

**ORDINANCE REPEALING EXISTING ORDINANCE AND REENACTING  
COMPREHENSIVE REVISION TO MANITOWOC COUNTY CODE CH. 8  
(General Zoning and Land Use Regulation)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1           WHEREAS, Manitowoc County adopted a general zoning ordinance more than 40 years ago  
2 in order to provide for reasonable regulations that would promote the public health, safety,  
3 convenience, and general welfare; encourage planned and orderly land use development; protect  
4 property values and the property tax base; and achieve the other purposes set forth in Wis. Stat. §  
5 59.69(1) and other statutes; and  
6

7           WHEREAS, the Wisconsin Department of Agriculture, Trade and Consumer Protection  
8 (DATCP) has required that Manitowoc County revise its general zoning ordinance and associated  
9 zoning maps by January 1, 2012 if the county wants to continue its participation in the farmland  
10 preservation program, which is now part of the Working Lands Initiative that was adopted into law  
11 in 2009; and  
12

13           WHEREAS, the farmland preservation program provides tax credits to Manitowoc County  
14 farmers that total approximately \$1,000,000 annually; and  
15

16           WHEREAS, the Planning and Park Commission recommended a comprehensive revision  
17 of the general zoning ordinance in order to modernize the code, address changes in land use  
18 planning that have taken place over the past 40 years, and update the ordinance and zoning maps to  
19 meet DATCP requirements; and  
20

21           WHEREAS, the Planning and Zoning Department secured grant funds to assist in preparing  
22 a comprehensive revision of the general zoning ordinance and the associated zoning maps; and  
23

24           WHEREAS, the Planning and Park Commission, after providing the required notice, held  
25 a hearing on October 17, 2011 to consider the proposed comprehensive revision to the general  
26 zoning ordinance and associated zoning maps; and  
27

28           WHEREAS, the Planning and Park Commission, after careful consideration of the testimony  
29 at the hearing and an examination of the facts, recommends that the following comprehensive  
30 revision of the general zoning ordinance and associated maps be approved;  
31

32           NOW, THEREFORE, the county board of supervisors of the county of Manitowoc does  
33 ordain as follows:  
34

35           Manitowoc County Code Chapter 8, General Zoning, Manitowoc County Zoning Ordinance,  
36 Use Regulations, is repealed in its entirety and reenacted to read as follows:  
37

38 CHAPTER 8

39  
40 **GENERAL ZONING AND**  
41 **LAND USE REGULATION**

42  
43 Part I. General Provisions.

- 44
- 45 8.01 Title.
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- 47 8.03 Purpose.
- 48 8.04 Applicability.
- 49 8.05 Severability.
- 50 8.06 Effective Date.

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52 Part II. Definitions.

- 53
- 54 8.07 Definitions.

55  
56 Part III. Zoning Districts.

- 57
- 58 8.08 Establishment of Districts.
- 59 8.09 Exclusive Agriculture (EA).
- 60 8.10 General Agriculture (GA).
- 61 8.11 Large Estate Residential (LE).
- 62 8.12 Small Estate Residential (SE).
- 63 8.13 Rural Residential (RR).
- 64 8.14 High Density Residential (HD).
- 65 8.15 Lake Residential (LR).
- 66 8.16 Commercial/Business (CB).
- 67 8.17 Industrial (ID).
- 68 8.18 Natural Area (NA).

69  
70 Part IV. Standards.

- 71
- 72 8.19 Nonconforming Lots of Record.
- 73 8.20 Nonconforming Structures.
- 74 8.21 Nonconforming Uses.
- 75 8.22 Farm Consolidation.
- 76 8.23 Site Restrictions.
- 77 8.24 Use Restrictions.
- 78 8.25 Height Exception.

79  
80 Part V. Supplemental Regulations.

- 81
- 82 8.26 General Standards.
- 83 8.27 Accessory Structures.
- 84 8.28 Adult Entertainment Establishments.

- 85 8.29 Airports and Landing Strips.
- 86 8.30 Antennas.
- 87 8.31 Automobile Wrecking Yards, Dumping Grounds, Junk Yards, Sanitary Land Fills, and
- 88 Salvage Yards.
- 89 8.32 Cemeteries.
- 90 8.33 Conservation Clubs, Shooting Clubs, and Shooting Ranges.
- 91 8.34 Convalescent Homes, Hospitals, Public Buildings, Nursing Homes, Sanitariums, and
- 92 Utilities.
- 93 8.35 Driveways; Parking Spaces; and Loading, Standing, and Unloading Areas.
- 94 8.36 Home Occupations.
- 95 8.37 Hunting Cabins or Warming Shacks.
- 96 8.38 Manmade Ponds.
- 97 8.39 Manufactured Homes and Mobile Homes.
- 98 8.40 Manufactured Home Parks.
- 99 8.41 Outdoor Wood Burning Furnaces or Units.
- 100 8.42 Recreation Vehicles.
- 101 8.43 Sand, Gravel, and Rock Excavation.
- 102 8.44 Signs.
- 103 8.45 Vacation Home Rentals.

104

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- 107 8.46 Planning and Park Commission.
- 108 8.47 Planning and Zoning Department.
- 109 8.48 Board of Adjustment.
- 110 8.49 Amendments.

111

Part VII. Applications and Appeals.

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- 114 8.50 Zoning Permits.
- 115 8.51 Reasonable Accommodation for Disabled or Handicapped Persons.
- 116 8.52 Conditional Use Permits.
- 117 8.53 Site Plan Requirements.
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Part VIII. Violations, Enforcement, and Penalties.

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- 121
- 122 8.55 Violations.
- 123 8.56 Enforcement.
- 124 8.57 Penalties.

125

**PART I. GENERAL PROVISIONS.**

126

**8.01 Title.**

127

This ordinance may be referred to as the General Zoning and Land Use Regulation Ordinance, the General Zoning Ordinance, or the Zoning Ordinance.

129

130

131

132 **8.02 Authority.**

133

134 This ordinance is adopted pursuant to authority granted by Wis. Stat. § 59.51, 59.69, 59.694,  
135 59.696, 59.697, and 56.698 and all other applicable provisions of the Wisconsin Statutes.

136

137 **8.03 Purpose.**

138

139 The purpose of this ordinance is to implement the county’s policies by classifying and  
140 regulating the use of land and structures in accordance with the county’s comprehensive plan  
141 in order to promote the best and highest use of property; protect property values; encourage  
142 conservation and protection of the county’s agricultural land and natural resources; protect  
143 the character and qualities of historic sites and scenic areas; preserve and improve the quality  
144 of life in the county; and promote and protect the public health, safety, and general welfare.

145

146 **8.04 Applicability.**

147

148 This ordinance applies to all development, structures, and land uses within the  
149 unincorporated areas of the county.

150

151 **8.05 Severability.**

152

153 The provisions of this ordinance are severable and the invalidity of any part of this ordinance  
154 will not affect the validity or effectiveness of the remainder of the ordinance.

155

156 **8.06 Effective Date.**

157

158 Following enactment by the county, this ordinance will become effective in a town when it  
159 is approved by a resolution adopted by the town board and a certified copy of the resolution  
160 is filed with the county clerk.

161

162 **PART II. DEFINITIONS.**

163

164 **8.07 Definitions.**

165

166 “Accessory building” means a building, or any portion of a building, that is subordinate to  
167 the main building and that is used for a purpose incidental to the permitted use of the main  
168 building or the premises.

169

170 “Accessory use” means any use that is subordinate to the principal use and that is incidental  
171 to the principal use.

172

173 “Agricultural accessory use” means any of the following land uses on a farm:

174

175 (1) A building, structure, or improvement that is an integral part of, or is  
176 incidental to, an agricultural use. This may include, for example:

177

- 178 (a) A facility used to store or process raw agricultural commodities, all  
179 of which are produced on the farm.  
180  
181 (b) A facility used to keep livestock on the farm.  
182  
183 (c) A facility used to store or process inputs primarily for agricultural  
184 uses on the farm.  
185  
186 (d) A facility used to keep or service vehicles or equipment primarily  
187 employed in agricultural uses on the farm.  
188  
189 (e) A wind turbine or solar energy facility that collects wind or solar  
190 energy on the farm, and uses or transforms it to provide energy  
191 primarily for use on the farm.  
192  
193 (f) A manure digester, biofuel facility, or other facility that produces  
194 energy primarily for use on the farm and that primarily uses materials  
195 grown or produced on the farm.  
196  
197 (g) A waste storage or processing facility used to store or process animal  
198 waste produced solely from livestock kept on the farm.  
199  
200 (2) An activity or business operation that is an integral part of, or incidental to,  
201 an agricultural use.  
202  
203 (3) A business, activity, or enterprise, regardless of whether it is associated with  
204 an agricultural use, which meets all of the following requirements:  
205  
206 (a) It is conducted on a farm by an owner or operator of that farm.  
207  
208 (b) It requires no building, structure, or improvement that is not an  
209 integral part of or incidental to an agricultural use or that is not a  
210 farm residence or a normal appurtenance to a farm residence.  
211  
212 (c) It employs no more than 4 full-time employees at any time.  
213  
214 (d) It does not impair or limit the current or future agricultural use of the  
215 farm or other protected farmland.  
216  
217 (4) Hunting shacks or warming shacks provided that no water or sewage  
218 facilities are included.  
219

220 “Agricultural use” means any of the following activities conducted for the purpose of  
221 producing an income or livelihood:  
222

- 223 (1) Aquaculture.  
224

- 225 (2) Beekeeping.  
226  
227 (3) Crop or forage production.  
228  
229 (4) Enrolling land in a federal agricultural commodity payment program or a  
230 federal or state agricultural land conservation payment program.  
231  
232 (5) Floriculture.  
233  
234 (6) Forest management.  
235  
236 (7) Fur farming.  
237  
238 (8) Keeping livestock.  
239  
240 (9) Nursery, sod, or Christmas tree production.  
241

242 “Agriculture-related uses” means a facility, regardless of whether it is located on a farm, that  
243 has at least one of the following as a primary and not merely incidental purpose:  
244

- 245 (1) Marketing livestock to or from farms.  
246  
247 (2) Processing agricultural by-products or wastes received directly from farms.  
248  
249 (3) Providing agricultural supplies, agricultural equipment, agricultural inputs  
250 or agricultural services directly to farms.  
251  
252 (4) Slaughtering livestock.  
253  
254 (5) Storing, processing or handling raw agricultural commodities obtained  
255 directly from farms.  
256

257 “Airport” means any area of land or water which is used, or intended for use, for the landing  
258 and take-off of aircraft, and any appurtenant areas which are used, or intended for use, for  
259 airport buildings or other airport facilities or rights-of-way, together with all airport  
260 buildings and facilities located thereon.  
261

262 “Animal unit” means the value used to establish the maximum number of animals permitted  
263 on a tract of land. Animal units are calculated by multiplying the number of animals of a  
264 particular type by the appropriate Animal Unit Factor for that type of animal. The Animal  
265 Unit Factor for each type of livestock is set by the Wisconsin Department of Agriculture,  
266 Trade and Consumer Protection and published at Wis. Admin. Code ch. ATCP 51, Appendix  
267 A, Worksheet 1.  
268

269 “Automobile wrecking yard” means any premises on which more than one automotive  
270 vehicle, not in running or operating condition, is stored in the open.  
271

272 “Basement” means a story partly underground which, if occupied for living purposes, is  
273 counted as a story when measuring height.

274  
275 “Bed and breakfast” means a place of lodging for transient guests that is the owner’s  
276 personal residence, that is occupied by the owner at the time of rental, and in which the only  
277 meal served to guests is breakfast.

278  
279 “Board” means the board of adjustment.

280  
281 “Boarding house” means a building, other than a hotel or motel, where lodging, meals, or  
282 both, are furnished for compensation for 4 or more persons who are not members of a  
283 family.

284  
285 “Building” means any structure designed, intended, or used for the enclosure, protection,  
286 shelter, or support of animals, persons, or property. Each part of a building that is divided  
287 into separate parts by unpierced walls extending from the ground up is deemed to be a  
288 separate building.

289  
290 “Commercial” means the use of land or a structure for the purpose of generating income.

291  
292 “Common ownership” means ownership by the same person or persons or by a legal entity  
293 that is owned, in whole or in part, by the same person or persons. For the purposes of this  
294 ordinance, ownership by one member of a married couple is deemed to be common  
295 ownership by the married couple.

296  
297 “Community use” means a structure and related premises used to provide athletic, civic,  
298 cultural, educational, medical, recreational, religious, or social programs and services to the  
299 community. Community uses include, but are not limited to such things as a church, clinic,  
300 community center, fire station, hospital, library, mausoleum, municipal hall, museum, park,  
301 playground, police station, or school.

302  
303 “Conditional use permit” means a permit issued by the department when authorized to do  
304 so by the board of adjustment.

305  
306 “Contiguous” means adjacent to or sharing a common boundary. A lot, parcel, or tract is  
307 contiguous with another lot, parcel, or tract if they have all, part, or any point of any  
308 boundary line in common. Lots, parcels, or tracts that are separated by a pipeline, private  
309 road, public road, railroad, right-of-way, river, section line, stream, transportation easement,  
310 transmission line, or transmission right-of-way are contiguous.

311  
312 “Department” means the Manitowoc County Planning and Zoning Department.

313  
314 “Department director” means the director of the Manitowoc County Planning and Zoning  
315 Department or the department director’s designee. Any reference in the county code to a  
316 code administrator or a zoning administrator is deemed to be a reference to the department  
317 director.

318

319 “Essential service” means electric, gas, sewer, telephone, or water service, including the  
320 overhead, surface, or underground distribution or transmission systems necessary to supply  
321 the service. It includes the conduits, pipes, poles, towers, wires, and similar devices  
322 necessary to supply these services, but does not include any buildings necessary to supply  
323 these services. It does not include wind energy systems, wireless communications facilities,  
324 or any structure or use listed as a permitted, accessory, or conditional structure or use in any  
325 other district.

326  
327 “Farm consolidation” means the joining together of all or part of 2 or more farm operations,  
328 which were in existence before the adoption or amendment of this ordinance, into a single  
329 farm operation.

330 “Farm livestock” means beef cattle, dairy cattle, horses, sheep, swine, or veal calves.

331  
332  
333 “Farm residence” means any of the following structures that is located on a farm:

- 334
- 335 (1) A single family or duplex residence that is the only residential structure on  
336 the farm or is occupied by any of the following:
    - 337
    - 338 (a) An owner or operator of the farm.
    - 339
    - 340 (b) A parent or child of an owner or operator of the farm.
    - 341
    - 342 (c) An individual who earns more than 50 percent of his or her gross  
343 income from the farm.
    - 344
  - 345 (2) A migrant labor camp that is certified under Wis. Stat. § 103.92.

346  
347 “Farm” means all land under common ownership that is primarily devoted to agricultural  
348 use. For purposes of this ordinance, land is deemed to be primarily devoted to agricultural  
349 use if:

- 350
- 351 (1) A majority of the land area is in agricultural use, or
  - 352
  - 353 (2) The land produces at least \$6,000 in annual gross farm revenues to its owner  
354 or renter, regardless of whether a majority of the land area is in agricultural  
355 use.
  - 356

357 “Farm operation” means an activity conducted primarily for the production of one or more  
358 agricultural products or commodities, for home use or for sale, in a quantity sufficient to  
359 contribute to the operator’s support.

360  
361 “Family” means one or more persons living together in a dwelling unit as a single  
362 housekeeping unit.

363  
364 “Feed lot” means a facility at which feeder cattle or veal calves are assembled for feeding  
365 prior to slaughter.



366 “Frontage” means that part of a property that abuts a street or highway or that lies between  
367 the front of a building and a street or highway.

368  
369 “Garage, private” means a building or a space for the storage of private property, vehicles,  
370 or both.

371  
372 “Garage, public” means a building or premises where motor-driven vehicles are equipped,  
373 hired, repaired, serviced, sold, or stored. It does not include a private garage or a storage  
374 garage that is only used for the storage of motor-driven vehicles pursuant to a prior  
375 arrangement, provided that the private garage or storage garage is not used by transients and  
376 provided that the private garage or storage garage does not sell equipment, fuel, lubricants,  
377 or parts and does not equip, service, repair, hire, or sell motor-driven vehicles

378  
379 “Gross farm revenue” means the gross receipts from all agricultural uses, less the cost or  
380 other basis of livestock and other agricultural items purchased for resale which are sold or  
381 otherwise disposed of during the taxable year. Gross farm revenue includes receipts  
382 accruing to a renter, but does not include rent paid to the land owner.

383  
384 “Height” when used with respect to a building means the vertical distance from the finished  
385 grade to the highest point of the coping of a flat roof, the deck line of a mansard roof, or the  
386 highest gable of a gambrel, hip, or pitched roof.

387  
388 “Home occupation” means a gainful occupation conducted by one or more members of a  
389 family within the family residence provided that no article is sold or offered for sale on the  
390 premises that is not produced by the home occupation, that no stock in trade is kept or sold,  
391 and that only 1 person other than a member of the immediate family living on the premises  
392 is employed on the premises.

393  
394 “Hotel” means a place where sleeping accommodations are offered for pay to transients, in  
395 5 or more rooms, and all related areas, buildings, and rooms.

396  
397 “Household livestock” means an animal that weighs less than 25 pounds.

398  
399 “Junk” means any material or object that is broken, deteriorated, inoperable, worn out, or  
400 in such condition as to be generally unusable in its present state for its original purpose and  
401 that has been collected or is stored for conversion to some other use or for destruction or  
402 salvage. Any material or object that can be used for its original purpose as readily as when  
403 new without being altered, changed, or reconditioned is not considered junk. Junk materials  
404 include, but are not limited to, building supplies, cardboard, fabric, glass, metal, organics,  
405 paper, plastic, rubber, synthetics, and wood. Junk objects include, but are not limited to,  
406 appliances, automobiles, batteries, furniture, implements, machinery, tools, trailers, trash,  
407 used tires (including used tires that are holding down covers over hay or straw if the  
408 sidewalls of those tires have not been cut to provide drainage), and vehicles. Junk also  
409 includes debris, garbage, refuse, trash, waste, and other material and objects commonly  
410 designated as junk. However, nothing in this ordinance is intended to prohibit the storage  
411 of idle but operable farm equipment.

412

413 “Junk yard” means any parcel of land or structure, or any portion of a parcel of land or  
414 structure, on or in which there is an accumulation of junk, unless the accumulation is  
415 completely contained within an enclosed structure.

416  
417 “Kennel” means any lot or premises on which household animals are boarded, bred,  
418 groomed, sold, or trained on a regular basis for commercial purposes.

419  
420 “Livestock” means bovine animals, camelids, equine animals, farm-raised deer, farm-raised  
421 game birds, farm-raised fish, goats, poultry, ratite, sheep, and swine.

422  
423 “Lot” means a contiguous tract of land with defined boundaries. A lot’s boundaries may not  
424 necessarily conform to parcel lines.

425  
426 “Lot, corner” means a lot abutting on 2 or more streets at their intersection, provided that the  
427 interior angle of the intersection is less than 135 degrees.

428  
429 “Lot depth” means the horizontal distance of a straight line drawn from the midpoint of the  
430 front property line of the lot to the midpoint of the rear property line.

431  
432 “Lot line” means a boundary line of a lot.

433  
434 “Lot line, adjoining” means a lot line on a contiguous parcel that is not under common  
435 ownership.

436  
437 “Lot line, front” means a lot line that is common to an access easement or a public or private  
438 road. If a lot abuts more than one road, the lot owner must designate the lot line that abuts  
439 one of the roads as the front lot line at the time the lot is developed.

440  
441 “Lot line, rear” means the lot line that is most opposite or most distant from the designated  
442 front lot line. If the front lot line is curved, the rear property line will be determined by  
443 using a line tangent to the front property line at its midpoint. If the property abuts a  
444 waterfront property, the rear lot line is the lot line that adjoins the ordinary high water line,  
445 unless otherwise designated by the Department.

446  
447 “Lot line, side” means a lot line that intersects a front lot line and a lot line that is not a front  
448 or rear lot line.

449  
450 “Lot size” means the total area of a tract of land. Roads, rights of way, and open spaces that  
451 are dedicated to the public are excluded when calculating lot size.

452  
453 “Lot size, minimum” means the smallest tract of land permitted in a zoning district. The  
454 minimum lot size depends on the zoning district in which the land is located.

455  
456 “Lot width” means the distance between the side lot lines measured along a line that is at  
457 right angles to the lot depth line at a point which is set back the minimum required distance  
458 from the front lot line.

459

460 “Manmade pond” means a pond created or constructed by human activity, such as  
461 excavating gravel, sand, stone, or topsoil from a property, but does not include a family  
462 swimming pool and manure storage pit.  
463

464 “Manufactured home” means a structure that is designed to be used as a dwelling unit with  
465 or without a permanent foundation, built on a permanent chassis, transportable in one or  
466 more sections, and certified and labeled as a manufactured home under 42 U.S.C. §§ 5401-  
467 5426 and that includes required utilities, such as air conditioning, electrical, heating, and  
468 plumbing systems.  
469

470 “Manufactured home park” means any camp, court, lot, parcel, park, site, or tract of land  
471 designed, intended, maintained, or used to supply a location for two or more manufactured  
472 or mobile homes and includes all equipment and facilities used or intended to be used with  
473 the manufactured homes, but does not include an automobile, manufactured home, or mobile  
474 home sales lot on which unoccupied manufactured homes or mobile homes are parked for  
475 the purpose of inspection or sale or both.  
476

477 “Mobile home” means a structure that is transportable in one or more sections, built on a  
478 chassis, and designed to be used as a dwelling unit with or without permanent foundation,  
479 and that was built prior to the enactment of the Federal Manufactured Construction and  
480 Safety Standards Act of 1974, which became effective July 15, 1976. When connected to  
481 the required utilities, it includes the air conditioning, electrical, heating, and plumbing  
482 systems contained in the mobile home.  
483

484 “Motel” means a hotel that furnishes on-premise parking for motor vehicles of guests as part  
485 of the room charge, without extra cost, and that is identified as a “motel” rather than a “hotel”  
486 at the request of the operator.  
487

488 “Nonconforming lot of record” means a single nonconforming parcel that was recorded with  
489 the Register of Deeds prior to the date that the town in which the parcel is located initially  
490 adopted this ordinance. It also means one or more nonconforming parcels that were  
491 recorded with the Register of Deeds prior to the date that the town in which they are located  
492 initially adopted this ordinance and that, taken collectively with all adjacent parcels held in  
493 common ownership, do not conform to the requirements of this ordinance for the zoning  
494 district in which they are located.  
495

496 “Nonconforming parcel” means a parcel that does not conform to the requirements of this  
497 ordinance for the zoning district in which it is located, was established prior to the date that  
498 the town in which it is located initially adopted this ordinance, and was lawful when it was  
499 established.  
500

501 “Nonconforming sign” means a sign whose dimensions, location, or other physical  
502 characteristics do not conform to the requirements of this ordinance, but that conformed to  
503 the requirements of the ordinance in effect at the time it was constructed or placed in its  
504 current location.  
505

506 “Nonconforming structure” means a building or other structure whose dimensions, location,  
507 or other physical characteristics do not conform to the requirements of this ordinance, but  
508 that conformed to the requirements of the ordinance in effect at the time it was constructed  
509 or placed in its current location.

510  
511 “Nonconforming use” means a use of land or a structure that does not conform to the use  
512 regulations for the zoning district in which it is located, but that conformed to the use  
513 requirements of the ordinance in effect at the time that the current use began.

514  
515 “Open space area” or “open space parcel” means a tract of land on which no structures, other  
516 than hunting blinds or small sheds, have been constructed or may be approved for  
517 construction.

518  
519 “Outdoor wood burning furnace” means a device, located outside of the principal structure,  
520 that generates heat by burning wood or other solid fuel for the purpose of heating the  
521 principal or any other structure on the premises.

522  
523 “Parcel” means a tract of land which is identified by a tax identification number.

524  
525 “Park trailer” means a travel trailer that is certified as complying with American National  
526 Standards Institute Standard A119.5 and that is designed, intended to be, or actually placed  
527 on a site for an extended period of time for the purposes of providing living quarters for  
528 camping, recreational, or seasonal use. Typically, a park trailer will not have a holding tank  
529 or dual-voltage appliances and will require electrical, water, and sewage connections in order  
530 to function.

531  
532 “Parking space” means a 200 square foot area for the parking of one vehicle, exclusive of  
533 aisles, driveways, or internal traffic lanes.

534  
535 “Person” means any individual and any association, cooperative, corporation, estate, firm,  
536 joint venture, limited liability company, limited liability partnership, local government unit,  
537 municipality, organization, partnership, proprietorship, service corporation, trust, or other  
538 legal entity.

539  
540 “Premises” means a building and the grounds on which the building is located.

541  
542 “Prime farmland” means any area identified as having a class I or class II land capability  
543 classification as defined in United States Department of Agriculture, Natural Resources  
544 Conservation Service, National Soil Survey Handbook, or that is identified as prime  
545 farmland in the county’s certified farmland preservation plan.

546  
547 “Professional office” means the office of an architect, author, dentist, doctor, lawyer,  
548 minister, musician, professional engineer, or other recognized professional practitioner.

549  
550 “Protected farmland” means any land that is:

551  
552 (1) Covered by a farmland preservation agreement under Wis. Stat. ch. 91;

- 553 (2) Covered by an agricultural conservation easement under Wis. Stat. § 93.73;  
554  
555 (3) Located in a farmland preservation zoning district certified under Wis. Stat.  
556 ch. 91; or  
557  
558 (4) Otherwise legally protected from nonagricultural development.  
559

560 “Public use” means a structure and related premises used by a private or public entity to  
561 provide a public service. Public use includes, but is not limited to, such things as an  
562 emergency service facility, exposition space, incinerator, mechanical shop, recycling facility,  
563 sewage disposal facility, sewage treatment plant, solid waste storage or transfer station,  
564 storage yard, storm water management facility, or warehouse.  
565

566 “Reasonable accommodation” means a deviation from the strict requirements of this  
567 ordinance which is necessary to provide equal housing opportunity for a disabled person or  
568 persons. An accommodation is reasonable if it does not cause an administrative burden,  
569 fiscal burden, or undue hardship on the county and does not undermine the basic purpose of  
570 this ordinance.  
571

572 “Recreational camp” means an area, parcel, premises, or tract of land on which facilities are  
573 provided for overnight or short-term camping in bedrolls, camping trailers, motor homes,  
574 pick-up coaches, tents, or travel trailers, or that otherwise meets the criteria specified in Wis.  
575 Admin. Code ch. DHS 178. A recreational camp includes accessory buildings and service  
576 facilities required by the State Board of Health and a residence or living quarters for the  
577 owner or caretaker on the premises. For purposes of this ordinance, a recreational camp  
578 means the same as and is synonymous with camp and campground.  
579

580 “Recreation center” means a facility where recreational activities or amenities are made  
581 available to the general public for a fee or are restricted to members.  
582

583 “Recreation vehicle” means any unit other than a mobile or manufactured home, whether  
584 self-propelled, mounted on, or towed by another vehicle, that is used for recreational  
585 purposes. It includes, but is not limited to, an all-terrain vehicle, boat, camper, folding tent  
586 trailer, motor home, park trailer, snowmobile, travel trailer, or truck camper.  
587

588 “Recreation vehicle park” means an area, parcel, premises, or tract of land with 2 or more  
589 sites intended to be occupied by recreation vehicles used for camping, travel, recreation, or  
590 vacation purposes. A recreation vehicle park may include accessory buildings, service  
591 facilities, and a residence or living quarters for the owner or caretaker on the premises.  
592

593 “Residence, single family” means a building designed for or occupied exclusively by one  
594 family.  
595

596 “Residence, multiple” means a building designed for or occupied by 2 or more families.  
597

598 “Residence, two family” means a building designed for or occupied by 2 families.  
599

600 “Resort” means a self-contained and integrated development that provides some meals,  
601 short-term overnight accommodations, and a range of developed on-site recreational  
602 facilities.

603  
604 “Roadside stand” means a structure with an area of 100 square feet or less that is readily  
605 removable in its entirety, not wholly enclosed, and not permanently attached to the ground  
606 and that is used solely for the sale of farm products produced on the premises.

607  
608 “Setback” means the distance from a lot line or other specified line to a structure or other  
609 specified point on a lot as measured perpendicularly to the lot line or other specified line.

610  
611 “Sign” means any artifact, device, or object that is used or intended to be used to  
612 communicate information about, direct attention to, or identify an activity, business, entity,  
613 institution, person, place, product, service, or thing.

614  
615 “Sign, directional” means a sign that provides information about a place that is deemed by  
616 the Wisconsin Department of Transportation or the board of adjustment to be of interest to  
617 the traveling public. Such places include areas of natural scenic beauty, that contain natural  
618 phenomena, or that are naturally suited for outdoor recreation; places that are owned or  
619 operated by a government authority; and public or privately owned cultural, educational,  
620 historic, and scientific sites.

621  
622 “Sign, electronic” means any sign that displays an image or text that can be changed by a  
623 computerized, electrical, electronic, or mechanical process.

624  
625 “Sign, government” means a sign erected by or on the order of a public official in the  
626 performance of his or her official duties, including, but not limited to, danger, directional,  
627 traffic control, notice, public safety, public utility, railroad crossing, regulatory, and warning  
628 signs.

629  
630 “Sign, marquee” means a sign that is attached to or constructed in, on, or under a canopy or  
631 other permanent roof-like structure projecting from a wall over the entrance to a building or  
632 other structure.

633  
634 “Sign, vehicular” means a sign that is attached to or painted on a bus, trailer, truck, or other  
635 vehicle that is primarily used for the purpose of providing a surface area for signage and that  
636 is not regularly used to provide transportation in the normal day-to-day operation of a  
637 business.

638  
639 “Sign, wall” means a sign that is affixed to or painted on an exterior wall of a structure,  
640 projects not more than 12 inches from the structure, and does not extend more than 6 feet  
641 above the eaves, facade, parapet, or roof of the structure on which it is located.

642  
643 “Stable” means an accessory building in which horses are kept.

644  
645 “Story” means that portion of a structure between the surface of a floor and the surface of  
646 the next higher floor, except that the highest story is that portion of a structure between the

647 surface of the floor and the ceiling or roof. A basement or cellar having one-half or more  
648 of its height above grade is deemed to be a story.

649  
650 “Street” means a right-of-way, 21 feet or more in width, that is dedicated to, intended to,  
651 subject to a public easement for, or that provides a roadway for general vehicular circulation  
652 and is the principal means of vehicular access to abutting properties, regardless of whether  
653 it has been developed. A street may include space for drainage, pedestrian walkways,  
654 sidewalks, and utilities.

655  
656 “Street line” means the boundary between a lot, tract, or parcel of land and a contiguous  
657 street.

658  
659 “Structural alteration” means any change in a supporting member of a building, such as a  
660 beam, bearing partition, bearing wall, column, exterior wall, foundation, or girder and any  
661 structural change in the roof.

662  
663 “Structure” means anything constructed or erected on the ground or any improvement built  
664 up or composed of parts joined together in some definite manner and affixed or attached to  
665 the ground, including signs and walls, but not including flowerbed frames and other such  
666 minor incidental improvements.

667  
668 “Trade or contractor storage” means the inside storage of materials associated with a trade  
669 such as carpentry, construction, electric, remodeling, plumbing, roofing, or siding, where the  
670 principal business activity is performed off-site.

671  
672 “Travel trailer” means a recreation vehicle that is primarily designed to provide temporary  
673 living quarters for camping, recreation, or seasonal use; that is built on a single chassis,  
674 mounted on wheels, and has gross trailer area not exceeding 400 square feet when set-up;  
675 and that is certified as complying with ANSI A119.5.

676  
677 “Utility” means a building and related premises used to provide essential services, such as  
678 an electrical power substation, gas regulation station, microwave radio relay, sewage  
679 pumping station, static transformer station, telegraph and telephone exchange, water  
680 pumping station, water tower, or water well. It includes any conduit, duct, equipment, line,  
681 pipe, pipeline, pole, tank, tower, wire, or other structure located on the premises that are used  
682 to deliver the service, but does not include high-voltage transmission lines used for the  
683 transmission or distribution of electricity.

684  
685 “Vacation home rental” means a dwelling unit that is advertised or held out to the public as  
686 a place where sleeping accommodations are furnished to the public for a period of less than  
687 1 month at a time; that is not a bed and breakfast, hotel, motel, or resort; and that is not the  
688 owner’s primary residence.

689  
690 “Variance” means a deviation from a zoning requirement that has been authorized by the  
691 board of adjustment in a specific case.

692

693 “Variance, area” means a variance that permits a deviation from a zoning requirement that  
694 pertains to construction, dimensions, placement, or size.

695  
696 “Variance, use” means a variance that permits a deviation from a zoning requirement that  
697 pertains to use.

698  
699 “Yard” means an open area on a lot that is unobstructed and unoccupied from the ground  
700 upward, except as permitted by this ordinance.

701  
702 “Yard, front” means a yard extending the full width of a lot between the front lot line and  
703 the nearest part of any structure.

704  
705 “Yard, rear” means a yard extending the full width of a lot between the rear lot line and the  
706 nearest part of any structure.

707  
708 “Yard, side” means a yard extending from the front yard to the rear yard and from a side lot  
709 line to the nearest part of any structure.

710

711 **PART III. ZONING DISTRICTS.**

712

713 **8.08 Establishment of Districts.**

714

715 (1) The following zoning districts are created:

716

717 (a) Exclusive Agriculture (EA).

718

719 (b) General Agriculture (GA).

720

721 (c) Large Estate Residential (LE).

722

723 (d) Small Estate Residential (SE)

724

725 (e) Rural Residential (RR),

726

727 (f) High Density Residential (HD).

728

729 (g) Lake Residential (LR).

730

731 (h) Commercial/Business (CB).

732

733 (i) Industrial (ID).

734

735 (j) Natural Areas (NA).

736

737 (2) Official Zoning Maps.

738



- 739 (a) The Planning and Zoning Department shall keep an official zoning map and  
 740 a copy of each revision to the official zoning map for each town that adopts  
 741 this ordinance.  
 742  
 743 (b) The official zoning map for each town will be captioned as the “Manitowoc  
 744 County Zoning Map” followed by the name of the town.  
 745  
 746 (c) The boundaries of each district within each town will be shown on its official  
 747 zoning map.  
 748  
 749 (d) In addition to zoning district boundaries, any legend, notation, reference,  
 750 symbol, or other information shown on the official zoning map is  
 751 incorporated into this ordinance.  
 752  
 753 (e) A town that does not adopt this ordinance is responsible for maintaining its  
 754 own zoning map.  
 755  
 756 (3) Interpretation of District Boundaries.  
 757  
 758 (a) Where a district boundary is shown as approximately following the centerline  
 759 of a highway or street, a highway right-of-way line, or a street line; the  
 760 centerline, highway right-of-way line, or street line will be construed to be  
 761 the boundary.  
 762  
 763 (b) Where a district boundary is shown as approximately following a lot line, the  
 764 lot line will be construed to be the boundary.  
 765  
 766 (c) Where a district boundary is shown as a line approximately parallel to and  
 767 offset a specific distance from the centerline of a street or highway, a street  
 768 line, or highway right-of-way line, the offset line will be construed to be the  
 769 boundary.  
 770  
 771 (d) Where a district boundary follows a railroad line, the middle of the main  
 772 track of the railroad line will be construed to be the boundary.  
 773

774 **8.09 Exclusive Agriculture (EA).**

- 775  
 776 (1) Purpose. The purpose of the Exclusive Agriculture (EA) district is to provide areas  
 777 for agricultural development and to prevent scattered nonagricultural development  
 778 that could displace agricultural uses. This district will contain land that is suitable  
 779 for productive farm operations and that has historically exhibited good crop yields  
 780 or is capable of such yields; demonstrated productivity for dairying, grazing, and  
 781 livestock; produced specialty crops such as fruits, plant materials, trees, and  
 782 vegetables; or is integral to such farm operations. This district is not intended to  
 783 accommodate or facilitate nonagricultural growth.  
 784  
 785 (2) Principal Uses. The following uses are allowed in the EA district:

- 786 (a) Agricultural uses.  
787  
788 (b) Essential services.  
789  
790 (c) Facilities used to keep cattle, goats, poultry, sheep, or swine, subject to the  
791 requirements of ch. 28 if the facility is for more than 750 animal units.  
792  
793 (d) Farm residence, one single family.  
794  
795 (e) Kennels.  
796  
797 (f) Open space areas.  
798  
799 (g) Private garages.  
800  
801 (h) Undeveloped natural resource areas.  
802  
803 (i) Other uses that are authorized or required to be located in a specific place by  
804 state or federal law.  
805  
806 (3) Accessory uses. The following uses are allowed in the EA district, subject to any  
807 applicable provisions contained in Part V.  
808  
809 (a) Agricultural accessory uses.  
810  
811 (b) Farm residence, one additional.  
812  
813 (c) Roadside stand, one, which must be placed outside the right-of-way and  
814 which may not interfere with or present a hazard to any person, property, or  
815 traffic.  
816  
817 (4) Conditional Uses. The following uses may be allowed in an EA district upon the  
818 issuance of a conditional use permit:  
819  
820 (a) Agriculture-related uses.  
821  
822 (b) Community uses.  
823  
824 (c) Directional signs.  
825  
826 (d) Infrastructure that is compatible with the district, including agricultural  
827 aeronautic facilities; communication uses, such as antennae, broadcast  
828 towers, cell towers, and transmission lines; drainage facilities; electrical  
829 transmission lines; gas, oil, and other pipelines; large wind energy systems;  
830 rail facilities; roads; solar energy facilities; and transportation uses.  
831  
832 (e) Nonmetallic mining.

- 833 (f) Public uses.  
834  
835 (g) Utilities.  
836  
837 (6) Yard Requirements. The following requirements apply to the EA district:  
838  
839 (a) The minimum lot size is 20 acres, exclusive of road right-of-way.  
840  
841 (b) The minimum lot width is 150 feet.  
842  
843 (c) The minimum setback for principal and conditional use structures is 25 feet.  
844  
845 (d) The minimum setback for accessory structures is 10 feet.  
846  
847 (e) The maximum height for any structure is 60 feet, unless a different maximum  
848 height is permitted by sec. 8.25 or chs. 20, 24, or 25. However, all structures  
849 are subject to the Airport Approach Protection Ordinance.  
850  
851 (7) Rezoning Land Out of the EA District.  
852  
853 (a) Land may not be rezoned out of an EA district unless the planning and park  
854 commission makes the following findings on the record, following a public  
855 hearing:  
856  
857 (1) The land to be rezoned is better suited for a use not allowed in the  
858 farmland preservation zoning district.  
859  
860 (2) The proposed rezoning is consistent with the town comprehensive  
861 plan and the county comprehensive plan that are in effect at the time  
862 of the rezoning.  
863  
864 (3) The proposed rezoning is substantially consistent with the county's  
865 farmland preservation plan which has been certified under Wis. Stat.  
866 ch. 91 and which is in effect at the time of the rezoning.  
867  
868 (4) The proposed rezoning will not substantially impair or limit current  
869 or future agricultural use of other protected farmland.  
870  
871 (b) Any ordinance amendments and any comprehensive ordinance revision must  
872 be certified by Wisconsin Land and Water Conservation Board in order for  
873 landowners in the EA district to qualify for tax credits.  
874

## 875 **8.10 General Agriculture (GA).**

- 876  
877 (1) Purpose. The purpose of the General Agriculture (GA) district is to provide a rural  
878 area with a mixture of agricultural, low-density residential, and rural commercial  
879 activity. The district provides for residential development at modest densities

880 consistent with a generally rural environment and allows for nonresidential uses that  
881 require relatively large land areas or that are compatible with the surrounding rural  
882 land. The district also accommodates agricultural uses and may serve as a  
883 transitional district between the Exclusive Agriculture district and more intensely  
884 developed areas.  
885

886 (2) Principal Uses. The following uses are allowed in the GA district:  
887

- 888 (a) Agricultural uses.
- 889
- 890 (b) Dairies and cheese factories.
- 891
- 892 (c) Essential services.
- 893
- 894 (d) Facilities used to keep cattle, goats, poultry, sheep, or swine, subject to the  
895 requirements of ch. 28 if the facility has more than 750 animal units.
- 896
- 897 (e) Kennels.
- 898
- 899 (f) Open space areas.
- 900
- 901 (g) Park trailers.
- 902
- 903 (h) Private garages.
- 904
- 905 (i) Single family residences.
- 906
- 907 (j) Undeveloped natural resource areas.
- 908
- 909 (k) Other uses that are authorized or required to be located in a specific place by  
910 state or federal law.

911  
912 (3) Accessory Uses. The following uses are allowed in the GA district, subject to any  
913 applicable provisions contained in Part V.

- 914
- 915 (a) Agricultural accessory uses.
- 916
- 917 (b) Home occupations.
- 918
- 919 (c) Hunting shacks or warming shacks with no water or sewage facilities.
- 920
- 921 (d) On-premise business signs of up to 32 square feet for allowable uses.
- 922
- 923 (e) Other accessory structures and uses that are incidental to the principal use,  
924 provided that the structure or use does not include any activity commonly  
925 conducted as a business.
- 926

- 927 (f) Roadside stand, one, which must be placed outside the right-of-way and  
928 which may not interfere with or present a hazard to any person, property, or  
929 traffic.
- 930 (g) Small wind energy systems.
- 931 (h) Trade or contractor storage.
- 932
- 933
- 934
- 935 (4) Conditional Uses. The following uses may be allowed in the GA district upon the  
936 issuance of a conditional use permit:
- 937
- 938 (a) Agricultural related uses.
- 939
- 940 (b) Airports, air strips, and landing fields.
- 941
- 942 (c) Bulk storage of agricultural products, cooperatives, feed mills, fertilizer  
943 plants, and fuel used for agricultural purposes.
- 944
- 945 (d) Camps and campgrounds.
- 946
- 947 (e) Commercial riding stables.
- 948
- 949 (f) Community uses.
- 950
- 951 (g) Directional signs.
- 952
- 953 (h) Farm implement sales and service.
- 954
- 955 (i) Fruit and vegetable processing plants.
- 956
- 957 (j) Infrastructure that is compatible with the district, including agricultural  
958 aeronautic facilities; communication uses, such as antennae, broadcast  
959 towers, cell towers, and transmission lines; drainage facilities; electrical  
960 transmission lines; gas, oil, and other pipelines; large wind energy systems;  
961 rail facilities; roads; solar energy facilities; and transportation uses.
- 962
- 963 (k) Junk yards, salvage yards, or other facilities for the baling, handling,  
964 processing, reclamation, recycling, remanufacture, sale, salvage, or storage  
965 of junk or other second-hand or used materials.
- 966
- 967 (l) Landscape businesses.
- 968
- 969 (m) Nonmetallic mining.
- 970
- 971 (n) Public garages.
- 972
- 973 (o) Public uses.

- 974 (p) Recreation vehicle parks.
- 975
- 976 (q) Sawmills.
- 977
- 978 (r) Utilities.
- 979
- 980 (s) Vacation home rentals.
- 981
- 982 (5) Yard Requirements. The following requirements apply to the GA district:
- 983
- 984 (a) The minimum lot size is 10 acres, exclusive of road right-of-way.
- 985
- 986 (b) The minimum lot width is 150 feet.
- 987
- 988 (c) The minimum setback for principal and conditional use structures is 25 feet.
- 989
- 990 (d) The minimum setback of accessory structures is 10 feet.
- 991
- 992 (e) The maximum height for any structure is 60 feet, unless a different maximum
- 993 height is permitted by sec. 8.25 or chs. 20, 24, or 25. However, all structures
- 994 are subject to the Airport Approach Protection Ordinance.
- 995

996 **8.11 Large Estate Residential (LE).**

- 997
- 998 (1) Purpose. The purpose of the Large Estate Residential (LE) district is to provide
- 999 areas for single-family residential and planned residential developments on large lots
- 1000 while allowing for agricultural activity in mostly rural areas of the county. The
- 1001 low-density requirements are intended to provide for areas where the presence of
- 1002 vegetation and open space helps create quiet and visually attractive residential areas.
- 1003
- 1004 (2) Principal Uses. The following uses are allowed in the LE district:
- 1005
- 1006 (a) Single-family residences.
- 1007
- 1008 (b) Agricultural uses, such as a garden, greenhouse, nursery, and usual farm
- 1009 buildings, subject to the following restrictions:
- 1010
- 1011 1. A building in which animals are kept must be at least 25 feet from
- 1012 any adjoining lot line.
- 1013
- 1014 2. No more than 1 animal unit of farm livestock and no more than 5
- 1015 household livestock animals are allowed per acre.
- 1016
- 1017 3. The storage or use of manure or any odor or dust-producing
- 1018 substance is prohibited within 25 feet of any adjoining lot line.
- 1019

- 1020 4. A greenhouse heating plant must be at least 25 feet from any  
1021 adjoining lot line.  
1022
- 1023 (c) Community living arrangements with a capacity for 8 or fewer persons and  
1024 foster homes, subject to the provisions set forth in Wis. Stat. § 60.63.  
1025
- 1026 (d) Essential services.  
1027
- 1028 (3) Accessory Uses. The following uses are allowed in the LE district, subject to any  
1029 applicable provisions contained in Part V.  
1030
- 1031 (a) Contractor or trade storage.  
1032
- 1033 (b) Home occupations.  
1034
- 1035 (c) Private garages.  
1036
- 1037 (d) Roadside stand, one, which must be placed outside the right-of-way and  
1038 which may not interfere with or present a hazard to any person, property, or  
1039 traffic.  
1040
- 1041 (e) Small wind energy systems.  
1042
- 1043 (f) Solar energy systems.  
1044
- 1045 (g) Other accessory structures and uses that are incidental to the principal use,  
1046 provided that the structure or use does not include any activity commonly  
1047 conducted as a business.  
1048
- 1049 (4) Conditional Uses. The following uses may be allowed in the LE district upon the  
1050 issuance of a conditional use permit:  
1051
- 1052 (a) Community living arrangements with a capacity of 9 or more persons,  
1053 subject to the provisions set forth in Wis. Stat. § 60.63.  
1054
- 1055 (b) Community uses.  
1056
- 1057 (c) Day care.  
1058
- 1059 (d) Kennels.  
1060
- 1061 (e) Infrastructure that is compatible with the district, including agricultural  
1062 aeronautic facilities; communication uses, such as antennae, broadcast  
1063 towers, cell towers, and transmission lines; drainage facilities; electrical  
1064 transmission lines; gas, oil, and other pipelines; large wind energy systems;  
1065 rail facilities; roads; solar energy facilities; and transportation uses.  
1066

- 1067 (f) Utilities.
- 1068
- 1069 (g) Vacation home rentals
- 1070
- 1071 (5) Yard Requirements. The following requirements apply to the LE district:
- 1072
- 1073 (a) The minimum lot size is 5 acres, exclusive of road right-of-way.
- 1074
- 1075 (b) The minimum lot width is 150 feet.
- 1076
- 1077 (c) The minimum setback for principal and conditional use structures is 25 feet.
- 1078
- 1079 (d) The minimum setback for accessory structures is 10 feet.
- 1080
- 1081 (e) The maximum height for any structure is 35 feet, unless a different maximum
- 1082 height is permitted by sec. 8.25 or chs. 20, 24, or 25. However, all structures
- 1083 are subject to the Airport Approach Protection Ordinance.
- 1084

1085 **8.12 Small Estate Residential (SE).**

- 1086
- 1087 (1) Purpose. The purpose of the Small Estate Residential (SE) district is to provide areas
- 1088 for mixed residential and agricultural activity in mostly rural areas of the county.
- 1089 This district provides for residential development at modest densities consistent with
- 1090 a generally rural environment; provides for specific nonresidential uses that require
- 1091 relatively large land areas and that are compatible with the surrounding residential
- 1092 uses; and still allows for some agricultural uses.
- 1093
- 1094 (2) Principal Uses. The following uses are allowed in the SE district:
- 1095
- 1096 (a) Single-family residences.
- 1097
- 1098 (b) Community living arrangements with a capacity for 8 or fewer persons and
- 1099 foster homes, subject to the provisions set forth in Wis. Stat. § 60.63.
- 1100
- 1101 (c) Agricultural uses, such as a garden, greenhouse, nursery, and usual farm
- 1102 buildings, subject to the following restrictions:
- 1103
- 1104 1. A building in which animals are kept must be at least 25 feet from
- 1105 any adjoining lot line.
- 1106
- 1107 2. No more than 1 animal unit of farm livestock and no more than 5
- 1108 household livestock animals are allowed per acre.
- 1109
- 1110 3. The storage or use of manure or any odor or dust-producing
- 1111 substance is prohibited within 25 feet of any adjoining lot line.
- 1112



- 1113 4. A greenhouse heating plant must be at least 25 feet from any  
1114 adjoining lot line.  
1115
- 1116 (d) Essential services.  
1117
- 1118 (3) Accessory Uses. The following uses may be allowed in the SE district, subject to  
1119 any applicable provisions contained in Part V.  
1120
- 1121 (a) Contractor or trade storage.  
1122
- 1123 (b) Home occupations.  
1124
- 1125 (c) Private garages.  
1126
- 1127 (d) Roadside stand, one, which must be placed outside the right-of-way and  
1128 which may not interfere with or present a hazard to any person, property, or  
1129 traffic.  
1130
- 1131 (e) Small wind energy systems.  
1132
- 1133 (f) Solar energy systems.  
1134
- 1135 (g) Other accessory structures and uses that are incidental to the principal use,  
1136 provided that the structure or use does not include any activity commonly  
1137 conducted as a business.  
1138
- 1139 (4) Conditional Uses. Conditional Uses. The following uses may be allowed in the SE  
1140 district upon the issuance of a conditional use permit:  
1141
- 1142 (a) Community living arrangements with a capacity of 9 or more persons,  
1143 subject to the provisions set forth in Wis. Stat. § 60.63.  
1144
- 1145 (b) Community uses.  
1146
- 1147 (c) Kennels.  
1148
- 1149 (d) Utilities.  
1150
- 1151 (e) Vacation home rentals.  
1152
- 1153 (5) Yard Requirements. The following requirements apply to the SE district:  
1154
- 1155 (a) This minimum lot size is 2 acres, exclusive of road right-of-way.  
1156
- 1157 (b) The minimum lot width is 150 feet.  
1158
- 1159 (c) The minimum setback for principal and conditional use structures is 25 feet.

- 1160 (d) The minimum setback for accessory structures is 10 feet.  
1161  
1162 (e) The maximum height for any structure is 35 feet, unless a different maximum  
1163 height is permitted by sec. 8.25 or chs. 20, 24, or 25. However, all structures  
1164 are subject to the Airport Approach Protection Ordinance.  
1165

1166 **8.13 Rural Residential (RR).**  
1167

- 1168 (1) Purpose. The purpose of the Rural Residential (RR) district is to provide areas for  
1169 mixed residential and low-impact non-residential development on relatively small  
1170 lots.  
1171  
1172 (2) Principal uses. The following uses are allowed in the RR district:  
1173  
1174 (a) Single-family residences.  
1175  
1176 (b) Community living arrangements with a capacity for 8 or fewer and foster  
1177 homes, subject to the limitations set forth in Wis. Stat. § 60.63.  
1178  
1179 (c) Agricultural uses, such as a garden, greenhouse, nursery, and usual farm  
1180 buildings, subject to the following restrictions:  
1181  
1182 1. A building in which farm animals are kept must be at least 25 feet  
1183 from any adjoining lot line.  
1184  
1185 2. No more than 1 animal unit of farm livestock and no more than 5  
1186 household livestock animals are allowed per acre.  
1187  
1188 3. The storage or use of manure or any odor or dust-producing  
1189 substance is prohibited within 25 feet of any adjoining lot line.  
1190  
1191 4. A greenhouse heating plant must be at least 25 feet from any  
1192 adjoining lot line.  
1193  
1194 (d) Essential services.  
1195  
1196 (3) Accessory Uses. The following uses are allowed in the RR district, subject to any  
1197 applicable provisions contained in Part V.  
1198  
1199 (a) Contractor or trade storage.  
1200  
1201 (b) Home occupations.  
1202  
1203 (c) Private garages.  
1204

- 1205  
1206  
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- (d) Roadside stand, one, which must be placed outside the right-of-way and which may not interfere with or present a hazard to any person, property, or traffic.
  - (e) Small wind energy systems.
  - (f) Solar energy systems.
  - (g) Other accessory structures and uses that are incidental to the principal use, provided that the structure or use does not include any activity commonly conducted as a business.
- (4) Conditional Uses. The following uses are allowed in the RR district, subject to the issuance of a conditional use permit:
- (a) Cemeteries.
  - (b) Community living arrangements with a capacity of 9 or more persons, subject to the provisions set forth in Wis. Stat. § 60.63.
  - (c) Community uses.
  - (d) Day care.
  - (e) Kennels.
  - (f) Mini-warehouses.
  - (g) Two-family residences.
  - (h) Utilities.
  - (i) Vacation home rentals.
  - (j) Veterinary clinics.
  - (k) Other small businesses not specifically listed, but which are deemed by the Board of adjustment to be similar to those listed.
- (5) Yard Requirements. The following requirements apply to the RR district:
- (a) The minimum lot size is 1 acre, exclusive of road right-of-way.
  - (b) The minimum lot width is 150 feet.
  - (c) The minimum setback for principal and conditional use structures is 25 feet.

- 1252 (d) The minimum setback for accessory structures is 10 feet.  
1253  
1254 (e) The maximum height for any structure is 35 feet, unless a different maximum  
1255 height is permitted by sec. 8.25 or chs. 20, 24, or 25. However, all structures  
1256 are subject to the Airport Approach Protection Ordinance.  
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1258 **8.14 High Density Residential (HD).**  
1259

- 1260 (1) Purpose. The purpose of the High Density Residential (HD) district is to provide  
1261 areas for a variety of residential uses, including single-family residential  
1262 development at fairly high densities and multiple occupancy developments. This  
1263 district will be located in areas with an existing mixture of residential types, certain  
1264 regions that are served by public sewer, and other locations where high-density  
1265 residential developments are appropriate.  
1266
- 1267 (2) Principal Uses. The following uses are allowed in the HD district:  
1268
- 1269 (a) Single-family and two-family residences.
  - 1270
  - 1271 (b) Community living arrangements with a capacity for 8 or fewer and foster  
1272 homes, subject to the limitations set forth in Wis. Stat. § 60.63.  
1273
  - 1274 (c) Community living arrangements with a capacity for 9 to 15 persons, subject  
1275 to the limitations set forth in Wis. Stat. § 60.63.  
1276
  - 1277 (d) Essential services.
  - 1278
  - 1279 (e) Manufactured home parks.
  - 1280
  - 1281 (f) Multi-family dwellings.  
1282
- 1283 (3) Accessory Uses. The following uses are allowed in the HD district, subject to any  
1284 applicable provisions contained in Part V.  
1285
- 1286 (a) Home occupations.
  - 1287
  - 1288 (b) Private garages.
  - 1289
  - 1290 (c) Roadside stand, one, which must be placed outside the right-of-way and  
1291 which may not interfere with or present a hazard to any person, property, or  
1292 traffic.  
1293
  - 1294 (d) Small wind energy systems.
  - 1295
  - 1296 (e) Solar energy systems.  
1297

- 1298 (f) Other accessory structures and uses that are incidental to the principal use,
- 1299 provided that the structure or use does not include any activity commonly
- 1300 conducted as a business.
- 1301
- 1302 (4) Conditional Uses. The following uses are allowed in the HD district upon the
- 1303 issuance of a conditional use permit:
- 1304
- 1305 (a) Community living arrangements with a capacity for serving 16 or more
- 1306 persons, subject to the limitations set forth in Wis. Stat. § 60.63.
- 1307
- 1308 (b) Community uses.
- 1309
- 1310 (c) Day care.
- 1311
- 1312 (d) Utilities.
- 1313
- 1314 (e) Vacation home rentals.
- 1315
- 1316 (5) Yard Requirements. The following requirements apply to the HD district:
- 1317
- 1318 (a) The minimum lot size is 21,780 square feet (½ acre), exclusive of road
- 1319 right-of-way.
- 1320
- 1321 (b) The minimum lot width is 100 feet.
- 1322
- 1323 (c) The minimum setback for principal and conditional use structures is 7½ feet.
- 1324
- 1325 (d) The minimum setback for accessory structures is 5 feet.
- 1326
- 1327 (e) The maximum height of any structure is 35 feet, unless a different maximum
- 1328 height is permitted by sec. 8.25 or chs. 20, 24, or 25. However, all structures
- 1329 are subject to the Airport Approach Protection Ordinance.
- 1330

**8.15 Lake Residential (LR).**

- 1331
- 1332
- 1333 (1) Purpose. The purpose of the Lake Residential (LR) district is to provide areas for
- 1334 single-family residential and planned residential development. This district will
- 1335 generally be located along a waterfront and uses are restricted in order to maintain
- 1336 a strictly residential character.
- 1337
- 1338 (2) Principal Uses. The following uses are allowed in the LR district:
- 1339
- 1340 (a) Single-family residences.
- 1341
- 1342 (b) Community living arrangements with a capacity for 8 or fewer and foster
- 1343 homes, subject to the limitations set forth in Wis. Stat. § 60.63.
- 1344

- 1345 (c) Essential services.  
1346  
1347 (3) Accessory Uses. The following uses are allowed in the LR district, subject to any  
1348 applicable provisions contained in Part V.  
1349  
1350 (a) Home occupations.  
1351  
1352 (b) Hunting or warming shacks with no water or sewage facilities included.  
1353  
1354 (c) Roadside stand, one, which must be placed outside the right-of-way and  
1355 which may not interfere with or present a hazard to any person, property, or  
1356 traffic.  
1357  
1358 (d) Small wind energy systems.  
1359  
1360 (e) Solar energy systems.  
1361  
1362 (f) Private garages.  
1363  
1364 (g) Other accessory structures and uses that are incidental to the principal use,  
1365 provided that the structure or use does not include any activity commonly  
1366 conducted as a business.  
1367  
1368 (4) Conditional Uses. The following uses are allowed in the LR district upon the  
1369 issuance of a conditional use permit:  
1370  
1371 (a) Baits shops.  
1372  
1373 (b) Community living arrangements with a capacity of 9 or more persons,  
1374 subject to the limitations set forth in Wis. Stat. § 60.63.  
1375  
1376 (c) Community uses.  
1377  
1378 (d) Resorts.  
1379  
1380 (e) Restaurants.  
1381  
1382 (f) Sports shops.  
1383  
1384 (g) Taverns.  
1385  
1386 (h) Two-family residences.  
1387  
1388 (i) Utilities.  
1389  
1390 (j) Vacation home rentals.  
1391

- 1392 (5) Yard Requirements. The following requirements apply to the LR district:  
1393  
1394 (a) The minimum lot size is 10,000 square feet for sewered lots, exclusive of  
1395 road right-of-way.  
1396  
1397 (b) The minimum lot size is 20,000 square feet for unsewered lots, exclusive of  
1398 road right-of-way.  
1399  
1400 (c) The minimum lot width is 100 feet.  
1401  
1402 (d) The minimum setback for principal and conditional use structures is 7½ feet.  
1403  
1404 (e) The minimum setback for accessory structures is 5 feet.  
1405  
1406 (f) The maximum height of any structure is 35 feet, unless a different maximum  
1407 height is permitted by sec. 8.25 or chs. 20, 24, or 25. However, all structures  
1408 are subject to the Airport Approach Protection Ordinance.  
1409

1410 **8.16 Commercial/Business (CB).**  
1411

1412 (1) Purpose. The purpose of the Commercial/Business (CB) district is to provide areas  
1413 for mixed residential and commercial use. It will encompass areas that already have  
1414 this mixed use, as well as those areas where expansion of this mixed use is desired.  
1415 It will typically be located within or near existing communities, but may also be used  
1416 in outlying areas and to facilitate small development nodes.  
1417

1418 (2) Principal Uses. The following uses are allowed in the CB district:  
1419

- 1420 (a) Activity and recreation centers.  
1421  
1422 (b) Auto, truck, trailer, and other equipment sales and rentals.  
1423  
1424 (c) Bowling alleys.  
1425  
1426 (d) Building, electrical, heating, lumber, and plumbing supply yards.  
1427  
1428 (e) Bulk storage of agricultural products, cooperatives, feed mills, and fertilizer  
1429 plants.  
1430  
1431 (f) Business and professional offices and services.  
1432  
1433 (g) Cabinet making and woodworking.  
1434  
1435 (h) Car washes.  
1436  
1437 (i) Commercial storage.  
1438

- 1439 (j) Community uses.
- 1440
- 1441 (k) Contractor or trade storage.
- 1442
- 1443 (l) Dairies and dairy-processing businesses, such as cheese factories.
- 1444
- 1445 (m) Essential services.
- 1446
- 1447 (n) Farm equipment and implement sales.
- 1448
- 1449 (o) Food lockers.
- 1450
- 1451 (p) Fruit and vegetable stands.
- 1452
- 1453 (q) Funeral homes and crematoriums.
- 1454
- 1455 (r) Furniture repair, sales, and upholstery.
- 1456
- 1457 (s) Gas stations and convenience stores.
- 1458
- 1459 (t) Hotels.
- 1460
- 1461 (u) Manufactured home sales and service.
- 1462
- 1463 (v) Mini-warehouses.
- 1464
- 1465 (w) Motels.
- 1466
- 1467 (x) Parking areas and ramps.
- 1468
- 1469 (y) Printing and duplicating shops.
- 1470
- 1471 (z) Private clubs and lodges, except adult entertainment establishments.
- 1472
- 1473 (aa) Public uses.
- 1474
- 1475 (bb) Restaurants.
- 1476
- 1477 (cc) Self-service laundromats.
- 1478
- 1479 (dd) Signs and billboards.
- 1480
- 1481 (ee) Single-family residences.
- 1482
- 1483 (ff) Small wind energy systems.
- 1484
- 1485 (gg) Stores for conducting retail, service, or wholesale business.



- 1486  
1487 (hh) Taverns.  
1488  
1489 (ii) Theaters, except outdoor theaters.  
1490  
1491 (jj) Trailer and truck rentals.  
1492  
1493 (kk) Vehicle and equipment sales, service, and showrooms.  
1494  
1495 (ll) Utilities.  
1496  
1497 (3) Accessory Uses. The following accessory use is allowed in the CB district:  
1498  
1499 (a) Roadside stand, one, which must be placed outside the right-of-way and  
1500 which may not interfere with or present a hazard to any person, property, or  
1501 traffic.  
1502  
1503 (4) Conditional Uses. The following uses may be allowed in the CB district upon the  
1504 issuance of a conditional use permit:  
1505  
1506 (a) Adult entertainment establishments, subject to any applicable provisions  
1507 contained in Part V.  
1508  
1509 (b) Auto salvage yards.  
1510  
1511 (c) Banquet and dance halls.  
1512  
1513 (d) Drive-in theaters.  
1514  
1515 (e) Outdoor amusement centers.  
1516  
1517 (f) Race tracks.  
1518  
1519 (g) Shopping centers.  
1520  
1521 (h) Sports arenas.  
1522  
1523 (i) Telecommunication towers.  
1524  
1525 (j) Transportation terminals.  
1526  
1527 (k) Truck stops.  
1528  
1529 (l) Water parks.  
1530  
1531 (5) Yard Requirements. The following requirements apply to the CB district:  
1532

- 1533 (a) The minimum lot size is 10,000 square feet, exclusive of road right-of-way.
- 1534
- 1535 (b) The minimum lot width is 100 feet.
- 1536
- 1537 (c) The minimum setback for principal and conditional use structures is 7.5 feet.
- 1538
- 1539 (d) The minimum setback for accessory structures is 5 feet.
- 1540
- 1541 (e) The maximum height of any structure is 60 feet, unless a different maximum
- 1542 height is permitted by sec. 8.25 or chs. 20, 24, or 25. However, all structures
- 1543 are subject to the Airport Approach Protection Ordinance.
- 1544

1545 **8.17 Industrial (ID).**

- 1546
- 1547 (1) Purpose. The purpose of the Industrial (ID) district is to provide areas for
- 1548 manufacturing, warehousing, and other light industrial operations. It may also be
- 1549 used for commercial storage facilities, contractor and trade establishments, and
- 1550 similar businesses. However, such use may not be detrimental to the surrounding
- 1551 area or to the county as a whole because of dust, groundwater degradation, noise,
- 1552 odor, physical appearance, smoke, traffic, or other nuisance factors.
- 1553
- 1554 (2) Principal Uses. The following uses are allowed in the ID district provided that a site
- 1555 plan is submitted and approved by the planning and park commission:
- 1556
- 1557 (a) Agricultural implement and equipment manufacture, sales, and service.
- 1558
- 1559 (b) Analyzing, controlling, measuring, and recording instruments, including
- 1560 clocks; medical, optical, and photographic equipment; and watches.
- 1561
- 1562 (c) Apparel and other finished products made from fabrics and similar materials.
- 1563
- 1564 (d) Billboard manufacture.
- 1565
- 1566 (e) Clay, concrete, glass, and stone products.
- 1567
- 1568 (f) Coating, engraving, and allied services.
- 1569
- 1570 (g) Computers and office equipment.
- 1571
- 1572 (h) Contractor or construction shops, including air conditioning, building,
- 1573 cement, electrical, heating, refrigeration, masonry, painting, plumbing,
- 1574 roofing, and ventilation.
- 1575
- 1576 (i) Electrical and electronic equipment and machinery.
- 1577
- 1578 (j) Essential services.
- 1579

- 1580 (k) Fabricated metal, wood, or plastic products, except machinery and  
1581 transportation equipment.  
1582
- 1583 (l) Food and kindred products.  
1584
- 1585 (m) Furniture and fixtures.  
1586
- 1587 (n) Garages for the repair, sales, service, or storage of automobiles, tractors,  
1588 trucks, and accessory equipment.  
1589
- 1590 (o) Infrastructure that is compatible with the district, including agricultural  
1591 aeronautic facilities; communication uses, such as antennae, broadcast  
1592 towers, cell towers, and transmission lines; drainage facilities; electrical  
1593 transmission lines; gas, oil, and other pipelines; large wind energy systems;  
1594 rail facilities; roads; solar energy facilities; and transportation uses.  
1595
- 1596 (p) Laboratories and research and development facilities.  
1597
- 1598 (q) Printing, publishing, and allied products.  
1599
- 1600 (r) Public uses.  
1601
- 1602 (s) Radio and television offices, towers, and transmission facilities.  
1603
- 1604 (t) Research facilities.  
1605
- 1606 (u) Secondhand household equipment, store fixtures, and office furniture sales,  
1607 storage, and reconditioning.  
1608
- 1609 (v) Sign painting studio.  
1610
- 1611 (w) Signs identifying the name and business of the occupant of a premises.  
1612
- 1613 (x) Small wind energy systems.  
1614
- 1615 (y) Substations for electrical power and light.  
1616
- 1617 (z) Utilities.  
1618
- 1619 (aa) Warehousing.  
1620
- 1621 (bb) Other uses not specifically listed, but which are deemed by the board of  
1622 adjustment to be similar to the uses listed above.  
1623
- 1624 (3) Accessory Uses.  
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1672
- (a) Accessory structures and uses incidental to the principal use or to a permitted conditional use are allowed in the ID district, subject to any applicable provisions contained in Part V, provided that a site plan is submitted and approved by the planning and park commission.
  - (b) Roadside stand, one, which must be placed outside the right-of-way and which may not interfere with or present a hazard to any person, property, or traffic.
- (4) Conditional Uses. The following uses may be allowed in the ID district upon the issuance of a conditional use permit:
- (a) Chemical and allied products production or storage facilities.
  - (b) Community Uses.
  - (c) Dwelling units for caretakers or guards.
  - (d) Foundries.
  - (e) Incinerators.
  - (f) Junk yards, salvage yards, or other facilities for the baling, handling, processing, reclamation, recycling, remanufacture, sale, salvage, storage of junk or other second-hand or used materials.
  - (g) Leather and leather products.
  - (h) Lumber and wood products.
  - (i) Paper and allied products.
  - (j) Petroleum and other inflammable liquid bulk production, refining, or storage facilities.
  - (k) Plastic products.
  - (l) Quarries and gravel, sand, or stone crushing, grading, milling, mining, and washing operations.
  - (m) Rubber products.
  - (n) Textile mills and textile products.
  - (o) Machinery manufacturing.
  - (p) Mini-warehouses.

- 1673 (q) Transportation equipment and parts.  
1674  
1675 (r) Truck distribution, dispatching, loading, and transfer depots.  
1676  
1677 (s) Solid waste facilities and transfer stations.  
1678  
1679 (5) Yard Requirements. The following requirements apply to the ID district:  
1680  
1681 (a) The minimum lot size is 1 acre, exclusive of road right-of-way.  
1682  
1683 (b) The minimum lot width is 150 feet.  
1684  
1685 (c) The minimum setback for principal and conditional use structures is 25 feet.  
1686  
1687 (d) The minimum setback for accessory structures is 10 feet.  
1688  
1689 (e) The maximum height of any structure is 60 feet, unless a different maximum  
1690 height is permitted by sec. 8.25 or chs. 20, 24, or 25. However, all structures  
1691 are subject to the Airport Approach Protection Ordinance.  
1692  
1693 (6) Site Plan Requirement. A site plan must be reviewed and approved by the planning  
1694 and park commission prior to the start of any new construction or any addition or  
1695 alteration that adds more the 25% to the area of an existing structure or to the total  
1696 area of all existing structures on the site.  
1697  
1698 (7) Development Standards. The development standards contained in this section are  
1699 minimum standards and must be met by any industrial use established after the  
1700 effective date of this ordinance or any applicable amendment and by any prior  
1701 nonconforming use that is added to, altered, expanded, extended, or modified after  
1702 the effective date of this ordinance or any applicable amendment.  
1703  
1704 (a) Driving Surfaces. All driveways, parking areas, and roads must be  
1705 maintained in a durable and dustless condition.  
1706  
1707 (b) Enclosures. All allowed and permitted uses must be conducted within  
1708 completely enclosed buildings, unless outdoor uses have been included in a  
1709 site plan that has been review and approved by the planning and park  
1710 commission and subject to any conditions set by the board of adjustment.  
1711  
1712 (c) Landscaping. All landscaping shown on an approved site plan must be  
1713 established and maintained in a healthy condition. Landscaping materials  
1714 must be replaced when necessary.  
1715  
1716 (d) Lighting. Lighting used to illuminate any portion of the site must be shielded  
1717 and arranged so that it does not directly shine on any abutting property.  
1718  
1719 (e) Litter. The site must be kept free of debris and refuse.

- 1720 (f) Loading and unloading. Adequate space must be provided for the loading,  
1721 parking, standing, and unloading of motor vehicles without undue  
1722 interference with the public use of roadways. No portion of a vehicle that is  
1723 loading, parked, standing, or unloading may project into a public roadway.  
1724 A 12-foot by 65-foot loading space with a 15-foot clearance must be provided  
1725 for each 20,000 square feet, or fraction thereof, of floor area or lot area used  
1726 for other than incidental purposes.  
1727
- 1728 (g) Noise. The sound generated by a use may not exceed 70 decibels at the lot  
1729 line.  
1730
- 1731 (h) Odor. No use may cause or result in the emission of any substance or  
1732 combination of substances into the ambient air and produce an objectionable  
1733 odor unless preventative measures satisfactory to the department are taken  
1734 to abate or control the emission. An odor will be deemed objectionable when  
1735 either or both of the following tests are met:  
1736
- 1737 1. If the department, upon investigation, determines that the odor is  
1738 objectionable based upon the nature, intensity, frequency, and  
1739 duration of the odor, taking into consideration the type of area  
1740 involved and any other pertinent factor identified by the department.  
1741
  - 1742 2. If 60% of a sample of persons exposed to the odor in their place of  
1743 residence or employment, other than the place that is the odor's  
1744 source, find the odor to be objectionable based upon its nature,  
1745 intensity, frequency, and duration.  
1746
- 1747 (i) Outdoor Storage. Outdoor storage is permitted if the storage area is screened  
1748 and the stored materials are not visible from any public road.  
1749
- 1750 (j) Parking. At least 2 parking spaces must be provided for every 3 employees,  
1751 based on the maximum number of persons employed during any shift.  
1752
- 1753 (k) Screening. Required screening may be provided by use of fences, hedges or  
1754 other plantings, and walls that are at least four feet in height. Any required  
1755 screening must be maintained in good condition.  
1756
- 1757 (l) Storm Water Drainage. A storm water drainage plan must be included as  
1758 part of the site plan.  
1759
- 1760 (m) Vibration. Ground vibrations generated by a use must not be perceptible at  
1761 any point on the lot line without the use of instruments.  
1762
- 1763 (n) Other. No use may emit dangerous or obnoxious fumes, glare, heat, or  
1764 radiation that extends beyond any lot line on which the use is located.  
1765

1766 **8.18 Natural Area (NA).**

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- (1) Purpose. The purpose of Natural Area (NA) district is to provide areas that conserve existing, mostly undeveloped natural land. The district may be used in upland areas adjacent to or surrounded by wetland areas or in other areas where natural features are considered significant. General agriculture, institutional, recreational, and very low density residential uses are allowed, but commercial and industrial uses are not permitted.
  - (2) Principal Uses. The following uses are allowed in the NA district:
    - (a) Agricultural uses.
    - (b) Essential services.
    - (c) Forestry.
    - (d) Hunting, fishing, and trapping.
    - (e) Kennels.
    - (f) Non-residential structures used for raising fish and wildlife and for the practice of forestry.
    - (g) Park trailers.
    - (h) Shooting clubs, clubhouses, and ranges.
    - (i) Tree and shrub nurseries.
  - (3) Accessory Uses. The following uses are allowed in the NA district, subject to any applicable provisions contained in Part V.
    - (a) Home occupations.
    - (b) Hunting or warming shacks with no water or sewage facilities.
    - (c) Roadside stand, one, which must be placed outside the right-of-way and which may not interfere with or present a hazard to any person, property, or traffic.
    - (d) Small wind energy systems.
    - (e) Other accessory structures and uses that are incidental to the principal use, provided that the structure or use does not include any activity commonly conducted as a business.
  - (4) Conditional Uses. The following uses may be allowed in the NA district upon the issuance of a conditional use permit:

- 1814 (a) Camps and campgrounds.  
1815  
1816 (b) Commercial recreational areas, such as a golf course, nature center, or other  
1817 low impact activity.  
1818  
1819 (c) Community uses.  
1820  
1821 (d) Non-metallic mining.  
1822  
1823 (e) Private garages.  
1824  
1825 (f) Recreation vehicle parks.  
1826  
1827 (g) Sawmills.  
1828  
1829 (h) Single family residences.  
1830  
1831 (i) Utilities.  
1832  
1833 (j) Vacation home rentals.  
1834  
1835 (5) Yard Requirements. The following requirements apply to the NA district.  
1836  
1837 (a) The minimum lot size is 20 acres, exclusive of road right-of-way.  
1838  
1839 (b) The minimum lot width is 150 feet.  
1840  
1841 (c) The minimum setback for principal and conditional use structures is 25 feet.  
1842  
1843 (d) The minimum setback for accessory structures is 10 feet.  
1844  
1845 (e) The maximum height for any structure is 35 feet, unless a different maximum  
1846 height is permitted by sec. 8.25 or chs. 20, 24, or 25. However, all structures  
1847 are subject to the Airport Approach Protection Ordinance.  
1848

#### 1849 **PART IV. STANDARDS.**

##### 1850 **8.19 Nonconforming Lots of Record.**

1851 A nonconforming lot of record may be developed even though it does not meet the minimum  
1852 lot size and lot width requirements of this ordinance if the proposed use is a single family  
1853 dwelling or a principal or accessory use in the district in which it is located. A  
1854 nonconforming lot of record is subject to all other requirements contained in this ordinance.  
1855  
1856  
1857

##### 1858 **8.20 Nonconforming Structures.**

1859



- 1860 (1) An uncompleted structure for which a zoning permit was issued and construction  
1861 commenced may be completed if the completed structure complies with the  
1862 ordinance in effect at the time the permit was issued, even if the structure does not  
1863 conform to the requirements of this ordinance at the time construction is completed,  
1864 and the completed structure will be deemed a nonconforming structure.  
1865
- 1866 (2) A nonconforming structure may continue to be used and maintenance and repairs  
1867 may be made to the nonconforming structure.  
1868
- 1869 (3) A nonconforming structure's area may not be increased by more than 50% of the  
1870 structure's square footage at the time that it became nonconforming, except to  
1871 comply with public health and safety law requirements or to make it a conforming  
1872 structure.  
1873
- 1874 (4) A nonconforming structure's exterior dimensions may be changed provided that the  
1875 change does not reduce any existing nonconforming setback or increase any existing  
1876 nonconforming height.  
1877
- 1878 (5) Restoration of Certain Nonconforming Structures. In accordance with Wis. Stat. §  
1879 60.61(5m), a nonconforming structure that is damaged or destroyed by fire, flood,  
1880 ice, infestation, mold, snow, vandalism, or violent wind may be restored to the size,  
1881 location, and use that it had immediately before the damage or destruction occurred.  
1882 The size of the nonconforming structure may be enlarged, but only to the extent  
1883 necessary for the structure to comply with applicable state and federal requirements.  
1884

1885 **8.21 Nonconforming Uses.**  
1886

- 1887 (1) A nonconforming use may not be enlarged or expanded.  
1888
- 1889 (2) A nonconforming use that has ceased or otherwise been discontinued for a period of  
1890 12 months may not be resumed, and any further use must conform to the  
1891 requirements of this ordinance.  
1892
- 1893 (3) A nonconforming use may not be moved to any other part of the parcel on which it  
1894 is located.  
1895
- 1896 (4) A nonconforming use may not be moved to another parcel unless the use is allowed  
1897 or permitted on the parcel to which it is moved. A conditional use permit must be  
1898 obtained if the use is a conditional use on the parcel to which it is moved.  
1899
- 1900 (5) A nonconforming use may not be changed to another nonconforming use.  
1901
- 1902 (6) A nonconforming use may be changed to a conforming use, but a conditional use  
1903 permit must be obtained if the new use is a conditional use.  
1904
- 1905 (7) A nonconforming use that has been changed to a conforming use may not be  
1906 returned to the prior nonconforming use or to any other nonconforming use.

1907 **8.22 Farm Consolidation.**

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- (1) Any parcel that is part of a farm consolidation and that contains a farm residence or structure that existed at the time the town in which the parcel is located originally adopted exclusive agriculture zoning may be divided into two parcels, both of which will retain Exclusive Agriculture EA zoning, provided that:
  - (a) the first parcel contains the farm residence, is at least 1 acre, but less than 20 acres, and has at least 100 feet of frontage; and
  - (b) the second parcel is at least 20 acres.
- (2) The residence and any other structures on the first parcel will be deemed to be nonconforming structures subject to the provisions contained in sec. 8.20.

**8.23 Site Restrictions.**

- (1) No structure may be constructed, erected, or moved onto land that is unsuitable by reason of adverse soil or rock formations, concentrated runoff, flooding, inadequate drainage, low percolation rate or bearing strength, susceptibility to erosion, unfavorable topography, or any other reason deemed likely to be harmful to the aesthetics, general welfare, health, prosperity, and safety of the community.
- (2) A lot must have a minimum of 100 feet of frontage abutting upon a public street or an approved private street.
- (3) The depth, width, and overall area of a lot must be sufficient to permit the location of a conforming and legal private onsite wastewater treatment system (POWTS) if it is not serviced by a municipal wastewater treatment system.

**8.24 Use Restrictions.**

- (1) No land or structure, and no part of any land or structure, may be used or occupied for any purpose unless the use or occupancy complies with the requirements of this ordinance.
- (2) No land or structure, and no part of any land or structure, may be used for any purpose if it is unsuitable for that purpose by reason of adverse soil or rock formations, concentrated runoff, flooding, inadequate drainage, low percolation rate or bearing strength, susceptibility to erosion, unfavorable topography, or any other reason deemed likely to be harmful to the aesthetics, general welfare, health, prosperity, and safety of the community.
- (3) Principal uses in a zoning district are limited to those principal uses specified for the district in this ordinance.

- 1953 (4) A principal structure must be located on a lot and only one principal structure may
- 1954 be constructed, erected, or moved onto a lot.
- 1955
- 1956 (5) Conditional uses in a zoning district are limited to those conditional uses specified
- 1957 for the district in this ordinance.
- 1958
- 1959 (6) Conditional uses and accessory uses to conditional uses are special uses that require
- 1960 an application, review, public hearing, approval by the board of adjustment, and
- 1961 issuance of a conditional use permit.
- 1962
- 1963 (7) Temporary structures that are constructed using a frame made out of metal, pvc,
- 1964 wood, or a similar material; that are covered by canvas, fabric, vinyl, or a similar
- 1965 material; and that are used as a boat or other vehicle enclosure; screen house; storage
- 1966 building for materials during construction; or for a similar purpose are subject to the
- 1967 following requirements:
- 1968
- 1969 (a) The structure may not be in place for more than a total of 180 days during
- 1970 any consecutive 12-month period.
- 1971
- 1972 (b) The entire structure, including the frame and covering, must be totally
- 1973 disassembled and removed once it has been in place for a total of 180 days
- 1974 during any consecutive 12-month period.
- 1975
- 1976 (c) The structure must be set back at least 3 feet from any side lot line.
- 1977

**8.25 Height Exception.**

The height limitation specified for a zoning district may be exceeded for the following structures if the front, rear, and side setbacks for the structure are increased by one foot for each foot that the structure exceeds the district’s height limitation, provided that the structure does not exceed the maximum height permitted by the Airport Approach Protection Ordinance:

- 1978
- 1979
- 1980
- 1981
- 1982
- 1983
- 1984
- 1985
- 1986 (1) accessory farm structures, such as gas tanks, grain elevators, scenery lofts, and silos;
- 1987
- 1988 (2) architectural projections such as belfries, chimneys, cupolas, domes, flues, parapet
- 1989 walls, and spires;
- 1990
- 1991 (3) communication structures, such as aerials, antenna, and towers;
- 1992
- 1993 (4) electric power lines and substations;
- 1994
- 1995 (5) essential services;
- 1996
- 1997 (6) manufacturing equipment and necessary mechanical appurtenances;
- 1998
- 1999 (7) smoke stacks;

2000 (8) towers, including cooling towers, fire towers, radio, microwave, and television  
2001 towers, and water towers;

2002  
2003 (9) utilities and utility services;

2004  
2005 **PART V. SUPPLEMENTAL REGULATIONS.**

2006  
2007 **8.26 General Standards.**

2008  
2009 This Part contains standards that apply to principal, accessory, and conditional structures and  
2010 uses that are in addition to the applicable requirements contained in Part III or in any other  
2011 applicable section of the county code.

2012  
2013 **8.27 Accessory Structures.**

2014  
2015 (1) An accessory structure is not permitted unless a principal structure exists on the same  
2016 zoning lot or unless a zoning permit for a principal structure is issued at the same  
2017 time that the accessory structure permit is issued.

2018  
2019 (2) An accessory structure may not exceed the maximum permitted height for the zoning  
2020 district in which it is located.

2021  
2022 (3) An accessory structure may not be erected within any required front setback.

2023  
2024 (4) Campers, ice shanties, manufactured homes, and truck trailers may not be used as  
2025 accessory structures and cannot be converted for storage or other purposes.

2026  
2027 **8.28 Adult Entertainment Establishments.**

2028  
2029 (1) In recognition of the protection afforded to the citizens under the 1st and 14th  
2030 Amendments of the Constitution of the United States, the purpose of this section is  
2031 to regulate the location of specifically defined activities and materials consistent with  
2032 the county's interest in the present and future character of its development, and this  
2033 section is not intended to inhibit any person's freedom of speech or the freedom of  
2034 the press. For that reason, commercial establishments dealing in adult entertainment  
2035 activities and materials are permitted as a conditional use in any  
2036 Commercial/Business (CB) district.

2037  
2038 (2) The following uses are only permitted as conditional uses:

2039  
2040 (a) Commercial establishments that display, disseminate, give away, lease, offer  
2041 for view, possess for sale, publish, rent, sell, or otherwise deal in any  
2042 facsimile, film, machine, mechanical device, model, picture, printed matter,  
2043 sound recording, written matter, or other material or paraphernalia depicting  
2044 sexual conduct or nudity and that exclude minors by reason of age.

2045

- 2046 (b) Commercial establishments that display for viewing any film or pictures  
2047 depicting sexual conduct or nudity and that exclude minors by reason of age.  
2048
- 2049 (c) Commercial establishments in which any person appears or performs in a  
2050 manner depicting sexual conduct or involving nudity and from which minors  
2051 are excluded by reason of age.  
2052
- 2053 (3) The conditional uses allowed by this section are subject to the following provisions:  
2054
- 2055 (a) No permit may be granted where the proposed establishment is within 2,000  
2056 feet of any church, funeral parlor, historic district or site listed in the State or  
2057 National Register of Historic Places, hospital, library, museum, park,  
2058 playground, restaurant, school, or any other private or public building or  
2059 premises likely to be utilized by persons under the age of 18 years.  
2060
- 2061 (b) No permit may be granted if the proposed establishment is within 2,000 feet  
2062 of any pre-existing establishment licensed to sell or dispense fermented malt  
2063 beverages or intoxicating liquor.  
2064
- 2065 (c) No permit may be granted where the proposed establishment is within 2,000  
2066 feet of any area zoned residential in the same or a contiguous town or  
2067 municipality.  
2068
- 2069 (d) The applicant must provide the county with detailed information regarding  
2070 use of the proposed establishment. If the application is for an establishment  
2071 under subpar. (2)(a) or (2)(b), the applicant must furnish representative  
2072 samples of the materials that will be available at the establishment. If the  
2073 application is for an establishment under subpar. (2)(c) of this subsection, the  
2074 applicant must provide a detailed description of the proposed activity to be  
2075 conducted at the proposed establishment.  
2076
- 2077 (e) The applicant must provide the name and address of the owners and  
2078 occupants of all property within 1,000 feet of the proposed establishment.  
2079
- 2080 (f) Billboards, portable signs, and towers are prohibited on the premises. No  
2081 flashing or traveling lights may be located on or visible from the exterior of  
2082 the structure in which the establishment is located. No sign may depict  
2083 specified anatomical areas or specified sexual activity.  
2084
- 2085 (g) All access points to the establishment and all windows or other openings  
2086 must be constructed, covered, located, or screened in a manner that prevents  
2087 viewing the interior of the establishment from any public or semipublic area.  
2088
- 2089 (h) Adequate parking must be provided in a lighted area.  
2090

- 2091 (i) The hours of operation for such establishments are limited to the same hours  
2092 of operations for bars and taverns within the community in which the district  
2093 is located.
- 2094
- 2095 (j) When acting on an application for a conditional use permit for an adult  
2096 entertainment establishment, the Board of adjustment shall consider, in  
2097 addition to usual factors taken into consideration for all conditional use  
2098 permits, the protection of property values in the affected area; the  
2099 preservation of neighborhoods; the tendency of such establishments to cause  
2100 increases in noise, traffic, and other factors interfering with the quiet and  
2101 peaceful enjoyment of the neighborhood; the tendency of such  
2102 establishments to encourage residents and businesses to move elsewhere; the  
2103 tendency of such establishments to attract an undesirable quantity or quality  
2104 of transients; the tendency of such establishments to cause increases in crime,  
2105 especially prostitution and sex-related crimes; the tendency of such  
2106 establishments to increase the need for policing; the protection of minors  
2107 from the activities conducted and materials available at such establishments;  
2108 and any other factors related to the proposed use that may affect the health,  
2109 safety, and general welfare of the community.
- 2110
- 2111 (k) If a protest signed by 51 percent or more of the adult residents and property  
2112 owners within 500 feet of the proposed establishment is filed with the  
2113 department, a unanimous vote of the Board of adjustment is required to issue  
2114 a conditional use permit.
- 2115

2116 **8.29 Airports and Landing Strips.**

2117

- 2118 (1) A tract of land used for an airport or landing strip must be of sufficient size and  
2119 adequate in all other respects to provide for the safe operation of the facility and to  
2120 prevent hazards to surrounding property.
- 2121
- 2122 (2) An airport or landing strip may not interfere with the development of any  
2123 thoroughfare in the area.
- 2124

2125 **8.30 Antennas.**

2126

- 2127 (1) In order to protect the health and safety of all citizens, as well as the aesthetic values  
2128 embodied in this ordinance, every antenna is subject to the requirements contained  
2129 in this section.
- 2130
- 2131 (2) A maximum of 3 antennas per residence are allowed on a parcel in a residential  
2132 district.
- 2133
- 2134 (3) An antenna installation must be constructed of noncombustible, corrosive-resistant  
2135 material and must be able to withstand winds of not less than 80 miles per hour.
- 2136

- 2137 (4) An antenna must be filtered or shielded, or both, so as to prevent the emission or  
 2138 reflection of electromagnetic radiation that would cause any harmful interference  
 2139 with radio or television broadcasting or reception on any adjacent property. If  
 2140 harmful interference results subsequent to an antenna's installation, the antenna's  
 2141 owner must, in accordance with Federal Communications Commission regulations,  
 2142 promptly take steps to eliminate the harmful interference.  
 2143  
 2144 (5) An antenna is subject to the height requirements for the district in which it is located,  
 2145 except that a ground-mounted satellite antenna that is greater than 3 feet in diameter  
 2146 may not exceed 15 feet in height.  
 2147  
 2148 (6) A ground-mounted antenna must be located at least one foot from the nearest lot line  
 2149 for each foot of height above the surrounding grade.  
 2150  
 2151 (7) A roof-mount antenna must be mounted at least one foot from the nearest lot line for  
 2152 each foot of height above the roof line.  
 2153  
 2154 (8) A satellite antenna must be designed and located so as to reduce its visual impact on  
 2155 surrounding properties.  
 2156  
 2157 (9) A satellite antenna must be set back at least 5 feet from a side or rear lot line.  
 2158  
 2159 (10) A portable or trailer-mounted antenna is not permitted, except for temporary  
 2160 installation of an antenna for on-site testing or demonstration purposes for a period  
 2161 not to exceed 2 days at any one location.  
 2162

2163 **8.31 Automobile Wrecking Yards, Dumping Grounds, Junk Yards, Sanitary Land Fills, and**  
 2164 **Salvage Yards.**  
 2165

- 2166 (1) Any automobile wrecking yard, dumping ground, junk yard, sanitary land fill, or  
 2167 salvage yard must be located so that it does prevent or interfere with the proper  
 2168 development of the surrounding area.  
 2169  
 2170 (2) Any automobile wrecking yard, dumping ground, junk yard, sanitary land fill, or  
 2171 salvage yard must be adequately fenced or otherwise screened year round with a  
 2172 dense shrub growth to prevent unsightliness and the blowing of materials off of the  
 2173 premises.  
 2174  
 2175 (3) The minimum side and rear setback for any automobile wrecking yard, dumping  
 2176 ground, junk yard, sanitary land fill, or salvage yard is 50 feet.  
 2177  
 2178 (4) The board of adjustment shall take into consideration the temporary nature of  
 2179 dumping and sanitary land fill operations and the public necessity for waste disposal  
 2180 in considering the application for a conditional use permit for a dumping ground or  
 2181 sanitary landfill operation.  
 2182

2183 **8.32 Cemeteries.**

2184 (1) The site of a proposed cemetery must not prevent or interfere with the proper  
2185 development of thoroughfares in the area.

2186  
2187 (2) Any burial plot or structure must be set back at least 100 feet from any street or  
2188 highway right-of-way line.

2189  
2190 **8.33 Conservation Clubs, Shooting Clubs, and Shooting Ranges.**

2191  
2192 (1) The club or range and any structure associated with the club or range must be located  
2193 so that the use of a firearm on the premises does not create a nuisance or danger to  
2194 any person or property on any adjacent parcel.

2195  
2196 (2) Accessory uses, such as a bar, dining facility, kitchen, or storage shed that is  
2197 incidental to the operation of the club or range, are allowed.

2198  
2199 **8.34 Convalescent Homes, Hospitals, Public Buildings, Nursing Homes, Sanitariums, and**  
2200 **Utilities.**

2201  
2202 (1) The site of a proposed convalescent home, hospital, public building, nursing home,  
2203 sanitarium, or utility must not interfere with or prevent the development and use of  
2204 the surrounding land in the principal uses of the district.

2205  
2206 (2) The minimum side and rear setback for any convalescent home, hospital, public  
2207 building, nursing home, sanitarium, or utility is 50 feet.

2208  
2209 (3) The grounds surrounding any convalescent home, hospital, public building, nursing  
2210 home, sanitarium, or utility must be appropriately landscaped.

2211  
2212 (4) A sufficient number of off-street parking spaces must be provided to assure that  
2213 employees, visitors, or others to a convalescent home, hospital, public building,  
2214 nursing home, sanitarium, or utility do not need to park on any public right-of-way  
2215 during normal periods of activity.

2216  
2217 **8.35 Driveways; Parking Spaces; and Loading, Standing, and Unloading Areas.**

2218  
2219 (1) General Requirements. The following general requirements apply to driveways;  
2220 parking spaces; and loading, standing, and unloading areas:

2221  
2222 (a) Access. A parking space or loading, standing, or unloading area must be  
2223 served by separate ingress and egress driveways or by an adequate  
2224 turn-around that is always available and useable.

2225  
2226 (b) Bumper guards or wheel barriers. Any parking space or loading, standing,  
2227 and unloading area associated with a commercial use must have bumper  
2228 guards or wheel barriers installed so that no portion of a vehicle will project  
2229 into a public right-of-way or over adjoining property.

2230



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- (c) Location. A parking space or loading, standing, or unloading area may not be located in any yard that is adjacent to a street or highway.
  - (d) Screening. A parking, loading, standing, or unloading area that abuts a neighboring property in a residential district must be screened by a fence, hedge, or wall.
  - (e) Surfacing. A driveway; parking space; and loading, standing, and unloading area must have an all-weather surface, such as asphalt, gravel, or concrete, and must be graded and drained.
  - (f) Lighting. Any light used to illuminate a driveway; parking; or loading, standing, and unloading area must be directed away from any adjacent public street and away from any residence on an adjacent parcel.
- (2) Automobile Parking Spaces.
- (a) A minimum number of off-street automobile parking spaces are required for certain uses.
    1. A bed and breakfast must provide at least 1 space for each lodging unit.
    2. A bowling alley must provide at least 5 spaces for each alley or lane.
    3. A commercial use must provide at least 1 space for every 300 square feet of floor area devoted to the primary use and 1 space for every 5,000 square feet of storage or warehouse area.
    4. A dance hall or skating rink must provide at least 1 space for every 100 square feet of floor area used for dancing or skating.
    5. A hotel must provide at least 1 space for each lodging unit.
    6. A motel must provide at least 1 space for each dwelling unit.
    7. An office must provide at least 1 space for every 3 employees.
    8. A place of public assembly, such as an auditorium, church, meeting hall, or theater, must provide at least 1 space for every 6 seats, based maximum seating capacity.
    9. A private club must provide at least 1 space for every 100 square feet of floor area.
    10. A publicly owned service building must provide at least 1 space for every 400 square feet of floor area.

- 2278 11. A residential use must provide at least 2 spaces per dwelling unit.  
 2279  
 2280 12. A restaurant must provide at least 1 space for every 200 square feet  
 2281 of floor area, plus 1 space for every 3 employees.  
 2282  
 2283 13. A retail operation must provide at least 1 space for every 200 square  
 2284 feet of floor area, plus 1 space for every 3 employees.  
 2285  
 2286 14. A tavern must provide at least 1 space for every 200 square feet of  
 2287 floor area, plus 1 space for every 3 employees.  
 2288  
 2289 15. A wholesale operation must provide at least 1 space for every 200  
 2290 square feet of floor area, plus 1 space for every 3 employees.  
 2291  
 2292 (b) Each parking space must be not less than 9 feet wide and 17 feet long.  
 2293  
 2294 (c) The department may specify the number of spaces for any unlisted use based  
 2295 upon the nature and location of the use.  
 2296  
 2297 (d) The board of adjustment may require a greater number of spaces based upon  
 2298 the nature and location of the use when authorizing the issuance of a  
 2299 conditional use permit.  
 2300  
 2301 (3) Driveways. Any driveway that is installed, replaced, or extended, and any portion  
 2302 of a driveway that is modified, after the effective date of this ordinance must meet  
 2303 the following requirements:  
 2304  
 2305 (a) The opening for vehicular ingress and egress may not be less than 20 feet  
 2306 wide at the right of way line.  
 2307  
 2308 (b) A driveway must have an all-weather driving surface that is not less than 14  
 2309 feet wide and must have a typical road grade that is sloped to provide  
 2310 drainage.  
 2311  
 2312 (c) The turn radius for any curve in a driveway must be at least 30 feet for the  
 2313 inside radius and at least 50 feet for the outside radius.  
 2314  
 2315 (d) A driveway that exceeds 500 feet in length must have a turnout at least every  
 2316 500 feet that will allow vehicles to pass. The turnout area must be at least  
 2317 60 feet in length, 30 feet in width, and have a connecting turn radius of at  
 2318 least 30 feet.  
 2319  
 2320 (e) A driveway must provide a turn around at any structure or terminal point.  
 2321 The turn around may be a cul du sac that is at least 100 feet in diameter or  
 2322 one or more one rectangular areas at least 60 feet in length and 20 feet in  
 2323 width. The turnaround must have a connecting turn radius of at least 30 feet.  
 2324

- 2325 (f) Any culvert or bridge associated with the driveway must be capable of  
2326 handling a 30-ton vehicle.  
2327
- 2328 (g) A driveway must be located within a clear space that is free of any trees or  
2329 other obstructions. The clear space must be at least 20 feet wide and 14 feet  
2330 high.  
2331
- 2332 (4) Loading, Standing, and Unloading Spaces.  
2333
- 2334 (a) A parcel that is used for commercial purposes must provide adequate space  
2335 for loading, standing, and unloading motor vehicles in order to avoid undue  
2336 interference with the public use of roadways, and no portion of a vehicle that  
2337 is loading, standing, or unloading may project into a public roadway.  
2338
- 2339 (b) A space for loading, standing, or unloading motor vehicles must be not less  
2340 than 12 feet wide, 65 feet long, and 15 feet high.  
2341
- 2342 (c) One space must be provided for each 20,000 square feet, or any fraction  
2343 thereof, on a parcel that is used for commercial purposes.  
2344
- 2345 (d) The loading, standing, and unloading space requirements may be modified  
2346 or waived for a proposed commercial use if a site review determines that the  
2347 use is of a kind that does not require the loading, standing, or unloading of  
2348 motor vehicles or that adequate provisions have been made for the loading,  
2349 standing, and unloading of motor vehicles associated with the proposed use.  
2350 Any modification or waiver granted pursuant to this subsection becomes void  
2351 if the use that was subject to the site review is changed.  
2352

### 2353 **8.36 Home Occupations.**

- 2354
- 2355 (1) The use of a residential dwelling for a home occupation may not occupy more than  
2356 25 percent of the floor area of one floor and must be clearly incidental and  
2357 subordinate to the residential use. Typical home occupations include, but are not  
2358 limited to, baby sitting, barber or beauty shops, canning, crafts, dance studios,  
2359 desktop publishing and other computer services, dressmaking, insurance agencies,  
2360 laundering and ironing, millinery, music instruction, photographic studios, real estate  
2361 agencies, telephone marketing, and word processing. Auto body, construction  
2362 trades, and engine repair are not allowable home occupations.  
2363
- 2364 (2) Only 1 person other than a member of the immediate family living on the premises  
2365 may be employed to work on the premises.  
2366
- 2367 (3) Traffic generated by the home occupation must not be greater in volume than would  
2368 normally be expected in a residential neighborhood. Sufficient off-street parking  
2369 must be provided for any traffic generated by the home occupation, but no parking  
2370 is permitted in the front yard.  
2371

2372 (4) On-site retail sales are limited to goods made on the premises or, with the approval  
2373 of the department, to goods associated with the normal operation of the home  
2374 occupation, such as beauty supplies, shampoo, and personal care products for a  
2375 beauty shop.

2376  
2377 (5) One on-premises sign is allowed.

2378  
2379 **8.37 Hunting Cabins or Warming Shacks.**

2380  
2381 (1) The maximum number of days that a hunting cabin or warming shack may be used  
2382 during a calendar year is 60.

2383  
2384 (2) The maximum ground floor area allowed for any hunting or warming shack is 300  
2385 square feet.

2386  
2387 (3) A hunting cabin or warming shack may not be equipped with sewage or water  
2388 facilities.

2389  
2390 **8.38 Manmade Ponds.**

2391  
2392 (1) The minimum setback from a side or rear lot line to the beginning slope of a  
2393 manmade pond is 25 feet.

2394  
2395 (2) The minimum setback from an existing or proposed soil absorption on-site sanitary  
2396 waste disposal system to the beginning slope of an existing or proposed manmade  
2397 pond is 50 feet.

2398  
2399 (3) The minimum setback from an existing or proposed holding tank sanitary waste  
2400 disposal system is 25 feet from the beginning slope of an existing or proposed  
2401 manmade pond.

2402  
2403 (4) The side slope of a manmade pond must provide no greater than a 1-foot vertical  
2404 change for every 3-feet of horizontal change, and this ratio must be maintained until  
2405 the slope extends 6 vertical feet below the high water mark.

2406  
2407 (5) Normal maintenance and repairs may be made to an existing manmade pond, but a  
2408 zoning permit is required for any activity that increases the surface area of a  
2409 manmade pond to more than 10 percent of its original size.

2410  
2411 **8.39 Manufactured Homes and Mobile Homes.**

2412  
2413 (1) A manufactured home used for human habitation must meet the construction  
2414 standards contained in Wis. Admin. Code ch. Comm 27.

2415  
2416 (2) A manufactured home may not be parked or used as a residence unless it is located  
2417 in a manufactured home park, except as otherwise permitted in this section.

2418

- 2419 (3) A manufactured home is considered to be single-family residence and is an allowed  
2420 use in any zoning district where single family dwellings are an allowed principal use  
2421 provided that:  
2422
- 2423 (a) A site plan is submitted with the zoning permit application to the department  
2424 for review and approval. The site plan must show the size of the  
2425 manufactured home, its location on the lot, all yard measurements, and the  
2426 location of the septic tank, filter bed, and water supply.  
2427
- 2428 (b) The manufactured home must be set on an enclosed foundation in accordance  
2429 with Wis. Stat. § 70.043(1) and Wis. Admin. Code ch. Comm 21, subchs. III,  
2430 IV, and V. The department may require a plan to be certified by a registered  
2431 architect or engineer to ensure proper support for the home.  
2432
- 2433 (c) The manufactured home must be securely anchored to its foundations with  
2434 tie-downs having a minimum tensile strength of 2,800 lbs. and the anchors  
2435 must be embedded in concrete that is sufficient to withstand the tie-down  
2436 strain. The amount of tie-downs must conform to the manufacturer's  
2437 recommendations, provided that there are at least four tie-downs.  
2438
- 2439 (d) The manufactured home must be installed in accordance with the  
2440 manufacturer's instructions and is properly connected to utilities.  
2441
- 2442 (e) The hitch and wheels must be removed.  
2443
- 2444 (f) The roof must be double pitched so that there is at least a 3-inch vertical rise  
2445 for each 12-inches of horizontal run. The roof must have a minimum 8-inch  
2446 overhang on each perimeter wall and the overhang must be architecturally  
2447 integrated into the design of the dwelling. The roof must be residential in  
2448 appearance; must be covered with an approved material, such as wood,  
2449 asphalt, composition, or fiberglass shingles; and may not be covered with  
2450 corrugated aluminum or corrugated fiberglass.  
2451
- 2452 (g) The exterior siding material must be residential in appearance; may consist  
2453 of clapboards, concrete, masonry, simulated clapboards such as conventional  
2454 vinyl or metal siding, stucco, wood, wood shingle shakes, or a similar  
2455 material; but may not include smooth, ribbed, or corrugated metal or plastic  
2456 panels. The exterior siding material must extend to ground level, except that  
2457 when a solid concrete or masonry perimeter foundation is used, the siding  
2458 material need not extend below the top of the foundation.  
2459
- 2460 (4) A manufactured home may not be located on a lot outside of an approved and  
2461 licensed manufactured home park for more than 6 months unless it meets the  
2462 requirements of a permanent dwelling and is taxed accordingly.  
2463
- 2464 (5) A manufactured home may be used as a single family residence on a farm provided  
2465 that the manufactured home is occupied by a family member or employee of the

2466 farm's owner. The family member must be to related the father, mother, son,  
2467 daughter, brother, or sister of the farm owner. The employee must be actively  
2468 employed and receive 50 percent of his or her income from the farm operation.  
2469

2470 (6) Skirting. Skirting specifically designed for manufactured homes, or some other  
2471 material, must enclose the area between the ground and the bottom of the  
2472 manufactured home. Skirting must be installed within 2 weeks of the date that the  
2473 manufactured home is placed on its site.  
2474

2475 (7) A mobile home may not be used as a residence within the county unless it is located  
2476 in a manufactured home park.  
2477

2478 **8.40 Manufactured Home Parks.**  
2479

2480 (1) Drainage, Erosion Control, and Landscaping.  
2481

2482 (a) A manufactured home park and each manufactured home within the park  
2483 must be located on a well-drained area and the premises properly graded so  
2484 as to prevent the accumulation of storm or other waters. No manufactured  
2485 home park may located in an area where runoff of contaminated liquids or  
2486 from contaminated solids is likely to be deposited.  
2487

2488 (b) A construction site erosion control plan must be submitted to and approved  
2489 by the department prior to the commencement of any work on a new  
2490 manufactured home park or the expansion of an existing park.  
2491

2492 (c) The open areas of a manufactured home park must be seeded or sodded and  
2493 properly landscaped.  
2494

2495 (2) Parking.  
2496

2497 (a) A graveled or paved parking area of at least 350 square feet is required for  
2498 each manufactured home site. Additional parking spaces must be provided  
2499 within the park so that there are at least 1¼ parking spaces for each  
2500 manufactured home space.  
2501

2502 (b) Parking in the front yard of a manufactured home is prohibited.  
2503

2504 (c) The parking area for a manufactured home site must be connected to the  
2505 entrance of the manufactured home by a hard surface walkway that is at least  
2506 two feet wide.  
2507

2508 (d) Parking areas and walkways must have adequate drainage and be maintained  
2509 in good condition.  
2510

2511 (e) Unlicensed vehicles, collections of debris, junk, or personal property are  
2512 prohibited in any parking area or space.

- 2513 (3) Setbacks and Other Dimensional Requirements.  
2514  
2515 (a) The minimum lot size is 3 acres.  
2516  
2517 (b) The maximum number of manufactured home sites per acre is 8.  
2518  
2519 (c) The minimum width of a manufactured home site is 30 feet.  
2520  
2521 (d) The maximum height of a manufactured home is 15 feet.  
2522  
2523 (e) The minimum distance between manufactured homes is 20 feet.  
2524  
2525 (f) The minimum side yard setback for each manufactured home site is 8 feet.  
2526  
2527 (g) The minimum rear yard setback for each manufactured home site is 25 feet.  
2528  
2529 (h) The minimum setback for an accessory structure is 5 feet.  
2530  
2531 (i) Each site in a manufactured home park must be a clearly marked or  
2532 delineated area of not less than 3,600 square feet. A manufactured home  
2533 may not occupy more than one-third of a site, and the manufactured home  
2534 and all accessory structures may not occupy more than one-half of the site.  
2535 Any modification or expansion of an existing and operating manufactured  
2536 home park must conform to current regulations.  
2537  
2538 (4) Sewage Disposal.  
2539  
2540 (a) A manufactured home park and each unit within a manufactured home park  
2541 must be connected to and use a public sewage facility if it is available to the  
2542 manufactured home park.  
2543  
2544 (b) A private sewage system as defined in Wis. Stat. § 145.01(12) is allowed  
2545 when a public sewage facility is not available. The system must be located  
2546 on the premise and must be designed, constructed, and operated in  
2547 accordance with Wis. Stat. § 144.245 and Wis. Admin. Code chs. Comm 82  
2548 and 83. Plans and installation details covering the design and construction,  
2549 alteration, or extension of a private sewage system must be approved by the  
2550 department and the Department of Commerce prior to construction. Prior to  
2551 construction, sanitary permits are required for any work done to a private  
2552 sewage system.  
2553  
2554 (5) Streets.  
2555  
2556 (a) Each site in a manufactured home park must abut upon a street.  
2557  
2558 (b) The maximum length of a one-way street is 500 feet.  
2559

- 2560 (c) A one-way street must be at least 14 feet wide if parking is prohibited on the  
 2561 street, 18 feet wide if parking is permitted on only one side of the street, and  
 2562 24 feet wide if parking is allowed on both sides of the street.  
 2563
- 2564 (d) A two-way street must be at least 18 feet wide if parking is prohibited on the  
 2565 street, 24 feet wide if parking is permitted on only one side of the street, and  
 2566 32 feet wide if parking is allowed on both sides of the street.  
 2567
- 2568 (e) Each street must be adequately graveled for year round use or be paved; have  
 2569 natural drainage, be adequately lighted at night, and maintained in good  
 2570 condition.  
 2571
- 2572 (6) Plumbing. All plumbing must meet the requirements contained in Wis. Admin.  
 2573 Code chs. Comm 82–84 and Wis. Admin. Code ch. HSS 177.  
 2574
- 2575 (7) Uses.  
 2576
- 2577 (a) The operation of laundry, recreation room, and washroom facilities for  
 2578 benefit of the residents of the manufactured home park is allowed.  
 2579
- 2580 (b) The operation of maintenance equipment storage facilities and one business  
 2581 office for the management of the manufactured home park is allowed.  
 2582
- 2583 (c) The management of the manufactured home park shall not allow, and no  
 2584 person may conduct, any other business activity in the park.  
 2585
- 2586 (8) Miscellaneous Provisions.  
 2587
- 2588 (a) Pre-existing Parks. Any expansion of an existing park must comply with this  
 2589 and all other county ordinances. All existing parks must be licensed and  
 2590 comply with this ordinance, except for certain design requirements not  
 2591 previously in effect. All replacement manufactured homes must comply with  
 2592 this section of the ordinance.  
 2593
- 2594 (b) Recreation Area. Each park must contain a relatively level, well-drained  
 2595 recreation area. The minimum recreation area required is ½ acre for the first  
 2596 50 sites. An additional ½ acre is required for every 50 sites thereafter.  
 2597
- 2598 (c) Setback Zones. No occupied or unoccupied dwelling, manufactured home,  
 2599 mobile home, or recreation vehicle may be located between the established  
 2600 setback lines for the zoning district in which it is located and a highway, lot  
 2601 line, stream, street, or lake.  
 2602
- 2603 (d) Screening. Each manufactured home park must be completely enclosed,  
 2604 except for permitted entrances and exits, by a temporary planting of fast  
 2605 growing material capable of reaching 15 feet or more or by a permanent  
 2606 evergreen planting of such a number and arrangement of individual trees that



2607 a dense screen will be formed within 10 years. Other screening that is  
2608 harmonious with the surrounding area may be approved by the department.

2609  
2610 (e) Small Manufactured Homes. Any manufactured home with less than 400  
2611 square feet of living space must be located within a manufactured home park.

2612  
2613 (f) Collections of personal property, debris, junk, and unlicensed vehicles are  
2614 prohibited outside of a building anywhere within the boundaries of any  
2615 manufactured home park.

2616

2617 **8.41 Outdoor Wood Burning Furnaces.**

2618  
2619 (1) This section applies to detached energy systems such as an outdoor wood burning  
2620 furnace or unit, but does not apply to lawfully operated barbeques, fire pits, fryers,  
2621 or grills. It does not apply to the chimney attached to any structure, such as a  
2622 residence or garage.

2623  
2624 (2) A zoning permit is required for any detached energy system.

2625  
2626 (3) No detached energy system may be located in a front or side yard.

2627  
2628 (3) Setbacks and Other Minimums.

2629  
2630 (a) A detached energy system in an agricultural district must be setback at least  
2631 100 feet from any side or rear lot line.

2632  
2633 (b) A detached energy system in an agricultural district must be setback at least  
2634 200 feet from any residence on an adjacent parcel.

2635  
2636 (c) A detached energy system in an agricultural district must be setback at least  
2637 100 feet from the front or side yard of any residence on an adjacent parcel.

2638  
2639 (d) A detached energy system in a residential district must be setback at least  
2640 200 feet from any side or rear lot line.

2641  
2642 (e) A detached energy system in an agricultural district must be setback at least  
2643 200 feet from any residence on an adjacent parcel.

2644  
2645 (f) A detached energy system in a residential district must be setback at least  
2646 200 feet from the front or side yard of any residence on an adjacent parcel.

2647  
2648 (g) The minimum stack height for any detached energy system is 20 feet, except  
2649 that a lesser stack height which meets the manufacturer's minimum  
2650 specifications is allowed for any system that is Phase 2 Qualified under the  
2651 U.S. Environmental Protection Agency's 2008 Hydronic Heater Program.

2652

2653 **8.42 Recreation Vehicles.**

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- (1) A recreation vehicle other than a park trailer, a transporting device for a recreation vehicle; or a recreation vehicle on a transporting device may be parked or stored on its owner's property as an accessory use.
  - (2) A recreation vehicle or a transporting device for a recreation vehicle may not have its wheels removed, except for repairs, or be altered in any way that would make it unable to be readily removed from the property.
  - (3) A recreation vehicle may not be used to provide permanent habitation in any district.
  - (4) A recreation vehicle other than a park trailer may be used to provide temporary living quarters or overnight accommodations subject to the following conditions:
    - (a) It may not be located in a Lake Residential LR District.
    - (b) It may not be located on a riparian lot.
    - (c) It may not be located in a floodplain or wetland.
    - (d) It must meet all accessory use setback requirements for the district in which it is located.
    - (e) It may not have or be attached to any structure, such as a deck, patio, shed, or other appurtenance.
    - (f) If it is located on a residential parcel, it may be used to provide living space or overnight accommodations for up to 14 days at a time, but for no more than a total of 30 days in a calendar year.
    - (g) If it is located on an open space parcel or on an improved parcel on which no structure is used for habitation, it may be used continuously or intermittently to provide living space or overnight accommodations for a period of up to 30 consecutive days at a time. On the thirty-first day following the first day of any 30-day period, it must be removed from the parcel for at least 10 days and no other recreation vehicle may be located or used on the parcel during this 10-day period.
    - (h) No more than 2 recreation vehicles may be located or used on a parcel at any one time, except that up to 5 recreation vehicles may be used on a parcel for a special event, such as a family reunion, for a period of no more than a total of 7 calendar days in any calendar year.
  - (5) A park trailer may be used to provide to provide temporary living quarters or overnight accommodations subject to the following conditions:

- 2700 (a) It may only be located in a General Agriculture GA or Natural Area NA  
2701 District.  
2702  
2703 (b) It may not be located on a riparian lot.  
2704  
2705 (c) It may not be located in a floodplain or wetland.  
2706  
2707 (d) It must meet all accessory use setback requirements.  
2708  
2709 (e) It must be connected to septic and water utilities.  
2710  
2711 (f) A deck, patio, shed, or other appurtenance may be attached to a park trailer.  
2712  
2713 (g) It may be used to provide living space or overnight accommodations for no  
2714 more that a total of 180 days in a calendar year.  
2715  
2716 (h) No more than 1 park trailer may be located or used on a parcel at any one  
2717 time, except in a recreation vehicle park.  
2718

2719 **8.43 Sand, Gravel, and Rock Excavation.**  
2720

- 2721 (1) Purpose. These supplemental regulations are intended to assure that sand, gravel,  
2722 and rock extraction operations are properly controlled, while providing the maximum  
2723 degree of flexibility in dealing with mineral deposits whose locations are not  
2724 precisely known, and are in addition to any requirements contained in the  
2725 Nonmetallic Mining Operations Ordinance.  
2726  
2727 (2) Aerial Photograph and Map. An application for a sand, gravel, or rock extraction  
2728 conditional use permit must include an aerial photograph and map that provides the  
2729 following information:  
2730  
2731 (a) The boundaries of the affected parcel and any adjacent parcel and the  
2732 location and name of all pipelines, railroads, roads, streams, utilities, and  
2733 wetlands on the affected parcel and any adjacent parcel.  
2734  
2735 (b) The name of the owner of each adjacent parcel and the location of all  
2736 structures within 1,000 feet of the outer perimeter of the area, the purpose for  
2737 which the structure is used, and the names of each structure's occupants.  
2738  
2739 (c) The proposed location, extent, and depth of the intended sand, gravel, and  
2740 rock excavation, showing the setback distances.  
2741  
2742 (d) The proposed location of any ponds, sediment basins, stockpiles, and waste  
2743 dumps, showing the setback distances.  
2744  
2745 (e) The surface drainage of the affected land and the estimated depth to  
2746 groundwater.

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- (3) Operational Information. An application for a sand, gravel, or rock extraction conditional use permit must include the following operation information:
- (a) The duration of any applicable lease.
  - (b) The estimated date that operations will commence and terminate.
  - (c) The anticipated hours of operation.
  - (d) The proposed primary travel routes to transport material to and from the property.
  - (e) A description of the excavation and processing equipment to be used.
  - (f) A description of measures to be taken to screen the operation from view from any residence on an adjacent parcel.
  - (g) A description of measures to be taken to control dust, noise and vibrations from the operation.
- (4) Operations.
- (a) All blasting must be done by a state licensed and certified blaster, who must have a certificate of liability or proof of liability insurance.
  - (b) All excavation equipment must be constructed, maintained, and operated in such a manner as to eliminate, as far as practicable, any dust, noise, or vibration that might adversely affect or injure any person living in the vicinity of the operation.
  - (c) Any excavation access road must have and be maintained with a dustless surface, and a stop sign must be placed where the access road intersects a public road.
  - (d) Any part of an excavation in which water collects to a depth of 2 feet or greater for 30 consecutive days or more must be drained or filled so as to prevent such a collection of water.
  - (e) Operations must be conducted in such a manner that any water runoff from operation does not adversely affect any adjacent parcel.
  - (f) All equipment and temporary structures, such as an asphalt plant, conveyor, or screener, must be removed from the parcel within 90 days of the termination of extraction operations.
  - (g) All rubble and other debris must be removed from the parcel within 90 days of the termination of extraction operations.

- 2794 (5) Setback Requirements.  
2795  
2796 (a) The excavation must be setback at least 1,000 feet from any existing  
2797 residence unless the board of adjustment determines that it is in the public  
2798 interest to permit an excavation at a distance that is less than 1,000 from an  
2799 existing residence.  
2800  
2801 (b) The excavation must be setback at least 200 feet from all right-of-way lines.  
2802  
2803 (c) The excavation must be setback at least 100 feet from any lot line, except  
2804 that the board of adjustment may set a smaller setback or waive the setback  
2805 requirement if the adjacent parcel is or will be excavated.  
2806  
2807 (6) Options.  
2808  
2809 (a) The board of adjustment may require fencing if warranted by existing  
2810 conditions.  
2811  
2812 (b) The board of adjustment may restrict the hours of operation if warranted by  
2813 existing conditions.  
2814  
2815 (c) The board of adjustment may require the testing of wells adjacent to the  
2816 proposed operation for turbidity, water levels, or other factors after the  
2817 conditional use permit is granted.  
2818

2819 **8.44 Signs.**

- 2820  
2821 (1) Permit Requirement.  
2822  
2823 A zoning permit is required for any directional sign, business sign in a  
2824 Commercial/Business CB zoning district, or on-premises business sign. A permit  
2825 is not required for any other sign.  
2826  
2827 (2) General requirements. The general requirements described in this subsection apply  
2828 to any sign.  
2829  
2830 (a) A sign and its supporting structure must be properly constructed, installed,  
2831 and maintained.  
2832  
2833 (b) A sign must be securely anchored or otherwise fastened, suspended, or  
2834 supported so as not to present a hazard to any person or property.  
2835  
2836 (c) A sign must be designed and constructed to safely withstand a wind pressure  
2837 of at least 30 pounds per square foot of surface area.  
2838  
2839 (d) A sign may not be suspended by chains or other devices that allow the sign  
2840 to swing due to wind action.

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- (e) Dimensions. The following dimensional limits, which are inclusive of border and trim, but exclusive of supports, apply to all signs:
    - 1. The maximum width of any sign is 20 feet.
    - 2. The maximum height of any sign is 20 feet.
    - 3. The maximum surface area of any sign is 150 square feet.
  - (f) Public Decency. A sign may not display images or text that violate standards of public decency.
  - (g) Residential Protection. A sign that faces a residential zoning district may not be located within 25 feet of the residential zoning district boundary.
- (3) Nonconforming signs.
- (a) A nonconforming sign may continue to be used and the copy displayed on the sign may be changed.
  - (b) Normal maintenance may be performed on and repairs made to a nonconforming sign, but a nonconforming sign may not be structurally altered unless the alteration brings the sign into compliance with this ordinance.
  - (c) Normal maintenance may be performed on the structure supporting a nonconforming sign, but the structure supporting a nonconforming sign may not be repaired unless the sign is brought into compliance with this ordinance. If repairs are made to the supporting structure and the sign cannot be brought into compliance with this ordinance, the sign must be removed.
  - (d) A nonconforming sign may not be enlarged.
  - (e) A nonconforming sign may not be relocated.
  - (f) A nonconforming sign may not be replaced.
- (4) Prohibitions. The design elements, signs, and uses of signs described in this subsection are prohibited.
- (a) A sign may not advertise an activity that is illegal under any federal law, state statute, or county ordinance that is in effect where the sign is located or where the advertised activity takes place.
  - (b) It is unlawful to locate a vehicular sign on private property where it is visible from a public right-of-way for the purpose of advertising or providing directions to any private activity, business, person, product or service.

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- (c) It is unlawful to locate a vehicular sign on any public property or public right-of-way for the purpose of advertising or providing direction to any private activity, business, person, product, or service.
  - (d) It is unlawful to use any character, phrase, symbol, or word, such as “DANGER,” “LOOK,” “STOP,” or “YIELD,” on a sign in such a manner as to mislead any driver or be confused with any authorized traffic device, sign, or signal.
  - (e) It is unlawful to locate a sign where, by reason of its color, position, or shape, it may mislead any driver or be confused with any authorized traffic device, sign, or signal.
  - (f) It is unlawful to locate a sign where it interferes with or obscures a driver’s view of any approaching, intersecting, or merging traffic on any street or highway.
  - (g) It is unlawful to locate a sign where it interferes with or obscures any official device, sign, or signal.
  - (h) It is unlawful to place any form of optical machine-readable code on a sign that is visible from a highway or street. Optical machine-readable code includes, but is not limited to, any form of barcode or matrix barcode, such as a Quick Response (QR) code.
  - (i) It is unlawful to draw, paint, or place a sign on a rock, tree, or other natural feature.
  - (j) A sign may not move or have any moving parts.
  - (k) A sign may not contain reflective elements that sparkle in the sunlight.
  - (l) It is unlawful to locate a sign, other than a government sign, in any public park, rest area, or scenic area.
- (5) Directional signs.
- (a) Location.
    1. A directional sign may not be located within 2,000 feet of any at-grade intersection, interchange, rest area, park, scenic area, or wayside on a freeway or interstate highway or within 300 feet of any at-grade intersection, interchange, rest area, park, scenic area, or wayside on any other highway.

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2. A directional sign must be at least one mile from any other directional sign that describes the same place and that faces the same direction.
  3. No more than 3 directional signs pertaining to the same place may be located along a single route.
  4. A directional sign visible from an interstate highway must be located within 75 miles of the place described on the sign.
  5. A directional sign must be located so that it does not affect any agricultural operation.
- (b) Changes to Directional Signs. A directional sign may be modified as to its color, copy, lighting, shape, and size provided that the modified sign complies with the requirements of Wis. Stat. § 84.30 and this ordinance.
- (c) Illumination Restriction. A directional sign may not be illuminated.
- (6) Electronic signs. The following regulations apply to electronic signs:
- (a) Amber alerts. An electronic sign must be made available for amber alerts and other emergency notifications as deemed necessary by county law enforcement or emergency management officials.
  - (b) Audio. An electronic sign may not contain or use audio speakers.
  - (c) Brightness. The brightness level of an electronic sign may not exceed 5,000 nits during daylight hours or 500 nits from dusk to dawn.
  - (d) Display Requirements. Any image or text displayed on an electronic sign must be a static display that has a duration of at least 8 seconds. The transition time between one display and the next must be no longer than 2 seconds. A black or blank screen may not be used during the transition period.
  - (e) Malfunctions. An electronic sign must be designed to freeze the display in the event of a control malfunction.
  - (f) Mounting. An electronic sign that is mounted on a building or any appurtenance to a building may not project more than 18 inches from the face of the structure on which it is mounted.
  - (g) Portable Signs. A portable electronic sign is not permitted.
  - (h) Railroad Crossings. An electronic sign is prohibited within 200 feet of any railroad crossing.



- 2980 (i) Residential Restriction. An electronic sign may not be located with 200 feet  
2981 of any residential zoning district.
- 2982
- 2983 (j) Scrolling Messages. An electronic sign may not display a scrolling or  
2984 traveling message.
- 2985
- 2986 (k) Pyrotechnics. An electronic sign may not contain or use any form of  
2987 pyrotechnics.
- 2988
- 2989 (7) Illuminated signs.
- 2990
- 2991 (a) An illuminated sign must be effectively shielded so as to prevent light from  
2992 being directed at any portion of the travelway of a controlled highway and  
2993 may not glare, impair the vision of the driver of any motor vehicle, or  
2994 otherwise interfere with any driver's operation of a motor vehicle.
- 2995
- 2996 (b) An illuminated sign may not interfere with the effectiveness of or obscure  
2997 any official traffic device, sign, or signal.
- 2998
- 2999 (c) An illuminated sign must be effectively shielded so as to prevent light from  
3000 being directed at any residence or habitable structure on any adjacent parcel.
- 3001
- 3002 (d) Neon tubing that is exposed to view on any sign must have an opaque cover  
3003 of plexiglas or another similar material.
- 3004
- 3005 (8) Sign-Specific Regulations.
- 3006
- 3007 (a) Campaign or Ballot Initiative Signs. A sign erected on behalf of a candidate  
3008 for public office or a ballot initiative may not be erected more than 30 days  
3009 prior to the primary election and must be removed within 15 days following  
3010 the general election. The maximum size of a campaign or ballot initiative  
3011 sign, other than a billboard, is 16 square feet in a nonresidential zoning  
3012 district and 8 square feet in a residential zoning district. A campaign or  
3013 ballot initiative sign may not be located in or over a public right-of-way or  
3014 within 15 feet of a public right-of-way at an intersection. A campaign or  
3015 ballot initiative sign in a residential zoning district may not be illuminated.
- 3016
- 3017 (b) Construction Signs. A sign that identifies a contractor or a construction  
3018 project may be erected on the construction site. The maximum size of a  
3019 construction sign is 100 square feet. No more than two signs are allowed on  
3020 a construction site. The sign must be removed within 30 days of completion  
3021 of construction or upon occupancy, whichever occurs first. A construction  
3022 sign in a residential zoning district may not be illuminated.
- 3023
- 3024 (c) Farm Signs. A sign identifying a farm may be placed on the property that it  
3025 identifies. The maximum size of a farm sign is 10 square feet. A farm sign  
3026 may not be illuminated.

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- (d) Freestanding Signs. A freestanding sign must be entirely within the lot lines of the parcel on which it is located and must be setback from any road surface by a distance that is at least equal to or greater than the height of the sign. A freestanding sign that is located within 15 feet of a front or corner side lot line may not be more than 3 feet in height unless it has a minimum underclearance of 10 feet as measured from the grade level at the closest right-of-way line to the bottom of the sign.
  - (e) Garage, Rummage, and Yard Sale Signs. A sign for a garage, rummage, yard sale, or similar event (“yard sale sign”) must be entirely within the lot lines of the parcel on which the event takes place. A yard sale sign may not be displayed more than one day prior to the start of the sale and must be removed within one day after the sale ends. No more than 2 events may be held on any parcel during a calendar year. A sign or signs may not be displayed for more than 10 days per event. The maximum size of a yard sale sign is 4 square feet. One sign is permitted on a lot, except that two signs are permitted on a corner lot provided that the signs are placed on different frontages. A yard sale sign may not be illuminated.
  - (f) Home Occupation Signs. A sign that displays the name and home occupation of the occupant may be placed on a property. The maximum size of the sign is 1 square foot. The sign may not be illuminated.
  - (g) Marquee signs. A marquee or other projecting sign that is located closer than 15 feet of a front or corner side lot line must have a minimum underclearance of 10 feet as measured from the grade level at the nearest road surface to the bottom of the sign.
  - (h) Memorial Signs. The maximum size of a memorial sign which identifies the name of a building and date of erection is 4 square feet unless the sign is cut into a masonry surface or inlaid so as to be part of the building. A memorial sign in a residential zoning district may not be illuminated.
  - (i) Neighborhood Identification A sign that identifies a housing complex, neighborhood, or subdivision is permitted in any residential zoning district. The sign may only contain the name of the housing complex, neighborhood, or subdivision and may consist of a landscaping, a masonry wall, or other materials combined to form a display. The maximum height of the sign is 8 feet and the maximum size is 32 square feet. The sign may not be illuminated unless specifically authorized by the department.
  - (j) No dumping signs. The maximum size of a no dumping sign is 1½ square feet.
  - (k) No trespassing signs. The maximum size of a no trespassing sign is 1½ square feet.

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- (l) On-premises Business Signs. The maximum size of an on-premises business sign is 32 square feet, excluding supports.
  - (m) Organizational Identity Signs. A sign that consists of or displays an emblem, insignia, plaque, or symbol that identifies any association, corporation, nation, political organization, religious order, or other organized entity may be located on a person's property. The sign may not be illuminated if it is located in a residential district.
  - (n) Political Signs. A political sign that pertains to a political cause or issue must be removed within 15 days following the date that the political cause or issue is resolved. The maximum size of a political sign, other than a billboard, is 16 square feet in a nonresidential zoning district and 8 square feet in a residential zoning district. A political sign may not be located in or over a public right-of-way or within 15 feet of a public right-of-way at an intersection. A political sign in a residential zoning district may not be illuminated.
  - (o) Professional Office Signs. A sign that displays the name and profession of the occupant of the premises may be placed on a property. The maximum size of the sign is 3 square feet. The sign may not be illuminated.
  - (p) Real Estate Signs. A real estate sign that advertises a building, property, or other real estate for lease, rent, or sale may be placed on the property that is offered for lease, rent, or sale. One sign is permitted on a lot, except that two signs are permitted on a corner lot provided that the signs are placed on different frontages. The maximum size of a real estate sign is 32 square feet in a nonresidential district and 8 square feet in a residential district. The sign must be removed within 30 days of the effective date of the lease, rental, or sale of the property. The sign may not be illuminated.
  - (q) Wall Signs. A wall sign may not exceed 40 percent of the area of the wall upon which it is affixed or 4 square feet per lineal foot of wall, whichever is greater.
- (9) Removal, Repair, or Compliance Orders.
- (a) The department may issue a written order to the person who owns the property on which a sign is located that directs that a sign be removed, repaired, or brought into compliance with the terms of this ordinance if:
    1. The sign is abandoned.
    2. The sign advertises an activity, business, product, or service that is no longer available or provided.
    3. The sign is deteriorated, dilapidated, or in disrepair.

- 3121 4. The sign is a hazard to any person or property or is otherwise unsafe.  
3122  
3123 5. The sign does not comply with any requirement contained in this  
3124 ordinance.  
3125  
3126 (b) If a written order is issued pursuant to sub. (a), the action specified in the  
3127 order must be completed within 10 days from the date of the order, unless the  
3128 department specifies a longer period of time for compliance. The action  
3129 necessary to comply with the order may be taken by the person who owns the  
3130 property, the person who owns the sign, or the person having the beneficial  
3131 use of the property or sign.  
3132  
3133 (c) If the action specified in the order is not taken within the time required, the  
3134 department may remove or cause the sign to be removed. The cost of  
3135 removing the sign will imposed as a special charge against the real property  
3136 on which the sign was located and the property owner will be billed for the  
3137 special charge. If the special charge is not paid within 30 days from the date  
3138 of billing, it will become a lien against the property and the delinquent  
3139 special charge may be included in the next or current tax roll for collection  
3140 and settlement pursuant to Wis. Stat. § 66.0627.  
3141  
3142 (d) If the department determines that a sign or its supporting structure presents  
3143 an immediate peril to any person or property, the department may summarily  
3144 remove or cause the sign to be removed without notice to the property owner  
3145 where the sign is located. The department shall notify the property owner of  
3146 the removal action as soon as practicable. The cost of removing the sign  
3147 will imposed as a special charge against the real property on which the sign  
3148 was located and the property owner will be billed for the special charge. If  
3149 the special charge is not paid within 30 days from the date of billing, it will  
3150 become a lien against the property and the delinquent special charge may be  
3151 included in the next or current tax roll for collection and settlement pursuant  
3152 to Wis. Stat. § 66.0627.  
3153

3154 **8.45 Vacation Home Rentals.**  
3155

- 3156 (1) The applicant for a conditional use permit for a vacation home rental must include  
3157 a site diagram, drawn to scale, showing the location and dimensions of the following:  
3158  
3159 (a) The structure used to provide sleeping accommodations;  
3160  
3161 (b) All accessory structures;  
3162  
3163 (c) Any private on-site waste water treatment system;  
3164  
3165 (d) Each parking space; and  
3166  
3167 (e) The on-premises sign.

- 3168 (2) The application for a conditional use permit must specify:  
3169  
3170 (a) The number of bedrooms in the unit;  
3171  
3172 (b) The maximum number of overnight occupants who will be permitted to stay  
3173 in the unit; and  
3174  
3175 (c) The number of parking spaces provided.  
3176  
3177 (3) The application for a conditional use permit must include a report showing that a  
3178 compliance inspection has been conducted for any private on-site wastewater  
3179 treatment system (POWTS) and that the system meets all state and local  
3180 requirements.  
3181  
3182 (4) The board of adjustment may impose conditions intended to reduce the impact of the  
3183 proposed use on neighboring properties and nearby bodies of water. The conditions  
3184 may include, but are not limited to, the installation of a fence or vegetative screening  
3185 along a property line, the maintenance of native vegetation as a buffer along the  
3186 shoreline, or the imposition of specified quiet hours.  
3187  
3188 (5) An on-premises sign must be posted in a conspicuous place near the entrance to the  
3189 property. The sign must have an area of at least 3 square feet. The sign must be  
3190 visible from and legible without the need to come on to the property.  
3191  
3192 (6) The on-premises sign must include the following information:  
3193  
3194 (a) The property's advertised name, if any;  
3195  
3196 (b) The property's address;  
3197  
3198 (c) The name, address, and telephone number of the owner; and  
3199  
3200 (d) The name, address, and telephone number of the owner's agent or the local  
3201 contact responsible for managing the property, if any.  
3202  
3203 (7) The owner of a vacation home rental must keep a register detailing the use of the  
3204 premises. The register must include, at a minimum, the name, address, and telephone  
3205 number of each guest using the property and the license number of each vehicle that is  
3206 parked on the property. A copy of the register must be made available to the department  
3207 upon request.  
3208  
3209 (8) Only 1 structure on a parcel may be used to provide sleeping accommodations for a  
3210 vacation home rental. Accessory buildings may not be used to provide sleeping  
3211 accommodations.  
3212  
3213 (9) Occupancy is limited to no more than 2 persons per bedroom, plus 2 additional persons,  
3214 per structure, and may not to exceed a total of 12 persons.

- 3215 (10) It is unlawful for any person to use or allow another person to use a camper, motor  
3216 home, recreation vehicle, trailer, or any other means to provide overnight  
3217 accommodations outside of the principal structure on the premises of a vacation home  
3218 rental.  
3219
- 3220 (11) The owner must provide sufficient off-street parking for all day-time visitors. The  
3221 owner must provide off-street parking on the parcel for each vehicle that is parked  
3222 overnight. The maximum number of vehicles that may be parked on the property  
3223 overnight is 6.  
3224
- 3225 (12) A vacation home rental is subject to the licensing requirements contained in Wis.  
3226 Admin. Code ch. DHS 195 and the county's Public Health Ordinance.  
3227
- 3228 (13) Any prior nonconforming structure or use of a property for the purpose of providing a  
3229 vacation home rental that is altered, changed, increased, replaced, or extended after the  
3230 effective date this ordinance must comply with the requirements contained in this  
3231 ordinance.  
3232

## 3233 PART VI. ADMINISTRATION AND AMENDMENTS.

### 3234 8.46 Planning and Park Commission.

3235 The planning and park commission is designated as the county zoning agency under Wis. Stat.  
3236 §§ 59.69 and 59.692 and shall perform the duties of the county zoning agency as specified in  
3237 the statutes and this ordinance.  
3238

### 3239 8.47 Planning and Zoning Department.

- 3240
- 3241 (1) The department may issue or deny zoning permits.  
3242
- 3243 (2) The department may inspect buildings, premises, and structures and conduct  
3244 investigations as necessary to administer and enforce this ordinance.  
3245
- 3246 (3) The department may conduct any other activity and perform any other function  
3247 necessary and proper to administer and enforce this ordinance.  
3248
- 3249 (4) The department may report any violation of the terms of a conditional use permit, any  
3250 violation of the terms of a variance, and any other violation of this ordinance to the  
3251 board of adjustment, the planning and park commission, or the corporation counsel.  
3252

### 3253 8.48 Board of Adjustment.

- 3254
- 3255 (1) The board of adjustment shall have the power to hear and decide upon each application  
3256 for a conditional use permit and, upon receipt of a report from the department that any  
3257 term of a conditional use permit has been violated, to conduct a hearing and decide  
3258 whether a violation has occurred. If the board of adjustment determines that a violation  
3259  
3260

3261 has occurred, it may add to or modify the conditions contained in the conditional use  
3262 permit or it may revoke the conditional use permit.

3263  
3264 (2) The board of adjustment shall have the power to hear and decide appeals where it is  
3265 alleged there is error in any decision, determination, order, or requirement made by the  
3266 department, except that it may not hear and decide appeals from a citation issued  
3267 pursuant to this ordinance.

3268  
3269 (3) The board of adjustment shall have the power to hear requests for a variance from the  
3270 terms of this ordinance and to authorize such variances in specific cases where granting  
3271 the request will not be contrary to the public interest and where owing to special  
3272 conditions, a literal enforcement of the provisions of the ordinance would result in  
3273 unnecessary hardship, so that the spirit of the ordinance is observed and substantial  
3274 justice is done. In each case where a variance is granted, the board of adjustment shall  
3275 issue a written decision that includes detailed, specific reasons for its determination that  
3276 a literal enforcement of the provisions of the ordinance would result in unnecessary  
3277 hardship. In every case where a variance is granted, the minutes of the board must show  
3278 the recommendation of the town board of the town in which the property is located.

3279  
3280 **8.49 Amendments.**

3281  
3282 (1) The County Board may, in accordance with Wis. Stat. § 59.69, amend the regulations  
3283 and district boundaries specified by this ordinance.

3284  
3285 (2) A county board member, the planning and park commission, a property owner, town  
3286 board member, or any other person may petition the county board for an amendment to  
3287 the zoning ordinance text or to the zoning map.

3288  
3289 (3) The form for the petition may be obtained from the department, and the completed  
3290 petition must be filed with the county clerk.

3291  
3292 (4) The county clerk shall immediately refer the petition to the planning and park  
3293 commission.

3294  
3295 (5) The planning and park commission shall schedule a public hearing on the petition.  
3296 Notice of the time and place of the hearing will be given by publication of Class 2  
3297 Notice as provided under Wis. Stat. ch. 985. A copy of the notice will be sent by  
3298 registered mail to the Town Clerk for each town affected by the proposed amendment  
3299 at least 10 days prior to the date of the hearing. A copy of the petition will be sent to  
3300 the local county board supervisor if the petition seeks a change in zoning district  
3301 boundaries.

3302  
3303 (6) The planning and park commission shall act on the petition as soon as possible  
3304 following the public hearing. The commission may recommend approval, approval with  
3305 modifications, or disapproval. If it recommends approval or approval with  
3306 modifications, it shall cause an ordinance to be drafted effectuating its determination  
3307 and it shall submit the proposed ordinance directly to the county board with its

3308 recommendations. If it recommends denial of the petition it shall report its  
3309 recommendations directly to the county board with its reasons for the action.

3310  
3311 (7) The county board may enact the ordinance as drafted or with amendments, or it may  
3312 deny the petition. If the commission has recommended that the petition be denied, the  
3313 county board may refuse to accept the recommendation and send the petition back to  
3314 the commission with directions to draft an ordinance and report the ordinance back to  
3315 the county board. The county board's actions are subject to the provisions contained  
3316 in Wis. Stat. § 59.69(5)(e) providing special voting requirements in the event of a  
3317 protest by abutting owners. The county board's actions are subject to the provision  
3318 contained in Wis. Stat. § 59.69 pertaining to approval or disapproval of ordinances and  
3319 amendments by towns and town boards, except that, as provided for by Wis. Stat. §  
3320 59.692(2)(a), ordinances and amendments pertaining to shorelands on navigable waters  
3321 shall not require approval or be subject to disapproval by any town or town board.

3322  
3323 (8) The department shall send a certified copy of all shoreland zoning ordinances and  
3324 amendments to the Department of Natural Resources for any required approval.  
3325

## 3326 **PART VII. APPLICATIONS AND APPEALS.**

### 3327 **8.50 Zoning Permits.**

3328  
3329  
3330 (1) Permit Requirement. A person must obtain a zoning permit before any structure is  
3331 constructed, erected, moved, or structurally altered.

3332  
3333 (2) Application. An application for a zoning permit must be submitted to the department  
3334 on a form made available by the department. The application must include a plan  
3335 showing the boundaries, dimensions, and location of the lot where the structure is or  
3336 will be placed, the location of the structure on the property showing its relationship to  
3337 the lot lines, any streets or highways, and any required setbacks, and the dimensions and  
3338 shape of the structure; a description of the structure's existing or intended use, including  
3339 the number of families to be accommodated in the case of a residential structure; and  
3340 such other information about the structure and any neighboring lots and structures as  
3341 may be necessary to determine compliance with the requirements of this ordinance.

3342  
3343 (3) Fees. The applicant must pay the zoning permit fee at the time the application is filed.  
3344 The fee is doubled if the applicant submits the application after any work has  
3345 commenced for the purpose of constructing, erecting, moving, or structurally altering  
3346 the structure.

3347  
3348 (4) If the proposed activity or structure conforms to the requirements of this ordinance, the  
3349 department shall issue a zoning permit to the applicant and retain a copy of the permit.  
3350 If the proposed activity or structure does not conform to the requirements of this  
3351 ordinance, the department shall provide the applicant with a written notice stating that  
3352 the application has been rejected and stating the reasons for the rejection. The decision  
3353 to grant or deny a zoning permit should normally be made within 14 calendar days of  
3354 receipt of a completed application.



- 3355 (5) The zoning permit must be posted on the premises at all times during construction in  
3356 such a manner that it is visible from the property's street or highway frontage.  
3357
- 3358 (6) A zoning permit is not required for a farm structure that has a ground area of less than  
3359 240 square feet, provided that the structure is not permanently fixed to the ground and  
3360 is readily removable in its entirety. The foregoing notwithstanding, a zoning permit is  
3361 required for a roadside stand.  
3362
- 3363 (7) A zoning permit is not required for a minor structure that occupies 100 square feet or  
3364 less, such as a calf house, feed bin, flag pole, landscaping feature, mailbox, playhouse,  
3365 raised flower bed, roadside stand, warming shack, or yard light. A property owner may  
3366 request an opinion from the department about whether a proposed structure is a minor  
3367 structure, provided that the request is made prior to the time that the structure is  
3368 constructed, erected, moved, or structurally altered on the property.  
3369

3370 **8.51 Reasonable Accommodation for Disabled or Handicapped Persons.**  
3371

- 3372 (1) The department will, upon receipt of a written request, issue a zoning permit that waives  
3373 one or more specific zoning requirements if it determines that all of the following  
3374 conditions have been met:  
3375
- 3376 (a) The requested waiver is necessary to afford a handicapped or disabled person  
3377 equal housing opportunity or equal access to public accommodations.  
3378
- 3379 (b) The requested waiver is the minimum deviation from the terms of this ordinance  
3380 necessary to provide the handicapped or disabled person equal housing  
3381 opportunity or equal access to public accommodations.  
3382
- 3383 (c) The requested waiver will not unreasonably undermine the basic purposes this  
3384 ordinance.  
3385
- 3386 (2) A zoning permit issued pursuant to this section must state the provisions of this  
3387 ordinance that are waived and describe with reasonable particularity the deviation from  
3388 the terms of this ordinance that are authorized.  
3389
- 3390 (3) A zoning permit issued pursuant to this section must state that the permit is issued  
3391 pursuant to the requirements of the Americans with Disabilities Act, the Fair Housing  
3392 Act, the Rehabilitation Act, the Wisconsin Open Housing Law, a local ordinance, or a  
3393 combination of these acts, laws, and ordinances in order to provide the reasonable  
3394 accommodation necessary to avoid discrimination on the basis of disability or handicap.  
3395
- 3396 (4) A zoning permit issued pursuant to this section must include a provision stating that the  
3397 permit is valid only for so long as the waiver is necessary for a disabled or handicapped  
3398 person to occupy or use the premises and that the permit holder must notify the  
3399 department within 30 days of the date that the disabled or handicapped person no longer  
3400 occupies or uses the premises.  
3401

- 3402 (5) A zoning permit issued pursuant to this section must include a provision stating that any  
3403 addition or external structural change allowed by the waiver must be constructed,  
3404 insofar as is practicable, in such a way that it can be removed when the disabled or  
3405 handicapped person no longer occupies or uses the premises, unless the department  
3406 determines that removal will not be required and includes a written statement of the  
3407 reason that removal is not required as part of the permit.  
3408
- 3409 (6) A zoning permit issued pursuant to this section which requires the removal of any  
3410 addition or external structural change will not become effective until the permit holder:  
3411
- 3412 (a) Signs an affidavit that contains the legal description of the property,  
3413 acknowledges that waiver granted by permit is authorized only for so long a  
3414 disabled or handicapped person uses the premises, agrees to notify the department  
3415 within 30 days of the date that the premises are no longer occupied or used by a  
3416 disabled or handicapped person, and agrees to remove any addition or external  
3417 structural change authorized by the permit within 30 days of the date that the  
3418 premises are no longer occupied or used by a disabled or handicapped person; and  
3419
- 3420 (b) Records the affidavit with the Register of Deeds and provides a copy of the  
3421 recorded affidavit to the department.  
3422

## 3423 **8.52 Conditional Use Permits.**

3424

- 3425 (1) **Application.** An application for a conditional use permit must be submitted to the  
3426 department for transmittal to the board of adjustment.  
3427
- 3428 (2) **Fees.** The applicant must submit the required fee at the time the application is filed.  
3429 The required fee is doubled if the applicant submits the application after a use has  
3430 commenced.  
3431
- 3432 (3) **General Standards.** A conditional use must not endanger the public health, safety, and  
3433 welfare. A conditional use must be in harmony with the orderly development of the  
3434 district in which it is located. The intensity, location, nature, and size of the use; the  
3435 height, location, and nature of structures associated with the use; the relationship of the  
3436 structures and the use to the site on which it is located, surrounding properties, and  
3437 existing or future streets are all relevant factors for the board of adjustment to consider.  
3438 A conditional use may not discourage the appropriate development and use of adjacent  
3439 land and buildings or significantly impair the value of surrounding properties. A  
3440 conditional use may not be more objectionable to nearby property by reason of flashing  
3441 lights, fumes, noise, vibration, or other factors than the operation of any allowable  
3442 principal use.  
3443
- 3444 (4) **Plan Requirement.** The applicant must submit a plan for the proposed conditional use  
3445 at the time the permit application is filed. The plan must describe the nature and extent  
3446 of the proposed use; the proposed hours of operation; and the location of all  
3447 landscaping, parking areas, structures, and traffic access. The applicant should include

3448 all other information that the applicant would like for the board to consider when  
3449 determining whether to grant a conditional use permit.

3450  
3451 (5) Limitations. A conditional use permit only authorizes the use specifically described in  
3452 the permit. The use may not be changed or expanded and is strictly subject to the  
3453 conditions specified in the permit.

3454  
3455 (6) Expiration. A conditional use permit expires if the conditional use is not commenced  
3456 within 24 months from the date of the permit or if the conditional use is discontinued  
3457 for more than 12 months.

3458  
3459 (7) Modification or Revocation. A conditional use permit may be modified or revoked by  
3460 the board of adjustment if, after a hearing, the board determines that the terms of the  
3461 permit have been violated.

3462

### 3463 **8.53 Site Plan Requirements.**

3464  
3465 (1) Filing and Fee. A site plan required by this ordinance must be submitted, along with  
3466 a \$100 site plan review fee, to the department for transmittal to the planning and park  
3467 commission for review and approval. Ten copies of the site plan are required.

3468  
3469 (2) Identification. The site plan must include the name, address and telephone number of  
3470 the property owner and of the architect, civil engineer, designer, engineer, practicing  
3471 land planner, registered surveyor, or other person who prepared the site plan; the date;  
3472 north arrows; and graphic scale.

3473  
3474 (3) Graphic Presentation. The site plan must be drawn at a scale that is no smaller than 100  
3475 feet to the inch and must provide, at a minimum, the following information:

3476  
3477 (a) Topographical information at contour intervals not to exceed one foot.

3478  
3479 (b) Lot boundaries and dimensions showing the general lot layout, along with the  
3480 total area of the property and gross building area.

3481  
3482 (c) Location and dimensions of all existing structures, culverts, drainage ditches and  
3483 structures, driveways, easements, hedges, official map streets, open spaces,  
3484 parking areas and spaces, property lines, roads, shrubs, streets, trees, utilities and  
3485 utility connections, water courses, and other major physical features.

3486  
3487 (d) Location and dimensions of all proposed structures, culverts, drainage ditches and  
3488 structures, driveways, easements, hedges, official map streets, open spaces,  
3489 parking areas and spaces, property liens, roads, shrubs, streets, trees, utilities and  
3490 utility connections, water courses, and other major physical features.

3491

### 3492 **8.54 Appeals.**

3493

- 3494 (1) Any person, including the county board, any board, committee, commission,  
3495 department, or office, aggrieved by a decision of the department may appeal the  
3496 decision to the board of adjustment.  
3497
- 3498 (2) The appeal must be filed with the department within 30 days of the date of the decision  
3499 being appealed from. The appeal must be in writing and must specify the grounds for  
3500 the appeal.  
3501
- 3502 (3) The department shall promptly transmit the appeal, along with the record of the action  
3503 being appealed from, to the board of adjustment.  
3504
- 3505 (4) An appeal stays the action appealed from unless the department certifies to the board  
3506 of adjustment that, for reasons stated in the certificate, a stay would cause imminent  
3507 peril to life or property. If the department provides such certification, the action  
3508 appealed from will not be stayed except by a restraining order issued by the board of  
3509 adjustment or a court of law.  
3510
- 3511 (5) The board of adjustment shall fix a reasonable time for hearing the appeal and give  
3512 notice of the hearing to the parties in interest and the public.  
3513
- 3514 (6) The board of adjustment shall decide the appeal within a reasonable time and shall  
3515 either, in whole or in part, affirm, modify, or reverse the action appealed from or  
3516 dismiss the appeal for lack of jurisdiction or prosecution.  
3517
- 3518 (7) The board of adjustment's final disposition of an appeal shall be in a written  
3519 determination, signed by the board's secretary, stating the specific facts and reasons for  
3520 the board's determination.  
3521

## 3522 **PART VIII. VIOLATIONS, ENFORCEMENT, AND PENALTIES.**

### 3523 **8.55 Violations.**

- 3524 (1) It is unlawful for any person to violate any provision of this ordinance.  
3525
- 3526 (2) It is unlawful for any person to knowingly provide false information, make a false  
3527 statement, fail to provide, or misrepresent any material fact to a county agent, board,  
3528 commission, committee, department, employee, official, or officer acting in an official  
3529 capacity under this ordinance.  
3530
- 3531 (3) It is unlawful for a person to disobey; fail, neglect, or refuse to comply with; or  
3532 otherwise resist a permit or order issued pursuant to this ordinance.  
3533
- 3534 (4) A separate offense is deemed committed on each day that a violation occurs or  
3535 continues.  
3536

### 3537 **8.56 Enforcement.**

- 3541 (1) The department shall enforce this ordinance and may conduct inspections and  
3542 investigate complaints relating to compliance with this ordinance.  
3543
- 3544 (2) Inspection Authority. The department may request permission to inspect, at a  
3545 reasonable time and date, any premises or structure for which a permit has been applied  
3546 for or granted to determine compliance with this ordinance. Refusal to grant permission  
3547 is grounds for denial or revocation of a permit. If permission is not given, the  
3548 department may apply for, obtain, and execute a special inspection warrant pursuant to  
3549 Wis. Stat. § 66.0119.  
3550
- 3551 (3) Notice of Noncompliance. If the department finds a violation of any provision of this  
3552 ordinance, the department may issue a written notice to the owner stating the conditions  
3553 of non-compliance, specifying the action required to come into compliance, and  
3554 providing a reasonable amount of time within which compliance is required.  
3555
- 3556 (4) Zoning Permit Revocation Authority. The department may revoke a zoning permit for  
3557 substantial noncompliance with any provision of this ordinance, refusal to permit  
3558 inspection of a premises or structure for which a permit has been granted, or failure to  
3559 comply with the action requirement contained in a notice of noncompliance.  
3560
- 3561 (5) Conditional Use Permit Revocation Authority. The department may refer violations of  
3562 a conditional use permit to the board of adjustment and the board of adjustment may  
3563 conduct a hearing to determine whether to revoke the conditional use permit.  
3564
- 3565 (6) Citation Authority. The department may issue a citation for any violation of this  
3566 ordinance. The department is not required to issue a notice of noncompliance or take  
3567 any other action prior to issuing a citation.  
3568
- 3569 (7) Legal Referral. The department may refer a violation of this ordinance to corporation  
3570 counsel for legal action, including an action seeking injunctive relief. The department  
3571 is not required to issue a notice of noncompliance or take any other action prior to  
3572 referring a violation to corporation counsel.  
3573
- 3574 (8) Nothing in this section may be construed to prevent the county from using any other  
3575 lawful means to enforce this ordinance.  
3576

3577 **8.57 Penalties.**  
3578

- 3579 (1) A person will, upon conviction for any violation of this ordinance, forfeit not less than  
3580 \$100 nor more than \$1,000 for each offense, together with the costs of prosecution for  
3581 each violation, and may be ordered to take such action as is necessary to abate the  
3582 offense within a specified time.  
3583
- 3584 (2) The minimum and maximum forfeitures specified in this section are doubled each time  
3585 that a person is convicted for the same violation of this ordinance within any 12 month  
3586 period.  
3587

- 3588 (3) A person who has the ability to pay a forfeiture entered pursuant to this ordinance, but  
3589 who fails or refuses to do so may be confined in the county jail until the forfeiture and  
3590 costs are paid, but the period of confinement may not exceed 30 days. In determining  
3591 whether a person has the ability to pay, all items of income and all assets may be  
3592 considered regardless of whether the income and assets are subject to garnishment, lien,  
3593 or attachment by creditors.  
3594
- 3595 (4) A person must, within 30 days of conviction, finding of default, or stipulation of a  
3596 violation of this ordinance, remove or discontinue the use of any building, structure, or  
3597 part of a building or structure that violates any provision of this ordinance or the terms  
3598 or conditions of any permit issued pursuant to this ordinance. If a person fails to  
3599 remove such a building, structure, or part of a building or structure, the county may  
3600 remove or cause the removal of the building, structure, or part of the building or  
3601 structure. The cost of removal will become a lien upon the property and may be  
3602 collected in the same manner as property taxes.  
3603
- 3604 (5) The failure of a county employee, official, or officer to perform an official duty imposed  
3605 by a section this code will not subject the employee, official, or officer to a penalty  
3606 unless the section imposing the duty also specifies the penalty.  
3607

#### 3608 NONCODIFIED ADMINISTRATIVE PROVISIONS 3609

3610 BE IT FURTHER RESOLVED that the Planning and Zoning Department shall prepare and  
3611 attach to this ordinance, as an appendix, a list which shows the name of each Town in the county;  
3612 the date, if any, that the Town county adopted Farmland Preservation; and the date and number of  
3613 the ordinance, if any, if the Town adopts this comprehensive revision; and  
3614

3615 BE IT FURTHER RESOLVED that the Planning and Zoning Department may prepare and  
3616 attach to this ordinance, as an appendix, a zoning guide which lists each zoning district and its  
3617 purpose; summarizes the principal, accessory, and conditional uses allowed in each district; and  
3618 outlines key dimensional requirements, such as lot size, setbacks, and height limitations; and  
3619

3620 BE IT FURTHER RESOLVED that the Planning and Zoning Department may attach such  
3621 additional information to this ordinance, as an appendix, as it may deem appropriate or useful to the  
3622 public, such as the Wisconsin Department of Agriculture, Trade and Consumer Protection's Animal  
3623 Units Worksheet; and  
3624

3625 BE IT FURTHER ORDAINED that, when enacted, the county clerk shall provide duplicate  
3626 copies of the ordinance by registered mail to each town clerk for consideration by the town board;  
3627 and  
3628

3629 BE IT FURTHER ORDAINED that the existing Chapter 8 will continue in effect in each town  
3630 for a period of up to one year or until the comprehensive revision is approved by the town board,  
3631 whichever period is shorter; and  
3632

3633 BE IT FURTHER ORDAINED that neither the existing ordinance nor the comprehensive  
3634 revision will be in force in any town that fails to approve the comprehensive revision within one  
3635 year of its enactment; and

3636  
3637 BE IT FURTHER ORDAINED that the comprehensive revision may be amended to include  
3638 such technical corrections as may be required by the Wisconsin Department of Agriculture, Trade  
3639 and Consumer Protection in order to conform to Wis. Stat. Ch. 91, Farmland Preservation, and that  
3640 such amendments will be deemed to be part of the comprehensive revision.

Dated this 7th day of November 2011.

Respectfully submitted by the  
Planning and Park Commission

\_\_\_\_\_  
Melvin Waack, Chair

FISCAL IMPACT: Indeterminable.

FISCAL NOTE: Reviewed and approved by Comptroller. \_\_\_\_\_

LEGAL NOTE: Reviewed and approved as to form by Corporation Counsel. \_\_\_\_\_

COUNTERSIGNED: \_\_\_\_\_  
Paul R. Tittl, County Board Chair Date

APPROVED: \_\_\_\_\_  
Bob Ziegelbauer, County Executive Date