

# A COMPREHENSIVE PLAN FOR THE RACINE URBAN PLANNING DISTRICT

volume three

MODEL PLAN IMPLEMENTATION  
ORDINANCES

**MORATORIUM AND LONG-RANGE PLANNING  
AGREEMENT SIGNATORIES**

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City of Racine Common Council  
Sturtevant Village Board  
Mt. Pleasant Town Board

**COOPERATING UNITS OF GOVERNMENT**

Elmwood Park Village Board  
North Bay Village Board  
Wind Point Village Board  
Caledonia Town Board  
Racine Unified School District No. 1

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The following individuals also participated actively in the work of the Committee as non-voting members:  
Gilbert Berthelsen, Racine County Administrator; Arnold L. Clement, Racine County Planning Director;  
Lester Hoganson, City Engineer, City of Racine; Karl B. Holzwarth, Racine County Park Director; Thomas  
N. Wright, Director of Planning, City of Racine; and Donald Zenz, Racine County Highway Engineer.

PLANNING REPORT

NUMBER 14

A COMPREHENSIVE PLAN FOR THE  
RACINE URBAN PLANNING DISTRICT

volume three

MODEL PLAN IMPLEMENTATION ORDINANCES

Southeastern Wisconsin Regional Planning Commission

Old Courthouse  
Waukesha, Wisconsin 53186

September 1972

Inside Region \$ 5.00

Outside Region \$ 10.00

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# SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

916 NO. EAST AVENUE

• WAUKESHA, WISCONSIN 53186 •

TELEPHONE (414) 547-6721

Serving the Counties of:

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September 1, 1972

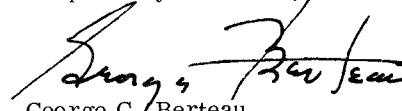
## STATEMENT OF THE CHAIRMAN

Land use control ordinances constitute one of the most important methods of implementing local development plans, and in particular the land use and transportation elements of such plans. If soundly prepared and applied, such ordinances can contribute immeasurably toward achieving the development objectives expressed in a plan. Accordingly, since its inception the Commission has provided to local units of government, on request, land use control ordinances, and has endeavored to assist in the application of sound land use control ordinances throughout the Southeastern Wisconsin Region.

This volume presents a series of recommended model land use control ordinances prepared for the local units of government in the Racine Urban Planning District, which District consists of all that area of Racine County located east of IH 94. As such, it represents the final step in the first phase of a planned two-phase comprehensive planning program. Previous volumes in this report have presented the inventory findings, the forecasts of future growth and development, and the recommended development plan for the District. The model ordinances included in this volume are a zoning ordinance, a land subdivision ordinance, a sanitary ordinance, and an official map ordinance. Each of these model ordinances has been based upon previous model ordinances prepared by the Regional Planning Commission, and has been updated to reflect changes and suggestions made over the years in the utilization of such ordinances throughout the Region.

The Commission stands ready to provide such assistance as may be requested of it to assist in implementation of the comprehensive plan for the Racine Urban Planning District.

Respectfully submitted,



George C. Berteau  
Chairman

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## PREFACE

The Racine Urban Planning District Comprehensive Planning Program Prospectus, published in November 1968, set forth a comprehensive planning program for the Racine Urban Planning District, consisting of all that area in Racine County east of IH 94, which program included the conduct of extensive inventories and analyses, the preparation of forecasts for future growth and development in the District, the preparation of a comprehensive development plan, and the preparation of model plan implementation ordinances. The first volume in this report, SEWRPC Planning Report No. 14, A Comprehensive Plan for the Racine Urban Planning District, Volume One, Inventory Findings and Forecasts, set forth the findings of the inventories and analyses conducted under the program, as well as the forecasts prepared for the District. The second volume in this report, SEWRPC Planning Report No. 14, A Comprehensive Plan for the Racine Urban Planning District, Volume Two, Recommended Comprehensive Plan, documented the recommended plan for the District, including a land use element, a housing element, a transportation facilities element, a utility facilities element, and a community facilities element. This volume contains the recommended model plan implementation ordinances, including a zoning ordinance, a land subdivision ordinance, a sanitary ordinance, and an official map ordinance.

The series of model ordinances which follow in this volume are intended to be used as a guide by the local units of government in the Racine Urban Planning District in the formulation of sound local land use control ordinances which, if properly applied, can effectively assist in implementing the land use, housing, and transportation plan elements of the comprehensive District plan. Competent legal, planning, and engineering assistance should be sought in conjunction with the use of these model ordinances by local communities in developing local ordinances.

Throughout the following model ordinances, certain words, terms, phrases, and paragraphs appear in italics. The italicized language is intended to constitute alternate words, terms, phrases, or paragraphs depending upon whether an ordinance is being prepared for a county, city, village, or town unit of government. In most cases, such alternate words, terms, phrases, and paragraphs have been included to meet the differing requirements pertaining to county, city, village, and town plan implementation powers set forth in the Wisconsin Statutes. In a few cases, words, terms, phrases, and paragraphs appearing in italics are provided as examples only and may be changed to best meet the needs and desires of individual communities.

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ZONING ORDINANCE  
MODEL FOR RACINE URBAN PLANNING DISTRICT



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## INTRODUCTION

### SECTION 1.0

#### County Ordinance

- 1.1 AUTHORITY  
This Ordinance is adopted under the authority granted by Sections 59.97, 59.971, 59.99, 87.30(2) and 144.26 of the Wisconsin Statutes and amendments thereto. The County Board of Supervisors of the County of Racine, Wisconsin, do ordain as follows:

#### City Ordinance

- 1.1 AUTHORITY  
This Ordinance is adopted under the authority granted by Sections 62.23(7), 87.30(2) and 144.26 of the Wisconsin Statutes and amendments thereto. The Common Council of the City of \_\_\_\_\_, Racine County, Wisconsin, does ordain as follows:

#### Village Ordinance

- 1.1 AUTHORITY  
This Ordinance is adopted under the authority granted by Sections 61.35, 62.23(7), 87.30(2) and 144.26 of the Wisconsin Statutes and amendments thereto. The Village Board of the Village of \_\_\_\_\_, Racine County, Wisconsin, does ordain as follows:

#### Town Ordinance

- 1.1 AUTHORITY  
This Ordinance is adopted under the authority granted by Sections 60.18(12), 61.35, 62.23(7) and 144.26 of the Wisconsin Statutes and amendments thereto. The Town Board of the Town of \_\_\_\_\_, Racine County, Wisconsin, does ordain as follows:
- 1.2 TITLE  
This Ordinance shall be known as, referred to, and cited as the "ZONING ORDINANCE, (Racine County) (City of \_\_\_\_\_) (Village of \_\_\_\_\_) (Town of \_\_\_\_\_), WISCONSIN" and is hereinafter referred to as the "Ordinance."
- 1.3 PURPOSE  
The purpose of this Ordinance is to promote the comfort, health, safety, morals, prosperity, aesthetics, and general welfare of (Racine County and its Communities) (the City of \_\_\_\_\_), (the Village of \_\_\_\_\_) (the Town of \_\_\_\_\_).
- 1.4 INTENT  
It is the general intent of this Ordinance to regulate and restrict the use of all structures, lands and waters; and to:  
    Regulate Lot Coverage and the size and location of all structures so as to prevent overcrowding and to provide adequate sunlight, air, sanitation, and drainage;  
    Regulate Population Density and Distribution so as to avoid sprawl or undue concentration and to facilitate the provision of adequate public services and utilities;  
    Provide Suitable Locations for residential housing for all persons without regard to race, color, religion, national origin, sex, or economic status;  
    Regulate Parking, Loading and Access so as to lessen congestion in and promote the safety and efficiency of streets and highways;  
    Secure Safety from fire, flooding, pollution, contamination and other dangers;  
    Stabilize and Protect existing and potential property values;  
    Preserve and Protect the beauty of (Racine County) (the City of \_\_\_\_\_) (the Village of \_\_\_\_\_) (the Town of \_\_\_\_\_).  
    Prevent and Control Erosion, sedimentation, and other pollution of the surface and sub-surface waters;  
    Further the Maintenance of safe and healthful water conditions;  
    Prevent Flood Damage to persons and property and minimize expenditures for flood relief and flood control projects;  
    Provide for and Protect a variety of suitable commercial and industrial sites;  
    Protect the traffic-carrying capacity of existing and proposed arterial streets and highways;  
    Implement those municipal, county, watershed, and regional comprehensive plans or components of such plans adopted by (Racine County) (the City of \_\_\_\_\_) (the Village of \_\_\_\_\_) (the Town of \_\_\_\_\_).  
    Provide for the administration and enforcement of this Ordinance; and to provide penalties for the violation of this Ordinance.
- 1.5 ABOGATION AND GREATER RESTRICTIONS  
It is not intended by this Ordinance to repeal, abrogate, annul, impair, or interfere with any existing easements, covenants, deed restrictions, agreements, ordinances, rules

regulations, or permits previously adopted or issued pursuant to law. However, wherever this Ordinance imposes greater restrictions, the provisions of this Ordinance shall govern.

1.6 INTERPRETATION

In their interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements and shall be liberally construed in favor of the (County) (City) (Village) (Town) and shall not be construed to be a limitation or repeal of any other power now possessed by the (County) (City) (Village) (Town).

1.7 SEVERABILITY AND NON-LIABILITY

If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

If Any Application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment.

The (County) (City) (Village) (Town) Does Not Guarantee, warrant or represent that only those areas designated as floodlands will be subject to periodic inundation or that those soils listed as being unsuited for specific uses are the only unsuitable soils, and hereby asserts that there is no liability on the part of the (County Board of Supervisors) (Common Council) (Village Board) (Town Board), its agencies, or employees for any flood damages, sanitation problems, or structural damages that may occur as a result of reliance upon, and conformance with, this Ordinance.

1.8 REPEAL

All other ordinances or parts of ordinances of the (County) (City) (Village) (Town) inconsistent or conflicting with this Ordinance, to the extent of the inconsistency only, are hereby repealed.

1.9 EFFECTIVE DATE

This Ordinance shall be effective after a public hearing, recommendation by the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission), adoption by the (County Board of Supervisors) (Common Council) (Village Board) (Town Board) and publication or posting as provided by law.



## GENERAL PROVISIONS

### SECTION 2.0

#### 2.1 JURISDICTION

The jurisdiction of this Ordinance shall apply to all structures, lands, water, and air within *(the unincorporated area of Racine County)* *(the corporate area of the City of \_\_\_\_\_)* *(the corporate area of the Village of \_\_\_\_\_)* *(the unincorporated area of the Town of \_\_\_\_\_)*.

#### 2.2 COMPLIANCE

No structure, land, water, or air shall hereafter be used and no structure or part thereof shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted, or structurally altered without a zoning permit except minor structures and without full compliance with the provisions of this Ordinance and all other applicable local, county, and state regulations.

#### 2.3 USE REGULATIONS

Only the following uses and their essential services may be allowed in any district.

Principal Uses specified for a district.

Accessory Uses and structures are permitted in any district but not until their principal structure is present or under construction.

Conditional Uses and their accessory uses are considered as special uses requiring review, and public hearing except for those uses specified in Section 2.7 and approval by the *(County Board of Supervisors)* *(Common Council)* *(Village Board)* *(Town Board)* in accordance with Section 4.0. When a use is classified as a Conditional Use at the date of adoption of this Ordinance, it shall be considered a legal use without further action of the *(County Board of Supervisors)* *(Common Council)* *(Village Board)* *(Town Board)*. Changes to or substitution of Conditional Uses shall be subject to review and approval by the *(County Board of Supervisors)* *(Common Council)* *(Village Board)* *(Town Board)* in accordance with the provisions of Section 4.0.

Uses Not Specified in this Ordinance and which are found to be similar in character to principal uses permitted in the district may be permitted by the *(County Board of Adjustment)* *(City Board of Appeals)* *(Village Board of Appeals)* *(Town Board of Appeals)* after the *(County Planning Committee)* *(City Plan Commission)* *(Village Plan Commission)* *(Town Plan Commission)* has made a review and recommendation.

Uses Not Specified in this Ordinance and which are found by the *(County Board of Adjustment)* *(City Board of Appeals)* *(Village Board of Appeals)* *(Town Board of Appeals)* to be similar in character to Conditional Uses permitted in the district may be permitted by the *(County Board of Supervisors)* *(Common Council)* *(Village Board)* *(Town Board)* after review, public hearing and approval in accordance with Section 4.0 of this Ordinance.

Temporary Uses, such as real estate sales field offices or shelters for materials and equipment being used in the construction of a permanent structure, may be permitted by the *(County Board of Adjustment)* *(City Board of Appeals)* *(Village Board of Appeals)* *(Town Board of Appeals)*.

Performance Standards listed in Section 9.0 shall be complied with by all uses in all districts.

#### 2.4 SITE REGULATIONS

All lots shall abut upon a public street or other officially approved means of access for a frontage of at least forty (40) feet and all principal structures shall be located on a lot and only one principal structure shall be located, erected, or moved onto a lot in the Single and Two Family Residence Districts.

Width and Area of all lots not served by a public sanitary sewer service or other approved system shall be sufficient to permit the use of an on-site soil absorption sewage disposal system designed in accordance with the County Sanitary Ordinance. The width and area of all lots which have soils suitable for the use of an on-site absorption sewage disposal system shall not be less than one hundred fifty (150) feet in width and forty thousand (40,000) square feet in area.

No Zoning Permit shall be issued for a lot which abuts a public street dedicated to only a portion of its proposed width and located on that side thereof from which the required dedication has not been secured.

Lots Abutting More Restrictive district boundaries shall provide yards equal to or greater than those required in the more restrictive abutting district.

All Land or Lot Divisions shall be made in accordance with the provisions of this Ordinance.

2.5 SANITARY REGULATIONS

No person, firm, or corporation who has been granted a zoning permit under this Ordinance shall occupy, use, or cause to be used any land or building covered by said permit until the Zoning Administrator issues a written occupancy and use permit.

County  
Ordinance

Said occupancy and use permit shall not be issued by the Zoning Administrator until a safe and adequate water supply and sewage disposal system is assured in accordance with the provisions of the Racine County Sanitary Ordinance.

City  
Ordinance

Said occupancy and use permit shall not be issued by the Zoning Administrator until connection has been made to the City sewage disposal system.

Village  
Ordinance

Said occupancy and use permit shall not be issued by the Zoning Administrator until connection has been made to the Village sewage disposal system.

Town  
Ordinance

Said occupancy and use permit shall not be issued by the Zoning Administrator until a safe and adequate water supply disposal system is assured in accordance with the provisions of the Town Sanitary Ordinance.

County,  
City or  
Village  
Ordinance

2.6 FLOODLAND REGULATIONS

In addition to any other applicable use, site, or sanitary regulations, the following restrictions and regulations shall apply to floodlands:

Within the Floodplains. Dumping, filling, residential uses, basements, permanent public assembly structures, and the permanent sheltering and restricted confining of animals are prohibited.

Within the Floodways. In addition to the above prohibition, all structures are prohibited except navigational structures, public water measuring and control facilities, bridges and utilities.

Within the Channels. In addition to the above restrictions, the erection of all structures in the channel shall require a permit from the state agency having jurisdiction pursuant to Section 30.12(2) of the Wisconsin Statutes. All bulkheads, wharves, and piers shall comply with bulkhead or pierhead lines established by any municipality pursuant to Section 30.11 or 30.13 of the Wisconsin Statutes.

Dam Construction, operation, maintenance, and abandonment are uses requiring public hearing before the (County Board of Supervisors) (Common Council) (Village Board) (Town Board) in accordance with the provisions of Section 4.0 of this Ordinance. The (County Board of Supervisors) (Common Council) (Village Board) (Town Board) shall then advise the state agency having jurisdiction under Sections 31.05, 31.07, 31.13 and 31.185 of the Wisconsin Statutes of its findings, prior to the issuance of the required state permits.

All Other Structures and Improvements not prohibited above are conditional uses requiring review, public hearing and approval by the (County Board of Supervisors) (Common Council) (Village Board) (Town Board) in accordance with the provisions of Section 4.0 of this Ordinance.

Boundaries of all floodways and floodplains shall be determined through the use of flood profiles. The floodwater surface elevations shown on the one hundred- (100-) year recurrence interval flood profile and the ten- (10-) year recurrence interval flood profile shall determine the limits of the floodplain and floodway, respectively. All floodland uses permitted under this Ordinance shall, as specified in the Conditional Uses Section, use as a flood protection elevation a height corresponding to two (2) feet above the flood profile for the particular area. All flood profiles now existing or to be prepared for lakes, rivers, and streams within Racine County and approved by the State Department of Natural Resources are hereby attached to and made a part of the official zoning map created in the Zoning Districts section of this Ordinance.

Compliance with the provisions of this Ordinance shall not be grounds for the removal of lands from the floodland regulatory areas unless such lands are filled to a height of at least two (2) feet above the elevation of the one hundred- (100-) year recurrence interval flood and are contiguous to other lands lying outside the floodland regulatory areas. Such filling, however, shall only take place under a conditional use permit obtained in compliance with the Conditional Uses section of this Ordinance.

2.7 SHORELAND REGULATIONS

In addition to any other applicable use, site, or sanitary regulation, the following restrictions and regulations shall apply to:

All lands lying within 1,000 feet of the high-water elevation of Lake Michigan;  
and to

All lands lying within 300 feet of, or to the landward side of, the floodplain of all navigable streams whichever is greater.

Tree Cutting and Shrubbery Clearing, except customary trimming, dead tree removal, tree removal for the development of a structure on a legal lot, installation of an on-site soil absorption sewage disposal system and driveway access, managed timber harvesting and timber stand improvement under a Wisconsin Department of Natural Resources Forester's Plan, are conditional uses requiring review and approval by the County Planning Committee in accordance with Section 4.0. Tree cutting and shrubbery clearing shall be so regulated as to prevent erosion and sedimentation, preserve the scenic quality, and during foliation substantially screen any development or use from a stream or lake, lower than the existing tree height.

Earth Movements such as filling, road grading, topsoil removal, excavation, dredging, lagooning, construction, altering or enlargement of waterways, removal of stream or lake bed materials, channel clearing ditching, drain tile laying, and soil and water management structures are conditional uses requiring review and approval by the County Planning Committee in addition to the permit required from the State agency having jurisdiction under Sections 30.11, 30.12, 30.19 and 30.20 and shall be so regulated as to prevent erosion and sedimentation and to promote the preservation of desirable forms of fish and aquatic life. The County Planning Committee may request a review of such earth movement by the County Soil and Water Conservation District Supervisors and the Wisconsin Department of Natural Resources District Fish and Game Manager and await their recommendations before taking final action, but not to exceed sixty (60) days. Normal excavations for structural foundations, private driveways, and on-site sewage disposal systems are permitted without approval of the County Planning Committee when the Zoning Administrator determines that such excavation will not cause erosion or sedimentation.

Tillage, Grazing and Livestock Watering shall be permitted only when such use is conducted in accordance with the County's Conservation Standards. Spreading of manure or fertilizer on frozen ground, and establishment and use of feed lots, shall be prohibited when such practice would cause direct runoff of surface waters into a drainageway or watercourse.

Surface Water Withdrawal, Diversion or Discharge for irrigation, processing or cooling purposes is prohibited except upon issuance of a special permit by the State Department of Natural Resources under rules and regulations adopted pursuant to Section 144.25(2) of the Wisconsin Statutes.

No Waste Materials, such as garbage, rubbish, gasoline, fuel oil, flammables, soils, tars, chemicals, greases, industrial or agricultural waste, or any other material of such nature, quantity, obnoxiousness, toxicity or temperature so as to contaminate, pollute or harm the waters shall be so located, stored or discharge in a way that would be likely to run off, seep, or wash into surface or groundwaters.

## 2.8 STEEP LAND REGULATIONS

In addition to any other applicable use, site or sanitary regulations, the following restrictions and regulations shall apply to all lands having slopes of twelve (12) percent or greater as shown on the operational soil survey maps prepared by the USDA Soil Conservation Service in cooperation with the Southeastern Wisconsin Regional Planning Commission and which are on file with the Zoning Administrator.

All Construction of Public and Private Roads shall be of sound engineering design with footings and roadbeds designed by a registered professional engineer and shall be so treated so as to prevent erosion.

Tillage and Grazing is permitted only if conducted in accordance with the County's Conservation Standards. Spreading of manure or fertilizer on frozen ground, and establishment of feed lots, shall be prohibited when such practice would cause direct runoff of pollutants into a drainageway or watercourse.

Tree Cutting and Shrubbery Clearing for the purpose of changing land use from wildlife or woodlot management conditional uses requiring review, and approval by the County Planning Committee in accordance with Section 4.0 and shall be so regulated so as to completely prevent erosion and sedimentation and promote preservation of its scenic qualities. The County Planning Committee may request the review of the Wisconsin Department of Natural Resources District Forester, DNR Fish and Game Manager of the County Soil and Water Conservation District Supervisors and await their recommendations before final action is taken, but not to exceed sixty (60) days.

## 2.9 ERODABLE LAND REGULATIONS

In addition to the applicable use, site or sanitary regulations, the following restrictions and regulations shall apply to the following lands as shown on the operational soil survey maps prepared by the USDA Soil Conservation Service for the Southeastern Wisconsin Regional Planning Commission and which are on file with the Zoning Administrator.

Land Subject to Wind Erosion such as the following organic and sandy soils shall have all tillage prohibited except as conducted in accordance with the County's Conservation Standards.

133	288	450	453	456	459
134	316	451	454	457	460
280	410	452	455	458	461

Lands Having an Erosion Factor of Three (3) shall have all tillage and grazing prohibited except as conducted in accordance with the County's Conservation Standards.

2.10 REDUCTION OR JOINT USE

No lot, yard, parking area, building area, or other space shall be reduced in area or dimensions so as not to meet the provisions of this Ordinance. No part of any lot, yard, parking area, or other space required for a structure or use shall be used for any other structure or use.

2.11 VIOLATIONS

It shall be unlawful to use or improve any structure or land, or to use water or air in violation of any of the provisions of this Ordinance. In case of any violation, the (County Board of Supervisors) (Common Council) (Village Board) (Town Board) the Zoning Administrator, the (County Planning Committee), (City Plan Commission), (Village Plan Commission) (Town Plan Commission) or any property owner who would be specifically damaged by such violation may institute appropriate action or proceeding to enjoin a violation of this Ordinance or cause a structure to be vacated or removed.

Every Structure, Fill or Development placed or maintained within any floodland area in violation of this Ordinance is a public nuisance and the creation thereof may be enjoined and maintenance thereof may be abated by action at suit of the State, the (County) (City) (Village) (Town) or any citizen thereof.

2.12 PENALTIES

Any person, firm, or corporation who fails to comply with the provisions of this Ordinance or any order of the Zoning Administrator issued with this Ordinance or resists enforcement shall, upon conviction thereof, forfeit not less than Ten Dollars (\$10) or more than Two Hundred Dollars (\$200) and costs of prosecution for each violation and in default of payment of such forfeiture and costs shall be imprisoned in the County Jail until payment thereof, but not exceeding thirty (30) days. Each day a violation exists or continues shall constitute a separate offense.

## ZONING DISTRICTS

### SECTION 3.0

#### 3.1 ESTABLISHMENT

For the purpose of this Ordinance, Racine County, (the City of \_\_\_\_\_) (the Town of \_\_\_\_\_), is hereby divided into the following Zoning Districts:

- R-1 Existing Single-Family Residence District
- R-2 Shoreland Single-Family Residence District
- R-3 Density Controlled Single-Family Residence District
- R-4 Single-Family Residence District
- R-5 Single-Family Residence District
- R-6 Two-Family Residence District
- R-7 Multiple-Family Residence District
- R-8 Multiple-Family Residence District
- R-9 Mobile Home Park Residence District
- PUD Planned Unit Development District
- RD-1 Planned Residential District
- B-1 Limited Retail Business and Services District
- B-2 General Retail Business and Services District
- B-3 Central Community Retail Business and Services District
- B-4 General Business and Warehousing District
- B-5 Commercial-Recreation Business District
- B-6 Highway Business and Services District
- M-1 Light Manufacturing District
- M-2 Heavy Manufacturing District
- M-3 Agriculture Related Manufacturing District
- M-4 Extractive District
- L-1 Sanitary Land Fill District
- I-1 Institutional District
- C-1 Lowland Resource Conservation District
- C-2 Upland Resource Conservation District
- C-3 Resource Restoration District
- F-1 Floodland District
- P-1 Park District
- TUL Transportation or Utility Lands District
- AG-1 Exclusive Agriculture District
- AG-2 Agricultural Holding District

The Boundaries of the Aforesaid Districts are hereby established as shown on the map entitled "District Map for (Racine County) (the City of \_\_\_\_\_, Racine County) (the Village of \_\_\_\_\_, Racine County) (the Town of \_\_\_\_\_, Racine County) Wisconsin," dated \_\_\_\_\_, 1972, which map accompanies this Ordinance and is made part of this Ordinance. All notations and references shown on the district map are as much a part of this Ordinance as though specifically described herein.

The District Boundaries are either streets, alleys, lot lines, streams, or floodland boundaries for the F-1 Floodland District, unless otherwise shown, and where the designation on the district map indicates that the various districts are approximately bounded by a street, alley, lot line, stream, or floodland boundary, such lot line or the centerline of such street or alley, or centerline of the main channel of such stream or floodland boundaries as determined through the use of flood profiles and accompanying hydrologic and hydraulic engineering data prepared by the Southeastern Wisconsin Regional Planning Commission under the \_\_\_\_\_ River watershed study, shall be construed to be the district boundary line.

In Unsubdivided Property, the location of the district boundary lines shown on the district map shall be determined by use of the scale on said map or in the case of floodland boundaries shall be determined through the use of flood profiles and accompanying hydrologic and hydraulic engineering data prepared by the Southeastern Wisconsin Regional Planning Commission under the \_\_\_\_\_ River watershed study.

Vacation of public streets and alleys shall cause the land vacated to be automatically placed in the same district as the abutting side to which the vacated land reverts.

City or  
Village  
Ordinance

Annexations to or consolidations with the (City) (Village) subsequent to the effective date of this Ordinance shall be placed in the AG-1, Exclusive Agriculture District, unless the annexation ordinance temporarily places the land in another district. Within one (1) year, the (City) (Village) Plan Commission shall evaluate and recommend a permanent district classification to the (Common Council) (Village Board).

3.2 ZONING MAP

A certified copy of the Zoning Map shall be adopted and approved with the text as part of this Ordinance and shall bear upon its face the attestation of the (County Board Chairman) (Mayor) (Village President) (Town Chairman) and (County Clerk) (City Clerk) (Town Clerk) and shall be available to the public in the office of the (County Clerk) (City Clerk) (Village Clerk) (Town Clerk).

Changes thereafter to the districts shall not be effective until entered and attested on this certified copy.

### 3.3 RESIDENTIAL DISTRICTS

#### R-1 Existing Single-Family Residence District

<u>Permitted Uses</u>	<u>Permitted Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
Existing single-family dwellings or lots.	All <b>single-family</b> structures or lots existing at the time of adoption of this Ordinance shall be deemed to be in conformance with this Ordinance.	1111

<u>Conditional Uses</u>	<u>Conditional Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
New single-family detached dwellings or lots.	When a new single-family detached structure or lot is proposed, the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission) shall establish the lot, building and yard requirements in keeping with adjacent existing development.	1111
Funeral Homes		6241

Any conditional use in the R-1 District.

#### Area, Height and Yards

If any single-family dwelling existing at the time of adoption of this Ordinance is proposed to be structurally altered, rebuilt, enlarged, expanded or remodeled, the following regulations shall then apply:

<u>Lot</u>	Area	Minimum	7,200 square feet.
	Width	Minimum	60 feet.

<u>Building</u>	Area	Minimum	900 square feet.
	Height	Maximum	35 feet.

<u>Yards</u>	Shore	Minimum	75 feet.
	Side	Minimum	One side 8 feet. Other side 7 feet.
	Setback	Minimum	

#### Class of Highway

A	100 feet from the centerline or 25 feet from the right-of-way line whichever is greater.
B	90 feet from the centerline or 25 feet from the right-of-way line whichever is greater.
C	80 feet from the centerline or 25 feet from the right-of-way line whichever is greater.



Class of Highway (Continued)

	D	75 feet from the centerline or 25 feet from the right-of-way line whichever is greater.
	E	65 feet from the centerline or 25 feet from the right-of-way line whichever is greater.
	F	58 feet from the centerline or 25 feet from the right-of-way line whichever is greater.
	G	55 feet from the centerline or 25 feet from the right-of-way line whichever is greater.
	H	25 feet from the right-of-way line.
	I	25 feet from the right-of-way line.
	J	25 feet from the right-of-way line.
Rear	Minimum	25 feet.

## R-2 Shoreland Single-Family Residence District

This district is intended to provide for single-family residential building sites of varying sizes to accommodate a broad range of housing designs and types in shoreland areas of the (County) (City) (Village) (Town) and which are served by public sewerage. This district will serve to fulfill the general purpose and intent of this zoning ordinance by providing the opportunity to create aesthetically pleasing and functionally sound residential subdivisions in the shoreland areas of the (County) (City) (Village) (Town).

<u>Permitted Uses</u>	<u>Permitted Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
Single-family detached dwelling	The area and width of single-family building sites shall be subject to approval by the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission) in accordance with lot design standards hereinafter set forth and shall be further subject to the lot design standards set forth in the (County) (City) (Village) (Town) Land Division (Subdivision Ordinance). All building sites shall be served by public sanitary sewerage.	1111

<u>Conditional Uses</u>	<u>Conditional Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
Churches, synagogues and temples		6911
College dormitories		1232
Convents		1253
Elementary schools		6812
Fraternity and sorority houses		1221
Nursery schools		6811
Nurses' homes		1231
Rectories		1253
Residential cluster developments for single-family detached dwelling units.	See Section 4.0 of the Zoning Ordinance.	
Rooming and boarding houses		1210
Secondary schools		

## Lot Design Standards--Non-Cluster Development

Development Density Factor: A development density factor of 2.2 lots per gross developable acre is hereby established for this district which, when multiplied by the gross developable area of a site, shall determine the exact whole number of lots which can be platted on the development site.

Gross Developable Area: Gross developable area includes all those lands within residential lots and those lands either dedicated for public streets or utilized as private streets which provide access to individual residential lots and outlots.

A maximum width of 30 feet of arterial street right-of-way which provides access to individual lots shall be included in the gross developable area. Arterial streets which do not provide access to abutting lots and open drainageways shall not be included in the gross developable area.

Average Lot Area: A density factor of 2.2 lots per gross developable acre will result in the creation of building sites whose average lot area will be approximately 15,000 square feet. This average lot area is for informational purposes only and is not a part of the zoning district regulations.

Area, Height and Yards

<u>Lot-Shoreline</u>	Area	Minimum	15,000 square feet.
		Maximum	25,000 square feet.
	Width	Minimum	100 feet.
		Maximum	200 feet.
-Non-Shoreline Interior	Area	Minimum	10,000 square feet.
		Maximum	25,000 square feet.
	Width	Minimum	75 feet.
		Maximum	150 feet.
-Non-Shoreline Corner	Area	Minimum	12,000 square feet.
		Maximum	25,000 square feet.
	Width	Minimum	90 feet.
		Maximum	180 feet.
<u>Building</u>	Height	Maximum	35 feet.
	Area	Minimum	800 square feet.
<u>Yards</u>	Shore	Minimum	75 feet.
	Side	Minimum	10 feet.
	Setback	Minimum	

Class of Highway

A	110 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
B	100 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
C	90 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
D	85 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
E	75 feet from the centerline or 35 feet from the right-of-way line whichever is greater.

Class of Highway (Continued)

	F	68 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
	G	65 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
	H	25 feet from the right-of-way line.
	I	25 feet from the right-of-way line.
	J	25 feet from the right-of-way line.
Rear	Minimum	25 feet.

Lot Design Standards--Cluster Development

Development Density Factor: A development density factor of 2.2 lots per gross developable acre is hereby established for this district which, when multiplied by the gross developable area of a site, shall determine the exact whole number of lots which can be platted on the development site.

Gross Developable Area: Gross developable area includes all those lands within residential lots, those lands either dedicated for public street or utilized as private streets which provide access to individual residential lots and outlots, and those lands to be used as common open space by the residents of the development. A maximum width of 30 feet of arterial street right-of-way which provides access to individual lots shall be included in the gross developable area. Arterial streets which do not provide access to abutting lots and open drainageways shall not be included in the gross developable area.

Area, Height and Yards

<u>Lot-Shoreline</u>	Area	Minimum	15,000 square feet.
	Width	Minimum	100 feet.
<u>Non-Shoreline</u>	Area	Minimum	10,000 square feet.
	Width	Minimum	75 feet.
<u>Building</u>	Height	Maximum	35 feet.
	Area	Minimum	800 square feet.
<u>Yards</u>	Shore	Minimum	75 feet.
	Side	Minimum	
	Setback	Minimum	

Class of Highway

A	110 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
B	100 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
C	90 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
D	85 feet from the centerline or 35 feet from the right-of-way line whichever is greater.

Class of Highway (Continued)

	E	75 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
	F	68 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
	G	65 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
	H	25 feet from the right-of-way line.
	I	25 feet from the right-of-way line.
	J	25 feet from the right-of-way line.
Rear	Minimum	25 feet.

### R-3 Density Controlled Single-Family Residence District

This district is intended to provide for single-family residential building sites of varying sizes to accommodate a broad range of housing designs and types in the non-shoreland areas of the (County) (City) (Village) (Town) which are served by public sewerage. This district will serve to fulfill the general purpose and intent of this zoning ordinance by providing the opportunity to create aesthetically pleasing and functionally sound residential neighborhoods.

<u>Permitted Uses</u>	<u>Permitted Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
Single-family detached dwelling.	The area and width of single-family building sites shall be subject to approval by the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission) in accordance with lot design standards hereinafter set forth and shall be further subject to the lot design standards set forth in the (County) (City) (Village) (Town) Land Division (Subdivision Ordinance). All building sites shall be served by public sanitary sewerage.	1111
<u>Conditional Uses</u>	<u>Conditional Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
Any conditional use in the R-2 District.	All corresponding restrictions to the conditional uses in the R-2 District.	All corresponding off-street parking requirements for conditional uses in the R-2 District.

### Lot Design Standards--Non-Cluster Development

**Development Density Factor:** A development density factor of 2.7 lots per gross developable acre is hereby established for this district which, when multiplied by the gross developable area of a site, shall determine the exact whole number of lots which can be platted on the development site.

**Gross Developable Area:** Gross developable area includes all those lands within residential lots and those lands either dedicated for public streets or utilized as private streets which provide access to individual residential lots and outlots. A maximum width of 30 feet of arterial street right-of-way which provides access to individual lots shall be included in the gross developable area. Arterial streets which do not provide access to abutting lots and open drainageways shall not be included in the gross developable area.

**Average Lot Area:** A density factor of 2.7 lots per gross developable acre will result in the creation of building sites whose average lot area will be approximately 13,000 square feet. This average lot area is for informational purposes only and is not a part of the zoning district regulations.

### Area, Height and Yards

<u>Lot -</u>			
Interior	Area	Minimum	10,000 square feet.
		Maximum	25,000 square feet.
	Width	Minimum	75 feet.
		Maximum	150 feet.

Area, Height and Yards (Continued)

- Corner	Area	Minimum	12,000 square feet.
		Maximum	25,000 square feet.
	Width	Minimum	90 feet.
		Maximum	180 feet.
<u>Building</u>	Height	Maximum	35 feet.
	Area	Minimum	800 square feet.
<u>Yards</u>	Shore	Minimum	75 feet.
	Side	Minimum	10 feet.
	Setback	Minimum	

Class of Highway

A	110 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
B	100 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
C	90 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
D	85 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
E	75 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
F	68 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
G	65 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
H	25 feet from the right-of-way line.
I	25 feet from the right-of-way line.
J	25 feet from the right-of-way line.

Rear	Minimum	25 feet.
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Lot Design Standards--Cluster Development

Development Density Factor: A development density factor of 2.7 lots per gross developable acre is hereby established for this district which when multiplied by the gross developable area of a site shall determine the exact whole number of lots which can be platted on the development site.

Gross Developable Area: Gross developable area includes all those lands within residential lots, those lands either dedicated for public street or utilized as private



streets which provide access to individual residential lots and outlots, and those lands to be used as common open space by the residents of the development. A maximum width of 30 feet of arterial street right-of-way which provides access to individual lots shall be included in the gross developable area. Arterial streets which do not provide access to abutting lots and open drainageways shall not be included in the gross developable area.

Area, Height and Yards

<u>Lot</u>	Area	Minimum	10,000 square feet.
	Width	Minimum	75 feet.
<u>Building</u>	Height	Maximum	35 feet.
	Area	Minimum	800 square feet.
<u>Yards</u>	Shore	Minimum	75 feet.
	Side	Minimum	10 feet.
	Setback	Minimum	

Class of Highway

A	110 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
B	100 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
C	90 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
D	85 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
E	75 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
F	68 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
G	65 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
H	25 feet from the right-of-way line.
I	25 feet from the right-of-way line.
J	25 feet from the right-of-way line.
Rear	Minimum 25 feet.

# R-4 Single-Family Residence District

<u>Permitted Uses</u>	<u>Permitted Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
Single-family dwellings		1111

<u>Conditional Uses</u>	<u>Conditional Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
Any conditional use in the R-2 District.	All corresponding restrictions to the conditional uses in the R-2 District.	

## Area, Height and Yards

<u>Lot</u>	Width	Minimum	50 feet.
	Area	Minimum	6,000 square feet.
<u>Building</u>	Height	Maximum	35 feet.
	Area	Minimum	800 square feet.
<u>Yards</u>	Shore	Minimum	75 feet.
	Side	Minimum	
	Setback	Minimum	

## Class of Highway

A	110 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
B	100 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
C	90 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
D	85 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
E	75 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
F	68 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
G	65 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
H	25 feet from the right-of-way line.
I	25 feet from the right-of-way line.
J	25 feet from the right-of-way line.
Rear	Minimum 25 feet.

# R-5 Single-Family Residence District

<u>Permitted Uses</u>	<u>Permitted Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
Single-family dwellings		1111

<u>Conditional Uses</u>	<u>Conditional Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
Any conditional use in the R-2 District.	All corresponding restrictions to the conditional uses in the R-2 District.	

## Area, Height and Yards

<u>Lot</u>	Width	Minimum	100 feet.
	Area	Minimum	20,000 square feet.
<u>Building</u>	Height	Maximum	35 feet.
	Area	Minimum	800 square feet.
<u>Yards</u>	Shore	Minimum	75 feet.
	Side	Minimum	10 feet.
	Setback	Minimum	

## Class of Highway

A	110 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
B	100 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
C	90 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
D	85 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
E	75 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
F	68 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
G	65 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
H	35 feet from the right-of-way line.
I	35 feet from the right-of-way line.
J	35 feet from the right-of-way line.
Rear	Minimum 35 feet.

## R-6 Two-Family Residence Districts

<u>Permitted Uses</u>	<u>Permitted Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
Single-family dwellings	Only when located on building sites served by public sewer.	1111
Two-family dwellings	Only when located on building sites served by public sewer.	1114
<u>Conditional Uses</u>	<u>Conditional Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
Any conditional use in the R-2 District.	All corresponding restrictions to the conditional uses in the R-2 District.	
<u>Area, Height and Yards</u>		
<u>Lot</u>	Width	Minimum
		Single-family 75 feet.
		Two-family 80 feet.
	Area	Minimum
		Single-family 10,000 square feet.
<u>Building</u>	Height	Maximum
		35 feet.
	Area	Minimum
		Single-family 800 square feet.
		Two-family 1,800 square feet.
<u>Yards</u>	Shore	Minimum
		75 feet.
	Side	Minimum
	<u>Type of Dwelling</u>	
	Single-family detached	10 feet.
	Two-family	one side 10 feet.
		Other side 12 feet.
	Setback	Minimum
	<u>Class of Highway</u>	
	A	110 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
	B	100 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
	C	90 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
	D	85 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
	E	75 feet from the centerline or 35 feet from the right-of-way line whichever is greater.

Class of Highway (Continued)

	F	68 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
	G	65 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
	H	25 feet from the right-of-way line.
	I	25 feet from the right-of-way line.
	J	25 feet from the right-of-way line.
Rear	Minimum	25 feet.

R-7 Multiple-Family Residence District

<u>Permitted Uses</u>	<u>Permitted Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
Two-family dwellings	Only when located on building sites served by public sewer.	1114
Multiple-family dwellings	Only when located on building sites served by public sewer.	1115
<u>Conditional Uses</u>	<u>Conditional Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
Any conditional use in the R-2 District.	All corresponding restrictions to the conditional uses in the R-2 District.	
Single-family dwellings		1111
Garages, when accessory to a multiple-family building on the same lot.	The number of parking spaces within such garage shall not be greater than the number of apartments in the main buildings.	
<u>Area, Height and Yards</u>		
<u>Lot</u>	Width	Minimum
		Two-family structures 80 feet.
		Multiple-family structures 100 feet.
	Area	Minimum
		Two-family structures 12,000 square feet.
		Multiple-family structures for each:
		One bedroom or efficiency unit - 2,000 square feet.
		Two bedroom unit - 3,000 square feet.
		Three or more bedroom unit - 3,000 square feet.
<u>Building</u>	Height	Maximum
		35 feet.
	Area	Minimum
		Two-family structures 1,800 square feet.
		Multiple-family structures for each:
		One bedroom unit - 500 square feet.
		Two bedroom unit - 600 square feet
		Three bedroom unit - 800 square feet.
<u>Yards</u>	Shore	Minimum
		125 feet.
	Side	Minimum

Type of Dwelling

Two-family 10 feet.

Multiple-family for  
buildings with:

1- 4 15 feet.

5- 8 20 feet.

9-12 25 feet.

Setback

Minimum

Class of Highway

A 110 feet from the centerline or 35  
feet from the right-of-way line  
whichever is greater.

B 100 feet from the centerline or 35  
feet from the right-of-way line  
whichever is greater.

C 90 feet from the centerline or 35  
feet from the right-of-way line  
whichever is greater.

D 85 feet from the centerline or 35  
feet from the right-of-way line  
whichever is greater.

E 75 feet from the centerline or 35  
feet from the right-of-way line  
whichever is greater.

F 68 feet from the centerline or 35  
feet from the right-of-way line  
whichever is greater.

G 65 feet from the centerline or 35  
feet from the right-of-way line  
whichever is greater.

H 35 feet from the right-of-way line.

I 35 feet from the right-of-way line.

J 35 feet from the right-of-way line.

Rear

Minimum

Two-family structures, 25 feet.

Multiple family structures 25 feet or  
20 percent of the lot depth  
whichever is greater.

# R-8 Multiple-Family Residence District

<u>Permitted Uses</u>	<u>Permitted Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
Two-family dwellings	Only when located on building sites served by public sewer.	1114
Multiple-family dwellings	Only when located on building sites served by public sewer.	1115

<u>Conditional Uses</u>	<u>Conditional Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
Any conditional use in the R-2 District.	All corresponding restrictions to the conditional uses in the R-2 District.	
Single-family dwellings		1111
Garages, when accessory to a multiple-family building on the same lot.	The number of parking spaces within such garage shall not be greater than the number of apartments in the main buildings.	

## Area, Height and Yards

<u>Lot</u>	Width	Minimum	Two-family structures 80 feet.
			Multiple-family structures 100 feet.
	Area	Minimum	Two-family structures 12,000 square feet.
			Multiple-family structures for each:
			One bedroom or efficiency unit - 500 square feet.
			Two bedroom unit - 750 square feet.
			Three or more bedroom units - 1,000 square feet.
<u>Building</u>	Height	Maximum	35 feet.
	Area	Minimum	Two-family structures 1,800 square feet.
			Multiple-family structures, for each:
			One bedroom unit - 500 square feet.
			Two bedroom unit - 650 square feet.
			Three bedroom unit - 800 square feet.
<u>Yards</u>	Shore	Minimum	125 feet.
	Side	Minimum	



Type of Dwelling

Two-family 10 feet.

Multiple-family for buildings  
with:

1 - 4 units 15 feet.

5 - 8 units 20 feet.

9 - 12 units 25 feet.

Setback

Minimum

Class of Highway

A	110 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
B	100 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
C	90 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
D	85 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
E	75 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
F	68 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
G	65 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
H	35 feet from the right-of-way line.
I	35 feet from the right-of-way line.
J	35 feet from the right-of-way line.

Rear

Minimum

Type of Dwelling

Two-family 12 feet.

Multiple-family 25 feet or 20 percent  
of the lot depth  
whichever is greater.

# R-9 Mobile Home Park Residence District

<u>Permitted Uses</u>	<u>Permitted Use Restrictions</u>	
None		
<u>Conditional Uses</u>	<u>Conditional Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
Single-family detached dwelling	Must meet the R-2 District requirements.	1111
Mobile homes		1116
Mobile home parks		1400

The above uses shall only be permitted in the district when located on sites served by public sanitary sewerage.

## Area, Height and Yards

<u>Site Development</u>	<u>Area</u>	<u>Minimum</u>	
	Width	Minimum	10 acres.
	Density	Maximum	450 feet.
	Open Space	Minimum	6 units per acre.
			20 percent of development area exclusive of streets.

### Mobile Home Lot

Single Module	Area	Minimum	5,000 square feet.
	Width	Minimum	50 feet.
Double Module	Area	Minimum	6,000 square feet.
	Width	Minimum	60 feet.

<u>Structures</u>	Area	Minimum	450 square feet.
	Height	Maximum	20 feet.

### Site Development Yards

Shore	Minimum	150 feet.
Side	Minimum	40 feet.
Setback	Minimum	
Rear	Minimum	25 feet.

### Class of Highway

A	150 feet from the centerline or 75 feet from the right-of-way line whichever is greater.
B	140 feet from the centerline or 75 feet from the right-of-way line whichever is greater.
C	130 feet from the centerline or 75 feet from the right-of-way line whichever is greater.

Class of Highway (Continued)

D	125 feet from the centerline or 75 feet from the right-of-way line whichever is greater.
E	115 feet from the centerline or 75 feet from the right-of-way line whichever is greater.
F	108 feet from the centerline or 75 feet from the right-of-way line whichever is greater.
G	105 feet from the centerline or 75 feet from the right-of-way line whichever is greater.
H	75 feet from the right-of-way line.
J	75 feet from the right-of-way line.

<u>Mobile Home Lot Yards</u>	Side	Minimum	15 feet.
	Setback	Minimum	All internal streets, 20 feet.
	Rear	Minimum	20 feet.

### 3.4 PLANNED UNIT DEVELOPMENT DISTRICTS

#### PUD-Planned Unit Development District

A Planned Development District is hereby created for the purpose of permitting developments that will, over a period of time, derive maximum benefit from coordinated area site planning, diversified location of structures, and mixed compatible uses that result in the provision of a safe and efficient system for pedestrian and vehicular traffic, attractive recreation and landscaped open spaces, economic design and location of public and private utilities and community facilities, and ensure adequate standards of construction and planning. The unified and planned development of a site, in single or corporate ownership or control at the time of application under this section, may be permitted in a Planned Development District with one or more principal uses or structures and related accessory uses and structures and the regulations within a Planned Development District need not be uniform.

#### CONFORMANCE OF THE ELEMENTS OF THE PROPOSED PLANNED UNIT DEVELOPMENT DISTRICT WITH THE (CITY'S), (VILLAGE'S), (TOWN'S) ADOPTED NEIGHBORHOOD DEVELOPMENT PLANS, MINIMUM AREA AND USE REQUIREMENTS

##### (1) Adopted Neighborhood Unit Development Plans:

A residential or mixed compatible uses planned development district shall not be approved by the (Common Council) (Village Board) (Town Board) under this section prior to the adoption of a Neighborhood Unit Development Plan, nor shall a planned unit development district be approved which is not in conformance with or which does not serve to carry out the objectives of such adopted Neighborhood Unit Development Plan.

##### (2) Minimum Area:

In order to be approved under this section, a proposed planned unit development district shall contain the following minimum site area:

<u>Alternate Types of Uses</u>	<u>Minimum Site Area</u>
Residential and Open Space Uses	20 acres.
Commercial Uses	5 acres.
Industrial Uses	40 acres.
Mixed Compatible Uses	40 acres.

##### (3) Application of Regulations:

Individual uses and structures in a Planned Unit Development District shall comply with the specific building location, height, building size, floor area, lot size, and open space requirements as set forth by the (City Plan Commission) (Village Plan Commission) (Town Plan Commission) as conditions and restrictions of approval.

#### PROCEDURE

##### (1) Pre-Petition Conference

Prior to official submittal of a petition for a Planned Unit Development District, the petitioner shall meet with the (City Plan Commission) (Village Plan Commission) (Town Plan Commission) for a preliminary discussion on the scope and proposed nature of the contemplated development.

##### (2) Petition

Following the pre-petition conference, the owner or his agent may file a petition with the (City Clerk) (Village Clerk) (Town Clerk) for an amendment to the zoning map in order to create a Planned Unit Development District and permit the application of the provisions of this section to such development. Such petition shall be accompanied by the following information:

- A. A statement describing the relationship of the proposed land uses to be included in the Planned Unit Development District to the (City's) (Village's) (Town's) adopted neighborhood plans and the following:

1. Total area to be included in the Planned Unit Development District, area of open space, residential density computations, proposed number of dwelling units, population analysis, availability of or requirements for municipal services and any other similar data pertinent to a comprehensive evaluation of the proposed development.
  2. A general summary of the estimated value of structures and site improvement costs, including landscaping and special features.
  3. A general outline of the organizational structure of a property owner's or management's association, which is proposed to be established for the purpose of providing necessary private services.
- B. A general development plan including:
1. A legal description of the boundaries of lands included in the proposed Planned Unit Development District and its relationship to surrounding properties.
  2. The location of public and private roads, driveways and parking facilities.
  3. The size, arrangement and location of individual building sites and proposed building groups on each individual site.
  4. The location of recreational and open space areas and areas reserved or dedicated for public uses, such as school, park, drainage, etc.
  5. The type, size, and location of structures.
  6. General landscape treatment.
  7. Architectural drawings and sketches illustrating the design and character of proposed structures.
  8. The location of public sanitary sewer and water supply facilities.
  9. Existing topography on the site.
  10. Anticipated uses of adjoining lands in regard to roads, surface water drainage and compatibility with existing adjacent land uses.
- C. The petition for rezoning to create a Planned Unit Development District shall be further subject to all procedures for changes and amendments set forth in Section 11.0.

(3) Referral to Plan Commission

The petition for a Planned Unit Development District shall be referred to the Plan Commission for its review and recommendation, including any additional conditions or restrictions which it may deem necessary or appropriate.

(4) Public Hearing

The Plan Commission, before formulating its recommendations to the (Common Council) (Village Board) (Town Board) shall hold a public hearing pursuant to the provisions of Section 11.0. Notice for such hearing shall include reference to the development plans filed in conjunction with the requested zoning change.

(5) Development Requirements

The development requirements to which the owner or his agent shall comply with in the preparation of the detailed development plan, will be determined and made a part of the conditions upon which final approval of the Planned Unit Development District will be granted.

RD-1 Planned Residential District

County Ordinance	<u>Permitted Uses</u>	<u>Permitted Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
	Single-family detached dwellings	Only when located on building sites served by public sanitary sewerage.	1111
	Single-family, semi-detached dwellings	Only when located on building sites served by public sanitary sewerage.	1112
	Single-family attached dwellings	Only when located on building sites served by public sanitary sewerage.	1113
	Two-family dwellings	Only when located on building sites served by public sanitary sewerage.	1114
	Multiple-family dwellings	Only when located on building sites served by public sanitary sewerage.	1115

<u>Conditional Uses</u>	<u>Conditional Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
All accessory uses, structures and improvements to the above permitted uses.	See Section 4.0.	
All permitted uses in the B-1 Limited Retail Business and Services District.	All corresponding restrictions to the permitted uses in the B-1 Limited Retail Business and Services District; and that such uses shall not occupy more than 15 percent of the development area.	

Area, Height and Yards

<u>Development</u>	<u>Area</u>	
	Minimum	20 acres in one ownership.
<u>Lot</u>	<u>Width</u>	
	Minimum	660 feet.
<u>Type of Dwelling Unit</u>	<u>Minimum Lot Area Per Dwelling Unit</u>	<u>Minimum Lot Width</u>
Single-family detached	8,000 square feet.	65 feet.
Single-family semi-detached	5,000 square feet.	40 feet.
Single-family attached	4,000 square feet.	32 feet.
Two-family	5,000 square feet.	80 feet.
Multiple-family		
Efficiency or one-bedroom	1,500 square feet.	120 feet.
Two bedrooms	2,000 square feet.	120 feet.
Three bedrooms	2,500 square feet.	120 feet.
Four or more bedrooms	3,500 square feet.	120 feet.

Building

<u>Type of Dwelling Unit</u>		<u>Minimum Building Area Per Dwelling Unit</u>	
Single-family detached		800 square feet.	
Single-family semi-detached		800 square feet.	
Single-family attached		800 square feet.	
Two-family		800 square feet.	
Multiple-family			
Efficiency		500 square feet.	
One bedroom		600 square feet.	
Two bedrooms		700 square feet.	
Three bedrooms		800 square feet.	
Four or more bedrooms		1,000 square feet.	
<u>Yards</u>	Shore	Minimum	100 feet.
	Side	Minimum	
<u>Type of Dwelling</u>			
Single-family detached		10 feet.	
Single-family semi-detached		10 feet from a non-common wall.	
Single-family attached		10 feet from a non-common wall.	
Two-family		10 feet.	
Multiple-family		15 feet from an interior lot line and 25 feet from an exterior boundary line of the development.	
Setback		Minimum	
		Class of Highway	
		A	110 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
		B	100 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
		C	90 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
		D	85 feet from the centerline or 35 feet from the right-of-way line whichever is greater.

Class of Highway (Continued)

	E	75 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
	F	68 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
	G	65 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
	H	35 feet from the right-of-way line.
	I	35 feet from the right-of-way line.
	J	35 feet from the right-of-way line.
	Rear Minimum	40 feet.
<u>Building Separation on Individual Lots</u>		25 feet.
<u>Parkland</u>	Area Minimum	20 percent of the development area excluding required yards, off-street parking space, and access drives. Required Parkland may be placed in more than one location within the development, provided, however, that no single such area shall contain less than one-half acre and shall have its least dimension more than one-fourth of its length.



### 3.5 BUSINESS DISTRICTS

#### B-1 Limited Retail Business and Services District

<u>Permitted Uses-Retail Sales of the Following:</u>	<u>Permitted Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
<b>Apparel and Accessories</b>		
-- Children's and infant's wear		5640
-- Furriers and fur apparel		5680
-- Men's and boys' clothing and furnishings.		5610
-- Shoes		5660
-- Tailoring, custom		5670
-- Women's accessories and specialties.		5630
-- Women's ready-to-wear		5620
<b>Building Materials and Hardware</b>		
-- Electrical supplies		5240
-- Hardware		5251
-- Paint, glass, and wallpaper.		5230
<b>Eating and Drinking</b>		
-- Drinking places		5820
-- Eating places	Restaurants, except those operated as drive-in establishments.	5810
<b>Food</b>		
-- Bakeries	Not including manufacturing.	5462
-- Candy, nut, and confectionery.		5440
-- Dairy products	Except those operated as drive-in establishments.	5450
-- Egg and poultry	Not including dressing and packaging.	5491
-- Fish and seafoods		5422
-- Fruits and vegetables	Except those operated as drive-in establishments.	5430
-- Groceries		5410
-- Meats	Not including slaughtering	5421
<b>General Merchandise</b>		
-- Department stores		5310
-- Dry goods and general merchandise.		5391

<u>Permitted Uses-Retail Sales of the Following:</u>	<u>Permitted Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
General Merchandise (Continued)		
-- Variety stores		5330
Other Retail Sales		
-- Bicycles		5952
-- Books		5941
-- Cameras and photographic supplies.		5994
-- Cigars, cigarettes and tobacco.		5992
-- Drug and proprietary		5910
-- Florists		5991
-- Gifts, novelties, and souvenirs		5995
-- Hobby shops		5953
-- Jewelry		5970
-- Liquor		5920
-- Newspapers and magazines		5993
-- Office supplies and equipment		5943
-- Optical goods		5996
-- Sporting goods		5951
-- Stationery		5942
Temporary Residential Housing		
-- Hotels, tourist courts, and motels.		1510
<u>Permitted Uses-Retail Services</u>	<u>Permitted Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
Business Services		
-- Business and management consulting services.		6392
-- Collection and adjustment services.		6321
-- Consumer and mercantile credit reporting services.		6322
-- Detective and protective services.		6393
-- Employment services		6360
-- Office buildings		6380

<u>Permitted Uses-Retail Services</u>	<u>Permitted Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
Business Services (Continued)		
-- Stenographic services and other duplicating and mailing services.		6339
-- Transportation ticket service.		4924
-- Travel arranging services		4923
Finance, Insurance and Real Estate Services		
-- Agricultural, business, and personal credit services.	Including credit unions.	6122
-- Appraisal services		6157
-- Banking services		6111
-- Commodity contracts, brokers and dealers services.		6132
-- Holding and investment services.		6160
-- Insurance agents, brokers, and services.		6142
-- Insurance carriers		6141
-- Real estate agents, brokers and manage- ment services.		6152
-- Real estate operative builders.		6155
-- Real estate subdividing and development services.		6154
-- Savings and loan associations.		6121
-- Security brokers, dealers, and flotation services.		6131
-- Title abstracting services		6153
Miscellaneous Services		
-- Labor unions and similar labor organizations.		6993
-- Professional membership organizations.		6992
Personal Services		
-- Artists		6597
-- Barber services		6232
-- Beauty services		6231

<u>Permitted Uses-Retail Services</u>	<u>Permitted Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
<b>Personal Services (Continued)</b>		
-- Dry cleaning	Self-service only.	6216
-- Funeral services		6241
-- Laundering	Self-service only.	6214
-- Laundry and dry cleaning	Pickup services only.	6251
-- Photographic services		6220
-- Shoe repair, shoe shining, and hat cleaning services.		6253
<b>Professional Services</b>		
-- Accounting, auditing, and bookkeeping services.		6593
-- Chiropracist services		6504
-- Chiropractic services		6505
-- Dental services		6512
-- Engineering and architectural services.		6591
-- Land surveying services		6596
-- Legal services		6520
-- Medical clinics--out-patient services.		6517
-- Optometrist services		6503
-- Osteopathic services		6507
-- Physicians' and surgeons' services.		6511
-- Planning services		6594
-- Public relations offices		6595
<u>Conditional Uses-Retail Sales</u>	<u>Conditional Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
-- Dairy products	When operated as a drive-in establishment.	5450
-- Fruits and vegetables	When operated as a drive-in establishment.	5430
-- Crematory services		6243

Area, Height and Yards

<u>Lot</u>	Area	Minimum	Sufficient area for the principal structure and its accessory buildings, off-street parking and loading required by Section 5.0 and all required yards.
<u>Building</u>	Height	Maximum	35 feet.
<u>Yards</u>	Shore	Minimum	300 feet.
	Side	Minimum	None or, if provided, 10 feet.
	Setback	Minimum	
Class of Highway			
		A	100 feet from the centerline or 25 feet from the right-of-way line whichever is greater.
		B	90 feet from the centerline or 25 feet from the right-of-way line whichever is greater.
		C	80 feet from the centerline or 25 feet from the right-of-way line whichever is greater.
		D	75 feet from the centerline or 25 feet from the right-of-way line whichever is greater.
		E	65 feet from the centerline or 25 feet from the right-of-way line whichever is greater.
		F	58 feet from the centerline or 25 feet from the right-of-way line whichever is greater.
		G	55 feet from the centerline or 25 feet from the right-of-way line whichever is greater.
		H	25 feet from the right-of-way line.
		I	25 feet from the right-of-way line.
		J	25 feet from the right-of-way line.
	Rear	Minimum	25 feet.

B-2 General Retail Business and Services District

<u>Permitted Uses-Retail Sales of the Following:</u>	<u>Permitted Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
<b>Apparel and Accessories</b>		
-- Children's and infants' wear.		5640
-- Furriers and fur apparel		5680
-- Men's and boys' clothing and furnishings.		5610
-- Shoes		5660
-- Tailoring, custom		5670
-- Women's accessories and specialties.		5630
-- Women's ready-to-wear		5620
<b>Automotive Accessories</b>		
-- Tires, batteries and accessories.	Not including servicing and installation.	5520
<b>Building Materials and Hardware</b>		
-- Building materials and supplies.	When all storage and retail sales are conducted within an enclosed building.	5212
-- Electrical supplies		5240
-- Hardware		5251
-- Heating and plumbing equipment.		5220
-- Paint, glass, and wallpaper		5230
-- Photographic supplies		5250
<b>Eating and Drinking</b>		
-- Drinking places		5820
-- Eating places		5810
<b>Food</b>		
-- Bakeries	Not including manufacturing.	5462
-- Candy, nut, and confectionery.		5440
-- Dairy products		5450
-- Egg and poultry		5491
-- Fish and seafoods		5422
-- Fruits and vegetables		5430
-- Meats		5421
-- Groceries		5410

<u>Permitted Uses-Retail Sales of the Following:</u>	<u>Permitted Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
Furniture, Home Furnishings, and Equipment		
-- China, glassware and metalware.		5714
-- Draperies, curtains, and upholstery.		5713
-- Floor coverings		5712
-- Furniture		5711
-- Household appliances		5720
-- Music supplies		5732
-- Radios and televisions		5731
General Merchandise		
-- Department stores		5310
-- Direct selling organizations.		5350
-- Dry goods and general merchandise.		5391
-- Limited price variety stores		5330
-- Mail order houses		5320
-- Merchandise vending machine operators.		5340
Other Retail Trade		
-- Artist supplies and materials		5945
-- Bicycles		5952
-- Books		5941
-- Bowling alleys		7417
-- Cameras and photographic supplies.		5994
-- Cigars and cigarettes and tobacco.		5992
-- Drug and proprietary		5910
-- Florists		5991
-- Gifts, novelties and souvenirs.		5995
-- Hobby shops		5953
-- Jewelry		5970
-- Liquor		5920
-- Newspapers and magazines		5993
-- Office supplies and equipment.		5943

Permitted Uses-Retail  
Sales of the Following:

Permitted Use Restrictions

Off-Street Parking  
Requirements Reference  
Number (see Section 5.0)

Other Retail Trade (Continued)

-- Optical goods	5996
-- Pawn shop	5933
-- Pets, pet grooming and supplies.	5997
-- Sporting goods	5951
-- Stationery	5942

Permitted Uses-Retail Services

Permitted Use Restrictions

Off-Street Parking  
Requirements Reference  
Number (see Section 5.0)

Business Services

-- Advertising services	6311
-- Blueprinting and photocopying service.	6332
-- Business and management consulting services.	6392
-- Collection and adjustment services.	6321
-- Consumer and mercantile credit reporting services.	6322
-- Detective and protective services.	6393
-- Direct mail advertising services.	6331
-- Disinfecting and exter- minating services.	6342
-- Employment services	6360
-- Equipment rental and leasing services.	6394
-- Motion picture distribution and services.	6398
-- News syndicate services	6350
-- Office buildings	6380
-- Photofinishing services	6395
-- Research, development and testing services.	6391
-- Stenographic services and other duplicating and mailing services.	6339
-- Trading stamp services	6396
-- Transportation ticket service	4924



<u>Permitted Uses-Retail Services</u>	<u>Permitted Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
<b>Business Services (Continued)</b>		
-- Travel arranging services		4923
-- Window cleaning services		6341
<b>Communication Services</b>		
-- Newspapers: publishing, publishing and printing.		2710
-- Periodicals: publishing, publishing and printing.		2720
-- Radio and television broadcasting studios.		4751
-- Radio broadcasting studios		4731
-- Radio transmitting stations and towers	Subject to the specific approval of the Village Board both as to location and arrangement on the site.	4732
-- Telegraph message centers		4721
-- Telegraph transmitting and receiving stations.	Subject to the specific approval of the Village Board both as to location and arrangement on the site.	4722
-- Television broadcasting studios.		4741
-- Television transmitting stations and relay towers.	Subject to the specific approval of the Village Board both as to location and arrangement on the site.	4742
<b>Contract Construction Services</b>		
-- Electrical services		6623
-- Painting, paper hanging, and decorating services.		6622
-- Plumbing, heating, and air conditioning services.	Not including outdoor storage.	6621
<b>Educational Services</b>		
-- Art and music schools		6834
-- Barber and beauty schools		6833
-- Business and stenographic schools.		6832
-- Correspondence schools		6837
-- Dancing schools		6835
-- Driving schools		6836
-- Professional schools		6823

<u>Permitted Uses-Retail Services</u>	<u>Permitted Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
Finance, Insurance and Real Estate Services		
-- Agricultural, business, and personal credit services.	Including credit unions.	6122
-- Appraisal services		6157
-- Banking services		6111
-- Commodity contracts brokers and dealers services.		6132
-- Holding and investment services.		6160
-- Insurance agents, brokers, and services.		6142
-- Insurance carriers		6141
-- Other real estate and related services.		6159
-- Real estate agents, brokers, and management services.		6152
-- Real estate operative builders.		6155
-- Real estate subdividing and developing services.		6154
-- Savings and loan associations.		6121
-- Security and commodity allied services.		6134
-- Security and commodity exchanges.		6133
-- Security brokers, dealers, and flotation services.		6131
-- Title abstracting services		6153
Governmental Services		
-- Civil defense and related activities.		6723
-- Executive, legislative, and judicial functions.		6710
-- Fire protection and related activities.		6722
-- Police protection and related activities.		6721
-- Postal services		6730

<u>Permitted Uses-Retail Services</u>	<u>Permitted Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
<b>Miscellaneous Services</b>		
-- Business associations		6991
-- Civic, social and fraternal associations.		6994
-- Labor unions and similar labor organizations.		6993
-- Professional membership organizations.		6992
-- Welfare and charitable services.		6920
<b>Personal Services</b>		
-- Artists services		6597
-- Barber services		6232
-- Beauty services		6231
-- Cemeteries		6242
-- Diaper services	Employing not over seven (7) persons.	6213
-- Dry cleaning	Self service only.	6216
-- Funeral services		6241
-- Fur repair and storage services.		6252
-- Laundering, dry cleaning, and dyeing services.	Except rugs and employing not over seven (7) persons.	6211
-- Laundering service	Self service only.	6214
-- Linen supply and industrial laundry services.	Employing not over seven (7) persons.	6212
-- Photographic services		6220
-- Pressing, alteration, and garment repair; laundry and dry cleaning pickup services.		6251
-- Rug cleaning and repair services.		6215
-- Shoe repair, shoe shining, and hat cleaning services.		6253
<b>Professional Services</b>		
-- Accounting, auditing, and bookkeeping services.		6593
-- Chiropodist services		6504

<u>Permitted Uses-Retail Services</u>	<u>Permitted Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
Professional Services (Continued)		
-- Chiropractic services		6505
-- Dental services		6512
-- Educational and scientific research services.		6592
-- Engineering and architectural services.		6591
-- Land surveying services		6596
-- Legal services		6520
-- Medical clinics--out- patient services.		6517
-- Optometrist services		6503
-- Osteopathic services		6507
-- Physicians' services		6511
-- Planning services		6594
-- Public relations services		6595
Repair Services		
-- Electrical repair services		6491
-- Radio and television repair services.		6492
-- Reupholstery and furniture repair services.		6494
-- Watch, clock, and jewelry repair services.		6493
Temporary Residential Housing		
-- Hotels, tourist courts, and motels.		1510
Conditional Uses-Retail Sales of the Following:		
Automotive, Marine Craft, Aircraft and Accessories		
-- Aircraft and accessories		5592
-- Automotive parts and accessories.	New only and not including servicing and installation.	
-- Gasoline service stations		5530
-- Marine craft and accessories		5591
-- Motor vehicles	New and used cars.	5511
-- Motor vehicles	Used cars only.	5512

Conditional Uses-Retail  
Sales of the Following:

Conditional Use Restrictions

Off-Street Parking  
Requirements Reference  
Number (see Section 5.0)

Automotive, Marine Craft,  
Aircraft and Accessories  
(Continued)

- Tires, batteries and accessories (including servicing and installation). 5520

Farm Equipment

- Farm equipment 5252

Other

- Antiques 5931
- Bottled gas 5983
- Fuel and ice dealers 5981
- Fuel oil 5982
- Second hand merchandise 5932

Conditional Uses-Retail Services

Conditional Use Restrictions

Off-Street Parking  
Requirements Reference  
Number (see Section 5.0)

Business Services

- Automobile and truck rental services. 6397

Construction Services

- Building construction-- general contractor services. 6611
- Carpentering and wood flooring 6625
- Concrete services 6627
- Masonry, stonework, tile setting and plastering services. 6624
- Roofing and sheet metal services. 6626
- Water well drilling services 6628

Personal Services

- Crematory services 6243

Repair Services

- Automobile repair services 6411
- Automobile wash services 6412

Area, Height and Yards

<u>Lot</u>	Area	Minimum	Sufficient area for the principal structure and its accessory buildings, off-street parking and loading required by Section 5.0 and all required yards.
<u>Building</u>	Height	Maximum	35 feet.
<u>Yards</u>	Shore	Minimum	300 feet.
	Side	Minimum	None or, if provided, 10 feet.
	Setback	Minimum	
	Class of Highway		
		A	100 feet from the centerline or 25 feet from the right-of-way line whichever is greater.
		B	90 feet from the centerline or 25 feet from the right-of-way line whichever is greater.
		C	80 feet from the centerline or 25 feet from the right-of-way line whichever is greater.
		D	75 feet from the centerline or 25 feet from the right-of-way line whichever is greater.
		E	65 feet from the centerline or 25 feet from the right-of-way line whichever is greater.
		F	58 feet from the centerline or 25 feet from the right-of-way line whichever is greater.
		G	55 feet from the centerline or 25 feet from the right-of-way line whichever is greater.
		H	25 feet from the right-of-way line.
		I	25 feet from the right-of-way line.
		J	25 feet from the right-of-way line.
	Rear	Minimum	12 feet.

City or  
Village  
Ordinance

B-3 Central Community Retail Business and Services District

Permitted Uses

All those uses permitted in the B-2 District.

Conditional Uses

All those conditional uses in the B-2 District.

Permitted Use Restrictions

All corresponding restrictions to those uses permitted in the B-2 District.

Conditional Use Restrictions

All corresponding restrictions to those conditional uses in the B-2 District.

Area, Height and Yards

<u>Lot</u>	Area	Minimum	Sufficient area for the principal structure and its accessory buildings, off-street parking and loading required by Section 5.0 and all required yards.
<u>Building</u>	Height	Maximum	35 feet.
<u>Yards</u>	Street	Minimum	None.
	Rear	Minimum	30 feet.
	Side	Minimum	None or, if provided, 10 feet.

B-4 General Business and Warehousing District

Permitted Uses-Wholesale and/or  
Retail Sales and Warehousing of  
the Following:

Permitted Use Restrictions

Off-Street Parking  
Requirements Reference  
Number (see Section 5.0)

Drugs, Chemicals and Allied  
Products

- Drugs, drug proprietaries  
and druggists sundries. 5121
- Paints and varnishes 5122

Dry Goods and Apparel

- Apparel and accessories  
hosiery and lingerie. 5132
- Dry goods, piece goods  
and notions. 5131
- Footwear 5133

Electrical Goods

- Electrical appliances,  
television and radio  
sets. 5162
- Electronic parts and  
equipment. 5163

Farm Products

- Grain Not including outdoor storage. 5152
- Horses and mules Not including outdoor con-  
finement. 5157
- Livestock Not including outdoor con-  
finement. 5156
- Wool and mohair 5155

Groceries and Related Products

- Confectionery 5144
- Dairy products 5142
- Fish and seafoods 5145
- Fruits and vegetables 5147
- Groceries 5141
- Meat and meat products Not including slaughtering  
or outdoor confinement. 5146
- Poultry and poultry  
products. Not including slaughtering  
or outdoor confinement. 5143

Hardware, Plumbing, Heating  
Equipment and Supplies.

- Air conditioning,  
refrigerated equip-  
ment and supplies. Not including outdoor storage. 5173



Permitted Uses-Wholesale and/or  
Retail Sales and Warehousing of  
the Following:

Permitted Use Restrictions

Off-Street Parking  
Requirements Reference  
Number (see Section 5.0)

Hardware, Plumbing, Heating Equip-  
ment and Supplies (Continued)

- |  |                               |      |
|--|-------------------------------|------|
| -- Hardware  |                               | 5171 |
| -- Plumbing and heating<br>equipment and supplies. | Not including outdoor storage | 5172 |

Machinery, Equipment and Supplies

- |   |                               |      |
|---|-------------------------------|------|
| -- Commercial and industrial<br>machinery, equipment<br>and supplies. | Not including outdoor storage | 5181 |
| -- Equipment and supplies<br>for service<br>establishments.           |                               | 5184 |
| -- Professional equipment<br>and supplies.                            |                               | 5183 |
| -- Transportation equipment<br>and supplies.                          | Not including outdoor storage | 5185 |

Motor Vehicles and Automotive  
Equipment

- |  |  |      |
|--|--|------|
| -- Automobiles and other<br>motor vehicles | Not including junk yards or<br>auto salvage yards. | 5111 |
| -- Automotive equipment                    | Not including outdoor storage                      | 5112 |
| -- Tires and tubes                         | Not including outdoor storage                      | 5113 |

Other

- |   |                                |      |
|---|--------------------------------|------|
| -- Beer, wine and distilled<br>alcoholic beverages.   |                                | 5195 |
| -- Boat, snowmobile and other<br>recreational vehicle<br>storage.                           | Not including outdoor storage. |      |
| -- Food lockers   |                                | 6374 |
| -- Furniture and home<br>furnishings.   |                                | 5197 |
| -- Household goods  |                                | 6375 |
| -- Lumber and con-<br>struction materials.  | Not including outdoor storage. | 5198 |
| -- Metals and minerals  | Not including outdoor storage. | 5191 |
| -- Paper and paper products   | Not including outdoor storage  | 5196 |
| -- Refrigerated warehousing   |                                | 6373 |
| -- Tobacco and tobacco<br>products.   |                                | 5194 |
| -- Electrical apparatus and<br>equipment, wiring<br>supplies and construction<br>materials. |                                | 5161 |

Permitted Uses-Wholesale and/or  
Retail Sales and Warehousing of  
the Following:

Permitted Use Restrictions

Off-Street Parking  
Requirements Reference  
Number (see Section 5.0)

Other (Continued)

-- Farm machinery and equipment.		5182
-- Freight forwarding services.		4921
-- Hides, skins and raw furs.	Not including outdoor storage.	5153
-- Packing and crating services.		4922
-- Petroleum bulk stations and terminals.		5192

Area, Height and Yards

<u>Lot</u>	Area	Minimum	Sufficient area for the principal structure and its accessory buildings, off-street parking and loading required by Section 5.0 and all required yards.
<u>Building</u>	Height	Maximum	45 feet.
<u>Yards</u>	Shore	Minimum	300 feet.
	Setback	Minimum	

Class of Highway

A	110 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
B	100 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
C	90 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
D	85 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
E	75 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
F	68 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
G	65 feet from the centerline or 35 feet from the right-of-way line whichever is greater.
H	35 feet from the right-of-way line.
I	35 feet from the right-of-way line.

Class of Highway (Continued)

	J	35 feet from the right-of-way line.
Rear	Minimum	40 feet.

B-5 Commercial-Recreation Business District

<u>Permitted Uses</u>	<u>Permitted Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
-- Amusement parks		7312
-- Boat rentals and boat access sites.		7442
-- Bowling		7417
-- Campgrounds		7490
-- Dude Ranches		7512
-- Fairgrounds		7311
-- General resorts		7511
-- Go-Cart tracks		7394
-- Golf courses (without country club)		7411
-- Golf courses (with country club)		7412
-- Golf driving ranges		7393
-- Health resorts		7513
-- Miniature golf		7392
-- Penny arcades		7391
-- Race tracks		7223
-- Riding stables		7416
-- Roller skating		7415
-- Skiing and tobogganning		7418
-- Ski resorts		7514
-- Swimming beaches		7431

Area, Height and Yards

<u>Lot</u>	Area	Minimum	Sufficient area for the principal structure and its accessory buildings, off-street parking and loading required by Section 5.0 and all required yards.
<u>Building</u>	Height	Maximum	35 feet.
<u>Yards</u>	Shore	Minimum	75 feet.
	Side	Minimum	100 feet
	Setback	Minimum	
	Rear	Minimum	100 feet

Class of Highway

A	175 feet from the centerline or 100 feet from the right-of-way line whichever is greater.
B	165 feet from the centerline or 100 feet from the right-of-way line whichever is greater.
C	155 feet from the centerline or 100 feet from the right-of-way line whichever is greater.
D	150 feet from the centerline or 100 feet from the right-of-way line whichever is greater.
E	140 feet from the centerline or 100 feet from the right-of-way line whichever is greater.
F	133 feet from the centerline or 100 feet from the right-of-way line whichever is greater.
G	130 feet from the centerline or 100 feet from the right-of-way line whichever is greater.
H	100 feet from the right-of-way line.
I	100 feet from the right-of-way line.
J	100 feet from the right of way line.

B-6 Highway Business and Services District

<u>Permitted Uses</u>	<u>Permitted Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (See Section 5.0)</u>
-----------------------	-----------------------------------	---

None

<u>Conditional Uses</u>	<u>Conditional Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (See Section 5.0)</u>
-------------------------	-------------------------------------	---

-- Automobile and truck rental services.

6397

-- Automobile repair services.

6411

-- Candy, nut and confectionery.

5440

-- Eating and drinking places.

5820

-- Gasoline service stations.

5530

-- Gift, novelties, and souvenirs.

5995

-- Hotels, tourist courts, and motels.

1510

-- Tires, batteries and accessories (including servicing and installation).

5520

Area Height and Yards

Lot

Area

Minimum

Sufficient area for the principal structure and its accessory buildings, off-street parking and loading required by Section 5.0 and all required yards.

Building

Height

Maximum

35 feet

Yards

Side

Minimum

40 feet

Setback

Minimum

Class of Highway

A

175 feet from the centerline or 100 feet from the right-of-way line whichever is greater.

B

165 feet from the centerline or 100 feet from the right-of-way line whichever is greater.

C

155 feet from the centerline or 100 feet from the right-of-way line whichever is greater.

Class of Highway (Continued)

D	150 feet from the centerline or 100 feet from the right-of-way line whichever is greater.
E	140 feet from the centerline or 100 feet from the right-of-way line whichever is greater.
F	133 feet from the centerline or 100 feet from the right-of-way line whichever is greater.
G	130 feet from the centerline or 100 feet from the right-of-way line whichever is greater.
H	100 feet from the right-of-way line.
I	100 feet from the right-of-way line.
J	100 feet from the right-of-way line.

### 3.6 MANUFACTURING DISTRICTS

#### M-1 Light Manufacturing District

Permitted Uses-Processing and/or  
Manufacturing of the Following:

#### Permitted Use Restrictions

Off-Street Parking  
Requirements Reference  
Number (see Section 5.0)

Apparel and Other Finished  
Products made from Fabrics,  
Leather and Similar Materials

-- Apparel belts	2385
-- Apparel findings and related products.	2396
-- Boot and shoe cut stock and findings.	2363
-- Canvas products	2394
-- Curtains and draperies	2391
-- Dress and work gloves	2381
-- Footwear	2364
-- Fur goods	2370
-- Handbags and other personal leather goods.	2367
-- Hats, caps, and millinery.	2350
-- House furnishings.	2392
-- Industrial leather belting and packing.	2362
-- Leather and sheep lined clothing.	2384
-- Leather gloves and mittens	2365
-- Luggage	2366
-- Men's, youths', and boys' furnishings, work clothing, and allied garments.	2320
-- Men's, youths', and boys' suits, coats, and overcoats.	2310
-- Pleating, decorative and novelty stitching and tucking for the trade.	2395
-- Raincoats and other waterproof outer garments.	2383
-- Robes and dressing gowns	2382
-- Textile bags	2393
-- Women's, misses', children's, and infants' undergarments.	2340



<u>Permitted Uses-Processing and/or Manufacturing of the Following:</u>	<u>Permitted Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
Apparel and Other Finished Products made from Fabrics, Leather and Similar Materials (Continued)		
-- Women's, misses', juniors', girls', children's, and infants' outerwear.		2330
Food and Kindred Products		
-- Animal and marine fat and oils		2194
-- Bakeries		5461
-- Bakery products		2150
-- Bottling and canning soft drinks and carbonated waters.		2185
-- Candy and other confectione products.		2171
-- Canning and curing seafoods.		2131
-- Canning fruits, vegetables, preserves, jams, and jellies.		2133
-- Canning specialty foods.		2132
-- Cereal preparations.		2143
-- Cheese, natural and processed.		2122
-- Chewing gum		2173
-- Chocolate and cocoa products.		2172
-- Coffee roasting and coffee products.		2195
-- Condensed and evaporated milk		2123
-- Corn, wet milling		2146
-- Cottonseed oil milling		2191
-- Creamery butter		2121
-- Distilling, rectifying, and blending liquors.		2184
-- Drying and dehydrating fruits and vegetables.		2134
-- Feeds prepared for animals and fowls.		2142

Permitted Uses-Processing and/or  
Manufacturing of the Following:

Permitted Use Restrictions

Off-Street Parking  
Requirements Reference  
Number (see Section 5.0)

Food and Kindred Products  
(Continued)

-- Flavor extracts and flavoring sirups.		2186
-- Flour and other grain mill products.		2141
-- Flour, blending and preparing.		2145
-- Fluid milk processing.		2125
-- Fresh or frozen packaged fish and seafoods.		2136
-- Frozen fruits, fruit juices, vegetables, and specialties.		2137
-- Ice.		2197
-- Ice cream and frozen desserts.		2124
-- Macaroni, spaghetti vermicelli, and noodles.		2198
-- Malt.		2182
-- Malt liquors.		2181
-- Meat packing.		2111
-- Pickling fruits and vegetables; vegetable sauces and seasoning; salad dressings.		2135
-- Poultry and small game dressing and packing.	All operation shall be conducted within an enclosed building.	2113
-- Rice milling.		2144
-- Sausages and other pre- pared meat products.	All operations shall be conducted within an enclosed building.	2112
-- Shortening, table oils, margarine, and other edible fats and oils.		2196
-- Soybean oil milling.		2192
-- Sugar.		2160
-- Vegetable oil milling.		2193
-- Wine, brandy, and brandy spirits.		2183

Furniture and Fixtures

-- Household furniture	2510
-- Office furniture	2520

Permitted Uses-Processing and/or  
Manufacturing of the Following:

Permitted Use Restrictions

Off-Street Parking  
Requirements Reference  
Number (see Section 5.0)

Furniture and Fixtures  
(Continued)

- |  |      |
|--|------|
| -- Partitions, shelving,<br>lockers, and office<br>and store fixtures. | 2540 |
| -- Public building and<br>related furniture.                           | 2530 |
| -- Venetian blinds and<br>shades.                                      | 2591 |

Miscellaneous

- |  |      |
|--|------|
| -- Armature rewinding.   | 6495 |
| -- Brooms and brushes.   | 3991 |
| -- Cigarettes.   | 3961 |
| -- Cigars.   | 3962 |
| -- Costume jewelry, costume<br>novelties, buttons, and<br>miscellaneous notions. | 3950 |
| -- Jewelers' findings and<br>materials.  | 3912 |
| -- Jewelry and precious<br>metals.   | 3911 |
| -- Lamp shades.  | 3994 |
| -- Lapidary work.  | 3913 |
| -- Morticians' goods.  | 3995 |
| -- Motion picture production.  | 3970 |
| -- Musical instruments and<br>parts.   | 3920 |
| -- Pens, pencils, and other<br>office and artists'<br>materials.                 | 3940 |
| -- Signs and advertising<br>displays.  | 3997 |
| -- Silverware and plated ware.   | 3914 |
| -- Tobacco and snuff.  | 3963 |
| -- Tobacco stemming and redrying.  | 3964 |
| -- Toys, amusement, sporting,<br>and athletic goods.                             | 3930 |
| -- Umbrellas, parasols,<br>and canes.  | 3998 |

Paper and Allied Products

- |               |      |
|---------------|------|
| -- Bags       | 2643 |
| -- Envelopes. | 2642 |

<u>Permitted Uses-Processing and/or Manufacturing of the Following:</u>	<u>Permitted Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
<b>Paper and Allied Products (Continued)</b>		
-- Paper.		2620
-- Paper coating and glazing.		2641
-- Paper and paper building board.		2660
-- Paper, paperboard and cardboard, die cut.		2645
-- Paperboard and cardboard.		2630
-- Paperboard containers and boxes.		2650
-- Pressed and molded pulp goods.		2646
-- Sanitary paper products.		2647
-- Wallpaper.		2644
<b>Printing, Publishing and Allied Industries</b>		
-- Blankbooks, looseleaf binders, and devices.		2771
-- Bookbinding and miscellaneous related work.		2772
-- Books: publishing, publishing and printing.		2730
-- Electrotyping and stereotyping.		2783
-- Greeting card.		2760
-- Manifold business forms.		2750
-- Newspapers: publishing, publishing and printing.		2710
-- Periodicals: publishing, publishing and printing.		2720
-- Photoengraving.		2782
-- Printing, commercial.		2740
-- Typesetting.		2781
<b>Professional, Scientific and Controlling Instruments; Photographic and Optical Goods; Watches and Clocks</b>		
-- Automatic temperature controls.		3522
-- Dental equipment and supplies.		3543

Permitted Uses-Processing and/or  
Manufacturing of the Following:

Permitted Use Restrictions

Off-Street Parking  
Requirements Reference  
Number (see Section 5.0)

Professional, Scientific and  
Controlling Instruments;  
Photographic and Optical  
Goods; Watches and Clocks

- |  |      |
|--|------|
| -- Engineering, laboratory<br>and scientific and<br>research instruments<br>and associated<br>equipment. | 3510 |
| -- Mechanical measuring and<br>controlling instruments.  | 3521 |
| -- Ophthalmic goods.   | 3550 |
| -- Optical instruments<br>and lenses.  | 3530 |
| -- Orthopedic, prosthetic,<br>and surgical appliances<br>and supplies.                                   | 3542 |
| -- Photographic equipment<br>and supplies.   | 3560 |
| -- Surgical and medical<br>instruments and<br>apparatus.   | 3541 |
| -- Watches, clocks, clockwork<br>operated devices, and<br>parts.   | 3570 |

Textile Mill Products

- |  |  |
|--|--|
| -- Artificial leather and<br>oil cloth manufacturing<br>and other impregnating<br>and coating fabrics. | 2295                                   |
| -- Fabrics, broad and<br>narrow woven.   | 2210                                   |
| -- Felt goods.   | 2291                                   |
| -- Fibers and flock, processing<br>waste and recovering.   | 2294                                   |
| -- Floor coverings.  | Limited to rugs and carpeting.<br>2240 |
| -- Knit goods.   | 2220                                   |
| -- Lace goods.   | 2292                                   |
| -- Textiles, dyeing and<br>finishing.  | 2230                                   |
| -- Tire cord and fabric  | 2296                                   |
| -- Wool scouring, worsted<br>combing, and towing<br>to top.  | 2297                                   |
| -- Yarns and threads   | 2250                                   |

Conditional Uses-Processing and/or Manufacturing of the Following:	Conditional Use Restrictions	Off-Street Parking Requirements Reference Number (see Sections 5.0)
---	------------------------------	---

Lumber and Wood Products

-- Hardwood dimension and flooring.	2422
-- Lumber yards.	5211
-- Millwork.	2431
-- Sawmills and planning mills.	2421
-- Veneer and plywood.	2432
-- Wood preserving.	2491
-- Wood buildings and structural members, prefabricating.	2433
-- Wooden containers	2440

Area, Height and Yards

<u>Lot</u>	Area	Minimum	Sufficient area for the principal structure and its accessory buildings, off-street parking and loading required by Section 5.0 and all required yards.
------------	------	---------	--

Building

Height	Maximum	45 feet
--------	---------	---------

Yards

Shore	Minimum	300 feet
Side	Minimum	30 feet
Setback	Minimum	

Class of Highway

A	100 feet from the centerline or 25 feet from the right-of-way line whichever is greater.
B	90 feet from the centerline or 25 feet from the right-of-way line whichever is greater.
C	80 feet from the centerline or 25 feet from the right-of-way line, whichever is greater.
D	75 feet from the centerline or 25 feet from the right-of-way line whichever is greater.
E	65 feet from the centerline or 25 feet from the right-of-way line, whichever is greater.
F	58 feet from the centerline or 25 feet from the right-of-way line whichever is greater.

Class of Highway (Continued)

G	55 feet from the centerline or 25 feet from the right-of-way line whichever is greater.
H	25 feet from the right-of-way line.
I	25 feet from the right-of-way line.
J	25 feet from the right-of-way line.

M-2 Heavy Manufacturing District

Permitted Uses-Processing and/or  
Manufacturing of the Following:

Permitted Use Restrictions

Off-Street Parking  
Requirements Reference  
Number (see Section 5.0)

Chemicals and Allied Products

-- Biological products	2831
-- Carbon black	2894
-- Chemicals, agricultural	2870
-- Chemicals, gum and wood	2860
-- Chemicals, industrial inorganic and organic	2810
-- Chemicals, medicinal and botanical products.	2832
-- Explosives	2892
-- Glue and gelatin	2891
-- Ink, printing	2893
-- Paints, varnishes, lacquers, enamels, and allied products.	2850
-- Perfumes, cosmetics, and other toilet preparations.	2844
-- Pharmaceutical preparations	2833
-- Plastics materials and synthetic resins, synthetic rubber, synthetic and other man-made fibers.	2820
-- Soap and detergents	2841
-- Specialty cleaning, polishing, and sanitation preparation.	2842
-- Surface active agents, finishing agents, sulfonated oils, and assistants.	2843

Fabricated Metal Products

-- Aircraft and parts	3442
-- Ammunition manufacturing and complete assembling of guided missiles and space vehicles.	3412
-- Coating, engraving, and allied services.	3497
-- Communication equipment	3436
-- Construction, mining and materials handling machinery and equipment.	3423



Permitted Uses-Processing and/or  
Manufacturing of the Following:

Permitted Use Restrictions

Off-Street Parking  
Requirements Reference  
Number (see Section 5.0)

Fabricated Metal Products  
(Continued)

-- Cutlery, hand tools, and general hardware.	3492
-- Electrical industrial apparatus.	3432
-- Electric lighting and wiring equipment.	3434
-- Electrical transmission and distribution equipment.	3431
-- Electronic components and accessories.	3437
-- Engines and turbines.	3421
-- Farm machinery and equipment.	3422
-- Guns, howitzers, mortars, and related equipment.	3411
-- Heating apparatus and plumbing fixtures.	3493
-- Household appliances.	3433
-- Metal cans.	3491
-- Metal products, fabricated structural.	3494
-- Metal stamping.	3496
-- Metalworking machinery and equipment.	3424
-- Motorcycles, bicycles and parts.	3445
-- Motor vehicles and motor vehicle equipment.	3441
-- Office, computing, and accounting machines.	3427
-- Radio and television receiving sets.	3435
-- Railroad equipment.	3444
-- Screw machine products and bolts, nuts, screws, rivets, and washers.	3495
-- Service industry machines.	3428
-- Ship and boat building and repairing.	3443

<u>Permitted Uses-Processing and/or Manufacturing of the Following:</u>	<u>Permitted Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
<b>Fabricated Metal Products (Continued)</b>		
-- Signalling and fire control equipment.		3414
-- Small arms.		3414
-- Small arms ammunition.		3416
-- Special industry machiner		3425
-- Tanks and tank components		3413
-- Wire products, fabricated.		3498
<b>Miscellaneous</b>		
-- Fur dressing and dyeing.		3996
-- Linoleum, asphalted-felt- base and other hard surface floor cover.		3992
-- Matches.		3993
<b>Petroleum Refining and Related Industries</b>		
-- Asphalt felts and coatings.		2922
-- Lubricating oils and greases.		2991
-- Paving mixtures and blocks.		2921
-- Petroleum refining.		2910
<b>Primary Metal Industries</b>		
-- Aluminum, primary production.		3334
-- Aluminum, rolling, drawing, and extruding.		3352
-- Blast furnaces, steel works, and the rolling of ferrous metals.		3311
-- Cold rolled sheet, strip, and bars.		3314
-- Copper, primary smelting and refining.		3331
-- Copper, drawing, and extruding.		3351
-- Electrometallurgical products.		3312
-- Foundries, iron and steel.		3320
-- Foundries, nonferrous		3360

<u>Permitted Uses-Processing and/or Manufacturing of the Following:</u>	<u>Permitted Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
Primary Metal Industries (Continued)		
-- Lead, primary smelting and refining.		3332
-- Nonferrous metals, rolling, drawing, and extruding.		3353
-- Nonferrous metals and alloys, secondary smelting and refining.		3340
-- Nonferrous wire, drawing and insulating.		3354
-- Steel pipe and tubes.		3315
-- Steel wire drawing and steel nails and spikes.		3313
-- Zinc, primary smelting and refining.		3333
Rubber and Miscellaneous Plastic Products		
-- Reclaiming rubber.		3130
-- Rubber footwear.		3120
-- Tires and inner tubes.		3110
Stone Clay and Glass Products		
-- Abrasives and asbestos.		3280
-- Brick and structural clay tile.		3241
-- Cement.		3230
-- Ceramic wall and floor tile.		3242
-- Clay refractories.		3243
-- Concrete.		3263
-- Concrete brick and block.		3261
-- Concrete products.		3262
-- Fine earthenware, table and kitchen articles.		3253
-- Flat glass.		3210
-- Glass containers.		3221
-- Gypsum products.		3265
-- Lime products.		3264

Area, Height and Yards

<u>Lot</u>	Area	Minimum	Sufficient area for the principal structure and its accessory buildings, off-street parking and loading required by Section 5.0 and all required yards.
<u>Building</u>	Height	Maximum	60 feet
<u>Yards</u>	Shore	Minimum	300 feet
	Side	Minimum	50 feet
	Setback	Minimum	
Class of Highway			
		A	110 feet from the centerline or 35 feet from the right-of-way line, whichever is greater.
		B	100 feet from the centerline or 35 feet from the right-of-way line, whichever is greater.
		C	90 feet from the centerline or 35 feet from the right-of-way line, whichever is greater.
	Rear	Minimum	75 feet.
		D	85 feet from the centerline or 35 feet from the right-of-way line, whichever is greater.
		E	75 feet from the centerline or 35 feet from the right-of-way line, whichever is greater.
		F	68 feet from the centerline or 35 feet from the right-of-way line, whichever is greater.
		G	65 feet from the centerline or 35 feet from the right-of-way line, whichever is greater.
		H	35 feet from the right-of-way line.
		I	35 feet from the right-of-way line.
		J	35 feet from the right-of-way line.

M-3 Agriculture Related Manufacturing District

<u>Permitted Uses-Processing and/or Manufacturing of the Following:</u>	<u>Permitted Use Restriction</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
<b>Agricultural and Related Activities</b>		
-- Contract sorting, grading, and packaging services.	Fruits and vegetables only.	8214
-- Corn shelling, hay baling, and threshing services.		8213
-- Cotton ginning and compressing.		8211
-- Grist milling services		8212
-- Horticultural services		8291
-- Poultry hatchery services		8223
<b>Food and Kindred Products</b>		
-- Animal and marine fat and oils.		2194
-- Canning fruits, vegetables, preserves, jams and jellies.		2133
-- Canning specialty foods.		2132
-- Cereal preparations		2143
-- Cheese, natural and processed		2122
-- Chocolate and cocoa products		2172
-- Coffee roasting and coffee products.		2195
-- Condensed and evaporated milk		2123
-- Corn, wet milling		2146
-- Cottonseed oil milling		2191
-- Creamery butter		2121
-- Drying and dehydrating fruits and vegetables.		2134
-- Feeds prepared for animals and fowls.		2142
-- Flour and other grain mill products.		2141
-- Flour, blending and preparing.		2145
-- Fluid milk processing		2125
-- Frozen fruits, fruit juices vegetables, and specialties.		2137

Permitted Uses-Processing and/or  
Manufacturing of the Following:

Permitted Use Restrictions

Off-Street Parking  
Requirements Reference  
Number (see Section 5.0)

Food and Kindred Products  
(Continued)

-- Malt		2182
-- Meat packing		2111
-- Pickling fruits and vegetables; vegetable sauces and seasoning; salad dressings.		2135
-- Poultry and small game dressing and packing.	All operation shall be conducted within an enclosed building.	2113
-- Rice milling		2144
-- Sausages and other prepared meat products.	All operation shall be conducted within an enclosed building.	2112
-- Shortening, table oils, margarine, and other edible fats and oils.		2196
-- Soybean oil milling		2192
-- Sugar		2160
-- Vegetable oil milling		2193
-- Wine, brandy, and brandy spirits.		2183

Area, Height and Yards

<u>Lot</u>	Area	Minimum	Sufficient area for the principal structure and its accessory buildings, off-street parking and loading required by Section 5.0 and all required yards.
<u>Building</u>	Height	Maximum	60 feet.
<u>Yards</u>	Shore	Minimum	300 feet
	Side	Minimum	75 feet
	Setback	Minimum	

Class of Highway

A	150 feet from the centerline or 75 feet from the right-of-way line, whichever is greater.
B	140 feet from the centerline or 75 feet from the right-of-way line, whichever is greater.
C	130 feet from the centerline or 75 feet from the right-of-way line, whichever is greater.

<u>Area, Height and Yards</u>	<u>Permitted Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
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Class of Highway (Continued)

D	125 feet from the centerline or 75 feet from the right-of-way line, whichever is greater.	
E	115 feet from the centerline or 75 feet from the right-of-way line, whichever is greater.	
F	108 feet from the centerline or 75 feet from the right-of-way line, whichever is greater.	
G	105 feet from the centerline or 75 feet from the right-of-way line, whichever is greater.	
H	75 feet from the right-of-way line.	
I	75 feet from the right-of-way line.	
J	75 feet from the right-of-way line.	

#### M-4 Extractive District

<u>Permitted Uses</u>	<u>Permitted Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
Existing Operations	No expansion is allowed without (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission) approval.	

<u>Conditional Uses</u>	<u>Conditional Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
New Operations For:		
-- Aggregate or ready mix plant		
-- Clay, ceramic, and refractor minerals-mining.		8544
-- Crushed and broken stone-quarrying.		8542
-- Mixing of asphalt		
-- Nonmetallic mining services	Except fuel.	8554
-- Processing of topsoil		
-- Sand and gravel-quarrying		8543
-- Washing, refining or processing of rock, slate gravel, sand or minerals.		

#### Area, Height and Yards

<u>Lot</u>	<u>Area</u>	<u>Minimum</u>	Sufficient area for the principal structure and its accessory buildings, off-street parking and loading required by Section 5.0 and all required yards.
<u>Structure</u>	<u>Height</u>	<u>Maximum</u>	45 feet.
<u>Yards</u>	Minimum 200 feet from the centerline of any public or approved private street right-of-way line or property line.		

#### Conditional Use Permit

An application for a conditional use permit shall be made to the (County) (City) (Village) (Town) Clerk by the property owner or long term lessee, either of whom shall be directly responsible in the extracting or removal of the mineral, gravel, sand, rock, slate, or topsoil. Applications shall be accompanied by the following:

A fee of One Hundred (100.00) Dollars for one (1) year of operation; a plat survey of the proposed site and an adequate description of the operational methods; a list of equipment, machinery, and structures to be used; the source, quantity, and disposition of water to be used; a topographic map of the site showing existing contours with a minimum vertical contour interval of five (5) feet; trees; proposed and existing access roads; the depth of all existing and proposed excavations; and a restoration plan.



#### Restoration Plan

The Restoration Plan provided by the applicant shall contain proposed contours after filling or restoration, depth of the restored topsoil, type of fill, planting or reforestation, restoration commencement and completion dates. The applicant shall furnish the necessary fees to provide for the (County's) (City's) (Village's) (Town's) inspection and administration costs. The applicant and/or owner of the land from which the mineral, gravel, sand, rock, slate, or topsoil is being removed or extracted shall furnish the necessary sureties, which will enable the (County) (City) (Village) (Town) to perform the planned restoration of the site in event of default by the applicant. The amount of such sureties shall be based upon cost estimates prepared by the Zoning Administrator, and the form and type of such sureties shall be approved by the (County Board of Supervisors) (Common Council) (Village Board) (Town Board).

### 3.7 SANITARY LANDFILL DISTRICT

#### L-1 Sanitary Landfill District

##### Permitted Uses

Sanitary landfill

##### Permitted Use Restrictions

When operated in accordance with the provisions of Chapter NR 151 of the Wisconsin Administrative Code and of this zoning district.

##### Area, Height and Yards

<u>Lot</u>	Area	Minimum	Sufficient area for the principal use and structures, accessory structures, off-street parking and loading areas, on-site sewage disposal system, and yard requirements.
<u>Structures</u>	Height	Maximum	Subject to (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission) review and recommendation and approval by the (County Board) (Common Council) (Village Board) (Town Board).
<u>Yards</u>	Minimum 200 feet from the centerline of any public or approved private street right-of-way line or property line.		

##### Use Restricted

As defined in this Ordinance, sanitary land fills, related accessory uses, or any other use permitted on the site restoration and reuse plan are subject to review and recommendation by the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission) and approval by the (County Board) (Common Council) (Village Board) (Town Board) and only after a permit and all conditions attached thereto have been approved by the (County Board) (Common Council) (Village Board) (Town Board).

##### Permitted Use Permit

An application for a permitted use permit shall be made to the Zoning Administrator by the property owner or long-term lessee, either to whom shall be directly responsible for the operation of the sanitary landfill. Applications shall be accompanied by the following:

- A plat of survey of the proposed site and an adequate description of the operational methods; a list of equipment, machinery, and structures to be used; the source, quantity, and disposition of any water or other material to be used in the sanitary landfill operation; a topographic map of the site showing existing contours with a maximum vertical contour interval of two (2) feet; existing trees; proposed and existing access roads; the depth of all existing and proposed excavations and fills; and a restoration and reuse plan.
- The restoration and reuse plan provided by the applicant shall contain proposed contours after filling or restoration; depth of the restored topsoil; planting or restoration and reforestation commencement and completion dates. The applicant and/or owner of the sanitary landfill site shall furnish the necessary sureties which will enable the (County) (City) (Village) (Town) to perform the planned restoration of the site in the event of default by the applicant. The amount of such sureties shall be based upon cost estimates prepared by the (County Zoning Administrator) (City Engineer) (Village Engineer) (Town Engineer) and the form and type of such sureties shall be approved by the (County Board) (Common Council) (Village Board) (Town Board)

##### A Contractual Agreement

The applicant and/or owner of the sanitary landfill site shall enter into a Contractual Agreement with the (County Board) (Common Council) (Village Board) (Town Board) wherein all items required under the provisions of this Ordinance and any other conditions as may be required by the (County Board) (Common Council) (Village Board) (Town Board) shall be set forth in detail prior to the issuance of a permit by the Zoning Administrator.

#### Existing Operations Permit

Within 60 days after the adoption of this Ordinance all existing sanitary landfill operations shall be required to register with the Zoning Administrator submitting pertinent data relative to the present operation, including the boundaries of the actual operation and ownership. A permit shall be granted to such existing operations subject to compliance with all requirements of this district where they can be conditionally applied under existing conditions. Any existing operation which does not conform within 60 days shall cease operations or be penalized in accordance with the provisions of Sections 2.11 and 2.12.

### 3.8 INSTITUTIONAL DISTRICT

#### I-1 Institutional District

<u>Permitted Uses</u>	<u>Permitted Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
-- Churches, synagogues and temples.		6911
-- College dormitories		1232
-- Hospitals		6513
-- Junior colleges		6822
-- Monasteries		1252
-- Nurses' homes		1231
-- Nursing homes		6518
-- Orphanages		1242
-- Retirement homes		1241
-- Universities and colleges		6821

#### Area, Height and Yards

<u>Lot</u>	Area	Minimum	10,000 square feet.
<u>Building</u>	Height	Maximum	35 feet.
<u>Yards</u>	Side	Minimum	One side 8 feet. Other side 7 feet.
	Setback	Minimum	25 feet.
	Rear	Minimum	25 feet.

#### Class of Highway

A	100 feet from the centerline or 25 feet from the right-of-way line whichever is greater.
B	90 feet from the centerline or 25 feet from the right-of-way line whichever is greater.
C	80 feet from the centerline or 25 feet from the right-of-way line whichever is greater.
D	75 feet from the centerline or 25 feet from the right-of-way line whichever is greater.
E	65 feet from the centerline or 25 feet from the right-of-way line whichever is greater.

Class of Highway (Continued)

F	58 feet from the centerline or 25 feet from the right-of-way line whichever is greater.
G	55 feet from the centerline or 25 feet from the right-of-way line whichever is greater.
H	25 feet from the right-of-way line.
I	25 feet from the right-of-way line.
J	25 feet from the right-of-way line.

### 3.9 CONSERVANCY DISTRICTS

#### C-1 Lowland Resource Conservation District

The purpose of the C-1 Lowland Resource Conservation District is to preserve and protect the lakes, streams and wetland areas within the (County) (City) (Village) (Town). The regulation of these areas will maintain or improve water quality, prevent flood damage protect wildlife habitat, prevent the location of structures on soils which are generally not suitable for such use and protect the water-based recreational resources of the (County)(City) (Village) (Town).

<u>Permitted Uses</u>	<u>Permitted Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
Agricultural	Existing agricultural uses at the time of adoption of this Ordinance when conducted in accordance with the County conservation standards and not including the location of buildings or structures.	8100
Boat landing sites		7442
Drainage		
Fish hatcheries		8421
Flood overflows and movement of water		
Forest and game management		
Hunting and fishing clubs	Not including the location of buildings or structures.	7515
Impoundments		
Navigation		
Parks-general recreation	Not including the location of buildings or structures.	7610
Stream bank protection		
Swimming beaches		7431
Wilderness areas and wildlife preserves or refuges.		9551
<u>Accessory Uses to the Above Permitted Uses</u>	<u>Accessory Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
Seawalls	When in conformance with the provisions of Sections 30.11 of the Wisconsin Statutes.	
<u>Conditional Uses</u>	<u>Conditional Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
Bridges		
Campgrounds-public or private	<u>Camping Area Location</u> The temporary accommodation of persons providing their own means of shelter is permitted only in the locations approved on the site development plan as required under Section 4.0 of this Ordinance. In	7491

Conditional Uses

Conditional Use Restrictions

Off-Street Parking  
Requirements Reference  
Number (see Section 5.0)

approving such locations the  
(County Planning Committee)  
(City Plan Commission)  
(Village Plan Commission)  
(Town Plan Commission) shall  
view the proposed site and  
consider the general purpose  
and intent of this Zoning  
Ordinance to promote the  
public health, safety and  
general welfare and to  
prevent overcrowding and  
the development of unhealth-  
ful or unsanitary conditions  
on the premises.

Within the camping areas  
approved on the site plan  
every camping unit shall be  
located on generally well-  
drained ground, and no  
camping unit, nor any build-  
ing or structure related to  
the operation of such camping  
area, shall be located on  
ground on which storm or other  
surface waters accumulate, or  
on ground which is substan-  
tially wet or muddy due to  
subsoil moisture. No camping  
area, nor any camping unit  
within such camping area,  
shall be so located as to be  
subject at anytime to the  
flow of surface waters from  
a barn yard, or other source  
of pollution. No camping  
unit shall be located more  
than 400 feet from a toilet  
or service building.

Minimum Camping Unit Site Area  
There shall be not less than  
4,000 square feet of land per  
camping unit exclusive of  
required yards, parking lots  
and areas devoted to permanent  
buildings and their grounds.  
No camping unit shall be  
located within 50 feet of any  
other camping unit. Group  
camping shall be permitted  
only in an area designated  
for such use on the approved  
site development plan. Auto-  
mobiles, except self-propelled  
camping units, shall not be  
parked in any such designed  
group camping area except  
for loading and unloading  
purposes.

Yards

A yard shall be provided  
along each side of the camp  
except that part which  
fronts on a lake or stream

Conditional Uses

Conditional Use Restrictions

Off-Street Parking  
Requirements Reference  
Number (see Section 5.0)

course. Highway and shoreline setbacks shall be adhered to by all buildings and structures to which such setbacks apply. Each such yard shall be not less than 50 feet wide, and shall be increased by 10 feet in width for each camping unit or fraction thereof exceeding 40. Required yards shall be unused for the general operations of the camp.

Screening

It shall be a condition of the granting of the permit for such camp and a continuing condition for its operation, that the natural vegetation, including grasses, flowers, shrubs and trees, be allowed to grow and develop in all required yards, or that vegetation of equivalent density be planted therein, so as to provide a natural screen between such camp and adjacent properties.

Off-Street Parking

Off-street parking shall be provided on the premises of all camping areas in the ratio of not less than 1 parking space for each camping unit. Each such parking space shall be not less than 12 feet in width and of a length sufficient to accommodate the longest vehicles or vehicles to be parked therein.

Water Supply

There shall be an adequate source of pure water with supply outlets for drinking and domestic purposes located not more than 300 feet from any camping unit. Where a public water supply is not available, the well or wells supplying any camping area shall comply with the Wisconsin well construction code; except that well pits or pump pits shall not be permitted. Supply outlets may be located in a service building if separate from toilet or laundry rooms. No common drinking vessels shall be permitted, nor shall any



Conditional Uses

Conditional Use Restrictions

Off-Street Parking  
Requirements Reference  
Number (see Section 5.0)

drinking water faucets be placed in any toilet rooms.

Sewage Disposal  
Sanitary sewage and waste disposal facilities shall be provided as required by the Wisconsin Administrative Code, Chapter H78 and constructed and maintained as required by the (County) (City) (Village) (Town) Sanitary Ordinance.

Drives and Walkways  
There shall be a system of driveways and walkways connecting every camping unit within any camping area with a public street or highway. Such driveways shall be not less than 16 feet in width and such walkways shall be not less than five (5) feet in width. All driveways, walkways and parking areas shall be so constructed and maintained as to prevent the accumulation of surface waters and the formation of substantial muddy areas. Driveways shall be well lighted at night and shall be unobstructed at any time.

Maintenance  
It shall be a condition on the granting of a permit for the camping area, and a continuing condition for the operation of the same that:

- Drainage of the area shall be maintained and camping units placed on well drained ground.
- Required yards shall be maintained.
- Water supply, sanitary sewage and waste disposal facilities shall be maintained.
- Driveways, walkways and parking areas shall be maintained.

Permanent Parking Prohibited  
No individual camping unit shall be permitted to remain in any camping area for

<u>Conditional Uses</u>	<u>Conditional Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
	any period in excess of 21 consecutive days.	
Group or organized camps public or private.	All conditional use restrictions applicable to campgrounds as set forth above.	7520

Navigational structures

Public water measuring and  
control facilities.

Utilities

Yachting clubs 7441

The above permitted, accessory and conditional uses shall not involve dumping, filling, further cultivation, mineral, soil, or peat removal or any other use that would substantially disturb or impair the natural fauna, flora, watercourses, water regimen or topography. Also see the (County Sanitary Ordinance and Shoreland Zoning Ordinance) (City Sanitary Ordinance) (Village Sanitary Ordinance) (Town Sanitary Ordinance) for further regulations.

Area and Height

<u>Lot</u>	Area	Minimum	5 acres.
	Width	Minimum	300 feet.

Building

None permitted

## C-2 Upland Resource Conservation District

The purpose of the C-2 Upland Resource Conservation District is to preserve and protect all significant woodland and scenic areas within the (County) (City) (Village) (Town). The regulation of these areas will serve to control erosion and sedimentation, promote and maintain the natural beauty of the (County and Town) (City) (Village) (Town) and will assure the preservation and protection of areas of significant topography, potential recreation areas, wildlife habitat and other natural watershed characteristics which contribute to the quality of both the ground and surface waters of the (County) (City) (Village) (Town).

<u>Permitted Uses</u>	<u>Permitted Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
Agricultural	Existing and new agricultural uses when conducted in accordance with the County conservation standards.	8100
Forest reserves (wildlife areas)		9211
Forest reserves (wildlife refuges)		9212
Forest and game management		
Hunting and fishing clubs		7515
Parks-general recreation		7610
Riding stables		7416
Single-family detached dwellings	See Section 2.9.	1111
<u>Conditional Uses</u>	<u>Conditional Use Restrictions</u>	<u>Off-Street Parking Requirements Referenced Number (see Section 5.0)</u>
Campgrounds-public or private	All conditional use restrictions applicable to campgrounds as set forth in the C-1 District.	7490
Golf courses (without country club)		7411
Golf courses (with country club)		7412
Group or organized camps-public or private.	All conditional use restrictions applicable to campgrounds as set forth in the C-1 District.	7520
Ski hills		7514
<u>Area, Height and Yards</u>		

<u>--Residential Use</u>			
<u>Lot</u>	Area	Minimum	5 acres.
	Width	Minimum	300 feet.
<u>--Uses Other Than Residential Dwellings</u>			
	Area	Minimum	10 acres.
	Width	Minimum	600 feet.
<u>--Residential Dwellings</u>			
<u>Building</u>	Area	Minimum	800 square feet.
	Height	Maximum	35 feet.

<hr/>		
--Structures Other Than Residential Dwellings		
Height	Maximum	Two (2) times their distance from the nearest lot line, also see Section 9.0.
<hr/>		
--Residential Dwellings		
<u>Yards</u>	Shore	Minimum 75 feet.
	Street	Minimum
	All Classes of Highway	
		140 feet from the centerline or 65 feet from the right-of-way line, whichever is greater.
	Rear	Minimum 100 feet.
	Side	Minimum 20 feet.
<hr/>		
--Structures Other Than Residential Dwellings		
	Shore	Minimum 150 feet.
	Street	Minimum 150 feet.
	Rear	Minimum 100 feet.
	Side	Minimum 20 feet or 100 feet if the structure is to be used for the housing of animals, also see Section 9.0.

### C-3 Resource Restoration District

The purpose of the C-3 Resource Restoration District is to establish or restore natural resources including tree and shrubbery growth in those areas of the (County) (City) (Village) (Town) where such resources will serve to preserve in essentially open space uses, lands that are in steep slopes or are sub-marginal for crop production. The C-3 Resource Restoration District will also provide for the restoration of wildlife habitat, the creation of potential recreation areas, improvement of the physical characteristics of the natural watershed and will also serve to control erosion and sedimentation and enhance the natural beauty of the (County) (City) (Village) (Town).

<u>Permitted Uses</u>	<u>Permitted Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
Agricultural	Existing agricultural uses that are operated in accordance with the County conservation standards.	8100
Forest and game management		
Forest reserves (wilderness areas).		9211
Forest reserves (wildlife refuges).		9212
<u>Conditional Uses</u>	<u>Conditional Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
Campgrounds-public or private	All conditional use restrictions applicable to campgrounds in the C-1 District.	7490
Golf courses-public or private		7410
Group or organized camps-public or private.	All conditional use restrictions applicable to campgrounds in the C-1 District.	7520
Hunting and fishing clubs		7515
Parks-general recreation		7610
Single-family dwellings		1111
Ski hills	Public or private	7418

In addition to all applicable requirements of Section 4.0, Conditional Uses, the applications for all of the above uses shall also include a resource restoration plan for the property upon which the proposed use will be located. This plan shall include a site map showing the location, approximate size and species of all existing and proposed trees and shrubs and the location of all existing and proposed structures. The resource restoration plan shall be consistent with the County conservation standards.

### Area, Height and Yards

<u>--Residential Use</u>			
<u>Lot</u>	<u>Area</u>	<u>Minimum</u>	<u>5 acres.</u>
	<u>Width.</u>	<u>Minimum</u>	<u>300 feet.</u>

<u>Building</u>	<hr/> --Uses Other Than Residential Dwellings <hr/>		
	Area	Minimum	10 acres.
	Width	Minimum	600 feet.
	<hr/> --Residential Dwellings <hr/>		
	Area	Minimum	800 square feet.
	Height	Maximum	35 feet.
	<hr/> --Structures Other Than Residential Dwellings <hr/>		
	Height	Maximum	Two (2) times their distance from the nearest lot line, also see Section 9.0.
	<hr/> --Residential Dwellings <hr/>		
	<hr/>		
<u>Yards</u>	Shore	Minimum	75 feet.
	Street	Minimum	
	All Classes of Highways		
			140 feet from the centerline or 65 feet from the right-of-way line whichever is greater.
	Rear	Minimum	100 feet.
	Side	Minimum	20 feet.
	<hr/> --Structures Other Than Residential Dwellings <hr/>		
	Shore	Minimum	150 feet.
	Street	Minimum	150 feet.
	Rear	Minimum	100 feet.
	Side	Minimum	20 feet or 100 feet if the structure is to be used for the housing of animals, also see Section 9.0.

### 3.10 FLOODLAND DISTRICT

#### F-1 Floodland District Permitted Uses

##### *Within the Channels*

- Drainage
- Movement of water
- Navigation
- Stream bank protection

##### *Within the Floodway*

- Flood overflows and movement of flood waters.

##### *Within the Floodplains*

- Fish hatcheries
- Flood overflows
- Impoundments
- Sustained yield forestry
- Wildlife preserves

#### Conditional Uses

#### Conditional Use Restrictions-General

The applicant shall show that such use or improvement will not obstruct the floodway, increase flood flow velocities, increase or decrease the flood stage, or retard the movement of flood waters based on the assumption that there will be an equal degree of encroachment extending for a significant reach on both sides of the river. All structures shall be floodproofed and constructed so as not to catch or collect debris nor be damaged by flood waters. Such use shall not involve the storage of materials that are buoyant, flammable explosive, or injurious to human, animal, or plant life. The erection of all structures in the channel shall require a permit from the Department of Natural Resources having jurisdiction pursuant to Section 30.12(2) of the Wisconsin Statutes. All bulkheads, wharves, and piers shall comply with bulkhead or pierhead lines established by any municipality pursuant to Section 30.11 or 30.13 of the Wisconsin Statutes.

##### *Within the Channels*

- |   |                 |
|---|-----------------|
| -- Bridges  | See Section 2.6 |
| -- Navigational structures                        | See Section 2.6 |
| -- Public water measuring and control facilities. | See Section 2.6 |
| -- Utilities                                      | See Section 2.6 |

##### *Within the Floodway*

- |  |  |
|--|--|
| -- Bridges                             | See Section 2.6  |
| -- Marinas                             | See Section 2.6  |
| -- Navigational structures             | See Section 2.6  |
| -- Parking lots for motor vehicles.    | Except new or used vehicle sales or storage areas, also see Section 5.0.     |
| -- Public and private recreation uses. | Not including the erection of buildings or structures, also see Section 2.6. |

Conditional Uses

*Within the Floodway (Continued)*

-- Public water measuring  
and control facilities.

-- Utilities

*Within the Floodplains*

-- Bridges

-- Dumping

-- Excavation and filling

-- Impoundments

-- Navigational structures

-- Parking lots for motor  
vehicles.

-- Public and private  
recreation uses.

-- Public water measuring  
and control facilities.

-- Storage yards

-- Utilities

Conditional Use Restrictions-General

See Section 2.6

See Section 2.6

See Section 2.6

Subject to District Boundary Line  
Amendment pursuant to Section 11.5.

Subject to District Boundary Line  
Amendment pursuant to Section 11.5.

See Section 2.6

See Section 2.6

Except new or used vehicle sales  
or storage areas, also see  
Section 5.0.

See Section 2.6

See Section 2.6

See Section 2.6

See Section 2.6



### 3.11 PARK DISTRICT

#### P-1 Park District

<u>Permitted Uses</u>	<u>Permitted Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
<b>Amusements</b>		
-- Amusement parks		7312
-- Fairgrounds		7311
-- Golf driving ranges		7393
-- Miniature golf		7392
-- Penny arcades		
<b>Cultural Activities and Nature Exhibitions</b>		
-- Aquariums		7122
-- Art galleries		7113
-- Botanical gardens and arboretums		7123
-- Historic and monument sites		7191
-- Libraries		7111
-- Museums		7112
-- Planetaria		7121
-- Zoos		7124
<b>Forests and Reserves</b>		
-- Forest reserves	Wilderness areas.	9211
-- Forest reserves	Wildlife refuges.	9212
<b>Parks</b>		
-- Parks--general recreation		7610
-- Parks--leisure and ornamental		7620
<b>Public Assembly</b>		
-- Amphitheater		7211
-- Arenas and field houses		7222
-- Auditoriums		7231
-- Drive-in movies		7213
-- Exhibition halls		7232
-- Legitimate theaters		7214
-- Motion picture theaters		7212
-- Stadiums		7221

<u>Permitted Uses</u>	<u>Permitted Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
<b>Recreational Activities</b>		
-- Boat rentals and boat access sites		7442
-- Golf courses	With country club	7411
-- Golf courses	Without country club	7412
-- Gymnasiums and athletic clubs.		7425
-- Ice skating		7414
-- Picnicking areas		7492
-- Playfields or athletic fields		7423
-- Playgrounds		7422
-- Play lots or tot lots		7421
-- Recreation centers		7424
-- Roller skating		7415
-- Skiing and tobogganing		7418
-- Swimming beaches		7431
-- Swimming pools		7432
-- Tennis courts		7413
<b>Sort and Group Camps</b>		
-- Dude ranches		7512
-- General resorts		7511
-- Group or organized camps		7520
-- Health resorts		7513
-- Hunting and fishing clubs		7515
-- Ski resorts		7514
<u>Conditional Uses</u>	<u>Conditional Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
-- Camping areas		7491
-- Go-cart tracks		7394
-- Race tracks		7223
-- Riding stables		7416

Area, Height and Yards

<u>Lot</u>	Area	Minimum	Sufficient area for the principal structure and its accessory buildings, off-street parking and loading required by Section 5.0 and all required yards.
<u>Building</u>	Height	Maximum	35 feet.
<u>Yards</u>	Shore	Minimum	75 feet.
	Side	Minimum	50 feet.
	Setback	Minimum	
	<u>Class of Highway</u>		
	A		125 feet from the centerline or 50 feet from the right-of-way line whichever is greater.
	B		115 feet from the centerline or 50 feet from the right-of-way line whichever is greater.
	C		105 feet from the centerline or 50 feet from the right-of-way line whichever is greater.
	D		100 feet from the centerline or 50 feet from the right-of-way line whichever is greater.
	E		90 feet from the centerline or 50 feet from the right-of-way line whichever is greater.
	F		83 feet from the centerline or 50 feet from the right-of-way line whichever is greater.
	G		80 feet from the centerline or 50 feet from the right-of-way line whichever is greater.
	H		50 feet from the right-of-way line.
	I		50 feet from the right-of-way line.
	J		50 feet from the right-of-way line.
	Rear	Minimum	50 feet

### 3.12 TRANSPORTATION OR UTILITY LANDS DISTRICT

#### TUL Transportation or Utility Lands District

<u>Permitted Uses</u>	<u>Permitted Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
Existing Facilities	No expansion without (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission) Approval.	
<u>Conditional Uses</u>	<u>Conditional Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
<b>Aircraft Transportation</b>		
-- Aircraft storage and equipment maintenance.		4315
-- Airport and flying field landing takeoff fields.		4311
-- Airport and flying field terminals.	Passenger.	4312
-- Airport and flying field terminals.	Freight.	4313
-- Airport and flying field	Passenger and freight.	4314
-- Heliport landing/takeoff pads.		4391
<b>Motor Vehicle Transportation</b>		
-- Bus garaging and equipment maintenance.		4214
-- Bus passenger terminals	Intercity.	4211
-- Motor freight garaging and equipment maintenance.		4222
-- Motor freight terminals		4221
<b>Railroad Rapid Rail Transit and Street Railway Transportation</b>		
-- Railroad equipment and maintenance.		4116
-- Railroad right-of-way	Excluding switching and marshaling yards.	4111
-- Railroad switching and marshaling yards.		4112
-- Railroad terminals		4115
-- Rapid rail transit and street railway equipment maintenance.		4123
-- Rapid rail transit and street railway passenger terminals.		4122

<u>Conditional Uses</u>	<u>Conditional Use Restrictions</u>	<u>Off-Street Parking Requirements Reference Number (see Section 5.0)</u>
Railroad Rapid Rail Transit and Street Railway Transportation (Continued)		
-- Rapid rail transit and street railway right- of-way.		4121
Utilities		
-- Electric generation plants		4812
-- Electricity regulating substations.		4813
-- Electric transmission right-of-way.		4811
-- Gas pipeline right-of-way		4821
-- Gas pressure control stations		4824
-- Gas production plants		4822
-- Irrigation distribution channels.		4834
-- Natural or manufactured gas storage and distribution points.		4823
-- Petroleum pipeline right-of-way.		4911
-- Petroleum pressure control stations.		4912
-- Sewage pressure control stations.		4843
-- Sewage treatment plants		4841
-- Telephone exchange stations		4711
-- Telephone relay towers	Subject to the specific approval of the (County Board) (Common Council) (Village Board) (Town Board) both as to location and arrangement on the site.	4712
-- Water pipeline right-of-way		4831
-- Water pressure control stations.		4835
-- Water storage		4833
-- Water treatment plants		4832
Area, height and yard requirements to be determined by the (County Board) (Common Council) (Village Board) (Town Board).		

### 3.13 AGRICULTURAL DISTRICTS

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#### A-1 Exclusive Agriculture District

The purpose of the A-1 Exclusive Agriculture District is to maintain and preserve high yield farmlands for crop production which are covered by Class I, II, and III soils as rated by the U. S. Department of Agriculture, Soil Conservation Service. It is therefore hereby determined that the highest or best use of these lands is agricultural in terms of benefits derived, including the food products grown and the governmental economy of the (County), (Town) and surrounding Region.

#### Permitted Uses

Farms

Farms, Agricultural and  
Poultry Including:

- Apiculture
- Floriculture
- Grazing
- Livestock raising
- Orchards
- Paddocks
- Plant nurseries
- Poultry Raising
- Raising of grain  
and grass crops,  
mint and seed crops.
- Raising of tree fruits,  
nuts and berries.
- Sod farming
- Vegetables
- Viticulture

Equestrian Trails

Forest and Game Management

Greenhouses

Nature Trails or Walks

Single and Two Family Farm  
Dwellings

Stables

Accessory Uses to the  
Above Permitted Uses

- Two (2) single-family or one  
(1) two-family farm dwellings.

#### Permitted Use Restrictions

Existing agricultural or  
poultry at the time of  
adoption of this Ordinance,  
when conducted in accordance  
with the County conservation  
standards.

See Section 2.9.

Except commercial feedlots.

Except commercial egg production

Existing at the time of  
adoption of this Ordinance.

#### Accessory Use Restrictions

For those resident owners and  
laborers actually engaged in a  
permitted use.

Accessory Uses to the  
Above Permitted Uses

Roadside stands

Conditional Uses

Commercial egg production

Commercial feed lots

Housing for migratory or  
seasonal farm workers.

Livestock sales barns

Single-family dwellings  
exceeding two per farm.

Accessory uses to the above  
conditional uses.

Area, Height and Yards

Accessory Use Restrictions

Not exceeding one per farm.

Conditional Use Restrictions

For those resident owners and  
laborers actually engaged in a  
permitted use.

<u>Lot</u>	Area	Minimum	40 acres.
<hr/> --Residential Farm Dwellings <hr/>			
<u>Building</u>	Area	Minimum	800 square feet.
	Height	Maximum	35 feet.
<hr/> --Structures Other Than Residential Dwellings <hr/>			
	Height	Maximum	Two (2) times their distance from the nearest lot line, also see Section 9.0.
<hr/> --Residential Farm Dwellings <hr/>			
<u>Yards</u>	Shore	Minimum	75 feet or to the landward side of the floodplain.
	Street	Minimum	
Class of Highway			
	A		140 feet from the centerline or 65 feet from the right-of-way line whichever is greater.
	B		130 feet from the centerline or 65 feet from the right-of-way line whichever is greater.
	C		120 feet from the centerline or 65 feet from the right-of-way line whichever is greater.
	D		115 feet from the centerline or 65 feet from the right-of-way line whichever is greater.
	E		105 feet from the centerline or 65 feet from the right-of-way line whichever is greater.
	F		98 feet from the centerline or 65 feet from the right-of-way line whichever is greater.

*Class of Highway (Continued)*

	G	95 feet from the centerline or 65 feet from the right-of-way line whichever is greater.
	H	65 feet from the right-of-way line.
	J	65 feet from the right-of-way line.
Rear	Minimum	100 feet.
Side	Minimum	20 feet.
<hr/> <i>--Structures Other Than Residential Dwellings</i> <hr/>		
Shore	Minimum	150 feet or to the landward side of the floodplain.
Street	Minimum	200 feet from the centerline.
Rear	Minimum	100 feet.
Side	Minimum	20 feet or 100 feet if the structure is to be used for the housing of animals, also see Section 9.0.



## A-2 Agricultural Holding District

The purpose of this district is to preserve temporarily in agricultural uses, those lands where urban expansion is projected to occur on the adopted regional and Racine Urban Planning District land use plans to accommodate future population growth. This district will protect these areas from development until such time as the (County) (City) (Village) (Town) proceeds to provide necessary public services to such lands and to which the (County) (City) (Village) (Town) would then apply appropriate permanent zoning.

### Permitted Uses

### Permitted Use Restrictions

#### Farms

Existing agricultural or poultry at the time of adoption of this Ordinance, when conducted in accordance with the County conservation standards.

#### Farms, Agricultural and Poultry Including:

##### -- Apiculture

##### -- Floriculture

##### -- Grazing

See Section 2.9.

##### -- Livestock raising

Except commercial feedlots.

##### -- Orchards

##### -- Paddocks

##### -- Plant nurseries

##### -- Poultry raising

Except commercial egg production.

##### -- Raising of grain and grass crops, mint and seed crops.

##### -- Raising of tree fruits, nuts and berries.

##### -- Sod farming

##### -- Vegetables

##### -- Viticulture

#### Forest and Game Management

#### Nature Trails or Walks

#### Single-and Two-Family Farm Dwellings

Existing at the time of adoption of this Ordinance.

### Accessory Uses to the Above Permitted Uses

### Accessory Use Restrictions

#### Two (2) single-family or one (1) two-family farm dwellings.

For those resident owners and laborers actually engaged in a permitted use.

#### Roadside stands

Not exceeding one per farm.

Area, Height and Yard

<u>Lot</u>	Area	Minimum	40 acres.
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Building

--Residential Farm Dwelling

Area	Minimum	800 square feet.
Height	Maximum	35 feet.

--Structures Other Than Residential Dwellings

Height	Maximum	Two (2) times their distance from the nearest lot line, also see Section 9.0.
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Yards

--Residential Farm Dwellings

Shore	Minimum	75 feet or to the landward side of the floodplain.
Side	Minimum	20 feet.
Setback	Minimum	

Class of Highway

	A	140 feet from the centerline or 65 feet from the right-of-way line whichever is greater.
	B	130 feet from the centerline or 65 feet from the right-of-way line whichever is greater.
	C	120 feet from the centerline or 65 feet from the right-of-way line whichever is greater.
	D	115 feet from the centerline or 65 feet from the right-of-way line whichever is greater.
	E	105 feet from the centerline or 65 feet from the right-of-way line whichever is greater.
	F	98 feet from the centerline or 65 feet from the right-of-way line whichever is greater.
	G	95 feet from the centerline or 65 feet from the right-of-way line whichever is greater.
	H	65 feet from the right-of-way line.
	J	65 feet from the right-of-way line.
Rear	Minimum	100 feet.

--Structures Other Than Residential Dwellings

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Shore	Minimum	150 feet or to the landward side of the floodplain.
Side	Minimum	20 feet or 100 feet if the structure is to be used for the housing of animals, see Section 9.0
Street	Minimum	200 feet from the centerline.
Rear	Minimum	100 feet.

## CONDITIONAL USES

### SECTION 4.0

#### 4.1 APPLICATION

Application for conditional use permits shall be made in duplicate to the Zoning Administrator on forms furnished by the Administrator and shall include the following where pertinent and necessary for proper review by the (County Planning Committee and the Town Plan Commission) (City Plan Commission) (Village Plan Commission) (Town Plan Commission and the County Planning Committee).

Names and Addresses of the applicant, owner of the site, architect, professional engineer, contractor, and all opposite and abutting property owners of record.

Description of the Subject Site by lot, block, and recorded subdivision or by metes and bounds; address of the subject site; type of structure; proposed operation or use of the structure or site; number of employees; and the zoning district within which the subject site lies.

Plat of Survey prepared by a land surveyor registered in Wisconsin or other map drawn to scale and approved by the Zoning Administrator, showing the location, property boundaries, dimensions, uses, and size of the following: subject site; existing and proposed structures; existing and proposed easements, streets, and other public ways; off-street parking, loading areas and driveways; existing highway access restrictions; existing and proposed street, side, and rear yards; and areas subject to inundation by floodwaters.

In Areas Subject to Inundation by floodwaters the plat of survey shall also include basement and first floor elevations, utility elevations, historic and probable future floodwater elevations, depths of inundation, floodproofing measures, and plans for proposed structures giving dimensions and elevations pertinent to the determination of the hydraulic capacity of the structure or its affects on flood flows.

In Addition, the plat of survey shall show the location, elevation, and use of any abutting lands and their structures within forty (40) feet of the subject site; soil mapping unit lines, types and slopes, ground surface elevations; mean and historic high-water lines, on or within forty (40) feet of the subject premises, and existing and proposed landscaping.

Additional Information as may be required by the (County Board of Supervisors, County Planning Committee, or the County Zoning Administrator) (Common Council, City Plan Commission, City Planner, City Engineer or City Zoning Administrator) (Village Board, Village Plan Commission, Village Planner, Village Engineer or Village Zoning Administrator) (Town Board, Town Plan Commission, Town Planner, Town Engineer, or Town Zoning Administrator).

Fee Receipt from the (County) (City) (Village) (Town) Treasurer in the minimum amount of Fifteen Dollars (\$15). Costs incurred by the (County Board) (Common Council) (Village Board) (Town Board) in retaining legal, planning, engineering, and other technical and professional advice in connection with the review of conditional use applications and the preparation of conditions to be imposed on such uses shall be charged to the applicant.

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#### 4.2 REVIEW AND APPROVAL BY THE COUNTY PLANNING COMMITTEE AND THE TOWN BOARD

*The County Planning Committee, the Town Plan Commission, and the Town Board shall review the site, existing and proposed structures, architectural plans, neighboring land and water uses, parking areas, driveway locations, highway access, traffic generation and circulation, drainage, waste disposal, water supply systems, and the effects of the land cover, natural beauty and wildlife habitat and the County Planning Committee shall hold a public hearing after giving due notice to the parties in interest.*

*Application, Information and Public Hearing Notice to be Forwarded to the Town. The County Zoning Administrator shall forward to the Clerk of the Town within which a conditional use is proposed, a copy of all maps, plans and other documents submitted by the applicant together with the official notice fixing the time and place for the public hearing to be held on the proposed conditional use. Such information and notice shall be mailed at least ten (10) days prior to the public hearing.*

*County Planning Committee and Town Board Actions. The Town Board may forward its approval, conditional approval or disapproval in writing prior to the public hearing, or orally at the public hearing by a duly designated representative, or may request to meet jointly with the County Planning Committee following the close of the public hearing to state its final action. If the Town Board or its representative shall at such joint meeting request an extension of time to approve, conditionally approve or disapprove the application for a conditional use permit, such extension shall be automatically granted for a period of*

one week, or for such longer period of time as the County Planning Committee shall consider reasonable. Failure of the Town Board to state its approval, conditional approval or disapproval shall be deemed to constitute approval by the Town Board of whatever action the County Planning Committee may take.

Approval of conditional uses may be accomplished jointly by the Town Board and County Planning Committee if all conditions and restrictions of the approval are agreed upon, or by the County Planning Committee acting alone if the Town Board fails to approve, approve conditionally, or disapprove the application for a conditional use permit. Denial of an application for a conditional use permit may be by a majority vote of either the County Planning Committee or by the Town Board. The Town Board does not, however, have the power to approve, conditionally approve, or disapprove conditional uses in shoreland areas where applicable statutes of the State of Wisconsin give such power exclusively to the County Board of Supervisors acting through the County Planning Committee.

If the Town Board and County Planning Committee shall both approve the application for a conditional use subject to certain conditions and restrictions, and such conditions and restrictions are not identical, then the more restrictive conditions and restrictions shall apply. If either the applicant, the Town Board, or the County Planning Committee shall deem it to be unclear as to which conditions and restrictions apply, either may request a joint meeting of the Town Board and the County Planning Committee for the purpose of clarifying, or if need be, to amend the applicable conditions and restrictions.

Conditions such as landscaping, architectural design, type of construction, construction, commencement and completion dates, sureties, lighting, fencing, location, size and number of signs, water supply and waste disposal systems, higher performance standards, street dedication, certified survey maps, floodproofing, ground cover, diversions, silting basins, terraces, stream bank protection, planting screens, operational control, hours of operation, improved traffic circulation, deed restrictions, highway access restrictions, increased yards, or additional parking may be required by the County Planning Committee or Town Board upon its finding that these are necessary to fulfill the purpose and intent of this Ordinance, the State Water Resources Act of 1965, and meet the provisions of the State's Flood Plain Management Programs.

Compliance with all other provisions of this Ordinance, such as lot, width and area, yards, height, parking, loading, traffic, highway access, and performance standards, shall be required of all conditional uses. Variances shall only be granted as provided in Section 10.0.

City or  
Village  
Ordinance

#### 4.2 REVIEW AND APPROVAL

The (City) (Village) Plan Commission shall review the site, existing and proposed structures, architectural plans, neighboring land and water uses, parking areas, driveway locations, highway access, traffic generation and circulation, drainage, waste disposal, water supply systems, and the effects of the proposed use, structure, operation, and improvement upon flood damage protection, water quality, shoreland cover, natural beauty and wildlife habitat and shall hold a public hearing after giving due notice to the parties in interest.

The (Common Council) (Village Board) may authorize the Zoning Administrator to issue a conditional use permit provided that such conditional uses and structures are found by the (Common Council) (Village Board) to be in accordance with the purpose and intent of this Ordinance and are found to be not hazardous, harmful, offensive, or otherwise adverse to the environmental quality, water quality, shoreland cover, or property values within the (City) (Village).

Conditions such as landscaping, architectural design, type of construction, construction commencement and completion dates, sureties, lighting, fencing, location, size and number of signs, water supply and waste disposal systems, higher performance standards, street dedication, certified survey maps, floodproofing, ground cover, diversions, silting basins, terraces, stream bank protection, planting screens, operational control, hours of operation, improved traffic circulation, deed restrictions, highway access restrictions, increased yards, or additional parking may be required by the (Common Council) (Village Board) upon its finding that these are necessary to fulfill the purpose and intent of this Ordinance, the State Water Resources Act of 1965, and meet the provisions of the State's Flood Plain Management Programs.

Compliance with all other provisions of this Ordinance, such as lot, width and area, yards, height, parking, loading, traffic, highway access, and performance standards shall be required of all conditional uses. Variances shall only be granted as provided in Section 10.0.

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Ordinance

#### 4.2 REVIEW AND APPROVAL BY THE TOWN BOARD AND THE COUNTY PLANNING COMMITTEE

The Town Board and the County Planning Committee shall review the site, existing and proposed structures, architectural plans, neighboring land and water uses, parking areas, driveway locations, highway access, traffic generation and circulation, drainage, waste disposal, water supply systems, and the effects of the proposed use, structure, operation, and

improvement upon flood damage protection, water quality, shoreland cover, natural beauty and wildlife habitat and the Town Board shall hold a public hearing after giving due notice to the parties in interest.

Application, Information and Public Hearing Notice to be Forwarded to the County. The Town Zoning Administrator shall forward to the County Clerk a copy of all maps, plans and other documents submitted by the applicant together with the official notice fixing the time and place for the public hearing to be held on the proposed conditional use. Such information and notice shall be mailed at least ten (10) days prior to the public hearing.

County Planning Committee and Town Board Actions. The County Planning Committee may forward its approval, conditional approval or disapproval in writing prior to the public hearing, or orally at the public hearing by a duly designated representative, or may request to meet jointly with the Town Planning Commission following the close of the public hearing to state its final action. If the County Planning Committee or its representative shall at such joint meeting request an extension of time to approve, conditionally approve or disapprove the application for a conditional use permit, such extension shall be automatically granted for a period of one week, or for such longer period of time as the Town Board shall consider reasonable. Failure of the County Planning Committee to state its approval, conditional approval or disapproval shall be deemed to constitute approval by the County Planning Committee of whatever action the Town Board may take.

Approval of conditional uses may be accomplished jointly by the Town Board and County Planning Committee if all conditions and restrictions of the approval are agreed upon, or by the Town Board acting alone if the County Planning Committee fails to approve, approve conditionally, or disapprove the application for a conditional use permit. Denial of an application for a conditional use permit may be by a majority vote of either the County Planning Committee or by the Town Board. The Town Board does not, however, have the power to approve, conditionally approve, or disapprove conditional uses in shoreland areas where applicable statutes of the State of Wisconsin give such power exclusively to the County Board of Supervisors, acting through the County Planning Committee.

If the Town Board and County Planning Committee shall both approve the application for a conditional use subject to certain conditions and restrictions, and such conditions and restrictions are not identical, then the more restrictive conditions and restrictions shall apply. If either the applicant, the Town Board, or the County Planning Committee shall deem it to be unclear as to which conditions and restrictions apply, either may request a joint meeting of the Town Board and the County Planning Committee for the purpose of clarifying, or if need be, to amend the applicable conditions and restrictions.

Conditions such as landscaping, architectural design, type of construction, construction commencement and completion dates, sureties, lighting, fencing, location, size and number of signs, water supply and waste disposal systems, higher performance standards, street dedication, certified survey maps, floodproofing, ground cover, diversions, silting basins, terraces, stream bank protection, planting screens, operational control, hours of operation, improved traffic circulation, deed restrictions, highway access restrictions, increased yards, or additional parking may be required by the (Common Council) (Village Board) upon its finding that these are necessary to fulfill the purpose and intent of this Ordinance, the State Water Resources Act of 1965, and meet the provisions of the State's Flood Plain Management Programs.

Compliance with all other provisions of this Ordinance, such as lot, width and area, yards, height, parking, loading, traffic, highway access, and performance standards, shall be required of all conditional uses. Variances shall only be granted as provided in Section 10.0.

## TRAFFIC, PARKING, AND ACCESS

### SECTION 5.0

#### 5.1 TRAFFIC VISIBILITY

No obstructions, such as structures, parking, or vegetation, shall be permitted in any district above the height of two and one-half (2 1/2) feet above the plane through the mean centerline roadway grades within the triangular space formed by any two existing or proposed intersecting street or alley rights-of-way lines and a line joining points on such lines located a minimum of fifty (50) feet from their intersection.

In the Case of Arterial Streets intersecting with other arterial streets or railways, the corner cutoff distances establishing the triangular vision clearance space shall be increased to one hundred (100) feet.

#### 5.2 LOADING REQUIREMENTS

In all districts adequate loading areas shall be provided so that all vehicles loading, maneuvering, or unloading are completely off the public ways and so that all vehicles need not back onto any public way.

#### 5.3 DRIVEWAYS

All driveways installed, altered, changed, replaced, or extended after the effective date of this Ordinance shall meet the following requirements:

Islands between driveway openings shall be provided with a minimum of twelve (12) feet between all driveways and six (6) feet at all lot lines.

Openings for vehicular ingress and egress shall not exceed thirty (30) feet at the street line and thirty-five (35) feet at the roadway.

Vehicular Entrances and Exits to drive-in theaters, banks, and restaurants; motels, funeral homes; vehicular sales, service, washing and repair stations; garages; or public parking lots shall be not less than two hundred (200) feet from any pedestrian entrance or exit to a school, college, university, church, hospital, park playground, library, public emergency shelter, or other place of public assembly.

#### 5.4 HIGHWAY ACCESS

No direct private access shall be permitted to the existing or proposed rights-of-way of expressways, nor to any controlled access arterial street without permission of the highway agency that has access control jurisdiction. No direct public or private access shall be permitted to the existing or proposed rights-of-way of the following:

Freeways, Interstate Highways, and their interchanges or turning lanes nor to intersecting or interchanging streets within fifteen hundred (1500) feet of the most remote end of the taper of the turning lanes.

Arterial Streets intersecting another arterial street within one hundred (100) feet of the intersection of the right-of-way lines.

Access Barriers, such as curbing, fencing, ditching, landscaping, or other topographic barriers, shall be erected to prevent unauthorized vehicular ingress or egress to the above specified streets or highways.

Temporary Access to the above rights-of-way may be granted by the (County Board) (Common Council) (Village Board) (Town Board) after review and recommendation by the highway agencies having jurisdiction. Such access permit shall be temporary, revocable, and subject to any conditions required and shall be issued for a period not to exceed twelve (12) months.

#### 5.5 PARKING REQUIREMENTS

In all districts and in connection with every use, there shall be provided at the time any use or building is erected, enlarged, extended, or increased off-street parking stalls for all vehicles in accordance with the following:

Adequate Access to a public street or other officially approved means of access shall be provided for each parking space, and driveways shall be at least ten (10) feet wide for one- and two-family dwellings and a minimum of twenty-four (24) feet for all other uses.

Size of each parking space shall be not less than one hundred and eighty (180) square feet exclusive of the space required for ingress and egress.

Location to be on the same lot as the principal use or not over four hundred (400) feet from the principal use. No parking stall or driveway except in residential districts shall be closer than twenty-five (25) feet to a residential district lot line or a street line opposite a residential district.

Surfacing. All off-street parking areas shall be graded and surfaced so as to be dust free and properly drained. Any parking area for more than five (5) vehicles shall have the aisles and spaces clearly marked.

Curbs or Barriers shall be installed so as to prevent the parked vehicles from extending over any lot lines.

Uses Not Listed. In the case of structures or uses not mentioned, the provision for a use which is similar shall apply.

Combinations of any of the above uses shall provide the total of the number of stalls required for each individual use.

The following tables indicate the parking spaces required for various possible land uses and which requirements are subject to the following modifications: If a property contains different seasonal uses which would use the same parking facilities, the use which requires the greatest number of spaces shall be the use upon which the parking requirement for the property shall be based; if a property contains various uses which would be operating simultaneously, the parking requirement for the property shall be cumulative to reflect all uses.



Off-Street Parking Reference Number	LAND USE CLASSIFICATION	MINIMUM PARKING REQUIREMENTS						
		1 Space/50 ft. <sup>2</sup>	1 Space/150 ft. <sup>2</sup>	1 Space/250 ft. <sup>2</sup>	1 Space/350 ft. <sup>2</sup>	1 Space/500 ft. <sup>2</sup>	1 Space/1000 ft. <sup>2</sup>	1 Space/2000 ft. <sup>2</sup>
1111	Single-family detached dwelling.	2 spaces per unit.						
1114	Two-family dwelling.	2 spaces per unit						
1115	Multiple-family dwelling.	1.25 spaces per one bedroom unit, 1.50 spaces per two bedroom unit, 2 spaces per three or more bedroom unit						
1116	Mobile home.	2 spaces per unit.						
1190	Residential dwelling unit in a non-residential structure.	2 spaces per unit.						
1210	Rooming and boarding houses.	1 space per lodging unit.						
1221	Fraternity and sorority houses.	1 space per bed.						
1231	Nurses' homes.	1 space per bed.						
1232	College dormitories.	1 space per bed.						
1241	Retirement homes.							●
1242	Orphanages.							●
1251	Convents.							●
1252	Monasteries.							●
1253	Rectories.	1 space per bed.						
1400	Mobile home parks or courts.	2 spaces per mobile home, plus 1 space/150 feet <sup>2</sup> of accessory buildings.						
1510	Hotels, tourist courts, and motels.	1 space per lodging unit.						

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2111	Meat packing.						●	
2112	Sausages and other prepared meat products.				●			
2113	Poultry and small game dressing and packing.				●			
2121	Creamery butter.				●			
2122	Cheese, natural and processed.				●			
2123	Milk, condensed and evaporated.				●			
2124	Ice cream and frozen desserts.				●			
2125	Fluid milk processing.				●			
2131	Canning and curing seafoods.				●			
2132	Canning specialty foods.				●			
2133	Canning fruits, vegetables, preserves, jams, and jellies.				●			
2134	Drying and dehydrating fruits and vegetables.				●			
2135	Pickling fruits and vegetables; vegetable sauces and seasonings; salad dressings.				●			
2136	Fresh or frozen packaged fish and seafoods.				●			
2137	Frozen fruits, fruit juices, vegetables, and specialties.				●			
2141	Flour and other grain mill products.				●			

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2142	Feeds prepared for animals and fowl.				●			
2143	Cereal preparations.				●			
2144	Rice milling.				●			
2145	Flour, blending and preparing.				●			
2146	Corn, wet milling.				●			
2150	Bakery products.				●			
2160	Sugar.				●			
2171	Candy and other confectionery products.				●			
2172	Chocolate and cocoa products.				●			
2173	Chewing gum.				●			
2181	Malt liquors.				●			
2182	Malt.				●			
2183	Wine, brandy, and brandy spirits.				●			
2184	Distilling, rectifying, and blending liquors.				●			
2185	Bottling and canning soft drinks and carbonated waters.				●			
2186	Flavor extracts and flavoring sirups.				●			

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2191	Cottonseed oil milling.				●			
2192	Soybean oil milling.				●			
2193	Vegetable oil milling.				●			
2194	Animal and marine fats and oils.				●			
2195	Coffee roasting and coffee products.				●			
2196	Shortening, table oils, margarine, and other edible fats and oils.				●			
2197	Ice.				●			
2198	Macaroni, spaghetti, vermicelli, and noodles.				●			
2210	Fabrics, broad and narrow woven.				●			
2220	Knit goods.				●			
2230	Textiles, dyeing and finishing.				●			
2240	Floor coverings.					●		
2250	Yarns and threads.				●			
2291	Felt goods.				●			
2292	Lace goods.				●			
2294	Fibers and flock, processing waste and recovering.						●	

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2295	Artificial leather and oil cloth manufacturing and other impregnating and coating fabrics.						●	
2296	Tire cord and fabric.						●	
2297	Wool scouring, worsted combing, and towing to top.						●	
2310	Men's, youths', and boys' suits, coats, and overcoats.				●			
2320	Men's, youths', and boys' furnishings, work clothing and allied garments.				●			
2330	Women's, misses', juniors', girls', children's, and infants' outerwear.				●			
2340	Women's, misses', children's, and infants' undergarments.				●			
2350	Hats, caps, and millinery.				●			
2362	Industrial leather belting and packing.				●			
2363	Boot and shoe cut stock and findings.				●			
2364	Footwear.				●			
2365	Leather gloves and mittens.				●			
2366	Luggage.					●		
2367	Handbags and other personal leather goods.				●			
2370	Fur goods.				●			
2381	Dress and work gloves.				●			

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2382	Robes and dressing gowns.				●			
2383	Raincoats and other waterproof outer garments.						●	
2384	Leather and sheep lined clothing.						●	
2385	Apparel belts.				●			
2391	Curtains and draperies.				●			
2392	House furnishings.				●			
2393	Textile bags.				●			
2394	Canvas products.				●			
2395	Pleating, decorative and novelty stitching and tucking for the trade.				●			
2396	Apparel findings and related products.				●			
2421	Sawmills and planing mills.					●		
2422	Hardwood dimension and flooring.					●		
2431	Millwork.					●		
2432	Veneer and plywood.					●		
2433	Wooden buildings and structural members, prefabricating.					●		
2440	Wooden containers.					●		

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2491	Wood preserving.					●		
2510	Household furniture.					●		
2520	Office furniture.					●		
2530	Public building and related furniture.					●		
2540	Partitions, shelving, lockers, and office and store fixtures.					●		
2591	Venetian blinds and shades.					●		
2620	Paper.					●		
2630	Paperboard and cardboard.					●		
2641	Paper coating and glazing.					●		
2642	Envelopes.					●		
2643	Bags.					●		
2644	Wallpaper.					●		
2645	Paper, paperboard; and cardboard, die cut.					●		
2646	Pressed and molded pulp goods.					●		
2647	Sanitary paper products.					●		
2650	Paperboard containers and boxes.					●		

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2660	Paper, building and building board.					●		
2710	Newspapers: publishing, publishing and printing.				●			
2720	Periodicals: publishing, publishing and printing.				●			
2730	Books: publishing, publishing and printing.				●			
2740	Printing, commercial.			●				
2750	Manifold business forms.			●				
2760	Greeting cards.			●				
2771	Blankbooks, looseleaf binders, and devices.			●				
2772	Bookbinding and miscellaneous related work.			●				
2781	Typesetting.			●				
2782	Photoengraving.			●				
2783	Electrotyping and stereotyping.			●				
2810	Chemicals, industrial inorganic and organic						●	
2820	Plastics materials and synthetic resins, synthetic rubber, synthetic and other manmade fibers.						●	
2831	Biological products.						●	
2832	Chemicals, medicinal and botanical products.						●	



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2833	Pharmaceutical preparations.						●	
2841	Soap and detergents.						●	
2842	Specialty cleaning, polishing, and sanitation preparations.						●	
2843	Surface active agents, finishing agents, sulfonated oils, and assistants.						●	
2844	Perfumes, cosmetics, and other toilet preparations.						●	
2850	Paints, varnishes, lacquers, enamels, and allied products.						●	
2860	Chemicals, gum and wood.						●	
2870	Chemicals, agricultural.						●	
2891	Glue and gelatin.						●	
2892	Explosives.						●	
2893	Ink, printing.				●			
2894	Carbon black.						●	
2910	Petroleum refining.						●	
2921	Paving mixtures and blocks.						●	
2922	Asphalt felts and coatings.						●	
2991	Lubricating oils and greases.						●	

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3110	Tires and inner tubes.					●		
3120	Rubber footwear.					●		
3130	Reclaiming rubber.					●		
3210	Flat glass.				●			
3221	Glass containers.				●			
3230	Cement.					●		
3241	Brick and structural clay tile.					●		
3242	Ceramic wall and floor tile.					●		
3243	Clay refractories.					●		
3251	Vitreous china plumbing fixtures, china, earthenware fittings, and bathroom accessories.				●			
3252	Vitreous china table and kitchen articles.				●			
3253	Fine earthenware table and kitchen articles.				●			
3254	Porcelain electrical supplies.				●			
3261	Concrete brick and block.	1 space/500 feet <sup>2</sup> of building area plus additional space for delivery vehicles.						
3262	Concrete products.	1 space/500 feet of building area plus additional space for delivery vehicles.						
3263	Concrete.	1 space/500 feet <sup>2</sup> of building area plus additional space for delivery vehicles.						

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3264	Lime products.						●	
3265	Gypsum products.						●	
3270	Stone and stone products, cut.					●		
3280	Abrasives, and asbestos.				●			
3311	Blast furnaces, steel works, and the rolling of ferrous metals.						●	
3312	Electrometallurgical products.				●			
3313	Steel wire drawing and steel nails and spikes.				●			
3314	Cold rolled sheet, strip, and bars.				●			
3315	Steel pipe and tubes.				●			
3320	Foundries, iron and steel.				●			
3331	Copper, primary smelting and refining.					●		
3332	Lead, primary smelting and refining.					●		
3333	Zinc, primary smelting and refining.					●		
3334	Aluminum, primary production.					●		
3340	Nonferrous metals and alloys, secondary smelting and refining.					●		
3351	Copper, rolling, drawing, and extruding.					●		

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3352	Aluminum, rolling, drawing, and extruding.					●		
3353	Nonferrous metals, rolling, drawing, and extruding.					●		
3354	Nonferrous wire, drawing, and insulating.					●		
3360	Foundries, nonferrous.					●		
3411	Guns, howitzers, mortars, and related equipment.					●		
3412	Ammunition manufacturing and complete assembling of guided missiles and space vehicles.				●			
3413	Tanks and tank components.				●			
3414	Sighting and fire control equipment.				●			
3415	Small arms.				●			
3416	Small arms ammunition.				●			
3421	Engines and turbines.				●			
3422	Farm machinery and equipment.				●			
3423	Construction, mining, and materials handling machinery and equipment.					●		
3424	Metalworking machinery and equipment.				●			
3425	Special industry machinery.				●			
3427	Office, computing, and accounting machines.				●			

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3428	Service industry machines.				●			
3431	Electrical transmission and distribution equipment.				●			
3432	Electrical industrial apparatus.				●			
3433	Household appliances.				●			
3434	Electric lighting and wiring equipment.				●			
3435	Radio and television receiving sets.				●			
3436	Communication equipment.				●			
3437	Electronic components and accessories.				●			
3441	Motor vehicles and motor vehicle equipment.				●			
3442	Aircraft and parts.				●			
3443	Ship and boat building and repairing.						●	
3444	Railroad equipment						●	
3445	Motorcycles, bicycles, and parts.				●			
3491	Metal cans.					●		
3492	Cutlery, hand tools, and general hardware.				●			
3493	Heating apparatus and plumbing fixtures.				●			

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3494	Metal products, fabricated structural.				●			
3495	Screw machine products and bolts, nuts, screws, rivets, and washers.				●			
3496	Metal stamping.				●			
3497	Coating, engraving, and allied services.				●			
3498	Wire products, fabricated.				●			
3510	Engineering, laboratory, and scientific and research instruments and associated equipment.				●			
3521	Mechanical measuring and controlling instruments.				●			
3522	Automotive temperature controls.				●			
3530	Optical instruments and lenses.				●			
3541	Surgical and medical instruments and apparatus.				●			
3542	Orthopedic, prosthetic, and surgical appliances and supplies.				●			
3543	Dental equipment and supplies.				●			
3550	Ophthalmic goods.				●			
3560	Photographic equipment and supplies.				●			
3570	Watches, clocks, clockwork operated devices, and parts.				●			
3911	Jewelry and precious metals.				●			

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3912	Jewelers findings and materials.				●			
3913	Lapidary work.				●			
3914	Silverware and plated ware.				●			
3920	Musical instruments and parts.				●			
3930	Toys, amusement, sporting, and athletic goods.				●			
3940	Pens, pencils, and other office and artists' materials.				●			
3950	Costume jewelry, costume novelties, buttons, and miscellaneous notions.				●			
3961	Cigarettes.				●			
3962	Cigars.				●			
3963	Tobacco and snuff.				●			
3964	Tobacco stemming and redrying.						●	
3970	Motion picture production.				●			
3991	Brooms and brushes.				●			
3992	Linoleum, asphalted-felt-base, and other hard surface floor cover.				●			
3993	Matches.				●			
3994	Lamp shades.				●			

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3995	Morticians' goods.				●			
3996	Fur dressing and dyeing.					●		
3997	Signs and advertising displays.					●		
3998	Umbrellas, parasols, and canes.					●		
4111	Railroad right-of-way (excluding switching and marshaling yards).	No minimum requirement.						
4112	Railroad switching and marshaling yards.	No minimum requirement.						
4115	Railroad terminals (passenger and freight).				●			
4116	Railroad equipment and maintenance.	No minimum requirement.						
4121	Rapid rail transit and street railway right-of-way.	No minimum requirement.						
4122	Rapid rail transit and street railway passenger terminals.		●					
4123	Rapid rail transit and street railway equipment maintenance.						●	
4211	Bus passenger terminals (intercity)		●					
4214	Bus garaging and equipment maintenance.					●		
4221	Motor freight terminals.					●		
4222	Motor freight garaging and equipment maintenance.						●	
4311	Airport and flying field landing/takeoff fields.	1 space per tie-down.						



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4312	Airport and flying field terminals (passenger).	1 space per based aircraft, plus 1 space per peak hour enplaned passenger, plus two-thirds space per employee.						
4313	Airport and flying field terminals (freight).	No minimum requirement.						
4314	Airport and flying field terminals (passenger and freight).	1 space per based aircraft, plus 1 space per peak hour enplaned passenger, plus two-thirds space per employee.						
4315	Aircraft storage and equipment maintenance.							●
4391	Heliport landing/takeoff pads.	2 spaces per helicopter.						
4711	Telephone exchange stations.			●				
4712	Telephone relay towers.	No minimum requirement.						
4721	Telegraph message centers.			●				
4722	Telegraph transmitting and receiving stations.			●				
4731	Radio broadcasting studios.			●				
4732	Radio transmitting stations and towers.			●				
4741	Television broadcasting studios.			●				
4742	Television transmitting stations and relay towers.			●				
4751	Radio and television broadcasting studios.			●				
4811	Electric transmission right-of-way.	No minimum requirement.						
4812	Electric generation plants.							●

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4813	Electricity regulating substations.	No minimum requirement.						
4821	Gas pipeline right-of-way.	No minimum requirement.						
4822	Gas production plants.							●
4823	Natural or manufactured gas storage and distribution points.							●
4824	Gas pressure control stations.	No minimum requirement.						
4831	Water pipeline right-of-way.	No minimum requirement.						
4832	Water treatment plants (purification).							●
4833	Water storage.	No minimum requirement.						
4834	Irrigation distribution channels.	No minimum requirement.						
4835	Water pressure control stations.	No minimum requirement.						
4841	Sewage treatment plants.							●
4843	Sewage pressure control stations.					●		
4911	Petroleum pipeline right-of-way.	No minimum requirement.						
4912	Petroleum pressure control stations.						●	
4921	Freight forwarding services.					●		
4922	Packing and crating services.					●		

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4923	Travel arranging services.			●				
4924	Transportation ticket services.			●				
5111	Automobiles and other motor vehicles.	1 space/500 feet <sup>2</sup> of building area, plus additional space for outdoor display as required by the (County Planning Committee) (City Plan Commission) (Village Plan Commission).						
5112	Automotive equipment.			●				
5113	Tires and tubes.				●			
5121	Drugs, drug proprietaries and druggists sundries.		●					
5122	Paints and varnishes.			●				
5131	Dry goods, piece goods, and notions.		●					
5132	Apparel and accessories, hosiery, and lingerie.		●					
5133	Footwear.		●					
5141	Groceries.		●					
5142	Dairy products.		●					
5143	Poultry and poultry products.		●					
5144	Confectionery.		●					
5145	Fish and seafoods.		●					

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5146	Meat and meat products.		●					
5147	Fruits and vegetables.		●					
5152	Grain.						●	
5153	Hides, skins, and raw furs.						●	
5155	Wool and mohair.						●	
5156	Livestock.						●	
5157	Horses and mules.						●	
5161	Electrical apparatus and equipment, wiring supplies and construction materials.				●			
5162	Electrical appliances, television, and radio sets.			●				
5163	Electronic parts and equipment.			●				
5171	Hardware - Wholesale.					●		
5172	Plumbing and heating equipment and supplies.				●			
5173	Air conditioning, refrigerated equipment, and supplies.				●			
5181	Commercial and industrial machinery, equipment, and supplies.					●		
5182	Farm machinery and equipment.				●			
5183	Professional equipment and supplies.				●			

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		1 Space/50 ft. <sup>2</sup>	1 Space/150 ft. <sup>2</sup>	1 Space/250 ft. <sup>2</sup>	1 Space/350 ft. <sup>2</sup>	1 Space/500 ft. <sup>2</sup>	1 Space/1000 ft. <sup>2</sup>	1 Space/2000 ft. <sup>2</sup>
5184	Equipment and supplies for service establishments.				●			
5185	Transportation equipment and supplies.					●		
5187	Boat, snowmobile and other recreational vehicle storage.						●	
5191	Metals and minerals.						●	
5192	Petroleum bulk stations and terminals.			●				
5194	Tobacco and tobacco products.			●				
5195	Beer, wine, and distilled alcoholic beverages.		●					
5196	Paper and paper products.					●		
5197	Furniture and home furnishings.					●		
5198	Lumber and construction materials.					●		
5211	Lumber yards.					●		
5212	Building materials.	1 space/500 feet <sup>2</sup> of building area, plus 1 space/10,000 feet <sup>2</sup> of outdoor storage area.						
5220	Heating and plumbing equipment.				●			
5230	Paint, glass, and wallpaper.			●				
5240	Electrical supplies.				●			
5250	Photographic supplies.			●				

Off-Street Parking Reference Number	LAND USE CLASSIFICATION	MINIMUM PARKING REQUIREMENTS						
		1 Space/50 ft.2	1 Space/150 ft.2	1 Space/250 ft.2	1 Space/350 ft.2	1 Space/500 ft.2	1 Space/1000 ft.2	1 Space/2000 ft.2
5251	Hardware - Retail.		●					
5252	Farm equipment.		●					
5310	Department stores.		●					
5320	Mail order houses.					●		
5330	Variety stores.		●					
5340	Merchandise vending machine operators.					●		
5350	Direct selling organizations.		●					
5391	Dry goods and general merchandise.		●					
5410	Groceries.		●					
5421	Meats.		●					
5422	Fish and seafoods.		●					
5430	Fruits and vegetables.		●					
5440	Candy, nut, and confectionery.		●					
5450	Dairy products.		●					
5461	Bakeries.		●					
5462	Bakeries (nonmanufacturing).		●					

Off-Street Parking Reference Number	LAND USE CLASSIFICATION	MINIMUM PARKING REQUIREMENTS						
		1 Space/50 ft. <sup>2</sup>	1 Space/150 ft. <sup>2</sup>	1 Space/250 ft. <sup>2</sup>	1 Space/350 ft. <sup>2</sup>	1 Space/500 ft. <sup>2</sup>	1 Space/1000 ft. <sup>2</sup>	1 Space/2000 ft. <sup>2</sup>
5491	Egg and poultry.		●					
5511	Motor vehicles (new and used cars).	1 space/500 feet <sup>2</sup> of building area, plus additional space for outdoor display as required by the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission).						
5512	Motor vehicles (used cars only).	1 space/500 feet <sup>2</sup> of building area, plus additional space for outdoor display as required by the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission).						
5520	Tires, batteries, and accessories.				●			
5530	Gasoline service stations.		●					
5591	Marine craft and accessories.	1 space/250 feet <sup>2</sup> of building area, plus additional space for outdoor display as required by the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission).						
5592	Aircraft and accessories.	1 space/250 feet <sup>2</sup> of building area, plus additional space for outdoor display as required by the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission).						
5610	Men's and boys' clothing and furnishings.		●					
5620	Women's ready-to-wear.		●					
5630	Women's accessories and specialties.		●					
5640	Children's and infants' wear.		●					
5660	Shoes.		●					

Off-Street Parking Reference Number	LAND USE CLASSIFICATION	MINIMUM PARKING REGULATIONS						
		1 Space/50 ft. <sup>2</sup>	1 Space/150 ft. <sup>2</sup>	1 Space/250 ft. <sup>2</sup>	1 Space/350 ft. <sup>2</sup>	1 Space/500 ft. <sup>2</sup>	1 Space/1000 ft. <sup>2</sup>	1 Space/2000 ft. <sup>2</sup>
5670	Tailoring, custom.				●			
5680	Furriers and fur apparel.				●			
5711	Furniture.					●		
5712	Floor coverings.					●		
5713	Draperies, curtains, and upholstery.					●		
5714	China, glassware, and metalware.			●				
5720	Household appliances.				●			
5731	Radios and televisions.			●				
5732	Music supplies.			●				
5811	Supper clubs.	1 space/100 feet <sup>2</sup> of floor area excluding kitchens and basements used only for storage.						
5820	Eating and Drinking places.	1 space/100 feet <sup>2</sup> of floor area excluding kitchens and basements used only for storage.						
5910	Drug and proprietary.		●					
5920	Liquor		●					
5931	Antiques.			●				
5932	Secondhand merchandise.			●				
5933	Pawn shop.			●				



Off-Street Parking Reference Number	LAND USE CLASSIFICATION	MINIMUM PARKING REQUIREMENTS						
		1 Space/50 ft. <sup>2</sup>	1 Space/150 ft. <sup>2</sup>	1 Space/250 ft. <sup>2</sup>	1 Space/350 ft. <sup>2</sup>	1 Space/500 ft. <sup>2</sup>	1 Space/1000 ft. <sup>2</sup>	1 Space/2000 ft. <sup>2</sup>
5941	Books.			●				
5942	Stationery.			●				
5943	Office supplies and equipment.			●				
5945	Artists supplies and materials.			●				
5951	Sporting goods.			●				
5952	Bicycles			●				
5953	Hobby shops.			●				
5955	Live bait shops.			●				
5970	Jewelry.			●				
5981	Fuel and ice dealers.					●		
5982	Fuel oil.					●		
5983	Bottled gas.					●		
5991	Florists.					●		
5992	Cigars and cigarettes.			●				
5993	Newspapers and magazines.		●					
5994	Cameras and photographic supplies.		●					

Off-Street Parking Reference Number	LAND USE CLASSIFICATION	MINIMUM PARKING REQUIREMENTS						
		1 Space/50 ft. <sup>2</sup>	1 Space/150 ft. <sup>2</sup>	1 Space/250 ft. <sup>2</sup>	1 Space/350 ft. <sup>2</sup>	1 Space/500 ft. <sup>2</sup>	1 Space/1000 ft. <sup>2</sup>	1 Space/2000 ft. <sup>2</sup>
5995	Gifts, novelties, and souvenirs.		●					
5996	Optical goods.			●				
5997	Pets, pet grooming and supplies.			●				
6111	Banking services.			●				
6121	Savings and loan associations.			●				
6122	Agricultural, business, and personal credit services, including credit unions.			●				
6131	Security brokers, dealers, and flotation services.			●				
6132	Commodity contracts brokers and dealers services.			●				
6133	Security and commodity exchanges.		●					
6134	Security and commodity allied services.			●				
6141	Insurance carriers.				●			
6142	Insurance agents, brokers, and services.				●			
6152	Real estate agents, brokers, and management services.				●			
6153	Title abstracting services.				●			
6154	Real estate subdividing and developing services.				●			
6155	Real estate operative builders.				●			

Off-Street Parking Reference Number	LAND USE CLASSIFICATION	MINIMUM PARKING REQUIREMENTS						
		1 Space/50 ft. <sup>2</sup>	1 Space/150 ft. <sup>2</sup>	1 Space/250 ft. <sup>2</sup>	1 Space/350 ft. <sup>2</sup>	1 Space/500 ft. <sup>2</sup>	1 Space/1000 ft. <sup>2</sup>	1 Space/2000 ft. <sup>2</sup>
6157	Appraisal services.				●			
6159	Other real estate and related services.				●			
6160	Holding and investment services.				●			
6211	Laundrying, dry cleaning, and dyeing services.				●			
6212	Linen supply and industrial laundry services.				●			
6213	Diaper services.				●			
6214	Laundrying (self-service).	●						
6215	Rug cleaning and repair services.				●			
6216	Dry cleaning (self service).	●						
6220	Photographic services.			●				
6231	Beauty services.		●					
6232	Barber services.		●					
6241	Funeral services.			●				
6242	Cemeteries.	No minimum requirement.						
6243	Crematories				●			
6251	Laundry and dry cleaning.			●				

Off-Street Parking Reference Number	LAND USE CLASSIFICATION	MINIMUM PARKING REQUIREMENTS						
		1 Space/50 ft. <sup>2</sup>	1 Space/150 ft. <sup>2</sup>	1 Space/250 ft. <sup>2</sup>	1 Space/350 ft. <sup>2</sup>	1 Space/500 ft. <sup>2</sup>	1 Space/1000 ft. <sup>2</sup>	1 Space/2000 ft. <sup>2</sup>
6252	Fur repair and storage services.					●		
6253	Shoe repair, shoe shining, and hat cleaning services.			●				
6311	Advertising services.			●				
6321	Collection and adjustment services.			●				
6322	Consumer and mercantile credit reporting service.			●				
6331	Direct mail advertising services.				●			
6332	Blueprinting and photocopying service.				●			
6339	Stenographic services and other duplicating and mailing services.			●				
6341	Window cleaning services.				●			
6342	Disinfecting and exterminating services.					●		
6350	News syndicate services.				●			
6360	Employment services.			●				
6373	Refrigerated warehousing.						●	
6374	Food lockers.					●		
6375	Household goods.			●				
6380	Office buildings.			●				

Off-Street Parking Reference Number	LAND USE CLASSIFICATION	MINIMUM PARKING REQUIREMENTS						
		1 Space/50 ft. <sup>2</sup>	1 Space/150 ft. <sup>2</sup>	1 Space/250 ft. <sup>2</sup>	1 Space/350 ft. <sup>2</sup>	1 Space/500 ft. <sup>2</sup>	1 Space/1000 ft. <sup>2</sup>	1 Space/2000 ft. <sup>2</sup>
6391	Research, development, and testing services.			●				
6392	Business and management consulting services.			●				
6393	Detective and protective services.			●				
6394	Equipment rental and leasing services.			●				
6395	Photofinishing services.				●			
6396	Trading stamp services.				●			
6397	Automobile and truck rental services.				●			
6398	Motion picture distribution and services.					●		
6411	Automobile repair services.	1 space/employee, plus 2 spaces for each stall.						
6412	Automobile wash services.	1 space/employee, plus 5 waiting spaces/20 feet of wash line.						
6491	Electrical repair services (except radio and television).				●			
6492	Radio and television repair services.				●			
6493	Watch, clock, and jewelry repair services.				●			
6494	Reupholstery and furniture repair services.					●		
6495	Armature rewinding services.				●			
6503	Optometrist services.		●					

Off-Street Parking Reference Number	LAND USE CLASSIFICATION	MINIMUM PARKING REQUIREMENTS						
		1 Space/50 ft. <sup>2</sup>	1 Space/150 ft. <sup>2</sup>	1 Space/250 ft. <sup>2</sup>	1 Space/350 ft. <sup>2</sup>	1 Space/500 ft. <sup>2</sup>	1 Space/1000 ft. <sup>2</sup>	1 Space/2000 ft. <sup>2</sup>
6504	Chiropodist services.		●					
6505	Chiropractic services.		●					
6507	Osteopathic services.		●					
6511	Physicians' services.		●					
6512	Dental services.		●					
6513	Hospital services.	1 space/2 beds, plus 1 space/3 employees.						
6517	Medical clinics--out-patient services.		●					
6518	Nursing homes.	1 space/5 beds, plus 1 space/3 employees.						
6520	Legal services.		●					
6591	Engineering and architectural services.			●				
6592	Educational and scientific research services.				●			
6593	Accounting, auditing, and bookkeeping services.				●			
6594	Planning services.				●			
6595	Public relations offices.				●			
6596	Land surveying services.				●			
6597	Artists.				●			

Off-Street Parking Reference Number	LAND USE CLASSIFICATION	MINIMUM PARKING REQUIREMENTS						
		1 Space/50 ft. <sup>2</sup>	1 Space/150 ft. <sup>2</sup>	1 Space/250 ft. <sup>2</sup>	1 Space/350 ft. <sup>2</sup>	1 Space/500 ft. <sup>2</sup>	1 Space/1000 ft. <sup>2</sup>	1 Space/2000 ft. <sup>2</sup>
6599	Other professional services.				●			
6611	Building construction--general contractor services.				●			
6621	Plumbing, heating, and air conditioning services.					●		
6622	Painting, paper hanging, and decorating services.					●		
6623	Electrical services.					●		
6624	Masonry, stonework, tile setting, and plastering services.					●		
6625	Carpentering and wood flooring.					●		
6626	Roofing and sheet metal services.					●		
6627	Concrete services.					●		
6628	Water well drilling services.					●		
6710	Executive, legislative, and judicial functions.			●				
6721	Police protection and related activities.			●				
6722	Fire protection and related activities.			●				
6723	Civil defense and related activities.			●				
6730	Postal services.			●				
6811	Nursery schools.	1 space per teaching station.						

Off-Street Parking Reference Number	LAND USE CLASSIFICATION	MINIMUM PARKING REQUIREMENTS						
		1 Space/50 ft. <sup>2</sup>	1 Space/150 ft. <sup>2</sup>	1 Space/250 ft. <sup>2</sup>	1 Space/350 ft. <sup>2</sup>	1 Space/500 ft. <sup>2</sup>	1 Space/1000 ft. <sup>2</sup>	1 Space/2000 ft. <sup>2</sup>
6812	Primary (elementary) schools.	1 space per teaching station.						
6813	Secondary schools.	1.50 spaces per teaching station.						
6821	Universities and colleges.	2 spaces per teaching station.						
6822	Junior colleges.	2 spaces per teaching station.						
6823	Professional schools.	2 spaces per teaching station.						
6832	Business and stenographic schools.		●					
6833	Barber and beauty schools.		●					
6834	Art and music schools.		●					
6835	Dancing schools.		●					
6836	Driving schools.		●					
6837	Correspondence schools.			●				
6911	Churches, synagogues, and temples.	1 space/5 seats assigned for worship.						
6920	Welfare and charitable services.			●				
6991	Business associations.			●				
6992	Professional membership organizations.			●				
6993	Labor unions and similar labor organizations.		●					



Off-Street Parking Reference Number	LAND USE CLASSIFICATION	MINIMUM PARKING REQUIREMENTS						
		1 Space/50 ft. <sup>2</sup>	1 Space/150 ft. <sup>2</sup>	1 Space/250 ft. <sup>2</sup>	1 Space/350 ft. <sup>2</sup>	1 Space/500 ft. <sup>2</sup>	1 Space/1000 ft. <sup>2</sup>	1 Space/2000 ft. <sup>2</sup>
6994	Civic, social, and fraternal associations.		●					
7111	Libraries.		●					
7112	Museums.		●					
7113	Art galleries.		●					
7121	Planetaria.		●					
7122	Aquariums.		●					
7123	Botanical gardens and arboretums.	1 space/150 feet <sup>2</sup> of inside display floor area, plus 1 space/100 feet <sup>2</sup> of outdoor display land area.						
7124	Zoos.	1 space/2,500 feet <sup>2</sup> of land area occupied by either indoor or outdoor display.						
7191	Historic and monument sites.	1 space/150 feet <sup>2</sup> of inside display floor area, plus 1 space/100 feet <sup>2</sup> of outdoor display land area.						
7211	Amphitheaters.	●						
7212	Motion picture theaters.	1 space per 3 seats.						
7213	Drive-in movies.	No minimum requirement.						
7214	Legitimate theaters.	1 space per 3 seats.						
7221	Stadiums.	1 space per 5 seats.						
7222	Arenas and field houses.	1 space per 5 seats.						
7223	Race tracks.	1 space per 5 seats.						

Off-Street Parking Reference Number	LAND USE CLASSIFICATION	MINIMUM PARKING REQUIREMENTS						
		1 Space/50 ft. <sup>2</sup>	1 Space/150 ft. <sup>2</sup>	1 Space/250 ft. <sup>2</sup>	1 Space/350 ft. <sup>2</sup>	1 Space/500 ft. <sup>2</sup>	1 Space/1000 ft. <sup>2</sup>	1 Space/2000 ft. <sup>2</sup>
7231	Auditoriums.	1 space per 5 seats						
7232	Exhibition halls.		●					
7311	Fairgrounds.	To be determined by the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission) based on the proposed facilities.						
7312	Amusement parks.	To be determined by the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission) based on the proposed facilities.						
7391	Penny arcade.		●					
7392	Miniature golf.	15 spaces per 18 hole course.						
7393	Golf driving ranges.	1 space per driving station.						
7394	Go-cart tracks.	20 spaces per one-quarter mile of track.						
7411	Golf courses (without country club).	75 spaces per 9 holes.						
7412	Golf courses (with country club).	100 spaces per 9 holes.						
7413	Tennis courts.	2 spaces per court.						
7414	Ice skating.	30 spaces per 0.1 acre of skating rink area.						
7415	Roller skating.	30 spaces per 0.1 acre of skating rink area.						
7416	Riding stables.	1 space per horse stall.						

Off-Street Parking Reference Number	LAND USE CLASSIFICATION	MINIMUM PARKING REQUIREMENTS						
		1 Space/50 ft. <sup>2</sup>	1 Space/150 ft. <sup>2</sup>	1 Space/250 ft. <sup>2</sup>	1 Space/350 ft. <sup>2</sup>	1 Space/500 ft. <sup>2</sup>	1 Space/1000 ft. <sup>2</sup>	1 Space/2000 ft. <sup>2</sup>
7417	Bowling.		●					
7418	Skiing and tobogganing.	10 spaces/acres of developed slope.						
7421	Playlots or tot lots.	No minimum required.						
7422	Playgrounds.	No minimum required.						
7423	Playfields or athletic fields.	To be determined by the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission) based on the proposed activities to be included.						
7424	Recreation centers (general).		●					
7425	Gymnasiums and athletic clubs.	1 space/150 ft. <sup>2</sup> of building area, plus 1 space per 5 seats for spectators.						
7430	Swimming beaches (private).	1 space per 450 ft. <sup>2</sup> of beach area.						
7431	Swimming beaches.	1 space per 450 ft. <sup>2</sup> of beach area.						
7432	Swimming pools.	45 spaces per 0.1 acre of pool area.						
7441	Yachting clubs.	To be determined by the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission) based on the proposed activities to be included.						
7442	Boat rentals and boat access sites.	1 space/rental boat. Requirements to be determined by the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission) for boat access sites.						
7490	Campgrounds.	1 space per campsite.						

Off-Street Parking Reference Number	LAND USE CLASSIFICATION	MINIMUM PARKING REQUIREMENTS						
		1 Space/50 ft. <sup>2</sup>	1 Space/150 ft. <sup>2</sup>	1 Space/250 ft. <sup>2</sup>	1 Space/350 ft. <sup>2</sup>	1 Space/500 ft. <sup>2</sup>	1 Space/1000 ft. <sup>2</sup>	1 Space/2000 ft. <sup>2</sup>
7491	Camping and picnicking areas	1 space per campsite and 20 spaces per acre of developed picnicking area.						
7511	General resorts.	1.5 spaces/lodging unit, plus 1 space/employee.						
7512	Dude ranches.	1.5 spaces/lodging unit, plus 1 space/employee.						
7513	Health resorts.	1.5 spaces/lodging unit, plus 1 space/employee.						
7514	Ski resorts.	1 space/lodging unit, 1 space/employee, plus 10 spaces/acre of developed slope.						
7515	Hunting and fishing clubs.		●					
7520	Group or organized camps.	1 space/5 beds in permanent lodging facilities.						
7610	Parks--general recreation.	To be determined by the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission) based on the proposed activities to be included.						
7620	Parks--leisure and ornamental.	To be determined by the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission) based on the proposed activities to be included.						
8100	Agricultural.	No minimum requirement.						
8211	cotton ginning and compressing.						●	
8212	Grist milling services.						●	
8213	Corn shelling, hay baling, and threshing services.						●	
8214	Contract sorting, grading, and packaging services (fruits and vegetables).				●			

Off-Street Parking Reference Number	LAND USE CLASSIFICATION	MINIMUM PARKING REQUIREMENTS						
		1 Space/50 ft. <sup>2</sup>	1 Space/150 ft. <sup>2</sup>	1 Space/250 ft. <sup>2</sup>	1 Space/350 ft. <sup>2</sup>	1 Space/500 ft. <sup>2</sup>	1 Space/1000 ft. <sup>2</sup>	1 Space/2000 ft. <sup>2</sup>
8223	Poultry hatchery services.						●	
8291	Horticultural services.						●	
8421	Fish hatcheries.	1 space/employee during the maximum shift.						
8542	Crushed and broken stone--quarrying.	1 space/employee during the maximum shift.						
8543	Sand and gravel--quarrying.	1 space/employee during the maximum shift.						
8544	Clay, ceramic, and refractory minerals--mining.	1 space/employee during the maximum shift.						
8554	Nonmetallic mining services.	1 space/employee during the maximum shift.						
9211	Forest reserves (wilderness areas).	No minimum requirement.						
9212	Forest reserves (wildlife refuges).	No minimum requirement.						
9213	Wilderness areas and wildlife preserves or refuges.	No minimum requirement.						

## MODIFICATIONS

### SECTION 6.0

#### 6.1 HEIGHT

The district height limitations stipulated elsewhere in this Ordinance may be exceeded, but such modification shall be in accord with the following:

Architectural Projections, such as spires, belfries, parapet walls, cupolas, domes, flues and chimneys, are exempt from the height limitations of this Ordinance.

Special Structures, such as elevator penthouses, gas tanks, grain elevators, scenery lofts, radio and television receiving antennas, manufacturing equipment and necessary mechanical appurtenances, cooling towers, fire towers, substations, and smoke stacks, are exempt from the height limitations of this Ordinance.

Essential Services, utilities, water towers, electric power and communication transmission lines are exempt from the height limitations of this Ordinance.

Communication Structures, such as radio and television transmission and relay towers, aerials, and observation towers, shall not exceed in height three (3) times their distance from the nearest lot line.

Agricultural Structures, such as barns, silos, and windmills, shall not exceed in height twice their distance from the nearest lot line.

Public or Semipublic Facilities, such as schools, churches, hospitals, monuments, sanitariums, libraries, governmental offices and stations, may be erected to a height of sixty (60) feet, provided all required yards are increased not less than one (1) foot for each foot the structure exceeds the district's maximum height requirement.

Any Structure Located within an area surrounding an existing airport and which is subject to additional height regulations shall not exceed the heights therein established.

#### 6.2 YARDS

The yard requirements stipulated elsewhere in this Ordinance may be modified as follows:

Uncovered Stairs, landings, and fire escapes may project into any yard but not to exceed six (6) feet and not closer than three (3) feet to any lot line.

Architectural Projections, such as chimneys, flues, sills, eaves, belt courses, and ornaments, may project into any required yard; but such projection shall not exceed two (2) feet.

Residential Fences, are permitted on the property lines in residential districts but shall not in any case exceed a height of six (6) feet; shall not exceed a height of three (3) feet in the street yard and shall not be closer than two (2) feet to any public right-of-way.

Security Fences are permitted on the property lines in all districts except residential districts but shall not exceed ten (10) feet in height and shall be of an open type similar to woven wire or wrought iron fencing.

Accessory Uses and detached accessory structures are permitted in the rear yard only; they shall not be closer than ten (10) feet to the principal structure, shall not exceed fifteen (15) feet in height, shall not occupy more than ten (10) percent of the rear yard area, and shall not be closer than three (3) feet to any lot line nor five (5) feet to an alley line.

Off-Street Parking is permitted in all yards of the Districts, but shall not be closer than twenty-five (25) feet to any public right-of-way.

Essential Services, utilities, electric power and communication transmission lines are exempt from the yard and distance requirements of this Ordinance.

Boathouses accessory to residential uses may be located within a shore yard but shall be no closer to a stream, lake, pond or wetland than the average annual high water elevation; shall not exceed one (1) boathouse on the premises for each shoreland lot; shall not exceed a height of fourteen (14) feet above the high water elevation; shall not exceed two hundred and fifty (250) square feet in horizontal area covered; and shall not be closer than three (3) feet to any side lot line.

Shore Yards may be reduced to the average of the shore yards existing on the abutting properties within a distance of one hundred (100) feet of the subject site but shall not be reduced to less than forty (40) feet.

Landscaping and vegetation are exempt from the yard requirements of this Ordinance.

#### 6.3 ADDITIONS TO EXISTING BUILDINGS OR STRUCTURES

Additions in the street yard of existing structures shall not project beyond the average of the existing street yards on the abutting lots or parcels.

6.4 AVERAGE STREET YARDS

The required street yards may be decreased in any residential or business districts to the average of the existing street yards of the abutting structures on each side but in no case less than fifteen (15) feet in any residential district and five (5) feet in any business district except the B-3 Zoning District.

6.5 NOISE

Sirens, whistles, and bells which are maintained and utilized solely to serve a public purpose are exempt from the sound level standards of this Ordinance.

## SIGNS

### SECTION 7.0

#### 7.1 PERMIT REQUIRED

No sign shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted, or structurally altered without a zoning permit as provided hereinafter, except bulletin, memorial, governmental, election campaign, real estate, residential name plate, awning or canopy signs, operational signs, professional name plate signs, and group directory signs and without conforming to the provisions of this Ordinance and Building Code and Electrical Codes where applicable.

#### 7.2 GENERAL REQUIREMENTS

All Signs other than advertising signs shall be located only on building or structure sides which face on a public street or alley right-of-way or public parking lot.

No Sign shall be located on and no sign may extend above the roof, wall, or parapet of the building or structure to which it is attached, except a projecting sign which may extend not more than five (5) feet above such levels.

Vision setback lines at the intersections of public streets and of a street with a railroad where the grade is not separated shall be established as defined in Section 13.0 for all zoning districts except the B-3 Central Community Retail Business and Services Zoning District where vision setback requirements shall not apply.

Obstruction of traffic control devices. It shall be unlawful to erect or maintain any sign which constitutes a traffic hazard or is a detriment to traffic safety by obstructing the vision of drivers or detracts from the visibility and prominence of any official traffic control device. Signs and other advertising media shall not resemble, imitate or approximate the shape, size, form or color of railroad or traffic signs, signals, or devices.

Restricted Signs requiring a sign permit shall include all advertising business, subdivision entrance, and temporary signs.

Unrestricted Signs not requiring a sign permit but subject to requirements for location, size, and number as specified in Section 7.04 and subject to the Electrical Code requirements when illuminated shall include all: 1) awning or canopy signs, 2) bulletin signs, 3) contractor signs, 4) election campaign signs, 5) governmental signs, 6) memorial signs, 7) operational signs, 8) professional name plate signs, 9) real estate signs, 10) residential name plate signs, and 11) signs in windows above first floor level.

The Total gross surface area of all signs on a single lot shall be limited to one (1) square foot of display area for each two (2) lineal feet of frontage abutting a public street right-of-way.

The Total gross surface area of all business signs on a single lot shall be determined in the following manner: for each building side facing a public street or alley right-of-way or public parking lot, the maximum allowable area in square feet of restricted sign shall be the sum of 1.5 times the lineal footage of structure facing on such public right-of-way plus the setback distance as defined under Section 13.0. However, there shall be a minimum allowed sign area of 25 square feet per building side facing a public street or alley right-of-way or public parking lot for each business on the first floor level and a maximum of 300 square feet per building side facing a public street or alley right-of-way, or public parking lot for each business on the first floor level. The gross surface area of all restricted signs is cumulative. However, the gross surface sign area allowed for one building side shall not be cumulative to another side.

On Lots one (1) acre or less where the building or structure area is less than 20 percent of the lot area or on a lot of any acreage where no building or structure exists but a commercial service exists, the allowed gross surface business sign area per lot shall be determined by the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission) but in no case shall such sign area exceed 300 square feet in area for each lot line abutting a public street or alley right-of-way or public parking lot.

The Total gross surface area of all advertising signs on a single parcel of land shall be limited to one (1) square foot of display area for each 3 lineal feet of frontage abutting a public street.

Signs for Businesses located above the first floor level shall be prohibited except:

Business or professional name plates located inside of windows or which are painted upon windows above the first floor level of any building or structure side facing a public street or alley right-of-way or public parking lot and which occupy 50 percent or less of the window area.



One (1) group directory sign may be affixed at each public entrance which faces on a public street or alley right-of-way or public or private parking lot without obtaining a sign permit, but subject to the area regulations for group directory signs as provided in Section 7.04 when illuminated.

All Signs shall be setback five (5) feet from the front lot line or side yard lot line on corner lots except in the B-3 Zoning District where a detached or projecting sign may extend not more than five (5) feet over the lot line but in no case shall such sign extend to within two (2) feet of the street curb line. Detached or projecting signs which are located within ten (10) feet of the front or side lot line shall have its lowest point not less than ten (10) feet above the ground level.

No Person, firm, or corporation shall paste or otherwise fasten any paper or other material, paint, stencil, or write any number, sign, name, or any disfiguring mark on any sidewalk, curb, gutter, street, any post, pole, or tree, nor shall any of said objects be defaced in any manner, unless sanctioned by the provisions of this Ordinance or by the Zoning Administrator in carrying out the provisions of this Ordinance or any public work or construction.

No Flashing, alternating, rotating, or swinging signs or devices except time or temperature devices, whether illuminated or not, shall be permitted.

The Use of Banners, pennants, flags, balloons, streamers, or other similar media for advertising or identification shall be strictly prohibited except for special events lasting not more than 14 days and only upon approval of the Zoning Administrator.

Subdivision Entrance Signs may be permitted at the discretion of the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission). Specific design, sign appearance, location, size and continuing maintenance responsibility shall be submitted to the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission) for approval.

### 7.3 PHYSICAL REQUIREMENTS

Detached Advertising Signs shall not be located within one thousand (1000) feet of any other detached advertising or business sign which exceeds one hundred (100) square feet in area.

Detached Business Signs shall be located on the premises being served and shall be limited to one (1) such sign per lot except that there shall be no limit to the number of detached operational signs. Any individual display surface shall not exceed 100 square feet. Total vertical height including structural supports shall not exceed 25 feet.

Externally Illuminated signs, including flood lighting, shall illuminate only the immediate area of the sign, concentrating light upon the sign without radiating light upon adjacent public or private property so as to interfere with the comfort and repose of those residing in the neighboring dwellings.

Flat Signs shall be located on the premises being served and the display surface shall not exceed 100 square feet for each such sign. The number of flat signs used on a lot shall not be limited, provided, however, the total allowed gross surface sign area for restricted signs is not exceeded.

Internally Illuminated signs shall illuminate only the immediate area of the sign, concentrating light within the sign without radiating light upon adjacent public or private property so as to interfere with the comfort and repose of those residing in the neighboring dwellings.

Painted Skeleton Cutout Letter Signs shall be located on the building or structure being served and shall be only permitted on the cornice, lintel, or panel of the building or structure. The number of painted skeleton cutout letter signs shall not be limited, provided, however, the total allowed gross surface sign area for restricted signs is not exceeded.

Projecting Signs shall be located on the premises being served and shall be limited to one (1) such sign for each business for each public street or alley right-of-way or public parking lot upon which it faces. Projecting signs shall not exceed a vertical height of ten (10) feet or a horizontal length of eight (8) feet.

Skeleton Cutout Letter Signs shall be located on the premises being served and shall be limited to one (1) such sign for each business for each public street or alley right-of-way or public parking lot which it faces. There shall be no maximum dimensions for skeleton cutout letter signs.

### 7.4 USE REQUIREMENTS

Awning or Canopy Signs shall be located on the premises being served and shall display only the owner's name or business name. One (1) awning or canopy sign shall not occupy more than 30 percent of the area vertical face of such awning or canopy.

Bulletin Signs shall be located on the premises of the institution being served and shall be limited to one (1) such sign for each institution except on corner lots where two (2) signs, one facing each street, shall be permitted. One bulletin sign shall not exceed 20 square feet in area.

Business Signs shall be located on the premises being served and shall be limited to permitted combinations of detached, flat, painted, projecting, or skeleton cutout letter

signs as may be allowed under the total allowed gross surface area of all business signs and as described in Section 7.3.

Contractor's Signs shall be located on the site of construction and shall be limited to one (1) sign per site through the construction period. One (1) contractor's sign shall not exceed 32 square feet in area.

Election Campaign Signs shall be located only within areas zoned for business or industrial uses. Permission shall be obtained from the owner of such property. Signs shall not be erected more than 45 days prior to an election and shall be removed within seven (7) days following completion of the election. If the signs are not removed within the seven-day period, the Zoning Administrator shall cause said signs to be removed without the necessity of giving notice and the cost of such removal shall be chargeable to the owner of the property on which said sign is located, in accordance with the provisions of Section 7.6. One (1) election campaign sign shall not exceed 20 square feet in area.

Governmental Signs shall be located as needed by any public official.

Group Directory Signs may be located as determined in and shall be limited to one (1) square foot in area per business represented on such sign.

Memorial Signs shall be located on the premises being served and there shall be no limitations as to the area or number of such signs.

Operational Signs shall be located on the premises being served and shall be unlimited as to the number of such signs. One (1) operational sign shall not exceed ten (10) square feet in area.

Professional and Business Name Plate Signs shall be located on the premises being served and shall be limited to one (1) such sign per business. One (1) professional name plate sign shall not exceed two (2) square feet in area.

Real Estate Signs shall be located on the property being served and shall be limited to one (1) such sign for each property except on corner lots where two (2) signs, one facing each street, shall be permitted. Real estate signs in all business and industrial districts shall not exceed 32 square feet in area and in residential districts shall not exceed eight (8) square feet in area.

Residential Name Plate Signs shall be located only in residential districts and shall be limited to one (1) such sign for each lot except on corner lots where two (2) such signs, one facing each street, shall be permitted. One (1) residential name plate sign shall not exceed two (2) square feet in area.

Temporary Signs may be permitted at the discretion of the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission). Where such sign is to be located on the premises involved, the temporary sign may be permitted for a period up to one (1) year and extension may be permitted for a period not to exceed two (2) years total. Where such sign is not to be located on the premises involved, such sign may be permitted for a period not to exceed nine (9) months. Specific design, sign appearance, location, and size shall be submitted to the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission) for approval.

#### 7.5 CONSTRUCTION AND MAINTENANCE STANDARDS

Wind Pressure and Dead Load Requirements--All signs and other advertising structures shall be designed and constructed to withstand wind pressure of not less than forty (40) pounds per square foot of area; and shall be constructed to receive dead loads as required in the applicable Building Code or other ordinances.

Protection of the Public--The temporary occupancy of a sidewalk or street or other public property during construction, removal, repair, alteration, or maintenance of a sign is permitted provided the space occupied is roped off, fenced off, or otherwise isolated.

Maintenance--The owner of any sign shall keep it in good maintenance and repair which includes restoring, repainting, or replacement of a worn or damaged legally existing sign to its original condition; and shall maintain the premises on which the sign is erected in a clean, sanitary, and inoffensive condition, free and clear of all obnoxious substances, rubbish, weeds, and grass.

Supporting Members or Braces of all signs shall be constructed of galvanized iron, properly treated steel, copper, brass, or other noncorrosive incombustible material. All projecting signs, if placed at a right or other angle to the wall or roof of any building, shall be attached by such noncorrosive metal bolts, anchors, cable, or other metal attachments as shall insure permanent and safe construction and shall be maintained free from rust or other defects. Every means or device used for attaching any sign shall extend through the walls or roof of the building should the Zoning Administrator determine that the safe and permanent support of such sign so requires and shall be securely anchored by wall plates and nuts to the inside of the walls or to bearings on the under side of two (2) or more roof or ceiling joists in accordance with instructions given by the Zoning Administrator. Small flat signs containing less than 10 feet of area may be attached to a building by the use of lag bolts or other means to the satisfaction of the Zoning Administrator.

No Signs or any part thereof or sign anchors, braces, or guide rods shall be attached, fastened, or anchored to any fire escape, fire ladder, or stand pipe and no such sign or any part of any such sign or any anchor, brace, or guide rod shall be erected, put up, or

maintained so as to hinder or prevent ingress or egress through such door, doorway, or window or so as to hinder or prevent the raising or placing of ladders against such building by the Fire Department having jurisdiction as necessity therefore may require.

#### 7.6 EXISTING SIGNS

Signs Lawfully Existing at the time of the adoption or amendment of this Ordinance may be continued although the size or location does not conform to this Ordinance. However, all nonconforming signs must be made to conform or be removed within four (4) years from the date of the adoption of this Code, except nonconforming flashing and painted signs which shall be made to conform or be removed within one (1) year from the date of the adoption of this Ordinance.

Any Nonconforming Sign after four (4) years from the adoption of this Ordinance or any nonconforming flashing or painted sign after one (1) year from the adoption of this Code, and any sign now or hereafter existing which no longer advertises a bona fide business, product, or service associated with said enterprise in (Racine County) (the City of \_\_\_\_\_) (the Village of \_\_\_\_\_) (the Town of \_\_\_\_\_) shall be removed by the owner, agent, or person having beneficial use of the premises upon which such sign may be found within thirty (30) days after written notification by the Zoning Administrator. After thirty (30) days, the Zoning Administrator is hereby authorized to remove such sign and any expenses incurred shall be paid by the owner of the premises upon which such sign is located.

Signs Affixed which fail to comply with the orders of the Zoning Administrator relative to the painting, repair, alteration, maintenance, or removal of said sign, pursuant to written notice thereof and within thirty (30) days thereafter, shall be painted, repaired, altered, maintained, or removed under the authority of the Zoning Administrator, and costs incurred shall be paid by the owner of the premises on which such sign is located.

#### 7.7 SIGN PERMIT

Applications for a sign permit shall be made on forms provided by the Zoning Administrator and shall contain or have attached thereto the following information:

Name, Address, and telephone number of the applicant. Location of building, structure, or lot to which or upon which the sign is to be attached or erected.

Name of Person, firm, corporation, or association erecting the sign.

Written Consent of the owner or lessee of the building, structure, or land to which or upon which the sign is to be affixed.

A Scale Drawing of such sign indicating the dimensions, the materials to be used, the type of illumination, if any, and the method of construction and attachment.

A Scale Drawing indicating the location and position of such sign in relation to nearby buildings or structures.

Copies of any other permit required and issued for said sign, including the written approval by the Electrical Inspector, in the case of illuminated signs, who shall examine the plans and specifications, reinspecting all wiring and connections to determine if the same complies with the applicable Electrical Code.

Additional Information as may be required by the Zoning Administrator or the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission).

Fee Receipt from the (County) (City) (Village) (Town) Clerk in accordance with the following schedule:

Signs 20 square feet or less--\$3.00.

Signs over 20 square feet--\$0.15/square foot.

Sign Permit Applications shall be filed with the Zoning Administrator, who shall review the application for its completeness and accuracy and forward such application within one (1) week to the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission) shall review and approve or deny, in writing, the application within thirty (30) days of receipt from the Zoning Administrator unless the time is extended by written agreement with the applicant. Upon approval of the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission), the Zoning Administrator shall issue the permit. A sign permit shall become null and void, if work authorized under the permit has not been completed within four (4) months of the date of issuance.

#### 7.8 ANNUAL INSPECTION

The Zoning Administrator shall inspect prior to July 1 of each year every projecting and roof sign. If any such sign is found to be insecurely fastened or in any way conflict with this chapter, the Zoning Administrator shall report this fact to the owner of the sign or to the owner or occupant of the premises on which it is fastened. If the sign is not made to comply within thirty (30) days after such notice, it may be removed or altered to comply at the expense of the holder of the permit by the Zoning Administrator provided the Zoning Administrator may cause it to be removed summarily and without notice whenever public safety requires this to be done immediately. The fee for such inspection shall be \$1.00 per year.

**7.9 LIABILITY**

The acceptance of fees as provided herein shall not be deemed an assumption of liability by the (County) (City) (Village) (Town) and the owner of any building or structure upon which a sign is erected shall be liable for any damages and injuries that may be caused to persons or property thereby.

**7.10 PENALTY**

Any person who shall violate any provision of this chapter or any order, rule or regulation issued hereunder shall be subject to a penalty as provided in Section 2.9 of this Ordinance.

## NONCONFORMING USES, STRUCTURES AND LOTS

### SECTION 8.0

#### 8.1 EXISTING NONCONFORMING USES AND STRUCTURES

The lawful nonconforming use of a structure, land, or water existing at the time of the adoption or amendment of this Ordinance may be continued although the use does not conform with the provisions of this Ordinance; however:

Only that Portion of the land or water in actual use may be so continued and the nonconforming use may not be extended, enlarged, substituted, or moved, except when required to do so by law or order or so as to comply with the provisions of this Ordinance.

Total Lifetime Structural Repairs or alterations to a nonconforming structure shall not exceed fifty (50) percent of the Municipality's equalized value of the structure at the time of its becoming a nonconforming structure unless it is permanently changed to conform to the use provisions of this Ordinance.

Substitution of New Equipment may be permitted by the (County Board of Adjustment) (City Board of Appeals) (Village Board of Appeals) (Town Board of Appeals) if such equipment will reduce the incompatibility of the nonconforming use of structure with the neighboring uses.

Repairs and Alterations permitted under the provisions of this Ordinance to nonconforming structures on floodlands shall be floodproofed.

#### 8.2 ABOLISHMENT OR REPLACEMENT

If such nonconforming use is discontinued or terminated for a period of twelve (12) months, any future use of the structure, land, or water shall conform to the provisions of this Ordinance.

When a Nonconforming Structure is Damaged by fire, explosion, flood, or other calamity to the extent of more than fifty (50) percent of its current equalized value, it shall not be restored except so as to comply with the use provisions of this Ordinance.

Once a Nonconforming Use or Structure has been changed or altered so as to comply with the provisions of this Ordinance, it shall not revert back to a nonconforming use or structure. Once the (County Board of Adjustment) (City Board of Appeals) (Village Board of Appeals) (Town Board of Appeals) has permitted the substitution of a more restrictive nonconforming use for an existing nonconforming use, the substituted use shall lose its status as a legal nonconforming use and become subject to all the conditions required by the Board.

A Current File of all nonconforming uses and structures shall be maintained by the Zoning Administrator listing the following: property location, use of the structure, land, or water; and equalized value of the structures at the time of its becoming a nonconforming structure.

#### 8.3 EXISTING SUBSTANDARD STRUCTURES

The use of a structure existing at the time of the adoption or amendment of this Ordinance may be continued although the structure's size or location does not conform with the established building setback line along arterial streets and highways, or the yard, height, parking, loading, access and lot area provisions of this Ordinance.

Additions and Enlargements to existing substandard structures are permitted and shall conform with the established building setback lines along arterial streets and highways and the yard, height, parking, loading and access provisions of this Ordinance. The provisions of this Section with respect to additions or enlargements are applicable only if the lot or parcel conforms with the existing sanitary code requirements or is serviced by a public sanitary sewer.

Existing Substandard Structures which are damaged or destroyed by fire, explosion, flood, or other calamity, may be reconstructed and in so far as is practicable shall conform with the established building setback lines along arterial streets and highways and the yard, height, parking, loading, and access provisions of this Ordinance. The provisions of this Section, with respect to reconstruction, are applicable only if the lot or parcel conforms with the existing sanitary code requirements or is serviced by public sanitary sewer.

Existing Substandard Structures may be moved and, in so far as is practicable, shall conform with the established building setback lines along arterial streets or highways and the yard, height, parking, loading, and access provisions of this Ordinance. The provisions of this Section, with respect to moving, are applicable only if the lot or parcel conforms with the existing sanitary code requirements or is serviced by public sanitary sewer.

8.4 CHANGE AND SUBSTITUTIONS

Once a nonconforming use has been changed to a conforming use or a substandard structure has been altered so as to comply with the yard, height, parking, loading, and access provisions of this Ordinance, it shall not revert back to a nonconforming use or substandard structure. Once the (County Board of Adjustment) (City Board of Appeals) (Village Board of Appeals) (Town Board of Appeals) has permitted the substitution of a more restrictive nonconforming use for an existing nonconforming use, the prior existing use shall lose its status as a legal nonconforming use and the substituted use shall become subject to all the conditions required by the Board.

8.5 EXISTING VACANT SUBSTANDARD LOTS

In any residential or agricultural district, a one-family detached dwelling and its accessory structures may be erected on any legal lot or parcel of record in the County Register of Deeds office before the effective date or amendment of this Ordinance, provided such lot or parcel meets all the following minimum requirements:

<u>Lot</u>	Width	Minimum	40 feet.
	Area	Minimum	4,000 square feet.
<u>Building</u>	Area	Minimum	800 square feet.
	Height	Maximum	25 feet.
<u>Yards</u>	Street	Minimum	25 feet from lot line; the second street yard on corner lots shall be not less than 10 feet from lot line.
	Rear	Minimum	25 feet from lot line.
	Side	Minimum	16 percent of the frontage but not less than 5 feet from the lot line.
	Shore	Minimum	40 feet.

If Abutting Lands and the substandard lot are owned by the same owner, the substandard lot shall not be used or sold without full compliance with the provisions of the district wherein located.

## PERFORMANCE STANDARDS

### SECTION 9.0

#### 9.1 COMPLIANCE

This Ordinance permits specific uses in specific districts; and these performance standards are designed to limit, restrict, and prohibit the effects of those uses outside their premises or district. All structures, lands, air and waters shall hereafter, in addition to their use, site, and sanitary regulations, comply with the following performance standards.

#### 9.2 FIRE AND EXPLOSIVE HAZARDS

All activities involving the manufacturing, utilization, processing, or storage of flammable and explosive materials shall be provided with adequate safety devices against the hazard of fire and explosion and with adequate fire-fighting and fire-suppression equipment and devices that are standard in the industry. All materials that range from active to intense burning shall be manufactured, utilized, processed, and stored only in completely enclosed buildings which have incombustible exterior walls and an automatic fire extinguishing system. The above-ground storage capacity of materials that produce flammable or explosive vapors shall not exceed the following:

<u>Closed Cup Flash Point</u>	<u>Gallons</u>
Over 187° F.	400,000
105° F. to 187° F.	200,000
Below 105° F.	100,000

#### 9.3 GLARE AND HEAT

No activity shall emit glare or heat that is visible or measurable outside its premises except activities which may emit direct or sky reflected glare which shall not be visible outside their district. All operations producing intense glare or heat shall be conducted within a completely enclosed building. Exposed sources of light shall be shielded so as not to be visible outside their premises.

#### 9.4 WATER QUALITY PROTECTION

No activity shall locate, store, discharge, or permit the discharge of any treated, untreated, or inadequately treated liquid, gaseous, or solid materials of such nature, quantity, obnoxiousness, toxicity, or temperature that might run off, seep, percolate, or wash into surface or subsurface waters so as to contaminate, pollute, or harm such waters or cause nuisances such as objectionable shore deposits, floating or submerged debris, oil or scum, color, odor, taste, or unsightliness or be harmful to human, animal, plant, or aquatic life.

In addition, no activity shall withdraw water or discharge any liquid, or solid materials so as to exceed, or contribute toward the exceeding of, the minimum standards and those other standards and the application of those standards set forth in Chapter Rd 2 of the Wisconsin Administrative Code for the \_\_\_\_\_ River and its use.

#### 9.5 NOISE

No activity in an M-2 Heavy Manufacturing District shall produce a sound level outside the district boundary that exceeds the following sound level measured by a sound level meter and associated octave band filter:

<u>Octave Band Frequency (Cycles Per Second)</u>	<u>Sound Level (Decibels)</u>
0 to 75	79
75 to 150	74
150 to 300	66
300 to 600	59
600 to 1200	53
1200 to 2400	47
2400 to 4800	41
above 4800	39

No other activity in any other district shall produce a sound level outside its premises that exceeds the following:

<u>Octave Band Frequency</u> <u>(Cycles Per Second)</u>	<u>Sound Level</u> <u>(Decibels)</u>
0 to 75	72
75 to 150	67
150 to 300	59
300 to 600	52
600 to 1200	46
1200 to 2400	40
2400 to 4800	34
above 4800	32

All noise shall be so muffled or otherwise controlled as not to become objectionable due to intermittance, duration, beat frequency, impulse character, periodic character or shrillness.

9.6 ODORS

No activity shall emit any odorous matter of such nature or quantity as to be offensive, obnoxious, or unhealthful outside their premises. The guide for determining odor measurement and control shall be Chapter 13, Air Pollution Abatement Manual 1960, prepared by the Manufacturing Chemists' Association, Inc., Washington D. C.

9.7 RADIOACTIVITY AND ELECTRICAL DISTURBANCES

No activity shall emit radioactivity or electrical disturbances outside its premises that are dangerous or adversely affect the use of neighboring premises.

9.8 VIBRATION

No activity in any district shall emit vibrations which are discernible without instruments outside its premises. No activity shall emit vibrations which exceed the following displacement measured with a three-component measuring system:

<u>Frequency</u> <u>(Cycles Per Second)</u>	<u>Displacement (Inches)</u>	
	<u>Outside the Premises</u>	<u>Outside the District</u>
0 to 10	.0020	.0004
10 to 20	.0010	.0002
20 to 30	.0006	.0001
30 to 40	.0004	.0001
40 to 50	.0003	.0001
50 and Over	.0002	.0001



SECTION 10.0

- County Ordinance 10.1 ESTABLISHMENT  
There is hereby established a Board of Adjustment for the County of Racine for the purpose of hearing appeals and applications and granting variances and exceptions to the provisions of this Ordinance in harmony with the purpose and intent of this Ordinance.
- City, Village or Town Ordinance 10.1 ESTABLISHMENT  
There is hereby established a Board of Appeals for the (City of \_\_\_\_\_) (Village of \_\_\_\_\_) (Town of \_\_\_\_\_) for the purpose of hearing appeals and applications and granting variances and exceptions to the provisions of this Ordinance in harmony with the purpose and intent of this Ordinance.
- County Ordinance 10.2 MEMBERSHIP  
The Board of Adjustment shall consist of five (5) members appointed by the Chairman of the County Board and approved by the County Board. The Chairman of the County Board shall make his nominations at least one month prior to their appointment.  
Terms shall be for staggered three-year periods, except that of those first appointed: one (1) shall serve for one (1) year, two (2) years, and two (2) for three (3) years.  
Eligibility. Members of the Board of Adjustment shall reside within Racine County and outside the limits of incorporated areas, providing, however, that no two members shall reside in the same town.  
Chairman. The Board shall choose its own chairman.  
Two (2) Alternate Members may be appointed by the Chairman of the County Board for a term of three (3) years and shall act only when a regular member is absent or refuses to vote because of conflict of interest.  
The Zoning Administrator shall attend all meetings for the purpose of providing technical assistance when requested by the Board of Adjustment.  
Official Oaths shall be taken by all members in accordance with Section 19.01 of the Wisconsin Statutes within ten (10) days of receiving notice of their appointment.  
Vacancies shall be filled for the unexpired term in the same manner as appointments for a full term.
- City, Village or Town Ordinance 10.2 MEMBERSHIP  
The Board of Appeals shall consist of five (5) members appointed by the (Mayor) (Village President) (Town Chairman) and approved by the (Common Council) (Village Board) (Town Board). The (Mayor) (Village President) (Town Chairman) shall make his nominations at least one month prior to their appointment.  
Terms shall be for staggered three-year periods, except that of those first appointed: one (1) shall serve for one (1) year, two (2) for two (2) years, and two (2) for three (3) years.  
Chairman. The Board shall choose its own chairman.  
Two (2) Alternate Members may be appointed by the (Mayor) (Village President) (Town Chairman) for a term of three (3) years and shall act only when a regular member is absent or refuses to vote because of conflict of interest.  
The Zoning Administrator shall attend all meetings for the purpose of providing technical assistance when requested by the Board of Appeals.  
Official Oaths shall be taken by all members in accordance with Section 19.01 of the Wisconsin Statutes within ten (10) days of receiving notice of their appointment.  
Vacancies shall be filled for the unexpired term in the same manner as appointments for a full term.
- 10.3 ORGANIZATION  
The (County Board of Supervisors) (Common Council) (Village Board) (Town Board) herein adopts rules for the conduct of the business of the (County Board of Adjustment) (City Board of Appeals) (Village Board of Appeals) (Town Board of Appeals) in accordance with the provisions of this Ordinance. The Board may adopt further rules as necessary.  
Meetings shall be held at the call of the chairman and shall be open to the public.  
Minutes of the proceedings and a record of all actions shall be kept by the Board, showing the vote of each member upon each question, the reasons for the Board's

determination, and its finding of facts. These records shall be immediately filed in the office of the Board and shall be a public record.

The Concurring Vote of four (4) members of the Board shall be necessary to correct an error; grant a variance; make an interpretation; and permit a temporary, unclassified, or substituted use.

#### 10.4 POWERS

The (County Board of Adjustment) (City Board of Appeals) (Village Board of Appeals) (Town Board of Appeals) shall have the following powers:

Errors. To hear and decide appeals where it is alleged there is error in any order, requirements, decision, or determination made by the Zoning Administrator.

Variances. To hear and authorize appeals for variances where owing to special conditions, a literal enforcement will result in practical difficulty or unnecessary hardship. Such variance shall not be contrary to the public interest and shall be so conditioned that the spirit and purposes of this Ordinance shall be observed and the public safety, welfare, and justice secured.

No Variance shall have the effect of permitting any use in a district that is prohibited in that district; nor of permitting standards lower than those required by the Wisconsin Statutes, the Wisconsin Administrative Code, or the Wisconsin Department of Natural Resources, nor of permitting the elevation of any building lying on floodlands to be lower than that specified in this Ordinance.

Interpretations. To hear and decide applications for interpretations of the zoning regulations and the location of the boundaries of the zoning districts, and floodlands, after the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission) has made a review and recommendation. Floodland boundaries shall be altered by the (County Board of Adjustment) (City Board of Appeals) (Village Board of Appeals) (Town Board of Appeals) only when the applicant presents evidence that clearly and conclusively establishes that the location as shown on the zoning map is incorrect.

Substitutions. To hear and grant applications for substitution of more restrictive nonconforming uses for existing nonconforming uses provided no structural alterations are to be made and the Zoning Administrator has made a review and recommendation. Whenever the Board permits such a substitution, the use may not thereafter be changed without application.

Unclassified Uses. To hear and grant applications for unclassified and unspecified uses in accordance with the provisions of Section 2.3 of this Ordinance.

Temporary Uses. To hear and grant applications for temporary uses, in any district provided that such uses are of a temporary nature, do not involve the erection of a substantial structure, and are compatible with the neighboring uses and the Zoning Administrator has made a review and recommendation. The permit shall be temporary, revocable, subject to any conditions required by the (County Board of Adjustment) (City Board of Appeals) (Village Board of Appeals) (Town Board of Appeals) and shall be issued for a period not to exceed twelve (12) months. Compliance with all other provisions of this Ordinance shall be required.

Permits. The Board may reverse, affirm wholly or partly or modify the order, requirement, decision, or determination appealed from, and may make such order, requirement, decision or determination as ought to be made.

Assistance. The Board may request assistance from other (County) (City) (Village) (Town) officers, departments, commissions, and boards.

Oaths. The Chairman may administer oaths and compel the attendance of witnesses.

#### 10.5 APPEALS AND APPLICATIONS

Appeals to the (County Board of Adjustment) (City Board of Appeals) (Village Board of Appeals) (Town Board of Appeals) may be taken by any person aggrieved or by any officer, department, board, or bureau of the (County) (City) (Village) (Town) affected by the decision of the Zoning Administrator. Such appeals shall be filed in the Office of the Zoning Administrator within thirty (30) days after the date of written notice of the decision or order of the Zoning Administrator. Applications may be made by the owner or lessee of the structure, land, or water to be affected at any time and shall be filed in the Office of the Zoning Administrator. Such appeals and application shall include the following:

Name and Address of the appellant or applicant and all abutting and opposite property owners of record.

Plat of Survey prepared by a land surveyor registered in the State of Wisconsin or other map drawn to scale and approved by the Zoning Administrator, showing all of the information required under Section 12.3 for a Zoning Permit.

Additional Information required by the Zoning Administrator, the (County Board of Adjustment) (City Board of Appeals) (Village Board of Appeals) (Town Board of Appeals) or the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission).

Fee Receipt from the Zoning Administrator in the amount of Twenty-Five Dollars (\$25.00).

10.6 HEARINGS

The (County Board of Adjustment) (City Board of Appeals) (Village Board of Appeals) (Town Board of Appeals) shall fix a reasonable time and place for the hearing, publish a Class two (2) notice thereof and shall give due notice to the parties in interest, the Zoning Administrator, and the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission). At the hearing the appellant or applicant may appear in person, by agent, or by attorney.

*Due Notice of all hearings on appeals for variances to the floodland provisions of this Ordinance shall be given to the Wisconsin Department of Natural Resources and the Region 2 Water Resources Advisory Board.*

County,  
City or  
Village  
Ordinance

10.7 FINDINGS

No variance to the provisions of this Ordinance shall be granted by the Board unless it finds beyond a reasonable doubt that all the following facts and conditions existing and so indicates in the minutes of its proceedings.

Exceptional Circumstances. There must be exceptional, extraordinary, or unusual circumstances or conditions applying to the lot or parcel, structure, use, or intended use that do not apply generally to other properties or uses in the same district and the granting of the variance would not be of so general or recurrent nature as to suggest that the Zoning Ordinance should be changed.

Preservation of Property Rights. That such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same district and same vicinity.

Absence of Detriment. That the variance will not create substantial detriment to adjacent property and will not materially impair or be contrary to the purpose and spirit of this Ordinance or the public interest.

Hardship Not Created By Owner. That the alleged difficulty or hardship has not been created by any person presently having an interest in the property.

10.8 DECISION

The (County Board of Adjustment) (City Board of Appeals) (Village Board of Appeals) (Town Board of Appeals) shall decide all appeals and applications within thirty (30) days after the final hearing and shall transmit a signed copy of the Board's decision to the appellant or applicant and the Zoning Administrator.

Conditions may be placed upon any zoning permit ordered or authorized by this Board. Variances, Substitutions or Use Permits granted by the Board shall expire within six (6) months unless substantial work has commenced pursuant to such grant.

*A Copy of all decisions granting or denying a variance to the floodland provisions of this Ordinance and all conditional use permits granted within the Floodland District shall be transmitted by the Secretary of the Board to the Wisconsin Department of Natural Resources and the Region 2 Water Resources Advisory Board within ten (10) days.*

County,  
City or  
Village  
Ordinance

10.9 REVIEW BY COURT OF RECORD

Any person or persons aggrieved by any decision of the (County Board of Adjustment) (City Board of Appeals) (Village Board of Appeals) (Town Board of Appeals) may present to the court of record a petition, duly verified, setting forth that such decision is illegal and specifying the grounds of the illegality. Such petition shall be presented to the court within thirty (30) days after the filing of the decision in the offices of the Board.

## CHANGES AND AMENDMENTS

### SECTION 11.0

#### 11.1 AUTHORITY

Whenever the public necessity, convenience, general welfare, or good zoning practice require, the (County Board of Supervisors) (Common Council) (Village Board) (Town Board) may, by ordinance, change the district or amend, change or supplement the regulations established by this Ordinance or amendments thereto.

Such Change or Amendment shall be subject to the review and recommendation of the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission).

#### 11.2 INITIATION

A change or amendment may be initiated (by the County Board of Supervisors, by any member of the County Board, by the Town Board of any Town wherein the Ordinance is in effect, by the County Planning Committee) (by the Common Council, by any member of the Common Council, by the City Plan Commission) (by the Village Board, by any member of the Village Board, by the Village Plan Commission). (by the Town Board, by any member of the Town Board, by the Town Plan Commission) or by a petition of one or more of the owners or lessees of property within the area proposed to be changed.

#### 11.3 PETITIONS

Petitions for any change to the district boundaries or amendments to the regulations shall be filed with the (County) (City) (Village) (Town) Clerk, describe the premises to be rezoned or the regulations to be amended, list the reasons justifying the petition, specify the proposed use and have attached the following:

Pilot Plan drawn to a scale of 1 inch equals 100 feet showing the area proposed to be rezoned, its location, its dimensions, the location and classification of adjacent zoning districts, and the location and existing use of use of all properties within three hundred (300) feet of the area proposed to be rezoned.

Owners' Names and Addresses of all properties lying within two hundred (200) feet of the area proposed to be rezoned.

Additional Information required by the (County Board or County Planning Committee) (Common Council or City Plan Commission) (Village Board or Village Plan Commission) (Town Board or Town Plan Commission).

#### 11.4 HEARINGS

County  
Ordinance

The County Planning Committee shall hold a public hearing upon each proposed change or amendment, giving notice of the time, place, and the change or amendment proposed by publication of a Class 2 notice under Chapter 985 of the Wisconsin Statutes. A copy of each such notice shall be mailed by registered mail to the Town Clerk of each town affected by the proposed amendment at least ten (10) days prior to the date of such hearing. The County Planning Committee shall also give at least ten (10) days prior written notice to the Clerk of any municipality within one thousand (1,000) feet of any land to be affected by the proposed change or amendment.

Due notice of all public hearings on petitions for changes to Floodland District, or other district boundaries lying in floodland areas or amendments to regulations affecting floodlands, shall be transmitted to the State Department of Natural Resources and the Region 2 Water Resources Advisory Board.

City,  
Village or  
Town  
Ordinance

The (Common Council) (Village Board) (Town Board) shall hold a public hearing upon each proposed change or amendment recommended by the (City Plan Commission) (Village Plan Commission) (Town Plan Commission) giving notice of the time, place, and the change or amendment proposed by publication of a Class 2 notice under Chapter 985 of the Wisconsin Statutes. The (Common Council) (Village Board) (Town Board) shall also give at least ten (10) days prior written notice to the clerk of any municipality within one thousand (1,000) feet of any land to be affected by the proposed change or amendment.

City or  
Village  
Ordinance

Due notice of all public hearings on petitions for changes to Floodland District or other district boundaries lying in floodland areas as amendments to regulations affecting floodlands, shall be transmitted to the State Department of Natural Resources and the Region 2 Water Resources Advisory Board.

County,  
City or  
Village  
Ordinance

11.5 FLOODLAND DISTRICT BOUNDARY CHANGES

When it is proposed to amend the boundaries of a Floodland District for the purpose of creating a more usable and functional parcel of land, the (County Board) (Common Council) (Village Board) shall first determine and establish the following:

That Amending the District Boundary will not permit obstructions to be placed in the floodway or permit uses that will increase flood flow velocities, increase or decrease the flood stage, or retard the movement of waters based on the assumption that there will be an equal degree of boundary change and encroachment extending for a significant reach on both sides of the river.

That Revised District Boundary Lines provided for sufficient additional area within the Floodland District to create by excavation, floodwater storage and conveyance capacity equal to that which shall be lost by the filing of areas removed from such district and further provided that all lands removed from the Floodland District are located adjacent to lands located outside of the Floodland District and that such lands to be removed will be filled to an elevation one (1) foot above the elevation of the one hundred-(100-) year recurrence interval flood as delineated on large scale topographic maps prepared by Racine County, by the (City of \_\_\_\_\_) (Village of \_\_\_\_\_) (Town of \_\_\_\_\_) or by the Southeastern Wisconsin Regional Planning Commission, or as determined through the use of flood profiles and accompanying hydrologic and hydraulic engineering data prepared by the Southeastern Wisconsin Regional Planning Commission under applicable watershed studies.

That Excavation in the additional areas included in the Floodland District shall take place prior to or simultaneously with the filling of lands removed from such District.

That Structures Placed on lands removed from the Floodland District shall be constructed with the first floor elevation at least two (2) feet above the elevation of the one hundred-(100-) year recurrence interval flood.

The Excavated Earth Material, if suitable for reuse in the area to be filled, shall be so used and, if not suitable or if insufficient in quantity for the fill required, the applicant may be permitted to utilize suitable fill obtained from land other than that which is being excavated.

County  
Ordinance

11.6 COUNTY PLANNING COMMITTEE RECOMMENDATIONS

If a town affected by the proposed amendment disapproves of the proposed amendment, the town board of such town may file a certified copy of the resolution adopted by such board disapproving of the petition with the County Planning Committee prior to, at or within 10 days after the public hearing. If the town board of the town affected in the case of an ordinance relating to the location of boundaries of districts files such a resolution, or the town boards of a majority of the towns affected in the case of all other amendatory ordinances file such resolutions, the County Planning Committee may not recommend approval of the petition without change, but may only recommend approval with change or recommend disapproval. As soon as possible after such public hearing, the County Planning Committee shall act on such petition either approving, modifying, and approving, or disapproving of the same. If its action is favorable to granting the requested change or any modification thereof, it shall cause an ordinance to be drafted effectuating its determination and shall submit such proposed ordinance directly to the county board with its recommendations. If the County Planning Committee after its public hearing shall recommend denial of the petition, it shall report its recommendation directly to the county board with its reasons for such action. Proof of publication of the notice of the public hearing held by the County Planning Committee and proof of the giving of notice to the town clerk of such hearing shall be attached to either such report. Notification of town board resolutions filed under Section 11.7 shall be attached to either such report.

City,  
Village or  
Town  
Ordinance

11.6 RECOMMENDATIONS

The (City Plan Commission) (Village Plan Commission) (Town Plan Commission) shall review all proposed changes and amendments within the corporate limits and shall recommend that the petition be granted as requested, modified, or denied. The recommendation shall be made at a meeting subsequent to the meeting at which the petition is first submitted and shall be made in writing to the (Common Council) (Village Board) (Town Board).

County  
Ordinance

11.7 PROTEST

In case a protest against a proposed amendment is filed with the county clerk at least 24 hours prior to the date of the meeting of the county board at which the report of the County Planning Committee is to be considered, duly signed, and acknowledged by the owners of 50 percent or more of the area proposed to be altered, or by abutting owners of over 50 percent of the total perimeter of the area proposed to be altered included within 300 feet of the parcel or parcels proposed to be rezoned, action on such ordinance may be deferred until the County Planning Committee has had a reasonable opportunity to ascertain and report to the county board as to the authenticity of such ownership statements. Each signer shall state the amount of area or frontage owned by him and shall include a description of the lands owned by him. If such statements are found to be true, such ordinance shall not be adopted except by the affirmative vote of three-fourths of the members of the county board of

supervisors present and voting. If such statements are found to be untrue to the extent that the required frontage or area ownership is not present, such protest may be disregarded.

City,  
Village  
or Town  
Ordinance

11.7 PROTEST

In the event of a protest against such district change or amendment to the regulations of this Ordinance, duly signed and acknowledged by the owners of twenty (20) percent or more either of the areas of the land included in such proposed change, or by the owners of twenty (20) percent or more of the land immediately adjacent extending one hundred (100) feet therefrom, or by the owners of twenty (20) percent or more of the land directly opposite thereto extending one hundred (100) feet from the street frontage of such opposite land, such changes or amendments shall not become effective except by the favorable vote of (three-fourths (3/4) of the full Common Council Membership), (three-fourths (3/4) vote of the full Village Board Membership), of the full Town Board Membership.

County  
Ordinance

11.8 COUNTY BOARD ACTION

Upon receipt of the County Planning Committee report, the county board may adopt the ordinance as drafted by the County Planning Committee or with amendments, or it may deny the petition for amendment, or it may refuse to deny the petition as recommended by the County Planning Committee in which case it shall re-refer the petition to the County Planning Committee with directions to draft an ordinance to effectuate the petition and report the same back to the county board which may then adopt or reject such ordinance.

City or  
Village  
Ordinance

11.8 (COMMON COUNCIL) (VILLAGE BOARD) ACTION

Following such hearing and after careful consideration of the City Plan Commission's recommendations, the (Common Council) (Village Board) shall vote on the passage of the proposed change or amendment.

The [City Plan Commission's] [Village Plan Commission's] recommendations may only be overruled by three-fourths (3/4) vote of the full [Common Council] [Village Board] membership.

Town  
Ordinance

11.8 TOWN BOARD ACTION

Following such hearing and after careful consideration of the Town Plan Commission's recommendations, the Town Board shall vote on the passage of the proposed change or amendment. The Town Plan Commission's recommendations may only be overruled by a unanimous vote of the full Town Board membership.

Town  
Ordinance

11.9 COUNTY BOARD ACTION

Following such hearing and after careful consideration of the Town Board's approval, the County Board of Supervisors shall vote on the approval of the proposed change or amendment.

County  
Ordinance

11.9 EFFECTIVE DATE

If any such amendatory ordinance makes only the change sought in the petition and if the petition was not disapproved at or within 10 days after the public hearing by the town board of the town affected in the case of an ordinance relating to the location of district boundaries or by the town boards of a majority of the towns affected in the case of all other amendatory ordinances, it shall become effective on passage. The county clerk shall record in his office the date on which such ordinance becomes effective and he shall notify the town clerk of all towns affected by such ordinance of such effective date and also insert such effective date in the proceedings of the county board. Any other such amendatory ordinance when so adopted shall within 7 days thereafter be submitted in duplicate by the county clerk by registered mail to the town clerk of each town in which lands affected by such ordinance are located. If after 40 days from the date of such adoption a majority of such towns have not filed certified copies of resolutions disapproving such amendment with the county clerk, or if, within a shorter time a majority of the towns in which the ordinance is in effect have filed certified copies of resolutions approving the amendment with the county clerk, the amendment shall thereupon be in effect in all of the towns affected by the ordinance. Any such ordinance relating to the location of boundaries of districts shall within 7 days after adoption by the county board be transmitted by the county clerk by registered mail only to the town clerk of the town in which the lands affected by such change are located and shall become effective 40 days after the adoption of the ordinance by the county board unless such town board prior to such date files a certified copy of a resolution disapproving of such ordinance with the county clerk. If such town board approves the ordinance, said ordinance shall become effective upon the filing of the resolution of the town board approving same with the county clerk. The county clerk shall record in his office the date on which such ordinance becomes effective and he shall notify the town clerk of all towns affected by such ordinance of such effective date and also make such report to the county board, which report shall be printed in the proceedings of the county board.

## ADMINISTRATION

### SECTION 12.0

#### 12.1 ZONING ADMINISTRATOR

There is hereby created the office of Zoning Administrator for (Racine County) (the City of \_\_\_\_\_) (the Village of \_\_\_\_\_) (the Town of \_\_\_\_\_).

#### 12.2 DUTIES AND POWERS

The Zoning Administrator shall have the following duties and powers:

Record all permits issued, inspections made, work approved, and other official actions.  
Inspect all structures, lands, and waters as often as necessary to assure compliance with this Ordinance.

Investigate all complaints made relating to the location of structures and the use of structures, lands, and waters, give notice of all violations of this Ordinance to the owner, resident agent, or occupant of the premises, and report uncorrected violations to the (County Corporation Counsel) (City Attorney) (Village Attorney) (Town Attorney) in a manner specified by him.

Assist the (County Corporation Counsel) (City Attorney) (Village Attorney) (Town Attorney) in the prosecution of Ordinance violations.

Issue Zoning Permits upon application for the erection or use of a structure, land or water where such erection or use complies with all provisions of this Ordinance.

Access to premises and structures during reasonable hours to make those inspections as deemed necessary by him to ensure compliance with this Ordinance. If, however, he is refused entry after presentation of his identification, he may procure a special inspection warrant in accordance with Section 963.10 of the Wisconsin Statutes, except in cases of emergency.

Prohibit the use or erection of any structure, land, or water until he has inspected and approved such use or erection.

Recommend to the (County Board) (Common Council) (Village Board) (Town Board) and (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission) any additional use regulations as he shall deem necessary.

Request Assistance and cooperation from the (County Sheriff's Department) (City Police Department) (Village Police Department) (Town Police Department) and the (County Corporation Counsel) (City Attorney) (Village Attorney) (Town Attorney).

#### 12.3 ZONING PERMIT

Applications for a zoning permit shall be made in triplicate to the Zoning Administrator on forms furnished by the Administrator and shall include the following where pertinent and necessary for proper review:

Name and Addresses of the applicant, owner of the site, architect, professional engineer, and contractor.

Description of the Subject Site by lot, block, and recorded subdivision or by metes and bounds; address of the subject site; type of structure; existing and proposed operation or use of the structure or site; number of employees; and the zoning district within which the subject site lies.

Plat of Survey prepared by a land surveyor registered in the State of Wisconsin or other map drawn to scale and approved by the Zoning Administrator showing the location, boundaries, dimensions, uses, and size of the following: subject site; existing and proposed structures; existing and proposed easements, streets, and other public ways; off-street parking, loading areas, and driveways; existing highway access restrictions; high water, channel, floodway, and floodplain boundaries; and existing and proposed street, side, and rear yards. In addition, the plat of survey shall show type, slope, and boundaries of soils shown on the operational soil survey maps prepared by the USDA Soil Conservation Service for the South-eastern Wisconsin Regional Planning Commission.

Additional Information as may be required by the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission) or Zoning Administrator.

Fee Receipt from the (County) (City) (Village) (Town) Treasurer in an amount specified in Section 12.4 of this Ordinance.

A Zoning Permit shall be granted or denied in writing by the Zoning Administrator within thirty (30) days of application and the applicant shall post such permit in a conspicuous place at the site. The permit shall expire within four (4) months unless substantial work has commenced, or within eighteen (18) months after the issuance of the permit if the structure for which a permit is issued is not substantially completed, and the applicant

shall reapply for a zoning permit before recommencing work of the structure. Any permit issued in conflict with the provisions of this Ordinance shall be null and void.

12.4 ZONING PERMIT FEES

All persons, firms, or corporations shall pay a zoning permit fee according to the following schedule:

Parking uses	\$ 5.00
Signs	10.00
Residential Uses	10.00 for a single dwelling unit plus 5.00 for each dwelling unit over one (1)
Accessory residential uses	5.00
Commercial	50.00
Aquatic uses	10.00
Industrial uses	50.00

Zoning Permit Fees do not include, and are in addition to building permit fees established by the (County) (City) (Village) (Town) Building Code.

Conditional Uses. Fees shall be computed in accordance with Section 4.1 of this Ordinance.

12.5 DOUBLE FEE

A double fee may be charged by the Zoning Administrator if work is started before a permit is applied for and issued. Such double fee shall not release the applicant from full compliance with this Ordinance nor from prosecution for violation of this Ordinance.

12.6 REMEDIAL ACTION

Whenever an order of the Zoning Administrator has not been complied with within thirty (30) days after written notice has been mailed to the owner, resident agent or occupant of the premises, the Zoning Administrator, the (County Board) (Common Council) (Village Board) (Town Board) or the (County Corporation Counsel) (City Attorney) (Village Attorney) (Town Attorney) may institute appropriate legal action or proceedings to prohibit such owner, agent, or occupant from using such structure, land, or water.



## DEFINITIONS

### SECTION 13.0

For the purpose of this Ordinance, the following definitions shall be used. Words used in the present tense include the future; the singular number includes the plural number; and the plural number includes the singular number. The word "shall" is mandatory and not directory.

#### ACCESSORY USE OR STRUCTURE

A use or detached structure subordinate to the principal use of a structure, land, or water and located on the same lot or parcel serving a purpose customarily incidental to the principal use or the principal structure.

#### ALLEY

A special public right-of-way affording only secondary access to abutting properties.

#### ARTERIAL STREET

A public street or highway used or intended to be used primarily for fast or heavy through traffic. Arterial streets and highways shall include freeways and expressways as well as arterial streets, highways, and parkways.

#### BASEMENT

That portion of any structure located partly below the average adjoining lot grade.

#### BOARDINGHOUSE

A building other than a hotel or restaurant where meals or lodging are regularly furnished by prearrangement for compensation for four (4) or more persons not members of a family, but not exceeding twelve (12) persons and not open to transient customers.

#### BUILDABLE LOT AREA

The portion of a lot remaining after required yards have been provided.

#### BUILDING

Any structure having a roof supported by columns or walls used or intended to be used for the shelter or enclosure of persons, animals, equipment, machinery or materials.

#### BUILDING AREA

The total area bounded by the exterior walls of a building at the floor levels, but not including basement, utility rooms, garages, porches, breezeways, and unfinished attics.

#### BUILDING DETACHED

A principal building surrounded by open space on the same lot.

#### BUILDING HEIGHT

The vertical distance measured from the mean elevation of the finished lot grade along the street yard face of the structure to the highest point of flat roofs; to the mean height level between the eaves and ridges of gable, gambrel, hip, and pitch roofs; or to the deck line of mansard roofs.

#### BUILDING LINE

A line between which and any street line, no buildings or parts of buildings may be erected, altered, or maintained except as otherwise provided for in this Ordinance.

#### BUILDING, PRINCIPAL

A building in which the principal use of the lot on which it is located is conducted.

#### BUSINESS

An occupation, employment, or enterprise which occupies time, attention, labor and materials, or wherein merchandise is exhibited or sold, or where services are offered other than home occupations.

#### CAR WASHES

Any facility used for the washing of vehicles requiring the installation of special equipment or machinery and plumbing affixed to or affixed separate of a structure. Said facility shall be installed in such a manner as not to cause spray or run-off water to encroach upon any adjoining properties.

#### CLOTHING REPAIR SHOPS

Shops where clothing is repaired, such as shoe repair shops, seamstress, tailor shops, shoe shine shops, clothes pressing shops, but none employing over five (5) persons.

#### COMMERCIAL FEED LOT

Confinement of 200 or more head of livestock on a farm or other site for the purpose of intensive feeding prior to slaughter or shipment in such concentration that ground vegetation is substantially destroyed where:

- a. The farm or site does not produce a minimum of 60 percent of the feed necessary to sustain the herd.
- b. The farm or site is insufficient in size to provide for the disposal of all animal wastes in a manner that they will not run off, seep, percolate, or wash into surface or subsurface waters.

#### CONDITIONAL USES

Uses of a special nature as to make impractical their predetermination as a principal use in a district.

#### CONSERVATION STANDARDS

Guidelines and specifications for soil and water conservation practices and management enumerated in the Technical Guide prepared by the USDA Soil Conservation Service for Racine County, adopted by the County Soil and Water Conservation District Supervisors, and containing suitable alternatives for the use and treatment of land based upon its capabilities from which the landowner selects that alternative which best meets his needs in developing his soil and water conservation plan.

#### CORNER LOT

A lot abutting two or more streets at their intersection provided that the corner of such intersection shall have an angle of 135 degrees or less, measured on the lot side.

#### DOUBLE WIDE MOBILE HOME

A double wide mobile home is a mobile home consisting of two mobile home sections combined horizontally at the site while still retaining their individual chassis for possible future movement.

#### DWELLING

A detached building designed or used exclusively as a residence or sleeping place, but does not include boarding or lodging houses, motels, hotels, tents, cabins, or mobile homes.

#### DWELLING UNIT

A group of rooms constituting all or part of a dwelling, which are arranged, designed, used, or intended for use exclusively as living quarters for one family.

#### DWELLING, DETACHED

A dwelling entirely surrounded by open space on the same lot.

#### DWELLING, SEMI-DETACHED

A dwelling joined to one other dwelling by a party wall.

#### DWELLING, ATTACHED

A dwelling joined to two other dwellings by party walls.

#### DWELLING, SINGLE FAMILY

A dwelling containing one dwelling unit either attached, semi-attached, or detached, not including mobile homes.

#### DWELLING, TWO FAMILY

A detached or semi-detached building designed for and occupied exclusively by two (2) families.

#### DWELLING, MULTIPLE FAMILY

A dwelling containing three or more dwelling units.

#### EFFICIENCY

A dwelling unit consisting of one principal room with no separate sleeping rooms.

#### EMERGENCY SHELTER

Public or private enclosures designed to protect people from aerial, radiological, biological, or chemical warfare; fire, flood, windstorm, riots, and invasions.

#### ESSENTIAL SERVICES

Services provided by public and private utilities necessary for the exercise of the principal use or service of the principal structure. These services include underground, surface, or overhead gas, electrical, steam, water, sanitary sewerage, storm water drainage, and communication systems and accessories thereto, such as poles, towers, wires, mains, drains, vaults, culverts, laterals, sewers, pipes, catch basins, water storage tanks, conduits, cables, fire alarm boxes, police call boxes, traffic signals, pumps, lift stations, and hydrants, but not including buildings.

#### EXPANDABLE MOBILE HOME

An expandable mobile home is a mobile home with one or more room sections that fold, collapse or telescope into the principal unit when being transported and which can be expanded at the site to provide additional living area.

#### EXPRESSWAY

A divided arterial street or highway with full or partial control of access and with or without grade separated intersections.

#### FAMILY

Any number of persons related by blood, adoption, or marriage, or not to exceed four (4) persons not so related, living together in one dwelling as a single housekeeping entity.

#### FLOOR AREA--BUSINESS, AND MANUFACTURING BUILDINGS OR STRUCTURES

For the purpose of determining off-street parking and off-street loading requirements.

The sum of the gross horizontal areas of several floors of the building, or portion thereof, devoted to a use requiring off-street parking or loading. This area shall include accessory storage areas located within selling or working space, such as counters, racks, or closets and any basement floor area devoted to retailing activities, to the production or processing of goods, or to business or professional offices. However, floor area, for the purposes of determining off-street parking spaces, shall not include floor area devoted primarily to storage purposes except as otherwise noted herein.

#### FLOOR AREA--GROSS

The sum of the gross horizontal areas of all floors measured in square feet, not including the basement floor, measured from the exterior faces of the exterior walls or from the centerline of walls separating two buildings. The floor area of a building includes elevator shafts and stairwells at each floor, floor space used for mechanical equipment, (except equipment--open or closed--located on a roof or in a basement), penthouses, attic space having headroom of seven feet ten inches or more, interior balconies and mezzanines, enclosed porches, and floor area devoted to accessory uses.

#### FREEWAY

An expressway with full control of access and with fully grade separated intersections.

#### FRONTAGE

The smallest dimension of a lot abutting a public street measured along the street line.

#### GARAGE--PUBLIC

Any building or portion thereof, not accessory to a residential building or structure, used for equipping, servicing, repairing, leasing, or public parking of motor vehicles.

#### HIGHWAY CLASSIFICATION

Class A--An existing or planned four-lane arterial street or highway with a minimum right-of-way width of 150 feet, as shown on the highway width map for Racine County.

Class B--An existing or planned four- or six-lane arterial street or highway with a minimum right-of-way width of 130 feet, as shown on the highway width map for Racine County.

Class C--An existing or planned six-lane arterial street or highway with a minimum right-of-way width of 110 feet.

Class D--An existing or planned two-lane arterial street or highway with a minimum right-of-way width of 100 feet, as shown on the highway width map for Racine County.

- Class E--An existing or planned two-lane arterial with a minimum right-of-way width of 80 feet, as shown on the highway width map for Racine County.
- Class F--An existing or planned two- or four-lane arterial street or highway with a minimum right-of-way width of 66 feet, as shown on the highway width map for Racine County.
- Class G--An existing or planned two-lane arterial street or highway with a minimum right-of-way width of 60 feet, as shown on the highway width map for Racine County.
- Class H--All roads not classified as an arterial street or highway which are not located within a subdivision of 10 or more lots existing at the time of this Ordinance or any subdivision or plat hereafter laid out or divided, provided the subdivision shall be recorded.
- Class I--All roads or streets not classified as an arterial street or highway which are located in a subdivision of 10 or more lots existing at the time of adoption of this Ordinance, or any subdivision or plat hereafter laid out or divided.
- Class J--All highways, roads and streets not otherwise classified.

#### HOTEL

A building in which lodging, with or without meals, is offered to transient guests for compensation and in which there are more than five (5) sleeping rooms with no cooking facilities in any individual room or apartment.

#### HOUSEHOLD OCCUPATIONS

Any occupation for gain or support conducted entirely within buildings by resident occupants which is customarily incidental to the principal use of the premises, does not exceed twenty-five (25) percent of the area of any floor, uses only household equipment, and no stock in trade is kept or sold except that made on the premises. A household occupation includes uses such as baby-sitting, millinery, dressmaking, canning, laundering, and crafts, but does not include the display of any goods nor such occupation as barbering, beauty shops, dance schools, real estate brokerage, or photographic studios.

#### INTERCHANGE

A grade separated intersection with one or more turning lanes for travel between intersection legs.

#### LIVING ROOMS

All rooms within a dwelling except closets, foyers, storage areas, utility rooms, and bathrooms.

#### LOADING AREA

A completely off-street space or berth on the same lot for the loading or unloading of freight carriers, having adequate ingress and egress to a public street or alley.

#### LODGING HOUSE

A building where lodging only is provided for compensation for not more than three (3) persons.

#### LOT

A parcel of land having frontage on a public street, occupied or intended to be occupied by a principal structure or use and sufficient in size to meet the lot width, lot frontage, lot area, yard, parking area, and other open space provisions of this Ordinance.

#### LOT, CORNER

A lot abutting two or more streets at their intersection provided that the corner of such intersection shall have an angle of 135 degrees or less, measured on the lot side.

#### LOT, INTERIOR

A lot situated on a single street which is bounded by adjacent lots along each of its other lines.

#### LOT, THROUGH

A lot which has a pair of opposite lot lines along two substantially parallel streets, and which is not a corner lot. On a through lot, both street lines shall be deemed front lot lines.

#### LOT, SUBSTANDARD

A parcel of land held in separate ownership having frontage on a public street, occupied or intended to be occupied by a principal building or structure together with accessory

buildings and uses, having insufficient size to meet the lot width, lot area, yard, off-street parking areas, or other open space provisions of this Ordinance.

**LOT COVERAGE**

The area under a roof and enclosed by the exterior permanent walls.

**LOT LINES AND AREA**

The peripheral boundaries of a parcel of land and the total area lying within such boundaries.

**LOT WIDTH**

The width of a parcel of land measured at the rear of the specified street yard.

**MINOR STRUCTURES**

Any small, movable accessory erection or construction, such as birdhouses; tool houses; pethouses; play equipment; arbors; and walls and fences under four (4) feet in height.

**MOBILE HOME**

A mobile home is a transportable structure, being eight (8) feet or more in width (not including the overhang of the roof) or 32 feet or more in length (not including the overhang of the roof), built on a chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities.

**MOBILE HOME LOT**

A parcel of land for the placement of a single mobile home and the exclusive use of its occupants.

**MOBILE HOME PARK**

A parcel of land which has been developed for the placement of mobile homes and is owned by an individual, a firm, trust, partnership, public or private association, or corporation.

**MODULAR UNIT**

A modular unit is a factory fabricated transportable building unit designed to be used by itself or to be incorporated with similar units at a building site into a modular structure to be used for residential, commercial, educational or industrial purposes.

**MOTEL**

A series of attached, semiattached, or detached sleeping units for the accommodation of transient guests.

**NONCONFORMING USES OR STRUCTURES**

Any structure, land, or water lawfully used, occupied, or erected at the time of the effective date of this Ordinance or amendments thereto which does not conform to the regulations of this Ordinance or amendments thereto. Any such structure conforming in respect to use but not in respect to frontage, width, height, area, yard, parking, loading or distance requirements shall be considered a nonconforming structure and not a nonconforming use.

**PARKING LOT**

A structure or premises containing ten (10) or more parking spaces open to the public for rent or a fee.

**PARKING SPACE**

A graded and surfaced area of not less than one hundred and eighty (180) square feet in area either enclosed or open for the parking of a motor vehicle, having adequate ingress and egress to a public street or alley.

**PARTIES IN INTEREST**

Includes all abutting property owners, all property owners within one hundred (100) feet, and all property owners of opposite frontages.

**PARTY WALL**

A wall containing no opening which extends from the elevation of building footings to the elevation of the outer surface of the roof or above, and which separates contiguous buildings but is in joint use for each building.

**PROFESSIONAL HOME OFFICES**

Residences of doctors of medicine, practitioners, dentists, clergymen, architects, landscape architects, lawyers, professional engineers, registered land surveyors, artists, teachers,

authors, musicians or other recognized professions used to conduct their professions where the office does not exceed one half (1/2) the area of only one floor of the residence and only one nonresident person is employed.

#### REAR YARD

A yard extending across the full width of the lot, the depth of which shall be the minimum horizontal distance between the rear lot line and a line parallel thereto through the nearest point of the principal structure. This yard shall be opposite the street yard or one of the street yards on a corner lot.

#### SECTIONAL HOME

A sectional home is a dwelling made of two or more modular units factory fabricated and transported to the home site where they are put on a foundation and joined to make a single house.

#### SETBACK

The minimum horizontal distance between the street line and the nearest point of a building or any projection thereof excluding uncovered steps.

#### SIDE YARD

A yard extending from the street yard to the rear yard of the lot, the width of which shall be the minimum horizontal distance between the side lot line and a line parallel thereto through the nearest point of the principal structure.

#### SIGNS

Any medium, including its structure, words, letters, figures, numerals, phrases, sentences, emblems, devices, designs, trade names, or trade marks by which anything is made known and which are used to advertise or promote an individual, firm, association, corporation, profession, business, commodity or product and which is visible from any public street or highway.

Signs are further defined by physical type as follows:

Sign, Detached. Any sign not supported by or attached to any side of a building or structure.

Sign, Externally Illuminated. Any sign in which the source of illumination is not an integral part of the sign.

Sign, Flat. Any sign, the back of which is attached flat against any side of a building or structure and which does not extend outward more than six (6) inches.

Sign, Internally Illuminated. Any sign in which the source of illumination is an integral part of the sign.

Sign, Painted. Any sign other than a skeleton cutout letter sign which is painted upon the side of any building or upon any structure and for which no separate background structure is used.

Sign, Projecting. Any sign which is attached to any side of a building or to a structure and which extends outward more than six (6) inches.

Sign, Skeleton Cutout Letter. Any sign composed of letters so constructed and assembled or painted as to use no other structure for background other than the building or structure itself.

Signs are further defined by purpose as follows:

Sign, Advertising. Any sign used for the purpose of advertising or identifying products and their manufacturers or a business name, profession, or trade conducted in a building or a location other than the premises on which such sign is erected or maintained.

Sign, Awning or Canopy. Any sign which is painted upon the vertical faces of any awning or canopy and for which no separate background material is used.

Sign, Bulletin. Any sign used for the purpose of identifying public, charitable, or religious institutions.

Sign, Business. Any sign used for the purpose of advertising or identifying the owner's name, business name, profession, or trade conducted within the building or on the premises on which such sign is erected or maintained and the names of manufacturers of products used or trade slogans used by the occupants of the building or premises in carrying on their business, profession or trade.

Sign, Contractors. Any sign used for identifying and naming the contractors engaged in construction on the property where the sign is located.

Sign, Election Campaign. Any sign used for the purpose of identifying and naming persons who are candidates for public office.

Sign, Governmental. Any sign used for posting legal notices, identification of streets, traffic regulation, notice of danger, or other emergencies or the posting of notice of trespassing.

Sign, Group Directory. Any sign, whose purpose is limited to the group listing and identification of offices or business establishments within a single building or structure.

Sign, Memorial. Any sign or tablet used for the purpose of identifying the names of buildings and the date of erection and which are cut into any masonry surface or inlaid so as to be part of the building or structure, or which are attached to a building or structure and which are constructed of bronze or other non-combustible materials.

Sign, Operational. A sign designating an entrance, exit, service area, parking area, rest room, or other such signs relating to the functional operation of a building or lot without further elaboration or display.

Sign, Professional Name Plate. Any sign indicating the occupant name and/or address of a professional office.

Sign, Real Estate. Any sign used for the purpose of advertising the sale, rental, or lease of the premises upon which said sign is located.

Sign, Residential Name Plate. Any sign indicating the occupant name and/or address of a residence.

Sign, Subdivision Entrance. Any sign whose purpose is exclusively limited to the identification of a platted subdivision or residential area, and which names such subdivision or area without further elaboration, display or advertisement.

Sign, Temporary. A sign for the purpose of designating a new building or development, for promotion of a subdivision, for announcement of a special event, or for similar special informational purposes.

#### SIGN, RESTRICTED

All signs designated in this code for which sign permit is required.

#### SIGN, UNRESTRICTED

All signs designated in this code which do not require a sign permit, but are regulated as to location, number, and size.

#### SIGN, GROSS SURFACE AREA

For all signs except skeleton cutout letter signs, the gross surface area shall include the area within a single continuous perimeter enclosing the extreme limits of its display area, and in no case passing through or between any adjacent elements of it. Such perimeter shall not include any structural elements lying outside the display area. Each sign face or display area used for advertising or identification purposes shall be included in the total gross surface area of a sign. The gross surface area of a skeleton cutout letter sign shall include 1.25 times the sum of the area in each individual letter which shall be determined by multiplying the extreme horizontal length of each letter by the extreme vertical height of each letter.

#### STORY

That portion of a principal building included between the surface of any floor and the surface of the next floor above, or if there is no floor above, the space between the floor and the ceiling next above. A basement shall not be counted as a story.

#### STORY, HALF

A story which is situated in a sloping roof, the floor area of which does not exceed 2/3 of the floor area of the story immediately below it, and which does not contain an independent dwelling unit.

#### STREET YARD

A yard extending across the full width of the lot, the depth of which shall be the minimum horizontal distance between the existing or proposed street or highway centerline or right-of-way line, whichever is more, as required by the district regulations, and a line parallel thereto through the nearest point of the principal structure. Corner lots shall have two such yards.

#### STREET

A public right-of-way not less than fifty (50) feet wide providing primary access to abutting properties.

#### STRUCTURE

Any erection or construction, such as buildings, towers, masts, poles, booms, signs, decorations, carports, machinery, and equipment.

#### STRUCTURAL ALTERATIONS

Any change in the supporting members of a structure, such as foundations, bearing walls, columns, beams or girders.

#### TURNING LANES

An existing or proposed connecting roadway between two arterial streets or between an arterial street and any other street. Turning lanes include grade separated interchange ramps.

#### USE

The purpose or activity for which the land or building thereon is designed, arranged or intended, or for which it is occupied or maintained.

#### USE, ACCESSORY

A subordinate use on the same lot which is incidental and customary in connection with the principal use.

#### USE, PRINCIPAL

The main use of land or building as distinguished from a subordinate or accessory use.

#### USE, NONCONFORMING

Any use of a building or premises which the effective date of this Ordinance does not, even though lawfully establish, comply with all of the applicable use regulations of the zoning district in which such building or premise is located.

#### UTILITIES

Public and private facilities, such as water wells, water and sewage pumping stations, water storage tanks, power and communication transmission lines, electrical power sub-stations, static transformer stations, telephone and telegraph exchanges, microwave radio relays, and gas regulation stations, but not including sewage disposal plants, municipal incinerators, warehouses, shops, and storage yards.

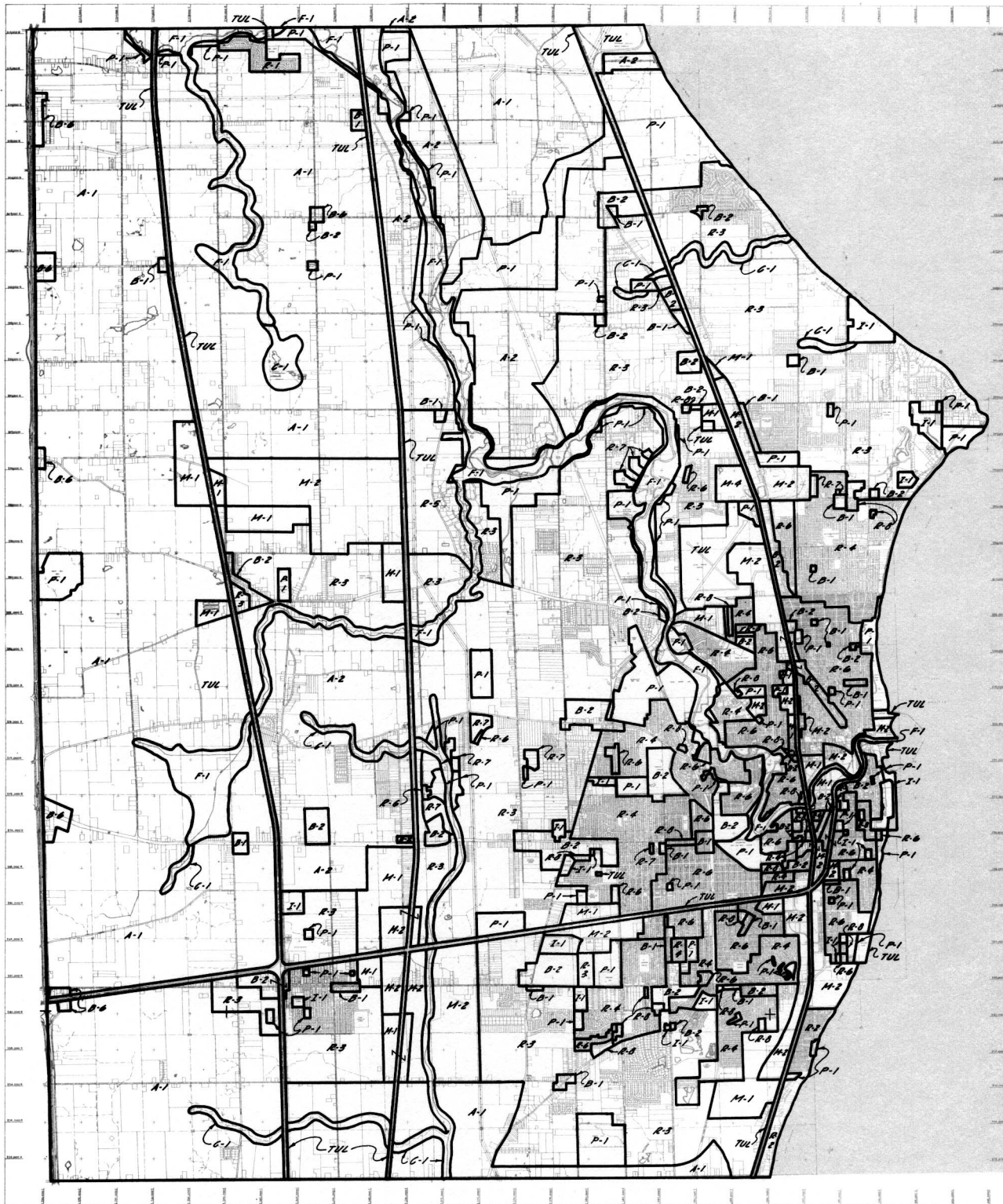
#### VISION CLEARANCE

An unoccupied triangular space at the street corner of a corner lot which is bounded by the street lines and a setback line connecting points determined by measurement from the corner on each street line.

#### YARD

An open space on the same lot with a structure, unoccupied and unobstructed from the ground upward except the vegetation. The street and rear yards extend the full width of the lot.





- LEGEND**
- COUNTY LINE
  - TOWN AND RANGE LINE
  - SECTION LINE
  - QUARTER SECTION LINE
  - STATE PLANE COORDINATE GRID
  - INCORPORATED CITY OR VILLAGE
  - INTERSTATE HIGHWAY
  - U.S. NUMBERED HIGHWAY
  - STATE TRUNK HIGHWAY
  - COUNTY TRUNK HIGHWAY
  - LOCAL OR MINOR STREET
  - RAILROAD
  - RIVER AND LAKE SHORELINE
  - INTERMITTENT STREAM OR WATERCOURSE
  - MAJOR PUBLIC AND SEMI-PUBLIC LAND
  - POWER LINES

NOTE: SEE ACCOMPANYING TEXT PAGE 15 FOR DESCRIPTION OF ZONING DISTRICTS.



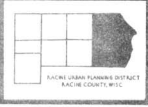
RACINE COUNTY BOARD OF SUPERVISORS  
SOUTHEASTERN WISCONSIN REGIONAL  
PLANNING COMMISSION  
HARLAND BARTHOLOMEW AND ASSOCIATES  
CITY PLANNERS - CIVIL ENGINEERS - LANDSCAPE ARCHITECTS  
CHP-440

THIS IS NOT A CADASTRAL MAP. PROPERTY BOUNDARY LINES, WHEN SHOWN, ARE SHOWN IN APPROXIMATE LOCATION ONLY. COMPILED BY HARLAND BARTHOLOMEW AND ASSOCIATES FROM 1:25,000 PHOTOAERIALS AND MAPS AND FORBESMAN MAPS. RACINE COUNTY TOWNSHIP AND RANGE LINES. RACINE COUNTY HIGHWAY DATA AND ROAD INFORMATION. CITY OF RACINE CITY PLANNING DEPT. AND RACINE JUDICIAL DISTRICT AND INFORMATION ON WISCONSIN STATE PLANE COORDINATE DATA. SOURCE: U.S. GOVERNMENT PRINTING OFFICE (1970).

# ILLUSTRATIVE ZONING DISTRICT MAP

RACINE URBAN PLANNING DISTRICT

DRAWN BY: DATE: JULY 1970  
CHECKED BY: DATE:  
APPROVED BY: DATE:  
PROJECT DESIGN  
SCALE: 1 INCH = 5000 FEET (COMPILED SCALE: 1 INCH = 5000 FEET)  
REVISED BY: DATE:



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LAND SUBDIVISION ORDINANCE  
MODEL FOR RACINE URBAN PLANNING DISTRICT

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## INTRODUCTION

### SECTION 1.0

#### 1.1 AUTHORITY

This Ordinance is adopted under the authority granted by Section (59.971(3), 144.26, and 236.45) (62.23(5), 144.26, and 236.45) (61.35, 62.23(5), 144.26, and 236.45) (60.18(12), 61.35, 62.23(5), 144.26 and 236.45) of the Wisconsin Statutes and amendments thereto; and pursuant to this authority the (County Board of Supervisors) (Common Council) (Village Board) (Town Board) of the (County of \_\_\_\_\_) (City of \_\_\_\_\_) (Village of \_\_\_\_\_) (Town of \_\_\_\_\_) do ordain as follows:

#### 1.2 TITLE

This Ordinance shall be known as, referred to, or cited as the Land Division (Subdivision) Ordinance (Racine County) (City of \_\_\_\_\_, Racine County) (Village of \_\_\_\_\_, Racine County) (Town of \_\_\_\_\_, Racine County), Wisconsin.

#### 1.3 PURPOSE

The purpose of this Ordinance is to regulate and control the division of land within the (unincorporated areas of Racine County) (incorporated areas of the City of \_\_\_\_\_ and its extraterritorial plat approval jurisdiction (incorporated areas of the Village of \_\_\_\_\_ and its extraterritorial plat approval jurisdiction) (unincorporated areas of the Town of \_\_\_\_\_) in order to promote the public health, safety, morals, prosperity, aesthetics, and general welfare of the (County) (City) (Village) (Town).

#### 1.4 INTENT

It is the general intent of this Ordinance to regulate the division of land so as to: Obtain the wise use, conservation, protection, and proper development of the (County's) (City's) (Village's) (Town's) soil, water, wetland, woodland, and wildlife resources and attain a proper adjustment of land use and development to the supporting and sustaining natural resource base; lessen congestion in the streets and highways; further the orderly layout and appropriate use of land; secure safety from fire, panic, and other dangers; provide adequate light and air; prevent the overcrowding of land; avoid undue concentration of population; facilitate adequate provision for housing for all persons without regard to race, color, religion, national origin, sex, or economic status; facilitate adequate provision for transportation, water, sewerage, schools, parks, playgrounds, and other public requirements; secure safety from flooding, water pollution, disease, and other hazards; and prevent flood damage to persons and properties and minimize expenditures for flood relief and flood control projects; (Obtain dedication of floodland and certain shoreland areas for public and semi-public recreational uses to best meet the public demand for aquatic recreation with the least disturbance to shoreland owners;) Prevent and control erosion, sedimentation, and other pollution of surface and subsurface waters, preserve natural vegetation and cover and promote the natural beauty of the (County) (City) (Village) (Town) and its environs; restrict building sites on floodlands, shorelands, areas covered by poor soils, or in other areas poorly suited for development; facilitate the further division of larger tracts into smaller parcels of land; ensure adequate legal description and proper survey monumentation of subdivided land; provide for the administration and enforcement of this Ordinance; provide penalties for its violation; implement those municipal, county, watershed, or regional comprehensive plans or their components adopted by the (County) (City) (Village) (Town); and in general, to facilitate enforcement of (County) (City) (Village) (Town) development standards as set forth in the adopted regional and (County) (City) (Village) (Town) comprehensive plans, adopted plan components, zoning ordinance, building codes, and the (highway width map of \_\_\_\_\_ County) (the official map of the City of \_\_\_\_\_) (the official map of the Village of \_\_\_\_\_) (the official map of the Town of \_\_\_\_\_).

#### 1.5 ABROGATION AND GREATER RESTRICTIONS

It is not intended by this Ordinance to repeal, abrogate, annul, impair, or interfere with any existing easements, covenants, deed restrictions, agreements, rules, regulations, or permits previously adopted or issued pursuant to law. However, where this Ordinance imposes greater restrictions, the provisions of this Ordinance shall govern.

#### 1.6 INTERPRETATION

In their interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements and shall be liberally construed in favor of the (County) (City) (Village) (Town) and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes.

City, Village  
or Town  
Ordinance



1.7 SEVERABILITY AND NON-LIABILITY

If any Section, provision or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. The (County) (City) (Village) (Town) does not guarantee, warrant, or represent that only those areas designated as floodlands will be subject to periodic inundation and that those soils listed as being unsuited for specific uses are the only unsuited soils within the (County) (City) (Village) (Town) and thereby asserts that there is no liability on the part of the (County Board of Supervisors) (Common Council) (Village Board) (Town Board) its agencies, or employees for sanitation problems or structural damages that may occur as a result of reliance upon, and conformance with, this Ordinance.

1.8 REPEAL

All other ordinances or parts of ordinances of the (County) (City) (Village) (Town) inconsistent or conflicting with this Ordinance, to the extent of the inconsistency only, are hereby repealed.

1.9 EFFECTIVE DATE

This Ordinance shall be effective after a public hearing, adoption by the (County Board of Supervisors) (Common Council) (Village Board) (Town Board) and publication or posting as provided by law.

## GENERAL PROVISIONS

### SECTION 2.0

#### 2.1 JURISDICTION

Jurisdiction of these regulations shall include all (unincorporated lands and waters within Racine County) (incorporated lands and waters within the City of \_\_\_\_\_ and the extraterritorial plat approval jurisdictional areas as defined under Sections 236.02(2), 236.10(2), and 66.32) (incorporated lands and waters within the Village of \_\_\_\_\_ and the extraterritorial plat approval jurisdictional areas as defined under Sections 236.02(2), 236.10(2), and 66.32) (unincorporated lands and waters within the Town of \_\_\_\_\_). The provisions of this Ordinance as it applies to divisions of tracts of land into less than five (5) parcels shall not apply to:

Transfer of Interest in land by will or pursuant to court order.

Leases for a term not to exceed ten (10) years, mortgages or easements.

Sale or Exchange of parcels of land between owners of adjoining property if additional lots are not thereby created and the lots resulting are not reduced below the minimum sizes required by these regulations, the [County] [City] [Village] [Town] Zoning Ordinance, or other applicable laws or ordinances.

#### 2.2 COMPLIANCE

No person, firm, or corporation shall divide any land located within the jurisdictional limits of these regulations which results in a subdivision, minor subdivision, or a replat as defined herein, and no such subdivision, minor subdivision, or replat shall be entitled to record; and, no street shall be laid out or improvements made to land without compliance with all requirements of this Ordinance and;

Provisions of Chapter 236, Wisconsin Statutes.

Rules of the Wisconsin Department of Health and Social Services, Division of Health, regulating lot size and lot elevation if the land to be subdivided is not served by a public sewer and provisions for such service have not been made.

Rules of Wisconsin Department of Transportation, Division of Highways, relating to safety of access and the preservation of the public interest and investment in the highway system if the land owned or controlled by the subdivider abuts on a state trunk highway or connecting street.

Wisconsin Department of Natural Resources, Division of Environmental Protection, rules setting water quality standards preventing and abating pollution, regulating on-site soil absorption (septic tank) sewage disposal systems, and regulating development within flood-land and shoreland areas.

Comprehensive Plans or components of such plans prepared by state, regional, county, or municipal agencies duly adopted by the [County Board of Supervisors] [Common Council] [Village Board] [Town Board].

All Applicable Local and County Regulations, including zoning, sanitary, building, highway width map and official mapping ordinances.

#### 2.3 DEDICATION AND RESERVATION OF LANDS

Streets, highways, drainageways, other public ways, or public access to navigable streams. Whenever a trace of land to be subdivided embraces all or any part of a street, highway, drainageway, other public way, or public access to navigable lakes or streams which has been designated in the adopted regional and county comprehensive plans or adopted plan components or on the (highway width map of \_\_\_\_\_ County) (the official map of the City of \_\_\_\_\_) (the official map of the Village of \_\_\_\_\_) (the official map of the Town of \_\_\_\_\_) said public way shall be made a part of the plat and dedicated or reserved by the subdivider in the locations and dimensions indicated on said plan or map and as set forth in Section 7.0 of this Ordinance.

Playgrounds, parks, school sites, open space sites, or other public lands. Whenever a tract of land to be subdivided embraces all or any part of a proposed public playground, park, school site, open space site, or other public land, other than streets, highways, drainageways, other public ways or public access to navigable lakes or streams designated in the adopted regional and [County] [City] [Village] [Town] comprehensive plans or adopted plan components of (\_\_\_\_\_ County) (the City of \_\_\_\_\_) (the Village of \_\_\_\_\_) (the Town of \_\_\_\_\_) or other adopted municipal plan, these proposed public lands shall be made a part of the plat.

The Subdivider shall reserve such proposed public lands for a period not to exceed three (3) years, unless extended by mutual agreement, for purchase by the public agency having jurisdiction.

County  
Ordinance

City, Village  
or Town  
Ordinance

The Subdivider shall dedicate to the public one (1) acre of land for proposed playgrounds, parks, school sites, open space sites, or other public lands for each 15 proposed dwelling units within the subdivision plat or minor land division and said proposed public lands in excess of one (1) acres for each 15 proposed dwelling units within the subdivision plat or minor subdivision shall be reserved for a period not to exceed three (3) years, unless extended by mutual agreement, for purchase by the public agency having jurisdiction, or all said proposed public lands, in excess of one (1) acre for each 15 proposed dwelling units within the subdivision plat shall be reserved by the subdivider for a period not to exceed five (5) years, unless extended by mutual agreement, for acquisition by the (City) (Village) (Town) at undeveloped land value and a public site fee shall be levied against the subdivider at the time of application for final plat approval at the rate and according to the procedures established in Section \_\_\_\_\_ of this Ordinance.

City or  
Village  
Ordinance

Proposed Public Lands lying outside the corporate limits of the (City) (Village) but within the jurisdictional area of these regulations shall be reserved by the subdivider for a period not to exceed five (5) years, unless extended by mutual agreement, for acquisition by the County or Town at undeveloped land costs.

Floodlands--whenever a tract of land to be subdivided embraces any part of existing floodlands, such floodlands shall be made a part of the plat. Floodlands included within a subdivision plat shall be included within lots, or reserved for acquisition as provided above, or if approved by the (County Planning Committee) (Common Council) (Village Board) (Town Board) shall be reserved in perpetuity for the recreational use of the future residents of the land to be divided with stream or lake bank maintenance easements given to the unit of government which has jurisdiction. The following distances from the high-water elevation shall apply to the provisions of this section:

\_\_\_\_\_ feet from the following lakes:

\_\_\_\_\_ feet from all navigable streams.

\_\_\_\_\_ feet from all non-navigable streams.

#### 2.4 IMPROVEMENTS

Before approval of any final plat located within the (unincorporated areas of the County) (incorporated areas of the City) (incorporated areas of the Village) (unincorporated areas of the Town), the subdivider may install street, utility, and other public improvements as are hereinafter required pursuant to Sections 8.1, 8.2, 8.3, 8.4, 8.5, 8.6, 8.7, 8.8, 8.9, 8.11, 8.12, 8.13, and 8.14 of this Ordinance. If such improvements are not installed as required at the time that the final plat is submitted for approval, the subdivider shall, before recording of the final plat, enter into a contract with the (County or Town, or both) (City) (Village) (Town) agreeing to install the required improvements and shall file with said contract a bond meeting the approval of the Attorney for the contracting municipality or a certified check in an amount equal to the estimated cost of the improvements, said estimate to be made by the (County Planning Committee or Town Board or both) (Common Council) (Village Board) (Town Board) as a guarantee that such improvements will be completed by the subdivider or his subcontractors not later than one (1) year from the date of recording of the plat and as a further guarantee that all obligations to subcontractors for work on the development are satisfied.

Contractors and Subcontractors who are to be engaged in the construction of street and utility improvements on dedicated street rights-of-way shall be subject to the approval of the (County Board or Town Board, or both) (Common Council) (Village Board) (Town Board).

Governmental Units to which these bond and contract provisions apply may file, in lieu of said contract and bond, a letter from officers authorized to act on their behalf agreeing to comply with the provisions of this section.

Survey Monuments. Before final approval of any plat, the subdivider shall install survey monuments placed in accordance with the requirements of Chapter 236.15 of the Wisconsin Statutes and as may be required by the (County Planning Committee) (Common Council) (Village Board) (Town Board).

The (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission) may waive the placing of monuments, required under Section 236.15(b), (c), and (d), for a reasonable time on condition that the subdivider execute a surety bond to insure the placing of such monuments within the time required.

#### 2.5 VARIANCES

County  
Ordinance

Where, in the judgment of the County Planning Committee, it would be inappropriate to apply literally the provisions of Sections 7.0, 8.9, and 8.15, and where, in the judgment of the Town Board, it would be inappropriate to apply literally the provisions of Sections 8.2, 8.3, 8.4, 8.5, 8.6, 8.7, 8.8, 8.10, 8.11, 8.12, 8.13, and 8.14, the County Planning Committee or Town Board, respectively, may waive or modify any requirements to the extent deemed just and proper.

City, Village  
or Town  
Ordinance

Where, in the judgment of the (City Plan Commission) (Village Plan Commission) (Town Plan Commission) it would be inappropriate to apply literally the provisions of Section 7.0 and wherein the judgment of the (Common Council) (Village Board) (Town Board), it would be inappropriate to apply literally the provisions of Section 8.0, the (City Plan Commission) (Village Plan Commission) (Town Plan Commission) or the (Common Council) (Village Board) (Town Board) may waive or modify any requirement to the extent deemed just and proper.

When Such Relief is Granted, it shall be without detriment to the public good, without impairing the intent and purpose of this Ordinance or the desirable general development of the (County) (City) (Village) (Town) in accordance with the adopted regional or (County) (City) (Village) (Town) comprehensive plans or adopted plan components. A simple majority vote of the entire membership of the County Planning Committee shall be required to grant any modifications to the provisions of Section 7.0, 8.9, and 8.15 of this Ordinance and the reasons shall be entered in the minutes of the Committee. A simple majority vote of the Town Board shall be required to grant any modifications to the provisions of Section 8.2, 8.3, 8.4, 8.5, 8.6, 8.7, 8.8, 8.10, 8.11, 8.12, 8.13, and 8.14 of this Ordinance and the reasons shall be entered into the minutes of the Board. A simple majority vote of the entire membership of the (Common Council) (Village Board) (Town Board) shall be required to grant any modifications to the provisions of Section 7.0 or 8.0 of this Ordinance and the reasons shall be entered in the minutes of the (Common Council) (Village Board) (Town Board).

City, Village  
or Town  
Ordinance

## 2.6 LAND SUITABILITY

**Floodlands.** No lot of one (1) acre or less in area shall include floodlands. All lots more than one (1) acre shall contain not less than 40,000 square feet of land which is at an elevation at least two (2) feet above the elevation of the one hundred- (100-) year recurrence interval flood or, where such data is not available five (5) feet above the elevation of the maximum flood of record.

**Shorelands** shall not be divided into building sites which are to be served by soil absorption waste disposal systems.

**Lands Made, Altered, or Filled** with non-earth materials within the last ten (10) years shall not be divided into building sites which are to be served by soil absorption waste disposal systems.

**Each Lot Shall** have fifty (50) percent of its minimum required lot area, or 20,000 square feet, whichever is less, in slopes of less than twelve (12) percent.

**Lands Having Bedrock** within six (6) feet of the natural undisturbed surface shall not be divided into building sites to be served soil absorption sewage disposal systems.

**Lands Having Ground Water** within six (6) feet of the natural undisturbed surface shall not be divided into building sites to be served by soil absorption sewage disposal systems.

**Soils Having a Percolation Rate** slower than sixty (60) minutes per inch shall not be divided into building sites to be served by soil absorption sewage disposal systems.

**The Following Soil Types** as shown on the operational soil survey maps prepared by the U. S. Department of Agriculture, Soil Conservation Service for the Southeastern Wisconsin Regional Planning Commission, which have very severe limitations, may be included in building sites contain not less than 20,000 square feet of soils suitable for building construction and installation of an on-site soil absorption sewage disposal system.

*List Soil Numbers Applicable Within the Area of Jurisdiction of this Ordinance*

**Land Drained** by farm drainage tile or farm ditch systems shall not be divided into building sites to be served by on-site soil absorption sewage disposal systems.

The (Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission) in applying the provisions of this Section, shall in writing recite the particular facts upon which it bases its conclusion that the land is not suitable for a proposed use and afford the subdivider an opportunity to present evidence regarding such unsuitability if he so desires. Thereafter, the (Planning Committee) (City Plan Commission) (Town Plan Commission) may affirm, modify, or withdraw its determination of unsuitability.

## 2.7 VIOLATIONS

It shall be unlawful to divide, convey, record or monument any land in violation of this Ordinance or the Wisconsin Statutes; and no person, firm, or corporation shall be issued a (County) (City) (Village) (Town) Zoning Permit or Sanitary Permit, authorizing the building on, or improvement of, any lot or any part of any subdivision, minor subdivision or replat within the jurisdiction of this Ordinance not of record as of the effective date of this Ordinance until the provisions and requirements of this Ordinance have been fully met. The (County) (City) (Village) (Town) may institute appropriate action or proceedings to enjoin violations of this Ordinance.

## 2.8 PENALTIES

Any person, firm or corporation who fails to comply with the provisions of this Ordinance shall, upon conviction thereof, forfeit not less than One Hundred Dollars (\$100) nor more

than One Thousand Dollars (\$1,000) and the costs of prosecution for each violation and in default of payment of such forfeiture and costs shall be imprisoned in the County Jail until payment thereof, but not exceeding six (6) months. Each day a violation exists or continues shall constitute a separate offense.

## 2.9 APPEALS

Any person aggrieved by an objection to a plat or a failure to approve a plat may appeal therefrom, as provided in Section 236.13(5) of the Wisconsin Statutes, within thirty (30) days of notification of the rejection of the plat. Where failure to approve is based on an unsatisfied objection, the agency making the objection shall be made a party to the action. The court shall direct that the plat be approved if it finds that the action of the approving or objecting agency is arbitrary, unreasonable or discriminatory.

PROCEDURE

SECTION 3.0

3.1 PRE-APPLICATION

It is recommended that, prior to the filing of an application for the approval of a preliminary plat or Certified Survey Map, the subdivider consult with all affected utilities, and the (County Planner and County Zoning Administrator) (City Engineer and City Planner) (Village Engineer and Village Planner) (Town Engineer and Town Planner) in order to obtain advice and assistance. This consultation is neither formal nor mandatory, but is intended to inform the subdivider of the purpose and objectives of these regulations, the adopted regional or (County) (City) (Village) (Town) comprehensive plans or adopted plan components, and duly adopted plan implementation ordinances of the (County) (City) (Village) (Town) and to otherwise assist the subdivider in planning his development. In so doing, both the subdivider and planning agency may reach mutual conclusions regarding the general program and objectives of the proposed development and its possible effects on the neighborhood and (County) (City) (Village) (Town) and the subdivider will gain a better understanding of the subsequent required procedures.

3.2 PRELIMINARY PLAT REVIEW

Before submitting a Final Plat for approval, the subdivider shall prepare a Preliminary Plat and a letter of application. The Preliminary Plat shall be prepared in accordance with this Ordinance and the subdivider shall file an adequate number of copies of the Plat and the application with the (County) (City) (Village) (Town) Clerk at least twenty-five (25) days prior to the meeting of the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission) at which action is desired.

The (County) (City) (Village) (Town) Clerk shall, within two (2) days after filing, transmit four (4) copies to the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission); two (2) copies to the Director of the Planning Function in the Wisconsin Department of Local Affairs and Development; additional copies to the Director of the Planning Function for retransmission of two (2) copies each to the Wisconsin Department of Transportation if the subdivision abuts or adjoins a state trunk highway or a connecting street; and the Wisconsin Department of Health and Social Services if a subdivision is not served by a public sewer and provision for such service has not been made and the Wisconsin Department of Natural Resources if shorelands are contained within the proposed subdivision;

County  
Ordinance

*two (2) copies to the applicable Town Clerk,*

City, Village  
or Town  
Ordinance

*two (2) copies to the County Clerk,*

County or  
Town  
Ordinance

*two (2) copies to the Clerk of each adjoining city or village if the subdivision lies within the extraterritorial plat approval jurisdiction of the city or village,*

*two (2) copies to the Southeastern Wisconsin Regional Planning Commission, and two (2) copies to each affected public or private utility.*

County  
Ordinance

*The County Planning Committee, the town wherein the plat is located and each adjoining city or village in whose extraterritorial plat approval jurisdiction the subdivision lies are designated approving agencies.*

Town  
Ordinance

*The Town Board, the County Zoning Committee and each adjoining city or village in whose extraterritorial plat approval jurisdiction the subdivision lies are designated approving agencies.*

City or  
Village  
Ordinance

*The (City Plan Commission) (Village Plan Commission) is designated as the approving agency with respect to design and layout of the subdivision plat pursuant to the provisions of Section 7.0 and the (Common Council) (Village Board) is designated as the approving agency with respect to the provision of public utilities and services pursuant to the provision of Section 8.0.*

County or  
Town  
Ordinance

The Wisconsin Department of Local Affairs and Development, the Wisconsin Department of Transportation, the Wisconsin Department of Natural Resources, and the Wisconsin Department of Health and Social Services shall be hereinafter referred to as objecting agencies.

City or  
Village  
Ordinance

The Wisconsin Department of Local Affairs and Development, the Wisconsin Department of Transportation, the Wisconsin Department of Natural Resources, and the Wisconsin Department of Health and Social Services shall be hereinafter referred to as objecting agencies. The County Planning Committee is designated as an approving agency when the plat is located in the extraterritorial plat approval jurisdiction of the City and is hereinafter referred to as an objecting agency when the plat is located within the corporate limits of the (City) (Village).

The Southeastern Wisconsin Regional Planning Commission is an advisory planning agency created pursuant to Section 66.945 of the Wisconsin Statutes in part for the purpose of serving the (County of \_\_\_\_\_) (City of \_\_\_\_\_) (Village of \_\_\_\_\_) (Town of \_\_\_\_\_) and its Commissions and state agencies having jurisdiction under the provisions of this Ordinance.

The (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission) shall transmit a copy of the Preliminary Plat to all affected (County) (City) (Village) (Town) commissions or departments, for their review and recommendations concerning matters within their jurisdiction. Their recommendations and the recommendations of affected local utilities shall be transmitted to the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission) within twenty (20) days from the date the plat is filed. The Preliminary Plat shall then be reviewed by the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission) for conformance with this Ordinance and all ordinances, rules, regulations, adopted regional or (County) (City) (Village) (Town) comprehensive plans or adopted plan components which effect it.

### 3.3 PRELIMINARY PLAT APPROVAL

The objecting agencies shall, within twenty (20) days of the date of receiving their copies of the Preliminary Plat, notify the subdivider and all other approving and objecting agencies of any objections. If there are no objections, they shall so certify on the face of the copy of the Plat and shall return that copy to the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission).

If an objecting agency fails to act within twenty (20) days, it shall be deemed to have no objection to the Plat. The Southeastern Wisconsin Regional Planning Commission shall, within twenty (20) days after the date of receiving their copies of the Preliminary Plat, notify the subdivider and all approving and objecting agencies of their findings and recommendations with respect to conformance of the proposed subdivision with adopted regional comprehensive plans or plan components and any other advisory recommendations as may be deemed appropriate.

The (County Planning Committee) (Common Council and the City Plan Commission) (Village Board and the Village Plan Commission) (Town Plan Commission), within forty (40) days of the date of filing of a Preliminary Plat with the (County) (City) (Village) (Town) Clerk, shall approve, approve conditionally, or reject such Plat, unless the time is extended by agreement with the subdivider. One copy of the Plat shall thereupon be returned to the subdivider with the date and action endorsed thereon; and if approved conditionally or rejected, a letter setting forth the conditions of approval or the reasons for rejection shall accompany the Plat. One copy each of the Plat and letter shall be placed in the (County Planning Committee) (Common Council and the City Plan Commission) (Village Board and the Village Plan Commission) (Town Plan Commission) permanent file.

Failure of the (County Planning Committee) (Common Council or the City Plan Commission) (Village Board or the Village Plan Commission) (Town Plan Commission) to act within forty (40) days of the date of filing or within the time as extended by agreement with the subdivider, shall constitute an approval.

Approval or Conditional Approval of a Preliminary Plat shall not constitute automatic approval of the Final Plat, except that if the Final Plat is submitted within six (6) months of Preliminary Plat approval and conforms substantially to the Preliminary Plat layout provided under Section 236.11(1)(b) of the Wisconsin Statutes, the Final Plat shall be entitled to approval with respect to such layout. The Preliminary Plat shall be deemed an expression of approval or conditional approval of the layout submitted as a guide to the preparation of the Final Plat which will be subject to further consideration by the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission) at the time of its submission.

### 3.4 FINAL PLAT REVIEW

The subdivider shall prepare a Final Plat and a letter of application in accordance with this Ordinance and shall file an adequate number of copies of the Plat and the application with

the (County) (City) (Village) (Town) Clerk at least twenty-five (25) days prior to the meeting of the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission) at which action is desired.

The (County) (City) (Village) (Town) Clerk shall, within two (2) days after filing, transmit four (4) copies to the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission), two (2) copies to the Director of the Planning Function in the Wisconsin Department of Local Affairs and Development; additional copies to the Director of the Planning Function for retransmission of two (2) copies each to the Wisconsin Department of Transportation if the subdivision abuts or adjoins a state trunk highway or a connecting street; and the Wisconsin Department of Health and Social Services if the subdivision is not served by a public sewer and provision for such service has not been made and the Wisconsin Department of Natural Resources if shorelands are contained within the proposed subdivision;

County  
Ordinance

two (2) copies to the applicable Town Clerk, two (2) copies to the Clerk of each adjoining city or village if the subdivision lies within the extraterritorial plat approval jurisdiction of a city or village,

Town  
Ordinance

two (2) copies to the County Clerk; two (2) copies to the Clerk of each adjoining city or village if the subdivision lies within the extraterritorial plat approval jurisdiction of a city or village,

City or  
Village  
Ordinance

two (2) copies to the County Clerk; and two (2) copies to each affected public or private utility.

County  
Ordinance

The County Zoning Committee, the town wherein the plat is located and each adjoining city or village in whose extraterritorial plat approval jurisdiction the subdivision lies are designated approving authorities.

The Wisconsin Department of Local Affairs and Development, the Wisconsin Department of Transportation, the Wisconsin Department of Health and Social Services and the Wisconsin Department of Natural Resources shall be hereinafter referred to as objecting agencies.

The Town Board, the County Planning Committee and each adjoining city or village in whose extraterritorial plat approval jurisdiction the subdivision lies are designated approving authorities. The Wisconsin Department of Transportation, the Wisconsin Department of Health and Social Services, and the Wisconsin Department of Natural Resources shall be hereinafter referred to as objecting agencies.

City or  
Village  
Ordinance

The (Common Council) (Village Board) is designated as the approving authority.

The County Planning Committee, the Wisconsin Department of Transportation, the Wisconsin Department of Health and Social Services and the Wisconsin Department of Natural Resources shall be hereinafter referred to as objecting agencies.

The (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission) shall examine the Final Plat as to its conformance with the approved Preliminary Plat; any conditions of approval of the Preliminary Plat; this Ordinance and all ordinances, rules, regulations, adopted regional and (County) (City) (Village) (Town) comprehensive plans and adopted plan components which may affect it and shall recommend approval, conditional approval, or rejection of the Plat to the (County Board of Supervisors) (Common Council) (Village Board) (Town Board).

Partial Platting. The Final Plat may, if permitted by the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission) constitute only that portion of the approved Preliminary Plat which the subdivider proposes to record at that time. Approval of a Final Plat for only a portion of the Preliminary Plat shall extend approval for the remaining portion of the Preliminary Plat for one (1) year from the date of such Final Plat approval.

### 3.5 FINAL PLAT APPROVAL

The objecting agencies shall, within twenty (20) days of the date of receiving their copies of the Final Plat, notify the subdivider and all other approving and objecting agencies of any objections. If there are no objections, they shall so certify on the face of the copy of the Plat and shall return that copy to the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission). If an objecting agency fails to act within twenty (20) days, it shall be deemed to have no objection to the Plat.



Submission. If the Final Plat is not submitted within six (6) months of the last required approval of the Preliminary Plat, the (County Board of Supervisors) (Common Council) (Village Board) (Town Board) may refuse to approve the Final Plat.

The (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission) shall, within thirty (30) days of the date of filing of the Final Plat with the (County) (City) (Village) (Town) Clerk, recommend approval, conditional approval, or rejection of the Plat and shall transmit the Final Plat and application along with its recommendations to the (County Board of Supervisors) (Common Council) (Village Board) (Town Board)

The (County Board of Supervisors) (Common Council) (Village Board) (Town Board) shall within sixty (60) days of the date of filing the original Final Plat with the (County) (City) (Village) (Town Clerk) approve or reject such Plat unless the time is extended by agreement with the subdivider. If the Plat is rejected, the reasons shall be stated in the minutes of the meeting and a written statement of the reasons forwarded to the subdivider and the surveyor. The (County Board of Supervisors) (Common Council) (Village Board) (Town Board) may not inscribe its approval on the Final Plat unless the (County) (City) (Village) (Town) Clerk certifies on the face of the Plat that the copies were forwarded to the objecting agencies as required herein, the date thereof, and that no objections have been filed within twenty (20) days, or, if filed, have been met.

Failure of the (County Board of Supervisors) (Common Council) (Village Board) (Town Board) to act within sixty (60) days, the time having not been extended and no unsatisfied objections having been filed, the Plat shall be deemed approved.

Recordation. After the Final Plat has been approved by the (County Board of Supervisors) (Common Council) (Village Board) (Town Board) and required improvements as shall be required by the (County or Town or both) (City) (Village) (Town) either installed or a contract and sureties insuring their installation is filed, the (County) (City) (Village) (Town) Clerk shall cause the certificate inscribed upon the Plat attesting to such approval to be duly executed and the Plat returned to the subdivider for recording with the County Register of Deeds. The Register of Deeds cannot record the Plat unless it is offered within thirty (30) days from the date of the last approval.

Copies. The subdivider shall file ten (10) copies of the Final Plat with the (County) (City) (Village) (Town) Clerk for distribution to the

County  
Ordinance

Town Clerk, County Treasurer, County  
County Highway Commissioner, County Surveyor, County Zoning Administrator, and other  
affected departments for their files

City  
Ordinance

City Engineer, City Assessor, City  
Treasurer, Zoning Administrator and other affected departments for their files.

Village  
Ordinance

Village Engineer, Village Assessor,  
Village Treasurer, Zoning Administrator, and other affected departments for their files.

Town  
Ordinance

Town Engineer, Town Assessor, Town  
Treasurer, Zoning Administrator and other affected departments for their files.

County or  
Town  
Ordinance

- 3.6 PLATS WITHIN THE EXTRATERRITORIAL PLAT APPROVAL JURISDICTION  
When the land to be subdivided lies within one and one-half (1-1/2) miles of the corporate limits of a village or city, the subdivider shall proceed as specified in Section 3.1 through 3.5 except:

Transmittal Responsibility lies with the village or city clerk, town clerk, or county clerk to whomever the Plat is first submitted, and the subdivider shall indicate which one in his application.

Approval Agencies include the Village Plan Commission or Village Board or City Plan Commission or Common Council, Town Board and the County Planning Committee or County Board of Supervisors and the subdivider must comply with the land division ordinances of these agencies.

All Improvement Requirements, specified by the County, or Town or both, in matters over which they have jurisdiction, shall be met before filing of the Final Plat.

### 3.7 REPLAT

When it is proposed to replat a recorded subdivision, or part thereof, so as to change the boundaries of a recorded subdivision, or part thereof, the subdivider or person wishing to replat shall vacate or alter the recorded Plat as provided in Sections 236.40 through 236.44 of the Wisconsin Statutes. The subdivider, or person wishing to replat, shall then proceed as specified in Sections 3.1 through 3.6.

The (County) (City) (Village) (Town) Clerk shall schedule a public hearing before the (County Planning Committee) (Common Council) (Village Board) (Town Board) when a

Preliminary Plat of a replat of lands within the [County's] [City's] [Village's] [Town's] jurisdiction is filed, and shall cause a Class 2 notice of the public hearing to be published and mailed to the owners of all properties within the limits of the exterior boundaries of the proposed replat and to the owners of all properties within two hundred (200) feet of the exterior boundaries of the proposed replat.

3.8 CERTIFIED SURVEY MAP REVIEW (Minor Subdivision)

When it is proposed to divide land into not more than four (4) parcels or building sites, any one of which is five (5) acres or less in size, or when it is proposed to divide a block, lot or outlot within a recorded subdivision plat into not more than four (4) parcels or building sites without changing the boundaries or said block, lot or outlot, the subdivider shall subdivide by use of the Certified Survey Map. The Certified Survey Map shall include all parcels of land five (5) acres or less in size and may at the owner's direction include any other parcels containing more than five (5) acres. Certified Survey Maps shall be prepared in accordance with Section 6.0 of this Ordinance.

The Subdivider shall file six (6) copies of a Certified Survey Map and the letter of application with the [County] [City] [Village] [Town] Clerk. Prior to submitting a final Certified Survey Map for approval, the subdivider may submit a preliminary Certified Survey Map. It shall be clearly marked "Preliminary Certified Survey Map" and shall be in sufficient detail to determine whether the final Certified Survey Map will meet layout requirements.

The [County] [City] [Village] [Town] Clerk shall, within two (2) days after filing, transmit four (4) copies of the Map and letter of application to the Village Plan Commission.

County  
Ordinance

*Two (2) copies of the Certified Survey Map shall be transmitted to the applicable Town Clerk when such Certified Survey Map proposes to dedicate land for street or other public areas. The recommendations of the Town Board shall be transmitted to the County Zoning Committee within thirty (30) days from the date the Map is transmitted by the County Clerk.*

The [County Planning Committee] [City Plan Commission] [Village Plan Commission] [Town Plan Commission] shall transmit a copy of the Map to all affected [County] [City] [Village] [Town] Commissions or Departments for their review and recommendations concerning matters within their jurisdiction. Their recommendations shall be transmitted to the [County Planning Committee] [City Plan Commission] [Village Plan Commission] [Town Plan Commission] within twenty (20) days from the date the Map is transmitted by the [County Planning Committee] [City Plan Commission] [Village Plan Commission] [Town Plan Commission].

The Map shall be reviewed by the [County Planning Committee] [City Plan Commission] [Village Plan Commission] [Town Plan Commission] for conformance with this Ordinance and all ordinances, rules, regulations, adopted regional and county comprehensive plans or adopted plan components which affect it.

3.9 CERTIFIED SURVEY MAP APPROVAL (Minor Subdivision)

The [County Planning Committee] [City Plan Commission] [Village Plan Commission] [Town Plan Commission] shall approve, approve conditionally, or reject such Map within forty-five (45) days from the date of filing of the Map unless the time is extended by agreement with the subdivider. If the map is rejected, the reasons shall be stated in the minutes of the meeting and a written statement forwarded to the subdivider and surveyor. If the Map is approved, the [County Planning Committee] [City Plan Commission] [Village Plan Commission] [Town Plan Commission] shall cause the [County] [City] [Village] [Town] Clerk to so certify on the face of the original Map and return the Map to the subdivider.

County  
Ordinance

*The Town Board of Supervisors shall approve, approve conditionally or reject the dedication of streets or other public areas over which the Town shall have jurisdiction when such streets or other public areas are included on the Certified Survey Map within sixty (60) days from the date of filing of the Map unless the time is extended by agreement with the subdivider. If the dedication of streets or other public areas are rejected by the Town, the reasons shall be stated in the minutes of the meeting and a written statement forwarded to the subdivider and surveyor. If the dedication of streets and other public areas are approved, the Town Board shall cause the Town Clerk to so certify on the face of the original Map and return the Map to the subdivider.*

*Failure of the County Planning Committee to act within forty-five (45) days and the County Board of Supervisors or the Town Board to approve the dedication of streets or other public areas within sixty (60) days, the time having not been extended, the Map and dedication of streets or other public areas shall be deemed approved.*

If a Certified Survey Map is approved or approved conditionally in preliminary form by the County Planning Committee and the dedication of streets or other public areas is approved or approved conditionally in preliminary form by the Town Board and the final plat conforms substantially to the layout shown thereon, including any conditions of that approval, and if the final Certified Survey Map conforms with all other requirements of this Ordinance, the County Clerk shall certify the approval of the County Planning Committee on

the face of the original Map and the Town Clerk shall certify the approval of the Town Board on the face of the original Map.

Recordation. The subdivider shall record the Map with the County Register of Deeds within thirty (30) days of its approval by the [County Planning Committee] [City Plan Commission] [Village Plan Commission] [Town Plan Commission].

## PRELIMINARY PLAT

### SECTION 4.0

#### 4.1 GENERAL

A preliminary plat shall be required for all subdivisions and shall be based upon a survey by a registered land surveyor and the plat prepared on tracing cloth or paper of good quality at a scale of not more than one hundred (100) feet to the inch and shall show correctly on its face the following information:

Title under which the proposed subdivision is to be recorded.

Location of proposed subdivision by government lot, quarter section, section, township, range, county, and state.

Date, Scale, and North Point.

Names and Addresses of the owner, subdivider, and land surveyor preparing the plat.

Entire Area contiguous to the proposed plat owned or controlled by the subdivider shall be included on the preliminary plat even though only a portion of said area is proposed for immediate development. The (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission) may waive this requirement where it is unnecessary to fulfill the purposes and intent of this Ordinance and undue hardship would result from strict application thereof.

#### 4.2 PLAT DATA

All preliminary plats shall show the following:

Exact Length and Bearing of the exterior boundaries of the proposed subdivision referenced to a corner established in the U. S. Public Land Survey and the total acreage encompassed thereby.

Locations of All Existing Property Boundary Lines, structures, drives, streams and watercourses, marshes, rock outcrops, wooded areas, railroad tracks, and other similar significant features within the tract being subdivided or immediately adjacent thereto.

Location, Right-of-Way Width and Names of all existing streets, alleys, or other public ways, easements, railroad and utility rights-of-way and all section and quarter section lines within the exterior boundaries of the plat or immediately adjacent thereto.

Location and Names of Any Adjacent Subdivisions, parks and cemeteries and owners of record of abutting unplatted lands.

Type, Width, and Elevation of any existing street pavements within the exterior boundaries of the plat or immediately adjacent thereto, together with any legally established centerline elevations, all referenced to Mean Sea Level Datum.

Location, Size, and Invert Elevation of any existing sanitary or storm sewers, culverts, and drain pipes; the location of manholes, catch basins, hydrants, electric and communication facilities, whether overhead or underground; and the location and size of any existing water and gas mains within the exterior boundaries of the plat or immediately adjacent thereto. If no sewers or water mains are located on or immediately adjacent to the tract, the nearest such sewers or water mains which might be extended to serve the tract shall be indicated by their direction and distance from the tract, size, and invert elevations.

Corporate Limits Lines within the exterior boundaries of the plat or immediately adjacent thereto.

Existing Zoning on and adjacent to the proposed subdivision.

Contours within the exterior boundaries of the plat and extending to the centerline of adjacent public streets to National Map Accuracy Standards based upon Mean Sea Level Datum. at vertical intervals of not more than two (2) feet. At least two (2) permanent bench marks shall be located in the immediate vicinity of the plat: the location of the bench marks shall be indicated on the plat, together with their elevations referenced to Mean Sea Level Datum, and the monumentation of the bench marks clearly and completely described.

High Water Elevation of all ponds, streams, lakes, flowages, and wetlands within the exterior boundaries of the plat or located within one hundred (100) feet therefrom referenced to Mean Sea Level Datum.

Water Elevation of all streams, ponds, lakes, flowages, and wetlands within the exterior boundaries of the plat or located within one hundred (100) feet therefrom, at the date of the survey based on Mean Sea Level Datum.

Floodland and Shoreland Boundaries and the contour line lying a vertical distance of two (2) feet above the elevation of the one hundred- (100-) year recurrence interval flood or, where such data is not available, five (5) feet above the elevation of the maximum flood of record within the exterior boundaries of the plat or located within one hundred (100) feet therefrom.

Soil Types and Their Boundaries within the exterior boundaries of the plat as shown on the operational soil survey maps, prepared by the U. S. Department of Agriculture, Soil Conservation Service, for the Southeastern Wisconsin Regional Planning Commission.

Location and Results of Soil Boring Tests within the exterior boundaries of the plat made to a depth of six (6) feet or three (3) feet below the bottom of a proposed deep absorption system, whichever is greater. The number of such tests shall be adequate to portray the character of the soil and the depths to bedrock and groundwater from the natural undisturbed surface. The number of such tests shall be not less than required by Chapter H65 of the Wisconsin Administrative Code or as required by the Zoning Administrator upon an examination of the soils as shown on the operational soil survey maps prepared by the U. S. Department of Agriculture, Soil Conservation Service for the Southeastern Wisconsin Regional Planning Commission.

Location and Results of Percolation Tests within the exterior boundaries of the plat conducted in accordance with Section H65.06 of the Wisconsin Administrative Code, taken at the location and depth in which the soil absorption waste disposal system is to be installed. The number of such tests shall not be less than required by Chapter H65 of the Wisconsin Administrative Code.

Location, Width and Names of all proposed streets and public rights-of-way, such as alleys and easements.

Approximate Dimensions of All Lots together with proposed lot and block numbers.

Location and Approximate Dimensions of any sites to be reserved or dedicated for parks, playgrounds, drainageways, or other public use or which are to be used for group housing, shopping centers, church sites, or other nonpublic uses not requiring lotting.

Approximate Radii of All Curves.

Any Proposed Lake and Stream Access with a small drawing clearly indicating the location of the proposed subdivision in relation to the access.

Any Proposed Lake and Stream improvement or relocation, and notice of application for approval by the Division of Environmental Protection, Department of Natural Resources, when applicable.

Any Additional Information required by the (County Board of Supervisors) (Common Council) (Village Board) (Town Board) (County Zoning Administrator) (City Engineer) (Village Engineer) (Town Engineer) or (County Planning Committee or Town Board) (City Plan Commission) (Village Plan Commission) (Town Plan Commission).

#### 4.3 SOIL AND WATER CONSERVATION

The (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission) upon determining from a review of the preliminary plat that the soil, slope, vegetation, and drainage characteristics of the site are such as to require substantial cutting, clearing, grading, and other earth moving operations in the development of the subdivision or otherwise entail a severe erosion hazard, shall require the subdivider to provide soil erosion and sedimentation control plans and specifications prepared by a registered professional engineer, architect, or the U. S. Soil Conservation Service, using the (use appropriate title by County) (County Conservation Standards).

Tree Cutting and Shrubbery Clearing shall be so conducted as to prevent erosion and sedimentation and preserve and improve scenic qualities.

Paths and Trails shall not exceed ten (10) feet in width and shall be so designed and constructed as to result in the least removal and disruption of trees and shrubs and the minimum impairment of natural beauty.

Earth Movements, such as grading, topsoil removal, mineral extraction, water course changing, road cutting, waterway construction or enlargement, removal of stream or lake bed materials, excavation, channel clearing, ditching, drain tile laying, dredging, and lagooning, shall be so conducted as to prevent erosion and sedimentation and to least disturb the natural fauna, flora, watercourse, water regimen, and topography.

Review of Such Cutting, Clearing, and Earth Movement may be requested of the County Soil and Water Conservation District Supervisors, the State District Fish and Game Managers, and the State District Forester by the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission) as it deems appropriate.

#### 4.4 AFFIDAVIT

The surveyor preparing the preliminary plat shall certify on the face of the plat that it is a correct representation of all existing land divisions and features and that he has fully complied with the provisions of this Ordinance.

## FINAL PLAT

### SECTION 5.0

#### 5.1 GENERAL

A Final Plat prepared by a registered land surveyor shall be required for all subdivisions. It shall comply in all respects with the requirements of Section 236.20 of the Wisconsin Statutes.

#### 5.2 ADDITIONAL INFORMATION

The Plat shall show correctly on its face, in addition to the information required by Section 236.20 of the Wisconsin Statutes, the following:

Exact Street Width along the line of any obliquely intersecting street.

Railroad Rights-of-Way within and abutting the plat.

Additional Building Setback Lines required by the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission) which are more restrictive than the zoning district in which the plat is located or which are proposed by the subdivider and which are to be included in recorded protective covenants.

Additional Yards required by the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission) which are more restrictive than the zoning district in which the plat is located.

Floodland and Shoreland Boundaries and the contour line lying a vertical distance of two (2) feet above the elevation of the one hundred- (100-) year recurrence interval flood, or where such data is not available, a vertical distance of five (5) feet above the elevation of the maximum flood of record.

All Lands Reserved for future public acquisition or reserved for the common use of property owners within the Plat. If property reserved for common use is located within the subdivision, provisions and plans for its use and maintenance shall be submitted with the Plat.

Special Restrictions required by the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission) and any other approving or objecting agency relating to access control along public ways, the provision of planting strips, or shorelands and floodlands.

Where the (County Board of Supervisors) (Common Council) (Village Board) (Town Board) (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission) (County Zoning Administrator) (City Engineer) (Village Engineer) (Town Engineer) finds that it requires additional information relative to a particular problem presented by a proposed development to review the Final Plat, it shall have the authority to request in writing such information from the subdivider.

#### 5.3 SURVEYING AND MONUMENTING

All final plats shall meet all the surveying and monumenting requirements of Section 236.15 of the Wisconsin Statutes.

#### 5.4 STATE PLANE COORDINATE SYSTEM

Where the Plat is located within a quarter section, the corners of which have been relocated, monumented and placed on the Wisconsin State Plane Coordinate System by the Wisconsin Department of Transportation, Southeastern Wisconsin Regional Planning Commission, the County or any City, Village, or Town, the Plat shall be tied directly to one of the section or quarter corners so relocated, monumented and coordinated. The exact grid bearing and distance of such tie shall be determined by field measurements, and the material and Wisconsin State Plane Coordinates of the monument marking the relocated section or quarter corner to which the Plat is tied shall be indicated on the Plat. All distances and bearings shall be referenced to the Wisconsin State Plane Coordinate System, South Zone, and adjusted to the (County) (City) (Village) or (Town) control survey. The grid bearing and distance of the tie shall be determined by a closed survey meeting the error of closure herein specified for the survey of the exterior boundaries of the subdivision.

#### 5.5 SURVEY ACCURACY

The (County Zoning Administrator) (City Engineer) (Village Engineer) (Town Engineer) shall examine all Final Plats for the accuracy and closure of survey, proper kind and location of monuments and legibility and completeness of the drawing.

Maximum Error of Closure before adjustment of the survey of the exterior boundaries of the subdivision shall not exceed, in horizontal distance or position, the ratio of one part in ten thousand (1:10,000), nor in azimuth, four seconds of arc per interior angle.

If field measurements exceed this maximum, new field measurements shall be made until a satisfactory closure is obtained. When a satisfactory closure of the field measurements has been obtained, the survey of the exterior boundary shall be adjusted to form a closed geometric figure.

All Street, Block and Lot Dimensions shall be computed as closed geometric figures based upon the control provided by the closed exterior boundary survey. If an error for an interior line of the Plat greater than the ratio of one part in five thousand (1:5,000), or an error in measured angle greater than one minute of arc for an angle where the shorter side forming the angle is three hundred (300) feet or longer, necessary corrections shall be made. Where the shorter side of a measured angle is less than three hundred (300) feet in length, the error shall not exceed the value of one minute multiplied by the quotient of three hundred (300) divided by the length of the shorter side; however, such error shall not in any case exceed five (5) minutes of arc.

The (County Board of Supervisors) (Common Council) (Village Board) (Town Board) shall receive the results of the (County Zoning Administrator's) (City Engineer's) (Village Engineer's) (Town Engineer's) examination prior to approving the Final Plat.

#### 5.6 CERTIFICATES

All final plats shall provide all the certificates required by Section 236.21 of the Wisconsin Statutes; and, in addition, the surveyor shall certify that he has fully complied with all the provisions of this Ordinance.

CERTIFIED SURVEY MAP

SECTION 6.0

6.1 GENERAL

A Certified Survey Map prepared by a land surveyor registered in Wisconsin shall be required for all minor subdivisions. It shall comply in all respects with the requirements of Section 236.34 of the Wisconsin Statutes. The minor subdivision shall comply with the design standards set forth in Section 7.0 and the improvement requirements set forth in Section 8.0 of this Ordinance.

A Preliminary Map shall be submitted to the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission) for all tracts of land proposed to be divided that contain floodlands or shorelands and shall show all the data required by Section 4.2 of this Ordinance for preliminary plats.

6.2 ADDITIONAL INFORMATION

The map shall show correctly on its face, in addition to the information required by Section 236.34 of the Wisconsin Statutes, the following:

Date of Map.

Graphic Scale.

Name and Address of the owner, subdivider and surveyor.

All Existing Buildings, water courses, drainage ditches and other features pertinent to proper division.

Names of Adjoining Streets, highways, parks, cemeteries, subdivisions, ponds, streams, lakes, flowages, and wetlands.

Additional Building Setback Lines required by the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission) which are more restrictive than the regulations of the Zoning District in which the plat is located or which are proposed by the subdivider and are to be included in recorded protective covenants.

Additional Yards required by the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission) which are more restrictive than the regulations of the Zoning District in which the plat is located.

All Lands Reserved for future public acquisition.

Floodland and Shoreland Boundaries and the contour line lying at a vertical distance of two (2) feet above the elevation of the one hundred- (100-) year recurrence interval flood or, where such data is not available at a vertical distance of five (5) feet above the elevation of the maximum flood of record.

Any Additional Information required by the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission).

6.3 WISCONSIN STATE PLANE COORDINATE SYSTEM

Where the Map is located within a quarter section, the corners of which have been relocated, monumented and placed on the Wisconsin State Plane Coordinate System by the Wisconsin Department of Transportation, Southeastern Wisconsin Regional Planning Commission, the County or any City, Village or Town, the Map shall be tied directly to one of the section or quarter corners so coordinated. The exact grid bearings and distance of such tie shall be determined by field measurements, and the material and Wisconsin State Plane Coordinates of the monument marking the section or quarter corner to which the Map is tied shall be indicated on the Map. All distances and bearings shall be referenced to the Wisconsin State Plane Coordinate System, South Zone, and adjusted to the (County) (City) (Village) or (Town) control survey.

6.4 CERTIFICATES

The surveyor shall certify on the face of the Map that he has fully complied with all the provisions of this Ordinance. The (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission) after a recommendation by the reviewing agencies, shall certify its approval on the face of the Map.

Dedication of streets and other public areas shall require, in addition, the owner's certificate, mortgagee's certificate and certification of approval by the Town Board in substantially the same form as required by Section 236.21(2)(a) of the Wisconsin Statutes.

6.5 RECORDATION

The Certified Survey Map shall only be recorded with the county register of deeds after certificates of the (County Planning Committee) (Town Board) (City Plan Commission)



(*Village Plan Commission*) (*Town Plan Commission*) and the surveyor are placed on the face of the Map.

## DESIGN STANDARDS

### SECTION 7.0

#### 7.1 STREET ARRANGEMENT

If any new subdivision the street block and lot layouts shall conform to the arrangement, width and location indicated on the official map, highway width map, comprehensive plan or component neighborhood development plan, if any, of the (County or Town) (City) (Village) (Town) and shall be so designed as to: be within the capability of the land and water resources; least disturb the existing terrain, flora, fauna and water regimen; and meet all the use, site, sanitary, floodland, and shoreland regulations contained in the (County) (City) (Village) (Town) Zoning and Sanitary Ordinances. In areas for which such plans have not been completed, the street layout shall recognize the functional classification of the various types of streets and shall be developed and located in proper relation to existing and proposed streets, to the topography, to such natural features as streams and tree growth, to public convenience and safety, to the proposed use of the land to be served by such streets, and to the most advantageous development of adjoining areas. The subdivision shall be designed so as to provide each lot with satisfactory access to a public street.

Arterial Streets, as hereafter defined, shall be arranged so as to provide ready access to centers of employment, centers of governmental activity, community shopping areas, community recreation, and points beyond the boundaries of the community. They shall also be properly integrated with and related to the existing and proposed system of streets and highways and shall be insofar as practicable, continuous and in alignment with existing or planned streets with which they are to connect.

Collector Streets, as hereinafter defined, shall be arranged so as to provide ready collection of traffic from residential areas and conveyance of this traffic to the arterial street and highway system and shall be properly related to the mass transportation system, to special traffic generators such as schools, churches, and shopping centers and other concentrations of population and to the arterial streets into which they feed.

Minor Streets, as hereinafter defined, shall be arranged to conform to the topography, to discourage use by through traffic, to permit the design of efficient storm and sanitary sewerage systems, and to require the minimum street area necessary to provide safe and convenient access to abutting property.

Proposed Streets shall extend to the boundary lines of the tract being subdivided unless prevented by topography or other physical conditions or unless the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission) finds that such extension is not necessary or desirable for the coordination of the layout of the subdivision or for the advantageous development of the adjacent tracts.

Arterial Street and Highway Protection. Whenever the proposed subdivision contains or is adjacent to an arterial street or highway, adequate protection of residential properties, limitation of access and separation of through and local traffic shall be provided by reversed frontage, with screen planting contained in a non-access reservation along the rear property line, or by the use of frontage streets.

Public Access shall be provided to all navigable stream or lake shores. Such access shall be at least sixty (60) feet in width platted to the low watermark at intervals of not more than one-half (1/2) mile except where greater intervals and wider access is agreed upon by the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission), the Wisconsin Department of Natural Resources, and the head of the planning function for the Wisconsin Department of Local Affairs and Development. All platted public access shall front on a public street, highway, parkway, or other public way.

Reserve Strips shall not be provided on any plat to control access to streets or alleys, except where control of such strips is placed with the (County or Town) (City) (Village) (Town) under conditions approved by the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission).

Alleys shall be provided in commercial and industrial districts for off-street loading and service access unless otherwise required by the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission) but shall not be approved in residential districts. Dead-end alleys shall not be approved, and alleys shall not connect to an arterial street or highway.

Street Names shall not duplicate or be similar to existing street names, and existing street names shall be projected wherever possible.

7.2 LIMITED ACCESS HIGHWAY AND RAILROAD RIGHT-OF-WAY TREATMENT

Whenever the proposed subdivision contains or is adjacent to a limited access highway or railroad right-of-way, the design shall provide the following treatment:

When Lots Within the Proposed Subdivision back upon the right-of-way of an existing or proposed limited access highway or railroad, a planting strip at least thirty (30) feet in depth shall be provided adjacent to the highway or railroad in addition to the normal lot depth. This strip shall be a part of the platted lots but shall have the following restriction lettered on the face of the plat: "This strip reserved for the planting of trees and shrubs and the building of all structures, excepting public or private utility structures hereon is prohibited."

Commercial and Industrial Districts shall have provided, on each side of the limited access highway or railroad, streets approximately parallel to and at a suitable distance from such highway or railroad for the appropriate use of the land between such streets and highway or railroad, but not less than one-hundred and fifty (150) feet.

Streets Parallel to a Limited Access Highway or railroad right-of-way, when intersecting a major street and highway or collector street which crosses said railroad or highway, shall be located at a minimum distance of two-hundred and fifty (250) feet from said highway or railroad right-of-way. Such distance, where desirable and practicable, shall be determined with due consideration of the minimum distance required for the future separation of grades by means of appropriate approach gradients.

Minor Streets immediately adjacent and parallel to railroad rights-of-way shall be avoided, and location of minor streets immediately adjacent to arterial streets and highways and to railroad rights-of-way shall be avoided in residential areas.

7.3 STREET DESIGN STANDARDS

The minimum right-of-way and roadway width of all proposed streets and alleys shall be as specified by the comprehensive plan, comprehensive plan component, official map, or neighborhood development plan, if any, or if no width is specified therein the minimum widths shall be as follows:

URBAN STREET SECTION

<u>Type of Streets</u>	<u>R. O. W. Width To Be Dedicated</u>
Arterial Streets	As shown on the (highway width map of the County) (official map of the City) (official map of the Village) (official map of the Town) but not less than 130 feet.
Collector Streets	80 feet.
Minor Streets	60 feet.
Alleys	25 feet.
Pedestrian Ways	10 feet.

The R. O. W. widths indicated above are for urban sections; if permanent rural sections are to be used, the following widths shall apply.

RURAL STREET SECTION

<u>Type of Streets</u>	<u>R. O. W. Width To Be Dedicated</u>
Arterial Streets	As shown on the (highway width map of the County) (official map of the City) (official map of the Village) (official map of the Town) but not less than 130 feet.
Collector Streets	80 feet.
Minor Streets	66 feet.

Urban and Rural Arterial Street section standards shall not apply to freeways, expressways, and parkways. Freeway, expressway and parkway systems shall be based upon detailed engineering studies approved by the County Highway Commission, the Wisconsin Department of Transportation, Division of Highways, and the U. S. Bureau of Public Roads.

Cul-de-sac Streets designed to have one end permanently closed shall terminate in a circular turn-around having a minimum right-of-way radius of sixty (60) feet.

Street Grades. Unless necessitated by exceptional topography, subject to the approval of the (County Planning Committee) (Common Council) (Village Board) (Town Board) the maximum centerline grade of any street or public way shall not exceed the following:

Arterial streets: six (6) percent.

Collector streets: eight (8) percent.

Minor streets, alleys and frontage streets: ten (10) percent.

Pedestrian ways: twelve (12) percent unless steps of acceptable design are provided.

The Grade of Any Street shall in no case exceed twelve (12) percent or be less than one-half (0.5) of one percent. Street grades shall be established wherever practicable so as to avoid excessive grading, the promiscuous removal of ground cover and tree growth, and the general leveling of the topography. All changes in street grades shall be connected by vertical curves of a minimum length equivalent in feet to fifteen (15) times the algebraic difference in the rates of grade for major streets, and one-half (1/2) this minimum for all other streets.

Radii of Curvature. When a continuous street centerline deflects at any one point by more than ten (10) degrees, a circular curve shall be introduced having a radius of curvature on said centerline of not less than the following:

Arterial streets and highways: 500 feet.

Collector streets: 300 feet.

Minor streets: 100 feet.

A tangent at least one hundred (100) feet in length shall be provided between reverse curves on arterial and collector streets.

Half-Streets. Where an existing dedicated or platted half-street is adjacent to the tract being subdivided, the other half of the street shall be dedicated by the subdivider. The platting of half-streets should be avoided where possible.

Elevations of roadways passing through floodland areas shall be at least two (2) feet above the fifty- (50-) year recurrence interval flood elevation for arterial streets and at least two (2) feet above the ten- (10-) year recurrence interval flood elevation for minor streets.

Waterway Openings of all new bridges and culverts carrying arterial streets over perennial streams shall be adequate to accommodate the fifty- (50-) year recurrence interval flood flow, with the upstream high water elevation not to exceed a level of two (2) feet below the roadway elevation and the hydraulic head loss through the structure not to exceed one-half (0.5) foot. Waterway openings of all new bridges and culverts carrying minor streets over perennial streams shall be adequate to accommodate the ten- (10-) year recurrence interval flood flow, and the upstream headwater elevation not to exceed a level of two (2) feet below the roadway elevation and the hydraulic head loss through the structure not to exceed one-half (0.5) foot. However, the combination of the waterway opening and the approach road elevations on the floodlands shall not increase the flood stages more than one-half (0.5) foot upon the occurrence of the one hundred- (100-) year recurrence interval flood. Such bridges and culverts shall be so designed and constructed as to facilitate the passage of ice floes and other debris.

#### 7.4 STREET INTERSECTION

Streets shall intersect each other at as nearly right angles as topography and other limiting factors of good design permit.

Numbers of Streets converging at one intersection shall be reduced to a minimum, preferably not more than two.

Number of Intersections along arterial streets and highways shall be held to a minimum. Wherever practicable the distance between such intersections shall not be less than twelve hundred (1200) feet.

Property Lines at Street Intersections shall be rounded with a minimum radius of fifteen (15) feet or of a greater radius when required by the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission) or shall be cut off by a straight-line through the points of tangency of an arc having a radius of fifteen (15) feet.

Minor Streets shall not necessarily continue across arterial or collector streets; but if the centerlines of such minor streets approach the major streets from opposite sides within three hundred (300) feet of each other, measured along the centerline of the arterial or collector street, then the location shall be so adjusted that the alignment across the major or collector street is continuous; and a jog is avoided.

## 7.5 BLOCKS

The widths, lengths, and shapes of blocks shall be suited to the planned use of the land, zoning requirements, need for convenient access, control and safety of street traffic and topography.

Lengths. Blocks in residential areas shall not as a general rule be less than six hundred (600) feet nor more than fifteen hundred (1500) feet in length unless otherwise dictated by exceptional topography or other limiting factors of good design.

Pedestrian Ways of not less than ten (10) feet in width may be required between rear lot lines where deemed necessary by the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission) to provide safe and convenient pedestrian circulation between the individual lots, streams, lakeshores, park lands, or other public areas, or may be required near the center and entirely across any block over nine hundred (900) feet in length where deemed essential by the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission) to provide adequate pedestrian circulation or access to schools, shopping centers, churches or transportation facilities.

Width. Blocks shall have sufficient width to provide for two tiers of lots of appropriate depth except where otherwise required to separate residential development from through traffic.

## 7.6 LOTS

The size, shape, and orientation of lots shall be appropriate for the location of the subdivision and for the type of development and use contemplated. The lots should be designed to provide an aesthetically pleasing building site and a proper architectural setting for the buildings contemplated.

Side Lot Lines shall be at right angles to straight street lines or radial to curved street lines on which the lots face. Lot lines shall follow municipal boundary lines rather than cross them.

Double Frontage and Reverse Frontage Lots shall be prohibited except where necessary to provide separation of residential development from through traffic or to overcome specific disadvantages of topography and orientation.

Access. Every lot shall front or abut for a distance of at least forty (40) feet on a public street or other officially approved means of access.

Area and Dimensions of all lots shall conform to the requirements of the (County) (City) (Village) (County) Zoning Ordinance and those building sites not served by a public sanitary sewer system or other approved system shall be sufficient to permit the use of an on-site soil absorption sewage disposal system designed in accordance with the (County) (City) (Village) (Town) Floodland and Shoreland Sanitary Ordinance. The width and area of all lots located on the following lands as shown on the operational soil survey maps prepared for the U. S. Department of Agriculture, Soil Conservation Service for the Southeastern Wisconsin Regional Planning Commission and which are on file with the Zoning Administrator shall not be less than one hundred (100) feet in width and twenty thousand (20,000) square feet in area:

### *List of Soils Within the Area of Jurisdiction of this Ordinance*

The width and area of all lots located on other lands which have soils suitable for the use of an on-site soil absorption sewage disposal system shall not be less than one hundred fifty (150) feet in width and forty thousand (40,000) square feet in area.

Whenever a Tract is Subdivided into parcels five (5) acres or less in area and more than twice the minimum lot area required for the zoning district in which such parcel is located the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission) may require such parcels to be arranged and dimensioned so as to allow resubdivision of any such parcels in accordance with the provisions of this Ordinance and in conformance with the (County) (City or County) (Village or County) (County) Zoning Ordinance.

Depth. Lots shall have a minimum average depth of one hundred (100) feet. Excessive depth in relation to width shall be avoided and a proportion of two to one (2:1) shall be considered a desirable ratio under normal conditions.

Depth and Width of Lots or parcels reserved or laid out for commercial or industrial use shall be adequate to provide for off-street service and parking required by the use contemplated and the area zoning restrictions for such use.

Lands Lying Between the Meander Line and the water's edge and any otherwise unplattable lands which lie between a proposed subdivision and the water's edge shall be included as part of lots, outlots, or public dedications in any plat abutting a stream or lake.

Width of Lots shall conform to the requirements of the zoning ordinance.

Corner Lots shall be designed and platted with at least ten (10) feet of extra width over and above the minimum required for the zoning district wherein located.

7.7 BUILDING SETBACK LINES

Building setback lines, appropriate to the location and type of development contemplated, which are more restrictive than the regulations of the zoning district in which the plat is located, may be required by the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission). Shoreland setbacks in addition to those required by the (City) (Village) Zoning Ordinance may be required by the (City) (Village) Plan Commission.

7.8 EASEMENTS

The (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission) may require easements of widths deemed adequate for the intended purpose on the property side of front lot lines, on each side of all rear lot lines, on each side of all side lot lines or across lots where necessary or advisable for electric power and communication facilities; storm and sanitary sewers; street trees and gas, water and other utility lines. All easements shall be noted on the final plat followed by reference to the use or uses for which they are intended.

Drainage Easements. Where a subdivision is traversed by a drainageway or stream, an adequate easement shall be provided. The location, width, alignment, and improvement of such drainage or easement shall be subject to the approval of the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission) and parallel streets or parkways may be required in connection therewith. Where necessary storm water drainage shall be maintained by landscaped open channels of adequate size and grade to hydraulically accommodate maximum potential volumes of flow, subject to review and approval by the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission).

7.9 PUBLIC SITES AND OPEN SPACES

In the design on the plat, due consideration shall be given to the reservation of suitable sites of adequate area for future schools, parks, playgrounds, drainageways and other public purposes. If designated on the comprehensive plan, comprehensive plan component, official map, or component neighborhood development plan, if any, such areas shall be made a part of the plat as stipulated in Section 2.3 of these regulations. If not so designated, consideration shall be given in the location of such sites to the preservation of scenic and historic sites, stands of fine trees, marshes, lakes and ponds, watercourses, watersheds and ravines.

## REQUIRED IMPROVEMENTS

### SECTION 8.0

#### 8.1 SURVEY MONUMENTS

The subdivider shall install survey monuments placed in accordance with the requirements of Chapter 236.15 of the Wisconsin Statutes and as may be required by the (County and/or Town) (City) (Village) (Town).

#### 8.2 GRADING

Cut and filled lands shall be graded to a maximum slope of one on four or the soils angle of repose, whichever is the lesser, and covered with permanent vegetation.

After the installation of temporary block corner monuments by the subdivider and approval of street grades by the (Town Board) (Common Council) (Village Board) (Town Board) the subdivider shall grade the full width of the right-of-way of all streets proposed to be dedicated in accordance with plans and standard specifications approved by the (Town Board) (Common Council) (Village Board) (Town Board). The subdivider shall grade the road-beds in the street rights-of-way to subgrade.

Where Electric and Communication facilities are to be installed underground, the utility easements shall be graded to within six (6) inches of final grade by the subdivider prior to the installation of such facilities, and earth fill, pile or mounds of dirt or construction materials shall not be stored on such easement areas.

#### 8.3 SURFACING

After the installation of all utility and storm water drainage improvements, the subdivider shall surface all roadways in streets proposed to be dedicated to the widths prescribed by these regulations and the adopted regional and (County) (City) (Village) comprehensive plans or adopted plan components. Said surfacing shall be done in accordance with plans and standard specifications approved by the (Town Board) (Common Council) (Village Board) (Town Board).

#### 8.4 CURB AND GUTTER

The (Town Board) (Common Council) (Village Board) (Town Board) may require the subdivider to construct concrete curb and gutters in accordance with plans and standard specifications approved by the (Town Board) (Common Council) (Village Board) (Town Board). Wherever possible, provision shall be made at the time of construction for driveway access curb cuts. The cost of installation of all inside curbs and gutters for dual roadway pavements on the established arterial street and highway system for the (Town) (City) (Village) (Town) shall be borne by the (Town) (City) (Village) (Town).

#### 8.5 RURAL STREET SECTIONS

When permanent rural street sections have been approved by the (Town Board) (Common Council) (Village Board) (Town Board) the subdivider shall finish grade all shoulders and road ditches, install all necessary culverts at intersections and, if required, surface ditch inverts to prevent erosion and sedimentation in accordance with plans and standard specifications approved by the (Town Board) (Common Council) (Village Board) (Town Board).

#### 8.6 SIDEWALKS

The (Town Board) (Common Council) (Village Board) (Town Board) may require the subdivider to construct a concrete sidewalk on one side of all frontage streets and on one or both sides of all other streets within the subdivision. The construction of all sidewalks shall be in accordance with plans and standard specifications approved by the (Town Board) (Common Council) (Village Board) (Town Board).

Wider than Standard Sidewalks may be required by the (Town Board) (Common Council) (Village Board) (Town Board) in the vicinity of schools, commercial areas and other places of public assemblage and (Town Board) (Common Council) (Village Board) (Town Board) may require the construction of sidewalks in locations other than required under the preceding provisions of this Ordinance if such walks are necessary in their opinion, for safe and adequate pedestrian circulation.

#### 8.7 SEWAGE DISPOSAL FACILITIES

When public sanitary sewer facilities are available to the subdivision plat or when it is proposed to establish a private sanitary sewerage system to serve two (2) or more lots, the subdivider shall construct sanitary facilities in such a manner as to make adequate sanitary sewerage service available to each lot within the subdivision.

The ~~(Town Board)~~ ~~(Common Council)~~ ~~(Village Board)~~ ~~(Town Board)~~ may require the installation of sewer laterals to the street lot line.

The Size, Type, and Installation of all sanitary sewers and sanitary sewer laterals proposed to be constructed shall be in accordance with plans and standard specifications approved by the ~~(Town Board)~~ ~~(Common Council)~~ ~~(Village Board)~~ ~~(Town Board)~~.

County or  
Town  
Ordinance

*Where a Town Sanitary District has been created pursuant to Section 60.30 of the Wisconsin Statutes for the purpose of providing and constructing sanitary sewers, such plans and standard specifications shall be further subject to approval by the Town Sanitary District Commission.*

The Subdivider Shall Assume the cost of installing all sanitary sewers, sewer laterals, and sewer appurtenances within the proposed subdivision, except for the added cost of installing sewers greater than eight (8) inches in diameter which are necessary to serve tributary drainage areas lying outside of the proposed subdivision. In addition, the subdivider shall pay to the ~~(Town or Town Sanitary District)~~ ~~(City)~~ ~~(Village)~~ ~~(Town or Town Sanitary District)~~ wherein the subdivision plat is located, a sanitary sewer trunk line connection fee based on the added cost of installing larger sewers in the total tributary drainage area which shall be prorated in proportion to the ratio which the total area of the proposed plat is to the total drainage area to be served by such larger sewers.

#### 8.8 STORM WATER DRAINAGE FACILITIES

The Subdivider shall construct storm water drainage facilities, adequate to serve the subdivision which may include curbs and gutters, catch basins and inlets, storm sewers, road ditches, open channels, water retention structures and settling basins. All such facilities shall be of adequate size and grade to hydraulically accommodate the maximum potential volumes of flow and shall be so designed as to prevent and control soil erosion and sedimentation and to present no hazard to life or property.

Unpaved Road Ditches and street gutters shall be shaped and seeded and/or sodded as grassed waterways. Where the velocity of flow is in excess of four (4) feet per second on soils having a severe or very severe erosion hazard and in excess of six (6) feet per second on soils having moderate, slight, or very slight erosion hazard, the subdivider shall install a paved invert or check dams, flumes, or other energy dissipating devices.

Shoreland Drainage facilities shall, if required by the ~~(County Planning Committee)~~ ~~(Common Council)~~ ~~(Village Board)~~ ~~(Town Board)~~ include water retention structures and settling basins so as to prevent erosion and sedimentation where such facilities discharge into streams or lakes. The design criteria, the size, type, grades, and installation of all storm water drains and sewers and the cross-section, invert and erosion control paving, check dams, flumes or other energy dissipating structures and seeding and/or sodding of open channels and unpaved road ditches proposed to be constructed shall be in accordance with the plans and standard specifications approved by the ~~(County Planning Committee)~~ ~~(Common Council)~~ ~~(Village Board)~~ ~~(Town Board)~~.

County or  
Town  
Ordinance  
Only

*Where a town sanitary district has been created pursuant to Section 60.30 of the Wisconsin Statutes for the purpose of providing and constructing surface or storm water sewers or drainage improvements, such plans and standard specifications shall be further subject to approval by the Town Sanitary District Commission.*

The Subdivider Shall Assume the cost of installing all storm sewers within the proposed subdivision, except for the added cost of installing storm sewers greater than twenty-four (24) inches in diameter which are necessary to serve tributary drainage areas lying outside of the proposed subdivision. In addition, the subdivider shall pay to the ~~(Town or Town Sanitary District)~~ ~~(City)~~ ~~(Village)~~ ~~(Town or Town Sanitary District)~~ wherein the subdivision plat is located, a storm sewer trunk line connection fee based on the added cost of installing larger sewers in the total tributary drainage area which shall be prorated in proportion to the ratio which the total area of the proposed plat is to the total drainage area to be served by such larger sewers.

#### 8.9 WATER SUPPLY FACILITIES

When public water supply and distribution facilities are available to the subdivision plat or when it is proposed to establish a private water supply and distribution system to serve two (2) or more lots, the subdivider shall cause such water supply and distribution facilities to be installed in such a manner as to make adequate water service available to each lot within the subdivision. The subdivider shall make provision for adequate private water systems as required by the ~~(County or Town)~~ ~~(City)~~ ~~(Village)~~ ~~(Town)~~ in accordance with the standards of the Wisconsin Department of Health and Social Services.

The ~~(Town Board)~~ ~~(Common Council)~~ ~~(Village Board)~~ ~~(Town Board)~~ may require the installation of water laterals to the street lot line.

The Size, Type, and Installation of all public water mains proposed to be constructed shall be in accordance with plans and standard specifications approved by the ~~(Town Board)~~ ~~(Common Council)~~ ~~(Village Board)~~ ~~(Town Board)~~.

County or  
Town  
Ordinance

*Where a Town Sanitary District has been created pursuant to Section 60.30 of the Wisconsin Statutes for the purpose of providing and constructing a system, or systems of water works, such plans and standard specifications shall be further subject to approval by the Town Sanitary District Commission.*



The Subdivider Shall Assume the cost of installing all water mains, water laterals, and water system appurtenances within the proposed subdivision except for the added cost of installing water mains greater than six (6) inches in diameter.

8.10 OTHER UTILITIES

The subdivider shall cause electrical power and telephone facilities to be installed in such a manner as to make adequate service available to each lot in the subdivision. All new electric or communication lines from which lots are individually served shall be installed underground within all newly platted subdivisions containing five or more lots in all residence districts shown on the (County) (City) (Village) (County) Zoning Maps, unless the (County Planning Committee) (City Plan Commission) (Village Plan Commission) (Town Plan Commission) shall find after study that the location, topography, soil, stands of trees or other physical barriers would make underground installation unreasonable or impracticable or that the lots to be served by said facilities, can be served directly from existing overhead facilities. Associated equipment and facilities which are appurtenant to underground electric and communications systems, including but not limited to, substations, pad mounted transformers, pad mounted sectionalizing switches and pedestal mounted terminal boxes may be located above ground. Any landscape screening plan required for such above ground equipment shall be submitted to the affected utilities for approval.

Plan Indicating the Proposed Location of all gas, electrical power and telephone distribution and transmission lines required to service the plat shall be approved by the (Town Board) (Common Council) (Village Board) (Town Board).

8.11 STREET LAMPS

The (Town Board) (Common Council) (Village Board) (Town Board) may require the subdivider to install street lamps along all streets proposed to be dedicated of a design compatible with the neighborhood and type of development proposed. Such lamps shall be placed at each street intersection and at such interior block spacing as may be required by the (Town Board) (Common Council) (Village Board) (Town Board).

8.12 STREET NAME SIGNS

The subdivider shall install at the intersection of all streets proposed to be dedicated, a street name sign of a design specified by the (Town Board) (Common Council) (Village Board) (Town Board).

8.13 STREET TREES

The subdivider shall plant at least one (1) tree of an approved species and of at least six (6) feet in height for each fifty (50) feet of frontage on all streets proposed to be dedicated. The required trees shall be planted in the existing or planned curb lawn area between sidewalk and curb when an urban street cross-section is used; to the property side of the road ditch when a rural street cross-section is used; or on private property within five (5) feet of a front lot line when an easement for such use has been designated on the final plat. Tree plantings shall be completed in accordance with plans and specifications approved by the (Town Board) (Common Council) (Village Board) (Town Board).

8.14 SHORELAND PLANTING AND SEDIMENT CONTROL

The subdivider shall plant those grasses, trees, shrubs, and vines of a species and size specified by the (County Planning Committee) (Common Council) (Village Board) (Town Board) necessary to prevent soil erosion and protect stream and lake banks.

In Addition, the (County Planning Committee) (Common Council) (Village Board) (Town Board) may require the subdivider to provide or install certain stream and lake protection and rehabilitation measures, such as fencing, sloping, seeding, rip-rap, revetments, jetties, clearing, dredging, snagging, drop structures, and grade stabilization structures.

## CONSTRUCTION

### SECTION 9.0

#### 9.1 COMMENCEMENT

No construction or installation of improvements shall commence in a proposed subdivision until the preliminary plat or map has been approved, and the approving authorities having jurisdiction have given written authorization.

#### 9.2 PERMITS

No zoning or sanitary permits shall be issued for erection of a structure on any lot not of record at the time of adoption of this Ordinance until all the requirements of this Ordinance have been met.

Access. The (County Zoning Administrator) (City Engineer) (Village Engineer) (Town Engineer) shall have access to premises and structures during reasonable hours to make those inspections as deemed necessary by him to ensure compliance with this Ordinance. If, however, he is refused entry after presentation of his identification, he shall procure a special inspection warrant in accordance with Section 963.10 of the Wisconsin Statutes, except in cases of emergency, when he shall have the right of immediate entry.

#### 9.3 PLANS

The following plans and accompanying construction specifications may be required by the (Town Board or County Planning Committee) (Common Council) (Village Board) (Town Board) before construction or installation of improvements is authorized.

Street Plans and Profiles showing existing and proposed grades, elevations and cross sections of required improvements.

Sanitary Sewer Plans and profiles showing the locations, grades, sizes, elevations, and materials of required facilities.

Storm Sewer and Open Channel plans and profiles showing the locations, grades, sizes, cross sections, elevations and materials of required facilities.

Water Main plans and profiles showing the locations, sizes, elevations, and materials of required facilities.

Erosion and Sedimentation Control Plans showing those structures required to retard the rate of runoff water and those grading and excavating practices that will prevent erosion and sedimentation.

Planting Plans showing the locations, age, caliper, and species of any required grasses, vines, shrubs, and trees.

Additional Special plans or information as required.

#### 9.4 INSPECTION

The subdivider, prior to commencing any work within the subdivision, shall make arrangements with the approving authorities having jurisdiction, to provide for adequate inspection. The approving authorities having jurisdiction or their representative shall inspect and approve all completed work prior to release of the sureties.

#### 9.5 EROSION CONTROL

The subdivider shall cause all grading, excavations, open cuts, side slopes, and other land surface disturbances to be so mulched, seeded, sodded, or otherwise protected that erosion, siltation, sedimentation, and washing are prevented in accordance with plans and specifications within such time periods approved by the (County Planning Committee) (Common Council) (Village Board) (Town Board).

Sod Shall Be Laid in strips at those intervals necessary to prevent erosion and at right angles to the direction of drainage.

#### 9.6 EXISTING FLORA

The subdivider shall make every effort to protect and retain all existing trees, shrubbery, vines, and grasses not actually lying in public roadways, drainageways, building foundation sites, private driveways, soil absorption waste disposal areas, paths, and trails.

Such Trees are to be protected and preserved during construction in accordance with sound conservation practices recommended by the U. S. Department of Agriculture in Agricultural Information Bulletin No. 285, Protecting Trees Against Damage From Construction Work, U. S. Government Printing Office 1964. Such trees are to be preserved by well islands or retaining walls whenever abutting grades are altered.

Temporary Vegetation and mulching shall be used to protect critical areas, and permanent vegetation shall be installed as soon as practical.

Construction at any given time shall be confined to the smallest practical area and  
and for the shortest practical period of time.  
Sediment Basins shall be installed and maintained at all drainageways to trap, remove,  
and prevent sediment and debris from being **washed** outside the area being developed.

## FEES

### SECTION 10.0

#### 10.1 GENERAL

The subdivider shall pay the (County) (City) (Village) (Town) all fees as hereinafter required and at the times specified.

#### 10.2 PRELIMINARY PLAT REVIEW FEE

The subdivider shall pay a fee amounting to Twenty-Five Dollars (\$25.00) plus One Dollar (\$1.00) for each lot or parcel within the preliminary plat to the (County) (City) (Village) (Town) Treasurer at the time of first application for approval of any preliminary plats to assist in defraying the cost of review.

Reapplication Fee amounting to Ten Dollars (\$10.00) shall be paid to the (County) (City) (Village) (Town) Treasurer at the time of reapplication for approval of any preliminary plat which has previously been reviewed.

#### 10.3 CERTIFIED SURVEY MAP REVIEW FEE

The subdivider shall pay a fee of Twenty-Five Dollars (\$25.00) to the (County) (City) (Village) (Town) Treasurer at the time of application for approval of a Certified Survey Map to assist in defraying the cost of review.

#### 10.4 IMPROVEMENT REVIEW FEE

The subdivider shall pay a fee equal to the actual cost to the approving authorities for checking and reviewing all improvement plans and specifications.

#### 10.5 INSPECTION FEE

The subdivider shall pay a fee equal to the actual cost to the approving authorities having jurisdiction for such inspection as the approving authorities having jurisdiction deem necessary to assure that the construction of the required improvements is in compliance with the plans, specifications and ordinances of the approving authority having jurisdiction or any other governmental authority.

#### 10.6 FINAL PLAT REVIEW FEE

The subdivider shall pay a fee amounting to Twelve and One-Half Dollars (\$12.50) plus Fifty Cents (\$0.50) for each lot or parcel within the final plat to the (County) (City) (Village) (Town) Treasurer at the time of first application for approval of said plat to assist in defraying the cost of review.

Reapplication Fee amounting to Five Dollars (\$5.00) shall be paid to the (County) (City) (Village) (Town) Treasurer at the time of a reapplication for approval of any final plat which has previously been reviewed.

#### 10.7 ENGINEERING FEE

The subdivider shall pay a fee equal to the actual cost to the approving authority having jurisdiction for all engineering work incurred by the approving authority having jurisdiction in connection with the plat.

Engineering Work shall include the preparation of construction plans and standard specifications. The approving authority having jurisdiction may permit the subdivider to furnish all, some or part of, the required construction plans and specifications, in which case no engineering fees shall be levied for such plans and specifications.

Review and Inspection Work has fees provided for in Sections 10.4 and 10.5.

#### 10.8 ADMINISTRATIVE FEE

The subdivider shall pay a fee equal to the cost of any legal, administrative or fiscal work which may be undertaken by the approving authority having jurisdiction in connection with the plat.

Legal Work shall include the drafting of contracts between the approving authority having jurisdiction and the subdivider.

City, Village  
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Ordinance

#### 10.9 PUBLIC SITE FEE

If the subdivider is not required to dedicate public lands within his plat as provided in Section 2.3, a fee for the acquisition of public sites to serve the future inhabitants of the proposed subdivision or minor land subdivision which includes lots five (5) acres or less in size shall be paid to the (City) (Village) (Town) Treasurer at the time of first

application for approval of a final plat of said subdivision or minor land division in the amount of \$100.00 Dollars for each dwelling unit within the plat allowed by the Zoning Ordinance.

Public Site Fees shall be placed in a separate Service District Fund by the (City) (Village) (Town) Treasurer to be used only for the acquisition of park and/or school sites which will serve the proposed subdivision. Said fund shall be established on the basis of the service area of existing or proposed school and park facilities.

## DEFINITIONS

### SECTION 11.0

For the purposes of this Ordinance, the following definitions shall be used. Words used in the present tense include the future; the singular number includes the plural number; and the plural number includes the singular number. The word "shall" is mandatory and not directory.

#### ALLEY

A special public way affording only secondary access to abutting properties.

#### ARTERIAL STREET

A street used, or intended to be used, primarily for fast or heavy through traffic. Arterial street shall include freeways and expressways as well as standard arterial streets, highways, and parkways.

#### BLOCK

A tract of land bounded by streets or by a combination of one or more streets and public parks, cemeteries, railroad rights-of-way, bulkhead lines, or shorelines of waterways or corporate boundary lines.

#### BUILDING

Any structure having a roof supported by columns or walls.

#### BUILDING SETBACK LINE

A line parallel to a lot line and at a distance from the lot line to comply with the (County) (City) (Village) (County) Zoning Ordinances yard requirements.

#### COLLECTOR STREET

A street used, or intended to be used, to carry traffic from minor streets to the system of arterial streets including the principal entrance streets to residential developments.

#### COMPREHENSIVE PLAN

An extensively developed plan also called a master plan prepared and adopted by the Southeastern Wisconsin Regional Planning Commission, the County Planning Committee, a City, Village, or Town Plan Commission and certified to and adopted by the (County Board) (Common Council) (Village Board) (Town Board) pursuant to Section 66.945, 59.97, and 62.23 of the Wisconsin Statutes including proposals for future land use, transportation, urban redevelopment and public facilities. Devices for the implementation of these plans, such as zoning a highway width map, an official map, and subdivision control ordinances and capital improvement programs, shall also be considered a part of the comprehensive plan.

#### CUL-DE-SAC STREET

A minor street closed at one end with a turn-around provided for vehicular traffic.

#### DEEP ABSORPTION SYSTEM

A soil absorption sewage system for disposal of effluent through the bottom and sides of a hole or trench at a depth of more than three (3) feet below the natural undisturbed surface.

#### ENVIRONMENTAL CORRIDOR

Those lands containing concentrations of scenic, recreational, and other natural resources as identified and delineated in the comprehensive planning program of the Southeastern Wisconsin Region by the Southeastern Wisconsin Regional Planning Commission. These natural resources and resource-related elements include the following: 1) lakes, rivers, and streams together with their natural floodplains; 2) wetlands; 3) forests and woodlands; 4) wildlife habitat areas; 5) rough topography; 6) significant geological formations; 7) wet or poorly drained soils; 8) existing outdoor recreation sites; 9) potential outdoor recreation and related open space sites; 10) historic sites and structures; 11) significant scenic areas or vistas.

#### EXTRATERRITORIAL PLAT APPROVAL JURISDICTION

The unincorporated area within one-and-one-half (1-1/2) miles of a fourth class city or a village and within three (3) miles of all other cities.

#### FLOODLANDS

Those lands, including the floodplains, floodways, and channels, subject to inundation by the one hundred- (100-) year recurrence interval flood or, where such data is not available, the maximum flood of record.

#### FRONTAGE

The smallest dimension of a lot abutting a public street measured along the street line.

#### FRONTAGE STREET

A minor street auxiliary to and located on the side of an arterial street for control of access and for service to the abutting development.

#### HIGH WATER ELEVATION

The average annual high water level of a pond, stream, lake flowage, or wetland referred to an established datum plane or, where such elevation is not available, the elevation of the line up to which the presence of the water is so frequent as to leave a distinct mark by erosion, change in, or destruction of, vegetation or other easily recognized topographic, geologic, or vegetative characteristic.

#### IMPROVEMENT, PUBLIC

Any sanitary sewer, storm sewer, open channel, water main, roadway, park, parkway, public access sidewalk, pedestrian way, planting strip, or other facility for which the (County or Town) (City) (Village) (Town) may ultimately assume the responsibility for maintenance and operation.

#### LOT

A parcel of land having frontage on a public or other officially approved means of access occupied or intended to be occupied by a principal structure or use and sufficient in size to meet the lot width, lot frontage, lot area, yard, parking area, and other open space provisions of the (County) (City) (Village) (County) Zoning Ordinance.

#### LOT CORNER

A lot abutting two or more streets at their intersection provided that the corner of such intersection shall have an angle of 135 degrees or less, measured on the lot side.

#### LOT, THROUGH

A lot which has a pair of opposite lot lines along two substantially parallel streets, and which is not a corner lot. On a through lot, both street lines shall be deemed front lot lines but in the case of two or more contiguous through lots, there shall be a common front lot line.

#### MEAN SEA LEVEL DATUM

Mean Sea Level Datum, 1929 Adjustment, as established by the U. S. Coast and Geodetic Survey.

#### MINOR STREET

A street used, or intended to be used, primarily for access to abutting properties.

#### MINOR SUBDIVISION

The division of land by the owner or subdivider resulting in the creation of not more than four (4) parcels or building sites, any one of which is five (5) acres in size or less, or the division of a block, lot or outlet within a recorded subdivision plat into not more than four (4) parcels or building sites without changing the exterior boundaries of said block, lot or outlet.

#### NATIONAL MAP ACCURACY STANDARDS

Standards governing the horizontal and vertical accuracy of topographic maps and specifying the means for testing and determining such accuracy, endorsed by all federal agencies having surveying and mapping functions and responsibilities. These standards having been fully reproduced in Appendix D of SEWRPC Technical Report No. 7, Horizontal and Vertical Survey Control in Southeastern Wisconsin.

#### NAVIGABLE STREAM

Any stream capable of floating any boat, skiff, or canoe, of the shallowest draft used for recreational purposes.

#### OUTLOT

A parcel of land, other than a lot or block, so designated on the plat, but not of standard lot size, which can be either redivided into lots or combine with one or more other adjacent outlots or lots in adjacent subdivisions or minor subdivisions in the future for the purpose of creating buildable lots.

PRELIMINARY PLAT

A map showing the salient features of a proposed subdivision submitted to an approving authority for purposes of preliminary consideration.

PUBLIC WAY

Any public road, street, highway, walkway, drainageway or part thereof.

REPLAT

The process of changing, or the map or plat which changes, the boundaries of a recorded subdivision plat or part thereof. The legal dividing of a large block, lot or outlot within a recorded subdivision plat without changing exterior boundaries of said block, lot or outlot is not a replat.

SHORELANDS

Those lands lying within the following distances: one thousand (1,000) feet from the high water elevation of navigable lakes, ponds, and flowages or three hundred (300) feet from the high water elevation of navigable streams or to the landward side of the floodplain, whichever is greater.

SUBDIVIDER

Any person, firm or corporation, or any agent thereof, dividing or proposing to divide land resulting in a subdivision, minor subdivision or replat.

SUBDIVISION

The division of a lot, outlot, parcel, or tract of land by the owner thereof, or his agent, for the purpose of transfer of ownership or building development where the act of division creates five (5) or more parcels or building sites of five (5) acres each or less in area by successive division within a period of five (5) years.

SURETY BOND

A bond guaranteeing performance of a contract or obligation through forfeiture of the bond if said contract or obligation is unfulfilled by the subdivider.

WETLANDS

Those lands which are partially or wholly covered by marshland flora and generally covered with shallow standing water or lands which are wet and spongy due to a high water table.

WISCONSIN ADMINISTRATIVE CODE

The rules of administrative agencies having rule-making authority in Wisconsin, published in a loose-leaf continual revision system as directed by Section 35.93 and Chapter 227 of the Wisconsin Statutes, including subsequent amendments to those rules.

*County  
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Only*

ZONING ADMINISTRATOR

*The officer designated by the County Board of Supervisors to administer this Ordinance.*



MODEL SANITARY ORDINANCE  
FOR RACINE URBAN PLANNING DISTRICT

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## INTRODUCTION

### SECTION 1.0

#### 1.1 AUTHORITY

This Ordinance is adopted under the authority granted by Sections 59.07(51) and 144.26 of the Wisconsin Statutes and amendments thereto. The County Board of Supervisors of the County of Racine do ordain as follows:

#### 1.2 PURPOSE

The purpose of this Ordinance is to promote the health, safety, prosperity, aesthetics, and general welfare of the people and communities within the County.

#### 1.3 INTENT

The general intent of this Ordinance is to regulate the location, construction, installation alteration, design, and use of all private water supply and waste disposal systems so as to protect the health of residents and transients and to:

Secure Safety from disease, pestilence, and other health hazards.

Further the Maintenance of safe and healthful conditions for the enjoyment of aquatic recreation

Prevent and Control further pollution of surface and subsurface waters.

Require a Septic Tank Permit before any retailer may sell a septic tank for installation.

Further the Appropriate Use and conservation of the land and water resources of the County.

Provide for More Stringent regulations of, and dispersion of, waste disposal systems in shoreland areas so as to assure proper operation of such systems near navigable waters.

Implement those municipal, county, watershed, and regional comprehensive plans and their components adopted by the county.

Provide for the Administration and enforcement of this Ordinance and to provide penalties for its violation.

#### 1.4 ABROGATION AND GREATER RESTRICTIONS

It is not intended by this Ordinance to repeal, abrogate, annul, impair, or interfere with any existing easements, covenants, deed restrictions, agreements, ordinances, rules, regulations, or permits previously adopted or issued pursuant to law. However, wherever this Ordinance imposes greater restrictions, the provisions of this Ordinance shall govern.

#### 1.5 INTERPRETATION

In their interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements and shall be liberally construed in favor of the County and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes.

#### 1.6 SEVERABILITY AND NON-LIABILITY

If any section, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. The County does not guarantee, warrant, or represent the safe and proper operation of water supply and waste disposal systems located, constructed, and maintained in accordance with this Ordinance and hereby asserts that there is no liability on the part of the Board of Supervisors, its agencies, or employees for any health hazards or damages that may occur as a result of reliance upon, and compliance with, this Ordinance.

#### 1.7 REPEAL

All other ordinances or parts of ordinances of the County inconsistent or conflicting with this ordinance, to the extent of the inconsistency only, are hereby repealed.

#### 1.8 TITLE

This Ordinance shall be known as, referred to, or cited as the SANITARY ORDINANCE, RACINE COUNTY, WISCONSIN.

#### 1.9 EFFECTIVE DATE

This Ordinance shall be effective after adoption by the County Board of Supervisors and publication or posting as provided by law.

## GENERAL PROVISIONS

### SECTION 2.0

#### 2.1 JURISDICTION

The provisions of this Ordinance shall apply to all lands and waters within the County except within those cities, villages or towns which have adopted ordinances expressly concerning the same subject matter.

#### 2.2 COMPLIANCE

No private water supply or waste disposal systems or parts thereof shall hereafter be located, installed or moved without a Sanitary Permit and without full compliance with the provisions of this Ordinance and all other applicable local, county, and state regulations.

Emergency Repairs or the removal of stoppages may be performed without a Sanitary Permit, provided such work is reported to the Sanitary Inspector as soon as possible for a determination by him as to whether a Sanitary Permit is required.

#### 2.3 SANITARY PERMIT

Applications for a Sanitary Permit shall be made by the property owner in duplicate to the Sanitary Inspector on forms furnished by him prior to issuance of a building or zoning permit and prior to purchase or installation of any septic tank and shall include the following, where pertinent and necessary, for proper review by the Sanitary Inspector.

Names and Addresses of the applicant; owner of the site; either the surveyor, architect, licensed master plumber, or professional engineer; and the installer and any state license held by him.

Description of the Subject Site by lot, block, and recorded subdivision or by metes and bounds referenced to the U. S. Public Land Survey System; address of the subject site; type of proposed installation; septic tank specifications; existing and proposed operation or use of the structure or site; maximum number of users of proposed installation, including employees, customers, or pupils; and any special or unusual wastes anticipated.

Plat of Survey prepared by a land surveyor registered in Wisconsin showing the location, property boundaries, dimensions, type, elevations, and size of the following: subject site, soil mapping unit, soil boring and percolation test holes, shallow or deep absorption system sites, high-water elevation, floodlands, and shorelands. In addition, the plat of survey shall show the location and elevation of all existing or proposed buildings, cisterns, springs, wells, other sources of domestic water supply, watercourses, drainage ditches, farm drainage tile systems, slopes exceeding twelve (12) percent, and bodies of water within the subject site and within one hundred (100) feet of the disposal system site.

Results of Soil Boring Tests made to a depth of eight (8) feet. The number of such tests shall be adequate to portray the character of the soil and the depths of bedrock and ground water from the natural undisturbed surface but shall not be less than two (2) tests per disposal system site.

Results of Percolation Tests conducted in accordance with Section H65.06(4) of the Wisconsin Administrative Code, taken at the location and depth at which the soil absorption waste disposal system is to be installed. The number of such tests shall not be less than six (6) per disposal site.

Evidence of Review and Approval by the Plumbing Division of the State Division of Health of all industrial and public building waste treatment and disposal systems.

Fee Receipt from the County Treasurer in the amount specified in Section 8.0 of this Ordinance.

Copy of Each Application for septic tank installation, together with a fee of One Dollar (\$1), shall be forwarded to the State Division of Health by the Sanitary Inspector so as to reach said Division within ten (10) days after the application is filed.

#### 2.4 WATER SUPPLY

All water closets, urinals, dishwashers, clothes washers, lavatories, slop sinks, food waste grinders, and other plumbing fixtures shall be served by a public water system where available. Where such public water supply system is not available and will not be available in a reasonable time, a private water supply system may be used.

#### 2.5 WASTE DISPOSAL

In addition to the prohibitions of Sections 29.288, 29.29(3) and 144.045 of the Wisconsin Statutes and Section RD 12.13 of the Wisconsin Administrative Code, all domestic, commercial, agricultural, medical, and industrial wastes of such nature, quantity, noxiousness,

toxicity, or temperature that could contaminate, pollute, or harm the surface or sub-surface waters shall be so located, stored, or discharged in a way that they will not run off, seep, percolate, or wash into such waters and will not cause the emission of dangerous or offensive elements that might injure or damage persons or property.

## 2.6 SEWAGE DISPOSAL

All waste disposal facilities, including water closets, urinals, dishwashers, clothes washers, lavatories, slop sinks, food waste grinders, and other waste fixtures shall be connected to a public sanitary sewer system where available. Where such public sewer system is not available and will not be available in a reasonable time, a private sewage disposal system may be used.

When a Public System becomes available, the private system shall be discontinued and connection made to the public system within one (1) year in accordance with Section 144.06 of the Wisconsin Statutes and Section H62.20(5) of the Wisconsin Administrative Code.

Outdoor Toilets and Privies are prohibited except as provided in Section 6.0.

Width and Area of all lots hereafter created, not served by a public sanitary sewer system or other approved system, shall be sufficient to permit the use of an on-site soil absorption sewage disposal system designed in accordance with this Ordinance but in no case shall be less than one hundred and fifty (150) feet in width and forty thousand (40,000) square feet in area.

## 2.7 LAND SUITABILITY

The County Health Agency may prohibit the installation or operation of any waste disposal facilities where such facilities would harm, impair, or reduce surface or sub-surface water quality.

Floodlands shall not be used for any type of waste disposal or well water supply systems.

Shorelands shall not be used for any type of waste disposal except domestic waste burial sites and shallow soil absorption sewage disposal systems serving individual single-family dwellings. Deep absorption systems shall not be used unless the applicant can show the natural or induced hydraulic gradient is away from the stream, pond, flowage, or lake.

Lands Having a Slope of twelve (12) percent or more shall not be used for soil absorption disposal systems.

Lands Having Bedrock within eight (8) feet of the natural undisturbed surface shall not be used for soil absorption disposal systems.

Lands Having Ground Water within eight (8) feet of the natural undisturbed surface during any season of the year shall not be used for soil absorption disposal systems.

Lands Drained by farm drainage tile or farm ditch systems shall not be used for soil absorption disposal systems.

## 2.8 VIOLATIONS

It shall be unlawful to construct any private water supply or waste disposal system or use any system, land, or water in violation of any of the provisions of this Ordinance. In addition, it shall be unlawful to resist, obstruct, or interfere with the Sanitary Inspector in the discharge of his duties or to neglect, refuse, or fail to obey the Sanitary Inspector's orders pertaining to his duties.

In Case of Any Violation, the County Board of Supervisors, the County Health Agency the Sanitary Inspector, the local Boards of Health, or any property owner who would be specifically damaged by such violation may institute appropriate legal action or proceeding to enjoin a violation of this Ordinance.

Every Waste Disposal System placed or maintained on floodlands in violation of this Ordinance is a public nuisance; and the creation thereof may be enjoined and the maintenance thereof may be abated by action at suit of the state, the County, or any citizen thereof.

All Violations of this Ordinance shall be reported by the Sanitary Inspector to the Office of the County Corporation Counsel, who shall then prosecute such violations on behalf of the County.

## 2.9 PENALTIES

Any person, firm, or corporation that fails to comply with the provisions of this Ordinance or permits the use of any private water supply or sewage disposal system in violation of this Ordinance shall, upon conviction thereof, forfeit not less than Ten Dollars (\$10) nor more than Two Hundred Dollars (\$200) and costs of prosecution for each violation and, in default of payment of such forfeiture and costs, shall be imprisoned in the County Jail until payment thereof but not exceeding thirty (30) days. Each day a violation exists or continues shall constitute a separate offense.

Any Person, Firm or Corporation that places or maintains any waste disposal system on any floodland in violation of this Ordinance may be fined not more than Fifty Dollars (\$50) for each offense. Each day a violation exists or continues shall constitute a separate offense.

Discharge of Untreated Sewage into surface waters or drainage ditches has penalties as specified in Section 146.13(2) of the Wisconsin Statutes.

Nuisances caused by improper sewage disposal systems have penalties as specified in Section 146.14 of the Wisconsin Statutes.

Cost of Abatement of nuisances may be recovered in accordance with Sections 146.13(1) and 146.14 of the Wisconsin Statutes.



## PRIVATE WATER SUPPLY SYSTEMS

### SECTION 3.0

#### 3.1 LOCATION

Wells shall be located as specified in Section RD 12.04 of the Wisconsin Administrative Code, except they shall not be located closer than ten (10) feet to any property line or any building sewer constructed of cast iron pipe with leaded joints, shall not be closer than fifty (50) feet to any septic tank or other building sewer or building drain, and shall not be closer than one hundred (100) feet to any soil absorption sewage effluent disposal system.

#### 3.2 CONSTRUCTION AND MATERIALS

Well and pump construction and materials shall be as specified in Sections RD 12.05, 12.06, 12.07, 12.09, 12.11, and 12.15 of the Wisconsin Administrative Code.

#### 3.3 SAMPLES AND REPORTS

Well water samples shall be submitted to the State Laboratory of Hygiene; and well construction reports shall be submitted to the State Department of Natural Resources and the well owner, as specified in Section RD 12.08 of the Wisconsin Administrative Code.

#### 3.4 HIGH-CAPACITY WELLS

Wells which have a capacity of withdrawal in excess of 100,000 gallons per day shall be constructed, located, and operated as approved by the State Department of Natural Resources in accordance with Sections 144.03(7) and (8) of the Wisconsin Statutes.

#### 3.5 ABANDONMENT

Wells shall only be abandoned in the manner specified in Section RD 12.13 of the Wisconsin Administrative Code.

## SEPTIC TANKS

### SECTION 4.0

#### 4.1 GENERAL

All private sewage disposal systems shall be the septic tank system or some other alternate system approved by the State Department of Natural Resources and the State Division of Health provided such system does not create a nuisance or health hazard.

Holding Tanks shall only be used as a corrective measure for existing systems, in accordance with the State Division of Health requirement, and shall not be used for initial installations.

#### 4.2 LOCATION

No tank shall be located within five (5) feet of any building or its appendage, two (2) feet of any lot line, ten (10) feet of any cistern, twenty five (25) feet from any well, reservoir, swimming pool or the high water mark of any lake, stream, pond or flowage. Where practicable, greater distances should be maintained.

#### 4.3 CAPACITY

Septic tank size shall be based on the number of persons using the building, the facility to be served, or upon the nature and type of waste. The minimum liquid capacity of a septic tank measured below the outlet shall be 500 gallons for any installation.

No Liquid other than sewage shall be permitted to drain into a septic tank. Liquid depth shall be not less than three (3) feet nor more than an average of six (6) feet. The total depth of the tank shall be at least eight (8) inches greater than the liquid depth.

For Each Additional Person over six (6) to be accommodated in the proposed buildings, the liquid capacity shall be increased as specified in Section H62.20(4)3 of the Wisconsin Administrative Code.

#### 4.4 CONSTRUCTION

Septic tanks shall be designed and constructed of those materials as specified in Section H62.20(4)2 of the Wisconsin Administrative Code.

#### 4.5 MAINTENANCE

Septic tanks shall be cleaned whenever the sludge and scum occupies one-third (1/3) of the tank volume.

## SEWAGE EFFLUENT DISPOSAL

### SECTION 5.0

#### 5.1 GENERAL

The effluent from septic tanks shall be disposed of by shallow systems or by some other system approved by the State Division of Health, provided such alternate system does not create a nuisance or health hazard.

Deep Absorption Systems shall not be used where shallow systems can be provided, where porous subsurface materials do not exist in their natural undisturbed condition, and where any well is less than fifty (50) feet deep within five hundred (500) feet of the system.

Such Systems shall be located, sized, constructed, used, and maintained so as to assure that effluent from the septic tank will not reach surface or subsurface waters in a condition which will contribute to health hazards, taste, odor, turbidity, fertility, or impair the aesthetic character of any navigable water.

#### 5.2 SOIL SURVEY

Certain soil types lying in the County, as shown on the operational soil survey maps prepared by the U. S. Department of Agriculture, Soil Conservation Service, for the Southeastern Wisconsin Regional Planning Commission, which are on file with the Sanitary Inspector and are to be published as Soil Survey, Racine County, U. S. Department of Agriculture, Soil Conservation Service, U. S. Government Printing Office, Washington, D. C., 1969, and on Table 8, Soils of Southeastern Wisconsin, SEWRPC Planning Report No. 8, 1966, have severe or very severe limitations for soil absorption sewage disposal systems because of one or more of the following reasons: high or fluctuating water table, flooding, ground water contamination, silting, slow permeability, steep slopes, or proximity to bedrock.

#### 5.3 SOILS WITH VERY SEVERE LIMITATIONS

Soil types described in the aforementioned publications and designated by the following numbers shall not be used for soil absorption sewage disposal facilities:

4	27	37Z	51	66	80Z	126Y	181Z
5	28	38	52	73	81	172R	182
5W	28Z	38Z	53	76	87	174	188

#### 5.4 SOILS WITH SEVERE LIMITATIONS

Soil types described in the aforementioned publications and designated by the following numbers and any soils whose slopes exceed twelve (12) percent shall not be used for soil absorption sewage effluent disposal facilities unless the County Health Agency finds that such severe limitations have been overcome by elimination or avoidance of bedrock, provision of larger absorption areas, protection from runoff, terracing and reduction of steep slopes, or other corrective measures in accordance with Section 9.5 of this Ordinance.

16	22	32	40	70Z	82	170Z	297	325
21	24	33Z	44	72V	84Z	172Z	297S	331
21Y	31	39	70Y	72Z	110Y	295	324Z	336

#### 5.5 PERCOLATION TEST

The type and size of soil absorption waste disposal systems to be used for effluent disposal on soils not having severe and very severe limitations, enumerated in Sections 5.3 and 5.4 of this Ordinance, shall be determined through percolation tests conducted by a person approved in writing by the Sanitary Inspector. The percolation tests shall be conducted in accordance with Section H65.06(4) of the Wisconsin Administrative Code except

Tests shall be taken at the location and depth in which the absorption disposal system is to be installed and shall not be less than six (6) uniformly spaced separate test holes per disposal site.

#### 5.6 VERTICAL LOCATION

Soil absorption sewage effluent disposal systems shall be placed within undisturbed soils that have not been made, altered, or filled with non-earth material within the last ten (10) years.

Bedrock, Creviced, or Fractured Rock shall be no closer than three (3) feet to the bottom or sides of any such system.

Ground Water shall be no closer than three (3) feet to the bottom of any such system.  
Surface Elevation of all lands used for such systems shall be at an elevation of at least two (2) feet above the elevation of the one hundred- (100-) year recurrence interval flood level or, where such data is not available, five (5) feet above the maximum flood of record.

5.7 HORIZONTAL LOCATION

Soil absorption sewage effluent disposal systems shall be located at a point lower than the grade of any well or spring lying within one hundred (100) feet; shall not be located closer than twenty-five (25) feet to any building, dwelling, or cistern; shall not be closer than fifty (50) feet to any well, spring, reservoir, or swimming pool; shall not be closer than five (5) feet to any property line; shall not be closer than fifty (50) feet to any stream, lake, pond, flowage, or wetland; shall not be closer than ten (10) feet to any tree; and shall not be closer than twenty (20) feet to the edge of steep slopes falling away toward ponds, streams, lakes, flowages, or wetlands.

5.8 SIZE

The minimum soil absorption area required to dispose of the sewage effluent shall be computed as specified in Section H62.20(5)(b) and (c) of the Wisconsin Administrative Code by use of percolation test rates.

5.9 CONSTRUCTION

Soil absorption disposal systems shall be constructed in accordance with Section H62.20(5)(d) of the Wisconsin Administrative Code.

Soils above the absorption area shall not be surfaced with impervious materials; shall not be planted with deep-rooted plants which will disrupt the system; and shall not be planted with root vegetables which may be used for human consumption.

## OUTDOOR TOILETS

### SECTION 6.0

#### 6.1 GENERAL

Construction or installation of permanent outdoor toilets or privies are prohibited, and those existing shall be replaced with water-flush toilets within one (1) year after a public sewer system becomes available.

#### 6.2 PORTABLE TOILETS

Portable toilets may be used temporarily at construction and agricultural work sites, provided they meet the horizontal location requirement of Section 5.7 of this Ordinance.

#### 6.3 SANITARY PRIVIES

Sanitary privies may be permitted in public or private parks by the County Health Agency or as a remedial action in accordance with Section 9.4 of this Ordinance, provided no public sanitary sewer system is available.

Such Privies shall be constructed as a watertight vault-type privy in accordance with Section Ind. 52.63 of the Wisconsin Administrative Code.

## WASTE DISPOSAL

### SECTION 7.0

#### 7.1 SEWAGE SYSTEMS

No effluent, untreated sewage, nor any pumpage from any type of sewage disposal system shall be discharged into any pond, stream, lake, flowage, wetland, storm sewer, drain tile, or drainage ditch nor placed where it would be likely to wash into such ponds, streams, lakes, flowages, or wetlands. Septic tanks, seepage pits, grease traps, holding tanks, privies, watercraft sewage systems, and other sewage disposal systems shall be serviced in accordance with Section 146.20 of the Wisconsin Statutes and Chapter RD 13 of the Wisconsin Administrative Code.

#### 7.2 SLUDGE DISPOSAL

Sludge and scum from septic tanks and any other material removed from sewage disposal units, all hereafter referred to as sludge, shall be disposed of in such manner so as not to create a nuisance or health hazard and shall be disposed of as follows:

Discharge into a Public Sewerage System when practical, with the point and method of discharge subject to the requirements of the municipality or utility operating such system, or at a disposal site or facility designated by the County Health Agency for such purpose; or

In the Absence of a public sewerage system or designated disposal site, by burial under eighteen (18) inches of earth on the premises on which produced at a distance of at least one hundred (100) feet from a well; or if on other premises at a distance of at least five hundred (500) feet from a place of habitation, provided that there is also at least eighteen (18) inches of soil between the buried sludge and the ground water level or limestone rock; or by spreading on land not used for pasturing livestock or for growing vegetables, at a distance of one thousand (1,000) feet from a place of habitation.

The Sludge Shall Not Be Disposed of by discharge into a lake, drainage ditch, or dry run or be deposited on floodlands or shorelands.

#### 7.3 INDUSTRIAL AND AGRICULTURAL WASTES

Industrial and agricultural waste treatment and disposal systems, such as lagoons or ridge and furrow irrigation systems, shall meet the provisions of Section RD 8.03(1) of the Wisconsin Administrative Code and shall be designed to meet the individual applicant's needs and be of a type that will adequately dilute, purify, filter, cool, and trap the specific waste. Industries producing wastes of a toxic, putrescible, or otherwise objectionable character should consult and comply with the recommendations of the State Division of Health and the State Department of Natural Resources in reference to their waste disposal problems.

Any Industry which intends to increase waste discharge or discharge new waste into any navigable waters of the state shall notify the State Department of Natural Resources in accordance with Section 144.555 of the Wisconsin Statutes.

#### 7.4 DISPOSAL STANDARDS

All solid waste disposal sites and facilities shall be licensed and shall meet the minimum standards relative to location, design, construction, sanitation, operation, and maintenance standards to be prepared and adopted by the State Department of Natural Resources pursuant to Sections 144.43 and 144.44 of the Wisconsin Statutes.

## LICENSES AND FEES

### SECTION 8.0

#### 8.1 LICENSES

All persons, firms, or corporations performing any work on any private water supply or private sewage disposal systems shall obtain the required license from the State Division of Health prior to commencing such work, except:

Any Person may service his private sewage disposal system on real estate owned or leased by him; however, he must comply with all other provisions of this Ordinance.

#### 8.2 FEE SCHEDULE

All persons, firms, or corporations performing any work on any private water supply or private sewage disposal systems shall pay a fee according to the following schedule:

Well Construction	\$10.00 each.
Pump Installation	5.00 each.
Septic Tank Installation or Addition	10.00 each.
Effluent Disposal Installation	15.00 each.
Sanitary Privies	5.00 each.
Waste Disposal	10.00 per annum.

#### 8.3 TOTAL FEE

The total fee for any work on any one site during any one period of ninety (90) days not requiring more than a total of three (3) inspections by the Sanitary Inspector shall not exceed Twenty Dollars (\$20).

#### 8.4 DOUBLE FEE

A double fee may be charged by the Sanitary Inspector if work is started before permit is applied for and issued, except for emergency repairs authorized in Section 2.2 of this Ordinance. The double fee does not relieve the applicant of full compliance with this Ordinance nor from prosecution for violating this Ordinance.

#### 8.5 SUBSEQUENT INSPECTIONS

Each inspection after the first that is necessary to enforce ordered corrections shall cost the permit-holder Five Dollars (\$5) each.

## ADMINISTRATION

### SECTION 9.0

#### 9.1 SANITARY INSPECTOR

There is hereby created the position of Sanitary Inspector for the County, who shall have the following duties and powers:

#### 9.2 DUTIES

It shall be the duty of the Sanitary Inspector to enforce the provisions of this Ordinance and to:

Record all permits issued, inspections made, work approved, and other official actions.

Inspect all existing and new private water supply and waste disposal systems periodically, and all new work shall be given a final inspection before it is closed.

Test all new private water supply and private sewage disposal systems upon completion of the work in accordance with standard testing methods.

Investigate all complaints made relative to private water supply and waste disposal systems.

#### 9.3 POWERS

The Sanitary Inspector shall have all the powers necessary to enforce the provisions of this Ordinance, including the following:

Access to premises and structures during reasonable hours to make those inspections deemed necessary by him to ensure compliance with this Ordinance. If, however, he is refused entry after presentation of his identification, he shall procure a special inspection warrant in accordance with Section 963.10 of the Wisconsin Statutes, except in cases of emergency.

Prohibit the use of any new private water supply or private waste disposal facilities until he has inspected, tested, and approved such facilities.

Order any person, firm, or corporation owning, using, operating, or installing a private water supply or private waste disposal system to modify, repair, or place it in a safe or sanitary condition if he finds such system to be in a defective, unsafe, or unsanitary condition.

Recommend to the County Health Agency any additional sanitary measures as he shall deem necessary.

Request Assistance and cooperation from personnel of the State Division of Health, the State Department of Natural Resources, and other local and county health and police officials.

Condemn and prohibit the use of any private water supply or private waste disposal systems which he finds so constructed, operated, or maintained as to be a menace to the health of the users, neighbors, or community.

Cooperate with local, county, and state personnel in county and state health and water resource programs and in the enforcement of local, county, and state health and water resource regulations.

#### 9.4 REMEDIAL ACTION

Whenever an order of the Sanitary Inspector has not been complied with within thirty (30) days after written notice has been mailed to the owner, resident agent, or occupant of the premises, the County Board of Supervisors, County Health Agency, or the Sanitary Inspector may institute appropriate legal action or proceeding to prohibit the owner, resident agent, or occupant of the premises from the use of such private water supply or private waste disposal system until such order is complied with.

Closed Holding Tank Systems, sanitary privies, or public sanitary sewer systems may be required by the County Health Agency wherever existing sewage disposal systems are inoperative, causing or contributing to a reduction in, or impairment to, surface water quality or creating public health hazards.

Nuisances may be abated as provided in Sections 146.13 and 146.14 of the Wisconsin Statutes.

#### 9.5 APPEALS

Any person, firm, or corporation or any office, department, or board of the County aggrieved by an order, requirement, interpretation, or determination made by the Sanitary Inspector may appeal such decision to the County Health Agency.



An Applicant desiring to install soil absorption sewage disposal facilities on the soils having very severe limitations, listed in Section 5.3 of this Ordinance, shall have an opportunity to present evidence contesting such classification and analyses if he so desires.

The County Health Agency shall fix a reasonable time and place for a public hearing, give a Class 1 notice thereof at least ten (10) days prior thereto, and give notice by mail to the parties-in-interest.

Upon a Finding-of-Fact after the hearing, the County Health Agency may affirm, modify, or reverse the decision appealed from.

The Distances Required in Sections 3.1, 4.2, and 5.7 of this Ordinance may be modified by the County Health Agency on any legal lot or parcel of record in the County Register of Deeds office existing before the adopted date of this Ordinance, providing such modification is not below the minimum distance required by the Wisconsin Administrative Code.

An Applicant desiring to install soil absorption sewage disposal facilities on the soils having severe limitations, listed in Section 5.4 of this Ordinance, shall have additional on-site investigations made, including soil boring and percolation tests; shall obtain the certification of a soils scientist that specific areas lying within these soils are suitable for the proposed soil absorption sewage disposal system; and shall meet the State Division of Health and the State Department of Natural Resources regulations. Thereafter, the County Health Agency must find that the proposed corrective measures have overcome the severe soil limitations and may attach any conditions it deems necessary to fulfill the purpose and intent of this Ordinance.

The County Health Agency may request the County Soil and Water Conservation District to provide expert assistance from regional, state, or federal agencies which are assisting such District under a "Memorandum of Understanding."

## DEFINITIONS

### SECTION 10.0

Words used in the present tense include the future; the singular number includes the plural; the plural number includes the singular number; and the word "shall" is mandatory and not directory. Definitions provided in Sections RD 12.03, H62.02, H65.02, and RD 13.02 of the Wisconsin Administrative Code are hereby adopted by reference. In addition, the following definitions shall also be used:

#### DEEP ABSORPTION SYSTEM

A soil absorption sewage effluent disposal system for disposal of effluent through the bottom and sides of a hole or trench at a depth of more than three (3) feet below the natural undisturbed surface.

#### EFFLUENT

Liquid flowing from any sewage treatment device, such as a septic tank.

#### FLOODLANDS

Those lands, including the floodplains, floodways, and channels, subject to inundation by the one hundred- (100-) year recurrence interval flood or, where such data is not available, the maximum flood of record.

#### HIGH-WATER ELEVATION

The average annual high-water level of a pond, stream, lake, flowage, or wetland referred to an established datum plane or, where such elevation is not available, the elevation of the line up to which the presence of the water is so frequent as to leave a distinct mark by erosion, change in, or destruction of vegetation or other easily recognized topographic, geologic, or vegetative characteristic.

#### NUISANCE

Any source of filth or cause of sickness.

#### PARTIES-IN-INTEREST

All abutting property owners and all property owners within two hundred (200) feet of the subject site.

#### PRIVY

An outhouse or structure used for deposition of human excrement.

#### RETAILER

For the purposes of this Ordinance, the septic tank retailer shall be deemed to be the installer.

#### SANITARY INSPECTOR

A person recommended by the County Health Agency and appointed by the County Board of Supervisors to administer and enforce this Ordinance. References to the Sanitary Inspector shall be construed to include duly appointed deputy inspectors.

#### SEPTIC TANK

A watertight, covered receptacle, which receives crude untreated sewage, and by bacterial action and sedimentation effects a process of clarification and decomposition of the solid sewage and discharges an effluent.

#### SHALLOW ABSORPTION SYSTEM

A soil absorption sewage effluent disposal system for disposal of effluent through open-jointed or perforated pipe at a depth not to exceed three (3) feet below the natural undisturbed surface.

#### SHORELANDS

Those lands lying within the following distances: one thousand (1,000) feet from the high-water elevation of navigable lakes, ponds, and flowages and three hundred (300) feet from the high-water elevation of navigable streams or to the landward side of the floodplain, whichever is greater.

#### SOIL MAPPING UNIT

Soil types, slopes, and erosion factors delineated on operational soil survey maps prepared for the County by the U. S. Department of Agriculture, Soil Conservation Service, in cooperation with the Southeastern Wisconsin Regional Planning Commission.

#### WASTES

Any materials, such as explosives, fuel, litter, paper, garbage, sewage, gas, inflammables, oil, refuse, rubbish, tar, wood ashes, or other solid or liquid materials, that may cause or contribute to health hazards or a reduction in surface or subsurface water quality.

#### WETLANDS

Those lands which are partially covered by marshland flora and generally covered with shallow standing water or lands which are wet and spongy due to a high-water table.

#### WISCONSIN ADMINISTRATIVE CODE

The rules of administrative agencies having rule-making authority in Wisconsin, published in a loose-leaf continual-revision system as directed by Section 35.93 and Chapter 227 of the Wisconsin Statutes, including subsequent amendments to those rules.

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MODEL OFFICIAL MAP ORDINANCE  
FOR THE  
RACINE URBAN PLANNING DISTRICT

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MODEL OFFICIAL MAP ORDINANCE

(CITY OF \_\_\_\_\_) (VILLAGE OF \_\_\_\_\_) (TOWN OF \_\_\_\_\_)

RACINE COUNTY, WISCONSIN

1.0 INTRODUCTION

WHEREAS, the (City Plan Commission) (Village Plan Commission) (Town Plan Commission) has recommended to the (Common Council) (Village Board) (Town Board) that an Official Map be established for a part of the (City of \_\_\_\_\_) (Village of \_\_\_\_\_) (Town of \_\_\_\_\_), and

WHEREAS, the (Common Council) (Village Board) (Town Board) of the (City of \_\_\_\_\_) (Village of \_\_\_\_\_) (Town of \_\_\_\_\_) has determined that it is necessary for the proper physical development of the (City) (Village) (Town) to establish an Official Map for a part of the (City of \_\_\_\_\_) (Village of \_\_\_\_\_) (Town of \_\_\_\_\_),

NOW, THEREFORE, the (Common Council) (Village Board) (Town Board) of the (City of \_\_\_\_\_) (Village of \_\_\_\_\_) (Town of \_\_\_\_\_), Racine County, Wisconsin, do ordain as follows:

2.0 INTENT

It is the intent of the (Common Council) (Village Board) (Town Board) to establish an Official Map for a part of the (City of \_\_\_\_\_) (Village of \_\_\_\_\_) (Town of \_\_\_\_\_) which is legally described as follows:

(Insert Legal Description)

Town \_\_\_\_\_ North, Range \_\_\_\_\_ East, Racine County, Wisconsin, for the purpose of conserving and promoting the public health, safety, commerce, economy, orderliness, and general welfare of the (City) (Village) (Town); to further the orderly layout and use of land; to stabilize the location of real property boundary lines; to ensure proper legal descriptions and proper monumenting of land; to facilitate adequate provision for transportation, parks, playgrounds, and storm water drainage; and to facilitate the further subdivision of larger tracts into smaller parcels of land.

3.0 AUTHORITY

This Ordinance is enacted under the authority granted by Section (62.23(6)), (61.35 and 62.23(6)), (60.18(12), 61.35, and 62.23(6)) of the Wisconsin Statutes.

4.0 OFFICIAL MAP

The Official Map shall show the location and width of all platted and existing streets, highways and parkways, and the location and extent of parks and playgrounds within that part of the (City of \_\_\_\_\_ and its extraterritorial plat approval jurisdictional area) (Village of \_\_\_\_\_ and its extraterritorial plat approval jurisdictional area) (Town of \_\_\_\_\_) as legally described in Section 2, as heretofore laid out, adopted, and established by law. There is hereby established, as the Official Map of the (City of \_\_\_\_\_) (Village of \_\_\_\_\_) (Town of \_\_\_\_\_), the Map which accompanies and is made a part of this Ordinance bearing the date of \_\_\_\_\_. This map is hereby designed as the "Official Map of the (City of \_\_\_\_\_) (Village of \_\_\_\_\_) (Town of \_\_\_\_\_)," and all notations, references, and other information shown thereon shall be as much a part of this Ordinance as though the matters and information thereon were fully described herein.

5.0 CHANGES AND ADDITIONS

The (Common Council) (Village Board) (Town Board) may change or add to the Official Map so as to establish the exterior lines of; widen; narrow; extend; or close any platted, existing, proposed or planned streets, highways, parkways, parks or playgrounds.

The (Common Council) (Village Board) (Town Board) shall refer any change or addition to the Official Map to the (City) (Village) (Town) Plan Commission for review and report thereon prior to adoption. The (City) (Village) (Town) Plan Commission shall report their recommendation to the (Common Council) (Village Board) (Town Board) within sixty (60) days.

Changes and Additions for the locating, widening, or closing, or the approval of the locating, widening or closing of streets, highways, parkways, parks, or playgrounds by the (City) (Village) (Town) under provisions of law other than this section shall be deemed to be a change or addition to the Official Map.

A Public Hearing of parties in interest and citizens before the (Common Council) (Village Board) (Town Board) shall be required before any changes or additions to the



Official Map are effective, including those changes and additions made under provisions of law other than this section. Notice of the public hearing shall be published as a Class 2 notice under Chapter 985 of the Wisconsin Statutes.

Changes and Additions made by duly approved subdivision plats shall not require the public hearing if the changes or additions do not affect any land outside the area being platted.

6.0 BUILDING PERMITS

For the purpose of preserving the integrity of the Official Map, a building permit shall be required for any structure or part thereof that shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted or structurally altered. No permit shall hereafter be issued for any building in the bed of any existing or proposed street, highway, or parkway shown on the Official Map. No permit for the erection of any building shall be issued unless a street, highway, or parkway giving access to such proposed structure has been duly placed on this Map.

The Building Inspector may require each applicant for a building permit to submit, a plan, prepared and certified by a registered land surveyor, showing accurately the location of any proposed building with reference to any street, highway, or parkway shown on the Official Map.

7.0 MUNICIPAL IMPROVEMENTS

No public sewer or other municipal street utility or improvement shall be constructed in any street, highway, or parkway within that part of the (City of \_\_\_\_\_) (Village of \_\_\_\_\_) (Town of \_\_\_\_\_) described in Section 2, until such street, highway, or parkway is duly placed on the Official Map.

8.0 APPEALS

The Board of Zoning Appeals shall have the power to review any administrative decision of the City Building Inspector to deny a permit for the erection of a structure under this Ordinance and to grant relief from the requirements of this Ordinance under the provisions of Section 62.23(6)(d), (f), and (g) of the Wisconsin Statutes.

9.0 CERTIFIED COPY OF MAP

There shall be a certified copy of the Official Map described in Section 4. The certified copy shall be kept in the Office of the (City) (Village) (Town) Clerk, and shall be available for inspection by any interested person during regular office hours. The certified copy shall bear on its face a certification that it is a true copy of the Official Map described in and accompanying this Ordinance and shall show the date of adoption of this Ordinance and shall be signed by the Mayor and countersigned by the (City) (Village) (Town) Clerk. Thereafter no change or addition to such Official Map shall become effective until it shall have been indicated by the appropriate convention on the aforesaid certified copy of the Official Map and a certificate placed thereon or attached thereto bearing the number and date of adoption of the amending ordinance. The certificate shall be signed by the (Mayor) (Village President) (Town Chairman) and countersigned by the (City) (Village) (Town) Clerk.

10.0 MAP TO BE FILED WITH REGISTER OF DEEDS

The (City) (Village) (Town) Clerk shall be responsible immediately upon adoption of the Official Map or any amendment thereto for recording a true copy of the amended Official Map with the Register of Deeds of the County of Racine, Wisconsin.

11.0 ENFORCEMENT

It shall be the duty of the (City) (Village) (Town) Building Inspector and the Chief of Police to enforce the provisions of this Ordinance.

12.0 PENALTIES

Any person, firm, or corporation who fails to comply with the provisions of this Ordinance shall, upon conviction thereof, forfeit not more than Two Hundred Dollars (\$200.00) and not less than Fifty Dollars (\$50.00) and cost of prosecution for each violation, and, in default of payment of such forfeiture and costs, shall be imprisoned in the County Jail until payment thereof but not exceeding thirty (30) days.

No Damages shall be allowed for the taking by any governmental agency, for street, highway, and parkway purposes, any building erected in violation of this Ordinance.

13.0 SEVERABILITY AND CONFLICT

If any section or part of this Ordinance is adjudged unconstitutional or invalid by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. All other ordinances or parts of ordinances of the (City) (Village) (Town) inconsistent with this Ordinance to the extent of the inconsistency only are hereby repealed.

14.0 ADOPTION AND EFFECTIVE DATE  
Plan Commission Recommendation

The Plan Commission of the (City of \_\_\_\_\_) (Village of \_\_\_\_\_) (Town of \_\_\_\_\_)  
recommended the adoption of this Ordinance at a meeting held on \_\_\_\_\_ 19\_\_\_\_.

(Common Council) (Village Board) (Town Board) Approval.

The (Common Council) (Village Board) (Town Board) concurred with the recommendation of the  
Plan Commission and proceeded to adopt the Official Map by a \_\_\_\_\_ vote at a meeting  
held on \_\_\_\_\_, 19\_\_\_\_.

Effective Date

This Ordinance shall take effect upon passage and adoption by the (Common Council) (Village  
Board) (Town Board) and the filing of proof of posting or publication in the Office of the  
(City) (Village) (Town) Clerk.

Date of Posting or Publication \_\_\_\_\_

Effective Date \_\_\_\_\_

(Mayor) (Village President) (Town Chairman) \_\_\_\_\_

Countersigned:

(City) (Village) (Town) Clerk \_\_\_\_\_

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