

ZONING

425 Attachment 1

Town of Fulton

Appendix A. Town of Fulton – Permitted and Conditional Uses [Amended 6-14-2016 by Ord. No. 2016-2; 6-8-2021 by Ord. No. 2021-06; 8-10-2021 by Ord. No. 2021-09; 3-8-2022 by Ord. No. 2022-05]

- (1) This Appendix (hereafter "Appendix A") and the following table (7) identify permitted and conditional uses allowable in the Town of Fulton (hereafter "Town") zoning districts under this Ordinance, per § 425-3-3A through N. Any use not identified in said table (hereafter "unclassified use") and proposed in any Town zoning district shall be reviewed by the Town utilizing the table, with the Town using reasonable and prudent judgment to determine the use in the table most closely resembling the proposed unclassified use, with said proposed unclassified use allowed as a permitted or conditional use or prohibited accordingly in the applicable Town zoning district.
- (2) Any use not identified in the following table (7) and proposed in the A-E Zoning District may be allowed by the Town as a permitted use only if said proposed use is an agricultural or agricultural accessory use consistent with the intent and purpose of the A-E Zoning District, in accordance with § 425-3-3A(1) of this Ordinance. Any use not identified in said table and proposed in the A-E Zoning District may be allowed by the Town as a conditional use, in accordance with the following paragraph (3), only if said proposed use is an agricultural, agricultural accessory, or agriculture-related use consistent with the intent and purpose of the A-E zoning district, in accordance with § 425-3-3A(1) of this Ordinance.
- (3) The Town may issue a conditional use permit (hereafter "CUP") for a proposed land use identified in the following table (7), if said use meets all applicable conditions identified in this Ordinance. The Town shall determine in writing that said use meets all applicable conditions prior to issuance of any CUP and may require additional conditions which the Town deems necessary to ensure consistency with the intent and purpose of this Ordinance, in accordance with § 425-1-3 herein. The Town shall follow the procedures identified in § 425-4-3F of this Ordinance when reviewing, approving, or denying any CUP application, or issuing a CUP.
- (4) Use types utilized in the following table (7) to classify permitted and conditional uses in the Town are identified as follows:
 - (A) Farming;
 - (B) Commercial, civic, or governmental;
 - (C) Industrial, manufacturing, or other;
 - (D) Residential;

FULTON CODE

- (5) In the following table (7), "P" shall indicate a permitted use and "C" shall indicate a conditional use in the applicable Town zoning district. If a "P" or "C" is not designated for a use identified in said table, that shall indicate said use is not a permitted or conditional use allowed in the applicable Town zoning district. Any use customarily incidental to any of the uses identified in the table are allowed as a permitted use, provided that no such use generates traffic, odor, vibration, or noise that would create a public or private nuisance.
- (6) The following identifies the abbreviations utilized to identify Town Zoning Districts in the following table (7)

A-E:	Agricultural-Exclusive
A-G:	Agricultural-General
R-RL	Residential-Rural Density - Large
R-RS:	Residential-Rural Density - Small
R-L	Residential-Low Density
R-GS	Residential – General Sewered
C-L:	Commercial-Local
C-H:	Commercial-Highway Interchange
C-R:	Commercial-Recreational
I-L:	Industrial-Light
SU:	Special Use
PD:	Planned Development
NR-OS:	Natural Resource-Open Space
EC-L:	Environmental Conservation-Lowland – Overlay
EC-H:	Environmental Conservation-Highland – Overlay

ZONING

(7)

Use Type	Zoning District													
1. Farming ¹	A-E ²	A-G ²	R-RL	R-RS	R-L	C-L	C-H	C-R	I-L	SU	PD	NR-OS	EC-L ^{3 4}	EC-H ³
Aquaculture	P	P	C										P	P
Beekeeping	P	P	P	C ⁵		C	C	C	C	C		P	P	P
Floriculture	P	P	P							C			P	P
Forestry	P	P	P							P		P	P	P
Fur farm	P	P								C				
General: crop/forage production, animal unit rearing, etc.	P	P	P ⁶	P ⁶	P ⁶	P ⁶	P ⁶	P ⁶	P ⁶	P	P ⁶	P	P	P
Livestock facility ⁷	C	C												
Manure irrigation	C	C												
Nursery	P	P	P							P		P	P	P
Orchard	P	P	P	C						P		P	P	P

FULTON CODE

Use Type	Zoning District													
2. Commercial, Civic, or Governmental ⁸	A-E ²	A-G ²	R-RL	R-RS	R-L	C-L	C-H	C-R	I-L	SU	PD	NR- OS	EC-L ^{3 4}	EC-H ³
Adult entertainment ⁹							P							
Agriculture: feed, seeds, chemicals, and fertilizer research/sales	C	C				P			P					
Agriculture: implement and equipment sales/rental and repair/maintenance	C	C				P			P					
Agriculture: roadside and nonroadside sales ¹⁰	P	P	P							C				C
Airport or airstrip: agriculture ¹¹ ¹²	C	C												
Airport or airstrip: general ¹¹										C				
Alcohol production and direct sales: brewery, distillery, and winery		C	C	C		P	P		P					
Animal: kennel	C ¹²	C	C	C		C			C	C				
Animal: hospital/shelter		C	C			C								
Animal: sales (Nonagriculture)						P								
Automobile: race track										C				
Appliance: repair						P			P					
Arboretum or botanical garden				C		P				P		P		P
Automobile: repair (routine maintenance to include upholstery)						P	P		C	C				
Automobile: repair (nonroutine maintenance)									C	C				
Automobile: sales and rental						P	P		C	C				
Automobile: washing						P	P		P					
Beauty shop, salon, and barbershop						P								

ZONING

Use Type	Zoning District													
2. Commercial, Civic, or Governmental ⁸	A-E ²	A-G ²	R-RL	R-RS	R-L	C-L	C-H	C-R	I-L	SU	PD	NR- OS	EC-L ^{3 4}	EC-H ³
Boat: sales, rental, supply, and storage						P	P	P	P					
Building and construction material sales: lumber yard, etc.		C				C			P	P				
Business services: finance, insurance, legal, real estate, etc.						P								
Cemetery										C				
Church or place of worship		C	P	C	C	P								
Community and/or recreation center		C	P	C	C	P								
Corrections: prisons, jails, juvenile detention, etc ¹¹										C				
Dry-cleaning						C			C					
Education: post-secondary (academy, professional, technical, college, and university)			P	C	C	P			P					
Education: secondary (K – 12)			P	P	P	P								
Equestrian stable or riding school	C ¹²	C	C					C					C	C
Fire/emergency medical services and police/law enforcement			P	C	C	P	P			P				
Funeral home						C								
Gas station ¹⁴ (may or may not include accompanying retail convenience store)						P	P		P					
Government administration and service: executive, legislative, judicial, regulatory, outreach, postal, and library			P	C	C	P	P			P				
Greenhouse and landscaping	C ¹²	C	C			P			P					P/C

FULTON CODE

Use Type	Zoning District													
2. Commercial, Civic, or Governmental ⁸	A-E ²	A-G ²	R-RL	R-RS	R-L	C-L	C-H	C-R	I-L	SU	PD	NR- OS	EC-L ^{3 4}	EC-H ³
Health and medical: chiropractic, clinic, dentistry, hospital, optometry, orthodontics, and outpatient and mental health facility			C	C ¹⁵	C ¹⁵	P	P							
Hunting club/game farm	C ¹²	C						C		C			C	C
Laboratory									C					
Laundromat						P	P							
Lodging: hotel, motel, and resort						P	P	P						
Lodging: bed-and-breakfast	C ¹²	C	C	C	C	P	P	P						
Mass transit or terminal facility: bus, truck, or rail						P	P			C				
Museum and/or cultural center	C ¹⁶	C	C			P	P							
Nursery or day-care center			C	C	C	P								
Parking lot (not serving a designated building)						P	P		P	C				
Printing or publishing									P					
Recreation: archery shooting range ¹⁷	C ¹²	C						C				C	C	
Recreation: arenas and convention centers						P	C	C		C				
Recreation: conservation (Hunting, fishing, hiking, etc.)	P ¹²	P	P					P				P	P	P
Recreation: campground or recreational vehicle park ¹⁸						C	C	C	C					
Recreation: golf course/driving range, or miniature golf						P	P	P	C			C	C	C
Recreation: gun shooting range ¹⁷	C ¹²	C						C					C	C
Recreation: gymnasiums, ice- skating rinks, and swimming pools						P	P	P				C		
Recreation: fitness facility						P	P	P						

ZONING

Use Type	Zoning District													
2. Commercial, Civic, or Governmental ⁸	A-E ²	A-G ²	R-RL	R-RS	R-L	C-L	C-H	C-R	I-L	SU	PD	NR- OS	EC-L ^{3 4}	EC-H ³
Restaurant, cafe, or coffee shop						P	P	C						
Retail store/shop: appliance, automobile supply, beverage clothing, drug, department, discount, furniture, gift, hardware, sporting goods, tobacco, variety, etc.						P	P	C						
Road building, maintenance, or machinery facility	C ¹⁶	C					C		C	C				C
Service club, fraternal organization, and business/professional association		C	C			P								
Studio and/or display venue – art, interior decorating, photographic, music, dance, etc.						P								
Tavern						P								
Theater: performing arts						P								
Theater: motion picture						P								
Trade shops: cabinet, plumbing, upholstery, electrical, etc.		C	C			C			P	C				
Veterinary	C ¹²	C	C			P			C					
Water supply storage: tanks and towers ^{11 19}														C
Wastewater/sewage treatment facility ^{11 19}													C	C
Waste: landfill or recycling facility ¹¹										C				
Wholesale merchandise						C								

FULTON CODE

Use Type	Zoning District													
3. Industrial, Manufacturing, or Other ⁸	A-E ²	A-G ²	R-RL	R-RS	R-L	C-L	C-H	C-R	I-L	SU	PD	NR- OS	EC-L ^{3 4}	EC-H ³
Automobile: salvage							C		C	C				
Bakery: large-scale									P					
Contractor: office, shop, or yard						C			P					
Communication transmission line, tower, or facility ¹¹	C ²⁰	C	C	C	C	C	C	C	C	C	C	C	C	C
Dairy processing: cheese, milk, cream, etc. ²¹	C	C							P					
Drain or drainage ditch	C ²⁰	C												
Fabrication or component assembly						P	C		P					
Food distribution or locker									P					
Food processing: general									P					
Food processing: raw agricultural commodities	C	C							P					
Fuel production: agriculture (ethanol, bio-diesel, pellet, etc.)	C	C							P					
Manure digester	C	C												C
Meat slaughterhouse	C	C							P					
Metalwork: blacksmith, sheet metal, and welding						C	C		P					
Mining: general										C				
Mining: non-metallic (sand and gravel) ²²	C	C								C				
Open space	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Outdoor furnace ²³	P	P	P	P	P	C	C	C	C	C			C	C
Packaging						C								
Power transmission line or tower ¹¹	C ²⁰	C	C	C	C	C	C	C	C	C	C	C	C	C
Power generating facility: non-water, solar, or wind (coal, natural gas, wood, etc.) ¹¹									C	C				
Power generating facility: solar ¹¹	C ²⁰	C	C	C	C	C	C	C	C	C	C	C	C	C

ZONING

Use Type	Zoning District													
3. Industrial, Manufacturing, or Other ⁸	A-E ²	A-G ²	R-RL	R-RS	R-L	C-L	C-H	C-R	I-L	SU	PD	NR- OS	EC-L ^{3 4}	EC-H ³
²⁴														
Power generating facility: water ¹¹									C	C			C	C
Power generating facility: wind farm														
Power generating facility: wind turbine ^{11 24 25}	C ²⁰	C	C	C	C	C	C	C	C	C	C	C	C	C
Pipeline: oil, natural gas, petroleum, etc. ¹¹	C ²⁰	C	C	C	C	C	C	C	C	C	C	C	C	C
Rail: line or freight facility ¹¹	C ²⁰	C				C	C		P					
Road/street ¹¹	C ²⁰	C	C	C	C	C	C	C	C	C	C	C	C	C
Sale: wholesale chemical, gas, petroleum, etc.									C	C				
Sludge spreading, disposal, and reduction ²⁶	P	P											C	C
Solar energy system ^{11 24 31}	C ^{20 31}	C ³¹	C	C	C	C	C	C	C ³¹	C ³¹	C	C ³¹	C ³¹	C ³¹
Storage: raw agricultural commodities	P	P	C						P	C				
Storage: chemical, gas, petroleum, etc.									C					
Storage: individual units						C	C		C	C				
Storage: warehouse							C		P					
Wood processing: agriculture (product directly from farms)	P	P								C				
Wood processing: general		C							P	C				

FULTON CODE

Use Type	Zoning District														
4. Residential	A-E ²	A-G ²	R-RL	R-RS	R-L	R-GS	C-L	C-H	C-R	I-L	SU	PD	NR-OS	EC-L ^{3,4}	EC-H ³
Community living arrangement: fewer than 8 people ²⁷			P	P	P	P						P			
Community living arrangement: greater than 8 people ²⁷			C	C	C	C						C			
Home occupation/home office ²⁸	P ¹²	P	P	P	P	P					P				P/C
Residence: farm: single-family	P ³⁰	P	P												C
Residence: farm: two-family	P ³⁰	P	P												
Residence: nonfarm: multifamily					P	P						P			
Residence: nonfarm: single-family			P	P	P	P	P ²⁹	P ²⁹	P ²⁹	P ²⁹	P ²⁹	P			C
Residence: nonfarm: two-family			P	P	P ¹⁶	P ¹⁶									
Mobile home park											C				
Nursing, retirement, or convalescent home				P	P ¹⁶	P ¹⁶	P				C				

- ¹ Any building or other structure housing livestock shall not be located within 100 feet of any lot in the R-RS, R-L, C-L, C-H, or PD Zoning Districts, unless said lot and the lot on which the building or other structure is located are under the common ownership.
- ² Semi-trailers, trailers, or portable premanufactured structures utilized to store nonflammable agricultural items, excluding animals, are allowed provided the wheels, axles, signs, names, and labels are all removed and said trailer or structure is painted to blend in with the dominant colors of associated farm buildings.
- ³ All permitted and conditional uses identified in the Environmental Conservation-Lowland (EC-L) or Environmental Conservation-Highland (EC-H) Zoning Districts shall be allowed in said districts only if similarly allowed as a permitted or conditional use in the underlying zoning district.
- ⁴ Buildings are not allowed, unless an implied component of the permitted or conditional use.
- ⁵ Beekeeping shall be subject to all of the following:
 - (1) Only honey bees shall be kept and maintained;
 - (2) Hives shall not exceed 20 cubic feet in volume;

ZONING

- (3) No more than six hives shall be kept on a lot;
 - (4) Hives shall not be located within 10 feet of a lot under different ownership than that on which the hive is located, nor within 25 feet of any principal building on a lot under different ownership than that on which the hive is located;
 - (5) A water supply shall be located in close proximity to hives at all times;
 - (6) Any portion of lot line under different ownership than that on which the hive is located, and within 25 feet of said hive, shall be shielded by a flyway barrier at least six feet in height as provided by the hive owner, with said barrier to effectively direct bees to fly up and over the barrier when flying in direction of the barrier, consisting of a wall, fence, dense vegetation, or combination thereof and positioned to transect both legs of a triangle extending from an apex at the hive to each end point of the line of the lot to be so shielded. The barrier shall comply with any applicable fence regulations, per § 425-3-2J(1)(a) of this Ordinance.
- ⁶ Only crop/forage production allowed if said use was an existing, allowable use prior to a zoning district change to the R-RL, R-RS, R-L, C-L, C-H, C-R, I-L, or PD Zoning District.
- ⁷
- (1) A livestock facility existing prior to May 1, 2006, or a facility that has already been approved by the Town, does not require a CUP except if the facility is to be subject to expansion, with the number of animal units kept at the facility to exceed all of the following in which case a CUP shall be required:
 - (A) The applicable size threshold for a conditional use permit established in the zoning district where the facility is located;
 - (B) The maximum number previously approved or, if no maximum number was previously approved, a number that is 20% higher than the number kept on (May 1, 2006, or on the effective date of the permit requirement, whichever date is later).
 - (2) Building setback lines for a livestock facility shall be as stated in the following:
 - (A) Livestock structure:
 - (a) Fewer than 1,000 livestock animal units: 100 feet from a property line and any public road right of way;
 - (b) Greater than 1,000 livestock animal units: 200 feet from a property line and 150 feet from any public road right of way.
 - (B) Building setback lines as identified in (A) shall not prevent the use or expansion of a livestock structure that was located within the setback area prior to May 1, 2006, except that a structure may not be expanded closer to the property line.

FULTON CODE

- (C) Waste storage structure: 350 feet from a property line and any public road right of way. A single new waste storage structure may be constructed closer to a property line or public road right of way if said structure meets all of the following:
 - (a) Located on the same lot as a waste storage structure in existence before May 1, 2006;
 - (b) No larger than the existing structure;
 - (c) No further than 50 feet from the existing structure;
 - (d) No closer to a property line or public road right of way than the existing structure;
 - (D) Building setback lines identified in (C) shall not apply to existing waste storage structures, except that an existing structure within 350 feet of a property line or public road right of way may not expand toward said property line or road right of way.
 - (E) Shoreland, wetlands, and floodplain: In accordance with Chapter 4 – Subchapter 1 – Part 2 and 4, Zoning, Code of Ordinances, Rock County;
 - (F) Wells. All wells located within a livestock facility shall comply with §§ NR 811 and 812, Wisconsin Administrative Code. New or substantially altered livestock structures shall be separated from existing wells by the distances required in said §§ NR 811 and 812 regardless of whether the livestock facility operator owns the land on which the wells are located. A livestock structure in existence on May 1, 2006, may be altered as long as the alteration does not reduce the distance between the livestock structure and an existing well.
- (3) Any transfer of ownership of a livestock facility shall require the new owner of said facility to provide to the Town pertinent information, including but not limited to name, address, and date of ownership transfer, within 60 days of said transfer, as recorded with the Rock County Register of Deeds.
- ⁸ (1) All commercial or industrial uses as identified by the Town in accordance with Appendix A require submittal of a lighting and illumination plan, specifications for all proposed fixtures, and photometric plan, or other plans delineating exterior luminance levels that evidence compliance with the following standards and requirements:
- (A) All exterior lighting fixtures shall be dark sky compliant or full cut-off fixtures as defined by the Illuminating Engineering Society of North America (hereafter "IESNA"). The Zoning Administrator or Building Inspector may modify this requirement for security lighting in areas where the exterior lights are not visible from a residential area or public street;
 - (B) All exterior lighting shall be designed and fixtures selected to prevent glare;

ZONING

- (C) All exterior lighting shall be designed to avoid competition with illumination on adjacent or proximate properties;
- (D) Illumination levels shall be appropriate for the intended area, use, building, or other structure to be illuminated and should generally follow the guidelines and recommendations of the IESNA;
- (E) Illumination of signs, architecture, landscaping, or site amenities, or other specialty illumination of any kind, shall be designed consistent with the intent and purpose of this Ordinance;
- (F) Illumination shall not exceed an average illumination level of 20 footcandles for the surface to be illuminated unless approved otherwise by the Commission;
- (G) The illumination uniformity ratio (the ratio of the average illumination to the minimum illumination) for the surface to be illuminated shall not exceed four to one;
- (H) The illumination level at any lot line shall not exceed 0.5 footcandle above the ambient lighting conditions on a cloudless night;
- (I) Exterior lighting fixtures shall not be mounted or oriented in such a manner that the lighting element is visible from any residence located in the Residential-Rural Density (R-R) Zoning District;
- (J) The maximum exterior lighting fixture mounting height, measured from the illuminated surface to the bottom of the light fixture, shall be as stated in the following:
 - (a) Parking lot light fixtures in lots containing 50 or fewer stalls: 23 feet;
 - (b) Parking lot light fixtures in lots containing more than 50 stalls: 33 feet;
 - (c) Building or security lighting: 14 feet;
 - (d) Any other site lighting fixture: 18 feet or as determined appropriate and consistent with the purpose and intent of this Sec. by the Zoning Administrator or Building Inspector.
- (K) Only building-mounted security lighting and up to 25% of all other exterior lighting fixtures may remain illuminated if the use for which the lighting was intended is not in operation;

FULTON CODE

- (L) The use of laser source light or any similar high-intensity light for outdoor advertising or entertainment, when projected above the horizontal, and the operation of searchlights for advertising purposes, are prohibited.
- (2) Alternatives to the aforementioned lighting and illumination standards and requirements,⁸ (1)(A) – (L), may be proposed by any person to incorporate the use of a particular architectural style or theme, or to incorporate innovative or unique lighting and illumination techniques, with such alternatives presented to the Town with supportive evidence sufficient to determine that the proposal is consistent with the purpose and intent of this Sec., with approval of said alternatives at the discretion of the Town.
- (3) Any person may submit to the Town, on a form prepared by the Town, a temporary request for exemption from the aforementioned lighting and illumination standards and requirements,⁸ (1)(A) – (L), with said request to contain all of the following:
 - (A) Specific chapter section exemption(s) requested and duration of exemption(s);
 - (B) Proposed location of the proposed light fixture(s);
 - (C) Purpose of proposed lighting;
 - (D) Information for each luminaire and lamp combination;
 - (E) Previous temporary exemptions, if any, and addresses of premises thereunder;
 - (F) Any other relevant information deemed necessary by the Town to make a comprehensive evaluation of the exemption request.
- (4) If a light and illumination exemption request is approved, the exemption shall be valid for no more than 30 days from the date of issuance of the approval by the Town. The approval shall be renewable upon further written request, at the discretion of the Town, for a maximum of one additional thirty-day period.

⁹ The First Amendment of the United States Constitution and other provisions therein, as interpreted by the United States Supreme Court and other courts, require that adult entertainment uses are entitled to certain protections including the opportunity to locate in the Town.

In accordance with the purpose and intent of this Ordinance, as stated in § 425-1-3 herein, the Town seeks to allow adult entertainment uses the opportunity to locate in the Town while concurrently minimizing and controlling secondary effects of said uses. Secondary effects of adult entertainment uses may include an increased risk of prostitution, high-risk sexual behavior, crime, and other deleterious effects upon existing adjacent and proximate commercial and residential land uses, including decreased property values, all in accordance with studies conducted in Phoenix, AZ, Garden Grove, CA, Los Angeles, CA, Whittier, CA, Indianapolis, IN, Minneapolis, MN, St. Paul, MN, Cleveland, OH, Oklahoma City, OK, Amarillo, TX, Austin, TX, Beaumont, TX, Houston, TX, Seattle, WA and the findings incorporated in City of Renton v. Playtime

ZONING

Theaters, Inc., 475 U.S. 41 (1986), Colman A. Young v. American Mini-Theaters, Inc., 427 U.S. 50 (1976). As such, the Town shall minimize and control potential secondary effects of adult entertainment uses by regulating the location of said uses in accordance with the following:

- (A) Any building housing an adult entertainment use shall be located at least 1,000 feet from all of the following:
 - (a) Any lot within the R-RS or R-L Zoning Districts, or a residential lot in the PD Zoning District;
 - (b) Any lot on which a public park is located;
 - (c) Any residence, church/place of worship, nursery or daycare center, secondary (K – 12 grade) school, or community and/or recreation center;
 - (d) Any building housing an establishment holding an alcohol beverage license issued by the Town or so required to hold said license;
 - (e) Any other building housing an adult entertainment use;
- (B) Distances shall be measured in a straight line from a building housing an adult entertainment use to any lot line or building identified in⁹ (A) (a) – (e) and shall be calculated from the farthest point said lot lines or buildings extend in the direction of the measurement, including overhanging roofs or similar projections. Distances from adult entertainment uses located in conjunction with other buildings, such as in a shopping center, and clearly separate from other establishments shall be measured from the boundaries of the area occupied by the adult entertainment use. Distances from adult entertainment uses located above ground level in a multi-story building and clearly separate from other establishments within the building shall be measured from the ground floor public entrance/exit nearest the adult entertainment uses, excluding emergency exits.
- (C) Any adult entertainment use so established in legal conformance with this Ordinance may continue in its legal conforming use if any lot, building, or use identified in⁹ (A)(a) – (e) is established, subsequent to the adult entertainment use, within 1,000 feet of said adult entertainment use.

¹⁰ Products for sale must be produced on the premises and not require outside processing before they are offered for sale. Two unlighted signs not larger than 32 square feet each, advertising such sale, are allowed.

¹¹ The use shall only be allowed as a permitted use if required or authorized under state or federal law to be located in a specific place within the applicable zoning district, preempting the prohibition or requirement of a conditional use permit for said use.

¹² Allowed if meeting the definition of agricultural accessory use as defined in § 425-1-7 of this Ordinance.

FULTON CODE

- ¹⁴ All gasoline pumps, storage tanks, and accessory equipment shall be located at least 100 feet from any existing or proposed road/street line right of way.
- ¹⁵ If located on a collector or arterial street.
- ¹⁶ Allowed in accordance with § 91.46(5), Wisconsin Statutes.
- ¹⁷ Buildings are not allowed.
- ¹⁸ The following are standards and requirements applicable to all recreational vehicle parks and recreational vehicle lots located within them:
- (1) Recreational vehicle park lot:
 - (A) Minimum size: six acres;
 - (B) Maximum size: none;
 - (C) Maximum recreational vehicle lot density: seven per acre;
 - (D) Uses, signage, recreational facilities/open space, screening, construction or presence of a common building, lighting, fuel storage, utilities and garbage storage shall be in accordance with § 425-3-3J(6)(b) of this Ordinance;
 - (E) Any applicant creating a recreational vehicle park shall submit a credit or cash deposit to the Town to insure that all required public improvements will be made, at the Town's discretion.
 - (2) Recreational vehicle lot:
 - (A) Minimum size: 6,000 square feet;
 - (B) Minimum width: road frontage: 30 feet with lesser frontage allowed by Town for irregular shaped lots where necessary;
 - (C) Building setback line:
 - (a) Road-yard: five feet;

ZONING

- (b) Rear-yard: five feet;
- (c) Side-yard: five feet.
- (D) Parking:
 - (a) Recreational vehicle: one per recreational vehicle lot except that an unoccupied recreational vehicle may be parked within the building setback line of the recreational vehicle lot yard, to the rear of the principal building;
 - (b) Automobile, off-street: one two-hundred-square-foot (minimum) hard-surfaced spaces on each recreational vehicle lot;
 - (c) Automobile, street: Allowable on both sides of the street if the road is at least 36 feet wide and allowable on one designated side only if the road is at least 30 feet wide;
- (E) Sewer disposal facilities shall be provided as set forth in Wisconsin Administrative Code, and lot road frontage, water supply, fencing, and hedges shall be in accordance with § 425-3-3J(6)(b) of this Ordinance.

¹⁹ An eight-foot-high fence is required, if the utility does not require authorization under § 196.491, Wisconsin Statutes.

²⁰ Allowed in accordance with § 91.46(4), Wisconsin Statutes.

²¹ Not to be located within 500 feet of any residence.

²² The following are standards and requirements applicable to all non-metallic mining uses:

- (1) Chain link or similar fencing no less than six feet high shall be placed around the entire perimeter of any non-metallic mining site within 1/2 mile of any lot in the R-RS or R-L Zoning Districts, or a residential lot in the PD Zoning District;
- (2) No dumping of waste products or by-products shall be allowed anywhere on the non-metallic mining site;
- (3) A restoration plan shall be developed by the mining operator or agent and submitted to and approved by the Commission;
- (4) Any non-metallic mining operation shall be in compliance with Sub-chapter 1, Sec. 295, Wisconsin Statutes, and Chapter 4 – Subchapter 2 – Part 10 – Non-Metallic Mining Reclamation, Code of Ordinances, Rock County;
- (5) All standards and requirements identified in § 425-4-3F(2)(b)[1] of this Ordinance.

FULTON CODE

²³ Construction, installation, use, or maintenance of an outdoor furnace shall require a building permit in accordance with § 425-4-3B of this Ordinance. Construction, installation, use, or maintenance of the furnace shall be in compliance with manufacturer specifications and comply with all applicable state, federal and local laws, and all of the following:

- (1) Located a minimum of 40 feet from the building or other structure which the furnace services and a minimum of 400 feet from any residence on any lot other than a lot on which the outdoor furnace is located;
- (2) Use wood, wood pellets, corn fuel, or bio-fuel only;
- (3) Prohibited from burning any of the following:
 - (a) Rubbish or garbage, including but not limited to food wastes, food wraps, packaging, animal carcasses, paint or painted materials, furniture, composite shingles, construction or demolition debris, or other household or business wastes;
 - (b) Waste oil or other oily wastes;
 - (c) Asphalt and products containing asphalt;
 - (d) Treated or painted wood, including but not limited to plywood, composite wood products, or other wood products that are painted, varnished, or treated with preservatives;
 - (e) Any plastic material, including but not limited to nylon, PVC, ABS, polystyrene or urethane foam, synthetic fabrics, plastic films, and plastic containers;
 - (f) Rubber, including tires and synthetic rubber-like products;
 - (g) Newspaper, corrugated cardboard, container board, office paper, and other materials that must be recycled in accordance with the Chapter 370, Solid Waste, Article I. Recycling, Code of Ordinance, Town of Fulton and § 287.07, Wisconsin Statutes.

²⁴ Allowed in accordance with §§ 236.292, 700.41, and 844.22, Wisconsin Statutes.

²⁵ A lot one acre or larger in size shall be required to locate a wind turbine, with said turbine not to be located in or on an environmentally sensitive area as defined in in § 425-3-3M(2) and 425-3-3N(2) of this Ordinance. A wind turbine over 60 feet in height and meeting all applicable provisions of this Ordinance may be prohibited upon a finding by the Town that the turbine height is wholly out of proportion with prevailing heights of

ZONING

adjacent and proximate buildings and other structures, and said turbine would consequently be seriously disruptive of immediate, adjacent, or proximate aesthetic and character.

A wind turbine shall be setback from all roads, lot lines, and other applicable boundaries or infrastructure in accordance with Public Service Commission (PSC) regulations enacted pursuant to § 196.378, Wisconsin Statutes.

²⁶ To include only the spreading of the residual, semi-solid material left from industrial wastewater, or sewage treatment processes (sludge), in accordance with all other applicable ordinance, statutes, rules, and regulations.

²⁷ A community living arrangement, in accordance with § 60.63, Wisconsin Statutes, may not be established within 2,500 feet of any other such facility, and the design and landscaping of the facility shall be compatible with adjacent and proximate lands. Two community living arrangements may be adjacent if authorized by the Commission and if both comprise essential components of a single program. Community living arrangements shall be allowed without restriction as to the number of facilities so long as the total capacity of all the community living arrangements does not exceed 25 people or 1% of the Town's population, whichever is greater.

Any community living arrangement housing 16 or more persons may be allowed at the discretion of the Town, per § 60.63, Wisconsin Statutes.

²⁸ If a use in any zoning district other than the A-E Zoning District does not meet the definition of a home occupation as set forth in § 425-1-7 of this Ordinance, the Commission may approve said use as a home occupation conditional use, subject to all of the following:

- (1) The type and number of equipment or machinery used in connection with the proposed use may be restricted by the Commission;
- (2) Sale or transfer of the property on which the use is located or expansion of the use shall cause any conditional use permit granted thereon to become immediately null and void;

²⁹ Single-family residences are allowed only for the commercial/business or industrial use owner, proprietor, commercial tenant, employee, or caretaker, to be located in the same building as the commercial/business or industrial use.

³⁰ In the A-E District each base farm is allowed one farmstead residence.

³¹ Large-scale solar energy systems are allowed as a conditional use in agricultural, industrial, special use, conservation and natural resource districts only.