PLAN COMMISSION MEETING

Monday, November 09, 2026 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: Ben Meinnert, Rick Inman, Tracey Koach, Matt Heckenlaible, Adam Wachowski, Pat Klein, Brandan Gauthier

3. ACTION ITEMS

A. Ordinance to create section 11-1-33, to adopt Chapter SPS 327, Camping Units, of the Wisconsin Administrative Code.

4. FOR DISCUSSION

A. Ordinance to amend Section 11-1-2, to include adopted standards from the Wisconsin Uniform Dwelling Code

B. Discussion of new construction in the Industrial Park for Flavor Hut

5. PUBLIC INPUT

6. ADJOURNMENT

In accordance with the requirements of Title II of the Americans with Disabilities Act (ADA), the City of Two Rivers will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. If you need assistance or reasonable accommodations in participating in this meeting or event due to a disability as defined under the ADA, please call the City Clerk's office at 920-793-5526 or email clerk@two-rivers.org at least 48 hours prior to the scheduled meeting or event to request an accommodation. For additional assistance, individuals with hearing or speech disabilities can call 711 and be connected to a telephone relay system.

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.

CITY OF TWO RIVERS

ORDINANCE

An Ordinance creating Section 11-1-33 of the Municipal Code of the City of Two Rivers, Wisconsin, regarding the adoption of Chapter SPS 327, Camping Units, of the Wisconsin Administrative Code, as required by the Wisconsin Department of Safety and Professional Services for the renewal of the City's Uniform Dwelling Code authority.

WHEREAS, the City of Two Rivers exercises jurisdiction over the construction and inspection of new one- and two-family dwellings under the Wisconsin Uniform Dwelling Code, as approved by the Wisconsin Department of Safety and Professional Services (the "Department") under Wis. Admin. Code § SPS 320.06; and

WHEREAS, Wis. Admin. Code § SPS 327.06(1)(a) provides that cities approved by the Department under Wis. Admin. Code § SPS 320.06 to exercise jurisdiction over the construction and inspection of new dwellings shall exercise jurisdiction over the construction and inspection of new camping units, and shall, by ordinance, adopt Chapter SPS 327 in its entirety; and

WHEREAS, the Department has advised the City that adoption of Chapter SPS 327 is required for any municipality exercising Uniform Dwelling Code authority, regardless of whether a campground exists within the municipality, and that the Department will continue with the renewal of the City's Uniform Dwelling Code authority upon receipt of the adopted ordinance; and

WHEREAS, Wis. Admin. Code § SPS 327.06(1)(a)3. prohibits a municipality from adopting additional requirements within the scope of Chapter SPS 327 unless approved by the Department, and this ordinance therefore adopts Chapter SPS 327 without local modification; and

WHEREAS, Wis. Admin. Code § SPS 327.10(3)(a) requires the municipality to determine, by ordinance, fees to cover the expenses of final inspection of a camping unit and the issuance of a Wisconsin insignia; and

WHEREAS, the Council finds that adoption of Chapter SPS 327 is necessary to maintain the City's Uniform Dwelling Code authority and promotes the health, safety, and welfare of the public;

NOW, THEREFORE, the Council of the City of Two Rivers, Wisconsin, ordains as follows:

SECTION 1. Section 11-1-33 of the Municipal Code of the City of Two Rivers, Wisconsin, is hereby created to read as follows:

Sec. . Camping Units.

A. Authority. This section is adopted under the authority granted by Wis. Stat. §§ 101.63, 101.65, and 101.651, and Wis. Admin. Code § SPS 327.06.

B. Purpose. The purpose of this section is to promote the general health, safety, and welfare and to maintain required statewide uniformity with the administrative and technical requirements of Chapter SPS 327, Camping Units, of the Wisconsin Administrative Code.

C. Adoption of Code. Chapter SPS 327, Camping Units, of the Wisconsin Administrative Code, and all amendments thereto, is hereby adopted by reference in its entirety and made a part of this section with the same force and effect as though set forth in full. Any act required to be performed or prohibited by Chapter SPS 327 is required or prohibited by this section.

D. Scope. This section applies to the construction and inspection of camping units, as defined in Wis. Admin. Code § SPS 327.08, for which construction commenced on or after February 6, 2017, and to additions and alterations to such camping units, as provided in Wis. Admin. Code §§ SPS 327.02 and 327.04.

E. Administration and Enforcement. This section shall be administered and enforced by the Building Inspector, who shall be a certified UDC inspector holding the credential required for the inspection performed, as provided in Wis. Admin. Code § SPS 327.11(1). The Building Inspector shall maintain the records required by Wis. Admin. Code §§ SPS 327.11(7) and 327.12(5).

F. Permit Required. No person may commence construction of a camping unit within the City without first obtaining a Wisconsin camping unit building permit from the City as required by Wis. Admin. Code § SPS 327.09.

G. Fees. Fees for camping unit building permits, inspections, and the issuance of Wisconsin insignias under this section shall be as established by resolution of the Council from time to time, in accordance with Wis. Admin. Code § SPS 327.10(3).

H. Appeals. Appeals of orders and determinations under this section shall be made as provided in Wis. Admin. Code § SPS 327.18 and Chapter 68 of the Wisconsin Statutes.

I. Penalties. Any person who violates any provision of this section shall be subject to the penalties provided in Sec. 11-1-32 of the Municipal Code. Each day a violation continues shall constitute a separate offense.

SECTION 2. Filing with Department. The City Clerk shall file a certified copy of this ordinance with the Wisconsin Department of Safety and Professional Services, Division of Industry Services.

SECTION 3. Severability. If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstance is invalid or unconstitutional, that invalidity or unconstitutionality shall not affect the other provisions or applications of this ordinance that can be given effect without the invalid or unconstitutional provision or application.

SECTION 4. Publication and Effective Date. This ordinance shall be published as required by law and shall take effect and be in force on the day following its publication.

Adopted by the Council of the City of Two Rivers, Manitowoc County, Wisconsin, this _____ day of _____, 2026.

_____

Scott Stechmesser
President, City Council

_____
Ben Meinnert
City Manager

Attest:

_____
Amanda Baryenbruch
City Clerk

Approved as to form and legality:

_____
Sean P. Griffin
City Attorney

CHANGE SUMMARY (NOT PART OF ORDINANCE)

Section	Original Provision	Amended Version
Sec. [__-__-__] (new)	None. The Municipal Code does not currently adopt Chapter SPS 327, Camping Units.	Creates a new section adopting Chapter SPS 327 by reference in its entirety, with authority, purpose, scope, administration, permit, fee, appeal, and penalty subsections.
Sec. [__-__-__](C)	None.	Adopts Chapter SPS 327 in its entirety without local modification, as required by SPS 327.06(1)(a)2. and 3.
Sec. [__-__-__](G)	None.	Fees for camping unit permits, inspections, and insignias set by Council resolution, per SPS 327.10(3)(a).
Section 2	None.	Directs the City Clerk to file a certified copy with DSPS so the Department can renew the City's UDC authority.

CITY OF TWO RIVERS

ORDINANCE

An Ordinance to amend Section 11-1-2 of the Municipal Code of the City of Two Rivers regarding the application of the Uniform Dwelling Code to pre-1980 dwellings:

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

SECTION 1. Section 11-1-2(D) of the Municipal Code of the City of Two Rivers, Wisconsin, is hereby amended to read as follows:

Sec. 11-1-2. - Adopted standards.

(...)

D. Pre-1980 additions and alterations. The Wisconsin Uniform Dwelling Code, chapters SPS 320 through 325 of the Wisconsin Administrative Code, and all subsequent amendments thereto, is hereby adopted by reference and shall apply to all additions and alterations (as those terms are defined in chapters SPS 320 through 325 of the Wisconsin Administrative Code) to one-and two-family dwellings constructed prior to June 1, 1980; provided, however, that this subsection shall apply only to structural repairs and improvements, and only to the extent such structural repairs and improvements are covered by the Wisconsin Uniform Dwelling Code.

E. Detached accessory structures. The Wisconsin Uniform Dwelling Code, chapters SPS 320 through 325 of the Wisconsin Administrative Code, and all subsequent amendments thereto, is hereby adopted by reference and shall apply to all newly constructed detached accessory structures, as well as additions and alterations to existing detached accessory structures, serving one- and two-family dwellings.

SECTION 2. This ordinance shall take effect and be in force on the day following its passage and publication as required by law.

Adopted by the Council of the City of Two Rivers, Manitowoc County, Wisconsin this

_____ day of _____, 2026.

_____

Scott Stechmesser
President, City Council

_____

Ben Meinnert
City Manager

Attest:

_____

Amanda Baryenbruch, City Clerk

Approved as to form and legality:

_____

Sean P. Griffin
City Attorney

West & Dunn
Attorneys at Law

Sean P. Griffin
sgriffin@westdunn.com
608-301-5438

November 4, 2026

Via Electronic Mail

City of Two Rivers
1717 E Park Street
Two Rivers, WI 54241

Re: Proposed UDC Compliance Threshold for Pre-1980 Dwellings

Plan Commission,

This memorandum provides proposed drafting direction for the pending amendment to Section 11-1-2(D) of the City of Two Rivers Municipal Code concerning application of the Wisconsin Uniform Dwelling Code to one- and two-family dwellings constructed prior to June 1, 1980.

The objective is to make clear that the current Uniform Dwelling Code applies to work performed on older dwellings, while avoiding an unintended requirement that owners bring an entire existing home into current UDC compliance when the project is limited to an addition, basement finish, interior remodel, or similar limited work.

Background

The current draft amendment would amend Section 11-1-2(D) to provide that the Wisconsin Uniform Dwelling Code, chapters SPS 320 through 325 of the Wisconsin Administrative Code, and all subsequent amendments, apply to "all additions and alterations" to one- and two-family dwellings constructed prior to June 1, 1980.

That language is clear in one respect: new additions and alterations to pre-1980 dwellings are intended to comply with the UDC. However, the phrase "all additions and alterations" may be read too broadly if it is applied to require unrelated existing portions of the home to be upgraded whenever any permit work is performed.

The policy concern is that a homeowner should not be required to bring an entire dwelling into current UDC compliance when the existing home was lawful when built and the proposed addition itself complies with the current UDC. Similarly, ordinary basement finishing should not, by itself, require an existing staircase to be widened unless the staircase is part of the permitted work, is directly affected by the permitted work, or presents an unsafe condition.

Potential Revisions

I recommend revising subsection 11-1-2(D) to include three concepts: first, new work must comply with the UDC; second, existing lawful construction is not required to be upgraded unless the existing component is part of, directly affected by, or made unsafe by the permitted work; and third, broader existing-dwelling compliance may be required only for defined major reconstruction projects.

This approach preserves the City's ability to enforce the UDC for new construction and substantial reconstruction, while avoiding disproportionate requirements for ordinary residential improvements.

Drafting Option 1: Bright-Line Major Reconstruction Threshold

Option 1 is the clearer and more homeowner-protective approach. It creates a defined "major reconstruction" threshold and an express safe harbor for additions, basement finishes, repairs, and limited interior work.

Suggested ordinance language:

1. Pre-1980 additions, alterations, and major reconstruction. The Wisconsin Uniform Dwelling Code, chapters SPS 320 through 325 of the Wisconsin Administrative Code, and all subsequent amendments thereto, is hereby adopted by reference and shall apply to additions and alterations, as those terms are defined in chapters SPS 320 through 325 of the Wisconsin Administrative Code, to one- and two-family dwellings constructed prior to June 1, 1980, only as provided in this subsection.
    1.1 New work to comply. Any addition, alteration, repair, or other work performed after the effective date of this subsection shall comply with the Wisconsin Uniform Dwelling Code to the extent the Code applies to the portion of the dwelling or work being added, altered, repaired, or constructed.

1.2 Existing lawful construction not required to be upgraded. Except as provided in paragraph 3, this subsection does not require an existing portion of a one- or two-family dwelling constructed prior to June 1, 1980 to be reconstructed, enlarged, replaced, or otherwise brought into compliance with the Wisconsin Uniform Dwelling Code solely because an addition or alteration is made to another portion of the dwelling, provided that the existing portion was lawful when constructed and is not made less safe by the proposed work.

1.3 Major reconstruction. Compliance with the Wisconsin Uniform Dwelling Code may be required for existing portions of the dwelling directly affected by the work when the Building Inspector determines that the project constitutes major reconstruction. For purposes of this subsection, "major reconstruction" means work that: removes, replaces, or reconstructs more than fifty percent (50%) of the dwelling's exterior walls, roof framing, floor framing, or other primary structural elements; increases the dwelling's gross floor area by more than fifty percent (50%); changes the use or occupancy of a substantial portion of the dwelling in a manner that materially affects life-safety, egress, structural, electrical, plumbing, heating, or ventilation requirements; or otherwise creates a condition in an existing portion of the dwelling that is unsafe or noncompliant as a direct result of the proposed work.

1.4 Limited work safe harbor. The following work shall not, by itself, require existing portions of the dwelling to be brought into compliance with the Wisconsin Uniform Dwelling Code: finishing or remodeling an existing basement, attic, or interior room without expanding the dwelling's exterior footprint or altering primary structural elements; constructing an addition that independently complies with the Wisconsin Uniform Dwelling Code and does not make an existing portion of the dwelling unsafe; repair or replacement of existing materials, fixtures, equipment, or components with substantially similar materials, fixtures, equipment, or components; or work that is limited to the portion of the dwelling for which a permit is issued.

1.5 No whole-dwelling upgrade absent nexus. The Building Inspector shall not require an existing stairway, hallway, doorway, ceiling height, foundation, structural member, or other existing building component to be widened,

enlarged, relocated, replaced, or otherwise brought into compliance with the Wisconsin Uniform Dwelling Code unless the component is part of the permitted work, is directly affected by the permitted work, or is determined to present an unsafe condition.

Drafting Option 2: Nexus-Based Compliance Standard

Option 2 preserves more administrative discretion. It does not rely as heavily on a numerical threshold, but it requires a connection between the permitted work and any existing component that the City requires to be upgraded.

Suggested ordinance language:

2. Pre-1980 additions, alterations, and reconstruction. The Wisconsin Uniform Dwelling Code, chapters SPS 320 through 325 of the Wisconsin Administrative Code, and all subsequent amendments thereto, is hereby adopted by reference and shall apply to additions and alterations, as those terms are defined in chapters SPS 320 through 325 of the Wisconsin Administrative Code, to one- and two-family dwellings constructed prior to June 1, 1980, subject to the limitations in this subsection.
   2.1 Scope of compliance. Compliance with the Wisconsin Uniform Dwelling Code shall be required for the addition, alteration, or other work for which a permit is issued. Existing portions of the dwelling that are not part of the permitted work shall not be required to be brought into compliance with the Wisconsin Uniform Dwelling Code unless required under paragraph 2.
   2.2 Compliance for affected existing portions. The Building Inspector may require an existing portion of the dwelling to comply with the Wisconsin Uniform Dwelling Code only to the extent reasonably necessary to address a condition that is created, altered, intensified, or made unsafe by the permitted work.
   2.3 Major reconstruction threshold. A project shall be deemed major reconstruction, and may require compliance beyond the immediate area of work, if the project involves reconstruction or replacement of more than fifty percent (50%) of the dwelling's structural framing or exterior building envelope; addition of new dwelling area equal to more than fifty percent (50%) of the existing dwelling area; relocation or reconstruction of primary

means of egress, stairways, load-bearing walls, foundations, roof framing, or floor framing serving the existing dwelling; or work that substantially changes the dwelling's configuration so that existing life-safety, structural, electrical, plumbing, heating, or ventilation systems are no longer adequate for the dwelling as modified.

2.4 Allowance for compliant additions and limited interior improvements. An addition that complies with the Wisconsin Uniform Dwelling Code shall not require the remainder of the dwelling to be brought into compliance solely because the existing dwelling was constructed prior to June 1, 1980. Finishing a basement, remodeling an existing room, replacing fixtures, or making similar limited interior improvements shall not require widening, enlarging, or replacing an existing stairway or other existing building component unless that stairway or component is part of the permitted work or is rendered unsafe by the permitted work.

2.5 Written determination. If compliance is required for an existing portion of the dwelling outside the immediate scope of the permitted work, the Building Inspector shall identify in writing the existing component required to be upgraded, the connection between the required upgrade and the permitted work, and the Wisconsin Uniform Dwelling Code provision on which the requirement is based.

Drafting Option 3: Value-Ratio Threshold

Option 3 uses an objective financial threshold. It treats a project as major reconstruction only when the construction value of the permitted work is large enough, relative to the assessed value of the existing dwelling improvements, to justify broader compliance review. This may be easier to administer than a purely structural test, provided staff is comfortable using permit valuations and assessed improvement values.

Suggested ordinance language:

3. Pre-1980 additions, alterations, and value-threshold major reconstruction. The Wisconsin Uniform Dwelling Code, chapters SPS 320 through 325 of the Wisconsin Administrative Code, and all subsequent amendments thereto, is hereby adopted by reference and shall apply to additions and alterations, as those terms are defined in chapters SPS 320 through 325 of the Wisconsin Administrative Code, to

one- and two-family dwellings constructed prior to June 1, 1980, subject to the limitations in this subsection.

3.1 New work to comply. The addition, alteration, repair, or other work for which a permit is issued shall comply with the Wisconsin Uniform Dwelling Code to the extent the Code applies to the portion of the dwelling or work being added, altered, repaired, or constructed.

3.2 Existing dwelling safe harbor. Existing portions of the dwelling that are not part of the permitted work shall not be required to be brought into compliance with the Wisconsin Uniform Dwelling Code solely because the dwelling was constructed prior to June 1, 1980 or because a permit is issued for work on another portion of the dwelling, unless compliance is required under paragraphs 3 or 4.

3.3 Construction-value threshold. A project constitutes major reconstruction if the aggregate construction value of all additions, alterations, repairs, and related work included in the permit application, together with any substantially related work performed or permitted within the preceding twenty-four (24) months, exceeds fifty percent (50%) of the current assessed value of the principal dwelling improvements, excluding land value, as shown on the City assessment roll in effect when the permit application is filed.

3.4 Scope of compliance after threshold is met. If a project constitutes major reconstruction under paragraph 3, the Building Inspector may require existing portions of the dwelling to comply with the Wisconsin Uniform Dwelling Code only to the extent reasonably related to the permitted work, the reconstructed area, affected structural systems, means of egress, fire and life-safety systems, electrical systems, plumbing systems, heating systems, ventilation systems, or other building components materially affected by the project.

3.5 Limited project allowance. A project whose aggregate construction value does not exceed the threshold in paragraph 3 shall not require existing portions of the dwelling to be brought into compliance with the Wisconsin Uniform Dwelling Code, except for components that are part of the permitted work, are directly affected by the permitted work, are made unsafe by the permitted work, or are determined by the Building Inspector to present an unsafe condition.

3.6 Permit valuation. For purposes of this subsection, construction value shall be based on the value stated in the permit application, subject to verification and adjustment by the Building Inspector using generally accepted construction-cost information, contractor estimates, or other reliable information. The Building Inspector may treat separate permits or phases as one project if they are reasonably related in scope, timing, ownership, or design.

3.7 Examples. Finishing an existing basement, remodeling an existing room, replacing fixtures, or constructing an addition that independently complies with the Wisconsin Uniform Dwelling Code shall not, by itself, require an existing stairway or other existing building component to be widened, enlarged, relocated, replaced, or otherwise brought into compliance unless the applicable threshold is met or the component is part of, directly affected by, or made unsafe by the permitted work.

3.8 Written determination. If compliance is required for an existing portion of the dwelling outside the immediate scope of the permitted work, the Building Inspector shall identify in writing the existing component required to be upgraded, the basis for determining that the project constitutes major reconstruction or otherwise affects the component, and the Wisconsin Uniform Dwelling Code provision on which the requirement is based.

Recommendation for Staff Review

I recommend circulating Options 1 and 3 for comment. Option 1 is the simplest from a drafting standpoint because it relies on physical project characteristics, while Option 3 may be easier to administer at intake if staff can reliably verify permit valuation and assessed improvement value.

If the City prefers a bright-line rule, I would use Option 1. If staff wants a more objective permit-screening metric, I would use Option 3, with three safeguards retained: use assessed improvement value rather than total parcel value, aggregate related permits within a twenty-four (24) month period, and require a written determination before existing portions outside the immediate scope of work must be upgraded.

I would not use Option 2 as the primary draft unless the City believes there will be many unusual projects that require more discretion. It is workable, but it gives less up-front certainty to homeowners because the trigger depends more heavily on staff judgment.