

TOWN OF CLEARFIELD

Ordinance 25

Zoning

8/12/2025

Town

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** (P = permitted, C = conditional, X = prohibited)

Accessory Structures –

- **Rural District (RD) – P:** Allowed as part of permitted uses; must comply with yard, height, and setback standards (4.01 General Provisions; 4.02 Exceptions to Height/Space; 5.02 Permitted Uses; 5.03 Regulations & Standards).
- **Exclusive Agricultural District (A-1) – P:** Allowed if consistent with agricultural use; subject to yard/setback requirements (6.04 Permitted Uses; 6.05 Minimum Lot Height/Yard).
- **Business District (B) – P:** Allowed subject to signage, compatibility, and structural standards (7.03 Permitted Uses; 7.05 Standards for Structures; 7.06 Signage; 7.07 Ag Uses in B; 7.10 Rezoning Standards).
- **Highway Setback Lines – C:** May be placed within setback lines if conditions are met (8.03 Structures in Setback; 8.07 Exceptions; 8.08 Enforcement).
- **Other Provisions –** CUPs and special standards apply in certain contexts (9.04 Mixed-Use; 9.05 Environmental/Infrastructure; 10.02–10.07 Wireless Tower Rules; 10.14 Fall Zone Restrictions; 13.03 Board of Appeals Powers; 14.02 Building Permits; 14.03 Building Plans; 16.01 Violations).

Adult-Oriented Businesses –

- **Rural District (RD) – X:** Not a permitted or conditional use (5.02 Permitted Uses list excludes).

- **Exclusive Agricultural District (A-1) – X:** Not a permitted or conditional use (6.04 Permitted Uses list excludes).
- **Business District (B) – X:** Specifically prohibited (7.04 Non-Permitted Uses).

Agriculture –

- **Rural District (RD) – P:** Farming, livestock, horticulture allowed (5.01 Purpose; 5.02 Permitted Uses; 5.03 Standards).
- **Exclusive Agricultural District (A-1) – P:** Broad agricultural activities allowed; some limits on non-farm uses (6.01 Purpose; 6.02 Lands Included; 6.03 Hobby Farm Limits; 6.04 Permitted Uses; 6.05 Yard Standards; 6.06 Rezoning Standards).
- **Business District (B) – P/C:** Some agricultural activities allowed, others conditional (7.01 Boundaries; 7.03 Permitted Uses; 7.04 Non-Permitted; 7.07 Ag Uses in B).
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Business District Regulations –

- **Business District (B) – P/C/X:** Details permitted, conditional, and prohibited uses, plus standards for rezoning (1.00 Statutory Authorization; 6.06 Ag Rezoning Standards; 7.01 Boundaries; 7.02 Purpose; 7.03 Permitted Uses; 7.06 Signage/Compatibility; 7.07 Ag Uses; 7.10 Rezoning Standards; 9.04 Mixed-Use Standards).

Campgrounds –

- **Business District (B) – P/C:** Allowed as conditional uses in certain areas (7.03 Permitted Uses; 7.04 Non-Permitted Uses for other zones).

Compliance and Enforcement –

- **Rural District (RD) – General:** Enforcement of zoning provisions (1.00 Statutory Authorization; 4.01 General Provisions; 5.02 Permitted Uses; 5.03 RD Standards).
- **Exclusive Agricultural District (A-1) – General:** Enforcement and compliance tied to permitted uses and standards (6.03 Hobby Farm Limits; 7.03 B District Uses; 7.06 Signage; 7.07 Ag Uses in B).



- **Highway Setback Lines – General:** Compliance required for structures within setback lines (8.08 Enforcement).
- **Conditional Use & Other –** Enforcement for CUPs, towers, and subdivision requirements (9.03 CUP Procedures; 9.04 Mixed-Use; 9.05 Environmental; 9.06 Enforcement; 10.02–10.14 Wireless Towers; 12.03 Subdivision Procedures; 13.03 Board of Appeals; 13.04 Exercise of Power; 14.02 Building Permits; 14.03 Building Plans; 14.05 Certificate of Compliance).

Conditional Uses –

- **Rural District (RD) – C:** Uses allowed only by CUP (1.00 Statutory Authorization; 4.01 General Provisions; 5.02 Permitted Uses; 5.03 Standards).
- **Exclusive Agricultural District (A-1) – C:** Certain non-agricultural uses allowed only by CUP (6.04 Permitted Uses list CUPs).
- **Business District (B) – C:** Some uses require CUP approval (7.03 Permitted Uses; 7.04 Non-Permitted; 7.06 Standards; 7.07 Ag Uses in B).
- **Other –** CUPs governed by (8.08 Enforcement; 9.01 Definition; 9.02 Authorization; 9.03 Procedures; 9.04 Mixed-Use; 9.05 Environmental; 9.06 Enforcement; 10.06 Tower CUP Requirements).

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Driveways and Access –

- **General –** Standards for safe and legal access (1.00 Statutory Authorization; 4.01 General Provisions; 5.02 Permitted Uses; 5.03 Standards; 6.05 Yard Requirements; 7.01 Boundaries; 7.02 Purpose; 7.07 Ag Uses in B; 8.03 Setback Structures; 9.03 CUP Procedures; 9.05 Environmental; 10.03 Applicability; 10.14 Fall Zones; 12.02 Jurisdiction; 12.05 Streets; 12.06 Alleys; 12.07 Blocks; 12.08 Lots; 14.03 Building Plans).

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- **General –** Ordinance effective date (12.02 Subdivision Jurisdiction; 17.01 Draft Amendments).

Environmental Impact –

- **General –** Environmental review standards (4.01 General Provisions; 7.03 B District Uses; 7.07 Ag Uses in B; 7.09 Compliance; 9.03 CUP Procedures; 9.05 Environmental & Infrastructure).

Home-Based Businesses –

- **Rural District (RD) – C/P:** Allowed with limits per section (5.02 Permitted Uses).
- **Business District (B) – C/P:** Some permitted, some prohibited (7.03 Permitted; 7.04 Non-Permitted; 7.07 Ag Uses in B).

Nonconforming Uses –

- **General** – Continuation and limits of existing nonconforming uses (1.00 Statutory Authorization; 5.03 RD Standards; 8.07 Setback Exceptions; 9.02 CUP Authorization).

Non-Permitted Uses –

- **Business District (B) – X:** Explicit list of prohibited uses (7.04 Non-Permitted).

Parking Standards –

- **Rural District (RD) – General:** Parking requirements in standards (5.03).
- **Business District (B) – General:** Parking provisions in structural standards (7.05, 7.06).
- **Other** – CUP and tower parking provisions (9.03 Procedures; 9.04 Mixed-Use; 9.05 Environmental; 10.14 Fall Zones; 12.06 Alleys; 12.08 Lots).

Permitted Uses –

- **General** – Allowed uses by district (4.01 General; 5.02 RD Uses; 6.04 EA Uses; 7.03 B Uses; 9.04 Mixed-Use; 10.06 Tower CUPs; 13.03 Board of Appeals).

Planned Unit Development –

- **General** – CUP and standards (13.03 Powers of the Board of Appeals).

Setbacks –

- **Rural District (RD) – General:** Minimum setbacks (5.03).
- **Exclusive Agricultural District (A-1) – General:** Yard requirements (6.04, 6.05).
- **Business District (B) – General:** Structural setbacks (7.05, 7.06, 7.07, 7.10).
- **Highway Setback Lines – General:** Detailed road/setback standards (8.01–8.08).
- **Other** – CUP, tower, and subdivision setbacks (9.03, 9.04, 10.02, 10.05, 10.07, 10.14, 12.03, 12.08).

Shoreland Zoning Compliance –

- **General** – Compliance with county shoreland zoning rules (14.02 Building Permits).

Signs –

- **General** – Allowed/prohibited sign types and standards (1.00, 5.02, 5.03, 6.03, 6.05, 7.01, 7.02, 7.03, 7.06, 7.07, 8.05, 9.02, 9.03, 9.05, 9.06, 10.02, 10.04, 10.05, 10.07, 10.14, 12.01, 12.03–12.08).

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Subdivision Procedures –

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Variances –

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Violations and Penalties –

- **General** – Violations and associated penalties (1.00, 6.03, 8.08, 9.03–9.06, 10.12, 10.14, 15.04, 16.01, 16.02).

Section 1: Statutory Authorization, Statement of Purpose, and Intent

Statutory Authorization, Statement of Purpose, and Intent

1.01 Title

This ordinance shall be known as the “Town of Clearfield Zoning Ordinance.”

1.02 Authority

This ordinance is adopted pursuant to the authority granted under Wis. Stat. §§ 60.61, 60.62 (if applicable), and 62.23(7), and in accordance with Wis. Stat. § 66.1001.

1.03 Purpose

The purposes of this ordinance are to:

1. Promote the public health, safety, and general welfare of the Town of Clearfield;
2. Regulate and restrict the height, number of stories, and size of buildings and other structures;
3. Regulate the size of yards, courts, and other open spaces;
4. Control population density; and
5. Govern the location and use of buildings, structures, and land for trade, industry, residence, and other lawful purposes.

1.04 Plan Consistency

All land use decisions under this ordinance, including rezonings, text amendments, conditional use permits, and site plan approvals, shall be consistent with the Town of Clearfield Comprehensive Plan, as adopted and amended under Wis. Stat. § 66.1001.

1.05 Interpretation and Conflict

Where provisions of this ordinance impose greater restrictions than any other ordinance, statute, or regulation, the provisions of this ordinance shall govern, unless preempted by state or federal law.

1.06 Severability

If any section or provision of this ordinance is adjudged invalid, the remainder shall remain in full force and effect.

1.07 Enforcement

This ordinance shall be enforced by the Zoning Administrator or other duly authorized representative in accordance with Chapter 15.

1.08 Review and Amendment

This ordinance shall be reviewed for consistency with the Comprehensive Plan at least once every ten years, or sooner if required by law. Amendment procedures are set forth in Section 16.

Section 2: Districts

2.01 Zoning Districts Established

The Town of Clearfield is hereby divided into the following zoning districts, as depicted on the Official Zoning Map:

1. Exclusive Agricultural District (EA)
2. Rural District (R)

3. Business District (B) Additional districts may be created only by amendment to this ordinance pursuant to Wis. Stat. § 62.23(7)(d) and (da).

2.02 Official Zoning Map

The boundaries of the zoning districts established by this ordinance are shown on the Official Zoning Map, which is adopted by reference and made part of this ordinance. The Official Zoning Map, together with all notations, references, and other data shown thereon, shall have the same force and effect as if fully set forth herein. The Official Zoning Map shall be maintained in the office of the Town Clerk, maintained by the Town.

2.03 Boundary Interpretation

When uncertainty exists as to the location of a zoning district boundary, the following rules shall apply:

1. Boundaries indicated as approximately following the centerlines of streets, highways, or alleys shall be construed to follow such centerlines.
2. Boundaries indicated as following lot lines shall be construed as following such lot lines.
3. Boundaries indicated as following municipal limits shall be construed as following municipal limits.
4. Boundaries indicated as parallel to or extensions of features listed above shall be so construed.
5. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.
6. Boundaries indicated as following shorelines shall be construed to follow such shorelines; in the event of natural changes, boundaries shall move with the actual shoreline.
7. In cases of uncertainty, the Zoning Board of Appeals shall interpret the location of such boundaries in accordance with this ordinance and Wis. Stat. § 62.23(7)(e).

Section 3: Glossary of Terms

Glossary of Terms

- A. For the purposes of this ordinance, certain words and terms are defined as follows:
Words used in the present tense include the future; the singular number includes the plural number and the plural number includes the singular number; the word "building" includes the word "structure"; the word "shall" is mandatory and not directory. Any words not herein defined shall be construed as defined in the state building code. Any word or term not defined herein shall have the meaning assigned in the Wisconsin Statutes or the Wisconsin Administrative Code, as amended, or, if not defined therein, shall be construed according to their common and accepted usage.
 - 1) **Accessory Agricultural Uses:** Supportive activities or structures—like storage sheds, equipment barns, or small farm stands—that are not the primary focus of the agricultural operation.
 - 2) **Accessory Dwelling Unit (ADU):** A subordinate residential dwelling unit, either attached to or detached from a principal single-family dwelling, located on the same lot, and designed to provide complete independent living facilities for one or more persons, with an explicit maximum size of 900 square feet in total living space. An accessory dwelling unit shall include permanent provisions for living, sleeping, eating, cooking, and sanitation, and shall not be sold or conveyed separately from the principal dwelling.
 - 3) **Airport, Public:** An airport that meets the definition outlined in Section 114.002 of the Wisconsin Statutes or any facility designed and used to accommodate common carriers for air transport of passengers or cargo.
 - 4) **Agent:** A person authorized to act on behalf of another individual or entity in dealings or transactions.

- 5) **Agricultural Products:** Crops, livestock, and livestock products, including but not limited to field crops, fruits, vegetables, horticultural specialties, cattle, sheep, hogs, goats, horses, poultry, fur-bearing animals, milk, eggs, and furs.
- 6) **Alley:** A street or thoroughfare less than 21 feet wide providing secondary access to the rear or sides of properties abutting a public road.
- 7) **Animal Unit (AU):** A standardized measure used to compare different kinds of livestock, based on average live weight. For purposes of this ordinance, 1 AU equals: 1 mature dairy or beef cow, 1 horse, 2 calves, 2 swine over 55 lbs, 10 sheep or goats, 100 chickens, or 1,000 pounds of live animal weight for other species. Equivalency factors not listed here shall follow Wis. Admin. Code NR § 243.05
- 8) **Automobile Wrecking Yard:** Any premises where three or more motor vehicles not in operating condition are stored in the open.
- 9) **Boarding House:** A residence providing lodging and meals for compensation to long-term occupants (30+ days), typically without individual cooking facilities.
- 10) **Boathouse:** A structure designed for the storage or protection of boats for private, non-commercial purposes. Boathouses may not be used for human habitation.
- 10) **Building:** Any structure built for the shelter, support, or enclosure of persons, animals, or property.
- 11) **Building, Accessory:** A subordinate building or part of a building that serves an incidental use to the principal building or the main use of the property.
- 12) **Building, Height of:** The vertical distance measured from the average ground level at the front of the lot or the finished grade at the building line, whichever is higher, to the highest point of the coping of a flat roof, the deck line of a mansard roof, or the average height of the highest gable of a gable, hip, or pitched roof.
- 13) **Building, Main:** A building that houses the primary use or principal activity conducted on a lot or property.
- 14) **Center Line:** A line through the center of a highway or road, used as a reference point for setback measurements.
- 15) **Certified Survey Map:** A map creating three (3) or more parcels within five (5) years. Maps must comply with Sec. 236.34, Wis. Stats., and bear a certificate of approval by the Town Board.
- 16) **Channel:** A natural or artificial watercourse with defined bed and banks that confine and conduct continuously or periodically flowing water.
- 17) **Conditional Use:** (also referred to as Special Use): A land use that, because of its unique characteristics or potential impacts on surrounding properties, is only allowed after review and approval by the Town through a conditional use permit process. Such uses may be allowed in a zoning district if specific conditions, safeguards, and standards set forth in this ordinance are met. Approval may include conditions to mitigate adverse impacts, and failure to comply with those conditions constitutes a violation of this ordinance.
- 18) **County Road:** A public road or highway maintained by Juneau County and designated as a county trunk highway.
- 19) **Division of Land:** Any subdivision of a recorded tract, excluding provisions under Sec. 12.3(4).

- 20) **Driveway:** A private way or means of vehicular access, other than a public or private street, connecting a parcel of land to a public or private roadway and intended primarily for the use of occupants of that parcel.
- 21) **Dwelling:** A building or portion of a building containing a kitchen and a bathroom, intended or used as a residence for one or more persons.
- 22) **Dwelling, One Family:** A detached building designed and occupied exclusively by one family.
- 23) **Dwelling, Two Family:** A building designed for and occupied exclusively by two families, also known as a duplex.
- 24) **Dwelling, Multiple:** A building or part of a building designed for and occupied by more than two families, including apartments, tenement houses, or row houses.
- 25) **Family:** (a) An individual; (b) Two or more persons related by blood, marriage, or adoption; or (c) A group of up to five unrelated persons living together as a single household.
- 26) **Farm:** A property primarily engaged in the production of crops, livestock, or livestock products for commercial purposes, as defined by Wis. Stat. § 91.01(1).
- 27) **Farm Animal:** Domestic species of animals such as cattle, sheep, swine, goats, llamas, or horses, traditionally kept and raised on farms for food, fiber, or labor. This includes rabbits, mink, chinchillas, and other animals raised for meat or fur.
- 28) **Final Plat:** A map creating more than three (3) parcels over five (5) years, reviewed in accordance with Chapter 236, Wis. Stats.
- 29) **Front Setback:** The required minimum distance between a structure and the front property line, typically measured at 50 feet unless otherwise specified.
- 30) **Frontage:** The length of a property line abutting a road, street, or other public right-of-way.
- 31) **Garage, Private:** A detached or attached accessory building or part of a main building designed for the storage of motor-driven vehicles and related equipment, used exclusively by the property owner or tenant.
- 32) **Garage, Public:** A building or premises other than a private garage where vehicles are stored, serviced, repaired, or hired for compensation.
- 33) **Garage, Storage:** A building or premises used solely for the storage of motor-driven vehicles or machinery under a previous arrangement, not intended for transient use and without sales of parts, fuel, or repairs.
- 34) **Garden:** A plot of land used for growing fruits, vegetables, herbs, or ornamental plants, typically for personal use, and not meeting the definition of a farm or hobby farm.
- 35) **Gross Income:** The definition as provided in Wisconsin statutes for adjusted gross income under section 71.01(13).
- 36) **Hobby Farm:** A property where agricultural activities are conducted primarily for personal use, recreation, or supplemental income, producing less than \$1,000 in annual agricultural sales.
- 37) **Home Occupation:** A business, profession, service, or other economic activity conducted entirely within a dwelling or permitted accessory structure, carried out by residents of the dwelling, and clearly incidental and secondary to the residential use of the property. Home occupations shall comply with all

operational standards set forth in the applicable zoning district regulations, including limits on employees, signage, noise, traffic, and outdoor storage.

- 38) **Hotel:** A commercial establishment offering lodging to transient guests (less than 30 days), with or without meals, and generally providing private bathrooms for each unit.
- 39) **Interstate:** A public highway designated as part of the federal Interstate Highway System.
- 40) **Junk Yard:** A lot, land, or structure used primarily for collecting, storing, or selling waste materials, including dismantling and salvaging machinery or vehicles not in running condition.
- 41) **Lodging House:** A residence providing lodging only, without meals, for compensation to long-term occupants (30+ days), typically without individual cooking facilities.
- 42) **Lot, Zoning Lot:** A single property, parcel, or unit under one ownership, intended as a unit for development, which may contain one or more structures and associated open spaces.
- 43) **Lot, Corner:** A lot abutting the intersection of two or more streets or water courses, or a lot at the abrupt change of a single street where the angle is less than 135 degrees.
- 44) **Lot, Depth:** The average horizontal distance between the front and rear lot lines. For irregularly shaped lots, depth shall be the mean of the shortest and longest distances from the front lot line to the rear lot line. Measurement methods should be illustrated with diagrams in an appendix for clarity.
- 45) **Lot, Interior:** A lot other than a corner lot, with only one frontage on a public road or street.
- 46) **Lot, Width:** The average horizontal distance between the side lot lines measured at the building setback line, or as otherwise specified for cul-de-sac and irregular lots. For irregularly shaped lots, width shall be determined by measuring between side lot lines at the point of the minimum front setback distance from the street right-of-way.
- 47) **Low-Density Development:** Residential development characterized by large lot sizes (e.g., one dwelling per 5 acres or greater) and minimal infrastructure, intended to preserve open space and rural character.
- 48) **Manufactured Housing:** A structure certified as a manufactured home under 42 USC Sections 5401 to 5426, placed on a foundation meeting state and local standards, installed per manufacturer instructions, and properly connected to utilities.
- 49) **Master Plan:** The Town's comprehensive guide for growth and development, as adopted by the Town Board.
- 50) **Mobile Home:** A structure originally designed for transportation on public highways, intended for use as sleeping, eating, and living quarters, including any additions or attachments, and classified as a mobile home regardless of modifications to wheels or rolling devices.
- 51) **Mobile Home Park:** A plot or tract of land accommodating three or more mobile homes for dwelling or sleeping purposes, whether or not a charge is made for such accommodations.
- 52) **Motel:** A building or group of buildings offering temporary accommodations for transients, typically with direct access to individual rooms from the outside.
- 53) **Nonconforming Use:** A lawful use of land, building, or structure that existed at the time of adoption or amendment of this ordinance and does not conform to the current zoning regulations for the district in which it is located.

- 54) **Nonconforming Structure:** A structure that was lawfully constructed or altered before the adoption or amendment of this ordinance, but which no longer complies with the dimensional, height, setback, or other physical requirements of this ordinance.
- 55) **Official Map:** A Town Board-adopted map indicating existing and proposed streets, highways, parks, and playgrounds.
- 56) **Obstruction:** Any structure, vehicle, object, plant, or other material that, by its location, height, or density, interferes with visibility, access, or use as regulated by this ordinance.
- 57) **Owner:** Includes natural persons, partnerships, limited liability companies, corporations, or other entities holding legal or equitable title to a property, as defined in s. 91.01(9), Wisconsin Statutes.
- 58) **Preliminary Act:** A map or sketch of a proposed subdivision.
- 59) **Principal Agricultural Uses:** The primary or dominant agricultural activities and associated structures on a property. These typically include core operations such as crop cultivation, livestock production, and dairy farming, as opposed to secondary or accessory uses.
- 60) **Professional Office:** The office of a licensed professional, such as a doctor, lawyer, or architect, with a single nameplate sign not exceeding 24 square feet.
- 61) **Sanitary Sewer:** A conduit for collecting and transporting liquid and solid waste from two or more premises to a sewage treatment facility, approved by the Wisconsin Department of Natural Resources.
- 62) **Seasonal Roadside Stand:** A temporary structure or location used for the sale of agricultural products grown on the premises, operated only during the growing or harvest season, and removed or rendered inactive when not in use.
- 63) **Semi-Trailer:** A trailer of the type commonly used with a tractor-trailer unit, designed for the transport of goods, which is constructed so that some part of its weight and that of its load rests upon or is carried by another vehicle.
- 64) **Setback:** A defined distance from property lines or roadways within which structures may not be placed, measured per zoning district requirements.
- 65) **Shipping Container:** A standardized, reusable steel or aluminum enclosure originally manufactured for the storage and transportation of goods and materials, including “sea cans” or “conex boxes.” For purposes of this ordinance, shipping containers used for on-site storage shall be considered accessory structures when permanently placed and temporary uses when placed for less than 90 consecutive days. Use, placement, and duration are subject to applicable zoning district regulations.
- 66) **Side Setback:** A minimum distance of 25 feet from the side property line to any structure, unless otherwise specified by zoning district standards.
- 67) **Sign:** Any device, structure, fixture, or placard that uses graphics, symbols, or written copy to advertise, identify, display, or direct attention to an object, person, institution, organization, business, product, service, event, or location. For purposes of this ordinance, each display surface is considered a separate sign. Signs are regulated by size, location, type, and illumination per the applicable sign regulations.
- 68) **Sign Directional:** A permitted sign that provides wayfinding or directional information to guide the public to a destination, such as a business, public facility, or event, and that contains no advertising other than identifying the facility or activity to which it directs.

- 69) **Special Use:** A use deemed necessary or desirable for public welfare but potentially incompatible with standard zoning, subject to specific conditions. Synonymous with "special exception."
- 70) **State Road:** A public road or highway maintained by the State of Wisconsin, including state trunk highways.
- 71) **Street:** Property dedicated or intended for public or private travel, including roads and thoroughfares with a width of 21 feet or more.
- 72) **Street Line:** The dividing line between a property parcel and a contiguous street.
- 73) **Structure:** Anything constructed or erected requiring a permanent or semi-permanent location on or in the ground, such as buildings, wells, or septic systems.
- 74) **Subdivision:** Defined under Sec. 236.02(8), Wis. Stats., as amended in Section 12.02 and 12.03.
- 75) **Tentative Approval:** Approval with or without recommendations for the preparation of a final plat or certified survey map.
- 76) **Traffic Lane:** A designated strip of roadway intended for a single line of moving vehicles.
- 77) **Town Road:** A public road or highway maintained by the Town of Clearfield.
- 74) **Truck Box:** A detachable or fixed cargo enclosure originally manufactured as part of a truck, semi-trailer, or delivery vehicle, designed for transport or storage of goods. For purposes of this ordinance, truck boxes used for on-site storage are regulated in the same manner as shipping containers.
- 75) **UDC (Uniform Dwelling Code):** The statewide building code in Wisconsin governing the construction and inspection of dwellings and accessory buildings.
- 76) **Vision Corner:** A triangular area formed at the intersection of two streets, or a driveway and a street, bounded by the right-of-way lines and a line connecting points located a minimum of 30 feet from the intersection along each right-of-way line (or 15 feet for a driveway-street intersection). Within this area, no object, vegetation, or structure shall be placed or maintained between 30 inches and 8 feet above the adjacent roadway elevation to ensure clear visibility for drivers and pedestrians. Include a diagram in an appendix for clarity.
- 77) **Yard:** An open, unoccupied space on the same lot with a building, extending from the building to the nearest lot line, unoccupied and unobstructed from the ground upward, except as otherwise permitted by this ordinance.

B. The Town Board may amend this section from time to time to add, clarify, or update definitions as necessary to ensure clarity and consistency throughout this ordinance.

C. Unless otherwise specifically defined within a chapter or section, all terms used in this ordinance shall have the meanings ascribed to them in this section.

Section 4: General Provisions

4.01 General Provisions

A. Building Use and Height Compliance:

All buildings and land uses shall comply with the permitted uses, height limitations, and dimensional standards established for their zoning district.

B. Junkyards and Disposal Sites:

Establishment, operation, or maintenance of any junkyard, disposal site, solid waste reduction, recovery, or recycling facility within the Town of Clearfield is prohibited unless authorized by a permit issued by the Town Board. All such facilities must comply with Wisconsin Statutes Chapter 287, applicable environmental, safety, and aesthetic standards, and any conditions imposed by the Town Board. The Town Board shall determine whether accumulations of junk, salvage material, unsightly wood or metal, or other materials constitute an eyesore or public nuisance, as defined under Wis. Stat. § 823.01, and may order their removal in accordance with nuisance abatement procedures.

C. Accessory Buildings and Storage Structures:

Accessory buildings, outbuildings, or storage buildings require a building permit prior to construction or placement. Semi-trailers, shipping containers, truck boxes, old mobile homes, non-inhabitable residential buildings, or vehicles are not acceptable storage buildings and may not be placed on any land in the Town as storage units. Temporary use of semi-trailers or containers for construction storage may be permitted with a time-limited building permit.

D. Setbacks for Structures:

Structures must comply with the following setback distances:

1. 50 feet from the centerline of town roads.
2. 66 feet from the centerline of county roads.
3. 88 feet from the centerline of state roads.
4. 120 feet from the centerline of interstate highways.

E. Vision Corners and Traffic Safety:

1. **Driveways:** Vision corners for driveways must be kept free of all obstructions to ensure safe visibility. Measurements should align with the vision corner diagram provided in Section 8.06:
 - (a) Vision corners are to be measured from a point 3.5 feet above the centerline of the proposed driveway access, 15 feet back from the edge of the public road pavement.
 - (b) Two points on the nearest oncoming lane must be identified 4.5 feet above the road centerline at a distance "D" from the point where the driveway centerline intersects the public road.
 - (c) Distance "D" corresponds to the speed limit of the road. Refer to the vision corner diagram for specifics.
2. **Public Road Intersections:** Vision corners at public road intersections must also remain free of obstructions. Key points include:
 - (a) For a major road, measure "B" feet back from the pavement edge.
 - (b) For a minor road, measure "A" feet back from the pavement edge.
 - (c) The resulting triangle formed by these points must be unobstructed to ensure visibility.
 - (d) When two minor roads intersect, the road with higher traffic volume is considered the major road. Distances should align with the speed limits of the roads, as detailed in the vision corner diagram in Section 8.06.

F. Conditional Use Permit Option:

A conditional use permit may exempt inevitable setbacks or zoning restrictions for certain building types. Approval is case-by-case by the Town Board.

4.02 Exceptions to Height and Space Regulations

A. Public and Quasi-Public Buildings:

Churches, schools, hospitals, sanatoriums, and other public or quasi-public buildings may be erected to a height not exceeding 35 feet, provided the required front, side, and rear yards for the district are increased by at least 1 foot for each additional foot of building height above the district's height limit.

B. Exempt Structures:

The following structures are exempt from height regulations, provided they comply with other applicable regulations:

1. Chimneys
2. Cooling towers
3. Elevator bulkheads
4. Fire towers
5. Silos
6. Monuments
7. Penthouses
8. Water towers
9. Ornamental towers or spires
10. Wireless, television, or broadcasting towers
11. Masts or aials
12. Telephone, telegraph, and power poles and lines
13. Microwave radio relay structures
14. Necessary mechanical appurtenances

Section 5: Rural District (RD)

5.01 Purpose

The RD-Rural District is intended to accommodate mixed agricultural and residential uses, including hobby farms, in areas generally not suited for intensive agricultural production due to location, soils, development patterns, or other physical characteristics. The district preserves rural character while allowing low-density residential development consistent with the Town Comprehensive Plan.

5.02 Permitted Uses

- A. Permitted uses within the RD-Rural District are limited to those that preserve the rural character, reduce vehicular and traffic impacts, and align with the Town's comprehensive plan. Accessory Dwelling Units (ADUs) are also permitted, provided they adhere to the standards outlined in this section.

1. Principal agricultural uses and structures as defined in Section 6.
2. Single-family and two-family dwellings.
3. Hobby farms and agricultural structures maintained from prior farm consolidations.
4. Public parks and playgrounds.
5. Public and semi-public non-profit institutions (e.g., churches, schools, libraries) with demonstrated alignment to rural character.
6. Limited home-based businesses that:
 - (a) Do not generate excessive vehicular traffic or require frequent heavy vehicle access.
 - (b) Are operated solely by residents of the property of record and involve minimal signage (limited to 32 square feet, one side) and are not located in the road right-of-way.

- (c) Business activities in the RD (Rural District) are limited to home-based businesses as defined in this section, unless otherwise authorized by a Conditional Use Permit under Section 9.04. All such permits shall be subject to the Compatibility and Impact Standards in Section 7.06(B).
- 7. Seasonal roadside stands for agricultural products grown on the property.
- 8. All conditional uses under this section shall meet the approval criteria in Section 9.02 and remain subject to the compliance and enforcement provisions of Section 9.06.

5.03 Regulations and Standards

A. Agricultural Uses

- 1. Limited to Hobby Farm use unless the parcel was used for Principal Agricultural Uses prior to April 1, 2020 (see definitions in Section 3.0).
- 2. Limited to Gardening activities unless the parcel was used for agricultural purposes prior to April 1, 2020.
- 3. Tree Farms are exempt from these limitations.
- 4. One animal unit per acre (see definition in Section 3.0 and NR 243.05, Wis. Admin. Code).
- 5. All animal waste storage must comply with Wisconsin state regulations for animal waste management.
- 6. Any new animal storage buildings built after April 1, 2020, must be set back at least 100 feet from any property line.
- 7. Any fencing constructed after April 1, 2020, to contain animal units is the sole responsibility of the property owner of record.

B. Dwellings

- 1. **Occupancy:** Limited to one family and no more than two roomers or boarders per dwelling unit.
- 2. **Location:** Dwellings shall be located abutting a public road, and each lot shall have a minimum frontage of 165 feet along such road.
- 3. **Habitable Floor Area:** All dwellings, including mobile homes, shall have a minimum of 720 square feet of habitable floor area.
- 4. **Building Code:** Any newly constructed primary dwelling must meet the current adopted state of Wisconsin UDC.
- 5. **Dimensions of Building Sites:**
 - (a) The minimum lot area shall be 5 acres; riparian lots must have a minimum lot width of 75 feet at the water's edge.
 - (b) Where soil conditions require larger lot sizes under the Wisconsin Administrative Code or the Juneau County Sanitary Ordinance, such larger lot sizes shall be enforced.
 - (c) A sanitary permit issued by the County Sanitarian is required prior to the issuance of a building permit. No construction shall commence prior to the issuance of these permits.
 - (d) Building permits are valid for 12 months from the date of issuance.
- 6. **Height:** Maximum building height is 35 feet.
- 7. **Exception:** Non-conforming parcels under five (5) acres, created before December 2003, shall be exempt from the five (5) acre minimum.

C. Accessory Dwelling Units (ADUs)

- 1. **Purpose and Intent:**
 - (a) To provide flexible housing options for families while maintaining the Town's rural character.
 - (b) To allow safe, regulated additional living spaces for family members, caregivers, or similar occupants.

2. General Requirements:

- (a) Location: ADUs must be located on parcels of at least 5 acres and within 100 feet of the principal dwelling unit.
- (b) Ownership: ADUs may not be subdivided or deeded separately from the principal dwelling unit.
- (c) Size Limitation: ADUs may not exceed 900 square feet in total living space.

3. Design and Construction Standards:

- 4. **Attached or Detached:** ADUs may be attached to or detached from the principal dwelling. Detached units may include converted garages, new structures, or other approved buildings.
- 5. **Safety Standards:** All ADUs must be inspected by the Clearfield Building Inspector for compliance with structural integrity, electrical, plumbing, and fire safety requirements.
- 6. **Construction Standards:**
 - (a) New Construction: Must comply fully with Wisconsin's Uniform Dwelling Code (UDC).
 - (b) Converted Structures: Converted structures, such as garages or sheds, must meet basic safety standards, including structural integrity, fire safety, and sanitation. The Clearfield Building Inspector may exempt some UDC codes; those exemptions must be documented.
- 7. **Infrastructure Compliance:** ADUs must comply with the Wisconsin Electrical Code, heating regulations, and plumbing standards.
- 8. **Sanitation and Infrastructure:** ADUs must comply with the Wisconsin Sanitation Code. Shared septic systems are permitted if they meet capacity and regulatory standards.
- 9. **Permitting and Inspections:** All ADUs require a building permit, site plan approval, and inspections by the Clearfield-certified Building Inspector.
- 10. **Deed Restrictions:** A deed restriction must ensure ADUs cannot be subdivided or deeded separately.
- 11. **Conditional Use Permit Standard:** Setbacks or zoning restrictions for ADUs may be adjusted through the issuance of a conditional use permit. All conditional use permits issued under this section shall meet both the general approval criteria in Section 9.02 and the specific Compatibility and Impact Standards in Section 7.06(B). These requirements apply in addition to any other standards in this section.
- 12. **Nonconforming Parcels:** Parcels smaller than 5 acres created before December 2003 may be eligible for ADUs if sufficient space exists for parking, septic systems, and wells. The Town Board will grant approval on a case-by-case basis.
- 13. **Prohibited Uses:** ADUs may not be used for rental units, Airbnb's, or other commercial activities. This restriction ensures that ADUs align with the rural character and residential intent of the district.

D. Park Model Recreational Vehicles as ADUs

- 1. A park model recreational vehicle, as defined by the Town of Clearfield Camper Ordinance 33-2015, may be used as an Accessory Dwelling Unit (ADU), provided it is installed in compliance with all applicable requirements of this ordinance and the Camper Ordinance, including but not limited to sanitation, placement, and permitting standards.
- 2. Any park model recreational vehicle used as an ADU must be installed in accordance with the Wisconsin Sanitary Code, must receive inspection and approval by the Clearfield-certified Building Inspector, and must obtain all required permits prior to occupancy.
- 3. No camper, travel trailer, or recreational vehicle other than a park model recreational vehicle may be used as an ADU or attached to any dwelling.
- 4. Nothing in this section shall be construed to prohibit the use of park model recreational vehicles for camping purposes, as permitted under the Town of Clearfield Camper Ordinance 33-2015, as amended.

E. Outbuildings, Structures, and Dwellings

1) One Dwelling Per Parcel:

- (a) One dwelling is permitted per parcel with a minimum size of five (5) acres; however, non-conforming parcels smaller than five (5) acres that were created before December 2003 are exempt from this minimum size requirement.

2) Accessory Structures: Accessory structures for storage or non-dwelling purposes are permitted if they meet setback requirements and zoning restrictions.

3) Plumbing Restrictions: No bathrooms or plumbing shall be added, constructed, or installed in accessory structures unless there is a primary dwelling on the parcel.

4) Removal of Previous Dwellings: Once a permit of occupancy has been issued for a new dwelling, any old house, mobile home, manufactured home, or other building used as a dwelling must be removed within ten (10) days.

5) Conversion of Non-Dwelling Structures: Structures built as other than dwellings cannot be occupied as a dwelling until the following conditions are met:

- (a) The parcel must be in a residential zone or a conditional use permit must be obtained.
- (b) A building permit is obtained from the Town of Clearfield Clerk.
- (c) The structure must meet current UDC.
- (d) Inspected by the Town of Clearfield's designated Building Inspector.
- (e) Permit of Occupancy has been issued.

F. Nonconforming Businesses in Residential Districts:

- 1) Any business lawfully established and continuously operated within a residentially zoned district prior to February 15, 2012, may continue to operate in its existing form, notwithstanding any contrary provisions of this ordinance.
- 2) If the scope, nature, or type of such business is changed or expanded beyond its original use as of February 15, 2012, the business owner shall be required to apply for and obtain a conditional use permit prior to commencing the new or expanded use.
- 3) If such a business is sold or transferred to a new owner, it may continue to operate as it was prior to the sale or transfer, provided there is no change in the scope, nature, or type of the business.
- 4) If such a business ceases operation for a period greater than one (1) year, any subsequent use of the premises as a business shall require application for and approval of a conditional use permit prior to resuming operation.

Chapter 6: Exclusive Agricultural District (A-1)

6.01 Purpose

The purposes of the A-1 District are to:

- A. Preserve productive agricultural land for food and fiber production.
- B. Preserve productive farms by preventing land use conflicts between incompatible uses and controlling public service costs.
- C. Maintain a viable agricultural base to support agricultural processing and service industries.
- D. Prevent conflicts between incompatible uses.
- E. Reduce costs of providing services to scattered non-farm uses.
- F. Pace and shape growth.
- G. Implement the provisions of the county agricultural plan as adopted and periodically revised if applicable.
- H. Comply with the provisions of the Farmland Preservation Law to permit eligible landowners to receive tax credits under s. 71.09 (11).

6.02 Lands Included Within the District

This district is generally intended to include the best agricultural lands historically exhibiting high crop yields. This district also includes other lands that are integral parts of productive farm operations.

6.03 Agricultural Uses – Hobby Farm Limitations

A. Hobby Farm Animal Units:

Hobby farms are limited to one (1) animal unit per acre of land suitable for animal waste utilization. This calculation ensures proper nutrient management and protects soil and water quality. See Section 3.0 for animal unit definitions.

B. Animal Waste Management Requirements:

All livestock operations must adhere to Wisconsin Department of Natural Resources (DNR) agricultural performance standards, including:

1. **Runoff Control:** Runoff from agricultural buildings, feedlots, and manure storage areas must be diverted away from streams, lakes, and wellheads located within water quality management areas. These areas are defined as:
 - (a) Within **300 feet** of a stream.
 - (b) Within **1,000 feet** of a lake.
 - (c) Areas susceptible to groundwater contamination.
2. **Nutrient Management Plans (NMPs):** Hobby farms and agricultural operations must develop and implement NMPs per NR 151 standards to regulate the application of manure and fertilizer. Plans should prioritize:
 - (a) Preventing over-application of nutrients beyond crop needs.
 - (b) Avoiding manure spreading during frozen or snow-covered conditions unless using low-risk practices outlined by the DNR.
3. **Manure Storage and Containment:**
 - (a) Manure storage facilities must be designed and maintained to prevent leaks or structural failure.
 - (b) New facilities or expansions must follow NRCS 313 guidelines and require DNR approval if applicable.

C. Groundwater Protection:

Livestock operations must comply with all state standards for protecting groundwater from contamination, including prohibiting direct runoff into sinkholes, fractured bedrock, or other conduits to groundwater. Operators must manage waste to minimize nitrate leaching into aquifers.

D. Existing Farms:

Existing farms exceeding hobby farm thresholds are exempt from these restrictions but must comply with DNR standards for animal waste management. Non-compliance may result in enforcement action by the Town or state agencies.

E. Inspection and Compliance:

The Town of Clearfield reserves the right to inspect agricultural operations to ensure compliance with these standards. Violations may be subject to penalties as outlined in Section 14.

6.04 Permitted Uses

The following are permitted uses unless regulated as special exceptions under Section 7.4.1:

- A. **Agricultural Uses:** Beekeeping; dairying, egg production; floriculture; forest and game management grazing; livestock raising (less than 75 cattle or 200 hogs or sheep); orchards; plant greenhouse and nurseries; poultry raising (less than 200 fowl); raising of grain, grass, mint, and seed crops; raising of fruits, nuts, berries; sod farming; and vegetable raising. Existing habitable farm dwellings and related structures

that remain after farm consolidation or farm sale may be separated from the farm lot, and are not subject to the 35-acre minimum lot size, but shall be subject to all RD (Rural District) standards

- B. **Agriculturally-Related Residences:** Except as provided in Section 6.04(C) below, the only residences, whether preexisting residences or not, that are allowed as permitted or conditional uses are those that have a use consistent with agricultural use and that are occupied by any of the following:
 - 1. An owner of the parcel.
 - 2. A person who, or a family at least one adult member of which, earns the majority of his or her gross income from conducting the farm operations on the parcel.
 - 3. A parent or child of an owner who conducts the majority of the farm operations on the parcel.
 - 4. A parent or child of an owner who resides on the parcel and who previously conducted the majority of the farm operations on the parcel.
- C. **Pre-Existing Residences and Residential Lots:** Pre-existing residences located in areas subject to zoning under this section which do not conform to Section 7.04(A) may be continued in residential use and shall not be subject to any limitations imposed or authorized under ss. 59.69 (10). Such pre-existing residences may be altered, repaired, or rebuilt if destroyed but are subject to setback, height, and other dimensional requirements. Residential lots of record at the date of the adoption of this ordinance may be used for new residences, which shall then be classified as pre-existing residences.
- D. **Other Agriculturally Related Structures and Improvements:** No structure or improvement may be built unless consistent with agricultural use, or unless otherwise permitted by this ordinance.
- E. **Permitted Utility Uses:** Gas and electric utility uses not requiring authorization under s. 196.491.

6.05 Minimum Lot Height and Yard Requirements

- A. **Minimum Lot Size:**
 - 1. The minimum lot size to establish a residence or farm operation is 35 acres exclusive of road right of way, except as provided below (Source s. 91.75 as amended).
 - 2. The lot size for farm residences or structures which existed prior to the adoption of this ordinance and which are separated from a larger parcel through farm consolidation or sale shall be at least 5 acres exclusive of the road right of way.
- B. **Yards:**
 - 1. The minimum side and rear yards for farm dwellings and accessory structures shall be 25 feet from the nearest lot lines.
 - 2. Highway setbacks for farm dwellings and structures shall be as specified in Section 8.0 of this ordinance.
- C. **Special Exceptions:**
 - 1. Minimum lot size, height, and yard requirements for special exception uses shall be as specified in the special exception permit. However, all setback requirements must adhere to the general standards outlined in Section 4.0 to maintain consistency across districts.
- D. **Rezoning Adjustment:**
 - 1. If 5 acres are removed from a parcel of 40 acres or greater, the remaining land may retain its agricultural designation only if the adjusted acreage equals or exceeds 35 acres. Otherwise, the remaining land must be rezoned to Rural District. Additional acreage may be added to restore agricultural designation.

6.06 Standards for Rezoning

The Department of Agriculture, Trade and Consumer Protection shall be notified of all rezoning. Decisions on petitions for rezoning areas zoned for exclusive agricultural use shall be based on findings that consider the following:

- A. Adequate public facilities to serve the development are present or will be provided.
- B. Provision of these facilities will not be unreasonable burden to local government.
- C. The land is suitable for development.
- D. Development will not cause unreasonable air and water pollution, soil erosion or adverse effects on rare or irreplaceable natural areas.
- E. The potential for conflict with remaining agricultural uses in the area.
- F. The need of the proposed development location in an agricultural area.
- G. The availability of alternative locations.
- H. The productivity of the agricultural lands involved.
- I. The location of the proposed development to minimize the amount of agricultural land converted.

Chapter 7: Business District (B)

7.01 Business District Boundaries

The Business District (B) encompasses designated areas along major transportation corridors within the Town of Clearfield to facilitate economic growth while maintaining compatibility with the Town's character. Specifically, the district includes:

- A. Areas within 650 feet of the centerline of State Road 58, State Road 80, and County Road A.
- B. Parcels adjacent to these highways are zoned for commercial or mixed-use development.
- C. Business District Frontage Clarification:
 - 1. Only the parcel with a minimum of 66 feet of road frontage on State Road 80, State Road 58, and County Road A will be considered a Business District. If it does not meet that minimum road frontage, it will be classified as a rural district.
 - 2. A parcel adjoining a Rural parcel is combined with a property with greater than 66 feet of frontage on State Road 58, State Road 80, and County Road A, the Business District boundary will extend 650 feet from the centerline of the respective road, encompassing the combined parcel.
 - (a) This boundary ensures appropriate separation between business activities and residential or agricultural areas while supporting convenient access to transportation networks to main highways.

7.02 Purpose

The Business District (B) is intended to provide designated areas for retail, service, and professional business activities that serve the Town of Clearfield and surrounding areas. The district seeks to:

- A. Support a vibrant local economy by accommodating commercial and business uses.
- B. Minimize land use conflicts by ensuring compatibility with adjacent zoning districts.
- C. Align with the Town of Clearfield Comprehensive Plan to encourage orderly growth and development.
- D. Promote pedestrian and vehicular access while maintaining traffic safety and efficiency.
- E. Establish design and development standards that enhance the character of the Town.

7.03 Permitted Uses

The following uses are permitted only within the Business District, except where expressly authorized as a home-based business in the Rural District under Section 5.02 or as a conditional use in a Residential District under Section 9.04:

- A. **Retail Businesses:**
 - 1. Retail stores, shops, and boutiques.

B. Professional Services:

1. Banks, post offices, medical or dental clinics, and professional offices.

C. Service-Based Businesses:

1. Barbershops, beauty parlors, laundromats, music, dance, art, or photography studios.
2. Servicing or repair of home appliances or farm equipment.

D. Automotive and Equipment Sales:

1. Automobile service stations and public garages.
2. New or used car sales areas.
3. Farm equipment sales areas (excluding storage of wrecked vehicles or equipment).

E. Hospitality:

1. Hotels or motels located on the same lot as a permitted use.

F. Entertainment and Assembly:

1. Clubs, lodges, campgrounds, public meeting halls, theaters, bowling alleys, and similar recreational facilities.

G. Small-Scale Industrial:

1. Blacksmith shops, machine shops, welding shops, and sheet metal shops.

H. Farm-Related Businesses:

1. Farm implement sales and feed mills.

I. Signage:

J. Communication Towers:

1. Subject to applicable state and federal regulations and detailed in Chapter 10.

K. Mobile Home Parks:

1. Permitted in compliance with local and state regulations.

L. Non-Listed Businesses:

1. Any business not explicitly listed in this section may be considered for inclusion in the Business District on a case-by-case basis. Such businesses must obtain a conditional use permit approved by the Town Board to ensure compliance with the Town of Clearfield's Comprehensive Plan and zoning ordinance standards. The conditional use permit process, outlined in Section 7.04, evaluates factors including compatibility with existing uses, environmental impact, and infrastructure needs.

7.04 Non-Permitted Uses

- A.** Any business activity approved under this section must also comply with all limitations on home-based businesses as provided in Section 5.02(B), unless specifically waived by the Town Board in the conditional use permit approval:
1. Storage of wrecked vehicles or farm equipment.
 2. Agricultural operations, except those explicitly permitted (e.g., feed mills).
 3. Hobby farms or animal husbandry unrelated to commercial purposes.
- B. Adult-Oriented Businesses:** No person, firm, corporation, or other entity shall operate or cause to be operated any adult-oriented business, including sexually oriented businesses as defined by Wis. Stat. § 134.46(1)(b), within 1,000 feet of any property line of a church, school, licensed childcare facility, public park, campground, or other place of public assembly where individuals under the age of 18 are customarily present. Where applicable federal or state law requires a higher age threshold (e.g., 21 years), that threshold shall apply. For purposes of this section, the 1,000-foot distance shall be measured in a straight line from the nearest point of the property line of the adult-oriented business to the nearest point of the property line of the protected use. No variance or conditional use permit shall be granted for a use prohibited under this section.

7.05 General Standards for Structures

A. Building Height:

Structures shall not exceed 35 feet in height.

B. Setbacks:

Front, side, and rear setbacks shall comply with Section 4.0 general setback requirements.

C. Lot Size:

1. Minimum lot size is 5 acres.
2. **Exception:** Non-conforming parcels under 5 acres, created before March 1988, are exempt from the minimum lot size requirement.

D. Off-Street Parking Requirements:

1. One (1) parking space per dwelling unit or lodging unit on the same lot.
2. One (1) parking space per employee.
3. One (1) parking space per 100 square feet of retail or sales floor area.

7.06 Signage and Compatibility Standards

A. Advertising Signs:

1. Advertising and Announcement Signs:

- (a) Advertising and announcement signs which advertise the products, goods, or services offered by a specific business conducted on the premises where the sign is located, not exceeding 350 square feet in area (on double-faced signs, only one side shall be counted in determining square footage). Such sign shall be set back from the highway right-of-way line one foot for each additional ten square feet in excess of 100 square feet and shall provide a minimum of six feet of visual clearance above ground level. If illuminated, such signs shall not blink or be mechanically activated in whole or in part. Setback requirements, except as in this paragraph set out, shall not apply to such signs.

$$\bullet \text{ Example: } \textit{Setback (ft)} = \frac{\textit{Sign area (sq.ft.)} - 100}{10}$$

2. Directional Signs for Off-Premises Businesses:

- (a) Directional signs indicating the location of a business offering goods or services conducted on premises located within the Town and placed so that persons traveling on the highway may conveniently locate the business, even though located off the highway on which the sign is located. Such signs shall observe setback and side yard requirements from Section 7.03 (l)(1)(a), shall not be illuminated, and shall not exceed 250 square feet in area.

B. Compatibility and Impact Standards

1. **Definition – Compatibility:** For purposes of this Ordinance, “compatibility” means that a proposed use will not cause measurable adverse effects on neighboring properties, public infrastructure, or community welfare, as determined by the following objective standards:

(a) Noise:

- i. Maximum continuous noise level from the property shall not exceed 55 dBA at the property line between 7:00 a.m. and 10:00 p.m., and 45 dBA between 10:00 p.m. and 7:00 a.m., measured in accordance with ANSI S1.4..
- ii. Maximum impulse or peak noise levels shall not exceed 70 dBA at any time.

(b) Traffic Impact:

- i. Peak hour traffic volumes on adjacent public roads shall not increase by more than 10% of existing Average Daily Traffic (ADT) unless the applicant provides a traffic impact study by a licensed engineer showing no reduction in Level of Service (LOS) below "C".
- ii. Adequate on-site parking must be provided per Section 7.05 (D), Off-Street Parking Requirements.

(c) Light Trespass and Illumination:

- i. All exterior lighting shall be fully shielded and directed downward.
- ii. Light trespass onto adjoining residential properties shall not exceed 0.5 foot-candles at the property line.

(d) Odor Control:

- i. No detectable odors beyond the property line that are determined by the Town Board to be offensive or detrimental.
- ii. Mitigation systems (e.g., carbon filtration, scrubbers) may be required.

(e) Vibration:

- i. No perceptible vibration beyond the property line detectable without instruments by an average observer.

(f) Stormwater and Drainage:

- i. Post-development runoff rates and volumes shall not exceed pre-development conditions, in accordance with Wisconsin DNR Storm Water Management Standards.

- C. **Applicability:** These standards apply to all permitted and conditional uses in the Business District. Compliance must be demonstrated during site plan review or the conditional use permit process.
- D. **Enforcement:** Enforcement of this section shall be in accordance with Section 14. The burden of proof for demonstrating ongoing compliance rests with the permit holder, who must submit compliance documentation (including professional certifications or measurement reports) upon request by the Town Board.
- E. **Burden of Proof:** The burden of proof for demonstrating ongoing compliance with these standards shall rest with the permit holder. The Town Board may require submission of compliance documentation, including professional certifications or measurement reports, at any time.

7.07 Agricultural Uses in the Business District

A. Hobby Farms:

- 1. Limited to parcels with a minimum of 5 acres.
- 2. Animal units must comply with Section 6.03 regarding hobby farm limitations.

B. Gardening Activities:

- 1. Allowed if accessory to a permitted business use.

C. Tree Farms:

- 1. Permitted without limitation.

7.08 Conditional Use Permits

- A. **Conditional Use Permit Standard:** All conditional uses under this section shall meet the approval criteria in Section 9.02 and remain subject to the compliance and enforcement provisions of Section 9.06.
- B. **Mixed-Use Designation:**

1. Parcels in the Business District may adopt a mixed-use designation, allowing residential and business uses on the same property.
2. Under this designation:
 - (a) A dwelling can serve both as a residence and for permitted business activities (e.g., home-based beauty parlors or professional offices).
 - (b) The parcel retains its Business District classification.
 - (c) Any additional accessory buildings as non-business structures shall require separate conditional-use permits.
 - (d) Enforcement of these standards is as provided in Section 9.06

C. Residential Designation:

1. Parcels may be reclassified entirely as residential upon Town Board approval of a conditional use permit.
2. After reclassification:
 - (a) Residential zoning standards apply to the entire parcel (e.g., setbacks, building heights, and lot size requirements).
 - (b) Any new business or non-residential structure requires a conditional use permit.

D. Case-by-Case Scenarios for Conditional Use Permits:

1. Environmental Impact Evaluations:

- (a) Businesses must mitigate the following environmental concerns to obtain a conditional use permit:
 - i. All environmental impact evaluations shall be based on the measurable Compatibility and Impact Standards in Section 7.06(B).

2. Town Board Discretion:

- (a) The Town Board will assess these factors in the context of the Comprehensive Plan and existing zoning standards.
- (b) Public notices and hearings will be required for transparency and community input on potential impacts.

7.09 Compliance and Enforcement

All businesses must adhere to:

- A. Town of Clearfield building codes.
- B. Environmental and safety standards.
- C. Licensing and permitting requirements as determined by the Town Board.

7.10 Standards for Rezoning

Rezoning applications for the Business District must demonstrate:

- A. Compatibility with the Town's Comprehensive Plan.
- B. Adequate infrastructure and public services.
- C. Minimal impact on neighboring districts.
- D. A clear need for business zoning in the proposed location.

Chapter 8: Highway Setback Lines

8.01 Purpose

The purpose of this chapter is to promote public safety, general welfare, and convenience by establishing highway setback lines in the Town of Clearfield. These setback lines apply along all public highways and at intersections of highways with other highways or railways to:

- A. Protect visibility and sightlines for safe traffic movement.
- B. Prevent encroachments that could hinder future road expansions or maintenance.
- C. Align with the Town of Clearfield Comprehensive Plan to ensure orderly development.

8.02 Classes of Highways and Centerlines

Highways are classified, and the position of the centerline is determined as follows:

A. Class 1 Highways:

- 1) **Town Roads:** The centerline is the midpoint of the surfacing or pavement, or, if none, the center of the graded roadbed.
- 2) **Platted Subdivision Roads:** The centerline is the midpoint between the edges of the road surface.
- 3) **Private Roads:** The centerline is the midpoint between the edges of the road surface.

B. Class 2 Highways:

1) County Trunk Highways:

- (a) Unimproved: The centerline is the midpoint between boundary markers.
- (b) Improved: The centerline is the midpoint of the surfacing or pavement, or, if none, the graded roadbed.

C. Class 3 Highways:

- 1) **State and U.S. Highways:** The centerline is the midpoint of the roadbed or the surfacing/pavement of the adjacent lane if the highway is a divided road.

8.03 Structures Permitted Within Setback Lines

The following structures may be placed between the setback line and the highway, subject to conditions:

A. Open Fences: Must not obstruct visibility or pose safety risks.

B. Utility Infrastructure:

- 1) Includes telephone, telegraph, power transmission poles, and micro-wave radio relay structures.
- 2) Owners must file an agreement to remove such structures at their expense if highway improvements necessitate removal.

C. Underground Structures:

- 1) Permitted if they cannot be used as foundations for prohibited aboveground structures.

D. Access or Service Highways:

- 1) Must be constructed according to plans approved by the Board of Appeals, prioritizing safety and visibility.

E. Agricultural Activities:

- 1) Planting and harvesting of crops, shrubbery, or trees are allowed if they do not obstruct sightlines at intersections.

8.04 Setback Distance and Interpretation

A. Setback distances from the highway centerline for various classifications are as follows:

- 1) **Town Roads:** 50 feet.
- 2) **County Roads:** 66 feet.
- 3) **State Highways:** 88 feet.
- 4) **Interstate Highways:** 120 feet.

B. If highway improvements require a greater setback than originally established, the greater setback distance shall apply.

C. In cases of conflicting setback distances, the greater distance shall prevail.

8.05 Setbacks at Intersections

A. Ordinary Highway Intersections:

1. Vision Clearance Triangle: A triangular area at the intersection of two roads or a road and a railway, where obstructions are not allowed to ensure clear sightlines for drivers. The sides of the triangle are determined by the setback distances specified in this ordinance.
2. Vision clearance triangles are required to ensure safe sightlines at intersections. A vision clearance triangle is defined as a triangular area at the intersection of two roads or a road and a railway, free from obstructions that may block a driver's view, with its sides determined by the setback distances outlined in this ordinance.
3. Setback distances for vision clearance triangles are determined based on the design speed of the intersecting roads:
 - (a) **"A" Distance:** Measured along the major highway.
 - (b) **"B" Distance:** Measured along the minor road.
4. Refer to the diagram below for guidance. For example:
 - (a) For a major road with a design speed of 60 mph, "A" is 600 feet.
 - (b) For a minor road with a design speed of 50 mph, "B" is 150 feet.
5. No obstructions (e.g., buildings, shrubbery, or fences) are permitted within the vision clearance triangle.

8.06 Intersections with Widening:

1. Transitional Widening: The additional width of pavement or surfacing provided at intersections or curves to accommodate turning movements and improve safety. Setback lines on the widened side must account for this additional width.
2. Transitional widening of pavement or surfacing shall be considered additional width, and setback lines on the widened side shall increase accordingly.

B. Intersections with Curve Connections:

1. Setback distances along curves are measured from the center of the curved section.

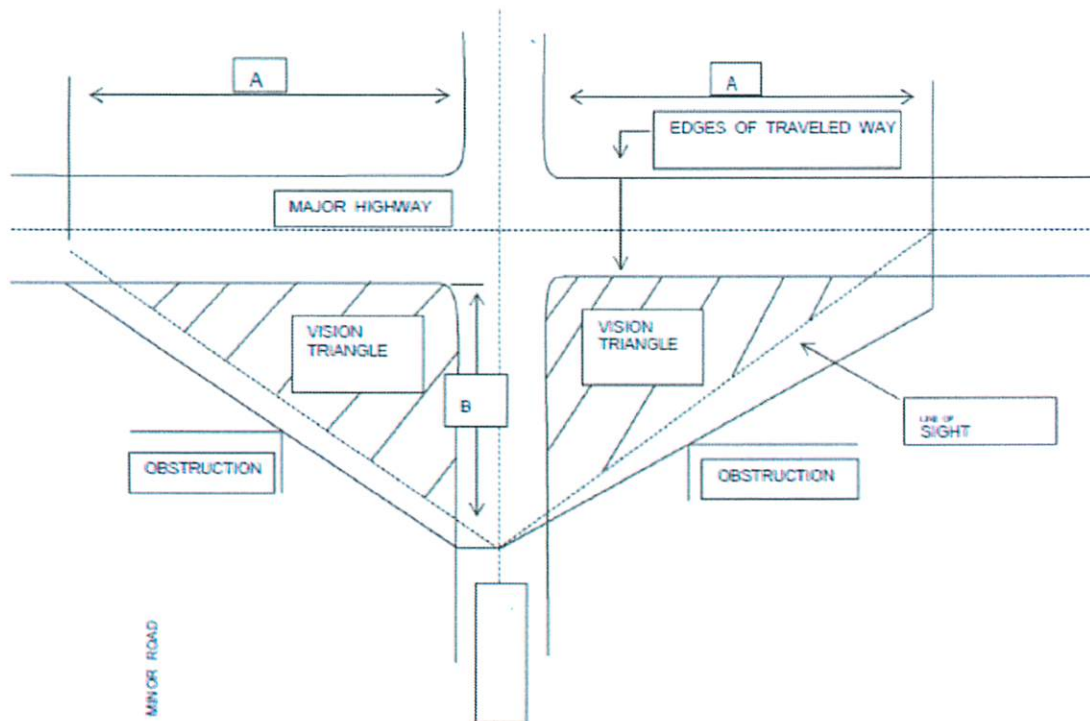
D. Railroad Grade Crossings:

- 1) Vision clearance triangles are required, established by a supplementary setback line connecting points 75 feet from the intersection of the highway and railway right-of-way.

Diagrams:

Diagrams for vision clearance triangles and intersections are attached below.

GUIDE DIMENSIONS FOR VISION TRIANGLES STOP CONTROL ON MINOR ROAD

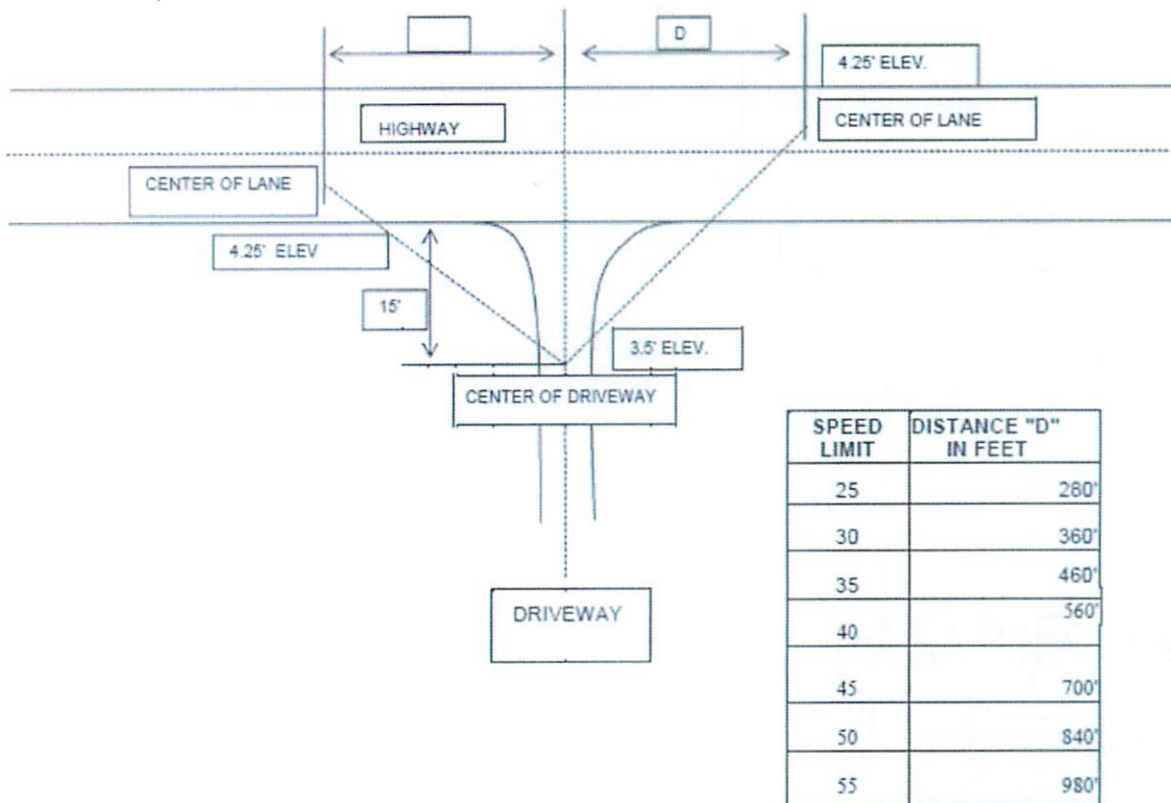


DESIGN SPEED (MPH)*	DISTANCE (FEET) "A"	DISTANCE (FEET) "B"
40	300	120
50	400	150
55	500	160
60	600	175

*USE THE DESIGN SPEED OF THE MAJOR ROAD TO DETERMINE DISTANCE "B".

EXAMPLE: GIVEN: DESIGN SPEED IS 60 MPH ON THE MAJOR HIGHWAY AND 50 MPH ON THE MINOR HIGHWAY
 SOLUTION: READING FROM THE DIMENSION TABLE, THE LEGS OF THE VISION TRIANGLE ARE "A" = 600 FEET AND "B" = 150 FEET

VISION CORNERS DIAGRAMS



8.07 Standards for Exceptions

A. Temporary Structures:

1. May be allowed within setback lines with Town Board approval for limited durations and purposes (e.g., construction equipment).

B. Maintenance Activities:

1. Routine maintenance of existing structures within setback areas is permitted if it does not increase the structure's footprint or height.

C. Nonconforming Structures:

1. Structures predating this ordinance may remain but cannot be expanded or rebuilt within setback lines if destroyed.

8.08 Compliance and Enforcement

- A. Property owners are responsible for ensuring compliance with setback regulations.
- B. Violations may result in penalties, including fines or required removal of non-compliant structures, as outlined in Section 14.

- C. The Town Board reserves the right to inspect properties for compliance and to enforce removal of obstructions that violate this chapter.

Chapter 9: General Conditional Uses

9.01 Definition

- A. A **"Conditional Use"** is a use that is necessary or desirable for the public welfare, but potentially incompatible with the uses normally permitted in the zoning districts established herein. Conditional uses serve as a flexible means to permit certain exceptions where the public benefit outweighs potential harm. All such uses are subject to specific conditions imposed by the Town Board to protect public health, safety, welfare, and individual property rights.

9.02 Authorization of Conditional Use Permits, The Town of Clearfield Board may authorize conditional use permits only when all of the following criteria are met:

- A. **Public Convenience:** The proposed use is reasonably necessary for public convenience at the specified location.
- B. **Non-Injurious Design and Operation:** The use is designed, located, and proposed to be operated so that it will not be injurious to the district in which it is located or otherwise detrimental to public welfare.
- C. **Conformance to Zoning Standards:** The use complies with all applicable regulations and standards and preserves the essential character of the district.
- D. **Compatibility with Nonconforming Uses:** In the case of an existing nonconforming use, the conditional use must increase compatibility with its surroundings and must not violate any nonconforming use provisions of this ordinance.
- E. **Compatibility and Impact Standards:** The use complies with the measurable Compatibility and Impact Standards in Section 7.06(B), where applicable. These requirements apply in addition to any district-specific standards. Where there is a conflict between district-specific standards and Sections 7.06(B) or 9.02, the stricter standard shall apply.
- F. **Comprehensive Plan Consistency:** The proposed use is consistent with the Town of Clearfield Comprehensive Plan.

9.03 Procedures for Conditional Use Permits

A. Application Requirements:

1. All applications for conditional use permits must be submitted in writing to the Town Clerk, and must include:
 - (a) The name and address of the applicant and property owner.
 - (b) Legal description and location of the property.
 - (c) The specific conditional use requested.
 - (d) Supporting evidence and narrative demonstrating compliance with Section 9.02 criteria.
 - (e) Detailed site plans, drawings, or additional documentation as required by the Town Board.
 - (f) A statement describing the potential impact on adjacent properties, including but not limited to noise, odor, lighting, traffic, utilities, and property values.

B. Review and Public Hearing:

1. Upon receipt of a complete application and required fees, the Town Board shall:
 - (a) Schedule a public hearing on the proposed conditional use permit, providing notice as required by Wisconsin Statutes Chapter 985 (Class I or greater as applicable).
 - (b) Provide written notice to all property owners within a specified radius (e.g., 300 feet or as determined by the Board) of the subject property, and any other parties required by law.

- (c) Accept written or oral testimony from interested parties at the public hearing.
- (d) Keep a full record of all proceedings, testimony, and evidence received.

C. Decision Criteria and Findings:

1. The Town Board may grant a conditional use permit only if it makes all of the following written findings, which must be entered into the record:
 - (a) The proposed use is consistent with the spirit, intent, and purpose of this ordinance and the Town's Comprehensive Plan.
 - (b) The use will not be injurious to the use or value of adjacent property or otherwise detrimental to the public interest.
 - (c) The use is designed and located to minimize adverse impacts on surrounding properties and the community as a whole.
 - (d) The applicant has demonstrated compliance with all other applicable regulations and requirements.

D. Conditions of Approval:

1. The Town Board may impose any conditions deemed necessary to ensure the conditional use is compatible with surrounding uses and consistent with the ordinance, including but not limited to:
 - (a) Setbacks, lot size, building height, landscaping, screening, or buffering.
 - (b) Environmental and safety standards, including noise, odor, lighting, stormwater management, and traffic controls.
 - (c) Operating hours, signage, parking, and access management.
 - (d) Compliance with all federal, state, and local regulations.
 - (e) Periodic review or renewal requirements as a condition of continued operation.

E. Permit Validity, Modifications, and Transfers:

1. A conditional use permit is valid only for the specific use, property, and conditions approved by the Town Board.
2. Any modification, expansion, or transfer of the use or property requires prior written approval by the Town Board, following the same procedures as a new application.
3. Any violation of the conditions of approval constitutes a violation of this ordinance and may result in penalties or permit revocation.

9.04 Mixed-Use and Residential Considerations

A. General Requirement: All conditional uses under this section shall meet the approval criteria in Section 9.02 and remain subject to the compliance and enforcement provisions of Section 9.06.

B. Mixed-Use Parcels

1. Conditional use permits for mixed-use parcels shall be granted only if the Town Board makes written findings, supported by evidence in the public record, that the proposed use:
 - (a) Meets all measurable Compatibility and Impact Standards set forth in Section 7.06(B) of this Ordinance.
 - (b) Complies with all applicable requirements of Section 7 for Business Districts.
 - (c) Will not cause adverse impacts on neighboring properties, public infrastructure, or traffic patterns..
 - (d) including compliance with all measurable Compatibility and Impact Standards in Section 7.06(B) and off-street parking requirements in Section 7.05(D)
2. The applicant shall provide all documentation necessary to demonstrate compliance, including but not limited to site plans, traffic studies, noise analyses, lighting plans, and odor control measures, as applicable under Section 7.06(B).

3. The Town Board may impose additional conditions to ensure ongoing compliance with Section 7.06(B). Violation of such conditions shall constitute a violation of this Ordinance and may result in enforcement action, penalties under Section 14, and/or revocation of the conditional use permit.

C. Residential Reclassification

1. Parcels reclassified from the Business District to Residential upon Town Board approval shall be subject exclusively to residential zoning standards, including setbacks, lot size, building height, and permitted uses.
2. Business, commercial, or industrial activities are prohibited on reclassified Residential parcels, except as expressly authorized by a conditional use permit under this section.
 - (a) Nothing in this section shall be construed to authorize business uses in a Residential or Rural District except as provided by Section 5.02 and approved under this section.
3. A conditional use permit for a business activity in a Residential District may be issued only if:
 - (a) The proposed use fully complies with all measurable Compatibility and Impact Standards in Section 7.06(B), including off-street parking requirements in Section 7.05(D), unless otherwise specified for the zoning district in which the property lies.
 - (b) Written notice is provided to all adjoining property owners, and no written objections are submitted within the required notice period.
 - (c) The Town Board makes written findings that the use will not adversely affect the use, value, or enjoyment of neighboring residential properties, and will not alter the residential character of the area.
 - (d) Any business use approved under this section shall remain subject to annual compliance review and may be revoked for violation of permit conditions or standards in Section 7.06(B).

D. Enforcement

1. Enforcement of this section shall be in accordance with Section 14. The burden of proof for demonstrating ongoing compliance rests with the permit holder, who must submit compliance documentation (including professional certifications or measurement reports) upon request by the Town Board.

E. Burden of Proof:

1. The burden of proof for demonstrating ongoing compliance with Section 7.06(B) shall rest with the permit holder. The Town Board may require submission of compliance documentation, including professional certifications or measurement reports, at any time.

9.05 Environmental and Infrastructure Considerations

A. Environmental Impact Evaluation:

1. All conditional uses under this section shall meet the approval criteria in Section 9.02 and remain subject to the compliance and enforcement provisions of Section 9.06.
2. The proposed use shall meet all measurable Compatibility and Impact Standards in Section 7.06(B). These standards are incorporated by reference into this section.
3. The applicant must provide documentation and evidence showing how the proposed conditional use will mitigate potential adverse environmental impacts, including:
 - (a) Noise: Operations must comply with established decibel limits to prevent disruption.
 - (b) Odor: Effective waste management and odor control systems must be implemented.
 - (c) Light Pollution: Shielded lighting and design to minimize glare and off-site impacts.

B. Infrastructure Impact:

1. The applicant must demonstrate that:
 - (a) Adequate road access, parking, and traffic management are provided.
 - (b) Sufficient utilities and services exist and will not overburden public resources.

9.06 Compliance, Enforcement, and Revocation

- A. **Ongoing Compliance:** All conditional use permits shall remain subject to the standards and conditions under which they were approved. The burden of proof for demonstrating ongoing compliance rests with the permit holder.
- B. **Documentation:** The Town Board may require submission of compliance documentation, including professional certifications or measurement reports, at any time.
- C. **Inspections:** The Town Board, its designees, or authorized agents may inspect the property at any reasonable time to verify compliance.
- D. **Revocation:** The Town Board may revoke a conditional use permit after notice and hearing if the permit holder fails to comply with any conditions of approval, misrepresents facts, or engages in uses not authorized by the permit.
- E. **Penalties:** Violations are subject to the enforcement provisions and penalties in Section 14 of this ordinance.

Section 10: Wireless Communication Towers and Facilities

10.01 Authority

- A. This section is adopted under the authority of the Federal Telecommunications Act of 1996, Wis. Stats. §§ 60.61 and 66.0404, and other applicable federal and state law.

10.02 Purpose

- A. The purposes of this section are to:
 - 1. Facilitate the provision of wireless communication facilities through clear siting and design standards.
 - 2. Encourage collocation and shared use of existing towers and structures, minimizing the overall number of towers required.
 - 3. Protect adjacent properties and public safety through structural and setback standards.
 - 4. Provide a clear, non-discriminatory permit process, while ensuring compliance with state and federal law.
 - 5. Ensure restoration and removal of abandoned or unused facilities.
 - 6. Protect the public health, safety, and general welfare of Town residents, while accommodating the communication needs of the community.

10.03 Applicability and Jurisdiction

- A. This section applies in all unincorporated areas of the Town of Clearfield.
- B. This section regulates:
 - 1. The siting and construction of any new mobile service support structure and facilities.
 - 2. Class 1 collocation (substantial modification of an existing support structure and mobile service facilities).
 - 3. Class 2 collocation (collocation on an existing support structure that does not require substantial modification).
- C. Exemptions:
 - 1. Towers and masts for television or receive-only antennas, provided such antennas are accessory to a principal use and not the primary use.
 - 2. Towers/masts for amateur radio operated by a federally licensed operator.

3. Temporary mobile towers for public information coverage of news/emergency events, subject to Zoning Administrator approval.
4. Public safety towers owned or operated by government agencies (subject to notification, not permitting).
5. Any other exemptions as provided by Wis. Stat. 66.0404 or federal law.

10.04 Definitions

- A. All definitions in Wis. Stat. § 66.0404(1) are hereby incorporated by reference.
- B. Additional definitions used in this section:
 1. **Collocation:** The location of two or more antennas or related equipment on a single support structure or site.
 2. **Class 1 Collocation:** As defined by Wis. Stat. 66.0404(1)(b)—substantial modification of a support structure.
 3. **Class 2 Collocation:** As defined by Wis. Stat. 66.0404(1)(c)—collocation that does not require substantial modification.
 4. **Fall Zone:** The area within which a tower or structure is designed to collapse.
 5. **Sworn Statement:** A written declaration signed under oath by a responsible party, as required for applications proposing a new tower.
 6. **Mobile Service Support Structure:** A freestanding structure designed to support a mobile service facility.

10.05 Prohibited Locations for Communication Towers and Antennas

- A. No new communication tower, antenna, or support facility shall be located in any of the following areas:
 1. Military Flight Zones and Airspace
 2. Within any mapped military flight path, military airspace, or military training area as designated by the Federal Aviation Administration (FAA) or U.S. Department of Defense, unless the applicant provides written determination of “no hazard” from the FAA and, where applicable, military authorities.
- B. Wetlands and Fall Zones
 1. Within any state- or federally-designated wetland, as mapped by the Wisconsin Department of Natural Resources, U.S. Army Corps of Engineers, or local wetland inventory.
 2. Where the tower or its engineered fall zone, as certified by a structural engineer, would overlap or encroach upon any portion of a mapped wetland.
- C. Setbacks from Property Lines and Dwellings
 1. Within a distance from any property line, dwelling, school, or public building that is less than the height of the tower (including attachments), or the engineered fall zone as certified by a professional structural engineer and approved by the Town, whichever is greater.
 2. In no case shall any tower, support structure, guy wire anchor, or facility cross, overhang, or encroach upon any public right-of-way or adjoining parcel.
- D. Navigable Waters
 1. No communication tower or support facility shall be located within a distance from the ordinary high water mark of any navigable water that is less than the greater of:
 - i. the total height of the tower (including all attachments),
 - ii. the engineered fall zone as certified by a professional structural engineer and approved by the Town,
 - iii. or seventy-five (75) feet.

- iv. If any local, state, or federal regulation requires a greater setback, the greater standard shall apply.
- E. Other Prohibited Areas
 - 1. Any additional locations prohibited by state or federal law, or by other sections of the Clearfield Zoning Code.

10.06 Permit Requirements and Process

A. New Towers and Class 1 Collocation

- 1. Requires a Town zoning permit; new towers and Class 1 collocations are conditional uses.
- 2. Application must include:
 - (a) Applicant's name, business address, and contact person.
 - (b) Location of the proposed or affected support structure.
 - (c) Location of the proposed mobile service facility.
 - (d) Construction plan describing all equipment and network components, including antennas, transmitters, receivers, base stations, power supplies, cabling, and related equipment.
 - (e) For new towers: an explanation (with sworn statement) as to why collocation is not feasible within the applicant's search ring, including attestation that collocation would not result in the same service, coverage, or capacity, or is technically/economically infeasible.
- 3. The Town will provide an application form upon request.
- 4. Completeness review: The Town shall notify the applicant in writing within 10 days if the application is incomplete, specifying required information.
- 5. Final action: The Town shall review and issue a written decision within 90 days of a complete application, unless an extension is agreed to in writing.
 - (a) If denied, decision must include substantial evidence supporting denial.
 - (b) If no action within 90 days, the permit is deemed approved by operation of law.

B. Class 2 Collocation

- 1. Requires a Town zoning permit as permitted use.
- 2. Application must include:
 - (a) Applicant's name, business address, and contact person.
 - (b) Location of the proposed or affected support structure.
 - (c) Location of the proposed mobile service facility.
- 3. Completeness review: Town must notify applicant within 5 days if incomplete.
- 4. Final action: Town must issue written approval or denial within 45 days of completeness (unless extension agreed in writing).
- 5. If denied, written decision must state substantial evidence.
- 6. Permit is deemed approved if no action within 45 days.

10.07 Structural Standards, Setbacks, and Fall Zones

- A. All new towers and substantial modifications must comply with all FCC and FAA regulations, and ANSI/TIA standards.
- B. All towers shall comply with Town setbacks and fall zone requirements unless the applicant provides an engineering certification that a structure is designed to collapse within a smaller area; the Town may override such certification only with substantial evidence that the certification is flawed.
- C. Only one tower is allowed per parcel unless credible evidence shows collocation is not practical; additional towers may be permitted by special exception.
- D. Towers must not extend across or over any right-of-way or property line without written permission of the authority having jurisdiction.

10.08 Collocation and Sharing

- A. Collocation of multiple users on a single tower is preferred.
- B. Applications for new towers must include a sworn statement as to why collocation is not feasible.

10.09 Abandonment, Removal, and Restoration

- A. Unused towers and antennas must be removed by the owner/operator within 12 months of cessation of operation or use, unless a written exemption is provided by the Zoning Administrator.
- B. Site must be restored to its original or improved condition; anchoring elements removed to within five feet of ground (or less if approved by the Town).
- C. If not removed and restored as required, the Town may order completion at owner's expense.

10.10 Fees

- A. The fee for a new tower or Class 1 collocation permit is *(see Town of Clearfield Fee Schedule)*
- B. The fee for a Class 2 collocation permit is *(see Town of Clearfield Fee Schedule)*
- C. The Town Board may adjust fees by resolution.

10.11 Transferability

- A. All permits are transferable; subsequent owners are bound by all conditions of this section and the issued permit.

10.12 Enforcement and Penalties

- A. Any violation of this section may result in permit revocation and/or a forfeiture of not less than \$500 and not more than \$10,000 for each day of continued violation, plus injunctive relief and Town attorney fees.
- B. Failure to obtain a required permit, or failure to comply with a permit's conditions, is a violation.

10.13 Severability

- A. If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid, the remainder of this section shall not be affected.

10.14 Restriction on Construction Within Fall Zones of Communication Towers

- A. No new dwelling, school, public building, or similar place of public assembly shall be constructed within the fall zone or required setback of any existing, lawfully permitted communication tower or antenna.
 - 1. The fall zone shall be defined as the area certified by a professional structural engineer and approved by the Town as part of the tower or antenna permit.
 - 2. The required setback is as set forth in this ordinance or as specified in the permit approval.
- B. The location and dimensions of the fall zone for any permitted communication tower shall be included in the recorded permit and shown on all relevant plats or certified survey maps.
 - 1. The Town may require that a notice of this restriction be recorded with the Register of Deeds for the affected parcel(s) as a condition of permit approval.
- C. No building permit or land use permit shall be issued for the construction of a new dwelling, school, or public building within the fall zone or required setback of any existing, permitted communication tower.
- D. Exceptions:
 - 1. Non-habitable agricultural structures or accessory buildings may be permitted within the fall zone, provided they are not used for human occupancy or public assembly.

2. Any request for an exception or variance must demonstrate that the proposed use will not compromise safety and must be approved by the Town Board after review and recommendation by a professional engineer.

Section 11 Mobile Home Parks & Mobile Home Communities

11.0 Permits & Applications.

A. Permits Required

1. No person shall construct, alter, modify or extend any mobile home park or mobile home park building or facility within the limits of the Town of Clearfield without first securing a mobile home park developer's permit from the Town Board. Such permit shall be issued by the Clerk upon the approval of the governing Town Board.
2. Applications for mobile home park developer's permits shall be filed with the Town Clerk with sufficient copies for the Clerk to forward one each to the zoning administrator, the building inspector and/or fire inspector, who shall investigate and review said application to determine whether the applicant, the premises on which said park will be located, the proposed design and specifications thereof and all buildings proposed to be constructed thereon will comply with the applicable regulations, ordinances, laws of the State and Town and report their findings in writing to the governing body before any permit is issued hereunder. Failure of any officer or body to report within the allotted time shall be deemed a favorable recommendation.
3. Applications from mobile home park developer's permits shall be accompanied by a fee to cover the cost of investigation and processing, plus regular building permit fees for all buildings or structures to be erected within the proposed park.
4. Application shall contain the same information as the Township requires for a building permit, together with such additional information as the Town Board may require from time to time.
5. All mobile home parks, modifications of, or additions or extensions to existing parks shall comply with Wisconsin State Statute § 101.935 and Wisconsin Administrative Code SPS ch. 326, which is hereby made a part of this ordinance and incorporated herein by reference as is fully set forth, except that such regulations shall not be deemed to modify any requirement to this ordinance or any other applicable law Ordinance of this Town which is more restrictive.
6. All mobile home parks shall be provided with safe and convenient vehicular access from abutting public streets or roads to each mobile home space. Entrances to parks shall be designed to minimize congestion and traffic hazards and to allow free movement of traffic on adjacent streets.

B. Design and State Compliance

1. No person shall operate, administer or maintain a mobile home park within the Town of Clearfield without a valid unexpired mobile home park license issued by the Town Clerk and approved by the governing body upon the terms issued by the Town Clerk and approved by the Town Board on-determination that the standards in this section have been met in payment of the required fee.
2. Mobile home park licenses shall be issued for a calendar year and shall expire on December 31, next succeeding date of issue. Licenses may be issued on January 1 of any year, but no rebate or diminution of the yearly fee shall be allowed on licenses issued thereafter.

C. Licensing and Operation

1. The fee for a mobile home park license shall be (See fee Schedule). Licenses may be transferred during a license year for a fee of (See Fee Schedule). Such parks shall comply with Wisconsin Administrative Code Ag 125, which is hereby adopted by reference.
2. Existing park owners shall have 60 days to apply for a license.

3. Any mobile home park operator found to be in habitual non-compliance with the ordinances, after notice of the alleged violations and an opportunity to be heard by the Town Board, may be ordered to remove the mobile home(s) from the Township.
4. No mobile home park license shall be issued until the Town Clerk shall notify the zoning administrator, the building inspector and/or fire inspector who shall investigate and review said application to determine whether the applicant and the premises on which mobile homes will be located comply with the regulations, and ordinances and laws applicable thereto. These officials shall furnish to the Town Board, in writing, the information derived from such investigation, and a statement as to whether the applicant and the premises meet the requirements.
5. No license shall be renewed without a reinspection of the premises. For the purpose of making inspections and securing enforcement such official shall have the right and is hereby empowered to enter on any premises on which a mobile home park is located, or about to be located, and to inspect the same and all accommodations connected there with at any reasonable time.

D. Installation and Occupancy of Mobile Homes

1. A trailer or mobile home may be installed as a dwelling or commercial structure in the Town of Clearfield only if a building permit and occupancy permit has been previously obtained. Permitting the use of such trailer or mobile home shall be subject to the restrictions as set forth herein for other dwellings and business structures. No persons shall park or occupy any mobile home on any premises without a permit from the Town Board.
2. The application for a license or renewal thereof shall be made on forms furnished by the Town Clerk and shall include the name and address of the owner in fee of the tract (if the fee is vested in some person other than the applicant, a duly verified statement by that person, that the application), and such legal description of the premises, upon which the mobile home park is or will be located as will readily identify and definitely locate the premises. The application shall be accompanied by two copies of the park plan showing the following, either existing or proposed:
 - (a) The extent and area used for park purposes.
 - (b) Roadways and driveways.
 - (c) Location of units for mobile homes.
 - (d) Method and plan of sewage disposal.
 - (e) Method and plan of garbage disposal.
 - (f) Plan for water supply.
 - (g) Plan for electrical lighting of units. If the existing or proposed park is designed to serve non-dependent mobile home units, such plans shall clearly set forth the location of all sewer and water pipes and connections.
3. No trailer or mobile home shall be authorized or permitted unless it has a minimum of 720 square feet. The said trailer title is no older than ten (10) years old. It is to be located on a lot or parcel of not less than Five (5) acres, unless situated in an approved mobile park and must meet all other requirements for such structures as set forth in this Ordinance. Exception: Non-conforming parcels under five (5) acres, created before December 2003 shall be exempt from the five (5) acre minimum.
4. Footings, wells and septic systems must be installed prior to moving the dwelling on to property. All trailers and mobile homes shall be inspected by a building inspector authorized by the Town Board and the fee charged to the applicant. The inspector shall inspect the cement footings, the foundation, the septic and the well to see that they are properly installed. The building inspector must be notified of the time and date the cement footings will be poured allowing him to make an official inspection. At least twenty-four (24) hours notice must be given.
5. There will be a minimum of two inspections required for mobile homes installed in Clearfield - an initial inspection at the time the cement footings are poured and a second inspection when the

setup is completed. Further inspection may be necessary until all ordinance requirements are fulfilled.

(a) Footings must be at least 12 inches in diameter and placed not more than ten (10) feet apart and installed to a depth of at least 4 feet below ground level. Either round or 8 by 16-inch support piers shall be placed upon footings and the mobile home shall be attached thereto at four corners of such mobile home or trailer.

(b) In lieu of the above-described footings, a concrete slab 4" thick, the width and length of the mobile home may be used provided anchors are provided at the four corners.

E. Fees & Reporting

1. The mobile home permit fee of (See Fee Schedule) if the application is received prior to the placement of the home. If the application is made after placement of the mobile home in the Township, the permit (if approved) shall be (See fee schedule) There will be a fee of
2. (See fee Schedule) for every inspection necessary.
3. There is imposed on each occupied, non-exempt mobile home located in the Town of Clearfield, a monthly parking fee as determined in accordance with § 66.058, Wisconsin Statutes. Said fees shall be paid to the Town Treasurer on or before the 10th day of the month following the month for which fees are due. Said fees may be paid in advance for the full year provided such yearly payment is made prior to January 1 of each year.
4. Licensees of mobile home parks and owners of land on which are parked any occupied, nonexempt mobile homes shall furnish information to the Town Clerk and Town Assessor on such homes added to their park or land within five (5) days after arrival of such homes on forms furnished by the Town Clerk in accordance with § 66.058(3)(c) and (e), Wisconsin Statutes.
5. Occupants, or owners of nonexempt mobile homes parked outside of a mobile home park shall remit such fees directly to the Town Treasurer. It shall be the full and complete responsibility of the licensee of a mobile home park to collect such fees from each occupied, nonexempt mobile home therein and to remit such fees to the Town Treasurer.
6. The Town Board is hereby authorized to revoke any license or permit issued pursuant to the terms of this ordinance in accordance with Wisconsin Statutes.

F. Skirting

1. All trailers and mobile homes used as a dwelling or business structure shall be provided with compatible skirting and properly installed and maintained. The skirting shall be installed within four (4) months to moving the trailer or mobile home into the property.

Section 12.0 Subdivision and Platting

12.01 Purpose

The purpose of these regulations is to regulate and control the subdivision of land within the corporate limits and extraterritorial plat approval jurisdiction of the Town of Clearfield in order to promote the public health, safety, convenience, and general welfare.

A. These regulations are designed to:

1. Lessen congestion in the streets and highways.
2. Foster the orderly layout and use of land.
3. Ensure safety from fire, panic, and other dangers.
4. Provide optimum light and air.
5. Discourage overcrowding of land.
6. Lessen considerations of population.
7. Facilitate adequate provision for:
 - (a) Transportation,

- (b) Public water and sewerage,
- (c) Schools,
- (d) Parks,
- (e) Playgrounds,
- (f) Other public necessities.

8. Facilitate the further division of large tracts of land into smaller parcels.

- B. The regulations are made with reasonable consideration for, but not limited to, the present character of the Town and its environments, with the objectives of:
- 1. Conserving the value of the land and improvements placed thereon.
 - 2. Providing the most appropriate environment for human habitation.
 - 3. Encouraging commerce and industry.
 - 4. Providing for the most appropriate use of the land in the Town.

12.02 Jurisdiction and Approval

- A. No land within the corporate limits of the Town of Clearfield shall be divided by a subdivision plat or certified map, nor may such documents be entitled to be recorded in the office of the Register of Deeds, nor may any streets be laid out, nor may any improvement be made to the land, until the provisions of this chapter and Chapter 236, Wis. Stats., are met, and the plat or certified survey map and the plan or plans of the subdivision have been approved by the County and the Town Board and certified thereto by the Town Clerk.
- B. **Requirements**
- 1. Any division of land, other than a subdivision, shall be surveyed and a certified survey map prepared as provided in Sec. 236.34, Wis. Stats., and this chapter.
 - 2. Any division of land which creates a remaining parcel less than five (5) acres in area shall include the remaining parcel as part of another lot in the subdivision plat or certified survey map.
 - 3. No building permit shall be issued by the Town authorizing the construction or improvement of any parcel of land not of record as of the effective date of this chapter until the provisions and requirements of this chapter have been met.
- C. **Exemptions** The provisions of this chapter shall not apply to:
- 1. Transfer of interest in land by will or pursuant to court order.
 - 2. Leases for a term not to exceed ten (10) years, mortgages, or easements.
 - 3. Sale or exchange of parcels of land between owners of adjoining properties, provided no additional lots are created and the resulting lots are not reduced below minimum sizes required by Chapter 236, Wis. Stats., or any ordinance of the Town.
 - 4. Division of land for agricultural purposes, unless it involves any of the following:
 - (a) A split of a quarter-quarter section,
 - (b) Requires new streets,
 - (c) Easements for access, or
 - (d) Other public improvements.

12.03 Procedure

A. Pre-Application Procedure

Prior to the filing of an application for approval of a plat or a certified survey map, a subdivider may consult the Town Board for advice and assistance regarding the procedures and requirements of this ordinance and other ordinances, and any plans or data which may affect the proposed development. *Fees for plat and certified survey review are (See Fee Schedule) plus actual costs for Town Engineer and Attorney.*

B. Compliance

Any owner of land, or agent, who wishes to divide a parcel of land shall comply with the general principles of design and minimum layout requirements as outlined in Sections 12.06–12.11 of this chapter, and the procedure shall in every case be as follows:

C. Preliminary Plat or Preliminary Certified Survey Map

1. The owner of land, or agent, shall provide a preliminary plat or preliminary certified survey map when any final plat or certified survey map will require the dedication of streets, parks, or the extension of public services such as sanitary and storm sewer, water, and street improvements.
2. The owner of land, or agent, shall provide a certified plat or preliminary survey map if the Board, after review of the application, determines a preliminary plat or preliminary survey map is necessary, before the final plat or map may be submitted for approval. The plat or map shall be filed within twenty-one (21) days after the Board makes its demand, with the Town Clerk who shall distribute the plat or map to all agencies, commissions, and individuals who must approve the final plat.
3. A preliminary plat or preliminary certified survey map shall be a legible print made from a drawing at a scale not greater than one hundred (100') feet per one (1") inch that shall show correctly the following:
 - (a) Proposed name of the subdivision, if a plat.
 - (b) Name and post office address of the owner or owner's agent.
 - (c) Date, scale, and North point.
 - (d) Small scale drawing showing the location of the land to be divided, major streets referenced by the U.S. Public Land Survey.
 - (e) Exterior boundaries of the land to be divided referenced to a corner established in the U.S. Public Land Survey and the total acreage encompassed thereby.
 - (f) Location and names of adjoining subdivision and the owner of undivided lands.
 - (g) Present zoning of the land to be divided and adjoining lands; proposed zoning.
 - (h) Location, width, and names of all existing and platted streets, alleys, or other public ways and easements; railroad and public utility rights-of-way; parks; cemeteries; watercourses; drainage ditches; permanent buildings; bridges; size, grade, and invert elevations of all existing sanitary and storm sewers and water mains; and other pertinent data within, adjacent to, or affecting the proposed division of land or of property owned or controlled by the owner.
 - (i) Water elevations of adjoining lakes or streams at the date of survey and the approximate high and low water levels thereof. All elevations shall be referred to USGS Datum.
 - (j) Contour lines at a vertical interval of not more than two (2') feet where the ground slope is less than ten percent (10%) or five (5') feet in other areas. Reference shall be to USGS Datum.
 - (k) Layout, width, approximate radii of all curves, and approximate grade of all streets and rights-of-way, easements for sewers, water mains, and other public utilities, provision for storm water drainage.
 - (l) Direction, distance, and invert elevation of nearest water mains, sanitary, and storm sewers.
 - (m) Approximate dimensions and area of all lots and other parcels.
 - (n) Proposed building setback line, if different from that required by the Board or extraterritorial zoning ordinance.
 - (o) Location and approximate dimensions and acreage of any sites to be reserved or dedicated for parks, playgrounds, drainage ways, or other public use of which are to be used for church sites, schools, or other similar uses.
 - (p) Affidavit of the registered land surveyor affixed to the plat or map certifying that it is a correct representation of all existing divisions and features and that he has complied with all applicable statutes and regulations.

- i. The preliminary plat or map shall be checked and reviewed as to its conformity with the Master Plan, the official map, and the principal standards and requirements set forth in this chapter. The Board's designated engineer shall examine the plat or map for technical details and shall certify in writing to the Board, objection or non-objection to the plat or map. Copies shall be referenced by the owner for review and recommendations to the State, County, or Town agencies as required by Sec. 236.122, Wis. Stats.
- ii. After review of the preliminary plat or map, consideration of comments received from reviewing agencies and individuals, and conferences with the owner on any changes deemed advisable and the kind and extent of public improvements which will be required, the Board shall approve, conditionally approve, or reject the plat or map with a written statement setting forth the reasons for rejection.
- iii. If the Board rejects the plat or map, it shall return it to the owner.
- iv. The Board shall take final action on the plat or map within forty (40) days of the filing of said plat or map with the Town Clerk, and thereafter instruct the Town Clerk of its approval or rejection, who shall notify the owner of the action taken by the Board.

D. Final Plat or Final Certified Survey Map

1. Final plats or final certified survey maps shall be submitted for approval within six (6) months of the filing or, if within six (6) months after the approval of the preliminary plat, whichever time is greater, unless otherwise extended. The Board shall act within sixty (60) days of submission of a completed or proper final plat unless extended by mutual agreement.
2. Simultaneously with the filing of the final plat or map, the owner shall file with the Town Clerk, four (4) copies of such plat or map and evidence of compliance with Section 10.05 of this chapter.
3. The Town Clerk shall forward the plat or map to the Board.
4. The Board shall refer the final plat or map to the Town's Engineer for review. The Town Engineer shall examine the plat or map for technical details, and shall certify in writing to the Board their objection or acquiescence to the plat or map.
5. If the plat or map is satisfactory to the Board, it shall so certify in writing. If it is not satisfactory to the Board, it shall be rejected and returned to the owner with a written statement setting forth the reasons for rejection.
6. If the Board approves the plat or map and the owner has complied with Sec. 10.5 of this chapter, it shall signify its action by motion or resolution. If they are rejected, the Clerk shall so advise the owner in writing; if approved, the Clerk shall endorse the plat or map as required by Chapter 236, Wis. Stats., and return it to the owner for recording.
7. The approval of the final plat or map by the Board shall constitute acceptance of the dedication of any public street, open space, or other public area within the corporate limits of the Town.
8. A final plat or final certified survey map shall comply with all applicable regulations of Chapter 236, Wis. Stats.

12.04 Construction of Public Improvements

- A. **Construction by Owner,** All of the public improvements required by the Board to be constructed by the owner shall be constructed in accordance with the provisions of this ordinance prior to the filing of the final plat with the Town Clerk for approval by the Board.

1. The owner shall provide a surety bond running to the Town for a period of one (1) year after completion of construction in the amount of twenty percent (20%) of the costs of the

- improvements to guarantee workmanship and materials of construction and to save the Board from any cost to repair or replace improvements.
2. Prior to construction, the owner shall provide a surety bond running to the Town in the amount of twenty percent (20%) of the estimated cost of construction (as determined by the Town's engineer), which shall not be released until the work is completed as required by this ordinance.
- B. **Performance,** Construction of all required improvements shall be completed within two (2) years of the approval of the final plat by the Board unless good cause can be shown for granting an extension of time by the Board.
- C. **Plans, Specifications and Inspection,** Construction plans and specifications for improvements required to be installed shall be furnished in accordance with the Town and County standards and specifications established by the officials having jurisdiction and shall receive approval of these officials before improvements are installed. The following plans shall be required where applicable:
1. Street plans and profiles showing existing and proposed grades, including extension for a reasonable distance beyond the subdivision. Plans and profiles for curb, gutter, and sidewalk installation, or if in a rural area, typical cross sections showing shoulders, ditches, and side banks.
 2. Sanitary sewer plans and profiles showing the locations, grades, sizes, elevations, and materials. Storm sewer plans and profiles showing the locations, grades, sizes, elevations, and materials or methods of storm water disposal in lieu of sewers.
 3. Water main plans and profiles showing locations, sizes, elevations, and materials.
 4. Such additional plans and specifications as required. The owner shall be responsible for obtaining any state or county agency approval that may be required. The Town Engineer or other designated representative shall inspect the construction of all required improvements at the owner's expense.
- D. **Ownership of Improvements,** All public improvements required to be constructed herein, such as streets, curb, gutter, sidewalk, sanitary and storm sewer, water mains, etc., shall become the property of the Town, if an extraterritorial area.
- E. **Partial Improvement Authorization,** Where it shall appear to the satisfaction of the Board that the whole of the plat and its subdivision cannot immediately be fully improved with respect to the installation of all storm and sanitary sewers and related facilities and street improvements by reason of unavoidable delay in the acquisition of land necessary for such improvements or by reason of an unavoidable delay in obtaining necessary engineering data and information or for any other good reason or cause, the Board may authorize the owner to proceed with the installation of improvements required under this chapter on a portion or part of such subdivision and, in such events, the requirements of this chapter shall apply to that portion or part thereof authorized for immediate improvement. Only that portion of the approved preliminary plat for which a final plat is being prepared need comply with this section.
- F. **Undeveloped Parcels,** Whenever street improvements or utilities transverse an undeveloped parcel of land, the costs of installing said improvements, utilities, public services, streets, curb, and sidewalk will be borne by the subdivider requiring installation of such improvement or utilities. If the undeveloped parcel is developed within ten (10) years of the installation of said street improvements or utility installation and if the development utilizes the street improvement and utilities previously installed, then the developer of said previously undeveloped parcel shall be assessed the proportionate share of the actual cost incurred during the original installation and said amount shall be

reimbursed to the original owner and sub-divider who was required to construct and finance said improvements. There shall be no consideration for interest or inflation.

12.05 Streets

- A. Streets shall be provided for convenient access to all parcels of land to be created by the subdivisions. The subdivision layout shall be such as to provide each lot, by means of a public street, satisfactory access to an existing public street. All streets shall be dedicated to the public, unless in areas outside the corporate limits where the Town Board may permit private streets. The design of private streets shall be in full conformity with this ordinance.
- B. The layout of the streets shall conform to the official map.
- C. In areas not covered by the official map, the layout of the streets shall conform to the plan for the most advantageous development of adjoining areas of the neighborhood. The streets shall be designed and located in relation to existing and officially planned streets, topography and natural terrain, efficient provision for drainage, sanitary sewer, water and other utilities, streams and lake and existing tree growth, public convenience and safety, and in their appropriate relation to the proposed use of the land to be served by such streets. Minor streets shall be designed to discourage use by through traffic.
- D. **Road Access Required.** No lot may be created unless the lot has a minimum frontage on a public road of 165 feet.
- E. **Road Standards.** All new public roads constructed in the Town shall meet the following minimum standards. Nothing herein obligates the reconstruction or repair of any existing public road.
 - 1. Right of way. The road shall have at least four rods (66 feet) of right of way dedicated to the public.
 - 2. Road surface. The road shall have at least 20 feet of paved surface with three foot shoulders on each side. Shoulders may be grass, aggregate surface or gravel depending on soil conditions prevailing in the area.
 - 3. Grade. The maximum grade of a road shall be 11 percent.
 - 4. Construction. The road shall have an eight (8) inch gravel base, compacted and stabilized, and a two (2) inch double seal coat paved surface. In lieu of seal coating, bituminous asphalt may be used. Hard surface may be delayed one year from time gravel base is laid down.
 - 5. Roads should be laid out to be through streets if possible. If cul-de-sacs are used, the cul-de-sac shall have a radius of least 40 feet.
 - 6. Roads shall have ditches and culverts sized and designed to carry surface water in a manner consistent with the natural flow of the water.
 - 7. Utility services, including electrical, natural gas, water, sewer, telephone, cable, telecommunications, and other common carrier media, shall be run underground within the right of way to the extent reasonably possible.
- F. **Vertical Curves.** All changes in street grades shall be connected by vertical curves of a minimum length equivalent to thirty (30) times the algebraic difference in the rate of the grade for major streets and equivalent to twenty (20) times this difference for all other streets.
- G. **Tangents.** A tangent of at least one hundred (100') feet shall be introduced between reverse curves on major and collecting streets.
- H. **Street Names.** New street names shall not duplicate names of existing streets within the County but streets that are continuous or otherwise already in existence shall bear the names of existing streets.
- I. **Reserve Strips.** Reserve strips controlling access to streets shall be encouraged where their control is definitely placed with the Town under conditions approved by the Board.
- J. **Half Streets.** Where a half street is adjacent to the subdivision, the other half of the street shall be dedicated by the subdivider.
- K. **Intersection.**

1. Property lines at street intersections (street row line) shall be rounded where the Town considers it necessary.
2. Streets jogs with centerline offsets of less than one hundred twenty-five (125') feet shall be avoided. Where streets intersect major streets, their alignment shall be continuous.
3. Streets shall intersect each other at as nearly right angles as topography and other limiting factors of good design permit
4. The number of streets converging at one (1) intersection shall be reduced to a minimum. Wherever practicable, the distance between intersections shall not be less than one thousand two hundred (1200') feet.

12.06 Alleys


- A. Alleys shall be provided in all commercial and industrial districts except that the Board may waive this requirement where other definite and assured provision is made for service access such as off-street loading and parking consistent with and adequate for the uses proposed.
- B. Alleys shall not be approved in residential areas unless necessary because of topography or other exceptional circumstances.
- C. The width of alleys shall not be less than twenty-four (24') feet. Dead end alleys are prohibited.

12.07 Block and Lot Layouts

- A. The lengths, widths and shapes of blocks shall be such as are appropriate for the locality and type of development contemplated, but block length in residential area shall, generally be at least four hundred (400') feet in length and shall not exceed one thousand two hundred (1200') feet nor have less than sufficient width to provide for two (2) tiers of lots of appropriate depth between street Lines, except where otherwise designed to separate residential development from major streets.
- B. Pedestrian crosswalks, not less than ten (10') feet wide, may be required by the Board through the center of blocks more than nine hundred (900') feet long where deemed essential or provide circulation or access to schools, playgrounds, shopping centers, transportation and other community facilities.

12.08 Lots: General Considerations

- A. Size, shape and orientation of lots shall be appropriate for the location of the subdivision and for the type of development and use contemplated, provided no lot shall contain less than the area required by the applicable zoning code.
- B. Lot dimensions shall conform to the requirements of the Zoning Ordinance.
- C. Depth and width of properties reserve or laid out for commercial and industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated as required by the Zoning Ordinance.
- D. Residential lots fronting on major streets and highways should be platted with extra depth or designed with reverse frontage with screen planting contained in a non-access street shall be provided to alleviate the effect of major street traffic on residential occupancy.
- E. Corner lots for residential use shall have extra width to permit full building setback from both streets as required by the Zoning Ordinance.
- F. Every lot in the corporate area of the Town shall abut or face a public street. Lots outside the corporate limits may abut or face a private street if permitted by the adjoining municipality.
- G. Side lot lines shall be substantially at right angles or radial to abutting street lines.
- H. In case a tract is divided into larger lots, consideration shall be given to designing such lots to permit re-dividing into parcels in accordance with this chapter and the Zoning Ordinance.
- I. Lots shall not be divided by municipal or Town boundary lines.

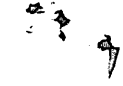
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- J. Double frontage and reversed frontage lots shall be avoided except where necessary to provide separation or residential development from traffic arteries or to overcome specific disadvantages or topography or orientation.

12.09 Easements

- A. Utility easements shall be provided at the rear of all residential lots and along the side lot lines where required. Such utility easement shall be at least ten (10) feet wide and normally centered upon the interior side lot lines and placed to the inside of the exterior side and rear lot lines. Evidence shall be furnished to the Board prior to approval of the final plat or final certified survey map that easements and any easement provisions to be incorporated on the plat or in deeds have been reviewed by the individual utility companies or the organizations responsible for furnishing the service involved.
- B. Where a subdivision is traversed by a watercourse, drainage way, channel or stream:
- C. There shall be provided a storm water easement or drainage right-of-way conforming substantially to the lines of such watercourse and such further width or construction or both as will be adequate for the purpose and may be necessary to comply with this section; or
- D. The watercourse, drainage way, channel or stream may be relocated to such a manner that maintenance of adequate drainage right-of-way conforming to the lines of the relocated watercourse and such further width or construction or both will be adequate for the purpose and may be necessary to comply with this section: or
- E. The Board may require an area to be set aside for storm water detention if necessary to provide for efficient provisions for storm water drainage.

12.10 Variances

- A. The Board may authorize a variance from the requirements of this chapter when, in its judgment, strict application of this chapter would result in unnecessary hardship or practical difficulty. The Board may, in conjunction with the granting of a variance, impose conditions, if those conditions bear a real and substantial relation to the public health, safety, or general welfare, and comply with applicable laws.
- B. Where a subdivision is traversed by a watercourse, drainage way, channel or stream:
1. All applications for variance shall be submitted in writing by the subdivider at the time when the preliminary survey is filed for consideration by the Board. The application shall state fully and clearly the specific ordinance provisions from which the variance is sought, the details of the variance sought, a description of the land for which the variance is sought, the grounds for the application, and all facts relied on by the applicant. The application may be accompanied by maps, plans or other additional material which may aid the Board in making its determination.
 2. The Board shall not act on an application for variance unless proper notice has been given. Proper notice shall include notice of the meeting at which the Board intends to act on the application. published once in a newspaper meeting the requirements of Wis. Stats., Sec. 985.06, at least one week prior to the proposed hearing date; as well as a written notice mailed to the applicant or his or her agent and to adjoining property owner or their agents at least ten (10) days prior to the proposed hearing date.
 3. In making its determination with respect to unnecessary hardship or practical difficulty the Board shall take into account the nature of the proposed use of the land, the nature of existing land use in the vicinity, and the consideration set forth as follows.
- C. No variance shall be granted unless the Board finds:
1. That there are special circumstances uniquely affecting the property such that strict application of the requirements of this chapter would deprive the applicant of the reasonable use of his or her land.

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2. That the variance is necessary to preserve a substantial property right of the applicant.
 3. That the granting of the variance will not be detrimental to the public welfare or injurious to other property in the area.
 4. Every decision of the Board shall be filed in the office of the Town Clerk together with all documents pertaining to it.

Section 13.0 Zoning Board of Appeals


Under the provisions of Section 62.23 (7) (e) Wisconsin Statutes, there is hereby established a board of appeals.

13.01 Organization of Board of Appeals: The Board of Appeals shall consist of five citizen members (who may also be elected or appointed officials of the Town) appointed by the Town Chairman and subject to confirmation of the Town Board for terms of 3 years. The members of the board shall serve at such compensation to be fixed by resolution. The Town Chairman shall designate one of the members as chairman. Vacancies shall be filled for the unexpired terms of members whose terms become vacant.

13.02 Meetings of the Board of Appeals: The board shall adopt rules in accordance with the provisions of this section. Meetings of the board shall be held at the call of the chairman and at such other times as the board may determine. Such a chairman, or in their absence the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings of the board shall be open to the public. The board shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the board and shall be a public record.

13.03 Power of the Board of Appeals, The Board of Appeals shall have the following powers:

- A. To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination by an administrative official in the enforcement of this ordinance.
 1. Appeals to the Board of Appeals may be taken by any person aggrieved or by any officer of the Town affected by any decision of the Zoning Administrator. Such appeal shall be taken within 20 days of filing with the Zoning Administrator and with the Board of Appeals a notice of appeal specifying the grounds thereof. The Zoning Administrator shall forthwith transmit to the board all the papers constituting the record upon which the action appeals was taken.
 2. The Board of Appeals shall fix a reasonable time for the hearing of the appeal. or other matter referred to it, and give public notice thereof by a Class I notice under Chapter 985. Wisconsin Statutes, in an official paper or a paper of general circulation, as well as due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing any party may appear in person or by agent or by attorney.
- B. To permit the extension of a district where the boundary line of a district divides a lot in single ownership as shown of record.
- C. To interpret the provisions of this ordinance where the street layout on the ground differs from Official Zoning Map.
- D. To authorize upon appeal in specific cases, a variance from the standards of the ordinance as will not be contrary to the public interest. The board shall not grant variations for uses. A variance for the purpose of this ordinance shall not be granted unless:
- E. A written application for a variance is submitted demonstrating:

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1. That special conditions exist which are peculiar to the land or structure involved which are not applicable to other lands or structures in the same district
 2. That literal enforcement or provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other lands or structures in the same district under the terms of this ordinance.
 3. That the special conditions and circumstances do not result from the actions of the applicant.
 4. That the granting of the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands or structures in the same district.
- F. No non-conforming use of neighboring lands or structures in the same district, and no permitted use of land or structures in other districts shall be considered grounds for the issuance of a variance.
- G. The application is in proper form and a fee as specified in Section 13.02 has been paid. The board shall hold a public hearing on such matter in accordance with the provisions of Section 11.3. Reasonable special conditions and safeguards for the protection of the public health, safety, and welfare; may be imposed by the board if it grants the application for variance.

13.04 Exercise of Power

- A. In exercising the above mentioned powers such board may, in conformity with the provisions of such section, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from, and may make such order, requirement, decision or determination as sought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken, and may issue or direct the issue of a permit.
- B. The concurring vote of 4 members of the board shall be necessary to reverse any order, requirement decision or determination of any such administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under this ordinance, or to effect any variation in such ordinance. The grounds of every such determination shall be stated.

Section 14.0 Enforcement

14.01 Zoning Administrator,

- A. It shall be the duty of the Zoning Administrator to enforce the provisions of this ordinance.

14.02 Building Permits

- A. No building, structure or mobile home shall hereafter be created, moved or structurally altered, except as hereinafter provided, until a permit therefor shall have been applied for and issued. No permit shall be issued until the Zoning Administrator has satisfactory proof that the premises are in full compliance with the Juneau County Shoreland Zoning, and Flood Plain Zoning Ordinances, and that a Juneau County Sanitary Permit for the installation of a private sewage system to serve the premises has been issued, except that lots served by public sewer shall not require a sewer permit

14.03 Building Plans

- A. All applications for a building permit shall be accompanied by plans in duplicate, drawn to scale, showing the location, actual shape and dimensions of the lot to be built upon, the exact size and location on the lot of the proposed or existing building and accessory building, the lines within which the building shall be erected, altered or moved, the existing and/or intended use of each building or part of a building. the number of families the building is intended to accommodate, and such other

information with regard to the lot and neighboring lots or buildings as may be necessary to determine and provide for the enforcement of this ordinance.

14.04 Lot Surveys

- A. All dimensions shown relating to the location and size of the lot shall be based upon an actual survey. The lot and the location of the building thereon shall be staked out on the ground before construction is started.

14.05 Certificate of Compliance

- A. No Vacant land shall be occupied or used, and no building or mobile home hereafter erected, altered or moved shall be occupied until the certificate of compliance shall have been issued by the Zoning Administrator. Such certificate shall show that the building or premises or part thereof and the proposed use thereof are in conformity with the provisions of this ordinance. Such certificate shall be issued only when the building or premises and the proposed use thereof conform with all the requirements of this ordinance.
- B. Under such rules and regulations as may be established by the Town Board, the Zoning Administrator may issue a temporary certificate of compliance for part of a dwelling.
- C. Upon written request from the owner, the Zoning Administrator shall issue a certificate of compliance for any building or premises existing at the time of the adoption of this ordinance, certifying after inspection, the extent and kind of use made of the building or premises and whether or not such use conforms to the provisions of the ordinance.

Section 15.0 Fees

15.01 Building Permit Fees

- A. A fee in an amount determined by the Town Board is required to be paid by the applicant for a building permit, or for a certificate of occupancy where no building permit was required. The fee shall be paid to the Town Treasurer. A building permit must be secured prior to any construction or building site preparation.

15.02 Board of Appeals Fees

- A. A fee in an amount determined by the Town Board is required to be paid by the applicant for each application or appeal to the Board of Appeals, which fee shall be paid to the Town Treasurer and receipt therefor filed with the application. This fee shall not be required of any Town officers acting in his or her official capacity.

15.03 Zoning Amendment Fee

- A. A fee in an Amount to be determined by the Town Board is required for any petition for the amendment of this zoning ordinance, which fee shall be paid to the Town Treasurer and receipt therefor filed with the amendment petition. In addition, thereto, a petitioner shall be charged with the cost of the official newspaper publication of the notice of hearing. This provision shall not apply to amendments initiated by the Town Board.

15.04 Fees

- A. Any reference to fees shall be listed in the Resolution Town of Clearfield Fee Schedule



Section 16.0 Violations and Penalties

16.01 Violations

- A. Any building, structure or mobile home hereafter erected, enlarged, altered, repaired or moved or any use hereafter established in violation of any of the provisions of this ordinance shall be deemed as unlawful building, structure, or mobile home or use. The Zoning Administrator shall promptly report all such violations to the Town Board, which shall instruct the attorney for the Town to bring an action to prohibit the erection, enlargement, alteration, repair or moving of such building, structure or mobile home or the establishment of such use, or to cause such building, structure, mobile home or use to be removed.

16.02 Penalties

- A. At the discretion of the court, such person, firm or corporation may also be required, upon conviction, to forfeit not less than \$100 nor more than \$500 for each offense. Each day that a violation continues to exist shall constitute a separate offense.
- B. Any and all attorney fee's occurred for violations will be billed to the landowner.

Section 17.0 Changes and Amendments

17.01 Draft Amendments & Notices

- A. When any amendment of the district boundaries or of the regulations contained in this ordinance shall be petitioned for by any interested party or moved by the Town Board, the Town Board shall formulate a tentative draft of such amendment. Before adoption of such amendment by the Town Board, the Town Board shall give a Class 2 notice, Wis. Stats. 985.07(2), of a public hearing on such amendment, specifying the time and place of such hearing.

Section 18.0 Validity, Conflicts and Effective Date

18.01 Severability

- A. Should any section, clause or provisions of this ordinance be declared by courts to be invalid, the same shall not affect-the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

18.02 Conflicting Provisions Repealed

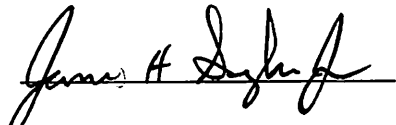
- A. All ordinances or parts of ordinances in conflict with any of the provisions of this ordinance are hereby repealed.

18.03 Date

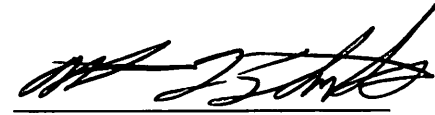
- A. This ordinance shall be in force from and after its passage, approval, publication and recording according to law.

18.04 Repeal

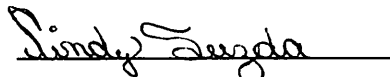
- A. Interim zoning and land use control ordinances heretofore adopted are hereby repealed on the date on which this ordinance becomes effective.



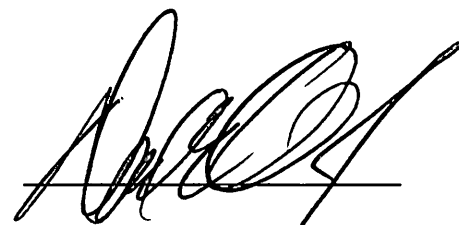
James H Suzda Jr., Chairman



Rob Stanton, Supervisor



Cindy Suzda, Town Clerk



David Anderson Jr., Supervisor

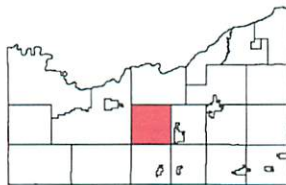
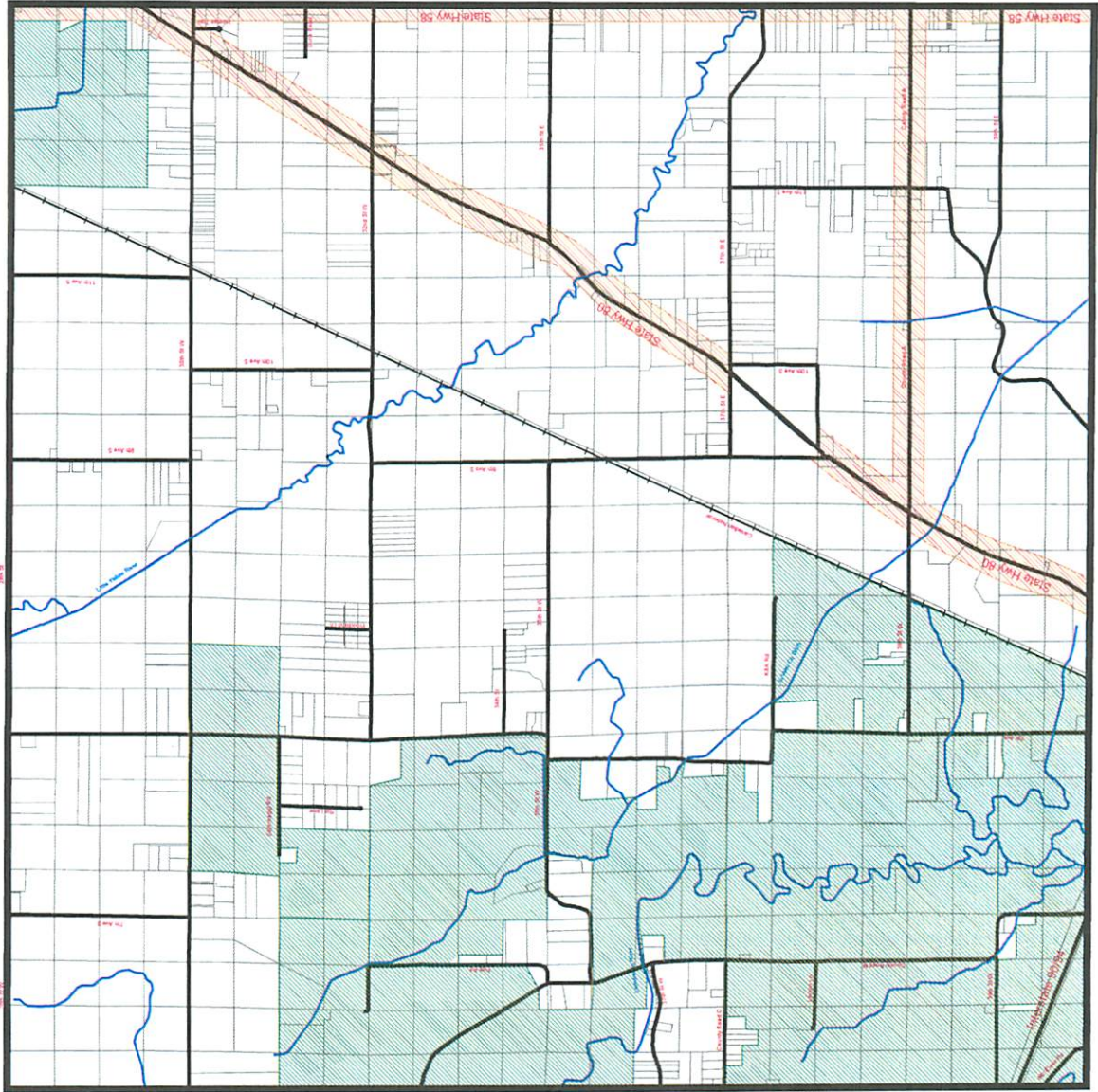
PASSED AND ADOPTED: February 15, 2012

AMENDED: AUG 12, 2025

PUBLISHED: AUG 13, 2025

Town of Clearfield

Zoning Map



- Legend**
- Business District ***
* 650 Feet from Centerline
 - Agricultural**
 - Residential**

Anended April 15, 2020

0 0.375 0.75 1.5 Miles