

## C-2 Commercial District -- 2012

### Zoning district for commercial land uses – CH. 10-Zoning 10.14

#### Permitted Uses 10.14(1)

- All uses permitted in the LC-1 Limited Commercial District
- All uses permitted in the C-1 Commercial District
- Retail and service uses
- Major repairs to motor vehicles
- Sales or leasing of new and used motor vehicles
- Sales of new and used mobile homes
- Recreational equipment rental, sale and service
- Repairs, storage, sales, rental, or leasing of new and used contractor's machinery and equipment
- Bulk fuel storage
- Sales and storage of lumber and building material
- Truck and bus terminals
- Auxiliary or supplemental electric generating stations
- Fertilizer mixing or blending plants
- Slaughterhouses, meat processing plants
- Bottling plants
- Storage, repair and maintenance of carnival, concession and circus machinery and equipment
- Automobile and truck driver training schools
- Construction equipment operator training schools
- Parking or storing of motor vehicles
- Storage or processing of scrap or waste materials (inside a building)
- Warehouses and mini-warehouses
- Outdoor games (not lighted)
- Adult book stores

#### Conditional Uses: 10.14(2)

- Outdoor amusement parks or other entertainment activity (permanent/temporary).
- Movie theaters, outdoor theaters
- Drive-in establishments
- Automobile race tracks
- Snowmobile race tracks and courses
- All-terrain vehicle race tracks and courses
- Motorcycle race tracks
- Mineral extraction
- Solid waste disposal operations
- Sanitary landfill sites
- Auto laundries and car washes
- Taverns
- Residence for a watchman or caretaker
- Communication towers
- Dog and cat boarding kennels, grooming and training facilities
- Governmental uses
- Agricultural uses
- Outdoor lighted games.
- Religious uses
- Motels and hotels
- Storage of explosive materials

#### Setbacks and Height requirements: 10.14

##### Front setback for all structures from highway centerline / right-of-way line (whichever is greater)

State or Fed. Hwy: 100/42 feet

County Highway: 75/42 feet

Town Road: 63/30 feet

Subdivision streets platted prior to DCCO: 20 feet

All other streets: 30 feet

##### Side yard:

Buildings with 2 or less stories: 10 feet

3 stories or more w/o windows: 10 feet

3 stories or more w/ windows: 10 ft plus 5 ft per story over second story

##### Rear yard:

10 Feet minimum

##### Height:

50 feet, excluding tanks, storage bins, silos and towers

#### Minimum Lot Width & Area: 10.11(5)

None

#### Lot Coverage 10.11(5)

60% maximum

## C-1 Commercial District

Zoning district for commercial uses – CH. 10-Zoning 10.13

### Permitted Uses 10.13(1)

- All uses permitted in the LC-1 Limited Commercial District
- Retail and service uses including grocery stores, drugstores, hardware stores, appliance and furniture stores, barbershops and beauty shops without limitation as to size
- Self service laundries and dry cleaning establishments
- Warehousing and storage incidental to a permitted use
- Medical, dental and veterinary clinics
- Banks, offices, office buildings and condominium office buildings not more than (2) floors to office space.
- Utility services
- Rooming and boarding houses
- Bakeries
- Laundries
- Dry cleaning plants
- Printing plants
- Distribution centers
- Wholesale businesses
- Woodworking shops
- Machine shops
- Manufacturing and assembly plants
- Bicycle sales and service
- Rental businesses – except for motor vehicles and construction machinery and equipment.
- Experimental laboratories (less than 5,000 sq. feet)
- Sales and repair of lawn and garden equipment
- Outdoor games (not lighted)
- Marinas
- Off-site parking of motor vehicles
- Crematoriums

### Conditional Uses: 10.13(2)

- Single family residences, duplexes, multifamily residences
- Banks, offices, office buildings and condominium office buildings devoting more than (2) floors to office space.
- Motels and hotels
- Taverns
- Funeral homes
- Drive-in establishments
- Hospitals and veterinary hospitals
- Nursing homes
- Convalescent centers
- Extended care facilities
- Mobile home parks (see ordinance)
- Outdoor amusement parks or other entertainment activity open to the public (permanent/temporary)
- Indoor or outdoor movie theater
- Automobile laundries and car wash facilities
- Dog and cat boarding kennels, grooming and training facilities
- Communication towers
- Storage of motor vehicles awaiting disposition
- Governmental uses
- Agricultural uses
- Outdoor lighted games

### Setbacks and Height Requirements 10.13(3).(5-7)

Front setback for all structures from highway centerline / right-of-way line (whichever is greater)

State or Fed. Hwy: 100/42 feet minimum

County Highway: 75/42 feet minimum

Town Road: 63/30 feet minimum

Subdivision streets platted prior to ordinance: 20 feet minimum

All other streets: 30 feet minimum

Height:

Business buildings: 4 stories maximum

Residential dwelling: 2 stories or 35 feet maximum

Side yard:

Buildings with 2 or less stories: 10 feet minimum (each side)

3 stories or more w/o windows: 10 feet minimum

3 stories or more w/ windows: 10 ft plus 5 ft per story over second story minimum

Rear yard:

Exclusive business use: 10 Feet minimum

Residential or combined use: 25 feet minimum

### Minimum Lot Width & Area: 10.11(5)

Business lots: None

Multifamily lots: 60 feet

Private sewer: 5,000 sq. feet per apartment

Public sewer: 2,000 to 2,250 sq. feet per apartment

### Lot Coverage 10.11(5)

60% maximum

## A-3 Agricultural District – 2012

### Zoning district for transitioning agricultural land near urban developing areas CH. 10-Zoning, Section 10.127

#### Permitted Uses 10.127(2)

- Agricultural uses
- Sale of unprocessed agricultural products produced on the farm
- Road side stands
- Agricultural entertainment activities up to 45 days per year
- Residences lawfully existing as of February 20, 2010
- Rental of existing secondary residences
- Home occupations
- Day care for not more than 8 children
- Utility services
- Farm related exhibitions, sales, and events

#### Conditional Uses 10.127(3)

- Farm family businesses for horse boarding stables, riding stables, hay and sleigh rides
- Farm family business for retail sales of bridles, saddles, grooming supplies and related items at a horse boarding or riding stable facility
- Agricultural entertainment activities more than 45 days per year
- Sale of agricultural and dairy products not produced on the premises
- Seasonal storage of recreational equipment and motor vehicles
- Limited family businesses
- Residence for the farm owner and operator
- Secondary farm residences
- Dependency living arrangements
- Governmental uses
- Religious uses
- Schools
- Non-metallic mineral extraction
- Asphalt plants and ready-mix concrete plants, with conditions
- Small scale electric generating stations

#### Setbacks and Height requirements for structures 10.127; 10.16; 10.17

**Front setback for all structures** from Highway centerline / right-of-way line (whichever is greater)

State or Federal Highway: 100/42 feet minimum

County Highway: 75/42 feet minimum

Town Road: 63/30 feet minimum

Subdivision streets platted prior to ordinance: 20 feet minimum

All other streets: 30 feet minimum from right-of-way

**Side yard** for residences: 25 feet total, with no single side less than 10 feet minimum

**Rear yard** for residences: 50 feet minimum

**For uncovered decks/porches:** 38 feet minimum

**Setbacks for accessory buildings not housing livestock:** Minimum 10-foot side and rear yards

**Setbacks for agricultural buildings with livestock:**

On parcels 35 acres or less: Minimum 50-foot side & rear yards

On parcels more than 35 acres: Minimum 10-foot side & rear yards

Note: 100-foot side and rear yard requirement when adjacent to R- district parcels

#### Maximum Height:

Residences: 2½ stories or 35 feet maximum

Accessory buildings: 35 feet maximum

Agricultural buildings: No height requirements

#### Reduced Side yard setbacks for principal buildings on Substandard Lots 10.16(5)

**Lots between 50 and 60 feet wide:** Total of 15 feet, not less than 5 feet minimum on smaller side

**Lots less than 50 feet wide:** 5 feet minimum on each side

#### Minimum Lot Width & Area 10.127(5), (9); 10.05(4)

**Agricultural Uses:** Minimum 35 acres

**Sub-standard Residential lots:**

**Public Sewer:** 100 feet at building line and 15,000 sq.ft.

**Septic System:** 100 feet at building line and 20,000 sq.ft.

#### Maximum Lot Coverage All buildings and structures

On parcels between 2 and 35 acres: 10%

Parcels less than 2 acres: 30% maximum or 35% for corner lots

## A-3 Agricultural District

Zoning district for preserving agricultural and open-space uses on land near developed areas that will inevitably be developed as part of an urban expansion – CH. 10-Zoning, Section 10.127

### **Accessory Buildings** 10.04(1); 10.12(4); 10.16(6); 12.06(1)

- On parcels less than 5 acres, only residential accessory buildings are permitted.
- One agricultural accessory building may be constructed on property without a principal residence.
- Sanitary fixtures are prohibited in accessory buildings, except as permitted through a conditional use permit for specific agricultural accessory buildings.
- No living spaces are allowed in accessory buildings.
- Reduced setbacks may be used for residential accessory buildings on small lots. The buildings must be located in the rear yard and must be at least 10 feet away from the principal building.
  - Minimum 4-foot side yard and rear yard setbacks on lots 60 feet or more in width
  - Minimum 2.5-foot side yard and rear yard setbacks on lots less than 60 feet in width
- Zoning Permit fees are exempt for farm buildings on farms of 35 acres or larger.

**NOTE:** A Zoning Permit is required for every building larger than 120 square feet in size. Zoning Permits are not required for accessory buildings equal to or less than 120 square feet on non-permanent foundations, provided they meet setback, height, and lot coverage requirements.

### **Livestock** 10.127

- Livestock is not permitted on parcels less than 5 acres.
- On parcels greater than 5 acres there is no limit to the number of animal units permitted.

### **Existing Residences in A-1EX Exclusive Agriculture District** 10.127

- Any residence lawfully existing as of February 20, 2010 shall be considered a permitted use. Notwithstanding the provisions of Sections 10.21 and 10.23 regarding nonconforming uses, such structures may be added to, altered, restored, repaired, replaced or reconstructed, without limitation, provided **all** of the following criteria are met:
  - The use remains residential.
  - The structure complies with all building height, setback, side yard and rear yard standards of this ordinance.
  - For replacement residences, the structure must be located within 100 feet of the original residence, unless site-specific limitations or town residential siting standards in town plans adopted by the county board require a greater distance. Proposals for a replacement residence that would exceed the 100-foot limitation must be approved by the town board and county zoning committee.