

## Article C: Zoning Districts

---

### Sec. 10-1-40 Zoning Districts Designated.

For purposes of this Chapter, the Village of Friendship is hereby divided into the following fourteen (14) zoning districts:

- (a) R-1 Single-Family Residential District
- (b) R-2 Multiple Family Residence District
- (c) R-3 Multiple-Family Residential District
- (d) C-1 Conservancy District
- (e) B-1 Central Business District
- (f) B-2 Highway Commercial District
- (g) C-3 Extensive Commercial District
- (h) I-1 Industrial District
- (i) P-1 Public and Quasi-Public District
- (j) A-1 Exclusive Agricultural District
- (k) SP Special Purpose District
- (l) PUD Planned Unit Development District
- (m) AEO Adult Entertainment Overlay District

### Sec. 10-1-41 District Boundaries.

- (a) **Zoning Map.**
  - (1) The boundaries of the districts enumerated in Section 10-1-40 above are hereby established as shown on a map entitled "Zoning Map, Village of Friendship, Wisconsin," which is adopted by reference and made a part hereof. The map shall bear upon its face the attestation of the Village President and the Village Clerk-Treasurer and shall be available to the public in the office of the Village Clerk-Treasurer.
- (b) **Boundary lines.** The boundaries shall be construed to follow corporate limits; U.S. Public Land Survey lines; lot or property lines; center lines of streets, highways, alleys, easements and railroad rights-of-way; or such lines extended unless otherwise noted on the Zoning Map.
- (c) **Vacation.** Vacation of public streets and alleys shall cause the land vacated to be automatically placed in the same district as the abutting side to which the vacated land reverts.
- (d) **Annexations and Consolidations.** Annexations to or consolidations with the Village subsequent to the effective date of this Chapter shall be placed in the A-1 Exclusive Agricultural District unless the annexation ordinance temporarily placed the land in another district.
- (e) **Zoning District Boundaries.** Where uncertainty exists with respect to the boundaries of any of the aforesaid districts shown on the zoning district map the following shall apply:
  - (1) Where the District boundaries are depicted as approximately following the centerlines of streets or highways, centerlines of streams, drainage ways, or street or highway right-of-way lines, such center lines, or right-of-way lines shall be

- construed to be such boundaries.
- (2) Where district boundaries are so depicted that they approximately follow lot lines, such lot lines shall be construed to be said boundaries.
  - (3) Where district boundaries are so depicted that they are approximately parallel to the center lines of streets, highways, or railroads, or rights-of-way of same, such district boundaries shall be construed as being parallel thereto and at such distance therefrom as indicated on the zoning map. If no distance is given, such dimension shall be determined by the use of the scale shown on said zoning map.
  - (4) Where district boundaries are so depicted that they approximately follow section lines, quarter section lines or other government survey lines; or that they approximately follow political subdivision lines such as county lines, town lines or corporate limits; such government survey lines or political subdivision lines shall be construed to be said district boundaries.
  - (5) Where a district boundary line, as appearing on the zoning map, divided a lot in single ownership at the time of enactment of this zoning code, the district requirements for the least restricted portion of such lot shall be deemed to apply to the whole thereof, provided that such extension shall not include any part of such lot more than thirty-five (35) feet beyond the district boundary lines.
- (f) **Exceptions.** As an exception to the District Boundary interpretation, the A-1 Exclusive Agricultural District shall include all lands within the corporate limits of the Village that are not otherwise assigned to a specific zoning district or dedicated as the right-of-way of a public road, street or alley. Also where not defined by the above interpretation of District boundary lines and limits, the extent of the C-1 Conservancy District may be construed to be the Floodplain or Shoreland of a navigable body of water, or a thirty (30) foot wide strip of land along either side of the centerline of a natural, non-navigable waterway or drainageway.

## **Sec. 10-1-42 R-1 Single-Family Residential District.**

- (a) **Purpose.** The purpose of this District is to provide the opportunity for construction and maintenance of primarily single-family detached dwelling units at a low dwelling unit per acre density.
- (b) **Permitted Principal Uses.** The following uses of land are permitted in the R-1 District:
  - (1) Single-family detached dwellings, excluding all mobile homes, and their accessory structures; for purposes of this Chapter manufactured homes are included in the definition of single-family dwelling.
  - (2) One private garage for each residential parcel.
  - (3) Churches and their affiliated uses.
  - (4) Accessory Buildings
  - (5) Uses customarily incident to any of the above uses, provided that no such use generates traffic or noise that would create public or private nuisance.
- (c) **Conditional Uses.** The following are permitted as conditional uses within the R-1 District:
  - (1) Community living arrangements and day care centers which have a capacity for nine (9) or more persons.
  - (2) Manufactured homes complying with all of the following requirements and

limitations:

- a. The home shall be a double wide of at least twenty-four (24) feet in width and thirty-six (36) feet in length.
  - b. The home shall be installed on an approved foundation system in conformity with the uniform building code. The wheels and axles must be removed. The enclosed foundation system shall be approved by the Building Inspector and/or Village Engineer; the Building Inspector may require a plan to be certified by a registered architect or engineer to ensure proper support for the home.
  - c. The home shall be equipped with foundation siding which in design, color and texture appears to be an integral part of the adjacent exterior wall of the manufactured home.
  - d. The home shall be covered by a roof pitched at a minimum slope of five (5) inches in twelve (12) inches, which is permanently covered with non-reflective material.
  - e. The home shall have a pitched roof, overhanging eaves and such other design features required of all new single-family dwellings located within the Village of Friendship Utilities (electric substations, telephone switching stations, gas regulators, etc.)
- (3) Public parks, playgrounds and recreational or community center buildings and grounds.
  - (4) Public and parochial schools.
  - (5) Home occupations and professional home offices
  - (6) Bed and breakfast inns [7011].
  - (7) Public utility structures, except those incompatible with the characteristics of the district.
  - (8) Planned residential developments.
  - (9) Golf courses and private clubs.
  - (10) Barbering and beauty culture.
  - (12) Funeral Homes.
  - (13) Sewage disposal facilities.
  - (14) Kennels
  - (15) Pre-school or day-care centers serving not more than six (6) children;
  - (16) Governmental and community service facilities;
  - (17) Cemeteries of one (1) acre or less area adjacent to a church.
  - (18) Public buildings, except sewage plants, garbage incinerators, warehouses, garages, shops and storage yards.
  - (19) Water storage facilities and their accessory uses.
  - (20) Community living arrangements and day care centers which have a capacity for eight (8) or fewer persons.
  - (21) Foster family care.
  - (22) Planned residential developments;
- (d) **Height and Area Restrictions.**
- (1) Lot Size.
    - a. Minimum Width: Seventy-five (75) feet.
    - b. Minimum Area: Eight thousand five hundred (8,500) square feet

- (2) Building.
  - a. Maximum Height: Thirty-five (35) feet.
  - b. Minimum Floor Area: Nine hundred (900) square feet (Residential).
  - c. Minimum Floor Area: Seven hundred twenty (720) square feet (Mobile Home).
- (3) Yards.
  - a. Minimum Street Yard: Twenty-five (25) feet. (Note: More restrictive standards may be imposed by State Regulations in certain circumstances, for example, on lots fronting on certain classes of State Highways)
  - b. Minimum Rear Yard
    - 1. Twenty-five (25) feet from Principal Buildings.
    - 2. Five (5) feet from Accessory Building.
  - c. Minimum Side Yard:
    - 1. Six (6) feet for pre-existing lots 66 feet or less in width.
    - 2. Eight (8) feet on either side or a total of twenty (20) feet for lots more than 66 feet in width.

**Sec. 10-1-43 R-2 One- and Two-Family Residential District.**

- (a) **Purpose.** The purpose of this District is to provide the opportunity for construction and maintenance of primarily two-family dwelling units.
- (b) **Permitted Uses.**
  - (1) Two-family dwellings (duplex).
  - (2) Any permitted principal use in the R-1 District.
- (c) **Conditional Uses.**
  - (1) Conditional uses permitted in the R-1 District.
- (d) **Height and Area Restrictions.**

	One-Family Dwelling	Two-Family Dwelling
(1) <b>Lot Size.</b>		
a. Minimum Width	80 feet	80 feet
b. Minimum Area	9,600 sq. ft.	9,600 sq. ft.
(2) <b>Building.</b>		
a. Maximum Height	35 feet	35 feet
b. Min. Floor Area	see 10-1-42(d)	see 13-1-42(d), except reduced by 100 sq. ft. per floor
(3) <b>Yards.</b>		
a. Min. Street Yard	30 feet	30 feet
b. Min. Rear Yard	25 feet	25 feet
c. Min. Side Yard	10 feet	15 feet

**Sec. 10-1-44 R-3 Multiple-Family Residential District.**

- (a) **Purpose.**
  - (1) The purpose of this District is to delineate areas where more compact residential development, including condominiums and rental apartments, has occurred or will

likely occur in accordance with the Village Land Use Plan;

- (2) The purpose of this District is to protect the residential character of the District by prohibiting incursion of incompatible land uses.

(b) **Permitted Uses.**

- (1) Multi-family buildings consisting of not more than twelve (12) dwelling units;
- (2) Accessory structures occupying not more than twenty percent (20%) of the rear yard;
- (3) Pre-school and day-care facilities serving not more than sixteen (16) children.
- (4) Charitable institutions, rest homes, convalescent homes, nursing homes, homes for the care of children, homes for the care of the aged, homes for the care of the indigent, and similar institutions.;
- (5) Neighborhood parks and playgrounds;
- (6) Greenways and open space; agricultural crops and grazing of common farm animals where confined by appropriate fencing.
- (7) Rooming and boarding houses. *To correct omission:*

(c) **Conditional Uses.**

- (1) Multi-family buildings providing more than twelve (12) dwelling units;
- (2) Churches, governmental and community service facilities;
- (3) Home occupations or professional home offices,
- (4) Libraries, medical and dental clinics;
- (5) Mobile home parks. This use shall be subject to the condition that it shall conform to all ordinances of the Village of Friendship and of Adams County regulating mobile homes and mobile home parks; to the Wisconsin Administrative Code, Chapter H77, "Mobile Home Parks"; to any flood Plain Zoning Ordinance enacted pursuant to Section 87.30 of the Wisconsin Statutes, "Flood Plain Zoning"; and to any Shoreland Protection Ordinance enacted pursuant to Section 59.97 of the Wisconsin Statutes, "Zoning of Shorelands on Navigable Waters." *692*
- (6) Planned residential developments including clusters of condominiums and/or for rent apartments,
- (7) Bed and breakfast establishments.
- (8) Non-retail landscaping business.

(d) **Height and Area Restrictions (Multi-Family Dwellings).**

(1) **Lot Size.**

- a. Minimum Width: Seventy-five (75) feet.
- b. Minimum Area.
  1. Nine thousand (9,000) square feet for 2 family dwelling.
  2. Four thousand (4,000) square feet per unit for 3 family dwellings.
  3. Three thousand five hundred (3,500) square feet per unit for 4 family dwelling.
  4. Fourteen thousand (14,000) square feet, plus two thousand (2,000) square feet per unit for each unit over four (4).

(2) **Building.**

- a. Maximum Height: Thirty-five (35) feet.
- b. Min. Floor Area Per Family: Seven hundred twenty (720) square feet

(3) **Yards.**

- a. Min. Street Yard: Thirty (30) feet.
- b. Minimum Rear Yard
  - 1. Twenty-five (25) feet from Principal Buildings.
  - 2. Five (5) feet from Accessory Building.
- c. Minimum Side Yard:
  - 1. Six (6) feet for pre-existing lots 66 feet or less in width.
  - 2. Fifteen (15) feet on each side for lots more than 66 feet in width.

## Sec. 10-1-45 C-1 Conservancy District.

- (a) **Purpose.** The purpose of this District is to preserve, protect, and maintain the natural environment and character of areas exhibiting significant natural resource features which contribute to the productive, recreational, or aesthetic value of the community.
- (b) **Permitted Uses.**
  - (1) Preservation and/or controlled use of existing: trees, shrubs and plants; prairie grasses; wildlife habitat and nesting areas; wetlands and drainage ways; foodplains and shorelands;
  - (2) Forest and game management.
  - (3) Hunting, fishing and hiking.
  - (4) Parks and recreation areas; arboreta; botanical gardens; greenways.
  - (5) Utilities.
  - (6) Non-residential buildings used solely in conjunction with the raising of water, fowl or fish.
  - (7) Harvesting of wild crops such as: marsh hay, ferns, moss, water cress, wild rice, berries, fruits; or seeds; sustained yield forestry; or raising of wildlife;
  - (8) Recreation related structures not requiring basements.
  - (9) Preservation of areas of scenic, historic or scientific value.
  - (10) Soil and water conservation programs, approved and administered by the County Soil and Water Conservation District Board.
  - (11) Uses similar and customarily incidental to any of the above.
  - (12) Development of open space uses such as: parks, hiking trails, ski trails, bridle paths, fishing ponds, picnic areas, greenways, and wildlife preserves;
- (c) **Conditional Uses.**
  - (1) Dams, flowages, ponds, and water storage and water pumping facilities.
  - (2) Power plants deriving their power from the flow of water, and transmission lines and other facilities accessory thereto.
  - (3) Utilities such as, but not restricted to telephone, telegraph, power, or other transmission lines.
  - (4) Cranberry bogs.
  - (5) Animal hospitals, shelters and kennels.
  - (6) Archery and firearm ranges, sports fields and skating rinks.
  - (7) Land restoration, towage, ponds.
  - (8) Golf courses and clubs.
  - (9) Ski hills and trails.
  - (10) Yacht clubs and marinas.

- (11) Recreation camps.
- (12) Public and private campgrounds.
- (13) Riding stables.
- (14) Planned residential developments.
- (15) Sewage disposal plants.
- (16) Governmental, cultural and public buildings or uses.
- (17) Utilities.
- (18) Hunting and fishing clubs.
- (19) Professional home offices.
- (20) Farm structures.
- (21) Any building construction incidental to a permitted use.
- (22) Any filling, dredging, stream channel modification, or earthmoving involving more than one thousand (1,000) square yards in area.
- (23) Agricultural cropping, and grazing with confining fences

(d) **Area, Height and yard Requirements.**

- (1) **Lot.**
  - a. Area: Minimum one (1) acre.
  - b. Width: Minimum one hundred fifty (150) feet.
- (2) **Building Height.** Maximum thirty-five (35) feet.
- (3) **Other Structures Height.** Maximum one-half (1/2) the distance from the structures nearest lot line.
- (4) **Yards.**
  - a. Street: Minimum forty (40) feet.
  - b. Rear: Minimum twenty (20) feet.
  - c. Side: Minimum twenty (20) feet except structures used for the housing of shelters of animals must be one hundred (100) feet from lot lines.

**Sec. 10-1-46 B-1 Central Business District.**

- (a) **Purpose.** The B-I District is intended to
  - (1) Provide for present and future commercial activities within the traditional business area of the Village;
  - (2). Accommodate community service functions, public and quasi-public land-use needs, at a central location;
  - (3) Permit residential units above established businesses in accordance with Village Building Codes and Zoning requirements;
  - (4) Protect the commercial character of the District by prohibiting the incursion of incompatible land use.
- (b) **Permitted Uses.** The following uses of land are permitted in the B-1 District:
  - (1) Paint, glass and wallpaper stores.
  - (2) Hardware stores.
  - (3) Electrical supply stores
  - (4) Department stores, variety stores, general merchandise stores.
  - (5) General grocery stores, supermarkets, fruit and vegetable stores, delicatessens, meat and fish stores and miscellaneous food stores.

- (6) Candy, nut or confectionery stores.
- (7) Dairy products stores, including ice cream stores.
- (8) Retail bakeries, including those which produce some or all of the products sold on the premises, but not including establishments which manufacture bakery products primarily for sale through outlets located elsewhere or through home service delivery.
- (9) Clothing and shoe stores.
- (10) Furniture, home furnishings, floor covering and upholstery shops/stores.
- (11) Restaurants, lunch rooms and other eating places, except drive-in type establishments.
- (12) Taverns, bars and other drinking places with permit by Village Board.
- (13) Drug stores and pharmacies.
- (14) Liquor stores.
- (15) Antique stores and secondhand stores.
- (16) Sporting goods stores and bicycle shops.
- (17) Bookstores, not including adult books.
- (18) Stationery stores.
- (19) Jewelry and clock stores.
- (20) Camera and photographic supply stores.
- (21) Gift, novelty and souvenir shops.
- (22) Florist shops.
- (23) Tobacco and smokers' supplies stores.
- (24) News dealers and newsstands.
- (25) Wholesale merchandise establishments, only for retail items listed above; e.g., #19 would allow wholesale camera sales.
- (26) Banks and other financial institutions.
- (27) Offices of insurance companies, agents, brokers and service representatives.
- (28) Offices of real estate agents, brokers, managers and title companies.
- (29) Miscellaneous business offices.
- (30) Heating and plumbing supplies.
- (31) Retail laundry and dry cleaning outlets, including coin-operated laundries and dry cleaning establishments, commonly called Laundromats and launderettes. Tailor shops, dressmakers' shops, and garment repair shops, but not garment pressing establishments, hand laundries, or hat cleaning and blocking establishments.
- (32) Photographic studios and commercial photography establishments.
- (33) Barbershops, beauty shops and hairdressers.
- (34) Shoe repair shops and shoe shine parlors.
- (35) Trade and contractor's offices (office only).
- (36) Advertising agencies, consumer credit reporting, news agencies, employment agencies.
- (37) Duplicating, blueprinting~ photocopying, addressing, mailing, mailing list and stenographic services; small print shops.
- (38) Computer services.
- (39) Commercial parking lots, parking garages, parking structures.
- (40) Watch, clock and jewelry repair services.
- (41) Motion picture theaters, not including drive-in theaters.



- (42) Miscellaneous retail stores.
  - (43) Offices/clinics of physicians and surgeons, dentists and dental surgeons, osteopathic physicians, optometrists and chiropractors, but not veterinarian's offices.
  - (44) Law offices.
  - (45) The offices, meeting places, churches, and premises of professional membership associations; civic, social, and fraternal associations; business associations, labor unions and similar labor organizations; political organizations; religious organizations; charitable organizations; or other non-profit membership organizations.
  - (46) Engineering and architectural firms or consultants.
  - (47) Accounting, auditing and bookkeeping firms or services.
  - (48) Professional, scientific, or educational firms, agencies, offices, or services, but not research laboratories or manufacturing operations.
  - (49) The offices of governmental agencies and post offices.
  - (50) Public transportation passenger stations, taxicab company offices, taxicab stands, but not vehicle storage lots or garages.
  - (51) Telephone and telegraph offices.
  - (52) Bowling Alleys.
  - (53) Existing residential developments, including dwelling units above established businesses, provided they comply with the Village Building Codes and the basic provisions of the R-3 Residential Zoning District as set forth herein.
- (c) **Conditional Uses.** The following are permitted as conditional uses in the B-1 District; provided that no nuisance shall be afforded to the public through noise, the discharge of exhaust gases from motor-driven equipment, unpleasant odors, smoke, steam, harmful vapors, obnoxious materials, unsightly conditions, obstruction of passage on the public street or sidewalk, or other conditions generally regarded as nuisances; and provided that where operations necessary or incident to the proper performance of these services or occupations would tend to afford such nuisances, areas, facilities, barriers, or other devices shall be provided in such a manner that the public is effectively protected from any and all such nuisances. These uses shall be subject to the consideration of the Village Board.
- (1) Miscellaneous repair shops and related services.
  - (2) Garment pressing establishments, hand laundries, hat cleaning and blocking shops and coin-operated dry cleaning establishments.
  - (3) Establishments engaged in the publishing and printing of newspapers, periodicals or books.
  - (4) All residential uses developed subsequent to the effective date of this Chapter, including residential units above established business places, provided they comply the applicable provisions of the R-3 Zoning District and the parking space requirements set forth in Article F of this Chapter.
  - (5) No dwelling shall be permitted below the second floor and business uses are not permitted on any floor above the ground floor, except in those buildings or structures where dwelling units are not established.
  - (6) Farm supplies, wholesale trade.
  - (7) Establishments engaged in the retail sale of automobiles, trailers, mobile homes,

- campers.
- (8) Stores for the sale and installation of tires, batteries, mufflers or other automotive accessories.
- (9) Gasoline service stations; provided, further, that all gasoline pumps, storage tanks and accessory equipment must be located at least thirty (30) feet from any existing or officially proposed street line.
- (10) Establishments engaged in the daily or extended-term rental or leasing of house trailers, mobile homes or camper
- (11) Establishments engaged in daily or extended-term rental or leasing of passenger automobiles, limousines or trucks, without driver~, or of truck trailers or utility trailers.
- (12) Establishments for the washing, cleaning or polishing of automobiles, including self-service car washes.
- (13) Hotels, motor hotels, motels, tourist courts, tourist rooms, etc.
- (d) **Height and Area Restrictions.**
  - (1) **Lot Size.**
    - a. Minimum Width: Forty (40) feet or building width plus required side yards.
    - b. Minimum Area: Four thousand (4,000) square feet or building first floor area plus required yards and parking.
  - (2) **Building.**
    - a. Maximum Height: Forty-five (45) feet
    - b. Minimum Floor Area: As required to serve business needs.
  - (3) **Yards.** Minimum: Not required; if provided: five (5) feet.

## **Sec. 10-1-47 B-2 Highway Commercial District.**

- (a) **Purpose.** The purpose of this District is to encourage the growth and development of business activities and establishments which require highway frontage and exposure due to their automobile and vehicular orientations.
- (b) **Permitted Uses.** The following are permitted uses in the Highway Commercial District:
  - (1) Restaurants, lunch rooms and eating places, including drive-in type establishments.
  - (2) Tourist-oriented retail shops, including souvenir and curio shops.
  - (3) General grocery stores.
  - (4) Candy, nut and confectionery sales.
  - (5) Residential dwelling unit
  - (6) Nursing homes.
  - (7) Nursery and garden centers.
  - (8) Retirement homes.
  - (9) Open space uses such as: agricultural crops and grazing, parks, parking lots, recreational facilities, greenways and related open space uses.
- (c) **Conditional Uses.** The following are specific conditional uses in this Chapter:
  - (1) Amusement activities.
  - (2) Automobile and truck retail services.

- (3) Automobile repair services; including shops for general mechanical repairs, automobile body repair, and repair of tires, but not including establishments for rebuilding, re-treading, recapping, vulcanizing, or manufacturing tires, and not including establishments for painting automobiles.
- (4) Bars and taverns.
- (5) Gasoline service stations; provided further that all gasoline pumps, storage tanks, and accessory equipment must be located at least thirty (30) feet from any existing or officially proposed street line.
- (6) Hotels, motels and tourist courts.
- (7) Night clubs, dance halls and taverns.
- (9) Sales, service and installation of tires, batteries and accessories.
- (10) Animal hospital, shelters and kennels.
- (11) Yachting clubs and marinas.
- (12) Public assembly uses.
- (13) Commercial recreation facilities.
- (14) Off-season storage facilities.
- (15) Lodges and fraternal buildings.
- (16) Drive-banks.
- (17) Drive-in theaters.
- (18) Vehicle sales and service.
- (19) Public parking lots.
- (20) Taxi stands.
- (21) Sewage disposal plants.
- (22) Governmental, cultural, and public buildings or uses, such as fire and police stations, community centers, libraries, public emergency shelters, parks, playgrounds and museums.
- (23) Utilities.
- (24) Schools and churches.
- (25) Mobile home sales.
- (26) All Conditional Uses listed in the B-1 District.
- (27) Seasonal roadside stands for the sale of farm produce only.
- (28) Establishments or facilities for the sale, rental, service, repair, testing, demonstration or other use of motorcycles, motorized bicycles, go-carts, snowmobiles, aircraft, motorboats, other watercraft, or any other motorized vehicles or their components.
- (29) Wholesale merchandise establishments.
- (30) Warehouses.
- (31) Motor carrier facilities.
- (32) Commercial establishments selling used, secondhand, or reconditioned merchandise.
- (33) Commercial sales and services requiring outdoor storage yards; truck terminals; and transshipment depots.

(d) **Height and Area Requirements.**

(1) **Lot Size.**

- a. Minimum Width: Seventy-five (75) feet.

- b. Minimum Area: Twenty-five thousand (25,000) square feet.
- (2) **Building.**
  - a. Maximum Height: Three (3) stories or thirty-five (35) feet.
  - b. Maximum Floor Area: As required.
- (3) **Yards.**
  - a. Minimum Street Yard: Sixty (60) feet.\*
  - b. Minimum Side Yard: Ten (10) feet.
  - c. Minimum Rear Yard: Fifty (50) feet.

\*Parking may be permitted as a conditional use in street yards.

## **Sec. 10-1-48 Extensive Commercial District**

- (a) **Purpose.** The C-3 District is intended to provide a suitable location for those business and commercial activities which require a fairly large area of land, or for which it is desirable that they be located on appreciable distance from other activities. For some, but not all of these land uses, it may also be appropriate that they be located adjacent to a highway or other major thoroughfare, and this factor is duly recognized in the provision of condition uses.
- (b) **Permitted Uses.**
  - (1) Establishments for the sale or storage of lumber or other building materials.
  - (2) Construction firms and construction equipment storage.
  - (3) Dealers in plumbing, heating, and air-conditioning equipment.
  - (4) Farm Equipment dealers, and dealers in garden equipment, including power mowers.
  - (5) Hay, grain and feed stores
  - (6) Greenhouses and nurseries.
  - (7) Farm and garden supply stores.
  - (8) Dealers in coal, wood, fuel and ice.
  - (9) Fuel oil dealers
  - (10) Dealers in liquefied petroleum gas (bottled gas).
  - (11) Equipment rental and leasing services, that is, establishments which rent or lease construction equipment, floor sanding and waxing machines, ladders, scaffolds, tools, chairs or other furniture, or other types of machines, equipment or similar items.
  - (12) Bowling alleys.
  - (13) Skating rinks.
  - (14) Commercial sports clubs, athletic fields, arenas, and similar facilities.
  - (15) Golf courses open to the public.
  - (16) Golf or baseball driving ranges, archery ranges, miniature golf courses, and similar facilities.
  - (17) Golf Clubs and country clubs open to members but not the general public.
  - (18) Drive-in motion picture theatres.
  - (19) Amusement parks.
  - (20) Research and testing laboratories
- (c) **Conditional Uses.** The following are permitted as conditional uses within this district. Such use shall be subject to the consideration of the Plan Commission with regard to such matters as the creation of nuisance conditions for the public or for the users of nearby

areas, the creation of traffic hazards, and creation of health hazards, and other factors.

- (1) All uses permitted as condition uses in the General Commercial District.
- (2) All uses permitted as uses of right in the Highway Commercial District.
- (3) All uses permitted as conditional uses in the Highway Commercial District.
- (4) Family Dwelling.
- (5) Veterinarian offices and facilities, and boarding facilities for domestic animals.
- (6) Riding stables, riding schools
- (7) Establishments primarily engaged in renting locker space for the storage of food products, including refrigerated storage of food products, and including those establishments which provide services for facilities for processing, preparing, or packaging food for such storage.
- (8) Stockyards, or any establishment providing public facilities for receiving, shipping, loading, unloading, weighing, or feeding livestock temporarily held either pending sale or while in transit.
- (9) Travel Trailer Parks, specifically, parcels of land in which two or more spaces are occupied, or intended for occupancy, by travel trailers, or "campers" and for transient dwelling purposes only. This use shall be subject to the restriction that it shall conform to all ordinances of the Village of Friendship and of Adams County regulating travel trailers and travel trailer parks; to the State of Wisconsin Administrative Code, Chapter H78, "Campgrounds and Camping Resorts; and to any Shoreland Protection Ordinance adopted pursuant to Section 59.971 of the Wisconsin Statutes, "Zoning of Shoreland on Navigable Waters."
- (10) Electrical Substation.

(d) **Height and Area Requirements.**

(1) **Lot Size.**

- a. Minimum Width: Three hundred (300) feet.
- b. Minimum Area: As Required.

(2) **Building.**

- a. Maximum Height: Forty-five (45) feet.
- b. Maximum Floor Area: As required.

(3) **Yards.**

- a. Minimum Front Yard Setback: Fifty (50) feet (75 if parking is permitted in the front yard).
- b. Minimum Side Yard: Ten (10) feet.
- c. Minimum Rear Yard: Fifty (50) feet.

\*Parking may be permitted as a conditional use in street yards.

## **Section 10-1-49 I-1 Industrial District.**

(a) **Purpose.** The purpose of the I-1 District is to preserve lands best suited for industrial development because of location, area, topography, transportation, highway access, utilities, and/or relation to other land uses.

(b) **Permitted Uses.**

- (1) Packaging, processing, production, warehousing or wholesaling of products, without open storage, from: agricultural crops and produce; furs and leathers;

- (2) glass, metals, paper, plastic, textiles, wood and related materials of local origin; Manufacture, packaging or warehousing, without open storage of products such as: appliances, confections, cosmetics, electrical and electronic devices, instruments, jewelry, pharmaceuticals, and toiletries;
  - (3) Service industries without open storage such as: automotive repairs and restorations; bakeries; breweries; bottling of beverages; commercial cleaners, pressers and dyers; greenhouses; laboratories; machine shops; painting; printing and publishing; storage and sale of lumber and related construction materials;
  - (4) Open space uses such as: agricultural crops and grazing, parks, parking lots, recreational facilities, greenways and related open space uses.
- (c) **Conditional Uses.**
- (1) Open storage yards associated with a permitted use;
  - (2) Animal hospitals, kennels; and related animal facilities;
  - (3) Commercial processing of milk products, feeds, fowl or animals;
  - (4) Outdoor storage and manufacturing areas such as: recycling facilities, scrap yards, salvage yards, wrecking or demolition yards;
  - (5) Commercial Service facilities such as: fueling stations, garages, automotive repair shops, truck terminals, transshipment depots, provided such services are related to the industrial district users and/or employees;
  - (6) Public and quasi-public uses such as: pretreatment sewage plants, pumping stations, water supply facilities; fire protection devices; utility services; and related public facilities.
- (d) **Height and Area Requirements.**
- (1) **Lot Size.**
    - a. Minimum Width: One hundred (100) feet.
    - b. Minimum Area: Fifty thousand (50,000) square feet.
  - (2) **Building.**
    - a. Maximum Height: Four (4) stories or forty-five (45) feet.
    - b. Minimum Floor Area. As required.
  - (3) **Yards.**
    - a. Minimum Street Yard: Forty (40) feet.
    - b. Minimum Side Yard: Twenty (20) feet.
    - c. Minimum Rear Yard: Forty (40) feet.

**Sec. 10-1-50 P-I Public and Quasi-Public District.**

- (a) **Purpose.** The purpose of the P-1 District is:
- (1) To identify and delineate properties devoted to existing recreational, institutional and/or governmental use, particularly areas of one (1) acre or more in size;
  - (2) To identify, delineate and reserve properties set forth in the Village Land Use Plan as essential to future recreational, institutional, and/or governmental development within the community.
- (b) **Permitted Uses.**
- (1) Public parks, playfields, playgrounds and related recreational developments; arboretums, wildlife preserves, soil and water conservation practices; churches, community centers, libraries, governmental offices, museums, police and fire stations;

- (2) Public, parochial and private elementary and secondary schools, including pre-schools, provided all principal structures and uses are not less than fifty (50) feet from any lot line.
- (c) **Conditional Uses.**
  - (1) Archery and/or firearm ranges, golf courses, gymnasiums, riding academies, music and/or dance halls, stadiums, swimming pools, zoological and/or botanical gardens;
  - (2) Water supply and/or wastewater treatment facilities; utility services and facilities; recycling operations and facilities, transportation terminals; cemeteries and crematories; penal and/or correctional institutions; sanatoriums, religious, charitable and/or related institutions.
- (d) **Height and Area Restrictions.**
  - (1) **Lot Size.**
    - a. Minimum Width: One hundred (100) feet or building width plus required yard
    - b. Minimum Area. Ground floor area plus yards and parking space.
  - (2) **Building.**
    - a. Maximum Height: Three (3) stories or thirty-five (35) feet.
    - b. Floor Area. As required to serve needs.
  - (3) **Yards** Minimum. Twenty (20) feet.

**Sec. 10-1-51 A-1 Exclusive Agriculture District.**

(a) **Statement of Purpose.**

- (1) The purposes of the A-1 Exclusive Agriculture District are to: preserve productive agricultural land for food and fiber production; preserve productive farms by preventing land use conflicts between incompatible uses and controlling public service costs; maintain a viable agricultural base to support agricultural processing and service industries; prevent conflicts between incompatible uses; reduce costs for providing service to scattered nonfarm uses; pace and shape urban growth; implement the provisions of the county agricultural plan when adopted and periodically revised; and comply with the provisions of the Farmland Preservation Law to permit eligible landowners to receive tax credits under Sec. 71.09(11), Wis. Stats.
- (2) This district is generally intended to apply to lands in productive farm operations including: lands historically exhibiting good crop yields or capable of such yields; lands which have been demonstrated to be productive for dairying, livestock raising and grazing; other lands which are integral parts of such farm operations; land used for the production of specialty crops such as mint, sod, fruits and vegetables; and lands which are capable of productive use through economically feasible improvements such as irrigation.

(b) **Permitted Uses and Structures.**

- (1) Agriculture.
- (2) Dairying.
- (3) Floriculture.
- (4) Forestry.
- (5) General farming.

- (6) Grazing.
- (7) Greenhouses.
- (8) Hatcheries.
- (9) Horticulture.
- (10) Livestock raising.
- (11) Nurseries.
- (12) Orchards.
- (13) Paddocks.
- (14) Pasturage.
- (15) Poultry raising.
- (16) Stables.
- (17) Truck farming.
- (18) Viticulture.
- (19) Utility services as defined in Sec. 10.01(81), Wis. Stats., and small-scale electric generating stations not requiring approval under Sec. 196.941, Wis. Stats.
- (20) Roadside stands.
- (21) Structures and improvements that are consistent with agricultural uses.

(c) **Conditional Uses.**

- (1) Agricultural buildings and high density animal enclosures within three hundred (300) feet of any Residential District. High density shall be defined as such concentrations of animals which will not allow usual plant (sod) growth in a fenced area.
- (2) Churches, schools, cemeteries, community parks and recreational areas.
- (3) Public and semi-public buildings.
- (4) Single-family residences provided they are located on tracts of five acres or more and that soils analysis indicates suitability for private sewer and water systems.
- (5) Fur farms, kennels, insect-breeding facilities, greenhouses, and other agricultural uses that may cause noxious odors or noise, or create health or sanitation hazards are permitted, provided that written permission be obtained from the Village Board on the recommendation of the Plan Commission pursuant to the procedures prescribed for Zoning Amendments by Section 62.23 of the Wisconsin Statutes.
- (6) Trap or skeet shooting facilities, target ranges, gun clubs, shooting preserves.
- (7) Riding stables, riding schools.

(d) **Farm Size.**

- (1) Frontage: Minimum one hundred (100) feet.
- (2) Area: Minimum thirty-five (35) acres

(e) **Building Height.** Maximum thirty-five (35) feet on residential structures (No maximum on other structures).

(f) **Yard Setbacks.**

- (1) Front Yard: Minimum fifty (50) feet.
- (2) Rear: Minimum fifty (50) feet.
- (3) Side: Minimum twenty (20) feet on each side.



## Sec. 10-1-52 Special Purpose District

- (a) **Intent.** This district is intended to provide for uses which present special problems, hazards or other circumstances with regard to the use of land. Included are those uses of land which require extremely large expanses of land; those which afford very severe hazards of health, safety, or other aspects of the general welfare; those for which it is inappropriate or undesirable to have more than one instance of a given land use within one community or governmental jurisdiction. *No uses are permitted as a matter of right within this district.*

The following are permitted as conditional uses within this district. All such uses shall be subject to the consideration and approval of the Plan Commission with regard to such matters as the creation of nuisance conditions for the public or for users of nearby areas, the creation of hazards to health or safety, or other factors affecting the general welfare.

- (1) Sand or gravel quarries, or facilities for the manufacture or processing of such products as sand, gravel, stone, or crushed stone.
  - (2) Facilities for the production, mining, processing or storage of concrete, blacktop, asphalt, or other paving or road-surfacing materials.
  - (3) Aircraft landing fields, hangars, or accessory structures.
  - (4) Refuse disposal sites, dumping grounds, sanitary landfill operations, or similar uses; with the specific provision that setbacks, screening, protective fencing, or some combination of these be provided in a manner adequate to protect the general public from any and all nuisances, hazards, or other harmful conditions.
- (a) **Setbacks.** Within the SP District, the following standards shall apply
- (1) **Building.**
    - a. Maximum Height: None
  - (2) **Yards**
    - a. Minimum Front Yard Setback: Fifty (50) feet
    - b. Minimum Rear Yard Setback: Fifty (50) feet
    - c. Minimum Side Yard Setback:
      1. Principal Building: Twenty (20) feet on each side
      2. Accessory Buildings: Five (5) feet on each side.

## Sec. 10-1-53 Planned Unit Development District.

- (a) **Intent.** The PUD District is intended to provide for large-scale combined use development. This district shall have no definite and measurable boundaries until such are approved by the Village Board on the recommendation of the Plan Commission in accordance with procedures prescribed for zoning amendments by Wisconsin Statutes, Sec. 62.23. Plans for the proposed development shall be submitted in duplicate, and shall show the location, size and proposed use of all structures and land included in the areas involved. The plans may provide for a combination of single and multi-family development as well as other compatible uses, provided that all uses are subject to the following provisions:
- (1) A single area of at least six (6) acres is involved.

- (2) Paved streets and sidewalks adequate to serve the needs of the area involved will be provided.
- (3) Adequate access to public streets and proper internal circulation will be provided.
- (4) The development will constitute a reasonable extension of existing land uses in the Village and will be compatible with present and probable future land uses in nearby areas.

**Sec. 10-1-54 AEO Adult Entertainment Overlay District**

(a) **Intent.** It is the intent of this Section to protect the health, safety, general welfare and morals of the residents of the Village of Friendship, to preserve the quality of family life, to preserve the characteristics of the neighborhoods and to prevent adverse and deleterious effects contributing to the blight and downgrading of neighborhoods. Being mindful of the effects of adult entertainment upon minors and the criminal activity and disruption of public peace associated with such establishments, while also giving due consideration to the civil rights of persons partaking in such entertainment, it is the intent of this Section to regulate the location of such establishments of adult entertainment. By the enactment of this Section, the Village Board does not intend to give any explicit, implicit or tacit approval or condone any activity relating to adult entertainment.

(b) **Definitions.** For the purpose of this Section:

- (1) "Specified sexual activities" is defined as:
  - a. Human genitals in a state of sexual stimulation or arousal;
  - b. Acts of human masturbation, sexual intercourse or sodomy;
  - c. Fondling or other erotic touching of human genitals, pubic region, buttock or female breast.
  - d. Flagellation or torture in the context of a sexual relationship; "
  - e. Masochism, erotic or sexually oriented torture, beating or the infliction of pain;
  - f. Erotic touching, fondling or other such contact with an animal by a human being; or
  - g. Human excretion, urination, menstruation, vaginal or anal irrigation as part of or in connection with any of the activities set forth in Subsections (b)(1)a-f.
- (2) "Specified anatomical areas" is defined as:
  - a. Less than completely and opaquely covered human genitals, pubic region, buttocks, anal region or female breast below a point immediately above the top of the areola; or
  - b. Human male genitals in a discernibly turgid state even if completely and opaquely covered.
- (3) "Adult establishments" includes bookstores, motion picture theaters, mini motion picture theaters, bath houses, massage parlors, modeling studios, body painting studios, cabarets, and video stores and are more specifically defined as:
  - a. Adult bookstore. An establishment having as a substantial or significant portion of its stock-in-trade in books, magazines and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing, or relating to "specified sexual activities" or

- "specified anatomical areas" as defined herein or an establishment with a segment or section devoted to the sale or display of such material.
- b. Adult motion picture theater. An enclosed building with a capacity of fifty (50) or more persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas" as defined herein for observation by patrons therein.
  - c. Adult motion picture theater (outdoor). A parcel of land from which individuals may view a motion picture presented out of doors which present material distinguishably characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas".
  - d. Adult mini-motion picture theater. An enclosed building with a capacity for less than fifty (50) persons used for presenting materials distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas" as defined herein for observation by patrons therein.
  - e. Adult bath houses. As establishment or business which provides the services of baths of all kinds, including all forms and methods of hydrotherapy, that is not operated by a medical practitioner or a professional physical therapist licensed by the State of Wisconsin and which establishment provides to its patrons an opportunity for engaging in "specified sexual activities" as defined in this Section.
  - f. Adult massage parlors. An establishment or business with or without sleeping accommodations which provides the services of massage and body manipulation, including exercises, heat and light treatments of the body, and all forms and methods of physiotherapy, not operated by a medical practitioner or professional physical therapist licensed by the State of Wisconsin and which establishment provides for its patrons the opportunity to engage in "specified sexual activities" as defined in this Section.
  - g. Adult modeling studios. An establishment or business which provides the services of modeling for the purpose of reproducing the human body wholly or partially in the nude by means of photography, painting, sketching, drawing or otherwise.
  - h. Adult body painting studios. An establishment or business wherein patrons are afforded an opportunity to paint images on a body which is wholly or partially nude. For purposes of this Section, the adult body painting studio shall not be deemed to include a tattoo parlor.
  - i. Adult cabaret. An establishment or business which features male and/or female topless and/or bottomless dancers, go-go dancers, exotic dancers, strippers, burlesque shows, male or female impersonators, or similar entertainers.
  - j. Adult novelty shop. An establishment or business having as a substantial or significant portion of its stock-in-trade in novelty or other items which are distinguished or characterized by their emphasis on, or designed for,

- "specified sexual activities" as defined herein or stimulating such activity.
- k. Adult video store. An establishment having as a substantial or significant portion of its stock and trade in videotapes for sale or rent which are distinguished or characterized by their emphasis on matter depicting, describing or relating to "specific sexual activities" or "specified anatomical areas" as defined herein or an establishment with a segment or section devoted to the sale, display or rental of such material.
- (c) **Adult Entertainment Overlay District Created.** So as to ensure a maximum benefit to the community and a minimum impact upon existing and future uses of land, there is hereby created an Adult Entertainment Overlay District which, subject to the standards set forth in this Section may be used for an adult establishment as defined herein except as may be prohibited in Subsection (h) below.
- (d) **Permitted Uses.** No principal uses shall be permitted as a matter of right in the Adult Entertainment Overlay District. All uses shall be conditional uses.
- (e) **Conditional Uses.**
- (1) Adult bath houses.
  - (2) Adult body painting studios.
  - (3) Adult bookstores:
  - (4) Adult cabarets.
  - (5) Adult massage parlors.
  - (6) Adult mini-motion picture theaters.
  - (7) Adult modeling studios.
  - (8) Adult motion picture theaters.
  - (9) Adult motion picture theaters (outdoor).
  - (10) Adult novelty shops.
  - (11) Adult video stores.
- (f) **Underlying District Standards.** Lot area and width, building height and area, yard and sanitary sewer system requirements in the underlying district shall be complied with in the Adult Entertainment Overlay District.
- (g) **Procedures for Establishing Adult Entertainment District.**
- (1) A petition to amend the Zoning Code to establish an Adult Entertainment Overlay District and an application for a conditional use permit shall be filed with the Zoning Administrator. The Zoning Administrator shall refer each petition and application to the Village Board. The Board shall review and make recommendation regarding such petition and application. Those requirements set forth in this Zoning Code relating to the issuance of a conditional use permit shall be adhered to. No Adult Entertainment Overlay District shall be created which does not substantially comply with the standards set forth in this Section.
  - (2) A petition to amend the Village Zoning Code to establish an Adult Entertainment Overlay District must be accompanied by three (3) copies of the proposed site plan prepared by a certified land surveyor or planner in addition to any other information required under this Section.
  - (3) The Zoning Administrator shall make a recommendation to the Village Board. Such recommendation may approve, disapprove or approve subject to modifications the petition for zoning, and shall include a written statement of the Zoning Administrator's findings. No petition for an Adult Entertainment Overlay

District shall be approved by the Village Board unless, however, the following findings have been made.

- a. That all the standards and requirements in this Section will be met by the proposed use.
- b. That the proposed use will not be a detriment to the public welfare.
- c. That the proposed zoning is consistent with the general intent of any comprehensive plan in existence.
- d. That the existing streets and utility services are adequate for the proposed use.
- e. That the proposed use will in no substantial way contribute to the deterioration of the surrounding neighborhood.
- f. That the presence of the proposed use will not have a harmful influence on children residing in or frequenting the area.

(h) **Standards for Adult Entertainment Uses.** In addition to all other applicable requirements of this Zoning Code, all adult entertainment uses shall meet the following standards:

- (1) The Adult Entertainment Overlay District shall only be established in situations in which the underlying district is a Commercial or Industrial District.
- (2) No more than one (1) of the adult entertainment uses defined herein may be established on any one (1) parcel and any of the adult entertainment uses defined herein shall be at least one thousand (1,000) feet from any other adult entertainment use. No adult entertainment use shall be permitted within five hundred (500) feet of any establishment serving alcoholic beverages, within one thousand (1,000) feet of property zoned Residential, within one thousand five hundred (1,500) feet of any property zoned Agricultural or within two thousand (2,000) feet of any school, library, church, park, playground, or daycare facility.
- (3) There shall be no sale of intoxicating beverages in the Adult Entertainment Overlay District.
- (4) Signs advertising any of the adult entertainment uses defined herein shall conform with Article G of this Chapter with the exception, however, that no tower or portable signs or billboards shall be permitted on the premises, and with the further exception that signs will not depict or describe "specified anatomical areas" or "specified sexual activities", and provided further that there shall be no flashing or traveling lights located outside the building.
- (5) Adequate parking shall be provided in a lighted area.
- (6) There shall be no display windows on the premises.
- (7) The owner and/or operator of the adult entertainment establishment shall comply with all federal, state and local laws and ordinances, including obscenity, liquor and cabaret laws, and shall further ensure that minors are not permitted on the premises. Solicitation for purposes of prostitution shall be strictly prohibited.
- (8) In the case of adult cabarets, the hours of operation for such establishments shall be limited to the same hours of operations for bars and taverns within that community within which the district is located.
- (9) In the case of outdoor adult motion picture theaters, the establishment shall confine its hours of operation to those hours of operation established for bars and

taverns within the community within which the establishment is located. Outdoor adult motion picture theaters shall also have the viewing screen located in such a fashion as to not be visible from any road, street or highway or residence and the premises shall be surrounded by solid fencing at least eight (8) feet in height. All theaters shall comply with Sec. 134.46, Wis. Stats.

- (10) Prior to the establishment of an Adult Entertainment Overlay District, an inventory of the surrounding area and population shall be made along with a study of the proposed development and plans for the area so as to enable the Village Board to make appropriate findings relative to the effect of the establishment of such a district in that area.
- (11) The owner of the parcel upon which the adult entertainment use is to be established and the operator of the establishment and owner of the establishment shall appear in person before the Village Board.
- (12) In the event of non-compliance with any conditions imposed on the adult entertainment use, the conditional use permit may be revoked, the Adult Entertainment Overlay District may be abolished by the Village Board and the parcel shall revert to its underlying zoning.

**Sec. 10-1-55 through Sec. 10-1-59 Reserved for Future Use.**