

*Town of Lawrence, WI
Thursday, February 23, 2023*

Chapter 300. Zoning

[HISTORY: Adopted by the Town Board of the Town of Lawrence 9-12-1966. Amendments noted where applicable.]

GENERAL REFERENCES

Building construction — See Ch. **116**.

Comprehensive Plan — See Ch. **137**.

Erosion control and stormwater management — See Ch. **145**.

Impact fees — See Ch. **168**.

Nonmetallic mining — See Ch. **182**.

Site plan review — See Ch. **230**.

Subdivision of land — See Ch. **267**.

Article I. Title, Authority and Adoption

§ 300-1. Title.

This chapter shall be known, cited and referred to as the "Town of Lawrence Zoning Ordinance, Brown County, Wisconsin."

§ 300-2. Authority.

The Town Board of the Town of Lawrence has the specific authority, powers and duties pursuant to §§ 60.61, 60.62, 61.35, 62.23, and 66.0103, Wis. Stats., pursuant to the specific statutory sections noted in this chapter, and by its adoption of Village powers under § 60.10, Wis. Stats., to zone certain areas in the Town of Lawrence and to regulate, prohibit and restrict construction, alteration, erection, and enlargement of certain structures and buildings in the Town of Lawrence and to regulate and control certain uses, activities, businesses and operations in the Town of Lawrence.

§ 300-3. Adoption.

The Town Board of the Town of Lawrence has, by adoption of this chapter, confirmed the specific statutory authority, powers, and duties noted in the specific sections of this chapter and has established by these sections and this chapter the specific areas and the regulations and controlling of certain uses, activities, businesses, and operations in the Town of Lawrence.

Article II. Intent, Purpose and Severability

§ 300-4. Intent.

This chapter is intended to promote the orderly development of the community in accordance with the official Town Comprehensive Plan or any of the component parts thereof.

§ 300-5. Purpose.

The Zoning Ordinance of the Town of Lawrence, Brown County, Wisconsin, is adopted for the following purposes: to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to promote and to protect the public health, safety, comfort, convenience and general welfare; to provide adequate standards of light, air and open space; to maintain the aesthetic appearances and scenic values of the Town; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements; and to foster a more rational pattern of relationship between residential, business, commercial and manufacturing uses for the mutual benefit of all.

§ 300-6. Severability.

- A. If any section, clause, provision or portion of this chapter is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this chapter shall not be affected thereby.
- B. If any application of this chapter to a particular structure, land or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land or water not specifically included in said judgment.

Article III. General Provisions

§ 300-7. Jurisdiction.

The jurisdiction of this chapter shall include all lands and waters within the Town of Lawrence.

§ 300-8. Effect on other requirements.

Restrictions or requirements with respect to buildings or land, or both, which appear in other ordinances of the Town of Lawrence or are established by federal, state or county laws and which are greater than those set forth herein shall take precedence over those herein. Otherwise, the provisions of this chapter shall apply.

§ 300-9. Buildings and uses.

- A. Buildings hereafter erected, enlarged, converted, structurally altered, rebuilt or moved and existing land shall be used only for purposes as specified in this chapter. Furthermore, land and building uses shall be in compliance with the regulations as established herein for each district.^[1]
[1] Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).
- B. All principal structures shall be located on a lot, and only one principal structure shall be located, erected or moved onto a lot.
- C. Permitted uses, accessory uses, and conditional uses are limited to the uses indicated for the respective zone district.^[2]
[2] Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).
- D. Accessory buildings which are not a part of the main building shall not occupy more than 30% of the required rear yard, shall not be more than 25 feet high, shall adhere to the square footage size as described in § 300-16 of this chapter, and shall not be nearer than five feet to any lot line, except that where an accessory building has an entrance on an alley, such entrance shall be located not

less than 15 feet from the nearest alley line. No more than one accessory building shall be located on a lot. The above height and area regulations shall not apply to accessory buildings designated as farm structures. However, the farm structure shall be located on a minimum farm site of 10 acres. Farm accessory buildings shall not be closer than 25 feet to any lot line.

§ 300-10. Subdivision regulations.

Any new subdivisions not approved at the adoption of this chapter shall comply with the Town of Lawrence Comprehensive Plan.

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

§ 300-11. Area regulations.

- A. Lot size shall comply with the required regulations of the established district.
- B. No building permit shall be issued for a lot that abuts on half a street. Said permit shall be issued only after the entire street right-of-way has been dedicated.

§ 300-12. Height regulations.

- A. Except as otherwise provided in this chapter, the height of any building hereafter erected, converted, enlarged or structurally altered shall be in compliance with the regulations established herein for the district in which such building is located.
- B. Accessory farm buildings, windmills, belfries, chimneys, cooling towers, elevator bulkheads, fire towers, monuments, silos, scenery lofts, tanks, water towers, ornamental towers, spires, wireless television or broadcasting towers, masts or aerials, public water towers, telephone, telegraph and power transmission poles and lines, microwave radio relay structures and necessary mechanical appurtenances are herein exempted from the height regulations of this chapter.
- C. Churches, schools, hospitals, sanitariums and other public and quasi-public buildings may be erected to a height not exceeding 60 feet, provided that the front, side and rear yards required in the district in which the building is to be located are each increased at least one foot for each foot of additional building height above the height limit otherwise established for the district in which such building is to be located.
- D. Residences may be increased in height by not more than 10 feet when all yards and other required open spaces are increased by one foot for each foot by which such building exceeds the height limit of the district in which it is located.

§ 300-13. Front, side and rear yard regulations.

- A. No front yard shall be used for open storage of boats, vehicles or any other equipment except for vehicular parking on driveways. All open storage areas shall be properly landscaped.
- B. No part of a yard or other open space provided about any building for the purpose of complying with the provisions of this chapter shall be included as part of a yard or any other open space required for another building.
- C. Buildings on through lots and extending from street to street may waive the requirements for a rear yard by furnishing an equivalent open space on the same lot in lieu of the required rear yard, provided that the setback requirements on both streets are complied with, and further provided that no accessory building shall extend within the setback line on either street.

- D. Detached accessory buildings may be located in the rear yard or the side yard of a main building, provided that such accessory building will meet district requirements.

§ 300-14. Fences, walls and berms.

A. Fence permit.

- (1) It shall be unlawful for any person to erect, construct, or replace a fence in the Town without first obtaining a fence permit and complying in all respects with the terms and conditions of this section.
- (2) To obtain a permit required, the applicant shall first file an application for permit on a form furnished by the Building Inspector.
- (3) A set of plans and such other data as deemed necessary by the Building Inspector shall be submitted with each application for a permit. Plans shall be drawn to scale and shall include the following:
 - (a) Building locations and area to be fenced.
 - (b) Height of fence and type of materials to be used.
 - (c) Intersections of streets, roads, highways, alleys and driveways.
 - (d) Corner visibility range shall be shown when required.
- (4) The application, plans and other data filed by an applicant for a permit shall be reviewed by the Building Inspector. If the work described in a permit application conforms to all the requirements of this section and all other pertinent laws and ordinances, and the fees specified in the Town Fee Schedule have been paid, the permit shall be issued to the applicant.^[1]

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*
- (5) Every permit issued by the Building Inspector shall expire by limitation and become null and void if the authorized work is not commenced within 60 days from the date of permitting or if the authorized work is not completed for a period of 60 days.
- (6) The Building Inspector may suspend or revoke a permit under the provisions of this section whenever a permit is issued in error or on the basis of incorrect information supplied or in violation of any code or ordinance of the Town.
- (7) A fence permit is not required for the following, provided that said fence does not in any way interfere with traffic visibility or block, redirect or cause a drainage problem for the adjacent or downstream properties:
 - (a) Fifty percent or less of an existing fence is being replaced and no changes are made to the fence size or materials.
 - (b) A snow fence, provided that it is removed between May 1 and November 1 of each year. No snow fence shall extend into the street right-of-way without approval from the Town of Lawrence Board of Supervisors.
 - (c) Agricultural/farm fences limited to agricultural zoned properties.
 - (d) Decorative fences not exceeding two feet in height.
 - (e) Underground electrical fences or invisible fencing.
 - (f) Garden fences.

B. Location and height restrictions.

- (1) A fence or wall may be erected, placed, or maintained along a lot line on residentially zoned property or adjacent thereto to a height not exceeding six feet above the ground level. No fence or wall which is located in a required front or corner side yard shall exceed a height of three feet. In a required rear yard, the height of fences or walls shall not exceed six feet. Exception for a fence exceeding three feet in a front or corner side yard or over six feet high in rear and side yards may be provided by the Town of Lawrence Board of Supervisors under a conditional use permit.
[Amended 11-28-2011]
 - (2) No fence or wall shall be erected, placed, or maintained along a lot line on any nonresidentially zoned property, adjacent to residentially zoned property, to a height exceeding six feet.
 - (3) In any district, no fence or wall shall be erected, constructed, maintained or grown to a height exceeding three feet above the street grade nearest thereto within 25 feet of the intersection of any street lines or street lines projected, or to any height of less than three feet if it is determined by the Town's Building Inspector that such a height interferes with safe, clear visual distance along any roadway.
- C. Electrically charged fence. No fence erected or constructed shall be electrically charged in any manner on any property with the exception of property located in the Agricultural or Agricultural-Farmland Preservation Zoning District unless approved by the Town of Lawrence Planning and Zoning Board and the Town Board. Exception: An electrically charged fence is allowed for the purpose of fencing in a garden to keep out wild animals, provided that the fence is a minimum of five feet from the lot line.^[2]
[2] Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).
- D. Use of barbed wire.
- (1) No fence shall be constructed of barbed wire in any zoning district except for the following:
 - (a) On property zoned A-1 Agricultural or AG-FP Agricultural-Farmland Preservation.^[3]
[3] Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).
 - (b) On property zoned ER Estate Residential in conjunction with a conditional use permit.
 - (c) On property used for outside storage, zoned B-1 Business/Commercial, LI Limited Industrial, GI General Industrial or PD Planned Development and with approval from the Planning and Zoning Board and Town Board.^[4]
[4] Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).
 - (2) In A-1 Agricultural, AG-FP Agricultural-Farmland Preservation, B-1 Business/Commercial, LI Limited Industrial, GI General Industrial or PD Planned Development Zoning Districts, fences six feet or greater in height may be constructed with angle arms at the top and such angle arms may be armed with barbed wire. Such arms shall not extend over adjacent property, including public or private property, Town, county or state rights-of-way, or on private or public easements.^[5]
[5] Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).
- E. Fence gate. All fences shall have a minimum of one gate for emergency ingress/egress. The minimum width of such gate shall be three feet.
- F. Fence materials.
- (1) All fence material shall be of new material. Fence materials permitted are wood, metal tubing, wrought iron, stone, masonry, and chain link. Vinyl or fiberglass composite materials may be utilized if the material is listed, designed and constructed for fencing materials. Metal posts will be allowed on wood fences.

- (2) No person shall use rope, string, wire products, including but not limited to chicken wire, hog wire, wire fabric, barbed wire (except as allowed in other subsections of this section), razor ribbon, wire and similar welded or woven wire fabrics, chain, netting, cut or broken glass, paper, metal panels, corrugated metal panels, galvanized sheet metal, plywood, fiberglass panels or plastic panes in any fence or any other materials that are not manufactured specifically as fencing materials. The Building Inspector may require the applicant to provide the manufacturer's standards to establish the intended use of a proposed fence material.
 - (3) No person shall construct a fence of wood, metal, or plastic products that are designed specifically for other than fence construction.
 - (4) No person shall construct a fence of damaged, used or unsafe materials. Used fencing material may be used if it is determined by the Building Inspector that the material meets the requirement of new material.
 - (5) No person shall weave or use slats of any material, including but not limited to metal, fiberglass, or bamboo, through a chain link fence to create a blind fence, screening fence or any other type of fence addressed in this section unless approved by or required by the Town Planning and Zoning Board and Town Board.
 - (6) There shall be no fence painted or made with bright or fluorescent-type colors.
- G. Swimming pools. Swimming pools shall have a fence which complies with § 300-23 of this chapter.
- H. Installation. Fences shall be installed with the finished side facing the adjacent property or public right-of-way, and the fence posts must be located on the inside of the fence facing the property on which the fence is located, except when the style of fence commonly described as a "good neighbor fence" is installed.
- I. Maintenance.
- (1) All fences, both existing and new, and all parts thereof shall be maintained in a safe and aesthetically pleasing condition. There shall be no messages or words allowed on the fence. Graffiti shall be removed immediately upon recognition and/or notification.
 - (2) The owner or his/her designated agent shall be responsible for the maintenance of the fence. The Building Inspector shall determine compliance with this section and may cause any fence to be reinspected.
- J. Berms. A berm (earthen wall) of any type of construction is not permitted in any zone within the Town without Town Board approval as a conditional use.
- (1) Plans for berms in new subdivisions shall be clearly indicated, and plat approval shall include specific language indicating that the berm, as presented, has been approved with the plat. Plat approval alone shall not indicate approval for a berm.
 - (2) All berms shall comply with the Town of Lawrence stormwater management plan and stormwater management practices.

§ 300-15. Parking standards.

- A. Parking areas may be located in any yard space for commercial uses and in any yard except the front yard for other uses but shall not be closer than 10 feet to any street line. No parking space or area shall be permitted within five feet of a property line in a side yard.^[1]
- [1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*
- B. Each parking space shall not be less than 180 square feet, exclusive of the space required for ingress and egress. Minimum width of the parking space shall be nine feet.

- C. Where parking facilities are permitted on land other than the zoning lot on which the building or use served is located, such facilities shall be in the same possession as the zoning lot occupied by the building or use to which the parking facilities are accessory.
- D. All off-street parking areas for more than 10 vehicles shall be graded and surfaced so as to be dust-free and properly drained and shall have the aisles and spaces clearly marked.
- E. All parking areas and appurtenant passageways and driveways serving commercial uses shall be illuminated adequately from the hours of sunset to sunrise when the use is in operation. Adequate shielding shall be provided by commercial uses to protect adjacent residential zones from the glare of such illumination and from that of automobile headlights.
- F. Where a building permit has been issued prior to the effective date of this chapter, and provided that construction is begun within six months of such effective date and diligently prosecuted to completion, parking and loading facilities, in the amounts required for the issuance of said building permit, may be provided in lieu of any different amounts required by this chapter.
- G. When the intensity of use of any building, structure or premises shall be increased through the addition of dwelling units, gross floor area, seating capacity or other units of measurement specified herein, the required parking or loading facilities as required herein shall be provided for such increase in intensity of use and for at least 50% of any existing deficiency in parking or loading facilities.

§ 300-16. Accessory building or use.

[Amended 4-25-2016; 5-14-2018 by Ord. No. 2018-1]

- A. Accessory buildings shall be compatible with the principal use and shall not be established prior to the establishment of the principal building or use.
- B. The accessory building exterior and roofing materials shall be compliant with § **300-19** and shall be of similar materials to the principal structures.
- C. An accessory building shall not exceed 1,000 square feet on any lot that consists of less than 1.5 acres in any residential zoned district.
- D. An accessory building shall not exceed 1,500 square feet on any lot that consists of 1.50 acres to 3 acres in any residential zoned district.
- E. An accessory building shall not exceed 2,400 square feet on any lot that consists of 3.01 acres to 6 acres in any residential zoned district.
- F. An accessory building shall not exceed 3,000 square feet on any lot that consists of 6.01 acres or more in any residential zoned district.

§ 300-17. House moving or razing.

A house razed or moved within the Town must include a moving permit issued by the Town's Building Inspector.

- A. Houses removed from their original foundations for the purpose of moving to a new location shall be either removed from the Town or transported to a permanent location in the Town within 24 hours of removal from the original foundation.
- B. In the event the new permanent location is within the Town, the house in transport shall be secured on a permanent foundation at the new location within 30 days from the time the house was moved to the permanent location.

§ 300-18. Towers.

- A. Towers of any type of purpose (except specifically for electrical transmission lines) shall be prohibited in all zones within the Town. Exceptions (conditional use) shall be at the sole discretion of the Town Board.
- B. Conditional use for towers shall include the following regulations:
 - (1) No tower shall be located within 200 feet of any residential zoned district.

§ 300-19. Residential dwelling standards.

[Amended 9-9-2013; 7-12-2021 by Ord. No. 2021-002]

Except as noted in Subsection D(1), all single-family and two-family residential dwellings shall meet the following requirements as set forth in this section. Any home not meeting the requirements of this section shall be treated as a manufactured home Class II and may only be placed in a manufactured home park, pursuant to Article **XVIII**, Manufactured Home Regulations, as set forth in this chapter.

- A. Minimum floor area. The minimum floor area for every dwelling shall be 1,200 square feet, excluding the area of garage or carport.
- B. Roof overhang. All main buildings shall have a minimum pitch of four inches per 12 inches of run, with a minimum twelve-inch roof overhang on each of the dwelling's perimeter walls, such that the overhang is architecturally integrated into the design of the dwelling.
- C. Roofing material. All main buildings and all detached garages or carports located on a residential lot shall have a roof surface of wood shakes or asphalt shingles; clay, concrete, metal, or slate tiles; smooth or corrugated metal with hidden fasteners; or alternative materials showing quality and warranty as approved by the Building Inspector.
- D. Siding materials. All main buildings and all detached garages located on a lot shall have exterior siding material consisting of either wood, masonry concrete, stucco, masonite, vinyl or metal lap. The exterior siding material shall extend to ground level, except that, when masonry foundation is used, the siding material need not extend below the top of the foundation. The following and similar materials shall be prohibited as siding [note Subsection **D(1)**]: smooth, ribbed or corrugated sheets of metal, fiberglass, plastic and any materials having a highly reflective or high-gloss finish.
 - (1) Smooth, ribbed, or corrugated sheets of metal shall be permitted on detached garages located in ER Estate Residential Zoning Districts.
- E. Foundation. All dwellings shall have a properly engineered, permanently attached means of support meeting the manufacturer's installation requirements and all applicable building codes. In the event that a manufactured home does not utilize a perimeter load-bearing foundation, any space between ground level and siding shall be enclosed with permanent, non-load-bearing concrete or masonry having a foundation-like appearance. Top of foundation wall shall be 24 inches to 30 inches above curb or existing center of roadway measured from the center of the driveway or must be approved by the Building Inspector or designee.
- F. Minimum width. The minimum width of a dwelling shall be 22 feet.
- G. Wheels and axles. A razed building shall have all tow bars, wheels and axles removed when the dwelling is installed on a residential lot.

§ 300-20. Maintenance of residential lots in R-1, R-2, R-3 and ER Districts.

Any lot zoned residential shall comply with the following standards:

- A. No large equipment, vehicles, junk, garbage, or salvageable material of any type shall be stored on a residential lot.
- B. Residential lots shall be maintained so that weeds, noxious plants, and grasses do not exceed 12 inches in height at any time.
- C. Fill or topsoil shall not be stored on residential lots except during construction of a house or other buildings.
- D. Lawns/yards shall be planted on residential lots within one year from the issuance of the building permit.
- E. The Town of Lawrence Board reserves the right to reasonably determine what meets the definitions listed in Subsections **A**, **B** and **C**.

§ 300-21. Culverts and driveways.

- A. The construction of a driveway on any property in the Town of Lawrence requires a permit from the Town and must be approved by the Town Building Inspector or designee.
 - B. All driveways shall be a minimum of six feet from the lot line. All rural driveways require a culvert unless otherwise approved by the Town Building Inspector or designee.
 - C. Any driveway or approach constructed in Town right-of-way is for the bona fide purpose of securing access to the property and not for the purpose of parking or servicing vehicles or for advertising, storage or merchandising of goods on the Town right-of-way.
 - D. Upon issuance of a permit to install access driveway, the permittee shall furnish all materials, do all work, and pay all costs in connection with the construction and maintenance of the driveway and its appurtenances on the right-of-way. Materials used shall be corrugated metal culvert pipe and the type of construction shall be as designated and subject to approval of the Town Building Inspector or designee. The permittee shall make the installation without jeopardy to or interference with traffic using the Town road. Town road surfaces, shoulders, ditches, and vegetation disturbed shall be restored to equivalent of original condition by the permittee.
 - E. The Town of Lawrence shall be held harmless against any action for personal injury or property damage sustained by reason of exercise of a permit to construct a driveway.
 - F. Driveway culverts shall be a minimum of 18 inches in diameter by 30 feet in length with end walls for residential properties. The culvert is to be installed on natural ground. In the event the ditch depth warrants a longer or shorter length of culvert pipe or a lesser diameter pipe, approval is required by the Town Building Inspector or designee.
 - G. The maximum culvert size shall not exceed 40 feet in length in addition to end walls for commercial, business or industrial properties. In the event the ditch depth warrants a longer length of culvert pipe, approval is required by the Town Building Inspector or designee.
 - H. The surface of the driveway connecting with rural-type highway sections shall slope down and away from the highway shoulder a sufficient amount and distance to preclude ordinary surface water drainage from the driveway area flowing into the road/roadbed. The driveway shall not obstruct or impair drainage in highway side ditches or roadside areas. Driveway culverts shall be adequate for surface water drainage along the road and in no case less than the equivalent of fifteen-inch-diameter pipe in new or like new condition. The size shall be approved by the Town of Lawrence Building Inspector or designee.^[1]
- [1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*
- I. No noncommercial driveway or combination of driveways shall have a width less than 16 feet or greater than 30 feet measured at right angles to the center line of the driveway.

- J. No commercial driveway shall have a width less than 16 feet or greater than 40 feet measured at right angles to the center line of the driveway unless otherwise approved by the Town Building Inspector or designee.
- K. The construction operation shall conform to all requirements for the specific class of work as may be set forth in the Wisconsin Statutes and to the regulations imposed by all legally empowered commissions, boards, or individuals having jurisdiction therein.
- L. Driveway side slopes shall be of earth material only. No concrete, stone, or bituminous side slopes shall be constructed. The slope of the end walls shall not be steeper than a four-to-one slope, and the elevation of the walls shall not protrude above the grade of the driveway.
- M. The Town of Lawrence Town Board reserves the right to make such changes, additions, and relocations within statutory limits on the right-of-way as may at any time be considered necessary to permit the relocation, widening, and maintaining of the highway or to provide proper protection to life and property on the highway.
- N. The Town of Lawrence does not assume any responsibility for the removal or clearance of snow, ice or sleet on any driveway or the entrance thereof.
- O. Rural driveways shall be gravel, asphalt or concrete. No concrete shall be used in the Town right-of-way. In the event the Town needs to remove concrete in a right-of-way for any reason it shall be replaced with asphalt.
- P. A driveway shall be located and restricted as to width as necessary so that the entire driveway and its appurtenances are contained within the frontage along the Town road of the property served. At public Town road intersections a driveway shall not provide direct ingress or egress to or from the public Town road intersection area. It shall not encroach on or occupy areas of the Town road right-of-way deemed necessary for effective traffic control for Town road signs or signals. Urban driveways shall be 75 feet from intersection-intersection and rural driveways shall be 125 feet from intersection-intersection. A driveway shall be so located and constructed that vehicles approaching or using it will have adequate sight distance in both directions along the Town road.
- Q. In the event a used culvert is to be installed it must be inspected by the Town of Lawrence Building Inspector or designee.
- R. Soil on driveway slopes shall be permanently stabilized within nine months of installation. Interim erosion control shall be according to Chapter **145**, Erosion Control and Stormwater Management, Article **II**, Construction Site Erosion Control, of this Code. All fill surrounding culverts shall be a minimum of six inches of three-fourths-inch road gravel.
- S. Sidewalk sections shall be included in all residential driveways.^[2]
[2] Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).
- T. The Town of Lawrence reserves the right to correct any deficiencies in driveway construction that have not been addressed in this section and shall charge all associated costs to the owner/applicant.

§ 300-22. Underground utilities.

- A. All underground utility installations require a permit from the Town of Lawrence Building Inspector.
- B. All underground utility companies, including but not limited to gas, electric, telephone, cable or any other utility, shall provide the Town with as-built plans for the underground installations.
- C. Provision and conditions relating to utility permits are fully described in Chapter **261**, Streets and Sidewalks, Article **I**, Utility Special Permits, of this Code.

§ 300-23. Swimming pools, hot tubs and spas.

[Added 5-13-2013]

- A. Purpose. The purpose of this section is to provide for the health, safety and welfare of all individuals.
- B. Application. This section shall apply to all new, remodeled, altered and relocated private swimming pools, hot tubs, and spas. (Ponds are addressed in Article **XXI** of this chapter.)
- C. Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

PORTABLE POOL

A container of water less than 36 inches in depth that can be readily disassembled for storage and reassembled to its original integrity.

SPA or HOT TUB

A hydro-jet massage pool or tub for recreational or therapeutic use, designed for immersion of users, which may or may not have a filter, heater and motor-driven blower.

SWIMMING POOL

Any depression in the ground, either temporary (installed for a period of less than seven days) or permanent (installed for a duration of more than seven days), or an aboveground or below-ground container of water, either temporary or permanent, which is 36 inches or greater in depth, used primarily for the purpose of wading or swimming, excluding portable pools.

- D. Permit required. Before commencing the construction or installation of a swimming pool, hot tub, or spa, a permit authorizing such construction must be obtained from the Building Inspector. Permit applications shall be accompanied by fully dimensioned plans showing the following information:
 - (1) Location of the swimming pool, hot tub, or spa on the lot showing the distance from property lines, easements and structures.
 - (2) Location of overhead and/or underground wiring in relation to the swimming pool, hot tub, or spa.
 - (3) Dimensions and depth of the swimming pool, hot tub, or spa.
 - (4) Type, location and height of fence either if existing or proposed.
 - (5) Type, dimensions and location of deck if proposed.
- E. General requirements.
 - (1) Swimming pools, hot tubs, and spas shall not be allowed in the front yard and interior side yard building setbacks of interior lots.
 - (2) Swimming pools, hot tubs, and spas shall not be allowed in the front yard, corner side yard and interior building setbacks of corner lots.
 - (3) Side yard and rear yard setbacks for swimming pools, hot tubs, and spas shall be a minimum of 10 feet measured from the property line.
 - (4) Swimming pools shall not be located closer than 10 feet to any structure other than a deck.
 - (5) Swimming pools, hot tubs and spas shall not be located in utility or drainage easements and shall not be located on land in a designated conservancy.^[1]

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

- (6) All plumbing shall meet the requirements of the State Plumbing Code, Chs. SPS 381 to SPS 387, Wis. Adm. Code.

- (7) All electrical work shall meet the requirements of the State Electrical Code, Ch. SPS 316, Wis. Adm. Code, and the National Electrical Code.

F. Fence requirements.

- (1) A fence of not less than four feet in height, measured from grade, shall completely enclose all swimming pools, hot tubs, and spas with the following exceptions:
 - (a) Hot tubs and spas do not need fence protection as long as their covers can be fastened and key locked when unattended and shall be able to withstand 150 pounds.
 - (b) An aboveground pool, hot tub, or spa with side rail height of at least four feet above grade and a removable ladder or compliant gate does not require a fence.
 - (c) Where decks surround or adjoin an aboveground swimming pool, hot tub, or spa, a three-foot minimum height guardrail mounted to and measured from the deck surface to the top of the guardrail will be considered as meeting the fencing requirements as long as the design and construction regulations of this section are complied with and the overall vertical measurement from grade (ground) level to the top of the guardrail is a minimum height of four feet. Sides of stairs and gates leading to a deck shall also comply with the requirements of this section. Interior side yard and rear yard setbacks for a detached deck surrounding a swimming pool, hot tub, or spa shall be measured five feet from the property line.
- (2) Fences shall be located a minimum of four feet beyond the outside perimeter of a swimming pool, hot tub, or spa.
- (3) Fences shall be constructed and designed so as to prevent penetration of an object greater than four inches in diameter through or under the fence.
- (4) Fences shall be able to withstand 200 pounds of force in any direction and shall be properly maintained in a good state of repair and appearance.
- (5) Fences with horizontal boards spaced more than one inch apart are prohibited.
- (6) All gates or doors opening through a fence enclosure shall be kept securely closed at all times while unattended and shall be equipped with a self-closing and self-latching device designed to keep such gate or door securely closed. All gates or doors shall comply with all other height and structural requirements of this section.
- (7) Portable pools do not need fence protection but must be drained or covered in such a manner as to provide public safety when left unattended.
- (8) To ensure public safety, variances for lesser fence heights than specified in this section shall not be granted.
- (9) Fence requirements may be waived only by an approved conditional use permit issued by the Town Board.
- (10) "Rail sides" do not qualify as a substitute for a fence.

G. Shielding lights. Lights used to illuminate any residential swimming pool, hot tub or spa shall be so arranged and shaded as to reflect light away from adjoining premises.

H. Drainage. In no case shall any swimming pool, hot tub, or spa be drained onto properties other than that of the owner of the swimming pool, hot tub or spa.

I. Sanitation. Filtration systems shall be maintained in proper working order. The swimming pool, hot tub or spa shall be kept clean and in sanitary condition at all times.

§ 300-24. Keeping of livestock and poultry.

[Added 8-11-2014]

- A. Livestock. No person shall keep or maintain any livestock such as horses, cattle, swine, sheep, goats, llamas, fish or other animals raised for performing work or providing recreation or commonly raised for the production of meat, hair, furs, or skins in any zoning district, except in agricultural districts, or by conditional use permit as allowed in Estate Residential Districts. Livestock does not include household pets such as dogs, cats, birds, and fish kept by homeowners as pets and not for commercial purposes.
- B. Prohibited animals. No person shall keep wild or exotic animals such as primates, snakes, or reptiles in any zoning district within the Town of Lawrence.
- C. Poultry. No person shall keep or maintain poultry, chickens or fowl in any zoning district, except as provided in Subsection **D**.
- D. Poultry; keeping of chickens within the Town of Lawrence. In addition to all other regulations in this section, the following shall apply to the keeping of chickens within the Town in the (R-1) Residential and (ER) Estate Residential Districts.

- (1) Definitions. The following terms, when used in this section, shall have the meanings set forth below:

CHICKEN

A domestic chicken of the subspecies *Gallus gallus domesticus*.

CHICKEN RUN

A fenced cage attached to a coop and not to exceed 40 square feet in area.

COOP

A new or existing enclosed accessory structure designed or modified exclusively for the keeping of chickens and meeting the requirements of this section.

KEEP

Either the owning, keeping, possessing or harboring of a chicken.

ROOSTER

A male chicken of any age, including a capon or otherwise neutered male chicken.

- (2) Permit required.
 - (a) Any person who keeps chickens in the (R-1) Residential or (ER) Estate Residential District which the person owns, occupies and controls shall obtain a permit issued by the Zoning Administrator. All permits are subject to annual renewal or denial by the Town Zoning Administrator. The permit is valid January 1 to December 31, and the fee shall be as established by resolution of the Town Board.
 - (b) All applicants must receive written approval from all of the owner-occupied neighboring property owners adjacent to the applicant's property lines exclusive of street right-of-way. The applicant shall contact neighboring property owners and provide to the neighboring property owners information required for the permit in order that such neighboring property owners may be informed as to the impact that such chickens may have on the neighborhood. No applicant shall be considered by the Town Board unless said approval has been obtained.
 - (c) All permit applications shall be accompanied by satisfactory evidence that the applicant has registered the proposed location with the Wisconsin Department of Agriculture, Trade and Consumer Protection pursuant to § 95.51, Wis. Stats., and Ch. ATCP 17, Wis. Adm. Code.
- (3) Keeping of chickens allowed.

- (a) Minimum lot size of one acre (43,560 square feet).
 - (b) Up to four chickens are allowed with a permit.
 - (c) Restrictive covenants of subdivisions may be more restrictive than this section.
 - (d) No person shall keep any rooster.
 - (e) No person may slaughter any chickens within residential districts within the Town of Lawrence.
 - (f) Chickens shall be provided with fresh water at all times and adequate amounts of feed.
 - (g) Chickens shall be provided with a sanitary and adequately sized coop and shall be kept in the coop or a sanitary and adequately sized chicken run attached thereto at all times. Chickens shall not be allowed to free range.
 - (h) All coops shall comply with all building and zoning requirements of this Code.
 - (i) Coops shall be constructed in a workmanlike manner, be moisture-resistant and either raised above the ground or placed on a hard surface such as concrete, patio block or gravel.
 - (j) Coops shall be constructed and maintained to reasonably prevent the collection of standing water and shall be cleaned of hen droppings, uneaten feed, feathers and other waste daily and as is necessary to ensure that the coop and yard do not become a health, odor or other nuisance. All feed containers shall be rodent-proof. All chicken droppings shall be disposed of in accordance with solid waste disposal regulations.
 - (k) Coops shall be large enough to provide at least four square feet per chicken with a maximum size of 32 square feet.
 - (l) No chicken coop shall be located closer than 25 feet to any principal residential structure. No chicken coop shall be located within 10 feet of any rear or side property line.
 - (m) No chicken coop shall be located in the front or side yard of any parcel.
 - (n) In addition to compliance with the requirements of this section, no one shall keep chickens that cause any other nuisance associated with unhealthy conditions, create a public health threat or otherwise interfere with the normal use of property or enjoyment of life by humans or animals.
- (4) Public health requirements.
- (a) Chickens shall be kept and handled in a sanitary manner to prevent the spread of communicable diseases among birds or to humans.
 - (b) Any person keeping chickens shall immediately report any unusual illness or death of chickens to the Town.
 - (c) The Town may order testing, quarantine, isolation, vaccination or humane euthanasia of ill chickens or chickens believed to be a carrier of a communicable disease. The owner of the chicken shall be responsible for all costs associated with the procedures ordered hereunder.
- (5) Permit revocation. A permit is subject to revocation by the Town Zoning Administrator upon failure to comply with any provisions of this section. Such revocation is subject to appeal to the Town Board. Once a permit is revoked, a permit shall not be reissued.
- (6) Sale of eggs and baby chicks prohibited. No person may offer to sell eggs or chicks accumulated from the activities permitted hereunder.
- (7) Nonrenewal of permit. Any violation of this section may be cause for nonrenewal of a permit.

Article IV. Word Usage and Definitions

§ 300-25. Word usage.

- A. For the purpose of this chapter, words used in the present tense shall include the future and words used in the singular shall include the plural number, and the plural the singular.
- B. The word "shall" is mandatory and not discretionary.
- C. The word "may" is permissive.
- D. The word "lot" shall include the words "piece," "parcel" and "plat"; the word "building" includes all other structures of every kind regardless of similarity to buildings; and the phrase "used for" shall include the phrases "arranged for," "designed for," "intended for," "maintained for" and "occupied for."
- E. All measured distances shall be to the nearest integral foot. If a fraction is 1/2 foot or less, the next integral foot below shall be taken.
- F. Any words not herein defined shall be constructed as defined in other respective state, county, and Town codes.

§ 300-26. Definitions.

Certain words and terms in this chapter are to be interpreted as defined herein.

ACCESSORY BUILDING

A building or use which is:

- A. Constructed or located on the same zoning lot as the principal building or use served, except as may be specifically provided elsewhere in this chapter;
- B. Clearly incidental to, subordinate in purpose to, and serves the principal use; and
- C. Either in the same ownership as the principal use or is clearly operated and maintained solely for the comfort, convenience, necessity, or benefit of the occupants, employees, customers, or visitors of or to the principal use.

ADULT ENTERTAINMENT ESTABLISHMENT

See Article **XIX** of this chapter.

ADVERTISING DEVICE

Any advertising sign, billboard, statuary, or poster panel which directs attention to a business, commodity, service, or entertainment not exclusively related to the premises where such sign is located or to which it is affixed, but does not include those advertising signs, billboards, or poster panels which direct attention to the business on the premises or to a brand name of a product or commodity with which the business is specifically identified and which is sold on the premises.

AGRICULTURAL-RELATED USE

A facility located on a farm or farmstead that has at least one of the following as a primary and not merely incidental purpose:

[Added 3-14-2016]

- A. Providing agricultural supplies, agricultural equipment, agricultural inputs, or agricultural services directly to farms.
- B. Storing, processing, or handling raw agricultural commodities obtained directly from farms.

- C. Slaughtering livestock from farms.
- D. Marketing livestock to or from farms.
- E. Processing agricultural by-products or wastes received directly from farms.

AGRICULTURE

The science and practice of the cultivation of the soil.

AIRPORT

Any area of land or water which is used or intended for use for the landing and taking off of aircraft and any appurtenant areas which are used or intended for use for airport buildings or other airport facilities or rights-of-way, including all necessary taxiways, aircraft storage and tie-down areas, hangars and other necessary buildings and open spaces.

ALLEY

A public right-of-way or private way which affords only secondary vehicular access to abutting property.

APARTMENT

A room or suite of two or more rooms which is designed for, intended for or occupied by one family doing its cooking therein.

APARTMENT HOUSE

See "dwelling, multiple-family."^[1]

ARTIFICIAL LAKE

A man-made body of water utilized for recreational or conservational purpose in excess of two acres.

AUTOMOBILE SPACE

A minimum area of 180 square feet within a parking area.

AUTO WRECKING YARD

Any premises on which more than one automotive vehicle, not in running or operating condition, or parts thereof are stored in the open.

BASEMENT

A story partly or wholly underground.

BED-AND-BREAKFAST ESTABLISHMENT

Any place of lodging that provides eight or fewer rooms for rent to no more than a total of 20 tourists or other transients for more than 10 nights in a twelve-month period, is the owner's personal residence, is occupied by the owner at the time of rental, and in which the only meal served to guests is breakfast.^[2]

BERM

A man-made ridge or hill elevation consisting of any type of material, generally organic, used in landscaping or for any other purpose such as a barrier or wall.

BILLBOARD

See Article **XVII**, Sign Regulations, of this chapter.^[3]

BOARDINGHOUSE

A building or premises, other than a hotel, containing lodging rooms accommodating, for compensation, four or more persons not of the keeper's family. Lodging may be provided with or without meals.^[4]

BOAT LIVERIES

Establishments offering the rental of boats and fishing equipment.

BUILDING

Any structure built, used, designed, or intended for the support, shelter, protection, or enclosure of persons, animals, chattels, or property of any kind and which is permanently affixed to the land. When a building is divided into separate parts by unpierced fire or party walls extending continuously from the ground through all stories to and above the roof, each part shall be deemed a separate building.

BUILDING, ATTACHED

One which is joined to another dwelling at one or more sides by a party wall or walls.

BUILDING, DETACHED

One which is entirely surrounded by open space on the same lot.

BUILDING HEIGHT

The vertical distance to the level midway between the eaves and the highest point of the roof, at the center of the building's principal front, measured from the established grade from the front of the property line.

BUILDING, MAIN

A building in which is conducted the principal use of the lot on which it is situated. In any residential district, any dwelling shall be deemed to be a main building on the lot on which it is situated.

BUILDING SETBACK LINE

A line located a stated distance from and parallel to a lot line or street right-of-way, including the nearest point to which a lot line or center line of a building may be erected.^[5]

BUILDING, TEMPORARY

Any building not designed to be permanently located in the place where it is or where it is intended to be placed or affixed. Manufactured homes used as residences shall not be classified as temporary buildings.

CAMPGROUND

A tract or parcel of land on which space is provided for camping. Includes day or overnight camping.^[6]

CAPACITY IN PERSONS OF AN ESTABLISHMENT OR USE

The maximum number of persons that can avail themselves of the services (or goods) of such establishment at any one time, with reasonable safety and comfort, as determined by the Building Code or as may be determined by the Zoning Administrator.

CLINIC, MEDICAL OR DENTAL

An organization of specializing physicians or dentists, or both, who have their offices in a common building.

CLUB

An association of persons for some common social purpose, not including groups organized primarily to render a service which is customarily carried on as a business. All organizations shall be recognized clubs or fraternities.

COMMERCIAL FEEDLOT

An agriculture enterprise where livestock is purchased and raised and then sold to a buyer, feedlot or slaughterhouse.

COMMUNITY-BASED RESIDENTIAL FACILITY

A place where three or more unrelated adults reside in which care, treatment, or services above the level of room and board, but not including nursing care, are provided to persons residing in the facility as a primary function of the facility and licensed by the Department of Health Services under § 50.01, Wis. Stats.

COMMON OWNERSHIP

For purposes of Article **XI**, AG-FP Agricultural-Farmland Preservation District, means ownership by the same person or persons. "Common ownership" includes land owned by the same individual, married couple, corporation, limited liability company (LLC), partnership, estate, or trust. Solely for the purposes of this definition, a parcel owned by one member of a married couple is deemed to be owned by the married couple.

[Added 3-14-2016]

CONDITIONAL USE

Use of a special nature as to make impractical its predetermination as a principal use in a zoning district.

CONDOMINIUM

A form of real property ownership in which the purchaser of each unit of an apartment building or in a complex of multiunit dwellings acquires full title to the unit and an undivided interest in the common elements (the land, roof, etc.).

CONTIGUOUS

Adjacent to or sharing a common boundary. Contiguous land includes land that is separated only by a river, stream, section line, public road, private road, railroad, pipeline, transmission line, or transportation or transportation right-of-way. Parcels are not contiguous if they meet only at a single point.

[Added 3-14-2016]

CORNER SIDE

A yard along a side lot line from front yard to rear yard when said side lot line is parallel to a street right-of-way line.

DATCP

Department of Agriculture, Trade and Consumer Protection.

[Added 3-14-2016]

DAY-CARE CENTER, GROUP

A licensed establishment for the care and supervision of nine or more children under seven years old for more than four and less than 24 hours a day for more than 10 days a month.

DAY-CARE HOME, FAMILY

A licensed establishment for the care and supervision of one to eight children under seven years old for more than four and less than 24 hours a day for more than 10 days a month.

DISTRICT

A part or parts of the Town of Lawrence for which the regulations governing the height, location and use of buildings and the size of lots and open spaces are uniform.

DRIVE-IN BUSINESS

An establishment with street access which provides no interior seating or service or an establishment which allows for interior seating or service but the majority of its business is conducted in the following manner:

- A. By means of a service window;
- B. Car service; and
- C. Restaurant or confectionery with carry-out counter.

DWELLING

A building, or portion thereof, excluding a manufactured home, hotel, motel, boardinghouse and trailer, designed or used exclusively for residential occupancy.

DWELLING, MULTIPLE-FAMILY

A building designed, or portion thereof, containing three or more dwelling units.

DWELLING, SINGLE-FAMILY

A building designed for and occupied exclusively by one family.

DWELLING, TWO-FAMILY

A building designed for and occupied exclusively by two families.

DWELLING UNIT

One or more rooms which are arranged, designed or used as living quarters for one family. Individual bathrooms and complete kitchen facilities, permanently installed, shall always be included for each dwelling unit.

EARTHEN BERM

A vegetated, elongated earthen mound used as a landscape barrier.

ESTABLISHMENT BUSINESS

A place of business carrying out operations, the ownership and management of which are separate and distinct from those of any other place of business located on the same zoning lot.

EXCEPTION

The use of property, including the use and location of buildings, the size of lots and the dimensions of required yards, otherwise not allowable under the terms of this chapter for which a special permit may be issued under conditions specified in this chapter.

FAMILY

One or more persons living together in a single dwelling unit as a traditional family or the functional equivalent of a traditional family. It shall be a rebuttable presumption that four or more persons living together in a single dwelling unit who are not related by blood, adoption or marriage do not constitute the functional equivalent of a traditional family.^[7]

- A. In determining the functional equivalent of a traditional family, the following criteria shall be present:
 - (1) The group shares the entire dwelling unit.
 - (2) The group lives and cooks together as a single housekeeping unit.
 - (3) The group shares expenses for food, rent, utilities or other household expenses.
 - (4) The group is permanent and stable and not transient or temporary in nature.
 - (5) Any other factor reasonably related to whether the group is the functional equivalent of a family.
- B. This definition is not intended to prohibit group homes or community living arrangements that are determined to be protected by the Federal Fair Housing Law, provided that such facilities are licensed and permitted under the authority of the State Department of Health Services or the State Department of Children and Families or other state department or agency.

FARM

All land under common ownership that is primarily devoted to agricultural use. For purposes of this definition, land is deemed to be primarily devoted to agricultural use if any of the following apply:
[Added 3-14-2016]

- A. The land produces at least \$6,000 in annual gross farm revenues to its owner or renter, regardless of whether a majority of the land is in agricultural use.
- B. A majority of the land area is agricultural use.

FARMETTE

A rural parcel of land located in the Estate Residential Zone. Animals shall be kept for personal consumption or use and not for commercial purposes.

FARMING

The principal use of a premises for the raising and harvesting of crops or the keeping of livestock.

FARM POND

A body of water utilized for the farm operation.

FARM RESIDENCE

A one- or two-family residence that is the only residential structure on the farm or is occupied by any of the following:

[Added 3-14-2016]

- A. An owner or operator of the farm.
- B. A parent or child of an owner or operator of the farm.
- C. An individual who earns more than 50% of his or her gross income from the farm.

FARMSTEAD

The non-farmed area of a farm which typically contains the original farm dwelling and other buildings which are used for farming operations or activities. In some instances minor amounts of tilled acreage or pasture land would be contained within the farmstead, but tilled land and pasture land are generally separate from the farmstead itself.

[Added 3-14-2016]

FENCE

A barrier made of wood, iron, stone, or other inorganic material.

FLOOR AREA

- A. The area within the exterior wall lines of a building, provided that the floor area of a dwelling shall not include space not usable for living quarters, such as attic, basement, garage, breezeway and unenclosed porches.
- B. The sum of the gross horizontal areas of the several floors of the building or portion thereof devoted to such use, including accessory storage areas located within selling or working space, such as counters, racks or closets, and any basement floor area devoted to retailing activities, to the production or processing of goods, or to the business or professional offices. However, "floor area" for the purposes of measurement for off-street parking spaces shall not include floor area devoted to off-street parking or loading facilities, including aisles, ramps, and maneuvering space, or basement floor area other than devoted to retailing activities, to the production or processing of goods, or to the business or professional offices.

FOREST CROPS

Products obtained from stands of forest trees which have been either naturally or artificially established.

FOREST INDUSTRIES

The selective cutting of forest crops under the supervision of a properly designated official of the Town and the storing of such crops, the operation of portable sawmills and planers and the production of maple syrup and sugar.

FRONTAGE

The length of all the property fronting on one side of a street between the two nearest intersecting streets, measured along the line of the street, or if dead-ended, then all the property abutting on one side of a street between an intersecting street and the dead end of a street.

FRONTAGE, ZONING LOT

The length of all the property of such zoning lot fronting on a street, measured between side lot lines.

FUR FARM

Agricultural operation where the major income is derived from the selling or sale of fur-bearing animals and/or pelts.

GARAGE, PRIVATE

An accessory to the main building which provides for the storage of motor vehicles and in which no occupation, business or service for profit is carried on.

GARAGE, PUBLIC AND STORAGE

Any building or premises, other than a private garage, where motor-driven vehicles are equipped, repaired, serviced, hired, sold, or stored.

GRADE

The average level of the finished surface of the ground adjacent to the exterior walls of the building or structure.

GREEN SPACE

The area of a lot reserved for lawn, pond, shrubbery, or park.

GROSS FARM REVENUE

Gross receipts from agricultural uses, less the cost or other basis of livestock or other agricultural items purchased for resale which are sold or otherwise disposed of during the taxable year. "Gross farm revenue" includes receipts accruing to a renter but does not include rent paid to the landowner.

[Added 3-14-2016]

GROSS FLOOR AREA

The sum of the gross horizontal areas of the several floors of a building or buildings measured from the exterior faces of exterior walls or from the center line of party walls separating two buildings.

GROUP HOME

Community living arrangement for the care and maintenance of five to eight children under 18 years of age which is a licensed child welfare agency, as set forth in § 48.60, Wis. Stats.

HARD SURFACED

A driveway or parking lot surfaced with concrete, bituminous paving or crushed stone.

HEALTH AND MEDICAL INSTITUTIONS

Institutions or organizations which provide specialized inpatient or outpatient medical and dental care.

HEDGE

A dense row of shrubs, etc., forming a boundary, fence, or barrier.

HIGHWAY

See "street."

HOME OCCUPATION

Any occupation or profession carried on by a member of the immediate family residing on the premises, in connection with which there is used no sign or display that will indicate from the exterior that the building is being utilized in whole or in part for any purpose other than that of a dwelling; there is no commodity sold upon the premises; no person is employed other than a member of the immediate family residing on the premises; and no mechanical or electrical equipment is used, except such as is permissible for purely domestic or household purposes. A professional person may use his residence for infrequent consultation, emergency treatment, or performance of religious rites but not the general practice of his profession. No accessory building shall be used for such home occupation. Clinics, convalescent homes, hospitals, barbershops, beauty parlors, tea rooms and animal hospitals are examples that shall not be deemed to be home occupations.

HOTEL

A building in which lodging, with or without meals, is offered to transient guests for compensation and in which there are more than five sleeping rooms with or without cooking facilities in any individual room or apartment.

INDUSTRIAL PARK

A special or exclusive type of planned industrial area designed and equipped to accommodate a community of industries, providing them with all necessary facilities and services in attractive surroundings among compatible neighbors. Industrial parks may be promoted or sponsored by private developers, community organizations, or government organizations.

JUNKYARD (or SALVAGE YARD)

An area where waste or scrap materials are bought, sold, exchanged, stored, baled, packed, disassembled, or handled, including but not limited to scrap iron and other metals, paper, rags, rubber tires, and bottles. A junkyard or salvage yard includes an auto wrecking yard but does not include uses established entirely within enclosed buildings.

KENNEL

A lot or building in which three or more dogs or four or more cats or other animals at least two months of age are kept commercially for board and/or propagation, training or sales, or other uses, all of which are conducted on the property itself.

LANDSCAPE POND

A man-made area consisting of landscaping materials and water less than three feet in depth in any one space.

LANDSCAPING MATERIALS

Materials used to make a plot of ground more attractive and/or stable. These materials may include, but are not limited to, trees, grasses, ground cover, vines, flowers, earthen berms, earth stabilization materials, rocks and stones, and wood chips.

LESS RESTRICTED

The use of land or buildings first permitted in a certain district is less restricted than other uses first permitted in districts appearing earlier in the numerical order in which such districts are numbered in this chapter.

LIMITED RETAIL ESTABLISHMENT

A portion of the primary building or an accessory building on the parcel used for the sale of merchandise or product directly related to the use of the parcel. Example: The sale of apples from an apple orchard, the sale of eggs from chickens, or the sale of alpaca merchandise made from alpaca fiber sheddings.

LIVESTOCK

Bovine animals, equine animals, goats, poultry, sheep, swine, farm-raised deer, farm-raised game birds, camelids, ratites, and farm-raised fish.

[Added 3-14-2016]

LOADING SPACE

An off-street space or berth on the same lot with or contiguous to a building or group of buildings which it serves, and abutting on or having direct access to a street or alley, for the temporary parking of a commercial vehicle while loading or unloading cargo. A loading space is not a parking space.

LODGING HOUSE

A building other than a hotel where rooms without board or kitchen facilities either in or in connection with such rooms are rented to persons not members of the resident family.

LOT

A parcel of land having a width and depth sufficient to provide the space necessary for one principal building and its accessory building, together with the open spaces required by this chapter, and abutting on a public street.

LOT AREA, GROSS

The area of a horizontal plane bounded by the front, side, and rear lot lines, but not including any area occupied by the waters of a duly recorded lake or river and/or public right-of-way.

LOT, CORNER

A lot located at the intersection of two streets, the interior angle of such intersection not exceeding 135°.

LOT, DEPTH OF

The horizontal distance between the front lot line and the rear lot line, but not including any area occupied by the waters of a duly recorded lake or river and/or public right-of-way.

LOT GRADE

The average of the finished lot elevation upon completion of construction and landscaping between the street right-of-way line and a perpendicular point on the front yard setback line.

LOT, INTERIOR

A lot other than a corner or reversed lot.

LOT LINE, FRONT

That boundary of a lot which is along an existing or dedicated public street or where no public street exists along a public way.

LOT LINE, REAR

That boundary of a lot which is most distant from and is or is most nearly parallel to the front lot line.

LOT LINE, SIDE

Any boundary of a lot which is not a front lot line or a rear lot line.

LOT OF RECORD

A lot which is part of a subdivision, the plat of which has been recorded in the office of the Register of Deeds of Brown County, or a parcel of land, the deed to which was recorded in the office of said Register of Deeds prior to the adoption of this chapter, and certified survey maps approved and recorded in the office of the Register of Deeds of Brown County.

LOT, REVERSED CORNER

A corner lot, the street side lot line of which is substantially a continuation of the front lot line of the first lot to its rear.

LOT, THROUGH

A lot having a pair of opposite lot lines along two more or less parallel public streets and which is not a corner lot. On a through lot, both street lines shall be deemed front lot lines.

LOT, WIDTH OF

The horizontal distance between the side lot lines of a lot, measured at the narrowest width within the first 30 feet of lot depth immediately in back of the front yard setback line.

MANUFACTURED HOME

See Article **XVIII**, Manufactured Home Regulations, of this chapter.^[8]

MINI WAREHOUSE

A business consisting of a building or group of buildings of varying sizes of individual compartmentalized and controlled access stalls, spaces or lockers which are rented to individuals for the storage of personal property.^[9]

MORE RESTRICTED

A use of land or buildings first permitted in a certain district is more restricted than other uses first permitted in districts appearing later in the numerical order in which such districts are numbered in this chapter.

MOTEL

An establishment consisting of a group of attached or detached living or sleeping accommodations with bathroom and closet space, located on a single zoning lot and designed for use by transient guests, and where there is no permanent occupancy of any unit, except by the owner, his agent or his employees.

MOTOR VEHICLE

A self-propelled device used or intended to be used for the transportation of freight or passengers upon a street or highway.

NONCONFORMING BUILDING

A building lawfully erected at the time of the enactment of this chapter which does not conform to the height, setback, yard, parking or other bulk requirements of this chapter or any amendment thereto governing the zoning district in which such building is located.^[10]

NONCONFORMING USE

Any use of land, buildings, or structures, lawful at the time of the enactment of this chapter, which does not comply with all of the regulations of this chapter or of any amendment hereto governing use for the zoning district in which such use is located.

OPEN SPACE PARCEL

A parcel on which no buildings, other than hunting blinds or small sheds, have been constructed or approved for construction.

[Added 3-14-2016]

PARKING LOT

A building or premises off the public street, containing one or more parking spaces, open to the public free or for a fee, and providing access from a public street or alley to each parking space within such parking lot.

PARKING SPACE

A graded and surfaced area of not less than 180 square feet in area, either enclosed or open, for the parking of a motor vehicle, having adequate ingress and egress to a public street or alley, exclusive of passageways, driveways or other means of circulation or access.

PARTY WALL

A wall constructed between two attached units or rooms which may or may not be separately owned.

PERSON

An individual, corporation, partnership, limited liability company (LLC), trust, estate, or other legal entity.

[Added 3-14-2016]

PLANNED DEVELOPMENT

A tract of land which contains or will contain two or more principal buildings, developed under single ownership or control, the development of which is unique and intended to permit diversification and variation in the relationship of uses and structures and open space for developments conceived and implemented as comprehensive and unified projects. A planned development allows for flexibility not available under normal zoning district requirements.

PLAT or PLATTED LAND

Land division created by the recording of a subdivision plat or certified survey map as per the requirements of the Brown County subdivision and platting regulations and Town ordinances.

POND

Man-made body of water, greater than 10 feet by 10 feet, up to two acres and greater than three feet in depth.

PRIME FARMLAND

All of the following:

[Added 3-14-2016]

- A. An area with a Class I or Class II land capability classification as identified by the Natural Resources Conservation Service of the United States Department of Agriculture.
- B. Land, other than land described in Subsection A, which is identified as prime farmland in the county's certified farmland preservation plan.

PRINCIPAL BUILDING OR USE

A building or use on a lot which constitutes the chief or primary use of the premises.

PROFESSIONAL OFFICE (except health care)

The office of a member of a recognized profession, including the offices of ministers, architects, professional engineers, lawyers, and such other similar professional occupations, including the office of a charitable organization and including also an insurance or financial institution which conducts its activities principally by mail.

PROTECTED FARMLAND

Land that is any of the following:

[Added 3-14-2016]

- A. Located in a farmland preservation zoning district certified under Ch. 91, Wis. Stats.
- B. Covered by a farmland preservation agreement certified under Ch. 91, Wis. Stats.^[11]
- C. Covered by an agricultural conservation easement under § 93.73, Wis. Stats.
- D. Otherwise legally protected from nonagricultural development.

RECREATIONAL VEHICLE

A vehicle primarily used for leisure activities, including but not limited to trailers, boats with or without trailers, all-terrain vehicles and snowmobiles. For the purpose of this chapter, "recreational vehicle" does not include four-wheel-drive cars or trucks and motorcycles.

RETAIL

Sale of commodities and services directly to customers, when such commodities and services are used or consumed by the customer and not purchased primarily for purpose of resale.

RIGHT-OF-WAY

- A. A strip of land occupied or intended to be occupied for a special use. Rights-of-way intended for streets, crosswalks, water mains, sanitary sewers, storm drains or any other use involving maintenance by a public agency shall be dedicated to public use by the maker of the plat on which such right-of-way is established.
- B. The usage of the term "right-of-way" for land platting purposes shall mean that every right-of-way hereafter established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimension or areas of such lots or parcels.

ROADSIDE STAND

A structure not permanently fixed to the ground that is readily removable in its entirety, covered or uncovered and not wholly enclosed, and used solely for the sale of farm products produced on the premises. No such roadside stand shall be more than 300 square feet in ground area and such stand shall be limited to 10 feet maximum height.

SATELLITE DISH ANTENNA

A device incorporating a reflective surface that is solid, open mesh, or bar configured and is in the shape of a shallow dish, cone, horn, or cornucopia. Such device shall be used to transmit and/or receive radio or electromagnetic waves between terrestrially and/or orbitally based uses. This definition is meant to include but not be limited to what are commonly referred to as satellite earth stations, TVROs, and satellite microwave antennas.

SETBACK AREA

The minimum horizontal area between the front, side and/or rear line of the building or use, including porches, and the lot lines or street right-of-way lines.

SETBACK, CORNER SIDE YARD

The minimum horizontal distance between the side line of the building or use that runs perpendicular to the fronting street and the side right-of-way line perpendicular to the fronting street.

SETBACK, FRONT YARD

The minimum horizontal distance between the front line of the building or use and the street right-of-way line.

SETBACK LINES

Lines established adjacent to the lot lines or street right-of-way lines for the purpose of defining limits within which any or certain buildings, structures, or uses may not be constructed, maintained or carried on, except as shown herein.

SETBACK, REAR YARD

The minimum horizontal distance between the back line of the building or use and the rear lot line.

SETBACK, SIDE YARD

The minimum horizontal distance between the side line of the building or use and the side lot lines, unless the side line of the building or use is parallel to a street, whereas it shall be a corner side yard setback.

SIGN

See Article **XVII**, Sign Regulations, of this chapter.^[12]

SLAUGHTERHOUSE

A building or portion thereof used in the conducting of a business enterprise where animals are butchered or where animals or parts thereof are processed, cut or altered.

STABLE

Shall have the same meaning as "garage," one animal being considered the equivalent of one self-propelled vehicle.

STORY

That portion of a building between any floor and the surface of the next floor above it, or, if there is no floor above, then the space between the floor and the ceiling above. A basement is a story if its ceiling is five feet or more above the level from which the height of the building is measured, or if it is used for business purposes, or if it contains any dwelling units other than one dwelling unit for the caretaker of the premises.

STORY, HALF

A story with at least two opposite exterior sides meeting a sloping roof not more than three feet above the floor of such story.

STREET

A public or private right-of-way which affords a primary means of vehicular access to abutting property, whether designated as a street, avenue, highway, road, boulevard, lane, throughway, or however otherwise designated, but does not include driveways to buildings.

STRUCTURAL ALTERATION

Any change other than incidental repairs which would prolong the life of the supporting members of a building, such as the addition, removal, or alteration of bearing walls, columns, beams, girders, or foundations.

STRUCTURE

Anything constructed or erected which requires a permanent location on the ground or attachment to something having a permanent location on the ground.

TOWN

The Town of Lawrence.

TOWN BOARD

The governing body of the Town of Lawrence.

TOWN BUILDING INSPECTOR

The officer appointed by the Town Board or contracted with an outside source under agreement to inspect new construction of buildings and administer and enforce the provisions of this chapter.

UNIT

A dwelling for a single family.^[13]

USE, PERMITTED

A use which may be lawfully established in a particular district(s), provided that it conforms to all requirements, regulations, and standards of such district.

VALUE, MARKET

That value at which a seller willing to sell, but not forced to sell, would sell to a buyer willing to buy, but not forced to buy.

VARIANCE

A departure from the terms of this chapter as applied to a specific building, structure, or parcel which the Board of Appeals may permit when the Board of Appeals finds that a literal enforcement of the provisions of this chapter would result in practical difficulty or unnecessary hardship, owing to circumstances unique to the individual property on which the variance is sought, or literal application of such regulation will effect a limitation on the use of the property which does not generally apply to the other properties in the same district and for which there is not compensating

gain to the public health, safety and welfare. In no case shall a variance be granted to permit any use not permitted in a particular zone.^[14]

VISION CORNER

The vision corner is formed by measuring 30 feet along each property line from the corner where the two street sides of the property meet. Connecting these two lines with a diagonal line completes the triangle and forms the vision corner.

WAREHOUSE

A building in which goods, raw materials or commodities are stored or distributed.

YARD

An open space on the same lot with a building or structure, unoccupied and unobstructed from the ground upward, except for vegetation. A yard extends along a lot line and to a depth or width specified in the yard requirements for the zone the lot is located in.

YARD, FRONT

A yard extending along the full length of the front lot line between the side lot lines.

YARD, INTERIOR SIDE

A side yard which is located immediately adjacent to another zoning lot or to an alley separating such side yard from another zoning lot.

YARD, REAR

A yard extending across the full length of the rear lot line between the side lot lines.

ZONING DISTRICT

Divisions of the Town, each area being accurately defined to boundaries and locations on the Official Zoning Map and in this chapter, for which the regulations and requirements governing use, lot, and bulk of buildings and premises are uniform.

ZONING LOT

An area within a single tract of land, under single ownership having a specific zoning district. A zoning lot may, therefore, not coincide with the lot of record and may be located on a parcel of land with two or more zoning districts.

- [1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*
- [2] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*
- [3] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*
- [4] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*
- [5] *Editor's Note: The definition of "building, accessory" which immediately followed this definition was repealed at time of adoption of Code (see Ch. 1, General Provisions, Art. II). See the definition of "accessory building" in this section.*
- [6] *Editor's Note: The definition of "canopy (marquee)" which immediately followed this definition was repealed at time of adoption of Code (see Ch. 1, General Provisions, Art. II). See Art. XVI, Sign Regulations.*
- [7] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*
- [8] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II). The definitions of "manufactured home community," "manufactured home - Class II" and "manufactured home park" which immediately followed this definition were repealed at time of adoption of Code (see Ch. 1, General Provisions, Art. II). See Art. XVIII, Manufactured Home Regulations.*
- [9] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*
- [10] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*
- [11] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*
- [12] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II). The definitions of "sign, advertising" and "sign, business" which immediately followed this definition were repealed at time of adoption of Code (see Ch. 1, General Provisions, Art. II). See Art. XVI, Sign Regulations, § 300-145.*

[13] *Editor's Note: The definitions of "use, conditional" and "use, principal" which followed this definition were repealed at time of adoption of Code (see Ch. 1, General Provisions, Art. II). See the definitions of "conditional use" and "principal building or use" in this section.*

[14] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

Article V. Establishment of Zones

§ 300-27. Zoning districts.

For the purpose of this chapter, the Town of Lawrence, Brown County, Wisconsin, is hereby divided into the following zoning districts:

R-1 Residential

R-2 Residential

ER Estate Residential

R-3 Multifamily Residential

A-1 Agricultural

AG-FP Agricultural-Farmland Preservation

B-1 Business/Commercial

LI Limited Industrial

GI General Industrial

PD Planned Development

Mixed Use District

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

§ 300-28. Zoning Map.

The location and boundaries of the districts established by this chapter are set forth on the Zoning Map titled "Zoning District Map" or "Official Zoning Map" for the Town of Lawrence, Brown County, Wisconsin, which is incorporated herein and hereby made a part of this chapter. Said map, together with everything shown thereon and all amendments thereto, shall be as much a part of this chapter as though fully set forth and described herein.^[1]

[1] *Editor's Note: The Zoning Map is on file at the office of the Town Clerk/Treasurer.*

§ 300-29. Zone boundaries.

The following rules shall apply with respect to the boundaries of the various districts as shown on the Zoning District Map:

- A. District boundary lines are the center lines of highways, streets, alleys and pavements; or right-of-way lines of railroads, toll roads and expressways; or section, division of section, tract and lot lines; or such lines extended, unless otherwise indicated.
- B. In areas not subdivided into lots and blocks, wherever a district is indicated as a strip adjacent to and paralleling a street or highway, the depth of such strip shall be in accordance with dimensions shown on the map measured at right angles from the center line of the street or highway, and the length of frontage shall be in accordance with dimensions shown on the map from section, quarter section or division lines, or center lines of streets and highways, or railroad rights-of-way, unless otherwise indicated.

- C. Where a district boundary line divides a lot in single ownership on the effective date of this chapter, the Board of Appeals, after due hearing, may extend the regulations for either portion of such lot.

Article VI. R-1 Residential District

§ 300-30. Applicability.

The following regulations shall apply in R-1 Districts.

§ 300-31. Permitted uses.

- A. Single-family dwellings.
- B. Community living arrangements having a capacity for eight or fewer persons being served by the program, licensed and operated under the authority of the Department of Health Services in accordance with § 62.23(7)(i), Wis. Stats.

§ 300-32. Permitted accessory uses.

- A. Private garages, carports and driveways.
- B. Home occupations.
- C. Toolhouses, sheds and other similar buildings used for the storage of common supplies.
- D. Conservatories and greenhouses for plants, provided that such activity is not designed for wholesale or retail trade.
- E. Family swimming pools.
- F. Satellite dish antennas less than 38 inches in diameter.
- G. Landscape pond.
- H. Transmission lines, television cable lines, substations, and telephone and public utility installments.

§ 300-33. Conditional uses.

- A. Planned development.
- B. Bed-and-breakfast establishments.
- C. Religious institutions in the form of convents, seminaries, and monasteries, as well as churches, chapels, temples, synagogues, rectories, parsonages, and parish houses, provided that the buildings are located 100 feet or more from any other lot in a residential district.
- D. Cemeteries.
- E. Fire stations, police stations, post offices, and other municipal facilities necessary for Town operation.
- F. Satellite dish antennas in excess of 38 inches in diameter.
- G. Temporary buildings, trailers, equipment, and signs necessary for construction purposes and the temporary storage of building materials and equipment for a period not to exceed the duration of such construction.

- H. The following institutional uses, provided that any building shall be located 100 feet or more from any other lot in a residential district:
 - (1) Schools, public, denominational, or private, elementary, junior high, and senior high, including playgrounds, athletic fields, and other accessory uses required for operation.
 - (2) Public open space, including customary park, playground and athletic field activities and functions.
 - (3) Public libraries, museums, community centers or other public recreational buildings and grounds.
- I. Community living arrangements having a capacity for nine or more persons being served by the program, licensed and operated under the authority of the Department of Health Services in accordance with § 62.23(7)(i), Wis. Stats.

§ 300-34. Lot requirements with municipal sanitary sewer.

- A. Minimum area: 12,000 square feet of minimum lot area required.
- B. Zoning lot frontage. Residential lots where served by public sewer shall not be less than 100 feet wide measured at the right-of-way line; such minimum lot width may be measured at the building setback line if said lot is located on the outer radius of a curved street, such as a cul-de-sac.^[1]
 [1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*
- C. Any lot smaller than herein required which was under separate ownership from adjoining lots at the time of the adoption of this chapter may be used for a one-family dwelling.

§ 300-35. Height regulations.

All structures: 35 feet maximum, except as provided by Article III, § 300-12, Height regulations, and § 300-9, Buildings and uses.

§ 300-36. Building setbacks.

	Principal Structure	Accessory Buildings and Structures
Front yard	30 feet from right-of-way	Not allowed
Side yard	1 story or more: 10 feet minimum each side from property line	5 feet minimum from property line
Rear yard	25 feet minimum from property line	5 feet minimum from property line
Corner side	30 feet minimum from right-of-way	30 feet minimum from right-of-way

§ 300-37. Building size.

Minimum ground floor area per dwelling shall be not less than 1,200 square feet for a one-story dwelling and not less than 1,500 square feet for dwelling having more than one story.

§ 300-38. Accessory uses.

Accessory uses shall conform to district requirements and those set forth in Article III, § 300-9, Buildings and uses, § 300-12, Height regulations, and § 300-16, Accessory building or use.

§ 300-39. Parking.

Parking shall conform to the requirements as set forth in Article **XX**, Off-Street Parking Requirements.

§ 300-40. Signs.

Signs shall be regulated as set forth in Article **XVII**, Sign Regulations.

Article VII. R-2 Residential District

§ 300-41. Applicability

The following regulations shall apply in R-2 Districts.

§ 300-42. Permitted uses.

- A. Two-family dwellings.
- B. Single-family dwellings.
- C. Community living arrangements having a capacity for eight or fewer persons being served by the program, licensed and operated under the authority of the Department of Health Services in accordance with § 62.23(7)(i), Wis. Stats.

§ 300-43. Permitted accessory uses.

- A. Conservatories and greenhouses for plants, provided that such activity is not designed for wholesale or retail trade.
- B. Family swimming pool.
- C. Home occupations.
- D. Private garages, carports and driveways.
- E. Satellite dish antennas less than 38 inches in diameter.
- F. Toolhouses, sheds and other similar buildings used for the storage of common supplies.
- G. Landscape pond.
- H. Transmission lines, television cable lines, substations, telephone lines and public utility installments.

§ 300-44. Conditional uses.

- A. Planned development.
- B. Bed-and-breakfast establishments.
- C. Religious institutions in the form of convents, seminaries, and monasteries, as well as churches, chapels, temples, synagogues, rectories, parsonages, and parish houses, provided that the buildings are located 100 feet or more from any other lot in a residential district.

- D. Cemeteries.
- E. Fire stations, police stations, post offices, and other municipal facilities necessary for Town operation.
- F. Satellite dish antennas in excess of 38 inches in diameter.
- G. Temporary buildings, trailers, equipment, and signs necessary for construction purposes and the temporary storage of building materials and equipment for a period not to exceed the duration of such construction.
- H. The following institutional uses, provided that any building shall be located 100 feet or more from any other lot in a residential district:
 - (1) Schools, public, denominational, or private, elementary, junior high, and senior high, including playgrounds, athletic fields, and other accessory uses required for operation.
 - (2) Public open space, including customary park, playground and athletic field activities and functions.
 - (3) Public libraries, museums, community centers or other public recreational buildings and grounds.
- I. Community living arrangements having a capacity for nine or more persons being served by the program, licensed and operated under the authority of the Department of Health Services in accordance with § 62.23(7)(i), Wis. Stats.

§ 300-45. Lot requirements with municipal sanitary sewer.

- A. Minimum area: 12,000 square feet of minimum lot area required.
- B. Zoning lot frontage. Residential lots where served by public sewer shall not be less than 100 feet wide measured at the right-of-way line; such minimum lot width may be measured at the building setback line if said lot is located on the outer radius of a curved street, such as a cul-de-sac.^[1]
 [1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*
- C. Any lot smaller than herein required which was under separate ownership from adjoining lots at the time of the adoption of this chapter may be used for a one-family dwelling.

§ 300-46. Building setbacks.

	Principal Structure	Accessory Buildings and Structures
Front yard	30 feet from right-of-way	Not allowed
Side yard	1 story or more: 10 feet minimum each side	5 feet minimum from property line
Rear yard	25 feet minimum	5 feet minimum from property line
Corner side	30 feet minimum from right-of-way	30 feet minimum from right-of-way

§ 300-47. Lot requirements (nonsewered).

- A. Minimum area: 1.5 acres of lot area is required.
- B. Zoning lot frontage. Residential lots where not served by public sewer shall not be less than 200 feet wide measured at the right-of-way line; such minimum lot width may be measured at the

building setback line if said lot is located on the outer radius of a curved street, such as a cul-de-sac.^[1]

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

§ 300-48. Building setbacks (nonsewered).

	Principal Structure	Accessory Buildings and Structures
Front yard	30 feet from right-of-way	Not allowed
Side yard	1 story or more: 10 feet minimum each side	5 feet minimum from property line
Rear yard	25 feet minimum from property line	5 feet minimum from property line
Corner side	30 feet minimum from right-of-way	30 feet minimum from right-of-way

§ 300-49. Height regulations.

All structures: 35 feet maximum, except as provided by Article III, § 300-12, Height regulations, and § 300-9, Buildings and uses.

§ 300-50. Building size.

Ground floor area per dwelling shall be a minimum of 900 square feet for a one-story building and a minimum 1,200 square feet per dwelling for a two-story building.

§ 300-51. Accessory uses.

Accessory uses shall conform to district requirements and those set forth in Article III, § 300-9, Buildings and uses, § 300-12, Height regulations, and § 300-16, Accessory building or use.

§ 300-52. Parking.

Parking shall conform to the requirements as set forth in Article XX, Off-Street Parking Requirements.

§ 300-53. Signs.

Signs shall be regulated as set forth in Article XVII, Sign Regulations.

Article VIII. ER Estate Residential District

§ 300-54. Applicability.

The following regulations shall apply in ER Districts. (Estate Residential lots will not be allowed in sewer service areas.)

§ 300-55. Permitted uses.

A. Single-family dwellings.

- B. Community living arrangements having a capacity for eight or fewer persons being served by the program, licensed and operated under the authority of the Department of Health Services in accordance with § 62.23(7)(i), Wis. Stats.
- C. Parks, playgrounds and athletic fields.

§ 300-56. Permitted accessory uses.

- A. Roadside stands, provided that the structure does not cover more than 300 square feet in ground area and does not exceed 10 feet in height.
- B. Private garages, carports and driveways.
- C. Family swimming pools.
- D. Home occupations.
- E. Toolhouses, sheds and other similar buildings used for the storage of common supplies.
- F. Conservatories and greenhouses for plants, provided that such activity is not designed for wholesale or retail trade.
- G. Satellite dish antennas less than 38 inches in diameter.
- H. Landscape pond.
- I. Transmission lines, television cable lines, substations, telephone and public utility installation, and railroad right-of-way, not to include switching and storage yards.

§ 300-57. Conditional uses.

- A. Pond or artificial lake.
- B. Bed-and-breakfast establishments.
- C. The following institutional uses, provided that any building shall be located 100 feet or more from any other lot in a residential district:
 - (1) Schools, public, denominational, or private, elementary, junior high and senior high, including playgrounds, athletic fields, and other accessory uses required for operation.
 - (2) Public open space, including customary park, playground and athletic field.
- D. Fire stations, police stations, post offices or other municipal facilities necessary for Town operation.
- E. Cemeteries.
- F. Religious institutions in the form of convents, seminaries, and monasteries, as well as churches, chapels, temples, synagogues, rectories, parsonages, and parish houses, provided that the buildings are located 100 feet or more from any other lot in a residential district.
- G. Satellite dish antennas in excess of 38 inches in diameter.
- H. Limited retail establishment.
- I. Community living arrangements having a capacity for nine or more persons being served by the program, licensed and operated under the authority of the Department of Health Services in accordance with § 62.23(7)(i), Wis. Stats.
- J. Farmette.

- K. Horticulture, nurseries, orchards and truck farming.

§ 300-58. Lot requirements.

- A. Minimum area: 1.5 acres of lot area required.
- B. Zoning lot frontage. Lots shall not be less than 200 feet wide, measured at the right-of-way line; such minimum lot width may be measured at the building setback line if said lot is located on the outer radius of a curved street, such as a cul-de-sac.^[1]
 [1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*
- C. Any lot smaller than herein required which was under separate ownership from adjoining lots at the time of the adoption of this chapter may be used for a one-family dwelling.

§ 300-59. Height regulations.

All structures: 35 feet maximum, except as provided by Article III, § 300-12, Height regulations, and § 300-9, Buildings and uses.

§ 300-60. Building setbacks.

	Principal Structure	Accessory Buildings and Structures
Front yard	30 feet from right-of-way	Not allowed
Side yard	1 story or more: 10 feet minimum each side from property line	5 feet minimum from property line
Rear yard	25 feet minimum from property line	5 feet minimum from property line
Corner side	30 feet minimum from right-of-way	30 feet minimum from right-of-way

§ 300-61. Building size.

Minimum ground floor area per dwelling shall be not less than 1,200 square feet for a one-story dwelling and not less than 1,500 square feet for a dwelling having more than one story.

§ 300-62. Accessory uses.

Accessory uses shall conform to district requirements and those set forth in Article III, § 300-9, Buildings and uses, § 300-12, Height regulations, and § 300-16, Accessory building or use.

§ 300-63. Parking.

Parking shall conform to the requirements as set forth in Article XX, Off-Street Parking Requirements.

§ 300-64. Signs.

Signs shall be regulated as set forth in Article XVII, Sign Regulations.

§ 300-65. Other requirements.

All future residential dwellings connected with the farming operation shall be located on a separate lot containing a minimum 1.5 acres and 200 feet of lot frontage.

Article IX. R-3 Multifamily Residential District

§ 300-66. Permitted uses.

The following permitted uses are only allowed in areas served by public sanitary sewer service:

- A. Any use permitted in the R-1 or R-2 Residential District.
- B. Apartment houses.
- C. Bed-and-breakfast establishments.
- D. Boardinghouses or lodging houses.
- E. Accessory buildings and uses customarily incidental to any of the above structures when located on the same lot and not involving the conduct of a retail business.
- F. Community living arrangements having a capacity for eight or fewer persons being served by the program, licensed and operated under the authority of the Department of Health Services in accordance with § 62.23(7)(i), Wis. Stats.
- G. Day-care centers.
- H. Nursery schools.
- I. Dormitory buildings (institutional).
- J. Fraternity houses (college).
- K. Hotels.
- L. Housing (public project).
- M. Nurses homes; dormitory buildings.
- N. Nursing homes.
- O. Sorority houses.

§ 300-67. Permitted accessory uses.

- A. Landscape pond.
- B. Private swimming pools associated with residential building.
- C. Private garages, carports and driveways.
- D. Satellite dish antennas less than 38 inches in diameter.
- E. Toolhouses, sheds and other similar buildings used for the storage of common supplies.
- F. Transmission lines, television cable lines, substations, telephone and public utility installation, and railroad right-of-way, not to include switching and storage yards.

§ 300-68. Conditional uses.

- A. Community living arrangements having a capacity for nine or more persons served by the program, licensed and operated under the authority of the Department of Health Services in accordance with § 62.23(7)(i), Wis. Stats.
- B. Manufactured home park.
- C. Pond or artificial lake.

§ 300-69. Height regulations.

- A. No one- or two-family residence or its accessory buildings or structures shall exceed 35 feet or two stories in height.
- B. All other buildings or structures permitted in this district shall not exceed three stories or 60 feet in height.

§ 300-70. Building setbacks.

	Principal Structure	Accessory Buildings and Structures
Front yard	30 feet from right-of-way	Not allowed
Side yard	10 feet minimum each side from property line	5 feet minimum from property line
Rear yard	25 feet minimum from property line	5 feet minimum from property line
Corner side	30 feet minimum from right-of-way	30 feet minimum from right-of-way

§ 300-71. Lot size required.

- A. Minimum area: 12,000 square feet of minimum lot area required for a three-family unit and an additional 1,500 square feet for each additional family unit thereafter.
- B. The total area above grade occupied by the building, accessory buildings, and car stalls or parking places shall not exceed 50% of the total area of the lot on which they are located.
- C. Zoning lot frontage. Each lot shall require a minimum zoning lot frontage of 100 feet; however, such minimum lot width may be measured at the building setback line if said lot is located on the outer radius of a curved street, such as a cul-de-sac.^[1]

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

§ 300-72. Building requirements.

No building or any improvements shall be erected, placed or altered on any building site until the plans for such building or improvement, including site plan, landscape plan, building plan and specifications, have been approved by the Town Board of the Town of Lawrence or its designated agent or representative. The Town Board or its designated agent or representative shall approve or disapprove such plans with respect to conformity with restrictions and other applicable enactments of the Town of Lawrence and with respect to harmony of external design and land use as it affects surrounding properties.

§ 300-73. Building area.

The main dwelling building shall have at least 2,700 square feet for three units and an additional 900 square feet for each additional unit.

§ 300-74. Accessory uses.

Accessory uses shall conform to district requirements and other applicable requirements in this chapter.

§ 300-75. Parking.

Parking shall conform to the requirements of Article **XX**, Off-Street Parking Requirements.

§ 300-76. Signs.

Signs shall be regulated as set forth in Article **XVII**, Sign Regulations.

Article X. A-1 Agricultural District

§ 300-77. Applicability.

The following regulations shall apply in A-1 Districts.

§ 300-78. Permitted uses.

- A. Agricultural warehouses.
- B. Agriculture, dairying, floriculture, forestry, general farming, grazing, greenhouses, hatcheries, horticulture, livestock raising, nurseries, paddocks, pasturage, poultry raising, truck farming, game farms, wildlife sanctuaries, and game preserves.
- C. Commercial feed lots and stock farms.
- D. Farm ponds/ponds/landscape ponds.
- E. Parks, recreational sites and golf courses.
- F. Single-family dwellings.

§ 300-79. Permitted accessory uses.

- A. Additional structures necessary for the continuance of the farming operation.
- B. Home occupations.
- C. Private garages, carports and driveways.
- D. Private swimming pools.
- E. Roadside stands, provided that the structure does not cover more than 300 square feet in ground area and does not exceed 10 feet in height.
- F. Satellite dish antennas less than 38 inches in diameter.
- G. Toolhouses, sheds, and other similar buildings used for the storage of common supplies.

- H. Transmission lines, television cable lines, substations and telephone and public utility installation.

§ 300-80. Conditional uses.

- A. Airfields, airports and heliports.
- B. Artificial lakes.
- C. Bed-and-breakfast establishments.
- D. Campgrounds.
- E. Cemeteries.
- F. Colleges, universities, schools (elementary, junior high and senior high), hospitals, sanitariums, churches, and other religious institutions.
- G. Commercial/wholesale greenhouses.
- H. Fire stations, police stations, post offices or other municipal facilities necessary for Town operation.
- I. Limited retail establishment.
- J. Any type of tower (including but not limited to microwave relay, telephone, etc.). Not to exceed 150 feet in height and not within 200 feet of any R-1, R-2, R-3 or Estate Residential District.
- K. Quarry, sand and gravel pits.
- L. Satellite dish antennas in excess of 38 inches in diameter.
- M. Radio and television stations and railroad right-of-way and passenger depots, not including switching, storage freight yards or siding.

§ 300-81. Lot requirement without public sewer.

- A. Minimum area: 10 acres of lot area required.
- B. Zoning lot frontage: 200 feet minimum; however, such minimum lot width may be measured at the building setback line if said lot is located on the outer radius of a curved street, such as a cul-de-sac.^[1]

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

§ 300-82. Height regulations.

- A. Farm structures: 60 feet maximum (except as provided by Article III, § 300-9, Buildings and uses, and § 300-12, Height regulations).
- B. Residential dwellings: 35 feet maximum.

§ 300-83. Building setbacks.

	Principal Structure	Accessory Buildings and Structures
Front yard	At least 35 feet from right-of-way	Not allowed
Side yard	25 feet minimum from property line	10 feet minimum from property line
Rear yard	25 feet minimum from property line	10 feet minimum from property line

	Principal Structure	Accessory Buildings and Structures
Corner side	35 feet minimum from right-of-way	35 feet minimum from right-of-way

§ 300-84. Building size.

Minimum ground floor area per dwelling shall be not less than 1,200 square feet for a one-story dwelling and not less than 1,500 square feet for a dwelling having more than one story.

§ 300-85. Accessory uses.

Accessory uses shall conform to district requirements and those set forth in Article III, § 300-9, Buildings and uses, and § 300-12, Height regulations.

§ 300-86. Parking.

Parking shall conform to the requirements as set forth in Article XX, Off-Street Parking Requirements.

§ 300-87. Signs.

Signs shall be regulated as set forth in Article XVII, Sign Regulations.

§ 300-88. Other requirements.

All additional residential dwellings connected with the farming operation shall be located on a separate lot containing a minimum 1.5 acres and 200 feet of lot frontage.

Article XI. AG-FP Agricultural-Farmland Preservation District

[Amended 3-14-2016]

§ 300-89. Applicability.

The following regulations shall apply to the existing parcels of record containing 10 acres or more in the AG-FP District.

§ 300-90. Permitted uses.

The following activities are permitted by right in the Farmland Preservation Zoning District as specified in § 91.44, Wis. Stats.:

- A. The following agricultural uses on farms conducted for the purpose of producing an income or livelihood:
 - (1) Crop or forage production.
 - (2) Keeping of livestock.
 - (3) Beekeeping.

- (4) Nursery, sod, or Christmas tree production.
 - (5) Floriculture.
 - (6) Aquaculture.
 - (7) Fur farming.
 - (8) Forest management.
 - (9) Enrolling land in a federal agricultural commodity payment program or a federal or state agricultural land conservation payment program.
- B. Farm residence.
 - C. Accessory uses as outlined in § 300-91.
 - D. Agricultural-related uses.
 - E. Undeveloped natural resource and open space areas.
 - F. Transportation, utility, communication, or other uses that are required under state or federal law to be located in a specific place, or that are authorized to be located in a specific place under a state or federal law that preempts the requirement of a conditional use permit for that use.
 - G. Other uses identified by DATCP by rule.

§ 300-91. Permitted accessory uses.

The following land uses shall be permitted accessory uses in the Farmland Preservation Zoning District:

- A. A building, structure, or improvement that is an integral part of, or is incidental to, an agricultural use, including:
 - (1) A facility to store or process raw agricultural commodities, all of which are produced on the farm.
 - (2) A facility used to keep livestock on the farm.
 - (3) A facility used to store or process inputs primarily for agricultural uses on the farm.
 - (4) A facility used to keep or service vehicles or equipment primarily employed in agricultural uses on the farm.
- B. An activity or business operation that is an integral part of, or incidental to, an agricultural use.
 - (1) Roadside stands for the sale of agricultural products only, provided the structure does not cover more than 300 square feet in ground area and does not exceed 10 feet in height.
- C. A farm residence, including normal residential appurtenances such as a pool, deck, or patio.
- D. A home business, activity, or enterprise, whether or not associated with an agricultural use, which meets all of the following requirements:
 - (1) It is conducted on a farm by an owner or operator of that farm.
 - (2) It requires no buildings, structures, or improvements other than those described in Subsection **A** or **B** of this section.
 - (3) It employs no more than four employees annually.
 - (4) It does not impair or limit the current or future agricultural use of the farm or other protected farmland.

- E. Any other use that DATCP, by rule, identifies as an accessory use.

§ 300-92. Conditional uses.

- A. Finding. The Town may issue a condition use permit for certain agricultural and agricultural-related uses for the farmstead under § **300-205**, if all of the following findings of fact apply:
- (1) The use and its location in the Farmland Preservation Zoning District are consistent with the purposes of the Farmland Preservation Zoning District.
 - (2) The use and its location in the Farmland Preservation Zoning District are reasonable and appropriate, considering alternative locations, or are specifically approved under state or federal law.
 - (3) The use is reasonably designed to minimize conversion of land, at and around the use site, from agricultural use or open space use.
 - (4) The use does not substantially impair or limit the current or future agricultural use of other protected farmland.
 - (5) Construction damage to land remaining in agricultural use is minimized and repaired to the extent feasible.
- B. The Town may issue a conditional use permit for any of the following uses if that use meets applicable provisions under Subsection **A**:
- (1) Additional (second) farm residence.
 - (2) Riding stables and/or equine boarding facilities in accordance with § 91.01(1), Wis. Stats.
 - (3) Farmstead food processing facilities in accordance with § 91.01(1)d, Wis. Stats.
 - (4) Farmstead retail outlets in accordance with § 91.01(1)e, Wis. Stats.
 - (5) Farmstead fuel or agricultural storage facilities in accordance with § 91.01(1), Wis. Stats., farmstead manure digester, pelletizing plant, or other facilities that process raw agricultural commodities, agricultural by-products or agricultural wastes to produce bulk fuel or other bulk products for use on the farmstead.
 - (6) A wind turbine or solar energy facility that collects wind or solar energy on the farm and uses or transforms it to provide energy for use only on the farmstead.
 - (7) A manure digester, bio-fuel facility, or other facility that produces energy primarily from materials grown or produced on the farm for use only on the farmstead.
 - (8) A waste storage or processing facility used to store or process animal waste produced solely from livestock kept on the farmstead.
 - (9) Agronomic or veterinary services to agricultural operations.
 - (10) Transportation uses, including rail facilities, and agricultural aeronautical facilities.
 - (11) Communication uses, including cell towers, antennas and broadcast towers in accordance with § **300-18**.
 - (12) Man-made bodies of water.
 - (13) Public utility installations on Town property or right-of-way.
 - (14) Government and nonprofit community conditional uses to include:
 - (a) Fire stations, police stations, post offices, and other government administration buildings.

- (b) Schools, colleges, and universities.
 - (c) Religious institutions, including cemeteries and mausoleums.
 - (d) Public parks and recreation areas.
- (15) Distribution lines, telephone and cable television lines and public utility installations, public streets, street rights-of-way and street improvements to the service areas unless otherwise regulated by § 91.44(1)(f), Wis. Stats.

§ 300-93. Rezoning land out of AG-FP District.

- A. Except as provided in Subsection **B** below, the Town may not rezone land out of a Farmland Preservation Zoning District unless the Town finds all of the following in writing, after public hearing, as part of the official record of the rezoning, before granting the rezone:
- (1) The rezoned land is better suited for a use not allowed in the Farmland Preservation Zoning District.
 - (2) The rezoning is consistent with any comprehensive plan, adopted by the Town, which is in effect at the time of the rezoning.
 - (3) The rezoning is substantially consistent with the Brown County Farmland Preservation Plan, certified under Ch. 91, Wis. Stats., which is in effect at the time of rezoning.
 - (4) The rezoning will not substantially impair or limit current or future agricultural use of other protected farmland.
- B. Subsection **A** does not apply to any of the following:
- (1) A rezoning that is affirmatively certified by DATCP under Ch. 91, Wis. Stats.
 - (2) A rezoning that makes the Farmland Preservation Zoning Ordinance Map more consistent with the Brown County Farmland Preservation Plan Map, certified under Ch. 91, Wis. Stats., which is in effect at the time of the rezoning.

§ 300-94. Lot requirement without public sewer service.

- A. Minimum area: ten-acre minimum lot area controlled by the property owner, family, or trust.
- B. Zoning lot frontage: 200 feet minimum.

§ 300-95. Height regulations and building setbacks.

- A. Height regulations.
- (1) Farm structures: 60 feet maximum, except as provided by Article III, § 300-9, Buildings and uses, and § 300-12, Height regulations.
 - (2) Residential dwellings: 35 feet maximum, except as provided by Article III, § 300-9, Buildings and uses, and § 300-12, Height regulations.
- B. Building setbacks.

	Principal Structure	Accessory Buildings and Structures
Front yard	At least 35 feet from right-of-way	35 feet from right-of-way

	Principal Structure	Accessory Buildings and Structures
Side yard	25 feet minimum from property line	10 feet minimum from property line
Rear yard	25 feet minimum from property line	10 feet minimum from property line
Corner side	35 feet minimum from right-of-way	35 feet minimum from right-of-way

§ 300-96. Building size.

Minimum ground floor area per dwelling shall be not less than 1,200 square feet for a one-story dwelling and not less than 1,500 square feet for dwelling having more than one story.

§ 300-97. Accessory uses.

Accessory uses shall conform to district requirements and those set forth in Article III, § 300-9, Buildings and uses, and § 300-12, Height regulations.

§ 300-98. Parking.

Parking shall conform to the requirements as set forth in Article XX, Off-Street Parking Requirements.

§ 300-99. Signs.

Signs shall be regulated as set forth in Article XVII, Sign Regulations.

§ 300-100. Reporting requirements and other requirements.

A. Reporting requirements.

- (1) The Town shall, by March 1 of each year, provide a report to DATCP of the number of acres that have been rezoned out of the Farmland Preservation Zoning District under § 300-93 during the previous year and a map that clearly shows the location of those acres.
- (2) The Town shall, by March 1 of each year, submit a copy of the information that it reports to DATCP under Subsection A(1) to Brown County.

B. Other requirements.

- (1) All additional residential dwellings connected with the farming operation shall be located on a separate lot containing a minimum 1.5 acres and 200 feet of lot frontage.
- (2) Farm dwellings and related structures which remain after farm consolidation may be separated from the farm parcel on a lot containing a minimum of 1.5 acres and 200 feet of lot frontage, except as provided by Article III, § 300-9, Buildings and uses, and § 300-12, Height regulations. Parcels must comply with this section or be rezoned to comply with parcel requirements of a non-AG-FP Zoning District.
- (3) Other structures or buildings allowed within the AG-FP Farmland Preservation District shall meet the requirements of the district and remaining sections of this chapter as determined by the Town Zoning Administrator.

Article XII. B-1 Business/Commercial District

§ 300-101. Permitted uses.

Uses permitted in the B-1 Business/Commercial District are subject to the following conditions:

- A. All business, servicing, storage or processing shall be conducted within completely enclosed buildings.
- B. No structure or land shall be used and no structure shall hereafter be erected or structurally altered, unless arranged, intended or designed exclusively for one or more of the following:

- (1) Specified uses.

- Antique shops

- Art and school supply stores

- Art shops or galleries

- Automobile accessory stores (not including repair)

- Bakeries, retail

- Banks and financial institutions

- Barbershops

- Beauty parlors

- Bicycle sales, rental and repair stores

- Blueprinting and photostating

- Boat showrooms and sales

- Book and stationary stores

- Business machine sales and service

- Camera and photographic supply stores

- Candy and ice cream stores

- Carpet, rug, and drapery stores, retail sales only

- Catering establishments

- Child day-care centers

- China and glassware stores

- Clinics: doctor and dentist offices

- Clothing and costume rental stores

- Clubs and lodges, nonprofit and fraternal

- Coin and stamp stores

- Computer and data processing services

- Custom dressmaking

- Department stores

- Drugstores and pharmacies

- Dry-cleaning establishments

- Dry goods stores

- Eating and drinking places, excluding drive-ins and establishments primarily engaged in carry-out service

- Electrical and household appliance stores, including radio and television sales

- Electrical sales

- Electrical showrooms and shops

- Electronics shops

Employment agencies
Fire station or public safety building
Florist shops
Food stores, grocery stores, meat markets, bakeries, and delicatessens, retail sales only
Frozen food stores, including locker rental in conjunction therewith
Furniture stores, including upholstering when conducted as part of the retail operations and secondary to the principal use
Furrier shops, including the incidental storage and conditioning of furs
Garden supply, tool and seed stores
Gift shops
Greenhouse, retail only
Hardware stores
Hobby shops for retail of items to be assembled or used away from the premises
Household appliances, office equipment, and other small machine sales and service
Insurance agencies
Interior decorating shops, including upholstering and making of draperies, slip covers, and other similar articles, when conducted as part of the retail operations and secondary to the principal use
Jewelry stores, including watch and clock repair
Launderettes
Leather goods and luggage stores
Libraries
Liquor stores, packaged goods
Locksmith shops
Mail order houses
Meeting halls
Millinery shops, retail only
Motor vehicle and automotive parts and supplies, not including repair
Musical instrument sales and repair
Newspaper distribution agencies for home delivery and retail trade
Nursing and personal care facilities
Office machine sales and servicing
Offices, business, professional, and governmental
Office supply stores
Optician sales, retail
Orthopedic and medical appliance stores
Paint and wallpaper stores
Phonograph record and sheet music stores
Photography studios, including the development of film and pictures, when conducted as part of the retail business on the premises
Picture framing, when conducted for retail trade on the premises only
Plumbing showrooms and shops
Post offices
Publishing and printing
Radio and television sales, servicing and repair shops

Real estate offices
Recording studios
Residential care group homes
Restaurants, including the serving of alcoholic beverages
Security brokers
Sewing machine sales and service, household appliances only
Shoe, clothing and hat repair stores
Shoe stores
Sporting goods stores
Studios, photography, dance, design, and artist-illustrator
Tailor shops
Taverns
Taxidermists
Telephone booths and coin telephones
Theater, indoor
Ticket agencies, amusement
Tobacco shops
Toy shops
Travel bureaus and transportation ticket offices
Undertaking establishments and funeral parlors
Used merchandise stores
Variety stores
Video sales and rental
Wearing apparel shops and accessories

C. The above classification shall not be interpreted to include any of the following uses:

- (1) Amusement park or carnival.
- (2) Barbecue stand or open air food preparations or sale.
- (3) Bottling works.
- (4) Building materials yard or warehouse.
- (5) Cold storage plant, except locker plant for family rentals.
- (6) Contractor's or construction storage yard or plant.
- (7) Dance hall or roller skating rink.
- (8) Electric power plant or substation.
- (9) Feed store or warehouse.
- (10) Milk handling station, except for retail trade.
- (11) Shooting gallery or range or trap shooting.
- (12) Tobacco manufacturer.
- (13) Any other kind of manufacture or treatment, other than personal service shops or the manufacture or treatment of products purely incidental to the conduct of a retail business conducted on the premises.

§ 300-102. Conditional uses.

[Amended May 2014^[1]]

Adult establishments to include: adult bathhouses, adult body painting studios, adult bookstores, adult cabarets, adult mini motion-picture theaters, adult modeling studios, adult motels, adult motion-picture theaters, adult motion-picture theaters (outdoor) and adult novelty shops

Agricultural implement dealers

Amusement establishments, archery ranges, bowling alleys, shooting galleries, game room, swimming pools, skating rinks, and other similar amusement facilities

Animal hospital, veterinary services and kennels

Auction rooms

Automobile sales lot

Automobile service stations

Automotive rental and leasing

Automotive repair shops

Automotive services

Building material product sales

Business schools

Campgrounds

Car wash

Commercial parking lots, open and other than accessory

Dwelling units and rooming units above the ground level

Eating and drinking establishments primarily engaged in drive-in and carry-out service

Express office and delivery stations

Filling stations or any building used for the sale of petroleum and allied products

Fish market

Greenhouses, commercial

Hotels; motels

Kennels

Mini warehouse facility

Miscellaneous personal services

Miscellaneous repair services

Miscellaneous shopping goods stores

Monument shops

Motor vehicle sales

Museums, stadiums, auditoriums and arenas

Nurseries; lawn and garden supply stores

Parking garages or structures, other than accessory for the storage of private passenger automobiles only

Pet shops

Printing shop, machine shop, tin shop, sheet metal shop, welding shop, pattern shop, sign shop, monument works or similar business or industry employing more than 3 persons on the premises

Radio and television stations and studios

Recreational utility trailer dealers

- Schools, commercial and trade
- Secondhand store or business dealing in secondhand goods or antiques
- Shopping centers
- Theaters (outdoor)
- Tools/equipment rental shops
- Wholesale establishments
- Wood cabinetmaking

Other retail uses similar in character and the manufacture or treatment of products clearly incidental to the conduct of a retail business on the premises when approved by the Town Board

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

§ 300-103. Building requirements.

No building or any improvements shall be erected, placed or altered on any building site until the plans for such building or improvement, including site plan, landscape plan, building plan, lighting plan, stormwater management plan and specifications, have been approved by the Town Board of the Town of Lawrence or its designated agent or representative. The Town Board or its designated agent or representative shall approve or disapprove such plans with respect to conformity with restrictions and other applicable enactments of the Town of Lawrence and with respect to harmony of external design and land use as it affects surrounding properties.

§ 300-104. Lot requirements.

- A. Any lot serviced by public sanitary sewer system in this district shall have an area of not less than 12,000 square feet and a street frontage of no less than 100 feet; however, such minimum lot width may be measured at the building setback line if said lot is located on the outer radius of a curved street, such as a cul-de-sac.^[1]

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

- B. Any lot not served by public sanitary sewer in this district shall have an area of not less than 1.5 acres and a street frontage of not less than 200 feet; however, such minimum lot width may be measured at the building setback line if said lot is located on the outer radius of a curved street, such as a cul-de-sac.^[2]

[2] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

- C. A minimum of 25% green space required.

§ 300-105. Height regulations.

All structures: 45 feet maximum, except as provided by Article III, § 300-12, Height regulations, and § 300-9, Buildings and uses.

§ 300-106. Building setbacks.

Lots in Sewer Service Area and Nonsewered Service Area

	Principal Structure	Accessory Buildings and Structures
Front yard	At least 30 feet from right-of-way	Not allowed
Side yard	15 feet minimum from property line	10 feet minimum from property line

Lots in Sewer Service Area and Nonsewered Service Area

	Principal Structure	Accessory Buildings and Structures
Rear yard	15 feet minimum from property line	10 feet minimum from property line
Corner side	30 feet minimum from right-of-way	30 feet minimum from right-of-way

§ 300-107. Accessory buildings.

All accessory buildings hereafter constructed in the B-1 District shall meet the district requirements and other applicable requirements.

§ 300-108. Parking.

Parking shall conform to the requirements as set forth in Article **XX**, Off-Street Parking Requirements.

§ 300-109. Signs.

Signs shall be regulated as set forth in Article **XVII** of this chapter.

§ 300-110. Off-street loading.

Loading areas shall be provided so that any and all vehicles loading or unloading are completely off the public ways.

§ 300-111. Other requirements.

Structures and buildings allowed in the B-1 District shall meet the regulations of this district and other sections of this chapter, as determined by the Planning and Zoning Board, Town Building Inspector and/or Town Board.

Article XIII. LI Limited Industrial District

§ 300-112. Purpose.

The LI District provides for an industrial and wholesale district for uses that maintain open space and a pleasant environment that is more inviting to the general public than a general industrial area.

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

§ 300-113. Permitted uses.

The following are permitted in the Limited Industrial District:

- A. Any uses allowed in the B-1 Business Zone, except adult entertainment establishments.
- B. Uses to include:
 - (1) Construction:

- (a) Carpentry and flooring (construction).
 - (b) Concrete work (construction).
 - (c) Electrical work (construction).
 - (d) Masonry, stonework, tile setting and plastering (construction).
 - (e) Miscellaneous special trade contractors (construction).
 - (f) Painting, paper hanging and decorating (construction).
 - (g) Plumbing, heating and air conditioning.
 - (h) Roofing and sheet metal work (construction).
 - (i) Water well drilling (construction).
- (2) Manufacturing:
- Aircraft and parts
 - Bakery products
 - Beverages
 - Books, blank books, loose-leaf binders and bookbinding and related work
 - Boot and shoe cut stock and bindings
 - Broad woven fabric mills, cotton
 - Broad woven fabric mills, man-made fiber and silk
 - Broad woven fabric mills, wool (including dyeing and finishing)
 - Building paper and building board mills
 - Cigarettes
 - Cigars
 - Coating, engraving and allied services
 - Communication equipment
 - Construction, mining and materials handling, machinery and equipment
 - Converted paper and paperboard products, except container and boxes
 - Costume jewelry, costume novelties, buttons and miscellaneous notions, except precious
 - Cutlery, hand tools and general hardware
 - Cut stone and stone products
 - Dairy products
 - Drugs
 - Dyeing and finishing textiles, except wool fabrics and knit goods
 - Electrical lighting and wiring equipment
 - Electrical transmission and distribution equipment
 - Electronic components and accessories
 - Engineering, laboratory, scientific and research instruments and associated equipment
 - Engines and turbines
 - Fabricated rubber products, not elsewhere classified
 - Fabricated structural metal products
 - Farm and garden machinery and equipment
 - Flat glass
 - Floor covering mills

Footwear, except rubber
Fur goods
General industrial machinery and equipment
Girls', children's and infants' outerwear
Glass and glassware, pressed or blown
Greeting cards publishing
Guided missiles and space vehicles and parts
Handbags and other personal leather goods
Hats, caps and millinery
Heating equipment, except electric and warm air plumbing fixtures
Household appliances
Household furniture
Industrial apparatus
Jewelry, silverware and plated wire
Knitting mills
Leather gloves and mittens
Leather goods, not elsewhere classified
Luggage
Manifold business forms
Measuring and controlling instruments
Men's, youths' and boys' furnishings, clothing and garments
Metal cans
Metal forgings and stampings
Metal shipping containers
Metalworking, machinery and equipment
Millwork, veneer, plywood and structural wood members
Miscellaneous apparel and accessories
Miscellaneous electrical machinery, equipment and supplies
Miscellaneous fabricated metal products
Miscellaneous fabricated textile products
Miscellaneous food preparation and kindred products
Miscellaneous furniture and fixtures
Miscellaneous machinery, except electrical
Miscellaneous manufacturing
Miscellaneous plastic products
Miscellaneous primary metal products
Miscellaneous printing
Miscellaneous textile goods
Miscellaneous transportation equipment
Miscellaneous wood products
Motorcycles, bicycles and parts
Musical instruments
Narrow fabrics and other small wares mills
Newspapers: publishing, publishing and printing

Nonferrous foundries (casting)
Office computing and accounting machines
Office furniture
Ophthalmic goods
Optical instruments and lenses
Ordnance and accessories except vehicles and guided missiles
Paperboard containers and boxes
Partitions, shelving, lockers and office and store fixtures
Pens, pencils and other office and artist's materials
Periodicals: publishing, publishing and printing
Photographic equipment and supplies
Pottery and related products
Public building and related furniture
Radio and television receiving equipment, not communication types
Reclaimed rubber
Refrigeration and service industry machinery
Rolling, drawing and extruding of nonferrous metals
Rubber and plastic footwear
Rubber and plastic hose and belting
Screw machine products and bolts, nuts, screws, rivets and washers
Service industries for the printing trade
Special industrial machinery, except metalworking machinery
Sugar and confectionary products
Surgical, medical and dental instruments and supplies
Tires and inner tubes
Tobacco (chewing and smoking) and snuff
Tobacco stemming and redrying
Toys and amusements; sporting and athletic goods
Watches, clocks, clockwork-operated devices and parts
Women's, misses', children's and infants' undergarments
Women's, misses' and juniors' outerwear
Wood buildings and mobile homes
Wood containers
Yarn and thread mills

- (3) Transportation, communication, electric, gas and sanitary services:
- (a) Arrangement of transportation.
 - (b) Communication services not elsewhere classified.
 - (c) Electrical services.
 - (d) Miscellaneous services incidental to transportation.
 - (e) Motor freight transportation and warehousing, public warehousing.
 - (f) Motor freight transportation and warehousing, trucking local and long distance.
 - (g) Pipelines, except natural gas.

- (h) Radio and television broadcasting.
 - (i) Railway express service.
 - (j) Telegraph communication (wire or radio).
 - (k) Telephone communication (wire or radio).
 - (l) Terminal and joint terminal maintenance facilities for motor freight transportation.
 - (m) Transportation services: freight forwarding.
 - (n) U.S. Postal Service.
- (4) Wholesale trade:
- (a) Apparel, piece goods and notions.
 - (b) Beer, wine and distilled alcoholic beverages.
 - (c) Chemicals and allied products.
 - (d) Drugs, proprietaries and druggists' sundries.
 - (e) Electrical goods.
 - (f) Farm products, raw materials, except for livestock.
 - (g) Furniture and home furnishings.
 - (h) Groceries and related products.
 - (i) Hardware and plumbing and heating equipment and supplies.
 - (j) Lumber and other construction materials.
 - (k) Miscellaneous durable goods.
 - (l) Miscellaneous nondurable goods, subject to Planning and Zoning Board approval.
 - (m) Paper and paper products.
 - (n) Sporting, recreational, and photographic goods, toys and supplies.
 - (o) Vehicles and automotive parts and supplies.
- (5) Retail:
- (a) Fuel and ice dealers.
- (6) Services:
- (a) Electrical repair shops.
 - (b) Laundry, cleaning and garment services, excluding power laundries, family and commercial, coin-operated laundries and dry cleaning.
 - (c) Miscellaneous business service.
 - (d) Miscellaneous repair shops and related services.
 - (e) Motion-picture production and allied services.
 - (f) Services to dwellings and other buildings.
- (7) Public administration:

- (a) Space research and technology.
- (8) Restaurants.
- (9) Service stations.
- (10) Health care clinics.
- (11) Banking, savings and loan and credit institutions.
- (12) Warehouses.
- C. Any other use determined by the Town Planning and Zoning Board and/or Town Board to be similar in nature to the above permitted uses.

§ 300-114. Lot requirements.

- A. Any lot serviced by public sanitary sewer system in this district shall have an area of not less than 12,000 square feet and a street frontage of no less than 100 feet; however, such minimum lot width may be measured at the building setback line if said lot is located on the outer radius of a curved street, such as a cul-de-sac.^[1]
 [1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*
- B. Any lot not served by public sanitary sewer in this district shall have an area of not less than 1.5 acres and a street frontage of not less than 200 feet; however, such minimum lot width may be measured at the building setback line if said lot is located on the outer radius of a curved street, such as a cul-de-sac.^[2]
 [2] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*
- C. A minimum of 25% green space required.

§ 300-115. Building requirements.

No building or any improvements shall be erected, placed or altered on any building site until the plans for such building or improvement, including site plan, landscape plan, building plan and specifications, have been approved by the Town Board of the Town of Lawrence or its designated agent or representative. The Town Board or its designated agent or representative shall approve or disapprove such plans with respect to conformity with restrictions and other applicable enactments of the Town of Lawrence and with respect to harmony of external design and land use as it affects surrounding properties.

§ 300-116. Height regulations.

All structures: 45 feet maximum, except as provided by Article III, § 300-12, Height regulations, and § 300-9, Buildings and uses.

§ 300-117. Building setbacks.

- A. Sewered lots and nonsewered lots.

	Principal Structure	Accessory Buildings and Structures
Front yard	At least 30 feet from right-of-way	Not allowed
Side yard	15 feet minimum from property line	10 feet minimum from property line

	Principal Structure	Accessory Buildings and Structures
Rear yard	15 feet minimum from property line	10 feet minimum from property line
Corner side	30 feet minimum from right-of-way	30 feet minimum from right-of-way

- B. Transitional yards. Where a side or rear lot line in an LI District coincides with a side or rear lot line in an adjacent residential district, a yard shall be provided along such side or rear lot line not less than 50 feet in depth and shall contain landscaping and planting suitable to provide an effective screen.

§ 300-118. Parking.

Parking shall conform to requirements as set forth in Article **XX**, Off-Street Parking Requirements.

§ 300-119. Off-street loading.

Loading areas shall be provided so that any and all vehicles loading or unloading are completely off the public ways.

Article XIV. GI General Industrial District

§ 300-120. Purpose.

The GI District provides for basic industries of all types, with limited restrictions other than minimum setback allowances and floor area ratio.

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

§ 300-121. Permitted uses.

The following are permitted in the General Industrial District:

A. Any use allowed in the LI Limited Industrial Zone.

B. Uses to include:

(1) Manufacturing:^[1]

Abrasive, asbestos and miscellaneous nonmetallic mineral products

Agricultural chemicals

Blast furnaces, steel works and rolling and finishing mills

Building paper and building board mills

Canned and preserved fruits and vegetables

Cement, hydraulic

Chemical and fertilizer mineral mining

Clay, ceramic and refractory minerals

Concrete, gypsum and plaster products

Grain mills products

Industrial inorganic chemicals

Industrial organic chemicals
 Iron and steel foundries
 Logging camps and logging contractors
 Miscellaneous chemical products
 Miscellaneous nonmetallic minerals, except fuels
 Miscellaneous products of petroleum and coal
 Motor vehicles and motor vehicle equipment
 Paints, varnishes, lacquers, enamels and allied products
 Paperboard mills
 Paper mills
 Partitions, shelving, lockers and office and store furniture
 Paving and roofing materials
 Petroleum refining
 Primary smelting and refining of nonferrous metals
 Public building and related furniture
 Pulp mills
 Railroad equipment
 Sawmills and planing mills
 Secondary smelting and refining of nonferrous metals
 Ship and boat building and repairing
 Soap, detergents and cleaning preparations, perfumes and cosmetics
 Structural clay products

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

(2) Mining:

- (a) Mining and quarrying of nonmetallic minerals, dimension stone.
- (b) Mining and quarrying of nonmetallic minerals, crushed and broken stone, including riprap.
- (c) Mining and quarrying of nonmetallic minerals, sand and gravel.
- (d) Nonmetallic minerals (except fuels) services.

(3) Transportation, communication, electric, gas and sanitary services:

- (a) Combination electric and gas and other utility services.
- (b) Deep sea domestic transportation.
- (c) Deep sea foreign transportation.
- (d) Freight forwarding.
- (e) Gas production and distribution.
- (f) Great Lakes - St. Lawrence Seaway transportation.
- (g) Local water transportation.
- (h) Rental of railroad cars.
- (i) Services incidental to water transportation.
- (j) Terminal and service facilities for motor vehicle passenger transportation.

- (k) Transportation on rivers and canals.
- (4) Wholesale trade:
 - (a) Metals and minerals, except petroleum.
 - (b) Petroleum and petroleum products.
- C. Any other uses determined by the Planning and Zoning Board and/or the Town Board to be similar in nature to the above permitted uses.

§ 300-122. Conditional uses.

- A. Establishments primarily engaged in the slaughtering process will be allowed as a conditional use, provided that the animals to be slaughtered are screened from view of or are more than 500 feet distant from a residential district and that the waste products are stored in a sanitary manner which will not cause a nuisance to neighboring properties.
- B. Property established for the purpose of disposing of industrial waste products and to limit and control their location and reduce the pollution of air or water. Conditional use permits will be allowed, provided that state and federal regulations are complied with, including permits, and that the site(s) established meets with the Town landfill permit requirements.

§ 300-123. Building requirements.

No building or any improvements shall be erected, placed or altered on any building site until the plans for such building or improvement, including site plan, landscape plan, building plan, lighting plan, stormwater management plan and specifications, have been approved by the Town Board of the Town of Lawrence or its designated agent or representative. The Town Board or its designated agent or representative shall approve or disapprove such plans with respect to conformity with restrictions and other applicable enactments of the Town of Lawrence and with respect to harmony of external design and land use as it affects surrounding properties.

§ 300-124. Lot requirements.

- A. Any lot serviced by public sanitary sewer system in this district shall have an area of not less than 12,000 square feet and a street frontage of not less than 100 feet; however, such minimum lot width may be measured at the building setback line if said lot is located on the outer radius of a curved street, such as a cul-de-sac.^[1]

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

- B. Any lot not served by public sanitary sewer in this district shall have an area of not less than 1.5 acres and a street frontage of not less than 200 feet; however, such minimum lot width may be measured at the building setback line if said lot is located on the outer radius of a curved street, such as a cul-de-sac.^[2]

[2] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

- C. A minimum of 25% green space required.

§ 300-125. Height regulations.

All structures: 60 feet maximum, except as provided by Article III, § 300-12, Height regulations, and § 300-9, Buildings and uses.

§ 300-126. Building setbacks.

A. Sewered and nonsewered lots.

	Principal Structure	Accessory Buildings and Structures
Front yard	At least 30 feet from right-of-way	Not allowed
Side yard	15 feet minimum from property line	10 feet minimum from property line
Rear yard	15 feet minimum from property line	10 feet minimum from property line
Corner side	30 feet minimum from right-of-way	30 feet minimum from right-of-way

B. Transitional yards. Where a side or rear lot line in a GI District coincides with a side or rear lot line in an adjacent residential district, a yard shall be provided along such side or rear lot line not less than 100 feet in depth and shall contain landscaping and planting suitable to provide an effective screen.

§ 300-127. Accessory buildings.

All accessory buildings hereinafter constructed in the GI District shall meet the district requirements and those identified in Article III, § 300-9, Buildings and uses.

§ 300-128. Parking.

Parking shall conform to requirements as set forth in Article XX, Off-Street Parking Requirements.

§ 300-129. Off-street loading.

Loading areas shall be provided so that all vehicles loading or unloading are completely off the public ways.

Article XV. PD Planned Development District

§ 300-130. Definitions.

For the purposes of this article the following definitions shall apply:

BASIC ZONING DISTRICT

The underlying or primary zoning district identified on the Town's Official Zoning Map and applicable to a particular lot or parcel of land at the time of application for Planned Development (PD) Zoning District approval for such lot or parcel.

BUILDING SITE

A tract of land under single ownership, condominium ownership, or subdivided into lots for single-family development which is located on a public street or highway or has direct access to a public street or highway by means of a private right-of-way having a width of at least 100 feet.

CONDOMINIUM

An estate in real property consisting of an undivided interest in common with other purchasers in a portion of a parcel of real property, together with a separate interest in space in a residential or commercial building, such as an apartment or office. "Condominium" may also include a separate

interest in other portions of such real property. A condominium development shall be permitted only in strict accordance with Ch. 703, Wis. Stats., which, along with amendments thereto, is hereby adopted by reference and incorporated herein as though fully set forth.

§ 300-131. Application.

The Planned Development (PD) Zoning District shall be administered as a conditional use in all zoning districts and as an alternative to the permitted uses and regulations applicable to those lands which may be hereafter zoned Planned Development (PD) by the Town Board. All basic zoning district regulations for lands "over-zoned" as Planned Development (PD) shall continue in full force and effect, and shall be solely applicable, until such time as the Town Board grants final Planned Development (PD) Zoning District approval as hereinafter provided.

§ 300-132. Purpose.

The purpose of the Planned Development (PD) Zoning District is to encourage desirable and quality development by permitting greater flexibility and design freedom than that permitted under the basic zoning district regulations and to provide for a well-balanced, aesthetically pleasing Town and economically desirable development of building sites within a Planned Development (PD) Zoning District. These regulations are intended to permit latitude in the development of building sites if such development is found to be in accordance with the purpose herein established.

§ 300-133. Permitted uses.

The following uses are permitted in the Planned Development (PD) Zoning District upon obtaining all necessary approvals required under this article:

- A. Basic zoning district uses. All uses allowed in the basic zoning district applicable to the particular property.
- B. Additional uses. Such additional uses, or mixture of uses, as approved by the Town Board and consistent with the purpose and intent as set forth in this article.

§ 300-134. General requirements.

The following general requirements shall apply in the Planned Development (PD) Zoning District:

- A. Condominium ownership. The concept of condominium ownership, as defined above, shall not be adversely affected by any of the provisions of this article. Except as may be permitted by creation of a Planned Development (PD) Zoning District, however, condominium form of ownership shall not relieve the owner(s) of any lot or parcel of land from compliance with all basic zoning district regulations relating to the use of said property as set forth in this chapter, or from the requirements of Ch. 703, Wis. Stats.
- B. Applicable regulations. When all necessary approvals required under this article have been obtained, the general requirements, permitted uses, lot size and density regulations, setback standards, building height restrictions, floor area ratio limitations and other basic zoning district requirements shall no longer be applicable, but rather the approved final development plan and all requirements as are made part of such plan shall be construed to be and enforced as part of this chapter.
- C. Acceptable standards. Normal standards or operational policies regarding right-of-way widths, provisions for sidewalks, streetlighting and similar environmental design criteria shall not be mandatory in a Planned Development (PD) Zoning District. Precise standards, however, pursuant to

the design criteria set forth in this article and deemed satisfactory by the Town Board shall be made part of the approved plan and shall be enforced as part of this chapter.

- D. Extension of permitted uses. When a building site is situated in more than one basic zoning district, the uses permitted in one district may be extended into the adjacent district, but only after the Town Board has specifically defined the maximum allowable limits of such extension.

§ 300-135. Developer responsibilities.

The developer shall develop the building site in accordance with the terms and conditions of the development plan approved by the Town Board. Any changes or additions to the original approved development plan, including but not limited to building construction, site development or property use, shall require resubmittal and approval by the Town Board.

§ 300-136. Failure to comply.

Failure by the developer to comply with the conditions, commitments, guarantees or recommendations established in the approval of a Planned Development (PD) Zoning District shall be cause for rescission of such approval. Upon notice given by the Town's Building Inspector, the developer shall be required to appear before the Town Board to explain such apparent failure. The Town Board shall determine whether the developer has fully complied with the terms and conditions of the approved development plan and, if there has been a failure to comply, shall take the following actions:

- A. Monetary forfeiture. Any violation of any provision of this article by any person, firm, association, or corporation or agent, employee, or officer acting on behalf of such person shall be deemed unlawful. A violator shall, upon a finding that a violation of this article exists, forfeit to the Town the sum as provided in § 1-3 of this Code per day for any violation of the terms and provisions of this article, together with the taxable cost(s) of any action to enforce the provisions of this article. It is presumed that each day during which such violation(s) exists shall constitute a separate offense under the terms of this article. Furthermore, it is presumed that each violation of this article constitutes a public nuisance and the creation thereof may be enjoined and the maintenance thereof may be abated by an action commenced by the Town, county or state or independently by any citizen whose interests are adversely affected by violations of this article.^[1]

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

- B. Rescission of approval. The Town Board may rescind its approval, whereupon such rescission and cessation of all rights and privileges of the developer and owner shall become effective 31 days after mailing of written notice of such rescission by certified mail to the developer at his last known address.
- C. Delay of decision. The Town Board may delay a decision for a period not to exceed 65 days to enable the developer to comply. If the developer achieves substantial compliance within the allotted time period and subsequently establishes to the reasonable satisfaction of the Board that compliance will continue in the future, the rights and privileges of the developer and owner shall continue as long as compliance is maintained. If, however, the developer does not achieve substantial compliance within the allotted time period or does not establish to the reasonable satisfaction of the Board that compliance will be achieved in the future, the Board shall proceed to rescind its approval in accordance with Subsection B above.

§ 300-137. Approval criteria.

As a basis for determining the acceptability of a Planned Development (PD) Zoning District proposal, the following criteria shall be applied to the development plan, with specific consideration as to whether the proposal is consistent with the spirit and intent of this article, has been prepared with competent professional advice and guidance, and produces significant benefits in terms of environmental design:

- A. Character and intensity of land use. The uses proposed and their intensity and arrangement on the building site shall be of such visual, aesthetic and operational character that they are compatible with the physical nature of the building site, with particular concern for preservation of nature features, tree growth and open space; will produce an attractive environment of sustained aesthetic and ecologic desirability, economic stability, and functional practicality compatible with the general development plan for the area as established by the Town; will not adversely affect the anticipated provision for schools, sewer and water installations, snow removal, garbage collection, fire protection, or other municipal services; and will not create a traffic or parking demand incompatible with existing or proposed facilities to serve it.
- B. Economic feasibility and impact. Satisfactory evidence shall be provided demonstrating that the proposed project is economically feasible, has available adequate financing, and will not adversely affect the economic prosperity of the Town or the value of surrounding properties.
- C. Engineering design standards. Right-of-way widths, location and widths of streets and other paving, outdoor lighting requirements, location of sewer and water lines, provision for drainage, and other similar environmental engineering considerations shall be based upon a determination as to the appropriate standards necessary to implement a specific function in a specific situation; provided, however, that in no case shall construction standards be less than those necessary to ensure the public safety and welfare.
- D. Open space and rights-of-way. Adequate provisions shall be made in the following manner for the permanent preservation and maintenance of common open space and rights-of-way either by private reservation or dedication to the public:
- (1) Common open space areas which are not dedicated to the public shall be protected against development by conveyance of easements to the Town as a condition of project approval. Areas conveyed by easement shall be restricted to prevent future building construction, development or use, except as is consistent with that of providing landscaped open space for the aesthetic and recreational satisfaction of surrounding residential properties. Noncommercial recreational or cultural buildings or uses compatible with the open space objective may be permitted where specifically authorized as part of the approved development plan or subsequently upon the Planning and Zoning Board's recommendation and Town Board approval.
 - (2) For roadways and other rights-of-way which are not dedicated to the public, there shall be granted to the Town as a condition of project approval such easements as may be necessary to enable the Town to provide fire protection, sanitary sewer, storm sewer, public water, and other required municipal services to the development.
 - (3) The care and maintenance of recorded easements, open space reservations and rights-of-way shall be assured either by establishment of an appropriate private management organization for the project or by establishment of a special service district for the project area whereby the Town provides necessary maintenance service and levies the costs thereof as a special assessment on the tax bills of properties within the project area. In any case, the Town shall have the right to carry out and levy assessments for costs of necessary maintenance if not otherwise performed to the satisfaction of the Town. The manner of assuring maintenance and assessing costs to individual properties shall be determined prior to approval of the final development plan and shall be included in the title to each property.
 - (4) Ownership and tax liability of private open space reservations and rights-of-way shall be established in a manner acceptable to the Town and shall be made part of the conditions of final development plan approval.
- E. Building, site and use characteristics. The following building, site and use characteristics shall be considered as approval criteria:
- (1) Neighborhood environment, characteristics and use.
 - (2) Physical, natural and topographical features of the building site.

- (3) Nature, operational character, organizational structure and use of buildings and structures.
- (4) Architectural design, visual appeal and building materials.
- (5) Building arrangement, density and floor area ratio.
- (6) Building heights.
- (7) Building setbacks.
- (8) Screening and fencing.
- (9) Landscaping.
- (10) Exterior lighting.
- (11) Site drainage.
- (12) Open space needs.
- (13) Design and capacity of parking and loading areas.
- (14) Design and location of roadways, driveways and walks.
- (15) Traffic generation and rate of vehicle turnover.
- (16) Street or highway access and traffic patterns.
- (17) Number and location of street openings or curb cuts.
- (18) Street and highway dedication.
- (19) Availability and capacity of sewer, water and other utilities.
- (20) Snow removal, garbage collection, fire protection and other municipal services.
- (21) Methods and hours of operation.
- (22) Operational control.
- (23) Capacity of local schools and educational institutions.
- (24) Economic impacts, inducements, attractions and detractions.
- (25) Implementation schedule and proposed commencement and completion dates.
- (26) Deed restrictions, sureties, performance bonds, conditions, provisions, requirements or limitations necessary for the protection of public safety, health and welfare and as assurance that each phase of development can and will be brought to completion in a manner which will not adversely effect the community as a result of termination at the end of any one phase.

§ 300-138. Preliminary approval.

The following procedures shall be adhered to when applying for preliminary approval of a Planned Development (PD) Zoning District. No petition for final approval shall be considered until preliminary approval is granted in accordance with the procedures established in this section.

- A. Application. Anyone desiring to develop a building site as a Planned Development (PD) Zoning District shall apply to the Building Inspector on such forms as shall be provided by the Town and shall pay an application fee set by the Town Board by resolution. Applications shall include the names, mailing addresses and telephone numbers of all owners and developers, a legal description of the proposed development site, and the following information in sufficient detail for the Town

Planning and Zoning Board and Town Board to determine the acceptability of the preliminary proposal and whether it conforms to the approval criteria set forth in § **300-137** above:

- (1) A statement describing the general character of the proposed development.
- (2) An accurate map of the project area, prepared by a professional land surveyor, showing the nature, use and character of abutting properties.^[1]

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

- (3) A general development plan showing the pattern of public and private roads, driveways and parking facilities; the size and location of lots; the type, size and location of structures; the location of sanitary and storm sewer lines, water mains and lighting; the location of recreational and open space areas reserved or dedicated for public uses; proposed landscape treatment; appropriate statistical data pertaining to development size, density, ratio of various land uses, and economic impacts; architectural drawings and sketches illustrating the design and character of the proposed structures; and general outline of intended organizational structure.

- B. Preliminary discussions. The Building Inspector shall inform the Planning and Zoning Board of such request, shall schedule a date for preliminary discussions between the developer and the Planning and Zoning Board, and shall notify the developer of such date.
- C. Report and recommendation. After such discussions have taken place and after thorough review of the application for preliminary approval, the Planning and Zoning Board shall file a written report on the proposed development with the Town Board, together with its recommendation for approval or disapproval. The report and recommendation of the Planning and Zoning Board shall be made to the Town Board no later than four months from the date of application with the Building Inspector. A recommendation of approval by the Planning and Zoning Board shall in no way be binding on the Town Board. Any such approval granted shall be preliminary only and shall not bind the Town Board with respect to approval of the final project.
- D. Amendments. The recommendation of the Planning and Zoning Board and the preliminary approval of the Town Board shall be based on and include as conditions thereto the building, site and operation plans for the development as approved, as well as all other commitments offered or required with regard to project value, character or other factors pertinent to an assurance that the proposed development will be carried out as presented in the approved plans. Detailed construction and engineering drawings need not be presented at this time; however, preliminary approval shall be conditioned upon subsequent submittal and approval of more specific and detailed plans. Any changes or additions to the plans or proposed use after preliminary approval has been granted shall first be submitted to the Planning and Zoning Board, and, if the Planning and Zoning Board determines that such alteration or addition constitutes a substantial change to the original plan, it shall make an appropriate recommendation to the Town Board regarding an amendment to the preliminary plan approval.^[2]

[2] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

§ 300-139. Final approval.

After the Town Board has granted preliminary approval for a Planned Development (PD) Zoning District in accordance with the procedures established in § **300-138** above, the developer may file a petition for final approval stating that he seeks to develop such property under the provisions of this section. The following procedures shall be adhered to when applying for final approval of the development project:

- A. Required information. Unless previously submitted, the developer shall provide the following information in sufficient detail for the Planning and Zoning Board and the Town Board to determine the acceptability of the final proposed development and whether it conforms to the approval criteria set forth in § **300-137** above:
 - (1) The names, mailing addresses and telephone numbers of any additional owners or developers since filing of the original preliminary approval application.

- (2) An accurate topographical map showing elevation and contour data at two-foot intervals and extending 100 feet beyond the exterior boundaries of the site, showing all public rights-of-way and existing buildings within the project area. Such map shall show size and capacities of all available utilities and high-water elevations along rivers and bodies of water.
 - (3) A scale plot plan showing the location, size, type and use of all buildings and structures; driveways, walks and access roads; parking facilities and loading docks; exterior lighting; open spaces and recreation areas; site drainage; screening and fencing; landscaping; and utility easements.
 - (4) A statistical table showing the acreage of development (exclusive of public roadways), acreage of proposed open spaces and recreational areas, and proposed population densities.
 - (5) Architectural drawings of all buildings and structures, typical building floor plans, and sketches showing the design characteristics and treatment of exterior building elevations.
 - (6) A table showing the approximate costs of individual buildings and structures.
 - (7) A statement confirming the anticipated commencement and completion dates.
 - (8) Building sizes in square feet; proportions of buildings devoted to office, production, manufacturing, warehousing, etc., and proposed number of employees in each such area; proposed uses and manner of operation; and municipal services required to serve the site (commercial and industrial developments only).
 - (9) Any other pertinent information, data, statements, drawings or plans which may be required by the Planning and Zoning Board or Town Board.
- B. Public hearing, report and recommendation. After receipt of a petition for final approval and submittal of all required information as itemized in Subsection **A** above, the Planning and Zoning Board shall hold a public hearing regarding the proposed development. Following such public hearing and review of all application materials, the Planning and Zoning Board shall file a written report on the proposed development with the Town Board, together with its recommendation for approval or disapproval. Within a reasonable time period following such recommendation by the Planning and Zoning Board, the Town Board shall either issue a final approval or disapprove such petition.
- C. Commencement of construction. No construction shall commence on the building site until the Town Board has granted final project approval, except such construction as shall be in compliance with underlying zoning district regulations and the proposed planned development as submitted for final approval. Neither preliminary approval nor final approval shall constitute permission to begin construction of any building or structure prior to the issuance of required permits as is now and as shall be hereafter prescribed elsewhere in the ordinances of the Town pursuant to state law.
- D. Amendments. Any request or petition for an amendment to a final approval shall be accompanied by an additional fee set by the Town Board by resolution. No amendment shall be allowed or permitted until a public hearing is held, a recommendation is made by the Planning and Zoning Board, and approval is granted by the Town Board in accordance with the procedures established in Subsections **A**, **B** and **C** above.

Article XVI. Mixed Use District

[Added 9-25-2006]

§ 300-140. Definitions.

The following terms have the meanings indicated:

ENTIRE PROPERTY HOLDING

All contiguous holdings in common ownership. Properties divided by a public street right-of-way are considered contiguous.

GENERAL DEVELOPMENT PLAN (PD-GDP)

The first phase of approval in the Mixed Use District, which shows the entire property holding. The PD-GDP must show the general location of buildings or building envelopes, common spaces, parking and drive areas, conceptual stormwater drainage plan and principal landscape features. If the development is proposed to occur in phases, the sequence of development should be indicated. It is recognized that PD-GDPs are often submitted prior to the identification of the ultimate land user or the specific land use. The intent of the GDP is to be conceptual. A public hearing is required for a GDP.

SPECIFIC IMPLEMENTATION PLAN (PD-SIP)

The second phase of approval is a detailed plan, also referred to as a PD-SIP, which must show detailed information for that portion or phase of the project proposed for approval. Frequently PD-SIPs are submitted for only those portions of the total project shown in the PD-GDP which are planned for immediate development. Subsequent phases of development are shown in separate detailed plans prepared at the time of development. If as a result of more detailed planning or engineering at the PD-SIP stage changes need to be made in the PD-GDP, applicants can submit PD-GDP amendments. The submittal and review requirements of PD-GDP amendments are the same as those for the initial PD-GDP.

§ 300-141. Intent.

Any development of this district must occur as a planned development – conditional use under the terms and conditions of this chapter or successor provisions. The intent of this zoning is to create a district which will enable flexibility in terms of the specific types of land uses but will assure that any development occurring in this area will be planned and designed within the context of integrated planned development.

§ 300-142. Uses.

- A. Permitted uses. No uses are automatically permitted or excluded, provided they form a coherent development pattern and are consistent with all of the other provisions of this section. All uses must be approved as planned developments – conditional uses.
- B. Conditional uses: planned developments.

§ 300-143. Required conditions.

- A. Floor area ratio (FAR). The maximum FAR shall be 0.50.
- B. Maximum impervious surface ratio. The total surface area of all principal and accessory buildings, hard-surfaced parking areas, driveways, private streets, sidewalks and other impervious surfaces shall not exceed 65% of total land area.
- C. Minimum landscaped green space ratio.
 - (1) At least 20% of the land area, exclusive of land required for stormwater management and parkland dedication and exclusive of wetlands and slopes over 15%, shall be landscaped open space. To the maximum extent possible, such open space shall include existing wooded areas and individual mature trees on the site at the time of development.

- (2) The Planning and Zoning Board may allow all or a portion of the stormwater management area to be counted toward the 20% landscaped green area requirement under the following conditions:
 - (a) The stormwater management area is a permanent water feature designed with sufficient flow of water and aeration to maintain aesthetic quality.
 - (b) There is sufficient landscaping to assure that the stormwater management area will be an aesthetic asset to the development and the community as a whole.
 - (3) The Planning and Zoning Board may allow all or a portion of the area with steep slopes over 15% grade to be counted toward the 20% landscaped green area requirements under the following conditions:
 - (a) The proposed development will include restoration of degraded slope areas.
 - (b) The use of the steeply sloped land will be integrated into the landscape plan and overall architectural concept of the project.
 - (4) The above exceptions may only be granted at the PD-SIP stage of the review and approval process based on selected site and architectural plan submittals.
 - (5) In the event that a planned development is divided into more than one lot and parcel, each parcel shall have at least 10% of its area in landscaped green space as defined by this subsection.
- D. Prohibition on construction on steep slopes. Steeply sloped terrain with a natural grade of 15% or more may not be regraded or built upon.
- E. Public street right-of-way.
- (1) All planned developments must have public street rights-of-way which are consistent with Town design standards. Any right-of-way requirements recommended by the Wisconsin Department of Transportation for frontage roads or key intersections must be shown on planned development plans. Brown County must approve right-of-way widths for all county trunk system roads which will be under county jurisdiction.
 - (2) In those situations where more than eighty-foot right-of-way is required for a public street, the developer may be allowed to credit that portion of the public street right-of-way over 80 feet toward meeting the open space and landscaped green space provisions of this section.
- F. Land use compatibility.
- (1) Planned developments permit a variety of land uses and allow applicants flexibility in land use planning. However, all land uses within a planned development in the Mixed Use Zoning District must be compatible with other land uses within the proposed development and compatible with the land uses on adjoining properties.
 - (2) The evaluation of compatibility between residential and commercial uses should specifically include:
 - (a) Lighting impact.
 - (b) Screening of parking areas, outside storage and loading areas.
 - (c) Preserving privacy.
 - (d) Noise impact.
 - (e) Hours of operation.
- G. Setbacks and yard requirements.

- (1) Planned developments shall meet the following setback and yard standards with respect to yards adjoining neighboring properties which are not part of the planned development and yards adjoining public street rights-of-way:
 - (a) Minimum front yard: 30 feet.
 - (b) Minimum corner side yard: 30 feet.
 - (c) Minimum interior side yard: 30 feet.
 - (d) Minimum rear yard: 30 feet.
 - (2) Setbacks for yards that are internal to the development and do not adjoin public streets or land outside of the planned development may deviate from the setback and yard requirements.
- H. Stormwater management. Planned developments shall have an integrated stormwater management plan that considers potential runoff from all of the land within the proposed planned development. Stormwater retention and/or detention basins should be constructed in areas which reflect natural drainage patterns. Stormwater drainage facilities shall meet the minimum requirements set forth by Town ordinances.

Article XVII. Sign Regulations

§ 300-144. Purpose.

- A. The purpose of this article is to promote and protect the public safety, comfort, convenience and general welfare by the orderly placement and erection of signs and billboards in the Town of Lawrence, Brown County, Wisconsin.
- B. The following regulations shall apply to all signs hereinafter erected or established within the Town of Lawrence, Brown County, Wisconsin.

§ 300-145. Definitions.

As used in this article, the following terms shall have the meanings indicated:

ABANDONED SIGN

A sign which no longer correctly directs or exhorts any person or advertises a bona fide business, lessor, owner, product, or activity conducted or product available on the premises where such sign is displayed or when a rental or compensation is no longer provided.

ANIMATED SIGN

A sign with action or motion or color changes, requiring electrical energy, electronic or manufactured sources of supply, but not including wind-actuated elements, such as flags, banners or specialty items. This definition does not include public service signs, such as time and temperature, or revolving or changeable message signs.

ARCHITECTURAL PROJECTION

Any projection which is not intended for occupancy and which extends beyond the face of an exterior wall of a building, but shall not include signs.

AREA OF COPY

The entire area within a single, continuous perimeter, composed of squares or rectangles, which encloses the extreme limits of advertising message, announcement or decoration of a wall sign.

AREA OF SIGN

The cumulative area of the faces of the sign within a perimeter which forms the outside shape, but excluding the necessary supports or uprights on which the sign may be placed. If the sign consists of more than one section or module, all areas will be totaled. Any irregular-shaped sign area shall be computed using the actual sign face surface.^[1]

BACKGROUND AREA OF SIGN

The entire background area of a sign upon which copy could be placed. In computing area of sign background, only that face or faces which can be seen from any one direction at one time shall be counted.

BILLBOARD

See "off-premises sign" or "poster panel."

BUILDING FACADE

That portion of any exterior elevation of a building extending from grade to the top of the parapet wall or eaves and the entire width of the building elevation.

BUILDING FACADE FACING

A resurfacing of an existing facade with approved material, illuminated or nonilluminated.

BUSINESS IDENTIFICATION SIGN

Any sign which promotes the name and type of business only on the premises where it is located.

CANOPY SIGN

Any sign attached to or constructed in, on or under a canopy or marquee. For the purpose of this article, canopy signs shall be controlled by the rules governing projecting signs.

CHANGEABLE MESSAGE SIGN

A sign, such as a manual, electronic or electric controlled time and temperature sign, message center or reader board, whether electronic, electric or manual, where copy changes. Any sign may be, or include as part of it, a changeable message sign.

DIRECTIONAL SIGNS

On-premises incidental signs designed to guide or direct pedestrians or vehicular traffic.

DOUBLE-FACED SIGN

A sign with copy on two parallel faces that are back to back, facing in opposite directions.

ELECTION CAMPAIGN PERIOD

The period beginning on the first day for circulation of nomination papers by candidates and ending on the day of the election.

FREESTANDING SIGN

A sign with an under clearance of greater than two feet, supported permanently upon the ground by one or more supports and not attached to any building.

GRADE

The elevation or level of the street closest to the sign to which reference is made, measured at the street's center line.

GROSS AREA

The area of a sign determined by using the outside perimeter dimensions of the sign. If the sign consists of more than one section, their area will be totaled. If the modules are formed in the shape of letters or symbols, the rules for area or copy apply.

GROUND/MONUMENT SIGN

A freestanding sign with an under clearance of two feet or less, supported permanently upon the ground by one or more supports and not attached to any building. Ground/monument signs shall be

measured from the average height of grade.

HEIGHT OF SIGN

The vertical distance measured from the grade at the street right-of-way line where the sign is located to the highest point of such sign.

HIGHWAY CORRIDOR

A corridor parallel to U.S. Highway 41 established for the purposes of allowing additional signage in Business/Commercial and Industrial Districts. This corridor shall be 500 feet wide, measured from the highway right-of-way, but shall never exceed 1,000 feet from the center line of the right-of-way.

ILLUMINATED SIGN

A sign in which a source of light is used in order to make the message readable. This definition shall include internally and externally lighted signs.

LEGAL NONCONFORMING SIGN

A nonconforming sign that did meet code regulations when it was originally installed.

MARQUEE

A permanent roofed structure attached to and supported by the building and projecting over public property.

MARQUEE SIGN

Any sign attached to or constructed in a marquee.

MULTIPLE COPY SIGN

A sign which advertises other than the name of the business and the principal product or service.

NONCONFORMING SIGN

A sign that does not meet code regulations.

OFF-PREMISES SIGN

A sign which advertises goods, products, facilities or services not necessary on the premises where the sign is located or directs persons to a different location from where the sign is located.

ON-PREMISES SIGN

Any sign identifying or advertising a business, person, activity, goods, products or services located on a premises where the sign is installed and maintained.

POSTER PANEL

A structure or framework attached to a building or the ground for the purpose of posting advertising bills, posters, and painted signs.

PROJECTING SIGN

A sign, normally double-faced, which is attached to and projects from a structure or building facia.

REVOLVING SIGN

A sign which revolves 360° but does not exceed eight rotations per minute.

ROOF SIGN

A sign erected upon or above a roof or parapet wall of a building and which is wholly or partially supported by said building.

SHARED USE SIGN

Two adjacent properties may share a freestanding sign located on one of the two properties. This type of sign is a shared use sign. The intent of permitting shared use signs is to reduce the overall number of signs by allowing two properties to share one sign. These signs are permitted with a conditional use permit.

SIGN

Any emblem, painting, banner, pennant, placard, design, identification, description, illustration or device, illuminated or nonilluminated, to advertise, identify, convey information, or direct attention to a product, service, place, activity, person, institution, business or solicitation, including any permanently installed or situated merchandise. For the purpose of removal, "sign" shall also include all sign structures.

SIGN, ADVERTISING

A sign which directs attention to a business, commodity, service or entertainment not exclusively related to the premises where such sign is located or to which it is affixed.^[2]

SIGN STRUCTURE

Any structure which supports or is capable of supporting any sign, as devised in this Code. A sign structure may be a single pole or may or may not be an integral part of the building.

SWINGING SIGN

A sign installed on an arm or mast or spar that is not permanently fastened to an adjacent wall or upright pole.

TEMPORARY SIGN

A sign which is intended to advertise community or civic projects, construction projects, real estate for sale or lease or other special events on a temporary basis.

UNDER MARQUEE SIGN

A lighted or unlighted display attached to the underside of a marquee protruding over public or private sidewalks or right-of-way.

VISION CORNER

The vision corner is formed by measuring 40 feet along each property line from the corner where the two street sides of the property meet. Connecting these two lines with a diagonal line completes the triangle and forms the vision corner.

WALL SIGN

A sign which is in any manner affixed to any exterior wall of a building or structure and which projects not more than 18 inches from the building or structure wall and which does not extend above the parapet, eaves or building facade of the building on which it is located or a sign which is painted on an exterior wall.

WINDOW SIGN

A sign installed on a window or affixed to or visible through an exterior window of an enclosed building for the purpose of viewing from outside the premises.

ZONING LOT FRONTAGE

When a zoning lot has more than 200 linear feet of frontage on one or more public streets, the aggregate total of signage on the lot may be increased by 1/2 square foot for each linear foot of frontage over 200 linear feet using the longest accessible street side adjacent to the lot as the basis. A zoning lot frontage credit may never exceed 500 square feet. See zoning districts and § 300-150, Exceptions to specific zoning district requirements, for specifics. (Note: In computing the linear footage of frontage on the longest accessible street side, only frontage along the developed portion of the lot may be considered.)^[3]

ZONING OF LAND USE

The land use district as established by the Town of Lawrence.

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

[2] *Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

[3] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

§ 300-146. General requirements.

- A. Scope. This section shall apply to all billboards, boards, fences or structures of any kind used for advertisement purposes, or upon which any advertisement is shown, painted or displayed, in the Town of Lawrence.
- B. Animated signs. No animated signs shall be erected or maintained in any residential land use district. No animated signs shall be erected or maintained closer than 1,000 feet to any property in a residential zoning district on which there exist structures used for residential purposes.^[1]
[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*
- C. Canopy signs. Copy area of a building facade facing shall comply with Subsection Q, Wall signs, and shall not exceed 40% of the background facing to which it is applied.
- D. Computation of area of individual signs. The area of a sign face (which is also the sign area of a wall sign or other sign with only one face) shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the extreme limits of the writing, representation, emblem or other display together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing or decorative fence or wall when such fence or wall otherwise meets the regulations of this chapter and is clearly incidental to the display itself.
- E. Computation of area of multifaced signs. The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces.
- F. Illumination. All electrical signs shall conform to the requirements of the Town Electrical Code. Signs shall be illuminated so light is directed entirely on the sign, so as not to reflect direct rays of light into adjacent residential districts or into the public way. Up-lighting is prohibited on all signage.
- G. Location.
- (1) All ground/monument signs (on premises) shall be located no less than 200 feet from any residential zoning district.
 - (2) Any billboard (off premises) shall be located no less than 500 feet from any residential zoning district.
 - (3) Any billboard shall be located not less than 4,000 feet from another billboard measuring from either side of a road or highway.
- H. Maintenance of signs. All signs and sign structures shall be properly maintained and kept in a neat and proper state of repair and appearance.
- I. Marquee signs. Marquee signs may be placed on, attached to, or constructed in a marquee. A marquee sign shall comply with Subsection E and shall not exceed 40% of the background facing to which it is applied.
- J. Maximum area of signs. The maximum area of signs shall be the accumulation of the area of all signs located on a parcel of record. The maximum area of signs may differ according to the zoning classification of a lot.
- K. Neon tubing and similar type strip lighting. There shall be no exposed neon tubing or similar type strip lighting used on signage unless it is shielded from direct view.
- L. Prohibited signs in all zoning districts. Roof signs are prohibited in all zoning districts. No sign requiring a permit may be attached to any fence.
- M. Removal of obsolete, nonmaintained, or abandoned signs. All signs, including those painted on a building, which no longer serve the purpose for which they were intended, or are not maintained, or

which have been abandoned, shall be removed by the business or property owner within 90 days after the receipt of removal notice, or, upon failure of such removal, the Town shall remove such signs at the expense of the owner or lessee of the premises.

N. Setbacks.

- (1) Freestanding and ground/monument signs shall be located within the property lines and shall be set back from the street right-of-way a distance at least equal to or greater than the height of the sign. No portion of the sign may project into or over the street right-of-way.
- (2) Any freestanding sign shall not exceed 30 feet in height.
- (3) Any ground/monument sign shall not exceed 10 feet in height.
- (4) Any freestanding, ground/monument, or projecting sign located within 40 feet of an intersection or 15 feet of a driveway, measured from the point of intersection with a right-of-way, shall maintain a minimum of eight feet between the bottom of the sign and the grade where the sign is located or shall be more than three feet in height.
- (5) A vision corner must be maintained at all times.

O. Stability. All signs requiring a permit shall be designed, constructed and maintained to withstand a minimum load of 30 pounds per square foot of sign area and will otherwise structurally be safe and shall be securely anchored or otherwise fastened, suspended or supported so that they will not be a menace to persons or property. No sign shall be suspended by chains or other devices that will allow the sign to swing, due to wind action. The use of cables or wires is prohibited.

P. Trailer or mobile mounted signs.

- (1) Trailer or mobile signs mounted on a vehicle are permitted for a total of four weeks per year.
- (2) Each permit is to be issued to a single parcel or identifiable shopping center and not each business therein. There shall be at least 15 days between such permits.
- (3) Such sign may be located in the front yard setback area if it is not within 40 feet of an intersecting street or 15 feet of a driveway to preserve the vision corner.

Q. Wall signs. Background area of wall signs shall not exceed 10% of the building facade or four square feet per linear foot of the elevation upon which they are placed, whichever is greater.

§ 300-147. Permit required.

A. It shall be unlawful for any person to erect, construct, enlarge, allow an illegal sign to remain, or structurally modify a sign or cause the same to be done in the Town of Lawrence without first obtaining approval from the Town of Lawrence Planning and Zoning Board and obtaining a permit for each sign from the Building Inspector, as required by this article. Permits shall not be required for a change of copy on any sign, nor for the repainting, cleaning, and other normal maintenance and repair of the sign and sign structure.^[1]

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

B. Application for a permit. Application for a permit shall be filed with the Building Inspector upon forms provided by the Building Inspector. The applicant shall provide all information required on the application for the permit.

C. Permit fees. Permit fees shall be filed with the permit application for each sign in accordance with the Town Fee Schedule authorized by the Town of Lawrence Town Board.

D. Any sign erected without a permit shall be removed at the owner's expense.

E. A sign permit issued by the Town of Lawrence Building Inspector shall become null and void if manufacturing of the sign is not commenced within one year from the date of permit issuance.

§ 300-148. Signs not requiring a permit.

- A. Construction signs. Two construction signs per construction site, not exceeding 100 square feet in area each, shall be confined to the site of construction and shall be removed 30 days after completion of construction or prior to occupancy, whichever is sooner.
- B. Directional and instructional nonelectric signs. Directional and instructional nonelectric signs which provide instruction or direction and are located entirely on a property to which they pertain and do not exceed eight square feet each in area and do not in any way advertise a business. This includes, but is not limited to, such signs as those identifying rest rooms, telephone, parking areas, entrances and exits.
- C. Emblems, nonilluminated. Nonilluminated emblems or insignia of any nation or political subdivision or profit or nonprofit organization.
- D. Government signs. Government signs for control of traffic and other regulatory purposes, danger signs, railroad crossing signs, and signs of public utilities indicating danger, and aids to service or safety which are erected by or on the order of a public officer in the performance of his/her public duty.
- E. House numbers and nameplates. House numbers and nameplates not exceeding two square feet in area for each residential, commercial or industrial building.
- F. Interior signs. Signs located within the interior of any building or structure which are not visible from the public right-of-way. This does not, however, exempt such signs from the structural, electrical or material specifications of this article.
- G. Memorial signs and plaques. Memorial signs or tablets, names of buildings and date of erection, which are cut into masonry surface or inlaid so as to be part of a building or when constructed of bronze or other noncombustible material not more than four square feet in area.
- H. No trespassing or no dumping signs. No trespassing and no dumping signs not to exceed 1.5 square feet in area per sign.
- I. Public facility signs. Public parks and facilities (i.e., town hall, fire/police station, schools, etc.). The location, size, materials, and design of such signs are subject to Town Board approval.
- J. Public notices/official signs. Official notices posted by public officers or employers in the performance of their duties. Official signs, such as traffic control, parking restriction information and notices.
- K. Public signs. Signs required as specifically authorized for a public purpose by any law, statute or ordinance.
- L. Political and campaign signs. Political and campaign signs on behalf of candidates for public office or measures on election ballots, provided that said signs are subject to the following regulations:
 - (1) Said signs shall not be erected for more than the election campaign period as defined by § 12.04, Wis. Stats.
 - (2) Each sign, except billboards, which require permits, shall not exceed 32 square feet in nonresidential zoning districts and 16 square feet in residential zoning districts.
 - (3) No sign shall be located within 15 feet of the public right-of-way at a street intersection nor over the right-of-way.
- M. Real estate signs. One real estate sales sign on any lot or parcel, provided that such sign is located within the property to which the sign applies and is not directly illuminated.
 - (1) In residential districts, such signs shall not exceed eight square feet in area and shall be removed within 30 days after the sale, rental, or lease has been accomplished.

- (2) In all other districts, such signs shall not exceed 32 square feet in area and shall be removed within 30 days after the sale, rental, or lease has been accomplished.
 - (3) On through lots (a lot fronting on two parallel streets) in all districts one additional real estate sign is permitted along the second street.
- N. Temporary window signs. In business, commercial and industrial districts, the inside surface of any ground floor window may be used for attachment of temporary signs. The total area of such signs, however, shall not exceed 50% of the total window area, and such signs shall not be placed on door windows or other windows needed to be clear for pedestrians.
- O. On-premises symbols or insignia. Religious symbols, commemorative plaques of recognized historic agencies, or identification emblems of religious orders or historic agencies.
- P. Temporary signs.
- (1) Temporary signs pertaining to drives or events of civic, philanthropic, educational or religious organizations, provided that such signs are posted not more than 30 days before said event and removed within seven days after the event. Signs may be a maximum of 32 square feet when used on a collector street or highway and a maximum of eight square feet in all other areas.
 - (2) Temporary signs used to advertise rummage/yard sales, provided that the signs are no larger than eight square feet in area. These signs may be erected no more than two days before the sale and must be taken down no later than the day after the sale.
- Q. Vehicular signs. Truck, bus, trailer or other vehicle, while operating in the normal course of business, which is not primarily the display of signs.

§ 300-149. Specific zoning district requirements.

- A. All residential districts and agricultural districts. All signs are prohibited in the residential districts and agricultural districts, except for the following nonflashing, nonilluminated, permanent signs under conditions specified:
- (1) Real estate signs. Real estate signs which advertise the sale, rental or lease of the premises upon which said signs are temporarily located. No sign shall exceed eight square feet in area. Corner lots shall be permitted two such signs, one facing each street. All signs shall be confined to the immediate property being advertised or displayed.
 - (2) Nameplate signs. Nameplate signs, not to exceed two square feet, located on the premises. Corner lots shall be permitted two such signs, one facing each street.
 - (3) In Multifamily Residential (R-3) and Planned Development (PD) Districts the following signs may be permitted:
 - (a) One on-premises landscaped ground/monument sign, no more than 10 feet high, maximum 25 square feet per side, 50 square feet total of all sides combined, shall be permitted with copy limited to name, logo, and office or rental information phone number.
 - (b) One wall sign, maximum of eight square feet, which may list amenities.
 - (4) Subdivision identification signs. In Planned Development (PD) and R-1, R-2, and R-3 Residential Districts one subdivision identification sign may be permitted to identify subdivision developments of five or more lots and the subsequent subdivision additions. The sign must be a landscaped ground/monument sign no more than 10 feet high, maximum of 40 square feet per side. Copy is limited to the name of the subdivision and logo.
 - (5) Bulletin boards. Bulletin boards or similar devices for churches and religious institutions shall not exceed 32 square feet in area located on the premises. Height of said sign shall not exceed

10 feet.

- (6) Memorial signs. Memorial signs or tablets, names of buildings and date of erection, which are cut into masonry surface or inlaid so as to be part of a building or when constructed of bronze or other noncombustible material not more than four square feet in area.
 - (7) Public notices/official signs. Official notices posted by public officers or employers in the performance of their duties. Official signs, such as traffic control, parking restriction information and notices.
 - (8) Agricultural signs. Agricultural signs pertaining to the products of the agricultural premises not to exceed 32 square feet in area total of all sides combined. Height of this restrictive sign shall not exceed 10 feet from grade level. Two such signs shall be permitted per farm.
 - (9) All sign placement shall be on the privately owned property and shall not project beyond the property line onto the right-of-way.
- B. All business and industrial districts. In the business and industrial districts, signs and advertising devices are permitted with approval from the Town of Lawrence Planning and Zoning Board and subject to the following conditions:
- (1) Area. The gross area in square feet of all signs on a specific zoned lot shall not exceed 400 square feet. (Provisions may apply in § **300-150** of this chapter.)
 - (2) Content. Signs shall bear thereon no lettering other than to indicate the name and kind of business conducted in the building or structure, such as "Men's Clothing," "Jeweler" and the like, and the year the business was established, and the street number thereof. Signs may advertise articles of merchandise sold on the premises and may include changeable message areas. The area of a changeable message sign is limited to 33% of the side of the sign on which it is applied.
 - (3) Number of signs. The number of signs shall not exceed two on any one premises.
 - (4) Ground/monument or freestanding signs. Either one ground/monument or one freestanding sign shall be allowed per zoning parcel. Such ground/monument or freestanding sign shall advertise only the name and location of such shopping center or individual use and the name and type of business of each occupant of the center. Exception: In the case of a lot fronting on two public streets, such business shall be entitled to a second ground/monument or freestanding sign; however such second sign may be located no closer than 200 feet to the first sign.
 - (5) Height. Freestanding signs shall not exceed a height of 30 feet; ground/monument signs shall not exceed a height of 10 feet above the average ground level.
 - (6) Illuminated signs. Illuminated signs shall be illuminated so light is directed entirely on the sign, so as not to reflect direct rays of light into adjacent residential districts or into the public way.
 - (7) Maximum size. Ground/monument signs shall meet all yard requirements for the district and shall not exceed 300 square feet in area or 20% of the building size, whichever is most restrictive, on all sides combined for any one premises. Freestanding signs shall meet all yard requirements for the district and shall not exceed 400 square feet in area or 20% of the building size, whichever is most restrictive, on all sides combined for any one premises. Exception: Lots with more than 200 feet of zoning lot frontage qualify for an additional 1/2 square foot of signage for each foot of zoning lot frontage over 200 feet. This additional square footage may be used to create a second ground/monument or freestanding sign; however, such second sign may be located no closer than 200 feet to the first sign. If so desired, the size of the first sign may be reduced in order to shift square footage to the second sign. Such second sign shall be limited in size in accordance with § **300-150A(3)**.
 - (8) Mounting. All signs shall be mounted in one of the following manners:

- (a) Flat against a building or wall;
 - (b) Back to back in pairs so that the back of the sign will be screened from public view;
 - (c) In clusters in an arrangement which will screen the back of the signs from public view; or
 - (d) Otherwise mounted so that the backs of all signs or sign structures showing to public view shall be painted and maintained a neutral color or a color that blends with surrounding environment.
- (9) On-premises signs. All signs advertising or displaying industrial/business places shall be constructed on said business premises only. Business signs constructed off the premises shall be permitted only upon written approval by the Town of Lawrence Town Board.
- (10) Projection. In those districts where limitations are imposed by this article on the projection of signs from the face of the wall of any building or structure, such limitations shall not apply to identification canopy or marquee signs indicating only the name of the building or the name of the principal occupant of the building or the principal product available therein, provided that any identification sign located on a marquee or canopy shall be affixed first to the vertical face thereof.
- (11) Safety standards. All outdoor advertising structures, post signs, accessory signs, or advertising statuary which is declared to be a traffic hazard by the Building Inspector shall be relocated or rearranged in accordance with safety standards. A sign in direct line of vision of any traffic signal, from any point in the traffic lane, shall not resemble traffic signals. No sign shall be closer than 40 feet to the intersection of the right-of-way lines of any intersection road. Any sign located in the direct line of vision of any traffic control signal shall not have flashing intermittent red, green, or amber illumination.
- (12) Setbacks. Signs shall meet all yard requirements of the zoning district, except those instances as set forth in § **300-146N** of this article. No sign shall be permitted within 200 feet of an adjacent residence.
- (13) Temporary flashing signs. No permanent flashing signs allowed. A temporary flashing sign shall be allowed not more than 15 days with the approval of the Town of Lawrence Town Board.
- (14) Wall signs. In a single-tenanted building, a business may have one or more wall signs and the total square feet of these signs may not exceed 10% of the surface area of the front face of the building, an average of four square feet per linear foot of the elevation upon which they are placed, 50 square feet, nor be greater than 40% of the background area on which applied (i.e., projection or area architecturally separated or standing alone as its own segment or feature), whichever is less. Such signs may be located on any wall face of the building but shall not extend more than six inches outside of the building wall surface. Exceptions:
- (a) In the case of a lot fronting on two public streets, such business shall be entitled to additional wall signage equal to 10% of the surface area of the side of the building fronting on that street; however, the aggregate signage on any one wall of the building may not exceed 10% of its total surface area.
 - (b) If a lot does not front on two streets and has more than 200 feet of zoning frontage, the lot is entitled to receive an additional 1/2 square foot of signage for each foot of zoning lot frontage over 200 feet as per the zoning lot frontage credit.
- (15) Window signs. Permanent window signs shall be placed only on the inside of business buildings and shall not exceed 25% of the glass area of the pane upon which the sign is displayed and shall not be placed on windows needed to be clear for pedestrians.
- (16) Exceptions to above requirements. Refer to § **300-150**, Exceptions to specific zoning district requirements.

§ 300-150. Exceptions to specific zoning district requirements.

Within business and industrial districts, for shopping centers, or where more than one business is located on a zoning lot in separate primary structures, each business shall be allowed a wall or building facade identity sign not to exceed the area requirements set forth in § 300-146 of this article. For shopping centers, only one wall or building facade sign is permitted for each tenant space. The requirements set forth in § 300-146C, D, I and Q shall be enforced for each individual business and not for the zoning parcel in its entirety. The building frontage of the individual tenant space shall be used to determine the square footage of a wall sign for that tenant space. Sign area shall not be shifted from one tenant to another.

- A. In a highway corridor, parcels zoned B-1 Business/Commercial or LI Industrial may take the following exceptions:
- (1) Front foot increase. Allow an increase of signage of 1/2 square foot per front foot of zoning starting after the first 200 linear feet of zoning lot frontage; however, under no circumstance shall the increase in signage be greater than 500 square feet.
 - (2) Height. Freestanding signs shall not exceed a height of 50 feet; ground/monument signs shall not exceed a height of 10 feet above the average ground level. Note: Freestanding signs permitted in the highway corridor over 30 feet high may not be located closer than 200 feet to a residentially zoned property and may not be located outside the highway corridor.
 - (3) Second sign. One additional freestanding sign or one ground/monument sign may also be installed, either of which shall be no larger than 120 square feet per side, 240 square feet total of all sides combined. If a second freestanding sign is used it may not exceed 30 feet in height. If a ground/monument sign is used it may not exceed 10 feet in height. If this is a corner lot, this subsection does not provide for a third sign.
 - (4) Wall signs. A maximum of 700 square feet of wall sign shall be permitted in a highway corridor, not to exceed 10% of the wall area fronting the street. Wall signs may be located on any wall face. Exception: The maximum area of wall signs may be increased to 900 square feet, utilizing the additional signage gained from the zoning lot frontage increase of 1/2 square foot per foot of frontage over 200 linear feet.

§ 300-151. Off-premises poster panel/billboard and painted bulletin signs.

- A. General. All off-premises poster panel/billboard and painted bulletin signs are prohibited in the Town of Lawrence, regardless of the nature, size and location, except as provided herein.
- B. Off-premises poster panel/billboard and painted bulletin signs shall only be allowed in the highway corridor and only after obtaining a conditional use permit and meeting the sign requirements as set forth in this article.
- C. In issuing permits for off-premises poster panel/billboard and painted bulletin signs in the Town of Lawrence, the Town Building Inspector shall see that the following restrictions are complied with:
- (1) Height. Off-premises (billboard) signs shall not exceed a height of 50 feet.
 - (2) Illumination. All off-premises/billboard signs which contain, include, or are illuminated by any flashing, intermittent, or moving light or lights or those of red, green or amber color at intersections are prohibited. Illuminated signs shall be illuminated so light is directed entirely on the sign, so as not to reflect direct rays of light into adjacent residential districts or into the public way.
 - (3) Location. Any off-premises/billboard signs shall be located no less than 500 feet from any residential zoning district. Any off-premises/billboard signs shall be located not less than 4,000 feet from another off-premises/billboard measuring from either side of a road or highway. Note: No off-premises/billboard sign shall in any manner project over the right-of-way of any highway or roadway in the Town.

- (4) Number of off-premises/billboard signs. No more than one off-premises sign per zoning lot, subject to spacing requirements, or one painted bulletin is permitted on the same zoning lot.
- (5) Setbacks. Any off-premises/billboard signs located within 40 feet of an intersection or 15 feet of a driveway, measured from the point of intersection with a right-of-way, shall maintain a minimum of eight feet between the bottom of the sign and the grade where the sign is located. Note: No off-premises/billboard signs may be located within the front yard or corner side yard setback of any zoning district.
- (6) Stability. Any off-premises/billboard signs shall be erected on no more than two uprights and shall be designed, constructed and maintained to withstand a minimum load of 30 pounds per square foot of sign area and will otherwise structurally be safe and shall be securely anchored or otherwise fastened, suspended or supported so that they will not be a menace to persons or property.

§ 300-152. Alteration or relocation.

No sign in the Town of Lawrence shall hereafter be altered, rebuilt, enlarged, extended or relocated, except in conformity with the provisions of this article. The changing of movable parts of signs that are designed to be changed or the repainting of display matter in conformity herewith shall not be deemed to be alterations within the meaning of this article.

§ 300-153. Nonconforming signs.

- A. Notification of nonconformity. The Building Inspector or Zoning Administrator shall survey the Town for signs which do not conform to the requirements of this article. Upon determination that a sign is a nonconforming sign, the Building Inspector/Zoning Administrator shall use reasonable efforts to notify, either personally or in writing, the user or owner of the property on which the sign is located.
- B. Nonconforming signs. Any sign located within the Town on the date of adoption of this article which does not conform to these provisions is eligible for characterization as a nonconforming sign and is permitted, provided that it also meets the following requirements:
 - (1) The sign was covered by a sign permit, or a permit was issued prior to the date of adoption of this article if one was required.
 - (2) If no sign permit was required for the sign in question and the sign was in all respects in compliance with applicable law on the date of construction or installation.
- C. Continuation of nonconforming status. A nonconforming sign shall maintain its nonconforming designation provided that:
 - (1) No structural modification of a nonconforming sign is permitted, except where such modification will result in having the effect of bringing such sign more in compliance with the requirements of this article, except for changing of copy and normal maintenance.
 - (2) The sign is not relocated.
 - (3) The sign is not replaced.
 - (4) The total structural repairs or alterations to such a nonconforming sign shall not during its life exceed 50% of the assessed value of said sign existing at the time it became nonconforming.
- D. Loss of nonconforming status. Any changes, except as provided in this article, shall result in the loss of nonconforming status.

§ 300-154. Abandoned signs; deteriorated or dilapidated signs.

- A. All signs or sign messages shall be removed by the owner or lessee of the premises upon which the sign is located when the business which it advertises is no longer conducted or when rental or compensation is no longer provided if said sign is of the off-premises type. If the owner or lessee fails to remove it, the Town Building Inspector shall give the owner 60 days' written notice to remove it. Upon failure to comply with this notice, the Building Inspector, or his/her duly authorized representative, may remove the sign at cost to the sign owner.
- B. The Building Inspector shall cause to be removed any deteriorated or dilapidated signs under the provision of § 66.0413, Wis. Stats.

§ 300-155. Administration and enforcement.

The administration and enforcement of this article shall be the responsibility of the Town of Lawrence Building Inspector or a designee by the Town Board.

Article XVIII. Manufactured Home Regulations

§ 300-156. Definitions.

Whenever used in this article, unless a different meaning appears from the context, the following terms shall have the meanings indicated:

DEPENDENT UNIT

A manufactured home which does not have bathroom or shower and toilet facilities.

MANUFACTURED HOME

A structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used for long-term residential use when connected to required utilities.^[1]

MANUFACTURED HOME, CLASS I

A structure, transportable in one or more sections, built on a permanent chassis and designed to be used as a dwelling unit, with or without permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained in it, and is certified and labeled as a manufactured home under 42 U.S.C. §§ 5401 to 5426. For purposes of this article, a manufactured home Class I shall be considered a single-family or two-family home when meeting the requirements of Article III, § 300-19, and, therefore, may locate in any district permitting such use.

MANUFACTURED HOME, CLASS II

A structure, transportable in one or more sections, built on a permanent chassis and designed to be used as a dwelling unit, with or without permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air conditioning and electric systems contained in it, and built prior to the enactment of the Federal Manufactured Home Construction and Safety Standards Act of 1974, which became effective July 15, 1976.

MANUFACTURED HOME PARK

Any park, court, camp, site, plot, parcel, or tract of land designed, maintained, intended or used for the purpose of supplying a location or accommodations for more than two manufactured homes and shall include all buildings used or intended for use as part of the equipment thereof, whether or not a charge is made for the use of the manufactured home park and its facilities. "Manufactured home park" shall not include automobile or manufactured home sales lots on which unoccupied manufactured homes are parked for purposes of inspection and sale.^[2]

NONDEPENDENT UNIT

A manufactured home that has bath or shower and toilet facilities.

PERSON

Includes an individual, partnership, firm, company, or corporation, whether tenant, owner, lessee, or licensee, or his or its agent, heir or assign.

SPACE

A plot of ground in a manufactured home park of not less than 44 feet in width and 80 feet in depth, with a minimum area of 3,520 square feet and a front yard setback of 15 feet, side yard 10 feet and backyard 10 feet off service road designation for the location for only one automobile and/or only one manufactured home.^[3]

UNIT

A manufactured home unit.

- [1] *Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*
 [2] *Editor's Note: A second definition of "manufactured home park" which appeared in this section was deleted at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*
 [3] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

§ 300-157. Location outside manufactured home park.

- A. It shall be unlawful, except as provided in this article, for any person to park any manufactured home on any street, alley, highway or other public place or on any tract of land owned by any person within the Town of Lawrence.
- B. Emergency or temporary stopping or parking is permitted on any street, alley or highway for not longer than one hour, subject to any other and further prohibitions, regulations or limitations imposed by the traffic and parking regulations or ordinances for that street, alley or highway.
- C. No person shall park or occupy any manufactured home on any premises which is situated outside an approved manufactured home park (except under special permit as provided in § **300-158** of this article). The parking of only one unoccupied manufactured home in an accessory private garage, building or in a rear yard is permitted, provided that no living quarters shall be maintained or any business practiced in said manufactured home while such manufactured home is so parked or stored.

§ 300-158. Permit for location outside manufactured home park.

- A. Upon a showing of hardship and/or immediate necessity for use, the Town Board may issue a special written permit allowing the location of a manufactured home outside a manufactured home park. All provisions of this article governing the location, use and sanitation of manufactured home parks shall, so far as they are applicable, apply to any manufactured home located outside such manufactured home park. The permit shall be granted only upon written consent of the owner, legal agent of the owner, or the lessee of the location for which the permit is issued. Not more than one manufactured home shall be granted a permit to locate on any one premises outside a manufactured home park. The person to whom this permit is granted shall be subject to the parking fee as provided in § **300-168** of this article.
- B. Application for the permit shall be made to the Town Clerk/Treasurer and shall be accompanied by an inspection fee as provided in the Town Fee Schedule and shall state the names and permanent addresses of the occupants of the manufactured home; the license number of their manufactured home and towing vehicle; place of last stay; intended purpose of stay at requested location; whether the occupants are nonresident tourists; whether any occupant is employed in this state; the exact location of the premises, the name of the owner and the occupant of any dwelling on the premises and the owner's and/or occupant's permission to locate; a statement of the nature and location of sanitary facilities and the permission of the occupant of the dwelling house for their use;

and a statement that all wastes from manufactured home occupancy will be disposed of in a sanitary manner. Application for location on a vacant lot or parcel of land shall be accompanied by a statement of the nature and location of sanitary facilities, which must include a safe water supply and toilet within 200 feet of the proposed location of the manufactured home, and a statement of permission from the owner for their use.

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

§ 300-159. Manufactured home park license.

- A. It shall be unlawful for any person to establish, operate or maintain or permit to be established, operated or maintained upon any property owned, leased or controlled by him/her a manufactured home park within the limits of the Town of Lawrence without having first secured a license for each such park from the Town Board pursuant to this article. Such license shall expire one year from the date of issuance but may be renewed under the provisions of this article for additional periods of one year.
- B. The application for such license or the renewal thereof shall be filed with the Town Clerk/Treasurer. After approval of such application in accordance with Subsection **A** and before issuance of such license, the applicant shall pay an annual fee as provided in the Town Fee Schedule and cause to be filed a surety bond in the amount of \$5,000. The bond shall guarantee the collection by the licensee of the monthly permit fee provided for in § **300-168** and the payment of such fees to the Town Clerk/Treasurer, the payment by the licensee of any fine or forfeiture, including legal costs, imposed upon or levied against said licensee for a violation of the ordinances of said Town pursuant to which said license is granted, and shall also be for the use and benefit and may be prosecuted and recovery had thereon by any person, firm, or corporation who or which may be injured or damaged by reason of the licensee violating the provisions of this article. Licenses issued hereunder cannot be transferred by the licensee, and, should there be a sale or other conveyance or transfer of such manufacture home park, then there shall be a new application for such license and a new fee required. Licenses issued hereunder shall not be sold or otherwise transferred by the licensee.^[1]

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

- C. The application for a license or a renewal thereof shall be made on forms furnished by the Town Clerk/Treasurer and shall include the name and address of the owner in fee of the tract (if the fee is vested in some person other than the applicant, a duly verified statement by that person that the applicant is authorized by him/her to construct or maintain the manufactured home park and make the application) and such a legal description of the premises upon which the manufactured home park is or will be located as will readily identify and definitely locate the premises. The application shall be accompanied by two copies of the park plan showing the following, either existing or as proposed:
- (1) The extent and area used for park purposes.
 - (2) Roadways and driveways.
 - (3) Location of units for manufactured homes.
 - (4) Location and number of sanitary conveniences, including toilets, washrooms, laundries and utility rooms to be used by occupants of units.
 - (5) Method and place of sewage disposal.
 - (6) Method and plan for garbage removal.
 - (7) Plan for water supply.
 - (8) Plan for electrical lighting of units.

- D. If the existing or proposed park is designed to serve nondependent manufactured home units, such plans shall clearly set forth the location of all sewer and water pipes and connections.

§ 300-160. Inspection and enforcement.

No manufactured home park license (or permit for location outside of a licensed manufactured home park) shall be issued until the Town Clerk/Treasurer shall notify the Building Inspector or his authorized agent of such application, and these officials shall inspect or cause to be inspected each application and the premises to determine whether the applicant and the premises on which manufactured homes will be located comply with the regulations, ordinances and laws applicable thereto. These officials shall furnish to the Town Board, in writing, the information derived from such investigation and a statement as to whether the applicant and the premises meet the requirements of the department for which the officer is certifying. No license shall be renewed without a reinspection of the premises. For the purpose of making inspections and securing enforcement, such officials or their authorized agents shall have the right, and are hereby empowered, to enter on any premises on which a manufactured home is located, or about to be located, and inspect the same and all accommodations connected therewith at any reasonable time.

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

§ 300-161. Area requirements.

- A. For the protection of abutting property owners, as well as manufactured home park residents, a fifty-foot buffer strip shall be provided and maintained within all property lines of the site, said buffer strip to be used for the planting of shrubbery and trees.
- B. Each manufactured home or manufacture home space shall provide a front yard setback of 15 feet, a rear yard setback of 10 feet and a side yard setback of 10 feet. The above setbacks shall be seeded and landscaped and in no case shall they be used for off-street parking or be occupied by a manufactured home and/or its accessory buildings, except for the following:
- (1) Utility outlet structures and garages serving more than one space may be located within the side or rear setback of the common lot line.
 - (2) The hitch used for pulling the manufactured home is not considered in determining area and can therefore protrude into the front yard setback.
- C. Parking requirement. One off-street parking stall shall be provided within each manufactured home space. No parking stall, building or structure located in a manufactured home park shall exceed 30 feet in width or length.
- D. Pad. There shall be constructed on each manufactured home or manufactured home space a concrete pad to be used for the accommodation of necessary water and sanitary connection as stipulated within the State Plumbing Code.
- E. Parks and playgrounds. A minimum of 400 square feet per manufactured home space, exclusive of individual manufactured home space and buffer strip, as indicated in Subsection **A** above, shall be required to be provided for parks and recreational area for the residents of the manufactured home park.

§ 300-162. Park plan.

- A. Every manufactured home or manufactured home park shall be located on a well-drained area, and the premises shall be properly graded so as to prevent the accumulation of stormwater or other waters. No manufactured home or manufactured home park shall be located in any area that is situated so that drainage from any barnyard, outdoor toilet or other source of filth can be deposited in its location.

- B. Manufactured home spaces shall be clearly defined and shall consist of a minimum width of not less than 44 feet, measured at right angles to lot line, and a depth of not less than 80 feet; maximum coverage limited to 36%. The park shall be arranged so that all spaces shall face or abut on a driveway of not less than 50 feet in width, giving easy access from all units to a public street. Such driveway shall be hard surfaced, maintained in good condition, have natural drainage, be well lighted at night and shall not be obstructed.^[1]
- [1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*
- C. The park shall be so laid out that no dependent unit shall be located farther than 200 feet from the toilets and service buildings provided for herein, and walkways for such buildings shall be graveled or paved and well lighted at night.
- D. Every manufactured home space shall be furnished with an electric service outlet. Such outlet shall be equipped with an externally operated switch or fuse of not less than 30 amperes' capacity and a heavy-duty outlet receptacle. Electrical outlets shall be weatherproof, and no power lines shall be less than 15 feet above ground, unless installed underground by approved methods.
- E. No manufactured home unit shall be parked in a park outside of a designated space.

§ 300-163. Water supply.

- A. An adequate supply of pure water furnished through a pipe distribution system with supply faucets located not more than 200 feet from any dependent manufactured home shall be furnished for drinking and domestic purposes in all parks.
- B. Individual water service connections provided for street use of an independent unit shall be so constructed that they will not be damaged by the parking of such units. Such system shall be adequate to provide 20 pounds pressure per square inch and capable of furnishing a minimum of 125 gallons per space.
- C. No common drinking vessels shall be permitted, nor shall any drinking water faucets be placed in any toilet room.
- D. Every manufactured home park serving dependent units shall provide an abundant supply of hot water at all reasonable times for bathing, washing and laundry facilities.

§ 300-164. Service building and accommodations.

- A. Every manufactured home park designed to serve dependent units shall have erected thereon suitable buildings for housing toilets, lavatories, showers, slop sinks, and laundry facilities as required by this article, such buildings to be known as "service buildings." Service buildings shall be located not more than 200 feet from any dependent unit space nor closer than 15 feet to any manufactured home park space. Such buildings shall be of permanent construction and adequately lighted, screened and ventilated.
- B. There shall be provided separate toilet rooms for each sex. Water flush toilets shall be required. Toilets shall be provided for each sex in the ratio of one toilet for each eight dependent units or fraction thereof and shall have separate compartments. Every male toilet room shall also contain one urinal for each 16 dependent units, but in no case shall any male toilet be without one urinal. Toilet rooms shall contain lavatories with hot and cold water in the ratio of one lavatory to every two or fewer water closets.
- C. Separate bathing facilities for each sex shall be provided with one shower enclosed in a compartment at least four feet square for each eight dependent units or fraction thereof. Each shower compartment shall be supplemented by an individual dressing compartment of at least 12 square feet.

- D. Laundry facilities shall be provided in the ratio of one double-tray unit and one conventional-type washing machine, or one automatic washing machine, with electric outlet, for each eight units. Sufficient drying facilities shall be available.
- E. Slop sinks for disposal of liquid wastes originating at the units shall be provided in a separate room of the service building in the ratio of one slop sink for each 16 dependent units.
- F. The above accommodations shall be based on the total park capacity according to accepted plans.
- G. Floors of toilets, showers and the laundry shall be of concrete, tile or similar material impervious to water and easily cleaned and pitched to a floor drain.

§ 300-165. Waste and garbage disposal.

- A. All liquid waste from showers, toilets, laundries, faucets, lavatories, etc., shall be discharged into a public sewer system if available or into a septic tank system approved by the State Department of Safety and Professional Services.^[1]
[1] Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).
- B. Every space (designed to serve a nondependent unit) shall be provided with sewer connections which shall comply with the State Plumbing Code. The sewer connection shall be provided with suitable fittings so that watertight connections can be made. Such connections shall be so constructed that they can be closed when not connected and trapped to be maintained in an odor-free condition.
- C. Each faucet shall be equipped with facilities for drainage of waste and excess water.
- D. Every manufactured home unit shall be provided with a substantial flytight, watertight metal garbage depository from which the contents shall be removed and disposed of in a sanitary manner by the park custodian at least twice weekly between May 1 and October 15 and otherwise weekly.

§ 300-166. Management.

- A. In every manufactured home park there shall be located the office of the attendant or person in charge of said park. A copy of the park license and of this article shall be posted therein and the park register shall at all times be kept in said office.
- B. It is hereby made the duty of the attendant or person in charge, together with the licensee, to:
 - (1) Keep a register of all guests, to be open at all times to inspection by state and federal officers and the Town Board or its designee, which shall show for all guests:^[1]
 - (a) Names and addresses.
 - (b) Number of children of school age.
 - (c) State of legal residence.
 - (d) Dates of entrance and departure.
 - (e) License numbers of all manufactured homes and towing or other vehicles.
 - (f) States issuing such licenses.
 - (g) Purpose of stay in park.
 - (h) Place of last location and length of stay.
 - (i) Place of employment of each occupant.

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

- (2) Maintain the park in a clean, orderly and sanitary condition at all times.
 - (3) Ensure that the provisions of this article are complied with and enforced and report promptly to the proper authorities any violations of this article or any other violations of law which may come to his/her attention.
 - (4) Report to the Building Inspector all cases of persons or animals affected or suspected of being affected with any communicable disease.^[2]
- [2] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*
- (5) Maintain in convenient places, approved by the Fire Chief, hand fire extinguishers in the ration of one to each eight units.
 - (6) Collect the monthly parking permit fee provided for in § 300-168 of this article. A book shall be kept showing the names of the persons paying said service charges and the amount paid.
 - (7) Prohibit the lighting of open fires on the premises.

§ 300-167. Plumbing, electrical and building work.

All plumbing, electrical, building and other work on or at any park licensed under this article shall be in accordance with the ordinances of the Town of Lawrence and the requirements of the State Building, Electrical and Plumbing Codes and the regulations of the State Department of Safety and Professional Services. Licenses and permits granted under this article grant no right to erect or repair any structures, to do any plumbing work, or to do any electrical work.

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

§ 300-168. Monthly parking permit fee.

There is hereby imposed on each owner or operator of a manufactured home park licensed herein a monthly parking permit fee on each occupied, nonexempt manufactured home which shall have been parked in such park at any time during the month and upon manufactured homes parked outside of licensed manufacture home parks in accord with § 300-157 of this article.

A. The amount of the monthly parking permit fee for the following year shall be established by the Town Board yearly at least two months prior to the beginning of the year. The amount of the fee shall be determined as indicated within § 66.0435(3), Wis. Stats., and further defined as follows:

- (1) School costs.
 - (a) School costs as determined by the local Superintendent of Schools as follows:
 - [1] Annual cost per elementary student times the average number of elementary students per manufactured home.
 - [2] Annual cost per secondary student times the average number of secondary students per manufactured home.
 - (b) The sum of the above {Subsection **A(1)(a)[1]** and [2]} divided by 12 will determine the total student cost per manufactured home per month.
- (2) Municipal costs, as determined by the Town Clerk/Treasurer, as follows: the sum of the residential portion of the current municipal budget divided by the current Town population according to available records times the average number of persons per manufactured home divided by 12 will determine the municipal cost per manufactured home per month.

- (3) The sum of the school costs and municipal costs [Subsection **A(1)** and **(2)**] shall determine the total monthly parking permit fee per manufactured home.
- B. It shall be the full and complete responsibility of the licensee to collect the proper amount from each manufactured home owner or occupant and to pay to the Town Clerk/Treasurer such parking permit fees on or before the 10th of the month following the month for which such fees are due.
 - C. Occupied manufactured home monthly parking permit fees shall be subject to pro rata amount for each twenty-four-hour period if less than 15 days.
 - D. A licensee failing to pay to the Town Clerk/Treasurer such parking permit fees on or before the 30th of the month following the month for which such fees are due shall be assessed a penalty of 5% of the amount of fees due.
 - E. Collection of delinquent monthly parking fee. The collection of delinquent monthly parking fees shall be as provided in § 66.0435(3)(g), Wis. Stats.
 - F. Revocation or suspension of license. The Town Board may suspend or revoke a license after a hearing held pursuant to § 66.0435(2)(d), Wis. Stats.

§ 300-169. Revocation of license or permit.

The Town Board is hereby authorized to revoke any license or permit issued pursuant to the terms of this article in accordance with § 66.0435, Wis. Stats.

§ 300-170. Location of manufactured homes and manufactured home parks.

Manufactured homes and manufactured home parks may be located in such districts as permitted by the zoning laws of the Town. No manufactured home or manufactured home park shall be located so that drainage from any barnyard, outdoor toilet or other source of filth can be deposited in its location.

§ 300-171. Violations and penalties.

Any person violating any provision of this article shall, upon conviction thereof, be subject to a penalty as prescribed in § 1-3 of this Code. Each day of violation shall constitute a separate offense.

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

§ 300-172. Severability; conflicting regulations.

- A. If any section, subsection, sentence, clause, phrase or portion of this article is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.
- B. All ordinances, or parts of ordinances, inconsistent with or contrary to this article are hereby repealed, except that nothing in this article shall be interpreted so as to conflict with state laws or orders regulating manufactured homes or manufactured home parks or any of the requirements of any ordinances of the Town of Lawrence not mentioned or made inapplicable by the express terms of this article.
- C. Should there be a conflict between Town and state regulations, the most restrictive shall prevail.

Article XIX. Sexually Oriented Adult Entertainment Regulations

§ 300-173. Intent.

Mindful of the fact that it is the intent of this chapter to protect the health, safety and morals of the citizens of the Town of Lawrence and to further preserve the quality of family life and to preserve the rural and urban characteristics of neighborhoods in the Town of Lawrence and prevent adverse and deleterious effects contributing to the blight and downgrading of neighborhoods, and also mindful of the effect of sexually oriented adult entertainment upon minors and the violation of civil rights of any person partaking in such entertainment, and also mindful of the criminal activity and disruption of public peace associated with such establishments, it is the intent of this article to regulate the location of such establishments of sexually oriented adult entertainment. By the enactment of this article, the Town Board of the Town of Lawrence does not intend to give any explicit, implicit, or tacit approval or condone any activity relating to adult entertainment.

§ 300-174. Definitions.

As used in this article, the following terms shall have the meanings indicated:

SEXUALLY ORIENTED ADULT ENTERTAINMENT ESTABLISHMENTS

Includes bookstores, motion-picture theaters, mini motion-picture theaters, bathhouses, modeling studios, body painting studios and cabarets and are more specifically defined as:

A. ADULT BOOKSTORE

An establishment having as a substantial or significant portion of its stock and trade in books, magazines and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas as defined herein.

B. ADULT MOTION-PICTURE THEATER

An enclosed building with a capacity of 50 or more persons at which a significant or substantial portion of the material presented is distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas as defined herein for observation by patrons therein.

C. ADULT MOTION-PICTURE THEATER (OUTDOOR)

A parcel of land from which individuals may view a motion picture presented out of doors which presents material distinguishably characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas.

D. ADULT MINI MOTION-PICTURE THEATER

An enclosed building with a capacity for fewer than 50 persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas as defined herein for observation by patrons therein.

E. ADULT BATHHOUSE

An establishment or business which provides the service of baths of all kinds, including all forms and methods of hydrotherapy, that is not operated by a medical practitioner or a professional physical therapist licensed by the State of Wisconsin and which establishment provides to its patrons an opportunity for engaging in specified sexual activities as defined in this article.

F. ADULT MOTEL

A hotel, motel or similar commercial establishment which:

- (1) Offers accommodations to the public for any form of consideration, provides patrons with closed-circuit television transmission, films, motion pictures, videocassettes, slides or other photographic reproductions which are characterized by the depiction or description of specified sexual activities or specified anatomical areas, and has a sign visible from the public right-of-way which advertises the availability of this adult type of photographic reproductions;
- (2) Offers a sleeping room for rent for a period of time that is less than 10 hours; or
- (3) Allows a tenant or occupant of a sleeping room to subrent the room for a period of time that is less than 10 hours.

G. ADULT MODELING STUDIO

An establishment or business which provides the services of modeling for the purpose of reproducing the human body wholly or partially in the nude by means of photography, painting, sketching, drawing or otherwise.

H. ADULT BODY PAINTING STUDIO

An establishment or business wherein patrons are afforded an opportunity to paint images on a body which is wholly or partially nude. For purposes of this article, "adult body painting studio" shall not be deemed to include a tattoo parlor.

I. ADULT CABARET

- (1) An establishment or business which features male and/or female topless and/or bottomless dancers, go-go dancers, exotic dancers, strippers or similar entertainers.
- (2) Any adult cabaret, as defined above, which features such entertainment on a periodic and infrequent basis is considered an adult entertainment establishment only during those times when the adult entertainment is being presented or the entertainers are on the premises, and all provisions of this article shall apply during those presentations. Further, such periodic adult cabaret shall notify the Town Board at least 24 hours prior to the date on which such adult entertainment is to take place.
- (3) Any periodic adult establishment, as defined above, shall be permitted subject to the issuance of a conditional use permit in accordance with this chapter.^[1]

J. ADULT NOVELTY SHOP

An establishment or business having as a substantial or significant portion of its stock and trade in novelty or other items which are distinguished or characterized by their emphasis on, or designed for, specified sexual activities as defined herein or stimulating such activity.

SPECIFIC ANATOMICAL AREAS

- A. Less than completely and opaquely covered human genitals, pubic region, buttock, or female breasts below a point immediately above the top of the areola.
- B. Human male genitals in a discernible turgid state, even if completely and opaquely covered.

SPECIFIED SEXUAL ACTIVITIES

- A. Human genitals in a state of sexual stimulation or arousal.
- B. Acts of human masturbation, sexual intercourse or sodomy.
- C. Fondling of other erotic touching of human genitals, pubic region, buttock or female breasts.

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

§ 300-175. General standards.

So as to ensure a maximum benefit to the community and a minimum impact upon existing and future uses of land, it is hereby directed that, subject to the standards set forth in this chapter, sexually oriented adult entertainment establishments (hereinafter "adult establishments") shall locate only in areas zoned business district, and then only as a conditional use. Such application for conditional use may only be granted if the following requirements are met:

- A. No more than one adult establishment shall be located on any one parcel, and such adult establishment shall be at least 1,500 feet from any other adult establishment. Further, no adult establishment shall be permitted within 1,000 feet of the following:
- (1) Any residentially zoned land.
 - (2) A historic site identified on the National Register.^[1]
[1] Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).
 - (3) Any public or private elementary or secondary school or licensed nursery school or day-care center.
 - (4) A church or established place of worship.
 - (5) A public park or parkway.
- B. Signs advertising any of the aforementioned adult uses shall conform to the requirements of this chapter, with the exception, however, that no tower or portable signs or billboards shall be permitted on the premises, and with the further exception that signs will inform only of the establishment name and address and will not depict specified sexual activities and/or specified anatomical areas as defined in this article, and provided further that there shall be no flashing or traveling lights located outside the building. The location and wording of such sign shall be shown on the site plan required by this chapter and submitted contemporaneously with the request for conditional use.
- C. Adequate parking shall be provided in a lighted area as required by Town ordinance. Such parking provisions shall be shown on the site plan required by Town ordinance and submitted contemporaneously with the request for conditional use.
- D. Lighting shall be provided so as to illuminate the entire exterior of the building. Such lighting shall be shown on the site plan required by Town ordinance and submitted contemporaneously with the request for conditional use.
- E. There shall be no display windows on the premises.
- F. The owner and/or operator of the adult establishment shall agree to comply with all federal, state, and local laws and ordinances, including obscenity, liquor, and cabaret laws, and shall further ensure that minors are not permitted on the premises. Solicitation for purposes of prostitution shall be strictly prohibited.
- G. In the case of adult cabarets, there shall be compliance with Town ordinances relating to noise, and the hours of operation for such establishments shall be limited to the same hours of operation for bars and taverns within the community within which the establishment is located.^[2]
[2] Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).
- H. In the case of adult motion-picture theaters (outdoors), the establishment shall comply with the same conditional use standards set forth for drive-in theaters and shall furthermore comply with the standards set forth in Town ordinances pertaining to noise. Furthermore, outdoor adult motion-picture theaters shall confine their hours of operation to those hours of operation established for bars and taverns within the community within which the establishment is located. Outdoor adult motion-picture theaters shall also have the viewing screen located in such a fashion as to not be visible from any road, street or highway, or residential zoning district up to 400 horizontal feet away, and the premises shall be surrounded by fencing which is impervious to sight at least eight feet in height. All theaters shall be in compliance with § 134.46, Wis. Stats.

- I. Prior to the granting of a conditional use permit, an inventory of the surrounding area and population shall be made by the Town Planning and Zoning Board, along with a study of the proposed development and plans for the area, so as to enable the Planning and Zoning Board to make appropriate findings relating to the effect of the establishment of such a use in that area.^[3]
 [3] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*
- J. The owner of the parcel upon which the adult entertainment use is to be established and the operator of the establishment and owner of the establishment shall appear in person before the Planning and Zoning Board.
- K. All adult establishments shall be permitted subject to issuance of a conditional use permit in accordance with this chapter.^[4]
 [4] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

Article XX. Off-Street Parking Requirements

§ 300-176. Applicability.

The following regulations shall apply to all zone districts within the Town of Lawrence.

§ 300-177. General provisions.

- A. All parking spaces required to serve buildings or uses erected or established after the effective date of this article shall conform to the requirements herein.
- B. Buildings or uses existing on the effective date of this article which are subsequently altered or enlarged so as to require the provision of the parking spaces under this article shall conform to the requirements as set forth herein.

§ 300-178. Size.

- A. Each required off-street parking space shall be at least nine feet in width and at least 20 feet in length, exclusive of access drives or aisles.
- B. All angle parking shall conform to the requirements as set forth.

Angle	Stall Depth (feet)	Width of Aisles (feet)
30°	17	12
45°	19	15
60°	20	18
90°	18	28

- C. All off-street parking facilities shall be designed with appropriate means of vehicular access to a street or alley in a manner which will least interfere with traffic movement.

§ 300-179. Design of parking lots.

Except for residential uses, the design of parking lots of areas of various uses shall be subject to the approval of the Town Board in accordance with standards herein required.

§ 300-180. Parking standards.

A. Off-street parking spaces are required as follows:

Use	Number of Parking Spaces Required
Airports and commercial heliports	1 parking space for each 150 square feet, plus additional employee space shall be provided in the ratio of 1 space for each 2 employees working the same shift, based on the maximum number of employees working the same shift
Amusement establishments not listed and amusement parks	Parking spaces shall be provided in adequate number, as determined by the Town Planning and Zoning Board, to serve persons employed, as well as the visiting public
Animal hospitals and kennels	3 parking spaces shall be provided for each employee
Automobile and truck service stations	1 parking space for each employee, based on the maximum number of employees working the same shift, as well as 1 additional space shall be furnished for each inside service bay
Automobile laundries	1 parking space for each 2 employees, plus 1 space for manager and, in addition, reservoir parking spaces equal to 5 times the capacity of the automobile laundry, for those automobiles awaiting entrance to the facility; maximum capacity in this instance shall mean the greatest number possible of automobiles undergoing some phase of laundering and drying at the same time
Bowling alleys	6 parking spaces shall be provided for each alley, plus additional spaces as required by this article for any associated use (bars, restaurants, etc.)
Building material sales	1 parking space shall be provided for each 2 employees, plus additional space equal to 1 space for each 300 square feet of gross floor area in excess of 2,000 square feet
Cartage and express facilities	1 parking space for each vehicle maintained on the premises, plus 1 space for each 2 employees
Churches and places of worship	1 space for each 5 seats
Colleges and universities	1 parking space for each employee, plus 1 space for each 6 students
Contractor or construction offices, shops and yards	1 parking space shall be provided for each employee, plus additional customer space shall be furnished at the rate of 1 additional space for each 5 employees
Convents, seminaries, monasteries, nunneries, rectories, parsonages, parish houses and religious retreats	1 parking space shall be provided for each 2 employees, plus additional parking spaces equal in number to 5% of the maximum capacity of professional persons residing on the premises at any 1 time
Driving ranges	2 parking spaces shall be provided for each tee
Elementary schools	1 parking space for each employee
Food stores, grocery stores, meat markets, bakeries, delicatessens, supermarkets and department stores	1 parking space shall be provided for each 150 square feet of gross floor area for the first 6,000 square feet and 1 additional space shall be furnished for each 200 square feet of gross floor area in excess of 6,000 square feet
Fraternities, sororities and dormitories	1 parking space for each 3 residents, plus 1 parking space for the manager

Use	Number of Parking Spaces Required
Golf courses	1 parking space shall be provided for each 4 persons using the course at maximum capacity (bars, restaurants and related uses shall require additional spaces)
Hospitals	1 space for each 2 hospital beds, plus 1 parking space for each 2 employees (other than staff doctors), plus 1 parking space for each doctor assigned to the staff
Hotels	1 space for each 2 guest rooms, plus such additional space as shall be required for supplemental uses, such as bars, ballrooms or nightclub facilities in the hotel
Junior high schools	1 parking space for each employee
Junkyards, salvage yards and auto graveyards	1 parking space shall be provided for each 2 employees, plus 1 space for each 5,000 square feet of lot area
Lodging, rooming and boarding houses	1 space for each 2 beds, plus 1 stall for each 3 employees
Medical and dental clinics	3 parking spaces shall be provided for each doctor
Motels	1 space for each guest room, plus 1 stall for each 3 employees
Motor vehicle sales	3 parking spaces shall be provided for each employee, plus additional spaces as deemed necessary by the Town Board to store those cars waiting to be serviced
Multifamily dwellings	1.5 spaces for each dwelling unit
Offices, business and professional	1 parking space shall be provided for each 300 square feet of gross floor area
Post offices	1 parking space shall be provided for each 2 employees, plus 1 space for each 200 square feet of gross floor area in excess of 3,000 square feet
Private clubs	1 parking space shall be provided for each lodging room, plus parking spaces equal in number to 30% of the maximum capacity in persons of such clubs
Public libraries, art galleries and museums	1 parking space for 500 square feet of gross floor space
Public utility and service uses	1 parking space for each 300 square feet of gross floor area in excess of 4,000 square feet or 1 space for each 2 employees, whichever provides the greatest amount
Radio and television stations and studios	1 parking space shall be provided for each 2 employees, plus 1 space for each 300 square feet of gross floor area in excess of 6,000 square feet
Recreational buildings and community centers, noncommercial	Parking spaces equal in number to 30% of the capacity in persons shall be provided
Restaurants	Parking space equal to 50% capacity in persons, plus 1 parking space for each 3 employees
Riding academies and commercial stables	1 parking space shall be provided for each employee, plus spaces adequate in number as determined by the Town Board to serve the visiting public
Sanitariums, rest homes, convalescent homes and nursing homes	1 parking space for each 4 beds, plus 1 parking space for each 2 employees (other than staff doctors), plus 1 parking space for each doctor assigned to the staff
Senior high schools	1 parking space for each employee, plus 1 space for each 6 students

Use	Number of Parking Spaces Required
Shopping centers	8 parking spaces for each 1,000 square feet of gross floor area in the center
Single-family dwellings	2 spaces for each dwelling unit
Stadiums, ballparks and outdoor arenas	Parking space shall be provided at the rate of 30% of the maximum capacity of persons using and/or observing activities at these facilities during a 24-hour period
Swimming pools and skating rinks	Parking spaces equal in number to 30% of the design capacity provided
Taverns	Parking spaces equal in number to 25% of the capacity in persons
Two-family dwellings	1.5 spaces for each dwelling unit
Undertaking establishments	1 parking space shall be provided for each 4 seats provided in each chapel or parlor
Warehousing and wholesaling establishments	1 parking space for each 2 employees

- B. Parking standards for uses not listed in this section will be established on an individual use-by-use basis by the Town Board.

Article XXI. Artificial Lakes

§ 300-181. Applicability.

The following regulations shall apply to all artificial lakes hereinafter constructed or developed within the Town of Lawrence.

§ 300-182. Location.

Artificial lakes may be allowed as conditional uses in the Estate Residential Zone, the R-3 Multifamily Residential Zone and in the A-1 Agricultural Zone and as permitted uses in the AG-FP Agricultural-Farmland Preservation Zone, if incidental to the farming operation.

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

§ 300-183. Excavation permit.

- A. The property owner, developer or his/her assigned agent shall make application for an excavation permit to the Town Board prior to construction.
- B. The Town Board shall review and approve the site plan before issuing the excavation permit. The Town Board may attach conditions to the issuing of a permit.

§ 300-184. Site plan.

The site plan shall include the following:

- A. A map drawn at a minimum scale of one inch equals 200 feet showing the proposed lake size and the adjoining property within 500 feet of the site.
- B. Layout of proposed residential lots and other buildings, if applicable.

- C. The type of sanitary facilities to be installed if residential development is to take place.
- D. Source of water supply for residential dwellings and water level maintenance in the lake.
- E. Surface drainage sources and topography.
- F. Proposed roadways.

§ 300-185. Other requirements.

- A. The constructed lake shall meet the requirements of the Brown County Water Law Codes.
- B. Artificial lakes constructed adjacent to a navigable body of water shall comply with the regulations set forth by the Wisconsin State Statutes and the Department of Natural Resources.
- C. If constructed as a fish or wildlife facility, it shall comply with the requirements and recommendations of the Natural Resources Conservation Service, Agriculture Stabilization Conservation Service and the Department of Natural Resources.
- D. The groundwater table in the surrounding area and adjacent to the lake shall be protected.
- E. State permits shall be required if high-capacity wells are drilled on the site.
- F. The perimeter of the lake shall be landscaped and seeded within six months after completion of the excavation.
- G. A performance bond shall be filed with the Town Board prior to the start of construction. Amount of bond per acre shall be specified by the Town Board of Lawrence.

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

Article XXII. Earth Excavations

§ 300-186. Applicability.

The following regulations shall apply to all future excavations of sand, gravel, stone, loam, dirt and other earth products within the Town of Lawrence. This article shall regulate all existing gravel pits and stone quarries within the Town of Lawrence.

§ 300-187. General provisions.

- A. All excavations of sand, gravel, clay, silt, loam, rock, stone, muck, dirt, soil and other earthen materials, including but not limited to sand pits, gravel pits and rock quarries, shall come under the jurisdiction of this article.
- B. All existing sites of excavation shall comply with this article prior to any additional expansions or alterations of the existing site beyond the boundaries of the parcels of record on which excavation is taking place as of the date of the adoption of the original ordinance (November 16, 1994).

§ 300-188. Exemptions.

The following uses shall be exempt from the provisions of this article:

- A. Excavation and removal of less than 500 cubic yards over a period of one year from any single parcel of land recorded in the Brown County Register of Deeds office.

- B. Necessary foundation and trench excavation only in connection with work on the premises for which a building permit has been issued.
- C. Normal agricultural activities.
- D. Landscaping or site preparation for building uses.

§ 300-189. Nonmetallic mining.

See Chapter **182** of this Code for the regulation of nonmetallic mining.

§ 300-190. Site plan.

The following information shall be required on a site plan prior to issuing an excavation permit:

- A. A map showing the location of the premises and the adjoining properties within 500 feet. The map shall be drawn at a scale not smaller than one inch equals 200 feet.
- B. Contour intervals of the proposed site at intervals of 20 feet when available.
- C. Existing and proposed drainage patterns of the site.
- D. Proposed regrading and revegetation of the site after completion of the excavating operation.
- E. Proposed truck and machinery access to the site.
- F. Types and location of temporary or permanent building to be erected on the site.
- G. Approximate amount of earth material to be excavated or removed at the site.
- H. Approximate number of trucks and other types of machinery to be used at the site.
- I. Designated hours of operation.

§ 300-191. Trucks and machinery.

- A. No fixed machinery shall be erected or maintained within 500 feet of any property or street line.
- B. Truck access to the excavation shall be so arranged as to minimize danger to traffic and nuisance to surrounding property.

§ 300-192. Material handling.

- A. No excavation shall take place within 50 feet of any property line or street line if below the established grade of the street.
- B. No screening, sifting, washing, crushing or other forms of processing shall be conducted upon the premises, unless it is located more than 500 feet from a residential dwelling.

§ 300-193. Excavation sites.

The excavation of earth materials shall be allowed as a conditional use in the A-1 Agricultural Zone and as a conditional use in the AG-FP Agricultural-Farmland Preservation Zone, if the excavation is a public (governmental) operation or if it is incidental to the farm operation.

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

§ 300-194. Other requirements.

- A. At all stages of operations, proper drainage shall be provided to prevent the collection and stagnation of water and to prevent harmful effects upon surrounding properties.
- B. The premises shall be excavated and graded in conformity with the plan as approved. Any deviation from the plan shall be cause for the Town Board to revoke the permit.
- C. When excavating and removal operations are no longer used, as determined by the Town Board, the excavated areas shall be graded so that no gradients in disturbed earth shall be steeper than a slope of four to one (horizontal to vertical), unless waived by the Town Board. A layer of arable topsoil capable of supporting perennial grasses shall be spread over the excavated area, except exposed rock surfaces, to a minimum depth of four inches. The area shall be seeded with a perennial grass capable of survival in this climate and maintained until a uniform growth is established.
- D. If the excavation site shall fall within a county floodplain, shoreland or conservancy zone district, the regulations as set forth in the Shoreland-Floodplain Protection Ordinance for Brown County shall apply.
- E. Town Board members shall be allowed on the premises during scheduled operating hours for inspection purposes.
- F. Any violation of this article shall be subject to the regulations of § 300-206, Enforcement; violations and penalties, in Article XXIII, Administration and Enforcement, of this chapter.
- G. A performance bond of \$1,000 per acre shall be required of the excavator.

Article XXIII. Administration and Enforcement

§ 300-195. Building permits and plats.

- A. No building shall be constructed, erected, reconstructed, structurally altered, enlarged or moved unless and until a permit therefor shall first have been applied for and secured from the Building Inspector. Every such application shall be filed in duplicate and shall be accompanied by a drawing or plat, in duplicate, drawn to scale, showing the lot and building site, the location of the building on the lot, accurate dimensions of the building, of the yards and of the lot, and such other information as may be necessary to the enforcement of this chapter.
- B. Each building permit applied for shall be granted or denied within a ten-day period from the date of application. Reason for denial of a building permit shall be forwarded, in writing, by the Town Building Inspector to the applicant.
- C. All building permits will expire 12 months after the date of issuance if construction has not commenced.

§ 300-196. Certificates of occupancy.

- A. Certificates of occupancy shall be required for any of the following:
 - (1) Occupancy and use of a building hereinafter erected or structurally altered.
 - (2) Change in use of an existing building to a use of a different classification.
 - (3) Occupancy and use of vacant land, except for agricultural uses.

- (4) Change in the use of land to a use of a different classification, except to an agricultural use.
- (5) Any change in the use of a nonconforming use.
- B. No such occupancy, use or change of use shall take place until a certificate of occupancy therefor shall have been issued by the Building Inspector.
- C. Written application for a certificate of occupancy for a new building, or an existing building which has been altered, shall be made at the same time as the application for the building permit for such building. If the proposed use is in conformity with the provisions of this chapter, said certificate shall be issued within three days after a written request for the same has been made to said Building Inspector after the erection or alteration of such building or part thereof has been completed in conformity with the provisions of this chapter.
- D. Written application for a certificate of occupancy for the use of vacant land or for a change in the use of land or of a building, or for a change in a nonconforming use, as herein provided, shall be made to said Building Inspector. If the proposed use is in conformity with the provisions of this chapter, the certificate of occupancy therefor shall be issued within three days after the application for the same has been made.
- E. Every certificate of occupancy shall state that the building or the proposed use of a building or land complies with all provisions of law and of all Town ordinances. A record of all certificates of occupancy shall be kept on file in the office of the Building Inspector, and copies shall be furnished, on request, to any person having proprietary or tenancy interest in the building or land affected.
- F. No permit for excavation of any building shall be issued before application has been made for a certificate of occupancy.

§ 300-197. Contractor or property owner liability and deposit.

- A. Upon application for a building permit, the contractor or property owner shall provide a deposit of \$1,000 to be placed in an escrow, to be used in the event that the contractor, property owner or any subcontractor damages (in any way) Town roads or right-of-ways or any other Town property as a result of construction equipment or any other type of equipment used on or near the property for which the building permit was issued. The intent of this regulation is to prevent any damage to public property as a result of construction and to maintain contractor and/or property owner accountability.
- B. The deposit of \$1,000 shall be used at the Town's discretion to pay for any damages caused by the contractor, subcontractors, or the property owner. The deposit of \$1,000 may be waived at the Town's discretion where the building project does not require heavy equipment.
- C. The deposit shall be promptly returned within 30 days of issuance of an occupancy permit if no damage has occurred or the Town shall provide an itemized list of damages and the resulting cost of repair. Any remaining balance after damages are paid shall be sent to the contractor or property owner.
- D. During certain times of the year (freeze/thaw periods in fall and spring) the Town at its sole discretion may require that concrete haulers load no more than five yards of concrete per truck.
- E. Any other construction vehicles shall not be allowed to park on any Town roads except for the specific purpose of loading or unloading equipment. Vehicles used to carry construction equipment may park on Town roads only when unloaded and while construction equipment is in use at the construction site.

§ 300-198. Zoning Board of Appeals.

A. The Zoning Board of Appeals is hereby established. It shall consist of five members and two alternate members appointed by the Town Board and to serve as provided in § 62.23(7)(e), Wis. Stats. At least one of the five regular members shall be appointed from the members of the Town Planning and Zoning Board. All terms of office shall be three years, except that of the five regular members first appointed, one shall serve for one year, two for two years and two for three years. The members of the Board shall serve without compensation and shall be removable by the Town Board for cause upon written notification. The Town Board shall designate one of the members as Chairperson. The Board may elect a Vice Chairperson and shall designate a Secretary and an office in which its records shall be kept.^[1]

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

- B. Meetings of the Board shall be held at the call of the Chairperson and at such other times as the Board may determine. Such Chairperson, or in his/her absence the Vice Chairperson, may administer oaths and compel the attendance of witnesses. All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question or, if absent or failing to vote, indicating such fact and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board and shall be a public record.
- C. Appeals to the Zoning Board of Appeals may be taken by any person aggrieved or by any officer, department, board or bureau of the Town of Lawrence affected by any decision of the Town Planning and Zoning Board or the Town Building Inspector.
- D. Such an appeal shall be made within 30 days after the decision or the action complained of by filing with the Town Zoning Administrator a notice of appeal specifying the grounds thereof. If the appeal is because of a grievance due to a decision by the Town Planning and Zoning Board, the Chairperson of the Planning and Zoning Board shall also receive a copy of the appeal.
- E. The Building Inspector or Town Planning and Zoning Board shall forthwith transmit to the Zoning Board of Appeals all the papers constituting the record upon which the action appealed from was taken. The Zoning Board of Appeals shall fix a reasonable time for the hearing of appeals.
- F. At least 15 days' notice of the time and place of said hearing shall be given by posting of a notice to that effect in three public places in the Town of Lawrence, which notice shall, in addition to specifying the time and place, state the grounds for appeal as stated in the notice of appeal.
- G. Due notice of the hearing shall be given to parties in interest, as well as owners of property located within 500 feet of the property in appeal. The Board shall reach a decision within 30 days from the filing of the appeal.
- H. The Zoning Board of Appeals shall have the following powers:
- (1) To hear and decide appeals where it is alleged there is error in any order, requirements, decision or determination made by the Building Inspector.
 - (2) Hear and pass upon the application for variance from the terms provided in this chapter in the manner prescribed by and subject to the standards established herein.
- I. Except as specifically provided, no action of the Zoning Board of Appeals shall have the effect of permitting in any district uses prohibited in such district. In every case where a variance from these regulations has been granted by the Zoning Board of Appeals, the minutes of the Board shall affirmatively show in what particular and specific respects an unnecessary hardship or practical difficulty would have been created by the literal enforcement of the terms of this chapter.
- J. The Zoning Board of Appeals may reverse or affirm wholly or in part or may modify any order, requirement, decision or determination appealed from and shall make such order, requirement, decision or determination as, in its opinion, ought to be made in the premises and to that end shall have all the powers of the Building Inspector. A majority vote of the members present, provided that a quorum is present, shall be necessary to reverse any order, requirement, decision or

determination appealed from or to decide in favor of the applicant on any matter on which it is required to pass or to effect any variation in the requirements of this chapter.^[2]

[2] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

- K. In addition to the foregoing, the Zoning Board of Appeals shall have the following specific powers:
- (1) To grant a permit for the extension of a district boundary for a distance of not more than 35 feet only where the boundary of a district divides a lot in a single ownership at the time of the adoption of this chapter.
 - (2) To interpret the provisions of this chapter in such a way as to carry out the intent and purpose of the plan as shown on the district map accompanying and made a part of this chapter, where the street layout actually on the ground varies from the street layout on the aforesaid map.
 - (3) To call on any other Town official for assistance in the performance of its duties, and it shall be the duty of such other official to render such assistance as may be reasonably required.

§ 300-199. Variances.

- A. The Zoning Board of Appeals shall have the power to vary or modify the strict application of any of the regulations or provisions of this chapter in cases where there are practical difficulties or unnecessary hardships in the way of such strict application; provided, however, that said Zoning Board of Appeals shall not have the power to approve the establishment of a nonconforming use which is less restricted according to the district regulations of Article V than any legally established use already existing on the premises specified in the variance application, or on any parcel which adjoins said premises along any of its street lines.^[1]

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

- B. Written application for a variance shall accompany the application for a building permit or, if no building permit is required in connection with the establishment of the use for which the variance is sought, then for a certificate of occupancy to use the land or building as set forth in said application. Said application shall be transmitted forth with to the Board.

- C. Application. An application for a variance shall be filed with the Town Board. The application shall contain such information as the Zoning Board of Appeals by rule may require. Due notice of the hearing shall be given to parties in interest, as well as owners of property located within 500 feet of the property in the variance application. The Board shall reach a decision within 30 days from the filing of the variance application. Notice of the time and place of such public hearing shall be published as provided in the state law on planning and zoning and applicable to the Town of Lawrence.^[2]

[2] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

- D. Standards of variances. The Zoning Board of Appeals shall not vary the regulations as set forth in Subsection A above unless it shall make findings based upon the evidence presented to it. The applicant shall present a statement and adequate evidence, in such form as the Board may require, showing that, and the Board shall not grant a variance unless it finds that:

- (1) There are special circumstances or conditions applying to the land, building or use referred to in the application.
- (2) The granting of the application is necessary for the preservation and enjoyment of substantial property rights.
- (3) The granting of the application will not materially affect adversely the health or safety of persons residing or working in the neighborhood of the proposed use and will not be materially detrimental to the public welfare or injurious to property or improvements in said neighborhood.

- E. In granting any variance under the provisions of this section, the Board shall designate such conditions in connection therewith as will, in its opinion, secure substantially the objectives of the regulations of provisions in the application of which the variance is granted, as to light, air, character of the neighborhood, conformity with the Comprehensive Plan, and, generally, the public health, safety, comfort, convenience and general welfare.^[3]

[3] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

§ 300-200. Interpretation of provisions; determination of district boundaries.

Upon appeal from a decision of the Building Inspector, the Zoning Board of Appeals shall have the power to decide any question involving the interpretation of any provision of this chapter, including determination of the location of any district boundary if there is uncertainty with respect thereto.

§ 300-201. Validity of permits.

Permits for the occupancy of land or construction, reconstruction or occupancy of buildings, approved by the Zoning Board of Appeals, shall be void after six months from the date of such approval unless, in cases of new construction, work shall have been done above the foundation walls, and in cases of occupancy of land or reconstruction or occupancy of buildings, the operations called for by such permit shall be well underway at the end of such six-month period.

§ 300-202. Planning and Zoning Board.

The Town Planning and Zoning Board shall be the authorized planning agency and shall perform the duties of the Town plan commission as set forth in § 62.23, Wis. Stats.

- A. Jurisdiction. The Lawrence Planning and Zoning Board shall carry out the following duties under this chapter:
- (1) Review all applications for conditional uses and amendments to this chapter and report said findings and recommendations to the Town Board in the manner designated by this chapter for amendments and conditional uses.
 - (2) Receive from the Zoning Administrator his/her recommendations as related to the effectiveness of this chapter and report his/her conclusion and recommendations to the Lawrence Town Board.
 - (3) Hear and recommend matters upon which it is required to pass under this chapter.
- B. Meetings.
- (1) All meetings of the Town Planning and Zoning Board shall be held at the call of the Chairperson of the Board or Town Board and at such times as the Planning and Zoning Board may determine.
 - (2) The Planning and Zoning Board shall keep minutes of its proceedings, showing the vote of each member upon each question or, if absent or failing to vote, indicating such fact and shall also keep records of its hearings and other official actions.
- C. Decisions. All recommendations/actions of the Town Planning and Zoning Board shall require the vote of a majority of the members of the Board.
- D. Membership.

- (1) The Town Planning and Zoning Board shall consist of seven members appointed by the Lawrence Town Chairperson and subject to confirmation by the Lawrence Town Board.
- (2) Town Planning and Zoning Board members shall consist of not more than one member of the Zoning Board of Appeals and not more than two members of the Lawrence Town Board. The remaining Planning and Zoning Board members shall be additional citizens of the Town of Lawrence.
- (3) The term shall be for three years, except that of those first appointed, two shall serve for one year, two for two years, and three for three years.
- (4) The Town Planning and Zoning Board members shall be removable by the Town Board of Lawrence upon written notification.
- (5) Vacancies shall be filled for the unexpired terms of members. The Town Chairperson shall appoint personnel to fill the vacancies, subject to approval by the Town Board of Lawrence.

§ 300-203. Application for amendment.

- A. Authority. The Lawrence Town Board may, from time to time, in the manner hereafter set forth, amend the regulations imposed in the districts and amend district boundary lines, provided that in all amendatory ordinances adopted under the authority of this section, due allowance shall be made for the intent and purpose of said changes as per Article II of this chapter.
- B. Initiation. Amendments may be proposed by a governmental body, interested person or organization.
- C. Application. An application for an amendment shall be filed with the Town Board and Town Planning and Zoning Board in such form and accompanied by such information as required by the Town Planning and Zoning Board. Said application shall be reviewed and a written recommendation submitted thereon to the Town Board.
- D. Hearing notices. The Town Board shall hold a public hearing on each application for an amendment. The time, place and purpose of the hearing shall be submitted as provided in the state law on planning and zoning and applicable to the Town of Lawrence. Due notice of the hearing shall be given to parties in interest, as well as owners of property located within 500 feet of the property in the application. The Board shall reach a decision within 60 days from the filing of the application.
[1]
[1] Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).
- E. Findings and recommendations.
 - (1) The Town Planning and Zoning Board shall make written findings of fact and shall submit the same together with its recommendations to the Town Board prior to the public hearing.
 - (2) Where the purpose and effect of the proposed amendment is to change the zoning classification of particular property, the Town Planning and Zoning Board shall make findings based upon the evidence presented to it in each specific case with respect to the following matters:
 - (a) Existing uses or property within the general area of the property in question.
 - (b) Zoning classification of property within the general area of the property in question.
 - (c) Suitability of the property in question for the uses permitted under the existing zoning classification.
 - (d) Trend of development, if any, in the general area of the property in question, including changes, if any, which have taken place in its present zoning classification.

- (3) The Town Planning and Zoning Board shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such amendment is in the public interest and is not solely for the interest of the applicant.

§ 300-204. Town Board action on amendment.

- A. The Town Board shall not act upon a proposed amendment to this chapter until it shall have received a written report and recommendation from the Town Planning and Zoning Board on the proposed amendment, unless the Town Board authors the amendment.
- B. The Town Board may grant or deny any application for an amendment; provided, however, that in the event of a written protest against any proposed amendment to this chapter, duly signed and acknowledged by the owners of 20% or more either of the areas of the land included in such proposed change, or by the owners of 20% or more of the land immediately adjacent extending 100 feet therefrom, or by the owners of 20% or more of the land directly opposite thereto extending 100 feet from the street frontage of such opposite land, such change or amendment shall not become effective except by the favorable vote of 3/4 of the members of the Town Board voting on the proposed change.^[1]

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

- C. The Board shall reach a decision within 60 days from the filing of the application.^[2]

[2] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

§ 300-205. Conditional uses.

- A. Purpose. The purpose of this section is to place unique land use characteristics within favorable zoning districts to ease conflicts with neighboring lands and public need.^[1]

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

- B. Initiation. Any person having a freehold interest in land, or a possessory interest entitled to exclusive possession, or a contractual interest which may become a freehold interest or an exclusive possessory interest, and which is specifically enforceable, may file an application to use such land for one or more of the conditional uses provided for in this chapter in the zoning district in which the land is located.

- C. Application. The application for a conditional use shall be filed with the Lawrence Town Planning and Zoning Board on a form so prescribed by the Town of Lawrence. The application shall be accompanied by such plans and/or data prescribed by the Town Planning and Zoning Board and shall include a statement, in writing, by the applicant and adequate evidence showing that the proposed conditional use will conform to the standards set forth in the respective zone district. Such application shall be reviewed by the Town Planning and Zoning Board and a written recommendation submitted thereon to the Town Board.

- D. Hearing on application. Upon receipt in proper form of the written recommendation referred to in Subsection C, the Town Board shall hold at least one public hearing on the proposed conditional use. Due notice of the hearing shall be given to parties in interest, as well as owners of property located within 500 feet of the property in the application.^[2]

[2] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

- E. Authorization. For each application for a conditional use, the Town Planning and Zoning Board shall report to the Town Board its findings and recommendations, including the stipulation of additional conditions and guarantees that such conditions will be complied with when they are deemed necessary for the protection of the public interest. The Board shall reach a decision within 60 days from the filing of the application.^[3]

[3] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

- F. Conditions and guarantees. Before issuing a conditional use permit, the Town Planning and Zoning Board may recommend and the Town Board shall stipulate such conditions and restrictions upon the establishment, location, construction, maintenance and operation of the conditional use as are deemed necessary for the protection of the public interest. In all cases in which conditional uses are granted, the Town Board shall require such evidence and guarantees as it may deem necessary as proof that the conditions stipulated in connection therewith are being and will be complied with.
- G. Violation and revocation. Upon the determination by the Building Inspector that the conditions or stipulations of an approved conditional use permit have not been complied with, the Building Inspector shall provide written notice to the party granted the conditional use permit noting the actions necessary to correct or comply with the conditional use permit. The notice shall specify that failure to comply with the required conditions or stipulations within 10 days will invalidate the conditional use permit.
[Amended 1-28-2013]
- H. Penalties. Enforcement and penalties of conditional use permits shall comply with the provisions of **§ 300-206**.
[Amended 1-28-2013]

§ 300-206. Enforcement; violations and penalties.

- A. All departments, officials and public employees of the Town who or which are vested with the duty or authority to issue permits or licenses shall conform to the provisions of this chapter and shall issue no such permit or license for any use, building or purpose if the same would be in conflict with the provisions of this chapter. Any such permit for license, if issued in conflict with the provisions of this chapter, shall be null and void.
- B. Any person, firm, association or corporation who or which shall violate any of the provisions of this chapter shall, upon judgment or conviction thereof, be subject to a penalty as provided in **§ 1-3** of this Code. Each violation and each day of violation shall constitute a separate offense.^[1]
[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*
- C. Any building or structure erected, constructed, altered, enlarged, converted, moved or maintained contrary to the provisions of this chapter, and any use of any land or building which is conducted, operated or maintained contrary to any of the provisions of this chapter, shall be and the same is hereby declared to be unlawful, and the Town Attorney shall immediately, upon any such violation having been called to his attention, institute injunction, mandamus, abatement or any other appropriate action to prevent, enjoin, abate or remove such erection, construction, reconstruction, alteration, conversion, maintenance or use. Such action may also be instituted by any property owner who may be especially damaged by any violation of this chapter.

§ 300-207. Conflicting provisions.

All other ordinances and parts of ordinances in conflict with this chapter, to the extent of such conflict and no further, are hereby repealed; provided, however, that nothing herein contained shall be deemed to repeal or amend any ordinance requiring a permit or license to cover any business.