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**ORDINANCE AMENDING THE MANITOWOC COUNTY CODE CH. 8
(GENERAL ZONING ORDINANCE)**

TO THE CHAIR AND BOARD OF SUPERVISORS
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, the Town of Schleswig is interested in the creation of certain zoning districts for
2 use in the implementation of their land use plan; and
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4 WHEREAS, the Manitowoc County Planning and Park Commission has assisted the Town
5 of Schleswig on the wording for use in these zoning districts; and
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7 WHEREAS, a public hearing was held on Monday, August 27, 2001, at 7:00 p.m. at the
8 Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice;
9 and
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11 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful
12 consideration of testimony at the hearing and an examination of the fact attendant with the petition,
13 has recommended the petition be approved for the reasons stated in the report attached to this
14 ordinance;

15 NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does
16 ordain as follows:
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19 Manitowoc County Code sec. 8.03(1) is hereby amended by adding the following paragraphs:
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- 21 (cf) ES - Estate Residential District
- 22 (cm) SE - Small Estate Residential District
- 23 (ct) LR - Lake Residential District
- 24 (fh) PA - Principal Agriculture District
- 25 (fp) GA - General Agriculture District
- 26 (k) NA - Natural Areas District

27
28 Manitowoc County Code sec. 8.073 is hereby created to read as follows:
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30 8.073 Estate Residential District. The following shall apply to all ES Districts:

- 31 (1) Permitted principal uses.
- 32 (a) Single family residences.
- 33 (b) General agriculture.
- 34 (c) Tree/shrub nurseries.
- 35 (d) Public utilities.

36 (2) Permitted Accessory Uses. The following accessory uses are permitted if located on the
37 same parcel with the permitted use:

- 38 (a) Private garage.

- 39 (b) Customary home occupations or professional offices conducted by the resident only,
40 provided there is no external evidence of such use except an announcement or professional sign not
41 over 3 square feet in area.
- 42 (c) Other customary accessory uses and buildings, provided such uses are clearly incidental
43 to the principal use and do not include any activity commonly conducted as a business.
- 44 (3) Conditional Uses.
- 45 (a) Golf courses.
- 46 (b) Public buildings and institutions.
- 47 (c) Churches and schools.
- 48 (4) Yard Requirements.
- 49 (a) Front yard as required in Manitowoc County Setbacks Ordinance
- 50 (b) Side yards shall have a width of 25 feet for principal structures and conditional uses and
51 10 feet for accessory structures.
- 52 (c) Rear yards shall have a width of 25 feet for principal structures and conditional uses and
53 10 feet for accessory structures.
- 54 (5) Lot Area.
- 55 (a) Lot widths shall not be less than 330 feet.
- 56 (b) Lot Area shall not be less than 5 acres.

57
58 Manitowoc County Code sec. 8.076 is hereby created to read as follows:
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- 60 8.076 SE Small Estate Residential District. The following shall apply in all SE Districts:
- 61 (1) Permitted Principal Uses.
 - 62 (a) Single family residences.
 - 63 (b) General agriculture.
 - 64 (2) Permitted Accessory Uses. The following accessory uses are permitted if located on the
65 on the same parcel with the permitted use:
 - 66 (a) Private garage.
 - 67 (b) Customary home occupations or professional offices conducted by the resident only,
68 provided there is no external evidence of such use except an announcement or professional sign not
69 over 3 square feet in area.
 - 70 (c) Other customary accessory uses and buildings, provided such uses are clearly incidental
71 to the principal use and do not include any activity commonly conducted as a business.
 - 72 (3) Conditional Uses.
 - 73 (a) Two family residences.
 - 74 (b) Public utilities.
 - 75 (c) Day care facilities.
 - 76 (d) Churches, schools, and cemeteries.
 - 77 (4) Yard Requirements.
 - 78 (a) Front yard as required in Manitowoc County Setbacks Ordinance.
 - 79 (b) Side yards shall have a width of 25 feet for principal structures and conditional uses and
80 10 feet for accessory structures.
 - 81 (c) Rear yards shall have a width of 25 feet for principal structures and conditional uses and
82 10 feet for accessory structures.
 - 83 (5) Lot Area.
 - 84 (a) Lot widths shall not be less than 250 feet.
 - 85 (b) Lot area shall not be less than 2.5 acres.

86 Manitowoc County Code sec. 8.078 is hereby created to read as follows:

88 8.078 LR Lake Residential District. The following shall apply in all LR Districts:

89 (1) Permitted Principal Uses.

90 (a) Single family residences.

91 (b) Parks and boat landings.

92 (2) Permitted Accessory Uses. The following accessory uses are permitted if located on
93 the same parcel with the permitted use:

94 (a) Private garage.

95 (b) Customary home occupations or professional offices conducted by the resident only,
96 provided there is no external evidence of such use except an announcement or professional sign not
97 over 3 square feet in area.

98 (c) Other customary accessory uses and buildings, provided such uses are clearly incidental
99 to the principal use and do not include any activity commonly conducted as a business.

100 (3) Conditional Uses.

101 (a) Resorts.

102 (b) Sport and bait shops.

103 (c) Sportsman clubs.

104 (d) Taverns and restaurants.

105 (4) Yard Requirements.

106 (a) Front yard as required in Manitowoc County Setbacks Ordinance.

107 (b) Side yards shall have a width of 10 feet for principal structures and conditional uses and
108 5 feet for accessory structures.

109 (c) Rear yards as required in the Manitowoc County Shoreland/Floodplain Zoning
110 Ordinance.

111 (5) Lot Area. Lot area as required in Manitowoc County Shoreland/Floodplain Zoning
112 Ordinance.

113
114 Manitowoc County Code sec. 8.103 is hereby created to read as follows:

115
116 8.103 PA Principal Agriculture District. The following shall apply in all PA Districts:

117 (1) Permitted Principals Uses.

118 (a) Farming.

119 (b) Farm homesteads.

120 (c) Single family residences.

121 (d) Roadside stands for the sale of farm products.

122 (e) Forestry.

123 (f) Tree/shrub nurseries.

124 (2) Permitted Accessory Uses. The following accessory uses are permitted if located on the
125 same parcel with the permitted use:

126 (a) Private garage.

127 (b) Customary home occupations or professional offices conducted by the resident only,
128 provided there is no external evidence of such use except an announcement or professional sign not
129 over 3 square feet in area.

130 (c) Other customary accessory uses and buildings, provided such uses are clearly incidental
to the principal use and do not include any activity commonly conducted as a business.

131 (3) Conditional Uses.

- 133 (a) Public buildings and institutions.
- 134 (b) Farm implement sales and services.
- 135 (c) Churches or similar place of worship.
- 136 (d) Cemeteries.
- 137 (e) Commercial riding stable.
- 138 (f) Telecommunication towers.
- 139 (g) Saw mills.
- 140 (h) Governmental uses such as fire stations, highway storage garages, parks, schools, and
- 141 treatment plants.
- 142 (i) Religious uses such as cemeteries, churches, and schools.
- 143 (j) Fertilizer plants, storage of seed, feed and fertilizer, and facilities for bulk storage of
- 144 agriculture products.
- 145 (k) Kennels and veterinary clinics.
- 146 (l) Airstrip and landing fields.
- 147 (4) Yard Requirements.
- 148 (a) Front yard as required in Manitowoc County Setbacks Ordinance.
- 149 (b) Side yards shall have a width of 25 for principal structures and conditional uses and 15
- 150 feet for accessory structures.
- 151 (c) Rear yards shall have a width of 25 feet for principal structures and conditional uses and
- 152 15 feet for accessory structures.
- 153 (5) Lot Area.
- 154 (a) Lot widths shall not be less than 500 feet.
- 155 (b) Lot area shall not be less than 20 acres.

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157 Manitowoc County Code sec. 8.107 is hereby created to read as follows:

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159 8.107 GA General Agriculture District. The following shall apply in all GA districts:

160 (1) Permitted Principal Uses.

161 (a) General agriculture.

162 (b) Single family residence.

163 (c) Public utilities.

164 (d) Kennels and veterinary clinics.

165 (e) Tree/shrub nurseries.

166 (2) Permitted Accessory Uses. The following accessory uses are permitted if located on the

167 same parcel with the permitted use:

168 (a) Private garage.

169 (b) Customary home occupations or professional offices conducted by the resident only,

170 provided there is no external evidence of such use except an announcement or professional sign not

171 over 3 square feet in area.

172 (c) Other customary accessory uses and buildings, provided such uses are clearly incidental

173 to the principal use and do not include any activity commonly conducted as a business.

174 (3) Conditional Uses.

175 (a) Governmental uses such as fire stations, highway storage garages, parks, schools, and

176 treatment plants.

177 (b) Religious uses such as cemeteries, churches, and schools.

178 (c) Fertilizer plants, storage of seed, feed and fertilizer, and facilities for bulk storage of

179 agriculture products.

- 180 (d) Nonmetallic mining.
- 182 (e) Salvage yards.
- 183 (f) Trade or contractor storage and establishments.
- 184 (g) Commercial warehouses and mini-storage.
- 185 (h) Auto and truck repair.
- 186 (i) Fruit/vegetable/cheese processing plants.
- 187 (j) Two family residences.
- 188 (k) Telecommunication towers.
- 189 (4) Yard Requirements.
- 190 (a) Front yard as required in Manitowoc County Setbacks Ordinance.
- 191 (b) Side yards shall have a width of 25 feet for principal structures and conditional uses and
15 feet for accessory structures.
- 192 (c) Rear yards shall have a width of 25 feet for principal structures and conditional uses and
193 15 feet for accessory structures.
- 194 (5) Lot Area.
- 195 (a) Lot widths shall not be less than 450 feet.
- 196 (b) Lot area shall not be less than 10 acres.

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198 Manitowoc County Code sec. 8.145 is hereby created to read as follows:

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200 8.145 NA Natural Areas District. The following shall apply in all NA Districts:

- 201 (1) Permitted Principal Uses.
- 202 (a) Single family residences.
- 204 (b) General agriculture.
- 205 (c) Tree/shrub nurseries.
- 206 (d) Hunting, fishing, and trapping.
- 207 (e) Non-residential buildings and structures used for raising of wildlife and fish and the
practice of forestry.
- 208 (f) Forestry.
- 209 (g) Parks, playgrounds, and recreational areas.
- 210 (h) Sportsman's clubs and clubhouses.
- 211 (i) Public utilities.
- 212 (2) Permitted Accessory Uses. The following accessory uses are permitted if located on the
213 same parcel with the permitted use:
- 214 (a) Private garage.
- 215 (b) Customary home occupations or professional offices conducted by the resident only,
216 provided there be no external evidence of such use except an announcement or professional sign not
217 over 3 square feet in area.
- 218 (c) Other customary accessory uses and buildings, provided such uses are clearly incidental
219 to the principal use and do not include any activity commonly conducted as a business.
- 220 (3) Conditional Uses.
- 221 (a) Sawmills.
- 222 (b) Camps and campgrounds.
- 223 (c) Public buildings and institutions.
- 224 (d) Commercial recreational areas.
- 226 (4) Yard Requirements.
- (a) Front yard shall be as required in Manitowoc County Setbacks Ordinance.

- 227 (b) Side yards shall have a width of 25 feet for principal structures and conditional uses and
- 228 15 feet for accessory structures.
- 229 (c) Rear yards shall have a width of 25 feet for principal structures and conditional uses and
- 230 15 feet for accessory structures.
- 231 (5) Lot Area.
- 232 (a) Lot width shall not be less than 500 feet.
- 233 (b) Lot area shall not be less than 20 acres.
- 234
- 235 EFFECTIVE DATE: September 18, 2001.

Respectfully submitted by the
Manitowoc County Planning And Park Commission

Glen Skubal
Glen Skubal, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Comptroller. JPR

LEGAL NOTE: Reviewed and approved as to form by Corporation Counsel. SR

<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Rejected <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Other: _____	On this 18th day of September 2001 by a vote of: <u>24</u> Ayes <u>0</u> Noes <u>1</u> Absent <u>0</u> Abstain Attest: <u>Dan Fischer</u> Dan Fischer, County Clerk
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REPORT TO: THE MANITOWOC COUNTY BOARD OF SUPERVISORS AUGUST 28, 2001
FROM: THE MANITOWOC COUNTY PLANNING AND PARK COMMISSION
RE: THE MANITOWOC COUNTY PLANNING AND PARK COMMISSION ZONING
 MAP AMENDMENT REQUEST

This report, recommendation, Ordinance, proof of publication, attached map, and the fact sheet are hereby presented in accordance with Section 59.69(5)(e)4. Wisconsin Statutes.

The Manitowoc County Planning and Park Commission, on August 15, 2001, petitioned the Manitowoc County Board of Supervisors to amend the test of the Manitowoc County General Zoning Ordinance.

The Town of Schleswig is requesting that the Manitowoc County General Zoning Ordinance be amended to incorporate several new zoning district so that they can amend their existing zoning map and make it in compliance with their Land Use Plan.

1. Action taken to date on this request includes:
 - a. The Commission petitioned for a zoning map amendment on August 15, 2001.
 - b. The petition was referred from the County Clerk to the County Planning and Park Commission for a hearing and recommendation.
 - c. The public hearing notices were published in the Herald-Times-Reporter on August 13, 2001 and on August 20, 2001.
 - d. The County Planning and Park Commission held a public hearing on these Text Amendments on August 27, 2001.
 - e. The Commission, at their August 27, 2001 meeting, recommended approval of the proposed Test Amendments.

2. Testimony at the hearing is summarized as follows:
 - a. Mr. Mike Demske, Director, reviewed the Commission Advisory Meeting minutes and Agenda Commentary.
 - b. Arlene Yauger, Mary Ann Deibely and Mary Ann Ristow spoke in support of the proposed amendments so that the Town of Schleswig can incorporate them in their new zoning district map.
 - c. Mr. George Hermann, Supervisor, Town of Schleswig spoke in favor the amendments and advised that they were going to impose a moratorium on new lot creation for one year or until their map gets amended using these new districts.

The County Planning and Park Commission made the following findings from testimony at the hearing, staff analysis, and discussions at the public hearing and meeting.

1. The proposed test amendment are in keeping with the spirit of the ordinance and will offer a wider variety of zoning districts for any town that wishes to amend their existing zoning map.

RECOMMENDATION

The County Planning and Park Commission determined from testimony at the public hearing, from the staff analysis, that the public health, safety and general welfare would be safeguarded and substantial justice done, if the request of The Manitowoc County Planning and Park Commission to amend the test of the General Zoning Ordinance as attached, were approved.

The Manitowoc County Planning and Park Commission, at its August 27, 2001 meeting, therefore by unanimous vote, recommended that the attached test amendments be recommended for approval.