

SECTION 17.04

ZONING DISTRICTS

1. ESTABLISHMENT OF DISTRICTS

In order to carry out the purposes and provisions of this chapter, the Town is hereby divided into the following zoning Districts. All property in the Town shall be placed in one of the following Districts:

RESIDENTIAL DISTRICTS

R-1	Residential District	[1.5 acre min. lot]
R-1(A)	Residential District	[1.0 acre min. lot]
R-2	Residential District	[30,000 sq. ft. min. lot]
R-3	Residential District	[20,000 sq. ft. min. lot]
R-L	Residential Lake District	[20,000 sq. ft. min. lot]

AGRICULTURAL DISTRICTS

A-1	Agricultural District
A-E	Exclusive Agricultural District
A-2	Rural Home District
A-3	Suburban Home District

BUSINESS DISTRICTS

B-1	Restricted Business District
B-2	Shopping Center District
B-3	Business Park District

INDUSTRIAL DISTRICTS

M-1	Industrial District
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PARK & CONSERVANCY DISTRICTS

P-1	Park and Recreation District
WF-1	Wetland-Floodplain District

2. ZONING DISTRICT MAPS.

- A. **Districts Mapped.** The boundaries of the Districts are shown upon a map designated as the Zoning Map of the Town, which, together with all the notations, references and other information shown thereon is as much a part of this chapter as if fully set forth herein. The Zoning Map shall be kept on file in the offices of the Town and any copy attached hereto is correct only as of the date of publication and is for general information purposes only.
- B. **Amendments.** Amendments to the Zoning Map shall be accomplished under the procedures that apply to amendments of this chapter, as set forth in this chapter.

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3. DETERMINATION OF DISTRICT BOUNDARIES.

District boundaries shall be determined by measurement from and as shown on the Zoning Map and in case of any question as to the interpretation of such boundary lines, the Code Enforcement Officer shall interpret the map according to the reasonable intent of this chapter.

- A. Unless otherwise specifically indicated or dimensioned on the maps, the District boundaries are normally lot lines; section, quarter section or sixteenth section lines; or the centerlines of streets, roads, highways, railways or alleys.
- B. The boundaries of the W-F Wetland-Floodplain Districts as drawn are intended to represent the edge of swamp, marsh, or the ordinary high water line along a stream or watercourse and shall be finally determined by the actual conditions in each specific situation.
- C. The boundaries of the R-L Residential Lake District as drawn are intended to include all lots which abut a lake, and only such lots. Should such a lot be subdivided so as to create an additional lot or lots which do not abut the lake, the latter lot or lots will be removed from the Residential Lake District and become a part of the District which bordered the original lot and must meet all requirements of the bordering District.
- D. The boundaries of shorelines shall be construed to follow such shoreline, and in the event of change in the shoreline, shall be construed as moving with the actual shoreline.

Section 17.04 4.

4. DEVELOPMENT STANDARDS.

The following is a summary of the development standards as outlined in this chapter ^{(a),(h)&(g)}:

<u>District</u>	<u>Minimum Lot Area</u>	<u>Min. Avg. Lot Width</u>	<u>Min. Setback</u>	<u>Min. Offset</u>	<u>Min. Floor Area</u>	<u>Max. Access. Bldg. Size</u>
R-1	1.5 acres	200'	50'	20'	1,500sf	1,000sf
R-1A	1 acre	150'	50'	20'	1,650sf	1,000sf
R-2	30,000sf	120'	50'	20'	1,350sf	720sf
R-3	20,000sf	120'	50'	20'	1,200sf	720sf
R-L	20,000sf	100' ^(e)	50' ^(f)	15'	1,500sf	720sf
A-1	40 acres ^(b)	200'	50' ^(c)	20' ^(d)	1,500sf	1%l.a.
A-E	35 acres	660'	100'	50'	1,500sf	1%l.a.
A-2	3 acres	200'	50' ^(c)	30' ^(d)	1,650sf	1%l.a.
A-3	2 acres	200'	50'	25'	1,500sf	1,000sf
B-1	20,000sf	120'	50'	10'/20' ⁽ⁱ⁾	1,200 sf	None
B-2	20,000sf	120'	50'	10'	None	None
B-3	5 acres	330'	100'	50' ^(j)	None	None
M-1	3 acres	200'	100'	100'/50' ^(k)	None	None
P-1	1 acre	150'	100'	50'	None	None
WF-1	None	None	100'	100'	None	None

^(a)No structure or sewage disposal system shall be placed within 75' of a WF-1 Wetland-Floodplain District.

^(b)Land can only be subdivided as planned unit development.

^(c)100' for buildings housing animals.

^(d)50' for buildings housing animals.

^(e)Also minimum of 100' frontage at shore lot line.

^(f)150' from shoreline.

^(g)See District regulations for exceptions.

^(h)Each residential dwelling must have a private garage of 480 sf minimum. The maximum size of an attached garage shall be 1440 sf. (See Section 17.06 4. D.)

⁽ⁱ⁾10' minimum for buildings used solely for commercial purposes; 20' minimum for buildings used in part for residential purposes. (See Section 17.04 5.1.3.)

^(j) Where the adjacent District is a residential or agricultural district, a 100' minimum offset shall be required. (See Section 17.04 5. K. 3.)

^(k)100' minimum offset shall be required where adjacent to a residential or agricultural district; 50' minimum shall be required where not adjacent to a residential or agricultural district. (See Section 17.04 5. L. 3)

Section 17.04 5. A.

5. SPECIFIC DISTRICT.

The Town is hereby divided into the following zoning Districts.

A. R-1 RESIDENTIAL DISTRICT

1. STATEMENT OF INTENT

The **R-1 Residential District** is intended to provide for low density single family residential development.

2. USE REGULATIONS

a. Permitted Uses

Single family dwellings.

b. Permitted Accessory Uses. The following accessory uses shall be permitted in the R-1 Residential District:

- (1) Accessory buildings. No more than 2 detached accessory buildings shall be permitted. The total composite area of all accessory buildings shall not exceed 1,000 square feet.
 - (a) Private, detached garages, not to exceed 960 square feet, not involving the conduct of business and not including any sanitary facilities or living quarters.
 - (b) Other accessory buildings not to exceed 400 square feet.
- (2) The keeping of household pets.
- (3) Horticulture.
- (4) (repealed 2012-03, 2-14-12)
- (5) Outdoor recreational structures.
- (6) Telecommuting.
- (7) Home Occupation(s) with a valid permit issued under § 17.03 1. D. of this Code.
- (8) Any other structure or use normally accessory to the principal uses permitted.
- (9) (created 2012-02, 2-14-12) The keeping of chickens in accordance with Section 17.06 5.

3. **BUILDING LOCATION**

- a. **Setback** 50 feet minimum.
- b. **Offset** 20 feet minimum.

4. **BASE HEIGHT REGULATIONS**

- a. **Principal Residence** 30 feet maximum.
- b. **Accessory Structures** 12 feet maximum.

5. **AREA REGULATIONS**

- a. **Lot Size**
Minimum area shall be 1.5 acres.
- b. **Lot Width**
Minimum lot width shall be 200 feet.
- c. **Floor Area**
Minimum required area of principal residence shall be:
 - (1) Single Floor: 1,500 square feet.
 - (2) All Other: See §17.03 5. A.
- d. **Open Space**
With the exception of rustic structures, which shall be permitted, 85% of each lot shall remain as open space. (rep & rec 2012-09)

Section 17.04 5. B. 1.

B. R-1A RESIDENTIAL DISTRICT

1. STATEMENT OF INTENT

The **R-1A Residential District** is intended to provide for low density single family residential development.

2. USE REGULATIONS

a. Permitted Uses

Single family dwellings.

b. Permitted Accessory Uses The following accessory uses shall be permitted in the R-1A Residential District:

- (1) Accessory buildings. No more than 2 detached accessory buildings shall be permitted. The total composite area of all accessory buildings shall not exceed 1,000 square feet.
 - (a) Private, detached garages, not to exceed 960 square feet, not involving the conduct of business and not including any sanitary facilities or living quarters.
 - (b) Other accessory buildings not to exceed 400 square feet.
- (2) The keeping of household pets.
- (3) Horticulture.
- (4) (Repealed 2012-03, 2-14-12)
- (5) Outdoor recreational structures.
- (6) Telecommuting.
- (7) Home Occupation(s) with a valid permit issued under § 17.03 1. D. of this Code.
- (8) Any other structure or use normally accessory to the principal uses permitted.
- (9) (Created 2012-02, 2-14-12) The keeping of chickens in accordance with Section 17.06 5.

3. BUILDING LOCATION

- a. Setback** 50 feet minimum.
- b. Offset** 20 feet minimum.

4. **BASE HEIGHT REGULATIONS**

- a. **Principal Residence** 30 feet maximum.
- b. **Accessory Structures** 12 feet maximum.

5. **AREA REGULATIONS**

- a. **Lot Size**
Minimum area shall be 1 acre.
- b. **Lot Width**
Minimum lot width shall be 150 feet.
- c. **Floor Area**
Minimum required area of principal residence shall be:
 - (1) Single Floor: 1,650 square feet.
 - (2) All Other: See §17.03(5)A.
- d. **Open Space**
With the exception of rustic structures, which shall be permitted, 85% of each lot shall remain as open space. (rep & rec 2012-09)

Section 17.04 5. C. 1.

C. R-2 RESIDENTIAL DISTRICT

1. STATEMENT OF INTENT

The **R-2 Residential District** is intended to provide for medium density single family residential development.

2. USE REGULATIONS

a. Permitted Uses

The following uses shall be permitted in the R-2 Residential District:

- (1) Single family dwellings.

b. Permitted Accessory Uses (amd. 00-507a)

The following accessory uses shall be permitted in the R-2 Residential District:

- (1) Accessory Buildings. No more than 2 detached accessory buildings shall be permitted. The total individual structure and composite area of all accessory buildings shall not exceed the maximums set forth in the following table:

Lot Size (s.f.)	Maximum Garage Size	Maximum Accessory Building Size	Maximum Total Composite Area
up to and including 20,000	720	200	720
20,000 - 24,999	770	240	780
25,000 - 29,999	820	285	830
30,000 -34,999	870	325	900
35,000-43,559	920	360	960
greater than 43,560	960	400	1000

- (2) The keeping of household pets.
- (3) Horticulture.
- (4) Public Parks and recreation areas.
- (5) Telecommuting.
- (6) Home Occupation with a valid permit issued under § 17.03 1.D. of this Code.
- (7) (created 2012-002, 2-14-12) The keeping of chickens in accordance with Section 17.06 5.

3. **BUILDING LOCATION**

- a. **Setback** 50 feet minimum.
- b. **Offset** 20 feet minimum.

4. **BASE HEIGHT REGULATIONS**

- a. **Principal Residence** 30 feet maximum.
- b. **Accessory Structures** 12 feet maximum.

5. **AREA REGULATIONS**

- a. **Lot Size**
Minimum area shall be 30,000 square feet.
- b. **Lot Width**
Minimum lot width shall be 120 feet.
- c. **Floor Area**
Minimum required area of principal residence shall be:
 - (1) Single Floor: 1,350 square feet.
 - (2) All Other: See §17.03 5.A.

Section 17.04 5. C. 5. d.

d. Open Space (rep & rec 2002-02-002A)

With the exception of rustic structures, for lots 20,000 square feet or larger, a minimum of 85% of each lot shall remain as open space. For existing lots with an area less than 20,000 square feet, the following scale shall be used:

<u>Lot Size (square foot)</u>	<u>Open Space Percentage (%)</u>
19,400 - 19,999	85
18,800 - 19,399	84
18,200 - 18,799	83
17,600 - 18,199	82
17,000 - 17,599	81
16,400 - 16,999	80
15,800 - 16,399	79
15,200 - 15,799	78
14,600 - 15,199	77
14,000 - 14,599	76
13,400 - 13,999	75
12,800 - 13,399	74
12,200 - 12,799	73
11,600 - 12,199	72
11,000 - 11,599	71
10,400 - 10,999	70
9,800 - 10,399	69
9,200 - 9,799	68
8,600 - 9,199	67
8,000 - 8,599	66
7,400 - 7,999	65
6,800 - 7,399	64

<u>Lot Size (square foot)</u>	<u>Open Space Percentage (%)</u>
5,600 - 6,199	62
5,000 - 5,599	61
4,999 or less	60

D. R-3 RESIDENTIAL DISTRICT

1. STATEMENT OF INTENT

The **R-3 Residential District** is intended to provide for medium density single family residential development.

2. USE REGULATIONS

a. Permitted Uses

- (1) Single family dwellings.

b. Permitted Accessory Uses

The following accessory uses shall be permitted in the R-3 Residential District:

- (1) Accessory Buildings. No more than 2 detached accessory buildings shall be permitted. The total individual structure and composite area of all accessory buildings shall not exceed the maximums set forth in the following table:

Lot Size (s.f.)	Maximum Garage Size	Maximum Accessory Building Size	Maximum Total Composite Area
up to and including 20,000	720	200	720
20,000 - 24,999	770	240	780
25,000 - 29,999	820	285	830
30,000 -34,999	870	325	900
35,000-43,559	920	360	960
greater than 43,560	960	400	1000

- (2) Accessory buildings, not to exceed 200 square feet No more than 2 detached accessory buildings shall be permitted. The total composite area of all accessory buildings, and detached garages shall not exceed 720 square feet.
- (3) The keeping of household pets.
- (4) Horticulture.
- (5) Public Parks and recreation areas.
- (6) Telecommuting.
- (7) Home Occupation with a valid permit issued under § 17.03 1.D. of this Code.
- (8) The keeping of chickens in accordance with Section 17.06 5.

Section 17.04.5 D. 3.

3. BUILDING LOCATION

- a. **Setback** 50 feet minimum.
- b. **Offset** 20 feet minimum.

4. BASE HEIGHT REGULATIONS

- a. **Principal Residence** 30 feet maximum.
- b. **Accessory Structures** 12 feet maximum.

5. AREA REGULATIONS

- a. **Lot Size**
Minimum area shall be 20,000 square feet.
- b. **Lot Width**
Minimum lot width shall be 120 feet.
- c. **Floor Area**
Minimum required area of principal residence shall be:
 - (1) Single Floor: 1,200 square feet.
 - (2) All Other: See §17.03 5.A.
- d. **Open Space.**(rep & rec 2002-02-002A)
With the exception of rustic structures, for lots 20,000 square feet or larger, a minimum of 85% of each lot shall remain as open space. For existing lots with an area less than 20,000 square feet, the following scale shall be used:

<u>Lot Size (square foot)</u>	<u>Open Space Percentage (%)</u>
19,400 - 19,999	85
18,800 - 19,399	84
18,200 - 18,799	83
17,600 - 18,199	82
17,000 - 17,599	81
16,400 - 16,999	80
15,800 - 16,399	79

<u>Lot Size (square foot)</u>	<u>Open Space Percentage (%)</u>
15,200 - 15,799	78
14,600 - 15,199	77
14,000 - 14,599	76
13,400 - 13,999	75
12,800 - 13,399	74
12,200 - 12,799	73
11,600 - 12,199	72
11,000 - 11,599	71
10,400 - 10,999	70
9,800 - 10,399	69
9,200 - 9,799	68
8,600 - 9,199	67
8,000 - 8,599	66
7,400 - 7,999	65
6,800 - 7,399	64
6,200 - 6,799	63
5,600 - 6,199	62
5,000 - 5,599	61
4,999 or less	60

E. R-L RESIDENTIAL LAKE DISTRICT

1. STATEMENT OF INTENT

The **R-L Residential Lake District** is intended to provide for medium density single family residential development on lots located on any lake.

2. USE REGULATIONS

a. Permitted Uses

(1) Single family dwellings.

b. Permitted Accessory Uses (rev. 00-507a)

The following accessory uses shall be permitted in the R-L Residential District:

- (1) Accessory buildings. No more than 2 detached accessory buildings shall be permitted. The total composite area of all accessory buildings shall not exceed 1,200 square feet.
 - (a) Private, detached garages, not to exceed 720 square feet, not involving the conduct of business and not including any sanitary facilities or living quarters.
 - (b) Other accessory buildings not to exceed 200 square feet.
 - (c) Boathouses. One private boathouse per lot shall be permitted. A boathouse must contain a minimum of 200 square feet of boat storage and no more than 600 feet of total area. Boathouses shall have a maximum width of 20 feet along the shore lot line and the maximum distance from the shore lot line to the rear of the boathouse structure shall be 35 feet. The boathouse shall be constructed with permanent foundations with frost footings and shall be equipped with garage-type doors opening towards the lake. No metal boathouses shall be permitted.
- (2) The keeping of household pets.
- (3) Horticulture.
- (4) Public Parks and recreation areas.
- (5) Telecommuting.
- (6) Home Occupation with a valid permit issued under § 17.03 1.D. of this Code.
- (7) (created 2012-02, 2-14-12) The keeping of chickens in accordance with Section 17.06 5.

Section 17.04 5. E. 3.

3. BUILDING LOCATION

a. Setback 50 feet minimum.

b. Offset (rev. 00-507a)

	Boathouses	Other Structures
Non-shoreline	5 feet	* See additional chart
Shoreline	5 feet	150 feet

*** Other Structures Offset Chart:**

Lot Width	Offset
100 feet or greater	15 feet
50 - 100 feet	15% of the lot width **
less than 50 feet	7.5 feet **

**** No principal building can be closer than 20 feet to any other structure on an adjoining lot measured from the outward-most points of the two structures.**

4. BASE HEIGHT REGULATIONS

a. Principal Residence 30 feet maximum.

b. Accessory Structures
Boathouses 12 feet maximum above ordinary high water mark.

c. All others 12 feet maximum.

5. AREA REGULATIONS

a. Lot Size
Minimum area shall be 20,000 square feet.

b. Lot Width
Minimum lot width shall be 100 feet.

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c. Floor Area

Minimum required area of principal residence shall be:

- (1) Single Floor: 1,200 square feet.
- (2) All Other: See §17.03 5. A.

d. Open Space (rep & rec 2002-02-002A)

With the exception of rustic structures, for lots 20,000 square fee or larger, a minimum of 75% shall remain open space. For existing parcels less than 20,000 square fee, the following scale shall be used:

<u>Lot Size (s.f.)</u>	<u>Open Space Percentage (%)</u>
19,000 - 19,999	74
18,000 - 18,999	73
17,000 - 17,999	72
16,000 - 16,999	71
15,000 - 15,999	70
14,000 - 14,999	69
13,000 - 13,999	68
12,000 - 12,999	67
11,000 - 11,999	66
10,000 - 10,999	65
9,000 - 9,999	64
8,000 - 8,999	63
7,000 - 7,999	62
6,000 - 6,999	61
5,999 or less	60

e. Shore lot line

Minimum shore lot line shall be 100 feet.

Section 17.04 5. F. 1.

F. A-1 AGRICULTURAL DISTRICT

1. STATEMENT OF INTENT

The **A-1 Agricultural District** is intended to provide for the needs of agriculture as a primary use as well as residential uses associated with such use, and to maintain in agricultural uses those lands generally suited for such use which may have the ultimate potential for other use. To maintain open space, it is intended that residential development be limited to planned unit development.

2. USE REGULATIONS (repealed and recreated 2011-004)

a. Permitted Uses

- (1) Single family dwellings.
- (2) Farming and agricultural use.
- (3) Grazing.
- (4) The harvesting of wild crops such as marsh hay, ferns, moss, berries, tree fruits and tree seeds.
- (5) Hunting and fishing unless prohibited by other ordinances or laws.
- (6) Sustained yield forestry and tree farms.
- (7) The following uses may be permitted, subject to approval of the Plan Commission after consideration of the building, site and operational plans:
 - (a) Substations and other utility installations.
 - (b) Sewage treatment plants.

b. Permitted Accessory Uses

- (1) Private, detached garages not involving the conduct of business and not including any sanitary facilities.
- (2) Accessory buildings, including but not limited to stables, barns, silos, poultry houses, farm storage buildings and other farm related buildings.
- (3) The keeping of household pets.
- (4) Roadside stands, provided off-street parking is made available for at least four vehicles.
- (5) Telecommuting.
- (6) Home occupation with a valid permit issued under § 17.03 1. D. of this Code.
- (7) Nonresidential structures used solely in conjunction with the raising of water fowl, minnows and other similar lowland animals, fowl or fish.
- (8) Outdoor recreational structures.
- (9) Any other structure or use normally accessory to the principal uses permitted.

3. BUILDING LOCATION

- a. Setback** 100 feet minimum for buildings housing animals.
30 feet minimum for roadside stands.
50 feet minimum for all other buildings or structures.
- b. Offset** 50 feet minimum for buildings housing animals.
20 feet minimum for all other buildings or structures.

4. BASE HEIGHT REGULATIONS

- a. Principal Residence** 30 feet.

Section 17.04 5. F. 4. b.

- b. Accessory Structures** 90 feet maximum for farm accessory buildings or structures.

12 feet maximum for all other buildings.

5. AREA REGULATIONS

- a. Lot Size** (amended 05-003)
Minimum area shall be 40 acres. If land is developed into a subdivision, it shall meet the PUD requirements of Section 17.05 5.AM of these regulations.

- b. Lot Width**
Minimum lot width shall be 200 feet.

- c. Floor Area**
Minimum required area of principal residence shall be:

(1) Single Floor: 1,500 square feet.

(2) All Other: See §17.03 5. A.

- d. Open Space** (rep & rec 2002-02-002A)
With the exception of rustic structures which shall be permitted, 95% of each lot shall remain as open space.

With the exception of rustic structures, the total space occupied by all accessory buildings shall not exceed 1% of the total lot area.

G. A-E EXCLUSIVE AGRICULTURAL DISTRICT

1. STATEMENT OF INTENT

The **A-E Exclusive Agricultural District** is intended to implement the Wisconsin Farm Preservation Act, or other similar Federal, State or local initiatives, and is intended to provide for the preservation of existing large-scale farming operations and for smaller farm units of 35 acres or more located in areas which are predominantly agricultural in character.

2. USE REGULATIONS

a. Permitted Uses

1. Single family dwellings in conjunction with an agricultural operation to be occupied by the farmer or a person working on the farm.
2. Any permitted use in the A-1 Agricultural District.

b. Permitted Accessory Uses

1. Any accessory use permitted in the A-1 Agricultural District.

3. BUILDING LOCATION

a. Setback 100 feet minimum.
30 feet minimum for roadside stands.

b. Offset 50 feet minimum.

4. BASE HEIGHT REGULATIONS

a. Principal Residence 30 feet.

b. Accessory Structures 90 feet maximum for farm accessory buildings or structures.

12 feet maximum for all other buildings or structures.

Section 17.04 5. G. 5. a.

5. AREA REGULATIONS

a. Lot Size

Minimum area shall be 35 acres.

b. Lot Width

Minimum lot width shall be 660 feet.

c. Floor Area

Minimum required area of principal residence shall be:

1. Single Floor: 1,500 square feet.
2. All Other: See §17.03 5. A.

d. Open Space (rep & rec 2002-02-002A)

With the exception of rustic structures which shall be permitted, 95% of each lot shall remain as open space.

With the exception of rustic structures which shall be permitted, the total space occupied by all accessory buildings shall not exceed 1% of the total lot area.

H. A-2 RURAL HOME DISTRICT

1. STATEMENT OF INTENT

The **A-2 Rural Home District** is intended to provide for low density single family residential development and limited, controlled farming and associated uses.

2. USE REGULATIONS (repealed and recreated 2011-004)

a. Permitted Uses

- (1) Single family dwellings.
- (2) The keeping of poultry, fowl and domestic livestock subject to the following conditions:
 - (a) One large animal (those animals with a mature weight of 50 pounds or more) or two fowl (not including chickens which are governed by subsection (d) below) or two small animals, or combination thereof shall be allowed on lots of 3 acres. One additional large animal or equivalent fowl or small animal may be added per acre of land over 3 acres (2 fowl or 2 small animals equal 1 large animal).
 - (b) If more large animals or equivalent fowl or small animal(s) or combination thereof is desired, beyond the maximum allowed on the lot per subsection a. (2) (a), above, they shall only be permitted as a Conditional Use under section 17.05. W. Keeping of Poultry or Livestock

Section 17.04 5. H. 2. c.

(c) Notwithstanding the foregoing, the keeping of any type of animal that is described in Section 17.05 of this Code as a conditional use in the A-2 district, and the keeping of any animal under circumstances described in Section 17.05 as a conditional use in the A-2 district, is not a permitted use but is a conditional use as described therein.

(d) Keeping of chickens is permitted, subject to the requirements of Section 17.06 5. of this code.

- (3) Grazing.
- (4) The harvesting of wild crops such as marsh hay, ferns, moss, berries, tree fruits and tree seeds.
- (5) Hunting and fishing unless prohibited by other ordinances or laws.
- (6) Sustained yield forestry and tree farms.
- (7) Normal crop farming consistent with the preservation of the District's character, provided such use is not described as a conditional use in the A-2 District in Section 17.05 of this Code.
 - (a) Permitted on lots of 10 acres or more.
 - (b) On lots of less than 10 acres, with Plan Commission approval.
- (8) The following uses may be permitted, subject to approval of the Plan Commission after consideration of the building, site and operational plans:
 - (a) Substations and other utility structures
 - (b) Sewage treatment plants

b. Permitted Accessory Uses

- (1) Private, detached garages not involving the conduct of business and not including any sanitary facilities.
- (2) Accessory buildings, including but not limited to stables, barns, silos, poultry houses, farm storage buildings and other farm related buildings.
- (3) The keeping of household pets.
- (4) Roadside stands, provided off-street parking is made available for at least four vehicles, except that roadside stands on properties of 10 acres or less shall require a conditional use permit under section 17.05 5. AC. **Other Uses.**

Section 17.04 5. H. 2. b. 5.

- (5) Telecommuting.
- (6) Home occupation with a valid permit issued under § 17.03 1. D. of this Code.

3. BUILDING LOCATION

- a. Setback**
 - 100 feet minimum for buildings housing animals.
 - 50 feet minimum for all other buildings or structures.
 - 30 feet minimum for roadside stands.
- b. Offset**
 - 50 feet minimum for buildings housing animals.
 - 30 feet minimum for all other buildings or structures.

4. BASE HEIGHT REGULATIONS

- a. Principal Residence** 30 feet maximum.
- b. Accessory Structures** 90 feet maximum for farm accessory buildings or structures.
 - 12 feet maximum for all other buildings or structures.

5. AREA REGULATIONS

- a. Lot Size** (amended 05-003)
 - Minimum area shall be 3 acres. If land is developed into a subdivision, it shall meet the PUD requirements of Section 17.05 5. AM of these regulations.
- b. Lot Width**
 - Minimum lot width shall be 200 feet.
- c. Floor Area**
 - Minimum required area of principal residence shall be:
 - (1) Single Floor: 1,650 square feet.
 - (2) All Other: See §17.03 5. A.
- d. Open Space** (rep & rec 2012-09)
 - With the exception of rustic structures, which shall be permitted, 85% of each lot shall remain as open space.
 - With the exception of rustic structures, the total space occupied by all accessory buildings shall not exceed 1% of the total lot space unless the land is greater than 10 acres in which case the accessory buildings can be 2%.

I. A-3 SUBURBAN HOME DISTRICT.

1. STATEMENT OF INTENT

The **A-3 Suburban Home District** is intended to provide for low density single family residential development.

2. USE REGULATIONS

a. Permitted Uses

- (1) Single family dwellings.

b. Permitted Accessory Uses The following accessory uses shall be permitted in the A-3 Residential District:

- (1) Accessory buildings. No more than 2 detached accessory buildings shall be permitted. The total composite area of all accessory buildings shall not exceed 1,000 square feet.
 - (a) Private, detached garages, not to exceed 960 square feet, not involving the conduct of business and not including any sanitary facilities or living quarters.
 - (b) Other accessory buildings not to exceed 400 square feet.
- (2) The keeping of household pets.
- (3) Horticulture.
- (4) Telecommuting.
- (5) Home occupation with a valid permit issued under § 17.03 1. D. of this Code.
- (6) (Repealed 2012-03, 2-14-12)
- (7) Outdoor recreational structures.
- (8) Any other structure or use normally accessory to the principal uses permitted.
- (9) (Created 2012-02, 2-14-12) The keeping of chickens in accordance with Section 17.06 5.

3. BUILDING LOCATION

- a. Setback** 50 feet minimum.
- b. Offset** 25 feet minimum.

Section 17.04 5. I. 4.

4. BASE HEIGHT REGULATIONS

- a. Principal Residence** 30 feet maximum.
- b. Accessory Structures** 12 feet maximum.

5. AREA REGULATIONS

- a. Lot Size**
Minimum area shall be 2 acres.
- b. Lot Width**
Minimum lot width shall be 200 feet.
- c. Floor Area**
Minimum required area of principal residence shall be:
 - (1) Single Floor: 1,500 square feet.
 - (2) All Other: See §17.03 5. A.
- d. Open Space** (rep & rec 2012-09)
With the exception of rustic structures, which shall be permitted, 85% of each lot shall remain as open space.

Section 17.04 5. J. 1.

J. B-1 RESTRICTED BUSINESS DISTRICT.

1. STATEMENT OF INTENT

The **B-1 Restricted Business District** is intended to provide for individual or small groups of retail and customer service establishments serving primarily the convenience of a local neighborhood and the character, appearance and operation of which are compatible with the character of the surrounding area.

2. USE REGULATIONS

a. Permitted Uses

The following uses shall be permitted in the B-1 Restricted Business District, subject to approval by the Plan Commission, of building, site and operational plans:

- (1) Retail stores and shopping, offering convenience goods and personal services.
- (2) Business, professional or public service offices.
- (3) Customer service establishments such as restaurants, shoe repair, barber and beauty shops, studios and similar uses.

b. Permitted Accessory Uses

- (1) One family dwelling in conjunction with a permitted business use occupied by an owner or person working at the business.
- (2) Off street parking.
- (3) Garages for storage of vehicles used only in conjunction with the operation of the business.

3. BUILDING LOCATION

a. Setback 50 feet minimum.

b. Offset 10 feet minimum for buildings used solely for commercial purposes.

20 feet minimum for buildings used in part for residential purposes.

4. BASE HEIGHT REGULATIONS

a. Principal Structure 30 feet maximum.

b. Accessory Structures 12 feet maximum.

5. **AREA REGULATIONS**

a. **Lot Size**

Minimum area shall be 20,000 square feet.

b. **Lot Width**

Minimum lot width shall be 120 feet.

c. **Floor Area**

Minimum required area of principal building shall be:

(1) Single Floor: 1,200 square feet.

(2) All Other: See §17.03 5. A.

d. **Open Space** (rep & rec 2002-02-002A)

With the exception of rustic structures which shall be permitted, 50% of each lot shall remain as open space.

Section 17.04 5. K. 1.

K. **B-2 SHOPPING CENTER DISTRICT.**

1. **STATEMENT OF INTENT**

The **B-2 Shopping Center District** is intended to provide for the orderly and attractive grouping at appropriate locations of retail stores, shops, offices and service establishments serving the daily needs of the surrounding local community area. The size and location of such Districts shall be based upon evidence of justifiable community need, of adequate customer potential, of satisfactory relationship to the traffic circulation system and other related facilities and of potential contribution to the economic welfare of the community.

2. **USE REGULATIONS**

a. **Permitted Uses**

The following uses shall be permitted in the **B-2 Shopping Center District**, subject to approval by the Plan Commission, of building, site and operational plans:

- (1) Retail stores and shopping, offering convenience goods and personal services.
- (2) Business, professional, public service, banking and savings and loan offices.
- (3) Customer service establishments such as restaurants, shoe repair, barber and beauty shops, studios and similar uses.
- (4) Laundromats, dry cleaning establishments and laundry or dry cleaning pick-up stations.
- (5) Dental and medical clinics.
- (6) Display galleries and training schools.
- (7) Public utility offices.

b. **Permitted Accessory Uses**

- (1) Off street parking.
- (2) Garages for storage of vehicles used only in conjunction with the operation of the business.

3. **BUILDING LOCATION**

- a. **Setback** 50 feet minimum.
- b. **Offset** 10 feet minimum.

4. **BASE HEIGHT REGULATIONS**

- a. **Principal Building** 30 feet maximum.
- b. **Accessory Structures** 12 feet maximum.

5. **AREA REGULATIONS**

- a. **District Area**
The District area shall be a minimum of 200,000 contiguous square feet.
- b. **Lot Size**
Minimum area shall be 20,000 square feet.
- c. **Lot Width**
Minimum lot width shall be 120 feet.
- d. **Floor Area**
There shall be no minimum floor area.
- e. **Open Space** (rep & rec 2002-02-002A)
With the exception of rustic structures which shall be permitted, 50% of each lot shall remain as open space.

Section 17.04 5. L. 1.

L. **B-3 BUSINESS PARK DISTRICT.**

1. **STATEMENT OF INTENT**

The **B-3 Business Park District** is intended to provide attractive settings for corporate offices and business centers. It is intended that each site created shall be in an exclusive site screened from all residentially zoned lands.

2. **USE REGULATIONS**

a. **Permitted Uses**

The following uses shall be permitted in the **B-3 Business Park District**, subject to approval by the Plan Commission, of building, site, landscape and operational plans:

- (1) Professional offices, corporate offices, administrative offices, studios, business centers and similar operations not involving retail or commercial sales, industrial use or residential use.

b. **Permitted Accessory Uses**

- (1) Off street parking, provided all lots and driveways are hard surfaced.

3. **BUILDING LOCATION**

a. **Setback** 100 feet minimum.

b. **Offset** 50 feet minimum except that where the adjacent District is a residential or agricultural District, a 100 feet minimum offset shall be required.

4. **BASE HEIGHT REGULATIONS**

a. **Principal Building** 30 feet maximum.

b. **Accessory Structures** 12 feet maximum.

5. **AREA REGULATIONS**

- a. **Lot Size**
Minimum area shall be 5 acres.
- b. **Lot Width**
Minimum lot width shall be 330 feet.
- c. **Floor Area**
There shall be no minimum floor area.
- d. **Open Space** (rep & rec 2002-02-002A)
With the exception of rustic structures which shall be permitted, 80% of each lot shall remain as open space.

6. **ADDITIONAL REGULATIONS**

- a. Building exteriors shall be of an attractive material or must be faced with an attractive material such as face brick, natural stone, wood or other substantial materials as approved by the Plan Commission.
- b. The exterior of all structures, fences, planting screens, etc., shall be kept in good condition at all times by painting, trimming or other acceptable maintenance procedures. Subsequent additions or changes in the building and grounds shall conform to or enhance the original construction and be consistent therewith.
- c. All appurtenances placed on the roof of any structure such as air conditioning unit shall be housed in a penthouse or otherwise screened from view.
- d. Outside storage of all materials shall be prohibited.

Section 17.04 5. M. 1.

M. M-1 INDUSTRIAL DISTRICT

1. STATEMENT OF INTENT

The **M-1 Industrial District** is intended to provide for the needs of those industries which require attractive settings and whose operations are such as to make them compatible and attractive neighbors in an otherwise residential community.

2. USE REGULATIONS

a. Permitted Uses

The following uses shall be permitted in the M-1 Industrial District subject to approval by the Plan Commission of building, site, landscape and operational plans:

- (1) Farming and agricultural use.
- (2) Industrial and commercial operations, the character of which complements the surrounding area and which are not for any reason detrimental thereto.
- (3) Soil processing for resale either at wholesale or retail.
- (4) Grazing.
- (5) The harvesting of wild crops such as marsh hay, ferns, moss, berries, tree fruits and tree seeds.
- (6) Hunting and fishing unless prohibited by other ordinances or laws.
- (7) Sustained yield forestry and tree farms.
- (8) Public, or private group outdoor recreational facilities whether commercial or noncommercial.
- (9) Substations and other utility installations.
- (10) Sewage treatment plants.

b. Permitted Accessory Uses

- (1) Off street parking, provided all lots and driveways are hard surfaced.

3. BUILDING LOCATION

- a. Setback** 100 feet minimum.
- b. Offset** 100 feet minimum where adjacent to a Residential or Agricultural District.
50 feet minimum where not adjacent to a Residential or Agricultural District.

4. BASE HEIGHT REGULATIONS

- a. Principal Building** 30 feet maximum.
- b. Accessory Building** 12 feet maximum.

5. AREA REGULATIONS

- a. Lot Size**
Minimum area shall be 3 acres.
- b. Lot Width**
Minimum lot width shall be 200 feet.
- c. Floor Area**
There shall be no minimum floor area.
- d. Open Space** (rep & rec 2002-02-002A)
With the exception of rustic structures which shall be permitted, 65% of each lot shall remain as open space.

6. ADDITIONAL REGULATIONS

- a.** Building exteriors must be of an attractive material or must be faced with an attractive material such as face brick, natural stone, wood or other substantial materials as approved by the Plan Commission.
- b.** The exterior of all structures, fences, planting screens, etc., shall be kept in good condition at all times by painting, trimming or other acceptable maintenance procedures. Subsequent additions or changes in the building and grounds shall conform to or enhance the original construction and be consistent therewith.

Section 17.04 5. M. 6. c.

- c.** All appurtenances placed on the roof of any structure such as air conditioning units shall be housed in a penthouse or otherwise screened from view.
- d.** All materials and all vehicles (other than employee and visitor parking), when not in use shall be stored inside except where it is demonstrated that such storage can be adequately shielded from view by planting screen or decorative fencing. In no event shall such storage be permitted within the base setback area.
- e.** All parking lots and driveways shall be hard surfaced.
- f.** Parking lots shall be shielded from adjoining properties by planting screen or decorative fencing and shall not be permitted within the base setback area.
- g.** All lands not used for buildings, parking lots, driveways, etc., shall be landscaped and kept in good appearance at all times, including required watering of lawns and shrubbery.
- h.** The site and operational plans shall include design features necessary to ensure that traffic generated by the operation, especially that involving heavy trucks, does not have an adverse effect on existing or planned roads and traffic movement considering especially adequacy, safety and efficiency.
- i.** The operation plan submitted for Plan Commission approval shall specify and quantitatively describe any noise, vibration, dust, gas, smoke, toxic matter and odors produced by the operation and plans for containing or abating such nuisance.
- j.** The planned hours of operation and nighttime lighting plans shall be included in the plan of operation submitted for Plan Commission approval.

N. P-1 PARK AND RECREATION DISTRICT

1. STATEMENT OF INTENT

The **P-1 Park and Recreation District** is intended to provide for areas where the open space and recreational needs of the citizens of the Town can be met without undue disturbance of natural resources and adjacent uses.

2. USE REGULATIONS

a. Permitted Uses.

The following uses shall be permitted in the **P-1 Park and Recreation District**, subject to the approval of the building, site, landscape and operational plans by the Town Board following recommendations by the Plan Commission and Park and Recreation Committee:

- (1) Botanical gardens and arboretums.
- (2) Public golf course.
- (3) Hiking, nonmotorized biking and nature trails.
- (4) Historic monuments or sites.
- (5) Nature preserves.
- (6) Neighborhood tot lots.
- (7) Outdoor skating rinks.
- (8) Parks and playgrounds.
- (9) Picnicking areas.
- (10) Play fields or athletic fields.
- (11) Swimming beaches.
- (12) Swimming pools.
- (13) Tennis courts.
- (14) Other recreational uses similar in nature.
- (15) Grazing.
- (16) The harvesting of wild crops such as marsh hay, ferns, moss, berries, tree fruits and tree seeds.

Section 17.04 5. N. 2. b.

- (17) Hunting and fishing unless prohibited by other ordinances or laws.
- (18) Sustained yield forestry and tree farms.
- (19) The following uses may be permitted, subject to approval of the Plan Commission after consideration of the building, site and operational plans:
 - (a) Normal crop farming consistent with the preservation of the District's character.
 - (b) Public, or private group outdoor recreation facilities whether commercial or noncommercial.
 - (c) Substations and other utility installations.
 - (d) Sewage treatment plants.

b. Permitted Accessory Uses

- (1) Buildings accessory to the permitted use.

3. BUILDING LOCATION

- a. **Setback** 100 feet minimum.
- b. **Offset** 50 feet minimum.

4. BASE HEIGHT REGULATIONS

- a. **Any Building** 25 feet.

5. AREA REGULATIONS

- a. **Lot Size**
Minimum area shall be 1 acre.
- b. **Lot Width**
Minimum lot width shall be 150 feet.
- c. **Floor Area**
There shall be no minimum floor area.
- d. **Open Space** (rep & rec 2014-03)
With the exception of rustic structures which shall be permitted, Ninety Percent (90%) of each lot shall remain as open space except as follows: (1) The footprint of rustic structures shall not be counted as impervious area in the open space calculation. (2) The open space may be reduced pursuant to a conditional use for public and semi-public buildings and uses, granted pursuant to Section 17.05 5. AH., provided that the open space is not reduced below 60%.

O. WF-1 WETLAND-FLOODPLAIN DISTRICT

1. STATEMENT OF INTENT

The WF-1 Wetland-Floodplain District is intended to protect environmentally sensitive wetlands and areas included in designated floodplains.

2. USE REGULATIONS

a. Permitted Uses

- (1) Grazing.
- (2) The harvesting of wild crops such as marsh hay, ferns, moss, berries, tree fruits and tree seeds.
- (3) Hunting and fishing unless prohibited by other ordinances or laws.
- (4) Sustained yield forestry and tree farms.
- (5) The following uses may be permitted, subject to approval of the Plan Commission after consideration of the building, site and operational plans:
 - (a) Normal crop farming consistent with the preservation of the wetland character.
 - (b) Public, or private group outdoor recreation facilities whether commercial or noncommercial.
 - (c) Substations and other utility installations.
 - (d) Sewage treatment plants.

b. Permitted Accessory Uses

- (1) Nonresidential structures used solely in conjunction with the raising of water fowl, minnows and other similar lowland animals, fowl or fish.
- (2) Outdoor recreational structures.
- (3) Any other structure or use normally accessory to the principal uses permitted.

Section 17.04 5. O. 3. a.

3. BUILDING LOCATION

- a. Setback** 100 feet minimum.
- b. Offset** 100 feet minimum.

4. BASE HEIGHT REGULATIONS

- a. Any Structure** 30 feet maximum.

5. AREA REGULATIONS

There shall be no minimum or maximum Area Regulations.

6. ADDITIONAL REGULATIONS

- a.** The filling or drainage of marsh or wetlands, removal of topsoil or peat, the creation of ponds, damming or relocating of any watercourse shall not be permitted except with the approval of the Plan Commission.
- b.** Such approval may be granted only after determination by the Town Engineer and the Commission that the proposed alteration in the existing conditions will not create an adverse effect in terms of surface drainage, groundwater recharge potential, potential flooding, storage capacity of any floodland, sewage disposal or the value of the surrounding properties.
- c.** Where any such approved alteration of the existing conditions in Wetland-Floodplain District results in eliminating the Wetland-Floodplain characteristics, the corrected District boundaries shall be established by processing a zoning map change for such revised boundary and proposed new District classification for the reclaimed lands.

P. C-1 UPLAND ENVIRONMENTAL CORRIDOR OVERLAY DISTRICT (created 05-003)

1. STATEMENT OF INTENT.

The Upland Environmental Corridor Overlay District is intended to be used to preserve, protect, enhance, and restore significant woodlands, upland wildlife habitat areas, scenic overlooks, slopes exceeding 12%, and upland wooded areas, while also affording an opportunity to use the site for limited residential purposes. The Upland Environmental Corridor Overlay District superimposes certain additional restrictions and requirements upon a basic underlying zoning district without disturbing the requirements of the basic district. When there is a conflict in requirements, the more strict requirements shall apply.

2. USE REGULATIONS.

a. Permitted Uses:

- (1.) Any uses permitted in the WF-1 Wetland-Floodplain District.
- (2.) Single family dwellings.
- (3.) Keeping poultry and domestic livestock, if allowed in the underlying zoning district, except that the keeping of hogs, male goats or fur bearing animals shall not be permitted on less than twenty (20) acres.

b. Permitted Accessory Uses:

The following accessory buildings and uses, subject to the conditions specified and if allowed in the underlying zoning district.

- (1.) Private garages, when located on the same lot, and not involving the conduct of a business; provided, however, that no private garage shall be erected unless that principal building to which such garage is an accessory use has been erected or is to be erected simultaneously with said garage.

3. BUILDING LOCATION.

a. Setback: In accordance with the underlying zoning district.

b. Offset: In accordance with the underlying zoning district.

4. BASE HEIGHT REGULATIONS.

a. Principal Building: In accordance with the underlying zoning district.

b. Accessory Building: In accordance with the underlying zoning district.

Section 17.04 5. P. 5.

5. AREA REGULATIONS.

a. Floor Area: In accordance with the underlying zoning district

b. Lot Size:

(1.) Minimum area: the overall density of parcels lying entirely within the Upland Environmental Corridor shall not be less than one dwelling unit per five (5) acres of corridor area, with no lot area being less than 30,000 square feet size. On parcels which contain area outside of the environmental corridor or partially within the environmental corridor and in a zoning category requiring less than a five (5) acre lot, the five (5) acre density requirement shall not apply and the lot can be the size required for that zoning category as long as any earth altering activity and/or building envelopes are located outside of the corridor area and appropriately restricted as such on the face of the Certified Survey Map, Subdivision Plat or other appropriate matter and recorded in the office of the Register of Deeds. The overall goal of this requirement is to obtain a maximum density of building activity within the environmental corridor of not more than one (1) dwelling unit for each five (5) acres of environmental corridor lands.

c. Preservation of Open Space:

(1.) For parcels lying entirely within an Upland Environmental Corridor Zoning District, all earth altering activities and vegetative removal shall comply with the following performance standards:

A. Building Sites: Land disturbance shall be limited to an area extending no more than twenty-five (25) feet from three sides of the Development Envelope, and 35 feet from the fourth side of the Development Envelope, as defined by this Code.

B. Drives and accesses: Land disturbance shall not exceed twenty feet in width extending from the edge of roadway to the area of Development Envelope disturbance.

C. Sanitation: Private on-site sanitary systems in approved locations and required to serve permitted uses of the property shall be permitted in addition to the Development Envelope performance standards described herein

(2.) For parcels which lie partially within and partially outside of the environmental corridor, the area of disturbance shall be limited to the area outside of the upland environmental corridor unless otherwise permitted by a Development Envelope on the certified survey map, subdivision plat or other document so designated by the Town Plan Commission. In instances where drives and accesses are required to extend through the upland environmental corridor in order to reach an approved Development Envelope outside of the upland environmental corridor, all such drives and accesses shall not exceed twenty feet in width within the corridor.

17.04 5. Q PLO PEWAUKEE LAKE NON-SHORELINE REDEVELOPMENT OVERLAY DISTRICT (created 05-003)

1. STATEMENT OF INTENT.

The Pewaukee Lake Redevelopment Overlay District is intended to be used to promote the redevelopment of off-lake lands, which are proximate to Pewaukee Lake, through the consolidation of parcels and reconfiguration of buildable lands, where the application of modern site development standards to off-lake properties is hindered by their original and obsolete platting. Obsolete platting characteristics include faulty lot layouts in relation to size, adequacy, accessibility and usefulness. When there is a conflict in requirements, the more strict requirements shall apply.

2. USE REGULATIONS.

- a. **Permitted Uses:** In accordance with the underlying zoning district.
- b. **Permitted Accessory Uses:** In accordance with the underlying zoning district.

3. BUILDING LOCATION.

- a. **Setback:** In accordance with the underlying zoning district.
- b. **Offset:** In accordance with the underlying zoning district.

4. BASE HEIGHT REGULATIONS.

- a. **Principal Building:** In accordance with the underlying zoning district.
- b. **Accessory Building:** In accordance with the underlying zoning district.

5. AREA REGULATIONS.

- a. **Floor Area:** In accordance with the underlying zoning district
- b. **Lot Size:** In accordance with the underlying zoning district.
- c. **Preservation of Open Space:** In accordance with the underlying zoning district