

CHAPTER 8

GENERAL ZONING AND LAND USE REGULATION

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PART I. GENERAL PROVISIONS.

8.01 Title.

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

8.02 Authority.

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

8.03 Purpose.

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

8.04 Applicability.

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

8.05 Severability.

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

8.06 Effective Date.

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

PART II. DEFINITIONS.

8.07 Definitions.

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

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

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

- (1) A building, structure, or improvement that is an integral part of, or is incidental to, an agricultural use. This may include, for example:
 - (a) A facility used to store or process raw agricultural commodities, all of which are produced on the farm.
 - (b) A facility used to keep livestock on the farm.
 - (c) A facility used to store or process inputs primarily for agricultural uses on the farm.
 - (d) A facility used to keep or service vehicles or equipment primarily employed in agricultural uses on the farm.
 - (e) A wind turbine or solar energy facility that collects wind or solar energy on the farm, and uses or transforms it to provide energy primarily for use on the farm.
 - (f) A manure digester, biofuel facility, or other facility that produces energy primarily for use on the farm and that primarily uses materials grown or produced on the farm.
 - (g) A waste storage or processing facility used to store or process animal waste produced solely from livestock kept on the farm.
- (2) An activity or business operation that is an integral part of, or incidental to, an agricultural use.
- (3) A business, activity, or enterprise, regardless of whether it is associated with an agricultural use, which meets all of the following requirements:
 - (a) It is conducted on a farm by an owner or operator of that farm.

- (b) It requires no building, structure, or improvement that is not an integral part of or incidental to an agricultural use or that is not a farm residence or a normal appurtenance to a farm residence.
- (c) It employs no more than 4 full-time employees at any time.
- (d) It does not impair or limit the current or future agricultural use of the farm or other protected farmland.

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

- (1) Aquaculture.
- (2) Beekeeping.
- (3) Crop or forage production.
- (4) Enrolling land in a federal agricultural commodity payment program or a federal or state agricultural land conservation payment program.
- (5) Floriculture.
- (6) Forest management.
- (7) Fur farming.
- (8) Keeping livestock.
- (9) Nursery, sod, or Christmas tree production.

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

- (1) Marketing livestock to or from farms.
- (2) Processing agricultural by-products or wastes received directly from farms.
- (3) Providing agricultural supplies, agricultural equipment, agricultural inputs or agricultural services directly to farms.
- (4) Slaughtering livestock.
- (5) Storing, processing or handling raw agricultural commodities obtained directly from farms.

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

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

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

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

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

“Board” means the board of adjustment.

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

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

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

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

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

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

“Contiguous” means adjacent to or sharing a common boundary. A lot, parcel, or tract is contiguous with another lot, parcel, or tract if they have all or part, of any boundary line in common. Lots, parcels, or tracts that are separated by a pipeline, private road, public road, railroad, right-of-way, river, section line, stream, transportation easement, transmission line, or transmission right-of-way are contiguous. Lots, parcels, or tracts that only meet at a single point are not contiguous.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

“Grave” means a tract of land used or intended to be used for the underground burial of human remains.

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

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

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

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

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

“Infrastructure” means the underlying physical resources and structures required to support a use and includes such things as agricultural aeronautic facilities, antennae, broadcast towers, drainage facilities, electrical transmission lines, pipelines, rail facilities; roads; and solar energy facilities.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

“Mobile service” has the meaning given in Wis. Stat. § 66.0404(1)(k).

“Mobile service facility” has the meaning given in Wis. Stat. § 66.0404(1)(L).

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

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

“Nonconforming structure” means a dwelling or other building that existed lawfully before the current Zoning Ordinance was enacted or amended but no longer conforms with dimension, location, or other physical characteristics required by this Zoning Ordinance, which include setback, height, and lot coverage.

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

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

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

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

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

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

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

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

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

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

“Protected farmland” means any land that is:

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

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

“Radio broadcast service” has the meaning given in Wis. Stat. § 66.0406(1)(b).

“Radio broadcast service facility” has the meaning given in Wis. Stat. § 66.0406(1)(c).

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

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

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

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

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

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

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

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

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

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

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

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

“Sign, directional” means a sign that provides information about a place that is deemed by the Wisconsin Department of Transportation or the board of adjustment to be of interest to the traveling public. Such places include areas of natural scenic beauty, that

contain natural phenomena, or that are naturally suited for outdoor recreation; places that are owned or operated by a government authority; and public or privately owned cultural, educational, historic, and scientific sites.

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

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

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

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

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

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

“Story” means that portion of a structure between the surface of a floor and the surface of the next higher floor, except that the highest story is that portion of a structure between the surface of the floor and the ceiling or roof. A basement or cellar having one-half or more of its height above grade is deemed to be a story.

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

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

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

“Structure” means anything constructed or erected on the ground or any improvement built up or composed of parts joined together in some definite manner and affixed or

attached to the ground, including signs and walls, but not including flowerbed frames and other such minor incidental improvements.

“Substandard lot” means a legally created lot or parcel that met any applicable lot size requirements when it was created, but does not meet current lot size requirements.

“Tower” when used in connection with a mobile or radio broadcast service means any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, such as guyed towers, monopole towers, self-supporting lattice towers, and similar structures.

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

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

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

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

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

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

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

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

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

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

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

PART III. ZONING DISTRICTS.

8.08 Establishment of Districts.

- (1) The following zoning districts are created:
 - (a) Exclusive Agriculture (EA).
 - (b) General Agriculture (GA).
 - (c) Large Estate Residential (LE).
 - (d) Small Estate Residential (SE)
 - (e) Rural Residential (RR),
 - (f) High Density Residential (HD).
 - (g) Lake Residential (LR).
 - (h) Commercial/Business (CB).
 - (i) Industrial (ID).
 - (j) Natural Areas (NA).
- (2) Official Zoning Maps.
 - (a) The Planning and Zoning Department shall keep an official zoning map and a copy of each revision to the official zoning map for each town that adopts this ordinance.
 - (b) The official zoning map for each town will be captioned as the “Manitowoc County Zoning Map” followed by the name of the town.
 - (c) The boundaries of each district within each town will be shown on its official zoning map.

- (d) In addition to zoning district boundaries, any legend, notation, reference, symbol, or other information shown on the official zoning map is incorporated into this ordinance.
 - (e) A town that does not adopt this ordinance is responsible for maintaining its own zoning map.
- (3) Interpretation of District Boundaries.
- (a) Where a district boundary is shown as approximately following the centerline of a highway or street, a highway right-of-way line, or a street line; the centerline, highway right-of-way line, or street line will be construed to be the boundary.
 - (b) Where a district boundary is shown as approximately following a lot line, the lot line will be construed to be the boundary.
 - (c) Where a district boundary is shown as a line approximately parallel to and offset a specific distance from the centerline of a street or highway, a street line, or highway right-of-way line, the offset line will be construed to be the boundary.
 - (d) Where a district boundary follows a railroad line, the middle of the main track of the railroad line will be construed to be the boundary.

8.09 Exclusive Agriculture (EA).

- (1) Purpose. The purpose of the Exclusive Agriculture (EA) district is to provide areas for agricultural development and to prevent scattered nonagricultural development that could displace agricultural uses. This district will contain land that is suitable for productive farm operations and that has historically exhibited good crop yields or is capable of such yields; demonstrated productivity for dairying, grazing, and livestock; produced specialty crops such as fruits, plant materials, trees, and vegetables; or is integral to such farm operations. This district is not intended to accommodate or facilitate nonagricultural growth.
- (2) Principal Uses. The following uses are allowed in the EA district:
 - (a) Agricultural uses.
 - (b) Essential services that are required or authorized to be located in a specific place under state or federal law.
 - (c) Facilities used to keep cattle, goats, poultry, sheep, or swine, subject to the requirements of ch. 28 if the facility is for more than 750 animal units.

- (cm) Farm and non-farm residences that existed prior to January 1, 2014.
 - (d) Farm residence, one single-family.
 - (em) Large wind energy systems, consistent with Wis. Stat. § 91.44(1)(f), provided that the large wind energy system complies with the requirements of Wis. Admin. Code Ch. PSC 128 and any ordinance adopted pursuant to Wis. Admin. Code § 128.10, subject to the authority granted by Wis. Stat. § 66.0401(f) to political subdivisions to deny an application if the proposed site of the wind energy system is in an area primarily designated for future residential or commercial development.
 - (et) Mobile service towers, consistent with Wis. Stat. § 91.44(1).
 - (f) Open space areas.
 - (h) Undeveloped natural resource areas.
 - (i) Other uses that are authorized or required to be located in a specific place by state or federal law.
- (3) Accessory uses. The following uses are allowed in the EA district, subject to any applicable provisions contained in Part V.
- (a) Agricultural accessory uses.
 - (am) Antenna, consistent with Wis. Stat. § 91.44(1).
 - (b) Farm residence, one additional.
 - (bm) Private garages.
 - (c) Roadside stand, one, consistent with Wis. Stat. § 91.01(1), 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. A conditional use permit may be issued in an EA district only if all the following apply:
- The use supports agricultural uses in the farmland preservation zoning district in direct and significant ways, and the use is more suited to a farmland preservation zoning district than to an industrial or commercial zoning district;

- The use and its location in the farmland preservation zoning district are consistent with the purpose of the farmland preservation zoning district;
- The use and its location in the farmland preservation zoning district are reasonable and appropriate, considering alternative locations, or are specifically approved under state or federal law;
- The use is reasonably designed to minimize conversion of land at and around the site of the use from agriculture or open space use;
- The use does not substantially impair or limit the current or future agricultural use of other protected farmland; and
- Construction damage to land remaining in agricultural use is minimized and repaired to the extent feasible.

The following uses may be allowed in an EA district upon the issuance of a conditional use permit:

- (a) Agriculture-related uses.
 - (b) Non-Profit Community uses consistent with Wis. Stat. § 91.46(5).
 - (c) Directional signs.
 - (d) Infrastructure, consistent with Wis. Stat. § 91.46(4).
 - (e) Nonmetallic mining consistent with Wis. Stat. § 91.46(6).
 - (f) Public uses consistent with Wis. Stat. § 91.46(5).
 - (fm) Radio broadcast service facilities.
 - (g) Utilities consistent with Wis. Stat. § 91.46(4).
- (6) Yard Requirements. The following requirements apply to the EA district:
- (a) The minimum lot size is 20 acres, 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.
 - (d) The minimum setback for accessory structures is 10 feet.

- (e) The maximum height for any structure is 60 feet, unless a different maximum height is permitted by sec. 8.25 or chs. 20, 24, or 25. However, all structures are subject to the Airport Approach Protection Ordinance.
- (7) Rezoning Land Out of the EA District.
- (a) Land may not be rezoned out of an EA district unless the planning and park commission makes the following findings on the record, following a public hearing:
 - (1) The land to be rezoned is better suited for a use not allowed in the farmland preservation zoning district.
 - (2) The proposed rezoning is consistent with the town comprehensive plan and the county comprehensive plan that are in effect at the time of the rezoning.
 - (3) The proposed rezoning is substantially consistent with the county's farmland preservation plan which has been certified under Wis. Stat. ch. 91 and which is in effect at the time of the rezoning.
 - (4) The proposed rezoning will not substantially impair or limit current or future agricultural use of other protected farmland.
 - (b) Manitowoc County shall submit a report, with an accompanying map, to the Department of Agriculture, Trade and Consumer Protection by March 1 of each year showing the total acres rezoned out of Exclusive Agriculture districts in the previous year.

8.10 General Agriculture (GA).

- (1) Purpose. The purpose of the General Agriculture (GA) district is to provide a rural area with a mixture of agricultural, low-density residential, and rural commercial activity. The district provides for residential development at modest densities consistent with a generally rural environment and allows for nonresidential uses that require relatively large land areas or that are compatible with the surrounding rural land. The district also accommodates agricultural uses and may serve as a transitional district between the Exclusive Agriculture district and more intensely developed areas.
- (2) Principal Uses. The following uses are allowed in the GA district:
 - (a) Agricultural uses.
 - (b) Dairies and cheese factories.

- (c) Essential services.
 - (d) Facilities used to keep cattle, goats, poultry, sheep, or swine, subject to the requirements of ch. 28 if the facility has more than 750 animal units.
 - (e) Kennels.
 - (em) Large wind energy systems, provided that the large wind energy system complies with the requirements of Wis. Admin. Code Ch. PSC 128 and any ordinance adopted pursuant to Wis. Admin. Code § 128.10, subject to the authority granted by Wis. Stat. § 66.0401(f) to political subdivisions to deny an application if the proposed site of the wind energy system is in an area primarily designated for future residential or commercial development.
 - (et) Mobile service facilities.
 - (ew) Mobile service tower.
 - (f) Open space areas.
 - (g) Park trailers.
 - (h) Private garages.
 - (i) Single family residences.
 - (j) Undeveloped natural resource areas.
 - (k) Other uses that are authorized or required to be located in a specific place by state or federal law.
- (3) Accessory Uses. The following uses are allowed in the GA district, subject to any applicable provisions contained in Part V.
- (a) Agricultural accessory uses.
 - (am) Antenna.
 - (b) Home occupations.
 - (c) Hunting shacks or warming shacks with no water or sewage facilities.
 - (d) On-premise business signs of up to 32 square feet for allowable uses.

- (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.
 - (f) 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.
 - (g) Small wind energy systems.
 - (gm) Solar energy systems.
 - (h) Trade or contractor storage.
- (4) Conditional Uses. The following uses may be allowed in the GA district upon the issuance of a conditional use permit:
- (a) Agricultural related uses.
 - (b) Airports, air strips, and landing fields.
 - (c) Bulk storage of agricultural products, cooperatives, feed mills, fertilizer plants, and fuel used for agricultural purposes.
 - (d) Camps and campgrounds.
 - (e) Commercial riding stables.
 - (f) Community uses.
 - (g) Directional signs.
 - (h) Farm implement sales and service.
 - (i) Fruit and vegetable processing plants.
 - (j) Infrastructure that is compatible with the district.
 - (k) Junk yards, salvage yards, or other facilities for the baling, handling, processing, reclamation, recycling, remanufacture, sale, salvage, or storage of junk or other second-hand or used materials.
 - (l) Landscape businesses.
 - (m) Nonmetallic mining.
 - (n) Public garages.

- (o) Public uses.
 - (om) Radio broadcast service facilities.
 - (p) Recreation vehicle parks.
 - (q) Sawmills.
 - (r) Utilities.
 - (s) Vacation home rentals.
 - (t) Other small businesses not specifically listed, but which are deemed by the Board to be similar to those listed.
- (5) Yard Requirements. The following requirements apply to the GA district:
- (a) The minimum lot size is 10 acres, 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.
 - (d) The minimum setback of accessory structures is 10 feet.
 - (e) The maximum height for any structure is 60 feet, unless a different maximum height is permitted by sec. 8.25 or chs. 20, 24, or 25. However, all structures are subject to the Airport Approach Protection Ordinance.

8.11 Large Estate Residential (LE).

- (1) Purpose. The purpose of the Large Estate Residential (LE) district is to provide areas for single-family residential and planned residential developments on large lots while allowing for agricultural activity in mostly rural areas of the county. The low-density requirements are intended to provide for areas where the presence of vegetation and open space helps create quiet and visually attractive residential areas.
- (2) Principal Uses. The following uses are allowed in the LE district:
- (a) Single-family residences.
 - (b) Agricultural uses, such as a garden, greenhouse, nursery, and usual farm buildings, subject to the following restrictions:

1. A building in which animals are kept must be at least 25 feet from any adjoining lot line.
 2. No more than 1 animal unit of farm livestock and no more than 5 household livestock animals are allowed per acre.
 3. The storage or use of manure or any odor or dust-producing substance is prohibited within 25 feet of any adjoining lot line.
 4. A greenhouse heating plant must be at least 25 feet from any adjoining lot line.
- (c) Community living arrangements with a capacity for 8 or fewer persons and foster homes, subject to the provisions set forth in Wis. Stat. §§ 59.69(15) and 60.63.
- (d) Essential services.
- (e) Large wind energy systems, provided that the large wind energy system complies with the requirements of Wis. Admin. Code Ch. PSC 128 and any ordinance adopted pursuant to Wis. Admin. Code § 128.10, subject to the authority granted by Wis. Stat. § 66.0401(f) to political subdivisions to deny an application if the proposed site of the wind energy system is in an area primarily designated for future residential or commercial development.
- (f) Mobile service facilities.
- (g) Mobile service tower.
- (3) Accessory Uses. The following uses are allowed in the LE district, subject to any applicable provisions contained in Part V.
- (a) Antenna.
 - (am) Contractor or trade storage.
 - (b) Home occupations.
 - (c) Private garages.
 - (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 may be allowed in the LE district upon the issuance of a conditional use permit:
- (a) Community living arrangements with a capacity for 9 or more persons, subject to the provisions set forth in Wis. Stat. §§ 59.69(15) and 60.63.
 - (b) Community uses.
 - (c) Day care.
 - (d) Kennels.
 - (e) Infrastructure that is compatible with the district.
 - (em) Radio broadcast service facilities.
 - (f) Utilities.
 - (g) Vacation home rentals.
- (5) Yard Requirements. The following requirements apply to the LE district:
- (a) The minimum lot size is 5 acres, 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.
 - (d) The minimum setback for accessory structures is 10 feet.
 - (e) The maximum height for any structure is 35 feet, unless a different maximum height is permitted by sec. 8.25 or chs. 20, 24, or 25. However, all structures are subject to the Airport Approach Protection Ordinance.

8.12 Small Estate Residential (SE).

- (1) Purpose. The purpose of the Small Estate Residential (SE) district is to provide areas for mixed residential and agricultural activity in mostly rural areas of the county. This district provides for residential development at modest densities

consistent with a generally rural environment; provides for specific nonresidential uses that require relatively large land areas and that are compatible with the surrounding residential uses; and still allows for some agricultural uses.

- (2) Principal Uses. The following uses are allowed in the SE district:
- (a) Single-family residences.
 - (b) Community living arrangements with a capacity for 8 or fewer persons and foster homes, subject to the provisions set forth in Wis. Stat. §§ 59.69(15) and 60.63.
 - (c) Agricultural uses, such as a garden, greenhouse, nursery, and usual farm buildings, subject to the following restrictions:
 - 1. A building in which animals are kept must be at least 25 feet from any adjoining lot line.
 - 2. No more than 1 animal unit of farm livestock and no more than 5 household livestock animals are allowed per acre.
 - 3. The storage or use of manure or any odor or dust-producing substance is prohibited within 25 feet of any adjoining lot line.
 - 4. A greenhouse heating plant must be at least 25 feet from any adjoining lot line.
 - (d) Essential services.
 - (e) Large wind energy systems, provided that the large wind energy system complies with the requirements of Wis. Admin. Code Ch. PSC 128 and any ordinance adopted pursuant to Wis. Admin. Code § 128.10, subject to the authority granted by Wis. Stat. § 66.0401(f) to political subdivisions to deny an application if the proposed site of the wind energy system is in an area primarily designated for future residential or commercial development.
 - (f) Mobile service facilities.
 - (g) Mobile service tower.
- (3) Accessory Uses. The following uses may be allowed in the SE district, subject to any applicable provisions contained in Part V.
- (a) Antenna.
 - (am) Contractor or trade storage.

- (b) Home occupations.
 - (c) Private garages.
 - (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. Conditional Uses. The following uses may be allowed in the SE district upon the issuance of a conditional use permit:
- (a) Community living arrangements with a capacity for 9 or more persons, subject to the provisions set forth in Wis. Stat. §§ 59.69(15) and 60.63.
 - (b) Community uses.
 - (c) Kennels.
 - (d) Utilities.
 - (e) Vacation home rentals.
- (5) Yard Requirements. The following requirements apply to the SE district:
- (a) This minimum lot size is 2 acres, 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.
 - (d) The minimum setback for accessory structures is 10 feet.
 - (e) The maximum height for any structure is 35 feet, unless a different maximum height is permitted by sec. 8.25 or chs. 20, 24, or 25. However, all structures are subject to the Airport Approach Protection Ordinance.

8.13 Rural Residential (RR).

- (1) Purpose. The purpose of the Rural Residential (RR) district is to provide areas for mixed residential and low-impact non-residential development on relatively small lots.
- (2) Principal uses. The following uses are allowed in the RR district:
 - (a) Single-family residences.
 - (b) Community living arrangements with a capacity for 8 or fewer and foster homes, subject to the limitations set forth in Wis. Stat. §§ 59.69(15) and 60.63.
 - (c) Agricultural uses, such as a garden, greenhouse, nursery, and usual farm buildings, subject to the following restrictions:
 1. A building in which farm animals are kept must be at least 25 feet from any adjoining lot line.
 2. No more than 1 animal unit of farm livestock and no more than 5 household livestock animals are allowed per acre.
 3. The storage or use of manure or any odor or dust-producing substance is prohibited within 25 feet of any adjoining lot line.
 4. A greenhouse heating plant must be at least 25 feet from any adjoining lot line.
 - (d) Essential services.
 - (e) Large wind energy systems, provided that the large wind energy system complies with the requirements of Wis. Admin. Code Ch. PSC 128 and any ordinance adopted pursuant to Wis. Admin. Code § 128.10, subject to the authority granted by Wis. Stat. § 66.0401(f) to political subdivisions to deny an application if the proposed site of the wind energy system is in an area primarily designated for future residential or commercial development.
 - (f) Mobile service facilities.
 - (g) Mobile service tower.
- (3) Accessory Uses. The following uses are allowed in the RR district, subject to any applicable provisions contained in Part V.
 - (a) Antenna.

- (am) Contractor or trade storage.
 - (b) Home occupations.
 - (c) Private garages.
 - (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 for 9 or more persons, subject to the provisions set forth in Wis. Stat. §§ 59.69(15) and 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.
- (d) The minimum setback for accessory structures is 10 feet.
- (e) The maximum height for any structure is 35 feet, unless a different maximum height is permitted by sec. 8.25 or chs. 20, 24, or 25. However, all structures are subject to the Airport Approach Protection Ordinance.

8.14 High Density Residential (HD).

- (1) Purpose. The purpose of the High Density Residential (HD) district is to provide areas for a variety of residential uses, including single-family residential development at fairly high densities and multiple occupancy developments. This district will be located in areas with an existing mixture of residential types, certain regions that are served by public sewer, and other locations where high-density residential developments are appropriate.
- (2) Principal Uses. The following uses are allowed in the HD district:
 - (a) Single-family and two-family residences.
 - (b) Community living arrangements with a capacity for 8 or fewer and foster homes, subject to the limitations set forth in Wis. Stat. §§ 59.69(15) and 60.63.
 - (c) Community living arrangements with a capacity for 9 to 15 persons, subject to the limitations set forth in Wis. Stat. §§ 59.69(15) and 60.63.
 - (d) Essential services.
 - (dm) Large wind energy systems, provided that the large wind energy system complies with the requirements of Wis. Admin. Code Ch. PSC 128 and any ordinance adopted pursuant to Wis. Admin. Code § 128.10, subject to the authority granted by Wis. Stat. § 66.0401(f) to political subdivisions to deny an application if the proposed site of the wind energy system is in an area primarily designated for future residential or commercial development.
 - (e) Manufactured home parks.
 - (em) Mobile service facilities.

- (et) Mobile service tower.
- (f) Multi-family dwellings.
- (3) Accessory Uses. The following uses are allowed in the HD district, subject to any applicable provisions contained in Part V.
 - (a) Antenna.
 - (am) Home occupations.
 - (b) Private garages.
 - (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) Solar energy systems.
 - (f) 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 HD district upon the issuance of a conditional use permit:
 - (a) Community living arrangements with a capacity for serving 16 or more persons, subject to the provisions set forth in Wis. Stat. §§ 59.69(15) and 60.63.
 - (b) Community uses.
 - (c) Day care.
 - (d) Utilities.
 - (e) Vacation home rentals.
- (5) Yard Requirements. The following requirements apply to the HD district:
 - (a) The minimum lot size is 21,780 square feet (½ acre), exclusive of road right-of-way.
 - (b) The minimum lot width is 100 feet.

- (c) The minimum setback for principal and conditional use structures is 7½ feet.
- (d) The minimum setback for accessory structures is 5 feet.
- (e) The maximum height of any structure is 35 feet, unless a different maximum height is permitted by sec. 8.25 or chs. 20, 24, or 25. However, all structures are subject to the Airport Approach Protection Ordinance.

8.15 Lake Residential (LR).

- (1) Purpose. The purpose of the Lake Residential (LR) district is to provide areas for single-family residential and planned residential development. This district will generally be located along a waterfront and uses are restricted in order to maintain a strictly residential character.
- (2) Principal Uses. The following uses are allowed in the LR district:
 - (a) Single-family residences.
 - (b) Community living arrangements with a capacity for 8 or fewer and foster homes, subject to the limitations set forth in Wis. Stat. §§ 59.69(15) and 60.63.
 - (c) Essential services.
 - (d) Large wind energy systems, provided that the large wind energy system complies with the requirements of Wis. Admin. Code Ch. PSC 128 and any ordinance adopted pursuant to Wis. Admin. Code § 128.10, subject to the authority granted by Wis. Stat. § 66.0401(f) to political subdivisions to deny an application if the proposed site of the wind energy system is in an area primarily designated for future residential or commercial development.
 - (e) Mobile service facilities.
 - (f) Mobile service tower.
- (3) Accessory Uses. The following uses are allowed in the LR district, subject to any applicable provisions contained in Part V.
 - (a) Antenna.
 - (am) Home occupations.
 - (b) Hunting or warming shacks with no water or sewage facilities included.

- (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) Solar energy systems.
 - (f) Private garages.
 - (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 LR district upon the issuance of a conditional use permit:
- (a) Baits shops.
 - (b) Community living arrangements with a capacity for 9 or more persons, subject to the limitations set forth in Wis. Stat. §§ 59.69(15) and 60.63.
 - (c) Community uses.
 - (d) Resorts.
 - (e) Restaurants.
 - (f) Sports shops.
 - (g) Taverns.
 - (h) Two-family residences.
 - (i) Utilities.
 - (j) Vacation home rentals.
- (5) Yard Requirements. The following requirements apply to the LR district:
- (a) The minimum lot size is 10,000 square feet for sewerred lots, exclusive of road right-of-way.
 - (b) The minimum lot size is 20,000 square feet for unsewerred lots, exclusive of road right-of-way.

- (c) The minimum lot width is 100 feet.
- (d) The minimum setback for principal and conditional use structures is 7½ feet.
- (e) The minimum setback for accessory structures is 5 feet.
- (f) The maximum height of any structure is 35 feet, unless a different maximum height is permitted by sec. 8.25 or chs. 20, 24, or 25. However, all structures are subject to the Airport Approach Protection Ordinance.

8.16 Commercial/Business (CB).

- (1) Purpose. The purpose of the Commercial/Business (CB) district is to provide areas for mixed residential and commercial use. It will encompass areas that already have this mixed use, as well as those areas where expansion of this mixed use is desired. It will typically be located within or near existing communities, but may also be used in outlying areas and to facilitate small development nodes.
- (2) Principal Uses. The following uses are allowed in the CB district:
 - (a) Activity and recreation centers.
 - (b) Auto, truck, trailer, and other equipment sales and rentals.
 - (c) Bowling alleys.
 - (d) Building, electrical, heating, lumber, and plumbing supply yards.
 - (e) Bulk storage of agricultural products, cooperatives, feed mills, and fertilizer plants.
 - (f) Business and professional offices and services.
 - (g) Cabinet making and woodworking.
 - (h) Car washes.
 - (i) Commercial storage.
 - (j) Community uses.
 - (k) Contractor or trade storage.
 - (l) Dairies and dairy-processing businesses, such as cheese factories.

- (m) Essential services.
- (n) Farm equipment and implement sales.
- (o) Food lockers.
- (p) Fruit and vegetable stands.
- (q) Funeral homes and crematoriums.
- (r) Furniture repair, sales, and upholstery.
- (s) Gas stations and convenience stores.
- (t) Hotels.
- (tm) Large wind energy systems, provided that the large wind energy system complies with the requirements of Wis. Admin. Code Ch. PSC 128 and any ordinance adopted pursuant to Wis. Admin. Code § 128.10, subject to the authority granted by Wis. Stat. § 66.0401(f) to political subdivisions to deny an application if the proposed site of the wind energy system is in an area primarily designated for future residential or commercial development.
- (u) Manufactured home sales and service.
- (v) Mini-warehouses.
- (vm) Mobile service facilities.
- (vt) Mobile service tower.
- (w) Motels.
- (x) Parking areas and ramps.
- (y) Printing and duplicating shops.
- (z) Private clubs and lodges, except adult entertainment establishments.
- (aa) Public uses.
- (bb) Restaurants.
- (cc) Self-service laundromats.
- (dd) Signs and billboards.

- (ee) Single-family residences.
 - (ff) Small wind energy systems.
 - (gg) Stores for conducting retail, service, or wholesale business.
 - (hh) Taverns.
 - (ii) Theaters, except outdoor theaters.
 - (jj) Trailer and truck rentals.
 - (kk) Vehicle and equipment sales, service, and showrooms.
 - (ll) Utilities.
- (3) Accessory Uses. The following accessory use is allowed in the CB district:
- (a) Antenna.
 - (am) 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 CB district upon the issuance of a conditional use permit:
- (a) Adult entertainment establishments, subject to any applicable provisions contained in Part V.
 - (b) Auto salvage yards.
 - (c) Banquet and dance halls.
 - (d) Drive-in theaters.
 - (e) Outdoor amusement centers.
 - (f) Race tracks.
 - (fm) Radio broadcast service facilities.
 - (g) Shopping centers.
 - (h) Sports arenas.
 - (j) Transportation terminals.

- (k) Truck stops.
- (l) Water parks.
- (5) Yard Requirements. The following requirements apply to the CB district:
 - (a) The minimum lot size is 10,000 square feet, exclusive of road right-of-way.
 - (b) The minimum lot width is 100 feet.
 - (c) The minimum setback for principal and conditional use structures is 7.5 feet.
 - (d) The minimum setback for accessory structures is 5 feet.
 - (e) The maximum height of any structure is 60 feet, unless a different maximum height is permitted by sec. 8.25 or chs. 20, 24, or 25. However, all structures are subject to the Airport Approach Protection Ordinance.

8.17 Industrial (ID).

- (1) Purpose. The purpose of the Industrial (ID) district is to provide areas for manufacturing, warehousing, and other light industrial operations. It may also be used for commercial storage facilities, contractor and trade establishments, and similar businesses. However, such use may not be detrimental to the surrounding area or to the county as a whole because of dust, groundwater degradation, noise, odor, physical appearance, smoke, traffic, or other nuisance factors.
- (2) Principal Uses. The following uses are allowed in the ID district provided that a site plan is submitted and approved by the planning and park commission:
 - (a) Agricultural implement and equipment manufacture, sales, and service.
 - (b) Analyzing, controlling, measuring, and recording instruments, including clocks; medical, optical, and photographic equipment; and watches.
 - (c) Apparel and other finished products made from fabrics and similar materials.
 - (d) Billboard manufacture.
 - (e) Clay, concrete, glass, and stone products.
 - (f) Coating, engraving, and allied services.

- (g) Computers and office equipment.
- (h) Contractor or construction shops, including air conditioning, building, cement, electrical, heating, refrigeration, masonry, painting, plumbing, roofing, and ventilation.
- (i) Electrical and electronic equipment and machinery.
- (j) Essential services.
- (k) Fabricated metal, wood, or plastic products, except machinery and transportation equipment.
- (l) Food and kindred products.
- (m) Furniture and fixtures.
- (n) Garages for the repair, sales, service, or storage of automobiles, tractors, trucks, and accessory equipment.
- (o) Infrastructure that is compatible with the district.
- (p) Laboratories and research and development facilities.
- (pm) Large wind energy systems, provided that the large wind energy system complies with the requirements of Wis. Admin. Code Ch. PSC 128 and any ordinance adopted pursuant to Wis. Admin. Code § 128.10, subject to the authority granted by Wis. Stat. § 66.0401(f) to political subdivisions to deny an application if the proposed site of the wind energy system is in an area primarily designated for future residential or commercial development.
- (pt) Mobile service facilities.
- (pw) Mobile service tower.
- (q) Printing, publishing, and allied products.
- (r) Public uses.
- (s) Radio broadcast service facilities.
- (t) Research facilities.
- (u) Secondhand household equipment, store fixtures, and office furniture sales, storage, and reconditioning.

- (v) Sign painting studio.
 - (w) Signs identifying the name and business of the occupant of a premises.
 - (x) Small wind energy systems.
 - (y) Substations for electrical power and light.
 - (z) Utilities.
 - (aa) Warehousing.
 - (bb) Other uses not specifically listed, but which are deemed by the board of adjustment to be similar to the uses listed above.
- (3) Accessory Uses.
- (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.
 - (am) Antenna.
 - (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.
 - (q) Transportation equipment and parts.
 - (r) Truck distribution, dispatching, loading, and transfer depots.
 - (s) Solid waste facilities and transfer stations.
- (5) Yard Requirements. The following requirements apply to the ID 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.
 - (d) The minimum setback for accessory structures is 10 feet.
 - (e) The maximum height of any structure is 60 feet, unless a different maximum height is permitted by sec. 8.25 or chs. 20, 24, or 25. However, all structures are subject to the Airport Approach Protection Ordinance.
- (6) Site Plan Requirement. A site plan must be reviewed and approved by the planning and park commission prior to the start of any new construction or any addition or alteration that adds more the 25% to the area of an existing structure or to the total area of all existing structures on the site.

- (7) Development Standards. The development standards contained in this section are minimum standards and must be met by any industrial use established after the effective date of this ordinance or any applicable amendment and by any prior nonconforming use that is added to, altered, expanded, extended, or modified after the effective date of this ordinance or any applicable amendment.
- (a) Driving Surfaces. All driveways, parking areas, and roads must be maintained in a durable and dustless condition.
 - (b) Enclosures. All allowed and permitted uses must be conducted within completely enclosed buildings, unless outdoor uses have been included in a site plan that has been review and approved by the planning and park commission and subject to any conditions set by the board of adjustment.
 - (c) Landscaping. All landscaping shown on an approved site plan must be established and maintained in a healthy condition. Landscaping materials must be replaced when necessary.
 - (d) Lighting. Lighting used to illuminate any portion of the site must be shielded and arranged so that it does not directly shine on any abutting property.
 - (e) Litter. The site must be kept free of debris and refuse.
 - (f) Loading and unloading. Adequate space must be provided for the loading, parking, standing, and unloading of motor vehicles without undue interference with the public use of roadways. No portion of a vehicle that is loading, parked, standing, or unloading may project into a public roadway. A 12-foot by 65-foot loading space with a 15-foot clearance must be provided for each 20,000 square feet, or fraction thereof, of floor area or lot area used for other than incidental purposes.
 - (g) Noise. The sound generated by a use may not exceed 70 decibels at the lot line.
 - (h) Odor. No use may cause or result in the emission of any substance or combination of substances into the ambient air and produce an objectionable odor unless preventative measures satisfactory to the department are taken to abate or control the emission. An odor will be deemed objectionable when either or both of the following tests are met:
 - 1. If the department, upon investigation, determines that the odor is objectionable based upon the nature, intensity, frequency, and duration of the odor, taking into consideration the type of area involved and any other pertinent factor identified by the department.

2. If 60% of a sample of persons exposed to the odor in their place of residence or employment, other than the place that is the odor's source, find the odor to be objectionable based upon its nature, intensity, frequency, and duration.
 - (i) Outdoor Storage. Outdoor storage is permitted if the storage area is screened and the stored materials are not visible from any public road.
 - (j) Parking. At least 2 parking spaces must be provided for every 3 employees, based on the maximum number of persons employed during any shift.
 - (k) Screening. Required screening may be provided by use of fences, hedges or other plantings, and walls that are at least four feet in height. Any required screening must be maintained in good condition.
 - (l) Storm Water Drainage. A storm water drainage plan must be included as part of the site plan.
 - (m) Vibration. Ground vibrations generated by a use must not be perceptible at any point on the lot line without the use of instruments.
 - (n) Other. No use may emit dangerous or obnoxious fumes, glare, heat, or radiation that extends beyond any lot line on which the use is located.

8.18 Natural Area (NA).

- (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.

- (em) Large wind energy systems, provided that the large wind energy system complies with the requirements of Wis. Admin. Code Ch. PSC 128 and any ordinance adopted pursuant to Wis. Admin. Code § 128.10, subject to the authority granted by Wis. Stat. § 66.0401(f) to political subdivisions to deny an application if the proposed site of the wind energy system is in an area primarily designated for future residential or commercial development.
 - (et) Mobile service facilities.
 - (ew) Mobile service tower.
 - (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) Antenna.
 - (am) 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:
- (a) Camps and campgrounds.
 - (b) Commercial recreational areas, such as a golf course, nature center, or other low impact activity.

- (c) Community uses.
 - (d) Non-metallic mining.
 - (e) Private garages.
 - (f) Recreation vehicle parks.
 - (g) Sawmills.
 - (h) Single family residences.
 - (i) Utilities.
 - (j) Vacation home rentals.
- (5) Yard Requirements. The following requirements apply to the NA district.
- (a) The minimum lot size is 20 acres, 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.
 - (d) The minimum setback for accessory structures is 10 feet.
 - (e) The maximum height for any structure is 35 feet, unless a different maximum height is permitted by sec. 8.25 or chs. 20, 24, or 25. However, all structures are subject to the Airport Approach Protection Ordinance.

PART IV. STANDARDS.

8.19 Substandard Lots.

A substandard lot may be used as a building site only if all of the following apply:

- (1) the substandard lot has never been developed with one or more of its structures placed partly upon an adjacent lot or parcel; and
- (2) the substandard lot is developed to comply with all requirements of the Manitowoc County Code of Ordinances.

8.20 Nonconforming Structures.

- (1) An uncompleted structure for which a zoning permit was issued and construction commenced may be completed if the completed structure complies with the ordinance in effect at the time the permit was issued, even if the structure does not conform to the requirements of this ordinance at the time construction is completed. The completed structure will be deemed a nonconforming structure.
- (2) A nonconforming structure may continued in use subject to the limitations provided in this § 8.20 of the Zoning Ordinance.
- (3) Except as provided in § 8.20(4) of this Zoning Ordinance, a nonconforming structure may be maintained, repaired, replaced, restored, rebuilt, or remodeled if the activity does not expand the footprint of the nonconforming structure.
- (4) A nonconforming structure may be enlarged provided that the addition does not:
 - (a) encroach into any required setback area more than the existing structure; and
 - (b) increase the height of a structure that does not comply with the existing height requirement of this Zoning Ordinance.

However, in no event may a nonconforming structure be increased by more than 50% of the structure's square footage at the time that the structure became nonconforming, except when necessary to comply with applicable county, state, and federal requirements.

- (5) In accordance with Wis. Stat. § 59.69(10m), a nonconforming structure that is damaged or destroyed by fire, flood, ice, infestation, mold, snow, vandalism, or violent wind may be restored to the size, location, and use that it had immediately before the damage or destruction occurred. The size of the nonconforming structure may be enlarged, but only to the extent necessary for the structure to comply with applicable county, state, and federal requirements.

8.21 Nonconforming Uses.

- (1) A nonconforming use may not be enlarged or expanded.
- (2) A nonconforming use that has ceased or otherwise been discontinued for a period of 12 months may not be resumed, and any further use must conform to the requirements of this ordinance.
- (3) A nonconforming use may not be moved to any other part of the parcel on which it is located.

- (4) A nonconforming use may not be moved to another parcel unless the use is allowed or permitted on the parcel to which it is moved. A conditional use permit must be obtained if the use is a conditional use on the parcel to which it is moved.
- (5) A nonconforming use may not be changed to another nonconforming use.
- (6) A nonconforming use may be changed to a conforming use, but a conditional use permit must be obtained if the new use is a conditional use.
- (7) A nonconforming use that has been changed to a conforming use may not be returned to the prior nonconforming use or to any other nonconforming use.

8.22 Farm Consolidation.

- (1) Any parcel that is part of a farm consolidation and that contains a farm residence or structure that existed prior to January 1, 2014 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;
 - (b) the second parcel is at least 20 acres; and
 - (c) the ratio of non-farm residential acreage in the first parcel to farm acreage in the second parcel must not exceed 1:20.
- (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.
- (4) A principal structure must be located on a lot and only one residence may be constructed, erected, or moved onto a lot.
- (5) Conditional uses in a zoning district are limited to those conditional uses specified for the district in this ordinance.
- (6) Conditional uses and accessory uses to conditional uses are special uses that require an application, review, public hearing, approval by the board of adjustment, and issuance of a conditional use permit.
- (7) Temporary structures that are constructed using a frame made out of metal, pvc, wood, or a similar material; that are covered by canvas, fabric, vinyl, or a similar material; and that are used as a boat or other vehicle enclosure; screen house; storage building for materials during construction; or for a similar purpose are subject to the following requirements:
 - (a) The structure may not be in place for more than a total of 180 days during any consecutive 12-month period.
 - (b) The entire structure, including the frame and covering, must be totally disassembled and removed once it has been in place for a total of 180 days during any consecutive 12-month period.
 - (c) The structure must be set back at least 3 feet from any side lot line.

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:

- (1) accessory farm structures, such as gas tanks, grain elevators, scenery lofts, and silos;
- (2) architectural projections such as belfries, chimneys, cupolas, domes, flues, parapet walls, and spires;
- (3) communication structures, such as aerials, antenna, and towers;
- (4) electric power lines and substations;
- (5) essential services;
- (6) manufacturing equipment and necessary mechanical appurtenances;
- (7) smoke stacks;
- (8) towers, including cooling towers, fire towers, radio, microwave, and television towers, and water towers;
- (9) utilities and utility services;

PART V. SUPPLEMENTAL REGULATIONS.

8.26 General Standards.

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

8.27 Accessory Structures.

- (1) An accessory structure is not permitted unless a principal structure exists on the same zoning lot or unless a zoning permit for a principal structure is issued at the same time that the accessory structure permit is issued.
- (2) An accessory structure may not exceed the maximum permitted height for the zoning district in which it is located.
- (3) An accessory structure may not be erected within any required front setback.
- (4) Campers, ice shanties, manufactured homes, and truck trailers may not be used as accessory structures and cannot be converted for storage or other purposes.

8.28 Adult Entertainment Establishments.

- (1) In recognition of the protection afforded to the citizens under the 1st and 14th Amendments of the Constitution of the United States, the purpose of this section is to regulate the location of specifically defined activities and materials consistent with the county's interest in the present and future character of its development, and this section is not intended to inhibit any person's freedom of speech or the freedom of the press. For that reason, commercial establishments dealing in adult entertainment activities and materials are permitted as a conditional use in any Commercial/Business (CB) district.
- (2) The following uses are only permitted as conditional uses:
 - (a) Commercial establishments that display, disseminate, give away, lease, offer for view, possess for sale, publish, rent, sell, or otherwise deal in any facsimile, film, machine, mechanical device, model, picture, printed matter, sound recording, written matter, or other material or paraphernalia depicting sexual conduct or nudity and that exclude minors by reason of age.
 - (b) Commercial establishments that display for viewing any film or pictures depicting sexual conduct or nudity and that exclude minors by reason of age.
 - (c) Commercial establishments in which any person appears or performs in a manner depicting sexual conduct or involving nudity and from which minors are excluded by reason of age.
- (3) The conditional uses allowed by this section are subject to the following provisions:
 - (a) No permit may be granted where the proposed establishment is within 2,000 feet of any church, funeral parlor, historic district or site listed in the State or National Register of Historic Places, hospital, library, museum, park, playground, restaurant, school, or any other private or public building or premises likely to be utilized by persons under the age of 18 years.
 - (b) No permit may be granted if the proposed establishment is within 2,000 feet of any pre-existing establishment licensed to sell or dispense fermented malt beverages or intoxicating liquor.
 - (c) No permit may be granted where the proposed establishment is within 2,000 feet of any area zoned residential in the same or a contiguous town or municipality.

- (d) The applicant must provide the county with detailed information regarding use of the proposed establishment. If the application is for an establishment under subpar. (2)(a) or (2)(b), the applicant must furnish representative samples of the materials that will be available at the establishment. If the application is for an establishment under subpar. (2)(c) of this subsection, the applicant must provide a detailed description of the proposed activity to be conducted at the proposed establishment.
- (e) The applicant must provide the name and address of the owners and occupants of all property within 1,000 feet of the proposed establishment.
- (f) Billboards, portable signs, and towers are prohibited on the premises. No flashing or traveling lights may be located on or visible from the exterior of the structure in which the establishment is located. No sign may depict specified anatomical areas or specified sexual activity.
- (g) All access points to the establishment and all windows or other openings must be constructed, covered, located, or screened in a manner that prevents viewing the interior of the establishment from any public or semipublic area.
- (h) Adequate parking must be provided in a lighted area.
- (i) The hours of operation for such establishments are limited to the same hours of operations for bars and taverns within the community in which the district is located.
- (j) When acting on an application for a conditional use permit for an adult entertainment establishment, the Board of adjustment shall consider, in addition to usual factors taken into consideration for all conditional use permits, the protection of property values in the affected area; the preservation of neighborhoods; the tendency of such establishments to cause increases in noise, traffic, and other factors interfering with the quiet and peaceful enjoyment of the neighborhood; the tendency of such establishments to encourage residents and businesses to move elsewhere; the tendency of such establishments to attract an undesirable quantity or quality of transients; the tendency of such establishments to cause increases in crime, especially prostitution and sex-related crimes; the tendency of such establishments to increase the need for policing; the protection of minors from the activities conducted and materials available at such establishments; and any other factors related to the proposed use that may affect the health, safety, and general welfare of the community.
- (k) If a protest signed by 51 percent or more of the adult residents and property owners within 500 feet of the proposed establishment is filed with the department, a unanimous vote of the Board of adjustment is required to issue a conditional use permit.

8.29 Airports and Landing Strips.

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

8.30 Antennas.

- (1) In order to protect the health and safety of all citizens, as well as the aesthetic values embodied in this ordinance, every antenna is subject to the requirements contained in this section.
- (2) A maximum of 3 antennas per residence are allowed on a parcel in a residential district.
- (3) An antenna installation must be constructed of noncombustible, corrosive-resistant material and must be able to withstand winds of not less than 80 miles per hour.
- (4) An antenna must be filtered or shielded, or both, so as to prevent the emission or reflection of electromagnetic radiation that would cause any harmful interference with radio or television broadcasting or reception on any adjacent property. If harmful interference results subsequent to an antenna's installation, the antenna's owner must, in accordance with Federal Communications Commission regulations, promptly take steps to eliminate the harmful interference.
- (5) An antenna is subject to the height requirements for the district in which it is located, except that a ground-mounted satellite antenna that is greater than 3 feet in diameter may not exceed 15 feet in height.
- (6) A ground-mounted antenna must be located at least one foot from the nearest lot line for each foot of height above the surrounding grade.
- (7) A roof-mount antenna must be mounted at least one foot from the nearest lot line for each foot of height above the roof line.
- (8) A satellite antenna must be designed and located so as to reduce its visual impact on surrounding properties.
- (9) A satellite antenna must be set back at least 5 feet from a side or rear lot line.

- (10) A portable or trailer-mounted antenna is not permitted, except for temporary installation of an antenna for on-site testing or demonstration purposes for a period not to exceed 2 days at any one location.

8.31 Automobile Wrecking Yards, Dumping Grounds, Junk Yards, Sanitary Land Fills, and Salvage Yards.

- (1) Any automobile wrecking yard, dumping ground, junk yard, sanitary land fill, or salvage yard must be located so that it does not prevent or interfere with the proper development of the surrounding area.
- (2) Any automobile wrecking yard, dumping ground, junk yard, sanitary land fill, or salvage yard must be adequately fenced or otherwise screened year round with a dense shrub growth to prevent unsightliness and the blowing of materials off of the premises.
- (3) The minimum side and rear setback for any automobile wrecking yard, dumping ground, junk yard, sanitary land fill, or salvage yard is 50 feet.
- (4) The board of adjustment shall take into consideration the temporary nature of dumping and sanitary land fill operations and the public necessity for waste disposal in considering the application for a conditional use permit for a dumping ground or sanitary landfill operation.

8.32 Cemeteries.

- (1) The site of a proposed cemetery must not prevent or interfere with the proper development of thoroughfares in the area.
- (2) Any burial plot or structure within any cemetery established since the effective date of this ordinance must be set back at least 100 feet from any street or highway right-of-way line.
- (3) It is unlawful for a person to locate a grave anywhere other than in a cemetery that has been established in accordance with Wis. Stat. § 157.065.

8.33 Conservation Clubs, Shooting Clubs, and Shooting Ranges.

- (1) The club or range and any structure associated with the club or range must be located so that the use of a firearm on the premises does not create a nuisance or danger to any person or property on any adjacent parcel.
- (2) Accessory uses, such as a bar, dining facility, kitchen, or storage shed that is incidental to the operation of the club or range, are allowed.

8.34 Convalescent Homes, Hospitals, Public Buildings, Nursing Homes, Sanitariums, and Utilities.

- (1) The site of a proposed convalescent home, hospital, public building, nursing home, sanitarium, or utility must not interfere with or prevent the development and use of the surrounding land in the principal uses of the district.
- (2) The minimum side and rear setback for any convalescent home, hospital, public building, nursing home, sanitarium, or utility is 50 feet.
- (3) The grounds surrounding any convalescent home, hospital, public building, nursing home, sanitarium, or utility must be appropriately landscaped.
- (4) A sufficient number of off-street parking spaces must be provided to assure that employees, visitors, or others to a convalescent home, hospital, public building, nursing home, sanitarium, or utility do not need to park on any public right-of-way during normal periods of activity.

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

- (1) General Requirements. The following general requirements apply to driveways; parking spaces; and loading, standing, and unloading areas:
 - (a) Access. A parking space or loading, standing, or unloading area must be served by separate ingress and egress driveways or by an adequate turn-around that is always available and useable.
 - (b) Bumper guards or wheel barriers. Any parking space or loading, standing, and unloading area associated with a commercial use must have bumper guards or wheel barriers installed so that no portion of a vehicle will project into a public right-of-way or over adjoining property.
 - (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.
11. A residential use must provide at least 2 spaces per dwelling unit.
12. A restaurant must provide at least 1 space for every 200 square feet of floor area, plus 1 space for every 3 employees.
13. A retail operation must provide at least 1 space for every 200 square feet of floor area, plus 1 space for every 3 employees.

14. A tavern must provide at least 1 space for every 200 square feet of floor area, plus 1 space for every 3 employees.
 15. A wholesale operation must provide at least 1 space for every 200 square feet of floor area, plus 1 space for every 3 employees.
- (b) Each parking space must be not less than 9 feet wide and 17 feet long.
 - (c) The department may specify the number of spaces for any unlisted use based upon the nature and location of the use.
 - (d) The board of adjustment may require a greater number of spaces based upon the nature and location of the use when authorizing the issuance of a conditional use permit.
- (3) Driveways. Any driveway that is installed, replaced, or extended, and any portion of a driveway that is modified, after the effective date of this ordinance must meet the following requirements:
- (a) The opening for vehicular ingress and egress may not be less than 20 feet wide at the right of way line.
 - (b) A driveway must have an all-weather driving surface that is not less than 14 feet wide and must have a typical road grade that is sloped to provide drainage.
 - (c) The turn radius for any curve in a driveway must be at least 30 feet for the inside radius and at least 50 feet for the outside radius.
 - (d) A driveway that exceeds 500 feet in length must have a turnout at least every 500 feet that will allow vehicles to pass. The turnout area must be at least 60 feet in length, 30 feet in width, and have a connecting turn radius of at least 30 feet.
 - (e) A driveway must provide a turn around at any structure or terminal point. The turn around may be a cul du sac that is at least 100 feet in diameter or one or more one rectangular areas at least 60 feet in length and 20 feet in width. The turnaround must have a connecting turn radius of at least 30 feet.
 - (f) Any culvert or bridge associated with the driveway must be capable of handling a 30-ton vehicle.
 - (g) A driveway must be located within a clear space that is free of any trees or other obstructions. The clear space must be at least 20 feet wide and 14 feet high.

- (4) Loading, Standing, and Unloading Spaces.
 - (a) A parcel that is used for commercial purposes must provide adequate space for loading, standing, and unloading motor vehicles in order to avoid undue interference with the public use of roadways, and no portion of a vehicle that is loading, standing, or unloading may project into a public roadway.
 - (b) A space for loading, standing, or unloading motor vehicles must be not less than 12 feet wide, 65 feet long, and 15 feet high.
 - (c) One space must be provided for each 20,000 square feet, or any fraction thereof, on a parcel that is used for commercial purposes.
 - (d) The loading, standing, and unloading space requirements may be modified or waived for a proposed commercial use if a site review determines that the use is of a kind that does not require the loading, standing, or unloading of motor vehicles or that adequate provisions have been made for the loading, standing, and unloading of motor vehicles associated with the proposed use. Any modification or waiver granted pursuant to this subsection becomes void if the use that was subject to the site review is changed.

8.36 Home Occupations.

- (1) The use of a residential dwelling for a home occupation may not occupy more than 25 percent of the floor area of one floor and must be clearly incidental and subordinate to the residential use. Typical home occupations include, but are not limited to, baby sitting, barber or beauty shops, canning, crafts, dance studios, desktop publishing and other computer services, dressmaking, insurance agencies, laundering and ironing, millinery, music instruction, photographic studios, real estate agencies, telephone marketing, and word processing. Auto body, construction trades, and engine repair are not allowable home occupations.
- (2) Only 1 person other than a member of the immediate family living on the premises may be employed to work on the premises.
- (3) Traffic generated by the home occupation must not be greater in volume than would normally be expected in a residential neighborhood. Sufficient off-street parking must be provided for any traffic generated by the home occupation, but no parking is permitted in the front yard.
- (4) On-site retail sales are limited to goods made on the premises or, with the approval of the department, to goods associated with the normal operation of the home occupation, such as beauty supplies, shampoo, and personal care products for a beauty shop.

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

8.37 Hunting Cabins or Warming Shacks.

- (1) The maximum number of days that a hunting cabin or warming shack may be used during a calendar year is 60.
- (2) The maximum ground floor area allowed for any hunting or warming shack is 300 square feet.
- (3) A hunting cabin or warming shack may not be equipped with sewage or water facilities.

8.38 Manmade Ponds.

- (1) The minimum setback from a side or rear lot line to the beginning slope of a manmade pond is 25 feet.
- (2) The minimum setback from an existing or proposed soil absorption on-site sanitary waste disposal system to the beginning slope of an existing or proposed manmade pond is 50 feet.
- (3) The minimum setback from an existing or proposed holding tank sanitary waste disposal system is 25 feet from the beginning slope of an existing or proposed manmade pond.
- (4) The side slope of a manmade pond must provide no greater than a 1-foot vertical change for every 3-feet of horizontal change, and this ratio must be maintained until the slope extends 6 vertical feet below the high water mark.
- (5) Normal maintenance and repairs may be made to an existing manmade pond, but a zoning permit is required for any activity that increases the surface area of a manmade pond to more than 10 percent of its original size.

8.39 Manufactured Homes and Mobile Homes.

- (1) A manufactured home used for human habitation must meet the construction standards contained in Wis. Admin. Code ch. Comm 27.
- (2) A manufactured home may not be parked or used as a residence unless it is located in a manufactured home park, except as otherwise permitted in this section.

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

- (5) A manufactured home may be used as a single family residence on a farm provided that the manufactured home is occupied by a family member or employee of the farm's owner. The family member must be related the father, mother, son, daughter, brother, or sister of the farm owner. The employee must be actively employed and receive 50 percent of his or her income from the farm operation.
- (6) Skirting. Skirting specifically designed for manufactured homes, or some other material, must enclose the area between the ground and the bottom of the manufactured home. Skirting must be installed within 2 weeks of the date that the manufactured home is placed on its site.
- (7) A mobile home may not be used as a residence within the county unless it is located in a manufactured home park.

8.40 Manufactured Home Parks.

- (1) Drainage, Erosion Control, and Landscaping.
 - (a) A manufactured home park and each manufactured home within the park must be located on a well-drained area and the premises properly graded so as to prevent the accumulation of storm or other waters. No manufactured home park may be located in an area where runoff of contaminated liquids or from contaminated solids is likely to be deposited.
 - (b) A construction site erosion control plan must be submitted to and approved by the department prior to the commencement of any work on a new manufactured home park or the expansion of an existing park.
 - (c) The open areas of a manufactured home park must be seeded or sodded and properly landscaped.
- (2) Parking.
 - (a) A graveled or paved parking area of at least 350 square feet is required for each manufactured home site. Additional parking spaces must be provided within the park so that there are at least 1¼ parking spaces for each manufactured home space.
 - (b) Parking in the front yard of a manufactured home is prohibited.
 - (c) The parking area for a manufactured home site must be connected to the entrance of the manufactured home by a hard surface walkway that is at least two feet wide.

- (d) Parking areas and walkways must have adequate drainage and be maintained in good condition.
 - (e) Unlicensed vehicles, collections of debris, junk, or personal property are prohibited in any parking area or space.
- (3) Setbacks and Other Dimensional Requirements.
- (a) The minimum lot size is 3 acres.
 - (b) The maximum number of manufactured home sites per acre is 8.
 - (c) The minimum width of a manufactured home site is 30 feet.
 - (d) The maximum height of a manufactured home is 15 feet.
 - (e) The minimum distance between manufactured homes is 20 feet.
 - (f) The minimum side yard setback for each manufactured home site is 8 feet.
 - (g) The minimum rear yard setback for each manufactured home site is 25 feet.
 - (h) The minimum setback for an accessory structure is 5 feet.
 - (i) Each site in a manufactured home park must be a clearly marked or delineated area of not less than 3,600 square feet. A manufactured home may not occupy more than one-third of a site, and the manufactured home and all accessory structures may not occupy more than one-half of the site. Any modification or expansion of an existing and operating manufactured home park must conform to current regulations.
- (4) Sewage Disposal.
- (a) A manufactured home park and each unit within a manufactured home park must be connected to and use a public sewage facility if it is available to the manufactured home park.
 - (b) A private sewage system as defined in Wis. Stat. § 145.01(12) is allowed when a public sewage facility is not available. The system must be located on the premise and must be designed, constructed, and operated in accordance with Wis. Stat. § 144.245 and Wis. Admin. Code chs. Comm 82 and 83. Plans and installation details covering the design and construction, alteration, or extension of a private sewage system must be approved by the department and the Department of Commerce prior to construction. Prior to construction, sanitary permits are required for any work done to a private sewage system.

- (5) Streets.
 - (a) Each site in a manufactured home park must abut upon a street.
 - (b) The maximum length of a one-way street is 500 feet.
 - (c) A one-way street must be at least 14 feet wide if parking is prohibited on the street, 18 feet wide if parking is permitted on only one side of the street, and 24 feet wide if parking is allowed on both sides of the street.
 - (d) A two-way street must be at least 18 feet wide if parking is prohibited on the street, 24 feet wide if parking is permitted on only one side of the street, and 32 feet wide if parking is allowed on both sides of the street.
 - (e) Each street must be adequately graveled for year round use or be paved; have natural drainage, be adequately lighted at night, and maintained in good condition.
- (6) Plumbing. All plumbing must meet the requirements contained in Wis. Admin. Code chs. Comm 82–84 and Wis. Admin. Code ch. HSS 177.
- (7) Uses.
 - (a) The operation of laundry, recreation room, and washroom facilities for benefit of the residents of the manufactured home park is allowed.
 - (b) The operation of maintenance equipment storage facilities and one business office for the management of the manufactured home park is allowed.
- (8) Miscellaneous Provisions.
 - (a) Pre-existing Parks. Any expansion of an existing park must comply with this and all other county ordinances. All existing parks must be licensed and comply with this ordinance, except for certain design requirements not previously in effect. All replacement manufactured homes must comply with this section of the ordinance.
 - (b) Recreation Area. Each park must contain a relatively level, well-drained recreation area. The minimum recreation area required is ½ acre for the first 50 sites. An additional ½ acre is required for every 50 sites thereafter.
 - (c) Setback Zones. No occupied or unoccupied dwelling, manufactured home, mobile home, or recreation vehicle may be located between the established setback lines for the zoning district in which it is located and a highway, lot line, stream, street, or lake.

- (d) Screening. Each manufactured home park must be completely enclosed, except for permitted entrances and exits, by a temporary planting of fast growing material capable of reaching 15 feet or more or by a permanent evergreen planting of such a number and arrangement of individual trees that a dense screen will be formed within 10 years. Other screening that is harmonious with the surrounding area may be approved by the department.
- (e) Small Manufactured Homes. Any manufactured home with less than 400 square feet of living space must be located within a manufactured home park.
- (f) Collections of personal property, debris, junk, and unlicensed vehicles are prohibited outside of a building anywhere within the boundaries of any manufactured home park.

8.41 Outdoor Wood Burning Furnaces.

- (1) This section applies to detached energy systems such as an outdoor wood burning furnace or unit, but does not apply to lawfully operated barbeques, fire pits, fryers, or grills. It does not apply to the chimney attached to any structure, such as a residence or garage.
- (2) A zoning permit is required for any detached energy system.
- (3) No detached energy system may be located in a front yard.
- (4) Setbacks and Other Minimums.
 - (a) A detached energy system must be setback at least 10 feet from any side or rear lot line.
 - (b) A detached energy system must be setback at least 200 feet from any residence on an adjacent parcel.
 - (c) The minimum stack height for any detached energy system is 20 feet, except that a lesser stack height which meets the manufacturer's minimum specifications is allowed for any system that is Phase 2 Qualified under the U.S. Environmental Protection Agency's 2008 Hydronic Heater Program.
 - (d) A detached energy system that was legally installed prior to the effective date of this ordinance may be replaced with a different unit in the same location and is not subject to the setbacks specified in this section.

8.42 Recreation Vehicles.

- (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 temporary living quarters or overnight accommodations subject to the following conditions:

- (a) It may only be located in a General Agriculture GA or Natural Area NA 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.
- (e) It must be connected to septic and water utilities.
- (f) A deck, patio, shed, or other appurtenance may be attached to a park trailer.
- (g) It may be used to provide living space or overnight accommodations for no more than a total of 180 days in a calendar year.
- (h) No more than 1 park trailer may be located or used on a parcel at any one time, except in a recreation vehicle park.

8.43 Sand, Gravel, and Rock Excavation.

- (1) Purpose. These supplemental regulations are intended to assure that sand, gravel, and rock extraction operations are properly controlled, while providing the maximum degree of flexibility in dealing with mineral deposits whose locations are not precisely known, and are in addition to any requirements contained in the Nonmetallic Mining Operations Ordinance.
- (2) Aerial Photograph and Map. An application for a sand, gravel, or rock extraction conditional use permit must include an aerial photograph and map that provides the following information:
 - (a) The boundaries of the affected parcel and any adjacent parcel and the location and name of all pipelines, railroads, roads, streams, utilities, and wetlands on the affected parcel and any adjacent parcel.
 - (b) The name of the owner of each adjacent parcel and the location of all structures within 1,000 feet of the outer perimeter of the area, the purpose for which the structure is used, and the names of each structure's occupants.
 - (c) The proposed location, extent, and depth of the intended sand, gravel, and rock excavation, showing the setback distances.

- (d) The proposed location of any ponds, sediment basins, stockpiles, and waste dumps, showing the setback distances.
 - (e) The surface drainage of the affected land and the estimated depth to groundwater.
- (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.
- (5) Setback Requirements.
- (a) The excavation must be setback at least 1,000 feet from any existing residence unless the board of adjustment determines that it is in the public interest to permit an excavation at a distance that is less than 1,000 from an existing residence.
 - (b) The excavation must be setback at least 200 feet from all right-of-way lines.
 - (c) The excavation must be setback at least 100 feet from any lot line, except that the board of adjustment may set a smaller setback or waive the setback requirement if the adjacent parcel is or will be excavated.
- (6) Options.
- (a) The board of adjustment may require fencing if warranted by existing conditions.
 - (b) The board of adjustment may restrict the hours of operation if warranted by existing conditions.
 - (c) The board of adjustment may require the testing of wells adjacent to the proposed operation for turbidity, water levels, or other factors after the conditional use permit is granted.

8.44 Signs.

- (1) Permit Requirement.

A zoning permit is required for any directional sign, business sign in a Commercial/Business CB zoning district, or on-premises business sign. A permit is not required for any other sign.

- (2) General requirements. The general requirements described in this subsection apply to any sign.

- (a) A sign and its supporting structure must be properly constructed, installed, and maintained.

- (b) A sign must be securely anchored or otherwise fastened, suspended, or supported so as not to present a hazard to any person or property.
 - (c) A sign must be designed and constructed to safely withstand a wind pressure of at least 30 pounds per square foot of surface area.
 - (d) A sign may not be suspended by chains or other devices that allow the sign to swing due to wind action.
 - (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 enlarged unless the alteration is required to bring the sign into compliance with this Zoning Ordinance.
 - (c) A nonconforming sign may not be relocated.
- (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.

- (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.

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 with 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.

- (i) Residential Restriction. An electronic sign may not be located with 200 feet of any residential zoning district.
 - (j) Scrolling Messages. An electronic sign may not display a scrolling or traveling message.
 - (k) Pyrotechnics. An electronic sign may not contain or use any form of pyrotechnics.
- (7) Illuminated signs.
- (a) An illuminated sign must be effectively shielded so as to prevent light from being directed at any portion of the travelway of a controlled highway and may not glare, impair the vision of the driver of any motor vehicle, or otherwise interfere with any driver's operation of a motor vehicle.
 - (b) An illuminated sign may not interfere with the effectiveness of or obscure any official traffic device, sign, or signal.
 - (c) An illuminated sign must be effectively shielded so as to prevent light from being directed at any residence or habitable structure on any adjacent parcel.
 - (d) Neon tubing that is exposed to view on any sign must have an opaque cover of plexiglas or another similar material.
- (8) Sign-Specific Regulations.
- (a) Campaign or Ballot Initiative Signs. A sign erected on behalf of a candidate for public office or a ballot initiative may not be erected more than 30 days prior to the primary election and must be removed within 15 days following the general election. The maximum size of a campaign or ballot initiative sign, other than a billboard, is 32 square feet. A campaign or ballot initiative 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 campaign or ballot initiative sign in a residential zoning district may not be illuminated.
 - (b) Construction Signs. A sign that identifies a contractor or a construction project may be erected on the construction site. The maximum size of a construction sign is 100 square feet. No more than two signs are allowed on a construction site. The sign must be removed within 30 days of completion of construction or upon occupancy, whichever occurs first. A construction sign in a residential zoning district may not be illuminated.

- (c) Farm Signs. A sign identifying a farm may be placed on the property that it identifies. The maximum size of a farm sign is 10 square feet. A farm sign may not be illuminated.
- (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.
 - (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 32 square feet. 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.
 4. The sign is a hazard to any person or property or is otherwise unsafe.
 5. The sign does not comply with any requirement contained in this ordinance.
- (b) If a written order is issued pursuant to sub. (a), the action specified in the order must be completed within 10 days from the date of the order, unless the department specifies a longer period of time for compliance. The action necessary to comply with the order may be taken by the person who owns the property, the person who owns the sign, or the person having the beneficial use of the property or sign.
- (c) If the action specified in the order is not taken within the time required, the department may remove or cause the sign to be removed. The cost of removing the sign will be imposed as a special charge against the real property on which the sign was located and the property owner will be billed for the special charge. If the special charge is not paid within 30 days from the date of billing, it will become a lien against the property and the delinquent special charge may be included in the next or current tax roll for collection and settlement pursuant to Wis. Stat. § 66.0627.
- (d) If the department determines that a sign or its supporting structure presents an immediate peril to any person or property, the department may summarily remove or cause the sign to be removed without notice to the property owner where the sign is located. The department shall notify the property owner of the removal action as soon as practicable. The cost of removing the sign will imposed as a special charge against the real property on which the sign was located and the property owner will be billed for the special charge. If the special charge is not paid within 30 days from the date of billing, it will become a lien against the property and the delinquent special charge may be included in the next or current tax roll for collection and settlement pursuant to Wis. Stat. § 66.0627.

8.45 Vacation Home Rentals.

- (1) The applicant for a conditional use permit for a vacation home rental must include a site diagram, drawn to scale, showing the location and dimensions of the following:
 - (a) The structure used to provide sleeping accommodations;

- (b) All accessory structures;
 - (c) Any private on-site waste water treatment system;
 - (d) Each parking space; and
 - (e) The on-premises sign.
- (2) The application for a conditional use permit must specify:
- (a) The number of bedrooms in the unit;
 - (b) The maximum number of overnight occupants who will be permitted to stay in the unit; and
 - (c) The number of parking spaces provided.
- (3) The application for a conditional use permit must include a report showing that a compliance inspection has been conducted for any private on-site wastewater treatment system (POWTS) and that the system meets all state and local requirements.
- (4) The board of adjustment may impose conditions intended to reduce the impact of the proposed use on neighboring properties and nearby bodies of water. The conditions may include, but are not limited to, the installation of a fence or vegetative screening along a property line, the maintenance of native vegetation as a buffer along the shoreline, or the imposition of specified quiet hours.
- (5) An on-premises sign must be posted in a conspicuous place near the entrance to the property. The sign must have an area of at least 3 square feet. The sign must be visible from and legible without the need to come on to the property.
- (6) The on-premises sign must include the following information:
- (a) The property's advertised name, if any;
 - (b) The property's address;
 - (c) The name, address, and telephone number of the owner; and
 - (d) The name, address, and telephone number of the owner's agent or the local contact responsible for managing the property, if any.
- (7) The owner of a vacation home rental must keep a register detailing the use of the premises. The register must include, at a minimum, the name, address, and telephone number of each guest using the property and the license number of each

vehicle that is parked on the property. A copy of the register must be made available to the department upon request.

- (8) Only 1 structure on a parcel may be used to provide sleeping accommodations for a vacation home rental. Accessory buildings may not be used to provide sleeping accommodations.
- (9) Occupancy is limited to no more than 2 persons per bedroom, plus 2 additional persons, per structure, and may not to exceed a total of 12 persons.
- (10) It is unlawful for any person to use or allow another person to use a camper, motor home, recreation vehicle, trailer, or any other means to provide overnight accommodations outside of the principal structure on the premises of a vacation home rental.
- (11) The owner must provide sufficient off-street parking for all day-time visitors. The owner must provide off-street parking on the parcel for each vehicle that is parked overnight. The maximum number of vehicles that may be parked on the property overnight is 6.
- (12) A vacation home rental is subject to the licensing requirements contained in Wis. Admin. Code ch. DHS 195 and the county's Public Health Ordinance.
- (13) Any prior nonconforming structure or use of a property for the purpose of providing a vacation home rental that is altered, changed, increased, replaced, or extended after the effective date this ordinance must comply with the requirements contained in this ordinance.

PART VI. ADMINISTRATION AND AMENDMENTS.

8.46 Planning and Park Commission.

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

8.47 Planning and Zoning Department.

- (1) The department may issue or deny zoning permits.
- (2) The department may inspect buildings, premises, and structures and conduct investigations as necessary to administer and enforce this ordinance.
- (3) The department may conduct any other activity and perform any other function necessary and proper to administer and enforce this ordinance.

- (4) The department may report any violation of the terms of a conditional use permit, any violation of the terms of a variance, and any other violation of this ordinance to the board of adjustment, the planning and park commission, or the corporation counsel.

8.48 Board of Adjustment.

- (1) The board of adjustment shall have the power to hear and decide upon each application for a conditional use permit and, upon receipt of a report from the department that any term of a conditional use permit has been violated, to conduct a hearing and decide whether a violation has occurred. If the board of adjustment determines that a violation has occurred, it may add to or modify the conditions contained in the conditional use permit or it may revoke the conditional use permit.
- (2) The board of adjustment shall have the power to hear and decide appeals where it is alleged there is error in any decision, determination, order, or requirement made by the department, except that it may not hear and decide appeals from a citation issued pursuant to this ordinance.
- (3) The board of adjustment shall have the power to hear requests for a variance from the terms of this ordinance and to authorize such variances in specific cases where granting the request will not be contrary to the public interest and where owing to special conditions, a literal enforcement of the provisions of the ordinance would result in unnecessary hardship, so that the spirit of the ordinance is observed and substantial justice is done. In each case where a variance is granted, the board of adjustment shall issue a written decision that includes detailed, specific reasons for its determination that a literal enforcement of the provisions of the ordinance would result in unnecessary hardship. In every case where a variance is granted, the minutes of the board must show the recommendation of the town board of the town in which the property is located.

8.49 Amendments.

- (1) The County Board may, in accordance with Wis. Stat. § 59.69, amend the regulations and district boundaries specified by this ordinance.
- (2) A county board member, the planning and park commission, a property owner, town board member, or any other person may petition the county board for an amendment to the zoning ordinance text or to the zoning map.
- (3) The form for the petition may be obtained from the department, and the completed petition must be filed with the county clerk.
- (4) The county clerk shall immediately refer the petition to the planning and park commission.

- (5) The planning and park commission shall schedule a public hearing on the petition. Notice of the time and place of the hearing will be given by publication of Class 2 Notice as provided under Wis. Stat. ch. 985. A copy of the notice will be sent by registered mail to the Town Clerk for each town affected by the proposed amendment at least 10 days prior to the date of the hearing. A copy of the petition will be sent to the local county board supervisor if the petition seeks a change in zoning district boundaries.
- (6) The planning and park commission shall act on the petition as soon as possible following the public hearing. The commission may recommend approval, approval with modifications, or disapproval. If it recommends approval or approval with modifications, it shall cause an ordinance to be drafted effectuating its determination and it shall submit the proposed ordinance directly to the county board with its recommendations. If it recommends denial of the petition it shall report its recommendations directly to the county board with its reasons for the action.
- (7) The county board may enact the ordinance as drafted or with amendments, or it may deny the petition. If the commission has recommended that the petition be denied, the county board may refuse to accept the recommendation and send the petition back to the commission with directions to draft an ordinance and report the ordinance back to the county board. The county board's actions are subject to the provisions contained in Wis. Stat. § 59.69(5)(e) providing special voting requirements in the event of a protest by abutting owners. The county board's actions are subject to the provision contained in Wis. Stat. § 59.69 pertaining to approval or disapproval of ordinances and amendments by towns and town boards, except that, as provided for by Wis. Stat. § 59.692(2)(a), ordinances and amendments pertaining to shorelands on navigable waters shall not require approval or be subject to disapproval by any town or town board.
- (8) The department shall send a certified copy of all shoreland zoning ordinances and amendments to the Department of Natural Resources for any required approval.

PART VII. APPLICATIONS AND APPEALS.

8.50 Zoning Permits.

- (1) Permit Requirement. A person must obtain a zoning permit before any structure is constructed, erected, moved, or structurally altered.
- (1m) Expiration. A zoning permit expires if the construction, erection, movement, or alteration of the structure for which the permit was issued is not commenced within 24 months from the date of the permit.
- (2) Application. An application for a zoning permit must be submitted to the department on a form made available by the department. The application must include a plan showing the boundaries, dimensions, and location of the lot where the

structure is or will be placed, the location of the structure on the property showing its relationship to the lot lines, any streets or highways, and any required setbacks, and the dimensions and shape of the structure; a description of the structure's existing or intended use, including the number of families to be accommodated in the case of a residential structure; and such other information about the structure and any neighboring lots and structures as may be necessary to determine compliance with the requirements of this ordinance.

- (3) Fees. The applicant must pay the zoning permit fee at the time the application is filed. The fee is doubled if the applicant submits the application after any work has commenced for the purpose of constructing, erecting, moving, or structurally altering the structure.
- (4) If the proposed activity or structure conforms to the requirements of this ordinance, the department shall issue a zoning permit to the applicant and retain a copy of the permit. If the proposed activity or structure does not conform to the requirements of this ordinance, the department shall provide the applicant with a written notice stating that the application has been rejected and stating the reasons for the rejection. The decision to grant or deny a zoning permit should normally be made within 14 calendar days of receipt of a completed application.
- (5) The zoning permit must be posted on the premises at all times during construction in such a manner that it is visible from the property's street or highway frontage.
- (6) A zoning permit is not required for a farm structure that has a ground area of less than 240 square feet, provided that the structure is not permanently fixed to the ground and is readily removable in its entirety. The foregoing notwithstanding, a zoning permit is required for a roadside stand.
- (7) A zoning permit is not required for a minor structure that occupies 100 square feet or less, such as a calf house, feed bin, flag pole, landscaping feature, mailbox, playhouse, raised flower bed, warming shack, or yard light. A property owner may request an opinion from the department about whether a proposed structure is a minor structure, provided that the request is made prior to the time that the structure is constructed, erected, moved, or structurally altered on the property.

8.51 Reasonable Accommodation for Disabled or Handicapped Persons.

- (1) The department will, upon receipt of a written request, issue a zoning permit that waives one or more specific zoning requirements if it determines that all of the following conditions have been met:
 - (a) The requested waiver is necessary to afford a handicapped or disabled person equal housing opportunity or equal access to public accommodations.

- (b) The requested waiver is the minimum deviation from the terms of this ordinance necessary to provide the handicapped or disabled person equal housing opportunity or equal access to public accommodations.
 - (c) The requested waiver will not unreasonably undermine the basic purposes this ordinance.
- (2) A zoning permit issued pursuant to this section must state the provisions of this ordinance that are waived and describe with reasonable particularity the deviation from the terms of this ordinance that are authorized.
- (3) A zoning permit issued pursuant to this section must state that the permit is issued pursuant to the requirements of the Americans with Disabilities Act, the Fair Housing Act, the Rehabilitation Act, the Wisconsin Open Housing Law, a local ordinance, or a combination of these acts, laws, and ordinances in order to provide the reasonable accommodation necessary to avoid discrimination on the basis of disability or handicap.
- (4) A zoning permit issued pursuant to this section must include a provision stating that the permit is valid only for so long as the waiver is necessary for a disabled or handicapped person to occupy or use the premises and that the permit holder must notify the department within 30 days of the date that the disabled or handicapped person no longer occupies or uses the premises.
- (5) A zoning permit issued pursuant to this section must include a provision stating that any addition or external structural change allowed by the waiver must be constructed, insofar as is practicable, in such a way that it can be removed when the disabled or handicapped person no longer occupies or uses the premises, unless the department determines that removal will not be required and includes a written statement of the reason that removal is not required as part of the permit.
- (6) A zoning permit issued pursuant to this section which requires the removal of any addition or external structural change will not become effective until the permit holder:
 - (a) Signs an affidavit that contains the legal description of the property, acknowledges that waiver granted by permit is authorized only for so long a disabled or handicapped person uses the premises, agrees to notify the department within 30 days of the date that the premises are no longer occupied or used by a disabled or handicapped person, and agrees to remove any addition or external structural change authorized by the permit within 30 days of the date that the premises are no longer occupied or used by a disabled or handicapped person; and
 - (b) Records the affidavit with the Register of Deeds and provides a copy of the recorded affidavit to the department.

8.52 Conditional Use Permits.

- (1) **Application.** An application for a conditional use permit must be submitted to the department for transmittal to the board of adjustment.
- (2) **Fees.** The applicant must submit the required fee at the time the application is filed. The required fee is doubled if the applicant submits the application after a use has commenced.
- (3) **General Standards.** A conditional use must not endanger the public health, safety, and welfare. A conditional use must be in harmony with the orderly development of the district in which it is located. The intensity, location, nature, and size of the use; the height, location, and nature of structures associated with the use; the relationship of the structures and the use to the site on which it is located, surrounding properties, and existing or future streets are all relevant factors for the board of adjustment to consider. A conditional use may not discourage the appropriate development and use of adjacent land and buildings or significantly impair the value of surrounding properties. A conditional use may not be more objectionable to nearby property by reason of flashing lights, fumes, noise, vibration, or other factors than the operation of any allowable principal use.
- (4) **Plan Requirement.** The applicant must submit a plan for the proposed conditional use at the time the permit application is filed. The plan must describe the nature and extent of the proposed use; the proposed hours of operation; and the location of all landscaping, parking areas, structures, and traffic access. The applicant should include all other information that the applicant would like for the board to consider when determining whether to grant a conditional use permit.
- (5) **Limitations.** A conditional use permit only authorizes the use specifically described in the permit. The use may not be changed or expanded and is strictly subject to the conditions specified in the permit.
- (6) **Expiration.** A conditional use permit expires if the conditional use is not commenced within 24 months from the date of the permit or if the conditional use is discontinued for more than 12 months.
- (7) **Modification or Revocation.** A conditional use permit may be modified or revoked by the board of adjustment if, after a hearing, the board determines that the terms of the permit have been violated.

8.53 Site Plan Requirements.

- (1) **Filing and Fee.** A site plan required by this ordinance must be submitted, along with the site plan review fee, to the department for transmittal to the planning and park commission for review and approval. Ten copies of the site plan are required.

- (2) Identification. The site plan must include the name, address and telephone number of the property owner and of the architect, civil engineer, designer, engineer, practicing land planner, registered surveyor, or other person who prepared the site plan; the date; north arrows; and graphic scale.
- (3) Graphic Presentation. The site plan must be drawn at a scale that is no smaller than 100 feet to the inch and must provide, at a minimum, the following information:
 - (a) Topographical information at contour intervals not to exceed one foot.
 - (b) Lot boundaries and dimensions showing the general lot layout, along with the total area of the property and gross building area.
 - (c) Location and dimensions of all existing structures, culverts, drainage ditches and structures, driveways, easements, hedges, official map streets, open spaces, parking areas and spaces, property lines, roads, shrubs, streets, trees, utilities and utility connections, water courses, and other major physical features.
 - (d) Location and dimensions of all proposed structures, culverts, drainage ditches and structures, driveways, easements, hedges, official map streets, open spaces, parking areas and spaces, property liens, roads, shrubs, streets, trees, utilities and utility connections, water courses, and other major physical features.

8.54 Appeals.

- (1) Any person, including the county board, any board, committee, commission, department, or office, aggrieved by a decision of the department may appeal the decision to the board of adjustment.
- (2) The appeal must be filed with the department within 30 days of the date of the decision being appealed from. The appeal must be in writing and must specify the grounds for the appeal.
- (3) The department shall promptly transmit the appeal, along with the record of the action being appealed from, to the board of adjustment.
- (4) An appeal stays the action appealed from unless the department certifies to the board of adjustment that, for reasons stated in the certificate, a stay would cause imminent peril to life or property. If the department provides such certification, the action appealed from will not be stayed except by a restraining order issued by the board of adjustment or a court of law.
- (5) The board of adjustment shall fix a reasonable time for hearing the appeal and give notice of the hearing to the parties in interest and the public.

- (6) The board of adjustment shall decide the appeal within a reasonable time and shall either, in whole or in part, affirm, modify, or reverse the action appealed from or dismiss the appeal for lack of jurisdiction or prosecution.
- (7) The board of adjustment's final disposition of an appeal shall be in a written determination, signed by the board's secretary, stating the specific facts and reasons for the board's determination.

PART VIII. VIOLATIONS, ENFORCEMENT, AND PENALTIES.

8.55 Violations.

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

8.56 Enforcement.

- (1) The department shall enforce this ordinance and may conduct inspections and investigate complaints relating to compliance with this ordinance.
- (2) **Inspection Authority.** The department may request permission to inspect, at a reasonable time and date, any premises or structure for which a permit has been applied for or granted to determine compliance with this ordinance. Refusal to grant permission is grounds for denial or revocation of a permit. If permission is not given, the department may apply for, obtain, and execute a special inspection warrant pursuant to Wis. Stat. § 66.0119.
- (3) **Notice of Noncompliance.** If the department finds a violation of any provision of this ordinance, the department may issue a written notice to the owner stating the conditions of non-compliance, specifying the action required to come into compliance, and providing a reasonable amount of time within which compliance is required.
- (4) **Zoning Permit Revocation Authority.** The department may revoke a zoning permit for substantial noncompliance with any provision of this ordinance, refusal to permit

inspection of a premises or structure for which a permit has been granted, or failure to comply with the action requirement contained in a notice of noncompliance.

- (5) Conditional Use Permit Revocation Authority. The department may refer violations of a conditional use permit to the board of adjustment and the board of adjustment may conduct a hearing to determine whether to revoke the conditional use permit.
- (6) Citation Authority. The department may issue a citation for any violation of this ordinance. The department is not required to issue a notice of noncompliance or take any other action prior to issuing a citation.
- (7) Legal Referral. The department may refer a violation of this ordinance to corporation counsel for legal action, including an action seeking injunctive relief. The department is not required to issue a notice of noncompliance or take any other action prior to referring a violation to corporation counsel.
- (8) Nothing in this section may be construed to prevent the county from using any other lawful means to enforce this ordinance.

8.57 Penalties.

- (1) A person will, upon conviction for any violation of this ordinance, forfeit not less than \$100 nor more than \$1,000 for each offense, together with the costs of prosecution for each violation, and may be ordered to take such action as is necessary to abate the offense within a specified time.
- (2) The minimum and maximum forfeitures specified in this section are doubled each time that a person is convicted for the same violation of this ordinance within any 12 month period.
- (3) A person who has the ability to pay a forfeiture entered pursuant to this ordinance, but who fails or refuses to do so may be confined in the county jail until the forfeiture and costs are paid, but the period of confinement may not exceed 30 days. In determining whether a person has the ability to pay, all items of income and all assets may be considered regardless of whether the income and assets are subject to garnishment, lien, or attachment by creditors.
- (4) A person must, within 30 days of conviction, finding of default, or stipulation of a violation of this ordinance, remove or discontinue the use of any building, structure, or part of a building or structure that violates any provision of this ordinance or the terms or conditions of any permit issued pursuant to this ordinance. If a person fails to remove such a building, structure, or part of a building or structure, the county may remove or cause the removal of the building, structure, or part of the building or structure. The cost of removal will become a lien upon the property and may be collected in the same manner as property taxes.

- (5) The failure of a county employee, official, or officer to perform an official duty imposed by a section this code will not subject the employee, official, or officer to a penalty unless the section imposing the duty also specifies the penalty.

HISTORY

11/07/2011: Comprehensive revision of current General Zoning Ordinance enacted by Ord. No. 2011/2012-63 and published on November 23, 2011. The current code will continue in effect in each town that previously adopted county zoning for a period of one year or until the town adopts the comprehensive revision, whichever is earlier. If a town does not adopt the comprehensive revision by November 7, 2012, it will no longer be subject to the county's general zoning ordinance. Appendix A contains a table showing the effective date in each town that adopts the comprehensive revision.

11/22/2011: Appendix A revised (adopted by Rockland by Town Ord. No. 1114 on November 14, 2011).

11/28/2011: Appendix A revised (adopted by Liberty by Town Ord. No. 111411-2 on November 14, 2011).

12/12/2011: Appendix A revised (adopted by Cato by Town Ord. No. 2011-2 on December 5, 2011).

12/15/2011: Appendix A revised (adopted by Cooperstown by Town Ord. No. 2011-6 on December 13, 2011).

12/22/2011: Appendix A revised (adopted by Eaton by Town Ord. No. 2011-4 on December 14, 2011)

12/22/2011: Appendix A: revised (adopted by Gibson by Town Ord. No. 2011-4 on December 5, 2011).

12/22/2011: Appendix A: revised (adopted by Manitowoc Rapids Town Ord. No. 2011-12 on December 14, 2011).

01/09/2012: Appendix A revised (adopted by Maple Grove by Town Ord. No. 2011-7 on December 12, 2011).

01/09/2012: Appendix A revised (adopted by Mishicot by Town Ord. No. 12-001 on January 2, 2012).

01/11/2012: Appendix A revised (adopted by Two Rivers by Town Ord. No. 1201 on January 9, 2012).

01/13/2012: Appendix A revised (adopted by Manitowoc by Town Ord. No. 2012-1 on January 9, 2012).

01/23/2012: Appendix A revised (adopted by Kossuth by Town Ord. No. 2012-2 on January 2, 2012).

02/21/2012: Appendix A revised (adopted by Meeme by Town Ord. No. 2012-1 on February 20, 2012).

03/06/2012: Appendix A revised (adopted by Two Creeks by Town Ord. No. 12/14/2011 on December 14, 2011).

04/24/2012: Sec. 8.07 amended and sec. 8.32(3) created by Ord. no. 2012/2013-9 effective April 30, 2012.

09/18/2012: Secs. 8.07, 8.09(2)(b), 8.09(3), 8.09(4), 8.09(7)(b), 8.20(5), 8.22(1)(a), 8.22(1)(b), 8.24(4), 8.31(1), 8.32(2), 8.39(3)(g), 8.41(3), 8.41(4)(a) and (b), 8.42(4)(f), 8.42(5)(g), 8.44(8)(a), 8.44(8)(n), 8.44(9)(c), and 8.50(7) amended; secs. 8.10(3)(gm), 8.10(4)(t), 8.22(1)(c), and 8.41(4)(d) created; secs. 8.09(2)(e), 8.40(7)(c), and 8.41(3)(c) thru (f) (Setbacks and Other Minimums) deleted; and sec. 8.41(3), (3)(a), and (3)(b) (Setbacks and Other Minimums) renumbered as 8.41(4),(4)(a), and (4)(b) and sec. 8.41(3)(g) renumbered as sec. 8.41(4)(c) by Ord. No. 2012/2013-49 effective October 1, 2012.

10/24/2012: Appendix A revised (adopted by Schleswig by Town Ord. No. 2012-01 on October 11, 2012).

02/26/2013: Secs. 8.09(2)(em), 8.10(2)(em), 8.11(2)(e), 8.12(2)(e), 8.13(2)(e), 8.14(2)(dm), 8.18(2)(em), 8.15(2)(d), 8.16(2)(tm), 8.17(2)(pm), and 8.18(2)(em) created and secs. 8.09(4)(d), 8.10(4)(j), 8.11(4)(e), and 8.17(2)(o) amended by Ord. No. 2012/2013-87 effective March 9, 2013.

03/19/2013: Sec. 8.50(1m) created by Ord. No. 2012/2013-100 effective March 31, 2013.

05/21/2013: sec. 8.53(1) amended by Ord. No. 2013/2014-25 effective August 1, 2013.

11/19/2013: Secs. 8.11(2)(c) and (4)(a); 8.12(2)(b) and (4)(a); 8.13(2)(b) and (4)(b); 8.14(2)(b), (2)(c), and (4)(a); and 8.15(2)(b) and (4)(b) amended by Ord. No. 2013/2014-69 effective November 29, 2013.

07/15/2014: Secs. 8.07, 8.09(4)(d), 8.10(4)(j), 8.11(4)(e), 8.17(2)(o), 8.17(2)(s), and 8.39(5) amended; secs. 8.09(2)(et), 8.09(3)(am), 8.09(4)(fm), 8.10(2)(et), 8.10(2)(ew), 8.10(3)(am), 8.10(4)(om), 8.11(2)(f), 8.11(2)(g), 8.11(3)(a), 8.11(4)(em), 8.12(2)(f), 8.12(2)(g), 8.12(3)(a), 8.13(2)(f), 8.13(2)(g), 8.13(3)(a), 8.14(2)(em), 8.14(2)(et), 8.14(3)(a), 8.15(2)(e), 8.15(2)(f), 8.15(3)(a), 8.16(2)(vm), 8.16(2)(vt), 8.16(3)(a), 8.16(4)(fm), 8.17(2)(pt), 8.17(2)(pw), 8.17(3)(am), 8.18(2)(et), 8.18(2)(ew), 8.18(3)(a) created; sec. 8.16(4)(i) deleted; and secs. 8.11(3)(a), 8.12(3)(a), 8.13(3)(a), 8.14(3)(a), 8.15(3)(a), 8.16(3)(a), and 8.18(3)(a) renumbered as secs. 8.11(3)(am), 8.12(3)(am), 8.13(3)(am), 8.14(3)(am), 8.15(3)(am), 8.16(3)(am), and 8.18(3)(am) respectively by Ord. No. 2014/2015-29 effective July 26, 2014.

04/14/2015: Secs. 8.07, 8.09(2)(d), 8.09(4)(b), and 8.22 amended; secs. 8.09(2)(cm) and 8.09(3)(bm) created; and sec. 8.09(2)(g) deleted by Ord. No. 2015/2016-9 effective April 14, 2015.

09/27/2017: Typographical correction made to Sec. 8.42(4)(h).

05/21/2019: Secs. 8.07, 8.19, 8.20(1), 8.20(2), 8.20(3), 8.20(5), 8.44(3)(b) amended; sec. 8.20(3) created; sec. 8.20(3) as amended renumbered as 8.20(4); sec. 8.44(3)(e) renumbered as 8.44(3)(c); and sec. 8.20(4), 8.44(3)(c), 8.44(3)(d), and 8.44(3)(f) deleted by Ord. No. 2018/2019-3 effective May 26, 2019.

