

2021 Zoning Ordinance Update

List of Specific Sections

Section 11.02 Definitions

- Building: Move language to “structure” and reference “structure” definition
- Remove Group Home and replace with Community Living Arrangements
 - Community Living Arrangements and Similar Facilities: Facilities as defined in Wisconsin Statutes which include, but are not limited to, Group Homes, Community Living Arrangements, Adult Family Homes, Foster Homes, and Residential Care Apartment Complexes.
- Garage, Residential: Increase max height from 15’ to 18’
 - Maximum height – 18 feet
- Home Occupation: Allow for up to two home occupations on a lot
 - Only two such uses shall be permitted on any lot.
- Change “Junk Yard” definition to “Solid Waste Disposal Operations; Junk, Salvage or Wrecking Yards”
 - Expand definition and combine other definitions into one area
 - Take definition from 11.05(g) and add it to this section
 - Deleted definition of “Salvage Yard”
 - Add square footage language
- Lot Width: clarify definition
 - The width of a parcel of land ~~measured at the rear of the specified street yard or setback line.~~ Parcels must maintain the required lot width for the distance of the required lot depth.
- Structure: Expand definition by adding language previously found in section 11.03(c)4.1. and definition of “building”
- Standard Industrial Classification Manual: Allow for online version or written version
 - The Standard Industrial Classification Manual published by the U.S. Government Printing Office and the Standard Industrial Classification online database from the United States Department of Labor (<https://www.osha.gov/data/sic-search>) shall serve as a guide to interpreting use listings and classifications within this Ordinance.
- 11.03(b)3: Add floodplain ordinance
 - Compliance with the Shoreland and Flood Plain provisions of this Ordinance shall not be grounds for the removal of lands from the Flood Plain District unless such lands are filled to a height of at least two (2) feet above the elevation of the regional flood for the particular area and are contiguous to other lands lying outside the Flood Plain District and all other requirements of the Floodplain Ordinance are met.
- 11.03(b)b.: remove reference to floodplain elevations
 - Mapping Disputes. When the location of the Flood Plain District boundary is established by experienced flood maps, the flood elevations or flood profiles for the point in question shall be the governing factor locating the district boundary on the land. ~~If elevations or profiles are not available, the Board of Adjustment may examine any other available evidence which is relevant.~~

- 11.03(c)2: rephrase sections, new section as follows:
 - A zoning permit shall be either granted or denied in writing by the Zoning Administrator within 30 days of the Administrator receiving a complete application and determining that all necessary information has been provided and the applicable fee has been paid. The permit shall expire two years from the date of issue unless substantial work has been completed as determined by the Zoning Administrator. Any permit issued in conflict with the provisions of this Ordinance shall be null and void.
- 11.03(c)4.1.: Move section to “structure” definition
- 11.03(c)5: new section added
 - A Zoning and Land Use Permit shall not be issued for any property upon which there are:
 - Unresolved violations of this Ordinance, Floodplain Ordinance, Land Division and Subdivision Ordinance or Private Onsite Wastewater Systems Ordinance
 - Delinquent property taxes
- 11.03(d)1:
 - Expand section to clarify approved access point
 - Allow for Natural Resource Zoned Lots with 20’ of frontage or by easement of at least 20’ wide
 - All lots shall front on and have access to a public road for a minimum distance of at least sixty-six (66) feet. Lots shall have an approved access point located within the sixty-six (66) foot section.
 - A Natural Resource zoned lot shall front on and have access to a public road for a minimum distance of at least twenty (20) feet, or in the alternative have an approved access point located within the twenty (20) foot section, or meet the following requirements:
 - A minimum of 20 feet access easement recorded with the Jefferson County Register of Deeds.
- 11.03(e): Clarify what can be re-applied for
 - Reapplication. Application for a conditional use permit, variance, or amendment which is denied shall not be again submitted within a period of nine (9) months from the date of the denial. Any change from the original application shall be considered a new application.
- 11.03(k): New section added
 - Relaxation of Standards for Persons with Disabilities. The Zoning Administrator, with approval from the Planning and Zoning Committee, may issue a special permit to relax the standards of the Ordinance in order to provide reasonable accommodations as required by the provisions of Federal and/or State Law. Such relaxation shall be the minimum necessary to be consistent with Federal guidelines for accommodation of person with disabilities and shall, where practical, be terminated when the property is no longer used by the disabled person. A person applying for a permit under this section shall establish the nature and extent of the disability and that the relaxation requested is the minimum necessary to provide reasonable use of the property. An affidavit for the reasonable accommodation shall be filed the Register of Deeds.
- 11.03(l): New section added
 - Bathrooms located in Accessory Structures: Water service to an accessory structure and bathrooms within an accessory structure may be permitted. A Zoning and Land Use

Permit and Sanitary Permit is required. The structure shall be connected to an approved Private Onsite Wastewater Treatment System in accordance with the Private Onsite Wastewater Treatment System Ordinance and all applicable county ordinances and state laws including, but not limited to, SPS 383. An affidavit shall be recorded with the Register of Deeds.

- 11.04(f):
 - Change all “Group Homes” to “Community Living Arrangements and Similar Facilities”
 - Include the following statement in the B, I, C, R/R
 - A site may have a conditional use without the principal use being established.
 - Rephrase outside storage in an Industrial Zone
 - If some operations and/or storage are not under cover, the Planning and Zoning Committee shall review the proposal for site plan approval after considering any recommendations from the affected Town.
 - Add the following to the Minimal Lot Area in the A-1 Zone
 - Parcels of less than thirty-five (35) acres which are zoned A-1 and defined as Parcels of Record or Parent Parcels
 - Remove Minimum Frontage statement from A-1 Zone (this is already covered in a separate section in the Ordinance)
 - ~~Minimum Frontage. All lots shall front on a public road for a minimum distance of at least sixty-six (66) feet. Access to the lot shall be provided within this frontage.~~
 - Remove Stable, agricultural from A-3 Principal Use and it to accessory use
 - Remove reference of a Farm Consolidation lot requiring 35 acres of remaining A-1 zoned land from A-3 Maximum Lot Area section
 - A lot of up to five (5) acres in area may be considered by the Planning and Zoning Committee in association with a farm consolidation for an existing residence and associated accessory structures, if the residence in question was constructed prior to January 15, 1975 (or was subsequently replaced with a newer home) and the parcel remaining contains ~~a minimum of thirty five (35) contiguous acres and~~ continues to be zoned A-1
 - Reformat R/R Zone
 - Add to the R/R Zone Accessory Uses
 - Garage, Residential
 - Residential Accessory Uses
 - Add to the R/R Zoning Conditional Use
 - Extensive On-site Storage
- 11.05(c)7 Mineral Extraction and Processing:
 - Rephrase section
 - An Applicant shall have an approved Reclamation Plan and Permit (NR135) from the Jefferson County Land and Water Conservation Department. The Planning and Zoning Committee may review and approve a Conditional Use Permit contingent on receiving the Reclamation Plan and Permit from the LWCD Department.
- 11.05(e)8 Mobile Home Parks

- Add underlined section
 - Roads and Parking. All roadways, parking areas, and walkways shall be hard-surfaced. Roadways shall be a minimum of 66 feet in width and adequately lighted. The Planning and Zoning Committee may permit a roadway of less than 66 feet, as requested by the applicant. The Committee shall review the reasons for the reduced road width and the ability for the public and emergency vehicles to access the campground. There shall be one (1) off-street parking space for each mobile home and additional parking spaces for automobiles within the park, totaling not less than two (2) parking spaces for each mobile home lot.
- 11.05(f) Campgrounds
 - Update State Statute reference
 - 11.10(f)10: The perimeter of the camping area or perimeter of the parcel must be fenced and screened as required by the Planning and Zoning Committee.
- 11.09(e) Substandard Lots: rephrase section to align with State Statute
 - (a) In any Residential, Waterfront or Community District, a one-family detached dwelling and its accessory structures may be erected on any legal lot or parcel of record in the County Register of Deeds Office. All current sections and subsequent amendments of this Ordinance, the Jefferson County Private Sewage System Ordinance and the Jefferson County Floodplain Ordinance shall apply. [Amended 2/8/00, Ord. No. 99-28; Ord. No. 2018-13, 08/13/2018]
 - (b) In accordance with Section 66.10015(2)(e) of the Wisconsin Statutes, a property owner of a legal substandard lot may:
 - 1. Convey ownership interest in a substandard lot
 - 2. Use the substandard lot or parcel as a building site if all of the following apply:
 - a. The substandard lot or parcel has never been developed with one or more of its structures placed partly upon an adjacent lot or parcel.
 - b. The substandard lot or parcel is developed to comply with all other requirements of this Ordinance.
- 11.09(f)1: rephrase section to allow for the replacement of homes within the A-1 Zoning District
 - A residence as established under subsection (f) above, which has been removal, abandoned, or is no longer used as a residence may be replaced, reconstructed, or improved if substantial evidence is provided documenting the previous existence of such legal residence and the replacement, reconstruction, or improvement occurs within 15 years of the residences removal, abandonment, or nonuse as a residence. If the replacement or reconstruction is requested more than 15 years after the removal, abandonment, or nonuse as a residence, the request shall be made to the Planning and Zoning Committee. The Committee shall review the request for compliance with this ordinance and the Agricultural

Preservation and Land Use Plan. The replacement or reconstruction shall meet all provisions of this Ordinance.