III. GENERAL LAND USE REGULATIONS

A. GENERAL PROVISIONS

12.07-1 INTRODUCTION
The proper regulation of the use of certain structures, lands and waters, only through the use of the zoning districts contained within this ordinance is neither feasible nor adequate. Therefore, the following regulations, which shall be applied in addition to the district regulations, are necessary to accomplish the intent of this ordinance.

12.07-2 COMPLIANCE
No structure, land, water, or air shall hereafter be used or developed and no structure or part thereof shall hereafter be located, erected, moved, placed, reconstructed, extended, enlarged, converted, demolished, or structurally altered without full compliance with the provisions of this ordinance and all other applicable local, county and state regulations.

B. USE REGULATIONS

12.08-1 USES ALLOWED
Only the following uses, structures and their essential services shall be allowed in any district:

(a) Principal uses and structures specified for a district and permitted as a matter of right.

(b) Accessory uses and structures are permitted as a matter of right in any district but not until their principal structure is present or under construction. Uses accessory to residential district developments shall not involve the conduct of any business, trade or industry except as may be provided in sections 12.09-1 and 12.09-2 of this ordinance. No accessory structure shall be occupied as a separate dwelling unit. Accessory uses and structures are further regulated by section 12.08-2 of this Ordinance. (6/2/92)

(c) Conditional uses, as defined in section 12.29-1 and their accessory uses may be permitted only in specified districts after review, public hearing and approval by the Kenosha County Land Use Committee in accordance with procedures and standards established in this ordinance. (11/5/84)

(d) Stipulated Shoreland Uses, as may be provided for section 12.18-9 of this ordinance.

(e) Temporary uses and structures, as may be provided for under this ordinance.

12.08-2 SITE PLAN REVIEW (6/2/92)
For the purpose of promoting compatible development, stability of property values, and to prevent impairment or depreciation of property values, no person shall commence any use or erect any structure without first obtaining the approval of a detailed site plan as set forth in this section.

The Planning and Zoning Administrator shall review and approve the site plans, existing and proposed structures, architectural plans, building construction plans, neighboring uses, parking areas, driveway locations, loading and unloading, highway access, traffic generation and circulation, drainage, sewerage and water systems, lighting plans, utilization of landscaping

12-21
and open space, and the proposed operation for all development classified as a principal or accessory use in any district except the A-1, A-2, A-3, and A-4 agricultural districts, the R-1, R-2, R-3, R-4, R-5, R-6, R-7 and R-9 residential districts.

(a) Principles. To implement and define criteria for the purposes set forth above, the following principles are established to apply to all new structures and uses and to changes or additions to existing structures and uses. The review time for approving a project requiring site plan review shall be within the time limits set forth in section 12.05-3 of this Ordinance unless insufficient data is submitted or the time is extended by mutual consent.

1. No building shall be permitted the design or exterior appearance of which is of such unorthodox or abnormal character in relation to its surroundings as to be unsightly or offensive to generally accepted taste and community standards.

2. No building shall be permitted the design or exterior appearance of which is so identical with those adjoining as to create excessive monotony or drabness.

3. No building shall be permitted where any exposed facade is not constructed or faced with a finished material which is aesthetically compatible with the other facades and presents an attractive appearance to the public and to surrounding properties.

4. The facade of all buildings which face upon a street right-of-way shall be finished with an aesthetically pleasing material. A minimum of 50 percent of a facade facing an existing or future street shall be finished with a combination of brick, decorative masonry material, decorative precast concrete panels, decorative glass panels, wood, or decorative metal or vinyl siding. Such finished material shall extend for a distance of at least 10 feet along the sides of the structure. All buildings on corner lots shall have the required finished facade facing each street.

5. Building Scale and Mass. The relative proportion of a building to its neighboring buildings, to pedestrians and observers, or to other existing buildings shall be maintained or enhanced when new buildings are built or when existing buildings are remodeled or altered.

6. Building Rooflines and Roof Shapes. The visual continuity of roofs and their contributing elements (parapet walls, coping, and cornices) shall be maintained in building development and redevelopment.

7. Since the selection of building colors has a significant impact upon the public and neighboring properties, color shall be selected in general harmony with existing neighborhood buildings.

8. No building or sign shall be permitted to be sited on the property in a manner which would unnecessarily destroy or substantially damage the natural beauty of the area, particularly insofar as it would adversely affect values incident to ownership of land in that area, or which would unnecessarily have an adverse effect on the beauty and general enjoyment of existing structures on adjoining properties.

9. Appropriate erosion control and stormwater management measures shall be utilized in all new development. Buildings and uses shall maintain existing
topography, drainage patterns, and vegetative cover insofar as is practical. The Zoning Administrator or Land Use Committee may require that drainage easements be executed.

10 Appropriate buffers shall be provided between dissimilar uses.

11 Buildings and uses shall provide for safe traffic circulation and safe driveway locations.

12 Buildings and uses shall provide adequate parking and loading areas. No loading dock or overhead doors shall face upon a street right-of-way without approval of the Planning and Zoning Administrator.

13 Buildings and uses shall be provided with adequate public services as approved by the appropriate utility.

14 Exterior lighting used for parking lots, recreation facilities, product display, and security shall not spill-over on operators of motor vehicles, pedestrians, and/or adjacent residential property.

15 Dumpsters and other trash receptacles shall be fenced and/or screened from view from street rights-of-way and adjacent residential uses.

16 Buildings and uses shall make appropriate use of open spaces. The Zoning Administrator or Land Use Committee may require appropriate landscaping and planting screens. A landscaping maintenance program, together with appropriate assurances, shall be submitted.

(b) Appeals. Any person or persons aggrieved by any decisions of the Zoning Administrator or the Land Use Committee related to plan review may appeal the decision to the Zoning Board of Adjustments pursuant to section 12.36-5 of this Ordinance.

C. HOME OCCUPATIONS AND PROFESSIONAL HOME OFFICES

12.09-1 REQUIREMENTS

Customary home occupations and professional home offices may be established in a dwelling only in those districts which provide for such home occupations and professions. In such districts, the following requirements shall apply, in addition to all other applicable requirements of this ordinance for the districts in which such uses are located:

(a) The home occupation or profession shall be clearly incidental to the residential use of the dwelling and parcel and shall not change the essential residential character of the dwelling and parcel.

(b) Use of the dwelling and parcel for this purpose shall be limited to only 25 percent (25%) of one floor of either the principal building or an accessory building.

(c) No accessory buildings or outside storage shall be used in connection with the home occupation except as provided in section (b).

(d) No chemical, mechanical or electrical equipment that is not normally a part of domestic or household equipment shall be used primarily for commercial purposes, with the exception of medical or dental equipment used for professional purposes.

(e) Machinery that causes noises or other interference in radio or television reception shall be prohibited.
(f) No internal or external alterations inconsistent with the residential use of the building shall be permitted.

(g) Residents of the dwelling only may be engaged in the home occupation. In the case of professional offices, no more than one non-resident may be employed on the premises.

(h) No display of products shall be visible from the street and only articles made on the premises may be sold on the premises.

(i) Instruction in music, dancing and similar subjects shall be limited to two students at a time.

(j) No more than three vehicles used primarily as passenger vehicles only shall be permitted in connection with the conduct of the customary home occupation.

(k) Signs shall be subject to regulations in section 12.14-1 through section 12.14-9 of this Ordinance.

12.09-2 CUSTOMARY HOME OCCUPATIONS

(a) The following are hereby declared to be customary home occupations as intended by this section:
1 Architects
2 Artist, sculptor
3 Author
4 Doctor, Dentists
5 Dressmaker, seamstress
6 Insurance salesmen
7 Lawyers
8 Minister
9 Music and dance teacher
10 Real estate sales

(b) It is recognized that it is neither possible nor practicable to list all of the home occupations that are compatible with those listed above and therefore, it is intended that the aforementioned list of home occupations be illustrative only. Any individual aggrieved by a failure to list a particular home occupation in this subsection shall have the right to file a petition with the Kenosha County Office of Planning and Zoning Administration pursuant to section 12.35 of this ordinance for a determination as to the similarity of the intended home occupation with the home occupations listed above.

D. SITE REGULATIONS

12.10-1 STRUCTURES PER LOT; PUBLIC ACCESS
All structures shall be located on a lot; and, except as otherwise provided in this ordinance, in the A-1, A-2, A-4, R-1, R-2, R-3, R-4, R-5, R-6, R-7, R-8 and C-2 districts, only one principal structure shall be located, erected or moved onto a lot. The number, size and type of accessory structures shall be governed as specified in each district and section 12.27-2 of this ordinance. All lots shall abut upon a public street or other officially approved means of access and no zoning permit shall be issued for a lot which abuts a public street dedicated to only a portion of its proposed width and located on that side thereof from which the required dedication has not been secured.

12.10-2 SANITARY WIDTH REQUIREMENTS
Except as provided for in section 12.10-3, lots serviced by a public sanitary sewer system shall have a minimum frontage of 75 feet in width at the front lot line except in the R-6 Urban
Single-Family Residential District and the R-12 Mobile Home District, and except as provided for in section 12.10-3 the width of all lots located on land with soils suitable for the use of an on-site soil absorption sewage disposal system shall not be less than one hundred-fifty (150) feet and the area of all such lots shall not be less than forty thousand (40,000) square feet per dwelling unit to be constructed on the lot. Such on-site soil absorption sewage disposal systems shall be designated in accordance with all state and local laws, regulations and ordinances. On-site sewage disposal absorption systems shall be located on the same parcel of land as the building or buildings which are serviced by it.

12.10-3 LOTS ABUTTING CUL-DE-SACs
All lots abutting cul-de-sacs and curves may reduce the frontage on a public street or other officially approved means of access as outlined in each district ONLY.

12.10-4 MULTIPLE DISTRICT LOTS
Any lot or parcel containing more than one zoning district shall be considered to be entirely within the least restrictive district as defined in this ordinance provided, however, that in no case shall a district boundary be relocated a distance greater than 75 feet.

12.10-5 STORAGE AND DISCHARGE PROHIBITED
No waste material such as garbage, rubbish, gasoline, fuel oil, flammables, soils, tars, chemicals, greases, industrial or agricultural waste, or any other materials of such nature, quantity, obnoxiousness, toxicity, or temperature so as to contaminate, pollute, or harm the waters shall be so located, stored, or discharged in a way that would be likely to run off, seep, or wash into surface or ground waters. Nor shall any such material be allowed to accumulate on any lot of record so as to be unsightly, dangerous or so as to constitute a nuisance. No gasoline storage tanks shall be permitted in a residential district and no more than two cords of firewood may be stored on any parcel located in the R-2 through R-12 Districts.

12.10-6 HOLDING TANKS
The use of holding tanks shall be regulated by the Kenosha County Sanitary Ordinance. In the case of conflict between this ordinance and the Sanitary Ordinance, the Sanitary Ordinance shall control.

12.10-7 REDUCTION OR JOINT USE
No lot, yard, parking area, building area, sanitary sewage disposal area, or other space shall be reduced in area or dimensions so as not to meet the provisions of this ordinance. No part of any lot, yard, parking area, sanitary sewage disposal area, or other space required for a structure or use shall be used to meet the requirements for any other structure or use.

12.10-8 LOTS ABUTTING MORE RESTRICTIVE DISTRICTS
Lots which abut upon more restrictive districts shall provide side and rear yards not less than those required in the more restrictive abutting district. The street yard on the less restrictive district shall be modified for a distance of not more than 75 feet from the district boundary line so as to equal the average of the street yards required in each district. (11/5/84)

12.10-9 BACKLOT DEVELOPMENT PROHIBITED (6/2/92)
Backlot development or lake lot pyramiding on Kenosha County lakes is prohibited. Lots abutting a lake which is zoned for single-family residential development shall be used on a
continuing basis for only one family. The purchase of a single lot or outlot abutting a lake shall not be used as access for subdivisions and other developments located away from the lake.

E. RESERVED FOR FUTURE USE

12.11-1 Reserved for future use

F. PERFORMANCE STANDARDS

12.12-1 INTENT
Sections 12.20 through 12.26 of this ordinance permits specific uses in specific districts. It is the intent of the Kenosha County Board of Supervisors that the following performance standards designed to limit, restrict and prohibit the effects of those uses outside of their premises or district be imposed upon all parcels falling within the jurisdiction of this ordinance so as to protect the quality of the environment, the safety and health of the citizens of Kenosha County, and to alleviate, and where possible, eliminate nuisances. It is the further intent of the Kenosha County Board of Supervisors that all structures, lands, air and waters shall hereafter, in addition to their use, site, shoreland and sanitary regulations, comply with the following performance standards, and all applicable standards set forth by the Wisconsin Department of Industry, Labor and Human Relations, Wisconsin Department of Natural Resources, and the Wisconsin Administrative Code.

12.12-2 PROCEDURE
(a) Prior to construction and operation. Any application for a permit under this ordinance or any use subject to the regulations and standards set forth herein shall be accompanied by a sworn statement by the owner of the subject property that said property and use will be operated in accordance with the performance standards hereinafter set forth.

(b) Continued compliance. Continued compliance with the regulations and standards heretofore set forth in this section is required and enforcement of such continued compliance with these regulations and standards shall be a duty of the Office of Planning and Zoning Administration.

(c) Determination of violation. The Office of Planning and Zoning Administration shall investigate any reported violation of the hereinafter noted regulations and standards and, if there is reasonable grounds for the same, shall proceed in accordance with paragraph (d) below and section 12.31 of this ordinance.

(d) Termination of violation. All violations, as ascertained in accordance with paragraph (c) above shall be terminated within 30 days after notice of such violation and in the event that said violation is not terminated, it shall be deemed a separate violation for each date of its existence and subject to fines as set forth in this ordinance, except that certain uses established before the effective date of this ordinance and non-conforming as to the regulations and standards hereinafter set forth shall be given not more than 180 days in which to conform therewith after the determination of the existence of such violation and in the event said violation is not terminated, it shall be deemed a separate violation for each day it existed since the effective date of this ordinance.
12.12-3 REGULATION OF NUISANCE ELEMENTS
(a) No land or building in any district shall be operated in such a manner so as to create any dangerous, injurious, noxious or otherwise objectionable fire, explosive or other hazard; noise or vibration, smoke, dust, dirt or other form of air pollution; water pollution; electrical, radioactive or other disturbances; glare; or other substance, condition or element (hereinafter referred to as "dangerous or objectionable elements") in such amount as to adversely affect the surrounding area or premises; provided that any use permitted by this ordinance may be undertaken and maintained if it conforms to the regulations of this subsection limiting dangerous and objectionable elements at the specified point or points of the determination of their existence.

(b) The determination of the existence of any dangerous and objectionable elements shall be made at:
1. The point or points where such elements shall be most apparent for fire and explosion hazards, for radioactivity and electrical disturbances, for smoke and other forms of air pollution.
2. The property lines of the use creating such elements for noise, vibration, glare and odors.

12.12-4 PERFORMANCE STANDARDS TO BE ENFORCED
(a) Air pollution. No activity shall emit any fly ash, dust, fumes, vapors, smoke, mists or gases in such quantities as to cause soiling or danger to the health of persons, animals, vegetation or other forms of property. No activity shall emit any liquid or solid particles in concentrations exceeding 0.3 grains per cubic foot of the conveying gas nor any color visible smoke equal to or darker than number two on the Ringleman Chart described in section NR154 of the Wisconsin Administrative Code and amendments thereto.

(b) Electrical, radioactive or other disturbances. No activity shall emit electrical, radioactive or other disturbances outside its premises that are dangerous or adversely affect the use of neighboring premises. All applicable federal and state regulations shall be complied with.

(c) Fire and explosive hazards. All activities involving the manufacturing, utilization, processing or storage of flammable and explosive materials shall be provided with adequate safety devices against the hazard of fire and explosion with adequate firefighting and fire suppression equipment and devices that are standard in the industry. All materials that range from active to intense burning shall be manufactured, utilized, processed and stored only in completely enclosed buildings which have incombustible exterior walls and an automatic fire extinguishing system. The above ground storage capacity of materials that produce flammable or explosive vapors shall not exceed the following:

<table>
<thead>
<tr>
<th>Closed Cup Flash Point</th>
<th>Gallons</th>
</tr>
</thead>
<tbody>
<tr>
<td>Over 187°F</td>
<td>400,000</td>
</tr>
<tr>
<td>105°F to 187°F</td>
<td>200,000</td>
</tr>
<tr>
<td>Below 105°F</td>
<td>100,000</td>
</tr>
</tbody>
</table>

(d) Glare and heat. No activity shall emit glare or heat that is visible or measurable at the boundaries of the lot on which the principle use is located. All operations
producing intense glare or heat shall be conducted within a completely enclosed building. Exposed sources of light shall be shielded so as not to be visible outside their premises.

(e) Noise. At the points of measurement specified in section 12.12-3(b)2, the maximum sound pressure level radiated in each standard octave band by any use or facility (other than transportation facilities or temporary construction work) shall not exceed the values for octave bands lying within the several frequency limits given in Table I after applying the corrections shown in Table II. The sound pressure level shall be measured with a Sound Level Meter and associated Octave Band Analyzer conforming to standards prescribed by the American Standards Association, Inc., New York, N.Y. (American Standard Sound Level Meters for Measurement of Noise and Other Sounds, 224.3-1944, American Standards Association, Inc., New York, N.Y., and American Standard Specification for an Octave-Band Filter Set for the Analysis of Noise and Other Sounds, 224.10-1953, or latest approved revision thereof, American Standards Association, Inc., New York, N.Y. shall be used.)

Table I

<table>
<thead>
<tr>
<th>Frequency Ranges Containing Standard Octave Bands in Cycles Per Second</th>
<th>Octave Band Sound Pressure Level in Decibels re 0.0002 dyne/cm</th>
</tr>
</thead>
<tbody>
<tr>
<td>20 - 75</td>
<td>65</td>
</tr>
<tr>
<td>75 - 150</td>
<td>55</td>
</tr>
<tr>
<td>150 - 300</td>
<td>50</td>
</tr>
<tr>
<td>300 - 600</td>
<td>45</td>
</tr>
<tr>
<td>600 - 1200</td>
<td>40</td>
</tr>
<tr>
<td>1200 - 2400</td>
<td>40</td>
</tr>
<tr>
<td>Above 2400</td>
<td>35</td>
</tr>
</tbody>
</table>

If the noise is not smooth and continuous and is not radiated between the hours of 10 p.m. and 7 a.m. one or more of the corrections in Table II shall be applied to the octave band levels given in Table I.

Table II

<table>
<thead>
<tr>
<th>Type of Location of Operation or Character of Noise</th>
<th>Correction in Decibels</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Daytime operation only..........................</td>
<td>5</td>
</tr>
<tr>
<td>2. Noise source operates less than*</td>
<td></td>
</tr>
<tr>
<td>a. 20% of any one-hour period...................</td>
<td>5</td>
</tr>
<tr>
<td>b. 5% of any one-hour period....................</td>
<td>10</td>
</tr>
<tr>
<td>3. Noise of impulsive character (hammering, etc)</td>
<td>-5</td>
</tr>
<tr>
<td>4. Noise of periodic character (hum, screech, etc)</td>
<td>-5</td>
</tr>
<tr>
<td>5. Property is located in any M-District and is not within 200 feet of any R-District</td>
<td>10</td>
</tr>
</tbody>
</table>

*Apply one of these corrections only.

(f) Odors. Except in the A-1, A-2 and A-4 Districts, no activity shall emit any odorous matter of such nature or quantity as to be offensive, obnoxious or unhealthful outside their premises. The guide for determining odor measurement and control shall be Chapter NR 154 of the Wisconsin Administrative Code and amendments thereto.
(g) Erodible land regulations. In addition to any other applicable use, site or sanitary regulation, the following organic and sandy soils listed below and any other soils having an erosion factor of three shall not be used for crop production or grazing unless such lands make use of contour cropping practices or strip cropping practices or crop terraces.

<table>
<thead>
<tr>
<th>Soil Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>133 - BmB, BmC2</td>
<td>416 - Ry</td>
</tr>
<tr>
<td>316 - BmB, BmC2</td>
<td>417 - CrD2, CrE</td>
</tr>
<tr>
<td>359 - MxD2</td>
<td>419 - SfB</td>
</tr>
<tr>
<td>414 - BmB, BmC2</td>
<td>451 - Ht</td>
</tr>
</tbody>
</table>

(h) Soil capability regulations. In addition to any other applicable use, site, or sanitary regulation, the following restrictions or regulations shall apply to the following soils as shown on the Operational Soil Survey Maps prepared by the USDA Soil Conservation Service for the Southeastern Wisconsin Regional Planning Commission and which are on file with the Office of Planning and Zoning Administration;

Because of their erodibility and very low agricultural capabilities, tillage is permitted on the following rough, broken, sandy, stony or escarpment soils only when conducted in accordance with sound soil conservation practices and after review by the Soil Conservation Service:

<table>
<thead>
<tr>
<th>Soil Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>75 - CrC, CrD2, CrE</td>
<td>417 - CrD2, CrE</td>
</tr>
<tr>
<td>282 - CbB, CrC, CrD2, CrE</td>
<td>419 - SfB</td>
</tr>
<tr>
<td>416 - Ry</td>
<td>452 - Ac</td>
</tr>
</tbody>
</table>

Farm drainage systems may be installed on the following soils, which soils are subject to a flooding hazard and which have generally unsuitable soil characteristics for an operative drainage system, only if installed in accordance with sound soil conservation practices and after review by the Soil Conservation Service:

<table>
<thead>
<tr>
<th>Soil Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>4 - Mf</td>
<td>11 - Am</td>
</tr>
<tr>
<td>5W - Sg</td>
<td>11W - Ww</td>
</tr>
<tr>
<td>7 - Dh</td>
<td>54 - Lp</td>
</tr>
<tr>
<td>10 - Am</td>
<td>419 - SfB</td>
</tr>
<tr>
<td>10W - Ww</td>
<td>452 - Ac</td>
</tr>
</tbody>
</table>

Because of very severe limitations for pasturing, grazing is permitted on the following soils when conducted in accordance with sound soil conservation practices and after review by the Soil Conservation Service:

<table>
<thead>
<tr>
<th>Soil Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>4 - Mf</td>
<td>419 - SfB</td>
</tr>
<tr>
<td>416 - Ry</td>
<td>462 - Ht</td>
</tr>
</tbody>
</table>

(i) Steep land regulations. In addition to any other applicable use, site, shoreland, or sanitary regulation, the following restrictions and regulations shall apply to all lands having slopes of twelve (12) per cent or greater (see illustration #1) as shown on the Operational Soil Survey Maps prepared by the USDA Soil Conservation Service in cooperation with the Southeastern Wisconsin Regional Planning Commission and which are on file with the Office of Planning and Zoning Administration:

1. Tillage and grazing of lands with slopes of 12% or greater shall be permitted only if such tilling and grazing make use of contour cropping practices, strip cropping practices or cropping terraces.
Spreading the manure or fertilizer on frozen ground and establishment of feed lots shall be prohibited when such practice would cause direct run off of pollutants into a drainage way or water course.

2. **Tree cutting and shrubbery clearing** for the purpose of changing land use from wildlife or wood lot management on lands with slopes of 12% or greater shall be conducted so as to minimize erosion and sedimentation and promote the preservation of scenic beauty.

(j) **Vibrations.** No activity in any district except the M-1, M-2 and M-3 districts shall emit vibrations which are discernible without instruments outside its premises. No activity in the M-1, M-2 or M-3 districts shall emit vibrations which exceed the following displacement measured with a 3-component measuring system:

<table>
<thead>
<tr>
<th>Frequency (Cycles Per Second)</th>
<th>Displacement (Inches) Outside the Premises</th>
<th>Outside The District</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 to 10</td>
<td>.0020</td>
<td>.0004</td>
</tr>
<tr>
<td>10 to 20</td>
<td>.0010</td>
<td>.0002</td>
</tr>
<tr>
<td>20 to 30</td>
<td>.0006</td>
<td>.0001</td>
</tr>
<tr>
<td>30 to 40</td>
<td>.0004</td>
<td>.0001</td>
</tr>
<tr>
<td>40 to 50</td>
<td>.0003</td>
<td>.0001</td>
</tr>
<tr>
<td>50 and over</td>
<td>.0002</td>
<td>.0001</td>
</tr>
</tbody>
</table>

(k) **Water quality protection.**

1. No activity shall locate, store, discharge or permit the discharge of any treated, untreated or inadequately treated liquid, gaseous or solid materials of such nature, quantity, obnoxiousness, toxicity or temperature that would be likely to run off, seep, percolate or wash into surface or subsurface waters so as to contaminate, pollute or harm such waters or cause nuisances, such as objectionable shore deposits, floating or submerged debris, oil or scum, color, odor, taste or unsightliness or be harmful to human, animal, plant or aquatic life.

2. In addition, no activity shall discharge any liquid, gaseous or solid materials so as to exceed or contribute toward the exceeding of the minimum standards and those other standards and the application of those standards set forth in Chapter NR-102 of the Wisconsin Administrative Code and amendments thereto for all navigable waters in the County.

(l) **Floodproofing.** Where floodproofing by means of elevating on fill is deemed inappropriate or impractical, and where floodproofing by means other than filling is permitted, floodproofing measures shall be in accordance with the following: (2/6/90)

1. Floodproofing measures shall be designed to:
   a. Withstand the flood pressures, depths, velocities, uplift and impact forces, and other factors associated with the 100-year recurrence interval flood; and

12-30
b) Assure protection to an elevation at least two (2) feet above the elevation of the 100-year recurrence interval flood; and
c) Provide anchorage of structures to foundations to resist flotation and lateral movement; and
d) Insure that the structural walls and floors are watertight and completely dry without human intervention duringflooding to a point at least two (2) feet above the elevation of the 100-year recurrence interval flood.

2 No permit or variance shall be issued until the applicant submits a plan or document certified by a registered professional engineer or architect certifying that the floodproofing measures are adequately designed to protect the structure or development to a point at least two (2) feet above the elevation of the 100-year recurrence interval flood for the particular area.

3 Floodproofing measures may include, but are not limited to:
a) Reinforcement of walls and floors to resist rupture or collapse caused by water pressure or floating debris;
b) Addition of mass or weight to structures to prevent flotation;
c) Placement of essential utilities above the flood protection elevation;
d) Surface subsurface drainage systems, including pumping facilities, to relieve external foundation wall and basement floor pressures;
e) Construction of water supply wells, and waste treatment and collection systems to prevent the infiltration of floodwaters into such systems;
f) Cutoff valves on sewer lines and the elimination of gravity flow basement drains; and/or
g) The construction of permanent or moveable watertight bulkheads, erection of permanent watertight shutters and doors, and installation of wire reinforced glass or glass block for windows.

G. TRAFFIC, PARKING AND ACCESS

12.13-1 TRAFFIC VISIBILITY (Vision Triangle)
(a) No obstructions, such as structures, fences, parking or vegetation shall be permitted in any business, manufacturing or institutional district between the heights of two (2) feet and ten (10) feet above the plane through the centerline of the road within the triangular space formed by any two existing or proposed intersecting street or alley right-of-way lines and a line joining points on such lines located a minimum of fifteen (15) feet from their intersection. (See Illustration No. 2).
(b) In the case of any federal, state or county highway or town road intersection with any other federal, state or county highway or town road or railways, the corner cutoff distances establishing the triangular vision clearance space shall be increased to fifty (50) feet.

12.13-2 LOADING REQUIREMENTS
(a) In all districts adequate loading areas shall be provided so that all vehicles loading, maneuvering, or unloading are completely off the public right-of-ways and so that all vehicles need not back onto any public right-of-ways.
(b) On every lot on which a business, trade, or industrial use is hereafter established, space with access to a public street or alley shall be provided as indicated below for the loading and unloading of vehicles off the public right-of-way.

1 Businesses: One (1) space of at least 10 x 25 feet for each 3,000 square feet of floor area or part thereof.

2 Wholesale and Industrial: One (1) space of at least 10 x 50 feet for each 10,000 square feet of floor area or part thereof.

3 Bus and Truck Terminals: Sufficient space to accommodate the maximum number of buses or trucks to be stored or to be loaded or unloaded at the terminal at any one time.

12.13-3 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, extended, or increased off-street parking stalls for all vehicles in accordance with the following:

Number of Off-Street Parking Stalls

(a) Residential Uses
1 Single-family dwellings
   2 stalls for each dwelling
2 Mobile homes
   2 stalls for each mobile home
3 Two-family dwellings
   4 stalls per building
4 Multiple family dwellings
   2 stalls for one and two bedroom units; 2.5 stalls for three or more bedroom units; plus one stall for every eight units for guest parking
5 Housing for elderly
   1 stall for each dwelling unit plus 1 stall for every eight units for guest parking

(b) Commercial Uses
1 Automobile repair garages and services garages
   1 space for each regular employee plus 1 space for each 250 square feet of floor area used for repair work
2 Financial institutions; and professional offices
   1 stall for each 300 square feet of primary floor area plus 1 stall for every two employees
3 Funeral homes
   20 stalls for each potential viewing room
4 Gasoline filling stations
   2 spaces for each grease rack or similar facility plus 1 space for each attendant
5 Hotels, motels
   1 stall for each guest room plus one stall for each three employees
6 Motor vehicles sales (new and used)
   1 space for each 500 square feet of floor area used plus 300 square feet of outdoor display area for each motor vehicle to be displayed. (This requirement does not include service garages—see above)
7 Restaurants, theaters, bars, clubs, lodges, and places of entertainment
   1 stall for each 100 square feet of floor area plus 1 stall for every two employees

12-32
8 Shopping centers, discount family stores and full service food stores
   1 stall for each 150 square feet of floor area plus
   1 stall for every two employees
9 Free standing retail and service stores, convenient food stores
   1 stall for each 200 square feet of primary floor area plus 1 stall for every two employees

(c) Manufacturing Uses
1 Manufacturing and processing plants, laboratories, and warehouses
   1 stall for each two employees during any 12 hour period

(d) Institutional Uses
1 Churches, theaters, auditoriums, community centers, vocational and night schools, and other places of public assembly
   1 stall for every five seats
2 Colleges, secondary and elementary schools
   1 stall for every employee plus one stall for every 10 students between the ages of 16 and 18 and one stall for every 5 students over 18 years of age
3 Governmental offices
   1 stall for every 300 square feet of floor area
4 Medical and dental clinics
   5 stalls for every doctor plus one stall for every employee
5 Orphanage, convent, rectories, monasteries
   1 stall for every 2000 square feet of floor area
6 Sanitariums, hospitals, institutions, rest and nursing homes
   1 stall for every three beds plus one stall for every three employees
7 Sororities, dormitories, lodging and boarding houses
   1 stall for each bed

(e) Recreational Uses (Commercial or non-commercial)
1 Bowling alleys
   6 parking spaces for each lane plus additional spaces as may be required herein for affiliated uses such as restaurants and other accessory uses
2 Health salons, swimming pools, skating rinks and dance halls-Commercial
   1 parking space for every three persons, based on the maximum number of persons that can be accommodated at the same time in accordance with such design capacity and fire department regulations, and one parking space for every two employees
3 Park, recreation areas and community centers
   1 parking space for every two employees, plus spaces in adequate number, as determined by the Office of Planning and Zoning Administration to serve the visiting public.

(f) Uses not listed
In the case of structures or uses not mentioned, the provisions for a use which is similar shall apply.

(g) Combinations
Combinations of any of the above uses shall provide the total of the number of stalls required for each individual use.
(h) Adequate Access
Adequate access to a public street shall be provided for each parking space, and driveways shall be at least ten (10) feet wide for one- and two-family dwellings and at least twenty-four (24) feet wide for all other uses.

(i) Size
The size of each parking space shall be not less than two hundred square feet exclusive of the space required for ingress and egress.

(j) Location
The location of each parking space shall be on the same lot as the principal use unless parking space is provided on another parcel, in which case, all parking lots shall have the same zoning district as the principal use. Parking lots shall be a minimum of 20 feet from the established highway right-of-way.

(k) Surfacing
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.

(l) Screening
Any off-street parking area, other than that provided for a residence which abuts or faces a residential zoning district and where the vehicles will travel or be parked within 50 feet of the residence district line, shall provide a planting screen, landscaped earth berm, landscaped fence or wall at least three feet in height at time of planting along the side abutting or fronting on a residence district. Plans for such screen shall be submitted to the Office of Planning and Zoning Administration for approval before installation.

(m) Lighting
Exterior lighting provided in any parking area shall be shielded or directed in such a manner so as to prevent light from shining directly onto abutting properties.

(n) Curbs or Barriers
Curbs or barriers shall be installed so as to prevent the parked vehicles from extending any closer than five feet from any side and rear lot line except where the parking space abuts a residential district it shall be no less than 10 feet.

(o) Semi-trailers
Semi-trucks, trailers and cabs, specialized construction equipment and vehicles such as, but not limited to backhoes, bulldozers, dump trucks, and mobile homes shall not be permitted to be parked in residential zoning districts. Except within permitted transshipment depots, no trailer shall be used for continuous outdoor storage. Continuous outdoor storage shall be the use of a trailer for the storage of a product to be sold for more than 30 days in a 365-day period. (6/2/92)

(p) Recreational Vehicles and Boats
No recreational vehicles or boats shall be parked in a front yard. No more than two recreational vehicles and or boats may be parked in the side or rear yard outside of an enclosed structure. This section shall also relate to
boat trailers, snowmobiles and their trailers, minibikes or trail bikes and their trailers, unoccupied tent campers, travel trailers and mobile homes.

12.13-4 DRIVeways AND HIGHWAY ACCESS
All driveways installed, altered, changed, replaced, or extended after the effective date of this Ordinance shall meet the following requirements:

(a) Openings for vehicular ingress and egress shall not exceed thirty (30) feet at the street line and thirty-five (35) feet at the roadway.

(b) Vehicle entrances and exits to drive-in theaters, banks, restaurants, motels, funeral homes, vehicle sales and service, car washes, service stations, garages, or public parking lots shall be not less than three hundred (300) feet from any pedestrian entrance or exit to a school, college, university, church, hospital, park playground, library, or other place of public assembly.

(c) No direct public or private access shall be permitted to the existing or proposed rights-of-ways of freeways, interstate highways, and interchanges and their entrances or exit ramps nor within 500 feet of the most remote end of the taper of the entrances or exit ramp. (see illustration #3).

(d) No direct public or private access shall be permitted to any existing or proposed Federal, State Trunk, or County Trunk Highway within 100 feet of its intersection with another street or highway.

(e) Access barriers, such as curbing, fencing, ditching, landscaping, or other topographic barriers, shall be erected to prevent unauthorized vehicle ingress or egress to the above specified streets or highways.

(f) Temporary access to the rights-of-way in section (c), (d) and (e) may be granted by the Board of Adjustments after review and recommendation by the highway agencies having jurisdiction. Such access permit shall be temporary, revocable, and subject to any conditions required and shall be issued for a period not to exceed 12 months.

H. SIGNS

12.14-1 PERMIT REQUIRED
(a) No sign shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted, or structurally altered without a zoning permit, except those signs permitted under Section 12.14-2, without being in conformity with the provisions of this Ordinance, Section 84.30 of the Wisconsin Statutes, and Chapter H19 of the Wisconsin Administrative Code as hereinafter amended or recreated. The sign shall also meet all the structural requirements of local and state building codes.

(b) Before any sign for which a permit is required by this ordinance is erected, there shall be submitted to the Office of Planning and Zoning Administration the written consent of the owner of the land upon which the sign is to be located that permission has been so granted, a scale drawing of the proposed sign indicating its location on the premises and its relationship to other structures and
property lines, and a computation of the display area as defined in this ordinance.

(c) Back to back signs shall constitute but one sign within the meaning of this ordinance.

12.14-2 SIGNS PROHIBITED
Hazards or nuisances: No sign which creates a hazard or
dangerous distraction to vehicle traffic or a nuisance to
adjoining property shall be permitted in any district. Signs
shall not resemble, imitate or approximate the shape, size, form
or color of railroad or traffic signs, signals or devices, nor
obstruct or interfere with the effectiveness of said devices.
Flashing signs and inflatable signs are hereby prohibited. For
the purpose of this Ordinance, time and temperature devices, and
changeable copy signs shall not be considered flashing signs.
No signs or any part thereof or sign anchors, braces, or guide
rods shall be attached, fastened, or anchored to any fire
escape, fire ladder, or standpipe, and no sign or any part of
any sign or any anchor, brace, or guide rod shall be erected,
relocated, put up, or maintained so as to hinder or prevent
ingress or egress from public or private driveways, parking lots
or fire escapes or through a door, doorway, or window or so as
to hinder or prevent pedestrian traffic on a sidewalk or so as
to hinder or prevent the raising or placing of ladders against
a building by the fire department as necessity therefore may
require. No sign shall be placed so as to obstruct or interfere
with traffic visibility nor be lighted in such a way as to cause
glare or impair driver visibility upon public right-of-ways.
(6/2/92)

12.14-3 SIGNS PERMITTED IN ALL DISTRICTS WITHOUT A ZONING PERMIT
The following types of signs shall be permitted in all districts
without a zoning permit upon the following conditions:
(a) Agricultural product and farm identification signs
   Limited to two signs per highway frontage, not
   exceeding 20 square feet in area, and related to the
   agricultural premises on which it is installed. Farm signs shall be located not closer than 15 feet
   from a public right-of-way. (6/2/92)

(b) Bulletin Boards
   Public, charitable or religious institution bulletin
   boards not to exceed 48 square feet in display area
   located on the premises. Setback requirements shall
   be enforced.

(c) Directional Signs
   A sign not to exceed 12 square feet in area, for the
   purpose of directing persons to service clubs,
   churches, hospitals or schools or other non-profit
   organizations within the County may be permitted in
   any district. No setback is required.

(d) Home Occupation Signs
   Signs for home occupations permitted under section
   12.09-1 and 12.09-2, provided, however, that there
   shall be only one sign permitted on the parcel,
   being unlighted and limited to not more than 4
   square feet.

(e) Name, Occupation and Warning Signs
   Said signs are not to exceed four (4) square feet in
   display area located on the premises, and not closer
   than fifty (50) feet between signs. No setback is
   required.

12-36
(f) Official Signs
Such as traffic control, parking restrictions, information and notices. Such signs may be permitted within the road right-of-way.

(g) Real Estate Signs
Real estate signs not over nine (9) square feet in area and which signs pertain to the lease, hire or sale of land, building or part thereof upon which the sign is located provided there is no more than (1) sign for each street frontage and it is located at least fifteen (15) feet from the outer edge of the highway right-of-way.

(h) Political Posters (temporary)
Political signs, provided they are not erected before the date of filing nomination papers for an elected office, and are removed within one month after the election, provided any such sign is a least 15 feet from the outer edge of the highway right-of-way line and with respect to corner lots, is not located within the vision triangle.

(i) Special Event Signs
Temporary signs or banners for the purpose of advertising a festival or auction or bazaar or other special event providing any such sign is at least fifteen (15) feet from the outer edge of the highway right-of-way and is located more than one hundred (100) feet from any intersection.

12.14-4 SIGNS PERMITTED IN ALL RESIDENTIAL DISTRICTS
Except as provided in section 12.14-2, the following signs shall be permitted in all residential districts with a permit:

(a) Real Estate Development Signs
Permanent real estate development signs
A sign which is permanently located at entrances or along streets or highways which designate a particular development and which only include the name of the development shall be permitted, however, all such signs shall be at least 15 feet from the outer edge of the highway or street right-of-way, and provided further that such signs shall be constructed and properly maintained so as to be aesthetically pleasing to the surrounding development. Drawings showing the specific design, appearance and location of the sign shall be submitted to the Office of Planning and Zoning Administration for approval and the permitted size and location of any such sign shall be at the discretion of the Director of Planning and Zoning based upon the character of the area, the type and purpose of sign and the length of time permitted.

(b) Temporary Development Signs
A sign for the purpose of designating a new building or development, for promotion of a subdivision or for similar special informational purpose may be permitted for a limited period of time in any district with the approval of the Office of Planning and Zoning Administration and subject to the following:

1. Drawings showing the specific design, appearance and location of the sign shall be submitted to the Office of
Planning and Zoning Administration for approval.

2 The permitted size of the signs shall not exceed 50 square feet and shall be located in the development site. No more than two such signs shall be permitted.

3 Such sign may be permitted for a period up to two years, and extension may be permitted for a period not to exceed six years total.

4 All signs shall not be closer than 15 feet from the outer edge of the highway or street right-of-way.

12.14-5 SIGNS PERMITTED IN ALL BUSINESS, MANUFACTURING, INSTITUTIONAL, AND PARK RECREATIONAL DISTRICTS

Except as provided in section 12.14-2, the following signs are permitted only in the business, manufacturing, institutional, and park recreation districts with a permit and only on the premises and subject to the following regulations:

(a) Ground Signs

Ground signs shall be limited to one sign for each individual business premises which advertises the business names, services offered, or products sold on the premise; the signs shall not exceed thirty (30) feet in height, shall meet all side and rear yard requirements for the district in which it is located, and shall not exceed three hundred (300) square feet in display area on any one side nor six hundred (600) square feet in display area on all sides for any one premise. The signs shall be at least 15 feet from the right-of-way of any highway, street or road.

Larger developments with multiple street frontages and multiple entrances may erect a ground sign at one or more of the entrances provided that no ground sign is located closer than 300 feet to another ground sign on the same property. All other area, height, and setback requirements for ground signs as set forth above shall be complied with. (6/2/92)

(b) Portable Signs

Portable signs as defined in this ordinance shall not be located in any vision triangle as defined in this ordinance and shall not incorporate any flashing or traveling lights. Such signs shall be at least 15 feet from highway right-of-way lines and shall not be illuminated in such a way as to obstruct highway visibility. Such signs shall not be more than 40 square feet in area.

(c) Projecting Signs

Projecting signs as defined in this ordinance fastened to, suspended from, or supported by structures shall not exceed one hundred (100) square feet in display area on all sides for any one use; shall not extend more than six (6) feet in any required yard; shall not be less than ten (10) feet from all lot lines; shall not exceed a height of twenty (20) feet above the mean centerline street grade as defined in this ordinance; and shall not be less than ten (10) feet above a sidewalk or other pedestrian way nor fifteen (15) feet above a driveway or an alley; and signs, furthermore, shall be at least 15 feet from the right-of-way of any highway or street.
(d) Tower Signs
Tower signs may be permitted adjacent to or within 100 feet of the right-of-way of a freeway, or an abutting frontage road, and shall not exceed 65 feet in height. No tower sign shall be located closer than 300 feet to a ground sign, projecting sign, or wall sign. No tower sign shall be located closer than 1,000 feet to another tower sign. Said signs shall be properly secured to the ground to the satisfaction of the Office of Planning and Development. Said signs shall be at least 30 feet from the right-of-way of any highway or street and shall not exceed 300 square feet in display area on any one side nor 600 square feet in display area in all sides for any one premise. (6/2/92)

(e) Wall Signs
Wall signs shall be permitted provided, however, that they are placed against the exterior walls of buildings and shall not extend more than twelve (12) inches outside of a building’s wall surface, shall not exceed two hundred (200) square feet in display area for any one main structure, and shall not exceed twenty (20) feet in height above the mean centerline street grade as defined in this ordinance.

(f) Window Signs
Window signs shall be placed only on the inside of commercial buildings and shall not exceed sixty (60) percent of the glass area of the pane upon which the sign is displayed.

(g) Combination of Signs
The total of all signs, except window signs, erected or placed on any one premise shall not exceed 1200 square feet in total display area.

(h) Search Lights
The temporary use of search lights for advertising purposes may be permitted provided that the search light will not be located in any public right-of-way, will not be located closer than ten feet to an adjacent property, and will not cause a hazard to traffic or adjoining properties. Search light permits shall not be granted for a period of more than 12 days in any six-month period.

12.14-6 SIGNS PERMITTED IN SHORELAND/FLOODPLAIN AREAS
All signs in shoreland areas that are visible to stream or lake users at any time of the year shall not exceed 25 square feet in area on one side nor 50 square feet in area on all sides for any one premise; shall not exceed a height of 20 feet above the ordinary high water mark; shall not be located closer than 10 feet to any side lot lines; shall not be located closer than 75 feet to any shoreline; and, shall not be located closer than 15 feet to any highway right-of-way. (11/5/86)

12.14-7 CONSERVANCY DISTRICT SIGNS
No commercial advertising sign shall be permitted in the C-1 or C-2 Districts.

12.14-8 EXISTING SIGNS
Signs lawfully existing at the time of the adoption or amendment of this Ordinance may be continued although the use, size, or location does not conform with the provisions of this Ordinance. However, it shall be deemed a nonconforming use or structure and the provisions of Section 12.28-8 shall apply.
CONSTRUCTION AND MAINTENANCE OF SIGNS

(a) Wind Pressure and Dead Load Requirements
All signs and other advertising structures shall be designed and constructed to withstand wind pressure of not less than 40 pounds per square foot of area.

(b) Protection of the Public
The temporary occupancy of a sidewalk or street or other public property during construction, removal, repair, alteration, or maintenance of a sign is permitted provided the space occupied is roped off, fenced off, or otherwise isolated.

(c) Maintenance
Except for non-conforming signs, the owner of any sign shall keep a sign in good maintenance and repair which includes restoring, repainting, or replacing a worn or damaged sign to its original condition. The owner of all conforming and non-conforming signs shall, however, maintain the premises on which the sign is erected in a clean, safe, and inoffensive condition, free and clear of all obnoxious substances, rubbish, weeds, and grass.

(d) Supporting Members or Braces
All signs shall be constructed of galvanized iron, properly treated steel, copper, brass, or other noncorrosive combustible material or properly treated and structurally sound wood. All projecting signs, if placed at a right or other angle to the wall or roof of any building, shall be attached by such noncorrosive metal bolts, anchors, cable, or other metal attachments as shall ensure permanent and safe construction, and shall be maintained free from rust or other defects. Every means or device used for attaching any sign shall extend through the walls or roof of the building should the Office of Planning and Zoning Administration determine that the safe and permanent support of such sign so requires, and shall be securely anchored by wall plates and nuts to the inside of the walls or to bearings on the underside of two (2) or more roof or ceiling joists in accordance with instructions given by the Office of Planning and Zoning Administration. Small flat signs containing less than 10 feet of area may be attached to a building by the use of lag bolts or other means to the satisfaction of the Office of Planning and Zoning Administration.

I. FENCES

12.15-1 PERMIT REQUIRED
No fence, except those fences provided for in section 12.15-2, shall hereinafter be located, directed, moved, reconstructed, extended enlarged, converted or structurally altered without a zoning permit and without being in conformity with the provisions of this Ordinance, and State Statutes and the Wisconsin Administrative Code. The fence shall also meet all the structural requirements of local and State codes. All fences shall be constructed in a manner that the finished side of the fence faces the neighboring property. (6/2/92)

12.15-2 FENCES PERMITTED WITHOUT A ZONING PERMIT
The following fences are permitted as specified without a zoning permit subject to the following restrictions and providing that said fence does not in any way interfere with traffic visibility:
(a) A snow fence shall be permitted in all districts when comprised of wooden pickets bound together by wire and not exceeding four feet in height and removed between May 1 and November 1 of each year. No privately owned snow fence shall extend beyond the highway right-of-way line.

(b) Fences to be installed around swimming pools shall be governed by the provisions of section 12.17-7.

(c) Agricultural fences in the A-1, A-2, A-3 and A-4 Districts shall be permitted provided that they do not extend beyond the highway or road right-of-way.

(d) Decorative fences not exceeding two feet in height shall be permitted in all districts.

(e) No fence, except barbed wire fences for agricultural purposes, shall be constructed or placed within the required shore yard in any district or within the 100-year recurrence interval floodplain. (6/2/92)

12.15-3 FENCES OR WALLS FOR WHICH A ZONING PERMIT IS REQUIRED

(a) Residential fences or walls are permitted on the property lines in residential districts, but shall not be greater than six (6) feet in height in the side yard and rear yard or greater than four (4) feet in height in the street yard. Residential fences or walls may be six (6) feet in height in the rear street yard of a double frontage lot or in the side street yard of a corner lot not closer than fifteen (15) feet. Residential fences or walls shall be not closer than two (2) feet to any public right-of-way and no fence or wall greater than two (2) feet in height shall be placed within the vision triangle. No fence or wall which incorporates barbed wire shall be permitted in residential districts. Residential fences shall not be constructed or placed within the required shore yard in any district or within the 100-year recurrence interval floodplain. (6/2/92)

(b) Security fences or walls are permitted in all districts other than residential districts. Security fences or walls may be placed on side and rear property lines, but shall not be located closer than two (2) feet to a public right-of-way line. Security fences or walls shall not exceed ten (10) feet in height. No fence or walls greater than two (2) feet in height shall be placed within the vision triangle. Security fences shall not be constructed or placed within the required shore yard in any district or within the 100-year recurrence interval floodplain. (6/2/92)

J. PET AND ANIMAL REGULATIONS

12.16-1 TOWN RESPONSIBILITY

Restriction of the number and type of animals and pets permitted within a particular district shall be the responsibility of the local town boards.

K. SWIMMING POOLS

12.17-1 COMPLIANCE

It shall be unlawful to construct, install, enlarge, or alter any swimming pool as defined in the Ordinance, in the unincorporated areas of Kenosha County except in compliance with all of the provisions of this section.
12.17-2 DISTRICTS
Swimming pools may be installed in all districts except the C-1, Lowland Resource Conservancy District, FPO, Floodplain Overlay District, HO, Historic Overlay District, and AEO, Adult Entertainment Overlay District.

12.17-3 PERMIT REQUIRED
It shall be unlawful to proceed with the construction, installation, enlargement or alteration of any private residential swimming pool and accessories thereto within the unincorporated area of Kenosha County unless permits therefore shall have first been obtained from the Office of Planning and Zoning Administration.

12.17-4 APPLICATION
All drawings and plans for the construction, installation, enlargement or alteration of any such swimming pool and the accessories thereto shall first be presented to the Office of Planning and Zoning Administration for examination and approval as to proper location and construction.

All such plans and drawings shall be drawn to scale and shall indicate thereon all distances and dimensions so as to accurately and explicitly show all lot lines, and all information pertaining to the pool, walk, deck, fence, construction, water supply system, drainage and water disposal systems, and all accessories pertaining to the swimming pool. Such plans shall also indicate the vertical elevations of the pool.

All private residential swimming pools and accessories thereto, water supply and drainage systems shall be constructed in conformity with the approved plans.

12.17-5 LOCATION
No portion of a swimming pool outside a building, including a surrounding deck and fence, shall be located at a distance of less than eight feet from any side or rear property line or building line. Such pool shall also comply with any and all state or local regulations with respect to the distances from an on-site sewage disposal absorption system. On corner lots, all street yards, setbacks or property lines shall be complied with. Pumps, filters and pool water disinfection equipment installations and all other accessories shall be located at a distance not less than eight feet from any side property line. Such pools may be installed only in the rear yard of a premise. All state requirements with respect to the Wisconsin Administrative Code, Section H62.20 as hereinafter amended or recreated relating to setbacks from an on-site sewage disposal absorption system shall be complied with.

12.17-6 AREA
Such pool may be constructed provided however it does not occupy more than 40 per cent of the usable area of the rear yard excluding all garages or other accessory structures located in such area.

12.17-7 SAFETY FEATURES
No swimming pool shall be installed or maintained unless:
(a) There shall be erected and maintained a good quality fence not less than four feet in height completely surrounding the pool or surrounding the yard in which the pool is located. In lieu of a fence, the staff of the Office of Planning and Zoning Administration may, on a case-by-case basis, approve other measures designed to prevent unauthorized access to the pool. (11/5/84)
(b) Every gate or other opening in the fence enclosing such pool, except an opening to the dwelling or other main building of the premises, shall be kept securely closed and locked at all times when the owner or occupant of the premises is not present at such pool. All such gates shall be equipped with self-closing and self-latching devices placed at the top of the gate.

12.17-8 LIGHTING
No lighting may be installed in connection with the pool which shall throw any rays beyond such property lines.

12.17-9 WATER DRAINAGE
No water drained from a pool shall be discharged over or near any septic tank, septic field or well.

12.17-10 INSPECTION
The town building inspector or town deputy planning and zoning administrator shall inspect all swimming pools to determine whether or not the provisions of this ordinance are being complied with.

L. SHORELAND REGULATIONS

12.18-1 REGULATIONS
All applicable use, site, or sanitary restrictions and regulations shall apply to shorelands in addition to those listed below.

12.18-2 TREE CUTTING AND SHRUBBERY CLEARING
Tree cutting and shrubbery clearing within 100 feet of the ordinary high water mark of all navigable waters is prohibited except for home site development, as defined in this ordinance, and park site development; access roads; path and trail construction; timber stand improvement; customary trimming; dead tree removal; and managed timber harvesting under a State District Forester's Plan. Such tree cutting and shrubbery clearing shall not involve the clear cutting of more than 30 feet in any 100 feet, as measured along the ordinary high water mark, and shall be so regulated as to prevent erosion and sedimentation, preserve and improve scenic qualities, and during foliation substantially screen any development from stream or lake users. Paths and trails shall not exceed ten (10) feet in width and shall be so designed and constructed as to result in the least removal and disruption of shoreland cover and the minimum impairment of natural beauty. (11/5/86)

12.18-3 EARTH MOVEMENTS
Earth movements such as construction, altering or enlargement of waterways, removal of stream or lake bed materials, channel clearing, dredging, lagooning, grading, topsoil removal, filling, road cutting, ditching, and soil and water conservation structures are conditional uses requiring review, public hearing and approval by the County Land Use Committee in accordance with Sections 12.29-1 through 12.29-8 of this Ordinance in addition to the permit required from the state agency having jurisdiction under Sections 30.11, 30.12, 30.19, 30.195, and 30.20 of the state statutes. Notwithstanding the aforementioned requirements of this section, the Office of Planning and Zoning Administration may issue a stipulated shoreland permit in accordance with section 12.18-9 of this ordinance. (11/5/84)

12.18-4 STRUCTURES
All structures, except navigational aids, piers and boat launching facilities, shall not be closer than the shoreyard distance as specified in each district of this ordinance.
12.18-5 TILLAGE AND GRAZING
Tillage, grazing, livestock watering, and feeding and application of fertilizers shall be prohibited unless conducted in accordance with applicable County, State and Federal laws and regulations and unless conducted in such a manner as to safeguard the health, safety and welfare of individuals, animal and aquatic life, in the surrounding environment.

12.18-6 WATER WITHDRAWAL AND DIVERSION USES
Surface water withdrawal, diversion, or discharge for irrigation, processing, cooling or other purposes are conditional uses requiring a public hearing before the County Land Use Committee in accordance with Sections 12.29-1 through 12.29-8 of this Ordinance. This Committee shall then advise the state agency having jurisdiction under Section 30.18, 144.025(2), and 144.355 of the Wisconsin Statutes of its findings, prior to the issuance of the required state permits. Notwithstanding the aforementioned requirements of this section, the Office of Planning and Zoning Administration may issue a stipulated shoreland permit in accordance with section 12.18-9 of this ordinance. (11/5/84)

12.18-7 CROP PRODUCTION
Crop production on lands with an erosion factor of three or more is prohibited and such lands shall be planted to permanent vegetation.

12.18-8 WISCONSIN SHORELAND MANAGEMENT PROGRAM
The use of any parcel of land located within the county's designated Shoreland-Floodplain area shall be conducted in accordance with the provisions of Chapter NR115 of the Wisconsin Administrative Code, Wisconsin's Shoreland Management Program, and in the case of conflict between this ordinance and the Wisconsin Administrative Code, (NR-115) the provision with the greater restriction shall apply.

12.18-9 STIPULATED SHORELAND PERMITS
Notwithstanding the other requirements set forth in this section, the Office of Planning and Zoning Administration may issue a stipulated Shoreland Permit for those uses listed in section 12.18-3 and 12.18-6 without requiring a conditional use permit provided that the use shall not be susceptible to flooding, concentrated runoff, inadequate drainage, adverse soil and topographic conditions or any other features likely to be harmful to the environment or the public interest. Where it is proposed that a stipulated shoreland permit be issued, the Office of Planning and Zoning Administration shall transmit to the appropriate Town Board, the adjacent property owners within 200' of said property, and to the Wisconsin Department of Natural Resources, a copy of the permit application together with a list of proposed stipulations prepared by the Planning and Zoning Administrator. The town board, adjacent property owners and the Wisconsin Department of Natural Resources shall have 20 days from receipt of the application to recommend to the Office of Planning and Zoning Administration that additional stipulations be imposed on the application. The Office of Planning and Zoning Administration shall not issue the stipulated shoreland permit until the applicant agrees to the stipulations and such stipulated shoreland permit is filed and recorded in the Office of Register of Deeds. The Office of Planning and Zoning Administration shall notify the Wisconsin Department of Natural Resources of the issuance of all stipulated shoreland permits.