



**Notice of Public Hearing
Village of Random Lake
Monday, April 15, 2024 at 5:30 p.m.
96 Russell Drive**

The Plan Commission of the Village of Random Lake will hold a Public Hearing on April 15, 2024, at 5:30 p.m. at the Village Hall to consider changes to the Communication Towers and Antennae section 38-390 of the village zoning code. All interested parties are invited to attend the public hearing.

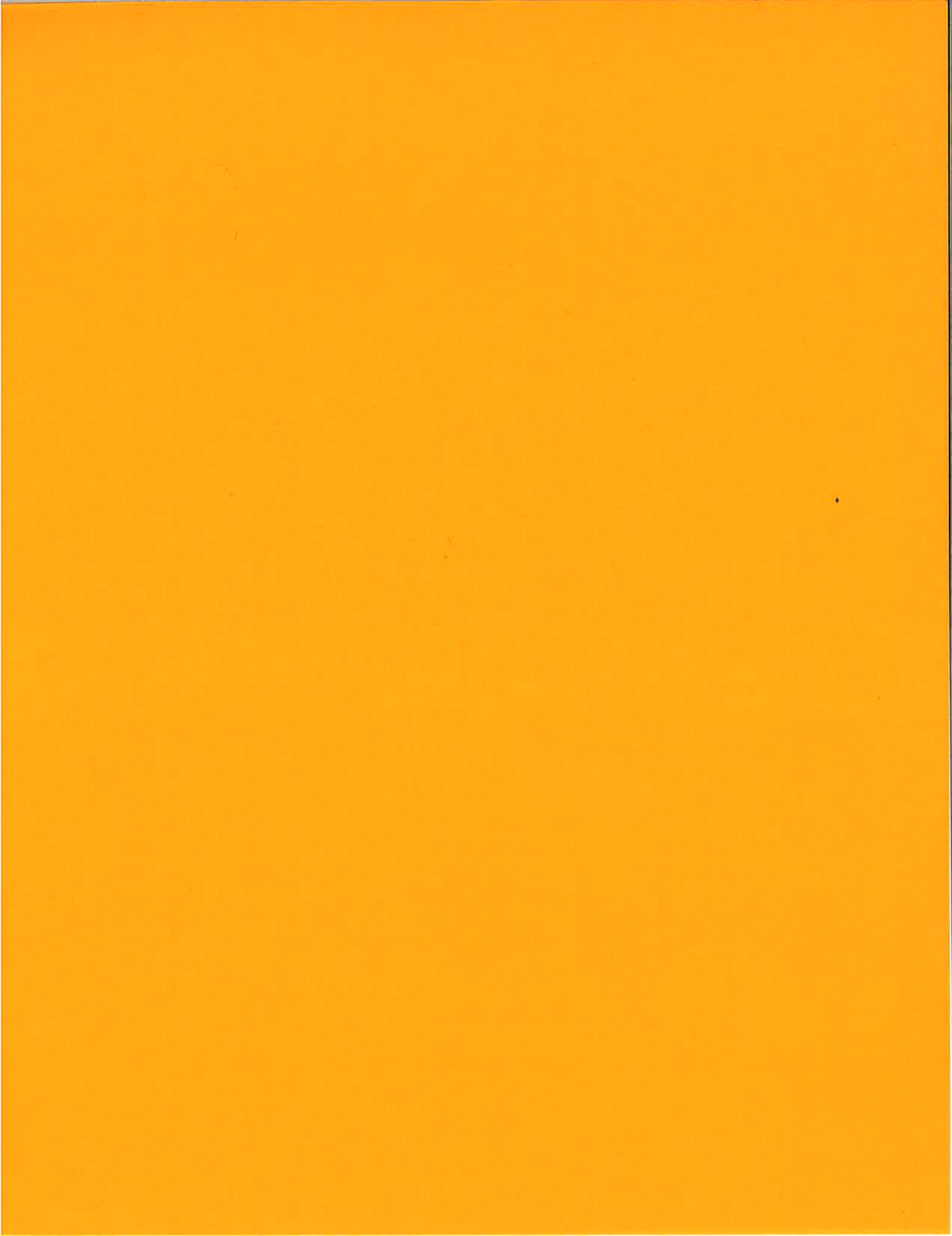
The Village Board meeting will follow at 6:30 p.m.

Stephanie Waala
Clerk/Treasurer
Village of Random Lake

Published March 28, 2024 & April 4, 2024.

Published March 28th and April 4th.

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Plan Commission Meeting
Monday, April 8, 2024
6:30p.m.

LOCATION OF MEETING: 96 RUSSELL DRIVE

Meeting Minutes

- 1. Call to Order, Roll Call:** Chairman Mike San Felippo called the meeting to order at 6:31 pm. Commission members present included Randy Soerens, Peter Lederer, Mike San Felippo, Jeff Schultz, and John Schluechtermann. Barbara Ruege attended virtually. Steven Masslich arrived at 6:32 pm. Village employees present included Clerk/Treasurer Stephanie Waala. For additional attendees see attached sign in sheet.
- 2. Discussion and Possible Action to approve the April 1, 2024, meeting minutes.**

Member Schultz made a motion to approve as submitted, motion was seconded by Member Ruege. Motion carried 6-0.

- 3. Discussion related to Village Zoning Ordinances.**

Chairman San Felippo informed the board that they should start with the cell tower section as there is a public hearing scheduled for 4/15. Member Schluechtermann informed the board that the current ordinance lists a tower can obtain a conditional use permit in an M-2 district. Currently the village does not have an M-2 district. Member Schultz inquired to as if the ordinance has been changed and the village just to have an M-2 district. Chairman San Felippo informed the board that there is no listing of an M-2 on the zoning map nor in the ordinance. Could this have just been a typing error?

Chairman San Felippo inquired as to what an M-2 would even be. Member Masslich informed the board that an M-2 in Wauwatosa is defined as a high impact industrial uses that do not cause adverse impacts on residential areas. Member Schultz inquired as to how would an M-2 apply in the village and is it necessary.

Chairman San Felippo inquired as to if a property would be eligible to be rezoned to manufacturing if they have no intent of putting gin manufacturing. Member Schluechtermann said yes because it is standard procedure to rezone before utilizing. As long as it abides by the 20-year plan, and it is less impactful. Each scenario would be different. Chairman San Felippo recommends the easiest way to correct this would be to just change the M-2 reference in the ordinance to be M-1. Clerk Waala informed the board that the change can be made to the Communications ordinance at the April 15 public hearing but any changes to M-1 would need to have their own meeting in order to get the notice in the paper. Currently the communications ordinance states it is a conditional use, but the M-1 district current lists it as an allowable conditional use.

Member Schluechtermann inquired as to whether they additionally would like to talk about setbacks in the communications ordinance. The city of Plymouth lists in their ordinance as the setback shall be equal to 100% of the height of the tower. Chairman San Felippo inquired as should there be an additional setback for bounce back of debris if a tower were to fall. Member Schluechtermann informed the board that the

current setbacks in M-1 are 20 feet for the building. Chairman San Felippo says so the average would be about 10% as the max a tower can be is 200 feet. Member Schluechtermann informed the board that the fall zone could just be 110%. Director Lederer informed the board that the Town of Fredonia currently has put up towers. Member Schluechtermann informed the board that they just have a maximum height and no setbacks. Does, however, like the wording that the city of Plymouth has for their setbacks and recommends this be added to our current ordinance.

Member Masslich inquired in section 2a where it is referencing the failure to comply, and should they additionally add a timeframe. Chairman San Felippo informed the board that it says immediately so does not feel a timeframe needs to be added. Member Schluechtermann informed the board that the Town of Fredonia has the same wording as our ordinance. The City of Plymouth has 30 days to come into compliance.

Member Schluechtermann inquired as to additionally they need to change in M-1 adding communications towers as a conditional use. Clerk Waala informed the board that this change will be made at the May 6 meeting but can be further discussed this evening to potentially have the whole section done by the May 6 meeting. Member Schluechtermann informed the board that current properties zoned M-1 don't necessarily abide by the current setbacks, and this could become an issue. Chairman San Felippo inquired as to would it be easier to make a manufacturing PUD district.

Member Schluechtermann inquired as should we model this ordinance to be the same format as the residential in that each section is addressed in the same order. Example is Accessory building is listed under side yards and not as its own section with requirements. Chairman San Felippo inquired as to what accessory buildings would normally be included on an M-1. The current residential has a maximum of 180 sq ft so that would not be likely. Member Soerens inquired as to if we could have a different maximum accessory building in M-1. Chairman San Felippo inquired as to would we normally limit such a thing. Member Schluechtermann requested that the setbacks be more than 5 feet. Director Lederer suggested that it match the principal structure setbacks of 20 feet.

Member Schluechtermann inquired as to garbage dumpster enclosures. Chairman San Felippo informed the board that currently there are no regulations for them. This was just a topic that was brought up to potentially require. Member Schluechtermann informed the board that it is called out in C-2, and then read the section. So, we would need to put something like that in M-1 and C-1. Chairman San Felippo suggested taking out the word shrubs and just need it to be solid fences. Member Ruege expressed concern as to whether this change would be for new development or all properties currently in place as well. Member Schluechtermann suggested this would be for all properties in these districts and they would have a timeframe to comply once the change is approved. Member Ruege additionally would like this for everyone not only for aesthetic reasons but also for safety reasons. Member Masslich requested that additionally they add a timeframe of 6 months from adoption for completion of this change to be made. Member Ruege inquired as to if they should further regulate the location of the dumpsters. Member Schluechtermann inquired as to if a company has a large carboard compactor, would they have to similarly install a fence. Multiple people suggested that this would be an exception to the rule because it is already a solid item that cannot be opened from the outside. Chairman San Felippo inquired as to should there be a requirement of 5- or 2-foot setbacks.

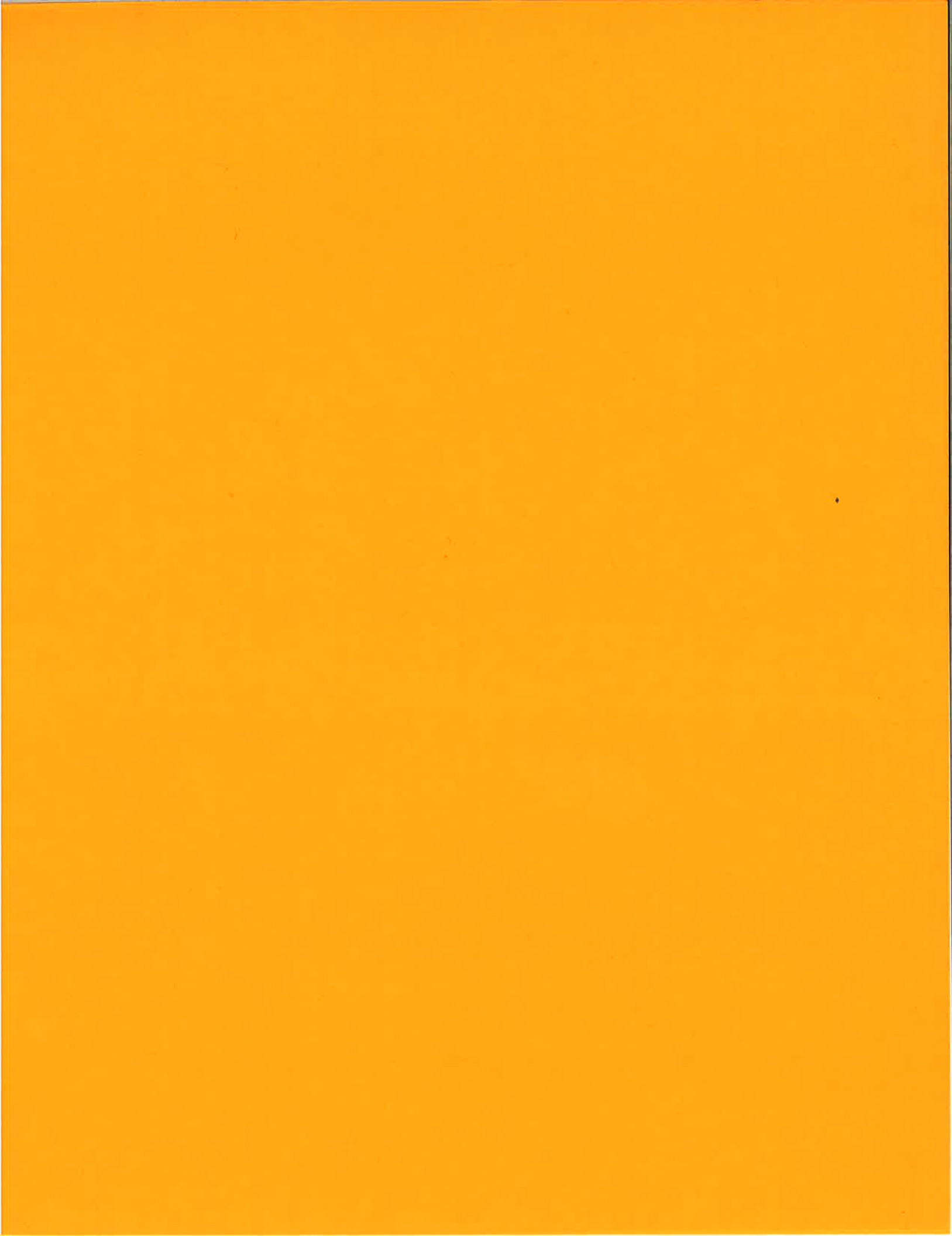
Member Schultz inquired as to would this be an issue for section 38-47(a) where it talks about loading and unloading. With it being close to the lot line would this then cause the pickup vehicle to be in the roadway. Examples of Badger Tag and Lakeside were given that they block the road when accessing those properties with large trucks. Member Schultz requested that an exception be put in this section.

Member Soerens inquired as to whether there should additionally be a minimum height for the enclosures/fences. Member Masslich suggested 6 feet.

4. Adjourned at 8:12 pm.

Items on the Agenda may be taken out of order as listed. Created by Stephanie Waala on 04/11/2024.

WI Open Meeting Law (Wis. Stat. 19.83(2) and 19.84(2)) In general, the open meetings law grants citizens the right to attend and observe open session meetings of governmental bodies but does not require a governmental body to allow members of the public to speak or actively participate in the body's meeting. A governmental body is free to determine for itself whether and to what extent it will allow citizen participation at its meetings.



ORDINANCE NO. 2024-02

AN ORDINANCE TO CREATE SECTION 38-390(b)(2)(o) RELATED TO COMMUNICATION TOWERS AND ANTENNAE CODES IN THE MUNICIPAL CODE OF THE VILLAGE OF RANDOM LAKE, SHEBOYGAN COUNTY, WISCONSIN

AN ORDINANCE TO REPEAL AND RECREATE SECTIONS 38-390(d) RELATED TO COMMUNICATION TOWERS AND ANTENNAE CODES IN THE MUNICIPAL CODE OF THE VILLAGE OF RANDOM LAKE, SHEBOYGAN COUNTY, WISCONSIN

WHEREAS, the Village of Random Lake adopted the Communication Towers and Antennae Code of Ordinances 1994, followed by several amendments that have been enacted, and

WHEREAS, the Village Board of the Village of Random Lake believes it is in the best interest of the Village to regulate construction and placement of communication towers within the village; and

NOW, THEREFORE, the Village Board of the Village of Random Lake, Sheboygan County, Wisconsin DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Chapter 38 of the Village of Random Lake Municipal Code entitled “Zoning”, Article IV entitled “Communication Towers and Antennae”, Section 38-390 entitled “Requirements and regulations of towers and antennas”, subsection b entitled “Standards and exceptions”, subsubsection 2 entitled “General requirements”, susbsubsubsection o entitled “Setbacks” is hereby created as follows:

- o. *Setbacks.* A tower shall be located not closer than a distance equal to 110 percent of the height of the tower from any adjoining lot line. Guy wires and appurtenant equipment and buildings shall comply with requirements of the underlying zoning district in which the tower is located.

SECTION 2: Chapter 38 of the Village of Random Lake Municipal Code entitled “Zoning”, Article IV entitled “Communication Towers and Antennae”, Section 38-390 entitled “Requirements and regulations of towers and antennas”, subsection d entitled “Conditional uses” is hereby repealed and recreated as follows:

- (d) *Conditional uses.* The installation of towers and antennas, including the placement of accessory equipment or buildings, may be permitted by conditional use permit in all M-2 1 Manufacturing Districts. In addition to the standards identified in this section, any request for a conditional use permit shall also comply with the standards identified by this section.

SECTION 3: SEVERABILITY

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful, or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision and shall not affect the validity of any other provisions, sections, or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 4: EFFECTIVE DATE

This Ordinance shall take effect immediately upon passage and posting or publication as provided by law.

Dated this 15th day of April 2024.

VILLAGE OF RANDOM LAKE

By: _____
Michael San Felippo, President

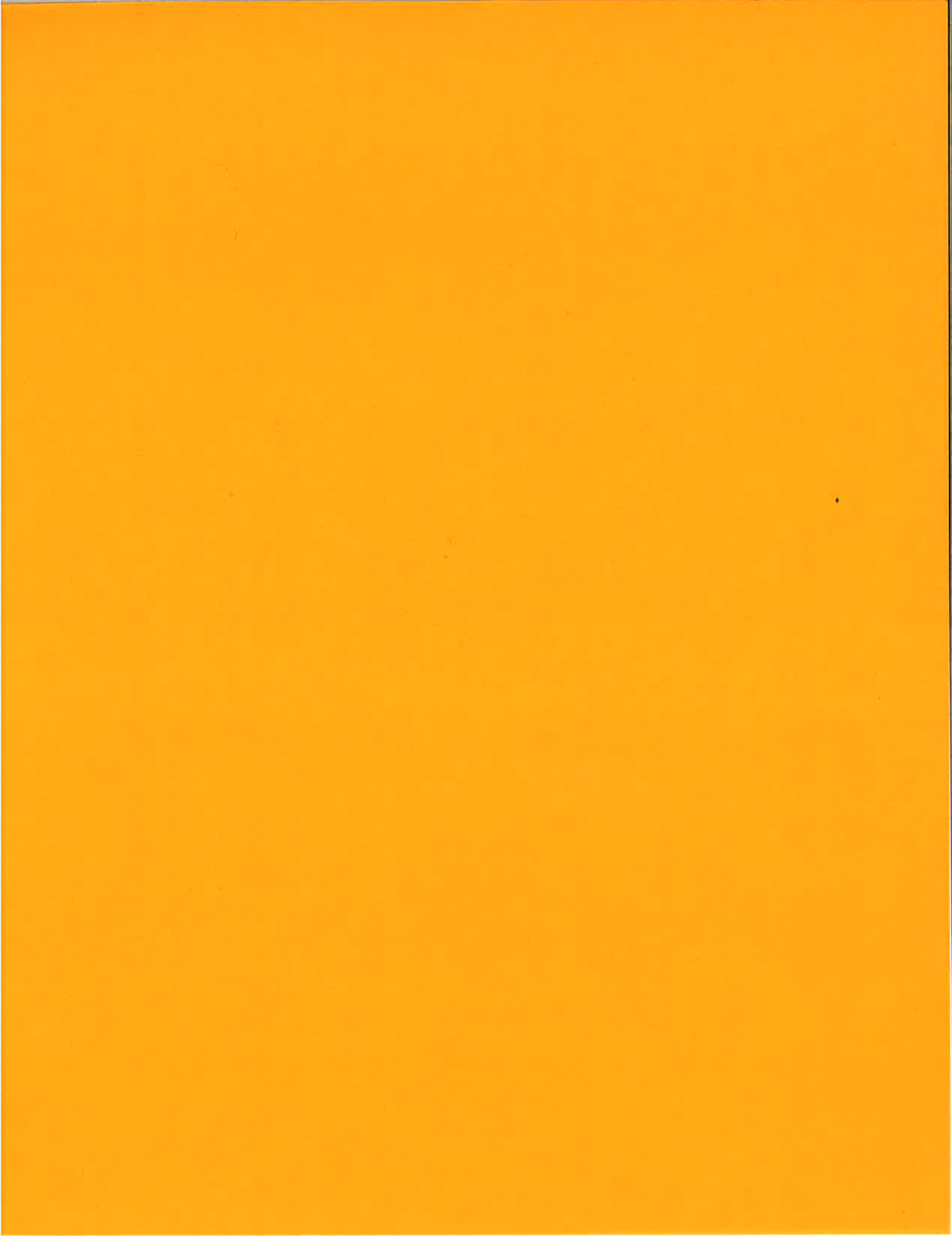
ATTESTED:

Stephanie Waala
Village Clerk/Treasurer

Date Adopted: _____

Date Published: _____

Effective Date: _____



Option 1

ORDINANCE NO. 2024-03

AN ORDINANCE TO CREATE SECTION 38-99(2)(c), 38-99(8) RELATED TO M-1 LIMITED INDUSTRIAL AND BUSINESS PARK DISTRICT CODES IN THE MUNICIPAL CODE OF THE VILLAGE OF RANDOM LAKE, SHEBOYGAN COUNTY, WISCONSIN

AN ORDINANCE TO REPEAL AND RECREATE SECTIONS 38-99(4)(b) RELATED TO M-1 LIMITED INDUSTRIAL AND BUSINESS PARK DISTRICT CODES IN THE MUNICIPAL CODE OF THE VILLAGE OF RANDOM LAKE, SHEBOYGAN COUNTY, WISCONSIN

WHEREAS, the Village of Random Lake adopted the M-1 Limited Industrial and Business Park Code of Ordinances 1994, followed by several amendments that have been enacted, and

WHEREAS, the Village Board of the Village of Random Lake believes it is in the best interest of the Village to regulate construction and placement of structures and uses of properties within the village; and

NOW, THEREFORE, the Village Board of the Village of Random Lake, Sheboygan County, Wisconsin DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Chapter 38 of the Village of Random Lake Municipal Code entitled “Zoning”, Article II entitled “Districts”, Division 3 entitled “Commercial”, Section 38-99 entitled “M-1 Limited Industrial and Business Park District”, subsection 2 entitled “ Conditional Uses”, subsection c. is hereby created as follows:

- c. Tower structure that is designed and constructed for the purpose of supporting one or more antennas for telephone, radio and similar communications purposes, including self-supporting lattice towers, microwave towers, common-carried towers, cellular telephone towers, alternative tower structures and the like.

SECTION 2: Chapter 38 of the Village of Random Lake Municipal Code entitled “Zoning”, Article II entitled “Districts”, Division 3 entitled “Commercial”, Section 38-99 entitled “M-1 Limited Industrial and Business Park District”, subsection 8 is hereby created as follows:

- (8) *Refuse areas.* All dumpsters and refuse areas shall be concealed by solid structures or fences. Installation of the structures/fences shall be done within 6 months of adoption of this ordinance or installation of dumpster. All installations of structures /fences shall abide by the Sec. 38-45 & 38-46 of the village ordinances.

SECTION 3: Chapter 38 of the Village of Random Lake Municipal Code entitled “Zoning”, Article II entitled “Districts”, Division 3 entitled “Commercial”, Section 38-99 entitled “M-1 Limited Industrial and Business Park District”, subsection 4 entitled “Side yards” , subsection b. is hereby repealed and recreated as follows:

b. Accessory building: minimum ~~five~~ 20 feet.

SECTION 4: SEVERABILITY

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful, or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision and shall not affect the validity of any other provisions, sections, or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 5: EFFECTIVE DATE

This Ordinance shall take effect immediately upon passage and posting or publication as provided by law.

Dated this 6th day of May 2024.

VILLAGE OF RANDOM LAKE

By: _____
Michael San Felippo, President

ATTESTED:

Stephanie Waala
Village Clerk/Treasurer

Date Adopted: _____

Date Published: _____

Effective Date: _____

Option 2

ORDINANCE NO. 2024-03

AN ORDINANCE TO CREATE SECTION 38-45(2)(h), 38-99(2)(c), 38-99(8) RELATED TO ZONING CODES IN THE MUNICIPAL CODE OF THE VILLAGE OF RANDOM LAKE, SHEBOYGAN COUNTY, WISCONSIN

AN ORDINANCE TO REPEAL AND RECREATE SECTIONS 38-45(2)(c), 38-46(d)(1), 38-46(d)(7), 38-46(d)(10-11), 38-47(a), 38-99(4)(b) RELATED TO ZONING CODES IN THE MUNICIPAL CODE OF THE VILLAGE OF RANDOM LAKE, SHEBOYGAN COUNTY, WISCONSIN

WHEREAS, the Village of Random Lake adopted the M-1 Limited Industrial and Business Park Code of Ordinances 1994, followed by several amendments that have been enacted, and

WHEREAS, the Village Board of the Village of Random Lake believes it is in the best interest of the Village to regulate construction and placement of structures and uses of properties within the village; and

NOW, THEREFORE, the Village Board of the Village of Random Lake, Sheboygan County, Wisconsin DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Chapter 38 of the Village of Random Lake Municipal Code entitled “Zoning”, Article II entitled “Districts”, Division 1 entitled “Generally”, Section 38-45 entitled “Height and area exceptions”, subsection 2 entitled “Street yard modifications”, subsubsection h entitled “Dumpster structures/fences” is hereby created as follows:

- h. Dumpster structures/fences. Dumpster structures/fences are required in commercial and manufacturing districts with building inspector approval but shall not be located more than 2 feet from the property line and shall be 6 feet in height. A building permit is required for the construction of the structures/fences.

SECTION 2: Chapter 38 of the Village of Random Lake Municipal Code entitled “Zoning”, Article II entitled “Districts”, Division 3 entitled “Commercial”, Section 38-99 entitled “M-1 Limited Industrial and Business Park District”, subsection 2 entitled “ Conditional Uses”, subsubsection c. is hereby created as follows:

- c. Tower structure that is designed and constructed for the purpose of supporting one or more antennas for telephone, radio and similar communications purposes, including self-supporting lattice towers, microwave towers, common-carried towers, cellular telephone towers, alternative tower structures and the like.

SECTION 3: Chapter 38 of the Village of Random Lake Municipal Code entitled “Zoning”, Article II entitled “Districts”, Division 3 entitled “Commercial”, Section 38-99 entitled “M-1 Limited Industrial and Business Park District”, subsection 8 is hereby created as follows:

- (8) *Refuse areas.* All dumpsters and refuse areas shall be concealed by solid structures or fences. Installation of the structures/fences shall be done within 6 months of adoption of this ordinance or installation of dumpster. All installations of structures /fences shall abide by the Sec. 38-45 & 38-46 of the village ordinances.

SECTION 4: Chapter 38 of the Village of Random Lake Municipal Code entitled “Zoning”, Article II entitled “Districts”, Division 1 entitled “Generally”, Section 38-45 entitled “Height and area exceptions”, subsection 2 entitled “Street yard modifications” , subsubsection c entitled “Residential fence restrictions” is hereby repealed and recreated as follows:

- c. Residential fence restrictions. Residential fences (in R-1 through R-6 districts) are permitted only on the rear and side yards in the residential districts. On the side yards, the fence shall not project into the principal building required setback distance and shall be in compliance with required vision clearance. On corner lots, ~~both the yards~~ with the address facing side shall be considered the front yards, and any fences constructed shall not extend past the corners of the dwelling. Fences shall not be constructed of woven wire, barb wire or chain link material. For property abutting the village, no fence shall be erected within 25 feet of the meander line. A building permit is required for the construction of all fences.

SECTION 5: Chapter 38 of the Village of Random Lake Municipal Code entitled “Zoning”, Article II entitled “Districts”, Division 1 entitled “Generally”, Section 38-46 entitled “Fences and walls”, subsection d entitled “General Requirements” , subsubsection 1 is hereby repealed and recreated as follows:

- (1) *For districts R-1—R-6 fences and walls in front and side yards.* On any corner lot, no fence, wall or shrub shall be within the vision triangle prescribed in this chapter. No wall or fence may be erected in any front ~~or side~~ yard, except that a decorative fence shall be no more than three feet in height extending no more than ten feet in length in any one direction or a total of 20 feet and shall be set back two feet from the lot line. A wall or fence may be erected in the side yard with a setback five feet from the lot line. All fences in the C-1, C-2, C-3 and M-1 districts must be reviewed and recommended by the architectural review board and approved by plan commission.

SECTION 6: Chapter 38 of the Village of Random Lake Municipal Code entitled “Zoning”, Article II entitled “Districts”, Division 1 entitled “Generally”, Section 38-46 entitled “Fences and walls”, subsection d entitled “General Requirements” , subsubsection 7 entitled “Barbed wire” is hereby repealed and recreated as follows:

- (7) *Barbed wire.* No fence consisting wholly or in part of barbed wire shall be erected or maintained in the village except for farming purposes and except for approved security fences. (not permitted, Sec 38-45(2)(c))

SECTION 7: Chapter 38 of the Village of Random Lake Municipal Code entitled “Zoning”, Article II entitled “Districts”, Division 1 entitled “Generally”, Section 38-46 entitled “Fences and walls”, subsection d entitled “General Requirements” , subsection 10-11 entitled “Chainlink fence” & “Woven wire fence” is hereby repealed and recreated as follows:

- (10) *Chainlink fence.* A fence of heavy steel wire woven to form a diamond-shaped mesh. (permitted only as a commercial security fence, Sec 38-45(2)(d))
- (11) *Woven wire fence.* A fence constructed by woven wire together, often containing barbed wire, designed to serve as a barrier to livestock, wildlife or people. (permitted only as a commercial security fence, Sec 38-45(2)(d))

SECTION 8: Chapter 38 of the Village of Random Lake Municipal Code entitled “Zoning”, Article II entitled “Districts”, Division 1 entitled “Generally”, Section 38-47 entitled “Traffic, parking and access”, subsection a entitled “Loading requirements” is hereby repealed and recreated as follows:

- (a) *Loading requirements.* In all business and industrial districts adequate loading areas shall be provided so that all vehicles loading, maneuvering or unloading are completely off the public ways and so that all vehicles need not back onto any public way. An exception will be given to the short-term loading or unloading of dumpsters during weekly pickup.

SECTION 9: Chapter 38 of the Village of Random Lake Municipal Code entitled “Zoning”, Article II entitled “Districts”, Division 3 entitled “Commercial”, Section 38-99 entitled “M-1 Limited Industrial and Business Park District”, subsection 4 entitled “Side yards” , subsection b. is hereby repealed and recreated as follows:

- b. Accessory building: minimum ~~five~~ 20 feet.

SECTION 10: SEVERABILITY

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful, or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision and shall not affect the validity of any other provisions, sections, or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and

effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 11: EFFECTIVE DATE

This Ordinance shall take effect immediately upon passage and posting or publication as provided by law.

Dated this 6th day of May 2024.

VILLAGE OF RANDOM LAKE

By: _____
Michael San Felippo, President

ATTESTED:

Stephanie Waala
Village Clerk/Treasurer

Date Adopted: _____

Date Published: _____

Effective Date: _____