

ORDINANCE NO. 1458-0225

THE COMMON COUNCIL OF THE CITY OF STURGEON BAY, WISCONSIN DO ORDAIN AS FOLLOWS:

SECTION 1: Section 20.09(3) of the Municipal Code of the City of Sturgeon Bay, Wisconsin (Table of Principal Uses) as it pertains to accessory dwelling units is hereby amended as follows:

	Zoning Districts												
Type of Use	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	CO N
Accessory Dwelling Units (20.10(2))		C	P	P					P			C	

SECTION 2: Section 20.10(2)(2) of the Municipal Code of the City of Sturgeon Bay, Wisconsin is hereby repealed and recreated as follows:

- (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 the amount of square feet required for new lots in the district in which it is located.
- (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 principal dwelling unit or the accessory dwelling unit as their permanent and legal address. 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 principal dwelling unit.
- (g) *Separate ownership/conveyance restricted.* The accessory dwelling unit shall not be conveyed or separated in ownership from the 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 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 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.

SECTION 3: This ordinance shall take effect on the day after its publication.

Approved: David J. Ward, Mayor
Attest: Stephanie Reinhardt, City Clerk
Date of 1st Reading: 02/04/25
Date of 2nd Reading: 02/18/25
Publication:02/21/25
Effective Date: 02/22/25