

SECTION 26. CONDITIONAL USE PERMITS

26.010 Purpose.

- A. Conditional Uses. Within each district certain uses which are deemed mutually compatible are permitted. In addition to such uses, it is recognized that there are other uses which may be desirable within a given district, but because of their influence upon neighboring uses, public facilities or the environment, these uses need to be carefully evaluated and regulated with respect to their location and operation. Such uses are classified as conditional uses, and are governed by this section.
- B. Conditional Use Permit Process. The conditional use permitting process should inform public decision makers and private individuals on the environmental and economic effects of actions that have been proposed, increase the exchange of information among interested parties, lead environmentally and economically sound projects, and be used as a planning tool for aspects of decision making.

26.020 Permit Required. The Zoning Committee shall approve or deny a conditional use permit in accordance with the substantive and procedural rules set forth in this section prior to the establishment and maintenance of a conditional use of the types cited in the previously described zoning districts and overlays as well as the following:

- A. Any subdivision consisting of ten (10) lots or more,
- B. Any resort, condominium, planned unit development, motel, hotel, or high density multi-unit dwelling,
- C. Any mobile home park, campground, or camping resort,
- D. Any other use not identified in the zoning district. Refer to Section 3.090 (General Provisions; Determination of Uses Not Listed).

26.030 (Reserved)

26.040 Application For A Conditional Use Permit. Any use listed as a conditional use in this ordinance, and additional requirements of Section 26.020 shall be permitted only after an application has been submitted to the zoning office and a conditional use permit has been granted by the Zoning Committee.

- A. Standards Applicable To All Conditional Uses. In passing upon a conditional use permit, the Zoning Committee shall evaluate the effect of the proposed use upon:
 - 1. The maintenance of safe and healthful conditions,
 - 2. The prevention and control of water pollution including sedimentation,
 - 3. Compliance with local floodplain zoning ordinances and opportunity for damage to adjacent properties due to altered surface water drainage,
 - 4. The erosion potential of the site based upon degree and direction of slope, soil type and vegetate cover,
 - 5. The location of the site with respect to existing or future access roads.
 - 6. The need of the proposed use for a shoreland location,
 - 7. Its compatibility with uses on adjacent land,

8. The amount of liquid and solid wastes to be generated and the adequacy of the proposed disposal systems,
9. Location factors under which:
 - a. Domestic uses shall be generally preferred,
 - b. Uses not inherently a source of pollution within an area shall be preferred over uses that are or may be a pollution source,
 - c. Use locations within an area tending to minimize the possibility of pollution shall be preferred over use locations tending to increase that possibility.

26.050 Conditions Attached To Conditional Uses. Upon consideration of the factors listed above, the Zoning Committee shall attach such conditions, in addition to those required elsewhere in this ordinance, as are necessary to further the purpose of this ordinance. Violations of any of these conditions shall be deemed a violation of this ordinance. Such conditions may include specifications for, without limitation because of specific enumeration: type of shore cover; specific sewage disposal and water supply facilities; landscaping and planting screens; period of operation; operational control; sureties; location of piers, docks, parking and signs; and type of construction. To secure information upon which to base its determination, the Zoning Committee may require the applicant to furnish, in addition to the information required for a zoning permit, the following information:

- A. A plan of the area showing surface contours, soil types, ordinary highwater marks, ground water conditions, subsurface geology and vegetative cover.
- B. Location of buildings, parking areas, traffic access, driveways, walkways, piers, open space and landscaping.
- C. Plans of buildings, sewage disposal facilities, water supply systems and arrangement of operations.
- D. Specifications for areas of proposed filling, grading, lagooning or dredging.
- E. Other pertinent information necessary to determine if the proposed use meets the requirements of this ordinance.

26.060 Notice Of Public Hearings And Decisions. Before passing upon an application for a conditional use permit, the zoning committee shall hold a public hearing. Notice of such hearing, specifying the time, place and matters to come before the committee shall be given a Class 2 notice under ch. 985, Wis. Stats. The Zoning Committee shall state in writing the grounds for granting or refusing a conditional use permit.

26.070 Recording. When a conditional use permit is approved, an appropriate record shall be made of the land use and structures permitted and such permit shall be applicable solely to the structures, use and property described.

26.080 Revocation Where the conditions of a conditional use permit are violated, the conditional use permit shall be revoked by the Zoning Administrator or the Zoning Committee.

26.090 Lapse of Conditional Use Permit. Conditional use permit shall lapse and become void one (1) year after approval by the Zoning Committee unless a certificate of occupancy or a building permit has been issued.

