

CHAPTER 2

ZONING DISTRICTS AND ZONING MAPS; USE REGULATIONS

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|----------------------------------------------|-----------------------|
| 2.01 Zoning districts. | 2.05 Principal uses. |
| 2.02 Zoning map. | 2.06 Accessory uses. |
| 2.03 Purpose and intent of zoning districts. | 2.07 Temporary uses. |
| 2.04 Types of uses. | 2.08 Uses not listed. |

2.01 Zoning districts. For the purpose of this Ordinance, the unincorporated areas of Door County are divided into the following zoning districts (with their respective symbols):

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|-----------------------------------------|-------------------------------|
| Wetland (W) | Small Estate Residential (SE) |
| Natural Area (NA) | Rural Residential (RR) |
| Exclusive Agricultural (EA) | High Density Residential (HD) |
| Prime Agricultural (PA) | Commercial Center (CC) |
| General Agricultural (GA) | Mixed Use Commercial (MC) |
| Countryside (CS) | Recreational Commercial (RC) |
| Heartland-3.5 (HL3.5) | Light Industrial (LI) |
| Heartland-5 (HL5) | Chambers Island (CI) |
| Heartland-10 (HL10) | Conservation Area (CA) |
| Estate (ES) | Countryside-5 (CS5) |
| Single Family Residential-10,000 (SF10) | Neighborhood Residential (NR) |
| Single Family Residential-20,000 (SF20) | Village Commercial (VC) |
| Single Family Residential-30,000 (SF30) | General Commercial (GC) |

2.02 Zoning Maps.

(1) Zoning districts shall be bounded and defined as shown on zoning maps prepared for each town. The zoning maps shall be entitled, *Zoning Maps of Door County*.

(2) Interpretation of Zoning District Boundaries. The following rules shall be used to determine the precise location of zoning district boundaries shown on the *Zoning Maps of Door County*:

(a) Boundaries shown as following or approximately following the limits of any municipal corporation shall be construed as following such limits.

(b) Boundaries shown as following or approximately following roads shall be construed as following the centerlines of such roads.

(c) Boundaries shown as following or approximately following platted lot lines or other property lines as shown on the Door County Real Property Listing Tax Maps shall be construed as following such lines.

(d) Boundaries shown as following or approximately following the centerlines of streams, rivers, or other water courses shall be construed as following the centerline of such water courses; in the event of a natural change in the location of such water courses, the zoning district boundary shall be construed as moving with the centerline.

(e) Boundaries shown as separated from, and parallel or approximately parallel to, any of the features listed in pars. (a) through (d), shall be construed to be parallel to such features and at such distances therefrom as are shown on the *Zoning Maps of Door County*.

(f) Boundaries below the ordinary high water mark which coincide with riparian rights lines as determined by NR 326.07, Wis. Admin. Code, shall be construed as such riparian rights lines.

(g) Boundaries below the ordinary high water mark which do not coincide with riparian rights lines as determined by NR 326.07, Wis. Admin. Code, shall be construed as running perpendicular to the shoreline where the boundaries intersect with the shoreline.

(h) The mapped Wetland zoning district boundaries are based on the wetland boundaries shown on the most recent version of the Wisconsin Wetland Inventory maps for Door County which have been prepared by the Wisconsin Department of Natural Resources. Where an apparent discrepancy exists between a Wetland district boundary as shown on the zoning map and actual field conditions for a project site, the Zoning Administrator shall contact the

appropriate office of the Department of Natural Resources to determine if the boundary as mapped is in error. If the Department of Natural Resources staff concur with the Zoning Administrator that a particular area was incorrectly mapped as a wetland or non-wetland, the Zoning Administrator may immediately grant or deny appropriate permits or approvals in accordance with the regulations applicable to the correct base zoning district. The Zoning Administrator and Resource Planning Committee shall subsequently initiate a zoning map amendment to correct these mapping discrepancies. (Added: 28 July 2009; Ord. 2009-06) (Amended: 20 Sept. 2016; Ord. 2016-14)

2.03 Purpose and intent of zoning districts. The following specifies the purpose and intent of each of the zoning districts established by this Ordinance.

(1) Wetland (W). This district is intended to prevent the destruction and depletion of Door County's wetlands; to protect water courses and navigable waters and the public rights therein; to maintain the purity of water in lakes and streams and to prevent pollution thereof; and to protect spawning grounds, fish, and habitats for wild flora and fauna. Furthermore, this district is intended to prevent the changing of the natural character of wetlands. Lot sizes of at least 10 acres are required for new lots. (Amended: 28 July 2009; Ord. No. 2009-06)

(2) Natural Area (NA). This district is intended to conserve the existing, mostly undeveloped natural areas of Door County. The district may be used in upland areas adjacent to, or surrounded by, wetland areas, or in other areas where natural features are considered significant. To conserve these areas, commercial and industrial uses are disallowed, but agriculture, very low density residential, recreational and institutional uses are permitted. Lot sizes of at least 15 acres are required for new lots. (Amended: 17 April 2012; Ord. 2012-14)

(3) Exclusive Agricultural (EA). This district is intended to protect the agricultural industry from scattered nonagricultural development that may displace agricultural uses and is, therefore, not intended to accommodate future nonagricultural growth. This district is intended to help implement recommendations of the *Door County Comprehensive and Farmland Preservation Plan*. Further, it is intended to meet the provisions of the Wisconsin Farmland Preservation Program, as specified in Ch. 91, Wis. Stats., and thereby establish eligibility for tax credits to farm owners as provided in Ch. 71, sub.ch. IX, Wis. Stats. It is intended that this district apply to lands included in productive farm operations and which have historically exhibited good crop yields, or are capable of such yields; have demonstrated productivity for dairying, livestock raising, and grazing; have been used for production of specialty crops such as tree and plant materials, fruits, and vegetables; or have been integral parts of such farm operations. Lot sizes of at least 35 acres are required for new lots. (Amended: 30 September 2010; Ord. 2010-13) (Amended: 20 Sept. 2016; Ord. 2016-14)

(4) Prime Agricultural (PA). This district is intended to maintain and preserve agricultural lands which have historically demonstrated high agricultural productivity. Lands eligible for designation in this district shall generally include those designated

as farmland preservation areas in the *Door County Comprehensive and Farmland Preservation Plan*. This district is also intended to provide farmland owners with additional management options by allowing limited residential development, but with residential density limits and other requirements set so as to maintain the rural characteristics of this district. Lot sizes of at least 20 acres are required for new lots. (Amended: 20 Sept. 2016; Ord. 2016-14)

(5) General Agricultural (GA). This district is intended to maintain agricultural lands which have historically demonstrated high agricultural productivity. It is also intended to accommodate certain nonagricultural uses which require spacious areas to operate or where natural resource exploitation occurs. Lands eligible for designation in this district shall generally include those designated as farmland preservation areas in the *Door County Comprehensive and Farmland Preservation Plan*. This district is also intended to provide farmland owners with additional management options by allowing limited residential development, but with residential density limits and other requirements set so as to maintain the rural characteristics of this district. Lot sizes of at least 20 acres are required for new lots. (Amended: 20 Sept. 2016; Ord. 2016-14)

(6) Countryside (CS). This district is intended for mostly rural areas of the interior of the county where a mixture of low density residential, agricultural, and rural commercial activity exists or is desirable. The district provides for residential development at modest densities consistent with a generally rural environment and allows for nonresidential uses which require relatively large land areas and/or which are compatible with surrounding rural land. The district also accommodates agricultural uses and, hence, can serve as a transitional district between the Exclusive Agricultural, Prime Agricultural, and General Agricultural districts and more intensely developed areas. Lot sizes of at least 10 acres are required for new lots.

(7) Heartland-3.5 (HL3.5). This district is intended for mostly rural areas of the interior of Door County where agricultural activity has been declining, or where a mixture of rural residential and agricultural activity is desirable or existing. The district primarily provides for residential development at modest densities consistent with a generally rural environment and also provides for certain nonresidential uses that require relatively large land areas and/or which are compatible with surrounding residential uses. This district secondarily provides for continued agricultural uses of land. Lot sizes of at least 3.5 acres are required for new lots. (Amended: 28 May 1996; Ord. 13-96)

(8) Heartland-5 (HL5). This district is intended for mostly rural areas of the interior of Door County where agricultural activity has been declining, or where a mixture of rural residential and agricultural use is desired or existing. The district provides for residential development at densities slightly less than the Heartland-3.5 district in order to maintain a generally rural environment. The district also provides for agricultural uses and certain other nonresidential uses that require relatively large land areas and/or which are compatible with surrounding residential uses. Lot sizes of at least 5 acres are required for new lots. (Added: 28 May 1996, Ord. 13-96)

(9) Heartland-10 (HL10). This district is intended to help maintain the rural character

of areas of the interior of Door County, particularly cleared and other open areas where agricultural activity has been diminishing. The district provides for residential development at low densities, agricultural uses, and other nonresidential uses that require relatively large land areas and/or which are compatible with the surrounding rural character. Lot sizes of at least 10 acres are required for new lots. (Added: 28 May 1996; Ord. 13-96)

(10) Estate (ES). This district is intended to provide primarily for single family residential development on large lots. Lot sizes of at least 5 acres are required for new lots. The low density requirements are intended to provide for areas where the presence of vegetation and open areas helps create quiet and visually attractive residential areas.(Amended: 4 April 2011; Ord. No. 2011-05)

(11) Single Family Residential-20,000 (SF20). This district is intended to provide primarily for single family residential development at fairly high densities. Lot sizes of at least 20,000 square feet are required for new lots not served by public sewer. Generally, these districts will be located along the waterfront and in or near existing communities where smaller lots are the norm. The permitted uses are restricted in order to maintain the strictly residential character of these areas. (Amended: 4 April 2011; Ord.2011-05).

(12) Single Family Residential-30,000 (SF30). This district is intended to provide primarily for single family residential development at slightly lower densities than in the Single Family Residential-20,000 district. Lot sizes of at least 30,000 square feet are required for new lots. Generally, this district will be located along the waterfront and in or near existing communities. The permitted uses are the same as those in the Single Family Residential-20,000 district. (Amended 4 April 2011; Ord. 2011-05)

(13) Small Estate Residential (SE). This district is intended to provide primarily for single family residential development on lots smaller than allowed in the Estate and HL3.5 districts but larger than the SF20 and SF30 districts. Lot sizes of at least 1½ acres are required for new lots. This district is intended for residential areas where high density is inappropriate or undesirable and for transitional areas that are beginning to convert from undeveloped land to residential uses. (Amended: 4 April 2011; Ord. 2011-05)

(14) Rural Residential (RR). This district is intended to provide for single family and two family residential development on medium-sized lots. Lot sizes of at least 40,000 square feet are required for new lots. This district also permits manufactured home parks and home businesses. It is intended to provide additional development options to home owners by allowing certain businesses to be established in conjunction with residences. It will generally be located within the interior of the county.

(15) High Density Residential (HD). This district is intended to provide areas for a variety of residential uses, including multiple occupancy developments, manufactured home parks, and single family residential development at fairly high densities. This district is intended to be located in areas with an existing mixture of residential types, certain regions which are served by public sewer, and other locations where high

density residential developments are appropriate. This district is not intended to develop into centers of commercial activity and, thus, most commercial uses are not permitted. Lot sizes of at least 20,000 square feet are required for new lots which are not served by public sewer.

(16) Commercial Center (CC). This district is intended to provide centers for commercial and mixed use development and redevelopment. The district permits a wide variety of retail, service, and office uses and is intended to maintain the vitality of Door County's commercial centers. It should be established for the main business districts of existing communities. Lot sizes of at least 20,000 square feet are required for new lots not served by public sewer.

(17) Mixed Use Commercial (MC). This district permits both residential and commercial uses and is designed to accommodate those areas of Door County with an existing desirable mixture of uses, or where such a mixture of uses is wanted. Typically, this district will be located within or near existing communities, but it is also intended for outlying or smaller nodes of development. In addition, this district can be used as a transition between business centers and strictly residential areas. Lot sizes of at least 20,000 square feet are required for new lots which are not served by public sewer.

(18) Recreational Commercial (RC). This district is intended for Door County's resort areas, particularly areas where high concentrations of recreational uses are located or are appropriate. These areas are not intended to develop into business districts and, thus, many retail, office, and service uses are restricted or prohibited in favor of recreational uses such as golf courses, ski resorts, multiple occupancy developments, marinas, and restaurants. Lot sizes of at least 20,000 square feet are required for new lots.

(19) Light Industrial (LI). This district is intended to provide for manufacturing, warehousing, and other light industrial operations. It is also intended that this district be used for the location of trade or contractor establishments, commercial storage facilities, and similar businesses. Such uses should not be detrimental to the surrounding area or to the county as a whole by reason of noise, dust, smoke, odor, traffic, physical appearance, degradation of groundwater, or other nuisance factors. Such uses may be subject to requirements which will reasonably ensure compatibility. This district can also be used for industrial or business parks. Lot sizes of at least 60,000 square feet are required for new lots.

(20) Chambers Island (CI). This district is intended to provide for single-family residential development at low densities along the waterfront on Chambers Island and at very low densities in the mostly undeveloped interior of the island. Lot sizes of three (3) acres are required for new lots fronting navigable water, while lot sizes of ten (10) acres are required for non-waterfront lots. These larger lot size requirements shall also help preserve the natural beauty of Chambers Island. (Added: 25 March 2014; Ord. 2014-03)

(21) (Deleted: 25 March 2014; Ord. 2014-03)

(22) Conservation Area (CA). This district is intended to conserve existing, mostly undeveloped environmentally significant areas, including large wooded tracts, islands, isolated uplands surrounded by wetlands, and areas adjacent to large wetlands. These areas are important because they provide wildlife habitat, contribute to maintaining rural character, and aid in improving surface water quality. Uses in these districts are limited to mostly very low density residential and low intensity recreational uses. Lot sizes of at least 15 acres are required for new lots.

(23) Countryside-5 (CS5). This district is intended for mostly rural areas of the interior of the county where a mixture of low density residential, agricultural, and very limited rural commercial activity exists or is desirable. The district provides for residential development at modest densities consistent with a generally rural environment and allows for nonresidential uses that require relatively large land areas and/or are compatible with surrounding rural land. Because the district accommodates agricultural uses, it can serve as a transitional district between areas where agricultural uses are prominent and more intensely developed areas. Lot sizes of at least 5 acres are required for new lots.

(24) Neighborhood Residential (NR). This district is intended to provide for both single family residential developments and multiple occupancy developments. Lot sizes of at least 20,000 square feet are required for new single family residential lots. A maximum density of 9 bedrooms per acre of net lot area is required for new multiple occupancy developments.

(25) Village Commercial (VC). This district is intended for the primary centers of community development, permitting commercial and mixed use development and redevelopment, as well as residential usage. The district permits a wide variety of retail, service, and office uses and is intended to maintain the vitality of existing commercial centers. It should be established for the main business districts of existing communities. Lot sizes of at 20,000 square feet are required for new lots that are not served by public sewer.

(26) General Commercial (GC). This district is intended to provide for limited areas of residential and commercial uses. This district is the result of a need to recognize existing local and neighborhood businesses. Typically, this district will be located within or near existing communities, but it is also intended for outlying or smaller nodes of development. In addition, this district can be used as a transition between business centers and strictly residential areas. Lot sizes of at least 20,000 square feet are required for new lots that are not served by public sewer.

(Amended: 22 August 2006, Ord. No. 2006-16; Effective: 12 September 2006)

(27) Single Family Residential-10,000 (SF10). This district is intended to provide single family residential housing at high densities and shall only be located on lots served by public sewer. Lot sizes of at least 10,000 square feet are required. The permitted uses are restricted in order to maintain the strictly residential character of

these areas. (Added: 22 February 2011, Ord. No. 2011-03).

2.04 Types of uses.

(1) Principal uses. These uses are sorted and assigned to specific zoning districts. (See s. 2.05, principal uses.) Such uses shall be established only if they are located in the zoning district to which they are assigned. These uses are further divided into the following two categories: (Amended: 27 May 2008; Ord. 2008-04) .

(a) Permitted uses. These uses are permitted by right, provided all requirements of this Ordinance are met.

(b) Deleted. (27 May 2008; Ord. 2008-04)

(c) Uses permitted as conditional uses. These uses will be allowed, and a conditional use permit will be granted, if the applicant demonstrates, by substantial evidence, that the application and all requirements and conditions established by the county as specified in the ordinance or imposed by the Resource Planning Committee are or will be satisfied. See also s. 11.04, conditional use permits. (Amended: 27 March 2018; Ord. 2018-07)

(Term “special exception” replaced with “conditional use” throughout ordinance. Amended: 24 November 1998; Ord. 33-98)

(2) Accessory uses. (See s. 2.06, accessory uses.)

(3) Temporary uses. (See s. 2.07, temporary uses.)

(4) Uses not listed. (See s. 2.08, uses not listed.)

2.05 Principal uses.

(1) Except as pertains to the Wetland district, the principal uses allowed in each zoning district shall be as shown in sub.(3), tables of principal uses. (Amended: 22 August 2006, Ord. 2006-16; Effective: 12 September 2006)

Commentary: (Deleted: 20 Sept. 2016; Ord. 2016-14)

ZONING DISTRICTS; USE REGULATIONS 2.05(2)

(2) How to use the table of principal uses.

Table of principal uses (portion)

TYPE OF USE	ZONING DISTRICTS								
	W	NA	EA	GA	PA	CS	HL	ES	SF20
AGRICULTURAL USES									
Farm Markets (s. 4.03(3))			C	C		C	C		
General Agriculture (s. 4.03(1))		P	P	P	P	P	P	P	
Greenhouses			P	P	P ¹	P	P	P ¹	

Refer to listed section for requirements applicable to specified use.

The listing of principal uses for the Wetland district does not fit a table format. Refer to sub.(4).

Refer to footnote at end of table for special provision.

Space without symbol means the use is not allowed.

KEY:

P = Permitted uses.

S = (Deleted: 27 May 2008, Ord. 2008-04)

C = Uses permitted as conditional uses.

(Added: 24 Nov. 1998, Ord. 33-98)

(3)(a) Table of principal uses – General. This table shall apply as appropriate wherever this Ordinance is applicable.

Type of Use	Zoning Districts																	
	W	NA	EA	GA	PA	CS	HL ⁸	ES	SF10	SF20	SF30	SE	RR	HD	CC	MC	RC	LI
AGRICULTURAL USES																		
Agricultural Visitation Facility (s. 4.03(4)) (Added: 26 Aug 1997; Ord. 21-97)				C	C													
Agriculture (s. 4.03(1)) (Amended: 26 Aug 1997; Ord. 21-97)		P	P	P	P	P	P	P										P
Greenhouses (Amended: 30 Sept 2010; Ord. 2010-13)			P ¹⁷	P	P ¹	P	P	P ¹							C	C		
Roadside Stands (s. 4.03(2)) (Amended: 30 Sept 2010; Ord. 2010-13)		P	P ¹⁷	P	P	P	P	P										
Tree/Shrub Nurseries		P ¹	P	P	P ¹	P	P	P ¹										
COMMERCIAL USES																		
Art Galleries (Amended: 9 May 2008; Ord. 2008-01)				C	C	C	C ¹⁰								P	P	P	
Assembly Hall (s. 4.04(17)) (Added: 5 Aug. 2013; Ord. 2013-13)				C ¹⁴	C	C	C ¹⁴	C							C	C	C ¹⁴	
Auto Repair (s. 4.04(5))				C		C									C	C		P
Auto/Recr. Vehicle Sales, Rental, and Service Lot (Amended: 20 Sept. 2016; Ord. 2016-14)															C	C		
Banks															P ²	P ²		
Carwash (Added: 27 August 2002; Ord. 12-02)															C	C	C	C
Commercial Fishing Facilities				P		P									C	C	C	P
Commercial Trucking Establishments (Amended: 30 Sept 2010; Ord. 2010-13)			C ^{3,17}	C ³														P
Commercial Storage Facilities (s. 4.04(8))															C	C	C	P
Community Commercial Kitchen (s. 4.04(16)) (Added: 28 May 2012; Ord. 2012-13)															P	P		P
Conference Facilities															C	C	C	
Day Care Centers (s. 4.04(14))															C	C	C	

(3)(a) Table of principal uses – General. This table shall apply as appropriate wherever this Ordinance is applicable (continued).

Type of Use	Zoning Districts																	
	W	NA	EA	GA	PA	CS	HL ⁸	ES	SF10	SF20	SF30	SE	RR	HD	CC	MC	RC	LI
COMMERCIAL USES (Continued)																		
Family Day Care Homes (s. 4.04(13)) (Amended: 16 April 1996; Ord. 9-96) (Amended: 30 September 2010; Ord. 2010-13)		P	P ¹⁷	P	P	P	P	P	C	C	C	P	P	C	P	P	P	P
Farm Implement Sales/Service (Amended: 30 September 2010; Ord. 2010-13)			C ²²	C	C	C									C	C		P
Ferry Terminals															P	P	C	
Fertilizer Distribution Plants (Amended: 30 Sept., 2010, Ord. 2010-13)			C ²²	C	C	C												C
Fitness Centers, Tanning Salons & Spas (Added: 30 January 2003; Ord. 01-03)															C	C	C	
Funeral Homes															C	C		
Gas Stations															C	C	C	C
Grain Mills (Amended: 30 September 2010; Ord. 2010-13)			C ²²	C	C	C									C	C		P
Home Businesses (s. 4.04(10)) (Amended: 20 April 2010, Ord. 2010-03) (Amended: 27 September 2012; Ord. 2012-21)				C	C	C	C	C					C			P		
Home Occupations (s. 4.04(9a)) (Amended: 8 August 2000; Ord. 12-00) (Amended: 30 Sept 2010; Ord. 2010-13)		P	P ¹⁷	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Home Office/Studio (s. 4.04(9)) (Added: 8 August 2000; Ord. 12-00) (Amended: 30 Sept 2010; Ord. 2010-13)		P	P ¹⁷	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Indoor Recreation															P	C	P	
Kennels (s. 4.04(2))				P	P	P												
Laundromats and Laundry Service															P	P	C	P
Lumber/Building Supply Yards(s. 4.04(6))															C	C		P
Medical/Dental Clinics															P	P		
Model Homes (s. 4.04(4))							C	C	C	C	C	C	P	P	P	P	P	

(3)(a) Table of principal uses – General. This table shall apply as appropriate wherever this Ordinance is applicable (continued).

Type of Use	Zoning Districts																	
	W	NA	EA	GA	PA	CS	HL ⁸	ES	SF10	SF20	SF30	SE	RR	HD	CC	MC	RC	LI
COMMERCIAL USES (Continued)																		
Passenger Bus Terminals															C	C		
Personal Service Establishments															P	P		
Professional Offices/Studios															P	P	C	
Radio/TV Stations (Amended: 29 Sept. 2015; Ord. 2015-09; Effective 9 Nov. 2015)															P	P		
Non-Motorized Recreational Equipment Sales/Service/Rentals (Amended: 26 Feb. 2013; Ord. 2013-07) (Amended: 20 Sept. 2016; Ord. 2016-14)															P	P	P	
Motorized Recreational Equipment Sales/Service/Rentals (Amended: 26 Feb. 2013; 2013-07) (Amended: 20 Sept. 2016; Ord. 2016-14)															C	C	C	
Restaurants or Taverns (s. 4.04(3))															P ²	P ²	C	
Retail Stores															P ⁶	P ⁶	P ^{4,6}	
Trade or Contractor Establishments (s. 4.04(7)) (Amended: 18 Dec. 2001; Ord. 12-01)				C		C									C	P		P
Veterinarian Clinics				P		P									P	P		
Wineries/Breweries (Amended: 5 Aug. 2013; Ord. 2013-10) (Amended: 22 May 2018; Ord. 2018-11; Effective 2 July 2018)				C ²⁴		C ²⁴	C ^{23, 24}								C	C		P ²⁴
INDUSTRIAL USES																		
Asphalt/Concrete Plants																		C
Bulk Storage of Fuel Products																		C
Freight Terminals (s. 4.05(2))																C		P
Fruit/Vegetable/Cheese Processing Plants (Amended: 30 Sept. 2010; Ord. 2010-13) (Amended: 22 May 2018; Ord. 2018-11; Effective 2 July 2018)			C ^{22, 24}	C ²⁴		C ²⁴	C ²⁴											P ²⁴
Manufacturing, Assembly, Processing															C			P
Nonmetallic Mining (s. 4.05(3)) (Amended: 30 Sept. 2010; Ord. 2010-13)				C		C	C											C
Resource Recovery Facilities (s. 4.05(6))				C		C												C
Salvage Yards (s. 4.05(4))				C		C												C

(3)(a) Table of principal uses – General. This table shall apply as appropriate wherever this Ordinance is applicable (continued).

Type of Use	Zoning Districts																		
	W	NA	EA	GA	PA	CS	HL ⁸	ES	SF10	SF20	SF30	SE	RR	HD	CC	MC	RC	LI	
INDUSTRIAL USES (Continued)																			
Sawmills/Planing Mills (s. 4.05(1)) (Amended: 30 Sept 2010; Ord. 2010-13)		C	C ²²	P	C	P	C												P
Sewage Disposal/Treatment Plants (Amended: 30 Sept 2010; Ord. 2010-13)				C		C	C								C	C			C
Slaughterhouses				C		C										C			C
Solid Waste Facilities (s. 4.05(5)) (Amended: 30 Sept 2010; Ord. 2010-13)				C		C													C
Temporary Asphalt/Concrete Plants (s. 4.05(7)) (Amended: 30 Sept 2010; Ord. 2010-13)				C	C	C	C	C		C ¹⁴	C	C	C	C	C	C	C	C	C
Wholesale Establishments/Distributorships															C	C			P
INSTITUTIONAL USES																			
Auditorium (Added: 25 June 2013; Ord. 2013-12)															C	C			
Cemeteries (Amended: 30 Sept 2010; Ord. 2010-13)		P	C ²⁰	P	P	P	P	P		P ¹⁴	P	P	P	P	P	P	P	P	
Churches (Amended: 30 Sept 2010; Ord. 2010-13)		C	C ²⁰	C	C	C	C	C		C ¹⁴	C	C	C	C	P	P	P		
Community Living Arrangements		As regulated in s. 59.69(15), Wis. Stats.																	
Fine Arts Venue (s. 4.06(2)) (Added: 28 May 2012; Ord. 2012- 12)		C		C ¹⁴	C	C	C ¹⁴	C							C	C	C		
Fire/Police Stations (Amended: 30 Sept 2010; Ord. 2010-13)				C		C	P	C					C	C	C	C			
Hospitals															C	C			
Institutional Residential				C		C								C	C	C			
Libraries/Museums (Amended: 28 June 2006; Ord. 2006-11)							C			C ¹²					P	P	P		
Post Offices															P	P			
Private Schools (Amended: 30 Sept 2010; Ord. 2010-13)			C ¹⁷	C		C	C	C				C	C	C	C	C	C		

(3)(a) Table of principal uses – General. This table shall apply as appropriate wherever this Ordinance is applicable (continued).

Type of Use	Zoning Districts																	
	W	NA	EA	GA	PA	CS	HL ⁸	ES	SF10	SF20	SF30	SE	RR	HD	CC	MC	RC	LI
INSTITUTIONAL USES (Continued)																		
Public Schools (Amended: 30 Sept., 2010; Ord. 2010-13)			C ²⁰	C		C	C	C				C	C	C	C	C	C	
Public Highway Garages (s. 4.06(1)) (Amended: 30 Sept., 2010; Ord. 2010-13)				C		C	C	C					C			C		P
Town Halls/Community Centers (Amended: 22 March 2005; Ord. 2005-11) (Amended: 30 Sept 2010; Ord. 2010-13)		P ¹¹	C ²⁰	P	P	P	P						P		P	P		
Travelers' Information Centers															P	P	P	
OUTDOOR RECREATIONAL USES																		
Amusement Park																C	C	
Campgrounds/Trailer Camps (s. 4.07(2)) (Amended: 24 Feb. 2004; Ord. 2004-04)		C		C		C	C									C	C	
Camping (s. 4.07(3)) (Amended: 30 Sept. 1997; Ord. 28-97) (Amended: 30 Sept 2010; Ord. 2010-13)		P	P ¹⁷	P	P	P	P	P		P	P	P	P	P			P	
Commercial Riding Stables (s. 4.07(4)) (Amended: 28 May 1996; Ord. 11-96)		C		C	C	C	C										C	
Golf Courses						C	C ¹⁴	C				C ¹⁴					C	
Golf Driving Range (Added: 25 March 1997; Ord. 7-97)				C														
Gun Clubs/Shooting Ranges		C		C		C												
Institutional Recreation Camps (s. 4.07(6))		C				C	C										C	
Marinas/Excursion Boating/Charter Fishing (s. 4.07(5))															C	C	C	
Outdoor Active Recreation Facility (Added: 26 Feb. 2013; Ord. 2013-07)(s.4.07(9))		C		C	C	C	C	C							C	C	C	
Outdoor Theatre																C	C	

(3)(a) Table of principal uses – General. This table shall apply as appropriate wherever this Ordinance is applicable (continued).

Type of Use	Zoning Districts																		
	W	NA	EA	GA	PA	CS	HL ⁸	ES	SF10	SF20	SF30	SE	RR	HD	CC	MC	RC	??	
OUTDOOR RECREATIONAL USES (Cont.)																			
Parks (s. 4.07(1)) (Amended: 30 Sept., 2010; Ord. 2010-13)		P ⁹	C ²⁰	P ⁹	P ⁹	P ⁹	P ⁹	P ⁹		P ⁹	P ⁹	P ⁹	P ⁹	P ⁹	P ⁹	P ⁹	P ⁹	P ⁹	I
Private Riding Stables (s. 4.07(4)) (Amended: 30 Sept., 2010; Ord. 2010-13)		P	P ¹⁷	P	P	P	P	P				P	P					C	
Public Boat Launching Facilities (Amended: 22 March 2005; Ord. 2005-10) (Amended: 20 Sept. 2016; Ord. 2016-14)		C				C		C		C	C	C	C	C	C	C	C	C	
Retreat Centers (s. 4.07(7)) (Amended: 18 Dec 1997; Ord. 40-97)		C		C		C	C	C										C	
Ski Resorts																		C	
RESIDENTIAL USES																			
Accessory Residences (s. 4.08(3)) (Amended: 27 July 2000; Ord. 17-00) (Amended: 17 April 2012; Ord. 2012-14)															P	P	P	P	P
Bed & Breakfast Establishments (s. 4.08(10)) (Amended: 9 Nov 2011; Ord. 2011-14)		P		P	P	P	C	P		C ¹⁴	C	P	P	P	P	P	P	P	
Boardinghouses (s. 4.08(11)) (Amended: 9 Nov 2011; Ord. 2011-14)				P	P	P	P	P					P	P	P	P	P	P	
Conservation Subdivisions (Ch. 6)(Added 4 April 2011; Ord. 2011-05)		P		P	P	P	P	P		P	P	P	P	P				P	
Duplexes				P ¹³		P	P ¹³						P	P ¹⁶	P ¹⁶	P ¹⁶	P ¹³ P ¹⁶		
Dwellings for Agricultural Production & Processing Workers (s. 4.08(7)) (Added: 25 June 1996; Ord. 16-96)				P		P	P												P
Farm Related Residences (s. 4.08(2)) (Amended: 30 Sept., 2010; Ord. 2010-13)(Amended: 11 Dec., 2012 Ord. 2012-25)		P		P	P	P	P ¹⁵	P											
Manufactured Homes (s. 4.08(4))						P	P ¹⁴						P	P					
Manufactured Home Parks (s. 4.08(5))						C	C ¹⁴						C	C					
Multiple Occupancy Developments (s. 4.08(8)) (Amended: 5 Oct. 1998; Ord. 22-98)														C ⁷	C ⁷	C ⁷	C ⁷		

ZONING DISTRICTS; USE REGULATIONS 2.05(3)(a)

ZONING DISTRICTS; USE REGULATIONS 2.05(3)(a)

(3)(a) Table of principal uses – General. This table shall apply as appropriate wherever this Ordinance is applicable (continued).

Type of Use	Zoning Districts																		
	W	NA	EA	GA	PA	CS	HL ⁸	ES	SF10	SF20	SF30	SE	RR	HD	CC	MC	RC	LI	
RESIDENTIALS USES (Continued)																			
Nonfarm Residential Lots (s.4.08(2a)) (Added: 11 December 2012; Ord. 2012-25)			C																
Secondary Dwelling Units (s.4.08(9)) (Added: 4 April 2011; Ord. 2011-04)		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Single Family Residences (Amended: 30 Sept. 2010; Ord. 2010-13)		P	P ¹⁹	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Single Family Residences Separated From Farm Parcels (s. 4.08(1)) (Amended: 30 Sept. 2010; Ord. 2010-13) (Amended: 11 Dec. 2012; Ord. 2012-25)		P		P	P	P	P ¹⁵	P											
Temporary Manufactured Homes (s. 4.08(6)) (Amended: 30 Sept. 2010; Ord. 2010-13)		P	P ¹⁹	P	P	P	P	P		P	P	P	P	P		P	P		
MISCELLANEOUS USES																			
Airports (s. 4.09(1))				C		C													
Airstrips and Landing Fields (s. 4.09(1))				C	C	C	C												
Animal Shelters/Pounds (s. 4.09(3))				C	C	C									C	C			
Municipal/Commercial Parking Lots															C	C	C	C	
Utility Facilities - Type A (s. 4.09(2)) (Amended: 28 March 2000; Ord. 05-00) (Amended: 30 Sept. 2010; Ord. 2010-13)		C	C ²¹	C	C	C	C	C	P	C	C	C	C	C	C	C	C	C	C
Utility Facilities - Type B (s. 4.09(2)) (Amended: 30 Sept. 2010; Ord. 2010-13)		C	C ²¹	C	C	C	C	C		C	C	C	C	C	C	C	C	C	C
Mobile Service Support Structures and Related Facilities (Amended: 29 Sept. 2015; Ord. 2015-09 Effective 9 Nov. 2015)			-----As regulated by Chapter 14 of this ordinance-----																

KEY: P = Permitted uses.

S = (Deleted: 27 May 2008; Ord. 2008-04)

C = Uses permitted as conditional uses.

(3)(a) Table of principal uses – General. This table shall apply as appropriate wherever this Ordinance is applicable.

FOOTNOTES:

1. Such use shall not entail on-site retail sales.
 2. Establishments with drive-through facilities shall be permitted only as provided in s. 11.04, conditional use permits. (Amended: 27 May 2008; Ord. 2008-04)
 3. Restricted to commercial trucking of farm products or to provide a farm service.
 4. Such use shall be incorporated into a larger development and the floor area dedicated to the retail use shall not exceed 30% of the total floor area of the buildings which serve the development's clientele.
 5. (Deleted: 28 May 2012; Ord. 2012-13)
 6. Establishments where the total floor area of all buildings which serve a retail use on the lot exceeds 20,000 sq. ft. shall only be permitted as conditional uses.
 7. See s. 4.08(8)(a). (Amended: 26 Feb. 2103; Ord. 2013-06)
 8. The HL column shall refer to the principal uses allowed in the Heartland-3.5 (HL3.5), Heartland-5 (HL5), and Heartland-10 (HL10) districts. (Added: 28 May 1996; Ord. 13-96)
 9. Privately owned parks which include active recreation shall only be permitted as conditional uses. (Added: 27 May 1997; Ord. 15-97)
 10. Subject to Section 4.04(15) in the Town of Liberty Grove. (Recreated: 15 April 2008; Ord. 2008-01; Effective 9 May 2008)
 11. Allowed in Natural Area (NA) zoning district only in the Town of Union. (Added: 22 March 2005; Ord. 2005-11; Effective 2 May 2005)
 12. Allowed in the Town of Jacksonport only. (Added: 28 June, 2006; Ord. 2006-11)
 13. Allowed in the Town of Gibraltar only by Conditional Use Permit. (Added: 22 Aug. 2006; Ord. 2006-16; Effective 12 Sept. 2006)
 14. Not allowed in Town of Gibraltar. (Added: 22 Aug 2006, Ord. 2006-16; Effective 12 Sept. 2006) (Added: 5 Aug 2013; Ord. 2013-13)
 15. Permitted in Town of Gibraltar only. (Added: 22 Aug 2006; Ord. 2006-16; Effective 12 Sept. 2006)
 16. Allowed in the Town of Liberty Grove only by Conditional Use Permit. (Added: 22 May 2007; Ord. 2007-11)
- Note: Please see Appendix A for further information regarding footnotes 17-22.** (Relocated from below footnote 22: 20 Sept. 2016; Ord. 2016-14)
17. Shall meet the requirements of s. 91.01(1)(d), Wis. Stats. (Added: 30 Sept 2010, Ord. 2010-13)
 18. (Deleted: 12 December 2012; Ord. 2012-25)
 19. Shall only be authorized if located on a conforming lot. (Added: 30 Sept 2010; Ord. 2010-13) (Amended: 11 Dec. 2012; Ord. No. 2012-25)
- A residence in the EA zoning district which meets the requirements of s. 91.01(19), Wis. Stats. shall be authorized with a regular zoning permit.
- A residence in the EA zoning district which fails to meet s. 91.01(19), Wis. Stats., must obtain a Conditional Use Permit in accordance with s. 91.46(2), Wis. Stats.
20. Shall meet the requirements of s. 91.46(5), Wis. Stats., and shall not include active recreation. (Added: 30 Sept. 2010; Ord. 2010-13)
 21. Shall meet the requirements of s. 91.46(4) or s. 91.44(1)(f), Wis. Stats., as appropriate. (Added: 30 Sept 2010; Ord. 2010-13)
 22. Shall meet the requirements of s. 91.01(3), Wis. Stats., as appropriate. (Added: 30 Sept 2010; Ord. 2010-13)
 23. Allowed only in the Town of Liberty Grove. Such use is restricted to wineries only and may be established only on lots five acres or larger. (Added: 5 August 2013; Ord. 2013-10)
 24. Retail sales and tasting areas are not allowed. (Added: 22 May 2018; Ord. 2018-11; Effective 2 July 2018)

(3)(b) Table of principal uses – Town of Gibraltar. This table shall apply in the Town of Gibraltar.

Commentary: In order to determine all principal uses allowed in the Town of Gibraltar, reference to s. 2.05(3)(a), table of principal uses – General, is also required.

Type of Use	Zoning Districts					
	CA	CS5	CI	NR	VC	GC
AGRICULTURAL USES						
Agricultural Visitation Facility (s. 4.03(4)) (Added: 26 Aug. 1997; Ord. 21-97)						
Agriculture (s. 4.03(1)) (Amended: 26 Aug. 1997; Ord. 21-97)	P ⁶	P				
Greenhouses		P			C	C
Roadside Stands (s. 4.03(2))		P				
Tree/Shrub Nurseries		P				
COMMERCIAL USES						
Art Galleries (Amended: 26 Oct. 2000; Ord. 18-00)		C			P	P
Assembly Hall (Added: 5 August 2013; Ord. 2013-13)					C	C
Auto Repair (s. 4.04(5))		C			C	C
Auto/Recreational Vehicle Sales, Rental, and Service Lot (Amended: 20 Sept. 2016; Ord. 2016-14)					C	C
Banks					P ¹	P ¹
Carwash (Added: 27 August 2002; Ord. 12-02)					C	C
Commercial Fishing Facilities		P			C	C
Commercial Trucking Establishments						
Commercial Storage Facilities (s. 4.04(8))					C	C
Community Commercial Kitchen (s. 4.04(16)) (Added: 28 May 2012; Ord. 2012-13)					P	P

(3)(b) Table of principal uses – Town of Gibraltar (continued). This table shall apply in the Town of Gibraltar.

Commentary: In order to determine all principal uses allowed in the Town of Gibraltar, reference to s. 2.05(3)(a), table of principal uses – General, is also required.

Type of Use	Zoning Districts					
	CA	CS5	CI	NR	VC	GC
COMMERCIAL USES (Continued)						
Conference Facilities					C	C
Day Care Centers (s. 4.04(14))					C	C
Family Day Care Homes (s. 4.04(13)) (Amended: 16 April 1996; Ord. 9-96)		P	P	C	P	P
Farm Implement Sales/Service		C			C	C
Ferry Terminals					P	P
Fertilizer Distribution Plants		C				
Fitness Centers, Tanning Salons & Spas (Added: 30 January 2003; Ord. 01-03)					C	C
Funeral Homes					C	C
Gas Stations					C	C
Grain Mills		C			C	C
Home Businesses (s. 4.04(10)) (Amended: 18 Dec. 2001; Ord. 12-01)		C				P
Home Occupations (s. 4.04(9a)) (Amended: 8 August 2000; Ord. 12-00)		P	P	P	P	P
Home Office/Studio (s. 4.04(9)) (Added: 8 August 2000; Ord. 12-00)	P	P	P	P	P	P
Indoor Recreation					P	C
Kennels (s. 4.04(2))		P				
Laundromats and Laundry Service					P	P
Lumber/Building Supply Yards(s. 4.04(6))					C	C

(3)(b) Table of principal uses – Town of Gibraltar (continued). This table shall apply in the Town of Gibraltar.

Commentary: In order to determine all principal uses allowed in the Town of Gibraltar, reference to s. 2.05(3)(a), table of principal uses – General, is also required.

Type of Use	Zoning Districts					
	CA	CS5	CI	NR	VC	GC
COMMERCIAL USES (Continued)						
Medical/Dental Clinics					P	P
Model Homes (s. 4.04(4))			C	P	P	P
Passenger Bus Terminals					C	C
Personal Service Establishments					P	P
Professional Offices/Studios					P	P
Radio/TV Stations (Amended: 29 Sept. 2015; Ord. 2015-09; Effective 9 Nov. 2015)					P	P
Non-Motorized Recreational Equipment Sales/Service/Rentals (Amended: 20 Sept. 2016; Ord. 2016-14)					P	P
Motorized Recreational Equipment Sales/Service/Rentals (Amended: 20 Sept. 2016; Ord. 2016-14)					C	C
Restaurants or Taverns (s. 4.04(3))					P ¹	P ¹
Retail Stores					P ³	P ³
Trade or Contractor Establishments (s. 4.04(7)) (Amended: 18 Dec. 2001; Ord. 12-01)		C				
Veterinarian Clinics		P			P	P
Wineries/Breweries (Amended: 22 May 2018; Ord. 2018-11; Effective 2 July 2018)		C ⁷			C	C
INDUSTRIAL USES						
Asphalt/Concrete Plants						
Bulk Storage of Fuel Products						
Freight Terminals (s. 4.05(2))						C
Fruit/Vegetable/Cheese Processing Plants (Amended: 22 May 2018; Ord. 2018-11; Effective 2 July 2018)		C ⁷				
Manufacturing, Assembly, Processing					C	

(3)(b) Table of principal uses – Town of Gibraltar (continued). This table shall apply in the Town of Gibraltar.

Commentary: In order to determine all principal uses allowed in the Town of Gibraltar, reference to s. 2.05(3)(a), table of principal uses – General, is also required.

Type of Use	Zoning Districts					
	CA	CS5	CI	NR	VC	GC
INDUSTRIAL USES (Continued)						
Nonmetallic Mining (s. 4.05(3))		C				
Resource Recovery Facilities (s. 4.05(6))		C				
Salvage Yards (s. 4.05(4))		C				
Sawmills/Planing Mills (s. 4.05(1))		P				
Sewage Disposal/Treatment Plants		C			C	C
Slaughterhouses		C				
Solid Waste Facilities (s. 4.05(5))		C				
Temporary Asphalt/Concrete Plants (s.4.05(7))		C	C		C	C
Wholesale Establishments/Distributorships					C	C
INSTITUTIONAL USES						
Auditorium (Added: 25 June 2013; Ord. 2013-12)					C	C
Cemeteries		P	P		P	P
Churches		C	C		P	P
Community Living Arrangements						
Fine Arts Venue (s. 4.06(2)) (Added: 28 May 2012; Ord. 2012-12)					C	C
Fire/Police Stations		C	C		C	C
Hospitals					C	C
Institutional Residential		C			C	C
Libraries/Museums					P	P
Post Offices					P	P
Public or Private Schools		C			C	C

(3)(b) Table of principal uses – Town of Gibraltar (continued). This table shall apply in the Town of Gibraltar.

Commentary: In order to determine all principal uses allowed in the Town of Gibraltar, reference to s. 2.05(3)(a), table of principal uses – General, is also required.

Type of Use	Zoning Districts					
	CA	CS5	CI	NR	VC	GC
INSTITUTIONAL USES						
Public Highway Garages (s. 4.06(1))		C				C
Town Halls/Community Centers (Amended: 22 March 2005; Ord. 2005-11)		P			P	P
Travelers' Information Centers					P	P
OUTDOOR RECREATIONAL USES						
Amusement Park						C
Campgrounds/Trailer Camps (s. 4.07(2)) (Amended: 24 Feb. 2004; Ord. 2004-04)		C				C
Camping (s. 4.07(3)) (Amended: 30 Sept. 1997; Ord. 28-97)	P	P	P			
Commercial Riding Stables (s. 4.07(4)) (Amended: 28 May 1996; Ord. 11-96)		C				
Golf Courses						
Golf Driving Range (Added: 25 March 1997; Ord. 7-97)						
Gun Clubs/Shooting Ranges		C				
Institutional Recreation Camps (s. 4.07(6))		C				
Marinas/Excursion Boating/Charter Fishing (s. 4.07(5))					C	C
Outdoor Active Recreation Facility (Added: 26 Feb 2013; Ord. 2013-07)(s.4.07(9))	C	C			C	C
Outdoor Theatre						C
Parks (s. 4.07(1)) ⁵	C	P	P	C	P	P
Private Riding Stables (s. 4.07(4))		P	P			

(3)(b) Table of principal uses – Town of Gibraltar (continued). This table shall apply in the Town of Gibraltar.

Commentary: In order to determine all principal uses allowed in the Town of Gibraltar, reference to s. 2.05(3)(a), table of principal uses – General, is also required.

Type of Use	Zoning Districts					
	CA	CS5	CI	NR	VC	GC
OUTDOOR RECREATIONAL USES (Continued)						
Public Boat Launching Facilities (Amended: 22 March 2005; Ord. 2005-10) (Amended: 20 Sept. 2016; Ord. 2016-14)	C	C	C	C	C	C
Retreat Centers (s. 4.07(7)) (Amended: 18 Dec 1997; Ord. 40-97)		C				
Ski Resorts						
RESIDENTIAL USES						
Accessory Residences (s. 4.08(3)) (Amended: 27 July 2000; Ord. 17-00)					P	P
Bed & Breakfast Establishments (s. 4.08(10)) (Amended: 9 Nov 2011; Ord. 2011-14)		P	P		P	P
Boardinghouses (s. 4.08(11)) (Amended: 9 Nov 2011; Ord. 2011-14)		P			P	P
Conservation Subdivisions(Ch.6) (Added: 4 April 2011; Ord. 2011-05)		P		P		P
Duplexes		C		C	C	C
Dwellings for Agricultural Production & Processing Workers (s. 4.08(7)) (Added: 25 June 1996; Ord. 16-96)		P				
Farm Related Residences (s. 4.08(2))		P				
Manufactured Homes (s. 4.08(4))		P				
Manufactured Home Parks (s. 4.08(5))		C				
Multiple Occupancy Developments (s.4.08(8)) (Amended: 5 Oct. 1998; Ord. 22-98)				C ⁴	C ⁴	C ⁴
Secondary Dwelling Units (s.4.08(9)) (Added: 4 April, 2011; Ord. 2011-04)	P	P	P	P	P	P
Single Family Residences	P	P	P	P	P	P
Single Family Residences Separated From Farm Parcels (s. 4.08(1))		P				
Temporary Manufactured Homes (s. 4.08(6))		P	P	P		P

(3)(b) Table of principal uses – Town of Gibraltar (continued). This table shall apply in the Town of Gibraltar.

Commentary: In order to determine all principal uses allowed in the Town of Gibraltar, reference to s. 2.05(3)(a), table of principal uses – General, is also required.

Type of Use	Zoning Districts					
	CA	CS5	CI	NR	VC	GC
MISCELLANEOUS USES						
Airports (s. 4.09(1))						
Airstrips and Landing Fields (s. 4.09(1))		C				
Animal Shelters/Pounds (s. 4.09(3))		C				C
Municipal/Commercial Parking Lots					C	C
Utility Facilities - Type A (s. 4.09(2)) (Amended: 28 March 2000; Ord. 05-00)		C	C	C	C	C
Utility Facilities - Type B (s. 4.09(2))		C	C	C	C	C
Mobile Service Support Structures and Related Facilities (Created: 24 August 2004; Ord. 2004-18) (Amended: 29 Sept. 2015; Ord. 2015-09; Effective 9 Nov. 2015)	-----As regulated by Chapter 14 of this ordinance -----					

KEY: P = Permitted uses. S = (Deleted: 27 May 2008; Ord. 2008-04). C = Uses permitted as conditional uses.

FOOTNOTES:

- Establishments with drive-through facilities shall be permitted only as provided in s. 11.04, conditional use permits. (Amended: 27 May 2008; Ord. 2008-04)
- (Deleted: 28 May 2012; Ord. 2012-13)
- Establishments where the total floor area of all buildings which serve a retail use on the lot exceeds 20,000 sq. ft. shall only be permitted as conditional uses.
- See s. 4.08(8)(a). (Amended: 26 Feb. 2013; Ord. 2013-06)
- Privately owned parks which include active recreation shall only be permitted as conditional uses. (Added: 27 May 1997; Ord. 15-97)

6. Forestry Practices only.

7. Retail sales and tasting areas are not allowed. (Added: 22 May 2018; Ord. 2018-11; Effective 2 July 2018)

(Table and footnotes added 22 Aug. 2006; Ord. 2006-16; Effective 12 Sept. 2006)

(4) Uses pertaining to the Wetland district.

(a) Uses which do not require the issuance of a zoning permit, but which must be carried out without any filling, draining, flooding, dredging, ditching, tiling, or excavating:

1. Hiking, fishing, trapping, hunting, swimming and boating.
2. The harvesting of wild crops such as marsh hay, ferns, moss, wild rice, berries, tree fruits, and tree seeds in a manner that is not injurious to the natural reproduction of such crops.
3. The pasturing of livestock.
4. The cultivation of agricultural crops.
5. The practice of silviculture, including the planting, thinning and harvesting of timber, subject to the requirements of s. 5.07, woodlands.
6. The construction or maintenance of duck blinds and deer stands.

(b) Uses which do not require the issuance of a zoning permit and which may include limited filling, flooding, draining, dredging, ditching, tiling, or excavating, but only to the extent specifically provided below:

1. Temporary water and stabilization measures necessary to alleviate abnormally wet or dry conditions that would have an adverse impact on silvicultural activities if not corrected.
2. The cultivation of cranberries including flooding, dike and dam construction, or ditching necessary for the growing and harvesting of cranberries.
3. The maintenance and repair of existing agricultural drainage systems where permissible by s. 30.20, Wis. Stats., including ditching, tiling, dredging, excavating, and filling necessary to maintain the level of drainage required to continue the existing agricultural use. This includes the minimum filling necessary for disposal of dredged spoil adjacent to the drainage system, provided that the filling is permissible by Chapter 30, Wis. Stats., and that the dredged spoil is placed on existing spoil banks where possible.
4. The construction or maintenance of fences for pasturing livestock, including limited excavating and filling necessary for such construction or maintenance.
5. The construction or maintenance of piers, docks or walkways built on piling, including limited excavating and filling necessary for such construction and maintenance.
6. The maintenance, repair, replacement, or reconstruction of existing town and county highways and bridges, including limited excavating and filling necessary for such maintenance, repair, replacement, or reconstruction.

(c) Uses which require the issuance of a regular zoning permit and which may include limited filling, flooding, draining, dredging, ditching, tiling, or excavating, but only to the extent specifically provided below:

1. The construction and maintenance of roads which are necessary to conduct silvicultural activities or agricultural cultivation, subject to the following conditions:

- a. The road cannot, as a practical matter, be located outside the wetland.
- b. The road is designed and constructed to minimize adverse impact upon the natural functions of the wetland, enumerated in s. 11.08(3). (Amended: 20 Sept. 2016; Ord. 2016-14)
- c. The road is designed and constructed with the minimum cross-sectional area practical to serve the intended use. (Amended: 20 Sept. 2016; Ord. 2016- 14)
- d. Road construction activities are carried out in the immediate area of the roadbed only.

2. The construction and maintenance of nonresidential buildings, subject to the following conditions:

- a. The building is essential for and used solely in conjunction with the raising of waterfowl, minnows, or other wetland or aquatic animals or some use permitted in the Wetland district.
- b. The building cannot, as a practical matter, be located outside the wetland.
- c. Such building is not designed for human habitation and does not exceed 500 square feet in floor area.
- d. Only limited filling or excavating necessary to provide structural support for the building shall be allowed.

3. The establishment of public and private parks and recreation areas, natural and outdoor education areas, historic and scientific areas, wildlife refuges, game preserves and private wildlife habitat areas, and public boat launching ramps and attendant access roads, subject to the following:

- a. Any private wildlife habitat areas shall be used exclusively for that purpose.
- b. Filling or excavating necessary for the construction or maintenance of public boat launching ramps or attendant access roads is allowed only

where such construction or maintenance meets the criteria in par.(c), subd.1.

- c. Ditching, excavating, dredging, or dike and dam construction in public and private parks and recreation areas, natural and outdoor education areas, historic and scientific areas, wildlife refuges, and game preserves and private wildlife habitat areas is allowed only for the purpose of improving wildlife habitat and to otherwise enhance wetland values.

4. The construction or maintenance of electric, gas, telephone, water and sewer transmission and distribution facilities by public utilities and cooperative associations organized for the purpose of producing or furnishing such services to their members and the construction or maintenance of railroad lines subject to the following standards:

- a. The transmission and distribution facilities and railroad lines cannot, as a practical matter, be located outside the wetland.
- b. Such construction or maintenance is done in a manner designed to minimize adverse impact upon the natural functions of the wetland, enumerated in s. 11.08(3). (Amended: 20 Sept. 2016; Ord. 2016-14)

(d) Prohibited uses. Any use not listed in sub. (4), pars. (a) - (c) is prohibited, unless the wetland or portion of the wetland has been rezoned by amendment of this Ordinance in accordance with this Ordinance and s. 59.69(5)(e), Wis. Stats.

2.06 Accessory uses. Accessory uses are permitted in all zoning districts. For accessory uses involving structures or buildings, such structures or buildings shall be subject to the requirements of s. 3.12, accessory structures.

2.07 Temporary uses.

(1) Uses which are conducted on a lot for not more than 10 days total, including not more than 7 consecutive days, in a calendar year shall be known as temporary uses and may be conducted in any zoning district, except the Wetland district. Only those uses shown in s. 2.05(4), uses pertaining to the Wetland district, are allowed in the Wetland district. All temporary uses conducted on a lot within a calendar year count toward the allowed number of days. Uses which are conducted for more than the allowed number of days shall be regarded as principal uses and regulated accordingly. (Amended: 15 April 2014, Ord. 2014-05; Effective 27 May 2014)

(a) In the Town of Liberty Grove, temporary uses may be conducted for not more than 6 days total, including not more than 3 consecutive days. (Added: 15 April 2014, Ord. 2014-05; Effective 27 May 2014)

- (2) Temporary uses shall not require a regular zoning permit.
- (3) Temporary uses shall meet all setback and yard requirements of sections 3.02(3)(a) and (b), tables of general requirements, 3.05, roads, and 5.10, wetlands, of this Ordinance. (Amended: 24 March 2015; Ord. 2015-02) (Amended: 27 March 2018; Ord. 2018-07)
- (4) Temporary uses shall not involve the construction or alteration of any permanent structure.
- (5) (Deleted: 15 April 2014, Ord. 2014-05; Effective 27 May 2014)

2.08 Uses not listed.

- (1) Determination of use classification by the Land Use Services Director. The Land Use Services Director, upon referral and recommendation by the Zoning Administrator, shall determine if a proposed use can be classified as one of the principal uses already listed for any of the zoning districts. If a proposed use can be so classified, then the use shall be regulated as specified by this Ordinance. (Amended: 27 March 2018; Ord. 2018-07)
- (2) Unclassified uses. A proposed use that cannot be classified as one of the principal uses shall be considered an unclassified use and shall be regulated as follows:
 - (a) The Land Use Services Director, upon referral and recommendation by the Zoning Administrator, shall determine if the proposed unclassified use is similar to other uses listed for the zoning district applicable to the site of the proposed unclassified use. If so, the application for the proposed unclassified use shall be processed as specified by this Ordinance. (Amended: 27 March 2018; Ord. 2018-07)
 - (b) If the Land Use Services Director determines otherwise, then the application for the proposed unclassified use shall be denied and the applicant shall be so notified in writing. (Amended: 27 March 2018; Ord. 2018-07)
 - (c) The Land Use Services Director may refer unclassified uses to the Resource Planning Committee if the Director is uncertain how to classify any uses not listed. (Amended: 27 March 2018; Ord. 2018-07)
- (3) After making a determination regarding an unclassified use, the Land Use Services Director shall recommend an amendment to this Ordinance adding the previously unclassified use to the table of principal uses. (Amended: 27 March 2018; Ord. 2018-07)