



# CITY OF APPLETON

## MEMORANDUM

**Date:** August 27, 2025  
**To:** Plan Commission  
**From:** Colin Kafka, Principal Planner  
**Subject:** Informational Presentation of Draft Municipal Code Text Amendments –  
Chapter 23 Zoning: Article III. Sec. 23-54 Temporary Uses and Structures

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### PURPOSE OF MUNICIPAL CODE TEXT AMENDMENTS

1. Expedite the approval of temporary uses by proposing to eliminate the duplication of permitting and licensing for temporary uses between Chapter 23 Zoning Ordinance and Chapter 9 Licenses, Permits, and Business Regulations.
2. Retain and update temporary use regulations pursuant to the proposed removal of the temporary use permitting requirements and procedures.
3. Make minor adjustments to existing temporary use standards to correct vague language for consistent administration of the Zoning Ordinance.

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### GENERAL INFORMATION

Community Development Department Planning staff collaborated with the City Attorney's Office and the City Clerk's Office on the proposed draft Chapter 23 Zoning text amendments to eliminate duplication of permitting requirements found elsewhere in the Municipal Code or policies (specifically Chapter 9 Licenses, Permits, and Business Regulations).

Staff found that most temporary uses required to have a temporary use permit by the Community Development Department overlaps with the review of licenses required for the same uses by the City Clerk's Office. Community Development staff participate in the review of licenses, and City Clerk's Office staff participate in the review of temporary use permits. Since both reviews involve multiple City departments, this results in the unnecessary redundancy of application, fee, and review incurred on the applicants.

The proposed text amendments to Sec. 23-54 would:

- **Remove the Temporary Use Permit Requirement:** The requirements for a temporary use permit found under Sec. 23-54(b – f) would be eliminated as would the associated fees and staff review process. Community Development staff, along with other City Department staff, would continue to be involved in the review of City Clerk license applications.
- **Retain and Clarify Standards:** The standards and regulations for temporary uses and structures will be kept to ensure consistent application and enforcement of Sec. 23-54. Proposed modifications to the temporary use standards and regulations include allowing several temporary uses into additional commercial and industrial zoning districts for consistency, as well as clarifying durations for temporary uses and structures where necessary.

- **Create Temporary Use Standards for Mobile Food Vendors:** Temporary use standards for Mobile Food Vendors (food trucks) is proposed to be further clarified. Currently, permits for mobile food vendors are issued under '*Sec. 23-54(i)(4) - Temporary structures other than tents, canopies, temporary contractor's offices, or portable storage units.*' The proposed Mobile Food Vendor temporary use would follow similar standards that are applied today.

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## PROPOSED DRAFT TEXT AMENDMENTS

The text recommended to be added is underlined. The text recommended for deletion is identified by ~~strikethrough~~.

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## RECOMMENDATION

Based upon the above analysis, staff recommend the Plan Commission review the draft Municipal Code text amendments included in this report, discuss and receive public input on the proposed changes, and direct staff to make any revisions and prepare the necessary public hearing notices for the proposed text amendments to Chapter 23 Zoning.

**NOTE:** Chapter 23 Zoning text amendments initiated by Plan Commission will be processed in accordance with Section 23-65(c), Zoning Text Amendments. This process would include future review and action by Plan Commission (after public hearing), as well as review and action by Common Council.