

*Find yourself next to the water.*



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

## **PLAN COMMISSION MEETING AGENDA**

**May 19<sup>th</sup>, 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 April 28<sup>th</sup>, 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 request to vacate City Right-of-Way including undeveloped portions of 21<sup>st</sup> Avenue East and 7<sup>th</sup> Street East located east of the City of Ashland Public Works Facility and west of 22<sup>nd</sup> Street defined as follows:

A portion of 21<sup>st</sup> Ave. E. & 7<sup>th</sup> St. E. located adjacent to Blocks 88, 111 & 113 of Lake Shore Addition as located in portions of the SE ¼ - NW ¼ & NE ¼ - SW ¼, Section 34, Township 48 North, Range 4 West, City of Ashland, Ashland County, WI more particularly described as follows:

Commencing at the N ¼ corner of said section; Thence S00°23'35"W along the monumented east line of the NW ¼ a distance of 1,400.32 feet to the intersection with the northerly right of way of 7<sup>th</sup> St. E. which is the Point of Beginning; Thence S00°23'35"W and continuing along said monumented east line a distance of 78.28 feet to the intersection with the southerly right of way of 7<sup>th</sup> St. E.; Thence S57°51'37"W along said southerly right of way a distance of 107.35 feet; Thence N59°41'20"W a distance of 176.29 feet to the intersection with the west line of 21<sup>st</sup> Ave. E.; Thence N32°23'51"W along said west line a distance of 208.29 feet to the southerly right of way of 6<sup>th</sup> St. E.; Thence N57°47'15"E along said southerly right of way a distance of 60.00 feet to the intersection with the easterly right of way of 21<sup>st</sup> Ave. E.; Thence S32°23'51"E along said right of way a distance of 298.67 feet to the intersection with the northerly right of way of 7<sup>th</sup> St. E.; Thence N57°51'37"E along said right of way a distance of 170.58 feet to the Point of Beginning.

Applicant: Planning and Development Department

- b. Public Hearing: Review and approval of a land transfer request for Bill Gast to acquire City-owned properties including: a portion of Parcel # 201-03768-0000, Parcel # 201-03717-0000, a Portion of Parcel # 201-03772-0000, a Portion of Parcel # 201-05077-0200, and undeveloped Right-of-Way areas to be vacated between these parcels and combined via Certified Survey Map, Zoned Heavy Industrial (HI) and Public Institutional (PI).  
Applicant: Bill Gast
- c. Public Hearing: Review and approval of a land transfer request for the City of Ashland to acquire Parcel #s 201-04490-0000, 201-04498-0000, 201-04499-0000, and 201-04500-0000, zoned Single-Family Residential (R-1), owned by Bill Gast. Applicant: Planning and Development Department.

7. Discussion Items:

- a. Draft UDO Amendments to permit Local Food Sales as a Home Occupation
- b. Update on Property Maintenance Enforcement
- c. Update on Building Permits for April 2026
- d. 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.*

*Find yourself next to the water.*

**A S H L A N D**

*City of Ashland, Wisconsin*  
601 Main Street West — Ashland, WI 54806 — [www.coawi.org](http://www.coawi.org)

## **PLAN COMMISSION MEETING MINUTES**

**April 28<sup>th</sup>, 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**

**Present:** David Eades, Jeff Beirl, Ana Tochterman, Erin Cutler, Mayor Matt Mackenzie, Steven Wiley (Planning and Development Director), Terri Erickson (Assistant Planner)

**Absent:** Nancy Szyndor, Laurie Gregor (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. He introduced the newly appointed member of the Plan Commission, Ms. Erin Cutler, who is replacing the vacancy created by JoAnn Erickson, who asked not to be reappointed. The commission and staff went around the table and introduced themselves.
2. Approval of the Agenda  
Mr. Beirl made a motion to approve the agenda and Mr. Eades seconded. Motion Carried 4-0.
3. Consent Agenda  
Mayor Mackenzie asked for approval of the minutes from the March 17<sup>th</sup>, 2026 Plan Commission meeting. Mr. Eades made a motion and Mr. Beirl seconded. Motion Carried 3-0. (Ms. Cutler abstained from this motion.)
4. Identify potential conflicts of interest  
None
5. Citizen Participation (non-agenda items)  
None. Ms. Tochterman arrived (6:37pm).
6. Action Items:
  - a. Public Hearing: Review and approval of a Conditional Use Permit to allow a Wireless Telecommunication Facility at 2704 County Hwy A (Parcel # 201-04595-0100), zoned Future Development (FD), Applicant: Karl Gerber of Buell Consulting on behalf of City Switch

Mayor Mackenzie noted that he would like to proceed by first having staff review project information and for the commission to follow up with clarifying questions. Then we would enter into the public hearing.

Mr. Wiley reviewed the proposed request for the new facility. He gave an overview of the subject site and the area zoning. He explained the project scope and noted the property is privately owned and mostly undeveloped aside from a garage. AT&T is the carrier proposing the new tower. There would be enough space for two additional providers. There are no parking minimums, no employees on site and the parcel is already highly vegetative. No wetlands would be disturbed. They have proposed a 6-foot tall fence with another 1-foot of barb wire on top. Informational signage only would be included. The applicant noted that the rent has become economically burdensome on the existing ATC tower and there has been no satisfactory resolution. The applicant claims this is the only existing tower in the area that would meet their needs. Building a new tower would be more cost effective over the long term. There were two statements received in opposition to the project. The first was from the attorney representing ATC. The second was from Byron Mackey of 2208 County Highway A who is a neighbor to the property and concerned about the impacts to property values. Mr. Wiley noted he asked the city assessor about effects on property values who replied he is not aware that these towers have any negative impact. He went on to review legal standards and explain what is required by state statutes and federal law. He then reviewed required criteria for compatibility with the Comprehensive Plan. He noted the proposed tower will be set back 600 feet from the nearest residence and 700 feet from County Highway A. Staff recommends approval of the CUP contingent upon the following:

- o All non-FAA-required lighting shall be full cut-off and downward facing. Applicant shall submit plans/specifications for all lighting proposed prior to building permit issuance.
- o Approval for the six (6) foot security fencing as proposed with up to one (1) additional foot of barbed wire.
- o Conditional Use Permit is only for the wireless telecommunications land use proposed and not for any additional uses or improvements. If any additional land uses are proposed such uses will require additional administrative and/or Conditional Use Permit approval through Plan Commission and the Common Council.
- o Applicant shall submit structural plans and calculations and electrical plans to City staff for Inspector review and approval prior to building permit issuance.
- o Applicant shall submit a code sheet listing all applicable codes and demonstrating compliance with all codes for Inspector review and approval prior to building permit issuance.
- o Applicant shall furnish a financial guarantee in the form of a letter of credit as a surety to the City in the amount of twenty thousand dollars (\$20,000) prior to building permit issuance for removal of the tower or restoration of the site should this be required in the future.
- o Prior to the construction of any future improvements on the parcel, the applicants(s) shall apply for and obtain any required approvals and permits.
- o Applicant shall maintain the tower and associated equipment and ensure all site improvements remain code compliant and in structurally-sound condition.
- o Applicant shall ensure that the tower is compliant and remains compliant with all applicable Federal, State, and Local regulations.
- o Applicant shall maintain liability insurance protecting against losses due to personal injury or property damage resulting from the construction, operation, or collapse of the tower, antennae, or accessory equipment and shall keep the City updated with current proof of liability insurance.
- o Applicant shall remove the telecommunications facility from the property and restore the property if the applicant ceases use of the facility in the future.

Mr. Wiley noted that the Class 2 public hearing notice was issued on April 9th and April 16th and discretionary letters were sent to all surrounding property owners within 200 feet of the subject property.

Mayor Mackenzie asked if there were any clarifying questions by the commission.

Ms. Tochterman made a motion to go into public hearing. Second by Mr. Beirl. Motion carried 5-0.

Public Hearing:

Stephen Adamski (2703 County Hwy A) asked how long they plan to keep the tower there?

Eric Shaw, with Buell Consulting, responded that these are typically long-term leases with a fifty to ninety-year lease standard. Mr. Adamski asked who the three providers were. Mr. Wiley noted that AT&T is the provider that this project is for. There would be space for an additional two or more providers who are unknown at this time. Mr. Wiley noted that a vacant tower would need to be removed by state law.

Mr. Adamski asked how far the tower would be from the nearest house, how tall it is and how far out the collapse zone extends. Mr. Wiley stated it is over 600 feet away and that the tower is designed to collapse in an accordion-like fashion within a 190-foot fall radius. Adamski went on to express concern about the risk of being exposed to infrared signals; he noted since 5G service has been powered up, he has experienced more headaches. During the twenty-five years prior to this, he's had no problems. There are both elderly folks and infants living nearby.

Mr. Adamski asked if the company is renting the piece of property, mentioned the agricultural zoning of the area and asked if there was a CUP for the existing pole barn. He asked if this could be turned into an industrial park zone in the future.

Mr. Wiley noted that the Future Development Zone, where this is located, is a holding zone that consists of larger parcels in less developed area of the city. It could be rezoned to something else in the future that is compatible at the time and with the current Comprehensive Plan intentions. He noted the owner is currently the James C and Carol M Lawton Trust.

Mayor Mackenzie restated that this permit is only for the telecommunications tower and no other development.

Mr. Adamski asked if this project be reassessed if further health problems occur down the road by neighbors?

Mayor Mackenzie not that there are no conclusive answers to this subject.

Mr. Adamski stated that there have been issues in the past with non-English speaking workers on site doing work on the towers and not having the ability to communicate. It was noted that the lights from the tower are not bothersome and there are no noise issues.

Mr. Eades made a motion to go out of public hearing. Second by Ms. Cutler. Motion carried 5-0.

Mr. Eades moved to approve the motion with the recommended conditions. Second by Mayor Mackenzie.

Mr. Eades asked for clarification that the burden of the current tower is that the rent is too high and asked how many providers are on the current tower. Shaw was not sure about this but thought there were two or three. Ms. Cutler asked a couple clarifying questions about ownership and buildings on the property and the consultants who had joined online. Mr. Wiley answered that City Switch is the contractor and Buell Consulting assists with the approval process. The two online representatives were both with Buell Consulting.

Ms. Tochterman asked if we can anticipate what or who will utilize the open spots on the new tower and what would happen with an abandoned tower.

Mr. Wiley responded that it likely depends on the functionality that the new tower may provide over the existing one and how competitive the rent structure is. Shaw agreed that this is accurate and not an unusual circumstance with more than one tower in an area. Having more than one tower option helps keep the rent competitive in a given coverage area.

Ms. Tochterman asked, in the event that all tenants leave an existing tower, what happens?

Mr. Wiley responded that if the tower ceases to operate, it cannot just be left abandoned. The State requires that it be dismantled and removed. The city should have a letter of credit to ensure this process would take place. Ms. Tochterman asked if we have this agreement in place with this applicant and Mr. Wiley did not know. She felt this is something she would want to know more about. Shaw added that this is pretty standard in the leases with the land owners that there is removal language that is built in.

Ms. Tochterman was curious about the residents' concerns and feels she has limited understanding of potential negative health effects. Do additional tenants create added impact? Mr. Wiley responded that the federal 1996 telecommunications act preempts the city's ability to deny this on a radio frequency effect.

Shaw added that it is a common concern but that it is highly regulated by the FCC with documentation that can be provided with references but did not feel qualified to add more.

Mr. Beirl was concerned about all tenants leaving the ATC tower and leaving it empty. Do we have the letter of credit for that tower to have it removed? Also, the proposed tower is only three blocks from the existing one. What features does this tower have that the other one does not? Or is it just about the high rent?

Shaw responded saying this is a fair question. He noted these projects are very expensive to do. Coverage and technology are always improving as well as the desire to fill gaps and provide better service to customers. The objective is to maintain or improve service while also being financially feasible.

Ms. Cutler asked who maintains the authority to decide what goes on the tower?

Mr. Wiley responded that new providers on the tower would come through the city for a permit as well as working it out with the tower owner for co-location.

Ms. Cutler asked what the technology difference is between the equipment installed on the existing versus new tower to address the concern of the resident.

Shaw responded that, for the most part, it will be the same level of broadcasting that they run now.

Mr. Eades asked if City Switch was building the tower free of charge to AT&T with an exclusive contract so they can build-up their nation-wide network?

Shaw responded that they work for more carriers than just AT&T. They are an independent contractor and lease space to all the carriers. They have license agreements to help establish long-term relationships but are not exclusive to AT&T. In this particular case, AT&T is the client.

Mr. Eades asked for clarification if, essentially, this proposed project is solely about rent.

Shaw responded that yes, effectively this is the case, with companies looking for a more favorable long-term output operation that may otherwise become unfeasible. In some cases, the rent can be so burdensome that a company may vacate a tower if they cannot build another one.

Mr. Eades commented there will really be no improvement in coverage and its been implied that AT&T could just end their lease on the current tower and eliminate service?

Shaw stated not necessarily, but it has happened in other areas. It is a primary financial goal to improve coverage with a tower that improves service. The proposed tower has been approved to meet the objectives of the client, AT&T.

Mr. Beirl asked Mr. Wiley for his staff discussions on why we recommend approval of this?

Mr. Wiley responded that he does not see a reason to recommend denial at this point unless there was a reason provided. For example, if the city assessor had come back with data that this would reduce surrounding property values, then that might be grounds to recommend denial. He does not believe we have the ability to deny this in regards to radio frequency effects based on the 1996 Telecommunications Act. There would need to be substantial evidence of this with data. It appears they can meet the conditions of the ordinance. State statute 62.23 mandates that if ordinance conditions can be met then the CUP should be approved.

Mr. Beirl questioned what, if any, benefits does this have to the city when there is another cell tower located three blocks away.

Mr. Eades commented, you said we "can't deny" but what if both we (Plan Commission) and the City Council do deny it? Who will intervene? Mr. Wiley responded that they could appeal to circuit court, he believes, and the judge would consider and determine the outcome. Mr. Eades continued, so they don't need a valid reason to put up a new tower as long as they meet the requirements? Mr. Wiley responded yes, that is his understanding, according to the state statute.

Mr. Beirl made a motion to recognize Mr. Damske to speak. There was no second. Mayor Mackenzie suggested he attend the next council meeting to have another opportunity to speak publicly on this topic.

Ms. Tochterman stated, based on the ordinance, this would typically get approved and that it appears, by statute, the commission could not disapprove based on health concerns. Mr. Wiley agreed, that this is his understanding. She went on to say it could possibly be disapproved upon evidence property values would be reduced but that has been researched and there is no evidence of this? Mr. Wiley responded, that yes, he did look into that. She asked if legal council is recommending approval because there is no reason to disapprove it? Mr. Wiley responded no, they gave him points to consider but he did not look to them for guidance on whether or not to approve. He reiterated we cannot deny approval based on aesthetics alone. He said if there were circumstances where the provider did not exhaust all of their options, that could be a factor. He had asked the applicant if they had considered other sites and this was the only one where the property owner was on board with allowing it on their property. Ms. Tochterman noted she understands they are limited in opportunities to deny this. The benefits to AT&T are clear and she is trying to understand

what the benefit is the community. The only benefit of approving it may be that if it is denied, then AT&T might leave. Mr. Wiley agreed this could be a possibility but not a given.

Mr. Eades stated he would argue that these do reduce property values. He noted, in a quick online search, that even HUD (Housing and Urban Development) classified a cell tower as a hazard and nuisance and required a re-appraisal of property values around them so it is hard to say it doesn't affect property values. Mr. Wiley noted he only checked with the assessor and does not know if this varies throughout the country. Ms. Tochterman asked for clarification on what the city assessor said. Mr. Wiley responded that he said, in his experience, unlike wind farms or solar arrays or gravel pits, he has not seen an adverse impact on property values. They do not make a lot of noise or attract other nuisances.

Mr. Eades added that (in another online search) the National Association of Realtors claimed they have peer review studies that show cell towers reduce property values up to 20 percent.

Ms. Tochterman asked for clarification that if the existing tower became empty, that the city would not be responsible for taking it down. Both the Mayor and Mr. Wiley stated that the city would not be responsible and if the owner did not take it down, the city would likely pursue enforcement action against them with some type of court order that goes through the legal system and follows state statutes.

A roll call vote was taken to approve a recommendation to council for this Conditional Use Permit to allow a Wireless Telecommunication Tower. Jeff Beirl - Yes, Erin Cutler - Yes, Jeff Beirl, David Eades – No, Ana Tochterman – Yes, Mayor Mackenzie – Yes. Motion Carried 4-1.

Mayor Mackenzie noted this item will go to City Council on the May 12th agenda. He suggested checking online to verify that it is on the agenda. These are posted the Thursday or Friday before the meeting.

- b. Public Hearing: Review and approval of a request to acquire a piece of former Railroad Right-of-Way (part of Parcel # 201-01078-0000), zoned Waterfront City Center (W-CC) with Waterfront Overlay (W-O). Applicant: Rick Poppe

Ms. Erickson reviewed the request for the proposed land transfer. She gave an overview of the subject site including the applicant's property in relation to the railroad property to be acquired. She reviewed the site and area zoning and a map showing the railroad running through the block as well as the certified survey map that was completed for this item. She went over the review criteria requirements for a land transfer including consistencies with the Comprehensive Plan and UDO as well as highest and best use.

Ms. Erickson summarized that the staff recommends approval of the land transfer and reviewed the conditions attached to the permit. These include:

- The applicant shall be responsible for the costs associated with the land transfer including but not limited to: Certified Survey Map, closing costs, Register of Deeds recording fees, etc.
  - Applicant shall combine the former railroad right-of-way parcel with his existing property to create one lot and City staff shall review and approve the CSM prior to recording at the County.
  - Applicant shall obtain required approvals and zoning and building permits prior to constructing any improvements on the resulting property.

- Any existing nonconformities (i.e., setbacks, lot coverage) shall not be expanded by new uses of the property. Based on staff's initial review, the home is nonconforming in its placement off St. Claire St. It protrudes beyond the property line which would not be permitted under current code.

Ms. Erickson noted that the Class 2 public hearing notice was issued on April 9th and April 16th and discretionary letters were sent to all surrounding property owners within 200 feet of the subject property. She noted that staff had received three calls asking for further clarification regarding the transfer with a couple of them expressing interest in acquiring Railroad ROW to supplement their own properties.

Mayor Mackenzie asked if there were any clarifying questions by the commission.

Ms. Cutler asked if this was currently a single-family occupancy? Mayor Mackenzie responded that it is not right now but is zoned for this. It is currently a non-conforming lot in this regard and granting the additional land would make the lot conforming for a single-family residence. Mr. Wiley clarified that it could only be rebuilt in the current location if there was a fire or other similar occurrence that the owner did not have control over. It is currently non-conforming as both a structure and use as an apartment building.

Mr. Eades made a motion to go into public hearing, seconded by Mrs. Tochterman. Roll call vote: Motion carried 5-0.

#### Public Comment:

Don Jaskowiak (121 North Willis Ave) approached the Commission and clarified that this is a four to five-unit apartment complex. He noted he has lived in this area for forty years of which the first thirty-three have been quiet and the last seven have not. He mentioned the problems at 609 St. Clair Street. He stated he has no problem with Mr. Poppe purchasing the city-owned property but feels there should be contingencies made before an approval. Painting needs to be finished which was started six years ago. Broken windows and rotted sills/frames are an issue as well as trash around the building and unlicensed vehicles in the yard - such as motor homes, camper and utility trailers. He also felt that anyone wanting to purchase these railroad properties should have to pay the full property value. He noted he also speaks for other neighbors in the area.

Property photos Mr. Jaskowiak emailed were passed around. It was further clarified by staff that the phone calls received were mainly to get additional clarification on the transfer in regards to location and also to express interest in acquiring former adjacent railroad right-of-way to add to their own properties.

Mayor Mackenzie noted this is something we've been dealing with for the last four years and clarified the purpose for these transfers (to help new Commission member, Erin Cutler, to better understand the background). He noted this gets the property back onto the tax roll and also re-establishes a conforming lot without being at the city's expense.

Mr. Beirl made a motion to go out of public hearing. Second by Mrs. Tochterman. Motion carried 5-0.

Mr. Eades moved to approve the motion with the recommended conditions. Second by Mrs. Tochterman.

#### Discussion:

Mr. Eades stated he appreciates the comments from the neighbor. He questioned if these issues aren't already covered in the ordinance as an enforcement matter. Mr. Wiley responded that they are covered in the property maintenance ordinance. These matters and future violations would continue to be enforced through that process. Mr. Eades asked if it is fair to say, by making it a conforming lot, that this would allow

the property owner, or a future owner, the ability to make improvements more readily. Mr. Wiley agreed, and said this gives the owner more ability to place a garage and/or storage shed to help contain items that may be a visual hindrance currently. Mayor Mackenzie added that there has been a recent change in ownership of this property through inheritance.

Ms. Tochterman asked if all the issues noted in public comment are regulated by code and if it would make any sense to add a condition for reference to the land transfer. Mayor Mackenzie responded we could try to do something like this. She feels it would be a good idea to include something, if it is allowed, with a time-frame attached to it. Mayor Mackenzie noted that this would be a type of development agreement for property issues to be brought into compliance. Mr. Wiley noted that he would have to talk to the applicant and see how soon it could be done within a reasonable time frame. The property looks better now than it has in the past. Mayor Mackenzie asked if she was making a recommendation for this to be added. Subsequently, a motion was made by Ms. Tochterman, to amend the CUP to add a condition to the transfer requiring the property to be brought into compliance with current city ordinance over the next six months. Mr. Beirl seconded. Mr. Eades asked, so then if the improvements aren't made in that time frame, then does the land stay with the City? Mayor Mackenzie does not believe we could transfer it and then turn around and take it back easily. We would have to allow them the time to make corrections and once they are completed, then we can follow through with the transfer. Mr. Wiley agreed with this protocol.

Mayor Mackenzie called a roll call vote to amend the original motion. The motion carried 5-0. Mayor Mackenzie asked if there was any further discussion. Mr. Beirl asked if there was no purchase price. Mayor Mackenzie confirmed there is none and this is consistent with how the city has been doing it with other property owners. Mr. Beirl asked about the tax roll value for this once it is added - when it is transferred for zero value. Mayor Mackenzie said this is up to the assessor. Mr. Beirl asked if there are tax implications that would require a 1099 form as the city is essentially gifting this land which is something of value. He then asked what a city lot is going for. Mayor Mackenzie replied that staff will have to explore that and look into a revised value but the main goal is to get it back on the tax roll as it is really of no value to any others.

Mayor Mackenzie took a roll call vote to recommend approval of this item, with the approved condition amendment, to move onto council. Motion carried 5-0.

- c. Public Hearing: Review and approval of a request to rezone City-owned land area of Parcel #s 201-03768-0000, 201-03717-0000, and 201-03772-0000 from Public Institutional (PI) to Heavy Industrial (HI), to be included as a combined parcel via Certified Survey Map. Applicant: Planning and Development Department

Mr. Wiley presented the proposed item for a zone change request. He explained that the city would be swapping land with Mr. William Gast who currently owns property that the community uses for public ski trails to the west of the medical center. He reviewing the property location and uses, the reason for the zone change and the background behind the request. He reviewed the CSM prepared by Pine Ridge Surveying requested by the city to combine the area into one parcel. This item was introduced to the Committee of the Whole at a previous meeting. For city-initiated right-of-way vacations, the state statute requires a resolution introduced by council that then gets referred to staff and Plan Commission for a recommendation. He reiterated this item is only for the zone change to keep things moving as there are a few moving parts to the entire process. He reviewed the existing zoning of the area. He then spoke about the required standards for review regarding compatibility with the Comprehensive Plan. He explained that Mr. Gast has the intention, after a successful land swap, to transfer the exchanged land to the adjacent land owner of Chicago Iron and

Supply so he can further develop and improve his business and property. This zone change does not approve any future development which would likely require a Site Plan Review and/or a CUP Review through Plan Commission. He noted there are buffering and screening requirements between the different use zones for any future use, intensity or development modifications. Chicago Iron is working to make both site and business improvements to their work flow and continue to incorporate environmentally conscious methods into their operation. He summarized that staff recommends Approval of the request to rezone this City-owned land area with the following condition:

- Zone Change shall take effect after the new parcel is created via Certified Survey Map (CSM). The CSM must be approved and recorded at the Ashland County Register of Deeds prior to the zone change taking effect.

Mr. Wiley noted that the required Class 2 public hearing notice was issued on April 9th and April 16th and discretionary letters were sent to all surrounding property owners within 200 feet of the proposed zone change. No comments were received.

Mayor Mackenzie asked for any clarifying questions and then a motion was made to go into public hearing by Mr. Beirl. Second by Mr. Eades. Roll Call vote carried 5-0.

Public hearing had no comments.

A motion to go out of public hearing by Mr. Eades. Second by Mr. Beirl. Carried 5-0.

A motion to recommend to approve the zone change to City Council made by Mr. Beirl. Second by Ms. Cutler.

Discussion: Mr. Eades asked for clarification on the purpose of the zone change and proposed land exchanges. He asked where the money is coming from to maintain the ski trails. Mr. Wiley responded this has been a concern. They are currently maintained by a volunteer group. He maintained that Mr. Gast would like to see the trail land go to the city instead of a private property owner who could shut down the trails. If the volunteer group is unable to maintain these down the road, the city may have to let it go back to a natural state. Mr. Eades asked what might Chicago Iron want to do on the property that is not allowed by current zoning. Mr. Wiley responded that he does not think they could add their retail component under the current PI (Public Institutional) zone or be able to combine their lot in order to operate as one site. Mr. Eades asked what rights do they have under the HI (Heavy Industrial) zone? Mr. Wiley said there are more intensive uses that would be allowed compared to the PI zone.

Mayor Mackenzie noted that Mr. Gast approached the city with the intention to transfer the ski trails to the city with altruistic intentions, with the hopes that they will stay there for public use. He is not out to make money on this and was looking to trade properties with the city. He was asked to look at property the city had to see what he might be interested in. He has a relationship with the Chicago Iron owner who is interested in putting in a new driveway and felt this could be a win-win for all involved. The hope for Chicago Iron is to add a public driveway that would access the front of the proposed future storefront.

Mr. Eades commented that there is nothing assuring us that Chicago Iron will buy this property. What if it ends up in someone else's hands as a HI zoned use? Does it open a door to something we don't want to have there?

Ms. Cutler asked if the ski trail has a non-profit status managing the volunteers for the trails. Mr. Wiley noted he thinks it is volunteer only.

Ms. Tocherman asked what the assessed value of the property is. Mr. Wiley answered he is not sure and would have to ask the assessor. Mayor Mackenzie noted we would be ending up with more property than what we'd be transferring.

Mr. Eades asked why the urgency to rezone. Mr. Wiley responded that Mr. Gast intends to transfer it to Chicago Iron. Mr. Eades asked if we can put that as a condition. Mr. Wiley felt that we could, either as a condition of the rezone or of the transfer. Mr. Eades understands this is a multi-layer process including vacating rights-of-way and creating an easement for sewer. Even if we have a condition for the transfer to Chicago Iron, rezoning it now seems premature.

Mayor Mackenzie responded that part of the urgency is Mr. Gast wanting to get this done. The discussions have been happening for quite some time and the slowest piece of this is the vacation of the right-of-way's along with a council resolution and a longer notice process. He does not see Mr. Gast wanting to do anything else with this property. Mr. Eades added that it seems problematic to put a condition on the rezone to be transferred. How would that work? Mr. Wiley responded it would probably have to be on the land transfer. Because we would still own the land at that point, we could hang on to it, if it comes to that.

Ms. Tochtermann added that if you consider the full zoning map of the city you can see what a tiny portion of area this is. Mr. Wiley noted that the HI zone would never expand any further beyond this as it wouldn't make sense. Ms. Tochtermann added that in the past it has come up that we shouldn't spot zone and that this is not doing that.

Mr. Beirl agrees that it is a small area and that for now the city still owns it and is in control. Mayor Mackenzie reiterated this is for a specific purpose and we are truly trying to capture the ski-trail property and it seems like more than a fair transfer offer.

Mayor Mackenzie took a roll call vote to recommend approval of this item to move onto council. Motion carried 5-0.

## 7. Discussion Items:

Mr. Wiley gave a short update on the Bay View apartment project. He mentioned that the city was awarded a Vibrant Spaces grant that was received from the WEDC (Wisconsin Economic Development Corporation) for an alley beautification project between 110 and 112 Main Street West (between Kravin's and the building to the west). There were some legalities to work through with that. The city has joined the "America in Bloom" group and will help with beautification efforts around town. A task force has been created by the Parks & Rec Director.

### a. Update on Property Maintenance Enforcement

There are a few properties the city is working on abating with warrants. Mayor Mackenzie added the city was in the process of condemning and tearing down a house that has been sitting for a couple years in an unsafe condition. They were given notice and they filed an appeal to the court. The city entered into an agreement to give additional time to make the corrections. If it isn't satisfied by then, the city will proceed with the tear-down.

### b. Update on Building Permits for February 2026

None

### c. Update on Miscellaneous Planning and Development Items

Mr. Wiley clarified specific information shown for the Bay View apartments on the makeshift spreadsheet permit report. This was a result of the down-time that occurred during the software transition. He noted Vision Inc. is serving as their own general contractor and have sub-contractors who have been hired out for portions of the work.

## 2. Announcement/Reports/Comments/Questions

The Mayor reported that the city is placing a cement restroom on the Baron Radiator Property which is supposedly vandal proof, self-cleaning and heated for winter use. The contracts are in place, the boat launch work and the funding issues with that project have been resolved. The farmers market has been moved to the parking lot across from City Hall. A study was done evaluating the existing parking downtown and it confirmed that we have an abundance of spaces - up to 2,000 spots. This study will help with upcoming streetscape efforts in the target area including Vaughn Avenue including the portion from US-2 up to 6<sup>th</sup> Street. A couple different strategies were explained with relation to the beautification efforts. Mr. Wiley mentioned that the city is planning on doing an update to the Comprehensive Plan starting this year. The city is in the process of selecting a consultant. He is looking at forming a steering committee who would come before the plan commission. Mr. Eades expressed interest in being on this committee. Mayor Mackenzie reiterated that staff is available to answer questions when they come up and to please call and give them a heads up if possible so they have time to look into it.

## 3. Adjournment

Motion to adjourn by Ms. Tochterman, Second by Ms. Cutler. Motion carried 5-0.  
Meeting closed at 8:39 pm.

Recorded by:  
Terri Erickson  
Assistant Planner

*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 – May 19<sup>th</sup>, 2026

---

<b>Agenda Item # 6a:</b>	<b>Public Hearing: Review and approval of a request to vacate undeveloped portions of 21<sup>st</sup> Avenue East and 7<sup>th</sup> Street East rights-of-way between parcels 201-03768-0000, 201-03717-0000, 201-03772-0000, and 201-05077-0200</b>
Zoning District:	Public Institutional (Recommended for Zone Change to Heavy Industrial (HI), Heavy Industrial (HI) adjacent to segments to be discontinued
Property Address:	N/A - Vacant
Location:	Undeveloped Portions of 21 <sup>st</sup> Avenue East and 7 <sup>th</sup> Street East located east of the City of Ashland Public Works facility and west of 22 <sup>nd</sup> Street
Applicant:	City of Ashland
Staff Contact:	Steven Wiley

### **Background**

The City of Ashland and Bill Gast have discussed a land exchange between the City and Mr. Gast. Bill Gast and Brian Olby (Mr. Olby is the new owner of Chicago Iron) would like to acquire approximately 118,221 square feet (2.71 acres) of City-owned land area east of the City Public Works facility for use by Chicago Iron to allow Chicago Iron to construct a customer driveway access off of 6<sup>th</sup> Street East along with a parking area to serve the retail component of the Chicago Iron business. The City had surveyor Pat McKuen draft a Certified Survey Map (CSM) to combine the City parcels and right-of-way areas into one parcel to transfer to Mr. Gast or Mr. Olby. In order to combine the parcels and approve the CSM, the City must discontinue the rights-of-way dividing the parcels. This will allow the creation of a combined parcel outlined in the draft CSM for transfer as part of the land exchange. The City has initiated the right-of-way discontinuance process. The first step of the process is for the City to introduce a resolution declaring the intent to vacate the subject rights-of-way. The City Council voted to introduce this required resolution at the May 12<sup>th</sup>, 2026 Council meeting. From there staff can finish their review of the proposed right-of-way discontinuance. Staff has reviewed and discussed the discontinuance and does not have concerns. Staff is now referring the proposed discontinuance to Plan Commission for review and a recommendation prior placing it on a Council agenda for a public hearing and a final decision. The Council public hearing and action cannot occur less than 40 days after the introduction of the resolution declaring the intent to vacate the rights-of-way. The Council public hearing will require a Class III notice in the Ashland Daily Press.

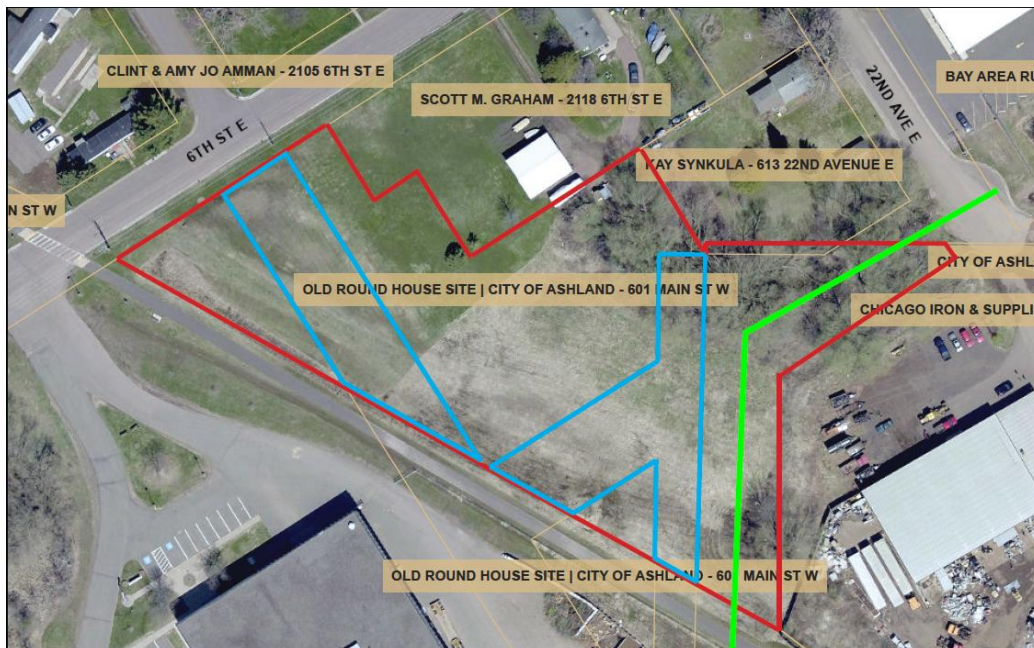
The right-of-way areas in question are approximately 25,261 square feet (0.58 acres) in area. The City’s proposed discontinuance of these areas would not cut off access for any property owner. City staff requests that the Plan Commission review and recommend approval of the proposed right-of-way discontinuance.

<b>Existing Land Use</b>	<b>Zoning</b>
Vacant: Undeveloped platted street right-of-way	Public Institutional (PI), Heavy Industrial (HI) (abutting) <i>*Plan Commission recommended zone change from PI to HI for abutting City land area.</i>

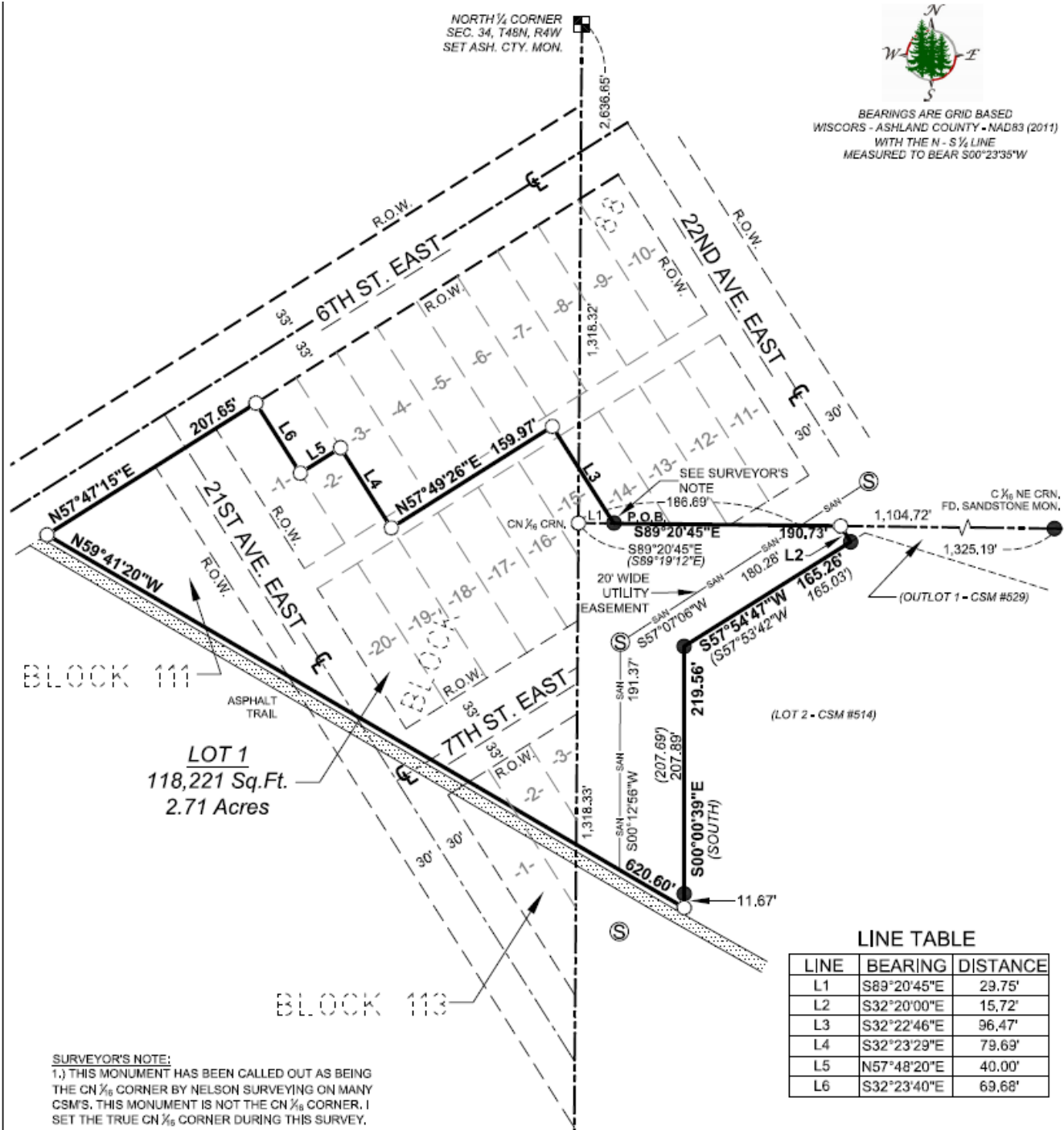
**Adjacent Land Use and Zoning**

<b>Existing Uses</b>		<b>Zoning</b>
<b>North</b>	Single-Family Residential	Single-Family Residential (R-1)
<b>South</b>	Public Works, Wastewater Treatment Plant	Public Institutional (PI)
<b>East</b>	Residential, Bay Area Rural Transit, Chicago Iron, Undeveloped, Wooded	Single-Family Residential (R-1), Heavy Industrial (HI), Light Industrial (LI), Floodplain Overlay (F-O).
<b>West</b>	Public Works, Single and Two-Family Residential	Public Institutional (PI), Single and Two-Family Residential (R-2)

<b>Land Use Recommendation</b>	<b>Land Use</b>
Future Land Use Map Recommendation	Overlap of Traditional Neighborhood and Mixed Use and Low-Moderate Density and Special Districts



The map shows the red outline of the City-owned land area for which Mr. Gast has requested the City transfer to him or Brian Olby. The blue lines indicate the City right-of-way to be vacated, and the green shows an existing sanitary sewer.



**SURVEYOR'S NOTE:**  
 1.) THIS MONUMENT HAS BEEN CALLED OUT AS BEING THE CN 1/6 CORNER BY NELSON SURVEYING ON MANY CSM'S. THIS MONUMENT IS NOT THE CN 1/6 CORNER. I SET THE TRUE CN 1/6 CORNER DURING THIS SURVEY.

BEARINGS ARE GRID BASED  
 WISCORS - ASHLAND COUNTY - NAD83 (2011)  
 WITH THE N - S 1/4 LINE  
 MEASURED TO BEAR S00°23'35"W

The image above is from the CSM surveyor Pat McKuen did of the subject property including the rights-of-way to vacate.

The City's Municipal Code 618 allows for right-of-way vacations initiated by the City and right-of-way vacations initiated by property owners. In this case the City has initiated the request and staff requested that the City Council introduce the required resolution declaring the intent to vacate the rights-of-way.

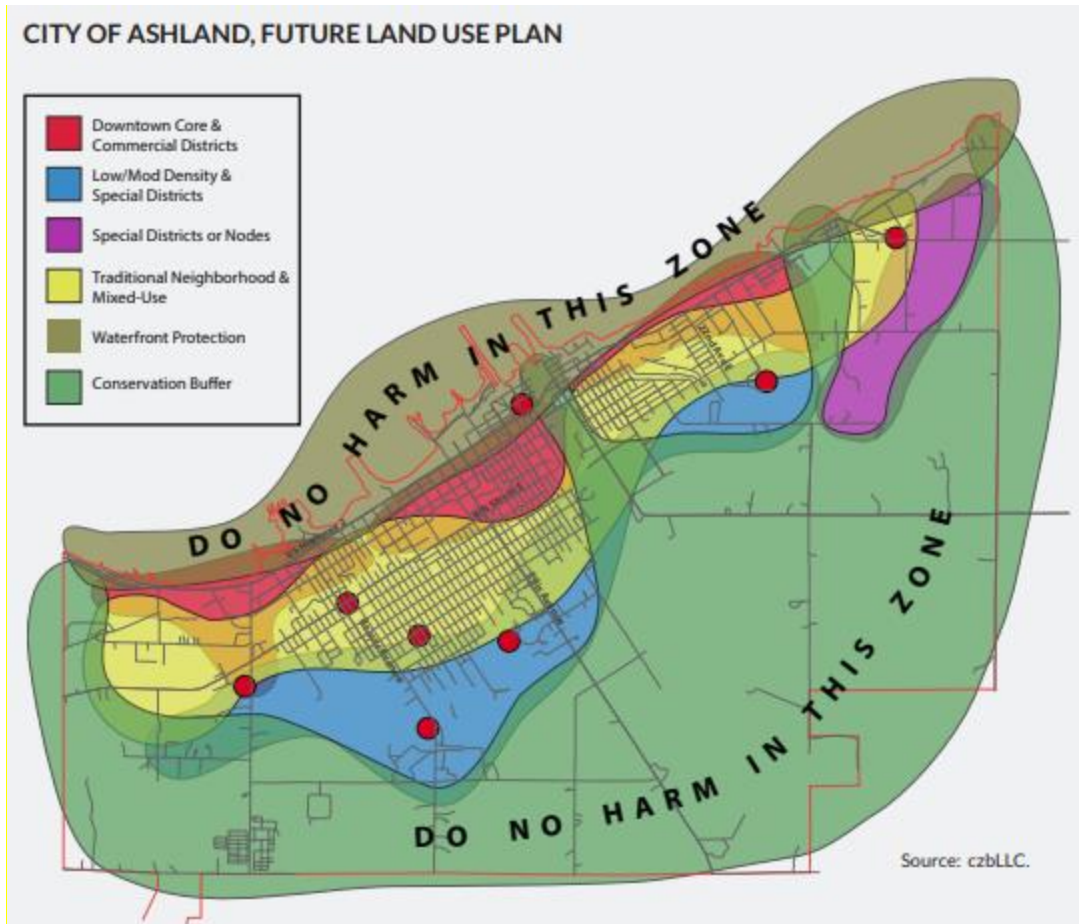
Planning staff has discussed the request with the City Administrator and Public Works Department. Approval of the right-of-way vacation would not cut off access to any neighboring parcels. The City does not have plans to extend streets along the subject right-of-way segments. Therefore, staff does not have concerns with the right-of-way vacation as proposed. Staff would recommend that the approval of the right-of-way vacation is contingent on the approval of the associated land transfer.

The Plan Commission can make a recommendation regarding the right-of-way vacation as requested. From there the request goes to the City Council who will hold a public hearing as required by ordinance. If the request and the land transfer request are approved staff will work with Mr. Gast and Mr. Olby and the City Attorney to get the land exchange completed.

### **Consistency with the Comprehensive Plan**

The Comprehensive Plan calls for careful disposition of vacant land. This includes making fiscally sound decisions with the land the City owns, and ensuring that the highest and best use for the land is achieved. The subject rights-of-way and part of parcel # 201-03768-0000, parcel #s 201-03717-0000 and 201-03772-0000, and part of parcel # 201-05077-0200 are currently vacant and are not considered essential parcels for the City. To staff's knowledge the right-of-way area does not have easements or deed restrictions attached. Staff would recommend as a condition of approval that the right-of-way vacation include a 20-foot wide sanitary sewer easement where required as shown on the draft CSM to allow the City to access and maintain the underground sewer located under the rights-of-way.

The requested right-of-way vacation is in conformance with the Future Land Use Map, and it supports the principles and goals of the Comprehensive Plan. The subject site is located within the overlap of the Traditional Neighborhood & Mixed-Use and Low/Moderate Density and Special Districts. The Comprehensive Plan does not call out specific recommended uses for the Low/Moderate and Special Districts zones. The plan explains that a land use map at the scale provided for the Future Land Use Map cannot illustrate all existing or desired conditions on the ground level in neighborhoods. Chicago Iron is an existing use that has been industrial in nature for the past several years. The new owner has taken and continues to take steps to clean up the property and streamline operations to make the front of the property more commercial rather than industrial in nature. City staff does not have concerns with the proposed right-of-way vacation and land transfer in relation to the Comprehensive Plan goals.



### **Compatibility with Municipal Code**

The abutting City-owned properties are platted but undeveloped. No privately-owned properties directly abut or have access from the rights-of-way in question. Municipal Code section 618 details the process that right-of-way vacations must follow. The City Council has introduced a resolution declaring the City's intent to vacate the rights-of-way as required by Statute and ordinance. No petition or signatures from adjacent property owners are required because this is a City-initiated right-of-way discontinuance. The required Class III public hearing notice for the Council public hearing will be submitted to the local newspaper. The right-of-way vacation as proposed will not result in any landlocked parcels or restrict access to existing properties. Staff has determined that the request is compatible and in compliance with the Municipal Code.

### **Review Recommendation**

Staff recommends APPROVAL of the request to vacate undeveloped portions of 21<sup>st</sup> Avenue East and 7<sup>th</sup> Street East rights-of-way between parcels 201-03768-0000, 201-03717-0000, 201-03772-0000, and 201-05077-0200 contingent on the following conditions:

- The right-of-way vacation and land transfer request shall be contingent on one another. Both shall require approval in order for either to proceed.
- Pending approval of the land transfer request, the City shall combine the former right-of-way parcel with part of parcel # 201-03768-0000, parcel #s 201-03717-0000 and 201-03772-0000, and part of parcel # 201-05077-0200 via Certified Survey Map (CSM) to create one lot and City staff shall review and approve the CSM prior to recording at the County.

- The approved CSM shall include a 20-foot wide sanitary sewer easement where required to allow the City access to maintain the existing sanitary sewer under portions of the right-of-way.
- Vehicle access to Chicago Iron's property shall be determined through coordination with the Department of Public Works and applicant shall obtain all approvals and permits prior to constructing access or other improvements on the property.

Additionally, as a Public Hearing is scheduled for the proposed Right-of-Way Vacation the Plan Commission should hear all input from the public prior to making a determination. A Class II public hearing notice was published in the Ashland Daily Press on April 30<sup>th</sup> and May 7<sup>th</sup>. The required Class 3 Public Hearing notice for the Council meeting will be issued for the June 30<sup>th</sup> Council meeting, and information regarding the Public Hearing scheduled for the June 30<sup>th</sup> Council meeting will be included in the notices to be mailed to surrounding property owners.

*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.*

# RESOLUTION No. XXXXX

**RESOLUTION TO DISCONTINUE UNDEVELOPED RIGHT-OF-WAY LOCATED AT THAT PORTION OF 21<sup>ST</sup> AVENUE EAST ADJACENT TO PARCEL NOS. 201-03768-0000 AND 201-03717-0000, AND UNDEVELOPED RIGHT-OF-WAY ADJACENT TO PARCEL NOS. 201-03717-0000 AND 201-05077-0200**

*WHEREAS*, pursuant to Wis. Stat. §66.1003 and City Ordinance 618.03, the Common Council of the City of Ashland introduced this resolution to discontinue a portion of right of way in the City of Ashland, Ashland County, Wisconsin, identified as:

**A PORTION OF 21<sup>ST</sup> AVE. E. & 7<sup>TH</sup> ST. E. LOCATED ADJACENT TO BLOCKS 88, 111 & 113 OF LAKE SHORE ADDITION AS LOCATED IN PORTIONS OF THE SE ¼ - NW ¼ & NE ¼ - SW ¼, SECTION 34, TOWNSHIP 48 NORTH, RANGE 4 WEST, CITY OF ASHLAND, ASHLAND COUNTY, WI MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**COMMENCING AT THE N ¼ CORNER OF SAID SECTION; THENCE S00°23'35"W ALONG THE MONUMENTED EAST LINE OF THE NW ¼ A DISTANCE OF 1,400.32 FEET TO THE INTERSECTION WITH THE NORTHERLY RIGHT OF WAY OF 7<sup>TH</sup> ST. E. WHICH IS THE POINT OF BEGINNING; THENCE S00°23'35"W AND CONTINUING ALONG SAID MONUMENTED EAST LINE A DISTANCE OF 78.28 FEET TO THE INTERSECTION WITH THE SOUTHERLY RIGHT OF WAY OF 7<sup>TH</sup> ST. E.; THENCE S57°51'37"W ALONG SAID SOUTHERLY RIGHT OF WAY A DISTANCE OF 107.35 FEET; THENCE N59°41'20"W A DISTANCE OF 176.29 FEET TO THE INTERSECTION WITH THE WEST LINE OF 21<sup>ST</sup> AVE. E.; THENCE N32°23'51"W ALONG SAID WEST LINE A DISTANCE OF 208.29 FEET TO THE SOUTHERLY RIGHT OF WAY OF 6<sup>TH</sup> ST. E.; THENCE N57°47'15"E ALONG SAID SOUTHERLY RIGHT OF WAY A DISTANCE OF 60.00 FEET TO THE INTERSECTION WITH THE EASTERLY RIGHT OF WAY OF 21<sup>ST</sup> AVE. E.; THENCE S32°23'51"E ALONG SAID RIGHT OF WAY A DISTANCE OF 298.67 FEET TO THE INTERSECTION WITH THE NORTHERLY RIGHT OF WAY OF 7<sup>TH</sup> ST. E.; THENCE N57°51'37" E ALONG SAID RIGHT OF WAY A DISTANCE OF 170.58 FEET TO THE POINT OF BEGINNING.**

*WHEREAS*, the Common Council finds it to be in the public interest to discontinue the above-mentioned right-of-way, with the exception of any needed easements for public utilities and access to public utilities, including but not limited to: water, sewer, electric, and natural gas utilities, which interests are specifically reserved by and for the benefit of the City of Ashland and any other public utility; and,

*WHEREAS*, the Plan Commission considered this matter at its May XX, 2026, meeting and recommended that the Common Council approve the resolution to discontinue the above-mentioned right of way;

*WHEREAS*, the Common Council held a public hearing on June XX, 2026, notification of which was given by publishing the notice of the hearing in the newspaper and notifying abutting property owners as required by Wis. Stat. §66.1003;

## RESOLUTION No. XXXXX

*WHEREAS*, the Common Council gathered public input to confirm that it is in the best interests of the City to discontinue and vacate the above-mentioned right-of-way and deems it is in the best interest of the City to vacate said right-of-way;

*NOW, THEREFORE, BE IT RESOLVED* that the Common Council of the City of Ashland hereby vacates and discontinues the above described undeveloped right-of-way, and relinquishes all claims and responsibilities pertaining thereto contingent upon the following conditions:

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 – May 19<sup>th</sup>, 2026

**Agenda Item # 6b:** Public Hearing Vote on a Citizen Request to Acquire City-owned land area

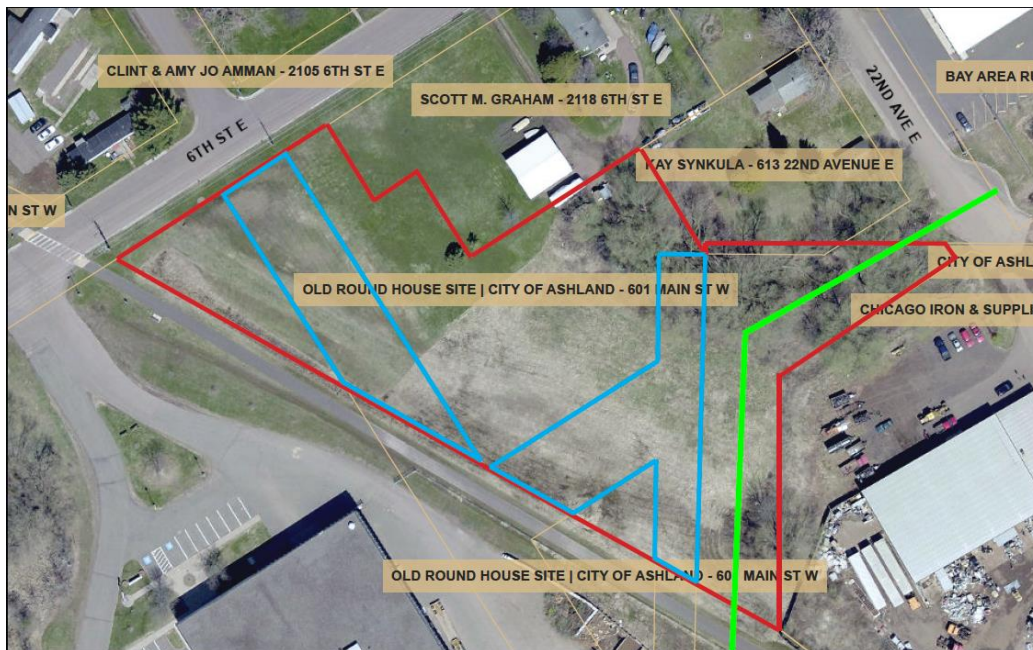
Zoning District: Heavy Industrial, Public Institutional – Plan Commission recommended zone change to Heavy Industrial (HI) for PI-zoned parcel areas

Property Address: Vacant – No Address Number

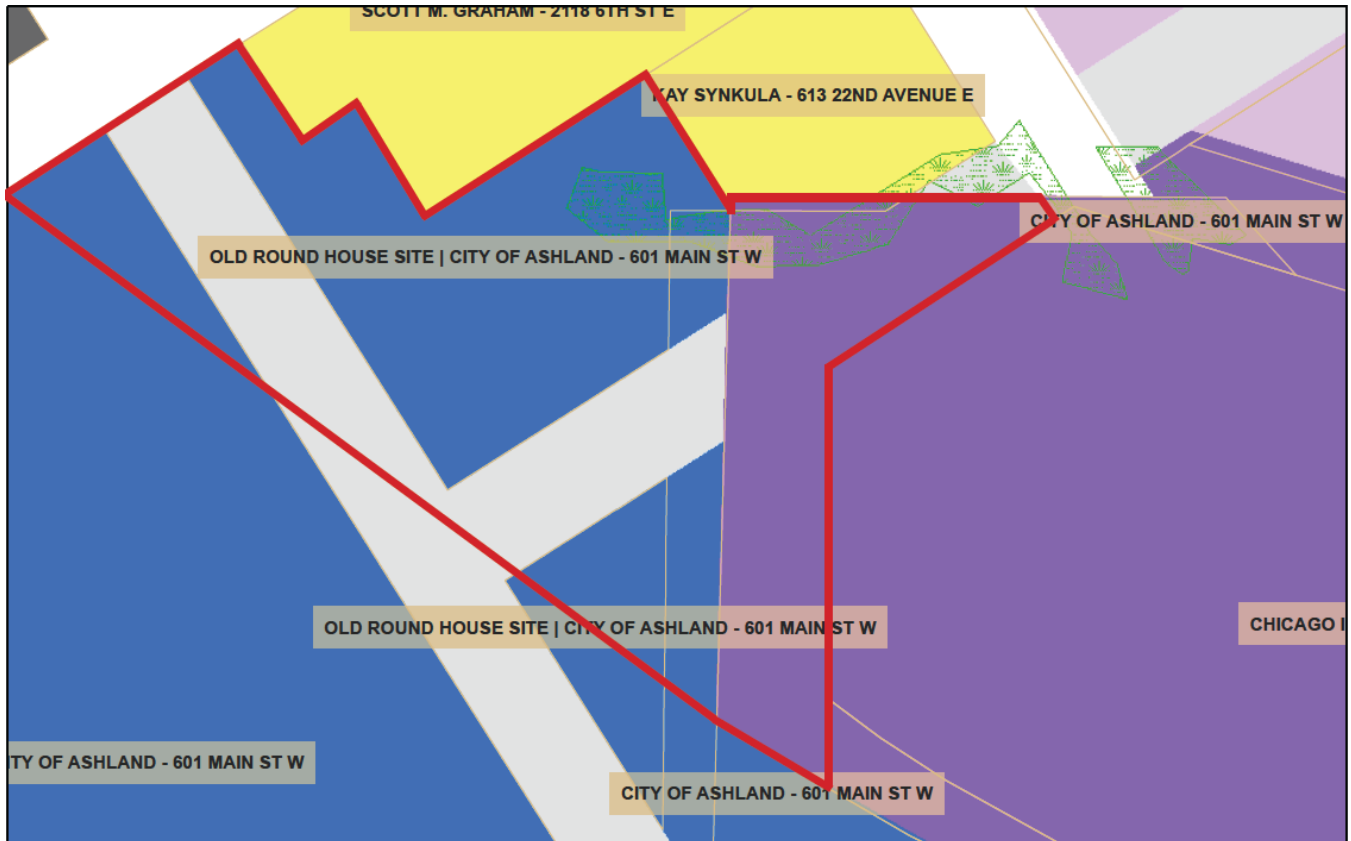
Parcel #: Part of Parcel # 201-03768-0000, Parcels 201-03717-0000, and 201-03772-0000, Part of Parcel # 201-05077-0200, and undeveloped rights of way between these parcels

Applicant: Bill Gast

Staff Contact: Steven Wiley



The map shows the red outline of the City-owned land area for which Mr. Gast has requested the City transfer to him or Chicago Iron owner Brian Olby. The blue lines indicate City-right-of-way to be vacated, and the green shows an existing sanitary sewer.



3/25/2026, 3:53:18 PM

- |                                |                                  |                                 |                       |
|--------------------------------|----------------------------------|---------------------------------|-----------------------|
| Parcels 2025 (October)         | MHC, Manufactured Home Community | PI, Public/Institutional        | UDO Overlay Districts |
| Parcel Labels                  | LI, Light Industrial             | ROW, Right of Way               | Wetland Overlay       |
| Zoning                         | HI, Heavy Industrial             | ROWUD, Undeveloped Right of Way | Floodplain Overlay    |
| R-1, Single Family Residential |                                  |                                 |                       |

1:1,440  
 0 45 90 180 ft  
 0 12.5 25 50 m  
 City of Ashland Public Works and Planning Department, Copyright 2019 City of Ashland Wisconsin, PICTOMETRY INTL.

Department of Public Works GIS  
 Copyright 2018 City of Ashland

*The subject property is outlined in red above. The blue is the current Public Institutional zoning of most City-owned property (which is recommended for a zone change to Heavy Industrial by the Plan Commission). The yellow to the north is Single-Family zoning. The dark purple is Heavy Industrial zoning. The light purple is Light Industrial zoning. The dark grey is Mobile Home Park zoning.*

### **Background**

Bill Gast and Brian Olby would like to acquire City-owned property east of the walking trail and Public Works facility off of 6<sup>th</sup> Street East for use by Chicago Iron. The land in question includes currently vacant City-owned parcels and undeveloped street rights-of-way in between those parcels. The combined parcel area Mr. Gast and Mr. Olby want to acquire is 118,221 square feet (2.71 acres) in area. The City does not use the land. The walking trail and Public Works facility abut the property to the south, 6<sup>th</sup> Street East abuts the parcel area to the north, single-family residential to the north and northeast, and Chicago Iron to the east. Bill Gast and Brian Olby have approached the City and had discussions with staff regarding acquiring the City-owned land area to combine with the existing Chicago Iron property. The new owner of Chicago Iron has made improvements to his property and he has revised the operations and cleaned up the appearance of the Chicago Iron property. He would like to construct a customer driveway and parking area off of 6<sup>th</sup> Street East to serve the retail component of the Chicago Iron business. The City would transfer the subject property to Mr. Gast or Mr. Olby depending on how Mr. Gast would like the transfer to occur. In exchange Mr. Gast would transfer

approximately 263,204.6 square feet (6.042 acres) of property he owns containing ski trails on the west side of the City to the City.

The Planning and Development Director discussed the proposed land transfer with the Mayor, City Administrator, and Public Works Director. The Mayor and City staff are supportive of the proposed land transfer. The Public Works Director has stated that the currently vacant City-owned land is not of use to Public Works. Staff also discussed the proposed land transfer with the Committee of the Whole (COW) who were also supportive of proceeding. Staff worked with surveyor Pat McKuen to have a Certified Survey Map (CSM) done for the land area proposed for transfer. The Plan Commission reviewed a proposed zone change from Public Institutional (PI) to Heavy Industrial (HI) for the City-owned land areas with PI zoning. The Commission recommended approval of this zone change at the April 28<sup>th</sup>, 2026 Plan Commission meeting. Staff requested that the City Council formally introduce a resolution to vacate the undeveloped public rights-of-way at the May 12<sup>th</sup>, 2026 City Council meeting. The Council voted to introduce this resolution at the May 12<sup>th</sup>, 2026 Council meeting.

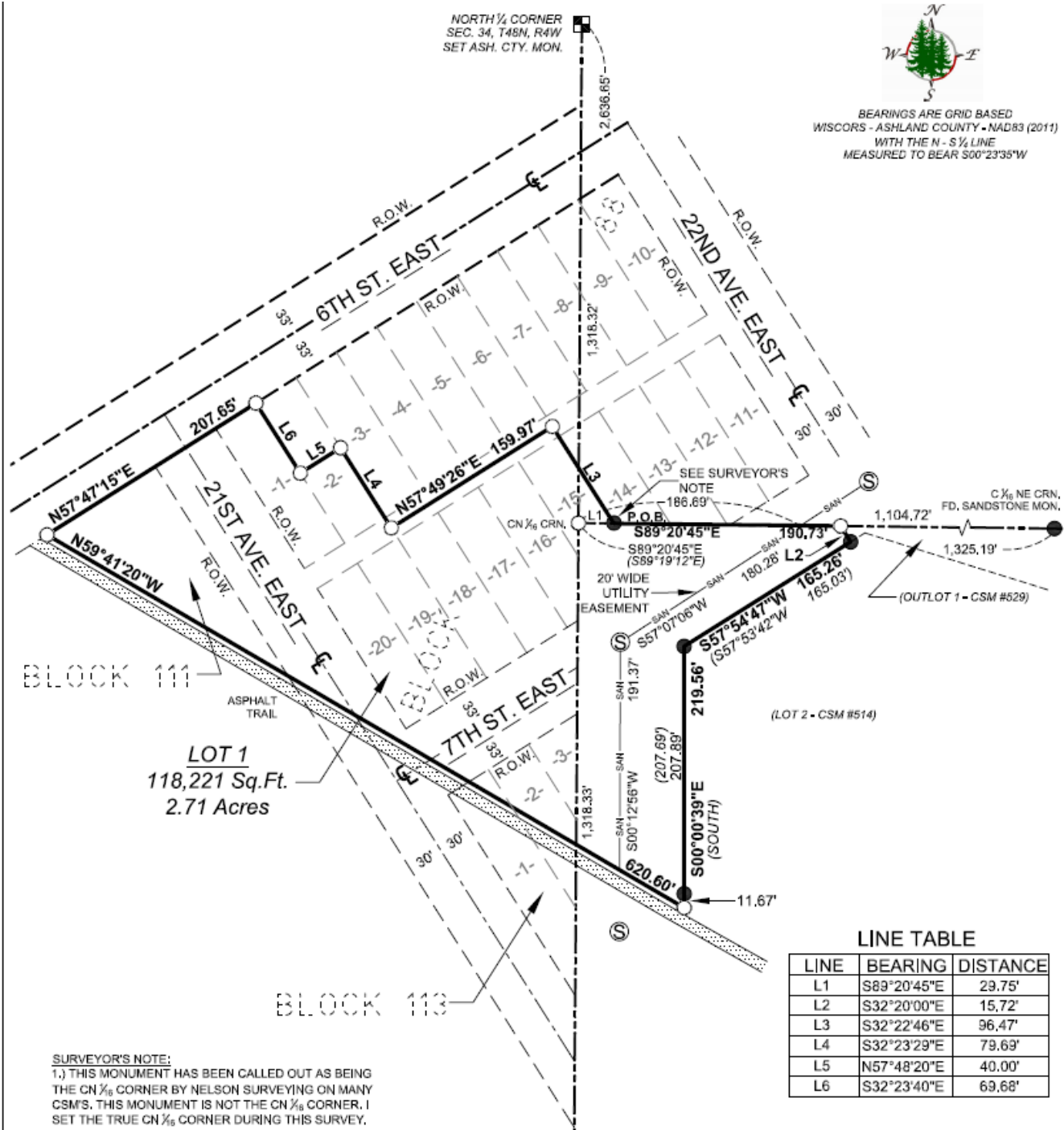
Since Mr. McKuen has drafted the CSM and legal descriptions required and the City Council has voted to introduce the resolution to vacate the rights-of-way staff is now referring both portions of the land transfer to the Plan Commission for review and a recommendation to the City Council. The land exchange consists of two elements: The first includes the vacation of undeveloped street rights-of-way and the transfer of the City-owned property to Mr. Gast/Mr. Olby. The second element is the acquisition of Mr. Gast’s properties by the City. Staff is requesting that the Plan Commission review and make a recommendation regarding the proposed land transfer and land acquisition contingent on one another occurring.

<b>Existing Land Use</b>	<b>Zoning</b>
Vacant: City-owned property and undeveloped rights-of-way	Public Institutional (PI), Heavy Industrial (HI) <i>*Plan Commission recommended zone change from PI to HI for subject City land area.</i>

**Adjacent Land Use and Zoning**

<b>Existing Uses</b>		<b>Zoning</b>
<b>North</b>	Single-Family Residential	Single-Family Residential (R-1)
<b>South</b>	Public Works, Wastewater Treatment Plant	Public Institutional (PI)
<b>East</b>	Residential, Bay Area Rural Transit, Chicago Iron, Undeveloped/Wooded	Single-Family Residential (R-1), Heavy Industrial (HI), Light Industrial (LI), Floodplain Overlay (F-O).
<b>West</b>	Public Works, Single and Two-Family Residential	Public Institutional (PI), Single and Two-Family Residential (R-2).

<b>Land Use Recommendation</b>	<b>Land Use</b>
Future Land Use Map Recommendation	Overlap of Traditional Neighborhood and Mixed Use and Low/Moderate Density and Special Districts



The above image is from a CSM surveyor Pat McKuen completed and shows the proposed new lot configuration. This is the land area Mr. Gast and Mr. Olby would like to acquire.

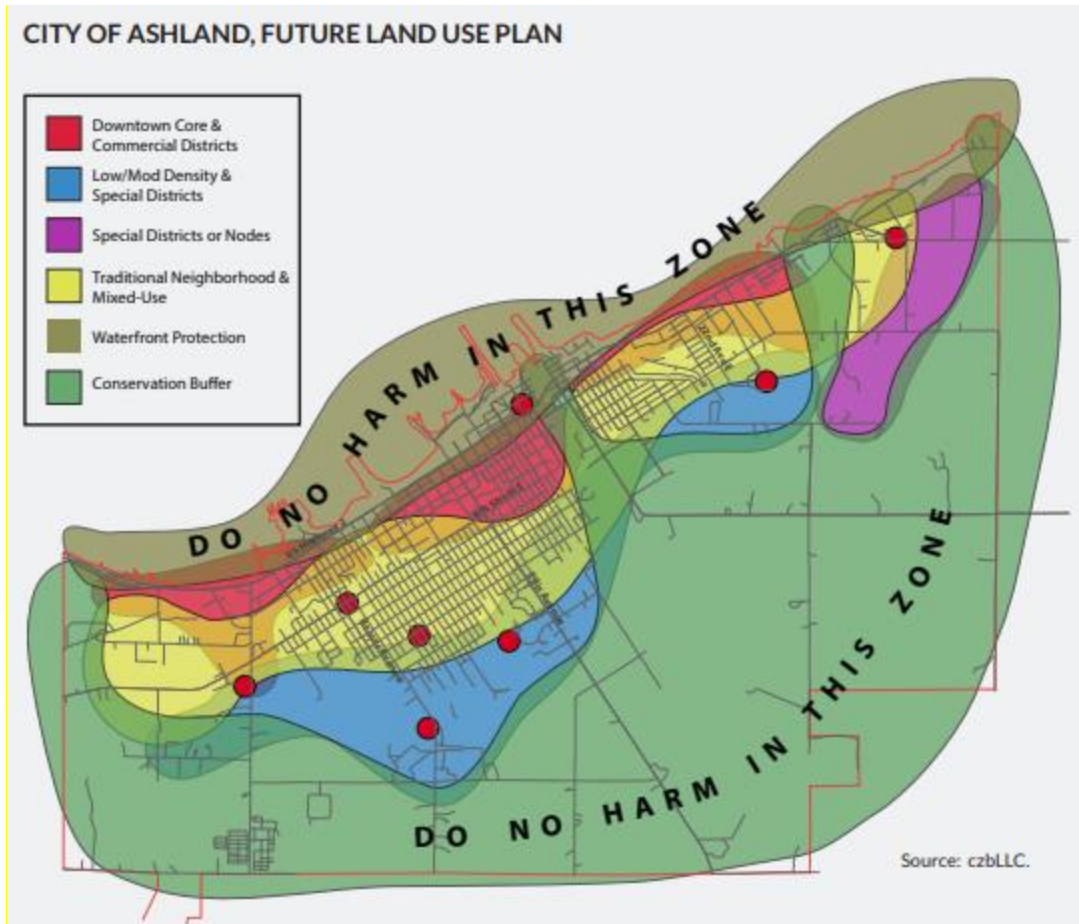
**Review Criteria for Land Transfers:**

The following decision criteria were used to review the submitted land transfer request:

1. **Consistency with Comprehensive Plan.**

The Comprehensive Plan calls for careful disposition of vacant land. This includes making fiscally sound decisions with the land the City owns, and ensuring that the highest and best use for the land is achieved. The subject parcels and rights-of-way are currently vacant and according to the last inventory of City-owned properties these parcels are considered non-essential. To staff's knowledge the parcels do not have easements or deed restrictions attached. Staff would recommend as a condition of approval that the land transfer include a 20-foot wide sanitary sewer easement to allow the City to access and maintain the underground sewer located under one of the existing parcels.

The proposed land transfer of the subject properties and undeveloped rights-of-way does not conflict with the Future Land Use Map, and it supports the principles and goals of the Comprehensive Plan. The property lies within the overlap of the Traditional Neighborhood and Mixed-Use and Low/Moderate Density and Special Districts. The Comprehensive Plan does not call out specific recommended uses for the Low/Moderate and Special Districts zones. The plan explains that a land use map at the scale provided for the Future Land Use Map cannot illustrate all existing or desired conditions on the ground level in neighborhoods. Chicago Iron is an existing use that has been industrial in nature for the past several years. The new owner has taken and continues to take steps to clean up the property and streamline operations to make the front of the property more commercial rather than industrial in nature. City staff does not have concerns with the proposed land transfer in relation to the Comprehensive Plan goals.



**2. Consistency with the Unified Development Ordinance (UDO):**

**A. Zoning District: Public Institutional (PI) and Heavy Industrial (HI)**

The Plan Commission has recommended a zone change from Public Institutional to Heavy Industrial for any City-owned property zoned PI proposed for transfer. The transfer and zone change of the subject properties will not impact consistency with standards for the HI district. The combination of all properties into one parcel will allow for the owner of Chicago Iron to construct a driveway and parking area for retail customers on the currently City-owned parcel area under HI zoning. The lot area would be conforming with the minimum parcel area required for the HI district.

**B. Compatibility of Proposed Development with Existing Development**

The land requested for transfer by the applicant is currently vacant with no development plans proposed. The land transfer and incorporation into Chicago Iron's parcel to allow for additional improvements are compatible with the existing uses as long as all Unified Development Ordinance (UDO) standards are met. There are three existing single-family homes on the north, the walking trail and City Public Works facility to the west and south, and Chicago Iron to the east. There are a variety of zoning classifications in the immediate area based on existing uses which were in effect when the current zoning map took effect in 2012. The size of the land area proposed for transfer to the applicant, coupled with the UDO setbacks, buffering, and lot coverage limits,

places limits on the amount of development that could occur on the subject property area, therefore avoiding potential negative impacts on existing neighboring properties.

**3. Consideration of Highest and Best Use:**

Considering all factors as listed above, staff sees the commercial/industrial uses allowed under HI zoning as the highest and best uses of the property. The City has no current or future plans for use of the parcel, and has deemed this land non-essential for future City needs. It is not shown as essential in City of Ashland Ordinance Chapter 478.

The proposed use is compatible with the site and surrounding areas. As long as the property owner obtains all required approvals and permits and is able to meet all UDO standards staff does not anticipate issues. The surrounding uses are primarily residential. Chicago Iron plans to acquire the subject properties and construct a customer driveway and parking lot for the retail portion of the business. No other interested parties have approached the City regarding the subject properties.

**4. Additional Factors, including Compliance with other City Ordinances and State Statutes:**

- a. The applicant shall apply with Ashland County for combination of the subject property with the existing Chicago Iron property at Parcel # 201-05074-0000 via Certified Survey Map into a single tax parcel if required prior to constructing improvements on the subject property.

**Review Recommendation**

Staff recommends APPROVAL of the Land Transfer request contingent on the following conditions:

- The property shall be transferred to Bill Gast or directly to Brian Olby. If both of them decline the transfer for any reason the property shall not be transferred to another individual or entity without a separate review and approval process. The land transfer shall be contingent on and occur concurrently with the transfer of properties (Parcel #s 201-04490-0000, 201-04498-0000, 201-04499-0000, and 201-04500-0000) owned by the William and Ann Gast Trust to the City of Ashland.
- The land transfer shall include Part of City-owned Parcel # 201-03768-0000, Parcels 201-03717-0000 and 201-03772-0000, Part of Parcel # 201-05077-0200, and undeveloped rights of way between these parcels.
- The land transfer shall be contingent on the City vacating the undeveloped street rights-of-way located between the parcels to be transferred.
- Recipient shall obtain required approvals and zoning and building permits prior to constructing any improvements on the resulting property.
- The land transfer shall include a 20-foot wide utility easement to be shown in the Certified Survey Map to allow the City access to maintain the underground utilities located under a portion of the subject property.

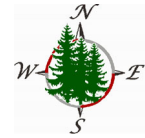
Additionally, as a Public Hearing is scheduled for the proposed Land Transfer, the Plan Commission should hear all input from the public prior to making a determination. The required public hearing notice was issued on April 30<sup>th</sup> and May 7<sup>th</sup>, and discretionary letters were sent 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.*

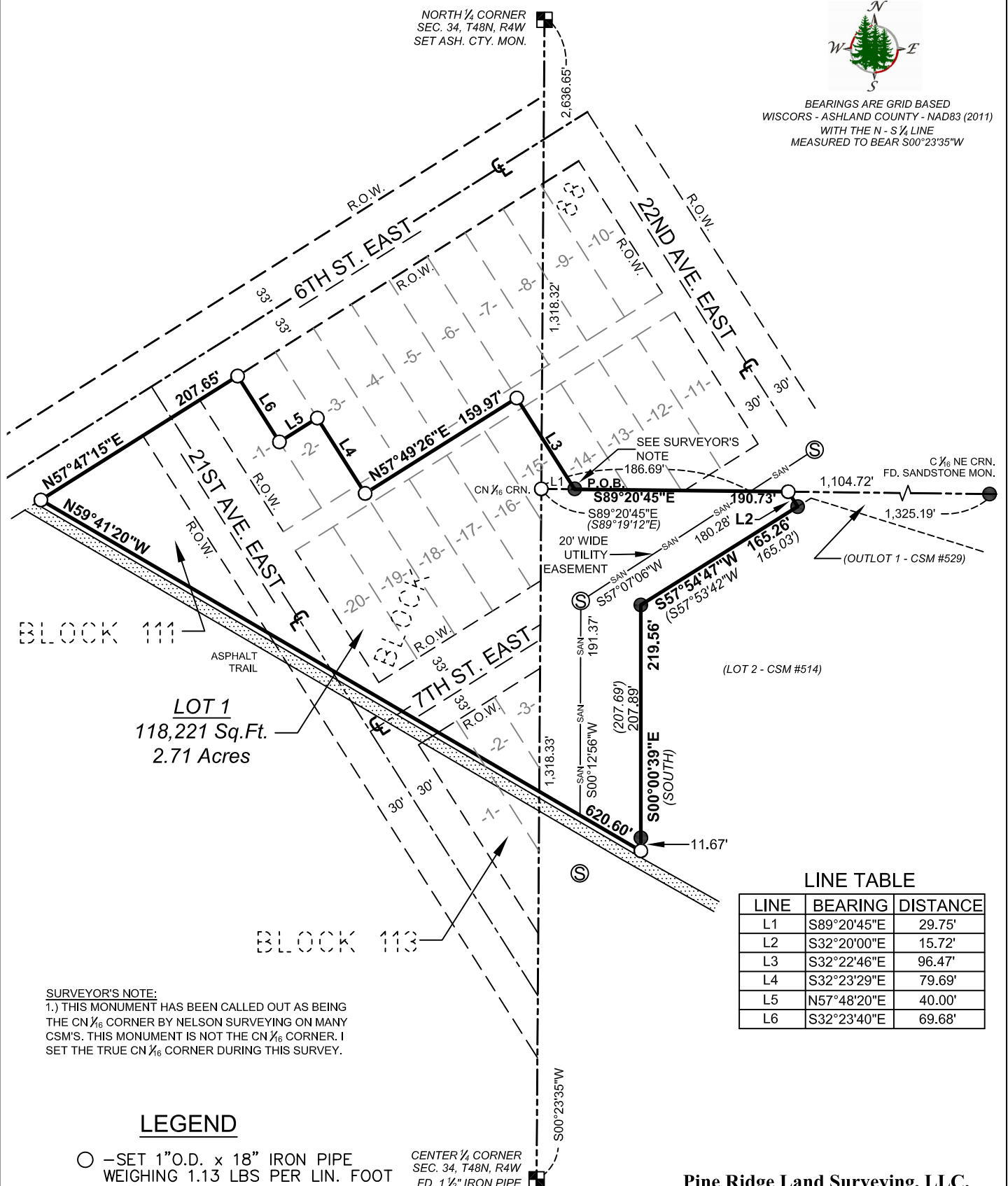
# ASHLAND COUNTY CERTIFIED SURVEY MAP NO. \_\_\_\_\_

LOT 1 & THE SOUTH 1/2 OF LOT 2 & LOTS 15 - 20 TOGETHER WITH THE VACATED ALLEY ADJACENT, BLOCK 88, TOGETHER WITH PART OF LOT 2 & ALL OF LOT 3, BLOCK 113, TOGETHER WITH PART OF BLOCK 111, TOGETHER WITH VACATED 21ST AVE. E. & 7TH ST. E. ADJACENT, LAKE SHORE ADDITION, SECTION 34, TOWNSHIP 48 NORTH, RANGE 4 WEST, CITY OF ASHLAND, ASHLAND COUNTY, WI.

NORTH 1/4 CORNER  
SEC. 34, T48N, R4W  
SET ASH. CTY. MON.



BEARINGS ARE GRID BASED  
WISCORS - ASHLAND COUNTY - NAD83 (2011)  
WITH THE N - S 1/4 LINE  
MEASURED TO BEAR S00°23'35"W



BLOCK 111

**LOT 1**  
118,221 Sq.Ft.  
2.71 Acres

BLOCK 113

(LOT 2 - CSM #514)

**SURVEYOR'S NOTE:**  
1.) THIS MONUMENT HAS BEEN CALLED OUT AS BEING THE CN 1/6 CORNER BY NELSON SURVEYING ON MANY CSM'S. THIS MONUMENT IS NOT THE CN 1/6 CORNER. I SET THE TRUE CN 1/6 CORNER DURING THIS SURVEY.

**LINE TABLE**

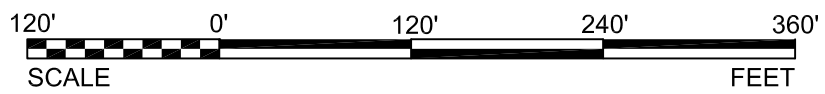
LINE	BEARING	DISTANCE
L1	S89°20'45"E	29.75'
L2	S32°20'00"E	15.72'
L3	S32°22'46"E	96.47'
L4	S32°23'29"E	79.69'
L5	N57°48'20"E	40.00'
L6	S32°23'40"E	69.68'

**LEGEND**

- - SET 1" O.D. x 18" IRON PIPE WEIGHING 1.13 LBS PER LIN. FOOT
- - FD. 1" O.D. IRON PIPE (UNLESS OTHERWISE NOTED)
- ( ) - RECORDED AS DIMENSION
- ⊙ - SANITARY MANHOLE
- SAN - SANITARY LINE

CENTER 1/4 CORNER  
SEC. 34, T48N, R4W  
FD. 1 1/2" IRON PIPE

FIELDWORK COMPLETED:  
4/16/26



**Pine Ridge Land Surveying, LLC.**  
Professional Land Surveying Services  
*Value & Quality in a Timely Manner...*  
**PATRICK A. MCKUEN, PLS**  
1424 1/2 Lake Shore Dr. W.  
Ashland, Wisconsin  
Phone (715) 682-2969  
WWW.PINERIDGESURVEYING.COM  
PROJECT NO. COA26 - 34-48-4  
SHEET 1 OF 2 SHEETS

# ASHLAND COUNTY CERTIFIED SURVEY MAP NO. \_\_\_\_\_

LOT 1 & THE SOUTH 1/2 OF LOT 2 & LOTS 15 - 20 TOGETHER WITH THE VACATED ALLEY ADJACENT, BLOCK 88, TOGETHER WITH PART OF LOT 2 & ALL OF LOT 3, BLOCK 113, TOGETHER WITH PART OF BLOCK 111, TOGETHER WITH VACATED 21ST AVE. E. & 7TH ST. E. ADJACENT, LAKE SHORE ADDITION, SECTION 34, TOWNSHIP 48 NORTH, RANGE 4 WEST, CITY OF ASHLAND, ASHLAND COUNTY, WI.

### Surveyor's Certificate

I, Patrick A. McKuen, Registered Land Surveyor S-2992, hereby certify that I have surveyed, divided and mapped; Lot 1 & the south 1/2 of Lot 2 & Lots 15 - 20 together with the vacated alley adjacent, Block 88, together with part of Lot 2 & all of Lot 3, Block 113, together with part of Block 111, together with vacated 21st Ave. E. & 7th St. E. adjacent, Lake Shore Addition, Section 34, Township 48 North, Range 4 West, City of Ashland, Ashland County, WI more particularly described as follows:

Commencing at the N 1/4 corner of said section; Thence S00°23'35"W along the monumented west line of the NE 1/4 a distance of 1,318.32 feet to the CN 1/6 corner; Thence S89°20'45"E along the monumented south line of the NW 1/4 - NE 1/4 a distance of 29.75 feet to the intersection with the east line of Lot 15, Block 88, Lakeshore Addition which point is the Point of Beginning; Thence S89°20'45"E along the south line of the NW 1/4 - NE 1/4 a distance of 190.73 feet; Thence S32°20'00"E a distance of 15.72 feet; Thence S57°54'47"W along the northwesterly line of Lot 2 of CSM #514 a distance of 165.26 feet; Thence S00°00'39"E along the west line of Lot 2 of CSM #514 a distance of 219.56 feet; Thence N59°41'20"W a distance of 620.60 feet to the south right of way of 6th St. E.; Thence N57°47'15"E along said south line a distance of 207.65 feet to the northeast corner of Lot 1, Block 88, Lakeshore Addition; Thence S32°23'40"E along the east line of said Lot 1 a distance of 69.68 feet; Thence N57°48'20"E a distance of 40.00 feet to the east line of Lot of Block 88, Lakeshore Addition; Thence S32°23'29"E along said east line a distance of 79.69 feet to the centerline of the vacated alley; Thence N57°49'26"E along said centerline a distance of 159.97 feet; Thence S32°22'46"E along the east line of Lot 15, Block 88, Lakeshore Addition a distance of 96.47 feet to the Point of Beginning.

That the above described parcel of land contains 118,221 square feet or 2.71 acres.

That I have made this map at the direction of the City of Ashland, OWNER'S of said lands.

That said parcel is subject to any easements, restrictions and right-of-ways of record.

### 20' WIDE UTILITY EASEMENT:

A 20' foot wide utility easement located 7.50' on either side of the following described centerline as located in the SW 1/4 - NW 1/4 of Section 34, Township 48 North, Range 4 West, City of Ashland, Ashland County, WI more particularly described as follows:

Commencing at the N 1/4 corner of said section; Thence S00°23'35"W along the monumented west line of the NE 1/4 a distance of 1,318.32 feet to the CN 1/6 corner; Thence S89°20'45"E along the north line of the SW 1/4 - NW 1/4 to the intersection with the existing underground sanitary line a distance of 186.69 feet which is the Point of Beginning; Thence S57°07'06"W along the center of said sanitary line a distance of 180.28 feet to the center of an existing sanitary manhole; Thence S00°12'56"W along the center of said sanitary line a distance of 191.37 feet to the southerly boundary line of Lot 1 of this CSM which is the Terminus of said easement.

That I have fully complied with the provisions of Section 236.34 of Wisconsin Statutes and the City of Ashland Subdivision Control Ordinance in surveying, dividing and mapping said parcel.

That this map correctly and accurately depicts the exterior boundaries of said parcel and the division thereof made.

dated this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Pine Ridge Land Surveying  
Patrick A. McKuen  
WI PLS S-2992

### CITY OF ASHLAND PLANNING & ZONING APPROVAL CERTIFICATE

I, STEVEN WILEY, CITY OF ASHLAND ZONING ADMINISTRATOR , DO HEREBY APPROVE THIS CITY OF ASHLAND CERTIFIED SURVEY MAP

SIGNED: \_\_\_\_\_  
STEVEN WILEY

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2026.

### **Pine Ridge Land Surveying, LLC.**

Professional Land Surveying Services  
*Value & Quality in a Timely Manner...*

**PATRICK A. MCKUEN, PLS**  
1424 1/2 Lake Shore Dr. W.  
Ashland, Wisconsin  
Phone (715) 682-2969

WWW.PINERIDGESURVEYING.COM  
PROJECT NO. TORVINEN26 - COA BLK35 ASHPRP  
SHEET 2 OF 2 SHEETS

*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 – May 19<sup>th</sup>, 2026

---

**Agenda Item # 6c:**                    **Public Hearing Vote on a City Land Acquisition**

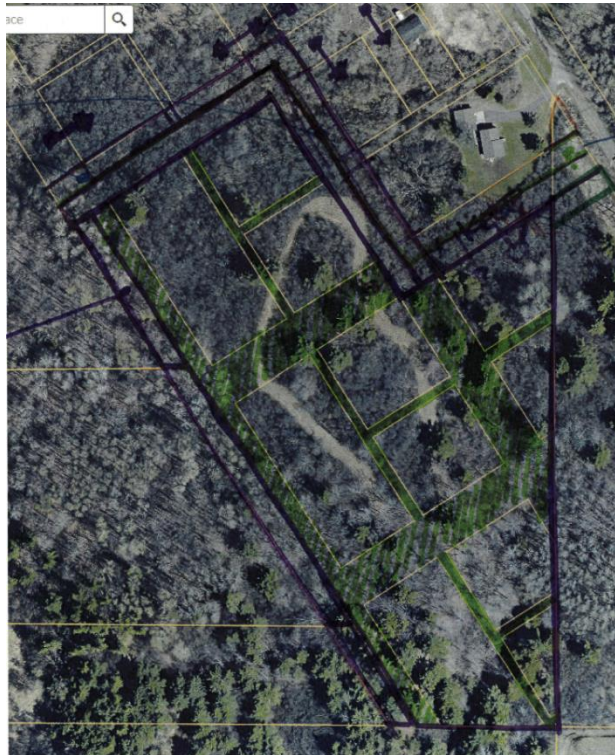
Zoning District:                    Single-Family Residential (R-1)

Property Address:                    Vacant – No Address Number

Parcel #:                                Parcel #s 201-04490-0000, 201-04498-0000, 201-04499-0000,  
201-04500-0000

Applicant:                              City of Ashland

Staff Contact:                         Steven Wiley



*The map shows the parcel areas Bill Gast owns and these contain ski trails. The City would acquire these parcels in exchange for transferring City-owned property as proposed in Item 6b.*



*The subject properties are outlined in red above. The yellow is Single-Family Residential zoning, the pink is Regional Commercial zoning, blue is Public Institutional zoning, the tan is Mixed Residential/Commercial zoning. The darker green is Future Development zoning and the light green is Residential Estates zoning. The dark grey is Mobile Home Park zoning. The red cross-hatch is Gateway Overlay zoning of Sanborn Avenue.*

**Background**

Item 6b was a land transfer request for the City to transfer ownership of approximately 118,221 square feet (2.71 acres) in parcel and right-of-way area east of Public Works to Bill Gast/Brian Olby for use by Chicago Iron. In exchange Mr. Gast would transfer the approximately 263,204.6 square feet (6.042 acres) of property he owns adjacent to the undeveloped 21<sup>st</sup> Avenue West right-of-way. This property is wooded and undeveloped currently containing ski trails. Access options to the properties and developability are limited due to ravines in the area. The ski trails are maintained currently by a volunteer group and are often used by members of the community. Mr. Gast does not have plans to develop the properties and has expressed interest in allowing the ski trails to remain accessible for community use.

The Planning and Development Director discussed the proposed land acquisition with the Mayor, City Administrator, and Public Works Director. The Parks and Recreation Director is also aware of the proposed acquisition. The Mayor and Committee of the Whole have expressed support for the proposed land acquisition. The Public Works Director expressed concern with long-term maintenance of the ski trails. Staff continues to discuss this. Currently a volunteer committee maintains the trails. Staff and the Mayor will continue discussions regarding how the City would proceed to maintain the trails if the volunteer group ceases to exist.

Mr. Gast provided planning staff with a survey map of his properties. As part of the land exchange process staff recommends that the City acquire the subject properties from Mr. Gast contingent on Mr. Gast or Brian Olby acquiring the City-owned property east of Public Works as proposed in Item 6b.

Staff is now referring both portions of the land exchange to the Plan Commission for review and a recommendation to the City Council. The land exchange consists of two elements: The first includes the vacation of undeveloped street rights-of-way and the transfer of the City-owned property to Mr. Gast/Mr. Olby as proposed in Item 6b. The second element is the acquisition of Mr. Gast's properties by the City which is proposed here. Staff is requesting that the Plan Commission review and make a recommendation regarding the proposed acquisition contingent on the land transfer from Item 6b occurring.

<b>Existing Land Use</b>	<b>Zoning</b>
Vacant: Undeveloped properties containing the ski trails	Single-Family Residential (R-1)

**Adjacent Land Use and Zoning**

<b>Existing Uses</b>		<b>Zoning</b>
<b>North</b>	Single-family Residential	Single-Family Residential (R-1)
<b>South</b>	Undeveloped/Wooded	Future Development (F-D)
<b>East</b>	Single-Family Residential, Undeveloped/Wooded	Single-Family Residential (R-1)
<b>West</b>	Single-Family Residential, Ashland County Health and Human Services, Kingdom Hall of Jehovah's Witnesses	Single-Family Residential (R-1), Public Institutional (PI)

<b>Land Use Recommendation</b>	<b>Land Use</b>
Future Land Use Map Recommendation	Overlap of Traditional Neighborhood and Mixed Use, Conservation Buffer, and Low/Moderate Density and Special Districts

# PROPERTY EXHIBIT

BLOCKS 5, 8, 9 & 10 OF THE WASHBURN PARK ADDITION,  
 LOCATED IN THE SW 1/4 - SW 1/4, SECTION 5, TOWNSHIP 47 NORTH, RANGE 4 WEST,  
 CITY OF ASHLAND, ASHLAND COUNTY, WISCONSIN.



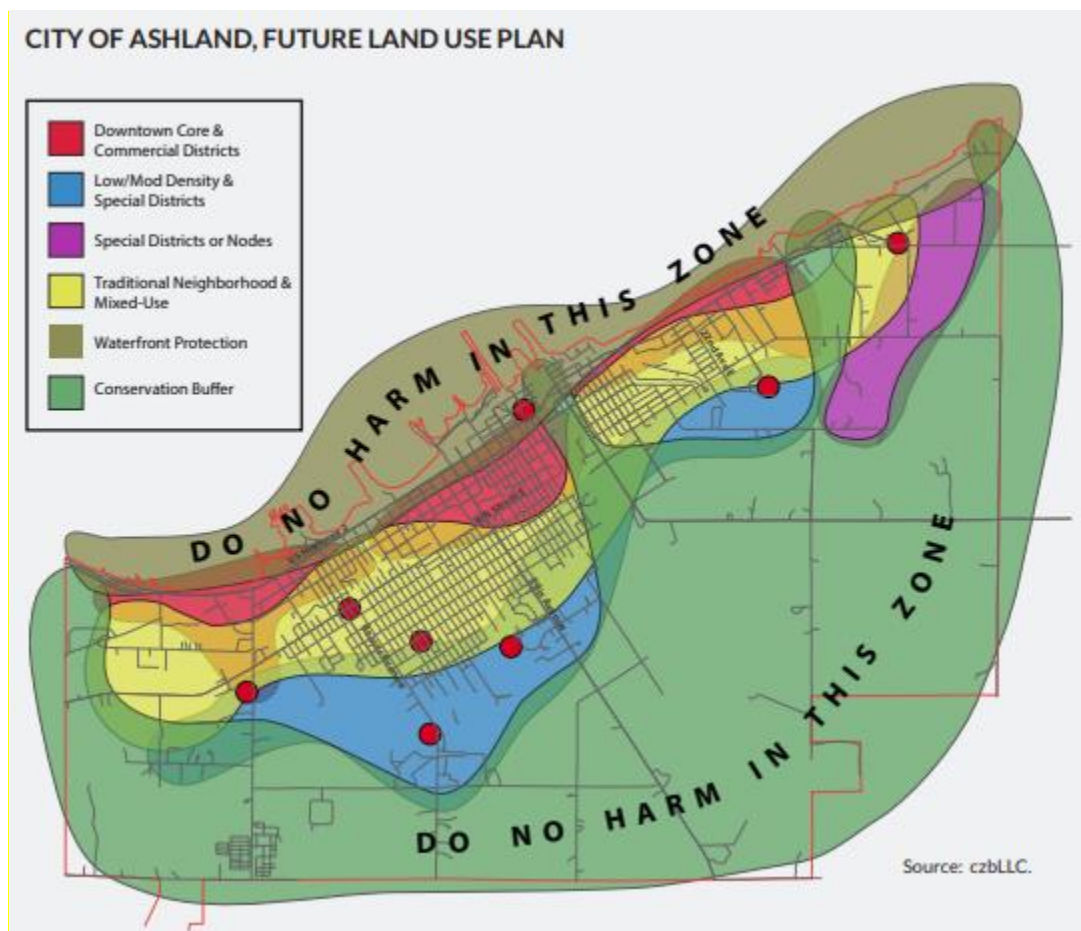
The above image is from a Survey Map surveyor Pat McKuen completed and shows the properties the City would acquire from Mr. Gast.

## Review Criteria for Offer to Purchase and Sale of Land:

The following decision criteria were used to review the submitted land acquisition request:

**1. Consistency with Comprehensive Plan.**

The Future Land Use Map in the Comprehensive Plan includes general land use zones for all areas of the City. The subject properties are vacant and undeveloped except for ski trails which are maintained by a volunteer organization for public use. The land has limited potential for development due to a lack of street access and ravines which prevent a cost-effective construction of public street access. If the City acquires the subject properties the parcels would remain undeveloped and the ski trails would remain. The City's acquisition of the parcels would ensure that the parcels remain undeveloped and available for public use as long as the ski trails are maintained. Prevention of development on the parcels is consistent with the Conservation Buffer future land use recommended by the Comprehensive Plan for some parcels. Since the properties are located at the overlap of multiple future land use zones the plan provides some flexibility for what the City could do with the parcels. The acquisition of the parcels by the City and keeping them undeveloped except for the ski trails is consistent with the Comprehensive Plan.



**2. Consistency with the Unified Development Ordinance (UDO):**

**A. Zoning District: Single-Family Residential (R-1)**

The City's acquisition of the subject parcels and the plans to maintain the properties as undeveloped parcels is consistent with the UDO. The City does not have plans to transfer or develop the parcels in a manner not consistent with the ordinance.

## B. Compatibility of Proposed Development with Existing Development

The land requested for acquisition by the City is currently vacant with no development plans proposed. The properties contain ski trails that are used by the community and maintained by a volunteer group. The City does not have plans to transfer the properties to another entity or to develop the properties. The properties would remain as they are. Staff does not anticipate negative impacts on the surrounding properties. No land use would intensify through the proposed acquisition. The properties are limited in their development potential due to a lack of developed street access and utilities, and due to ravines.

### 3. **Consideration of Highest and Best Use:**

Considering all factors as listed above, staff sees maintaining the properties undeveloped as they are with ski trails for recreational purposes as the highest and best use. In order to construct a single-family home or other use on the properties an owner would need to install an access drive and likely a bridge or alter the topography to provide access to the properties. The cost of doing this would render a single-family home or other development as permitted by R-1 zoning cost prohibitive. Therefore, the parcels remaining as undeveloped with trails for recreational purposes is the highest and best use.

### 4. **Additional Factors, including Compliance with other City Ordinances and State Statutes:**

- a. N/A

## **Review Recommendation**

Staff recommends APPROVAL of the Land Acquisition request contingent on the following conditions:

- The property shall be transferred to the City of Ashland. This shall occur concurrently with the transfer of City-owned properties (Part of Parcel # 201-03768-0000, Parcels 201-03717-0000 and 201-03772-0000, Part of Parcel # 201-05077-0200, and adjacent street rights-of-way) proposed in Item 6b to Bill Gast/Brian Olby.
- The City land acquisition shall include Parcel #s 201-04490-0000, 201-04498-0000, 201-04499-0000, 201-04500-0000 currently owned by the William and Ann Gast Trust.

Additionally, as a Public Hearing is scheduled for the proposed Land Transfer, the Plan Commission should hear all input from the public prior to making a determination. The required public hearing notice was issued on April 30<sup>th</sup> and May 7<sup>th</sup>, 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.*



BEARINGS ARE GRID BASED  
WCCS - ASHLAND COUNTY WITH  
THE EAST LINE OF THE SW<sup>1</sup>/<sub>4</sub> - SW<sup>1</sup>/<sub>4</sub> MEASURED TO BEAR  
S00°02'45"E

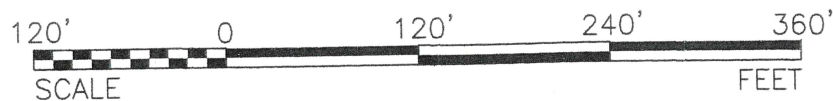
**SURVEYORS NOTE:**

THE INTENT OF THIS EXHIBIT IS TO SHOW  
THE LOCATION OF THE INGRESS/EGRESS &  
UTILITY EASEMENT.

THE PREVIOUS SURVEY WAS COMPLETED IN  
2022

**LEGEND**

- -SET 1" O.D. x 18" IRON PIPE
- -FD. 1 1/4" IRON PIPE  
(UNLESS NOTED OTHERWISE)
- ( ) -PREVIOUSLY RECORDED AS



**PROPERTY EXHIBIT**

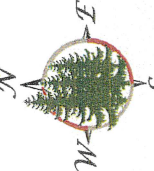
BLOCKS 5, 8, 9 & 10 OF THE WASHBURN PARK ADDITION,  
LOCATED IN THE SW<sup>1</sup>/<sub>4</sub> - SW<sup>1</sup>/<sub>4</sub>, SECTION 5, TOWNSHIP 47 NORTH, RANGE 4 WEST,  
CITY OF ASHLAND, ASHLAND COUNTY, WISCONSIN.



FULL BLOCKS RECORDED AS BEING 300' x 300'

PATRICK A. MCKUEN, PLS  
1424 1/2 LAKE SHORE DR. W.  
ASHLAND, WI 54806  
PH. 715-682-2969  
WWW.PINERIDGESURVEYING.COM  
PMCKUEN@PINERIDGESURVEYING.COM

Pine Ridge  
Land Surveying, LLC.  
Professional Land Surveying Services  
Value & Quality in a Timely Manner.



DATE	REV. NO.	BY	REVISION DESCRIPTION

Drawn by: P. MCKUEN  
Approved by: P. MCKUEN  
Date Approved: 7/08/22

Filed With:  
ASHLAND COUNTY  
Field Work Completed:  
7/01/22

**GAST  
PROPERTY EXHIBIT**

BLOCKS 5, 8, 9 & 10 OF THE  
WASHBURN PARK ADDITION  
LOCATED IN THE SW<sup>1</sup>/<sub>4</sub> - SW<sup>1</sup>/<sub>4</sub>, SECTION 5,  
TOWNSHIP 47 NORTH, RANGE 4 WEST,  
CITY OF ASHLAND, ASHLAND COUNTY, WISCONSIN.

PROJECT NUMBER:  
GAST22-00A-WASHBRN PRK  
FIGURE/SHEET  
NO. **1**  
OF 1

*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

---

## Memo

---

**To:** Mayor and Members of the Plan Commission

**From:** Steven D. Wiley, AICP, Planning and Development Director

**Subject:** **Discussion Item (Draft UDO Amendments to permit Local Food Sales as a Home Occupation)**

**Date:** May 19<sup>th</sup>, 2026

---

Local resident/property owner Michael McCutchen has spoken with City staff at points throughout the past few years regarding his interest in having the ability to sell products he makes from his local farm at his residential property in the city as a Home Occupation. Part 5 of the Unified Development Ordinance includes a Section regulating Home Occupations. Currently, the ordinance does not list Local Food Sales as a permitted Home Occupation. Mr. McCutchen owns a local farm and would like to have the ability to sell frozen beef in sealed packages at his home. The beef would be from his farm and produced at a USDA licensed Butcher. No processing of meat or other products would occur at his property. Mr. McCutchen stated that in the future, he could see potentially selling corn products including corn chips, grits, masa dough and similar products. These are longer term ideas. Mr. McCutchen has requested that Planning Staff consider an amendment to the UDO to allow the limited sales of local food products as a Home Occupation.

Mr. McCutchen did some research and staff also reached out to Taia McColley who is the Environmental Health Sanitarian for Ashland County. Ashland County requires a prepackage retail food (not serving meals) license. It is the lowest complexity license the County offers. They allow this license in almost any environment because there is no food processing occurring. All that is really needed is a clean and dry space free from pests. No hand wash sinks, dishwashing, or washable floor or walls are required. Ms. McColley explained that in the past she has received questions from community members about making a commercial kitchen in a garage or tiny home on their properties. The County allows for certain items to be canned at home and items from the cottage food rules to be made at home without a commercial kitchen or licensing. Mr. McCutchen has not requested the ability to process any items at his residential property and staff would not recommend allowing this as part of a home occupation.

Staff drafted amendments to the following Sections of the UDO:

UDO Part 5 Home Occupation: Proposes the inclusion of “Local Farm Products - Sales” as a permitted Home Occupation. The amendment includes creation of an additional UDO Part 5 subsection with specific standards for Local Farm Products – Sales.

UDO Part 12 Definitions: Creation and inclusion of a definition in the UDO for “Local Farm Products – Sales.”

Planning staff had Ms. McColley from Ashland County review the proposed ordinance amendment and offer input. Some questions came up:

Signage:

- Would the ordinance not allow a sign in the window or is there an advertising limit we want to set? A sign size or placement that can be required?

Product Displays:

- Would the UDO prohibition on displaying articles for sale apply for local farmers under this ordinance amendment also? Would they be allowed to display any pumpkins, fruits, or vegetables outside?

Deliveries and Pickups:

Currently ordinance restricts deliveries and pickups for Home Occupations to those normally associated with residential services and only between 8:00 am and 8:00 pm, Monday through Saturday. Ms. McColley asked whether a local farmer would be allowed to restock on Sundays. Many local farmers must travel downstate to pick up their meat and since they work regular jobs during the week meat pickup may occur over the weekend. Once the meat is picked up it must go straight into their licensed freezers and cannot be somewhere else to comply with the County license.

Staff is requesting that the Plan Commission discuss the proposed ordinance amendments to allow Local Food Sales as a Home Occupation. The Plan Commission can inform staff of whether or not the Commission is supportive of the concept. The Commission can ask questions and provide input. If the Commission is supportive of the proposed amendments, staff would welcome input on the questions above prior to staff finalizing the ordinance amendments. Staff would like to bring the amendments back to Plan Commission for final review and a recommendation at the June 16<sup>th</sup> Plan Commission meeting. No action is requested at the May 19<sup>th</sup> meeting.

If there are any questions please reach out to Steven Wiley at 715-685-1610 or [swiley@coawi.org](mailto:swiley@coawi.org).

**Home Occupation.** A home occupation shall be allowed in those zoning districts where they are a permitted use. A person with a home occupation that exceeds any standard listed in Section 5.1 F.3.: Standards for Permitted Home Occupations shall be required to obtain a conditional use permit pursuant to Section 3.9: Conditional Use Permit. All home occupations shall also comply with all other applicable local, State or Federal regulations.

**1. Intent.**

1. Establish criteria for operation of home occupations as a secondary use in all districts permitting residential use;
2. Permit and/or regulate the conduct of home occupations as an accessory use in a dwelling unit, whether owner- or renter-occupied;
3. Ensure that such home occupations are compatible with, and do not have a harmful effect on, adjacent and nearby residential properties and uses;
4. Ensure that public and private services, such as streets, sewers, or water or utility systems, are not burdened by the home occupation to the extent that usage exceeds that normally associated with residential use;
5. Allow residents of the community to use their place of residence to enhance or fulfill personal economic goals, under certain specified standards, conditions, and criteria;
6. Enable fair and consistent enforcement of home occupation regulations; and
7. Promote and protect the public health, safety, and general welfare of the community.

**2. Permitted Home Occupations.**

1. Intent. Home occupations, as defined by this ordinance and permitted in this section, are allowed as an accessory use where the principle use is residential, in all zoning districts that permit residential use, for the reasons that they:
  1. Do not compromise the residential character of the area;
  2. Do not generate conspicuous traffic;
  3. Do not visually call unusual attention to the home; and
  4. Do not generate noise of a nonresidential level.
2. Standards. The standards set forth in this section shall be met. In cases where the character of the home occupation exceeds the requirements, the home occupation will either require a conditional use permit pursuant to Section 3.9: Conditional Use Permit or the use is not considered a home occupation, as determined by the Zoning Administrator or Designated Authorized Agent.
3. Types of Permitted Home Occupations.
  1. Accounting, tax preparation, bookkeeping, and payroll services;
  2. Artists, sculptors, and composers;
  3. Baking and cooking;
  4. Catering;
  5. Child care: for 1 to 3 children as an unlicensed family daycare;
  6. Computer systems design, repair, and related services;
  7. Computer training;
  8. Craft work, such as jewelry-making and pottery;
  9. Drafting services;
  10. Engineering, architecture, and landscape architecture;
  11. Financial planning and investment services;
  12. Hair salon, barbering, hairdressing, and other personal care services;
  13. Home offices;
  14. Information and data processing services;
  15. Insurance sales;

- 16. Interior decoration (no studio permitted);
- 17. Internet sales;
- 18. Legal services;
- 18-19. Local Farm Products-Sales
- 19-20. Mail order business;
- 20-21. Musical instruction, voice, or instrument;
- 21-22. Musical instrument tuning and repair;
- 22-23. Offices for professional, scientific, or technical services or administrative services;
- 23-24. Photographic services;
- 24-25. Professional services, including the practice of law;
- 25-26. Real estate services and appraisal;
- 26-27. Sale of firewood, provided that: no on-site processing occurs; and that all on-site wood storage meets the requirements of the City of Ashland [Ordinance 750](#): Property Maintenance Ordinance, Section 750 (B): Firewood Storage;
- 27-28. Tailoring (e.g., dressmaking and alterations) services;
- 28-29. Teaching of crafts and incidental sale of supplies to students;
- 29-30. Telephone answering and message services; and
- 30-31. Tutoring.
- 31-32. Other uses as determined by Zoning Administrator or other authorized agent.

4. **Exempted Home Occupations.**

- 1. Baking, cooking and craft work created entirely for not for profit use, fundraising and donations, or for seasonal sales occurring no more than 4 times per year;
- 2. Sale of worms for bait, seasonally, from May 1 to September 30;
- 3. Those occupations with an annual income less than the Federal IRS minimum income requirement for self-employment. Refer to IRS Publication 334: Tax Guide for Small Business.

3. **Standards for Permitted Home Occupations.** The following requirements shall be met for the Home Occupations listed in this Subsection:

- 1. No more than 2 employees other than residents of the premises shall be permitted;
- 2. Sales shall be limited to: mail order sales; telephone sales; and/or internet sales, all with off-site delivery;
- 3. Classes held on the premises shall have no more than four (4) students at any given time and shall be given within the principal structure only;
- 4. The home occupation shall not result in the need for more than two (2) parking spaces at any given time in addition to spaces required by the occupant of the home. Exceptions include open house events, which shall not occur more than one per quarter annually;
- 5. Not more than ten (10) customer vehicle trips for business purposes per day. Hours for visits shall be between 8:00 AM and 8:00 PM;
- 6. No more than twenty five (25) percent of the total area of the principal structure shall be used for the home occupation activity;
- 7. No structural alterations or construction involving features not customarily found in dwellings;

8. Articles for sale may not be displayed outside the principal structure, with the exception of firewood meeting the requirements of the City of Ashland [Ordinance 750](#): Property Maintenance Ordinance, Section 750 (B): Firewood Storage or pumpkins, fruits, or vegetables by property owners engaged in Local Food Sales meeting the requirements of this Section and applicable County and State regulations;
9. There shall be no exterior storage of equipment or materials used in connection with the home occupation, with the exception of firewood meeting the requirements of the City of Ashland [Ordinance 750](#): Property Maintenance Ordinance, Section 750 (B): Firewood Storage;
10. Shall not involve the repair of vehicles and motors or construction of equipment and machinery;
11. Deliveries and pickups shall be those normally associated with residential services, shall not block traffic circulation, and shall occur only between 8:00 AM and 8:00 PM, Monday through ~~Saturday~~Sunday;
12. There shall be no detriments to the residential character of the neighborhood due to the emission of noise, odor, smoke, dust, gas, heat, vibration, electrical interference, traffic congestion, or other nuisances resulting from the home occupation;
13. Storage of goods and materials shall not include flammable, combustible, or explosive materials which exceed typical levels allowable on a residential property;
14. Existing public facilities and utilities shall be adequate to safely accommodate equipment used for the home occupation;
15. Signage for home occupations shall comply with the requirements set forth in Section 6.6: Signs.

**4. Standards for Local Farm Products, Sales.**

1. Products for sale must contain a minimum of 70% by weight ingredients from a farm operated and labored on by the resident (property owner or tenant) seeking a permit.
2. Sales shall be restricted to local produce and meat products only. No meals shall be served/sold on the premises.
3. Products must not be adulterated or misbranded and must be stored safely to keep food safe prior to sale.
4. No processing of products other than canning shall occur on the residential property.
5. Renters may be considered for a permit on written approval of their landlord which shall be submitted to the Department of Planning and Development.
6. Farmers who are property owners or tenants of the residential property may have a single Farm Stand. Tenants must have approval of their landlords. The Farm Stand must meet accessory structure setbacks.
7. The property owner or tenant shall not have more than two (2) customers present on the property at one time, and no more than six (6) customers per hour.
8. All products sold shall comply with all applicable local, state, and federal health and safety standards and the property owner or tenant shall have all required County and State approvals and licenses.
9. A permit shall be required and renewed annually through the Planning and Development Department. Applicants shall forward to the Department of Planning and Development the Annual Health Inspection and License they obtain from Ashland County.

Formatted: Font: Bold

Formatted

Formatted: Font: Not Bold

**4.5 Rural Home Occupations – Permitted Home Occupations.** The following home occupations are permitted in the Future Development District (FD), on parcels with five (5) acres or more, in addition to those specified above in Section 5.1 F.2.

1. Auto repair work;
2. Computer and office machine repair and maintenance;
3. Contractor and trade shops, indoor operations only, including electrical, plumbing, and mechanical;
4. Machine welding shops;
5. Office machinery and equipment rental and leasing; and
6. Processing and sale of firewood, provided that: all on-site wood storage meets the requirements of the City of Ashland [Ordinance 750](#): Property Maintenance Ordinance, Section 750 (B): Firewood Storage.

**5-6. Standards for Permitted Rural Home Occupations in the Future Development District (FD).** The Rural Home Occupations listed above in Section 5.1 F.4., shall meet the standards listed above in Section 5.1 F.3., with exception, the following standards based on the rural character of this district, are permitted.

1. Garages or detached accessory structures may be used for the home occupation activity.
2. Exterior storage of equipment or materials may be used, only in connection with the home occupation.
3. The repair of vehicles or motors or construction of equipment and machinery is allowable as a home occupation.
4. Storage of flammable, combustible, or explosive goods and materials is allowable in accessory structures if property storage and separate requirements are met and if authorized in writing by the Fire Chief.

## [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 5.1E 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 a 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.

**Local Farm Products, Sales.** Home sales of residents' local farm products in which residential owners or tenants sell products in which at least 70% of the constituent ingredients are from a local farm (within 5 miles of the City limits) on which the resident participates in the labor of farming.

Formatted: Font: Bold

**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.

**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 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 (¾) 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.

**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 principal 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

# Case Violation Detail Report

04/01/2026 - 04/30/2026

Case #	Case Date	Assigned To	Main Status	Description	Closed Date	Parcel #	Parcel Address	Violation Name	Violation Date	Violation Status
20260093	4/29/2026	Raymond Kallio	Closed	misc storage				Section 750, B., 11. Miscellaneous Storage	4/29/2026	Open
20260094	4/29/2026	Raymond Kallio	Open	misc storage		201022080000	610 3RD AVE W	Section 750, B., 11. Miscellaneous Storage	4/29/2026	Open
20260094	4/29/2026	Raymond Kallio	Open	misc storage		201022080000	610 3RD AVE W	Section 750, B., 1. Clean, Safe, Sanitary and Attractive Maintenance of Exterior Property	4/29/2026	Open
20260091	4/28/2026	Raymond Kallio	Open	freezer in yard		201035560000	1716 CARY ST	Section 750, B., 11. Miscellaneous Storage	4/28/2026	Open
20260092	4/28/2026	Raymond Kallio	Closed	appliances in yard	5/5/2026	201028540000	1110 ELLIS AVE	Section 750, B., 11. Miscellaneous Storage	4/28/2026	Closed
20260090	4/27/2026	Raymond Kallio	Open	misc storage		201024640000	816 5TH AVE E	Section 750, B., 1. Clean, Safe, Sanitary and Attractive Maintenance of Exterior Property	4/27/2026	Closed
20260089	4/23/2026	Raymond Kallio	Closed	misc storage	4/29/2026	201038830000	1214 MACARTHUR AVE	Section 750, B., 11. Miscellaneous Storage	4/23/2026	Closed

20260089	4/23/2026	Raymond Kallio	Closed	misc storage	4/29/2026	201038830000	1214 MACARTHUR AVE	Section 750, B., 1. Clean, Safe, Sanitary and Attractive Maintenance of Exterior Property	4/23/2026	Closed
20260087	4/23/2026	Raymond Kallio	Closed	misc storage	5/5/2026	201015830000	215 7TH AVE E	Section 750, B., 11. Miscellaneous Storage	4/23/2026	Closed
20260088	4/23/2026	Raymond Kallio	Open	brush pile, pallets, debris		201045640000	1300 MACARTHUR AVE	Section 750, B., 11. Miscellaneous Storage	4/23/2026	Open
20260088	4/23/2026	Raymond Kallio	Open	brush pile, pallets, debris		201045640000	1300 MACARTHUR AVE	Section 750, B., 1. Clean, Safe, Sanitary and Attractive Maintenance of Exterior Property	4/23/2026	Open
20260085	4/22/2026	Raymond Kallio	Open	misc storage		201045150000	601 7TH ST W	Section 750, B., 1. Clean, Safe, Sanitary and Attractive Maintenance of Exterior Property	4/22/2026	Open
20260085	4/22/2026	Raymond Kallio	Open	misc storage		201045150000	601 7TH ST W	Section 750, B., 11. Miscellaneous Storage	4/22/2026	Open
20260086	4/22/2026	Raymond Kallio	Closed	garbage	4/29/2026	201044300000	704 CHAPPLE AVE	Section 750, B., 1. Clean, Safe, Sanitary and Attractive Maintenance of Exterior Property	4/22/2026	Closed

20260081	4/21/2026	Raymond Kallio	Closed	junk and debris	5/7/2026	201019070000	407 WILLIS AVE	Section 750, B., 1. Clean, Safe, Sanitary and Attractive Maintenance of Exterior Property	4/21/2026	Closed
20260084	4/21/2026	Raymond Kallio	Closed	Bed on curb	5/5/2026	201030330000	1019 10TH ST W	Section 750, B., 11. Miscellaneous Storage	4/21/2026	Closed
20260083	4/21/2026	Raymond Kallio	Closed	Tires	5/5/2026	201030170000	919 9TH AVE W	Section 750, B., 11. Miscellaneous Storage	4/21/2026	Closed
20260082	4/21/2026	Raymond Kallio	Closed	Tires	5/5/2026	201038700000	1221 9TH AVE W	Section 750, B., 11. Miscellaneous Storage	4/21/2026	Closed
20260081	4/21/2026	Raymond Kallio	Closed	junk and debris	5/7/2026	201019070000	407 WILLIS AVE	Section 750, B., 11. Miscellaneous Storage	4/21/2026	Closed
20260079	4/20/2026	Raymond Kallio	Open	misc storage		201005830000	710 16TH AVE W	Section 750, B., 11. Miscellaneous Storage	4/20/2026	Open
20260080	4/20/2026	Raymond Kallio	Open	Tires		201016940000	302 2ND AVE E	Section 750, B., 11. Miscellaneous Storage	4/20/2026	Open
20260079	4/20/2026	Raymond Kallio	Open	misc storage		201005830000	710 16TH AVE W	Section 750, B., 1. Clean, Safe, Sanitary and Attractive Maintenance of Exterior Property	4/20/2026	Open

20260077	4/17/2026	Raymond Kallio	Open	Rental reg and misc storage		201024110000	720 7TH AVE E	Section 750, B., 1. Clean, Safe, Sanitary and Attractive Maintenance of Exterior Property	4/17/2026	Open
20260077	4/17/2026	Raymond Kallio	Open	Rental reg and misc storage		201024110000	720 7TH AVE E	Section 750, B., 11. Miscellaneous Storage	4/17/2026	Open
20260078	4/17/2026	Raymond Kallio	Closed	misc storage	5/5/2026	201020290000	513 7TH AVE E	Section 750, B., 11. Miscellaneous Storage	4/17/2026	Closed
20260077	4/17/2026	Raymond Kallio	Open	Rental reg and misc storage		201024110000	720 7TH AVE E	845.03 Residential Rental Registration Required	4/17/2026	Open
20260076	4/16/2026	Raymond Kallio	Closed	mattress by shed	4/27/2026	201015210000	220 11TH AVE E	Section 750, B., 11. Miscellaneous Storage	4/16/2026	Closed
20260075	4/16/2026	Raymond Kallio	Open	misc storage		201017740000	312 11TH AVE E	Section 750, B., 11. Miscellaneous Storage	4/16/2026	Open
20260074	4/15/2026	Raymond Kallio	Open	misc storage		201050790100	2215 KNIGHT RD	Section 750, B., 11. Miscellaneous Storage	4/15/2026	Open
20260074	4/15/2026	Raymond Kallio	Open	misc storage		201050790100	2215 KNIGHT RD	Section 750, B., 1. Clean, Safe, Sanitary and Attractive Maintenance of Exterior Property	4/15/2026	Open
20260073	4/14/2026	Raymond Kallio	Open	misc storage		201022710000	723 VAUGHN AVE	Section 750, B., 11. Miscellaneous Storage	4/14/2026	Open

20260072	4/14/2026	Raymond Kallio	Closed	tire	4/20/2026	201043930000	723 9TH AVE W	Section 750, B., 11. Miscellaneous Storage	4/14/2026	Closed
20260071	4/9/2026	Raymond Kallio	Closed	junk and debris	4/24/2026	201006470000	1006 BEASER AVE	Section 750, B., 11. Miscellaneous Storage	4/9/2026	Closed
20260071	4/9/2026	Raymond Kallio	Closed	junk and debris	4/24/2026	201006470000	1006 BEASER AVE	Section 750, B., 1. Clean, Safe, Sanitary and Attractive Maintenance of Exterior Property	4/9/2026	Closed
20260070	4/8/2026	Raymond Kallio	Closed	misc storage	5/5/2026	201004920000	607 17TH AVE W	Section 750, B., 11. Miscellaneous Storage	4/8/2026	Closed
20260069	4/7/2026	Raymond Kallio	Closed	tire in yard	4/17/2026	201017330000	318 5TH AVE E	Section 750, B., 11. Miscellaneous Storage	4/7/2026	Closed
20260068	4/7/2026	Raymond Kallio	Open	storage container		201049301000		Building Materials UDO Section 6.2, C.,3.,b	4/7/2026	Open
20260067	4/6/2026	Raymond Kallio	Closed	sink in yard	4/13/2026	201021900000	116 6TH ST E	Section 750, B., 11. Miscellaneous Storage	4/6/2026	Closed
20260066	4/1/2026	Raymond Kallio	Closed	mattress	4/13/2026	201027480000	1022 3RD AVE E	Section 750, B., 11. Miscellaneous Storage	4/1/2026	Closed
20260065	4/1/2026	Raymond Kallio	Open	tire		201015120000	210 12TH AVE E	Section 750, B., 11. Miscellaneous Storage	4/1/2026	Open

Total Records: 40

5/8/2026

# Permit Detail Report

04/01/2026 - 04/30/2026

Permit #	Permit Date	Building Type	Applicant Name	Applicant Address	City, State, Zip	Description	Square Feet	Project Cost	Issued Date	Type of Work	Work Location	Total Fees	Parcel #	Parcel Address
20260100	4/30/2026	Residential - Remodel/Repair/Additions (over 5,000)	Bill & Lynn Metzinger/Tom Trudeau	1202 13th St	Ashland, WI 54806	A single story addition with family room, master bed and master bath. Subs: Superior Plumbing and V-2 Electric	0	95,000	5/4/2026	Primary Structure	1202 13th St	\$475.00	201031570000	1202 13TH ST W
20260099	4/30/2026	Commercial - Plumbing	Bay Vue Apartments		Superior, WI 54880	New plumbing installation for a 151-unit apartment building. Work includes an 8" sanitary building sewer, 10" sanitary building drain vent serving more than 200 fixtures, 4" water service and water distribution system.	0	1,200,000	4/30/2026	Sanitary Sewer Service New/Repair	400 Beaser Ave		201003560000	400 Beaser Ave

20260098	4/29/2026	Commercial - Miscellaneous Repair of a Commercial Structure	Dottie Monroe	407 Main St W.	Ashland, WI 54806	Renovate existing rear entry approx. 8' x 14'. Rebuild flat roof, install new rubber roofing (4 SQ.) Replace existing interior and exterior finishes (T1-11; inside, cement board to match exterior on outside). Existing wall framing to remain (wood studs).	0	20,000	4/30/2026	Primary Structure	407 Main St W.	\$100.00	201042490000	407 MAIN ST W
20260097	4/29/2026	Residential - Remodel/Repair/Additions (over 5,000)	Dianna & Gregory Trush	716 6th Ave W	Ashland, WI 54806	A 14-foot x 10-foot attached sunroom per submitted plans by Sunspace. NOTE: The installing contractor will take full responsibility for any adjustments needed in the future, if the on-grade slab shifts from any frost penetration.	140	27,740	5/1/2026	Primary Structure	716 6th Ave W	\$138.70	201022650000	716 6TH AVE W
20260096	4/28/2026	Commercial - New Parking Lot	Larry Cicero	65736 Lake Park Rd	Ashland WI 54806	Remove and replace existing blacktop.	11,700	24,000		Other	2200 Lake Shore Dr west	\$120.00	201038170000	2200 LAKE SHORE DR W

20260095	4/27/2026	Residential - Siding (material cost over 1,000)	Chris Grubisic	1007 11th Ave W	Ashland, WI 54806	Re-roof existing garage (asphalt) and re-side both house and garage (vinyl).	0	26,000	4/27/2026	Primary Structure	1007 11th Ave W	\$30.00	201030530100	1007 11TH AVE W
20260094	4/27/2026	Residential - Siding (material cost	Chris Grubisic	413 Willis Ave	Ashland, WI 54806	Re-roof and re-side house.	0	10,000	4/27/2026	Primary Structure	413 Willis Ave	\$30.00	201019060000	413 WILLIS AVE
20260093	4/27/2026	Residential - Remodel/Repair/Additions (over 5,000)	Debb Joanis & Bob Polencheck	2629 Lake Shore Dr. E	Ashland, WI 54806	RENEWAL: 12'x23' enclosed porch located between our house and garage	276	15,329	4/27/2026	Primary Structure	2629 Lake Shore Dr. E	\$19.16	201033260000	2629 LAKE SHORE DR E
20260092	4/24/2026	Residential - Deck	William McPherson	1423 9th Ave W	Ashland, WI 54806	Replace current porch and expand deck on south side and wrap around house to west side.	483	13,800	4/29/2026	Primary Structure	1423 9th Ave W, Ashland, WI 54806	\$50.00	201032360000	1423 9TH AVE W

20260091	4/24/2026	Residential - Remodel/Repair/Additions (over 5,000)	Mitchell Johnson	500 3rd st W	Ashland WI 54806	New roof, deck railing, touch up paint exterior, update exterior electrical service, bathroom remodel, fix burst plumbing pipes, furnace inspection, duct cleaning, new subfloor and flooring on main floor, new drywall in places, repair plaster, prime and paint, kitchen updates. This permit is contingent upon our office receiving a construction	1,200	125,000	4/28/2026	Primary Structure	1201 9th Ave W	\$625.00	201038730000	1201 9TH AVE W
20260090	4/22/2026	Residential - Raze/Demolition	Jennifer Susienka	820 Water St	Ashland, WI 54806	Demolition of entire primary structure on property due to fire. The existing garage is to remain as is.	1,600	15,250	4/24/2026	Other	820 Water St	\$76.25	201011000000	820 WATER ST
20260089	4/22/2026	Residential - Deck	Eva Thewis	1319 Sanborn Ave	Ashland, WI 54806	Installation of an above-ground pool with a wood raised wrap-around deck. Approx. 9-feet x 26-feet.	0	0		Accessory Structure	1319 Sanborn Ave		201048330000	1319 SANBORN AVE

20260088	4/21/2026	Zoning Approval - Keeping of Animals	Jacob Anderson	621 Lake Shore Dr E	Ashland WI 54806	12 Sq. Ft Enclosure for 6 hens. This is contingent upon: 1) No Roosters. 2) Coop shall not be placed within 20-feet of a neighboring house or 10-feet of a parcel line.	65	1,500	4/23/2026	Accessory Structure	621 Lake Shore Dr E	\$50.00	201-01237-0000	621 LAKE SHORE DR E
20260087	4/21/2026	Residential - Deck	Jeffrey Shannon	304 12th Avenue West	Ashland, Wisconsin, 54806	Build railings around two existing decks on house to comply with UDC standards.	80	1,500	4/22/2026	Primary Structure	304 12th Avenue West	\$50.00	201002390000	304 12TH AVE W
20260086	4/21/2026	Residential - Fence	Will and Sadie Kendall	2114 Lake Shore Dr E	Ashland, WI 54806	A) Installation of a new 4-foot height wood framed welded-wire fence. This is contingent upon: 1) The wood-framed side of the fence facing out with the posts on the interior side. 2) No fencing will be located within the required vision triangles as noted. 3) The wire portion of the fence is welded and not woven style. B) Removal of existing front steps and	295	3,000	5/6/2026	Other	2114 Lake Shore Dr E	\$100.00	201034040000	2114 LAKE SHORE DR E

20260085	4/20/2026	Residential - Remodel/Repair/Additions (over 5,000)	Holly Pierce	623 Willis Ave	Ashland, WI 54806	Add 24' by 36' carport onto existing house on the rear side. This permit is contingent upon: 1) All 6 x 6 post footings must be installed below the frost depth, which is 4 feet and must have properly sized uplift clips attached to the concrete. 2) All trusses and posts need to have the proper uplift fasteners installed.	864	18,000		Primary Structure	623 Willis Ave	\$90.00	201021480000	623 WILLIS AVE
20260084	4/20/2026	Residential - Fence	Travis Franek	404 Willis Ave	Ashland, WI 54806	6-ft high privacy fence along 4th St East. 4x4 Posts with 6x8 Fence Panels. Fence structure/posts must be facing towards the inside. Note: 4th St E is not being considered a side yard in this case because it functions more like an alleyway.	0	1,600	4/29/2026	Other	404 Willis Ave	\$75.00	201018850000	404 WILLIS AVE

20260083	4/17/2026	Residential - Remodel/Repair/Additions (over 5,000)	Willa Vanselow	901 5th Ave E	Ashland	New garage roof and new windows on 3 rooms of the house.	300	7,000	4/17/2026	Primary Structure	901 5th Ave E	\$50.00	201026840000	901 5TH AVE E
20260082	4/16/2026	Residential - Deck	Bay City Cultural Center (Bohemian Hall)	319 11th Ave East	Ashland, WI, 54806	Construction of a 12x12 floating deck on North-west corner of building. This permit is contingent upon: 1) The new deck must be constructed to comply with the State of Wisconsin's Commercial Building Code. 2) Provide our office with a construction work schedule.	144	1,200	4/27/2026	Primary Structure	319 11th Ave East	\$50.00	201017710000	319 11TH AVE E

20260081	4/16/2026	Zoning Approval - Development Permit	Robert Polencheck	2629 Lakeshore Dr	Ashland, WI 54806	Erosion control work on North and West side of lot. Regrade entire lot to level yard with slope to match East street side and results in drainage away from existing house on the north end. New 10-foot x 10-foot hard paved patio with 32 linear feet of fencing on North-west corner of lot.	0	5,000		Other	518 Water Street	\$75.00	201010500000	518 WATER ST
20260080	4/17/2026	Residential - Fence	Stephen Schraufnagel	811 Chapple Ave	Ashland, WI 54806	38-foot long fence x 6-foot high on west alleyway property line. The fence will be finished on both sides.	0	2,000	4/27/2026	Other	811 Chapple Ave	\$50.00	201044360000	811 CHAPPLE AVE
20260079	4/14/2026	Commercial - Miscellaneous Repair of a Commercial Structure	Max Brinker	1808 Lakeshore Dr E	Ashland, WI 54806	Removal of about 35 square of shingles. Installation of ice and water guard and Malarkey Highlander shingles	0	33,000	4/14/2026	Primary Structure	1810 Lakeshore Dr E	\$75.00	201034224000	1808 LAKE SHORE DR E

20260078	4/14/2026	Zoning Approval - Signage	Robin Kemkes/Upland Psychotherapy LLC	308 9th Ave W	Ashland, WI 54806	Installation of two wall-mounted facade signs, one on north side of building and another on west side	9	0	4/14/2026	Primary Structure	308 9th Ave W	\$50.00	201006990000	308 9TH AVE W
20260077	4/13/2026	Commercial - Electrical	Ronny Falt	3100 Ellis Ave S	ASHLAND WI 54806	Replacement of existing fire alarm panel and incompatible sensors and or alarms with new fire alarm panel	4,356	6,048	4/16/2026	Primary Structure	510 Industrial Park Rd	\$100.00	201050503000	INDUSTRIAL PK
20260076	4/13/2026	Residential - Roofing (Material cost over 1,000)	Monarch Home Improvement LLC dba Dabella	5075 Miller Trunk Hwy	Hermantown, MN 55811	Tear off and install 20.08sq of GAF asphalt roof.	1,136	10,143	4/15/2026	Primary Structure	1203 Macarthur Ave	\$30.00	201038800000	1203 MACARTHUR AVE
20260075	4/13/2026	Residential - Roofing (Material cost over 1,000)	Monarch Home Improvement LLC dba Dabella	5075 Miller Trunk Hwy	Hermantown, MN 55811	Tear off and install 21.96sq of GAF asphalt roof.	2,600	13,953	4/15/2026	Primary Structure	1104 Macarthur Ave	\$30.00	201038500000	1104 MACARTHUR AVE
20260074	4/13/2026	Residential - Detached Accessory Building	James Bullis	320 12th Ave W	Ashland, WI 54806	8' x 12' prefab Marengo Valley shed to be placed on existing concrete slab. Shed to be placed 3-feet away from interior property line/edge of slab.	0	3,893	4/13/2026	Accessory Structure	320 12th Ave W	\$50.00	201002420000	320 12TH AVE W

20260073	4/13/2026	Residential - Detached Accessory Building	Kristin Sealund	703 17th Ave W	Ashland WI 54806	Shed and Greenhouse. These are to be placed and/or relocated according to discussed agreements and the final revised site plan. The shed is to be a minimum of 5-feet away from the rear property line and the relocated Green house is to be a minimum of 3-feet away from the side yard property line.	96	4,000	4/17/2026	Accessory Structure	703 17th Ave W	\$50.00	201005930000	703 17TH AVE W
20260072	4/13/2026	Zoning Approval - Keeping of Animals	Kristin Sealund	703 17th Ave W	Ashland WI 54806	Animal Enclosure and Keeping of Animals	200	1,000			703 17th Ave W		201005930000	703 17TH AVE W
20260071	4/10/2026	Residential - Remodel/Repair/Additions (over 5,000)	Brian L Tochtermann	818 Vaughn Ave	Ashland WI 54806	Replacing railings on back porch and front steps to code.	125	150	4/13/2026	Primary Structure	818 Vaughn Ave	\$50.00	201025510000	818 VAUGHN AVE
20260070	4/8/2026	Commercial - Structural Addition/Alteration	C & A Custom Contractors	2304 150th Ave	Bloomer, WI 54724	Re-roof entire building with new rubber membrane - 60 mil EPDM.	9,748	131,000	4/9/2026	Primary Structure	311 13th St W	\$75.00	201029150000	311 13TH ST W
20260069	4/7/2026	Residential - Remodel/Repair/Additions (over 5,000)	Aistis Tumas/Justin Gingerich	1016 Chapple Ave.	Ashland, WI 54806	Renovate/Replace garage foundation as per discussions with building inspector.	264	7,500	4/9/2026	Accessory Structure	1016 Chapple Ave.	\$50.00	201038390000	1016 CHAPPLE AVE

20260068	4/6/2026	Residential - Deck	Sarah McDowell	1011 Ellis Ave	Ashland, WI	Replace existing front porch decking, stairs, and railing at property. Approx. 1,600 SqFt. This permit is contingent upon: 1) This is a replacement of existing deck/porch and is not being expanded. 2) All construction must meet applicable industry standards and manufacturer's requirements for the construction of	1,600	4,000	4/7/2026	Primary Structure	1011 Ellis Ave	\$50.00	201027640000	1011 ELLIS AVE
20260067	4/6/2026	Residential - Remodel/Repair/Additions (over 5,000)	Morgan Lengsfeld	367 Garfield Ave Suite 5	Duluth, MN 55802	Replacement of nine (9) windows; double hung and sliders.	0	11,999		Primary Structure	1701 Main St W	\$60.00	201001030000	1701 MAIN ST W
20260066	4/2/2026	Residential - Fence	Annika Preheim	1016 4th Ave W	Ashland, WI, 54806	Putting in a fence using 6-foot t-posts and wire mesh fencing material to enclose part of the side yard. The fence would be removed after the end of our rental period.	3,000	500		Other	1016 4th Ave W, Ashland, WI 54806		201027770000	1016 4TH AVE W

20260065	4/2/2026	Commercial - Accessory Structure	Calvary Tabernacle (Jason Wilke)	301 Binsfield Rd	ASHLAND, WI 54806	20'x30' pavilion structure. This permit is contingent upon the following: 1) Provide our office with the list of planned contractors being used on this project. 2) Provide our office with a construction work schedule, when it becomes available. 3) Provide our office with a set of structural calculations that match the graphics of the plan set. 4) All	600	21,570	4/7/2026	Accessory Structure	301 Binsfield Rd	\$50.00	201049800000	301 BINSFIELD RD
												\$2,974.11		

Total Records: 36

5/8/2026