ZONING ORDINANCE

IOWA COUNTY, WISCONSIN

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SECTION 1.0 INTRODUCTION

1.1 Authority and Purpose

These regulations are adopted under the authority granted by Sections 59.69 and 59.694 of the Wisconsin Statutes. Therefore, the County Board of Supervisors of Iowa County, Wisconsin, do ordain as follows:

The purpose of this Ordinance is to promote the health, safety, morals, prosperity, aesthetics and general welfare. This Ordinance is to implement the goals and policies of the Iowa County Comprehensive Plan as well as other goals related to growth, development and compatibility of land uses.

Whenever any provision of this Ordinance refers to or cites a section of the Wisconsin Statutes or Administrative Code and that section is later amended or superseded, the Ordinance shall be deemed amended to refer to the amended section or the section that most nearly corresponds to the superseded section.

1.2 Abrogation and greater restrictions

It is not intended by this Ordinance to repeal, abrogate, annul, impair, or interfere with any existing easements, covenants, deed restrictions, agreements, ordinances, rules, regulations, or permits previously adopted or issued pursuant to laws. However, wherever this Ordinance imposes greater restrictions, the provisions of this Ordinance shall govern.

1.3 Interpretation

In their interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements and shall be liberally construed in favor of the County and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes. It shall be the duty of the Office to interpret this Ordinance. Appeals to interpretation shall be made following the procedures outlined in Section 10.4 of this Ordinance.

1.4 Severability

If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

1.5 Repeal

When the provisions of this Ordinance are inconsistent with one another or when the provisions of the Ordinance conflict with provisions found in other adopted ordinances or regulations, the more restrictive provision shall govern unless the terms of the provisions specify otherwise.

1.6 Title

This Ordinance shall be known as, referred to, or cited as the “Iowa County Zoning Ordinance.”

1.7 Effective date

This Ordinance shall be effective after adoption by the County Board of Supervisors in any Town in Iowa County when approved by the Town Board and when a certified copy of the approving resolution is filed with the County Clerk.

1.8 Official Zoning Map

The Official Zoning Map designates the location and boundaries of the various zoning districts within Iowa County and is incorporated herein by reference. Such boundaries shall be designated by metes and bounds, plat of survey or certified survey map. The Official Zoning Map shall be kept on file in the Office and available for public inspection during normal business hours.

The Official Zoning Map and all the notations thereon are hereby incorporated by reference and made part of this Ordinance.
Changes made in district boundaries or other matters portrayed on the Official Zoning Map shall be made in accordance with the provisions of this Ordinance. Changes shall be entered on the Official Zoning Map promptly after the amendment has been approved by the County Board of Supervisors with an entry on the Official Zoning Map. No amendment to this Ordinance, which involves matters portrayed on the Official Zoning Map, shall become effective until after the Map has been so changed.

The Office shall have the authority to interpret the map and determine where the boundaries of the different zoning districts fall.

SECTION 2.0 GENERAL PROVISIONS

2.1 Jurisdiction

The jurisdiction of this Ordinance shall include all lands and waters within Iowa County outside the limits of incorporated cities and villages. This Ordinance shall be in effect in all Iowa County Towns that have adopted this Ordinance.

2.2 Compliance

No structure, land, or water shall hereafter be used and no structure or part thereof shall hereafter be located, erected, moved, reconstructed, extended, converted, or structurally altered without full compliance with the provisions of this Ordinance and all other applicable local, county and state regulations.

The Office shall employ at least one full-time County employee charged to administer this ordinance by job description and shall have the following powers and duties:

1. Administer, supervise and enforce the provisions of this Ordinance and all sections of the Wisconsin Statutes pertaining to County zoning.
2. Receive applications for and issue building and zoning permits, sign permits, land use permits and conditional use permits subject to approval by the Commission as provided herein.
3. Advise interested persons as to the provisions of this Ordinance and other matters pertaining to County zoning.
4. Inspect from time to time the premises for which a permit or license has been issued under this Ordinance, report suspected violations of this Ordinance to the District Attorney or Corporation Counsel for prosecution and sign complaints and/or issue citations under the direction and supervision of the District Attorney and Corporation Counsel.
5. Enter upon premises or private property at reasonable times for the purpose of investigating complaints and enforcing the provisions of this Ordinance either with the permission of the property owner or by inspection warrant.

2.3 Zoning Permit

No building, sign or other structure or any part thereof shall hereafter be built, located, enlarged until a zoning permit has been obtained from the Office. A zoning permit is required before the use of any building or structure is changed from that originally permitted. Such permits shall be on the premises and accessible for review during the period of construction, alteration or moving. Applications for a zoning permit shall be made to and upon forms supplied by the Office. A record of all permits issued shall be kept for public inspection by the Office. All zoning permit applications are subject to review for compliance with all provisions of this Ordinance.

In the event that the placement or construction of a structure is started before a zoning permit has been issued for the structure in question, the instance shall be considered a violation subject to the procedures of Section 2.8 of this Ordinance.

All complete applications for a zoning permit shall be granted or denied in writing by the Office within thirty (30) days from receipt of the completed application. A complete application shall be considered one in which all required and requested information has been submitted to the Office. The permit shall expire within twelve (12) months unless substantial work has commenced as determined by the Office. Substantial work shall consist, at a minimum, of a foundation, framing, roofing and at least 50% enclosure for buildings and at least 51% completion of any other structure. Any permit issued in conflict with the provisions of this Ordinance shall be null and void.

1. Special Provisions
   a) In the Agricultural Districts, portable nonresidential agricultural structures designed and intended for the sheltering of animal livestock with a maximum size of 300 square feet require a zoning permit to be located on a property, however may be moved to other locations on the

same property without need to seek a subsequent permit, provided:

1) The structure is not altered or structurally modified.
2) The structure is not placed within a floodplain, shoreland area, wetland area or within a yard or street setback.
3) The structure is not enlarged or its use changed.

b) In the A-1, AR-1, C-1 and CR-1 Districts, up to two camping units may be located on a vacant property or outside 300 feet of an existing principal structure for a maximum of 30 consecutive days. The intent is to allow the property owner or anyone with the owner's permission the occasional, temporary use of a camping unit on property not approved as a campground, provided:

1) The unit(s) is not located within a delineated floodplain or wetland
2) The unit(s) does not have any attached structure, such as a deck, patio, doorway, shed or other such appurtenance.
3) The unit(s) is not connected to any water source.
4) The unit(s) is not dismantled or wheels removed in any way as to make it unable to be removed from the property when necessary.
5) There is a minimum 10-day period between 30-day camping periods during which camping units are not allowed on the property.
6) The storage of camping units is allowed within 300 feet of or inside an existing principal building, provided none are being occupied or otherwise used and all are owned by the owner of the property on which being stored.

c) Minor structures are exempt from the need of a zoning permit.

2.31 Nonmetallic Mining and Excavation Sites – less than one acre

1) PERMIT. Nonmetallic mining and excavation sites that are less than one acre may be permitted under this subsection by the issuance of a zoning permit with conditions listed below.

a) Reclamation. An application for a permit under this subsection shall include a detailed plan proposing the reclamation of the mining site and the site's final land use. Such a plan shall only be accepted if the reclamation
b) Time of Operation. Nonmetallic mining sites permitted under this subsection shall not exceed 24 months of operation calculated from the date the zoning permit is issued and concluding upon the completion of final reclamation. If a site is proposed to exceed 24 months of operation, it shall seek a permit under Section 4.5 of this Ordinance.
c) Number. Multiple locations for extraction may be located on a property under single ownership, provided that the total of all locations combined do not exceed one acre.
d) Occurrence. A zoning permit issued under this subchapter shall not be permitted more than once in any 3-year period for the same property, calculated on the date that the zoning permit was issued.
e) Length of operation. Nonmetallic mining sites under this subchapter cannot be extended in duration.
f) Stockpiling. Stockpiling of any nonmetallic mineral, including stone, sand, gravel, clay and topsoil, shall not be permitted beyond final reclamation.

2.32 Ponds

1) PERMIT. A zoning permit shall be required for ponds in the following cases:

a) For any pond that is 10,000 square feet or greater shall require a zoning permit and shall comply with setbacks for structures as required in this Ordinance.
b) For any pond which, through the process of digging, excavating or scraping, creates spoils which are stockpiled on-site or removed from the property, and affect more than one acre of area shall require a nonmetallic mining permit and must comply with all mining regulations within this Ordinance, the Iowa County Nonmetallic Mining Reclamation Ordinance, and Wis. Admin. Code Ch. 135.

2) CONSTRUCTION OF PONDS. Pond construction shall include the following:

   a) All spoil material removed from the pond shall be thin spread, less than 12 inches in thickness, on upland portions of the parcel.
   b) All disturbed areas associated with pond construction shall be stabilized.
   c) Sites within the jurisdiction of floodplain and/or shoreland/wetland zoning regulations shall have to comply with said regulations.

3) SAFETY. If deemed necessary, the Office or Commission shall require safety measures, such as fencing and gates.

4) POND CONSTRUCTION PROPOSAL. All ponds which require a zoning permit or conditional use permit shall submit a plan and description. Plans and descriptions shall include:

   a) Size of pond
   b) Location on site
   c) Setbacks
   d) Other existing or planned water features on the site
   e) Spoil spreading locations
   f) Disturbed land reclamation means
   g) Property description
   h) Site stability
   i) Erosion control measures
   j) Construction timing

2.4 Certificate of Compliance

No building or structure hereafter erected, altered or moved shall be occupied or used until a Certificate of Compliance is issued by the Office. The Certificate of Compliance shall show that the building or premises or part thereof and the proposed use thereof conform to the provisions of this Ordinance. Application for such certificate shall be concurrent with the application for a zoning permit, although it is the responsibility of the applicant to notify the Office for inspection.

The Office shall, within ten (10) working days after receipt of such notification from the applicant, issue a Certificate of Compliance only if the building or premises and the proposed use thereof conform with all the requirements of this Ordinance.

2.5 Site Restrictions

Siting Criteria required at the time of any land use change shall be complied with at the time of construction. Siting Criteria are standards applied during the consideration of rezoning and are listed in the affected Town and County comprehensive planning documents. Any proposed variation from previously approved Siting Criteria established for a lot at the time of a land use change shall require a new review following the land use change process in Section 11.0 of this Ordinance.

Any structure that is to be connected to a water source or have internal plumbing must have a valid sanitary permit issued prior to any zoning permit.

All sites must comply with all provisions of county ordinances relating to floodplains, shorelands and wetlands.

In the case of any proposed new residence or the first proposed structure on a vacant zoning lot, the following shall apply:

   a) A written statement from the Town stating there is an approved driveway to serve the proposed structure must be submitted with the zoning permit application.
   b) A written statement from the Town stating all Town siting criteria have been met must be submitted with the zoning permit application.

As of Jan. 1, 2008 all lots shall abut upon a public street, except as provided for in Section 5.0, and each lot shall have a minimum frontage of fifty (50) feet or the minimum frontage stated in the zoning district affecting the property at issue, whichever is greater. An irrevocable recorded access of 66 feet in width to a public right-of-way from an otherwise isolated single lot may be provided in lieu of owned abutment. Any existing lot that has been provided access to a public road either by abutment or easement in the amount of at least fifty (50) feet will be considered consistent with this section provided said access has been recorded with the Register of Deeds prior to Jan. 1, 2008.

In the AR-1, R-1, R-2 and R-3 districts, all principal structures shall be located on a lot; and, except in the case of a planned unit development (Section 5.0), only one principal structure shall be located, erected, or moved onto a lot.

The Office reserves the right to review any proposed development for siting issues that may involve compliance with local or county ordinance provisions such as, but not limited to: floodplains; shorelands; wetlands; Natural Heritage Inventory data; nonmetallic mining regulations; mining data; groundwater data; etc. The intent is to be as holistic in reviewing proposed development as possible for the purpose of making the applicant aware of the need to comply with any other laws, ordinances or regulations that have jurisdiction.

2.6 Use Restrictions

The following use restrictions and regulations shall apply in all districts:

Only those principal uses specified for a district and their essential services shall be permitted.

Accessory Uses and structures are permitted in any district. All accessory uses must be common and typical to the permitted principal use. In platted subdivision, the principal structure must be present before an accessory use or structure is allowed.

Conditional uses and their accessory uses are considered as special uses requiring review, public hearing and approval in accord with Section 4.0 of this Ordinance. If approved, essential services shall be permitted. A conditional use may be allowed with or without the existence of the principal use. Any granting of such request may include conditions reasonable to the nature of the conditional use being requested and, if such conditions are not complied with at any time, the granted conditional use must cease until compliance is achieved. If compliance is not achieved, the conditional use shall be rescinded.

Unclassified or unspecified uses not classified or specified in this Ordinance may be permitted following the process of a Conditional Use as outlined in Section 4.0 of this Ordinance provided that such uses are similar in character to the principal or conditional uses permitted in the district.

Temporary uses may be permitted for a specified length of time by the Commission, provided they are similar in character to the allowed uses in the surrounding area and do not conflict with existing legal uses on or around the affected lot. No Temporary Use shall be allowed for more than a period of 12 consecutive months. In the case where an existing residence is to be replaced with a new residence, the existing residence may be occupied during the construction of the new residence provided that it is razed or otherwise removed from the property within six months of the issuance of the Certificate of Compliance for the new residence.

Mobile and manufactured homes within a mobile home/manufactured home park only may be attached to a temporary foundation and the wheels may be temporarily removed, but the vehicular frame shall not be destroyed or altered so as to prevent the home from being moved as a vehicle. No additions shall be built onto a home other than a porch or entryway which shall leave a clearance of not less than fifteen (15) clear feet between said appurtenance or porch and any structure. These restrictions do not apply outside a mobile home/manufactured home park.

There shall be no more than three (3) junked vehicles on any lot in any district unless properly zoned and/or approved by conditional use under the provisions of this Ordinance.

2.7 Reduction Or Joint Use

No lot, yard, parking area, building area, or other space shall be reduced in area or dimension so as not to meet the provisions of this Ordinance. No part of any lot, yard, parking area, or other space required for a structure or use shall be used for any other structure or use.

2.8 Violations

It shall be unlawful to construct or use any structure, land, or water in violation of any of the provisions of this Ordinance. In case of any violation, any person who would be specifically damaged by such violation may institute appropriate action or proceeding to enjoin a violation of this Ordinance.

In the event that the placement or construction of a structure is started before a zoning permit has been issued for the structure in question, a late application may be made and a permit issued providing the structure meets all other ordinance requirements. Construction is deemed to be started if there has been a commencement of concrete work, or the placement of any permanent part of the structure. The collection of the late permit fee shall not be a bar to prosecution for violation of any of the provisions of this Ordinance. Failure to seek a late permit after notification by the Office shall result in the issuance of a Cease Work Order and commencement of violation enforcement. The Office shall apply a late permit fee as established by the County Board unless special circumstances exist that meet the Office Director's satisfaction to deem the extra fee can be waived.

The Office is hereby authorized to issue a Cease Work Order for any construction that has commenced in violation with the provisions of this Ordinance. The Cease Work Order shall be accompanied by a notice of the provisions in violation, options for compliance and a date on which compliance shall be achieved.

If, after a reasonable amount of time, compliance has not been achieved, the Office shall issue a citation for each violation of this Ordinance as authorized by Ordinance No. 2-695-1995. In the case of violations that constitute an emergency as a result of safety or public concerns or violations that will create increased problems or costs if not remedied immediately, the Office may use any enforcement authority available to compel compliance.

Any violation under previous ordinances repealed by this Ordinance shall continue to be a violation under this Ordinance and be subject to penalties and enforcement under this Ordinance, unless the use, development, construction, or other activity complies with the provisions of this Ordinance.

2.9 Penalties

Violations may be pursued by either the issuance of a citation, referral to the District Attorney's Office as a formal complaint or both as authorized by Ordinance No. 2-695-1995.

Any person, firm, or corporation who fails to comply with the provisions of this Ordinance shall, upon conviction thereof via the formal complaint process, forfeit no less than Ten Dollars ($10.00) nor more than Two Hundred Dollars ($200.00) and costs of prosecution for each violation. Each day a violation exists or continues shall constitute a separate offense.

In the case where a citation is issued, the payment of the forfeiture shall not constitute compliance nor shall said payment bar the issuance of further citations, provided the violation remains.

SECTION 3.0 ZONING DISTRICTS

3.1 Establishment

For the purposes of this Ordinance, all lands under the jurisdiction of this Ordinance shall be zoned according to the following districts:

ZONING DISTRICTS

ZONE	AGRICULTURAL DISTRICT	PAGE #
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AC-1	Exclusive Agricultural Conservancy Overlay District	
ZONE	**OPEN SPACE / RECREATIONAL DISTRICTS**	**PAGE #**
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ZONE	**RESIDENTIAL DISTRICTS**	**PAGE #**
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R-4	Residential Boundary Agreement District	15
ZONE	**BUSINESS DISTRICTS**	**PAGE #**
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AB-1	Agricultural Business District	17
B-1	Local Business District	18
B-2	Highway Business District	19
B-3	Heavy Business District	20
B-4	Industrial Business District	21
B-5	Adult Entertainment Business District	23

3.2 AGRICULTURAL DISTRICTS

A-1 Exclusive Agricultural District
It is the intention of this district to promote uses of a generally exclusive agricultural nature and to encourage the maintenance of historically productive and/or presently productive agricultural lands, on parcels of land of sufficient size, as a means for preserving agriculture as the primary economic base of the County.

In this district no new site development or construction will be permitted that is in conflict of the Iowa County Comprehensive Plan siting provisions and Section 2.5 of this Ordinance. Application for rezoning to or from this district shall require the applicant to submit evidence that siting provisions will be complied with.

The minimum lot size in this district shall be 40 acres described by survey plat or metes and bounds. A 'forty forty' commonly described by metes and bounds that is found by survey description to be less than 40.0 acres, shall be considered to meet the minimum lot size of this district only if all four quarter-quarter corners are identified as part of said survey description. If it is not clear whether the lot meets the minimum acreage, there shall be a survey prepared at the applicant's expense.

Permitted Principal Uses:

1. Farms, including the usual farm buildings, structures and a single-family residence, provided all are intended and necessary for the farming operation. One additional single-family residence may be allowed if it is within the existing cluster of buildings and necessary for the farming operation. It is not intended to allow a second residence as a "guest house" or other convenience but as a necessary housing unit for family or hired employees of the farming operation. The cluster shall be the area

within 300 feet of the primary grouping of agricultural buildings on the farm, served by a common driveway and not divided by any public road.

2. Allowable farming activities include: apiculture, dairying, floriculture, forestry, generic farming, grazing, greenhouses, hatcheries, horticulture, livestock raising, nurseries, orchards, paddocks, pasturage, poultry raising, truck farming, viticulture, and aquaculture.
3. Farmstead dwellings, when no longer used as a farm dwelling, may be rented for full-time residential use throughout the reasonable and properly maintained life of the structure. Part-time or recreational residential renting of farm dwellings is prohibited in this district.
4. Household occupations are allowed.
5. Roadside stands provided the following:
    a) There is no permanent structure.
    b) The only structure consists of a table or similar non-enclosed stand with a maximum display dimension of 100 square feet.
    c) The stand shall be situated not less than thirty (30) feet from the public road right-of-way.
    d) Only produce and farm products can be displayed that are produced on the premises.
    e) There is adequate off-street parking provided so as there is no parking within the right-of-way of the public road.

Conditional Uses: (Conditional uses are permitted only after a public hearing and approval as specified in Section 4.0 of this Ordinance)

1. A single-family residence may be requested to be located outside the cluster of usual farm buildings. The intent is to provide for additional residential accommodations as necessary to maintain the viability of the farming operation where it is not practicable to site within the existing cluster of buildings.
2. Roadside stand for the sale of farm products that does not comply with number five under Permitted Principal Uses above.
3. Private airstrips and landing fields may be requested, provided they associated with the farming operation on the affected property and would not be incompatible with surrounding land uses.
4. Cemeteries, including mausoleums and crematories, may be requested provided:
    a) A cemetery that contains or proposes to contain more than one burial site must be platted in compliance with Chapter 157 WI Statutes, or as subsequently renumbered.
    b) An affidavit or similar document recorded with the Iowa County Register of Deeds to inform of a granted conditional use permit for a single burial site cemetery shall be a required condition to any approved conditional use permit.
    c) Any new mausoleum or crematory shall be conditioned with a minimum setback distance to all property lines and existing legal land uses that is reasonable to minimize potential conflict.
    d) Adequate organizational structure and funding for care shall be maintained, absent a written agreement of the Town or Towns in which the cemetery is located, to provide for perpetual care.
5. Professional home offices may be requested.
6. Recreational Residential Rental.

A-1 EXCLUSIVE AGRICULTURAL DISTRICT LOT DIMENSIONS AND BUILDING SETBACKS	
Lot Width	Minimum 50 feet
Lot Area	Minimum 40 acres
Building Height For Residence	50 Feet Maximum
Building Height For Nonresidential Structures	No Maximum
Yards, all structures	Minimum 20 feet or structure height, whichever is greater

AC-1 Exclusive Agricultural Conservancy Overlay District

This overlay district is intended to apply in combination with the underlying base A-1 zoning district to impose regulations and standards in addition to those required by the base A-1 zoning district. Specifically, no structural development is allowed in this overlay district. The requirements of the overlay

district shall apply whenever they are in conflict with and are more stringent than those in the base district. The intention of this overlay district is to create an implementation tool for development density goals by creating an overlay district that preserves underlying agricultural uses but prohibits structural development.

As an overlay district, the AC-1 can only be used when the underlying land is zoned A-1 and meets the minimum contiguous lot size for the A-1 district. Any existing or proposed land division that would create a lot less than the required minimum lot size in the A-1 district is not eligible for this overlay district.

General Provisions:
1. All structures are prohibited.
2. The proposed location of this overlay district must comply with any siting criteria listed within the Iowa County Comprehensive Plan and, in all cases, shall require a recommendation of the affected Town or Towns.
3. Description of this overlay district shall be, at a minimum, be one that can be accurately mapped and provides the area in acres. If deemed necessary, a plat of survey that includes area in acres may be required.
4. Application for this overlay district shall follow the provisions of Section 11.0 of this Ordinance.
5. Applications for removal of lands from this overlay district may be made either by a Town Board or the Commission.

Permitted Principal Uses:
All permitted principal uses allowed in the underlying A-1 Agricultural district.

AC-1 EXCLUSIVE AGRICULTURAL CONSERVANCY OVERLAY DISTRICT LOT DIMENSIONS AND BUILDING SETBACKS	
Zoning Lot Width	Minimum 50 feet
Zoning Lot Area	Minimum 1 acre No Maximum

3.3 OPEN SPACE/RECREATIONAL DISTRICTS

C-1 Conservancy District
The intention of this district is to provide for general agricultural and open-space activities with the prohibition of any structures or buildings. It is intended to be used as a tool to preserve tracts of land that are to remain free from structural development, but can continue to be cropped.

Permitted Principal Uses:
1. Agricultural cropping is allowed.
2. Agricultural livestock pasturing is allowed, following the animal unit allowances of Section 3.4.
3. Forestry is allowed.
4. Prairie and natural flora restoration projects are allowed.
5. Arboretums are allowed.

Conditional Uses:
1. Nature trails, defined as areas open to the public without charge for the purposes of viewing the natural fauna and flora, may be requested.
2. Agritainment.

C-1 OPEN SPACE / RECREATIONAL DISTRICT LOT DIMENSIONS AND BUILDING SETBACKS	
Lot Width	Minimum 50 feet
Lot Area	Minimum 1 acre No Maximum

CR-1 Conservancy Recreational District
The intention of this district is to provide for a recreational use of property that does not involve commercial activities

Principal Permitted Uses:
None

Conditional Uses:
1. Church and other not-for-profit camps which may contain lodging accommodations including motels, hotels, cottage type facilities or tents owned by the management, eating and drinking establishments may be requested.
2. Agricultural uses, such as but not limited to, cropping and pasturing. The animal unit allowances of Section 3.4 shall be followed.

CR-1 CONSERVANCY RECREATIONAL DISTRICT LOT DIMENSIONS AND BUILDING SETBACKS	
Lot Width	Minimum 100 feet
Lot Area Yard Setback, all structures Principal Structure Height	Minimum 20 acres No Maximum Minimum 20 feet or structure height, whichever is greater Minimum 20 feet Maximum 50 feet

H-1 Historical Preservation District
It is the intent of this district to be used as a means for preserving those existing structures considered to have historical significance and importance that predate the adoption of the Zoning Ordinance and therefore may not meet the required setbacks or other stipulations. Examples would include single-room schoolhouses and churches or other similar places of worship.

This district may be used to classify land on which there already exists a historically significant structure or structures to be used as provided below. It is not to be used for new construction of a principal structure.

Permitted Principal Uses:
1. Churches and other similar places of worship are allowed.
2. Single family residential use of a historical structure is allowed.
3. Accessory structures, providing the highway setbacks of Section 6.1 are met and the provisions of Section 7.2 are met, are allowed.

Conditional Uses:
1. The division of an existing H-1 lot, where the result is the creation of a new lot that meets the dimensional standards of this section, may be requested.
2. Governmental uses including but not limited to meeting halls, public offices, and informational centers may be requested.
3. Cemeteries, including mausoleums and crematories, may be requested provided:
    a) A cemetery that contains or proposes to contain more than one burial site must be platted in compliance with Chapter 157 WI Statutes, or as subsequently renumbered.
    b) An affidavit or similar document recorded with the Iowa County Register of Deeds to inform of a granted conditional use permit for a single burial site cemetery shall be a required condition to any approved conditional use permit.
    c) Any new mausoleum or crematory shall be conditioned with a minimum setback distance to all property lines and existing legal land uses that is reasonable to minimize potential conflict.
    d) Adequate organizational structure and funding for care shall be maintained, absent a written agreement of the Town or Towns in which the cemetery is located, to provide for perpetual care.

H-1 HISTORICAL PRESERVATION DISTRICT LOT DIMENSIONS AND BUILDING SETBACKS	
Lot Width	Minimum 100 feet
Lot Area	Minimum 20,000 square feet Maximum 5 acres
Yard setbacks, all structures	Minimum 10 feet or height or structure, whichever is greater
Side Yards Setbacks	Minimum 10 feet
Street Yards Setbacks from ROW	State or Federal Highway Minimum 25 feet County Trunk Highway Minimum 15 feet Other public roads Minimum 10 feet
Street Yards Setbacks from Centerline Principal Structure Height	State or Federal Highway Minimum 75 feet County Trunk Highway Minimum 48 feet Other public roads Minimum 43 feet Maximum 50 feet

3.4 RESIDENTIAL DISTRICTS

AR-1 Agricultural Residential District
The intention of this district is to provide agricultural uses in a predominantly residential area or on lots that are not considered adequate to meet farm size.

Permitted Principal Uses:
1. One single-family residence is allowed per lot.
2. Accessory structures are allowed.
3. Household occupations are allowed.
4. General farming, meaning cropping and pasturing, is allowed provided the following animal unit allowances are not exceeded:

Lot Size	# of Animal Units Allowed
Less than 5 acres	by conditional use permit
5 to 9.99 acres	3 Animal Units
10-14.99 acres	5 Animal Units
15-24.99 acres	8 Animal Units
25-39.99 acres	11 Animal Units

Conditional Uses:
1. The division of an existing AR-1 lot, where the result is the creation of a new lot that meets the dimensional standards of this section, may be requested.
2. Additional animal units may be requested provided the total number requested does not exceed twice the allowed total and evidence is submitted with the application stating the capability of the lot to support the intended animals. Each application shall include a waste management plan stating the anticipated volume to be generated on a monthly basis and how/where it is to be disposed of.
3. Professional home offices may be requested.
4. Cemeteries, including mausoleums and crematories, may be requested provided:
    a) A cemetery that contains or proposes to contain more than one burial site must be platted in compliance with Chapter 157 WI Statutes, or as subsequently renumbered.
    b) An affidavit or similar document recorded with the Iowa County Register of Deeds to inform of a granted conditional use permit for a single burial site cemetery shall be a required condition to any approved conditional use permit.
    c) Any new mausoleum or crematory shall be conditioned with a minimum setback distance to all property lines and existing legal land uses that is reasonable to minimize potential conflict.
    d) Adequate organizational structure and funding for care shall be maintained, absent a written agreement of the Town or Towns in which the cemetery is located, to provide for perpetual care.

AR-1 AGRICULTURAL RESIDENTIAL DISTRICT LOT DIMENSIONS AND BUILDING SETBACKS	
Lot Width	Minimum 100 feet
Lot Area	Minimum 1 acre Maximum 39.99 acres
Building Height For Residence	50 feet Maximum
Building Height For Accessory Structures	30 feet
Yards, all structures	Minimum 20 feet or structure height, whichever is greater

R-1 Single Family Residential District

Permitted Principal Uses:
1. One single-family residence is allowed per lot.
2. Accessory structures are allowed.
3. Household occupations are allowed.

Conditional Uses:
1. The division of an existing R-1 lot where the result is the creation of a new lot that meets the dimensional standards of this section may be requested.
2. Churches and similar places of worship and instruction including parish houses may be requested, provided there is adequate parking area.
3. Governmental uses including but not limited to meeting halls, public offices, and informational centers may be requested.
6. Structures and facilities associated with utilities are allowed, with no minimum lot size, provided all structures and uses are not less than fifty (50) feet from any residential district lot line.
7. Public, parochial and private elementary schools may be requested, provided the lot area is not less than five (5) acres and all principal structures and uses are not less than fifty (50) feet from any lot line, there is adequate parking area and an approved traffic flow plan.
8. Public parks, recreation areas, playgrounds and community centers, not including trailer or tent camping areas or mobile home/manufactured home parks, may be requested.
9. Professional offices may be requested.

R-1 SINGLE FAMILY DISTRICT LOT DIMENSIONS AND BUILDING SETBACKS		
	***Without* Public Sewer and Water**	***With* Public Sewer and Water**
Lot Width	Minimum 100 feet	Minimum 100 feet
Lot Area	Minimum 1 acre	Minimum 20,000 sq. ft.
Building Height For Residence Building Height for Accessory Structure	Maximum 50 feet Maximum 30 feet	Maximum 50 feet Maximum 30 feet
Yards, all structures	Minimum 20 feet	Minimum 15 feet

R-2 Multi-Family Residential District

Permitted Principal Uses:
1. One two-family or multi-family residence is allowed per lot.
2. Accessory structures are allowed.

Conditional Uses:
1. The division of an existing R-2 lot where the result is the creation of a new lot that meets the dimensional standards of this section may be requested.
2. Churches and similar places of worship and instruction including parish houses may be requested, provided there is adequate parking area.
3. Governmental uses including but not limited to meeting halls, public offices, and informational centers

may be requested.

4. Structures and facilities associated with utilities are allowed, with no minimum lot size, provided all structures and uses are not less than fifty (50) feet from any residential district lot line.
5. Public, parochial and private elementary schools may be requested, provided the lot area is not less than five (5) acres and all principal structures and uses are not less than fifty (50) feet from any lot line, there is adequate parking area and an approved traffic flow plan.
6. Public parks, recreation areas, playgrounds and community centers may be requested, not including trailer or tent camping areas or mobile home/manufactured home parks.

R-2 MULTI-FAMILY DISTRICT LOT DIMENSIONS AND BUILDING SETBACKS		
	Two Family Dwellings	***Multi-Family Dwellings***
Lot Width	Minimum 100 feet	Minimum 200feet
Lot Area	Minimum 1 acre	Minimum 1 acre **
Building Height For Residence Building Height for Accessory Structure	Maximum 50 feet Maximum 30 feet	Maximum 50 feet Maximum 30 feet
Yards, all structures	Minimum 20 feet	Minimum 15 feet

** With not less than 2,000 square feet per efficiency; 2,500 square feet per one-bedroom unit; 3,000 square feet per two-bedroom unit

R-3 Mobile/Manufactured Home District

Permitted Principal Uses:

1. Mobile home/manufactured home parks are allowed provided the special conditions specified for mobile home/manufactured home parks in Section 5.8 are met.
2. Accessory structures are allowed.

Conditional Uses:

1. The division of an existing R-3 lot where the result is the creation of a new lot that meets the dimensional standards of this section may be requested.
2. Structures and facilities associated with utilities are allowed, with no minimum lot size, provided all structures and uses are not less than fifty (50) feet from any residential district lot line.

R-3 MOBILE/MANUFACTURED HOME DISTRICT LOT DIMENSIONS AND BUILDING SETBACKS		
	Without Public Sewer and Water	***With Public Sewer and Water***
Lot Width	Minimum 100 feet	Minimum 100 feet
Lot Area	Minimum 10 acres	Minimum 10 acres.
Building Height For Residence Building Height for Accessory Structure	Maximum 50 feet Maximum 30 feet	Maximum 50 feet Maximum 30 feet
Yards, all structures	Minimum 20 feet	Minimum 15 feet

R-4 Residential Boundary Agreement District

This district is established for high-density rural development within an approved Joint Cooperative Boundary Agreement area as prescribed by 66.023, 1995-96 Wisconsin Statutes. All property within this district must be serviced by a municipal water and sewer system. All development must occur within a platted subdivision. All construction must comply with the Uniform Dwelling Code (UDC) permits and inspections by Wisconsin certified UDC inspectors.

Permitted Principal Uses:
1. One single-family residence is allowed per lot, or
2. One two-family residence is allowed per lot, or
3. One multi-family residence with not more than three (3) dwelling units is allowed per lot.
4. An attached or detached garage with 750 square feet area maximum and 15 feet height maximum is allowed
5. Garden and yard equipment sheds with 200 square feet area maximum are allowed.

Conditional Uses:
1. Churches and similar places of worship and instruction including parish houses may be requested.
2. Public, parochial and private elementary and secondary schools may be requested.
3. Governmental uses including but not limited to meeting halls, public offices, and informational centers may be requested.
4. Structures and facilities associated with utilities are allowed, with no minimum lot size, provided all structures and uses are not less than fifty (50) feet from any residential district lot line.
5. Public parks, recreation areas, playgrounds and community centers may be requested, not including trailer or tent camping or mobile home/manufactured home parks.
6. Home occupations and professional home offices may be requested.
7. Daycare centers may be requested.
8. Real estate offices may be requested with the condition that only one sign shall be allowed with a maximum size of two (2) square feet.

R-4 RESIDENTIAL BOUNDARY AGREEMENT DISTRICT LOT DIMENSIONS AND BUILDING SETBACKS	
Lot Width	Minimum 80 feet
Lot Area	Minimum 8,000 square feet
Lot Area Per Dwelling Unit	Minimum 4,000 square feet
Principal Structure Height	32 feet Maximum
Street Yards	Minimum 25 feet (This has control over Section 6.1 setbacks)
Rear Yards	Minimum 25 feet
Side Yards	Minimum 20 feet total Minimum 8 feet per side
Percentage of Lot Coverage	Maximum 25% with structures

3.5 BUSINESS DISTRICTS

RB-1 Recreational Business District:
The intent of this district is for businesses of a recreational nature that generally require larger tracts of land. These businesses are often more of a destination, versus relying primarily on passing traffic for business.

Principal Uses:
None

Conditional Uses:
The division of an existing RB-1 lot where the result is the creation of a new lot that meets the dimensional standards of this section may be requested.

1. Ski hills, including eating facilities and rental/retail sales may be requested.
2. Golf courses, including driving ranges, eating facilities and retail sales, may be requested.
3. Horse stables, including boarding, grooming, training and riding paths may be requested.
4. Motorized and non-motorized race facilities may be requested, including but not limited to, race cars, go-carts all terrain vehicles, dirt bikes, bicycle and 4-wheel drive trucks. This use may include racing

events and limited retail sales.
5. Hunt clubs and hunting preserves may be requested.
6. Outdoor recreation facilities may be requested. These uses may include, but are not limited to, paintball fields, rockwall climbing, remote-controlled vehicle fields, sporting fields, etc.
7. Private boat launches may be requested.
8. Outdoor theatres, amphitheaters and playhouses may be requested.
9. Campgrounds may be requested, provided the requirements of Section 5.9 of this Ordinance are met
10. Amusement parks may be requested.
11. Boys/girls/church camps and resorts may be requested.
12. Agricultural uses may be requested.
13. One single-family residence provided it is associated with an approved business activity.
14. Hotel, motel or tourist cottage.
15. Cemeteries, including mausoleums and crematories, may be requested provided:
    e) A cemetery that contains or proposes to contain more than one burial site must be platted in compliance with Chapter 157 WI Statutes, or as subsequently renumbered.
    f) An affidavit or similar document recorded with the Iowa County Register of Deeds to inform of a granted conditional use permit for a single burial site cemetery shall be a required condition to any approved conditional use permit.
    g) Any new mausoleum or crematory shall be conditioned with a minimum setback distance to all property lines and existing legal land uses that is reasonable to minimize potential conflict.
    h) Adequate organizational structure and funding for care shall be maintained, absent a written agreement of the Town or Towns in which the cemetery is located, to provide for perpetual care.

RB-1 RECREATIONAL BUSINESS DISTRICT LOT DIMENSIONS AND BUILDING SETBACKS	
Lot Frontage and Width	Minimum 200 feet
Lot Area	Minimum 5 acres
Principal Structure Height	Maximum 50 feet
Yards, all structures	Minimum 20 feet or height or structure, whichever is greater

AB-1 Agricultural Business District:
It is the intent of this district to provide a classification for businesses that directly support the agricultural economy.

Permitted Principal Uses:
None

Conditional Uses:
1. The division of an existing AB-1 lot where the result is the creation of a new lot that meets the dimensional standards of this section may be requested.
2. Feed mills, dryers and fertilizer plants may be requested.
3. Commercial grain storage bins may be requested.
4. Nonmetallic mining provided the provisions of Section 4.5 of this Ordinance are met.
5. Public airports, airstrips and landing fields may be requested provided the site area is not less than forty (40) acres and there is provided an approved plan that takes into consideration the impacts on surrounding land uses.
6. Cheese factories, creameries, condensers and pea vineries may be requested, provided there is a satisfactory method of disposing of waste.
7. Agricultural uses may be requested.
8. Agritainment.
9. Commercial Livestock Operation, which may include an affiliated residence.
10. Implement dealerships.
11. Ethanol and bio-fuel plants.
12. Cemeteries, including mausoleums and crematories, may be requested provided:

i) A cemetery that contains or proposes to contain more than one burial site must be platted in compliance with Chapter 157 WI Statutes, or as subsequently renumbered.
j) An affidavit or similar document recorded with the Iowa County Register of Deeds to inform of a granted conditional use permit for a single burial site cemetery shall be a required condition to any approved conditional use permit.
k) Any new mausoleum or crematory shall be conditioned with a minimum setback distance to all property lines and existing legal land uses that is reasonable to minimize potential conflict.
l) Adequate organizational structure and funding for care shall be maintained, absent a written agreement of the Town or Towns in which the cemetery is located, to provide for perpetual care.

AB-1 AGRICULTURAL BUSINESS DISTRICT LOT DIMENSIONS AND BUILDING SETBACKS	
Lot Frontage and Width	Minimum 200 feet
Lot Area	Minimum 1 acre
Principal Structure Height	Maximum 50 feet
Yards, all structures	Minimum 20 feet or structure height, whichever is greater

B-1 Local Business District
This district is intended for compact, clustered developments, such as unincorporated hamlets, mini-malls or retail shopping outlets.

Permitted Principal Uses:
The following uses are allowed:

1. art gallery
2. apartment hotels
3. appliance stores
4. bakeries
5. barber shops
6. beauty shops
7. business offices
8. caterers
9. churches
10. clinics
11. clothing repair shops
12. clothing stores
13. confectioneries
14. crockery stores
15. delicatessens
16. department stores
17. drug stores
18. electrical supply
19. financial institutions
20. furniture stores
21. furniture upholstery shops
22. gift stores
23. grocery stores
24. hardware stores
25. heating supply
26. hobby shops
27. hotels
28. kennels
29. laundry and dry-cleaning establishments
30. liquor stores
31. meat markets, not including the slaughtering of animals
32. music stores
33. newspaper offices and press rooms
34. office supplies
35. optical offices
36. pawn shops
37. pet shops
38. photographic supplies
39. portrait studio
40. printing
41. private schools
42. professional offices
43. public parking lots
44. publishing
45. radio broadcasting studios
46. restaurants
47. second-hand stores
48. self-service and pickup laundry and dry-cleaning establishments
49. soda fountains
50. sporting goods, not including sporting weapons
51. super markets
52. television broadcasting studios
53. tobacco stores
54. trade and contractor's offices
55. upholsterer's shops
56. variety and liquidator stores
57. vegetable stores.

Conditional Uses:
1. The division of an existing B-1 lot may be requested where the result is the creation of a new lot that meets the dimensional standards of this section.

2. Bars, clubs and night clubs
3. Sales and service of sporting weapons, such as firearms, archery equipment and knives.
4. Governmental uses including but not limited to meeting halls, public offices, and informational centers may be requested.
5. Structures and facilities associated with utilities are allowed, with no minimum lot size, provided all structures and uses are not less than fifty (50) feet from any residential district lot line.
6. Public passenger transportation terminals, such as bus and rail depots, may be requested provided all principal structures and uses are not less than one hundred (100) feet from any residential district boundary.
7. Drive-in banks and drive-in establishments serving food or beverages for consumption outside the structure may be requested.
8. Vehicle sales, including washing and repair, storage garages and automobile service stations may be requested subject to the following conditions:
    a) No repair work can be performed out-of-doors.
    b) Pumps, lubricating or other devices must be located at least twenty (20) feet from any lot line, street line or highway right-of-way.
    c) All fuel, oil or similar substances must be stored at least thirty-five (35) feet distant from any street or lot line.
    d) All automobile parts, dismantled vehicles and similar articles must be stored within a building.
9. Proposed and existing single-family residences may be requested provided they are affiliated with the principal business.
10. Agricultural uses may be requested.

B-1 LOCAL BUSINESS DISTRICT LOT DIMENSIONS AND BUILDING SETBACKS	
Lot Frontage and Width	Minimum 60 feet
Lot Area	Minimum 20,000 sq. ft.
Principal Structure Height	Maximum 50 feet
Yards, all structures	Minimum 20 feet or structure height, whichever is greater

B-2 Highway Business District

This district is intended for business and commercial uses that provide a public benefit and are located in close proximity to a public highway adequate to serve the intended operation. In general, these are businesses that rely on passing traffic for a significant portion of their business.

Permitted Principal Uses:

None

Conditional Uses:

1. The division of an existing B-2 lot may be requested where the result is the creation of a new lot that meets the dimensional standards of this section.
2. Retail sales and service businesses may be requested including, but not limited to:
    a) Restaurants
    b) Bars
    c) Hotels and Motels
    d) Grocery stores
    e) Hardware stores
    f) Antique and gift stores
    g) Bowling alleys
    h) Skating rinks
    i) Greenhouses
    j) Miniature golf courses
    k) Driving ranges
    l) Dance halls
    m) Public and private parking lots
    n) Taxidermy
    o) Mini-storage warehouses
    p) Department stores
    q) Office of professional services including, but not limited to:
        1) Physicians and other health care providers
        2) Insurance agencies
        3) Real estate agencies

4) Surveyors or Attorneys
5) Barbers and beauticians
6) Banks and financial institutions

3. Governmental uses including but not limited to meeting halls, public offices, and informational centers may be requested.
4. Structures and facilities associated with utilities are allowed, with no minimum lot size, provided all structures and uses are not less than fifty (50) feet from any residential district lot line.
5. Public passenger transportation terminals such as bus and rail depots may be requested provided all principal structures and uses are not less than one hundred (100) feet from any residential district boundary.
6. Drive-in establishments serving food or beverages for consumption outside the structure may be requested.
7. Vehicle sales, including washing and repair, storage garages and automobile service stations may be requested subject to the following conditions:
    a) No repair work can be performed out-of-doors.
    b) Pumps, lubricating or other devices must be located at least twenty (20) feet from any lot line, street line or highway right-of-way.
    c) All fuel, oil or similar substances must be stored at least thirty-five (35) feet distant from any street or lot line.
    d) All automobile parts, dismantled vehicles and similar articles must be stored within a building.
8. Boat liveries and boat storage facilities may be requested.
9. Public and commercial swimming pools may be requested.
10. Tourist attractions where the public is charged admission for the privilege of viewing or using the premises may be requested.
11. Proposed and existing single-family residences may be requested provided they are affiliated with the principal business.
12. All uses listed in the B-1 district not listed here may be requested provided at least one use has been approved specific only to the B-2 district and all uses are customarily related.
13. Agricultural uses may be requested.
14. Tourist cottage
13. Cemeteries, including mausoleums and crematories, may be requested provided:
    a) A cemetery that contains or proposes to contain more than one burial site must be platted in compliance with Chapter 157 WI Statutes, or as subsequently renumbered.
    b) An affidavit or similar document recorded with the Iowa County Register of Deeds to inform of a granted conditional use permit for a single burial site cemetery shall be a required condition to any approved conditional use permit.
    c) Any new mausoleum or crematory shall be conditioned with a minimum setback distance to all property lines and existing legal land uses that is reasonable to minimize potential conflict.
    d) Adequate organizational structure and funding for care shall be maintained, absent a written agreement of the Town or Towns in which the cemetery is located, to provide for perpetual care.

B-2 HIGHWAY BUSINESS DISTRICT LOT DIMENSIONS AND BUILDING SETBACKS	
Lot Frontage and Width	Minimum 200 feet
Lot Area	Minimum 1 acre
Principal Structure Height	Maximum 50 feet
Yards, all structures	Minimum 20 feet or structure height, whichever is greater

B-3 Heavy Business District

This district is intended to provide an area of more intensive business activity that may involve assembly, light fabrication, repairs and other services. Consideration should be given to the compatibility of the proposed use with surrounding land uses. When deemed appropriate, there may be a buffer imposed between the heavy business use and adjacent land uses.

Permitted Principal Uses:
None

Conditional Uses:
1. The division of an existing B-3 lot may be requested where the result is the creation of a new lot that meets the dimensional standards of this section.
2. Implement dealers, construction companies, bottled gas dealers, and lumberyards may be requested.
3. Warehouses and transportation terminals, for exchange and storage of freight may be requested.
4. Food locker plants, commercial bakeries, cleaning, pressing and dyeing establishments may be requested.
5. Mobile home, manufactured home and modular home construction and sales may be requested.
6. Machine shops, printing and publishing may be requested.
7. Manufacture and sales of monuments, and burial vaults may be requested.
8. Governmental uses including but not limited to meeting halls, public offices, and informational centers may be requested.
9. Structures and facilities associated with utilities are allowed, with no minimum lot size, provided all structures and uses are not less than fifty (50) feet from any residential district lot line.
11. Proposed and existing single-family residences may be requested provided they are affiliated
12. All uses listed in the B-2 Highway Business District not listed here may be requested provided at least one use has been approved specific only to the B-3 district and all uses are customarily related
13. Agricultural uses may be requested.

B-3 HEAVY BUSINESS DISTRICT LOT DIMENSIONS AND BUILDING SETBACKS	
Lot Frontage and Width	Minimum 200 feet
Lot Area	Minimum 1 acre
Principal Structure Height	Maximum 50 feet
Yards, all structures	Minimum 20 feet or structure height, whichever is greater

B-4 Industrial Business District
The intent of this district is to provide an area where more intensive commercial activities take place that may involve fabrication, manufacturing, trucking, use of chemicals, etc. Consideration for rezoning to this district should be given on the impacts to surrounding land uses.

General Conditions:
1. Manufacturing, fabricating, repairing, storing, cleaning, servicing and testing of materials, goods or products, shall be carried on in such a manner as not to be injurious or offensive to the public by reason of the emission or creation of noise, vibration, smoke, dust, or other particulate matter, toxic or noxious materials, odors, fires, or explosive hazards, or glare or heat.
2. No activities involving the storage, utilization, or manufacture of materials or products which decompose by detonation shall be permitted except as authorized by a special exception granted by the Commission. Such a special exception shall require submittal of a management plan approved by the county emergency government authority.
3. All activities involving the manufacturing, fabricating, repairing, storing, cleaning, servicing and testing of materials, products and goods shall be within completely enclosed buildings, or may be out-of-doors if completely screened by a solid wall or uniformly painted solid fence or suitable substitute at least eight (8) feet in height, and if there is no open storage at a greater height than that of screening element.
4. Utilities are permitted provided structures and uses are not less than fifty (50) feet from any residential lot line.
5. Public passenger transportation terminals are permitted provided all principal structures and uses are not less than one hundred (100) feet from any residential district boundary.
6. No building, structure or parcel of land shall be used for manufacturing, fabricating, repairing, storing,

cleaning, servicing of materials, products, or goods, within five hundred (500) feet of any lot line adjoining a dwelling or residential district and, when directly across the street from a dwelling or residential district, there shall be provided for such use a front yard not less than five hundred (500) feet in depth along such street frontage. These buffers do not apply to residences on the property zoned B-4, provided they are used in conjunction with the business.

7. Sanitary landfills may be requested, including municipally operated or leased sanitary land fills, for the proper dumping of trash or garbage, provided:
   a) The use shall not be located nearer than one thousand (1000) feet to any zoned residential district or dwelling other than the lessee or owner of the site.
   b) The operator of such sanitary landfill has obtained necessary state licenses and permits.

Permitted Principal Uses:
None

Conditional Uses:

1. The division of an existing B-4 lot may be requested where the result is the creation of a new lot that meets the dimensional standards of this section.
2. Automotive body repairs; cleaning, pressing and dyeing establishments; commercial bakeries; distributors; laboratories; machine shops; manufacture and bottling of non-alcoholic beverages; painting, printing; publishing; storage and sale of machinery and equipment; trade and contractor's offices; warehousing and wholesaling, manufacture, fabrication, packing, packaging and assembly of products from furs, glass, leather, metals, paper, plaster, plastics, textiles, and wood all may be requested. Manufacture, fabrication, processing, packaging and packing of confections; cosmetics; electrical appliances; electronic devices; food, fish, and fish products, meat and meat products, and pea vining; instruments; jewelry; pharmaceuticals; tobacco and toiletries; taxidermy all may be requested.
3. Freight yards, freight terminals and transshipment depots, inside storage, breweries, and crematories may be requested.
4. Salvage yards.
5. Proposed and existing single-family residences may be requested provided they are affiliated
6. Manufacture and processing of abrasives, acetylene, acid, alkalis, ammonia, asbestos, asphalt, batteries, bedding, bleach, bone, cabbage, candle, carpeting, celluloid, cement, cereals, charcoal, chemicals, chlorine, coal, tar, coffee, coke, cordage, creosote, dextrine, disinfectant, dye, excelsior, felt, fuel, furs, gelatin, glucose, gypsum, hair products, ice, ink, insecticide, lampblack, lime, lime products, linoleum, matches, oil cloth, paint, paper, peas, perfume, pickle, plaster of paris, plastics, poison, polish, potash, pulp, pryroxylin, radium, rope, rubber shoddy, shoe manufacturing, processing and storage of building materials, explosives, dry ice, fat, fertilizer, flammable, gasoline, glue, grains, grease, lard, plastics, radioactive materials, shellac, soap, beverages, bag cleaning, bleacheries, canneries, cold storage warehouses, electrical and steam generating plants; electroplating; enameling, foundries, garbage incinerators; lacquering; lithographing; offal, rubbish, or animal reduction; oil, coal and bone distillation; refineries; road test facilities; slaughterhouses; smelting; stockyards; tanneries; and weaving all may be requested.
7. Outside storage and manufacturing area, wrecking, junk, demolition and scrap yards may be requested provided they are surrounded by a solid fence or evergreen planting screen at least 8 feet high completely preventing a view from any other property or public right-of-way.
8. Commercial service facilities such as restaurants and fueling stations may be requested, provided all such services are physically and sales-wise oriented toward industrial district users and employees and other users are only incidental customers.
9. All uses listed in the B-3 Heavy Business District not listed here may be requested provided at least one use has been approved specific only to the B-4 district and all uses are customarily related.
10. Agricultural uses may be requested.
11. Nonmetallic mining provided the provisions of Section 4.5 of this Ordinance are met.

B-4 INDUSTRIAL BUSINESS DISTRICT LOT DIMENSIONS AND BUILDING SETBACKS	
Lot Frontage and Width	Minimum 200 feet
Lot Area	Minimum 5 acres
Principal Structure Height	Maximum 50 feet
Yards, all structures	Minimum 20 feet or structure height, whichever is greater

B-5 Adult Entertainment Business District
The intent of this district is to provide for Adult Entertainment businesses where so designated within the Iowa County Comprehensive Plan.

Permitted Principal Uses:
None

Conditional Uses:
1. The division of an existing B-5 lot may be requested where the result is the creation of a new lot that meets the dimensional standards of this section.
2. Adult bookstores, being establishments that sell or rent materials that depict, describe, or relate to specified sexual activities.
3. Adult entertainment, being establishments that feature topless or bottomless dancers, waitresses, waiters or entertainers or that include a theater in which the primary or principal attraction is the presentation of material that relates to specified sexual activities.
4. Casinos and other gambling, gaming or wagering establishments.
5. Agricultural uses may be requested.

General Conditions:
1. No adult entertainment business shall be located closer than 1320 feet from any residential zoning district.
2. No adult entertainment business shall be allowed within 1320 feet from an existing adult entertainment business.
3. No adult entertainment business shall be located closer than 1320 feet from any religious institution, school, park, playground or public building.

B-5 ADULT ENTERTAINMENT BUSINESS DISTRICT LOT DIMENSIONS AND BUILDING SETBACKS	
Lot Frontage and Width Lot Area	Minimum 200 feet Minimum 5 acres
Principal Structure Height	Maximum 35 feet
Yards, all structures	Minimum 20 feet or structure height, whichever is greater

SECTION 4.0 CONDITIONAL USES

A conditional use is a use that may be considered in a particular zoning district if it is adaptable to the limitations of a particular site or made to be complimentary to adjacent land uses. Conditional uses are generally not acceptable everywhere within a zoning district and, when approved, may be restricted by conditions reasonable to the proposed use. The granting of a conditional use is discretionary and shall only be granted if it can be tailored to a particular site without harm to the objectives of this Ordinance. Conditions may be imposed that are related to the requested use and reasonable to ensure compliance with the intentions of this Ordinance.

4.1 Permit
The Commission may authorize the Office to issue a Conditional Use Permit (CUP) for conditional uses after review and approval at a public hearing, provided that such conditional uses or structure are in accordance with the provisions and intent of this Ordinance. The approval criteria in Section 4.4 must be complied with and the uses must not be hazardous, harmful, offensive, or otherwise adverse to the environment or the value of the area.

4.2 Application
Application for a conditional use permit shall be made on forms supplied by the Office. Review of each application shall involve an administrative review by the Office followed by a public hearing before the Commission. Review and approval by the full County Board is not required.

4.3 Fee
The application fee for a conditional use hearing shall be set by County Board resolution and shall be considered separate from any required subsequent hearing fee or permit fee.

4.4 Review and Approval
The applicant shall provide the opportunity for the Office to review the site, existing and proposed structures, architectural plans, neighboring use, parking areas, driveway locations, highway access, traffic generation, and circulation, drainage, sewerage and water systems, and the proposed operation.

Any development within five hundred (500) feet of the existing or proposed rights-of-way of freeways, expressways, interstate and controlled access traffic-ways and within fifteen hundred (1500) feet of their existing or proposed interchange or turning lane rights-of-way shall be specifically reviewed by the highway agency that has jurisdiction over the traffic-way. The Commission may request such review and await the Highway Agency's recommendations for a period not to exceed sixty (60) days before taking final action.

Any conditional use permit request shall require a recommendation from the town or towns in which the affected property is located. The purpose of this recommendation is to solicit compatibility with any town plan or regulation that may be affected by the proposed use.

In reviewing a requested conditional use permit, the Commission should consider the following:

1. The proposed use complies with all applicable provisions of this Ordinance.
2. The proposed use is compatible with adjacent uses in terms of scale, site design, operating characteristics (house of operation, traffic generation, lighting, noise, odor, dust and other external impacts).
3. There are no significant adverse impacts to the surrounding legal uses and environment resulting from the proposed conditional use.
4. Any adverse impacts resulting from the use will be mitigated or offset to the maximum practical extent.
5. Public safety, transportation and utility facilities and services will be available to serve the subject property while maintaining sufficient levels of service for existing development.
6. Adequate assurances of continuing maintenance are provided.
7. The proposed use is consistent with the Iowa County Comprehensive Plan.

Conditions may be required by the Commission upon its finding that these are necessary to fulfill the purpose and intent of this Ordinance, such as but not limited to:

1. Landscaping
2. architectural design
3. type of construction
4. construction commencement and completion dates
5. Financial sureties
6. Lighting
7. Fencing or planting screens
8. operational control
9. hours of operation
10. improved traffic circulation
11. deed restrictions
12. highway access restrictions
13. increased yards
14. parking requirements
15. permit expiration

Compliance with all other provisions of this Ordinance, such as lot width and area, yards, height, parking,

loading, traffic and highway access, shall be required of all conditional uses.

A Conditional Use Permit shall expire twelve months after its approval date or at such alternative time specified as a condition to approval, unless:

1. Substantial work on any related structure has commenced. Substantial work shall consist, at a minimum, of a foundation, framing, roofing and at least 50% enclosure for buildings and at least 51% completion of any other structure;
2. A Certificate of Compliance has been issued;
3. The use is established; or
4. The Conditional Use Permit is renewed, for a period not to exceed one year, following the application process within this Section.

4.5 Nonmetallic Mining Sites - one acre or greater

1) APPLICATION. The following are minimum standards applicable to all nonmetallic mining sites that are one acre or greater of total affected acreage on property under single ownership. Nonmetallic mining sites may be permitted under this section only if it is determined that the site is in the public interest after consideration of the following:

    a) The nonmetallic mining site complies with all provisions of this ordinance, the Iowa County Nonmetallic Mining Reclamation Ordinance, and Wis. Admin. Code Ch. NR135.
    b) The establishment, maintenance, or operation of the mining use shall not endanger the public health, safety, or general welfare, nor impair significant aesthetic, scientific, educational, or agricultural values.
    c) The establishment, maintenance, or operation of the mining use will not substantially affect the existing use of adjacent properties and will not have a substantial adverse effect on the most suitable long term future use for the area.
    d) That adequate utility, access roads, drainage, traffic plans, and other site improvements are or will be provided.
    e) That the mining use shall conform to all government regulations and standards pertaining to the activity, including air and water quality standards and storm and waste water permit discharge requirements.
    f) That the noise, vibration, and dust levels be within the standards as established by the state.
    g) That an undeveloped buffer zone adjacent to extraction operations, extending not less than 50 feet from a property line into the mining site, or up to any other distance as the Commission finds necessary for the protection and safety of adjacent properties from mineral extraction sites, with a stable angle of repose being provided along property lines.
    h) That the reclamation plan, which shall similarly be imposed as a condition of approval, will be enforceable and, as enforced, will result in the property being in a final conditional which is reasonably safe, attractive and, if possible, conducive to productive new uses for the site.
    i) That the operation and reclamation shall be conducted in a manner that meets groundwater quality standards pursuant to Wis. Admin. Code ch. NR140.
    j) That the operations and reclamation shall be conducted in a manner that does not cause a permanent lowering of the groundwater table that results in adverse effects on surface waters or a significant reduction in the quantity of groundwater available for reasonable use to future users.

2) ADDITIONAL FINDINGS AND CONDITIONS. Where deemed practicable and necessary by the Commission, the approval of a permit may be conditioned upon any of the following:

    a) Vegetative screening. An earthen bank, berm, solid fencing or vegetative screen shall be constructed and maintained to screen the mining operation from view.
    b) Safety standards. The mining site shall be enclosed by at least a 3-strand barbed wire fence, maintained at all times, with warning signs posted to indicate the presence of a nonmetallic mining site at intervals agreeable to the affected town and the County.

Fencing and signs shall be installed prior to commencement of operations.

c) Water from site dewatering and washing operations will meet the conditions of the required Wisconsin Pollution Discharge Elimination System (WPDES) permit from the Wisconsin Department of Natural Resources.
d) Any noise shall comply with all applicable OSHA standards. Verification of this requirement shall be provided to the Office upon written request.
e) Blasting shall, at a minimum, comply with the provisions listed in SPS 307, Wis. Administrative Rule. At sites where there is a principal structure on neighboring property within 500 feet of the shared property line with the mining site, blast charges may be required to be reduced in size as blasting activity nears the property line.
f) Any conditions reasonable to protect public health, safety, and welfare, including the factors listed above, may be imposed as part of the permit.

3) ASSURANCE. The Commission shall require reasonable assurance that the conditions it may impose will be satisfied. Such assurance shall be achieved through a combination of the following prior to commencement of operation activities:

a) Performance bonds or substitute guarantees in the form of pledged collateral.
b) Clear identification of the relationships between landowners, lessees, licenses, and operators and the signing of written pledges by those persons who assume responsibility for various elements of the conditions imposed.
c) If there is any unresolved dispute between a claimant and the applicants with regard to permit conditions, the applicants agree that the same shall be submitted to arbitration in accordance with Wis. Stat. ch. 788, if the claimant so requests.

4) TIME OF OPERATION. Unless otherwise specified in this ordinance, the permit shall be in effect for not more than 5 years, and may be renewed by application to the County. All permitted operations may be inspected at least once every year by the Office and may be inspected at the time a request for renewal is submitted for the purpose of determining if all conditions of the operations are being complied with. Renewed permits shall be modified to be in compliance with all state, county, and local law in effect at the time of renewal. Permits may be amended on application to the Commission to allow extensions or alterations in operations under new ownerships or managements.

5) TERMINATION OF NONMETALLIC MINING ACTIVITIES. If nonmetallic mining activities terminate for a period of 5 years or more on a site which is the subject of an approved permit, the permit holder is not entitled to a right of renewal at the end of the permit period, despite compliance of former operations with all conditions of the original permit, unless:

a) The discontinuance was specified as part of the original operations plan.
b) The operator has Commission approval of an amendment to the original permit placing the operation on inactive status with conditions as to interim or partial reclamation.
c) Within 2 years of the cessation of the operation all equipment, stockpiles, rubble heaps, other debris and temporary structures, except fences, shall be removed or backfilled into the excavation, leaving the premises in a neat and orderly condition.
d) As a condition of approval, the operator shall accept responsibility for remediation, or the permit may be revoked.

6) STOCKPILING. Stockpiling of any nonmetallic mineral, including stone, sand, gravel, clay, and topsoil shall not be permitted beyond final reclamation.

SECTION 5.0 PLANNED UNIT DEVELOPMENTS

5.1 Definitions

A planned unit development is a development on a large parcel of land, held in single ownership, where more than one principal use or building is to be permitted on a lot. Lot area and yard requirements as

normally specified are not applicable to this situation. Planned unit developments may include realization in phases, each to be reviewed and approved before developed.

5.2 Where Permitted

A planned unit development may be permitted in any zoning district, provided all uses are permitted in the district as a principal or conditional use.

5.3 Application

Application and approval for a planned unit development shall follow the procedures specified for a conditional use permit. The application shall be accompanied with a fee as established by County Board Resolution

All applications shall include a plan showing the location and dimensions of all principal buildings and uses, circulation system, parking areas, permanent open space, pedestrian ways, utilities, and any other information that may be needed to enforce the requirements of this Ordinance. In the event the proposed developed is to take place over a period of time, the plan shall include each phase of development in as much detail as can be provided at the time of application. The Plan Commission shall have the discretion to approve or deny any portion of the plan and require subsequent review for each proposed phase.

5.4 Enforcement

Once the plan has been approved, uses and locations are fixed as shown on the plan. Modification, additions and deviation from the approved plan shall be permitted only after application and approval, following the same conditional use procedures required for approval of the original plan.

The approved plan shall be binding upon all present and future owners of the development. If a part of the development is sold or transferred to a new owner, the new owner shall build or improve his property only in accordance with the approved plan, or request a change in accordance with the procedure established above. Where permanent open space, streets, parking areas, utilities, etc., are designated on the plan they shall be maintained as such by present and future owners of the property.

5.5 Special Modification

Since more than one principal structure is permitted on a lot, the lot area, frontage and yard requirements of this Ordinance are not applicable for a Planned unit development. In every case, however, the average density of use shall be no greater than that which would otherwise be permitted for the district in which the development is located. Densities and structure layout shall not diminish or prevent the capability of emergency services, such as fire protection. The developer is encouraged to site buildings in clusters, or otherwise concentrate them so as to create usable open space areas.

In Residential Districts special types of residential structures such as garden apartments, row houses, and condominiums may be permitted. Single family homes or apartments may be arranged in cluster developments so as to make maximum use of open space areas to retain or enhance aesthetic values, or for efficiency of design.

Spacing and Orientation of Residential building groups shall conform to the following principles:

1. Walls containing main window exposures or main entrances shall be so oriented as to insure adequate light and air exposure.
2. Buildings shall be so arranged as to avoid undue exposure to concentrated loading or parking facilities and shall be so oriented as to preserve visual and audible privacy between adjacent buildings.
3. A building wall exposing both windows and an entranceway shall be located no closer to another building than a distance equal to the height of the taller building of the two, but in no case less than fifty (50) feet.
4. A building wall exposing only windows or only an entranceway shall be located no closer to another building than a distance equal to the height of the taller building of the two, but in no case less than twenty-five (25) feet.
5. A building group may not be so arranged that any temporary or permanently inhabited

building is inaccessible to emergency vehicles.

6. Structures that are clustered and have plumbing are encouraged to be connected to public water and sewer services. Where this is not feasible, additional area must be provided for private septic systems and consideration shall be given to shared systems.

Spacing and Orientation of Commercial and Industrial buildings shall conform to the following principles:

1. Exterior walls of opposite buildings shall be located no closer than a distance equal to the height of the taller building.
2. A building group may not be so arranged that any permanently or temporarily occupied building is inaccessible to emergency vehicles.
3. Structures that are clustered and have plumbing are encouraged to be connected to public water and sewer services. Where this is not feasible, additional area must be provided for private septic systems and consideration shall be given to shared systems.

5.6 Circulation

There shall be an adequate, safe and convenient arrangement of pedestrian circulation facilities, roadways, driveways, off-street parking and loading space.

There shall be an adequate amount, in a suitable location, of pedestrian walks, malls, and landscaped spaces to prevent pedestrian use of vehicular ways and parking spaces and to separate pedestrian walks, malls, and public transportation loading places from general vehicular circulation facilities.

Buildings and vehicular circulation open spaces shall be arranged so pedestrians moving between buildings are exposed to a minimum of vehicular traffic.

Paving and drainage shall be designed with grades, paving, gutter, drainage, and treatment of turf to handle storm waters, prevent erosion and formation of dust.

Signs and lighting devices shall be properly arranged with respect to traffic control devices and adjacent residential districts and comply with the provisions of this Ordinance.

5.7 Residential Uses and Subdivisions in the Complex

Residential development within the Complex shall comply with the standards and listed for the zoning classification at the site of the proposed development. Development proposing the creation of multiple lots must comply with the platting requirements of any local, county or state subdivision ordinance or statute.

5.8 Mobile home/manufactured home parks

Special requirements for a mobile home/manufactured home park are as follows:

1. The park shall be located on a well-drained site, properly graded to insure rapid drainage, and free from stagnant pools of water.
2. A park shall contain at least ten (10) acres.
3. No more than six (6) mobile/manufactured home sites shall be allowed per acre of land in the park.
4. Each home site must be large enough to physically locate a typical mobile or manufactured home and allow provide for all required setbacks.
5. A green belt planting strip at least twenty (20) feet in width shall be maintained along all lot lines of the park not bordering on a street, and shall be appropriately landscaped with trees, shrubs and ornamental fencing, so as to provide a buffer for noise and lights generated within the park.
6. Homes shall have a clearance of at least twenty (20) feet from any other home or any building on an adjacent site, except in end-to-end clearance. For homes parked end-to-end, the clearance shall be at least fifteen (15) feet.
7. Accessory structures must be at least ten (10) feet from any building on an adjacent site.
8. Homes shall not be located closer than fifty (50) feet to any property line of the park abutting upon a Public Street or highway. All spaces shall abut upon a driveway of not less than twenty-four (24) feet in width, which shall have unobstructed access to a public street, alley,

or highway.

9. All thoroughfares within the park shall be hard-surfaced.
10. All thoroughfares shall be adequately lighted at night.
11. An adequate supply of pure water for drinking and domestic purposes shall be supplied by pipes to all buildings and home spaces within the park, and each home space shall be connected to an approved sewage disposal system.
12. Service buildings housing sanitation facilities shall be permanent structures complying with all applicable ordinances and statutes regulating buildings, electrical installation, and plumbing and sanitation systems as determined by the appropriate state agency.
13. Each service building shall be equipped with not less than two (2) five-gallon water hand-pump fire extinguishers, or three (3) 2 1/2 gallon soda and acid extinguishers; also, two (2) approved dry chemical extinguishers.
14. The addition or replacement of a mobile home or manufactured home shall require a zoning permit as indicated in Section 2.3 of this Ordinance, as well as any other relevant permits, such as sanitary, driveway, etc. However, the zoning permit for a replacement home shall be applied for no more than 24 hours from when the replacement home was moved to the property. In no case shall such a home be occupied until all required permits have been issued.

Garbage, Waste and Rubbish

Unless a garbage pick-up service is provided, metal garbage receptacles or a serviceable equivalent shall be provided on the basis of at least one (1) receptacle for every four (4) spaces and shall be located not farther than fifty (50) feet from any space. The cans shall be tightly covered and shall be kept in a sanitary condition. Garbage and rubbish shall be collected and disposed of as frequently as may be necessary to insure that the garbage cans shall not overflow. Sufficient receptacles shall be provided to prevent littering the ground with rubbish and debris.

Application

The application for a mobile home/manufactured home park follows the Conditional Use Permit process as outlined in Section 4.0 of this Ordinance and shall be accompanied by a plan of the proposed development drawn to scale showing all information listed in Section 5.8 of this Ordinance. The plan will show the location and paved width of internal vehicular circulation ways and the location of mobile/manufactured home sites as well as location of utilities, etc. as needed to show how the special conditions applicable to a mobile home/manufactured home park are to be met.

Mobile home/manufactured home park License

The application for a mobile home/manufactured home park must provide evidence at the time of application of the ability to achieve any local, state or federally required license. Granting of a proposed mobile home/manufactured home park may be made contingent upon securing such license.

Register of Occupants in Mobile home/manufactured home park

It shall be the duty of the license holder to keep a register containing a record of all homeowners and occupants located within the park. The register shall contain the following information:

1. Name and address of each lease holder.
2. The make, model license number and year of all homes.
3. The dates of arrival and departure of each home.

The park shall keep the register available for inspection at all times by law enforcement officers, public health officials and other officials whose duties necessitate acquisition of the information contained in the register. The register records shall not be destroyed for a period of three (3) years following the date of registration or departure.

5.9 Campgrounds

Special requirements for campgrounds are as follows:

1. A campground shall make its campsites available to campers on a temporary basis only, for

not more than thirty (30) days.

2. The campground shall be located on a well-drained site, properly graded to insure rapid drainage, and free from stagnant pools of water.
3. A park shall contain at least five (5) acres.
4. No more than ten (10) campsites shall be allowed per acre of land in the park.
5. Campsites shall be located no closer than fifty (50) feet to any property line of the park. All spaces abut upon a driveway of not less than twenty (20) feet in width for two-way traffic, and ten (10) feet in width for one-way traffic, which shall have unobstructed access to public street, alley and highway.
6. An adequate supply of safe water for drinking and domestic purposes shall be available within reasonable walking distance of each cluster of campsites. Sanitary facilities shall be within reasonable walking distance of each cluster of campsites. Sites equipped with individual water and sewer connections for homes may be more remote, provided they are made available only to mobile units that are equipped to use them.
7. Service buildings housing sanitation facilities shall be permanent structures complying with all applicable ordinances and statutes regulating buildings, electrical installation, and plumbing and sanitation systems as determined by the appropriate state agency.
8. Metal garbage receptacles or a serviceable equivalent shall be provided on the basis of at least one (1) receptacle for every four (4) spaces and shall be located not farther than fifty (50) feet from any space. The cans shall be tightly covered and shall be kept in a sanitary condition. Garbage and rubbish shall be collected and disposed of at least once a day. Sufficient receptacles shall be provided to prevent littering the ground with rubbish and debris.
9. Campgrounds shall be designed for camping units only and shall not allow the placement of buildings, structures or structural additions to camping units on any sites.

Plan

The plan accompanying the conditional use application shall be drawn to scale, showing all pertinent information required to evaluate the acceptability of the campground with respect to the terms of this Ordinance.

Register of Occupants in Campgrounds

It shall be the duty of the permit holder to keep a register containing a daily record of the occupants of each campsite. The register shall contain the following information:

1. Name and address of each occupant.
2. The make, model and year of all automobile and mobile camping units.
3. License number and owner of each automobile and mobile camping unit, and the state issuing the license.
4. The date and time of arrival and date of departure.

The campground manager shall keep the register available for inspection at all times by law enforcement officers, and other officials whose duties necessitate acquisition of the information contained in the register. The register shall not be destroyed for a period of three (3) years following the date of registration.

Section 6.0 Highway Setbacks

6.1 Highway Setbacks

The minimum setback from the right-of-way line or centerline to any structure shall be established in accordance with the following table unless the normal yard requirements as established in the district requirements are greater, in which case the normal yard requirements shall be met.

Highway Class	Minimum Setback From Row	Minimum Setback From Centerline
State and Federal Highways	50 feet	110 feet
County Trunk Highways	42 feet	75 feet
Town Public Roads	30 feet	63 feet

6.2 Visual Clearance Triangle

In each quadrant of every public road intersection, there shall be a visual clearance triangle bounded by the road centerlines and a line connecting points on them by the visual clearance distance from the intersection, with dimensions as stated below:

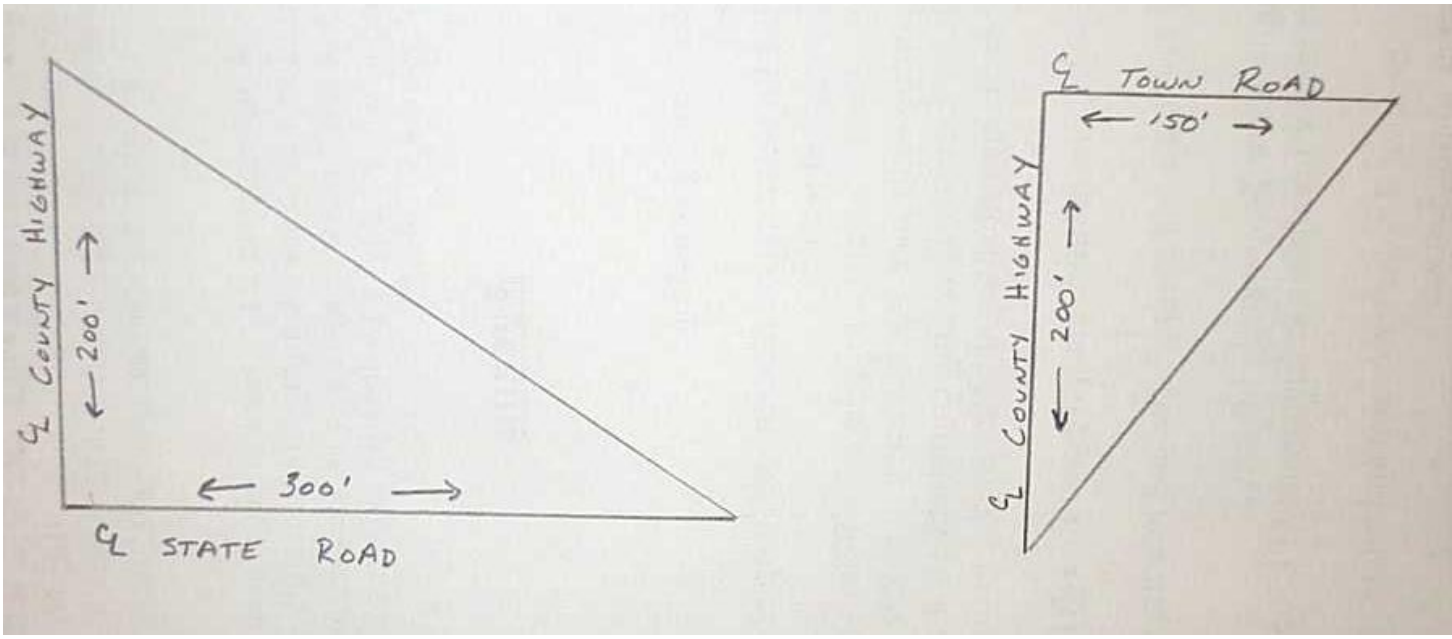
Highway Classification Visual Clearance Distance	
Highway Class	***Distance***
State and Federal Highways	300 feet
County Trunk Highways	200 feet
Other Roads	150 feet

The measurement is taken at the intersection of the centerlines of each public road as they traverse away from each other for the distances indicated above. A line is drawn between the conclusion of each centerline traverse to create the hypotenuse of the Visual Clearance Triangle.

No visual obstructions, such as structures, parking, or vegetation with the exception of annual agricultural crops above a height two and one-half (2 1/2) feet or less than ten (10) feet above the plane passing through the mean centerline grades shall be permitted in any district within the area of the visual clearance triangle. Open fences and utility poles are permitted.

Illustration of Visual Clearance Triangle

Example:



6.3 Driveways and Accesses

All accesses and driveways installed, altered, changed, replaced, or extended after the effective date of this Ordinance shall meet the following requirements. For the purposes of this Ordinance, an access shall be that portion of a driveway that is within the right-of-way of a public road with the driveway being that portion from the right-of-way to the point of termination.

1. When there is a dispute as to the adequacy of an alleged existing or proposed access to a public road, the governmental unit having jurisdiction over the road to be accessed shall control. Evidence of approval shall be a written approval from the governmental unit having jurisdiction over the public road to be accessed.
2. All alleged existing and proposed driveways located shall be approved in writing by the Town

or Towns in which the driveway is located, provided there is a Town driveway ordinance in effect. Evidence of an approved driveway shall be submitted with any zoning permit application in the form of a written driveway approval signed by the Town approving authority.

6.4 Parking Requirements

In all districts and in connection with every use there shall be provided at the time any use or building is erected, enlarged, or increased off-street parking stalls for all vehicles in accordance with the following:

Adequate Access to a public street shall be provided for each parking space.

Size of each parking space shall be not less than one hundred and eighty (180) square feet exclusive of the space required for the ingress and egress.

Surfacing of all off-street parking areas shall be graded and surfaced so as to be dust free and properly drained. Any parking area for more than five (5) vehicles shall have the aisles and spaces clearly marked.

Curbs and Barriers shall be installed so as to prevent the parked vehicles from extending over any lot line.

Number of Parking Stalls Required shall be, unless otherwise approved as a condition of the conditional use approval:

1. Single-family dwellings and multi-family dwellings: 2 stalls for each dwelling unit
2. Mobile and manufactured homes: 2 stalls for each dwelling unit.
3. Hotels, motels: 1 stall for each guest room plus 1 stall for each 3 employees.
4. Hospitals, clubs, lodges, dormitories, lodging and boardinghouses: 1 stall for each bed plus 1 stall for each 3 employees
5. Sanitariums, institutions, rest and nursing homes: 1 stall for each 5 beds plus 1 stall for each 3 employees
6. Medical and dental clinics: 3 stalls for each doctor
7. Churches, theatres, auditoriums, community centers, vocational and night schools, and other places of public assembly: 1 stall for each 5 seats
8. Colleges, secondary and elementary schools: 1 stall for each 2 employees
9. Restaurants, bars, places of entertainment, repair shops, retail and service stores: 1 stall for each 150 square feet of floor area
10. Manufacturing and processing plants, laboratories and warehouses: 1 stall for each 2 employees.
11. Financial institutions; business, governmental and professional offices: 1 stall for each 300 square feet of floor area.
12. Funeral homes: 1 stall for each 4 seats.
13. Bowling alleys: 5 stalls for each alley.
14. Uses Not Listed. In the case of structures or uses not mentioned the provision for use that is similar shall apply.

Combination of any of the above uses shall provide the total of the number of stalls required for each individual use.

SECTION 7.0 STRUCTURAL MODIFICATIONS

7.1 Height

The district height limitations stipulated elsewhere in this Ordinance may be exceeded in accord with the following:

1. Architectural projections, such as spires, belfries, parapet walls, cupolas, domes, flues and chimneys shall not exceed in height their distance from the nearest lot line, but in no case shall exceed fifty (50) feet in height.

2. The following structures are exempt from height limitations of this Ordinance: agricultural structures, such as barns, silos, grain elevators; gas tanks; radio and television receiving antennas; manufacturing equipment and necessary mechanical appurtenances; cooling towers; fire towers; substations; and smoke stacks,
3. Essential public services, such as water towers, electrical power and communications, transmission and distribution lines are exempt from the height limitations of this Ordinance.
4. Public and semipublic facilities, such as schools, churches, hospitals, monuments, sanitariums, libraries, governmental offices and stations, may be erected to a height of fifty (50) feet.
5. Accessory structures shall not exceed twenty (20) feet in height unless otherwise stated within this Ordinance.

7.2 Yards

The yard requirements stipulated elsewhere in this Ordinance may be modified as follows:

1. Uncovered stairs, landings and fire escapes may project into any side or rear yard but not by more than six (6) feet and shall not be closer than three (3) feet to any lot line.
2. Architectural projections, such as chimneys, flues, sills, belt courses and ornaments, may project into any required yard up to two (2) feet.
3. Accessory uses and detached accessory structures are permitted; they shall not be closer than ten (10) feet to the principal structure, shall not occupy more than twenty (20) percent of the yard area, and shall not be closer than ten (10) feet to any lot line, except in the A-1 and AR-1 districts. In any platted subdivision, accessory buildings are not allowed in the front yard.
4. Essential services, such as electrical power and communications transmission and distribution lines are exempt from the yard and distance requirements of this Ordinance, but shall not impede visibility of traffic as determined by the authority with highway jurisdiction.
5. Lots not abutting a public right-of-way shall follow the street yard setbacks as listed by zoning district.

SECTION 8.0 SIGNS

The purpose of this section is to protect the public health, safety and general welfare by:

1. Promoting well maintained and attractive signage within the County;
2. Providing for adequate business identification, advertising, and communication for promoting a healthy economy, and;
3. To foster public safety along public and private streets within the community by assuring that all signs are in safe and appropriate locations.
4. To have administrative review procedures that are the minimum necessary to:
   a) Balance the county's objectives and regulatory requirements with the reasonable advertising and way finding needs of business.
   b) Allow for consistent enforcement of these regulations.
   c) Minimize the time required to review a sign application.
   d) Provide flexibility as to the number and placement of signs to the regulations are more responsible to business needs while maintaining the county's standards.

8.1 Permit Required and Permit Exempt

No sign shall hereafter be located, erected, moved, reconstructed, extended, enlarged, repaired or structurally altered without a sign permit, unless excepted within this section, without being in conformity with the provisions of this Ordinance. The fee for a sign permit shall be set by County Board resolution. All sign permits shall expire 12 months from the issue date of the permit unless a Certificate of Compliance is issued before said 12-month period expires. The permit holder is responsible to contact the Office of Planning and Development for said Certificate of Compliance to avoid the expiration of the sign permit. Any sign located, erected, moved, reconstructed, extended, enlarged, repaired or structurally altered without a valid sign permit shall be removed or, if an after-the-fact permit can be issued, said after-the-fact permit shall include a late fee as established by County Board Resolution.

Any sign proposed that is not described or defined in this section may be considered for approval by the Iowa County Planning & Zoning Committee, either as a temporary or permanent sign. Any such sign that is approved shall:

- be subject to all applicable provisions within this section and ordinance, such as size and placement requirements
- be compatible with surrounding permitted signs to the extent as to not create a competitive advantage or disadvantage for competing business operations
- require a permit

The following signs do not require a permit and are allowed in any zoning district:

1. Signs giving the name of a farm, company or business or the farm, company or business owner or farm directory signs on premises of the owner where the farm, company or business is located, provided:
    a) no such sign exceeds 32 square feet in display area
    b) one such sign is allowed per premises
2. Agricultural test plot signs, provided the specifications of Section 8.3 are met.
3. Private property protection signs, such as but not limited to: no trespassing; warning; no hunting; blasting area; etc., provided no such sign is greater than 2 square feet in display area.
4. Signs advertising the sale of agricultural products produced on the premise the sign is located, not to exceed 32 square feet of display area for single-sided sign and 64 square feet for multi-sided sign, provided:
    a) There is no more than one sign per direction of travel
    b) Any such sign is located within ¼ mile of the premise selling the advertised produce
    c) Any such sign is erected no sooner than 30 days before the advertised produce is available and removed within 30 days after the advertised produce is no longer available
5. Memorial signs, tablets, names of buildings and date of erection when cut into any masonry surface or when constructed of metal and affixed flat against a structure
6. Residential owner or occupant signs stating the names of the property owner and/or occupant of the residence on the property where the sign is located, provided no such sign exceeds six (6) square feet
7. Temporary Signs, being any sign installed for a period to not exceed 30 consecutive days in a 60-day period, with up to 16 square feet of display area for a single-sided sign and 32 square feet for multi-sided sign. No more than one temporary sign shall be allowed per tax parcel or lot. Examples where temporary signs may be employed include special events or real estate signs.
8. Election/campaign/political signs, provided no such sign is placed within a public road right-of-way

8.2 General Sign Regulations

The regulations contained in this section shall apply to signs in all zoning districts. The regulations set forth in this section do not supersede the requirements set forth in section 8.3.

1. Signs shall not:
    a) resemble, imitate, or approximate the shape, size, form or color of railroad or traffic signs, signals, or devices
    b) obstruct or interfere with the effectiveness of railroad or traffic signs, signals, or devices
    c) be placed so as to obstruct or interfere with traffic visibility, nor block or interfere with the visibility for ingress or egress of a driveway.
2. No signs may be affixed to a fence, utility pole or structure, tree, shrub or other natural object.
3. Externally illuminated signs shall:
    a) not flash, oscillate, or rotate, except when associated with an electronic message center permitted under this ordinance
    b) be shaded, shielded or directed away from surrounding properties and traffic, and when there is a dispute as to the adequacy of the shading or shielding from surrounding properties and/or vehicular traffic, the County's decision shall prevail.
4. All signs, including support structures, shall be constructed in accordance with local and state building and electrical codes
5. The immediate premises around a sign shall be kept free from trash and debris. However, no

person may damage, trim, destroy or remove any trees, shrubs or other vegetation located within the right-of-way of any public street or road for the purpose of increasing or enhancing the visibility of any sign unless approved in writing from the highway authority. Nor shall such work be performed on property that is not under the ownership or control of the person performing or responsible for such work, unless done pursuant to the express authorization of the person owning the property where such trees, shrubs or vegetation are located. The immediate premises around the sign shall be maintained in a neat and orderly fashion.

6. No sign shall be placed in the Visual Clearance Triangle as described in Section 6.2 of this Ordinance.
7. For all signs, the height measurement shall be the distance from the mean centerline grade or ground, depending on sign type, to the top of the display area. The height is intended to include the entire sign display area, not just supports or poles.
8. No sign shall be closer than 10 feet to any property line or right-of-way line
9. No sign shall overhang a property line or right-of-way line.
10. No sign shall be placed within the right-of-way of a public road without the written approval from the highway authority and if allowed elsewhere within this ordinance.
11. The measurement of total display area shall be as described in Section 12.0 of this ordinance and, in the case of a conglomerate of signs affixed to a single support the display area shall be the total of each individual sign.
12. Distance measurements shall be measured along the pertinent right-of-way lines when determining separation between signs or distance from intersections.
13. Electronic may be allowed as on-premise signs only, except when used for official signs or public service information.
14. Any change in copy on an existing legal sign shall be allowed without need of a permit. A permit is required if said change involves a change in size or shape, or a change in position, location, construction or supporting structure of a sign.

8.3 Specific Regulations for Various Types of Signs

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1. Electronic message centers (signs that utilize a screen for displaying an electronic image, which may or may not include text) may be used only to advertise activities conducted or goods and services available on the property on which the signs are located or to present public service information. Electronic message centers must comply with the following:
    a) No message may be displayed for less than one-half second
    b) No message may be repeated at intervals of less than 2 seconds
    c) No segmented message may last longer than 10 seconds
    d) No traveling message may travel at a rate slower than 16 light columns per second or faster than 32 columns per second
    e) Any transition duration of a message shall take no more than one second
    f) The illumination brightness shall not exceed 0.3 foot candles over ambient lighting conditions when measured at distances based on the sign size as recommended by the International Sign Association or other recognized authority at the choice of the County
2. On-premise ground signs shall not exceed 35 feet in height above the existing ground level where placed and shall not exceed 150 square feet of total display area for a single-sided sign or 300 square feet for multi-sided signs
3. Off-premise signs shall not:
    a) exceed 35 feet in height above the existing ground level where placed or 50 feet above the mean centerline grade for the adjacent road, whichever is lesser
    b) exceed 500 square feet of total display area for a single-sided sign or 1000 square feet for multi-sided signs
    c) be more than 200 feet from the right-of-way line of the public road along which they are located
    d) be permitted along a county road or town road without a conditional use permit following the process outlined in Section 4.0 of this Ordinance
    e) be placed within 500 feet from any legally permitted residence without express written permission from the owner of said residence at the time of erection of said sign
    f) be allowed until a lawful use has been established on the zoning lot on which the sign is to be erected

4. Wall signs placed against the exterior walls of buildings shall not:
    a) extend more than 6 inches outside of a building's wall
    b) exceed 15% of the building wall square footage that the sign is affixed to for display area, not to exceed 300 square feet
5. Projecting signs fastened to, suspended from, or supported by a building shall not:
    a) exceed 100 square feet in area for any one premises
    b) be less than 10 feet from all side lot lines
    c) exceed a height of 20 feet above the supporting building
    d) be less than 10 feet above the sidewalk nor 15 feet above a driveway or an alley
6. Window signs shall:
    a) be placed only on the inside of commercial buildings
    b) not exceed 25 percent of the glass area of the pane upon which the sign is displayed
7. Portable Signs shall not exceed 32 square feet of display area
8. Agricultural test plot signs used to mark test plot areas shall not exceed 3 square feet of display area or 10 feet in height from ground elevation. Such signs shall be located not less than 50 feet from the site advertised on the sign, and there shall not be more than one such sign per row of crop. Such signs are only permitted while the crop is being grown and for no more than 30 days after harvest.
9. Ground signs shall be those supported by posts or similar supports and shall not:
    a) exceed 35 feet in height above existing ground elevation or 50 feet above the mean centerline grade for the adjacent road, whichever is lesser
    b) exceed 150 square feet of total display area for single-sided signs or 300 square feet of total display area for multi-sided signs.

8.4 Allowed Signs by Zoning District

The table below illustrates the types of signs allowed by permit within specific zoning districts, provided all applicable provisions of this Section are met. (See Section 8.1 for signs that do not require a permit and are allowed in all zoning districts.)

Zoning districts:

A-1	Agricultural
AC-1	Agricultural Conservancy Overlay
C-1	Conservancy
CR-1	Conservation Recreation
H-1	Historical Preservation
AR-1	Agricultural Residential
R-1	Single Family Residential
R-2	Multi Family Residential
R-3	Mobile/Manufactured Home
RB-1	Recreational Business
AB-1	Agricultural Business
B-1	Local Business
B-2	Highway Business
B-3	Heavy Business
B-4	Industrial
B-5	Adult Entertainment Business

	A-1	C-1	CR-1	H-1	AR-1	R-1	R-2	R-3	RB-1	AB-1	B-1	B-2	B-3	B-4	B-5
Electronic Message Center					x	x	x	x	x	x	x	x	x	x	x
On-Premise ground sign	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
Off-Premise ground sign	x				x					x	x	x	x	x	x
Wall sign	x			x	x	x	x	x	x	x	x	x	x	x	x
Projecting sign	x			x	x	x	x	x	x	x	x	x	x	x	x
Window sign	x			x	x	x	x	x	x	x	x	x	x	x	x
Portable sign	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x

*Note: Signs in the AC-1 district follow the allowances of the underlying A-1 district.

8.5 Prohibited Signs

The following shall be prohibited in all zoning districts:

1. Animated, flashing, rotating signs and festoons, inflatable signs, tethered balloons, banners, pennants, searchlights, streamers, exposed light bulbs, strings of lights not permanently mounted to a rigid background, and any clearly similar features, except those permitted for a special event approved by the Iowa County Planning & Zoning Committee or electronic message centers as permitted in Section 8.3.
2. Signs on vehicles or trailers when the vehicle or trailer is placed in a location not normally expected for such vehicles or trailers, and the location apparently has the primary purpose of attracting attention or providing advertising
3. Abandoned signs, defined as a sign which for a period of at least 60 consecutive days or longer no longer advertises or identifies a legal business establishment, product or activity. This includes the advertisement or identification of an event or establishment that has ended or is no longer in operation.
4. Any signs containing any words or symbols that would cause confusion because of their resemblance to highway traffic control or directional signals or official street signs.
5. Merchandise, equipment, products, vehicles or other items which are not available for purchase, but are intended to attract attention, or for identification or advertising purposes.
6. Signs located on trees, utility poles, public benches or any other form of public property or within any public right-of-way unless explicitly permitted by the jurisdictional authority over said right-of-way.
7. Other signs or attention getting devices that raise concerns substantially similar to those listed above.

8.6 Existing Signs

For the purposes of this section, signs lawfully existing at the time of the adoption or amendment of this Ordinance shall be considered legal nonconforming structures although the use, size, or location does not conform with the provisions of this Ordinance. No such sign shall be repaired or replaced due to damage caused by vandalism, natural disaster or normal use without first obtaining a sign permit, however no permit shall be issued when said damage exceeds 50 percent of the current assessed value of said sign. If the cost of repair or maintenance exceeds 50 percent of the current assessed value of said sign, the sign shall have to be made to comply with all provisions of this Ordinance or removed.

8.7 Dilapidated, Unmaintained and Abandoned Signs

Dilapidated and Unmaintained Signs. Signs allowed by this Ordinance shall be maintained in a safe, presentable and good structural condition at all times, including replacement of defective parts, painting, repainting, cleaning and other acts required for proper maintenance of the sign. Signs that are determined by the County to be dilapidated unmaintained and/or unsafe shall be subject to the razing provisions of Section 66.05, Wis. Statutes.

Abandoned Signs shall be removed by the owner or lessee of the premises, when, for a business sign, the business it advertises is no longer conducted; and for an advertising or directional sign, when lease payment and rental income are no longer provided. If the owner or lessee fails to remove the sign, the County shall give the owner 60 days written notice to remove said sign. Upon failure to comply with this notice, the County may cause removal to be executed, the expenses of which will be assessed to the tax roll of the property on which the abandoned sign is located.

SECTION 9.0 NONCONFORMING USES, STRUCTURES AND LOTS

9.1 Existing Nonconforming Uses

The lawful nonconforming use of a structure, land, or water existing at the time of the adoption or amendment of this Ordinance may be continued although the use does not conform with the provisions of this Ordinance; however:

1. Only that portion of the land or water in actual use may be so continued and the structure may not be extended, enlarged, reconstructed, substituted, moved, or structurally altered except:
   - when required to do so by law or order or so as to comply with the provision of this Ordinance or;
   - provided there is not an increase in excess of 25% of the existing living area for a residence and an increase in the nonconformity of the structure or;
   - provided there is not an increase in excess of 25% of the existing footprint area of a nonresidential structure and an increase in the nonconformity of the structure.
2. Substitution of new equipment may be permitted if such equipment will reduce the incompatibility of the nonconforming use with the neighboring uses.

Any legal nonconformity under any previous ordinances repealed by this Ordinance is also a legal nonconformity under this Ordinance, as long as the situation that resulted in the nonconforming status under the previous ordinances continues to exist.

9.2 Abolishment or Replacement

If such nonconforming use is discontinued or terminated for a period of twelve (12) months, any future use of the structure or land shall conform to the provisions of this Ordinance. It is the applicant's burden to prove a nonconforming use has not been discontinued or terminated. The restoration of a nonconforming structure that has been damaged or destroyed on or after March 2, 2006 due to violent wind, vandalism, fire, flood, ice, snow, mold or infestation may take place provided it is restored to the size, location and use that it had immediately before the damage or destruction occurred. The size of the structure can be larger than the size it was immediately before the damage or destruction only if necessary for the structure to comply with applicable state or federal requirements.

9.3 Nonconforming Uses and Structures

Any nonconforming use or structure under previous ordinances repealed by this Ordinance shall continue to be nonconforming under this Ordinance and be subject to penalties and enforcement under this Ordinance, unless the use, development, construction, or other activity complies with the provisions of this Ordinance. All other nonconforming uses or structures created while this Ordinance is in effect shall be considered violations and subject to enforcement.

9.4 Changes and Substitutions

Once a nonconforming use or structure has been changed to conform, it shall not revert back to a nonconforming use or structure. Once the Board of Adjustment has permitted the substitution of a more restrictive nonconforming use for an existing nonconforming use, the substitute use shall lose its status as a legal nonconforming use and become subject to all the conditions required by the Board of Adjustment.

9.5 Substandard Lots

In any residential district, a single-family residence and its accessory structures may be erected on any legal lot or parcel of record in the County Register of Deeds Office before the effective date or amendment of this Ordinance.

In the A-1 District a parcel of record, less than 40 acres in separate ownership, on file in the County Register of Deeds Office on or before October 17, 1978, may be used for the construction of a single family residence and accessory structures provided the provisions of the R-1 District are met.

Such lot or parcel shall be in separate ownership from abutting lands. If in separate ownership, all the district requirements shall be complied with insofar as practical but shall not be less than the following:

SUBSTANDARD LOTS LOT DIMENSIONS AND BUILDING SETBACKS	
Lot Width	Minimum 50 feet
Lot Area	Minimum 7,500 sq. ft.
Principal Building Height	Maximum 50 feet
Street Yards	Minimum 25 feet, the second street yard on corner lots shall be not less than 10 feet
Rear Yards	Minimum 25 feet
Side Yards	Minimum 16% of frontage, but not less than 5 feet

9.6 Nonconformity Due to Public Works

In the event that a public works project, such as highway expansion, public park creation, etc., where land title is transferred through the process of eminent domain, or similar means, and the transfer creates a lot or lots that are substandard in area for the present zoning district, the following shall apply:

1. Any existing legal uses on the resultant lot or lots shall be considered legal nonconforming, meaning they can continue, provided the scope and intensity is not significantly increased.
2. Any such lot that is vacant of structures or buildings at the time of becoming nonconforming shall not be eligible for any permit to build a structure or building without first making said lot compliant with the present zoning ordinance provisions.
3. Any such lot that has existing buildings may allow for the expansion of said buildings or construction of additional buildings, provided they are accessory to the existing legal uses and do not in any way constitute a new use for said lot. All such buildings or additions must comply with all setbacks in effect at the time of seeking a permit.
4. In no circumstance shall such a lot be eligible for the construction of a residence unless it is to replace an existing residence, provided all other requirements of this ordinance are met, without bringing the lot into conformity with the present ordinance requirements.

It shall be the responsibility of the property owner to provide all documentation necessary to justify the provisions of this section applying to his/her property. Further, it shall be the determination of the Director of the Office of Planning and Development to decide if the property at issue shall benefit from the provisions of this section. Said determination can be appealed following the provisions of Section 10 of this ordinance.

SECTION 10.0 BOARD OF ADJUSTMENT

10.1 Establishment

There is hereby established a Board of Adjustment for the purpose of hearing appeals and applications, and granting variances and exceptions to the provisions of this Ordinance in harmony with the purpose and intent of the Ordinance.

10.2 Membership

The Board of Adjustment shall consist of three (3) members to be appointed by the Chairman of the County Board of Supervisors with the approval of the County Board to include two (2) alternates as required by Sec. 59.694(2)(am)m Wis. Statutes. The terms of the members so appointed shall be for 1, 2, and 3 years, respectively. Successors shall be appointed in like manner at the expiration of each term and their terms of office shall be three (3) years in all cases, beginning July 1 in the year appointed. The members of the Board of Adjustment shall all reside within the County and outside the limits or incorporated cities and villages; provided, however, that no two (2) members shall reside in the same Town. No member shall be a member of the County Board of Supervisors, any Town Board of any Town under the jurisdiction of this Ordinance or any Plan Commission of any Town under the jurisdiction of this Ordinance. The Board of Adjustment shall choose its own chairman. Vacancies shall be filled for the unexpired term of any members whose term becomes vacant in the same manner as the original appointment. The members of the Board of Adjustment shall be compensated at the same per diem and mileage rates as paid the County Board of Supervisors.

10.3 Rules
The Board of Adjustment will meet at a fixed time and place as may be determined by the Chairman to review at a public hearing, appeals referred to it. Other meetings may be called by the Chairman of the Board of Adjustment.

All meetings of the Board of Adjustment shall be open to the public.

Notice of any public hearing which the Board of Adjustment is required to hold under the terms of this Ordinance shall specify the date, time and place of hearing and the matters to come before the Board of Adjustment at such hearing, and such notice shall be given in each of the following ways:

By sending notice, not less than ten (10) days prior to the date of such hearing, to each of the Towns affected by the matters to come before the Board of Adjustment at such hearing.

By first class mail to the applicant and landowner of the property affected by the matters to come before the Board of Adjustment at such hearing.

The Board of Adjustment shall keep minutes of its proceedings showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the Office and shall be a public record. The Board of Adjustment shall appoint one of its members to act as Secretary with the primary duty of taking minutes at all hearings. Action shall require a quorum present and majority vote of those members present.

The Board of Adjustment shall have power to call on any other county departments for assistance in the performance of its duties and it shall be the duty of such other departments to render all such assistance as may be reasonably required.

The Board of Adjustment may adopt such rules as are necessary to carry into effect the regulations of the County Board.

In the case of all appeals, the Board of Adjustment shall call upon the Commission for all information pertinent to the decision appealed from.

Hearings of the Board of Adjustment shall be held on a date determined by the Board. An application presented to the Board of Adjustment shall be accompanied by a fee set by County Board Resolution.

10.4 Appeals
Appeals to the Board of Adjustment may be taken by any person aggrieved or by an officer, department, board or bureau of Iowa County affected by any decision of the Office. Such appeal shall be taken within a reasonable time, as provided by the rules of the Board of Adjustment, by filing with the Office and the Board of Adjustment a notice of appeal specifying the ground thereof. The Office shall forthwith transmit to the Board of Adjustment all the papers constituting the record upon which the action appealed from was taken.

An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Office shall certify to the Board of Adjustment after notice of appeal shall have been filed that by reason of facts stated in the certification a stay would cause imminent peril to life or property. In such case, the proceedings shall not be stayed otherwise than by a restraining order, which may be granted by the Board of Adjustment or by a court of record on application on notice to the Office and on due cause shown.

The Board of Adjustment shall fix a reasonable time for the hearings of the appeal, file public notice thereof, as well as due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearings, any party may appear in person or by agent or by attorney.

10.5 Powers
The Board of Adjustment shall have the following powers:

1. Errors. To hear and decide appeals where it is alleged there is error in any order, requirement,

decision or determination made by the Office.

2. Variances. To hear and grant appeals for variances as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement will result in practical difficulty or unnecessary hardship, so that the spirit and purpose of this Ordinance shall be observed and the public safety, welfare and justice secured. Use variances shall not be granted. If compliance can be achieved without a variance, the variance shall not be granted. No variance shall be granted that increases the nonconformity of any existing nonconforming use or structure. Petitions for a variance to allow an addition to or alteration of a nonconforming structure shall only be considered provided the addition or alteration is not proposed within any yard setback and will not increase the footprint of the structure by more than 50%.
3. Interpretations. To hear and decide application for interpretations of the zoning regulations and the boundaries of the zoning districts after the Commission has made a review and recommendation.
4. Assistance. The Board may request assistance from other County officers, departments, commissions and boards.
5. Oaths. The chairman may administer oaths and compel the attendance of witnesses.

SECTION 11.0 CHANGES AND AMENDMENTS

The Board of Supervisors of Iowa County may from time to time amend, supplement or change by ordinance the boundaries of districts or regulations herein established. A petition for such amendment, supplement, or change shall first be filed with the County Clerk, (1) by any property owner in the area to be affected by the matter of such petition, (2) by the Town Board of any town wherein the ordinance is in effect, (3) by any member of the County Board, or (4) by the Commission. The County Clerk shall present such petition to the Commission for its consideration recommendation and report. The County Clerk may authorize the Office to act on his/her behalf by accepting said applications.

The Commission shall hold a public hearing on such petition for amendment, supplement or change of the county zoning ordinance, giving notice of the time and place of such hearing by publication thereof once each week for 2 successive weeks in the official newspaper of the County and in addition, if the Commission deems it essential under the circumstances, by similar publication in other newspapers of the Commission's choice, by posting or by mailing of notices to certain parties affected. A copy of such notice shall be mailed by registered mail to the Town Clerk of each town affected by the proposed amendment, supplement, or change at least 10 days prior to the date of the hearing. Such hearing may be held in the town hall or other convenient place in the town affected by the proposed change or at the option of the County may be held at the Courthouse or another convenient place in the County.

The Commission may, at its option, hold more than one public hearing in regard to any proposed change if it appears to the Commission that the number of towns affected by such change is too large or too widely distributed throughout the county to be reasonably accommodated at one place of meeting.

The Commission shall act upon the petition as soon as possible after the public hearing, and it such action is favorable to granting the change requested by such petition, the Commission shall cause an ordinance to be drafted effectuating such change. Such ordinance shall be submitted directly to the County Board with the recommendations of the Commission. If the Commission after its public hearing acts to deny the petition, it shall submit a recommendation to the County Board including the reasons for such denial. Proof of publication of the notice of the public hearing held by the Commission and proof of the giving notice to the Town Clerk of each town affected by the matter of the petition shall be attached to the report of the Commission.

Upon receipt of such Commission report the County Board may adopt the ordinance as drafted by the Commission or with amendments, or it may deny the petition for amendment, or it may refuse to deny the petition as recommended by the Commission in which case it shall re-refer the petition to the Commission with directions to draft an ordinance to effectuate the petition and report the same back to the County Board which may then adopt or reject such ordinance.

In case a protest against a proposed amendment be filed with the County Clerk at least 24 hours prior to the date of the meeting of the County Board at which the report of the Commission is to be considered, duly signed and acknowledged by the owners of at least 20% or more of the area proposed to be altered,

or by the owners of at least 20% of the frontage directly opposite and across a public street, highway or alley, from the area proposed to be altered, action on such ordinance may be deferred until the Commission shall have had a reasonable opportunity to ascertain and report to the County Board as to authenticity of such ownership statements. Each signer shall state the amount of area of frontage owned by him and shall include a description of the lands owned by him. If such statements are found to be true, such ordinance shall not be adopted except by the affirmative vote of three-fourths of the members of the County Board present and voting. If such statements are found to be untrue to the extent that the required frontage or area ownership is not present such protest may be disregarded.

In acting upon a petition, the County Board of Supervisors shall consider the stated purpose of the proposed zoning district and shall approve the rezoning petition only if it finds that:

1. It is in compliance with the Iowa County Comprehensive Plan and the comprehensive plan of any Town affected by said petition.
2. Adequate public facilities and services (including sewage and waste disposal, water, gas, electricity, schools, police and fire protection, and roads and transportation, as applicable) will be available to serve the subject property while maintaining adequate levels of service to existing development;
3. Provisions of public facilities to accommodate development will not place an unreasonable burden on the ability of affected local units of government to provide them;
4. The proposed development will not result in significant adverse impacts upon surrounding properties or the natural environment, including air, water, noise, stormwater management, soils, wildlife and vegetation;
5. The land proposed for rezoning is suitable for development and will not cause unreasonable soil erosion or have an unreasonable adverse effect on rare or irreplaceable natural areas;
6. The proposed rezoning is consistent with the Iowa County Comprehensive Plan and the state purposes of this Ordinance
7. The proposed rezoning will not be used to legitimize a nonconforming use or structure; and
8. The proposed rezoning is the minimum action necessary to accomplish the intent of the petition, and an administrative adjustment, variance, or Conditional Use Permit could not be used to achieve the same result.

Within seven (7) days after its adoption, the County Clerk shall send duplicate copies of such amendatory ordinance by registered mail to the Town Clerk of each town affected by such ordinance. If the amendatory ordinance relates only to the location of the boundaries of districts, duplicate copies thereof shall be sent as provided above only to the clerk or clerks of that town or those towns in which such ordinance causes a change in district boundaries.

The amendatory ordinance shall be in full force and effect in all the towns affected by it after 40 days from the date of its adoption by the County Board unless, within such 40 days, a majority of the towns receiving copies of the ordinance have filed, with the County Clerk, certified copies of resolutions disapproving the ordinance.

The amendatory ordinance shall be in full force and effect within a shorter time, if, within such shorter time, a majority of such towns have filed, with the County Clerk, certified copies of resolutions approving the ordinance.

An application for a district boundary or land use change or other ordinance amendment shall be accompanied by a fee as set by County Board Resolution. An application for a district boundary or land use change to a zoning district that does not have any permitted principal uses shall include a request for conditional use permit.

SECTION 12.0 COMMON REVIEW AND APPROVAL PROCEDURES

The general provisions of this section apply to all development applications and procedures, including zoning permits, rezoning, conditional use permit, variance, etc.

<u>Authority to File Applications</u>
Applications may be initiated by:

1. All the owners of the property that is the subject of the application;
2. The owners' authorized agents; or
3. Any review or Decision-Making Body that does not have final decision-making authority on the matter. When a review or Decision-Making Body initiates action under this Ordinance, it does so without prejudice toward the outcome.

Application Completeness

An application will be considered complete if it is submitted in the required number and form, includes all mandatory information and is accompanied by the applicable fee. The Office shall make a determination of application completeness within 14 days of application filing. If an application is determined to be incomplete, the Office shall notify the applicant of the application's deficiencies. No further processing of the application shall occur until the deficiencies are corrected. If the deficiencies are not corrected by the application within 30 days of when notice was sent of the deficiencies, the application shall be considered withdrawn.

Pre-application Meetings

Applicants shall be responsible for scheduling preapplication meetings with the Office when they are required. The purpose of a preapplication meeting is to inform the applicant of applicable procedures, submittal requirements, development standards, alternatives and other pertinent matters before the applicant finalizes the development proposal. Application forms may be made available during preapplication meetings. Office staff opinions presented during preapplication meetings are informational only and do not represent a commitment on behalf of Iowa County regarding the acceptability of the development proposal.

For most proposed development, a preliminary development review form will be required to be completed by the applicant for the purposes of identifying any issues before the applicant has invested significant time, money and effort in the project. This review will review resources available to the Office including, but not limited to, floodplain data, zoning data, shoreland/wetland data, Natural Heritage Inventory data, mining data, groundwater data, soils data, etc.

Notices

1. Content. All notices required under this Ordinance shall comply with the Class I or Class II notice requirements of Wis. Stat. Chapter 985. In addition, all notices required under this Ordinance must:
   a) Indicate the time and place of the public hearing or action;
   b) Describe the property involved by street address or by legal description;
   c) Describe the nature, scope and purpose of the application or proposal being advertised; and
   d) Indicate where additional information can be obtained.
2. Written (Mailed) Notice: When the provisions of this Ordinance require that written or mailed notice by provided, the Office shall be responsible for preparing and mailing the written notice. The Office shall mail notice to all property owners within 300 feet of the subject parent property boundary, unless otherwise specified in this Ordinance. Ownership information shall be provided by the applicant and obtained from the Iowa County Treasurer's Office.
3. Published Notice: When the provisions of this Ordinance require that notice be published, the Office shall be responsible for preparing the content of the notice and publishing the notice in the newspaper of general circulation that has been selected by Iowa County.
4. Constructive Notice: Minor defects in a notice shall not impair the notice or invalidate proceedings pursuant to the notice if a bona fide attempt has been made to comply with applicable notice requirements.
5. Continuation of Public Hearings: A public hearing for which proper notice was given may be continued to a later date without again complying with the notice requirements of this Ordinance, provided that the continuance is set for a date within 90 dates and the date and time of the continued hearing is announced at the time of the continuance.
6. Burden of Proof of Persuasion: The burden of demonstrating that an application complies with applicable review and approval criteria is on the applicant. The burden is not on the County or other parties to show that the criteria have not been met.
7. Conditions of Approval: In approving development applications, the decision-making body shall be authorized to impose such conditions upon the premises benefited by the approval as may be necessary to reduce or minimize any potential adverse impact upon other property in the area, or to carry out the general purpose and intent of the Iowa County Comprehensive Plan or this Ordinance, so long as the condition relates to a situation created or aggravated by the proposed use or development and is roughly proportional to its impact.

Simultaneous Processing
Whenever two or more forms of review and approval are required under this Ordinance (Ex: a rezoning and a conditional use permit), the applications for those development approvals may, at the option of the applicant, be processed simultaneously, so long as all applicable state and local requirements are satisfied for both applications.

Coordination with Towns, Cities and Villages
Coordination with policies and/or procedural requirements between the County and towns, cities and villages is encouraged whenever possible in order to further the purposes of this Ordinance. However, no specific actions are required to achieve this coordination unless specified in this Ordinance.

Approval by Affected Town Boards
Approval of proposed amendments to this Ordinance and rezoning petitions by affected town boards shall be pursuant to the procedures as follows:

1. Town Board Approval or Disapproval at Public Hearing Stage:
a) If a town which has approved this Ordinance and which is affected by the proposed amendment or rezoning disapproves of the action, the town board of such town may file a certified copy of a resolution adopted by such board disapproving of the action with the Commission prior to, at, or within 10 days after the public hearing.
b) A town may extend its time for disapproving any proposed amendment or rezoning by 20 days if the town board adopts a resolution and files it with the County Clerk. The 20-day extension shall remain in effect until the town board adopts a resolution rescinding the 20-day extension and files a certified copy of the resolution with the County Clerk.
c) If the town boards of a majority of the towns affected file such resolutions disapproving of the proposed amendment or rezoning, the Commission may not recommend approval of the action, without change, but may only recommend approval with change or recommend disapproval.
2. Town Board Approval or Disapproval of Adopted Resolutions
a) If the amendment or rezoning, as adopted by the Iowa County Board of Supervisors, makes only the change sought in the petition, and if the petition was not disapproved at or within 10 days after the public hearing by the town boards of a majority of the towns affected, it shall become effective on passage.
b) Any other amendment or rezoning adopted by the Iowa County Board of Supervisors shall be submitted within seven days after adoption in duplicate by the County Clerk by registered mail to the town clerk of each town that has approved this Ordinance in which lands affected by such amendment or rezoning are located. If, after 40 days from the date of such adoption, a majority of such towns have not filed certified copies of resolutions disapproving such amendment or rezoning with the County Clerk, or if within a shorter time a majority of the towns have filed certified copies of resolutions approving the amendment or rezoning with the County Clerk, the amendment or rezoning shall thereupon take effect.
3. There will be a public hearing held at least once every ten (10) years with the towns to consider the adequacy of this Ordinance with the intent of providing a forum for towns to petition the county board for a comprehensive revision.

Public Hearings
Where required, the purpose of a public hearing shall to provide an opportunity for members of the public to review, comment and question the proposal before the Commission. Input from the public shall be considered in the decision of the Commission.

SECTION 13.0 DEFINITIONS

For the purposes of this Ordinance, the following definitions shall be used: Words used in the present tense include the future; the singular number includes the plural number; and the plural number includes the singular number. The word “shall” is mandatory and not directory.

Accessory Use

A use subordinate to the principal use of land or a building on a lot and customarily incidental thereto.

Adult Entertainment

Any business engaged in the sale or display of books, videos and other materials of a pornographic nature offensive to a significant segment of the population. Includes live performances and movie theater showings of a pornographic nature. Also includes gambling and wagering facilities.

Agritainment

A farm based activity, enterprise, or business that combines the elements and characteristics of agriculture and tourism, which is not necessarily located in an existing building and may have more than one full time employee. Examples of agritainment include: corn mazes; hay rides; sleigh rides; petting farms; on farm tours; agricultural related museums; demonstrations of farming practices, techniques and methods; haunted barns and similar activities which are related to agriculture.

Alley

A special public right-of-way affording only secondary access to abutting properties.

Animal Unit

One animal unit shall be defined as being the equivalent of: one dairy cow, steer, bull or horse over six months of age; two steers, calves or horses under six months of age; two pigs; two sheep; two goats; two llamas; or twenty-five fowl. Other animal, fowl or fish types shall be considered on an individual basis on specific application.

Animated Sign

A sign with all, part, parts, or portion that moves either by mechanical or by natural, such as wind, means.

Arterial Street

A public street or highway used or intended to be used primarily for fast or heavy through traffic. Arterial streets and highways shall include freeways and expressways as well as arterial streets, highways and parkways.

Automobile Service Station (Gas Station)

A building or premises used for dispensing or offering for sale at retail, any automotive fuels or oils, or having pumps and storage tanks thereof; or battery, tire or any similar service is rendered, and where vehicles are not parked for purposes of inspection and sale.

Basement

That portion of any structure located partly below the average adjoining lot grade.

Building

Any structure having a roof supported by columns or walls used or intended to be used for the shelter or enclosures of persons, animals, equipment, machinery or materials.

Building Area

The total living area bounded by the exterior walls of a building at the floor levels, but not including basement, utility rooms, garages, porches, breezeways and unfinished attics.

Building Principal

A building, including covered porches, carports and attached garages, in which is conducted the principal use of the lot on which it is situated.

Campgrounds

Any premises established for overnight habitation by persons using equipment designed for the purpose of temporary camping for which a fee is charged.

Camping Unit

For the purposes of this Ordinance, a camping unit shall be considered a tent, pop-up camper, travel trailer or recreational vehicle, not including park models.

Cemetery

One or more burial sites or lots used or intended to be used for the disposal of human remains.

Clothing Repair Shops

Retail stores where clothing is sold, such as department stores, dry goods and shoe stores, dress, hosiery and millinery shops.

Cluster or Cluster of Farm Buildings

This refers to within 300 feet of any buildings on a farm in the A-1 Agricultural district that exist at the time of application for a zoning permit.

Commercial Livestock Operation

A livestock operation taking place on a lot of less than 40 acres consisting of horses, cattle, hogs, goats, sheep, chickens, turkey or other animals that are fed, milked or otherwise kept for the primary purpose of propagation or resale as a commodity. Such operations may only be considered on lots with existing improvements that are designed for a similar use and that have had a similar use in recent history. All such operations shall require an operational plan that, at a minimum, includes the total number and type of animals. Such operations may include an affiliated residence.

Commission

The Iowa County Planning and Zoning Commission.

Contiguous or Contiguity

Land shall be considered contiguous if no portion of it is less than 50 feet in width.

Corner Lot

A lot abutting two or more streets at their intersection provided that the corner of such intersection shall have an angle of 135 degrees or less, measured on the lot side.

Direction or Directory Sign

A sign displaying the name of a person, community, home, farm, area or locality of interest, business or a kind of business or service conducted at a specific location, but not any general brands, products or services whether related or unrelated to such specific location. Such a sign may also display necessary brief directions, including the distance to the location to which it refers.

Display Area for Signs

That portion of a sign used to display any picture, text or message intended to be viewed and shall be measured by the smallest square or rectangle which will encompass the entire sign.

Driveways Access

Any area where travel occurs from a public road over land (whether by easement or ownership) not considered to be part of the public road for the purpose of gaining access to land or improvements.

Duplex and Two-Family Residence

A building with 2 dwelling units to be used by no more than two (2) families.

Dwelling

A detached building designed or used exclusively as a dwelling unit, but does not include boarding or lodging houses, motels, hotels, or tents.

Dwelling Unit

One or more rooms designed as a unit for occupancy by not more than one family for living and sleeping purposes and may include such common residential accommodations such as furniture, appliances, a stove or other heat source, cabinetry, kitchenette, cots or beds.

Efficiency

A dwelling unit consisting of one principal room with no separate sleeping rooms.

Emergency Shelter

Public or private enclosures designed to protect people from aerial, radiological, biological, or chemical warfare; fire, flood, windstorm, riots and invasion.

Essential Services

Services provided by public and private utilities, necessary for the exercise of the principal use or service of the principal structure. These services include underground, surface, or overhead gas, electrical, steam, water, sanitary sewerage, storm water drainage, and communication systems and accessories thereto, such as poles, wires, pedestals, mains, drains, vaults, culverts, laterals, sewers, pipes, catch basins, water storage tanks, conduits, cables, fire alarm boxes, police call boxes, traffic signals, pumps, lift stations, and hydrants, but not including buildings.

Existing Nonconforming Uses or Structures

Any structure, land, or water lawful used, occupied, or erected at the time of the effective date of this Ordinance or amendments thereto which does not conform to the regulations of this Ordinance or amendments thereto. Any such structure conforming in respect to use but not in respect to frontage, width, height, area, yard, parking, loading, or distance requirements shall be considered a nonconforming structure and not a nonconforming use.

Expressway

A divided arterial street or highway with full or partial control of access and with or without grade separated intersections.

Family

Any number of persons related by blood, adoption, foster care or marriage, or not to exceed four (4) persons not so related, living together in one dwelling as a single housekeeping entity.

Farm

An area comprising forty (40) or more acres zoned A-1 Agricultural which is used for the growing of the usual farm products such as vegetables, fruits, and grains, and their storage on the area, as well as for

the raising and feeding thereon of the usual farm poultry and farm animals, such as horses, cattle, sheep, and swine.

Flashing Sign

A sign whose illumination is not kept constant in intensity at all times when in use, and which exhibits changes in light, color, direction, reflection, or animation.

Freeway

An expressway with full control of access and with fully grade separated intersections.

Frontage

The smallest dimension of a lot abutting a public street measured along the street line.

Gift Stores

Retail stores where items such as art, antiques, jewelry, books and notions are sold.

Hardware Stores

Retail stores where items such as plumbing, heating and electrical supplies, sporting goods and paints are sold.

Height

Overall height of the top of a structure measured from the ground level at the front yard to the highest point of the structure.

Hotel

A building of more than two dwelling units and more than one story used for the temporary accommodation of visitors that includes receipt of payment or other consideration.

Household Occupation

Any occupation for gain or support conducted entirely within a residence by resident occupants, excluding rental properties, which is customarily incidental to the principal use of the premises, does not exceed the area of one floor.

Interchange

A grade separated intersection with one or more turning lanes for travel between intersection legs.

Junkyard

See Salvage Yard

Junked Vehicle

A truck, automobile or other motorized vehicle which is incapable of operation or use upon a highway and which does not have a valid license. Agricultural and construction equipment shall not be considered within this definition.

Land Use Change

The change of zoning districts on a lot or lots. See also Rezoning.

Loading Area

A completely off-street space or berth on the same lot for the loading or unloading of freight carriers, having adequate ingress and egress to a public street or alley.

Lot

Land with a boundary description occupied or intended to be occupied by one building and its accessory buildings which at the time of filing for a building permit is designated by its owner to be used, developed or built upon as a unit under single ownership or control. A lot shall not exist unless described on a document filed with the Iowa County Register of Deeds.

Lot Width

The lot width is that portion of a zoning lot at the proposed building site, being where construction or development requiring a permit is proposed.

Machine Shops

Shops where lathes, presses, grinders, shapers and other wood and metal working machines are used, such as blacksmith, tinsmith, welding and sheet metal shops; plumbing, heating and electrical repair and overhaul shops.

Manufactured Home

A dwelling structure or component thereof as is defined in the Wisconsin Stats. 101.91(2) (see below), fabricated in an off-site manufacturing facility for installation or assemble at the building site bearing a HUD label or insignia certifying that it is built in compliance with the Federal Manufacturing Housing Construction Standards under 42 U.S.C. Sec. 5401 to 5426. WI Stats. 101.91(2): "Manufactured home" means either of the following:

(a) A structure, transportable in one or more sections, which in the traveling mode is 8 body feet or more in width or 40 body feet or more in length, or, when erected on site is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities.

(b) A structure, which meets all the requirements of paragraph (a) except the size requirements, and with respect to which the manufacturer voluntarily files a certification required by the Secretary of Housing and Urban Development and complies with the standards established under 42 U.S.C. 5401 to 5425.

Mean Centerline Grade

As addressed in Section 8.0 of this Ordinance, this shall mean the average grade along the centerline of any public road or highway from which, at any point, the sign is visible. In the case where the sign is visible from more than one public road or highway, the mean of all the affected public road or highway centerline grades shall be the mean centerline grade.

Minor Structures

Any nonresidential, accessory structure that is no larger than one hundred (100) square feet.

Mobile Home

A transportable factory built structure as is defined in the Wisconsin Stats. 101.91(1) (see below), designed for long term occupancy built prior to June 15, 1976, the effective date of the Federal Manufactured Housing Construction Standards under 42 U.S.C. Sec. 5401 to 5426. WI Stats. 101.91(1): "Mobile home" means a vehicular manufactured or assembled before June 15, 1976, designed to be towed as a single unit or in sections upon a highway by a motor vehicle and equipped and used, or intended to be used, primarily for human habitation, with walls of rigid non-collapsible construction, which

has an overall length in excess of 45 feet. “Mobile home” includes the mobile home structure, its plumbing, heating, air conditioning and electrical systems, and all appliances and all other equipment carrying a manufacturer’s warranty.

Mobile home/manufactured home park

A housing development used for the purpose of supplying location and accommodations for mobile and manufactured homes and shall include any building, structure, vehicle or enclosure used or intended for use as a part of the equipment of such park; unoccupied homes which are parked for the purposes of inspection and sale may be placed in a mobile home/manufactured home park if they are incidental to the operation of said mobile home/manufactured home park.

Motel

A building of more than two dwelling units and only one story used for the temporary accommodation of visitors that includes receipt of payment or other consideration.

Multi-Family Residence

A building with more than 2 dwelling units to be used by more than two (2) families.

Nursing Home

A building other than a hotel, motel, or hospital where for compensation, meals, lodging and physical care are provided for three (3) or more persons. This definition shall include rest homes, convalescent, old people’s home and similar establishments.

Nonconforming Uses or Structures

Any structure, land, or water lawful used, occupied, or erected while this Ordinance is in effect which does not conform to the regulations of this Ordinance or amendments thereto. Any such nonconforming use or structure shall be considered a violation.

Nonmetallic Mining

Nonmetallic mining means operations or activities involving the extraction from the earth of mineral aggregates or nonmetallic minerals for sale or off-site use. Nonmetallic mining includes use of mining equipment or techniques to remove materials from the in-place nonmetallic mineral deposit, including drilling and blasting, as well as associated activities such as excavation, grading, dredging, stockpiling, blending of materials, crushing, screening, scalping and dewatering. Nonmetallic mining may include activities such as the significant change in topography, such as leveling hills or knolls, provided materials are used off-site.

Office

The Iowa County Office of Planning and Development.

Off-Premise Sign

A sign which directs attention to a business, commodity, service or entertainment conducted, sold or offered elsewhere other than the same premises that the sign is located.

On-Premise Sign

A sign which directs attention to a business, commodity, service, items or entertainment sold, offered or conducted on the same premises that the sign is located.

Parking Lot

A graded and surfaced area of not less than one hundred and eighty (180) square feet in area either

enclosed or open for the parking of a motor vehicle, having adequate ingress and egress to a public street or alley.

Parties In Interest

Includes all abutting property owners, all property owners within one hundred (100) feet, and all property owners of opposite frontage.

Planned unit development

A planned unit development is a development on a large parcel of land, held in single ownership, where more than one principal use or building is to be permitted on a lot. See Section 5.0 of this Ordinance.

Portable Sign

A sign not permanently attached or affixed to a stationery building, post, or structure and that is transported to a location for temporary display.

Poster Panel

See “Off-premise sign”

Premise

As this refers to signs, a premise shall be a property described by zoning lot description or legal description as used to transfer property. A property described in a lease shall not be considered a premise.

Professional Home Office

Residences of doctors of medicine, practitioners, dentists, clergymen, architects, landscape architects, professional engineers, registered land surveyors, lawyers, artists, teachers, authors, musicians, beauticians, barbers or other recognized professions used to conduct their professions where the office does not exceed one-half (1/2) the area of only one floor of the residence and only one nonresident person is employed.

Recreation Camp

An area containing one or more permanent buildings used occasionally or periodically for the accommodation of members of associations or groups for recreational purposes.

Recreational Residential Rental

The use of land or a building, whole or in part, for the temporary accommodation of visitors, but does not include the accommodation of visitors without receipt of payment or other consideration, where the accommodation is incidental to and normally associated with the permitted residential use of a dwelling unit.

Rear Yard

A yard extending across the full width of the lot the depth of which shall be the minimum horizontal distance between the rear lot line and a line parallel thereto through the nearest point of the principal structure. This yard shall be opposite the street yard or, on a corner lot, shall be opposite the street yard to which the building is facing.

Residence

see Dwelling

Rezoning

The change of zoning districts on a lot or lots. See also Land Use Change.

Road

see street

Roadside Stand

A temporary structure, not enclosed, and so designed and constructed that the structure is easily portable and can be readily moved.

Salvage Yard

A parcel of land upon which wastes or used or secondhand materials are bought, sold, exchanged, stored, processed or handled. Materials shall include, but are not limited to, scrap iron and other metals, paper, rag, rubber tires, vehicles, equipment and bottles.

Setback, Highway

The minimum horizontal distance from the centerline of a highway or its right-of-way line to the nearest part of the building, exclusive of permitted projection, measured at right angles to the right-of-way line.

Semi-trailer or Trailer Sign

Any semi-tractor trailer, panel trailer, or other trailer, with or without the capability to be licensed for operation on the highway, used exclusively for the purposes of providing surface area for attached or painted signage parked or located off a public highway or road.

Side Yard

A yard extending from the street yard to the rear yard of the lot, the width of which shall be the minimum horizontal distance between the side lot line and a line parallel thereto through the nearest point of the principal street.

Sign

Any object, device, fixture, placard, or structure, or part thereof, situated outdoors, which is used to advertise, identify, display, direct, announce the purpose of, or attract attention to an object, person, institution, organization, business, product, service, event or location, either on the lot or on any other premises, by any means, including words, letters, figures, designs, or graphics, symbols, fixtures, colors, illumination, or projected images, and which is visible from any place on the main-traveled way of any highway, public street, road or other vehicular right-of-way.

Single-Family Residence

A building with no more than one dwelling unit to be used by a single family.

Street

A public right-of-way not less than sixty-six (66) feet wide providing primary access to abutting properties.

Street Yard

A yard extending across the full width of the lot, the depth of which shall be the minimum horizontal distance between the existing or proposed street or highway right-of-way line and a line parallel thereto through the nearest point of the principal structure. Corner lots shall have two such yards.

Street Line

A dividing line between a lot, tract or parcel of land and an adjacent street right-of-way.

Structure

Any construction, excluding fills and fences, or any production or piece of work artificially built or composed of parts joined together in some definite manner having form, shape and utility. Examples include, but are not limited to, buildings, towers, mobile homes, manufactured homes; carports, additions, decks, swimming pools, and sheds.

Structural Alterations

Any replacement in excess of 50% of any supporting members of a structure, such as foundations, bearing walls, columns, beams, or girders.

Tourist Cottage

A building of no more than two dwelling units used for the temporary accommodation of visitors that includes receipt of payment or other consideration.

Turning Lanes

An existing or proposed connecting roadway between two arterial streets or between an arterial street and any other street. Turning lanes including grade separated interchange ramps.

Utilities

Public and private facilities such as water wells, water and sewage pumping stations, water storage tanks, electrical power substations, static transformer stations, telephone and telegraph exchanges, microwave radio relays, and gas regulation stations, but not including sewage disposal plants, municipal incinerators, warehouses, shops and storage yards.

Vehicle Sign

Any vehicle, including semi-trailers, trailers, campers, buses, automobiles, trucks, vans and other like vehicles parked on property primarily as advertising for the property, product or service. Such vehicles that are moved on a daily basis shall not be considered vehicle signs.

Yard

An open space on the same lot with a building, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein. The measurements of a yard shall be construed as a minimum horizontal distance between the lot line and the exterior wall of a building or structure.

Zoning Lot

A lot as shown on the Official Zoning Map.

Appendix A: Amendments

Year	Section(s)	Summary
1978	2.3	permit fees
	2.5	50 foot wide access
	3.1	added AB-1 District to listing
	3.3	language amendment
	3.5	added AB-1 District
		B-2 language amendment
	3.6	uses amendment
	9.1	A-1 parcel of record
	10.3	Board of Adjustment filing fee
	11.0	Zoning Hearing fee
	12.0	added: farm, lot, residence
1981	2.3	late permit fee
1982	3.35	added AR-1 District
1987	2.6	removed language
	3.35	removed language
	7.2	removed language
	8.2	added “or Director”
	8.3	removed 15 foot setback
	8.4	removed setback
	8.5	removed setback
	12.0	removed language
1995	2.3	permit fees
	2.6	added junked vehicles restriction
	3.3	removed 200 foot distance
		added prime soils restriction
	3.5	added mini-storage warehouses to B-2
		added portrait studio & art gallery to B-1
		added taxidermy to B-2 and M-1
		added kennels, etc to B-1
	4.3	conditional use permit fee
	5.9	removed camp ground permit requirement
	8.1	sign permit fees and renewal requirement
	9.1	50% rule to value at time of application
	10.3	Board of Adjustment filing fee
	11.0	Zoning Hearing filing fee
	12.0	added: dwelling unit, single-family residence, duplex or two-family residence, multi-family residence, junked vehicle
1996	3.3	removed mobile home allowance
	3.35	excluded septic systems as development
		replace “residence” with “dwelling”
	3.4	replace “residence” with “dwelling”

	3.5	replace “residence” with “dwelling”
	3.6	replace “residence” with “dwelling”
	4.4	added alteration or reduction of lot
	6.3	up to 4 users maximum on private drive
	10.3	regular monthly meetings
	12.0	added: mobile home, manufactured home
1997		multiple statute renumbering
	2.3	permit fees for R-4
	2.3	permit fees
	3.1	add H-1 District
	3.3	added conditional uses
	3.35	added conditional uses
	3.4	added R-4 District
		removal of conditional uses from R-1 & R-2
	8.0	sign provision
	12.0	sign definitions
1998	3.3	driveway/prime soils exemption
2000	3.3	prime soils exemption
		restructure text
	3.35	prime soils restriction
		metes and bounds description
	12.0	cluster definition
		prime soils definition
2002	2.3	permit fees & permit life
2003	8.0	signs
	12.0	definitions relating to signs
2004	8.4	allowed signs
2005		**Comprehensive Revision: adopted by the Iowa County Board of Supervisors March 15, 2005**
2005	2.6, 7.2	County Board Resolution May 17, 2005
2007	several sections	clarification text
		easement width
		tourist cottage
		agritainment
		recreational residential rental
		commercial livestock operation
		wind turbine setback
		….& more per County Board Resolution 1-0907
2008	10.1	Board of Adjustment from 5 to 3 members
2013	2.4	ten days to respond to Certificate of Compliance request
	8.4(3)	increase display area of on-premise ground signs
	13	define “cemetery”
	3.0	“cemetery” or “cemeteries” as conditional use permit option in A-1, AB-1, RB-1, B-2, H-1 and AR-1 districts
	10.3	notice requirements for Board of Adjustment hearings

2014	2.31	created per Resolution 5-0214
	2.32	created per Resolution 5-0214
	3.5	AB-1 & B-5 nonmetallic mining language revised per Resolution 5-0214
	4.5	created per Resolution 5-0214
	13.0	Nonmetallic Mining definition added per Resolution 5-014
2014-2	3.2	Removal of text relating to wind energy systems Removal of text relating to telecommunication towers
	7.1	Removal of text relating to wind energy systems Removal of text relating to telecommunication towers
2016	2.8 & 2.9	Removal of grace period; clarification of penalties
2016	8.0	Sign regulations