

Ordinance #83: ZONING ORDINANCE

THE VILLAGE BOARD OF TRUSTEES HEREBY ORDAINS THAT ZONING REGULATIONS ARE ENACTED IN THE VILLAGE OF COCHRANE AS FOLLOWS:

Article 1. Establishment

Sec. 1-1. Authority, Purpose, and intent

Pursuant to the authority granted by Sections 61.35 and 62.23(7) of the Wisconsin Statutes, the Village of Cochrane deems it beneficial and in the public interest to adopt an ordinance to regulate the height and size of structures, lot coverage, yard sizes, residential densities, and the location and use of buildings, structures, and land. This chapter shall be cited as the ‘Cochrane Zoning Ordinance.’

Sec. 1-2. Base Districts and overlay districts.

All area within the limits of the Village of Cochrane is hereby divided into six base districts: **Residential district, Commercial district, Industrial district, Agricultural district, Community district, and Conservation district**. The Village of Cochrane hereby incorporates the **Floodplain overlay district** and the **Shoreland Wetland overlay district** established by Ordinance No. 59.

Sec. 1-3. Zoning map

The official zoning map shall show the location of base districts and overlay districts established by this zoning ordinance.

Sec. 1-4. Requirement for Zoning Permit

Any change in land use, new structure, or modification of an existing structure, shall comply with the regulations of this ordinance and shall be established or constructed only after issuance of a zoning permit. Application shall be made on a form provided by the Village, which shall list the required information to be provided by the applicant.

Sec. 1-5. Relationship with other regulations and private agreements and covenants.

The zoning ordinance shall have no relationship to existing easements, covenants, deed restrictions, agreements, ordinances, rules, regulations, or permits previously adopted or issued. However, where the code imposes greater restrictions, the provisions of this code shall govern.

Sec. 1-6. Severability

If any section, clause, provision or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the ordinance shall not be affected.

Sec. 1-7. Jurisdiction

This ordinance shall apply to all real property within the corporate limits of the Village of Cochrane. It shall not apply to any public right of way or any railroad right-of-way.

Article 2. Land use regulations and dimensional regulations

Sec. 2-1. Land use table.

Land uses in each base district shall be either permitted, permitted with a conditional land use permit, or not permitted. A “P” indicates the use is permitted, a “C” indicates the use is permitted with a conditional land use permit, and a “---” (dash) indicates the land use is not permitted in the district.

Land Use Table						
	Residential	Commercial	Industrial	Agriculture	Community	Conservancy
Principal Uses						
One dwelling on one lot	P	C	—	P	P	—
Multiple dwellings on one lot	C	C	—	—	C	—
Group living	C	P	C	C	C	—
Lodging	—	P	—	C	C	—
Child or elder care home	C	P	----	P	P	---
Child or elder care center	C	P	C	P	P	—
Retail	—	P	P	—	—	—
Services	—	P	P	—	—	—
Restaurant	—	P	C	—	C	—
Bar or night club	—	C	C	—	—	—
Drive-through facility	----	C	C	----	----	----
Office	—	P	P	—	P	—
Place of worship	—	P	—	—	P	—
School	—	P	—	—	P	—
Utility	—	—	P	—	P	—
Agricultural production	—	—	—	P	—	—
Livestock operations	—	—	—	P	—	—
Agricultural operations	—	—	—	P	—	—
Indoor entertainment or recreation	—	P	—	—	P	—
Outdoor entertainment or recreation	—	P	—	—	P	—
Manufacturing and fabrication, outdoor	—	—	P	—	—	—
Manufacturing and fabrication, indoor	—	P	P	—	P	—
Workshop or repair shop	—	P	P	—	—	—

Logistics operations	—	P	P	—	—
Vehicular parking	—	P	P	—	—
Solar or wind energy facility	—	—	C	C	C
Small wireless facility	C	P	P	P	P
Wireless telecommunication support structure	C	C	C	C	C
Accessory Uses					
Accessory dwelling	P	—	—	P	—
Home business	P	P	C	P	P
Homestay	C	—	—	—	—
Accessory uses	P	P	P	P	P
Temporary Uses					
Temporary and seasonal retail sales	—	P	P	P	—
Special events	—	P	P	P	—
Portable storage container	P	P	P	P	P

Sec. 2-2. Land uses permitted in overlay districts.

Land uses and standards for development within a Shoreland/Wetland District, Floodway District, Flood Fringe District, or General Floodplain District shall comply with Sections 3.0, 4.0, and 5.0, of Village of Cochrane Ordinance No. 59 (“Floodplain Shoreland/Wetland Ordinance”).

Sec. 2-3. Multiple uses.

Multiple uses on a property or within a building may be permitted so long as the land use table permits each use by right or by conditional use permit. If a conditional use permit is required for any use, the conditional use process shall apply

Sec. 2-4. Land use not listed.

Whenever a land use is proposed that does not appear in the Land Use Table, the Village Board may determine that the proposed land use is substantially similar to a land use listed in the Land Use Table, and that the proposed land use is permitted or not permitted in a similar manner.

Sec. 2-5. Accessory uses and structures.

The intent of this section is to ensure that accessory structures are incidental to the principal building by virtue of their size and location on the lot. Accessory structures are subject to these requirements:

- (a) Accessory structures shall be located behind the building line of the principal building except on a corner lot, where accessory structures may be located forward of a building line on the secondary frontage.
- (b) The cumulative footprint of all accessory structures shall not exceed the footprint of the principal building.

(c) The height of an accessory structure shall not exceed the height of the principal building.

Sec. 2-6. Temporary land uses.

The Village Board may approve temporary land uses such as seasonal sales, construction activities, and special events and may place reasonable time limits on such temporary land uses.

Sec. 2-7. Dimensional Regulations.

Dimensional regulations						
	Residential	Commercial	Industrial	Agriculture	Community	Conservancy
Minimum setback from front property line	10'	—	—	—	—	—
Maximum setback from front property line	—	10'	—	—	—	—
Minimum setback from side property line	5'	—	—	—	—	—
Minimum setback from rear property line	15'	—	—	—	—	—
Maximum height	30'	30'	120'	60'	30'	—
Minimum lot area required for each dwelling	2,500 square feet	1,000 square feet	n/a	20 acres	1,000 square feet	—
Maximum sign area	8 square feet	100 square feet	100 square feet	100 square feet	100 square feet	100 square feet
The dimensional requirements below apply to land divisions and lot line adjustments.						
Minimum lot size	4,000 square feet	4,000 square feet	10,000 square feet	20 acres	10,000 square feet	10,000 square feet
Minimum lot frontage on a street right of way	40'	30'	30'	30'	30'	
Maximum block length between intersections	600'	600'	600'	n/a	600'	

Sec. 2-8. Permitted encroachments into required setbacks.

Certain structures may extend into setback areas, subject to limitations, as indicated in the table below:

Permitted encroachments into required yards	Limitation
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Open front porch	May project up to 10 feet into front yard but no closer than five feet from the front property line.
Eave overhangs	Up to 24" into any yard
HVAC units under 36" in height	Any side yard or rear yard
Steps and stoops under 36" in height, mailboxes, free libraries, pergolas, arbors, and similar structures.	Any front yard
Fences	Up to 40 inches in height in front yard Up to 6 feet in height in a side yard, rear yard, or secondary front yard on a corner lot.
Accessory structures such as sheds, garages, swimming pools, patios, play equipment, and similar structures.	Any side or rear yard, in compliance with separation or fire rating requirements of the construction code.

Article 3. General development standards

Sec. 3-1. Applicability.

These regulations govern characteristics of development and may apply in any district.

Sec. 3-2. Utilities.

New buildings shall connect to and be served by public water and sewer. A waiver to this provision may be issued by the Village Board after making a finding that extraordinary conditions make connection impossible or prohibitive to the extent that the property is rendered practically undevelopable for any land use permitted in its zoning district. The Village Board shall not grant a waiver for mere convenience or to reduce development costs.

Sec. 3-3. Parking.

Intent of this section is to protect the character of the Village of Cochrane from encroachment by excessive parking while ensuring the parking demand from intensive land uses does not overwhelm adjacent blocks.

- (a) Land area used for parking (spaces, aisles, and other maneuvering areas) shall be limited in area to no more than 200% of the gross building area. Parking areas shall be located behind the front building line established by a principal building.

- (b) The Village Board may require off-street parking spaces to be developed or maintained in association with the establishment of a land use. The availability of on-street parking in the vicinity shall be considered in determining the number of off-street parking spaces.
- (c) One driveway entrance is permitted for every 150 feet of street frontage of the lot or group of lots under the same ownership. . The maximum driveway width, measured at the property line, is 30 feet .

Sec. 3-4. Signs.

Freestanding and building mounted signs are permitted in each district according to the square foot area limitations in Sec. 2-7. Dimensional regulations.

- (a) For double-sided signs, only one side of the sign used to calculate sign area.
- (b) The entire sign face shall be included in the calculation of sign area.
- (c) Poles, posts, monuments supporting a sign are not included in the sign area calculation. Sec. 3-45. Nonconformities.

Land uses, structures, and site characteristics that were legally established but do not comply with the current regulations of this zoning code, shall be permitted to remain in their legally-established state until removed, discontinued, abandoned, or changed to conform with the current code.

- (a) Nonconforming lots. Any lot, legally in existence at the time this chapter was adopted, which does not meet the minimum lot size or minimum lot frontage requirements of the district, may be developed so long as the land use and dimensional requirements of this code can be met.
- (b) Nonconforming structures. A structure that is nonconforming due to setback, height, or other dimensional requirement may be enlarged or altered, but not in a way that increases the degree of nonconformity. A nonconforming structure damaged or destroyed by an accidental fire, natural disaster, or any other accidental means may repaired, rebuilt, or replaced to its original nonconforming condition as long as the structure is not enlarged or altered in any way which increases its degree of nonconformity, and provided the work to repair, rebuild, or replace such structure shall be completed within two years of date of the damage or destruction.
- (c) Nonconforming land uses. Where a legally-established land use is made no longer permissible by the zoning code, the land use shall be permitted to continue until abandoned for more than two years. A nonconforming land use shall not be expanded to occupy a larger land area or floor area of a building.

Article 4. Processes and decision making.

Sec. 4-1. Processes, decision makers, fees, and public notice requirements.

Application/process	Decision maker	Public Hearing	Public Notice
Zoning permit for by right development	Village Board	Not required	None
Zoning determination or interpretation	Village Board	Not required	None
Zoning district boundary determination	Village Board	Not required	None
Land use not listed	Village Board	Not required	None
Variance	Board of Zoning Appeals	Required	Class 1
Appeal of zoning administrator's determination	Board of Zoning Appeals	Required	Class 1
Conditional Land Use Permit	Plan Commission recommendation and Village Board decision	Required for Plan Commission	Class 2
Zoning map amendment (rezoning)	Plan Commission recommendation and Village Board decision	Required for Plan Commission	Class 2
Zoning amendment by Village Board	Plan Commission recommendation and Village Board decision	Required for Plan Commission	Class 2
Appeal of Board of Zoning Appeals decision	Court of record	Not required	None

Sec. 4-2. Fees

Fees for various application types shall be as set forth in the Village of Cochrane fee schedule.

Sec. 4-3. By right development zoning permit.

The Village Board shall review an application submitted to pursue one or more permitted land uses in district and an accompanying development plan for compliance with applicable regulations within 30 business days after a complete application is submitted. If the application lacks complete information, the Village Clerk shall notify the applicant and provide an explanation of the information needed.

Sec. 4-4. Conditional land use permit.

Where a land use is listed as a conditional land use, an application for a conditional land use permit may be initiated by the owner or authorized agent of the owner by application on forms provided by the Village. The application shall be forwarded to the Plan Commission for public hearing and study. The Plan Commission shall forward a recommendation to the Village Board. The Village Board shall consider and then approve or deny the application by ordinance. The Village Plan Commission and Village Board shall make the following findings in order to grant a conditional land use permit:

- (a) The land use is compatible with the surrounding neighborhood;
- (b) The land use is consistent with the comprehensive plan;
- (c) The land use will not increase flooding hazards within the village; and
- (d) The water, sewer, traffic, and parking generated can be accommodated by existing infrastructure or by infrastructure as improved by the applicant.

Sec. 4-5. Variance.

Whenever the application of the zoning regulations would result in practical difficulty or unnecessary hardship, a variance may be considered so that the spirit of this code shall be observed, public safety and welfare secured, and substantial justice done. However, no land use variance shall be granted which permits a land use that would not otherwise be permitted.

The Board of Zoning Appeals shall evaluate a variance application based on the proposal's harmony with the recommendations of the comprehensive plan, alignment with the public interest and spirit of the code, special conditions exist peculiar to the property that make strict application of the regulations would cause unnecessary hardship.

The Board of Zoning Appeals shall hear the application and hold a public hearing within 30 days of filing of a complete application. Within 30 days of the public hearing, the Board shall make its findings and decision.

Sec. 4-6. Zoning determination or zoning map interpretation.

The Village Board shall have the authority to interpret the zoning code as it applies a zoning permit application and make determinations of compliance or noncompliance with the regulations. Any property owner may request a written zoning determination or zoning verification letter to confirm the current zoning status of a particular property and development rights available.

Sec. 4-7. Zoning map amendment (rezoning).

An amendment to the official zoning map as it pertains to a certain property or properties may be initiated by the owner or authorized agent of the owner by application on forms provided by the Village. The map amendment (also known as a rezoning) shall be forwarded to the Plan Commission for public hearing, study, and shall forward a recommendation to the Village Board. The Village Board shall likewise hold a public hearing and then approve or deny the application by ordinance.

An amendment to the zoning map may be initiated by resolution of the Village Board. The text of the zoning code may be initiated only by the Village Board.

Sec. 4-8. Zoning appeals.

- (a) A decision to approve or deny the application for a permitted land use may be appealed to the Board of Zoning Appeals by application on forms provided by the Village.
- (b) A decision to approve or deny a conditional land use permit may be appealed to the circuit court under the procedures contained in par. (e) 10. a. If the decision on an application is for approval, as defined in Wisconsin Statutes section 781.10 (1) (a), the approval may be appealed under the procedures described in par. (e) 10. b.
- (c) Any person or persons, jointly or severally aggrieved by any decision of the board of appeals, or any taxpayer, or any officer, department, board or bureau of the municipality, may, within 30 days after the filing of the decision in the office of the board of appeals, commence an action seeking the remedy available by certiorari. The court shall not stay proceedings upon the decision appealed from, but may, on application, on notice to the board of appeals and on due cause shown, grant a restraining order. The board of appeals shall not be required to return the original papers acted upon by it, but it shall be sufficient to return certified or sworn copies thereof. If necessary for the proper disposition of the matter, the court may take evidence, or appoint a referee to take evidence and report findings of fact and conclusions of law as it directs, which shall constitute a part of the proceedings upon which the determination of the court shall be made. The court may reverse or affirm, wholly or partly, or may modify, the decision brought up for review.

Sec. 4-9. Zoning administrator.

The Village Board shall act as the zoning administrator or may appoint an individual employee of the village to serve as zoning administrator.

Article 5. Board of Zoning Appeals.

Sec. 5-1. Composition, appointment of members, alternates, chair, filling vacancies.

- (a) The Village President shall appoint five members for three-year terms that are staggered as described in Wis Stat. Section 62.23(7)(e)(2), to maintain continuity of board experience.
- (b) The Village President shall appoint an alternate to serve in the absence of a regular Board of Zoning Appeals member.
- (c) Official Oaths shall be taken by all members in accordance with Section 19.01 of the Wisconsin Statutes within ten days of receiving notice of their appointment.
- (d) Vacancies shall be filled for the unexpired term in the same manner as appointments for a full term.

Sec. 5-2. Organization.

- (a) The Board of Zoning Appeals shall adopt bylaws or rules of procedure to govern its proceedings. Minutes of the proceedings and a record of all actions shall be kept by the Village Clerk, showing the vote of each member, the reasons for the Board's determination, and its finding of facts. These records shall be filed as public records.
- (b) An affirmative vote of four members shall be required to approve an application.

Sec. 5-3. Powers and duties.

The Board of Zoning Appeals shall have the following powers:

- (a) To hear and decide appeals of a zoning administrator determination;
- (b) To hear and decide on applications for variances from any dimensional requirement of the zoning code; and
- (c) To interpret the location of zoning district boundaries;

The Board of Zoning Appeals shall not issue a variance to permit a land use that is not otherwise permitted in a district.

The Board of Zoning Appeals may reverse, affirm wholly or partly, modify the requirements appealed from, and may issue or direct the issuance of a permit.

Article 6. Interpretation.

Sec. 6-1. Interpretation, generally.

The provisions of this ordinance shall be held to be minimum requirements and shall be liberally construed in favor of the Village and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes. Terms that are not defined in this ordinance shall be as defined by the Wisconsin Statutes or by their generally accepted meanings.

Sec. 6-2. Definitions of specific land uses.

Land Use	Definition
Accessory land use	A land use that is customarily associated with and incidental to a principal land use.
Accessory dwelling	A dwelling that is an accessory land use to a principal dwelling on the same lot; specifically, a dwelling located in an accessory building or within a building, that is designed and used for permanent occupancy of 30 days or more. To meet the definition of an accessory dwelling, these conditions must be met: If in a separated accessory building, the floor area must be less than half the floor area of the principal dwelling. If within the principal building, the floor area must be no greater than one third of the total floor area of the building.
Agricultural operation	The use of land for agricultural, horticultural, or floricultural production including livestock, poultry, eggs, dairy products, fruits, vegetables, flowers, trees, and similar products. Agricultural operations shall not include industrial food processing or distribution, which classified herein as manufacturing and fabrication.
Bar or night club	An establishment with sales of alcoholic beverages for consumption on the premises and which may include amplified sound.
Child or elder care home	An accessory land use of a private dwelling to provide care and supervision of up to 12 minor children or elderly adults for periods of less than 24 hours per day.
Child or elder care center	An establishment that provides care and supervision of 12 or more minor children or elderly adults for periods of less than 24 hours per day.
Drive through facility	A kiosk structure or window in a building where a service or product is provided directly to persons occupying vehicles.
Dwelling	A building or portion of a building that contains living, kitchen, sleeping, and sanitary facilities for occupancy by one household, and

	which meets habitable floor space requirements prescribed by the Wisconsin Administrative Code Sec. 92.04.
Group living	Permanent occupancy of a building by nine or more people who may be unrelated and who may receive supportive services or medical care. Group living is characterized by common areas and centralized food services and are distinguished from an apartment building by having no independent dwellings. Such living arrangements may be commonly referred to as nursing homes, congregate care, or group care.
Home business	An accessory land use of a dwelling for an occupation conducted within a principal or accessory building and occupies no more than one-third of the total floor area of buildings on the site.
Homestay	An accessory land use where a portion of a principal dwelling or an accessory building is provided for temporary lodging of fewer than 30 days in return for compensation.
Indoor entertainment or recreation	A venue for musical or theatrical performances or participatory activities and sports, located and conducted entirely within a building. Typical land uses include a music hall, racquet courts, swimming pools, bowling alleys, ice skating or roller skating rinks, batting cages, paintball facilities, climbing walls, or similar land uses.
Lodging	Temporary occupancy of less than 30 days
Logistics operation	A structure, or portion thereof, used for the storage and inventory of goods, materials, or merchandise. Such land uses may include the wholesale distribution of such goods, a storage facility for inventory ultimately to be distributed directly to the customer.
Manufacturing and fabrication, outdoor	An establishment engaged in the processing, fabrication, assembly, or mixing of materials to create a new product, and the incidental storage, sales, and distribution of such products.
Manufacturing and fabrication, indoor	An establishment engaged in the processing, fabrication, assembly, or mixing of materials to create a new product, and the incidental storage, sales, and distribution of such products.
Motor vehicle parking	Off-street parking not associated with a specific land use on the same site.
Office	An establishment engaged in providing administrative, clerical, advisory, professional, or medical services.
Outdoor entertainment or recreation	A venue for musical or theatrical performances or participatory activities and sports, located and conducted outside of a building and may involve amplified sound and off-site noise impacts.
Personal services	An establishment primarily engaged in the provision of frequent or recurrent needed individual services generally related to personal needs, such as the care of a person or a person's apparel, or the training and development of a person. Personal services include barber shops, beauty shops, nail salons, pet grooming, laundry and dry cleaning, tailors, shoe repair, art or music lessons, tattoo and body piercing establishments.

Place of worship	An assembly place for religious worship that includes incidental and customarily accessory land uses such as dwellings, schools, columbaria, graveyards, and childcare during worship services.
Portable storage container	Temporary placement for 30 days or less of a container intended for storage and transportation of household items or inventory.
Retail store	An establishment engaged in the sale or rental of goods, merchandise, or products directly to the consumer and including the incidental service of such merchandise. Retail sales establishments include sale of apparel, groceries, convenience items, furniture, electronics, appliances, jewelry, pharmaceuticals, art, books, automobile parts, antiques, and similar items.
Restaurant	An establishment engaged in the preparation and sales of ready-to-consume food and beverage to customers.
School	A place providing instruction at the elementary, middle, or secondary education level, training in vocational or trade skills, instruction of fine arts; which includes accessory facilities such as athletic fields and playgrounds, but does not include student housing.
Services	An establishment primarily engaged in repair or maintenance services to individuals and households, rather than businesses, of household or commercial goods, including appliances, electronics, computers, and similar goods.
Solar or wind energy facility	Industrial large scale electricity generation intended for general distribution, which is not serving a particular land use on the same site.
Special events	Temporary establishment of an event venue on a site for less than 45 days.
Utility	Infrastructure for water, sewer, stormwater, electric, natural gas, or broadband.
Wireless telecommunications facility or equipment	Antennae and support structures on property which provide cellular data transmission.
Workshop or repair shop	An establishment engaged in the assembly, fabrication, or manufacture of materials to create a new product, or the repair of such products, where the activity occurs within an enclosed building. Such land use may include furniture making and repair, cabinetry, assembly of textiles, garment production and repair, assembly of electronics, florists, jewelry making, metalwork, or similar activities, and may include the retail sale of goods produced.

Sec. 6-3. Definitions of terms.

Term	Defintion
Building	A type of structure that has a roof and is enclosed by walls. All buildings are structures but not all structures are buildings.

Building line	A line offset parallel from the lot frontage that is established by the front of a building.
Corner lot	A lot with connected frontage on two or more streets
Front setback	A line offset a prescribed distance from the lot frontage.
Front yard	The front yard is the land area lying between the lot frontage and either the front setback line; or between the lot frontage and the building line for an existing building.
Gross floor area	All areas of a building under roof including porches, areas of upper floors, finished basements, restrooms, hallways, and utility closets.
Height	Average vertical distance from grade to topmost point or plane of a structure.
Household	<i>Household:</i> A person or group of persons living within a dwelling and sharing kitchen facilities, sanitation facilities, and common areas. A household may have one of the following types of occupancy: (a) A family of related persons of unlimited number. (b) A Community Living Arrangement pursuant to Wisc. Stat. 60.63 with up to eight residents. (d) A group of up to eight persons who may or may not be related.
Interior lot	A lot that has one frontage on one street
Lot	An area of land created for the purpose of development.
Lot area	The two-dimensional area of land in square feet or acres.
Lot frontage	Line representing the boundary between a lot and a street right-of-way.
Permanent occupancy	Occupancy for 30 days or more.
Permitted encroachment	Structures or portions of structures that are allowed to cross a setback line and extend into a yard. Examples: HVAC unit; eaves, stoop or front porch, steps, retaining walls, walkways; patios, pergola;
Rear lot line	A line roughly parallel to the lot frontage line that is the boundary between two lots and intersects side lot lines.
Rear setback	Line offset a prescribed distance from the rear property line.
Rear yard	The area created between the rear lot line and the rear setback.
Side lot line	Any lot line that is neither a lot frontage nor a rear lot line.
Side setback	A line offset a specified distance from, and parallel to, the side lot line.
Side yard	The area created between the side lot line and the side setback
Structure	Anything which is constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground. "Constructed or erected with a fixed location" means an item that is stationary and that cannot be readily moved without special equipment. Examples of structures include buildings, walls, fences, signs,

	swimming pools (in-ground and above ground), patios, parking and loading areas.
Through lot	A lot with two unconnected frontages on two streets
Temporary occupancy	Occupancy for fewer than 30 days

Adopted the 8th day of September, 2026.

Charles Speltz
Village President

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Carrie Venner-Adams
Village Clerk