

## ORDINANCE NO. 2019-2

### AN ORDINANCE TO AMEND SECTION 3.03 OF CHAPTER 9 (ZONING) OF THE MUNICIPAL CODE OF THE VILLAGE OF HIGHLAND, IOWA COUNTY, WISCONSIN RELATING TO SHORT TERM RENTALS IN RESIDENTIAL ZONING DISTRICTS

WHEREAS, the Village Board of the Village of Highland has determined to consider amendments to the Zoning Code of the Village for the purpose of allowing short term rentals of residential property as a conditional use; and

WHEREAS, the Plan Commission of the Village of Highland reviewed the proposed changes at a meeting held on April 3, 2019; and

WHEREAS, notice of a public hearing on said proposed amendments was posted in three public places not later than March 20, 2019; and

WHEREAS, a public hearing was held on April 3, 2019, with regard to said proposed amendments;

NOW, THEREFORE, THE VILLAGE BOARD OF THE VILLAGE OF HIGHLAND, IOWA COUNTY, WISCONSIN, DO ORDAIN AS FOLLOWS:

**Section I:** Section 3.03 of Chapter 9 of the Municipal Code of the Village of Highland shall be and hereby is amended to read as follows:

#### 3.03 R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT

The R-1 Single-Family Residential District is to provide for low-density, detached single-family homes.

\* \* \* \* \*

Conditional Uses: Elementary and secondary schools; churches, farm buildings on an existing farm, provided farm buildings shall be kept at least 200 feet from the nearest residence on a non-farm lot; accessory uses; permitted home occupations and professional offices when incidental to the principal residential use, situated on the same property, and carried on by the residential occupant, subject to the following conditions:

- (1) Such use shall not occupy more than 50 percent of the classified floor area of the principal building in which it is located.
- (2) Such use shall not employ more than one person not a resident on the premises.
- (3) Any off-street parking area shall be maintained reasonably dustless, and adequately screened from adjoining residential properties.

- (4) Such use shall not include the conduct of any retail or wholesale business on the premises, nor the removal of sand, gravel, stone topsoil, or peat moss for commercial purposes.
- (5) Such use shall not include the operation of any machinery, tools, or other appliances, or the outside storage of materials or other operational activity any of which would create a nuisance or be otherwise incompatible to the surrounding residential area.

and short term rentals, subject to the following conditions:

- (1) The number of units rented shall not exceed the allowable density for the zoning district in which the property is located.
- (2) No more than 1 unit / 100 persons of population as based on the most recent US census at the time of application in all the "R" zones with in the Village of Highland may be used as a short-term residential rental.
- (3) The conditional use permit review shall include:
  - a. Proof of Inspection by the building inspector
  - b. Proof of possession of current required state permits and licenses.
  - c. The property owner shall provide a name and phone number of a local contact (living within the village limits) responsible for handling any issues that may arise with the property. The contact shall be available to address any issues 24 hours a day, 7 days a week. The contact information shall be included in the notice sent out to all property owners within 150' of said short term rental.
  - d. Review of police action regarding property.
- (4) There shall be no signage indicating the short-term rental of the property.
- (5) Garbage shall not be set out more than 12 hours prior to collection.
- (6) A minimum of 1 stall of off-street parking must be provided.
- (7) Any updated/confirmation of information pertaining to the short-term rental shall be provided to the Village by April 1<sup>st</sup> of each calendar year.
- (8) The conditional use permit shall be applicable until such time as there is a change in ownership or non-compliance with the terms of the conditional use permit.



WITHIN THE R-1 DISTRICT, THE FOLLOWING STANDARDS SHALL APPLY:	
Minimum Front Yard Setback	25 feet from the edge of the street R.O.W. Line
	In addition, it should be noted that no accessory building or detached garage should be constructed in the front yard area of any residential property.
Minimum Rear Yard Setback	Principal Buildings: 25 feet
	Accessory Buildings: 5 feet
Minimum Side Yard Setback	Principal Buildings: 10 feet on each side
	Detached Garage: 10 feet on each side
	Storage buildings are only permitted in the rear yard and shall be no larger than 120 square feet in area, and shall be set back at least 5 feet from the side property line and 5 feet from the rear property line.
Minimum Lot Width	80 feet
Minimum Lot Area	9,000 square feet
Percent of Lot Coverage	Maximum 30%
Minimum Floor Area	960 square feet (single story)
	1440 square feet (two story)
Maximum Building Height	35 feet (and no more than 2 ½ stories)

**Section III:** This ordinance shall be effective upon its passage and posting as required by law.

Adopted and approved this 3<sup>rd</sup> day of April 2019.

COUNTERSIGNED:

  
Becky Fredericks, Village Clerk

  
Chad Coyier, Village President

Date Adopted: April 4, 2019  
Date Recorded: April 4, 2019  
Date Posted: April 4, 2019  
Date Affidavit Filed: April 4, 2019  
Effective Date: April 5, 2019