

**RESOLUTION NO. 2022-53  
(8-2-2022)**

**RESOLUTION BY THE PUBLIC WORKS AND CAPITAL IMPROVEMENTS &  
STORM & WASTEWATER OF THE VILLAGE OF STURTEVANT  
AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH  
COMMUNITY PLANNING & CONSULTING TO PROVIDE ZONING  
ASSISTANCE FOR THE VILLAGE OF STURTEVANT.**

WHEREAS, Community Planning & Consulting submitted a Proposal for Professional Services to provide zoning assistance to the Village of Sturtevant.

WHEREAS, Community Planning & Consulting will provide zoning assistance to the Village of Sturtevant

WHEREAS, the Village is satisfied with the Proposal from Community Planning & Consulting; and

WHEREAS, at this time the Village would like to proceed with the zoning assistance provided by Community Planning and Consulting.

NOW THEREFORE, the Public Works and Capital Improvements & Storm & Wastewater of the Village of Sturtevant, Racine County, Wisconsin does hereby resolve:

1. That Community Planning & Consulting is authorized to proceed with the Project at a cost not to exceed \$4,000.00
2. That the funds for said work shall be taken from account 101-51990-390.
3. That the Village President and Village Clerk are authorized to execute contracts, agreements or other documents necessary to carry out the intent of this resolution.

Adopted by the Village Board of the Village of Sturtevant, Racine County, Wisconsin, this 2<sup>rd</sup> day of August 2022

Village of Sturtevant

By   
Michael Rosenbaum, President

Attest   
Cheryl Zamecnik, Village Clerk



## Introduction

Community Planning & Consulting is pleased to submit this proposal to provide zoning assistance to the Village of Sturtevant. Jeff Sanders, CPC's owner, has been assisting Wisconsin municipalities in achieving their planning and development goals for more than twenty-five years. During that time, he has authored nearly forty zoning and land division ordinances and has served as a zoning administrator or planning & zoning advisor for more than a dozen municipalities.



As a small firm competing in a market with much larger companies, it is incumbent that CPC establish a **stronger, more personal relationship** with our clients than our larger competitors are able to achieve. We are committed to providing our clients with the tools necessary to achieve their short- and long-term planning and development goals.

## Current Zoning Ordinance

The current Village of Sturtevant zoning ordinance represents a traditional 'Euclidean' code, the most common form of land-use regulation in the United States. Gaining its name from a landmark ruling of the U.S. Supreme Court (Village of Euclid, Ohio v. Ambler Realty Co., 272 U.S. 365, 1926), this methodology establishes base zoning districts (e.g., Single-Family Residence, Commercial, Government and Institutional, etc.), within which specific land uses are allowable by right (permitted uses) or with additional layers of scrutiny (conditional uses), and sets dimensional standards for lots, structures, open space, and the like.

CPC presumes the amended ordinance will incorporate some aspects of 'Performance' Zoning. Often accommodated within a traditional zoning ordinance, performance zoning techniques enable atypical land uses to move into existing districts so long as they conform to a fixed set of standards established for that district. Under traditional zoning, differing land uses produce varying external impacts, ranging from traffic and noise to glare and waste generation. With performance zoning, standards are established to manage those impacts and promote compatible development.

The key to success, for both traditional and performance zoning, is a robust site plan review process.

## Proposal Framework

This proposal entails three elements: audit of *Chapter 17: Zoning* (and *Chapter 19: Signs*) of the Village Code (hereafter, zoning ordinance); update of the zoning ordinance; and, on-call planning and zoning assistance. These are, in effect, ala carte options. They may be selected in whole or in part; however, the audit is a required precursor for the zoning ordinance update and on-call assistance.



## Audit of Zoning Ordinance

The purpose of the audit is to provide an independent review of the zoning ordinance to identify required and desired revisions. The process will entail a thorough analysis of the current ordinance, its application forms, and its review & decision-making procedures. The product of the audit will be a comprehensive list of recommended amendments intended to:

- Comply with the consistency requirement of Chapter 66.1001(3)(k), Wis. Stats. (i.e., Wisconsin Comprehensive Planning Law)
- Address areas of noncompliance with state and federal law
- Excise obsolete, inconsistent, and redundant language
- Rectify internal conflicts and inconsistencies
- Enhance its legal defensibility
- Modernize the document to reflect the desires of the Sturtevant community and accommodate 21st century land use standards
- Make the ordinance more attuned to the needs of applicants by simplifying and streamlining the application, review, and approval process

## Presentation of Findings & Recommendations

Upon completion of the audit, CPC will prepare a summary report for presentation to the Plan Commission.

## Projected Timeline

CPC will complete the audit process within eight weeks of authorization by the Village of Sturtevant, contingent upon Village meeting schedules.

## Projected Budget

Action	Hours	Cost
<b>Audit of Ordinance</b>	<b>18</b>	<b>\$1,764</b>
Preparation of Summary Report	4	\$392
Review and recommended updates to application forms	6	\$588
Present and Discuss Audit with Plan Commission (in person) [1] [2] [3]	2.5	\$539
	<b>Total</b>	<b>\$3,283</b>
<b>Optional Items</b>		
Recommended updates to guidelines/checklists or, as applicable, preparation of same		tbd
Additional meetings as requested by Plan Commission		\$98/hr.
[1] Includes travel. CPC bills for time of travel to meetings; we do not bill for mileage, fuel, or return trip.		
[2] The portion of any meeting extending beyond two hours will be billed at a rate of \$98 per hour, in 15-minute increments.		
[3] CPC reserves the right to transition from in-person to virtual meetings as need arises.		



## Information Needs

To complete the work described above, CPC requests digital copies of the zoning ordinance and relevant applications forms (preferably in Word format), along with any written procedures or guidelines relevant to the process of applying for, reviewing, and deciding upon the aforementioned applications.

## Update of Zoning Ordinance

### Preparation of First Draft

The first task will be to incorporate the objective elements of the audit into the zoning ordinance. Objective elements are those related to consistency and compliance with state and federal law, along with reformatting the document, clearing up internal conflicts, and making the ordinance more user-friendly, among other. The subjective elements encompass the remainder of the recommendations presented in the audit along with any others requested by the Plan Commission. They go to the foundation of zoning regulations and include permitted and conditional uses, dimensional standards, design requirements, and the like.

### First Draft – Working Session

The purpose of the working session is to review the document with the Plan Commission to identify required revisions prior to presentation before the general public. The session will also allow the Plan Commission and staff to become familiar with the draft ordinance so as to better address questions arising from the community.

### First Draft – Presentation

CPC will present the amended first draft of the zoning ordinance to the public at a meeting of the Plan Commission. Any final changes recommended by the Plan Commission will be incorporated into the document in preparation for the Public Hearing.

### Public Hearing (CPC participation optional)

Public hearing on recommended zoning ordinance as required by state law.

### Post-Hearing Revision & Recommendation

Following the hearing, the Plan Commission will determine whether changes to the document are required as a result of hearing testimony. CPC shall incorporate any requested revisions and deliver document to the Plan Commission for final review and eventual recommendation to the Village Board.



### Timeline

CPC anticipates a six-to-nine month time frame for the zoning ordinance update process, contingent upon Village meeting schedules.

### Adoption

Upon recommendation by the Plan Commission, the Village Board will vote to adopt the amended zoning ordinance.

### Projected Budget

Action	Estimated Hours	Estimated Cost
Initial Meeting (virtual)	2	\$196
Preparation of First Draft [1]	60	\$5,880
First Draft Working Session (virtual) [2]	6	\$588
Post-Working Session Revisions	4	\$392
First Draft Presentation (in person) [2] [3] [4] [5]	8.5	\$833
Pre-Public Hearing Draft	2	\$196
Post-Hearing Revisions / Final Draft	4	\$392
	<b>Total</b>	<b>\$8,477</b>
<b>Optional Items</b>		
Public Hearing (in person) [2] [3] [4] [5]		\$637
Updated Application Forms, Checklists, and Guidelines		\$98/hr.
Additional Meetings, as requested by Plan Commission		\$98/hr.
<p>[1] Cost includes preparation of first draft. Subsequent changes or revisions, if requested by the Plan Commission, will be billed at a rate of \$98 per hour.</p> <p>[2] Includes preparation for meeting.</p> <p>[3] Includes travel. CPC bills for time of travel to meetings; we do not bill for mileage, fuel, or return trip.</p> <p>[4] The portion of any meeting extending beyond two hours will be billed at a rate of \$98 per hour, in 15-minute increments.</p> <p>[5] CPC reserves the right to transition from in-person to virtual meetings as need arises.</p>		



## On-Call Planning / Zoning Assistance

As an on-call planning and zoning advisor, CPC will, at the discretion of the Village:

- Provide guidance to staff, Plan Commission, Common Council, and Board of Appeals on matters related to zoning, planning, land use.
- Provide the Client with professional planning services to assist in the revision of existing plans, programs, and land use ordinances and the creation of new plans, programs, and ordinances in order to effectively implement the comprehensive plan.
- Prepare staff reports in review of requested zoning changes, conditional use permits, site plans, variances, and the like.
- When requested, represent the Village in meetings with landowners, developers, neighboring communities, Racine County, Southeast Wisconsin Regional Plan Commission, and other local, regional, and state agencies.

CPC's on-call billing rate is \$89 per hour.

## Professional References

Tracy Groth, Zoning Administrator  
Town of Polk, Washington Co.  
Phone: 262.388.3288  
Email: [tracy.groth@townofpolk-wi.gov](mailto:tracy.groth@townofpolk-wi.gov)

Aaron Jenson, City Administrator  
City of Waupaca, Waupaca Co.  
Phone: 715.942.9911  
Email: [ajenson@cityofwaupaca.org](mailto:ajenson@cityofwaupaca.org)

Susan Selner, Village President  
Village of Denmark  
Phone: 920.863.6821  
Email: [smselner@charter.net](mailto:smselner@charter.net)

Michael Holz, Plan Commission Chair  
Town of West Bend, Washington Co.  
Phone: 262.385.1050  
Email: [aholz001@yahoo.com](mailto:aholz001@yahoo.com)

Matt Parmentier, Municipal Attorney  
Dempsey Law  
Phone: 920.309.1739  
Email: [MBP@dempseylaw.com](mailto:MBP@dempseylaw.com)

Andrew Vickers, City Administrator  
City of Oak Creek  
Phone: 414.766.7000  
Email: [avickers@oakcreekwi.org](mailto:avickers@oakcreekwi.org)



### In Closing...

CPC views the role of zoning administration as one of working with landowners, business owners, and developers to find a legally defensible path forward to desired outcomes. That begins at an initial interaction, carries through the preparation and submittal of an application, and concludes with the eventual decision of the Plan Commission (or Village Board). It requires a determination of consistency with the comprehensive plan and compliance with the zoning ordinance.

It is the responsibility of local government to offer direction and transparency in the administration of zoning regulations. This can best be achieved by providing guidelines and application forms that aid applicants in navigating the path necessary to reach a decision. Sometimes the decision is a denial. However, the outcome should be based on the incompatibility of the proposal with the Village code. It should never result from an applicant uncertain of what the process requires. Zoning ordinances are complicated. Interacting with the application and review process...and staff...need not be.

Respectfully,

Jeff



Community Planning & Consulting, LLC  
1007 N. Leminwah St.  
Appleton, WI 54911  
920.309.0721  
www.communityplanningandconsulting.com

**Owner**  
Jeffrey Sanders

**Established**  
January 2010, Limited Liability Corporation

**Services**

- Bicycle & Pedestrian Plans
- Comprehensive Plans
- Comprehensive Outdoor Recreation Plans
- Conservation Subdivision Design
- Corridor Plans and Marketing Studies
- Downtown, Neighborhood, and Site Planning
- Economic Analyses
- Farmland Preservation Zoning
- Grant Writing
- Historic Preservation Plans and Ordinances
- Land Division & Subdivision Ordinances
- On-call Planning Services & Zoning Administration
- Personal Energy Systems Ordinances
- Public Participation
- Recreational and Educational Trail Systems
- Strategic Planning for Business and Non-profit Organizations
- Student Enrollment Projections
- Sustainable Design & Development
- Zoning Ordinances

*Assisting Wisconsin Communities in Preparing for a Sustainable Future*





## Municipal Planning Experience

### Comprehensive Plans

#### Community Planning & Consulting

Outagamie Co. [Ex. Cond. Report]  
V. Black Creek, *Outagamie Co.*  
V. Hobart, *Brown Co.*  
T. Baileys Harbor, *Door Co.*  
T. Black Creek, *Outagamie Co.*  
T. Carlton, *Kewaunee Co.*  
T. Empire, *Fond du Lac Co.*

#### Jeff Sanders (prior to CPC)

V. Ashwaubenon, *Brown Co.*  
V. Black Creek, *Outagamie Co.*  
V. Casco, *Kewaunee Co.*  
V. Winneconne, *Winnebago Co.*  
T. Black Creek, *Outagamie Co.*  
T. Bradford, *Rock Co.*  
T. Buchanan, *Outagamie Co.*  
T. Carlton, *Kewaunee Co.*  
T. Casco, *Kewaunee Co.*  
T. Clearfield, *Juneau Co.*

T. Hortonia, *Outagamie Co.*  
T. Kaukauna, *Outagamie Co.*  
T. Ledgeview, *Brown Co.*  
T. Lincoln, *Kewaunee Co.*  
T. Linn, *Walworth Co.*  
T. Montpeller, *Kewaunee Co.*  
T. Nekimi, *Winnebago Co.*

T. Oconto Falls, *Oconto Co.*  
T. Polk, *Washington Co. (in progress)*  
T. Russell, *Sheboygan Co.*  
T. Taycheedah, *Fond du Lac Co.*  
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T. Eldorado, *Fond du Lac Co.*  
T. Empire, *Fond du Lac Co.*  
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T. Marion, *Juneau Co.*  
T. Montpeller, *Kewaunee Co.*  
T. Mukwa, *Waupaca Co.*  
T. Oneida, *Outagamie Co.*

T. Seneca, *Crawford Co.*  
T. Sevastopol, *Door Co.*  
T. Taycheedah, *Fond du Lac Co.*  
T. Three Lakes, *Oneida Co.*  
T. Utica, *Crawford Co.*  
T. West Kewaunee, *Kewaunee Co.*  
T. West Point, *Columbia Co.*  
T. Winchester, *Winnebago Co.*  
T. Wolf River, *Winnebago Co.*  
Oneida Nation, *Brown/Outagamie Co.*

### Zoning Ordinances

#### Community Planning & Consulting

C. Richland Center Airport HLZO, *Richland Co.*  
C. Waupaca, *Waupaca Co.*  
V. Black Creek, *Outagamie Co.*  
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T. Kewaskum, *Washington Co.*  
T. Mitchell, *Sheboygan Co.*  
T. Montpeller, *Kewaunee Co.\**

T. Ringle, *Marathon Co.*  
T. Russell, *Sheboygan Co.\**  
T. Taycheedah, *Fond du Lac Co.\**  
T. West Bend, *Washington Co.*  
T. Winchester, *Winnebago Co.\**  
\* *Farmland Preservation*

### Land Division Ordinances

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V. Black Creek, *Outagamie Co.*  
V. Hobart, *Brown Co.*  
T. Baileys Harbor, *Door Co.*  
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ACADEMICS

B.S. Urban & Regional Studies (Cum Laude), University of Wisconsin-Green Bay

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MILITARY SERVICE

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1982-1986

SPECIALIZED TRAINING

Meeting Management  
MIG, Inc

Conservation Design for Subdivisions, Natural Lands Trust

Innovative Storm Water Management Techniques, Center for Watershed Protection

Urban Stream Protection, Center for Watershed Protection

Native Prairie Restoration, Prairie Nursery

MEMBERSHIPS

American Planning Association

Wisconsin Chapter APA

Bio

Jeff Sanders has twenty-eight years of municipal planning experience and has authored nearly one hundred local plans and land use ordinances. He is adept at finding creative solutions to vexing problems.

Jeff has lectured at the University of Wisconsin- Green Bay, St. Norbert College, Northern Michigan University, Fox Valley Technical College, and Northeast Wisconsin Technical College on an array of land-use related topics. He has presented at more than a dozen conferences on subjects including Land Use Planning, Conservation Design, Sustainable Development, Climate Change, Watershed Management, and Indian Land and the Law.

Jeff grew up in Shawano and currently lives in Appleton with his wife Margaret and daughter Kate. They spend a lot of time on bikes and skis, in kayaks and tents, and enjoying places with trees and water (frozen and not, salted and not).

Professional Life

1994-1999	Oneida Nation, Green Bay Senior Planner
2000-2003	Moore Jacono Goltsman Inc., Green Bay Principal Planner
2004-2009	OMNNI Associates Inc., Appleton Director of Planning Group
2010-Present	Community Planning & Consulting LLC, Appleton Principal

Expertise

- Comprehensive Planning – Nearly 50 plans authored to date
- Ordinances – 44 drafted, including 10 DATCP-certified zoning
- On-Call Planning & Zoning Administration
- Strategic Planning – Municipal, corporate, nonprofit
- Site Planning – Downtown, business park, corridor
- Open Space & Outdoor Recreation Planning
- Economic Development – Market Trade Analyses

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Proposal:  
*Planning & Zoning Assistance*

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Thank You!

Thank you once again for the opportunity to submit our proposal to assist you in achieving your planning and zoning goals.

Respectfully,

Jeffrey Sanders, Principal  
Community Planning & Consulting, LLC