



PLAN COMMISSION AGENDA
Tuesday, January 7, 2020 - 6:00 pm
Town Hall - 1900 W. Grand Chute Blvd

1. Roll Call.
2. Pledge of Allegiance.
3. Approval of Agenda.
4. Approval of Minutes – December 17, 2019 meeting.
5. Public Input.
6. Community Development Director's Report.
7. **Public Hearing #1** – Adoption of a new Town of Grand Chute Official Map. **Action:** Hear testimony/close hearing.
8. **Town of Grand Chute Official Map** – Consideration of Ordinance O-02-2020, adopting a new Official Map for the Town of Grand Chute. **Action:** Recommend approval/denial of Ordinance O-02-2020. (TOWN BOARD ACTION 1/21/2020).
9. **Public Hearing #2** – Adoption of an amendment to the Grand Chute Sign Code pertaining to signs and billboards. **Action:** Hear testimony/close hearing.
10. **Grand Chute Sign Code Amendment** – Consideration of Ordinance O-01-2020, amending Municipal Code Chapter 535-109 pertaining to signs and billboards. **Action:** Recommend approval/denial of Ordinance O-01-2020. (TOWN BOARD ACTION 1/21/2020).
11. Adjournment.

Public Notice: Agendas are posted in the following locations: Town Hall bulletin boards & Town website www.grandchute.net
2015 Wisconsin Act 79 allows the publication of certain legal notices on an Internet site maintained by a municipality. This law allows these types of legal notices to be posted in one physical location in the jurisdiction (instead of three) if also placed on an Internet site maintained by the local government.

Special Accommodations: Requests from persons with disabilities who need assistance to participate in this meeting should be made to the Clerk's Office at (920-832-5644) with at least 24-hour notice.

Notice of Possible Quorum: A quorum of the Town Board, Sanitary Districts, Board of Review, Community Development Authority, Licensing Committee, Parks Commission, Joint Review Board, Zoning Board of Appeals and/or Police and Fire Commission may be present at this meeting for the purpose of gathering information and possible discussion on items listed on this agenda. However, unless otherwise noted in this agenda, no official action by the Town Board, Sanitary Districts, Board of Review, Community Development Authority, Licensing Committee, Parks Commission, Joint Review Board, Zoning Board of Appeals and/or Police and Fire Commission will be taken at this meeting.

GRAND CHUTE PLAN COMMISSION MINUTES

December 17, 2019

Members Present: Chairman Dave Schowalter, Commissioners Robert Stadel, Bruce Sherman, Julie Hidde, John Weber, Duane Boeckers, Pam Crosby, Cheryl Ulrich.

Also Present: James March, Town Administrator; Brent Braun, IT Director; Katie Schwartz, Public Works Director; Karen Heyrman, Deputy Public Works Director; Robert Buckingham, Community Development Director; Michael Patza, Town Planner; Tyler DeBruin, GIS Utility Technician; Tracy Olejniczak, Administrative Assistant; interested parties (audience attendance = 1) Supervisor Eric Davidson, Fire Chief Tim Bantes, Finance Director Julie Wahlen, HR Director Sarah Ziemba.

1. **ROLL CALL**

Chairman Schowalter opened the meeting at 6:00 p.m.

2. **PLEDGE OF ALLEGIANCE**

3. **APPROVAL OF AGENDA**

Motion (Sherman/Crosby) to approve the agenda. Motion carried, all voting aye.

4. **APPROVAL OF MINUTES** – December 3, 2019 MEETING.

Motion (Stadel/Boeckers) to approve the minutes. Motion carried, all voting aye.

5. **PUBLIC INPUT** – There was no public input.

6. **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT** – Planner Patza updated the Commission on the activity of the Comprehensive Plan Advisory Committee. A public survey will be released early in 2020.

7. **PUBLIC HEARING #1** –PARKLAND DESIGNATION AND MAPPING OF EXPANDED BOUNDARIES FOR MAPLE EDGE PARK.

Chairman Schowalter opened Public Hearing #1 at 6:03 p.m. There was no public input.

Motion (Hidde/Sherman) to close Public Hearing #1 at 6:04 p.m. Motion carried, all voting aye.

8. **GRAND CHUTE PARKLAND DESIGNATION AND MAPPING** – REQUEST BY THE TOWN OF GRAND CHUTE TO EXPAND THE BOUNDARIES FOR MAPLE EDGE PARK AND ADD SAME ON THE TOWN OF GRAND CHUTE OFFICIAL MAP.

Planner Patza read into the record an email from Park Commissioner Jennifer Buelow-Fischer, who also is also a resident of a neighborhood near Maple Edge Park. She supports expansion of the Park. Planner Patza also provided background on the expanded area and the future process to be followed in establishing a development plan for this new parkland.

Motion (Sherman/Crosby) to recommend approval for expanding the boundaries of Maple Edge Park by designating Lot 2 of Certified Survey Map 7788 as parkland, and placing same on the Town of Grand Chute Official Map. Motion carried, all voting aye.

9. **GRAND CHUTE OFFICIAL MAP** – DISCUSS PROPOSED ADOPTION OF A NEW OFFICIAL STREET MAP.

Tyler DeBruin, GIS/Utility Technician, highlighted changes made to the map, including the use of road centerlines rather than right-of-way, adding point of interest icons/logos, adding the Community First Champion Center, adding new streets, and updating corporate boundaries to reflect recent annexations of land to Appleton and Little Chute.

Motion (Sherman/Crosby) to schedule a Public Hearing for the January 7, 2020 Plan Commission meeting to consider adoption of a new Town of Grand Chute Official Map. Motion carried, all voting aye.

10. **GRAND CHUTE SIGN CODE AMENDMENT** – DISCUSS PROPOSED AMENDMENT TO CHAPTER 535-109 ZONING CODE PERTAINING TO SIGN AND BILLBOARDS.

Director Buckingham updated the Commission on potential litigation the Town had been working through regarding certain provisions of the Sign Code related to billboards. The matter was finally settled by agreement, with no further legal liability to the Town. The agreement requires the Town to amend sections of the Sign Code by modifying the maximum number of billboards permitted, and repealing the requirement for mitigation of digital message signs.

Motion (Stadel/Boeckers) to schedule a Public Hearing for the January 7, 2020 Plan Commission meeting to consider adoption of an ordinance amendment to Chapter 535-109 of the Town of Grand Chute Municipal Code, pertaining to signs and billboards. Motion carried, all voting aye.

11. ADJOURNMENT.

Motion (Boeckers/Crosby) to adjourn the meeting at 6:12 p.m. Motion carried, all voting aye.

Respectfully Submitted,

Tracy Olejniczak/BB
Com. Dev. Admin. Asst.

MEMORANDUM

7/8.

To: Chairman Schowalter and Plan Commission members
From: Robert Buckingham, Community Development Director
Date: December 30, 2019
Subject: Adoption of a new Official Street Map

BACKGROUND

Annually, the Town updates the Official Map to show existing and proposed streets, parks, schools, and municipal buildings. The 2019 update will include adoption of a new map that displays features in a more modern style and format.

A copy of the proposed new Official Map is attached. In addition to the new base map, this update includes the Community First Champion Center, new streets added in 2019, and corporate boundary changes due to annexation of lands to Appleton and Little Chute.

RECOMMENDATION

Staff supports a Plan Commission recommendation for Town Board adoption of Ordinance O-02-2020, adopting a new Official Map for the Town of Grand Chute.

TOWN OF GRAND CHUTE

ORDINANCE, SERIES OF O-02-2020

AN ORDINANCE ADOPTING A NEW OFFICIAL MAP FOR THE TOWN OF GRAND CHUTE, OUTAGAMIE COUNTY, WISCONSIN.

WHEREAS, Chapter 475 of the Town of Grand Chute Municipal Code provides for adoption of an Official Map, pursuant to § 62.23, Wis. Stats; and

WHEREAS, it is necessary amend and update said Official Map periodically to show existing and proposed streets parks, schools, and municipal buildings; and

WHEREAS, the format of the existing Official Map has become outdated for use in displaying required mapping features.

NOW THEREFORE BE IT ORDAINED by the Town Board of Supervisors of the Town of Grand Chute, Outagamie County, Wisconsin, that the existing Official Map, dated January 3, 2019 be and hereby is repealed and a new Official Map, dated January 21, 2020 be adopted as shown on the attached Exhibit "A".

If any provision of this ordinance is invalid or unconstitutional, or the application of this ordinance to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the above provisions or applications of this ordinance, which can be given effect without the invalid or unconstitutional provision, or its application.

Approved and adopted this _____ day of _____, 20____.

Town of Grand Chute

Number Voted For _____
Number Voted Against _____

David A. Schowalter
Town Chairman

Angie Cain
Town Clerk

Approved as to form:

Charles Koehler, Attorney
Herrling Clark Law Offices
800 N. Lynndale Drive
Grand Chute, WI 54914

MEMORANDUM

To: Chairman Schowalter and Plan Commission members
From: Robert Buckingham, Community Development Director
Date: December 30, 2019
Subject: Sign Code amendment

BACKGROUND

Over the past year, the Town was involved in potential litigation with a sign company that alleged constitutionally unequal treatment and Town liability for corresponding financial losses regarding billboards. Subsequently, the matter was resolved without the need for court action or other legal intervention. As a result of a settlement agreement reached in this matter, the Town has agreed to make certain amendments to its Sign Code with regard to billboards/off-premises signs.

The basic terms of the amendments are as follows:

1. The Town provides sign permit “credits” to Lamar Central Outdoor, LLC, allowing the company to erect 3 billboards/6 total sign faces in the future.
2. The Town agrees to increase the maximum number of billboards allowed in Grand Chute. The current maximum of 19 billboards/33 sign faces will increase by 5 billboards/10 sign faces (credits for 3 billboards/6 sign faces to Lamar, and add 2 billboards/4 sign faces previously approved for Bergstrom Automotive highway signs).
3. The Town removes the “mitigation of digital message signs” section of the Sign Code. The number of permissible billboards will be regulated by the “maximum number of billboards allowed” method under the Sign Code.

The required amendments will be made by adopting Ordinance O-01-2020, which is attached. For reference, also attached is an “Amendments” sheet that compares current language of the code to amended language following Ordinance adoption.

RECOMMENDATION

Staff supports a Plan Commission recommendation for Town Board adoption of Ordinance O-01-2020, amending Municipal Code Chapter 535-109 pertaining to signs and billboards.

TOWN OF GRAND CHUTE

ORDINANCE, SERIES OF O-01-2020

AN ORDINANCE AMENDING EXISTING CHAPTER 535 OF THE CODE OF GENERAL ORDINANCES FOR THE TOWN OF GRAND CHUTE, OUTAGAMIE COUNTY, WISCONSIN, BY AMENDING SECTION 535-109, PERTAINING TO SIGNS AND BILLBOARDS.

WHEREAS, Chapter 535 of the Town of Grand Chute Municipal Code regulates signs and billboards; and,

WHEREAS, The Town of Grand Chute has determined the need to amend said Municipal Code for purposes of regulating the number of billboards/off-premises advertising signs permitted in the Town.

NOW THEREFORE BE IT ORDAINED by the Town Board of Supervisors of the Town of Grand Chute, Outagamie County, Wisconsin, that Chapter 535-109C be hereby repealed and recreated as follows:

Existing and reserved off-premises advertising signs. Off-premises advertising signs (21 total) and associated sign faces (37 total) existing as of January 21, 2020 are subject to characterization as nonconforming in accordance with the provisions of § 535-104D, Additionally, as of January 21, 2020, the Town of Grand Chute hereby reserves 3 off-premises advertising signs and 6 associated sign faces for future approval and permitting, subject to compliance with the provisions of this Chapter. As of January 21, 2020, including existing and reserved off-premises advertising signs, the maximum number of such signs permitted within the Town of Grand Chute shall be 24 signs and 43 associated sign faces.

BE IT FURTHER ORDAINED by the Town Board of Supervisors of the Town of Grand Chute, Outagamie County, Wisconsin, that Chapter 535-109F be hereby repealed in its entirety.

If any provision of this ordinance is invalid or unconstitutional, or the application of this ordinance to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the above provisions or applications of this ordinance, which can be given effect without the invalid or unconstitutional provision, or its application.

Approved and adopted this _____ day of _____, 2020.

Town of Grand Chute

Number Voted For _____

Number Voted Against _____

David A. Schowalter
Town Chairman

Angie Cain
Town Clerk

Approved as to form:

Charles D. Koehler, Attorney
Herrling Clark Law Offices
800 N. Lynndale Drive
Grand Chute, WI 54914

Amendments to Grand Chute Municipal Code
Chapter 535 Zoning, Article XV Signs and Billboards

Current §535-109C (to be repealed)

~~Existing off-premises advertising signs. Off-premises advertising signs and associated sign faces existing as of February 19, 2015, are subject to characterization as nonconforming in accordance with the provisions of § 535-104 D, and will represent the maximum number of such signs permitted within the Town of Grand Chute. As of February 19, 2015, the number of off-premises advertising signs was 19, and the number of off-premises advertising sign faces was 33.~~

Proposed Amended §535-109C. (to be recreated)

Existing and reserved off-premises advertising signs. Off-premises advertising signs (21 total) and associated sign faces (37 total) existing as of January 21, 2020 are subject to characterization as nonconforming in accordance with the provisions of § 535-104 D, Additionally, as of January 21, 2020, the Town of Grand Chute hereby reserves 3 off-premises advertising signs and 6 associated sign faces for future approval and permitting, subject to compliance with the provisions of this Chapter. As of January 21, 2020, the maximum number of such signs permitted within the Town of Grand Chute shall be 24 off-premises advertising signs and 43 associated sign faces.

Current §535-109F (to be repealed in its entirety)

~~Mitigation of digital multiple message signs. Since the maximum number of off-premises advertising signs permitted in Town of Grand Chute is capped and fixed at the number in the current sign inventory at any point in time, and because digital multiple message signs display more messages than a traditional static billboard, in order to receive approval for a new multiple message sign, mitigation through reduction of sign inventory must be provided, as follows:~~

~~(1)~~

~~The mitigation credit is one new digital multiple message sign permitted in exchange for the permanent removal of two existing off-premises advertising signs.~~

~~(2)~~

~~Each sign face is considered to meet the definition of a sign for the purposes of determining the mitigation credit.~~

~~(3)~~

~~An existing off-premises advertising sign must be a minimum 200 square feet in size to qualify for a mitigation credit.~~

~~(4)~~

~~The signs to be removed as part of mitigation must be in locations acceptable to and approved by the Town of Grand Chute as part of the special exception permit for the new digital multiple message sign.~~

~~(5)~~

~~A new digital multiple message sign installed in the same location as an existing nonconforming static billboard may be allowed, upon approval of a special exception permit, without the necessity of a variance that might otherwise be required.~~

~~(6)~~

~~A demolition permit is required for the removal of each sign being removed in mitigation of a new digital multiple message sign. A sign permit for the new sign will not be issued until all conditions of the associated demolition permit(s) have been met.~~

~~(7)~~

~~If the new digital multiple message sign is not installed within one year after the issuance of a sign permit, said permit will be revoked and the special exception permit for the sign will automatically expire.~~