

Exhibit A Ordinance 03.2026

§ 384-33 B-1 Business/Commercial District.

The purpose of this district shall be to promote an area for retail and service-oriented establishments.

A. Permitted uses.

(1) Agricultural use.

~~(2) Commercial greenhouse, landscape and nursery business.~~

~~(3) Motels and resorts.~~

~~(4) Parking lots.~~

~~(5) Personal and business service establishments, excluding motor vehicle and farm equipment repair, with no more than 3,500 square feet of floor space.~~

~~(6) Professional offices with no more than 3,500 square feet of floor space.~~

~~(7) Restaurants.~~

~~(8) Retail businesses, excluding motor vehicle and farm equipment sales, with no more than 3,500 square feet of floor space.~~

~~(9) Sale of bait for fishing and sporting goods and supplies, camping trailers and tents.~~

~~(10) Self-service storage facility.~~

~~(11) Taverns.~~

B. Conditional uses.

(1) Archery ranges.

(2) Contractor's storage yard.

(3) Farm equipment sales and service.

(4) Fireworks sales.

(5) Hospitals, clinics and nursing homes.

(6) Motor vehicle sales and service.

(7) Planned unit development.

(8) Residential quarters for the owner, commercial tenant, employee or caretaker located in the same building as the business.

(9) Commercial greenhouse, landscape and nursery business.

(10) Motels and resorts.

(11) Parking lots.

- (12) Personal and business service establishments, excluding motor vehicle and farm equipment repair, with no more than 3,500 square feet of floor space.
- (13) Professional offices with no more than 3,500 square feet of floor space.
- (14) Restaurants.
- (15) Retail businesses, excluding motor vehicle and farm equipment sales, with no more than 3,500 square feet of floor space.
- (16) Sale of bait for fishing and sporting goods and supplies, camping trailers and tents.
- (17) Self-service storage facility.
- (18) Taverns.
- (19) Retail businesses, professional offices and personal and business service establishments exceeding 3,500 square feet in floor space.
- (20) Any similar use subject to the approval of the Town Board.

§ 384-34M-1 Manufacturing/Industrial District.

The purpose of this district shall be to promote an area for manufacturing and industrial operations.

A. Permitted uses.

- (1) A licensed adult-oriented establishment as provided in Subsection C below.[1]

[1]Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

- (2) Agricultural use.

~~(3) Automobile repair facilities.~~

~~(4) Boat storage; sale of boats, motors, fuel, and marine supplies; servicing of boats and motors; and the manufacture of boats or motors.~~

~~(5) Contractor's office and/or storage yard.~~

~~(6) Farm machinery sales, service and storage facilities.~~

~~(7) Food storage warehouses.~~

~~(8) Freight yards and trucking terminals.~~

~~(9) Gas stations.~~

~~(10) Governmental uses such as but not limited to police or fire stations, community centers or buildings used for the storage or repair of road maintenance equipment.~~

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~~(11) Manufacturing establishments engaged in the fabrication, processing, assembly or packaging of a product which is not specified as a conditional use in the Manufacturing/Industrial District.~~

~~(12) Nurseries, greenhouses and landscaping businesses.~~

~~(13) Parking lots.~~

~~(14) Printing and publishing establishments.~~

~~(15) Processing and packaging of food products.~~

~~(16) Processing and packaging of recyclable materials.~~

~~(17) Recycling collection point.~~

~~(18) Retail sale of products if accessory to and in the same structure as the principal use.~~

~~(19) Self-service storage facility.~~

~~(20) Telephone and electrical power distribution poles and lines.~~

~~(21) Warehousing, except the storage of chemicals, explosives, flammables and radioactive materials.~~

~~(22) Wholesale establishments.~~

B. Conditional uses and structures.

- (1) Airports, aircraft landing fields and hangars.
- (2) Dumps and waste disposal areas.
- (3) Farms operated for the disposal of sewage, rubbish or any waste material.
- (4) Feed mills, granaries and elevators.
- (5) Incinerators.
- (6) Manufacturing, processing, packaging or storage of chemicals, explosives, batteries, asphalt, cement, flammables, paint, poison, rubber, dyes, plastics and radioactive materials.
- (7) Mineral extraction; quarrying.
- (8) Planned unit development.
- (9) Salvage yards and storage of inoperable vehicles.
- (10) Sanitary landfill operations.
- (11) Sewage treatment facilities.
- (12) One single-family residence per site for the owner or proprietor, caretaker and his/her family, which is incidental to a permitted or conditional use.
- (13) Utilities.

- (14) Automobile repair facilities.
- (15) Boat storage; sale of boats, motors, fuel, and marine supplies; servicing of boats and motors; and the manufacture of boats or motors.
- (16) Contractor's office and/or storage yard.
- (17) Farm machinery sales, service and storage facilities.
- (18) Food storage warehouses.
- (19) Freight yards and trucking terminals.
- (20) Gas stations.
- (21) Governmental uses such as but not limited to police or fire stations, community centers or buildings used for the storage or repair of road maintenance equipment.
- (22) Manufacturing establishments engaged in the fabrication, processing, assembly or packaging of a product which is not specified as a conditional use in the Manufacturing/Industrial District.
- (23) Nurseries, greenhouses and landscaping businesses.
- (24) Parking lots.
- (25) Printing and publishing establishments.
- (26) Processing and packaging of food products.
- (27) Processing and packaging of recyclable materials.
- (28) Recycling collection point.
- (29) Retail sale of products if accessory to and in the same structure as the principal use.
- (30) Self-service storage facility.
- (31) Telephone and electrical power distribution poles and lines.
- (32) Warehousing, except the storage of chemicals, explosives, flammables and radioactive materials.
- (33) Wholesale establishments.
- (34) Any similar use subject to the approval of the Town Board.

§ 384-35 General requirements.

The Town Board of the Town of Herman may authorize the Zoning Administrator to issue a conditional use permit for conditional uses after review and public hearing by the Plan Commission, provided that such conditional uses or structures are in accordance with the purpose and intent of this chapter and are found not to be hazardous, harmful, offensive, or otherwise adverse to the environment or the value of the area.

“Conditional Use” means a use allowed under a conditional use permit, special exception, or other special zoning permission issued by the town but does not include a variance.

“Substantial evidence” means facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion.

§ 384-38 Conditions.

The Town Board and/or Plan Commission may attach such conditions, in addition to those required elsewhere in this chapter, that it deems necessary in furthering the purpose of this chapter. Violation of any of these conditions shall be deemed a violation of this chapter. Such conditions may include specifications for, without limitation because of specific enumeration, type of shore cover; increased setback and yards; specified sewage disposal and water supply facilities; landscaping and planting screens; hours of operation; operational control; sureties; deed restrictions; locations of piers, docks, parking, and signs; type of construction; or any other requirement necessary to fulfill the purpose and intent of this chapter.

If an applicant for a conditional use permit meets or agrees to meet all of the requirements and conditions specified in the ordinance and those imposed by the Town Board, the Town shall grant the conditional use permit. Any condition imposed must be related to the purpose of this ordinance and be based on substantial evidence.

The requirements and conditions described must be reasonable and, to the extent practical, measurable and many include conditions such as the permit’s duration, transfer, or renewal. The applicant must demonstrate that the application and all requirements and conditions established by the Town relating to the conditional use are or shall be satisfied, both of which must be supported by substantial evidence. The Town’s decision to approve or deny the permit must be supported by substantial evidence.

§ 384-39 Public hearing.

Public hearings shall be held by the Plan Commission within 45 days of receiving a complete conditional use permit application. There shall be a published Class **1** **2** notice as provided in Ch. 985, Wis. Stats. The Plan Commission Secretary shall notify all abutting or opposite property owners as listed by the applicant in the original application of the time, date and subject matter of the hearing. Failure to comply with this provision shall not, however, invalidate any previous or subsequent action on the application.