

17.66 STANDARDS – CONDITIONAL USES

No application for a conditional use shall be granted by the Village Board unless the Board shall find all of the following conditions are present, which the applicant shall have the burden of proving by providing substantial evidence thereof:

- (a) That the establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.
- (b) That the uses, values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by the establishment, maintenance or operation of the conditional use and the proposed use is compatible with the use of adjacent land.
- (c) That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
- (d) That adequate utilities, access roads, drainage and other necessary site improvements have been or are being provided.
- (e) That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
- (f) That the conditional use shall, except for yard requirements, conform to all applicable regulations of the district in which it is located.
- (g) That the proposed use does not violate flood plain regulations governing the site.
- (h) That, when applying the above standards to any new construction of a building or an addition to an existing building, the Board shall bear in mind the statement of purpose for the zoning district such that the proposed building or addition at its location does not defeat the purposes and objective of the zoning district.
- (i) That the proposed conditional use is consistent with the goals, objectives, and policies of any adopted Comprehensive Plan.
- (j) That the proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke, or gas.
- (k) That the applicant shall have no outstanding tax liens, assessments or other outstanding unsatisfied obligations to the Village or to any other public agency or utility.
- (l) The proposed use shall not, as a total net effect of the use, have an unusual or adverse impact to public infrastructure or create an extraordinary burden on public resources.
- (m) That, in addition to passing upon a conditional use permit, the Board shall also evaluate the effect of the proposed use upon:

- (1) The maintenance of safe and healthful conditions.
- (2) The prevention and control of water pollution including sedimentation.
- (3) Existing topographic and drainage features and vegetative cover on the site.
- (4) The location of the site with respect to floodplains and floodways of rivers and streams.
- (5) The erosion potential of the site based upon degree and direction of slope, soil type and vegetative cover.
- (6) The location of the site with respect to existing or future access roads.
- (7) The need of the proposed use for a shoreland location.
- (8) Its compatibility with uses on adjacent land.
- (9) The amount of liquid wastes to be generated and the adequacy of the proposed disposal systems.