

**Chapter 14.28
Industrial District**

Sections:

14.28.010 Permitted uses.

14.28.020 Regulations and standards.

14.28.010 Permitted uses.

Within the I-Industrial District, the following uses are permitted:

- A. Grain storage and feed mills;
- B. Wholesale storage and warehouse facilities except those specifically prohibited;
- C. Railroad yards, sidings and switching facilities; public utilities;
- D. Fuel storage, lumber yards, building material storage yards or similar storage yards, but not salvage or junkyards;
- E. The manufacture or processing of goods or products, except those listed in subsection H of this section;
- F. Customary accessory uses;
- G. Those uses permitted in the A-Agricultural District Section 14.32.010 A, C, and E, and subject to the requirement of Section 14.32.020.
- H. The following uses shall not be permitted unless the location and use has been approved in writing by the village board after investigation and public hearing:
 1. Slaughterhouses;
 2. Acid manufacture;
 3. Cement, lime, gypsum or plaster of Paris manufacture;
 4. Distillation of bones;
 5. Explosives manufacture or storage;
 6. Fat rendering or tanneries;
 7. Fertilizer manufacture;
 8. Garbage, rubbish, offal or dead animal reduction or dumping;
 9. Glue manufacture;
 10. Petroleum refining;
 11. Smelting of tin, copper, zinc or iron ores;
 12. Stockyards;

13. Dairy processing plants. (Ord. dated 12/10/82 § 8.1)

14.28.020 Regulations and standards.

- A. Minimum Lot Size. None specified.
- B. Maximum Coverage. The amount of the total lot area which may be covered by all principal and accessory buildings shall not exceed seventy (70) percent.
- C. Height. Buildings hereafter erected or structurally altered shall exceed neither forty (40) feet no four stories in height.
- D. Required Yards and Open Spaces. On every lot in the I-Industrial District, there shall be a front yard on each lot line abutting a street, a side yard and a rear yard, except in the case where three lot sides abut a street, where there shall be three front yards and one side yard.

1. Front yard. The depth where a lot abuts a highway or collector street as designated on the zoning map shall be sixty-five (65) feet from the centerline of such right-of-way, but not less than thirty-five (35) feet from the right-of-way line. Where a lot abuts a minor street as designated on the zoning map, the minimum depth shall be sixty (60) feet from the centerline, but not less than thirty-five (35) feet from the right-of-way line. If the building is to be constructed in an established block where there are existing buildings, the yard depth shall be the average of the yard depths of existing buildings on the block face where the building is to be located.

2. Side yard. The width shall be ten feet or greater and no accessory building shall project into the required side yard space.

3. Rear yard. The depth shall not be less than twenty-five (25) feet. Within the required yard, or in addition thereto, there shall be sufficient space for the loading and unloading of motor vehicles off of the street. Where a lot abuts a lot in an R-Residential District, there shall be provided along such a lot line a suitable buffer of plant materials, fencing, or a combination of both, to shield

the residential area from the industrial area. Where the transition from the industrial to the residential district is a public street, the front yard in the industrial district shall be suitably landscaped.

E. Any permitted use shall be so constructed and operated as to create no nuisance with respect to noise, vibration, emission of smoke or particulate matter, toxic, noxious or odorous matter, or glare and heat as to create fire or explosive hazards.

F. Off-street parking space. Off-street parking shall be provided as follows:

1. One off-street parking space per person normally employed on the lot or tract of land;
2. One off-street parking space for each truck or other vehicle incidental to the use of such lot or tract of land.

Chapter 14.32

AT – Agricultural Transitional District

Sections:

14.32.010	Purpose.
14.32.020	Lands include.
14.32.030	Permitted uses.
14.32.040	Special uses.
14.32.050	Regulations.
14.32.060	Rezoning.

14.32.010 Purpose.

The purpose of the AT – Agricultural Transitional district is to:

A. Provide for the orderly transition of agricultural land to other uses in areas planned for eventual urban expansion.

B. Defer urban development until the village determines that adequate public services and facilities can be provided at a reasonable cost.

C. Ensure that urban development is compatible with local land use plans and policies.

D. Provide periodic review to determine whether all or part of the lands should be transferred to another zoning district.

14.32.020 Lands included.

This district is generally intended to apply to lands in agricultural or related open space use, but where conversion to nonagricultural use is expected in the near future.

14.32.030 Permitted uses.

The following uses are permitted uses, unless regulated as special uses:

A. Agricultural Uses: beekeeping; egg production; dairying; floriculture; grazing; livestock raising; orchards; plant greenhouses and nurseries; poultry raising; growing and harvesting fruits, nuts, and berries; sod farming and vegetable raising. Any operation with more than 300 cattle or 1,000 hogs or sheep or 2,000 fowl requires a special use permit.

B. Agriculturally-related Residences: The only residences allowed are those which are occupied by a person who, or a family in which one member, earns at least 25% of the gross family income from farm operations on the farm parcel, or a parent or child of the farm operator. Pre-existing residences located in areas subject to zoning under this section, which do not conform to this paragraph may be continued in residential use and shall not be subject to any limitations imposed or authorized under s. 59.97(10). Such pre-existing residences may be altered, repaired, or rebuilt if destroyed, but are subject to setback, height, and other dimensional requirements.

C. Other Agriculturally-related Structures and Improvements: No structure or improvement may be built unless consistent with agricultural uses.

D. Permitted Utility Uses: Gas and electric utility uses not requiring authorization under s. 196.491 are permitted uses. Comment: Source s. 91.75(4). Certain utility uses (bulk electric generating facilities, large electric generating facilities, and high-voltage transmission lines) as defined in s. 196.491(1) are exempt from local regulation if a state certificate of convenience and necessity has been issued as provided in s. 196.491(3). This ordinance provides that other gas and electric utility uses not requiring a state permit are also permitted uses.

14.32.040 Special uses.

A. Agriculturally-related, religious, or other utility uses which are not permitted uses and home occupations, institutional, or governmental uses which do not conflict with agricultural uses, and are found necessary in light of alternative locations available for such uses are special uses.

B. Standards Applicable to Special Uses: The Department of Agriculture, Trade, and Consumer Protection shall be notified of the approval of any special uses. In passing upon applications for special uses, the Board of

Appeals shall consider the following relevant factors:

1. The statement of purposes of the zoning ordinance and the AT district.

2. Potential for conflict with nearby agricultural uses.

3. The need of the proposed use for a location in an agricultural area.

4. Availability of alternative locations.

5. Compatibility with existing or permitted uses on adjacent lands.

6. The need for public services created by the proposed use.

7. Availability of adequate public services and the ability of the village to provide them without an unreasonable burden.

8. The effect of the proposed use on water or air pollution, soil erosion, and rare or irreplaceable natural resources.

C. Conditions Which May be Attached to Special Uses: Upon a consideration of information supplied at a public hearing, and a review of the standards contained in paragraph B above, the following conditions may be attached to the granting of a special use: increased lot size, setbacks, and yards; specifications for water supply, liquid waste, and solid waste disposal facilities; landscaping and planting screens, sureties, operational controls, and time of operation; air pollution controls; erosion prevention measures; location of use; and similar requirements found necessary to fulfill the purpose and interest of this ordinance. Violation of these conditions shall constitute a violation of this ordinance.

14.32.050 Regulations.

A. Minimum Lot Size:

1. The minimum lot size to establish a residence or farm operation is 35 acres, except as provided in 2 through 4 below.

2. The minimum lot size to establish a separate parcel for an additional residence for persons earning a substantial part of their livelihood from the farm operation, or parents

or children of the farm operator, shall be two acres.

3. Where an additional residence for persons specified in 2 above is located on a farm, the residence shall be at least 100 feet from other residences.

4. The minimum lot size for farm residences or structures existing before adoption of this ordinance, and which are separated from a larger parcel through farm consolidation, shall be two acres.

B. Structure Height:

1. The maximum height of a farm dwelling shall be 35 feet.

2. The maximum height of other agricultural structures shall be 2 times their distance from the nearest lot line.

C. Yards:

1. The minimum side and rear yards for farm dwellings and accessory structures shall be 30 feet from the nearest lot line.

2. Highway setbacks for farm dwellings and structures shall be as follows:

a. Where lots abut a highway, as designated on the zoning map, the minimum setback shall be eighty-five (85) feet from the centerline, but not less than twenty-five (25) feet from the right-of-way line.

b. Where lots abut a collector or a minor street, as designated on the zoning map, the minimum setback shall be sixty-five (65) feet as measured from the centerline, but not less than twenty-five (25) feet from the right-of-way line.

14.32.060 Rezoning.

The Department of Agriculture, Trade, and Consumer Protection (DATCP) shall be notified of all rezoning. Decisions on petitions for rezoning areas zoned for AT – agricultural transitional use shall be based on findings which consider that: (1) adequate public facilities to serve the development are present, or will be provided; (2) providing these facilities will not be an unreasonable burden to local government; (3) the land is

suitable for development; and (4) development will not cause unreasonable air and water pollution, soil erosion, or adverse effects on rare or irreplaceable natural areas. Comment: s. 91.77(1) requires that decisions on rezoning are to be in the form of findings based on consideration of items 1 through 4 above. Local governments are not required to act strictly according to the answers to 1 through 4, but are required to consider these factors. The findings should be made in writing, with a copy sent to the applicant and to DATCP, which under s. 91.77(3), must be notified of all rezoning.