



# Plan Commission

335 South Broadway

## Regular Meeting

De Pere, WI 54115  
<http://www.de-pere.org>

### Agenda

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Thursday, May 29, 2014

5:00 PM

De Pere City Hall Council Chambers

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Pursuant to Wisconsin Statutes 19.84, Notice is hereby given to the public that a Regular Meeting of the **Plan Commission** of the City of De Pere will be held on **May 29, 2014** at **5:00 PM** in the **De Pere City Hall Council Chambers**, 335 S. Broadway Street, De Pere, WI 54115.

*This meeting can be viewed LIVE at [www.depere.tv](http://www.depere.tv). This meeting is also rebroadcast on TW Cable Channel 4 and AT&T U-verse Channel 99 throughout the week and available on demand at [www.depere.tv](http://www.depere.tv).*

Call to Order

Roll Call

1. Approval of the minutes of the April 28, 2014 Plan Commission meeting.
2. Review the extra-territorial CSM for a single lot in the Town of Ledgeview. Applicant: Mau and Associates. \*
3. Review amendment to Chapter 15 De Pere Municipal Code regarding Shoreland-Wetland Zoning.\*

Adjournment

**\* Items with an asterisk require City Council approval.**

Any person wishing to attend this meeting who, because of disability, requires special accommodations should contact the Clerk-Treasurer's office at 339-4050 by Noon, Thursday May 29<sup>th</sup> 2014, so that arrangements can be made.

AGENDA SENT TO:

Plan Commission Members  
Alderspersons  
Bulletin Boards  
News Media  
Mau & Associates

City of De Pere, Wisconsin



**Request For Plan Commission Action**

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**MEETING DATE:** May 29, 2014

**DEPARTMENT:** Planning

**FROM:** Ken Pabich

**SUBJECT:** Approval of the minutes of the April 28, 2014 Plan Commission meeting.

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**ATTACHMENTS:**

- PC\_Minutes\_April2014\_draft (PDF)



# Plan Commission

335 South Broadway

De Pere, WI 54115

<http://www.de-pere.org>

## Regular Meeting

### Draft Minutes

Monday, April 28, 2014

7:00 PM

De Pere City Hall Council Chambers

#### Call to Order

The meeting was called to order at 7:00 PM by Mayor Michael J. Walsh

| Attendee Name      | Title        | Status  | Arrived |
|--------------------|--------------|---------|---------|
| Derek Beiderwieden | Commissioner | Present |         |
| James Boyd         | Aldersperson | Excused |         |
| Jim Kalny          | Commissioner | Present |         |
| Larry Lueck        | Aldersperson | Present |         |
| Elizabeth Runge    | Commissioner | Present |         |
| Steve Taylor       | Commissioner | Present |         |
| Michael J. Walsh   | Mayor        | Present |         |

Also present: City Planning Director Ken Pabich, City Engineer Eric Rakers, and members of the public.

#### 2. Approval of the minutes of the February 24, 2014 Plan Commission meeting.

|                  |                                                  |
|------------------|--------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                       |
| <b>MOVER:</b>    | Steve Taylor, Commissioner                       |
| <b>SECONDER:</b> | Jim Kalny, Commissioner                          |
| <b>AYES:</b>     | Beiderwieden, Kalny, Lueck, Runge, Taylor, Walsh |
| <b>EXCUSED:</b>  | James Boyd                                       |

#### 3. Review the Precise Implementation Plan for Unison Credit Union at 900 Main Ave. Applicant: Mach IV.\*

Ken Pabich presented the staff review of the Precise Implementation Plan. There are two major utilities cutting through the site which make development difficult. Unison has presented a site plan that will work within the footprint and provides almost 50% green space.

Mayor Walsh motioned, seconded by Derek Beiderwieden, to open the meeting for public comments.

John Elrick, project manager for Keller Inc., provided elevations to the Commission. He reported that they are significantly upgrading the exterior to provide a "wow" factor. Unison is requesting that the gate for the brick dumpster enclosure be approved as blue metal panel to match the accent color on the building.

Mayor Walsh motioned, seconded by Jim Kalny, to return to regular order.

Upon vote, motion carried unanimously to approve the Precise Implementation Plan, including the blue metal gate enclosure, and forward to City Council.

|                  |                                                  |
|------------------|--------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                       |
| <b>MOVER:</b>    | Derek Beiderwieden, Commissioner                 |
| <b>SECONDER:</b> | Steve Taylor, Commissioner                       |
| <b>AYES:</b>     | Beiderwieden, Kalny, Lueck, Runge, Taylor, Walsh |
| <b>EXCUSED:</b>  | James Boyd                                       |

#### 4. Review the Site Plan for a mixed use development at 115 N Erie St. Applicant: Mach IV.

Attachment: PC\_Minutes\_April2014\_draft (2241 : Approval of the minutes of the April 28, 2014 Plan Commission)

Ken Pabich presented the staff review of the site plan for the project, and noted that the use of siding on the west and north elevations requires Plan Commission approval. Discussion followed regarding the parking layout on the alley side of the proposed structure.

Mayor Walsh motioned, seconded by Jim Kalny, to open the meeting for public comments.

Developer Mark Soderlund informed the commission that the siding used will be tan in color to match the earth tones of the brick and stone materials on the face of the building.

Jim Kalny motioned, seconded by Elizabeth Runge, to return to regular order.

Upon vote, motion carried unanimously to approve the site plan with the inclusion of siding on the west and north elevations.

|                  |                                                  |
|------------------|--------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                       |
| <b>MOVER:</b>    | Michael J. Walsh, Mayor                          |
| <b>SECONDER:</b> | Derek Beiderwieden, Commissioner                 |
| <b>AYES:</b>     | Beiderwieden, Kalny, Lueck, Runge, Taylor, Walsh |
| <b>EXCUSED:</b>  | James Boyd                                       |

5. Review the minor amendment to the Precise Implementation Plan for the row housing at 453 N 9th St. Applicant: Tom Berceau.  
Ken Pabich presented a summary of the request to amend the Precise Implementation Plan's side yard setback from 15' to 10'. The developer has enhanced the landscaping and drainage plans to address the reduced setback.  
Mayor Walsh motioned, seconded by Jim Kalny, to open the meeting for public comments.  
Resident Pete Blashka requested clarification on berm size and placement, as well as trash collection procedures.  
Mayor Walsh motioned, seconded by Jim Kalny, to return to regular order.  
Ken reported that the two 6 family units will require private trash collection. The berm will be added to the north end of the parking lot and landscaping will continue to the street.  
Upon vote, motion carried unanimously to approve the amendment with the stipulation that an updated landscaping plan is required.

|                  |                                                  |
|------------------|--------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                       |
| <b>MOVER:</b>    | Michael J. Walsh, Mayor                          |
| <b>SECONDER:</b> | Jim Kalny, Commissioner                          |
| <b>AYES:</b>     | Beiderwieden, Kalny, Lueck, Runge, Taylor, Walsh |
| <b>EXCUSED:</b>  | James Boyd                                       |

6. Presentation and recommendation of corridor design for 8th Street between Oak St and Ashland Ave. Presented by WisDOT and City of De Pere.  
Paul Vraney and Tom Buchholz of the Wisconsin Department of Transportation (WisDOT) reviewed the project alternatives as presented at the March 6th public involvement meeting. The DOT hopes to have an alternative selected by May of this year; they also plan to hold a second public meeting in early fall to discuss items such as

temporary easements. They anticipate completing the environmental study in fall 2014. Utility replacements are scheduled for 2016, and construction is expected to begin in 2017. Discussion followed regarding the current parking situation and driveway configuration on 8th St.

Mayor Walsh motioned, seconded by Alderperson Lueck, to open the meeting for public comments.

Resident Pete Blashka inquired whether Elm St is being reconstructed this year. City Engineer Eric Rakers replied that it is tentatively slated for 2016 or 2017.

Resident John Marrick expressed his dissatisfaction with the alternatives because of concerns about traffic backups and the loss of terrace space and/or parking.

The Engineering department conducted a parking study from April 18th -28th, and found only two instances where cars were parked on the street; both were in front of a business at the north end of the corridor. The majority of the 8th St residents have the ability to park on a side street. Eric reported that each alternative is designed to support traffic in the long term in order to address back up concerns. He noted that the DOT and the city did evaluate the "do nothing" option, and they concluded that it had the most safety issues and represented the most inefficient use of city resources.

Mayor Walsh motioned, seconded by Derek Beiderwieden, to return to regular order.

Discussion followed about turn lanes as well as bike lane widths and delineations. Elizabeth Runge expressed concern that the wider seven foot width of the bike lane on Alternative #3 would cause a safety issue, because it creates the illusion of a passing lane.

Upon vote, motion carried unanimously to recommend Alternative #3, with the stipulation that the DOT study the width of the bike lanes in further detail.

Ken Pabich reported that this item will go to the May 20th Council meeting as a recommendation from the Plan Commission.

|                  |                                                  |
|------------------|--------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                       |
| <b>MOVER:</b>    | Jim Kalny, Commissioner                          |
| <b>SECONDER:</b> | Elizabeth Runge, Commissioner                    |
| <b>AYES:</b>     | Beiderwieden, Kalny, Lueck, Runge, Taylor, Walsh |
| <b>EXCUSED:</b>  | James Boyd                                       |

7. Presentation on the Master Plan for the Unified School District of De Pere sports field usage. Presentation by Rettler Corporation.  
Unified School District of De Pere Superintendent Ben Villaruel, Athletic Director Jeff Byzek, and Rettler Corporation designer Jeff Bahling presented an overview of the district's master plan for its sports facilities. At the west end of campus, the plan is to add a new baseball field and enhance existing practice spaces. The plan would also improve handicap facilities and accessibility, increase size of storage, and add more parking. Redbird stadium would be provided with synthetic turf, visitor bleachers etc. The south quadrant would have a new soccer stadium, bleachers, concession, football practice areas for the middle school, and improvements to the existing baseball field. Ben Villaruel reported that fundraising efforts to date have raised \$3,000,000. Discussion followed regarding the new baseball field's proximity to the water tower, as well as resident concerns about onstreet parking on Merrill St and Chicago St. The school district is willing to look at additional netting to prevent foul balls from hitting the water tower.

Discussion followed about proposed parking lots vs using the existing parking lot at Dickinson Elementary.

Mayor Walsh motioned, seconded by Jim Kalny, to open the meeting for public comments.

Resident Phil Younkle expressed concern about parking issues.

Resident Barb Younkle requested landscaping around the entire perimeter of the new baseball field.

Resident Judy Landwehr spoke in favor of a new parking lot, because it would relieve some of the on street parking issues.

Resident Mary Kay Bressers stated that she is very concerned about the parking situation on her street.

Resident Holly Arnold expressed concern about onstreet parking during sporting events, and also spoke in favor of landscaping around the entire complex.

Resident William Wyer requested that the school district install additional restroom facilities.

Resident Mike Eikenberry concurred that parking is an issue.

Mayor Walsh motioned, seconded by Jim Kalny, to return to regular order.

Ken Pabich stated that city staff will work with the school district on parking issues as well as stormwater management as the project moves forward. He noted that field enhancements would not require Plan Commission approval, but any new construction for the project would.

#### Adjournment

Mayor Walsh motioned, seconded by Alderperson Lueck, to adjourn the meeting at 8:45 PM.

Respectfully submitted,  
Carey Danen

**City of De Pere, Wisconsin****Request For Plan Commission Action**

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**MEETING DATE:** May 29, 2014

**DEPARTMENT:** Planning

**FROM:** Ken Pabich

**SUBJECT:** Review the extra-territorial CSM for a single lot in the Town of Ledgeview. Applicant: Mau and Associates. \*

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**ATTACHMENTS:**

- PC\_Staff\_ExtraCSM\_Mau (PDF)
- PC\_EXCSM\_May2014 (PDF)

**Item #2:        Review the extra-territorial CSM for a single lot in the Town of Ledgeview. Applicant: Mau and Associates. \***

Mau and Associates has submitted a single lot CSM. The CSM creates a single lot of 2.64 acres for a new single family residence. The CSM does meet the City land subdivision code requirements and it does show the appropriate ESAs (environmental sensitive areas).

**Recommendation:**

Staff recommends approval of the CSM, and that the CSM be forwarded to the Common Council for approval. The CSM must meet all other state and local regulations.

|                                                                                   |                                                                                                                                   |                  |
|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|------------------|
|  | <p align="center"><b>CITY OF DE PERE</b></p> <p align="center"><b>APPLICATION FOR</b></p> <p align="center"><b>CSM REVIEW</b></p> | Fee: \$ 300.00   |
|                                                                                   |                                                                                                                                   | Receipt #: _____ |
|                                                                                   |                                                                                                                                   | Date: _____      |

Read all instructions provided before completing. If additional space is needed, attach additional pages. Type or use black ink.

**SECTION 1: Applicant / Permittee Information**

|                                                                |                                                |                                              |                   |
|----------------------------------------------------------------|------------------------------------------------|----------------------------------------------|-------------------|
| Applicant Name (Ind., Org. or Entity)<br>Mau & Associates, LLP | Authorized Representative<br>Larry Blatchford  | Title<br>Partner - Registered Surveyor       |                   |
| Mailing Address<br>400 Security Boulevard                      | City<br>Green Bay                              | State<br>WI                                  | ZIP Code<br>54313 |
| Email Address<br>lblatchford@mau-associates.com                | Phone Number (incl. area code)<br>920-434-9670 | Fax Number (incl. area code)<br>920-434-9672 |                   |

**SECTION 2: Landowner Information (complete these fields when project site owner is different than applicant)**

|                                             |                                                |                              |                   |
|---------------------------------------------|------------------------------------------------|------------------------------|-------------------|
| Name (Ind. Org. or Entity)<br>Chad Bildings | Contact Person<br>Chad Bildings                | Title<br>Property owner      |                   |
| Mailing Address<br>4905 Sportsman Drive     | City<br>De Pere                                | State<br>WI                  | ZIP Code<br>54115 |
| Email Address                               | Phone Number (incl. area code)<br>920-337-0919 | Fax Number (incl. area code) |                   |

**SECTION 3: Project or Site Location**

|                                                                        |                       |
|------------------------------------------------------------------------|-----------------------|
| Project Address/Description<br>4905 Sportsman Drive, Town of Ledgeview | Parcel No.<br>D-400-5 |
|------------------------------------------------------------------------|-----------------------|

**SECTION 4: CSM Information**

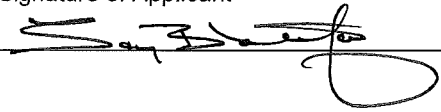
|                        |                                   |
|------------------------|-----------------------------------|
| Existing Zoning:       | Aq-2                              |
| Present Use of Parcel: | EXISTING HOME ON 1A ACRE PARCEL   |
| Proposed Use of Lots:  | NEW RESIDENCE ON 2.64 ACRE PARCEL |

Please submit 1 hard copy and 1 PDF copy of the CSM if the property is located within the City  
or if the property is located within the extraterritorial jurisdiction.

**SECTION 5: Certification and Permission**

**Certification:** I hereby certify that I am the owner or authorized representative of the owner of the property which is the subject of this Permit Application. I certify that the information contained in this form and attachments is true and accurate. I certify that the project will be in compliance with all permit conditions. I understand that failure to comply with any or all of the provisions of the permit may result in permit revocation and a fine and/or forfeiture under the provisions of applicable laws.

**Permission:** I hereby give the City permission to enter and inspect the property at reasonable times, to evaluate this notice and application, and to determine compliance with any resulting permit coverage.

|                                                                                                              |                                |                              |
|--------------------------------------------------------------------------------------------------------------|--------------------------------|------------------------------|
| Name of Owner/Authorized Representative (please print)<br>Larry D. Blatchford                                | Title<br>Partner-Reg. Surveyor | Phone Number<br>920-434-9670 |
| Signature of Applicant<br> |                                | Date Signed<br>05/13/2014    |

**TO BE COMPLETED BY CITY STAFF**

CSM Review authorized by the De Pere Municipal Code, Chapter 46.

Attachment: PC\_EXCSM\_May2014 (2238 : Extra-territorial CSM)



# Certified Survey Map

Part of Private Claim 39, East Side of the Fox River, in the Town of Ledgeview, Brown County, Wisconsin.



SURVEYOR'S CERTIFICATE

I, Larry D. Blatchford, Registered Land Surveyor, S-1541, do hereby certify that I have surveyed, divided and mopped part of Private Claim 39, East Side of the Fox River, in the Town of Ledgeview, Brown County, Wisconsin, more fully described as follows:

Commencing at the Brown County Surveyor's Traverse Point #20E21.2; thence N14°21'47"E, 2822.71 feet to Brown County Surveyor's Traverse Point #20C22.1; thence N23°00'53"E, 387.68 feet to the Eastern right of way of Sportsman Road, and the point of beginning; thence N16°55'07"E, 150.00 feet along said right of way; thence S73°04'56"E, 50.00 feet to a point being N73°04'56"W, 51 feet, more or less from the centerline of a creek, and being the start of a meander line; thence S37°45'09"E, 536.02 feet along said meander line; thence S65°51'43"E, 157.93 feet along said meander line to a point being S35°05'32"W, 46 feet, more or less from the centerline of said creek, and being the end of said meander line; thence S35°05'32"W, 30.00 feet; thence N54°54'33"W, 667.94 feet to the point of beginning.

Parcel contains 115,167 square feet / 2.64 acres, more or less, including all lands lying between the meander line and the centerline of the creek. Parcel subject to easements and restrictions of record.

That such plot is a correct representation of all the exterior boundaries of the land survey and the division thereof. That I have made such a survey, land division and plot by the direction of the owners listed hereon. That I have fully complied with the provisions of Chapter 236, section 236.34 of the Wisconsin Statutes, the Town of Ledgeview, the City of DePere, and the Brown County Planning Commission in surveying, dividing and mopping the same.

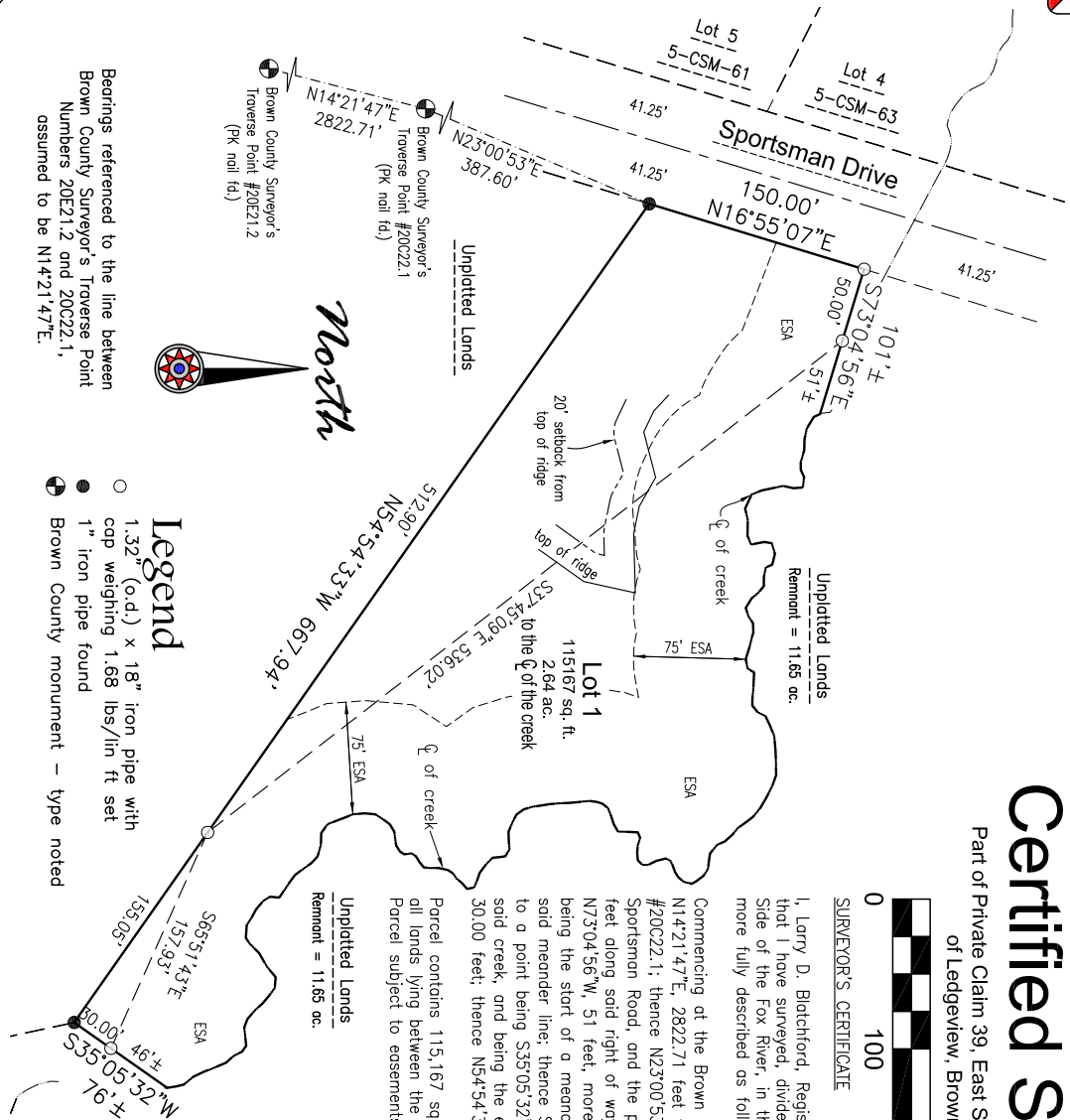
Larry D. Blatchford S-1541  
May 07, 2014

Bearings referenced to the line between Brown County Surveyor's Traverse Point Numbers 20E21.2 and 20C22.1, assumed to be N14°21'47"E.



## Legend

- 1.32" (o.d.) x 18" iron pipe with cap weighing 1.68 lbs/in ft set
- 1" iron pipe found
- ⊙ Brown County monument - type noted



Scale: 1" = 100'

Client: Chad Bildings

Tax Parcel: D-400-5

Drafted By: BAR

File: B-1799CSM 050214.dwg

**Mau & Associates**

LAND SURVEYING & PLANNING  
CIVIL & WATER RESOURCE ENGINEERING  
Phone: 920-434-9670 Fax: 920-434-9672

Sheet One of Three

Project No.: B-1799

Drawing No.: L-8827



CERTIFICATE OF THE BROWN COUNTY PLAN COMMISSION

Approved for the Brown County Plan Commission this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

-----  
Peter Schlein  
Senior Planner

CERTIFICATE OF THE CITY OF DE PERE

Approved for the City of DePere this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

-----  
Ken Pabich  
Director of Planning

CERTIFICATE OF THE TOWN OF LEDGEVIEW

Approved for the Town of Ledgeview this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

-----  
Sarah K. Burdette  
Town Clerk

CERTIFICATE OF THE BROWN COUNTY TREASURER

As duly elected Brown County Treasurer, I hereby certify that the records in my office show no unredeemed tax sales and no unpaid taxes or special assessments affecting any of the lands included in this Certified Survey Map as of the dates listed below.

-----  
Mary Reinhard                      Date  
Brown County Treasurer

NOTES

- 1) The property owner, at the time of construction, shall implement the appropriate soil erosion control methods outlined in the Wisconsin Department of Natural Resources' applicable WDNR Technical Standards, to prevent soil erosion. However, if the Town, at the time of construction, has adopted a soil erosion control ordinance, it shall govern over this requirement. This provision applies to any grading, construction, or installation-related activities.
- 2) A Shoreland Permit from the Brown County Zoning Administrator's office is required prior to any construction, fill, or grading activity within 300 feet of a stream.

RESTRICTIVE COVENANTS

- 1) The land on all side and rear lot lines of all lots shall be graded by the property owner and maintained by the abutting property owners to provide for adequate drainage of surface water.
- 2) No poles, pedestals or buried cable are to be placed so as to disturb any survey stake or obstruct vision along any lot lines or street line, a disturbance of a survey stake by anyone is a violation of section 236.32 of the Wisconsin Statutes.
- 3) Lot 1 contains an environmentally sensitive area (ESA) as defined in the Brown County Sewage Plan. The ESA includes all land within 75 feet of the ordinary high water mark of navigable waterways and a 20-foot setback from top and bottom of steep slopes. Development and land disturbing activities are restricted in the ESA unless amendments are approved by the Brown County Planning Commission and the Wisconsin Department of Natural Resources.



Sheet Two of Three  
Project No.: B-1799  
Drawing No.: L-8827



OWNER'S CERTIFICATE

As Owner, I hereby certify that I caused the land described on this Certified Survey Map to be surveyed, divided, mapped and dedicated as represented hereon. I also certify that this Certified Survey Map is required by S.236.10 or S.236.12 to be submitted to the following for approval or objection:

TOWN OF LEDGEVIEW  
CITY OF DEPERE  
BROWN COUNTY PLANNING COMMISSION

\_\_\_\_\_  
Chad A. Bildings

Personally came before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the above named owner, to me known to be the person who executed the foregoing instrument and acknowledged the same.

\_\_\_\_\_  
Notary Public  
Brown County, Wisconsin

My Commission Expires \_\_\_\_\_

STATE OF WISCONSIN }  
                                  } SS  
COUNTY OF BROWN }

CERTIFICATE OF CORPORATE MORTGAGEE

\_\_\_\_\_, a corporation duly organized and existing under and by virtue of the laws of Wisconsin, mortgagee of the above described land, does hereby consent to the surveying, dividing, mapping and dedication of the land described on this Certified Survey Map and does hereby consent to the above certificate of \_\_\_\_\_, Owner(s).

IN WITNESS WHEREOF, \_\_\_\_\_ has caused these presents to be signed by \_\_\_\_\_, its \_\_\_\_\_, and countersigned by \_\_\_\_\_, its \_\_\_\_\_, at \_\_\_\_\_, \_\_\_\_\_, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
\_\_\_\_\_  
Personally came before me this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, the above named officers of said corporation to me known to be the persons who executed the foregoing instrument and to me known to be such officers of said corporation, and acknowledged that they executed the foregoing instrument as such officers as the deed of said corporation, by its authority.

\_\_\_\_\_  
Notary Public  
Brown County, Wisconsin

My Commission Expires \_\_\_\_\_

STATE OF WISCONSIN }  
                                  } SS  
COUNTY OF BROWN }

Office of the Register of Deeds  
Brown County, Wisconsin

Received for Record \_\_\_\_\_, 20\_\_\_\_,  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M and recorded as  
Document # \_\_\_\_\_ in  
Volume \_\_\_\_\_ of \_\_\_\_\_ on Page \_\_\_\_\_.

Cathy Williquette Lindsay, Register of Deeds

Sheet Three of Three  
Project No.: B-1799  
Drawing No.: L-8827



## City of De Pere, Wisconsin

**Request For Plan Commission Action**

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**MEETING DATE:** May 29, 2014

**DEPARTMENT:** City Attorney

**FROM:** Judith Schmidt-Lehman

**SUBJECT:** Review amendment to Chapter 15 De Pere Municipal Code regarding Shoreland-Wetland Zoning.\*

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As you may be aware, the State Legislature enacted 2013 Wisconsin Act 80 (Act 80) in December 2013, which changes shoreland zoning jurisdiction of annexed land. Before Act 80, any shoreland annexed into cities or villages after May 7, 1982 remained subject to county shoreland ordinances. Act 80 changes this and subjects property annexed after May 7, 1982 to City shoreland ordinances. It also requires municipalities to enact shoreland zoning ordinances that apply to these shoreland areas. The deadline for complying with Act 80 is July 1, 2014.

The City of De Pere currently has a shoreland zoning ordinance; Chapter 15 of the Municipal Code entitled Shoreland - Wetland Zoning Ordinance. This ordinance was adopted in 2009 under the authority of Wis. Stats. §62.231. The current ordinance has language in it that annexed shoreland areas remain subject to county shoreland zoning regulations. Therefore, this ordinance must be amended to now provide that shoreland areas annexed after May 7, 1982 are subject to the provisions of Chapter 15. The attached draft ordinance will accomplish this requirement.

If you have any questions prior to the May 29, 2014 Plan Commission meeting, please feel free to call me at 339-4042.

**ATTACHMENTS:**

- Ord14-Amending §15-2 (DOCX)

## ORDINANCE #14-

AMENDING §15-2, DE PERE MUNICIPAL CODE REGARDING  
SHORELAND ZONING REGULATIONS OVER ANNEXED AREAS

THE COMMON COUNCIL OF THE CITY OF DE PERE DO ORDAIN AS  
FOLLOWS:

Section 1: §15-2(g), *Annexed areas*, is hereby repealed and recreated to read:

(g) *Annexed areas*. All shoreland annexed by the City of De Pere after May 7, 1982 is subject to the regulations of this chapter.

Section 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3: This ordinance shall take effect on and after passage and publication.

Adopted by the Common Council of the City of De Pere, Wisconsin, this \_\_\_\_ day of \_\_\_\_\_, 2014.

APPROVED:

\_\_\_\_\_  
Michael J. Walsh, Mayor

ATTEST:

\_\_\_\_\_  
Shana L. Defnet, Clerk-Treasurer

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Publication Date: \_\_\_\_\_

Effective Date: \_\_\_\_\_