

DRAFT PART 1
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CITY OF WATERTOWN, WISCONSIN
CHAPTER 550: ZONING ORDINANCE

Article I: Introduction.....	1
Article II: Establishment of Zoning Districts.....	5
Article III: Land Use Regulations	17
Article IV: Bulk Regulations.....	92
Article V: Nonconforming Situations	106

TABLE OF CONTENTS

Article I: Introduction.....	1
Section 550.01.01: Title.....	1
Section 550.01.02: Authority.....	1
Section 550.01.03: Purpose and Intent.....	1
Section 550.01.04: Separability and Non-Liability.....	2
Section 550.01.05: Abrogation.....	2
Section 550.01.06: Rules of Interpretation.....	2
Section 550.01.07: Jurisdiction.....	3
Section 550.01.08: Reserved.....	3
Section 550.01.09: Effective Date.....	3
Section 550.01.10: Applicability.....	3
Sections 550.01.12 to 550.01.20: Reserved.....	3
Section 550.01.21: Word Usage.....	3
Section 550.01.22: Abbreviations.....	4
Sections 550.01.23 to 550.01.99: Reserved.....	4
Article II: Establishment of Zoning Districts.....	5
Section 550.02.01: Purpose.....	5
Section 550.02.02: Standard Zoning Districts.....	5
Section 550.02.03: Interpretation of Zoning District Boundaries.....	6
Section 550.02.04: Description and Purpose of Zoning Districts.....	6
Sections 550.02.05 to 550.02.09: Reserved.....	6
Section 550.02.10: Zoning Districts.....	7
Sections 550.02.12 to 550.02.19: Reserved.....	9
Sections 550.02.20: Overlay Zoning Districts.....	9
Section 550.02.21: Natural Resources Protection Overlay Zoning District.....	10
Section 550.02.22: Natural Resources Protection Overlay Zoning District - Waterways.....	11
Section 550.02.23: Natural Resources Protection Overlay Zoning District - Woodlands.....	11
Section 550.02.24: Natural Resources Protection Overlay Zoning District – Steep Slopes.....	12
Section 550.02.25: Natural Resources Protection Overlay Zoning District – Floodplain.....	13
Section 550.02.26: Natural Resources Protection Overlay Zoning District – Shoreland-Wetland.....	13
Section 550.02.27: Downtown Historic Preservation Overlay Zoning District.....	13
Section 550.02.28: Airport Overlay Zoning District.....	13
Section 550.02.29 Planned Development Overlay Zoning District.....	13
Sections 550.02.30 to 550.02.99: Reserved.....	16
Article III: Land Use Regulations.....	17
Section 550.03.01: Purpose.....	17
Section 550.03.02: Regulation of Allowable Land Uses.....	17
Section 550.03.03: Regulations Applicable to All Land Uses.....	17
Section 550.03.04: Detailed Land Use Descriptions and Regulations.....	20
Section 550.03.05: Table of Land Uses.....	20

Section 550.01.01: Title

Section 550.03.06: Residential Land Uses.....	28
Section 550.03.07: Reserved.....	41
Section 550.03.08: Mixed-Use Buildings.....	42
Section 550.03.09: Reserved.....	43
Section 550.03.10: Commercial Land Uses	43
Section 550.03.11: Reserved.....	51
Section 550.03.12: Institutional Land Uses	51
Section 550.03.13: Reserved.....	54
Section 550.03.14: Industrial Land Uses	54
Section 550.03.15: Reserved.....	58
Section 550.03.16: Storage Land Uses.....	58
Section 550.03.17: Reserved.....	60
Section 550.03.18: Transportation Land Uses	60
Section 550.03.19: Reserved.....	62
Section 550.03.20: Telecommunication Land Uses	62
Section 550.03.21: Reserved.....	66
Section 550.03.22: Extraction and Disposal Land Uses.....	66
Section 550.03.23: Reserved.....	68
Section 550.03.24: Energy Production Land Uses and Structures	68
Section 550.03.25: Reserved.....	70
Section 550.03.26: Agricultural Land Uses.....	70
Section 550.03.27: Reserved.....	73
Section 550.03.28: Accessory Land Uses and Structures	73
Section 550.03.29: Reserved.....	87
Section 550.03.30: Temporary Uses.....	87
Sections 550.03.31 to 550.03.99: Reserved.....	91
Article IV: Bulk Regulations.....	92
Section 550.04.01: Purpose	92
Sections 550.04.02 to 550.04.09: Reserved.....	92
Section 550.04.10: Bulk Standards	92
Sections 550.04.11 Table of Bulk Dimensions – Residential Zoning Districts.....	93
Section 550.04.12 Table of Bulk Dimensions – Mixed Use Zoning Districts	95
Section 550.04.13 Table of Bulk Dimensions – Industrial Zoning Districts.....	98
Section 550.04.14 Table of Bulk Dimensions –Agriculture, Open Space, and Other Zoning Districts	100
Section 550.04.15 to 550.04.19: Reserved.....	100
Section 550.04.20: Exceptions to Maximum Height Regulations	101
Sections 550.04.21 to 550.04.29: Reserved.....	101
Section 550.04.30: Yard Setback Adjustments.....	101
Sections 550.04.31 to 550.04.39: Reserved.....	103
Section 550.04.40: Projections into Required Yards.....	103
Sections 550.04.41 to 550.04.99: Reserved.....	106

Section 550.01.01: Title

Article V: Nonconforming Situations	106
Section 550.05.01: Purpose	106
Sections 550.05.02 to 550.05.09: Reserved.....	106
Section 550.05.10: Legal Nonconforming Uses	106
Sections 550.05.11 to 550.05.19: Reserved.....	107
Section 550.05.20: Legal Nonconforming Lots.....	107
Sections 550.05.21 to 550.05.29: Reserved.....	107
Section 550.05.30: Legal Nonconforming Structures	107
Sections 550.05.31 to 550.05.39: Reserved.....	110
Section 550.05.40: Other Nonconforming Sites.....	110
Sections 550.05.41 to 550.05.99: Reserved.....	111

ARTICLE I: INTRODUCTION

Section 550.01.01: Title

- (1) This Chapter shall be known, cited, and referred to as the City of Watertown Zoning Ordinance, except whereas referred to herein, where it shall be known as “this Chapter” or “this Ordinance.”

Section 550.01.02: Authority

- (1) This Chapter is enacted pursuant to the authority granted by the State of Wisconsin Statutes. Specific statutory references are provided within the body of this Chapter solely as a means of assisting the reader. Wis. Stats. § 62.23(7), 62.231, 87.30, Wisconsin Statutes.

Section 550.01.03: Purpose and Intent

This Chapter is adopted for the purpose of protecting the health, safety, and general welfare of the public. It is designed to implement the City of Watertown Comprehensive Plan, which is best done through zoning approaches, as enabled by Wisconsin Statutes. It is also the intent of this Chapter to:

- (1) Promote activity, safety, and economic viability;
- (2) Promote the appropriate density and intensity of development;
- (3) Regulate the location, construction, reconstruction, alteration, and use of buildings, structures, and land;
- (4) Facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public facilities;
- (5) Encourage a mix of land uses, at densities that support multi-modal transportation;
- (6) Provide for safe and efficient circulation of all modes of transportation, including transit, pedestrian, and bicycle traffic;
- (7) Control and lessen congestion in the streets;
- (8) Be adaptable to new types, formats, and mixes of land uses to reflect changing preferences, economics, and technologies;
- (9) Reduce Watertown’s contribution to climate change and adapt to our changing environment;
- (10) Promote the conservation of energy and utilization of renewable resources;
- (11) Protect and enhance natural resources;
- (12) Protect groundwater resources;
- (13) Avoid undue concentration of population;
- (14) Reduce inequalities of resource allocation and the externalities of the use of land;
- (15) Prevent the overcrowding of land;
- (16) Promote adequate light, air, privacy, and convenience of access to property;
- (17) Preserve, protect, and promote property values;
- (18) Promote property improvements and upkeep;
- (19) Preserve burial sites as defined in Wis. Stats. §157.70(1)(b); and
- (20) Secure safety from fire, panic, and other dangers.

Section 550.01.04: Separability and Non-Liability

Section 550.01.04: Separability and Non-Liability

It is hereby declared to be the intention of the City of Watertown Common Council that provisions of this Chapter are separable in accordance with the following:

- (1) If any court of competent jurisdiction shall adjudge any provision of this Chapter to be invalid, such judgment shall not affect any other provisions of this Chapter not specifically included in said judgment.
- (2) If any court of competent jurisdiction shall adjudge invalid the application of any portion of this Chapter to a particular property, water, building, or structure, such judgment shall not affect the application of said provision to any other property, water, building, or structure not specifically included in said judgment.
- (3) If any requirement or limitation attached to an authorization given under this Chapter is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid.
- (4) The City does not guarantee, warrant, or represent that only those areas designated as floodplain will be subject to periodic inundation and hereby asserts that there is no liability on the part of the City, its officers, employees, agents, or representatives for any flood damages, sanitation problems, or structural damages.

Section 550.01.05: Abrogation

It is also not intended that this Chapter abrogate, repeal, annul, impair, or interfere with any existing easements, covenants, deed restrictions, agreements, rules, regulations, or permits previously adopted or issued pursuant to law.

Section 550.01.06: Rules of Interpretation

- (1) In their interpretation and application, the provisions of this Chapter shall be held to be the minimum requirements for the promotion of the public health, safety, and welfare and shall be liberally construed in favor of the City and shall not be construed to be a limitation or repeal of any other power now possessed by the City of Watertown.
- (2) Where property is affected by the regulations imposed by any provision of this Chapter and by other governmental regulations, the regulations which are more restrictive or which impose higher standards or requirements shall prevail. Regardless of any other provision of this Chapter, no land shall be developed or used, and no structure erected or maintained, in violation of any state or federal regulations. Where there are conflicts between or among regulations within this Chapter, the regulations that are more restrictive or which impose higher standards or requirements shall prevail. In all instances where there are conflicts between the text of this Chapter and any tables or figures of this Chapter, the text shall prevail.
- (3) No structure, land, water, or air shall hereafter be used and no structure or part thereof shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted, or structurally altered without a building permit, except structures not requiring a building permit per the Building Code (Chapter 253 of the City of Watertown Municipal Ordinance), and without full compliance with the provisions of this Chapter and all other applicable local, county, and state regulations.
- (4) Nothing herein contained shall require any changes in plans, construction, size, or designated use of any building or part thereof for which a building permit has been issued before the effective date of this Chapter, and the construction of which shall have been started within two years from the date of such permit.

Section 550.01.07: Jurisdiction

- (5) Except as provided in this Chapter, under provisions for nonconforming uses, nonconforming developments, substandard lots, and nonconforming structures and buildings (see Article V), no building, structure, development, or premises shall be hereinafter used or occupied, and no applicable permit granted, that does not conform to the requirements of this Chapter.
- (6) In cases of mixed occupancy or mixed use, the regulations for each land use shall apply to the portion of the structure or land so occupied or so used.
- (7) Except for outlots authorized by Chapter 545 Subdivisions of Land to contain permanently protected green space area, no yard or other open space area shall be considered as providing a yard or open space for a building or structure on any other lot.

Section 550.01.07: Jurisdiction

- (1) This Chapter is applicable to all territory located within the corporate limits of the City of Watertown.

Section 550.01.08: Reserved**Section 550.01.09: Effective Date**

- (1) This Chapter shall become effective upon passage and publication according to law, following the date of repeal and recreation of the Official Zoning Ordinance and Map. All plans approved under previous zoning regulations shall be valid and may be used to obtain permits for a period of not more than two year after the effective date of this Chapter, except where subject to developer agreement provisions such as Planned Developments.

Section 550.01.10: Applicability

- (1) All Sections of this Chapter are applied to all properties, all development activity, and all uses of land and property within the City of Watertown. Beyond this Chapter, these kinds of activities are subject to all City, State, and Federal requirements.
- (2) The use of land is generally addressed in Articles II and III. Development activities including redevelopment, and structure and site renovations are regulated throughout the ordinance rather than in any one section or article.
- (3) Where questions of applicability arise, the interpretation of applicability falls under the duties of the Zoning Administrator or Building Inspector.

Sections 550.01.12 to 550.01.20: Reserved**Section 550.01.21: Word Usage**

The interpretation of this Chapter shall abide by the provisions and rules of this Section, except where the context clearly requires otherwise, or where the result would clearly be inconsistent with the apparent intent of this Chapter.

- (1) Words used or defined in one tense or form shall include other tenses and derivative forms.
- (2) Words in the singular number shall include the plural number, and words in the plural number shall include the single number.
- (3) The masculine gender shall include the feminine, and vice versa.
- (4) The words “shall,” “must,” and “will” are mandatory.
- (5) The words “may,” “can,” and “might” are permissive.

Section 550.01.22: Abbreviations

- (6) The word “person” includes individuals, firms, corporations, partnerships, associations, trusts, and any other legal entity.
- (7) The word “City” shall mean the City of Watertown, Wisconsin.
- (8) The word “county” shall mean the Counties of Dodge and Jefferson, Wisconsin.
- (9) The word “state” shall mean the State of Wisconsin.
- (10) The words “Plan Commission” shall mean the City of Watertown Plan Commission.
- (11) The word “Council”, “City Council”, and “Common Council” shall refer to the City of Watertown Common Council.
- (12) The words “Board” or “Board of Appeals” shall refer to the City of Watertown Zoning Board of Appeals.
- (13) The words “Title”, “Code”, “Ordinance” or “Chapter” refer to the City of Watertown Zoning Ordinance (Chapter 550), unless an alternative numeric reference is provided.
- (14) If there is any ambiguity between the text of this Chapter and any illustration or figure, the text shall control.

Section 550.01.22: Abbreviations

- (1) The following abbreviations in this Chapter are intended to have the following meanings:

Abbreviation	Meaning
ft	Foot
NA	Not applicable
sq. ft.	Square feet
Wis. Stats.	Wisconsin Statutes

Sections 550.01.23 to 550.01.99: Reserved

ARTICLE II: ESTABLISHMENT OF ZONING DISTRICTS

Section 550.02.01: Purpose

- (1) The area located within the jurisdiction of this Chapter is hereby divided into zoning districts of such number as is necessary to achieve compatibility of land uses within each district, to implement the City of Watertown Comprehensive Plan, and to achieve the other purposes of this Chapter.

Section 550.02.02: Standard Zoning Districts

- (1) For the purpose of this Chapter, all areas within the jurisdiction of this Chapter are hereby divided into the following standard zoning districts.

Figure 550.02.02a: Standard Zoning Districts

Residential Zoning Districts	
SF-1	Single Family Residential – 1
SF-2	Single Family Residential – 2
SF-3	Single Family Residential – 3
MR-1	Mixed Residential – 1
MR-2	Mixed Residential – 2
MR-3	Mixed Residential – 3
CC	Cottage Court
MH-1	Mobile Home
Nonresidential Zoning Districts	
Mixed-Use	
INST	Institutional
NMU	Neighborhood Mixed-Use
CMU	Corridor Mixed-Use
DMU	Downtown and Riverfront Mixed-Use
DRR	Downtown and Riverfront Residential
Industrial	
LI	Light Industrial
HI	Heavy Industrial
Other	
PR	Parks and Recreation
IOA	Intensive Outdoor Activity
AG	Agricultural
Overlay Zoning Districts	
NR	Natural Resource Protection
HP	Downtown Historic Preservation
AO	Airport
PD	Planned Development

- (2) Vacation of public streets and alleys shall cause the land vacated to be automatically placed in the same district as the abutting side to which the vacated land reverts. See Wis. Stats. § 66.1003.

Section 550.02.03: Interpretation of Zoning District Boundaries

- (3) Annexations to or consolidations with the City subsequent to the effective date of this chapter shall be placed in the AG Agricultural zoning district, unless the annexation ordinance temporarily places the land in another district. Following annexation and accompanying any application for a process included within [Article X](#), the Plan Commission shall evaluate and recommend a permanent district classification to the Common Council, subject to procedures included within [Section 550.10.30](#) for a Zoning Map Amendment.

Section 550.02.03: Interpretation of Zoning District Boundaries

The following rules shall be used to determine the precise location of any zoning district boundary shown on the Official Zoning Map of the City of Watertown:

- (1) Zoning district boundaries shown as following or approximately following the limits of any City, village, town, or county boundary shall be construed 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 Counties of Dodge and Jefferson 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 paragraphs (1) through (5), above, shall be construed to be at such distances there from 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 Zoning Administrator.

Section 550.02.04: Description and Purpose of Zoning Districts

- (1) The following Sections specify the description and purpose of the standard zoning districts established by this Chapter, establish principal and accessory uses permitted by right or as conditional uses, establish bulk, density, and intensity standards, and reference other applicable regulations. The Intent statement of each zoning district is intended to convey the approximate gross densities for reference purposes, not regulatory purposes. Density on a given lot is determined through the bulk dimensional standards such as lot size, height, and setbacks. Definitions and regulations for land uses are provided in [Article III. Section 550.03.05](#) includes a Table of Land Uses indicating which land uses are allowed in each zoning district, and whether they are permitted by right, by conditional use, as accessory uses, or as temporary uses. See [Article IV](#) for bulk dimensions regulations.
- (2) The Official Zoning Map of the City of Watertown is hereby adopted and approved as part of this Chapter and shall be effective on the effective date of this Chapter. Any Official Zoning Map amendments impacting the zoning classification of any property regulated by this Chapter shall follow the procedures in [Section 550.10.30](#).

Sections 550.02.05 to 550.02.09: Reserved

Section 550.02.10: Zoning Districts

- (1) All Zoning Districts. Each individual Zoning District established by this Chapter shall be subject to the Principal Uses Permitted by Right, Principal Uses Permitted only as a Conditional Use, Accessory Land Uses Permitted by Right, Accessory Land Uses Permitted only as a Conditional Use, and Temporary Land Uses as established in **Section 550.03.05** Table of Land Uses and applicable land use standards in **Sections 550.03.06 through 550.03.30**. Each individual Zoning District established by this Chapter shall also be subject to the Density, Intensity, and Bulk Regulations as established in **550.04.10** Table of Bulk Dimensions and any applicable standards in **Article IV**.
- (2) **(SF-1) Single Family Residential-1 Zoning District.**
 - (a) Intent. This district is intended to create, preserve, and enhance areas for single family detached dwellings on moderately sized lots.
- (3) **(SF-2) Single Family Residential-2 Zoning District.**
 - (a) Intent. This district is intended to create, preserve, and enhance areas for single family detached dwellings at generally higher densities than the SF-1 district. This district is designed for smaller lot front-loaded homes but may accommodate alley-loaded homes.
- (4) **(SF-3) Single Family Residential-3 Zoning District.**
 - (a) Intent. This district is intended to create, preserve, and enhance areas for single family detached dwellings at generally higher densities than the SF-2 district. This district is designed for alley-loaded homes.
- (5) **(MR-1) Mixed Residential-1 Zoning District.**
 - (a) Intent. This district is intended to create, preserve, and enhance areas for two family attached dwellings such as duplexes, twin homes, and two flats at generally higher densities than the SF-3 district.
- (6) **(MR-2) Mixed Residential-2 Zoning District.**
 - (a) This district is intended to create, preserve, and enhance areas for multi-family uses such as duplexes, townhomes, two-flat, townhomes, apartment, and multiplex dwellings at generally higher densities than the MR-1 district.
- (7) **(MR-3) Mixed Residential-3 Zoning District**
 - (a) Intent. This district is intended to create, preserve, and enhance areas for multi-family uses in small and mid-size buildings such as townhomes, multiplexes, or apartments, at generally higher densities than the MR-2 district.
- (8) **(CC) Cottage Court Zoning District**
 - (a) Intent. This district is intended to promote infill development and redevelopment within established neighborhoods or create new developments that are built at scale and character consistent with the surrounding development pattern. Cottage Courts are comprised of small residential buildings that may be made of detached, attached, or townhouse units. Where possible, the units should relate to a common open space. A Cottage Court may be developed on

Section 550.02.10: Zoning Districts

individual lots or with a common form of ownership. Cottage Court housing may allow for smaller, less expensive single-family housing and may provide additional home ownership opportunities.

(9) **(MH-1) Mobile Home Zoning District**

- (a) Intent. This district is intended to provide for the development and continued use of non-permanently attached manufactured and mobile home communities. This district is designed to accommodate such housing in appropriate locations, ensure compatibility with surrounding land use, and promote stable, well-maintained residential environments.

(10) **(NMU) Neighborhood Mixed-Use Zoning District**

- (a) Intent. This district is intended to provide for a variety of employment, retail, and community service opportunities in a small-scale setting while allowing some residential uses to occur at a density that can be accommodated within the bulk requirements of this zoning district.

(11) **(INST) Institutional Zoning District**

- (a) Intent. This district is intended to permit both large- and small-scale institutional development compatible with both residential and nonresidential zoning districts.

(12) **(CMU) Corridor Mixed-Use Zoning District**

- (a) Intent. This district is intended to permit development, generally on established commercial corridors, that is or is planned to become mixed-use in character and to establish standards that are compatible with the existing mix of land uses and redevelopment objectives. This district is intended to provide for a variety of employment, retail, and community service opportunities, while allowing some residential uses intended to occur at a density that can be accommodated within the bulk requirements of this zoning district. Uses shall be compatible not only with other uses within the district, but land uses in adjoining zoning districts as well.

(13) **(DMU) Downtown and Riverfront Mixed-Use Zoning District**

- (a) Intent. This district is intended to permit downtown commercial and mixed-use development at an intensity which provides significant incentives for infill development, redevelopment, and the continued economic viability of existing development in a downtown development pattern that is compatible with traditional “Main Street” characteristics of Downtown Watertown. Residential uses are intended to occur in combination with commercial land uses at a density that can be accommodated within the bulk requirements of this zoning district.

(14) **(DRR) Downtown and Riverfront Residential Zoning District**

- (a) This district is intended to encourage residential development near the downtown area that complements the scale, form, and walkable character of the surrounding urban core. The district provides opportunities for higher-intensity residential uses, such as townhomes and apartments while not requiring ground-floor commercial space. Residential development in this district should be designed to align with the district’s bulk standards and complement the established architectural rhythm and streetscape character of Downtown Watertown.

(15) **(LI) Light Industrial Zoning District**

- (a) Intent. This district is intended to permit both small- and mid-scale industrial at an intensity which is consistent with economic development objectives and compatible with adjacent development. The primary distinguishing feature of this district is that it is geared toward indoor industrial activities with some loading and unloading which are not typically associated with high noise, soot, odors, and other potential nuisances for adjoining properties.
- (16) **(HI) Heavy Industrial Zoning District**
- (a) Intent. This district is intended to provide space for higher intensity manufacturing and industrial operations which may be incompatible with residential and commercial uses because of potential nuisance or hazard generation. The primary distinguishing feature of this district is that it is geared toward both indoor and outdoor industrial activities which may be associated with high noise, soot, odors, and other potential nuisances for adjoining properties.
- (17) **(PR) Parks and Recreation Zoning District**
- (a) Intent. This district is established on land owned by the City of Watertown and operated in conjunction with the activities of the City of Watertown and Parks, Recreation, and Forestry Department.
- (18) **(IOA) Intensive Outdoor Activity Zoning District**
- (a) Intent. This district is intended to permit large-scale outdoor storage uses and quarrying, sand and gravel extraction, and landfill uses associated with significant impacts on neighboring properties, particularly related to material usage, noise, aesthetic, visibility, and other potential nuisances for adjoining properties. This district also permits large-scale outdoor commercial entertainment uses associated with significant impacts on neighboring properties, particularly related to traffic, parking, noise, operating hours, and lighting. If sited properly, the City will consider the use of this zoning district on a case-by-case basis at the request of a property owner.
- (19) **(AG) Agriculture Zoning District**
- (a) Intent. This district is intended to preserve productive agricultural lands in the long-term, protect existing farm operations from encroachment by incompatible uses, promote further investments in farming, and maintain eligibility for farming incentive programs. This district is also intended to permit existing agricultural operations to continue directly following annexation of the property into the City until such time as it is appropriate for said lands to be developed into urban development patterns.

Sections 550.02.12 to 550.02.19: Reserved

Sections 550.02.20: Overlay Zoning Districts

- (1) Purpose. The purpose of this Article is to establish overlay zoning districts wherein certain additional requirements are superimposed on the underlying standard zoning districts set forth above in this Chapter. Each overlay district is intended to address a special land use circumstance beyond those addressed by the underlying zoning district. Special requirements include protections against natural hazards, protections of valued natural and cultural resources, and guidelines for unique development situations. Any nonconforming situation (lot, use, structure, and/or site) shall adhere to the provisions of **Article V**.
- (2) How to Use the Overlay Districts Sections. A given property may lie within one or more overlay zoning district based on its geographic location. The provisions of this Article are intended to be consulted before issuance of any building permit, site plan approval, conditional use permit, zoning permit, zoning change, or land division to ensure the intended use meets all of the requirements of any

Section 550.02.21: Natural Resources Protection Overlay Zoning Districts

applicable overlay district, in addition to the underlying standard zoning district. For each overlay district established in this Article, a definition of the resource or geographic area is provided, followed by the specific purposes of the protective regulations governing the resource or geographic location, the method of delineating the boundaries of the overlay district, and the development regulations.

- (3) For the purpose of this Chapter, the following overlay zoning districts are hereby established.
 - (a) (NR) Natural Resource Protection Overlay Zoning District
 - (b) (HP) Downtown Historic Preservation Overlay Zoning District
 - (c) (AO) Airport Overlay Zoning District
 - (d) (PD) Planned Development Overlay Zoning District
- (4) Map of Overlay Zoning Districts
 - (a) Except where otherwise indicated in this Article, the overlay zoning districts are represented on the Official Zoning Map, adopted and from time to time amended by the City of Watertown.

Section 550.02.21: Natural Resources Protection Overlay Zoning Districts

- (1) This section introduces overlay zoning districts which regulate areas in which natural resource protection requirements apply. Each type of natural resource regulated by this chapter is represented by an overlay zoning sub-district bearing its name. All natural resources sub-districts are mapped on the Official Zoning Map as a single Natural Resources Protection Overlay zoning district. For specific natural resource protection overlay district designation criteria, see **Sections 550.02.22 through 550.02.26** of this chapter and also **Chapter 532, Floodplain and Shoreland-Wetland Overlay Zoning**.
- (2) Natural resource protection overlay districts include:
 - (a) Waterway Overlay District.
 - (b) Woodland Overlay District.
 - (c) Steep Slope Overlay District.
 - (d) Floodplain Overlay Districts.
 - (e) Shoreland-Wetland Overlay District.
- (3) Purpose. The purpose of this article is to set forth the requirements for the mandatory protection of natural resources and permanently protected green space areas within the jurisdiction of this chapter.
- (4) How to use this article. This article contains the standards that govern the protection, disturbance and mitigation of disruption of all natural resources and other permanently protected green space areas. The provisions of this article are intended to supplement those of the City of Watertown, Dodge and/or Jefferson County, the State of Wisconsin, and the federal government of the United States that pertain to natural resource protection. Prior to using the provisions of this article to determine the permitted disruption of such areas, the requirements provided below should be reviewed. This article recognizes the important and diverse benefits that natural resource features provide in terms of protecting the health, safety and general welfare of the community. Each of the following sections is oriented to each natural resource type and is designed to accomplish several objectives:
 - (a) First, a definition of the natural resource is provided.
 - (b) Second, the specific purposes of the protective regulations governing each natural resource type are provided.
 - (c) Third, the required method of identifying and determining the boundaries of the natural resource area is given.
 - (d) Fourth, mandatory protection requirements are identified.

Section 550.02.22: Waterways Overlay Zoning District

- (1) Definition. Waterways are navigable or non-navigable, aboveground watercourses, detention basins and/or their environs which are identified by the presence of one or more of the following:
 - (a) All areas within 75 feet of the ordinary high-water mark of a perennial stream, as shown on a detailed on-site survey prepared by the applicant as described in [Section 550.10.43\(8\)\(c\)](#).
 1. Where an existing development pattern exists, the waterway setback for a proposed principal structure may be reduced to the average waterway setback of the principal structure on each adjacent lot, but the waterway setback may not be reduced to less than 35 feet from the ordinary high-water mark of any perennial stream.
 - (b) All areas within 50 feet of the ordinary high-water mark of an intermittent stream or open channel waterway, as shown on a detailed on-site survey prepared by the applicant as described in [Section 550.10.43\(8\)\(c\)](#).
 1. Where an existing development pattern exists, the waterway setback for a proposed principal structure may be reduced to the average waterway setback of the principal structure on each adjacent lot, but the waterway setback may not be reduced to less than 35 feet from the ordinary high-water mark of an intermittent stream or open channel waterway.
- (2) Purpose of waterway protection requirements. Waterways serve in the transporting of surface runoff to downstream areas. As such, waterways serve to carry surface waters, supplement floodplain, wetland and lakeshore water storage functions in heavy storm or melt events, filter waterborne pollutants and sediments, promote infiltration and groundwater recharging, and provide a unique habitat at the land/water margin. Waterway protection requirements preserve each of these functions as well as greatly reducing the potential for soil erosion along waterways by protecting vegetative ground cover in areas which are susceptible to variable runoff flows and moderate-to-rapid water movement.
- (3) Determination of waterway boundaries. General waterway boundaries are depicted on the Official Zoning Map. Upon the proposal of development activity on any property which contains a waterway depicted on the Official Zoning Map, the petitioner shall prepare a detailed site analysis as described in [Section 550.10.43\(8\)\(c\)](#). This analysis shall depict the location of all waterway areas on the subject property as related to the provisions of [Subsection \(1\)](#) above.
- (4) Mandatory waterway protection requirements. Waterways shall remain in an undisturbed state except for the land uses permitted in [Section 550.03.05 \(Table of Land Uses\)](#). Vegetation clearing to maintain waterway functions is permitted with the written approval of the Public Works Director/City Engineer. All areas designated as waterways shall be located within a public easement or dedication for maintenance purposes to preserve proper drainage flow.

Section 550.02.23: Woodlands Overlay Zoning District

- (1) Definition. Woodlands are areas of trees whose combined canopies cover a minimum of 80% of an area of one acre or more, as shown on a detailed on-site survey prepared by the applicant as described in [Section 550.10.43\(8\)\(c\)](#).
- (2) Purpose of woodland protection requirements. Woodlands provide a wide variety of environmental functions. These include atmospheric benefits such as removing airborne pollutants, carbon dioxide uptake, oxygen production, and evapotranspiration returns. Water quality benefits include substantial nutrient uptake rates (particularly for nitrogen and phosphorus) and surface runoff reduction in terms of both volumes and velocities. Woodlands provide unique wildlife habitats and food sources. Woodlands are excellent soil stabilizers, greatly reducing runoff-related soil erosion. Woodlands also

Section 550.02.24: Steep Slopes Overlay Zoning District

serve to reduce wind velocities which further reduces soil erosion. Finally, under proper management techniques, woodlands serve as regenerative fuel sources.

- (3) Determination of woodland boundaries. General woodland boundaries are depicted on the Official Zoning Map. Upon the proposal of development activity on any property which contains a woodland depicted on the Official Zoning Map, the petitioner shall prepare a detailed site analysis per the requirements as described in [Section 550.10.43\(8\)\(c\)](#). This analysis shall depict the location of all woodland areas on the subject property as related to the provisions of [Subsection \(1\)](#) above.
- (4) Mandatory woodland protection requirements. Woodlands shall remain in an undisturbed state except for the land uses permitted in [Section 550.03.05 \(Table of Land Uses\)](#) and areas subject to the following mitigation requirements:
 - (a) **Selective Cutting:** Land uses including any operation associated with one-time, continuing, or cumulative clearing, cutting, harvesting or other destruction of trees (including by fire) where the extend of such activity is limited to an area (or combined areas) of less than or equal to 30% of the woodlands on the property. The destruction of trees in an area more than this amount shall be considered Clear-Cutting.
 - (b) **Clear-Cutting:** Land uses including the one-time, continuing, or cumulative clearing, cutting, harvesting or other destruction (including by fire) of trees in an area (or combined areas) of more than 30% of the woodlands on a property. Clear-cutting is permitted only as a conditional use within the jurisdiction of this chapter. Areas which have been clear-cut as a result of intentional action following the effective date of this chapter without the granting of a conditional use permit are in violation of this chapter and the property owner shall be fined for such violation (in accordance with the [provisions of X](#)) shall be required to implement the mitigation standards required for the destruction of woodlands solely at their expense, including costs associated with site inspection to confirm the satisfaction of mitigation requirements. Areas which have been clear-cut unintentionally as a result of fire shall not subject the owner of the property to fines associated with the violation of this chapter.

Regulations:

1. Applicant shall demonstrate that clear-cutting will improve the level of environmental protection on the subject property.
2. Areas of the subject property which are clear-cut beyond the limitations established above shall be replanted per the requirements of [Section 550.07.01](#). (Referenced section requires the replanting of trees in other portions of the subject property, thereby freeing the currently wooded area for development while ensuring that the amount of required wooded area on the subject property remains constant.)
3. Clear-cutting shall not be permitted within a required bufferyard or within an area designated as permanently protected greenspace.

Section 550.02.24: Steep Slopes Overlay Zoning District

- (1) Definition. Steep slopes are areas which contain a gradient of 12% or greater (equivalent to a ten-foot elevation change in a distance of 83 feet or less), as shown on a detailed on-site survey prepared by the applicant as described in [Section 550.10.43\(8\)\(c\)](#).
- (2) Purpose of steep slope protection requirements. Steep slopes are particularly susceptible to damage resulting from site disruption, primarily related to soil erosion. Such damage is likely to spread to areas which were not originally disturbed. Such erosion reduces the productivity of the soil, results in exacerbated erosion downhill, and results in increased sedimentation in waterways, wetlands, streams,

Section 550.02.25: Floodplain Overlay Zoning District

ponds and lakes. Beyond adversely affecting the environmental functions of these resources areas, such sedimentation also increases flood hazards by reducing the floodwater storage capacity of hydrological system components, thus elevating the flood level of the drainage system in affected areas. Beyond these threats to the public safety, disruption of steep slopes also increases the likelihood of slippage and slumping, unstable soil movements which may threaten adjacent properties, buildings and public facilities such as roads and utilities.

- (3) Determination of steep slope boundaries. General steep slope boundaries are depicted on the Official Zoning Map. Upon the proposal of development activity on any property which contains a steep slope depicted on the Official Zoning Map, the petitioner shall prepare a detailed site analysis per the requirements of [Section 550.10.43\(8\)\(c\)](#). This analysis shall depict the location of all steep slope areas on the subject property as related to the provisions of [Subsection \(1\)](#) above.
- (4) Mandatory steep slope protection requirements. Steep slopes shall remain in an undisturbed state except for the land uses permitted in [Section 550.03.05 \(Table of Land Uses\)](#).

Section 550.02.25: Floodplain Overlay Zoning District

See Chapter [532](#), Floodplain and Shoreland-Wetland Overlay Zoning.

Section 550.02.26: Shoreland-Wetland Overlay Zoning District

See Chapter [532](#), Floodplain and Shoreland-Wetland Overlay Zoning.

Section 550.02.27: Historic Preservation Overlay Zoning District

- (1) Purpose and Intent. This district is intended to implement the urban design recommendations of the Comprehensive Plan by preserving and enhancing the historical quality of the downtown and by attaining a consistent visually pleasing image for the downtown area. As emphasized by said plan, this district is designed to forward both aesthetic and economic objectives of the City by controlling the site design and appearance of development within the district in a manner that is consistent with sound land use, urban design and economic revitalization principles. The application of these standards will ensure long-term progress and broad participation toward these principles. [Refer to Section 550.10.XX for the procedures](#) applicable to proposal review in this overlay district.

Section 550.02.28: Airport Overlay Zoning District

- (1) Purpose and Intent. This district is intended to implement height limitations for preservation of the City of Watertown Municipal Airport approach zones. The application of these standards will ensure long-term viability and safety of airport operations. Refer to [Chapter 211](#) for procedures applicable to proposal review in this overlay district.

Section 550.02.29 Planned Development Overlay Zoning District

- (1) Purpose. The purpose of this district is to provide for the possible relaxation of certain development standards pertaining to the base standards of any zoning district. In exchange for such flexibility, it is anticipated that development within a Planned Development District will reflect the City's planning policies as set forth in the City's Comprehensive Plan and offer one or more of the following advantages:
 - (a) Positively contribute to the appearance and function of land uses and site design in the area.

Section 550.02.29 Planned Development Overlay Zoning District

- (b) Promote a greater level of architectural quality while ensuring compatibility with other structures in the area.
 - (c) Conserve and protect environmentally sensitive areas, areas of natural beauty, and natural green spaces.
 - (d) Preserve the cultural and historic character and significance of existing structures or areas.
 - (e) Provide substantial buffers and transitions between different land uses and densities.
 - (f) Reduce congestion on streets and improve pedestrian and bicycle circulation.
 - (g) Development would not conflict with or cause overload on such facilities as schools, highways, police, fire, or utility services.
 - (h) Promote economic design and location of public and private utilities, and community facilities, insuring adequate standards for construction and planning.
 - (i) Insure proper maintenance and preservation of any common areas for recreation and esthetic enhancement.
- (2) Intent. Planned developments are intended to encourage, promote, and provide improved environmental design by allowing for greater freedom, imagination, and flexibility in the development of land, while ensuring substantial compliance with the basic intent of this Chapter and the City of Watertown Comprehensive Plan. To this end, planned developments allow diversification and variation in the relationship of uses, structures, open spaces, and heights of structures in developments conceived and implemented as comprehensive and cohesive unified projects. The Planned Development District shall allow development to be designed, reviewed, approved, constructed, and managed as approved by the Common Council rather than required by the underlying zoning district.
- (a) The City may permit flexibility in the types of uses, area and yard requirements, off-street parking, and/or other regulations set forth in this Chapter by use of exceptions/base standard modifications subject to the demonstration of their appropriateness for the area under consideration.
 - (b) It is not intended that the City will automatically grant exceptions/base standard modifications in a Planned Development District, and it is expected the City will grant only such exceptions when they are consistent and comparable with benefits to the community that result from the Planned Development.
 - (c) The City may require, as conditions of approval, any reasonable stipulation, limitation, or design factor which will promote suitable development in the Planned Development District.
 - (d) The City may permit flexibility in the types of uses, area and yard requirements, off-street parking, and/or other regulations set forth in this Chapter by use of exceptions/base standard modifications subject to the demonstration of their appropriateness for the area under consideration.
- (3) Applicability. Areas that may be deemed appropriate for a Planned Development include, but are not limited to:
- (a) Transitional areas that involve locations with a mix of different land uses where new development is proposed in an area of preexisting uses and buildings.
 - (b) Infill areas located in a developed area that involve parcels that may have been bypassed during the normal course of urbanization or that have been cleared.
 - (c) Redevelopment areas where first or subsequent uses and/or structures are to be replaced by new uses and/or structures.

Section 550.02.29 Planned Development Overlay Zoning District

- (d) Special areas that include locations that are considered community gateways or entryway corridors and those areas identified as special planning areas in the City's Comprehensive Plan
 - (e) Development areas where base zoning standards may not be appropriate and/or needed, and where the developer and community will benefit from a greater level of flexibility in land use and bulk controls.
- (4) Planned developments have the potential to create undesirable impacts on nearby properties if allowed to develop simply under the general requirements of this chapter. In addition to such potential, planned developments also have the potential to create undesirable impacts on nearby properties which potentially cannot be determined except with a binding site plan, landscape plan and architectural plan, and on a case-by-case basis. In order to prevent this from occurring, all planned developments are required to meet certain procedural requirements applicable only to planned developments, in addition to the general requirements of this chapter. A public hearing process is required to review a request for a planned development.
- (5) Provision of flexible development standards for planned developments.
- (a) Permitted location. Planned Developments shall be permitted with the approval of Planned Development zoning map amendment, specific to the approved Planned Development, within all zoning districts.
 - (b) Flexible development standards. The following exemptions to the development standards of the underlying zoning district may be provided with the approval of a planned development:
 - 1. Land use requirements. All land uses listed in **Article III Land Uses** may be permitted within a Planned Development except that Industrial land uses may only be allowed in planned developments that use an underlying zoning district which specifically list industrial uses as permitted or conditional uses.
 - 2. Density, intensity, and bulk requirements. All requirements listed in **Article IV Bulk Regulations** may be waived within a planned development.
 - 3. Landscaping requirements. All requirements listed in **Article VIII Landscaping Requirements** may be waived within a planned development.
 - 4. Performance standards. All requirements listed in **Article VI Performance Standards** may be waived within a Planned Development.
 - 5. Exterior building design standards. All requirements listed in **Article VII Exterior Building Design Standards** may be waived within a Planned Development.
 - 6. Parking and loading requirements. All requirements for off-street parking, traffic circulation, and off-street loading may be waived within a planned development.
 - 7. Signage requirements. All requirements listed in **Article IX Signs** may be waived within a Planned Development.
 - 8. Waterway Overlay District requirements. All Waterway Overlay District requirements listed in **Article II** may be waived within a planned development.
- (6) Requirements to depict all aspects of development. Only development which is explicitly depicted on the required site plan approved by the Common Council as part of the approved planned development shall be permitted, even if such development (including all aspects of land use, density and intensity, bulk, landscaping, and parking and loading) is otherwise listed as permitted. Requested exemptions from these standards shall be made explicit by the applicant in the application and shall be recommended by the Plan Commission and approved explicitly by the Common Council. If not so requested and approved, such exemptions shall not be permitted.

Sections 550.02.30 to 550.02.99: Reserved

- (7) Existing Planned Developments. The following applies to any Planned Development, or portion thereof, that was adopted prior to the effective date of this Chapter. For purposes of this Chapter and the Official Zoning Map, any reference to “Planned Development District” or “PDD” shall mean Planned Development.
- (a) Any existing Planned Development which has received both General Development Plan approval and Precise Implementation Plan approval, shall hereby reference the following most equivalent base zoning district, as determined by the Zoning Administrator:

Figure 550.02.70a Zoning District Translation Table

Pre-2027 Zoning Districts	Most Equivalent Base Zoning District
SR-4 Single Family Residential	SF-1, SF-2, SF-3
TR-6 Two-Family Residential	MR-1
MR-8 Multi-Family Residential	MR-2
MR-10 Multi-Family Residential	MR-3
NO Neighborhood Office	NMU
NB Neighborhood Business	NMU
PO Planned Office and Institutional	INST
PB Planned Business	CMU
GB General Business	CMU
CB Central Business	DMU, DRR
PI Planned Industrial	LI
GI General Industrial	LI
HI Heavy Industrial	HI
RH Rural Holding	AG
A-1 Agricultural	AG

- (1) Procedures. Procedures governing Planned Development zoning are set forth in Section 550.10.45.

Sections 550.02.30 to 550.02.99: Reserved

ARTICLE III: LAND USE REGULATIONS

Section 550.03.01: Purpose

The purpose of this Article is to indicate which land uses may locate in each zoning district and under what requirements; and which land uses may not locate therein. Certain land uses may locate in a given district as a matter of right upon compliance with special regulations for such a land use. A further distinction is made for land uses which may locate in a given district only upon obtaining a conditional use or temporary use permit.

Section 550.03.02: Regulation of Allowable Land Uses

The allowable land uses for each zoning district are established in [Article II](#) of this Chapter and in [Section 550.03.05](#). Detailed descriptions and regulations for uses are found in [Sections 550.03.06 through 550.03.30](#). No land use is permitted or permissible on a property unless it can be located on it or implemented in full compliance with all of the applicable standards and regulations of this Chapter or unless an appropriate variance has been granted pursuant to [Section 550.10.51](#). For land uses not specifically listed, the Zoning Administrator shall make an interpretation to identify a comparable use or determine if an amendment to this Chapter is necessary.

- (1) **Principal Land Uses Permitted by Right.** Principal land uses listed as permitted by right (designated by the letter “P” in [Section 550.03.05](#)) are permitted per the general land use requirements of this Article; per the density, intensity, and bulk regulations of the specific zoning district in which they are located; per any additional requirements imposed by applicable overlay districts; per all other applicable requirements of this Chapter; and per any and all other applicable village, county, state, and federal regulations.
- (2) **Principal Land Uses Permitted as Conditional Uses.** Principal land uses allowed only with a conditional use permit (designated by the letter “C” in [Section 550.03.05](#)) may be permitted subject to all the requirements applicable to uses permitted by right as listed in Subsection (1), above, plus any additional requirements applicable to that particular land use imposed as part of the conditional use permit process established in [Section 550.10.32](#). Except for uses approved under a general development plan and specific implementation plan in a planned development (see [Section 550.10.45](#)), all uses requiring a conditional use permit shall comply with the procedural requirements of [Section 550.10.32](#).
- (3) **Accessory Land Uses.** Accessory land uses are allowed subject to all the requirements and exceptions applicable to principal land uses permitted by right as listed in Subsection (1), above. Accessory land uses allowed only with a conditional use permit are subject to all the requirements and exceptions applicable to principal land uses requiring a conditional use permit as listed in Subsection (2), above. Accessory land uses shall also comply with the following listed regulations.
 - (a) No accessory structure or use shall be constructed on any lot prior to the establishment of an allowable principal use or structure, unless otherwise stated in this Chapter.
- (4) **Temporary Land Uses.** Temporary land uses permitted by right (designated by the letter “P” in the Table of Land Uses in [Section 550.03.05](#)) are permitted on a temporary basis subject to permitting requirements of [Section 550.10.30](#) of this Chapter. Temporary land uses permitted only with a conditional use permit (designated by the letter “C” in the Table of Land Uses) may be permitted subject to temporary use and conditional use permitting requirements of [Sections 550.10.32](#).

Section 550.03.03: Regulations Applicable to All Land Uses

All uses of land initiated within the jurisdiction of this Chapter on, or following, the effective date of this Chapter shall comply with all of the provisions of this Chapter.

Section 550.03.03: Regulations Applicable to All Land Uses

- (1) All land use and development of land shall comply with the regulations and requirements of the following Articles, as applicable. Such regulations directly relate to the protection of the health, safety, and general welfare of the residents of the City of Watertown.
 - (a) Overlay Zoning District Requirements in Article II.
 - (b) Land Use Regulations and Requirements in Article III.
 - (c) Density, Intensity, and Bulk Regulations and Requirements in Article IV.
 - (d) Performance Standards in Article V.
 - (e) Exterior Building Design Standards in Article VI.
 - (f) Landscape and Bufferyard Regulations in Article VII.
 - (g) Signage Regulations in Article VIII.
 - (h) Any other applicable requirements in the City of Watertown Municipal Code.
- (2) Number of Principal Buildings per Lot.
 - (a) Multiple principal buildings shall be permitted on the same lot within the following zoning districts if all land use (Article III) and bulk dimensional (Article IV) requirements are met:
 1. Mixed Residential – 1 (MR-1)
 2. Mixed Residential – 2 (MR-2)
 3. Mixed Residential – 3 (MR-3)
 4. Neighborhood Mixed Use – 1 (NMU)
 5. Light Industrial (LI)
 6. Heavy Industrial (HI)
 - (b) In all other zoning districts, a maximum of one principal building shall be permitted on any one lot, with the exception of the following:
 1. Group Developments
 2. Planned Developments
 3. Mobile Home Parks
 4. Temporary Buildings
- (3) Residential Uses in a Building. Unless a legal dwelling unit is established within a structure in compliance with the Building Code (Chapter 253), no building shall contain a residential land use.
- (4) Number of Land Uses per Building. Any number of land uses that are permitted by right can be combined within a building or on a given lot, per the limitations of those individual uses. Any number of land uses that require a conditional use permit can be combined within a building or on a given lot, per the limitations of those individual uses and with each approved through the conditional use process (Section 550.10.32).
- (5) Accessory Structures. Accessory structures may be allowed where they comply with the following conditions and requirements:
 - (a) Separation from Principal Structures. Detached accessory buildings shall be separated as regulated by the Uniform Dwelling Code. The “separation” distance between a dwelling unit and accessory structure is determined by measuring the perpendicular distance from wall to wall of the structures. Minor attachments such as handrails, latticework, trellises, or pergolas may be

Section 550.03.03: Regulations Applicable to All Land Uses

- located in the required separation area and do not render the structures attached for setback purposes. All accessory buildings and structures on a lot are subject to the maximum impervious surface ratio requirements for each zoning district ([Article IV](#)).
- (b) Accessory Structures without Principal Structure.
1. No accessory structure shall be erected or constructed prior to the erection or construction of the principal structure or the establishment of a principal land use.
 2. When an accessory structure becomes the only structure on a lot as the result of demolition of the principal building, the accessory structure shall be demolished within 18 months of the demolition of the principal building. The Zoning Administrator shall have the ability to extend this period by an additional 18 months if the property owner has a concept plan, as approved by the Zoning Administrator, to build a new principal building or otherwise redevelop the site in a manner that uses the accessory structure.
 - a. All driveways, paved areas, and below grade improvements on the lot shall also be removed. All public utilities shall be abandoned at their connection with the main unless written exception is obtained from the City Engineer.
- (6) Group Development Requirements. A Group Development may include any of the land uses in this Chapter that is permitted by right or by conditional use permit in the subject zoning district. All uses and development of land within a Group Development shall comply with all requirements of [Section 550.06.02](#).
- (7) Planned Development Requirements. All land uses and development of land within a planned development shall comply with all requirements of [Section 550.02.29](#) and [550.10.45](#).
- (8) Nonconforming Uses, Lots, Structures, and Site Requirements.
- (a) Land uses not in conformance with the requirements of the applicable zoning district shall be subject to the special limitations and exceptions as established in Article V.
 - (b) Land uses located on substandard lots or on nonconforming lots, nonconforming sites, or in nonconforming structures shall comply with all the regulations and requirements of [Article V](#).
- (9) Site Plan Review Required. All development involving physical modifications to a site including but not limited to new developments, building additions, alterations, or removal, and additions to paving, are subject to site plan review and approval in accordance with [Section 550.10.43](#) of this Chapter, except for single family and two-family dwelling units in any zoning district.
- (10) Procedural Regulations and Requirements. All land use and development of land shall comply with all requirements of [Article X](#), pertaining to the procedures necessary to secure review and approval of land use and development. Such regulations and restrictions address both procedural and technical requirements.
- (11) Demolition of a Principal Structure. Where a principal structure has been removed, all driveways, paved areas, and below grade improvements on the lot shall be removed. All public utilities shall be abandoned at their connection with the main unless written exception is obtained from the [Public Works Director/City Engineer](#). All demolition activities shall be in accordance with the City of Watertown Municipal Code and all State and Federal regulations. Asbestos abatement and removal of any other hazardous materials, when required, must be documented before any demolition activity takes place. Applicant shall provide building inspector proof of liability insurance. Proof of proper abandonment of all utilities and proof of notification of police and public works as required. Applicant shall notify diggers hotline (dial 811) prior to commencing any scraping, excavating, or boring.

Section 550.03.04: Detailed Land Use Descriptions and Regulations

Section 550.03.04: Detailed Land Use Descriptions and Regulations

The land use categories employed by this Chapter are defined in Sections 550.03.06 through 550.03.30. Land use categories which are not listed in this Chapter are not necessarily excluded from locating within any given zoning district. Section 550.10.50 empowers the Zoning Administrator to make interpretations on matters regarding specific land use proposals which are not addressed by this Chapter.

Section 550.03.05: Table of Land Uses

The Table of Land Uses establishes the permitted land uses within each of the City of Watertown's Zoning Districts as established in Article II.

Section 550.03.05: Table of Land Uses

Land Uses Permitted: Refer to the detailed definitions and requirements listed for each land use on the following pages. P: By Right C: By Conditional Use Permit P/C: Refer to requirements for that land use to determine if a Conditional Use Permit is required	SF-1	SF-2	SF-3	MR-1	MR-2	MR-3	CC	MH-1	DMU	DRR	CMU	NMU	INST	LI	HI	AG	PR	IOA
	Single Family Residential -1	Single Family Residential -2	Single Family Residential-3	Mixed Residential-1	Mixed Residential-2	Mixed Residential-3	Cottage Court	Mobile Home Residential-1	Downtown & Riverfront Mixed Use	Downtown & Riverfront Residential	Corridor Mixed Use	Neighborhood Mixed Use	Institutional	Light Industrial	Heavy Industrial	Agricultural	Parks and Recreation	Intensive Outdoor Activity
Residential Land Uses (Section 550.03.06)																		
Apartments/Multiplexes 12 units or less					P	P				P			P					
Apartment/Multiplexes (no unit maximum)						P				P			P					
Boarding House Living Arrangement					C	C			C	C	C	C	C					
Mobile Home						P												
Mobile Home Park						P												
Single Family Dwelling Unit (1 unit)	P	P	P	P	P	P	P					P				P		
Townhouse 12 units or less					P	P	P			P		P	P					
Townhouse (no unit maximum)						P				P			P					
Twin House/ Duplex/ Two-Flat (two units)				P	P	P	P		P			P						
Mixed-Use Land Uses (Section 550.03.08)																		
Live/Work Unit					P	P			P	P	P	P	P					
Mixed Use Building									P	P	P	P	P					
Commercial Land Uses (Section 550.03.10)																		
Adult-Oriented Entertainment																		C
Artisan Production Shop									P	P	P	P	P					

Section 550.03.05: Table of Land Uses

Land Uses Permitted: Refer to the detailed definitions and requirements listed for each land use on the following pages. P: By Right C: By Conditional Use Permit P/C: Refer to requirements for that land use to determine if a Conditional Use Permit is required	SF-1	SF-2	SF-3	MR-1	MR-2	MR-3	CC	MH-1	DMU	DRR	CMU	NMU	INST	LI	HI	AG	PR	IOA
	Single Family Residential -1	Single Family Residential -2	Single Family Residential-3	Mixed Residential-1	Mixed Residential-2	Mixed Residential-3	Cottage Court	Mobile Home Residential-1	Downtown & Riverfront Mixed Use	Downtown & Riverfront Residential	Corridor Mixed Use	Neighborhood Mixed Use	Institutional	Light Industrial	Heavy Industrial	Agricultural	Parks and Recreation	Intensive Outdoor Activity
Bed and Breakfast	C	C	C	C	C	C					P	P	P			P		
Campground																P	P	P
Commercial Animal Boarding											P			P	P	P		
Commercial Animal Daycare											P			P	P	P		
Commercial Indoor Lodging									P	P	P	P	P					
Commercial Kitchen									P	P	P	P	P	P	P			
Convenient Cash Business									P		P							
Drive-Through & In-Vehicle Sales or Service											P							
Golf Course											P					P	P	
Group Daycare Center (9+ children)									P	P	P	P	P	P				
Indoor Commercial Entertainment									P	P	P	P	P	P				P
Indoor Maintenance Service									P	P	P	P	P	P	P			P
Indoor Sales or Services									P	P	P	P	P	P	P			P
Indoor Shooting Range														P	P			P
Intensive Outdoor Activity															C			C
Office									P	P	P	P	P	P	P			P
Outdoor Commercial Entertainment									P	P	P	P	P	P	P	P		P
Outdoor Maintenance Service															P	P		P
Outdoor Sales and Display									P	P	P	P	P	P	P			P
Personal or Professional Service									P	P	P	P	P	P	P			P

Section 550.03.05: Table of Land Uses

Land Uses Permitted: Refer to the detailed definitions and requirements listed for each land use on the following pages. P: By Right C: By Conditional Use Permit P/C: Refer to requirements for that land use to determine if a Conditional Use Permit is required	SF-1	SF-2	SF-3	MR-1	MR-2	MR-3	CC	MH-1	DMU	DRR	CMU	NMU	INST	LI	HI	AG	PR	IOA
	Single Family Residential -1	Single Family Residential -2	Single Family Residential-3	Mixed Residential-1	Mixed Residential-2	Mixed Residential-3	Cottage Court	Mobile Home Residential-1	Downtown & Riverfront Mixed Use	Downtown & Riverfront Residential	Corridor Mixed Use	Neighborhood Mixed Use	Institutional	Light Industrial	Heavy Industrial	Agricultural	Parks and Recreation	Intensive Outdoor Activity
Vehicle and Boat Sales											P			P	P			P
Vehicle Service and Repair											P			P	P			P
Water Related Recreation									P	P	P							P
Institutional Land Uses (Section 550.03.12)																		
Active Outdoor Recreation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Community Living Arrangement 1-8	P	P	P	P	P	P	P	P	P	P		P	P			P		
Community Living Arrangement 9-15	C	C	C	P	P	P	P	P	C	P	P	P	P					
Community Living Arrangement 16+				C	C	C				C	C	C	C					
Small Scale Public Services and Utilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Indoor Institutional									P	P	P	P	P	P			P	
Institutional Residential									C				P					
Large Scale Public Services and Utilities													C	P	P			P
Outdoor Open Space Institutional	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Passive Outdoor Recreation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Industrial Land Uses (Section 550.03.14)																		
Data Center															C			C
Heavy Industrial															P			P
Indoor Food Production and Processing														P	P			P

Section 550.03.05: Table of Land Uses

Land Uses Permitted: Refer to the detailed definitions and requirements listed for each land use on the following pages. P: By Right C: By Conditional Use Permit P/C: Refer to requirements for that land use to determine if a Conditional Use Permit is required	SF-1	SF-2	SF-3	MR-1	MR-2	MR-3	CC	MH-1	DMU	DRR	CMU	NMU	INST	LI	HI	AG	PR	IOA
	Single Family Residential -1	Single Family Residential -2	Single Family Residential-3	Mixed Residential-1	Mixed Residential-2	Mixed Residential-3	Cottage Court	Mobile Home Residential-1	Downtown & Riverfront Mixed Use	Downtown & Riverfront Residential	Corridor Mixed Use	Neighborhood Mixed Use	Institutional	Light Industrial	Heavy Industrial	Agricultural	Parks and Recreation	Intensive Outdoor Activity
Light Industrial														P	P			P
Medium Industrial														P	P			P
Production Greenhouse														P	P			P
Storage Land Uses (Section 550.03.16)																		
Indoor Storage and Wholesaling														P	P			P
Outdoor Storage and Wholesaling														P	P			P
Personal Storage Facility														P	P			P
Transportation Land Uses (Section 550.03.18)																		
Airport														P	P			P
Distribution Center														P	P			P
Freight Terminal															P			P
Heliport													P	P	P			P
Off-Site Parking Lot					P	P			P	P	P	P	P	P	P		P	P
Off-Site Structured Parking					P	P			P	P	P	P	P	P	P			P
Transit Center									P	P	P	P	P	P	P			P
Telecommunications Land Uses (Section 550.03.20)																		
Communication Tower	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Extraction and Disposal Land Uses (Section 550.03.22)																		
Composting														P	P	P		P
Extraction																		P
Indoor Recycling Facility														P	P			P

Section 550.03.05: Table of Land Uses

Land Uses Permitted: Refer to the detailed definitions and requirements listed for each land use on the following pages. P: By Right C: By Conditional Use Permit P/C: Refer to requirements for that land use to determine if a Conditional Use Permit is required	SF-1	SF-2	SF-3	MR-1	MR-2	MR-3	CC	MH-1	DMU	DRR	CMU	NMU	INST	LI	HI	AG	PR	IOA
	Single Family Residential -1	Single Family Residential -2	Single Family Residential-3	Mixed Residential-1	Mixed Residential-2	Mixed Residential-3	Cottage Court	Mobile Home Residential-1	Downtown & Riverfront Mixed Use	Downtown & Riverfront Residential	Corridor Mixed Use	Neighborhood Mixed Use	Institutional	Light Industrial	Heavy Industrial	Agricultural	Parks and Recreation	Intensive Outdoor Activity
Salvage or Junkyard																		P
Sand and Mineral Processing															P			P
Waste Disposal/Landfill																		P
Energy Production Land Uses (Section 550.03.24)																		
Large Solar Energy System															P	P		P
Large Wind Energy System															P	P		P
Agricultural Land Uses (Section 550.03.12)																		
Agricultural Services																C		
Community Garden	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Cultivation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Husbandry																P		
On-Site Agricultural Retail																P		
Accessory Land Uses (Section 550.03.28)																		
Accessory Dwelling Unit	P	P	P	P	P	P	P					P				P		
Communication Antenna	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Company Cafeteria									P	P	P	P	P	P	P			P
Detached Residential Accessory Building	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Electric Vehicle Charging	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Farm Residence																P		
Home Occupation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		

Section 550.03.05: Table of Land Uses

Land Uses Permitted: Refer to the detailed definitions and requirements listed for each land use on the following pages. P: By Right C: By Conditional Use Permit P/C: Refer to requirements for that land use to determine if a Conditional Use Permit is required	SF-1	SF-2	SF-3	MR-1	MR-2	MR-3	CC	MH-1	DMU	DRR	CMU	NMU	INST	LI	HI	AG	PR	IOA
	<i>Single Family Residential -1</i>	<i>Single Family Residential -2</i>	<i>Single Family Residential-3</i>	<i>Mixed Residential-1</i>	<i>Mixed Residential-2</i>	<i>Mixed Residential-3</i>	<i>Cottage Court</i>	<i>Mobile Home Residential-1</i>	<i>Downtown & Riverfront Mixed Use</i>	<i>Downtown & Riverfront Residential</i>	<i>Corridor Mixed Use</i>	<i>Neighborhood Mixed Use</i>	<i>Institutional</i>	<i>Light Industrial</i>	<i>Heavy Industrial</i>	<i>Agricultural</i>	<i>Parks and Recreation</i>	<i>Intensive Outdoor Activity</i>
Incidental Indoor Sales									P	P	P	P	P	P	P			
Incidental Light Industrial									P	P	P	P	P	P	P	P		P
Incidental Outdoor Commercial Entertainment									P	P	P	P		P	P			P
Incidental Outdoor Display and Sales									P	P	P	P	P	P	P			
Incidental Outdoor Storage											P			P	P	P		P
In-Family Suite	P	P	P	P	P	P	P	P	P	P	P	P	P			P		
In-Home Daycare (Less than 9)	P	P	P	P	P	P	P	P	P	P	P	P	P			P		
Migrant Employee Housing															P	P		
Non-residential Accessory Structure									P	P	P	P	P	P	P	P	P	P
On-Site Parking Lot	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
On-Site Structured Parking					P	P			P	P	P	P	P	P	P			P
Other Minor Accessory Structures	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Personal Antenna and Towers	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Accessory Beekeeping	P	P	P	P	P	P	P	P				P	P	P	P	P	P	P
Residential Chickens	P	P	P	P	P	P		P				P	P			P		
Residential Kennel	P	P	P	P				P								P		
Residential Stable																P		
Satellite Dish	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Short-Term Residential Rental	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Small Solar Energy System	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

Section 550.03.05: Table of Land Uses

Land Uses Permitted: Refer to the detailed definitions and requirements listed for each land use on the following pages. P: By Right C: By Conditional Use Permit P/C: Refer to requirements for that land use to determine if a Conditional Use Permit is required	SF-1	SF-2	SF-3	MR-1	MR-2	MR-3	CC	MH-1	DMU	DRR	CMU	NMU	INST	LI	HI	AG	PR	IOA
	Single Family Residential -1	Single Family Residential -2	Single Family Residential-3	Mixed Residential-1	Mixed Residential-2	Mixed Residential-3	Cottage Court	Mobile Home Residential-1	Downtown & Riverfront Mixed Use	Downtown & Riverfront Residential	Corridor Mixed Use	Neighborhood Mixed Use	Institutional	Light Industrial	Heavy Industrial	Agricultural	Parks and Recreation	Intensive Outdoor Activity
Small Wind Energy System	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Temporary Land Uses (Section 550.03.12)																		
Farmer's Market									P	P	P	P	P				P	
Garage or Estate Sale	P	P	P	P	P	P	P	P	P	P	P	P	P			P		
Temporary Farm Product Sales/Roadside Stand									P	P	P	P	P	P		P		
Temporary Moving Container (Residential)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Temporary On-Site Construction Storage, Project Office, and Real Estate Sales Office	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Temporary Outdoor Assembly	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Temporary Outdoor Sales									P	P	P	P	P	P	P	P		
Temporary Outdoor Storage Container (non-res.)									P	P	P	P	P	P	P	P	P	P
Temporary Refuse Container	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Temporary Relocatable Building									P	P	P	P	P	P	P	P	P	P
Temporary Shelter Structure																		
Temporary Vehicle Sales	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

Section 550.03.06: Residential Land Uses

- (1) **Apartment/Multiplex:** This dwelling unit type consists of a single structure with three or more individual attached dwelling units.

Regulations:

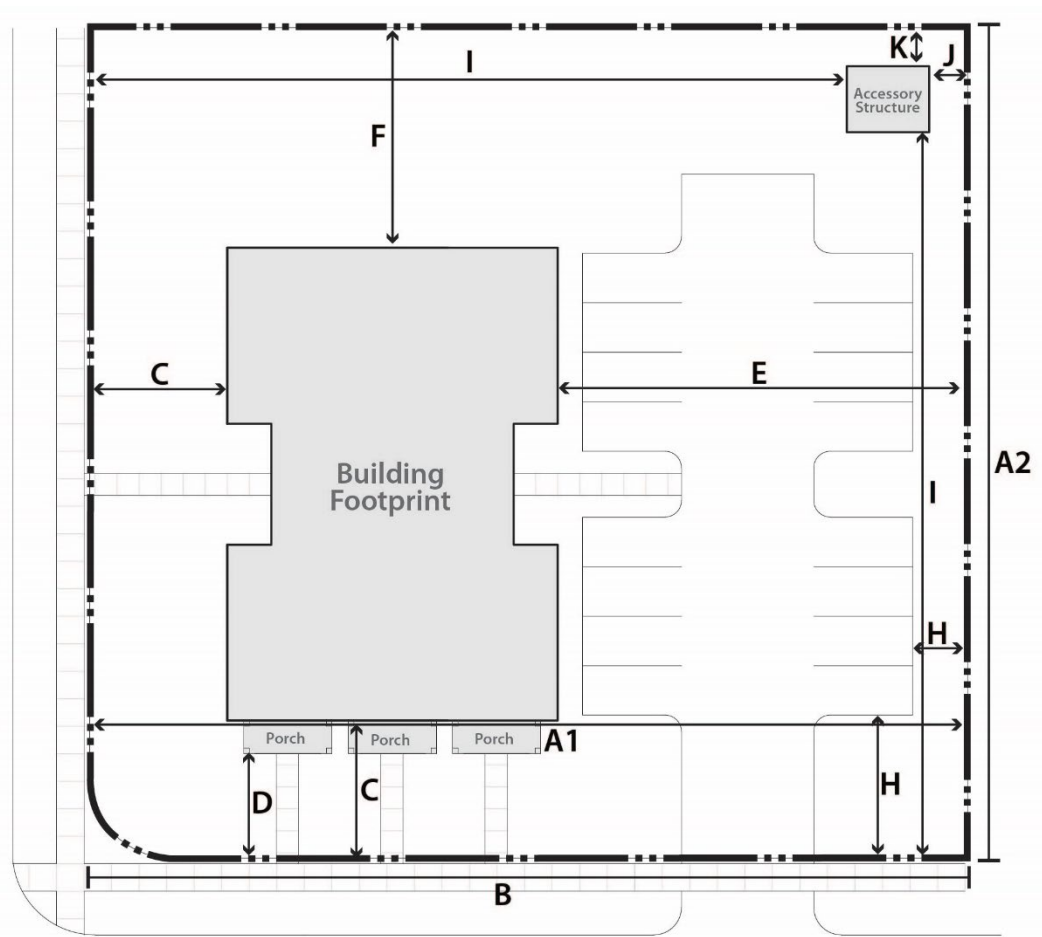
- (a) In the case where any dwelling unit is under separate ownership, evidence that covenants specifying respective obligations with regard to any common structures, such as the shared wall, roof, and other inseparable improvements, is required. When attached dwelling units are created, matters of mutual concern to the adjacent property owners, due to construction, catastrophe, use, and maintenance, shall be dealt with by private covenants and deed restrictions and the approving authorities shall not be held responsible for the same.
- (b) See Section 550.07.20 for multi-family design standards and Section 550.06.41 for on-site recreation space requirements.
- (c) All development shall comply with the requirements of the Municipal Code.
- (d) Minimum and maximum required parking: See Section 550.06.06.
- (e) The following figure is intended to provide a graphic depiction of the setback and dimensional requirements for Apartment/Multiplex land uses. Specific requirements can be found in Sections 550.04.11 to 550.04.14 under the density, intensity, and bulk requirements for each residential zoning district.

Section 550.03.06: Residential Land Uses

Figure 550.03.06a: Apartment/Multiplex

Key to Figure

- | | |
|----|---|
| A | Minimum Lot Area (A1 x A2) |
| A1 | Minimum Lot Width (at front setback line) |
| B | Minimum Lot Frontage at Right-of-Way |
| C | Minimum Front Street and Street Side Corner Setback (lot line to principal building or attached garage) |
| D | Minimum Porch Setback from Front Property Line |
| E | Minimum Side Yard Setback – Interior |
| F | Minimum Rear Yard and Attached Deck Setback (lot line to principal building or attached garage) |
| G | Minimum Front-Loaded Garage Setback (garage door to front plane of the principal structure) |
| H | Minimum Pavement Setback (lot line to pavement excluding driveway entrance) |
| I | Minimum Accessory Building Front Yard or Street Side Corner Setback |
| J | Minimum Accessory Building Side Yard Setback - Interior |
| K | Minimum Accessory Rear Yard Setback |



Section 550.03.06: Residential Land Uses

- (2) **Boarding House Living Arrangement:** A residential land use where occupancy of a dwelling unit is shared by six or more unrelated individuals. Boarding House Living Arrangements area social configuration of occupants and must accompany one or more of the other Residential Land Use (Section 550.03.06) physical configurations.
- (a) Facility shall be surrounded by a bufferyard with a minimum opacity of 0.60 along all property borders abutting residentially zoned property.
 - (b) Minimum and maximum required parking: See Section 550.06.06.
- (3) **Duplex/Twin House:** This dwelling unit type consists of two separate Single Family Dwelling Units, each having a private individual exterior entrance or private interior entrance from a shared foyer, and no shared internal access other than entry foyers and halls. Duplexes and Twin Houses are attached side-by-side units, each with a ground floor and roof. Two dwelling units in a Duplex are located on one lot, while two dwelling units in a Twin House are located on separate lots (also known as a zero-lot line duplex).

Regulations:

- (a) In the case where any dwelling unit is under separate ownership, recorded deed restrictions or covenants specifying respective obligations with regard to any common structures, such as the shared wall, roof, and other inseparable improvements, is required. When attached dwelling units are created, matters of mutual concern to the adjacent property owners, due to construction, catastrophe, use, and maintenance, shall be dealt with by private covenants and deed restrictions and the approving authorities shall not be held responsible for the same.
- (b) Duplex/Twin House Lots are subject to a perpetual easement along and 6 feet on either side of the existing water and sewer laterals for the purpose of maintaining, improving and repairing the same.
- (c) Each Duplex or Twin House constructed following the adoption of this ordinance must provide a separate public water lateral, sanitary sewer lateral, and electric utility service to each of the two dwelling units in the structure.
- (d) See Section 550.07.10 for design standards for two family uses.
- (e) Minimum and maximum required parking: See Section 550.06.06.
- (f) The following figure is intended to provide a graphic depiction of the setback and dimensional requirements for Duplex or Twin Houses land uses. Specific requirements for Duplexes or Twin Houses can be found in Sections 550.04.11 to 550.04.14 under the density, intensity, and bulk requirements for each residential zoning district.

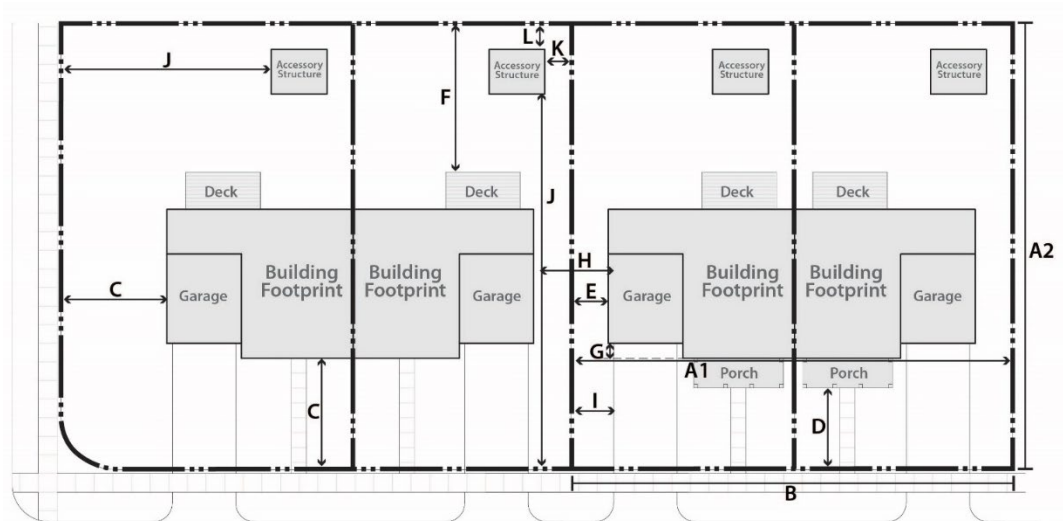
Figure 550.03.06b: Duplex/Twin Home

Key to Figure

A	Minimum Lot Area (A1 x A2)
A1	Minimum Lot Width (at front setback line)
B	Minimum Lot Frontage at Right-of-Way
C	Minimum Front Street and Street Side Corner Setback (lot line to principal building or attached garage)
D	Minimum Porch Setback from Front Property Line
E	Minimum Side Yard Setback – Interior
F	Minimum Rear Yard Setback and Attached Deck Setback (lot line to principal building or attached garage)

Section 550.03.06: Residential Land Uses

- G Minimum Front-Loaded Garage Setback (garage door to front plane of the principal structure)
- H Minimum Building Separation
- I Minimum Pavement Setback (lot line to pavement excluding driveway entrance)
- J Minimum Accessory Building Front Yard or Street Side Corner Setback
- K Minimum Accessory Building Side Yard Setback – Interior
- L Minimum Accessory Building Rear Yard Setback



- (4) **Manufactured home:** A one- or two-family home certified and labeled as a manufactured home under 42 USC 5401-5426 which when placed on the site is set on an enclosed foundation in accordance with §70.043(1) Wis. Stats. and subchapters III, IV, and V of chapter COMM 21, Wis. Adm. Code, or a comparable foundation as approved by the local Building Inspector, is installed according to manufacturer's instructions, is properly connected to utilities, has asphalt shingles and a gable or hip roof, has insulated glass windows, has vinyl, aluminum or other quality siding, and is a minimum of 22 feet wide.
- (5) **Mobile Home:** A type of single-family dwelling unit suitable for year-round occupancy designed to be towed as a single unit or in sections, with or without a permanent foundation, with walls of rigid, un-collapsible construction, and with water supply, sewage disposal, and electrical convenience. A Mobile Home includes both a "mobile home" and a "manufactured home" as defined by Wisconsin Statutes. A Mobile Home does not include a "modular home" as defined by this Chapter. Any similar dwelling unit which has its own motor and/or remains on wheels shall be considered a recreational vehicle. A modular home is regulated as a Single-Family Dwelling Unit under [Section 550.03.06\(10\)](#).

Regulations:

- (a) No Mobile Home may be split into two or more residences.
- (b) Within 30 days of occupancy, the owner shall remove the axle and install skirting.
- (c) The building design standards of [Section 550.07.10](#) shall not apply.
- (d) Minimum and maximum required parking: See [Section 550.06.06](#).
- (e) The following figure is intended to provide a graphic depiction of the setback and dimensional requirements for Mobile Home land uses. Specific requirements for Mobile Homes can be found

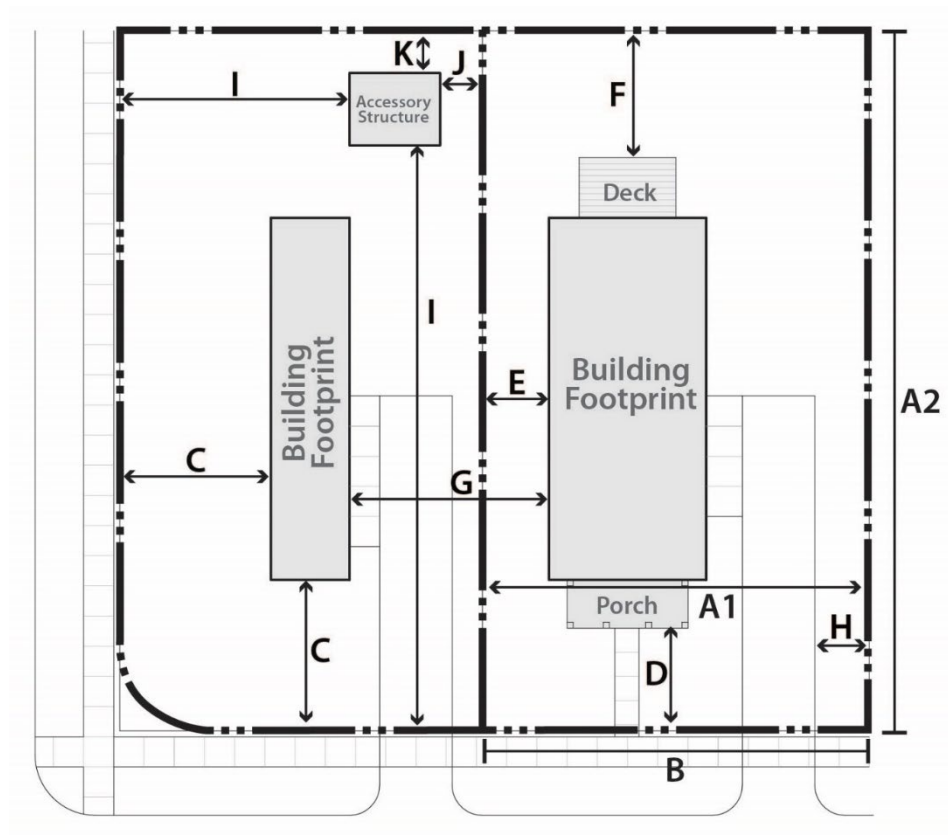
Section 550.03.06: Residential Land Uses

in Sections 550.04.11 to 550.04.14 under the density, intensity, and bulk requirements for each residential zoning district.

Figure 550.03.06d: Mobile Home

Key to Figure

- A Minimum Lot Area ($A1 \times A2$)
- A1 Minimum Lot Width (at front setback line)
- B Minimum Lot Frontage at Right-of-Way
- C Minimum Front Street and Street Side Corner Setback (lot line to principal building or attached garage)
- D Minimum Porch Setback from Front Property Line
- E Minimum Side Yard Setback – Interior
- F Minimum Rear Yard Setback and Attached Deck Setback (lot line to principal building or attached garage)
- G Minimum Building Separation
- H Minimum Pavement Setback (lot line to pavement excluding driveway entrance)
- I Minimum Accessory Building Front Yard or Street Side Corner Setback
- J Minimum Accessory Building Side Yard Setback – Interior
- K Minimum Accessory Building Rear Yard Setback



Section 550.03.06: Residential Land Uses

- (2) **Modular home:** A dwelling unit meeting the Uniform Dwelling Code that is transported to the building site in sections, does not have a permanent chassis, and is permanently mounted on a permanent foundation. A modular home is regulated as a single-family dwelling unit under [Section 550.03.06\(10\)](#).
- (6) **Mobile Home Park:** This land use is a form of residential development which is exclusively reserved for individually sold or rented air right pads containing Manufactured Homes. Each Manufactured Home must meet the requirements listed under [Section 550.03.06\(6\)](#), above.

Regulations:

- (a) Development shall be located so as to blend with adjacent residentially zoned areas to the greatest extent possible.
- (b) No access shall be permitted to local residential streets, except to the internal roadways and streets.
- (c) All development shall comply with the requirements of the Municipal Code.
- (7) **Cottage Court:** This land use type consists of a grouping of small residential buildings that may include Single-Family Dwelling Units, Duplex/Twin Houses, or Townhouses. Cottage Courts may include each dwelling unit on an individual lot or where all dwelling units are located on a single lot.

Regulations:

- (a) Cottage Courts shall contain a common open space that is centrally located within the dwelling unit configuration. The common open space shall be accessible by each dwelling unit and a minimum of 60 percent of all dwelling units shall have the front door and front porch directly facing and accessible from the common open space. The common open space shall not be used as a stormwater management facility. See [Section 550.06.41](#) for on-site recreation space requirements.
- (b) Cottage Court accessory structure requirements:
1. Attached or detached garage doors shall not open toward public streets or the common open space.
 2. All units shall have a minimum 6-foot deep porch located on the front façade of each individual dwelling unit.
 3. When Cottage Courts include individual lots for each dwelling unit, all other accessory structures are prohibited on any lot that contains a dwelling unit. Any common area lots may include any other accessory structure permitted within the zoning district and does not require a principal structure to be located on said lot.
 4. When Cottage Courts include a common form of ownership on a single lot, accessory structures shall meet all requirements of the zoning district.
 5. A detached residential accessory building within common areas that serves and is open to all residents within the Cottage Court may exceed the size and amount maximums within [550.03.28\(4\)](#), if approved by the Plan Commission during the Site Plan review process. The approval shall be based on the structure's location, setback, use, and architectural design reflecting the scale, characteristics, and context of the Cottage Court design.
- (c) A Cottage Court shall meet all fire access requirements, including a minimum 20-foot-wide all-weather paved surface to access all individual dwelling units.
- (d) In the case where any dwelling unit is under separate ownership, evidence that covenants specifying respective obligations with regard to any common structures, such as the shared wall, roof, and other inseparable improvements, is required. When attached dwelling units are created,

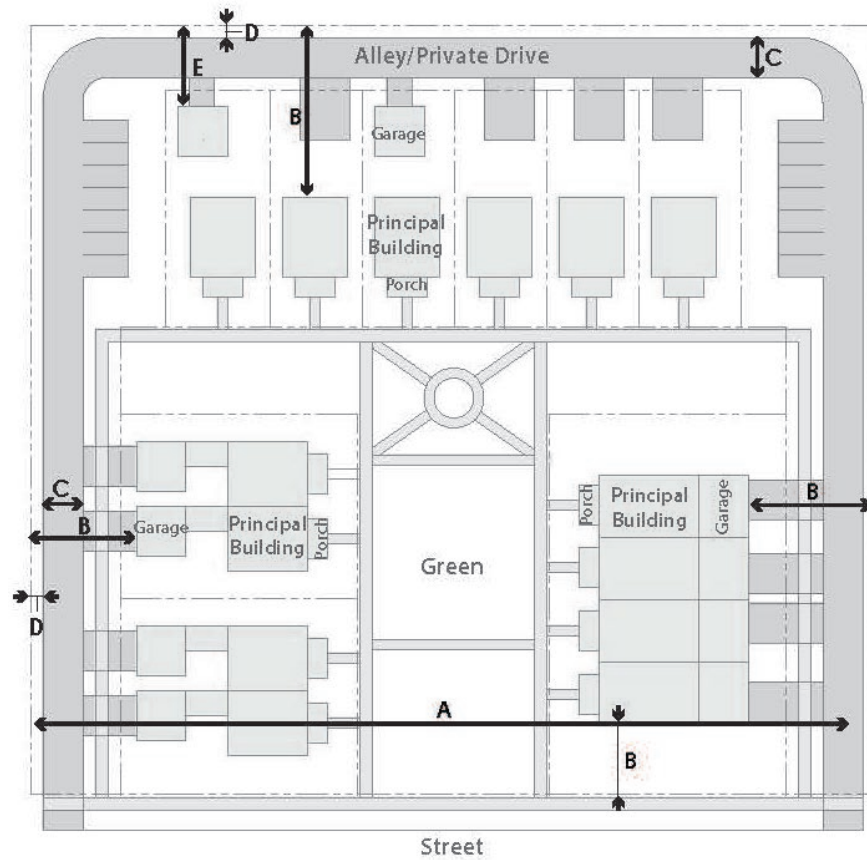
Section 550.03.06: Residential Land Uses

- matters of mutual concern to the adjacent property owners, due to construction, catastrophe, use, and maintenance, shall be dealt with by private covenants and deed restrictions and the approving authorities shall not be held responsible for the same.
- (e) Minimum and maximum required parking: See **Section 550.06.06**. Off-street parking stalls may be located in attached or detached garages, driveways, or in common parking areas or shared access garages.
 - (f) The following figure is intended to provide a graphic depiction of the setback and dimensional requirements for Cottage Court land uses. Specific requirements can be found in **Sections 550.04.11 to 550.04.14** under the density, intensity, and bulk requirements for each residential zoning district.

Figure 550.03.06e: Cottage Court**Key to Figure**

- | | |
|---|--|
| A | Minimum Lot Frontage at Right-of-Way |
| B | Minimum Peripheral Setbacks (Front Yard, Street Side Corner, Porch, Side Yard, or Rear Yard) |
| C | Minimum Fire Access (all weather paved surface access) |
| D | Minimum Pavement Setback (lot line to pavement excluding driveway entrance) |
| E | Minimum Peripheral Accessory Building Setbacks (Front Yard, Street Side Corner, Side Yard, or Rear Yard) |

Section 550.03.06: Residential Land Uses



Section 550.03.06: Residential Land Uses

- (8) **Single Family Dwelling Unit:** This dwelling unit type consists of a fully detached single family residence which is located on an individual lot. Single family dwelling units are designed for one family and have no roof, wall, or floor in common with any other dwelling unit. A single-family dwelling that contains an in-family suite or accessory dwelling unit is still considered a single-family dwelling.

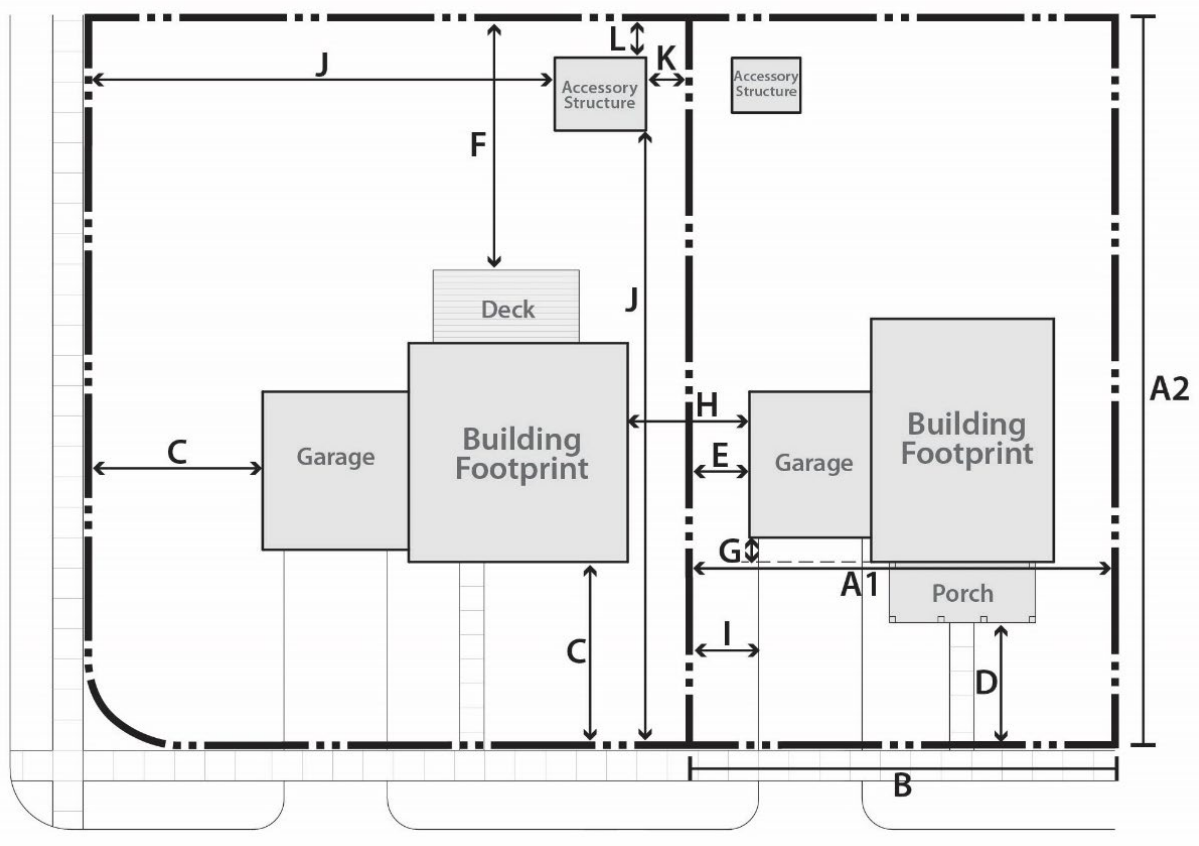
Regulations:

- (a) The dwelling unit shall be a site-built structure built in compliance with the State of Wisconsin Uniform Dwelling Code (UDC), or may be a modular home as permitted by the UDC, or may be a manufactured home that has received a Federal Manufactured Housing Certificate label, meets all Building Code requirements for permanent foundations and footings, and the structure is permanently affixed to the permanent foundation with concrete anchors.
- (b) The dwelling must be attached to a finished, permanent foundation, such as a poured concrete slab or basement meeting UDC requirements.
- (c) See [Section 550.07.10](#) for design standards for single family dwelling units.
- (d) Minimum and maximum required parking: See [Section 550.06.06](#).
- (e) The following figure is intended to provide a graphic depiction of the setback and dimensional requirements for Single Family dwelling units. Specific requirements for Single Family dwelling units can be found in Article IV under the density, intensity, and bulk requirements for each residential zoning district.

Section 550.03.06: Residential Land Uses

Figure 550.03.06f: Single Family Dwelling Unit**Key to Figure**

- A Minimum Lot Area ($A1 \times A2$)
- A1 Minimum Lot Width (at front setback line)
- B Minimum Lot Frontage at Right-of-Way
- C Minimum Front Street and Street Side Corner Setback (lot line to principal building or attached garage)
- D Minimum Porch Setback from Front Property Line
- E Minimum Side Yard Setback – Interior
- F Minimum Rear Yard Setback and Attached Deck Setback (lot line to principal building or attached garage)
- G Minimum Front-Loaded Garage Setback (garage door to front plane of the principal structure)
- H Minimum Building Separation
- I Minimum Pavement Setback (lot line to pavement excluding driveway entrance)
- J Minimum Accessory Building Front Yard or Street Side Corner Setback
- K Minimum Accessory Building Side Yard Setback – Interior
- L Minimum Accessory Building Rear Yard Setback



Section 550.03.06: Residential Land Uses

- (9) **Townhouse:** This dwelling unit type consists of attached structures, each having private, individual access. This dwelling unit type may be located on its own lot or attached on a single lot. Each dwelling unit shares at least one common wall with an adjacent dwelling unit.

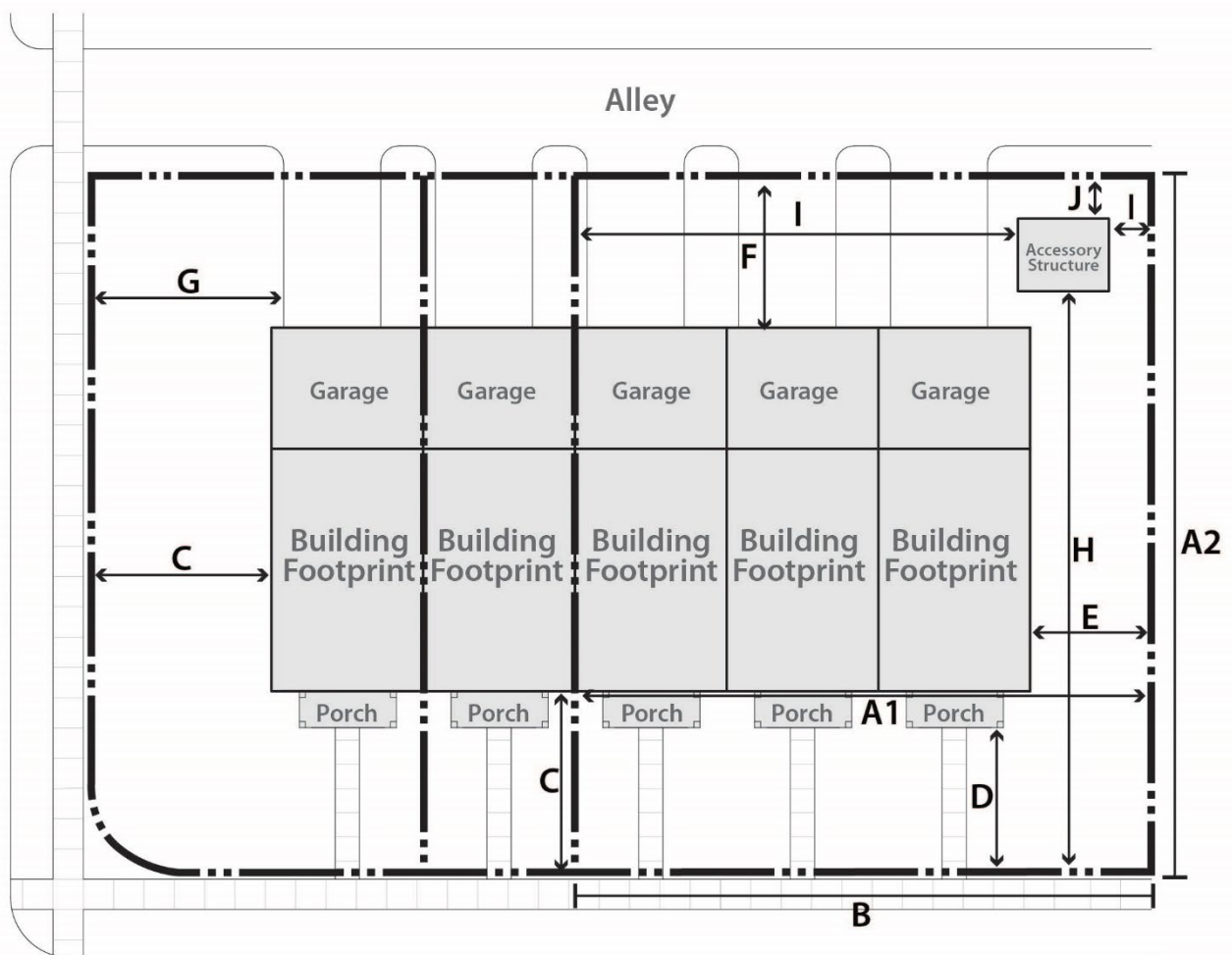
Regulations:

- (a) In the case where any dwelling unit is under separate ownership, recorded covenants specifying respective obligations with regard to any common structures, such as the shared wall, roof, and other inseparable improvements, are required. When attached dwelling units are created, matters of mutual concern to the adjacent property owners, due to construction, catastrophe, use, and maintenance, shall be dealt with by private covenants and deed restrictions and the approving authorities shall not be held responsible for the same.
- (b) Each townhouse constructed following the adoption of this ordinance must provide a separate public water lateral, sanitary sewer lateral, and electric utility service to each of the dwelling units in the structure.
- (c) See [Section 550.07.20](#) for multi-family design standards and [Section 550.06.41](#) for on-site recreation space requirements.
- (d) Minimum and maximum required parking: See [Section 550.06.06](#).
- (e) The following figure is intended to provide a graphic depiction of the setback and dimensional requirements for Townhouse land uses. Specific requirements for Townhouses can be found in [Sections 550.04.11 to 550.04.14](#) under the density, intensity, and bulk requirements for each residential zoning district.

Section 550.03.06: Residential Land Uses

Figure 550.03.06g: Townhouse**Key to Figure**

- A Minimum Lot Area ($A1 \times A2$)
- A1 Minimum Lot Width (at front setback line)
- B Minimum Lot Frontage at Right-of-Way
- C Minimum Front Street and Street Side Corner Setback (lot line to principal building or attached garage)
- D Minimum Porch Setback from Front Property Line
- E Minimum Side Yard Setback – Interior
- F Minimum Rear Yard Setback and Attached Deck Setback (lot line to principal building or attached garage)
- G Minimum Pavement Setback (lot line to pavement excluding driveway entrance)
- H Minimum Accessory Building Front Yard or Street Side Corner Setback
- I Minimum Accessory Building Side Yard Setback – Interior
- J Minimum Accessory Building Rear Yard Setback



Section 550.03.06: Residential Land Uses

- (10) **Two-Family Dwelling:** This dwelling unit type consists of a single structure with two separate Single Family Dwelling Units, each having a private individual exterior entrance or private interior entrance from a shared foyer, and no shared internal access other than entry foyers and halls. The units are arranged either vertically (one above the other) or back-to-back, but not side-by-side. Side-by-side configurations are considered a Duplex/Twin House.

Regulations:

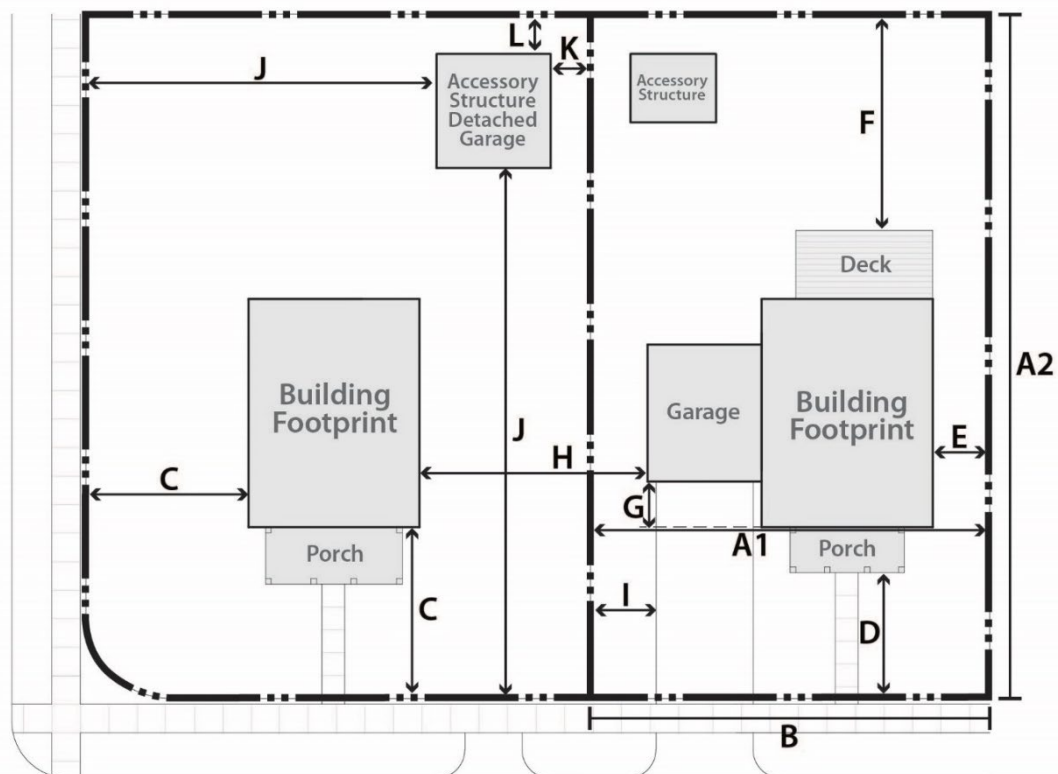
- (a) In the case where any dwelling unit is under separate ownership, evidence that covenants specifying respective obligations with regard to any common structures, such as the shared wall, roof, and other inseparable improvements, is required. When attached dwelling units are created, matters of mutual concern to the adjacent property owners, due to construction, catastrophe, use, and maintenance, shall be dealt with by private covenants and deed restrictions and the approving authorities shall not be held responsible for the same.
- (b) This dwelling unit type may not be split into more than two residences and remain a Two-Family Dwelling. A building with three or more residences is considered an Apartment/Multiplex land use.
- (c) See [Section 550.07.10](#) for design standards for two family uses.
- (d) Minimum and maximum required parking: See [Section 550.06.06](#).
- (e) The following figure is intended to provide a graphic depiction of the setback and dimensional requirements for Two-Family Dwelling land uses. Specific requirements for Two-Family Dwelling can be found in [Sections 550.04.11 to 550.04.14](#) under the density, intensity, and bulk requirements for each residential zoning district.

Section 550.03.07: Reserved

Figure 550.03.06h: Two-Family Dwelling

Key to Figure

- | | |
|----|---|
| A | Minimum Lot Area (A1 x A2) |
| A1 | Minimum Lot Width (at front setback line) |
| B | Minimum Lot Frontage at Right-of-Way |
| C | Minimum Front Street and Street Side Corner Setback (lot line to principal building or attached garage) |
| D | Minimum Porch Setback from Front Property Line |
| E | Minimum Side Yard Setback – Interior |
| F | Minimum Rear Yard Setback and Attached Deck Setback (lot line to principal building or attached garage) |
| G | Minimum Front-Loaded Garage Setback (garage door to front plane of the principal structure) |
| H | Minimum Building Separation |
| I | Minimum Pavement Setback (lot line to pavement excluding driveway entrance) |
| J | Minimum Accessory Building Front Yard or Street Side Corner Setback |
| K | Minimum Accessory Building Side Yard Setback – Interior |
| L | Minimum Accessory Building Rear Yard Setback |



Section 550.03.07: Reserved

Section 550.03.08: Mixed-Use Buildings

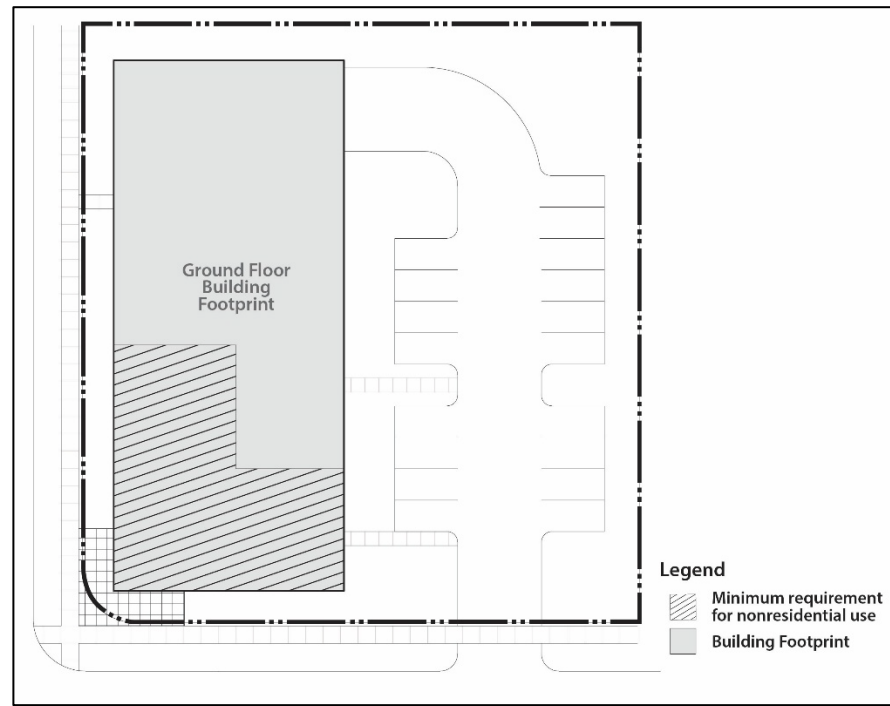
- (1) **Live/Work Building:** A multi-unit building, typically arranged in a townhouse format, in which each dwelling unit is occupied by the business operator of a commercial use (such as a shop, office, studio, or other workspace) in the same structure. Both uses shall be occupied by the same resident/business operator. The commercial use may be connected to the residential use.

Regulations:

- (a) Each unit in the live/work building shall be the primary dwelling of the occupant.
 - (b) The commercial use is subject to the regulations of the applicable land use category in [Section 550.03.10](#). The commercial component of the live/work building is limited to the following land uses:
 - 1. Office
 - 2. Personal or Professional Service
 - 3. Indoor Sales or Service
 - 4. Artisan Production Shop
 - 5. Indoor Maintenance Service (Non-residential)
 - (c) Employees who are not residents of the unit are permitted.
 - (d) Both uses are subject to the density, intensity, and bulk requirements of Article IV.
 - (e) Minimum and maximum required parking: See [Section 550.06.06](#).
 - (f) Live/Work Buildings shall comply with the design standards for commercial and mixed-use land uses. See [Section 550.07.30](#).
- (3) **Mixed-Use Building:** A building containing a mix of principal non-residential land uses and principal residential land uses.

Regulations:

- (a) Both uses are subject to the density, intensity, and bulk requirements of Article IV.
- (b) Land Use Minimums.
 - 1. In the DMU (Downtown and Riverfront Mixed-Use) District, no ground floor residential is permitted.
 - 2. For any lot not located within the Downtown and Riverfront Mixed-Use District, the principal indoor non-residential use of any mixed-use building shall consist of a minimum of 25 percent of that principal structure's total ground level gross floor area. (See [Section 550.03.10](#) for Commercial and [Section 550.03.12](#) for Institutional.) The required non-residential use floor area shall be calculated based on the total ground floor area of the principal structure. If the ground floor area is 10,000 square feet or greater, the minimum requirement for non-residential use space shall be 3,000 square feet. See Figure [550.03.08a](#) below.
 - a. The lobby or entryway spaces intended for use by both residential and non-residential land uses shall count toward the minimum amount of ground floor non-residential use floor area required in the calculation above.
- (c) Minimum and maximum required parking: See [Section 550.06.06](#).
- (d) Mixed-Use Buildings shall comply with the design standards for commercial and mixed-use land uses. See [Section 550.07.30](#).

Figure 550.03.08a: Mixed-Use Building Requirements (Outside of DMU)

Section 550.03.09: Reserved

Section 550.03.10: Commercial Land Uses

- (1) **Adult-Oriented Entertainment:** An adult bookstore, adult theater, adult massage parlor, adult sauna, adult entertainment center, adult cabaret, adult health or sport club, adult steam room or bathhouse facility, or any other business in which the primary business activity is characterized by emphasis on matters depicting, describing, or relating to nudity, sexual conduct, sexual excitement, or sadomasochistic abuse.

Regulations

- (a) Refer to City **Code Chapter 205.**
- (2) **Artisan Production Shop:** A building or portion thereof used by 10 or fewer artists or artisans for the creation, preparation, display and sale of unique (rather than mass-produced) individually crafted items including artwork, jewelry, custom furniture, woodworking, sculpture, glass, metal, pottery, leathercraft, hand-woven articles, and related items, as either a principal use or accessory use.

Regulations.

- (a) Minimum and maximum required parking: See **Section 550.06.06.**
- (3) **Bed and Breakfast:** Bed and Breakfasts are places of lodging that provide rooms for rent in the owner's personal residence, are occupied by the owner at the time of rental, and where the only meal served to guests is breakfast.

Regulations:

Section 550.03.10: Commercial Land Uses

- (a) Facility shall be surrounded by a bufferyard with a minimum opacity of 0.40 along all property borders abutting residentially zoned property.
 - (b) The dwelling unit in which the Bed and Breakfast takes place shall be the principal residence of the operator/owner and said operator/owner shall live on the premises when the Bed and Breakfast operation is active.
 - (c) The facility shall comply with the requirements of Wis. Stats. § 254.61 and Wis. Admin. Code Chap. DHS 197.
 - (d) Minimum and maximum required parking: See [Section 550.06.06](#).
- (4) **Campground:** Campgrounds include any facilities designed for overnight accommodation of persons in tents, travel trailers, or other mobile or portable shelters or recreational vehicles, including recreational vehicle overnight stays in parking lots and other similar locations not in campgrounds.
- Regulations:
- (a) Campgrounds shall be surrounded by a bufferyard with a minimum opacity of 0.60 along all property borders abutting residentially zoned property.
 - (b) Shall comply with the requirements of the Health Codes of Dodge and Jefferson County and applicable state regulations.
 - (c) Minimum and maximum required parking: See [Section 550.06.06](#).
- (5) **Commercial Animal Boarding:** Facilities where short-term and/or long-term animal boarding is provided, including commercial kennels, commercial stables, and animal shelters. Exercise yards, fields, training areas, and trails associated with such land uses are considered accessory and do not require separate consideration.
- Regulations:
- (a) Outdoor animal containment areas shall be surrounded by a bufferyard with a minimum opacity of 0.80 along all sides abutting residentially zoned property.
 - (b) Each animal shall be provided with an indoor containment area.
 - (c) All dogs must be licensed. See [Chapter 228](#) of the Municipal Code.
 - (d) Minimum and maximum required parking: See [Section 550.06.06](#).
- (6) **Commercial Animal Daycare:** Facilities where short-term pet daycare is provided. Exercise yards, fields, training areas, and trails associated with such land uses are considered accessory and do not require separate consideration.
- (a) Outdoor animal containment areas shall be surrounded by a bufferyard with a minimum opacity of 0.80 along sides abutting residentially zoned property.
 - (b) Each animal shall be provided with an indoor containment area.
 - (c) All dogs must be licensed. See [Chapter 228](#) of the Municipal Code.
 - (d) Minimum and maximum required parking: See [Section 550.06.06](#).
- (7) **Commercial Indoor Lodging:** Facilities where overnight housing in individual rooms or suites of rooms is provided, with each room or suite having a private bathroom. Such land uses may provide in-room or in-suite kitchens and may also provide indoor recreational facilities. Restaurant, lounge, fitness centers, and other on-site facilities available to non-lodgers are considered principal uses and therefore require review as a separate land use.

Regulations:

Section 550.03.10: Commercial Land Uses

- (a) Customer entrances shall be located 50 feet from residentially zoned property.
 - (b) Facility shall be surrounded by a bufferyard with a minimum opacity of 0.60 along all property borders abutting residentially zoned property.
 - (c) Minimum and maximum required parking: See [Section 550.06.06](#).
- (8) **Commercial Kitchen:** A building or portion thereof used for the preparation of food that can be rented or used as a classroom by different organizations, businesses, or individuals. Products produced on site may be sold off site.

Regulations.

- (a) Shall comply with the requirements of the Health Codes of Dodge and Jefferson County and applicable state regulations.
 - (b) Minimum and maximum required parking: See [Section 550.06.06](#).
- (9) **Convenient Cash Businesses:** Land use which provide nontraditional, short-term consumer loans in which the consumer receives cash in exchange for giving the lender a post-dated check, title to a motor vehicle, or electronic access to the consumer's bank account for the amount of the loan for a period of time before negotiating the check or for payment to the lender an agreed-upon finance fee or refinancing or consolidating such transaction. Such businesses are also known as payday loan businesses, cash advance businesses, and check-cashing businesses. Convenient cash businesses include, but are not restricted to, businesses licensed pursuant to § 138.09 or 218.05, Wis. Stats., and pawnshops.

Pawn Shop: A convenient cash business that loans money on deposit of personal property on condition of selling the same back to the depositor or loans or advances money on personal property and holds said property as collateral to be sold to the public in the event of default.

Regulations as to location. A convenient cash business or pawnshop shall be located only in compliance with the following criteria:

- (a) No convenient cash business or pawnshop shall be located within 300 feet of any residentially zoned property.
 - (b) No convenient cash business or pawnshop shall be located within 3,500 feet of another convenient cash business or pawnshop.
 - (c) Standards of measurement. The distances identified in this subsection shall be measured in a straight line, without regard to intervening structures or objects, from the closest point of the structure proposed for occupancy by the convenient cash business or pawnshop to the nearest point of the parcel of property or zoning district boundary from which the proposed land use is to be separated.
 - (d) Hours of operation. No convenient cash business or pawnshop may be open for operation except between the following hours:
 - 1. Monday through Friday: 8:00 a.m. to 7:00 p.m.
 - 2. Saturday: 8:00 a.m. to 3:00 p.m.
- (10) **Drive-Through and In-Vehicle Sales or Service:** Land uses where sales and/or services are conducted to persons in vehicles, or to vehicles which may or may not be occupied at the time of such activity (except vehicle repair and maintenance services). Such land uses often have traffic volumes which exhibit their highest levels concurrent with peak traffic flows on adjacent roads. Examples of such land uses include, but are not limited to, drive-in facilities, drive-through facilities, fuel stations, and car washes.

Regulations:

Section 550.03.10: Commercial Land Uses

- (a) Clearly marked pedestrian crosswalks shall be provided for each walk-in customer access to the facility.
 - (b) As determined by the Zoning Administrator, drive-through windows shall not be located between the principal building and the front yard and property line street right-of-way. Drive-through windows may be located between the principal building and the street side yard and property line street right-of-way or within the rear or side yard.
 - (c) The drive-through facility shall be designed so as to not impede or impair vehicular and pedestrian traffic movement or exacerbate the potential for pedestrian/vehicular conflicts.
 - (d) In no instance shall a drive-through facility be permitted to operate which endangers the public safety, even if such land use has been permitted under the provisions of this Section.
 - (e) The setback of the outer edge of any overhead canopy or similar structure shall be a minimum of 10 feet from all street rights-of-way lines, or the principal building setback, whichever is greater; a minimum of 20 feet from all residentially zoned property lines; and shall be a minimum of 5 feet from all other property lines. The total height of any overhead canopy or similar structure shall not exceed 20 feet as measured to the roof height.
 - (f) Any fuel pumps or pump islands shall be a minimum of 50 feet from any street or abutting lot line.
 - (g) Facility shall provide a bufferyard with a minimum opacity of 0.60 along all property borders abutting residentially zoned property.
 - (h) Interior curbs shall be used to separate driving areas from exterior fixtures such as fuel pumps, vacuums, menu boards, canopy supports, and landscaped islands not part of an approved stormwater management system. Said curbs shall be 6 inches high.
 - (i) Stacking lanes for drive-through facilities shall provide pavement markings. Unless the Zoning Administrator determines that it is infeasible to accomplish due to site constraints, staking lanes for drive-through facilities shall not impede on-site traffic movements, parking, pedestrian crossings, or result in on-site safety conflicts.
 - (j) Minimum required parking: Refer to the parking requirements of the other land use activities on the site, such as, but not limited to, Indoor Sales and Service land uses for a gas station/convenience store, or Office land uses for a bank.
- (11) **Golf Course:** An area of land developed and maintained for outdoor golfing, including related facilities and amenities such as clubhouses, restaurants, outdoor entertainment, swimming pools, and active or passive outdoor recreation uses.
- Regulations:
- (a) Facilities using outdoor golf-oriented night lighting and adjoining a residentially zoned property shall install and continually maintain a bufferyard with a minimum opacity of 0.60. Said bufferyard shall be located at the property line adjacent to said residentially zoned property.
 - (b) All structures and paved areas associated with outdoor recreational uses shall be located a minimum of 25 feet from any residentially zoned property.
 - (c) Indoor Commercial Entertainment may be established as an additional principal land use such but not limited to a golf course clubhouse. The Indoor Commercial Entertainment land use shall comply with all applicable regulations in **Section 550.03.10(13)**.
 - (d) Minimum and maximum required parking: See **Section 550.06.06**.
- (12) **Group Daycare Center (9+ Children):** Facilities which provide childcare services for 9 or more children. Such land uses may be operated in conjunction with another principal land use on the same

Section 550.03.10: Commercial Land Uses

environs, such as a place of worship, school, business, or civic organization. In such instances, group daycare centers are considered a separate principal use and require review as such. See Wis. Admin. Code DCF §251.

Regulations:

- (a) Facility shall be surrounded by a bufferyard with a minimum opacity of 0.50 along all property borders abutting residentially zoned property.
- (b) Minimum and maximum required parking: See [Section 550.06.06](#).

- (13) **Indoor Commercial Entertainment:** Land uses which provide restaurants, taverns, and entertainment services entirely within an enclosed building. Such activities often have the potential to be associated with nuisances related to amplified music, noise, lighting, trash, and late operating hours that extend significantly later than most other commercial land uses. Examples of such land uses include, but are not limited to, restaurants, taverns, theaters, bowling alleys, arcades, roller rinks, and pool halls.

Regulations:

- (a) Shall comply with the requirements of the Health Code of Dodge and Jefferson County and applicable state regulations.
- (b) All uses selling alcohol shall comply with [Chapter 220 of the City of Watertown Municipal Code](#).
- (c) Customer entrances shall be located a minimum of 50 feet from residentially zoned property.
- (d) Minimum and maximum required parking: See [Section 550.06.06](#).

- (14) **Indoor Maintenance Service:** Facilities where maintenance and repair service is provided and all operations are located entirely within an enclosed building, including the repair of clocks, vacuum cleaners, and small appliances. This shall not include Vehicle Sales or Vehicle Service and Repair land uses.

Regulations:

- (a) Minimum and maximum required parking: See [Section 550.06.06](#).

- (15) **Indoor Sales or Service:** The sale and/or display of merchandise or equipment or non-personal or non-professional services, entirely within an enclosed building. Examples of such uses include, but are not limited to, general merchandise stores, grocery stores, butcher, sporting goods stores, antique stores, gift shops, laundromats, bakeries, copy and printing centers, photo processing centers, and physical activity studios (yoga, dance, art, martial arts, gymnastics, music schools, etc.).

Regulations:

- (a) Minimum and maximum required parking: See [Section 550.06.06](#).

- (16) **Indoor Shooting Ranges:** Land use which provides an indoor shooting range service entirely within an enclosed building. Such activities often have the potential to be associated with nuisances related to amplified noise and lighting, safety and security, and late operating hours that extend significantly later than most other commercial land uses.

Regulations:

- (a) The building and method of operation shall conform to all applicable State and Federal standards for environmental protection and occupational health and safety. The applicant shall identify all such standards and demonstrate how the building and operation will comply including identification of any related state or federal reporting, inspection and permitting requirements.

Section 550.03.10: Commercial Land Uses

- (b) The design and construction of the shooting range shall completely confine all ammunition rounds within the building in a safe, controlled manner.
 - 1. Compliance shall be demonstrated by plans, certified by an architect or engineer licensed or certified by the State of Wisconsin with demonstrated experience in indoor shooting range design.
 - 2. Compliance with the standards and recommendations of the most current versions of the Range Design Criteria of the U.S. Department of Energy, Office of Health, Safety and Security or the National Rifle Association Range Source Book shall be prima facie evidence of satisfaction of this condition. Under no circumstance shall the applicant be relieved of the obligation to comply with any requirement otherwise imposed by state, federal or local law.
 - 3. The plans shall specify the type and caliber of ammunition the shooting range is designed to confine. No ammunition shall be used, stored, sold, or possessed within the indoor shooting range that exceeds the certified design and construction specification for the shooting range.
 - (c) The applicant shall demonstrate that the operation shall not be a nuisance to neighboring property or other likely neighboring property uses including nuisances related to air quality and noise.
 - (d) A security plan shall be established for the building securing the building from unauthorized entrants as well as security for any firearms stored on the premises. No firearms shall be stored on the premises unless they are stored in a gun safe or other locked storage facility or container.
 - (e) The shooting range shall establish clear rules and procedures for the health, safety and order of the operation, its employees and patrons consistent with accepted industry practices which shall be conspicuously posted at the shooting range.
 - (f) On-site supervision of the range shall be provided at all times by an adult who is an experienced shooting range operator. The shooting range operator shall be responsible for taking all reasonable actions to assure the conduct of employees and patrons and the conditions of health, safety and order of the shooting range comply with all related rules and procedures.
 - (g) No person under the age of 18 shall be permitted within the shooting range unless accompanied by an adult at all times. This condition shall not apply to prohibit minors from participating in firearms safety classes supervised by a qualified adult instructor.
 - (h) Unless preempted by state or federal law, the Plan Commission may establish additional conditions or requirements including reporting or inspection requirements if it determines such conditions or requirements are reasonably necessary to protect the public health safety and welfare. Consideration shall be given to the cost and burden of such additional requirements upon the operation and upon City resources compared to the additional public benefit to be achieved, industry practices and evidence of experiences with similar operations in other communities.
 - (i) Minimum and maximum required parking: See [Section 550.06.06](#).
- (17) **Intensive Outdoor Activity:** Land uses located on private or public property that require intensive lighting and generate regional traffic and noise beyond property lines. Intensive outdoor activity land uses may include, but are not limited to, amusement parks, outdoor water parks, fairgrounds, private outdoor stadiums, go cart tracks, paint ball, racetracks, ski hills, outdoor shooting range, and drive-in theaters.

Regulations:

- (a) No Intensive Outdoor Activity shall take place before 7:00 am or after 10:00 pm except as explicitly authorized by the conditional use process.

Section 550.03.10: Commercial Land Uses

- (b) A bufferyard with a minimum opacity of 1.0 shall be provided along all property abutting residentially zoned property and for any facility requiring night lighting.
- (c) Facilities serving a regional or community-wide function shall provide an off-street passenger loading area if the majority of the users will be children or seniors.
- (d) Any activity area other than parking shall be set back a minimum of 100 feet from the property line.
- (e) Minimum and maximum required parking: See [Section 550.06.06](#). The Zoning Administrator may require a parking study to determine parking requirements.

- (18) **Office:** Indoor Offices where the primary function is the handling of information or administrative services. Office uses do not typically provide services directly to customers on a walk-in basis.

Regulations:

- (a) Minimum and maximum required parking: See [Section 550.06.06](#).
- (19) **Outdoor Commercial Entertainment:** Land uses which provide entertainment services partially or wholly outside of an enclosed building. Such activities often have the potential to be associated with nuisances related to noise, lighting, dust, trash, and late operating hours. Outdoor commercial entertainment land uses may include but are not limited to outdoor eating and drinking areas, sand volleyball courts, outdoor assembly areas, and outdoor swimming pools associated with another principal land use. Note that high-attendance facilities oriented to non-resident users or attendees and intensively lit tournament oriented outdoor facilities are considered intensive outdoor activity land uses (see [Section 550.03.10\(16\)](#)). Also see active outdoor recreation ([Section 550.03.12\(1\)](#)).

Regulations:

- (a) Customer entrances and outdoor activity areas shall be located a minimum of 50 feet from residentially zoned property.
 - (b) Facility shall provide bufferyard with minimum opacity of 0.60 along all borders of the outdoor activity area abutting residentially zoned property.
 - (c) Minimum and maximum required parking: See [Section 550.06.06](#).
- (20) **Outdoor Sales and Display:** Land uses where the sale and display of merchandise or equipment is conducted outside of an enclosed building on more than a temporary basis. Examples include, but are not limited to, outdoor garden centers, outdoor recreation equipment sales, monument sales, flea markets, and manufactured and mobile housing sales. If the permanent Outdoor Sales and Display area is less than the equivalent of 25% of the total gross square footage of the building, but no more than 1,000 sf, and is secondary to an Indoor Sales or Service use, such use shall instead be considered Incidental Outdoor Sales and Display under [Section 550.03.28\(12\)](#). Outdoor Sales and Display on a temporary basis shall be regulated by Temporary Outdoor Sales under [Section 550.03.30\(7\)](#). Also see Vehicle Sales ([Section 550.03.10\(24\)](#)).

Regulations:

- (a) 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.
- (b) The facility shall be surrounded by a bufferyard with a minimum opacity of 0.60 along all borders of the display area abutting residentially zoned property.
- (c) The display of items shall not be permitted in required setback areas, landscape areas, or bufferyards, unless located in a parking lot.

Section 550.03.10: Commercial Land Uses

- (d) Inoperable vehicles or equipment, or other items typically stored in a junkyard or salvage yard as defined under [Section 550.03.22\(4\)](#), shall not be displayed.
 - (e) 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 subsection (i), below. 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.
 - (f) Display areas shall be separated from any circulation area by a minimum of 10 feet. This separation shall be clearly delimited by a physical separation such as a greenway, curb, fence, or line of planters, or by a clearly marked paved area.
 - (g) 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 vehicle/vehicle and vehicle/pedestrian conflicts. Signs, screening, enclosures, landscaping, or materials being displayed shall comply with requirements related to vision triangles, crosswalks, drive aisle width, parking stall dimensions, fire lanes, bike lanes, or similar requirements related to traffic and pedestrian safety.
 - (h) Outdoor Sales and 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 10 calendar days of the goods' removal.
 - (i) Minimum and maximum required parking: See [Section 550.06.06](#).
- (21) **Outdoor Maintenance Service:** Facilities where maintenance and repair service are provided and where all or any portion of the operation is located outside of an enclosed building. This shall not include Vehicle Sales or Vehicle Service and Repair land uses.

Regulations:

- (a) All outdoor activity areas shall be completely enclosed by a minimum 6 feet high, solid fence. Such enclosure shall be located a minimum of 50 feet from any residentially zoned property and shall be screened from such property by a bufferyard with a minimum opacity of 0.60.
 - (b) Inoperable vehicles or equipment, or other items typically stored in a junkyard or salvage yard as defined under [Section 550.03.22\(4\)](#), shall not be displayed.
 - (c) Minimum and maximum required parking: See [Section 550.06.06](#).
- (22) **Personal or Professional Service:** Indoor service land uses where the primary function is the provision of services directly to an individual on a walk-in or on-appointment basis. Examples of such uses include establishments where customers make an appointment, such as professional services, insurance or financial services, realty offices, small scale by-appointment medical offices and clinics, veterinary clinics, barber shops, beauty shops, and related land uses including ancillary on site production of items used in the provision of such services, as defined by the Incidental Light Industrial accessory use (see [Section 550.03.28\(11\)](#)).

Regulations:

- (a) Minimum and maximum required parking: See [Section 550.06.06](#).
- (23) **Vehicle and Boat Sales:** The sale and display of vehicles or boats for sale or rent outside of an enclosed building. Such land uses shall also include an ancillary repair shop associated with the vehicle display lot and sales building.

Regulations:

- (a) The display of vehicles shall not be permitted in green space areas, landscaped areas, or required bufferyards.

Section 550.03.11: Reserved

- (b) Facility shall be surrounded by a bufferyard with a minimum opacity of 0.60 along all borders of the display area abutting residentially zoned property.
 - (c) 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 vehicle/vehicle and vehicle/pedestrian conflicts.
 - (d) Inoperable vehicles or equipment, or other items typically stored in a junkyard or salvage yard as defined under [Section 550.03.22\(4\)](#), shall not be displayed.
 - (e) Minimum and maximum required parking: See [Section 550.06.06](#).
- (24) **Vehicle Service and Repair:** Facilities where vehicle service or repair is provided entirely within an enclosed building, including unlicensed or inoperable vehicles used for spare parts.

Regulations:

- (a) Facility shall be surrounded by a bufferyard with a minimum opacity of 0.60 along all borders of the display area abutting residentially zoned property.
 - (b) 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 vehicle/vehicle and vehicle/pedestrian conflicts.
 - (c) Outdoor storage of unlicensed or inoperable vehicles is prohibited outside areas fully screened by a solid fence. Outdoor storage of other items typically stored or displayed in a junkyard or salvage yard shall not be permitted.
 - (d) Minimum and maximum required parking: See [Section 550.06.06](#).
- (25) **Water-Related Recreation:** Water-related recreational facilities such as marinas, yacht clubs, bait shops, boat launching ramps, boat slips, boat storage, docking facilities, boat liveries and rentals, and boat repair and maintenance facilities, including gasoline pumps for marine use.

Regulations:

- (a) 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 vehicle/vehicle and vehicle/pedestrian conflicts.
- (b) Outdoor storage of unlicensed or inoperative vehicles or boats is prohibited. Outdoor storage of other items typically stored or displayed in a junkyard or salvage yard shall not be permitted.
- (c) Minimum and maximum required parking: See [Section 550.06.06](#).

Section 550.03.11: Reserved**Section 550.03.12: Institutional Land Uses**

- (1) **Active Outdoor Recreation:** Recreational land uses which involve active recreational activities. Such land uses include tennis courts, basketball courts, ball diamonds, football fields, soccer fields, neighborhood parks, tot lots, outdoor swimming pools, swimming beach areas, fitness courses, and similar land uses.

Regulations:

- (a) Each location shall have appropriate hours of use and comply with the noise provisions of Article VI Performance Standards.

Section 550.03.12: Institutional Land Uses

- (b) Facilities using recreational facility night lighting and adjoining a residentially zoned property shall install and continually maintain a bufferyard with a minimum opacity of 0.60. Said bufferyard shall be located at the property line adjacent to said residentially zoned property.
- (c) All structures, paved areas, and active recreational improvements such as sandboxes, tot lots, tennis courts, and baseball backstops shall be located a minimum of 25 feet from any residentially zoned property.
- (d) Facilities which serve a regional or community-wide function shall provide an off-street passenger loading area if the majority of the users will be children or seniors.
- (e) Minimum and maximum required parking: See **Section 550.06.06**.
- (f) An Active Outdoor Recreation Land Use that includes the following is required to obtain a Conditional Use Permit (550.10.32):
 - 1. Any on-site exterior lighting that exceeds 10.0 foot-candles.

- (2) **Community Living Arrangement (1-8 Residents):** Facilities provided for in Wis. Stats. § 62.23(7)(i), including community living arrangements for adults as defined in Wis. Stats. § 46.03(22), community living arrangements for children as defined in Wis. Stats. § 48.743(1), foster homes as defined in Wis. Stats. § 48.02(6), and adult family homes and community-based residential facilities (CBRFs) as defined in Wis. Stats. § 50.01(1g).

Community Living Arrangements do not include Boarding Houses, Group Daycare Centers, nursing homes, homeless shelters, hospitals, prisons, or jails. Community Living Arrangement facilities are regulated depending upon their capacity as provided for in Wis. Stats. § 62.23(7)(i)1.-5., provided any such regulations do not violate federal or state housing or anti-discrimination laws.

Regulations:

- (a) No Community Living Arrangement shall be established within 2,500 feet of any other such facility regardless of its capacity.
 - (b) The total capacity of all Community Living Arrangements (of all capacities) in the City shall not exceed one percent of the City's population. The Zoning Administrator shall make this determination.
 - (c) Foster homes housing four or fewer children and licensed under Wis. Stats. § 48.62 shall not be subject to (a), above; and shall not be subject to, or count toward, the total arrived at in (b), above.
 - (d) Each facility shall have a rear and side yard which is visually screened from adjacent residential properties using a bufferyard with a minimum opacity of 0.20.
 - (e) Minimum and maximum required parking: See **Section 550.06.06**.
 - (f) Driveways shall be considered legal "stacked" parking spaces, provided that each parking space is no less than 8 feet in width and 18 feet in depth. A driveway may contain one or more legal parking spaces.
 - (g) Any application is required to disclose in writing the capacity of the community living arrangement proposed.
- (3) **Community Living Arrangement (9-15 Residents):** See description under Subsection (2), above.

Regulations:

- (a) See Regulations under Section (550.03.12(2)), above.

Section 550.03.12: Institutional Land Uses

- (4) **Community Living Arrangement (16+ Residents):** See description under Subsection (2), above.

Regulations:

- (a) See Regulations under Section (550.03.12(2)), above.

- (5) **Indoor Institutional:** Indoor public and not for profit recreational facilities (such as gyms, swimming pools, libraries, museums, and community centers), government facilities, schools, places of worship, homeless day shelters, hospitals and walk-in clinics, nonprofit clubs, nonprofit fraternal organizations, convention centers, private institutional businesses, jails, prisons, and similar land uses.

Regulations:

- (a) An off-street passenger loading area shall be provided if the majority of the users will be children or seniors (as in the case of a school, place of worship, library, or similar land use).

- (b) Minimum and maximum required parking: See **Section 550.06.06**.

- (6) **Institutional Residential:** Residential development designed to accommodate Institutional Residential land uses, such as convents, monasteries, dormitories, fraternities, sororities, living facilities, nursing homes, hospices, convalescent homes, limited care facilities, rehabilitation centers, permanent and limited use homeless shelters (with or without meal service), and similar land uses not considered to be Community Living Arrangements under **Sections 550.03.12(2-4)** of this ordinance or under the provisions of Wis. Stats. § 62.23. This land use may also include Adult Daycare Centers as regulated under Wis. Stats. DCF 105.14.

Regulations:

- (a) Project shall provide an off-street passenger loading area at a minimum of one location within the development.

- (b) Minimum required parking: Specific parking requirements may be adjusted compared to the minimum typically required for multi-family land uses.

1. Public or private dormitory: Determined by the Plan Commission.
2. Monastery or convent: Determined by the Plan Commission
3. Assisted living facility or limited care facility: Determined by the Plan Commission
4. Nursing home or hospice: Determined by the Plan Commission.

- (7) **Large Scale Public Services and Utilities:** Large scale facilities such as public works facilities and garages, wastewater treatment plants, potable water treatment plants, public or private utility substations, water towers, well houses, and similar land uses involving buildings or fenced enclosures. This does not include uses listed under Small Scale Public Services and Utilities (**Section 620.03.12(9)**).

Regulations:

- (a) All structures and outdoor storage areas shall be located a minimum of 20 feet from any residentially zoned property.

1. The siting of any new sewage treatment facility is subject to the required separation distances per NR 110.15(3)(d), unless a waiver is obtained through the Wisconsin Department of Natural Resources.

- (b) All outdoor storage areas adjoining a residentially zoned property shall install and continually maintain a bufferyard with a minimum opacity of 0.60. Said bufferyard shall be located at the property line adjacent to said residentially zoned property.

- (c) The exterior of all buildings shall meet the requirements for exterior materials of **Article VII**.

Section 550.03.13: Reserved

- (d) Minimum and maximum required parking: See [Section 550.06.06](#).
- (8) **Outdoor Open Space Institutional:** Cemeteries, privately held permanently protected green space areas, open grassed areas not associated with any particular active recreational land use, and similar land uses.
- Regulations:
- (a) Minimum and maximum required parking: See [Section 550.06.06](#).
- (9) **Passive Outdoor Recreation:** Recreational land uses which involve passive recreational activities, such as arboretums, natural areas, wildlife areas, hiking trails, bike trails, cross country ski trails, horse trails, picnic areas, picnic shelters, gardens, fishing areas, and similar land uses.
- Regulations:
- (a) Minimum and maximum required parking: See [Section 550.06.06](#).
- (10) **Small Scale Public Services and Utilities:** The erection, construction, alteration, or maintenance by public utilities or municipal or other governmental agencies and private utilities, of underground and overhead lines and pipes for gas, electric, telephone, communications, cable television, steam, public water supply, sanitary sewage collection, stormwater detention or conveyance, or other comparable utilities. Small Scale Public Services and Utilities include such above-surface facilities as poles, guy wires, fire alarm boxes, water hydrants, lift stations, utility posts, police call boxes, cabinets, vaults, and standpipes. This land use category does not include larger utility facilities included under Large Scale Public Services and Utilities ([Section 550.03.12\(7\)](#)), such as electric substations, wastewater treatment plants, well houses, and water towers.
- Regulations:
- (a) Small-Scale Public Services and Utilities are exempt from density, intensity, and bulk regulations.
- (b) All structures and outdoor storage areas shall be located a minimum of 20 feet from any residentially zoned property. Does not include landscaping or storm water detention facilities.
- (c) The exterior of all buildings shall meet the requirements for exterior materials of Article VII.
- (d) Minimum and maximum required parking: See [Section 550.06.06](#).

Section 550.03.13: Reserved

Section 550.03.14: Industrial Land Uses

- (1) **Data Center:** A completely enclosed facility that houses technology infrastructure such as servers, storage, and networking equipment to process, manage, and store data. Supporting equipment typically includes cooling systems, power infrastructure and generation, and security systems for on-site activities. Minor data centers are defined as those with less than 20,000 gross square feet of building area, less than a 5 MW electrical load, and with no substations. Minor data centers are regulated as light industrial land uses.
- Regulations:
- (a) All activities, except loading and unloading, shall be conducted entirely within the confines of a building.
- (b) Utility plans and operational capacity needs regarding water, electricity, fiber, and cooling systems shall be provided and reviewed by the Director of Public Works to determine if there is sufficient capacity.

Section 550.03.14: Industrial Land Uses

- (c) A noise, traffic, utility, or similar impact study may be required as determined by the Plan Commission.
 - (d) Facility shall be surrounded by a bufferyard with a minimum opacity of 1.0 along all borders of the property abutting properties which are not zoned HI.
 - (e) All buildings shall be located a minimum of 250 feet from residentially zoned property.
 - (f) Minimum and maximum required parking: See [Section 550.06.06](#).
- (2) **Heavy Industrial:** Industrial activities that may be wholly or partially located outside of an enclosed building; may have the potential to create certain nuisances which are detectable at the property line; and may involve materials which pose a significant safety hazard. Examples include, but are not limited to: fruit, vegetable, grain, dairy, and meat product producer and by-product producers; slaughterhouses; tanneries; paper, pulp or paperboard producers; chemical and allied product producers (except drug producers) including poison or fertilizer producers; plastic refinement and raw plastics material production; petroleum and coal product producers; asphalt, concrete or cement producers; stone, clay, or glass product producers; primary metal producers; heavy machinery producers; electrical distribution equipment producers; electrical industrial apparatus producers; transportation vehicle producers; commercial sanitary sewage treatment plants; railroad switching yards; recycling facilities not involving the on-site storage of salvage materials; and large-scale alcoholic beverage producers exceeding the production limits in Wis. Stats. § Chapter 125.

Regulations:

- (a) No outdoor activity areas shall be located in bufferyard areas. No materials shall be stacked or otherwise stored so as to be visible over bufferyard screening elements. All on-site outdoor activity, excluding Outdoor Sales and Display, areas shall be completely enclosed by any permitted combination of buildings, structures, walls, and/or fencing. Such walls and fencing shall be a minimum of 8 feet in height and shall be designed to completely screen all stored materials or products from view of all adjacent properties and rights-of-way. Said walls or fencing shall be screened from residentially zoned property by a bufferyard with a minimum opacity of 0.80.
 - (b) All Outdoor Storage areas shall be located no closer to a residentially-zoned property than the required minimum setback for buildings on the subject property and shall not be permitted in any landscaping areas, bufferyard areas, or permanently protected green space areas.
 - (c) In no event shall the storage of items reduce or inhibit the use or number of parking stalls provided on the property below the requirement established by the provisions of (d), below. If the number of provided parking stalls on the property is already less than the requirement, such storage area shall not further reduce the number of parking stalls already present.
 - (d) A taller building height of up to 130 feet may be allowed by-right, if the portion of the building exceeding the standard height maximum is setback from all property lines a minimum distance of 75% of its height. Building height shall comply with limitations of the Airport Overlay Zoning District.
 - (e) Minimum and maximum required parking: See [Section 550.06.06](#).
- (3) **Indoor Food Production and Processing:** Any business whose principal activity is the growing, production, or wholesaling of products that are either grown or stored on-site or shipped to the site for indoor production purposes. This land use also includes the following activities: the seasonal display of plants and related products outdoors; the farming of aquatic plants and animals under controlled conditions utilizing recirculating (closed) system technology; and aquaponics, which is the symbiotic cultivation of plants and aquatic organisms in a recirculating system. This land use does not include Heavy Industrial uses ([Section 550.03.14\(1\)](#)) such as slaughterhouses or other related

Section 550.03.14: Industrial Land Uses

production uses that may have the potential to create certain nuisances which are detectable at the property line or may involve materials which pose a significant safety hazard.

Regulations:

(a) Outdoor activity regulations.

1. No outdoor activity areas shall be located in bufferyard areas. No materials shall be stacked or otherwise stored so as to be visible over bufferyard screening elements. All on-site outdoor activity, excluding Outdoor Sales and Display, areas shall be completely enclosed by any permitted combination of buildings, structures, walls, and/or fencing. Such walls and fencing shall be a minimum of 8 feet in height and shall be designed to completely screen all stored materials or products from view of all adjacent properties and rights-of-way. Said walls or fencing shall be screened from residentially zoned property by a bufferyard with a minimum opacity of 0.80.
2. All Outdoor Storage areas shall be located no closer to a residentially-zoned property than the required minimum setback for buildings on the subject property and shall not be permitted in any landscaping areas, bufferyard areas, or permanently protected green space areas.
3. In no event shall the storage of items reduce or inhibit the use or number of parking stalls provided on the property below the requirement established by the provisions of (e), below. If the number of provided parking stalls on the property is already less than the requirement, such storage area shall not further reduce the number of parking stalls already present.
4. Outdoor Storage and/or Outdoor Sales and Display areas shall be separated from any vehicular parking or circulation area by a minimum of 10 feet. This separation shall be clearly distinguished by a physical feature or barrier such as a greenway, curb, fence, or line of planters, or by a clearly marked paved area.
5. Outdoor storage areas equivalent to 10 percent of the gross building floor area or up to 1,000 square feet, whichever is less shall comply with the requirements of Incidental Outdoor Storage under [Section 550.03.28\(14\)](#). Any outdoor storage areas exceeding those metrics stated above shall comply with the requirements of Outdoor Storage and Wholesaling as a principal use under [Section 550.03.16\(2\)](#).
6. Outdoor display areas equivalent to 25% of the total gross square footage of the building or less shall comply with the requirements of Incidental Outdoor Sales and Display under [Section 550.03.28\(12\)](#). Outdoor display areas exceeding those metrics stated above shall comply with the requirements of Outdoor Sales and Display as a principal use under [Section 550.03.10\(19\)](#).
7. The on-site retail sale of goods shall be considered Incidental Indoor Sales subject to the provisions of [Section 550.03.28\(10\)](#), provided the area devoted to sales does not exceed 25 percent of the total area of the building(s) within which the operation is located. Retail areas that exceed those metrics stated above shall be considered an Indoor Sales or Service principal land use under [Section 550.03.10\(14\)](#).

(b) On-site processing of seafood is permitted; provided the activity is conducted entirely within an enclosed building and no odors are detectable from the property line. All farming of aquatic plants and animals shall take place entirely within an enclosed building.

1. Prior to any approvals for the operation, applicants wishing to establish indoor aquaculture operations shall prepare a report outlining the estimated average daily water usage and quantity of wastewater discharge. Such report shall be reviewed and approved by the City of Watertown Public Works Department.

Section 550.03.14: Industrial Land Uses

2. Indoor aquaculture operations shall be connected to the municipal water and sanitary sewer system and all wastewater shall be discharged to the municipal sanitary sewer system.
- (c) On-site composting shall be permitted, subject to the following regulations:
 1. Compost areas shall be fully screened on all four sides by a combination of on-site buildings, solid fencing, and evergreen landscaping.
 2. Composting shall comply with all county, state, and federal rules, regulations, and permitting requirements.
- (d) Minimum and maximum required parking: See [Section 550.06.06](#).
- (4) **Light Industrial:** Facilities where all operations, with the exception of loading, are conducted entirely within an enclosed building. Such land uses are not associated with nuisances such as odor, noise, heat, vibration, and radiation which are detectable at the property line, and do not pose a significant safety hazard (such as danger of explosion). Examples include, but are not limited to: manufacturing and or assembly of clothing, furniture, cabinetry, electronic components, food or related products, motorized equipment assembly, production of plastic products and components from plastics pellets and related material refined or produced off-site, mass-produced arts and crafts, and contractors shops for electrical, plumbing, HVAC, painting, plasters, and other similar trades. Industrial land uses may conduct indoor sales as an accessory use provided that the requirements of [Section 550.03.28\(10\)](#) are complied with.

Regulations:

- (a) All activities, except loading and unloading, shall be conducted entirely within the confines of a building.
- (b) A taller building height of up to 130 feet may be allowed by-right, if the portion of the building exceeding the standard height maximum is setback from all property lines a minimum distance of 75% of its height. Building height shall comply with limitations of the Airport Overlay Zoning District.
- (c) Minimum and maximum required parking: See [Section 550.06.06](#).
- (5) **Medium Industrial:** Facilities where the majority of operations, with the exception of loading, unloading, and some outdoor storage of raw materials or finished products, are conducted entirely within an enclosed building, as determined by the Zoning Administrator. Such land uses are not associated with nuisances such as odor, noise, heat, vibration, and radiation which are detectable at the property line, and do not pose a significant safety hazard (such as danger of explosion). Examples include but are not limited to manufacturing and or assembly of clothing, furniture, cabinetry, electronic components, motorized equipment assembly, production of plastic products and components from plastic pellets and related material refined or produced off-site, and mass-produced arts and crafts. These land uses may conduct indoor sales as an accessory use provided that the requirements of [Section 550.03.10\(3\)](#) are complied with.
 - (a) All outdoor activity areas shall meet the requirements for Outdoor Storage ([Section 550.03.16\(2\)](#) or [550.03.28\(17\)](#)), be located a minimum of 100 feet from residentially zoned property and be surrounded by a bufferyard minimum opacity of 0.5 along all borders of the outdoor activity.
 - (b) In no event shall the storage of items reduce or inhibit the use or number of parking stalls provided on the property below the requirement established by the provisions of (c), below. If the number of provided parking stalls on the property is already less than the requirement, such storage area shall not further reduce the number of parking stalls already present.
 - (c) A taller building height of up to 130 feet may be allowed by-right, if the portion of the building exceeding the standard height maximum is setback from all property lines a minimum distance of

Section 550.03.15: Reserved

75% of its height. Building height shall comply with limitations of the Airport Overlay Zoning District.

- (d) Minimum required parking: See [Section 550.06.06](#).
- (6) **Production Greenhouse:** Any business in which the principal activity is the growing and wholesaling of plants or plant byproducts such as flowers, shrubbery, trees, and horticultural and floricultural products (not including fruits and vegetables) that are grown or stored within an enclosed building or structure constructed chiefly of glass or glasslike material, cloth, or other permanent material. Such uses also often involve the seasonal display of plants and related products outdoors.

Regulations:

- (a) 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 (f), below. 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.
- (b) Outdoor display areas equivalent to 25% of the total gross square footage of the building, up to a maximum area of 1,000 square feet, or less shall comply with the requirements of Incidental Outdoor Sales and Display under [Section 550.03.28\(12\)](#). Outdoor display greater than the equivalent to 25% of the total gross square footage of the building shall comply with the requirements of Outdoor Sales and Display as a principal use under [Section 550.03.10\(19\)](#).
- (c) Outdoor Storage and/or Outdoor Sales and Display areas shall be separated from any vehicular parking or circulation area by a minimum of 10 feet. This separation shall be clearly distinguished by a physical feature or barrier such as a greenway, curb, fence, or line of planters, or by a clearly marked paved area.
- (d) 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.
- (e) The facility shall be surrounded by a bufferyard with a minimum opacity of 0.60 along all borders of Outdoor Sales and Display areas abutting residentially zoned property.
- (f) Minimum and maximum required parking: See [Section 550.06.06](#).

Section 550.03.15: Reserved

Section 550.03.16: Storage Land Uses

- (1) **Indoor Storage and Wholesaling:** Land uses primarily oriented to the receiving, holding, and shipping of packaged materials for a single business or a single group of businesses. With the exception of loading and parking facilities, such land uses are contained entirely within an enclosed building. Examples of this land use include conventional warehouse facilities, long-term indoor storage facilities, and joint warehouse and storage facilities. Distribution centers are regulated per [Section 550.03.18](#). Retail associated with this use shall be considered accessory uses per [Section 550.03.28\(10\)](#).

Regulations:

- (a) All new construction of any indoor storage and wholesaling land use shall meet the requirements of Industrial Land Use Design Standards (see [Section 550.07.40](#)).
- (b) A taller building height of up to 130 feet may be allowed by-right, if the portion of the building exceeding the standard height maximum is setback from all property lines a minimum distance of 75% of its height. Building height shall comply with limitations of the Airport Overlay Zoning District.

Section 550.03.16: Storage Land Uses

(c) Minimum and maximum required parking: See [Section 550.06.06](#).

- (2) **Outdoor Storage and Wholesaling:** Land uses primarily oriented to the receiving, holding, and shipping of packaged materials for a single business or a single group of businesses. Such a land use, in which any activity beyond loading and parking is located outdoors, is considered an Outdoor Storage and Wholesaling land use. Examples of this land use include, but are not limited to, storage yards, equipment yards, lumber yards, and coal yards.

Regulations:

- (a) All outdoor storage areas shall be completely enclosed by any permitted combination of buildings, structures, walls, and solid fencing. Such walls and fencing shall be a minimum of 8 feet in height and shall be designed to completely screen all stored materials from view. Said walls or fencing shall be screened from residentially zoned property by a bufferyard with a minimum opacity of 0.80.
- (b) Outdoor storage areas are not considered a principal land use when such use occupies less than 10% of the gross building square footage or up to a maximum of 1,000 square feet. In such cases, the land use shall be regulated as Incidental Outdoor Storage under Section 550.03.28(14).
- (c) The storage of items shall not be permitted in landscaping areas, bufferyard areas, or green space areas.
- (d) In no event shall the storage of items reduce or inhibit the use or number of parking stalls provided on the property below the requirement established by the provisions of Subsection (h). If the number of provided parking stalls on the property is already less than the requirement, such storage area shall not further reduce the number of parking stalls already present.
- (e) Materials being stored shall not interfere in any manner with either on-site or off-site traffic visibility, including potential vehicle/vehicle and vehicle/pedestrian conflicts.
- (f) Inoperable vehicles or equipment, or other items typically stored in a junkyard or salvage yard, shall not be stored under the provisions of this land use.
- (g) All new construction of any outdoor storage and wholesaling land use shall meet the requirements of Industrial Land Use Design Standards (see [Section 550.07.40](#)).
- (h) Minimum and maximum required parking: See [Section 550.06.06](#).

- (3) **Personal Storage Facility:** Also known as “mini-warehouses,” these land uses are oriented to the indoor storage of items entirely within partitioned buildings having an individual access to each partitioned storage area.

Regulations:

- (a) Facility shall be surrounded by a bufferyard with a minimum opacity of 0.80 along all property borders abutting residentially zoned property.
- (b) All storage shall take place entirely within an enclosed building.
- (c) All new construction of any personal storage facility land use shall meet the requirements of Industrial Land Use Design Standards (see [Section 550.07.40](#)).
- (d) Minimum and maximum required parking: See [Section 550.06.06](#).

Section 550.03.17: Reserved**Section 550.03.18: Transportation Land Uses**

- (1) **Airport:** Transportation facilities providing takeoff, landing, servicing, storage, and other services to any type of air transportation. Takeoffs and landings of any type of air vehicle (including ultralight aircraft, hang gliders, parasails, and related equipment) within the jurisdiction of this Chapter shall occur only in conjunction with an approved Airport.

Regulations:

- (a) The Airport shall be located at least 200 feet from any residentially used or zoned property, measured in a straight line from the closest point of the takeoff and landing area to the property line of the closest residentially used or zoned property. The application shall include an area map showing the distance between the proposed takeoff and landing area and the nearest residential property.
 - (b) The Airport shall be constructed, operated, and maintained in accordance with the rules and regulations of the Federal Aviation Administration (FAA) and State.
 - (c) All new construction of any airport land use shall meet the requirements of Industrial Land Use Design Standards (see [Section 550.07.40](#)).
 - (d) Minimum required parking: Minimum and maximum required parking: See [Section 550.06.06](#).
- (2) **Distribution Center:** Facilities oriented to the short-term indoor storage and possible repackaging and reshipment of materials involving the activities and products of a single user. Retail outlets associated with this use shall be considered accessory uses per [Section 550.03.28\(10\)](#).

Regulations:

- (a) Facility shall be surrounded by a bufferyard with a minimum opacity of 1.00 along all property borders abutting residentially zoned property.
 - (b) All buildings, structures, outdoor storage areas, and any other activity areas shall be located a minimum of 100 feet from all lot lines abutting residentially zoned property.
 - (c) In no instance shall activity areas be located within landscaping areas, bufferyard areas, or green space areas.
 - (d) All new construction of any distribution center land use shall meet the requirements of Industrial Land Use Design Standards (see [Section 550.07.40](#)).
 - (e) Minimum and maximum required parking: See [Section 550.06.06](#).
- (3) **Freight Terminal:** Land and buildings representing either end of one or more truck carrier line(s) which may have some or all of the following facilities: yards, docks, management offices, storage sheds, buildings and/or outdoor storage areas, freight stations, and truck maintenance and repair facilities, principally serving several or many businesses requiring trans-shipment.

Regulations:

- (a) Facility shall be surrounded by a bufferyard with a minimum opacity of 1.00 along all property borders abutting residentially zoned property.
- (b) All buildings, structures, outdoor storage areas, and any other activity areas shall be located a minimum of 100 feet from all lot lines abutting residentially zoned property.
- (c) In no instance shall activity areas be located within landscaping areas, bufferyard areas, or green space areas.

Section 550.03.18: Transportation Land Uses

- (d) All new construction of any freight terminal land use shall meet the requirements of Industrial Land Use Design Standards (see [Section 550.07.40](#)).
- (e) Minimum and maximum required parking: See [Section 550.06.06](#).
- (4) **Heliport:** An area designed to be used for the landing or takeoff of helicopters including operations facilities, such as maintenance, loading and unloading, storage, fueling, or terminal facilities.

Regulations:

- (a) The Heliport shall be located at least 200 feet from any residentially used or zoned property, measured in a straight line from the closest point of the takeoff and landing area to the property line of the closest residentially used or zoned property. The application shall include an area map showing the distance between the proposed takeoff and landing area and the nearest residential property.
- (b) The Heliport shall be constructed, operated, and maintained in accordance with the rules and regulations of the Federal Aviation Administration (FAA) and State.
- (c) All new construction of any heliport land use shall meet the requirements of Industrial Land Use Design Standards (see [Section 550.07.40](#)).
- (d) Minimum and maximum required parking: See [Section 550.06.06](#).
- (5) **Off-Site Parking Lot:** Off-Site Parking Lots include any areas used for the temporary surface parking of vehicles which are fully registered, licensed, and operable and which serve a principal land use located on a separate lot. See [Section 550.06.06](#) for additional parking regulations.

Regulations:

- (a) Access and vehicular circulation shall be designed so as to discourage cut-through traffic.
- (b) Parking lots shall comply with the landscaping requirements of Article VIII.
- (c) Building height requirements in the DMU and DRR require more than one story. A parking lot is exempt from any minimum height requirements for development.
- (6) **Off-Site Structured Parking:** Commonly referred to as a parking ramp or parking garage, Off-Site Structured Parking is a type of parking structure for the temporary parking of vehicles which are fully registered, licensed, and operable. Off-Site Structured Parking is a stand-alone, multi-level parking area in which one or more levels are supported above the lowest level. A parking structure may also include underground parking spaces. Parking structures that are incorporated into the same building as a separate principal land use shall be regulated as On-Site Structured Parking under [Section 550.03.28\(20\)](#) See [Section 550.06.06](#) for additional parking regulations.

Regulations:

- (a) Parking structures may contain other commercial uses on the ground floor level. Such uses shall be limited to those permitted by right or by conditional use permit in the applicable zoning district.
- (b) Parking structures must meet all applicable bulk requirements.
- (c) Clearly-marked pedestrian connections between the parking structure and adjacent uses shall be required.
- (d) Screening or other improvements that shield parked vehicles from view at each level of the parking structure shall be required.
- (e) Parking structures shall comply with the landscaping requirements of Article VIII.

Section 550.03.19: Reserved

- (f) Exterior elevations shall be designed to minimize the use of blank concrete façades and shall have an architectural treatment that is compatible with the surrounding architectural context. Materials shall minimize glare in compliance with [Section 550.06.34](#). Exterior elevations are encouraged to be designed to replicate the regular window pattern and other architectural elements of adjacent buildings. See Article VII.
- (7) **Transit Center:** A building, structure, and/or area designed and used for the purpose of loading, unloading, or transferring passengers or accommodating the movement of passengers from one mode of transportation to another. Examples include, but are not limited to, bus stations, train stations, and park and ride stations.

Regulations:

- (a) Facility shall be surrounded by a bufferyard with a minimum opacity of 1.0 along all property borders abutting residentially zoned property.
- (b) All new construction of any transit center land use shall meet the requirements of Industrial Land Use Design Standards (see [Section 550.07.40](#)).
- (c) Minimum and maximum required parking: See [Section 550.06.06](#).

Section 550.03.19: Reserved**Section 550.03.20: Telecommunication Land Uses**

- (1) **Communication Tower:** Any structure that is designed and constructed for the purpose of supporting one or more antennas for communication purposes such as cellular telephones or similar, including self-supporting lattice towers, guyed towers, or monopole towers. For satellite dishes and antennas accessory to a principal use, see [Section 550.03.28\(21\)](#) and [550.03.28\(25\)](#). Height shall be measured from finished grade to the highest point on the tower or other structure, including the base pad. This definition includes the mobile service support structure, supports, and equipment buildings.

Regulations:

- (a) **Applicability.** This land use shall not be regulated or permitted as Small-Scale Public Services and Utilities, or Large-Scale Public Services and Utilities. This Section shall apply to the following:
 - 1. New towers. All new towers in the City of Watertown shall be subject to these regulations.
 - 2. Preexisting towers. Preexisting towers shall not be required to meet the requirements of this Section, other than the requirements of Subsection (b) of this Section.
 - 3. Towers shall be considered principal uses. A different use on the same lot shall not preclude the installation of a tower on such lot.
 - 4. See [Section 550.03.28\(3\)](#) for Communication Antennas, an accessory land use typically associated with Communication Towers.
- (b) **Compliance with Federal Regulations.** Towers shall be erected and installed in accordance with the state electrical code adopted by reference in §101-31 et seq., National Electrical Code, Federal Communications Commission, Federal Aviation Administration, and the instructions of the manufacturer. In cases of conflict, the stricter requirements shall govern.
- (c) Through both the site plan review process ([Section 550.10.XX](#)) and the conditional use process ([Section 550.10.XX](#)), the plan commission shall be responsible and have authority to hear, review, and act upon all proposed communication towers. Submittal and review procedure requirements and other requirements specific to Communication Towers must be consistent with Wis. Stats. § 66.0404.

Section 550.03.20: Telecommunication Land Uses

- (d) Permit Required. A permit is required for all new Communication Towers or modifications to existing Communication Towers. The permit application shall contain all of the following information:
1. The name and business address of, and the contact individual for, the applicant.
 2. The location of the proposed or affected support structure.
 3. The location of the proposed mobile service facility.
 4. If the application is to substantially modify an existing support structure, a construction plan which describes the proposed modifications to the support structure and the equipment and network components, including antennas, transmitters, receivers, base stations, power supplies, cabling, and related equipment associated with the proposed modifications.
 5. If the application is to construct a new mobile service support structure, a construction plan which describes the proposed mobile service support structure and the equipment and network components, including antennas, transmitters, receivers, base stations, power supplies, cabling, and related equipment to be placed on or around the new mobile service support structure.
 6. If an application is to construct a new mobile service support structure, an explanation as to why the applicant chose the proposed location and why the applicant did not choose collocation, including a sworn statement from an individual who has responsibility over the placement of the mobile service support structure attesting that collocation within the applicant's search ring would not result in the same mobile service functionality, coverage, and capacity; is technically infeasible; or is economically burdensome to the mobile service provider.
 - a. The application must also include a visual analysis, which may include an annotated photo montage, field mockup, or other technique prepared by or on behalf of the applicant which identifies the potential visual impacts, location, configuration, and the design capacity of the proposed facility to the satisfaction of the Plan Commission. Consideration shall be given to views from public areas as well as from private residences. The analysis shall assess the impacts of the proposed facility and other existing telecommunication facilities in the area, and shall identify and include all feasible mitigation measures consistent with the technological requirements of the proposed personal wireless services. All costs for the visual analysis, and applicable administrative costs, shall be borne by the applicant.
- (e) All service carriers and providers that offer or provide any telecommunications services for a fee directly to the public, either within the City or outside the corporate limits from telecommunications facilities within the City, and all communication tower owners, shall register and provide to the City, pursuant to this ordinance, on forms to be provided by the Building Inspector and shall provide with each conditional use application the following information below. It shall be unlawful for any personal wireless services carrier or provider who offers or provides services within the City, or any communication tower owner who owns or operates telecommunications facilities within the City, to fail to register and provide the information required within thirty (30) days of such a request by the City.
1. The identity and legal status of the registrant, including any affiliates.
 2. The name, address and telephone number of the officer, agent or employee responsible for the accuracy of the registration statement.
 3. A narrative and map description of registrant's existing telecommunications facilities within the City, adjacent cities, villages and townships.
 4. Such other information as the Building Inspector may reasonably require.

Section 550.03.20: Telecommunication Land Uses

- (f) Placement Requirements.
1. Towers and guyed wires shall be set back from any property line a minimum distance equal to 100% of the height of the communication tower. Tower height may be limited by the Airport Overlay Zoning District.
 - a. If an applicant provides an engineering certification showing that a proposed communication tower is designed to collapse within a smaller area than the setback area, the setback requirement is reduced in accordance with the findings of the engineering certification, unless the City provides the applicant with substantial evidence that the engineering certification is flawed.
 2. The placement of towers on the roof of existing buildings must maintain a setback from residential zones or properties the same as the building setback required for new buildings.
 3. No communication tower shall be installed closer than one-quarter mile from another communication tower, measured from the base of the tower to the base of the proposed tower, unless it is a tower situated on a multi-tower zoning lot, or credible evidence to a reasonable degree of certainty acceptable to the Plan Commission is submitted showing a clear need for said new tower and the infeasibility of co-locating it on an existing site. For the purposes of this requirement, exempt telecommunications facilities unavailable for co-location shall not be included in the one-quarter mile computation.
- (g) Structural Requirements. Every telecommunication facility shall be designed and constructed so as to comply with the requirements of Wis. Admin. Code Chap. COMM 62.35 to 62.41, amended from time to time. If, upon inspection, the Building Inspector concludes that a tower fails to comply with such codes, in effect at the time of construction, and constitutes a danger to persons or property, then upon notice being provided to the owner of the tower, the owner shall have 30 days or such time as determined by the Building Inspector to bring such tower into compliance with said codes. Failure to bring such tower into compliance within said 30 days or such time as determined by the Building Inspector shall constitute grounds for the removal of the tower or antenna at owner's expense.
- (h) Basic Tower and Building Design. All new communication towers, except exempt facilities as defined in subsection (i) below, shall be designed to blend into the surrounding environment to the greatest extent feasible. To this end all the following measures shall be implemented.
1. Communication towers shall be constructed out of metal or other nonflammable material, unless specifically permitted by the City to be otherwise.
 2. Telecommunication support facilities see (i) Equipment Buildings below.
 3. The City shall have the authority to require reasonable special design (materials, architectural features and color) of the communication tower where findings of particular sensitivity are made (e.g. proximity to historic or aesthetically significant structures, views and/or community features).
 4. Communication towers shall insure that sufficient anti-climbing measures have been incorporated into the facility, as needed, to reduce potential for trespass and injury.
 5. Accessory communication antenna shall be designed to blend with its supporting structure. The color selected shall be one that in the opinion of the Plan Commission will minimize the visibility of the antennas to the greatest extent feasible.
 6. All new communication towers shall be structurally and electrically designed to accommodate at least three (3) separate antenna arrays, unless credible evidence is presented that said construction is economically and technologically unfeasible or the Plan Commission determines that for reasons of aesthetics or to comply with the standards above, a communication tower of such height to accommodate three antenna arrays is

Section 550.03.20: Telecommunication Land Uses

unwarranted. Multi-user communication towers shall be designed to allow for future rearrangement of antennas and to accept antennas mounted at varying heights. Parking areas, access roads, and utility easements shall be shared by site users, at fair market rates as determined by customary industry standards, when in the determination of the Plan Commission this will minimize overall visual impact to the community.

- (i) Equipment buildings. Equipment buildings, including cabinets, used in connection with commercial communication antennas will be subject to the following conditions:
 - 1. Any location and impact of the equipment buildings shall be made as minimal as possible so as not to prevent the principal use of the property.
 - 2. Exterior storage of ground-mounted equipment or materials shall not be permitted.
 - 3. Equipment buildings or structures may be mounted on the roof of a building provided that such building or structure is placed as unobtrusively as possible (e.g. integrated into the roof design) and/or is screened from view from adjacent roads and properties.
 - 4. Any ground-mounted equipment building used for accessory equipment must either be screened from view from all adjacent residential and commercial uses and potentially incompatible municipal uses with a bufferyard with a minimum opacity of 0.40, or the equipment building must be constructed with similar materials, style, roof pitch, etc., to complement the architectural character of the surrounding neighborhood.
 - 5. All ground-mounted equipment buildings shall at a minimum meet the required setbacks of a principal structure for the underlying zoning district and shall meet all applicable building code requirements.
- (j) Height Requirements.
 - 1. Tower height shall be restricted to 200 feet. Zoning District height restrictions shall not apply to commercial communication towers.
- (k) Collocation. A proposed tower shall be structurally and electrically designed to accommodate the applicant's antenna and comparable antennas for two additional users. Towers shall be designed to allow for future rearrangement of antennas and to accept antennas mounted at varying heights.
- (l) Advertising. No form of advertising or identification, or sign is allowed on the tower other than the customary manufacturer identification plate.
- (m) Lighting. Towers shall not be artificially illuminated unless required by the FAA or any other applicable authority.
- (n) Fencing. A tower shall be enclosed by solid fencing not less than 6 feet in height or a bufferyard with a minimum opacity of 0.40 and secured so that it is not accessible by the general public. Fence design, materials and colors shall reflect the character of the surrounding area.
- (o) Color. The wireless communication tower and antennae shall be of a neutral color such as light gray or sky blue except as dictated by the Federal Aviation Administration (FAA) and be designed to minimize visibility and to blend into the surrounding environment. Towers with antennas shall be designed to withstand applicable wind load requirements as prescribed in the Uniform Building Code. Towers and/or antenna systems shall be constructed of, or treated with, corrosive resistant material. A regular maintenance schedule shall be followed.
- (p) Abandonment.
 - 1. The applicant shall provide a written agreement stating that if the tower or transmitters are unused for a period exceeding 365 days, the applicant shall remove the tower or transmitters upon request from the City.

Section 550.03.21: Reserved

2. Within 30 days of the date on which the tower use ceases, the permit holder shall provide the commission written notice of the cessation of use.
 3. If unused facilities are not removed, the City may remove the items at the expense of the owner of the property upon which the tower was placed.
- (q) Applications and Fees.
1. All co-location applications must be processed within the timeframes set forth by the Federal Communications Commission. Any application for the co-location of small wireless facilities must be processed by the City within 60 days of receiving a completed application and any other co-location facility application must be processed within 90 days of receiving a completed application.
 2. All fees associated with small wireless facilities must be a reasonable approximation of the objectively reasonable cost associated with maintaining infrastructure or processing an application in accordance with the maximum values set forth by the Federal Communications Commission.

Section 550.03.21: Reserved**Section 550.03.22: Extraction and Disposal Land Uses**

- (1) **Composting Facility:** Land uses devoted to the collection, storage, processing, and/or disposal of vegetation or food waste.

Regulations:

- (a) Composting facilities shall comply with all county, state, and federal regulations.
- (b) Facility shall provide a bufferyard with a minimum opacity of 1.00 along all borders of the property occupied by non-agricultural land uses.
- (c) All buildings, structures, outdoor storage, and any other activity areas shall be located a minimum of 100 feet from all lot lines.
- (d) Operations shall not involve the on-site holding, storage, or disposal of hazardous wastes as defined by State Statutes in any manner.
- (e) Minimum and maximum required parking: See **Section 550.06.06.**

- (2) **Extraction:** Land uses involving the removal of soil, clay, sand, gravel, rock, minerals, peat, or other material in excess of that required for approved on-site development or agricultural activities.

Regulations:

- (a) The facility shall comply with all county, state, and federal regulations and provide copies of all approved county, state, and federal permits.
- (b) The facility shall provide a bufferyard with a minimum opacity of 1.00 along all borders of the property.
- (c) All buildings, structures, outdoor storage, and any other activity areas shall be located a minimum of 300 feet from all lot lines.
- (d) Required site plans shall include detailed site restoration plans in accordance with Wis. Stats. Ch. 295, which shall include at minimum, detailed grading and re-vegetation plans, and a detailed written statement indicating the timetable for such restoration after cessation of the use. All site restoration plans must be submitted to Dodge or Jefferson County.

Section 550.03.22: Extraction and Disposal Land Uses

- (e) A surety bond, in an amount equivalent to 125% of the costs determined to be associated with said restoration (as determined by a third-party selected by the City), shall be filed with the City by the Petitioner (subject to approval by the Zoning Administrator), and shall be held by the City for the purpose of ensuring that the site is restored to its proposed condition. This amount shall be recalculated and a new bond shall be required biannually.
- (f) Minimum and maximum required parking: See [Section 550.06.06](#).
- (3) **Indoor Recycling Facility:** Land uses providing indoor materials recycling services including materials unloading, materials storage, materials sorting, and materials shipping. This land use does not involve any outdoor activities.
 - (a) Indoor Recycling facilities shall comply with all county, state, and federal regulations.
 - (b) Facility shall be surrounded by a bufferyard with a minimum opacity of 1.00 along all borders of the property.
 - (c) Operations shall not involve the on-site holding, storage, or disposal of hazardous materials as defined by State Statutes in any manner.
 - (d) Minimum and maximum required parking: See [Section 550.06.06](#).
- (4) **Salvage or Junkyard:** Lands or structures used for a salvaging operation including but not limited to: the above-ground, outdoor storage and/or sale of waste paper, rags, scrap metal, and any other discarded materials intended for sale or recycling; and/or the collection, dismantlement, storage, or salvage of unlicensed and/or inoperable vehicles intended for scraping or recycling. Recycling facilities involving on-site outdoor storage of salvage materials are included in this land use. This shall not include Vehicle Service and Repair.

Regulations:

- (a) Facility shall provide a bufferyard with a minimum opacity of 1.00 along all borders of the property. A minimum 8-foot fence is required.
- (b) All buildings, structures, outdoor storage areas, and any other activity areas shall be located a minimum of 100 feet from all lot lines.
- (c) In no instance shall activity areas be located within a landscaping or bufferyard areas.
- (d) Shall not involve the storage, handling, or collection of hazardous materials as defined by State Statutes.
- (e) Minimum and maximum required parking: See [Section 550.06.06](#).
- (f) Facility shall secure a salvage dealer license as required by the State of Wisconsin.
- (5) **Sand and Mineral Processing:** Land or structure used for processing sand or minerals, extracted on-site or transported to the site, that removes the desired product from the mineral or enhances the characteristics of the sand or mineral.

Regulations:

- (a) Facility shall provide a bufferyard with a minimum opacity of 1.00 along all borders of the property.
- (b) All buildings, structures, outdoor storage, and any other activity areas shall be located a minimum of 100 feet from all roads and lot lines.
- (c) In no instance shall activity areas be located within a bufferyard area.
- (d) Shall not involve the storage, handling, or collection of hazardous materials as defined by State Statutes.

Section 550.03.23: Reserved

- (e) Required site plans shall include detailed site restoration plans, which shall include at minimum, detailed grading and re-vegetation plans, and a detailed written statement indicating the timetable for such restoration after cessation of the use. All site restoration plans must be submitted to Dodge or Jefferson County.
 - (f) A surety bond, in an amount equivalent to 125% of the costs determined to be associated with said restoration (as determined by a third-party selected by the City), shall be filed with the City by the Petitioner (subject to approval by the Zoning Administrator), and shall be held by the City for the purpose of ensuring that the site is restored to its proposed condition. This amount shall be recalculated and a new bond shall be required biannually.
 - (g) The facility shall comply with all county, state, and federal regulations and be able to provide copies of all approved county, state, and federal permits.
 - (h) Minimum and maximum required parking: See [Section 550.06.06](#).
- (6) **Waste Disposal/Landfill:** Waste disposal facilities are any facilities and/or areas used for the disposal of solid wastes including those defined by Wis. Stats. § 289.01(33), but not including Indoor Recycling or Composting operations.

Regulations:

- (a) Waste Disposal/Landfill facilities shall comply with all county, state, and federal regulations.
- (b) Facility shall be surrounded by a bufferyard with a minimum opacity of 1.00 along all borders of the property.
- (c) All buildings, structures, outdoor storage, and any other activity areas shall be located a minimum of 300 feet from all lot lines.
- (d) Operations shall not involve the on-site holding, storage, or disposal of hazardous materials as defined by State Statutes in any manner.
- (e) Required site plans shall include detailed site restoration plans, which shall include at minimum, detailed grading and re-vegetation plans, and a detailed written statement indicating the timetable for such restoration after cessation of the use.
- (f) A surety bond, in an amount equivalent to 125% of the costs determined to be associated with said restoration (as determined by a third party selected by the City), shall be filed with the City by the Petitioner (subject to approval by the City Zoning Administrator), and shall be held by the City for the purpose of ensuring that the site is restored to its proposed condition. This amount shall be recalculated and a new bond shall be required biannually. The requirement for said surety is waived for waste disposal facilities owned by public agencies.
- (g) Minimum and maximum required parking: See [Section 550.06.06](#).

Section 550.03.23: Reserved**Section 550.03.24: Energy Production Land Uses and Structures**

- (1) **Large Solar Energy System:** Equipment and associated facilities that directly convert and then transfer or store solar energy into usable forms of thermal or electrical energy. Large Solar Energy Systems are the only principal land use permitted on a property and are designed primarily to generate energy for commercial sale off-site. See [Section 550.03.28\(27\)](#) for Small Solar Energy Systems.
 - (a) Rooftop, ground-mounted, and building-mounted large solar energy systems may exceed the maximum height limit of the primary structure by up to 10 feet, but in cases where a rooftop or

Section 550.03.24: Energy Production Land Uses and Structures

- building-mounted system exceeds the maximum height limit, the panel must be set back from the edge of the roof a minimum distance equal to or greater than the height of the panel.
- (b) Large solar system structures shall be finished in a rust-resistant, non-obtrusive finish, and color that is non-reflective.
 - (c) All electrical connections shall be located underground or within a building.
 - (d) No large solar energy system shall be lighted unless required by the Federal Aviation Administration.
 - (e) Clearing of natural vegetation for the purposes of installing a large solar energy system shall be limited to that which is necessary for the construction, operation and maintenance of the large solar energy system and as otherwise prescribed by applicable laws, regulations, and ordinances.
 - 1. A Landscaping Plan per [Section 550.08.20](#) is required for the entire property. Native plantings and pollinators are encouraged to co-exist with Large Solar Energy Systems.
 - (f) All access doors or access ways and electrical equipment shall be lockable.
 - (g) A large solar energy system shall require a building permit before installation. Building permit applications shall include the following information in addition to that required by the Building Code:
 - 1. A site plan drawn to scale showing the location of the proposed large solar energy system and per the requirements of [Section 550.10.43](#).
 - 2. Elevations of the site drawn to scale showing the height, design, and configuration of the large solar energy system and the heights of all existing structures, buildings and electrical lines in relation to property lines and their distance from the small solar energy system.
 - 3. A standard foundation design along with specifications for the soil conditions at the site.
 - 4. Specific information on the type, size, rated power output, performance, and safety characteristics of the system, including the name and address of the manufacturer, model, and serial number.
 - 5. A description of emergency and normal shutdown procedures.
 - 6. A line drawing of the electrical components of the system in sufficient detail to establish that the installation conforms to all applicable electrical codes and this Subsection.
 - 7. Evidence that the provider of electrical service to the property has been notified of the intent to install an interconnected electricity generator, except in cases where the system will not be connected to the electricity grid.
 - 8. Evidence of compliance with Federal Aviation Administration requirements.
 - 9. A decommissioning plan shall be required to ensure that facilities are properly removed after their useful life. Decommissioning of solar panels must occur in the event they are not in use for 12 consecutive months. The plan shall include provisions for removal of all structures and foundations, restoration of soil and vegetation and a plan ensuring financial resources will be available to fully decommission the site. The Zoning Administrator may require the posting of a bond, letter of credit or the establishment of an escrow account to ensure proper decommissioning.
 - (h) The requirements of Wisconsin Statutes, including but not limited to Wis. Stats. §§ 66.0401 and 66.0403, shall apply to all solar energy systems and in the evaluation of such requests. Solar energy systems are a conditional use.
 - 1. No restriction shall be placed, either directly or in effect, on the installation or use of a solar energy system, unless the restriction satisfies one of the following conditions:

Section 550.03.25: Reserved

- a. Serves to preserve or protect the public health or safety.
 - b. Does not significantly increase the cost of the system or significantly decrease its efficiency.
 - c. Allows for an alternative system of comparable cost and efficiency.
- (2) **Large Wind Energy System:** Equipment and associated facilities that convert and then store or transfer energy from the wind into usable forms of energy. Large Wind Energy Systems have a total installed nameplate capacity of more than 300 kW or consist of individual wind turbines that have an installed nameplate capacity of more than 100 kW each.
 - (a) This Section provides the standards and procedures for issuance of conditional use permits for wind energy systems, as defined in Wis. Stats. § 66.0403(1)(m). The purpose of this Section is to ensure any proposed wind energy system complies with applicable provisions of Wis. Admin. Code PSC 128, as amended, and this Section.
 - (b) Wind energy systems are a conditional use in every district that they are permitted. The City will apply Wis. Stats. § 66.0401 and Wis. Admin. Code PSC Chapter 128, as amended, in the evaluation of such requests.
 - 1. No restriction shall be placed, either directly or in effect, on the installation or use of a wind energy system, unless the restriction satisfies one of the following conditions:
 - a. Serves to preserve or protect the public health or safety.
 - b. Does not significantly increase the cost of the system or significantly decrease its efficiency.
 - c. Allows for an alternative system of comparable cost and efficiency.

Section 550.03.25: Reserved

Section 550.03.26: Agricultural Land Uses

- (1) **Agricultural Service:** Operations pertaining to the sale, handling, transport, packaging, storage, or disposal of agricultural equipment, products, by-products, or materials primarily used or produced by agricultural operations. Examples of such land uses include, but not limited to, agricultural implement sales, storage, or repair operations; feed and seed stores; agricultural chemical dealers and/or storage facilities; animal feed storage facilities; commercial dairies; food processing facilities; canning and other packaging facilities; and agricultural waste disposal facilities (except commercial Composting uses, see [Section 550.03.22\(1\)](#)).
Regulations:
 - (a) New Agricultural Service uses shall not be located in an existing or platted residential subdivision.
 - (b) All buildings, structures, outdoor storage areas, and outdoor animal containments (pastures, pens and similar areas) shall be located a minimum of 100 feet from all lot lines.
 - (c) Once discontinued for a period of 365 days, Agricultural Service uses shall not be re-established except by the granting of a conditional use permit, and shall only be permitted in the Agricultural Zoning District.
 - (d) Minimum required parking: Minimum and maximum required parking: See [Section 550.06.06](#).

Section 550.03.26: Agricultural Land Uses

- (2) **Community or Market Garden:** Community or Market Garden areas for cultivation and related activities divided into one or more plots to be cultivated by more than one operator or member. These areas may be on public or private lands where on-site sales of crops are permitted.

Regulations:

- (a) Community and Market Gardens are permitted on lots of one acre in size or less. They are permitted to occur on lots with residential dwelling units as a standalone principal use or in combination with a residential dwelling unit principal land use as long as a Home Occupation permit is issued under **Section 550.03.28(9)(q) and (r)**.
 - 1. All activity and garden areas, signs, and structures shall be located a minimum of 10 feet from the lot line.
 - (b) A site plan shall be submitted to the Zoning Administrator, for approval. Said site plan shall list the property owner, established sponsoring organization and garden manager, and demonstrate consideration for and indicate locations of structures, materials storage, equipment storage, access for deliveries and pickups, water availability, park shelter, and availability of public parking.
 - (c) Accessory Buildings.
 - 1. The following structures are permitted in Community and Market Gardens: tool sheds, shade pavilions, restroom facilities with composting toilets, and planting preparation houses, benches, bike racks, raised/accessible planting beds, compost bins, picnic tables, seasonal farm stands, fences, garden art, rain barrel systems, and children's play areas.
 - 2. A combined total of 1,200 square feet of gross floor area of tool sheds, shade pavilions, restroom facilities, and planting preparation houses are permitted on the property by right so long as all structures meet minimum setback requirements in Article IV.
 - (d) Signs shall comply with the regulations of Article IX.
 - (e) Fences shall comply with the regulations in **Section 550.06.40**.
 - (f) Seasonal farm stands shall be removed from the premises or stored inside a building on the premises during that time of the year when the garden is not open for public use.
 - (g) Minimum and maximum required parking: See **Section 550.06.06**.
- (3) **Cultivation:** Operations primarily oriented to the on-site, outdoor raising of plants for commercial purposes. Cultivation includes the raising of trees as a crop to be replaced with more trees after harvesting, such as in nursery or Christmas tree operations. The raising of plants for consumption by farm animals is considered Cultivation if said plants are consumed by animals which are located off-site.

Regulations:

- (a) Cultivation is not permitted on buildable lots that have permanently constructed infrastructure such as water, sewer, stormwater, roads, or sidewalks.
 - (b) Except in the Agricultural District, cultivation uses, once discontinued for a period of 12 months, shall not be reestablished except with the granting of a conditional use permit.
 - (c) Minimum and maximum required parking: See **Section 550.06.06**.
- (4) **Husbandry:** All operations primarily oriented to the on-site raising or use of animals at an intensity of less than one animal unit per acre. This includes horses, cattle, sheep, goats, llamas (and related species), deer, antelope, swine, fowl (including chickens, turkeys, ducks, geese, peacocks, guinea hens, game birds), aquatic species (including fish, shellfish, crustaceans, echinoderms, plants, and algae), and

Section 550.03.26: Agricultural Land Uses

any animals typically hunted or trapped. Apiaries are also considered Husbandry land uses. This excludes animals typically kept as pets and commonly available at commercial pet stores (e.g., domestic dogs and cats, fish, small rodents, reptiles, amphibians, tropical/exotic birds), in addition to Accessory Beekeeping and Accessory Residential Chicken land uses (see [Section 550.03.28\(21\)](#) and [Section 550.03.28\(22\)](#)).

Regulations:

- (a) Any building housing animals shall be located a minimum of 300 feet from any residentially zoned property, and 100 feet from all other lot lines.
 - (b) All outdoor animal containments (pastures, pens, and similar areas) shall be located a minimum of 100 feet from any residentially zoned property.
 - (c) Except in the Agricultural District, husbandry uses, once discontinued for a period of 12 months, shall not be reestablished.
 - (d) Minimum and maximum required parking: See [Section 550.06.06](#).
- (5) **Intensive Agriculture:** All operations primarily oriented to the on-site raising or use of animals at an intensity equal to or exceeding one animal unit per acre or agricultural activities requiring structures, equipment or infrastructure specific to one operation rather than to farming in general. Examples of such land uses include feed lots, hog farms, poultry operations, aquaculture, and other operations meeting this criterion.

Regulations:

- (a) Intensive agriculture is prohibited.
- (6) **On-Site Agricultural Retail:** The sale of agricultural products grown exclusively on the site, not including those uses as defined under Community or Market Garden ([Section 550.03.26\(2\)](#)). The sale of products grown or otherwise produced off-site shall not be permitted within On-Site Agricultural Retail operations and shall be regulated as a distinct 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.

Regulations:

- (a) No structure or group of structures shall exceed 500 square feet in floor area.
- (b) No structure shall exceed 12 feet in height.
- (c) Signage shall be limited to one on-site sign which shall not exceed 30 square feet in area.
- (d) Such land use shall be served by no more than one driveway. Said driveway shall require a valid driveway permit.
- (e) The sale of products which are grown or otherwise produced on nonadjacent property under the same ownership, or on property under different ownership, shall be prohibited.
- (f) Said structure and fencing shall be located a minimum of 300 feet from any residentially zoned property.
- (g) On-Site Agricultural Retail uses, once discontinued for a period of 365 days, shall not be re-established except with the granting of a conditional use permit, and shall only be permitted in the Agricultural Zoning District.
- (h) Minimum and maximum required parking: See [Section 550.06.06](#).

Section 550.03.27: Reserved**Section 550.03.28: Accessory Land Uses and Structures**

- (1) **Accessory Dwelling Unit (ADU):** Residential dwellings located directly above the ground floor of a building used for an office, commercial, or institutional land use, or 2) a residential dwelling unit located on the same lot as a single-family dwelling unit, either in the same building as the single-family dwelling unit or in a detached building. An ADU is independently habitable and provides the basic requirements of shelter, heating, cooking and sanitation as defined within the Building Code. ADUs do not include In-Family Suites (Section 550.03.28(14)).

Regulations:

- (a) Conversion of Accessory Structures to Accessory Dwelling Units. The conversion of any accessory structure into a dwelling so as to accommodate an increased number of dwelling units or families, shall be permitted only within a district in which ADUs are a permitted use in Article III. The resulting occupancy shall comply with the requirements governing new construction in such district, including minimum bulk dimensional standards in Article IV.
- (b) The number of occupants of the Accessory Dwelling Unit shall not exceed one family.
- (c) Accessory Dwelling Unit entryways within a rear, side, or street side yard shall be connected to a street frontage by a paved walkway or driveway. The owner shall post one on-building locational sign displaying the address of the ADU, in compliance with the sign ordinance (Article IX).
- (d) Accessory Dwelling Units shall adhere to the principal setback requirements and other regulations for the underlying zoning district (Article IV).
 - 1. Height shall not exceed the permitted principal building height maximum in the underlying zoning district and shall be limited to a maximum height equivalent to 50 percent of the height of the principal structure's total height.
- (e) Attached Accessory Dwelling Units.
 - 1. Additional entrances shall not be added to the front elevation of an existing building but may be added to side, rear, or street side elevations.
- (f) Detached Accessory Dwelling Units.
 - 1. Accessory Dwelling Units are only permitted in the rear or side yard.
 - 2. Accessory Dwelling Units shall not count toward the maximum total amount or size of Detached Residential Accessory Structures on the lot (Section 550.03.28(4)).
- (g) For Accessory Dwelling Units located on the same lot as a single-family dwelling unit, the following additional regulations shall apply:
 - 1. A maximum of one Accessory Dwelling Unit is permitted per lot.
 - 2. The principal building or Accessory Dwelling Unit must be occupied by the owner of the property as their primary residence for a period of at least ten (10) months in a calendar year. A restrictive agreement between the property owner and the City shall be recorded prior to issuance of a zoning permit and occupancy being granted.
 - 3. The Accessory Dwelling Unit shall not be sold separately or otherwise conveyed or titled separately from the principal dwelling.
 - 4. The maximum size of an Accessory Dwelling Unit shall not exceed 75 percent of the principal dwelling's floor area, up to a maximum of 1,000 square feet.
 - 5. The appearance or character of the principal building must not be significantly altered so that its appearance is no longer that of a single-family dwelling.

Section 550.03.28: Accessory Land Uses and Structures

6. A Detached Accessory Dwelling Unit shall match the exterior design appearance and character of the principal building on the lot as determined by the Zoning Administrator.
- (h) Minimum required off-street parking: See [Section 550.06.06](#).
- (i) A Zoning Permit shall be required pursuant to [Section 550.10.41](#) prior to establishing any Accessory Dwelling Unit.
- (2) **Communication Antenna:** Devices used for the transmission or reception of electromagnetic waves, attached to a Communication Tower, building, or alternative tower structures, including associated equipment buildings/cabinets.

Regulations:

- (a) Applicability.
 1. A different use on the same lot shall not preclude the installation of an antenna or tower on such lot.
 2. This land use category includes the placement of new antennas and equipment buildings used in conjunction with an existing tower.
 3. Allowed as a permitted use in all zoning districts if the communication antenna meets all requirements in subsection (b) below.
- (b) General Requirements.
 1. Compliance with Federal Regulations. Towers shall be erected and installed in accordance with the state electrical code adopted by reference in §10-31 et seq., National Electrical Safety Code, Federal Communications Commission, Federal Aviation Administration, and the instructions of the manufacturer. In cases of conflict, the stricter requirements shall govern.
 2. Co-Location of Communication Antennas on Communication Tower and Commercial Building: Antennas may be placed on commercial communication towers, and commercial, institutional, and industrial buildings.
 - a. Unless applicant is submitting an application to locate or co-locate upon an existing tower or structure, an analysis shall be prepared by or on behalf of the applicant; subject to the approval of the Plan Commission, which identifies all reasonable, technically feasible alternative locations and/or facilities which would be useable for the proposed personal wireless services. The intention of the alternatives analysis is to present alternative strategies which would minimize the number, size and adverse environmental impacts, including aesthetics, of facilities necessary to provide the needed services to the City and surrounding rural and urban areas. The analysis shall address the potential for co-location at an existing or a new site and the potential to locate facilities as close as possible to the intended service area. It shall also explain the rationale for selection of the proposed site in view of the relative merits of any of the feasible alternatives. Approval of the project is subject to the Plan Commission making a finding that the proposed site results in fewer or less severe environmental impacts, including aesthetics, than any feasible alternative site. The City may require independent verification by a qualified engineer of this analysis at the applicant's expense. Facilities which are not proposed to be co-located with another telecommunication facility shall provide a written explanation why the subject facility is not a candidate for co-location.
 3. Height Requirements. Antenna height shall be restricted to 200 feet above grade when located on a commercial communication tower. Antenna height shall be restricted to 20 feet

Section 550.03.28: Accessory Land Uses and Structures

above the height of the commercial building roof or alternative tower structure when located on such structure. District height restrictions shall not apply to antennas.

4. Alternative Structures. Antennas may be placed on alternative tower structures such as clock towers, bell steeples, light poles, water towers, or similar structures.
 5. Advertising. No form of advertising or identification, sign or mural is allowed on the antenna other than the customary manufacturer identification plate.
 6. Structural and electrical plans showing how the proposed tower will accommodate the co-location of the applicant's antenna and comparable antennas of additional users; and, the plans and specifications whereby the proposed tower is designed to allow for future rearrangement of antennas to accommodate additional users and the mounting of additional antennas at varying heights.
 7. Stealth requirements.
 - a. Antennas and supporting electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.
 - b. A wall-mounted antenna shall be as flush to the wall as technically possible and shall not project above the wall on which it is mounted unless it must for technical reasons. The antenna and cables on roofs shall not be visible from an adjacent public right-of-way.
- (c) Equipment buildings: Equipment buildings, including cabinets, used in connection with commercial communication antennas will be subject to the following conditions:
1. Any location and impact of the equipment buildings shall be made as minimal as possible so as not to prevent the principal use of the property.
 2. Exterior storage of ground-mounted equipment or materials shall not be permitted.
 3. Equipment buildings or structures may be mounted on the roof of a building provided that such building or structure is placed as unobtrusively as possible (e.g. integrated into the roof design) and surrounded by a bufferyard with a minimum opacity of 0.40.
 4. Any ground-mounted equipment building used for accessory equipment must either be screened from view from all abutting residential uses and potentially incompatible municipal uses with a bufferyard with a minimum opacity of 0.40, or the equipment building must be constructed with similar materials, style, roof pitch, etc., to complement the architectural character of the surrounding neighborhood.
 5. All ground-mounted equipment buildings shall at a minimum meet the required setbacks of a principal structure for the underlying zoning district, and shall be located in the side or rear yards.
- (d) Exemption: If an applicant provides an engineering certification showing that a proposed communication tower is designed to collapse within a smaller area than the setback area, the setback requirement is reduced in accordance with the findings of the engineering certification, unless the City provides the applicant with substantial evidence that the engineering certification is flawed.
- (e) Abandonment.
1. The applicant shall provide a written agreement stating that if the antenna or transmitters are unused for a period exceeding 365 days, the applicant shall remove the antenna or transmitters upon request from the City.

Section 550.03.28: Accessory Land Uses and Structures

2. Within 30 days of the date on which the antenna use ceases, the permit holder shall provide the commission written notice of the cessation of use.
 3. If unused facilities are not removed, the City may remove the items at the expense of the owner of the property upon which the tower was placed.
- (f) Exempt Facilities.
1. Publicly owned and operated facilities required in the public interest to provide for and maintain a radio frequency telecommunication system, including digital, analog, wireless or electromagnetic waves, for police, fire and other municipal services.
- (g) Applications and Fees.
1. All co-location applications must be processed within the timeframes set forth by the Federal Communications Commission. Any application for the co-location of small wireless facilities must be processed by the City within 60 days of receiving a completed application and any other co-location facility application must be processed within 90 days of receiving a completed application.
 2. All fees associated with small wireless facilities must be a reasonable approximation of the objectively reasonable cost associated with maintaining infrastructure or processing an application in accordance with the maximum values set forth by the Federal Communications Commission.
- (3) **Company Cafeteria:** A food service operation which provides food only to company employees and their guests.
- Regulations:
- (a) Company Cafeterias shall meet state food service requirements.
 - (b) Company Cafeterias shall be located on the same property as a principal land use engaged in an operation other than food service.
- (4) **Detached Residential Accessory Building:** Detached buildings accessory to a residential use including but not limited to buildings used to shelter parked passenger vehicles (including garages and carports), sheds and similar structures used to store residential maintenance equipment on the subject property, workshops, kennels, greenhouses, boathouses, and pool houses, per the Building Code. Such structures shall comply with the definition for Accessory Structure, Detached in [Section 550.11.23](#). See [Section 550.03.28\(1\)](#) for the requirements associated with an Accessory Dwelling Unit land use.
- Regulations:
- (a) Size. A combined total of 1,000 square feet of building footprint area for all detached accessory buildings on the property is permitted by right. For lots larger than one acre, the maximum permitted combined total of the building footprint area of all detached accessory buildings on the property shall be increased by one square foot for every 100 square feet of lot area over one acre. In no instance shall the detached accessory building area exceed the ground floor area of the principal building used for residence. Attached garages shall not count toward this total.
 - (b) Amount. A maximum total of three detached accessory buildings are permitted on a single lot and the combined total of all detached accessory buildings on the lot shall not exceed the maximum size requirements in (a) above.
 - (c) Height. See [Sections 550.04.11 to 550.04.14](#) for detached accessory building maximum building heights.
 - (d) Location. Detached accessory buildings are permitted in the rear yard only, in compliance with minimum setback requirements for accessory structures in [Section 550.04.11-550.04.14](#).

Section 550.03.28: Accessory Land Uses and Structures

- (5) **Electric Vehicle Charging:** Includes all indoor and outdoor charging facilities for electric and hybrid electric vehicles. This land use is typically accessory to on-site parking, off-site parking, driveways, or indoor parking facilities.

Regulations:

- (a) Equipment. Vehicle charging equipment must be designed and located so as to not impede pedestrian, bicycle, or wheelchair movement or create safety hazards.
 - (b) Posted information. Information must be posted identifying voltage and amperage levels and any type of use, fees, or safety information related to the electric vehicle charging station.
 - (c) Maintenance. Electric vehicle charging stations must be maintained in all respects, including functioning of the equipment. A phone number or other current contact information must be provided on the equipment for reporting when it is not functioning, or other problems are encountered.
 - (d) Electric Vehicle Charging in all residential zoning districts (see Article II) shall not be operated as a commercial venture and is limited to use only by residents and guests of residents. On any lot zoned SF-1, SF-2, SF-3, or MR-1, Electric Vehicle Charging shall only occur indoors.
 - (e) Parking requirements for Electric Vehicle Charging can be found in [Section 550.06.06\(6\)](#).
- (6) **Farm Residence:** A Farm Residence is a single family detached dwelling unit located on the same property as any of the principal agricultural land uses listed in [Section 550.03.26](#).
- (7) **Minor Accessory Structures:** Minor accessory structures are those features that are generally less than 16 feet in height and less than 120 sf in area and which, in the determination of the Zoning Administrator, are similar in size, character, and function to those listed. Obstructions are those features that are integral to or otherwise permanently attached to the principal structure. Other integral or attached features, which in the opinion of the Zoning Administrator are not similar to those listed in this table, shall comply with the principal building setbacks. See [Section 550.11.23](#) for definitions of awning, balcony, canopy, deck, patio, porch, and recreational equipment.

Regulations:

- (a) No items listed below shall be located within the vision triangle or any established easements on the property.

Minor Accessory Structures Permitted in Required Yard Setbacks

Minor Accessory Structures and Obstructions	Front	Side	Rear	Limitations
Structure Types				
Arbor/Trellis	√			Not more than 15 feet in height covering less than 10% of required setback.
Arbor/Trellis		√	√	Not more than 15 feet in height covering less than 50% of required setback.
Awning/Canopy	√	√	√	Within the DMU and DRR zoning district, awnings and canopies may extend from the attached façade into the right-of-way up to 5 feet and shall be a minimum of 8 feet above grade with a Zoning Permit. Also, see Article IV for maximum encroachment standards.
Basketball Hoop	√	√	√	Not more than 15 feet in height. Concrete must be 5 feet from property lines and out of all easements.
Balcony	√	√	√	See Article IV for maximum encroachment standards.
Bay Window/Balcony	√	√	√	See Article IV for maximum encroachment standards.
Birdbath, Birdhouse, or Birdfeeder	√	√	√	
Chimney	√	√	√	See Article IV for maximum encroachment standards.

Section 550.03.28: Accessory Land Uses and Structures

Minor Accessory Structures Permitted in Required Yard Setbacks				
Minor Accessory Structures and Obstructions	Front	Side	Rear	Limitations
Clothesline			√	Not more than 7 feet in height.
Decorative Pond		√	√	
Deck		√	√	Must comply with all principal structure setbacks.
Eaves and Gutter	√	√	√	See Article IV for maximum encroachment standards.
Egress Window	√	√	√	See Article IV for maximum encroachment standards.
Fire Escape	√	√	√	See Article IV for maximum encroachment standards.
Flagpole	√	√	√	Not more than 20 feet in height. Must be a minimum of 5 feet from the property line.
Fountain	√	√	√	Not more than 5 feet in height, no closer than 3 feet to any property line and no more than 20 square feet, which includes the water feature and supporting structure.
Garden, Residential Composting, Raised Garden Bed, Landscape Area, Rain Garden, or Bioswale			√	See landscaping requirements in Section 550.08.30 and bioswale/raingarden requirements in Section 550.08.50 .
Natural Landscaped Native Plant Pollinator Habitat Areas	√	√	√	See Section 10.03 “Weeds and Grass”
Gazebo/Picnic Shelters/Pergola		√	√	Not more than 15 feet in height and no larger than 120 square feet.
Greenhouse		√	√	Must comply with all accessory setbacks.
Little Food Pantry	√			Not more than 5 feet in height, no larger than 4 square feet.
Little Library	√			Not more than 5 feet in height, no larger than 4 square feet.
Mechanical Equipment		√	√	
Outdoor Kitchen			√	Must comply with all accessory setbacks.
Patio		√	√	Not more than 1 foot above established grade. Must comply with all pavement setbacks.
Paved Play Court (basketball, tennis, pickle ball, etc.)			√	Must comply with all accessory structure setbacks.
Picnic Table/Bench	√	√	√	
Porch	√	√	√	See Article IV for maximum encroachment standards.
Recreational Paved Path/Boardwalk/Platform	√	√	√	Minimum pavement setbacks apply.
Refuse Enclosure		√	√	All dumpsters shall be screened on four sides with a solid fence, wall, or gate 6 feet in height.
Seasonal Decorations	√	√	√	Not displayed longer than 90 days.
Statue/Art Objects	√	√	√	Not more than 5 feet in height with a footprint no larger than 20 square feet.
Stoop/Landing	√	√	√	Must comply with all accessory structure setbacks.
Swimming Pools			√	See Section 550.06.42 for requirements.
Swing Set/Play Equipment		√	√	Not more than 16 feet in height and covering no more than 200 square feet.
Treehouse			√	No more than 20 feet in height.
Walkways/Steps	√	√	√	Not more than 1 foot above grade.

- (8) **Home Occupation:** Economic activities performed within a principal or accessory residential dwelling unit that do not significantly alter the residential character of the dwelling unit, dwelling structure, or the parcel and are secondary and incidental. Examples include personal and professional

Section 550.03.28: Accessory Land Uses and Structures

services, handicrafts, and retail conducted online. Home Occupations are intended to provide a means to accommodate a small home-based family or professional business without the necessity of a rezoning from a residential to a business district. Home Occupations are those that include on-site customers or non-resident employees and are limited to low intensity businesses and businesses with limited overlap of customer visits. As of the adoption of this ordinance, any existing Home Occupation land use is a legal conforming land use.

Regulations:

- (a) The Home Occupation shall be conducted only within the enclosed area of the dwelling unit or the enclosed area of a residential accessory building or garage.
- (b) The Home Occupation shall be conducted by a resident who uses the location of the Home Occupation as their principal residence.
- (c) No more than two clients shall be seen at any given time.
- (d) No Home Occupations shall have a non-resident employee or clients between the hours of 7:00 p.m. and 8:00 a.m.
- (e) There shall be no exterior evidence of the Home Occupation and no exterior alterations which change the character of the structure as a residential dwelling unit. For Home Occupation Sign requirements see [Figure 550.09.11\(3\)](#).
- (f) No structural alterations or construction involving features not customarily found in dwellings are allowed.
- (g) No storage or display of materials, goods, supplies, or equipment related to the operation of the Home Occupation shall be visible outside any structure located on the premises.
- (h) There shall be no adverse impact to the residential character of the neighborhood due to the emission of noise, odor, smoke, dust, gas, heat, vibration, electrical interference, traffic congestion, or other nuisances resulting from the Home Occupation.
- (i) The Home Occupation shall not involve the use of commercial vehicles for more than occasional delivery of materials to or from the premises.
- (j) No vehicle larger than a 3/4-ton capacity truck or van that is used in conjunction with a home occupation shall be parked on the premises.
- (k) No mechanical equipment or machinery shall be used other than is usually, customary, and incidental to the residence for domestic or hobby purposes.
- (l) The percentage of the gross finished floor area that may be devoted to the Home Occupation(s) shall not exceed 25 percent of the principal structure or 600 square feet, whichever is less.
- (m) Home Occupations shall be carried out only by members of the immediate family residing on the premises and one non-resident employee.
- (n) The following activities shall not be permitted as home occupations:
 - 1. Any repair of motorized vehicles, other than those titled to that site, including the painting or repair of automobiles, trucks, trailers, boats, motorbikes, motorcycles, snowblowers, or lawn equipment.
 - 2. Commercial animal boarding (Section [550.03.10\(5\)](#)).
 - 3. Commercial animal daycare (Section [550.03.10\(6\)](#)).
 - 4. Indoor commercial entertainment.
 - 5. Funeral chapels or homes, crematoria, mausoleums.
 - 6. Medical or dental clinics, provided that nothing in this chapter shall prohibit the performance of house calls or emergency medical services in a residential dwellings.

Section 550.03.28: Accessory Land Uses and Structures

7. Any facility where products are manufactured, produced or assembled when the home occupation operator is not in the retail sale for such products.
8. Indoor shooting range/ sale of firearms or ammunition
9. Industrial land uses
10. Contractor businesses, including general construction, landscaping, and all other building trades, if the conduct of such business includes any of the following:
 - a. Delivery of business goods or materials, other than office supplies, to the premises;
 - b. On-premises assembly and/or storage of goods and materials utilized in the operation of such business; or
 - c. Use of the premises as a rendezvous point, meeting area, or vehicle parking area for off-premises employees.
- (o) Items shall not be sold or offered for sale on the premises. This provision shall not apply to online sales.
- (p) Minimum required parking: One space is required if there is a non-resident employee. Employee parking in the driveway is permitted.
- (q) Special Permit Provisions.
 1. Approvals/permits required by other regulatory bodies such as the Health, Police, or Fire Departments must be submitted prior to the issuance of the Home Occupation permit.
 2. A permit for a Home Occupation is issued to an individual person. It is not transferable to any other resident, address, or other occupation. Upon termination of the permit holder's residency, the Home Occupation permit shall be null and void.
 3. A permit for a Home Occupation shall be revocable by the Zoning Administrator, due to failure of the owner/operator to observe all requirements of the permit and/or Zoning Ordinance.
- (9) **Incidental Indoor Sales:** Retail sales activity conducted exclusively indoors which is incidental to a principal land use such as Indoor Storage and Wholesaling on the same site.

Regulations:

 - (a) The total area devoted to sales activity shall not exceed 25 percent of the total area of the buildings on the property.
 - (b) Minimum required parking: See **Section 550.06.06**.
- (10) **Incidental Light Industrial:** Light industrial activities conducted exclusively indoors which is incidental to a principal land use, such as Indoor Sales or Service, on the same site.

Regulations:

 - (a) The total area devoted to light industrial activity shall not exceed 50 percent of the total area of the buildings on the property.
 - (b) Minimum required parking: See **Section 550.06.06**.
- (11) **Incidental Outdoor Commercial Entertainment:** Land uses which provide outdoor commercial entertainment which is incidental to a principal land use on the same site.

Regulations:

 - (a) The total area devoted to outdoor commercial entertainment activity shall not exceed 25% of the total area of the buildings on the property.

Section 550.03.28: Accessory Land Uses and Structures

- (b) Customer entrances and activity areas shall be located a minimum of 50 feet from residentially zoned property.
 - (c) Facility shall provide bufferyard with minimum opacity of 0.60 along all borders of the outdoor activity area abutting residentially zoned property.
 - (d) Minimum and maximum required parking: **See Section 550.06.06.**
- (12) **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.

Regulations:

- (a) Incidental Outdoor Sales and Display land uses shall comply with all regulations of **Section 550.03.10(19)**.
 - (b) The display area shall not be greater than the equivalent to 25% of the gross floor area of the building. Display area in excess of equivalent to 25% of the gross floor area of the building shall be considered Outdoor Sales and Display as a principal use under **Section 550.03.10(19)**.
 - (c) The outdoor display areas shall be surrounded by a bufferyard with a minimum opacity of 0.60 along all borders of the display area abutting residentially zoned property.
 - (d) The display of items shall not be permitted in required setback areas, landscape areas, or bufferyards, unless located in a parking lot.
 - (e) Inoperable vehicles or equipment, or other items typically stored in a junkyard or salvage yard as defined under **Section 550.03.22(4)**, shall not be displayed.
 - (f) 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 subsection (i), below. 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.
 - (g) Display areas shall be separated from any circulation area by a minimum of 10 feet. This separation shall be clearly delimited by a physical separation such as a greenway, curb, fence, or line of planters, or by a clearly marked paved area.
 - (h) 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 vehicle/vehicle and vehicle/pedestrian conflicts. Signs, screening, enclosures, landscaping, or materials being displayed shall comply with requirements related to vision triangles, crosswalks, drive aisle width, parking stall dimensions, fire lanes, bike lanes, or similar requirements related to traffic and pedestrian safety.
 - (i) Incidental Outdoor Sales and 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 10 calendar days of the goods' removal.
- (13) **Incidental Outdoor Storage:** Outdoor storage which is incidental to a principal land use, such as Indoor Sales or Service, on the same site.

Regulations:

- (a) All open storage areas and open containers shall be fully screened from view by a wall and a solid gate made of wood or similar material. The exterior of the wall must match the materials and color of the principal structure and shall be a minimum of 8 feet in height.
- (b) The storage area shall not exceed 10 percent of the gross building floor area or up to 1,000 square feet, whichever is less. Storage area in excess of 10 percent of the gross building floor area

Section 550.03.28: Accessory Land Uses and Structures

or 1,000 square feet shall be regulated as Outdoor Storage and Wholesaling under **Section 550.03.16(2)**.

- (14) **In-Family Suite:** An area within a dwelling unit that may contain separate kitchen, dining, bathroom, laundry, living, and sleeping areas, including exterior porches, patios, and decks. In addition to the required internal physical connection, separate outdoor access or separate access to the garage may be provided. However, external entries serving as the primary or only access to the In-Family Suite are prohibited. In-family suites shall not be regulated as Accessory Dwelling Units (**Section 550.03.28(1)**).

Regulations:

- (a) In-Family Suites may not be occupied by a non-family member.
 - (b) The maximum floor area cannot exceed 20% of the existing dwelling unit's finished habitable area.
 - (c) In-Family Suites shall be considered and regulated as part of a single-family dwelling unit.
 - (d) The principal dwelling unit and the In-Family Suite shall together appear as a single-family dwelling.
 - (e) A separate walled garage area or driveway is not permitted.
 - (f) A separate address for the In-Family Suite is not permitted.
 - (g) A separate utility connection or meters are not permitted.
 - (h) A physical all-weather connection between the main living area and the In-Family Suite must be present. This required connection may not occur through an attic, basement, garage, porch, or other non-living area. A door may be used to separate the In-Family Suite from the principal dwelling, but may not be locking, except that a locking door may be used for the bedroom and bathroom doors of the In-Family Suite.
 - (i) When an application is submitted for a building permit to accommodate what is explicitly listed as, or could possibly serve as, an In-Family Suite, the building plan shall be marked as "not a separate dwelling unit or apartment," and a signed letter from the applicant stating agreement with this condition shall be filed.
- (15) **In-Home Daycare:** Occupied residences in which a licensed person or persons provide childcare for 4 to 8 children. The care of less than four children is not subject to the regulations of this Chapter. Wis. Stats. § 66.1017(1)(a).
- (16) **Migrant Employee Housing:** Migrant Employee Housing includes any facility subject to the regulation of Wis. Stats. § 103.90(3)(a).

Regulations:

- (a) Migrant Employee Housing shall be surrounded by a bufferyard with a minimum opacity of 0.60 along all property lines adjacent to all properties in residential or mixed-use zoning districts.
 - (b) Migrant Employee Housing shall be an accessory use to an active principal land use and under the same ownership.
- (17) **Non-residential Accessory Structure:** Structures primarily used to shelter business vehicles or to store maintenance equipment for the subject property.
- Regulations:
- (a) The combined floor area of all structures shall not exceed the floor area of the principal building on the parcel.
 - (b) All non-residential accessory structures must meet the design requirements of the principal land use on the site. See Article VII.

Section 550.03.28: Accessory Land Uses and Structures

- (18) **On-Site Parking Lot:** On-Site Parking Lots are any areas located on the same site as the principal land use which are used for the temporary surface parking of vehicles which are fully registered, licensed, and operable. See [Section 550.06.06](#) for additional parking regulations.

Regulations:

- (a) Access and vehicular circulation shall be designed to prevent cut-through traffic.
 - (b) This land use is exempt from minimum height requirements in the DMU and DRR zoning district.
- (19) **On-Site Structured Parking:** Structured parking which is accessory to a principal land use such as Apartments, Office, Mixed-Use Buildings, and other permitted land uses in the zoning district, and which is incorporated into the same building as the principal land use. Stand-alone structured parking that is not integrated with another land use shall be regulated as Off-Site Structured Parking, a principal use under [Section 550.03.18\(6\)](#). See [Section 550.06.06](#) for additional parking regulations.

Regulations:

- (a) On-Site Structured Parking shall be fully enclosed on all sides within the structure. Vehicle parking is permitted within the ground floor of the structure as long as the non-residential land use requirements for ground floors of Mixed Use Buildings are met (see Section 550.03.08). In no case shall parking be allowed on the ground floor facing Main Street. No parking structure may take access from Main Street.
- (20) **Personal Antenna and Towers:** Devices used for the transmission or reception of electromagnetic waves, external to or attached to the exterior of any building. This definition includes the structure, supports, and equipment buildings. This land use applies to antenna and towers for personal use. Examples include amateur radio antenna and personal television antenna.

Regulations:

- (a) In the SF-1, SF-2, SF-3, and MR-1 districts, there may only be one roof-mounted antenna and one tower per lot. In all other districts there may be one antenna for each dwelling unit or business and one tower per lot.
 - (b) In all districts, freestanding towers with antennas may not be located in a front yard or street side yard or closer to the right-of-way than the closest edge of the principal building, whichever is less.
 - (c) The minimum required setback for freestanding towers with antennas shall be equal to the combined height of the tower and antenna.
 - (d) Towers are restricted to 50 feet and roof-mounted antennas are restricted to 30 feet above the highest peak of the roof.
 - (e) Guy wires shall not be anchored within a provided front yard or provided street side yard or closer to the right-of-way than the closest edge of the principal building, whichever is less. It shall be installed in such a manner as to protect the public safety and to minimize the visual impact on surrounding properties and from public streets.
 - (f) The attachment to an antenna or tower of any flag, decorative or commercial sign, streamers, pennants, ribbons, spinners or waving, fluttering or revolving devices is prohibited.
- (21) **Accessory Beekeeping:** The assembly of one or more colonies of honeybees on a single residential lot.

Regulations

- (a) No bees shall be intentionally kept and maintained other than honeybees.
- (b) No more than six hives may be kept on a single parcel and no hive shall exceed 20 cubic feet in volume.

Section 550.03.28: Accessory Land Uses and Structures

- (c) Hives are not allowed on residential lots containing two (2) or more dwelling units unless units owning honeybees have a fully fenced, private backyard.
 - (d) No hive shall be located closer than five feet from any property line bordering a property in different ownership or occupied by a different person.
 - (e) No hive shall be located closer than 10 feet from a public right-of-way or 25 feet from a principal building on an abutting property of different ownership or occupied by a different person.
 - (f) A constant supply of water shall be provided for all hives on the property.
 - (g) A flyway barrier at least 6 feet in height shall shield any part of a property line with a property in different ownership or occupied by a different person that is within 25 feet of a hive. The flyway barrier must effectively direct bees to fly up and over the barrier when flying in the direction of the barrier. The flyway barrier shall consist of a wall, fence, dense vegetation, or combination thereof and shall be a minimum of 10 feet in width. The barrier shall further comply with any applicable fence regulations contained in **this Chapter**.
 - (h) If honeybees are to be kept on a lot by a person other than the lot owner (i.e. a tenant), the lot owner must give consent in writing to the keeping of honeybees on the lot as part of the application set forth below.
 - (i) All properties keeping bees are responsible for compliance with any reporting requirements to the Department of Agriculture, Trade, and Consumer Protection.
- (22) **Residential Chickens:** The keeping of chickens including accommodating and raising chickens, defined as a domestic fowl of the subspecies *Gallus gallus domesticus*, in covered enclosures (coops) and fenced enclosures (runs).
- Regulations.
- (a) Chickens shall be permitted on lots where the principal structure is a detached single-family residence. If the residence is not owner-occupied, the tenant shall supply the owner's written consent to the keeping of chickens on the property to the City.
 - 1. Chickens shall be permitted on lots where the principal structure is an owner-occupied two-family duplex.
 - 2. Chickens shall not be permitted on a lot where the duplex is not owner-occupied, triplexes or any other higher-density residential dwelling units.
 - (b) A maximum of six chickens may be kept per residential lot.
 - (c) Keeping roosters is prohibited.
 - (d) The sale of chickens, chicken meat, eggs or other chicken by-products is prohibited.
 - (e) Chickens coop and run required.
 - 1. Chickens shall be provided with a chicken coop (i.e., a covered roosting area) and an adjacent chickens run (i.e., enclosed area in which chickens are allowed to roam).
 - 2. Chickens shall be kept in the coop or chicken run at all times unless the yard is fully fenced.
 - 3. The coop shall be a stand-alone structure located in the rear yard and shall comply with accessory structure setbacks.
 - 4. The coop shall not exceed 32 square feet in area nor 10 feet in height.
 - 5. The chicken run shall be located adjacent to the coop and shall comply with accessory structure setbacks.
 - 6. The chicken run shall not exceed 64 square feet in area and the fence surrounding it shall be between 48 and 96 inches in height.
 - 7. Chickens shall not be permitted in any other structure on the lot, including garages, basements and attics unless the property owner demonstrates that the alternative location is temporary due to inclement weather or other reason.

Section 550.03.28: Accessory Land Uses and Structures

(f) Chickens are defined as females of the subspecies *Gallus gallus domesticus*.

- (23) **Residential Kennel:** An enclosed structure designed for the keeping of dogs that is accessory to a residential use.

Regulations:

- (a) A maximum of any combination of two dogs and/or cats (over six months of age) are permitted by right for any one residential unit. Any residence housing a number of dogs and or cats exceeding this number shall be considered a residential kennel. Such a kennel (dogs only) shall require licensing by the City. All dogs must be licensed. See **Chapter 228** of the City of Watertown Municipal Code.
- (b) For any number over three animals, a maximum of one additional animal per five acres shall be permitted.
- (c) Outdoor containments for animals shall comply with accessory structure setbacks and shall be screened from adjacent properties with a minimum bufferyard of 0.2.
- (24) **Satellite Dish:** A bowl-shaped antenna with which signals are transmitted to or received from a communications satellite. This land use applies to dishes for personal use and private use.

Regulations:

- (a) In all districts, satellite dishes less than 3 feet in diameter may be located anywhere on a lot, except the provided front yard or provided street side yard, or can be located on any principal or accessory building.
- (b) In the **SF-1, SF-2, SF-3, MR-1, MR-2, MR-3, CC, and MH-1** districts satellite dishes 3 feet in diameter and larger may only be located in rear yards or on the roof of a detached structure, so long as the height of the detached garage and the dish is equal to or less than the height of the principal building.
- (c) In all other districts, satellite dishes 3 feet in diameter and larger may be erected on the roof of any principal or accessory buildings so long as the roof side does not face a street frontage, or in side or rear yards; but shall not be located in street or front yards.
- (d) No advertising or graphic designs exceeding 1 square foot are permitted on satellite dishes in any zoning district.
- (e) In the event that a usable signal cannot be obtained by locating a satellite dish in locations permitted by this Chapter, the Board of Zoning Appeals may grant a variance to allow the placement of a satellite dish in any location.
- (25) **Short-Term Residential Rental:** Includes all lodging places and tourist cabins and cottages, other than hotels and motels, in which sleeping accommodations are offered for pay to tourists and transients. It does not include private boarding houses (**Section 550.03.06(12)**) or rooming houses not accommodating tourists or transients, or bed and breakfast establishments regulated under Wis. Admin. Code ACTP § 73.
- (a) Definitions.
1. Tourist or Transient. A person who travels to a location away from his or her permanent address for a short period of time, not to exceed thirty days for vacation, pleasure, recreation, culture, business or employment.
- (b) Permitted by Right: All zoning districts.
1. Land Use Requirement: Short-Term Residential Rental shall only be located as an Accessory Land Use to a Residential Land Use as defined in **Section 550.03.06**.

Section 550.03.28: Accessory Land Uses and Structures

2. City License Required: Each Short-Term Residential Rental shall operate only with a license from the Wisconsin Department of Agriculture, Trade and Consumer Protection or its agent, the City of Watertown Health Department. Operating a Short-Term Residential Rental without a current version of a valid license shall be considered a violation of this Zoning Ordinance, and subject to the penalties of [Section 550.10.60](#). The following information shall be provided, prior to the issuance of said City of Watertown Short-Term Residential Rental License:
 - a. Completed City of Watertown Short-Term Residential Rental Application, which includes the property owner's contact information; the designated operator's contact information; and emergency contact information;
 - b. Sales tax. The applicant has a Wisconsin Department of Revenue Sales Tax Number.
 - c. Occupancy. Occupancy is limited to the maximum occupancy provided in Wis. Adm. Code § ATCP 72.14(2)(b). In no case shall the use have more than two occupants per bedroom.
 - d. Insurance. The applicant has insurance against claims of personal injury and property damage for tourist rooming house or short-term property rentals.
 - e. The Short-Term Residential Rental shall at all times comply with the City Room Tax Ordinance ([Chapter 76](#)) and timely payments shall be made to the City whether by the lodging marketplace or the owner of the Short-Term Residential Rental.
 - f. Site Appearance Requirements:
 - i. Aside from a changing mix of guests and their vehicles, there shall be no evidence of the property being used as a Short-Term Residential Rental visible on the exterior of the subject property.
 - ii. No exterior signage related to the Short-Term Residential Rental is permitted, other than the property address.
 - iii. No outdoor storage related to the Short-Term Residential Rental land use is permitted, except for typical residential recreational equipment, seating, and outdoor cooking facilities which are permitted only within the rear yard.
 - iv. No recreational vehicle, camper, tent, or other temporary lodging arrangement shall be permitted to accommodate guests.
- (26) **Small Solar Energy System:** Equipment and associated facilities that directly convert and then transfer or store solar energy into usable forms of thermal or electrical energy. Small Solar Energy Systems are accessory to a principal land use on a property and are designed primarily to generate energy for said principal land use.
- Regulations:
- (a) Except for in the Conservancy (CON) district, where they are allowed only as a conditional use, solar energy systems (rooftop, building-mounted, and freestanding) are permitted uses in all zoning districts as accessory structures. All restrictions on platted land that prevent or unduly restrict the construction and operation of solar energy systems, are void (Wis. Stats. § 236.292).
 - (b) Freestanding solar energy systems shall only be located within the side and rear yards.
 1. They shall not be considered an impervious surface in the measurement of the maximum impervious surface ratio if the surface under the panels is pervious.
 - (c) Rooftop and building-mounted small solar energy systems may exceed the maximum height limit of the primary structure by up to 10 feet, but in cases where the system exceeds the maximum

Section 550.03.29: Reserved

- height limit, the panel must be setback from the edge of the roof a minimum distance equal to or greater than the height of the panel.
- (d) See Sections 550.04.11 to 550.04.14 for specific bulk, density, and intensity requirements for accessory structures in each district. There are no screening or design requirements for Small Solar Energy Systems.
 - (e) The system shall obtain all required electrical permits.
 - (f) The City will apply Wis. Stats. §§ 66.0401 and 66.0403 in the evaluation of small solar energy system plans.
 - 1. No restriction shall be placed, either directly or in effect, on the installation or use of a solar energy system, unless the restriction satisfies one of the following conditions:
 - a. Serves to preserve or protect the public health or safety.
 - b. Does not significantly increase the cost of the system or significantly decrease its efficiency.
 - c. Allows for an alternative renewable system of comparable cost and efficiency.
- (27) **Small Wind Energy System:** A wind energy conversion system consisting of a wind turbine, a tower and associated control or conversion electronics which will be used primarily to reduce on-site consumption of utility power. Small wind energy systems have a total installed nameplate capacity of 300 kW or less and consist of individual wind turbines that have an installed nameplate capacity of not more than 100 kW.
- (a) This Section provides the standards and procedures for issuance of conditional use permits for wind energy systems, as defined in Wis. Stats. § 66.0403(1)(m). The purpose of this Section is to ensure any proposed wind energy system complies with applicable provisions of Wis. Admin. Code Chap. PSC 128, as amended, and this Section.
 - (b) The system shall obtain all required electrical permits.
 - (c) Wind energy systems are a conditional use in every district. The City will apply Wis. Stats. § 66.0401 and Wis. Admin. Code Chap. PSC 128, as amended, in the evaluation of such requests.
 - 1. No restriction shall be placed, either directly or in effect, on the installation or use of a wind energy system, unless the restriction satisfies one of the following conditions:
 - a. Serves to preserve or protect the public health or safety.
 - b. Does not significantly increase the cost of the system or significantly decrease its efficiency.
 - c. Allows for an alternative renewable system of comparable cost and efficiency.

Section 550.03.29: Reserved**Section 550.03.30: Temporary Uses**

All of the following temporary uses shall comply with the standards and procedures herein without additional zoning permit review. Unless stated otherwise below, temporary uses are limited to 90 days per calendar year. Temporary uses may be extended in duration through the conditional use process (See Section 550.10.32).

- (1) **Farmer's Market.** Farmer's Markets include the temporary or occasional outdoor retail sales of farm produce, plants and flowers, bakery goods, or crafts from vehicles or temporary stands located within a parking lot.
Regulations:

Section 550.03.30: Temporary Uses

- (a) Farmer's Market land uses are limited to the operating hours of 7 a.m. to 10 p.m.
- (2) **Garage or Estate Sale (Auction).** Any temporary display of used household goods for sale on a property customarily used as a residence that does not exceed four days in duration and that occurs no more than four times in one calendar year. Such sales are also commonly referred to as rummage sales or yard sales.

Regulations:

- (a) The person or persons conducting the Garage or Estate Sale shall reside on the lot where the sale is conducted. Permits are not required for Garage or Estate Sales.
- (b) Sales shall occur only during daylight hours.
- (c) Garage or Estate Sales shall not exceed 4 days in duration.
- (d) Garage or Estate Sales shall not be held more than four times in any 12-month period and shall not be held more than two times in any 30-day period.
- (e) Signs shall comply with the regulations of **Article IX.**
- (3) **Temporary Farm Product Sales/Roadside Stand:** This land use includes the temporary outdoor display and sales of farm products, typically from a roadside stand.

Regulations:

- (a) Display shall not obstruct pedestrian or vehicular circulation, including vehicular sight distances.
- (b) Sales and display activities shall be limited to daylight hours.
- (c) Minimum required parking: Two spaces per vendor.
- (4) **Temporary Moving Container (Residential):** Portable storage containers designed and used primarily for the temporary storage of household goods and other such materials for use on a limited basis on residential property.

Regulations:

- (a) The container shall not exceed outside dimensions of 20 feet in length, 8 feet in width, and 9 feet in height.
- (b) The container shall be permitted on the property for up to 90 days associated with each change of occupancy as defined by a recorded change in property ownership or valid lease.
- (c) The container cannot encroach on a public sidewalk, bike path, street, right-of-way, or neighboring property.
- (d) The container must be placed on asphalt, concrete, or a similar hard-paved surface.
- (5) **Temporary On-Site Construction Storage, Contractor's Project Office, and On-Site Real Estate Sales Office:** Includes any structure or outdoor storage area designed for the on-site storage of construction equipment and/or materials for an active construction project, a structure containing an on-site construction management office for an active construction project, or a building which serves as an on-site sales office for a development project.

Regulations:

- (a) The land use shall be removed upon the expiration of the building permit associated with the active construction project. Projects requiring the land use to be in place beyond the expiration date of the building permit shall require a conditional use permit. Temporary Real Estate Offices shall be removed or converted to a permitted land use within 10 days of the completion of sales activity.

Section 550.03.30: Temporary Uses

- (b) Projects requiring the construction storage or contractor's project office structure to be in place for more than 365 days shall require a conditional use permit. Temporary On-Site Real Estate Sales Office uses that exceed 90 days per calendar year shall require a conditional use permit.
 - (c) The storage area shall be limited to a maximum area not exceeding 10 percent of the property's gross site area.
- (6) **Temporary Outdoor Assembly:** Includes any organized outdoor assembly such as outdoor weddings, wedding receptions, or tent meetings.

Regulations:

- (a) Temporary Outdoor Assembly uses that exceed 3 days per calendar year shall require a conditional use permit.
 - (b) Activities shall not obstruct pedestrian or vehicular circulation, including vehicular sight distances.
 - (c) If subject property is located adjacent to a residentially zoned property, activities shall be limited to daylight hours.
 - (d) A street use permit is required for all activities within a dedicated public right-of-way. The following information shall be described within the application and deemed adequate for the proposed event by the Chief of Police and City Zoning Administrator:
 - 1. Proposed use of the street (including a detailed description of all activities such as vending, music, selling of food or alcohol beverages, location and use of tents, stages, or other equipment, and a detailed plan for clean-up after the event.)
 - 2. Recording or sound amplification equipment.
 - 3. Description of any public facilities or equipment to be used.
 - 4. Adequate parking, drinking water, and toilet facilities.
 - 5. Adequate provisions for crowd control.
 - (e) Signage shall comply with the requirements for temporary signs in [Article IX](#).
- (7) **Temporary Outdoor Sales:** Includes the display of any items outside the confines of a building, which is not a permitted or conditional use or a special event otherwise regulated by the Municipal Code. Examples of this land use include, but are not limited to, sidewalk sales, seasonal garden shops, tent sales, Christmas tree sales, and fireworks sales. Food or beverage trucks, carts, stands, or trailers are regulated in [Chapter 480](#) of the City of Watertown Municipal Code.

Regulations:

- (a) Temporary Outdoor Sales uses that exceed 90 days per calendar year shall require a conditional use permit.
 - (b) Display shall not obstruct pedestrian or vehicular circulation, including vehicular sight distances.
 - (c) If the subject property is located adjacent to a residential zoning district, sales and display activities shall be limited to daylight hours.
 - (d) The user shall provide a layout of the activities to the Zoning Administrator, for approval prior to any event or sales activity.
 - (e) Minimum required parking: None.
- (8) **Temporary Outdoor Storage Container (Nonresidential):** Enclosed, lockable storage containers such as shipping containers, semi-trailers, storage pods, or other fully enclosed trailers for use on a

Section 550.03.30: Temporary Uses

limited basis on a nonresidential property. Other forms of temporary outdoor storage containers are prohibited.

Regulations:

- (a) The container must be placed on asphalt, concrete, or a similar hard-paved surface.
- (b) The container shall be permitted on the property for up to 30 days per calendar year. Containers in place for more than 30 days per calendar year shall be regulated as Outdoor Storage and Wholesaling under [Section 550.03.16\(2\)](#) or Incidental Outdoor Storage under [Section 550.03.28\(14\)](#).

- (9) **Temporary Refuse Container:** Includes any receptacle or container used for the temporary disposal of refuse on-site usually in the form of a dumpster or other similarly large metal container associated with a construction, remodeling, moving, or other similar project on-site.

Regulations:

- (a) The container shall not exceed outside dimensions of 25 feet in length, 8 feet in width, and 8 feet in height or 40 yards of capacity.
- (b) The container shall be permitted on the property for up to 30 consecutive days.
- (c) The container cannot encroach on a public sidewalk, bike path, street, right-of-way, or neighboring property.
- (d) The container must be placed on asphalt, concrete, or a similar hard-paved surface.

- (10) **Temporary Relocatable Building:** Includes any manufactured building which serves as a temporary building for less than 6 months. Examples include office, personal and professional services, indoor institutional, etc.

Regulations:

- (a) Facilities serving for more than 6 months shall be considered conditional uses and are subject to the general standards and procedures presented in [Section 550.10.32](#).
- (b) The structure shall be limited to a maximum area not exceeding 20 percent of the property's gross site area.
- (c) The user shall provide a layout of the activities to the Zoning Administrator, for approval prior to any activity.
- (d) The structure must be placed on asphalt, concrete, or a similar hard-paved surface.
- (e) Minimum required parking: None.

- (11) **Temporary Shelter Structure:** These shelters are typically supported by poles, have a fabric or plastic roof and/or sides, and are commonly used for short term temporary storage of vehicles and other personal property. This does not include camping tents or permanent Residential Accessory Structures. Temporary Shelter Structures are prohibited.

- (12) **Temporary Vehicle Sales:** Includes the sale of personal vehicles and equipment on trailers such as ATVs, snowmobiles, motorcycles, horse trailers, campers, etc.

Regulations:

- (a) No more than one vehicle or trailer shall be for sale on any property at any given time for up to a maximum of 30 days per calendar year.
- (b) Vehicles or trailers for sale must be licensed.
- (c) Vehicles or trailers for sale must be owned by one of the following:
 - 1. The property owner or lessee.

Sections 550.03.31 to 550.03.99: Reserved

2. An employee of the property owner or lessee, only during the hours in which the employee is working.
- (d) Vehicles or trailers for sale must be parked in a legal parking space or a residential driveway. Vehicles or trailers for sale shall not be parked on a lawn or other landscaped area.

Sections 550.03.31 to 550.03.99: Reserved

ARTICLE IV: BULK REGULATIONS

Section 550.04.01: Purpose

This Article regulates the location and bulk of buildings in both residential and nonresidential developments in order to protect and enhance the desired community character of the City of Watertown. The provisions of this Article are established for each Zoning District in Article II. Any nonconforming situation (lot, use, structure, and/or site) shall adhere to the provisions of Article V.

Sections 550.04.02 to 550.04.09: Reserved

Section 550.04.10: Bulk Standards

- (1) All structures shall comply with the requirements listed for each zoning district in Sections 550.04.11 to 550.04.14.
- (2) All lots shall conform to Chapter 545 Subdivision and Platting of the Municipal Code and the minimum requirements herein.

Sections 550.04.11 Table of Bulk Dimensions – Residential Zoning Districts

Sections 550.04.11 Table of Bulk Dimensions – Residential Zoning Districts

	SF-1	SF-2	SF-3	MR-1	MR-2	MR-3	CC	MH-1
	<i>Single Family Residential</i>	<i>Single Family Residential</i>	<i>Single Family Residential</i>	<i>Mixed Residential</i>	<i>Mixed Residential</i>	<i>Mixed Residential</i>	<i>Cottage Court</i>	<i>Mobile Home District</i>
Density and Intensity Limits								
Maximum Impervious Surface Percentage	60%	70%	80%	70%	70%	70%	65% District 90% Individual Lot	70%
Lot Requirements:								
Minimum Lot Area (1)	7,000 sq ft	5,000 sq ft	3,000 sq ft	5,000 sq ft	10,000 sq ft or 3,000 sq ft (2)	15,000 sq ft or 3,000 sq ft (2)	None	5,000 sq ft
Minimum Lot Width (at front setback line) (1)	60 ft	50 ft	30 ft	50 ft or 25 ft (1)	60 ft or 25 ft (1)	60 ft or 25 ft (1)	None	50
Minimum Lot Frontage at Right-of-Way	30 ft	30 ft	30 ft	25 ft	25 ft	25 ft	30 ft	30 ft
Principal Building Setbacks								
Minimum Front Yard and Street Side Corner Setback	20 ft	20 ft	15 ft	20 ft	20 ft	20 ft	15 ft	15 ft
Minimum Porch Setback - Front Setback (3)	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft	See footnote 7
Minimum Side Yard Setback – Interior (1)	8 ft	5 ft	5 ft	0 ft or 5 ft (1)	0 ft or 8 ft (1)	0 ft or 8 ft (1)	0 or 5 ft (1)	5 ft
Minimum Rear Yard and Attached Deck Setback (2)	No Alley: 20 ft, Alley: 3 ft	No Alley: 20 ft, Alley: 3 ft	No Alley: 20 ft, Alley: 3 ft	No Alley: 20 ft, Alley: 3 ft	No Alley: 20 ft, Alley: 3 ft	No Alley: 20 ft, Alley: 3 ft	No Alley: 20 ft, Alley: 3 ft	No Alley: 20 ft, Alley: 3 ft
Maximum Building Height (4)	35 ft and 2.5 stories	35 ft and 2.5 stories	35 ft and 2.5 stories	35 ft and 2.5 stories	45 ft and 3 stories	60 ft and 4 stories	35 ft and 2.5 stories	35 ft and 2.5 stories
Minimum Building Separation (on same lot)	See Building Code	See Building Code	See Building Code	See Building Code	See Building Code	See Building Code	See Building Code	See Building Code
Minimum Principal Dwelling Unit Structure Area	See Building Code	See Building Code	See Building Code	See Building Code	See Building Code	See Building Code	See Building Code	See Building Code
Minimum Front-Loaded Garage Setback (for attached garages)	Door shall be no more than 4 ft in front of the plane of the principal structure	Door shall be no more than 4 ft in front of the plane of the principal structure	Door shall be no more than 4 ft in front of the plane of the principal structure	Door shall be no more than 4 ft in front of the plane of the principal structure	Door shall be no more than 4 ft in front of the plane of the principal structure	Door shall be no more than 4 ft in front of the plane of the principal structure	Door shall be no more than 4 ft in front of the plane of the principal structure	None

Sections 550.04.11 Table of Bulk Dimensions – Residential Zoning Districts

	SF-1	SF-2	SF-3	MR-1	MR-2	MR-3	CC	MH-1
	<i>Single Family Residential</i>	<i>Single Family Residential</i>	<i>Single Family Residential</i>	<i>Mixed Residential</i>	<i>Mixed Residential</i>	<i>Mixed Residential</i>	<i>Cottage Court</i>	<i>Mobile Home District</i>
Accessory Building Requirements								
Minimum Front Yard and Street Side Corner Setback	Even with or behind the principal building	Even with or behind the principal building	Even with or behind the principal building	Even with or behind the principal building	Even with or behind the principal building	Even with or behind the principal building	Even with or behind the principal building	See footnote 7
Minimum Building Separation (on same lot)	See Building Code	See Building Code	See Building Code	See Building Code	See Building Code	See Building Code	See Building Code	See Building Code
Minimum Side Yard Setback	3 ft	3 ft	3 ft	3 ft	3 ft	3 ft	3 ft	3 ft
Minimum Rear Yard Setback	3 ft	3 ft	3 ft	3 ft	3 ft	3 ft	3 ft	3 ft
Maximum Building Height (4)	15 ft or 24 ft	15 ft or 24 ft	15 ft or 24 ft	15 ft or 24 ft	15 ft or 24 ft	15 ft or 24 ft	15 ft or 24 ft	15 ft or 24 ft
Minimum Pavement Setbacks								
Minimum Pavement Setback - Street or Right-of-Way (7)	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft
Minimum Pavement Setback - Side and Rear Yard (7)	3 ft	3 ft	3 ft	3 ft	3 ft	3 ft	3 ft	3 ft

1. When individual attached dwelling units are located on separate parcels, the minimum combined lot area of both parcels shall be the minimum figures stated above. When individual attached dwelling units are located on separate parcels, the minimum lot width and side setback shall be the second figure stated above.
2. Districts are designed to allow alleys in the rear of the lot. See [Chapter 545](#) Subdivision and Platting Regulations for minimum alley dimensions.
3. Front porches are not considered part of the front plane of the principal structure. These standards shall only apply to the front yard and not the street side yard on a corner lot.
4. Accessory structures that only meet minimum accessory structure setbacks have a maximum height of 15 feet. Accessory structures that meet minimum principal structure setbacks have a maximum height of 24 feet. No accessory structure shall be taller than the principal structure on the lot. [See Section 550.03.06\(6\)\(b\)](#) for Cottage Court land uses.
5. Minimum lot frontage shall not apply to a Cottage Court that includes individual lots for each individual dwelling unit. All dwelling units within a Cottage Court shall meet all fire access requirements, including a minimum 20-foot-wide all-weather paved surface to access all individual dwelling units.
6. Along all peripheral property lines that directly abut a non-Cottage Court land use, the minimum principal building setback shall be 10 feet, and the minimum accessory structure setback shall be 5 feet.
7. A zero-foot pavement setback is only permitted for shared driveways so long as there is a recorded legal cross access easement between the two lots.

Section 550.04.12 Table of Bulk Dimensions – Mixed Use Zoning Districts

	DMU	DRR	CMU	NMU	INST
	<i>Downtown and Riverfront Mixed Use</i>	<i>Downtown and Riverfront Residential</i>	<i>Corridor Mixed Use</i>	<i>Neighborhood Mixed Use</i>	<i>Institutional</i>
Density and Intensity Limits					
Maximum Impervious Surface Percentage	100%	100%	75%	75%	75%
Lot Requirements					
Minimum Lot Area (1)	None	None	7,000 sq ft	5,000 sq ft	7,000 sq ft
Minimum Lot Width (at front setback line) (1)	10 ft	10 ft	25 ft or 60 ft (1)	30 ft	25 ft or 60 ft (1)
Minimum Lot Frontage at Right-of-Way	10 ft	10 ft	30 ft	30 ft	30 ft
Principal Building Setbacks					
Minimum Front Yard and Street Side Corner Setback	Min: 0 ft	Min: 0 ft	20 ft	15 ft	20 ft
	Max: 10 ft	Max: 10 ft			
Minimum Porch Setback - Front and Setback (3)	10 ft	10 ft	10 ft	10 ft	10 ft
Minimum Side Yard Setback – Interior (1)	Min: 0 ft	Min: 0 ft	0 ft or 10 ft (1)	5 ft	0 ft or 8 ft (1)
	Max: 10 ft	Max: 10 ft			
Minimum Rear Yard and Attached Deck Setback (2)	Min: 0 ft	Min: 0 ft	20 ft	Front: 20 ft, Alley: 3 ft	Front: 20 ft, Alley: 3 ft
	Max: 10 ft	Max: 10 ft			

Section 550.04.12 Table of Bulk Dimensions – Mixed Use Zoning Districts

	DMU	DRR	CMU	NMU	INST
	<i>Downtown and Riverfront Mixed Use</i>	<i>Downtown and Riverfront Residential</i>	<i>Corridor Mixed Use</i>	<i>Neighborhood Mixed Use</i>	<i>Institutional</i>
Maximum Building Height (5)	Min: 20 ft and 1.5 stories Max: 60 ft and 4 stories	Min: 20 ft and 1.5 stories Max: 60 ft and 4 stories	60 ft and 4 stories	45 ft and 3 stories	60 ft and 4 stories
Minimum Building Separation (on same lot)	See Building Code	See Building Code	See Building Code	See Building Code	See Building Code
Minimum Principal Dwelling Unit Structure Area	See Building Code	See Building Code	See Building Code	See Building Code	See Building Code
Minimum Front-Loaded Garage Setback (for attached garages)	Door shall be no more than 4 ft in front of the plane of the principal structure	Door shall be no more than 4 ft in front of the plane of the principal structure	Door shall be no more than 4 ft in front of the plane of the principal structure	Door shall be no more than 4 ft in front of the plane of the principal structure	Door shall be no more than 4 ft in front of the plane of the principal structure
Accessory Building Requirements					
Minimum Front Yard and Street Side Corner Setback	Even with or behind the principal building	Even with or behind the principal building	Even with or behind the principal building	Even with or behind the principal building	Even with or behind the principal building
Minimum Building Separation (on same lot)	See Building Code	See Building Code	See Building Code	See Building Code	See Building Code
Minimum Side Yard Setback	0 ft	0 ft	3 ft	3 ft	3 ft
Minimum Rear Yard Setback	0 ft	0 ft	3 ft	3 ft	3 ft
Maximum Building Height (4)	50 ft	50 ft	50 ft	15 ft or 24 ft	50 ft

Section 550.04.12 Table of Bulk Dimensions – Mixed Use Zoning Districts

	DMU	DRR	CMU	NMU	INST
	<i>Downtown and Riverfront Mixed Use</i>	<i>Downtown and Riverfront Residential</i>	<i>Corridor Mixed Use</i>	<i>Neighborhood Mixed Use</i>	<i>Institutional</i>
Minimum Pavement Setbacks					
Minimum Pavement Setback - Street or Right-of-Way (all pavement) (7)	0 ft	0 ft	10 ft	10 ft	10 ft
Minimum Pavement Setback - Side and Rear yard (all pavement) (7)	0 ft	0 ft	3 ft	3 ft	3 ft
1. When individual attached dwelling units are located on separate parcels, the minimum combined lot area of both parcels shall be the minimum figures stated above. When individual attached dwelling units are located on separate parcels, the minimum lot width and side setback shall be the second figure stated above. 2. Districts are designed to allow alleys in the rear of the lot. See Chapter 545 Subdivision and Platting Regulations for minimum alley dimensions. 3. Front porches are not considered part of the front plane of the principal structure. These standards shall only apply to the front yard and not the street side yard on a corner lot. 4. Accessory structures that only meet minimum accessory structure setbacks have a maximum height of 15 feet. Accessory structures that meet minimum principal structure setbacks have a maximum height of 24 feet. No accessory structure shall be taller than the principal structure on the lot. See Section 550.03.06(6)(b) for Cottage Court land uses. 5. Minimum lot frontage shall not apply to a Cottage Courts that includes individual lots for each individual dwelling unit. All dwelling units within a Cottage Courts shall meet all fire access requirements, including a minimum 20-foot-wide all-weather paved surface to access all individual dwelling units. 6. Along all peripheral property lines that directly abut a non-Cottage Court land use, the minimum principal building setback shall be 10 feet, and the minimum accessory structure setback shall be 5 feet. 7. A zero-foot pavement setback is only permitted for shared driveways so long as there is a recorded legal cross access easement between the two lots.					

Section 550.04.13 Table of Bulk Dimensions – Industrial Zoning Districts

	LI	HI
	<i>Light Industrial</i>	<i>Heavy Industrial</i>
Density and Intensity Limits		
Maximum Impervious Surface Percentage	85%	85%
Lot Requirements		
Minimum Lot Area	15,000 sq ft	20,000 sq ft
Minimum Lot Width (at front setback line) (1)	25 or 75 ft (1)	100 ft
Minimum Lot Frontage at Right-of-Way	50 ft	50 ft
Principal Building Setbacks		
Minimum Front Yard and Street Side Corner Setback	25 ft	25 ft
Minimum Side Yard Setback – Interior (1)	0 or 20 ft (1)	20 ft
Minimum Rear Yard Setback	30 ft	40 ft
Maximum Building Height	60 ft and 4 stories	60 ft and 4 stories
Minimum Building Separation (on same lot)	See Building Code	See Building Code
Minimum Front-Loaded Garage Setback (for attached garages)	Door shall be no more than 4 ft in front of the plane of the principal structure	Door shall be no more than 4 ft in front of the plane of the principal structure
Accessory Building Requirements		
Minimum Front Yard and Street Side Corner Setback	Even with or behind the principal building	Even with or behind the principal building
Minimum Building Separation (on same lot)	See Building Code	See Building Code
Minimum Side Yard Setback	3 ft	3 ft
Minimum Rear Yard Setback	3 ft	3 ft
Maximum Building Height	55 ft	55 ft
Minimum Pavement Setbacks		
Minimum Pavement Setback - Street or Right-of-Way (all pavement) (7)	10 ft	10 ft
Minimum Pavement Setback - Side and Rear yard (all pavement) (7)	3 ft	3 ft
1. When individual attached dwelling units are located on separate parcels, the minimum combined lot area of both parcels shall be the minimum figures stated above. When individual attached dwelling units are located on separate parcels, the minimum lot width and side setback shall be the second figure stated above. 2. Districts are designed to allow alleys in the rear of the lot. See Chapter 545 Subdivision and Platting Regulations for minimum alley dimensions. 3. Front porches are not considered part of the front plane of the principal structure. These standards shall only apply to the front yard and not the street side yard on a corner lot.		

Section 550.04.13 Table of Bulk Dimensions – Industrial Zoning Districts

	LI	HI
	<i>Light Industrial</i>	<i>Heavy Industrial</i>
4. Accessory structures that only meet minimum accessory structure setbacks have a maximum height of 15 feet. Accessory structures that meet minimum principal structure setbacks have a maximum height of 24 feet. No accessory structure shall be taller than the principal structure on the lot. See Section 550.03.06(6)(b) for Cottage Court land uses. 5. Minimum lot frontage shall not apply to a Cottage Courts that includes individual lots for each individual dwelling unit. All dwelling units within a Cottage Court shall meet all fire access requirements, including a minimum 20-foot-wide all-weather paved surface to access all individual dwelling units. 6. Along all peripheral property lines that directly abut a non-Cottage Court land use, the minimum principal building setback shall be 10 feet, and the minimum accessory structure setback shall be 5 feet. 7. A zero-foot pavement setback is only permitted for shared driveways so long as there is a recorded legal cross access easement between the two lots.		

Section 550.04.14 Table of Bulk Dimensions –Agriculture, Open Space, and Other Zoning Districts

	AG	PR	IOA
	<i>Agricultural</i>	<i>Parks and Recreation</i>	<i>Intensive Outdoor Activity</i>
Density and Intensity Limits			
Maximum Impervious Surface Percentage	25%	25%	75%
Maximum Lot Dwelling Unit Density	Not Applicable	Not Applicable	Not Applicable
Lot Requirements			
Minimum Lot Area	None	1 Acre	1 Acre
Minimum Lot Width (at front setback line)	100 ft	100 ft	100 ft
Minimum Lot Frontage at Right-of-Way	50 ft	100 ft	100 ft
Principal Building Setbacks			
Minimum Front Yard and Street Side Corner Setback	35 ft	20 ft	50 ft
Minimum Side Yard Setback - Interior	30 ft	20 ft	50 ft
Minimum Rear Yard Setback	50 ft	20 ft	50 ft
Maximum Building Height (for principal building)	35 ft and 2.5 stories	45 feet and 3 stories	60 ft and 4 stories
Minimum Building Separation (on same lot)	See Building Code	See Building Code	See Building Code
Minimum Front-Loaded Garage Setback (for attached garages)	None	N/A	N/A
Accessory Building Requirements			
Minimum Front Yard and Street Side Corner Setback	Even with or behind the principal building	5 ft	Even with or behind the principal building
Minimum Building Separation (on same lot)	See Building Code	See Building Code	See Building Code
Minimum Side Yard Setback	3 ft	5 ft	5 ft
Minimum Rear Yard Setback	3 ft	5 ft	5 ft
Maximum Building Height	55 ft	None	None
Minimum Pavement Setbacks			
Minimum Pavement Setback - Street or Right-of-Way	10 ft	10 ft	10 ft
Minimum Pavement Setback - Side and Rear Yard	3 ft	3 ft	3 ft

Section 550.04.15 to 550.04.19: Reserved

Section 550.04.20: Exceptions to Maximum Height Regulations

Section 550.04.20: Exceptions to Maximum Height Regulations

The maximum height regulations listed for residential and nonresidential uses and accessory structures in each zoning district in Sections 550.04.11 to 550.04.14 are the maximum permitted heights for all buildings and structures, except those exempted by this Section.

- (1) **Minor Projections.** The following are permitted to exceed the maximum height regulations within any district where permitted: church spires; belfries; cupolas; penthouses and domes (not used for human occupancy); public monuments; stage towers or scenery lofts; water towers; fire and hose towers; tanks; utility poles; flag poles; chimneys; cooling towers; exhaust pipes; ventilators; skylights; telecommunications towers and antennas; satellite dishes; elevator bulkheads, grain elevators, feed mills, grain and seed mixing bins, concrete mixing bins, and other necessary mechanical appurtenances usually carried above roof level; and similar features. The provisions of this Chapter shall not apply to prevent the erection above the building height limit of a parapet wall or cornice for ornament (and without windows) extending above such height limit not more than 10 feet. Such features, however, shall be erected only to such height as is necessary to accomplish the purpose they are to serve and subject to the Wisconsin state building code.
- (2) **Additional Height for Roof Design or Non-Residential Space on the Ground Level.** An Apartment/Multiplex, Townhouse, Live/Work, or Mixed-Use Building may exceed the maximum height regulations by up to a total of six (6) feet within any district where the land use is permitted, if either of the following conditions is met:
 - (a) The structure is designed with a gable, hip, or gambrel roof with a pitch of at least 6/12.
 - (b) A Mixed-Use Building may increase the floor-to-ceiling height of the ground level, but then the building is not eligible for additional height for roof design.

Sections 550.04.21 to 550.04.29: Reserved**Section 550.04.30: Yard Setback Adjustments**

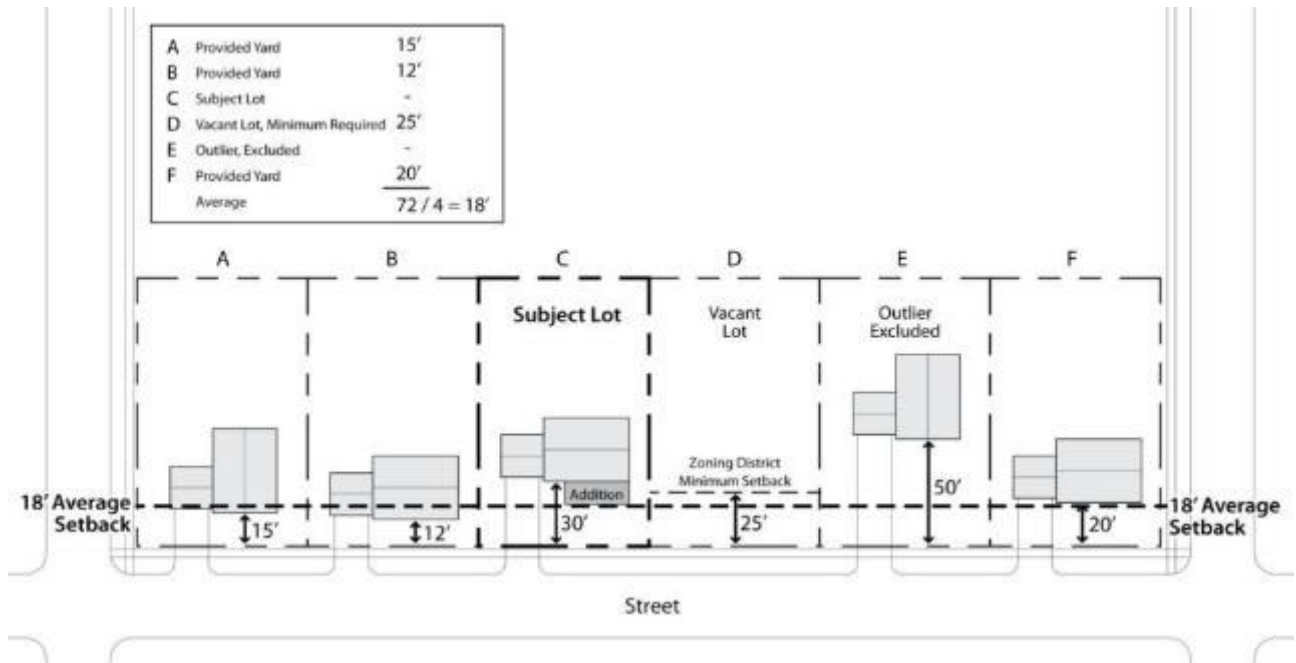
- (1) **Lot size and minimum yard dimensions.** No lot, yard, court, parking area, or other space shall be reduced in area or dimension so as to make the area or dimension less than the minimum required by this Chapter. If an existing yard is less than the minimum required, it shall not be reduced further, except where exempted by the provisions of this Section.
- (2) **Yard Setback Adjustments.**
 - (a) **Decrease of Front Yard Setback.**
 1. In the Residential and Mixed-Use zoning districts, a front yard setback may be reduced to the mean of the setbacks of the immediately adjoining lots that are on both sides of the subject lot. The following rules apply in calculating the mean setback (see Figure 550.04.30a):
 - a. Only the front yard setbacks on 5 or fewer adjoining lots, which are contiguous to each other in either direction of the subject lot and which are on the same side of the street as each other on the same block, may be used.
 - b. Where a lot is vacant, the minimum front yard setback of the zoning district for the proposed use will be applied to the vacant lot and factored into the averaging calculation.
 - c. Outliers, defined as yards with a setback that is equal to or greater than twice that of the next largest setback among the adjoining lots and thus which do not fit the established

Section 550.04.30: Yard Setback Adjustments

pattern of front yard setbacks, shall be excluded in calculating the mean front yard setback, as determined by the Zoning Administrator.

- d. In residential districts, the minimum front yard and street side yard setback on any lot shall be at least 6 feet. The minimum setback for an attached or detached accessory building facing the front yard or street side yard shall be at least 20 feet.

Figure 550.04.30a: Front Yard Averaging Example



(b) Increase of Front Yard Setback.

1. In the Residential and Mixed-Use zoning districts, blocks with mean front yard setback more than 5 feet over the minimum required front yard setback shall be increased to the mean of the adjoining same type of principal structures on said block or street. This regulation is intended to preserve and maintain the character of established neighborhoods that are typified by front yard setbacks substantially in excess of the minimum required front yard setback.
2. Outliers, defined as yards with a setback that is equal to or less than half that of the next smallest setback among the adjoining lots and thus which do not fit the established pattern of front yard setbacks, shall be excluded in calculating the mean front yard setback, as determined by the Zoning Administrator.

(c) Side Yard Setback Adjustments

1. Street Side Yard Setback Adjustments (for Corner Lots). On corner lots, the street side yard setback may be reduced to 8 feet, as may be necessary to attain at 30-foot buildable width. The required interior side yard setback must be maintained.
2. Side Yard Adjustments for Bufferyards. In instances where the required bufferyard width (per Article VIII) exceeds the minimum required side setback width, the minimum required bufferyard width shall prevail. Absolutely no intrusions of a building or structure are permitted within the required bufferyard, with the exception of utility boxes/cabinets and other minor accessory structures exempt from the setback requirements of this Chapter.

3. Side Yard Adjustments for Small Lots. On lots under separate ownership on the effective date of this Chapter and less than 50 feet in width, the side yard may be reduced to 10 percent of the lot width but not less than 4 feet.
- (d) Rear Yard Setback Adjustments.
1. Rear Yard Adjustments for Bufferyards. In instances where the required bufferyard width (per Article VIII) exceeds the minimum required rear setback width, the minimum required bufferyard width shall prevail. Absolutely no intrusions of a building or structure are permitted within the required bufferyard, with the exception of utility boxes/cabinets and other minor accessory structures exempt from the setback requirements of this Chapter.
 2. Rear Yard Adjustments for Small Lots. On lots under separate ownership on the effective date of this Chapter and less than 100 feet in depth, and where the minimum lot depth is required to be at least 100 feet, the rear yard may be reduced to 20 percent of the lot depth.
 3. Increase of Rear Yard Setback: A principal building on a riverfront lot in a Residential or Mixed-Use zoning district shall have a minimum rear setback of 30 feet measured from the Ordinary High Water Mark.

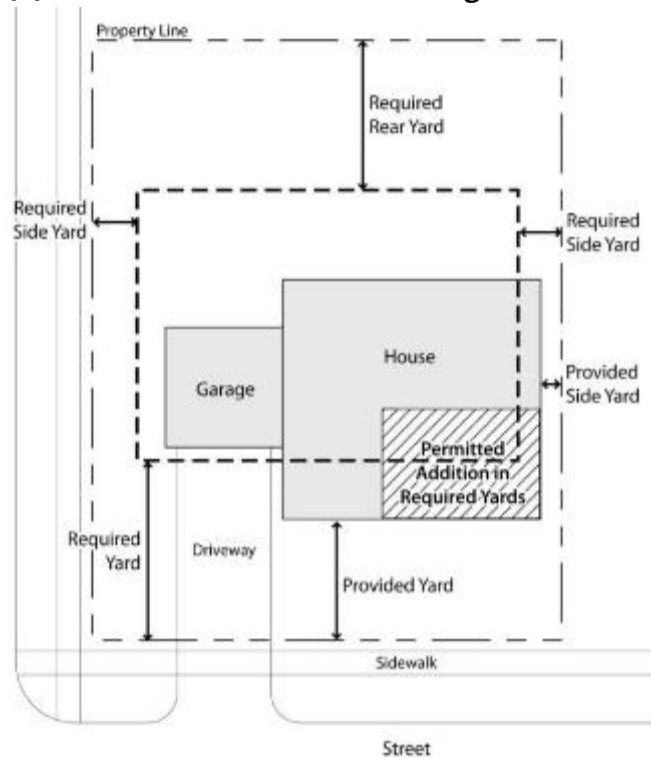
Sections 550.04.31 to 550.04.39: Reserved

Section 550.04.40: Projections into Required Yards

The minimum setback requirements of each zoning district establish the minimum required yards for all uses, except those exempted by the provisions of this Section.

- (1) With the exception of fences, minor accessory structures permitted in the front or street side yard, and the permitted projections described in this Section, no principal or accessory structures shall be permitted within any portion of a front or street side yard.
- (2) Permitted Projections into All Required Yards.
 - (a) For principal and accessory residential buildings, the ordinary projection of sills, belt courses, cornices, gutters, eaves, overhangs, ornamental features, pilasters, lintels, bay windows, chimneys, egress windows, and flues, provided they do not extend more than 2.5 feet into the required yards.
 - (b) Fences shall meet the requirements of [Section 550.06.40](#).
 - (c) Additions to the existing building (including vertical additions, additional floors, and architectural features), balconies, terraces, covered porches, or similar appurtenances not extending beyond the setback of the existing façade, may be located in the provided or required yard setback, whichever is more permissive. If the addition is a front-loaded garage or front-loaded garage addition, the minimum setback when facing the front yard or street side yard shall be at least 15 feet. In no instance shall any new addition be within 10 feet of an adjacent principal structure or within 5 feet of an adjacent property line. See [Figure 550.04.40a](#).

Section 550.04.40: Projections into Required Yards

Figure 550.04.40a: Permitted Additions to Existing Structures in Required Yards

Note: Building additions must meet the design standards of Article VII.

(d) Handicap Accessible Ramps.

1. Handicap ramps or other devices required to make reasonable accommodation under the Fair Housing Act or the Americans with Disabilities Act are to be permitted in any required setbacks, provided that the maximum encroachment into a required setback is the minimum dimension required by the Wisconsin Commercial Building Code or Wisconsin Uniform Dwelling Code for accessible ramps and that no other location is feasible outside the required setbacks. Only temporary and removable ramps shall be permitted to encroach into the required setbacks.
2. Handicap Ramp Permit. Handicap ramps shall secure a Building Permit from the Building Inspector prior to construction. An application for a permit shall include a written statement explaining the reasons for the placement of the handicap ramp. The Zoning Administrator may also require a statement from a physician verifying the need for a handicap ramp.
3. Handicap Ramp Removal. The Zoning Administrator may periodically require verification of the continual need for the handicap ramp. When it has been determined the handicap ramp is no longer needed, the Zoning Administrator may order its immediate removal.

(e) Any other provisions identified elsewhere in this Chapter (landscape features, accessory structures, and other features where specific setbacks are established).

(3) Permitted Projections into Required Front Yards.

- (a) All of the permitted projections listed under Subsection (2) above.

Section 550.04.40: Projections into Required Yards

- (b) Reference Sections 550.04.11 to 550.04.14 for porch dimensions and Section 550.03.28 for minor accessory structures.
 - (c) Uncovered entry platforms and steps necessary to comply with current ingress and egress regulations provided they do not extend more than 5 feet into the front yard setback and are no more than 6 feet wide. Steps from the platform may extend into the front setback area for the distance needed to meet minimum building code requirements for risers and treads. Replacement steps for porches may be as wide as the steps being replaced and may extend into the front setback area for the distance needed to meet minimum building code requirements for risers and treads. These exceptions apply only to residential districts.
- (4) Permitted Projections into Required Street Side Yards (for Corner Lots).
- (a) All of the permitted projections listed under Subsection (2) above.
 - (b) Reference Sections 550.04.11 to 550.04.14 for porch dimensions and Section 550.03.28 for minor accessory structures.
- (5) Permitted Projections into Required Interior Side Yards.
- (a) Reference Sections 550.04.11 to 550.04.14 for porch dimensions and Section 550.03.28 for minor accessory structures.
 - (b) Open fire escapes, fireproof outside stairways, and balconies opening upon fire towers may project into a side yard not more than 3 ½ feet when so placed as not to obstruct light and ventilation.
 - (c) Uncovered entry platforms and steps necessary to comply with current ingress and egress regulations provided they do not extend more than 4 feet into the interior side yard setback and are no more than 6 feet wide. Steps from the platform may extend into the front setback area for the distance needed to meet minimum building code requirements for risers and treads. Replacement steps for porches may be as wide as the steps being replaced and may extend into the front setback area for the distance needed to meet minimum building code requirements for risers and treads. These exceptions apply only to residential districts.
- (6) Permitted Projections into Required Rear Yards.
- (a) Reference Sections 550.04.11 to 550.04.14 for porch dimensions and Section 550.03.28 for minor accessory structures.
 - (b) Open fire escapes, fireproof outside stairways, and balconies opening upon fire towers may project into a rear yard not more than 3 ½ feet when so placed as not to obstruct light and ventilation.
 - (c) Uncovered entry platforms and steps necessary to comply with current ingress and egress regulations provided they do not extend more than 4 feet into the rear yard setback and are no more than 6 feet wide. Steps from the platform may extend into the front setback area for the distance needed to meet minimum building code requirements for risers and treads. Replacement steps for porches may be as wide as the steps being replaced and may extend into the front setback area for the distance needed to meet minimum building code requirements for risers and treads. These exceptions apply only to residential districts.
- (7) Permitted Projections in the Planned Development District (PD): Per approved Specific Implementation Plan (see Section 550.02.70).
- (8) Permitted Projections in the Overlay Districts. See Section 550.02.81.

Sections 550.04.41 to 550.04.99: Reserved**ARTICLE V: NONCONFORMING SITUATIONS****Section 550.05.01: Purpose**

The purpose of this Article is to establish regulations for the following nonconforming situations created legally prior to the effective date of this Chapter: nonconforming uses, nonconforming and substandard lots, nonconforming structures, and other nonconforming sites.

Sections 550.05.02 to 550.05.09: Reserved**Section 550.05.10: Legal Nonconforming Uses**

- (1) Definition. A nonconforming use is an active and actual use of land or structures, or both; legally established prior to the effective date of this Chapter or subsequent applicable amendments thereto which has continued the same use to the present, and which would not be permitted under the current terms of this Chapter.
- (2) Legal Nonconforming Uses.
 - (a) Any use not in conformity with this Chapter, but lawfully existing upon the effective date of this Chapter, shall be a legal nonconforming use and may be continued at the size and in a manner of operation existing upon such date, except as specified in this Section.
 - (b) If a parcel or lot contains a legal nonconforming use, the addition of a new conforming use on that parcel or lot shall require a conditional use permit, subject to the standards, criteria, and procedures prescribed by [Section 550.10.32](#), in order to ensure compatibility with the existing nonconforming use. Whether uses are compatible shall be determined by the Plan Commission.
 - (c) In the absence of a conditional use permit granting it legal conforming status, a nonconforming use shall be discontinued before a new conforming use may be added to the parcel.
- (3) Modification of a Legal Nonconforming Use. A structure containing a nonconforming use shall not be enlarged or increased to occupy a greater area of lot, parcel, site, or structure than was occupied at the time of the effective date of this Chapter.
- (4) No legal nonconforming use of a premise shall be moved in whole or in part to any other portion of the lot, parcel, site or structure than was occupied upon the effective date of this Chapter.
- (5) Discontinuance of a Legal Nonconforming Use.
 - (a) When any legal nonconforming use of any structure or land is discontinued for a period of one year, or is changed into a conforming use, any future use of said structure or land shall be in complete conformity with the provisions of this Chapter.
 - (b) The property owner has the burden to prove that the nonconforming use was legal established and has been continuously maintained over time. Potential forms of documentation include but are not limited to utility bills; tax records; business licenses; listing in telephone, business, or City directories; advertisements in dated publications; building, land use, or development permits; insurance policies; leases; dated aerial photos; insurance maps that identify use or development such as Sanborn Maps; or land use and development inventories prepared by a government agency.
- (6) Ordinary Maintenance and Repairs of a Structure and Land Containing a Nonconforming Use.

Sections 550.05.11 to 550.05.19: Reserved

- (a) The ordinary maintenance and repairs made to a structure or land containing or related to a legal nonconforming use is permitted. Ordinary maintenance and repairs are defined as follows:
 - 1. The repair or replacement of doors, windows, nonbearing walls, fixtures, heating and air conditioning components, wiring, plumbing, siding, roofing, or other nonstructural components.
 - 2. Overlaying an off-street parking or loading lot, which shall mean adding a layer of asphalt or concrete to an existing off-street parking or loading lot.
 - 3. Resurfacing the asphalt or concrete of the off-street parking, loading facilities, or access drives without exposing the base course and overlaying such area.
- (b) In no instance shall said maintenance and repairs exceed, over the life of the structure, 50 percent of the present equalized assessed value of said structure or property prior to said repairs, in accordance with Wis. Stats. § 62.23(7)(h) unless the use of the structure is brought into compliance with requirements of this Chapter.

Sections 550.05.11 to 550.05.19: Reserved**Section 550.05.20: Legal Nonconforming Lots**

- (1) **Definition.** A legal nonconforming lot is a lot legally established prior to the effective date of this Chapter or subsequent applicable amendments thereto which would not be permitted under the current terms of this Chapter.
- (2) **Applicability:** The following Section shall apply to all lots in the City except in the following circumstances:
 - (a) The lot did not legally exist as of the effective date of this Chapter.
 - (b) The lot is subject to a court order to the contrary of this Section.
- (3) **Blanket Conforming Status.**
 - (a) Blanket conforming status for any and all requirements of this Chapter is hereby automatically granted to all legal nonconforming lots in their configuration existing or as finally approved as of the effective date of this Chapter. This Subsection ensures that lots approved and created prior to the adoption of this Chapter do not encounter difficulty because the lots would otherwise be considered nonconforming or substandard.
 - (b) After the effective date of this Chapter, no lot shall be created which does not meet the density, intensity, and bulk requirements of the zoning district, except any lot located within a subdivision platted prior to the effective date of this Chapter may return to its originally-platted dimensions and configurations.
- (4) **New Development:** A lot of record existing upon the effective date of this Chapter in any zoning district, which does not meet the minimum lot area, width, and frontage requirements for the zoning district, may be utilized provided that such development complies with all of the density, intensity, and bulk regulations for that zoning district.

Sections 550.05.21 to 550.05.29: Reserved**Section 550.05.30: Legal Nonconforming Structures**

- (1) **Definition.** A legal nonconforming structure is a structure legally established prior to the effective date of this Chapter or subsequent applicable amendments thereto which would not be permitted under the current terms of this Chapter.

Section 550.05.30: Legal Nonconforming Structures

- (2) The following Section shall apply to all structures in the City except in the following circumstances:
- (a) The structure did not legally exist as of the effective date of this Chapter.
 - (b) The structure is subject to a court order to the contrary of this Section.
 - (c) Where there are conflicts between or among regulations within this Section and other regulations such as floodplain, wetland, and shoreland regulations, the regulations which are more restrictive or which impose higher standards or requirements shall prevail.
- (3) Blanket Conforming Status.
- (a) Blanket conforming status for any and all requirements of this Chapter is hereby automatically granted to any structure lawfully existing upon the effective date of this Chapter.
 - (b) The repair, maintenance, renovation, rebuilding, or remodeling of a nonconforming structure or any part of a legal nonconforming structure is permitted in accordance with Wis. Stats. § 62.23(hb) and (he).
 - (c) Structures may not be enlarged, expanded, or extended without bringing the enlargement, expansion, or extension into compliance with the provisions of this Chapter, or unless a variance is granted by the Board of Zoning Appeals under [Section 550.10.51](#).
 - (d) This Subsection is intended to eliminate the new or continued classification of structures as nonconforming subject to the requirements of this Chapter. This provision addresses two different situations:
 1. Any structure erected prior to the original adoption of zoning by the City of Watertown that does not meet some or all of the bulk or intensity requirements of this Chapter.
 2. In some instances, this Chapter establishes new bulk or intensity requirements that existing legal structures under the previous Zoning Ordinance do not meet.
 - (e) This Section therefore ensures that owners of such structures legally established prior to the effective date of this Chapter do not encounter difficulty because the structures would otherwise be considered nonconforming.
- (4) Continuation. Any structure or building lawfully existing upon the effective date of this Chapter may be continued at the size and in a manner of operation existing upon such date, except as hereafter specified.
- (5) Unsafe Conditions. Nothing in this Chapter shall preclude the Building Inspector from remedial or enforcement actions when said structure or building is declared unsafe.
- (6) Alterations.
- (a) For the purposes of this Section, alterations shall be defined as being one or more of the following:
 1. Adding, removing, changing, or rearranging the supporting members of an existing structure, such as load-bearing walls, columns, beams, girders, trusses, or interior partitions.
 2. Pulverizing or removing asphalt or concrete from off-street parking and loading facilities or access drives to the extent of exposing the base course, whether or not repaving of such area occurs.
 3. Full-depth reclamation and mix and mill in-place processes that pulverize the parking facility surface and blend it on-site with the existing aggregate base.
 4. For the purposes of this Section, “size” is defined as the site coverage, physical dimension, volume, height, length, width, or gross floor area.

Section 550.05.30: Legal Nonconforming Structures

- (b) A legal nonconforming structure may be altered provided that the nonconforming structure does not encroach any further into the established nonconforming yard setbacks or required yard setbacks.
- (7) Additions.
 - (a) An addition shall be defined as anything that increases the size of an existing building or structure.
 - (b) Additions made to nonconforming structures shall be permissible in required setbacks subject to the following:
 - 1. The addition shall not encroach any further into the established nonconforming yard setbacks or required yard setbacks.
 - 2. The addition shall conform to all other requirements of the district in which it is located.
 - (c) Additions shall meet all other provisions of this Chapter, including, but not limited to, maximum lot coverage, off-street parking and loading facilities, and landscaping standards.
- (8) Relocation.
 - (a) Relocation shall be defined as any repositioning of a structure on its site or moving any structure to another site.
 - (b) No structure shall be moved in whole or in part to any other location on the same or any other site unless the structure complies with all of the provisions of this Chapter.
 - (c) If a structure is relocated to a new site, it shall also comply with all other provisions of this Chapter, including, but not limited to, maximum lot coverage, off-street parking and loading facilities, and landscaping standards.
- (9) Ordinary Maintenance and Repairs.
 - (a) The ordinary maintenance and repairs made to a nonconforming structure is permitted.
 - (b) Ordinary maintenance and repairs are defined as follows:
 - 1. The repair or replacement of doors, windows, nonbearing walls, fixtures, heating and air conditioning components, wiring, plumbing, siding, roofing, or other nonstructural components.
 - 2. Overlaying an off-street parking or loading lot, which shall mean adding a layer of asphalt or concrete to an existing off-street parking or loading lot.
 - 3. Resurfacing the asphalt or concrete of the off-street parking, loading facilities, and/or access drives without exposing the base course and overlaying such area.
- (10) Destruction and Reconstruction. A damaged, destroyed, or removed structure may be restored to the size, location, design and use that it had immediately before the damage, destruction, or removal occurred without any limits on the costs of the repair, reconstruction, or improvement if either (a) or (b), below, apply. The burden of proof in regard to the location, dimensions, configuration, and exterior building materials of the damaged or removed structure shall be upon the property owner to demonstrate prior to the issuance of a building permit.
 - (a) The structure was damaged or destroyed by violent wind, vandalism, fire, flood, ice, snow, mold, infestation, or other act identified by Wis. Stats. § 62.23(hb) and (he) on or after March 2, 2006.
 - (b) The structure was damaged, destroyed, removed, or partially removed by other means on or after the effective date of this Chapter.
 - (c) For special regulations pertaining to the reconstruction of nonconforming single family or two-family driveways, refer to **Section 550.06.03(13)(a)1**. For special regulations pertaining to the

reconstruction of nonconforming multi-family or commercial parking lots, refer to [Section 550.06.06\(7\)\(e\)](#).

Sections 550.05.31 to 550.05.39: Reserved

Section 550.05.40: Other Nonconforming Sites

- (1) Definition. A nonconforming site is a site legally established prior to the effective date of this Chapter or subsequent applicable amendments thereto which would not be permitted under the current terms of this Chapter because it does not meet the building and site design requirements of this Chapter. Such building and site design components may include one or more of the following:
 - (a) Bulk, intensity, and density requirements.
 - (b) Exterior building materials requirements.
 - (c) Exterior building design requirements.
 - (d) Number of parking spaces required.
 - (e) Landscaping requirements.
 - (f) Bufferyard requirements.
 - (g) Fencing requirements.
 - (h) Lighting requirements.
- (2) Blanket Conforming Status.
 - (a) Blanket conforming status for any and all requirements of this Chapter is hereby automatically granted to all development sites in their configuration existing or as finally approved as of the effective date of this Chapter.
 - (b) After the effective date of this Chapter, additional site development that would result in the enlargement, expansion, or extension of uses, structures or other development per (1)(a) through (g), above, will not be allowed to occur without such additional site development being in full compliance with the provisions of this Chapter.
 - (c) This Subsection is intended to prevent the creation of nonconforming sites related to the building and site design requirements of this Chapter.
 - (d) This Subsection ensures that sites approved prior to the effective date of this Chapter do not encounter difficulty because they would otherwise be considered nonconforming.
- (3) New Development. All new buildings, structures, parking areas, and parking stall counts, including reconstructions, shall comply with all site design requirements of this Chapter, including the components of (1)(a) through (h), above, for the new or reconstructed portion of the development.
- (4) Conformance Required Where Possible. On nonconforming lots where the site configuration and undeveloped area are sufficient to comply with site design requirements, any change that would make compliance with the site design requirements of this Chapter impossible shall not be permitted, as determined by the Zoning Administrator.
- (5) On nonconforming lots where the site configuration and undeveloped area are not sufficient to comply with all site design requirements, but space is available to reduce the degree of one or more nonconformities, the Zoning Administrator, shall determine the manner and degree to which each site nonconformities shall be brought into conformance, specifically to improve public safety and/or reduce public nuisances.

Sections 550.05.41 to 550.05.99: Reserved

- (6) Creation of Additional Nonconformity Prohibited. Enlargements, expansions, or extensions that would result in creation of one or more nonconformities, or increase the degree of existing nonconformities with the site development standards of this Chapter shall not be permitted.

Sections 550.05.41 to 550.05.99: Reserved