

1. 07.03.23 Plan Commission Meeting Agenda

Documents:

[07.03.23- PC AGENDA.PDF](#)

2. 07.03.23 Plan Commission Meeting Packet

Documents:

[07.03.23 PLAN COMMISSION MEETING PACKET.PDF](#)

Plan Commission

Regular Meeting Notice and Agenda

Village Hall
2417 Brewery Road
Cross Plains, WI 53528
(608) 798-3241

Monday, July 3, 2023
6:30 pm

Please note that due to current spacing requirements concerning COVID-19, the facility will have limited seating. The Village of Cross Plains will provide opportunities for the public to participate virtually or by calling in with the understanding that the meeting will continue even if technical problems occur. The log in information is as follows:

Zoom Meeting Link:

<https://us02web.zoom.us/j/83459730362>

Conference telephone line:

+1 312 626 6799

Meeting ID: 834 5973 0362

- I. Call to Order
- II. Roll Call
- III. Pledge of Allegiance
- IV. Public Comment – This is an opportunity for anyone to address the Plan Commission on any issue. *Please observe the time limit of 3 minutes.* While the Plan Commission encourages input from residents, it may not discuss or act on any issue that is not duly noticed on the agenda. *THOSE WISHING TO SPEAK DURING THE MEETING ARE ENCOURAGED TO REGISTER PRIOR THE START OF THE MEETING. YOU MAY ALSO REGISTER YOUR COMMENT BY SENDING AN EMAIL TO bmooney@cross-plains.wi.us AHEAD OF THE MEETING.*
- V. General Business – Regular Meeting
 1. Approval of the Minutes from the June 5, 2023, Plan Commission Meeting
 2. Regarding Village Short Term Rental Ordinance
 - A. Public Hearing
 - B. Discussion and Possible Action Regarding the proposed Village Short Term Rental Ordinance
 3. Discussion and Possible Action Village Banner Policy
- VI. Adjournment

This meeting notice constitutes an official meeting of the above referenced group and was posted in accordance with all applicable laws related Open Meetings Law. 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 governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice. Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals. For additional information or to request this service, contact the Village Hall at (608) 798-3241 or bobbi@cross-plains.wi.us.

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Village of Cross Plains

June 10, 2023

Dear Village President, Plan Commission, Board, and staff,

We write to you as landowners of various higher elevation lands adjacent to and potentially developable within the Village of Cross Plains.

We support the Village process of establishing a comprehensive approach to water provision for high elevation developments. The Village is restricted in future growth along its creek valleys for environmental reasons. This puts the bulk of growth prospects in higher elevation areas—mostly above the existing municipal water pressure capacity.

We also support the April Plan Commission statement by the Village Finance Director. Municipal water in these areas is expensive—roughly \$4 million for each new water pressure zone added (see Village Engineer 2021 memo). The situation is exacerbated by Village geography which likely requires duplication in the same pressure zone on opposite sides of a creek valley—Sundance vs. Plastic Ingenuity lands for example.

After thorough investigation, private wells alongside public sewer-mains were approved for the Village even under the stringent environmental requirements of Dane County (see CARPC Sundance 2017 approval). We don't oppose municipal water where possible. It allows for more flexibility and higher density development, among other benefits.

However, as the Finance Director stated, the issue comes down to sheer practicality. Without a new funding source that has yet to be identified—public water for these areas is a nonstarter:

- 1) No prospective development is near large enough to absorb municipal water costs privately. It would take a project of several hundred units to approach financial feasibility for a single pressure zone's worth of infrastructure. Even then, private lending for the massive up-front costs is improbable.
- 2) Alternately, it seems unlikely that the Village is prepared to hold multi-million dollar loans for the decades it might take for so many units to be developed and assessed.
- 3) Per the Village Engineer, outside public funds appear to be unavailable for this case—they are limited to improving existing water systems, but are not available for expansions.

Under these conditions a public-water-only policy would effectively prohibit Village development in much of its surrounding lands. Future projects in these areas would become feasible only within the Towns via well and septic. This would be a financial and planning detriment to the Village.

The Village faces unique geographic and fiscal constraints. Private wells and public sewer are a solution where municipal water is impractical. As surrounding landowners, we are happy to participate in any practical solution that would permit sustainable future growth.

Sincerely,

Kyo Ladopoulos, Sundance Development

Greg and Kate Roessler

Linda Statz

Eugene and Julie Maier

Plan Commission
Regular Meeting Minutes

Village Hall
2417 Brewery Road
Cross Plains, WI 53528
(608) 798-3241

Monday, June 5, 2023
6:30 pm

I. Call to Order

Village President Lengfeld called the meeting to order at 6:30 pm.

II. Roll Call

Present: Commissioner(s) Kevin Thusius, Seth Johnson and Sarah Francois Trustee(s) Judy Ketelboeter, Doug Brunner and Village President Lengfeld

Also Present: Village Administrator Brian Mooney, Village Planner Ben Rohr

III. Pledge of Allegiance – Everyone joined in the Pledge of Allegiance.

IV. Public Comment – None

V. General Business – Regular Meeting

1. Approval of the Minutes from the May 1, 2023, Plan Commission Meetings

A motion was made by Commissioner Johnson, seconded by Trustee Brunner, and unanimously carried by the Plan Commission, to approve the May 1, 2023 Plan Commission meeting minutes.

2. Village Driveway Ordinance Amendments

A.) Public Hearing

Trustee Brunner motioned to commence the public hearing, seconded by Commissioner Thusius, and unanimously carried by the Commission to open the public Hearing.

Hearing no comments, a motion was made by Commissioner Thusius, seconded by Trustee Brunner, and unanimously carried by the Plan Commission to close the public hearing

B.) Action

Following questions and discussion about parking options directly alongside and behind existing property garage space, and Trustee Ketelboeter motioned to approve the proposed Ordinance Section 84 amendments, seconded by Commissioner Francois, and unanimously supported by the Village Plan Commission

3. Discussion Village Short-Term Rental Properties

Village President Lengfeld introduced the topic of a Village Short-Term Rental Policy, and Village Planner Mr. Rohr provided background information on the proposed Short-Term Rental Ordinance and associated considerations within Cross Plains. The Commission discussed the establishment of minimum stay requirements of one versus two days, and parking restrictions at the sites of Short-Term Rental licensed properties. Upon final discussion, Commission recommendation was to establish two-day minimum stay requirements and a consolidation of listed parking requirements on site at Short-Term Rental properties.

4. Discussion Village Banner Policy

Village President Lengfeld briefed the Plan Commission on the background related to the Village entrance sign banner addition. Mr. Lengfeld informed the Commission the Village currently has a Main Street Banner policy, and a temporary sign policy, that this matter could be considered merged within. Upon discussion by the Plan Commission, it was agreed creating a new Village Banner Policy involving the entrance signs would be more applicable to this situation, and allows for easier future modification than creating a new Village Ordinance. Mr.

Lengfeld stated he will put together a new Village entrance sign banner policy that includes timeframes for banner display, and bring to a future meeting.

VI. Adjournment

A motion was made by Commissioner Francois, seconded by Commissioner Johnson, and unanimously carried by the Plan Commission to adjourn at 7:15 pm.

Proper notice of this meeting was given to the public and posted on the public bulletin boards in accordance with the Open Meeting Law.

Respectfully submitted,

Brian Mooney
Village Administrator

Draft Short-Term Residential Rental Accessory Land Use (Section 84.66)

- (y) Short-Term Residential Rental: Includes all lodging places and tourist cabins and cottages, other than hotels and motels, in which sleeping accommodations are offered for pay to tourists and transients. It does not include private boarding houses or rooming houses not accommodating tourists or transients, or bed and breakfast establishments regulated under ACTP 73.
 - (1) Permitted by Right: All zoning districts.
 - (2) Land Use Requirement: Short-Term Residential Rentals shall only be located as an Accessory Land Use to a Residential Land Use as defined in Section 84.55.
 - a. Annual Village License Required: Each Short-Term Residential Rental shall operate only during the valid period of an Annual Village of Cross Plains Short-Term Residential Rental License for each calendar year. Operating a Short-Term Residential Rental without a current version of a valid license shall be considered a violation of this Zoning Ordinance, and subject to the penalties of Section 84.170. The following information shall be provided on an annual basis, prior to issuance of said Annual Village of Cross Plains Short-Term Residential Rental License:
 - 1. Completed Village of Cross Plains Short-Term Residential Rental Application, which includes the property owner name, address, and phone number; the designated operator's name, address, and phone number.
 - 2. Proof of valid property and liability insurance for the dwelling unit.
 - 3. State of Wisconsin Tourist Rental House License.
 - 4. Seller's Permit issued by the Wisconsin Department of Revenue.
 - 5. Payment of an Administrative Fee, set annually by the Village, to cover the costs to the Village of administering the above.
 - b. The Village of Cross Plains Short-Term Residential Rental License shall be issued with the completion of the above requirements.
 - (3) Property Management Requirements. Each Short-Term Residential Rental shall be managed consistent with the following requirements:
 - a. The total number of days of operation within any calendar year shall not exceed 180 days, which must be consecutive. This period of Short-Term Residential Rental Operation shall be specified by the property owner in the required annual Cross Plains Short-Term Residential Rental Application.
 - b. The Minimum Rental Period shall be two days by any one party.
 - c. The Maximum Rental Period shall be no more than 180 days in a calendar year.
 - (4) The Maximum Number of Occupants shall not exceed the total number licensed by the State of Wisconsin or two per bedroom plus two additional occupants, whichever is less.
 - a. Similar facilities in which Residential Land Uses are available throughout the year are a different land use that falls within the Bed and Breakfast, Vacation Rental Home, and Commercial Indoor Lodging land use categories.
 - b. The Short-Term Residential Rental shall be operated by the property owner or by a property manager explicitly designated in the valid Cross Plains Short-Term Residential Rental Application as the "Designated Operator".
 - c. The property owner's and the Designated Operator's names, addresses, and 24-hour phone numbers shall be provided in the Village of Cross Plains Short-Term Residential Rental

Application and shall be updated within 24 hours upon any change in the property manager or the property manager contact information.

- d. Each Short-Term Residential Rental shall provide and maintain a Guest Register and shall require all guests to register their true names and addresses before allowing occupancy. The Guest Register shall be kept intact and available by the Designated Operator for inspection by representatives of the Village for at least one year from the day of the conclusion of the period of operation.
 - e. Each Short-Term Residential Rental shall maintain the following written Business Record for each rental of the Short-Term Residential Rental: the true names and addresses of any person renting the property, the dates of the rental period, and the monetary amount or consideration paid for the rental. The Business Record shall be kept intact and available by the Designated Operator for inspection by representatives of the Village for at least one year from the day of the conclusion of the period of operation.
- (5) Property Operational Requirements. Each Short-Term Residential Rental shall be operated per the following requirements:
- a. Parking Requirements:
 1. A minimum of two off-street parking spaces shall be provided on the subject property for each Short-Term Residential Rental. If the Short-Term Residential Rental provides three or more bedrooms, an additional on-site parking space is required for each additional bedroom over two. All guest parking for vehicles and trailers shall be within a legal off-street parking space on an area paved with concrete or asphalt.
 2. No parking is permitted on gravel, lawn, or planter bed areas.
 - b. Site Appearance Requirements:
 1. Aside from a changing mix of guests and their vehicles, there shall be no evidence of the property being used as a Short-Term Residential Rental visible on the exterior of the subject property.
 2. No exterior signage related to the Short-Term Residential Rental is permitted, other than the property address.
 3. No outdoor storage related to the Short-Term Residential Rental land use is permitted, except for typical residential recreational equipment, seating, and outdoor cooking facilities which are permitted only within the rear yard.
 4. No recreational vehicle, camper, tent, or other temporary lodging arrangement shall be permitted to accommodate guests.
 - c. Neighborhood Impact Requirements:
 1. No outdoor activity shall occur between the hours of 10:00 p.m. and 7:00 a.m.
 2. At all times, no noise, lighting, odor or other impacts from the subject property shall be detectable at the property line at levels exceeding the requirements of Article VII of the Cross Plains Zoning Ordinance.
 3. No vehicular traffic shall be generated by the Short-Term Residential Rental at levels exceeding those typical for a detached single-family dwelling unit.
 - d. Short-Term Residential Rental Advertising:
 1. No outdoor advertising is allowed on the subject property.

2. The Short-Term Residential Rental shall not be advertised for availability in any form of media unless the required Village of Cross Plains Short-Term Residential Rental License has been issued.
- e. Penalties and License Revocation
1. Violations of the requirements for Short-Term Residential Rental, the provisions of the Short-Term Residential Rental License, and all other the requirements of the Zoning Ordinance are subject to separate daily fines per Section 84.170. Violations will be issued to, and will be the responsibility of, the property owner.
 2. The Annual Short-Term Residential Rental License may be revoked for more than two violations of the requirements of the License, the requirements specific to Short-Term Residential Rental, the License, or the remainder of Zoning Code.

Section 84.54 Table of Land Uses

Conservation	RH-35	SR-1	SR-3	SR-4	SR-5	DR-6	MR-8	MR-16	NMU	CMU	MSMU	BP	IJ	GI	ME	Land Uses Permitted P: By Right C: By Conditional Use Permit
																Accessory Land Uses
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	(25) Short-Term Residential Rental

Article II: Establishment of Zoning Districts Sections 84.25 – 84.39

All Zoning Districts would be amended to reflect Short-Term Rentals as Permitted By Right land uses.

Additions to the Banner Policy

Policy Name change – Main Street Overhead Banner and Village Entry Sign Policy

Village Entry Sign Usage

Public Event Sign- For a temporary event of public interest hosted by and/or held at a community organization or institutional facility, such as a community event operated by a nonprofit organization.

1. Organization hosting the event shall submit in writing an application 21 days prior to the desired display date to the Village Administrator.
2. All applications for sign placement on Village Entry Signs must be approved, modified, and/or denied by the Village Administrator. Any requesting organization whose application for sign placement has been denied or modified by the Administrator may appeal to the Village Board.
3. The sign shall not display commercial advertising or advertise specific commercial products services or businesses. The inclusion of a brand name within the name of an event is permissible.
4. The applicant shall accept full responsibility for any damage claims from permitted sign.
5. Each sign shall not exceed ten (10) feet in length and four (4) feet in width.
6. The content of such signs shall be limited to the name of the event, location, direction, non-profit sponsorship, and/or distance to the event.
7. Such signs shall not be installed more than 30 days before the event and shall be removed within 5 days after the event.