

**CITY OF SHEBOYGAN
ORDINANCE 30-24-25**

BY ALDERPERSON BELANGER.

JANUARY 6, 2025.

AN ORDINANCE amending several sections of Chapter 105 of the Sheboygan Municipal Code so as to eliminate the Architectural Review Board and giving those powers to the Plan Commission.

THE COMMON COUNCIL OF THE CITY OF SHEBOYGAN DO ORDAIN AS FOLLOWS:

SECTION 1: **AMENDMENT** “Sec 105-685 Regulations Applicable To All Land Uses” of the Sheboygan Municipal Code is hereby *amended* as follows:

A M E N D M E N T

Sec 105-685 Regulations Applicable To All Land Uses

- (a) All uses of land initiated within the jurisdiction of this chapter on, or following, the effective date of the ordinance from which this chapter is derived shall comply with all of the provisions of this chapter. Specifically:
 - (1) *Land use regulations and requirements.* All uses of land shall comply with all the regulations and requirements of article III of this chapter, pertaining to the types of uses to which land may be put, and to various requirements which must be met for certain types of land uses within particular zoning districts. Such regulations and requirements address both general and specific regulations which land uses shall adhere to; and which are directly related to the protection of the health, safety and general welfare of the city residents and its environs.
 - (2) *Density and intensity regulations and requirements.* All development of land shall comply with all the regulations and requirements of article IV of this chapter, pertaining to the maximum permitted density (for residential land uses) and intensity (for nonresidential land uses) of land uses. Such regulations and requirements address issues such as floor area ratios (FARs), green space ratios (GSRs), and landscape surface ratios (LSRs); which are directly related to, and are a critical component of, density and intensity and the protection of the health, safety, and general welfare of the city residents and its environs.
 - (3) *Bulk regulations and requirements.* All land use or development of land shall comply with all the regulations and requirements of article V of this chapter, pertaining to the maximum permitted bulk of structures and the location of structures on a lot. Such regulations and requirements address issues such as

height, setbacks from property lines and rights-of-way, and minimum separation between structures; which are directly related to, and a critical component of, the effective bulk of a structure and the protection of the health, safety, and general welfare of the city residents and its environs.

- (4) *Natural resources and green space regulations and requirements.* All land use or development of land shall comply with all the regulations and requirements of article VI of this chapter, pertaining to the protection of sensitive natural resources and required green space areas. Such regulations and requirements address issues such as absolute protection, partial protection, and mitigation; which are directly related to, and a critical component of, the protection of natural resources and the protection of the health, safety, and general welfare of the city residents and its environs.
- (5) *Landscaping and bufferyards regulations and requirements.* All development of land shall comply with all the regulations and requirements of article VII of this chapter, pertaining to the provision of landscaping and bufferyards. Such regulations and requirements address issues such as minimum required landscaping of developed land, and minimum required provision of bufferyards between adjoining zoning districts or development options; which are directly related to, and a critical component of, the protection of the health, safety, and general welfare of the city residents and its environs.
- (6) *Performance standards and requirements.* All development of land shall comply with all the regulations and requirements of article VIII of this chapter, pertaining to the provision of appropriate access, parking, loading, storage, and lighting facilities. Such regulations and requirements address issues such as maximum permitted access points, minimum required parking spaces, the screening of storage areas, and maximum permitted intensity of lighting, as well as defining acceptable levels of potential nuisances such as noise, vibration, odors, heat, glare and smoke; which are directly related to, and a critical component of, the protection of the health, safety, and general welfare of the city residents and its environs.
- (7) *Signage regulations and requirements.* All land use or development of land shall comply with all the regulations and requirements of article IX of this chapter, pertaining to the type and amount of signage permitted on property. Such regulations and restrictions address issues such as the maximum area of permitted signage and the number and types of permitted signage; which are directly related to, and a critical component of, the protection of the health, safety, and general welfare of the city residents and its environs.
- (8) *Procedural regulations and requirements.* All land use or development of land shall comply with all the regulations and requirements of article X of this chapter, pertaining to the procedures necessary to secure review and approval of land use or development. Such regulations and restrictions address both procedural and technical requirements; and are directly related to, and a critical component of, the protection of the health, safety, and general welfare of the city residents and its environs. At a minimum, all development shall be subject

to the requirements of section 105-1001.

(b) *Number of buildings per lot.* In the RA-35ac, ER-1, SR-3, SR-5 and NR-6 Districts, only one principal building shall be permitted on any one lot. In the MR-8, UR-12, NO, SO, NC, SC, UC, CC, SI, UI, and HI Districts, more than one principal building shall be permitted on any one lot upon the granting of a conditional use permit for group development in compliance with section 105-749.

(1) *Number of land uses per building.*

- a. No more than one nonresidential land use shall be permitted in any building unless a conditional use permit for a group development is granted in compliance with section 105-749.
- b. With the exceptions of a commercial apartment or a home occupation, no building containing a nonresidential land use shall contain a residential land use. (See section 105-722(a) and s.)

(2) *Division or combining of a lot.* No recorded lot shall be divided into two or more lots, and no two or more recorded lots shall be combined into one or more lots, unless such division or combination results in the creation of lots, each of which conforms to all the applicable regulations of the zoning district in which said lot is located, as set forth in this chapter. (See also the land division regulations.)

(3) *Large-scale buildings.* All large-scale retail, commercial and industrial buildings in excess of 20,000 square feet are subject to the following additional requirements:

- a. *Policy on vacation of existing sites.* Where such a building is proposed as a replacement location for a business already located within the city, the city shall prohibit any privately imposed limits on the type of use or reuse of the previously occupied building through conditions of sale or lease.
- b. *Continuing maintenance plan.* In the event a large-scale building is vacated, the owner/developer shall submit a plan to the city for the continued maintenance of the property which addresses how the owner/developer will avoid any nuisance violations or the owner/developer shall submit a plan to the city which addresses the removal or the proposed reuse of the building. This plan must be submitted within 12 months after the vacancy; provide however, the time limit may be extended by the plan commission upon showing of good cause.
- c. *Absolute building area cap.* No individual retail or commercial building shall exceed a total of 155,000 square feet in gross floor area. This cap may be exceeded only by the granting of a conditional use permit.
- d. *Outlots.* All buildings on outlots shall be of architectural quality comparable to the primary structure as determined by the ~~architectural review board~~plan commission.

(Ord. of 2-7-2020, § 15.205)

SECTION 2: AMENDMENT “Sec 105-1004 Urban Design Overlay Zoning District Procedures” of the Sheboygan Municipal Code is hereby *amended* as follows:

AMENDMENT

Sec 105-1004 Urban Design Overlay Zoning District Procedures

- (a) *Purpose and scope.* This district is intended to implement the urban design recommendations of the comprehensive master plan by preserving and enhancing the aesthetic qualities (historical and visual) of the community, and by attaining a consistent visually pleasing image for various portions of the city. As emphasized by said Plan, this district is designed to forward both aesthetic and economic objectives of the city by controlling the site design and appearance of development within the district in a manner which is consistent with sound land use, urban design, and economic revitalization principals. The application of these standards will ensure the long-term progress and broad participation toward these principles.
- (b) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Cornice means the topmost projecting portion of the entablature, or top portion of a building. The term "cornice" also refers to any crowning projection of a building.

Header means a brick laid so that the end only appears on the face of the wall, as opposed to a stretcher, which is a brick laid so that the side only appears.

Kickplate means a horizontal area on the facade of a building located between the sidewalk/entrance pavement and the lowest storefront windows.

Sign band means a horizontal area on the facade of a building located between the transom and the cornice, which is typically opaque and provides a location for signage indicating the name of the establishment.

Sill means a horizontal, lower member or bottom of a door or window casing.

Transom means a horizontal bar of stone, wood or glass across the opening of a door or window.

- (c) *Designation of urban design overlay zoning district boundaries.* The following urban design overlay zoning districts are designated on sheet two of the official zoning map. (This listing and official zoning map designation will be provided following adoption of the city comprehensive master plan.)
- (d) *Powers and duties of the zoning administrator and the ~~architectural review board~~plan commission for all development.* Proposed changes to the exterior appearance (no

structural changes) of properties used exclusively for one- and two-family residential purposes are hereby excluded from the provisions of this section. All other development applications within an urban design overlay zoning district are subject to one of the following three processes, as determined by the zoning administrator.

- (1) Applications which involve only a renovation of the exterior appearance of a property (such as repainting, re-roofing, residing or replacing with identical colors and materials approved by the city and listed in the attached Appendix), or a change in the exterior appearance of a property in absolute clear and complete compliance with the provisions of subsection (i) of this section (as determined by the zoning administrator), are subject to renovation review by the zoning administrator. The zoning administrator shall determine whether the petition requires only certification of thorough compliance with the technical requirements set out in subsection (e)(2) of this section. In part, this effort shall be guided by the attached appendix, which provides a list of sample projects which are eligible for this form of review;
- (2) Applications which involve only a change in the appearance of a property (such as painting, roofing, siding, architectural component substitution, fencing, paving, or signage), are subject to design review by the zoning administrator and the ~~architectural review board~~ plan commission. The zoning administrator shall serve as the liaison between the applicant and the ~~architectural review board~~ plan commission in facilitating the thorough and expedient review of an application and shall ensure that the technical and procedural requirements of city zoning regulations are met. The ~~architectural review board~~ plan commission shall serve as the final review and determining body in these matters and shall focus its review on whether the application complies with south aesthetic, urban design, historic and architectural practices pursuant to the procedures outlined in subsection (e)(2) of this section. In part, this effort shall be guided by the comprehensive master plan.
- (3) Applications which involve modification to the physical configuration of a property (such as grading, the erection of a new building, the demolition of an existing building, or the addition or removal of bulk to an existing building) are subject to project review by the zoning administrator and the ~~architectural review board~~ plan commission. The zoning administrator shall serve as the liaison between the applicant and the ~~architectural review board~~ plan commission in facilitating the thorough and expedient review of an application and shall ensure that the technical and procedural requirements of city zoning regulations are met. The ~~architectural review board~~ plan commission shall serve as the initial and final review and determining body in these matters and shall focus its review on whether the application complies with sound aesthetic, urban design, historic and architectural practices pursuant to the procedures outlined in subsection (e)(2) of this section. In part, this effort shall be guided by the comprehensive master plan.

(e) *Procedure for project review and approval.*

- (1) *Renovation review.* Applications which involve only a renovation of the exterior appearance of a property (such as repainting, re-roofing, residing or

replacing with identical colors and materials approved by the city and listed in the attached appendix,) or a change in the exterior appearance of a property in absolute clear and complete compliance with the provisions of subsection (i) of this section (as determined by the zoning administrator), are subject to renovation review by the zoning administrator. The zoning administrator shall serve to determine whether the application simply requires certification of thorough compliance with the technical requirements below. In part, this effort shall be guided by the attached appendix, which provides a list of sample projects which are eligible for this form of review. (Refer to the procedure summary chart at the end of this section.)

- (2) *Application requirements.* All applications for renovation review shall be made to the zoning administrator and shall be accompanied by the building permit application, and, in addition, shall be accompanied by all of the following, in addition to the requirements for site plan (per section 105-1001):
- a. A clear depiction of the existing appearance of the property. Clear color photographs are recommended for this purpose. Scaled and dimensioned drawings of existing components such as windows, doors, railings, fencing or other site components, or detailed building elevations which are proposed for alteration or replacement may be required by the zoning administrator.
 - b. A clear depiction of the proposed appearance of the property. Paint charts, promotional brochures, or clear color photographs of replacement architectural components are recommended for this purpose. Scaled and dimensioned drawings of proposed components such as windows, doors, railings, fencing or other site components, or detailed building elevations which are proposed for renovation or replacement may be required by the zoning administrator.
 - c. A written description of the proposed renovation, including a complete listing of proposed components, materials, and colors.
 - d. Written justification for the proposed renovation consisting of the reasons why the applicant believes the requested alteration is in harmony with the recommendations of the comprehensive master plan, particularly as evidenced by compliance with the standards set out in subsection (e)(1)a of this section.
- (3) *Review by the zoning administrator.* The application for renovation review shall be reviewed by the city following the procedure required for conditional uses per section 105-998.

- (f) *Design review.* Applications which involve only a change in the appearance of a property (such as painting, roofing, siding, architectural component substitution, fencing, paving, or signage), are subject to design review by the zoning administrator and the ~~architectural review board~~plan commission. The zoning administrator shall serve as the liaison between the applicant and the ~~architectural review board~~plan commission in facilitating the thorough and expedient review of an application and shall ensure that the technical and procedural requirements of city zoning regulations are met. The ~~architectural review board~~plan commission shall serve as the final review

and determining body in these matters and shall focus its review on the application's compliance with sound aesthetic, urban design, historic and architectural practices per the procedures outlined below. In part, this effort shall be guided by the urban design guidelines of the comprehensive master plan.

- (1) *Procedure.* Urban design review proposals shall follow the procedures for conditional use permits, see section 105-998.
 - (2) *Application requirements.* In addition to the application requirements for conditional use permits, section 105-998, all applications for urban design review shall be made to the zoning administrator and shall be accompanied by the building permit application, and, in addition, shall be accompanied by all of the following:
 - (3) A clear depiction of the existing appearance of the property. Clear color photographs are recommended for this purpose. Scaled and dimensioned drawings of existing components such as windows, doors, railings, fencing or other site components, or detailed building elevations which are proposed for alteration or replacement may be required by the city.
 - (4) A clear depiction of the proposed appearance of the property. Paint charts, promotional brochures, or clear color photographs of replacement architectural components are recommended for this purpose. Scaled and dimensioned drawings of proposed components such as windows, doors, railings, fencing or other site components, or detailed building elevations which are proposed for alteration or replacement may be required by the city.
 - (5) A written description of the proposed modification, including a complete listing of proposed components, materials, and colors.
 - (6) Written justification for the proposed alteration consisting of the reasons why the applicant believes the requested alteration is in harmony with the recommendations of the comprehensive master plan, particularly as evidenced by compliance with the standards set out in subsection (e)(2)b.2 of this section, using the following question to develop said written justification:
 - (7) How is the proposed alteration in harmony with the recommendations of the comprehensive master plan, particularly as evidenced by compliance with subsection (i) of this section?
- (g) *Project review.* Applications which involve modification to the physical configuration of a property (such as the erection of a new building, the demolition of an existing building, or the addition or removal of bulk to an existing building) are subject to project review by the zoning administrator and the ~~architectural review board~~plan commission. Specifically, the powers of the zoning administrator, ~~architectural review board~~plan commission, and the zoning board of appeals within the urban design overlay zoning district shall be as described in the following sections. The zoning administrator shall serve as the liaison between the applicant and the city in facilitating the thorough and expedient review of an application and shall ensure that the technical and procedural requirements of city zoning regulations are met. The ~~architectural review board~~plan commission shall serve as the initial and final discretionary review body and shall focus its review on the application's compliance with sound land use, site design and economic revitalization practices. In part, this effort shall be guided by

the comprehensive master plan. (Refer to the procedure summary chart at the end of this section.)

(1) *Procedure*. Project review proposals shall follow procedures for conditional use permits, refer to section 105-998.

(2) *Application requirements*. In addition to the application requirements for conditional use permits, section 105-998, all applications for project review shall be made to the zoning administrator and shall be accompanied by the building permit application, and, in addition, shall be accompanied by all of the following:

- a. A clear depiction of the existing appearance of the property. Clear color photographs are recommended for this purpose. Scaled and dimensioned drawings of existing components such as windows, doors, railings, fencing or other site components, or detailed building elevations which are proposed for alteration or replacement may be required by the city;
- b. A clear depiction of the proposed appearance of the property. Paint charts, promotional brochures, or clear color photographs of replacement architectural components are commended for this purpose. Scaled and dimensioned drawings of proposed components such as windows, doors, railings, fencing or other site components, or detailed building elevations which are proposed for alteration or replacement may be required by the city;
- c. For all projects involving a new building, or an addition exceeding 100 square feet of gross floor area, a detailed site plan which provides the following information;
- d. A title block indicating name and address of the current property owner, developer and project consultants;
- e. The date of the original plan and the latest date of revision to the plan;
- f. A north arrow and a graphic scale. Said scale shall not be smaller than one inch equals 100 feet;
- g. All property lines and existing and proposed right-of-way lines with bearings and dimensions clearly labeled;
- h. All existing and proposed easement lines and dimensions with a key provided and explained on the margins of the plan as to ownership and purpose;
- i. All existing and proposed buildings, structures, and paved areas, including walks, drives, decks, patios, fences, utility poles, drainage facilities, and walls;
- j. All required building setback lines;
- k. A legal description of the subject property;
 - l. The location, type and size of all signage on the site;
- m. The location, type and orientation of all exterior lighting on the subject property;
- n. The location of all access points, parking and loading areas on the subject property, including a summary of the number of parking stalls

- and labels indicating the dimension of such areas;
 - o. The location of all outdoor storage areas;
 - p. The location and type of any permanently protected green space areas;
 - q. The location of existing and proposed drainage facilities;
 - r. In the legend, the following data for the subject property:
 1. Lot area;
 2. Floor area;
 3. Floor area ratio;
 4. Impervious surface area;
 5. Impervious surface ratio; and
 6. Building height.
 - s. A detailed landscaping plan of the subject property, at the same scale as the main plan, showing the location, species and size of all proposed plant materials;
 - t. A written description of the proposed project, including a complete listing of proposed components, materials, and colors;
 - u. Written justification for the proposed project consisting of the reasons why the applicant believes the requested alteration is in harmony with the recommendations of the comprehensive master plan, particularly as evidenced by compliance with the standards set out in subsection (e)(3)b.2 of this section, using the following question to develop said written justification;
 - v. How is the proposed project in harmony with the recommendations of the comprehensive master plan, particularly as evidenced by compliance with the standards of subsection (f) of this section?
- (h) *Additional recommendations permitted under the design review process.*
- (1) The zoning administrator is hereby authorized to make recommendations for, or require modifications to, a proposed application for renovation review; and to make recommendations for the modification of a proposed application for design review or project review.
 - (2) The ~~architectural review board~~ plan commission is hereby authorized to make recommendations for, or require modifications to, a proposed application for design review and project review.
- (i) *Appeals.* Appeals from the decisions of the zoning administrator and ~~architectural review board~~ plan commission may be made per the provisions of this Code and state statutes.
- (j) *Penalty.* Penalty for violation of the provisions of this chapter shall be per the provisions of section 105-1014.
- (k) *Urban design standards.* (Reserved).

Process for Residential and Nonresidential Proposal Review

	<i>Type of Proposal</i>
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<i>Procedure</i>	<i>Renovation¹</i>	<i>Design²</i>	<i>Project³</i>
1. Optional meeting with architectural review board <u>plan commission</u> to discuss proposal	No	optional	recommended
2. Submit zoning permit application to the zoning administrator, including:	Yes	Yes	Yes
a. Color photos/drawings of existing property, with close-ups of details	Yes	Yes	Yes
b. Drawings/depictions of proposed changes to the site & bldg. exterior	Yes	Yes	Yes
c. For new projects or additions = 100 sf, provide Site Plan including:			
i. Title block with name of current property owner and applicant;			
ii. Date of original plan graphic and date of most recent revision;			
iii. North arrow and graphic scale;			
iv. Property lines and right-of-way lines (with distances & bearings);			
v. Easements;			
vi. Existing and proposed buildings, structures and paved areas;			
vii. Required building setback lines;			
viii. Legal description of the property;			
ix. Location, size, type and orientation of all exterior signage;			
x. Location, type and orientation of all exterior lighting;			
xi. Location of all vehicle access drives, circulation areas, loading areas and parking stalls;			
xii. Location of all outdoor storage and display areas (including trash facilities);	No	No	Yes
xiii. Location and purpose of all drainage facilities;			
xiv. Location of all permanent green space areas; and			
xv. Site Summary Data: Lot Area, Floor Area, Floor Area Ratio, Impervious Surface Area, Impervious			

Surface Ratio			
d. Landscaping Plan showing the location, size and type of plants	No	No	Yes
e. Written description of proposal, including exterior materials & colors	Yes	Yes	Yes
f. Written justification of proposal answering: How does the proposal comply with the design standards?	Yes	Yes	Yes
3. Review and action by the zoning administrator/city staff	Yes	Yes	Yes
4. Review and action by the architectural review board <u>plan commission</u> on site design	No	No	Yes
5. Review and action by the architectural review board <u>plan commission</u> on aesthetics	No	Yes	Yes
6. If proposal is approved:	Yes	Yes	Yes
a. Record documents with Register of Deeds;			
b. Work must start within 365 days and be complete within 730 days;			
c. Conditions of approval run with the property.			
If the proposal is denied: It may not be resubmitted for 12 months			
KEY. Yes: Step is required. No: Step is not required.			
¹ Only a renovation of the exterior appearance of a property (replacement with replication).			
² Only a change in the appearance of a property (new colors, new materials, etc.).			
³ Modification to the physical configuration of a property (building additions, new buildings, etc.).			

(Ord. of 2-7-2020, § 15.915)

SECTION 3: AMENDMENT “Sec 105-1010 Plan Commission” of the Sheboygan Municipal Code is hereby *amended* as follows:

AMENDMENT

Sec 105-1010 Plan Commission

- (a) The plan commission, together with its other statutory duties, shall make reports and recommendations relating to the plan and development of the city to the city council,

other public officials and other interested organizations and citizens. The commission, its members and employees, in the performance of its functions, may enter upon any land and make examinations and surveys.

(b) In general, the plan commission shall have such powers as may be necessary to enable it to perform its functions and promote municipal planning. Under this article, its functions are primarily recommendatory to the city council pursuant to guidelines set forth in this article as to various matters, and always being mindful of the intent and purpose of this article.

(c) The plan commission shall have the jurisdiction and authority to review applications for approval of the exterior architectural features and design of buildings and other structures in all instances in which such approval is required by subsection (e) of this section.

(d) The plan commission shall be subject to the same requirements and restrictions with respect to its meetings and rules as are contained in this section, relating to meetings and rules of the zoning board of appeals.

(e) *Architectural approval by the plan commission.*

(1) Required approvals. No building permit for any new nonresidential building or structure to be hereafter erected in the city, and any addition to, or alteration of nonresidential buildings or structures which alters more than 20 percent of the area of any facade of the building or structure shall be issued unless the exterior architectural features and design of such building or structure have been approved by the plan commission. Exact replacements of architectural components are exempt from this provision. Plan commission approval is not required for new nonresidential buildings or structures when such buildings or structures are developed pursuant to an approved Planned Unit Development.

(2) Application for architectural approval. An application for a building permit for a building or other structure for which the approval of the plan commission is required shall be accompanied by the following additional documents and drawings:

a. A scale drawing of all exterior elevations showing the design and appearance of the proposed building or structure.

b. A written description of the general design, arrangement, texture, material and color of the building or structure and the relationship of such factors to similar features of buildings located within the same block or located along the frontage of any block across the street from the proposed building or structure for which architectural approval is sought.

(3) Standards for architectural approval. The plan commission shall inspect the site of the proposed building or other structure for which architectural approval is sought and the immediate neighborhood of such site. After examining all of the drawings and documents submitted with the application for a building permit and for architectural approval, the plan commission shall approve the architecture and design of the proposed building or structure whenever it shall find that:

a. The exterior architectural features, including general design,

arrangement, texture, color and materials will be consistent and in harmony with the exterior architectural appeal and functional plan of the buildings located within the same block or located along the frontage of any block across the street from the proposed building or structure.

b. The construction of the proposed building or structure will not cause a substantial depreciation in the value of the property in the same block or located along the frontage of any block across the street from the proposed building or structure because of its dissimilarity to, or failure to harmonize with, the buildings located on such property.

c. The plan commission shall not consider the interior arrangement of buildings for which architectural approval is sought.

d. Meetings by the plan commission. All applications for architectural approval of a building or structure shall be considered by the plan commission at a public meeting. A notice of the date, time, place and subject of the meeting shall be provided.

(f) Recommendations shall be in writing. A recording thereof in the commission's minutes shall constitute the required written recommendation. The commission may, in arriving at its recommendation, on occasion and of its own volition, conduct its own public hearing.

(Ord. of 2-7-2020, § 15.933)

SECTION 4: **REPEAL** “Sec 105-1012 Architectural Review Board” of the Sheboygan Municipal Code is hereby *repealed* as follows:

REPEAL

~~Sec 105-1012 Architectural Review Board~~ (*Repealed*)

(a) *Architectural review board.*

(1) *Composition.* An architectural review board consisting of seven members shall be appointed by the mayor subject to confirmation by the city council. Members of the architectural review board need not be city residents. The members of the architectural review board shall serve a term of three years. At least three members of the architectural review board shall be architects, including landscape architects, licensed to practice by the state, one member shall be a real estate broker licensed by the state, one member shall be a general contractor licensed by the city, and one member shall be a member of the plan commission. One of the members of the architectural review board shall be designated by the mayor as the chairperson and shall hold office as chairperson until a successor is appointed. The mayor shall have the power to remove any member of the architectural review board for cause upon written

charges and after a public hearing. Vacancies upon the architectural review board shall be filled for the unexpired term of the member whose place has become vacant in the manner herein provided for the appointment of such member.

- (2) *Jurisdiction and authority.* The architectural review board is hereby vested with the jurisdiction and authority to review applications for approval of the exterior architectural features and design of buildings and other structures in all instances in which such approval is required by subsection (b) of this section.
- (3) *Meetings and rules of the architectural review board.* The architectural review board shall be subject to the same requirements and restrictions with respect to its meetings and rules as are contained in this section, relating to meetings and rules of the zoning board of appeals.
- (4) *Finality of decisions of the architectural review board.* All decisions and findings of the architectural review board shall be subject to review by the plan commission in the same manner as is provided by section 105-1003 relating to appeals from decisions and determinations of the building inspector except that the plan commission shall hear said appeal utilizing the same procedures as the zoning board of appeals.

(b) *Architectural approval.*

- (1) *Required approvals.* No building permit for any new nonresidential building or structure to be hereafter erected in the city, and any addition to, or alteration of nonresidential buildings or structures which alters more than 20 percent of the area of any facade of the building or structure shall be issued unless the exterior architectural features and design of such building or structure have been approved by the architectural review board. Exact replacements of architectural components are exempt from this provision. Architectural review board approval is not required for new nonresidential buildings or structures when such buildings or structures are developed pursuant to an approved Planned Unit Development.
- (2) *Application for architectural approval.* An application for a building permit for a building or other structure for which the approval of the architectural review board is required shall be accompanied by the following additional documents and drawings:
 - a. A scale drawing of all exterior elevations showing the design and appearance of the proposed building or structure.
 - b. A written description of the general design, arrangement, texture, material and color of the building or structure and the relationship of such factors to similar features of buildings located within the same block or located along the frontage of any block across the street from the proposed building or structure for which architectural approval is sought.
- (3) *Standards for architectural approval.* The architectural review board shall inspect the site of the proposed building or other structure for which architectural approval is sought and the immediate neighborhood of such site.

After examining all of the drawings and documents submitted with the application for a building permit and for architectural approval, the architectural review board shall approve the architecture and design of the proposed building or structure whenever it shall find that:

- a. The exterior architectural features, including general design, arrangement, texture, color and materials will be consistent and in harmony with the exterior architectural appeal and functional plan of the buildings located within the same block or located along the frontage of any block across the street from the proposed building or structure.
- b. The construction of the proposed building or structure will not cause a substantial depreciation in the value of the property in the same block or located along the frontage of any block across the street from the proposed building or structure because of its dissimilarity to, or failure to harmonize with, the buildings located on such property.
- c. The architectural review board shall not consider the interior arrangement of buildings for which architectural approval is sought.
- d. *Meetings by the architectural review board.* All applications for architectural approval of a building or structure shall be considered by the architectural review board at a public meeting. A notice of the date, time, place and subject of the meeting shall be provided.

~~(Ord. of 2-7-2020, § 15.935)~~

SECTION 5: REPEALER CLAUSE All ordinances or resolutions or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION 6: EFFECTIVE DATE This Ordinance shall take effect after its passage and publication according to law, and as of April 15, 2025.

PASSED AND ADOPTED BY THE CITY OF SHEBOYGAN COMMON COUNCIL

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Presiding Officer

Attest

Ryan Sorenson, Mayor, City of Sheboygan

Meredith DeBruin, City Clerk, City of Sheboygan