

Article C: Zoning Districts

Sec. 13-1-40 Zoning Districts Designated.

- (a) For the purpose of this Chapter, the Village of Crivitz is hereby divided into the following nineteen (19) zoning districts:
- (1) R-1 One and Two-Family Residential District (Low Density)
 - (2) R-2 One and Two-Family Residential District (Medium Density)
 - (3) R-3 Multiple-Family Residential District
 - (4) R-4 Residential Estate District
 - (5) C-1 Conservancy District
 - (6) B-1 Central Business District
 - (7) B-2 Neighborhood Business District
 - (8) B-3 Highway Business District
 - (9) B-4 Retail/Industrial District
 - (10) B-5 Extensive Commercial District
 - (11) B-6 Business Park District
 - (12) I-1 Industrial District
 - (13) P-1 Public Facilities District
 - (14) A-1 Agricultural District (Non-Livestock)
 - (15) A-2 Agricultural Enterprise District
 - (16) A-3 Exclusive Agricultural District
 - (17) SP-1 Special Purpose District
 - (18) AEO Adult Entertainment Overlay District
 - (19) E-1 Mineral Extraction or Landfill Overlay District

Sec. 13-1-41 Zoning Map; District Boundaries.

- (a) **Zoning Map.** The boundaries of the districts enumerated in Section 13-1-40 above are hereby established as shown on a map entitled "Zoning Map, Village of Crivitz, Wisconsin", as amended, which is adopted by reference and made a part hereof. The map shall bear upon its face the attestation of the Village President and the Village Clerk-Treasurer and shall be available to the public in the office of the Village Clerk-Treasurer.
- (b) **Boundary Lines.** The boundaries shall be construed to follow corporate limits; U.S. Public Land Survey lines; lot or property lines; center lines of streets, highways, alleys, easements and railroad rights-of-way; or such lines extended unless otherwise noted on the Zoning Map. Where the district boundaries are not otherwise indicated and where the property has

been or may hereafter be divided into blocks and lots, the district boundaries shall be construed to be lot lines and where the designations on the Zoning Map are approximately bounded by lot lines, such lot line shall be construed to be the boundary of the district.

- (c) **Vacation.** Vacation of public streets and alleys shall cause the land vacated to be automatically placed in the same district as the abutting side to which the vacated land reverts.
- (d) **Annexations and Consolidations.** Annexations to or consolidations with the Village of Crivitz subsequent to the effective date of this Chapter shall be placed in the R-1 Residential District unless the annexation ordinance temporarily placed the land in another district.
- (e) **Rules for Interpretation of Zoning District Boundaries.**
 - (1) **Generally.** Where uncertainty exists as to the boundaries of districts as shown on the Zoning Map, the following rules shall apply:
 - a. Boundaries indicated as approximately following the centerlines of streets, highways or alleys shall be construed to follow such centerlines.
 - b. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
 - c. Where district boundaries are so depicted that they approximately follow section lines, quarter section lines or other government survey lines; or that they approximately follow political subdivision lines such as county lines, town lines or corporate limits; such government survey lines or political subdivision lines shall be construed to be said boundaries.
 - d. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.
 - e. Boundaries indicated as following shorelines shall be construed to follow such shorelines and, in the event of change in the shoreline, shall be construed as moving with the actual shoreline; boundaries indicated as approximately following the centerlines of streams, rivers, canals, lakes or other bodies of water shall be construed to follow such centerlines.
 - f. Boundaries indicated as parallel to or extensions of features indicated in the preceding shall be so construed. Distances not specifically indicated on the zoning map shall be determined by the scale of the map.
 - g. Where a district boundary line, as appearing on the zoning map, divided a lot in single ownership at the time of original enactment of this Zoning Code, the district requirements for the least restricted portion of such lot shall be deemed to apply to the whole thereof, provided that such extension shall not include any part of such lot more than thirty-five (35) feet beyond the district boundary lines.
 - (2) **Exceptions.** As an exception to the District Boundary interpretation, in Subsection (e) above, the A-1 Exclusive Agricultural District shall include all lands within the corporate limits of the Village that are not otherwise assigned to a specific zoning

district or dedicated as the right-of-way of a public road, street or alley. Also where not defined by the above interpretation of district boundary lines and limits, the extent of the C-1 Conservancy District may be construed to be the Floodplain or Shoreland of a navigable body of water, or a thirty (30) foot wide strip of land along either side of the centerline of a natural, non-navigable waterway or drainageway.

Sec. 13-1-42 R-1 One and Two-Family Residential District (Low Density).

- (a) **Purpose.** The purpose of the R-1 District is to provide the opportunity for construction and maintenance of primarily one and two-family detached dwelling units at a low dwelling unit per acre density. The R-1 District particularly reflects new development areas of the Village of Crivitz.
- (b) **Permitted Uses.** The following are permitted uses in the R-1 District:
 - (1) Single-family and two-family detached dwellings, excluding all mobile homes, and their permitted accessory structures; for purposes of this Chapter manufactured homes are included in the definition of single-family dwelling.
 - (2) Manufactured homes complying with all of the following requirements and limitations:
 - a. The home shall be a double wide of at least twenty-four (24) feet in width and thirty-six (36) feet in length.
 - b. The home shall be installed on an approved Uniform Dwelling Code (UDC) foundation system in conformity with the uniform building code. The wheels and axles must be removed. The enclosed foundation system shall be approved by the Building Inspector and/or Village Engineer; the Building Inspector may require a plan to be certified by a registered architect or engineer to ensure proper support for the home.
 - c. The home shall be equipped with foundation siding which in design, color and texture appears to be an integral part of the adjacent exterior wall of the manufactured home.
 - d. The home shall be covered by a roof pitched at a minimum slope of three (3) inches in twelve (12) inches, which is permanently covered with non-reflective material.
 - e. The home shall have a pitched roof, overhanging eaves and such other design features required of all new single-family dwellings located within the Village of Crivitz.
 - (3) A detached garage and accessory structures per Section 13-1-200; such garage or other accessory structure shall not be used for living quarters.
 - (4) Gardening, storage sheds, and other accessory buildings incidental to the residential use and meeting the requirements of Section 13-1-200.

- (5) Public parks and recreation areas.
 - (6) Community living arrangements and adult day care centers which have a capacity for eight (8) or fewer persons.
 - (7) Family day care home for not more than eight (8) children.
 - (8) Home occupations and professional home offices per Section 13-1-93.
 - (9) Class 2 collocation of a new mobile service facility on an existing support structure without substantial modification, per Section 13-1-182.
 - (10) Uses customarily incident to any of the above uses, provided that no such use generates traffic or noise that would create public or private nuisance.
- (c) **Conditional Uses.** The following are conditional uses within the R-1 District:
- (1) Community living arrangements and adult day care centers which have a capacity for nine (9) or more persons.
 - (2) Planned residential developments (PUD).
 - (3) Bed and breakfast inns [7011].
 - (4) Churches and public buildings, except public buildings housing uses incompatible with the characteristics of the District, such as sewage systems, incinerators and shops.
 - (5) Public utility structures, except those incompatible with the characteristics of the district, including water storage and sewage disposal facilities.
 - (6) Multi-dog kennels per Village ordinances.
 - (7) Golf courses and private clubs.
 - (8) Preschool or daycare centers serving more than eight (8) children.
 - (9) Public parks, playgrounds and community facilities or buildings.
 - (10) Public and parochial schools.
 - (11) Mobile home parks as a planned unit development meeting the requirements of Article D and the standards governing mobile home parks in Article O of this Zoning Code.
 - (12) Siting and construction of any new mobile support structure and/or facility or a Class 1 collocation of a new mobile service facility on an existing support structure, per Section 13-1-182.
 - (13) Uses customarily incident to any of the above uses, provided that no such use generates traffic or noise that would create a public or private nuisance.
- (d) **Area, Height and Yard Requirements.**
- (1) **Lot.**
 - a. Area: Minimum ten thousand (10,000) square feet.
 - b. Width: Minimum eighty (80) feet.
 - (2) **Building.**
 - a. Maximum height: Thirty-five (35) feet.
 - b. Minimum dwelling floor area: Nine hundred (900) square feet (residential); eight hundred (800) square feet for two-family units.
 - (3) **Yards.**
 - a. Minimum street yard: Twenty-five (25) feet. (Note: More restrictive standards may be imposed by state regulations in certain circumstances; for example, on lots fronting on certain classes of State Highways.)

- b. Minimum Rear Yard:
 - 1. Twenty-five (25) feet from principal buildings
 - 2. Five (5) feet from an accessory building.
- c. Minimum Side Yard:
 - 1. Six (6) feet for pre-existing lots sixty-six (66) feet or less in width.
 - 2. Ten (10) feet minimum per side for lots more than sixty-six (66) feet in width.
 - 3. For corner lots, each side adjacent to a street shall have a setback of fifteen (15) feet.
- (4) **Navigable Water Setbacks.** There shall be a setback of not less than seventy-five (75) feet of all buildings and structures from navigable water as measured from the ordinary high water mark, as determined by the Zoning Administrator, and as measured from the edge of the roof overhang to the high water mark. There shall be a setback of not less than fifty-five (55) feet for all decks and patios which are without a permanent roof. The exception hereto may be for landings, having a maximum size of forty (40) square feet and having no part of the landing overhanging the water, and for stairs, each of which may extend to the water's edge.

Sec. 13-1-43 R-2 One and Two-Family Residential District (Medium Density).

- (a) **Purpose.** The purpose of the R-2 District is to provide the opportunity for construction and maintenance of primarily one and two-family detached dwelling units at a medium dwelling unit per acre density. The R-2 District reflects older neighborhoods in the Village of Crivitz.
- (b) **Permitted Uses.** The following are permitted uses in the R-2 District:
 - (1) Single-family detached dwellings, excluding all mobile homes, and their permitted accessory structures; for purposes of this Chapter manufactured homes are included in the definition of single-family dwelling.
 - (2) Manufactured homes complying with all of the following requirements and limitations:
 - a. The home shall be a double wide of at least twenty-four (24) feet in width and thirty-six (36) feet in length.
 - b. The home shall be installed on an approved Uniform Dwelling Code (UDC) foundation system in conformity with the uniform building code. The wheels and axles must be removed. The enclosed foundation system shall be approved by the Building Inspector and/or Village Engineer; the Building Inspector may require a plan to be certified by a registered architect or engineer to ensure proper support for the home.

- c. The home shall be equipped with foundation siding which in design, color and texture appears to be an integral part of the adjacent exterior wall of the manufactured home.
 - d. The home shall be covered by a roof pitched at a minimum slope of three (3) inches in twelve (12) inches, which is permanently covered with non-reflective material.
 - e. The home shall have a pitched roof, overhanging eaves and such other design features required of all new single-family dwellings located within the Village of Crivitz.
- (3) A detached garage and accessory structures per Section 13-1-200; such garage or other accessory structure shall not be used for living quarters.
- (4) Gardening, storage sheds, and other accessory buildings incidental to the residential use and meeting the requirements of Section 13-1-200.
- (5) Public parks and recreation areas.
- (6) Community living arrangements and adult day care centers which have a capacity for eight (8) or fewer persons.
- (7) Family day care home for not more than eight (8) children.
- (8) Home occupations and professional home offices per Section 13-1-93.
- (9) Class 2 collocation of a new mobile service facility on an existing support structure without substantial modification, per Section 13-1-182.
- (10) Uses customarily incident to any of the above uses, provided that no such use generates traffic or noise that would create public or private nuisance.
- (c) **Conditional Uses.** The following are conditional uses within the R-1 District:
 - (1) Community living arrangements and adult day care centers which have a capacity for nine (9) or more persons.
 - (2) Planned residential developments (PUD).
 - (3) Bed and breakfast inns [7011].
 - (4) Churches and public buildings, except public buildings housing uses incompatible with the characteristics of the District, such as sewage systems, incinerators and shops.
 - (5) Public utility structures, except those incompatible with the characteristics of the district, including water storage and sewage disposal facilities.
 - (6) Multi-dog kennels per Village ordinances.
 - (7) Golf courses and private clubs.
 - (8) Preschool or daycare centers serving more than eight (8) children.
 - (9) Public parks, playgrounds and community facilities or buildings.
 - (10) Public and parochial schools.
 - (11) Mobile home parks as a planned unit development meeting the requirements of Article D and the standards governing mobile home parks in Article O of this Zoning Code.
 - (12) Siting and construction of any new mobile support structure and/or facility or a Class 1 collocation of a new mobile service facility on an existing support structure, per Section 13-1-182.

- (13) Uses customarily incident to any of the above uses, provided that no such use generates traffic or noise that would create a public or private nuisance.
- (d) **Area, Height and Yard Requirements.**
- (1) **Lot.**
 - a. Area: Minimum seven thousand two hundred (7,200) square feet.
 - b. Width: Minimum sixty (60) feet.
 - (2) **Building.**
 - a. Maximum height: Thirty-five (35) feet.
 - b. Minimum dwelling floor area per dwelling unit: Six hundred forty (640) square feet (residential).
 - (3) **Yards.**
 - a. Minimum street yard: Twenty-five (25) feet. (Note: More restrictive standards may be imposed by state regulations in certain circumstances; for example, on lots fronting on certain classes of State Highways.)
 - b. Minimum Rear Yard:
 1. Twenty-five (25) feet from principal buildings
 2. Five (5) feet from an accessory building.
 - c. Minimum Side Yard:
 1. Six (6) feet for pre-existing lots sixty-six (66) feet or less in width.
 2. Ten (10) feet minimum per side for lots more than sixty-six (66) feet in width.
 3. For corner lots, each side adjacent to a street shall have a setback of fifteen (15) feet.
 - (4) **Navigable Water Setbacks.** There shall be a setback of not less than seventy-five (75) feet of all buildings and structures from navigable water as measured from the ordinary high water mark, as determined by the Zoning Administrator, and as measured from the edge of the roof overhang to the high water mark. There shall be a setback of not less than fifty-five (55) feet for all decks and patios which are without a permanent roof. The exception hereto may be for landings, having a maximum size of forty (40) square feet and having no part of the landing overhanging the water, and for stairs, each of which may extend to the water's edge.

Sec. 13-1-44 R-3 Multiple-Family Residential District.

- (a) **Purpose.** The purpose of the R-3 Multiple-Family District is to provide the opportunity for construction and maintenance of multiple-family dwelling units and to delineate areas where more compact residential development, including condominiums and rental apartments, has occurred or will likely occur in accordance with the Village Comprehensive Plan.

- (b) **Permitted Uses.** The following are permitted uses in the R-3 District:
- (1) Two-family dwellings (duplex).
 - (2) Multiple-family dwellings up to and including twelve (12) units per building.
 - (3) Accessory structures per Section 13-1-200 and occupying not more than twenty percent (20%) of the rear yard.
 - (4) Condominium dwellings.
 - (5) Preschool and daycare facilities serving not more than sixteen (16) children.
 - (6) Charitable institutions, rest homes, convalescent homes, nursing homes, homes for the care of children, homes for the care of the aged, homes for the care of the indigent, and similar institutions.
 - (7) Neighborhood parks and playgrounds.
 - (8) Class 2 collocation of a new mobile service facility on an existing support structure without substantial modification, per Section 13-1-182.
 - (9) Uses customarily incident to any of the above uses, provided that no such use generates traffic or noise that would create public or private nuisance.
- (c) **Conditional Uses.** The following are conditional uses in the R-3 District:
- (1) Multi-family buildings providing more than twelve (12) dwelling units per building.
 - (2) Professional home offices or home occupations.
 - (3) Planned unit residential developments, including condominium clusters.
 - (4) Schools and churches.
 - (5) Government, cultural, and public uses such as fire and police stations, community centers, libraries, public emergency shelters and museums.
 - (6) Retirement homes.
 - (7) Single-Family dwellings.
 - (8) Mobile home parks as a planned unit development meeting the requirements of Article D and the standards for mobile home parks in Article O of this Zoning Code. This use shall be subject to the condition that it shall conform to all ordinances of the Village of Crivitz regulating mobile homes and mobile home parks; to the Wisconsin Administrative Code, Chapter H77, "Manufactured Home Communities"; to any Floodplain Zoning Ordinance enacted pursuant to Sec. 87.30, Wis. Stats.; and to any Shoreland-Wetland Protection Ordinance enacted pursuant to Sec. 59.97, Wis. Stats.
 - (9) Siting and construction of any new mobile support structure and/or facility or a Class 1 collocation of a new mobile service facility on an existing support structure, per Section 13-1-182.
- (d) **Area, Height and Yard Requirements.**
- (1) **Lot.**
 - a. Minimum Width: Ninety (90) feet.
 - b. Minimum Area.
 1. Ten thousand (10,000) square feet for two-family dwelling.
 2. Five thousand (5,000) square feet per unit for three-family dwelling.

3. Three thousand five hundred (3,500) square feet per unit for four-family dwelling.
 4. Fourteen thousand (14,000) square feet, plus two thousand (2,000) square feet per unit for each unit over four (4).
- (2) **Building.**
- a. Maximum Height: Thirty-five (35) feet.
 - b. Minimum Floor Area per Family: Seven hundred twenty (720) square feet.
- (3) **Yards.**
- a. Street: Minimum twenty-five (25) feet.
 - b. Rear: Minimum twenty-five (25) feet; minimum five (5) feet from accessory buildings and detached garages.
 - c. Side:
 1. Six (6) feet for pre-existing lots sixty-six (66) feet or less in width.
 2. Fifteen (15) feet on each side for lots more than sixty-six (66) feet in width.

Sec. 13-1-45 R-4 Residential Estate District.

- (a) **Purpose.** The R-4 Residential Estate District is intended to provide for a single-family residential countryside estate development, at densities not to exceed one (1) dwelling unit per gross three (3) or more acres, typically served by municipal sewer facilities. This District is for executive/estate type large lots of a rural or estate character.
- (b) **Permitted Uses.** The following uses are permitted in the R-4 District:
- (1) Single-family detached dwellings, excluding all mobile homes; for purposes of this Chapter manufactured homes are included in the definition of single-family dwelling.
 - (2) Manufactured homes complying with all of the following requirements and limitations:
 - a. The home shall be at least twenty-four (24) feet in width and thirty-six (36) feet in length.
 - b. The home shall be installed on an approved Uniform Dwelling Code (UDC) foundation system in conformity with the uniform building code. The wheels and axles must be removed. The enclosed foundation system shall be approved by the Building Inspector and/or Village Engineer; the Building Inspector may require a plan to be certified by a registered architect or engineer to ensure proper support for the home.
 - c. The home shall be equipped with foundation siding which in design, color and texture appears to be an integral part of the adjacent exterior wall of the manufactured home.
 - d. The home shall be covered by a roof pitched at a minimum slope of three (3) inches in twelve (12) inches, which is permanently covered with non-reflective material.

- e. The home shall have a pitched roof, overhanging eaves and such other design features required of all new single-family dwellings located within the Village of Crivitz.
- f. Have exterior wall coverings consisting of any of the following materials or combinations thereof:
 - 1. Horizontal aluminum, steel or vinyl siding;
 - 2. Wood or simulated wood; or
 - 3. Brick or stone.
- (3) Community living arrangements which have a capacity for eight (8) or fewer persons subject to the limitations set forth in Sec. 62.23(7)(i), Wis. Stats.
- (4) Essential services.
- (5) Home occupations/professional home offices. (See Section 13-1-93.)
- (6) Class 2 collocation of a new mobile service facility on an existing support structure without substantial modification, per Section 13-1-182.
- (c) **Conditional Uses.** The following are conditional uses in the R-4 District:
 - (1) Utility substations.
 - (2) Solar collectors erected as an accessory structure.
 - (3) Community living arrangements which have a capacity for nine (9) or more adult persons.
 - (4) Single-family dwelling units meeting the requirements of this Section served by private sewer and water systems where the Village determines public service is impractical.
 - (5) Siting and construction of any new mobile support structure and/or facility or a Class 1 collocation of a new mobile service facility on an existing support structure, per Section 13-1-182.
- (d) **Area, Height and Yard Requirements.**
 - (1) **Lot.**
 - a. Area. Lots shall be a minimum of three (3) acres in area and shall be not less than one hundred twenty-five (125) feet in width at front setback.
 - b. Height. No building or parts of a building shall exceed thirty-five (35) feet in height.
 - (2) **Yards.**
 - a. Street. Minimum twenty-five (25) feet.
 - b. Side. There shall be a side yard on each side of all buildings not less than twenty (20) feet in width.
 - c. Rear. There shall be a rear yard of not less than fifty (50) feet; twelve (12) feet for accessory buildings and detached garages.
- (e) **Other Development Standards.**
 - (1) Rural cross section streets may be permitted with special permission from the Village Board under the following circumstances and conditions of development:

- a. Minimum roadway design standards:
 1. Twenty-two (22) feet blacktop pavement width per Village standards.
 2. A one and one-half (1-1/2) foot rolled curb concrete shoulder or curb with a minimum of seven (7) inches on each side of the blacktop.
 3. Sixty-six (66) foot right-of-way.
 4. One hundred thirty-two (132) feet cul-de-sac bulb right-of-way.
 - b. Where rural cross sections are used, the developer shall submit and the Village Board shall approve detailed grading plans for the swale network. The swale system shall be installed at time of street work and shall be designed as a component of the storm water management plan.
 - c. A culvert installation permit and detailed lot grading permit shall be granted by the Building Inspector prior to any disturbance of the site associated with grading, excavation or culvert installation. The developer shall secure a performance bond or deposit of Five Hundred Dollars (\$500.00) plus twenty-five percent (25%) of the total cost to ensure appropriate culvert installation and shall pay any required Village administrative and inspection fee prior to the grading of a culvert installation permit.
- (2) Livestock such as, but not limited to, cattle, swine, horses, ponies, poultry and other fowl, may only be allowed in the R-4 District following issuance of a conditional use permit after public hearing. As a general policy guideline, the R-4 District is not intended to be used for intensive raising or boarding of livestock or fowl. A conditional use permit for livestock or fowl may only be issued if such use is compatible with the neighborhood.

Sec. 13-1-46 C-1 Conservancy District.

- (a) **Purpose.** The purpose of the C-1 Conservancy District is to preserve, protect, and maintain the natural environment and character of areas exhibiting significant natural resource features which contribute to the productive, recreational, or aesthetic value of the community.
- (b) **Permitted Uses.** The following are permitted uses in the C-1 District:
 - (1) Preservation and/or controlled use of existing: trees, shrubs and plants; prairie grasses; wildlife habitat and nesting areas; wetlands and drainage ways; floodplains and shorelands.
 - (2) Forest and game management.
 - (3) Hunting, fishing and hiking.
 - (4) Utilities.
 - (5) Class 2 collocation of a new mobile service facility on an existing support structure without substantial modification, per Section 13-1-182.

- (6) Non-residential buildings used solely in conjunction with the raising of water, fowl or fish.
 - (7) Recreation related structures not requiring basements.
 - (8) Harvesting of wild crops such as: marsh hay, ferns, moss, watercress, wild rice, berries, fruits; seeds; sustained yield forestry; or raising of wildlife.
 - (9) Preservation of areas of scenic, historic or scientific value.
 - (10) Soil and water conservation programs,
 - (11) Public and semi-public open space uses such as: parks, hiking trails, ski trails, bridle paths, fishing ponds, picnic areas, greenways, and wildlife preserves.
- (c) **Conditional Uses.** The following are conditional uses in the C-1 District:
- (1) Dams, flowages, ponds, and water storage and water pumping facilities.
 - (2) Power plants deriving their power from the flow of water, and transmission lines and other facilities accessory thereto.
 - (3) Utilities such as, but not restricted to telephone, telegraph, power, or other transmission lines.
 - (4) Cranberry bogs.
 - (5) Animal hospitals, shelters and kennels.
 - (6) Archery and firearm ranges, sports fields and skating rinks.
 - (7) Land restoration, flowage, ponds.
 - (8) Golf courses and clubs.
 - (9) Ski hills and trails.
 - (10) Marinas.
 - (11) Recreation camps.
 - (12) Public and private campgrounds.
 - (13) Riding stables.
 - (14) Sewage disposal plants.
 - (15) Governmental, cultural and public buildings or uses.
 - (16) Siting and construction of any new mobile support structure and/or facility or a Class 1 collocation of a new mobile service facility on an existing support structure, per Section 13-1-182.
 - (17) Hunting and fishing clubs.
 - (18) Professional home offices.
 - (19) Farm structures.
 - (20) Any building construction incidental to a permitted use.
 - (21) Any filling, dredging, stream channel modification, or earthmoving involving more than one thousand (1,000) square yards in area.
 - (22) Agricultural cropping, and grazing with confining fences.
- (d) **Area, Height and yard Requirements.**
- (1) **Lot.**
 - a. Area: Minimum one (1) acre.
 - b. Width: Minimum one hundred fifty (150) feet.

- (2) **Building Height.** Maximum thirty-five (35) feet.
- (3) **Other Structures Height.** Maximum one-half (1/2) the distance from the structures nearest lot line.
- (4) **Yards.**
 - a. Street: Minimum forty (40) feet.
 - b. Rear: Minimum twenty (20) feet.
 - c. Side: Minimum twenty (20) feet except structures used for the housing of shelters of animals must be one hundred (100) feet from lot lines.

Sec. 13-1-47 B-1 Central Business District.

- (a) **Purpose.** The B-1 Central Business District is intended to provide an area for the business, financial, professional, and commercial needs of the community, especially those which can be most suitably located in compact and centrally located business districts. The B-1 District is intended to:
 - (1) Provide for present and future commercial activities within traditional business area of the Village;
 - (2) Accommodate community service functions, public and quasi-public land-use needs, at a central location;
 - (3) Permit residential units above established businesses in accordance with Village building codes and zoning requirements;
 - (4) Protect the commercial character of the District by prohibiting the incursion of incompatible land use.
- (b) **Permitted Uses.** The following are permitted uses in the B-1 District:
 - (1) Paint, glass and wallpaper stores. [523]
 - (2) Hardware stores. [525]
 - (3) Variety stores, general merchandise stores. [53]
 - (4) General grocery stores, supermarkets, fruit and vegetable stores, delicatessens, meat and fish stores and miscellaneous food stores. [54]
 - (5) Candy, nut or confectionery stores. [544]
 - (6) Dairy products stores, including ice cream stores. [545]
 - (7) Retail bakeries, including those which produce some or all of the products sold on the premises, but not including establishments which manufacture bakery products primarily for sale through outlets located elsewhere or through home service delivery. [546]
 - (8) Clothing and shoe stores. [56]
 - (9) Furniture, home furnishings, floor covering and upholstery shops/stores. [57]
 - (10) Restaurants, lunch rooms and other eating places, except drive-in type establishments. [5812]

- (11) Taverns, bars and other drinking places as licensed by Village Board. [5813]
- (12) Drug stores and pharmacies. [591]
- (13) Liquor stores. [592]
- (14) Antique stores and secondhand stores. [593]
- (15) Sporting goods stores and bicycle shops. [5941]
- (16) Bookstores, not including adult books. [5942]
- (17) Stationery stores. [5943]
- (18) Jewelry and clock stores. [5944]
- (19) Camera and photographic supply stores. [5946]
- (20) Gift, novelty and souvenir shops. [5947]
- (21) Florist shops. [5992]
- (22) News dealers and newsstands. [5994]
- (23) Wholesale merchandise establishments, only for retail items listed above; e.g., #19 would allow wholesale camera sales.
- (24) Banks and other financial institutions. [60-62]
- (25) Offices of insurance companies, agents, brokers and service representatives. [63-64]
- (26) Offices of real estate agents, brokers, managers and title companies. [65-67]
- (27) Miscellaneous business offices.
- (28) Heating, electrical, and plumbing supplies (provided all material storage is inside a building); construction contractor offices.
- (29) Retail laundry and dry cleaning outlets, including coin-operated laundries and dry cleaning establishments, commonly called laundromats and launderettes. Tailor shops, dressmakers' shops, and garment repair shops, but not garment pressing establishments, hand laundries, or hat cleaning and blocking establishments. [721]
- (30) Photographic studios and commercial photography establishments. [722]
- (31) Barbershops, beauty shops and hairdressers. [723-4]
- (32) Shoe repair shops and shoe shine parlors. [725]
- (33) Trade and contractor's offices (office only).
- (34) Advertising agencies, consumer credit reporting, news agencies, employment agencies. [731-2, 735-6]
- (35) Duplicating, blueprinting, photocopying, addressing, mailing, mailing list and stenographic services; small print shops. [733]
- (36) Computer services. [737]
- (37) Commercial parking lots and parking garages. [752]
- (38) Watch, clock and jewelry repair services. [763]
- (39) Motion picture theaters, not including drive-in theaters. [7832]
- (40) Miscellaneous retail stores. [5999]
- (41) Offices/clinics of physicians and surgeons, dentists and dental surgeons, osteopathic physicians, optometrists, massage therapists, counselors and chiropractors, but not veterinarian's offices. [801-4]

- (42) Law offices. [811]
 - (43) The offices, meeting places, churches, and premises of professional membership associations; civic, social, and fraternal associations; business associations, labor unions and similar labor organizations; political organizations; religious organizations; charitable organizations; or other non-profit membership organizations. [86]
 - (44) Engineering and architectural firms or consultants. [891-3]
 - (45) Accounting, auditing and bookkeeping firms or services. [8721]
 - (46) Professional, scientific, or educational firms, agencies, offices, or services, but not research laboratories or manufacturing operations. [899]
 - (47) The offices of governmental agencies and post offices. [91-92, 431]
 - (48) Public transportation passenger stations, but not vehicle storage lots or garages. [411-14]
 - (49) Telephone and internet service providers. [481-2]
 - (50) Day care centers; public and private schools. [481-2]
 - (51) Class 2 collocation of a new mobile service facility on an existing support structure without substantial modification, per Section 13-1-182.
 - (52) Bowling alleys.
 - (53) Existing residential developments, including dwelling units above established businesses, provided they comply with the Village Building Codes and the basic provisions of the R-3 Residential Zoning District as set forth herein.
- (c) **Conditional Uses.** The following are permitted as conditional uses in the B-1 District; provided that no nuisance shall be afforded to the public through noise, the discharge of exhaust gases from motor-driven equipment, unpleasant odors, smoke, steam, harmful vapors, obnoxious materials, unsightly conditions, obstruction of passage on the public street or sidewalk, or other conditions generally regarded as nuisances; and provided that where operations necessary or incident to the proper performance of these services or occupations would tend to afford such nuisances, areas, facilities, barriers, or other devices shall be provided in such a manner that the public is effectively protected from any and all such nuisances. These uses shall be subject to the consideration of the Village Board with regard to such matters.
- (1) Miscellaneous repair shops and related services. [769]
 - (2) Garment pressing establishments, hand laundries, hat cleaning and blocking shops and coin-operated dry cleaning establishments. [721]
 - (3) Establishments engaged in the publishing and printing of newspapers, periodicals or books. [2711]
 - (4) Dwelling units as a secondary use, provided that no dwelling shall be permitted below the second floor and business uses are not permitted on any floor above the ground floor, except in those buildings or structures where dwelling units are not established.
 - (5) Farm supplies, wholesale trade. [5191]
 - (6) Establishments engaged in the retail sale of automobiles, trailers, mobile homes, or campers. [551-2, 556]

- (7) Stores for the sale and installation of tires, batteries, mufflers or other automotive accessories. [553]
 - (8) Gasoline service stations (gas stations); provided, further, that all gasoline pumps, storage tanks and accessory equipment must be located at least thirty (30) feet from any existing or officially proposed street line. [5541]
 - (9) Establishments engaged in the daily or extended-term rental or leasing of house trailers, mobile homes or campers. [703]
 - (10) Establishments engaged in daily or extended-term rental or leasing of passenger automobiles, limousines or trucks, without drivers, or of truck trailers or utility trailers. [751]
 - (11) Establishments for the washing, cleaning or polishing of automobiles, including self-service car washes. [754]
 - (12) Hotels, motor hotels, motels, tourist courts, tourist rooms, etc. [70]
 - (13) Farm implement sales.
 - (14) Mini-warehouses and regular warehouses. [5993]
 - (15) Outdoor sports facilities or beer gardens at licensed premises (see Section 7-2-19).
 - (16) Animal hospitals; pet shops (excluding kennels).
 - (17) Undertaking and funeral establishments.
 - (18) Public facilities and uses including governmental, cultural, public buildings or uses, such as fire and police stations, community centers, libraries, public emergency shelters, parks, playgrounds and museums.
 - (19) Light assembly in conjunction with a retail business.
 - (20) Light industrial uses in conjunction with a retail business.
 - (21) Siting and construction of any new mobile support structure and/or facility or a Class 1 collocation of a new mobile service facility on an existing support structure, per Section 13-1-182.
- (d) **Lot, Yard and Building Requirements.**
- (1) **Lot Width.** Minimum sixty (60) feet, or building width plus required side yards.
 - (2) **Lot Area.** Minimum four thousand (4,000) square feet for new sites; no minimum for existing parcels.
 - (3) **Principal Building.**
 - a. Front Yard: Minimum - none.
 - b. Side Yard: Minimum ten (10) feet if sideyard is necessary to be compatible with neighborhood; otherwise none.
 - c. Rear Yard: Minimum twenty-five (25) feet if rear yard is necessary to be compatible with neighborhood; otherwise none. The rear yard shall only be used for parking and unloading.

NOTE: Pre-existing structures may be nonconforming. In blocks in the B-1 District which are already developed, the dimensional requirements of this Chapter can be modified if in the opinion of the Zoning Board of Appeals, such action would be in keeping with the

purpose of this Code where a practical difficulty or hardship would result from a literal enforcement of the requirements.

- (4) **Building Height.** Maximum forty-five (45) feet.
- (5) **Minimum Floor Area.** As required to serve business needs.
- (6) **Alley Setback.** Minimum fifteen (15) feet.
- (e) **Other Development Regulations.** For new structures in the B-1 District:
 - (1) A site development plan, prepared in accordance with Section 13-1-224, shall be submitted before a permit can be granted for any expanded or all new use in this District.
 - (2) No outdoor storage of any material shall be permitted in this District except within enclosed containers or properly screened, as determined by the Village Board.
 - (3) No lighting shall be permitted which would excessively glare from this District onto any street right-of-way or onto any adjacent property.

Sec. 13-1-48 B-2 Neighborhood Business District.

- (a) **Purpose.** The B-2 Neighborhood Business District is intended to provide a suitable location for those business and commercial activities which are located in a mixed residential/commercial setting. All supplies and equipment shall be housed or otherwise screened as approved by the Village Board.
- (b) **Permitted Uses.** The following are permitted uses in the B-2 District:
 - (1) All uses and structures permitted in the R-1 and R-2 Districts.
 - (2) Stores and shops for the conduct of any retail business.
 - (3) Banks, offices, studios, theaters, restaurants, taverns, bowling alleys, hotels, motels, funeral homes, and similar services.
 - (4) Undertaking and funeral establishments.
 - (5) Public utility buildings, telephone exchange buildings, electric transformer stations and substations, water and sewage pumping stations.
 - (6) Lodges, clubs and organization meeting places.
 - (7) Class 2 collocation of a new mobile service facility on an existing support structure without substantial modification, per Section 13-1-182.
- (c) **Conditional Uses.** The following are conditional uses in the B-2 District, subject to consideration of the creation of nuisance conditions affecting the public or the users of nearby areas, traffic or health hazards, or other such factors:
 - (1) All conditional uses in the B-1 Central Business District.
 - (2) Mini-warehouses.
 - (3) Utilities; siting and construction of any new mobile support structure and/or facility or a Class 1 collocation of a new mobile service facility on an existing support structure, per Section 13-1-182.

(d) **Height and Area Requirements.**

(1) **Lot Size.**

- a. Area Width: No minimum.
- b. Minimum Area: None.

(2) **Building.**

- a. Maximum Height: Thirty-five (35) feet.
- b. Maximum Floor Area: None.

(3) **Yards.**

- a. Minimum Front and Side Yard Setbacks: No front or side yard shall be required except that when a building or group of buildings abuts a residential district, a side yard shall be provided on the side of the lot abutting the residential district. Such yard shall have a width of not less than ten (10) feet.
- b. Minimum Rear Yard: There shall be a rear yard with a depth of not less than twenty-five percent (25%) of the depth of the lot, except that the depth of the rear yard need not be greater than twenty-five (25) feet. The rear yard may be used for off-street parking and unloading.

Sec. 13-1-49 B-3 Highway Business District.

- (a) **Purpose.** The B-3 Highway Commercial District is intended to provide for the orderly and attractive grouping at appropriate locations along principal highway routes, of those businesses and customer services which are logically related to and dependent upon highway traffic, or which are specifically designated to serve the needs of such traffic.

- (b) **Permitted Uses.** The following are permitted uses in the B-3 District:

- ~~(1) Retirement and nursing homes.~~
- ~~(2) Lodges and fraternal uses.~~
- ~~(3) Governmental, cultural, and public buildings or uses, such as fire and police stations, community centers, libraries, public emergency shelters, parks, playgrounds and museums.~~
- (4) Class 2 collocation of a new mobile service facility on an existing support structure without substantial modification, per Section 13-1-182.
- (5) Restaurants, lunch rooms and other dining places, not including drive-in establishments.
- (6) Retail shops and stores.
- (7) General grocery stores.
- (8) Parcel delivery facilities.
- (9) Nursery and garden centers.
- (10) Open space uses such as: agricultural crops and grazing, parks, parking lots, recreational facilities, greenways and similar such open space uses.

(c) **Conditional Uses.** The following are conditional uses in the B-3 District:

- (1) Amusement activities.
- (2) Automobile and truck retail services.
- (3) Automobile repair, tire and fuel services.
- (4) Bars and taverns.
- (5) Multi-family and condominium residences not exceeding sixteen (16) dwelling units per building.
- (6) Gift, novelty and souvenir sales.
- (7) Hotels, motels and tourist courts.
- (8) Night clubs, dance halls and taverns.
- (9) Restaurants.
- (10) Sales, service and installation of tires, batteries and accessories.
- (11) Residential dwelling units.
- (12) Animal hospital, ~~shelters and kennels.~~
- (13) Clinics.
- (14) ~~Public assembly uses.~~
- (15) Commercial recreation facilities.
- (16) Off-season storage facilities.
- (17) Lodges and fraternal buildings.
- (18) ~~Nursing homes.~~
- (19) Nursery and children day care centers.
- (20) ~~Retirement homes.~~
- (21) Drive-in food and beverage establishments.
- (22) Drive-banks.
- (23) Drive-in theaters.
- (24) Vehicle sales and service.
- (25) Public parking lots.
- (26) Sewage disposal plants.
- (27) Utilities; siting and construction of any new mobile support structure and/or facility or a Class 1 collocation of a new mobile service facility on an existing support structure, per Section 13-1-182.
- (28) Mobile home sales.
- (29) Log stacks are a conditional accessory use in the B-3 District, provided that they are located a minimum of sixty (60) from the center of adjacent public road right-of-ways.
- (30) Other uses listed as conditional uses in the B-1 District.
- (31) Gasoline service stations, provided that all gasoline pumps, storage tanks, and accessory equipment shall be located a minimum of thirty (30) feet from any existing or officially proposed street line, or as required by the Wisconsin Administrative Code, whichever is more restrictive.
- (32) ~~Government, cultural, and public buildings or uses, such as fire, ambulance or emergency medical services stations, community centers, libraries, public emergency shelters, parks, playgrounds and museums.~~

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- (33) Schools and churches.
 - (34) Mobile home sales.
 - (35) Seasonal roadside stands for the sale of farm produce only.
 - (36) Establishments or facilities for the sale, rental, service, repair, testing, demonstration or other use of motorcycles, motorized bicycles, snowmobiles, all-terrain vehicles, motorboats, other watercraft, or any other motorized vehicles and components.
 - (37) Wholesale merchandise establishments.
 - (38) Miniwarehouses.
 - (39) Motor carrier facilities.
 - (40) Commercial establishments selling used, secondhand, or reconditioned merchandise (junk yards excluded).
 - (41) Commercial sales and services requiring outdoor storage yards; truck terminals; and transshipment depots.
 - (42) Light assembly in conjunction with a retail business.
 - (43) Light industrial uses in conjunction with a retail business.
 - (44) Other uses similar to or customarily incidental to any of the above uses.
- (d) **Area, Height and Yard Requirements.**
- (1) Lot.
 - a. Building Area: Twenty thousand (20,000) square feet.
 - b. Width: Minimum seventy-five (75) feet.
 - (2) **Building Height.** Maximum thirty-five (35) feet.
 - (3) **Yards.**
 - a. Street: Minimum sixty (60) feet (may include parking).
 - b. Rear: Minimum twenty-five (25) feet.
 - c. Side: Minimum ten (10) feet each side.

Sec. 13-1-50 B-4 Retail/Industrial District.

- (a) **Purpose.** The B-4 Retail/Industrial District is intended to provide a suitable location for commercial activity with both retail and industrial activity components. For some, but not all, of these land uses, it may also be appropriate that they be located adjacent to a highway or other major thoroughfare.
- (b) **Permitted Uses.** The following are permitted uses in the B-4 District:
- (1) Establishments for the processing, sale or storage of lumber or other building materials.
 - (2) Stores and shops for the operation of any retail business.
 - (3) Banks, offices, studios, theaters, restaurants, taverns, bowling alleys, real estate offices, hotels, motels, funeral homes, and similar services.
 - (4) Multi-family and condominium residential buildings not exceeding sixteen (16) units per buildings.

- (5) Wholesale business in conjunction with a retail business.
 - (6) Light assembly in conjunction with a retail business.
 - (7) Light industrial in conjunction with a retail business.
 - (8) Class 2 collocation of a new mobile service facility on an existing support structure without substantial modification, per Section 13-1-182.
- (c) **Conditional Uses.** The following are conditional uses in the B-4 District, subject to consideration of the creation of nuisance conditions affecting the public or the users of nearby areas, traffic or health hazards, or other such factors:
- (1) All conditional uses in the B-1 Central Business District.
 - (2) All permitted uses in the B-3 Highway Commercial District.
 - (3) Heavy industrial or manufacturing.
 - (4) Utilities; siting and construction of any new mobile support structure and/or facility or a Class 1 collocation of a new mobile service facility on an existing support structure, per Section 13-1-182.
- (d) **Height and Area Requirements.**
- (1) **Lot Size.**
 - a. Area Width: One hundred (100) feet.
 - b. Minimum Area: As required.
 - (2) **Building.**
 - a. Maximum Height: Forty-five (45) feet.
 - b. Maximum Floor Area: As required.
 - (3) **Yards.**
 - a. Minimum Front Yard Setback: Twenty-five (25) feet [fifty (50) feet if parking is permitted in the front yard]; parking may be permitted as a conditional use in street yards.
 - b. Minimum Side Yard: Ten (10) feet.
 - c. Minimum Rear Yard: Fifty (50) feet.

Sec. 13-1-51 B-5 Extensive Commercial District.

- (a) **Purpose.** The B-5 Extensive Commercial District is intended to provide a suitable location for those business and commercial activities which require a large area of land, or for which it is desirable that they be located an appropriate distance from other activities and uses. For some, but not all, of these land uses, it may also be appropriate that they be located adjacent to a highway or other major thoroughfare.
- (b) **Permitted Uses.** The following are permitted uses in the B-5 District:
- (1) Establishments for the sale or storage of lumber or other building materials.
 - (2) Construction firms and construction equipment storage.
 - (3) Dealers in plumbing, heating, and air conditioning equipment.

- (4) Farm equipment dealers and dealers in power garden equipment.
 - (5) Hay, grain and feed stores.
 - (6) Greenhouses and nurseries.
 - (7) Farm and garden supply stores.
 - (8) Dealers in fuel, wood, coal, liquefied petroleum gas, or ice.
 - (9) Equipment rental and leasing services (establishments which rent or lease construction equipment, floor maintenance equipment, ladders, scaffolds, tools, chairs or other types of furniture, or other types of machines or equipment.
 - (10) Bowling alleys.
 - (11) Skating rinks.
 - (12) Commercial sports clubs, athletic fields, arenas or similar facilities.
 - (13) Golf courses (public).
 - (14) Drive-in theaters.
 - (15) Amusement parks.
 - (16) Research and testing laboratories.
 - (17) Class 2 collocation of a new mobile service facility on an existing support structure without substantial modification, per Section 13-1-182.
- (c) **Conditional Uses.** The following are conditional uses in the B-5 District, subject to consideration of the creation of nuisance conditions affecting the public or the users of nearby areas, traffic or health hazards, or other such factors:
- (1) All conditional uses in the B-1 Central Business District.
 - (2) All permitted uses in the B-3 Highway Business District.
 - (3) All conditional uses in the B-3 Highway Business District.
 - (4) Veterinarian offices and facilities, and boarding facilities for domestic animals.
 - (5) Riding stables and riding schools.
 - (6) Establishments primarily engaged in renting refrigerated space for the storage of food products, including facilities for processing, preparing or packaging food for such storage.
 - (7) Stockyards or any establishment providing public facilities for receiving, shipping, loading, weighing or feeding livestock temporarily either pending sale or while in transit.
 - (8) Travel trailer parks, specifically parcels of land in which two (2) or more spaces are occupied, or intended for occupancy, by travel trailers or campers, and for transient dwelling purposes only. This use shall conform with all Village or County ordinances regulating travel trailers and travel trailer parks; Ch. H78, Wis. Adm. Code regulating campgrounds and camping resorts; and to applicable Shoreland-Wetland Zoning ordinances adopted pursuant to Section 59.971, Wis. Stats.
 - (9) Utilities; siting and construction of any new mobile support structure and/or facility or a Class 1 collocation of a new mobile service facility on an existing support structure, per Section 13-1-182.

(d) **Height and Area Requirements.**

(1) **Lot Size.**

- a. Area Width: Three hundred (300) feet.
- b. Minimum Area: As required.

(2) **Building.**

- a. Maximum Height: Forty-five (45) feet.
- b. Maximum Floor Area: As required.

(3) **Yards.**

- a. Minimum Front Yard Setback: Fifty (50) feet [seventy-five (75) feet if parking is permitted in the front yard]; parking may be permitted as a conditional use in street yards.
- b. Minimum Side Yard: Ten (10) feet.
- c. Minimum Rear Yard: Fifty (50) feet.

Sec. 13-1-52 B-6 Business Park District.

- (a) **Purpose.** The B-6 Business Park District is established to provide an aesthetically attractive working environment exclusively for and conducive to the development and protection of offices, non-nuisance type manufacturing operations and research and development institutions. The essential purpose of this District, is to achieve development, which is an asset to the owners, neighbors and the Village, and to promote and maintain desirable economic development in a dedicated business park setting.

- (b) **Permitted Uses.** The following are permitted uses in the B-6 District:

- (1) State-classified manufacturing operations. [20, 23-28, 30, 32-39]
- (2) Warehousing or distribution operations, not including predominantly retail sales to customers on site. [50-51]
- (3) Offices of construction firms, shops, display rooms and enclosed storage. [15-17]
- (4) Laboratories, research, development and testing, and manufacturing and fabrication in conjunction with such research and development and operations. [8071, 8731-34]
- (5) Service uses, including computer and data processing services, miscellaneous business services, offices (business and professional) and communication services. [73]
- (6) Class 2 collocation of a new mobile service facility on an existing support structure without substantial modification, per Section 13-1-182. [48]

- (c) **Conditional Uses.** The following are conditional uses in the B-6 District:

- (1) Public utilities and public services. [49]
- (2) Conference centers and hotel facilities. [701]
- (3) Ancillary retail sales and service operations that serve employees within the business park.
- (4) Wind energy systems per Section 13-1-181.

- (5) Siting and construction of any new mobile support structure and/or facility or a Class 1 collocation of a new mobile service facility on an existing support structure, per Section 13-1-182.
- (d) **Lot, Yard and Building Requirements.**
 - (1) **Lot Frontage.** Minimum one hundred (100) feet.
 - (2) **Lot Area.** Minimum twenty-one thousand seven hundred eighty (21,780) square feet.
 - (3) **Front Yard.** Minimum twenty-five (25) feet.
 - (4) **Side Yard.** Minimum fifteen (15) feet.
 - (5) **Rear Yard.** Minimum thirty (30) feet.
 - (6) **Building Height.** Maximum thirty-five (35) feet.

* Requirements may be modified by conditional use permit.

- (e) **Other Requirements.** Uses permitted and conditional in the B-6 District are subject to the following requirements:
 - (1) No building or improvement shall be erected, placed or altered on any lands in the B-6 District until the plans for such building or improvement including site, landscaping and building plan and specifications, have been approved by the Village Board. The Village Board shall review and approve, approve conditionally or disapprove such plans with respect to conformity with deed restrictions and protective covenants placed on the land in the B-6 District. The deed restriction and protective covenants must be approved by the Village Board. The approved deed restriction and protective covenants must be recorded on the land prior to rezoning to the B-6 District.
 - (2) Design standards in the B-6 District shall include as a minimum the following standards:
 - a. All uses shall comply with Village performance standards for air pollution, fire and explosive hazards, glare and heat, liquid or solid wastes, noise and vibration, odors, radioactivity and electrical disturbances and refuse.
 - b. All business, servicing or processing, except off-street parking and loading and outside storage areas regulated by restrictive covenants, shall be conducted within completely enclosed buildings.
 - c. The building coverage on any zoning lot shall not exceed fifty-five percent (55%), nor be less than twenty-five percent (25%).
 - d. All areas not covered by buildings or parking lots shall be landscaped subject to detail requirements of restrictive covenants.
 - e. All zoning lots abutting residentially zoned districts shall be screened.

Sec. 13-1-53 I-1 Industrial District.

- (a) **Purpose.** The I-1 District is intended to provide an area for manufacturing, marketing, and industrial and heavy agribusiness activities not located in a planned B-6 District business park setting. It is also intended to provide an area for a variety of uses which require

relatively large installations, facilities or land areas, or which would create or tend to create conditions of public or private nuisance, hazard, or other undesirable conditions, or which for these or other reasons may require special safeguards, equipment, processes, barriers, or other forms of protection, including spatial distance, in order to reduce, eliminate, or shield the public from such conditions.

(b) **Permitted Uses.** The following uses are permitted uses in the I-1 District:

(1) All commercial activities permitted in the B-1, B-2, B-3, B-4, B-5 and B-6 Districts.

(2) Miniwarehouses.

(3) Building construction contractors.

[15-17]

(4) Food locker plants.

(5) Offices.

(6) Class 2 collocation of a new mobile service facility on an existing support structure without substantial modification, per Section 13-1-182.

(7) Packaging, processing, production, warehousing or wholesaling of products, without open storage from: agricultural crops and produce, furs and leathers, glass, metals, paper, plastic, textiles, wood and related materials of local origin.

(8) Manufacture, packaging or warehousing, without open storage of products, such as: appliances, confections, cosmetics, electronic devices, instruments, jewelry, toiletries or pharmaceuticals.

(9) Service industries without open storage, such as:

a. Bakeries.

b. Breweries.

c. Bottling of beverages.

d. Commercial cleaners.

e. Food pantries.

f. Greenhouses.

g. Laboratories.

h. Machine shops.

i. Painting.

j. Printing and publishing.

k. Storage and sale of lumber and related construction materials.

(10) Open space uses, such as:

a. Agricultural crops and grazing.

b. Parks.

c. Parking lots.

d. Recreational facilities.

e. Greenways and open space uses.

(c) **Conditional Uses.** The following are conditional uses pursuant to Article E within the I-1 District. Such use shall be subject to the consideration of the Village Board and Plan Commission with regard to such matters as the creation of nuisance conditions for the public or for the users of nearby areas, the creation of traffic hazards, the creation of health

Manufacturing establishments, usually described as factories, mills or plants, in which raw materials are transformed into finished products, and establishments engaged in assembling component parts of manufactured products. [20, 23-28, 30, 32-39]

- (1) Other industrial or commercial activities which possess the special problem characteristics described above relating to the creation of hazards or nuisance conditions.
- (2) The outdoor storage of industrial products, machinery, equipment, or other materials associated with a permitted or conditional use, provided that such storage be enclosed by a Village-approved suitable fence or other manner of screening. Includes outdoor storage and manufacturing areas such as recycling facilities, scrap yards, salvage yards, wrecking or demolition yards; [50, 51]
- (3) Railroads, including rights-of-way, railroad yards, and structures normally incident to the operation of railroads, including station houses, platforms, and signal towers, but not including warehouses owned by companies other than railroad companies or road terminal companies.
- (4) Wholesale establishments and warehouses. [50-51]
- (5) Highway passenger and motor freight transportation. [41-42]
- (6) Commercial service facilities such as: fueling stations, garages, automotive repair shops, truck terminals, transshipment depots, provided such services are related to the industrial district users and/or employees.
- (7) Light Industry and Service Uses.
 - a. Automotive servicing and body repair.
 - b. Automotive upholstery.
 - c. Cleaning, pressing, dyeing.
 - d. Commercial bakeries.
 - e. Commercial greenhouses.
 - f. Distributors.
 - g. Printing and publishing.
 - h. Trade and contractor's facilities.
 - i. Painting services.
 - j. Retail sales and service facilities such as retail and surplus outlet stores, and restaurants and food service facilities when established in conjunction with a permitted manufacturing or processing facility.
 - k. Recreation vehicle, boat and miscellaneous storage.
- (8) Public Facilities and Uses.
 - a. Governmental, cultural and public buildings or uses, such as fire and police stations, community centers, libraries, public emergency shelters, sewage treatment plants, pumping stations, public utilities facilities, parks, playgrounds and museums.
 - b. Schools and churches.
 - c. Airports, airstrips and landing fields.

- (9) Agriculture Related Industry and Service Uses.
 - a. Production of natural and processed cheese.
 - b. Production of shortening, table oils, margarine and other edible fats and oils.
 - c. Production of condensed and evaporated milk.
 - d. Wet milling of corn.
 - e. Production of creamery butter.
 - f. Drying and dehydrating fruits and vegetables.
 - g. Preparation of feeds for animal and fowl.
 - h. Creameries and dairies.
 - i. Production of flour and other grain mill products; blending and preparing of flour.
 - j. Fluid milk processing.
 - k. Production of frozen fruits, fruit juices, vegetables and other specialties.
 - l. Fruit and vegetable sauces and seasoning, and salad dressing preparation.
 - m. Poultry and small game dressing and packing providing that all operations be conducted within an enclosed building.
 - n. Production of sausages and other meat products providing that all
 - o. Corn shelling, hay baling and threshing services.
 - p. Grist mill services.
 - q. Horticultural services.
 - r. Canning of fruits, vegetables, preserves, jams and jellies.
 - s. Canning of specialty foods.
 - t. Grain elevators and bulk storage of feed grains.
 - u. Fertilizer production, sales, storage, mixing and blending.
 - v. Sales or maintenance of farm implements and related equipment.
 - w. Animal hospitals, shelters and kennels.
 - x. Veterinarian services.
 - y. Sawmills.
- (10) Wind energy systems per Section 13-1-181.
- (11) Siting and construction of any new mobile support structure and/or facility or a Class 1 collocation of a new mobile service facility on an existing support structure, per Section 13-1-182.
- (12) Adult entertainment establishments under an AEO Adult Entertainment Overlay District classification per the requirements of Section 13-1-61 and also meeting the standards of Title 11, Chapter 7, whichever is most restrictive.
- (d) **Prohibited Uses.** The following are prohibited uses in the I-1 District:
 - (1) Specifically excluded from this designation and expressly prohibited is any use or business which is dangerous or which would create a public nuisance.
 - (2) All residential uses are expressly prohibited.
 - (3) Also specifically excluded and expressly prohibited is any use or business involving garbage removal or the slaughter of animals or poultry.

(e) **Lot, Yard and Building Requirements.**

(1) **Lot Size.**

- a. Minimum Width: One hundred (100) feet.
- b. Minimum Area: Fifty thousand (50,000) sq. ft.

(2) **Building.**

- a. Maximum Height: Sixty (60) feet.
- b. Minimum Floor Area: As required.

(3) **Yards.**

- a. Minimum Street Yard: Forty (40) feet.
- b. Minimum Side Yard: Twenty (20) feet.
- c. Minimum Rear Yard: Forty (40) feet.

(4) **Required Buffer Strips in Industrial Districts.** Where an Industrial District abuts a Residential District, there shall be provided along any rear, side or front line, coincidental with any industrial-residential boundary, a Village-approved buffer strip not less than forty (40) feet in width as measured at right angles to said lot line. Plant materials at least six (6) feet in height of such variety and growth habits as to provide a year-round, effective visual screen when viewed from the Residential District shall be planted in the exterior twenty-five (25) feet abutting the Residential District. If the required planting screen is set back from the industrial-residential boundary, the portion of the buffer strip facing the Residential District shall be attractively maintained. Fencing may be used in lieu of planting materials to provide said screening. The Village-approved fencing shall be not less than four (4) nor more than eight (8) feet in height, and shall be of such materials as to effectively screen the industrial area. The exterior twenty-five (25) feet of the buffer strip shall not be devoted to the parking of vehicles or storage of any material or accessory uses. The interior fifteen (15) feet may be devoted to parking of vehicles.

Sec. 13-1-54 P-1 Public Facilities District.

- (a) **Purpose.** The P-1 Public Facilities District is characterized by parks and outdoor recreation for large groups of people, golf courses, schools and utilities. It is also intended to identify, delineate and reserve properties set forth in the Village Comprehensive Plan as essential to future recreational, institutional, and/or governmental development within the community.

- (b) **Permitted Uses.** The following are permitted uses in the P-1 District:

- (1) Public parks, playfields; playgrounds and related recreational uses; arboretums; wildlife preserves; community centers; libraries; government offices; museums; police, fire and emergency services stations.
- (2) Public, parochial and private elementary and secondary schools, including pre-schools, provided all principal structures and uses are a minimum of fifty (50) feet from any lot line.

- (3) Utilities; Class 2 collocation of any new mobile service facility on an existing support structure without substantial modification, per Section 13-1-182.
- (4) Churches.
- (c) **Conditional Uses.** The following are conditional uses in the P-1 District:
 - (1) Archery or firearms ranges; golf courses; gymnasiums; riding academies; music or dance halls; stadiums; public swimming pools; botanical gardens.
 - (2) Water supply or wastewater treatment facilities; utility services and facilities; recycling operations and facilities; public transportation terminals; cemeteries and crematories; penal and/or correctional facilities; sanatoriums; religious, charitable and/or related facilities.
 - (3) Tourist camps.
 - (4) Siting and construction of any new mobile support structure and/or facility or a Class 1 collocation of a new mobile service facility on an existing support structure, per Section 13-1-182.
- (d) **Lot, Building and Yard Requirements.**
 - (1) **Lot Size.**
 - a. Minimum Width: One hundred (100) feet or building width plus required setbacks.
 - b. Minimum Area: Ground floor area plus yards and parking spaces.
 - (2) **Building.**
 - a. Maximum Height: Thirty-five (35) feet.
 - b. Floor Area: As required to serve needs.
 - (3) **Yards.**
 - a. Minimum: Twenty (20) feet for all setbacks.

Sec. 13-1-55 A-1 Agricultural District (Limited Livestock).

- (a) **Purpose.** The A-1 Agricultural District is intended to provide for the continuation of general non-livestock or limited livestock farming and related uses in those areas of the Village of Crivitz that are not yet committed to urban development. It is further intended for this District to protect lands contained therein from urban development until their orderly transition into urban-oriented districts is required.
- (b) **Permitted Uses.** The following are permitted uses in the A-1 District:
 - (1) General non-livestock farming, including crop-raising agriculture, floriculture, forestry, grazing, hay, orchards, truck farming and viticulture (grape growing).
 - (2) General livestock farming with one hundred (100) or fewer livestock units.
 - (3) Forestry, grazing, nurseries, orchards, and truck farming.
 - (4) Harvesting of wild crops and management of wildlife including nonresidential buildings used solely in conjunction with such activity.

- (5) In-season roadside stands for the sale of farm products produced on the premises, and up to two (2) unlighted signs not larger than eight (8) square feet each advertising such sale.
 - (6) Customary home occupations.
 - (7) One (1) and two (2) family farm residences and a single mobile home, but only when occupied by owners and/or persons engaged in farming activities on the farm on which it is located.
 - (8) Woodlots and tree farms.
 - (9) Production of forest crops, including tree plantations.
 - (10) Class 2 collocation of a new mobile service facility on an existing support structure without substantial modification, per Section 13-1-182.
- (c) **Permitted Accessory Uses.** The following are permitted accessory uses in the A-1 District:
- (1) Attached or detached private garages and carports accessory to permitted or permitted accessory uses.
 - (2) General farm buildings including barns, silos, sheds, storage bins and including not more than one (1) roadside stand for the sale of farm products produced on the premises. Any such stand shall conform to the setback, sign and other provisions of this Chapter.
 - (3) One (1) farm dwelling. The only residences allowed as permitted uses on newly established parcels are those to be occupied by a person who or a family at least one (1) member of which earns a substantial part of his or her livelihood from farm operations on the parcel or is related to the operator of the larger farm parcel from which the new parcel is taken. Preexisting residences located in areas subject to zoning under this Section which do not conform to this paragraph may be continued in residential use. The minimum parcel size to establish a residence or a farm operation is thirty-five (35) acres. No structure or improvement may be built on the land unless consistent with agricultural uses.
 - (4) Private garages and parking space.
 - (5) Private swimming pool and tennis court.
 - (6) Home occupations and professional home offices per Section 13-1-93.
 - (7) Signs as regulated by the Village.
 - (8) Buildings temporarily located for purposes of constructing on the premises for a period not to exceed time necessary for such constructing.
 - (9) Gardening and other horticultural uses where no sale of products is conducted on the premises.
- (d) **Conditional Uses.** The following are conditional uses in the A-1 District:
- (1) Airports, airstrips and landing fields provided that the site is not less than twenty (20) acres.
 - (2) Housing for farm laborers and seasonal or migratory farm workers.

- (3) Transmitting towers, receiving towers, relay and microwave towers without broadcast facilities or studios; siting and construction of any new mobile support structure and/or facility or a Class 1 collocation of a new mobile service facility on an existing support structure, per Section 13-1-182.
- (4) Utilities.
- (5) Veterinary clinics, provided that no structure or animal enclosure shall be located closer than one hundred fifty (150) feet to a property boundary. [074, 075]
- (6) Public and parochial schools, provided no building shall be located within fifty (50) feet of any lot line.
- (7) Churches, including those related structures located on the same site which are an integral part of the church proper, convents or homes for persons related to a religious function on the same site, provided no more than ten (10) persons shall reside on the site and no building shall be located within fifty (50) feet of any lot line.
- (8) Golf courses, country clubs, tennis clubs or public swimming pools serving more than one (1) family. The principal structure for any of the above listed uses shall be one hundred (100) feet or more from any abutting lot in a Residential District, and accessory structures shall be a minimum of fifty (50) feet from any lot line.
- (9) Essential service structures, including but not limited to buildings such as telephone exchange stations, booster or pressure-regulating stations, wells, pumping stations, elevated tanks, lift stations and electrical power substations, provided no building shall be located within ten (10) feet from any lot line of an abutting lot in a Residential District. Prior to granting such permit, it shall be found that the architectural design of service structures is compatible to the neighborhood in which it is to be located and thus will promote the general welfare.
- (10) Hospitals for human care, sanitariums, rest homes, and nursing homes, provided that all structures, except fences, shall be located one hundred (100) feet or more from the lot line of any abutting lot in a Residential District.
- (11) Cemeteries.
- (12) Kennels, greenhouses and other agricultural uses that may cause noxious odors or noise, or create health or sanitation hazards.
- (13) Campgrounds, tourist camps and travel trailer parks, subject to the provisions of this Chapter and the Wisconsin Administrative Code.
- (14) Trap or skeet shooting facilities, target ranges, gun clubs, shooting preserves.
- (e) **Lot, Yard and Building Requirements.**
 - (1) **Lot Frontage.** Minimum two hundred (200) feet.
 - (2) **Lot Area.** Minimum two (2) acres.
 - (3) **Principal Building.**
 - a. Front Yard: Minimum eighty (80) feet.
 - b. Side Yards: Minimum fifty (50) feet.
 - c. Rear Yard: Minimum fifty (50) feet.

(4) **Accessory Building.**

- a. Front Yard: Minimum eighty (80) feet.
- b. Side Yards: Minimum forty-five (45) feet.
- c. Rear Yard: Minimum forty-five (45) feet.
- d. Building Height: Maximum fifty (50) feet.

Sec. 13-1-56 A-2 Agriculture Enterprise District.

(a) **Purpose.**

- (1) The A-2 Agriculture Enterprise District is intended to preserve and promote a full range of agricultural uses, secure land for livestock production and other agricultural uses that may be more intensive than crop production, strengthen agriculture's contribution to the Village of Crivitz's taxbase, support valued-added and other activities closely allied to the agriculture industry, and prevent the conversion of land identified as a valuable agricultural resource to uses that are not consistent with agriculture. The A-2 District's uses and regulations are intended to implement Comprehensive Plan goals by permitting livestock and other intensive agricultural uses in areas where conditions are best suited to these agricultural pursuits, and discouraging residential development to avoid potential land use conflicts. Due to the more intensive nature of uses allowed, the A-2 District is not intended to be applied near moderately to densely populated areas, and it is not intended to accommodate residential uses as principal uses. The A-2 District is also intended to be compatible with any "exclusive agricultural" land use designation in the Village Comprehensive Plan or pursuant to Chapter 91, Wis. Stats.
- (2) The standards of Sec. 93.90, Wis. Stats. (Livestock Facility Siting Law), and ATCP, Wis. Adm. Code are adopted and incorporated herein by reference.

(b) **Permitted Uses.** The following are permitted uses in the A-2 District without any further noticed approval to or from the Village of Crivitz:

- (1) Agriculture uses, including livestock facilities under five hundred (500) units.
- (2) One (1) agricultural-related residence.
- (3) Value-added agriculture.
- (4) Roadside stands.
- (5) Agricultural research facilities.
- (6) Commercial stables.
- (7) Home occupations and professional home offices per Section 13-1-93.
- (8) Siting and construction of any new mobile support structure and/or facility or a Class 1 collocation of a new mobile service facility on an existing support structure, per Section 13-1-182.
- (9) Other agriculturally-related structures and improvements.

- (c) **Conditional Uses.** The following uses may be allowed as conditional uses in the A-2 District if reviewed and approved in accordance with the standards in Article E of this Chapter:
- (1) Livestock facilities over five hundred (500) animal units.
 - (2) Agricultural sales and service.
 - (3) Agricultural grain and commodity storage.
 - (4) Commercial communications and wind energy towers.
 - (5) Mineral extraction and mining complying with all regulatory requirements.
 - (6) Agricultural packing and processing.
 - (7) Siting and construction of any new mobile support structure and/or facility or a Class 1 collocation of a new mobile service facility on an existing support structure, per Section 13-1-182.
- (d) **Minimum Parcel Area.**
- (1) No building, structure or use shall be established on any parcel less than forty (40) acres.
 - (2) The minimum lot size may be permitted to be reduced by action of the Village Board to twenty (20) acres for agricultural buildings and structures if required for biosecurity or other legitimate research- or operation-related reasons.
- (e) **Property Line Setbacks.**
- (1) Except as provided for waste storage structures, livestock structures shall be located a minimum of one hundred (100) feet from a property line if the livestock facility will have fewer than one thousand (1,000) animal units, and two hundred (200) feet from a property line if the livestock facility will have one thousand (1,000) or more animal units.
 - (2) This setback requirement does not prevent the use or expansion of a livestock structure that was located within the setback area prior to the original effective date of this setback requirement, except that a structure may not be expanded closer to a property line.
 - (3) Any residence in an A-2 District shall conform to the property line setback requirements of the A-1 District.
- (f) **Public Right-of-Way Setbacks.**
- (1) Except as provided for waste storage structures, livestock structures shall be located a minimum of one hundred (100) feet from a public right-of-way if the livestock facility will have fewer than one thousand (1,000) animal units, and one hundred fifty feet (150) feet from a public right-of-way if the livestock facility will have one thousand (1,000) or more animal units.
 - (2) This setback requirement does not prevent the use or expansion of a livestock structure that was located within the setback area prior to the original effective date of this setback requirement, except that a structure may not be expanded closer to the public right-of-way.

- (3) Any residence in the A-2 District shall conform to the right-of-way setback requirements of the A-1 District.
- (g) **Waste Storage Structure.**
- (1) A new waste storage structure shall not be located within three hundred and fifty (350) feet of a property line, or within three hundred and fifty (350) feet of the nearest point of any public road right-of-way.
- (2) A single new waste storage structure may be constructed closer to the property line or public road right-of-way if a new structure is:
- Located on the same tax parcel as a waste storage structure in existence before May 1, 2006.
 - No larger than the existing structure.
 - No further than fifty (50) feet from the existing structure.
 - No closer to the road or property line than the existing structure.
- (3) This setback requirement does not apply to existing waste storage structures, except that an existing structure within three hundred and fifty (350) feet of a property line or road right-of-way may not expand toward that property line or road right-of-way.
- (h) **Setbacks for Navigable Waters and Wetlands.** A livestock facility shall comply with setback and related requirements in any applicable shoreland or wetland zoning ordinances enacted within the scope of authority granted under Sections 59.692, 61.351 or 62.231, Wis. Stats. [Note: Essentially all navigable waters are now protected by ordinances that require building setbacks of seventy-five (75) feet or more].
- (i) **Setbacks for Floodplains.** A livestock facility shall comply with setback and related requirements in any applicable floodplain zoning ordinance that is enacted within the scope of statutory authority under Section 87.30, Wis. Stats.
- (j) **Setbacks for Wells.** All wells located within a livestock facility shall comply with the requirements of Chapters NR 811 and NR 812, Wis. Adm. Code. New or substantially altered livestock structures shall be separated from existing wells by the distances required in Chapters NR 811 and NR 812, Wis. Adm. Code, regardless of whether the livestock facility operator owns the land on which the wells are located. A livestock structure in existence on May 1, 2006 may be altered as long as the alteration does not reduce the distance between the livestock structure and an existing well.
- (k) **Compliance with State Runoff Requirements.** Livestock operations under this Section shall comply with state runoff regulations prescribed in NR 151 and ATCP 50, Wis. Adm. Code.

State Law Reference: Sec. 93.90, Wis. Stats.; ATCP 50 and 51, Wis. Adm. Code; NR 151, Wis. Adm. Code.

Sec. 13-1-57 A-3 Exclusive Agricultural District.

(a) **Purpose.**

- (1) The A-3 Exclusive Agricultural District is intended for farm operations and farming practices designed to:

- a. Preserve agricultural land for food and fiber production.
 - b. Maintain a viable agricultural base to support processing and service industries.
 - c. Preserve productive farms by preventing land use conflicts between incompatible uses and controlling public service costs.
 - d. Reduce costs for providing services to scattered non-farm uses.
 - e. Control and direct urbanization.
 - f. Promote conservation practices and reduce soil loss.
 - g. Prevent conflicts between incompatible land uses.
 - h. Implement provisions of the County Farmland Preservation Plan as adopted and periodically revised.
 - i. Comply with provisions of the Farmland Preservation Law so as to permit eligible landowners to receive tax credits pursuant to Section 71.09(11), Wis. Stats.
- (2) The A-3 District is generally intended to apply to lands in productive farm operations including: lands historically exhibiting good crop yields or are capable of such yields; lands which have demonstrated to be productive for dairying, livestock production and grazing; other lands which are integral parts of such farm operations; land used for production of specialty crops such as mint, sod, fruits and vegetables; and lands which are capable of productive use through economically feasible improvements such as irrigation.
- (b) **Permitted Uses.** The following are permitted uses in the A-3 District:
- (1) Agriculture and supporting facilities.
 - (2) Aquaculture.
 - (3) Dairying.
 - (4) Floriculture.
 - (5) Forestry.
 - (6) General farming.
 - (7) Grazing.
 - (8) Greenhouses.
 - (9) Hatcheries.
 - (10) Horticulture.
 - (11) Livestock raising.
 - (12) Nurseries.
 - (13) Orchards.
 - (14) Paddocks.
 - (15) Pastures.
 - (16) Poultry raising.
 - (17) Stables.
 - (18) Truck farming.
 - (19) Viticulture.

- (20) Utility services as defined in Section 10.01(81), Wis. Stats., and small-scale electric generating stations not requiring approval under Section 196.941, Wis. Stats.
- (21) Class 2 collocation of a new mobile service facility on an existing support structure without substantial modification.
- (22) Roadside stands.
- (23) Structures and improvements that are consistent with agricultural uses.
- (c) **Conditional Uses.** The following are conditional uses in the A-3 District:
 - (1) Siting and construction of any new mobile support structure and/or facility or a Class 1 collocation of a new mobile service facility on an existing support structure, per Section 13-1-182.
 - (2) Cemeteries, community parks, and public recreation areas.
 - (3) Public and semi-public buildings.
 - (4) Single-family residences provided they are located on tracts of five (5) acres or more and that soils analysis indicates suitability for private sewer and water systems.
 - (5) Fur farms, kennels, insect-breeding facilities, greenhouses, and other agricultural uses that may cause noxious odors or noise, or create health or sanitation hazards are permitted, provided that written permission be obtained from the Village Board, following a recommendation from the Plan Commission, pursuant to the procedures prescribed for zoning amendments in this Chapter.
 - (6) Trap or skeet shooting facilities, target ranges, gun clubs, shooting preserves.
 - (7) Riding stables, riding schools.
- (d) **Farm Size.**
 - (1) **Frontage:** Minimum one hundred (100) feet.
 - (2) **Area:** Minimum thirty-five (35) acres.
- (e) **Building Height.** Maximum thirty-five (35) feet on residential structures (no maximum on other farm structures).
- (f) **Yard Setbacks.**
 - (1) **Front Yard.** Minimum fifty (50) feet.
 - (2) **Rear Yard.** Minimum fifty (50) feet.
 - (3) **Side Yard.** Minimum twenty (20) feet on each side.

Sec. 13-1-58 SP-1 Special Purpose District.

- (a) **Purpose.** The SP-1 District is intended to provide for uses which present special problems, hazards or other circumstances with regard to the use of land. Included are those uses of land which require exceptionally large land parcels; those which afford very severe hazards of health, safety or other aspects of the general public welfare; those for which it is inappropriate or undesirable to have more than one (1) instance of a given land use within one community or governmental jurisdiction.

- (b) **Permitted Uses.**
 - (1) Class 2 collocation of a new mobile service facility on an existing support structure without substantial modification.
- (c) **Conditional Uses.** The following are permitted as conditional uses within the SP-1 District. All such uses shall be subject to the consideration and recommendation of the Plan Commission to the Village Board with regard to such matters as the creation of nuisance conditions for the public or for users of nearby areas, the creation of hazards to public health, safety or other factors affecting the general welfare:
 - (1) Siting and construction of any new mobile support structure and/or facility or a Class 1 collocation of a new mobile service facility on an existing support structure, per Section 13-1-182.
 - (2) Facilities for the production, processing or storage of concrete, blacktop, asphalt, or other paving or road-surfacing materials.
 - (3) Aircraft landing fields, hangars, or accessory structures.
 - (4) Refuse disposal sites, dumping grounds, sanitary landfill operations, junkyards, or similar uses; with the specific provision that setbacks, screening, protective fencing, or some combination of these be provided in a manner adequate to protect the general public from any and all nuisances, hazards, or other harmful conditions. Screening shall be approved by the Zoning Administrator.
- (d) **Setbacks.** Within the SP-1 District, the following standards shall apply:
 - (1) **Building.**
 - a. Maximum Height: None.
 - (2) **Yards.**
 - a. Minimum Front Yard Setback: Fifty (50) feet.
 - b. Minimum Rear Yard Setback: Fifty (50) feet.
 - c. Minimum Side Yard Setback:
 - 1. Principal Building: Twenty (20) feet on each side.
 - 2. Accessory Buildings: Twenty (20) feet on each side.

Sec. 13-1-59 AEO Adult Entertainment Overlay District.

- (a) **Authority.**
 - (1) The Village Board has authority, to be liberally construed in favor of the Village, under its general police powers set forth in Ch. 61, Wis. Stats., to act for the good order of the municipality and for the health, morals, safety and welfare of the public; and may carry out its powers by regulation and suppression; and
 - (2) The Village Board recognizes it lacks authority to regulate obscenity under Sec. 66.0107(3), Wis. Stats., and does not intend by adopting this Section to regulate obscenity, since nudity in and of itself is not obscene, it declares its intent to enact

an ordinance addressing the secondary effects of live, totally nude, non-obscene, erotic dancing in bars and taverns; and

- (3) Adult establishments in other communities tended to further the increase of criminal and other offensive activity, to disrupt the peace and order of the communities, to depreciate the value of real property, to harm the economic welfare of the communities and to negatively affect the quality of life of the communities; and such secondary effects are detrimental to the public health, safety and general welfare of citizens; and
 - (4) The Village Board recognizes the U.S. Supreme Court has held that material with adult content is within the outer perimeters of the First Amendment to the United States Constitution and therefore entitled to some limited protection under the First Amendment, and the governing body further recognizes that freedom of speech is among our most precious and highly protected rights, and wishes to act consistently with full protection of those rights; and
 - (5) However, the Village Board is aware, based on the experiences of other communities, that adult establishments may and do generate secondary effects which the governing body believes are detrimental to the public health, safety and welfare of the citizens of the Village of Crivitz; and
 - (6) Among these secondary effects are:
 - a. The potential increase in prostitution and other sex-related offenses, as well as other crimes and offenses;
 - b. The potential depreciation of property values in neighborhoods where adult establishments featuring nude dancing exist;
 - c. Health risks associated with the spread of sexually transmitted diseases; and
 - d. The potential for infiltration by organized crime for the purpose of unlawful conduct; and
 - (7) The Village Board desires to minimize, prevent and control these adverse effects and thereby protect the health, safety and general welfare of the citizens of the Village of Crivitz; protect the citizens from increased crime; preserve the quality of life; preserve the property values and character of surrounding neighborhoods; and deter the spread of urban blight; and
 - (8) The Village Board has determined that the enactment of a zoning ordinance provision allowing adult establishments viable areas in which to exist within the Village while keeping those adult establishments separated from each other, residential areas, schools, churches, day care centers, or bars or taverns, promotes the goal of minimizing, preventing and controlling the negative secondary effects associated with such adult establishments.
- (b) **Purpose.** The purpose of the AEO Adult Entertainment Overlay District is to create an overlay zoning district whereby adult establishments are sufficiently separated from each other and conflicting uses so as to ameliorate the negative secondary effects of adult uses

while providing adult establishments sufficient area and opportunity to operate within the Village so as not to suppress their existence.

- (c) **Definitions.** For purposes of this District, the following definitions shall be applicable:
- (1) **Adult Establishments.** Includes adult-oriented bookstores, motion picture theaters, mini-motion picture theaters, adult bath houses, massage parlors, modeling studios, body painting studios, cabarets, and video stores and more specifically defined as:
- a. **Adult Bookstore.** An establishment as described in this Section.
 - b. **Adult Motion Picture Theater.** An enclosed building or outdoor theater as described in this Section.
 - c. **Adult Mini-Motion Picture Theater.** An enclosed building with a capacity for less than fifty (50) persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas" as defined herein for observation by patrons therein.
 - d. **Adult Bath Houses.** An establishment or business which provides the services of baths of all kinds, including all forms and methods of hydrotherapy, that is not operated by a medical practitioner or a professional physical therapist licensed by the State of Wisconsin and which establishment provides to its patrons an opportunity for engaging in "specified sexual activities" as defined in this Section.
 - e. **Adult Massage Parlors.** An establishment or business with or without sleeping accommodations which provides the services of massage and body manipulation, including exercises, heat and light treatments of the body, and all forms and methods of physiotherapy, not operated by a medical practitioner or professional physical therapist licensed by the State of Wisconsin and which establishment provides for its patrons the opportunity to engage in "specified sexual activities" as defined in this Section.
 - f. **Adult Modeling Studios.** An establishment or business which provides the services of modeling for the purpose of reproducing the human body wholly or partially in the nude by means of photography, painting, sketching, drawing or otherwise.
 - g. **Adult Body Painting Studio.** An establishment or business wherein patrons are afforded an opportunity to paint images on a body which is wholly or partially nude. For purposes of this Section, the adult body painting studio shall not be deemed to include a tattoo parlor.
 - h. **Adult Cabaret.** An establishment or business which features male and/or female topless and/or bottomless dancers, go-go dancers, exotic dancers, strippers, burlesque shows, male or female impersonators, or similar entertainers.
 - i. **Adult Novelty Shop.** An establishment or business having as a substantial or significant portion of its stock-in-trade in novelty or other items which are distinguished or characterized by their emphasis on, or designed for "specified sexual activities" as defined herein or stimulating such activity.

- j. **Adult Video Store.** An establishment having as a substantial or significant portion of its stock and trade in videotapes, CDs, DVDs or similar such electronic media for sale or rent which are distinguished or characterized by their emphasis on matter depicting, describing or relating to "specific sexual activities" or "specified anatomical areas" as defined herein or an establishment with a segment or section devoted to the sale, display or rental of such material.
- (2) **Adult Bookstore.** An establishment which as its substantial course of conduct, presents adult entertainment for observation by patrons therein, or which, as part of its substantial course of conduct, offers for sale, rent, trade, lease, inspection or viewing books, films, videocassettes, magazines or other such media, which are distinguished or characterized by their emphasis on matters depicting, describing or relating to specified anatomical areas or specified sexual activities.
- (3) **Adult Entertainment.** Any exhibition of any motion picture, live performance, display or dance of any type which has as a significant or substantial portion of such performance, or is distinguished or characterized by an emphasis on, any actual or simulated performance of specified sexual activities or exhibition and viewing of specified anatomical areas.
- (4) **Adult Motion Picture Theater.** Any establishment for the presentation of motion pictures that as its dominant theme, or distinguished or characterized by an emphasis on, matters depicting, describing or relating to specified sexual activities, or specified anatomical areas for observations by patrons therein.
- (5) **Adult Novelty Store.** Any establishment which as its substantial course of conduct offers for sale, rent, trade, lease, inspection or viewing any adult novelty items, sex toys, sexual gratification appliances, or other similar products, excluding contraceptives or similar products of medical value, that are distinguished or characterized by their emphasis on matters depicting, describing or relating to specified anatomical areas or specified sexual activities.
- (6) **Specified Anatomical Areas.** Means either:
- a. Less than completely and opaquely covered human genitals pubic region.
 - b. Human male genitals in a discernible turgid state, even if opaquely covered.
 - c. Less than completely and opaquely covered nipples or areolas of the human female breast.
- (7) **Specified Sexual Activities.** Means simulated or actual:
- a. Showing of human genitals in a state of sexual stimulation or arousal;
 - b. Acts of masturbation, sexual intercourse, sodomy, bestiality, necrophilia, sadomasochistic abuse, fellatio or cunnilingus;
 - c. Fondling or erotic touching of human genitals, pubic region, buttocks or female breasts;
 - d. Flagellation or torture in the context of a sexual relationship;
 - e. Masochism, erotic or sexually oriented torture, beating or the infliction of pain;

- f. Erotic touching, fondling or other such contact with an animal by a human being; or
 - g. Human excretion, urination, menstruation, vaginal or anal irrigation as part of or in connection with any of the activities set forth in Subsections (c)(7)a-f above.
- (8) **Substantial.** Forty percent (40%) or more of business stock in trade, display space, floor space or retail sales in any one month. Upon reasonable belief that an entity is in excess of the forty percent (40%) threshold, that entity shall provide all necessary records, receipts and documentation to the Village upon request. Failure to do so shall result in a presumption that the entity is operating in excess of the threshold.
- (d) **Permitted Uses.** No principal uses shall be permitted as a matter of right in the AEO Adult Entertainment Overlay District. All uses shall be conditional uses.
- (e) **Conditional Uses.** The following are conditional uses in the AEO Overlay District:
 - (1) Adult bath houses.
 - (2) Adult body painting studios.
 - (3) Adult bookstores.
 - (4) Adult cabarets.
 - (5) Adult entertainment centers.
 - (6) Adult massage parlors.
 - (7) Adult mini-motion picture studios.
 - (8) Adult modeling studios.
 - (9) Adult motion picture theaters.
 - (10) Adult novelty shops.
 - (11) Adult video stores.
- (f) **Underlying District Standards.** Lot area and width, building height and area, yard and sanitary sewer system requirements in the underlying district shall be complied with in the AEO Adult Entertainment Overlay District.
- (g) **Procedures for Establishing Adult Entertainment District.**
 - (1) A petition to amend the Zoning Code to establish an AEO Adult Entertainment Overlay District and an application for a conditional use permit regarding adult entertainment-type use shall be filed with the Zoning Administrator. The rezoning request shall proceed per Article M procedures. The Zoning Administrator shall refer each petition and application to the Plan Commission for its review and recommendation per Article E, followed by referral and action by the Village Board. The requirements set forth in Article E regarding the conditional use application, review and approval, conditional approval or disapproval of conditional use permits shall be followed. No Adult Entertainment Overlay District shall be created which does not substantially comply with the standards set forth in this Section.
 - (2) A petition to amend the Zoning Code to establish an Adult Entertainment Overlay District and for a conditional use permit must be accompanied by three (3) copies of the proposed site plan prepared by a certified land surveyor or planner in addition to any other information required under this Section or by the Zoning Administrator.

- (3) The Zoning Administrator shall make a recommendation to the Plan Commission and Village Board. Such recommendation may approve, disapprove or approve, subject to conditions or modifications, the zoning and conditional use permit petition, and shall include a written statement of the Zoning Administrator's findings. No petition for an AEO Adult Entertainment Overlay District shall be subject to approval by the Village Board unless the following findings have been made:
- a. That all standards and requirements of this Section and other applicable Village ordinances can be met by the proposed use.
 - b. That the proposed use will not be detrimental to the public welfare.
 - c. That the proposed zoning is consistent with the general intent of the Comprehensive Plan.
 - d. That existing streets and utility services are adequate for the proposed use.
 - e. That the proposed use will in no substantial way contribute to the deterioration of the surrounding neighborhood.
 - f. That the presence of the proposed use will not have a harmful influence on children residing in or frequenting the area.
 - g. That there will be full compliance with other Village ordinance requirements. In the case of a conflict in regulatory requirements, the stricter provisions shall be complied with.
- (h) **Standards for Adult Entertainment Uses.** In addition to all other applicable requirements in this Zoning Code, all adult entertainment uses shall meet the following standards:
- (1) The AEO Adult Entertainment Overlay District shall only be established for parcels for which the underlying district is an I-1 Industrial District.
 - (2) No more than one (1) of the adult entertainment uses defined herein may be established on any one (1) parcel and any of the adult entertainment uses defined herein shall be at least one thousand (1,000) feet from any other adult entertainment use. No adult entertainment use shall be permitted within five hundred (500) feet of any establishment serving alcohol beverages, within one thousand (1,000) feet of property zoned Residential, within one thousand five hundred (1,500) feet of any property zoned Agricultural, or within two thousand (2,000) feet of any school, library, church, park, playground, or daycare facility.
 - (3) There shall be no sale of intoxicating or fermented malt beverages in the AEO Adult Entertainment Overlay District.
 - (4) Signs advertising any of the adult entertainment uses defined herein shall conform with Article H of this Chapter with the exception, however, that no tower-mounted signs, portable signs or billboards shall be permitted on the premises, and with the further exception that signs will not depict or describe "specified anatomical areas" or "specified sexual activities", and providing further that there shall be no flashing or traveling lights located outside the building.

- (5) Adequate parking shall be provided in a lighted area; all such lighting shall be properly shielded.
- (6) There shall be no display windows on the premises.
- (7) The owner and/or operator of the adult entertainment establishment shall comply with all federal, state and local laws and ordinances, including obscenity, liquor, fermented malt beverage and cabaret laws, and shall further ensure that minors are not permitted on the premises. Solicitation for purposes of prostitution shall be strictly prohibited.
- (8) In the case of adult cabarets, the hours of operation for such establishments shall be limited to the same hours of operation for bars and taverns within the Village.
- (9) Prior to the establishment of an AEO Adult Entertainment Overlay District, an inventory of the surrounding area and population shall be made along with a study of the proposed project and plans for the general area so as to enable the Village Board to make appropriate findings relative to the effect of the establishment of an AEO District in that area.
- (10) The owner of the parcel upon which the adult entertainment use is to be established and the operator of the establishment and the owner of the establishment shall appear in person before the Plan Commission and Village Board.
- (11) In the event of noncompliance with any conditions imposed on the adult entertainment use, the zoning permit may be revoked, the AEO Adult Entertainment Overlay District may be abolished by Village Board action, and the parcel shall revert to its underlying zoning classification.

Sec. 13-1-60 E-1 Mineral Extraction or Landfill Overlay District.

- (a) **Purpose.** The intent of this District is to provide a means of properly siting, regulating and reclaiming mineral extraction and landfill sites.
- (b) **Permitted Uses.**
 - (1) Mineral extraction operations and landfill sites that are presently in existence, provided that applicable provisions of this Section and all other state, county and local mining, licensing, and reclamation ordinances and regulatory requirements are met. In the event of a conflict between regulatory requirements, the most restrictive provision shall be applicable.
 - (2) Class 2 collocation of a new mobile service facility on an existing support structure without substantial modification, per Section 13-1-182.
- (c) **Conditional Uses.** Conditional uses in the District shall include all conditional uses listed in the underlying district. Conditional use procedures, as described in Article E, shall be adhered to as well as the requirements of this Section, with the more restrictive provision being applicable. In addition, the following are permitted conditional uses:
 - (1) Extension of legally existing mineral extraction operation or the creation of a new such extraction operation.

- (2) New mineral extraction operations and the following: Landfills; solid waste management facilities, recycling centers; bio-remediation sites; and soil extraction or scraping for purposes of obtaining fill material for such large scale operations as landfill sealing, roadbed construction, etc; or similar uses. These uses shall be a conditional use in all zoning districts except in the R-1, R-2, R-3 and R-4 Districts.
- (3) Siting and construction of any new mobile support structure and/or facility or a Class 1 collocation of a new mobile service facility on an existing support structure, per Section 13-1-182.
- (d) **Procedures for Establishing E-1 Mineral Extraction or Landfill Overlay District; Conditional Use Permit Application.**
 - (1) A petition to amend the Zoning Code to establish an E-1 Mineral Extraction or Landfill Overlay District and an application for a conditional use permit shall be filed with the Zoning Administrator. The rezoning request shall proceed per Article M procedures. The Zoning Administrator shall refer each petition and application to the Plan Commission for its review and recommendation per Article E, followed by referral and action by the Village Board. The requirements set forth in Article E regarding the conditional use application, review and approval, conditional approval or disapproval of conditional use permits shall be followed regarding the conditional use application. No E-1 Mineral Extraction or Landfill Overlay District shall be created which does not substantially comply with the standards set forth in this Section.
 - (2) A petition to amend the Zoning Code to establish an E-1 Mineral Extraction or Landfill Overlay District and for a conditional use permit must be accompanied by three (3) copies of the proposed site plan prepared by a certified land surveyor or planner in addition to any other information required under this Section or by the Zoning Administrator.
 - (3) The Zoning Administrator shall make a recommendation to the Plan Commission and Village Board. Such recommendation may approve, disapprove or approve, subject to conditions or modifications, the zoning and conditional use permit petition, and shall include a written statement of the Zoning Administrator's findings.
- (e) **Basic District Standards.**
 - (1) **Basic Standards.** The basic standards in this District shall be controlled by those of the underlying district unless more restrictive standards are established in the conditional use approval. Also, excavations or fill areas within two hundred (200) feet from any right-of-way or property line shall not be permitted unless the Village Board determines that the operational plans adequately provide for:
 - a. Safety of abutting land uses and for safe ingress to, egress from and traffic flow past the site.
 - b. Aesthetic screening from abutting properties.
 - c. Dust control from the operation and/or any stockpiling.

- d. Staging of the operation to produce a minimal time frame between commencing of operations and restoration within this two hundred (200) foot area.
- (2) **Permit Validity; Operational Requirements.** The conditional use permit shall be in effect for a period not to exceed one (1) year and may be renewed upon application for a period not to exceed one (1) year; a shorter period may be established by Village Board action. There shall be an annual fee as prescribed by Section 1-3-1 for such permit. Modifications or additional conditions may be imposed upon application for renewal. Operational requirements shall include the following where applicable, and all require Village Board approval:
 - a. Fencing or other suitable barriers shall be erected as necessary to protect the public.
 - b. Machinery, roads and equipment used in the extractive operation shall be constructed, maintained and operated in such a manner as to minimize dust.
 - c. Crushing, washing, refining or other processing other than the initial removal of material, may be permitted as an accessory use only as specifically authorized under the terms of the grant of permit.
 - d. Planting of trees and shrubs and other appropriate landscaping shall be provided where deemed necessary by the Village and other applicable agencies.
 - e. Hours of operation may be established and enforced by the Village Board.
 - f. Other requirements deemed necessary by the Village Board.
- (3) **Plan of Reclamation.** A reclamation plan meeting the standards of NR 135, Wis. Adm. Code, shall be submitted and approved by all applicable agencies and the Village Board.
- (f) **Existing Operations.** Existing operations shall be subject to the following further requirements:
 - (1) **Permit.** Within sixty (60) days after the original adoption of this Section all existing extractive operations shall be required to register with the Zoning Administrator, submitting pertinent data relative to the present operation, including the boundaries of the actual operation and of the ownership. A permit shall be granted to such existing operation, subject to compliance with the operational requirements, listed above where they can be reasonably applied under existing circumstances.
 - (2) **Plan for Restoration.** There shall be required within one (1) year after original adoption of this Section, the submission of a plan for restoration of the site of existing extractive operation as provided above. The plan for restoration in such case shall not, however, impose requirements which are economically or engineeringly unreasonable with respect to conditions resulting from operations prior to enactment of this Section.
- (g) **Renewal Permit.** Within one year after the original enactment date of this Section, any such existing operation shall be required to make application for a renewal permit the same as for reapplication in the case of a new operation under this Section.

- (h) **Plan of Operation.** All mineral extraction operations including those operations and activities which lawfully existed prior to the original adoption of this Section shall prepare a plan of operation for the site which shall include the following information:
- (1) Statement of ownership of the parcel and control of the operations.
 - (2) A site plan, drawn to scale, showing the lateral extent of existing and proposed excavations; the location and width of all easements and right of way on or abutting the site; existing water bodies, water courses and drainageways and proposed modifications; estimated direction of flow or groundwater; the location of existing and proposed buildings, structures, machinery and equipment; and the location of all existing and proposed storage and stockpiling areas.
 - (3) Cross sections of the site, drawn to scale, showing the vertical extent of existing and proposed excavations.
 - (4) A reclamation plan and such other information as may be necessary to determine the nature of the operation and the effect on the surrounding area;
 - (5) Methods of screening from adjacent properties and proximity to adjacent properties.
 - (6) Hours of operation and, if applicable, a phasing plan for future operations.
 - (7) Dust and noise control.
 - (8) Maximum depth.
 - (9) Blasting procedures.
 - (10) Location and height of stockpiles.
 - (11) Such other information the Village Board deems pertinent to the operation.
- (i) **Gravel Crushing; Permit Requirement.** In addition to all other conditional use permit and other requirements prescribed in this Section, an annual permit is required for the placement or operation at any mineral extraction site of any portable or fixed gravel crushing equipment. Such gravel crushing operation permit shall be valid for one (1) year; the Village Board may attach reasonable conditions to such permit. The annual fee for the permit shall be as prescribed in Section 1-3-1.
- (j) **Definitions.** As used in this Section:
- (1) **Environmental Pollution.** Has the meaning specified under Sec. 144.01(3), Wis. Stats.
 - (2) **Mining/Metallic Mining.** For purposes of this Section, these terms shall mean all types of metallic and nonmetallic mining and their related activities. They shall also refer to "mineral" mining or extraction activities.
 - (3) **Nonmetallic Mining or Mineral Extraction Operation.** Operations or activities for the extraction from the earth for sale or use by the operator of mineral aggregates such as stone, sand and gravel, fill material and nonmetallic minerals such as asbestos, beryl, clay, feldspar, peat and talc, related operations or activities such as excavation, grading or dredging if the purpose of those operations or activities is the extraction of mineral aggregates and nonmetallic minerals and related processes such as crushing, screening, scalping, dewatering and blending.

- (4) **Nonmetallic Mining or Mineral Extraction Refuse.** Waste soil, rock, mineral, liquid, vegetation and other waste material resulting from a nonmetallic mining or mineral extraction operation. This term does not include merchantable by-products resulting directly from or displaced by the nonmetallic mining or mineral extraction operation.
- (5) **Nonmetallic Mining or Mineral Extraction Site.** The location where a nonmetallic mining or mineral extraction operation is proposed or conducted, including all surface areas from which materials are removed, related storage and processing areas, areas where nonmetallic mining refuse is deposited and areas disturbed by the mineral extraction operation by activities such as the construction or improvement of roads or haulageways.
- (6) **Operator.** Any person who is engaged in a mineral extraction operation or mineral extraction site reclamation or who applies for or holds a nonmetallic mining permit issued under this mineral extraction reclamation ordinance whether individually, jointly or through subsidiaries, agents, employees, contractors or subcontractors.
- (7) **Reclamation.** The rehabilitation of a mineral extraction site including, but not limited to, removal of nonmetallic mining refuse, grading of the site, replacement of topsoil, stabilization of soil conditions, establishment of vegetative cover, control of surface water and groundwater, prevention of environmental pollution, construction of fences and, if practical, restoration of plant, fish and wildlife habitat.
- (8) **Replacement of Topsoil.** The replacement of the topsoil which was removed or disturbed by a mineral extraction operation or the provision of soil which is at least as adequate as the topsoil which was removed or disturbed for the purposes of providing adequate vegetative cover and stabilization of soil conditions.
- (k) **Exempt Activities.** The reclamation of sites within this District shall not apply to the following activities:
 - (1) Excavations or grading by a person solely for domestic use at his or her residence.
 - (2) Excavations or grading conducted for highway construction purposes within the highway right-of-way.
 - (3) Grading conducted for farming, preparing a construction site or restoring land following a flood or natural disaster.
 - (4) Excavations for building construction purposes.
 - (5) Any mining operation, the reclamation of which is required in a permit obtained under Sections 144.80 to 144.94, Wis. Stats.
 - (6) Any activities conducted at a solid or hazardous waste disposal site required to prepare, operate or close a solid waste disposal facility under Sections 144.435 to 144.445, Wis. Stats., or a hazardous waste disposal facility under Sections 144.60 to 144.74, Wis. Stats., but a nonmetallic mining reclamation ordinance may apply to activities related to solid or hazardous waste disposal which are conducted at a nonmetallic site separate from the solid or hazardous waste disposal facility such as activities to obtain nonmetallic minerals to be used for lining, capping, covering or constructing berms, dikes or roads.

- (l) **Financial Assurance.** Before rezoning and a reclamation plan is approved by the Village Board, the operator shall submit an agreement and performance bond or cash escrow agreement to assure the following:
- (1) The operator shall pay for the cost of all improvements required in the reclamation plan by the Village Board.
 - (2) Guaranteed completion of the required reclamation within a period determined by the Village Board, consistent with NR 135, Wis. Adm. Code, standards.
 - (3) Payment by the operator for all costs incurred by the Village for review and inspection. This would include preparation and review of plans and specifications by the Village Engineer and Attorney, as well as other costs of a similar nature.
 - (4) The Village may elect to have stages of the reclamation plan performed under the terms of a cash escrow agreement.
 - (5) The required performance bond or cash escrow agreement shall be equal to one and one-quarter (1-1/4) times the Village Engineer's estimated cost of the required improvements.
 - (6) If the required reclamation is not complete within the designated period, all amounts held under the escrow agreement or performance bond shall be turned over and delivered to the Village and applied to the cost of the required reclamation. Any balance remaining after such reclamation has been done shall be returned to the operator. The Village Board, at its option, may extend the bond period for additional periods.
- (m) **Fences.** Prior to reclamation, mining sites abutting areas zoned residential shall be enclosed by a security fence of not less than four (4) feet in height. Fence gates shall be locked or secured when the site is unattended so as to prevent uncontrolled access by children to the site.
- (n) **Inspection.** An authorized agent of the Village may enter the premises of a nonmetallic mining operation in the performance of his or her official duties by permission of the property owner or operator or pursuant to a special inspection warrant issued under Sec. 66.0119, Wis. Stats., in order to inspect those premises and to ascertain compliance with this nonmetallic mining reclamation Section.
- (o) **Prohibitions and Orders.** Mineral extraction mining operations within the Village are prohibited if the nonmetallic mining site cannot be reclaimed in compliance with the standards of this Section or if other requirements of this Section are not met.

State Law Reference: NR 135, Wis. Adm. Code.

Sec. 13-1-61 Extraterritorial Zoning District.

- (a) **District Established.** An Extraterritorial Zoning District (hereinafter "ETZ") is established in the following described real estate: That part of the Town of Stephenson, Marinette County, Wisconsin in Township 32 N. Range 20 E., described as follows:

Starting at the Northwest corner of section 8; then South along the West boundary line of sections 8, 17, 20 and 29 to the Southwest corner of section 29; then East along the South boundary line of sections 29 and 28 to the Southwest corner of section 28; then South along the West boundary line of section 34 to the Southwest corner of section 34; then East along the South boundary line of section 34 to the Southeast corner of section 34; then north along the East boundary line of section 34 to the Northeast corner of section 34; then East along the South boundary line of section 26 to the Southeast corner of section 26; then North along the East boundary line of sections 26, 23 and 14 to the Northeast corner of section 14; then West along the north boundary line of section 14 to the Northwest corner of section 14; then North along the East boundary line of section 10 to the Northeast corner of section 10; then West along the North boundary line of sections 10, 9 and 8 to the point of beginning; EXCEPTING THEREFROM: The Northeast Quarter of the Northeast Quarter (NE 1/4 of NE 1/4 of section 10.

- (b) **District Standards.** There shall be no zoning regulations in the ETZ except for Section 13-1-62 Groundwater Protection Overlay Zoning District which covers the entire ETZ area.
- (c) **District Amendments.** No provisions of Section 13-1-61 may be amended except by majority vote of the Village Board after submitting proposed amendments to the Joint Extraterritorial Zoning Committee and compliance with the requirements of Sec. 62.23(7a)(c)-(e), Wis. Stats., as amended from time to time.

Sec. 13-1-62 Groundwater Protection Overlay District.

- (a) **Purpose.** The residents of the Village of Crivitz and the residents of the Town of Stephenson in the Extraterritorial Zoning District described in Section 13-1-61 (hereinafter "ETZ") depend exclusively on groundwater for a safe drinking water supply. Certain land use practices and activities can seriously threaten or degrade groundwater quality. The purpose of this District is to establish a Groundwater Protection Overlay District to institute land use regulations and restrictions in the ETZ which contributes water directly to the Village of Crivitz municipal water supply and private wells of the residents of the Town of Stephenson in the ETZ; providing protection for the aquifer and municipal water supply of the Village of Crivitz and the wells of residents of the Town of Stephenson in ETZ; and promoting the public health, safety and general welfare of Village of Crivitz residents and the residents of the Town of Stephenson.
- (b) **Authority.** Statutory authority of the Village to enact these regulations was established by the Wisconsin Legislature in 1983, Wisconsin Act 410 (effective May 11, 1984), which

specifically added groundwater protection, in Sec. 59.97(1), Wis. Stats., [which has since been renumbered as Sec. 59.69(1), Wis. Stats.], and 62.23(7)(c), Wis. Stats., to the statutory authorization for municipal planning for municipal planning and zoning to protect the public health, safety and welfare. In addition, per Secs. 60.10(2) and 62.23(7)(c), Wis. Stats., the Village has the authority to enact this Section to encourage the protection of groundwater resources.

- (c) **Application and Scope.** The regulations specified in this Groundwater Protection Overlay District shall apply to the entire ETZ.
- (d) **Definitions.** The following words, terms and phrases, when used in this Section and Section 13-1-61, shall have the meaning ascribed to them in this Section, except where the context clearly indicates a different meaning. Words used in the present tense include the future; the singular number includes a plural number; and the plural number includes the singular number. The word "shall" is mandatory and not permissive:
 - (1) **Animal Unit.** Defined in NR 243.12, Wis. Adm. Code, UW-Extension and the Stockman's Handbook.
 - (2) **Aquifer.** A saturated, permeable, geologic formation that contains, and will yield, significant quantities of water.
 - (3) **Existing Facilities.** Current facilities, practices and activities which may cause or threaten to cause environmental pollution within the Groundwater Protection Area Overlay District. Existing facilities include, but are not limited to, the type(s) listed in the Wisconsin Department of Natural Resources' Form 3300-215 Public Water Supply Potential Contaminant Use Inventory Form, which is incorporated herein as if fully set forth.
 - (4) **Recharge Area.** The land area which contributes water to a well by infiltration of water into the subsurface and movement with groundwater toward the well.
 - (5) **Hazardous Chemicals.** Chemicals and chemical mixtures that are required to have an MSDS and meet the definition of hazardous chemicals under the OSHA regulations found at 29 CFR 1910.1200(c). Substances packaged for consumption for humans or animals are not considered "Hazardous Chemicals." Hazardous chemicals include:
 - a. Chemicals for which there is scientific evidence that acute or chronic health effects may result from exposure, including carcinogens, toxic and highly toxic agents, irritants, corrosives, sensitizers, hepatotoxins, agents that act on the hematopoietic system, reproductive toxins, and agents which damage the lungs, skin, eyes or mucous membranes as defined in 29 CFR 1910.1200, Appendix A, "Health Hazard Definitions (Mandatory)," as amended from time to time.
 - b. Mixtures of chemicals which have been tested as a whole and have been determined to be a health hazard.
 - c. Mixtures of chemicals which have not been tested as a whole but which contain any chemical which has been determined to be a health hazard and comprises one percent (1%) or greater of the composition on a weight-per-unit weight basis.

- d. Mixtures of chemicals which include a carcinogen if the concentration of the carcinogen in the mixture is one-tenth of one percent (1%) or greater of the composition on a weight-per-unit weight basis.
 - e. Ingredients of mixtures prepared within the Groundwater Protection Overlay District in cases where such ingredients are health hazards but comprise more than one-tenth of one percent (1%) of the mixture on a weight-per-unit weight basis if no carcinogenic.
 - f. Petroleum and non-solid petroleum derivatives (except non-PCB dielectric fluids used in equipment or for transmission of electric power to homes and businesses).
- (6) **Well Field.** A piece of land used primarily for the purpose of supplying a location for construction of wells to supply a municipal water system and private wells of residents of the Groundwater Protection Overlay District.
- (e) **Permitted Uses.** The following uses are permitted in the Groundwater Protection Overlay District subject to the specifications in Subsection (h):
- (1) Parks, playground and wildlife areas, provided there is no on-site waste disposal or fuel storage tank facilities associated with this use.
 - (2) Non-motorized trails, such as bike, skiing, nature and fitness trails.
 - (3) Residential, commercial, and industrial establishments whose *Aggregate of Hazardous Chemicals* in use, storage, handling and/or production may not exceed twenty (20) gallons or one hundred and sixty (160) pounds at any time, with the exception for those uses listed as "conditional" or "prohibited" in Subsections (f) or (g).
 - (4) Routine tillage, planting, and field management operations in support of agricultural crop production, where nutrients from legume, manure, and commercial sources are accounted for and credited toward crop nutrient needs. The combination of all nutrient sources applied or available on individual fields may not exceed University of Wisconsin soil test recommendations for that field.
 - (5) Operations conducted as a principal use of a parcel in which agricultural commodities, livestock, poultry and small animals are used for either hobby or recreational purposes and to supplement household food supply, including facilities needed to care for them. This does not include any use where the raising of farm products and/or farm animals results in One Thousand Dollars (\$1,000.00) or more in annual sales of such products and/or animals. Animal units shall not exceed one (1) animal unit per acre, shall not exceed one hundred and fifty (150) total animal units, and shall not exceed fifty (50) animal units of the same type. Animal owners shall manage manure and other waste responsibly. The Animal Unit Density Standard assures that land uses that keep or maintain land available for animal exercise and nutrient (manure) management.
 - (6) Private on-site wastewater treatment systems (POWTS) or holding tanks receiving less than twelve thousand (12,000) gallons per day.
- (f) **Conditional Uses.** The following uses may be conditionally permitted in the Groundwater Protection Overlay District subject to the separation distances in Subsection (h) and governed by the conditional use provisions of Subsection (j):

- (1) Hydrocarbon, petroleum or hazardous chemical storage greater than one hundred and ten (110) gallons in any single or double wall tank.
 - (2) Motor vehicle services, including filling and service stations, repair, renovation and body work.
 - (3) Residential, commercial and industrial establishments that are municipally sewered and whose use, *Aggregate of Hazardous Chemicals* in use, storage, handling and/or production exceeds twenty (20) gallons or one hundred and sixty (160) pounds at any time.
 - (4) Stormwater infiltration basins.
 - (5) Geothermal wells, also known as ground source heat pump along with any associated piping and/or ground loop component installations.
 - (6) Dairy farming, raising of commercial livestock, poultry and other animals. Animal units shall not exceed one (1) animal unit per acre, shall not exceed one hundred and fifty (150) total animal units, and shall not exceed fifty (50) animal units of the same type. Animal owners shall manage manure and other waste responsibly. The Animal Unit Density Standard assures that land uses that keep or maintain animals provide and continuously maintain land available for animal exercise and nutrient (manure) management.
- (g) **Prohibited Uses.** The following uses are prohibited in the Groundwater Protection Overlay District:
- (1) Animal waste storage facilities.
 - (2) Asphalt products manufacturing plants.
 - (3) Cemeteries.
 - (4) Concentrated Animal Feeding Operation (CAFO).
 - (5) Hazardous chemical, processing or manufacturing plants.
 - (6) Dry cleaning establishments.
 - (7) Electronic circuit assembly plants.
 - (8) Electroplating plants.
 - (9) Fertilizer manufacturing or storage plants.
 - (10) Foundries and forge plants.
 - (11) Road salt or de-icing materials storage areas.
 - (12) Industrial liquid waste storage areas.
 - (13) Landfills or other areas for dumping, disposal or transferring of garbage, refuse, recycling, trash, or demolition material, including auto salvage operations.
 - (14) Metal reduction and refinement plants.
 - (15) Mining operations, including metallic, gravel pits (non-metallic mining), industrial or frac sand mining, or processing of mined materials.
 - (16) Motor freight terminals.
 - (17) Paint products manufacturing.
 - (18) Plastics manufacturing.

- (19) Private on-site wastewater treatment systems (POWTS) or holding tanks receiving twelve thousand (12,000) gallons per day or more.
 - (20) Pulp and paper manufacturing.
 - (21) Sewage, sludge or septage disposal, storage or land spreading [this does not include residential POWTS or holding tanks receiving less than twelve thousand (12,000) gallons per day].
 - (22) Hazardous, toxic or radioactive waste facilities.
 - (23) Any other use determined by the Administrative and Development Committee to be substantially similar in nature to the above listed uses.
- (h) **Separation Distances.** The following separation distances as specified in NR 811.12(5), Wis. Adm. Code, shall be maintained within the Groundwater Protection Overlay District:
- (1) Ten (10) feet between a well and an emergency or standby power system that is operated by the same facility which operates the well and that has a double wall above ground storage tank with continuous electronic interstitial leakage monitoring. These facilities shall meet the installation requirements of ATCP 93.260, Wis. Adm. Code, and receive written approval from the Wisconsin Department of Safety and Professional Services or its designated Local Program Operator under ATCP 93.10, Wis. Adm. Code.
 - (2) Fifty (50) feet between a well and a storm sewer main or a sanitary sewer main where the sanitary sewer main is constructed of water main class materials and joints. Gravity sanitary sewers shall be successfully air pressure tested in place. The air pressure test shall meet or exceed the requirements of the 4 psi low pressure air test for plastic gravity sewer sewer lines found in the latest edition of *Standard Specifications for Sewer & Water Construction in Wisconsin*. Force mains shall be successfully pressure tested with water to meet the AWWA C600 pressure and leakage testing requirements for one (1) hour at 125% of the pump shut-off head.
 - (3) Two hundred (200) feet between a well field and any sanitary sewer main not constructed of water main class materials, sanitary sewer manhole, lift station, one- or two-family residential heating fuel oil underground storage tank or above ground storage tank or private onsite wastewater treatment system (POWTS) treatment tank or holding tank component and associated piping.
 - (4) Three hundred (300) feet between between a well field and any farm underground storage tank system or other underground storage tank system with double wall and with electronic interstitial monitoring for the system, which means the tank and any piping connected to it. These installations shall meet the most restrictive installation requirements of ATCP 93.260, Wis. Adm. Code, and receive written approval from the Wisconsin Department of Safety and Professional Services or its designated Local Program Operator under ATCP 93.110, Wis. Adm. Code. These requirements apply to tanks containing gasoline, diesel, bio-diesel, ethanol, other alternative fuel, fuel oil, petroleum product, motor fuel, burner fuel, lubricant, waste oil, or hazardous substances.

- (5) Three hundred (300) feet between a well field and any farm above ground storage tank with double wall, or single wall tank with other secondary containment and under a canopy and with electronic interstitial monitoring for a double wall tank or electronic leakage monitoring for a single wall tank secondary containment structure. These installations shall meet the most restrictive requirements of ATCP 93.260, Wis. Adm. Code, and receive written approval from the Wisconsin Department of Commerce (or its successor agency) or its designated Local Program Operator under ATCP 93.110, Wis. Adm. Code. These requirements apply to tanks containing gasoline, diesel, bio-diesel, ethanol, other alternative fuel, fuel oil, petroleum product, motor fuel, burner fuel, lubricant, waste oil, or hazardous substances.
- (6) Four hundred (400) feet between a well field and a POWTS dispersal component with a design capacity of less than twelve thousand (12,000) gallons per day, a cemetery, or a stormwater retention or detention pond.
- (7) Six hundred (600) feet between a well field and any farm underground storage tank system or other underground storage tank system with double wall and with electronic interstitial monitoring for the system, which means the tank and any piping connected to it; any farm above ground storage tank with double wall, or single wall tank with secondary containment and under a canopy; and with electronic interstitial monitoring for a double wall tank or electronic leakage monitoring for a single wall tank secondary containment structure. These installations shall meet the standard double wall tank or single well tank secondary containment installation requirements of ATCP 93.260, Wis. Adm. Code, and receive written approval from the Wisconsin Department of Safety and Professional Services or its Local Program Operator under ATCP 93.110, Wis. Adm. Code. These requirements apply to tanks containing gasoline, diesel, bio-diesel, ethanol, other alternative fuel, fuel oil, petroleum product, motor fuel, burner fuel, lubricant, waste oil, or hazardous substances.
- (8) One thousand (1,000) feet between a well field and land application of municipal, commercial, or industrial waste; the boundaries of a land spreading facility for spreading of petroleum-contaminated soil regulated under state administrative regulations while that facility is in operation; agricultural, industrial, commercial or municipal waste water treatment plant treatment units, lagoons, or storage structures; manure stacks or storage structures; or POWTS dispersal component with a design capacity of twelve thousand (12,000) gallons per day or more.
- (9) Twelve hundred (1,200) feet between a well field and any solid waste storage, transportation, transfer, incineration, air curtain destructor, processing, wood burning, one-time disposal or small demolition facility; sanitary landfill; any property with residual groundwater contamination that exceeds NR 140, Wis. Adm. Code, enforcement standards; coal storage area; salt or deicing material storage area; any single wall farm underground storage tank or single wall farm above ground storage tank or other single wall underground storage tank or above ground storage tank that

has or has not received written approval from the Wisconsin Department of Safety and Professional Services or its designated Local Program Operator under ATCP 93.110, Wis. Adm. Code, for a single wall tank installation. These requirements apply to tanks containing gasoline, diesel, bio-diesel, ethanol, other alternative fuel, fuel oil, petroleum product, motor fuel, burner fuel, lubricant, waste oil, or hazardous substances; and bulk pesticides or fertilizer handling or storage facilities.

- (i) **Existing Non-Conforming Uses.** Non-conforming uses lawfully in existence within the Groundwater Protection Overlay District at the time of adoption of the ordinance creating this District may continue to exist in the form and scope in which they existed at that time subject to the following provisions:

- (1) Existing facilities shall provide copies of all federal, state and local facility operation approvals or certificate and on-going environmental monitoring results to the Village upon request.
- (2) If an existing facility replaces equipment it shall be done in a manner that meets the standards of existing environmental and safety technologies.
- (3) In the event a lawful non-conforming use poses a direct hazard to the public or private water supply, the Village may take any action permitted by law to abate the hazard.
- (4) Existing facilities shall have the responsibility of devising and/or filing with the Village and Town, a satisfactory contingency plan for the immediate notification of the appropriate Village and Town officers in the event of an emergency.

- (j) **Conditional Use Permits.**

- (1) **Generally.** Individuals and/or facilities may request the Village, in writing, to permit conditional land uses in the Groundwater Protection Overlay District. The authority to approve or deny conditional use permit applications within the Groundwater Protection Overlay District are exclusively delegated to the Administrative and Development Committee. Following the publication of a Class 2 notice under Ch. 985, Wis. Stats., the Administrative and Development Committee shall hold a public hearing and take action on the application.

- (2) **Required Application Materials.**

- a. All requests shall be in writing, whether on or in substantial compliance with forms to be provided by the Village and may require an environmental assessment report prepared by a licensed environmental engineer. Said report shall be forwarded to the Administrative and Development Committee. Approval of a conditional use permit by the Administrative and Development Committee shall require a majority vote of the total number of members of the Administrative and Development Committee [Example: If the Administrative and Development Committee consists of six (6) members, approval would require four (4) affirmative votes regardless of the number of members present for a quorum.]
- b. The individual/facility shall reimburse the Village and/or Town for all consultant fees associated with the review at the invoiced amount plus administrative costs.

- c. Any exemptions granted shall be conditional and may include required environmental and safety monitoring consistent with local, state and federal requirements, and/or bonds and/or securities satisfactory to the Development Committee.
- (3) **Standards for Conditional Use.** The Administrative and Development Committee shall apply the following factors:
 - a. The Village's responsibility, as a public water supplier, to protect and preserve the health, safety and welfare of its citizens and also the Town's responsibility to protect and preserve the health, safety and welfare of owners of private wells in the Groundwater Protection Overlay District.
 - b. The degree to which the proposed land use practice, activity or facility may threaten or degrade groundwater quality in the Groundwater Protection Overlay District.
 - c. The economic hardship which may be faced by the landowner if the application is denied.
 - d. The availability of alternative options to the applicant, and the cost, effect and extent of availability of such alternative options.
 - e. The proximity of the applicant's property to other potential sources of contamination.
 - f. The then existing condition of the Village's groundwater, public water well(s) and well fields, private wells in the Groundwater Protection Overlay District, and the vulnerability to further contamination of all such wells and well fields.
 - g. The direction of flow of groundwater and other factors in the area of the applicant's property which may affect the speed of the groundwater flow, including topography, depth of soil, extent of aquifer, depth to water table and location of private wells.
 - h. Any other hydrogeological data or information which is available from any public or private agency or organization.
 - i. The potential benefit, both economic and social, from the approval of the applicant's request for a permit.
- (4) **Types of Other Conditions Which the Administrative and Development Committee May Require.** The Administrative and Development Committee may impose conditions and restrictions including, but not limited to, the following; the following conditions are listed for illustration purposes and are not exclusive:
 - a. A requirement for periodic environmental and safety sampling, testing, and reporting to establish the continued protection of the public and private water supply. The Administrative and Development Committee may require an applicant to install one (1) or more groundwater monitoring well(s), at the expense of the applicant.
 - b. The establishment of safety structures to prevent groundwater contamination.
 - c. The establishment of an operational safety plan to define processes and procedures for material containment, operations monitoring, best management

practices, and stormwater runoff management to prevent groundwater contamination.

- d. Written policies and procedures for reporting and cleaning up any spill of a hazardous material.
 - e. The provision of copies of all federal, state and local facility operation approvals or certificates, and on-going environmental monitoring results to the Village and Town.
 - f. A written agreement pursuant to which the applicant agrees to be held financially responsible for all environmental cleanup costs in the event of groundwater contamination.
 - g. Bonds and/or securities satisfactory to the Administrative and Development Committee for future monitoring and cleanup costs if groundwater contamination occurs in the future.
- (5) **Transfers of Interest in Property.** Conditional use permits issued under this Section are non-transferable to successor owners of the property subject to the permit without the express written consent of the Administrative and Development Committee. The Administrative and Development Committee may set conditions and restrictions on the transfer including, but not limited to, a stipulation that the permit shall not be transferred unless the new owner expressly and in writing assumes the same terms, if any, for personal liability as were required of the former owner in the conditional use permit to be transferred. Written permission shall be obtained prior to the voluntary transfer of the subject property. When an involuntary transfer occurs, the new owner, trustee, or other successor to an interest in the real property shall apply to the Administrative and Development Committee within sixty (60) days for permission to continue the use granted by the conditional use permit.
- (6) **Payment of Costs.** The applicant shall be solely and exclusively responsible for all costs associated with the application. The conditional use will become effective only after any costs incurred by the Village and/or Town during the conditional use application review process and billed to the applicant are paid by the applicant. Those costs may include:
- a. Expenses of the Village and Town, including consultant's and attorney's fees, if any, associated with the review at the invoiced amount plus administrative costs.
 - b. The cost of an environmental impact study if so required by the Administrative and Development Committee.
 - c. The cost of groundwater monitoring or groundwater wells if required by the Administrative and Development Committee.
 - d. The costs of an appraisal for the property or other property evaluation expense if required by the Administrative and Development Committee.

(k) **Certificates of Occupancy; Building Permits.**

- (1) No person, firm or corporation shall erect, alter, repair or remove any building or structure or commence use of any building or structure or premises within the Groundwater Protection Overlay District without having been issued a valid building

permit by the Building Inspector of the Town of Stephenson and approved as to zoning occupancy and compliance with this Section by the Village Zoning Administrator.

- (2) No person, firm or corporation shall erect, alter, repair or move any building or structure within the Groundwater Protection Overlay District until a valid building permit approved as to zoning occupancy has been posted in a prominent place on the premises.
 - (3) All applications for zoning occupancy approval shall be accompanied by a plat in duplicate drawn to scale showing the actual dimensions of the lot to be built upon, the size of the building or addition to be erected, its location on the lot and such other information as the Village Zoning Administrator shall deem necessary to provide for the enforcement of this Section. A record of such applications and plats and the action taken by the Village Zoning Administrator shall be kept in the Office of the Village Clerk-Treasurer.
- (l) **Enforcement and Penalties.**
- (1) **Forfeitures.** Any person, firm or corporation which shall erect, construct, reconstruct, alter, convert or maintain any building or structure or use any building, structure or land in violation of any of the provisions of this Section shall, upon conviction of such violation, forfeit not less than Twenty-Five Dollars (\$25.00) nor more than Five Hundred Dollars (\$500.00) and costs of prosecution, and in default of payment of forfeiture and costs shall be imprisoned in the county jail until such forfeiture and costs are paid, but not exceeding ninety (90) days. A separate offense shall be deemed committed on each day on which a violation of this Section occurs or continues.
 - (2) **Other Remedies and Penalties.** The enforcement and remedies provided by Sec. 62.23(8), Wis. Stats., shall apply to violations or threatened violations of the provisions of this Section, and the Village Attorney is hereby authorized and directed to institute appropriate legal proceedings to enjoin, abate, remove or prevent any such violations or to mandamus compliance with the provisions of this Section.
- (m) **Amendments.** No provisions of Section 13-1-62 may be amended except by majority vote of the Village Board after submitting proposed amendments to the Joint Extraterritorial Zoning Committee and compliance with the requirements of Section 62.23(7a)(c), (d) and (e), Wis. Stats., as amended from time to time.
- (n) **Incorporation of Future Changes to Various Laws and Regulations.** This Section makes reference to the United States Code of Federal Regulations, Wisconsin Statutes, Wisconsin Administrative Code, and various standards promulgated by professional organizations. Any subsequent changes thereto are incorporated herein by reference.

Sec. 13-1-63 through 13-1-69 Reserved for Future Use.

Please see 2023-013