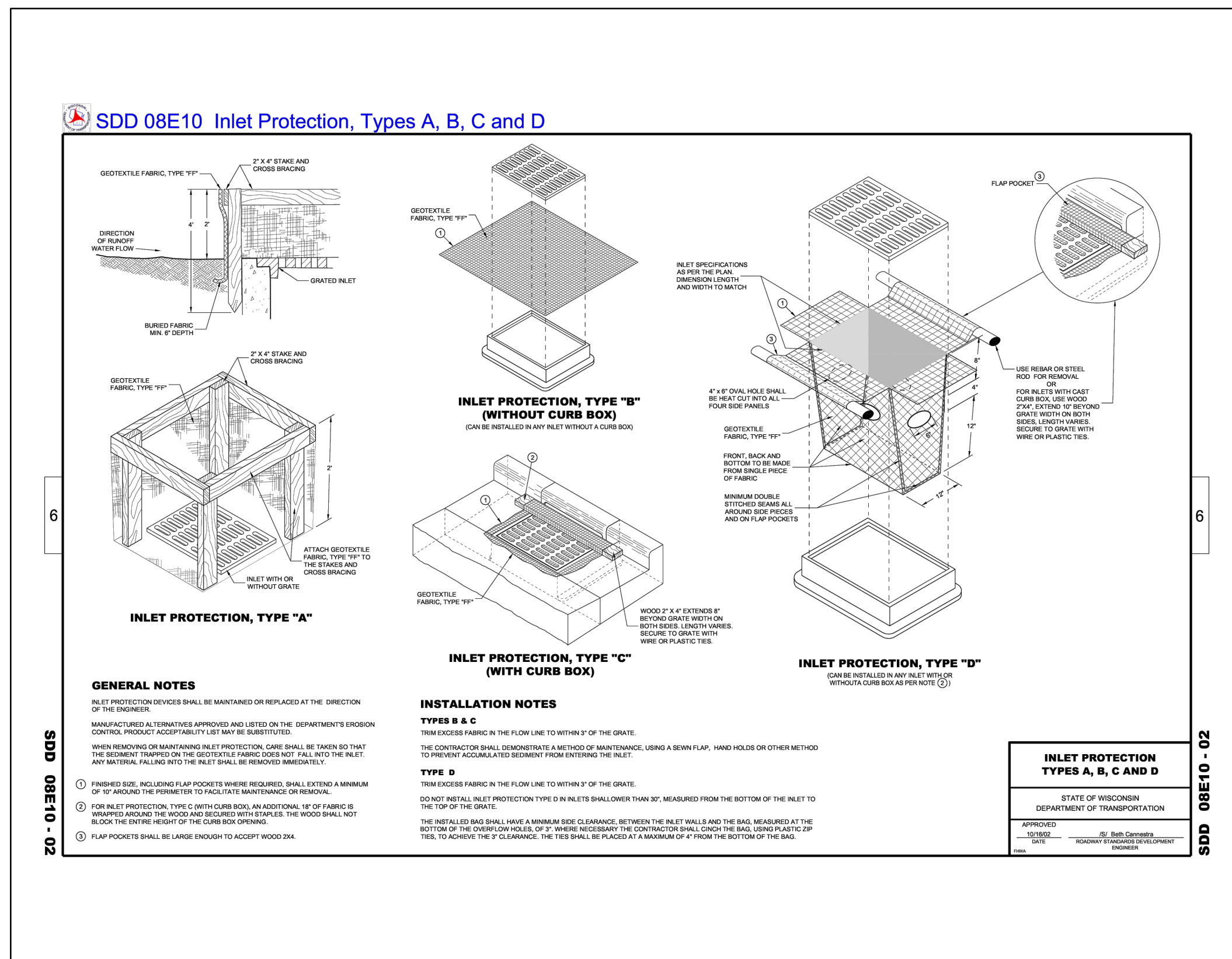
Rev.	Date	Description

Project #: 12256011
 Drawn By: KBK
 Checked By: TJH
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 Sheet Title:

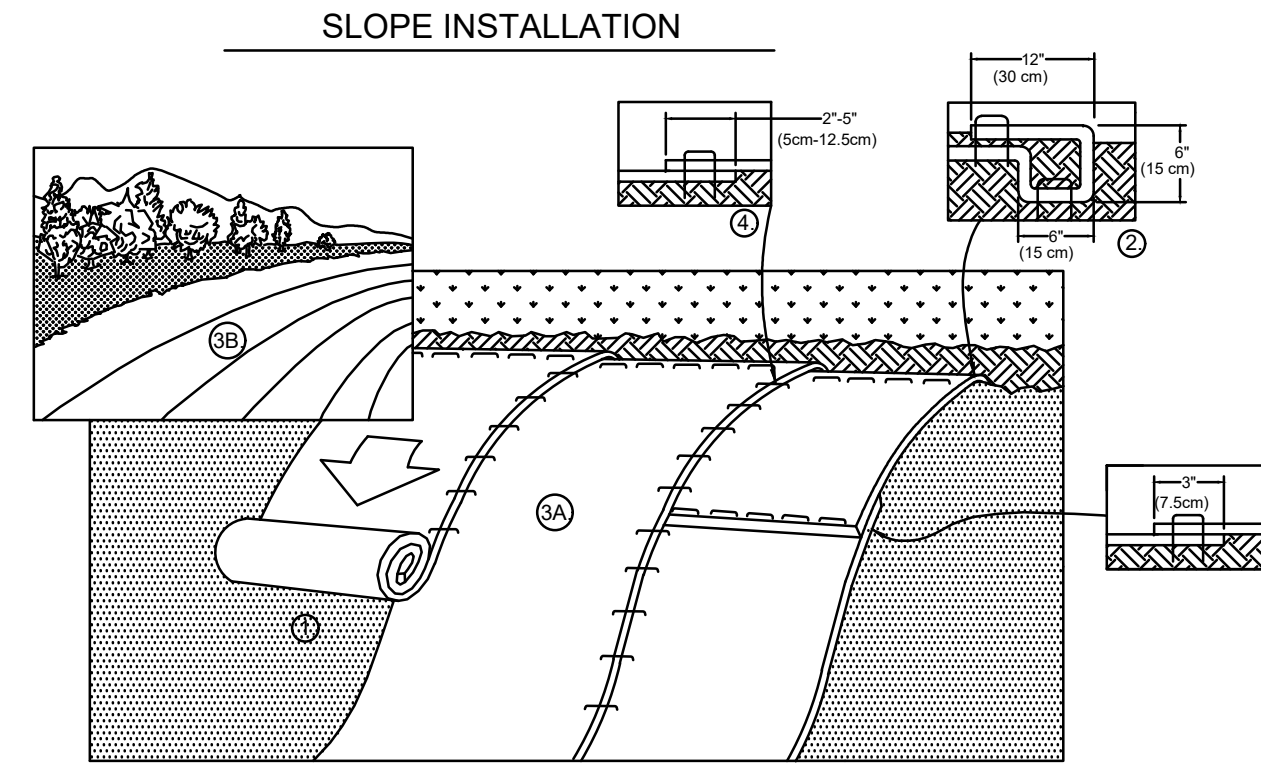
Sheet: **C501**



1
C502
SILT FENCE DETAIL
NOT TO SCALE

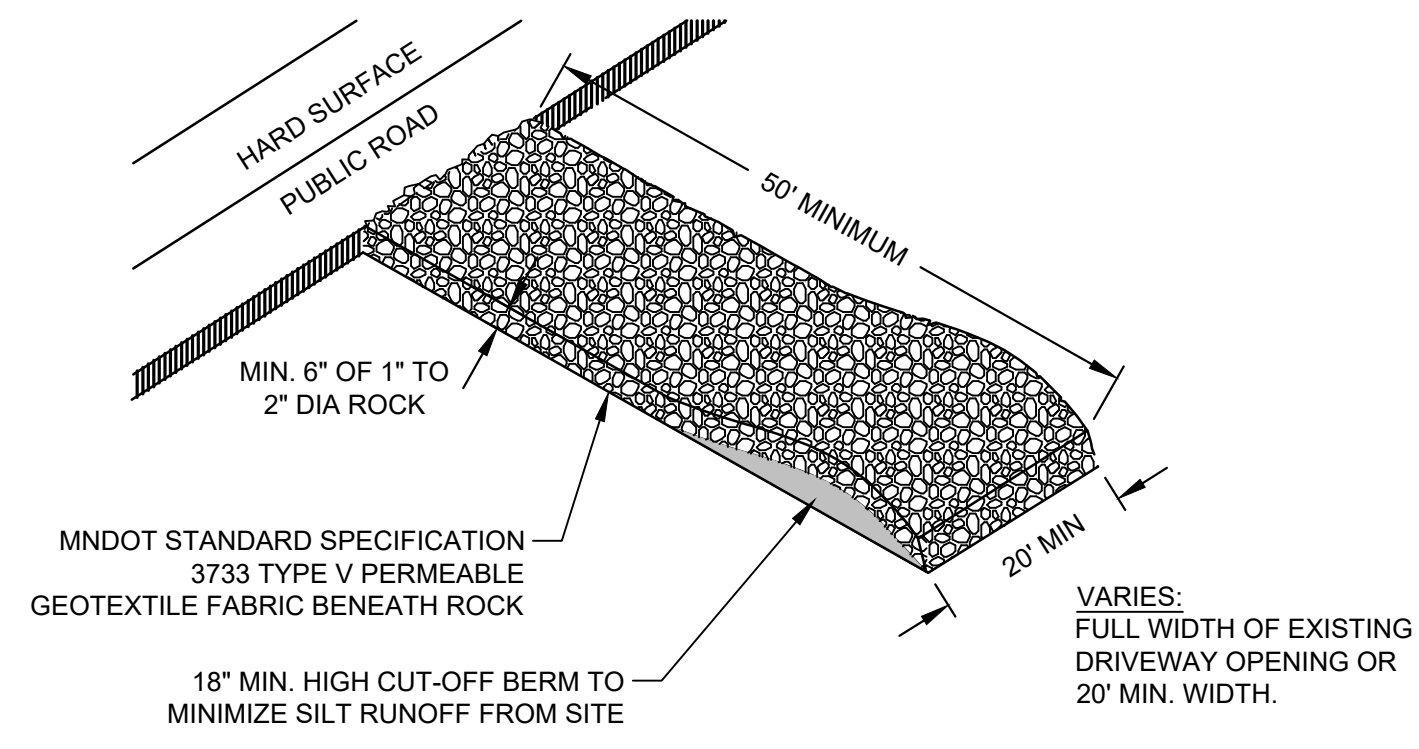


2
C502
INLET PROTECTION DETAIL
NOT TO SCALE

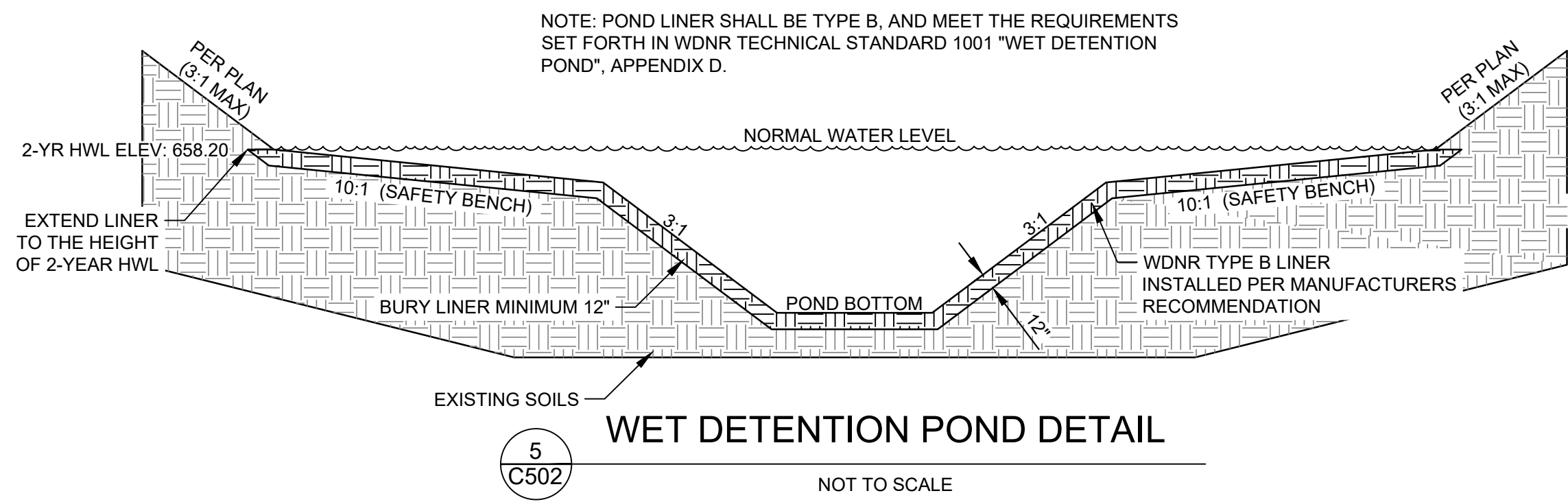


- PREPARE SOIL BEFORE INSTALLING ROLLED EROSION CONTROL PRODUCTS (RECP's), INCLUDING ANY NECESSARY APPLICATION OF LIME, FERTILIZER, AND SEED. NOTE: WHEN USING CELL-O-SEED DO NOT SEED PREPARED AREA. CELL-O-SEED MUST BE INSTALLED WITH PAPER SIDE DOWN.
- BEGIN AT THE TOP OF THE SLOPE BY ANCHORING THE RECP's IN A 6" (15 CM) DEEP X 6" (15 CM) WIDE TRENCH WITH APPROXIMATELY 12" (30CM) OF RECP'S EXTENDED BEYOND THE UP-SLOPE PORTION OF THE TRENCH. ANCHOR THE RECP's WITH A ROW OF STAPLES/STAKES APPROXIMATELY 12" (30 CM) APART IN THE BOTTOM OF THE TRENCH. BACKFILL AND COMPACT THE TRENCH AFTER STAPLING. APPLY SEED TO COMPACTED SOIL AND FOLD REMAINING 12" (30 CM) PORTION OF RECP'S BACK OVER SEED AND COMPACTED SOIL. SECURE RECP'S OVER COMPACTED SOIL WITH A ROW OF STAPLES/STAKES SPACED APPROXIMATELY 12" (30 CM) APART ACROSS THE WIDTH OF THE RECP's.
- ROLL THE RECP's (A) DOWN OR (B) HORIZONTALLY ACROSS THE SLOPE. RECP'S WILL UNROLL WITH APPROPRIATE SIDE AGAINST THE SOIL SURFACE. ALL RECP'S MUST BE SECURELY FASTENED TO SOIL SURFACE BY PLACING STAPLES/STAKES IN APPROPRIATE LOCATIONS AS SHOWN IN THE STAPLE PATTERN GUIDE. WHEN USING THE DOT SYSTEM, STAPLES/STAKES SHOULD BE PLACED THROUGH EACH OF THE COLORED DOTS CORRESPONDING TO THE APPROPRIATE STAPLE PATTERN.
- THE EDGES OF PARALLEL RECP'S MUST BE STAPLED WITH APPROXIMATELY 2" - 5" (5 CM - 12.5 CM) OVERLAP DEPENDING ON RECP'S TYPE.
- CONSECUTIVE RECP'S SPLICED DOWN THE SLOPE MUST BE PLACED END OVER END (SHINGLE STYLE) WITH AN APPROXIMATE 3" (7.5 CM) OVERLAP. STAPLE THROUGH OVERLAPPED AREA, APPROXIMATELY 12" (30 CM) APART ACROSS ENTIRE RECP'S WIDTH. NOTE: *IN LOOSE SOIL CONDITIONS, THE USE OF STAPLE OR STAKE LENGTHS GREATER THAN 6" (15 CM) MAY BE NECESSARY TO PROPERLY SECURE THE RECP's.

3
C502
EROSION CONTROL BLANKET
NOT TO SCALE



4
C502
ROCK CONSTRUCTION ENTRANCE
NOT TO SCALE



5
C502
WET DETENTION POND DETAIL
NOT TO SCALE

EROSION CONTROL NOTES

- Owner and Contractor shall obtain WI DNR permit. Contractor shall be responsible for all fees pertaining to this permit. The SWPPP shall be kept onsite at all times.
- Install temporary erosion control measures (inlet protection, silt fence, and rock construction entrances) prior to beginning any excavation or demolition work at the site.
- Erosion control measures shown on the erosion control plan are the absolute minimum. The contractor shall install temporary earth dikes, sediment traps or basins, additional siltation fencing, and/or disk the soil parallel to the contours as deemed necessary to further control erosion. All changes shall be recorded in the SWPPP.
- All construction site entrances shall be surfaced with crushed rock across the entire width of the entrance and from the entrance to a point 50' into the construction zone.
- The toe of the silt fence shall be trenched in a minimum of 6". The trench backfill shall be compacted with a vibratory plate compactor.
- All grading operations shall be conducted in a manner to minimize the potential for site erosion. Sediment control practices must be established on all down gradient perimeters before any up gradient land disturbing activities begin.
- All exposed soil areas must be stabilized as soon as possible to limit soil erosion but in no case later than 7 days after the construction activity in that portion of the site has temporarily or permanently ceased. Temporary stockpiles without significant silt, clay or organic components (e.g., clean aggregate stockpiles, demolition concrete stockpiles, sand stockpiles) and the constructed base components of roads, parking lots and similar surfaces are exempt from this requirement.
- The normal wetted perimeter of any temporary or permanent drainage ditch or swale that drains water from any portion of the construction site, or diverts water around the site, must be stabilized within 200 lineal feet from the property edge, or from the point of discharge into any surface water. Stabilization of the last 200 lineal feet must be completed within 24 hours after connecting to a surface water. Stabilization of the remaining portions of any temporary or permanent ditches or swales must be complete within 7 days after connecting to a surface water and construction in that portion of the ditch has temporarily or permanently ceased.
- Pipe outlets must be provided with energy dissipation within 24 hours of connection to surface water.
- All riprap shall be installed with a filter material or soil separation fabric and comply with the Wisconsin DNR Standard Specifications.
- All storm sewers discharging into wetlands or water bodies shall outlet at or below the normal water level of the respective wetland or water body at an elevation where the downstream slope is 1 percent or flatter. The normal water level shall be the invert elevation of the outlet of the wetland or water body.
- All storm sewer catch basins not needed for site drainage during construction shall be covered to prevent runoff from entering the storm sewer system. Catch basins necessary for site drainage during construction shall be provided with inlet protection.
- In areas where concentrated flows occur (such as swales and areas in front of storm catch basins and intakes) the erosion control facilities shall be backed by stabilization structure to protect those facilities from the concentrated flows.
- Inspect the construction site once every seven days during active construction and within 24 hours after a rainfall event greater than 0.5 inches in 24 hours. All inspections shall be recorded in the SWPPP.
- All BMP's must be repaired, replaced, or supplemented when they become nonfunctional or the sediment reaches 1/3 of the capacity of the BMP. These repairs must be made within 24 hours of discovery, or as soon as field conditions allow access. All repairs shall be recorded in the SWPPP.
- If sediment escapes the construction site, off-site accumulations of sediment must be removed in a manner and at a frequency sufficient to minimize off-site impacts.
- All soils tracked onto pavement shall be removed daily.
- All infiltration areas must be inspected to ensure that no sediment from ongoing construction activity is reaching the infiltration area and these areas are protected from compaction due to construction equipment driving across the infiltration area.
- Temporary soil stockpiles must have silt fence or other effective sediment controls, and cannot be placed in surface waters, including stormwater conveyances such as curb and gutter systems, or conduits and ditches unless there is a bypass in place for the stormwater.
- Collected sediment, asphalt and concrete millings, floating debris, paper, plastic, fabric, construction and demolition debris and other wastes must be disposed of properly and must comply with WI DNR disposal requirements.
- Oil, gasoline, paint and any hazardous substances must be properly stored, including secondary containment, to prevent spills, leaks or other discharge. Restricted access to storage areas must be provided to prevent vandalism. Storage and disposal of hazardous waste must be in compliance with WI DNR regulations.
- External washing of trucks and other construction vehicles must be limited to a defined area of the site. Runoff must be contained and waste properly disposed of. No engine degreasing is allowed onsite.
- All liquid and solid wastes generated by concrete washout operations must be contained in a leak-proof containment facility or impermeable liner. A compacted clay liner that does not allow washout liquids to enter ground water is considered an impermeable liner. The liquid and solid wastes must not contact the ground, and there must not be runoff from the concrete washout operations or areas. Liquid and solid wastes must be disposed of properly and in compliance with WI DNR regulations. A sign must be installed adjacent to each washout facility to inform concrete equipment operators to utilize the proper facilities.
- Upon completion of the project and stabilization of all graded areas, all temporary erosion control facilities (silt fences, hay bales, etc.) shall be removed from the site.
- All permanent sedimentation basins must be restored to their design condition immediately following stabilization of the site.
- Contractor shall submit Notice of Termination for WI DNR permit within 30 days after Final Stabilization.

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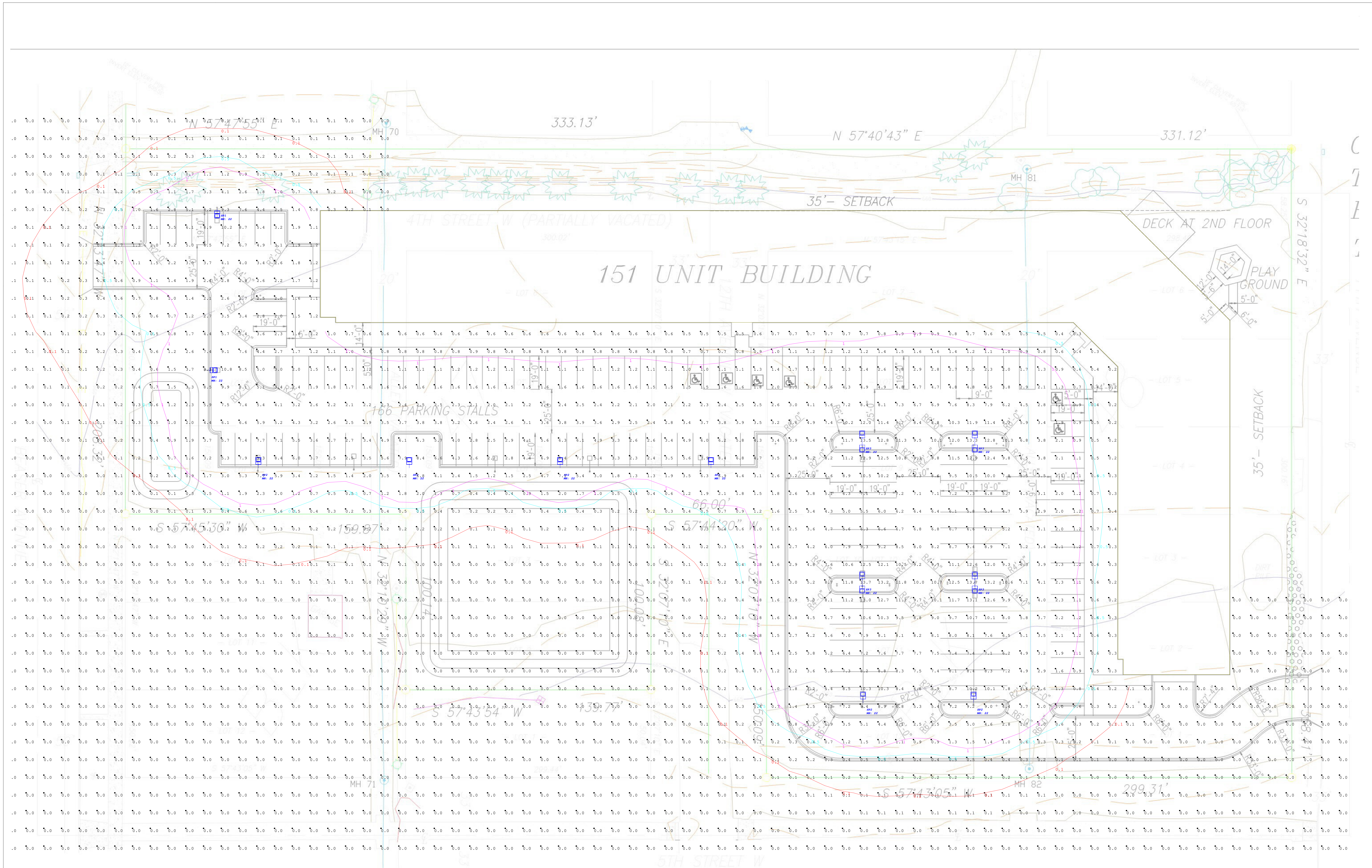
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Rev.	Date	Description

Project #: 12256011
Drawn By: KBK
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Issue Date: 06.27.25
Sheet Title:

DETAILS

Sheet: **C502**



1. Standard Reflectance of 80/50/20 unless noted otherwise
2. Not a Construction Document, for Design purposes only
3. Standard indoor calc points @ 30' A.F.F. unless noted otherwise
4. Standard outdoor calc points @ Grade unless noted otherwise
5. Egress calc points @ 0' A.F.F.
6. Mlazgar Associates assumes no responsibility for installed light levels due to field conditions, etc.

Calculation Summary							
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
CalcPts_1	illuminance	Fc	1.57	13.7	0.0	N.A.	N.A.

Luminaire Schedule								
Symbol	Qty	Label	Manufacturer	Description	Arrangement	Lum. Lumens	Lum. Watts	LLF
□	2	SP1		ALF LS250 T3 G2 FSK-25000Lm-40K	Single	26624	167	0.900
□	6	SP2		ALF LS250 T4 G2 FSK-25000Lm-40K	Single	25598	158.3	0.900
□-□	4	SP3		ALF LS250 T5 G2 FSK-25000Lm-40K	Back-Back	26126	158.4	0.900



Comments	Date	#

Revisions

RLMA Project #: 174601
 Drawn By: BS
 Date: 6/25/2025
 Scale: 1" = 20'

Find yourself next to the water.



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 – March 17th, 2026

Agenda Item # 6b: Public Hearing and vote on Unified Development Ordinance Text Amendments

Applicant: Planning and Development Department

Staff Contact: Steven Wiley

Background

Planning staff is proposing text amendments to some sections of the UDO to address Tobacco, E-Cigarette, and Vape Businesses in the City of Ashland. Staff also proposes text amendments for a moratorium on transitional living/rehabilitation center land uses within the City for an initial period of one year.

The American Lung Association approached City staff last year regarding the organization's desire to see the City adopt regulations capping the number of Tobacco, E-Cigarette, and Vape Businesses in the City. Charmaine Swan from the American Lung Association spoke at a May Committee of the Whole meeting and the COW expressed support for an ordinance. The City of Superior recently created and passed an ordinance that regulates these businesses and restricts the number of such businesses. Some other Wisconsin municipalities have also implemented similar ordinances. The Superior, WI ordinance served as a precedent for the draft ordinance amendments proposed for Ashland. Staff consulted with the City Attorney and concluded that an additional section in the Specific Use section of the UDO were appropriate given that this section regulates other land uses.

The Mayor directed Planning staff to examine the potential of implementing a moratorium on new transitional living/rehabilitation center land uses to allow the City to research these uses more and determine suitable locations for them in the City based on relevant data. Planning staff worked with the City Attorney's office to look into the legality of a moratorium for this situation. The City Attorney informed staff that a development moratorium under Wis. Stat. 66.1002 would not work. However, a specific use moratorium would work in this situation. The City would need to pass a specific use moratorium for transitional housing in all districts in the City through a zoning ordinance amendment. The City has not considered or reviewed any transitional living uses during the current staff's time and therefore needs time to study the best places and recommend standards for transitional living facilities.

Both ordinance amendments are amendments to the zoning standards and therefore require a public hearing and Plan Commission review prior to City Council review and action. Staff has completed drafts of ordinance amendments for both areas (Tobacco, E-Cigarette, and Vape Businesses, and the moratorium on transitional living/rehabilitation centers) and had the City Attorney review these. Staff is

requesting that the Plan Commission review these proposed ordinance amendments and make a recommendation to Council on them.

Analysis

The ordinance updates pertaining to Tobacco, E-Cigarette, and Vape Businesses consist of revisions to the following sections of the Unified Development Ordinance:

- Part 4.16 Regional Commercial District: Section 4.16(2)(2) Conditional Uses (2) Commercial Uses

Staff recommends the addition of the Tobacco, E-Cigarette, Vape Business land use (to be created as part of these amendments) as a Conditional Use, pursuant to Section 5.2, G.: Tobacco, E-Cigarette, Vape Businesses. This use would be allowed as a Conditional Use in the Regional Commercial (RC) district only.

- Part 5.2 Commercial Uses

Staff recommends the addition of a “Tobacco, E-Cigarette, Vape Businesses” land use with language/restrictions specific to this new land use. Such language addresses the intent of the regulations, number permitted, locations permitted, licensing requirement, signage regulations, and severability. The language makes clear that Tobacco, E-Cigarette, and Vape Businesses are permitted only in the RC zoning district.

- Part 12 Definitions: Section 12.2 Defined Terms

Staff recommends the addition of a definition for “Tobacco, E-Cigarette, Vape Business.” Staff also recommends for the “Retail establishment: general” definition, listing “Tobacco, E-Cigarette, Vape Businesses” in the list of uses excluded from the definition of Retail establishments.

As with most zoning regulations, the standards proposed for Tobacco, E-Cigarette, and Vape Businesses are not retroactive. They would not apply to existing establishments, but rather to new establishments or if an existing establishment ceased operation or to new signage proposed for existing businesses. The Regional Commercial zoning is recommended by staff since this is a more intensive commercial zoning district and located along major corridors away from most schools, churches, and the library. Some parcels within the RC district contain areas that would meet the proposed minimum distance (300 feet from residential) and 1,000 feet from schools, libraries, childcare centers, parks, and playgrounds). The standards would cap the number of establishments allowed at one business based on the City’s population.

A redline draft of the proposed amendments is included in the packet materials.

The ordinance updates pertaining to the Specific Use Moratorium for Transitional Living/Rehabilitation Centers consist of revisions to the following sections of the Unified Development Ordinance:

- Part 5 Specific Use Standards: Section 5.1 Residential Uses (J) Rehabilitation Center/Transitional Living

Staff recommends the creation of a “Moratorium on the Creation of new Rehabilitation Center/Transitional Living facilities in the City of Ashland.” This moratorium would apply only to new Transitional Living Facilities/Rehabilitation Centers and not established ones. The moratorium would be in effect for twelve (12) months from the date the ordinance is passed by the Common Council. It may be extended for up to six (6) more months by a majority vote of the Common Council. During the duration of the moratorium, no applications for new transitional living/rehabilitation centers would be processed.

A redline draft of the proposed amendment is included in the packet materials.

Standards for UDO Text Amendment Review

The City of Ashland's Unified Development Ordinance Section 3.4 (C) Unified Development Ordinance Text Amendment – Approval Criteria (and all subsections thereof), create the legal framework for UDO Text Amendments for the City of Ashland. The following decision criteria were used to review the proposed UDO Text Amendments:

Consistency with the Comprehensive Plan

The proposed text amendments are consistent with the Comprehensive Plan. The Comprehensive Plan recommends that the community “protect downtown by making good Citywide land use decisions.” The intent of both proposed ordinance amendments is to provide regulations which ensure that the land uses in question (Tobacco, E-Cigarette, and Vape Shops and Transitional Living/Rehabilitation Centers do not have negative impacts on existing incompatible land uses. For example, the proposed restrictions on Tobacco, E-Cigarette, and Vape Shops will reduce the potential for close proximity and easy access between such uses and schools, parks, and religious institutions. The plan does not specifically mention Tobacco, E-Cigarette, and Vape Shops and Transitional Living/Rehabilitation Centers but does encourage good land use decisions. The proposed moratorium on new Transitional Living/Rehabilitation Centers will allow the City to have more time to research these land uses and determine the most suitable locations for these uses so that the City can make good land use decisions with these uses.

Promotion of the public health, safety, morals, and general welfare and efficiency and economy in the process of development

The proposed ordinance amendments promote the public health, safety, morals, and welfare. The intent of the proposed regulations for Tobacco, E-Cigarette, and Vape Businesses is to reduce the potential negative impacts particularly on health that an increase in the number and proliferation of these businesses could have on the community. Staff recognizes that the City must zone for these businesses but a lack of regulation can have an unnecessary detrimental impact on the health and image of the community. The proposed regulations will provide clarity both for City staff and for property owners by creating a definition of a Tobacco, E-Cigarette, and Vape Shop and specific land use regulations for uses falling within this definition.

The proposed specific use moratorium on new Transitional Living/Rehabilitation Center uses is not a permanent ban on new uses. It is a moratorium for this specific use type for a period of one year from the date of Council approval with the option to extend another six months. The intent of the moratorium is to allow City staff to research these uses, look at examples of these uses and regulations from other communities, determine their potential impacts, and revise the City's regulations accordingly. Staff wants to reduce the potential for negative impacts that may result if more of these uses are permitted without an adequate understanding of their operation.

Compatibility with present zoning and conforming uses of property and character of neighborhoods

The proposed ordinance changes will ensure compatibility with existing zoning and uses. Staff recommends restricting Tobacco, E-Cigarette, and Vape Shops to the RC zoning district as conditional uses. The RC district is an intensive commercial district found along US Hwy 2. Some parcels exist in this area that are not in close proximity to incompatible land uses such as residential, schools, parks, and religious institutions. By allowing these uses as conditional uses in the RC district staff and the Plan Commission can evaluate them and require appropriate conditions as part of the permitting process. The specific use regulations and conditional use process allow the City to regulate these uses so that the potential for conflicts between incompatible uses is minimized. Without the proposed regulations that is not the case currently.

The moratorium on new transitional living/rehabilitation centers would allow staff the chance to do research required to fully understand this land use and create updated regulations that can best ensure compatibility with existing zoning districts and uses. Staff and the Plan Commission can review the updated regulations themselves during the approval process to ensure that the regulations are compatible with existing zoning and uses.

Principles of Sustainability specified in Section 1.4: Integration of Principles of Sustainability

The proposed UDO text amendments do not conflict with the principles of sustainability. The UDO Principles of Sustainability do not specifically mention Tobacco, E-Cigarette, and Vape Shops or Transitional Living/Rehabilitation Centers. Staff is of the opinion however, that none of the proposed ordinance amendments conflict with any of the principles mentioned. The principle most relevant to the proposed amendments is Number 4: Meet the hierarchy of present and future human needs fairly and effectively. This principle includes the following relevant items:

a. Provide ample opportunities for public participation in significant development and land use decisions;

The proposed UDO amendments for Tobacco, E-Cigarette, and Vape Shops require a public hearing and public meetings for their approval and would allow the use only through a Conditional Use Permit. The Conditional Use process also mandates public hearings and public meetings which ensures the public an opportunity to provide input and be informed. The Specific Use Moratorium for Transitional Living/Rehabilitation Centers would allow for a year for staff and the Plan Commission to research these uses further. The discussions and approval process for any new ordinance updates during the moratorium will include public meetings and hearings.

d. Integrate opportunities for public and private community services throughout the community; such as parks, emergency residential facilities, religious institutions, and senior center;

The proposed regulations on Tobacco, E-Cigarette, and Vape Shops would regulate these uses to reduce the potential proximity between these uses and existing parks and religious institutions. By preventing close proximities between these different uses there is less potential for negative impacts on existing parks, residential, and religious institutions than might result if new Tobacco, E-Cigarette, and Vape Shops were situated closely to the existing uses.

e. Provide a range of affordable housing that meets the diverse needs of the community.

Staff is aware of the need to allow for housing opportunities for people reintegrating into society and the proposed moratorium on Transitional Living/Rehabilitation Centers is not a permanent stay on the approval of new uses. It will allow staff and the Plan Commission to come up with recommendations on where and how best to accommodate these uses and potential development standards to ensure that the City mitigates potential negative impacts that might currently result with new uses.

Recommendation

Staff recommends APPROVAL of the proposed UDO text amendments.

Additionally, as a Public Hearing is scheduled for the proposed UDO text amendment review, the Plan Commission should hear all input from the public prior to making a determination. A Class 2 public notice was issued on February 26th and March 5th.

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.

4.16 RC Regional Commercial District

1. **Intent.** The intent of the RC Regional Commercial District is to provide areas for commercial uses along major streets and highways in the city for the convenience of travelers, tourists, and the residents of Ashland. The district is intended to provide for a full range of commercial uses to be located on sites with immediate access to arterial or collector streets. It is also the intent of the district to allow the continuation of existing residential uses in the district, while allowing the sensitive conversion of residential parcels to appropriate commercial uses that can benefit from the district's proximity to arterial or collector streets. Commercial uses in the RC District are not intended to weaken the commercial vitality of the CC City Center District. It is also the intent of the RC Regional Commercial District to conditionally allow the continuation of existing industrial uses in the district, while encouraging the industrial uses to relocate to an appropriate industrial district in the city.
2. **Uses.**
 1. **Permitted uses.** The following uses are permitted in the RC Regional Commercial District pursuant to all specific use standards.
 1. Residential uses.
 1. Residential uses in existence prior to the adoption of this ordinance.
 2. Multi-family dwelling with or without a permitted commercial use
 3. Dwelling: accessory, pursuant to Section 5.1, E.: Dwelling: Accessory, and provided that it is associated with a detached single-family residence that was in existence prior to the adoption of this ordinance
 2. Commercial uses.
 1. Animal boarding, animal training, or animal grooming, except that no outdoor kennels nor outdoor runs shall be allowed
 2. Artist studio
 3. Assembly hall
 4. Bank or financial institution
 5. Business service
 6. Car wash
 7. Day care center: commercial, pursuant to Section 5.2, C.: Day Care Center: Commercial
 8. Dry cleaning and laundry, drop off and pick up, but excluding processing
 9. Funeral home
 10. Garden supply or landscaping center
 11. Home improvement center
 12. Household maintenance and repair establishment
 13. Laundromat
 14. Lodging establishment: short stay
 15. Lodging establishment: extended stay
 16. Office
 17. Personal service
 18. Recreation facility: commercial indoor
 19. Recreation facility: commercial outdoor
 20. Restaurant: carry-out, fast food, or sit-down.
 21. Retail: convenience
 22. Retail: general
 23. Tavern
 24. Theater

25. Tool and equipment rental facility
26. Vehicle repair and/or service
27. Vehicle sales and/or rental
28. Veterinary clinic: small animal, except that no outdoor kennels nor outdoor runs shall be allowed
3. Public, civic, and institutional uses.
 1. Clinic
 2. Clubs and associations
 3. Government or community service use
 4. Museum
 5. Public park
 6. Religious institution
 7. School: primary or secondary, specialty or personal instruction
4. Utility and communication uses.
 1. Communication service
 2. Essential services
5. Open space uses.
 1. Open space: public or private
6. Temporary, seasonal, or land filling/excavation uses.
 1. Land filling and/or excavation (excluding mining) pursuant to Section 6.1, H.: Grading, land filling, and/or excavation.
 2. Land filling: temporary
 3. Seasonal market, pursuant to Section 5.5, D.: Seasonal Market
7. Other uses.
 1. Drive-through window associated with a permitted or conditional use
 2. Other uses not specifically listed in this Ordinance, but for which Zoning Administrator or Designated Authorized Agent has determined that the use is consistent with the intent of conditional uses in this district.
2. **Conditional uses.** The following conditional uses are allowed in a RC Regional Commercial District subject to the issuance of a conditional use permit as specified in Section 3.9: Conditional Use Permit and all applicable specific use standards.
 1. Residential uses.
 1. Adult family home, pursuant to Section 5.1, A.: Adult Family Home
 2. Bed and breakfast establishment, pursuant to Section 5.1, B.: Bed and Breakfast Establishment, and provided that is associated with a permitted residential use or a residential use in existence prior to the adoption of this ordinance
 3. Boarding or rooming house
 4. Community living arrangement, pursuant to Section 5.1, C.: Community Living Arrangement and provided that fifteen (15) or fewer persons are served
 5. Convent, rectory, or monastery, pursuant to Section 5.1, D.: Convent, Rectory, or Monastery
 6. Dwelling combined with a conditional use
 7. Emergency residential facility
 8. Home occupation, if the use exceeds the pertinent standards specified in Section 5.1, F.: Home Occupation

9. Rehabilitation center/transitional living facility, pursuant to Section 5.1, J.: Rehabilitation Center/Transitional Living Facility
10. Tourist home, pursuant to Section 5.1, K.: Tourist Home, and provided that it is associated with a detached single-family residence that was in existence prior to the adoption of this ordinance
2. Commercial uses.
 1. Adult entertainment establishment, pursuant to Section 5.2, A.: Adult Entertainment Establishment
 2. Adult retail establishment
 3. Agricultural services
 4. Animal boarding, animal training, or animal grooming, with an outdoor kennel and/or outdoor run
 5. Currency exchange, payday loan establishment, or title loan agency, pursuant to Section 5.2, B.: Currency Exchange Establishment, Payday Loan Establishment, Title Loan Agency, Pawn Shop, Rent-to-Own Establishment, or Similar Use
 6. Dry cleaning and/or laundry: onsite processing
 7. Filling station
 8. Freight terminal: local
 9. Manufactured home dealer, sales and display, pursuant to Section 5.2, E.: Manufactured Home Dealer, Sales and Display
 10. Pawn shop, pursuant to Section 5.2, B.: Currency Exchange Establishment, Payday Loan Establishment, Title Loan Agency, Pawn Shop, Rent-to-Own Establishment, or Similar Use
 11. Rent-to-own establishment, pursuant to Section 5.2, B.: Currency Exchange Establishment, Payday Loan Establishment, Title Loan Agency, Pawn Shop, Rent-to-Own Establishment, or Similar Use
 12. Social services, pursuant to Section 5.2, F.: Social Services
 - ~~12-13.~~ Tobacco, E-Cigarette, Vape Business, pursuant to Section 5.2, G.: Tobacco, E-Cigarette, Vape Businesses
 - ~~13-14.~~ Veterinary clinic: large animal
 - ~~14-15.~~ Warehouse: self-storage
3. Industrial uses.
 1. Any industrial use (as determined by the Zoning Administrator or Designated Authorized Agent of the City) that was in existence on the subject parcel prior to the adoption of this ordinance (and was a conforming use at that time) shall be a conditional use on the subject parcel provided that the use has not lapsed for more than twelve (12) consecutive months
4. Public, civic, and institutional uses.
 1. Nursing home
5. Agricultural uses.
 1. Agricultural services
6. Utility and communication uses.
 1. Communication equipment: major, provided that it is located on a parcel for which the principal use is a public, civic, institutional, or communication service use, and pursuant to Section 5.4, A.: Communication Equipment: Major

2. Utility facilities, pursuant to Section 5.4, C.: Utility Facilities
 3. Wind energy facility, pursuant to Section 5.4. D. Wind Energy Facility
 7. Temporary, seasonal, or land filling/excavation uses.
 8. Other uses.
 1. Parking lot as a principal use
 2. Other uses not specifically listed in this Ordinance, but for which the Zoning Administrator or Designated Authorized Agent has determined that the use is consistent with the intent of conditional uses in this district.
3. **Accessory uses.** The following are permitted as an accessory use to a permitted or conditional use in the RC Regional Commercial District, pursuant to all applicable specific use standards.
1. Accessory buildings, pursuant to Section 5.6, A.: Accessory Building
 2. Animals: keeping domestic animals, pursuant to Section 5.6, C.: Animals: Keeping of
 3. Communication equipment: minor, pursuant to Section 5.4, B.: Communication Equipment: Minor
 4. Composting, pursuant to City of Ashland [Ordinance 750](#), Section 750.B.7.
 5. Day care: family home, pursuant to Section 5.6, D.: Day Care: Family Home
 6. Fence, pursuant to Section 6.5: Fences
 7. Foster care: family home
 8. Home occupation, pursuant to Section 5.1, F.: Home Occupation
 9. Landscaping and/or gardening, pursuant to Section 6.4: Landscaping, Buffers, and Screening
 10. Off-street parking, loading, and access drives, pursuant to Section 6.3: Parking and Loading
 11. Outdoor mechanical and electrical equipment, pursuant to Section 5.6, E.: Outdoor Mechanical Equipment
 12. Patio, deck, terrace, and similar uses, pursuant to Section 5.6, G.: Patio, Deck, Terrace, and Similar Uses
 13. Signs, pursuant to Section 6.6: Signs
 14. Solar equipment, pursuant to Section 5.6, J.: Solar Equipment and Solar Rights
 15. Sport court for private recreation use, pursuant to Section 5.6, K.: Sport Court, Play Equipment, and Similar Uses
 16. Swimming pool, pursuant to Section 5.6, L.: Swimming Pool
 17. Temporary construction building, pursuant to Section 5.5, B.: Temporary Construction Building
 18. Other accessory uses incidental and customary to permitted and conditional uses of this district as determined by the Zoning Administrator or Designated Authorized Agent.
 19. Outdoor merchandise sales, pursuant to Section 5.6 M.: Outdoor Merchandise Sales.
3. **Dimensional Requirements.**
1. Parcel requirements. The minimum parcel requirements in the RC Regional Commercial District shall be as follows, except as may be modified pursuant to Section 10.3: Nonconforming Parcels.
 1. Minimum parcel area. Twenty thousand (20,000) square feet.
 2. Minimum parcel width. One hundred fifty (150) square feet.

3. Exceptions to parcel requirements. Public parks, public open space, and utility and communication uses shall be exempt from the parcel requirements of this section.
2. **Setback requirements for principal building.** The minimum setback requirements for principal buildings from parcel lines shall be as follows, except as may be modified pursuant to Section 6.1, B.: Setbacks.
 1. Minimum principal building setback from front parcel line. Thirty (30) feet.
 2. Minimum principal building setback from corner street side parcel line. Thirty (30) feet.
 3. Minimum principal building setback from interior side parcel line. Fifteen (15) feet.
 4. Minimum principal building setback from rear parcel line. Thirty (30) feet.
3. **Maximum height of principal building.** Thirty-five (35) feet, as measured pursuant to Section 6.1, C.: Building Height.
4. **Setback and height requirements for accessory buildings.** The setback and height requirements for accessory buildings shall be as specified in Section 5.6, A.: Accessory Building.
5. **Maximum building coverage of the parcel.** Fifty (50) percent.
6. **Maximum impervious coverage.** Seventy (70) percent, except as may be modified pursuant to Section 6.1, D.: Impervious Coverage.
7. **Buffer requirement between different uses.** Wherever a more intense proposed use (or expansion of a more intense existing use) in the RC Regional Commercial District abuts a less intense existing use, the more intense use shall provide a landscaped buffer pursuant to Section 6.4: Landscaping, Buffers, and Screening.
4. **Special Requirements.**
 1. **Gateway Overlay District requirements.** Parcels that have frontage on a U.S. or State Highway shall meet the gateway overlay requirements specified in Section 4.47 GTWY-O Gateway Overlay District.
 2. **Design standards.** All uses shall meet the design standards specified in Section 6.2: General Building Design Standards and Guidelines.

HISTORY

Amended by Ord. [2024-2003](#) on 7/30/2024

5.2 Commercial Uses

1. **Adult Entertainment Establishment.**

1. **Intent.** The concentration of adult entertainment establishments in one area can have a substantially detrimental effect on the area in which such establishments are concentrated and can impact the overall quality of life. Being mindful of the effects of adult entertainment upon minors and the criminal activity or disruption of public peace associated with such establishments, while also giving due consideration to civil rights of persons partaking in such entertainment, it is the intent of this Subsection to regulate the location of adult entertainment establishments.
2. **Conditional use permit required.** An adult entertainment establishment shall only be allowed in those zoning districts where it is permitted as a conditional use and only after issuance of a conditional use permit, pursuant to Section 3.9: Conditional Use Permit. A conditional use permit shall be required for a new adult entertainment establishment, a change of use to an adult entertainment establishment, or an increase in building activity where an adult entertainment use becomes the primary activity. Review of a conditional use permit for an adult entertainment establishment shall consider the image and design of the exterior building and the site, such as colors and schemes and landscaping.
3. **Signage limitations.** Signage for Adult Entertainment Establishments shall be required to conform to all applicable sign regulations and standards in Section 6.6: Signs and the following:
 1. The establishment shall have no merchandise advertisement or pictures of entertainment displayed in window areas or in any location visible from a public right-of-way;
 2. A one (1) square foot sign may be placed on the main entrance door stating hours of operation and admittance to adults only;
 3. No sign shall contain any flashing lights, moving elements, or mechanically energized messages;
 4. Signs shall not contain any explicit language or explicit or sexual graphic representations;
 5. Off-premise signs are prohibited.
4. **Distance separation.**
 1. Each adult entertainment establishment shall be at least two thousand six hundred forty (2,640) feet from any other adult entertainment establishment or similar use.
 2. No adult entertainment establishment shall be located closer than one thousand (1000) feet from the R-E, R-1, R-2, R-3, R-4, MHC, PRI, MRC, W-MRC, W-CRM and W-SFR Zoning Districts, places of worship, schools, day care centers, community living arrangements, rehabilitation center/transitional living uses, nursing homes, senior housing, and similar uses.

2. **Currency Exchange Establishment, Payday Loan Establishment, Title Loan Agency, Pawn Shop, Rent-to-Own Establishment, or Similar Use.**

1. **Intent.** The City of Ashland has experienced a substantial increase in the number and location of currency exchange establishments, payday loan establishments, title loan agencies, pawn shops, rent-to-own establishments, and similar uses. Furthermore, the clustering of these businesses may create an undesirable image of the vitality of the commercial districts and the community as a whole. Consequently, it is the intent of this

Subsection to regulate the distance between these uses and prevent clustering of these uses.

2. **Allowable zoning districts and separation.** Currency exchange establishment, payday loan establishments, title loan agencies, pawn shops, rent-to-own establishments and similar uses shall be allowed only in the zoning districts as specified in this Ordinance and only after the issuance conditional use permit. No such use shall be permitted closer than twelve hundred (1,200) feet from any other such use.
3. **Day Care Center: Commercial.**
 1. A commercial day care center shall not be located within five hundred (500) feet from an adult entertainment establishment.
 2. A commercial day care center shall comply with all applicable laws including those specified in Chapter 46 of the Wisconsin Statutes.
4. **Local Food Store.**
 1. **Location.** Local food stores, as defined, shall be located on lots with frontage on an arterial or collector street. On lots fronting more than one public street, local food stores shall be allowed only on lots where the greater street frontage falls on the arterial or collector street.
 2. **Design.** The local food store shall be limited, so as to be proportionate in scale and compatible in design, to the structures and lands within five-hundred (500) feet of the proposed local food store.
 3. **Signage.** Signage for local food stores shall be in accordance with Section 6.6: Signs, and the specific requirements for the zoning district the food store is, or is proposed to be, located in.
 4. **Parking.** Parking shall be in accordance with Section 6.3: Parking and Loading, except as specifically allowed by the Plan Commission upon consideration of the local food store type and size, neighborhood compatibility, and site-specific limitations. Use of on-street parking shall be subject to review by the Public Works Director or Designated Authorized Agent and the City Police Department upon consideration of street design, maintenance requirements, traffic loads and speeds, related safety considerations and consistency with applicable City Ordinances.
 5. **Screening.** Screening of local food stores shall be in accordance with Section 6.4: Landscaping, Buffers and Screening, or as otherwise conditioned by the Plan Commission.
 6. **Hours of operation.** The Plan Commission may limit operating hours for the local food store based on the nature of business activity and character of adjacent uses.
 7. **Other conditions.** Other conditions specific to the proposed use may apply to ensure harmony with adjacent uses, including placement of garbage receptacles in the vicinity. Local food store developments shall likewise be subject to Site Plan Review pursuant to Section 3.20: Site Plan Approval, and shall be conditioned upon compliance with laws applicable to food stores.
5. **Manufactured Home Dealer, Sales and Display.** A manufactured home dealer, sales and display use shall only be allowed in those zoning districts where it is permitted as a conditional use and only after issuance of a conditional use permit, pursuant to Section 3.9: Conditional Use Permit. In addition, a model home shall be consistent with all of the following standards:
 1. **Maximum percent of building coverage.** Forty (40) percent.
 2. **Office use.** No more than fifteen (15) percent of the area of the main floor shall be used for office area.

3. **Spacing.** Manufactured homes shall have at least twenty (20) feet of separation between other manufactured homes or structures.
 4. **Building orientation.** Manufactured homes shall be organized at various angles and oriented in a manner compatible and representative of a residential neighborhood.
 5. **Allowable time before manufactured home must be moved.** A manufactured home shall not remain on the sales and display lot for a period of more than two (2) years.
 6. **Hours of operation.** Hours of operation for showing of the manufactured home shall be between 8:00 AM and 8:00 PM, or other reasonable times as may be required by the conditions of an approved conditional use permit or as may be permitted by the Zoning Administrator or Designated Authorized Agent.
 7. **Site plan approval.** In addition to the issuance of a conditional use permit, a manufactured home dealer, sales and display use shall be required to receive site plan approval.
 8. **Utilities.** Electric service lines to manufactured home units shall be placed underground. At no time shall a manufactured home on display be connected to a water or sewage system.
6. **Social Services.**
1. **Intent.** The intent of this section is to allow the operational needs of social service uses and establishments to be met while identifying potential concerns and preventing a negative impact on surrounding properties and the community. The following standards shall be considered on a case by case basis.
 1. Location & Building. Refer to each zoning district for permitted or conditionally permitted uses.
 1. Social service uses may not be located within one thousand two hundred (1,200) feet from another social service use unless the Plan Commission determines that the cumulative impacts of the existing and proposed uses will not adversely affect the living and working conditions of the properties located within one thousand two hundred (1,200) feet of the proposed uses;
 2. The establishment should be served by or easily accessible to public transit;
 3. The establishment shall be of adequate size and design to reasonably accommodate its projected capacity;
 4. The establishment shall have internal and/or external waiting areas if deemed appropriate by the Plan Commission;
 5. The establishment shall provide safe access and mobility for all patrons on the property.
 2. Signage.
 1. All signage shall be consistent with the requirements of Section 6.6: Signs.
 2. Warning and/or safety signs shall be posted in areas where pedestrians and vehicles may come in contact.
 3. Parking.
 1. Parking spaces shall be provided at one (1) space for every two hundred (200) square feet net floor area.
 2. The standards of Section 6.3: Parking and Loading shall be met except as specifically allowed by the Plan Commission upon consideration of the

social service type and size, neighborhood compatibility and site-specific limitations.

4. Screening. Exterior waiting, gathering, or smoking areas shall be adequately screened from abutting properties and public rights-of-way to a height of six (6) feet.
5. Hours of operation. The Plan Commission may limit operating hours for the social service use based on the nature of the use and the character of adjacent uses.
6. Density of housing units. The density of housing units shall be compatible for the neighborhood.

7. Tobacco, E-Cigarette, Vape Businesses.

1. Intent. The City of Ashland is aware of the health impacts of tobacco, E-cigarette use, and Vaping. The City understands that an increase in the number and proliferation of these businesses may contribute to detrimental impacts on health and the image of the community as a whole. It is therefore the intent of this section to limit the number and placement of these businesses in the City.

1. Number Restricted. Per Capita, one business per 7,000 residents in the city as reported by the most recent decennial census or Wisconsin Department of Administration (DOA) annual estimate.
2. Location & Building. Business can be located in the RC zoning district. Business cannot be located within 300 feet of any Single or Multi-family Residential Zoning District. Business cannot be located within 1,000 feet of an elementary or secondary school, library, childcare center, park, or playground.
3. Business must be licensed under City of Ashland Municipal Code Section 925.
4. Sign Limitations. Notwithstanding any other provision of this code, a tobacco, e-cigarette, and/or vape oriented business shall not be permitted more than one sign advertising its business, which shall be an on-premises or building sign only. All such signs shall meet the following criteria:
 - a. Have no merchandise or pictures of the products or entertainment on the premises displayed in window area or any area where they can be viewed from the sidewalk in front of the building.
 - b. No sign shall be placed in any window. A one and a half square foot sign may be placed on the door to state hours of operation and admittance to adults only.
 - c. No sign shall contain any flashing lights, moving elements, or mechanically changing messages.
 - d. Sign limitation effective April 1, 2026.

2. All ordinances and parts of ordinance in conflict herewith are hereby repealed.

3. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by reason of any decision of any court of competent jurisdiction, such decision shall not affect the validity of any other section, subsection, sentence, clause or phrase or portion thereof.

4. This ordinance shall take effect and be in force from and after its passage and publication, as provided by law.

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Part 12 Definitions

12.1 General

12.2 Defined Terms

HISTORY

Amended by Ord. [2024-2003](#) on 7/30/2024

12.1 General

Unless the context otherwise requires, the following definitions shall be used in the interpretation of this Ordinance. If questions arise as to the interpretation of common usage terms, the Zoning Administrator or Designated Authorized Agent of the City shall refer to the definitions contained in Merriam-Webster's Collegiate Dictionary – Eleventh Edition or subsequent editions. Interpretations of land use activities shall be based on the most current North American Industry Classification System (NAICS), Office of Management and Budget (OMB), or subsequent editions. Interpretations of terms related to structures shall be based on the applicable building codes.

12.2 Defined Terms

For the purpose of this Ordinance, certain words as used herein are defined as follows:

A

A-Zones. Those areas shown on the Official Floodplain Zoning Map that would be inundated by the regional flood. These areas may be numbered or unnumbered A-Zones. The A-Zones may or may not be reflective of flood profiles, depending on the availability of data for a given area.

Abandoned vehicle. Any vehicle that has been left unattended without the permission of the property owner for more than forty-eight (48) hours. Refer to Section 342.40 of the Wisconsin Statutes for a more detailed definition.

Accessory use, structure, or building. A use, structure, or building subordinate to the principal use of a building or to the principal use of land and is located on the same parcel and serving a purpose customarily incidental to the use of the principal building or land use. Accessory uses or structures to residential principal uses may include but are not limited to: Garages, carports, decks, greenhouses established for more than ninety (90) days, manufactured fabric structures (such as those designed for storing cars, boats, or equipment but excluding various recreational tent structures pursuant to Section 5.1, I: Recreational Vehicles, Trailers and Camping other parking spaces, patios, swimming pools, tennis courts, tree houses and tool sheds. Structures consisting of garage space on the first floor and living quarters above are considered accessory dwelling units subject to Section 5.IE and 5.6.

Accessory structure: wireless telecommunication facility. A building or cabinet like structure located adjacent to or in immediate vicinity of a wireless telecommunication tower or antenna to house equipment customarily incidental to the receiving or transmitting of wireless broadcasts, cellular telephone call, voice messaging, and paging services.

Adult entertainment establishment. An establishment, including, but not limited to, an adult bookstore, adult theater, adult entertainment center, adult cabaret, adult strip club, adult steam room/bathhouse facility, or any other business whose primary business activity is characterized by emphasis on matters depicting, describing, or relating to nudity, sexual conduct, sexual excitement, sadomasochistic activity, or other related activity.

Adult family home. A facility licensed as an adult family home by the State of Wisconsin where three (3) or four (4) adults not related to the operator reside and are provided with care, treatment or services above the level of room and board. Such care and treatment may include up to seven (7) hours per week of nursing care per resident.

Adult retail establishment. An establishment in which ten (10) percent or more of the gross public floor area is devoted to, or ten (10) percent or more of the stock-in-trade consists of, the following: books, magazines, and other periodicals, movies, videotapes, compact discs, digital versatile discs, novelty items, games, greeting cards, and other materials that are distinguished or characterized by their

emphasis on matters depicting, describing, or relating to specified sexual activities: human genitals in a state of sexual stimulation or arousal; acts of human masturbation, sexual intercourse, oral copulation or sodomy; or other related activity.

Affordable housing. Housing in which mortgage, amortization, taxes, insurance, and condominium and association fees, if any, constitute no more than twenty-eight (28) percent of gross household income for a household of the size which may occupy the unit. In the case of dwelling units for rent, the rent and utilities constitute no more than thirty (30) percent of gross annual household income for a household of the size which may occupy the unit.

Agent. One who is authorized to act for or in the place of another, as a representative, emissary, or official of a government agency.

Agriculture. The use of land for agricultural purposes, including farming, dairying, pasturage, horticulture, floriculture, viticulture, animal and poultry husbandry, and the necessary accessory uses for packing, treating, or storing the produce; provided, however, that the operation of any such accessory uses shall be secondary to that of normal agricultural activities.

Agricultural research facility. The use of land to conduct research associated with agriculture. This term includes, but is not limited to, an agricultural test plot, arboretum, and related offices, classrooms, maintenance, and storage facilities.

Agricultural services. Establishments engaged in providing services to agricultural establishments and landowners including soil preparation, crop services, veterinary services, farm management, and landscape, and horticultural services.

Alley. A public way used primarily as a secondary service access to the rear or side of a property that abuts a street.

Airport. The *John F. Kennedy Memorial Airport* located in Ashland County and annexed by the City of Ashland, Wisconsin.

Airport affected area. The area located within three (3) statute miles of the John F. Kennedy Memorial Airport property boundaries.

Airport overlay certificate of compliance. A certification that the construction and use of the land or a building, is in compliance with all provisions of this ordinance.

Airport hazard. Any structure, object, natural growth, or use of land that obstructs the air space required for the flight of aircraft in landing or taking off at an airport or is otherwise hazardous to such landing and taking off.

Airport runway. A portion of the airport having a surface specifically developed and maintained for the taxiing, landing, and taking off of aircraft.

Animal boarding, grooming, or training. An establishment in which more than four domestic animals over the age of six (6) months may be kept for boarding, breeding, safekeeping, convalescence, humane disposal, placement, sale, bathing, trimming, training or sporting purposes. This term includes a commercial kennel.

Animal: commercial livestock. Animals or insects that are bred, raised, maintained or sold for commercial use and exceed quantities established under Section 5.6 B. Animals: Keeping of. Commercial livestock animals include horses, cattle, hogs, sheep, goats, bees and poultry.

Animal: domestic. An animal, including, but not limited to a dog and cat, that is commonly referred to as a pet, and that can generally be kept inside a dwelling. This term does not include a horse, pig, or similar animal that is typically kept only on agricultural or rural properties, and is not typically kept inside a dwelling. Chickens and rabbits may be considered domestic animals pursuant to the specific use standards of this Ordinance.

Animal: family farm (small). An animal that is bred, raised, or maintained on rural residential properties for non-commercial use. Small family farm animals include poultry, rabbits, and pigeons. Specifically

excluded from this definition are roosters, turkeys and geese. Family farm animals shall be specifically for use by the family living on the site and shall not be sold.

Animal: family farm (large). An animal that is bred, raised, or maintained on rural residential properties for non-commercial use. Large family farm animals include horses, ponies, donkeys, mules, llamas, emus, sheep, and goats. Specifically excluded from this definition are hogs and cattle. Family farm animals shall be specifically for use by the family living on the site and shall not be sold.

Animal processing. The cutting, grinding, manufacturing, compounding, intermixing or preparation of meat or meat food products for human consumption.

Animal: slaughter of (commercial and custom). The slaughter of food animals for human consumption on a commercial basis or as a custom service for an individual who owns the animal, and uses all the resulting products for his or her own consumption.

Antenna. Equipment used for transmitting or receiving radio frequency signals, which is attached to a tower, building, or other structure, usually consisting of a series of directional panels, microwave or satellite dishes, or omni-directional “whip” antennae.

Antenna elements: television. That portion or portions of the outside antenna system for television receiving apparatus or equipment that are electrically connected to the receiver.

Antenna mast: television. That portion of the outside antenna system for television receiving apparatus or equipment to which the antenna elements are attached.

Antenna tower or mast support: television. The support or extension required to elevate the antenna mast to a height deemed necessary for adequate operation.

Antenna support system. Any building, pole, telescoping mast, tower, tripod, or any other structure that supports an antenna.

Antenna system: television. The combination of any antenna elements, mast, and tower or mast support as defined by this Ordinance.

Antenna system height. The overall vertical length of the antenna system, as defined by this Ordinance, above the ground, or if such system is located on a building, then, above that part of the level of such building, upon which the system rests.

Antique store. A retail establishment in which the display of human-made articles produced or constructed at least fifty (50) years ago, or articles collected and recognized by a formal organization established to research, promote and provide information about such articles, covers at least eighty-five (85) percent of the display floor area. (See definition of retail establishment.)

Apiary. A place where bee colonies are kept.

Approval authority. Any City of Ashland official or employee vested with the duty or authority to review, approve, or issue a permit, certificate, license, citation, variance, appeal, plan, amendment, plat or map requested, submitted, or applied for under this ordinance.

Approved. To give formal or official sanction to by the Building Inspector, Zoning Administrator, Plan Commission, City Council, or other responsible entity.

Area: developed. The area of a parcel upon which improvements have been made.

Area: gross. The total area of land within the established parcel.

Area: undeveloped. The area of a parcel with no development. For the purposes of this Ordinance, undeveloped area shall exclude water bodies, stream channels, delineated or mapped wetlands, and designated natural areas.

Artist studio. Work space for one or more artists or artisans, including the accessory sale of art produced on the property.

Assembly hall. An establishment providing meeting space for social gatherings, including but not limited to wedding receptions, graduation parties, and business functions. This term includes, but is not limited to, a banquet hall, rental hall, meeting space for a club or membership organization. This term does not include a convention center.

Association. See Club or association.

Automated-teller machine (ATM). An electronic banking machine that takes the place of a human bank teller and allows the user to access basic bank services, such as making deposits and cash withdrawals from remote locations, twenty-four hours a day.

Average annual rainfall. A calendar year of precipitation, excluding snow, which is considered typical.

Awning. A shelter constructed of non rigid materials on a supporting framework projecting from and supported by the exterior wall of a building.

B

Bank or other financial institution. An establishment providing retail banking, credit, and mortgage services. This term does not include a currency exchange, a payday loan establishment, or a title loan agency. Unless specifically allowed in the district, this term does not allow for a drive-through window or an automated-teller machine (ATM) as an outright permitted use.

Base flood. The flood having a one (1) percent chance of being equaled or exceeded in any given year, as published by the Federal Emergency Management Agency (FEMA) as part of a Flood Insurance Study (FIS) and depicted on the Flood Insurance Rate Map (FIRM).

Basement. That portion of a building which is completely or partially below grade plane. A basement shall be counted as a story above grade plane where the finished surface of the floor above the basement is more than six (6) feet above grade plane or more than twelve (12) feet above the finished ground level at any point.

Batch plant: concrete or asphalt. A facility that produces or processes concrete or asphalt.

Bathroom. A room containing plumbing fixtures including a bathtub or shower.

Bed and breakfast establishment. An establishment that meets all of the following criteria:

1. Provides eight (8) or fewer rooms for rent, to no more than twenty (20) tourists or other transients for a length of time not to exceed ten (10) nights in a twelve (12) month period;
2. Is the owner's personal residence and is occupied by the owner at the time of rental;
3. Meals are served only to guests; and
4. Breakfast is the only meal served to guests.

Bee. Any life stage of the common domestic honey bee.

Beekeeper. A person who owns or has charge of one or more colonies of bees.

Best management practice (BMP). Structural or nonstructural measures, practices, techniques, or devices employed to avoid or minimize soil, sediment or pollutants carried in runoff to waters of the state.

Billboard. See *Sign: billboard*

Blight. A deteriorated condition.

Block. The property abutting a street between the two (2) nearest intersecting or intercepting streets. A railroad right-of-way, the boundary line of un-subdivided acreage, or a body of water shall be regarded the same as an intersecting or intercepting street for the purpose of defining a "block."

Bluff. A broad-faced or steep, promontory, bank, or cliff, primarily the result of erosion or excavation and having a vertical relief greater than ten (10) feet.

Boarding or rooming home. A dwelling unit, or part thereof, occupied by a single housekeeping unit where meals and lodging may be provided for three (3) or more persons not related to the owner for compensation by previous arrangement.

Boathouse. Any permanent structure designed solely for the purpose of protecting or storing boats and related equipment for noncommercial purposes.

Building. See *Structure*.

Building coverage. The percentage of a parcel that is covered by all principal and accessory buildings on the parcel.

Building height. The vertical distance from the grade level at the front wall of the building to the highest point of the coping of a flat roof or to the highest point of a mansard roof, or to the ridgeline of a gable, hip, or gambrel roof.

Building inspector. The building inspector of the City of Ashland.

Building: principal. A building in which is conducted the main or principal use of the property on which the building is situated.

Buildable area. That part of the parcel not included within the open space areas required by this Ordinance.

Bulkhead line. A geographic line along a reach of navigable water that has been adopted by a municipal ordinance and approved by the Wisconsin Department of Natural Resources pursuant to Section 30.11 of the Wisconsin Statutes and which allows limited filling between this bulkhead line and the original ordinary high water mark, except where such filling is limited by the floodway provisions of this Ordinance.

Business service. An establishment providing services to business establishments on a fee or contract basis, including but not limited to the following: Advertising services, business equipment and furniture sales or rental, protective services, employment agency, photocopy center, commercial photography studio, or mailing service. This term does not include maintenance, repair and office uses such as the following: Accounting, advertising, architectural design, community planning, environmental analysis, insurance, interior design, landscape design, law, management consulting, or title research and real estate.

C

Campground. Establishments primarily engaged in providing overnight or short-term sites for recreation vehicles, trailers, campers, and tents.

Camping unit. Any portable device, no more than four hundred (400) square feet in area, used as a temporary shelter, including, but not limited to a tent, camping trailer, motor home, bus, van, pick-up truck, or other mobile recreational vehicle.

Car wash. An establishment providing washing, waxing, or cleaning of light motor vehicles, including access and queuing lanes.

Catering service. An establishment providing the processing, assembly, and packaging of food into servings for consumption off-premises without provision for onsite pickup or consumption. This term includes, but is not limited to, the preparation of meals by a catering businesses or by a nonprofit organization operating a meal program.

Cemetery. A place for the interment of the dead. This term includes a columbarium or mausoleum, but does not include a funeral home, crematorium, or mortuary.

Cease and desist. A court issued order to halt the activity that is being conducted without a permit or in violation of this Ordinance.

Certificate of appropriateness. A certificate issued by the Historic Preservation Commission approving alteration, rehabilitation, construction, reconstruction, or demolition of a historic structure, historic site or any improvement in a historic district, refer to City of Ashland Ordinance 826.

Certificate of Compliance. See *Airport overlay certificate of compliance or Floodplain certificate of compliance*.

Channel. A natural or artificial watercourse of perceptible extent, with definite bed and banks to confine and conduct continuously or periodically flowing water. Channel flow is that water flowing within the limits of the defined channel.

Chair. The Chair of the Plan Commission, the Chair of the Zoning Board of Appeals, or other body as the context requires.

City. The incorporated City of Ashland, State of Wisconsin.

Civic uses. See *Government or community service use*.

Clinic. An establishment operated by one or more physicians, dentists, chiropractors, mental health professionals, or other licensed practitioners of the healing arts for the examination and treatment of persons solely on an outpatient basis.

Club or association. A nonprofit association of persons who are bona fide members, paying regular dues, and are organized for some common purpose, but not including a group organized solely or primarily to render a service customarily carried on as a commercial enterprise.

College. An educational institution authorized by the State of Wisconsin to award baccalaureate or higher degrees, or any campus of the State of Wisconsin vocational, technical, and adult education system. This term includes any classroom, sporting facility, music hall, office, and related uses associated with such institution. This term does not include a dormitory.

Co-location. The location of wireless telecommunication equipment from more than one provider on a common tower or structure.

Colony (bees). A hive and its equipment and appurtenances, including bees, comb, honey, pollen and brood. One (1) colony shall have the meaning of containing only one (1) queen.

Columbarium. A vault, wall, or similar structure with niches for urns containing ashes of the dead. Also see definition of cemetery.

Combined sewer system. A system for conveying both sanitary sewage and storm water runoff.

Commercial trailer. A vehicle for transporting commercial goods. Usually associated with a semi truck.

Common open space. Undeveloped land within a conservation subdivision that has been designated, dedicated, reserved, or restricted in perpetuity from further development and is set aside for the use and enjoyment by residents of the development. Common open space shall not be part of individual residential parcels. It shall be substantially free of structures, but may contain historic structures and archaeological sites including Indian mounds, and/or such recreational facilities for residents as indicated on the approved development plan.

Communication equipment: major. Commercial and public radio and television transmitting antennas, public utility microwave antennas, personal wireless antennas, and satellite dishes with a diameter of greater than three (3) feet.

Communication equipment: minor. Radio and television receiving antennas, including a single satellite dish with a three (3) foot diameter or less, short-wave radio dispatching antennas, or those antennas necessary for the operation of household electronic equipment, including radio receivers, federal licensed amateur radio stations, and television receivers.

Communication service. A public or commercial facility primarily engaged in the provision of broadcasting and other information relay services. This term includes radio and television studios, cable and Internet providers, and related services and equipment. This term does not include major communication equipment.

Community garden. A single piece of land gardened collectively by members of a community, typically in an urban environment.

Community living arrangement. Refers to any of the following:

1. Residential care center for children and youth. A facility operated by a child welfare agency licensed under Section 48.60 of the Wisconsin Statutes for the care and maintenance of children and youth residing in that facility.
2. Group home for children. A facility operated by a person required to be licensed by the Wisconsin Department of Health Services under Section 48.625 of the Wisconsin Statutes for the care and maintenance of five (5) to eight (8) children, as provided by Section 48.625 (1) of the Wisconsin Statutes.

Community-based residential facility. A place where five (5) or more adults who are not related to the operator or administrator and who do not require care above intermediate level nursing care, reside and receive care, treatment, or services that are above the level of room and board, but that include no

more than three (3) hours of nursing care per week per resident. This term does not include a convent or similar facilities.

Community service uses. See government and community service uses.

Comprehensive Plan. The long-range master plan for the desirable use and development of land in the City of Ashland as officially adopted and as amended from time to time by the Common Council after review by the Plan Commission.

Compost bin. A Compost bin is a structure built to house compost and designed so as to facilitate the decomposition of organic matter through proper aeration and moisture retention.

Composting. The biological decomposition of organic solid waste under conditions created, maintained or controlled by a person or an entity.

Composting facility: community. A public or private facility for the deposit and controlled biological reduction of organic wastes at a community or regional scale. This term does not include composting for personal use pursuant to the provisions of this Ordinance and City of Ashland's Ordinance 750: Property Maintenance.

Composting facility: indoor. A public or private facility housed within a structure for the deposit and controlled biological reduction of organic wastes at a community or regional scale. This term does not include composting for personal use pursuant to the provisions of this Ordinance and City of Ashland's Ordinance 750: Property Maintenance.

Conditional use permit. A document signed by the Zoning Administrator or Designated Authorized Agent specifying the requirements for which a conditional use may be permitted within a parcel. A conditional use is a use permitted within a district other than a permitted use.

Condominium. A community association combining individual unit ownership with shared use or ownership of common properties or facilities, established in accordance with requirements of the Condominium Ownership Act, Chapter 703, Wisconsin Statutes. A condominium is a legal form of ownership of real estate and not a specific building type or style.

Connected imperviousness. An impervious surface that is directly connected to a separate storm sewer or water of the state via an impervious flow path.

Conservation easement. The grant of a property right or interest from the property owner to a unit of government or nonprofit conservation organization stipulating that the described land shall remain in its natural, scenic, open, or wooded state, precluding future or additional development.

Conservation or wildlife management. Planned protection, preservation, and management of natural resources, including, but not limited to, plants, animals, and waters.

Construction site. An area upon which one or more land disturbing construction activities occur, including areas that are part of a larger common plan of development or sale where multiple separate and distinct land disturbing activities may be taking place at different times and on different schedules, but under one plan.

Conservation subdivision. A housing development in a rural setting that is characterized by compact parcels and common open space, and where the natural features of the land are maintained to the greatest extent practical.

Contiguous (parcel). A neighboring parcel, which shares a boundary with or touches the parcel physically.

Contractor's shop. An establishment used for indoor maintenance, repair, or storage of a contractor's vehicles, equipment, or materials. A contractor's shop may include the contractor's business office.

Contractor's yard. An establishment used for the outdoor repair, maintenance, or storage, of a contractor's vehicles, equipment, or materials, including the stockpiling of aggregate and other materials commonly used in the construction business. This term does not include a batch plant that produces concrete or asphalt.

Convalescent home. See *Nursing home*.

Convenience store. See *Retail, convenience*.

Convent (rectory and monastery). A building used to house the staff of a religious institution or the members of a religious organization.

Corner side yard. See *Yard: corner side*.

Council. The Common Council of the City of Ashland, Wisconsin.

Courtyard. An open, unoccupied and unobstructed space, other than a yard, on the same parcel with a building or group of buildings.

Crawlspace or crawlway. An enclosed area below the first usable floor of a building, generally less than five (5) feet in height, used for limited access to plumbing and electrical utilities.

Cul-de-sac. A permanent street terminating at once end without connecting with another road and designed so that it cannot be further extended without taking property not dedicated as a street.

Cultural institutions. An institution that displays or preserves objects of interest to the arts or sciences. This term includes, but is not limited to, museums, art galleries, aquariums, and planetariums.

Currency exchange. In accordance with Section 218.05 of the Wisconsin Statutes, any person, except banks incorporated pursuant to Wisconsin law, national banks pursuant to United States law, and any credit union operating under Chapter 186 of the Wisconsin Statutes, which obtains a certificate of authority from the Wisconsin commissioner of credit unions, engaged in the business of and providing for facilities for cashing checks, drafts, money orders, and all other evidences of money acceptable to such community currency exchange for a fee, service charge, or other consideration. This term does not include any person engaged in the business of transporting for hire, bullion, currency, securities, negotiable, or nonnegotiable documents, jewels, or other property of great monetary value, nor any person engaged in the business of selling tangible personal property at retail nor any person licensed to practice a profession or licensed to engage in any business in Wisconsin, who in the course of such business or profession and, as incident thereto, cashes checks, drafts, money orders, or other evidences of money.

Cutoff light fixture. See *Shielded or cutoff light fixture*.

D

Day care: licensed family home. A dwelling unit licensed as a family day care center by the State of Wisconsin, pursuant to Section 48.65 of the Wisconsin Statutes, and Chapter DCF 250 of the Wisconsin Administrative Code, where a resident of the dwelling provides care for not more than eight (8) children at any given time for less than twenty-four (24) hours at time.

Day Care: licensed group child care center. Licensed group child care center by the State of Wisconsin, pursuant to Section 48.65 of the Wisconsin Statutes, and Chapter DCF 251 of the Wisconsin Administrative Code, where a person for less than twenty four (24) hours a day provides care and supervision for nine (9) or more children who are not related to the provider.

Day care: unlicensed family home. A dwelling unit where a resident of the dwelling provides care for not more than three children for less than twenty-four (24) hours at a time.

Day care center: commercial. A facility in which the operator is provided compensation in return for providing individuals with care for less than twenty-four (24) hours at a time. This term includes, but is not limited to the following: day nursery, nursery school, adult day care center, or other supplemental care facility. This term also includes a day care center that is accessory to another use and that is intended for use by the employees of the principal uses and their immediate family. This term does not include family home day care in which the operator resides.

Deck. An unenclosed exterior structure that has no roof or walls, but has a permeable floor that allows the infiltration of precipitation.

Density. The number of dwelling units per net acre of land after land for streets and other public purposes is removed.

Designated Authorized Agent. An employee of the City who has been designated by the department's established approval authority, and has been given the power to act on behalf of said approval authority.

Developer. A person, company, or a property owner's authorized agent who develops real estate, especially by preparing a site for residential, industrial or commercial use in order to build or sell.

Development. Any human made changes to improved or unimproved real estate, including, but not limited to the construction of buildings, structures, or accessory structures; the construction of additions or substantial alterations to buildings, structures or accessory structures; the placement of manufactured homes or mobile homes; ditching, lagooning, dredging, filling, grading, paving, excavation, or drilling operations, and the deposition or extraction of earthen materials.

Development envelope. An area within which grading, lawns, pavement, and building will be located.

Development: pedestrian oriented. Pedestrian-friendly development with an emphasis primarily on providing safe and efficient opportunities for people of all ages and abilities to access commercial and residential destinations, to encourage people to walk rather than drive to destinations so as to reduce traffic congestion and environmental impacts from automobiles, and to promote economic, environmental and personal health and well-being.

Dormitory. A building used as a group living quarters for students associated with a college, university, boarding school, or similar institution.

Drainage system. One or more artificial ditches, tile drains, similar devices that collect surface runoff of groundwater and convey it to a point of discharge.

Drive-in restaurant. See *Restaurant: drive-in*.

Drive-through window. An establishment that allows patrons in a vehicle to drive up to a window for service. A drive-through window is typically associated with fast food restaurants, banks or other financial institutions and pharmacies.

Driveway. Private access from a public way to one (1) or two (2) parcels.

Drop-in center. See personal care services or drop-in center.

Dry cleaning and laundry drop off and pick up. An establishment that launders or dry cleans articles dropped off on the property directly by the customer, or where articles are dropped off, sorted, and picked up, but where laundering or cleaning is done elsewhere.

Dryland access. A vehicular access route that is above the regional flood elevation and that connects land located in the floodplain to land outside the floodplain, such as a road with its surface above the regional flood elevation and wide enough for wheeled rescue and relief vehicles.

Duplex. See *Dwelling: two-family (duplex)*.

Dwelling, accessory. An attached or detached dwelling unit with a maximum gross floor area of eight hundred sixty-four (864) square feet that is located on the same parcel as a single-family dwelling.

Dwelling: multi-family. A residential structure located on a single parcel, containing three (3) or more dwelling units. This term includes a condominium. This term does not include lodging establishments, boarding houses, or guesthouses.

Dwelling: single-family attached. A residential structure with one dwelling unit located on a parcel, wherever such dwelling unit has at least two (2) exposed exterior walls and is attached by a common vertical wall (not over twenty-five (25) feet in height) to an adjacent dwelling unit that is located on another parcel and has at least two (2) exposed walls.

Dwelling: single-family detached. A residential structure containing one dwelling unit on a single parcel, sharing no common walls with another dwelling unit. This term includes modular homes and manufactured homes, but does not include mobile homes as defined by this Ordinance.

Dwelling: two-family (duplex). A residential structure located on a single parcel, that contains two dwelling units, either side-by-side, or upstairs and downstairs.

Dwelling: twinhome. A residential structure containing two dwelling units in which each dwelling unit is located on a separate parcel, but where each dwelling unit has at least two (2) exposed exterior walls and is attached by a common vertical wall (not over twenty-five (25) feet in height) to the adjacent dwelling unit. Also referred to a single-family attached dwelling with two (2) units.

Dwelling unit. A residential unit providing complete, independent living facilities for one (1) family, including permanent provisions for living, sleeping, cooking, eating, and sanitation.

E

Emergency residential shelter. A facility, other than a community living arrangement, that provides short-term housing and a protective sanctuary for victims of fire, natural disaster, economic hardship, domestic abuse or neglect, including emergency housing during crisis intervention for victims of rape, child abuse, or physical beatings, and which contains individual or group sleeping rooms and may or may not have food preparation facilities and private shower or bath facilities.

Equipment. The implements used in an operation or activity.

Erosion. The process by which the land's surface is worn away by action of wind, water, ice, or gravity.

Erosion and sediment control plan. A comprehensive plan developed to address pollution caused by erosion and sedimentation of soil particles or rock fragments during construction.

Essential services. The erection, construction, alteration or maintenance by public utilities or municipal or other governmental agencies, of underground and overhead lines and pipes for gas, electric, telephone, communications, cable television, steam, public water supply, sanitary sewage collection, storm water conveyance, or other comparable utilities. Essential services include such above surface facilities as poles, guide wires, fire alarm boxes, water hydrants, utility posts, police call boxes, and stand pipes. Essential services do not include larger utility facilities such as electric substations, wastewater treatment plants, well houses, water reservoirs, wind energy facilities, and microwave and telecommunication towers.

Event: civic. An established and planned event which is of civic or public benefit, sponsored by a governmental organization, educational institution or related civic organization, and promotes celebration, well-being, community pride, culture or history.

Exceptional resource waters. Waters, which provide valuable fisheries, hydrologically or geologically unique features, outstanding recreational opportunities, unique environmental settings, and which are not significantly impacted by human activities. Chapter NR 102.11 of the Wisconsin Administrative Code provides a list of exceptional resource waters.

Extractive industries. This group includes the mining, quarrying, excavation, processing, storing, separating, cleaning, or marketing of natural resources such as sand, gravel, earth, peat, coal, minerals, gas, and oil.

F

Facade. Any side of a building facing a public way or space.

Family. A person living alone, or two (2) or more persons living together as a single housekeeping unit, in a dwelling unit, as distinguished from a group occupying a boarding house, motel, hotel, club, fraternity, or sorority house, or other group, provided that unless all members except one are related by blood, adoption, marriage, or are legally cared for, no such group shall contain over five persons.

Federal Emergency Management Agency (FEMA). The federal agency that administers the National Flood Insurance Program.

Fence. A structure intended to mark a boundary, provide screening, and/or prevent escape or intrusion. This definition shall include a structure of stonework, cement or other masonry usually referred to as a "wall" in Section 6.5: Fences and other relevant sections.

Festival grounds. An outdoor facility, including accessory structures, used primarily for the accommodation of periodic or seasonal cultural or entertainment programs or events.

Filling station/convenience store. An establishment providing retail sale of fuel for motor vehicles, but not motor vehicle maintenance or repair. This term includes accessory retail sales, commonly referred to as a convenience store, but does not include a fast food/carry-out restaurant, nor does it include a car wash.

Final stabilization. All land disturbing construction activities at the construction site have been completed and a uniform perennial vegetative cover has been established, with a density of at least seventy (70) percent of the cover, for the unpaved areas and areas not covered by permanent structures, or that employ equivalent permanent stabilization measures.

Financial guarantee. A performance bond, maintenance bond, surety bond, irrevocable letter of credit, or similar guarantees submitted to the City of Ashland by the responsible party to assure that the requirements of this Ordinance and the applicable permits are carried out in compliance with the approvals and requirements.

Flag lot. A parcel of land shaped like a flag where the staff is a narrow strip of land providing access to a street, with the bulk of the property lying to the rear of other parcels and containing no frontage.

Flood or flooding. A general and temporary condition of partial or complete inundation of normally dry land areas caused by one of the following conditions:

1. The overflow or rise of inland waters;
2. The rapid accumulation or runoff of surface waters from any source;
3. The inundation caused by waves or currents of water exceeding anticipated cyclical levels along the shore of Lake Superior; or
4. The sudden increase caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a seiche, or by some similarly unusual event.

Flood frequency. The probability of a flood occurrence that is determined from statistical analyses. The frequency of a particular flood event is usually expressed as occurring, on the average, once in a specified number of years or as a percent chance of occurring in any given year.

Flood Insurance Rate Map (FIRM). A map of a community on which the Federal Insurance Administration has delineated both special flood hazard areas (the floodplain) and the risk premium zones applicable to the community. This map can be amended by the Federal Emergency Management Agency.

Flood fringe. That portion of the floodplain outside the floodway that is covered by flood waters during the regional flood and is generally associated with standing water rather than flowing water.

Flood hazard boundary map. A map designating approximate flood hazard areas. Flood hazard areas are designated as unnumbered A-Zones and do not contain floodway lines or regional flood elevations. This map forms the basis for both the regulatory and insurance aspects of the National Flood Insurance Program (NFIP) until superseded by a Flood Insurance Study (FIS) and a Flood Insurance Rate Map (FIRM).

Floodplain. The land that has been or may be hereafter covered by the flood water during the regional flood. The floodplain includes the floodway and the floodfringe as those terms are defined in Chapter NR 116 of the Wisconsin Administrative Code.

Floodplain certificate of compliance. A certification that the construction and use of land or a building, the elevation of fill or the lowest floor of a structure, is in compliance with all the provisions of this Ordinance.

Flood profile. A graph or longitudinal profile showing the relationship of the water surface elevation of a flood event to locations of land surface elevations along a stream or river.

Floodproofing. A combination of structural provisions, changes, or adjustments to properties and structures, water and sanitary facilities, and contents of buildings subject to flooding, primarily for the reduction or elimination of flood damages.

Flood protection elevation. An elevation of two (2) feet of freeboard above the water surface profile elevation designated for the regional flood.

Flood storage. Those floodplain areas where storage of floodwaters has been taken into account during analysis in reducing the regional flood discharge.

Floodway. The channel of a stream and those portions of the floodplain adjoining the channel that are required to carry and discharge the flood water or flood flows of any river or stream including but not limited to flood flows associated with the regional flood.

Floor area: gross (GFA). The sum of the gross horizontal areas of the several floors of the building measured from the exterior faces of the exterior walls or from the center line of walls separating two (2) buildings. The "floor area" of a building shall include all habitable area in a building including, mechanical rooms, storage rooms, and restrooms.

Floor area: net. The sum of the gross horizontal areas of the several of floors of the building measured from the interior side of exterior walls, excluding stairwells, mechanical rooms, toilet rooms, and similar areas.

Food center. A distribution center for food to persons where prepared food is distributed for immediate consumption, or where on-premise consumption of the food occurs. A food center is not a "restaurant" as elsewhere defined. One characteristic of a food center is that food is distributed primarily for no charge or for less than fair market value, such as in an establishment frequently known as a "soup kitchen."

Food store. A store intended for the sale of food and related items including, but not limited to, bakery goods, groceries and convenience foods, fruit and vegetable markets, candy or confections, dairy products, meats, health or organic foods and coffee or specialty drinks. Food stores, as defined, shall not involve containment or the slaughter of animals nor shall they include stores elsewhere defined.

Food store: local. A food store, as defined, providing retail food sales to a local or neighborhood population rather than a regional population, and is compatible with surrounding residential uses.

Footcandle. The illumination of a surface one foot distance from a source of light equivalent to one (1) candle.

Forb. A broad-leaved herb other than a grass.

Forestry. Establishments engaged primarily in the operation of timber tracts, tree farms, forest nurseries, and related activities.

Foster care: family home. A facility, licensed by the State of Wisconsin, a county agency, or a child welfare agency, where one (1) to not more than four (4) children reside and are provided with care and maintenance in the primary dwelling of a foster parent.

Fraternity/sorority. A building used as a group living quarters for members of a general or local chapter of a regularly organized college fraternity or sorority formed chiefly to promote friendship and welfare among members.

Frontage. All the property abutting on one side of a street between intersecting or intercepting streets, or between a street and a right-of-way, waterway, end of a dead-end street, or City boundary measured along the street line. An intercepting street shall determine only the boundary of the frontage on the side of the street that it intercepts.

Frontage: abutting. The part of a parcel that abuts or fronts an improvement.

Frontage: long. The long dimension of a corner parcel regardless of the principal building orientation.

Frontage: short. The short dimension of a corner parcel regardless of the principal building orientation.

Funeral home. An establishment providing services involving the care, preparation, or disposition of deceased humans. This term includes, but is not limited to, a crematorium or a mortuary. This term does not include cemetery.

G

Garage. An accessory building or portion of a building in which vehicles, boats, trailers, and other implements are housed. An attached garage shall be defined as part of the principal building.

Garbage. The animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food.

Gardening. Plantings on a parcel that are intended for the production of food for the primary occupants of the parcel. This term is intended to include a typical vegetable garden associated with a dwelling. This term does not include agriculture.

Garden supply or landscaping center. An establishment providing the retail sale of plants and the sale or rental of garden and landscape materials and equipment. This term includes outdoor storage of plants, materials, or equipment.

Government or community service use. A government or non-profit community service (civic) use that provides services to the community. Examples include a library, police station, fire station, teen center, community center, public museum or art gallery, post office, public garden, and similar uses. This term does not include a public works yard.

Group home for children. See *Community living arrangement*.

Graffiti. Graffiti shall mean any drawing, inscription, writing, figure or mark made upon a wall or other exposed surface, including but not limited to any house, garage, rock, bridge, fence, gate, tree, monument, motor vehicle, sidewalk, street, lamp post, street sign, underpass or retaining wall, whether publicly or privately owned, with paint, chalk, dye, ink, pencil, wax or other similar substance or by etching, scratching, cutting, burning or carving without the express consent of the owner of said wall or other exposed surface.

Grain elevator. A structure for elevating, storing, and discharging grain. This term includes related processing of grain.

Grass lawn. A lawn consisting primarily of Kentucky bluegrass, perennial rye grass, fescues, and/or other grasses generally associated with mowed and maintained grass lawns.

Green building and site design techniques. Techniques that significantly reduce or eliminate the negative impact of building and site development on the environment and on the building occupants. Green building and site design and construction practices address: sustainable site planning, safeguarding water and water efficiency, energy efficiency, conservation of materials and resources, and indoor environmental quality. All development in the City of Ashland is strongly encouraged to use green building and site design techniques.

Greenhouse: local. A temporary facility for the sale of plants and produce to a local or neighborhood population rather than a regional population and is compatible with surrounding residential uses.

Gross floor area (GFA). See *Floor area: gross*.

Growth: natural. Any object of natural growth, including trees, shrubs, or foliage, except farm crops that are cut at least once a year.

H

Habitable room. A room or enclosed floor space arranged for living, eating or sleeping purposes, not including bathrooms, water closet compartments, laundries, pantries, foyers, hallways, and other accessory floor spaces.

Hard surface parking area. Hard surfaced parking areas shall be defined as having asphalt, concrete, paving brick, block, compacted gravel or limestone, or pervious pavers.

Hazardous waste. Any solid, liquid, or gaseous waste materials, usually a by-product of manufacturing, medical, scientific, or consumer use that, if improperly managed or disposed of, may pose substantial hazards to human health and the environment. A waste is considered hazardous if it exhibits one or more of the following characteristics: ignitability, corrosivity, reactivity, and toxicity.

Historic district. An area designated locally, or on the State or Nationally register, containing historic structures, improvements or sites.

Historic site. Any parcel of land of historic significance due to a substantial value in tracing the history or prehistory of humans, or upon which a historic event has occurred.

Historic structure. Any improvement that has a special character or specific historic interest or value as part of the development, heritage, or cultural characteristics of Ashland, state, or nation.

Hive. A structure intended for the housing of bees.

Holiday lighting. Temporary, low wattage lighting commonly identified as a string or rope of individual lamps, installed in connection with holiday or religious observances and removed thereafter.

Home improvement center. An establishment providing the sale or rental of building supplies, construction equipment, or home decorating fixtures and accessories. This term includes a lumber yard or a contractor's building supply business, and may include outdoor storage or tool and equipment sales or rental. This term does not include an establishment devoted exclusively to the retail sale of paint, wallpaper, or hardware, or activities classified under vehicle/equipment sales and services, including vehicle towing services.

Home occupation. Any occupation for financial gain or support conducted only by members of the immediate family residing on the property, provided that the specified use is incidental to the residential use.

Homeowners association. A community association incorporated or not incorporated, combining individual home ownership with the shared use or ownership of common property or facilities.

Hospital. A state-licensed institution providing primary health services and medical, psychiatric, or surgical care to persons, primarily inpatients, suffering from illness, disease, injury, deformity, and other physical or mental conditions, and as an integral part of the institution, related accessory uses or facilities, including, but not limited to, laboratories, central service facilities for inpatient or outpatient treatment, as well as training, research and administrative services for patients and employees. Also included are health services and care, which are shared with other hospitals or other health care providers.

Household goods. Products used in the home that are necessary for, or supplemental to, normal household activities, including small appliances, but excluding furniture and major appliances.

Household maintenance and repair. An establishment providing the repair or servicing of household goods, furniture, appliances, or lawn and garden equipment.

I

Illumination level. The intensity of light measured in foot candles from a point facing the light source.

Impervious coverage or impervious surface. An area that releases as runoff all or a large portion of the precipitation that falls on it, except for frozen soil. Roofs, sidewalks, driveways, concrete slabs, patios, parking lots, and streets are examples of areas that are typically impervious. Pervious pavers and pervious pavement are not considered impervious.

Implements. A device used in the performance of a task.

Improvement. Any building, structure, place, work of art, or other object constituting a physical betterment of real property, or any part of such betterment, including streets, alleys, sidewalks, curbs, lighting fixtures, signs, and the like.

Improvement parcel. The unit of property that includes a physical betterment constituting an improvement and land embracing the site thereof, and is treated as a single entity for the purpose of levying real estate taxes. Provided, however, that the term "improvement parcel" shall also include any unimproved area of land that is treated as a single entity for such tax purposes.

Incinerator. A device for burning permitted substances in which the combustion factors: temperature, retention time, turbulence and combustion air, may be controlled.

Industrial park. A planned, coordinated development of a tract of land with two (2) or more separate industrial buildings. Such development is planned, designed, constructed, and managed on an

integrated and coordinated basis with special attention given to on-site vehicular circulation, parking, utility needs, building design, and orientation.

Industry: green. An industry/business that balances environmental, social and economic interests in its operation.

Industry: heavy. A use engaged in the basic processing and manufacturing of materials or products predominantly from extracted raw materials or a use engaged in storage of or manufacturing processes using flammable or explosive materials or storage of manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions.

Industry: light. A use engaged in the manufacture, predominantly from previously prepared materials, or finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales, and distribution of such products, but exclusively basic industrial processing. This term also includes a facility that is engaged primarily in mass printing and publishing of printed materials, such as newspapers, magazines, books, greeting cards, and similar materials for the wholesale market or direct distribution. This term does not include a commercial photo copy or printing shop.

Infestation. The presence of insects, rodents, vermin or other pests within or contiguous to a structure or property.

Infill development. An undeveloped area of land located within an existing development.

Infiltration. The entry of precipitation or runoff into or through the soil.

Infiltration system. A device or practice such as a basin, trench, rain garden, or swale designed specifically to encourage infiltration, but does not include natural infiltration in pervious surfaces such as lawns, redirecting of roof downspouts onto lawns, or minimal infiltration from practices, such as swales or road side channels designed for conveyance and pollutant removal only.

Informational meeting. An informal meeting of the Plan Commission, Common Council, or other elected or appointed bodies to obtain comments from the public, or other agencies on certain matters, that do not require a public hearing, prior to a decision regarding a proposed project. The proceedings may be recorded and a report or recommendation may be included in the project file.

Institution. A nonprofit organization of a public character, or a building occupied by such organization.

Invasive Species. Section 23.22(1)(c), of the Wisconsin State Statutes states that “invasive species” means nonindigenous species that cause or are likely to cause economic or environmental harm or harm to human health.

J

Junkyard. See *Salvage operation, outdoor*.

K

Karst feature. An area or surficial geologic feature subject to bedrock dissolution so that it is likely to provide a conduit to groundwater, and may include caves, enlarged fractures, mine features, exposed bedrock surfaces, sinkholes, springs, seeps, or swallets.

Kennel, commercial. See *Animal boarding facility*.

L

Land. Soil, the ground surface itself, a subdivision, a tract or parcel, a lot or an open space, together with any structures or improvements on it, extending above and below the surface.

Land disturbing construction activity. Any human made alteration of the land surface resulting in a change in the topography or existing vegetative or non-vegetative cover, that may result in runoff and lead in an increase in soil erosion and movement of sediment into the waters of the state. Land disturbing construction activity includes clearing and grubbing, demolition, excavating, pit trench dewatering, filling, and grading activities.

Landmark. Any identified improvement that has a special character, special historic interest, or cultural value as part of the heritage of the City.

Landmark site. Any parcel of historic significance having value in tracing the history of aboriginal man or upon which a historical event has occurred. A landmark site includes the parcel upon which a landmark has been built.

Landfill: construction debris. A landfill for the exclusive use of construction debris, including but not limited to concrete, masonry, and lumber.

Land filling and/or excavation. The action or process of filling, cutting, digging, scooping, or otherwise altering the existing land.

Land filling: temporary. Temporary placement and use of land filling material, including sand, soil, gravel, rock or other similar material, typically on a separate parcel from the development.

Landscaping. Plantings intended to enhance the aesthetic and/or environmental qualities of a parcel.

Laundromat. An establishment providing washing, drying, or dry cleaning machines on the property for rental use by the general public for laundering or dry cleaning purposes.

Leadership in Energy and Environmental Design (LEED). LEED provides a green building rating system that is a voluntary, consensus-based national rating system for developing high-performance, sustainable buildings. LEED addresses all building types and emphasizes state-of-the-art strategies in five areas: sustainable site development, water savings, energy efficiency, materials and resources selection, and indoor environmental quality.

Light trespass. Stray light or spill light flowing across the property boundary.

Loading space. A dust-free and durable, hard surfaced area of adequate size for delivery vehicles expected to be used, logically and conveniently located for bulk pickup and delivery, readily accessible when required parking spaces are filled, which shall be located totally outside of any street or alley right-of-way.

Lodging establishment: short stay. Any temporary residential use of a room or suite of rooms in a building or group of buildings by an individual or a group not to exceed thirty (30) days in a calendar year. Hotels, motels, resorts, and other lodging facilities are included in this definition.

Lodging establishment: extended stay. A lodging establishment in which at least seventy (70) percent of the accommodations are regularly used or available for occupancy of continuous periods of thirty (30) days or more by persons who use the lodging establishment as their primary residence.

Long-term housing. Housing designed to accommodate individuals or families for greater than six (6) months and support services for the purpose of facilitating the movement of the residents to independent living. Housing is typically provided a little or no cost and food/meals may or may not be provided.

Lumber yard. See *Home improvement center*.

M

Machinery. Machines in general or as a functioning unit; a mechanically, electrically, or electronically operated device for performing a task.

Maintenance agreement. A legal document that provides long term maintenance of storm water management practices.

Major street. A highway, road, or street designated on the official Master Street Plan of the City.

Manufactured (or modular) home. A structure, constructed after June 15, 1976, pursuant to the United States Department of Housing and Urban Development, transportable in one or more sections, which, in traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length, or, when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a permanent single-family dwelling, is installed pursuant to the manufacturer's instructions, is properly connected to all applicable utilities, and is set on an enclosed foundation pursuant to Section 70.043(1) of the Wisconsin Statutes and Wisconsin Administrative Code COM 21.

Manufactured home community. Any plot or plots of ground upon which three (3) or more manufactured homes that are occupied for dwelling or sleeping purposes are located. This term does include a farm where the occupants of the manufactured homes are the father, mother, son, daughter, brother, or sister of the farm owner or operator, or where the occupants of the manufactured homes work on the farm.

Manufactured home dealer, sales and display. Establishment engaged in the sale and service of manufactured and mobile homes, which may be displayed on the dealer lot for purpose of sale.

Manufacturing. Establishments engaged in the mechanical or chemical transformation of material or substances into new products.

Manufacturing: heavy. See *Industry: heavy*.

Manufacturing: light. See *Industry: light*.

Marina. A facility providing mooring of recreational boats in water, or piers, anchorage areas, launching facilities, boat storage areas, or boat sales and service. This term does not include a ship terminal or passenger terminal.

Mausoleum. A building for entombment of the dead above ground. Also see *Cemetery*.

Maximum extent practical. A level of implementing best management practices to achieve a performance standard specified in this Ordinance, which takes into account the best available technology, cost effectiveness, and other competing issues such as human safety and welfare, endangered and threatened resources, historic properties, and geographic features. Maximum extent practical allows flexibility in the way to meet the performance standards and may vary based on the performance standard and site conditions.

Meteorological tower. A tower used for the measurement of wind speed.

Mining. The process of digging, quarrying, excavating, processing, storing, separating, cleaning, and/or transporting natural resources such as sand, gravel, and earth. For the purpose of this Ordinance, mining shall not include the excavation, removal, or storage of rock, sand, dirt, gravel, clay, or other material for the following purposes:

1. Excavation for the foundation, cellar, or basement of pending construction for which a permit has been issued and which is to be erected immediately following the excavation, removal, or storage.
2. On-site construction of approved roads, sewer lines, storm sewers, water mains, surface water drainage, agriculture or conservation purposes, sod removal, or other public utilities.
3. Landscaping purposes on a parcel used or to be used as a building site.
4. Grading/excavation of less than one acre of land in conjunction with improvement of a site for development, providing activities will be completed in one year.
5. The removal of excess materials in accordance with approved plats or highway construction.

Mini warehouse. See *Warehouse: self-storage*.

Mobile home. A vehicle manufactured or assembled before June 15, 1976, designed to be towed as a single unit or in sections upon a highway by a motor vehicle and equipped and used, or intended to be used, primarily for human habitation, with walls of rigid, uncollapsible construction, which has an overall length in excess of forty five (45) feet. This term includes the mobile home structure, its plumbing, heating, air conditioning and electrical systems, and all appliances and all other equipment carrying a manufacturer's warranty.

Model home. A model home is a dwelling manufactured, prefabricated, or otherwise erected or installed upon a parcel for purposes of temporarily exhibiting the same as a sample, rather than for occupancy as a residence.

Modular home. See *Manufactured (or modular) home*.

Monastery. See *Convent*.

Mural. A large scaled painting or artwork applied to and made integral with the surface of an exterior or interior wall or other large permanent surface, which depicts a scene or event of natural, social, cultural, or historical significance.

N

NAICS Group. The statistical classification standards for businesses and industries that appear in the *North American Industry Classification System Manual*, published by the U.S. Office of Management and Budget.

Natural landscape. Any land managed to preserve or restore primarily native Wisconsin grasses, forbs, wildflowers, shrubs, trees, and aquatic plants.

Nonconforming parcel. A parcel that does not comply with the minimum parcel area or width requirements of the district in which it is located.

Nonconforming structure. A structure that does not comply with the bulk, yard, setback, or height regulations of the district in which it is located.

Nonconforming use of land. Any use of a parcel that does not conform to the applicable use regulations of the district in which it is located.

Nonconforming use of a structure. A use of a structure that does not conform to the applicable use regulations of the district in which it is located.

Nonprofit conservation organization. Any charitable corporation, charitable association, or charitable trust (such as a land trust), the purposes or powers of which include retaining or protecting the natural, scenic, or open space values of real property, assuring the availability of real property for agricultural, forest, recreational or open space use, protecting natural resources, maintaining or enhancing air or water quality, or preserving the historical, architectural, archaeological, or cultural aspects of real property.

North American Industry Classification System. See *NAICS Group*.

Nuisance. A use of property or course of conduct, that interferes with the legal rights of others by causing damage, annoyance, or inconvenience.

Nursing home. A facility where five (5) or more persons who are not related to the operator or administrator reside, receive care or treatment and, because of their mental or physical condition, require access to twenty-four (24) hour nursing services, including limited nursing care, intermediate level nursing care, and skilled nursing services, as defined in Section 50.01 of the Wisconsin Statutes.

O

Occupant. Any person living, sleeping, occupying, or having possession of a space, in a building, structure, or on a parcel of land.

Occupancy. The purpose for which all or a portion of land, a building, or a structure is used or intended to be used.

Office. Use of a building for government, business, professional, or administrative office. A general office is characterized by a relatively low proportion of vehicle trips attributable to visitors or clients in relationship to employees. Examples include, but are not limited to, offices of firms or organizations providing professional services, such as accounting, insurance, architectural, and legal. This term does not include a bank or other financial institution or the office of a physician, dentist, optometrist, chiropractor, and similar professions.

Off-premise sign. See *Sign: off-premise*.

Off-street parking. The parking of vehicles on a parcel, as opposed to a street right-of-way.

On-street parking. The parking of vehicles on a street right-of-way, as opposed to a parcel.

Open space, private or public. Private or public land or water, or a combination of land and water, that is free of development, including agriculture uses. This term includes wildlife areas and conservation areas, but it does not include public parks or commercial outdoor recreation facilities.

Open space: common. An area of land or water, or a combination of land and water within the site designated for a Planned Unit Development, and designed and intended for the use or enjoyment of residents.

Open space: public. An area of land or water or both on the Comprehensive Plan or Official Map designated as park, beautification, or land to be kept free of development.

Operator. Any person who has charge, care, or control of a structure or property, which is let or offered for occupancy.

Ordinary high water mark (O.H.W.M.). The point on the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive mark such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristics.

Outdoor mechanical and electrical equipment. Equipment used onsite for the regular operation of a building or use. This term includes air conditioning units, power vents, and similar equipment. This term does not include an outdoor wood-fired furnace, solar equipment, or a wind energy system.

Outdoor merchandise sales or storage. Retail sales or storage of merchandise listed in the definition of retail establishment, primarily outside an enclosed structure, for more than ninety (90) days in any calendar year.

Outdoor wood-fired furnace. Any furnace, stove, or boiler designed to burn wood, where the furnace is not located within a building intended for human or domestic animal habitation.

Outstanding resource waters. National or state wild and scenic rivers. Chapter NR 102.10 of the Wisconsin Administrative Code provides a list of outstanding resource waters.

Owner. The owner or owners of the freehold estate of the property or lesser estate therein, a mortgagee or vendee in possession, an assignee of rents, a receiver, a personal representative, a trustee.

P

Parcel. A parcel of land means any contiguous quantity of land capable of being described with such definiteness that its location and boundaries may be established, that is designated by its owner or developer as land to be used or developed as a unit, or that has been used or developed as a unit. Parcel includes an easement supporting or related to a primary parcel, and a condominium unit. Only one such designation by the owner shall be allowed under this Ordinance.

Parcel: corner. A parcel abutting upon two or more public rights-of-ways at their intersection or upon two (2) parts of the same right-of-way, such that the rights-of-way or parts of the same right-of-way form an interior angle of less than one hundred thirty five (135) degrees. The point of intersection of the street lines is the "corner."

Parcel: depth. The mean horizontal distance between the front and the rear parcel lines.

Parcel: double frontage. See *Parcel: through*.

Parcel: interior. A parcel other than a corner parcel.

Parcel: irregular. A parcel within a subdivision abutting a cul-de-sac or curbed street approximately equal in area to the other parcels within the subdivision; however, having unusually short abutting frontage in comparison to the other parcels.

Parcel line: front. The line separating the parcel from the street right-of-way.

Parcel line: rear. The parcel line opposite and most distant from the front parcel line.

Parcel line: side. Any parcel line other than a front or rear parcel line. A side parcel line separating a parcel from a street right-of-way is called a side street parcel line. A side parcel line separating a parcel from another parcel or parcels is called an interior side parcel line.

Parcel: parent. The existing parcel of record, as identified by individual tax parcel numbers, as of the effective date of this Ordinance.

Parcel of record. A parcel that is part of a subdivision, the plat of which has been recorded in the office of the Register of Deeds of Ashland County.

Parcel: remote. Parcels without abutting frontage that receive benefit from the improvement.

Parcel: through. A parcel having frontage on two parallel or approximately parallel streets. Also referred to as a double frontage parcel.

Parcel width. The mean width of the parcel measured at right angles to its depth.

Park. Public or private land, including accessory structures, used primarily for outdoor recreation or for the enjoyment of open space. This term does not include a private campground, community center, museum, commercial outdoor recreation facility, commercial indoor recreation facility, or similar use.

Parking lot (or area). An area specifically designed and intended for the parking of vehicles.

Parking lot (or area): interior. All areas within the perimeter of a parking lot (or area), including planting islands, curbed areas, corner lots, parking spaces and all interior driveways and aisles except those with no parking spaces located on either side.

Parking space (or stall). A durable, hard surfaced area adequate for parking a motor vehicle with room for opening doors on both sides, together with a clear, properly related access to a public street or alley, and maneuvering room that shall be located totally outside of any street or alley right-of-way.

Passenger terminal. A facility for passenger transportation operations including, but not limited to, a passenger rail station, bus terminal, airport terminal, or passenger ship terminal.

Patio. A level surfaced area adjacent to a principal building which is constructed on finished grade, without walls or a roof. May be constructed of brick, concrete, stone, or other impervious materials.

Pay day loan establishment. An establishment providing loans to individuals in exchange for personal checks as collateral.

Pawn shop. A retail business where a lender pays money for a fee and holds some of the borrower's personal goods for collateral to be sold to the public in the event of default.

Performance standard. A narrative or measurable number specifying the minimum acceptable outcome for a facility or practice.

Permit. A written authorization made by the approval authority to the applicant to conduct an activity for which a permit is required.

Person. An individual, firm, corporation, association, partnership or other group acting as a unit.

Personal care services or drop-in center. A facility that provides a daytime communal atmosphere open to the public, or by membership, for the provision of services to persons in need of assistance due to age, physical or mental disability, illness or injury including but not limited to supervision of self-administered medication, aid in personal hygiene, eating and drinking, or recreation. Services may or may not be provided by licensed or certified professionals, shall not include any over-night stays nor contain overnight sleeping facilities.

Personal service. An establishment providing services that are of a recurring and personal nature to individuals. This term includes, but is not limited to, the following:

1. Barber shop;
2. Beauty salon;
3. Shoe repair shop;
4. Seamstress or tailor;
5. Tanning salon;
6. Massage establishment; or
7. Body piercing or tattoo establishment.

This term does not include the following:

1. Portrait studio;
2. Dry cleaning and/or laundry establishment, drop-off and pick-up only;
3. Laundromat;

4. Photocopy center;
5. Health club; or
6. Repair shop for household items.

Personal storage building as a principal use. A principal building (as opposed to an accessory building) used primarily for the storage of goods and materials by the property owner.

Personal wireless service. Licensed commercial wireless communication service, including cellular, personal communication services (PCS), enhanced specialized mobilized radio (EMR), paging, and similar services.

Pervious surface. An area that releases as runoff a small portion of the precipitation that falls on it. Lawns, gardens, parks, forests, or other similar vegetated areas are examples of surfaces that typically are pervious.

Place of worship. See *Religious institution*.

Play equipment. Equipment, including swing sets, play structures, and similar equipment, intended primarily for the recreational use of children.

Plat: final. The final map or drawing on which the subdivider's plan of subdivision is presented for final approval and which, if approved, shall be submitted to the Ashland County Register of Deeds.

Plat: preliminary. A drawing showing the salient features of a proposed subdivision prepared in the manner and containing the data, documents, and information required by this Ordinance and submitted to the applicable review and approval authorities for preliminary consideration.

Plumbing or plumbing fixtures. Water heating facilities, water pipes, gas pipes, garbage and disposal units, waste lavatories, bathtubs, shower baths, installed clothes washing machines or other similar equipment, catch basins, drains, vents or other similarly supplied fixtures, together with all connections to water, gas, sewer or vent lines.

Pollutant. As it relates to storm water and erosion control, any dredged spoil, solid waste, incinerator residue, sewage, garbage, refuse, oil, sludge, munitions, chemical wastes, biological materials, radioactive substances, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal, and agricultural wastes discharged into water.

Pollution. As it relates to storm water and erosion control, human made or human induced alteration of the chemical, physical, and biological, or radiological integrity of water.

Porch. A covered projection, with or without walls, extending from the main wall of a building, usually with a separate roof, providing a covered entrance and not intended for use as a livable space.

Post-construction site. A construction site following the completion of land disturbing construction activity and final site stabilization.

Power generation plant. A facility that converts one (1) or more energy sources, including, but not limited to a coal or wood burning plant or an ethanol plant.

Pre-development condition. The extent and distribution of land cover types present before the initiation of land disturbing construction activity, assuming that all land uses prior to development activity are managed in an environmentally sound manner.

Printing and publishing. A facility that is engaged primarily in mass printing and publishing of printed materials, such as newspapers, magazines, books, greeting cards, and similar materials for the wholesale market or direct distribution. This term does not include a commercial photocopy or printing shop.

Private Road. A road providing access from a public right-of-way to three (3) or more properties.

Property. A lot, plot, or parcel of land including the buildings or structures thereon.

Protective area. An area of land that commences at the Ordinary High Water Mark of lakes, streams, and rivers, or at the delineated boundary of wetlands, and that is the greatest of the following widths, as measured horizontally from the top of the O.H.W.M. or delineated wetland boundary to the closest impervious surface. This term does not include any area of land adjacent to any stream enclosed within a pipe or culvert, such that runoff cannot enter the enclosure at this location.

Public art. Any visual works of art including but not limited to, murals, sculptures, monuments, fountains, paintings, frescoes, stained glass or ceramics, which are located on public or private property and open to the view of the public at no charge. Public art does not include that which contains characteristics of an advertising sign, or identify or draw attention to an existing business, profession, or industry. Any private visual works of art (not open to the view of the public) shall be defined and regulated as accessory structures.

Public park. Land owned or leased by a government entity for the purpose of providing public recreation and/or open space.

Public way. All or any part of a road, street, slip, pier, lane, or paved alley.

Public works yard. Municipal, county, state, and federal administrative buildings; warehouses; garages; storage yards; and shops that are owned and operated by a governmental unit.

R

Railroads. Railroad rights-of-way but not including terminals, transfer and storage tracks not accessory structures except those incidental to minor communications and switching equipment.

Rain barrel. A barrel used as a cistern, an artificial reservoir, to hold rainwater.

Raze (a structure). To demolish and remove a structure and to restore the site to a dust-free and erosion free condition.

Recreation facility, commercial indoor. A commercial facility primarily used for the indoor conduct of, or participation in, recreational activities, and secondarily for the viewing of such activities. This term includes, but is not limited to, an indoor driving range, volleyball court, bowling alley, skating rink, billiard hall, video game center, archery or shooting range, basketball court, indoor soccer, fitness center, and similar uses.

Recreation facility, commercial outdoor. A commercial facility primarily for the outdoor conduct of, or participation in, recreational activities, and secondarily for the viewing of such activities. Such a facility may include one or more related buildings and structures. This term includes, but is not limited to a golf facility, tennis, basketball, volleyball, soccer, baseball, amusement or water park. This term does not include a campground or outdoor shooting range.

Recreational vehicle. All types of recreation vehicles or devices normally used by adults, including but not limited to such items as travel homes, camper trailers, pick-up camper attachments, all-terrain vehicles, snowmobiles, boats, flotation devices, motor bikes, and including go-carts and stock cars.

Rectory. *See Convent.*

Recycling facility. A facility for the deposit, sorting, or batching, but not processing, of post-consumer recyclable materials. This term includes, but is not limited to, a residential self-help, drop-off facility or a transfer station that receives residential rubbish.

Regional flood. A flood determined to be representative of large floods known to have generally occurred in Wisconsin and which may be expected to occur on a water body because of like physical characteristics once in every one hundred (100) years.

Regulation. An authoritative rule dealing with details or procedure.

Rehabilitation center/transitional living facility. A facility in which persons live while receiving therapy and counseling for any of the following purposes: to assist them to recuperate from the effects of drugs or alcohol; to assist them to adjust to living with the handicaps of emotional or mental disorder, or mental retardation; to assist them to adjust to living with the handicaps of physical disability; to assist them to be housed under supervision while under the constraints of alternatives to imprisonment including, but not limited to, pre-release, work-release, and probationary programs.

Religious institution. A facility where people regularly assemble for religious worship and any incidental religious education, which is maintained and controlled by a religious body organized to sustain public worship. This term does not include an elementary or secondary school, a specialty or personal instruction school, or a college. This term is also known as a place of worship.

Rent-to-own establishment. An establishment that allows, between a consumer and a seller, renting of furniture, appliances and other goods with the intention of future ownership of such goods.

Repair shops. Establishments engaged in miscellaneous repair of household items and smaller business equipment for the general public and business.

Research and development. At an establishment that conducts research, development, or controlled production of high-technology electronic, industrial, or scientific products or commodities for sale, or laboratories conducting educational or medical research or testing. This term includes, but is not limited to, a biotechnology firm or a manufacturer of nontoxic computer components.

Residential care center for children and youth. See *Community living arrangement*.

Responsible person or party. The owner, operator, manager, occupant, or tenant of any structure or property.

Restaurant: drive-in. A retail outlet where food or beverages are sold to a substantial extent for consumption in parked motor vehicles.

Restaurant: fast food or carry-out. A restaurant, other than a sit-down restaurant, where the establishment offers quick food, which is accomplished through a limited menu of items already prepared and held for service, or prepared quickly. Orders are generally not taken at a customer's table and food is generally served in disposable wrapping and containers. Food and beverages may be taken off the property for consumption. This term does not automatically include nor preclude the use of a drive-through window. Refer to the district provisions for information on drive-through windows.

Restaurant: sit down. A restaurant where food and beverage orders are generally taken at tables and food and beverages are consumed at tables located on the property, where taking food or beverages from the property is purely incidental, where food or beverages are normally served using non-disposable containers and utensils, and where the consumption of food or beverages in vehicles on the property in which the building is located does not regularly occur. This term does not automatically include nor preclude the use of a drive-through window. Refer to the district provisions for information on drive-through windows. This term does not include a tavern.

Retail. Sale to the ultimate customer for direct consumption and not for resale.

Retail establishment, convenience. Any retail establishment serving primarily the surrounding neighborhood and offering for sale prepackaged food products, household items, and other goods commonly associated with the same. Convenience stores do not include the sale of gasoline. This term does not automatically include nor preclude the use of a drive-through window. Refer to the district provisions for information on drive-through windows.

Retail establishment: general. An establishment providing retail sale of new products to the public and rendering services incidental to the sale of such products. This term does not automatically include nor preclude the use of a drive-through window. Refer to the district provisions for information on drive-through windows. Retail establishments include, but are not limited to, the following:

1. General merchandiser;
2. Hardware store;
3. Paint, glass, and wallpaper store;
4. Food stores and local food stores;
5. Apparel stores;
6. Home furnishing and equipment store;
7. Eating and drinking places;
8. Used merchandise store;
9. Miscellaneous retail;

This term does not include the following:

1. Adult retail establishment or adult entertainment establishment;
2. Lumber yard, building supply, or home improvement center;

3. Garden center or landscaping center;
4. Manufactured home dealers;
5. Automotive dealers and service stations; or
6. Pawn shop.

6.7. Tobacco, E-Cigarette, Vape Business.

Right-of-way. An area of land over which people and goods have the right to pass or travel. A public right-of-way grants passage to all and provides the right to park registered vehicles in accordance with local parking restrictions.

Rubbish. Combustible and noncombustible waste materials, including but not limited to, the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery, dust and other similar materials. For the purpose of this ordinance, rubbish shall also include all other household waste not defined as garbage.

Runoff. Storm water or precipitation, including rain, snow or ice melt, or similar water that moves on the land surface via sheet or channelized flow.

S

Salvage operation: indoor. An area where waste or secondhand materials are bought and sold, exchanged, stored, baled, packed, disassembled, or handled, including but not limited to scrap iron and other metals, paper, rags, rubber tires, used lumber, and bottles in an entirely enclosed building. An indoor salvage operation may include used auto parts sales and installation of used auto parts from an auto wrecking yard. It excludes establishments for the sale or purchase of used operable automobiles and the processing of used, discarded, or salvaged materials as part of those manufacturing operations that conform to this Ordinance.

Salvage operation: outdoor. An open area where waste or secondhand materials are bought and sold, exchanged, stored, baled, packed, disassembled, or handled, including but not limited to scrap iron and other metals, paper, rags, rubber tires, used lumber, and bottles. An outdoor salvage operation includes used implement storage yards, automobile wrecking yards and, only where operated on the same parcel as said auto wrecking yard, an outdoor salvage operation may also include the following associated uses: used auto parts sales and installation of used auto parts from said auto wrecking yard. An outdoor salvage operation includes any area of more than two hundred (200) square feet for storage, keeping or abandonment of junk but excludes uses established entirely within enclosed buildings in nonresidential districts. It also excludes establishments for the sale or purchase of used operable automobiles and the processing of used, discarded, or salvaged materials as part of those manufacturing operations that conform to this Ordinance.

Sanitary station. A facility used for removing and disposing of wastes from a recreational vehicle holding tank.

School: primary or secondary. A public, parochial, or private school that provides an educational program for one or more grades between kindergarten and grade twelve (12), inclusive, and which is commonly known as an elementary school, grade school, middle school, junior high school, or senior high school.

School: specialty or personal instruction. A business, professional, or other specialty school. This term includes, but is not limited to, a school offering instruction in music, art, dance, martial arts, computer use or programming, and cosmetology.

Sculpture. A three (3) dimensional (3-D) object fashioned, shaped and formed by hand or machine into a work of art, generally for the purpose of decoration or artistic expression.

Seasonal market. A temporary facility used to conduct retail trade, including seasonal markets, farmer's markets, fish markets, produce stands, and horticultural nurseries.

Seasonal or temporary commercial sales/rentals. The sale or rental of seasonal or temporary items such as rentals for activities like skating and bicycling, and seasonal refreshment stands.

Sediment. Solid material, capable of settling, that is transported by runoff, suspended within runoff or deposited by runoff away from its original location.

Senior housing. Multi-family dwellings designed and intended to be used for persons who are fifty-five (55) or older, plus the spouse of such persons. This term does not include community-based residential facilities.

Separate storm sewer. A conveyance or system of conveyances, including roads with drainage systems, streets, catch basins, curbs, gutters, ditches, constructed channels, or storm drains, which meet all of the following criteria:

1. Is designed or used for collection water or conveying runoff;
2. Is not part of a combined sewer system;
3. Is not draining to a storm water treatment device or system; and
4. Discharges directly or indirectly into waters of the state.

Service building. In the context of a manufactured home community, mobile home park, or recreational vehicle campground, a service building means a structure housing toilet, lavatory, and such facilities as required by Wisconsin Department of Health Services.

Services: business. Establishments engaged primarily in rendering services to business establishments such as advertising agencies, mailing services, employment agencies, and computer software companies.

Services: personal. Establishments engaged in providing services primarily to individuals and households, such as laundry, dry cleaning, copy shops, beauty shops.

Services: professional. Establishments engaged in providing the general public and businesses with professional services in an office setting. Including:

1. Security and Commodity Brokers;
2. Insurance Agents and Brokers;
3. Real Estate Services;
4. Holding and Other Investment Offices;
5. Professional Health Services;
6. Legal Services;
7. Engineering, Accounting, Research, Management, and related services;
8. Educational Services.

Services: social. Establishments engaged in providing social services. Including but not limited to:

1. Child day care services;
2. Food center;
3. Individual and Family Social Services;
4. Job Training;
5. Long-term housing;
6. Personal care services;
7. Residential care services;
8. Short-term/emergency housing or shelter facilities;
9. Supply pantry;
10. Vocational Rehabilitation.

Setback. The minimum distance a building or structure must be separated from a street or alley right-of-way or parcel line.

Shelter. See Short-term/emergency housing or shelter facility.

Shelter care facility. An unsecure place of temporary care and physical custody for children, including a holdover room, licensed by the State of Wisconsin under Section 48.66 of the Wisconsin Statutes.

Shielded or cutoff light fixture. An exterior lighting fixture that uses a flat, clear lens with no refractorizing element and that operates in a horizontal position with non-adjustable mounting hardware or brackets. Such a fixture distributes light by means of an internal reflector only. The light source is totally concealed by the fixture housing when the position of observation is at an angle of less than fifteen (15) degrees from horizontal. No light is permitted at an angle of more than four (4) degrees above horizontal.

Ship terminal. See *Terminal: ship*.

Shopping center. A preplanned group of retail stores with common use areas for access, pedestrian, auto and service circulation, common parking, and landscaping.

Shorelands. Lands within the following distances from the ordinary high water mark of navigable waters: one thousand (1,000) feet from a lake, pond, or flowage; three hundred (300) feet from a navigable river or stream, or to the landward side of the floodplain, whichever distance is greater.

Short-term/emergency housing or shelter facility. A facility that is designed to provide housing to individuals or families for less than six (6) months and support services for the purpose of facilitating the movement of the residents to independent living or transitional housing. Housing is typically provided at little or no cost, may or may not provide food/meals, and shower/bathroom facilities may or may not be shared.

Sign. Any emblem, painting, banner, pennant, placard, design, identification, description, illustration or device, illuminated or non-illuminated, to advertise, identify, convey information or direct attention to a product, service, place, activity, person, institution, business or solicitation, including any permanently installed or situated merchandise. For the purpose of removal, signs shall also include all sign structures.

Sign: abandoned. A sign that for more than sixty (60) days has no longer correctly advertised a public service message, bona fide business, lessor, owner, product, or activity conducted or a product available on the property where the sign is displayed or elsewhere.

Sign: animated. A sign or display manifesting either kinetic or illusionary motion occasioned by natural, manual, mechanical, electrical, or other means. Animated signs include the following types:

1. **Naturally energized.** Signs whose motion is activated by wind or other atmospheric impingement. Wind-driven signs include flags, banners, pennants, streamers, spinners, metallic disks, or other similar devices designed to move in the wind.
2. **Mechanically energized.** Signs manifesting a repetitious pre-programmed physical movement or rotation in either one or a series of planes activated by means of mechanically based drives. Signs with physically moving components visible from the public right-of-way are not permitted except for those which revolve around a vertical axis at speeds less than seven (7) revolutions per minute.
3. **Electrically energized.** Illuminated signs whose motion or visual impression of motion is activated primarily by electrical means. Electrically energized signs include (but are not limited to) changeable message signs, electronic message signs, and other signs that are animated by means of flashing, scintillating, blinking, or traveling lights.

Sign: area identification. A sign using a single label and/or logo to identify a group of structures or a single structure, such as a residential subdivision, apartment complex, industrial park or shopping center, consisting of a freestanding sign, fence, wall or archway with letters or symbols affixed thereto.

Sign: area of. The area of the largest single face of the sign within a perimeter that forms the outside shape, but excluding the necessary supports or uprights on which the sign may be placed. If the sign consists of more than one section or module, all areas will be totaled. Any irregular shaped sign area shall be computed using the actual sign face surface. In the case of wall signs, the area of copy will be used.

Sign: awning. A sign painted on, or attached flat against the surface of an awning.

Sign: banner. A sign made of fabric or any non rigid material with no enclosing framework.

Sign: billboard. A sign that is designed for changeable copy, so the characters, letters, or illustrations can be changed or rearranged within a fixed sign face which advertises a business, organization, event, person, place or thing not located on the same premise (or property) as the billboard.

Sign: business identification. Any sign that promotes only the name and type of business on the property where the business is located.

Sign: canopy. Any sign attached to or constructed in, on, or under a canopy or marquee.

Sign: changeable message. A sign, or part of a sign, such as a manual, electronic or electric controlled time and temperature sign, message center or reader board, whether electronic, electric, or manual, where copy changes.

Sign: construction. A temporary sign identifying an architect, contractor, subcontractor, and/or material supplier participating in construction on the property on which the sign is located.

Sign: copy. The graphic content of a sign surface in either permanent or removable letter, pictographic, symbolic, or alphabetic form.

Sign: double-faced. A sign with copy on two (2) faces that is back to back, v-shaped, stacked, or side by side.

Sign: electric. Any sign containing internal electrical wiring that is attached or intended to be attached to an electrical energy source.

Sign: electronic message. A changeable message sign whose message is electrically activated, such as with light bulbs or mechanical flip discs.

Sign: freestanding. A sign supported permanently upon the ground and not attached to any building.

Sign: illuminated. A sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign.

Sign: incidental. A small sign, emblem, or decal informing the public of goods, facilities, or services available on the property; for example, a credit card sign, or a sign indicating hours of business.

Sign: informational. An on-premise sign containing no other message, copy, or advertisement other than providing instruction, direction, or assistance to pedestrians or vehicles. Such signs include parking only and no parking, loading and unloading, self-service, restrooms, telephone, entrances and exits, walkways, or directional arrows and symbols.

Sign: joint. A freestanding sign as defined in this ordinance which uses multiple subunits to identify two (2) or more persons, businesses, or organizations operating on one parcel or contiguous parcels (e.g. shopping center, office complex, etc.). Such sign may include the logo and/or name of persons or businesses included but shall carry no other advertising matter.

Sign: low profile. A sign mounted directly to the ground with a maximum height not to exceed six (6) feet.

Sign: maintenance. The cleaning, painting, repair, or replacement of defective parts of a sign in a manner that does not alter the basic copy, design, or structure of the sign.

Sign: menu board. A drive-up sign that lists items in conjunction with a business serving customers in a car.

Sign: monument. A freestanding sign mounted on a continuous, solid, opaque structural base, which base length is at least sixty (60) percent the length of the sign face and which base depth is not narrower than the structure containing the sign face or twelve (12) inches, whichever is greater.

Sign: neon. A sign where chemically inert gas such as neon is used to illuminate bent glass tubes when electrified.

Sign: nonconforming. A sign that does not meet the provisions of this Ordinance.

Sign: off-premise. A billboard, poster panel, painted bulletin board, or other communicative device that is used to advertise products, goods, services, ideas, or noncommercial speech that is not exclusively related to the parcel or the owner of the parcel on which the sign is located.

Sign: on-premise. Any sign identifying or advertising a business, person, activity, goods, products, or services located on the parcel where the sign is installed and maintained.

Sign: pole (enclosed). A freestanding sign, that is not a low profile sign, supported on the ground by metal or concrete poles, braces, or other supports, unless the support system is enclosed in a decorative material such that the support enclosure has a width that is at least equal to one-half (1/2) the length of the sign face.

Sign: portable. Any sign not permanently attached to the ground or a building and designed to be moved easily.

Sign: projecting. A sign, normally double-faced, which is attached to and projects from a structure of building fascia.

Sign: real estate. A temporary sign advertising the real estate upon which the sign is located as being for rent, lease, or sale.

Sign: roof. A sign erected upon, against, or above a roof.

Sign: sandwich. A hinged or unhinged A-frame portable sign that is generally temporary in nature and placed near a roadway.

Sign: sidewalk. A non-illuminated sign, not permanently affixed to the ground or a building, and is designed to be displayed during the daytime hours for business identification and to advertise the onsite sale of products and services. Sidewalk signs may be of an A-frame design (for example, a sandwich sign) or of another portable sign type that is displayed on the sidewalk or near the business's entrance and complies with the provisions of this Ordinance relating to sidewalk signs.

Sign: swinging. A sign installed on an arm, mast, or spar that is not, in addition, permanently fastened to an adjacent wall or upright pole.

Sign: temporary, off-site. A sign that is installed for a limited time that is used to advertise products, goods, services, ideas, or noncommercial speech that is not exclusively related to the property or the owner of the property on which the sign is located.

Sign: temporary, on-site. A sign installed on the property for a limited time in accordance with the provisions of this Ordinance. For the purpose of this Ordinance, a temporary sign shall not refer to a real estate sign, a political sign, or a sidewalk sign.

Sign: wall. A sign attached to a wall or building, with the face in parallel plane to the plane of the building or wall.

Sign: window. A sign installed on a window for purposes of viewing from outside a building.

Sign contractor. Any person, partnership, or corporation engaged in whole or in part of the erection or maintenance of signs, excluding the business that the sign advertises.

Sign determination: joint. An action by the Plan Commission to provide for the combination of multiple freestanding signs into one multi-part sign structure. Under a Joint Sign Determination, existing and future freestanding signage on said parcels shall be subject to the terms of the Determination.

Sign structure. Any device or material which supports, has supported, or is capable of supporting a sign in a stationary position, including decorative covers.

Sign subunit: joint. That portion of a larger Joint Sign structure dedicated to an individual business or parcel.

Site. The entire area including the legal description of the land on which the activity is proposed or being conducted.

Slope. An incline from the horizontal expressed in an arithmetic ratio of horizontal magnitude to vertical magnitude. (Example: 3:1 slope is 3 feet horizontal and 1 foot vertical.)

Sorority. See *Fraternity/sorority*.

Sport court. An outdoor play surface intended for use in sports. This term includes outdoor tennis courts, basketball courts, volleyball courts, and similar uses.

Standard Industrial Classifications (SIC). The SIC Group is no longer in use. See *NAICS Group*.

Standard: performance. A criterion established in the interest of protecting the public health and safety for the control of noise, odor, smoke, noxious gases, and other objectionable or dangerous elements generated by and inherent in or incidental to land use.

Standard. Something set up and established by authority as a rule for the measure of quantity, weight, extent, value, or quality.

State. The State of Wisconsin.

Stop work order. An order issued by the Building Inspector or their Designated Authorized Agent that requires all construction activity on the site be stopped.

Storage canopy. A shelter for outdoor storage having a frame made of metal, plastic or combination thereof, having fabric or plastic roof and walls, and not attached to any structure, building, fence or anything permanently located on the ground.

Storm water management plan. A comprehensive plan designed to reduce the discharge of pollutants from storm water after the site has undergone final stabilization following completion of the construction activity.

Storm water management system plan. A comprehensive plan designed to reduce the discharge of runoff and pollutants from hydrologic units on a regional or municipal scale.

Stories above grade. That portion of a building included between the surface of any floor and the surface of the floor directly above it, or if there is no floor above, then space between the surface of such floor and the ceiling or roof above it. A basement shall only be considered a story above grade if the finished surface of the floor above the basement is: 1) more than six (6) feet above grade plane; 2) more than six (6) feet above the finished grade level for more than fifty (50) percent of the building perimeter; or 3) more than twelve (12) feet above the finished ground level at any point.

Street. A public right-of-way, approved and accepted by public authority, that provides a primary means of public access to abutting property. The term "street" shall include avenue, drive, circle, road, parkway, boulevard, highway, thoroughfare or any other similar term.

Street: arterial. A major carrier of traffic within the City.

Street: collector. A street that serves as a connection between an arterial street and local, residential, or minor streets. The term may include the principal entrance into a residential development and streets for major circulation within such development.

Street: deteriorated existing bituminous or concrete surfaced. Street opened to travel prior to January 1, 1985, where the surface has deteriorated to a stage requiring new construction.

Street: existing. Street or highway open to travel prior to January 1, 1985.

Street: marginal access. A street or service road parallel to and adjacent to an arterial street that provides access from the arterial street to abutting properties.

Street: new. Street or highway not open to travel prior to January 1, 1985.

Street: private. A purported street, way, or strip of land reserved for the use of a limited number of persons or purposes as distinguished from a publicly dedicated street.

Street: residential. A street that provides access to individual parcels.

Street: surfaced. A street or highway with existing bituminous or concrete pavement surfacing.

Structure. That which is built or constructed, including, without limitation because of enumeration, buildings, fences, pergolas and arbors, canopies, signs, billboards, satellite dishes, fire escapes, chute escapes, railings, water tanks, towers, open-grade steps, sidewalks, stairways, tents and anything erected and framed of component parts which is fastened, anchored or rests on a permanent foundation or on the ground, including a mobile home, manufactured home, modular home or travel trailer.

Subdivider. Any person, corporation, partnership, association, individual, firm, trust, or agent dividing or proposing to divide land.

Subdivision. As defined in Chapter 236, Wisconsin Statutes.

Substantially complete. The date at which the work or building project, or a designated portion of the work or building project thereof is sufficiently complete, in accordance with the construction contract documents, so that the owner may use or occupy the work or building project or designated portion thereof for the intended use for which it is originally designed and intended for. Partial use or occupancy shall not necessarily result in the project being deemed substantially complete and shall not be evidence of substantial completion.

Super-majority vote. A vote of three fourths ($\frac{3}{4}$) or greater of the entire membership of the voting body.

Supplied. Installed, furnished, or provided by the owner or operator.

Supply pantry. A distribution center for food, clothing and other essential items to persons at no charge or for less than fair market value where no on-premise consumption of the items occurs. A supply pantry does not include *Retail Establishment: Used Merchandise Stores* as elsewhere defined.

Sustainability. Meeting the needs of the present without compromising the ability of future generations to meet their own needs. (Brundtland Commission, 1987)

Swimming pool. An above or below ground tank or container intended for swimming, wading, or sitting in. For the purpose of this Ordinance, a swimming pool shall mean any pool, hot tub, or similar device, with a water depth of more than twenty-four (24) inches at any point and a water surface area of more than one hundred fifteen (115) square feet.

T

Tavern. An establishment providing alcohol beverages by the drink to the public, where food or packaged alcohol beverages may be served or sold only as accessory to the primary use. This term does not include an assembly hall or a recreation facility.

Technical standard. A document that specifies design, predicted performance, and operation and maintenance specifications for a material, device, or method.

Temporary construction building. A temporary office, including a manufactured building, used onsite for management of a construction project.

Temporary real estate sales office. A temporary office, including a manufactured building, for marketing, sales, or rental of residential, commercial, or industrial development for a specified period.

Terminal: freight, commercial. A facility for truck, air, or railway freight service and operations, including but not limited to pickup, sorting, preparing, packaging, crating, terminal and facility operations, line-haul loading and unloading, scaling, and delivery. This term includes the onsite storage of materials, trucks and semi-trailers and the installation of a scale. Industrial freight terminals include but are not limited to grain/farm, food, garbage, recyclables, forestry products, hazardous materials, machinery, equipment and vehicles.

Terminal: freight, local. A facility for local freight service and operations, including, but not limited to local pickup, local storing and terminal operations, line-haul loading and unloading, destination sorting and terminal operations, and local delivery. This term includes the temporary onsite storage of trucks and semi-trailers outdoors. Local freight terminals include but are not limited to postal, people, linen, and furniture.

Terminal: ship. A facility for the docking, loading, or unloading of ships, barges, or boats, that primarily transport freight.

Theater. An establishment for presenting motion pictures or live performances for observation by patrons. This term includes a movie theater, an outdoor stage, band shell, or amphitheater, but does not include an adult entertainment establishment.

Through lot. See *Lot: through*.

Title loan agency. An establishment providing loans to individuals in exchange for receiving title to the borrower's motor vehicles as collateral.

Tobacco, E-Cigarette, Vape businesses. An establishment in which 10 percent or more of the gross public floor area is devoted to, or 10 percent or more of the stock in trade of the following: cigarettes, tobacco

products, nicotine whether natural or synthetic, e-cigarette products such as propylene glycol, glycerin, nicotine, nicotine pouches, flavorings, personal vaporizers, electronic nicotine delivery systems, or any device used to ingest tobacco.

Tool and equipment rental facility. An establishment providing the rental of tools, lawn and garden equipment, party supplies, and similar goods and equipment, including storage and incidental maintenance. This term does not include a motor vehicle rental facility.

Top of the channel. An edge, or point on the landscape, landward from the ordinary high water mark of a surface water of the state, where the slope of the land begins to be less than twelve (12) percent continually for at least fifty (50) feet. If the slope of the land is twelve (12) percent or less continually for the initial fifty (50) feet, landward from the ordinary high water mark, the top of the channel is the ordinary high water mark.

Tourist home. A rooming house operated in conjunction with a bed and breakfast establishment licensed under Chapter HSS 197 of the Wisconsin Administrative Code that is located at its nearest point no more than one hundred (100) feet away from the building housing the bed and breakfast or on the same parcel.

Tower. Any pole, spire, structure, or combination thereof, to which an antenna could be attached, or which is designed for an antenna to be attached, and all supporting lines, cables, wires, and braces.

Traditional neighborhood design. A comprehensive planning system that includes a variety of housing types and land uses in a defined area and permits educational facilities, civic buildings and commercial establishments to be located within walking distance of private homes. The design is served by a network of paths, streets and lanes suitable for pedestrians as well as vehicles, where public and private spaces have equal importance, creating a balanced community.

Transitional living facility. See *Rehabilitation center*.

Tree. Any object of natural growth, except farm crops that are cut at least once a year, and except shrubs, bushes, or plants that do not grow to a height of more than twenty (20) feet.

Tree: significant. Trees that are in good health, on the City of Ashland's preferred species list, and meet the following minimum sizes. Deciduous trees that are a minimum of one and one-half (1-1/2) caliper inches, measured at four and one-half (4-1/2) feet above the root collar, and Coniferous trees or multi-trunk deciduous trees that measure at least six (6) feet in height.

Turf-grass. Grass commonly used in regularly cut lawns or play areas such as, but not limited to, blue grass, fescue, and rye grass blends.

Two-family dwelling. See *Dwelling: two-family (duplex)*.

Twin home. See *Dwelling: twin home*.

Type II distribution. A rainfall type curve as established in the *United States Department of Agriculture, Soil Conservation Service, Technical Paper 149*, published in 1973, the Type II curve is applicable to all of Wisconsin and represents the most intense storm pattern.

U

Underlying zone. The zoning district classification within an overlay district determining requirements including, but not limited to permitted, conditional, and prohibited uses.

Uniformity ratio. The ratio between the average illumination and the minimum illumination as determined by measurements taken on a four (4) foot grid throughout the area to be lighted.

Use. The purpose for which land or a building or structure is arranged, designed, or intended or for which either land or a building or structure is, or may be, occupied or maintained.

Use, principal. The main use to which a parcel is devoted and the main purpose for which the property exists.

Use, accessory. See: *Accessory use*.

Utility facilities. Utility equipment including, but not limited to, electric utility substations, water reservoirs, water treatment plants, sewer treatment plans, transformer stations, booster stations, transmitters, and other comparable utility facilities.

V

Variance. A variance is a relaxation of the terms of this Ordinance where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the Ordinance would result in unnecessary and undue hardship.

Variance: area. A variance from the provisions of this Ordinance governing area, setbacks, frontage, bulk, density, and similar requirements.

Variance: use. A variance from the provisions of this Ordinance governing a permitted, conditional, and accessory uses.

Vehicle. A machine propelled by power, other than human power and designed to travel along the ground, air or water by use of wheels, treads, runners or slides and used to transport persons or property or to pull machinery, including, without limitation because of enumeration, automobiles, trucks, trailers, motor homes, motorcycles, tractors, buggies, wagons, boats and aircraft.

Vehicle sales and/or rental. Any property or structures used for the display, sale and/or rental of vehicles, implements, trailers or recreational vehicles in operable condition.

Vehicle repair and/or service. An establishment providing the repair or servicing of vehicles, including the sale, installation, and servicing of related equipment and parts, where all such work is performed within an enclosed building. This term includes, but is not limited to, the repair or servicing of batteries, tires, mufflers, brakes, shocks, transmissions, or engines, and it includes paint and body work. This term includes, but is not limited to, an auto repair shop, auto body shop, wheel and brake shop, or tire sales and installation shop.

Ventilation. The natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from, any space.

Veterinary clinic: large animal. An establishment providing medical and surgical treatment of all domestic animals (including dogs and cats) and all farm animals (including horses, cattle, and hogs), including grooming and boarding for not more than thirty (30) days if incidental to the medical care. This term includes an animal crematorium.

Veterinary clinic: small animal. An establishment providing medical and surgical treatment of household animals including dogs, cats, birds, and similar animals. Large farm animals including cattle, horses, hogs, and similar animals shall not be treated at a small animal veterinary clinic. This term includes grooming and boarding for not more than thirty (30) days (if incidental to the medical care) and an animal crematorium.

Visual screen. A permanent fence or wall that permits no view into the area to be screened; or plantings or vegetation that permit no view into the area to be screened and that admit a maximum penetration of light through no more than an evenly distributed twenty five (25) percent of their vertical surface during any season of the year.

W

Wall. An upright structure of masonry serving to enclose, divide, or protect an area.

Warehouse: general. A building used primarily for the storage of goods and materials.

Warehouse: self-storage. Warehouses serving primarily the general public with separate access for each storage stall, one-story, less than ten thousand (10,000) square feet per building; total area less than sixty thousand (60,000) square feet.

Waterfront, commercial. Commercial uses that cater to people using the waterfront or commercial uses that have a direct benefit from being located on the waterfront. Examples of waterfront commercial uses may include boat rental, restaurants, conference facilities, and similar uses.

Water-oriented research facility. Research facilities that utilize the waterfront for research purposes.

Waters of the state. Those portions of Lake Superior and Lake Michigan within the boundaries of Wisconsin, and all bays, rivers, streams, ponds, springs, wells, impounding reservoirs, marshes, water courses, drainage systems, and other surface water and groundwater, natural or artificial, public or private, within the State of Wisconsin or its jurisdiction.

Wetland: highly susceptible. Includes the following types of wetlands: fens, sedge meadows, bogs, low prairies, conifer swamps, shrub swamps, other forested wetlands, fresh wet meadows, shallow marshes, deep marshes, and seasonally flooded basins.

Wetland: less susceptible. Includes degraded wetlands that are dominated by invasive species, such as reed canary grass.

Wholesale and distribution facility. Establishments or places of business primarily engaged in selling merchandise to retailers; to industrial, commercial, institutional, farm, construction contractors, and professional business users; or to other wholesalers, or acting as agents or brokers in buying merchandise for or selling merchandise to such persons or companies.

Wildlife management area. An area specifically managed for wildlife and related uses.

Wind energy facility. Equipment that converts and then stores or transfers energy from wind into usable forms of energy as defined by Section 66.0403(1)(m) of the Wisconsin Statutes. This equipment includes any base, blade, foundation, generator, nacelle, rotor, tower, transformer, vane, wire, inverter, batteries, or other components used in the system.

Wind generator. Blades and associated mechanical and electrical conversion components mounted on top of the tower.

Workmanlike. Executed in a skilled manner; for example, plumb, level, square, in line, undamaged, done without marring adjacent work and done by using materials that match adjacent work.

Y

Yard. All areas of a parcel not covered by a principal building.

Yard: corner side yard. The yard extending from the front yard to the rear yard and lying between an open public right-of-way and the principle structure.

Yard: front. The area extending the full parcel width and situated between the front parcel line and the face of the principal building that is parallel to, or most nearly parallel to, the front parcel line.

Yard: rear. The area extending the full parcel width and situated between the rear parcel line and the face of the principal building that is parallel to, or most nearly parallel to, the rear parcel line.

Yard: side. The area extending between the front yard and the side yard and situated between the side parcel line and the face of the principal building that is parallel, or most nearly parallel to, the side parcel line.

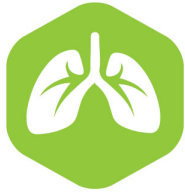
Yard waste. All accumulations of grass or shrubbery cuttings, leaves, tree limbs and other materials accumulated as the result of the care of lawns, shrubbery, vines and trees.

Z

Zoning Board of Appeals. The Zoning Board of Appeals of the City Ashland.

HISTORY

Amended by Ord. [2024-2003](#) on 7/30/2024



Local Data: City of Ashland, Ashland County

17 TRL (Tobacco Retail License holders) in the City of Ashland (2024-2025)

- Population of 7,940 (2024) = 1 TRL for every 467 people

July/August of 2024 – Retail Assessments on 10 Local Retailers Conducted; locations chosen due to proximity to schools, parks, places where youth might gather or walk by.

Types of commercial tobacco sold?

10 responses

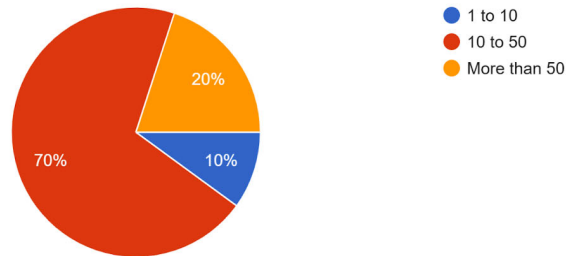


All 10 retailers sold flavored e-cigarettes/vapes including menthol with 3 out of the 10 advertised vapes outside the store.

- **7 sold 10-50 different flavors**
- **2 sold more than 50 flavors**
- **9 out of 10 sold disposable vapes**

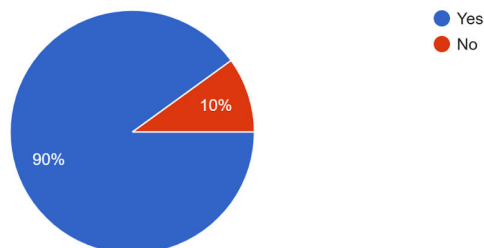
Approximately how many different e-cigarette flavors are sold?

10 responses



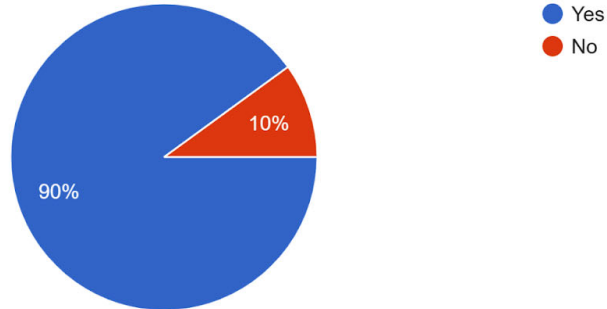
Are disposable e-cigarettes sold here (e.g. Breeze Smoke, Loon, Puff Bar, Vuse, etc.)?

10 responses



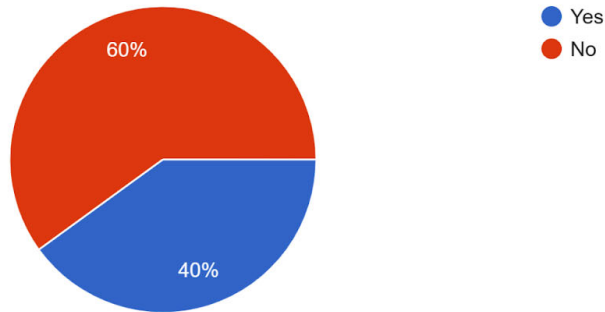
Are oral nicotine products (nicotine pouches) sold here?

10 responses

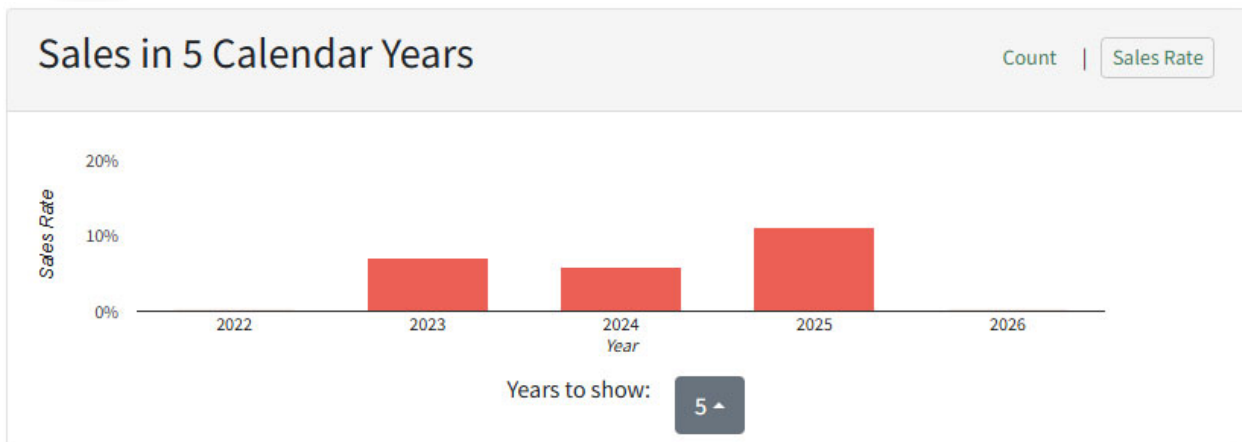


Are derived psychoactive cannabis products (DPCPs) (Including THC, Delta-8, Delta-9, Delta-10, THCA, HHC, or THC-P) sold here,

10 responses



ASHLAND COUNTY SALES RATE





LOCATION, LOCATION, LOCATION: TOBACCO & E-CIG POINT OF SALE

Regulating Retailers for Public Health

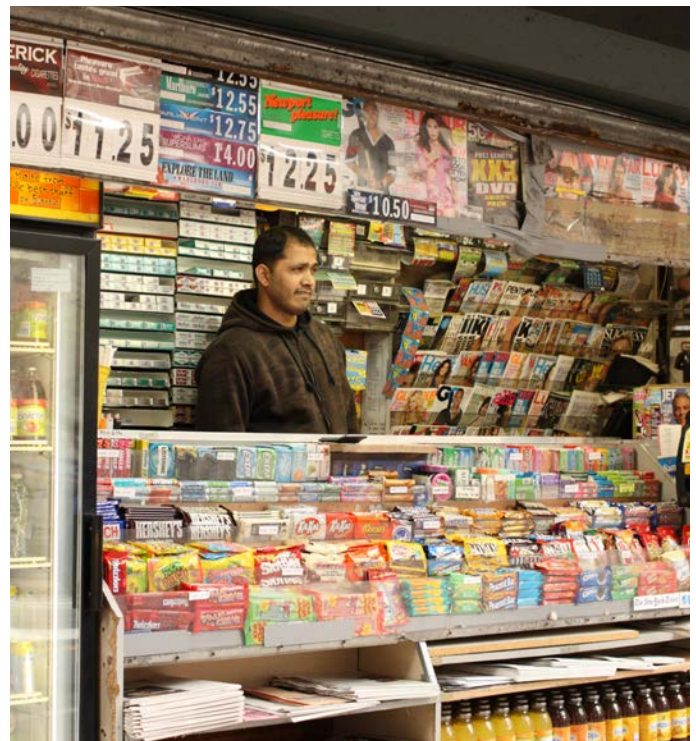


Tips and Tools

The 1998 Master Settlement Agreement dramatically shifted the U.S. landscape of commercial tobacco regulation. However, it insufficiently addressed many aspects of tobacco retail-based regulation.¹ Retailers are the primary marketing venue for tobacco products, driving sales and use.² As a result, tobacco control policy has increasingly focused on retailers by, for example, limiting their number and restricting their location, as recommended by the Institute of Medicine³ and the U.S. Surgeon General.⁴ This publication outlines policy and legal considerations for regulating both tobacco and electronic cigarette retailer locations to improve public health. We encourage you to consult with local legal counsel before attempting to implement these measures.

Policy Rationale

Why does the location of tobacco and e-cigarette retailers matter for public health? Tobacco retailers have become the site of intensified



marketing in recent years. Since the Master Settlement Agreement was reached in 1998, annual tobacco company spending to market products at retail locations has increased 85 percent, from \$4.7 billion to \$8.7 billion in 2016.⁵ Now, over 90 percent of all tobacco companies' marketing budget is spent at the point-of-sale,⁶ including price discounts, which account for

two-thirds of all tobacco industry spending on cigarette advertising and promotions,⁷ and other incentive programs.⁸ As a result, three out of every four tobacco retailers in the United States displays at least one tobacco product price promotion.⁹

These point-of-sale tobacco promotions work. They increase impulse purchases among smokers and enhance the urge to purchase among recent quitters. They are also strongly associated with smoking initiation,¹⁰ particularly among youth,¹¹ who make up the vast majority of new users.¹² Moreover, point-of-sale advertising is more common in neighborhoods that are, on average, younger,¹³ more racially diverse, and lower income.¹⁴ These point-of-sale promotions are more common at tobacco retailers near schools and where teens are likely to shop.¹⁵ Convenience stores, for example, are popular among teenage shoppers¹⁶ and feature significantly more tobacco advertising and promotions compared to other stores.¹⁷

Tobacco retailers are also often concentrated in communities at higher risk for adverse health outcomes,¹⁸ including communities whose residents have lower incomes, greater racial diversity, and lower educational attainment.¹⁹ Indeed, the tobacco industry targets its retail outlet advertising to people from these communities by spending considerably more on in-store tobacco advertising in racially diverse and low-income neighborhoods.²⁰ Sales to minors, which occur 18 percent of the time,²¹ are also more common at tobacco retailers located in neighborhoods with a higher proportion of young and racial minority residents.²²

The location and density of tobacco retailers influences tobacco use among residents living in those communities.²³ More than 40 percent of U.S. teens live or attend school near a tobacco retailer.²⁴ Moreover, youth who live or attend school in neighborhoods with the highest density of tobacco outlets or retail tobacco advertising have higher smoking rates compared to youth who live or attend school in neighborhoods with fewer or no tobacco outlets.²⁵ Young adults living in neighborhoods with greater tobacco retail density initiate use of non-cigarette combustible tobacco products (e.g., cigars, cigarillos, hookah) and experiment with cigarettes more than young adults residing in neighborhoods with lower tobacco retail density.²⁶ And for current adult smokers, living less than 500 meters from a tobacco retailer significantly decreases their chances of quitting and remaining abstinent.²⁷

Similar trends are emerging with e-cigarettes.²⁸ Between 2015 and 2017, e-cigarette retail sales increased 70 percent (from \$775 million to \$1.3 billion),²⁹ and jumped again from 2017 to 2018 by 77 percent, which is largely attributed to the rapid uptake of JUUL.³⁰ Some 11 million adults use e-cigarettes daily,³¹ but use has reached epidemic levels among youth and younger adults.³² Between 2011 and 2015, e-cigarette use increased 900 percent among youth,³³ and today 20 percent of 18- to 29-year-olds use e-cigarettes regularly or occasionally.³⁴ This marked uptake

has been driven by a proliferation in flavored and menthol products,³⁵ which youth and young adults overwhelmingly prefer.³⁶

Advertising exposure is also a key factor, reducing concerns among teens about the harms and addictiveness of e-cigarettes and influencing use patterns.³⁷ In particular, retail-based advertising exposure is increasing among youth, even compared to other advertising channels, such as the Internet, television, and print media. Between 2014 and 2016, the percentage of middle and high school students exposed to retail advertising of e-cigarettes increased from 55 percent to 68 percent.³⁸ This advertising exposure predicts e-cigarette use among youth,³⁹ which often leads to subsequent and established cigarette smoking⁴⁰ and other substance abuse behaviors.⁴¹

Retail locations, including tobacco retailers, represent one important segment of the e-cigarette market, with the vast majority of tobacco retailers — over 90 percent in some states⁴² — now selling e-cigarettes.⁴³ However, an estimated 3,500 vape shops, or dedicated e-cigarette retailers, now operate in the U.S.,⁴⁴ driving a significant, and increasing, proportion of e-cigarette sales, in part because of their appeal as social lounges rather than traditional retailers.⁴⁵ E-cigarette retail locations also cluster near schools⁴⁶ and universities,⁴⁷ which results in easy access to e-cigarette among youth.⁴⁸ Vape shops also tend to be located in areas with tobacco retailer density⁴⁹ and to adopt marketing practices designed to appeal to youth and young adults, such as discounts, sampling and loyalty programs.⁵⁰ However, vape shops and other e-cigarette retailers have largely fallen outside state⁵¹ and federal regulation until only recently, when the U.S. Food and Drug Administration's deeming regulations took effect for e-cigarette retailers⁵² and the agency intensified its enforcement of minimum age laws for e-cigarette purchases.⁵³

Communities interested in regulating the quantity, location, or density of tobacco retailer locations have several options, including regulating the types of retailers that can sell tobacco products and where they can be located.

Policy Options and Efficacy

The following approaches could be used singly or in combination to limit the number of tobacco and e-cigarette retail outlets, control where they are located, and reduce retailer density within neighborhoods. Licensing and zoning laws are two approaches that allow jurisdictions to regulate how tobacco and e-cigarette retailers do business and where they can do business by conditioning the grant or renewal of a license or permit on the performance or non-performance of specific activities. One condition, used by some jurisdictions, is a cap on the number of licenses issued, which limits the number of tobacco and e-cigarette retailers



in a jurisdiction. For more information about stand-alone and multi-pronged policy options to regulate tobacco and e-cigarette retailers through licensing and zoning authority, please see the Consortium’s publication *Using Licensing and Zoning to Regulate Tobacco Retailers*.⁵⁴

- **Restrict the types of businesses that can sell tobacco, e-cigarettes, and related products:** Licensing laws are commonly applied to restrict tobacco and e-cigarette retail locations. In recent years, more jurisdictions have opted to set policy in this area,⁵⁵ and currently, 39 states and the District of Columbia have some type of tobacco retailer licensing law.⁵⁶ At this point, only 16 states and the District of Columbia require a retail license to sell e-cigarettes.⁵⁷ Stand-alone ordinances can also be used. One option is to replicate the approach some jurisdictions take with alcohol retailers and restrict tobacco and e-cigarette sales to specialty shops, which prohibit entrance by underage people.⁵⁸ Jurisdictions can also prohibit businesses or organizations with a principally social mission from operating as tobacco and e-cigarette retailers. For example, dozens of communities now prohibit pharmacies and other healthcare institutions from also operating as tobacco retailers.⁵⁹ Some have also extended this prohibition to educational institutions.⁶⁰ California and Massachusetts, two states with many municipalities with tobacco-free pharmacy laws,



experienced reductions in tobacco retailer density after the laws were enacted.⁶¹ Some national retail chains, including CVS and Target, voluntarily stopped selling tobacco products, which had a noticeable impact on overall cigarette sales in the U.S.⁶² However, many other retail chains continue to sell tobacco products while also operating pharmacies and/or on-site clinics.⁶³

- **Regulate where tobacco and e-cigarette retail outlets can be located:** Communities can restrict how close tobacco and e-cigarette retailers can be to each other, or to schools, or other areas frequented by children and adolescents.⁶⁴ Proximity restrictions to schools are not only supported by residents,⁶⁵ but effective strategies to limit youth access to tobacco and e-cigarette retailers. A 2015 study that examined proximity restrictions in North Carolina found that a statewide 500-foot minimum distance requirement between tobacco retailers would remove 1,640 outlets and reduce density by 22 percent, and a state-level 1000-foot near-school ban would remove 1,323 tobacco retailers and reduce density by 18 percent.⁶⁶ The study found similar reductions if the same policies were enacted at the county level, and even greater reductions — roughly 30 percent — when a near-school ban was combined with a pharmacy ban. Similarly, recent policy simulation research found politically-feasible combined policies can reduce tobacco retailer density more so than any single (even ambitious) policy.⁶⁷ Further, school proximity sales bans have shown particularly strong potential for reducing socioeconomic and racial disparities by reducing retailer density by 72 percent in the lowest income neighborhoods.⁶⁸ However, an important externality to consider is whether such spacing restrictions cause retailers to concentrate in certain areas outside of the prohibited areas.
- **Cap the number of tobacco and e-cigarette retailers in a defined area:** Communities can also limit the number of licenses issued for tobacco and e-cigarette retailers, which may also help address concerns about retailers concentrating in particular neighborhoods.⁶⁹ One option is to set a cap on the total number of licenses or permits that can be held within a jurisdiction, and require any prospective tobacco or e-cigarette retailer in excess of the cap to join a waiting list until an existing license becomes available. The second alternative also sets a total cap, but when a license is not renewed (for example, if a retailer closes or chooses to stop selling tobacco products), it is permanently retired, effectively reducing the overall number of licenses over time. Caps can be applied based on a geographic boundary, such as the City of Saint Paul's total cap of 242 retailers⁷⁰ or San Francisco's cap of 45 tobacco retailer permits for each of its 11 city districts.⁷¹ Another cap option is to use population density, which Philadelphia did for its 2017 law that established a cap of one tobacco retailer per 1,000 residents for each of its 18 districts.⁷²

Policy Elements

Well-crafted tobacco retailer location policies are explicit. They detail the specific restrictions used, implementation steps, and enforcement mechanisms. As a result, these policies are more likely to withstand legal challenges. Here are a few elements found in such policies:

- **Timely, community-specific findings and a clear statement of purpose:** Findings are brief statements of fact or statistics that outline the issue being addressed, support the need for the policy, and help clarify the policy goals. If data are available or can be collected about the density, location, and number of tobacco retailers within specific areas of a community, this information should be included to make the findings as relevant and strong as possible.
- **Statement of authority:** It may be useful to include either in the findings or in a separate provision of the law a clear, concise, and well-researched statement explaining the local government unit's authority to enact the law—whether the unit is a city council, board of health, or other local government entity. This statement could help avoid arguments that the local government lacks the authority to pass the law because of preemption, lack of home rule authority, or some other reason (see below).
- **Clear definitions and concise language:** Clearly define critical terms such as “tobacco product,” “health care institution,” or “educational institution.” Draft the definition of “tobacco product” to include a broad range of products such as flavored cigars, little cigars, spit/chewing tobacco, e-cigarettes, dissolvable tobacco products, flavored tobacco lozenges, and other emerging smokeless products.
- **Clear statement of how the law will be enforced:** The law should clearly describe the restrictions on tobacco and e-cigarette retail locations. The enforcement provision should state who or what department is responsible for enforcing the law. The penalties section of the policy should clearly identify when persons can be found in violation of the policy, and the penalties or fines imposed for first, second, and subsequent violations, as appropriate.
- **Well-planned implementation process:** Because any of these options are likely to affect existing retail outlets, a practical and well-thought out plan for implementation will be important. When setting a date for the policy to take effect, consider how much time the responsible authorities will need to establish the necessary procedures for implementation and enforcement, to notify affected businesses of their obligations under the policy, and for businesses to take the steps necessary to comply. Establish a process for publicizing the policy and educating the community about why it is needed and how it will be implemented, and include procedures for receiving, tracking, and following up on complaints.

Challenges

The tobacco industry and its allies have a history of challenging tobacco control measures in court, particularly with novel regulatory approaches. Although challenges to tobacco and e-cigarette retailer restrictions have not been very successful, tobacco companies have long sought to influence the retail industry and garner retailer support to oppose policy and regulation.⁷³ For example, the National Association of Tobacco Outlets, a trade association of tobacco retailers that launched in 2001 with funding from the tobacco industry, has increasingly focused on influencing local government policy.⁷⁴

Past cases indicate that limitations on the kinds of institutions or businesses that can operate as tobacco and e-cigarette retail outlets will be on solid legal footing so long as three conditions apply: (1) the jurisdiction has the authority to pass the law; (2) there is a rational basis for the restriction; and (3) the law applies uniformly to similar types of businesses (i.e., all stores with pharmacies, regardless of their size or type of inventory). In a series of lawsuits on First Amendment, Equal Protection, Due Process, and state law preemption grounds, the tobacco industry challenged a set of San Francisco laws that prohibited retailers with pharmacies from also serving as tobacco retail outlets.⁷⁵ These challenges were largely unsuccessful: the only successful case was an Equal Protection challenge brought by a drug store chain on the grounds that an exemption in the law for “big box” and grocery stores was unfair.⁷⁶ After the exemption was removed, however, the law was upheld.⁷⁷

Generally, jurisdictions considering options for restricting tobacco and e-cigarette retailer locations should consider the following legal issues:

- **Authority:** The governmental unit needs to have the power to enact the law. While states often have the power to pass these kinds of retailer restrictions, a local government’s authority to do so depends largely upon what authority a state has preserved for itself and what it has delegated to local governments through special legislation, home rule charters, or similar laws. Additionally, for local governments, it is important to assess whether local authority has been preempted by state law. Preemption occurs when a higher level of government (e.g., federal or state) eliminates or limits the authority of a lower level of government (e.g., state or local) to regulate a certain issue. Preemption is a frequent tobacco industry strategy. For example, the industry has pushed to include language in state youth access laws that could preempt local government authority to pass any tobacco control laws.⁷⁸ As noted above, the San Francisco law prohibiting stores with pharmacies from selling tobacco products was challenged as being preempted by state pharmacy



regulations.⁷⁹ Although this argument did not win in California, preemption arguments are jurisdiction-specific so there could be different outcomes in other states.

- **Existing businesses:** Regardless of the policy option chosen, part of the process should include an analysis of how the proposed restrictions would affect existing businesses whose location would be out of compliance. Drafters should fully understand the legal ramifications of placing restrictions on such businesses, and be prepared to address arguments that retailers have a vested property interest or rights in selling tobacco products at that location. Generally, a license to sell products is considered a privilege, not a right, but how courts treat licenses can vary across jurisdictions. Drafters may also wish to consider ways to implement the law that would mitigate the impact on existing businesses, such as by allowing staggered implementation dates.

In addition, communities should consider the limitations of tobacco retailer location restrictions and how such policies may fit within broader tobacco control strategies.⁸⁰

Select Legislation and Policies

The following examples of enacted policies illustrate how various jurisdictions have regulated tobacco and e-cigarette retailer location and density. The Tobacco Control Legal Consortium does not endorse or recommend any of these policies. We have included these examples simply to show how various jurisdictions have regulated tobacco retailer locations. A state or local government should ensure that any language adapted from the policies below is appropriate, practical, and legal for its jurisdiction.

Common Providers

Law	Excerpts from Law
<p>Jurisdiction: West Hollywood, CA</p> <p>Ordinance/Statute: <u>West Hollywood Municipal Code, Chapter 7.32, Tobacco Sales Near Schools</u></p>	<p>7.32.010 Purpose. It is the policy of the state of California to reduce smoking by young people.... The sale of tobacco in close proximity to schools frustrates the successful implementation of state policy by facilitating sales to young people who regularly congregate in the vicinity of and pass by these retailers on their way to and from their schools.... Although it is unlawful to sell tobacco products to minors, studies show that eight and six-tenths percent of California retailers surveyed do sell to minors.... The purpose of the ordinance codified in this chapter is to protect the health and welfare of the community by curtailing the grave public health consequences of early addiction to nicotine.</p> <p>...</p> <p>7.32.030 Tobacco Sales Near Schools Prohibited. It is unlawful to sell or dispense cigarettes or tobacco products within six hundred feet of any public or private school, measured from the nearest point of the property line of the school to the nearest of the property line of the tobacco retailer.</p> <p>...</p>
<p>Jurisdiction: Groton, CT</p> <p>Ordinance/Statute: <u>Groton Code of Ordinances, Chapter 8.5, Article III</u></p>	<p>Sec. 8.5-81. Findings. The Town of Groton finds:</p> <p>(1) G.S. §§ 53-344 and 53-344a make it unlawful for any person engaged in the manufacture of sale of cigarettes to sell, barter, give or deliver cigarettes to any individual under the age of 18 years; and</p> <p>(2) Cigarettes are the most heavily advertised consumer product in the United States and the tobacco industry spends more than \$8.24 billion on advertising and promotion of cigarettes; and</p>

Common Providers

Law	Excerpts from Law
<p>Jurisdiction: Groton, CT</p> <p><i>(continued)</i></p>	<p>(3) Connecticut medical costs related to treating smoking related diseases exceeds \$1 billion every year; and</p> <p>...</p> <p>(6) In Connecticut nearly one of every three high school students and 13 percent of middle school children used tobacco within the last 30 days; and</p> <p>(7) Every year, 12,000 Connecticut children become daily smokers; and</p> <p>(8) The average start smoking age in Connecticut is 11 years old; and</p> <p>(9) Current laws and regulations have proved ineffective and inadequate in preventing the illegal purchase of cigarettes by children under the age of 18 years, particularly from cigarette vending machines; and</p> <p>(10) G.S. § 12-289a(h) authorizes a town or municipality to ban or significantly restrict the placement of vending machines for cigarettes, tobacco or smokeless tobacco products.</p> <p>Sec. 8.5-82. Prohibited.</p> <p>No person shall dispense, or cause to be dispensed, cigarettes, tobacco or smokeless tobacco products from vending machines at any location within the town. A vending machine means a machine used for the purpose of automatically merchandising packaged cigarettes, tobacco or smokeless tobacco products after the proper amount of payment by the purchaser....</p> <p>...</p>

<p>Jurisdiction: Boston, MA</p> <p>Ordinance/Statute: <u>Boston Public Health Commission Regulation</u></p>	<p>Section I: Definitions</p> <p>...</p> <p>Health care institution: an individual, partnership, association, corporation or trust or any person or group of persons that provides health care services and employs health care providers licensed, or subject to licensing, by the Massachusetts Department of Health under M.G.L. c. 112. Health care institution includes hospitals, clinics, health centers, pharmacies, drug stores and doctors' and dentists' offices.</p> <p>...</p> <p>Educational institution: any public or private college, normal school, professional school, scientific or technical institution, university or other institution furnishing a program of higher education.</p>
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Common Providers

Law	Excerpts from Law
<p>Jurisdiction: Boston, MA</p> <p><i>(continued)</i></p>	<p>Retail establishment: any store that sells goods or articles of personal services to the public.</p> <p>Tobacco products: any substance containing tobacco leaf, including but not limited to cigarettes, cigars, pipe, tobacco, snuff, chewing tobacco and dipping tobacco.</p> <p>Section II: Prohibition Against the Sale of Tobacco Products by Health Care Institutions</p> <p>No health care institution located in the City of Boston shall sell or cause to be sold tobacco products. Additionally, no retail establishment that operates or has a health care institution within it, such as a pharmacy or drug store, shall sell or cause to be sold tobacco products.</p> <p>Section III: Prohibition Against the Sale of Tobacco Products by Educational Institutions</p> <p>No educational institution located in the City of Boston shall sell or cause to be sold tobacco products. This includes all educational institutions as well as any retail establishments that operate on the property of an educational institution.</p> <p>...</p>
<p>Jurisdiction: San Francisco, CA</p> <p>Ordinance/Statute: <u>Ordinance 259-14,</u> <u>Section 19H.4</u></p>	<p>SEC.19H.4. APPLICATION PROCEDURE: INSPECTION OF PREMISES; ISSUANCE AND DISPLAY OF PERMIT</p> <p>...</p> <p>(f) Grounds for Denial.</p> <p>...</p> <p>(3) No new permit shall be issued if the Applicant will be within 500 feet of the nearest point of the property line of a School as measured by a straight line from the nearest point of the property line on which a School is located to the nearest point of the property line on which the Applicant's Establishment will be located.</p> <p>(4) No new permit shall be issued if the Applicant will be located within 500 feet of the nearest point of the property line of an existing Establishment as measured by a straight line from the nearest point of the property line on which the Applicant's Establishment will be located to the nearest point of the property line of the existing Establishment.</p> <p>(5) No new permit shall be issued in any supervisorial district that has 45 or more Establishments with Tobacco Sales permits.</p>



Common Providers

Law

Excerpts from Law

Jurisdiction:
San Francisco, CA

(continued)

(6) No new permit shall be issued to any Applicant whose main purpose is offering food or alcoholic beverages for sale for consumption on the premises, including Bars and Restaurants.

(7) No new permit shall be issued to any Applicant for operation of a Tobacco Shop.

(8) No new permit shall be issued for a location not previously occupied by a permitted Establishment.

Other Helpful Resources

The Public Health Law Center has a webpage detailed to the tobacco retail environment and licensure, including publications that discuss tobacco point-of-sale policy options, including resources relating to licensing and zoning laws, retail sales restrictions, marketing and distribution restrictions, and preemption. For more information about how federal law impacts the retail environment, see the Consortium's publication *Federal Regulation of Tobacco and Its Impact on the Retail Environment*. In addition, the Consortium's publication, *Cause & Effect: Tobacco Marketing Increases Youth Tobacco Use*, summarizes findings from the 2012 U.S. Surgeon General's Report on Youth and Young Adult Tobacco Use, including findings related to how tobacco retailer location and density impact public health.

Contact Us

Please feel free to contact the Public Health Law Center's Tobacco Control Legal Consortium at publichealthlaw@wmitchell.edu with any questions about the information included in this guide or to discuss local concerns you may have about implementing such a policy.

This publication was prepared by the Public Health Law Center at Mitchell Hamline School of Law, St. Paul, Minnesota, made possible with funding from the Centers for Disease Control and Prevention.

The Public Health Law Center provides information and legal technical assistance on issues related to public health. The Center does not provide legal representation or advice. This document should not be considered legal advice.



Endnotes

- 1 Douglas Luke et al., *Tobacco Retail Policy Landscape: A Longitudinal Survey of US States*, 25 TOBACCO CONTROL (Supp. 1) i44–i51 (2016), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5099223>.
- 2 The promotion and sale of tobacco products online, particularly electronic cigarettes, has also markedly increased in recent years despite regulation and voluntary efforts by credit card companies, PayPal, and private shipping companies. While this remains an important issue for tobacco control policy, this document focuses on brick and mortar retail locations. For more information about online sales of tobacco products, see Tobacco Control Legal Consortium, *E-Cigarettes and Other Tobacco Products Online: Preventing Sales to Kids* (2016), <http://www.publichealthlawcenter.org/sites/default/files/resources/tclc-guide-online-tobacco-products-kids-2016.pdf>.
- 3 Richard J. Bonnie et al., Inst. of Med., *Ending the Tobacco Problem: A Blueprint for the Nation* (2007).
- 4 U.S. DEP'T OF HEALTH & HUMAN SERVS, PREVENTING TOBACCO USE AMONG YOUTH AND YOUNG ADULTS: A REPORT OF THE SURGEON GENERAL 545 (2012) [hereinafter 2012 U.S. Surgeon General's Report].
- 5 U.S. FED. TRADE COMM'N, FEDERAL TRADE COMMISSION CIGARETTE REPORT FOR 2016 (2018), https://www.ftc.gov/system/files/documents/reports/federal-trade-commission-cigarette-report-2016-federal-trade-commission-smokeless-tobacco-report/ftc-cigarette_report_for_2016_0.pdf.
- 6 *Id.*
- 7 *Id.*
- 8 Ellen C. Feighery et al., *Retailer Participation in Cigarette Company Incentive Programs is Related to Increased Levels of Cigarette Advertising and Cheaper Cigarette Prices in Stores*, 38 PREVENTIVE MED. 876–84 (2004).
- 9 Kurt Ribisl et al., *Disparities in Tobacco Marketing and Product Availability at the Point of Sale: Results of a National Study*, 105 PREVENTIVE MED. 381–88 (2017), <https://www.ncbi.nlm.nih.gov/pubmed/28392252>.
- 10 Lindsay Robertson et al., *A Systematic Review of the Impact of Point-of-Sale Tobacco Promotion on Smoking*, 17 NICOTINE & TOBACCO RES. 2–17 (2015), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4832971>.
- 11 2012 U.S. SURGEON GENERAL'S REPORT, *supra* note 4, at 543; see also Lisa Henriksen et al., *Is Adolescent Smoking Related to the Density and Proximity of Tobacco Outlets and Retail Cigarette Advertising Near Schools?*, 47 PREVENTATIVE MED. 210–12 (2008); William J. McCarthy et al., *Density of Tobacco Retailers Near Schools: Effects on Tobacco Use Among Students*, 99 AM. J. OF PUB. HEALTH 2006, 2011–2012 (2009); Sandy J. Slater et al., *The Impact of Retail Cigarette Marketing Practices on Youth Smoking Uptake*, 161 ARCH. PEDIATR. ADOLESC. MED. 440 (2007); Nina Schleicher et al., *Tobacco Outlet Density Near Home and School: Associations with Smoking and Norms Among Teens*, 91 PREVENTIVE MED. 287–93 (2016), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5065244>.
- 12 People are most likely to start smoking when they are 15 or 16 years old, and 88 percent of all adult daily smokers tried their first cigarette by the age of 18 years old. See, e.g., U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, *THE HEALTH CONSEQUENCES OF SMOKING — 50 YEARS OF PROGRESS: A REPORT OF THE SURGEON GENERAL* (2014), https://www.cdc.gov/tobacco/data_statistics/sgr/50th-anniversary/index.htm.
- 13 Kurt Ribisl et al., *supra* note 9.
- 14 Joseph J. Lee et al., *A Systematic Review of Neighborhood Disparities in Point-of-Sale Tobacco Marketing*, 105 AM. J. PUB. HEALTH e8–e18 (2015), <https://www.ncbi.nlm.nih.gov/pubmed/26180986>.
- 15 2012 U.S. SURGEON GENERAL'S REPORT, *supra* note 4, at 600.
- 16 Teenagers are an important customer segment for convenience stores, with 70 percent of adolescents shopping at them at least weekly. *Id.* at 543.



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March 11, 2026



Steven Wiley, Director of Planning & Development
City of Ashland
601 Main Street West
Ashland, WI 54806

Dear Director Wiley,

The American Lung Association is the oldest voluntary public health organization in the United States. One of our four strategic imperatives is to create a tobacco-free future, and tobacco retail ordinances are vital to that effort. I am writing regarding the zoning ordinance currently being written that would restrict where tobacco retailers, including vape shops, can be located.

Tobacco remains the leading cause of preventable death and disease in America, killing 480,000 people each year. In addition, 16 million Americans live with a tobacco-related disease. While smoking rates are at a low in the state, not every population has seen great progress. And it continues to be an uphill battle for public health. The tobacco industry spends \$156.7 million **annually** to market their products in Wisconsin. Over 90% of all tobacco companies' marketing budget is spent at the retailers, because the presence of point-of-sale advertising increases the risk of young people taking up smoking, encourages impulse purchases of tobacco products, triggers cravings, and undermines quit attempts. The marketing of these products goes hand-in-hand with the number of retailers in our communities. A study of tobacco product retailers in 30 cities in 2021 found that there are 31 times more tobacco retailers than McDonalds and 16 times more retailers than Starbucks.

The zoning ordinance Ashland is considering both restricts the distance new stores must be from a school, park, playground, library, or childcare center, and also places a per-capita limit on the number of businesses. These represent excellent strategies to prioritize the health of our communities by reducing the proximity of tobacco retailers especially to children and teenagers.

The presence of tobacco retailers can undermine a community's ability to establish tobacco-free social norms by increasing exposure and accessibility to tobacco products, including e-cigarettes or vapes. Proximity to tobacco retailers is associated with higher smoking rates and can reduce the success of those trying to quit. Conclusions across studies reveal that lower levels of tobacco retailer density and decreased proximity are associated with lower tobacco use.

We know that the continued tobacco industry targeting of kids, people of color, and low-income communities impacts the usage in our state. This ordinance will be an important step forward to address tobacco use, and will help to move us towards greater health equity and social justice. Thank you for your consideration and please let me know if I can be a resource to you on this issue.

Sincerely,

A handwritten signature in cursive script that reads "Molly Collins".

Molly Collins
Advocacy Director for Wisconsin
262-395-1700 | Molly.Collins@Lung.org



3/11/26

Dear Mr. Wiley and Members of the Planning & Zoning Commission,

I am writing in support of the proposed zoning ordinance regulating the location and density of tobacco, e-cigarette, and vape businesses in the City of Ashland.

As Program Director of SPARK, I work daily with Ashland teens. I see firsthand how nicotine products — especially flavored vapes — find their way into young people's lives. Distance matters. When these products are harder to access and less visible, young people are less likely to start.

This ordinance is measured and reasonable. It applies only to new businesses, keeps retailers away from schools, parks, libraries, and childcare centers, and ties the number of licenses to our actual population. That is good, common-sense land use policy.

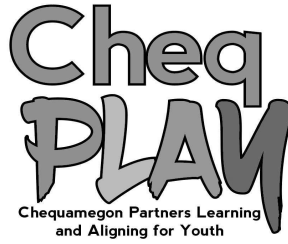
I also want to encourage the Commission to consider including nicotine pouches and synthetically derived nicotine products in the final definition language. Products like Zyn are heavily marketed to young people and are already on shelves at many Ashland retailers. A strong definition now prevents gaps later.

Thank you for the opportunity to weigh in. I support this ordinance and hope to see it move forward.

Respectfully,

A handwritten signature in black ink that reads "Scott Griffiths". The signature is fluid and cursive, with a long horizontal stroke at the end.

Scott Griffiths
Program Director, SPARK
Ashland County Health and Human Services
scott.griffiths@ashlandcountywi.gov



(formerly Planet Youth Chequamegon)

March 12, 2026

To whom it may concern,

I coordinate CheqPLAY, a cross-sector community coalition working to make the Chequamegon Bay region a great place to grow up. Our coalition brings together schools, parks and recreation, the library, health services, law enforcement, families, and young people — all focused on the conditions that help kids thrive.

We support the proposed ordinance regulating tobacco, e-cigarette, and vape businesses in Ashland.

The places kids move through every day — parks, sidewalks, the routes between school and home — shape what feels normal to them. When vape products are visible and accessible in those spaces, it sends a message. This ordinance sends a different one: that Ashland takes seriously what kind of community it wants to be for young people.

This is exactly the kind of policy our coalition works alongside. It is not about restricting existing businesses. It is about being intentional as our community grows.

We hope the Commission will move this forward.

With appreciation,

Rachel Coughtry
Coalition Coordinator, CheqPLAY
<http://cheqplay.org>

Chequamegon Partners Learning and Aligning for Youth

Serving Ashland, Bad River, and the broader Chequamegon Bay region

Administered through SPARK / Ashland County Health and Human Services — Ashland, Wisconsin

A good place to grow up.

Amendment Creating Unified Development Ordinance (UDO) Part 5 Section J-1 “Moratorium on the Creation of new Rehabilitation Centers/Transitional Living facilities in the City of Ashland” in the City of Ashland Unified Development Ordinance

WHEREAS, Wisconsin Statutes 62.11(5) provides that, except as elsewhere specifically provided in the statutes, the Common Council is vested with all the powers of a local, legislative and administrative character; and

WHEREAS, Wisconsin Statutes 62.23 authorizes the Common Council to adopt regulations to promote the public health, safety, and general welfare, to encourage planned and orderly land use development; to protect property values and the property tax base; and

WHEREAS, City of Ashland residents and property owners have expressed concerns about the importance of preserving property values that could be affected by the creation of new Rehabilitation Centers/Transitional Living facilities in the City; and

WHEREAS, there is a need for sufficient time to determine whether amendments to the City of Ashland Unified Development Ordinance are necessary to adequately encourage planned and orderly land use development; to protect values and the property tax base; and

WHEREAS, it is deemed to be in the best interest of the City of Ashland to create Section 5(J)(1) “Moratorium on the Creation of new Rehabilitation Centers/Transitional Living facilities in the City of Ashland under Chapter 781 “Unified Development Ordinance,” Municipal Code, City of Ashland, Wisconsin; and

WHEREAS, it is deemed to be in the best interest of the City of Ashland that the Unified Development Ordinance, City of Ashland, Wisconsin be further modified and amended in the manner hereinafter set forth.

NOW THEREFORE, the City of Ashland Common Council does hereby ordain as follows:

Section 1. UDO Section 5(J)(1) [Moratorium on the Creation of new Rehabilitation Centers/Transitional Living facilities in the City of Ashland] of Chapter 781, the [Unified Development Ordinance] of the Municipal Code, City of Ashland, Wisconsin is hereby created to read as follows:

5(J)(1) Moratorium on the Creation of new Rehabilitation Centers/Transitional Living facilities in the City of Ashland

- (a) **Authority.** This ordinance is adopted pursuant to the powers granted under the Wisconsin Constitution, and Wisconsin Statutes including but not limited to Sections 62.11(5) and 62.23.
- (b) **Title and Purpose.** The title of this ordinance is the Moratorium on the Creation of new Rehabilitation Centers/Transitional Living facilities in the City of Ashland.

The purpose of this ordinance is to allow the City of Ashland to impose a moratorium providing adequate time to study, review, consider, and determine whether amendments to the Unified Development Ordinance or other ordinances are necessary to adequately encourage planned

and orderly land use development; to protect property values and the property tax base in the City of Ashland.

- (c) **Adoption.** This ordinance, adopted by a majority vote of the City of Ashland Common Council with a quorum present and the proper notice having been given, provides for the imposition of a moratorium on the creation of new Rehabilitation Centers/Transitional Living facilities. The moratorium does not apply to Rehabilitation Centers/Transitional Living facilities legally established prior to the adoption of this ordinance.
- (d) **Moratorium Imposed.** The City of Ashland Common Council hereby imposes a moratorium on the creation of new Rehabilitation Centers/Transitional Living facilities in the City of Ashland. The moratorium does not apply to Rehabilitation Centers/Transitional Living facilities legally established prior to the adoption of this ordinance.
- (e) **Duration of Moratorium.** This moratorium shall be in effect for a period of twelve months from the date that this ordinance is passed by the Common Council unless the Common Council rescinds this moratorium at an earlier date, or until the Common Council adopts amendments to the City of Ashland Municipal Code, creates new ordinances, or rescinds this moratorium. This moratorium may be extended for up to six more months by a majority vote of the City of Ashland Common Council.

Section 2. Except as specifically modified and amended by this ordinance, the City of Ashland Municipal Code including the Unified Development Ordinance shall remain in force and effect exactly as originally adopted and previously amended. All ordinances or parts of ordinances inconsistent with or in conflict with the provisions of this ordinance are hereby repealed.

Section 3. SEVERABILITY. If a court of competent jurisdiction adjudges any section, clause, provision, or portion of this ordinance unconstitutional or invalid, the remainder of this ordinance shall not be affected thereby.

Section 4. EFFECTIVE DATE. This ordinance shall take effect and be in full force from and after its passage.



Violation Type Stat Report YTD

Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	January 5, 2026	Ray Kallio	Open/In Violation	Snow covered sidewalk. Left door tag and sending letter.	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.		201022300000	306 6TH ST W



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	January 5, 2026	Ray Kallio	Open/In Violation	Snow covered sidewalks	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.		201022230000	312 6TH ST W



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	January 5, 2026	Ray Kallio	Open/In Violation	Snow covered sidewalks	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.		201024900000	802 3RD AVE E



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	January 6, 2026	Ray Kallio	Closed/Resolved	Snow covered sidewalks. Left door tag and sending letter.	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.	February 12, 2026	201045020000	516 6TH ST W



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	January 6, 2026	Ray Kallio	Closed/Resolved	Snow covered sidewalks found.	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.	January 21, 2026	201045060000	606 6TH ST W



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	January 7, 2026	Ray Kallio	Open/In Violation	Snow covered sidewalks that have not been cleared all winter.	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.		201-00066-0000	1318 LAKE SHORE DR W



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	January 7, 2026	Ray Kallio	Open/In Violation	Snow covered sidewalks. Have not been cleared all year.	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.		201000660200	1400 LAKE SHORE DR W



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	January 7, 2026	Ray Kallio	Open/In Violation	Snow covered sidewalks that haven't been cleared all year.	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.		201047270000	522 SANBORN AVE



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	January 8, 2026	Ray Kallio	Closed/Resolved	Snow covered sidewalks	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.	January 9, 2026	20101254000	521 LAKE SHORE DR E



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	January 8, 2026	Ray Kallio	Closed/Resolved	Snow covered sidewalks found on 1/8/2026	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.	January 29, 2026	201002380000	1104 3RD ST W



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	January 8, 2026	Ray Kallio	Closed/Resolved	Car parts laying in the yard.	Property Maintenance - Public Nuisance	Section 750, B. Clean, Safe, Sanitary, and Attractive Maintenance of Exterior Property (11) Miscellaneous Storage - Storing of prohibited items outdoors in violation of the Property Maintenance Ordinance.	February 4, 2026	201044570000	817 9TH AVE W



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	January 8, 2026	Ray Kallio	Closed/Resolved	Snow covered sidewalk	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.	January 29, 2026	201044610000	801 9TH AVE W



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	January 9, 2026	Ray Kallio	Closed/Resolved	Vehicle parked on sidewalk	Property Maintenance - Public Nuisance	Section 530.10 Prohibited Acts (b) Parking of motorized vehicles of any type on, or over, a City sidewalk unless for purposes of temporary loading, or unloading, or specific vehicles permitted by Municipal Code.	January 20, 2026	201026510000	923 2ND AVE E



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	January 12, 2026	Ray Kallio	Closed/Resolved	Ice covered sidewalk. Dangerous conditions.	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.	January 15, 2026	201016470000	110 MAIN ST W



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	January 12, 2026	Ray Kallio	Open/In Violation	Snow covered sidewalks	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.		201017010000	309 3RD AVE E



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	January 12, 2026	Ray Kallio	Open/In Violation	Snow covered sidewalks	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.		201017000000	311 3RD AVE E



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	January 12, 2026	Ray Kallio	Closed/Resolved	Snow covered sidewalks	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.	February 12, 2026	2010169900	315 3RD AVE E



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	January 13, 2026	Ray Kallio	Closed/Resolved	Snow covered sidewalk. Not cleared all year.	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.	January 29, 2026	201025710000	801 VAUGHN AVE



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	January 13, 2026	Ray Kallio	Closed/Resolved	snow covered sidewalk. Sidewalk cleared of snow	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.	February 12, 2026	20100448000	509 17TH AVE W



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	January 13, 2026	Ray Kallio	Closed/Resolved	Snow covered sidewalk. Sidewalk with cleared of snow case closed	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.	February 12, 2026	20100449000	507 17TH AVE W



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	January 14, 2026	Ray Kallio	Closed/Resolved	Tires stored outside.	Property Maintenance - Public Nuisance	Section 750, B. Clean, Safe, Sanitary, and Attractive Maintenance of Exterior Property (11) Miscellaneous Storage - Storing of prohibited items outdoors in violation of the Property Maintenance Ordinance.	February 2, 2026	201025720000	508 8TH ST W



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	January 15, 2026	Ray Kallio	Closed/Resolved	Tires and debris outside. Items removed 2/4/2026	Property Maintenance - Public Nuisance	Section 750, B. Clean, Safe, Sanitary, and Attractive Maintenance of Exterior Property (11) Miscellaneous Storage - Storing of prohibited items outdoors in violation of the Property Maintenance Ordinance.	February 4, 2026	201019230000	409 PRENTICE AVE



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	January 15, 2026	Ray Kallio	Closed/Resolved	Miscellaneous storage violation. Items removed. Case closed.	Property Maintenance - Public Nuisance	Section 750, B. Clean, Safe, Sanitary, and Attractive Maintenance of Exterior Property (11) Miscellaneous Storage - Storing of prohibited items outdoors in violation of the Property Maintenance Ordinance.	February 5, 2026	201021870000	623 2ND AVE E



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	January 16, 2026	Ray Kallio	Friendly Reminder	snow fence	Property Maintenance - Public Nuisance	Courtesy Notice		2010277700	1016 4TH AVE W
	January 20, 2026	Ray Kallio	Closed/Resolved	Car has been parked on sidewalk frequently. Car removed. Case closed.	Property Maintenance - Public Nuisance	Section 530.10 Prohibited Acts (b) Parking of motorized vehicles of any type on, or over, a City sidewalk unless for purposes of temporary loading, or unloading, or specific vehicles permitted by Municipal Code.	February 5, 2026	2010158500	622 MAIN ST E



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	January 21, 2026	Ray Kallio	Closed/Resolved	Snow covered sidewalks	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.	February 16, 2026	201016030000	202 PRENTICE AVE



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	January 21, 2026	Ray Kallio	Closed/Resolved	Snow covered sidewalks snow has been removed.	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.	February 16, 2026	2010136000	511 MAIN ST E



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	January 22, 2026	Ray Kallio	Closed/Resolved	Snow covered sidewalk. Sidewalk was brought back into compliance 2/3/2026	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.	February 3, 2026	2010264400	111 10TH ST E



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	January 26, 2026	Ray Kallio	Closed/Resolved	Snow covered sidewalk	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.	February 16, 2026	201020720000	514 11TH AVE E



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	January 26, 2026	Ray Kallio	Closed/Resolved	Snow covered sidewalks	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.	February 24, 2026	201014200000	117 11TH AVE E



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	January 26, 2026	Ray Kallio	Closed/Resolved	Snow covered sidewalks	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.	March 2, 2026	201014270000	102 11TH AVE E



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	January 26, 2026	Ray Kallio	Closed/Resolved	Snow covered sidewalks	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.	February 12, 2026	201014260000	110 11TH AVE E



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	January 26, 2026	Ray Kallio	Closed/Resolved	Snow covered sidewalk. Sidewalk was cleared February 3rd 2026	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.	February 3, 2026	2010103000	411 ST CLAIRE ST



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	January 26, 2026	David Garrington	Pending	test	Code Enforcement	Noise		test123	This is a test parcel record
	January 27, 2026	Ray Kallio	Closed/Resolved	Snow covered sidewalks	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.	February 12, 2026	201003640000	417 9TH AVE W



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	January 27, 2026	Ray Kallio	Closed/Resolved	Snow covered sidewalks	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.	January 29, 2026	201006840000	503 9TH AVE W



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	January 27, 2026	Ray Kallio	Closed/Resolved	Snow covered sidewalks	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.	February 16, 2026	201020330000	520 7TH AVE E



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	January 27, 2026	Ray Kallio	Closed/Resolved	Snow covered sidewalks	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.	February 23, 2026	201044050000	723 MACARTHUR AVE



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	January 27, 2026	Ray Kallio	Closed/Resolved	Snow covered sidewalks	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.	February 23, 2026	201038610000	1121 MACARTHUR AVE



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	January 27, 2026	Ray Kallio	Open/In Violation	Snow covered sidewalks	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.		20102199000	619 ELLIS AVE



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	January 27, 2026	Ray Kallio	Open/In Violation	Snow covered sidewalks need to be shoveled and maintained.	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.		201022010000	607 ELLIS AVE



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	January 27, 2026	Ray Kallio	Open/In Violation	Snow covered sidewalks	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.		201022020000	605 ELLIS AVE



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	January 26, 2026	Ray Kallio	Closed/Resolved	Snow covered sidewalks. Sidewalk was cleared of snow February 3rd 2026. Case closed.	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.	February 3, 2026	201012420000	614 ST CLAIRE ST



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	January 26, 2026	Ray Kallio	Closed/Resolved	Snow covered sidewalks. Sidewalk was cleared of snow case closed.	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.	February 3, 2026	201012410000	616 ST CLAIRE ST



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	January 28, 2026	Ray Kallio	Closed/Resolved	Snow covered sidewalks	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.	January 29, 2026	201012580000	502 ST CLAIRE ST



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	January 29, 2026	N/A	Closed/Resolved	Snow covered sidewalks. Snow removed 2/4/2026	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.	February 4, 2026	201019211000	421 PRENTICE AVE



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	January 29, 2026	Ray Kallio	Closed/Resolved	Snow covered sidewalk and porch steps. Property was brought back into compliance	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.	February 12, 2026	201019140000	402 PRENTICE AVE



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	January 29, 2026	Ray Kallio	Open/In Violation	Snow Violation	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.		201017120000	Vacant (No Address)



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	January 30, 2026	Ray Kallio	Closed/Resolved	Snow covered sidewalks. Snow removed 3/4/26	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.	February 4, 2026	201017080000	312 3RD AVE E



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	January 30, 2026	Ray Kallio	Closed/Resolved	Snow covered sidewalks	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.	March 4, 2026	201006120000	801 BEASER AVE



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	January 30, 2026	Ray Kallio	Closed/Resolved	Snow covered sidewalks	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.	February 16, 2026	2010171000	302 3RD AVE E



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	February 2, 2026	Ray Kallio	Closed/Resolved	Snow covered sidewalk found. Left door tag and sending letter.	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.	February 23, 2026	201018580000	410 STUNTZ AVE



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	February 2, 2026	Ray Kallio	Open/In Violation	Snow covered sidewalk. Issued letter and sent door tag.	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.		201023460000	211 8TH ST E



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	February 2, 2026	Ray Kallio	Open/In Violation	Found snow covered sidewalk. Sending letter and left door tag.	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.		201023470000	209 8TH ST E



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	February 2, 2026	Ray Kallio	Closed/Resolved	Snow covered sidewalk found. Left door tag and sending violation letter. Sidewalk was cleared 2/3/26	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.	February 3, 2026	2010215900	619 5TH AVE E



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	February 2, 2026	Ray Kallio	Closed/Resolved	Snow covered sidewalk found. Left door tag and sent letter.	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.	February 11, 2026	2010239000	701 5TH AVE E



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	February 3, 2026	Ray Kallio	Final notice sent	Refrigerator and cabinet found in yard in front of the garage.	Property Maintenance - Public Nuisance	Section 750, B. Clean, Safe, Sanitary, and Attractive Maintenance of Exterior Property (11) Miscellaneous Storage - Storing of prohibited items outdoors in violation of the Property Maintenance Ordinance.		201036720000	609 14TH AVE E



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	February 10, 2026	Ray Kallio	Open/In Violation	Tires stored outside. Not on rims.	Property Maintenance - Public Nuisance	Section 750, B. Clean, Safe, Sanitary, and Attractive Maintenance of Exterior Property (11) Miscellaneous Storage - Storing of prohibited items outdoors in violation of the Property Maintenance Ordinance.		201046870000	Vacant (No Address)



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	February 10, 2026	Ray Kallio	Closed/Resolved	Tire not on rim stored outside. I stopped in and talked to the manager to have it removed. Tire was removed.	Property Maintenance - Public Nuisance	Section 750, B. Clean, Safe, Sanitary, and Attractive Maintenance of Exterior Property (11) Miscellaneous Storage - Storing of prohibited items outdoors in violation of the Property Maintenance Ordinance.	February 12, 2026	2010474500	2300 LAKE SHORE DR W



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	February 11, 2026	Ray Kallio	Open/In Violation	Numerous toys in yard and trying to giveaway items on snow bank.	Property Maintenance - Public Nuisance	Section 750, B. Clean, Safe, Sanitary, and Attractive Maintenance of Exterior Property (11) Miscellaneous Storage - Storing of prohibited items outdoors in violation of the Property Maintenance Ordinance.		201022110000	600 3RD AVE W



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	February 11, 2026	Ray Kallio	Closed/Resolved	Snow covered sidewalk. Post office complaint.	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.	March 2, 2026	201010310000	413 ST CLAIRE ST



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	February 11, 2026	Ray Kallio	Open/In Violation	Snow covered sidewalk has not been cleared all year.	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.		201010290000	Vacant (No Address)



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	February 16, 2026	Ray Kallio		Garage full of miscellaneous junk and debris. No garage door on garage. Items in public view.	Property Maintenance - Public Nuisance	Section 750, B. Clean, Safe, Sanitary, and Attractive Maintenance of Exterior Property (11) Miscellaneous Storage - Storing of prohibited items outdoors in violation of the Property Maintenance Ordinance.		201004370000	522 16TH AVE W



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	February 16, 2026	Ray Kallio	Closed/Resolved	Created with wrong address	Property Maintenance - Public Nuisance	Section 750, B(21)(a)(7) Use of a vehicle or trailer for storage of goods in violation of Property Maintenance Ordinance.	February 16, 2026	201011640000	1402 LAKE SHORE DR E
	February 16, 2026	Ray Kallio		Unregistered vehicle used for storage of junk and debris	Property Maintenance - Public Nuisance	Section 750, B.(21)(a)(3) (a) Parking or storage of unregistered, unlicensed, or inoperable vehicles outdoors or in public view in violation of Property Maintenance Ordinance.		201011690000	1319 FRONT ST E



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	February 17, 2026	Ray Kallio	Open/In Violation	Appliances outside behind the garage	Property Maintenance - Public Nuisance	Section 750, B. Clean, Safe, Sanitary, and Attractive Maintenance of Exterior Property (11) Miscellaneous Storage - Storing of prohibited items outdoors in violation of the Property Maintenance Ordinance.		201035690000	2107 5TH ST E



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	February 18, 2026	Ray Kallio		Mattresses and debris behind building	Property Maintenance - Public Nuisance	Section 750, B. Clean, Safe, Sanitary, and Attractive Maintenance of Exterior Property (11) Miscellaneous Storage - Storing of prohibited items outdoors in violation of the Property Maintenance Ordinance.		201015720000	712 MAIN ST E



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	February 20, 2026	Ray Kallio	Open/In Violation	Tires stored outside.	Property Maintenance - Public Nuisance	Section 750, B. Clean, Safe, Sanitary, and Attractive Maintenance of Exterior Property (11) Miscellaneous Storage - Storing of prohibited items outdoors in violation of the Property Maintenance Ordinance.		201024940000	805 PRENTICE AVE



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	February 20, 2026	Ray Kallio	Open/In Violation	Tire and muffler stored outdoors	Property Maintenance - Public Nuisance	Section 750, B. Clean, Safe, Sanitary, and Attractive Maintenance of Exterior Property (11) Miscellaneous Storage - Storing of prohibited items outdoors in violation of the Property Maintenance Ordinance.		201024920000	817 PRENTICE AVE



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	February 23, 2026	Ray Kallio	Open/In Violation	Snow covered sidewalks	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.		201015210000	220 11TH AVE E



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	February 23, 2026	Ray Kallio	Open/In Violation	Snow covered sidewalk	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.		2010186000	402 STUNTZ AVE



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	February 23, 2026	Ray Kallio	Open/In Violation	Snow covered sidewalk	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.		201018590000	408 STUNTZ AVE



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	February 24, 2026	Ray Kallio	Open/In Violation	Tires along side of house without rims.	Property Maintenance - Public Nuisance	Section 750, B. Clean, Safe, Sanitary, and Attractive Maintenance of Exterior Property (11) Miscellaneous Storage - Storing of prohibited items outdoors in violation of the Property Maintenance Ordinance.		2010060900	822 15TH AVE W



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	February 24, 2026	Ray Kallio	Open/In Violation	Snow covered sidewalk.	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.		201010770000	601 ST CLAIRE ST



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	March 2, 2026	Ray Kallio	Open/In Violation	Snow and ice covered sidewalk.	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.		201030710000	1001 9TH AVE W



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	March 2, 2026	Ray Kallio	Open/In Violation	Snow and ice covered sidewalks	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.		201038330000	1023 CHAPPLE AVE



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	March 2, 2026	Ray Kallio	Open/In Violation	Snow and ice covered sidewalk	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.		201010410000	503 ST CLAIRE ST



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	March 2, 2026	Ray Kallio	Open/In Violation	Storage of junk and debris in yard and in vehicle and trailers.	Property Maintenance - Public Nuisance	Section 750, B(21)(a)(7) Use of a vehicle or trailer for storage of goods in violation of Property Maintenance Ordinance.		2010037500	518 11TH AVE W
	March 2, 2026	Ray Kallio	Open/In Violation	Snow and ice covered sidewalk	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.		2010246600	800 5TH AVE E



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	March 3, 2026	N/A	Open/In Violation	Snow and ice covered sidewalks	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.		201012610000	407 LAKE SHORE DR E



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	March 3, 2026	Ray Kallio	Open/In Violation	Ice covered sidewalk	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.		201022140000	615 2ND AVE W



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	March 3, 2026	Ray Kallio	Open/In Violation	Snow and ice covered sidewalk	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.		201021580000	602 PRENTICE AVE



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	March 3, 2026	Ray Kallio	Open/In Violation	Snow and ice covered sidewalks	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.		201021970000	602 2ND AVE W



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	March 3, 2026	Ray Kallio	Open/In Violation	Snow and ice covered sidewalk	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.		201022130000	619 2ND AVE W



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	March 3, 2026	Ray Kallio	Open/In Violation	Ice and snow covered sidewalks	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.		201022150000	609 2ND AVE W



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	March 3, 2026	Ray Kallio	Open/In Violation	Snow and ice covered sidewalks	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.		201022160000	601 2ND AVE W



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	March 4, 2026	Ray Kallio	Open/In Violation	Ice covered sidewalk	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.		201021370000	610 6TH ST E



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	March 4, 2026	Ray Kallio	Open/In Violation	Ice covered sidewalk	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.		201001870000	200 11TH AVE W



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	March 4, 2026	Ray Kallio	Open/In Violation	Ice covered sidewalk	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.		20104366000	609 MACARTHUR AVE



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	March 4, 2026	Ray Kallio	Open/In Violation	Ice covered sidewalks	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.		201043670000	605 MACARTHUR AVE



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	March 4, 2026	Ray Kallio	Open/In Violation	Ice covered sidewalks	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.		201017540000	313 7TH AVE E



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	March 4, 2026	N/A	Open/In Violation	Ice covered sidewalk	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.		201005390000	1208 6TH ST W



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	March 4, 2026	Ray Kallio		Ice covered sidewalk	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.		201015850000	622 MAIN ST E



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	March 5, 2026	Ray Kallio		Ice covered sidewalk	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.		201026300000	919 2ND AVE W



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	March 4, 2026	Ray Kallio	Open/In Violation	Ice covered sidewalk	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.		201026290000	923 2ND AVE W



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	March 4, 2026	Ray Kallio	Open/In Violation	Ice covered sidewalks	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.		201029820000	813 11TH AVE W



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	March 4, 2026	Ray Kallio	Open/In Violation	Ice covered sidewalks	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.		201005370000	1200 6TH ST W



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	March 4, 2026	Ray Kallio	Open/In Violation	Ice covered sidewalks	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.		201002510000	300 BEASER AVE



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	March 5, 2026	Ray Kallio	Open/In Violation	Ice covered Sidewalks	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.		201001620000	1208 MAIN ST W



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
	March 3, 2026	Ray Kallio	Open/In Violation	Ice covered sidewalk	Property Maintenance - Public Nuisance	Section 530.09 Winter Sidewalk Maintenance - Failure to remove snow from the public sidewalk(s) within 48 hours after a snowfall of two (2) inches or greater.		201001630000	1220 MAIN ST W



Vehicle Number	Violation Date	Inspector	Violation Status	Violation Description	Violation Type	Violation Subtype	Closed Date	Parcel Number	Violation Location
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Violations

PERMIT SENT	FEE/PAID	Pay RQST	SS	ZNG	#	APP DATE	ISSUE DATE	ADDRESS/PARCEL	TYPE	OWNER/APPLICANT	CONTRACTOR	VALUE	Description of Work	Task/Notes/Status
✓	\$8,904.31	✓	✓	✓	260013	2/4/2026	2/12/2026	1615 Maple LN	COM - MMC PAB Addition/Remodel	Logan Clark	Market & Johnson	\$21,982,037	A 28,000 sq. ft. addition onto AMC's existing PAB building. Interior Remodeling to existing building. Reoriented and expanded parking lot around exterior of new addition.	
✓ SW	\$44,080.00	✓	✓	✓	260020	1/30/2026	2/6/2026	400 Beaser Ave	COM - New Build (Bay Vue Apartments)	BAY VUE APARTMENTS LLC - Vision, Inc	Northwest Builders, INC? (Rice Lake)	SW - based on SF area. Parking lot included in that.	Construct a 151-unit apartment building to include the site work at 400 Beaser Avenue. The site work will include a new parking lot, landscaping, and utilities. See the state approved plans for further details.	
✓	\$50.00	✓	✓	✓	260021	2/5/2026	2/9/2026	2101 Lakeshore Dr E	COM - Accessory (Culvers Drive-thru Canopies)	Lora Trent	Brittni Rossard (McCon)	\$8,000	Installation of two order canopy systems on the drive-thru lanes (One existing lane, one new lane). This permit is contingent upon the owner or contractor providing our office with a detailed construction work schedule, before any work is commenced.	
✓	\$1,085.00	✓	✓	✓	260022	2/4/2026	2/8/2026	715 Ellis Ave	RES - Remodel	KAMMANN MELISSA BETH	Paul Davis Restoration of the Northland	\$217,000	Removing existing water damaged materials. Remodel of interior including: Drywall, paneling, insulation and finishing, ceilings, light and electrical fixtures, flooring and underlayment, doors, plumbing fixtures and water lines, cabinets, heating. This approval is contingent upon the following: 1) The contractor or owner must provide our office with a detailed work schedule, before any work commences. 2) Please provide us with the Project Superintendent's name and contact information.	
✓	\$330.00	✓	✓	✓	260023	2/15/2026	2/20/2026	707 15th Ave W	RES - Remodel	William Pearce	Tyler Pearce (Son)	\$80,000	New roof and interior remodel. This permit is contingent upon: 1) Any electrical and plumbing work needs to be done by a "properly credentialed" person: a licensed WI-contractor or the homeowner. 2) Please furnish our office with a construction work schedule before work begins (other than current demo).	
✓	\$50.00	✓	✓	✓	260024	2/6/2026	2/11/2026	608 9th Ave W	COM - (4 units) Egress stair landing	James Pagac	Homeowner	500 (x2) = \$1,000.00 (did not include labor)	Install treated deck boards on existing exit landing. Replace existing railing on landing. Reinforce existing framing. Replace existing landing roof with new roof. This permit is contingent upon the following: 1) A graspable handrail must be installed on the existing stairway leading up to the second level, along with a guard rail system so that a 4" diameter object cannot pass through it. 2) The commercial building code must be followed (IBC) .	fee doubled

					260025	2/11/2026		501 Lakeshore Dr E	COM - Impervious parking surface	Dairy Queen	Angelo Luppino, Inc. (Kiera)	\$21,000	Remove old blacktop, grade, and compact. Lay hot mix asphalt 2-1/2" compacted	Requested new site plan with addt'l info. Talked to Marc 2-16. Will get me updated site plan week of Feb16
✓	\$50.00	✓	✓	✓	260026	2/12/2026	2/16/2026	423 3rd St E	RES - Entry Door	Kate Bendzick	Renewal by Andersen	\$5,500	Remove and replace existing entry door, insulate around frame and trim interior and exterior.	
✓	\$50.00	✓	✓	✓	260027	2/12/2026	2/20/2026	210 5th Ave E	COM - Chequamegon	Sharon Campbell		\$15,000	Storage shed provided by Marengo Valley sheds, 14' x 24'. To be delivered and placed on site in Spring when weather permits.	
✓	X	X	✓	✓	260028	2/11/2026	2/17/2026	201-02693-0000	DEMO/MOVING Permit	COA	COA	NA	City will be removing all infrastructure from Penn Park including - fencing, bleachers, dugouts, scoreboard and storage building (approx 500 sq ft). The City will be moving a concession stand, roughly 110 sq ft, from Penn Park to be stored at the City Garage at 2020 6th St E for an undetermined amount of time, until it can be used elsewhere. Currently the stand is serviced by water and electric, which will be removed/capped before moving.	Requested addt'l info from David
	\$50.00				260029	2/9/2026		208 36th Ave E	RES - Accessory	Mike Hantulla	Homeowner		16 x 24 (+/-) accessory structure placed on south side of driveway on graded, gravel pad. Must be set back 21-feet from property line (37-feet from curb).	Came in 2-13 ; Waiting for final shed dimensions/location. Discussed added parking/driveway must be paved/hard surface.
✓	\$50.00	permit ready	✓	✓	260030	2/16/2026	2/24/2026	3805 Hwy 2	RES - Accessory	David Granados	Homeowner	\$20,000	Construction of two detached , owner-built accessory structures. #1) 24' x 36' 2) 24' x 40'. Both approximately 14' overall height. Wood-frame construction on skids/pier blocks. Located behind existing out buildings. B	Will stop by next week to pay for permit. Have permit ready
✓	\$50.00	✓	✓	✓	260031	2/17/2026	2/18/2026	703 7th St W	RES - Remodeling	Bram Bystrom	Homeowner	\$10,000	Replacement of two broken windows, convert bedroom into master suite with bathroom, remodel existing bathroom (moving supply and drain lines), replacing sewer vent pipe, updating electrical wiring, removing paneling/replacing with drywall, redoing wood flooring and stairs to basement, adding kitchen pantry. This permit is coningent upon: 1. All plumbing and electrical work must be done by a licensed contractor, unless the owner is doing it solely by himself, which is allowed.	
✓	\$25.00	✓	✓	✓	260032	2/18/2026	2/20/2026	3100 Ellis Ave	COM - Demo	Jeff Jolma	Jolma Electric, LLC	NA	Demo interior space to make improvements for additional office space. Demo misc. windows, doors, walls, in preparation.	
					260033	2/17/2026		3100 Ellis Ave	COM - Remodel	Jeff Jolma	Jolma Electric, LLC	\$200,000	Interior Remodel (no Structural changes), New non-bearing interior walls for additional offices, HVAC system replacement, New exterior entry door (exit to be blocked in), New exterior siding (metal panels with brick wainscot.	Received plans. Sent email noting plan review required. Phone call left for SS to discuss
✓	\$40.00	✓	NA	✓	260034	1/21/2026	2/24/2026	607 18th Ave W	Zoning - STR	Lucas/Kim Stewart	N/A	N/A	Short Term Rental License	SW Issued
SW	\$50.00		NA	SW	260035	1/27/2026	2/17/2026	18 Billboards	Zoning	Lamar OCI North	N/A	N/A	Billboard Renewal-Lamar OCI North LLC	SW Issued
SW	\$50.00		NA	SW	260036				Zoning	Great Lakes Insurance	N/A	N/A	Billboard Renewal	SW

