

PLAN COMMISSION MEETING

Monday, February 14, 2022 at 5:30 PM Council Chambers - City Hall, 3rd Floor 1717 E. Park Street, Two Rivers, WI 54241

AGENDA

1. CALL TO ORDER

2. ROLL CALL

Commission Members: Greg Buckley, Rick Inman, Kay Koach, Kristin Lee, Jim McDonald, Eric Pangburn, Adam Wachowski

3. ACTION ITEMS

- A. Request for a Planned Unit Development (PUD) for a multi-family residential development (3 buildings/45 units total) at 3000 Forest Avenue, submitted by Arik and Lawrence Hansen (property owners) and Edward Fisher (Agent for potential buyer)
- B. Annual review of Conditional Use Permit for the keeping of animals at 4115 Lincoln Avenue, Jeremy and Shannon Berglund (property owners)
- C. Request for a Conditional Use Permit for a drive-thru service window at the Two Rivers Senior Center, 1520 - 17th Street, in the B-1 Business District, submitted by the City of Two Rivers (property owner)
- <u>D.</u> Zoning Code Correction Text Amendment to include Conservation Subdivision as a Conditional Use in the R-1 and R-2 Residence Districts
- E. Consider amendment to Ordinance 9-6-5, entitled "Enforcement", to allow notices for public nuisance violations to be sent first class mail

4. FOR DISCUSSION

A. Continue discussion of draft ordinance related to short-term rental properties

5. STATUS REPORT

A. West River Lofts

6. ADJOURNMENT

Please note, upon reasonable notice, efforts will be made to accommodate the needs to disabled individuals through appropriate aids and services. For additional information or to request this service, please contact the Office of the City Manager by calling 793-5532.

It is possible that members of and possibly a quorum of governmental bodies of the municipality may be in attendance at the above stated meeting to gather information; no other action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice.



Section 3, ItemA.

1717 E. Park Street P.O. BOX 87 Two Rivers, WI 54241-0087

From: Elizabeth Runge, Community Development Director/Planner

Vicky Berg, Zoning Administrator

Agenda Item: Review of Planned Unit Development and

Site and Architectural Review of West River Loft Plan

Subject Property: 3000 Forest Avenue

Future Owner: 3000 Forest Avenue, LLC

Current Zoning: B-1 Business with Request for Zoning Change to Planned Unit Development

Size of Parcel: 4.429 acres+/-

	Adjacent Land Use	Zoning Matrix
North	Commercial (retail store)	B-1 Business District
South	Residential along Forest Avenue Vacant land	R-2 Single and Double Family Residence District and I-2 Industrial District
East	Commercial (vehicle sales/office/restaurant)	B-1 Business District
West	Residential	R-1 Single Family Residence District

1. Background

The proposed development is designed by Daniel Meissner, AIA LLC which is a plan for a 45-unit apartment building adjacent to the West Twin River. The development is comprised of three buildings each containing 15 units. The buildings will all have four one-bedroom units and 11 two-bedroom units. When the entire development is complete, there will be 12 one-bedroom units and 33 two-bedroom units. Access to the 3000 Forest Apartments will be at Forest Avenue (STH 147). Each building will have a total floor area of 20,402 square feet.

2. Zoning

This location is a Business District (B-1). The applicant is requesting a Planned Unit Development (PUD) on this parcel for greater flexibility for the layout of the project. PUD allows multi-family residential development.

3. Site Constraints: There are PUD development controls (10-1-38).

The applicant is requesting a variance:

(a)(1) Landscaped yard along all streets and traveled rights of way. The yard shall be at least 25 feet in depth measured from the street right of way.



Section 3, ItemA.

1717 E. Park Street P.O. BOX 87 Two Rivers, WI 54241-0087

There are encroachments into this 25-foot area:

- Patios and decks located on Building 1
- The northeast corner of Building 2
- Portions of the access entry ways to Building 2
- · Portion of the east guest parking stall

The Plan Commission has the authority to grant a variance to these encroachment areas as part of the PUD review process.

4. Access

There will be three access points into the development from Forest Avenue. Each access point has two-way vehicle access at this time. Staff recommends that it remain this way.

The "middle access entrance" has been adjusted since the initial review to be more perpendicular to Forest Avenue after a request from Public Works.

5. Parking

Each apartment unit will include a single car garage and a space in front of the garage to provide two parking spaces per unit for a total of 90 parking spaces. In addition, there are five visitor parking spaces bringing the development total to 95 parking spaces.

6. Drainage/Stormwater Management

The engineer for the applicant has contacted the City's Engineering Department regarding the stormwater management plan. The plan can be submitted after the PUD approval. The PUD approval would be contingent upon it being provided.

There is a stormwater easement to be considered that is in the southeast corner of the parcel. In addition, the plans show berms south of the development on the adjacent lot. These must be evaluated in the drainage plan to be sure they will not create barriers to proper drainage to the east.

7. Utilities, Mechanical, HVAC

The mechanical room(s) in the apartment building(s) and the location of the heating and cooling units, and meters are not clearly identified. Also, a second hydrant in the northern area of the site has been requested by the fire department.

8. Dumpster

Two dumpster locations shown on the plan are near Building 2 and Building 3.



Section 3, ItemA.

1717 E. Park Street P.O. BOX 87 Two Rivers, WI 54241-0087

9. Amenities

- Southern elevation facing the West Twin River
- Outdoor green space

10. Mail

The mailboxes are located at the southwest corner of Building 1. Delivery will need to be coordinated with the US Postal service.

11. Landscaping and Lighting Plans

The PUD approval may move forward without these plans, but approval would contain the condition that both plans be a following the site plan approval.

The northern boundary adjacent to the existing Dollar General will require a landscaping buffer in accord with Section 11-1-11C(15)(a)-(d). The landscaping plan should identify the shrubs, hardy flowers, and decorative evergreens or deciduous trees that will be along this border.

12. Property Management

Tim Schelke will be the primary owner and property manager.

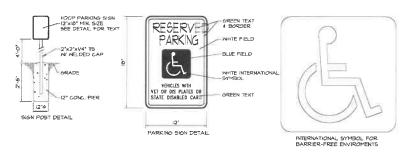
Recommended Action:

This proposed developed implements a priority of the City's adopted Comprehensive Plan. The location is an identified redevelopment site. Staff recommends the approval of this proposal with the considerations below.

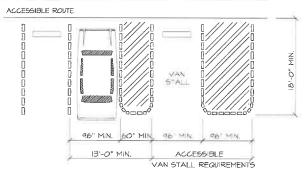
If the Plan Commission is in support of the Forest Avenue Apartments, a recommended motion is to approve the plans, with the following conditions to consider:

- Any additional requirements identified by city engineering, utility, and/or water department director(s).
- 2. Approval of the variances which the Plan Commission has the authority to grant in the PUD process.
- 3. A lighting plan and landscaping plan is to be submitted and reviewed by the Plan Commission. These plans should be submitted by April 30, 2022.
- 4. Any future signage requires approval in accord with the City's Sign Code.
- 5. Any additional requirements from the State of Wisconsin.
- 6. All required permits shall be obtained prior to construction.

PROPOSED PLANNED UNIT DEVELOPMENT FOR: 3,000 FOREST AVE LLC 3,000 FOREST AVENUE TWO RIVERS, WISCONSIN



HNDCP PARKING SIGN DETAILS



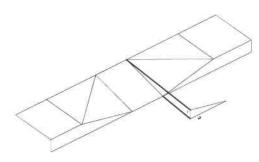
PARKING SPACE DIMENSIONS

NOTE: IF ONLY ONE ACCESSIBLE STALL IS REQUIRED

PROJECT LOCATION



VICINITY MAP NOT TO SCALE



PROJECT INFORMATION

3000 FOREST AVENUE THO RIVERS, MI 54241

MUTI-FARLY RESIDENTAL DEVELOPMENT DESIGNERS OF RECORD

SIDEWALK RAMP

R-2 APARTMENTS FULLY SPRINKLERED

TYPE OF CONSTRUCTION: TYPE VB - WOOD FRAME UN-PROTECTED

CODE ANALYSIS

ALLOWABLE AREA PER FLOOR

USE AND OCCUPANCY

12,000 S.F. PER TABLE 506.2 BUILDING AREA (PER BUILDING)

FIRST FLOOR AREA SECOND FLOOR AREA TOTAL FLOOR AREA

20.402 S.F.

FIRE PROTECTION SYSTEM:

R-2 APARTMENTS TO BE FULLY SPRINKLERED PER NFPA-ISR

SANITARY FIXTURE REQUIREMENTS:

MIN. (I) PRIVATE REST ROOM REQUIRED PER APARTMENT (I) SERVICE SINK PROVIDED IN EQUIPMENT ROOM

FIRE FIGHTING APPARATUS

THE BUILDING IS LIMITED IN AREA THE FIRE LANE IS UNOBSTRUCTED THE FIRE LANE IS WITHIN 150 ' OF ALL PARTS OF THE EXTERIOR WALL WITH A MIN. UNOBSTRUCTED HEIGHT OF 17'-O" THE BUILDING IS 26'-0" TALL

NO HAZARDOUS MATERIALS WILL BE STORED WITHIN THIS BUILDING PER TABLES 307.7(1) AND 307.7 (2)

DRAWING INDEX

CS COVER SHEET 4 PROJECT INFO CLO OVERALL EXISTING SITE PLAN

CI.I PROPOSED SITE PLAN CI.2 UTILITIES 4 GRADING PLAN

LIJ LANDSCAPE & LIGHTING PLAN

FIRST FLOOR PLAN SECOND FLOOR PLAN BUILDING ELEVATIONS

AZIC COLORED BUILDING ELEVATIONS

SUBMITTED TO PLAN COMMISSION 1/31/22 RE-SUBMITTED FOR P.U.D. APPROVAL 1/03/22 SUBMITTED FOR P.U.D. APPROVAL SUBMITTED TO PLAN COMMISSION

CONSTRUC

> 65 PROJECT NUMBER

O PLANNED UNIT DEVELOPMENT (I FAMILY ITIAL DEVELOPMENT

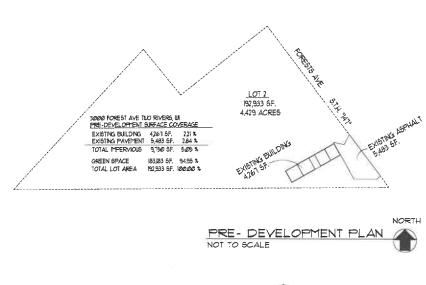
Daniel J. Meissner AIA, LLC

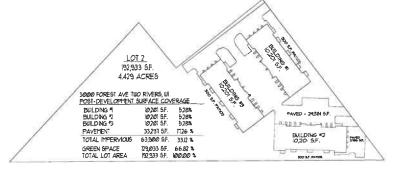
5

Section 3. ItemA.











FOR CONSTRUCTION = NO# PREL IMINARY

Architect:

Daniel J. Meissner

AIA, LLC

1230 E. Calumet Street Appleton,

Concept

⋾

Section 3, ItemA.

PROPOSED PLANNED UNIT DEVELOPMENT (PUID.).
PULL TI-FAMIL Y
RESIDENTIAL DEVELOPMENT
3000 FOREST AVENUE
TWO RIVERS, WISCONSIN

DATE 12/21/21 SHEET PROJECT NUMBER 21219



FOR CONSTRUCTION

OVERALL PROPOSED SITE PLAN 5CALE: I" = 100'-0"

Architect:
Daniel J. Meissner
AIA, LLC
1230 E. Calumet Street Appleton, WI
920.428.0982

Design Associate:

226 £ (MA)

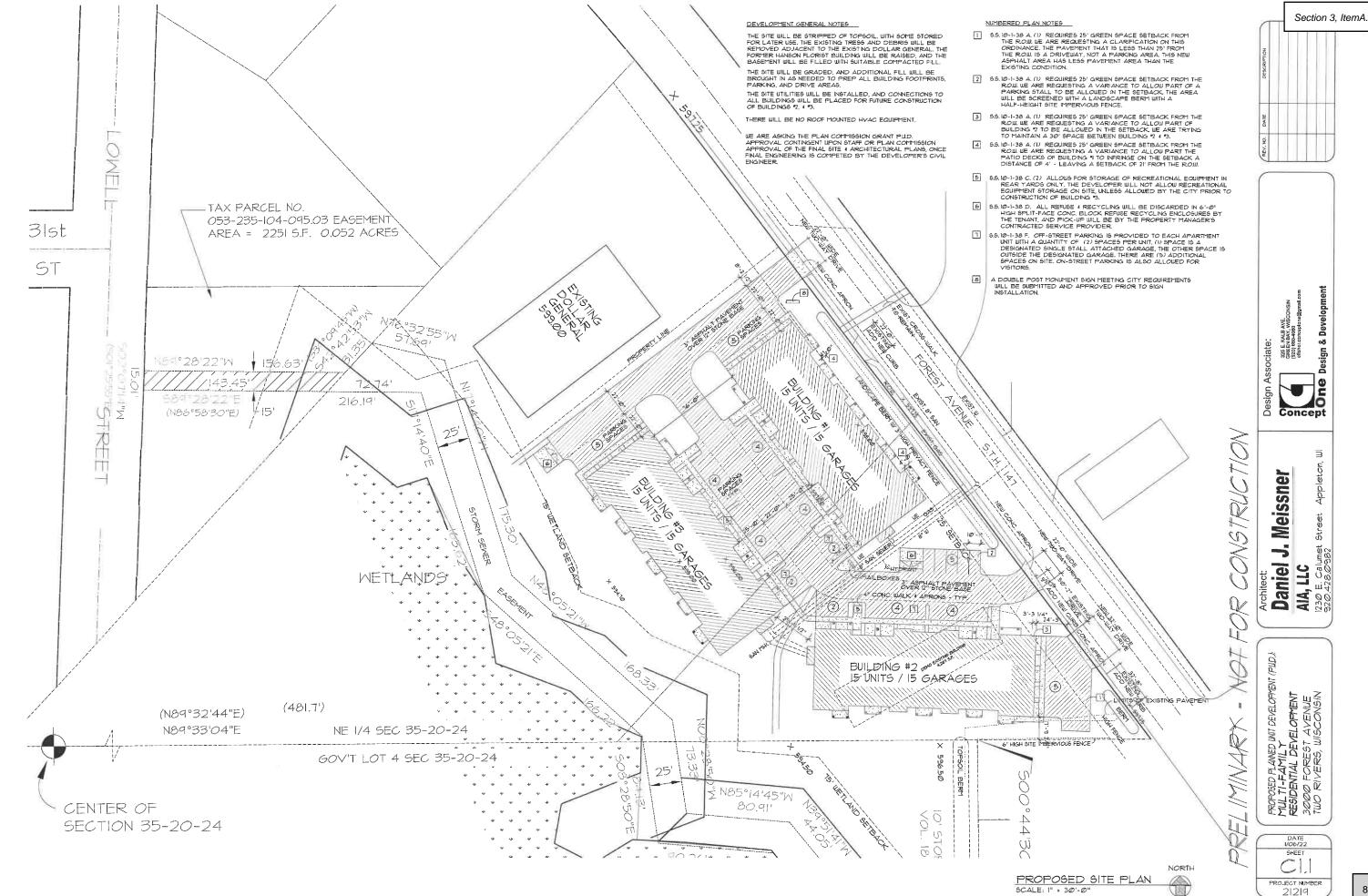
226 £ (MA)

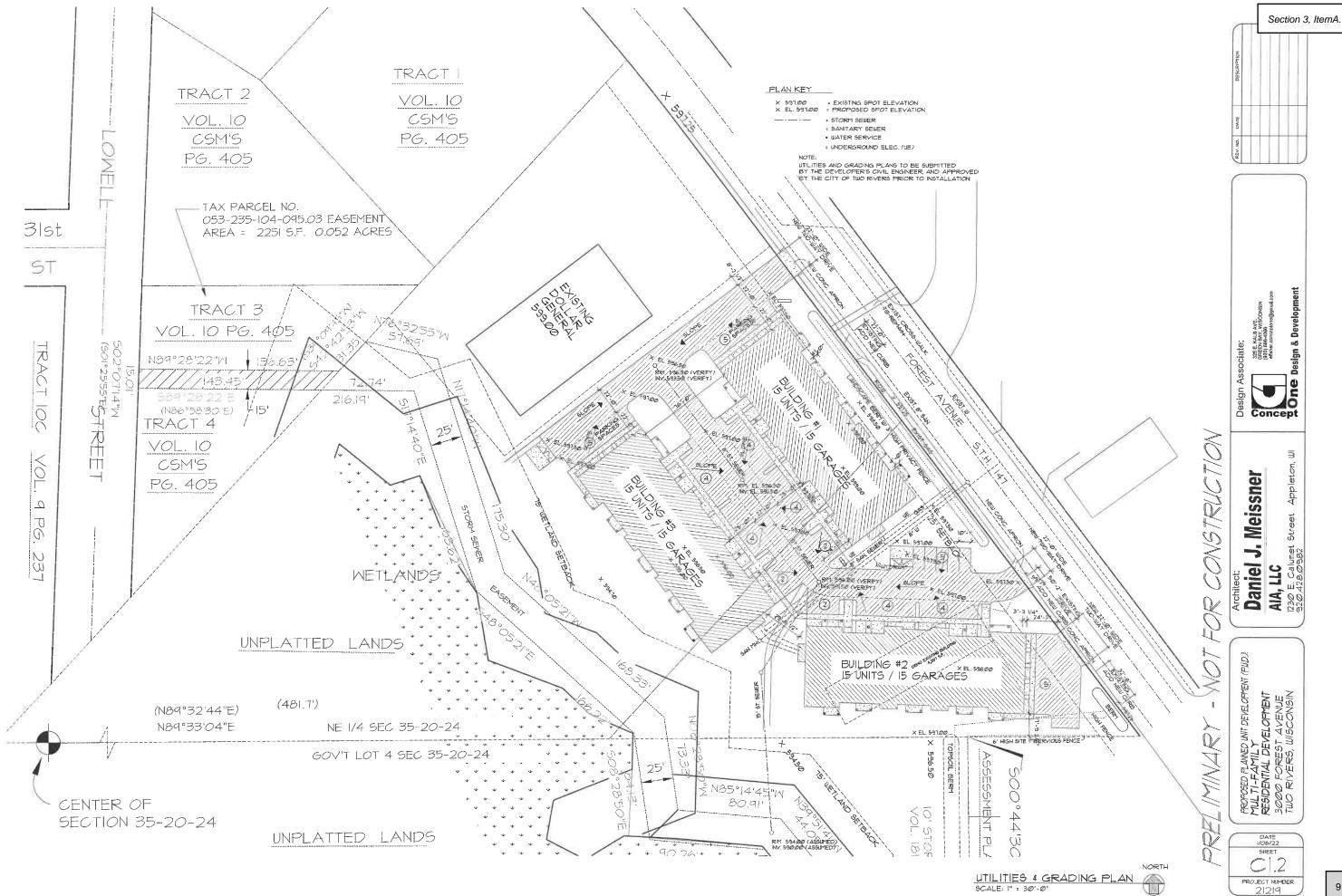
227 SCO) FECTOR

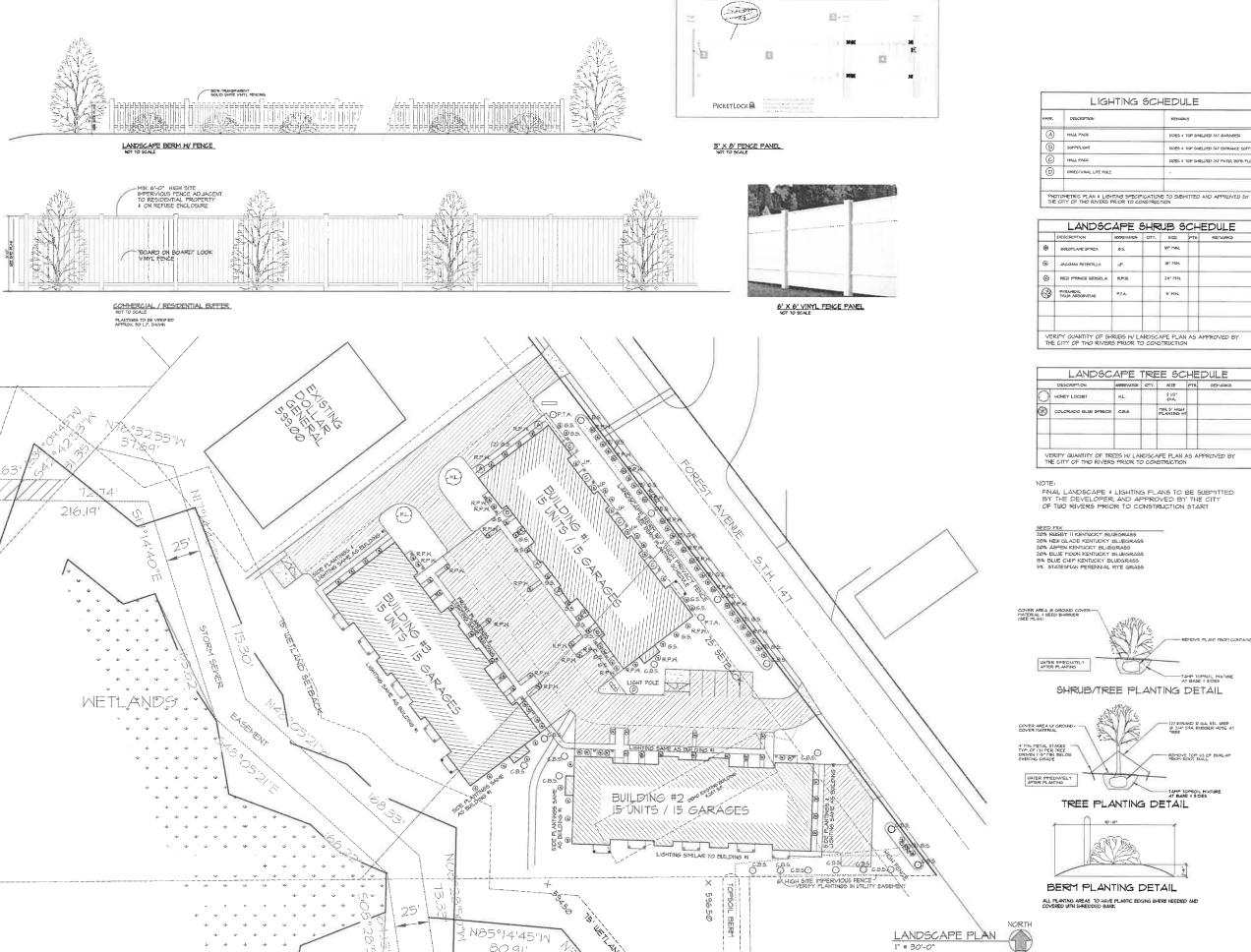
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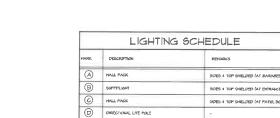
Section 3, ItemA.

DATE
1/12/21
SHEET
C | ...
PROJECT NUMBER
21/219







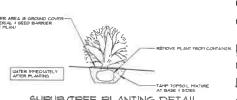


	DESCRIPTION	ADDREVIATION	QTY,	BIZE	PT6	REMARKS
•	GOLDTLANE SPREA	6.5.		10" HIN,		
•	JACKHAN POTENTILLA	JP.		IS" MIN.		
€	RED PRINCE DEIGELA	R.P.III.		24" MINL		
9	PYRAHDAL THUS ARBORVITAE	P,YA.		5' MN.	П	
-				_	++	

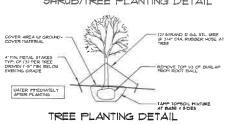
	DESCRIPTION	ABBREVIATION	an.	BIZE	P75	RÉMARKS
0	HONEY LOCUST	HL.		2 1/2" DIA		
(8)	COLORADO BLUE BPRICE	GBA.		MN, 5' HIGH PLANING HT		

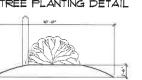
FINAL LANDSCAPE & LIGHTING PLANS TO BE SUBMITTED BY THE DEVELOPER, AND APPROVED BY THE CITY OF TWO RIVERS PRIOR TO CONSTRUCTION START

SEED MIX
20% RIGEY II KENTUCKY BLUEGRASS
20% NEW DIL ADE KENTUCKY BLUEGRASS
20% ASPEN KENTUCKY BLUEGRASS
20% BLUE HOON KENTUCKY BLUEGRASS
B% BLUE HOON KENTUCKY BLUEGRASS
5% STATESMAN PERENNIAL RYE GRASS



SHRUB/TREE PLANTING DETAIL





BERM PLANTING DETAIL



Section 3, ItemA.

Concept

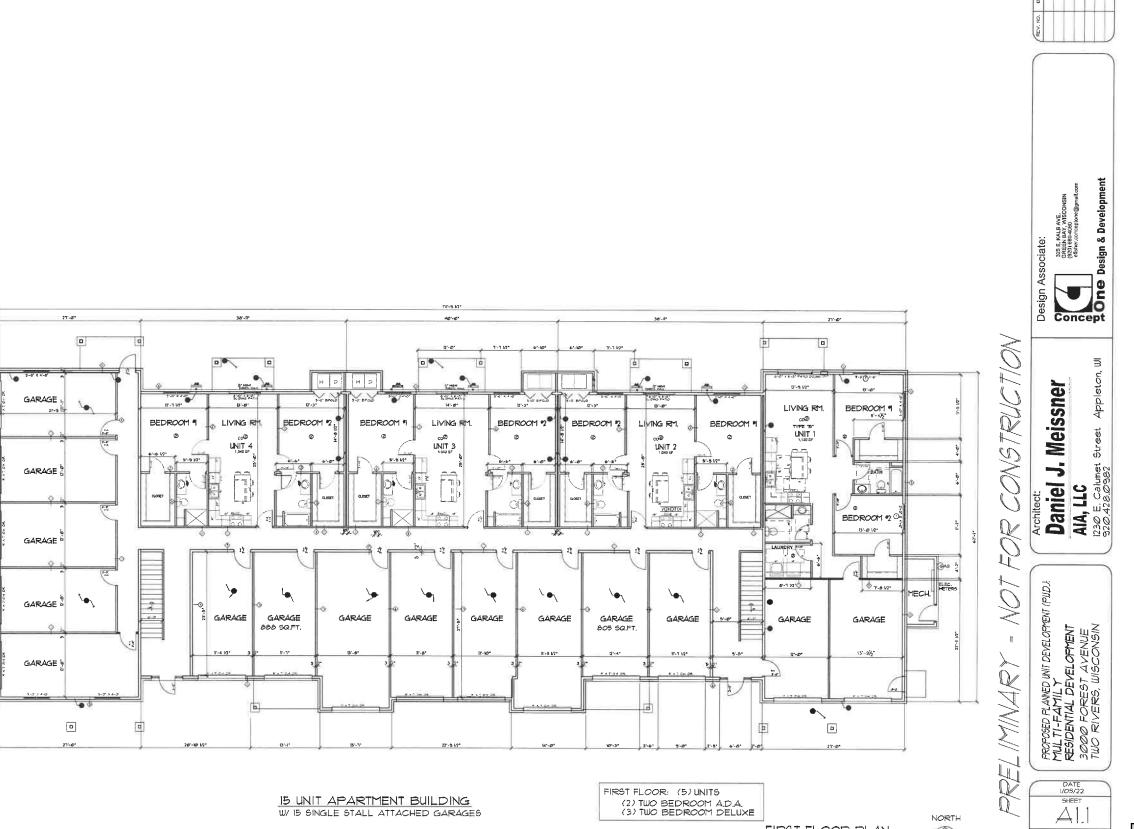
3

Daniel J. Meissner AIA, ILC 1220 E. Calumet Street Appleton, 920.428.0982

FROPOGED PLANNED UNIT DEVELOPMENT (PULD.).
MULTIT-FAMILY
RESIDENTIAL DEVELOPMENT
3000 FOREST AVENUE
TWO RIVERS, WISCONSIN

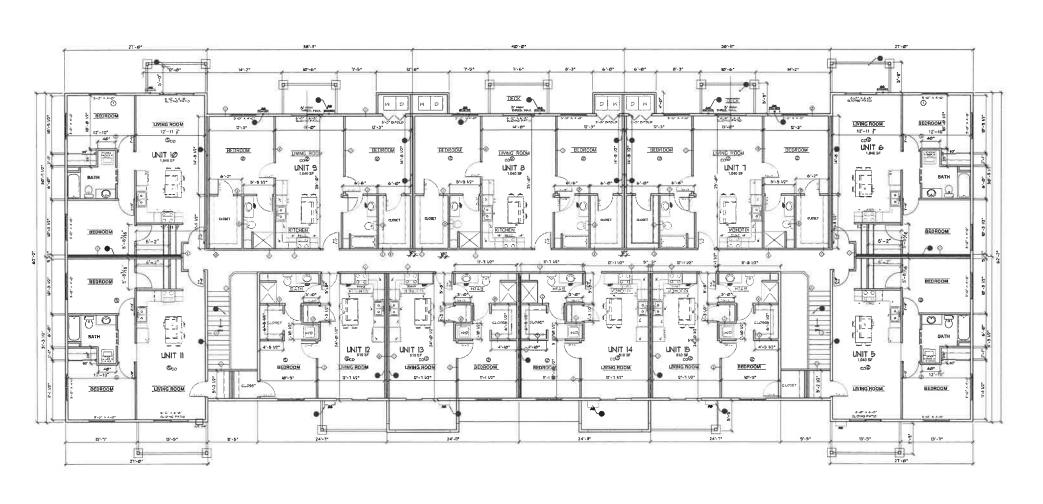
MNAR

DATE 1/06/22



PROJECT NUMBER 21219

Section 3, ItemA.



FOR CONSTRUCTION PREL IMMARY

Daniel J. Meissner AIA, LLC

Concept

Section 3, ItemA.

FROPOSED FLANNED UNIT DEVELOPMENT (PUD.).
MULTI-FAMILY
RESIDENTIAL DEVELOPMENT
3000 FOREST AVENUE
TWO RIVERS, WISCONSIN

DATE 1/03/22 SHEET PROJECT NUMBER 21219

15 UNIT APARTMENT BUILDING W/ 15 SINGLE STALL ATTACHED GARAGES SECOND FLOOR: (II) UNITS (4) ONE BEDROOMS (7) TWO BEDROOM DELUXE



PROPOSED BUILDING * SOUTH ELEVATION

DIMENSIONAL SHINGLES TRUSS BR6. ELEV. 117'-11 3/4" OLID VINYL WINDOWS MAINTENANCE FREE VINYL SIDING SECOND FLOOR ELEV. 109'-10 5/8 LINEAL -CABLE RAILING SYSTEM TR. WOOD FRAMING MAINT, FREE DECKING AG FIRST FLOOR ELEV. 100'-0" FACE BRICK VENEER

PROPOSED BUILDING * EAST ELEVATION NOT TO SCALE



PROPOSED BUILDING " NORTH ELEVATION (SREET) NOT TO SCALE



PROPOSED BUILDING * WEST ELEVATION NOT TO SCALE

Meissner Daniel J. Palas E. Calumet 9 920-4290982 FROM PLANED INTO DEMECRENT (PILD.).
MULTI-FAMILY
RESIDENTIAL DEVELOPMENT
3000 FOREST AVENUE
TUO RIVERS, WISCONSIN 8 Q PREL IMINA! wed for Plan Commissio

Section 3, ItemA.

. Design & Development

Concept

A2.C PROJECT NUMBER



4115 Lincoln Ave/Site (CUP Renewal)

Created by: vicber@two-rivers.org

Time

2pm - 2:30pm (Central Time - Chicago)

Date

Wed Jan 26, 2022

Where

Keeping of animals

Description

9 chickens (hens), 7 ducks, 1 pony. Clean yard, shelter, water & food for all animals.

My Notes

CONDITIONAL USE PERMIT City of Two Rivers

Section 3, ItemB.

TUESBURG REG/DEE 10:47:55 AM

Document Number

Permit No. 2017-01

Before the City Council of the City of Two Rivers, Manitowoc County, Wisconsin, in regard to premises at 4115 Lincoln Avenue in the City of Two Rivers, Manitowoc County, State of Wisconsin, further described as:

Tract 1 of Certified Survey Map recorded in Volume 1, Page 351 of Certified Survey Maps, in the City of Two Rivers, Manitowoc County, Wisconsin

Inspections Department City of Two Rivers PO Box 87 Two Rivers, WI 54241-0087

Parcel ID Number: 230-010-002-0

Zoning Classification of the Premises is: R-1 Single Family Residence District/Conditional Use for an agricultural land use, more specifically described as the keeping of animals.

Mailing Address of the Premises is: 4115 Lincoln Avenue, Two Rivers, WI 54241

WHEREAS, the Zoning Code and Zoning District Map of the above named municipality, pursuant to State Statute, state that the premises may not be used for the purpose hereinafter described but that upon petition such use may be approved by the municipality as a Conditional Use in particular circumstances as defined by the standards in the Zoning Ordinance; and

Petition therefore having been made, and public hearing held thereon, and the City Council of the City of Two Rivers having determined that by reason of the particular nature, character and circumstances of the proposed use, and of the specific and contemporary conditions, permit of such use upon the terms and conditions hereinafter prescribed would be consistent with the requirements of the Zoning Ordinance.

Now, therefore, it is permitted, subject to compliance with the terms and conditions hereinafter stated, that the Premises may be used for the purpose of operating an agricultural land use, specifically the keeping of animals.

Permitted by action of the City Council of the City of Two Rivers on February 6, 2017.

Original filed in the office of the City Clerk of the City of Two Rivers, Wisconsin

The Conditions of this Permit are:

- This Permit shall become effective upon the execution and recording by the Owner of the Premises as acceptance hereof. 1.
- This Permit is subject to amendment and termination in accordance with the provisions of the Zoning Code of this Municipality. 2.
- Operation of the use permitted shall be in strict conformity to the letter of request filed in connection with this Petition for this Permit and such letter 3. of request is incorporated herein by reference as if set forth in detail herein.
- Any substantial change or expansion of the facilities permitted by the initial issuance of this Permit would require approval by the Plan Commission 4. and City Council as an amendment to this Permit.
- This Permit is specifically issued to Jeremy and Shannon Berglund and shall lapse upon a change in ownership or tenancy of the subject premises. 5.
- 6. Conditions of Operations:
 - a. Number of animals shall be limited to: One (1) Shetland pony; one (1) goat; one (1) sheep; seven (7) ducks; eighteen (18) chickens (hens only).
 - b. The two existing 100 sq. ft. shelters for the pony and the chickens/ducks may remain, but may not be enlarged or expanded. Location of the animal shelters shall be located in the rear yard and at least ten (10) feet from all property lines.
 - The animals may roam freely only in the fence rear yard. However, should the City receive complaints regarding the proximity of the animals to adjacent property, the City reserves the right to impose at least a ten (10) foot setback from all property lines for any areas the animals may occupy.
 - d. There shall be no accumulation of animal feces or manure on the premises.
 - e. At no time should the keeping of the above described animals cause a public nuisance due to noise, odor, unsanitary conditions or operation features. The City reserves the right to amend this Permit should any nuisance fail to be abated.
 - f. The Permittees may not receive any compensation for the sale of animals, eggs, wool or other animal based products.
 - A license from the City shall be obtained and maintained for the chickens. A copy of said license shall be provided to the Inspections Department.
 - h. This Permit is subject to review on an annual basis.



LAND DEVELOPMENT APPLICATION

APPLICANTC	Hy of TR -	Senior Cen-	ter	TELEPHONE				
MAILING ADDRESS_	Po bux 87 (Street)	Two k	2 Ivers	WI	54241			
	(Street)	(City)		(State)				
PROPERTY OWNER_	same as	above		TELEPHONE				
MAILING ADDRESS_								
	(Street)	(City)		(State)	(Zip)			
REQUEST FOR:	_		. /					
	Comprehensive Plant		_X_	Conditional Use				
	Site/Architectural P	lan Approval		Annexation Req	uest			
	Subdivision Plat or	CSM Review		Variance/Board	of Appeals			
	Zoning District Cha	nge		Other				
STATUS OF APPLICA	NT: <u> </u>	er Agent	Buy	ver O	ther			
PROJECT LOCATION 1520-1754 TYPE OF STRUCTURE Commercial								
PRESENT ZONING D-1 REQUESTED ZONING D-1 W / CUP								
PROPOSED LAND USE drive thru Service window								
PARCEL # 053-000-057-040-02 ACREAGE 1:25+1-								
LEGAL DESCRIPTION L+5 4-10 DIK57 Original Plat								
	NOTE: Attach a one-p							
The undersigned certifies that he/she has familiarized himself/herself with the state and local codes and procedures pertaining to this application. The undersigned further hereby certifies that the information contained in this application is true and correct. Signed Date D2 67 2022								
Fee Required			<u>Schedule</u>					
\$ 350 Comprehensive F	Plan Amendment		Application	Submittal Date	02-07-22			
\$ t/b/d Site/Architectural \$ t/b/d CSM Review (\$1	Plan Approval (Listed in S	ec 1-2-1)			02-07-12 Na			
Subdivision Plat ((fee to be determined)		Date Fee(s)	Paid	III			
\$ 350 Zoning District Cl \$ 350 Conditional Use	nange		Plan(s) Sub	mittal Date	01-14-11			
	est (State Processing Feet f Appeals	s Apply)	Plan Comm	Appearance	<u> </u>			
<u>a</u>				116				
TOTAL	FEE PAID AP	PLICATION, PLANS & FE	E RECEIVED	BY VA				

CONDITIONAL USE PERMIT City of Two Rivers

Document Number

Permit No. 2022-05

DRAFT

Before the City Council of the City of Two Rivers, Manitowoc County, Wisconsin, regarding the premises at 1520 - 17th Street in the City of Two Rivers, Manitowoc County, State of Wisconsin, further described as:

Original Plat, Lots 4 through 10, Block 57 in the City of Maps in the City of Two Rivers, Manitowoc County, Wisconsin.

Inspections Department City of Two Rivers PO Box 87 Two Rivers, WI 54241-0087

Parcel ID Number: 053-000-057-040.02

Zoning Classification of the Premises is: B-1 Business District/Conditional Use for a Drive-Thru Facility. Mailing Address of the Premises is: PO Box 87, Two Rivers, WI 54241-0087

WHEREAS, the Zoning Code and Zoning District Map of the above named municipality, pursuant to State Statute, state that the premises may not be used for the purpose hereinafter described but that upon petition such use may be approved by the municipality as a Conditional Use in particular circumstances as defined by the standards in the Zoning Ordinance; and

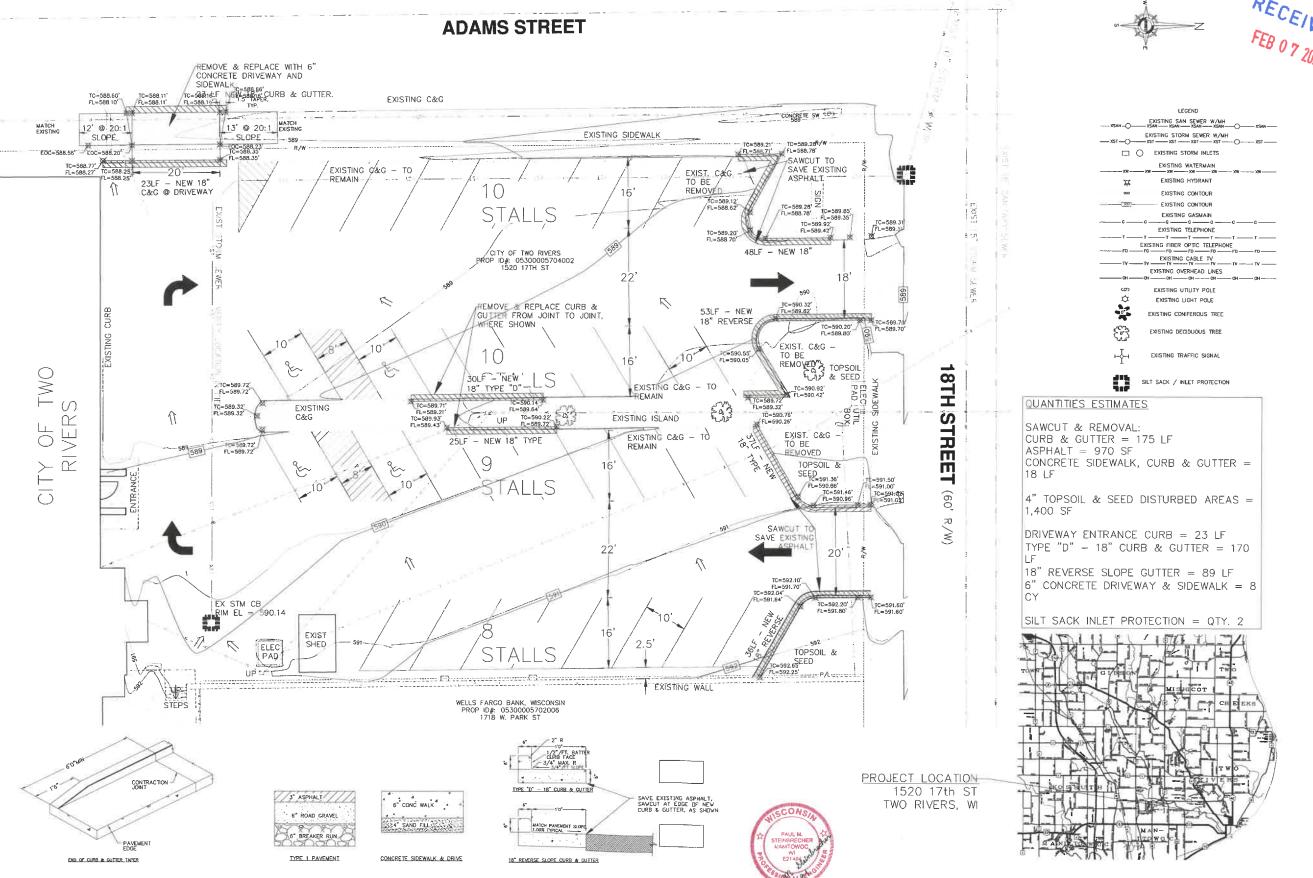
Petition therefore having been made, and public hearing held thereon, and the City Council of the City of Two Rivers having determined that by reason of the particular nature, character and circumstances of the proposed use, and of the specific and contemporary conditions, permit of such use upon the terms and conditions hereinafter prescribed would be consistent with the requirements of the Zoning Ordinance.

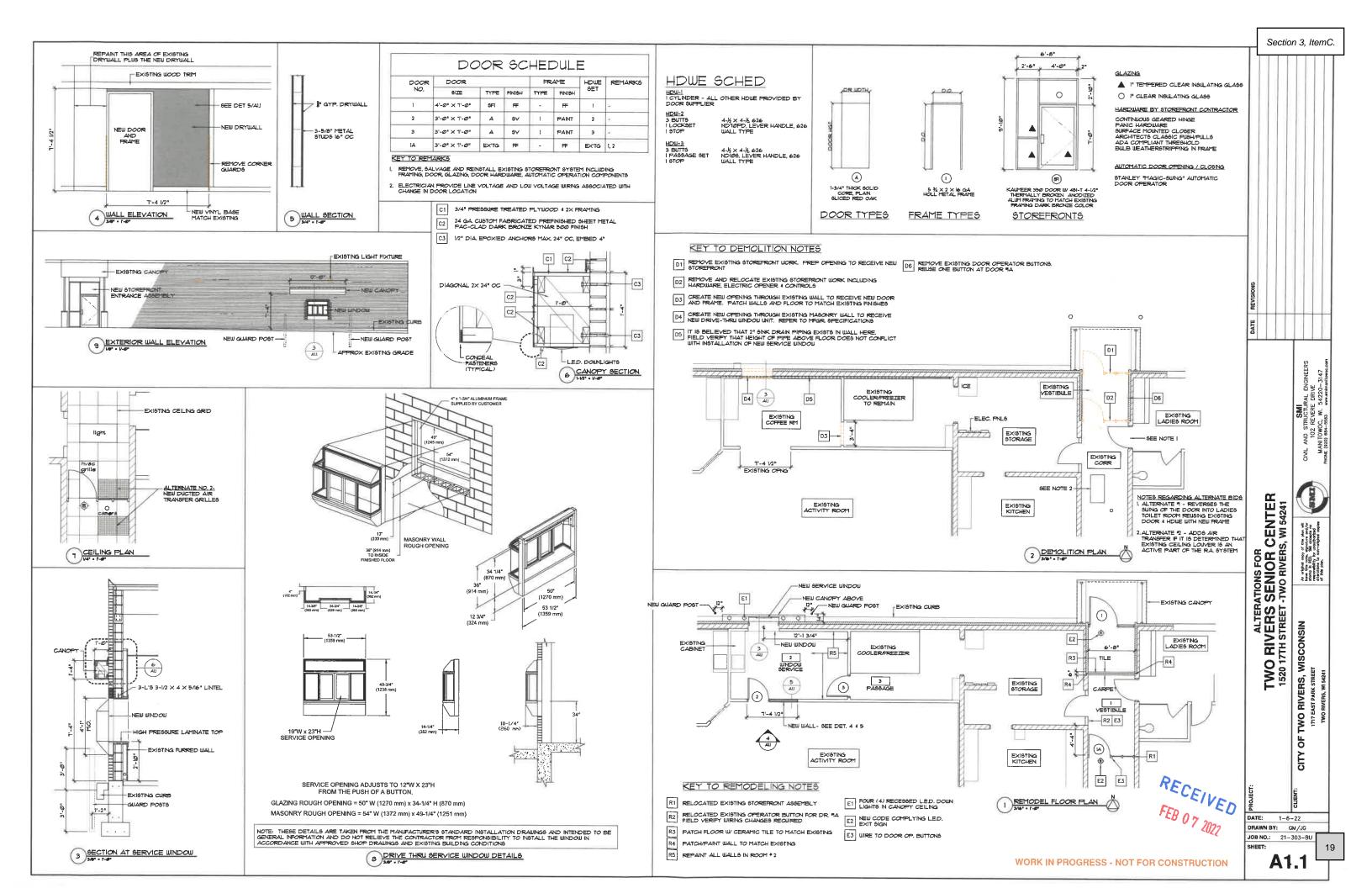
Now, therefore, it is permitted, subject to compliance with the terms and conditions hereinafter stated, that the Premises may be used for the purpose of the operation of a drive-thru facility.

Permitted by action of the City Council of the City of Two Rivers on March 7, 2022. Original filed in the office of the City Clerk of the City of Two Rivers, Wisconsin

The Conditions of this Permit are:

- 1. This Permit shall become effective upon the execution and recording by the Owner of the Premises as acceptance hereof.
- 2. This Permit shall be void unless proper application, pursuant to the Building and Zoning Codes of this Municipality, for appropriate Building and Zoning Use Permits in conformity to this Permit, is made within twelve (12) months of the date hereof.
- 3. This Permit is subject to amendment and termination in accordance with the provisions of the Zoning Code of this Municipality.
- 4. Construction and operation of the use permitted shall be in strict conformity with the approved Site and Architectural Plans and such plans are incorporated herein by reference as if set forth in detail herein.
- 5. Any substantial change or expansion of the facilities permitted by the initial issuance of this Permit would require approval by the Plan Commission and City Council as an amendment to this Permit.
- 6. This Permit is specifically issued to the City of Two Rivers/Senior Center and shall lapse upon a change in ownership or tenancy of the subject premises.
- 7. Conditions of Operations:
 - a. Hours of operation: Drive-thru window service during regular business hours.
 - b. Signage in accord with the City's Sign Code.





DRAFT - 02/14/2022

ORDINANCE

AN ORDINANCE to amend Municipal Code Sections 10-1-20 and 10-1-21, entitled "R-1 Single-Family Residence District and R-2 Single- and Double-Family Residence District" to include Conservation Subdivision as a conditional use. These provisions were unintentionally deleted during the 2020 code

codification process. The Council of the City of Two Rivers ordains as follows: SECTION 1. That Section 10-1-20A of the Municipal Code shall hereby be amended as follows: (10)Conditional uses. (d) Conservation subdivision. and to renumber subsequent sections as appropriate. **SECTION 2.** That Section 10-1-21A of the Municipal Code shall hereby be amended as follows: (5) Conditional uses. Conservation subdivision. (c) and to renumber subsequent sections as appropriate. **SECTION 3.** This ordinance shall take effect and be in force from and after its date of passage and publication of same. Dated this 7th day of March, 2021. Adam Wachoswki President, City Council Gregory E. Buckley City Manager Attest: Jamie Jackson City Clerk Approved as to form and legality:

John M. Bruce City Attorney



TO:

Plan Commission

FROM:

E. Runge, Planner

V. Berg, Zoning Administrator

DATE:

February 9, 2022

RE:

Review of Ordinance Regulating the Enforcement of Public Nuisances

Section 9-6-4C, entitled "Responsibilities of owners", requires an owner to maintain dwelling and nondwelling structures to prevent the structure from becoming a harborage for rodents and shall be kept in a reasonably good state of maintenance and repair. Exterior wood surfaces should be properly protected from the elements and against decay. Fences shall be kept in a reasonably good state of repair or shall be removed.

Section 9-6-4C addresses the exterior condition of all structures and fences. The existing language allows for enforcement over a broad variety of maintenance issues.

The only change to the ordinance staff is recommending for Plan Commission to consider is to allow public nuisance violation notices to be sent by first class mail. Certified mail takes approximately four weeks to be returned unclaimed by the postmaster.

The attached draft ordinance shows the text amendment staff is proposing.

DRAFT - 02/14/2022

ORDINANCE

AN ORDINANCE to amend Municipal Code Section 9-6-5B(4), entitled "Enforcement" to allow notices regarding public nuisance violations to be sent first class mail to the owner, agent or occupant of the premises affected by the notice.

The Council of the City of Two Rivers ordains as follows:

SECTION 1. That Section 9-6-5B(4) of the Municipal Code shall hereby be amended as follows:

(4) Be served upon the owner, his agent or the occupant, provided the notice shall be deemed to properly served upon the owner agent or occupant if a copy if service upon him personally, sent by first class mail to his last-known address, sent by certified mail to his last-known address or if a copy thereof is posted in a conspicuous place on the premises affected by then notice, or if he is served with such notice by any other method authorized of required under state law.

and to renumber subsequent sections as appropriate.

SECTION 2. This ordinance shall take effect and be in force from and after its date of passage and publication of same.

Dated this 21st day of February, 2022.

	Adam Wachowski President, City Council
Attest:	Gregory E. Buckley City Manager
Jamie Jackson City Clerk	
Approved as to form and legality:	
John M. Bruce City Attorney	