



CONDITIONAL USE PERMIT

CITY OF MIDDLETON CHECKLIST

REQUIREMENTS PER [SECTION 10.10.32](#)

APPLICATION PACKET REQUIREMENTS

The City **strongly prefers** to receive the application electronically via e-mail to planning@cityofmiddleton.us, although a paper copy will also be accepted.

- 1) Plan Commission meets the 2nd and 4th Tuesday of most months at 7PM in the Council Chambers of Middleton City Hall.
- 2) **Due to public hearing notice requirements**, the application packet materials must be submitted **AT LEAST SIX WEEKS** prior to a Plan Commission meeting for staff review unless Planning Staff have authorized a different timeline.
- 3) Application fee and \$5,000 escrow deposit for the City's consultant plan review is required at time of submission to be considered a complete package.
- 4) Failure to submit a complete package may result in the return of all items, a resubmittal fee, and a delay in your project.
- 5) Larger and more complex projects will require additional review time, and staff will be in contact regarding the agenda and timeline.

SUBMITTAL REQUIREMENTS:

- Completed and signed [Plan Commission Application](#).
- A map of the subject property to scale depicting:
 - All lands for which the conditional use is proposed and all other lands within 100 feet of the boundaries of the subject property.
 - Current zoning of the subject property.
 - All lot dimensions of the subject property.
 - A graphic scale and a north arrow.
- Written description of the proposed conditional use including the type of activities, buildings, structures, and off-street parking proposed for the subject property and their general locations, as well as the number of employees and the hours of operation, if applicable.
- Written justification for the proposed conditional use, including evidence that the application is consistent with the Comprehensive Plan and meets any additional standards required in the applicable zoning district. See Section 10.10.32(8) for review criteria.
- Written descriptions of anticipated daily traffic, types and weights of vehicles, and any provisions, intersection or road improvements or other measures proposed to accommodate increased traffic. A Traffic Impact Analysis (TIA) meeting Wisconsin Department of Transportation requirements for content and format may be required by the City if deemed necessary by the City Engineer.
- A site plan of the subject property if proposed for development conforming to all requirements of [Section 10.10.43](#) of the Middleton Zoning Code.
- Compliance with stormwater and erosion control standards.
- Anticipated noise, odors, dust, soot, runoff, pollution, exterior storage, vibration, glare, or lighting, and measures taken to mitigate impacts to neighboring properties. Refer to Article VI of Middleton Zoning Code for all performance standards.
- A listing of hazardous, toxic, or explosive materials stored on site, and any spill containment, safety, or pollution prevention measures taken.
- Written description of how the proposed conditional use and all requirements established by the City relating to the conditional use are or shall be satisfied.
- All CAD files converted to PDF with SHX text set to 0 or 3.

Maximum file size of 30 MB.

CRITERIA USED TO EVALUATE THE PROPOSED CONDITIONAL USE

The Zoning Administrator, City Engineer, and Department Heads shall review the complete application and evaluate whether the proposed conditional use:

1. Is in harmony with the [Comprehensive Plan](#).
2. Would result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare.
3. Maintains the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property.
4. The conditional use is located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities or services provided by public or private agencies serving the subject property.
5. The potential public benefits outweigh any potential adverse impacts of the proposed conditional use, after taking into consideration the applicant's proposal and any requirements recommended by the applicant to ameliorate such impacts.

FEES:	In accordance with the fee schedule in Sec. 3.12 Appendix A	
	APPLICATION FEE	ESCROW DEPOSIT FOR CITY CONSULTANT REVIEW
	\$500	\$5,000

SECTION 10.10.61(2) ESCROW DEPOSITS:

ESCROW DEPOSIT	An Escrow Deposit of \$5,000 is required per Sec. 10.10.61 to cover project review costs by outside consultants when necessary. Staff will notify you if/when an escrow deposit is needed.
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- a) Applicants for all Zoning Amendments, Conditional Use Permits, Planned Unit Developments, and modifications shall be responsible to pay the actual cost of review of the application charged to the City by other agencies, or by outside consultants hired by the City including but not limited to Federal, State, or County Departments and Madison Metropolitan Sewerage District, Attorneys, Engineers, or Planners. Upon application, the applicant shall deposit an amount set forth in the Fee Schedule under Chapter 3.12 of the Municipal Code to be held in escrow upon which the City shall draw to pay for said costs as they are incurred during the course of reviewing the application. Itemized statements reflecting the amounts drawn from the deposit shall be sent to the applicant each month. In the event that the escrow deposit has been drawn down to twenty-five percent (25%) of the required amount, the applicant shall replenish the escrow deposit to its original amount. If any funds remain in the escrow deposit following final determination of the application, such remaining funds shall be returned to the applicant within sixty (60) days of the determination together with an accounting of the deposits and draws on the escrow.
- b) Applicants may obtain a pre-application waiver of the required escrow deposit from the City Administrator if in the City Administrator's sole discretion, he or she determines that no consultant review will be required. Said waiver shall not preclude the City Administrator from employing an outside consultant, charging the costs of any consultant review to the applicant, or requiring an escrow deposit at any time after application.

Section 26.10(6) – **Warranty and Financial Guarantee** of the City of Middleton Code of Ordinances requires the submittal of financial guarantee in every instance where the estimated cost of stormwater practices exceeds \$5,000. The financial guarantee must be provided prior to stormwater management permit approval. The amount of the Installation Financial Guarantee shall be determined by the City Engineer and shall not exceed the total estimated construction costs of the approved storm water management practices, plus 25%.