



Report to Village Board

Agenda Item: Proposed Ordinance Amendment Chapter 520 Zoning, Section 520-121 Conditional Use Permits.

Meeting Date: November 28, 2023

Referring Body: Plan Commission

Committee Contact: Chris Voll

Staff Contact: Peter Wegner, CD/PZ Director

Report Prepared by: Peter Wegner, CD/PZ Director

AGENDA ITEM: Proposed Ordinance Amendment Chapter 520 Zoning, Section 520-121 Conditional Use Permits.

OBJECTIVE(S): Proposed changes reflect requirements of Wis. Stat. § 62.23(7)(de). Current language allows the appeal of any decision made by the Planning Commission to be Village Board. It is problematic having Board members on the Plan Commission because of due process. Per Wis. Stat. § 66.1001(2m)(b), a Conditional Use Permit that may be issued by a political subdivision does not need to be consistent with the political subdivisions comprehensive plan. The proposed language emphasizes substantial evidence requirements. Finally, changes were made as suggested by the Village Attorney.

HISTORY/BACKGROUND: Draft proposed changes were discussed with the Planning Commission on September 18, 2023 and minor changes were made. On October 16, 2023 the Planning Commission reviewed and approved the final draft, making a motion to send the language to a public hearing. A public hearing was held on 11/20/2023. The Plan Commission made a motion to send the proposed Ordinance Amendment Chapter 520 Zoning, Section 520-121 Conditional Use Permits, to the Village Board for adoption.

PROPOSAL: Approve the proposed Ordinance Amendment.

RECOMMENDED ACTION: Adopt Ordinance Amendment Chapter 520 Zoning, Section 520-121 Conditional Use Permits.

ATTACHMENTS: Proposed changes to Section 520-121 Conditional Use Permits.