

## **10.004 DEFINITIONS**

### **Lot.**

A parcel of land occupied or intended to be occupied by one principal building and its accessory buildings or uses, except for commercial zoning districts.

### **Single family residential.**

Land use characterized by individual, standalone dwellings designed for and occupied for a period of more than 30 days, exclusively by one family.

### **Incidental room rental.**

Rental or leasing of rooms within a single-family residence, provided all of the following are met:

**(a)** All rooms offered for rent are within, and share a main building entrance with, the landowner's primary residence

**(b)** No more than two bedrooms are offered for rent

**(c)** One off-street parking space is provided for each rental room.

### **Transient or tourist lodging.**

**(a)** A residence that rents more than two, but not more than eight, bedrooms to transient guests or tourists, where all of the following apply:

**1.** Rooms are rented to no more than a total of 20 individuals who are not members of the landowner's family.

**2.** Length of stay does not exceed twenty-nine (29) consecutive days for each registered guest.

**(b)** Transient lodging houses may include, but are not limited to: bed and breakfasts, hostels and recreational cabins.

**(c)** Transient lodging does not include: incidental room rental, campgrounds, duplexes, multifamily housing, institutional residential, indoor institutional, community living arrangements, rooming houses or indoor commercial lodging.

### **Accessory dwelling unit - detached.**

**(a)** A second dwelling unit, limited in size, which is in a freestanding accessory building, located on the same lot as a principal dwelling.

**(b)** This definition includes accessory buildings constructed in connection with a private garage or a private garage converted into a dwelling unit.

### **Agricultural accessory building.**

A building or buildings used in the operation of a farm.

## **10.102 GENERAL REQUIREMENTS**

Buildings and structures

### **(a) Accessory Buildings.**

**1.** Zoning Permit fees do not apply to agricultural accessory buildings on farms of 35 acres or larger.

**2.** Except for agricultural accessory buildings, or for property management sheds specifically authorized by conditional use permit, a principal building must exist or be under construction prior to the construction of an accessory building.

**3.** Except for accessory dwelling units, accessory buildings may not be used for living spaces. No guesthouses or apartments are allowed.

**4.** Except for accessory dwelling units or as specifically permitted by conditional use permit, plumbing fixtures are prohibited in accessory buildings.

**5.** All accessory buildings must meet size, height and lot coverage restrictions of the general provisions and applicable zoning district.

**6.** Accessory buildings must meet required setbacks from roads and the locational requirements of the Shoreland, Wetland, and Floodplain Districts

## **Limited family business.**

A small family-run commercial operation, accessory to a permitted principle use, that takes place entirely within an accessory building. All employees, except up to one or one full-time equivalent, must be a member of the family residing on the premises.

### 10.103 SPECIAL REQUIREMENTS FOR:

Limited family business.

- (a) A conditional use permit for a limited family business is designed to accommodate small family businesses without the necessity for relocation or rezoning while at the same time protecting the interests of adjacent property owners. Applicants for this conditional use permit should recognize that rezoning or relocation of the business may be necessary or may become necessary if the business is expanded. No limited family or rural business shall conflict with the purposes of the zoning district in which it is located.
- (b) The use shall employ no more than one or one full-time equivalent, employee who is not a member of the family residing on the premises.
- (c) Using applicable conditional use permit standards, the committee shall determine the percentage of the property that may be devoted to the business.
- (d) The conditional use permit holder may be restricted to a service oriented business and thus prohibited from manufacturing or assembling products or selling products on the premises or any combination thereof.
- (e) The conditional use permit may restrict the number and types of machinery and equipment the permit holder may be allowed to bring on the premises.
- (f) Structures used in the business shall be considered to be residential accessory buildings and shall meet all requirements for such buildings. The design and size of the structures is subject to conditions set forth in the conditional use permit.
- (g) Sanitary fixtures to serve the limited family business use may be installed, but must be removed upon expiration of the conditional use permit or abandonment of the limited family business.
- (h) The conditional use permit shall automatically expire on sale of the property or the business to an unrelated third party.

## **Limited farm business.**

An agricultural accessory use that meets all of the following criteria:

- (a) Consists of a business, activity, or enterprise, whether or not associated with an agricultural use, that is conducted by the owner or operator of a farm,
- (b) Requires no buildings, structures, or improvements other than existing agricultural buildings or a farm residence
- (c) Employs no more than 4 full-time equivalent employees annually, who are not members of the family residing on the farm, and;
- (d) Does not impair or limit the current or future agricultural use of the farm or of other protected farmland.

### 10.103 SPECIAL REQUIREMENTS FOR:

Limited farm business.

- (a) Uses are limited to those listed as permitted uses in the LC or GC zoning districts, provided the use does not conflict with the overall purposes of the applicable zoning district.
- (b) Area dedicated to the Limited farm business use must not exceed 10,000 square feet in indoor floor area.
- (c) Limited farm businesses must be contained entirely within building(s) in existence prior to April 30, 2005.
- (d) The landowner must maintain, restore or enhance the existing exterior character of the building(s).
- (e) No Limited farm business shall employ more than 4 non-family employees.

## 10.103 SPECIAL REQUIREMENT FOR:

**Accessory dwelling units.** (Note: The requirements are for both attached and detached ADUs.)

- (a) On lots zoned for single-family residential use, no more than one accessory dwelling unit may be created per lot.
- (b) Multiple accessory dwelling units per lot may be created only in the Multi-Family Residential (MFR) , community permitted under [s. 10.103\(14\)](#).
- (c) A detached accessory dwelling unit may be included in either an existing or new dwelling unit.
- (d) Lots accommodating an accessory dwelling unit must meet the minimum lot size for the applicable zoning district.
- (e) In no case shall an accessory dwelling unit exceed 800 square feet of occupiable floor area.
- (f) No accessory dwelling unit shall have more than two bedrooms.
- (g) Accessory dwelling units shall not be sold separately from the principal dwelling unit, nor from the property on which it sits.
- (h) A lot or parcel of land containing an accessory dwelling unit shall be occupied by the owner of the premises. The owner may live in either the accessory dwelling unit or the principal residence.
- (i) The orientation of the proposed accessory dwelling unit shall, to the maximum extent practical, maintain the privacy of residents in adjoining dwellings. The town board and zoning committee may, as necessary, require screening, consistent with [s. 10.102\(12\)](#) between a property containing an ADU and adjacent properties.
- (j) Off-street parking shall be provided consistent with [s. 10.102\(8\)](#).
  - (k) Accessory dwelling units must meet applicable residential building codes and sanitary codes.

## 10.234. RM-16 (Rural Mixed-Use, 16-35 acres) Zoning District

### Purpose.

The Rural Mixed-Use 16-acre (RM-16) district is designed to:

- (a)** Provide for a mix of agriculture, residential, utility, extractive, limited business and accessory uses consistent with and appropriate to a rural setting, on medium-to-large parcels.
- (b)** The RM-16 district accommodates uses which may require larger setbacks, buffers, berms or other siting standards to minimize conflicts with neighboring production agriculture or residential use, are typically found in a rural location and do not require urban services.
- (c)** Such uses may generate moderate truck traffic, noise, dust or odors.

### Permitted uses

- (a)** Agricultural uses. Livestock
- (b)** Agricultural Accessory Uses
  1. Agricultural entertainment activities under 10 days a year;
  2. Farm related exhibitions;
  3. The seasonal storage of recreational equipment
- (c)** Undeveloped natural resources and open space areas
- (d)** Single family residential
- (e)** Residential accessory buildings
- (f)** Incidental room rental
- (g)** Foster homes for less than five children
- (h)** Community living arrangements for fewer than 9 persons.
- (i)** Home occupations
- (j)** Utility services associated with, and accessory to, a permitted or conditional use
- (k)** A transportation, utility, communication, or other use that is:

### Conditional uses

- (a)** Agricultural entertainment activities exceeding 10 days per year
- (b)** Airports, landing strips or heliports for private aircraft owned by the landowner.
- (c)** Attached accessory dwelling units
- (d)** Cemeteries
- (e)** Community living arrangements for 9 or more persons
- (f)** Domestic pet animal boarding
- (g)** Electric generating facilities
- (h)** Farm related exhibitions
- (i)** Governmental, institutional, religious, or nonprofit community uses
- (j)** Large animal boarding
- (k)** Limited family business
- (l)** Limited farm business
- (m)** Migrant farm labor camps certified under s. 103.92, Wis. Stats.
- (n)** Mineral extraction.
- (o)** Recreational racetracks.
- (p)** Sanitary facilities in agricultural accessory buildings
- (q)** Temporary asphalt or concrete production.
- (r)** Tourist and transient lodging
- (s)** Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above.
- (t)** Veterinary clinics.

## 10.290. Special Use Zoning Districts

### 10.291. PUD (Planned Unit Development) Zoning District

#### Purpose.

The purpose of the PUD Planned Unit Development district is to promote improved development design by allowing greater flexibility and imagination in urban and rural development while ensuring substantial compliance with the intent of the zoning ordinance and adopted plans. The district allows variations in uses, structures, densities, setbacks and yard requirements, building heights, landscaping and other provisions for developments which are cohesively planned and implemented. In exchange for such flexibility, the project (hereinafter referred to as Planned Unit Development or PUD) must provide a higher level of design and functionality than normally required for other developments.

#### Permitted uses.

The only uses permitted within each mapped PUD district shall be those lawful use(s) in place at the time of PUD district mapping plus those uses explicitly listed, depicted and described as permitted uses within that particular PUD district.

#### Criteria for approval of PUDs.

Planned unit developments shall meet all of the following criteria to be approved:

- (a)** The development shall be consistent with a town comprehensive plan approved by both the town and county.
- (b)** The uses and their intensity, appearance, design and arrangement shall be compatible with the physical nature of the site and area, and shall not have a significant adverse impact on the natural environment.
- (c)** The uses and their intensity, appearance, design and arrangement shall in no foreseeable manner diminish or impede the uses, values and normal and orderly development of surrounding properties.
- (d)** The uses and their intensity, appearance, design and arrangement shall not create access issues, traffic or parking demand inconsistent with existing or anticipated transportation facilities.
- (e)** The development shall include adequate provision for the continued preservation, maintenance and improvement of natural areas and open space.
- (f)** The applicant shall provide evidence of financial feasibility and assurances that each phase can be completed in a manner which would not result in an adverse effect upon the community as a result of termination at that point.
- (g)** The development shall comply with all other applicable ordinances.

#### Planned unit development approval process.

There is a two-step review and approval process for establishing a PUD district. The first step consists of submittal of a General Development Plan (GDP) that outlines the nature of the Planned Unit Development and provides information necessary for consideration and decision-making by the town and county. The second step involves submittal of a Specific Implementation Plan (SIP) which documents the detailed actions the applicant will take to implement the General Development Plan. No PUD zoning district can be established without an approved GDP and corresponding SIP(s). If approved by the zoning administrator, the applicant may combine steps for simple PUDs involving a small tract of land or proceed with both steps concurrently.

Prior to submitting a formal application, the prospective applicant shall present the concept of the proposed PUD to, and consult with, representatives from the affected town, staff from the planning and development department, and the zoning committee regarding the project, required application materials, and the PUD review process. These representatives may comment on the concept, but their comments are not binding on the representatives nor indicative of their position on a formal application.

The review by the town and the zoning committee may take place at a joint meeting.

- (a)** General Development Plan (GDP).
- (b)** Specific Implementation Plan (SIP).