



PLAN COMMISSION MEETING AGENDA

THURSDAY, DECEMBER 18, 2025 -- 5:30 P.M.

Sister Bay-Liberty Grove Fire Station – 2258 Mill Rd., Sister Bay, WI – Large Meeting Room

To access the meeting electronically, click:

<https://zoom.us/j/4439901723?pwd=yAVpi40M1OlqgNufcVUE8XWCUSkKaH.1&omn=9706363858>

Meeting ID: 443 990 1723 Passcode: 304078

To connect by phone: 1-301-715-8592 - Meeting ID 443 990 1723#

For additional meeting information visit: www.sisterbaywi.gov, click 'Agendas and Minutes' or watch the meeting video online.

AGENDA

1. Call to Order & Roll Call
2. Approve of Agenda
3. Approve Meeting Minutes: November 25, 2025
4. Comments, Correspondence and Concerns from the Public
5. Discussion/Action Items:
 - a) Proposed Sauna at Dorr Hotel for Wellness Event
 - b) New Zoning Map; Discussion No. 2
 - c) Misc. Text Amendments; Ch. 66
6. Annual Permit Log
7. Matters to be Placed on a Future Agenda or Referred to a Committee, Official or Employee
8. Next Meeting
 - Regular Monthly Meeting; January 27, 2026, at 5:30 P.M.; Large Meeting Room, Sister Bay-Liberty Grove Fire Station
9. Adjournment

Public Notice

For questions regarding the above agenda items or to review the related files contact Julie Schmelzer, Village Administrator, at julie.schmelzer@sisterbaywi.gov. To submit letters in support or opposition of an agenda item that is *not* part of a public hearing, email adminassist@sisterbaywi.gov by 4:00 pm the day before the meeting; letters regarding a public hearing must be received by 4:00 pm the Thursday before the hearing. It is possible that members of, or quorum of, other governmental bodies may attend the meeting to gather information; no action will be taken by any governmental body other than the body specifically referred to above. Upon reasonable notice, a good faith effort will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aid or accommodation at no cost to the individual. Due to the difficulty in finding interpreters, requests should be made as far in advance as possible, preferably a minimum of 48 hours. For additional information or to request this service, contact the Village Administration Office at 920.854.4118 or in writing to: Village Administration Building, 2383 Maple Dr., PO Box 769, Sister Bay, WI 54234. Copies of reports and other supporting documentation are typically available online and can also be viewed at the Village Administration Office 8 am – 4 pm Monday through Thursday, except holidays.

The Village of Sister Bay is an Equal Opportunity Provider & Employer

**VILLAGE OF SISTER BAY
PLAN COMMISSION MEETING MINUTES
TUESDAY, NOVEMBER 25, 2025
UNAPPROVED**

1. Call to Order & Roll Call

Chair Bhirdo called the Plan Commission meeting to order on Tuesday, November 25, 2025, at 5:30 P.M. and took roll call.

Present: Plan Commission Chair Denise Bhirdo, and Commission members Steve Bacsi, Nate Bell, Laurel Harff, Skip Heidler, and Patrice Champeau (Via Zoom).

Staff Member(s): Village Administrator Julie Schmelzer, Administrative Assistant Sarah Bertges

Others: Don Howard, Kurt Harff, Pete Hurth, Nick and Mary Deviley, Carol and Bob Mueller, Anne and Bob Krystyniak, Richard Sterkoef, Kathleen Barry, Jill Wettstein, John Wettstein, David Sikora, Rachel Stollenwerk, Sophie Parr, Louise Howson, Karen Grasse, Ted Jankowski, Steve Musinsky, Scott H., Haley Simpson, Frank M., Yvonne Wiltse, Mike P., Christy Bert, Carly Bert, John Dorsey, Mike Parent, Cynthia Nelson, "Hidden Maples Resident", Gordon, Heather, Jenn, Jill Gohdes Wiebe, Justc, Karen Berndt, Sally Pfeifer, Carol, dheider's iPhone.

2. Approve of Agenda

Motion by Bell, second by Heidler, to approve the agenda as presented. Motion carried – all ayes.

3. Approve Meeting Minutes: October 28, 2025

Corrections were noted:

- Ron Kane was not present at the 10/28/2025 meeting.
- The name Mary Kay Steinway should be Mary Kay Shumway.

Motion by Heidler, second by Harff, to approve the meeting minutes from October 28, 2025, as amended. Motion carried – all ayes.

4. Comments, Correspondence and Concerns from the Public

Musinsky (7051 Hillcrest Road) raised concerns about item 6e regarding woodland district requirements. He explained that during the comprehensive plan development, he had mentioned that the back part of his property is incorrectly designated as forest when it's actually an orchard, as is his neighbors' property. He expressed concern about the requirement that woodland management plans must be prepared by registered foresters at property owners' expense, suggesting this could discourage tree planting due to costs.

Harff thanked Julie Schmelzer for her friendship, guidance, professionalism, and dedication as Sister Bay Village Administrator. Harff acknowledged Schmelzer's tireless work enforcing village ordinances, handling complaints, defending the village with her expertise, and guiding trustees and committee members on legal matters. She noted Schmelzer's grant-writing experience and professionalism despite disrespect from some villagers and board members and commended her for bringing codes into compliance before her retirement at year's end.

5. Public Hearing

a) Proposed Planned Unit Development & Map Amendment; Limited Access Road, East of St. Hwy. 57; Nick & Mary Deviley

Bhirdo opened the public hearing at 5:35 PM.

Schmelzer presented the staff report on the Deviley's proposal for a 55-unit residential planned unit development (PUD) consisting of 39 single-family residences and 8 duplex buildings, plus courtyards, playground, and dog park on approximately 15 acres east of State Highway 57. The property, currently zoned R-2 (multi-family residence), would be amended to a Planned Unit Development Overlay if approved.

The development would have a density of 4 units per acre, compared to the 6 units per acre allowed by code. Schmelzer noted that the Deviley's had revised their site plan after receiving feedback from the Hidden Maples condominium to the north, clarifying that freestanding structures were garages (not storage buildings) and relocating the dog park to the south end of the property near a stormwater pond.

Schmelzer explained that PUDs allow flexibility in development design while maintaining land use density and zoning standards. She noted that the development would be built in phases over six years, and that no short-term rentals would be permitted.

During public comments:

B. Mueller (2303 Somerset in Hidden Maples) expressed concern about the dog park in its original location being in his backyard and was pleased it had been relocated. He noted confusion about multiple plans in the packet showing different locations for the dog park. He requested additional tree screening along Somerset Drive where there were gaps in existing vegetation due to dead elms. Mueller also raised concerns about the easement proposed at the end of Applewood Road.

Jankowski (2295 Somerset) questioned the requirement for dog parks in developments, suggesting Sister Bay already has adequate dog park facilities for its population size and that such facilities carry maintenance, enforcement, and liability issues.

S. Shanahan (2282 Hidden Maples Place) asked how the development would ensure housing would be available for the workforce rather than becoming seasonal housing or short-term rentals.

D. Howard (2536 Hillcrest Lane) expressed concern about having only one entrance/exit for the entire development, questioning whether this provided adequate fire protection and emergency access.

R. Stollenwerk (10464 Highway 57), a neighboring property owner over whose land the development's access easement would run, expressed support for the project, noting its potential to address housing needs. She emphasized that bringing families to the area should be embraced and that increased housing supply was necessary.

Sikora (2290 Hidden Maples Place) expressed concern about continued growth in Sister Bay and its strain on infrastructure, suggesting the village board should limit development.

C. Shanahan (2282 Hidden Maples Place) supported the project, noting she had lost friends who left the area due to lack of housing. She emphasized the importance of ensuring the housing would go to people who genuinely needed it, citing examples of luxury vehicles at other "affordable" developments.

Krystyniak (2306 Somerset Drive) asked about the project timeline, which was confirmed to be approximately six years.

Wettstein (2300 Hidden Maples Place), president of the Hidden Maples board, stated that all concerns brought to the Deviley's had been satisfied, and that all unit owners in their development had been notified of the plans.

Nick and Mary Deviley addressed some of the concerns raised:

- Regarding tree screening, Nick Deviley committed to removing dead trees and ensuring appropriate screening between properties.
 - On the dog park issue, he explained the relocation was in response to feedback, noting it was now placed in an open area.
 - Regarding housing affordability, the Deviley's indicated they were planning to retain some homes and offer land contracts to make them more accessible but acknowledged they couldn't legally restrict who could purchase the homes.
- Pete Hurth, engineer with Stantec, addressed questions about road design, noting they had incorporated off-street parking areas throughout the development to address concerns about street parking.
- Bhirdo closed the public hearing at 7:00 P.M.

6. Discussion/Action Items

a) Planned Unit Development & Map Amendment; Limited Access Road, East of St. Hwy. 57; Nick & Mary Deviley

The Commission deliberated on conditions for approval, including:

- Two-way streets with no parking on one side
- Dark sky compliant street lighting
- Fencing requirement for the dog park
- Revised landscaping plan to be approved prior to breaking ground
- Four-month minimum rental restriction
- Eleven garage units in the freestanding garage building and no other accessory buildings
- Relocation of units A1 and A11 for better driveway alignment
- Building envelope specifications for each unit

Motion to recommend approval of the PUD with the conditions discussed was made by Bell, second by Heidler. Motion carried – all ayes.

b) Site Plan & Architectural Review; Multi-Family Development & Park; Corner Ava Hope Ct. & Northwoods Dr.; Tim Halbrook Builders

This item was discussed out of order- after item 6-c, Bakery & Coffee Shop

Schmelzer presented the staff report for Tim Halbrook's multi-family development at the corner of Ava Hope Court and Northwoods Drive. The Commission reviewed the revised plans that had been updated based on previous feedback, including a reduction in the size of the third building to 6 units.

The Commission discussed several aspects of the project:

- Extending the park area to make it larger and more functional as a neighborhood park
- The village contributing \$30,000 (previously set aside from a different development) toward the park
- Adding a sidewalk along Ava Hope Court
- Additional landscaping along the north and east lot lines
- Requiring 20% of units to be affordable for those at 80% of County Median Income

Bhirdo expressed a desire to make the playground area larger, noting it would be insufficient if many families with children moved in. The Commission agreed to have the Parks Committee work with the developer on designing the park space.

The Commission also discussed a potential trail connection.

Motion to recommend approval with the conditions discussed was made by Bhirdo, second by Bacsi.

Motion carried – all ayes.

c) Site Plan Review; Bakery & Coffee Shop; Stoyan Dimitrov; 2457 S. Bay Shore Dr.

Schmelzer presented Dimitrov's proposal to convert the former Bay Shore Outfitters property into a bakery and coffee shop. She noted that the main concern was landscaping, as the parking lot didn't fully meet current code requirements.

The Commission discussed the need for a landscaping plan for the beds in front of the building and potential improvements around any new signage. They also discussed the need to restripe the parking lot to ensure compliance with current standards.

Motion to approve with the condition that a landscaping plan be approved prior to opening for business, plants to be planted by June 1st if opening occurs during winter months, sign to be brought up to compliance and that the parking lot be measured and restriped to meet code was made by Bhirdo, second by Heidler. Motion carried – all ayes.

d) New Zoning Map; Discussion No. 1

Schmelzer presented a new zoning map and explained her approach to addressing inconsistencies between the future land use map and current zoning. She suggested creating a woodland overlay district to protect wooded areas shown on the land use map without changing the underlying zoning. The Commission discussed several specific areas where zoning changes might be needed to align with the land use map:

- Areas along Fieldcrest Road and Flintridge Drive
- Property along Woodcrest and near the Deviley farm
- Several properties along Highway 42 and Bay Shore Drive

The Commission decided to keep several areas as Countryside zoning rather than changing them to R-3 as initially suggested. There was discussion about whether Countryside should be considered a residential district or an agricultural district.

Bhirdo expressed frustration at potentially reversing decisions made during the comprehensive planning process six months earlier, emphasizing the need for consistency in decision-making.

Let it be noted that Bell abruptly left the meeting at approximately 9:11 P.M.

The Commission requested more information on specific properties before making final decisions on some proposed changes and agreed to continue the discussion at the next meeting.

e) Misc. Text Amendments; Ch. 66

Schmelzer presented several proposed text amendments to Chapter 66 of the village code:

- Outdoor lighting regulations: The Commission discussed potential restrictions on string lights, which have become problematic in some areas. Harff described issues with a neighbor whose string lights shine into her bedroom. While the Commission recognized the nuisance factor, they acknowledged enforcement challenges and potential pushback from property owners.
- Removing references to metal halide lighting throughout the code, as this technology is outdated.
- Clarifying that the plan commission serves as the "zoning board" referenced in state statutes, distinguishing it from the zoning board of appeals.
- Addressing substandard lots: Schmelzer explained that state legislation (2017 Act 67) now prohibits requiring merger of adjacent nonconforming lots owned by the same property owner. The Commission discussed updating village code to comply with this law but wanted to review more details at the next meeting.

The Commission agreed to move forward with most amendments but to revisit the substandard lots issue at the December meeting.

1 **7. Plan Commission Chair Report**

2 The chair indicated the report was in the packet and no more discussion was had.

4 **8. Matters to be Placed on a Future Agenda or Referred to a Committee, Official or Employee**

5 Schmelzer mentioned that she wanted Megan Barnes to present the new GIS layer that had been
6 created, which will be accessible to the public. This presentation could be scheduled for the December
7 or January meeting.

9 **9. Next Meeting**

10 The next regular monthly meeting was scheduled for December 18, 2025, at 5:30 P.M. in the Large
11 Meeting Room at the Sister Bay-Liberty Grove Fire Station.

13 **10. Adjournment**

14 *Motion by Heidler, second by Harff, to adjourn at 10:07 p.m. Motion carried – all ayes.*

16 Respectfully submitted by Sarah Bertges, Administrative Assistant



Village of Sister Bay
2383 MAPLE DRIVE • SISTER BAY, WI 54234
PHONE: (920) 854-4118 • FAX: (920) 854-9637
E-MAIL: INFO@SISTERBAYWI.GOV
WEB SITE: WWW.SISTERBAYWI.GOV

THIS AREA FOR OFFICE USE ONLY	
Date Received:	Permit Issued Date
12/2/25	
Fee: \$25	Fee Amount Paid: \$500 CK #210

Plan Courtesy Review

Festival and Tent Permit Application

Tent Permits are issued for the installation of a tent on private property to be used for sheltering purposes for no more than 15 days per calendar year. Tents may be erected the Wednesday preceding Columbus Day through the Wednesday after Fall Fest and will not be counted towards the 15-day limit.

Festival Permits are issued for persons engaged in the temporary sale of goods from a truck, trailer, table or tent during Village-sanctioned festivals, such as Freedom Fest and Marina Fest, and authorized SBAA festival and events. Fall Fest permits are issued through the Sister Bay Advancement Association (SBAA).

Complete the following information and return to the Village Administration Office – 2383 Maple Dr.

Applicant/Business Name:

The DöRR Hotel

Contact Person:

James Lohmiller

Street Address:

2329 Mill Rd.

City • State • Zip Code:

Sister Bay WI 54234

Phone Number:

920 868 0042

Email address:

james@thedorhotel.com

Dates Requested:

January 16/17/18 2026

Rationale:

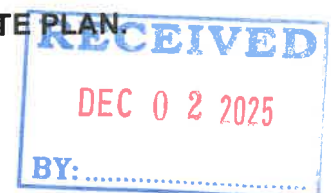
Sauna for Winter Wellness Weekend

Applicant signature: _____

Date received: _____

12/2/25

APPLICATION IS NOT COMPLETE WITHOUT THE ATTACHED SITE PLAN.



Mill Rd

2345

SAUNA HERE



N Bay Shore Dr

RECEIVED
DEC 02 2025
BY: _____

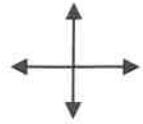
N Bay Shore Dr

SITE PLAN

9

INSTRUCTIONS

- INDICATE north and ENTER the dimensions of the property.
- SKETCH the location of all buildings present on the property.
- SKETCH the proposed location of the tent on the lot.
- INDICATE the size of the desired tent.
- REMEMBER THAT ALL TENTS MUST MEET THE CURRENT SETBACK REQUIREMENTS.



Width _____ Rear property line OR Edge of water or wetland (North Arrow)

Side Property Line

Side Property Line

☐ Right-of-Way Line of Road/Highway ☐ Width _____

☐ Center(line) Of Road/Highway ☐

Name Of Road/Highway _____

APPROVALS

AREA BELOW THIS LINE FOR OFFICE USE ONLY

☐ APPROVED

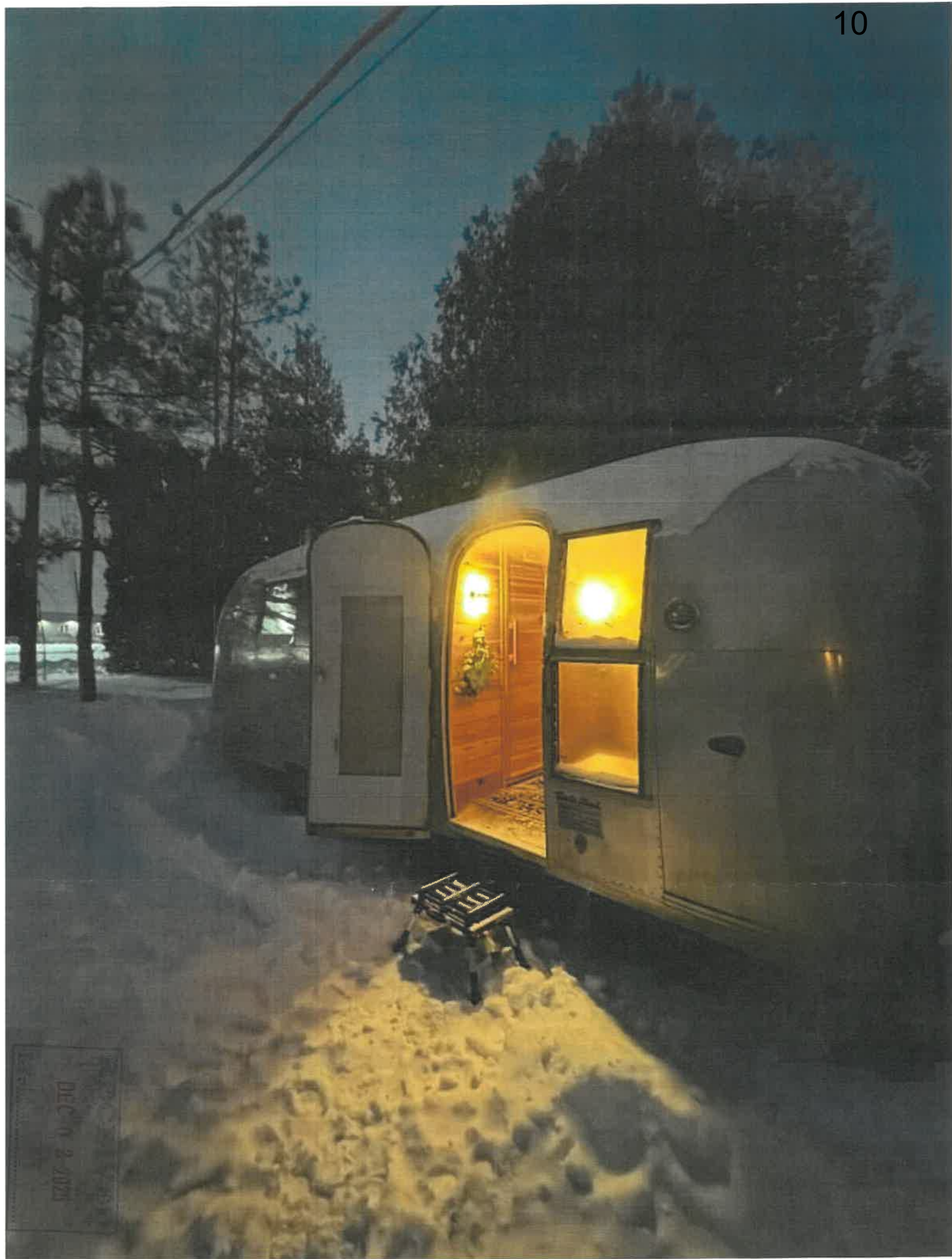
DATE

AUTHORIZED SIGNATURE

☐ DENIED

DEC 02 2025

BY:



VILLAGE OF SISTER BAY
2383 MAPLE DR
PO BOX 769
SISTER BAY WI 54234

920-854-4118

Receipt No: 1.000467

Dec 5, 2025

Previous Balance:		.00
PUBLIC CHARGES FOR SERVICES - Plan Courtesy		500.00
Review- Dorr Hotel- Sauna		
Total:		500.00
CHECK - GENERAL FUND	Check No: 210	500.00
Total Applied:		500.00
Change Tendered:		.00

12/05/2025 8:22 AM

From: [Julie Schmelzer](#)
To: [Ellie Soderberg-Guger](#)
Bcc: [Denise Bhirdo](#)
Subject: Wellness Event Sauna
Date: Thursday, December 4, 2025 7:30:00 AM

Ellie,

I received your phone message about whether Plan Commission approval is necessary for the sauna at the Dorr for the Wellness Event. I did email you and Chris about it, and spoke with James – site plan review is required. We went through site plan review last year too. I recommend the Dorr ask for the Plan Commission to approve it for future years so you do not have to come back every year.

The code makes no exception for temporary uses during events, except tents. It also doesn't make exemptions for temporary uses if part an SBAA event, unless a tent. (I also reviewed our SBAA agreement and don't see where this is an SBAA event.)

Hope that answers all your questions. I don't think the Plan Commission will deny the request, but they might have an issue with the size – last year's sauna was much smaller and the concern was potential damage to village property, so with a larger sauna there might be added concern, so there might be conditions on the approval (assuming it gets approved).

Julie



STAFF REPORT

Miscellaneous Text Amendments

Below are the amendments we discussed last month. These will be scheduled for hearing in January. I have also added the amendment on nonconforming lots, structures and uses we briefly discussed at the end of the meeting.

I. Halide Lamps

Sec. 66.0809 Outdoor Lighting

(2) General Requirements.

- (a) All outdoor lighting fixtures installed by November 13, 2004, and thereafter maintained upon private or public residential, business, and institutional property shall comply with the following standards:
 1. The maximum allowable light trespass shall be 0.5 horizontal foot-candles 4 feet above ground. The point of measurement of this offending light shall be at the property line for residential, commercial, institutional or public use. The measurement shall not include any ambient natural light.
 2. Light sources shall be shielded or installed so that there is not a direct line of sight between the light source and its reflection and at a point five feet or higher above the ground of adjacent property and public streets. The light source shall not be of such intensity to cause discomfort or annoyance.
 3. Any outdoor lighting fixture installed on a parking lot shall ~~use metal halide lamps~~ use dark sky approved lighting, in particular a hood and lens that are shielded to direct light downward.
 4. String lights, which are decorative lights consisting of a series of small bulbs connected by a wire or cord, shall use warm light bulbs. For purposes of this section of the code, a warm light bulb is a low color temperature bulb whose color appears yellowish-white to orange and is intended to create a relaxing environment. Warm light does not exceed 2000-3000K.

II. Fire Walls

Zoning doesn't regulate or enforce Uniform Dwelling Code (UDC) standards, yet our code dictates compliance with UDC standards, as they apply to fire walls. The problem is, our code is incorrect – fire wall requirements aren't a 'one size fits all', meaning we require something that may not always be required by the Building Inspector. The recommendation is to remove the inaccurate requirement and leave fire rating requirements to the Building Inspector.

Sec. 66.0311 R-1 Single-Family Residence District

(4) Dimensional Lot Standards.

R-1 District Dimensional Lot Standards Table Minimum Setbacks	
Front Yard (on public street)	70 feet from centerline of street right-of-way
Front Yard (not on public street)	40 feet from edge of easement or edge of pavement
Side Yard	10 feet one side; 25 feet total [2]
Rear Yard	40 feet
From Principal Structure, Accessory Structure 120 Square Feet or Less	5 feet [3]
From Principal Structure, Accessory Structure in Excess of 120 Square Feet	10 feet
Side Yard	10 feet one side; 25 feet total [2]
Rear Yard	40 feet
1. Excluding attached garages. 2. Where a side-entry garage exists, the setback shall be at least 27 feet in width as measured from the closest point of the garage door opening that is perpendicular to the side lot line. 3. If constructed with a 1-hour fire rating per ILHR 21-08, or its successor code. Without the 1-hour fire rating, the minimum setback from principal structure shall be 10 feet.	

Sec. 66.0312 R-2 Multiple-Family Residence District

(4) Dimensional Lot Standards.

R-2 District Dimensional Lot Standards Table	
Minimum Area	20,000 square feet
Minimum Width (interior lot)	75 feet
Minimum Width (corner lot)	110 feet
Minimum Green Space	40% of lot must be left as green space
Structure Standards	
Maximum Height	35 feet
Minimum Width	24 feet [1]
Minimum Floor Area (one bedroom)	900 square feet
Minimum Floor Area (two bedrooms)	1,000 square feet
Minimum Floor Area (three or more bedrooms)	1,200 square feet
Minimum Setbacks	
Front Yard (on public street)	60 feet from the centerline of street right-of-way
Front Yard (not on public street)	40 feet from edge of easement or edge of pavement
Side Yard	10 feet one side; 25 feet total [2]
Rear Yard	30 feet

From Principal Structure, Accessory Structure - 120 Square Feet or Less	5 feet [3]
From Principal Structure, In Excess of 120 Square Feet	10 feet
Side Yard	10 feet one side; 25 feet total [2]
Rear Yard	30 feet
1. Excluding attached garages. 2. Where a side-entry garage exists, the setback shall be at least 27 feet in width as measured from the closest point of the garage door opening that is perpendicular to the side lot line. 3. If constructed with a one-hour fire rating per ILHR 21.08, or its successor code. Without the one hour fire rating, the minimum setback from principal structure shall be 10 feet.	

Sec. 66.0313 R-3 Large Lot Residence District

(5) Dimensional Lot Standards.

R-3 District Dimensional Lot Standards Table	
Minimum Area	5 acres
Minimum Width (interior lot)	300 feet
Minimum Width (corner lot)	90 feet
Minimum Green Space	80% of the lot must be left as green dpace
Structure Standards	
Maximum Height	35 feet
Minimum Width	24 feet [1]
Minimum Floor Area (one bedroom)	900 square feet
Minimum Floor Area (two bedrooms)	1,000 square feet
Minimum Floor Area (three or more bedrooms)	1,200 square feet
Minimum Setbacks	
Front Yard (on public street)	80 feet from centerline of street right-of-way
Side Yard	10 feet one side; 25 feet total [2]
Rear Yard	50 feet
From Principal Structure, Accessory Structure 120 Square Feet Or Less	5 feet [3]
From Principal Structure, In Excess of 120 Square Feet	10 feet
Side Yard	10 feet one side; 25 feet total [2]
Rear Yard	50 feet
1. Excluding attached garages. 2. Where a side-entry garage exists, the setback shall be at least 27 feet in width as measured from the closest point of the garage door opening that is perpendicular to the side lot line.	

3. ~~If constructed with a one-hour fire rating per ILH R 21.08, or its successor code. Without the one-hour fire rating, the minimum setback from principal structure shall be 10 feet.~~

Sec. 66.0314 R-4 Small Lot Residence District

4) Dimensional Lot Standards.

R-4 District Dimensional Lot Standards Table		
Lot	Minimum Area	5000 square feet
	Minimum Width (interior lot)	60 feet
	Minimum Width (corner lot)	75 feet
	Minimum Green Space	20% of lot must be left as green space
Structure Standards		
Principal Structure	Maximum Height	35 feet
	Minimum Width	24 feet [1]
	Minimum Floor Area (one bedroom)	700 square feet
Principal Structure	Minimum Floor Area (two bedrooms)	900 square feet
	Minimum Floor Area (three or more bedrooms)	1,000 square feet
Accessory Structures	Maximum Height	Shall not exceed height of principal structure
Minimum Setbacks		
Principal Structure	Front Yard (on public street)	10 feet from furthest extension to right-of-way (e.g. the porch); 20 feet from the wall to right-of-way
	Front Yard (not on public street)	20 feet from edge of road easement; if no easement, measured from edge of pavement
	Side Yard (from wall)	8 feet one side; 16 feet total [2]
	Rear Yard	25 feet
Accessory Structures	From Principal Structure, Accessory Structure 120 Square Feet Or Less	5 feet [2]
	From Principal Structure, In Excess of 120 Square Feet	10 feet
	Side Yard, Accessory	5 feet one side; 20 feet total [2]

	Structure Square Feet	<120	
	Side Yard, Accessory Structure Square Feet	>120	8 feet one side; 16 feet total
	Rear Yard		15 feet
	1. Excluding attached garages. 2. If constructed with a one hour fire rating per ILHR 21-08. Without the one hour fire rating the minimum setback from the principal structure shall be 10 feet.		

Sec. 66.0315 CS-1 Countryside District

(4) Dimensional Lot Standards.

CS-1 District Dimensional Lot Standards Table		
Lot	Minimum Area	10 acres
	Minimum Width	300 feet
	Minimum Green Space	90% of lot shall be left as green space
Structure Standards		
Principal Structure	Maximum Height	35 feet
	Minimum Width	24 feet [1]
	Minimum Floor Area (one bedroom)	900 square feet
	Minimum Floor Area (two bedrooms)	1,000 square feet
	Minimum Floor Area (three or more bedrooms)	1,200 square feet
Minimum Setbacks		
Principal Structure	Front Yard (farm buildings)	50 feet from centerline of street right-of-way
	Front Yard (all other buildings)	80 feet from edge of easement or edge of pavement
	Side Yard	10 feet one side; 25 feet total [2]
	Side Yard (churches)	100 feet
	Rear Yard	50 feet
Accessory Structures	From Principal Structure (structure <120 square feet)	5 feet [3]
	From Principal Structure (structure >120 Square Feet)	10 feet
	Side Yard	10 feet one side; 25 feet total [2]
	Side Yard (churches)	100 feet
	Rear Yard	50 feet
1. Excluding attached garages. 2. Where a side-entry garage exists, the setback shall be at least 27 feet in width as measured from the closest point of the garage door opening that is perpendicular to the side lot line. 3. If constructed with a one hour fire rating per ILHR 21-08. Without the one hour fire rating the minimum setback from principal structure shall be 10 feet.		

Sec. 66.0320 B-1 General Business District**(4) Dimensional Lot Standards.**

B-1 District Dimensional Lot Standards Table		
Lot Served by Public Sewer [1]	Minimum Area	20,000 square feet
	Minimum Width (interior lot)	60 feet
	Minimum Width (corner lot)	110 feet
Lot Served by Public Sewer [1]	Minimum Green Space	20% of lot shall be left as green space
Lot Not Served by Public Sewer [1]	Minimum Area	25,000 square feet
	Minimum Width (interior lot)	100 feet
	Minimum Width (corner lot)	110 feet
Lot Not Served by Public Sewer [1]	Minimum Green Space	20% of lot shall be left as green space
Structure Standards		
Principal Structure	Maximum Height	35 feet
Minimum Setbacks		
Principal Structure	Front Yard (on public streets)	45 feet from centerline of street right-of-way
	Front Yard (not on public street)	40 feet from edge of easement or edge of pavement
	Side Yard	10 feet [2] - the setback area must be green space
	Rear Yard	20 feet - the setback area must be green space
Accessory Structures	From Principal Structure; (structure < 120 square feet)	5 feet [3]
	From Principal Structure (structure > 120 square feet)	10 feet
	Front Yard (on public street) [4]	45 feet from centerline of street right-of-way
	Front Yard (not on public street) [4]	40 feet from edge of easement or edge of pavement
	Side Yard	10 feet [2] - the setback area must be green space
	Rear Yard	20 Feet - the setback area must be green space
1. Lots shall have sufficient area and width for the principal structure(s) and its accessory structures, off-street parking and loading areas, and required setbacks. 2. May be increased by Village Engineer in order to accommodate required grading between properties. 3. If constructed with a one-hour fire rating per ILHR 21.08. Without the one-hour fire rating the minimum setback from principal structure shall be 10 feet.		

4. Accessory structures located in front yard require a C.U.P.

Sec. 66.0501 Accessory Uses and Structures

(2) Setback Requirements.

- (c) All accessory buildings for all zoning districts shall comply with the following setback requirements.
 - 1. *Setback From Easements.*
 - a. No accessory building shall be placed over an easement that prohibits such placement. No accessory building shall encroach into the public right-of-way. No accessory building shall encroach upon the street yard of a corner lot.
 - 2. ~~*Setback From Principal Buildings:*~~ [And renumber]
 - a. ~~An accessory building of 120 square feet or less may be erected, altered or moved to a location that is not less than 5 feet from the nearest wall of a principal building if it is constructed with a one-hour fire rating per ILHR 21.08. Without the one-hour fire rating, the minimum separation shall be 10 feet.~~
 - b. ~~An accessory building over 120 square feet may be erected, altered or moved to a location within 10 feet of the nearest wall of the principal building.~~

III. Miscellaneous

Amend **Sec. 66.1050 Site Plan and Architectural Review**, as follows:

For the purpose of promoting compatible development, stability of property values, and to prevent impairment or depreciation of property values, no person shall commence any use or erect any structure without first obtaining the approval of detailed site and architectural plans, as set forth in this section prior to the issuance of a Zoning Permit. ~~Except those uses in the Country Walk Shops commercial center development where a use is changed solely to a retail use,~~ the Plan Commission shall review architectural plans and site plans showing existing and proposed structures, neighboring uses, parking areas, driveway locations, sidewalk widths and locations, loading and unloading areas, highway access, traffic generation and circulation, drainage, the utilization of landscaping, existing natural resources and the proposed operation in all districts. However, this process shall not be required in the CS-1 District, unless the development site contains wetlands as shown on either the July 1, 1992, Final Wetlands Inventory Map issued by the Wisconsin Department of Natural Resources or wet areas as shown on the Village's latest topographic maps or woodlands as shown on the most recent aerial photos of the Village. Single-family and two-family dwellings shall not be subject to site plan and architectural review by the Plan Commission, however, if in the opinion of the Zoning Administrator, such residential plans exhibit design or appearance characteristics to require architectural review, the Zoning Administrator shall refer the application and such written opinion to the Plan Commission for review.

And, amend **Sec. 66.1520 Development Agreement Required**, as follows:

- (1) The applicant shall be required to enter into a Development Agreement with the Village at the time of approval of an application for a Zoning Permit for all projects and developments listed below:
 - (a) All new construction other than individual single-family homes, which are not part of an active subdivision or condominium plat.

- (b) Commercial projects, including those projects in existing buildings involving a change of use or occupancy, expansion, or where the building is non-conforming for setback, height or parking. **This does not include those uses in the Country Walk Shops commercial center development where a use is changed solely to a retail use, or, existing nonconforming commercial buildings which elect to replace siding and existing windows or install new window openings.**
- (c) The Plan Commission shall have the authority to exempt an applicant from securing a Development Agreement with a three-fourths (3/4) majority of the Plan Commission.

A. Zoning Board

Amend Sec. **66.1500 Plan Commission**, as follows,

- (1) Composition. The Village Plan Commission shall consist of three (3) Trustees, four (4) citizens and one (1) citizen with recognized experience who shall serve as an ex-officio member of the Plan Commission. The Village President will appoint the Plan Commission Chairperson, subject to Board approval. The citizen and Trustee members of the Plan Commission shall be appointed by the President, subject to confirmation by the Board of Trustees, for staggered terms of three (3) years commencing on May 1st of each year.
- (2) Powers and Duties. The Plan Commission shall perform such duties as are prescribed by Wis. Stats. §62.23, **and to that extent are deemed the Zoning Board**, and has such further powers as may be delegated to it by the Wisconsin Statutes and Village ordinances. **(Please note the Zoning Board is different from the Zoning Board of Appeals.)** The Plan Commission shall have the duties of making reports and recommendations related to the planning and development of the Village to public officials, agencies, public utility companies, civic, educational, and professional and other organizations, and citizens. The Plan Commission may employ consultants, to the extent that the Village budget allows, who may prepare surveys and studies, prepare plans and recommendations, and perform other duties assigned by the Plan Commission. In general, the Plan Commission shall have such powers as may be necessary to enable it to perform its function and promote municipal planning. Decisions, interpretations, and recommendations of the Plan Commission shall take into account existing local, state and federal ordinances, statutes 65 and regulations, together with recent modifications to those legal sources.

IV. Housing

Explanation: 2017 Wisconsin Act 67, prohibits a county or local zoning ordinance from prohibiting the conveyance (i.e., selling or transfer of ownership) or development of legal nonconforming lots or requiring merger of adjacent nonconforming lots owned by the same property owner without the property owner's permission. See Wis. Stats. §66.10015(4)

Amend Sec. **66.0303 Site and Lot Restrictions**, as follows,

- (5) Sub-Standard Lots. **Any lot that does not meet the required lot width and area requirements of this chapter, but is at least 65' in width at the building line and 10,000**

square feet in area ~~if two or more sub-standard lots have the same ownership~~ as of November 16, 1973, ~~the lots involved~~ shall be considered an individual parcel for the purposes of this chapter ~~and may be utilized for development provided all setback and green space requirements can be satisfied.~~

Amend, Sec. **66.0920 Existing Non-Conforming Lots**, as follows,

A lot which is located in the B-1 Business District or the R-1, R-2 or R-3 Residential Zoning Districts which does not contain sufficient area to conform to the dimensional requirements of this chapter, but which is at least 65 feet in width at the building line and 65 feet in width at the ordinary high-water mark or rear lot line, and which is 10,000 square feet in area, may be used as a building site provided that the use is permitted in the zoning district, ~~and the lot is on record in the Door County Register of Deeds Office prior to November 16, 1973, and the lot is in separate ownership from abutting lands.~~ All lots in the R-4 Small Lot Residence District, regardless of the date of creation, shall conform to the dimensional requirements in Sec. 66.0314(4).

V. Nonconformities

Explanation: A few years back the state removed the ability of a community to regulate repairs to a nonconforming structure to 50% of the structure's equalized assessed value over the lifetime of the structure. As such, we removed all references, presumably not understanding some limitations were still allowed. Specifically, statutory provisions limiting repair or maintenance of a structure containing a nonconforming use to 50 percent of assessed value, and providing that discontinuance of a nonconforming use for 12 months causes the nonconforming use to lose its legal status, are still in effect (see Section 62.23(7)(h) of the Wisconsin Statutes for limits on nonconforming uses).

So, it is more important than ever to make a distinction between 'use', and 'structure'. In simple terms, a 'nonconforming use' is one not allowed in that zoning district, or doesn't meet the use provisions in the code (e.g. a second principal structure on a lot where only one home is allowed, living quarters in an accessory building, or a store in a residential zone). A 'nonconforming structure' doesn't meet the dimensional provisions in the code.

Then there was 2005 Wisconsin Act 112 which allows nonconforming *structures* damaged or destroyed by specified natural causes on or after March 2, 2006, to be rebuilt. The replacement structure may be larger than the one destroyed if necessary for the structure to comply with applicable State or Federal requirement (e.g. removing it from a wetland or floodway).

Also, the code makes a distinction between 'detrimental nonconformities' and 'benign nonconformities'. This isn't addressed in statutes, and is subject to interpretation, which often opens us up for litigation. My advice is get rid of it and stick with what is mentioned in statutes. (I might add, this is also difficult to administer and for the public to understand.) We also have a definition that lumps nonconforming uses with nonconforming structures, which isn't right – they are not the same, and conflicts with statutes.

Lastly, I recommend we correct the spelling of 'non-conforming' throughout the code to be consistent with statutes.

Amendments proposed are:

Sec. 66.0900 Non-Conforming Use Definitions

The following definitions and categories shall apply to non-conforming uses and structures.

- ~~Detrimental Non-Conformities~~ are those that have a negative impact on the health and safety of the public. ~~Detrimental non-conformities have the potential for harm.~~
 - ~~Benign Non-Conformities~~ are those that do not have a negative impact on the health and safety of the public, but may have a negative impact on public welfare.
 - Nonconforming Use means a use of land, water, building or structure that existed lawfully before November 15, 1973, or prior to an amendment thereto, that does not conform with the use restrictions in the current ordinance.
 - Health and Safety of the Public is the protection from injury, illness, danger and other harm.
 - Public Welfare is the protection from nuisances, economic interest, convenience, community character and the vision expressed in the Village's Smart Growth Plan.
- (1) ~~Detrimental Non-Conforming Uses.~~ ~~Detrimental non-conforming uses are those non-conforming uses, which are not compatible with permitted uses in the zoning district and which, if permitted to continue or expand, would have a detrimental effect on those uses permitted in the zone. Detrimental non-conforming uses shall include the following:~~
 - (a) ~~Commercial and industrial uses in residential and institutional zones.~~
 - (b) ~~Industrial uses in commercial zones.~~
 - (c) ~~In commercial zones, residential uses not specifically permitted in those zones.~~
 - (3) ~~Benign Non-Conforming Uses.~~ ~~Benign non-conforming uses are those uses other than detrimental non-conforming uses, which are generally not detrimental in the zone where they are located and include the following:~~
 - (a) ~~In residential zones, those non-conforming residential uses which do not conform to the population density standards for the zone in which they are located.~~
 - (b) ~~In commercial zones, those non-conforming uses which are of the same general type as those uses permitted in the zone and are determined by the Plan Commission to not be incompatible with permitted uses.~~

Sec. 66.0901 Existing Non-Conforming Uses *[Renumber]*

~~The lawful non-conforming use of land or water, or a lawful non-conforming use on a conforming or non-conforming lot which existed at the time of the adoption or amendment of this chapter may~~ A lawful nonconforming use may be continued, although the use does not conform with the provisions of this chapter; however,

- (1) Expansion of the Non-Conforming Use Prohibited. Only that portion of the land or water ~~or building or structure~~ in actual use may be so continued and the use may not be extended, enlarged, substituted or moved; except when required to do so by law or order or so as to comply with the provisions of this chapter. The expansion of parking or loading space to conform to the code is permitted.
- (2) Repairs and Structural Alterations. The total structural repairs or alterations in such a nonconforming building, premises, or structure shall not during its life exceed 50 percent of the assessed value of the building, premises, or structure unless permanently changed to a conforming use. The village uses county equalized assessed valuations to determine value.
- (3) Discontinuance. If such non-conforming use is discontinued or terminated for a period of twelve (12) consecutive months, any future use of the land or water ~~or building or structure~~ shall conform to the provisions of this chapter. ~~When a portion of a non-conforming use ceases on a portion of the land or water, that portion of the non-conforming use shall be terminated.~~

- (4) Burden of Proof. The owners of property claiming to have a legal non-conforming use or a lawful conditional use have the burden to prove that such use is in fact a non-conforming use or lawful conditional use in accordance with Sec. 66.0922, *Interpretation and Proof of Uses*.
- (5) Changes and Substitutions. A non-conforming use of land **or water or building or structure** may be changed to a less intense non-conforming use with the approval of a Conditional Use Permit by the Plan Commission when it can be demonstrated that the new use is in fact less detrimental to the other uses in the area.
 - (a) Once a non-conforming use has been changed to conform, it shall not revert to a non-conforming use.
 - (b) Once the Plan Commission has permitted the substitution of a less restrictive non-conforming use for an existing non-conforming use, the substituted use shall lose its status as a legal non-conforming use and become subject to all the conditions required by the Plan Commission.
- (6) Multiple Occupancy Developments (MODs). MODs are a grouping of residential rental units on the same lot that pre-dated the Village adopting zoning regulations and do not meet the definition of the terms hotel, motel or condominium. These uses are not listed in a specific zoning district and are regulated by Conditional Use Permit. There are two types of multiple occupancy developments:
 - (a) Multiple Occupancy Development, Short-Term. Units are rented on a transient basis; and,
 - (b) Multiple Occupancy Development, Long-Term. Units are rented for periods of thirty (30) consecutive days or more.
 1. *Short-Term MODs.* All units in Short-Term Multiple Occupancy Developments which predated zoning, and in which such rentals were not discontinued for twelve (12) months or more can continue to be rented, but any expansion of the use may only be authorized by Conditional Use Permit. Said units can continue to be rented as they were prior to Act 59, but proof of said rental history shall be provided to the Village so as to determine the intensity of the non-conforming use. Since the use cannot be enlarged or extended, the number of days the development can be rented is limited to the number of days in a calendar year it was rented prior to the adoption of Act 59. The non-conforming use must still comply with Chapter 18 of the Municipal Code, *Business Regulation*.
 2. *Long-Term MODS.* Units in Long-Term Multiple Occupancy Developments cannot be rented for periods of time less than thirty (30) consecutive days, but if a primary dwelling exists within the development, that one dwelling alone can be utilized as a short-term rental. If more than one unit in a long-term multiple occupancy development were to be rented for periods of less than thirty (30) days, the entire property would have to transition to a Short-Term Multiple Occupancy Development.

Sec. 66.0902 Conforming Structures on Non-Conforming Lots

- (1) Continued Use Allowed. The use of a conforming structure existing at the time of the adoption or amendment of this chapter may be continued although the lot area or lot width does not conform to the requirements of this chapter.
- (2) Additions and Enlargements. Additions and enlargements to the conforming structures are permitted and shall conform to the established building setback, height, parking, loading and access and other **dimensional** provisions of this chapter **unless a variance is granted from the Board of Appeals**.

- (3) Existing Structures on Non-Conforming Lots. Existing conforming structures on non-conforming lots, which are damaged or destroyed by fire, explosion, flood, or other calamity, may be reconstructed and shall conform to the established building setback, height, parking, loading, and access provisions of this chapter ~~unless a variance is granted from the Board of Appeals.~~

Secs. 66.0903 - 66.0909, Reserved

Sec. 66.0910 Non-Conforming Structure Definitions

The following definitions and categories shall apply to non-conforming structures:

- ~~Detrimental Non-Conformities are those that have a negative impact on the health and safety of the public. Detrimental non-conformities have the potential for harm.~~
- ~~Benign Non-Conformities are those that do not have a negative impact on the health and safety of the public, but may have a negative impact on public welfare.~~
- Nonconforming Structure means a dwelling, or other building or structure that existed lawfully before November 15, 1973, or prior to an amendment thereto, that does not conform with one or more development regulations in the current zoning ordinance.
- Health and Safety of the Public is the protection from injury, illness, danger and other harm.
- Public Welfare is the protection from nuisances, economic interest, convenience, community character and the vision expressed in the Village's Smart Growth Plan.
- ~~Detrimental Non-Conforming Structures are those designed for detrimental uses not permitted in a zone and cannot be reasonably structurally altered to house a conforming use. Such structures include the following:~~
 - ~~In residential and institutional zones, commercial and industrial buildings.~~
 - ~~In commercial zones, industrial buildings.~~
 - ~~In commercial zones, residential buildings not specifically permitted in the zone.~~
- ~~Benign Non-Conforming Structures are those structures other than detrimental non-conforming structures, which are generally not detrimental in the zone where they are located and include the following:~~
 - ~~In residential zones, buildings that are non-conforming by reason of being designed for residential uses which are not permitted in the zone in which they are located.~~
 - ~~Any building other than a detrimental non-conforming building, which does not conform to the height, yard, setback, parking loading, and green space requirements of the zone where it is located.~~

Sec. 66.0911 Non-Conforming Structures [Renumber]

The use of ~~dwelling, building or a~~ structure existing at the time of the adoption or amendment of this chapter may be continued although the structure's size or location does not conform to the established building setback, height, ~~floor area, green space,~~ parking, loading, ~~and/or~~ access ~~and/or other dimensional~~ provisions of this chapter.

- (0) ~~Discontinuance. If the use of a non-conforming structure is discontinued or terminated for a period of twelve (12) consecutive months, any future use of the structure shall conform to the provisions of this chapter. When the use of a portion of a non-conforming structure ceases, that portion of the non-conforming use shall be terminated.~~

- (1) Burden of Proof. The owners of property claiming to have a legal non-conforming structure ~~or a lawful conditional use;~~ have the burden to prove that such ~~use-structure~~ is in fact a non-conforming structure ~~or lawful conditional use~~ in accordance with ~~Sec. 66.0922 of this chapter.~~
- (2) Additions and Enlargements To Existing ~~Detrimental~~ Non-Conforming Structures. ~~Detrimental-n~~Non-conforming structures shall not be moved, enlarged, remodeled or modified except where necessary to bring the structure more into conformance with this chapter. All additions, modifications, or relocations shall meet the dimensional requirements of this chapter unless a petition for grant of variance has been approved by the Zoning Board of Appeals. ~~for the purpose of making them suitable for a conforming use. A detrimental non-conforming structure may be modified to permit a less intense non-conforming use with the approval of a conditional use permit by the Plan Commission when it can be demonstrated that the new use is in fact less detrimental to the other uses in the area .~~
- (3) Additions and Enlargements To Existing Benign Non-Conforming Structures. ~~Benign non-conforming structures shall not be moved, enlarged or modified unless the structure(s), including the additions and enlargements, is/are made to conform in every respect to the dimensional requirements of the zone where the structure is located. However, the Plan Commission may approve a Conditional Use Permits for the expansion or redevelopment of properties which have been previously developed and do not conform to the requirements in this Code, provided that the expansion or redevelopment is designed for a permitted use. The conditional use permits may permit deviation from the regulations, including parking requirements, when it can be found that:~~
 - (a) ~~Strict conformance to the Zoning Code requirements would preclude viable expansion or redevelopment of the site.~~
 - (b) ~~Strict conformance to the Zoning Code would result in disorderly or illogical transitions between existing and expanded areas of the site.~~
 - (c) ~~Deviation from the Zoning Code regulations would not jeopardize the public health, safety and welfare and would produce a quality built environment.~~
 - (d) ~~Deminimis deviations from a dimensional requirement or standard would not have a negative impact on neighborhood character.~~
- (4) Damage to Existing Non-Conforming Structures. Existing ~~benign~~ non-conforming structures which are damaged by fire, explosion, flood, or other calamity after March 2, 2006, may be restored to, or replaced at, the size, location, and use it had immediately before the damage or destruction occurred. The replacement structure may only be larger in footprint or floor area than the original nonconforming structure only if necessary for the structure to comply with applicable State or Federal requirements. If reconstruction or enlargement is not necessary, and the structure is in need of repair only, said repairs are allowed provided:
 - (a) The use of the building does not change in scope.
 - (b) No walls are reconstructed; new siding is permissible.
 - (c) No new roof structure is allowed; roof repair is allowed, new roofing materials are permissible as long as the truss system is not rebuilt.
 - (d) No plumbing is added to a building that otherwise had no plumbing.

~~May be reconstructed and insofar as is practicable shall conform with the established building setback lines along streets and the yard, as well as the height, parking, loading, and access provisions of this chapter. Existing detrimental non-conforming structures which are damaged by fire, explosion, flood, or other calamity to the extent that such damage is more than fifty percent (50%) of the current equalized assessed value of the structure shall not be reconstructed.~~

- (5) **Remodeling Existing Non-Conforming Structures.** Existing ~~benign~~ non-conforming structures ~~which are remodeled or reconstructed shall conform to the established building setbacks, height, parking, loading, and access provisions of this chapter.~~ may be remodeled provided:
- (a) The use of the building does not change in scope.
 - (b) The floor area or footprint of the building does not change.
 - (c) No new foundation is installed.
 - (d) No exterior walls are reconstructed; repair is allowed of individual wall segments, new siding is permissible.
 - (e) No new roof structure is allowed; roof repair is allowed, new roofing materials are permissible as long as the truss system is not rebuilt.
 - (f) No plumbing is added to a building that otherwise had no plumbing.

Amend the definition section as follows,

~~**Non-Conforming Uses or Structures**~~

~~Any structure, land or water lawfully used, occupied or erected before November 15, 1973 which does not conform to the regulations of this chapter or amendments thereto. Any such structure conforming in respect to use but not in respect to development regulations such as frontage, width, height, area, yard, parking, loading or distance requirements shall be considered a non-conforming structure and not a non-conforming use.-~~

~~*Nonconforming Structure* means a dwelling, or other building or structure that existed lawfully before November 15, 1973, or prior to an amendment thereto, that does not conform with one or more development regulations in the current zoning ordinance.~~

~~*Nonconforming Use* means a use of land, water, building or structure that existed lawfully before November 15, 1973, or prior to an amendment thereto, that does not conform with the use restrictions in the current ordinance.~~

VI. Woodland Overlay

Your zoning map must be consistent with your future land use map which was adopted as part of your comprehensive plan in the spring of 2025. Due to the loss of woodland cover the village has experienced, the plan expressed the need to protect woodland areas (see Comprehensive Land Use Plan, page 41, and the goals set on page 45).

Create Sec. 66.0347, Woodland Overlay District

This district serves to protect the village's tree canopy from destruction, aid in climate regulation, air and water purification, soil conservation, provide essential habitat and food sources for wildlife, and enhance the natural beauty of the village.

- (1) Determination. The location of the woodlands in the Woodland Overlay District are those woodlands identified on the Future Land Use Map in the village's comprehensive plan.
- (2) Requirements.
 - (a) Buildings and structures shall not be placed, to the greatest practical extent, on those portions of a lot designated Woodland Overlay District. If there is not a building site, that meets setback requirements, on the lot outside the woodland area, a portion of

- the woodland area may be used for development upon approval of the Plan Commission upon finding no practical building site exists outside the woodland area.
- (b) If, upon approval by the Plan Commission in sub. (a) above, development is allowed in a woodland overlay area, no trees may be removed beyond the edge of the tree canopy adjacent to the building or structure.
 - (c) No roads or driveways shall be installed in the Woodland Overlay District except those necessary to serve an approved building site. In the event such road or driveway is necessary, the road or driveway shall not exceed the minimum width required by this code, and no trees beyond the minimum width of the road or driveway shall be removed, unless such tree removal has been approved by the Plan Commission. The Plan Commission may consult with a registered professional forester, certified forester, or registered landscape engineer to determine if tree removal is required, how to protect the tree canopy or root structure, or other information necessary to allow the road or driveway to be installed while protecting the woodland cover; the applicant shall pay the costs of such consultation.
 - (d) Woodlands shall not be clear cut, thinned, uprooted, removed or topped except as allowed above or as recommended to prevent disease, the spread thereof, or to control invasive species. A special cutting plan prepared by a registered professional forester, certified forester, or registered landscape engineer shall be submitted to the village and approved by village staff prior to removing woodland vegetation to address disease and invasive species concerns.

VII. Countryside Zoning District

Also, we discussed the desire to leave some areas as being in the Countryside district, even though they now appear as Residential on the future land use map. To ensure the zoning map remains consistent with the future land use map, the following amendment is proposed.

Amend Section 66.0315, CS-1 Countryside District, as follows,

Sec. 66.0315 CS-1 Countryside District

The Countryside (CS-1) District provides for the continuation of low-density residential housing and general, non-intensive, agricultural and related use in those areas suited to farming. The intent is to conserve areas with adequate soil types, drainage and topography for low-density residential use and to preserve the rural landscape from an uneconomical scattering of residential development in such areas. This district may appear as a residential land use on the comprehensive plan's Future Land Use Map.