

CHAPTER 105: GENERAL ZONING

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TABLES

ARTICLE I. PROCEDURES AND ADMINISTRATION

ARTICLE II. DISTRICTS

SECTION 2.01 PURPOSE

The area located within the jurisdiction of this chapter is hereby divided into zoning districts of such number and community character as are necessary to achieve compatibility of land uses within each district, to implement the officially adopted city comprehensive master plan, and to achieve the other purposes of this chapter.

SECTION 2.02 ZONING DISTRICTS

The Common Council divides the city into the following zoning districts.

Table II-1: Zoning Districts

Zoning District Symbol	Zoning District Name
OS	Open Space
AG	Agricultural
E-N	Estate Neighborhood
S-N	Suburban Neighborhood
S-CO	Suburban Corridor
U-N	Urban Neighborhood
U-CO	Urban Corridor
U-DT	Urban Downtown
I	Industrial
OVERLAY	HOLD FOR ENVIRONMENTAL OVERLAY DISTRICTS

The City characterizes the zoning districts identified in **TABLE II-1: ZONING DISTRICTS** as follows:

(A) OS: OPEN SPACE

The Open Space (OS) zoning district accommodates preserved areas of open space and recreational opportunities.

(B) AG: AGRICULTURAL

The Agricultural (AG) zoning district accommodates areas of rural character, farming, and agricultural activities, including low-density residential development and limited commercial uses.

(C) E-N: ESTATE NEIGHBORHOOD

The Estate Neighborhood (E-N) zoning district accommodates low-density, estate-style residential development. This includes primarily single-family detached houses on large lots.

(D) S-N: SUBURBAN NEIGHBORHOOD

The Suburban Neighborhood (S-N) zoning district accommodates predominantly suburban-style residential development with one dwelling unit per lot.

(E) S-CO: SUBURBAN CORRIDOR

The Suburban Corridor (S-CO) zoning district accommodates large lot commercial development.

(F) U-N: URBAN NEIGHBORHOOD

The Urban Neighborhood (U-N) zoning district accommodates traditional residential development patterns, with smaller lot sizes and allowing for up to two attached dwelling units per lot and townhouses.

(G) U-CO: URBAN CORRIDOR

The Urban Corridor (U-CO) zoning district accommodates commercial uses primarily located along collector and arterial streets. This district includes primarily commercial uses, with residential uses allowed on upper floors.

(H) U-DT: URBAN DOWNTOWN

The Urban Downtown (U-DT) zoning district accommodates higher-intensity development with a mix of commercial and residential uses in a walkable historic downtown context.

(I) I: INDUSTRIAL

The Industrial (I) zoning district accommodates low-, medium-, and high-intensity manufacturing, warehousing, storage, and transportation uses separated from most commercial and residential uses.

The Common Council establishes the boundaries of districts as shown on a map entitled Zoning Map, City of Sheboygan, Wisconsin, as a part of this ordinance. All notations, references, and other information shown on it shall be as much a part of this ordinance as if the matters and things set forth by said map were all fully described within this chapter. The City may establish this map as a layer of its geographic information system (GIS).

SECTION 2.04 INTERPRETATION OF ZONING DISTRICT BOUNDARIES

The City shall use the following rules to determine the precise location of any zoning district boundary shown on the official zoning map:

1. The City shall construe the zoning district boundaries shown as following or approximately following the limits of any city, village, town, or county boundary as following such limits.
2. Zoning district boundaries shown as following or approximately following streets or railroad lines shall be construed as following the centerline of such streets or railroad lines.
3. Zoning district boundary lines shown as following or approximately following platted lot lines or other property lines as shown on the city or county tax maps shall be construed as following such lines.
4. Zoning district boundaries shown as following or approximately following the centerlines of streams, rivers, or other continuously flowing watercourses shall be construed as following the channel centerlines of such watercourses, and, in the event of a natural change in the location of such streams, rivers, or other watercourses, the zoning district boundary shall be construed as moving with the channel centerline.
5. Zoning district boundaries shown as following or approximately following ridgelines or watershed boundaries shall be construed as following such lines.
6. Zoning district boundaries shown as separated from any of the features listed in subsections (a) through (e) of this section, shall be construed to be at such distances therefrom as are shown on the official zoning map.
7. Where any uncertainty exists as to the exact location of a zoning district boundary line, as shown on the official zoning map, the location of the line shall be determined by the Community Development Director.

SECTION 2.05 LOT AND STRUCTURE REGULATIONS

(A) REGULATIONS TABLE

Lots and structures within the city shall follow the regulations contained within [TABLE II-2: LOT AND STRUCTURE REGULATIONS](#) and with the supplemental regulations identified throughout [SECTION 3.03](#).

Table II-2: Lot and Structure Regulations

District	OS	AG	E-N	S-N	U-N	S-CO	U-CO	U-DT	I	PDD	
	Lot Occupation										
Lot Width (ft.)	Not applicable	120 min.	80 min. 250 max.	50 min. 110 max.	30 min. 90 max.	60 min. .	30 min. . 90 max. .	180 max. .	900 max. .	Established during district adoption	
Minimum Lot Size (square feet)	Not applicable	43,560	9,600	6,000	3,600	As needed to meet all other regulations					
Maximum Impervious Coverage (%)	Not applicable	25	30	50	70		80	100 ¹			
	Setbacks – Principal Building										
Street Setback [ft.]	Regulations of most restrictive abutting district	50 min.	20 min.	20 min. 30 max.	10 min. 20 max.	20 min. . 40 max. .	10 min. . 20 max. .	0 min. . 15 max. .	20 min. .	Established during district adoption	
Side Setback (ft.)			10 min.	8 min.	6 min.	10 min. .	5 min. .	0 min. .	12 min. .		
Rear Setback (ft.)			30 min.	20 min.	15 min.	20 min. .	10 min. .	3 min. .	12 min. .		
Minimum Frontage Buildout (%)		Not applicable	40	60	70	50	70	80	80		
	Setbacks – Accessory Building										
Street Setback (ft.)	Regulations of most restrictive abutting district	Even with or behind principal structure				Allowed in rear yard only				Established during district adoption	
Side Setback (ft.)		25 min.	5 min.	3 min.	3 min.	5 min. .	3 min. .	3 min. .	6 min. .		
Rear Setback (ft.)											

District	OS	AG	E-N	S-N	U-N	S-CO	U-CO	U-DT	I	PDD
¹ Sites in the U-DT and I districts exceeding 80% impervious coverage shall include green infrastructure that captures at least the first ½ inch of rainfall over the total site impervious area.										

(B) CONTEXTUAL STREET-YARD BUILDING SETBACKS

If a primary structure exists on any immediately adjacent parcel, not including parcels separated by a public right-of-way, the street-yard setback for the subject parcel shall be the average of the minimum street-yard setback of the subject zone and the setback of the adjacent primary structure(s). In no circumstance shall the street-yard setback exceed the maximum street-yard setback of the subject zone.

(C) SETBACK ENCROACHMENTS

Open or enclosed fire escapes, terraces, eaves, gutters, overhangs, chimneys, flues, sills, pilasters, lintels, ornamental features, and unenclosed stairways may project into a side or rear yard not more than four feet; provided that they are not closer than two feet to any lot line.

Eaves, gutters, overhangs, and unenclosed stairways may project into a front yard not more than two feet six inches; provided that they are not closer than five feet to any lot line.

Terraces, steps, uncovered porches, covered porches, decks, stoops, or similar appurtenances to residential buildings which do not extend above the floor level of the adjacent building entrance; provided they do not locate closer than five feet from any lot line. Terraces, steps, uncovered porches, covered porches, decks, stoops, and similar appurtenances shall not be considered part of the principal structure for purposes of determining minimum street yard setbacks for accessory buildings.

Fences may encroach in to required minimum setbacks up to a property line. For fence requirements, reference [SECTION 4.07\(B\)](#).

(D) HEIGHT REGULATIONS

Property owners may construct buildings no taller than the limits listed in [TABLE II-3: HEIGHT REGULATIONS](#) measured at the shared property line with the right-of-way. All principal buildings may increase in height by one foot for every foot beyond the minimum street setback.

Table II-3: Height Regulations

Right-of-way type	Principal Building Height (feet)	Accessory Building Height (feet)	
		Residential (R) uses	All other uses
Major Arterial	120	15	24
Minor Arterial	100	15	24
Collector	80	15	24

Local	30	15	24
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For buildings not fronting a public right-of-way, the Director of Planning and Development shall determine the maximum allowable building height. The Director shall consider adjacent parcels of similar use in the same zoning district.

(I) CONTEXTUAL BUILDING HEIGHTS

If a primary structure exists on any immediately adjacent parcel, not including parcels separated by a public right-of-way, the maximum building height of the subject parcel shall not exceed the height of the adjacent principal building multiplied by the ratio in *TABLE II-4: CONTEXTUAL BUILDING HEIGHT INCREASES*, or the limits listed in *TABLE II-3: HEIGHT REGULATIONS*, whichever is less.

Table II-4: Contextual Building Height Increases

Adjacent Zone	Increase above structure on adjacent parcel
OS	None
AG	None
E-N	2.0x
S-N	2.0x
U-N	2.0x
S-CO	3.0x
U-CO	4.0x
U-DT	4.0x
I	No limit

(II) HEIGHT

The City measures height as the vertical distance from the average ground elevation along the structure’s base to the highest point of the subject structure. The average ground elevation is the midpoint between the highest and lowest ground elevations along the exterior building wall.

(III) EXCEPTIONS

Chimneys, cooling towers, elevators, necessary mechanical appurtenances, and public utility structures not intended for human occupancy may exceed the limitations of this ordinance.

ARTICLE III.	USES
SECTION 3.01	USE TABLE

Table III-1: Uses

Use	OS	AG	E-N	S-N	U-N	S-CO	U-CO	U-DT	I	Reference
Assembly										
A-1 (Theaters)	-	-	-	-	-	P	P	P	-	SECTION 3.03(A)(I)
A-2 (Food and Drink)	-	-	-	-	-	P	P	P	P	SECTION 3.03(A)(II)
A-3 (Amusement)	-	-	-	-	-	P	P	P	P	SECTION 3.03(A)(III)
A-4 (Indoor Sports)	-	-	-	-	-	P	P	P	-	SECTION 3.03(A)(IV)
A-5 (Outdoor Stadia)	-	-	-	-	-	P	P	P	-	SECTION 3.03(A)(V)
Business										
B-1 (Professional or service)	-	P	-	-	-	P	P	P	P	SECTION 3.03(B)
Educational										
E-1 (Schools and day cares)	-	-	-	-	-	P	P	P	-	SECTION 3.03(C)
Factory										
F-1 (Moderate-Hazard)	-	-	-	-	-	-	-	-	P	SECTION 3.03(D)(I)
F-2 (Low-Hazard)	-	-	-	-	-	-	-	-	P	SECTION 3.03(D)(II)
High-Hazard										
H-1 (High-Hazard)	-	-	-	-	-	-	-	-	P	SECTION 3.03(E)
Home Occupations										
HO (Home Occupations)	-	P	P	P	P	P	P	P	-	SECTION 3.03(F)
Institutional										
I-1 (24-Hour Custodial Care Facilities)	-	-	-	-	-	P	P	P	P	SECTION 3.03(G)(I)
I-2 (24-Hour Self Care Facilities)	-	-	-	-	-	P	P	P	P	SECTION 3.03(G)(II)
I-3 (Secure Facilities)	-	-	-	-	-	-	-	-	P	SECTION 3.03(G)(III)
I-4 (Day Care Facilities)	-	P ¹	P ¹	P ¹	P ¹	P	P	P	-	SECTION 3.03(G)(IV)
Mercantile										
M (Merchandise sales)	-	P	-	-	-	P	P	P	P	SECTION 3.03(H)
Outdoor										
O-1 (Cemeteries)	P	-	-	-	-	-	-	-	-	SECTION 3.03(I)(I)

Use	OS	AG	E-N	S-N	U-N	S-CO	U-CO	U-DT	I	Reference
0-2 (Natural areas and recreation)	P	P	P	P	P	P	P	P	P	SECTION 3.03(I)(II)
0-3 (Non-accessory parking)	-	-	-	-	-	P	P	P	P	SECTION 3.03(I)(III)
Residential										
R-1 (Hotels)	-	-	-	-	-	P	P	P	-	SECTION 3.03(J)(I)
R-2 (3+ Units)	-	-	-	-	P ²	P	P	P	-	SECTION 3.03(J)(II)
R-3 (1-2 Units)	-	P	P ³	P ³	P	-	P ^Λ	P	-	SECTION 3.03(J)(III)
R-4 (Small Community-Based Residential Facility)	-	P	P	P	P	P	P	P	-	SECTION 3.03(J)(IV)
Storage										
S-1 (Moderate-Hazard Storage)	-	-	-	-	-	-	-	-	P	SECTION 3.03(K)(I)
S-2 (Low-Hazard Storage)	-	P	-	-	-	-	-	-	P	SECTION 3.03(K)(II)
Utility and Miscellaneous										
U (Accessory structures and uses)	P	P	P	P	P	P	P	P	P	SECTION 3.03(L)
Agricultural										
AG-1 (Cultivation)	-	P	P	P	P	P	P	P	P	SECTION 3.03(M)(I)
AG-2 (Animal Husbandry)	-	P	P	-	-	-	-	-	-	SECTION 3.03(M)(II)
AG-3 (Intensive Agriculture)	-	P	-	-	-	-	-	-	-	SECTION 3.03(M)(III)
AG-4 (Agricultural Services)	-	P	-	-	-	-	-	-	-	SECTION 3.03(M)(IV)
AG-5 (On-Site Agricultural Retail)	-	P	-	-	-	-	-	-	-	SECTION 3.03(M)(V)
AG-6 (Community Gardens)	P	P	P	P	P	P	P	P	P	SECTION 3.03(M)(VI)
¹ At-home family daycares as defined in Section 3.03(G)(IV) are permitted. All other I-4 uses are not permitted.										
² Townhouses are the only R-2 use permitted in the U-N district.										
³ Only one dwelling unit per lot is permitted in the E-N and S-N districts.										

SECTION 3.02 INTERPRETATION OF THE USE TABLE

(A) PERMITTED USES

The city permits uses identified with “P” as-of-right in the subject zoning district, subject to compliance with any supplemental regulations identified in its definition.

(B) PROHIBITED USES

The city prohibits uses identified with “-” and uses not listed in [TABLE III-1: USES](#) and that the Zoning Administrator does not interpret to fall within any defined use category or subcategory.

(C) UPPER-STORY USES

The city permits uses identified with “^” as-of-right on the second story or above of a structure.

(D) REFERENCES

The final column of [TABLE III-1: USES](#) includes a cross-reference to the use definition and any applicable supplemental use regulations that apply to that use. The city requires compliance with supplemental use regulations.

(E) USE CLASSIFICATION

The Zoning Administrator may assign proposed uses to the appropriate category based on the provisions of this chapter. If the ordinances do not clearly define the proposed use, the Zoning Administrator may determine the most similar use category based on the actual or projected characteristics of the proposed use. When determining use categories, the Zoning Administrator shall consider:

- (1) The proposed use’s designation under the International Building Code Occupancy Classification and Use Designations;
- (2) The types of activities that typically occur in conjunction with the proposed use;
- (3) The proposed use’s equipment and processes;
- (4) The existence, number, and frequency of residents, customers, or employees;
- (5) Parking demands;
- (6) Other factors the Zoning Administrator deems relevant.

SECTION 3.03 USE DEFINITIONS AND STANDARDS

(A) A: ASSEMBLY USES

Assembly uses include, among others, the use of a building or structure, or a portion thereof, for the gathering of persons for purposes such as civic, social, or religious functions; recreation; food or drink consumption; or awaiting transportation.

(I) A-1: THEATERS

A-1 uses include assembly uses, usually with fixed seating, intended for the production and viewing of the performing arts or motion pictures.

(II) A-2: FOOD AND DRINK

A-2 uses include assembly uses intended for food and drink consumption, such as banquet halls; casinos; nightclubs; restaurants, cafeterias, and similar dining facilities including associated commercial kitchens; and taverns and bars. Also includes food trucks and similar mobile food vendors parked adjacent to the applicable zoning district.

(III) A-3: AMUSEMENT

A-3 uses include assembly uses intended for worship, recreation, amusement, and other assembly uses not classified elsewhere such as arcades; art galleries; bowling alleys; courthouses; community halls; dance halls; exhibition halls; funeral parlors; greenhouses (for the conservation and exhibition of plants that provide public access); gymnasiums (without spectator seating); indoor swimming pools (without spectator seating); indoor tennis courts (without spectator seating); lecture halls; libraries; museums; places of religious worship; pool and billiard parlors; or waiting areas for transportation terminals.

1) SEXUALLY-ORIENTED ESTABLISHMENTS

The following regulations apply to adult amusement or entertainment establishments distinguished or characterized by an emphasis on acts or material depicting, describing, or relating to sexual conduct:

- (1) No property owner may establish a sexually-oriented establishment within 1,000 feet of any Residential (R), Educational (E), or Daycare (I-4) use.
- (2) No areas depicting, describing, or relating to sexual conduct shall be visible from any of the adjacent properties or public rights-of-way.
- (3) Property owners looking to establish a sexually-oriented establishment must file a security plan with the City that specifically describes the security staff, hours, and precautions the operator will follow. The City Police Chief, Fire Chief, and Director of Planning and Development must unanimously approve the security plan before the City shall issue any Certificate of Occupancy.

(IV) A-4: INDOOR SPORTS

A-4 uses include uses intended for viewing of indoor sporting events and activities with spectator seating, such as arenas; skating rinks; swimming pools; or tennis courts.

(V) A-5: OUTDOOR STADIA

A-5 uses include uses intended for participation in or viewing of outdoor activities such as amusement park structures; bleachers; grandstands; or stadiums.

(B) B: BUSINESS USES

Business uses (B-1: Professional or service) include, among others, the use of a building for office, professional, or service-type transactions, including storage of records and accounts. Business uses include animal hospitals, kennels, and pounds;

banks and financial services; automobile show rooms, car washes; civic administration; data centers; dry cleaning and laundry pick-up and delivery stations; food processing establishments and commercial kitchens not associated with restaurants, cafeterias, and similar dining facilities not more than 2,500 square feet (232 m²) in area; laboratories; outpatient healthcare; salons; showrooms; post offices; print shops; and professional services offices.

(I) DATA CENTERS

Data center uses greater than 21,780 square feet have the following, additional regulations:

1. Data centers must screen the entire perimeter of the occupied parcel using Option A in [TABLE IV-7: OUTDOOR STORAGE AND WORK AREA SCREENING OPTIONS](#).
2. 100% of the remaining site landscaping must follow the standards of [SECTION 4.07\(A\)\(VIII\)](#).
3. 100% of the stormwater treatment on site must use green infrastructure.
4. They must generate 100% of the domestic electricity use (i.e., the electricity demand from non-server uses) on-site using renewable energy sources.

(C) E: EDUCATIONAL USES

Educational uses (E-1: Schools and Day Cares) include, among others, the use of a building by six or more persons at any one time for educational purposes through the 12th grade. These uses include buildings, structures, or portions thereof occupied by more than five children older than 2.5 years of age who receive educational, supervision, or personal care services for fewer than 24 hours per day.

(D) F: FACTORY USES

Factory uses include, among others, the use of a building, structure, or a portion thereof for assembling, disassembling, fabricating, finishing, manufacturing, packaging, repair, or processing operations that the City does not classify as High-Hazard Uses or Storage Uses. Example uses include building products, chemicals; clothing; commercial food and beverage operations not associated with restaurants, cafeterias, and similar dining facilities more than 2,500 square feet (232 m²) in area; dry cleaning and dyeing; electronics; filming without spectators; furniture; machinery; metals; plastics; printing; textiles; utility plants.

(I) F-1: MODERATE-HAZARD

F-1 uses include, among others, factory uses that are not classified as Low-Hazard Factory uses (F-2), as set forth in IBC 2024 Section 306.2

(II) F-2: LOW-HAZARD

F-2 uses include, among others, the fabrication or manufacturing of noncombustible materials that during finishing, packing, or processing do not involve a significant fire hazard, as set forth in IBC 2024 Section 306.3

(E) H: HIGH-HAZARD USES

High-hazard (H-1) uses include, among others, the use of a building or structure, or a portion thereof, that involves the manufacturing, processing, generation, or storage of materials that constitute a physical or health hazard in quantities in excess of those allowed in control areas complying with IBC 2024 Section 414, based on the maximum allowable quantity limits for control areas set forth in IBC 2024 Tables 307.1(1) and 307.1(2). High-hazard uses include the manufacturing, processing, generation, or storage of uses that pose a detonation, deflagration, combustion, or health hazards and semiconductor fabrication facilities and comparable research and development areas in which hazardous production materials (HPM) are used and the aggregate quantity of materials is in excess of those specified in IBC 2024 Tables 307.1(1) and 307.1(2).

(F) HO: HOME OCCUPATIONS

Home occupation (HO) uses include uses accessory to primary residential uses which allow residents to engage in customary home-based work activities while also helping to ensure that they do not subject neighboring residents to adverse impacts, such as excessive noise, traffic, or public safety hazards, that are not typical of the areas in which the home occupation use is located. The City classifies group living (R uses), day cares (I or E uses), and bed and breakfasts (R uses) separately.

(I) HOME OCCUPATION REGULATIONS

- (1) Home occupation uses shall be operated by a resident of the dwelling unit.
- (2) The area devoted to conduct a home occupation use shall be limited to 33% of the dwelling unit's floor area, or 750 square feet, whichever is less.
- (3) Home occupation uses may not change the character of the residential building they occupy or adversely affect the character of the surrounding neighborhood, including making any noise audible beyond the lot lines of the subject property.
- (4) Home occupation uses must lie entirely within the dwelling unit or accessory building.
- (5) Home occupation uses may not display any window or other public material or merchandise.
- (6) Home occupation uses may not use or store hazardous substances, except at the "consumer commodity" level, as 49 CFR 171.8 defines that term.
- (7) Home occupation uses may only use licensed vehicles with a GVWR 14,000 pounds or below. Home occupation uses may not park or store any other types of vehicles on the premises. The City permits deliveries and pickups by common carrier delivery vehicles (e.g., postal service, United Parcel Service, Fed Ex, et al.) of the type typically used in residential neighborhoods.

(II) EXPRESSLY PROHIBITED HOME OCCUPATION USES

- (1) Any type of assembly, cleaning, maintenance or repair of vehicles or equipment with internal combustion engines or of large appliances;
- (2) Dispatch centers or other businesses where employees come to the site and are dispatched to other locations;
- (3) Equipment supply or equipment rental businesses;

- (4) Taxi, limo, van, or bus services with more than two vehicles;
- (5) Tow truck services;
- (6) Eating or drinking places, in which food or beverages are prepared and served to be consumed on site;
- (7) Funeral or interment services;
- (8) Animal care or boarding businesses; and
- (9) Any use involving the use or storage of vehicles, products, parts, machinery or similar materials or equipment outside of a completely enclosed building.

(G) I: INSTITUTIONAL USES

Institutional uses include, among others, the use of a building, structure, or a portion thereof, in which care or supervision is provided to persons who are or are incapable of self-preservation without physical assistance, persons are detained for penal or correctional purposes, or the liberty of the occupants is restricted. Institutional occupancies shall be classified as I-1, I-2, I-3, or I-4.

(I) I-1: 24-HOUR CUSTODIAL CARE FACILITIES

I-1 uses shall include buildings, structures, or portions thereof for more than five people, excluding staff, who reside on a 24-hour basis in a supervised environment and receive custodial care. I-1 uses shall include assisted living facilities; alcohol and drug centers; congregate care facilities; group homes; halfway homes; residential board and care facilities; and social rehabilitation facilities. I-1 uses shall include Community-based residential facilities (CBRF) classified as medium (6-20 residents) or large (21+ residents), but shall not include [small \(5-8 person\) Community-based residential facilities](#).

(II) I-2: 24-HOUR SELF CARE FACILITIES

I-2 uses shall include buildings, structures used for medical care on a 24-hour basis for more than five persons who are incapable of self-preservation. I-2 uses shall include foster care facilities; detoxification facilities; hospitals; nursing homes; and psychiatric hospitals.

(III) I-3: SECURE FACILITIES

I-3 uses include buildings and structures inhabited by more than five persons who are under restraint or security. I-3 uses include correctional centers; jails; and prisons.

(IV) I-4: DAY CARE FACILITIES

I-4 uses include buildings and structures occupied by more than five persons of any age who receive custodial care for fewer than 24 hours per day by persons other than parents or guardians; relatives by blood, marriage, or adoption; and in a place other than the home of the person cared for. I-4 uses include adult and child day cares.

I-4 uses shall include At-home family daycares which provide care for at least four but no more than eight individuals under seven years of age and which are operated

from a residential dwelling unit by one or more members of the household who reside in the dwelling unit.

(H) M: MERCANTILE USES

Mercantile uses (M: Merchandise Sales) include, among others, buildings or structures or a portion thereof for the display and sale of merchandise, and involves stocks of goods, wares, or merchandise incidental to such purposes and where the public has access. The aggregate quantity of nonflammable solid and nonflammable or noncombustible liquid hazardous materials stored or displayed in a single area of a M use shall not exceed the limits set forth in [CHS. SPS 301-399; SAFETY, BUILDINGS, AND ENVIRONMENT](#). Mercantile occupancies shall include department stores, drug stores, greenhouses, markets, gas stations, retail or wholesale stores, and sales rooms.

(I) OUTDOOR SALES AND DISPLAY

Uses where property owners sell and display merchandise or equipment outside of an enclosed building on more than a temporary basis. Examples include, but the City does not limit them to, outdoor garden centers, outdoor recreation equipment sales, monument sales, flea markets, vehicle sales, and manufactured and mobile housing sales.

If the permanent Outdoor Sales and Display area is less than the equivalent of 5% of the total gross square footage of the building and is secondary to a Mercantile use, such use shall instead be considered Incidental Outdoor Sales and Display as defined in [SECTION 3.03 \(H\)\(II\)](#).

Outdoor Sales and Display uses shall comply with the following regulations:

- (1) The outdoor display area shall be calculated as the area which would be enclosed by an imaginary line that would completely enclose all materials displayed outdoors in the smallest possible rectangle.
- (2) The display of items shall not be permitted in permanently protected green space areas, required landscaped areas, or required bufferyards.
- (3) The display of items shall not be permitted within required setback areas for the principal structure.
- (4) In no event shall the display of items reduce or inhibit the use or number of parking stalls provided on the property below the requirement established by the provisions of [Section 4.06\(h\)](#). If the number of provided parking stalls on the property is already less than the requirement, such display area shall not further reduce the number of parking stalls already present.
- (5) Display areas shall be separated from any vehicular parking or circulation area by a minimum of ten feet. This separation shall be clearly delineated by a physical separation such as a greenway, curb, fence, or line of planters, or by a clearly marked paved area.
- (6) Signs, screening, enclosures, landscaping, or materials being displayed shall not interfere in any manner with either on-site or off-site traffic visibility, including potential traffic/traffic and traffic/pedestrian conflicts.

- (7) Outdoor display shall be permitted during the entire calendar year, however, if goods are removed from the display area all support fixtures used to display the goods shall be removed within ten calendar days of the goods' removal.
- (8) Inoperative vehicles or equipment, or other items typically stored or displayed in a junkyard or salvage yard, shall not be displayed for this land use.
- (9) Outdoor sales and display uses shall provide a bufferyard with a minimum opacity of 60% along all borders of the display area butting residentially zoned property.

(II) INCIDENTAL OUTDOOR SALES AND DISPLAY

The sale and display of merchandise or equipment outside of an enclosed building and is incidental to a principal commercial or industrial land use. Incidental outdoor sales and display uses shall comply with the following regulations:

- (1) Incidental Outdoor Sales and Display land uses shall comply with all regulations of [SECTION 3.03\(H\)\(I\)](#).
- (2) The display area shall not be greater than the equivalent to 5% percent of the gross floor area of the building. Display area more than 5% of the gross floor area of the building shall be considered Outdoor Sales and Display as a principal use under [SECTION 3.03\(H\)\(I\)](#).

(I) 0: OUTDOOR USES

Outdoor uses include, among others, uses which generally lack primary buildings or structures. The city shall classify outdoor uses as 0-1, 0-2, or 0-3.

(I) 0-1: CEMETERIES

0-1 uses include lands and facilities for the interment of humans or domestic household pets.

(II) 0-2: NATURAL AREAS AND RECREATION

0-2 uses include parks, recreation, and natural resource preservation areas, such as nature preserves, arboreta, and playgrounds.

(III) 0-3: NON-ACCESSORY PARKING

0-3 uses include parking lots that primarily serve the public-at large instead of occupants of or visitors to a use under a 14,000 pounds gross vehicle weight rating (GVWR). The City permits parking lots that primarily serve vehicles over a 14,000 GVWR only accessory to F or H uses.

(J) R: RESIDENTIAL USES

Residential uses include, among others, the use of a building or structure, or a portion thereof, for sleeping purposes when not classified as an Institutional Use. Residential uses shall be classified as R-1, R-2, R-3, or R-4.

(I) R-1: HOTELS

R-1 uses contain sleeping units of more than two dwelling units where the occupants are primarily transient in nature, such as hotels, motels, or lodging houses with more than five guestrooms.

(II) R-2: 3+ UNIT RESIDENTIAL

R-2 uses contain sleeping units or more than two dwelling units where the occupants are primarily permanent in nature, such as multi-unit buildings, convents, or emergency services living quarters. R-2 uses shall also include townhouses.

1) TOWNHOUSE REGULATIONS

When individual townhouse units are located on separate parcels, a minimum combined lot area of all parcels shall be 8,000 square feet, a minimum combined lot width of all parcels shall be 80', each individual parcel shall be a minimum of 20' in width, and a minimum shared side yard setback of 0' is required. The unshared side yard, street yard, and rear yard setbacks of the sites' zoning district shall apply.

(III) R-3: 1-2 UNIT RESIDENTIAL

R-3 uses contain occupants that are primarily permanent in nature and not classified as R-1, R-2, or R-4 uses. Such uses include buildings with one or two dwelling units; accessory dwelling units; care facilities that provide accommodations for five or fewer persons receiving care; and lodging houses with five or fewer guest rooms.

1) ACCESSORY DWELLING UNIT LIMITATION

The City does not permit accessory dwelling units in any district.

(IV) R-4: SMALL COMMUNITY-BASED RESIDENTIAL FACILITIES

R-4 uses shall include buildings, structures, or portions thereof used and licensed as a small Community-based residential facility (CBRF), as defined in [*WIS. STATS. § 50.01\(1G\)*](#) and [*WIS. ADMIN. CODE DHS 83.04\(1\)\(A\)*](#). R-4 uses shall include small (5-8 residents) CBRFs, but shall not include medium (6-20 residents) or large (21+ residents). CBRFs shall demonstrate proof of licensure from the State Department of Health Services to the Zoning Administrator prior to issuance of a Certificate of Occupancy.

(K) S: STORAGE USES

Storage uses include, among others, the use of a building or structure, or a portion thereof, for storage not classified as an H use. A room or space used for storage purposes that is accessory to another occupancy shall be classified as part of that occupancy.

(I) S-1: MODERATE-HAZARD STORAGE

S-1 uses include, among others, buildings used for storage uses that are not classified as S-2 uses, as set forth in IBC 2024 Section 311.2.

(II) S-2: LOW-HAZARD STORAGE

S-2 uses include, among others, buildings used for the storage of noncombustible materials such as products on wood pallets or in paper cartons with or without single thickness divisions; or in paper wrappings, as set forth in IBC 2024 Section 311.3. Such products are permitted to have a negligible amount of plastic trim, such as knobs, handles, or film wrapping.

(L)U: UTILITY AND ACCESSORY USES

Utility and Accessory Uses (U) include buildings and structures of an accessory character and miscellaneous structures not classified in any other specific use. Utility and miscellaneous uses include amateur radio service antennas; beekeeping; carports; composting structures; donation drop off boxes; electric vehicle charging stations; fowl; geothermal energy systems; portable storage units; private garages; satellite antennas; sheds; solar energy systems, and temporary structures (not including children's play structures) existing no longer than 60 days.

1) GENERAL PROVISIONS

The City permits accessory uses only in connection with lawfully established principal uses, and they are subject to the same regulations that apply to principal uses on the subject lot, unless otherwise expressly stated.

2) WHEN ALLOWED

The City limits accessory uses to those expressly regulated in this section or elsewhere in the zoning chapter, as well as those that, in the determination of the Zoning Administrator, satisfy all the following criteria:

- (1) One may customarily find them in conjunction with the principal use of the subject property;
- (2) They are subordinate and clearly incidental to the principal use of the property; and
- (3) They serve a necessary function for or contribute to the comfort, safety, or convenience of occupants of the principal use.

3) TIME OF CONSTRUCTION AND ESTABLISHMENT

One may only establish an accessory use after the principal use.

4) LOCATION

Accessory uses must be located on the same lot as the principal use to which they are accessory, unless otherwise expressly stated.

5) COMPOSTING

A) SIZE

The City permits small-scale, non-commercial composting fewer than 50 cubic yards (38.2 m³).

B) LOCATIONAL LIMITATIONS

Property owners may compost only landscape waste generated from plants grown and maintained on the subject lot or food waste resulting from food preparation or consumption by residents of the subject lot and their visitors. The City does not intend this provision to prohibit property owners from adding outside materials or ingredients to speed or enhance decomposition.

C) MEAT PRODUCTS

The City prohibits meat products in compost bins.

D) RODENT PROTECTION

Property owners must place all compost waste within rodent-resistant compost bins.

E) ANIMAL WASTE

The City permits only animal waste from herbivores within compost bins.

F) BURNING EXPRESSLY PROHIBITED

No person may burn compost within the City.

6) DONATION DROP-OFF BOXES

A) GENERAL

The City limits donation drop-off boxes to the S-CO, U-CO, U-DT, and I zoning districts.

B) NUMBER ALLOWED

The City permits one donation drop-off box per property.

C) LOCATION

Donation drop-off boxes are exempt from the street yard setback requirements for accessory structures; however, no property owner may locate the box closer than three feet from any property line.

7) ELECTRIC VEHICLE CHARGING STATIONS

A) PARKING

Property owners must reserve public electric vehicle charging stations for parking and charging electric vehicles. Owners must post signs reserving the space for electric vehicle charging purposes.

B) EQUIPMENT

Property owners must design and locate EV charging equipment not to impede pedestrian, bicycle, or wheelchair movement or create safety hazards on sidewalks.

C) POSTED INFORMATION

Property owners must post information identifying voltage and amperage levels and any type of use, fees, or safety information related to the electric vehicle charging station.

8) GEOTHERMAL ENERGY SYSTEMS

Property owners must locate geothermal energy systems completely within their property or within appropriate easements. Property owners may not locate any portion of a geothermal energy system within a stream or stream buffer.

9) PORTABLE STORAGE UNITS

The City exempts portable storage units from street-yard setbacks for up to 31 consecutive days within a 12-month period. The City permits portable storage units on properties longer than 31 days for properties with an active building permit.

10) SATELLITE ANTENNAS

Satellite dishes accessory to R uses may not exceed 36 inches (91.4 cm) in diameter.

11) SOLAR ENERGY SYSTEMS

Property owners may locate solar energy systems in any zoning district. Property owners must screen ground-mounted solar energy systems using the options listed within [TABLE IV-8: TRASH, RECYCLING, AND MECHANICAL EQUIPMENT AREA SCREENING OPTIONS](#). The City classifies non-accessory solar energy systems as F-1 uses.

(M) AG: AGRICULTURAL USES

(I) AG-1: CULTIVATION

AG-1 uses shall include all operations primarily oriented to the on-site, outdoor raising of plants. This land use includes trees which are raised as a crop to be replaced with more trees after harvesting, such as in nursery or Christmas tree operations.

In all zoning districts, except for the AG zoning district, the following regulations shall apply:

- (1) Cultivation uses shall not exceed 20% of a lot's area.
- (2) Cultivation uses shall not lie in a lot's street yard or side yard.

(II) AG-2: ANIMAL HUSBANDRY

AG-2 uses include all operations primarily oriented to the on-site raising or use of animals at an intensity of less than one animal unit as, established in [TABLE I-1 ANIMAL UNIT TABLE](#), per acre. AG-2 uses shall not include residential beekeeping or keeping of chickens.

The Director of Planning and Development is authorized to determine the value in animal units for mature animals not listed in [TABLE I-1 ANIMAL UNIT TABLE](#).

Any building housing animals for animal husbandry shall be located a minimum of 100 feet from all lot lines. All outdoor animal containments (pasture) shall be located a minimum of ten feet from any residentially zoned property.

(III) AG-3: INTENSIVE AGRICULTURE

AG-3 uses include all operations primarily oriented to the on-site raising or use of animals at an intensity equal to or exceeding one animal unit, as established in [TABLE I-1 ANIMAL UNIT TABLE](#), per acre or agricultural activities requiring large investments in structures. Examples of such land uses include feed lots, hog farms, poultry operations, fish farms, commercial greenhouse operations and certain other operations meeting this criterion.

The following regulations apply to Intensive Agriculture uses:

- (1) They shall not lie in, or adjacent to, an existing or platted residential subdivision.
- (2) The property owner shall screen the entire perimeter of the occupied parcel using Option A in [TABLE IV-7: OUTDOOR STORAGE AND WORK AREA SCREENING OPTIONS](#).
- (3) All buildings, structures, outdoor storage areas, and outdoor animal containments shall lie a minimum of 300 feet from all parcels with an R use and 100 feet from all other lot lines.
- (4) They shall lie in an area designated for agricultural, or, additionally, in the case of commercial greenhouses, industrial use on the City's comprehensive plan.

(IV) AG-4: AGRICULTURAL SERVICES

AG-4 uses include all operations pertaining to the sale, handling, transport, packaging, storage, or disposal of agricultural equipment, products, by-products, or materials primarily used by agricultural operations. Examples of such land uses include agricultural implement sales, storage, or repair operations; feed and seed stores; agricultural chemical dealers or storage facilities; animal feed storage facilities; commercial dairies; food processing facilities; canning and other packaging facilities; and agricultural waste disposal facilities.

The following regulations apply to Agricultural Services uses:

- (1) They shall not lie in, or adjacent to, an existing or platted residential subdivision.
- (2) All buildings, structures, outdoor storage areas, and outdoor animal containments shall lie a minimum of 100 feet from all lot lines.
- (3) They shall lie in an area designated either agricultural or industrial on the City's comprehensive plan.

(V) AG-5: ON-SITE AGRICULTURAL RETAIL

AG-5 uses include land uses solely associated with the sale of agricultural products grown exclusively on the site. The sale of products grown or otherwise produced off-site shall not be permitted within on-site agricultural retail

operations and such activity constitutes retail sales as a commercial land use. Packaging and equipment used to store, display, package or carry products for the convenience of the operation or its customers (such as egg cartons, baskets, containers, and bags) shall be produced off-site.

The following regulations apply to On-site Agricultural Retail uses:

- (1) Shall meet the accessory structure regulations as detailed in *TABLE II-2: LOT AND STRUCTURE REGULATIONS* and *TABLE II-3: HEIGHT REGULATIONS*.
- (2) A minimum of one parking space shall be required for every 200 square feet of product display area.
- (3) Said structure and fencing shall be located a minimum of 100 feet from any residentially-zoned property.

(VI) AG-6: COMMUNITY GARDEN

AG-6 uses are areas of no more than one acre in areas that are managed and maintained by a group of individuals to grow and harvest food crops or non-food crops (e.g., flowers). A community garden area may be divided into separate garden plots for cultivation by one or more individuals or may be farmed collectively by members of the group. Community gardens may be principal or accessory uses.

ARTICLE IV. CITY-WIDE SITE DESIGN REGULATIONS

ARTICLE V. APPENDICES