

TOWN OF NEW GLARUS
PLAN COMMISSION MEETING
THURSDAY, DECEMBER 16, 2021
AGENDA

NOTICE IS HEREBY GIVEN that Town of New Glarus Plan Commission, County of Green, may take action on the following matters if any required public hearing has been held:

LOCATION: Plan Commission meetings will take place in person or via Zoom until further notice due to risks associated with COVID-19.

Zoom Meeting
Meeting ID: 998 4822 3424
Password: 347806

New Glarus Town Hall
26 5th Avenue
New Glarus, WI 53574

DATE: Thursday, December 16, 2021
TIME: 6:00 p.m.

AGENDA

- 1) Call to Order
- 2) Proof of Posting
- 3) Approve November 18, 2021 minutes
- 4) Review Hoesly CSM
- 5) Discussion on proposed Green County land use/zoning ordinance changes
- 6) Review of unfiled plan records
- 7) Adjourn

Pursuant to applicable law, notice is hereby given that a quorum or a majority of the New Glarus Town Board Members may attend this meeting. Information presented at this meeting may help form the rationale behind future actions that may be taken by the Town of New Glarus Board. Persons requiring additional services to participate in a public meeting may contact the Town Clerk for assistance at 527-2390.

POSTED: 12/8/21

New Glarus Town Hall
New Glarus Maintenance
New Glarus Post Office
Townofnewglarus.com

Chris Narveson, Chair
Town of New Glarus Plan Commission

Tim Schleeper, Plan Administration

Jesse Wahl, Clerk-Treasurer

TOWN OF NEW GLARUS

PLAN COMMISSION MEETING/JOINT PARKS & PLAN COMMISSION MEETING THURSDAY, NOVEMBER 18, 2021 MINUTES

Attending:

Chris Narveson, John Freitag, Craig Galhouse, John Ott, Robert Elkins, Mark Pernitz, Reg Reis

Tim Schleeper, Bob Talarczyk, Eric & Rita Marunde

(virtual: Brian Aebly, ?)

1. Call to Order: C. Narveson called the meeting to order at 6:03
2. Proof: C. Narveson attested to proof of posting
3. Approve Minutes: approved (didn't pick up who)
4. Review official submittal of Arn CSM
 - a. Schleeper discussed review letter regarding two proposed CSM documents
 - i. This is the 'official' submittal – prior versions were being discussed between the applicant, Town, and Village to satisfy the ETZ ordinance and community needs
 - ii. Discussion regarding the public outlot – Town will need to maintain, but developer will need to do initial seeding and preparation.
 - iii. Discussion regarding drainage and effects upstream / downstream. Ott asked if the driveways may cause additional flooding. Developer is required to meet stormwater / erosion control requirements of DNR. Notes required by Town Engineer on CSM require the homeowner to submit a driveway plan for review and approval. Drainage and access will be a key consideration.
 - iv. Motion by Pernitz to recommend approval of the Outlot 1 CSM per the motion recommendation wording provided by the Town Engineer.
 - v. Motion by Pernitz to recommend approval of the 4-lot CSM per the motion recommendation wording provided by the Town Engineer.
5. Discussion on proposed Green County Land Use / Zoning Changes
 - a. Discussion was about the need for a complete revision of the zoning code rather than the selected sections proposed by the County Zoning Administrator. This opinion was proffered by the Town Attorney.
 - b. Marunde's expressed concern that Hemp Property would be allowed to continue 'as-is' as a grandfathered use if the zoning code is amended.
 - c. Comments regarding revisions are due back to the County in January.
 - d. Committee will review the changes further and make a recommendation in December.
6. Adjourn: Meeting adjourned

Minutes taken by Tim Schleeper

CERTIFIED SURVEY MAP NO. _____

Part of the Northeast and Southeast 1/4s of the Southwest 1/4 and the Northwest 1/4 of the Southeast 1/4 of Section 4, Town 4 North, Range 7 East, Town of New Glarus, Green County, Wisconsin.

LEGEND:



Concrete monument with brass cap found

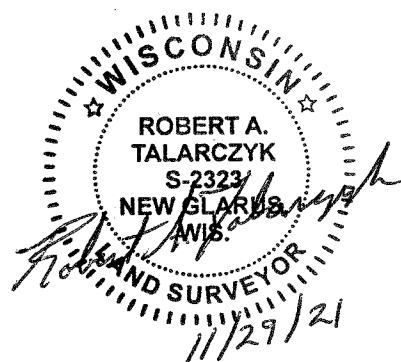
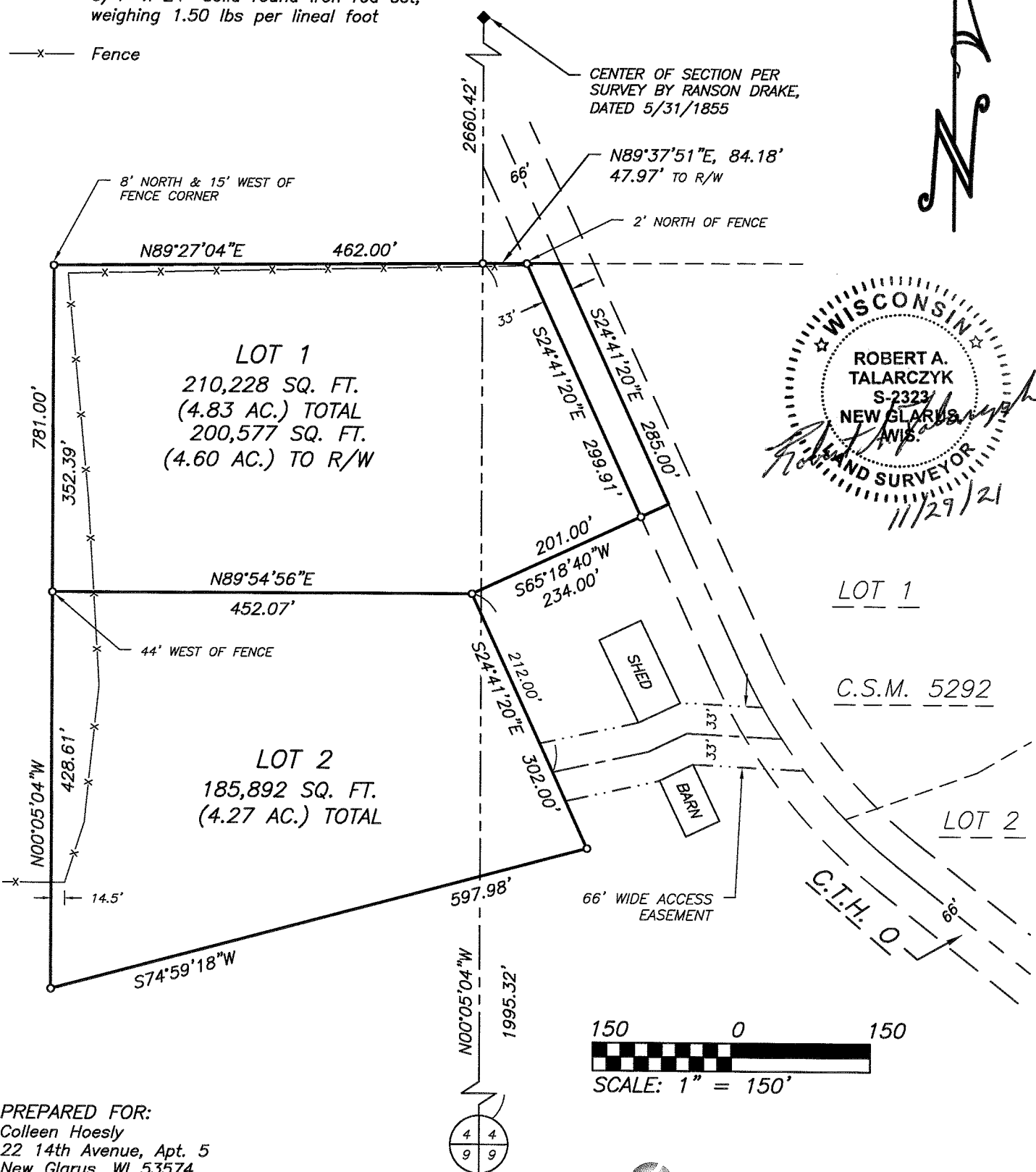


1-1/4" solid round iron rod found



3/4" x 24" solid round iron rod set, weighing 1.50 lbs per lineal foot

—x— Fence



PREPARED FOR:
Colleen Hoesly
22 14th Avenue, Apt. 5
New Glarus, WI 53574
(608) 852-4589

JOB NO. 21184
POINTS 19096
DRWG. 21184_1
DRAWN BY FLS

TALARCZYK
LAND SURVEYS LLC
517 2nd Avenue
New Glarus, WI 53574
608-527-5216
www.talarczyk-surveys.com

CERTIFIED SURVEY MAP NO. _____

Part of the Northeast and Southeast 1/4s of the Southwest 1/4 and the Northwest 1/4 of the Southeast 1/4 of Section 4, Town 4 North, Range 7 East, Town of New Glarus, Green County, Wisconsin.

NOTES:

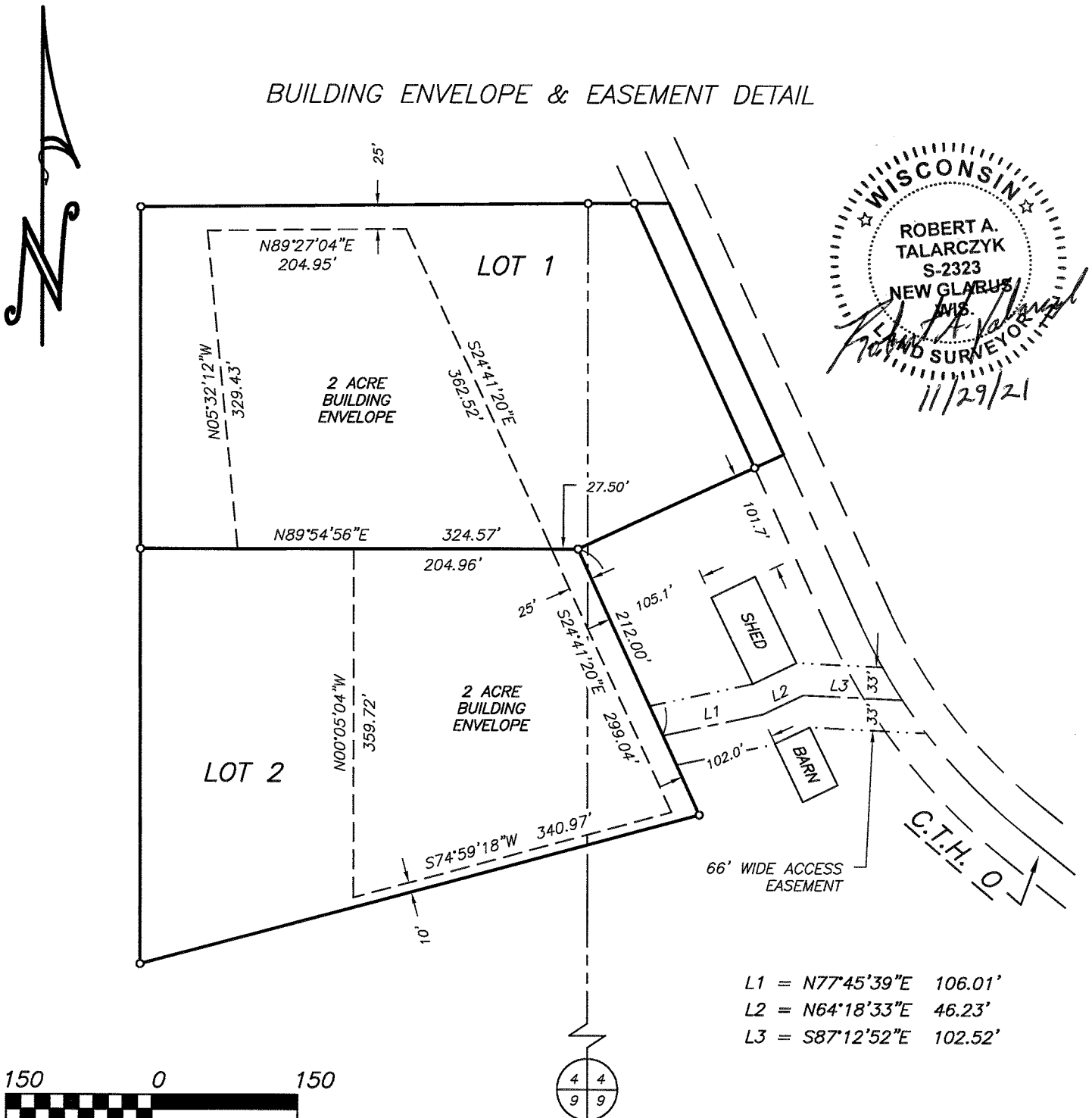
1.) Bearings are referenced to the Wisconsin County Coordinate System, Green County Zone, NAD83 (2011), in which the South line of the Southeast 1/4 of Section 4 bears N89°18'33"E.

I hereby certify that this survey is in compliance with Chap. 236.34 of the Wis. Statutes and that I have surveyed, monumented, and mapped the lands described hereon, and that this map is a correct representation thereof in accordance with the information provided.

November 29, 2021

Robert A. Talarczyk, P.L.S.

BUILDING ENVELOPE & EASEMENT DETAIL



150 0 150

 SCALE: 1" = 150'

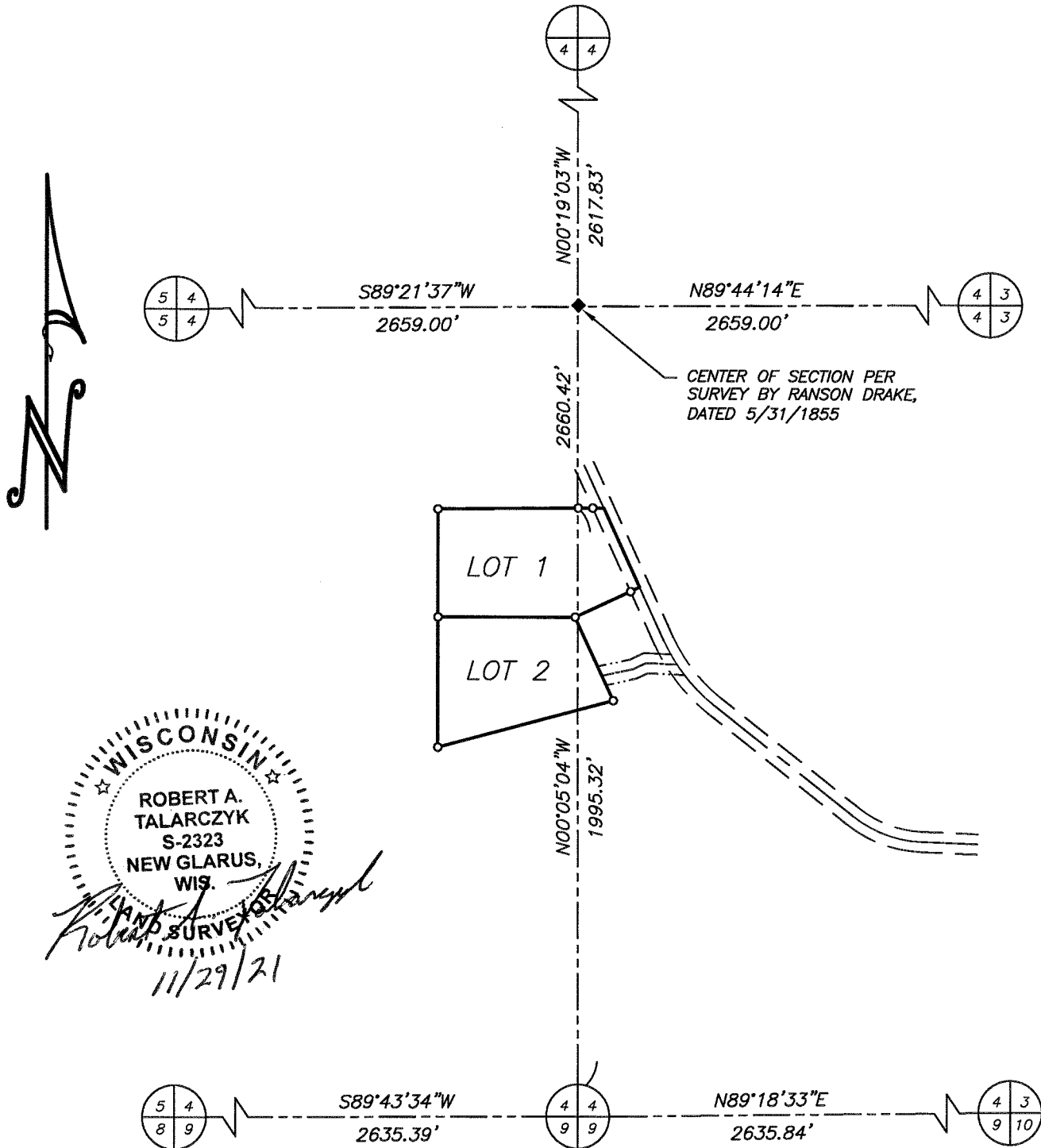
JOB NO. 21184
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CERTIFIED SURVEY MAP NO. _____

Part of the Northeast and Southeast 1/4s of the Southwest 1/4 and the Northwest 1/4 of the Southeast 1/4 of Section 4, Town 4 North, Range 7 East, Town of New Glarus, Green County, Wisconsin.

SECTION SUMMARY



TALARCZYK
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POINTS 19096
DRWG. 21184_1
DRAWN BY FLS

CERTIFIED SURVEY MAP NO. _____

That part of the Northeast and Southeast 1/4s of the Southwest 1/4 and the Northwest 1/4 of the Southeast 1/4 of Section 4, Town 4 North, Range 7 East, Town of New Glarus, Green County, Wisconsin, bounded and described as follows:

Commencing at the South 1/4 corner of said Section 4; thence N00°05'04"W, 1995.32' to the Northwest corner of the South 1/2 of the North 1/2 of the Southeast 1/4 of Section 4 and the point of beginning; thence N89°37'51"E along the North line of the South 1/2 of the North 1/2 of the Southeast 1/4 of Section 4, 84.18' to the centerline of C.T.H. O; thence S24°41'20"E along said centerline, 285.00'; thence S65°18'40"W, 234.00'; thence S24°41'20"E, 302.00'; thence S74°59'18"W, 597.98'; thence N00°05'04"W, 781.00' to the North line of South 1/2 of the North 1/2 of the Southwest 1/4 of Section 4; thence N89°27'04"E, 462.00' to the point of beginning; subject to a public road right of way as shown and to any and all easements of record.

Also subject to and together with a 66 foot wide access easement in favor of Lot 2, located in the Northwest 1/4 of the Southeast 1/4 of Section 4, Town 4 North, Range 7 East, Town of New Glarus, Green County, Wisconsin, whose centerline is described as follows:

Commencing at the South 1/4 corner of said Section 4; thence N00°05'04"W, 1995.32' to the Northwest corner of the South 1/2 of the North 1/2 of the Southeast 1/4 of Section 4; thence N89°37'51"E along the North line of the South 1/2 of the North 1/2 of the Southeast 1/4 of Section 4, 84.18' to the centerline of C.T.H. O; thence S24°41'20"E along said centerline, 285.00'; thence S65°18'40"W, 234.00'; thence S24°41'20"E, 212.00' to the point of beginning of the line being described; thence N77°45'39"E, 106.01'; thence N64°18'33"E, 46.23'; thence S87°12'52"E, 102.52' to the centerline of C.T.H. O and the end of the line being described; intending to lengthen or shorten the side lines of said easement to intersect the centerline of C.T.H. O and the East boundary of Lot 2.

OWNER'S CERTIFICATE OF DEDICATION:

As owner, I hereby certify that I have caused the land described on this Certified Survey Map to be surveyed, divided, mapped and dedicated as represented hereon. I also certify that this map is required by s.236.10 or s.236.12 to be submitted to the following for approval or objection: The Town of New Glarus, The County of Green.

WITNESS the hand and seal of said owner this _____ day of _____, 20_____.
In the presence of:

Colleen M. Hoesly

STATE OF WISCONSIN)

_____ COUNTY) SS

Personally came before me this _____ day of _____, 20_____, the above named Colleen M. Hoesly to me known to be the same person who executed the foregoing instrument and acknowledged the same.

My commission expires _____.

TOWNSHIP APPROVAL: Approved for recording this _____ day of _____, 20_____
by the Township of New Glarus.

Town Chair

COUNTY APPROVAL CERTIFICATE: Approved for recording this _____ day of _____,
20_____ by the Green County Zoning Department.

Zoning Administrator



TALARCZYK
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www.talarczyksurveys.com

JOB NO. 21184
POINTS 19096
DRWG. 21184_1
DRAWN BY FLS

From: [Chris Narveson](#)
To: [Clerk Treasurer](#)
Subject: Fwd: Land Use/Zoning Proposed Ordinance
Date: Tuesday, November 2, 2021 4:43:54 PM
Attachments: [Proposed Ordinance Oct 15 2021.pdf](#)
[Shooting Ranges.docx](#)
[Expansion of Definitions.docx](#)

Lets put this on Planning Committee and Town Board.

Get [Outlook for Android](#)

From: Kathy Pennington <pennington.townofbrooklyn@gmail.com>
Sent: Friday, October 29, 2021 10:18:59 AM
To: Chris Narveson <cnarveson@townofnewglarus.com>
Subject: Land Use/Zoning Proposed Ordinance

Chris: Thank you for speaking with me today. As we discussed, I attached the ordinance Adam Wiegel emailed to us on Oct 15, 2021.

As I mentioned, I believe the updates to the 1970 code are a step in the right direction. However, I would like shooting ranges to be expanded to include a detailed safety plan and to include public and private ranges. Attached are our proposed additions for shooting ranges.

I also provided a few expansions of definitions for your review.

Once you have reviewed, please let me know if the Town of New Glarus will respond to the Land Use/Zoning Committee about shooting ranges and the expanded definitions. The cover letter, on the proposed ordinance, provides the methods of responding.

Please feel free to email or call me with questions.

Thank you,
Kathy Pennington
Chairperson, Town of Brooklyn
773-636-0501

GREEN COUNTY ZONING AND LAND USE OFFICE

Green County Courthouse, 1016 16th Avenue, Monroe, WI 53566
Phone (608) 328-9423 - Email greenzone@greencountywi.org

Adam M. Wiegel, Zoning Administrator
Connie L. Thorson, Asst. Administrator
Sara J. Patterson, Zoning Technician
Marcia Blumer, Secretary

October 15, 2021

To Whom It May Concern,

In June of 2020, the Green County Zoning and Land Use Committee (Committee) started discussion regarding possible code changes in the Agricultural Zoning District (Ag District). The Ag District has not seen any major updates since it was adopted in 1970. The goal of the Committee was to modify the allowed uses and the conditional uses in the Ag District based on the types of uses the Zoning Department receives requests for and how the current Committee feels rural Green County should look in the future. The Committee also wanted to make the Code easy for the general public to understand. The main items discussed included: shooting ranges, agri-stores, agritourism, agricultural entertainment, event venues and wineries.

When reviewing the draft amendments, please remember that I have just included the proposed Code changes and not the entire Code. You can go to the County website to view the entire code at <https://wi-greencounty.civicplus.com/DocumentCenter/View/264/Title-4-Zoning-Regulations-Sanitary-Code-and-Subdivision-Regulations-PDF>. In the proposed Code changes, any items that have been struck through (~~struck~~) are being removed from Code and any items that are underlined (underlined) are being added.

The goal of the Committee is to have the proposed ordinance enacted prior to the April of 2022 meeting (County Board reorganization). During November and December, the Committee will review the proposed ordinance and possibly make changes based on input they receive. The Committee plans on holding a public hearing on the proposed ordinance at the January 10, 2022, meeting. If the proposed ordinance is approved, it would be sent to the County Board for action, tentatively, at the March County Board meeting.

A copy of the proposed ordinance is enclosed for your review. If you have questions or would like further explanation, please contact the Zoning Office at (608) 328-9423. Written comment can be sent to 1016 16th Ave. Monroe WI or emailed to greenzone@greencountywi.org. The Zoning Office will provide comments to the Committee. Please have all comments to the Zoning Office prior to the tentative public hearing on January 10, 2022.

Thank you for your attention to this matter. If you have further questions, please contact the Zoning Office at (608) 328-9423.

Sincerely,



Adam M. Wiegel

Green County Zoning

ORDINANCE 22-XXXX
Amendments to Title 4

WHEREAS, the Green County Land Use and Zoning Committee has general supervision over administration of the County Zoning Code Regulations; and

WHEREAS, after review of the Green County Code, the Green County Land Use and Zoning Committee has indicated that the Green County Code is in need of updating; and

NOW, THEREFORE, BE IT ORDAINED by the Green County Board of Supervisors, in legal session assembled, that Title 4 of the Green County Code be amended as is attached to this Ordinance.

SIGNED: LAND USE AND ZONING COMMITTEE:

Barbara Krattiger, Chair

Mark Gundlach, Vice-Chair

Nick Hartwig

Sue Nelson

Dennis Schwartz

FISCAL NOTE: No fiscal impact. ALV

LEGAL NOTE: Approved as to form. BDB

STATE OF WISCONSIN)

) ss.

COUNTY OF GREEN)

I, Arianna L. Voegeli, County Clerk in and for said County, do hereby certify that the above and foregoing is a true and correct copy of Ordinance 22-XXXX, adopted by the Board of Supervisors on the _____ day of _____, 2022.

Dated at Monroe, Wisconsin, this _____ day of _____, 2022.

Arianna L. Voegeli
Green County Clerk

4-3-1-1: RESIDENTIAL DISTRICT

- A. Use: In the Residential District no building or premises shall be used and no building shall hereafter be erected, moved or structurally altered, unless otherwise provided in this Chapter, except for one or more of the following uses:
10. Home occupation, when such occupation is incidental to the residential use of the premises and does not involve any external alteration that would effect a substantial change in the residential character of the building; provided further, ~~that no article is sold or offered for sale that is not produced by such home occupation, that no stock in trade is kept or sold and that no person other than a member of the resident family is employed on the premises.~~ Documentation must be provided that the private on-site wastewater treatment system serving the structure is adequate to accommodate any increase in wastewater load that is generated by such use.

4-3-1-2: AGRICULTURAL DISTRICT

- A. Use: In the Agricultural District no building or premises shall be used and no building shall hereafter be erected, moved or structurally altered, unless otherwise provided in this Chapter, except for one or more of the following uses:
1. a. Any use permitted in the Residential District; manufactured single-wide homes converted into dwellings.
 - b. A camper, motor home, recreational vehicle, house car, camp car, or any portable or mobile vehicle on wheels, skids, rollers or blocks either self-propelled or propelled by any other means which is used or originally designed to be used for temporary or permanent residential living or sleeping purposes, and other similar types of unit which is intended to be parked or stored on a vacant lot or a lot in which the unit's owner is not the resident landowner will be considered a building or structure intended for human habitation or occupancy, which will be required to meet all the provisions of this Title. In addition, a conditional use permit is required for designation as a private campground, as well as the requirements for an adequate, safe and potable water supply; and a properly functioning, code-compliant system for treatment and disposal of domestic waste. If the owner of the unit signs an affidavit certifying that the unit is not occupied or used at any time on the premises, one unit may be allowed to be parked on a vacant lot owned by the unit's owner, for a period of not more than one (1) year.
2. General farming, including dairying, livestock and poultry raising, animal feedlots, nurseries, greenhouses, ~~(limited to the raising of plants and produce with no retail sales on the premises)~~ vegetable warehouses and other similar enterprises or uses, except fur farms and farms operated for the disposal or reduction of garbage, sewage, rubbish or offal; provided, that no greenhouse or building for the housing of livestock or poultry shall be located within one hundred feet (100') of any boundary of a residential lot other than that of the owner or lessee of such

greenhouse or building containing such livestock or poultry. (Ord. 00-0101; Ord. 10-0801, 8/10/10)

3. Practice of forestry and production of forest products.
4. Dams, power plans, flowage areas.
5. Wired services and utilities, including metal, glass fiber or other conductors, poles and lines, including transformers, substations, relay stations, equipment housings and other similar necessary appurtenant facilities; and other such towers structures up to a height of not more than one hundred feet (100'). Structures of heights over one hundred feet (100') shall comply with section 4-3-1-2-A-11-r. (Ord. 19-0101, 1/8/2019)
6. Extraction by or for municipalities, in municipally owned quarries only of sand and gravel and the quarrying of limestone and other rock for aggregate purposes, and the manufacture and processing of such materials incidental to the extraction including the erection of buildings, and the installation of necessary machinery and equipment incidental thereto, but not the storage of cement, asphalt or road oils or the mixing of concrete or blacktop or related materials; provided, that any county, town or municipal government or its agent may store or mix such materials when incidental to the improvement of highways or streets; provided further, that when the use of any excavation or quarry having an area of one-half (1/2) of an acre or more, within the limits of disturbance of the earth from its natural state, is discontinued, all buildings, machinery and equipment constructed or installed incidental to such extraction or processing shall be removed within three (3) months of the date of such discontinuance. If any part of such excavation or quarry is within two hundred feet (200') of a public street, road or thoroughfare, any part of such excavation or quarry in which water collects to a depth of three feet (3') or more for at least thirty (30) consecutive days in the calendar year shall be drained or filled so as to prevent such collection of water; and all banks or cuts not in rock shall be sloped to the bottoms of such banks or cuts at a slope not steeper than one and one-half feet (1/2) horizontal to one foot (1') vertical.
7. Roadside stands, agritourism, agri-markets and agri-stores.
8. Single-wide manufactured homes, also formerly known as mobile homes and house trailers shall comply with Section 4-3-3 of this Chapter.
9. Signs when meeting the requirements of the sign regulations contained in Section 4-3-4 of this Chapter.
 - a. Directory sign.
 - b. Outdoor advertising sign or billboard.
 - c. On-premise sign.
 - d. Temporary sign.

- e. Plaque.
10. Sawmills, when located on the same premises for not more than twenty (20) days. (1982 Code)
 11. Wineries, breweries and distilleries when crops planted on site are used in manufacturing and/or production.
4112. The following types of uses, when the location of each such use shall have been approved in writing by the Board of Adjustment, after public hearing, unless otherwise exempted, and after a view of the proposed site or sites. Listed uses, as well as those non-listed uses determined by the Zoning Administrator to be of substantially the same character, shall be subject to conditional use approval consistent with the general purpose and intent of these regulations and shall be based upon such evidence as may be presented at such public hearing, tending to show the desirability or undesirability of specific proposed locations for a specific proposed use from the standpoint of the public interest because of such factors as (without limitation because of enumeration) smoke, dust, noxious or toxic gases and odors, noise, glare, vibration, operation of heavy machinery, heavy vehicular traffic and increased traffic on the public streets. The Board of Adjustment shall require the applicant to submit such data and information as is required for its determination and may make the granting of a permit conditional upon such expressed conditions as it deems necessary to accomplish the purposes and intent of this Title. These conditions shall include but are not limited to: specific waste disposal and water supply requirements; increased setback and yard requirements; operational controls and limitations; sureties and deed restrictions; landscaping and screening requirements; noise and odor abatement measures; and pollution controls. Violation of any condition shall constitute a violation of this Section. (Upon petition of the landowner, the Board of Adjustment can review and alter any condition of a conditional use permit after holding a public hearing on the proposed change.) Such use shall also be required to meet the specific conditions below: (Ord. 80-320) (Ord. 00-0101)
- a. Aircraft landing fields, basins and hangars. (Reference to City of Monroe Zoning Ordinance on Municipal Airport)
 - b. ~~Contractors' storage yards, when any such yard shall be so placed, or so screened by a planting equal to that required for mobile home parks in Section 4-3-3 of this Chapter, so as not to be visible from any public highway or any residential building other than that of the owner of such yard, his/her agent or employee. Provided that any outdoor storage is not visible from any public highway or any residential building within 1,000 feet by the use of screening or fencing.~~
 - c. Drive-in theaters, subject to the following conditions:
 - (1) That there be a clear sight distance of five hundred feet (500') to an entrance to or an exit from such drive-in theater on any public highway.

- (2) That there be a distance of not less than one-quarter (1/4) mile between the boundary of any Residential District and the nearest point on the boundary of such drive-in theater site, measured in a straight line.
- d. Fur farms, charcoal kilns, pea viners or sawmills when located not less than one thousand feet (1,000') from any residential building other than that of the owner of the premises, his/her agent or employee.
 - e. Kennels, when located not less than one thousand feet (1,000') from any residential building other than that of the owner of such kennels, his/her agent or employee.
 - f. Medical, correctional or charitable institutions, when any building devoted wholly or partly to such uses or accessory thereto shall be distant not less than one hundred feet (100') from any residential building not on the same premises.
 - g. Manufactured home parks, when the location of each such park shall have been approved in writing by the Board of Adjustment, after public hearing. In approving such a location, the Board shall view the proposed site or sites and shall consider such evidence as may be presented at the hearing, bearing upon the general purpose and intent of these ordinances to promote the public health, safety and general welfare and the specific purpose of this paragraph to prevent the overcrowding of land and the development of housing blight in rural areas. Also see Section 4-3-3 of this Chapter.
 - h. Camp grounds and camping resorts, when the location of each such camp shall have been approved in writing by the Board of Adjustment after public hearing. Also see Section 4-3-3 of this Chapter.
 - i. Public dumping ground, when the Board shall clearly define the area of each such dumping ground at the time of issuing the permit for its location; provided, that no such dumping ground shall be located within one-half (1/2) mile of the boundary of any Residence District or any incorporated city or village, nor within one-quarter (1/4) mile of any residence except that of the owner of the property on which such dumping ground is located or his/her agent, nor within seven hundred fifty feet (750') of the right of way of any through public road, nor located in any drainage course or basin or flood plain area; provided further, that no location permit for any such dumping ground shall be issued without consultation with the Town Board. The various boundaries of any public dumping ground may be changed or extended from time to time, but only by the same method by which it was originally established. Such dumping ground shall also comply with the appropriate State of Wisconsin code relating to solid waste disposal.
 - j. Shooting ranges, ~~when meeting all normal safety regulations.~~

- k. Slaughterhouses, when located not less than one thousand feet (1,000') from any residential building other than that of the owner of the premises, his/her agent or employee.

Small scale slaughterhouse, when located not less than four hundred feet (400') from any residential building other than that of the owners of the premises, his/her agent, family member or employee, subject to the prohibition of any method of putting animals down that produce sounds which carry beyond property lines, or in any part of the process. (Ord. 06-1102, 11/14/2006).

- l. Automobile wrecking yards, junk yards; provided, that each such use shall be completely screened by a solid wall, fence, evergreen planting or equivalent opacity, or other equally effective means, built to or maintained at a minimum height of six feet (6'), except for one entrance or exit, nor more than twelve feet (12') wide and not directly facing the public street; provided further, that such yard contents shall not be visible from a public highway.
- m. Establishment of a new or re-opening of an abandoned premises for the mining, storage, processing or transportation of non-metallic materials, including the quarrying, blasting, crushing, or extraction of limestone, gravel, sand, fill or other similar materials or activities, by other than a municipality. In addition to requiring Board of Adjustment approval, such use must also comply with the screening requirements of Section 4-3-1-6, Industrial District, subsection A3d. (1982 Code) A minimum setback of at least 50 feet to all lot lines shall be required for any quarry activities, except the placement of structures which are governed or elsewhere in this Code. A site will be considered an abandoned quarry or non-metallic mining site if activity has not taken place or materials have not been extracted for a period of five (5) years or more.
- n. Placement of a temporary or permanent blacktop, asphalt, cement, or concrete plant, or other like facility.
- o. Lodging house, boarding house, or bed-and-breakfast establishment, exceeding three (3) boarders or lodgers not members of the resident family, and also in which the boarders or lodgers are housed in the main residence on the premises.
- p. Day care centers, whether or not located within a private residential building, in which care and supervision is provided for five (5) or more children or persons, by pre-arrangement for definite periods of time for compensation, who are not full-time residents of the home. State-licensed family daycare centers which are located in the operator's private residence and meet the requirements of Adm. Code 66.304 (Dept. of Health and Family Services) are exempt from zoning requirements for a Conditional Use Permit but must meet the septic system adequacy requirements, similar to that of a home occupation.

- q. Residential care facilities, whether or not located within a private residential building, in which care and supervision is provided for three (3) or more children or persons, other than family members of the residents, who temporarily become full-time residents of the home.
- r. Wired services and utilities, including metal, glass fiber or other conductors, poles and lines, including transformers, substations, relay stations, equipment housings and other similar necessary appurtenant facilities; and other such tower structures of heights over one hundred feet (100'). (Ord. 19-0101, 1/8/2019)
- ~~s. Greenhouses, in which retail sales are conducted on the premises.~~
- ~~ts.~~ Rental storage units or areas of buildings rented for the storage of motor vehicles, recreational units, or any miscellaneous items.
- ~~ut.~~ Outdoor recreational facilities including, but not limited to, commercial horseback riding, paint ball, commercial ATV/bike trails, golf courses, driving range, or regularly held outdoor events which involve temporary or permanent modification of the land or erection of temporary or permanent structures. A conditional use permit shall not be needed for activities or uses of the land which are exclusively done by or involve the land owner or their immediate family members. (Ord. 02-0801, 8/13/02; Ord. 10-0801, 8/10/10)
- ~~u. Agricultural entertainment.~~
- ~~v. Event centers when operated seasonally between May 1st and October 31st.~~

A. Other Requirements: Except as otherwise provided in Section 4-3-2, the other requirements of the Agricultural District for buildings or parts of buildings shall be the same as those required in Section 4-3-1-1.B. (Ord. 01-0401, 4/17/01; Ord. 03-0201, 2/11/03; Ord. 16-0302, 3/8/2016)

B. Any residence existing as of [the date of the amendment] shall be considered a legal confirming permitted use. Notwithstanding any provision of 4-3-2-1.F. regarding nonconforming uses to the contrary, such structure may be added to, altered, restored, repaired, replaced or reconstructed, without limitation, provided the following criteria are met:

1. The use of the structure remains residential; and
2. The replacement residence, or any alteration of an existing residence, complies with all building height, setback, side yard and rear yard standards of this ordinance. (Ord. 11-1001, 10/18/2011)

4-3-1-4: COMMERCIAL DISTRICT

A. Use: In the Commercial District no building, land or premises shall be used and no building shall hereafter be erected, moved or structurally altered, unless otherwise provided in this Chapter, except for one or more of the following specified uses:

- 11. Clubs and lodges, event centers.
- 30. Restaurant, café, tavern, large winery, and large brewery or distillery.

4-3-1-5: HIGHWAY INTERCHANGE DISTRICT

A. Use: In the Highway Interchange District no building, land or premises shall be used and no building shall hereafter be erected, moved or structurally altered, unless otherwise provided in this Chapter, except for one or more of the following specified uses:

- 1. General farming, including dairying, livestock and poultry raising, nurseries and greenhouses (~~limited to the raising of plants and produce with no retail sales on the premises~~), the practice of forestry and similar agricultural and horticultural enterprises and uses, except fur farms and farms operated for the disposal or reduction of garbage, sewage, rubbish or offal; provided, that no greenhouse or building for the housing of livestock or poultry shall be located within one hundred feet (100') of any boundary of a lot or premises used for other than agricultural purposes, or by a residential lot.

...

- 5. The following types of listed and non-listed uses determined by the Zoning Department to be substantially the same character, when the location of each such use shall have been approved in writing by the Board of Adjustment, after a view of the proposed site or sites. The Board of Adjustment may order a public hearing before consideration, after which they may deny the request or approve the request, with conditions:

- k. ~~Greenhouses, in which retail sales are conducted on the premises.~~

4-6-4: DEFINITIONS

For the purposes of this Title, certain terms or words used herein shall be interpreted as follows: words used in the present tense include the future; words in the singular number include the plural number, and words in the plural number include the singular number. The word "shall" is mandatory and not directory. All distances, unless otherwise specified, shall be measured horizontally. The word "building" includes the word "structure".

...

AGRITOURISM: Agricultural operations such as a farm, orchard, winery, brewery, distillery, greenhouse or agri-store, which combine the elements and characteristics of agriculture, agricultural related products, agricultural related activities and uses, and tourism for the purpose of providing recreation, education or active involvement in the operation, other than as a contractor of employee. Agri-tourism does not include agricultural entertainment.

AGRICULTURAL ENTERTAINMENT: The use of agricultural based buildings, equipment or land secondary to an agricultural operation for an event, performance or activity intended to entertain others such as dances, weddings, corporate gatherings, and reunions. Festivals and concerts are not included as part of agricultural entertainment. An application for agricultural entertainment shall address noise, traffic and parking, restrooms, hours and lighting.

AGRICULTURAL RELATED ACTIVITIES AND USES: Activities and uses which are part of an agricultural operation that predominantly use agricultural based buildings, products, equipment, land or livestock such as agri-markets, mazes, pumpkin cannons, pony rides, hay rides, sleigh rides, petting farms, nature trails, farm tours and educational classes.

AGRICULTURAL RELATED PRODUCTS: Products which are part of an agricultural operation that promote agriculture and value-added agriculture such as agricultural products, animal feed, baked goods and desserts, ice cream, beverages, jams, honey, cheese, food and promotional items.

AGRI-MARKET: The direct sale of agricultural or value-added agricultural products from an agricultural operation directly to consumers such as “pick your own” operations, and farmers markets.

AGRI-STORE: A business that is secondary to an agricultural operation which sells local agricultural or value-added agricultural products, agricultural related products and non-agricultural related products such as art, antiques, crafts and clothing.

BREWERY OR DISTILLERY: An establishment that manufactures, bottles and stores fermented malt beverages or distilled spirits on the premises. State and locally issued licenses and permits may allow wine sales directly to consumers, on premise wine tasting and may impose additional restrictions. The establishment may have no more than 3,600 square feet of manufacturing and production space of which 20% may be dedicated to retail sales.

BREWERY OR DISTILLERY, LARGE: A brewery or distillery which has more than 3,600 square feet of manufacturing and production space and/or more than 20% of the total space dedicated to retail sales.

CONTRACTORS’ STORAGE YARD: The inside or outside storage of materials and equipment associated with a trade such as carpentry, construction, electric, remodeling, plumbing, roofing, siding, trucking or similar trade, where the principal business activity is performed off-site in an area greater than 250 square feet customarily used by the contractor. No customers are allowed onsite and no vehicle maintenance may occur onsite. Office space is allowed if it is no more than 250 square feet including any required restrooms.

EVENT CENTER: A multi-purpose venue facility hosting special events such as graduations, weddings, anniversaries, holiday gatherings, trade shows, corporate functions or parties, concerts and conferences.

GREENHOUSE: A structure exclusively used for the cultivation of plants, seedlings, seeds, trees and those related items which may be sold, traded or bartered to the public.

HOME OCCUPATION: A gainful occupation conducted by members of the family only, within their place of residence or attached structure, such as handicrafts, dressmaking, millinery,

laundering, ~~preserving and home cooking.~~

ROADSIDE STANDS: A structure having a ground area of not more than three hundred (300) square feet, not permanently fixed to the ground, readily removable in its entirety, not fully enclosed and to be used solely for the sale of farm products produced on the premises (or adjoining premises). There shall not be more than one such roadside stand on any single premises. Roadside stands shall be limited to the seasonal retail sale of garden produce grown on premises.

SHOOTING RANGE: An area designed and operated for-profit and public use for the regular practice and discharge of firearms. A firearm means any rifle, pistol, shotgun, air gun or other device whose function is similar to that of a firearm. The range must meet the following:

- 1) A shooting range may operate during the following hours: Wednesday to Friday 10 am to dusk and Saturday and Sunday noon to dusk.
- 2) A setback of at least 500 feet from target and/or berm to adjoining property line.
- 3) A safety plan stating that the range meets industry standards on file with the Zoning Department prior to public hearing.
- 4) Law enforcement training ranges owned and/or operated by a city, village, town or county are excluded from this definition.
- 5) No explosive targets at the range.

WINERY: An establishment that manufactures, bottles and stores wine on the premises. State and locally issued licenses and permits may allow wine sales directly to consumers, on premise wine tasting and may impose additional restrictions. The establishment may have no more than 3,600 square feet of manufacturing and production space of which 20% may be dedicated to retail sales.

WINERY, LARGE: Any winery which has more than 3,600 square feet of manufacturing and production space and/or more than 20% of the total space dedicated to retail sales.