

## Memo

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**DATE:** January 4, 2024

**TO:** Town of Clayton

**FROM:** Jeff Kussow  
Community Planner/Code Administrator, Cedar Corporation

**SUBJECT:** **Zoning Map Review/Update &  
Agribusiness (A-1) Zoning District Discussion**

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### Zoning Map Review/Update:

Several errors have been identified on the zoning map which will need to be addressed. Rezonings since at least 2020 and numerous rezonings prior to 2020 are not reflected on the Town's zoning map. Cedar Corporation has been analyzing and reviewing the existing Town Zoning Map against the County-maintained zoning map for the Town, and making corrections as necessary.

As part of this review process, Cedar Corporation has reviewed all 34 rezonings which were approved by the Town since 2020 to incorporate those rezonings on the Town Zoning Map. As a result of this review:

- **18 of the rezonings approved by the Town since 2020 are not accurately reflected on the County-maintained zoning map for the Town.** Per the Town Clerk, all rezonings approved by the Town since November 2022 were submitted to the County for County Board approval, but apparently have not been processed and approved by County Board.
- **50 discrepancies between the Town Zoning Map and the County-maintained zoning map remain which could not be determined/verified.**

### Suggested Actions:

1. Review and resolve remaining 50 discrepancies between the Town Zoning Map and the County-maintained zoning map to create a "Pre-Final" Town Zoning Map by:
  - a. Consulting with tenured Plan Commission members and/or Town staff to determine correct zoning and resolve all or some of the remaining discrepancies;  
AND/OR
  - b. Reviewing rezonings approved by the Town prior to 2020 to determine if pre-2020 rezonings resolve all or some of the remaining discrepancies.
2. Identify remaining errors on the County-maintained zoning map and forward to County for correction of the County-maintained zoning map. All errors forwarded to County will need to have supporting documentation verifying the correct zoning district (e.g., Town rezoning ordinances, meeting packets, and/or meeting minutes).

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### Agribusiness (A-1) Zoning District Discussion:

The Town previously opted to no longer participate in the Farmland Preservation Program and, as a result, does not have a DATCP-certified Farmland Preservation Zoning Ordinance. The Town's Agribusiness (A-1) zoning district and the County's Agribusiness (A-1) zoning district (only applicable in shoreland areas) were the DATCP-certified farmland preservation zoning district.

Since the Town no longer participates in the Farmland Preservation Program, the Town is no longer required to have any parcels in the A-1 zoning district or even maintain an A-1 zoning district within the Town Zoning Ordinance.

*(Note: In fall/winter 2022, Winnebago County provided Clayton landowners with parcels in A-1 zoning the option to rezone the shoreland portions of their parcels out of the A-1 zoning district. 12 landowners took advantage of the County's option and the shoreland portions of 35 parcels were rezoned out of the A-1 zoning district. The non-shoreland portions of those parcels remain in the A-1 zoning district.)*

Potential options the Town may pursue:

1. Do nothing; keep the A-1 zoning district within the Town Zoning Ordinance, as is. As part of this option the Town *could*:
  - a. Offer property owners the option to rezone parcels within the A-1 zoning district to the less restrictive General Agriculture (A-2) zoning district; OR
  - b. Rezone all properties within the “Working Lands Overlay” on the Town Future Land Use Map to the A-1 zoning district to work towards achieving the intent and policies of the “Working Lands Overlay” described in the Town Comprehensive Plan.
2. Keep the A-1 zoning district within the Town Zoning Ordinance, but amend the district description and associated requirements/regulations to be less restrictive while maintaining the core intent of the A-1 zoning district (i.e., accommodate agricultural uses, production, and related support services, and restrict/prohibit urban and certain non-agricultural uses). As part of this option the Town *could*:
  - a. Offer property owners the option to rezone parcels within the A-1 zoning district to the less restrictive General Agriculture (A-2) zoning district; OR
  - b. Rezone all properties within the “Working Lands Overlay” on the Town Future Land Use Map to the A-1 zoning district to work towards achieving the intent and policies of the “Working Lands Overlay” described in the Town Comprehensive Plan.
3. Use the “Working Lands Overlay” on the Town Future Land Use Map to create and map a new overlay zoning district (*which would mirror the “Working Lands Overlay” and be a more restrictive zoning district than the A-2 zoning district*) to achieve the intent and policies of the “Working Lands Overlay” described in the Town Comprehensive Plan.
4. Remove the A-1 zoning district from the Town Zoning Ordinance and rezone all parcels within the A-1 zoning district to the less restrictive A-2 zoning district. As part of this option, the Town would still exercise the “Working Lands Overlay” policy described in the Town Comprehensive Plan which requires a comprehensive plan amendment to remove the “Working Lands Overlay” when non-farm related development is proposed.

The following are descriptions of the A-1 and A-2 zoning districts per the Town Zoning Ordinance:

- *Agribusiness (A-1) District.* *This district is intended to accommodate large-scale agricultural uses and related support services. It includes those areas of the town where productive agricultural lands predominate and can be used for the production of forest products, crops, and livestock, including large livestock operations. Because the primary intent of this district is agricultural production, incompatible urban uses are not permitted. It is designed to meet the requirements of a certified farmland preservation zoning ordinance under ch. 91, Wis. Stats.*
- *General Agriculture (A-2) District.* *This district is intended to accommodate both large and small-scale farms and hobby farms. Although scattered residential lots are allowed, agriculture is the predominant land use. This district should be located in those areas*

*suitable for agriculture, but not for large-scale agricultural operations, and adjacent to urbanizing areas.*

Policies of the “Working Lands Overlay” described in the Town Comprehensive Plan include the following:

1. *Working Lands as identified in the Town of Clayton Comprehensive Plan shall be recommended for inclusion into the Winnebago County Farmland Preservation Plan, should one be developed in the future. However, since the farmland preservation plan is a county administered process by statute (Wis. Stats Chapter 91), the county will ultimately decide what lands based on criteria will be submitted to DATCP for certification. Since the Town has established criteria for the identified Working Lands, it is likely these lands would meet DATCP requirements.*
2. *A comprehensive plan amendment will be required for non-farm related development in areas designated Working Lands.*
3. *It is envisioned that the inclusion of designating Working Lands as part of the Future Land Use Plan will provide better direction in balancing agricultural activity with the location of future residential development. This should improve compatibility between the two uses, which in the past has clashed because of a lack of land use planning and proper implementation. The designation of established Working Land areas also drives development into areas which are planned to have a higher level of public infrastructure supporting it such as municipal water and sewer service.*

A copy of the Town Future Land Use Map with the “Working Lands Overlay” is enclosed with this memo for your reference.

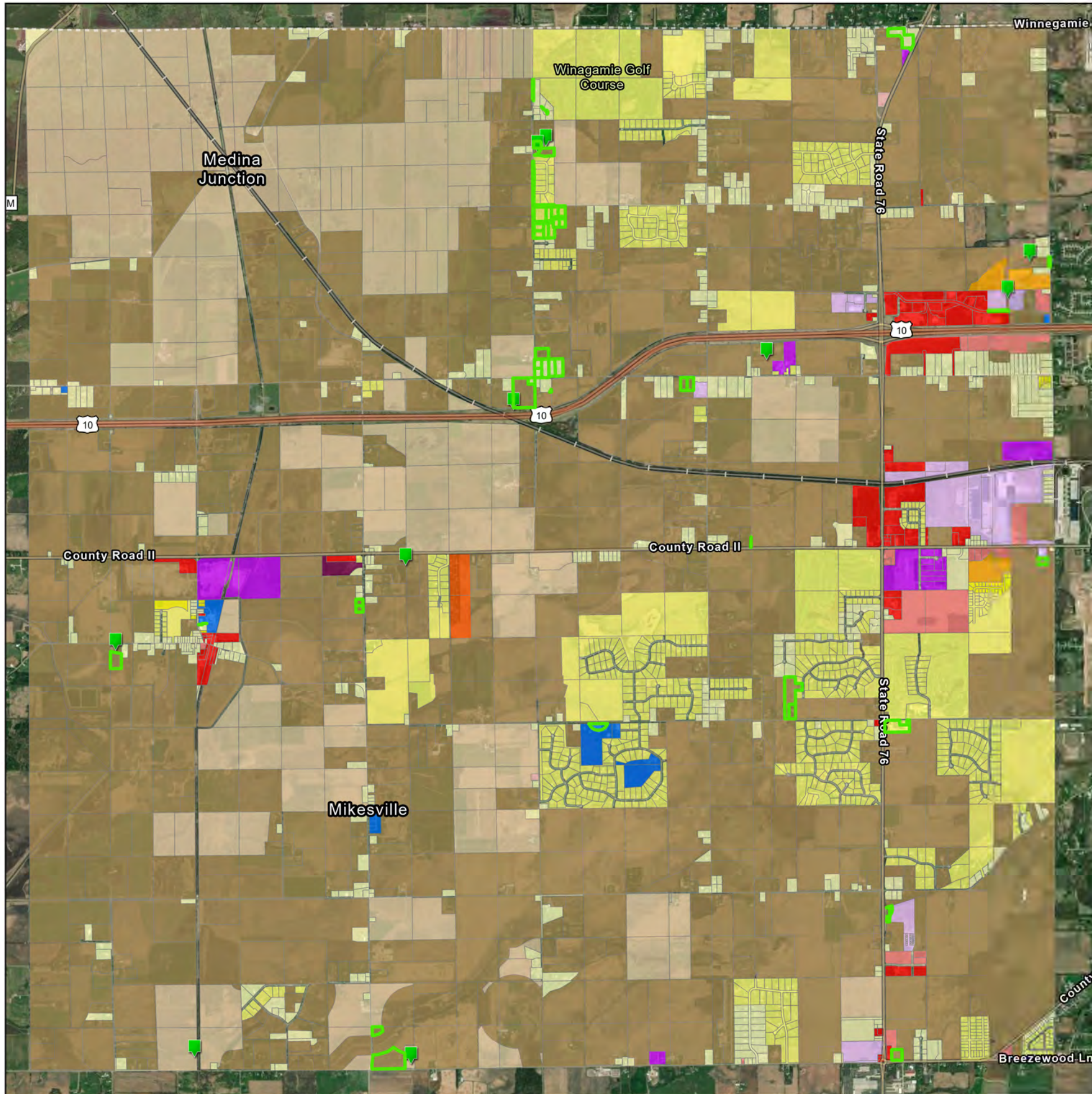
Copies of the following Town Zoning Ordinance sections/exhibits are enclosed with this memo for your reference:

- *Exhibit 8-1, Land Use Matrix*, identifying land uses allowed in all zoning districts, particularly the A-1 and A-2 zoning districts.
- *Exhibit 8-2, Dimensional Standards by Zoning District*, identifying nonfarm residential lot density requirements for the A-1 zoning district and other dimensional standards for both the A-1 and A-2 zoning districts.

# Town of Clayton

## Winnebago County

### Zoning Discrepancies



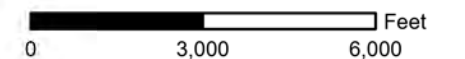
- A-1 Agribusiness
- P-1 Public Institutional
- A-2 General Agriculture
- PDD Planned Development
- B-1 Local Service Business
- R-1 Rural Residential
- B-2 Community Business
- R-2 Suburban Residential
- B-3 General Business
- R-3 Two-Family Residential
- I-1 Light Industrial
- R-4 Multi-Family Residential
- I-2 Heavy Industrial
- R-8 Manufactured Housing Community
- M-1 Mixed-Use

Discrepancies

Parcel ID	Notes
600060201	??? (Needs further review; R-1 per 2/11/20 PDF Town Zoning Map; A-2 per Co Map)
6005502	??? (Needs further review; R-2 per 2/11/20 PDF Town Zoning Map; A-2 per Co Map)
6005503	??? (Needs further review; A-2 per 2/11/20 PDF Town Zoning Map; R-1 per Co Map)
6029602	??? (Needs further review; A-2 per 2/11/20 PDF Town Zoning Map & Co Map, but layout suggests rezoning to R-1)
602960201	??? (Needs further review; A-2 per 2/11/20 PDF Town Zoning Map & Co Map, but layout suggests rezoning to R-1)
602960202	??? (Needs further review; A-2 per 2/11/20 PDF Town Zoning Map & Co Map, but layout suggests rezoning to R-1)
602960203	??? (Needs further review; A-2 per 2/11/20 PDF Town Zoning Map & Co Map, but layout suggests rezoning to R-1)
602960204	??? (Needs further review; A-2 per 2/11/20 PDF Town Zoning Map & Co Map, but layout suggests rezoning to R-1)
6029604	??? (Needs further review; A-2 per 2/11/20 PDF Town Zoning Map; A-2 per Co Map; layout suggests rezoning to R-1)
6032602	??? (Needs further review; PIN 006032703 rezoned to R-4 via Town Ord 2021-2006, but may have never been finalized due to lack of sale)
6034302	??? (Needs further review; ROW; A-2 or I-1 to match adjacent zoning)
6039503	??? (Needs further review; A-2 per 2/11/20 PDF Town Zoning Map; R-1 per Co Map)
6039504	??? (Needs further review; A-2 per 2/11/20 PDF Town Zoning Map; R-1 per Co Map)
604050404	??? (Needs further review; R-1 to match rest of parcel?; R-1 per 2/11/20 PDF Town Zoning Map; A-2 per Co Map)
60423	??? (Needs further review; A-2 per 2/11/20 PDF Town Zoning Map; A-1 per Co Map)
60424	??? (Needs further review; A-2 per 2/11/20 PDF Town Zoning Map & Co Map)
6052002	??? (Needs further review; A-2 per 2/11/20 PDF Town Zoning Map; R-3 per Co Map)
6053101	??? (Needs further review; A-2 per 2/11/20 PDF Town Zoning Map; R-1 per Co Map)
6053104	??? (Needs further review; A-2 per 2/11/20 PDF Town Zoning Map; R-1 per Co Map)
605350302	??? (Needs further review of packet to confirm rezoning associated w/ Town Ord 2020-2005)
605350304	??? (Needs further review of packet to confirm rezoning associated w/ Town Ord 2020-2005)
60615	??? (Needs further review; I-1; See Salm/Eckstein CSM/rezoning approved 12/21/22; lot line/zoning map issues)
606450101	??? (Needs further review; landscaping contractor; A-2?; R-2 per 2/11/20 PDF Town Zoning Map; A-2 per Co Map)
6068301	??? (Needs further review; P-1 per 2/11/20 PDF Town Zoning Map; R-2 per Co Map; County error?; public park)
6083401	??? (Needs further review; A-2 per 2/11/20 PDF Town Zoning Map; A-1 per Co Map)
6089506	??? (Needs further review; I-2?; I-2 per 2/11/20 PDF Town Zoning Map; A-2 per Co Map; was rezoning sent to Co?)
609010304	??? (Needs further review; western half B-2 & eastern half A-2 per 2/11/20 PDF Town Zoning Map; B-2 per Co Map)
6135001	??? (Needs further review; R-2 per 2/11/20 PDF Town Zoning Map; A-2 per Co Map)
61352	??? (Needs further review; R-2 per 2/11/20 PDF Town Zoning Map; A-2 per Co Map)
61353	??? (Needs further review; R-2 per 2/11/20 PDF Town Zoning Map; A-2 per Co Map)
61354	??? (Needs further review; R-2 per 2/11/20 PDF Town Zoning Map; A-2 per Co Map)
61355	??? (Needs further review; R-2 per 2/11/20 PDF Town Zoning Map; A-2 per Co Map)
61356	??? (Needs further review; R-2 per 2/11/20 PDF Town Zoning Map; A-2 per Co Map)
61357	??? (Needs further review; R-2 per 2/11/20 PDF Town Zoning Map; A-2 per Co Map)
61358	??? (Needs further review; R-2 per 2/11/20 PDF Town Zoning Map; A-2 per Co Map)
61359	??? (Needs further review; R-2 per 2/11/20 PDF Town Zoning Map; A-2 per Co Map)
61360	??? (Needs further review; R-2 per 2/11/20 PDF Town Zoning Map; A-2 per Co Map)
6140401	??? (Needs further review; A-2 per 2/11/20 PDF Town Zoning Map; R-2 per Co Map)
6140402	??? (Needs further review; A-2 per 2/11/20 PDF Town Zoning Map; R-2 per Co Map)
ROW	??? (Needs further review; R-2 per 2/11/20 PDF Town Zoning Map; A-2 per Co Map)



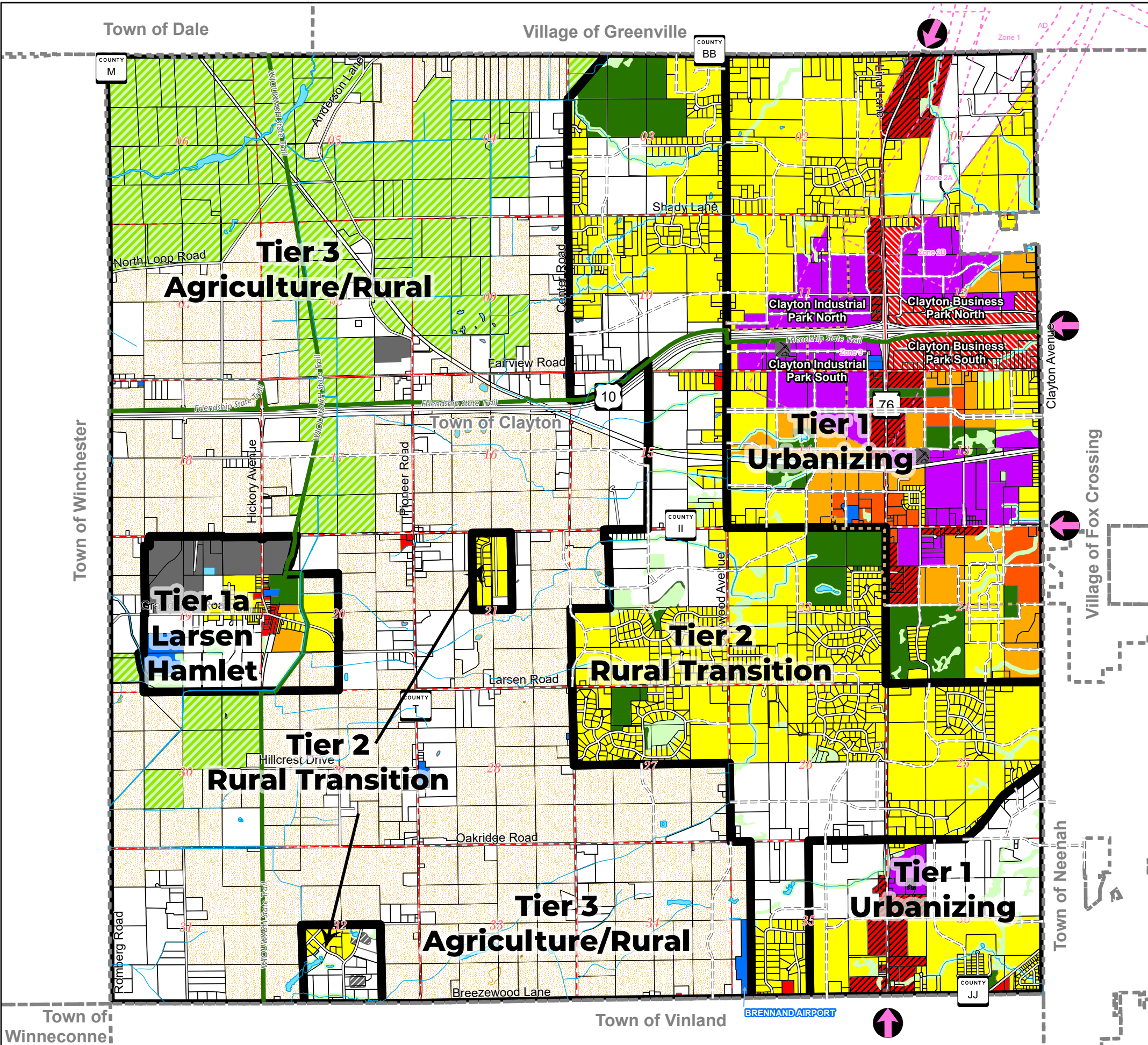
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# Town of Clayton Winnebago County

## Future Land Use (2040)

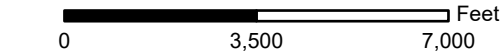


- Agriculture/Rural
- Conservation/Greenspace
- DNR Property
- Working Lands
- Residential - Single and Duplex
- Medium and High Density Residential
- Neighborhood Center Mixed Use
- Business
- Business Park
- Gateway Commercial & Retail
- Light Industrial, Warehousing, and Distribution
- Utilities and Public Facilities
- Parks and Recreation
- Abandoned Landfill Site
- Open Water/Pond/Lake
- Non-Metallic Mining Sites
- Other Non-Metallic Mining Sites

### Other Features

- Tiered Development Boundaries
- Cities, Towns, & Villages
- Sections
- Parcels
- Airport Zoning
- Town of Clayton Sanitary District #1
- Roads
- Future Roads
- Recreation Trails
- Navigable Waterways
- Commercial Gateways


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Exhibit 8-1. Land use matrix

1	Agriculture	Review	Special Standards	Base Zoning District														
				A-1	A-2	R-1	R-2	R-3	R-4	R-8	P-1	B-1	B-2	B-3	M-1	I-1	I-2	
1.01	Agriculture-related use	ZP,SP	9.08-231	C	C	-	-	-	-	-	-	-	-	-	-	-	P	C
1.02	Agriculture, crop	-	9.08-232	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
1.03	Agriculture, general, fewer than 500 animal units	-	9.08-233	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-
1.04	Agriculture, general, 500 animal units or more	ZP	9.08-233	S	C	-	-	-	-	-	-	-	-	-	-	-	-	-
1.05	Greenhouse	ZP,SP	9.08-234	P	P	-	-	-	-	-	-	-	C	C	-	C	C	C
<b>2 Resource-Based Uses</b>																		
2.01	Dam [1]	ZP,SP	9.08-241	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
2.02	Forestry	-	9.08-242	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
2.03	Hunting preserve	ZP,SP	9.08-243	-	C	-	-	-	-	-	-	-	-	-	-	-	C	C
2.04	Sewage sludge disposal	-	9.08-244	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
2.05	Wildlife park	ZP,SP	9.08-245	-	C	-	-	-	-	-	-	-	-	-	-	-	C	C
<b>3 Residential</b>																		
3.01	Mixed-use housing	ZP,SP	9.08-251	-	-	-	-	-	-	-	-	-	C	P	P	-	-	-
3.02	Manufactured housing community	ZP,SP	9.08-252	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-
3.03	Multifamily building, 3-4 units	ZP, SP	9.08-253	-	-	-	-	-	P	-	-	-	-	C	P	-	-	-
3.03	Multifamily building, 5-8 units	ZP, SP	9.08-253	-	-	-	-	-	P	-	-	-	-	C	C	-	-	-
3.03	Multifamily building, 9 or more units	ZP, SP	9.08-253	-	-	-	-	-	C	-	-	-	-	-	C	-	-	-
3.04	Single-family dwelling [2]	ZP	9.08-254	C	P	P	P	P	-	-	-	-	-	-	-	-	-	-
3.05	Townhouse, 3-4 units	ZP,SP	9.08-255	-	-	-	-	-	P	-	-	-	-	C	P	-	-	-
3.05	Townhouse, 5-8 units	ZP,SP	9.08-255	-	-	-	-	-	P	-	-	-	-	C	C	-	-	-
3.05	Townhouse, 9 or more units	ZP,SP	9.08-255	-	-	-	-	-	C	-	-	-	-	-	C	-	-	-
3.06	Twin home	ZP	9.08-256	-	-	-	-	-	P	P	-	-	-	-	-	P	-	-
3.07	Two-family building, 2 units	ZP	9.08-257	-	-	-	-	-	P	P	-	-	-	-	C	P	-	-
<b>4 Special Care Facilities</b>																		
4.01	Adult family home	ZP	9.08-261	-	-	P	P	P	P	-	-	-	-	-	-	-	-	-
4.02	Community living arrangement, 8 or fewer residents [3]	ZP	9.08-262	-	-	P	P	P	P	-	-	-	-	-	-	-	-	-
4.02	Community living arrangement, 9-15 residents [3]	ZP, SP	9.08-262	-	-	P	P	P	P	-	-	-	-	-	-	-	-	-
4.02	Community living arrangement, 16 or more residents [3]	ZP,SP	9.08-262	-	-	P	P	P	P	-	-	-	-	-	-	-	-	-
4.03	Foster home and treatment foster home [4]	ZP	9.08-263	-	-	P	P	P	P	-	-	-	-	-	-	-	-	-
4.04	Group day care center [5]	ZP,SP	9.08-264	-	-	-	-	C	C	-	-	P	P	P	P	C	C	C
4.05	Hospice care center	ZP,SP	9.08-265	-	C	C	C	C	P	-	-	C	C	P	C	-	-	-
4.06	Nursing home	ZP,SP	9.08-266	-	-	C	C	C	P	-	-	-	C	P	C	-	-	-
4.07	Retirement home	ZP,SP	9.08-267	-	-	C	C	C	P	-	-	-	C	P	C	-	-	-
4.08	Temporary shelter [6]	ZP,SP	9.08-268	-	-	-	-	-	-	-	-	-	C	C	C	-	-	-
<b>5 Group Accommodations [7]</b>																		
5.01	Boardinghouse	ZP,SP	9.08-271	-	-	-	-	-	C	-	-	-	C	P	C	-	-	-
5.02	Campground	ZP,SP	9.08-272	-	C	-	-	-	-	-	C	-	-	C	-	-	-	-
5.03	Group recreation camp	ZP,SP	9.08-273	-	C	-	-	-	-	-	C	-	-	C	-	-	-	-
5.04	Migrant labor camp [8]	ZP,SP	9.08-274	C	C	-	-	-	-	-	-	-	-	-	-	-	-	-
5.05	Overnight lodging	ZP,SP	9.08-275	-	-	-	-	-	-	-	-	-	C	P	P	-	-	-
5.06	Resort	ZP,SP	9.08-276	-	C	-	-	-	-	-	-	-	C	P	C	-	-	-
<b>6 Food and Beverage Sales</b>																		
6.01	Brewpub	ZP, SP	9.08-281	-	-	-	-	-	-	-	-	-	C	P	P	C	-	-
6.02	Restaurant	ZP, SP	9.08-282	-	-	-	-	-	-	-	-	-	C	P	P	P	-	-
6.03	Tavern	ZP, SP	9.08-283	-	-	-	-	-	-	-	-	-	C	P	P	C	-	-

continued on next page

Exhibit 8-1. Land use matrix – continued

7	Vehicle Rental, Sales, and Service	Review	Special Standards	Base Zoning District														
				A-1	A-2	R-1	R-2	R-3	R-4	R-8	P-1	B-1	B-2	B-3	M-1	I-1	I-2	
7.01	Heavy vehicle sales and rental	ZP,SP	9.08-291	-	-	-	-	-	-	-	-	-	-	-	C	-	P	C
7.02	Truck stop	ZP,SP	9.08-292	-	-	-	-	-	-	-	-	-	-	-	C	-	C	C
7.03	Vehicle fuel station	ZP,SP	9.08-293	-	-	-	-	-	-	-	-	-	-	C	P	C	C	C
7.04	Vehicle repair shop	ZP,SP	9.08-294	-	-	-	-	-	-	-	-	-	-	C	P	-	C	C
7.05	Vehicle sales and rental	ZP,SP	9.08-295	-	-	-	-	-	-	-	-	-	-	C	P	-	C	-
7.06	Vehicle service shop	ZP,SP	9.08-296	-	-	-	-	-	-	-	-	-	-	C	P	-	C	C
7.07	Vehicle storage yard	ZP,SP	9.08-297	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C
<b>8 General Sales</b>																		
8.01	Convenience retail sales	ZP,SP	9.08-301	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-
8.02	General retail sales	ZP,SP	9.08-302	-	-	-	-	-	-	-	-	-	-	C	P	P	C	-
8.03	General retail sales, large format	ZP,SP	9.08-303	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-
8.04	Outdoor sales	ZP,SP	9.08-304	-	-	-	-	-	-	-	-	-	-	C	C	P	-	C
<b>9 General Services</b>																		
9.01	Administrative services	ZP,SP	9.08-311	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-
9.02	Adult-oriented establishment	ZP,SP	9.08-312	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-
9.03	Body-piercing establishment	ZP,SP	9.08-313	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-
9.04	Commercial kennel	ZP,SP	9.08-314	-	C	-	-	-	-	-	-	-	-	C	P	P	C	-
9.05	Commercial stable	ZP,SP	9.08-315	-	C	-	-	-	-	-	-	-	-	-	-	-	C	-
9.06	Equipment rental, large	ZP,SP	9.08-316	-	-	-	-	-	-	-	-	-	-	-	C	-	P	C
9.07	Equipment rental, small	ZP,SP	9.08-317	-	-	-	-	-	-	-	-	-	-	C	P	-	-	-
9.08	Financial services	ZP,SP	9.08-318	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-
9.09	Funeral home	ZP,SP	9.08-319	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-
9.10	General repair	ZP,SP	9.08-320	-	-	-	-	-	-	-	-	-	-	C	P	P	P	C
9.11	General services	ZP,SP	9.08-321	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-
9.12	Health care clinic	ZP,SP	9.08-322	-	-	-	-	-	-	-	-	-	-	C	C	P	P	P
9.13	Health care center	ZP,SP	9.08-323	-	-	-	-	-	-	-	-	-	-	C	-	C	P	P
9.14	Instructional services	ZP,SP	9.08-324	-	-	-	-	-	-	-	-	-	-	C	P	P	P	C
9.15	Landscape business	ZP,SP	9.08-325	-	C	-	-	-	-	-	-	-	-	-	C	-	P	-
9.16	Professional services	ZP,SP	9.08-326	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-
9.17	Tattoo establishment	ZP,SP	9.08-327	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-
9.18	Veterinary clinic, general [9]	ZP,SP	9.08-328	C	C	-	-	-	-	-	-	-	-	-	C	-	C	-
9.19	Veterinary clinic, small animal [9]	ZP,SP	9.08-329	C	C	-	-	-	-	-	-	-	-	C	P	P	P	C
<b>10 Recreation and Entertainment</b>																		
10.01	Driving range	ZP,SP	9.08-341	-	C	-	-	-	-	-	-	-	-	-	C	-	C	-
10.02	Golf course	ZP,SP	9.08-342	-	C	C	C	C	C	C	-	C	-	-	-	-	-	C
10.03	Indoor entertainment	ZP,SP	9.08-343	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-
10.04	Indoor recreation	ZP,SP	9.08-344	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-
10.05	Outdoor entertainment	ZP,SP	9.08-345	-	-	-	-	-	-	-	-	-	-	C	P	-	C	-
10.06	Outdoor recreation	ZP,SP	9.08-346	-	-	-	-	-	-	-	-	-	-	C	-	C	C	-
10.07	Outdoor shooting range	ZP,SP	9.08-347	-	C	-	-	-	-	-	-	-	-	C	-	-	-	C
<b>11 Government and Community Services</b>																		
11.01	Administrative government center	ZP,SP	9.08-351	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-
11.02	Animal shelter	ZP,SP	9.08-352	-	C	-	-	-	-	-	-	-	-	P	-	-	-	-
11.03	Cemetery [10]	ZP,SP	9.08-353	C	C	-	-	-	-	-	-	-	-	P	C	C	C	-
11.04	Civic use facility	ZP,SP	9.08-354	-	-	-	-	-	-	-	-	-	-	P	-	-	P	-
11.05	Community center	ZP,SP	9.08-355	-	C	C	C	C	C	C	-	P	C	P	P	P	C	-
11.06	Community cultural facility	ZP,SP	9.08-356	-	-	-	-	-	-	-	-	-	-	P	C	P	P	P
11.07	Community garden	ZP,SP	9.08-357	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

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Exhibit 8-1. Land use matrix – continued

	Review	Special Standards	Base Zoning District													
			A-1	A-2	R-1	R-2	R-3	R-4	R-8	P-1	B-1	B-2	B-3	M-1	I-1	I-2
<b>11 Government and Community Services - cont.</b>																
11.08 Correctional facility	ZP,SP	9.08-358	-	-	-	-	-	-	-	-	C	-	-	-	-	-
11.09 Educational facility, pre-K through 12	ZP,SP	9.08-359	-	C	C	C	C	C	-	P	C	P	P	P	-	-
11.10 Educational facility, post-secondary	ZP,SP	9.08-360	-	-	-	-	-	-	-	P	C	P	P	P	C	-
11.11 Maintenance garage	ZP,SP	9.08-361	-	-	-	-	-	-	-	P	-	-	-	-	-	-
11.12 Park	ZP,SP	9.08-362	-	-	-	-	-	-	-	P	-	-	-	-	-	-
11.13 Public safety facility	ZP,SP	9.08-363	-	-	-	-	-	-	-	P	-	-	-	-	-	-
11.14 Recreation trail [10]	-	9.08-364	C	P	P	P	P	P	P	P	P	P	P	P	P	P
11.15 Worship facility [10]	ZP,SP	9.08-365	C	C	C	C	P	P	-	P	P	P	P	P	C	-
<b>12 Telecommunications and Utilities [11]</b>																
12.01 Solar energy system	ZP,SP	9.08-371	na	na	na	na	na	na	na	na	na	na	na	na	na	na
12.02 Stormwater management facility [1]	ZP	9.08-372	C	P	P	P	P	P	P	P	P	P	P	P	P	P
12.03 Telecommunication facility, concealed [1]	ZP,SP	9.08-373	C	P	P	P	P	P	P	P	P	P	P	P	P	P
12.04 Telecommunication facility, unconcealed [1]	ZP,SP	9.08-374	C	C	-	-	-	-	-	C	C	C	C	-	P	P
12.05 Utility installation, major [1]	ZP,SP	9.08-375	C	C	C	C	C	C	C	C	C	C	C	C	P	P
12.06 Utility installation, minor [1]	ZP	9.08-376	C	P	P	P	P	P	P	P	P	P	P	P	P	P
12.07 Utility maintenance yard	ZP,SP	9.08-377	-	C	-	-	-	-	-	C	-	-	-	-	P	P
<b>13 Transportation</b>																
13.01 Airport	ZP,SP	9.08-381	-	C	C	C	-	-	-	C	-	-	-	-	P	P
13.02 Bus storage facility	ZP,SP	9.08-382	-	C	-	-	-	-	-	C	-	C	C	C	P	P
13.03 Mass transit terminal	ZP,SP	9.08-383	-	-	-	-	-	-	-	C	-	P	P	P	C	-
13.04 Off-site parking lot	ZP,SP	9.08-384	-	-	-	-	-	-	-	C	C	P	P	P	C	-
13.05 Parking structure	ZP,SP	9.08-385	-	-	-	-	-	-	-	C	-	-	P	P	C	-
13.06 Park-and-ride lot	ZP,SP	9.08-386	-	C	C	C	C	C	-	C	C	P	P	C	C	C
13.07 Railroad line [1]	-	9.08-387	C	P	P	P	P	P	P	C	P	P	P	P	P	P
13.08 Street [1]	-	9.08-388	C	P	P	P	P	P	P	C	P	P	P	P	P	P
<b>14 General Storage</b>																
14.01 Bulk fuel storage	ZP,SP	9.08-401	-	-	-	-	-	-	-	-	-	-	-	-	P	P
14.02 Personal storage facility	ZP,SP	9.08-402	-	C	-	-	-	-	-	-	-	-	C	-	P	C
14.03 Truck terminal	ZP,SP	9.08-403	-	-	-	-	-	-	-	-	-	-	-	-	P	P
14.04 Warehouse	ZP,SP	9.08-404	-	-	-	-	-	-	-	-	-	-	-	-	P	P
<b>15 Industrial Uses</b>																
15.01 Artisan shop	ZP,SP	9.08-411	-	C	-	-	-	-	-	-	C	C	P	P	P	C
15.02 Batching plant associated with a nonmetallic mine [12]	ZP,SP	9.08-412	C	C	-	-	-	-	-	-	-	-	-	-	C	C
15.03 Biofuels production plant	ZP,SP	9.08-413	C	C	-	-	-	-	-	-	-	-	-	-	-	C
15.04 Construction equipment repair	ZP,SP	9.08-414	-	-	-	-	-	-	-	-	-	-	C	-	P	P
15.05 Construction equipment sales and service	ZP,SP	9.08-415	-	-	-	-	-	-	-	-	-	-	C	-	P	P
15.06 Contractor yard	ZP,SP	9.08-416	-	-	-	-	-	-	-	-	-	-	-	-	P	C
15.07 Industrial, heavy	ZP,SP	9.08-417	-	-	-	-	-	-	-	-	-	-	-	-	-	P
15.08 Industrial, light	ZP,SP	9.08-418	-	-	-	-	-	-	-	-	-	-	-	-	P	P
15.09 Nonmetallic mine [13]	ZP,SP	9.08-419	C	C	-	-	-	-	-	-	-	-	-	-	C	C
15.10 Salvage yard	ZP,SP	9.08-420	-	-	-	-	-	-	-	-	-	-	-	-	-	C

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Exhibit 8-1. Land use matrix – continued

16 Solid Waste	Review	Special Standards	Base Zoning District													
			A-1	A-2	R-1	R-2	R-3	R-4	R-8	P-1	B-1	B-2	B-3	M-1	I-1	I-2
16.01 Composting facility	ZP,SP	9.08-431	P	P	-	-	-	-	-	P	-	-	-	-	P	P
16.02 Recycling center	ZP,SP	9.08-432	-	-	-	-	-	-	-	P	-	-	-	-	P	P
16.03 Solid waste landfill	ZP,SP	9.08-433	-	C	-	-	-	-	-	C	-	-	-	-	C	C
16.04 Solid waste transfer station	ZP,SP	9.08-434	-	C	-	-	-	-	-	C	-	-	-	-	P	P
<b>17 Accessory Uses</b>																
17.01 Adult family home [14]	ZP	9.08-441	P	P	P	P	P	P	P	-	P	P	P	P	-	-
17.02 Amateur radio antenna [14]	-	9.08-442	P	P	P	P	P	P	P	-	P	P	P	P	-	-
17.03 Automated teller machine	ZP	9.08-443	-	-	-	-	-	-	-	-	P	P	P	P	-	-
17.04 Backyard chickens [16]	-	9.08-444	P/C	P	C	C	C	-	C	-	-	-	-	-	P	P
17.05 Short Term Rental [14, 15]	ZP	9.08-445	C	C	C	C	C	-	-	-	C	C	-	-	-	-
17.06 Commercial truck parking [14]	ZP	9.08-446	P	P	P	P	-	-	-	-	-	-	-	-	-	-
17.07 Exterior communication device [14]	-	9.08-447	P	P	P	P	P	P	P	-	P	P	P	P	P	P
17.08 Family day care home [14, 15]	ZP	9.08-448	P	P	P	P	P	P	P	-	P	P	P	P	-	-
17.09 Farm building storage	ZP	9.08-449	P	C	-	-	-	-	-	-	-	-	-	-	-	-
17.10 Farm residence	ZP	9.08-450	P	P	-	-	-	-	-	-	-	-	-	-	-	-
17.11 Farmstead retail outlet	ZP,SP	9.08-451	C	C	-	-	-	-	-	-	-	-	-	-	-	-
17.12 Fence	ZP	9.08-452	P	P	P	P	P	P	P	-	P	P	P	P	P	P
17.13 Foster home and treatment foster home [17]	ZP	9.08-453	P	P	P	P	P	P	P	-	P	P	P	P	-	-
17.14 Garage, nonresidential [18]	ZP	9.08-454	-	-	-	-	-	-	-	-	P	P	P	P	P	P
17.15 Garage, residential [19]	ZP	9.08-455	P	P	P	P	P	P	P	-	P	P	P	P	-	-
17.16 Garden	-	9.08-456	P	P	P	P	P	P	P	-	P	P	P	P	P	P
17.17 Greenhouse [14,19]	ZP	9.08-457	P	P	P	P	P	P	P	-	-	-	-	-	-	-
17.18 Helipad	ZP,SP	9.08-458	-	-	-	-	-	-	-	-	-	-	-	-	-	-
17.19 Home occupation, major [14]	ZP,SP	9.08-459	-	C	C	C	C	C	-	-	C	C	C	C	-	-
17.20 Home occupation, minor [14, 15]	ZP	9.08-460	P	P	P	P	P	P	P	-	P	P	P	P	-	-
17.21 Hot tub [14]	-	9.08-461	P	P	P	P	P	P	P	-	P	P	P	P	-	-
17.22 Household livestock, 2.5 acres or more but less than 5 acres [14]	ZP	9.08-462	P	C	C	-	-	-	-	-	-	-	-	-	-	-
17.22 Household livestock, 5 acres or more [14]	ZP	9.08-462	P	P	C	-	-	-	-	-	-	-	-	-	-	-
17.23 Indoor sales incidental to light industrial use	ZP	9.08-463	-	-	-	-	-	-	-	-	-	-	-	-	C	-
17.24 Kennel, hobby [14, 15]	ZP	9.08-464	C	C	C	C	C	C	C	-	C	C	C	C	-	-
17.25 Kennel, private [14, 15]	-	9.08-465	P	P	P	P	P	P	P	-	P	P	P	P	-	-
17.26 Light industrial use incidental to indoor sales	ZP,SP	9.08-466	-	-	-	-	-	-	-	-	-	-	-	-	C	-
17.27 Outdoor display incidental to indoor sales	ZP,SP	9.08-467	-	-	-	-	-	-	-	-	-	C	C	C	-	-
17.28 Outdoor food and beverage service	ZP,SP	9.08-468	-	-	-	-	-	-	-	-	C	C	C	C	-	-
17.29 Outdoor furnace	ZP	9.08-469	P	P	P	P	P	P	P	P	P	P	P	P	P	P
17.30 Parking lot (on-site)	ZP	9.08-470	P	P	P	P	P	P	P	P	P	P	P	P	P	P
17.31 Play structure [14]	-	9.08-471	P	P	P	P	P	P	P	P	P	P	P	P	P	-
17.32 Pond	ZP	9.08-472	P	P	C	C	C	C	C	P	P	P	P	P	P	P
17.33 Rural accessory structure [14]	ZP	9.08-473	P	P	P	P	P	P	P	-	-	-	-	-	-	-
17.34 Service window, drive-up	ZP,SP	9.08-474	-	-	-	-	-	-	-	C	C	C	C	C	-	-
17.35 Service window, walk-up	ZP,SP	9.08-475	-	-	-	-	-	-	-	C	C	C	C	C	-	-
17.36 Solar energy system, building-mounted	ZP	9.08-476	na	na	na	na	na	na	na	na	na	na	na	na	na	na
17.37 Solar energy system, free-standing	ZP	9.08-477	na	na	na	na	na	na	na	na	na	na	na	na	na	na
17.38 Storage container, 1 or 2 units	ZP	9.08-478	-	-	-	-	-	-	-	-	P	P	P	-	P	P
17.38 Storage container, 3 or more units	ZP,SP	9.08-478	-	-	-	-	-	-	-	-	C	C	C	-	C	C
17.39 Swimming pool	ZP	9.08-479	P	P	P	P	P	P	P	-	P	P	P	P	-	-

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Exhibit 8-1. Land use matrix – continued

17 Accessory Uses – continued	Review	Special Standards	Base Zoning District														
			A-1	A-2	R-1	R-2	R-3	R-4	R-8	P-1	B-1	B-2	B-3	M-1	I-1	I-2	
17.40 Temporary shelter [19]	ZP,SP	9.08-480	-	-	-	-	-	-	-	-	-	C	C	C	C	-	-
17.41 Utility cabinet	ZP	9.08-481	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
17.42 Yard shed [20]	ZP	9.08-482	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-
<b>18 Temporary Uses</b>																	
18.01 Agricultural product sales, off-site	ZP	9.08-501	-	P	P	-	-	-	-	-	-	P	P	P	P	P	P
18.02 Agricultural product sales, on-site	ZP	9.08-502	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-
18.03 Earth materials stockpile, off-site [21]	ZP	9.08-503	-	C	-	-	-	-	-	-	C	-	-	-	-	C	C
18.03 Earth materials stockpile, on-site [22]	ZP	9.08-503	-	P	P	P	P	P	P	P	P	P	P	P	P	P	P
18.04 Farmers market [23]	ZP,SP	9.08-504	P	P	P	-	-	-	-	C	C	P	P	P	P	C	-
18.05 General outdoor sales	ZP,SP	9.08-505	-	-	-	-	-	-	-	-	-	C	P	-	C	-	-
18.06 Model home	ZP	9.08-506	-	-	P	P	P	P	-	-	-	-	-	-	-	-	-
18.07 Off-site construction yard	ZP	9.08-507	-	C	C	C	C	C	C	-	C	C	C	C	C	C	C
18.08 On-site construction office [24]	ZP	9.08-508	-	-	P	P	P	P	-	-	-	P	P	P	P	P	P
18.09 On-site construction yard [24]	ZP	9.08-509	-	-	P	P	P	P	-	-	-	P	P	P	P	P	P
18.10 Portable storage container	-	9.08-510	-	P	P	P	P	P	P	P	P	P	P	P	P	P	P
18.11 Relocatable building [25]	ZP,SP	9.08-511	-	-	-	-	-	-	-	P	C	C	C	C	C	-	-
18.12 Seasonal product sales	ZP	9.08-512	C	C	C	-	-	-	-	-	C	P	P	P	P	C	-
18.13 Snow disposal site	ZP	9.08-513	C	C	-	-	-	-	-	P	C	C	C	C	C	C	C
18.14 Special event	ZP,SP	9.08-514	-	C	C	C	-	-	-	-	-	-	-	-	-	-	-
18.15 Special event camping	ZP,SP	9.08-515	-	C	C	C	C	C	-	-	C	C	C	C	C	C	C
18.16 Special event concessions	ZP,SP	9.08-516	-	C	C	C	C	C	-	-	C	C	C	C	C	C	C
18.17 Special event parking	ZP,SP	9.08-517	-	C	C	C	C	C	-	-	C	C	C	C	C	C	C
18.18 Wind test tower	-	9.08-518	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
18.19 Yard sale [26]	-	9.08-519	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-

Notes:

1. Unless it qualifies under s. 91.44(1)(f) Wis. Stats, this use in the A-1 agribusiness zoning district may only be allowed as a conditional use and must be issued a permit in accordance with s. 91.46(4) or (5) Wis. Stats.
2. In the A-1 agribusiness zoning district, a single-family dwelling may be located on a parcel not constituting a farm or on a parcel of land created after (EFFECTIVE DATE OF ADOPTION). Single-family dwellings in the A-1 agribusiness zoning district are subject to the density standards in Exhibit 8-2 and must comply with s. 91.46(2) Wis. Stats.
3. See s. 9.08-27 for special provisions that may apply.
4. See s. 9.08-28 for special provisions that may apply.
5. A family day care home (4-8 children) is an accessory use and is therefore listed in Series 17.
6. This use may be an accessory use when associated with a worship facility, community center, and the like.
7. A bed and breakfast is an accessory use and is therefore listed in Series 17.
8. A migrant labor camp in the A-1 agribusiness zoning district must be certified under s. 103.92 Wis. Stats.
9. Veterinary clinics in the A-1 agribusiness zoning district must primarily treat livestock or comply with s. 91.01(1)(d) Wis. Stats.
10. This use in the A-1 agribusiness zoning district must comply with s. 91.46(5) Wis. Stats.
11. An amateur radio station is an accessory use and is therefore listed in Series 17.
12. A batching plant when not associated with an approved nonmetallic mine is classified as heavy industrial (See 15.07). When it is associated with an approved nonmetallic mine in the A-1 agribusiness zoning district it must comply with s. 91.46(6) Wis. Stats.
13. This use in the A-1 agribusiness zoning district must comply with s. 91.46(6) Wis. Stats.
14. This use may only occur with a principal residential use or where the residential dwelling is occupied by the owner.
15. This use in the A-1 agribusiness zoning district must comply with s. 91.01(1)(d) Wis. Stats.
16. Backyard chickens are permitted on any parcel or lot in the A-1 agribusiness zoning district except for a nonfarm residence parcel or lot in which case a conditional use permit is required.
17. This use may only occur with a principal residential use or with a group day care center.
18. In addition to the zoning districts listed, this use may occur with a governmental or institutional use as a conditional use. This use may also be a principal use; see series 1 through 16.
19. In addition to the zoning districts listed, this use may occur with a governmental or institutional use (e.g., school or church) as a permitted use.
20. A zoning permit is not required for this use if less than 8 feet in height and occupies a horizontal area of not more than 100 square feet.
21. Earth materials are obtained in whole or in part from another location.
22. Earth materials are obtained on the parcel as part of the land development process.
23. In addition to the zoning districts listed, this use may occur with a public park as a permitted use or with a governmental or institutional use (e.g., church, library or school) as a conditional use.
24. When this use is in place for more than 365 days, it is considered a conditional use.
25. This use may only occur with a governmental or institutional use (e.g., church, library, or school) as a conditional use.
26. This use may only occur with a principal residential use or with a governmental or institutional use (e.g., church, library, or school).

**Exhibit 8-2. Dimensional standards by zoning district**

**A-1 Agribusiness district**

	<u>Residential</u>	<u>Farm</u>	<u>Nonresidential /Nonfarm</u>
<b>Lot density</b>	The ratio of nonfarm residential acreage to farm acreage in the base farm tract after (EFFECTIVE DATE OF ADOPTION) shall not exceed 1:20, with a maximum of 4 nonfarm dwellings for a base farm tract.		
Lot size, minimum:	43,000 sq. ft.	5.0 acres	43,000 sq. ft.
Lot size, maximum:	none, although a lot created after April 30, 2013 may not contain more than 2.0 acres of land previously used to produce forage or a crop	none	none, although a lot created after April 30, 2013 shall not contain more than 2.0 acres of land previously used to produce forage or a crop
Lot width, minimum:	100 ft.	200 ft.	200 ft.
Road frontage, minimum:	60 ft.	200 ft.	200 ft.
Separation between detached buildings, minimum:	10 ft.	10 ft.	10 ft.
Yard setback: [4,5]			
Street yard, minimum:	30 ft.	75 ft.	30 ft.
Side yard, minimum: [3]	20 ft. on each side for a principal building; 15 ft. on each side for a detached accessory building	15 ft.	20 ft. on each side for a principal building; 15 ft. on each side for a detached accessory building
Rear yard minimum:	25 ft. for a principal building; 15 ft. for a detached accessory building	50 ft.	25 ft. for a principal building; 15 ft. for a detached accessory building
Building height:			
Principal building, maximum:	35 ft.	the distance from the structure/building to the closest property boundary line	35 ft.
Accessory building, maximum:	18 ft.	the distance from the structure/building to the closest property boundary line	18 ft.
Floor area ratio, maximum:	no limitation	no limitation	no limitation
Floor area:			
Principal building, minimum:	1,000 sq. ft.	no limitation	no limitation
Accessory buildings, maximum:	1,500 sq. ft. plus 1 percent of the lot area in excess of 43,000 sq. ft. [1]; 1 percent of lot area for buildings related to household livestock	no limitation	1,500 sq. ft. plus 1 percent of the lot area in excess of 43,000 sq. ft. [1]
Number of detached accessory buildings, maximum:	no limitation	no limitation	2 [2]

Notes:

1. Pursuant to the procedures and requirements contained in article 7 of this chapter, the zoning administrator may allow more than the specified floor area when one or more of the accessory buildings on a lot are designated as a rural accessory building.
2. Pursuant to the procedures and requirements contained in article 7 of this chapter, the zoning administrator may allow more accessory buildings than what is specified when one or more of the accessory buildings on a lot are designated as a rural accessory building.
3. In the case of a lot of record that has a width less than what is required in the zoning district in which such lot is located, the side yard setback for principal buildings shall be reduced proportionately to the ratio between the actual width of the lot and the minimum required width, provided that no setback shall be less than 10 feet.
4. Some land uses that may be allowed in this district may have more restrictive yard setback requirements than what is listed. Refer to the development standards in division 9 of this article.
5. Lots abutting more restrictive district boundaries shall provide side and rear yards not less than those required in the more restrictive abutting districts. The street yards on the less restrictive district shall be modified for a distance of not more than 75 feet from the district boundary line so as to equal the average of the street yards required in both districts.

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**Exhibit 8-2. Dimensional standards by zoning district - continued**

**A-2 General agriculture district**

	<u>Residential</u>	<u>Farm</u>	<u>Nonresidential / Nonfarm</u>
Lot size, minimum:	5.0 acres	5.0 acres	5.0 acres
Lot size, maximum:	none	none	none
Lot width, minimum:	200 ft.	200 ft.	200 ft.
Road frontage, minimum:	200 ft.	200 ft.	200 ft.
Separation between detached buildings, minimum:	10 ft.	10 ft.	10 ft.
Yard setback: [4,5]			
Street yard, minimum:	30 ft.	75 ft.	30 ft.
Side yard, minimum: [3]	7 ft. on one side and 10 ft. on the other for a principal building; 3 ft. on each side for a detached accessory building	15 ft.	7 ft. on one side and 10 ft. on the other for a principal building; 3 ft. on each side for a detached accessory building
Rear yard minimum:	25 ft. for a principal building; 3 ft. for a detached accessory building	50 ft.	25 ft. for a principal building; 3 ft. for a detached accessory building
Building height:			
Principal building, maximum:	35 ft.	the distance from the structure/building to the closest property boundary line	35 ft.
Accessory building, maximum:	18 ft.	the distance from the structure/building to the closest property boundary line	18 ft.
Floor area ratio, maximum:	no limitation	no limitation	no limitation
Floor area:			
Principal building, minimum:	1,000 sq. ft.	no limitation	no limitation
Accessory buildings, maximum:	1,500 sq. ft. plus 1 percent of the lot area in excess of 43,000 sq. ft. [1]; 1 percent of lot area for buildings related to household livestock	no limitation	1,500 sq. ft. plus 1 percent of the lot area in excess of 43,000 sq. ft. [1]
Number of detached accessory buildings, maximum:	no limitation	no limitation	2 [2]

Notes:

1. Pursuant to the procedures and requirements contained in article 7 of this chapter, the zoning administrator may allow more than the specified floor area when one or more of the accessory buildings on a lot are designated as a rural accessory building.
2. Pursuant to the procedures and requirements contained in article 7 of this chapter, the zoning administrator may allow more accessory buildings than what is specified when one or more of the accessory buildings on a lot are designated as a rural accessory building.
3. In the case of a lot of record that has a width less than what is required in the zoning district in which such lot is located, the side yard setback for principal buildings shall be reduced proportionately to the ratio between the actual width of the lot and the minimum required width, provided that no setback shall be less than 10 feet.
4. Some land uses that may be allowed in this zoning district may have more restrictive yard setback requirements than what is listed. Refer to the development standards in division 9 of this article.
5. Lots abutting more restrictive district boundaries shall provide side and rear yards not less than those required in the more restrictive abutting districts. The street yards on the less restrictive district shall be modified for a distance of not more than 75 feet from the district boundary line so as to equal the average of the street yards required in both districts.

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