



TOWN OF NEPEUSKUN

1475 Country Road E - Ripon, WI 54971

Email: zoneadmin@townofnepeuskun.org

Phone: (920) 785-7332

Town Website: <http://www.townofnepeuskun.org/>

Site Plan Review Application

(Submit 2 hard copies and 1 electronic copy of plans/drawings)

Property Owner(s): _____

Mailing Address: _____

Phone: _____ E-Mail: _____

Site Address: _____

Applicant (if other than Owner): _____

Check: Architect _____ Engineer _____ Surveyor _____ Attorney _____ Agent _____

Mailing Address: _____

Phone: _____ E-Mail: _____

I/we certify the attached drawings are to the best of my/our knowledge complete and drawn in accordance with all codes.

Owner (or owner's agent) Signature: _____ Date: _____

Applicant Signature (if other than owner): _____ Date: _____

Engineer/Surveyor (if applicable):

Engineer/Surveyor: _____ Registration No.: _____

Mailing Address: _____

Phone: _____ E-Mail: _____

Site Plan/Project Specifics:

Project Type: _____

Tax Parcel No.(s): _____

Existing Zoning: _____ Proposed Zoning (if applicable): _____

Project Cost: _____

Construction Type: Site Construction: _____ Manufactured: _____

Foundation Type: _____

Describe the reason for the project, development/redevelopment (add pages if necessary) :

SITE PLAN APPLICATION – CHECKLIST

- a. Yes No N/A Is the proposed land use, development, building(s), structure(s), and/or sign(s) located in a “shoreland”? “Shoreland” means lands within the following distances from the ordinary highwater mark of navigable waters: 1,000 feet from a lake, pond or flowage; and 300 feet from a river or stream or to the landward side of the floodplain, whichever distance is greater. *(Note: Projects within “shorelands” shall comply with the Winnebago County Shoreland Zoning and Town/County Zoning Codes)*
- b. Yes No N/A Is the proposed land use, development, building(s), structure(s), and/or sign(s) located in a floodplain? *(Note: Projects within a floodplain shall comply with the Winnebago County Floodplain Zoning Code)*
- c. Yes No N/A Is the proposed land use, development, building(s), structure(s), and/or sign(s) consistent with the existing or proposed zoning designation for the parcel?
- d. Yes No N/A Building Plans (drawn to scale).
See “Site Plan Review Application Instructions” sheet for building plan requirements.
- e. Yes No N/A Site Plan (drawn to scale).
See “Site Plan Review Application Instructions” sheet for site plan requirements.
- f. Yes No N/A Is the finished ground elevation at the center of the principal structure proposed to be at least 12 inches above the crown of any adjacent road public road? If not, have you received approval/confirmation from the Zoning Administrator that an alternative finished ground elevation is permitted?
- g. Yes No N/A Are any new public or private roadways proposed with this project? If so, roadways shall comply with Section 5.10.2 of the Town of Nepeuskun Zoning Code
- h. Yes No N/A Are any new driveways to a public road proposed? If so, driveways connecting to a town road shall comply with Chapter 13 of the Town of Nepeuskun Municipal Code. Common driveways shall also comply with Section 5.10.4 of the Town of Nepeuskun Zoning Code. Driveways connecting to a county or state road/highway shall be approved by the respective agency.
- i. Yes No N/A Is the proposed project a residential building/project? If so, the residential building site and design comply with Sections 5.10.5 through 5.10.7 of the Town of Nepeuskun Zoning Code. *(Note: New residences require a State of Wisconsin Uniform Dwelling Code approved plan prior to site plan approval)*
- j. Yes No N/A Does the proposed project includes any new fences? If so, the fences shall comply with Section 5.10.8 of the Town of Nepeuskun Zoning Code.

- k. Yes No N/A Does the proposed project involve farm animals? If so, the project shall comply with Section 5.10.9 of the Town of Nepeuskun Zoning Code. *(Note: Projects involving farm animals shall comply with the Winnebago County Livestock Waste Management Ordinance)*
- l. Yes No N/A Does the proposed project involve new/additional outdoor lighting? If so, lighting plans and fixture specifications shall be submitted, which shall comply with Section 5.10.10 or 5.10.11 of the Town of Nepeuskun Zoning Code, as applicable.
- m. Yes No N/A Does the proposed project include any new private ponds? If so, the ponds shall comply with Section 5.10.12 of the Town of Nepeuskun Zoning Code.
- n. Yes No N/A Does the proposed project involve a campground? If so, the campground shall comply with Section 5.10.13 of the Town of Nepeuskun Zoning Code.
- o. Yes No N/A Does the proposed project involve manufactured homes? If so, the manufactured homes shall comply with Sections 5.10.14 and 5.10.19 of the Town of Nepeuskun Zoning Code, as applicable.
- p. Yes No N/A Does the proposed project involve a Home Occupation? If so, the Home Occupation shall comply with Section 5.10.15, 5.10.16, 5.10.17, or 5.10.18 of the Town of Nepeuskun Zoning Code, as applicable.
- q. Yes No N/A Does the proposed project involve a cemetery? If so, the cemetery shall comply with Section 5.10.20 of the Town of Nepeuskun Zoning Code.
- r. Yes No N/A Does the proposed project involve accessory uses or structures? If so, the accessory uses/structures shall comply with Section 5.10.21 of the Town of Nepeuskun Zoning Code.
- s. Yes No N/A Does the proposed project involve farm buildings? If so, the farm buildings shall comply with Section 5.10.22 of the Town of Nepeuskun Zoning Code.
- t. Yes No N/A Does the proposed project involve any new/additional signs? If so, the sign plans shall be submitted and shall comply with Chapter 7 of the Town of Nepeuskun Municipal Code.

WINNEBAGO COUNTY REQUIREMENTS:

Please note that some projects may require additional permits/approvals from Winnebago County. Winnebago County Ordinances applicable in the Town of Nepeuskun include the following:

- Chapter 13 – Livestock Waste Management
- Chapter 16 – Private Wastewater Treatment System (POWTS)
- Chapter 18 – Subdivision and Platting
- Chapter 20 – Non-Metallic Mining Reclamation Ordinance
- Chapter 23 – Town/County Zoning Codes (if project is within a shoreland zoning area)
- Chapter 26 – Floodplain Zoning Code (if project is within a floodplain)
- Chapter 27 – Shoreland Zoning Code (if project is within a shoreland zoning area)

STATE OF WISCONSIN REQUIREMENTS:

- Projects involving 1 acre or more of land disturbance on the property require a construction site stormwater permit from the Wisconsin Department of Natural Resources.
- Commercial, industrial, and multi-family buildings require plan approval from the Wisconsin Department of Safety and Professional Services.

THIS PAGE IS FOR TOWN USE ONLY

Fee: _____ Acct No: _____ Receipt: _____ Date: _____

Date Rec'vd Complete: _____ By: _____ Zoning Permit. No.: _____

Review by Plan Commission: _____

Site Visit by Plan Commission (if applicable): _____

Plan Commission Considerations:

1. Does the proposed use conform to the uses permitted in the parcel's zoning district? _____ YES _____ NO
2. Are all applicable setbacks met? _____ YES _____ NO
3. Are applicable height requirements met? _____ YES _____ NO
4. Has the preservation of mature trees been considered? _____ YES _____ NO
5. Have all requirements of Article 9 of the Town Zoning Ordinance been met? _____ YES _____ NO
6. Have all applicable requirements of Article 10 of the Town Zoning Ordinance been met? _____ YES _____ NO

Site Plan is: Approved _____ Approved with Condition(s) _____ Denied _____

Reason(s) for any "no" response to 1 through 6 above: _____

Condition(s) of approval (if any):

1. _____
2. _____
3. _____
4. _____
5. _____



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SITE PLAN REVIEW APPLICATION INSTRUCTIONS

The Town of Nepeuskun requires the review of site plans for all new uses, developments, buildings, structures, and signs according to CHAPTER 5, ARTICLE 9 of the Town of Nepeuskun Municipal Code. All new principal buildings/structures are subject to this requirement. Additions to existing principal buildings/structures with an improved value of greater than \$10,000 and that change the original footprint of existing buildings/structures are subject to this requirement. Accessory buildings/structures or additions to existing accessory buildings/structures with a cost or value of less than \$40,000 are exempt from this requirement.

Applicants are encouraged to review CHAPTER 5, ARTICLE 9 and ARTICLE 10 of the Town of Nepeuskun Municipal Code before submitting an application due to the detailed requirements set forth by the Code. Copies of ARTICLE 9 and ARTICLE 10 are enclosed with this application packet for your reference.

A meeting with the Town Zoning Administrator is strongly encouraged prior to submittal of the application to discuss the nature of the proposed development. A timeline for application review by the town will be set by the Town Zoning Administrator during the initial application consultation with the applicant or their designated agent. Per ARTICLE 9, a complete application, site plan, and application fee shall be submitted to the Zoning Administrator at least 30 days prior to the established monthly Plan Commission meeting date. This timeline may be waived by the Town Zoning Administrator and/or Plan Commission Chairperson at their discretion.

Once deemed complete, your site plan review application, along with Town Staff comments, will be forwarded to the Town of Nepeuskun Planning Commission (PC) for review and decision. The Town of Nepeuskun PC meets the second Monday of each month. The PC makes the final decision relative to the approval or denial of the Site Plan.

General Building & Site Plan Submittal Requirements:

1. Building Plans, drawn to scale, are required which shall show the following:
 - a. All floor plans
 - b. At least two (2) elevation views

2. Site Plan, drawn to scale, is required which shall include the following (as applicable):
 - a. Location of the project on the property
 - b. Any existing or proposed structures or improvements on the property (e.g., buildings, structures, signs, driveways, parking/loading areas, ponds, etc.)
 - c. Dimensions of any proposed improvements
 - d. Setbacks of any proposed improvements on the property from property lines, roadways, wetlands, and surface waters (i.e., creeks, streams, rivers, ponds, and lakes)
 - e. Any existing and proposed well and wastewater disposal system.
 - f. Location and dimensions of all existing and proposed outdoor storage areas (commercial/industrial uses only)

NOTE: You may use an aerial photograph/map from the Winnebago County GIS mapping system for the site plan which may be accessed on-line via the following website:

<https://www.co.winnebago.wi.us/planning-and-zoning/gis>

3. Site plans shall conform to the development and use standards set forth in CHAPTER 5, ARTICLE 10 of the Town of Nepeuskun Municipal Code (as applicable).

Application Requirements:

Fill in and sign the attached application form with ALL required information. Please note that certain information can be obtained off the tax bill, deed or the Winnebago County GIS mapping system available on-line. Please note the application includes a detailed checklist of all items and information required as part of site plan.

Filing:

File the completed application, building and site plan maps/drawings, filing fee and any other support information with the Town Zoning Administrator. We suggest scheduling an appointment with the Town Zoning Administrator when filing the application to confirm that all necessary information is being submitted. Incomplete applications may be delayed until all necessary information has been submitted. The completeness of the application will determine the review timeline.

Application fees are non-refundable.

The Town of Nepeuskun Municipal Code may be accessed through the Town website via the following link:

<http://www.townofnepeuskun.org/>

If you have any questions concerning the application procedure, please contact the Town Zoning Administrator. Contact information is listed on the top of this instruction sheet.

Article 9.
Site Plan Review

- 5.9.1 Generally.** The Plan Commission shall review site plans for all new uses, developments, buildings, structures, and signs.
- 5.9.2 Establishment and Purpose.** The Town of Nepeuskun hereby establishes Site Plan Review standards to promote stability of property values; to promote compatible development; to foster the attractiveness of the community as a place to live; to preserve the rural character of the community; to preserve the quality of the built environment; and to uphold the goals, strategies and guidelines of the comprehensive plan.
- 5.9.3 Compliance.** No new use, development, building, structure, or sign shall hereafter be erected until the Plan Commission has reviewed and approved site plans for the site, buildings, structures, or signs. Accessory buildings with a cost or value of less than \$40,000 are exempt from this requirement. The Plan Commission shall not approve any plans unless they find after viewing and study of the application that the use, site, building, structure, or sign, as planned will not violate the intent and purposes of this Chapter. Only after the Plan Commission Chairperson has signed the approved plan(s), signifying support of the Plan Commission, may appropriate permits be granted. Modification, expansion, or renovation of existing uses and structures does not require site plan approval.
- 5.9.4 Application and Review Procedure.**
The following procedure shall be followed:
1. **Submittal of application.** The applicant shall submit a completed application and site plan to the Zoning Administrator at least 30 days prior to the established monthly meeting date of the Plan Commission along with the appropriate fee as listed in the Town's Annual Fee Schedule. An application for site plan approval shall also serve as an application for a zoning permit.
 2. **Determination of completeness.** Within ten (10) business days of submittal, the Zoning Administrator shall determine if the application is complete and consistent with the provisions set forth in Article 9 of this Chapter. If the application is deemed incomplete or inconsistent it shall be returned to the applicant and the applicant has six (6) months to resubmit the application or forfeit the application fee. Until the application is deemed complete, no other actions are required.
 3. **Decision.** Within forty (40) days of the determination of completeness, the Plan Commission shall approve the application, approve it with conditions, or deny it. Such decision shall be in writing and shall include findings in support of its decision and, if approved, conditions as may be imposed.
 4. **Applicant notification.** Within five (5) days following the decision, the Zoning Administrator shall issue a zoning permit, mail the applicant the original (signed) copy of the decision, and retain a (signed) copy for the decision for public record.
- 5.9.5 Site Plan Review Principles and Standards.** To implement the purposes set forth in Section 5.9.2, the Plan Commission and staff shall review the site, existing and proposed structures, neighboring uses, provision and utilization of landscaping and open space, parking areas, driveway locations, loading and unloading (in the case of commercial uses), highway access, traffic generation and circulation, drainage, septic and water systems, and the proposed operation. The Plan Commission will approve said site plans only after determining that:
1. The proposed use(s) conforms to the uses permitted in that zoning district.
 2. The site plan conforms to the development and use standards set forth in Article 10 of this Chapter and is consistent with all other provisions of this Chapter.

**Article 10.
Development and Use Standards**

5.10.1 Building Grade.

The finished grade for the principal structure shall be at least twelve (12) inches above the crown of any adjacent public road at the center of said structure. Where an alternate elevation would better suit the existing or proposed use surrounding the site, the zoning administrator can set an alternative finished grade which shall be noted on the zoning permit.

5.10.2 Roads (Public). Roadways (Private).

1. Roads and roadways shall comply with the following standards:
 - a. Roadways should follow existing contours to minimize the extent of cuts and fills.
 - b. Roadways should not be located in open fields.
 - c. Roads serving residential developments, subdivisions, or clusters of certified survey lots should be designed to provide continuity with the existing road system and with potential future roads serving adjoining parcels.
 - d. Where certified survey lots are created, sufficient right-of-way access to "interior" portions of large land holdings should be reserved.
 - e. All roads shall be built to Town standards.

5.10.3 Driveways.

Driveways must comply with Chapter 13: Driveway and Culvert Ordinance.

5.10.4 Common Driveways.

- a. **Generally.** Wherever possible, common driveways shall be used to limit the number of access points onto town, county, and state roads.
- b. **Maximum number of units served.** A common driveway may serve up to four (4) residential units.
- c. **Maintenance agreement required.** All lots using a common driveway shall be covered by a driveway maintenance agreement as approved by the Town.

5.10.5 The Residential Building Site in any District.

The building site shall comply with the following:

- a. Maximum total lot disturbance: 50 percent of lot area or 25,000 square feet, whichever is less. Site disturbance shall include all areas disturbed for the purpose of constructing buildings and structures as well as all graded areas and lawns. The total shall include disturbed areas both inside and outside the building envelope.
- b. Building envelopes should be selected that do not permit rooflines to protrude above the crest of hilltops.
- c. Building envelopes shall be located on the edges of fields or parcels.
- d. Building envelopes shall not encompass wetlands, heavily treed areas, floodplains, and other environmentally sensitive areas.
- e. Building envelopes shall not include areas with slopes in excess of 15 percent.
- f. Existing vegetation shall be preserved in areas where disturbance is not necessary outside the building envelope.
- g. Where landscaping is proposed, native species shall be incorporated in the design.
- h. Where building envelopes are located in woodlands, a treed area of at least thirty (30) feet between the building envelope and the common drive or roadway should be retained.
- i. On property bordering streams and creeks, not more than twenty-five (25) linear feet of shoreline per lot shall be disturbed. This includes docks, piers, and beach areas.

5.10.6 Residential Design Principles in any District.

In designing new residential projects the following design principles shall be followed:

- a. Minimize clearing and disruption of the landscape and take advantage of the attractive way that town roads are often lined with trees.
- b. Preserve man-made and natural features. Traditional landscape features, (fences, tree lines, meandering creeks, streams), define outdoor areas in a natural way and create corridors for wildlife movement. Using these features as property lines is often appropriate, as long as setback requirements do not result in constructing buildings in the middle of a field.

- c. Place buildings and structures either at the edges of fields or parcels or in cleared areas next to fields. Septic systems and drainage fields, however, may be placed in fields.
- d. Use existing vegetation and topography to buffer and screen new development.
- e. Minimize clearing vegetation at the edge of the road, clearing only as much as necessary to create driveway access with adequate sight distance. Use curves in the driveway design to add to the screening of the building.
- f. Locate buildings so that they do not protrude above treetops and crest lines of hills seen from public places and roads. Use vegetation as a backdrop to reduce the prominence of the structure. Wherever possible, open up views by selectively cutting small trees and lower branches of larger trees, rather than clearing large areas or removing mature trees.
- g. Minimize crossing of steep slopes with roads and driveways. When building on slopes, take advantage of the topography by building multi-level structures with entrances on more than one level (e.g. walkout basements, garages under buildings), rather than grading the entire site flat. Use the flattest portions of the site for subsurface sewage disposal systems and parking areas.
- h. Use best management practices for erosion and sediment control.

5.10.7 Residential.

No more than one (1) residential building shall occupy any single parcel or lot. When an old residence is being replaced by a new residence on the parcel, the old residence must be removed within a six (6) month period of receiving the occupancy permit for the new residence.

5.10.8 Fences.

Fences are permitted on or near property lines. All fences must comply with the minimum requirements for fences set forth in Chapter 90, Wisconsin Statutes.

5.10.9 Farm Animals.

1. **Agricultural Districts (A2).** Farm animals in the A-2 district shall be allowed consistent with the tables in this section and in accordance with the Winnebago County Livestock Waste Management Ordinance. The number of permitted animals per acre shall be based on the acreage of all adjacent parcels in common ownership (referred to in Exhibit 4 as "Parcel or Tract") or leased through an agreement with adjacent parcel owners. The lease agreement must specify a period of time the agreement will be in effect and be filed with Winnebago County and the applicant is issued a Waste Management permit for livestock waste disposal. For this purpose, adjacent parcels are parcels that share a lot line or are directly across the road from each other. In addition, parcels can only be subject to one lease agreement that allows livestock waste disposal.

Exhibit 4.

Parcel or Tract size	Requirement
Less than 2 acres	Not permitted (except hen chickens)
2 acres to 34.99 acres	one animal unit per acre
35 acres and larger	no restriction for general farming purposes

2. **Farm animals in the R-1 and C-2 districts** Farm animals may be allowed in the R-1 or C-2 district on parcels over 2 acres as a conditional use, consistent with the density regulations set forth in Exhibit 5.
3. **Animal Unit Calculation.** For the purpose of these regulations, an "animal unit" is defined in the table below. For animal types not listed in the following table, the Town shall determine equivalency to animal units as the DNR would in NR 243.

Exhibit 5. Number of Animal Types Equivalent to 1,000 Animal Units and Animal Equivalency Factors DNR regulation NR 243

Number Equivalent to 1,000 Animal Units	Subcategory of Animal Types	Animal Equivalency Factor
700 910 1,670 5,000	DAIRY CATTLE: Milking and dry cows Heifers (800 to 1,200 lbs) Heifers (400 to 800 lbs) Calves (under 400 lbs)	1.4 1.1 0.6 0.2
1,000 1,250 2,000 700	BEEF CATTLE: Steers or cows (1,000 lbs to Mkt) Steers or cows (600 to 1,000 lbs) Calves (under 600 lbs) Bulls	1.0 0.8 0.5 1.4
2,500 10,000 2,500 2,000	SWINE: Pigs (55 lbs to mkt) Pigs (up to 55 lbs) Sows Boars	0.4 0.1 0.4 0.5
10,000	SHEEP: Per animal	0.1
500	HORSES: Per animal	2.0
5,000 100,000	DUCKS: Per bird (wet lot) Per bird (dry lot)	0.2 0.01
100,000 200,000	CHICKENS: Layers Broilers	0.01 0.005
55,000	TURKEYS: Per bird	0.018
1,000	COMBINATION ANIMAL UNITS: Calculated Total	

5.10.10 Outdoor Lighting – Non-commercial.

Outdoor lighting installations shall be permitted provided they are no closer than three (3) feet to an abutting property line and they are shielded or positioned so that no excessive glare or illumination is cast upon the adjoining property.

5.10.11 Outdoor Lighting – Commercial.

Outdoor lighting on commercial lots, whether conforming or nonconforming, shall comply with the following:

- a. **Height of fixtures.** No light fixture shall exceed twenty-five (25) feet in height.
- b. **Design.** All fixtures shall be of a cut-off design (i.e., shall not emit light at an angle greater than 90 degrees from vertical).
- c. **Shielding.** All light fixtures shall be adequately shielded or directed so as to confine the area of light dispersion to the property and/or building area on which the fixture is located.

5.10.12 Private Ponds

All man-made private ponds shall comply with the following:

- a. **General design.** The side slope of a manmade pond must provide no greater than a 1-foot vertical change for every 3-feet of horizontal change and this ratio must be maintained until the slope extends 6 vertical feet below the high-water mark.
- b. **Proximity to specified objects.** Private ponds shall be located no closer than forty (40) feet to an adjoining property boundary, no closer than fifty (50) feet to any septic system drainfield, and no closer than twenty-five (25) feet from a septic tank or holding tank.

- c. **Outlets.** Outlets shall be designed so as not to concentrate runoff onto another person's property or to cause erosion.
- d. **Distance from Public roadways.** The manmade pond setback from a public roadway increases two (2) times for every foot of pond depth plus the normal roadway set back distance for the zoning district. (Example: a 20-foot-deep pond would need to be 140 feet from the public road centerline - 2 times 20' plus 100' centerline setback).
- e. **An approved reclamation plan for non-metallic mining are exempt from these provisions.**

5.10.13 Campgrounds.

Please refer to DHS 178. Also, Wis. Stats 254.47.

5.10.14 Manufactured Homes Anchoring.

Manufactured homes that are not on a permanent foundation shall be placed and anchored to prevent flotation, collapse, or lateral movement due to flooding or winds. Manufactured homes shall be anchored according to the following specifications:

- a. Over-the-top ties shall be provided at each of the four (4) corners of the manufactured home, with two (2) additional ties per side at intermediate locations and manufactured homes less than fifty (50) feet long shall require one (1) additional tie per side.
- b. Frame ties shall be provided at each corner of the manufactured home, with two (2) additional ties per side at intermediate locations and manufactured homes less than fifty (50) feet long shall require one (1) additional tie per side.
- c. All components of the anchoring system shall be capable of carrying 4,800 pounds.

Manufactured Home Parks are addressed in Section 5.10.18.

5.10.15 Home Occupation, Type I

A Type I home occupation shall comply with the following:

- a. **Validity of use.** The individual primarily responsible for the home occupation must reside in a dwelling unit on the parcel.
- b. **Location.** The home occupation shall occur entirely within the dwelling unit.
- c. **Employees.** No more than one (1) nonresident employee may work on the property. (Note: There is no restriction on the number of people that may be employed and that work off-site.)
- d. **Exterior character of the dwelling unit.** The exterior character of the dwelling unit shall not be substantially altered to accommodate the home occupation.
- e. **Storage of materials.** Exterior storage of materials or equipment is prohibited.
- f. **Signs.** A sign not exceeding eight (8) square feet may be placed on the parcel to identify the business.
- g. **Retail sales.** The indoor display or retail sales of those products manufactured or otherwise made on the premises are permitted. All other on-site sales are prohibited.
- h. **Lot size.** The minimum lot size is two (2) acres.
- i. **Parking.** No parking facilities shall be allowed within any side or rear yard setback areas or within twenty-five (25) feet of any road or highway right-of-way.

5.10.16 Home Occupation, Type II.

A Type II home occupation shall comply with the following:

- a. **Validity of use.** The individual primarily responsible for the home occupation must reside in a dwelling unit on the parcel.
- b. **Location.** The home occupation shall occur entirely within the dwelling unit and/or an accessory building not exceeding 750 square feet.
- c. **Employees.** No more than three (3) nonresident employees may work on the property. (Note: There is no restriction on the number of people that may be employed and that work off-site.)
- d. **Exterior character of the dwelling unit.** The exterior character of the dwelling unit shall not be substantially altered to accommodate the home occupation.
- e. **Storage of materials.** Exterior storage of materials or equipment is prohibited.
- f. **Signs.** A sign not exceeding eight (8) square feet may be placed on the parcel to identify the business.
- g. **Retail sales.** The indoor display or retail sales of those products manufactured or otherwise made on the premises are permitted. All other on-site sales are prohibited.

- h. **Lot size.** The minimum lot size is two (2) acres.
- i. **Parking.** No parking facilities shall be allowed within any side or rear yard setback areas. Or within twenty-five (25) feet of any road or highway right-of-way.

5.10.17 Home Occupation, Type III – Cottage Industry

- a. **Validity of use.** The individual primarily responsible for the home occupation must reside in a dwelling unit on the parcel.
- b. **Location.** The home occupation shall occur entirely within the dwelling unit and/or an accessory building. No buildings except residences shall be within fifty (50) feet of a side or rear property line, and no building except a roadside stand shall be located within the front yard of the property.
- c. **Employees.** No more than five (5) nonresident employees may work on the property. (Note: There is no restriction on the number of people that may be employed and that work off-site.)
- d. **Storage of materials.** Exterior storage of materials or equipment is prohibited.
- e. **Signs.** A sign not exceeding eight (8) square feet may be placed on the parcel to identify the business.
- f. **Retail sales.** On-site retail sales are prohibited.
- g. **Lot size.** The minimum lot size is two (2) acres.
- h. **Parking.** No parking facilities shall be allowed within any side or rear yard setback areas. Or within twenty-five (25) feet of any road or highway right-of-way.
- i. **Noise.** No part of any building used as an agricultural commerce enterprise where repairs to equipment and machinery are performed for hire, or where the fabrication of parts, equipment, or other products for sale occurs, or involves in any other way hammering or other work causing loud or unusual noise, fumes or odors, shall be located within two hundred (200) feet of any R1–Residential District.

5.10.18 Home Occupation, Type IV. A Type IV home occupation shall comply with the following:

- a. **Validity of use.** The individual primarily responsible for the home occupation must reside in a dwelling unit on the parcel.
- b. **Location.** The home occupation shall occur entirely within the dwelling unit and/or an accessory building.
- c. **Employees.** No more than one (1) nonresident employee may work on the property. (Note: There is no restriction on the number of people that may be employed and that work off-site.)
- d. **Exterior character of the dwelling unit.** The exterior character of the dwelling unit shall not be substantially altered to accommodate the home occupation.
- e. **Storage of materials.** Exterior storage of materials or equipment is prohibited.
- f. **Signs.** A sign may not be placed on the parcel to identify the business. There shall be no exterior evidence that a building is being used for any purpose other than a dwelling or an accessory structure.
- g. **Retail sales.** The indoor display or retail sales of those products manufactured or otherwise made on the premises are permitted. All other on-site sales are prohibited.
- h. **Lot size.** There is no minimum lot size.
- i. **Parking.** No parking facilities shall be allowed within any side or rear yard setback areas or within twenty-five (25) feet of any road or highway right-of-way.
- j. The home occupation shall not cause any odor, dust, smoke, vibration, noise, runoff, heat, glare, or electromagnetic interference, which can be detected at, or beyond, the property line.

5.10.19 Manufactured Home Park. Manufactured Home Parks shall comply with the following:

- a. **Site size.** Each site to accommodate a manufactured home shall contain not less than 5,000 square feet with a minimum width of fifty (50) feet.
- b. **Parking.** Each site to accommodate a manufactured home shall contain one (1) parking space upon which the manufactured home shall be situated and one (1) automobile parking space which shall be paved with concrete or bituminous material.
- c. **Internal access.** There shall be a system of private roadways which are at least twenty-four (24) feet wide and paved with concrete or bituminous material. Such road system shall provide access from each and every manufactured home and automobile parking space within such manufactured home park to the public road.
- d. **Limitation on accesses.** A manufactured home park shall not have more than two (2) points of ingress/egress onto any public road.

- e. **Setbacks and separation.**
- (1) Each manufactured home site shall be separated from all other manufactured home sites, automobile parking spaces, or service buildings or structures within such park by open spaces, permanently planted to grass, flowers, shrubs, or trees, which shall not be less than fifteen (15) feet wide, except that there need not be more than a 5-foot setback from an access driveway; provided, however, that such 5-foot setback shall apply to the longest manufactured home to be accommodated within such park.
 - (2) All manufactured home park maintenance, storage areas or facilities, and sewage treatment facilities shall be screened from all dwelling lots, internal streets, and public roads by manmade screens or natural plant materials.
 - (3) A minimum of ten (10) percent of the gross manufactured home park area or 1,000 square feet per dwelling unit, whichever is larger, shall be provided for outdoor recreation. This recreation space shall be suitable for outdoor recreational activity and shall be easily accessible to all units. The Town reserves the right to accept a fee in place of the land area should the town deem appropriate based on the recommendation of prior planning efforts.
 - (4) No manufactured home shall be located less than fifty (50) feet from any front, side, or rear yard line of the lot or parcel.
 - (5) No manufactured home shall be located less than fifty (50) feet from any maintenance, storage areas or facilities, and sewage treatment facilities if present.
 - (6) There shall be a maintained vegetated buffer, not less than twenty (20) feet in width, within any yard area not fronting on a public road.
 - (7) Where the property fronts on a public road or highway, within the required yard area at least 50 percent of the length of the frontage on said public road shall be planted and maintained with a vegetated buffer.
 - (8) No manufactured home or other structures, or parking areas, shall be located within one hundred (100) feet of a stream edge or any wetland as defined by state or federal law. With the exception of stream crossings, no roadways shall be located within one hundred (100) feet horizontal distance from a stream edge or any wetland as defined by state or federal law.
- f. **Maintenance.** The manufactured home park owner shall be responsible for the maintenance of all park facilities, including areas designated as open space, recreation areas, landscaping, streets, privately owned sewage disposal and water supply systems, and solid-waste collection and storage facilities. Maintenance provisions shall be addressed through the conditional use permit process.
- g. **Installation.**
- (1) All manufactured home tow bars and hitches which are designed to be removable at the time of installation shall be removed in accordance with the manufacturer's instructions when the dwelling is sited.
 - (2) Each dwelling within the manufactured home park shall have the space underneath the dwelling enclosed by skirting constructed of fire-resistant material.
 - (3) Where an individual manufactured home lot abuts a front yard of the manufactured home park or a side or rear yard that borders a public road or highway, said manufactured home shall be sited in a manner so that the longer side of the manufactured home is parallel to or nearly parallel to the public road or highway right-of-way line.
- h. **Office.** Each manufactured home park shall maintain an office where a register shall be kept for the registration of all occupants, which register shall be open to County or Town officials for inspection.
- i. **Compliance with other laws.** All lots must be developed and duly recorded pursuant to state and Chapter 18 of the Winnebago County Subdivision Ordinance. Unsewered lots must comply with Chapter ILHR 85 of the Wisconsin Administrative Code. All other aspects of the manufactured housing community shall comply with applicable state regulations.

5.10.20 Cemeteries.

All cemeteries established after the adoption date of this code shall comply with the following standards:

- a. A cemetery shall have at least fifty (50) double burial plots measuring at least 10' by 10' to accommodate two (2) adult burials measuring 37" x 93" x 6'.
- b. Burial plots shall not be located in the floodplain or in wetland areas.
- c. The cemetery shall have a public access road to its outside boundary.
- d. The cemetery shall be protected from the grazing of farm animals.
- e. Burial plots shall not be located within fifty (50) feet of a public road right-of-way.

- f. A permanent marker stating the name of the deceased and the birth and death dates, if known, shall identify the location of each occupied burial plot.
- g. The cemetery shall have a formal name, which shall be placed on a permanent sign located by the main entrance to the cemetery.
- h. Each burial plot shall have access to a private drive at no greater distance than five (5) lots apart.

5.10.21 Accessory Uses.

- 1. **Generally.** Unless otherwise specified in other sections, accessory uses and structures are permitted in any district, but not until their principal structure is present or under construction. Residential accessory uses shall not involve the conduct of any business, trade or industry. Accessory uses include incidental repairs; storage; parking facilities; employees and owner's itinerant agricultural laborer's quarters not for rent; private swimming pools; and private emergency shelters.
- 2. **Accessory use location.** Unless otherwise specified in other sections or granted by variance, accessory uses and detached accessory structures are permitted within the buildable area or in the side or rear yard only. They shall be ten (10) or more feet from the principal structure and any lot line. For non-agricultural uses, structures shall not occupy more than 20 percent of the rear or yard area of the site.

5.10.22 Farm Buildings. Farm buildings and other out-buildings exceeding 120 square feet (cumulative area) shall only be allowed as an accessory use to a residence. For parcels exceeding thirty-five (35) acres, farm buildings and other out-buildings are allowed as a conditional use when a residence is not located on the premises.