

City of Winsted  
Planning Commission  
City Council Chambers  
May 11, 2011  
6:00 p.m.

Present: JoLynn Cafferty  
Dan Dickhausen  
Marvin Ebensperger  
Max Fasching  
Tom Ollig – Council Liaison

Not Present: Mike Guggemos

Staff Present: Deborah Boelter, City Clerk - Treasurer  
Raquel Kirchoff, Administrative Assistant

1) Call the Meeting to Order

Ebensperger called the meeting to order at 6:00 p.m.

2) Approval of Minutes

**Dickhausen motioned to approve the minutes from the Planning Commission Meeting on April 13, 2011. Fasching seconded the motion. Motion carried 4-0.**

3) Public Hearings.

**a) Text Amendment – Signage**

Ebensperger opened the Public Hearing to consider language amendments to the Winsted Zoning Ordinance regarding signs.

John Anderson, Municipal Development Group, was present to give information on the consideration of a text amendment to the City of Winsted, Chapter Fifteen (15) Zoning Ordinance, Section 1501.002 Definitions and Section 1501.022 Signs, in relation to the size of signs for nonresidential permitted and conditional uses in residential zoning districts.

After a recent building permit request by St. Mary's Care Center was submitted, to install a sign on an approved permitted use in the R-2 Multiple Family Residential District, it was discovered that the zoning ordinance text relating to the size of signs was limited in size due to the residential nature of the district. The current language limits the size of signs in residential uses to four (4) square feet in area per surface for each permitted use or conditional use, and this is not the intent of the ordinance for uses such as governmental and public utility buildings and structures, public or semi-public recreational buildings and community centers, churches, nursing homes, rest home and homes for the aged, clinics and other buildings for the treatment of human beings, funeral homes, public parks, libraries, museums, schools, memorial buildings, hospitals and cemeteries, which are all either permitted or conditional uses in the R-1 Single Family Residential District and R-2 Multiple Family Residential District.

At this time there are multiple uses of the above mentioned nature in the residential district within the City that currently have signs that exceed this requirement. It is the intent of this text amendment to legally allow signs larger than four (4) square feet to be installed within the residential districts on legally allowed permitted and conditional uses, other than the typical residential use in these districts. The proposed changes to the City of Winsted, Chapter Fifteen (15) Zoning Ordinance, Section 1501.002 Definitions, and Section 1501.022 Signs allow for this. Other changes were also made to these specific sections of the Winsted Zoning Ordinance that were explained by Anderson.

No public comments were received at the Public Hearing or prior to the hearing in written form.

The Planning Commission discussed the language amendments proposed and had one change they wanted implemented regarding illuminated signs in Section F. Prohibited Signs. Anderson said that he would make that change and get a new resolution printed for signatures.

**Cafferty motioned to close the Public Hearing, Dickhausen seconded. Motion carried 4-0.**

**Fasching motioned to adopt Resolution PCR-11-01 with noted changes, recommending that the Winsted City Council approve the proposed language amendments to the City of Winsted, Chapter Fifteen (15), Section One (1), Zoning Ordinance, Sections 1501.002 Rules and Definitions and 1501-022 Signs. Cafferty seconded. Motion carried 4-0.**

#### **4) Old Business**

##### **a.) Grading Compliance – Metro West Inspection Services, Inc. and Municipal Development Group**

Rob Beckfeld, City of Winsted, Building Inspector, and Cynthia Smith-Strack and John Anderson of Municipal Development Group, were present to discuss the current processes that are used to ensure that grading compliance is met with the grading plan approved at the time the Sub-Division or Development was approved, after a new structure is built within the City of Winsted. Smith-Strack stated that there is currently not a policy or ordinance in place to ensure grading compliance. Beckfeld explained that when he conducts a final inspection, he checks to make sure that the grade is away from the house according to the building code.

The group agreed that a process must be implemented and discussed different options on how to implement a sufficient system to include all of the necessary people (Surveyor, Engineer, Building Inspector, City Administrator) to ensure that new constructions are in compliance with the grading plan at the time that the Subdivision or Development was approved. Beckfeld and Smith-Strack gave examples of how other cities handle this process. Anderson also suggested implementing a final Certificate of Grade into the process. Anderson will bring examples of policies and procedures and Certificates of Grade to a future meeting for the Planning Commission, Building Inspector and City Council to review.

##### **b) Temporary Structures – John Anderson, Municipal Development Group**

Anderson explained that because residents within Winsted have been inquiring about temporary structures, a review of this subject is necessary to include how the regulation of temporary structures would relate to vegetable stands, lemonade stands, night crawler stands, commercial greenhouses, etc. The City needs to determine what type of permit (Interim Use versus Administrative Permit) will be needed for temporary structures.

The pros and cons of Administrative Permits versus Interim Use Permits in relation to temporary structures are as follows:

- Administrative Permits can be issued by the Zoning Administrator rather than holding a public hearing as would be required with an Interim Use Permit. This would save time and expenses.
- Interim Use Permits allow for a specific termination date based on the setting of a date or if certain conditions are fulfilled.
- Interim uses allow for public input and conditions to be placed on the approval of the temporary structure.
- Amending an administrative permit would require submittal to the Zoning Administrator while an interim use permit would require a public hearing.

Anderson reviewed draft language amendments that he had prepared for the Winsted Zoning Ordinance to address temporary structures, Interim Use Permits and Administrative Permits. The Planning Commission favored approving temporary structures under an Administrative Permit, rather than an Interim Use Permit. The Planning Commission members requested several changes be made to the language presented by Anderson. Anderson will implement these changes and the revised language will be considered in a Public Hearing to discuss amendments to the Winsted Zoning Ordinance regarding temporary structures at the next Planning Commission Meeting, scheduled for Wednesday, June 22, 2011.

#### **5) New Business**

##### **a) Zoning Ordinance Review – Cynthia Smith-Strack Municipal Development Group**

Smith-Strack stated that the Administrative Standards contained in the Winsted Zoning Ordinance needed to be updated to be consistent with the Land Use Plan; and that the Planning Commission would be specifically

discussing the language regarding Conditional Use Permits and Interim Use Permits. In future meetings, Variances, and Nonconformance will be discussed.

Language amendments were discussed regarding Conditional Use Permits and Interim Use Permits, in the following areas of the current Winsted Zoning Ordinance, Sections 1501.0017 and 1501-00175:

- Purpose of Conditional Use Permits and Interim Use Permits
- Scope of Conditional Use Permits and Interim Use Permits
- Applications for Conditional Use Permits and Interim Use Permits
- The Procedure for Conditional Use Permits
- The Required Findings of a Conditional Use Permit
- Performance Standards Applicable to Conditional Use Permits
- Audit Compliance with Conditional Use Permits
- Criteria For Review of Interim Use Permits
- Termination of Interim Use Permits

The Planning Commission agreed upon language amendments to the Zoning Ordinance regarding Conditional Use Permits and Interim Use Permits. Smith-Strack stated that she would amend the language as discussed and present the amendments at a future Public Hearing that will be scheduled to consider adopting the amendments to the Winsted Zoning Ordinance regarding Administrative Standards.

Smith-Strack stated that Zoning Ordinance amendments related to Variances would be reviewed at the next Planning Commission meeting.

6) No Other Business.

7) Adjournment

**Fasching motioned to adjourn the meeting. Dickhausen seconded the motion. Motion carried 4-0.**

Respectfully Submitted,

*Raquel Kirchoff*

Administrative Assistant