Village Hall, 262-567-2757
Fax, 262-567-4115
Highway Dept., 262-567-2422
Police Dept., 262-567-1134
Building Inspector, 262-490-4141
www.summitvillage.org

Summit Village Hall ● 37100 Delafield Road ● Summit, WI 53066

AGENDA
Joint Village of Summit Plan Commission & Village Board Meeting
Thursday, October 3, 2024 5:30 p.m. – 7:30 p.m.

At the Summit Village Hall, 37100 Delafield Road

1. CALL TO ORDER

2. ROLL CALL AND CONFIRM POSTING

3. PROJECT PURPOSE & OVERVIEW: Discuss potential zoning ordinance text amendments related to available land uses (permitted/conditional use)

4. REVIEW LAND USE TABLE: Discuss existing permitted and conditional uses per district, including recommended additions and deletions

5. PRIORITIZE USES: Discuss uses that have been removed from the zoning ordinance and consider reintroducing certain uses and adding new uses

6. IDENTIFY FUTURE PROJECT SCOPE: Based on prioritized uses, identify components of a project scope, including:

    A. Project purpose and goals
    B. Project participants
    C. Tasks related to achieving project goals
    D. Timeframe
    E. Costs (TBD)

7. **ADJOURN** JOINT PLAN COMMISSION AND VILLAGE BOARD MEETING

NOTE: THERE WILL BE NO PUBLIC COMMENT DURING THIS MEETING

Respectfully submitted,

Amy Barrows, Village Planner **Posted: October 1, 2024**

***** Please note that, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service contact the Village Hall at 567-2757.

***** It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information; no action will be taken by any other governmental body except by the Village of Summit Plan Commission noticed above.

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Summit Village Hall ● 37100 Delafield Road ● Summit, WI 53066

MEMORANDUM

To: Village Board

From: Amy Barrows, Planner

Date: February 1, 2024

Re: **Village of Summit Zoning Ordinance Text Amendment Project**

PROJECT OBJECTIVE: In order to proactively support the Village's long-term vision of land use development, Village staff will review existing conditional uses in the Village and consider a variety of common land uses that are not specified in the Village's Zoning Ordinance and determine if any of the uses should be removed from or added to the Village of Summit Zoning Ordinance as a permitted or conditional use in certain zoning districts, including appropriate conditions.

BACKGROUND: In 2018, the Village removed many Conditional Uses from the Zoning Ordinance in response to legislative changes at the state level. At the time, it was the intent to review uses that should be reincorporated into the ordinance. To date, this effort has not been pursued. The policy has been to have individual applicants propose specific text language for consideration. This process puts a significant amount of burden and cost on an individual property owner to address an issue that potentially impacts the entire village. Proposed amendments by property owners tend to be property specific, which is not a best planning practice. Examples include provisions for event facilities, day schools, and other business uses that are common in rural settings. Once this project is complete, staff will be able to provide better direction to applicants regarding the uses that the village may or may not support and what conditions will apply, which results in more consistent decision making.

PROPOSED TASKS: Village staff would like to review the existing Zoning Ordinance and prepare a table of existing permitted and conditional uses per zoning district. This information would be presented at an internal Plan Staff meeting on February 29, 2024. Following the February Plan Staff meeting, Village staff would prepare benchmark data, including an assessment of uses allowed in neighboring communities and determine common uses from other resources. This information would likely be presented at the

April 29, 2024 Plan Staff meeting. Once feedback is provided from Plan Staff, a presentation would be given to Plan Commission and Village Board at a joint meeting. The commission and board would assist in prioritizing which uses should be considered and in which order. Once a prioritized list is put together, a revised work summary and potential scope of work would be prepared to complete the following assessment for each use:

- Determine applicable Zoning Districts and determine why.
- Determine permitted vs conditional.
- Determine necessary conditions, keep measurable and specific if possible.
- Determine which properties apply based on above answers.
- Decide if public engagement is required.
- Hold public hearing and recommendation from Plan Commission for Zoning Ordinance text amendments. This may occur considering one use at a time or all uses at the same time. To be determined.
- Village Board action, adopt ordinance.

FISCAL IMPACT: At this time, costs are limited to budgeted Planner office hours. Once a list of prioritized uses is developed, a scope of work will be prepared, which may result in additional professional review costs.

RECOMMENDED ACTION: Acknowledge the summary of work and related planner hours to address a portion of the Zoning Ordinance Text Amendment Project related to Permitted and/or Conditional Uses.

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MEMORANDUM

To: Village Board

From: Amy Barrows, Planner

Date: April 4, 2024

Re: 2024 Zoning Code Text Amendment Project Update

BACKGROUND:

At the February 29, 2024 Plan Staff meeting, I introduced a table of permitted and conditional uses in the village and provided a list of uses that were removed from the ordinance following the enactment of Act 67. Below is a summary of discussion from that meeting.

- Continue to allow bakeries in the NC District, but modify so that retail must account for 25% of the floor area.
- Provide a definition for indoor storage, specific to the permitted use in the BP District.
- Clean up the language for regulated household animals, # of dogs, and confined hobby animals.
- Remove requested addition of boathouses in the MF-1 and MF-2 Districts as requested by the Planner.
- Review statutes regarding wind energy conversion systems and roof-mounted satellite fixtures.
- Remove conversion of home use from the A-1 and A-2 Districts
- Discuss reintroducing nursing homes and outpatient care facilities to the IN District. Also consider where senior living and nursing homes may be allowed in the residential districts. Define senior living/nursing homes/assisted living, or whatever term is used to describe these accommodations.
- Discuss reintroducing commercial kennels and shelters to the A-1 and A-2 Districts
- Discuss reintroducing contractor's yards to the A-1 and A-2 Districts
- Discuss reintroducing solar energy conversion system to the A-2 District; review statutes to see if there are limitations on regulations in all districts.
- Discuss reintroducing bed & breakfasts to the residential districts
- Discuss reintroducing public and quasi-public utility substations, licensed amateur radio operator towers, and roof-mounted radio towers to the R-1, R-2, R-3, R-4, MF-1, A-1 and A-2; MF-2 &IN (just utility) districts and roof-mounted satellite in the IN District.

- Discuss reintroducing private and public schools to the IN Districts as a permitted use/conditional use. Recent code update for a day school to be a CU, but may want to consider it as a permitted use.
- Discuss reintroducing wholesale commercial greenhouse to the A-1 and A-2 District
- Discuss reintroducing housing for seasonal or migratory farm workers in the A-1 District. Consider modifying the terminology.
- Discuss reintroducing hunting clubs, private game farms from the A-1 District.
- Item mentioned during meeting: the village will need to modify the multi-family zoning districts to reflect the recent comprehensive plan amendment that include a maximum density of 4 units/acre and recommend a mixed-use district.
- Item not mentioned in meeting: consider defining a nursery.
- Do not reintroduce personal communications facilities to the BP District.
- Do not reintroduce hospitals to the IN District.
- Do not reintroduce structures greater than 100,000 sq. ft. in the BP District.
- Do not reintroduce golf courses to the IN District. This use is considered an outdoor recreational facility.
- Do not reintroduce transit and carpooling parking facilities to the IN District.
- Do not reintroduce airstrips and landing fields to the A-1 District.
- Do not reintroduce campgrounds to the A-1 and A-2 District.
- Do not reintroduce railroads to the A-1 and A-2 District.

At the April 1, 2024 Plan Staff meeting, I introduced additional common uses identified in neighboring community ordinances that may be considered as permitted or conditional uses.

Below is a list of recent use requests not otherwise specified in the ordinance. With each of these uses, the following questions should be considered: What is the definition of use? What districts are they allowed in, if any? What minimum conditions must be met? Should the use terminate upon the sale of the property?

- Event facilities
- Tree cutting business
- Commercial vehicle parking
- Landscape business/contractors yard type use
- Ground solar fields
- Cell tower

Examples of other uses provided in community ordinances:

- Storage of boats, trailers, etc. in agricultural buildings
- Agri-tourism uses: ecology center, bird hunting preserve, brewery/winery/distillery, farm education, farm inn, farm restaurant, farm store, fee fishing, glamping, health spa, petting farm, Christmas tree operation, u-pick operations.
- Antique shops, gift shops, arts and crafts studio (thinking more in ag. districts compared to business district uses)
- Gas stations, car washes

- Equipment rental
- Equipment or vehicle repair/service/sales
- Garden center: steins example
- Veterinary clinic and animal hospitals
- Chickens
- Limited family business (Waukesha County) This is different than a home occupation. Business allowed in accessory structure.
- Commercial marinas
- Private clubs like yacht clubs and resorts (not sure if this fits recreational facilities definition)

Plan Staff also discussed that home occupations should be looked at carefully. Home occupations are currently allowed in the zoning ordinance with minimal requirements and oversight.

At the April 29, 2024 Plan Staff meeting, staff will discuss next steps, which may include a future joint working meeting to discuss which, if any, uses should be prioritized as part of the zoning code update project.

BACKGROUND: Use Table (Black ink = existing, Blue ink = proposed, Red ink = proposed for removal)

RECOMMENDED MOTION: NO ACTION REQUIRED

Land Uses Permitted: See Article X11. -District Regulations for detailed requirements P: Permitted By-Right C: Conditional Use Permit	R-1 Estate Residential	R-2 Country Residentia	R-3 Village Residential	R-4 Cottage Residentia	MF-1 Duplex Resident	MF-2 Multi-family Res	NC Neighborhood Cor	BP Business Park	IN Institutional	A-1 Agricultural	A-2 Agricultural	Notes
Residential Land Uses												
Single-family	P	P	P	P	P					P	P	
Two-family (duplex)					P	P						
Multiple-family						P						
Community living arrangement (up to 8 people)	P	P	P	P	P	P						
Family day-care home (up to eight people)	P	P	P	P	P	P						
Private outdoor recreation facilities as part of a subdivision development plan	P	P	P	P	P	P						
Agricultural Land Uses												
Apiculture (beekeeping)										P	P	
Dairy farming										P	P	
Forestry										P	P	
Grazing or pasturing of agricultural animals for the commercial purpose of food or fiber production										P	P	
Orchards										P	P	
Plant nurseries										P	P	
Raising of field crops										P	P	
Raising of livestock, except commercial feed lots & fur farms, for the commercial purposes of food or fiber production										P	P	
Sod farming										P		
Animal hospitals										P	P	
Commercial stable facility										P	P	

Land Uses Permitted: See Article X11. -District Regulations for detailed requirements P: Permitted By-Right C: Conditional Use Permit	R-1 Estate Residential	R-2 Country Residentia	R-3 Village Residential	R-4 Cottage Residentia	MF-1 Duplex Resident	MF-2 Multi-family Res	NC Neighborhood Cor	BP Business Park	IN Institutional	A-1 Agricultural	A-2 Agricultural	Notes
Sale of nursery products raised or transported onto the site										P	P	
Quarrying										C		
Institutional Uses												
Public administrative office & public service buildings, including fire & police stations								P	P			
Cemeteries & mausoleums									P			
Churches & synagogues									P			
Medical clinics									P			
Libraries, museums, & art galleries									P			
Public, private, commercial, & noncommercial outdoor recreational facilities									P			
Day schools									C			Should it be permitted or CU
Commercial Uses												
Grocery store							P					
Coffee shop							P					
Book/stationary store							P					
Restaurant							P	P				
Art studio							P					
Office							P	P				
Florist							P					
Sporting goods sales							P					
Bakery (retail only) change to retail must take up at least 25% of floor area							P					
Private lodges and clubs							P					

Land Uses Permitted: See Article X11. -District Regulations for detailed requirements P: Permitted By-Right C: Conditional Use Permit	R-1 Estate Residential	R-2 Country Residenti	R-3 Village Residential	R-4 Cottage Residenti	MF-1 Duplex Resident	MF-2 Multi-family Res	NC Neighborhood Cor	BP Business Park	IN Institutional	A-1 Agricultural	A-2 Agricultural	Notes
Public utility installations							P					
Day care facility							P	P				
Bank or financial institution							P	P				
Catering establishment for off-site food service							P					
Medical office or clinic								P				
Dental office or clinic								P				
Assembly operations								P				
Personal and professional services							P	P				
Light manufacturing facilities								P				
Indoor storage and warehousing facilities								P				provide definition for storage
Conference center								P				
Health clubs								P				
Hotel								P				
Indoor recreation facilities								P				
Movie theater								P				
Outdoor storage/retailing (i.e. garden center)								P				
Public & quasi-public utility substations, radio & television transmitting and receiving towers, microwave relay stations, or water towers								P				
Accessory Uses												
Attached or detached private garages	P	P	P	P	P	P				P	P	
Fences	P	P	P	P	P	P	P	P	P	P	P	
Home occupation	P	P	P	P	P	P				P	P	

Land Uses Permitted: See Article X11. -District Regulations for detailed requirements P: Permitted By-Right C: Conditional Use Permit	R-1 Estate Residential	R-2 Country Residentia	R-3 Village Residential	R-4 Cottage Residentia	MF-1 Duplex Resident	MF-2 Multi-family Res	NC Neighborhood Cor	BP Business Park	IN Institutional	A-1 Agricultural	A-2 Agricultural	Notes
1 horse > than 6 months old per 2acres	P	P										
3 dogs or cats, or combination thereof, which are over 12 months old	P	P	P	P	P	P				P	P	Conflicting language: accessory use in districts, but also a CU in same districts and labeled differently between sections
Hobby Kennels	C	C	C	C						C	C	
Private greenhouses	P	P	P	P	P	P				P	P	
Private boathouses	P	P	P	P						P	P	
Private residential play equipment	P	P	P	P	P	P						
Private residential stables	P	P								P	P	
Solar energy conversion systems	P	P	P	P	P	P						review statutes
Swimming pools	P	P	P	P	P	P						
Accessory dwellings (family members)	P	P	P	P	P	P						
Guest houses	P	P								P	P	
Wind energy conversion systems	P	P	P	P	P	P						review statutes
Off street parking and loading areas					P	P	P	P	P			
Roof-mounted satellite fixtures (see line 69, consolidate?)							P					review statutes
Automated teller machine							P	P				
Private outdoor recreation facilities								P		P	P	
Service buildings and facilities normally accessory to the permitted use									P			
Barns, sheds & similar structures accessory to agricultural use										P	P	
Quarters for household or farm employees										P	P	

Land Uses Permitted: See Article X11. -District Regulations for detailed requirements P: Permitted By-Right C: Conditional Use Permit	R-1 Estate Residential	R-2 Country Residentia	R-3 Village Residential	R-4 Cottage Residentia	MF-1 Duplex Resident	MF-2 Multi-family Res	NC Neighborhood Cor	BP Business Park	IN Institutional	A-1 Agricultural	A-2 Agricultural	Notes
Conversion of home										P	P	recommend removal, residnential allowed
One nonilluminated sign not to exceed 6 sq. ft. to advertise products produced on property										P	P	
Roadside stand										P	P	
Any other use normally accessory to a permitted use										P	P	
See Sec. 111-360 Wetland Conservancy District (WC), Section 111-361 Floodplain Overlay District (FO), and Section 111-362 Environmental Corridor Overlay District (EC) for Permitted Uses in those Districts												

JOINT PC/VB MEETING LAND USE PRIORITY TABLE: 10/3/24

Land Use Type	Priority (X or Blank)
Senior Living/Nursing Homes/Assisted Living	
Commercial Kennels	
Contractor's Yards/Landscape Businesses	
Solar Energy (ground fields)	
Bed & Breakfasts	
Wholesale Commercial Greenhouses	
Housing for Seasonal Employees	
Hunting Clubs/Private Game Farms	
Event Facilities	
Tree Cutting Business	
Commercial Vehicle Parking	
Cell Towers	
Storage of Boats/Trailers/etc.	
Agri-tourism Uses (ecology center, bird hunting preserve, brewery/winery/distillery, farm education, farm inn, farm restaurant, farm store, fee fishing, glamping, health spa, petting farm, Christmas tree operation, u-pick operations)	
Antique Shops, Gift Shops, Arts & Crafts Studio (ag. districts)	
Gas Stations, Car Washes	
Equipment Rental	
Equipment or Vehicle Repair, Service, Sales	
Garden Center (Steins)	
Veterinary Clinic & Animal Hospitals	
Chickens	
Limited Family Business (Accessory Structure Use)	
Commercial Marinas	
Private Clubs like Yacht Clubs/Resorts	
Modify multi-family zoning districts and created mixed use district – Land Use Plan Consistency	
Mixed Uses (ex: resort, golf, commercial)	

FUTURE PROJECT SCOPE WILL INCLUDE A DISCUSSION OF THE FOLLOWING:

- **What is the definition of each use?**
- **What districts are each use allowed in?**
- **What conditions apply to each use?**
- **Should the use terminate upon the sale of the property?**