AGENDA ITEMS.

1. Plan Commission Meeting called to order by Chairman White.

2. ETZ Committee Meeting called to order by Chairman Lawrence.

3. Welcome, introductions, and acknowledgement of guests.

4. Roll Call by Recording Secretary.

Roll call indicated 7 Plan Commission members present.

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<tr>
<td>Diesen, Dave</td>
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Roll call indicated 5 Joint Town & Village of Extraterritorial Zoning Committee members present.

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<td>Olson, Milt</td>
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Village Staff in attendance: Guild, Higgins, Donner, Wehner, Tatro, and Parker. President Barbara Ermeling was also present. Parker noted Diesen will be excused at the March PC meeting.

5. Plan Commission Approval of minutes from previous regular meeting: January 8, 2018.

Motion by Diesen, second by Kollmansberger: to approve the regular PC Minutes of January 8, 2018.

Yes Vote: 7  No Votes: 0  Abstain: 0  Not Voting: 0  Result: PASS

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6. Plan Commission Approval of minutes from the previous special meeting: January 8, 2018.

Motion by Gau, second by Diesen: to approve the special PC Minutes of January 8, 2018.

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Yes Vote: 7    No Votes: 0    Abstain: 0    Not Voting: 0    Result: PASS

7. ETZ Approval of minutes from the previous meeting: December 11, 2017.

Hull pointed out a typo he found within these minutes. This is on page 6, under Item B, within the 5th paragraph, second to last sentence: “…put a conforming room on…”. The word “room” should be “roof”.

Motion by Diesen, second by Kollmansberger: to approve the ETZ meeting minutes of December 11, 2017, with the correction as noted.

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Yes Vote: 5    No Votes: 0    Abstain: 0    Not Voting: 1    Result: PASS

8. Public Comments.

None.

ACKNOWLEDGE WORK PRODUCT TRANSMITTALS


Motion by Diesen, second by Mumper: to acknowledge work product transmittals #9 and #10.

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Yes Vote: 7    No Votes: 0    Abstain: 0    Not Voting: 0    Result: PASS
EDUCATIONAL PRESENTATIONS AND REPORTS.

11. Proposed Amendments to Sec. 94.4.09(16) Outdoor Alcohol Area.
Higgins stated this proposed amendment is coming forward following the last Plan Commission meeting, where staff was requested to send the ordinance amendment on to public hearing. The requested changes from the previous meeting, and suggestions by MDRoffers, are incorporated into this document.

Zeyghami questioned #4 in the Performance Standards, that this allows for an outdoor alcohol area under a temporary use. Higgins stated we are not affecting the Land Use table. The Outdoor Alcohol Area is allowed as a temporary use, under the Outdoor Assembly or Special Event Use. These requests would typically go through the Village Clerk’s office as a temporary liquor license would be issued for the event.

Higgins stated the amendment would be included in the ETZ zoning ordinance, if the ETZ wishes to approve the ordinance amendment also. Hull confirmed this public hearing was noticed correctly on the agenda. It was explained this meeting agenda covers both PC & ETZ, and the public hearing notice reflected both as well.

PUBLIC HEARINGS.

12. Proposed Amendments to Sec. 94.4.09(16) Outdoor Alcohol Area.
White opened the PC & ETZ public hearing at 6:10 p.m.

Diesen questioned if Tatro has heard from the Rybacki’s as far as when they will construct their outdoor patio area. Tatro stated he heard that Rybacki’s are looking for a larger facility, so they may be moving this business.

A question came up if Sanders was a part of Rybacki’s business. It was explained Sander’s involvement was only leasing parking space to Rybacki’s. Kollmansberger confirmed we received a copy of the lease agreement from Sanders.

Higgins stated if Rybacki’s do not build by a certain date, the CUP does expire.

White closed the PC public hearing at 6:12 p.m.

Lawrence closed the ETZ public hearing at 6:13 p.m.

POLICY ISSUES – DISCUSSION/RECOMMENDATIONS.

13. None.

RESOLUTIONS/ORDINANCES.

14. Ordinance No. 18-007: An Ordinance Amending Sec. 94.4.09(16) Outdoor Alcohol Areas.

Motion by Gau, Second by Diesen: for PC to Approve Ordinance No. 18-007.

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<th>Yes Vote: 7</th>
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Higgins explained at the January PC Meeting, Guild was directed to create a Zoning Steering Committee to look at the needed changes to our zoning code. She explained how the Department is also undergoing an audit, so the Steering Committee will also be discussing zoning amendments and process changes that are brought forth from the Audit.

Higgins stated the following people have agreed to serve on the Steering Committee: Loren White, Dennis Lawrence, Fred Schuster, Mark Hull, Joe Jordan, Mark Roffers, Attorney Matt Yde, and herself.

Higgins stated she will also be looking for another citizen member to participate in this Steering Committee.

Discussion at these meeting will include what Roffers is putting together for the department audit, and suggestions based on Act 67. The outcome of the Steering Committee will be presented to the Commission in March or April, followed by a public hearing for any ordinance changes they choose to send forward to public hearing and the Board for approvals.

Motion by Mumper, Second by Gau: to Approve Resolution No. 2018-PC-001.

Yes Vote: 7  No Votes: 0  Abstain: 0  Not Voting: 0  Result: PASS

Member  Voting
Diesen, Dave  YES
Gau, Duane  YES
Kollmansberger, Tina  YES
Lawrence, Dennis  YES
Mumper, Roy  YES
White, Loren  YES
Zeyghami, Hooshang  YES


Motion by Kollmansberger, Second by Diesen: to Approve Resolution No. 2018-ETZ-001.

Yes Vote: 5  No Votes: 0  Abstain: 0  Not Voting: 1  Result: PASS

Member  Present
Christiansen, Randy  YES
Diesen, Dave  YES
Hull, Mark  YES
Kollmansberger, Tina  YES
Lawrence, Dennis  YES
FUTURE ITEMS.

17. Next meeting date(s):

a. Monday, March 12 @ 6 p.m.
   Diesen will be excused from this meeting.

b. Monday, April 9 @ 6 p.m.

c. Tuesday, April 17 @ 6 p.m. – 2nd Annual Leadership & Service Awards Banquet.
   Guild stated invitations for this event will go out in March.

18. Topics for future meetings.
   Higgins stated this section is to let the PC know what topics will be coming before them.

   Roffers will have this report done in March.

b. TID #1 Project Plan.
   This project will be coming back up.

c. TID #2 Project Plan.
   This project plan has not started yet, we are waiting until TID #1 is completed.

d. Adoption of new FEMA Maps.
   New maps will be adopted. White questioned the error found from 3 years ago, to be sure it is not missed.

e. Wayfinding Plan.
   Staff will be working on.

19. Remarks from Staff.
   No remarks.

20. Remarks from Committee members.
   No remarks.

   No remarks.

22. Announcements.

   a. Contact Information.
   Higgins received updates from PC & ETZ. White questioned Guild about if the Village will be sending out a letter asking members if they want to continue serving. Guild stated we will send out the annual letters to committee members in early March.

   b. Future Weston Academy.
   Guild stated this initiative was done a number of years ago. We are looking to relaunch this initiative. It will be a series of workshops to engage new leaders. Here leaders will discuss topics on the Village.

   Kollmansberger commented she was part of the last one, and she thought it was great, and is happy to see this again.
c. Chamber Business PC @ Patron on March 20.
Guild commented on the Chamber Business event at Patron on March 20th that the Village is sponsoring. If interested let Village staff know and we’ll get them a ticket. It starts at 6pm.

23. Adjournment.

Motion by Diesen, second by Hull, to adjourn ETZ at 6:27 p.m.

Motion by Diesen, second by Gau, to adjourn PC at 6:27 p.m.

Loren White, Trustee/Plan Commission Chair
Jennifer Higgins, Director of Planning & Development
Valerie Parker, Recording Secretary
A RESOLUTION, creating the Village of Weston Zoning Steering Committee.

WHEREAS, the Village Plan Commission is empowered by Chapter 62 Planning Commission to do and perform all of the functions set out in the Village of Weston Municipal Code Chapter 94 Zoning.

WHEREAS, in March 2015 a new zoning ordinance, Chapter 94, was adopted and now functions as the Zoning Ordinance for the Village of Weston.

WHEREAS, the State of Wisconsin enacted 2017 Wisconsin Act 67, also known as the Homeowner Bill of Rights, on November 28, 2017.

WHEREAS, the Department of Planning and Development is also undergoing a Department Audit to look at how the 2015 zoning ordinance and the new procedures that were established are working.

WHEREAS, the adoption of Act 67 and the Department Audit has prompted the Village to review Chapter 94 for conformance with the new regulations set forth in Act 67.

BE IT RESOLVED by the Plan Commission for the Village of Weston hereby creates a Zoning Steering Committee that will be tasked to review Chapter 94 and bring any proposed amendments back to the Plan Commission for their discussion and ultimate review and recommendation to the Village Board.

BE IT FURTHER RESOLVED that the Plan Commission tasks the Director of Planning and Development to assemble a Zoning Steering Committee made up of elected, appointed and citizen members to review the current Zoning Ordinance and report back to the Plan Commission with any amendments they deem to be necessary.

PASSED BY THE PLAN COMMISSION OF THE VILLAGE OF WESTON, at a regular meeting thereof, this 12th day of the month of February 2018.

VILLAGE OF WESTON, a Municipal Corporation of the State of Wisconsin.

By: LOREN WHITE, Chairman

ATTEST:

By: VALERIE PARKER, Secretary
1. Policy Question:

Should the Plan Commission create a Zoning Steering Committee to review Chapter 94?

2. Purpose:

The purpose of asking this question is to receive guidance and feedback from Village policymakers regarding the "policy question" written out above.

3. Background:

New legislation was signed by Governor Walker, Act 67, in November that limits the ability of local governments to control certain zoning regulations and requires greater flexibility in the approval of conditional use permits. The Planning and Development Department also recently began an audit of the Department and its services.

4. Issue Analysis:

In order to comply with the new Act 67 Chapter 94 needs to be reviewed to ensure that it is compliant with changes that were set forth in Act 67. The Department has also been experiencing some pushback from the business community, mainly in the industrial areas, with some of the regulations and processes that were put established with the 2015 Zoning Ordinance rewrite. The Department is currently undergoing a Department Audit with the help of Mark Roffers, MDRoffers who also helped develop the original 2015 Zoning Ordinance. Attorney Yde presented on Act 27 at a previous meeting. The Plan Commission directed Administrator Guild to set up a Steering Committee to look at changes needed to the Zoning Ordinance instead of taking time during the regular meetings with the full PC/ETZ.

Staff has already reached out to a number of individuals that we feel would be good steering committee members. The following have agreed to be on the Steering Committee to date:

- Trustee/PC Chairman Loren White
- PC/ETZ member Dennis Lawrence
- Fred Schuster, former Trustee and PC member
- ETZ Committee member Mark Hull
- Local Businessman and member of the 2013 Zoning Steering Committee Joe Jordan
- Attorney Matt Yde
- Mark Roffers, MDRoffers
- Jennifer Higgins, Director of Planning and Development (staff)

I will also will be placing a notice out on social media to see if we can find another citizen member who would be interested in serving.

5. Fiscal Impact:

Costs for public hearing and ordinance publications.

6. Legal Impact:
It is legal and consistent with past policy practice. A Steering Committee was formed back in 2013 to assist with the 2015 Zoning Code rewrite.

7. Prior Review:

Plan Commission/ETZ Committee discussion 12/11/17 & 1/8/18

8. Policy Choices:

1. Approve Resolution 2018-PC-001 as drafted.
3. Deny Resolution 2018-PC-001 and handle the review at the Plan Commission level.

9. Recommendation:

I recommend that the Plan Commission approve Resolution 2018-PC-001 as drafted.

10. Attachments:

- Resolution 2018-PC-001
VILLAGE OF WESTON, WISCONSIN
AGENDA ITEM COVER SHEET

MTG/DATE: Plan Commission – 02/12/18

FROM: Jennifer Higgins, Director of Planning & Development

DESCRIPTION: Res. No. 2018-PC-001: A Resolution Creating the Village of Weston Zoning Steering Committee

ACTION:
☑ Approve ☐ Deny ☐ Ordinance
☐ Policy ☐ Procedure ☐ Proclamation
☐ Report ☐ Resolution

QUESTION:
Should the Plan Commission approve a Resolution creating a Steering Committee to review and recommend potential changes to Chapter 94 Zoning in response to the new Act 67 (Homeowners Bill of Rights)?

BRIEF:
New legislation has been signed by Governor Walker, Act 67, that limits the ability of local governments to control certain zoning regulations and requires greater flexibility in the approval of conditional use permits. Attorney Yde gave a presentation to the Plan Commission & ETZ on the new law and how it will affect how we administer the zoning ordinance in the future at our December 11th meeting. A workshop was held at the January meeting to discuss further and the members suggested to Administrator Guild that they would like to create a Steering Committee to look at the needed changes further. The Department is also undergoing an audit so the Steering Committee will also be tasked to discuss potential zoning amendments and process changes that need to be made from the audit findings.

RECOMMEND: Director recommends approval.

COMMITTEE: Plan Commission/ETZ Committee discussion 12/11/17 & 1/8/18

REQUEST: Approve Resolution #2018-PC-001 under Resolutions/Ordinances

☒ Is there an additional briefer with this agenda item?

☒ Are there additional reference documents which have been attached to this report?
VILLAGE OF WESTON, WISCONSIN
RESOLUTION NO. 2018-ETZ-001

A RESOLUTION,
creating the Village of Weston Zoning Steering Committee.

WHEREAS,
the Extraterritorial Zoning Committee is empowered by State Statutes to do and perform all of the functions set out in the Village of Weston Municipal Code Chapter 94 Zoning for areas within the ETZ area of the Town of Weston.

WHEREAS,
in March 2015 a new zoning ordinance, Chapter 94, was adopted and now functions as the Zoning Ordinance for the portion of the Town of Weston within the Village of Weston Extraterritorial Zoning jurisdiction.

WHEREAS,
the State of Wisconsin enacted 2017 Wisconsin Act 67, also know as the Homeowner Bill of Rights, on November 28, 2017.

WHEREAS,
the Department of Planning and Development is also undergoing a Department Audit to look at how the 2015 zoning ordinance and the new procedures that were established are working.

WHEREAS,
the adoption of Act 67 and the Department Audit has prompted the Village to review Chapter 94 for conformance with the new regulations set forth in Act 67.

BE IT RESOLVED by the ETZ for the Town and Village of Weston hereby creates a Zoning Steering Committee that will be tasked to review Chapter 94 and bring any proposed amendments back to the Plan Commission/ETZ for their discussion and ultimate review and recommendation to the Village Board.

BE IT FURTHER RESOLVED that the ETZ Committee tasks the Director of Planning and Development to assemble a Zoning Steering Committee made up of elected, appointed and citizen members to review the current Zoning Ordinance and report back to the Plan Commission and ETZ Committee with any amendments they deem to be necessary.

PASSED BY THE EXTRATERRITORIAL ZONING COMMITTEE OF THE TOWN AND VILLAGE OF WESTON, at a regular meeting thereof, this 12th day of the month of February 2018.

VILLAGE OF WESTON, a Municipal Corporation of the State of Wisconsin.

By: ________________________________
DENNIS LAWRENCE, Chairman

ATTEST:

By: ________________________________
VALERIE PARKER, Secretary
VILLAGE OF WESTON, WISCONSIN
AGENDA ITEM BRIEFER

1. Policy Question:

Should the Plan Commission & ETZ Committee create a Zoning Steering Committee to review Chapter 94?

2. Purpose:

The purpose of asking this question is to receive guidance and feedback from Village policymakers regarding the “policy question” written out above.

3. Background:

New legislation was signed by Governor Walker, Act 67, in November that limits the ability of local governments to control certain zoning regulations and requires greater flexibility in the approval of conditional use permits. The Planning and Development Department also recently began an audit of the Department and its services.

4. Issue Analysis:

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- Attorney Matt Yde
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I will also will be placing a notice out on social media to see if we can find another citizen member who would be interested in serving.

5. Fiscal Impact:

Costs for public hearing and ordinance publications.
6. Legal Impact:

It is legal and consistent with past policy practice. A Steering Committee was formed back in 2013 to assist with the 2015 Zoning Code rewrite.

7. Prior Review:

Plan Commission/ETZ Committee discussion 12/11/17 & 1/8/18

8. Policy Choices:

1. Approve Resolution 2018-ETZ-001 as drafted.
2. Approve Resolution 2018-ETZ-001 with amendments made by the ETZ.
3. Deny Resolution 2018-PC-001 and handle the review at the Plan Commission/ETZ level.

9. Recommendation:

I recommend that the ETZ Committee approve Resolution 2018-ETZ-001 as drafted.

10. Attachments:

- Resolution 2018-ETZ-001
MTG/DATE: ETZ Committee – 02/12/18

FROM: Jennifer Higgins, Director of Planning & Development

DESCRIPTION: Res. No. 2018-ETZ-001: A Resolution Creating the Village of Weston Zoning Steering Committee

ACTION: ☒ Approve ☐ Deny ☐ Ordinance ☐ Policy ☐ Expenditure ☐ Proclamation ☐ Report ☒ Resolution

QUESTION: Should the ETZ approve a Resolution creating a Steering Committee to review and recommend potential changes to Chapter 94 Zoning in response to the new Act 67 (Homeowners Bill of Rights)?

BRIEF:
New legislation has been signed by Governor Walker, Act 67, that limits the ability of local governments to control certain zoning regulations and requires greater flexibility in the approval of conditional use permits. Attorney Yde gave a presentation to the Plan Commission & ETZ on the new law and how it will affect how we administer the zoning ordinance in the future at our December 11th meeting. A workshop was held at the January meeting to discuss further and the members suggested to Administrator Guild that they would like to create a Steering Committee to look at the needed changes further. The Department is also undergoing an audit so the Steering Committee will also be tasked to discuss potential zoning amendments and process changes that need to be made from the audit findings.

RECOMMEND: Director recommends approval.

COMMITTEE: Plan Commission/ETZ Committee discussion 12/11/17 & 1/8/18

REQUEST: Approve Resolution #2018-ETZ-001 under Resolutions/Ordinances

☒ Is there an additional briefer with this agenda item?

☒ Are there additional reference documents which have been attached to this report?