

**CHAPTER 4**

**PARTICULAR USE REQUIREMENTS**

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|--------------------------------------|--|
| 4.01 Purpose.                        | 4.06 Institutional uses requirements.        |
| 4.02 Applicability.                  | 4.07 Outdoor recreational uses requirements. |
| 4.03 Agricultural uses requirements. | 4.08 Residential uses requirements.          |
| 4.04 Commercial uses requirements.   | 4.09 Miscellaneous uses requirements.        |
| 4.05 Industrial uses requirements.   |  |

**4.01 Purpose.** The purpose of these requirements is to minimize potential negative impacts from certain uses and to promote compatibility between particular uses and surrounding uses.

**4.02 Applicability.** In addition to complying with other regulations established in this Ordinance, these requirements must be met for each specific use. These requirements shall override any requirements which are described elsewhere in this ordinance for the zoning districts, but only to the extent that they conflict with such requirements. (Amended: 25 June 1996; Ord. 16-96) (Amended: 26 Aug. 1997; Ord. 23-97)

**4.03 Agricultural uses requirements.**

(1) Agriculture. (Amended: 26 August 1997; Ord. 21-97)

(a) Any agricultural use involving animals shall provide sufficient shelter and open space to meet or exceed any standards set by the United States Department of Agriculture and/or the Wisconsin Department of Natural Resources. Any use of a property involving horses shall comply with the requirements of s. 4.07(4), Commercial and private riding stables. (Added: 26 August 1997; Ord. 21-97)

(b) Barnyards, feed lots, and farm structures housing animals shall be located so that manure will not drain into navigable water. (Amended: 20 Sept. 2016; Ord. 2016-14)

(c) Except in Exclusive Agricultural, Prime Agricultural, and General Agricultural districts, barnyards, feed lots, and farm structures housing animals shall be located at least 200 feet from any dwelling unit other than that of the animal keeper's dwelling unit. (Typographical error corrected: 20 Sept. 2016; Ord. 2016-14)

(2) Roadside stands.

(a) Such use shall only involve the sale of unprocessed produce and plants. (Amended: 22 May 2018; Ord. 2018-11; Effective 2 July 2018)

(b) A roadside stand shall not exceed 400 square feet of floor area and shall meet all setbacks and provisions of this Ordinance. All parking associated with roadside stands shall meet the provisions of s.7.02(6)(c) - setback. (Recreated: 4 August 2003; Ord. 07-03) (Amended: 22 May 2018; Ord. 2018-11; Effective 2 July 2018)

(c) Only one roadside stand shall be permitted on a lot.

(3) Farm markets. (Deleted: 22 May 2018; Ord. 2018-11; Effective 2 July 2018)

(4) Agricultural visitation facilities. (Added: 26 August 1997; Ord. 21-97)

(a) If the agricultural visitation facility involves animals, the requirements of s. 4.03(1)(a) shall be applicable.

(b) Off-street parking requirements and standards of Chapter 7 of this Ordinance shall be applicable.

#### **4.04 Commercial uses requirements.**

(1) (Deleted: 29 Sept. 2015; Ord. 2015-09; Effective 9 Nov. 2015)

(2) Kennels.

(a) All dogs shall be housed indoors during the hours from 9:00 p.m. to 6:00 a.m.

(b) Minimum side and rear yards for all structures associated with kennels shall be 200 feet.

(c) Except as exempted here, all kennels shall be screened from public roads by vegetative screening as described in s. 3.10(4), landscape buffer tree requirements. Structures located at least 200 feet from the centerline of public roads are exempt from the screening requirement.

(d) There shall be no more than 2 adult dogs in any single enclosure unit.

(3) Restaurants and taverns.

(a) Unenclosed seating areas shall comply with the side yard and rear yard requirements for principal buildings.

(b) Screening. All unenclosed seating areas shall be screened from adjacent residentially-developed properties by a vegetative screening, as described in s. 3.10(4), landscape buffer tree requirements. (Amended: 20 Sept. 2016; Ord. 2016-14)

(c) Lighting. Lighting fixtures intended to illuminate unenclosed seating areas shall be placed no higher than 14 feet above the ground and shall utilize fixtures whose lens, hood, or combination thereof allow no direct beams to be seen from off the property or cast skyward, and the lighting elements of which shall not be visible from adjacent properties. (Amended: 20 Sept. 2016; Ord. 2016-14)

(4) Model homes.

(a) A model home may be used as a sales office, but shall not include a workshop or construction shop.

(b) Outside storage is prohibited.

(c) (Deleted: 29 October 2019; Ord. 2019-13)

(d) The regular zoning permit for a model home shall expire after 3 years. Renewals shall only be authorized as conditional uses.

(5) Auto repair.

(a) The rebuilding or assembly of automobiles, engines, or transmissions on a factory production basis and/or the disassembly of automobiles on a factory production basis shall not be permitted.

(b) All repair, painting, parts storage, and body work activities shall take place within a building.

(c) All damaged or non-operable parts shall be stored indoors or in storage containers.

(6) Lumber and building supply yards. Such uses shall be screened from public roads by a vegetative screening, as described in s. 3.10(4), landscape buffer tree requirements.

## PARTICULAR USE REQUIREMENTS 4.04(9)

(7) Trade or contractors establishments. Except in the Light Industrial district, all outside storage areas and parking of trucks and machinery used in conjunction with the establishment shall be screened from all adjacent properties and public roads by a vegetative screening, as described in s. 3.10(4), landscape buffer tree requirements.

(8) Commercial storage facilities.

(a) Except in the Light Industrial district, all buildings shall be located a minimum of 50 feet from all lot lines. In the Light Industrial district, the yard requirements listed in s. 3.02(3), table of district requirements, shall apply.

(b) Use. Commercial storage facilities shall not be used as workshops or retail shops.

(c) Outside storage. Outside storage shall be prohibited.

(d) Screening. Such facilities shall be screened from public roads by a vegetative screening, as described in s. 3.10(4), landscape buffer tree requirements.

(e) For commercial storage facilities located within the Town of Liberty Grove, the required setback from roads shall be as specified in s. 3.05, setback from roads, and s. 3.06, additional setback from roads for large buildings, or 150 feet from the centerline, whichever is greater. (Added: 6 May 1996; Ord. 10-96)

(9) Home offices/studios. The use of a dwelling unit or accessory structure for a home office/studio shall be clearly secondary to the residential use of the property and shall not change the property's residential character. The following shall apply:

(a) Home offices/studios shall not require a zoning permit.

(b) A maximum of two home offices/studios shall be permitted per lot or building site. In no instance shall there be more than two home-based enterprises on a lot or building site, whether those enterprises are home offices/studios and/or home occupations and/or home businesses.

(c) The home office/studio business shall be conducted by resident(s) of the dwelling unit. Other persons may be employed by the business but shall not work on the premises.

(d) Home offices/studios may be conducted in any dwelling unit or accessory building. The total floor area dedicated to home offices/studios, whether located within the dwelling unit and/or in an accessory building, shall be no more than 25% of the floor area of the dwelling unit.

(e) Such use shall not include the conduct of any retail or wholesale business on the premises, nor any other activity requiring visits by members of the public.

PARTICULAR USE REQUIREMENTS 4.04(9a)

(f) Such use shall not include the operation of any machinery, tools, appliances, or other operational activity that would create a nuisance due to noise, dust, odors, or vibration, or be otherwise incompatible with the surrounding area.

(g) Such use shall not involve any outdoor storage or display of any products, materials, equipment, dumpsters, or machinery used in conjunction with the home office/studio. (Amended: 20 Sept. 2016; Ord. 2016-14)

(h) Any on-site vehicles bearing business insignia or trailers used in conjunction with the home office/studio shall be stored indoors.

(i) No parking in addition to that required for the dwelling unit shall be required.

(j) Deliveries to or shipments from the property of products, materials, equipment, or machinery used in conjunction with a home office/studio shall not exceed two per week.

(k) (Deleted: 29 October 2019; Ord. 2019-13)

(l) Sanitary facilities shall be provided per county and state sanitary code requirements.

(m) Uses subject to regulations found elsewhere in this ordinance shall also comply with those regulations.

(Recreated: 29 June 2000; Ord. 12-00 - Effective: 8 August 2000,)

(9a) Home occupations. The use of a dwelling unit or accessory structure for a home occupation shall be clearly secondary to the residential use of the property and shall not change the property's residential character. The following shall apply:

(a) Home occupations shall require a regular zoning permit.

(b) A maximum of two home occupations shall be permitted per lot or building site. In no instance shall there be more than two home-based enterprises on a lot or building site, whether those enterprises are home offices/studios and/or home occupations and/or home businesses.

(c) The home occupation shall be conducted by resident(s) of the dwelling unit on the property. Other persons may be employed by the business but no more than one non-resident shall work on the premises.

(d) Home occupations may be conducted in any dwelling unit or accessory building. The total floor area dedicated to home occupations, whether located within the dwelling unit and/or an accessory building, shall be no more than

PARTICULAR USE REQUIREMENTS 4.04(10)

25% of the floor area of the dwelling unit.

(e) Such use shall not include the conduct of any retail or wholesale business on the premises, except for the sale of products or services produced by the home occupation.

(f) Such use shall not include the operation of any machinery, tools, appliances, or other operational activity that would create a nuisance due to noise, dust, odors, or vibration, or be otherwise incompatible with the surrounding area.

(g) Such use shall not involve any outdoor storage or display of any articles offered for sale or produced on the premises in conjunction with the home occupation, nor any outdoor storage or display of any products, materials, equipment, dumpsters, or machinery used in conjunction with the home occupation

(h) A maximum of one on-site vehicle bearing business insignia and one trailer used in conjunction with the home occupation may be stored outdoors, provided that the vehicle and/or trailer are screened from rights-of-way and neighboring properties.

(i) In addition to parking required for the dwelling unit, one off-street parking space shall be provided for each 150 square feet of floor area used for the home occupation.

(j) Deliveries to or shipments from the property of products, materials, equipment, or machinery used in conjunction with the home occupation shall not exceed five per week.

(k) (Deleted: 29 October 2019; Ord. 2019-13)

(l) Sanitary facilities shall be provided per county and state sanitary code requirements.

(m) Uses subject to regulations found elsewhere in this ordinance shall also comply with those regulations.

(Recreated: 29 June 2000; Ord. 12-00 - Effective: 8 August 2000)

(10) Home businesses. The following shall apply.

(a) Home businesses shall require permits as indicated in s. 2.05(3).

(b) A maximum of two home businesses shall be permitted per lot or building

## PARTICULAR USE REQUIREMENTS 4.04(10)

site. In no instance shall there be more than two home-based enterprises on a lot or building site, whether those enterprises are home offices/studios and/or home occupations and/or home businesses.

(c) The home business shall be conducted by resident(s) of the dwelling unit. Other persons may be employed in this business as well, working on- or off-site.

(d) If located within a dwelling unit, home businesses shall occupy no more than 60 percent of the floor area of the dwelling unit. If located in accessory buildings, home businesses shall not occupy an area greater than 100 percent of the floor area of the dwelling unit, except that home businesses may occupy an entire accessory building that existed prior to the effective date of this ordinance.

(e) Such use shall not include the conduct of any retail or wholesale business on the premises, except for the sale of products or services produced by the home business.

(f) Such use shall not involve any outdoor display of any articles offered for sale or produced on the premises in conjunction with the home business. Outdoor storage of products, materials, equipment, dumpsters, or machinery used in conjunction with the home business shall be permitted if the outdoor storage areas are provided with fencing or vegetative screening, as described in s. 3.10(4), landscape buffer tree requirements, so that such storage is not visible from public rights-of-way nor neighboring properties. (Amended: 20 Sept. 2016; Ord. 2016-14)

(g) Vehicles bearing business insignia and trailers used in conjunction with the home business may be stored on-site, provided that no more than one of each is visible from public rights-of-way and surrounding properties.

(h) Off-street parking shall be provided in accordance with the requirements in Chapter 7, parking, loading, and access requirements.

(i) (Deleted: 29 October 2019; Ord. 2019-13)

(j) Sanitary facilities shall be provided per county and state sanitary code requirements.

(k) Uses subject to regulations found elsewhere in this ordinance shall also

## PARTICULAR USE REQUIREMENTS 4.04(16)

comply with those regulations. (Recreated: 29 June 2000; Ord. 12-00 - Effective: 8 August 2000)

(11) Bed and Breakfast Establishments. (Moved to Section 4.08(10)) (9 November 2011; Ord. 2011-14)

(12) Boardinghouses. (Moved to Section 4.08(11)) (9 November 2011; Ord. 2011-14)

(13) Family day care homes.

(a) Pick up and drop off areas shall not be located within any public right-of-way.

(b) Family day care homes shall provide at least 100 square feet of outdoor play area per child.

(c) Outdoor play areas shall be enclosed by a wall or fence and shall be separated from vehicular circulation and parking areas.

(d) (Deleted: 29 October 2019; Ord. 2019-13)

(14) Day care centers.

(a) Pick up and drop off areas shall not be located within any public right-of-way.

(b) Day care centers shall provide at least 100 square feet of outdoor play area per child.

(c) Outdoor play areas shall be enclosed by a wall or fence and shall be separated from vehicular circulation and parking areas.

(15) Art galleries.

In the Heartland zoning districts in the Town of Liberty Grove, an Art Gallery shall be allowed only in buildings which reflect the architectural character of the rural areas of the town. (Amended: 5 August 2013; Ord. 2013-10)

The buildings' exterior shall be logs, stove wood, stone, or wood siding, unless other material is approved by the Liberty Grove Town Board. (Added: 15 April 2008, Ord. 2008-01; Effective: 9 May 2008) (Amended: 5 August 2013; Ord. 2013-10)

(16) Community Commercial Kitchens. (Added: 28 May 2012; Ord. 2012-13)

(a) Community commercial kitchens shall require a regular zoning permit and shall comply with all applicable state licensing and other regulations.



(b) Community commercial kitchens may include other use components, such as retail, restaurant, or winery/brewery, if such use(s) are otherwise allowed in that zoning district and if a separate permit is authorized in accordance with ordinance permit requirements for each use(s). Such use(s) shall also comply with all other applicable ordinance requirements for the use(s).

(c) One off-street parking space per worker at peak capacity shall be provided. If the kitchen also involves other use components, such as retail, restaurant, or winery/brewery, additional off-street parking shall be required for those uses, calculated and provided as described in Chapter 7.

(17) Assembly Hall. An assembly hall may be authorized under this section by conditional use permit subject to the following: (Added: 5 August 2013; Ord. 2013-13)

(a) Access to such facility shall only be taken from a public road.

(b) Off-street parking shall be established in compliance with Chapter 7 of this ordinance.

(c) In the GA, PA, CS, HL, and ES zoning districts, the following shall apply:

1. Assembly halls shall only be allowed in buildings existing at the time of the adoption of this section of the ordinance.

2. Assembly halls shall be located a minimum of 200 feet from any off-premise residential structures existing at the time of the establishment of the assembly hall.

3. Such facilities shall be located on a parcel of at least 20 acres.

4. The side and rear yard setbacks for all structures and parking areas associated with the assembly hall shall be a minimum of two times the setbacks for principal structures shown in sections 3.02(3)(a) and (b), tables of principal uses.

5. (Deleted: 29 October 2019; Ord. 2019-13)

#### **4.05 Industrial uses requirements.**

(1) Sawmills and planing mills.

(a) Such uses shall be located a minimum distance of 500 feet from any dwelling unit other than that of the owner or operator of the establishment.

(b) No sawmill or planing mill shall produce a sound level at its property boundary that exceeds 55 decibels.

(c) Areas used for stockpiling and maneuvering shall be a minimum distance of 200 feet from any dwelling unit other than that of the owner or operator of the establishment.

(2) Freight terminals. Such uses shall be screened from the public roads by a vegetative screening, as described in s. 3.10(4), landscape buffer tree requirements.

(3) Nonmetallic mining. The following requirements shall apply:

(a) Application. In addition to the application requirements of s. 11.04, conditional use permits, all applications for a proposed nonmetallic mining operation shall include the following information, except that the Resource Planning Committee may waive portions of the specified information upon finding that, because of the nature or method of the operation, such information is not relevant or is unnecessary to a full and proper evaluation of the application:

1. Site plan. A site plan, drawn at a scale which produces a clearly legible drawing, which shall include the following:

- a. North point, scale, and date.
- b. Property boundaries of the operator's owned and/or leased land.
- c. Location and boundaries of the nonmetallic mining site, including extent of the area to be excavated, related storage and processing areas, and areas where nonmetallic mining refuse is to be deposited.
- d. Location of all access points, roads, rights-of-way, and utility easements on or abutting the property.
- e. Location of all structures within 300 feet of the mining site.
- f. Location and direction of flow of all watercourses on or within 300 feet of the mining site.
- g. Bench marks.
- h. A topographic map, with a minimum contour interval of 5 feet, of the proposed mining site and the area within 300 feet of the mining site. The contour lines shall be referenced to one of the bench marks shown on the site plan.
- i. Areas to be used for sedimentation ponds, if any.
- j. Proposed parking areas, signs, and fencing, including a description of the purpose of the fencing.
- k. Typical cross section of the site showing the water table.
- l. (Deleted: 26 June 2001; Ord. 04-01)

2. Operation plan. An operation plan which shall include description of the

proposed nonmetallic mining operation and methods and procedures to be used in mining the site.

The operation plan shall also include the following:

- a. The approximate date of commencement of the operation.
- b. Type of mining, processing, and transportation equipment to be used.
- c. Estimated type of materials to be extracted.
- d. Primary travel routes to be used to transport material to processing plants or markets.
- e. Operational measures to be taken to minimize noise, dust, air contaminants, and vibrations.
- f. Operational measures to be taken to prevent groundwater and surface water degradation.
- g. If excavations below the water table are to occur, operational measures to be taken to prevent entry of contaminants into the groundwater.
- h. Operational measures to be taken to stabilize topsoil and other material stockpiles.

3. Reclamation plan. A reclamation plan for nonmetallic mining sites that affect less than one acre of total area of the life of the mine shall be developed in compliance with Section 11 of Door County Ordinance No. 2-01 being

Chapter 36 of Door County Code. Such plan shall be approved by the Door County Soil and Water Conservation Department and submitted to the Resource Planning Committee. Reclamation permits for all other nonmetallic mining operations are the responsibility of the Door County Land Conservation Committee under the provisions of Chapter 295, Wisconsin Statutes, Chapter NR135, Wisconsin Administrative Code, and Door County Ordinance No. 02-01, Chapter 36, Door County Code. (Amended: 26 June 2001; Ord. 04-01)

4. Lease(s). If the mining site is leased to the operator, a signed copy of the lease(s) which authorizes the operator to enter upon the lessor's land for the purpose of nonmetallic mining. The expiration date of the lease shall clearly be indicated thereon.

5. Additional information. By written request, the Resource Planning Committee may require submittal of such other information as may be necessary to determine the nature of the nonmetallic mining operation and the effect on the surrounding area. (Amended: 26 June 2001; Ord. 04-01)

(b) General requirements. (Amended: 26 June 2001; Ord. 04-01)

1. The nonmetallic mining operation shall be located at least 50 feet from all exterior lot lines and at least 100 feet from public right-of-ways.
2. No nonmetallic mining operation shall be conducted less than 300 feet from a dwelling unit other than that of the owner or operator. This provision shall not apply to uses accessory to the nonmetallic mining operation such as parking and loading and stockpiles of materials.
3. Hours of operation. Unless otherwise approved by the Resource Planning Committee, the operation of rock crushing equipment shall not take place before 6:00 a.m. nor after 7:00 p.m.
4. Limits of operation. Projects shall be limited to approved dimensions.
5. Dumping prohibited. The owner and/or operator of a nonmetallic mining operation shall not place junk material into or outside of the nonmetallic mining site. Nor shall they allow junk material to accumulate as a result of dumping by others.
6. Compliance with reclamation. The operator shall comply with progressive reclamation plans, if any, and final reclamation plans for the site.

(c) Financial assurance.

For nonmetallic mining sites that affect less than one acre of total area over the life of the mine, financial assurance in an amount sufficient to fulfill the reclamation plan shall be submitted and approved by the Resource Planning Committee using the standards of Section 14 - Financial Assurance of Ordinance No. 02-01, Chapter 36, Door County Code. For all other nonmetallic mining, financial assurance shall be the responsibility of the Door County Land Conservation Committee under the provisions of Chapter 295, Wisconsin Statutes, NR135, Wisconsin Administrative Code, and Door County Ordinance No. 02-01, Chapter 36, Door County Code. (Amended: 26 June 2001; Ord. 04-01; Effective 01 August 2001.)

(d) Permit requirements.

1. A conditional use permit issued for nonmetallic mining shall remain in effect until completion of reclamation as documented by a "Written Certification of Completion" by the Door County Soil and Water Conservation Department under Section 29 of Chapter 36, Door County Code. (Amended: 27 May 2003; Ord. 05-03)
2. Transfer of permit. When one operator succeeds to the interest of

another at an uncompleted site, the first operator shall be released of the responsibilities imposed by the permit, but only if:

- a. The operation is in compliance with the requirements of this section and the permit for the operation.
- b. The new operator assumes the responsibility of the former operator to complete the reclamation of the entire mining site by a written, signed and notarized document and provides financial assurance for such reclamation.

3. Mining site enlargement. Any proposed mining site enlargement shall be processed as a new application pursuant to this section. All provisions of this section shall apply to the proposed enlargement.

4. Failure to open and operate. Failure of an operator to take substantial steps to open and operate in a mining site within one year of the initial permit issuance shall invalidate the permit. A new permit application shall be required for any future mining activity.

5. Abandonment of nonmetallic mining operations. If abandonment of nonmetallic mining operations occurs, new mining operations shall not be permitted, except upon permit issuance as prescribed by this section.

(4) Salvage yards.

(a) Salvage materials shall not be located within 600 feet of public roads and all establishments of this kind shall have minimum side and rear yards of 100 feet.

(b) Salvage material shall not be located in a wetland or floodplain.

(c) Salvage materials shall be enclosed by a suitable fence or vegetative screen, so that the materials are not visible from other property in the vicinity of the salvage yard, nor from a public road, nor from navigable water. The fence or vegetative screen shall be a minimum of 8 feet in height and shall be properly maintained to satisfy the obscuring objective.

(d) Salvage materials shall not be piled higher than the height of the fence or vegetative screen.

(e) For fire protection, an unobstructed fire break shall be maintained, 15 feet in width and completely surrounding the salvage yard.

(f) At the site, appropriate measures shall be taken to prevent water and soil contamination from oils, gasoline, grease, or other contaminants. At a minimum, there shall be 5 feet of soil between the water table or bedrock. If wells are located within 1,000 feet of the site, the Resource Planning Committee may require a liner

and bonds for removal of contaminated topsoil.

(5) Solid waste facilities.

(a) Screening. Such facilities which are visible from public roads shall be screened by a vegetative screen, as described in s. 3.10(4), landscape buffer tree requirements.

(b) Sureties. In order to cover the cost of road maintenance and repair, the Resource Planning Committee may require that a bond, letter of credit, or other financial guarantee satisfactory to the Resource Planning Committee be submitted by the owner or operator. The amount shall be specified by the Resource Planning Committee and shall be used to cover the cost of repairing roads which deteriorate due to traffic generated by the facility.

(6) Resource recovery facilities. Such facilities which are visible from public roads shall be screened by a vegetative screen, as described in s. 3.10(4), landscape buffer tree requirements.

(7) Temporary concrete or asphalt batch plants.

(a) Such facilities shall be erected only in conjunction with transportation improvements in Door County.

(b) Application. In addition to the application requirements established in s. 11.04, conditional use permit, the following information shall be submitted with the application:

1. Plans for controlling erosion of stockpiled material used in manufacturing concrete or asphalt.

2. Restoration plans for the site which describes or illustrates measures taken to restore the site to a condition of practical usefulness and reasonable physical attractiveness. The restoration plan shall describe methods for establishing vegetative cover on all exposed soil.

(c) Conditional use permits granted for temporary concrete or asphalt batch plants shall be only for the period of the actual project work.

(d) Temporary concrete or asphalt batch plants shall be removed from the premises within 60 days of completion of the project.

**4.06 Institutional uses requirements.**

(1) Public highway garages. Such uses shall be screened from public roads by means of a vegetative screening, as described in s. 3.10(4), landscape buffer tree

requirements.

(2) Fine Arts Venue. A Fine Arts Venue may be authorized under this section by Conditional Use Permit subject to the following conditions: (Added: 28 May 2012, Ord. No. 2012-12)

(a) Such facility shall be located on a parcel of at least five (5) times the minimum lot size of the applicable zoning district .

(b) Access to such facility shall only be taken from a public road and specifically not be taken from a private road.

(c) Such facility shall be screened from all public roads and adjoining properties by a landscape buffer meeting the requirements of Section 3.10(4) of the Door County Zoning Ordinance.

(d) There shall be no outdoor amplified sound associated with said facility other than for emergency announcements and warning signals.

(e) No public event shall be presented later than 10:30 p.m.

(f) Off-street parking shall be established in compliance with Chapter 7 of the Door County Zoning Ordinance.

(g) (Deleted: 29 October 2019; Ord. 2019-13)

(h) If said facility involves the provision of on-site lodging, the provisions of Section 4.08(8) shall apply. Lodging facilities shall be owned by the Fine Arts Venue. Use of the lodging facilities shall be limited to staff, instructors, performers, students, and others directly involved in the mission of the organization; specifically, there shall be no transient rental of said facilities. The total sleeping capacity of such lodging shall not exceed 3 persons/acre or 75 persons, whichever is less.

(i) Said Conditional Use Permit shall not be transferable to any subsequent owner.

(j) In the NA, GA, PA, CS, ES, and HL zoning districts, the side and rear yard setbacks for structures and parking areas shall be two times the setbacks for principal structures shown in section 3.02(3)(a) and (b).

#### **4.07 Outdoor recreational uses requirements.**

(1) Parks.

- (a) Parks owned and/or managed by units of government.

Facilities for active recreation as defined in Section 13.02 shall be located a minimum of 75 feet from lot lines when the abutting property contains a single family residence or, if vacant, is located in a zoning district where single family residences are permitted.

- (b) Parks which are privately owned.

1. Facilities for active recreation shall be on tracts the larger of either:

a. 300 feet wide and 2.0 acres in area; or

(Amended: 27 September 2012; Ord. 2012-20)

b. The minimum lot width and area for new lots in the zoning district as required by Section 3.02(3).

2. Facilities for active recreation shall be located a minimum of 100 feet from lot lines when the abutting property contains a single family residence or, if vacant, is located in a zoning district where single family residences are permitted. If the abutting property is in public ownership, the minimum setback requirement for that lot line may be relaxed or waived in writing by the abutting public owner. (Added: 27 May 1997; Ord. 15-97) (Amended: 27 September 2012; Ord. 2012-20)

3. Parks which are privately owned shall be prohibited in the Exclusive Agricultural (EA) zoning district. (Added: 30 September 2010; Ord. 2010-13)

- (2) Campgrounds.

(27 August 2019; Ord. 2019-08; Effective 7 October 2019. Amended, deleted, or renumbered every section of 4.07(2).)

(a) The minimum size of a campground shall be 5 acres, except that in the Heartland-3.5, Heartland-5, Heartland-10 and Countryside-5 districts the minimum size shall be 20 acres. (Amended: 27 February 2007; Ord. 2007-04; Effective 12 March 2007)

(b) Each campground shall be screened from adjacent properties and public and private roads by means of a vegetative screening, as described in s. 3.10(4), landscape buffer tree requirements. Such requirement may be waived by the Resource Planning Committee, upon referral and recommendation by the Zoning Administrator, if existing woody vegetation is such that the screening objective is or will be achieved. (Amended: 27 March 2018; Ord. 2018-07)

(c) One dwelling unit to be occupied by the owner and not more than one additional dwelling unit to be occupied by the manager shall be allowed in a campground. One or both dwelling units may be occupied year-round by the owner and/or manager.



- (d) The maximum number of camp sites shall be 10 per acre.
- (e) Camp sites that may potentially accommodate camping cabins shall be designated on the campground site plan. Camping cabins may be placed on a maximum of 20% of the total number of proposed camp sites within a campground. Camping cabins may be wired for electricity and may contain plumbing for toilets, sinks, and bathtubs/showers.
- (f) All camp sites shall meet the required setbacks from roads, the required setback for accessory structures from the ordinary high water mark, and shall be located at least 50 feet from all exterior lot lines.
- (g) The minimum dimensions of a camp site shall be 25 feet wide by 40 feet long.
- (h) There shall be 2 off-street parking spaces for each camp site.
- (i) An application for a campground permit shall include any camping cabins and potential future sheds, decks, or patios in the impervious surface ratio calculation for the campground.
- (j) Camping units shall be subject to the following:
  1. A camping unit shall not be occupied by the same individual for more than eight continuous months in any 12-month period. However, a camping unit may remain on an individual campsite for an entire 12-month period. (Amended: 17 December 2002; Ord. 18-02) (Amended: 20 Sept 2016; Ord. 2016-14)
  2. No more than one camping unit shall be allowed on any individual campsite, except that the number of tents per campsite shall not be limited.
  3. A camping unit shall not exceed 400 square feet in floor area in its furthest extended position. (Amended: 17 December 2002; Ord. 18-02)
  4. A maximum of up to two unenclosed decks and/or patios may be allowed per campsite provided neither exceeds more than 256 square feet. One temporary canvas screen room shall be allowed on one deck or patio.
  5. Awnings shall be allowed.
  6. No porches, lean-tos, or additions shall be constructed onto or immediately adjacent to a camping unit.
  7. One storage shed shall be allowed on each campsite. Said shed shall not exceed 80 square feet in floor area. Living quarters within a storage shed shall be prohibited.

(3) Camping.

(a) Camping shall be permitted in approved campgrounds without issuance of a regular zoning permit.

(b) Camping on a lot by one camping party including the landowner or by one camping party with the landowner's written permission shall be allowed without issuance of a regular zoning permit, subject to the following:

1. Such camping shall be allowed in all zoning districts, except Wetland, Commercial Center, Mixed Use Commercial, Light Industrial, Village Commercial and General Commercial districts. (Amended: 27 February 2007; Ord. 2007-04; Effective 12 March 2007)

2. Sanitary waste disposal shall be provided by either:

- a. Connection to approved on-site waste disposal system.
- b. Self-contained holding tank with disposal at an approved sanitary dump station.
- c. A portable toilet with disposal at an approved sanitary dump station.

3. Side and rear yard requirements for the camping unit shall be as required for principal structures in s. 3.02(3), Table of district requirements, or s. 3.15, Special development requirements, as applicable.

4. The camping unit shall meet the setback requirements of s. 3.05, Setback from roads. (Amended: 27 May 2014; Ord. 2014-10) (Amended: 20 Sept. 2016; Ord. 2016-14)

5. Camping shall not exceed a total of 30 days in any calendar year. (Amended: 27 August 2019; Ord. 2019-08; Effective 7 October 2019)

6. Not more than one camping unit shall be permitted on a lot.

7. Except as provided in subd. 8., the camping unit shall be removed from the property after each camping stay.

8. Outdoor storage.

a. If a principal building is located on the lot, one camping unit may be stored outdoors. The stored camping unit shall meet all required setbacks and yards for accessory structures. The stored camping unit shall be in an in-transit position with no utility connections, windows and doors closed, and not used for sleeping purposes.

b. The storage of a camping unit on a vacant lot shall be

prohibited. (Amended: 1 December 1996; Ord. 31-96)

(c) Camping on a lot during construction of a single family dwelling unit shall be allowed, subject to the following:

1. A regular zoning permit for a single family residence has been secured and a slab, crawlspace, or foundation for the single family dwelling unit has been installed.
2. A regular zoning permit which authorizes such camping has been secured.
3. An approved on-site waste disposal system, designed to accommodate the single family residence, has been installed on the property prior to the placement, erection, and/or use of the camping unit to serve as a means of sanitary waste disposal for the users of the camping unit.
4. The camping activity shall cease upon the completion of the single family dwelling unit on the property.
5. Renewal permits shall only be issued when substantial progress toward completion of the single family dwelling unit is demonstrated during the previous year.

(4) Commercial and private riding stables. Any use of a property involving the keeping of horses shall comply with the requirements of this section. (Added: 26 August 1997; Ord. 21-97)

- (a) Minimum lot size for riding stables shall be 5 acres for commercial riding stables and 2.5 acres for private riding stables.
- (b) There shall be at least 20,000 square feet of open space provided on the lot for each horse kept on the lot.
- (c) All stables shall be located such that manure will not drain into navigable water. (Amended: 20 Sept. 2016; Ord. 2016-14)
- (d) All stables shall be located at least 200 feet from a dwelling unit other than that of the owner or operator of the establishment.

(5) Marinas, excursion boating, and charter fishing. If boat launching facilities which are available to the public are provided, parking spaces for towing vehicles and trailers shall be provided at the rate of 15 parking spaces per launching lane. Each parking space shall be at least 10 feet wide by 40 feet long. Such parking shall be in addition to the parking required in s. 7.02, off-street parking requirements.

(6) Institutional recreation camps. In the Heartland-3.5, Heartland-5 and Heartland-

10 districts, the following shall apply: (Amended: 28 May 1996; Ord. 13-96)

(a) Minimum lot size shall be 10 acres.

(b) Maximum capacity shall be 5 persons per acre or 200 persons, whichever is less. Such capacity shall be determined by the number sleeping spaces, number of dining spaces, and/or other appropriate means of determination.

(7) Retreat Centers.

(a) Minimum lot size shall be 20 acres.

(b) Maximum capacity shall be 3 persons per acre or 75 persons, whichever is less. Such capacity shall be determined by the number of sleeping spaces provided, number of dining spaces provided, and/or other appropriate means of determination. (Added: 18 December 1997; Ord. 40-97)

(8) Public Boat Launching Facilities. (Deleted: 20 Sept. 2016; Ord. 2016-14)

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

(b) (Added: 22 March 2005; Ord. 2005-10) (Deleted: 20 Sept. 2016; Ord. 2016-14)

(9) Outdoor Active Recreation Facility. (Added: 26 February; Ord. 2013-07)

(a) The minimum lot size requirement shall be 20 acres.

(b) Front, side, and rear lot line and road setbacks shall be a minimum of 100 feet.

(c) One parking space per four customers shall be provided, based on maximum site capacity.

#### **4.08 Residential uses requirements.**

(1) Single family residences separated from farm parcels. Single family residences existing prior to the effective date of this Ordinance may be separated from farm parcels, subject to the following:

(a) The lot created shall contain at least one acre exclusive of lands within any public right-of-way.

(b) The lot width of the resultant lot shall be at least 200 feet.

(c) The lot lines created shall place all existing structures in conformance with applicable setback and yard requirements.

## PARTICULAR USE REQUIREMENTS 4.08(3)

(d) The creation of the separate lot shall not reduce the remaining tract to a lot area or width less than that required for a new lot in the zoning district. (Amended: 20 Sept. 2016; Ord. 2016-14)

(e) (Deleted: 30 September 2010; Ord. No. 2010-13)

(2) Farm-related residences. Separate lots created for farm-related residences shall comply with the following:

(a) The lot lines created shall place all existing structures in conformance with applicable setback and yard requirements.

(b) The lot created shall be at least one acre in area exclusive of lands within any public right-of-way. (c) The minimum lot width shall be 200 feet.

(d) The creation of the separate parcel shall not reduce the remaining tract to a lot area or width less than that required for a new lot in the zoning district. (Amended: 20 Sept. 2016; Ord. 2016-14)

(2a) Nonfarm residential lots, Exclusive Agricultural (EA) zoning district. A separate lot created for a nonfarm residence shall comply with s.91.46(2), Wis. Stats., and shall be authorized by a conditional use permit and the following: (Added: 11 December 2012; Ord. 2012-25) (Typographical error corrected: 20 Sept. 2016; Ord. 2016-14)

(a) The lot created shall contain at least 0.75 acres.

(b) The minimum lot width shall be 150 feet.

(c) The lot lines created shall place all existing structures at least 20 feet from side and rear lot lines. All future structures shall also be located at least 20 feet from side and rear lot lines.

(d) The creation of the separate lot shall not reduce the remaining tract to a lot area of less than 35 acres or a lot width of less than 600 feet. (Amended: 20 Sept. 2016; Ord. 2016-14)

(e) Lots created under this section may be vacant or contain a residence at the time of creation. After the lot is created, it and/or the residence may be occupied by or sold to anyone.

(3) Accessory residences. (Recreated: 27 July 2000; Ord. 17-00)

(a) Accessory residences shall be subject to the regulations herein and shall not be regulated as multiple occupancy developments.

(b) Accessory residences may be attached or detached dwelling units.

(c) For attached accessory residence dwelling units, the setbacks and minimum

yards shall be the required setbacks and minimum yards for principal structures.

For detached accessory residence dwelling units, the setbacks and minimum yards shall be the required setbacks and minimum yards for accessory structures.

(d) One parking space shall be provided for each bedroom within an accessory residence.

(e) Minimum floor area for accessory residences shall be provided per s. 3.11.

(f) (Deleted: 20 Sept. 2016; Ord. 2016-14) (Recreated: 27 July 2000; Ord 17-00)

(4) Manufactured homes. The following requirements apply to manufactured homes which are not located in manufactured home parks:

Commentary: For requirements for manufactured homes in manufactured home parks, refer to s. 4.08(5), manufactured home parks. For requirements for temporary manufactured homes, refer to s. 4.08(6), temporary manufactured homes.

(a) The towing and transportation equipment, including the wheel assembly, shall be removed and the manufactured home shall be mounted on and attached to a permanent foundation.

(b) Conventional house siding or simulated wood siding and a shingled, gable roof shall be required.

(c) Manufactured homes shall be a minimum of 14 feet wide and shall meet the minimum required floor area for dwelling units in s. 3.11, floor area requirements.

(5) Manufactured home parks.

(a) Internal streets shall have a minimum right-of-way width of at least 24 feet. (Amended: 25 June 1996; Ord. 16-96)

(b) Internal streets and parking areas shall be surfaced with a dust-free material.

(c) There shall be at least 2 parking spaces for each manufactured home site.

(d) The minimum distance between manufactured home units, including all appurtenances, shall be 15 feet.

(e) The minimum setback from an internal street shall be 22 feet from the traveled centerline or 10 feet from the edge of the right-of-way, whichever is greater, for all manufactured homes, including all appurtenances, and accessory structures. (Amended: 25 June 1996; Ord. 16-96)

(f) No sales office or other business or commercial use shall be located within a

manufactured home park. Laundries, washrooms, recreation rooms, maintenance equipment storage, and one management office are permitted.

(g) Each manufactured home park shall be screened, except for permitted entrances and exits, by means of a vegetative screen, as described in s. 3.10(4), landscape buffer tree requirements, at the perimeter of the manufactured home park. The requirement may be waived by the Land Use Services Director, upon referral and recommendation of the Zoning Administrator, if existing woody vegetation is such that the screening objective is or will be achieved. In addition, there shall be a yard with a minimum width of 40 feet around the perimeter of the manufactured home park. (Amended: 25 June 1996; Ord. 16-96) (Amended: 27 March 2018; Ord. 2018-07)

(h) Manufactured homes in manufactured home parks shall contain at least 550 square feet of floor area.

(i) No manufactured home site shall be rented for a period of less than 30 days.

(j) Deck(s) shall be permitted on each manufactured home site. The total size of the deck(s) shall not exceed 25 percent of the floor area of the manufactured home. Deck(s) shall comply with the setback and yard requirements for manufactured homes in approved manufactured home parks.

(k) The total floor area of additions such as screen porches, lean-tos, or other extensions attached to a manufactured home shall not exceed 5 percent of the floor area of the manufactured home. Any additions constructed in conformance with this provision shall comply with the setback and yard requirements for manufactured homes in an approved manufactured home park.

(l) One accessory structure shall be permitted for each manufactured home site and shall not exceed 576 square feet in floor area. When the homeowner owns the site, an accessory structure garage may be attached to the home but no other accessory building shall then be allowed on the site. (Amended: 1 Nov 2004; Ord. 2004-22; Effective 13 Dec 2004)

(m) All manufactured homes shall meet the construction standards of the U.S. Department of Housing and Urban Development Manufactured Housing Code.

(n) No permit shall be required to move a manufactured home onto a manufactured home site or interchange a manufactured home for another manufactured home on a manufactured home site in a manufactured home park that has been approved in accord with all applicable provisions of this Ordinance. The number of manufactured homes in an approved manufactured home park shall not exceed the number of manufactured home sites illustrated on site plans approved as part of the approval of the manufactured home park or the approval of an expansion of the manufactured home park.

(o) All manufactured home sites shall take access only to an internal street.

(p) The number of manufactured homes in a nonconforming manufactured home park shall not exceed the number of sites existing on the effective date of this Ordinance, unless expansion has been authorized through a conditional use permit.

(6) Temporary manufactured homes.

a) Manufactured homes used as residences for farm employees, parents, and/or adult children of farm operators shall comply with the following:

1. Such manufactured home shall provide housing for farm employees who assist farm operators engaged in agricultural activities, or for parents and/or adult children of farm operators. (Amended: 23 June 1998; Ord. 12-98)
2. The manufactured home shall not be placed on a separate lot.
3. The manufactured home shall meet the minimum floor area requirements and all setback and yard requirements of this Ordinance.
4. When the manufactured home is no longer occupied by said farm employees, parents, or adult children, the manufactured home shall be removed from the farm operator's property.
5. The manufactured home shall be connected to a code complying wastewater disposal system.
6. The number of such manufactured homes shall not exceed one manufactured home per 80 acres of land owned by said farm operator.
7. All portions of such manufactured home shall be located within 300 feet of the dwelling unit of said farm operator.

(b) Manufactured homes used as temporary accessory units shall comply with the following:

1. Only owner-occupiers of a single family dwelling unit are permitted to install a temporary accessory unit. There shall be no more than one temporary accessory unit on a lot.
2. The temporary accessory unit shall be removed upon cessation of occupancy of the individual(s) for whom the temporary accessory unit was intended.
3. The temporary accessory unit shall meet all setback and yard requirements for principal structures.



4. Off-street parking for the temporary accessory unit shall be provided.

(7) Seasonal Dwellings for Agricultural Production and Processing Workers. (Added: 25 June 1996; Ord. 16-96)

(a) Such dwellings shall only be occupied by persons who, or a family at least one member of which, is/are actively engaged in agricultural production or processing.

(b) The required yards and setbacks shall be doubled, unless such dwellings are screened by a vegetative screening as described in s. 3.10(4), landscape buffer tree requirements.

(c) Such dwellings shall be placed on the same lot and shall be clustered within 50 feet of each other.

(d) Such dwellings shall be connected to a code complying wastewater disposal system(s).

(e) Not more than 4 seasonal dwellings shall be permitted, unless a conditional use permit has been authorized by the Resource Planning Committee.

(8) Multiple occupancy development requirements. (Added: 5 October 1998; Ord. 22-98)

(a) The establishment, expansion, or redevelopment of a Multiple Occupancy Development (MOD) shall require a conditional use permit, except for the following, which shall be authorized via a regular zoning permit if all density, setback and other ordinance requirements are met: (Added: 26 Feb. 2013; Ord. 2013-06)

1. MODs wherein a second detached building containing a second occupancy unit is placed on a single lot.

2. Expansions or redevelopment of an existing MOD which will result in:

a. A one-time expansion per MOD unit of no more than 500 additional square feet of floor area, to include no more than 2 additional bedrooms, and

b. The same number of, or fewer, residential buildings and units, and

c. No new buildings containing more than one occupancy unit.

b) Lot requirements.

1. Unsewered areas.

a. Existing MODs. Any building site meeting the minimum lot size

requirements of s. 3.02(3), table of district requirements, s. 3.04(5), lots created prior to the effective date of this Ordinance, or s. 3.15, special development requirements, as applicable, may be used for the expansion or redevelopment of an existing MOD.

- b. New multiple occupancy developments. The minimum lot size requirements for new MODs in unsewered areas shall be one acre and 100' in lot width, or as required by s. 3.15, special development requirements, if applicable.

2. Sewered areas. For areas served by public sewer, any building site meeting the minimum lot size requirements of s. 3.02(3), table of district requirements, s. 3.04(5), lots created prior to the effective date of this Ordinance, or s. 3.15, special development requirements, as applicable, may be used for a MOD.

(c) Density. Any room within a MOD occupancy unit that is not a kitchen, living room, dining room, bathroom, or utility room shall be counted as a bedroom. If the building plan for an occupancy unit depicts no bedrooms, the occupancy unit shall be considered to contain one bedroom. (Amended: 14 December 2004; Ord. 2004-25) (Amended: 26 Feb. 2013; Ord. 2013-06)

1. MODs in Core Areas. Core Areas are those designated as such by the Door County Comprehensive and Farmland Preservation Plan and are hereinafter referred to as "core areas." (Amended: 17 April 2012; Ord. 2012-14) (Amended: 20 Sept. 2016; Ord. 2016-14)

Commentary: The maps depicting core areas may be viewed at the Door County Land Use Services Department or on the department's website. (Amended: 17 April 2011; Ord. 2012-14) (Amended: 27 March 2018; Ord. 2018-07)

- a. The maximum residential density of a MOD in a core area shall be based on the net lot area and number of bedrooms within the MOD. MODs in core areas shall not exceed 22 bedrooms per acre of net lot area; fractional results shall be rounded down to the nearest whole number.

**Town of Liberty Grove special development requirements.**

The maximum residential density for a multiple occupancy development in a core area shall be based on the net lot area and number of bedrooms within the multiple occupancy development. Multiple occupancy developments in core areas shall not exceed 12 bedrooms per acre of net lot area. Fractional results shall be rounded down to the nearest whole number. (Added: 28 June 2006; Ord. 2006-14) (Amended: 17 April 2012; Ord. 2012-14)

**Town of Jacksonport special development requirements.**

Multiple occupancy developments in the Mixed Use Commercial (MC) zoning district shall not exceed 12 bedrooms per acre of net lot area. Fractional results shall be rounded down to the nearest whole number. (Added: 29 July, 2008; Ord. 2008-13)

**Town of Gibraltar special development requirements.**

Multiple occupancy developments in the Village Commercial (VC) zoning district shall not exceed 16 bedrooms per acre of net lot area. Fractional results shall be rounded down to the nearest whole number. (Added to s. 3.15: 22 Aug. 2006; Ord. No. 2006-16 – Effective 12 Sept. 2006) (Amended and relocated: 20 Sept. 2016; Ord. 2016-14)

Multiple occupancy developments in the Neighborhood Residential (NR) district shall not exceed 9 bedrooms per acre of net lot area. Fractional results shall be rounded down to the nearest whole number. (Added to s. 3.15: 22 Aug. 2006; Ord. No. 2006-16 – Effective 12 Sept. 2006) (Amended and relocated: 20 Sept. 2016; Ord. 2016-14)

- b. The net lot area shall not include land located in Wetland zoning districts. In addition, if the MOD includes mixed uses, the minimum lot area for the appropriate district for those uses shall not be included in the net lot area.
  - c. The net lot area of a MOD shall not be reduced if a violation of density limitations would result.
2. MODs in non-core areas. Non-core areas include all areas not designated as core areas by the Door County Comprehensive and Farmland Preservation Plan and are hereinafter referred to as “non-core areas.”  
(Amended: 17 April 2012; Ord. 2012-14) (Amended: 20 Sept. 2016; Ord. 2016-14)
- a. The maximum residential density of a MOD in a non-core area shall be based on the net lot area and number of bedrooms within the MOD. MODs in non-core areas shall not exceed 10 bedrooms per acre of net lot area; fractional results shall be rounded down to the nearest whole number.

**Town of Liberty Grove special development requirements.**

The maximum residential density for a multiple occupancy development in a non-core area shall be based on the net lot area and number of bedrooms within the multiple occupancy development. Multiple occupancy developments in non-core

areas shall not exceed 6 bedrooms per acre of net lot area. Fractional results shall be rounded down to the nearest whole number. (Added: 28 June 2006; Ord. 2006-14)(Amended: 17 April 2012; Ord. 2012-14)

**Town of Gibraltar special development requirements.**

Multiple occupancy developments in the Neighborhood Residential (NR) district shall not exceed 9 bedrooms per acre of net lot area. Fractional results shall be rounded down to the nearest whole number. (Added to s. 3.15: 22 Aug. 2006; Ord. 2006-16; Effective 12 Sept. 2006) (Amended and relocated: 20 Sept. 2016; Ord. 2016-14)

- b. The net lot area shall not include land located in Wetland zoning districts. In addition, if the MOD includes mixed uses, the minimum lot area for the appropriate district for those uses shall not be included in the net lot area.
- c. The net lot area of a MOD shall not be reduced if a violation of density limitations would result.

(d) Impervious surface ratios.

- 1. Core area MODs. Impervious surface ratio maximums shall be 45% in HD, RC, MC, NR and GC zoning districts; 50% in the VC zoning district; and 60% in CC zoning districts. (Amended: 27 February 2007, Ord. 2007-04; Effective 12 March 2007)

**Town of Jacksonport special development requirements.**

The maximum impervious surface ratio for multiple occupancy developments within the Mixed Use Commercial (MC) zoning district in the Town of Jacksonport shall be 40%. (Added: 29 July 2008; Ord. 2008-13)

- 2. Non-core area MODs. The maximum impervious surface ratio shall be 35%.

(e) Structure height.

- 1. Core area MODs. Maximum structure height shall be as allowed by s. 3.08, height requirements.

**Town of Jacksonport special development requirements.** (Relocated to s. 3.08)

- 2. Non-core area MODs. Maximum height for principal and accessory MOD structures shall be 26 feet above the average grade, except that structure height may be increased by one foot for each 2 feet the side

yard setback is increased over 20 feet. In no case shall structure height exceed 35 feet above the average grade. See also s. 3.08. (Amended: 20 Sept. 2016; Ord. 2016-14)

(f) Minimum yards.

1. Core area MODs. Side and rear yard setbacks for principal and accessory structures shall be a minimum of 20 feet, except that, for MOD buildings on lots 150 feet wide or less, with street-facing building facades of less than 80 feet in length, with 6 or fewer bedrooms per building and a maximum of 2 units per building, required side and rear yard setbacks for principal and accessory structures shall be a minimum of 10 feet and 20 feet, respectively. (Amended: 26 Feb. 2013; Ord. No. 2013-06)

2. Non-core area MODs.

a. For MOD buildings on lots 150 feet wide or less, with street-facing building facades of less than 80 feet in length, with 6 or fewer bedrooms per building and a maximum of 2 units per building, required side and rear yard setbacks for principal and accessory structures shall be a minimum of 10 feet and 20 feet, respectively.

b. For all other non-core MODs, side and rear yard setbacks shall be 20 feet, unless:

(1) the MOD is adjacent to a single family residence in an SF10, SF20, SF30, or SE zoning district, in which case minimum side and rear yard setbacks for all principal and accessory structures shall be 65 feet, or (Amended: 22 February 2011; Ord. No. 2011-03)

(2) the MOD is adjacent to a single family residence in an HD, RC, MC, CC, VC, GC, or NR zoning district, in which case minimum side and rear yard setbacks for all principal and accessory structures shall be 40 feet. (Amended: 27 February 2007; Ord. No. 2007-04; Effective 12 March 2007)

Where the requirements outlined in (1) or (2) conflict with s.4.08(8)(e)(2), non-core area MOD building height, the larger setback shall be used. (Amended: 27 March 2018; Ord. 2018-07)

(g) Road setbacks.

1. Core area MODs. Minimum road setbacks shall be as required in s. 3.05, setbacks from roads.

2. Non-core area MODs. Minimum road setbacks shall be as required in s. 3.05, setbacks from roads, except that the provisions of s. 3.05(6), setback reduction, shall not be applicable. In addition, for each foot of street-facing building facade in excess of 80 feet in length the MOD building shall be set back an additional 6 inches.

(h) Ordinary high water mark setback. (Deleted: 20 Sept. 2016; Ord. 2016-14)

1. Core area MODs. (Amended: 27 May 2014; Ord. 2014-10) (Deleted: 20 Sept. 2016; Ord. 2016-14)

2. Non-core area MODs. (Amended: 27 May 2014; Ord. 2014-10) (Deleted: 20 Sept. 2016; Ord. 2016-14)

(i) Off-street parking and related structure requirements.

1. Off-street parking spaces. For each occupancy unit within a MOD, one space shall be provided for the first bedroom, .8 spaces for any additional bedrooms, and an additional .2 spaces for each bedroom within a lockout unit.

2. Right-of-way setbacks for off-street parking areas. Off-street parking areas must be located a minimum of 25 feet from any road rights-of-way.

3. Side and rear yard setbacks for off-street parking areas, driveways, dumpsters, and recycling areas shall be 5 feet, unless:

a. the MOD is adjacent to a single family residence in an SF10, SF20, SF30, or SE zoning district, in which case minimum side and rear yard setbacks shall be 25 feet, or (Amended: 22 February 2011; Ord. 2011-03)

b. the MOD is adjacent to a single family residence in an HD, RC, MC,CC, VC, GC, or NR zoning district, in which case minimum side and rear yard setbacks shall be 15 feet. (Amended: 27 February 2007, Ord. No. 2007-04; Effective 12 March 2007)

(j) Additional landscaping and screening requirements.

1. For all MODs, any trees established to meet the requirements of s. 3.10, landscape buffers, or s. 7.03, parking area landscaping requirements, shall be a minimum of 5 feet tall at the time of establishment or retention.

2. For MODs in non-core areas, a 25 foot wide area adjacent to public road rights-of-way shall be used for screening and landscaping.

## PARTICULAR USE REQUIREMENTS 4.08(8)

- a. Complete vegetative clearing shall be allowed only in the areas required for access driveways. For driveways serving as both entrance and exit, a strip a maximum of 40 feet may be cleared. When separate entrance and exit driveways are used, a maximum of 20 feet may be cleared for each driveway.
  - b. Existing shrubs and trees with a caliper of 2½ inches or greater shall be retained so that for every 100 feet of lot road frontage a minimum of 300 landscape points are earned. Landscape points shall be accumulated as outlined in s. 7.03(2)(b), parking area landscaping requirements, landscape points chart, and shall be in addition to landscape points required for screening parking areas. No more than 50% of the landscaping points required for any lot shall be earned through canopy trees unless said trees account for greater than 600 landscape points per 100 feet of lot road frontage.
  - c. Where shrubs or trees with a caliper of 2½ inches or greater do not exist at a rate of 300 landscape points per 100 feet of lot road frontage, additional trees and shrubs shall be planted so that a minimum of 300 landscape points are earned as outlined in subd.2 for every 100 feet of road frontage.
- (k) Outdoor lighting. All outdoor lighting shall utilize lighting fixtures whose hood, lens, or combination thereof allow no direct beams of light from the fixture to be seen from off the property or to be cast skyward, and the lighting elements of which shall not be visible from adjacent properties. (Amended: 20 Sept. 2016; Ord. 2016-14)
- (l) Building spacing. Buildings may be clustered on a lot, but shall be separated from each other by a distance of at least 20 feet or as required by the Wisconsin Administrative Code, whichever is greater.
- (m) Mixed uses. Uses other than occupancy units, if permitted in the district, may be located on the same lot as the MOD.
- (n) Accessory buildings. The total number of accessory buildings shall be limited to 2 or the number of MOD principal buildings on the lot, whichever is greater. The total combined floor area of all accessory buildings shall not exceed 70 percent of the total building footprint of all MOD principal buildings.
- (o) One bedroom occupancy units limitation. In High Density Residential and Neighborhood Residential districts, the number of one bedroom occupancy units shall not exceed 50% of the total number of occupancy units within the MOD. (Amended: 27 February 2007, Ord. No. 2007-04; Effective 12 March 2007)
- (p) Manufactured homes prohibited. Manufactured homes shall not be used

as occupancy units within a MOD.

- (9) Secondary Dwelling Unit requirements. (Added: 4 April 2011; Ord. 2011-04)
- (a) Secondary dwelling units shall be subject to the regulations herein and shall not be regulated as multiple occupancy developments.
  - (b) Not more than one secondary dwelling unit per single family residence shall be permitted.
  - (c) Secondary dwelling units may be attached to or detached from the single family residence.
  - (d) Lot requirements. A secondary dwelling unit may be allowed on any parcel meeting the minimum lot size requirements of s.3.02(3), table of district requirements, or s.3.04(5), lots created prior to the effective date of this ordinance.
  - (e) For all secondary dwelling units, the setbacks and minimum yards shall be as required for principal structures, except that detached secondary dwelling units subject to an ordinary high water mark setback shall, for the purposes of that setback, be viewed and regulated as accessory structures. (Amended: 17 April 2012; Ord. 2012-14) (Amended: 22 May 2018; Ord. 2018-10)
  - (f) Secondary dwelling units shall not exceed 749 square feet in floor area.
  - (g) A minimum of one off-street parking space per secondary dwelling unit shall be provided.
  - (h) Structures housing detached secondary dwelling units shall be considered accessory structures and shall be subject to section 3.12, Accessory structures, as applicable. (Amended: 24 March 2015; Ord. 2015-02) (Numerical formatting error corrected: 20 Sept. 2016; Ord. 2016-14) (Amended: 28 August 2018; Ord. 2018-16)
  - (i) No secondary dwelling unit shall be rented for a period of less than seven (7) consecutive days. A restrictive agreement shall be recorded to this effect. (Amended: 28 August 2018; Ord. 2018-16)
  - (j) Secondary dwelling units may not be conveyed or separated in ownership from the single family residence, unless the Door County Land Use Services Department approves, per ordinances in effect at that time. A restrictive agreement shall be recorded to this effect. (Amended: 27 March 2018; Ord. 2018-07)
  - (k) (Deleted: 17 April 2012; Ord. 2012-14)
- (10) Bed and Breakfast Establishments. (Amended: 4 Nov 2011; Ord. 2011-14),



(a) Except in the Single Family Residential-20,000 and Single Family Residential-30,000 districts, there shall be no more than 4 rooms available for rent to transient guests. In the Single Family Residential-20,000 and Single Family Residential-30,000 districts, there shall be no more than 2 such rooms.

(b) Bed and breakfast establishments shall comply with the parking requirements of s. 7.02, off-street parking requirements.

(c) All bed and breakfast establishments with sleeping rooms above the ground floor shall provide an outside fire escape or escape balcony from an area accessible to the occupants of the upper floor(s) and appropriate exit signs.

(d) All lot size and other dimensional requirements for single family residences shall be met.

(e) (Deleted: 29 October 2019; Ord. 2019-13)

(f) In the Single Family Residential-20,000 and Single Family Residential-30,000 districts, at the time of zoning permit application, the building proposed to house the bed and breakfast establishment shall be at least 10 years old, as dated from original construction.

(11) Boardinghouses. (Amended: 9 Nov. 2011; Ord. 2011-14)

(a) There shall be one off-street parking space per sleeping room provided.

(b) There shall be no more than 4 sleeping rooms provided for boarding.

(c) All boardinghouses with sleeping rooms above the ground floor shall provide an outside fire escape or escape balcony from an area accessible to the occupants of the upper floor(s) and appropriate exit signs.

(d) All lot size and other dimensional requirements for single family residences shall be met.

(e) (Deleted: 29 October 2019; Ord. 2019-13)

#### **4.09 Miscellaneous uses requirements.**

(1) Airports, airstrips, and landing fields.

PARTICULAR USE REQUIREMENTS 4.09(2)

(a) The area proposed for this use shall be sufficient in size, and the site shall otherwise be adequate, to meet the standards of the Federal Aviation Administration, Department of Transportation, for the class of airport proposed.

(b) One off-street parking space shall be required for every tie-down space or plane space within hangars.

(c) **Town of Liberty Grove additional requirements.** The following conditions shall apply to personal airstrips and personal landing fields located in the Town of Liberty Grove.

1. The minimum lot size for a personal airstrip or personal landing field shall be 10 acres.

2. The maximum horsepower of any aircraft utilizing a personal airstrip or personal landing field shall be 175 horsepower.

3. The runways of personal airstrips or personal landing fields shall not be lit.

4. The maximum length of a runway at a personal airstrip or personal landing field shall be 1500 feet.

5. The paving of runways at personal airstrips and personal landing fields shall not be allowed.

6. A conditional use permit authorizing a personal airstrip or personal landing field shall not transfer to a new owner upon change of ownership.

7. A conditional use permit issued for a personal airstrip or personal landing field shall be subject to review by the Resource Planning Committee every 5 years from date of issuance.

8. No commercial business nor banner towing operations shall be allowed from any personal airstrip or personal landing field. (Amended: 24 Feb. 2004; Ord. 2004-05)

(2) Utility facilities.

(a) No zoning permit shall be required for any installation that is at or below grade elevation, nor for electrical poles, towers, and wires.

(b) Those structures which are 4 feet or less above grade elevation need not meet setback requirements nor need they be placed on conforming lots.

Exception: Public utility pad-mounted installations associated with underground distribution supply conductors and cables shall be limited to 7

feet or less, rather than the 4 foot requirement, above grade elevation for three-phase pad-mounted transformers, three-phase pad-mounted switch gear, pad-mounted telephone remote switches, and pad-mounted cable TV amplifiers. (Added: 29 June 2005; Ord. 2005-18)

(c) Electrical substations shall be enclosed by a chain link fence at least 10 feet high. Such structures shall additionally be located at least 75 feet from a dwelling unit.

(3) Animal shelters and pounds.

(a) All animal shelters and pounds located in the Commercial Center and Countryside-5 districts shall house all animals indoors. No outdoor housing shall be permitted. (Typographical error corrected: 20 Sept. 2016; Ord. 2016-14)

(b) All structures associated with animal shelters and pounds located in the Commercial Center districts shall be at least 50 feet from all side and rear lot lines.

(c) All structures associated with animal shelters and pounds located in the General Agricultural, Prime Agricultural, Countryside, and Countryside-5 districts shall be at least 200 feet from all side and rear lot lines. (Amended: 27 February 2007; Ord. 2007-04; Effective 12 March 2007)

(d) All animal shelters and pounds located in the General Agricultural, Prime Agricultural, Countryside, and Countryside-5 districts shall be located on lots containing at least 10 acres. (Amended: 27 February 2007; Ord. 2007-04; Effective 12 March 2007)

(e) All animal shelters and pounds with outdoor housing of animals shall be screened from all adjacent properties and public roads by means of a vegetative screening, as described in s. 3.10(4), landscape buffer tree requirements.

(f) There shall be at least one housing unit for every 2 adult dogs housed by animal shelters and pounds. Further, there shall be no more than 2 adult dogs housed in any single enclosure unit.

(g) The Resource Planning Committee, in granting a conditional use permit, may impose additional conditions based on Wisconsin Federated Humane Society standards.