Meeting:	**Special Town Board of Supervisors**
Place:	1293 Washington Avenue, Cedarburg
Date/Time:	**October 19, 2026 7:00pm**
Web Page:	www.townofcedarburgwi.gov
Posted:	**October 15, 2026**

This meeting is also available remotely online. For remote access, email **sjacoby@townofcedarburgwi.gov** for information.

Town Chairman	David Salvaggio	Administrator	Eric Ryer
Supervisor Seat #1	Wayne Pipkorn	Director of Public Works	Adam Monticelli
Supervisor Seat #2	Russ Lauer	Building Inspector	Paul Mortimer
Supervisor Seat #3	Larry Lechner	Director of Parks & Recreation	Paul Jungbauer
Presiding Supervisor Seat #4	Thomas Esser	Town Treasurer	Katie LeBlanc
Town Attorney	Brad Hoeft	Deputy Town Clerk	Julie Mett
Town Constable	Samuel Peters	Asst. Administrator/Clerk	Sara Jacoby
		Consulting Planners Barrows / Stantec / Cedar Corp	

Note: A quorum of Plan Commission or other Town Committees/Commissions/Boards may be present for the purpose of gathering information and possible participation in the meeting.

1. **CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE**

2. **PUBLIC HEARING**
   a. None

3. **OLD BUSINESS**
   a. None

4. **NEW BUSINESS**
   a. Discussion and possible motion on Ordinance 2026-13, "AN ORDINANCE TO REPEAL AND REPLACE CHAPTER 320, ZONING, OF THE TOWN OF CEDARBURG CODE OF ORDINANCES AND TO ADOPT THE ACCOMPANYING OFFICIAL ZONING MAP FOR THE TOWN OF CEDARBURG, OZAUKEE COUNTY, WISCONSIN"*

5. **ADJOURNMENT**

*At the Town Board's discretion, the Board may take comment from the public

Note: A quorum of Plan Commission and other Town Committees/Commissions/Boards may be present at this meeting for the purpose of gathering information and possible participation in the meeting. However, unless otherwise noted in this agenda, no official action by such Plan Commission and other Town Committees/Commissions/Boards will be taken at this meeting.

Meeting Date: 10/19/26
Agenda Item: # 4a

SPECIAL TOWN BOARD OF SUPERVISOR MEETING MEMORANDUM

TO:	David Salvaggio, Chairman Town Board of Supervisors
FROM:	Staff
MEMO WRITTEN:	October 13, 2026
SUBJECT:	**Agenda Item # 4a:** Discussion and possible motion on Ordinance 2026-13, "AN ORDINANCE TO REPEAL AND REPLACE CHAPTER 320, ZONING, OF THE TOWN OF CEDARBURG CODE OF ORDINANCES AND TO ADOPT THE ACCOMPANYING OFFICIAL ZONING MAP FOR THE TOWN OF CEDARBURG, OZAUKEE COUNTY, WISCONSIN"*

BACKGROUND

The Town Board adopted the Comprehensive Plan on November 6, 2024, via Ordinance 2024-9 following the required noticing and public hearing. A mailed notice of the electronic location of the adopted plan was then sent to all parties as required by 66.1001, with an offer to furnish a printed copy upon request.

ZONING CODE UPDATE

The Town Board approved a separate scope of services with SEH (Short Elliot Hendrickson) in the summer of 2023 to update the Zoning Code. The update takes into account the adopted Comprehensive Plan and its goals, objectives and policies, and Boundary Agreement with the City of Cedarburg. Central to this update is contemplation of the focus of a long-term vision of a Five Corners Town Center through the introduction of mixed-use districts. The Zoning Code and Comprehensive Plan are to be consistent with one another.

Efforts on the Zoning Code update began by SEH analyzing the Town Code and holding two visioning workshops with the Town Board on November 3rd, and December 8th, 2023. SEH then took that input and pulled together a range of materials that were considered at the February, 2024 Plan Commission meeting. Town Board members were also invited to attend and participate in the discussion with proper posting of joint attendance. In March 2024, packet materials responded to the discussion that took place at the February meeting and included:

I. Draft purpose and intent of existing and proposed zoning districts
II. Draft Zoning District Map and Town Center Overlay Area Zoning District Map
III. Table with recommended permitted and Conditional Uses in each district
IV. Sample ordinance text amendments
V. Potential options for regulating nonconforming uses (& other topics regarding Chapter 320)

The Plan Commission found the materials to be acceptable, and scheduled a Zoning Code Open House, which was held on April 29, 2024 from 6pm to 7:30pm at Town Hall. Affected property owners received advance notice of potential zoning changes. The Open House displayed draft zoning maps to see where changes would occur. Consulting Planner Barrows and staff then took that feedback provided at the Open House for work on the draft Zoning Code.

CODE PROJECT TIMELINE SINCE APRIL 2024

- ~~April 2024: Open House for public viewing and input on the updates~~
- ~~June 3, 2024: Special Town Board planning workshop~~
- ~~January 2025: land use table, design standards, nonconforming uses and structures~~
- ~~February 2025: nonconforming uses and structures, and design standards~~
- ~~April 2025: Draft Articles 1, 2, 6, and TCOD 320-34 section.~~
- ~~May 2025: Draft sections of Article 3: Zoning Districts, and Article 5: Conditional Uses~~
- ~~June 2025: Article 11 Accessory Structures etc., Article 12 Administration, RVs~~
- ~~July 2025:~~
    - ~~Article 4 Planned Unit Development~~
    - ~~Article 7 Traffic Visibility, Loading, Parking and Access~~
    - ~~Article 8 Signs~~
    - ~~Article 9 Performance Standards for Industrial Development~~
    - ~~Article 10 Satellite Earth Stations; Radio or Television Antenna Towers; Wind Energy Systems; Telecommunications~~
    - ~~Article 13 Changes and Amendments~~
    - ~~Article 14 Appeals~~
    - ~~Article 15 Definitions~~
- ~~August 2025: verbal update~~
- ~~September 2025: verbal update~~
- ~~February 2026: signage~~
- ~~March 2026: signage~~
- ~~April 1, 2026: Special Plan Commission: pond ordinance~~
- ~~April 2026: revisiting and confirmation of various items, brought up topic of solar~~
- ~~July 2026: verbal update~~
- ~~October 1, 2026: Open House and Special Plan Commission Meeting: Public Hearing~~
- October 19, 2026: Town Board consideration

PUBLIC NOTICING EFFORTS

Class 2 Notice in the News Graphic with Draft Zoning Map: 9/15/2026 & 9/22/2026
Press Release to the News Graphic and posted on the website: 9/14/2026
Email and letter to business owner listing: 9/14/2026
Post Cards mailed to affected property owners: 9/14/2026
eNotify to community: 9/22/2026

PLAN COMMISSION RECOMMENDATION / ACTION REQUESTED

At their special meeting on October 1st the Plan Commission held the public hearing, and unanimously recommended the Town Board adopt the proposed Zoning Code ordinance and Zoning Map on a 5-0 vote.
SUGGESTED MOTION IF IN FAVOR: Move to approve Ordinance 2026-13, "AN ORDINANCE TO REPEAL AND REPLACE CHAPTER 320, ZONING, OF THE TOWN OF CEDARBURG CODE OF ORDINANCES AND TO ADOPT THE ACCOMPANYING OFFICIAL ZONING MAP FOR THE TOWN OF CEDARBURG, OZAUKEE COUNTY, WISCONSIN"

ATTACHMENTS

I. Public Comment from 4-29-2024 Open House
II. Draft Ordinance Cover pages
III. Link to Draft Zoning Code: click here
IV. Link to Draft Zoning Map showing proposed changes: click here / Proposed Zoning Map: click here
V. Link to Comprehensive Plan: click here
VI. Link to Zoning Code Update website: click here

ATTACHMENT I.

Public Comment summary from April 29, 2024 Zoning Code Open House

- The property owner located at 1111 Wauwatosa Road requested that this property be removed from the Town Center Overlay District (Five Corners Business District) to allow for residential land use. The draft zoning map, which has been supported by Plan Commission, proposes the designation as Mixed Use within the Town Center Overlay (Five Corners Business District), which aligns with the recently adopted Land Use Plan Map. New residential uses will not be an allowed for that specific location.
- The property owner located at 889 Horns Corner Road requested that this agriculturally zoned property be allowed to pursue 1-acre lots, which would provide for an additional residential lot(s). This change is not consistent with the recently adopted Land Use Plan Map as R zoning districts are not options in the Rural Neighborhood Countryside designation.
- The property owner located at W63N671 Washington Avenue commented that the zoning amendments provides an amazing opportunity to set the future. It was suggested that the Town work with a developer to master plan for a cohesive design. Parking should not be in the street/front yard.
- The property owner located at 1123 Washington Avenue made unrelated comments regarding future expansion of HWY 60. The Town and City are currently coordinating on a joint traffic study with RaSmith.
- The property owner located at 5207 Cedar Creek Road listed four items for consideration: 1) farm to table events on farms, 2) rental of barn space for storage, 3) short-term rental, 4) solar farms.

IN THE NAME AND BY THE AUTHORITY OF THE TOWN OF CEDARBURG, WISCONSIN

ORDINANCE NO. 2026-13

"AN ORDINANCE TO REPEAL AND REPLACE CHAPTER 320, ZONING, OF THE TOWN OF CEDARBURG CODE OF ORDINANCES AND TO ADOPT THE ACCOMPANYING OFFICIAL ZONING MAP FOR THE TOWN OF CEDARBURG, OZAUKEE COUNTY, WISCONSIN"

WHEREAS, the Town of Cedarburg, Ozaukee County, Wisconsin (the "Town"), is a Wisconsin town organized and operating pursuant to Chapter 60 of the Wisconsin Statutes; and

WHEREAS, pursuant to Wis. Stat. § 60.10(2)(c), the Town meeting has authorized the Town Board to exercise the powers of a village board; and

WHEREAS, pursuant to Wis. Stat. § 60.22(3), a town board authorized to exercise village powers may exercise powers relating to villages and conferred upon village boards under Chapter 61 of the Wisconsin Statutes, except those powers that conflict with statutes relating to towns and town boards; and

WHEREAS, pursuant to Wis. Stat. § 60.62(1), a town board that has been granted authority to exercise village powers under Wis. Stat. § 60.10(2)(c) may adopt zoning ordinances under Wis. Stat. § 61.35; and

WHEREAS, pursuant to Wis. Stat. § 61.35, the powers and duties conferred upon villages under Wis. Stat. § 62.23 are applicable to a town exercising village powers; and

WHEREAS, pursuant to Wis. Stat. § 62.23(7), the Town Board, exercising village powers, is authorized to regulate and restrict by ordinance the height, number of stories, size and use of buildings and structures, the percentage of lots that may be occupied, the size of yards and open spaces, the density of population, and the location and use of buildings, structures, and land, and to divide the Town into zoning districts for such purposes; and

WHEREAS, the Town of Cedarburg has exercised village powers and has established and maintains a Town Plan Commission for purposes of comprehensive planning and land use regulation; and

WHEREAS, pursuant to Wis. Stat. § 62.23(7)(d), proposed zoning regulations and amendments thereto are subject to review and recommendation by the Town Plan Commission and to the applicable public hearing and notice requirements established by Wisconsin law; and

WHEREAS, the Town Board has directed the review and comprehensive revision through a repeal and replace of Chapter 320, Zoning, of the Town of Cedarburg Code of Ordinances for the purpose of updating, clarifying, reorganizing, and modernizing the Town's zoning regulations and establishing regulations that appropriately implement the Town's planning objectives; and

WHEREAS, the Town Board delegated the responsibility of holding the related public hearing to the Plan Commission; and

WHEREAS, the Town Plan Commission has reviewed the proposed comprehensive repeal and replace ordinance of Chapter 320 and the accompanying Official Zoning Map and has provided its recommendation to the Town Board in accordance with applicable Wisconsin law and Town ordinances; and

WHEREAS, pursuant to Wis. Stat. § 66.1001(3)(L), a town zoning ordinance enacted or amended under Wis. Stat. § 60.62 is required to be consistent with the Town's adopted comprehensive plan; and

WHEREAS, the Town of Cedarburg adopted the Town of Cedarburg: 2050 Comprehensive Plan (2nd Edition) by Ordinance No. 2024-9 on November 6, 2024; and

WHEREAS, the Town Board has reviewed the proposed revised zoning regulations and accompanying Official Zoning Map for consistency with the Town's adopted comprehensive plan and has determined that the proposed zoning regulations and Official Zoning Map are consistent with the Town's comprehensive plan; and

WHEREAS, pursuant to Wis. Stat. § 62.23(7)(d), notice of the public hearing concerning the proposed zoning regulations and accompanying Official Zoning Map was published as a Class 2 notice under Wis. Stat. ch. 985; and

WHEREAS, the Town maintained and utilized the list of persons who have submitted a written or electronic request to receive notice of proposed zoning actions affecting the allowable use of their property, and provided notice as required by Wis. Stat. § 62.23(7)(d); and

WHEREAS, the Plan Commission held a public hearing on the proposed comprehensive repeal and replace of Chapter 320, Zoning, and the accompanying Official Zoning Map on October 1, 2026 at 7:00pm at Town Hall, at which interested persons and members of the public were afforded an opportunity to be heard; and

WHEREAS, the Town Board has considered the recommendation of the Town Plan Commission, the proposed repeal and replace of Chapter 320, the accompanying Official Zoning Map, the Town's adopted comprehensive plan, and comments received during the public hearing process; and

WHEREAS, the Town Board determines that adoption of the repeal and replace Chapter 320 and accompanying Official Zoning Map is authorized by Wisconsin law and is intended to promote the public health, safety, morals, and general welfare of the Town and to provide for the orderly development and use of land within the Town; and

WHEREAS, the Town Board therefore determines that it is appropriate to repeal and replace Chapter 320, Zoning, of the Town of Cedarburg Code of Ordinances and to adopt the accompanying Official Zoning Map.

NOW, THEREFORE, BE IT ORDAINED by the Town Board of the Town of Cedarburg, Ozaukee County, Wisconsin, pursuant to its authority under Wis. Stat. §§ 60.10(2)(c), 60.22(3), 60.62, 61.35, and 62.23(7), adopts Chapter 320 Zoning as follows:

Passed and adopted this 19th day of October, 2026.

_____ Published/Posted: _____

David M. Salvaggio, Town Chairman

Attest:

_____

Sara Jacoby, Assistant Administrator/Clerk

DRAFT