Appendix B - Land Uses

- Discussion Draft (09-16-2025) -

Series	Land Use
1	Residential

1.01 Manufactured home park

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Description: A place with 2 or more designated pads (i.e., lots) for lease or rent to the general public for the placement of a mobile home or a manufactured home.

Supplemental Standards:

(A) Minimum area. The minimum area for a manufactured home park is 10 acres.

(B) Lot width. The width is 450 feet at the building setback line.

(C) Density. The maximum density is 9 units per acre.

(D) Open space. The minimum open space is 8 percent of the development area, exclusive of mobile home unit sites, streets, roads, and public or general purpose parking.

(E) Lot area. The minimum lot area for a single module mobile home is 4,500 square feet with a minimum lot width of 45 feet. The minimum lot area for a double module mobile home is 6,000 square feet with a minimum lot width of 60 feet.

(F) Front setback. The minimum setback for any building, structure, or unit is 75 feet from the right-of-way line of a street, road or highway, which abuts the development.

(G) Side yard and rear yard setback. The minimum setback for any building, structure, or unit is 40 feet to other lot lines.

(H) Separation. The minimum distance between mobile home units and access streets is 20 feet.

(I) Side yard. The minimum side yard distance between mobile home units is 20 feet.

(J) Streets and walkways. All interior streets and general parking areas must be constructed to City specifications and all mobile home unit parking areas and all walkways must be surfaced pursuant to City specifications.

(K) Water and sanitation. Each manufactured home space must be connected to a public water supply system and a public sewage disposal system.

(L) Other uses. A mobile home sales office or other commercial use are prohibited. However, laundries, washrooms, recreation rooms, maintenance equipment storage areas, and one mobile home park office necessary for the use of mobile home park residents are permitted.

(M) Perimeter screening. Each mobile home park must be completely enclosed except for permitted entrances and exits by a permanent evergreen planting, the individual trees to be of such a number and size and so arranged that within 10 years they will have formed a dense screen. Such permanent plantings must be grown or maintained to a height of not less than 10 feet.

(N) Rentals. A manufactured home site may not be rented for a period of less than 6 months.

(O) Skirting. All mobile homes and manufactured homes must be fully "skirted" with a nonflammable material.

(P) Licensing. A manufactured home park must comply with the licensing requirements in § _____ of the municipal code.

Temporary note: The above provisions are from consultant; need to reconcile with s. 15.510 in the current code. https://www.codepublishing.com/WI/Manitowoc/#!/Manitowoc15/Manitowoc15510.html#15.510

1.02 Mixed-use residential

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Description: One or more dwelling units situated within a commercial building.

Supplemental Standards:

(A) Occupancy. Occupancy of a dwelling unit is limited to one household unit.

(B) Location. Dwelling units may be located on the ground floor, provided the first 16 feet of the building from the front lot line is designed for commercial uses otherwise allowed in the zoning district. Dwelling units may also be located on upper floors.

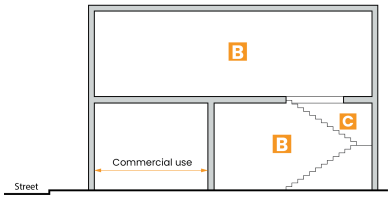
(C) Stairs. A dwelling unit on the second floor must be served by stairs inside of the building (i.e., exterior stairs are not permitted). The exterior access door may be located along the front, side, or rear of the building and may serve one or more dwelling units.

(D) Street access. When located in a residential zoning district, this use must be located on and have access to a major street as depicted on the zoning map.

(E) Short-term rental. If a dwelling unit is used as a short-term rental, the property owner must comply with the requirements for this use under Series 13 (Temporary Uses).

Figure: Side view of mixed-use residential

Note: The letters in the illustration correspond to the paragraphs listed above.



1.03 Multi-family, 2 units

Description: A building containing 2 dwelling units located on a single lot. The building may be under a single owner, or the dwelling units may be in separate ownership, such as in a condominium. The term includes various construction types, including modular, panelized, pre-cut, and site-built structures.

Note: Also known as duplex

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Supplemental Standards:

(A) Arrangement of units. The dwelling units may be arranged side-by-side (sharing a common wall) or stacked vertically (one above the other).

(B) Occupancy. Occupancy of a dwelling unit is limited to one household unit.

(C) Number of principal buildings per parcel. More than one multi-family building may be located on a parcel of land, provided the overall density complies with the maximum density established for the zoning district and the project complies with the site review standards in § 35.__.

(D) Garage required. A garage of not less than 250 square feet must be provided for each dwelling unit and constructed concurrently with the dwelling unit. Required garages may be either attached or detached.

(E) Short-term rental. If a dwelling unit is used as a short-term rental, the property owner must comply with the requirements for this use under Series 13 (Temporary Uses).

1.04 Multi-family, 3 to 6 units

Description: A building containing 3 to 6 dwelling units located on a single lot. The building may be under a single owner, or the dwelling units may be in separate ownership, such as in a condominium. The term includes various construction types, including modular, panelized, pre-cut, and site-built structures.

Supplemental Standards:

(A) Arrangement of units. The dwelling units may be arranged side-by-side, stacked vertically, or any combination of both.

(B) Occupancy. Occupancy of a dwelling unit is limited to one household unit.

(C) Number of principal buildings per parcel. More than one multi-family building may be located on a parcel of land, provided the overall density complies with the maximum density established for the zoning district and the project complies with the site review standards in § 35.__.

(D) Garage required. A garage of not less than 250 square feet must be provided for each dwelling unit and constructed concurrently with the dwelling unit. Required garages may be either attached or detached.

(E) Public safety access. The site must be designed to allow police and fire access to each building, including unit porches and/or windows on upper floors.

(F) Architecture. The building must comply with the architectural standards in § 35.__.

(G) Short-term rental. If a dwelling unit is used as a short-term rental, the property owner must comply with the requirements for this use under Series 13 (Temporary Uses).

1.05 Multi-family, 7 to 15 units

Description: A building containing 7 to 15 dwelling units located on a single lot. The building may be under a single owner, or the dwelling units may be in separate ownership, such as in a condominium. The term includes various construction types, including modular, panelized, pre-cut, and site-built structures.

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Supplemental Standards:

(A) Arrangement of units. The dwelling units may be arranged side-by-side, stacked vertically, or any combination of both.

(B) Occupancy. Occupancy of a dwelling unit is limited to one household unit.

(C) Number of principal buildings per parcel. More than one multi-family building may be located on a parcel of land, provided the overall density complies with the maximum density established for the zoning district and the project complies with the site review standards in § 35.__.

(D) Garage required. A garage of not less than 250 square feet must be provided for each dwelling unit and constructed concurrently with the dwelling unit. Required garages may be either attached or detached.

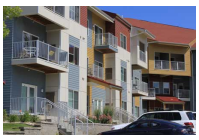
(E) Public safety access. The site must be designed to allow police and fire access to each building, including unit porches and/or windows on upper floors.

(F) Architecture. The building must comply with the architectural standards in § 35.__.

(G) Short-term rental. If a dwelling unit is used as a short-term rental, the property owner must comply with the requirements for this use under Series 13 (Temporary Uses).

1.06 Multi-family, more than 15 units

Description: A building containing more than 15 dwelling units located on a single lot. The building may be under a single owner, or the dwelling units may be in separate ownership, such as in a condominium. The term includes various construction types, including modular, panelized, pre-cut, and site-built structures.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Supplemental Standards:

(A) Arrangement of units. The dwelling units may be arranged side-by-side, stacked vertically, or any combination of both.

(B) Occupancy. Occupancy of a dwelling unit is limited to one household unit.

(C) Number of principal buildings per parcel. More than one multi-family building may be located on a parcel of land, provided the overall density complies with the maximum density established for the zoning district and the project complies with the site review standards in § 35.__.

(D) Garage required. A garage of not less than 250 square feet must be provided for each dwelling unit and constructed concurrently with the dwelling unit. Required garages may be either attached or detached.

(E) Public safety access. The site must be designed to allow police and fire access to each building, including unit porches and/or windows on upper floors.

(F) Architecture. The building must comply with the architectural standards in § 35.__.

(G) Short-term rental. If a dwelling unit is used as a short-term rental, the property owner must comply with the requirements for this use under Series 13 (Temporary Uses).

1.07 Single-family dwelling

Description: A building containing one dwelling unit located on a single lot, not attached to any other dwelling unit by any means. The term includes manufactured homes and other construction types, including modular, panelized, pre-cut, and site-built structures. The term does not include mobile homes.

Supplemental Standards:

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(A) Occupancy. Occupancy of a single-family dwelling unit is limited to one household unit.

(B) Number of principal dwellings per parcel. No more than one principal residential building may occupy any single parcel of land.

(C) Roof. The minimum roof pitch of a single-family dwelling is 4 to 12, except when a flat roof is integral to the architectural style of the dwelling. An overhang must extend at least 12 inches beyond the face of the exterior wall, except when integral to the architectural style of the dwelling (e.g., saltbox).

(D) Exterior materials. Suitable roof materials include slate, concrete, clay, or ceramic tiles; wood shingles or shakes; metal, fiberglass, or asphalt shingles; or standing seam panels. Suitable wall materials include stucco, wood siding, cement-fiber siding, vinyl siding, metal horizontal lap siding, wood shingles, or a masonry veneer. Consistent with the requirements in Article 5, the Plan Commission may approve a special exception authorizing the use of an exterior material that is not specifically listed.

(E) Garage required. A garage of not less than 480 square feet must be provided for each dwelling unit and constructed concurrently with the dwelling unit. Required garages may be either attached or detached. An attached garage but may not exceed the living area on the first floor.

(F) Short-term rental. If a dwelling unit is used as a short-term rental, the property owner must comply with the requirements for this use under Series 13 (Temporary Uses).

1.08 Townhouse, 2 units

Description: A building containing 2 dwelling units, each located on a separate lot and separated from adjoining units by a vertical party wall that extends from the foundation to the roof. Each unit has its own private entrance. The term includes various construction types including modular, panelized, pre-cut, and site-built structures.

Note: Also known as single-family attached, zero-lot-line duplex, or twin home

Supplemental Standards:

(A) Occupancy. Occupancy of a dwelling unit is limited to one household unit.

(B) Number of principal dwellings per parcel. No more than one principal residential building shall occupy any single parcel of land.

(C) Roof. The minimum roof pitch of a twin home is 4 to 12, except when a flat roof is integral to the architectural style of the dwelling. An overhang must extend at least 12 inches beyond the face of the exterior wall, except when integral to the architectural style of the dwelling (e.g., saltbox).

(D) Exterior materials. Suitable roof materials include slate, concrete, clay, or ceramic tiles; wood shingles or shakes; or metal, fiberglass, or asphalt shingles; or standing seam panels. Suitable wall materials include stucco, wood siding, cement-fiber siding, vinyl siding, metal horizontal lap siding, wood shingles, or a masonry veneer. Consistent with the requirements in Article 5, the Plan Commission may approve a special exception authorizing the use of an exterior material that is not specifically listed.

(E) Garage required. A garage of not less than 250 square feet must be provided for each dwelling unit and constructed concurrently with the dwelling unit. Required garages may be either attached or detached.

(F) Written agreement required. Dwelling units in a twin home must be subject to a joint cross-access and maintenance agreement that is recorded with each lot in the Manitowoc County register of deeds office.

(G) Short-term rental. If a dwelling unit is used as a short-term rental, the property owner must comply with the requirements for this use under Series 13 (Temporary Uses).

1.09 Townhouse, 3 to 8 units

Description: A building containing 3 to 8 dwelling units, each located on a separate lot and separated from adjoining units by a vertical party wall that extends from the foundation to the roof. Each unit has its own private entrance. The term includes various construction types including modular, panelized, pre-cut, and site-built structures.

Note: Also known as single-family attached or rowhouse

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Supplemental Standards:

(A) Occupancy. Occupancy of a dwelling unit is limited to one household unit.

(B) Building coverage. No more than 70 percent of the lot area may be occupied by a building.

(C) Driveways. When more than one garage is located in the front of a townhouse, a common driveway must be used whenever possible. Driveways may not occupy more than 80 percent of the lot width fronting the street.

(D) Front entrances. The front entrance to each dwelling unit must be clearly visible from the street on which it fronts and accentuated by a porch or other architectural feature.

(E) Four-sided architecture. All four sides of the building must be similar in articulation and use of exterior materials.

(F) Garage required. A garage of not less than 250 square feet must be provided for each dwelling unit and constructed concurrently with the dwelling unit. Required garages may be either attached or detached.

(G) Written agreement required. Dwelling units in a townhouse must be subject to a joint cross-access and maintenance agreement. Such agreement must be recorded with each lot in the Manitowoc County register of deeds office.

(H) Short-term rental. If a dwelling unit is used as a short-term rental, the property owner must comply with the requirements for this use under Series 13 (Temporary Uses).

1.10 Townhouse, 9 to 15 units

Description: A building containing 9 to 15 dwelling units, each located on a separate lot and separated from adjoining units by a vertical party wall that extends from the foundation to the roof. Each unit has its own private entrance. The term includes various construction types including modular, panelized, pre-cut, and site-built structures.

Note: Also known as single-family attached or rowhouse.

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Supplemental Standards:

(A) Occupancy. Occupancy of a dwelling unit is limited to one household unit.

(B) Building coverage. No more than 70 percent of the lot area may be occupied by a building.

(C) Driveways. When more than one garage is located in the front of a townhouse, a common driveway must be used whenever possible. Driveways may not occupy more than 80 percent of the lot width fronting the street.
(D) Front entrances. The front entrance to each dwelling unit must be clearly visible from the street on which it fronts and accentuated by a porch or other architectural feature.
(E) Four-sided architecture. All four sides of the building must be similar in articulation and use of exterior materials.
(F) Garage required. A garage of not less than 250 square feet must be provided for each dwelling unit and constructed concurrently with the dwelling unit. Required garages may be either attached or detached.
(G) Written agreement required. Dwelling units in a townhouse must be subject to a joint cross-access and maintenance agreement. Such agreement must be recorded with each lot in the Manitowoc County register of deeds office.
(H) Short-term rental. If a dwelling unit is used as a short-term rental, the property owner must comply with the requirements for this use under Series 13 (Temporary Uses).

1.11 Townhouse, more than 15 units

Description: A building containing more than 15 dwelling units, each located on a separate lot and separated from adjoining units by a vertical party wall that extends from the foundation to the roof. Each unit has its own private entrance. The term includes various construction types including modular, panelized, pre-cut, and site-built structures.

Note: Also known as single-family attached or rowhouse

Supplemental Standards:
(A) Occupancy. Occupancy of a dwelling unit is limited to one household unit.
(B) Building coverage. No more than 70 percent of the lot area may be occupied by a building.
(C) Driveways. When more than one garage is located in the front of a townhouse, a common driveway must be used whenever possible. Driveways may not occupy more than 80 percent of the lot width fronting the street.
(D) Front entrances. The front entrance to each dwelling unit must be clearly visible from the street on which it fronts and accentuated by a porch or other architectural feature.
(E) Four-sided architecture. All four sides of the building must be similar in articulation and use of exterior materials.
(F) Garage required. A garage of not less than 250 square feet must be provided for each dwelling unit and constructed concurrently with the dwelling unit. Required garages may be either attached or detached.
(G) Written agreement required. Dwelling units in a townhouse must be subject to a joint cross-access and maintenance agreement. Such agreement must be recorded with each lot in the Manitowoc County register of deeds office.
(H) Short-term rental. If a dwelling unit is used as a short-term rental, the property owner must comply with the requirements for this use under Series 13 (Temporary Uses).

2 Special Care Residential

2.01 Assisted living center

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Description: A place where individuals, generally 55 years of age or older, may occupy independent dwelling units. The units may be rented or owned as in a condominium. This use may include common areas for dining and entertainment and limited on-site commercial and medical facilities for the exclusive use of residents.

Supplemental Standards:
(A) Required green space. If this use is not located in a commercial zoning district, at least 30 percent of the parcel must be landscaped (e.g., lawn, plantings, etc.).
(B) Setbacks. Principal buildings must be located at least 35 feet from a property in a residential zoning district or a planned development district that allows residential uses.

2.02 Community living arrangement, 8 or fewer residents

Description: Any one of the following with 8 or fewer residents (1) a residential care center for children and youth as defined in § 48.02 (15d), Wis. Stats., operated by a child welfare agency licensed under § 48.60, Wis. Stats.; (2) a group home for children as defined in § 48.02 (7), Wis. Stats.; and (3) a community-based residential facility as defined in § 50.01 (1g), Wis. Stats. The term does not include adult family homes, as defined in § 50.01, Wis. Stats.

Supplemental Standards:
(A) State license. Prior to the establishment of a community living arrangement, the operator must obtain a license from the state as may be required by state law and maintain the license for the life of the use or until the state no longer requires the license.
(B) Proximity to same use. A community living arrangement may not be established within 2,500 feet of another such facility. An agent of a facility may apply for an exception to this requirement, and the Common Council at its discretion may grant the exception. Two community living arrangements may be adjacent if allowed by the Common Council and if both facilities comprise essential components of a single program.[1] A foster home and a foster treatment home that is the primary domicile of a foster parent or foster treatment parent and that is licensed under § 48.62, Wis. Stats., are exempt from this requirement.
(C) Advisory committee. Prior to initial licensure of the community living arrangement by the state of Wisconsin, the applicant must make a good faith effort to establish an ad hoc advisory committee consisting of representatives from the community living arrangement, the neighborhood in which the proposed facility will be located, and a local unit of government, in accordance with § 48.68 (4), Wis. Stats., or § 50.03 (4)(g), Wis. Stats., as applicable.

[1] See § 62.23 (7)(i), Wis. Stats.

Advisory notes:

1. As set forth in state law, this use is allowed by right in all residential zoning districts.

2.03 Community living arrangement, 9 to 15 residents

Description: Any one of the following with more than 8 but fewer than 16 residents (1) a residential care center for children and youth as defined in § 48.02 (15d), Wis. Stats., operated by a child welfare agency licensed under § 48.60, Wis. Stats.; (2) a group home for children as defined in § 48.02 (7), Wis. Stats.; and (3) a community-based residential facility as defined in § 50.01 (1g), Wis. Stats. The term does not include adult family homes, as defined in § 50.01, Wis. Stats.

Supplemental Standards:

(A) State license. Prior to the establishment of a community living arrangement, the operator must obtain a license from the state as may be required by state law and maintain the license for the life of the use or until the state no longer requires the license.

(B) Proximity to same use. A community living arrangement may not be established within 2,500 feet of another such facility. An agent of a facility may apply for an exception to this requirement, and the Common Council at its discretion may grant the exception. Two community living arrangements may be adjacent if allowed by the Common Council and if both facilities comprise essential components of a single program.[1] A foster home and a foster treatment home that is the primary domicile of a foster parent or foster treatment parent and that is licensed under § 48.62, Wis. Stats., are exempt from this requirement.

(C) Advisory committee. Prior to initial licensure of the community living arrangement by the state of Wisconsin, the applicant must make a good faith effort to establish an ad hoc advisory committee consisting of representatives from the community living arrangement, the neighborhood in which the proposed facility will be located, and a local unit of government, in accordance with § 48.68 (4), Wis. Stats., or § 50.03 (4)(g), Wis. Stats., as applicable.

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[1] See § 62.23 (7)(i), Wis. Stats.

Advisory notes:

1. As set forth in state law, this use is allowed by right in all multi-family residential zoning districts and with conditional use approval in single-family and two-family zoning districts.

2.04 Community living arrangement, more than 15 residents

Description: Any one of the following with more than 15 residents (1) a residential care center for children and youth as defined in § 48.02 (15d), Wis. Stats., operated by a child welfare agency licensed under § 48.60, Wis. Stats.; (2) a group home for children as defined in § 48.02 (7), Wis. Stats.; and (3) a community-based residential facility as defined in § 50.01 (1g), Wis. Stats. The term does not include adult family homes, as defined in § 50.01, Wis. Stats.

Supplemental Standards:

(A) State license. Prior to the establishment of a community living arrangement, the operator must obtain a license from the state as may be required by state law and maintain the license for the life of the use or until the state no longer requires the license.

(B) Occupancy. All residents of the adult family home, other than the operator or care provider and the operator or care provider's immediate family, must be disabled persons as indicated in the required state license application.

(C) Proximity to same use. A community living arrangement may not be established within 2,500 feet of another such facility. An agent of a facility may apply for an exception to this requirement, and the Common Council at its discretion may grant the exception. Two community living arrangements may be adjacent if allowed by the Common Council and if both facilities comprise essential components of a single program.[1] A foster home and a foster treatment home that is the primary domicile of a foster parent or foster treatment parent and that is licensed under § 48.62, Wis. Stats., are exempt from this requirement.

(D) Advisory committee. Prior to initial licensure of the community living arrangement by the state of Wisconsin, the applicant must make a good faith effort to establish an ad hoc advisory committee consisting of representatives from the community living arrangement, the neighborhood in which the proposed facility will be located, and a local unit of government, in accordance with § 48.68 (4), Wis. Stats., or § 50.03 (4)(g), Wis. Stats., as applicable.

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[1] See § 62.23 (7)(i), Wis. Stats.

Advisory notes:

1. As set forth in state law, this use is allowed by right in all residential zoning districts with conditional use approval.

2.05 Emergency warming shelter

Description: A facility that provides short-term, overnight shelter to individuals or families during periods of extreme cold or inclement weather conditions when exposure to the elements would pose an immediate risk to health or safety. An emergency warming shelter is not intended for permanent or long-term habitation, shall not provide continuous occupancy beyond the duration of a weather emergency, and may include the provision of basic necessities such as heat, restrooms, light meals, and sleeping accommodations.

Note: An emergency warming shelter is a distinct use, separate from a homeless shelter or a transitional housing center.

Supplemental Standards:

(A) Operator capability. As part of the discretionary review process, the operator must provide detailed information, supported by reasonable evidence, showing that the emergency warming shelter will operate as intended and provide on-site services and security for residents, employees, and any volunteers.

(B) On-site management. An emergency warming shelter must be staffed by qualified individuals whenever the facility is open.

(C) Duration. An emergency warming shelter can only be activated during those cold-weather events deemed to be hazardous by the city administrator, the police chief, or the Manitowoc County Emergency Management Director.

(D) Hours of operation. When allowed to operate, an emergency warming shelter can only operate from 5:30 pm to 8:00 am.

(E) Limitation on residents. An emergency warming shelter must not serve more than ___ residents at one time, or the maximum occupancy permitted under the fire code, whichever is less.

(F) Other approvals. An emergency warming shelter must be approved by all applicable government entities having authority to license or authorize the operation.

(G) Classification as a dwelling unit. An emergency warming shelter is not considered a dwelling unit for the purpose of this code.

(H) _____

(I) _____

2.06 Homeless shelter

Description: A facility that provides temporary lodging, sleeping accommodations, meals, and related support services to individuals or families who lack a fixed, regular, and adequate nighttime residence. A homeless shelter is intended to serve persons on a short-term basis, with stays generally measured in days or weeks, and may include the provision of case management, referrals, or other supportive services designed to assist residents in obtaining permanent housing.

Note: A homeless shelter is a distinct use, separate from an emergency warming shelter or a transitional housing center.

Supplemental Standards:

(A) Operator capability. As part of the discretionary review process, the operator must provide detailed information, based on reasonable evidence, that the facility will operate as intended and provide on-site services and security for residents, employees, and any volunteers.

(B) On-site management. A homeless shelter must be fully staffed by qualified individuals when the facility is open.

(C) Limitation on residents. A homeless shelter must not serve more than __ residents at one time, or the maximum occupancy permitted under the fire code, whichever is less.

(D) Other approvals. A homeless shelter must be approved by all applicable government entities having authority under law to license or authorize the operation.

(E) Classification as a dwelling unit. A homeless shelter is not considered a dwelling unit for the purpose of this code.

(F) _____

(G) _____

2.07 Nursing home

Description: A place where 5 or more people who are not related to the operator or administrator reside, receive care or treatment and, because of their mental or physical condition, require 24-hour nursing services, including limited nursing care, intermediate level nursing care, and skilled nursing services. The term does not include (1) a convent or facility owned or operated exclusively by and for members of a religious order that provides reception and care or treatment of an individual, (2) a hospice as defined in state law, or (3) a residential care apartment complex as defined in state law.

Note: See § 50.01 (3), Wis. Stats.

Supplemental Standards:

(A) State license. Prior to the establishment of this use, the operator must obtain a license from the state as provided for in § 50.02, Wis. Stats., and maintain the license for the life of the use or until the state no longer requires the license.

(B) Required green space. If this use is not located in a commercial zoning district, at least 30 percent of the parcel must remain undeveloped (i.e., landscaped).

(C) Setbacks. Principal buildings must be located at least 35 feet from a property in a residential zoning district or a planned development district that allows residential uses.

2.08 Transitional housing center

Description: A facility where individuals and families live on a temporary basis and support services including counseling may be provided. Residents typically receive housing at little or no cost, unrelated residents may share sleeping rooms, meals may or may not be provided, and unrelated residents may or may not share bathroom facilities.

Note: A transitional housing center is a distinct use, separate from a homeless shelter or an emergency warming shelter.

Supplemental Standards:

(A) Requirements for operator. A transitional housing center must be managed by an organization operating a program approved by the state of Wisconsin pursuant to Ch. 51, Wis. Stats., and all relevant administrative rules including Chs. DHS 72, DHS 75, and DHS 94, Wis. Admin. Code.

(B) Other approvals. A transitional housing center must be approved by all applicable government entities having authority under law to license or authorize the operation.

(C) Limitation on residents. A transitional housing center must not serve more than 15 residents at one time, or the maximum occupancy permitted under the fire code, whichever is less.

(D) Classification as a dwelling unit. A transitional housing center is not considered a dwelling unit for the purpose of this code.

(E) ____

(F) ____

3 General Commercial

3.01 Adult-oriented establishment

Description: A place where no more than one of the following are located: adult arcade, adult bath house, adult body painting studio, adult book/video store, adult cabaret, adult massage parlor, adult modeling studio, adult theater, or adult health/sport club.

Temporary note: Description from consultant. Need to reconcile with City's current code.

Supplemental Standards:

(A) Legislative findings. The Common Council makes the following legislative findings regarding adult-oriented establishments:

(1) Negative secondary effects associated with adult, sexually-oriented establishments have been confirmed by the United States Supreme Court in its decisions in, for example, City of Renton v. Playtime Theatres, Inc. (475 U.S. 41 (1986)) and by the United States Court of Appeals in its decisions in, for example, Hang On, Inc. v. City of Arlington (65 F.3d 1248 (5th Cir., 1995)), Fantasy Ranch v. City of Arlington Texas (459 F.3d 546 (5th Circuit, 2006)), and Andy's Restaurant & Lounge, Inc. v. City of Gary (466 F.3d 550 (7th Cir., 2006)) and such negative secondary effects include, for example, personal and property crimes, prostitution, lewd behavior, assault, public indecency, obscenity, illicit drug use and drug trafficking, potential spread of disease, negative impacts on surrounding properties, urban blight, litter, and sexual assault and exploitation.

(2) The decisions issued by the appellate courts constitute reliable sources of information that may be reasonably relied upon by the Common Council.

(3) Each of the foregoing negative secondary effects constitutes a harm that the City has a substantial governmental interest in preventing and/or abating.

(4) Continued regulation of adult-oriented establishments is necessary to limit the aforementioned negative secondary effects associated with adult-oriented establishments and thereby promote the health, safety, and welfare of the City of Manitowoc.

(5) The Common Council intends to establish reasonable regulations on adult-oriented establishments, while preserving free speech pursuant to the First Amendment to the United States Constitution and Article I, Section 3 of the Wisconsin Constitution.

(B) Purpose. This part is intended to regulate adult-oriented establishments in order to promote the health, safety, and general welfare of citizens of the City, and to establish reasonable and uniform regulations to prevent the deleterious location and concentration of adult-oriented establishments within the City. The provisions of this part have neither the purpose nor effect of imposing a limitation or restriction on the content of any communicative materials, including sexually-oriented materials. Similarly, it is neither the intent nor effect of this part to restrict or deny access by adults to sexually-oriented materials protected by the First Amendment of the United States Constitution, or to deny access by the distributors and exhibitors of adult-oriented entertainment to their intended market. Neither is it the intent nor effect of this part to condone or legitimize the distribution of obscene material.

(C) Applicability. Upon any of the following events, an adult-oriented establishment must comply with the provisions of this part:

(1) the opening or commencement of an adult-oriented establishment;

(2) the conversion of an existing business, whether or not an adult-oriented establishment, to an adult-oriented establishment;

(3) the addition of a new adult-oriented establishment to an existing adult-oriented establishment;

(4) the relocation of an adult-oriented establishment;

(5) the sale, lease, or sublease of an adult-oriented establishment;

(6) the transfer of securities which constitute a controlling interest in an adult-oriented establishment, whether by sale, exchange, or similar means; or

(7) the establishment of a trust, gift, or other similar legal device that transfers the ownership or control of an adult-oriented establishment, except for transfer by bequest or other operation of law upon the death of the person possessing the ownership or control.

(D) Exclusions. The provisions of this part do not apply to the following:

(1) Any business operated by or employing a licensed psychologist, licensed physical therapist, licensed masseuse, licensed vocational nurse, registered nurse, licensed athletic trainer, licensed cosmetologist, or licensed barber provided such licensed individual is only engaged in performing the normal and customary functions authorized under the license held;

(2) Any business operated by, or employing a licensed physician or licensed chiropractor while engaged in practicing the healing arts;

(3) Any retail establishment whose principal business is the offering of wearing apparel for sale to customers and that does not exhibit merchandise on live model(s); or

(4) An activity sponsored by a school licensed by the State of Wisconsin or a college, junior college or university supported entirely or partly by taxation; or a private college or university that maintains or operates educational programs in which credits are transferable to a college, junior college, or university supported entirely or partly by taxation.

Any activity conducted or sponsored by an entity identified in subsection (4) above must meet all of the following requirements:

(1) The activity must be situated in a structure that has no sign or other advertising visible from the exterior of the structure indicating a nude person is available for viewing; and

(2) All students participating in the class must be enrolled at least 3 days in advance of the class; and

(3) Not more than one (1) nude model is on the premises at any one time.

(E) Proximity to same use. An adult-oriented establishment may not be located within 500 feet of another adult-oriented establishment.

(F) Proximity to other specified land uses. An adult-oriented establishment may not be located within 500 feet of any of the following:

(1) the boundary of a residential district;

(2) public library;

(3) public playground or park, including nature trails, pedestrian/bicycle paths, or other public lands open for recreational activities;

(4) educational facility, including K-12, but not including facilities used primarily for another purpose and used only incidentally at a school;

(5) state licensed family day care home, group day care home, or day care center;

(6) worship facility;

(7) any youth-oriented establishment;

(8) tavern; or

(9) any commercial business, other than a tavern, holding a valid alcohol license.

If one of these specified uses locates within this area of separation after the adult-oriented establishment has been granted a building permit or occupancy permit, the adult-oriented establishment shall not be required to relocate. This provision only applies to the renewal of a valid permit or other license. It does not apply when a license or permit expires or when the City terminates this use due to a violation of this chapter.

(G) Measurement of distances. For the purpose of this part, specified distances are measured in a straight line, without regard to intervening structures or objects, from the nearest portion of the building or structure containing the adult-oriented establishment, to the nearest lot line of the parcel with the specified use or to the specified zoning district. If an adult-oriented establishment is located on the first floor of a multi-tenant building (e.g., shopping center), the measurement is taken from the outer boundary of such space (i.e. from the outer edge of the party wall or the outer wall). If an adult-oriented establishment is located above the first floor of a multi-tenant building (e.g., shopping center), the measurement is taken from the exterior door on the first floor that is nearest to the adult-oriented establishment, excluding emergency exits. The presence of a city, county, or other political subdivision boundary is irrelevant for purposes of applying the separation requirements of this part.

(H) Licensing. Adult-oriented establishments must comply with any licensing requirements established by the City of Manitowoc.

Temporary note: The above provisions are from the consultant - need to reconcile with city code.

3.02 Banquet hall

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Description: An establishment that consists of an enclosed building, or portion of an enclosed building, regularly available for the purpose of hosting group gatherings, seminars, business events, weddings, or other similar activity or events. The facility may have a kitchen for food preparation and a bar for serving alcohol. By definition this use is generally not open for regular food or beverage service.

Supplemental Standards:

(A) Location of customer entrance. A customer entrance to a banquet hall that is located on the side or rear of the building may not be located within 50 feet of a parcel in a residential zoning district or planned development district that allows residential uses as the predominant land use.

(B) Reserved

3.03 Car wash (new)

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Description: An enclosed building or a part of an enclosed building that has facilities for washing automobiles and light trucks by using production line methods or partial hand washing.

Supplemental Standards:
(A) Vehicle stacking. The approved site plan must show a stacking area to accommodate at least 3 vehicles for each bay.
(B) Building Orientation. Entrances and exits must be oriented away from residential uses where practicable.
(C) Turnaround. A turnaround area must be provided on site to allow a vehicle to exit the site without entering the wash lane.
(D) Mechanical equipment. Mechanical equipment, including blowers/dryers, must be located within an enclosed building.
(E) Self-serve vacuum stations. Self-serve vacuum stations must be located in the side or rear-yard, but not within 100 feet of a residential property in a residential zoning district or planned development district that allows residential uses as the predominant land use.
(F) Hours of operation. If located within 300 feet of a residential property in a residential zoning district or planned development district that allows residential uses as the predominant land use, hours of operation are limited to 7:00 am to 10:00 pm.

Temporary note: Provisions from consultant

3.04 Commercial greenhouse

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Description: A place where fruit, vegetables, flowers, and other types of plants are grown within an enclosed building for commercial purposes, whether using sunlight or artificial lighting. Plants grown on site may be sold at retail along with other related merchandise provided the sale of such merchandise is clearly subordinate to the sale of plants.

Supplemental Standards:
(A) Light shades. When a greenhouse uses supplemental lighting for growing purposes, shades must be used from sundown to sunrise to prevent sky glow.
(B) Reserved

3.05 Commercial kennel

Description: A place where dogs, cats, and other household pets are maintained, boarded, bred, or cared for, in return for payment or other remuneration, or kept for the purpose of sale.

Supplemental Standards:
(A) Buildings. A building used to house animals must be at least 100 feet from a residential zoning district or a planned development district that allows residential uses. An outdoor area where animals may be kept must be at least 300 feet from a residential zoning district or a planned development district that allows residential uses.
(B) Special events. Special events related to a commercial kennel, such as dog shows, exhibitions, field trials, and contests, are permitted if otherwise allowed by city rule or regulation.

3.06 Conference - exposition center

Description: A place specifically designed for trade shows, conferences, and expositions, but does not include any rooms to house attendees.

Supplemental Standards:
This land use does not have any supplemental standards.

3.07 Craft brewery, winery, distillery

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Description: An establishment where beer, malt beverages, wine, mead, and/or spirits are made in small batches and then sold onsite and distributed off-site. This use may also include a restaurant.

Supplemental Standards:
(A) Other licenses/approvals. Prior to the establishment of this use, the property owner must obtain all required alcohol licenses/permits from the City and all necessary permits and approvals from the state of Wisconsin as may be required and maintain the permits for the life of the use or until the issuing entity no longer requires the permit.
(B) Limitations on production area. When located in a commercial district, the production area, including storage of raw materials and finished products, is limited to 60 percent of the floor area. When located in an industrial district, there is no limitation on the production area.
(C) Location of customer entrance. A customer entrance to a craft brewery, winery, distillery that is located on the side or rear of the building must be located at least 50 feet from a parcel in a residential zoning district or a planned development district that allows residential uses as the predominant land use.

[1] The City can only issue a certain number of alcohol licenses. Please contact the City Clerk to determine if there are any available.

3.08 Equipment rental, large

Description: A place where large equipment that is normally stored out of doors is offered for sale, rent, or lease. Typical items include modular buildings, trucks and trailers, vertical lifts, skid loaders, forklifts, backhoes, excavators, and other types of heavy equipment.

Supplemental Standards:
(A) Location. Outdoor display and storage areas and other activity areas must comply with the principal building setback requirements of the zoning district in which the use is located.
(B) Reserved

3.09 Equipment rental, small

Description: A place where equipment is offered for rent and related supplies are offered for retail sale or rent. Items for rent or sale are predominantly stored indoors and may include hand tools, party equipment, and lawn and yard equipment.

Supplemental Standards:
(A) Outdoor display. A limited amount of stock may be kept out of doors when the business is open to the public.
(B) Reserved

3.10 General services

Description: A place where services not otherwise included in any other service type category are offered. The term includes photography studios, weight loss centers, commercial postal services, pet grooming shops, photocopying and printing services, linen services, dry cleaning services, and diaper services. The term does not include personal services.

Supplemental Standards:
This land use does not have any supplemental standards.

3.11 Marine sales and service

Description: A place where watercraft are offered for rent, sale, lease, or exchange, or are taken on consignment. This use may include the repair of watercraft as a subordinate use to the extent deemed appropriate by the Plan Commission.

Supplemental Standards:
(A) Setback for display area. Display areas and other activity areas must be located at least 30 feet from a property in a residential zoning district or a planned development district that allows residential uses and 10 feet from a property in a commercial zoning district.
(B) Outside storage. Junk and watercraft parts may not be kept outdoors. Damaged or inoperable watercraft, unless actively undergoing repair, may not be kept outdoors.

3.12 Office

Description: A place where employees primarily perform administrative functions. Examples include real estate, insurance, information technology, accounting, architecture, engineering, and similar. The term does not include any other similar use that is otherwise included in Appendix B.

Supplemental Standards:
This land use does not have any supplemental standards.

3.13 Overnight lodging

Description: A place where individual guest rooms with private bathrooms are offered to transient guests for rent. This use may also include (1) recreational/fitness rooms and a food service area for the exclusive use of guests and (2) banquet facilities for meetings and other gatherings. The term includes hotels and motels but does not include bed and breakfasts, short-term rentals, or tourist rooming houses.

Supplemental Standards:
(A) State permit. Prior to the establishment of a hotel or motel, the operator must obtain a hotel/motel permit from the Wisconsin Department of Health Services, or the department's authorized agent, and maintain such permit for the life of the use or until the department no longer requires such permit.[1]
(B) Location of customer entrance. A customer entrance to a hotel or motel that is located on the side or rear of the building must be located at least 50 feet from a parcel in a residential zoning district or a planned development district that allows residential uses.
(C) Local room tax. The operator must comply with Chapter 23 of the municipal code.

[1] See Ch. DHS 195, Wis. Admin. Code

3.14 Personal service

Description: A place where services not otherwise included in any other service type category are offered directly to an individual by appointment or as a walk-in. The term includes beauty shops, barber shops, nail salons, tattoo shops, body-piercing shops, massage establishments, and escort services. The term does not include adult-oriented establishments which is a separate and different use.

Supplemental Standards:
(A) Special requirements for a massage establishment. A massage establishment must comply with any licensing or other requirements established by the City.
(B) Special requirements for an escort service. An escort service must comply with any licensing or other requirements established by the City.
(C) State license for tattooing. Prior to the establishment of a tattoo shop, the operator must obtain a license from the Wisconsin Department of Health Services, or the department's authorized agent, and maintain the license for the life of the use or until the department no longer requires the license.[1] In addition, each practitioner must obtain a license from the department as required by state law and maintain the license while at the establishment or until the department no longer requires the license.[2]
(D) State license for body piercing. Prior to the establishment of a body-piercing shop, the operator must obtain a license from the Wisconsin Department of Health Services, or the department's authorized agent, and maintain the license for the life of the use or until the department no longer requires the license.[3] In addition, each practitioner must obtain a license from the department as required by state law and maintain the license while at the establishment or until the state no longer requires the license.[4]

[1] See § 252.23, Wis. Stats.

[2] See § 252.23, Wis. Stats.

[3] See § 252.24, Wis. Stats.

[4] See § 252.24, Wis. Stats.

3.15 Public EV charging facility

Description: A facility containing 6 or more EV charging stations that is accessible to the general public. This use may be located on a standalone site or in conjunction with a parking lot serving a permitted commercial, institutional, or industrial use.

Supplemental Standards:
(A) Integration into overall parking lot layout. Electric vehicle charging stations that are part of a separate surface parking lot must be integrated into and made part of the overall parking lot layout for the site.
(B) Placement near sidewalks. Electric vehicle charging stations located near sidewalks or walkways must be sited and designed to avoid impeding pedestrian movement or creating tripping hazards, including those caused by charging cords or related equipment.
(C) Collection of fees. The property owner, or the operator of the electric vehicle charging station, may collect a service fee to charge an electric vehicle.
(D) Contact information. Contact information must be posted either on the charging station or in a central location by multiple stations for reporting when the equipment is not functioning or if other problems are encountered.
(E) Outdoor lighting. Electric vehicle charging stations must be adequately lit to ensure safety. A lighting level of 1.5 footcandles over 75 percent of the parking space is sufficient. Regardless of this requirement, outdoor lighting must comply with the outdoor lighting standards in Article 24.
(F) Signage. Signage on the face of the charging station equipment is exempt from signage standards, provided the sign area is less than 2 square feet.

Advisory notes:

1. Because electric vehicles and charging technology are relatively new and evolving, it is anticipated that this part and other provisions in the zoning code relating to vehicle charging as a land use will be revised to adapt.

3.16 Restaurant

Description: A place where food and beverages are offered for retail sale for on-site or off-site consumption, and where the on-site consumption of fermented malt beverages, wine, or liquor, if any, is clearly secondary and subordinate to the sale of food and nonalcoholic beverages. A restaurant may also prepare food as part of a catering business. The term does not include a grocery store with a food service section.

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Supplemental Standards:
(A) State permit. Prior to the establishment of a restaurant, the operator must obtain a restaurant permit from the Wisconsin Department of Health Services, or the department's authorized agent, and maintain the permit for the life of the use or until the department no longer requires the permit.[1]
(B) Alcohol license. If the establishment serves alcohol, the operator must obtain an alcohol license from the City and maintain the license for the life of the use or until the license is no longer required.[2]
(C) Grease trap. If the premises is connected to public sewer system, a restaurant must have a grease trap unless exempted by the wastewater treatment manager.
(D) Sampling manhole. If the premises is connected to public sewer system, a restaurant must have a sampling manhole unless exempted by the wastewater treatment manager.
(E) Exhaust systems. The exhaust system for a restaurant should be vented through the roof. Venting towards a residential building is prohibited unless there is no other feasible option as determined by the reviewing authority.
(F) Location of customer entrance. A customer entrance to a restaurant that is located on the side or rear of the building must be located at least 100 feet from a property in a residential zoning district or a planned development district that allows residential uses.

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[1] See Ch. DHS 196, Wis. Admin. Code

[2] The City can only issue a certain number of alcohol licenses. Please contact the City Clerk to determine if there are any available.

3.17 Retail sales, 4,999 square feet and less

Description: One or more establishments providing retail services in a single building with a floor area less than 5,000 square feet. The goods offered for sale are primarily stored inside of an enclosed building. Examples include baked goods stores, candy/confectionary stores, clothing stores, pharmacies, florists, fruit and/or vegetable stores, bookstores, gift stores, grocery stores, hardware stores, hobby shops, meat, fish or poultry markets, optical stores, art studios, shoe stores, soda and ice cream stores, sporting goods stores, and variety stores. The term does not include adult-oriented establishments or any other retail use defined in Appendix B.

Supplemental Standards:
This land use does not have any supplemental standards.

3.18 Retail sales, 5,000 square feet up to 15,000 square feet

Description: One or more establishments providing retail services in a single building with a floor area from 5,000 square feet up to 15,000 square feet. The goods offered for sale are primarily stored inside of an enclosed building. Examples include baked goods stores, candy/confectionary stores, clothing stores, pharmacies, florists, fruit and/or vegetable stores, bookstores, gift stores, grocery stores, hardware stores, hobby shops, meat, fish or poultry markets, optical stores, art studios, shoe stores, soda and ice cream stores, sporting goods stores, and variety stores. The term does not include adult-oriented establishments or any other retail use defined in Appendix B.

Supplemental Standards:
(A) Negative use agreement. A retail business must comply with the prohibition of negative use agreements in § 35.__.
(B) Reserved

3.19 Retail sales, more than 15,000 square feet

Description: One or more establishments providing retail services in a single building with a floor area of more than 15,000 square feet. The goods offered for sale are primarily stored inside of an enclosed building. Examples include baked goods stores, candy/confectionary stores, clothing stores, pharmacies, florists, fruit and/or vegetable stores, bookstores, gift stores, grocery stores, hardware stores, hobby shops, meat, fish or poultry markets, optical stores, art studios, shoe stores, soda

and ice cream stores, sporting goods stores, and variety stores. The term does not include adult-oriented establishments or any other retail use defined in Appendix B.

Supplemental Standards:
(A) Negative use agreement. A retail business must comply with the prohibition of negative use agreements in § 35.___.
(B) Street access . The primary access for a retail sales operation with more than 15,000 square feet of floor area must be off of a major street as depicted on the City's zoning map.

3.20 Shared-use kitchen

Description: A commercial-grade kitchen that is open to community groups and local food entrepreneurs who produce food products for sale to restaurants, food stores, and other outlets that will sell the product to the ultimate consumer. A shared-use kitchen can be operated by a university or other secondary school, governmental agency, non-profit organization, or private company.

Supplemental Standards:
This land use does not have any supplemental standards.

3.21 Tavern

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Description: A place where fermented malt beverages, wine, or liquor are offered for retail sale for on-site consumption and where food consumption, if any, is clearly secondary and subordinate to the sale of alcoholic beverages. The term includes bar, drinking establishment, lounge, pub, and sports bar.

Supplemental Standards:
(A) Alcohol license. Prior to the establishment of a tavern, the operator must obtain an alcohol license from the City and maintain the license for the life of the use or until the license is no longer required.[1]
(B) Compliance with state requirements. A tavern must comply with requirements that may be adopted by the state of Wisconsin.
(C) Location of customer entrance. A customer entrance to a tavern that is located on the side or rear of the building may not be located within 25 feet of a parcel in a residential zoning district or planned development district that allows residential uses as the predominant land use.

[1] The City can only issue a certain number of alcohol licenses. Please contact the City Clerk to determine if there are any available.

3.22 Tobacco/vape/smoke store

Description: A commercial establishment specializing in the retail sale of tobacco, cigarettes, cigars, vapes, paraphernalia and associated items, including the small-scale blending of tobacco. The term does not include a retail store where the sale of tobacco, cigarettes, cigars, vapes, paraphernalia and associated items is not the primary retail offering (e.g., grocery store, gas station).

Supplemental Standards:
(A) City license. Prior to the establishment of this use, the operator must obtain a cigarette and tobacco products retailers license from the City of Manitowoc, if so required, and maintain the license for the life of the use or until the city no longer requires the license.
(B) Proximity to same use. A tobacco/vape/smoke store may not be located within 1,000 feet of another tobacco/vape/smoke store. For the purpose of this part, the distance is measured in a straight line, without regard to intervening structures or objects, from the nearest portion of the exterior wall of the building containing the tobacco/vape/smoke store to the outer wall of the building containing the other specified land use. If one or both of the specified land uses are located in a multi-tenant building (e.g., shopping center), the measurement is taken from the outer boundary of such space (i.e. from the outer edge of the party wall or the outer wall). The presence of a village, city, county, or other political subdivision boundary is irrelevant for purposes of applying the separation requirements of this part.
(C) Proximity to other specified uses. A tobacco/vape/smoke store may not be located within 300 feet of an elementary or secondary school or a municipal park. For the purpose of this part, the distance is measured in a straight line, without regard to intervening structures or objects, from the nearest portion of the exterior wall of the building containing the tobacco/vape/smoke store to the lot line of the parcel containing the other specified land use. If the tobacco/vape/smoke store is located in a multi-tenant building (e.g., shopping center), the measurement is taken from the outer boundary of such space (i.e. from the outer edge of the party wall or the outer wall). The presence of a village, city, county, or other political subdivision boundary is irrelevant for purposes of applying the separation requirements of this part.

3.23 Truck stop

Description: A place where fuels primarily for tractor trucks are offered for retail sale. Ancillary uses are limited to retail sale of motor vehicle fuel for cars, motorcycles, and light trucks; retail sale of food and beverages; a restaurant; sleeping quarters; overnight parking; a truck wash; truck scales; tire repair and sales; light maintenance activities, such as engine tune-ups, lubrication, and minor repairs; and other incidental uses customarily associated with a truck stop. The term does not include transferring or off-loading of goods, or long-term storage or parking of vehicles.

Supplemental Standards:
(A) Site design. Areas designated for daily parking of tractor trucks must not be located next to residential properties.
(B) Street access. The primary access for this use must be off of a major street as depicted on the City's zoning map.
(C) Screening. If this use adjoins a residential zoning district or a planned development district that allows residential uses, a buffer meeting the standards for "B", described in Article 22, must be established.

3.24 Truck-trailer rental establishment

Description: A place where trucks, utility trailers, and related items are kept and rented out, generally to those moving their personal and household belongings. This use may include the repair of such vehicles and trailers as a subordinate use to the extent deemed appropriate by the Plan Commission.

Supplemental Standards:
(A) Placement. Trucks and trailers may not be stored within the required building setbacks of the zoning district in which the use is

located.

(B) Limitations on outdoor activities. Outdoor storage of items other than trucks and trailers is prohibited. The repair of trucks and trailers is permitted only if conducted entirely within an enclosed building.

(C) Site plan. The location on the property where trucks and trailers may be stored must be clearly indicated on an approved site plan.

3.25 Vehicle fuel station

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Description: A place where fuel for cars, motorcycles, and light trucks is offered for retail sale. Ancillary uses are limited to the retail sale of food and beverages and light maintenance activities, such as engine tune-ups, lubrication, and minor repairs. The term does not include truck stops or similar uses.

Supplemental Standards:

(A) Street access. A vehicle fuel station must front on and take access off of a major street as depicted on the City's zoning map.

(B) Restroom facilities. If a vehicle fuel station provides restroom facilities, the door to each restroom must be accessed from within the interior of the building in which they are located.

(C) Fuel pump setbacks. A fuel pump must be located at least 50 feet from a property in a residential zoning district or a planned development district that allows residential uses and at least 30 feet from a property in a non-residential zoning district, and not less than 20 feet to the front lot line, 20 feet to a side lot line, and 20 feet to a rear lot line.

(D) Pump island canopy height. The maximum height of a pump island canopy is 18 feet from the surrounding grade.

(E) Fuel canopy setbacks. A pump island canopy must be located at least 50 feet from a property in a residential zoning district or a planned development district that allows residential uses and at least 30 feet from a property in a non-residential zoning district, and not less than 20 feet to the front lot line, 20 feet to a side lot line, and 20 feet to a rear lot line.

(F) Vehicle stacking. The approved site plan must show a stacking area to accommodate vehicles waiting for service consistent with the design standards in § 35.. The stacking area must accommodate at least 1 vehicles in front of each pump island.

(G) Lighting. Under canopy lighting is strictly limited to recessed fixtures.

3.26 Vehicle repair shop

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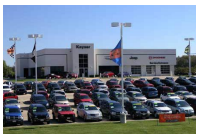
Description: A place where motor vehicles, such as cars, motorcycles, and light trucks, are typically left overnight for maintenance, service, or repair. Typical services include transmission repair, body work and painting, vehicle upholstery, engine repair and overhauls, and similar activities.

Supplemental Standards:

(A) Work area. Motor vehicles may not be serviced or repaired outside of the principal building.

(B) Vehicle storage. Storage of unlicensed vehicles outside of the principal building is strictly prohibited.

3.27 Vehicle sales and service



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Description: A place where new and used cars, light trucks, and motorcycles are offered for rent, sale, lease, or exchange, or are taken on consignment. This use may include the repair of such vehicles as a subordinate use to the extent deemed appropriate by the Plan Commission. The display of boats, heavy machinery, construction equipment, recreational vehicles, snowmobiles, all-terrain vehicles (ATVs) and similar is not allowed.

Supplemental Standards:

(A) State license. Prior to the establishment of this use, the operator must obtain a motor vehicle dealer license from the Wisconsin Department of Transportation and maintain the license for the life of the use or until the state no longer requires the license.[1]

(B) Showroom. An indoor vehicle display area must be provided that is at least 12 feet by 20 feet. If only motorcycles are sold, the indoor vehicle display area needs to be large enough to display at least 3 motorcycles.[2]

(C) Setback for display area. Display areas and other activity areas must be located at least 30 feet from a property in a residential zoning district or a planned development district that allows residential uses and 10 feet from a property in a commercial zoning district.

(D) Vehicle storage. Storage of unlicensed vehicles outside of the principal building is strictly prohibited.

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[1] See Ch. 218, Wis. Stats.

[2] See § TRANS 138.03 (a), Wis. Admin. Code

3.28 Vehicle service shop

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Description: A place where motor vehicles, such as cars, motorcycles, and light trucks are serviced while the owner waits and typically are not left overnight. Examples include quick lube/oil change facilities, tire stores, and vehicle detailing. The term does not include car washes which is a separate and distinct use.

Supplemental Standards:

(A) Work area limited. Motor vehicles may not be serviced or repaired outside of the principal building intended for such use.

(B) Vehicle stacking. The approved site plan must show a stacking area to accommodate at least 2 vehicles for each bay, although more may be required as part of the site plan review based on the nature of the service being provided.

3.29 Veterinary clinic

Description: A facility where animals are provided medical, surgical, or dental care. The term includes pet clinics, dog and cat hospitals, and animal hospitals, but does not include commercial kennels, animal shelters, or other facilities primarily intended for the long-term housing or boarding of animals.

Supplemental Standards:

(A) Overnight stays. Animals may be kept overnight on a short-term basis, provided they are housed indoors and only when medically necessary, as determined by

a licensed veterinarian.
(B) Reserved

4 Recreation and Entertainment

4.01 Golf course

Description: A place where individuals, for a fee or other consideration, play golf outdoors. This use may include one or more buildings and other structures directly related to the operation of this use, such as an office, game room with snack bar, and buildings for housing maintenance equipment, supplies, and related materials.

Supplemental Standards:
(A) Minimum lot area. The minimum lot area for a golf course is 100 acres.
(B) Proximity to other districts. Club houses and maintenance buildings with a floor area exceeding 1,200 square feet must be located at least 300 feet from a property in a residential zoning district or a planned development district that allows residential uses.

4.02 Indoor entertainment

Description: A place where entertainment is offered within an enclosed building. The term includes theaters, movie theaters, dance halls, and theaters for performing arts. The term does not include adult-use establishments.

Supplemental Standards:
This land use does not have any supplemental standards.

4.03 Indoor recreation

Description: A place where recreational activities are offered within an enclosed building. The term includes bowling alleys, skating rinks, billiard and pool halls, arcades, and escape rooms.

Supplemental Standards:
This land use does not have any supplemental standards.

4.04 Indoor shooting range

Description: An indoor area where patrons shoot guns and bow and arrows for target practice.

Supplemental Standards:
(A) The building and method of operation must conform to all applicable State and Federal standards for environmental protection and occupational health and safety. The applicant must identify all such standards and demonstrate how the building and operation will comply including identification of any related state or federal reporting, inspection and permitting requirements.
(B) The design and construction of the shooting range must completely confine all ammunition rounds within the building in a safe, controlled manner.
(1) Compliance must be demonstrated by plans, certified by an architect or engineer license or certified by the State of Wisconsin with demonstrated experience in indoor shooting range design.
(2) Compliance with the standards and recommendations of the most current versions of the Range Design Criteria of the U.S. Department of Energy, Office of Health, Safety and Security or the national Rifle Association Range Source Book is prima facie evidence of satisfaction of this condition. Under no circumstance shall the applicant be relieved of his obligation to comply with any requirement otherwise imposed by State, Federal, or local law.
(3) The plans must specify the type and caliber of ammunition the shooting range is designed to confine.
(C) The applicant must demonstrate that the operation will not be a nuisance to neighboring property or other likely neighboring property uses including nuisances related to air quality and noise.
(D) A security plan must be established to secure the building from unauthorized entrants as well as security for any firearms stored on the premises. No firearms shall be stored on the premises unless they are stored in a gun safe or other secure storage facility or container approved by the Manitowoc police department.
(E) The shooting range must establish clear rules and procedures for the health, safety and order of the operation, its employees and patrons consistent with accepted industry practices which must be conspicuously posted at the shooting range.
(F) On-site supervision of the range must be provided at all times by an adult who is an experienced shooting range operator. The shooting range operator is responsible for taking all reasonable actions to assure the conduct of employees and patrons and the conditions of health, safety, and order of the shooting range comply with all related rules and procedures.
(G) No person under the age of 18 is permitted within the shooting range unless accompanied by an adult at all times. This condition shall not apply to prohibit minors from participating in firearms safety classes supervised by a qualified adult instructor.
(H) Unless preempted by State or Federal law, the Plan Commission may establish additional conditions or requirements including reporting or inspection requirements if it determines such conditions or requirements are reasonably necessary to protect the public health, safety, and welfare of the residents. Consideration shall be given to the cost and burden of such additional requirements upon the operation and upon City resources compared to the additional public benefit to be achieved, industry practices and evidence of experience with similar operations in other communities.

4.05 Marina

Description: A place where watercraft may dock on a temporary or permanent basis and includes boat ramps, hoist machinery, and related launching facilities. Related services include retail sale of fuel for watercraft and supplies and servicing and repair of watercraft. The term does not include dry boat storage.

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Supplemental Standards:
This land use does not have any supplemental standards.

4.06 Outdoor recreation

Description: A place where outdoor recreational activities are offered. The term includes miniature golf, batting cages, water parks, and amusement parks. The term does not include driving ranges and golf courses, parks, shooting ranges, and recreational trails.

Supplemental Standards:
(A) Hours of operation. The Plan Commission may establish hours of operation for this use when the operation may negatively affect surrounding properties.
(B) Site design considerations. The site must be designed to minimize the effects of outdoor lighting and noise on surrounding properties.
(C) Proximity to other districts. Activity areas must be located at least 300 feet from a property in a residential zoning district or a planned development district that allows residential uses.

4.07 Park

Description: A place set aside for passive recreation and other low-impact leisure activities. Examples of features include playgrounds, pavilions, play fields, picnic areas with open-sided shelters, multi-purpose trails, sledding hills, and ice-skating rinks, ball and racquet fields and courts, indoor and outdoor swimming pools, beaches, and boat launches. A park may be operated by a public entity for the benefit of the general public or by a homeowners association for the benefit of its members.

Supplemental Standards:
This land use does not have any supplemental standards.

4.08 Recreational trail

Description: A linear path, not otherwise part of a public park, that is dedicated to non-motorized recreational uses such as hiking, biking, and cross-country skiing.

Supplemental Standards:
This land use does not have any supplemental standards.

5 Government and Community Services

5.01 Administrative government center

Description: A place where government employees perform administrative functions on behalf of the public. The term includes administrative offices, post offices, and courthouses.

Supplemental Standards:
This land use does not have any supplemental standards.

5.02 Animal shelter

Description: A place where stray or unwanted cats and dogs are temporarily housed.

Supplemental Standards:
(A) Building. A building used to house animals must be designed, constructed, and operated so that noise from the animals inside the building is not audible beyond the lot lines of the parcel of land on which it is located.
(B) Location. A building used to house animals must be at least 100 feet from a residential zoning district or a planned development district that allows residential uses.
(C) Outdoor areas. An animal shelter may have a fenced exercise area/dog runs provided (1) such areas are more than 350 feet from a property in a residential zoning district or a planned development district that allows residential uses, (2) animals are kept indoors from sunset to 8:00 am; and (3) noise levels comply with Chapter __ of the municipal code.

5.03 Cemetery

Description: A place where human remains may be buried or interred in a columbarium or mausoleum. A cemetery may include a funeral establishment as an accessory use.

Supplemental Standards:
(A) Minimum lot area. The minimum lot area for a cemetery is 40 acres without a public mausoleum or 50 acres with a public mausoleum.[1]
(B) Location of burial plots. Burial plots may not be located within 20 feet of a property line or a proposed right-of-way as shown on the City's official map. Burial plots are also prohibited in designated floodplains, wetlands, or in locations where interment would occur below the groundwater table.
(C) Location of mausoleums. Private mausoleums must be located at least 20 feet from a property boundary line. Public mausoleums must comply with the principal building setback requirements of the zoning district in which the use is located.
(D) Marker required. A permanent marker stating the name of the deceased and the birth and death dates, if known, must identify the location of each occupied burial plot unless the zoning administrator allows an unmarked grave due to exceptional circumstances.
(E) Name required. The cemetery must have a formal name, which is placed on a permanent sign located by the main entrance to the cemetery.
(F) Financial guarantee. Prior to the establishment of a cemetery, the property owner must submit a financial guarantee to the City pursuant to the requirements in Article 4 consistent with any requirement the Common Council may adopt. This financial guarantee relates to the long-term upkeep of the cemetery.
(G) Compliance with state law. A cemetery must comply with all requirements in Subch. II of Ch. 157, Wis. Stats.

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[1] See § 157.129, Wis. Stats.

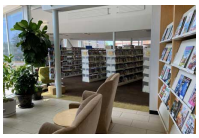
5.04 Community center

Description: A place where short-term and intermittent meetings or gatherings of individuals are held for purposes of sharing information, entertainment, social service, or similar activities. The term includes senior centers; neighborhood recreational centers; fraternal, social, or civic clubs; lodges; and union halls.

Supplemental Standards:
This land use does not have any supplemental standards.

5.05 Community cultural facility

Description: A place where people may gather for studying, reading, personal education, or viewing the visual arts. The term includes libraries, museums, art galleries, and observatories. The term does not include performing arts.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Supplemental Standards:
This land use does not have any supplemental standards.

5.06 Community garden

Description: A place where a group of unrelated individuals grow vegetables, fruits, and flowers for their personal use. A community garden can be divided into individual plots of land for the exclusive use of the person assigned each plot, or the entire garden may be a cooperative effort of any number of people, or a combination thereof.

Supplemental Standards:
(A) Accessory structures. The following structures/uses are generally permitted in a community garden subject to the review and approval of the Plan Commission through the site plan review process: tool sheds, shade pavilions, rest-room facilities with composting toilets, indoor work areas, benches, bicycle racks, raised/accessible planting beds, compost bins, picnic tables, and children's play areas. All such structures/uses must comply with the principal building setback requirements of the zoning district in which the use is located.
(B) Accessory building. Two buildings are permitted per lot of record, provided the combined area of all buildings does not exceed 25 percent of the lot area, or 250 square feet in area, whichever is the lesser. The maximum height of a building is 15 feet.
(C) Onsite water. There must be a source of water for watering the planting beds.
(D) On-site sales. The sale of unprocessed, non-value-added garden products may be sold on-site. All other sales are prohibited.
(E) Equipment. If the community garden is located in a residential zoning district, power tools or portable mechanical equipment may only be used from 8:00 am to 8:00 pm.
(F) Waste. The site shall be designed and maintained to prevent any chemical pesticide, fertilizer or other garden waste from draining onto an adjacent property. Organic gardening is strongly encouraged.
(G) On-site trash storage. An on-site trash storage container, as well as compost bins or piles, shall be provided on-site, and shall be screened, enclosed and located as close as practicable to the rear lot line. Trash shall be removed from the site at least once per week.
(H) Location. A community garden may be located in any yard area. Cultivated areas shall be prevented from encroaching onto adjacent properties.
(I) Owner Authorization. Only individuals, or organizations authorized by the property owner or an authorized lessor or licensor, shall participate in a community garden.
(J) Identification sign. One non-animated identification sign shall be allowed which shall not exceed 2 square feet in area per side, and which shall not exceed 6 feet in height above grade.
(K) Property owner notice to adjacent properties. The owner or an authorized lessor or licensor of any lot to be used for a community garden shall give each abutting property owner written notice of the owner's, lessor or licensor's name, address and telephone number, and a copy of the use conditions provided in this Code for a community garden, no less than 30 consecutive calendar days prior to the start of the community garden.
(L) Off-street parking. Off-street parking for a community garden is not required, unless required by the zoning administrtor. If required, the parking area may not exceed 10 percent of the total lot area, and may be unpaved or surfaced with gravel, or paved with a pervious paving material.
(M) Weeds. It is the duty of the party responsible for acommunity garden to maintain the property in compliance with City ordinances. A community garden is exempt from the City's noxious weed ordinance under § 13.050 of the municipal code. However, noxious and invasive weeds are not permitted in a community garden, and shall be regulated in accordance with the City's noxious weed control ordinance if they are deemed by the zoning administrator to be pervasive at the site, defined herein as a community garden in which weeds represent more than half of the lot area. In the event a community garden is found to be in violation of the weed ordinance, City crews will post a notice of violation at the property only once per growing season, and request that the weeds be taken care of within five consecutive calendar days of the notice being posted. If the lot remains in violation of the weed ordinance, City crews or their designated contractor are herein authorized to enter the property, mow it, with all costs incurred to be forwarded to the property owner. Following the initial notice of weed violation, if the lot again becomes noncompliant during the remainder of the current growing season, City crews or their designated contractor can enter the property without additional notice, mow it, with all costs incurred to be forwarded to the property owner or the person or party responsible for the community garden for payment; however, if the party fails to issue timely payment to the City under this section, the City may attach the charges against the property payable as a special assessment in accordance with its current special assessment policy.

Advisory notes:

1. As part of the due diligence process, soil tests should be done to identify any potential soil contaminants, including heavy metals and petroleum.

5.07 Fairground

Description: A dedicated space used for fairs, agricultural shows, home shows, educational and other displays, dog obedience, police training classes, auctions, flea markets, horse shows, stock car races, tractor and truck pulls, demolition derbies, camp grounds, Scout-a-ramas, Fire Department safety demonstrations, dances, certification classes, music concerts, conventions, family reunions, picnics, Easter egg hunts, bingo, tournaments, and merchant sales.

Supplemental Standards:
(A) Minimum area. The minimum area for a fairground is 100 acres.
(B) Reserved

5.08 Food pantry

Description: A place where stocks of food, typically basic provisions, are stored and supplied free of charge to people in need, by a nonprofit or charitable organization. A food pantry is not typically open to the public for extended periods like a grocery store, but operates on a limited basis (e.g., days per week and/or hours per day). A food pantry may include ancillary office space related to this use. This use may also be referred to as a food bank.

Supplemental Standards:
This land use does not have any supplemental standards.

5.09 Funeral establishment

Description: A facility where the deceased may be prepared for off-site burial or on-site cremation, and where people may gather for visitations, memorial services, or funeral ceremonies. A funeral establishment may also include the indoor display and sale of funeral-related equipment and merchandise, such as caskets and urns.
Note: Also known as mortuary, funeral home

Supplemental Standards:
(A) State license. Before establishing a funeral establishment, the operator must obtain a funeral home license from the Wisconsin Department of Safety & Professional Services (DSPS). This license must be maintained in good standing for the duration of the use or until such time as the license is no longer required.
(B) Reserved

5.10 Group daycare center

Description: A place licensed as a day care by the state where care is provided for 9 or more children. This use may include outdoor play areas, playhouses, and related recreational equipment, such as swings, slides, basketball hoops, and jungle gyms.
Note: A family day care home (4-8 children) is considered an accessory use and is therefore listed in Series 15.

Supplemental Standards:
(A) Outdoor activity area. An outdoor activity area associated with a group day care center may not be located within 20 feet of a parcel in a residential zoning district or a planned development district that allows residential uses.
(B) Reserved

5.11 Health care center

Description: A place where medical treatment, or nursing, rehabilitative, or preventative care is offered. The term includes ambulatory surgical facilities, hospitals, kidney treatment centers, long-term care facilities, medical assistance facilities, mental health centers, outpatient facilities, public health centers, and rehabilitation facilities.

Supplemental Standards:
(A) Street access. The primary access for a health care center must be off of a major street as depicted on the City's zoning map.
(B) Reserved

5.12 Healthcare clinic

Description: A place where medical services are offered, and patients do not stay overnight. The term includes dental clinics, medical offices, chiropractic offices, acupuncture centers, and sports medicine facilities. The term does not include those uses as classified as a health care center.

Supplemental Standards:
This land use does not have any supplemental standards.

5.13 Place of worship

Description: A place where people can regularly assemble for religious worship and associated activities and which is operated by an entity with tax-exempt status. The term includes sanctuaries, chapels, cathedrals, churches, synagogues, and temples and other onsite accessory buildings such as parsonages, friaries, convents, fellowship halls, and rectories. The term does not include day care centers, community recreation facilities, dormitories, private educational facilities, emergency shelters, and health care facilities.

Supplemental Standards:
This land use does not have any supplemental standards.

5.14 Public safety facility

Description: A place where public safety services are offered. The term includes ambulance services, fire stations, police stations, and jails. The term does not include correctional facilities.

Supplemental Standards:
This land use does not have any supplemental standards.

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5.15 School, K-12

Description: A place where primary and secondary educational opportunities are offered. The term includes preschools, elementary schools, junior high schools, and high schools.

Supplemental Standards:
(A) Temporary buildings. A temporary building may be used as a classroom when an existing facility is being renovated or when school enrollment exceeds the capacity of the existing facility, provided the building complies with all building code requirements.
(B) Reserved

5.16 School, post-secondary

Description: A place where post-secondary educational opportunities are offered. The term includes colleges, universities, community colleges, and vocational schools.

Supplemental Standards:
(A) Street access. The primary access to a post-secondary educational facility must be off of a major street as depicted on the adopted zoning map.
(B) Reserved

6 Transportation

6.01 Airport

Description: A place, recognized by the Wisconsin Department of Transportation as a public use airport, where airplanes, helicopters, or similar aircraft may land and takeoff. This use may also include facilities for the housing and maintenance of the same and facilities for passenger ticket sales and accessory food service areas primarily intended for pilots and passengers.

Supplemental Standards:
(A) Location. All buildings, outdoor airplane or helicopter storage areas, and other activity areas must be located at least 500 feet a property in a residential zoning district or planned development district that allows residential uses as the predominant land use.
(B) Reserved

6.02 Parking structure

Description: A multi-level structure where motor vehicles associated with an on-site or an off-site use may be parked for a short duration. It may be available to the public or reserved to accommodate parking for a specific purpose.

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Supplemental Standards:
(A) Setbacks. A parking structure must comply with the principal building setback requirements of the zoning district in which the use is located.
(B) Reserved

6.03 Railroad

Description: A linear strip of land with rail tracks and auxiliary facilities for track operation such as signal bungalows that is used to transfer commodities and/or passengers over long distances. The term does not include passenger stations, freight terminals, loading platforms, train sheds, warehouses, car or locomotive maintenance shops, and switchyards.

Supplemental Standards:
This land use does not have any supplemental standards.

6.04 Railroad switching yard

Description: A facility located along a railroad where trains are disassembled, sorted, and reassembled based on their destinations, cargo types, or routing requirements. A railroad switching yard may include (1) multiple tracks designated for the arrival and departure of trains; (2) classification tracks used for the systematic sorting and temporary storage of railcars; (3) a control tower or similar structure for overseeing train movements and switching operations; (4) buildings or structures for the maintenance and repair of railroad equipment and the storage of related materials; (5) a roundhouse and associated infrastructure for servicing, repairing, and turning locomotives; (6) facilities for intermodal trucking operations; and (7) administrative offices and support facilities necessary for the operation and management of the yard.

Note: Also known as a railroad classification yard

Supplemental Standards:
This land use does not have any supplemental standards.

6.05 Transit center

Description: A place where passengers can board mass transit. This use may include facilities for ticket sales and accessory food service areas primarily intended for passengers.

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Supplemental Standards:
This land use does not have any supplemental standards.

6.06 Truck terminal

Description: A place where goods primarily carried by motor transport are received and temporarily stored until transferred to another truck for delivery and/or a place where a company stores its fleet of trucks. This use may include the following provided they are individually and collectively incidental and subordinate: repair, washing, refueling, and maintenance facilities for trucks using the terminal; and administrative offices for the terminal.

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Supplemental Standards:
(A) Setback of outdoor storage area. Outdoor storage areas and other activity areas must be located at least 500 feet from a property in a residential zoning district or a planned development district that allows residential uses.
(B) Control of fugitive dust. As part of the site plan review process, the control of fugitive dust generated by this use must be addressed.
(C) Street access. The primary access for this use must be off of a major street as depicted on the City's zoning map.

7 Telecommunications and Utilities

7.01 Battery energy storage system

Description: A facility designed to store and distribute electrical energy using a network of rechargeable batteries which are connected to the electrical grid, renewable energy sources, or other power generation facilities.

Note: Battery energy storage systems may serve multiple purposes, including providing backup power during periods of high demand or grid instability, storing excess energy generated during off-peak hours for use during peak times, and integrating intermittent renewable energy sources into the grid by storing surplus energy for later use.

Supplemental Standards:

(A) Coordination with utility services. Prior to the issuance of a building permit, the property owner must provide documentation to the zoning administrator showing that the electric utility has the capacity and infrastructure to meet the needs of the facility.

(B) Setbacks. The energy storage units must comply with the principal building setback requirements of the zoning district in which the use is located.

7.02 Public utility office and yard

Description: A place where a public or private entity maintains administrative offices, equipment, and supplies necessary for maintaining the infrastructure it provides.

Supplemental Standards:

(A) Outdoor storage. Outdoor storage areas and other activity areas must be located at least 100 feet from a property in a residential zoning district or a planned development district that allows residential uses and 20 feet from a property in a commercial zoning district.

(B) Control of fugitive dust. If gravel or similar material is used in an outdoor storage area or other activity area, the control of fugitive dust must be addressed as part of the site plan review process.

7.03 Solar power plant

Description: A utility-scale commercial facility that converts sunlight into electricity with the primary purpose of wholesale or retail sales of generated electricity.

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Supplemental Standards:

(A) Minimum lot area. The minimum lot area for a solar power plant is 2 acres.

(B) Setbacks. Solar panels and other related structures may not be located in the building setback area. Additional setbacks may be required to mitigate noise and glare impacts, as identified through the site plan review process.

(C) Security fencing. A security fence (height and material to be established through the site plan review process) may be placed around the perimeter of the solar power plant. If a security fence is installed, knox boxes and keys must be provided at locked entrances for emergency personnel access.

(D) Identification sign. An identification sign, no larger than 18 inches by 24 inches, must be placed in a visible location near the primary entrance of the site that lists (1) the name of the facility owner/operator, (2) a telephone number to contact in case of an emergency, and (3) information relating to potential voltage hazards.

(E) Warning signs. Appropriate warning signage may be placed at the entrance and around the perimeter of the solar power plant project as approved through the site plan review process.

(F) Electric power lines. Power lines within a solar power plant must be placed underground, except that power lines that leave the project site may be overhead.

(G) Approval by electric utility company. The owner/operator must submit documentation acceptable to the zoning administrator indicating that the system meets all applicable regulations and requirements of the affected electric utility company.

(H) Landscaping. As part of the site plan review process the Plan Commission may require appropriate landscaping and/or other screening materials to help screen the solar power plant from public right-of-ways and neighboring residences. After reviewing the location of the facility and the visibility of the facility from public right-of-ways and adjoining properties, the Plan Commission may waiver or defer this landscape requirement to a later date.

(I) Outdoor lighting. Lighting of the solar power plant and accessory structures is limited to the minimum necessary for site security.

(J) Lease agreement. If the operator of the solar power plant does not own the land where the facility is to be located, the property owner and the operator must execute a lease agreement prior to any land-disturbing activity to address the rights and responsibilities of each party with respect to subs. (L) and (M) of this part.

(K) Ongoing maintenance. The solar power plant must be properly maintained and kept in a good condition, so as not to become a nuisance. Proper maintenance includes regular lawn and landscaping care, and painting and regular care of building(s), fences, and other improvements. Additionally, the site must be kept clear of junk and debris.

(L) Termination of approval. If the zoning administrator determines that the solar power plant is unsafe or otherwise defective or that the site has not produced any electricity for a continuous period of 12 months, the administrator must follow the procedure outlined in Article 5 relating to termination of the approval. Within 90 days after termination, the property owner must remove the solar power plant and all related equipment and improvements and restore the site to the satisfaction of the zoning administrator. In the event such work is not done within the 90-day period, the City has the right to use the financial guarantee to pay for such work.

(M) Financial guarantee. Prior to the issuance of a building permit authorizing the construction of a solar power plant, the applicant must submit a financial guarantee to the City pursuant to the requirements in Article 4. The amount of the financial guarantee is based on one or more cost estimates prepared by a qualified contractor as submitted by the property owner or obtained by the City to remove all of the equipment and related site improvements and restore the site to the satisfaction of the zoning administrator. The financial guarantee will be held until the solar power plant and related improvements are removed and the site restored to the satisfaction of the zoning administrator.

7.04 Telecommunication tower and Class 1 collocation

Description: A free-standing tower with or without an equipment compound that is intended for the placement of one or more mobile service facilities or the placement of a new mobile service facility on an existing support structure which constitutes a substantial modification.

Note: This definition is based on the corresponding definitions in § 66.0404, Wis. Stats.

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Supplemental Standards:

(A) Legislative findings. The Common Council makes the following legislative findings with regard to telecommunication towers providing mobile telecommunication services:

(1) The state legislature passed 2013 Wisconsin Act 20 (Section 1269 (I)) that imposed limits on local municipalities with respect to regulating telecommunication facilities within their jurisdictions.

(2) The federal government adopted the Telecommunications Act of 1996 which established various requirements relating to telecommunication facilities.[1]

(3) The regulations in this part are intended to promote the public health, safety, and welfare, while at the same time not unduly restricting the development of needed telecommunications facilities.

(4) The regulations in this part are intended to accomplish the following purposes, to the fullest extent permitted by law: (i) protect the visual character of the City from the potential adverse effects of telecommunication facilities; (ii) ensure that a competitive and broad range of telecommunications services and high quality telecommunications infrastructure are provided; (iii) create and preserve telecommunication facilities that will serve as an important and effective part of the City's emergency response network; (iv) minimize the number of towers by requiring collocation; and (v) avoid damage to adjoining properties by establishing setback standards.

(B) Federal requirements. A telecommunication tower must comply with all applicable requirements of the Federal Communications Commission, the Federal Aviation Administration, and any other federal agency with authority to regulate telecommunication facilities. In the event of a conflict between federal law and this part, federal law shall prevail.

(C) Single parcel. The fall zone and all structures related to the telecommunication facility must be located on a single parcel, including the tower, equipment compound, and anchor points for a guyed tower.

(D) Setbacks. The center of the tower may not be located closer to a property boundary line than the height of the tower. If the lot hosting the proposed tower is not located adjacent to a parcel where a single-family residence may be located and the applicant submits an engineering certification with the application that show the fall zone is smaller than this distance, the fall zone must be the smaller calculated area, unless the City provides the applicant with substantial evidence that the engineering certification is flawed.[2] The fence around anchor points for a guyed tower must be located at least 25 feet from a property boundary line.

(E) Height. The tower must comply with height restrictions established by the Airport Overlay District (Article 12).

(F) Security fencing. A tower and related equipment compound consisting of equipment buildings, shelters, and cabinets, must be enclosed by a security fence (height and material to be established through the site plan review process). If the tower is a guyed tower, each of the anchor points must be enclosed by a security fence.

(G) Lighting. A tower or any attachment may not be artificially lighted, except when specifically required by a state agency, the Federal Aviation Administration (FAA), or another federal authority. Such required lighting must be the least obtrusive to the surrounding views.

(H) Aesthetic requirements. All users of the City right-of-way must comply with the following aesthetic standards:

(1) In areas where facilities are currently nonexistent or underground, undergrounding is required.

(2) No new above-ground structures, including co-locations on existing structures, may be placed within 500 feet of historic structures or historic districts designated by the National Register of Historic Places in Wisconsin or listed on the State Register of Historic Places. The 500-foot separation is waived for installations that are completely concealed from view, or are not visible from locations where the historic structure can be observed.

(3) Attachments to existing structures must be designed to be flush with the existing structure as much as can reasonably be done, must be a color that matches the existing structure and must be the smallest size possible to reasonably accommodate the intended purpose. If the structure to which the attachment is made changes color due to repainting, resurfacing or other means, the attachment must be modified to match the new color.

(4) Any party objecting to the requirements of this subsection has the opportunity to demonstrate that the requirement constitutes an effective prohibition in violation of State or Federal law as set forth in § __.__.

(I) Equipment buildings. The exterior of equipment buildings, shelters, and cabinets exceeding 1,500 cubic feet must be covered with building materials typically used on buildings found in the area.

(J) Emergency power system. A backup generator may be placed within the equipment compound.[3]

(K) Identification sign. An identification sign, no larger than 18 inches by 24 inches, must be placed in a visible location near the base of the tower that lists (1) the name of the tower owner, (2) the Federal Communications Commission identification number, and (3) a telephone number to contact in case of an emergency.

(L) Accommodation of other users on new towers (collocation). A tower over 150 feet in height, along with the tower site and all support facilities and appurtenances, must accommodate at least two additional users, unless the zoning administrator determines that evidence presented by the tower operator demonstrates it is not technically feasible to do so. Further, the tower operator and their successors in interest must allow other users to use the tower, the tower site, support facilities, and appurtenances at fair market rates as negotiated by those parties. If the Plan Commission determines the tower operator has made access to the tower and tower site unfeasible, the zoning administrator must notify the tower operator via registered mail of such determination. If the tower operator does not take corrective action within 45 days of such determination, the permit for that tower is null and void and the tower must be removed and the site restored within 90 days of such determination.

(M) Requirement for collocation. A new tower may only be permitted if the applicant demonstrates with a sworn statement that collocation on an existing or planned tower within the applicant's search ring would not result in the same mobile service functionality, coverage, and capacity; is technically infeasible; or is economically burdensome to the mobile service provider.[4] If the applicant does not provide such analysis and sworn statement, the application for a new tower must be denied.[5]

(N) Collocation review. The collocation of an antenna or antenna array on an existing tower is permitted subject to site plan, building plan, and plan of operation review.

(O) Landscaping. Landscaping must be placed around the equipment enclosure and anchor points for guyed towers consistent with a landscaping plan as approved by the Plan Commission. After reviewing the location of the facility and the visibility of the facility from public right-of-ways and adjoining properties, the Plan Commission may waive this landscape requirement or defer the requirement to a later date.

(P) Lease agreement. If the operator of the telecommunication tower does not own the land where the facility is to be located, the property owner and the operator must execute a lease agreement prior to any land-disturbing activity. Such agreement must be binding on future property owners and future operators and address the rights and responsibilities of each party with respect to subs. (R) and (S) of this part.

(Q) Ongoing maintenance. The subject property must be maintained and kept in a good condition, so as not to become a nuisance as determined by the Plan Commission. Proper maintenance includes regular lawn and landscaping care, and painting and regular care of building(s), fences, towers, and other improvements. Additionally, the site must be kept clear of junk and debris.

(R) Termination of approval. If the zoning administrator determines that the tower is unsafe or otherwise defective or that the tower has not hosted an operational antenna for a continuous period of 12 months, the administrator will then follow the procedure outlined in Article 5 (Specific Procedural Requirements) relating to

termination of the approval. Within 90 days after the date of termination, the property owner must remove the tower, equipment cabinets, and all related equipment and improvements that are part of its communication facilities and restore the site to the satisfaction of the zoning administrator. In the event such work is not done within the specified period, the City has the right to use the financial guarantee as required by this part to pay for such work.

(S) Financial guarantee. Prior to the issuance of a building permit authorizing construction of a tower, the applicant must submit a financial guarantee to the City subject to the requirements in Article 4 (General Procedural Requirements). The amount of the financial guarantee is based on one or more cost estimates prepared by a qualified contractor as submitted by the property owner or obtained by the City to remove the tower, equipment compound, and related site improvements and restore the site to the satisfaction of the zoning administrator.[6] The financial guarantee will be held until the tower, equipment compound, and related site improvements are removed and the site is restored to the satisfaction of the zoning administrator.

(T) Third-party consultant. The zoning administrator may, at the applicant's expense, hire a third-party consultant to conduct an objective analysis of the submitted materials including the application, calculation of the fall zone, and certification that collocation is not possible. The third-party consultant may not charge the applicant for any travel expenses incurred in such review.[7]

(U) Duration of approval. The approval runs with the land and is binding on successors in interest.[8]

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[1] See § 704 of the act in particular.

[2] See § 66.0404 (2)(g), Wis. Stats.

[3] See § 66.0404 (4)(j), Wis. Stats.

[4] See § 66.0404 (2)(b)6, Wis. Stats.

[5] See § 66.0404 (2)(e), Wis. Stats.

[6] See § 66.0404 (4)(f), Wis. Stats.

[7] See § 66.0404 (4)(f), Wis. Stats.

[8] See § 66.0404 (4)(n), Wis. Stats.

7.05 Telecommunication, Class 2 colocation

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Description: The placement of a new mobile service facility on an existing support structure which does not constitute a substantial modification.

Note: This definition is based on the corresponding definition in § 66.0404, Wis. Stats.

Supplemental Standards:

(A) Height. The tower must comply with height restrictions established by the Airport Overlay District (Article 12).

(B) Reserved

7.06 Utility installation, major

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Description: A place, building and/or structure, or portion thereof, whether public or private, used or is intended for providing basic infrastructure or utility services and which could potentially have a moderate to high impact on neighboring property. The term includes pipeline pumping stations, sewage treatment plants, electric substations, water towers, electric transmission lines with a design capacity of 110kV or more, and underground pipelines.

Supplemental Standards:

(A) Building materials. If a major utility installation involves a building of any type and is located in a residential zoning district or a planned development district that allows residential uses, the building must be compatible with residential buildings in regard to design and exterior materials.

(B) Height. All structures must comply with height restrictions established by the Airport Overlay District (Article 12).

7.07 Utility installation, minor

Description: A utility installation generally having a low impact on neighboring property. The term includes public water system wells, without a tower; below ground sewer lift stations; and stormwater pumping stations.

Supplemental Standards:

(A) Building materials. If a minor utility installation involves a building of any type and is located in a residential zoning district or a planned development district that allows residential uses, the building must be compatible with residential buildings in regard to design and exterior materials.

(B) Reserved

8 Industrial & Storage

8.01 Bulk propane storage facility

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Description: An industrial facility designed to store large volumes of propane which is then transported to customers to fill smaller tanks.

Supplemental Standards:

(A) General compliance with other standards. The facility must comply with NFPA 58 (Liquefied Petroleum Gas Code) and local fire codes.[1]

(B) Location. Tanks must comply with the minimum building setbacks in the zoning district where the use is located. Additionally, if the subject property abuts a property in a residential zoning district, tanks must be at least 100 feet from side and rear lot lines.

(C) Screening. If this use adjoins a residential zoning district or a planned development district that allows residential uses, a buffer meeting the standards for "B", described in Article 22, must be established.

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[1] NFPA 58 is a code published by the National Fire Protection Association.

8.02 Bus storage facility

Description: A place where buses are parked when not in use and may include administrative offices and a building for the storage, care, and maintenance of buses in the fleet.

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Supplemental Standards:
(A) Outdoor storage. Outdoor storage areas and other activity areas must be located at least 50 feet from a property in a residential zoning district or a planned development district that allows residential uses and 20 feet from a property in a commercial zoning district.
(B) Control of fugitive dust. As part of the site plan and operation plan review process, the control of fugitive dust generated by this use, if any, must be addressed.

8.03 Commercial port

Description: A facility located along a coastline or river that serves as a hub for the loading, unloading, and storage of goods transported by ships. A commercial port includes docks, cranes and other material-handling equipment, warehouses, areas for open storage, equipment storage, repair shops, administrative offices, and other facilities for logistics operations.

Supplemental Standards:
(A) Title. _____
(B) Reserved

8.04 Composting facility

Description: A place where vegetation (but not food wastes) may be collected and composted. The term includes the storage and manipulation of materials prior to, during, and following composting.

Supplemental Standards:
(A) Legislative intent. A composting facility, if not properly designed and operated, has the potential to cause negative impacts to the natural environment, including water resources, and be harmful to the safety and general welfare of the City and its citizens. This part is therefore intended to define basic requirements necessary to protect the public while providing waste alternatives and promoting sustainability within the community.
(B) Compliance with other requirements. In addition to meeting the requirements in this part, a composting facility must comply with all county, state, and federal regulations that may apply, including § NR 502.12, Wis. Admin. Code.
(C) Distance to specified features. A composting facility must not be located within 400 feet of a residential zoning district or a planned development district that allows residential uses, an educational facility, a worship facility, or any other place where the public congregates.
(D) Setbacks. All buildings, structures, and activity areas must be located at least 100 feet from the side and rear lot lines.
(E) Location. No portion of a composting facility used for storing compostable materials or composted materials or processing of compostable materials may be located within an area determined to be within a 100-year floodplain.
(F) Maximum capacity. The reviewing authority may establish the maximum amount of compostable materials that may be stored and processed onsite. There is no limit on the amount of finished compost that may be stored.
(G) Buffer. The reviewing authority may require fencing and/or landscaping along the property boundary line deemed necessary to provide adequate screening between this use and adjoining properties.

8.05 Construction equipment sales and service

Description: A place where new and used construction equipment, such as dump trucks, excavators, graders, and scrapers are offered for rent, sale, lease, or exchange, or are taken on consignment. This use may include the repair of such equipment.

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Supplemental Standards:
(A) Location. Display areas and other activity areas related to this use must be located at least 30 feet from a property in a residential zoning district or a planned development district that allows residential uses and 10 feet from a property in a commercial zoning district.
(B) Reserved

8.06 Contractor yard

Description: A place where a contractor or builder may establish a base of operation, which may include one or more of the following: office space; indoor and outdoor storage of construction materials, equipment, and machinery, such as trucks and heavy equipment; and shops for the repair of machinery and equipment owned by the operator.

Supplemental Standards:
(A) Type of outdoor storage. Outside storage of construction equipment and fleet vehicles is allowed. Construction materials may be kept out of doors, provided such materials are being staged for a specific work project. Construction debris, tree branches, wood chips, and the like is only allowed within an enclosed building.
(B) Equipment repair and maintenance. The repair and maintenance of construction equipment and vehicles must occur within an enclosed building, unless specifically permitted in the conditional use order authorizing the use.
(C) Sales. The on-premise sale, at retail or wholesale, of any material is strictly prohibited.
(D) Incidental uses. Fabrication and assembly of component parts for use in a building project is permitted inside of a building on the subject property, provided such activity is of an incidental nature.
(E) Location of use areas. Outdoor storage areas and other activity areas related to this use may not be located (1) in the front-yard building setback area; (2) within 30 feet of a side or rear lot line when the adjoining property is located in a residential zoning district or a planned development district that allows residential uses; (3) within 20 feet of a side or rear lot line when the adjoining property is located in a commercial zoning district; and (4) 10 feet from a side or rear lot line when the adjoining property is located in any other zoning district.
(F) Fencing. Depending on the scale and nature of the contractor yard, the Plan Commission may on a case-by-case basis require a solid fence and/or other screening, as approved by the Plan Commission, in those areas where screening is needed in the judgment of the Plan Commission to mitigate potential impacts to adjoining properties.

(G) Gated access. If the facility has a gated access, the gate must comply with the standards in § 35.2822.
(H) Fugitive dust. If gravel or similar material is used for an outdoor storage area or other activity area, the control of fugitive dust must be addressed as part of the site plan review process.

8.07 Data center

Description: A facility that houses computing and networking equipment, along with storage and management systems, to support the storage, processing, and distribution of digital data and applications. A data center typically features high performance servers, storage arrays, networking equipment, cooling systems, and power backup solutions to ensure uninterrupted operation.

Supplemental Standards:
(A) Coordination with electric utility services. Prior to the issuance of a building permit, the property owner must provide documentation to the zoning administrator showing that the electric utility has the capacity and infrastructure to meet the needs of the facility or there is an onsite generation facility capable of serving the use.
(B) Coordination with water utility services. Prior to the issuance of a building permit, the property owner must provide documentation to the zoning administrator showing that the water utility has the capacity and infrastructure to meet the needs of the facility or there is an onsite water facility capable of serving the use, if otherwise allowed.

8.08 Direct air carbon capture facility

Description: A specialized industrial facility that extracts carbon dioxide directly from the ambient air that is then (1) sequestered underground, (2) utilized in various industrial processes, or (3) otherwise managed to mitigate their impact on the atmosphere.

Supplemental Standards:
This land use does not have any supplemental standards.

8.09 Junk yard

Description: A facility used for the storage, collection, processing, purchase, sale, salvage, or disposal of junk.
Note: Also known as a salvage yard or wrecking yard.

Temporary note: Description from current code. s. 15-370(7) "Disposal of junk" could refer to landfilling, incineration and more. Is that the intent?

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Supplemental Standards:
(A) Limitations. The permit approval may specify the quantity and manner of storing junk, as well as other conditions deemed necessary by the reviewing authority.
(B) Placement of outdoor storage areas. Outdoor storage and activity areas must be at least 25 feet from the front line.
(C) Enclosure. Outdoor storage and activity areas must be completely enclosed with a solid wall of masonry or other suitable material not less than 6 feet high. Such walls shall be sufficiently anchored and built so that they will withstand the load of any material placed against them by the owner. In lieu of the above, a pressure treated, solid wood fence or sight obscuring chain link fence not less than 6 feet in height may be erected, subject to the review of the Zoning Administrator. All walls or fencing must be set back at least 25 feet from the front and side street property lines.
(D) Stacking of materials. Storage racks and junk materials kept outdoors may not be stacked higher than the height of the fencing. In addition, the materials must be stacked so that all area of the storage area is accessible by firefighting equipment as determined by the fire department.
shall be piled so as to not protrude over the fence, and so as to permit access to all parts of the yard with firefighting equipment.
(E) Loading and unloading activities. All loading or unloading of truck trailers, railroad cars, and the like must be done entirely within the subject property.
(F) Landscaping. The approved site plan must include a 25-foot setback area that is be landscaped with grass, trees and/or shrubs.
(G) Parking. No parking of any kind shall be permitted in the required front or side street setback areas.
(H) Fencing. Depending on the scale and nature of the junk yard, the Plan Commission may on a case-by-case basis require a solid fence and/or other screening, as approved by the Plan Commission, in those areas where screening is needed in the judgment of the Plan Commission to mitigate potential impacts to adjoining properties.
(I) Gated access. If the facility has a gated access, the gate must comply with the standards in § 35.2822.
(J) Fugitive dust. If gravel or similar material is used for an outdoor storage area or other activity area, the control of fugitive dust must be addressed as part of the site plan review process.
(K) Time is of the essence. All new junk yards established after creation of the ordinance codified in this chapter shall comply with the requirements of this section. Any junk yard existing prior to creation of this section shall be required to comply with the above-referenced fencing and off-street parking requirements within 10 months after the date of adoption of the ordinance codified in this chapter, and within three months with respect to loading and unloading activities within the premises. (Staff - Is this still a valid concern?)

8.10 Manufacturing

Description: A place where products or goods are produced within an enclosed building and any smoke, dust, noise, or odor related to such activities are confined within the building. This use may include administrative offices and storage of raw materials and finished goods as a subordinate use. The term includes a tool and die maker, furniture production, metal fabrication, apparel manufacturing, printing, and publishing.

Supplemental Standards:
(A) Restriction on location of manufacturing processes. All manufacturing processes must be conducted entirely within an enclosed building.
(B) Location of outdoor activity areas. Outdoor activity areas must be located at least 100 feet from a property in a residential zoning district or a planned development district that allows residential uses.
(C) Material storage. Materials may be stored out of doors, provided such areas are screened as determined by the Plan Commission.

8.11 Personal storage facility

Description: A place where individual storage units are offered for rent, lease, sale, or other arrangement.
Note: Also known as mini-warehouse and mini-storage building.

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Supplemental Standards:
(A) Minimum lot area. The minimum lot area for a personal storage facility is 2 acres.
(B) Access. Access to a cubicle must not open directly onto a public road right-of-way.
(C) Internal access drives. An internal access drive providing access to a storage unit must be hard-surfaced with concrete, asphalt, pavers, or other durable, all-weather pavement material approved by the zoning administrator.
(D) Storage of prohibited substances. A cubicle may not be used to store explosives, toxic substances, hazardous materials, or radioactive materials.
(E) Uses. Only uses that are accessory to storage may occur. Human habitation, fabrication, repair, sales of any type including garage sales, and any similar use are prohibited.
(F) Fencing of outdoor storage area. An area used for outdoor storage of operational vehicles, watercraft, and the like must be enclosed by a security fence as approved by the Plan Commission through the site plan review process.
(G) Setback of outdoor storage area.Outdoor storage areas must comply with the principal building setback requirements of the zoning district in which the use is located.
(H) Gated access. If the facility has a gated access, the gate must comply with the standards in § 35.2822.
(I) Placement of cubicles. Doors for a cubicle may not face a front yard or street-side yard.

8.12 Recycling center

Description: A place where recoverable materials, which have been removed from the waste stream, may be stored prior to shipment to others who use those materials to manufacture new products. Typical recoverable materials include glass, paper, metal, and plastic. The term does not include salvage yard.

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Supplemental Standards:
(A) Compliance with other requirements. In addition to meeting the requirements in this part, a recycling center must comply with all county, state, and federal regulations that may apply.
(B) Location of materials and activities. All materials and activities, including unloading of materials, must be conducted entirely within the confines of an enclosed building.

8.13 Solid waste transfer station

Description: A place where solid waste may be temporarily stored prior to transport to a processing plant or to final disposal.

Supplemental Standards:
(A) Compliance with other requirements. In addition to meeting the requirements in this part, a solid waste transfer station must comply with all county, state, and federal regulations that may apply.
(B) Location of materials and activities. All materials and activities, except loading and unloading of materials, must be conducted entirely within the confines of an enclosed building.
(C) Distance to specified features. A solid waste transfer station may not be located within 600 feet of a residential zoning district or a planned development district that allows residential uses, an educational facility, a worship facility, or any other place where the public congregates.

8.14 Vehicle storage yard

Description: A place where impounded motor vehicles are temporarily stored or where damaged motor vehicles are temporarily stored before being taken to a repair shop or while waiting for an insurance adjustment to occur.
Note: Also see wrecker service

Supplemental Standards:
(A) Prohibited activities. The salvaging of motor vehicle parts or the repair of motor vehicles is prohibited.
(B) Reserved

8.15 Warehouse

Description: A place where goods, merchandise, and other materials are temporarily stored within an enclosed building for eventual shipment. The term includes moving and storage facilities. The term does not include bulk fuel storage.

Supplemental Standards:
(A) Truck movements. The site must be deisgned so that a truck can exit the site without backing into the street.
(B) Reserved

8.16 Wrecker service

Description: A business providing towing and temporary storage of motor vehicles that may be abandoned, inoperable, damaged, or illegally parked.
Note: (1) Also see vehicle storage yard. (2) Also known as towing service, tow truck service, and vehicle recovery service.

Supplemental Standards:
(A) Limits on storage. Towed vehicles may be kept out of doors for up to 5 days. Thereafter, towed vehicles must stored in an enclosed building or taken off-site to a vehicle repair facility, junkyard, or other approved location.
(B) Prohibited activities. The dismantling, wrecking, or sale of said vehicles or parts thereof is strictly prohibited.

9 Agriculture & Resource-Based Uses

9.01 General cultivation

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Description: A place where nursery stock, trees, sod, fruit, vegetables, flowers, agricultural crops and forage, and other plants typically grown by agricultural operations in the region are grown. The term does not include domestic gardens.

Supplemental Standards:
(A) Minimum area. This use is only allowed when it involves 5 or more contiguous acres.
(B) Location. The raising of crops may occur within building setback areas.
(C) Buildings. A building related to the raising of crops is not allowed.

10 Accessory Uses for All Principal Uses

10.01 Amateur radio tower

Description: An antenna and related support structure used to send and receive telecommunications for noncommercial purposes.

Supplemental Standards:
(A) Legislative findings. The standards in this part are intended to recognize and accommodate the federal and state declared interest in promoting and preserving amateur radio operations while protecting the legitimate interests of the general public including: (1) minimizing the unnecessary detriment to the aesthetic quality of the City and its landscape; (2) preserving the character of various neighborhoods within the City; (3) preserving the values of properties within the City; (4) providing for adequate review of designs and installation of facilities that may pose substantial risk of collapse if improperly designed, installed, or maintained; (5) protecting the owner and operator of an amateur radio antenna and neighboring property owners and the public in general from unreasonable risks of injury or property damage from the collapse of a communications tower or communications antenna or from electrical charges generated or conducted by such facilities; and (6) assuring that all amateur radio operators have a reasonable opportunity to construct and maintain the equipment and facilities necessary to effectively participate in amateur radio operations. Pursuant to § 62.23 (7)(hf), Wis. Stats., the regulations in this part constitute the least restrictive measures needed to promote community aesthetics, public health, and safety while allowing amateur radio communications.
(B) Number. Not more than one support structure is allowed.
(C) Type of tower. An antenna may be placed on a monopole or lattice tower.
(D) Height. The tower may not exceed 70 feet in height above grade, measured at the center point of the highest part of the antenna or mast, or the maximum height permitted by the Airport Overlay District (Article 12), whichever is less.
(E) Placement. An antenna may not be located in the front yard.
(F) Setback requirements. The center of the antenna may not be closer than 110 percent of the total height of the antenna to a lot line and overhead electric lines.
(G) Ground equipment. Ground mounted electrical and control equipment must be labeled or secured to prevent unauthorized access.
(H) Wiring. All electrical wires associated with the amateur radio tower and its antenna and support structure must be located underground.
(I) Anti-climbing measures. If a tower is used to support the antenna, the tower must have anti-climbing measures to prevent unauthorized climbing.
(J) Lighting. The amateur radio tower and its antenna and support structure may not be artificially lighted unless the lighting is required by the Federal Aviation Administration.
(K) Appearance, color, and finish. The amateur radio tower and its antenna and support structure must remain painted or finished the color or finish that was originally applied by the manufacturer, unless approved in the building permit.
(L) FCC compliance. The amateur radio tower and the operation of the amateur radio service using such antenna must at all times be maintained in compliance with the applicable regulations and permit conditions issued by the Federal Communications Commission (FCC).
(M) Waiver of standards. Upon petition, the zoning administrator may waive the height and location requirements in this part if effective communications cannot be obtained due to compliance with these standards. Such determination must be based on a report from a licensed professional engineer familiar with amateur radio operations, or an Extra Class licensed amateur radio operator, other than the owner, that effective communication cannot be obtained by facilities in compliance with the standards. The zoning administrator must keep a record of all such waiver requests.

10.02 Exterior communications device

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Description: An antenna used to capture wireless telecommunication signals.

Supplemental Standards:
(A) Height. A ground-mounted exterior communications device may not exceed the maximum height of a principal building for the zoning district where it is located. A building-mounted exterior communications device may not extend more than 15 feet above the roofline.
(B) Reserved

10.03 Incidental EV charging stations

Description: Parking spaces in a surface parking lot associated with a commercial, institutional, industrial, or multi-family use that are served by a dedicated electric vehicle charger. These charging stations are offered for the convenience of residents, customers, and employees that come to the site. The term does not include a public EV charging facility which is a separate and distinct use (Series 3.14).

Supplemental Standards:
(A) Integration into overall parking lot layout. Electric vehicle charging stations must be integrated into and made part of the overall parking lot layout for the site.
(B) Status as a parking space. A parking space with an electric vehicle charging station space is counted toward satisfying any minimum on-site parking requirements only if the space is not advertised to the traveling public and is not located on the lot to encourage public use.
(C) Placement near sidewalks. Electric vehicle charging stations located near sidewalks or walkways must be sited and designed to avoid impeding pedestrian movement or creating tripping hazards, including those caused by charging cords or related equipment.
(D) Collection of fees. The property owner, or the operator of the electric vehicle charging station, may collect a service fee to charge an electric vehicle.
(E) Contact information. Contact information should be posted either on the charging station or in a central location by multiple stations for reporting when the equipment is not functioning or if other problems are encountered.

(F) Outdoor lighting. Electric vehicle charging stations must be adequately lit to ensure safety. A lighting level of 1.5 footcandles over 75 percent of the parking space is sufficient. Regardless of this requirement, outdoor lighting must comply with the general outdoor lighting standards in Article 24.
(G) Signage. Signage on the face of the charging station equipment is exempt from signage standards, provided the sign area is less than 2 square feet.

Advisory notes:

1. Because electric vehicles and charging technology are relatively new and evolving, it is anticipated that this part and other provisions in the zoning code relating to vehicle charging as a land use will be revised to adapt.

10.04 Solar energy system, ground-mounted

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Description: An installation that is mounted on the ground and uses sunlight to produce electricity or provide heat or hot water to a building on the property where it is located.

Supplemental Standards:
(A) Surface area. For residential lots less than 30,000 square feet, the maximum area of a ground-mounted solar energy system is 120 square feet. The surface area of a ground-mounted solar energy system on all other lots may not exceed the area needed to accommodate 120 percent of the site's anticipated power demand.
(B) Maximum height. A ground-mounted solar energy system must not exceed 15 feet in height as measured from the surrounding grade.
(C) Setback. A ground-mounted solar energy system in any position must not extend into the setback of a front yard, side yard, shore yard, or rear yard as established for the zoning district in which the parcel is located. Pursuant to the procedures and requirements in Article 5, the Plan Commission may approve a special exception to allow a ground-mounted solar energy system to extend into a setback, offset, or buffer yard when no other location on the parcel is acceptable and the encroachment is the least necessary to allow the system to operate.
(D) Placement in yards. A ground-mounted solar energy system located in a residential or commercial zoning district shall only be located in the rear or side yard. Pursuant to the procedures and requirements in Article 5, the Plan Commission may approve a special exception to allow a ground-mounted solar energy system in the front yard when no other location on the parcel is acceptable, and the encroachment is the least necessary to allow the system to operate. A solar panel in an industrial zoning district may be located in any yard area.
(E) Certification. A ground-mounted solar energy system must be certified by (1) Underwriters Laboratories, Inc.; (2) National Renewable Energy Laboratory; (3) Solar Rating and Certification Corporation; or (4) another recognized body as approved by the zoning administrator.
(F) Approval by electric utility company. If the solar energy system is designed to produce electricity, the property owner must submit documentation acceptable to the building inspector indicating that the system meets all applicable regulations and requirements of the affected electric utility company.
(G) Termination of use. If the zoning administrator determines that a ground-mounted solar energy system has not been operational for a continuous period of 12 months, the administrator must follow the procedure outlined in Article 5 relating to the termination of an approval.
(H) Compliance with state law. The provisions in this part are intended to satisfy the requirements of § 66.0401 (1m), Wis. Stats. If a restriction in this part does not comply with the authority of § 66.0401 (1m), Wis. Stats., the Plan Commission may on a case-by-case basis modify or waive such restriction. In addition, the Plan Commission has the authority to add additional restrictions on a case-by-case basis, provided they are within the authority of the City pursuant to § 66.0401 (1m), Wis. Stats., and in particular the restriction must satisfy one of the following conditions:

(1) Serves to preserve or protect the public health or safety.
(2) Does not significantly increase the cost of the system or significantly decrease its efficiency.
(3) Allows for alternative system of comparable cost and efficiency.

10.05 Solar energy system, roof-mounted

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Description: An installation that is mounted on the roof of a building and uses sunlight to produce electricity or provide heat or hot water to a building.

Supplemental Standards:
(A) Maximum surface area. Solar panels may not extend beyond the roof surface.
(B) Maximum height. A roof-mounted solar energy system must comply with the maximum height requirements of the zoning district in which the building is located.
(C) Mounting. Solar panels may be either fixed or movable and may be placed at an angle to optimize efficiency of the system.
(D) Certification. Solar panels must be certified by (1) Underwriters Laboratories, Inc.; (2) National Renewable Energy Laboratory; (3) Solar Rating and Certification Corporation; or (4) other recognized body as approved by the zoning administrator.
(E) Approval by electric utility company. If the solar energy system is designed to produce electricity, the property owner must submit documentation acceptable to the building inspector indicating that the system meets all applicable regulations and requirements of the affected electric utility company.
(F) Termination of use. If the zoning administrator determines that more than 50 percent of the solar panels (measured by total area) have not been operational for a continuous period of 12 months, the administrator must follow the procedure outlined in Article 5 relating to the termination of an approval.
(G) Compliance with state law. The provisions in this part are intended to satisfy the requirements of § 66.0401 (1m), Wis. Stats. If a restriction in this part does not comply with the authority of § 66.0401 (1m), Wis. Stats., the Plan Commission may on a case-by-case basis modify or waive such restriction. In addition, the Plan Commission has the authority to add additional restrictions on a case-by-case basis, provided they are within the authority of the City pursuant to § 66.0401 (1m), Wis. Stats., and in particular the restriction must satisfy one of the following conditions:

(1) Serves to preserve or protect the public health or safety.
(2) Does not significantly increase the cost of the system or significantly decrease its efficiency.
(3) Allows for alternative system of comparable cost and efficiency.

10.06 Wind energy system, less than one megawatt

Description: A wind energy system that has a nominal capacity less than one megawatt (1,000 kilowatts).

Supplemental Standards:
(A) Standards. A wind energy system must comply with the standards as set forth in Ch. PSC 128, Wis. Admin. Code.
(B) Height. A wind energy system must also comply with height restrictions established by the Airport Overlay District (Article 12).

10.07 Wind energy system, one megawatt and more

Description: A wind energy system that has a nominal capacity of at least one megawatt (1,000 kilowatts).

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Supplemental Standards:
(A) Standards. A wind energy system must comply with the standards as set forth in Ch. PSC 128, Wis. Admin. Code.
(B) Height. A wind energy system must also comply with height restrictions established by the Airport Overlay District (Article 12).

11 Accessory Uses for Residential Uses

11.01 Accessory building, residential

Description: A detached building customarily found with a residential use as an accessory use. The term includes greenhouses (noncommercial), detached garages, sheds, gazebos, saunas, pool cabanas, and the like.

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Supplemental Standards:
(A) Number and floor area. The number of residential accessory buildings and the floor area must comply with standards in Appendix C.
(B) Location. A residential accessory building is only allowed in the side and rear yards.
(C) Exterior materials. Exterior materials for a residential accessory building with a floor area of more than 120 square feet (but not greenhouses) must be the same as, substantially the same as, or complement those materials used on the principal building.
(D) Prohibition on specific materials. Soft-sided structures and canopies are specifically prohibited, except a greenhouse may be covered with exterior materials typically used for greenhouses.
(E) Rooflines. The roof lines of a residential accessory building with a floor area of more than 120 square feet (but not greenhouses) must match the roof lines of the principal building to the greatest practical extent.

11.02 Accessory dwelling unit (ADU)

Description: A dwelling unit that is located on the same lot as a principal residential building to which it is accessory, and that is subordinate in area to the principal dwelling. The term does not include secondary suites.

Temporary note: Description from consultant and staff

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Supplemental Standards:
(A) Legislative intent. Allowing accessory dwelling units in the City is a way to increase the housing stock and promote housing choice and affordability. Accessory dwelling units must be compatible with the surrounding area and must be clearly subordinate to the principal dwelling unit.
(B) Location. An accessory dwelling unit must be located on the upper floor of an attached garage or a detached garage that is located in the rear yard and complies with all setback standards for the zoning district where the lot is located. If a variance is granted allowing construction of the garage closer to a property boundary line than what is otherwise allowed in the zoning district, such garage is not eligible to also include an accessory dwelling unit.
(C) Lot area. The lot containing an accessory dwelling unit must be at least 1,500 square feet greater than the minimum lot area for the zoning district where the lot is located.
(D) Character of building. The building with the accessory dwelling unit must have exterior building materials that are similar to those on the principal dwelling and be architecturally compatible with the principal dwelling.
(E) Primary access. The accessory dwelling unit must have a separate outdoor access. External stairs serving as the primary access are prohibited.
(F) Maximum floor area. The floor area of the accessory dwelling unit may not be more than 65 percent of the total floor area of the principal dwelling unit up to a maximum of 800 square feet.
(G) Number. There shall be no more than one accessory dwelling unit on the subject property.
(H) Owner occupancy required. The property owner must occupy either the principal dwelling unit or the accessory dwelling unit.

Temporary note: Provisions from consultant

11.03 Backyard chickens (added back in)

Description: A place where chickens are kept for the use and enjoyment of those living on the premises.

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Supplemental Standards:
(A) Other regulatory controls. The keeping of chickens must comply with the requirements in § 11.220 (4) of the municipal code.
(B) Reserved

11.04 Bed and breakfast

Description: A single-family residence that offers overnight accommodations for a daily charge and that also serves as the primary residence of the operator or owner.

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Supplemental Standards:
(A) Legislative findings. The Common Council finds that bed and breakfasts, as allowed in this part, can create benefits for the broader community and individual property owner as listed below.

(1) Bed and breakfasts provide homeowners with an additional source of income, helping to cover mortgage payments and property maintenance.

(2) Bed and breakfasts encourages tourism and supports local businesses, such as restaurants, shops, attractions, by bringing in visitors who spend money in the area.

(3) Bed and breakfasts often operate in historic or architecturally significant homes, helping preserve these properties by making them financially viable.

(4) Bed and breakfasts provides visitors with a more personalized, local experience compared to traditional hotels.

(5) Bed and breakfasts encourages interaction between visitors and residents, fostering cultural exchange and community engagement.

(6) Unlike short-term rentals, bed and breakfasts are required to have on-site owners, ensuring better oversight and minimizing disturbances to neighbors.

(B) State permit. Prior to the establishment of a bed and breakfast, the operator must obtain a permit from the Wisconsin Department of Health Services, or the department's authorized agent, and maintain the license for the life of the use or until the department no longer requires the permit.

(C) Display of permit. The operator must display the current bed and breakfast permit in a conspicuous location inside the bed and breakfast.

(D) Local room tax. The operator of the bed and breakfast must comply with the room tax requirements in Chapter 23 of the municipal code.

(E) Registry. The operator of the bed and breakfast must keep an accurate register showing the names of all guests. This registry must be kept on file for a period of one year and must be available for inspection by City officials at any time upon request.

(F) Compliance with applicable building codes. Prior to the establishment of a bed and breakfast or the expansion of an existing bed and breakfast, the building inspector must certify that the dwelling meets all applicable building code requirements.[1]

(G) Type of dwelling. A bed and breakfast may only occur within a single-family dwelling.

(H) Exterior character of the dwelling unit. The exterior appearance of the building may not be altered from its single-family appearance.

(I) Residency requirement. The operator of a bed and breakfast must reside in the single-family dwelling during those times when one or more of the guest rooms are occupied (i.e., rented).

(J) Number of allowable guest rooms. The maximum number of guest rooms is 8.

(K) Number of guests. The maximum number of overnight guests at any one time is 20.

(L) Food preparation. Food preparation and/or cooking in guest rooms is prohibited.

(M) Meals. Meals may only be offered to overnight guests.

(N) Maximum stay. The maximum stay for any guest is 14 consecutive days in any 30-day period.

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[1] Bed and breakfasts must comply with the residential building code requirements; the commercial building code does not apply because the dwelling is the operator's residence, and the operator is residing in the residence when guests are present.

11.05 Boathouse

Description: A building placed above or near a waterbody that is used for the noncommercial storage of one or more watercraft and related equipment.

Supplemental Standards:

(A) A boathouse is counted in terms of the allowable floor area on a given lot.

(B) Reserved

11.06 Family day care home

Description: A private residence licensed as a day care center by the state where care is provided for 4 to 8 children.

Note: See § 66.1017, Wis. Stats. A group day care center (9 or more children) is considered a principal use (See Series 5).

Supplemental Standards:

(A) State license. Prior to the establishment of a family day care home, the operator must obtain a license from the state as may be required by state law and maintain the license for the life of the use or until the state no longer requires the license.

(B) Reserved

11.07 Home occupation

Description: An occupation, profession, enterprise, or similar commercial activity that is conducted by a person residing on the premises, and which by their nature, appearance, and inherent operational activities and characteristics, are compatible in a residential setting.

Supplemental Standards:

(A) Legislative findings. The Common Council finds that home occupations, as allowed in this part, can create benefits for the broader community and the individual property owner as listed below.

(1) Home occupations enable individuals to generate income without needing to lease commercial space, supporting entrepreneurship and financial self-sufficiency.

(2) Many people, including stay-at-home parents, retirees, and individuals with disabilities, benefit from the ability to work from home.

(3) Home occupations can help decrease traffic congestion and reduce carbon emissions associated with commuting.

(4) Home occupations allow for productive use of residential properties without the need for additional commercial developments, helping to preserve land for housing and green spaces.

(5) Home occupations often serve as incubators for new ideas and startups, fostering innovation and economic diversity within the community.

(6) As remote work and freelance opportunities continue to grow, home occupations align with modern work trends and support workforce flexibility.

(7) Certain home occupations can enhance neighborhood connections and provide valuable services to local residents.

(B) Validity of use. The individual primarily responsible for operating the home occupation must reside in the dwelling unit on the parcel.

(C) Location and space limitation. The home occupation may only be located in the single-family. The floor area devoted to the home occupation may not exceed 25 percent of the living area of the residence.

(D) Exterior character of building. The exterior character of the building housing the home occupation must not be altered to accommodate such use.

(E) Storage of materials. Exterior storage of materials or equipment is prohibited. Flammable, combustible, or explosive materials that exceed levels normally found on a residential property are strictly prohibited.

(F) Limitation on number of on-site workers. The number of individuals working on-site is limited to those individuals living in the dwelling unit.

(G) Retail sales. The sale of merchandise on-site is prohibited.
(H) Limitation on customer traffic. A home occupation may not generate more than 3 or 4 customer trips per business day, which is determined to be an acceptable level of non-residential traffic in residential neighborhoods.
(I) Nuisance. A home occupation may not create any smoke, odor, glare, noise, dust, vibration, fire hazard, or small electrical interference not normally associated with typical residential uses in the zoning district.
(J) Multiple home occupations. More than one home occupation may be permitted on a single lot provided all of the general requirements in this part can be met based on an accumulation of activities.

11.08 Honeybees (added back in)

Description: The keeping of honeybees for production of honey and pollination of plants.

Supplemental Standards:
(A) Other regulatory controls. The keeping of honeybees must comply with the requirements in § 11.220 (5) of the municipal code.
(B) Reserved

11.09 Hot tub (added back in)

Description: A hydro-massage pool or tub designed for immersion of users and primarily intended for recreational or therapeutic use which may or may not be equipped with a filter, heater, and motor-driven blower.

Supplemental Standards:
(A) Other regulatory controls. This use must comply with the requirements in § 16.340 of the municipal code.
(B) Reserved

11.10 Household pets (added back in)

Description: The keeping of household pets such as dogs and cats.

Supplemental Standards:
(A) Other regulatory controls. The keeping of household pets must comply with § 11.220 (1) of the municipal code.
(B) Reserved

11.11 Pergola (new)

Description: A structure with columns that support a grid of beams and perpendicular rafters (i.e., dimensional lumber placed on edge). A pergola may be free-standing or attached to an exterior wall of a building. By definition, a pergola does not have a roof and is therefore not a building.

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Supplemental Standards:
(A) Location. A free-standing pergola may not be located in the front yard or placed any closer than 6 feet to the side and rear lot lines. If a pergola is attached to a building, it is part of the building and must comply with the building setback requirements that apply.
(B) Reserved

11.12 Swimming pool (added back in)

Description: An outdoor structure placed on the ground or below ground that is filled with water for swimming.

Supplemental Standards:
(A) Other regulatory controls. This use must comply with the requirements in § 16.340 of the municipal code.
(B) Reserved

11.13 Yard sale (added back in)

Description: A temporary event where used household items are offered for retail sale. A flea market is not a yard sale.
Note: Also known as garage sale or rummage sale.

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Supplemental Standards:
(A) Duration. A yard sale may be held up to three times per year with a maximum of 72 hours duration per sale.
(B) Reserved

Temporary note: Description from consultant - reconcile with city code

12 Accessory Uses for Other Principal Uses

12.01 Accessory building, non-residential

Description: An accessory building intended to house motor vehicles, yard equipment, and/or items related to the principal use of the premises. The term includes detached garages, storage sheds, gazebos, greenhouses, and the like.

Supplemental Standards:
(A) Number and floor area. The number of non-residential accessory buildings and the floor area must comply with standards in Appendix C.
(B) Reserved

12.02 Donation collection bin

Description: A fully enclosed container or receptacle located outside of an enclosed building, which is designed, intended, or used for collection and storage of donated items or materials, including furniture, clothing, shoes, books, and other like items.

Supplemental Standards:

(A) Limitation on donations. Donations are limited to those that can fit inside of the drop box.

(B) Location. The location of the donation collection bin may not impede the flow of traffic on the site or be located less than 50 feet from a parcel in a residential zoning district or a planned development district that allows residential uses.

(C) Site plan. The location of the donation collection bin must be depicted on an approved site plan.

(D) Hard surfacing. The area in front of a donation collection bin must be hard-surfaced with concrete, asphalt, pavers, or other durable, all-weather pavement material approved by the zoning administrator.

(E) City licensing. The operator must comply with the permitting requirements in § 11.090 of the municipal code.

12.03 Drive-through window

Description: An opening in a building through which patrons are served while remaining in a motor vehicle.

Supplemental Standards:

(A) Location. A drive-up service window may only be located to the side or rear of the building in which it is located and at least 60 feet from a property in a residential zoning district or a planned development district that allows residential uses.

(B) Crosswalks. A pedestrian crosswalk must be marked on the pavement when the lane for a drive-up service window is situated between on-site parking and a building entrance.

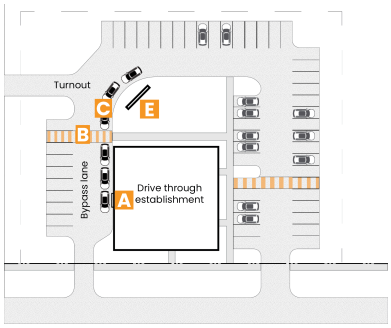
(C) Vehicle stacking. The approved site plan must show a stacking area to accommodate at least 4 vehicles per lane for a pharmacy, 2 vehicles per lane for a financial institution, and 6 vehicles per order box for a restaurant although more may be required as part of the site plan review based on the nature of the service being provided.

(D) Noise. Noise associated with an intercom or speaker must not be audible at any lot line.

(E) Menu board. A restaurant may incorporate a menu board consistent with the sign regulations.

Figure: Plan view

Note: The letters in the illustration correspond to the paragraphs listed above.



12.04 Hospital helistop

Description: A designated landing area associated with a hospital for transporting patients and medical goods by helicopter or similar vertical lift aircraft. The term does not include any facilities for refueling or servicing of aircraft, or any permanent facilities including terminals, hangers, warehousing, or storage.

Supplemental Standards:

(A) Other compliance. The helistop must conform with all applicable Federal Aviation Administration (FAA) regulations and with all applicable state statutes and rules.

(B) Approach and departure routes. Approach and departure routes must be established and should be over non-residential areas to the maximum extent possible.

(C) Landing/takeoff area. The landing/takeoff area must be dust-free and clear of structures, obstacles, and debris. If the landing/takeoff area is at ground level or on a building less than 30 feet above the surrounding grade, it must be at least 900 feet from the lot line of any residential property that is not owned or leased by the person or organization providing the helistop. If the landing/takeoff area is on a building and is 30 feet or more above the surrounding grade, it must be at least 500 feet from the lot line of any residential property that is not owned or leased by the person or organization providing the helistop.

12.05 Mobile food establishment (added back in)

Description: A motorized vehicle, moveable trailer, or a moveable, nonmotorized pushcart from which ready-to-eat food and drink are prepared and sold at retail on a private property (i.e., not in the public right-of-way). The term does not include a bicycle (two- or three-wheel) food cart.

Note: Also known as mobile food vendor and mobile food truck.

Supplemental Standards:

(A) Other regulatory controls. This use must comply with the requirements in § 11.100 of the municipal code.

(B) Reserved

12.06 Outdoor food and beverage service

Description: An outdoor area with tables and chairs located on the same lot as a brewpub, restaurant, or tavern where customers can eat, drink, and socialize.

Supplemental Standards:

(A) Location of service area. The outdoor service area must be located on the same parcel of land as the brewpub, restaurant, or tavern

or on an adjoining parcel. The outdoor service area must not be located in a public right-of-way, a required landscape area, or the setback of a front yard, side yard, shore yard, or rear yard.

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(B) Consistency with alcohol license. Alcohol may not be served or consumed within the outdoor service area unless the alcohol license issued by the City explicitly states that consumption is permitted within the outdoor service area.

(C) Entrance to service area if alcohol is served. If alcohol is served, and upon recommendation of the police chief, the entrance or entrances to the outdoor service area must be exclusively through the brewpub, restaurant, or tavern, and a barrier such as a rope or fence must be erected to prevent entry to the outdoor service area by any other means. An emergency access gate may be provided if required by state law.

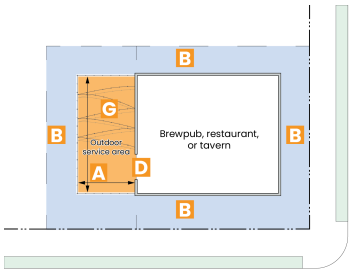
(D) Restroom requirements. The restroom facilities in the brewpub, restaurant, or tavern must be of sufficient capacity to serve both the indoor and outdoor patrons. Temporary toilet facilities are not permitted.

(E) Hours of operation. The outdoor service area may not remain open after the brewpub, restaurant, or tavern closes.

(F) Outdoor lighting. Festoon lighting (i.e., lamps wired to a flexible cable) may be placed above the approved outdoor service area, provided (1) the lighting is only used when the outdoor service area can be used, (2) each bulb does not produce more than 200 lumens, and (3) the lighting levels at the property boundary line must compy with the levels established in Article 24.

Figure: Plan view

Note: The letters in the illustration correspond to the paragraphs listed above.



12.07 Outdoor play area

Description: An outdoor area on the same lot as a brewpub, restaurant, or tavern where customers can participate in outdoor games including cornhole, horseshoes, basketball, volleyball, dodgeball, and the like.

Supplemental Standards:

(A) Nature of use. The outdoor play area may be used for pickup games, league play, and tournaments of a local nature.

(B) Location of play area. The outdoor play area must be located on the same parcel of land as the brewpub, restaurant, or tavern or on an adjoining parcel. The outdoor play area must not be located in a required landscape area or the building setback area of the side yard, shore yard, or rear yard.

(C) Consistency with alcohol license. Alcohol may not be served or consumed within the outdoor play area unless the alcohol license issued by the City explicitly states that consumption is permitted within the outdoor play area.

(D) Entrance to play area if alcohol is served. If alcohol is served, and upon recommendation of the police chief, the entrance or entrances to the outdoor play area must be exclusively through the brewpub, restaurant, or tavern, and a barrier such as a rope or fence must be erected to prevent entry to the outdoor play area by any other means. An emergency access gate may be provided if required by state law.

(E) Hours of operation. The outdoor play area may not remain open after the close of the brewpub, restaurant, or tavern or 9:00 pm, whichever is earlier, unless the Plan Commission determines a later time is acceptable given the nature of the use and the potential effects on surrounding properties.

(F) Fence. An outdoor play area may include a (sport court) fence on one or more sides as specified in Appendix A and B.

(G) Outdoor lighting. Outdoor lighting for an outdoor play area must comply with any standards adopted by the City.

(H) Parking for league play and tournaments. The outdoor play area may not be used for league play or tournaments when demand for parking is greater than what can be accommodated on site or with on-street parking in front of the subject property, if otherwise allowed.

(I) Pickleball. A pickleball court must be at least 200 feet from a residential district or a planned development district with residential uses.

13 Temporary Uses

13.01 Farmers market

Description: An outdoor area where agricultural producers gather on a regular basis to offer their agricultural products directly to retail consumers. The term does not include indoor markets or those held at a public park.

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Supplemental Standards:

(A) Hours of operation. The display of products and sales may only occur between 7:00 am and 30 minutes past sunset.

(B) Removal and clean up. All features solely associated with the farmers market must be removed and all trash and debris must be removed within 24 hours following the close of the farmers market.

13.02 Portable storage unit, commercial

Description: An enclosed metal container that is kept out of doors and used to temporarily store mechandise and similar goods.

Supplemental Standards:

(A) Number. In the B-1 and B-2 zoning districts, there shall be no more than one portable storage unit per property. In other zoning districts where this use is allowed,

there shall be no more than 6 portable storage units.

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(B) Size limitation. A portable storage unit shall be no larger than 10 feet wide, 10 feet high, and 20 feet long.

(C) Duration. A portable storage unit may not remain on the property in excess of 120 days in a 12-month period.

(D) Placement. In the B-3 zoning district, a portable storage unit must be located at least 10 feet from all lot lines provided placement complies with the vision clearance requirements in § 35.__. In other zoning districts where this use is allowed, a portable storage unit may placed anywhere on the property provided placement complies with the vision clearance requirements in § 35.__.

(E) With construction project. A portable storage unit associated with a site where a building permit has been issued, is permitted for the duration of construction and must be removed from the site within 14 days of the end of construction.

Temporary note: Based on s. 15.370(32) in current code.

13.03 Portable storage unit, industrial

Description: An enclosed metal container that is kept out of doors and used to temporarily store materials or equipment.

Supplemental Standards:

(A) Number. There is no restriction limiting the number of portable storage units.

(B) Size limitation. There is no restriction limiting the size of a portable storage unit.

(C) Placement. A portable storage unit must be located at least 10 feet from all lot lines provided placement complies with the vision clearance requirements in § 35.__.

(D) Special standards for long-term placement. If any portable storage unit is kept on site for more than 60 days or if placed as part of a portable storage unit rental operation, the following apply:

(1) All units shall be placed on and all access drives shall be constructed of a hard, smooth surface made of asphalt, concrete or other pavement material.

(2) All units shall comply with all building and fire codes applicable to accessory structures.

(3) All units shall be maintained in good condition. Exterior surfaces shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. Metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion.

(4) If the side or rear property line adjoins a residentially used property, such property line shall be effectively sight screened by a wall, tight fence, or evergreen hedge with a minimum height of 6 feet.

Temporary note: Based on s. 15.370(32) in current code.

13.04 Portable storage unit, residential

Description: An enclosed metal container that is kept out of doors and used to temporarily store household items and similar goods.

Supplemental Standards:

(A) Number. There shall be no more than one portable storage unit per property.

(B) Size limitation. The portable storage unit shall be no larger than 10 feet wide, 10 feet high, and 20 feet long.

(C) Duration. The portable storage unit may not remain on the property in excess of 60 days, with a one-time extension of 60 days, in a 12-month period.

(D) Placement. A portable storage unit may placed anywhere on the property provided placement complies with the vision clearance requirements in § 35.__.

(E) With construction project. A portable storage unit associated with a site where a building permit has been issued, is permitted for the duration of construction and must be removed from the site within 14 days of the end of construction.

Temporary note: Based on s. 15.370(32) in current code.

13.05 Sale of vehicles and recreational equipment

Description: The intermittent sale of automobiles, trucks, vans, motorcycles, boats, snowmobiles, personal watercraft, self-contained motorized campers, and camping trailers as an accessory use to a principal use. The sale of such items is limited to those that have been titled and registered to an individual living on the property and had been operated for personal use.

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Supplemental Standards:

(A) Limits on what can be offered. All items posted for sale must be owned and, where applicable, licensed or titled to one or more of the members of the household owning and/or occupying the property from which such items are for sale.

(B) Number of items. No more than 2 items may be available and advertised for sale at any one time.

(C) Placement. All items that are available and advertised for sale must be located outside of all public street or highway rights-of-way and not closer than 10 feet from the perimeter boundaries of the subject property.

(D) Time limits. The time period during which a particular item is available and advertised for sale may not exceed 15 consecutive days and not more than 3 such periods per year.

Advisory notes:

1. Individuals may sell up to 5 of their own vehicles each year without a dealer license from the Wisconsin Department of Transportation.

13.06 Seasonal retail sales

Description: Retail sales of products, including but not limited to Christmas trees, nursery products, or agricultural produce, or special event celebrations.

Supplemental Standards:

(A) Duration. Retail sales may not exceed 45 days per event and no more than 2 events per calendar year

(B) Location. The display of products need not comply with the setback standards established for the zoning district, provided the display is not located within a right-of-way and complies with the vision clearance requirements in § 35.__.

(C) Cleanup. All litter, signage, merchandise, equipment, temporary structures, and other materials associated with this use must be removed from the site within 24 hours after the event concludes. The site must be restored to its pre-event condition and suitable for its underlying use.

13.07 Short-term rental

Description: Definition forthcoming

Supplemental Standards:
(A) Principal land use. A short-term rental is only allowed as an temporary use in connection with a legally established dwelling unit.
(B)

13.08 Sidewalk café

Description: An outdoor dining area located on public property, typically a sidewalk, and operated as an integral part of an adjacent restaurant where food and beverages of kinds are sold or served primarily for consumption on the premises.

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Supplemental Standards:
(A) General compliance. A sidewalk cafe is subject to the requirements in § 11.260 of the municipal code.
(B) Reserved

13.09 Wind test tower

Description: A tower on which equipment is attached that measures parameters needed to assess the site's suitability for a wind energy system.

Supplemental Standards:
In accordance with § 66.0401(3), Wis. Stats., the City does not impose local standards or requirements for the installation of wind test towers or similar facilities. However, if the Plan Commission and/or Common Council determines that the testing activity poses a threat to public health, safety, or welfare, they may submit a written petition—individually or jointly—to the Public Service Commission requesting the imposition of reasonable restrictions on such activity.