

Discussion Topic: "Locally undesirable land uses"

Plan Commissioner Network
Wednesday, September 26, 2012 @ T. Nepeuskun, 6:30-8pm

"The general trend in Wis. when it comes to LULUs is for the state legislature and the courts to limit local discretion to deal with these by developing rules local governments must follow." B. Ohm, pers.comm.

- I. What are LULUs?
 - a. Terminology/acronyms
 - b. What is a LULU to one person may not be to another
 - c. Connection to environmental justice (disproportionate siting of lulus in minority and poor neighborhoods)
 - d. Focuses on public interest (e.g. location) vs. function (providing waste services)
- II. Actual/Perceived Impacts of LULUs
 - a. Environmental contamination
 - b. Aesthetics
 - c. Air/water quality pollution
 - d. Noise/odor
 - e. Property values
 - f. Traffic
- III. What tools to PCs have to 'manage' them?
 - a. Good planning – community vision – knowing ahead of time what the community wants
 - b. Zoning and allowed land uses
 - c. Conditional use permits – to manage impacts
 - d. State regulations
 - e. Moratoria
 - f. Communication with the public and media. (NOTE – public opposition is not a valid basis for denial if your regulations allow it)
- IV. Tips
 - a. Listen -- there may be positive sides to insights from opponents
 - b. Address concerns in a realistic way
 - c. Don't let your emotions drive your decision
 - d. Diffuse fiction, gossip and innuendo
 - e. Know the opposition and keep perspective
 - f. Communicate, communicate, communicate
 - g. It's your job to be fair. Reach a final decision fairly and stick with it.
- V. Specific LULUs
 - a. Wind, energy towers
 - b. Slaughter house
 - c. Ethanol plant
 - d. Non-metallic mining, Frac sand mining
 - e. Livestock facility siting
 - f. Adult Uses
 - g. Others (see pages 7-11 of NYS slides set)

Next meetings: November 28th (Town of Neenah) – legal side of addressing nuisances; Guest – Matt Parmentier, lawyer identifying 2013 topics