

**AGENDA
CITY OF STURGEON BAY
PLAN COMMISSION**

Wednesday, December 18, 2024, at 6:00 p.m.
City Council Chambers
421 Michigan Street, Sturgeon Bay, WI

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from November 20, 2024.
4. Public comment on non-agenda Plan Commission related items.
5. Consideration of: Tourist rooming houses – 2024 statistics.
6. Consideration of: Zoning code amendment relating to accessory dwelling units.
7. Consideration of: Zoning code amendment relating to accessory uses.
8. Consideration of: Comprehensive plan amendments relating to the Future Land Use Map.
9. Adjourn.

NOTE: DEVIATION FROM THE AGENDA ORDER SHOWN MAY OCCUR.

Notice is hereby given that a majority of the Common Council may be present at this meeting to gather information about a subject over which they have decision-making responsibility. If a quorum of the Common Council does attend, this may constitute a meeting of the Common Council and is noticed as such, although the Common Council will not take any formal action at this meeting.

12/12/24

_____p.m.

CM

Plan Commission Members

Mayor David Ward
Ald. Helen Bacon
Ald. J. Spencer Gustafson
Dennis Statz
Mark Holey
Jeff Norland
Amy Stephens

CITY PLAN COMMISSION

November 20, 2024

A regular meeting of the City Plan Commission was called to order at 6:10 p.m. by Vice-Chairperson Dennis Statz in the Council Chambers, City Hall, 421 Michigan Street.

Roll call: Members Dennis Statz, Helen Bacon, Jeff Norland, Spencer Gustafson, Mark Holey and Amy Stephens were present. Member David Ward was excused. Staff present were City Administrator Josh VanLieshout, Community Development Director Martin Olejniczak, Planner/Zoning Administrator Stephanie Servia, and Community Development Administrative Assistant Colleen Michiels.

Adoption of agenda: Motion by Mr. Norland, seconded by Mr. Holey to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from October 16, 2024.
4. Public comment on non-agenda Plan Commission related items.
5. Consideration of: Combined Preliminary/Final Planned Unit Development for 54-unit multiple-family residential dwelling proposed by First and Main Properties, LLC for property located on the north side of E. Maple Street – Parcel #281-12-10080101A1.
 - a. Presentation
 - b. Public Hearing
 - c. Consideration/Recommendation (Note: The Plan Commission will not make a recommendation at this meeting, unless a motion is made and unanimously passed by the members present to act on the request at this meeting.)
6. Consideration of: Final Planned Unit Development for a 58-unit multiple-family affordable housing development proposed by Spoerl Commercial, LLC for parcels located on the southwest corner of Georgia Street and N 14th Avenue.
7. Consideration of: Zoning Code Amendments for Accessory Dwelling Units.
8. Adjourn.

All ayes. Carried.

Approval of minutes from October 16, 2024: Ms. Stevens motioned to approve the minutes from October 16, 2024, and Mr. Gustafson seconded the motion. With all in favor, the motion passed.

Public comment on non-agenda Plan Commission related items: No members of the public presented for comment.

Consideration of: Combined Preliminary/Final Planned Unit Development for 54-unit multiple-family residential dwelling proposed by First and Main Properties, LLC for property located on the north side of E. Maple Street – Parcel #281-12-10080101A1.

Presentation (a): Ms. Servia explained that Richard Robinson of First & Main Properties, LLC is seeking combined preliminary/final approval for a Planned Unit Development zoning to accommodate a 4-story multiple-family residential building consisting of 54 units at 54 East Maple Street-parcel #281-12-10080101A1. The current zoning of the .925-acre parcel is Central Business District (C-2) in which multiple-family dwellings are permitted as a conditional use. Mr. Robinson is requesting PUD zoning to allow for increased density, building height, and reduced parking.

Ms. Servia proceeded with a concise overview of the vacant parcel's history, the zoning and usage details of the adjacent properties, and the 2040 Comprehensive Plan's Future Land Use Map designation for the site. She also discussed the July 2019 West Waterfront Development Plan, which suggested the construction of 2-3 story buildings with view corridors to the waterfront. While this development only partially aligns with those recommendations, she noted that all redevelopment proposals for the site thus far have included large 4- or 5-story buildings.

Ms. Servia then provided a description of the building design and the challenges brought by the unique shape and restrictions of the property. She explained the planned access, pedestrian walkways, floorplans, building design and unit mix, landscaping and recreational facilities. She discussed the proposed solutions to the limited on-site parking such as undesignated use of the planned public parking lots. She also touched on proposed signage for the development which, she explained, will need approval from the City's Aesthetic Design & Site Plan Review Board.

Mr. Robinson explained that their plan remains similar to the conceptual plan that was presented with the exception of the unit mix. Based on the completed market study, they have decided to increase the number of 2-bedroom units thereby reducing the number of 1-bedroom units and adding 6 studio units. He also provided a more detailed description of the materials that will be used in the building design and additional matters such as financing that need to be addressed prior to proceeding with this development – all of which are moving forward.

Members discussed parking and the appreciation of the consideration that went into choosing the materials for the building that closely mimic current and past historically important buildings within the city. Ms. Stephens expressed concerns about the lack of mixed use and the height of the building. Ms. Bacon noted that a previous development proposal consisting of a smaller building was not well received by the public which lead to the city pursuing Mr. Robinson's proposal. Mr. Robinson stated that the building is shorter than the previously approved 5-story building at the site.

Public Hearing (b): Mr. Statz opened the public hearing at 6:40 p.m.

Barbara Graul, of 354 S 15th Court, expressed parking concerns and how it will affect area businesses and festivities.

Hans Christian, of 330 N 3rd Avenue, spoke in opposition to the current plan because of the deviation from the mixed-use designation of the property in the Comprehensive Plan.

Michelle Hroma, of 1014 Superior Street, expressed opposition to the development citing its lack of conformity to the 2019 recommendations of the West Waterfront Redevelopment committee. She believes the property should be developed consistent with its mixed-use designation and development of green space should take precedent over parking lots. She is also fearful that the apartments would become seasonal rentals or homes which would be wasteful.

Austin Kadulski, of 233 N Elgin Avenue, explained his concerns with first floor parking, lack of mixed-use, and the impact the decreased development parking will have on area businesses. He also requested that rental restrictions be put in place assuring availability for full-time residents of the City.

Tim Graul, of 354 S. 15th Court, expressed both concerns with the reduced parking and indicated he would like to see a lower profile building constructed here which would protect the visual corridors. He preferred the building be reduced to three stories and 36 units.

Laurel Hauser, of 746 Kentucky Street, indicated that she is not opposed to the development of the site, but would prefer to see traditional C-2 zoning restrictions followed. She stated that she believed that the mixed-use zoning articulates the community's vision for the area. She also hoped to see more concentration on what the overall campus would look like rather than concentrating on the parking aspect.

James Andre, of 743 Kentucky Street, inquired about the cost of renting the units in this development and questioned whether residents of the area would be able to afford them.

Naomi Files, 1630 Sycamore Street, requested members consider the affordability of housing developments being proposed and the consequences of not having enough affordable housing. These apartments will not be affordable for the area workforce.

Eric Enchev, of 6469 Sawyer Drive, expressed parking and traffic concerns and felt the improvements to the community were more important than the financial feasibility for the developer.

Ms. Michiels read a letter from Jim Vander Heiden expressing concerns about deviating from the West Waterfront Plan, the Comprehensive Plan designation and density.

The public hearing was closed at 7:11 p.m.

Consideration (c): Mr. Statz stated that the proposed project is not meant to be affordable housing. Ms. Bacon concurred and stated that an affordable housing project is the next agenda item.

Members and staff also discussed marketing efforts for this parcel, the challenges of developing this parcel as mixed use, the community's desire for parks and green space at the west waterfront and the funding needed to bring that to fruition. They also discussed seasonal and short-term rental period restrictions, parking issues, and the 2019 West Waterfront Plan.

A motion was made by Mr. Norland and seconded by Mr. Statz to consider a recommendation to council at this meeting. Before voting on the motion, members had an in-depth conversation regarding proposed city parking on the sites adjacent to the subject parcel and challenges with the west waterfront parcels. This motion then passed unanimously.

Mr. Norland then made a motion to recommend approval of the PUD zoning classification for the Sawyer Park Flats 54-unit multiple-family project for First & Main Properties, LLC subject to the following conditions: (1) The underlying zoning classification shall be C-2; (2) The development shall be substantially in compliance with the approved planned unit development plans; (3) Approval of the Aesthetic Design and Site Plan Review Board; (4) Approval by the Common Council of a development agreement that includes limits or restrictions regarding short-term rentals (tourist rooming houses); (5) Approval by the Common Council of the use of adjoining City-owned parking areas for the non-exclusive use by tenants of the Sawyer Park Flats to meet the off-street parking requirement; (6) Wall signage on southeast elevation not to exceed 65 sq. ft. All other signage to comply with the sign code; (7) Any exterior lighting shall be designed with cutoff fixtures to reflect light away from adjacent parcels and public streets, and away from the night sky. Motion was seconded by Ms. Bacon.

Mr. Gustafson moved to amend the Motion to approve the planned unit development plans by adding the condition that the city will construct the planned parking area to include a minimum of 30 spaces on city-owned property adjacent this development. Mr. Norland seconded the motion to amend. All ayes. Motion to amend passed unanimously.

Members then voted on the original motion as amended. Motion passed with all members voting in favor except Ms. Stephens who voted ‘no.’

Consideration of: Final Planned Unit Development for a 58-unit multiple-family affordable housing development proposed by Spoerl Commercial, LLC for parcels located on the southwest corner of Georgia Street and N 14th Avenue: Ms. Servia explained that Brian Spoerl of Spoerl Commercial, LLC has requested final Planned Unit Development zoning approval for three, three-story multiple-family residential buildings consisting of 58 units being constructed over two phases. The subject parcels are #281-46-16070101, #281-46-16080201, and #281-46-16080101 located on the southwest side of the intersection of N 14th Avenue and Georgia Street. The parcels are currently zoned General Commercial (C-1) and are about 2.9 acres in size. Ms. Servia explained that while multiple-family dwellings are allowed as a conditional use in the C-1 district, the developers have requested PUD zoning to allow for a higher density and decreased parking.

Ms. Servia proceeded to explain the changes made to the plan since the preliminary recommendation was presented to the council. These adjustments include a lower 1st floor building elevation, the addition of bike racks and designated dumpster locations, slightly increased parking, and landscape modifications. The developers have also included two storage buildings with units for tenant use and the parking spaces and two southernmost buildings were repositioned enabling exclusive 14th Avenue access and improved pedestrian walkways as previously recommended by the Commission.

Members and applicants discussed the project timeline and rent determination, which is governed by WHEDA guidelines. Rents for the units in this development are expected to range from \$519 to \$1,200. They continued by explaining the affordability benefits and challenges of working with WHEDA for affordable housing tax credits. The discussion concluded with a review of the revised vehicular and pedestrian access, and how these changes impacted other aspects of the development.

A motion was then made by Mr. Holey to recommend to council approval of the Final PUD for Spoerl Commercial, LLC’s 58-unit multi-family project consisting of three apartment buildings and two accessory buildings, subject to the following: (1) The underlying zoning classification shall be R-4; (2) The development shall be substantially in compliance with the approved planned unit development plans; (3) Off-street parking of multiple-family dwellings shall be required at a rate of 1.25 spaces per one-bedroom unit, 1.5 spaces per two-bedroom unit, and 1.75 spaces per three-bedroom unit; (4) Approval of the Aesthetic Design and Site Plan Review Board; (5) Approval by the Common Council of a development agreement that includes limits or restrictions regarding short-term rentals (tourist rooming houses); (6) Temporary emergency vehicle turn-around or access meeting the fire department requirements for Phase 1 to be approved by the Fire Chief; (7) Dedication of 5 feet of right-of-way (or pedestrian easement) along Georgia Street; (8) Existing vegetation within Jaycee Court right-of-way to remain except as authorized by the City Forester; (9) Final Utility Plan to be approved by Sturgeon Bay Utilities. Mr. Gustafson seconded the motion. All ayes. Motion passed unanimously.

Consideration of: Zoning Code Amendments for Accessory Dwelling Units: Ms. Servia briefly discussed the history of the City’s accessory dwelling unit (ADU) ordinance. She explained that, in response to the housing shortage, ADUs have been gaining popularity. However, aside from the first ADU approved by the Plan Commission last month, property owners in Sturgeon Bay have not been seeking to pursue this option. It is possible they have been hindered by restrictions in the City’s current code. Ms. Servia then presented the members with reasoning and proposed changes to the ordinance, including adjustments to minimum lot size, floor area requirements, detached/attached configurations, setbacks, and permitted uses within the zoning districts.

Members and staff discussed the barriers to developing an ADU, which, in addition to zoning issues, also include the building code and a potential lack of public awareness. Members questioned whether changing the City's zoning code would significantly impact the development of ADUs. Ms. Servia shared examples from her experience where various aspects of the City's zoning code had prevented property owners from moving forward with ADU development. She also pointed out the short-term rental restriction currently built into the ordinance.

Nr. Norland expressed that he is in favor of leaving the ordinance as is.

Ms. Stevens felt that some of the changes were just tweaks to match other recent zoning changes. She wondered why the ADU's are not currently allowed in the R-1 district.

Mr. Statz preferred to match the side yard requirement to the requirement for accessory structures.

After discussion the majority of members agreed that they would like City staff to explore options for simplifying the ordinance to make it more accessible and practical for property owners.

Adjourn: Mr. Holey moved to adjourn and was joined with a second by Mr. Norland. All ayes. Motion carried. The meeting adjourned at 8:52 pm.

Respectfully submitted,

Colleen Michiels
Community Development Secretary



MEMO

To: Sturgeon Bay Plan Commission
From: Stephanie Servia, Planner/Zoning Administrator
Date: December 12th, 2024
Subject: Tourist Rooming House Update 2024

Tourist Rooming Houses (TRH) are dwelling units which offer sleeping accommodations to transient guests for periods less than 30 days, not including boarding houses or bed and breakfast establishments. These are allowed within all the residential, commercial (excluding C-4) and agricultural districts. This ordinance has been in effect since March 1, 2016, and the number of active TRHs has grown over the last 8 years.

For the last several years the Plan Commission has been periodically reviewing the information about tourist rooming houses to see if changes to the City's requirements are warranted. Last year the Plan Commission requested a few minor changes to the code in order to resolve potential legal issues.

In 2023 the City had 124 active permits for tourist rooming houses and this year the City has 121 active permits. This drop is the first year that there are fewer active tourist rooming houses than the prior year. Staff spoke with the Door County Tourism Zone Commission to see if they noticed a shift as well. They mentioned that they are still seeing growth in the overall number of permits, but at a lower rate than previous years.

With the decrease in active TRH's in City of Sturgeon Bay, does the Plan Commission wish for staff to work on changes or updates to the regulations? If desired, staff can come back with additional data or potential amendments that the Commission wants to consider. If the Plan Commission does not feel the need for more data or changes to the regulatory framework, then staff will continue to monitor this issue and perhaps bring it back next year, if warranted. Please be prepared to provide direction to the staff at the December meeting.

Tourist Rooming House Data

Licenses issued by year:

Year	New	Renewal	Total Issued
2016	8		8
2017	10	1	11
2018	22	2	24
2019	25	22	47
2020	9	11	20
2021	32	35	67
2022	20	39	59
2023	32	58	90
2024	14	48	62

Active License by Zoning District:

District	2023	2024
A	1	1
C-1	1	1
C-2	19	14
C-5	7	9
PUD	6	7
R-1	21	24
R-2	59	57
R-3	7	6
R-4	2	1
R-M	1	1
Total	124	121

Active License dwelling type:

	2023	2024
Single-Family	79	83
Two-Family	14	13
Multi-Family	18	8
Mfg Home Park	1	1
Apt w/comm space	12	12
Condo		4
Total	124	121

Residency of License Holders

Location	2023	2024
City of Sturgeon Bay	66	72
Door County	13	4
Brown/Kewaunee	12	13
Other WI area	33	22
Out of State		10
Total	124	121

121 remain active and 34 (15 in 2024) have not been renewed. From what we can tell:

- 5 (1 in 2024) have stated they are no longer using as short-term rentals.
- 10 (5 in 2024) have been sold and no new licenses were issued.
- 5 (3 in 2024) are now being used as long-term rentals.
- 2 have lapsed and then later re-licensed, one of which was later sold and not relicensed.
- The rest are unknown. (6 in 2024) Owners have not responded to letters or email communications.



MEMO

To: Sturgeon Bay Plan Commission
From: Stephanie Servia, Planner/Zoning Administrator
Date: December 12th, 2024
Subject: Zoning Code Amendment- Accessory Dwelling Units

At the November Plan Commission meeting, amendments to the Accessory Dwelling Unit (ADUs) use which allows for an attached or detached independent living space was discussed. Staff introduced a number of potential amendments that could be made to the code regarding this use to gauge the Commissions thoughts on each issue. The Plan Commission at that time agreed that staff should investigate options for simplifying the ordinance to make it more accessible and practical for property owners.

The current regulations for ADU's are designed to ensure they are compatible with the neighborhood, minimize short-terms rentals, and ensure oversight of the rental unit. The code could be simplified to, for example, eliminate owner-occupancy rule or not limit the short-term rentals, but that could cause concerns or resistance from the neighborhood. Thus, such simplifications are not supported by staff.

One simplification that is supported, however, is changing the use from conditional to permitted in any zoning district that permits two-family homes. This provides certainty to the homeowner requesting the ADU, speeds up the permitting process, and reduces costs.

Another issue that could increase the number of ADU's is to allow them in the R-1 district. Currently, they are prohibited, but adding ADU's as a conditional use could be an intermediate step to see how well they are received and the level of interest from R-1 property owners.

The ordinance changes recommended by staff are attached. The proposed changes include:

1. Allow ADUs to be a conditional use in R-1 zoning districts.
2. Allow ADUs as a permitted use in any districts that would permit a two-family dwelling.
3. Update the minimum lot size to match the minimum lot size requirements that were implemented in early 2023. Rather than requiring 7,000 square feet of lot area for all ADU's regardless of zoning district, this amendment requires 6,000 sq. ft. in the R-2 and R-3 zones; 7,500 sq. ft. in the R-4 and C-5 districts, and 1 acre in the A districts. If ADU's are allowed in the R-1 district, it is suggested to use 15,000 square feet for the minimum lot size (50% larger than the district's minimum lot size), if there is concern about the impact of ADU's in the R-1 areas.

4. Adjust the residency requirement in 20.10(d) to provide flexibility and clarify that the unit used by the owner cannot also be rented. This would allow additional flexibility if the property was used by the owner as a secondary or vacation home rather than permanent residence. It also clearly restricts the owner's unit from being rented out. The intent of ADU's is to allow one rental unit, not two (which would be a two-family dwelling/duplex situation).
5. Adjust the minimum yards for newly constructed or enlarged detached ADU's to match the requirements for a new single-family dwelling.
6. Clarify that the ADU is accessory to a principal dwelling (not single-family dwelling). This would allow an ADU to be authorized for a two-family dwelling.
7. Change the term "primary" to "principal" to match the word usage in the definition of ADU.

The Plan Commission is requested to review the proposed amendments and determine whether to proceed with some or all of them. Commissioners might also have additional amendments to consider. Among the options for the Plan Commission to consider are:

1. Recommend approval of the proposed amendments to the Accessory Dwelling Unit regulations to the Common Council.
2. Modify the proposed amendments to the Accessory Dwelling Unit regulations and recommend them to the Common Council.
3. Reject the proposed amendments to the Accessory Dwelling Unit regulations and drop the matter from further consideration.
4. Refer the matter back to staff for further analysis.

Attachment: Proposed Amendments

Proposed Amendments to Accessory Dwelling Units Requirements

Amend s. 20.09(3) Table of Principal Uses as follows:

Type of Use	Zoning Districts												
	R-1	R-2	R-3	R-4	R-M	C-1	C-2	C-4	C-5	I-1/I-1A	I-2/I-2A	A	CON
Accessory Dwelling Units (20.10(2))	C	C	P €	P €					P €			C	

Amend s. 20.10(2) [Particular use requirements] as follows:

(2) *Accessory dwelling units.* Accessory dwelling units are subject to the following:

- (a) *Number permitted.* Not more than one accessory dwelling unit shall be permitted on a lot.
- (b) *Minimum lot size.* Accessory dwelling units shall be allowed only on a lot having at least 7,000 square feet the amount of square feet required for new lots in the district in which it is located, except that at least 15,000 of lot area shall be required in the R-1 district.

Note: In the R-2 and R-3 districts, 6,000 sq. ft. is required. In the R-4 and C-5 districts, 7,500 sq. ft. is required. In the A district, 1 acre is required. New lots in the R-1 districts normally require 10,000 sq. ft. The above rule requires lots to be 50% larger for an ADU.

- (c) *Floor area requirements.* Accessory dwelling units shall not exceed 800 square feet in floor area and shall have a minimum floor area of 250 square feet.
- (d) *Residency required; renting of owner's unit restricted.* The property owner of record must reside in either the primary principal dwelling unit or the accessory dwelling unit as their on either a temporary or permanent and legal address basis. During periods when the owner of record is not residing in their unit, it shall not be rented or leased. A restrictive agreement shall be recorded to this effect.
- (e) *Parking.* In addition to off-street parking spaces required for the primary dwelling unit, a minimum of one off-street parking space for an efficiency or one-bedroom accessory dwelling unit, or a minimum of two off-street parking spaces for a two or more-bedroom accessory dwelling unit, shall be provided.
- (f) *Short-term rental restrictions.*
 1. The accessory dwelling unit shall not be rented for periods of less than seven consecutive days.
 2. If the accessory dwelling unit is rented for periods of more than six but fewer than 29 consecutive days, the total number of days within any consecutive 365-day period that the dwelling may be rented shall not exceed 180 days. The maximum 180 days shall run consecutively within each 365-day period. The owner of the accessory dwelling unit shall notify the city clerk in writing when the first rental within a 365-day period begins.

3. A restrictive agreement shall be recorded to this effect.
 4. If the property owner of record resides in the accessory dwelling unit, then these short-term rental restrictions shall apply to the ~~primary~~ principal dwelling unit.
- (g) *Separate ownership/conveyance restricted.* The accessory dwelling unit shall not be conveyed or separated in ownership from the ~~primary~~ principal dwelling unit.
- (h) *Compliance with housing and building codes.* The accessory dwelling unit shall comply with the Sturgeon Bay Housing Code (chapter 22 of the Municipal Code) and with all pertinent building codes.
- (i) Accessory dwelling units may be attached to or detached from the ~~single-family residence~~ principal dwelling.
- (j) *Additional requirements for attached accessory dwelling units.* Attached accessory dwelling units shall comply with the following:
1. The accessory dwelling unit shall be clearly incidental to the principal dwelling unit and the building's exterior shall appear to be single-family.
 2. If the accessory dwelling unit is created from a portion of the principal dwelling unit, the floor area of the principal dwelling unit shall not be reduced below the minimum floor area required for the zoning district in which it is located.
 3. Location of entrances. Only one entrance may be located on the facade of the dwelling facing the street, unless the dwelling contained additional entrances before the accessory dwelling unit was created. An exception to this regulation is entrances that do not have access from the ground such as entrances from balconies or decks.
 4. Exterior stairs. Fire escapes or exterior stairs for access to an upper level accessory dwelling shall not be located on the front of the primary dwelling unit.
- (k) *Additional requirements for detached accessory dwelling units.* Detached accessory dwelling units shall comply with the following:
1. The accessory dwelling unit shall be subject to the requirements of section 20.29 Accessory building height and area regulations, except the ~~minimum side and rear yards shall be ten feet~~ that for accessory buildings constructed or enlarged after April 1, 2019, the minimum side and rear yards shall be 8 feet in the R-2, R-3, and C-5 districts and 10 feet in all other districts.
 2. The accessory dwelling unit shall comply with all building code regulations relating to dwellings.



MEMO

To: Sturgeon Bay Plan Commission
From: Stephanie Servia, Planner/Zoning Administrator
Date: December 11th, 2024
Subject: Zoning Code Amendment- Accessory Uses

Background: In previous versions of the Sturgeon Bay Zoning Code there was language relating to uses that are accessory to a principal use for that zoning district. When the list of principal uses was converted to a table format a couple of years ago, the accessory uses provision was inadvertently omitted. This proposed amendment rectifies this situation.

The definition of Accessory Use is “a use subordinate to and customarily incidental to a principal use of the property or buildings and located on the same lot as the principal use”. The proposed amendment adds a section to state accessory uses are allowed so long as they do not generate a nuisance. The addition to the code would replace 20.11 which is currently a vacant “reserved” section.

Options: The Plan Commission has the following options for an amendment to the Zoning Code for Accessory Uses which are as follows:

1. Recommend approval of the proposed addition to the Zoning Code for Accessory Uses to the Common Council.
2. Modify the proposed amendment and recommend approval to the Common Council.
3. Reject the proposed addition to the Zoning Code for Accessory Uses.

Recommendation: Staff recommends approval of the proposed amendment to the Zoning Code relating to Accessory Uses.

Proposed Zoning Amendment Relating to Accessory Uses

20.11 Accessory Uses

- (1) In each zoning district, accessory uses are permitted, provided that no such uses shall generate traffic or noise that would create a public or private nuisance.



MEMO

To: Sturgeon Bay Plan Commission
From: Stephanie Servia, Planner/Zoning Administrator
Date: December 12th, 2024
Subject: Future Land Use Amendments- Initial Presentation

Background: The Sturgeon Bay Comprehensive Plan includes a map entitled “Future Land Use”, which classifies the properties within the City and its extraterritorial region into various land use categories. The map is intended to help guide land use and development decisions.

Over the past few years when there have been rezonings, conditional uses, or planned unit developments, there have been a few projects where the proposed use was not entirely consistent with the future land use map. There is a general understanding that the map should have a degree of flexibility and, therefore, projects have been approved as long as the proposed use wasn't in direct conflict with comprehensive plan. Staff had indicated to the Plan Commission that follow-up amendments could be initiated to ensure that the future land use map matches recent zoning and development decisions.

Proposed Amendments: The following future land use map amendments could be considered:

1. Vacant parcel #281-62-11000109 on south side of Alabama Street from current Public and Institutional to proposed Regional Commercial.
This property is the Nightingale Restaurant parking lot that was rezoned to accommodate the proposed Morning Dove drive-through coffee shop. Staff believe the current designation is a mapping error that wasn't caught during the creation of the Comprehensive Plan.
2. 835 S Duluth Avenue from current Regional Commercial to proposed Neighborhood Mixed Use.
The property had been part of the parcel containing the Starbucks development, but was split after the Comprehensive Plan was adopted. Since the property contains a single-family dwelling, it was rezoned to Mixed Residential- Commercial (C-5). The property borders on the edge of Neighborhood Mixed Use.
3. Spoerl Commercial, LLC multiple-family residential project at the southwest corner of N 14th Ave and Georgia Street from current Regional Commercial to proposed Neighborhood Mixed Use.
The three parcels comprising the proposed project were just approved as a PUD. Although Regional Commercial isn't necessarily incompatible with the proposed development, either Higher Density Residential or Neighborhood Mixed Use would be a better fit. One concern for the Plan Commission to keep in mind is that the project is dependent upon receiving tax credits, which is not a sure thing. So, if the

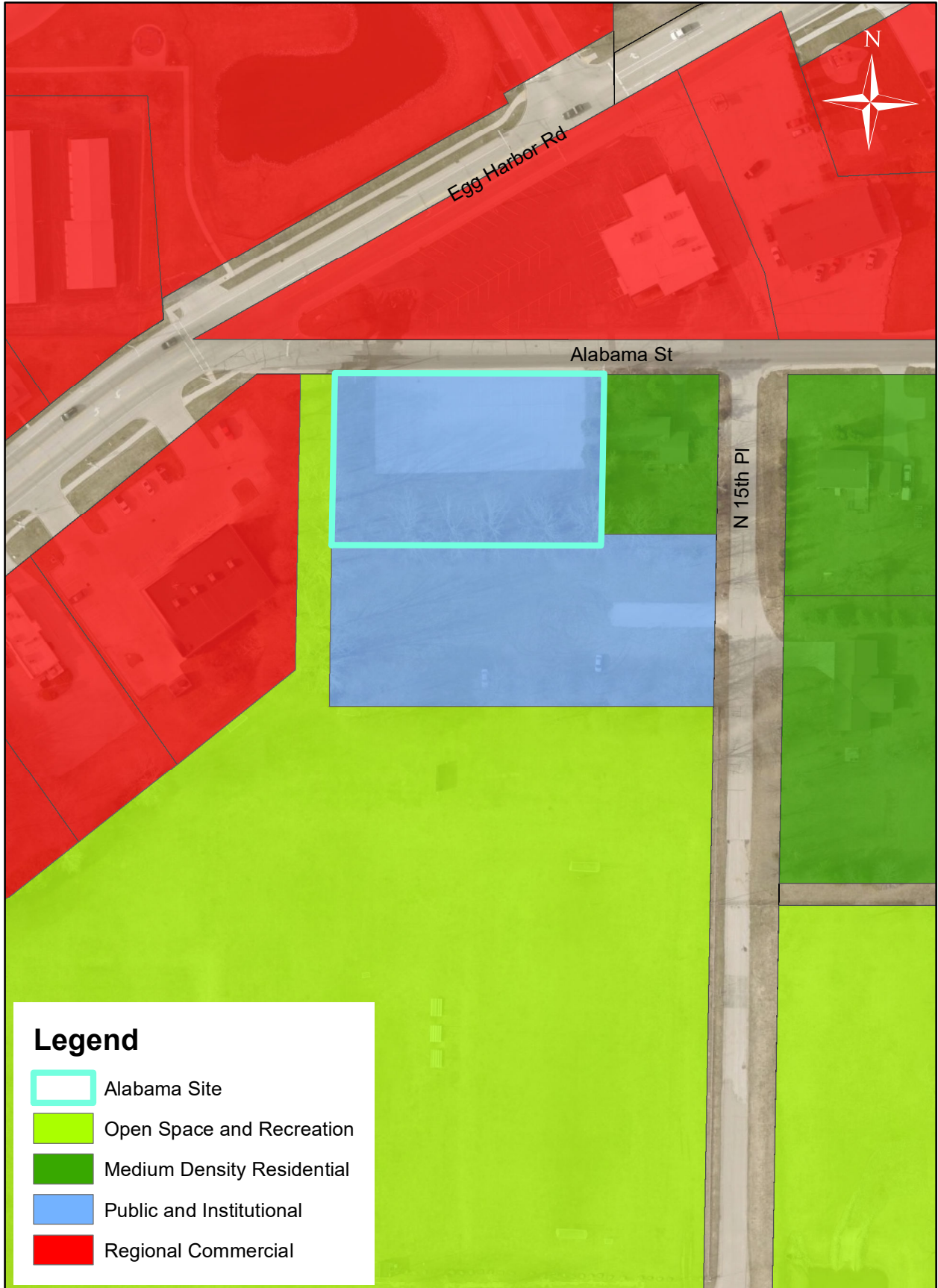
project doesn't happen, what would be the most appropriate future land use for this area? An argument could be made for either commercial or residential. Staff is supportive of Neighborhood Mixed Use for the most flexibility for the site.

Procedures: Comprehensive Plan amendments have similar procedures as zoning map amendments. A public hearing, recommendation by the Plan Commission, and adoption of the amendment via ordinance by the Council are all required. The public hearing for comprehensive plan amendments is typically held before the Plan Commission.






Options: The Plan Commission has the following options:

1. Select the changes that it prefers and schedule a public hearing for those changes at a future Plan Commission Meeting.
2. Refer back to staff to include other desired changes to Comprehensive Plan.
3. Decide not to pursue any changes at this time.

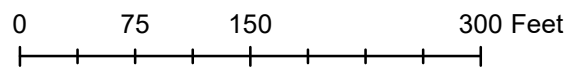
Subject Property Alabama Street



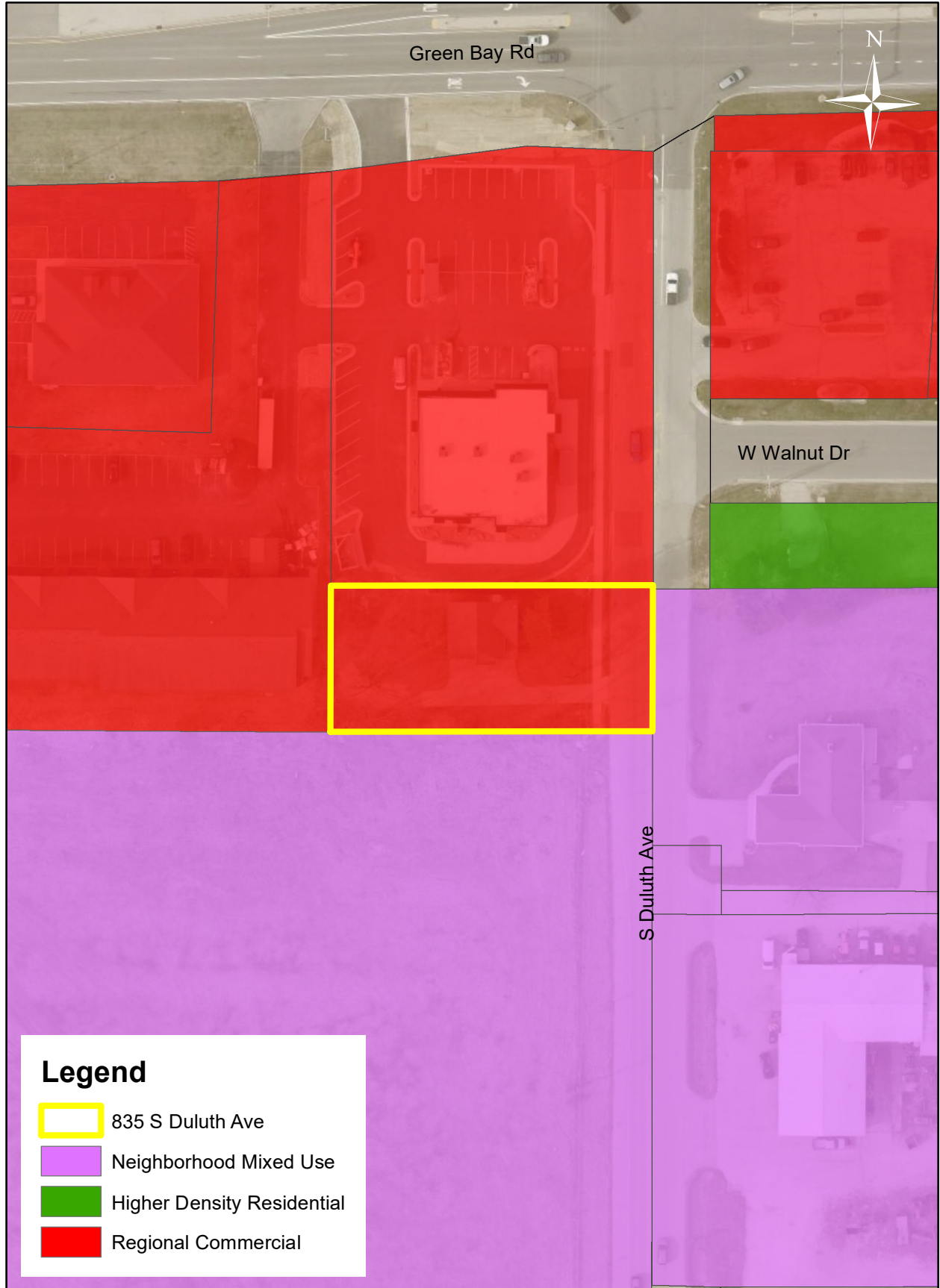
Legend

-  Alabama Site
-  Open Space and Recreation
-  Medium Density Residential
-  Public and Institutional
-  Regional Commercial



Parcel #281-62-11000109



Subject Property 835 S Duluth Ave



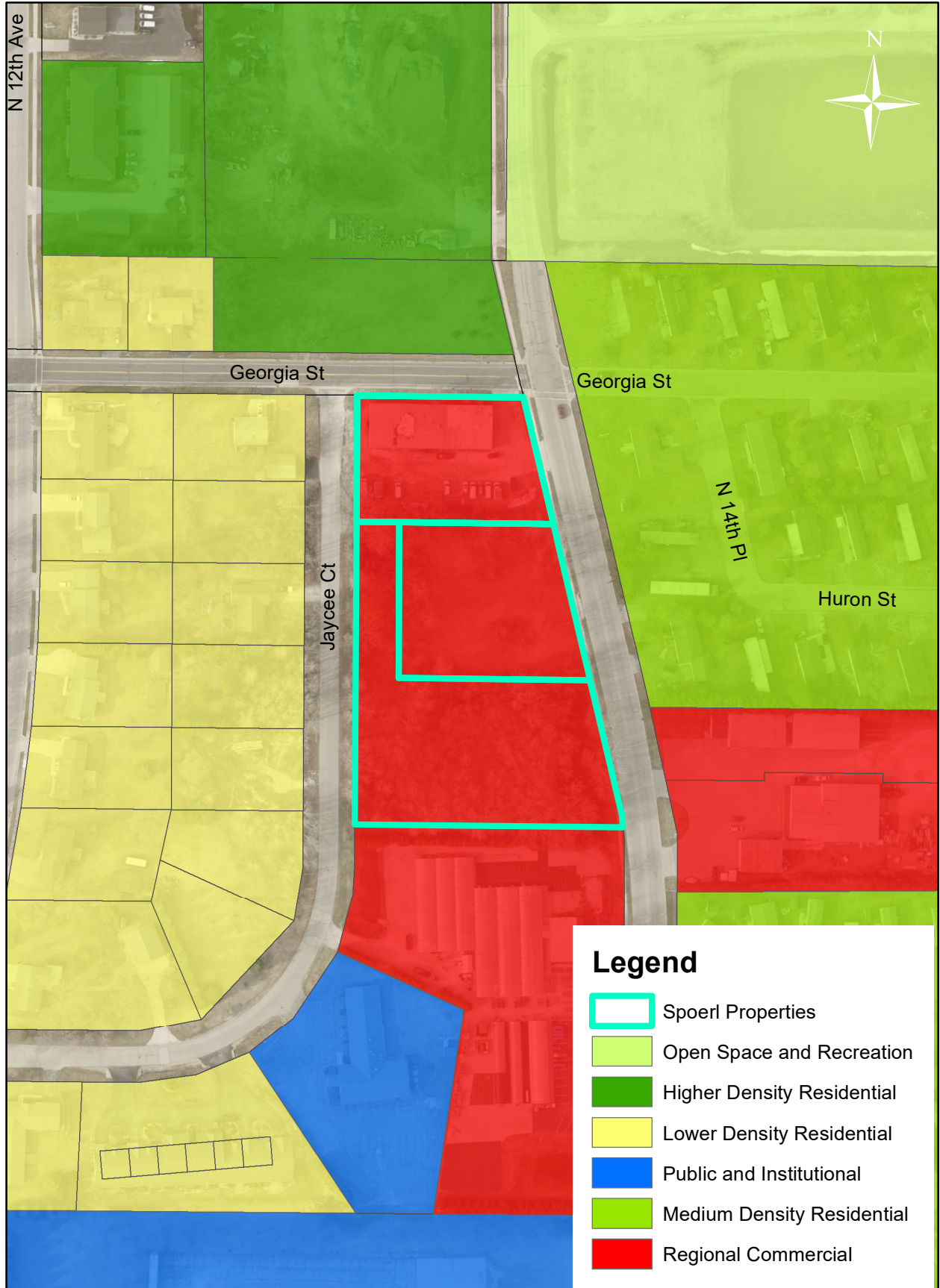
Legend

-  835 S Duluth Ave
-  Neighborhood Mixed Use
-  Higher Density Residential
-  Regional Commercial

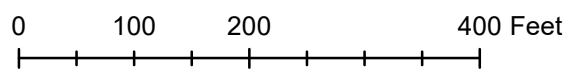
Parcel #281-66-13000101B

0 50 100 200 Feet

Subject Property N 14th Ave & Georgia St



Parcel #281-46-16070101
#281-46-16080201
#281-46-16080101



LAND USE CATEGORIES:

Rural Residential

Description

This future land use category designates residential areas that are characterized by private on-site wastewater treatment systems and low-density development, typically not more than one dwelling unit per acre.

Recommended Zoning

The City's R-1 zoning district is the most appropriate for areas mapped in this future land use category. The City should consider including a provision in the R-1 and R-2 districts require a minimum one-acre lot for un-sewered parcels.

Policies and Programs

- a. This development pattern should not be allowed in new developments within the City's boundaries and the City should limit approval of this land use in the future to areas that are unlikely to ever be cost-effectively served by municipal sanitary sewer and water facilities.

Lower Density Residential

Description

This future land use category designates residential areas that are predominately comprised of single-family homes at a density of up to four units per acre. Some two-family homes may be included in these areas. This category is mapped in significant portions of the City of Sturgeon Bay where the future desire is to promote or retain single family character.

Recommended Zoning

The City's R-1 through R-3 residence zoning districts are the most appropriate for areas mapped in this future land use category.

Policies and Programs

- a. Pursue residential infill opportunities in existing residential neighborhoods where feasible.
- b. As maintenance and rehabilitation needs arise, work with the County, State and local lenders to assist homeowners and landlords with rehabilitation projects.
- c. Work to continually improve code enforcement efforts to maintain attractive, well-kept neighborhoods.
- d. Work with the local historical society and property owners to protect and celebrate historically significant residences within the community.
- e. Refer to Chapter Four: Housing for detailed housing recommendations.



Medium Density Residential

Description

This future land use category designates residential areas that are predominately comprised of single-family homes at a density of up to eight units per acre. Lot sizes in these areas are typically more compact than in lower density residential. Two-family dwellings and small-scale multi-family dwellings are often intermixed into these areas.

Recommended Zoning

The City's R-2 through R-3 residence zoning districts are the most appropriate for areas mapped in this future land use category. The City should consider creating a small-lot single family zoning district to accommodate this land use category.

Policies and Programs

- a. Pursue residential infill opportunities in existing residential neighborhoods where feasible.
- b. As maintenance and rehabilitation needs arise, work with the County, State and local lenders to assist homeowners and landlords with rehabilitation projects.
- c. Work to continually improve code enforcement efforts to maintain attractive, well-kept neighborhoods.
- d. Work with the local historical society and property owners to protect and celebrate historically significant residences within the community.
- e. Pursue a diverse mix of housing styles as allowed within this future land use category.
- f. Refer to Chapter Four: Housing for detailed housing recommendations.

Higher Density Residential

Description

This future land use category is intended for a variety of residential units but is primarily comprised of multi-family housing (3+ unit buildings), usually developed at densities up to 12.4 units per acre.

Recommended Zoning

The City's R-3 and R-4 zoning districts are the most appropriate districts to implement this future land use category.

Policies and Programs

- a. Meet minimum site, building, landscape, lighting, and other design standards included in the zoning ordinance.
- b. Support projects that include a strong program for maintaining the quality, value, and safety of the development over time.
- c. Work with development partners to provide a wide range of housing types such as condos, townhomes, and multi-unit dwellings.
- d. Pursue opportunities to increase multi-family housing to address attainable workforce housing as described in Chapter Four: Housing.
- e. Update detailed design standards for multi-family developments from Chapter Four of this Plan.



Planned Neighborhood

Description

The planned neighborhood future land use category is intended to provide for a variety of housing choices and a mix of non-residential uses such as parks, schools, religious institutions, and small-scale shopping and service areas. They are really a collection of different land use categories listed in this chapter. Planned neighborhoods should be carefully designed as an integrated, interconnected mix of these use categories. They are by no means intended to justify an “anything goes” land use pattern. Overall, the composition and pattern of development should promote neighborhoods that instill a sense of community with their design.

The planned neighborhood category encourages a mix of uses and densities across a region or planned area and not necessarily on a specific plat or development.

The planned neighborhood concept encourages a mix of medium density single family residential, multi-family residential, public and institutional, parks and open space, and neighborhood mixed use categories. Senior housing, assisted living, and Community-Based Residential Facilities (CBRF) are also appropriate for these areas. Maintaining a minimum percentage of single-family residential uses has the effect of dispersing higher density development throughout the community and limiting the concentration of any one type of development in any one area. Appropriate non-residential uses include neighborhood-oriented shopping opportunities, such as a small grocery store and convenience store, bakery, or pharmacy; personal services such as barber shop or dentist office; smaller employment opportunities (usually located on the edges of these neighborhoods); and small-scale religious institutions and educational facilities (usually elementary schools) for area residents. Large areas of planned neighborhood area mapped at the edge of the City.

Recommended Zoning

The planned unit development or rezoning processes are well-suited to implement areas mapped under this future land use category.

Policies and Programs

- a. Maintain overall residential development densities within Planned Neighborhoods of between six and eight dwelling units per residential acre.
- b. Accommodate a mixture of housing types, costs, and densities, while maintaining the predominance of single-family housing in the community. In planned neighborhoods, seek a housing mix where a minimum of 55% of all housing units are in single family detached residences, with desired a maximum of 20% of units in two-family dwellings and 15% of units in multiple family dwellings. This policy means that an area could develop as 100% single family, or it could develop as 70% single family, 20% two-family, and 10% multiple family, or another combination that the market supports, with a minimum of 50% single family dwellings.
- c. Avoid rezoning any area designated for planned neighborhood development until public sanitary sewer and water service is available and a neighborhood development plan and specific development proposal is offered for the site.

Figure 11. Planned Neighborhoods



d. Require each planned neighborhood to be developed following preparation of a detailed neighborhood development plan by a developer or the City, ideally adopted as a component of the City's Comprehensive Plan. Such plans shall specify land use mix, density, street layouts, open space, and stormwater management.

e. Adhere to the following design objectives for planned neighborhood areas.

- Create a distinct sense of place and human scale. Strategies can include bringing buildings close to the sidewalk and local streets; providing public focal points; and creating visual interest.
- Connect planned neighborhoods internally and to adjacent areas through a network of paths, sidewalks, and streets that discourage high travel speeds but still allow access to emergency and maintenance vehicles (e.g. fire trucks and snowplows).
- Design neighborhoods with interconnected open space systems for recreation and progressive stormwater management.
- Integrate a mix of uses and densities.
- Preserve and focus attention on environmentally sensitive areas and unique natural features.
- Lay out streets, buildings, and public open spaces which take advantage of long views created by local topography.

Unsewered Commercial

Description

This future land use category is intended for smaller-scale office and local-supporting institutional, retail, and commercial uses that are less customer and traffic intensive but require larger land areas.

Recommended Zoning

The City's C-1 zoning districts will accommodate this future land use category. The City may consider creating a new zoning district for Unsewered Commercial that could include a limit on the total square footage and impervious surface area of development to maintain the rural feel of the area.

Policies and Programs

- a. Require that all proposed commercial projects submit a detailed site plan, building elevations, lighting plan, grading/stormwater management plan, and signage plan prior to development approval.
- b. In unsewered commercial areas, require the use of high-quality building materials and designs that are compatible with residential areas, including residential roof materials such as shingles; generous window placements; and exterior materials such as wood, cement board, vinyl siding, brick, decorative block, stone, etc.



Regional Commercial

Description

This future land use category includes large-scale commercial and office land uses, including national and regional retailers, which serve the entire community and people from nearby communities on public sewer, public water, and other urban services and infrastructure.

Recommended Zoning

The City's C-1 zoning district is appropriate for areas within this future land use category.

Policies and Programs

- a. Adhere to site, building, signage, landscaping, and lighting design guidelines for commercial, large scale retail, and mixed-use development projects.
- b. Require that all commercial projects submit and have approved detailed building elevations and site plans, showing the proposed locations of the building(s), parking, storage, loading, signage, landscaping, and lighting prior to development approval.

Neighborhood Mixed Use

Description

This future land use category is intended to facilitate a carefully controlled mix of commercial and residential uses on public sewer, public water, and other urban services and infrastructure. This category advises a carefully designed blend of planned commercial, mixed residential, parks and open space, light industrial, and community facilities land uses.

Recommended Zoning

The City's current C-5 district will accommodate this future land use category. It is also possible that combination of districts could be used or the Planned Unit Development (PUD) district.

Policies and Programs

- a. Carefully review all projects in neighborhood mixed use areas to ensure an appropriate mix of uses which are compatible with neighboring properties and the City's vision for the area. The precise mix of uses and zoning districts should be at the City's discretion, rather than the property owner.
- b. Grant development approvals only after submittal, public review, and approval of site, landscaping, building, signage, lighting, stormwater, erosion control, and utility plans.
- c. Require the use of high-quality building materials and design objectives.
- d. Areas mapped neighborhood mixed use zoning districts should include compact, walkable design and adequate bicycle and pedestrian infrastructure.



Figure 12. Mixed-Use Neighborhoods



MIXED-USE NEIGHBORHOODS

VANDEWALLE & ASSOCIATES, INC. 

Mixed-Use Neighborhoods are designed to create vibrant, pedestrian environments in which people can live, work, shop, and obtain daily services.

Buildings with different uses, sometimes even on different floors, are arranged within walking distance to each other and are connected via sidewalks. Obtaining moderate to higher densities and paying close attention to design and quality are critical aspects of mixed use neighborhoods and corridors.

Additional Characteristics of Mixed Use Neighborhoods include:

- Walking relationship between uses
- Street activity from morning through evening
- Multi-story buildings, generally with more active uses on first floor
- Minimal front setbacks
- Buildings and sites have pedestrian feel
- Parking located on street or to rear/sides of buildings with parking often shared between uses
- Reuse of existing buildings
- Building entrances oriented to street





A Retail/Residential Above



B Retail/Office Flex Space



C Retail



D Office



E Multi-Family Residential



F Office/Residential Above



G Office/Commercial
Fuel Pumps in Back



H Institutional

Typical Mixed-Use Neighborhood Land Uses:

- Multi-family and attached housing
- Offices
- Clinics
- Restaurants, including outdoor dining
- Coffee shop
- Deli/market
- Grocery store
- Urban gathering spaces (e.g. farmer's market)
- Dry cleaner
- Day care
- Drug store

Downtown Mixed Use

Description

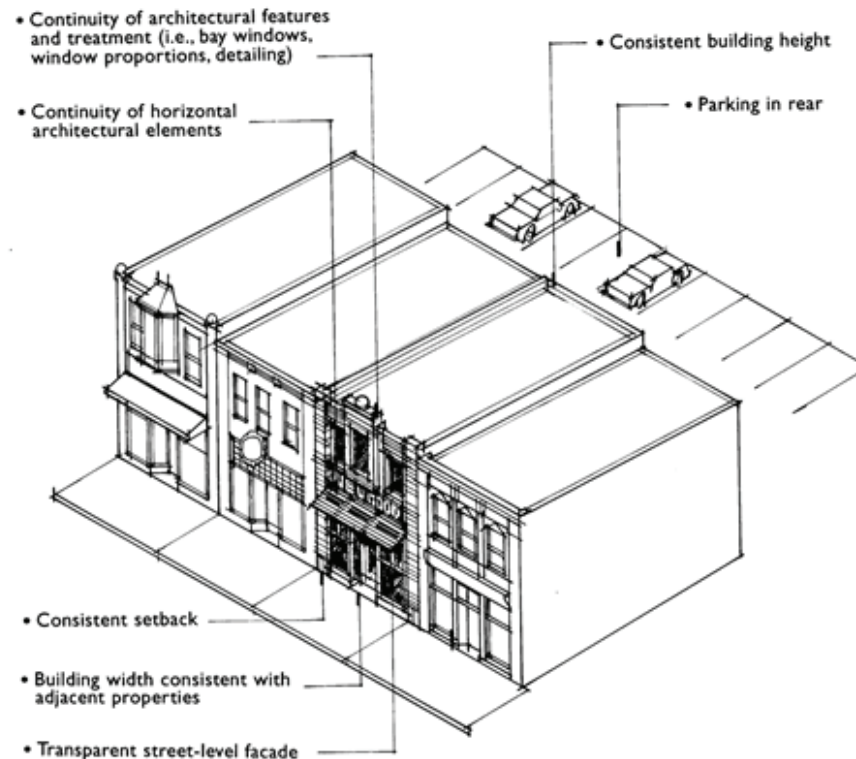
Downtown Sturgeon Bay is intended to remain the civic, social, and commercial hub of the community. This category is intended for a mix of retail, commercial service, office, institutional, governmental, and residential (mainly upper stories) uses arranged in a pedestrian-oriented environment with on-street parking; minimal building setbacks; and building designs, materials, placement, and scale that are compatible with the character of existing development. The downtown mixed-use future land use category is mapped over the historic Downtown area.

Recommended Zoning

The City's C-2 central business zoning district is appropriate for areas in this future land use category.

Policies and Programs

- Preserve the architectural and historic character of the core Downtown historic buildings, including those in the Steel Bridge Creative District and Third Avenue Historic District, by requiring that new development, expansions, and exterior renovations comply with design standards and historic preservation standards.
- Grant development approvals only after submittal, public review, and approval of site, landscaping, building, signage, lighting, stormwater, erosion control, and utility plans.
- Promote the expansion, retention, and upgrading of specialty retail, restaurants, financial services, offices, professional services, residential, and community uses through continued marketing, investment and incentive strategies.



Industrial

Description

This future land use category includes manufacturing, warehousing, distribution, and office uses, often with outdoor storage or processing of materials. New development should adhere to high-quality building design, generous landscaping, modest lighting, screened storage and processing areas, and limited and attractive signage. These areas should be located near arterial roads and away from residential areas and high visibility community gateways whenever possible.

Recommended Zoning

The City's I-1 and I-2 zoning districts are most appropriate for areas within this future land use category.

Policies and Programs

- a. As opportunities for reinvestment and redevelopment occur, improve the appearance of building facades exposed to the public view, including loading docks and storage areas.
- b. Encourage the use of high-quality building materials, improved window treatments, high-quality loading and storage screening devices and landscaping.
- c. Ensure that future industrial development is appropriately buffered from existing and planned residential development areas.
- d. Adhere to adopted site and building design guidelines for industrial projects.

Business Park

Description

This future land use category is an area predominately used for light manufacturing, corporate offices, and related uses as part of an overall coordinated development in a business park setting.

Recommended Zoning

The City's C-4 and I-1 zoning districts are most appropriate for areas within this future land use category.

Policies and Programs

- a. As opportunities for reinvestment and redevelopment occur, improve the appearance of building facades exposed to the public view, including loading docks and storage areas.
- b. Encourage the use of high-quality building materials, improved window treatments, high-quality loading and storage screening devices and landscaping.
- c. Ensure that future industrial development is appropriately buffered from existing and planned residential development areas.
- d. Adhere to adopted site and building design guidelines for industrial projects.

Office

Description

This future land use category is for nonresidential areas in which offices, medical related facilities and related business services predominate. The office land use designation is also appropriate in select residential areas that adjoin major institutional establishments such as neighborhoods surrounding the medical center, Door County Government Center or Justice Center.

Recommended Zoning

The City's C-4 zoning district is most appropriate for areas within this future land use category.

Policies and Programs

- a. As opportunities for reinvestment and redevelopment occur, improve the appearance of building facades exposed to the public view.
- b. Ensure that the scale and design of future office development is compatible with adjoining existing and planned residential development areas.
- c. Adhere to adopted site and building design guidelines for aspects like signage, landscaping, and lighting.

Public and Institutional

Description

This future land use category is designed to facilitate large-scale public buildings, schools, religious institutions, hospitals, special care facilities, and cultural facilities. Future small-scale institutional uses may also be located in areas planned for residential, commercial, office, industrial, mixed, or traditional neighborhood uses, while larger-scale institutional uses should generally be avoided in planned residential areas.

Recommended Zoning

Government and Institutional uses are allowed in all residential, business, and industrial districts; however, the City should consider adopting an institutional or community facilities zoning district to implement this future land use category. A specific institutional or community facilities zoning district will allow the City to identify areas of the City for municipal development, including public buildings and parks, and more clearly indicate future land use priorities.

Policies and Programs

- a. Require and review a detailed site and operations plan before approving new or expanded institutional uses.
- b. Consider the impact on neighboring properties before approving any new or expanded institutional use.
- c. Continue to work with Sturgeon Bay Schools to coordinate uses and activities on district-owned land.
- d. Encourage collaboration among the Public Works, Fire, and Police Department, and other providers of City services, on accommodating future service needs.

Open Space and Recreation

Description

This category generally includes land designated as open space or other recreational facilities. It also includes certain areas with little to no development potential due to the presence of limiting factors, especially wetlands. Some Park and Open Space areas may also be accommodated within other land use categories. The land use category is expected to remain undeveloped during the period of the Comprehensive Plan, except for recreational uses.

Recommended Zoning

Parks and open spaces are allowed in all residential, business, and industrial districts. The Conservancy zoning district is recommended for lands within the open space and recreation category, especially for large expanses of such land.

Policies and Programs

The following policies and programs are recommended for this future land use category in areas on Map 5 where this category is shown:

- a. Implement the 2015 Outdoor Recreation Plan and update that plan every five years.
- b. Ensure that all land use decisions take into consideration the recommendations included in the Utilities and Community Facilities chapter of this Plan.
- c. Practice environmental stewardship of natural lands, including eradication of invasive species and habitat restoration.
- d. To preserve the integrity of environmental corridors, avoid splitting tracts of land into multiple parcels of ownership.

Agriculture/Rural

Description

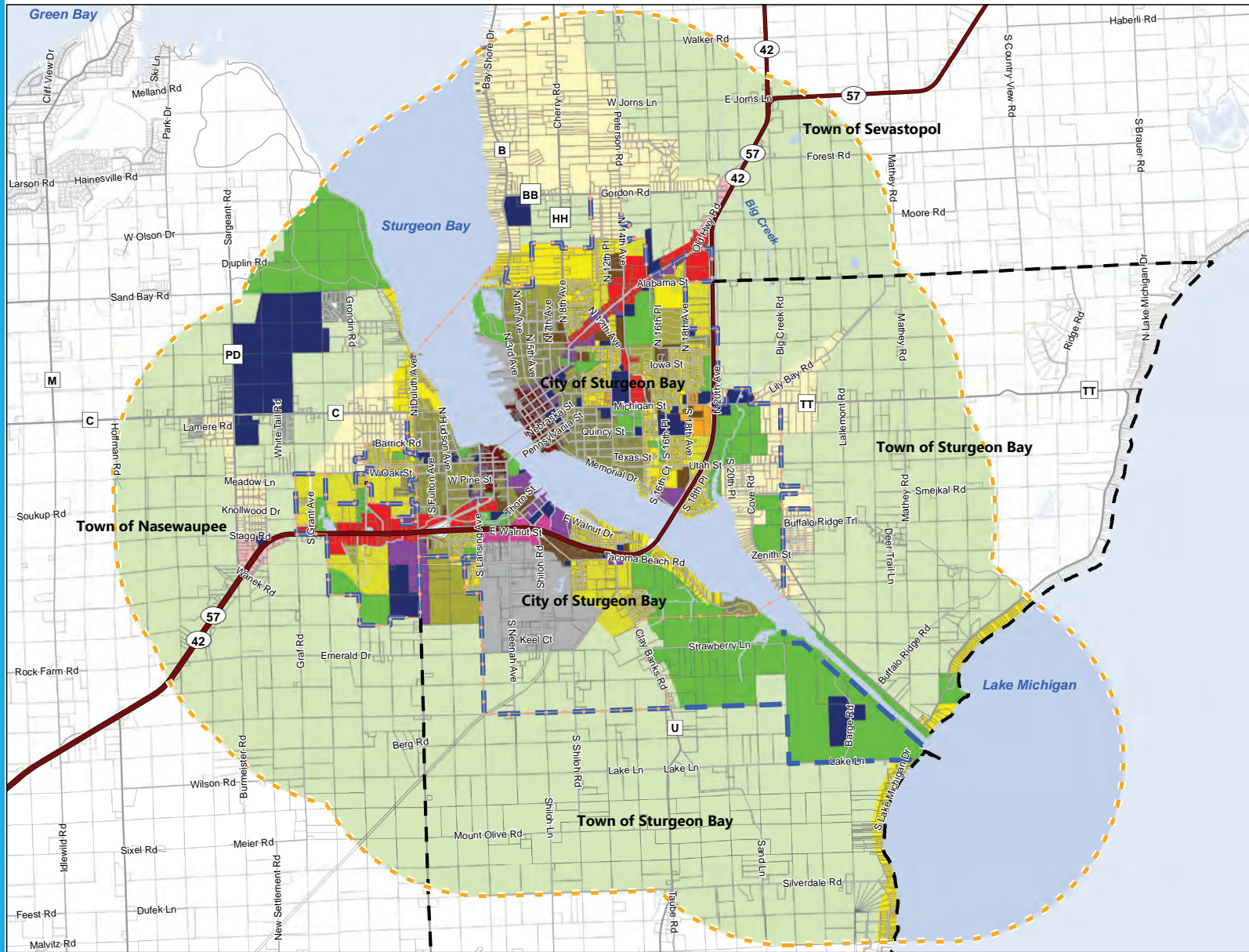
The Agriculture/Rural future land use category is established and mapped on Map 5 within the City's extraterritorial jurisdiction to preserve productive agricultural and forest lands in the long-term, protect existing farm operations from encroachment by incompatible uses, promote further investments in farming, and maintain farmer eligibility for incentive programs.

This category focuses on lands actively used for farming, with productive agricultural soils, with topographic conditions suitable for farming, and with long-term suitability for farming. This category also includes scattered open lands and woodlots, farmsteads, agricultural-related uses, such as implement dealerships, associated home occupations and small family businesses which do not interfere with the interests of nearby property owners, small-scale forest production and processing, and limited existing single-family residential development. This land use might also be appropriate for extraction, disposal, and uses requiring large land area such as golf courses and campgrounds.

Policies and Programs

The following policies and programs are recommended for this future land use category, in areas on Map 5 where the category is shown:

- a. Continue to act as an approval authority on proposed land divisions within the City's extraterritorial jurisdiction to help assure the implementation of this desired future land use designation.
- b. Support land developments in this area only where clearly related to the description above and where proposed housing (or other non-farm use) is at a density of one home per 35 acres.
- c. Do not extend sanitary sewer service or public water service into agriculture/rural areas.
- d. Work with the adjoining Towns and County to achieve these policies and programs in a cooperative manner.



City of Sturgeon Bay Comprehensive Plan

Map 5a: Future Land Use Extra Territorial Jurisdiction Extent

- Planned Sewer Service Area (2030)
- Sturgeon Bay Extra Territorial Jurisdiction (ETJ) Boundary
- City of Sturgeon Bay
- Other Municipal Boundaries
- State Highway
- County Highway
- Local Road
- Surface Water

Future Land Use (within ETJ)

- Right-of-Way
- Agricultural/Rural
- Rural Residential
- Lower Density Residential
- Medium Density Residential
- Higher Density Residential
- Planned Neighborhood
- Unsewered Commercial
- Regional Commercial
- Neighborhood Mixed Use
- Downtown Mixed Use
- Office
- Business Park
- Industrial
- Public and Institutional
- Open Space and Recreation

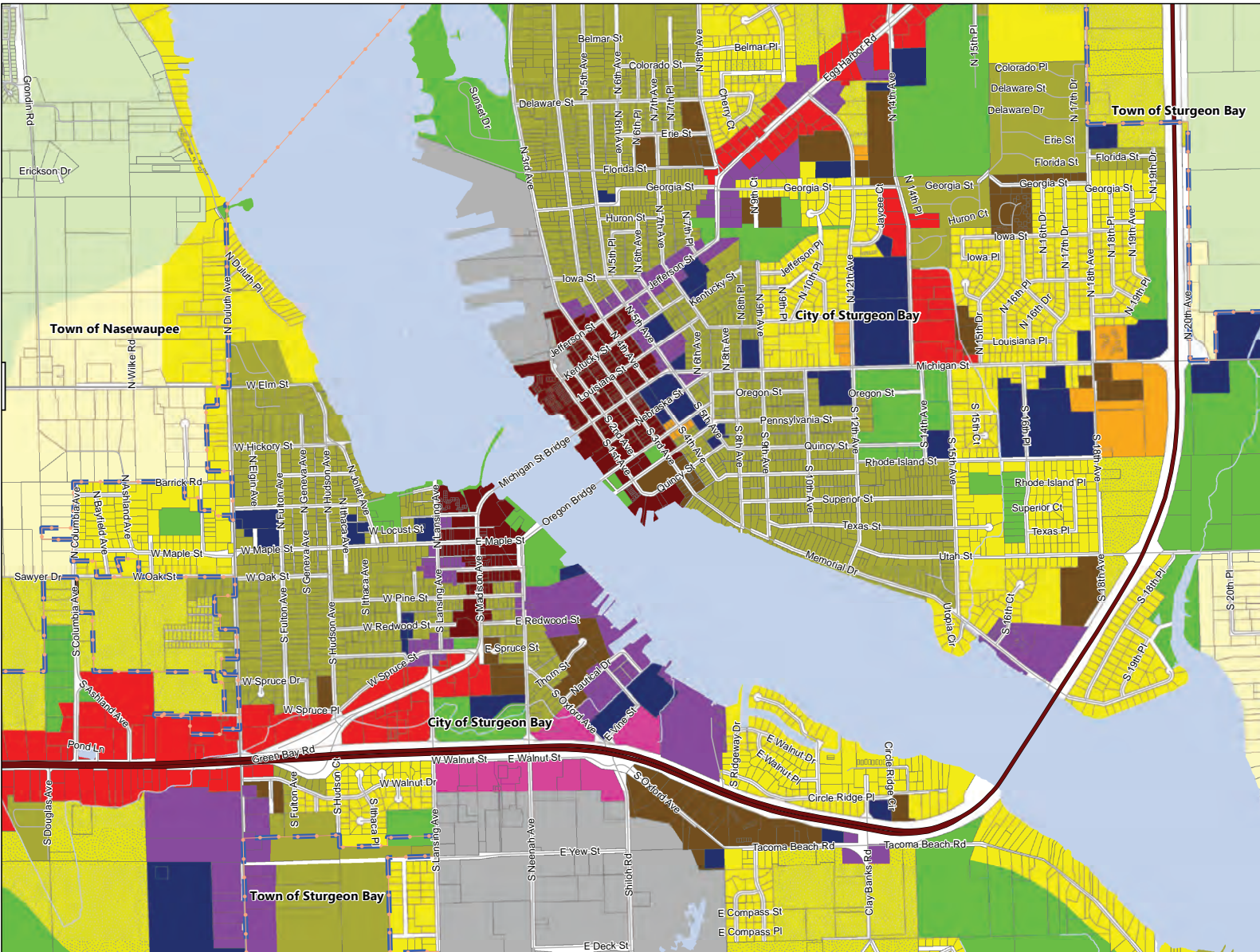
Adopted: 10/20/20

0 1,500 3,000 6,000 Feet

Sturgeon Bay
VANDEWALLE & ASSOCIATES INC.
Sources: Door County, City of Sturgeon Bay, US Census Bureau, Ayres Associates, WI DNR

City of Sturgeon Bay Comprehensive Plan

Map 5b: Future Land Use Central City



- Planned Sewer Service Area (2030)
- City of Sturgeon Bay
- Other Municipal Boundaries
- State Highway
- County Highway
- Local Road
- Surface Water

Future Land Use (within ETJ)

- Right-of-Way
- Agricultural/Rural
- Rural Residential
- Lower Density Residential
- Medium Density Residential
- Higher Density Residential
- Planned Neighborhood
- Unsewered Commercial
- Regional Commercial
- Neighborhood Mixed Use
- Downtown Mixed Use
- Office
- Business Park
- Industrial
- Public and Institutional
- Open Space and Recreation

Adopted: 10/20/20



Sources: Door County, City of Sturgeon Bay, US Census Bureau, Ayres Associates, WI DNR