

**VILLAGE OF WESTON, WISCONSIN
AGENDA ITEM COVER SHEET**

MTG/DATE: Plan Commission, June 12, 2017

FROM: Jennifer Higgins, Zoning Administrator

DESCRIPTION: Ordinance 17-017: to establish and clarify standards for parking operable and inoperable motorized vehicles in all zoning districts.

ACTION:	<input checked="" type="checkbox"/> Approve	<input checked="" type="checkbox"/> Ordinance	<input type="checkbox"/> Proclamation
	<input type="checkbox"/> Deny	<input type="checkbox"/> Policy	<input type="checkbox"/> Report
	<input type="checkbox"/> Expenditure	<input type="checkbox"/> Procedure	<input type="checkbox"/> Resolution

QUESTION:

Should the Plan Commission recommend the approval of Ordinance 17-017 to the Board of Trustees as written to establish and clarify standards for parking operable and inoperable motorized vehicles in all zoning districts.?

BRIEF:

In working with the new zoning code, Staff has found that the code was not clear regarding the parking of motorized vehicles in all zoning districts. Motorized vehicles shall be parked on a hard surface, within the hard surface setbacks of the corresponding zoning district.

FISCAL IMPACT: NONE

RECOMMEND: Zoning Administrator recommends approval.

REQUEST: Approve Ordinance 17-017

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- Amendment to Zoning Regulation (Text Amendment) Determination
 - Draft Ordinance Number 17-017



AMENDMENT TO ZONING REGULATION (TEXT AMENDMENT) DETERMINATION
PLANNING AND DEVELOPMENT
PLAN COMMISSION / JOINT TOWN & VILLAGE EXTRATERRITORIAL ZONING COMMITTEE
BOARD OF TRUSTEES

Ordinance No.: **17-017** Hearing Date: **June 12, 2017**

Applicant: **Jennifer Higgins, Zoning Administrator, Village of Weston**

Title: **An amendment to Section 94.12.06(3) and (4): to establish and clarify standards for parking operable and inoperable motorized vehicles in all zoning districts.**

Purpose: **As the current code is written, the sections governing the parking of motorized vehicles are not clear and need to be more specific.**

The Department of Planning and Development, Plan Commission and Board of Trustees of the Village of Weston, pursuant to the Village of Weston Zoning Code, Article 16 Processes, Section 94.16.02 Amendments to Zoning Regulations (Text Amendments), hereby makes the following findings and evaluation:

DETERMINATION:

1. Is the proposed text amendment consistent with the Comprehensive Plan, as is required by Wisconsin Statutes?
Yes, the proposed changes coincide with the objectives within the Housing and Neighborhood element of the Comprehensive Plan
 2. Does the proposed text amendment further the purposes and intent of this Chapter and section to which the amendment is proposed?
Yes, this section continues to promote the general welfare and safety by preventing blight.
 3. Does the amendment address any of the following deficiencies or omissions as compared to the current language of this Chapter?
 1. A change has occurred in the land market, or other factors have arisen that require a new form of development, a new type of land use, or a new procedure to meet said change(s).
 2. New methods of development or providing infrastructure make it necessary to alter this Chapter to meet these new factors.
 3. Changing governmental finances require amending this Chapter in order to meet the needs of the government in terms of providing and affording public services.**4. There is an error or internal inconsistency in this Chapter.**
 4. Does the proposed amendment maintain the desired compatibility with allowable land uses, land use intensities, and impact on resources of the affected zoning district(s)?
Yes, there is not any impact on the allowable land uses, intensities or resources in any of the zoning districts.
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BACKGROUND INFORMATION:

Staff found that the definition of the above stated sections was not written clearly enough to convey the intent of those section and prevent the parking of vehicles on the grass and within the required setbacks.

Plan Commission Determination on 4/10/17:	Approve / Deny
ETZ Determination on 4/10/17:	Approve / Deny
Board of Trustees Determination on 4/17/17:	Approve / Deny



VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

ORDINANCE NO. 17-017

AN ORDINANCE TO AMEND SECTIONS 94.12.06(3) AND (4) TO ESTABLISH AND CLARIFY STANDARDS FOR PARKING OPERABLE AND INOPERABLE MOTORIZED VEHICLES IN ALL ZONING DISTRICTS.

WHEREAS, the Village of Weston is authorized to prepare, amend and adopt a zoning ordinance under Wis. Stats. §§ 62.23 and 61.35; and

WHEREAS, the Village adopted a new Chapter 94 in March 2015, to serve as the Village's general zoning ordinance and the Village's extraterritorial zoning ordinance for the portions of the Town of Weston defined as the extraterritorial zoning area; and

WHEREAS, in administering this new Chapter 94, Village staff has found Sec. 94.12.06 does not adequately address the standards for the parking of motorized vehicles on hard surfaces and within the proper setbacks in the Village and Town; and

WHEREAS, Village Staff is proposing amendments to Chapter 94 Zoning to clarify the regulations for the parking of motorized vehicles; and

WHEREAS, the Plan Commission has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Village limits; and

WHEREAS, the Joint Town and Village Extraterritorial Zoning Committee has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Extraterritorial Zoning limits of the Town of Weston; and

WHEREAS, the Joint Village and Town of Weston Extraterritorial Zoning Committee and Village Plan Commission have held a joint public hearing on this ordinance, on June 12, 2017, in compliance with Wis. Stat. § 62.23, and following such hearing the Board considered public comments and the recommendation of the Village Plan Commission and Joint Village and Town of Weston Extraterritorial Zoning Committee; and

WHEREAS, the Village Board finds the proposed amendment is reasonable, consistent with the Village Comprehensive Plan, and in the public interest;

NOW, THEREFORE, the Village Board of Weston, Marathon County, Wisconsin, does ordain as follows:

SECTION 1: Chapter 94 Zoning Ordinance is hereby amended to provide as follows:

Section 94.12.06: Exterior Storage Standards

- (3) **Motor Vehicle Storage.** Except in AR and RM zoning districts, storage of operable and licensed motor vehicles shall be on a hard or gravel surface. No motor vehicle in any zoning district shall be

stored within the minimum hard or gravel surface setbacks of Article 5. All motor vehicle storage areas shall be landscaped in accordance with Article 11. Storage or parking of semi-trailers, busses, and heavy duty trucks on property zoned or used for residential purposes is prohibited.

- (4) **Inoperable Vehicles and Junk.** The outside storage of inoperable or unlicensed vehicles, appliances, and other junk or trash shall be prohibited, except as described within the “Junkyard or Salvage Yard” and “Outdoor and Vehicle Repair and Maintenance” land use performance standards and for those uses approved in accordance with the requirements of this Chapter. The storage of inoperable vehicles in association with said uses shall be on a hard or gravel surface meeting applicable hard or gravel surface setback requirements; and is also subject to the regulations set forth in Section 50.105 of the Code.

SECTION 4: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 19th day of June, 2017

WESTON VILLAGE BOARD

By: Barbara Ermeling, its President

Attest:

Sherry Weinkauff, its Clerk

APPROVED: _____

PUBLISHED: _____