



**Waupaca County
Planning & Zoning Office**

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ZONING ORDINANCE, CHAPTER 34

LEGEND:

Highlighted Term = Additional language proposed

Red Font Strikethrough = Language proposed to be stricken

Amend Sec. 1.06

General Interpretation

The following rules of construction shall apply to this Ordinance: The particular shall control the general; in case of any difference of meaning or implication between the text of this Ordinance and any caption or illustration, the text shall control; the word "shall" is always mandatory, whereas the word "may" is permissive; words used in the present tense shall include the future, and words used with singular number shall include the plural, and the plural the singular, unless the context clearly indicates the contrary; building or structure includes any part thereof; the phrase "used for" includes arranged for; the person includes an individual, a corporation, a partnership, an incorporated association or any other similar entity, unless the context clearly indicates the contrary. Where a regulation involves two (2) or more items, conditions, provisions or events connected by the conjunction and, or, either...or, the conjunction shall be interpreted as follows; and indicates that all the connected items, conditions, provisions or events shall apply, or indicates that the connected items, conditions or events may apply singly or in any combination; either...or indicates that the connected items, conditions, provisions or events shall apply singly, but not in combination; ~~all measured distances shall be to the nearest integral foot, if a fraction is one half (1/2) foot or more, the integral foot next above shall be taken~~; the masculine gender includes the feminine and the neutral.

Amend Sec. 1.07

Insert definitions of:

Brew Pub: A facility for the production of 31,000 gallons or less per year of fermented malt beverages in accordance with Wis. Stats. 125.295 in which a license to operate a restaurant has also been issued under Wis. Stat. 97.30 on the same premises.

Brewery: A facility for the production of fermented malt beverages, as defined in Chapter 125 of the Wis. Stats., that are sold wholesale and/or off premises directly to retailers as authorized by statute.

Brewery, Micro: A facility for the production of 100,000 gallons or less per year of fermented malt beverages, as defined in Chapter 125 of the Wis. Stats., that are sold wholesale and/or off premises directly to retailers as authorized by statute.

Brewery, Nano: A facility for the production of less than 10,000 gallons of fermented malt beverages per year that may be bottled, packaged, possessed, stored, sold, shipped, transported, delivered and/or consumed on premise in accordance with the provisions of Wis. Stat. §125.29. A nano-brewery may operate a restaurant on the brewery premises as provided in Wis. Stats. 125.29(6).

Camping Unit: A recreational vehicle (RV), motor home, pick-up coach, travel trailer, camping trailer, park model, cabin, yurt, or tent not exceeding four hundred (400) square feet.

Distillery: A facility for the production of any beverage, except beer, made by a distillation process from agricultural grains, fruits, and sugars. For example: whiskey, brandy, gin, or rum.

Hobby farm: A use of the land that is primarily residential in nature but may include the raising of livestock primarily for recreational purposes.

Suitable Area or Acreage: Area of land capable of supporting and maintaining farm animals. Suitable areas do not include wetland areas, buildings, driveways, surface water, right of ways, and the like.

Wine Pub: A tavern, cocktail lounge, restaurant, grocery store, liquor store, or other similar retail establishment that includes a facility for the production of 20,000 gallons or less per year of wine as defined by Wis. Stats., that are sold for consumption on premises, or that are sold directly to the consumer as carry out items.

Winery: A facility for the production of normally fermented juices and/or must of sound, ripe grapes, other fruits or other agricultural products.

Winery, Nano: A facility for the production of less than 10,000 gallons of wine per year that may be bottled, packaged, possessed, stored, sold, sampled, shipped, transported, delivered and/or consumed on premise in accordance with the provisions of Wis. Stats. ch. 125.53. A nano-winery may also operate a restaurant on the winery premises in accordance with county and state permitting requirements.

Amend Sec. 1.07(61)

61. Structural Alteration: Any changes to an existing layout of space that will result in a change to the dimensions of a structure; involve the reconstruction, replacement or addition of exterior walls, ~~and/or~~ foundation, or structural components; or change the pitch of the existing roof.

Please note All formatting, renumbering, and references will be corrected prior to review with the Planning and Zoning Committee.

Amend Sec. 1.07(70)

78. Yard: An open space on a lot which is unoccupied and unobstructed from its lowest level to the sky. ~~A yard extends along a line and at right angles to such lot line to a depth or width specified in the yard regulations for the zoning district in which such lot is located.~~

80. Yard, Rear: The portion of the yard on the same lot with the principal building, located between the rear line of the building and the rear lot line and extending for the full width of the lot. In the instance of a corner lot, the rear yard shall be opposite the front yard which is associated with the address of the property.

Amend Sec. 1.07(60)

~~Street Line: The dividing line between a lot and a continuous street.~~

Amend Sec. 2.02(2)(c)(1)

(10) Fences, however, must be in accordance with Sec. 2.07(4)(d) and Sec. 2.08(5)(c) ~~16(2)(a)~~.

Amend Sec. 2.03**Exemptions**

The following uses are exempted by this Ordinance and are permitted in any zoning district: poles, wires, cables, conduits, vaults, laterals, pipe mains, valves, or any other similar distributing equipment for telephone or other communications and electric power, gas, water, and sewer lines, ~~structural alterations involving ordinary maintenance~~, and satellite dishes less than one (1) meter in diameter.

Amend Sec. 2.05(1): Area Regulations

1. Lot Reduction: After adoption of this Ordinance, no lot area shall be so reduced that the dimensional and ~~yard~~ setback requirements required by this Ordinance cannot be met.

Delete Sec. 2.05(2) & (3):

~~2. Yard and Open Space Regulations: All yards and other open spaces allocated to a building shall be located on the same lot as such building. The maintenance of yards and other open space and minimum lot area legally required for a building shall be a continuing obligation of the owner of such building or of the property on which it is located, as long as the building shall, by virtue of change of ownership or for any other reason, be used to satisfy yard, other open space, or minimum lot area requirements for any other building.~~

~~3. Average Setback Determination: A setback equal to the average setback of existing principal buildings located within five hundred (500) feet of a proposed building site and on the same side of the street shall be permitted where five (5) of these buildings do not conform to the appropriate setback line.~~

Amend Sec. 2.05(4) (renumbered to Sec. 2.05(2)):

2. Building Over Lot Lines: When the same entity owns more than one (1) contiguous lot and wishes to place a new building across lot lines or within minimum required ~~yard areas~~ lot line setbacks between lots in the same ownership, the two (2) or more lots shall be legally combined into one (1) lot before a Land Use Permit will be issued.

Amend Sec. 2.06(2):

2. Exemptions. Heights of the following structures may exceed Ordinance limits as identified in Section 4.0 for the zone in which they are to be located: Cooling towers, stacks, lookout towers, silos, windmills, water towers, spires, radio and television aerials, masts, antenna, roof and building mounted solar panels, and mechanical appurtenances and barns and other buildings designed for the storage of agricultural products.
 - a. Structures that are exempted from the height provisions of this ordinance shall comply with setback regulations of Section 2.08.

Amend Sec. 2.07 Visual Clearance:

1. All State and Federal Highways in the County are hereby designated Level I ~~H~~ HHighways.
2. All County Trunk Highways not designated Level I are hereby designated Level II ~~H~~ HHighways.
3. Town Roads or all other roads: An access servicing five (5) existing principal structures or servicing five (5) or more lots will hereby be designated as a Level III Highway.
4. In each quadrant of every ~~street~~ street ~~highway~~ highway intersection there shall be designated a visual clearance triangle bounded by the ~~street~~ street ~~highway~~ highway centerlines and a line connecting them.
 - a. The line along a Level I Highway centerline shall be three hundred (300) feet. ~~from a Level I highway intersection;~~
 - b. The line along a Level II Highway centerline shall be two hundred (200) feet. ~~from a Level II highway intersection, and~~
 - c. The line along a Level III Highway centerline shall be one hundred fifty (150) feet. ~~from a Level III highway intersection.~~
 - d. Within this triangle, no object or structure over two (2) feet in height above these streets highways shall be allowed if it obstructs the view across the triangle. Posts or fences a maximum of thirty percent (30%) solid and less than three (3) feet in height, and natural vegetation, and agricultural crops are excluded from this provision.
5. An exception to the dimensional requirements for the visual triangle shall be made in a registered and approved platted area where Level III ~~roads~~ Highways only are involved. Here the visual triangle shall be bounded by the ~~street~~ street ~~highway~~ highway centerlines and a line connecting them, one hundred twenty-six (126) feet from the intersection.

Amend Sec. 2.08: (content moved from Sec. 2.16)

2.08 Setbacks

1. Setbacks are measured to the first vertical wall or post of any structure.
 - a. Roofs, overhangs, or other architectural features in excess of three (3) feet within any setbacks are not permitted.
2. Level I Highway setback shall be fifty (50) feet from the right-of-way line. Level II Highway setback shall be seventy-five (75) feet from the marked centerline of the highway or forty-two (42) feet from the right-of-way line, whichever is greater. Level III Highway setback shall be sixty-three (63) feet from the center of the travelled path or thirty (30) feet from the right-of-way line, whichever is greater.
 - a. Road Highway Setback Average
 - (1) Average Setback Determination: The road highway setbacks for Level III Highways found in Section 2.08 may be reduced, as described in par. ~~b~~(2), provided all the following are met:
 - (a) There are existing structures located on adjacent lots to the proposed building site in both directions on the same side of the road highway.
 - (b) The existing structures are located within two hundred and fifty (250) feet of the proposed building site.
 - (c) Both existing structures do not meet the required road highway setback.
 - ~~(d) Required road setbacks cannot be met.~~
 - (2) Average Setback Application: The average setback shall be calculated by averaging the road highway setback distances of the existing adjacent structures described in par. ~~a~~(1). The following shall also apply:
 - (a) The road highway setback may not be reduced to less than twenty (20) feet to the right-of-way or fifty-three (53) feet to the centerline of the road travelled path, whichever setback distance is greater.
 - (b) Where no right-of-way exists, the centerline of the as travelled Level III Highway shall be utilized for the measurement. The road highway setback in this case may not be reduced below fifty-three (53) feet from the centerline.
 - (c) Accessory structures may not be utilized in the application of a reduced setback for a proposed principal structure and, likewise, principal

structures may not be utilized in the application for a proposed accessory structure.

3. Railroad Setbacks: the minimum allowable horizontal distance from a parcel predominately utilized for railroad purposes to the nearest vertical wall or other vertical element of a building or structure.

a. All principal and accessory structures on a parcel abutting a lot used predominately for railroad purposes must meet the lot line setbacks specified in Table 4, except as noted in Section 2.08.5.f.

4. Lot Line Setbacks

a. All principal and accessory structures must meet the required setbacks as specified in Table 4, unless otherwise specified.

b. An accessory structure or use less than two hundred (200) square feet in area and located in a rear yard can be located seven and one-half (7 ½) feet from any lot line.

5. Setback Exemptions. The following shall be exempt from all highway, railroad, and lot line setbacks except where necessary to provide visual clearance at highway intersections as described in Section 2.07:

a. Marquees and awnings adjoining the principal building's overhanging roof eaves, driveways, ornamental light standards, flag poles, arbors, trellises, shrubs, retaining walls, permitted signs, outdoor fuel dispensing equipment, air conditioning units, and open accessory off-street parking spaces.

b. Walkways and sidewalks that are five (5) feet or less in width.

c. Fences; however, those located within a highway setback must be less than four (4) feet in height.

d. Trails, pathways, walkways, and sidewalks that are designed and intended for public use.

e. A four (4) foot by six (6) foot open platform for safe access to an existing egress/ingress on a principal structure.

f. Structures utilized for the loading and unloading of rail cars are exempted from railroad setbacks.

6. In all zoning districts, any building or structure that exceeds thirty-five (35) feet in height must be set back from all parcel lines, property lines and lot lines, a

distance equal to the height of the building or structure, excepting amateur radio antennas.

7. The county reserves the right to require a survey, at owner's expense, prior to issuance of a permit when a proposed structure is located, in the County's judgment, at or near the required setback to a property line.
8. Reasonable Accommodations: The Planning and Zoning Director may issue a special Land Use Permit to relax the standards of this ordinance in order to provide reasonable accommodations as required by Federal or State law. Such relaxation shall be the minimum necessary to be consistent with Federal guidelines for accommodation of persons with disabilities and shall, where practicable, be terminated when the facility is no longer used by the disabled person. A person applying for a Land Use Permit for construction under this section shall establish the nature and extent of the disability and that the relaxation requested is the minimum necessary to provide reasonable use of the facility. A deed restriction or affidavit for the reasonable accommodation shall be filed with the Register of Deeds.

Amend Sec. 2.09: Setback Exceptions for Essential Service Facilities

Overhead and underground essential service facilities installed as of November 19, 2002, including, but not limited to, sewer and water utilities, electric power, and telecommunications, but not including any buildings, towers, or antennas, may be located within any required setback on the condition that the owner of such facilities within ~~front yard~~ highway setbacks shall remove all construction, additions, and replacements of these facilities at the owner's expense when necessary for the improvement of the highway.

Essential service facilities that are in place on private property within the ~~front yard~~ highway setback prior to November 19, 2002 shall not be entitled to an exception to the setback requirement of the Zoning Ordinance.

Amend Sec. 2.13(1)

2.13 Nonconforming Use of Structures or Premises

- 1) Limitations: ~~No such use shall be expanded or enlarged. No use shall be expanded within a structure which, as of the effective date of this Ordinance or amendment, was only partially designed for or devoted to carrying on such use.~~ A nonconforming use may be expanded or enlarged provided the existing use isn't changed from the original nonconforming use.

Amend Sec. 2.15

2.15 Accessory Uses and Structures

1. Accessory buildings, structures and uses are permitted in all zoning districts, except the Conservancy District, which may require a Conditional Use Permit, and they shall be compatible with the principal uses on a parcel. ~~An accessory structure may be placed on a parcel prior to a principal structure if approved by the Planning & Zoning Director or designee, and if the following conditions are met:~~ Accessory structures and buildings shall meet the following standards:
 - a. No accessory ~~building~~ structure or part thereof shall be used for living, sleeping, or eating quarters.
 - b. No commercial use shall be allowed in ~~this~~ an accessory structure unless the property is appropriately zoned for the proposed use or a Land Use Permit for home occupation (see Section 6.05 (7) & (8)) has been obtained.
 - c. In residential uses, no sanitary system or plumbing shall be allowed in ~~this~~ an accessory structure if it is built prior to the dwelling.
 - d. The structure must be according to the site plan and meet all the required setbacks.
 - e. All other Sections of this Ordinance must be met.

Delete Sec. 2.15(4): Accessory Uses and Structures (relocated to 2.08 Setbacks)

~~4. Location: No accessory building or structure shall be erected or altered or moved to a location within the any required setback area of any yard. An accessory structure or use less than two hundred (200) square feet in area and located in a rear yard can be located seven and one-half (7 ½) feet from any property line.~~

Insert Sec. 2.15(8):

The parking of a commercial type vehicle on a residential lot when such vehicle is owned or leased and operated by a person living in the dwelling unit and used on a daily basis for transportation to and from a separate work place. This provision does not apply to equipment such as back-hoes, skid-steers, dump trucks, equipment trailers and other items that are inconsistent with the residential use of the property.

Delete Sec. 2.16 Yard Regulations (most content relocated to Sec. 2.08 Setbacks):

2.16 Yard Regulations

- ~~1. All structures must meet the required setbacks as specified in Table 4, unless otherwise specified.~~
- ~~2. Yard setbacks are measured to the first vertical wall or post of any structure.~~

~~a. Roofs, overhangs, or other architectural features in excess of three (3) feet within any yard setbacks are not permitted.~~

~~3. The following shall not be considered to be obstructions when located in yards as specified:~~

~~a. In Any Yards: Marquees and awnings adjoining the principal building's overhanging roof eaves; walkways and sidewalks that are five (5) feet or less in width, driveways, ornamental light standards, flag poles, arbors, trellises, shrubs, retaining walls, permitted signs, outdoor fuel dispensing equipment, air conditioning units and fences. However, fences must be less than four (4) feet in height if located in a front yard setback. Trails, pathways, walkways and sidewalks that are designed and intended for public use.~~

~~b. In Side Yards: Open accessory off-street parking spaces, except in a side yard abutting a street.~~

~~c. In Rear Yards: Enclosed, attached, or detached off-street parking spaces; open offstreet parking spaces; and balconies, breezeways and open porches.~~

~~d. Accessory Buildings or Structures: See Section 2.15 and Table 4.~~

~~e. Pools: Swimming pools, aboveground or in-ground, may not encroach on required side space.~~

~~f. Cemetery Monuments: Above-grade monuments must meet the structural setbacks.~~

~~4. In all zoning districts, any building or structure that exceeds thirty five (35) feet in height must be set back from all parcel, property lines and lot lines, a distance equal to the height of the building or structure, excepting amateur radio antennas.~~

~~5. The county reserves the right to require a survey, at owner's expense, prior to issuance of a permit when a proposed structure is located, in the County's judgment, at or near the required setback to a property line.~~

~~6. The Planning and Zoning Director may issue a special land use permit to relax the standards of this ordinance in order to provide reasonable accommodations as required by Federal or State law. Such relaxation shall be the minimum necessary to be consistent with Federal guidelines for accommodation of persons with disabilities and shall, where practicable, be terminated when the facility is no longer used by the disabled person. A person applying for a land use permit for construction under this section shall establish the nature and extent of the disability and that the relaxation requested is the minimum necessary to provide reasonable use of the facility. A deed restriction or affidavit for the reasonable accommodation shall be filed with the Register of Deeds.~~

Delete Sections 2.17 & 2.18 (already addressed in Sec. 1.04):

2.17 State Permit

~~A permit shall be obtained from the State agency authorized by law to issue such permits when required under Sections 30.19, 30.12, 30.195 and 30.20 of the Wisconsin Statutes or other applicable State regulations.~~

2.18 Shoreland Zoning

~~See Waupaca County Shoreland Protection Ordinance, Chapter 32, Waupaca County Code of Ordinances.~~

Delete Sec. 2.19 (relocated to Sec. 2.08 Setbacks):

~~The following shall be exempted from side yard, rear yard, and roadway setback requirements except where necessary to provide visual clearance at roadway intersections as described in Section 2.07:~~

- ~~1. A four (4) foot by six (6) foot open platform for safe access to an existing egress/ingress on a principal structure.~~

Amend Table 4.0:

Amend Setback Column Headers:

Front yard Highway Setback: Per Section 2.08

Minimum ~~Side Yard~~ Lot Line

~~Minimum Rear Yard~~

Amend Minimum Lot Line Column:

RC-N= ~~None~~³ 10 Ft³; RC-O= ~~None~~³ 10 Ft³; RC-G= ~~None~~³ 10 Ft³; RI-I= ~~10 ft~~³ 20 Ft³

Delete entire "Minimum Rear Yard" Column

Amend Table 5.0:

"Contractor Shop" use for the RC-G zoning district from ~~Conditional~~ to Permitted.

"Light Industrial" use for the RC-N zoning district from ~~Not Permitted~~ to Conditional.

Insert into table: "Indoor Shooting Ranges for Firearms" use for the RC-N and RC-G =Conditional.

Amend: ~~Mini Warehouse~~ Personal Storage Facility

Amend Table 5.1:

Insert into table: "Indoor Shooting Ranges for Firearms" use for RC-O = Conditional

Amend "Private Reception Venue" to include "C" under PVRF, AE, AR, and RC-O.

****add footnote "Conditional Use Permit shall be compliant with Wis. Stats 91.46(1)"****

Amend 6.05(1):

1. Single-Family Residence, Nonfarm: Land uses consisting of a single detached building containing one (1) dwelling unit.
 - a. Parking required is two (2) spaces per dwelling unit.
 - b. This land use includes modular homes as defined in the Wisconsin Statutes Section 101.71(6) and manufactured homes as defined in the Wisconsin Administrative Code SPS 327. This does not include mobile homes as defined in the Wisconsin Statutes 101.91(10).

Please note All formatting, renumbering, and references will be corrected prior to review with the Planning and Zoning Committee.

~~All dwellings shall meet the following requirements:~~

- ~~(1) All dwellings shall have a minimum width of twenty-two (22) feet.~~
- ~~(2) Roof pitch shall not be less than a nominal 3:12, rise to run.~~
- ~~(3) Roof overhang shall not be less than a nominal six (6) inches excluding any gutter.~~
- ~~(4) Any dwelling not meeting the above standards shall require a Conditional Use Permit.~~
- (5) c. Within the Farmland Preservation Overlay a nonfarm single family residence is a type of “single-family dwelling” that is located on a farm, but does not meet the criteria for a “farm residence” as described in Section 6.10.8. Where located within the Farmland Preservation Overlay, this use shall require a rezone and meet the following performance standards in compliance with Wisconsin Statutes 91.48(1):
 - a. The land is better suited for a use not allowed in the Farmland Preservation Overlay.
 - b. The rezoning is consistent with any applicable comprehensive plan.
 - c. The rezoning is substantially consistent with the Waupaca County Farmland Preservation Plan.
 - d. The rezoning will not substantially impair or limit current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.

d. Dwellings less than twenty-two (22) feet in width shall be regulated by Sec. 6.05(2).

Relocate 6.05(11) to 6.05(2):

11. 2. Dwelling Less Than Twenty-Two (22) Feet in Width:
 - a. Required parking is two (2) spaces per dwelling unit.
 - b. All residential dwellings under this section shall be skirted and have a proper foundation.
 - c. A contractor trailer may be used as a temporary office by a contractor for a permitted project not to exceed the project’s duration without the requirement of a Conditional Use Permit.

- d. In the Farmland Preservation Overlay, a dwelling less than twenty-two (22) feet in width must meet the standards for a Farm Residence as described in Section 6.10.8.

**** Rearrange order of uses in table 5.0 to reflect this relocation. ****

Amend Sec. 6.06(9):

Commercial Entertainment: Land uses which provide entertainment services. Such activities often have operating hours that extends significantly later than most other commercial land uses. Examples of such land uses include restaurants, banquet halls, beer gardens, taverns, brew pubs, wine pubs, nano-breweries and nano-wineries provided they have a restaurant or tavern, theaters, health or fitness centers, all forms of training studios (dance, art, martial arts, etc.), bowling alleys, arcades, roller rinks, and pool halls. Such land uses do not include sexually-oriented businesses. See Section 6.06.15 for applicable regulations.

Required parking is one (1) parking space per every three (3) patron seats or one (1) space per three (3) persons at the maximum capacity of the establishment, whichever is greater.

Insert Section 6.06(10)

10. Indoor Shooting Ranges: Land uses where people may participate in recreation, competition, skill and development training with firearms conducted entirely indoors, provided the following standards are met:

- a. All safety precautions shall meet or exceed the standards listed in the National Rifle Association Range Source Book, 1999; or successor sourcebook.
- b. Prior to operation, the shooting range shall be deemed consistent with Best Management Practices found in the National Rifle Association Range Source Book, 1999; or successor sourcebook, by the Department of Natural Resources and/or by the National Rifle Association Technical Advisory Team.

Amend Sec. 6.06(15):

15. ~~Mini Warehouse~~ **Personal Storage Facility:** Land uses oriented to the indoor and outdoor storage of personal items, e.g. mini-warehouse facilities ~~entirely within partitioned buildings having an individual access to each partitioned area~~. Such storage areas ~~may~~ **shall** be available on either a condominium or rental basis. Onsite retail is prohibited, although General Temporary Outdoor Sales is permitted in accordance with Table 5 and Table 5.1.

When located within the Farmland Preservation Overlay the mini-warehouse must meet the definition provided in State Statute 91.01(1).

- a. All outdoor storage shall be screened from view from roadways and adjacent properties with a minimum eight (8) foot tall opaque fencing or berming.

Amend Sec. 6.07(2):

2. Light Industrial: Land uses which operations, with the exception of loading operations, are conducted entirely within an enclosed building and are not potentially associated with nuisances such as odor, noise, heat, vibration, and radiation which are detectable at the property line; do not pose a significant safety hazard; and comply with all of the applicable performance standards. **Examples of this use include nano-breweries and nano-wineries.**
 - a. Light industrial land uses may conduct retail sales activity as an accessory use.
 - b. Required parking is one (1) parking space per each employee on the largest work shift.

Amend Sec. 6.07(3):

3. Heavy Industrial: Land uses which meet one (1) or more of the following criteria: are not conducted entirely within an enclosed building; are potentially associated with nuisances such as odor, noise, heat, vibration, and radiation which are detectable at the property line; and pose a significant safety hazard, such as danger of explosion. Examples of heavy industrial land uses include meat product producers; ~~alcoholic beverage producers~~; **breweries, micro-breweries, wineries, micro-wineries, distilleries and their accessory sample tasting**; paper, pulp or paperboard producers; chemical dealers and/or storage facilities; chemical and allied product producers, except drug producers, but including poison or fertilizer producers; petroleum and coal product producers; asphalt, concrete or cement producers; tanneries; stone, clay or glass product producers; primary metal producers; heavy machinery producers; electrical distribution equipment producers; electrical industrial apparatus producers; transportation vehicle producers; commercial sanitary sewage treatment plants; railroad switching yards; and recycling facilities not involving the on-site storage of salvage materials.

Required parking is one (1) space per each employee on the largest work shift.

Amend Sec. 6.08(9):

9. Small Solar Energy System: An energy system <20 kilowatts that converts solar energy to usable thermal, mechanical, chemical, or electrical energy, where such solar energy system is accessory to the principal use of the land, e.g., solar panels providing energy for a residence on the same lot. This use shall meet the following performance standards:
 - a. Rooftop, ground-mounted, and building-mounted solar energy systems shall comply with the ~~height limits and~~ minimum required ~~yards setbacks~~ for principal structures. **Ground-mounted solar energy systems shall comply with the height requirements of Section 2.06.**

- b. The requirements of Wisconsin Statutes including, but not limited to, Sections 66.0401 and 66.0403, shall apply to all solar energy systems.
- c. In the Farmland Preservation Overlay, the Small Solar Energy System must meet the standards set forth in Section 6.10.5 for an Agricultural Accessory Use.

Amend Sec. 6.08(10):

- 10. Large Solar Energy System: An energy system >20 kilowatts that converts solar energy to usable thermal, mechanical, chemical, or electrical energy, where such solar energy system is typically a principal use of the land and designed primarily to generate energy for commercial sale off site. This use shall meet the following performance standards:
 - a. Rooftop, ground-mounted, and building-mounted solar energy systems shall comply with the ~~height limits and~~ minimum required ~~yards setbacks~~ for principal structures. Ground-mounted solar energy systems shall comply with the height requirements of Section 2.06.
 - b. The requirements of Wisconsin Statutes, including, but not limited to, Sections 66.0401 and 66.0403, shall apply to all solar energy systems.

Amend Sec. 6.09(3):

- 3. Outdoor Shooting Ranges for Firearms

Amend Sec. 6.09(5)a:

- 5. Campgrounds and Camping Resorts:
 - a. Land uses designed, maintained, intended or used for the purpose of providing camping sites for nonpermanent overnight use to accommodate not more than one (1) camping unit ~~recreational vehicle (RV), motor home, pick-up coach, travel trailer, camping trailer, park model, or tent~~ per site. This use also includes facilities for use by campers including restrooms/showers, active and passive recreation areas, office/convenience store buildings, and necessary accessory uses. Any public or private parcel of land containing four (4) or more recreational vehicles used for habitation and occupied thirty (30) days or longer shall be deemed a campground or camping resort.

Delete Sec. 6.09(5)a.13:

- (13) ~~There shall be a minimum of ten (10) camping sites completed and ready for occupancy before the first occupancy is permitted.~~

Amend Sec. 6.10(1)b.

b. Agriculture in the RR (Rural Residential) District requires a Conditional Use Permit.

(1) No Infrastructures would be allowed to be constructed on this property (i.e. drain tile, agricultural accessory structures, manure storage and the like) **except where required or allowed by a Conditional Use Permit.**

(2) Additional requirements may exist if the property is located within a platted subdivision.

Amend Sec. 6.10(2)

3. Agriculture – Animal Husbandry: Land uses that include keeping livestock, beekeeping, aquaculture, fur farming, and any other use that the Department of Agriculture, Trade, and Consumer Protection, by rule, identifies as an agricultural use.

a. In nonfarm/**hobby farm** residential lots within AE, AR, AWT, and PVRF zoning districts, one (1) animal unit per acre of ~~lot~~ **suitable** area shall be permitted. Animal units are defined in the Wisconsin Administrative Code Section 243.05(4). A listing of animal units is provided in Appendix B. Any animal units above this limit shall be considered through the Conditional Use Permit process ~~in these instances~~ **and requires approval by the Waupaca County Land and Water Conservation Department.**

b. **Animal husbandry in the Rural Residential District is permitted through the Conditional Use Permit process and requires approval by the Land and Water Conservation Department.**

c. For horse keeping, a Conditional Use Permit will not be considered by the Planning and Zoning Committee unless the applicant meets the minimum of one (1) **suitable** acre per horse. An exception to the minimum of one (1) **suitable** acre per horse may be allowed with a long term lease agreement for additional acreage.

d. For horse keeping, property owners must provide a shelter for horses with a minimum of three (3) walls and a roof.

Amend Sec. 6.10(3)

3. **Agriculture-Related Use:** An agricultural equipment dealership, facility providing agricultural supplies, facility for storing, handling, marketing or processing agricultural products, slaughtering livestock, facility for processing agricultural by-products or wastes, and any other use that the Department of Agriculture, Trade, and Consumer Protection, by rule, identifies as an agriculture-related use.
 - a. Examples of such uses include, but are not limited to, agricultural implement sales, storage, and/or repair operations; feed and seed stores; agricultural chemical dealers and/or storage facilities; animal feed storage facilities, except those accessory to an “agricultural use”; commercial dairies; food processing facilities; **micro and nano breweries and micro and nano wineries where the farm is the primary source of ingredients,** licensed farm auction operations; canning and other food packaging facilities; agricultural waste and by-product disposal facilities, except those accessory to an “agricultural use”; sawmills; de-barking operations; and chipping facilities. Not included within this land use category are plants intended to convert agricultural products to energy on a large-scale basis.
 - b. Required parking is one (1) space per employee on the largest work shift or one (1) space for every two hundred (200) square feet of product display area, depending on the specific land use type.
 - c. Farm equipment sales, service and repairs shall be conducted on a site of no less than twenty thousand (20,000) square feet. All storage of equipment shall be at least one hundred (100) feet from highways or roads and at least two hundred (200) feet from any residential property. If the Planning and Zoning Committee deems the operations will take on characteristics of a junkyard, it may require a hedge planting of sufficient size to screen the area from the public right-of-way.

Amend Sec. 6.10(5)(a)(5)

- (5) A facility used for manure storage or bunker silo. **Yard and roadway setbacks** for manure storage facilities are measured from the inside liner.

Amend Sec. 6.10(8)

8. Farm Residence: Any of the following structures located on a farm:
 - a. A single family residence that is the only residential structure on a farm.
 - b. A single family residence that is occupied by any of the following:
 - i. An owner or operator of the farm.
 - ii. A parent or child of an owner or operator of the farm.
 - iii. An individual who earns more than fifty percent (50%) of their gross income from the farm.
 - c. Farm residences are subject to the density provisions established in Section 7 and the single family residence provisions in 6.05(1) and (2).

Amend Sec. 6.10(11):

4. Private Reception Venue: A location, indoors or outdoors, which is used primarily to host events such as weddings, corporate events, fundraisers, and anniversary celebrations. The term includes event barns. With special standards being:
 - a. Minimum size of parcel must be at least five (5) acres.
 - b. Any structure or building to be used must meet all applicable local and state building code regulations for such use.
 - c. Where applicable, licenses or approvals must be obtained from other County departments, including, but not limited to the Health and Sheriff's departments.
 - d. Proper sanitary facilities must be provided and approved by the applicable authority.
 - e. Required parking is one (1) parking space per every three (3) patron seats or one (1) space per three (3) persons at the maximum capacity of the establishment, whichever is greater.
 - f. Private Reception Venues proposed in the Farmland Preservation Overlay are limited to utilizing only existing farm structures, unless rezoned to RC-O.

Insert Sec. 7.02(9):

- 9) Campgrounds, camping resorts, resort establishments, mobile home parks, and dormitories and staff housing dedicated to an institutional use do not require the use of a development right.

Amend Sec. 7.05**7.05 Rezoning:**

1. Nothing in this Section shall preclude the petitioner from seeking a zoning map amendment to remove lands from the PVRF, AE, AR, or AWT zoning districts unless located in Farmland Preservation in accordance with Section 14.05(112). **Rezoning in the Farmland Preservation Overlay will not create additional development rights.** In the event that such lands are rezoned away from one of these districts, and not rezoned to another one of these districts, the provisions of this Section shall no longer apply.
2. In the event that a property is rezoned into PVRF, AE, AR, AWT or RR zoning districts from a non-applicable zoning district, the assignment of densities will be determined during the rezoning process.

Insert Sec. 8.07.b

- b. **Rezoning in the Farmland Preservation Overlay will not create additional development rights.**

Amend Sec. 11.03:**11.03 Signs on State Controlled Roads**

The intent of this Ordinance is to recognize State control of signs along certain State and Federal highways and to defer to State enforcement and administration thereof, with County regulations being supplemental. ~~Off premise signs, however, shall only be allowed when there is a minimum distance of one thousand (1,000) feet from any other off premise sign located on the same side of the highway.~~

Amend 14.05.1.d.4

4. Monitoring and Potential Revocation of a Conditional Use Permit: The Planning and Zoning Committee or Planning & Zoning Director may require evidence and guarantees as proof that approved plans are being followed, required conditions are being met, and review criteria are being satisfied for conditional uses at all times. If the Planning and Zoning Committee finds that the review criteria of this Section or the conditions attached to the permit are not in compliance, the Planning and Zoning Committee may review the Conditional Use Permit **at a public hearing.** **As part of the review the Committee may ~~or~~ alter the Conditional Use Permit after a public hearing** amend the conditions of approval or revoke the approval of the Conditional Use Permit. ~~as provided for in this Section.~~ **Failure to comply with a condition of approval shall be construed as a violation of this ordinance and is subject to the enforcement provisions of this ordinance.**

Amend Sec. 14.05.1.d.1**(1) Time Limits Associated With Conditional Uses:**

- (1) If the approved Conditional Use is not initiated by securing a Land Use Permit, or, if more than one (1) permit is necessary, and securing at least one (1) necessary permit within twelve (12) months of the date of the approval is not done, the Conditional Use Permit approval shall ~~be reviewed by the Committee~~ expire. The applicant may apply for and the Planning and Zoning Committee may grant a one-time extension, provided that a written request for extension is submitted before the original expiration date. At the Planning and Zoning Committee's discretion, these provisions may be modified.

Amend Sec. 14.05.2.d

- a. Step 4—Committee Public Hearing and Recommendation: Per Wisconsin Statutes, the Planning and Zoning Committee shall conduct an on-site inspection of the property involved and a public hearing to hear testimony on the rezoning application at a date, time, and location specified in the public hearing notice prepared under Step 3. For a Town initiated multiple rezones within the Town, there will be no on-site inspections conducted. In the event that the scope, range of uses, or geographic area of the request is substantially increased from that noticed or presented at the public hearing, the Committee shall cause to be noticed and conduct an additional public hearing before taking action on the request. As soon as possible following the public hearing and the passage of the allowable timeframe for town action in Wisconsin Statutes, the Committee shall recommend whether the County Board should approve, approve with further modification from the original application, or deny the proposed rezoning requested through the application. All recommendations shall be accompanied by reasons based on the criteria for rezoning land included in ~~14.03.8~~ 14.05.2.h. If the affected town files a certified copy of a resolution indicating its disapproval of the proposed amendment, the Planning and Zoning Committee may not recommend approval of the application without change, but may recommend approval with change, or may recommend denial. A rezoning application may be dismissed by the Planning and Zoning Committee, upon notice to the applicant, if one (1) year has passed since the filing of the application or the last scheduled public hearing on said application, whichever is later. Dismissal during this step shall not limit the ability of the applicant to file a new application.