

COMPREHENSIVE ZONING ORDINANCE



CHAPTER 6-1

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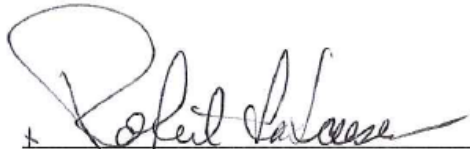
Recommended for passage by the Lafayette County Planning & Zoning Committee
on the
15th day of November, 2018

X 

Jack Wiegel - Planning & Zoning Committee Chair

X 

Larry Ludlum

X 

Robert Laeser

Andy Schilling

Gerald Heimann

ATTEST: I, Carla Jacobson, Lafayette County Clerk, do hereby certify that this Ordinance was duly adopted by
the Lafayette County Board of Supervisors on the _____ 19TH day of _____ February _____, 2019.



Carla Jacobson, Lafayette County Clerk

**LAFAYETTE COUNTY
COMPREHENSIVE ZONING ORDINANCE CHAPTER 6-1**

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SECTION 1 - INTRODUCTION

1-1.00 STATUTORY AUTHORITY

This Ordinance is adopted under the authority granted by Sections 59.69, 59.692, 87.30, 91.71, 91.78, and 281.31 of the Wisconsin Statutes and amendments thereto. The County Board of Supervisors of Lafayette County does ordain as follows:

1-2.00 PURPOSE

The purpose of this Ordinance is to protect and to promote the public health, safety, morals, prosperity, aesthetics and general welfare of Lafayette County, Wisconsin.

1-3.00 TITLE

This Ordinance shall be known as, referred to, or cited as the "Lafayette County Comprehensive Zoning Ordinance" Being Ordinance 6-1 of the Revised Ordinances of Lafayette County, Wisconsin.

1-4.00 INTENT

It is the intent of this Ordinance to regulate the use of all structures, lands and waters and to:

- (A) Regulate lot coverage and the size and location of all structures to prevent overcrowding and to provide adequate sunlight, air, sanitation and drainage;
- (B) Regulate population density and distribution to avoid sprawl, undo concentration, or overcrowding and to facilitate the provision of adequate public services and utilities;
- (C) Protect and preserve prime agricultural land and to maintain a viable agricultural base;
- (D) Regulate parking, loading and access to lessen congestion and promote the safety and efficiency of streets and highways;
- (E) Ensure safety from fire, panic, flooding, pollution, contamination and other dangers;
- (F) Stabilize and protect property values;
- (G) Preserve and protect the natural and man-made aesthetic characteristics of the County;
- (H) Prevent and control erosion, sedimentation, & other pollution of surface and subsurface waters;
- (I) Maintain safe and healthful water conditions;
- (J) Prevent flood-caused damage to persons and property and minimize expenditures for flood relief and flood control projects;
- (K) Protect the traffic-carrying capacity of existing and proposed arterial streets and highways;
- (L) Facilitate, the adequate provision of transportation, water, sewerage, school, park and of the public facilities and utilities;
- (M) Promote the health and general welfare of the County;
- (N) Implement municipal, county, watershed and regional comprehensive plans, or components of such plans adopted by the County;
- (O) Provide and protect a variety of suitable commercial and industrial sites;
- (P) Provide for the administration and enforcement of this Ordinance;
- (Q) Provide enforcement of the provisions of this Ordinance and;
- (R) Provide penalties for violations of this Ordinance.

1-5.00 SEVERABILITY

This Ordinance and the various parts, sections, subsections and clauses are declared to be severable. If in the event any part, section, subsection, clause, provision, or any application of this Ordinance is adjudged unconstitutional, or invalid, the remainder of this Ordinance shall not be affected.

1-6.00 ABROGATION AND GREATER RESTRICTIONS

It is not intended by this Ordinance to repeal, abrogate, annul, impair, or interfere with any existing easements, covenants, deed restrictions, agreements, ordinances, rules, regulations, or permits previously adopted, or issued pursuant to law. However, wherever this Ordinance imposes greater restrictions, the provisions of this Ordinance shall govern.

1-7.00 INTERPRETATION

In their interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements and shall be liberally construed in favor of the County and shall not be construed a limitation, or repeal of any other power granted by the Wisconsin Statutes.

1-8.00 REPEAL AND EFFECTIVE DATE

The provisions of the existing Amended Ordinance 6-1 Lafayette County Comprehensive Zoning Ordinance dated December 27, 1979 and all amendments shall be repealed effective on the date this Ordinance is enacted. This Ordinance shall be effective after public hearing, adoption by the Lafayette County Board, publishing and posting as required by law.

1-9.00 JURISDICTIONS

The requirements of this Ordinance shall apply to all unincorporated lands and waters within the boundaries of Lafayette County, Wisconsin except those extraterritorial lands and waters specifically exempt, or excluded as a result of a municipality's exercise of its extraterritorial zoning power, and only to the extent of such specific exemption, or exclusion.

SECTION 2 – DEFINITIONS

2-1.00 GENERAL

For the purpose of this Ordinance, certain words, or phrases shall have meanings that either vary somewhat from their customary dictionary meanings, or are intended to be interpreted to have a specific meaning. Words used in the present tense include the future. The word "person" includes a firm, association, partnership, trust, company, or corporation as well as an individual. The word "shall" is mandatory, the word "should" is advisory, and the word "may" is permissive. Any words not defined in this Section shall be presumed to have their customary dictionary definitions. As used in this Ordinance, the following words, or terms shall have the meaning indicated.

2-2.00 SPECIFIC DEFINITIONS

2-2.01 ACCESSORY (Building, Structure, or Use):

A building, structure, or use (on land, or water) customarily incidental to a principal building, structure, or use and located on the same lot as the principal building, structure, or use.

2-2.02 AIRPORT:

Any airport which complies with the definition contained in Section 114.002(7), Wisconsin Statutes, or any airport which serves, or offers to serve any commercial carriers engaged in air transport.

2-2.03 ANIMAL UNIT AGRICULTURAL DISTRICTS:

In agricultural zoning districts the, Wisconsin Dept. of Natural Resources definition of "Animal Unit" including limitations shall apply.

2-2.04 ANIMAL UNIT "RR" RURAL RESIDENTIAL DISTRICT:

In a "RR" Rural Residential Zoned District the following definition of "Animal Unit" including limitations shall apply with a limitation of four (4) animal units per acre.

- (A) For livestock, or farm animals an animal unit is equivalent to one bovine, or equine, two swine, goats, sheep, farm raised deer, camelid, or ratite. For young stock, divide the type of animals by two to determine animal unit equivalents (for example: 2 calves divided by 2 = 1 cow (1 cow = 1 animal unit)
- (B) For fur bearing animals such as mink, rabbits, fox and the like, fifty animals is the equivalent to one animal unit.
- (C) For poultry, game birds, or farm raised fish, one hundred is the equivalent to one animal unit.
- (D) For dogs, or cats an animal unit is equivalent to three, or any combination over six months old.

2-2.05 ANIMAL UNIT RESIDENTIAL

In “R-1, R-2, or R-3 Residential Zoned District” the following definition of “Animal Unit” including limitations and type as shall apply with a limitation of (1) one animal unit per residence.

(A) One animal unit is the equivalent of (4) four dogs, cats, poultry, or rabbits, or combination of, not to exceed (4) four when housed, or kept out side of the home.

2-2.06 AUTO SALVAGE YARD:

Any place which is owned, maintained, operated, or used for storing, keeping, processing, buying, or selling junk automobiles, or automobile parts including the following.

(A) The temporary storage of automobile bodies, or parts awaiting disposal as a normal act of a business operation when the business will continually have like materials located on the premises.

(B) The storing, or keeping on a single parcel of land, more than two unlicensed automobiles in open view from adjacent parcels shall be considered an auto salvage yard.

2-2.07 BOARDING HOUSE (Bed & Breakfast):

A building, other than a hotel, restaurant, or a Community Based Residential Facility, where meals, or lodging are regularly furnished for compensation to persons that are not members of building owner’s family and not to exceed (12) twelve persons.

2-2.08 BOATHOUSE:

Any structure designed for the purpose of protecting, or storing boats for non-commercial purposes. Boathouses shall not be used for human habitation.

2-2.09 BUILDABLE AREA OF A LOT:

That part, or area of a lot that is within the required building setbacks from the side, front and rear yard lot lines and road centerline with a grade slope of 15%, or less.

2-2.10 BUILDING:

Any structure used, either temporary, or permanent, having a roof, or other covering and designed, or used, for the shelter, or enclosure of any person, animal, machinery, materials, or property of any kind.

2-2.11 BUILDING HEIGHT:

The vertical distance measured from the average finished grade elevation at the building line to the highest point of a flat roof, or the deck line of a mansard roof, or to the average height of the highest gable, gambrel, or hip of a pitched roof.

2-2.12 CAMPGROUNDS, RECREATIONAL VEHICLE/TRAILER PARK:

Any privately, or municipally owned tract of land accessible by boat, automobile, or other engine driven vehicle with more than (2) two recreational vehicles, or (3) three camping tent sites.

2-2.13 CONDITIONAL USES:

Uses which because of their unique characteristics, cannot be properly classified in any particular district, or districts without consideration in each case, of the impact of these uses upon neighboring land and the public need for the particular uses in the particular location.

2-2.14 CORNER LOT:

A lot abutting two, or more streets at their intersection, where the interior angle formed by the street intersection is less than 135 degrees.

2-2.15 DAY CARE CENTER:

A licensed facility where a person, other than a relative, or guardian, provides care and supervision for (4) four, or more children under 7 years of age, for less than 24 hours per day and for compensation.

2-2.16 DISTRICT:

Defined areas of the County that are mapped for which the regulations of this Ordinance are applied.

2-2.17 DWELLING, (Single-Family):

A detached building designed for human habitation, a residence occupied exclusively by one family.

2-2.18 DWELLING, (Multi-Family):

A detached building designed for human habitation, a residence designed to contain separate residential living units within one building to be occupied by two, or more families.

2-2.19 DWELLING, (Seasonal, or Recreational)

A detached building designed for intermittent or seasonal human habitation occupied by one family.

2-2.20 FAMILY:

One, or more persons related by blood, marriage, or legal agreement occupying the same premises and living together in a single dwelling, or dwelling unit.

2-2.21 FARM:

A tract of land under common ownership that is primarily devoted to agricultural use, that produces annual revenues, on which crops, or animals are raised, including the farmstead as well as crop and pastureland.

(A) Other forms of a farm use include but are not limited to silviculture, aquaculture, floricultural and horticultural.

2-2.22 FLOOR AREA:

The sum of the gross horizontal areas of the several floors of the building, measured from the outer lines of the exterior walls of the buildings, provided that the floor area of a dwelling shall not include space not useable for living quarters, such as attics, unfinished basement rooms, garages, breezeways, and unenclosed porches.

2-2.23 FRONTAGE:

Frontage is the linear distance of property along a public highway, roadway, or street right-of-way line, or along the ordinary high water mark of a stream, river, or lake, or along a wetlands area.

2-2.24 FRONT LOT LINE (Right-Of-Way Line):

A line dividing a lot from any public highway or street, except a limited or controlled access highway to which the lot has no access.

2-2.25 FRONT YARD:

The yard setback area extending across the full width of the lot, side lot line to side lot line, whose depth is measured in feet at a right angle from the center line of an existing, or proposed street, or highway and from the right-of-way, or front property line to an assigned distance pursuant to the zoning district and street, or highway type. Both are measured and the measurement that extends farthest into the lot is the front yard setback area.

2-2.26 HEIGHT: (objects, or structures other than a building):

Pursuant to this Ordinance, height means the vertical distance to the highest point of a structure, except a chimney, or antenna, to the average ground level elevation where the walls, or other structural elements intersect with the ground.

2-2.27 HIGHWAY:

A highway is a public way for the purpose of vehicular travel including the entire area within the right-of-way. As modifiers, "arterial" denotes a highway primarily for through traffic on a continuous route.

2-2.28 HOME OCCUPATION:

A gainful occupation conducted by a member of the family within his, or her place of residence, where the space used for conducting the occupation is incidental to the residential use, where the floor area where the occupation is conducted does not exceed twenty (20%) percent of the total floor area of the home, and where no article is sold, or offered for sale except such as is produced by such home occupation. A home occupation includes such things as babysitting, millinery, dressmaking, canning, laundering and crafts, but does not include the display of any goods visible from the street nor such use as barber, or beauty shops, dance school, real estate brokerage, or photographic studios.

(A) For residential professional home office uses such as doctors, practitioners, dentists, clergymen, architects, landscape architects, professional engineers, registered land surveyors, lawyers, artists, teachers, agriculture, or other recognized professions where the area used to conduct such occupations does not exceed 20% of the total floor area of the residence and where no article is sold, or offered for sale other than that being part of the recognized profession.

2-2.29 JUNK or SALVAGE YARD:

An area consisting of buildings, structures, or premises where junk, waste, discarded, or salvage materials are bought, sold, exchanged, stored, packed, disassembled, handled, or recycled, including house wrecking, structural steel materials, and equipment yards, but not including auto salvage yards.

2-2.30 KENNEL:

A kennel is a use involving the permanent, or temporary keeping, or treatment of a number of animals that may, or may not be permitted pursuant to the zoning district it is located in.

2-2.31 LOT:

A tract of land having a frontage on a public street, occupied, or intended to be occupied by a principal structure, or use and is sufficient in size to meet the lot width, lot frontage, lot area, yard areas, parking areas, and other space provisions of this Ordinance.

2-2.32 LOT OF RECORD:

A lot of record refers to a lot in existence prior to Lafayette County's adoption of its Comprehensive Zoning Ordinance in December 27, 1979.

2-2.33 LOT AREA:

The total area within the lot lines of the lot, or parcel, except that any portion of a lot less than 33 feet wide shall not be used in computing lot area.

2-2.34 LOT LINE:

A lot line is a line marking the boundary of a lot.

2-2.35 LOT WIDTH:

Lot width is the distance between side lot lines of a lot, or tract of land.

2-2.36 MANUFACTURED HOME:

A structure that is designed to be used as a dwelling with, or without a permanent foundation and that is certified by the Federal Department of Housing and Urban Development.

2-2.37 MOBILE HOME:

A vehicle manufactured, or assembled and certified by the Federal Department of Housing and Urban Development as of June 15, 1976, designed to be towed as a single unit, or in sections upon a highway by motor vehicle and equipped and used, or intended to be used for human habitation, with walls of rigid un-collapsible construction, which has an overall length in excess of 45 feet and a body width of more than 8 feet.

2-2.38 MOBILE HOME PARK:

Any park, court, site, lot, parcel, or tract of land designed, maintained, intended, or used for the purpose of supplying a location, or accommodations for 2, or more mobile homes and shall include all buildings used, or intended for use as part of the park thereof, whether, or not a charge is made for the use of the mobile home park and its facilities. A mobile home park shall not include automobile, or mobile home sales lots on which unoccupied mobile homes are parked for inspection and/or sale.

2-2.39 NONCONFORMING (Use, Lot, Building, or Structure):

Nonconforming uses, lots, buildings, or structures are those which do not conform to a provision, or requirement of this Ordinance, but which were lawfully established prior to the effective date of this Ordinance, or of a governing amendment to this Ordinance.

- (A) A use that does not conform, with the use regulations of the district in which it is located is a nonconforming use.
- (B) Any building, or structure conforming in respect to a use but not in respect to frontage, width, height, area, yard, parking, loading, or setback requirements, is a nonconforming building, or structure and not a nonconforming use.
- (C) A lot of record that does not conform to the minimum lot width or area requirements of a district the lot is located in is a nonconforming lot.

2-2.40 ORDINARY HIGH-WATER MARK:

The point on the bank, or shore of a lake, stream, or river up to which the presence and action of surface water is so continuous as to leave a distinctive mark such as by erosion, destruction, or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristics.

2-2.41 PARCEL OF LAND:

A contiguous area of land identified for taxation purposes to which legal, or equitable title is held.

2-2.42 PARTIES IN INTEREST:

Parties in interest include all abutting property owners, and all property owners within 300 feet.

2-2.43 PRINCIPAL STRUCTURE:

Pursuant to this Ordinance, principal structure refers to a dwelling type structure including the attached garage in a residential, or agricultural zoning district, or a building in a commercial, industrial, agricultural, or rural business zoning district such as, a retail, or commercial establishment, service trade, office, public, or semipublic, manufacturing, terminals, or principal use and associated residential buildings.

- (A) There can be more than one principal structure on a single lot, or tract of land.

2-2.44 REAR LOT LINE:

A lot line which is located opposite of a front lot line and which is not a front lot line.

2-2.45 REAR YARD:

The yard setback area extending across the full width of the lot, side lot line to side lot line, whose depth, is measured in feet at a right angle from the rear lot line to an assigned distance pursuant to the zoning district.

2-2.46 RECREATIONAL VEHICLE:

A vehicle having an overall length of 45 feet, or less and a body width of 8 feet, or less primarily designed as temporary living quarters for recreational camping, or travel use, which either has its own mode of power, or is mounted on, or drawn by another vehicle. The basic entities are: travel trailers, camper trailers, truck campers and motor homes.

2-2.47 RIGHT-OF-WAY:

A strip of land, property, or interest therein acquired for, or devoted to a highway, street, or public way.

2-2.48 SETBACK

A setback is an assigned separating distance measured in feet between a regulated structure and a controlling item including but not limited to a property line, street, road, or highway center line, ordinary high water mark of a lake, or stream, well, septic system component, building, or structure.

2-2.49 SIDE LOT LINE:

A side lot line is any lot line that is not a front, or rear lot line.

2-2.50 SIDE YARD:

The yard setback area running parallel to the side lot line extending the full depth of the lot, front lot line to rear lot line, whose depth is measured in feet at a right angle to the side lot line to an assigned distance pursuant to the zoning district.

2-2.51 SIGN:

A sign is any structure, or natural object, or part thereof, or device attached thereto, or printed, or represented thereon which is intended to attract attention to any object, product, place, activity, person, institution, organization, business, or which shall display, or include any letter, word, or message, picture, or representation used as, or which is in the nature of an announcement, direction, or advertisement which is visible from any public street, or highway.

2-2.52 SINGLE-FAMILY DWELLING:

A single-family dwelling is a detached structure designed for and exclusively occupied by one family and meets the minimum building size and square footage standards of this Ordinance.

(A) Single-family dwellings do not include rooming, or boarding housing, community-based residential facilities, fraternity, or sorority homes, or similar uses, or mobile homes.

2-2.53 STREET:

A right-of-way accepted and designated as a public street, road, or highway by a public authority.

2-2.54 STRUCTURE:

Anything constructed, or erected, the use of which requires a more, or less permanent location on, or in the ground, including but not limited to buildings, towers, poles, fences, signs, or items set on skids.

2-2.55 SUBDIVISION:

The division of a lot, parcel, or tract of land by the owner thereof, or his agent, for the purpose of transfer of ownership, or building development where the act of division creates three (3), or more parcels or building sites of five (5) acres each, or less in area, or three (3), or more parcels, or building sites of five (5) acres each, or less in area are created by successive divisions within a five (5) year period.

(A) A subdivision of record refers to a subdivision that existed prior to Lafayette County's adoption of its Comprehensive Zoning Ordinance in December 27, 1979.

2-2.56 TRACT OF LAND:

A tract of land is a continuous expanse of land, parcels and/or lots.

2-2.57 TRAILER CAMP or PARK:

Any privately, or publicly owned tract of land accessible by automobile, or other engine-driven vehicle; which a camp, or park that is designed, maintained, intended, or used for the purpose of supplying accommodations for use by recreational vehicles on a temporary basis and is open to the public.

2-2.58 UN-USEABLE LANDS:

Lands that slope more than 25%, or are permanently under water shall not be considered useable.

2-2.59 USES CONSISTENT WITH AGRICULTURAL USE:

As defined in § 91.01(2) Wisconsin Statutes.

2-2.60 UTILITIES:

Utilities include public and private utility uses such as water wells, water and sewage pumper stations, water storage tanks, power and communication transmission lines, booster stations, electrical power substations, static transformer stations, telephone and telegraph exchanges, microwave radio relays and gas regulation stations, but not including wastewater treatment plants, or municipal incinerators, warehouses, shops, and storage yards.

2-2.61 YARD:

A yard is an open space which is unoccupied and unobstructed from the ground upward, except for vegetation, and is on the same lot, or parcel with a structure. The front and rear yards extend the full width of the lot and the side yard extends the full depth of the lot.

2-2.62 UNNECESSARY HARDSHIP:

An unusual, or extreme reduction in the adaptability of an individual property to comply with the requirements of a permitted use in a particular zoning district due to its unique site, or soil characteristics as distinguished from those applicable to most, or all property in the same zoning district, such as narrow parcels, or steep land slopes, or a situation caused by something other than the property owners own action.

SECTION 3 - GENERAL PROVISIONS

3-1.00 GENERAL SITE RESTRICTION

No land shall be used, or building, or structure erected where the land is unsuitable for such use, or building, or structure by reason of flooding, concentrated runoff, inadequate drainage, adverse soil, or rock formation, unfavorable topography, low bearing strength, erosion susceptibility, or any other feature likely to be harmful to the health, safety, prosperity, aesthetics and general welfare of this community. The Lafayette County Conservation, Planning & Zoning Manager in applying the provisions of this section, shall specify in writing the particular facts upon which it bases its conclusion that a lot, or tract of land is not suitable for certain uses. The applicant shall have an opportunity to present evidence contesting such unsuitability if he, or she so desires. Thereafter, the Lafayette County Conservation, Planning & Zoning Manager may affirm, modify, or withdraw its determination of unsuitability.

3-1.01 SITE DESIGN

A particular lot shall be designated as the site for each principal structure and only one home, or dwelling type principal structure shall be located, constructed, erected, or placed on a particular lot except as otherwise specifically authorized by a provision of this Ordinance.

3-1.02 LOT ACCESS TO ROADS AND PRIVATE ROADS

All lots shall abut upon, or have irrevocable recorded access to a public road, street, or highway.

- (A) All lots or tracts of land shall abut to or have a recorded access (easement) with a width of not less than sixty-six (66) feet to the public right-of-way and a frontage width to the public road, street, or highway of not less than forty (40) feet unless a narrower recorded access existed prior to the municipality first adopting the Lafayette County Comprehensive Zoning Ordinance.
- (B) If the recorded access is a private road, it shall serve no more than four (4) single family dwellings.
- (C) If the recorded access is a private road and already serves four (4) single family dwellings, no zoning permits shall be granted for construction of an additional single family dwelling, or dwellings until the private road has been converted to a public road pursuant to procedures set forth in the Wisconsin Statutes.
- (D) If a lot(s) abuts upon a public road with a frontage width of not less than 66 ft. a secondary

recorded access (easement) may be allowed upon issuance of a Condition Use Permit.

- (E) All lots, or tracts of land on which a multiple family dwelling, commercial building, or industrial building is built, or is to be built, shall abut upon a public road, street, or highway and shall have a frontage width of not less than sixty-six (66) feet. A recorded access (easement) or private road type access shall not serve a multiple family dwelling, commercial, or industrial buildings.

3-1.03 MINIMUM HOME or DWELLING STRUCTURE WIDTH AND LENGTH

All home, or dwelling type principle structures except seasonal dwellings shall have a minimum width of 24 feet and the length of the structure shall meet, or exceed the width dimension, or a minimum width and length of 24 feet by 24 feet unless otherwise specified in this Ordinance.

- (A) Seasonal dwellings per Section 2-2.19 shall have a minimum width of 20 feet and a minimum length of 25 feet, or no less than 500 sq. ft. in floor area.

3-2.00 USE RESTRICTIONS

The uses in all districts shall comply with the standards specified by this Ordinance, which are applicable to the following use restrictions and regulations.

3-2.01 PERMITTED USES

Only those permitted uses as specified for a district and their essential services may be permitted.

3-2.02 ACCESSORY USES

Customary accessory uses, buildings and structures are permitted in any district.

- (A) Accessory buildings including those for storage shall not consist of truck bodies, recreational vehicles, or mobile homes.
- (B) An accessory building may not be constructed, or placed in any residential district until the home, or dwelling type principal structure is present, or under construction.
- (C) Only an accessory building used exclusively for agriculture uses in an agriculture district may be constructed, or placed prior to a home, or dwelling type principal structure is present.

3-2.03 CONDITIONAL USE

Conditional uses are considered as special or unusual uses which would conform to the purpose and intent of this Ordinance and the provisions of the particular district if subjected to certain special conditions.

- (A) A conditional use is not a permitted use as it must be approved by the Lafayette County Planning & Zoning Committee.

3-2.04 UNCLASSIFIED or UNSPECIFIED USES

Unclassified or unspecified uses similar in character to the principal uses permitted in a particular zoning district may be permitted only if approved by the Lafayette County Planning & Zoning Committee.

- (A) This subsection does not apply to property zoned Agriculture (A-1) as the Lafayette County Planning & Zoning Committee cannot approve any unclassified, or unspecified uses for Agriculture (A-1) property and said unclassified and unspecified uses are not allowed on Agriculture (A-1) zoned property.

3-2.05 TEMPORARY USES

Temporary use of restricted areas or temporary access to restricted right-of-ways may be permitted upon obtaining a permit from the Lafayette County Planning & Zoning Department.

- (A) A permit for a temporary use shall be revocable, is subject to such limitations and conditions as may be imposed by the Lafayette County Planning & Zoning Department and limited to not more than twelve (12) consecutive months.

3-2.06 REDUCTION or JOINT USES

No lot, yard, parking area, floor area, setback, or other space shall be reduced in area, or dimension so as not to meet the provisions of this Ordinance as it applies to the particular area, or dimension, nor shall any part of any lot, yard, parking area, or other space required by a particular structure, or use be assigned, or devoted to, or used by any other structure, or use.

3-2.07 MANUFACTURED HOME/MOBILE HOME USE

No Zoning Permit shall be issued for any manufactured home/mobile home, or single wide mobile home unit, which is not approved by the Federal Dept. of Housing & Urban Development (HUD).

- (A) Modifications, or structural additions to any existing manufactured home/mobile home unit, must be either approved, or exempted by the Federal Dept. of Housing & Urban Development (HUD) and/or Wisconsin Uniform Dwelling Code (UDC) to allow issuance of a zoning permit.
- (B) A manufactured home/mobile home unit shall not be joined with another manufactured home/mobile home unit, or units to form a larger structure unless specifically designed and approved for that purpose by the original manufacturer and (HUD).
- (C) Use of a manufactured home/mobile home is permitted in all zoning districts as a principle residential structure provided the home has a minimum width of 24 feet and the length of the structure meets, or exceeds the width dimension, or a minimum length and width of 24 by 24 feet.
- (D) Use of a manufactured home/mobile with a width of less than 24 feet is allowed on an operating farm only as a second or third home for the parent, child, or employee of the owner operator of the farm and only if an occupied dwelling per Section 2-2.14 exists on the farm.
- (E) Use of a manufactured home/mobile with a width of less than 24 feet is permitted only in a Residential-3 (R-3) zoning district as a principle residential structure.
- (F) A mobile home shall not be used, or converted to an accessory building, or structure, or to any other use other than what it was originally approved for by the Federal Dept. of Housing & Urban Development (HUD).

3-3.00 SETBACK AREAS AND DIMENSIONAL REQUIREMENTS

No building, dwelling, structure, or other object shall be erected, altered, or placed so that any portion encroaches into the front, side, or rear yards and/or exceeds any area, width, height, or any setback requirement as established by this subsection, unless otherwise specified for the district in which such building, dwelling, structure, or object is located. No lot shall be created that does not meet, or exceed the minimum lot area and width requirements for the district in which it is located.

3-3.01 FRONT YARDS

The front yard setback area is established by the designated distance as specified in Table 3-3.00-1 measured in feet from the right-of-way line and from the nearest center line, or from the center of an on/off ramp road of the abutting road, street, or highway in which the more restrictive, or greater of the two setback measurements shall prevail.

**TABLE 3-3.00-1
FRONT YARD SETBACKS**

HIGHWAY CLASSIFICATION	HIGHWAY IDENTIFICATION	SETBACK FROM RIGHT-OF-WAY	SETBACK FROM CENTERLINE
Class - A - Highways	State & Federal Highways	50 ft	110 ft
Class - B - Highways	County Trunk Highways	42 ft	75 ft
Class - C - Highways	Town Roads and Public Streets	30 ft	63 ft
Private Roads	Recorded Access Easement	30 FT From Easement Boundaries	60 FT From Center of Easement
NONE	Lots With Out Road Frontage	25 FT From Front Property Line	N/A

Note highway classification:

A = Minor Arterial Highway indicates a State, or Federal Highway with or without an officially mapped right-of-way lines, or existing prior to having officially right-of-way lines mapped.

B = Minor Collector Highway indicates all County Trunk Highways.

C = Local Highway indicates Town, or Public Roads and Streets other than those listed above.

3-3.02 SIDE AND REAR YARDS

The Side and Rear Yard setback area is established by the designated distance as specified in Tables 3-3.00-2 and 3-3.00-3 measured in feet from the side, or rear property, or lot lines as prescribed for each Zoning District.

3-3.03 RIVER, STREAM, LAKE, OR WATERWAY SETBACKS

No building or structure as defined by this Ordinance may be placed closer than seventy-five feet (75) from the Ordinary High Water Mark of any navigable stream, river, lake, or waterway.

3-3.04 AREA, WIDTH AND HEIGHT

The area, width, height requirements for a building, dwelling, or lot, including building setback from an abutting residential district are established by the designated distance, or area as specified in Tables 3-3.00-2 and 3-3.00-3 measured in feet, or in square feet with heights measured in feet from finish grade, as prescribed for each Zoning District. Any portion of a lot having a width of less than thirty (30) feet shall not be considered in determining conformity with the minimum lot area.

TABLE 3-3.00-2

MINIMUM SETBACK, AREA AND DIMENSIONAL REQUIREMENTS AGRICULTURAL AND RESIDENTIAL DISTRICTS

PRIMARY ZONING DISTRICTS	SETBACKS		LOT		DWELLING			MAXIMUM BUILDING HEIGHT
	SIDE YARD	REAR YARD	AREA	WIDTH	AREA	WIDTH	MAXIMUM HEIGHT	
Agricultural A-1	30 ft	30 ft	10 acres	200 ft ^B	800 sq ft ^C	24 ft ^A	40 ft	75 ft
Agricultural A-2	30 ft	30 ft	5 acres	200 ft ^B	800 sq ft ^C	24 ft ^A	40 ft	75 ft
Rural Residential - RR	20 ft	30 ft	1 acre	200 ft ^B	800 sq ft	24 ft	35 ft	35 ft
Residential R-1	15 ft	40 ft	20,000 sq ft	150 ft ^B	1200 sq ft	24 ft	35 ft	35 ft
Residential (R-2)	15 ft	35 ft	20,000 sq ft	100 ft ^B	1000 sq ft	24 ft	35 ft	35 ft
Residential (R-3)	10 ft	30 ft	15,000 sq ft	100 ft ^B	500 sq ft	12 ft	25 ft	35 ft
Conservancy Forestry-Recreation - CFR	30 ft	30 ft	4 acres	200 ft ^B	seasonal 500 sq ft	20 ft	35 ft	35 ft
Residential R-1/R-2/R-3 With Public Sewer	10 ft	25 ft	10,000 sq ft	100 ft ^B	800 sq ft 500 sq ft R-3	24 ft 12 ft R-3	35 ft 25 ft R-3	35

TABLE 3-3.00-3

MINIMUM SETBACK, AREA AND DIMENSIONAL REQUIREMENTS COMMERCIAL AND INDUSTRIAL DISTRICTS

PRIMARY ZONING DISTRICTS	SETBACKS		LOT		BUILDING		
	SIDE YARD	REAR YARD	AREA	WIDTH	AREA	MAX HEIGHT	SETBACK FROM ABUTTING RESIDENTIAL DISTRICT
Commercial (C-1)	20 ft	30 ft	1 acre	150 ft ^B	2000 sq ft	40 ft	50 ft
Rural Business (B-1)	20 ft	30 ft	1 acre	150 ft ^B	500 sq ft	40 ft	50 ft
Light Industrial (M-1)	50 ft	50 ft	1 acre	150 ft ^B	2000 sq ft	50 ft	100 ft
Heavy Industrial (M-2)	50 ft	50 ft	2 acres	200 ft ^B	1000 sq ft	60 ft	200 ft

Notes Table 3-3.00-2 and Table 3-3.00-3

Note: ^(A) = One single wide mobile home is allowed on an operating farm pursuant to Sections 2-2.34 & 3-2.08 (C).

Note: ^(B) = Minimum lot width is measured at the minimum building setback line in all primary zoning districts.

Note: ^(C) = A seasonal, or recreational type dwelling, or undersized dwelling pursuant to Section 2-2.19, or Section 2-2.17 shall be no less than 500 Sq. Ft. in floor area, 20 feet in width, or 35 feet in height and is only allowed upon the issuance of a Conditional Use Permit.

3-3.05 PERMISSIBLE MODIFICATION OF YARD, SETBACK AND HEIGHT REQUIREMENTS

Modifications of yard, setback and height requirements of a particular district may be permitted in accordance with the following permissible modifications provided they do not obstruct any public right-of-way and comply with the vision corner requirements pursuant to Section 3-5.00.

- (A) PUBLIC SEWERED LOTS: Lots, or tracts of land located in a Residential R-1, R-2 and R-3 zoning districts may be designed with the reduced minimum setbacks, areas and dimensional requirements as established in Table 3-3.00-2 if supplied with public sewer. No lot, or tract of land may be designed with reduced minimum setbacks, areas and dimensional requirements without written authorization from the public sewer service entity that public sewer will be provided. No Zoning Permit shall be issued for any use until the public sewer is provided and in place.
- (B) HEIGHT MODIFICATIONS: The height limitations set forth for each primary district may be exceeded but such modification shall be the minimum necessary and in compliance with the following conditions:
 - (1) Any structure not exempted in this subsection, that exceed one hundred (100) feet in height shall require the issuance of a Conditional Use Permit.
 - (2) Architectural projections such as spires, belfries, parapet walls, cupolas, flues and chimneys may be permitted to a height of one hundred (100) feet above finished grade.
 - (3) Public and semi-public facilities, such as schools, churches, hospitals, libraries, monuments, museums, offices, sanitariums and stations may be erected to a height of sixty (60) feet, provided all required yard setback distances are increased by one (1) foot for each foot above the maximum height provision of the particular zoning district.
 - (4) Essential services, utilities, water towers, fire towers, communication and power transmission lines, substations, relay and receiving towers and aerials, related facilities and their mechanical appurtenances may exceed the height limitations of this Ordinance, provided the setback distance to the nearest lot line is not less than equal to twice the height of such structure(s).
 - (5) Special structures requiring an elevated location such as cooling towers, gas tanks, grain elevators, scenery lofts, silos, smoke stacks, ventilators, windmills and related mechanical equipment and appurtenances, may exceed the height limitations of the particular district, provided the setback distance to the nearest lot line is not less than equal to twice the height of such structure(s).
- (C) AVERAGING OF FRONT YARD, OR HIGHWAY SETBACKS: The Front Yard setback requirements as listed in Table 3-3.00-1 may be modified, but are subject to the following condition.

- (1) Where two (2), or more existing principal structures, buildings, or accessory buildings front on the same side of an abutting public road, street, or highway within two-hundred (200) feet on both sides of the subject's site, or within four-hundred (400) feet in one direction from the subject's site, the front yard setback may be modified to the average of the setbacks. The averaging of a setback is applied to buildings of the same type and the modification of the setback shall not exceed fifteen (15) feet where applied to a listed right-of-way setback nor exceed twenty-five (25) feet where applied to a listed centerline setback. The most restrictive, or greater of the two setback measurements shall prevail. To measure the average set-back the two nearest abutting lots on either side, or in one direction of the subject's property shall be the lots used to determine the average setback. In cases when one of the lots is vacant, or the same type structure is not present the full dimensional setback is applied to that lot. You may not skip over a vacant lot, or a lot without the same type structure.
 - (2) In Agricultural Zoning Districts where two (2), or more existing principal structures, buildings, or accessory buildings front on the same side of the abutting public road, street, or highway within three-hundred (300) feet on one and/or both sides of the subject's proposed building location, the front yard setback may be modified to the average of the setbacks of any combination of two (2) existing principal structures, buildings, or accessory buildings. The modification of the front yard setback shall not exceed 50% of the assigned highway right-of-way, or centerline setback as listed in Table 3-3.00-1. The more restrictive shall prevail.
- (D) YARD MODIFICATIONS: The yard requirements set forth for each primary district may be modified provided such modification shall be in compliance with the following conditions:
- (1) Essential services and landscaping features such as communication and power transmission lines, security and protective devices, utilities and service facilities, trees, shrubs, hedges and other vegetation, may be exempt from the yard and setback requirements of this Ordinance, provided they do not obstruct the use of any public right-of-way.
 - (2) Architectural projections such as fire escapes, open stairs, ornaments, retaining walls and related structural requirements may project into a required yard, provided such projection do not extend within five (5) feet of any lot line.
 - (3) Accessory uses and detached accessory structures may be permitted in side and rear yards, provided such structures do not exceed thirty (30) feet in height, do not occupy more than twenty (20) percent of the particular yard area, are not less than ten (10) feet from any principal structure nor less than ten (10) feet from any lot lines.

3-3.06 MAINTENANCE AND USE OF YARD AND SETBACK AREAS

Any such required yard, or setback areas shall be kept clean and free from the accumulation of debris and refuse. Such yard or setback areas shall not be used for the storage, or display of equipment, products, vehicles, or other materials.

- (A) Vegetation and certain types of landscaping, ornamental, or decorative structures may be placed in the required front, rear and side yards provided they do not obstruct the use of any public right-of-way and comply with vision corner requirements pursuant to Section 3-5.00. Permitted structures and vegetation include, but are not limited to, flag poles, ornamental light standards, ornamental ponds and fountains, lawn furniture, sun dials, bird baths, trees, shrubs, flowers and in agricultural use districts the planting and harvesting of field crops.

3-3.07 MAXIMUM GROUND COVERAGE PERMITTED

The maximum total ground coverage of all principle structures, or buildings and all accessory buildings and structures shall not exceed 30% of the total lot area for any zoning district.

- (A) The total area of impermeable surfaces including structures and buildings shall not exceed 50% of the total lot area, nor shall it encroach into a lot yard or setback area unless permitted.

3-3.08 CORNER LOTS

Corner lots shall have two front yards and a rear yard shall be provided opposite the front yard from

the street in which the principle structure, or buildings obtains its primary access (front door).

3-4.00 FENCES

The intent of this section is to regulate fences in the yards of all zoning districts and provide height and setback requirements as specified for the district in which they are located and that they do not obstruct the use of any public right-of-way and comply with vision corner requirements pursuant to Section 3-5.00 including hedges and tree plantings which are permitted along the property lines in all districts. A Zoning Permit is required per Section 4-3.02 for all fences except agricultural type fencing in an Ag district.

3-4.01 RESIDENTIAL TYPE FENCES

Only residential type fences may be permitted in the front, side and rear yards of residential district, provided such fences do not exceed six (6) feet in height, nor shall the fence extend within two (2) feet of any public right-of-way, or property line. To place a fence at less than two (2) feet to any property line shall require a Conditional Use Permit with a written agreement between both property owners. This agreement shall be recorded with the Register of Deeds in such a manner so as to be referenced to each property. This agreement shall be binding upon the property owner(s), their heirs, or assignees, and shall run with the land. This agreement will remain in effect until such time the Lafayette County Planning & Zoning Department certifies the fence has been removed. Residential type fencing includes privacy, ornamental, wood, and chain link type fences.

3-4.02 SECURITY TYPE FENCES

Security type fences may be permitted in all districts except residential districts provided such fences do not exceed ten (10) feet in height and do not extend within two (2) feet of any public right-of-way, or property line.

3-4.03 AGRICULTURAL TYPE FENCES

All types of fences are permitted in agricultural districts in yards, or along property lines but agricultural type fencing is only permitted in districts that allow agricultural type uses.

3-5.00 VISION CORNERS

The purpose of this section is to protect the visibility of motorists, cyclists, riders and pedestrians in each quadrant of every at-grade intersection of a public road, street, or highway with another public road, street, or highway, or with a mainline railroad. There shall be a vision corner provided, consisting of a triangular area within which no structure, building, vegetation, or other fixed object shall be permitted if the same would obstruct the highway users' view across such vision corner, or otherwise restrict said users' ability to perceive an on-coming vehicle. Only signs placed by, or under the direction of the appropriate highway agency for the guidance, direction, control, or warning of traffic, construction barricades and safety devices, are allowed within a vision corner.

3-5.01 VISUAL CLEARANCE TRIANGLES

All vision corners shall be bounded by the centerlines of the intersecting roads, streets, highways, or railroad tracks to form a visual clearance triangle from the connecting point of the centerlines at the intersection of the roads, streets, highways, or railroad tracks measured in feet on a horizontal straight line to a distance as specified in Table 3-500-1.

- (A) In the case of a multi-lane, or divided highway, or a multi-track railroad, said center line shall be construed to be the centerline of the near pair of travel lanes, or the near pair of rails to the visual clearance triangle.

**TABLE 3-5.001
VISUAL CLEARANCE TRIANGEL DIMENSIONAL REQUIREMENTS**

ZONING CLASSIFICATION	DISTANCE FROM INTERSECTION
Class - A - Highway	300 ft
Class - B - Highway	200 ft
Class - C - Highway	150 ft
Private Road, or Recorded Access Easement	100 ft

Note: For Highway classification identification see Table 3-3.00-1.

3-6.00 DIRECT PRIVATE ACCESSES/DRIVEWAYS

The intent of this section is to provide for and regulate the location of direct private accesses, or driveways to a public right-of-way. A Zoning Permit is required per Section 4-3.02 for direct private access, or driveway in all zoning districts. No direct private access or driveway shall be permitted to the right-of-ways of any public road, street, or highway which does not meet the following provisions.

3-6.01 RIGHT-OF-WAY ACCESS, CLEARANCE AND SIZING RESTRICTIONS

No direct private access, or driveway shall be permitted to the right-of-way of any class A Highway; to the right-of-way of any ramp, or turning/acceleration/deceleration lane of any interchange on a Class A Highway; nor to any public road, street, or highway intersecting, or interchanging with an interchange, unless said access is included in the construction plans for the particular highway, or subsequently being permitted by the issuance of a conditional use permit.

- (A) No direct private access, or driveway shall be permitted to the right-of-ways of two intersecting public roads, streets, or highways within the horizontal distances as specified in Table 3-6.00-1 as measured in feet from the point of intersection of the two right-of-way lines and along the right-of-way abutting the subject site.
- (B) A vehicular entrance, or exit from a property which generates traffic volumes in excess of one-hundred (100) vehicles per day, shall be not less than one-hundred (100) feet from any pedestrian entrance, or exit serving a school, church, hospital, park, playground, or other place of public assembly.
- (C) All driveways shall be at least ten (10) feet wide where serving a one, or two family dwelling: at least fifteen (15) feet wide where providing one-way access to other uses: at least twenty (20) feet wide where providing two-way access to other uses: and except in a residential district, all driveways shall have a minimum lot line setback of five (5) feet measured from the edge of the driveway surface to the lot line. In residential districts, driveways shall have a minimum lot line setback of not less than one (1) foot.
- (D) A Zoning Permit for a direct private access or driveway to a State regulated highway shall include approval from the Wisconsin Department of Transportation. A Zoning Permit for a direct private access or driveway to a County regulated highway shall include approval from the Lafayette County Highway Department. A Zoning Permit for a direct private access or driveway to a Town regulated road shall include approval from the Township if they have a driveway ordinance. If the town ordinance is in conflict with the Lafayette County Comprehensive Zoning Ordinance the most restrictive regulations shall prevail.

**TABLE 3-6.00-1
INTERSECTION CLEARANCE DIMENSIONAL REQUIREMENTS**

HIGHWAY CLASSIFICATION	DIRECT PRIVATE ACCESS OR DRIVEWAY DISTANCE FROM ROAD INTERSECTIONS
Class - A - Highway	400 ft
Class - B - Highway	200 ft
Class - C – Highway or Access Easement	100 ft

Note: For Highway classification identification see Table 3-3.00-1.

3-7.00 OFF-STREET PARKING AND LOADING REQUIREMENTS

The purpose of this section is in all primary districts, that off-street parking space shall be provided at the time a principal structure, or building is constructed, erected, installed, enlarged, extended, or converted.

3-7.01 PARKING REQUIREMENTS:

The quantity of off-street parking to be provided shall comply with the minimum requirements as specified in Table 3-7.00-1.

**TABLE 3-7.00-1
MINIMUM OFF STREET PARKING REQUIREMENTS**

TYPE OF USE	NUMBER OF STALL(S) OR AREA REQUIRED PER USE
Single-family dwellings and mobile homes on separate lots	2.0 stalls per dwelling unit
Mobile homes in mobile home court	2.0 stalls per dwelling unit
Multi-family dwellings	1.5 stalls per dwelling unit
Hotels, motels, tourist homes, lodging houses, resorts, camp sites and the like	1.0 Stalls per guest room and/or rental
Clubs, lodges, fraternities, sororities, dormitories and the like	0.5 stalls per tenant and/or occupant
Hospitals	1.5 stalls per bed
Sanitariums, rest or nursing homes	0.3 stalls per bed or per patient housed
Medical and dental clinics, professional offices and the like	4.0 stalls per doctor, dentist and/or other professional occupant
Churches, theatres, auditoriums, community centers, funeral homes and other places of public assembly	0.2 stalls for each available seat
Jr. High and elementary schools	1 stall per employee
High Schools	0.2 stalls per student
College and universities	0.4 stalls per student
Drive-in food services, eating stands, beverage stands and the like	5.0 stalls per person employed to serve customers
Vehicle service stations	3.0 stalls for each gas pump and/or grease rack
Restaurants, bars, taverns, night clubs and places of entertainment	1.0 stalls per 100 square feet of floor area devoted to patrons and/or patron services
Retail business and service establishments	1.0 stalls per 200 square feet of floor area devoted to the display of merchandise
Financial institutions, business and governmental offices	1.0 stalls per 300 square feet of floor area devoted to patron, client or customer services
Museums, art galleries	1.0 stalls per 400 square feet of display area

Furniture or appliance stores: automotive, machinery or equipment sales & service	2.0 stalls per salesman, mechanic and/or other person employed to serve customers
Manufacturing, processing and packaging plant, laboratories, warehouses & other industrial uses	0.5 stalls per employee on the main shift at maximum employment
Bowling alleys	5.0 stalls per lane
Golf courses	2.0 stalls per hole
Athletic fields, ballparks, & the like	0.2 stalls for each seat available to spectators

- (A) The size of each parking stall shall be adequate for the vehicle to be parked thereon but not less than one hundred and eighty (180) sq. ft. exclusive of the area required for ingress and egress.
- (B) The location of all required parking stalls shall be within six hundred (600) feet of the structure to be served by such parking space.
- (C) Adequate access to a public road, street, or highway shall be provided for each parking stall see Section 3-6.01.
- (D) All off street parking areas shall be graded, have a dust free surface, be properly drained and usable when needed. Any parking area serving more than ten (10) vehicles shall have its stalls and aisles clearly marked.
- (E) No parking stall, aisle, or driveway in a residential district shall have less than a one (1) foot setback from a property line, or in all other districts not less than five (5) feet setback from a property line. Where necessary, curbs, or barriers shall be installed so as to prevent parked vehicles from extending over any abutting lot line.
- (F) Combinations of any of the above listed uses shall be provided with off street parking of a quantity equal to the total number of stalls required for each individual use. Any use not specifically named shall be provided with off street parking of a quantity equal to that required by a similar use as determined by the Zoning Manager subject to appeal to the Board of Adjustment.

3-7.02 LOADING REQUIREMENTS

In all primary districts and in association with all continuing and/or principal uses in said districts, off street areas shall be provided so that pickup, delivery and service vehicles may be loaded, unloaded and maneuvered in compliance with the following provisions:

- (A) In all primary districts, sufficient areas shall be provided on the premises so that pickup, delivery and service vehicles may be loaded, unloaded and maneuvered off street without intruding into the right of way, or backing onto the roadway of any Class A, B, or C Highway.
- (B) In all commercial and industrial districts, sufficient area shall be provided on the premises so that pickup, delivery and service vehicles may be loaded, unloaded and maneuvered off street without intruding into any public right of way and without backing onto any public roadway.
- (C) The required off street loading, unloading and maneuvering areas shall be provided at the time a principal structure, or building which requires pickup, delivery, or service vehicle accessibility is constructed, erected, installed, enlarged, extended, or converted.

3-8.00 SIGN REGULATIONS

The intent of this section is to promote the order and beauty of the countryside and to prevent despoilment of roadside conditions within the county by regulating the location and construction of signs to ensure that signs are compatible with surrounding land uses and express the identity of individual proprietors and the community as a whole. These regulations shall apply to all signs unless such signs are specifically exempt by the provisions of this Ordinance.

3-8.01 SIGN PERMIT

A zoning permit for a sign is required before any new sign is erected, painted, installed, located, or otherwise placed as provided in this Ordinance. The permit application shall include the name and address of the owner who owns the property on which the sign is to be placed, the proposed location

and size of the sign, and a statement as to what pictures, words, and message will be on the sign. If the applicant does not own the property on which the sign will be placed, the applicant shall furnish to the Manager written evidence of the landowner's permission to place the sign on his or her property

- (A) The following signs do not require a zoning permit:
- (1) Signs over show windows, doors, or on barns, relating to the establishment and announcing only the name of the farm, or business and the occupation (or name) of the proprietor.
 - (2) Real estate signs not to exceed eight (8) square feet in area which advertise the sale, rental, or lease of the premises upon which said signs are temporarily located.
 - (3) Name, occupation and warning signs not to exceed two (2) square feet located on the premises.
 - (4) Bulletin boards for public, charitable, or religious institutions not to exceed eight (8) square feet in area located on the premises.
 - (5) Memorial signs, tablets, names of buildings, and date of erection when cut into any masonry surface, or when constructed of metal and affixed flat against the structure.
 - (6) Official signs, such as traffic control, parking restrictions, information, historical markers, and notices.
 - (7) Temporary signs when authorized by the Manager for a period not to exceed (60) sixty days of use, or placement on a site.

3-8.02 SIGN RESTRICTIONS

Signs, lawfully existing at the time of the adoption of, or amendment to this Ordinance, may be continued although their size and/or location may not conform to the provisions of this Ordinance. Such signs shall be considered an existing non-conforming use. All signs and billboards to be erected in the future shall meet the following requirements.

- (A) Deteriorated, illegible, or obsolete signs are prohibited. Such existing signs shall be removed by the owner. Signs that are a traffic hazard, as determined by the County Engineer, shall be removed.
- (B) Signs (except official signs) shall not be permitted in the public right of way, or in the vision triangle at intersections.
- (C) Sign area, height and location shall meet the following limitations:
- (1) Be located less than 400 feet from any residence other than those permitted in residential districts.
 - (2) Have a minimum interval between signs of 1,000 feet along highways having a 65 mile-per-hour speed zone and 500 feet along highways having a less than a 65 mile-an-hour speed zone.
 - (3) Twin or back-to-back sign structures shall be considered one sign.
 - (4) No advertising sign shall project higher than 30 feet above grade.
 - (5) Advertising signs shall be placed no less than 10 feet from any public right-of-way line.
 - (6) Illuminated signs shall be shielded so as not to cast bright light upon property located in any residential district.
 - (7) No individual sign shall exceed 14 feet in vertical measurement, 50 feet in total length, or more than 700 square feet in area.
- (D) No signs shall be erected adjacent to highways in violation of the provisions of Wisconsin Statutes Sections 84.30, 86.19 and 86.191 and regulations of the Wisconsin Department of Transportation except as allowed by said statutes, or regulations, or which are posted by the state, or a municipality to regulate traffic and parking.
- (E) No sign shall be erected, relocated, or maintained so as to prevent free ingress, or egress to any door, window, or fire escape and no sign shall be attached to a standpipe, or fire escape.
- (F) The sign-able area of a building is a rectangular or square area of the façade, up to the roof line, which is free of windows, doors, or major architectural detail. In computing sign-able area, only a building façade, which faces a public street, may be utilized.
- (G) No sign shall resemble, imitate, or approximate the shape, size, form, or color of railroad, or traffic signs, signals, or devices.
- (H) Signs may be illuminated, although, no sign shall be lit in such a way as to cause glare, or

otherwise impair driver visibility upon a public street.

- (I) The owner of any legally existing sign shall keep it in good maintenance and repair, including restoring, repainting, or replacing a worn, or damaged sign to its original condition.

3-8.02 DISTRICT SPECIFIC SIGN REQUIREMENTS

In each zoning district there shall be specific requirements pursuant to that districts permitted uses.

(A) In commercial and industrial districts:

- (1) Wall signs placed against the exterior walls of buildings shall not extend outside of a building's wall surface, or exceed 300 square feet in area for any one lot.
- (2) Projecting signs fastened to, suspended from, or supported by building structures shall not be less than ten (10) feet above a sidewalk, or less than fifteen (15) feet above a driveway.
- (3) Projecting signs shall not exceed 100 square feet in area for any one lot. They shall not extend more than six (6) feet into any yard and shall be no less than ten (10) feet from any side lot line.
- (3) Roof signs shall not exceed ten (10) feet in height above the roof. They shall meet the building height requirements of the district they are located in and shall not exceed 300 square feet in area on all sides for any one lot.
- (4) Combinations of any of the above signs shall meet all the requirements for the individual sign.

(B) In residential and agricultural districts:

- (1) For sale, or rent signs, no trespassing signs, or similar signs shall be no larger than six square feet in gross area.
- (2) Home occupation signs advertising a legal home occupation shall not exceed 6 sq. ft. in area.

3-9.00 NONCONFORMING LOTS, STRUCTURES, AND USES

The lawful use of a lot, structure and land, or water uses existing at the time of adoption (December 27, 1979), or amendment of this Ordinance not in conformity with the provisions of this Ordinance, or specified as a permitted, or conditionally permitted continuation of an existing structure, or use, shall be deemed a preexisting lawful nonconforming lot, structure and land, or water use, however a continuation of such nonconforming lots, structures, or uses are limited pursuant to this Ordinance.

3-9.01 CONTINUED USE PROVISIONS

The continued use of a preexisting lawful nonconforming lot, building, structure and land, or water use may be continued if in accordance with the following provisions:

- (A) Provided the continued use of a nonconforming lot, building, structure, or use does not constitute a public nuisance under state law, or endanger the public health, safety, or the general welfare.
- (B) Only that portion of the land, building, structure, or water in actual use may be continued and such uses may not be extended, enlarged, or substituted except as required by law, or order so as to comply with the provisions of this Ordinance.
- (C) The substitution of new equipment may be permitted by the Board of Adjustment if such equipment will reduce the incompatibility of the nonconforming use.
- (D) If the nonconforming lot, building, structure, or use is discontinued, or terminated for a period of 12 months, it is no longer deemed a preexisting lawful nonconforming lot, structure, or use and any future use of the lot, structure, or use shall conform to the provisions of this Ordinance.
- (E) Any nonconforming use of land not involving a building, or structure (except signs) may be continued but such continuation is limited to five (5) years from the time of beginning of such nonconformity, whereupon the nonconforming use shall cease.
- (F) Once a nonconforming use, structure, or lot has been changed to conform, it shall not revert, or be permitted to return to its original nonconforming status.

3-9.02 EXISTING NONCONFORMING LOTS

In any district, a conforming building, or structure (except multi-family) may be erected, or constructed on any legal recorded lot, or tract of land in separate ownership from abutting lands and recorded with the County Register of Deeds before the effective date of adoption (December 27, 1979), or amendment of

this Ordinance.

- (A) If abutting lands and a recorded lot, or tract of land of record of substandard size or dimension, are owned by the same owner, the substandard lot, or parcel shall not be sold, or used without compliance with the provisions of this Ordinance.
- (B) If in separate ownership, the district requirements shall be complied with insofar as practical including building height and setback requirements but shall not be less than sixty (60) percent of the floor, lot, and yard areas and/or dimensions prescribed for the particular district.

3-9.03 EXISTING NONCONFORMING STRUCTURES

A lawful nonconforming building, or structure existing at the time of adoption (December 27, 1979), or amendment of this Ordinance may be continued even though the building, or structure's size, dimensions, or location on the lot does not precisely conform to the area, or dimensional requirements of the particular district, or with the parking, loading, or setback provisions of this Ordinance.

- (A) A pre-existing nonconforming residence, building, or structure located in areas subject to zoning under this Ordinance may continue, however such buildings, or structures shall not be extended, enlarged, moved, or structurally altered except as required by law, or order, or so as to more fully comply with the provisions of this Ordinance.
 - (1) A pre-existing nonconforming dwelling type structure may be extended, or enlarged only if such alteration fully complies with the provisions of this Ordinance and (B) of this subsection.
 - (2) A structural alteration or repair is the changing, or replacing of a structural component within a building, or structure. This does not include building maintenance such as repainting, residing, replacing of shingles, or metal roofing, replacing of same size, or smaller windows, or doors, or building maintenance that does not alter a structural component of a building, or structure.
- (B) The total lifetime structural repairs, restoration, and permitted alterations of such buildings, or structures, shall not exceed fifty (50) percent of the equalized assessed value of said buildings, or structure unless it is permanently changed to conform to the provisions of this Ordinance.
- (C) When a nonconforming building, or structure is damaged by wind, fire, vandalism, explosion, flood, ice, snow, mold or infestation, or other calamity to the extent of more than fifty (50) percent of its current equalized assessed value, it shall not be restored except as to comply with the provisions of the particular district in which it is located, unless authorized by a conditional use permit.
- (D) However, in the event a nonconforming residential type building is damaged, or destroyed by wind, fire, vandalism, explosion, flood, ice, snow, mold, or infestation, or other calamity to more than fifty (50) percent of its current equalized assessed value, the residential type nonconforming building may be restored to the size, location and use that it had immediately before the damage occurred.
- (E) Any alteration, addition, repair, or restoration of a nonconforming structure in a floodplain district shall include "flood proofing" measures.

3-9.04 CHANGES AND SUBSTITUTIONS

The Board of Adjustment, for due cause, may Lafayette a variance in the case of a nonconforming structure, or permit the substitution of a less objectionable nonconforming structure to reduce the incompatibility of such structure.

SECTION 4 - ADMINISTRATION

4-1.00 ADMINISTRATIVE STANDARDS

The administration of this Ordinance is primarily a process that is handled by the Manager, the Planning & Zoning Committee and the Board of Adjustment. A zoning permit is issued by the Manager if the proposed use is in accordance with permitted uses for that particular district and if it appears that any proposed structure or work to be done on said property will meet the requirements of this Ordinance. If it appears that the use, work, and any proposed structure will not meet all of the requirements of this Ordinance, the zoning permit shall be denied by the Manager. If the permit is refused, appeal can first be made to the Board of Adjustment and then to a court of law. In the course of administration and enforcement of this

Ordinance, wherein an issue is not precisely, or accurately governed, or regulated by the standards of this Ordinance it may be necessary for the Manager to make an administrative decision, this decision shall be made so that the result will not be contrary to the spirit and purpose of this Ordinance, or injurious to the surrounding neighborhood. If a change in the zoning Ordinance is desired, petition to the county board can be made by affected property owners, or members of the Planning & Zoning Committee, or the Manager.

4-2.00 PLANNING & ZONING COMMITTEE

The Lafayette County Planning & Zoning Committee shall study and report to the Lafayette County Board on proposed amendments to this zoning Ordinance, oversee the administration of the zoning Ordinance and ensure that all applicable requirements of this Ordinance have been met. The Planning & Zoning Committee shall authorize the issuance of conditional use permits, or if it appears that the proposed use will not meet the requirements of this Ordinance, the conditional use permit shall be denied.

4-3.00 BOARD OF ADJUSTMENT ESTABLISHMENT

There is hereby established a Board of Adjustment (BOA) for Lafayette County for the purpose of hearing appeals and applications for granting variances to the provisions of this Ordinance in harmony with its provisions. Membership of the BOA shall consist of a minimum but not limited to 3 members to be appointed by the Chairman of the County Board with the approval of the County Board.

4-3.01 PROCEDURE

The BOA shall organize and adopt rules of procedure for its own government in accordance with the provisions of this Ordinance and consistent with the Wisconsin Statutes.

- (A) Meetings shall be held at the call of the Chairman, and shall be open to the public.
- (B) Minutes of the proceedings and a record of all actions shall be kept by the Manager showing the vote of each member upon each question, the reasons for the Board's determination and its findings of fact. These records shall be filed in the Office of the Manager and shall be public.
- (C) A concurring vote of a majority of the members of the Board shall be necessary to reverse an order, decision, determination made, or to decide in favor of an applicant, or any matter on which it is required to pass, or to affect an appeal, or variance.

4-3.02 POWERS

The BOA shall have the following powers:

- (A) ERRORS: To hear and decide appeals where it is alleged there is an error in any order, requirement, decision, or determination made by the Manager, or Planning & Zoning Committee.
- (B) VARIANCES: To hear and grant appeals for variances not contrary to the public interest, where, owing to special conditions, a literal enforcement of this Ordinance will result in practical difficulty, or unnecessary hardship so that the spirit and purposes of this Ordinance shall be observed and the public safety, welfare, and justice secured. **Use variances shall not be heard, or granted.** Variances shall not create a substantial detriment to adjacent property.
- (C) INTERPRETATIONS: To render interpretations of the zoning regulations and the boundaries of the zoning districts after the Planning & Zoning Committee has reviewed and made recommendations.
- (D) PERMIT: This Board may reverse, affirm wholly or partly and may modify the requirements appealed from, and may issue, or direct the issuance of a permit.
- (E) ASSISTANCE: The Board may request assistance from other County Officers, Departments, Commissions, and Boards.
- (F) OATHS: The Chairman may administer oaths and compel the attendance of witnesses.

4-3.03 APPEALS

Appeals to the BOA may be taken by a person aggrieved, or by an officer, department, board, or bureau of the municipality affected by any decision of the Manager, or the Planning & Zoning Committee. Such appeal must be taken within 30 days after issuance of the decision, which is being appealed to be heard.

4-3.04 APPLICATION FOR APPEAL:

To file an appeal, the appellant must complete an Application of Appeal, provided by the Manager which is then filed with the Planning & Zoning Dept. The application shall include the name and address of the appellant, the decision being appealed, the date of the decision being appealed, and the grounds upon which the appellant is filing the appeal. When applicable, the appellant shall include a sketch pursuant to Section 4-5.02 and any additional information as required by the BOA or the Manager.

4-3.05 APPLICATION FOR VARIANCE

To file an appeal for variance, the appellant must complete an Application for Variance, provided by the Manager which is then filed with the Lafayette County Planning & Zoning Department. The application shall include the name and address of the appellant, the Ordinance and Ordinance section of which requesting zoning relief, an explanation of hardship imposed by the Ordinance and/or unique property features, and an explanation why the proposed variance will not harm the general public interest. When applicable, the appellant shall include a location sketch pursuant to Section 4.5.02 and any additional information as required by the Board of Adjustment, or the Manager.

4-3.06 BOARD OF ADJUSTMENT HEARING

The Board of Adjustment (BOA) shall review appeals or variances on a monthly basis. The Manager shall give public notice of the hearings by a Class 2 publication in the official newspaper of the County prior to the hearing. The notice shall specify the date, time and place of hearing and the matters to come before the Board. A written notice shall be mailed by the Manager to the parties in interest at least ten days prior to the hearing. The BOA shall decide the matter within a reasonable time. At the hearing, any party may appear in person, by agent, or by attorney. The BOA shall adopt such rules, as it deems necessary for the conduct of business.

4-3.07 PRINCIPLES GUIDING BOARD DECISIONS

The following are principles that shall guide the Board of Adjustment (BOA):

- (A) The burden is upon the appellant to prove the need for a variance.
- (B) Pecuniary hardship, loss of profit, self-imposed hardships, such as that caused by ignorance, deed restrictions, proceeding without a permit, or illegal sales, are not sufficient reasons for granting a variance.
- (C) The BOA is bound to accept the zoning Ordinance and map as being correct.
- (D) The plight of the appellant must be unique, such as a shallow or steep parcel of land, or situation caused by other than the appellant's own action.
- (E) The hardship justifying a variance must apply to the individual appellant's parcel or structure and not generally to other properties in the same district.

4-4.00 ZONING MANAGER DESIGNATES

The Lafayette County Planning & Zoning Manager is hereby designated as the administrative and enforcement officer for the provisions of this Ordinance and per this Ordinance shall be referred to as the Manager. The Lafayette County Conservation Technician is hereby designated to assist the Manager in the administration and enforcement of the provisions of this Ordinance, shall be referred to as designee.

4-4.01 POWERS AND DUTIES

The Manager or designee may exercise the following duties and powers:

- (A) Advise applicants as to the provisions of this Ordinance and assist them in preparing permits.
- (B) Issue permits and keep records of all permits issued, inspections made, work approved and other official actions.
- (C) Issue directives, orders, citations and report violations of this Ordinance and other applicable regulations to the Conservation, Planning & Zoning Committee and Corporation Counsel.

4-5.00 INSPECTIONS

The Manager or designee shall inspect properties for compliance with this Ordinance and related Wis. Statutes and/or Administrative Codes. Any permit application pursuant to this Ordinance signed by the property owner grants consent for Planning & Zoning Dept. staff to enter upon their property during normal working hours for the purpose of performing compliance inspections. If access to a property for the purpose of performing compliance inspections, violation investigations, or for other official duties is denied by the property owner, the issuance of a special inspection warrant in accordance with § 66.0119 (1) & (2) Wis. Statutes shall be utilized so as to confirm compliance with this Ordinance.

4-6.00 APPLICATION OF ORDINANCE (COMPLIANCE & PERMITS)

4-6.01 COMPLIANCE

No structure, land, or water shall hereafter be used and no structure, or part thereof shall be constructed, erected, moved, reconstructed, extended, enlarged, converted, or structurally altered except as specifically, or by necessary implication, authorized by this Ordinance. Conditional uses are allowed only with a permit granted by the Planning & Zoning Committee upon finding that the specified conditions exist. Where a lot is devoted to a permitted principal use, customary accessory uses and structures are authorized except as prohibited specifically, or by necessary implication.

4-6.02 USES REQUIRING A ZONING PERMIT

No building, structure, sign, or any other regulated item pursuant to this Ordinance shall be used, erected, moved, placed, altered, or enlarged, including buildings, or structures used exclusively for agricultural purposes, unless exempted by Subsection 4-6.04 of this Ordinance, until after issuance of a zoning permit.

- (A) A zoning permit shall be granted, or denied in writing by the Manager, designee within thirty (30) days of receiving an application. If a zoning permit is not granted, or denied within thirty (30) days, failure to review does not grant approval of said zoning permit.
- (B) A zoning permit shall expire within 1 year of issuance unless substantial work has commenced.
- (C) Any permit issued in conflict with the provisions of this Ordinance shall be null and void.
- (D) The minimum building size requiring a zoning permit is 150 square feet, or greater.

4-6.03 ZONING PERMIT, APPLICATION

Applications for a zoning permit shall be made to the Manager on forms furnished by the Planning & Zoning Department which shall include the following:

- (A) Names and addresses of the applicant being the owner of the property and when applicable the architect, professional engineer, and/or contractor.
- (B) Legal description of the subject site, address of the subject site, type of structure, existing and proposed operation, or use of the structure, or site, and the zoning district within which the subject sites lies.
- (C) A location sketch showing the location, boundaries (property lines), dimensions, elevations, uses, and size of the following when applicable:
 - (1) Subject site
 - (2) Existing and proposed structures
 - (3) Existing and proposed easements, streets and other public ways
 - (4) Off-street parking, loading areas and driveways
 - (5) Existing highway access restrictions
 - (6) Existing and proposed front, side and rear yards
 - (7) Floodplain and Shoreland overlay zoning districts
 - (8) Use of abutting lands and their structures within two hundred (200) feet of the subject site
- (D) Review fee(s) and any additional information as may be requested by the Manager, or the Planning & Zoning Committee.

4-6.04 USES NOT REQUIRING A ZONING PERMIT

Any work not requiring a zoning permit shall comply with the applicable setback, yard, height and other requirements of this Ordinance. A Zoning Permit shall not be required in any of the following instances:

- (A) When erecting, or placing a structure, or accessory building of less than 150 sq. ft. in area on a single lot, or tract of land limited to no more than (2) two of such structures, or buildings.
- (B) For normal repair and maintenance of any building, or structure that does not encroach upon any yard, or open space requirement of this Ordinance (not including repairs to structural supporting members for a building, or structure).

4-6.05 CERTIFICATE OF COMPLIANCE

If the Manager grants a zoning permit and the applicant complies with the provisions of this Ordinance, a certification, or seal of compliance shall be entered on the zoning permit by the Manager.

- (A) No vacant land shall be occupied and no structure, or building for which a zoning permit is required shall hereafter be occupied, nor shall the principal use of such building, or structure be changed and the building, or structure reoccupied unless said certification, or seal of compliance has been issued to show that such building, or premises and the use thereof are in compliance with the provisions of this Ordinance.
- (B) At the discretion of the Manager, they may issue a temporary certificate pending final determination of compliance but such issuance shall not authorize occupancy in excess of one (1) year. The issuance of a temporary certificate shall not be construed to imply that the particular building, structure, or use complies with this Ordinance in any respect.
- (C) In the event of construction in the floodplain district, the Manager shall request the applicant to submit a certification by a registered professional engineer that the finished fill, and flood protection factors were accomplished in compliance with the provisions of this Ordinance and the Lafayette County Floodplain Ordinance.

4-7.00 CONDITIONAL USE PERMIT

The Lafayette County Planning & Zoning Committee is authorized to approve, or deny conditional use permits. Upon approval of a conditional use permit the Lafayette County Planning & Zoning Committee shall authorize the Manager to issue a conditional use permit for uses as specified in each zoning district. Such permits shall only be issued after review and a public hearing and a finding that such conditional uses and structures are in accordance with the purpose and intent of this Ordinance and are not hazardous, harmful, offensive, or otherwise adverse to the environment, or the value of the neighborhood, or the community.

4-7.01 LIMITATIONS

If the conditional use granted by a permit is stopped and does not commence again within five (5) years, the permit process must start again with opportunity for public input.

- (A) Any conditional use permit for a quarry, or nonmetallic mine shall be limited to a 5-year period and must be renewed prior to expiring. Each permit renewal shall require a separate review and public hearing.

4-7.02 APPLICATION

Applications for a conditional use permit shall be made on forms provided by the Manager and shall include the following.

- (A) The information required under Section 4-6.03 of this Ordinance.
- (B) The information as specified in each zoning district and any additional information as requested by the Lafayette County Planning & Zoning Committee, or Manager.
- (C) An applicant for a planned unit development conditional use permit shall submit plans and other documentation to the Manager which shall indicate where and how the proposed project relates to existing and proposed facilities and development patterns, particularly existing, or proposed commercial, residential, industrial, or other development in the immediate area.

- (1) Plans shall indicate site layout and access. Location of existing and proposed utilities and roads (or streets) shall be shown as well as off street parking areas. Indication shall be made of the existence and adequacy of sewer and water facilities as well as solid waste disposal facilities. State standards regarding air, water, or soil pollution shall also be met. Also provision for control of erosion, or excessive run-off shall be made.

4-7.03 REVIEW

In deciding upon a conditional use permit, the Lafayette County Planning & Zoning Committee shall take into account existing and proposed structures, architectural plans, neighboring uses, parking areas, driveway locations, highway access, traffic generation and circulation, drainage, sewerage and water systems and the proposed operation. The Planning & Zoning Committee in evaluating an application may request assistance from other local, county, state, or federal agencies.

- (A) The Lafayette County Planning & Zoning Committee shall also consider any reclamation plan submitted for the property and the reclamation plan's provisions for maintaining lateral support and for depth of a quarry pursuant to the standards set forth in Wisconsin Administration Code Chapter NR 136.
- (B) No conditional use permit shall be granted where the proposed use is deemed to be inconsistent, or conflicting with neighboring uses for reasons of smoke, dust, odors, noise, vibration, lighting, health hazards, or possibly of accident.
- (C) Any development requiring approval of State, or local agencies, such as any commercial, or industrial uses, will not be given approval by the Lafayette County Planning & Zoning Committee until such development has prior approval by the relevant agencies.
- (D) Compliance with all other provision of this Ordinance, such as lot width and area, yard setbacks, building height and area, traffic, parking, loading, and right of way access, shall be required of all conditional uses. To reduce the minimum requirements of such provisions requires a variance.

4-7.04 CONDITIONS

The Lafayette County Planning and Zoning Committee may attach conditions, in addition to those required elsewhere in this Ordinance, that it deems necessary in furthering the purpose of this Ordinance.

- (A) Violation of any of these conditions shall be deemed a violation of this Ordinance.
- (B) Such conditions may include but are not limited to increases in setbacks, yards, or parking requirements, specified sewage disposal and water supply facilities, landscaping and planting screens, hours of operation, operational control, sureties, sighting, fencing, deed restrictions, signs, improved traffic circulations, highway access restrictions, type of construction, or any other requirement necessary to fulfill the purpose and intent of this Ordinance.

4-7.05 PUBLIC HEARINGS

Hearings on applications for conditional use permits shall be by the Lafayette County Planning & Zoning Committee. A Class 2 notice shall be published in the newspaper prior to the hearing. Written notice shall be sent by the Manager to all interested persons at least ten days prior to the hearing.

4-7.06 APPEALS

An appeal regarding a conditional use decision of the Lafayette County Planning & Zoning Committee can be made by filing a writ of certiorari, with the Circuit Court within 30 days of a decision by the Lafayette County Planning & Zoning Committee.

4-7.07 DENIAL & RE-APPLICATION

No application for a conditional use, which has been denied wholly, or in part by the Lafayette County Planning & Zoning Committee, shall be resubmitted for a period of one year from the date of said denial, except on the grounds that substantial new evidence, or proof of change to comply with the applicable conditions as determined by the Manager is included in the resubmitted application.

4-7.08 REVOCATION

Action may be taken to revoke, or terminate an issued conditional use permit by the Manager when authorized by the Lafayette County Planning & Zoning Committee. After revocation, or termination of an issued conditional use permit, such use shall be classified as a nonconforming use and would be subject to correction pursuant to this Ordinance.

- (A) An issued conditional use permit may be revoked, or terminated:
- (1) If the use does not conform to the conditions of approval within the time limits as established by the original approved conditional use permit.
 - (2) If the use does not continue to conform to the conditions of the original approval.
 - (3) If the character of the use itself has changed, causing the use to be incompatible with the surrounding area.
 - (4) If the use no longer conforms, to public health, safety and welfare needs.

4-7.09 PLANNED UNIT DEVELOPMENT USES REQUIRING A CONDITIONAL USE PERMIT

The intent of this subsection is to encourage good community development and a more efficient use of land and public services by allowing under certain circumstances, a more flexible means of land development than is otherwise permissible under lot by lot restrictions generally. The following development uses shall require the issuance of a Conditional Use Permit pursuant to this subsection when allowed as a conditional use as specified in each zoning district; RV Motor Homes/Trailer Parks, or Campgrounds, Resorts, Mobile Home Parks, Planned Residential Developments, Planned Commercial Developments, Planned Industrial Developments and Planned Subdivision/Condominium Developments.

(A) GENERAL PROVISIONS PER USE

Any proposed development shall be in accordance with official public plans, policies, codes, or Ordinances which are adopted by the county, or other governmental bodies having jurisdiction.

- (1) RV/TRAILER PARKS AND CAMPGROUNDS: RV Motor Homes/Trailer Parks and Campgrounds may be permitted in C.F.R., Shoreland, and Floodplain districts:
 - (a) USE REGULATIONS: RV Motor Home/Trailer Parks or Campground sites are for seasonable uses only. No Motor Home/Trailer Park or Campground site is permitted over 60 days. Accessory uses including convenience stores and laundry areas are permitted. However, accessory uses shall not occupy more than 10% of the gross usable area.
 - (b) LAND AREA REQUIREMENTS: The minimum land area for a RV/Trailer Park, or Campground is ten (6) acres.
 - (c) DENSITY PERMITTED: 10 units/gross per usable acre.
 - (d) SITE PLANNING: The plan shall provide for the layout of access roads and parking as well as areas designated for RV motor homes/trailers sites, or campsites and accessory uses. If the proposed development is in a floodplain, provisions shall be made for flood conditions in accordance with the requirements of the district.
- (2) RESORTS: Resort developments may be permitted in C.F.R., Floodplain and Shoreland districts subject to the general requirements and according to the procedures specified herein.
 - (a) USE REGULATIONS: Cottages, marinas and water oriented recreational activities are the primary uses permitted. Accessory uses including convenience stores and bait shops are permitted. Accessory uses, however, shall not occupy more than 10% of the gross usable area.
 - (b) LAND AREA REQUIREMENTS: The minimum land area for a Resort Development is ten (6) acres.
 - (c) DENSITY PERMITTED: 6 units/gross (cottages) per usable acre, indicated for residential use. Lesser density, in accordance with soil type, will be required if private sewage systems are used.
 - (d) SITE PLANNING: The plan shall provide for the layout of access roads and parking as well as areas designated for cottages, marinas, or other uses. If the proposed development is in a floodplain area, provision shall be made for flood conditions in accordance with the

requirements of that district.

- (3) MOBILE HOME PARKS: Mobile home parks may be permitted in the Residential R- 3 district only.
- (a) USE REGULATIONS: Year round mobile homes are permitted and accessory uses including convenience stores and laundering areas. However, such uses shall not exceed 5% of the gross usable area of the proposed park.
 - (b) LAND AREA REQUIREMENTS: The minimum land area for a Mobile Home Park is (6) acres.
 - (c) DENSITY PERMITTED: 6 units, or sites/gross per usable acre. Mobile homes shall be separated from each other and from other buildings and structures by at least 25 feet.
 - (d) SITE PLANNING: The plan shall provide for the layout of access roads and parking as well as the location of the mobile homes. No exposed ground surface will be permitted, where feasible vegetative growth capable of preventing soil erosion and eliminating dust is required.
 - (e) REQUIRED RECREATION AREAS: In all parks accommodating, or designed to accommodate 25, or more mobile homes, there shall be one, or more recreation areas, which shall be easily accessible to all park residents.
 - 1 The size of such recreation areas shall be based upon a minimum of 100 square feet for each lot. No outdoor recreation area shall contain less than 2,500 square feet.
 - 2 Recreation areas shall be so located as to be free of traffic hazards and should, where the topography permits, be centrally located.
 - (f) REQUIRED SETBACKS, BUFFER STRIPS AND SCREENING: All mobile homes shall be located at least 25 feet from the park rear and side property lines. Abutting public streets and highway setbacks shall be as prescribed in Table 3-3.00-1 of this Ordinance.
 - 1 There shall be a minimum distance of 20 feet between the mobile home site and the abutting park street. (Park streets are access streets that are located within the parks boundary lines and are not part of a public street of highway.)
 - 2 All mobile home parks located adjacent to industrial or commercial land uses shall be provided with screening, such as fences, or natural growth along the property boundary line separating the park and such adjacent nonresidential uses.
 - (g) PARK STREET SYSTEM: All mobile home parks shall be provided with safe and convenient vehicular access from abutting public streets, or roads to each mobile home lot. Such access shall be provided by streets, driveways, or other means.
 - (h) PARK ENTRANCE: Entrances to mobile home parks shall be designated to minimize congestion and hazards and allow free movement of traffic on adjacent streets. No parking shall be permitted on the park entrance street for a distance of 70 feet from its point of beginning. (Point of beginning is the front property line, or right of way line.)
 - (i) INTERNAL STREETS: Surfaced roadways shall be of adequate width to accommodate anticipated traffic, and in any case shall meet the following minimum requirements:
 - 1 All streets, except minor streets (from back of curb to back of curb) are 24 feet wide.
 - 2 Minor streets (acceptable is less than 500 feet long and serving less than 25 mobile homes, or any length if mobile home lots abut on one side only.) are 18 feet wide.
 - 3 Dead end streets shall be limited in length to 1,000 feet and shall be provided at the closed end with a turn-around having an outside roadway diameter of at least 60 feet.
 - (j) UTILITIES AND REFUSE: Adequate provisions shall be made for solid waste disposal at an approved site and indicated on the plan.
 - (k) PRIVATE COVENANTS: Any private restrictions controlling odor, noise, pollution, signs, or required screening, or landscaping shall be indicated on the plan. These will be evaluated in determining if the general intent of this district and the general provisions are being met. Adequate provisions for enforcing these restrictions shall be included in the plans.
 - (l) Planned unit development mobile home parks in the Residential (R-3) are exempt from the minimum dwelling width of twenty-four (24) feet.
- (4) PLANNED RESIDENTIAL DEVELOPMENT: A Planned Residential Development (Subdivision) may

be permitted in Residential Zoning Districts only.

- (a) USE REGULATIONS: Same as specified in Residential (R-1) district. However, downsizing of lot sizes may be allowed as a use condition if the proposed development is provided with community, or public sewer.
- (b) LAND AREA REQUIREMENTS: The minimum land area for a Planned Residential Development is ten (5) acres.
- (c) DENSITY PERMITTED: Same as specified in Residential (R-1) district.
- (d) SITE PLANNING: The plan shall also provide for the layout and design of residential structures, usable building sites, and screening, or other separation from neighboring objectionable use (such as commercial and industrial activities). No building site shall front on a state, or federal highway.
- (e) LOCATION: Such development shall not be proposed within 2,000 feet of any existing dump, salvage yard, or junkyard. If the proposed development is adjacent to commercial or industrial activities, a buffer, or screening shall be provided. Such a development shall be located in an area where adequate public, or private water and sewage facilities are available, or are to become available by the time the development reaches the stage where they will be required.
- (f) SUBDIVISION OF LAND: Any proposed development involving the division of land into multiple parcels, an applicant must submit a Preliminary Plat as defined in Chapter 236 of the Wisconsin Statutes and pursuant to the Lafayette County Subdivision Ordinance to the Manager as part of a Planned Residential Development conditional use permit. The following design principles shall be adhered to.
 - 1 Cul-de-sac, or loop streets are desirable to discourage through traffic on local streets. Tee intersections for residential areas are also preferred to reduce accidents. No street is to exceed 10% grade unless it can be shown undesirable, impractical, or cause undue hardship.
 - 2 All streets shall be provided with a smooth, hard and dense surface, which shall be durable and well drained under normal use and weather conditions. Off street parking and setbacks from roads, or highways will be as required in Sections 3-3.01 and 3-7.00 of this Ordinance.
 - 3 Pedestrian circulation system (sidewalks and pedestrian way) need not parallel the street system but the following criteria must be observed:
 - i. A sidewalk shall be provided on at least one side of a public street except where it can be demonstrated that such a sidewalk is not desirable.
 - ii. Pedestrian circulation systems must be provided as convenient, safe, and attractive links between residential grouping, open space areas, recreational areas, schools, and local shopping areas.
 - iii. The width of any sidewalk must be at least four (4) feet.
 - 7 Utilities, including electrical and telephone lines, should be placed underground wherever feasible. However, existing watercourses are desirable for storm drainage.
- (g) SITE CHARACTERISTICS: Pre-existing site conditions have considerable importance in establishing the character of a development. A flexible and positive response to the natural assets of the site is encouraged. Specific site assets which should be considered are:
 - 1 TREES: Of 6-inch diameter and larger are to be protected and saved wherever possible, particularly where a grouping of such trees exists.
 - 2 CONTOURS: The location of ridges, rock outcroppings, slopes, and hills all require that special consideration be given to the siting of buildings.
 - 3 WATER: Existing site water, in the form of water courses, streams, marshes, wet lands and ponds should be considered as possible resources for the establishment of

- recreation areas, or storm drainage courses. Excess surface water or storm water shall be drained in a safe, efficient manner.
- 4 ORIENTATION: The siting of development should be assessed in terms of terrain, views, sun, prevailing winds, water resources, soil characteristics, ease of access and the functional relation to adjacent areas, or structures.
 - 5 OPEN SPACE: All of the above considerations should be coordinated with the view towards developing pleasant and usable open space patterns, particularly in residential, recreational and resort developments.
- (5) PLANNED COMMERCIAL DEVELOPMENT: Planned Commercial Developments may be permitted in Commercial Zoning Districts only.
- (a) USE REGULATIONS: Same as specified in Commercial (C-1).
 - (b) LAND AREA REQUIREMENT: The minimum land area for a Planned Commercial Development is five (5) acres.
 - (c) LAND OCCUPANCY BY BUILDINGS: Total land occupancy by all buildings shall not exceed 30% of the lot area.
 - (d) SITE PLANNING: Location of structures and signs shall also be shown on the plan. Also, access points shall be indicated on the plan. If there are adjacent residential areas, the type and location of screening, or buffer zone shall be indicated on the plan.
- (6) PLANNED INDUSTRIAL DEVELOPMENT: Planned Industrial Developments may be permitted in Industrial Zoning Districts only.
- (a) USE REGULATIONS: Same as specified in the Industrial M-1, or M-2 districts. However, a Planned Industrial Development is not permitted within 500 feet of an existing residential area.
 - (b) LAND AREA REGULATIONS: The minimum land area for a Planned Industrial Development is (5) acres.
 - (c) LAND OCCUPANCY BY BUILDINGS: Total land occupied by all buildings shall not exceed 30% of the lot area.
 - (d) SITE PLANNING: Location of major structures shall also be shown on the plan as well as access. Location of existing and proposed utilities, transportation facilities and off street loading and parking areas shall be shown on the plan. If there are adjacent residential areas, the type and location of screening, or buffer zone shall be indicated on the plan and no structures shall be located within 100 feet of the perimeter of the proposed Planned Industrial Development.
 - (e) PRIVATE COVENANTS: Any private restrictions controlling odor, noise, pollution, signs, or required screening, or landscaping shall be reflected on the plan. These will be evaluated in determining if the general intent of this district and the general provisions are being met. Adequate provisions for enforcing these restrictions shall be included in the plan.

4-8.00 MEETINGS

Meetings, hearings, reviews and appeals for the Board of Adjustment, Planning & Zoning Committee, and action taken by the Lafayette County Board related to zoning matters, shall be held in accordance with the following:

4-8.01 MEETING SCHEDULES: (time and place)

- (A) The County Board shall meet at the regular meeting as determined by the County Board.
- (B) The Board of Adjustment shall meet at the regular meeting as determined by the Board.
- (C) Planning & Zoning Committee shall meet at the regular meeting as determined by the Chairman of the Committee.

4-9.00 FEES

Monetary fees are herein established to defray the cost of administration of this Ordinance and shall be required as part of any zoning, or conditional use permit application and for, but not limited to zoning

hearings, administrative appeals, zoning document reviews and zoning inspections, or re-inspections. In cases when a Zoning Permit is required and work, or a use has started prior to obtaining said permit, all permit fees shall be doubled, or \$200.00, whichever is greater. The fees shall be set and amended from time to time by the Lafayette County Planning & Zoning Committee. Fee schedule forms shall be provided by the Manager and made available at the Lafayette County Planning & Zoning Department.

4-10.00 COMPLIANCE ENFORCEMENT AND PENALTIES

It shall be the duty of the Lafayette County Planning & Zoning Manager, and their designee to investigate all complaints, give notice of any violations, and otherwise enforce the provisions of this Ordinance. Nothing in this Ordinance shall preclude Lafayette County from initiating any appropriate action to prevent, or remove a violation of any provision of this Ordinance. The Lafayette County Corporation Counsel shall expeditiously prosecute violations to this Ordinance.

4-10.01 VIOLATION ENFORCEMENT

Any property owner, their agent, contractor, or responsible party who fails to comply with the provisions of this Ordinance, or Wisconsin Statute(s) and/or Administrative Code(s) applicable to this Ordinance shall hereafter be established in violation.

- (A) The Lafayette County Planning & Zoning Manager, or designee, upon reasonable cause, or question as to proper compliance, may revoke, or suspend any permit governed by this Ordinance and issue directives and/or an Order for Correction for failure to meet the terms of an issued Zoning Permit, or any other violation of this Ordinance.
- (B) Any person issued an Order for Correction by the Lafayette County Planning & Zoning Manager, or designee in accordance with this Ordinance who resists enforcement, or violation correction, shall be subject to being prosecuted by Corporation Counsel.
- (C) Construction of items found in violation of this Ordinance, shall cease upon issuance of an Order for Correction, or an on-site issuance of a Stop Work Order by the Manager, or designee and all construction work shall remain stopped until the Manager, or designee release the order.
- (D) If an owner of a property has an ongoing violation to this Ordinance and in response to an Order for Corrections issued by the Manager, or designee to prevent, or abate a human health hazard as described in § 254.59 Wisconsin Statutes, and fails to correct, or remove the health hazard as ordered, the County may enter upon the property and cause to have such human hazard corrected, or removed from the property and place the actual costs of doing the correction, or removal on the property owners property tax bill as a special assessment.

4-10.02 PENALTY PROVISION:

Any person who violates any of the provisions of this Ordinance, except as otherwise provided shall upon conviction of such violation be subject to a penalty. Each day a violation continues to occur, shall constitute a separate violation and offense.

- (A) Any person issued a court citation that is found guilty of violating this Ordinance, or any part thereof shall be subject to a payment of a forfeiture cash deposit as prescribed by the Lafayette County Planning & Zoning Department Citation Ordinance including statutory court costs, assessments, surcharges and fees.
- (B) Any person who, upon conviction pursuant to a law suit complaint, is found guilty of violating this Ordinance, or any part thereof shall forfeit not less than one hundred dollars (\$100.00), or not more than one thousand dollars (\$1000.00) for each offense, in addition to the costs of prosecution, for each day of violation. Default in payment may result in imprisonment in the Lafayette County Jail for a period not to exceed six months for contempt.

4-10.03 EXECUTION AGAINST DEFENDANT'S PROPERTY:

Whenever any person fails to pay any forfeiture and/or costs of prosecution upon the order of any court for violation to this Ordinance, the court may issue a lien against the property of the defendant for such forfeiture and costs.

SECTION 5 - ZONING DISTRICTS

5-1.00 ESTABLISHMENT

For the purpose of this Ordinance the unincorporated lands of Lafayette County are hereby divided into Primary Zoning Districts which provide all primary land use regulations as defined and described herein the following:

5-1.01 PRIMARY ZONING DISTRICTS

- Agriculture Working Lands Initiative (A-1)
- Agriculture (A-2)
- Rural Residential (RR)
- Single Family Residential (R-1)
- Multi-Family Residential (R-2)
- Mobile Home & Multi Unit Residential (R-3)
- Conservancy-Forestry-Recreation (CFR)
- Commercial (C-1)
- Rural Business (B-1)
- Light Industrial (M-1)
- Heavy Industrial (M-2)

5-1.02 OVERLAY ZONING DISTRICTS

Overlay Zoning Districts are established to superimpose jurisdictional boundaries of the Floodplain and Shoreland/Wetland Ordinances.

- (A) When a Primary Zoning District is overlaid by a Floodplain or Shoreland/Wetland district the most restrictive or most stringent regulations of either district shall prevail.

5-1.03 DISTRICT BOUNDARIES

The location and boundaries of the County's Primary Zoning Districts are shown on the "Official Zoning Map" for each zoned township in Lafayette County and available on the Lafayette County interactive parcel viewer application. These maps together with all-explanatory materials and regulations thereon are an integral part of this Ordinance. In the event of a conflict between zoning district boundaries shown on the "OFFICIAL ZONING MAP" and the tax parcel map, the former shall govern and prevail. In accordance with Section 59.69 (4) & (5) of Wisconsin Statutes, zoning district boundaries shall be decided by the County Board. It shall be the policy of the Lafayette County Planning and Zoning Committee to consult with individual township boards in decisions regarding district boundaries before making recommendations to the County Board. The Lafayette County Planning and Zoning Committee shall decide disputes regarding exact location of district boundary lines. Decisions may be reviewed on appeal to the Lafayette County Board of Adjustment.

5-1.04 DISTRICT BOUNDARY LINES

Upon adoption of this ordinance, newly created district boundary lines will be determined via a recorded Certified Survey Map (CSM) that is performed by a professional land surveyor and in compliance with the Lafayette County Land Division Ordinance. Existing or grandfathered boundary lines will follow the existing tax parcel boundaries, unless otherwise noted on the zoning map, at the time of adoption of this ordinance.

5.1.05 DISTRICT BOUNDARY LINES DETERMINATIONS

In any case in which a zoning district boundary is disputed, the following procedures shall be observed.

- (A) Boundary lines of primary districts shall be determined on the basis of evidence provided on a recorded Certified Survey Map (CSM) that is completed by a registered land surveyor and in compliance with the Lafayette County Land Division Ordinance.
- (B) Floodplain and floodway district boundary lines shall be established by the FEMA Floodplain Maps.

In cases when the regional floodplain elevation or floodway elevation is required to determine the floodplain or floodway boundary line location this evidence shall be provided by a registered land surveyor.

- (C) Shoreland/Wetland Overlay District boundaries shall be established by an accurate measurement of the prescribed distance from the normal high-water mark, which shall be determined on the basis of evidence provided by the Manager, or designee.

5-1.06 ZONING DISTRICT MAPS

A certified copy of the zoning district maps shall be adopted and approved with the text and made a part of this Ordinance. These maps shall be certified by the Chairman of the County Board and attested by the County Clerk. Any changes affecting zoning district boundaries, or explanatory matter and regulations shall be recorded on the applicable maps. All such changes shall be made in accordance with provisions of Wisconsin Statutes, Chapter 59.69. Changes thereafter to the districts shall not be effective until entered and attested on this certified copy.

5-2.00 AGRICULTURE DISTRICT (A-1), WORKING LANDS INITIATIVE

The intent of this district is to maintain highly productive agricultural lands in food and fiber production by effectively limiting encroachment of non-agricultural development and minimizing land use conflicts among incompatible uses and including meeting tax credit eligibility.

5-2.01 DEFINITIONS

(A) The following definitions are specific to the Agriculture (A-1) zoning district:

(1) ACCESSORY USE: Any of the following land uses on a farm:

- (a) A building, structure, or improvement that is an integral part of, or is incidental to, an agricultural use.
- (b) An activity or a business operation that is an integral part of, or incidental to, an agricultural use.
- (c) A farm residence.
- (d) A business, activity, or enterprise, whether, or not associated with an agricultural use, that is conducted by the owner, or operator of a farm, that requires no buildings, structures, or improvements other than those described in paragraphs (1), or (3), that employs no more than 4 full-time employees annually, and that does not impair, or limit the current, or future agricultural use of the farm, or of other protected farmland.
- (e) Or any other use that the Department of Agriculture, Trade, & Consumer Protection (DATCP), by rule, identifies as an agricultural use.

(2) AGRICULTURAL USE: Any of the following activities conducted for the purpose of producing an income, or livelihood:

- (a) Crop, or forage production
- (b) Keeping livestock
- (c) Beekeeping
- (d) Nursery, sod, or Christmas tree production
- (e) Floriculture
- (f) Aquaculture
- (g) Fur farming
- (h) Forest management
- (i) Enrolling land in a federal agricultural commodity payment program, or a federal, or state agricultural land conservation payment program.
- (j) Or any other use that DATCP, by rule, identifies as an agricultural use.

(3) AGRICULTURE-RELATED USE: Any of the following:

- (a) An agricultural equipment dealership, facility providing agricultural supplies, facility for storing, or processing agricultural products, or facility for processing agricultural wastes.
- (b) Or any other use that DATCP, by rule, identifies as an agriculture-related use.

- (4) CONTIGUOUS: Adjacent to, or sharing a common boundary.
 - (a) 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 transmission right-of-way. Parcels are not "contiguous" if they meet only at a single point.
- (5) CONDITIONAL USE: A use allowed under a conditional use permit pursuant to this section.
- (6) FARM: All land under common ownership that is primarily devoted to agricultural use.
- (7) FARM ACREAGE: Size of a farm in acres.
- (8) FARMLAND PRESERVATION AGREEMENT: Any of the following agreements between an owner of land and DATCP under which the owner agrees to restrict the use of land in return for tax credits:
 - (a) A Farmland Preservation Agreement or transition area agreement entered into under § 91.13, 2007, or § 91.14, 2007 Wis. Stats.
 - (b) An agreement entered into under § 91.60(1), Wis. Stats.
- (9) FARMLAND PRESERVATION AREA: An area that is planned primarily for agricultural use, or agriculture-related use, or both, and that is one of the following:
 - (a) Identified as an agricultural preservation area, or transition area in an Agriculture (A-1) plan described in § 91.12(1), Wis. Stats.
 - (b) Identified under § 91.10(1) (d) in an Agriculture (A-1) plan described in § 91.12(2), Wis. Stats.
- (10) FARMLAND PRESERVATION PLAN: A plan for the preservation of farmland in a county, including an agricultural preservation plan under Sub Ch. IV of Ch. 91, 2007 Wis. Stats.
- (11) FARM RESIDENCE: Any of the following structures located on a farm:
 - (a) A single-family residence that is the only residential structure on the farm.
 - (b) A single-family residence that is occupied by any of the following:
 - 1 - An owner or operator of the farm
 - 2 - A parent or child of an owner or operator of the farm
 - 3 - An individual who earns > 50 percent of his or her gross income from the farm
 - (c) A migrant labor camp that is certified under § 103.92 Wis. Stats.
- (12) 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.
 - (a) Gross farm revenue includes receipts accruing to a renter, but does not include rent paid to the land owner.
- (13) LIVESTOCK: Includes the following; bovine animals, equine animals, goats, poultry, sheep, swine, farm-raised deer, farm-raised game birds, camelids, ratites and farm-raised fish.
- (14) NONFARM RESIDENCE: A single family, or multi family residence other than a farm residence.
- (15) NONFARM RESIDENTIAL ACREAGE: The total number of acres, of all parcels on which nonfarm residences are located.
- (16) OWNER: A person who has an ownership interest in land.
- (17) OPEN SPACE PARCEL: A parcel on which no buildings, other than hunting blinds, or small sheds, have been constructed, or approved for construction.
- (18) PERSON: An individual, corporation, partnership, limited liability company (LLC), trust, estate, or other legal entity.
- (19) PERMITTED USE: A use that is allowed without a conditional use permit, special exception, or other special zoning permission.
- (20) PRIME FARMLAND: Includes all of the following:
 - (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 par (a), which is identified as prime farmland in the county's certified Agriculture (A-1) Plan.
- (21) PRIOR NONCONFORMING USE: A land use that does not comply with the Agriculture (A-1)

Zoning Ordinance, but which lawfully existed prior to the application of this Ordinance.

- (22) PROTECTED FARMLAND: Land that is located in the Agriculture (A-1) zoning district, is covered by an Agriculture (A-1) agreement, or is otherwise legally protected from nonagricultural development.

5-2.02 GENERAL LAND USE IN AGRICULTURE (A-1) ZONING DISTRICT

Only the following land uses are allowed in an Agriculture (A-1) zoning district:

- (A) Uses allowed under Section 5-2.03 without a conditional use permit.
- (B) Uses allowed under Section 5-2.04 with a conditional use permit.
- (C) Prior nonconforming uses, subject to [choose § 59.69(10), 60.61(5), or 62.23(7) (h), Wis. Stats. as applicable]

5-2.03 PERMITTED USES

The following land uses are allowed without a conditional use permit in an Agriculture (A-1) zoning district:

- (A) Agricultural Uses
- (B) Accessory Uses
- (C) Agriculture-related Uses
- (D) Undeveloped natural resource and open space areas
- (E) Transportation, utility, communication, or other uses that are required under state, or federal law to be located in a specific place, or that is authorized to be located in a specific place under a state, or federal law that preempts the requirement of a special use permit for that use.
- (F) Other uses identified by DATCP rule
- (G) The placement of Recreational Vehicles pursuant to Section 2-2.46 of this Ordinance is allowed in this district provided the provisions in Section 5-4.01 (F) are followed.

5-2.04 PROHIBITED USES

The following uses are not allowed in the Agriculture (A-1) District.

- (A) Any use not listed as a permitted use in this district.

5-2.05 CONDITIONAL USES

The Lafayette County Planning & Zoning Committee may issue a conditional use permit for a proposed land use identified in this section and shall determine in writing that the proposed land use will meet the applicable conditions under this section. The Lafayette County Planning & Zoning Committee may issue the permit subject to any additional conditions which the Lafayette County Planning & Zoning Committee deems necessary to carry out the purposes of this Ordinance.

- (A) Transportation, communication, pipeline, electric transmission, utility, or drainage uses, if all of the following apply:
 - (1) The use and its location in the Agriculture (A-1) zoning district are consistent with the purposes of the Agriculture (A-1) zoning district.
 - (2) The use and its location in the Agriculture (A-1) 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 site of the use from agricultural use, or open space use.
 - (4) The use does not substantially impair, or limit the current, or future agricultural use of surrounding parcels of land that are zoned for, or legally restricted to agricultural use.
 - (5) Construction damage to land remaining in agricultural use is minimized and repaired, to the extent feasible.
- (B) Governmental, institutional, religious, or nonprofit community uses, if all of the following apply:
 - (1) The use and its location in the Agriculture (A-1) zoning district are consistent with the purposes of the Agriculture (A-1) zoning district.
 - (2) The use and its location in the Agriculture (A-1) 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 the conversion of land, at and around the site of the use from agricultural use, or open space use.
 - (4) The use does not substantially impair, or limit the current, or future agricultural use of surrounding parcels of land that are zoned for, or legally restricted to agricultural use.
 - (5) Construction damage to land remaining in agricultural use is minimized and repaired to the extent feasible.
- (C) Nonmetallic mineral extraction, if all of the following apply:
- (1) The operation complies with Subchapter I of Chapter 295, Wisconsin Statutes, and rules promulgated under that subchapter, with applicable provisions of local Ordinances under Wis. Stat. § 295.13, or Wis. Stat. § 295.14 (including all applicable provisions of this Ordinance), and with any applicable requirements of the department of transportation concerning the restoration of nonmetallic mining sites.
 - (2) The operation and its location in the Agriculture (A-1) zoning district are consistent with the purposes of the Agriculture (A-1) zoning district.
 - (3) The operation and its location in the Agriculture (A-1) zoning district are reasonable and appropriate, considering alternative locations outside the Agriculture (A-1) zoning district, or are specifically approved under state, or federal law.
 - (4) The operation is reasonably designed to minimize the conversion of land around the extraction site from agricultural use, or open space use.
 - (5) The operation does not substantially impair, or limit the current, or future agricultural use of surrounding parcels of land that are zoned for, or legally restricted to agricultural use.
 - (6) The owner agrees to restore the land to agricultural use, consistent with any required reclamation plan, when extraction is completed.
- (D) Oil and gas exploration, or production that is licensed by the department of natural resources under Subchapter II of Chapter 295, Wisconsin Statutes.

5-2.06 REZONING LAND OUT OF AN AGRICULTURE (A-1) ZONING DISTRICT

Except as provided in subsection (B), the Lafayette County Planning & Zoning Committee may not rezone land out of an Agriculture (A-1) district unless the Lafayette County Planning & Zoning Committee finds all of the following in writing, after public hearing, as part of the rezoning official record:

- (A) Principles guiding the Lafayette County Planning & Zoning Committee rezoning decisions.
- (1) The rezoned land is better suited for a use not allowed in the Agriculture (A-1) district.
 - (2) The rezoning is consistent with the Lafayette County Comprehensive Plan.
 - (3) If the request to rezone the land is not consistent with the Lafayette County Comprehensive Plan does the Town approve of amending the Comprehensive Plan Map to allow the rezoning?
 - (4) The rezoning is substantially consistent with the Lafayette County Farmland Preservation Plan, which is in effect at the time of the rezoning.
 - (5) If the rezoning is not consistent with the Lafayette County Farmland Preservation Plan, does the county approve of amending the plan to allow the land to be rezoned?
 - (6) 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 the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) under Ch. 91, Wis. Stats.
 - (2) A rezoning that makes the Agriculture (A-1) Zoning Ordinance Map more consistent with the Lafayette County Farmland Preservation Plan Map, certified under Ch. 91, Wis. Stats., which is in effect at the time of the rezoning.
- (C) By March 1st of each year the Lafayette County Planning & Zoning Department shall provide to

DATCP a report of the number of acres that Lafayette County has rezoned out of the Agriculture (A-1) zoning district under subsection (A) during the previous year and a map that clearly shows the location of those acres.

5-2.07 AREA, YARD AND DIMENSIONAL REQUIREMENTS

Except as heretofore provided in this subsection, no lot, or tract of land shall be used, nor shall any structure, or building be constructed, erected, or installed in this district unless the same complies with the area, yard, road setback and dimensional provisions as established in Sections 3-3.01 and 3-3.03.

5-2.08 ACCESS, PARKING AND SIGN REGULATIONS

The access (driveway), parking, and sign regulations are set forth in the following sections:

- (A) For Access (driveway) regulations see Section 3-6.00.
- (B) For Parking regulations see Section 3-7.00.
- (C) For Sign regulations see Section 3-8.00.

5-3.00 AGRICULTURAL DISTRICT (A-2)

The intent of this district is to maintain, preserve, and enhance the unincorporated rural lands of Lafayette County historically used, or suited for agricultural or agriculturally-related purposes but which are not included within the Agriculture (A-1) District. This district is intended to include those lands best suited to smaller farm uses including, but not limited to, truck farming, horse farming and hobby farming.

5-3.01 PERMITTED USES

The following uses and their customary accessory uses are permitted provided all animal wastes, polluting effluents, and other harmful, hazardous, or contaminative emissions are confined to, or contained on the property where the same is produced:

- (A) Agricultural uses including beekeeping, cropping, floriculture, gardening, grazing, horticulture, nurseries, orchards, pasturage, sustained yield forestry, truck farming, viticulture, breeding, feeding and raising of livestock, dairying, general farming, paddocks, poultry raising and stables.
- (B) Specialized animals husbandry such as the raising, propagation, or boarding of dogs, foxes, mink, pheasants, quails, rabbits and the like.
- (C) Accessory buildings and other agricultural structures and improvements such as carports, garages, grain bins, machine sheds, silos and the like, provided all buildings and structures comply with the yard and setback requirements of this Ordinance.
- (D) One roadside stand per farm along a class A, B, or C Highway only, used solely for the sale of produce on the premises, or adjoining premises and not employing more than two non-farm family members. The stand must be mobile, not exceed 50 square feet in total area and shall be removed, or set back at the owner's expense if determined to be a traffic hazard or nuisance by the highway agency having jurisdiction over.
- (E) Public and Semi-public uses including historic sites and monuments: parks and playgrounds: utilities: telephone and power transmission services, substations, relay stations and equipment buildings, radio and television transmission and relay towers, and appurtenant facilities, provided such uses comply with the provisions of this Ordinance.
- (F) Residential uses within an A-2 Agricultural District is limited to three homes consisting of either Single Family Dwellings, or one Two Family Dwelling, or one Singlewide Mobile Home which is only allowed as the second, or third home to an existing dwelling on an operating farm.
 - (1) The homes shall be occupied by the owner/operator of the farm, his, or her parent, or child who conducts, or who previously conducted farm operations on the parcel, or a person who, or a family with at least one adult member of which, earns the majority of his, or her gross income from conducting farm operations on the parcel.
 - (2) The placement of Recreational Vehicles pursuant to Section 2-2.44 of this Ordinance is allowed in this district provided the provisions in Section 5-4.01 (F) are followed.
 - (3) Only existing farm homes may be rented for residential use throughout the properly maintained

life of the structure provided such structure generally complies with the provisions of the Residential (R-1) District. Newly constructed homes for the purpose of renting are not allowed.

5-3.02 PROHIBITED USES

The following uses are not allowed in an Agriculture (A-2) District.

- (A) Any use not listed as a permitted use for this district.

5-3.03 CONDITIONAL USES

The following uses may be permitted upon issuance of a conditional use permit as provided in Section 4-7.00 of this Ordinance; provided all conditions set forth, or specified are complied with.

- (A) Agri-business activities such as the creation, establishment, extension, or the enlargement of facilities, plants and operations, for the storage, dispensing, or retailing of agricultural products, supplies and machinery, or the distribution of farm products, supplies and equipment, or the commercial raising, propagation, or boarding of fowl, or livestock, cow pools, stockyards, and the like by non-resident operators, may be allowed provided the following conditions are met.
 - (1) The particular lot or property is not less than four (4) acres in area.
 - (2) All structures and uses are not less than three hundred (300) feet from any neighboring dwelling, or less than one-hundred fifty (150) feet from any property line, or less than one-hundred (100) feet from any dwelling on the same premise.
- (B) Temporary housing for seasonal farm labor, under sized dwelling use, or seasonal dwelling use.
- (C) Permanent sawmills.
- (D) Governmental uses such as police and fire stations, county highway dept. storage garages, schools, public parks, or campgrounds, airports and landing strips.
- (E) Cemeteries, including mausoleums and crematories, provided the site contains at least (10) acres of land and all principal structures are not less than 200 feet from any property line.
- (F) Churches, public and private schools, hospitals and clinics, nursing and convalescent homes, sanitariums, charitable institutions for the sick, or infirm, penal and correctional institutions, and the like; provided the proposed site contains at least 4 acres of land, principal structures and buildings occupy less than forty (40) percent of the site area, and all principal structures and buildings are not less than two hundred (200) feet from any property line, or private dwelling on the same premise.
- (G) Plants and operations for the manufacturing, packing, or processing of foods from natural agricultural products, except rendering plants, slaughter houses, pea viners and the like; provided the particular lot, or property is not less than three (3) acres in area and all principal structures and uses are not less than two hundred (200) feet from any neighboring dwelling nor less than one hundred (100) feet from any property line, or dwelling on the same premise.

5-3.04 AREA, YARD AND DIMENSIONAL REQUIREMENT

Except as heretofore provided in this subsection, no lot, or tract of land shall be used, nor shall any structure, or building be constructed, erected, or installed in this district unless the same complies with the area, yard, road setback and dimensional provisions as established in Sections 3-3.01 and 3-3.03.

5-3.05 REZONING LANDS OUT OF AGRICULTURAL (A-2) ZONING DISTRICT

The Lafayette County Planning & Zoning Committee may not rezone land out of an Agriculture (A-2) district unless the committee finds all of the following in writing, after public hearing, as part of the rezoning official record:

- (A) Principles guiding the Lafayette County Planning & Zoning Committee rezoning decisions.
 - (1) The land is better suited for a use not allowed in the Agricultural A-1 district.
 - (2) The request to rezone the land is consistent with the Lafayette County Comprehensive Plan.
 - (3) If the request to rezone the land is not consistent with the Lafayette County Comprehensive Plan does the Town the property is located in approve of amending the Comprehensive Plan Map to allow the rezoning?

- (4) The rezoning will not substantially impair or limit current or future agricultural use of other adjacent farmlands.

5-3.06 ACCESS, PARKING AND SIGN REGULATIONS

The access (driveways), parking and sign regulations are set forth in the following sections:

- (A) For Access (driveways) regulations see Section 3-6.00.
- (B) For Parking regulations see Section 3-7.00.
- (C) For Sign regulations see Section 3-8.00.

5-4.00 RURAL RESIDENTIAL DISTRICT (RR)

The Rural Residential (RR) District consists of and includes the predominantly rural lands of Lafayette County. Lands in this district are intended to provide for areas of residential living in the rural countryside, where prime agricultural lands would not be involved, and where the residents of this district accept agriculture as the dominate way of life, wishing to participate in a limited way, living on large lots that have space for vegetable gardens, orchards, keeping of livestock, and similar rural activities. Since parcels suitable to be placed in this district may be scattered along the rural road network, among larger tract of A-1 zoned districts, this district may be expected to regulate small groupings of such residences. Although this district will be used in an agricultural environment, since the emphasis of this district is on residential living, it is necessary to place limits on the amount of animal keeping on each parcel. Lands in this district are intended to accommodate and provide for a variety of urban and limited agricultural activities as a transition, between agricultural and residential land uses within the county.

5-4.01 PERMITTED USES

The following uses shall be permitted provided all animal wastes, polluting effluents, and other harmful, hazardous, or contaminative emissions are confined to or contained on the property where the same is produced:

- (A) Limited raising, propagation, boarding and keeping of fowl or livestock including specialized husbandry animals per Section 5-3.01 (B) of not more than two (2) animal units for each acre of lot area, provided the particular lot or property is not less than one (1) acre in area and all animal housing structures are not less than one hundred (100) feet from any neighboring dwelling nor less than thirty (30) feet from any property line.
- (B) Residential use and renting for residential use consisting of one single family dwelling only.
- (C) Accessory buildings and other agricultural structures uses as provided in Section 5-3.01 (C).
- (D) Road side stands uses as provided in Section 5-3.01(D).
- (E) Public and Semi-public uses as provided in Section 5-3.01(E).
- (F) Use of Recreational Vehicles pursuant to Section 2-2.44 of this Ordinance is allowed as long as the vehicle remains currently licensed when applicable and in all cases remains mobile.
 - (1) The RV unit may not be placed on blocking or the tires removed.
 - (2) The RV unit may be leveled by screw type jacks only.
 - (3) If the RV unit is capable of water service it must be equipped by the manufacture with both gray and black water containment tanks.
 - (3) If the RV unit is provided with water service an approved means of sanitary disposal must be used for both the gray water and black water discharges from the RV unit or the RV unit must be taken to a Recreational Vehicle approved dump station for sewage discharge disposal.
 - (4) The placement of RV units is limited to two per lot or tract of land.

5-4.02 PROHIBITED USES

The following uses are not allowed in a Rural Residential (RR) District.

- (A) Any use not listed as a permitted use in this district.

5-4.03 CONDITIONAL USES

The following uses may be permitted in the Rural Residential (RR) District upon issuance of a conditional use permit as provided in Section 4-7.00 of this Ordinance; provided all conditions set forth or specified Chapter 6-1 Lafayette County Ordinances

are complied with.

- (A) Governmental uses as provided in Section 5-3.02(D).
- (B) Cemeteries, including mausoleums and crematories uses as provided in Section 5-3.02 (E).
- (C) Churches, public and private schools, hospitals and clinics, nursing and convalescent homes, sanitariums, charitable institutions for the sick or infirm, penal and correctional institutions, and the like as provided in Section 5-3.02 (F).

5-4.04 AREA, YARD AND DIMENSIONAL REQUIREMENTS:

Except as heretofore provided in this subsection, no lot or tract of land shall be used, nor shall any structure or building be constructed, erected or installed in this district unless the same complies with the area, yard, road setback and dimensional provisions as established in Sections 3-3.01 and 3-3.03.

5-4.05 REZONING LAND OUT OF RURAL RESIDENTIAL (RR) DISTRICT:

A Rural Residential (RR) District is a transitional zoning district that is acceptable pursuant to the Lafayette County Comprehensive Plan in both agricultural and residential planned areas. The Lafayette County Planning & Zoning Committee may not rezone land out of a Rural Residential RR district unless the committee finds all of the following in writing, after public hearing, as part of the rezoning official record:

- (A) Principles guiding the Lafayette County Planning & Zoning Committee rezoning decisions.
 - (1) The land is better suited for a use not allowed in the Rural Residential (RR) district.
 - (2) The request to rezone the land is consistent with the Lafayette County Comprehensive Plan.
 - (3) If the request to rezone the land is not consistent with the Lafayette County Comprehensive Plan does the Town the property is located in approve of amending the comprehensive plan map to allow the rezoning?
 - (4) The rezoning will not substantially impair or limit current or future agricultural use of other adjacent farmlands.

5-4.06 ACCESS, PARKING AND SIGN REGULATIONS

The access (driveway), parking and sign regulations are set forth in the following sections:

- (A) For Access (driveways) regulations see Section 3-6.00.
- (B) For Parking regulations see Section 3-7.00.
- (C) For Sign regulations see Section 3-8.00.

5-5.00 SINGLE FAMILY RESIDENTIAL DISTRICT (R-1)

This district is intended to accommodate low-density residential development. The primarily permitted use is single family residential only (no multi-family residences allowed).

5-5.01 PERMITTED USES

The following uses shall be permitted in the Residential (R-1) District.

- (A) Single family dwellings.
- (B) Accessory buildings, including private garages and other buildings clearly incidental to an existing residential use of the particular property, provided no such accessory building shall be used as a separate dwelling unit.
- (C) Governmental and cultural buildings and uses.
- (D) Gardening of plants and the like provided such activity does not involve any animals or fowl.
- (E) Home occupation, provided such occupation is incidental to the residential use of the premise; does not occupy more than twenty (20) percent of the floor area; does not involve any external alteration that would significantly change the residential character of the building; and no article is sold or offered for sale that is not produced on the premises by such home occupation.
- (F) Professional offices, provided such office is conducted solely by a member or members of the resident family entirely within and incidental to the resident use of the premise; and further provided such office does not occupy more than twenty (20) percent of the floor area of the principal structure.

- (G) The maximum number and types of animals permitted in a Residential (R-1) District if kept or allowed to be outside of the dwelling for any period of time are as follows:
 - (1) Four (4) adult dogs, cats or rabbits.
 - (2) Four (4) adult poultry or fowl.
 - (3) Animals under the age of six (6) months shall not be considered in the number of allowable animals unless kept or allowed to be outside of the dwelling for more than six (6) months.
- (H) In a Residential (R-1) district only the following types of residential fencing is permitted:
 - (1) Chain link type security fencing with a maximum height of (6) six feet.
 - (2) Plank and post type fencing with a maximum height of (6) six feet.
 - (3) Privacy shielding type fencing with a maximum height of (6) six feet.

5-5.02 PROHIBITED USES

The following uses are not allowed in a Residential (R-1) District.

- (A) Livestock or farm type animals such as but not limited to bovine, equine, swine, goat, sheep, deer, camelid, ratite, fowl, poultry, mink, foxes or other fur bearing animals unless otherwise specified in this subsection are not allowed in a Residential (R-1) District.
- (B) Agricultural type fencing such as but not limited to barbed wire, single strand wire, electrified fencing, razor wire or any type of fencing not listed as a permitted use.
- (C) Privacy shielding type fencing in a front yard setback area.
- (D) The placement or storage of a Recreational Vehicle is not allowed until a dwelling type structure is present or is under construction.
- (E) Municipal or private sewage treatment, disposal plants, garbage incinerators, storage yards, buildings, or yards for the repair or storage of construction or maintenance equipment and machinery.
- (F) Any use not listed as a permitted use in this district.

5-5.03 CONDITIONAL USES

The following uses may be permitted upon issuance of a conditional use permit as provided in Section 4-7.00 of this Ordinance provided all conditions as set forth or specified are complied with:

- (A) Churches; public, private and parochial elementary or secondary schools; provided the area of the particular lot is not less than two (2) acres and all principal structures are not less than fifty (50) feet from any lot line.
- (B) Utilities and essential services such as telephone exchanges, unit substations, pumping or lift stations, and the like including appurtenant equipment, structures and housing, provided all principal structures are not less than fifty (50) feet from any lot line.
- (C) Planned Residential developments.
- (D) Parks, playgrounds and recreation areas, including swimming pools, golf courses, athletic fields, bathing beaches and the like on public lands, and neighborhood parks and playgrounds on lands in common ownership.

5-5.04 AREA AND YARD DIMENSIONAL REQUIREMENTS

Except as heretofore provided in this subsection, no lot or tract of land shall be used, nor shall any structure or building be constructed, erected or installed in this district unless the same complies with the area, yard and road setback dimensional provisions as established in Sections 3-3.01 and 3-3.03.

5-5.05 REZONING LAND OUT OF RESIDENTIAL (R-1) DISTRICT

The Lafayette County Planning & Zoning Committee may not rezone land out of a Residential (R-1) district unless the committee finds all of the following in writing, after public hearing, as part of the rezoning official record:

- (A) Principles guiding the Lafayette County Planning & Zoning Committee rezoning decisions.
 - (1) The land is better suited for a use not allowed in a Residential (R-1) district.
 - (2) The request to rezone the land is consistent with the Lafayette County Comprehensive Plan.

- (3) If the request to rezone the land is not consistent with the Lafayette County Comprehensive Plan
does the Town the property is located in approve of amending the Comprehensive Plan Map to allow the rezoning?
- (4) The rezoning will not substantially impair or limit current or future residential use of other adjacent residential lands.

5-5.06 ACCESS, PARKING AND SIGN REGULATIONS

The access (driveway), parking and sign regulations are set forth in the following sections:

- (A) For Access (driveways) regulations see Section 3-6.00.
- (B) For Parking regulations see Section 3-7.00.
- (C) For Sign regulations see Section 3-8.00.

5-6.00 MULTI FAMILY RESIDENTIAL DISTRICT (R-2)

This district is intended to accommodate medium density residential development. It is expected that this district would be designated in areas where public water and sewer is available or is expected to be available in the near future. Lots contained in this district can be divided into smaller lots with a limited reduction from the lot area, setback and yard standards as required for this district by this Ordinance only if public sewer and water utilities have been extended to the lots.

5-6.01 PERMITTED USES

The following uses shall be permitted in a Residential (R-2) District.

- (A) Any use permitted in the Residential (R-1) District.

5-6.02 PROHIBITED USES

The following uses are not allowed in a Residential (R-2) District.

- (A) Any use listed as a prohibited use in the Residential (R-1) District.
- (B) Any use not listed as a permitted use in this district.

5-6.03 CONDITIONAL USES

The following uses may be permitted upon issuance of a conditional use permit as provided in Section 4-7.00 of this Ordinance provided all conditions as set forth or specified are complied with:

- (A) Any use listed as a conditional use in the Residential (R-1) District.
- (B) Lodges, clubs, social and recreational centers, and buildings devoted to professional offices, provided such buildings are not less than forty (40) feet from any residential property line.
- (C) The placement of a single wide mobile home (manufactured home) on a lot in the Residential (R-2) district.
- (D) Multiple family dwellings, but not to exceed 4 family units in one building.
- (E) Planned Residential developments.

5-6.04 AREA AND YARD DIMENSIONAL REQUIREMENTS

Except as heretofore provided in this subsection, no lot or tract of land shall be used nor shall any structure or building be constructed, erected or installed in this district unless the same complies with the area, yard and road setback dimensional provisions as established in Sections 3-3.01 and 3-3.03.

5-6.05 REZONING LAND OUT OF RESIDENTIAL (R-2) DISTRICT

The Lafayette County Planning & Zoning Committee may not rezone land out of a Residential (R-2) district unless the committee finds all of the following in writing, after public hearing, as part of the rezoning official record:

- (A) Principles guiding the Lafayette County Planning & Zoning Committee rezoning decisions.
 - (1) The land is better suited for a use not allowed in a Residential (R-2) district.
 - (2) The request to rezone the land is consistent with the Lafayette County Comprehensive Plan.

- (3) If the request to rezone the land is not consistent with the Lafayette County Comprehensive Plan does the Town the property is located in approve of amending the Comprehensive Plan Map to allow the rezoning?
- (4) The rezoning will not substantially impair or limit current or future residential use of other adjacent residential lands.

5-6.06 ACCESS, PARKING AND SIGN REGULATIONS

The access (driveways), parking and sign regulations are set forth in the following sections:

- (A) For Access (driveways) regulations see Section 3-6.00.
- (B) For Parking regulations see Section 3-7.00.
- (C) For Sign regulations see Section 3-8.00.

5-7.00 MOBILE HOME & MULTIFAMILY UNIT RESIDENTIAL DISTRICT (R-3)

This district is intended to regulate existing mobile home developments (also called “manufactured homes” as regulated by the US Dept. of HUD since June 15, 1976) and provide for new such settlements. Given the unusual architectural dimensions of such units, and the frequency of leased land occupancy, which sites have to be designed for the long, narrow unit shapes, this district limits uses to such mobile homes, and establishes suitable area requirements.

5-7.01 PERMITTED USES

The following uses are permitted in a Residential (R-3) district.

- (A) Single family homes, manufactured homes and mobile homes, as defined in Section 2.
- (B) Home occupations and professional home offices per Section 5-5.01 (E) and (F).
- (C) Recreational vehicles pursuant to Section 2-2.44.
- (D) Common open space and other recreational space set aside for common use.
- (E) Management office for a “mobile home park.”
- (F) Multiple family dwellings are allowed but not to exceed 6 family units in one building.

5-7.02 PROHIBITED USES

The following uses are not allowed in a Residential (R-3) district.

- (A) Any use listed as a prohibited use in the Residential (R-1) District.
- (B) Any use not listed as a permitted use in this district.

5-7.03 CONDITIONAL USES

The following uses may be permitted upon issuance of a conditional use permit as provided in Section 4-7.00 of this Ordinance provided all conditions as set forth or specified are complied with.

- (A) Commercial recreational facilities such as swimming pools, tennis or golf clubs, or Shoreland boating spaces, intended to serve more than just residents of a mobile home park.
- (B) Community based residential group home facilities, and day care.
- (C) Apartment buildings and apartment building complexes and their customary accessory uses.
- (D) Planned Mobile Home Park developments.
- (E) Utilities and essential services per Section 5-5.03 (B).

5-7.04 AREA AND YARD DIMENSIONAL REQUIREMENTS

Except as heretofore provided in this subsection, no lot or tract of land shall be used nor shall any structure or building be constructed, installed or erected in this district unless the same complies with the area, yard and road setback dimensional provisions as established in Sections 3-3.01 and 3-3.03.

5-7.05 REZONING LAND OUT OF RESIDENTIAL (R-3) DISTRICT

The Lafayette County Planning & Zoning Committee may not rezone land out of a Residential (R-3) district unless the committee finds all of following in writing, after public hearing, as part of the rezoning official record:

- (A) Principles guiding the Lafayette County Planning & Zoning Committee rezoning decisions.

- (1) The land is better suited for a use not allowed in a Residential (R-3) district.
- (2) The request to rezone the land is consistent with the Lafayette County Comprehensive Plan.
- (3) If the request to rezone the land is not consistent with the Lafayette County Comprehensive Plan does the Town the property is located in approve of amending the Comprehensive Plan Map to allow the rezoning?
- (4) The rezoning will not substantially impair or limit current or future residential use of other adjacent residential lands.

5-7.06 ACCESS, PARKING AND SIGN REGULATIONS

The access (driveways), parking and sign regulations are set forth in the following sections:

- (A) For Access (driveways) regulations see Section 3-6.00.
- (B) For Parking regulations see Section 3-7.00.
- (C) For Sign regulations see Section 3-8.00.

5-8.00 CONSERVANCY – FORESTRY – RECREATION DISTRICT (CFR)

This multiple-use district is intended to protect, preserve, enhance and provide for the optimum use of those areas which have unique historic, scenic, scientific or natural assets; those areas which have substantial stands of desirable tree species; and those areas where existing soils have severe use limitations and pose special problems in building construction, sub-soil sewage disposal and erosion control.

5-8.01 PERMITTED USES

The following uses shall be permitted in the Conservancy-Forestry- Recreation (CFR) District, provided the same do not cause or contribute to soil erosion, alter the existing topography, or destroy the natural fauna, flora or water regimen:

- (A) Conservation practices such as development of ground cover and other erosion control devices.
- (B) Improvement of water courses, shorelands/wetlands and bodies of water.
- (C) Fire prevention.
- (D) Wildlife protection.
- (E) Development of historic, scenic and scientific features.
- (F) The construction of feeding stations, observation structures and the like.
- (G) Outdoor sports and recreation activities such as hunting, fishing, trapping, swimming, wading, boating, skating, skiing, hiking, and riding.
- (H) Propagation and raising of fish and wildlife; harvesting of wild crops such as berries, ferns, marsh hay, moss, rice, tree fruits and seeds for recreation and reforestation, and related forest management practices.
- (I) Flora culture, feed and seed production, horticulture, nurseries, orchards and related agricultural uses; sustained yield forestry; commercial harvest of mature trees; and the home use of forest products, provided such activities do not involve dumping or filling of soil or mineral removal.
- (J) Parks, playgrounds, picnic areas, trails, campsites, boat rentals, boat landings, refreshment stands, sale of bait and marine fuels, and related uses and activities, provided the same are located on public lands or subject to control by a public agency.
- (K) Communication and power transmission lines, poles, towers and appurtenant structures; and utility conduits, pipelines, sewers and appurtenances, provided such facilities are designed to minimize their conflict with other permitted uses.

5-8.02 PROHIBITED USES

The following uses are not allowed in a Conservancy – Forestry – Recreation (CFR) district:

- (A) Any use not listed as a permitted use in this district.

5-8.03 CONDITIONAL USES

The following uses may be permitted upon issuance of a conditional use permit as provided in Section 4-7.00 of this Ordinance provided all conditions set forth or specified are complied with:

- (A) Grading and filling operations, soil removal, truck farming, and related activities (this does not include mining or mineral extraction), which substantially disturbs the existing soils or alters the natural features of the particular area.
- (B) Burning of existing trees, shrubs, or vegetation.
- (C) Building or construction of private roads or trails, dams, dikes, and levees.
- (D) Planned Resort developments.
- (E) Planned Trailer Park and/or Campground developments.
- (E) Boathouses, boat landings, campsites, marinas and refreshment stands, sale of bait or marine fuels, trap and skeet ranges, and related recreational activities on private lands or operated as a commercial enterprise.
- (F) Cottages for seasonal occupancy, recreation camps and housing facilities for persons acting as proprietors or caretakers.

5-8.04 AREA AND YARD DIMENSIONAL REQUIREMENTS

Except as heretofore provided in this subsection, no lot or tract of land shall be used nor shall any structure or building constructed, installed or erected in this district unless the same complies with the area, yard and road setback dimensional provisions as established in Sections 3-3.01 and 3-3.03.

5-8.05 REZONING LANDS OUT OF CONSERVANCY – FORESTRY – RECREATION (CFR) DISTRICT

The Lafayette County Planning & Zoning Committee may not rezone land out of a Conservancy – Forestry – Recreation (CFR) district unless the committee finds all of the following in writing, after public hearing, as part of the rezoning official record.

- (A) Principles guiding the Lafayette County Planning & Zoning Committee rezoning decisions.
 - (1) The land is better suited for a use not permitted in a CFR district.
 - (2) The request to rezone the land is consistent with the Lafayette County Comprehensive Plan.
 - (3) If the request to rezone the land is not consistent with the Lafayette County Comprehensive Plan does the Town the property is located in approve of amending the Comprehensive Plan Map to allow the rezoning?
 - (4) The rezoning will not substantially impair or limit current or future CFR use of other adjacent CFR zoned lands.

5-8.06 ACCESS, PARKING AND SIGN REGULATIONS

The access (driveways), parking and sign regulations are set forth in the following sections:

- (A) For Access (driveways) regulations see Section 3-6.00.
- (B) For Parking regulations see Section 3-7.00.
- (C) For Sign regulations see Section 3-8.00.

5-9.00 COMMERCIAL DISTRICT (C-1)

This district is intended primarily to provide areas for large commercial uses and services. It is intended that such districts would be located having access to a major highway.

5-9.01 PERMITTED USES

The following uses shall be permitted in the Commercial (C-1) District provided all driveways from county trunk, state trunk or U.S. numbered highways are approved by the appropriate highway agency and provided sufficient screening or other buffer areas are established along all property lines abutting a residential district:

- (A) Retail establishments displaying, dispensing or selling new or used merchandise such as:
 - (1) Automotive vehicle sales and service establishments including parking lots for the temporary storage of vehicles, equipment and/or machinery, provided no wrecked, junked or scrapped vehicles, equipment, machinery or parts thereof are displayed on the premises or visible from abutting properties or public right-of-ways.
 - (2) Grocery stores, supermarkets, variety stores, department stores and shopping malls.

- (3) Drive-in establishments whereby business is transacted or products are available without leaving one's vehicle.
- (B) Services, trades and offices such as:
 - (1) Banks, business offices, financial institutions, medical and dental clinics, restaurants, trade and contractor's offices, mini warehouses, hotels, motels, tourist homes and the like.
- (C) Public and semi-public uses including:
 - (1) Community centers, fire and police stations, emergency shelters, first aid stations, governmental offices, libraries, museums, parking lots, post offices, transportation terminals except airports, airstrips and landing fields.
 - (2) Utilities and essential services and their structures, offices, storage yards or buildings, and the like, provided all principal structures are not less than fifty (50) feet from any residential district boundary or any storage yard is less than three hundred (300) feet from any residential district boundary.
 - (3) Parks, playgrounds and recreational areas per Section 5-5.03 (D).
- (D) Schools and churches provided the lot area is not less than two (2) acres and all principal structures are not less than fifty (50) feet from any lot line.
- (E) Funeral homes provided all principal structures are not less than forty (40) feet from any lot line.
- (F) Commercial recreation facilities such as:
 - (1) Dance halls, gymnasiums, skating rinks, swimming pools, tennis or golf courses, theaters and the like, except those displaying, dispensing, selling or serving intoxicating beverages, provided all principal structures and uses are not less than three hundred (300) feet from any residential property line.
- (G) Residential uses clearly associated with and accessory to a permitted commercial use, provided such residential uses comply with the provisions of the Residential (R-2) District.
- (H) Accessory buildings for the assembly, fabrication, production or storage of products and merchandise provided such use is clearly incidental to the conduct of an existing commercial use and located on the same premises.

5-9.02 PROHIBITED USES

The following uses are not allowed in a Commercial (C-1) district:

- (A) Any use not listed as a permitted use in this district.

5-9.03 CONDITIONAL USES

The following uses may be permitted upon issuance of a conditional use permit pursuant to Section 4-7.00 of this Ordinance provided the particular Commercial (C-1) District contains at least five (5) acres of land, including driveway approvals and sufficient screening or other buffers areas are provided and all other conditions set forth or deemed necessary are complied with.

- (A) Establishments displaying, dispensing, selling or serving intoxicating beverages such as bars, cocktail lounges, taverns, packaged liquor stores, night clubs, saloons and the like, provided:
 - (1) All principal structures and uses are not less than three hundred (300) feet from any residential district boundary nor not less than fifty (50) feet from any lot line or existing or proposed highway right-of-way.
- (B) Planned Commercial developments.

5-9.04 AREA AND YARD DIMENSIONAL REQUIREMENTS

Except as heretofore provided in this subsection, no lot or tract of land shall be used nor shall any structure or building constructed, installed or erected in this district unless the same complies with the area, yard and road setback dimensional provisions as established in Section 3-3.01 and 3-3.03.

5-9.05 REZONING LANDS OUT OF COMMERCIAL (C-1) DISTRICT

The Lafayette County Planning & Zoning Committee may not rezone land out of a Commercial (C-1) district unless the committee finds all of the following in writing, after public hearing, as part of the

rezoning official record.

- (A) Principles guiding the Lafayette County Planning & Zoning Committee rezoning decisions.
 - (1) The land is better suited for a use not permitted in a Commercial (C-1) district.
 - (2) The request to rezone the land is consistent with the Lafayette County Comprehensive Plan.
 - (3) If the request to rezone the land is not consistent with the Lafayette County Comprehensive Plan does the Town the property is located in approve of amending the Comprehensive Plan Map to allow the rezoning?
 - (4) The rezoning will not substantially impair or limit current or future commercial use of other adjacent commercial zoned lands.

5-9.06 ACCESS, PARKING AND SIGN REGULATIONS

The access (driveways), parking and sign regulations are set forth in the following sections:

- (1) For Access (driveways) regulations see Section 3-6.00.
- (2) For Parking regulations see Section 3-7.00.
- (3) For Sign regulations see Section 3-8.00.

5-10.00 RURAL BUSINESS DISTRICT (B-1)

The intent of this district is to provide areas for small commercial developments that already exist in unincorporated settlements or in isolated locations along the local, county and state roadway network and for new such developments. Small commercial developments permitted in this district shall be limited to not receive more than 50 cars per day.

5-10.01 PERMITTED USES

The following uses shall be permitted in the Rural Business (B-1) District provided all driveways from County Trunk, State Trunk or U.S. numbered highways are approved by the appropriate highway agency and dense screen plantings are established along all property lines abutting a residential district.

- (A) Retail establishments displaying, dispensing or selling new or used merchandise such as:
 - (1) Appliance sales and service, lawn mower sales and service, bakery goods, crockery, confections, music, cosmetics, bookstores and merchandise supply stores.
 - (2) Coffee, jewelry, meats, magazines, gift shops and the like.
- (B) Services, trades and offices such as:
 - (1) Beauty shops, clothing repair shops, barber shops, furniture repair shops, wood working shops, saw mills, small engine repair shops, dog grooming and boarding, upholstery shops and the like.
 - (2) Professional offices, personal service establishments, clubs and caterers and the like.
- (C) Residential uses clearly associated with and accessory to a permitted Rural Business use provided, such residential uses comply with the provisions of the Residential (R-2) District.

5-10.02 PROHIBITED USES

The following uses are not allowed in a Rural Business (B-1) district:

- (A) Any use not listed as a permitted use in this district.

5-10.03 CONDITIONAL USES

The following uses may be permitted upon issuance of a conditional use permit as provided in Section 4-7.00 of this Ordinance provided all conditions set forth or specified are complied with:

- (A) Establishments displaying, dispensing, selling intoxicating beverages such as bars, taverns, packaged liquor stores, saloons and the like, provided:
 - (1) All principal structures and uses are not less than three hundred (300) feet from any residential district boundary, nor not less than fifty (50) feet from any lot line or existing or proposed highway right-of-way.

5-10.04 AREA AND YARD DIMENSIONAL REQUIREMENTS

Except as heretofore provided in this subsection, no lot or tract of land shall be used nor shall any

structure or building constructed, installed or erected in this district unless the same complies with the area, yard and road setback dimensional provisions as established in sections 3-3.01 and 3-3.03.

5-10.05 REZONING LANDS OUT OF A RURAL BUSINESS (B-1) DISTRICT

The Lafayette County Planning & Zoning Committee may not rezone land out of a Rural Business (B-1) district unless the committee finds all of the following in writing, after public hearing, as part of the rezoning official record.

- (A) Principles guiding the Lafayette County Planning & Zoning Committee rezoning decisions.
 - (1) The land is better suited for a use not permitted in a Rural Business (B-1) district.
 - (2) The request to rezone the land is consistent with the Lafayette County Comprehensive Plan.
 - (3) If the request to rezone the land is not consistent with the Lafayette County Comprehensive Plan does the Town the property is located in approve of amending the Comprehensive Plan Map to allow the rezoning?
 - (4) The rezoning will not substantially impair or limit current or future Rural Business use of other adjacent Rural Business (B-1) lands.

5-10.06 ACCESS, PARKING AND SIGN REGULATIONS

The access (driveways), parking and sign regulations are set forth in the following sections:

- (A) For Access (driveway) regulations see Section 3-6.00.
- (B) For Parking regulations see Section 3-7.00.
- (C) For Sign regulation see Section 3-8.00.

5-11.00 LIGHT INDUSTRIAL DISTRICT (M-1)

This district is intended to provide an area for the less offensive industrial type uses. Such districts, commonly called "light" industrial, are permitted near residential areas provided sufficient screening or other buffer areas are provided.

5-11.01 PERMITTED USES

The following uses shall be permitted in the Light Industrial (M-1) District provided all driveways from County Trunk, State Trunk or U.S. numbered highways are approved by the appropriate highway agency and dense screen plantings are established along all abutting residential lot lines:

- (A) Manufacture, fabrication, packing, packaging, processing, assembly and/or storage of products from furs, glass, grains, leather, metals, paper, plaster, plastics, textiles and wood; the making, manufacture, processing, packing, packaging, or assembly, fabrication, finishing, storage or repair of appliances, beverages, confections, cosmetics, electrical and electronic devices, feed, seeds, jewelry, meats and meat products, optical devices, photographic equipment, pharmaceuticals, tobacco, toiletries, and the like; and the making and bottling of non-alcoholic beverages; provided all such operations and activities are conducted within an appropriate structure and all resulting odors, noise, smoke, dust, gas, glare, refuse matter, vibration, polluting effluent or other contaminative emission is confined to the particular district in which such use is located and no hazardous, harmful or annoying quality is detectable beyond the boundaries of said district.
Commercial establishments such as air conditioning service and repair shops, automotive body repair and upholstery services, carpentry shops, cleaning, pressing and dyeing establishments, commercial bakeries, electrical service and repair shops, greenhouses, farm machinery sales and services, food locker plants, furniture repair shops, heating service and repair shops, laboratories, laundries, machine shops, printing shops, printing and publishing establishments, sheet metal shops, trade and contractors offices, fire repair and recapping concerns, warehouses, wholesale businesses and the like provided such establishments are compatible with such above listed manufacturing and/or industrial activities as may be in existence in the particular district.
- (C) Parking lots, repair facilities, storage garages, storage yards, and the like, and commercial service facilities including restaurants and fueling stations; provided such facilities are physically and/or sales-wise oriented toward the industrial district users and employees; and further provided that

such uses are compatible with and supplemental to the manufacturing and/or industrial plants in existence in the particular district.

- (D) Public and Semi-public uses such as fire and police stations; emergency shelters, incinerators, sewage treatment and disposal plants, sanitary land fill operations, communication and power transmission services, substations, relay stations and equipment housings, utilities and the like, provided all resulting odors, noise, smoke, gas, refuse matter, polluting effluent or contaminative emission is confined to the particular district in which such is located.
- (E) Transportation terminals and trans-shipment depots except airports, airstrips and landing fields provided all principal structures and uses are not less than one hundred (100) feet from any lot line nor less than two hundred (200) feet from any district boundary.
- (F) Residential uses in existence at the time of adoption of this Ordinance and custodial quarters associated with and clearly incidental to a permitted use provided such residential or custodial use complies with the provisions of the Residential (R-2) District.

5-11.02 PROHIBITED USES

The following uses are not allowed in a Light Industrial (M-1) District:

- (A) Any use not listed as a permitted use in this district.

5-11.03 CONDITIONAL USES

The following uses may be permitted upon issuance of a conditional use permit as provided in Section 4-7.00 of this Ordinance, provided that all conditions set forth or specified are complied with:

- (A) Manufacturing, fabrication, packaging, processing, bottling, assembly and/or storage of products or goods other than those specifically permitted.
- (B) Airstrips and landing fields provided the site area is not less than twenty (20) acres per runway and further provided that such facilities comply with all applicable state and federal rules, regulations and requirements.
- (C) Planned Light Industrial development.

5-11.04 AREA AND YARD DIMENSIONAL REQUIREMENTS

Except as heretofore provided in this subsection, no lot or tract of land shall be used nor shall any structure or building constructed, installed or erected in this district unless the same complies with the area, yard and road setbacks dimensional provisions as established in Section 3-3.01 and 3-3.03.

5-11.05 REZONING LANDS OUT OF LIGHT INDUSTRIAL (M-1) DISTRICT

The Lafayette County Planning & Zoning Committee may not rezone land out of a Light Industrial (M-1) district unless the committee finds all of the following in writing, after public hearing, as part of the rezoning official record.

- (A) Principles guiding the Lafayette County Planning & Zoning Committee rezoning decisions.
 - (1) The land is better suited for a use not permitted in a Light Industrial (M-1) district.
 - (2) The request to rezone the land is consistent with the Lafayette County Comprehensive Plan.
 - (3) If the request to rezone the land is not consistent with the Lafayette County Comprehensive Plan does the Town the property is located in approve of amending the Comprehensive Plan Map to allow the rezoning?
 - (4) The rezoning will not substantially impair or limit current or future Light Industrial use of other adjacent Light Industrial lands.

5-11.06 ACCESS, PARKING AND SIGN REGULATIONS

The access (driveways), parking and sign regulations are set forth in the following sections:

- (A) For Access (driveways) regulations see Section 3-6.00.
- (B) For Parking regulations see Section 3-7.00.
- (C) For Sign regulations see Section 3-8.00.

5-12.00 HEAVY INDUSTRIAL DISTRICT (M-2)

This district is intended to provide an area for mining, solid waste disposal, junkyards, and other industrial activity of an offensive or dangerous nature. It is intended that such districts would be located in somewhat remote areas away from residential and commercial areas.

5-12.01 PERMITTED USES

The following uses shall be permitted in the Heavy Industrial (M-2) District, provided all driveways from County Trunk, State Trunk and U.S. numbered highways are approved by the appropriate highway agency; all resulting odor, noise, smoke, dust, gas, glare, vibration, refuse matter, polluting effluent, and contaminative emission is confined to the particular district in which such use is located; no hazardous, harmful or annoying quality is detectable beyond the boundaries of such district; and all potentially dangerous or hazardous uses are enclosed in suitable structures or by security fences or otherwise made inaccessible to the general public:

- (A) Public and semi-public uses including incinerators, sewage treatment plants, refuse disposal operations, sanitary landfills, emergency structures and facilities, utilities, and transportation terminals and depots except airports, airstrips and landing fields, provided such uses are not less than three hundred (300) feet from any abutting residential or commercial lot lines provided sufficient screening or buffer areas are established along such residential or commercial lot lines.

5-12.02 PROHIBITED USES

The following uses are not allowed in a Heavy Industrial (M-2) district:

- (A) Any use not listed as a permitted use in this district.

5-12.03 CONDITIONAL USES

The following uses may be permitted upon issuance of a conditional use permit as provided hereafter in Section 3.27 of this Ordinance; provided any conditions set forth or specified are complied with:

- (A) Open pit mines, quarries, digs or excavations for sand, gravel and other minerals; the extension or enlargement of such operations onto lands not owned by or leases to the particular mining, extracting, quarrying or excavating firm at the time of adoption of this Ordinance; and such related operations and activities not otherwise permitted in this district.
- (B) Underground mine workings provided all such operations are governed by written agreements which insure the maintenance of all water supplies, waste disposal systems, and the structural support of all buildings so undermined.
- (C) Mineral processing plants; aggregate crushing, screening, drying and/or stockpiling operations; waste product stockpiles; sludge ponds; effluent holding ponds, and the like; concrete mixing and batching plants; bituminous mixing and proportioning plants; outside storage or manufacturing areas; wrecking or demolition yards; junk and scrap yards; areas for the storage, use, manufacture, or processing of explosive, flammable, lethal or toxic products, and related operations and activities not otherwise permitted in this district.
- (D) Airstrips and landing fields provided the site area is not less than twenty (20) acres per runway and all principal structures and uses such as hangars, runways, warm up stands, parking lots and the like are not less than three hundred (300) feet from any residential commercial district boundary.
- (E) Planned Heavy Industrial development.

5-12.04 AREA AND YARD DIMENSIONAL REQUIREMENTS

Except as heretofore provided in this subsection, no lot or tract of land shall be used nor shall any structure or building constructed, installed or erected in this district unless the same complies with the area, yard and road setback dimensional provisions as established in Sections 3-3.01 and 3-3.03.

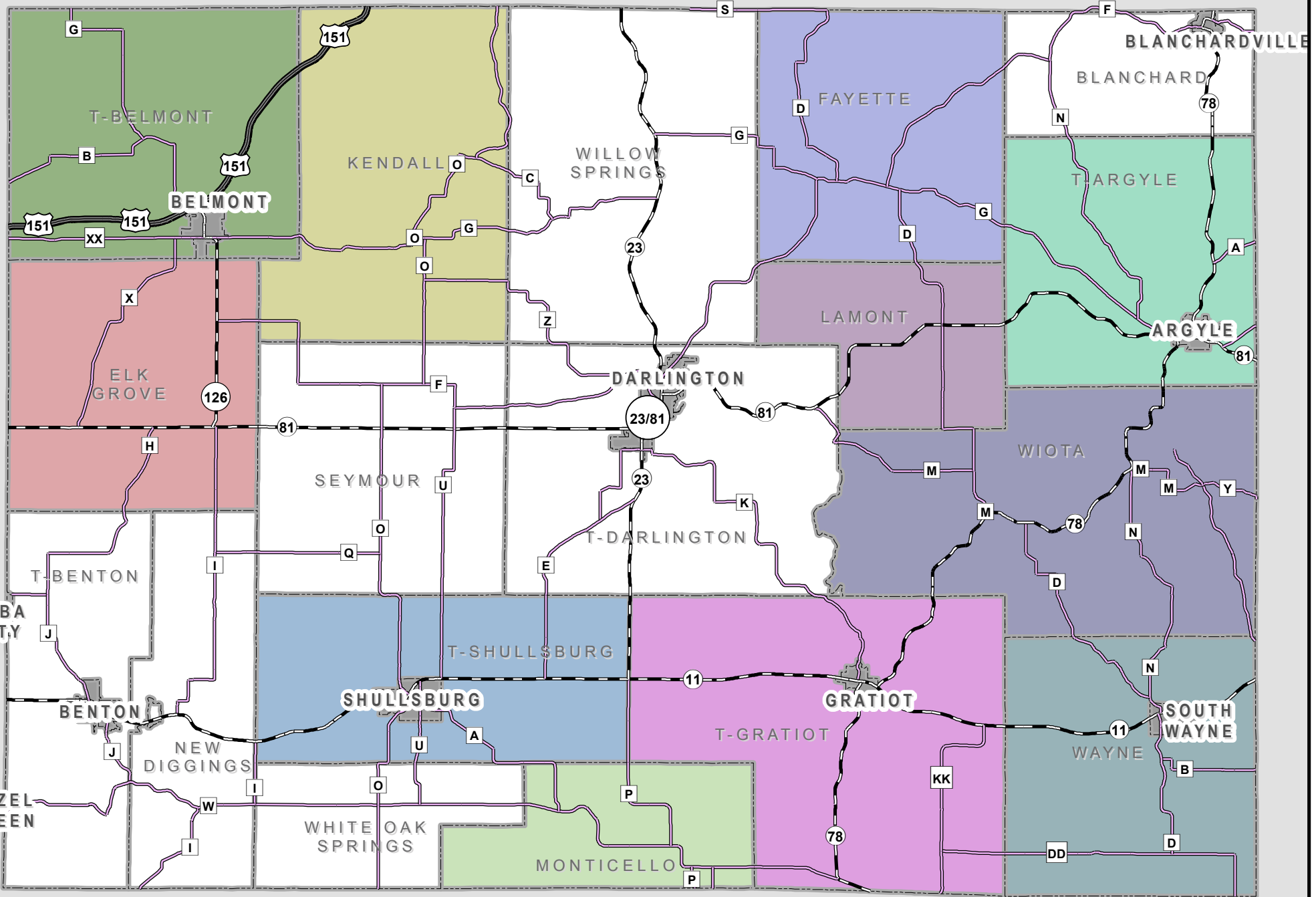
5-12.05 REZONING LANDS OUT OF A HEAVY INDUSTRIAL (M-2) DISTRICT

The Lafayette County Planning & Zoning Committee may not rezone land out of a Heavy Industrial (M-2) district unless the committee finds all or the following in writing, after public hearing, as part of the rezoning official record.

- (A) Principles guiding the Lafayette County Planning & Zoning Committee rezoning decisions.
 - (1) The land is better suited for a use not permitted in a Heavy Industrial (M-2) district.
 - (2) The request to rezone the land is consistent with the Lafayette County Comprehensive Plan.
 - (3) If the request to rezone the land is not consistent with the Lafayette County Comprehensive Plan does the Town the property is located in approve of amending the Comprehensive Plan Map to allow the rezoning?
 - (4) The rezoning will not substantially impair or limit current or future Heavy Industrial use of other adjacent Heavy Industrial lands.

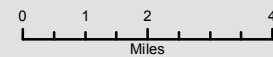
5-12.06 ACCESS, PARKING AND SIGN REGULATIONS

The access (driveways), parking and sign regulations are pursuant to Section 3-6.00, Section 3-7.00 and Section 3-8.00.



Lafayette County General Zoning

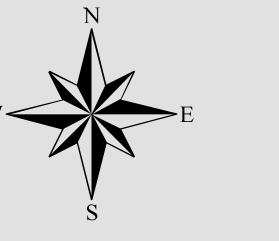
Legend
 ZONED
 UNZONED
 MUNICIPAL



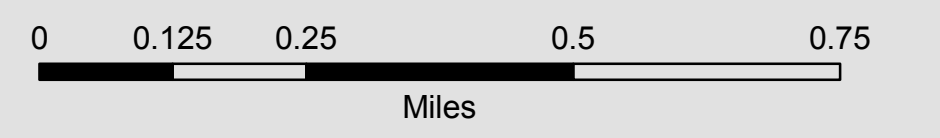
Map features are a representation only and do not replace a survey or other legally recorded documents.
 Map Created: January 2018
 Produced By: Lafayette County Land Information Dept
www.lafayettecountywi.org/lgis



TOWN OF
ARGYLE



1 inch = 950 feet

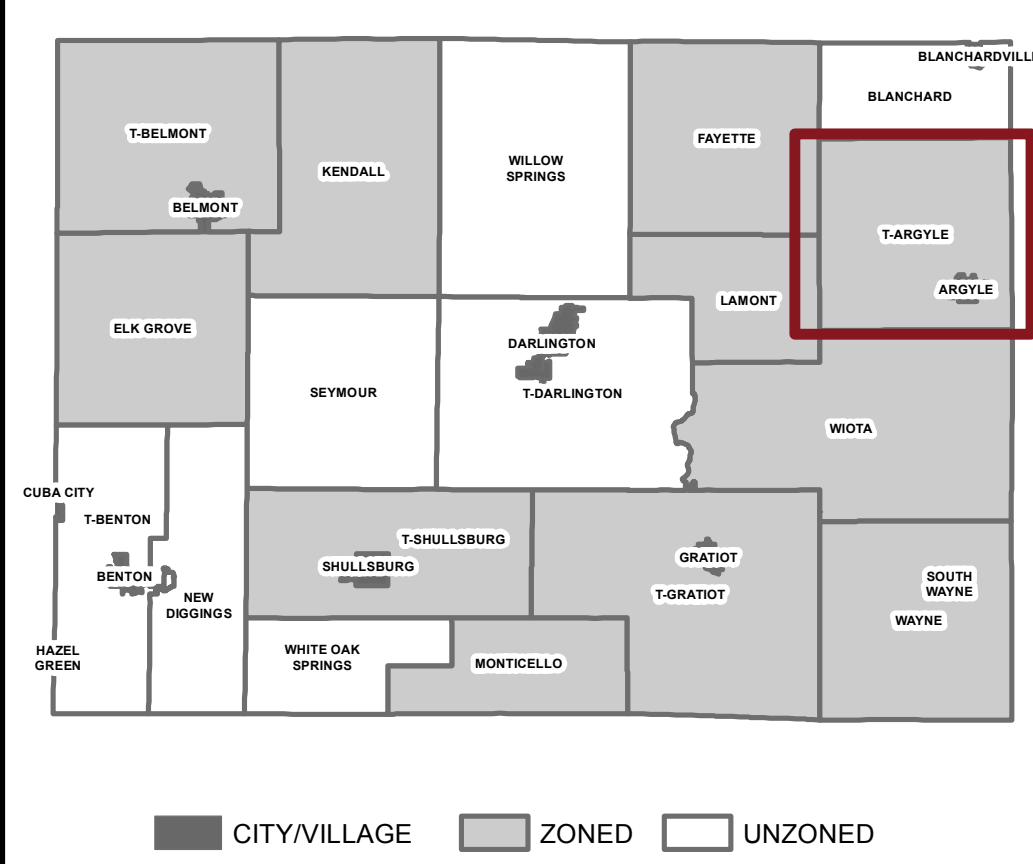


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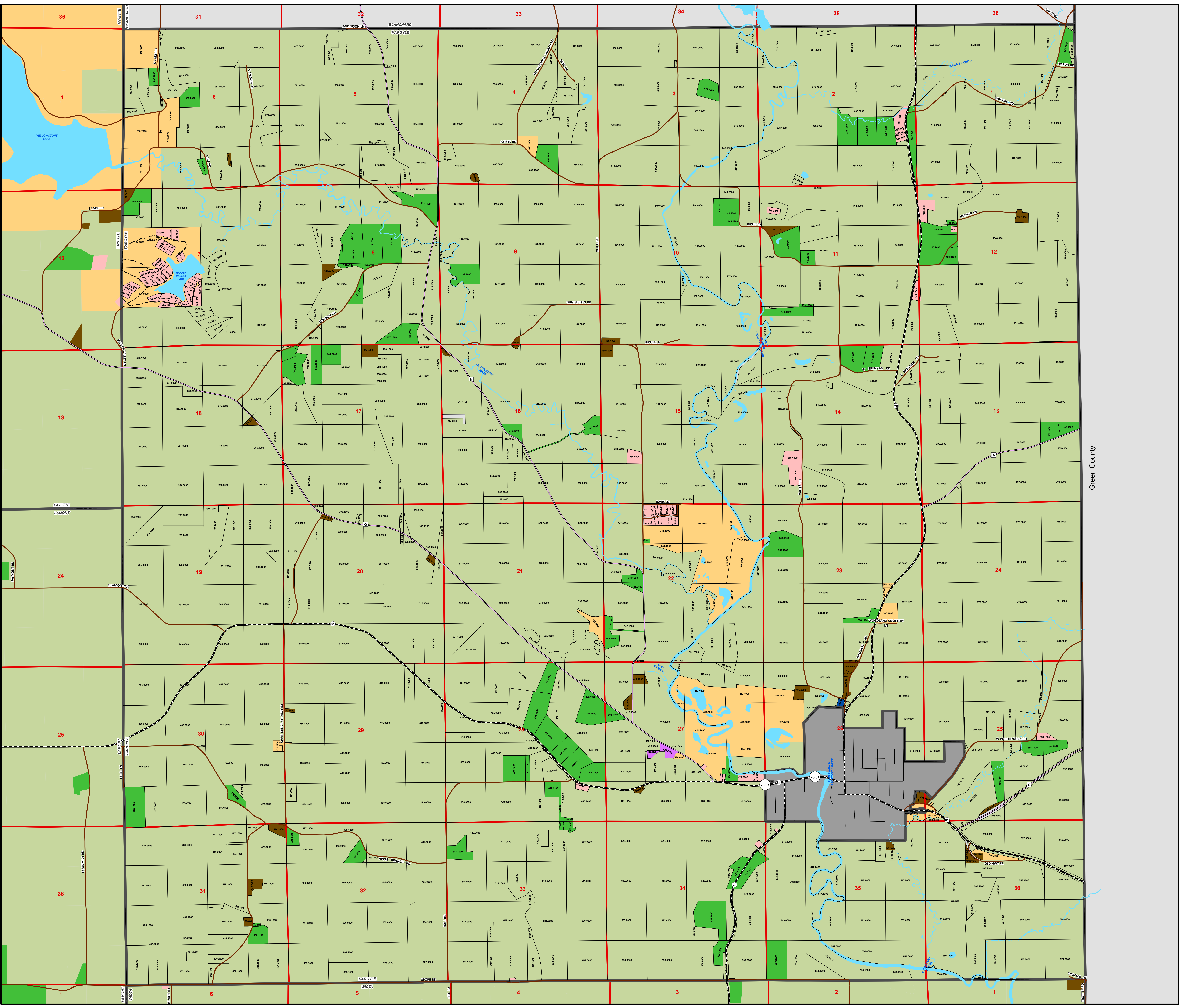
Zoning Classification

- A-1 (Working Lands)
- A-2 (Ag Lands)
- RR (Rural Residential)
- R-1 (Single Family Residential)
- R-2 (Multi Family Residential)
- R-3 (Mobile Home/Multi Unit)
- B-1 (Rural Business)
- C-1 (Commercial Business)
- M-1 (Light Industrial)
- M-2 (Heavy Industrial)
- CFR (Cons-Forest-Rec)
- Municipal Street
- Highway Ramp
- Private Road
- Town Road
- County Road
- State Road
- US Highway
- Tax Parcels
- Sections
- Municipal Boundary
- Waterbody

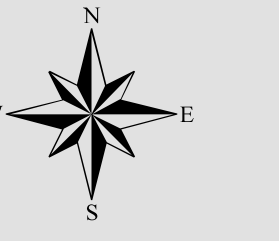
County Overview



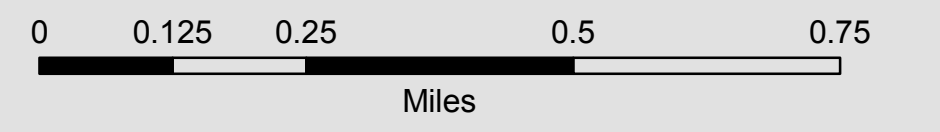
■ CITY/VILLAGE ■ ZONED □ UNZONED



TOWN OF
BELMONT



1 inch = 950 feet

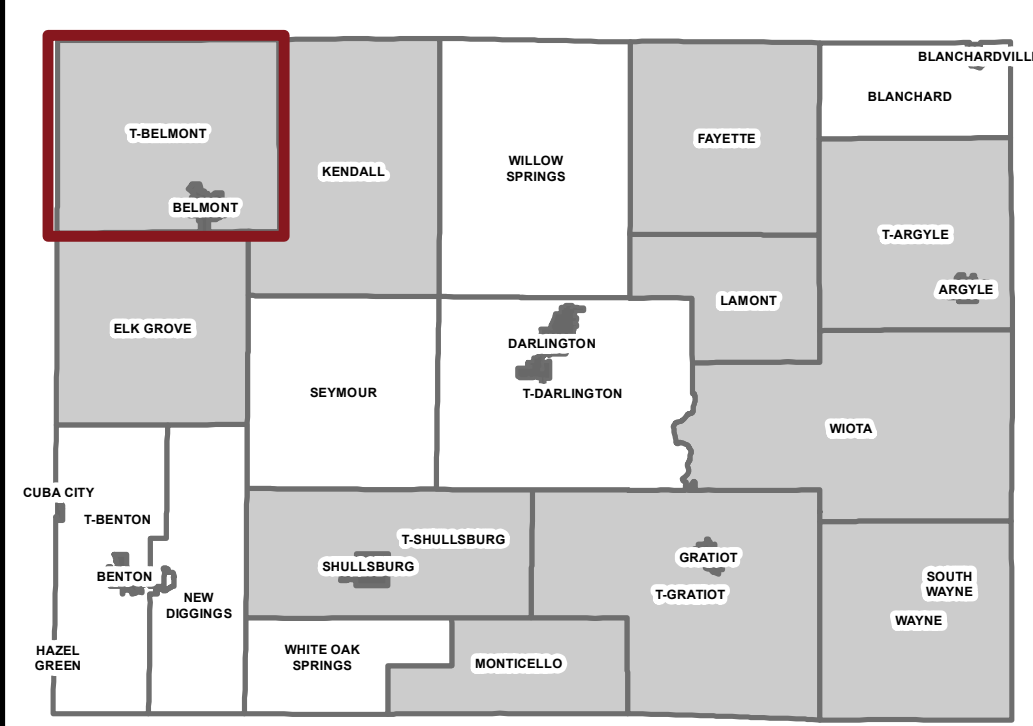


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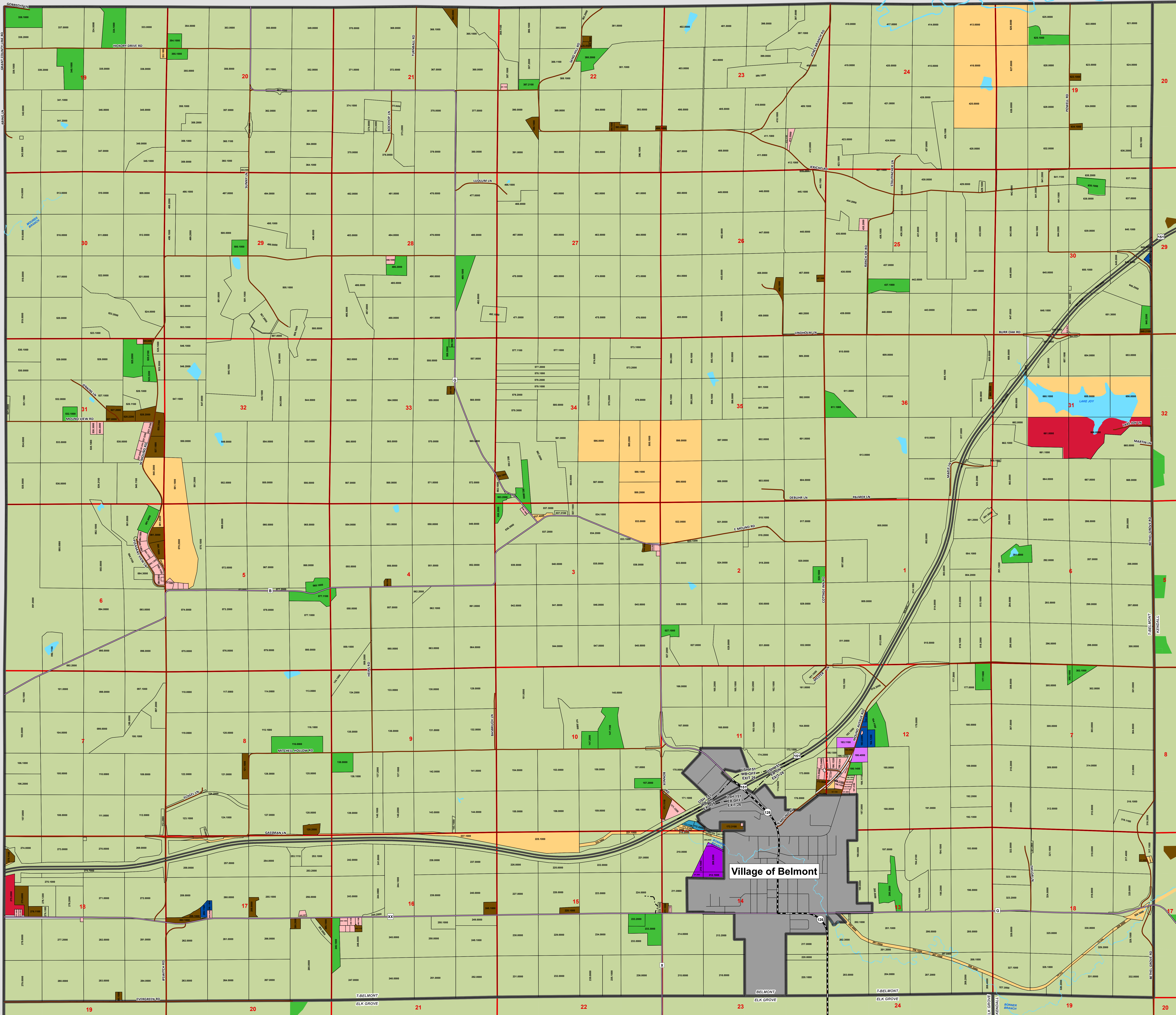
Zoning Classification

- A-1 (Working Lands)
- A-2 (Ag Lands)
- RR (Rural Residential)
- R-1 (Single Family Residential)
- R-2 (Multi Family Residential)
- R-3 (Mobile Home/Multi Unit)
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- M-1 (Light Industrial)
- M-2 (Heavy Industrial)
- CFR (Cons-Forest-Rec)
- Municipal Street
- Highway Ramp
- Private Road
- Town Road
- County Road
- State Road
- US Highway
- Tax Parcels
- Sections
- Municipal Boundary
- Waterbody

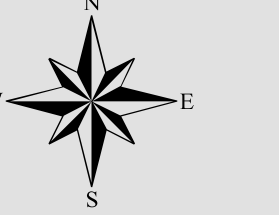
County Overview



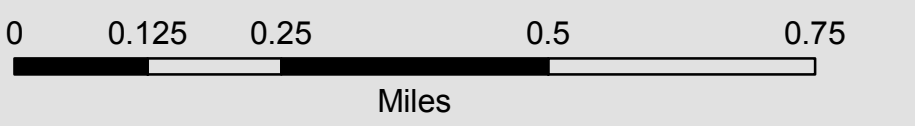
CITY/VILLAGE ZONED UNZONED



TOWN OF
ELK GROVE



1 inch = 950 feet

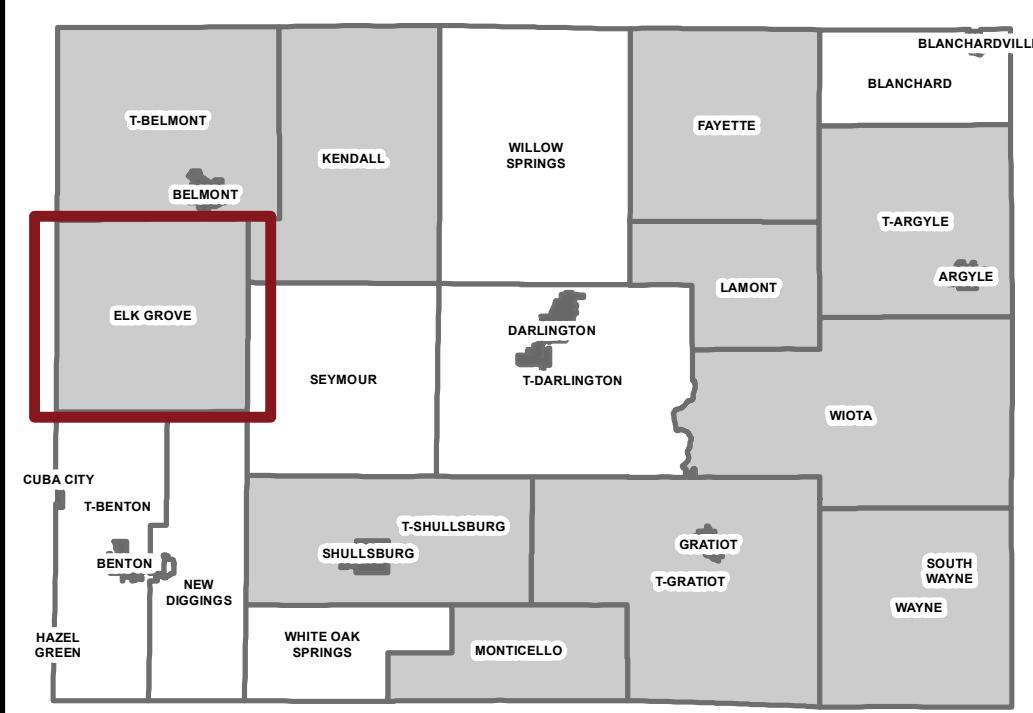


Legend

Zoning Classification

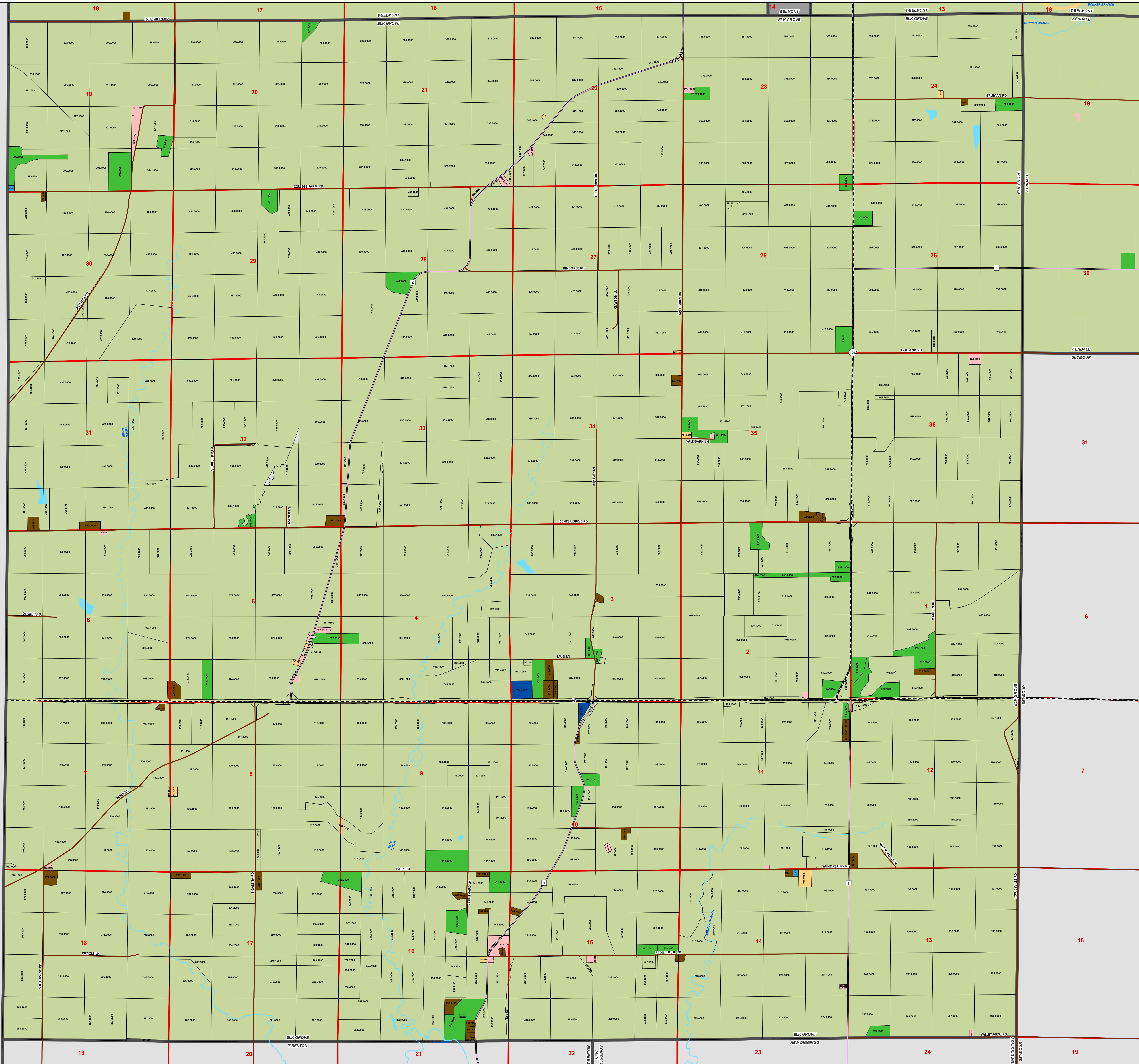
- A-1 (Working Lands)
- A-2 (Ag Lands)
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- R-1 (Single Family Residential)
- R-2 (Multi Family Residential)
- R-3 (Mobile Home/Multi Unit)
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- C-1 (Commercial Business)
- M-1 (Light Industrial)
- M-2 (Heavy Industrial)
- CFR (Cons-Forest-Rec)
- Municipal Street
- Highway Ramp
- Private Road
- Town Road
- County Road
- State Road
- US Highway
- Tax Parcels
- Sections
- Municipal Boundary
- Waterbody

County Overview

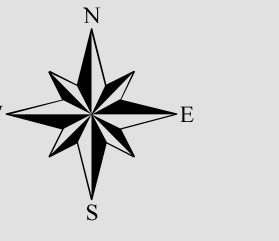


CITY/VILLAGE ZONED UNZONED

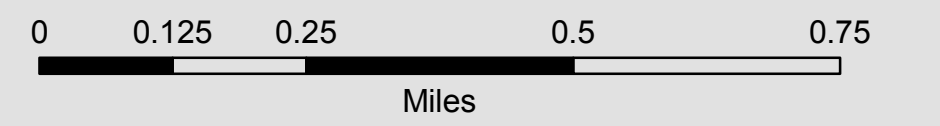
Grant County



TOWN OF
FAYETTE



1 inch = 950 feet



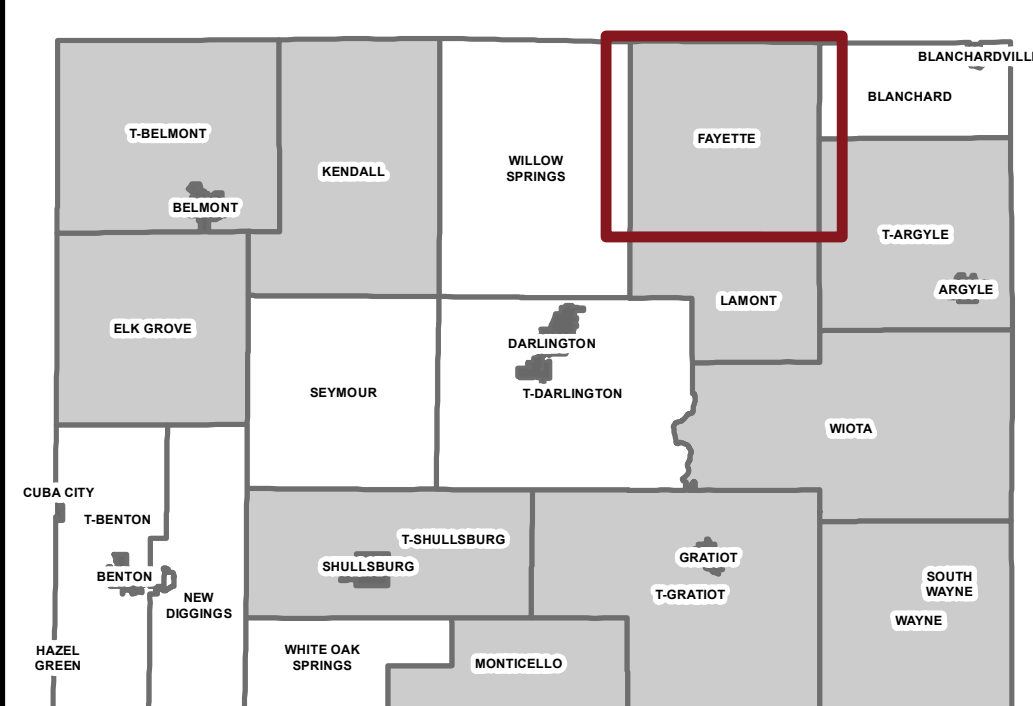
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- Municipal Street
- Highway Ramp
- Private Road
- Town Road
- County Road
- State Road
- US Highway
- Municipal Boundary
- Tax Parcels
- Sections
- Waterbody

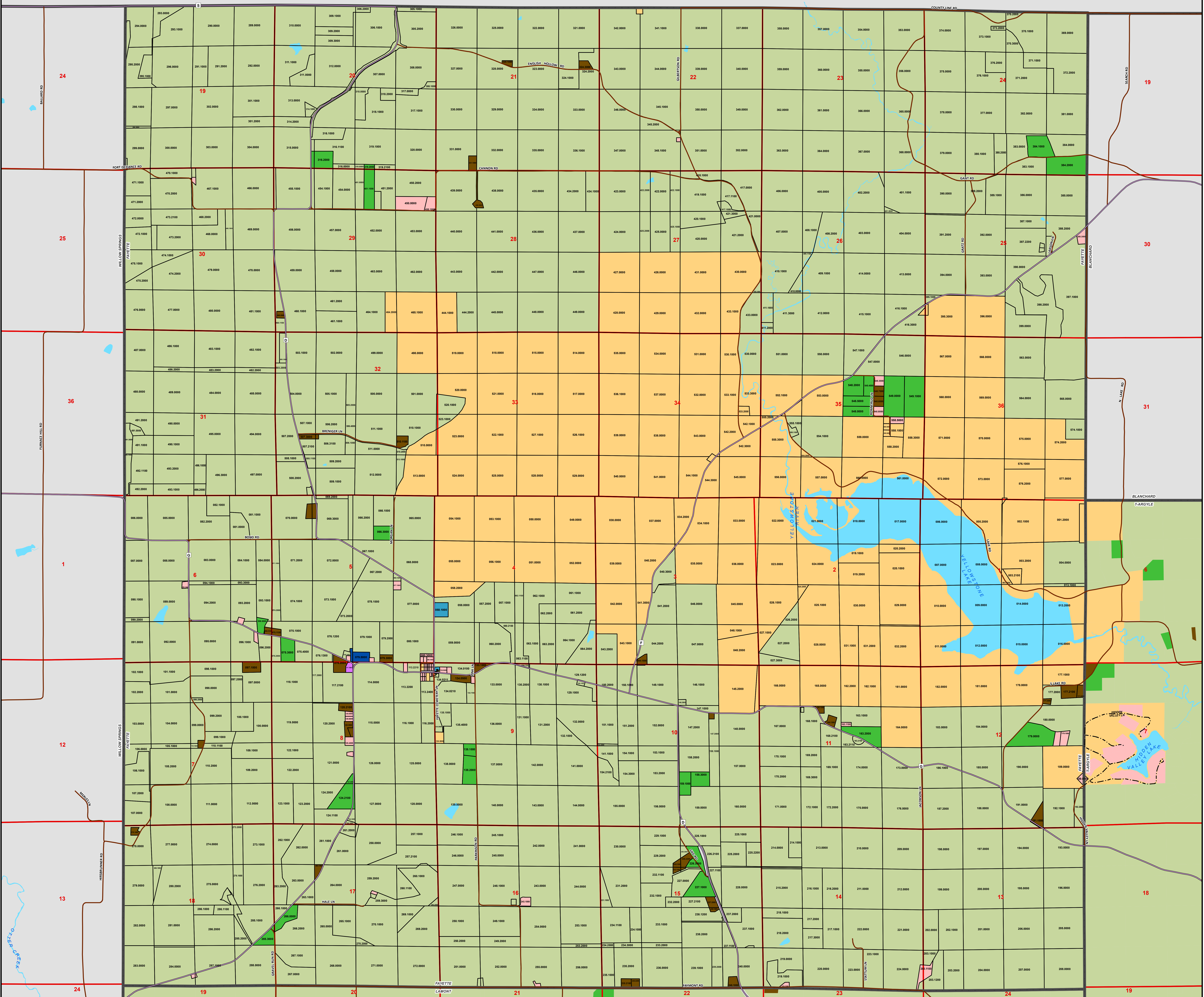
Zoning Classification

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- A-2 (Ag Lands)
- RR (Rural Residential)
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- R-2 (Multi Family Residential)
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- B-1 (Rural Business)
- C-1 (Commercial Business)
- M-1 (Light Industrial)
- M-2 (Heavy Industrial)
- CFR (Cons-Forest-Rec)

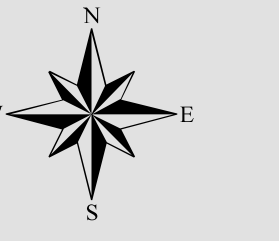
County Overview



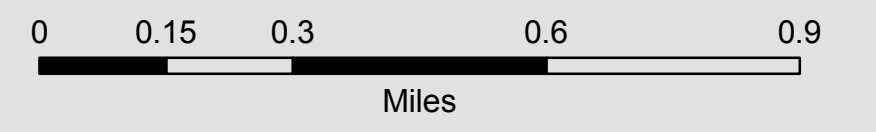
CITY/VILLAGE ZONED UNZONED



TOWN OF
GRATIOT



1 inch = 1,200 feet

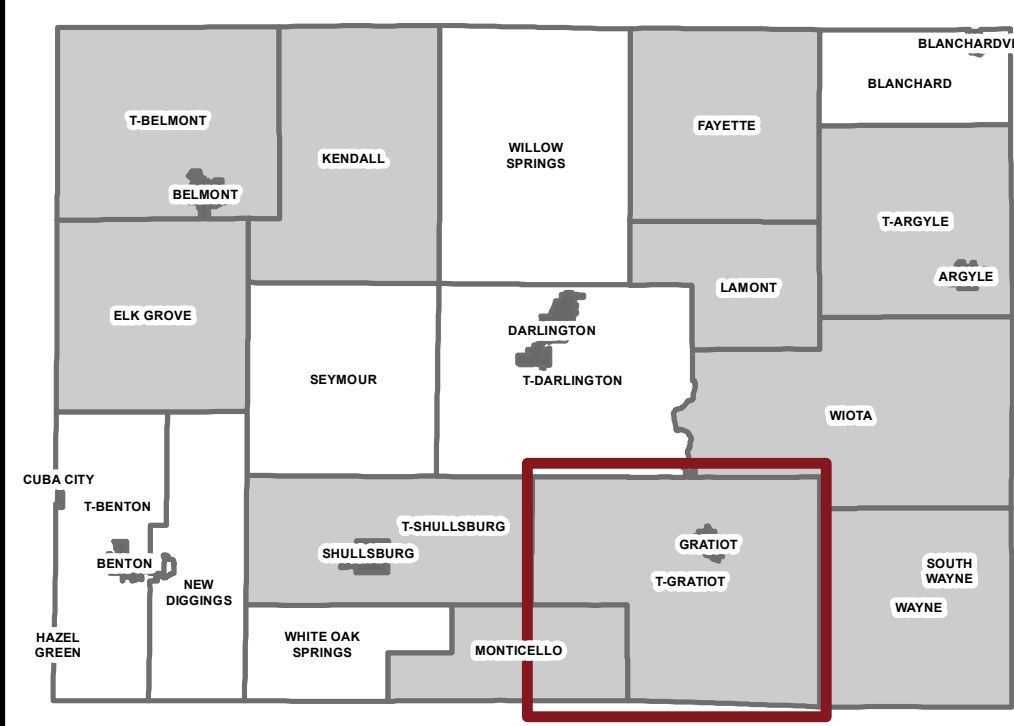


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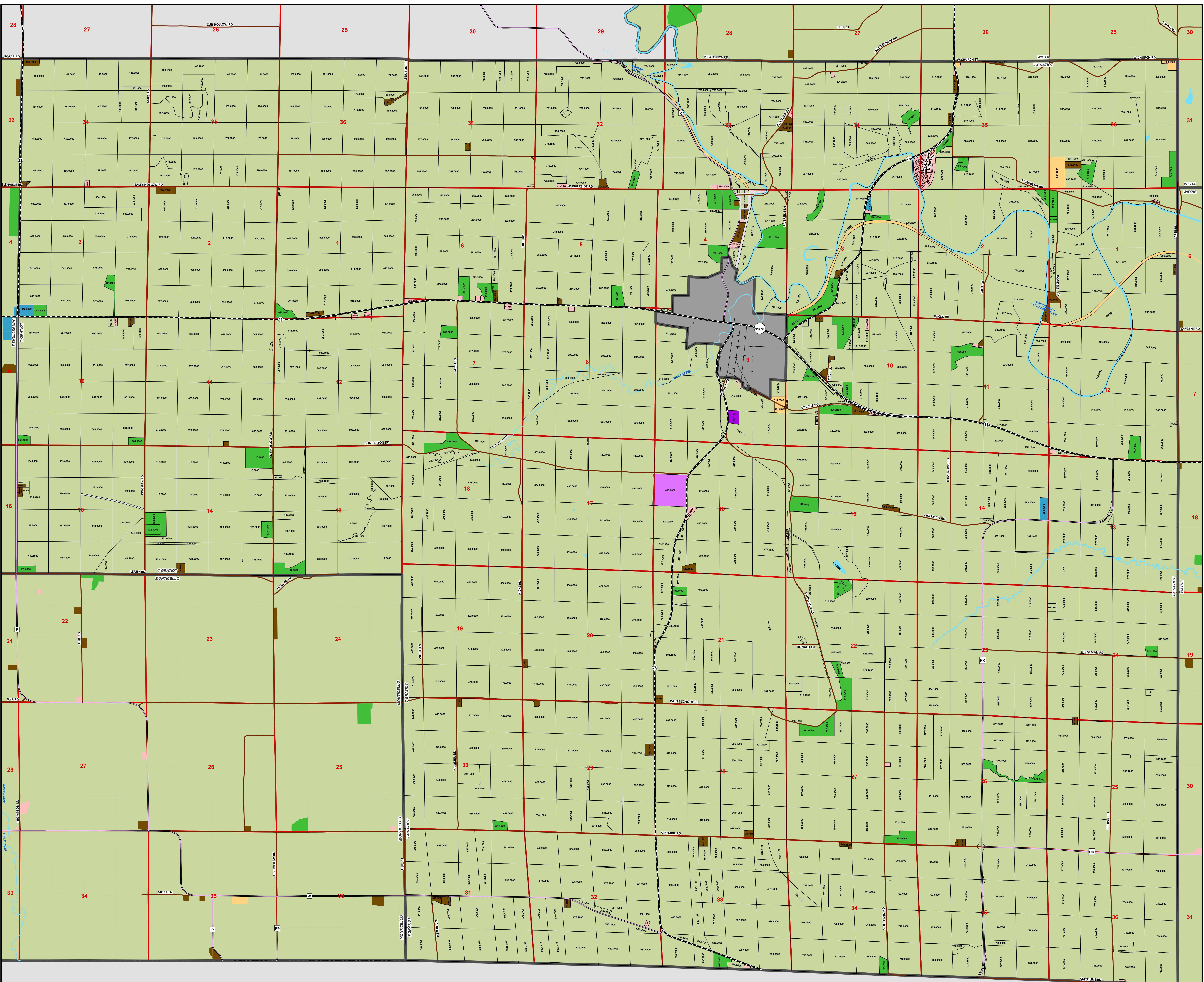
Zoning Classification

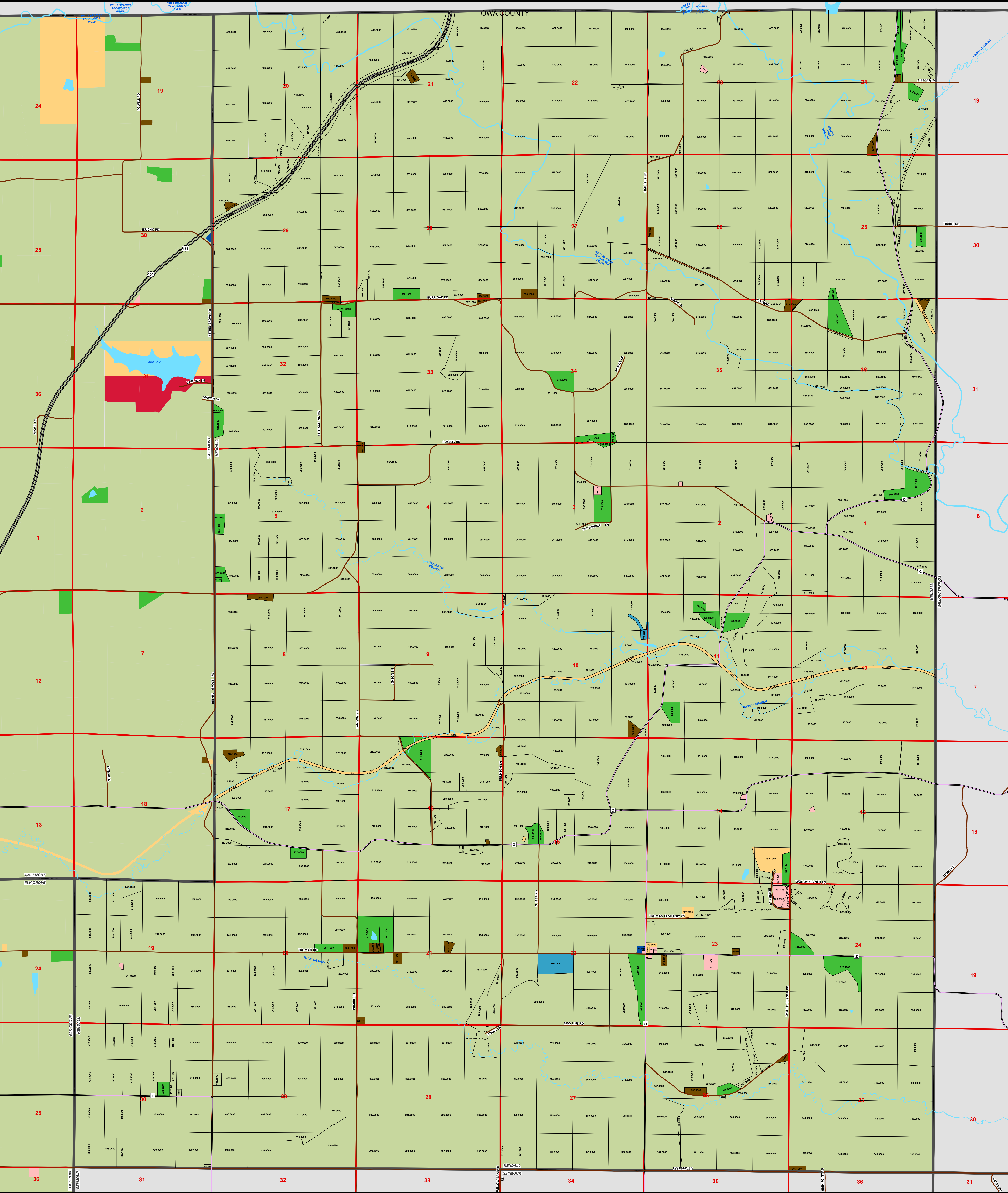
- A-1 (Working Lands)
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- CFR (Cons-Forest-Rec)
- Municipal Street
- Highway Ramp
- Private Road
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- County Road
- State Road
- US Highway
- Tax Parcels
- Sections
- Municipal Boundary
- Waterbody

County Overview



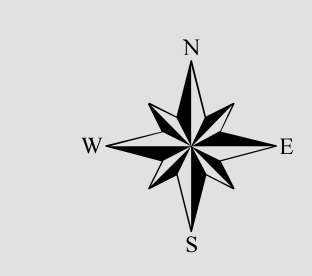
■ CITY/VILLAGE ■ ZONED □ UNZONED



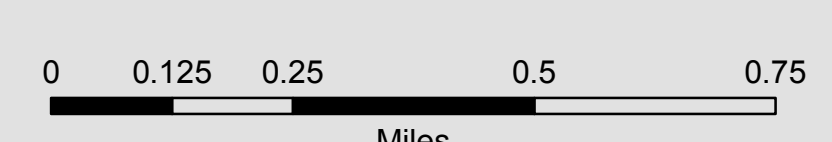


Lafayette County
GENERAL ZONING

TOWN OF KENDALL

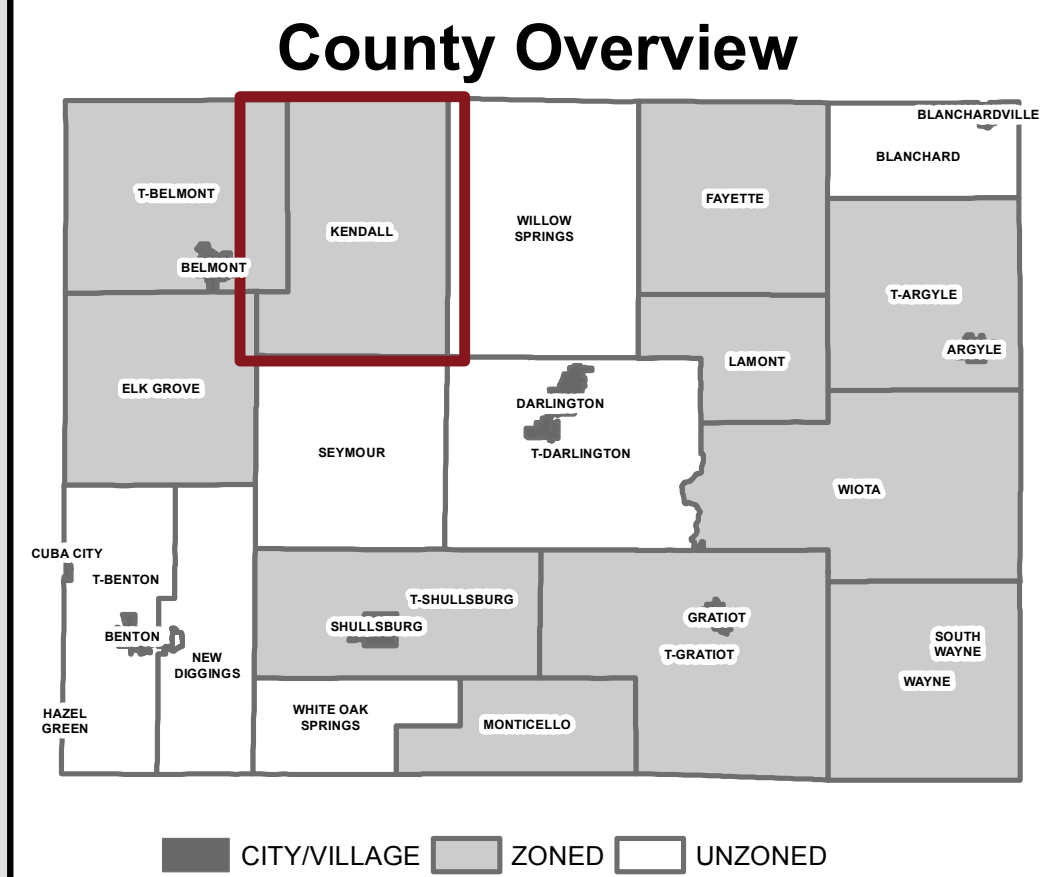


1 inch = 1,050 feet



Legend

 A-1 (Working Lands)	
 A-2 (Ag Lands)	
 RR (Rural Residential)	
 R-1 (Single Family Residential)	
 R-2 (Multi Family Residential)	
 R-3 (Mobile Home/Multi Unit)	
 B-1 (Rural Business)	
 C-1 (Commercial Business)	
 M-1 (Light Industrial)	
 M-2 (Heavy Industrial)	
 CFR (Cons-Forest-Rec)	

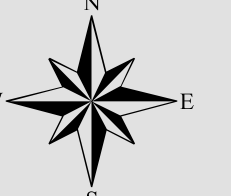


Map Produced By:
Lafayette County Land Information
www.lafayettecountywi.org/ligis

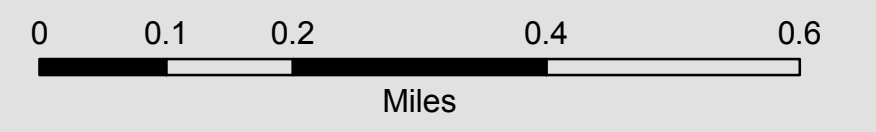
Future zoning updates will be reflected on the Lafayette County interactive mapping application. Map features are a representation only and do not replace a survey or other legally recorded documents.

Map Created: November 2018

TOWN OF
LAMONT



1 inch = 800 feet



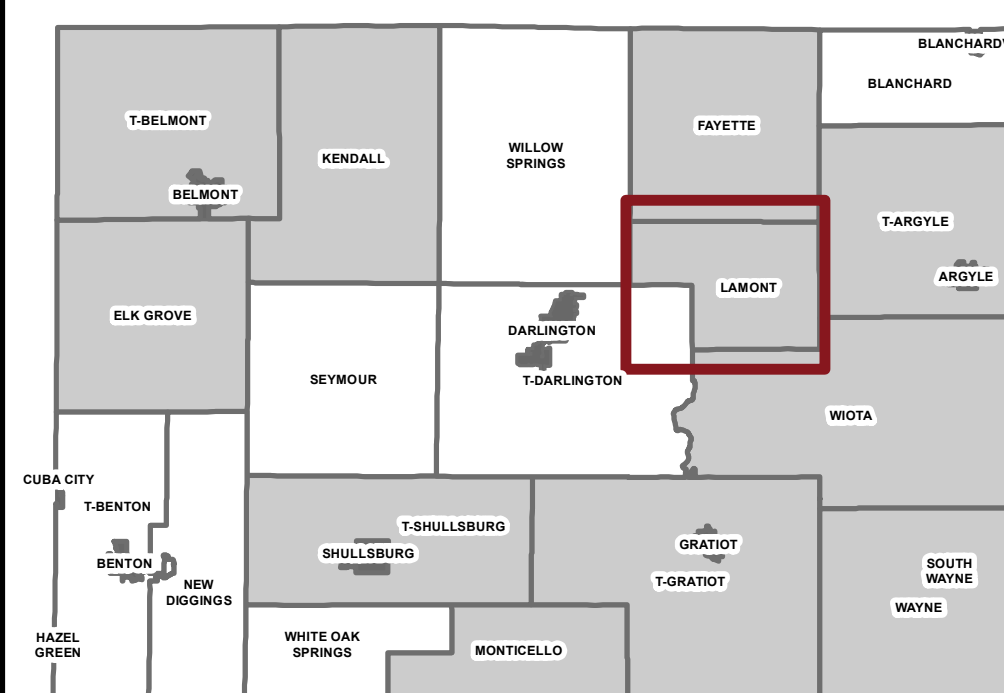
Legend

- Municipal Street
- Highway Ramp
- Private Road
- Town Road
- County Road
- State Road
- US Highway
- Municipal Boundary
- ParcelsTaxData
- Sections
- Waterbody

Zoning Classification

- A-1 (Working Lands)
- A-2 (Ag Lands)
- RR (Rural Residential)
- R-1 (Single Family Residential)
- R-2 (Multi Family Residential)
- R-3 (Mobile Home/Multi Unit)
- B-1 (Rural Business)
- C-1 (Commercial Business)
- M-1 (Light Industrial)
- M-2 (Heavy Industrial)
- CFR (Cons-Forest-Rec)

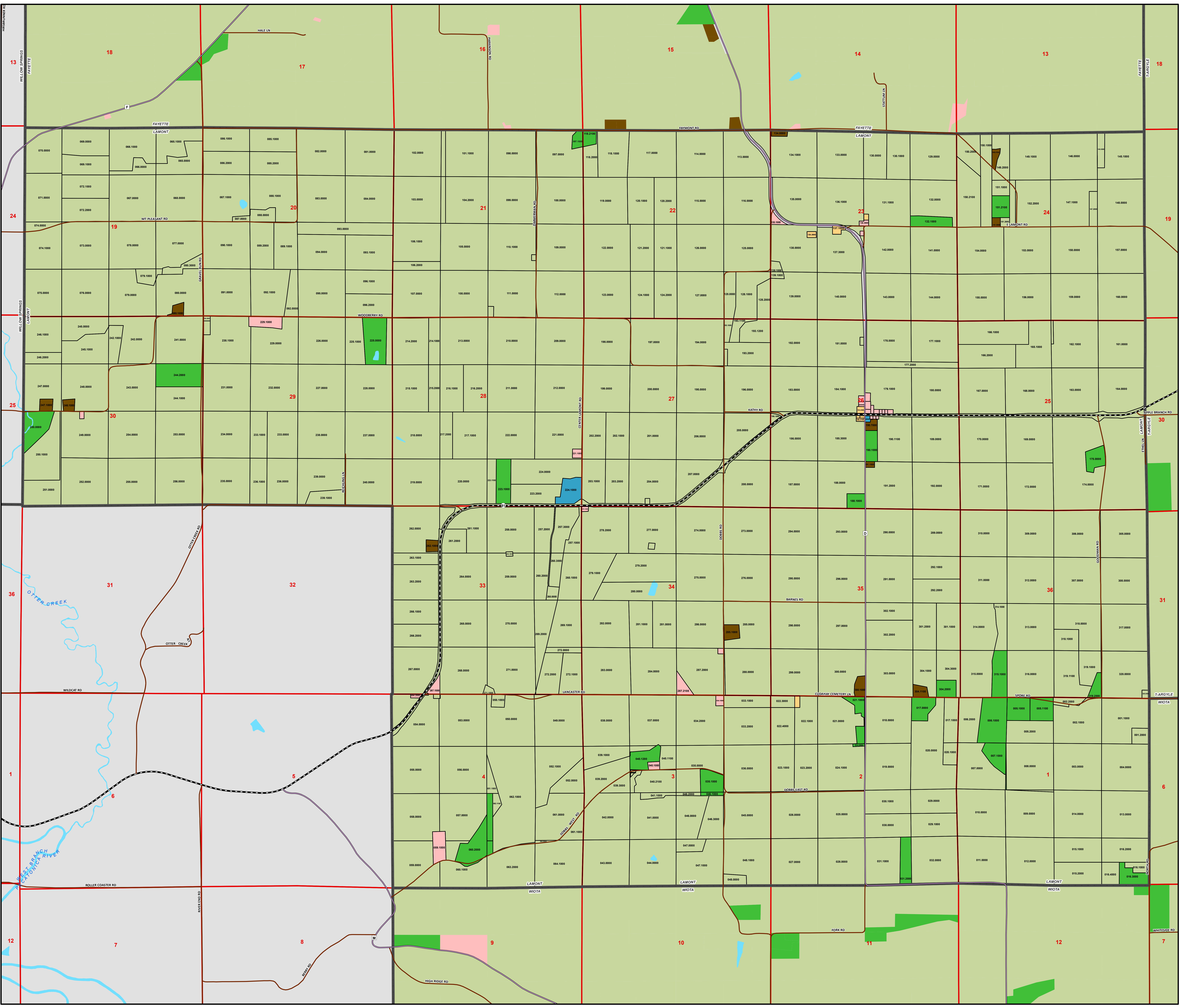
County Overview

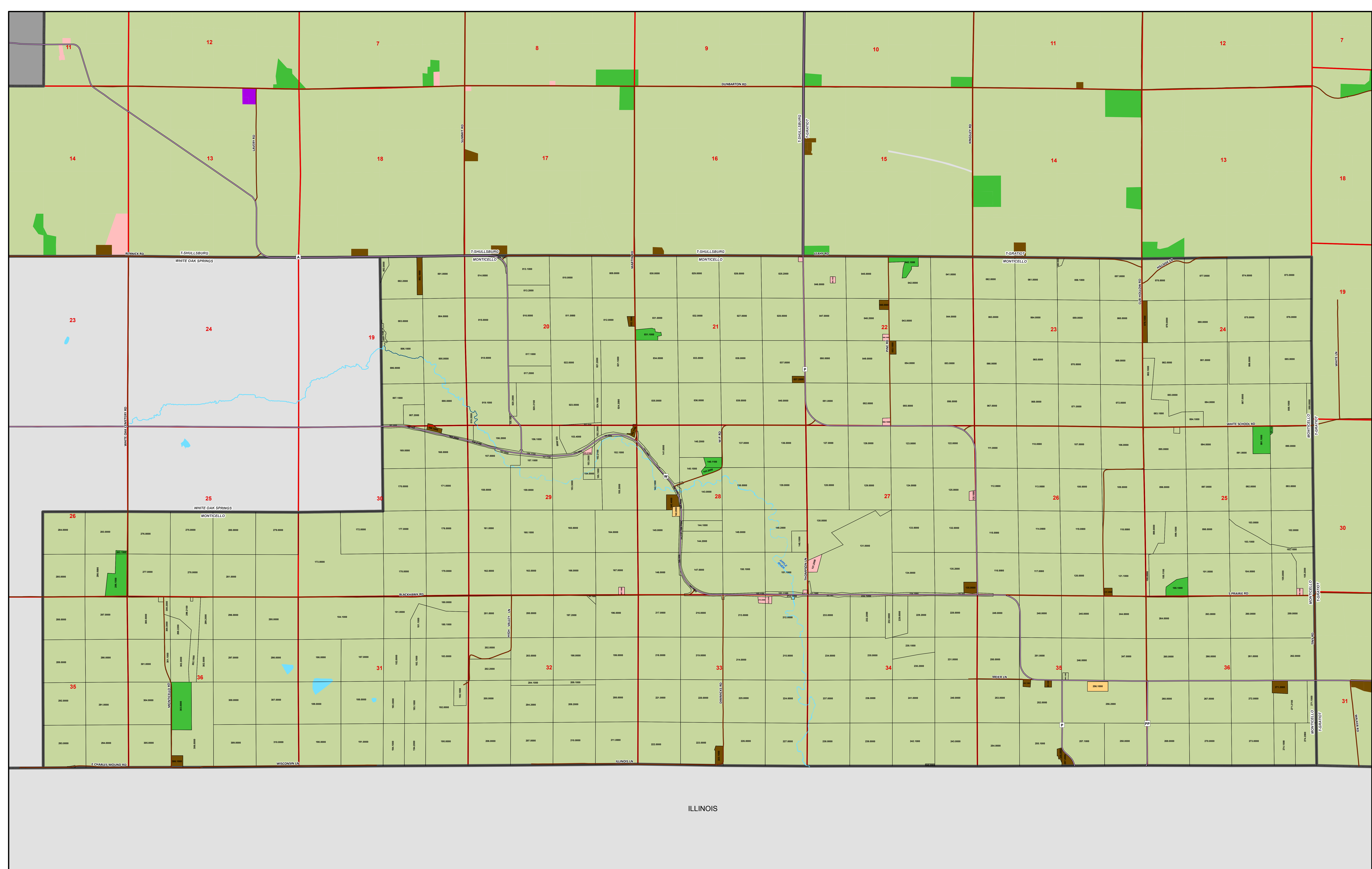


■ CITY/VILLAGE ■ ZONED □ UNZONED



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Lafayette County Land Information
www.lafayettecountywi.org/lis
Future zoning updates will be
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interactive mapping application.
Map features are a representation
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Map Created: November 2018

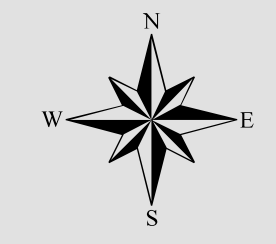




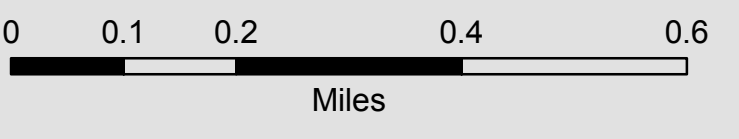
ILLINOIS

Lafayette County
GENERAL ZONING

TOWN OF
MONTICELLO



1 inch = 900 feet

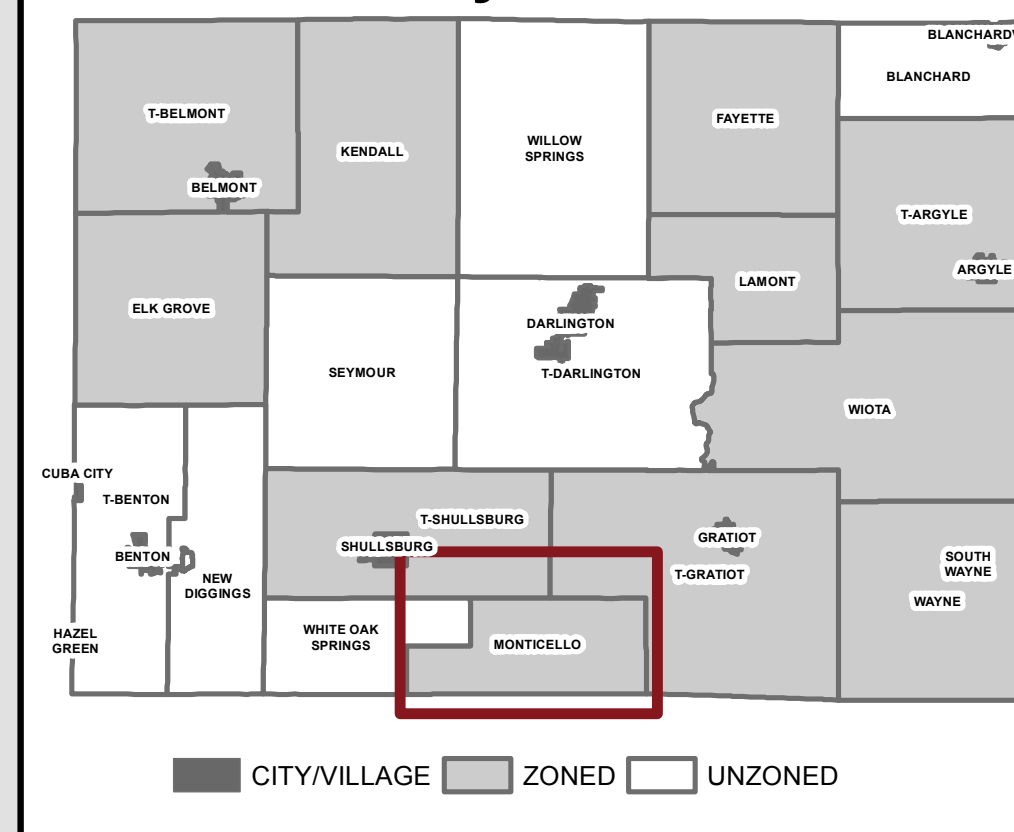


Legend

Zoning Classification

- A-1 (Working Lands)
- A-2 (Ag Lands)
- RR (Rural Residential)
- R-1 (Single Family Residential)
- R-2 (Multi Family Residential)
- R-3 (Mobile Home/Multi Unit)
- B-1 (Rural Business)
- C-1 (Commercial Business)
- M-1 (Light Industrial)
- M-2 (Heavy Industrial)
- CFR (Cons-Forest-Rec)
- Municipal Street
- Highway Ramp
- Private Road
- Town Road
- County Road
- State Road
- US Highway
- Sections
- Tax Parcels
- Municipal Boundary
- Waterbody

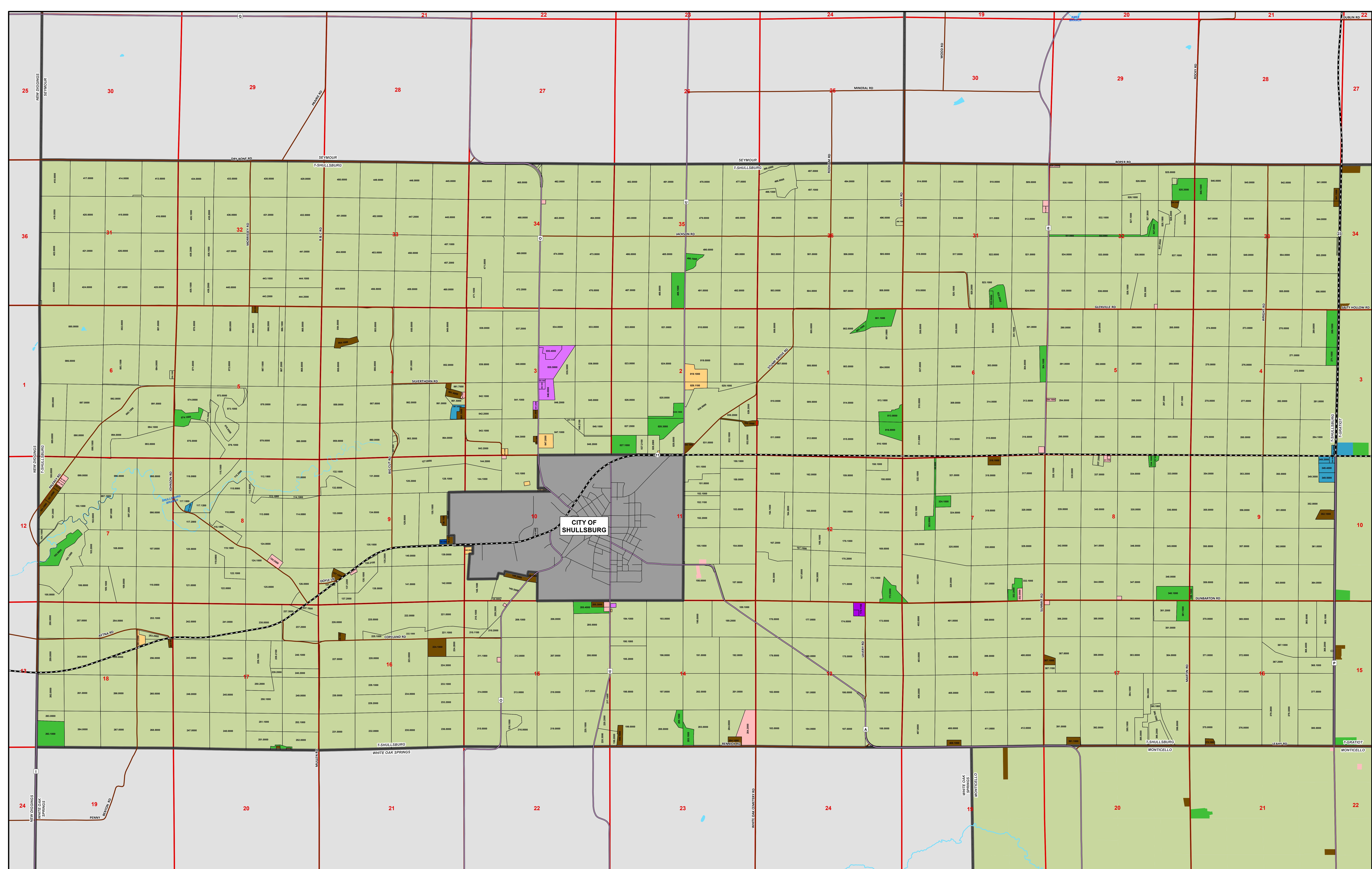
County Overview



Map Produced By:
Lafayette County Land Information
www.lafayettecountywi.org/lgis

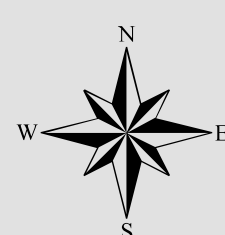
Future zoning updates will be reflected on the Lafayette County interactive mapping application. Map features are a representation only and do not replace a survey or other legally recorded documents.

Map Created: November 2018

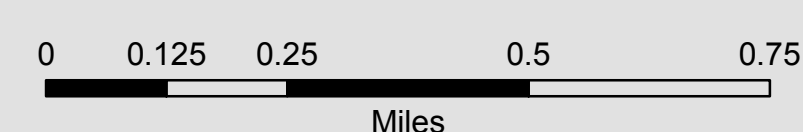


Lafayette County
GENERAL ZONING

TOWN OF
SHULLSBURG



1 inch = 1,050 feet



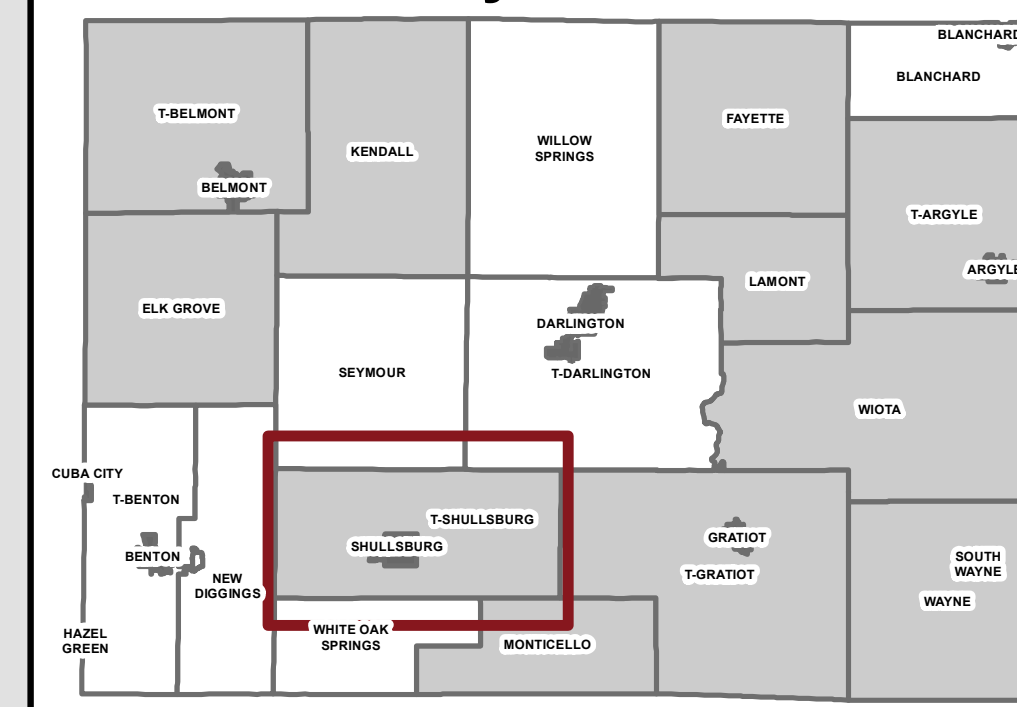
Legend

Zoning Classification

- A-1 (Working Lands)
- A-2 (Ag Lands)
- RR (Rural Residential)
- R-1 (Single Family Residential)
- R-2 (Multi Family Residential)
- R-3 (Mobile Home/Multi Unit)
- B-1 (Rural Business)
- C-1 (Commercial Business)
- M-1 (Light Industrial)
- M-2 (Heavy Industrial)
- CFR (Cons-Forest-Rec)

- Municipal Street
- Highway Ramp
- Private Road
- Town Road
- County Road
- State Road
- US Highway
- Sections
- Tax Parcels
- Municipal Boundary
- Waterbody

County Overview

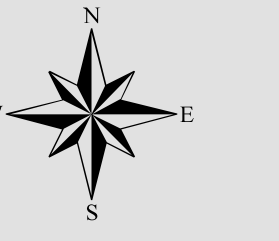


Map Produced By:
Lafayette County Land Information
www.lafayettecountywi.org/lgis

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Map Created: November 2018

TOWN OF
WAYNE



1 inch = 1,000 feet

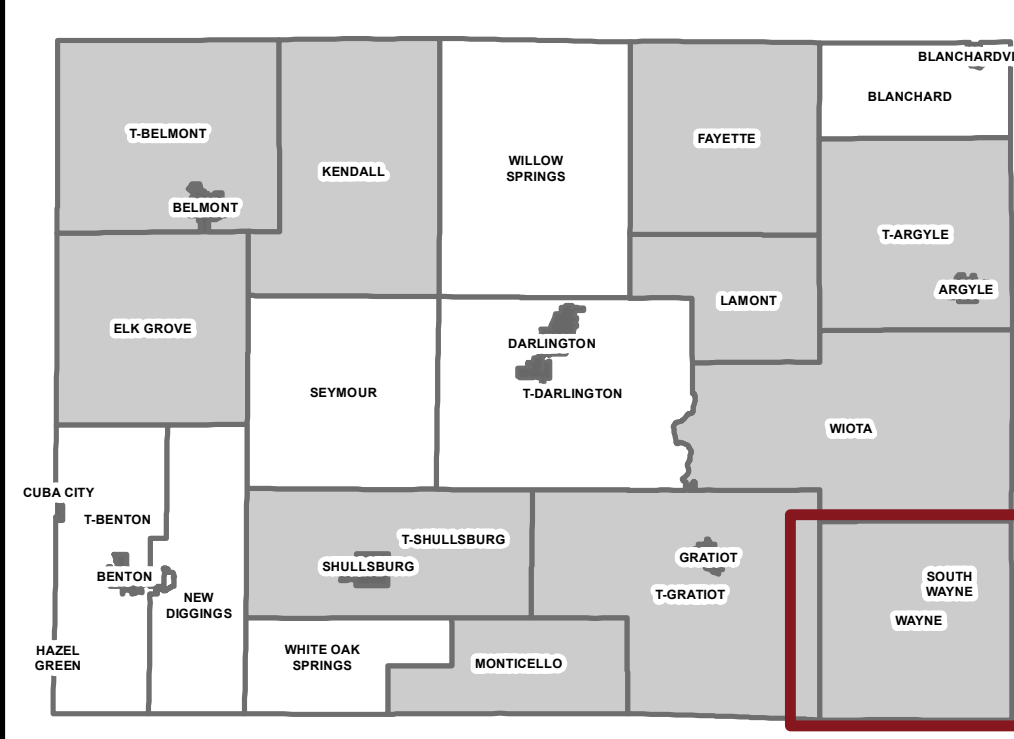


Legend

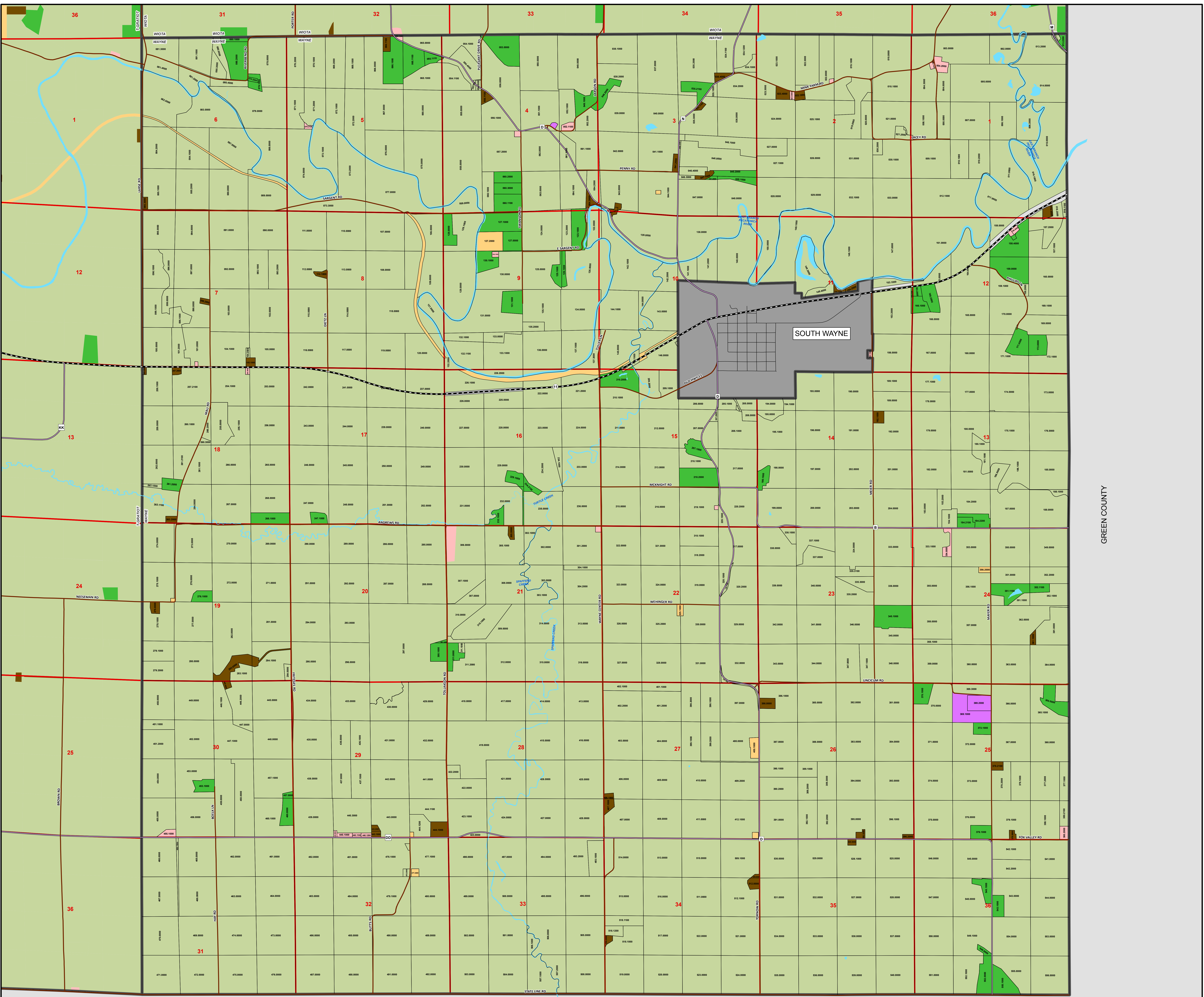
Zoning Classification

- A-1 (Working Lands)
- A-2 (Ag Lands)
- RR (Rural Residential)
- R-1 (Single Family Residential)
- R-2 (Multi Family Residential)
- R-3 (Mobile Home/Multi Unit)
- B-1 (Rural Business)
- C-1 (Commercial Business)
- M-1 (Light Industrial)
- M-2 (Heavy Industrial)
- CFR (Cons-Forest-Rec)
- Tax Parcels
- Municipal Street
- Highway Ramp
- Private Road
- Town Road
- County Road
- State Road
- US Highway
- Sections
- Municipal Boundary
- Waterbody

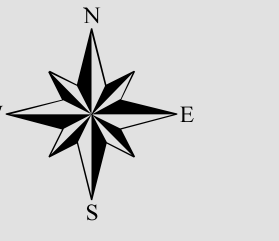
County Overview



CITY/VILLAGE ZONED UNZONED



TOWN OF
WIOTA



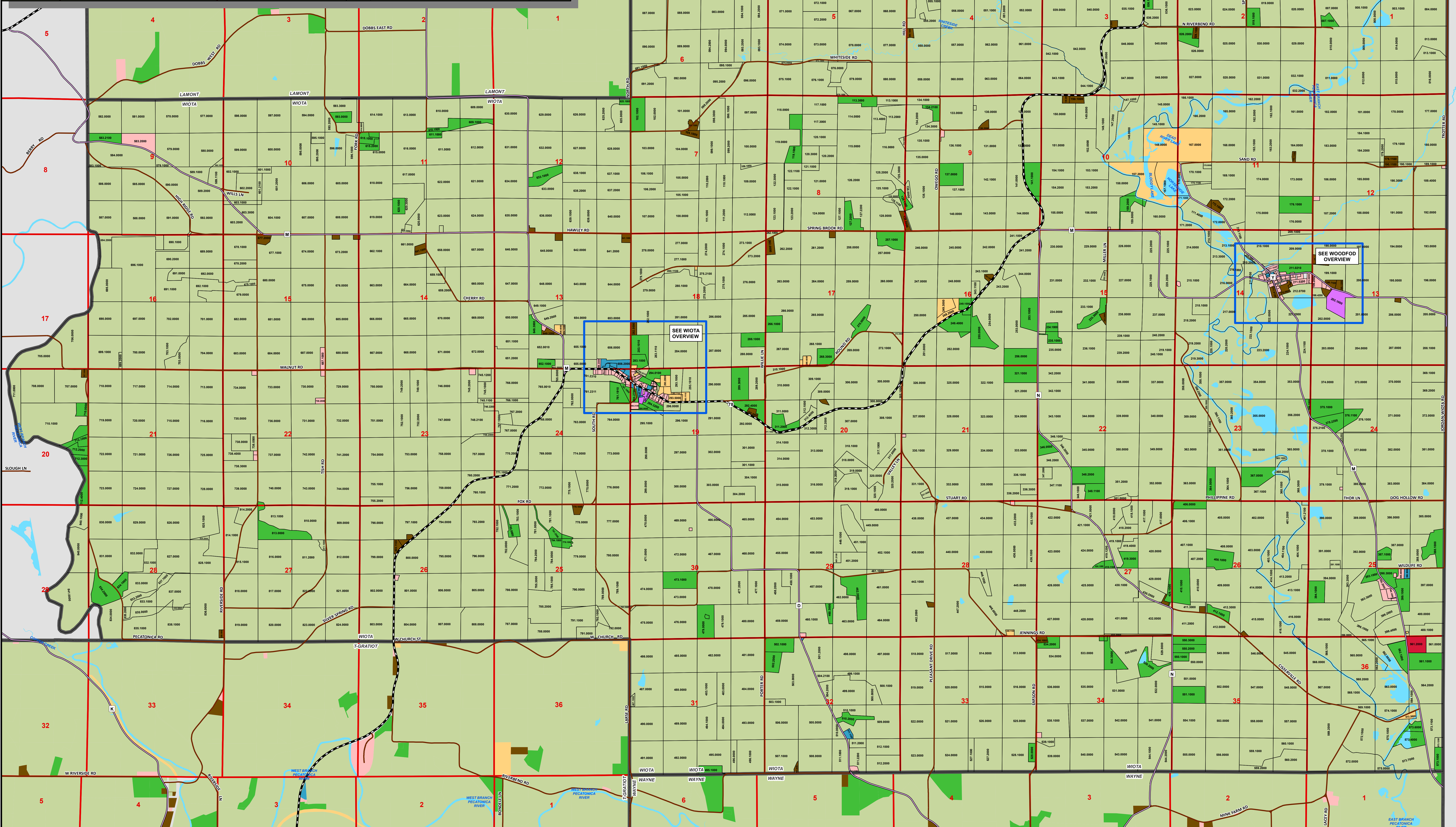
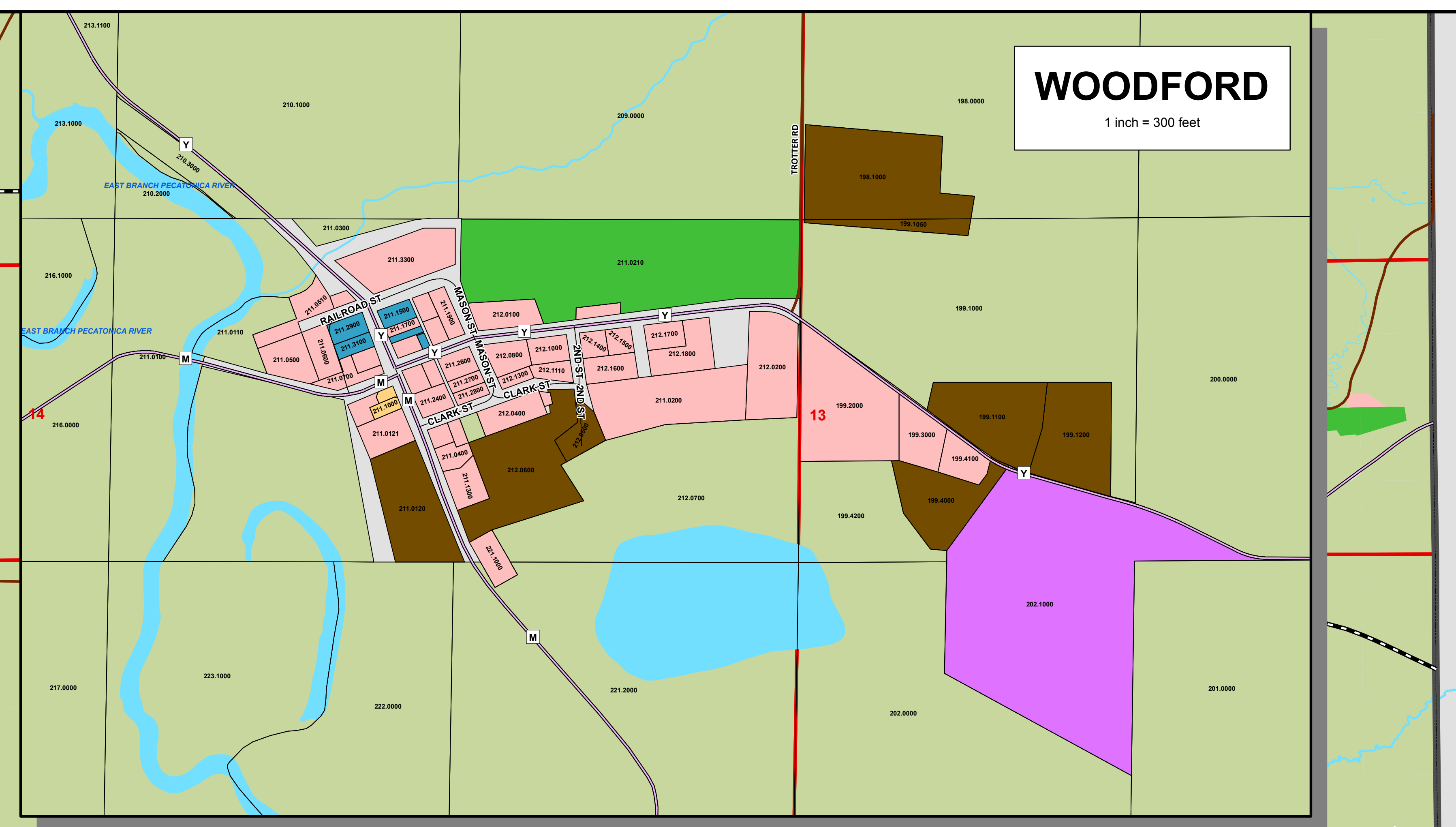
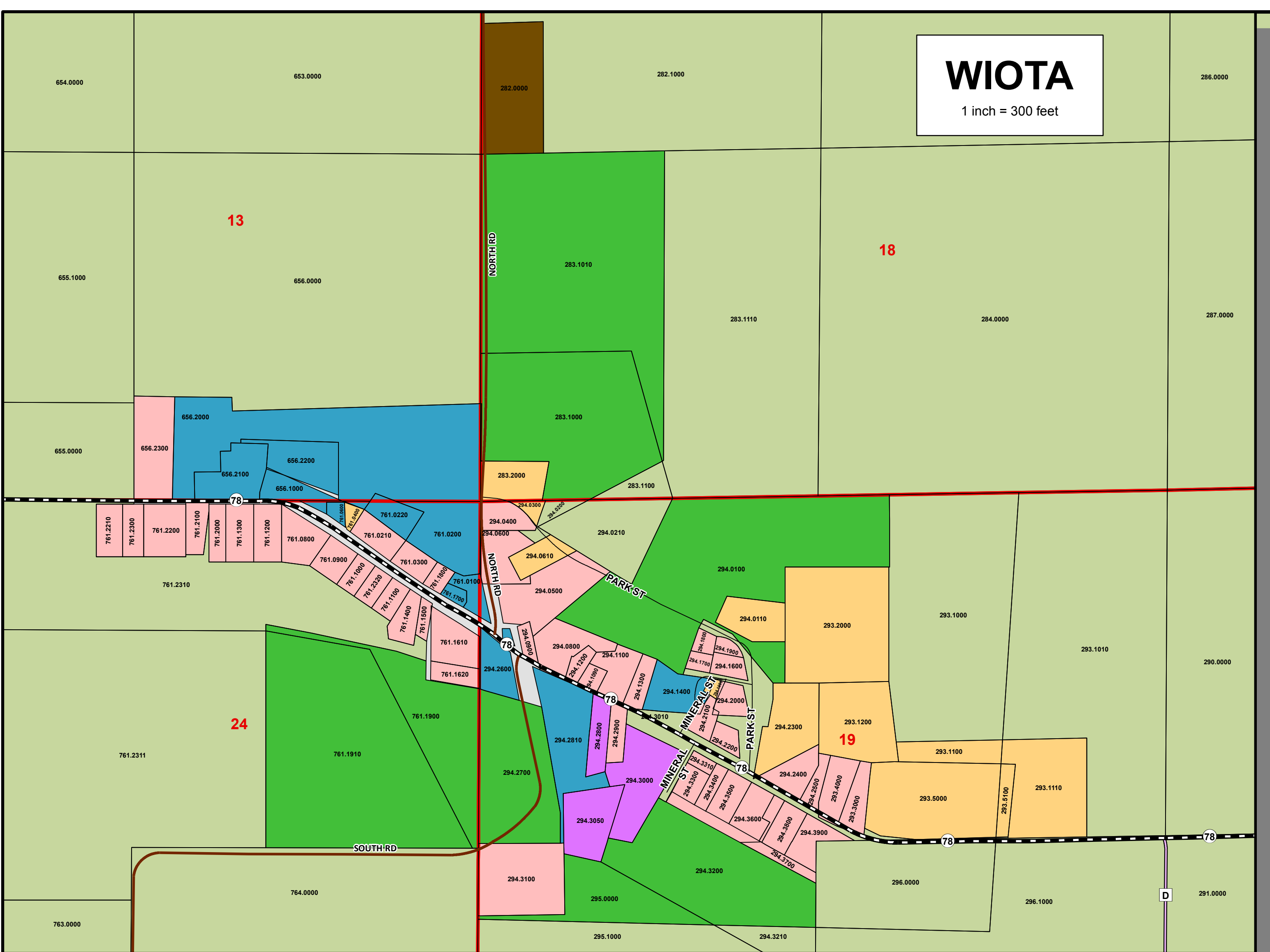
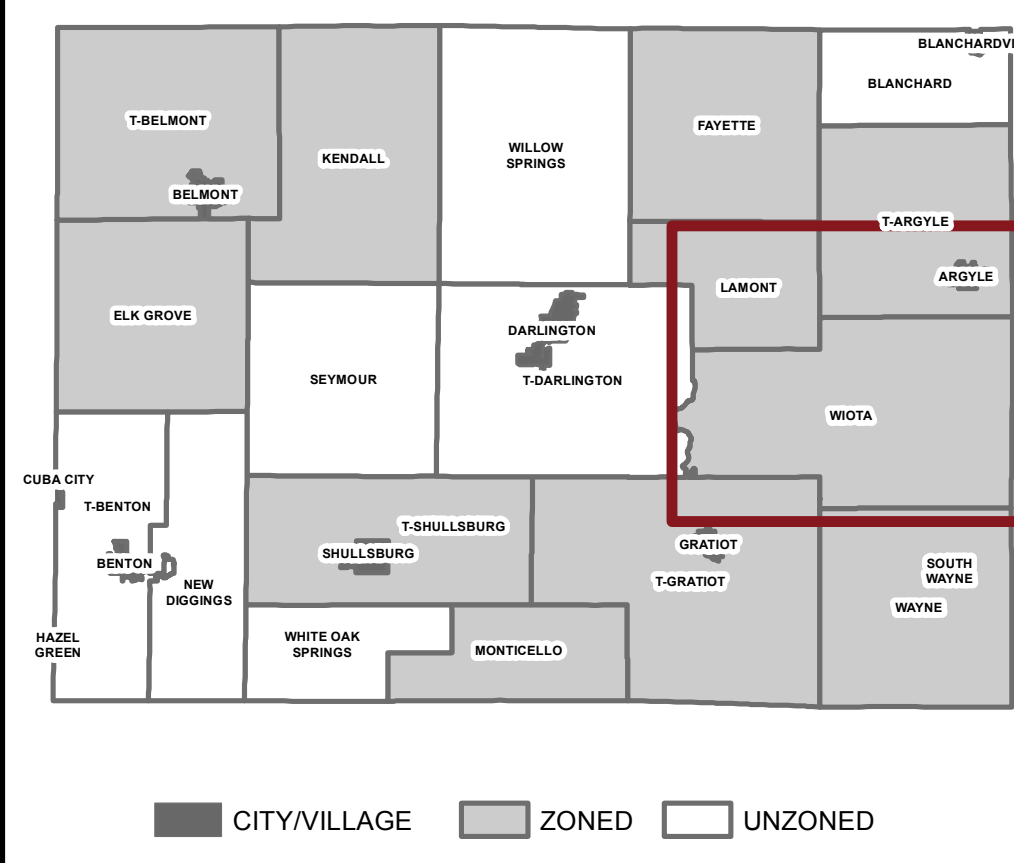
1 inch = 1,400 feet
0 0.175 0.35 0.7 1.05
Miles

Legend

Zoning Classification

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County Overview



Proposed New Zoning Ordinance Sections 4-10.01 and 4-10.02 Violation Enforcement and Penalty Provision

4-10.01 VIOLATION ENFORCEMENT

Any property owner, their agent, contractor, or responsible party who fails to comply with the provisions of this Ordinance, the Wisconsin Statute(s), and/or Administrative Code(s) applicable to this Ordinance shall hereafter be deemed in violation of this ordinance and a "Violator" as defined herein.

(A) The Lafayette County Planning & Zoning Manager, or designee, upon reasonable cause, or question as to proper compliance, may revoke, or suspend any permit governed by this Ordinance and issue directives and/or an Order for Correction for failure to meet the terms of an issued Zoning Permit, or any other violation of this Ordinance.

(B) Any person issued an Order for Correction or letter notice by the Lafayette County Planning & Zoning Manager, or designee in accordance with this Ordinance who resists enforcement, refuses to comply, or avoids violation correction, shall be subject to fines, penalties, and prosecuted by Corporation Counsel pursuant to this section and section 4-10.02.

(C) Construction of items, homes, land, structures, land alteration, and any other applicable works in progress found in violation of this Ordinance, shall cease upon issuance of an Order for Correction or notice letter, and/or any on-site issuance of a Stop Work Order by the Manager, or designee and all construction work shall remain stopped until the Manager, or designee releases the order.

(D) If an owner of a property has an ongoing violation to this Ordinance and in response to an Order for Correction or notice letter, issued by the Manager, or designee to prevent, or abate a human health hazard as described in § 254.59 Wisconsin Statutes and as defined and prescribed by the Lafayette County Public Health Nuisance Ordinance, and fails to correct, or remove the health hazard as ordered, the County may enter upon the property and cause to have such human hazard corrected, or removed from the property and place the actual costs of doing the correction, or removal on the property owner's property tax bill as a special assessment.

4-10.02 PENALTY PROVISION:

Any person who violates any of the provisions of this Ordinance, except as otherwise provided shall upon determination and/or adjudication of such violation be subject to a penalty and/or penalties as defined herein. Each day a violation continues to occur, shall constitute a separate violation and offense.

(A) The Lafayette County Sheriff's Office members are hereby authorized to issue citations to person or organizations, corporations, partnerships, or entities that violate this ordinance upon completion of the investigation of the Lafayette County Health Department or its designee.

(B) A citation issued to any violator of this ordinance shall include all the information required for citations by Section 66.0113 of the Wisconsin Statutes.

(C) If the violator receives a summons in addition to the citation, the violator must appear in court for the hearing on the citation.

(D) Any citation and/or citation and summons issued under this ordinance can be served on the violator/defendant by the Lafayette County Sheriff's Office either in person or via mail.

(E) A violator receiving a citation under this ordinance must pay a forfeiture deposit ranging from fifty dollars (\$50.00) to five hundred dollars (\$500.00), plus statutory costs, assessments, surcharges and fees. Upon finding of guilty or no contest to the citation, fees, fines amounts, or any restitution can be paid to the Lafayette County Clerk of Courts or by following instructions on the citation.

(F) Any person, entity, and/or violator who, upon conviction pursuant to a lawsuit complaint, is found guilty of violating this Ordinance, or any part thereof shall forfeit not less than one hundred dollars (\$100.00), or not more than one thousand dollars (\$1000.00) for each offense, in addition to the costs of prosecution, for each day of violation. Default in payment may result in imprisonment in the Lafayette County Jail for a period not to exceed six months for contempt.