

**CITY OF KAUKAUNA**

**ORDINANCE NO. 1942-2025**

**ORDINANCE REPEALING AND REPLACING SECTION 17.03**

WHEREAS, the City of Kaukauna is pursuing updates to the existing sign code for greater clarity and simplicity; and,

WHEREAS, this proposed change would remove sign regulations from the definition section of the zoning ordinance to be placed in a specific sign ordinance to be adopted later; and,

WHEREAS, the Plan Commission has recommended the following ordinance changes; and,

WHEREAS, the Legislative Committee has recommended the following ordinance changes; and,

WHEREAS, a public hearing was held on November 18th, 2025 at the Council meeting to hear any public comments on this matter; and,

WHEREAS, the Common Council finds the following ordinance changes to be in the public interest;

NOW THEREFORE, it is ordained by the Common Council of the City of Kaukauna, Wisconsin, that Ordinance Section 17.03 of the Kaukauna Municipal Code be created as follows:

**BEFORE ADOPTION**

**17.03 Definitions**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*A zones* means areas shown on the official floodplain zoning map which would be inundated by the base flood or regional flood as defined herein. These areas may be numbered A0, A1 to A30, or A99. A zones may or may not be reflective of flood profiles, depending on the availability of data for a given area.

*Accessory use or structure* means a use or structure on the same lot with the principal use or structure and of a nature customarily incidental and subordinate to the principal use or structure.

*Alteration* means a change or rearrangement in the structural parts of a structure, an enlargement of a structure, whether by extending on the side or by increasing the height, or the movement of a structure from one location to another.

*Automobile filling stations* means buildings and premises where gasoline, oil, grease, batteries, tires, and automobile accessories may be supplied and dispensed at retail and where, in addition, minor repair work may be performed, such as ignition service, tire repair, repair and replacement of minor parts such as pumps and filters, brake service, and the like. The term "filling station" does not include a repair or body shop.

*Base flood.* See *Flood, regional*.

*Base flood elevation.* See *Flood, regional elevation*.

*Boarding house* means an establishment where meals and lodging are provided for compensation by prearrangement other than in dwelling units without limitation on time periods involved and for a total of at least four or more boarders.

*Buildable area* includes the portion of a lot remaining after the required yards have been provided. Buildings may be placed in any part of the buildable area, but limitations on percent of the lot which may be covered by buildings may require open space within the buildable area.

*Building* means a structure having one or more stories and a roof which is used or intended to be used for the shelter or enclosure of persons, property, or animals.

*Building frontage*, for purposes of computation of number and area of signs permitted on buildings, in cases where lineal feet of building frontage is a determinant, the frontage of a building shall be computed as nearly at ground level as computation of horizontal distance permits. In cases where this test is indeterminate or cannot be applied, as, for instance, where there is a diagonal corner entrance, or where two sides of a building have entrances of equal importance and carry approximately equal volumes of pedestrian traffic, the building inspector shall select building frontage on the basis of interior layout of the buildings, traffic on adjacent streets, or other indicators available. See also *Lot frontage*.

*Building height* means a building's vertical measurement, from the mean level of the finished grade in front of the building to the highest point on the roof line of a flat roof or of a roof having a slope of less than 15 degrees from the horizontal, and to a point midway between the peak and the eaves of a roof having a slope of 15 degrees or more.

*Building line* means the rear edge of any required front yard or the rear edge of any required setback line.

*Bulkhead line* means a geographic line along a reach of navigable water that has been adopted by a city ordinance and approved by the department, pursuant to Wis. Stats. § 30.11, and which allows complete filling to the landward side of the line, except where such filling is prohibited by the floodway provisions of this chapter.

*Channel* means a natural or artificial watercourse with definite bed and banks to confine and conduct normal flow of water.

*Children's home.* See *Convalescent home*.

*Clinic* means an establishment where patients, who are not lodged overnight, are admitted for examination and treatment by one person or a group of persons practicing any form of the healing arts, whether such persons are medical doctors, chiropractors, osteopaths, optometrists, dentists, or any such profession, the practice of which is regulated by the state.

*Common open space* means a parcel of land or an area of water or combination of land and water designated and intended for either the recreational use and enjoyment of residents of the development for which it was established and for the general public, or for the exclusive recreational use and enjoyment of residents of the development from which it was established. No yard required in connection with any principal use or structure shall be designated or intended for use as common open space.

*Convalescent home* means a place where regular care is provided to three or more infirm persons, children, or aged persons who are not members of the family if care is provided in a private residence. The term "convalescent home" includes institutions, whether operated for profit or not, including places operated by units of government.

*Day nursery* means a place where day care is provided to four or more children who are not members of the family which resides on the premises, provided that the term "day nursery" does not include public or private schools organized, operated or approved under state law.

*Department (DNR)* means the state department of natural resources.

*Development* means any manmade change to improved or unimproved real estate, including, but not limited to, construction of, or additions or substantial improvements to, buildings, other structures or accessory uses, mobile homes, mining, dredging, filling, grading, paving, excavation or drilling operations, and deposition or extraction of materials.

*Dog kennel* means a place where more than two adult dogs are boarded for a fee on a recurrent basis, or a place where more than three adult dogs are kept for any purpose.

*Drive-in restaurant* means any establishment dispensing or serving food in automobiles, including those establishments where customers serve themselves and may eat or drink in the building or in their automobiles on the premises.

*Dry land access* means a vehicular access route which is above the regional flood elevation and which connects land located in the floodplain to land outside the floodplain.

*Dwelling, manufactured home*, means a structure transportable in one or more sections which, in traveling mode, is eight body feet or more in width or 40 body feet or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and any plumbing, heating, air conditioning, or electrical systems are included and contained therein.

*Dwelling, mobile home*, means a building transportable in one or more sections, built on a permanent chassis, with body width exceeding eight feet or body length exceeding 32 feet,

designed to be used as a single dwelling with a permanent foundation when connected to the required utilities.

*Dwelling, multiple-family*, means a building containing three or more dwelling units. The term "multiple-family dwelling" includes cooperative apartments, condominiums, apartments, and the like. Regardless of how rental units are equipped, any multiple-family dwelling in which units are available for rental periods of less than one week shall be considered a hotel.

*Dwelling, single-family detached*, means a building containing not more than one dwelling unit, entirely separated from structures on adjacent lots. The term "detached dwelling" shall not include mobile homes, travel trailers, or other forms of portable or temporary housing.

*Dwelling, two-family*, means one building, containing not more than two dwelling units or two buildings, attached at the side, with not more than one dwelling unit per building. The term "two-family dwelling" is intended to imply single-family semi-detached buildings and duplexes or any form which conforms to this definition.

*Dwelling unit* means a room connected together, constituting a separate, independent housekeeping establishment for one family only, for owner occupancy or rental, lease, or other occupancy on a weekly or longer basis, physically separated from any other rooms or dwelling units and containing independent cooking and sleeping facilities.

*Encroachment* means any fill, structure, building, accessory use, or development in the floodway.

*Encroachment, hydraulic; equal degree of*. Any encroachment into the floodway shall be computed by assuming an equal degree of hydraulic encroachment on the other side of a river or stream for a significant hydraulic reach. This computation assures that property owners up, down, or across the river or stream will have the same rights of hydraulic encroachment. Encroachments are analyzed on the basis of the effect upon hydraulic conveyance, not upon the distance the encroachment extends into the floodway.

*Erected* means anything built, constructed, reconstructed, moved upon, or any physical operation on the premises required for building. Excavation, fill, drainage, demolition of an existing structure and the like shall be considered part of erection.

*Family* means one or more persons occupying a single dwelling unit, provided that, unless all members are related by blood, marriage, or adoption, no such family shall contain over five persons, but provided, further, that domestic servants employed on the premises may be housed on the premises without being counted as family.

*Flood or flooding* means a general and temporary condition of partial or complete inundation of normally dry land areas caused by the overflow of inland waters or the unusual and rapid accumulation or runoff of surface waters from any source.

*Flood fringe* means that portion of the floodplain between the floodplain limits and the floodway area which is covered by floodwaters during the regional flood. The flood fringe is generally associated with standing water rather than rapidly flowing water.

*Flood hazard boundary map* means a map prepared by the federal emergency management agency (FEMA), designating approximate flood hazard areas. Flood hazard areas are designated as unnumbered A zones and do not contain floodway lines or regional flood elevations. Such map forms the basis for both the regulatory and insurance aspects of the national flood insurance program.

*Flood insurance study* means a technical engineering examination, evaluation, and determination of the local flood hazard areas. It provides maps designating those areas affected by the regional flood, provides both flood insurance rate zones and regional flood, provides both flood insurance rate zones and regional flood elevations and may provide floodway lines. The flood hazard areas are designated as numbered and unnumbered A zones. Flood insurance study maps form the basis for both the regulatory and the insurance aspects of the national flood insurance program.

*Flood profile* means a graph or a longitudinal profile line showing the relationship of the water surface elevation of a flood event to locations of land surface elevations along a stream or river.

*Flood protection elevation* means an elevation two feet of freeboard above the water surface profile elevation designated for the regional flood.

*Flood, regional*, means a flood determined to be representative of large floods known to have generally occurred in state and which may be expected to occur on a particular stream because of similar characteristics once every 100 years. This means that in any given year, there is a one percent chance that the regional flood may occur or be exceeded.

*Flood, regional elevation*, means an elevation equal to that which reflects the height of the regional flood.

*Flood storage* means those floodplain areas where storage of floodwaters has been taken into account in reducing the regional flood discharge.

*Floodplain* means land which has been or may be covered by floodwater during the regional flood. The floodplain encompasses both the floodway and flood fringe district.

*Floodplain island* means a natural geologic land formation within the floodplain that is surrounded, but not covered, by floodwater during the regional flood.

*Floodplain, storage capacity of*, means the volume of space above an area of floodplain land that can be occupied by floodwater of a given stage at a given time, regardless of whether the water is moving.

*Floodproofing* means any combination of structural provisions, changes or adjustments to properties and structures, water, and sanitary facilities and contents of buildings subject to flooding for the purpose of reducing or eliminating flood damage.

*Floodway* means the channel of a stream and those portions of the floodplain adjoining the channel that are required to carry and discharge the floodwaters or flood flows of any river or stream associated with the regional flood.

*Floor area* means the sum of the gross horizontal areas of the several floors of a building measured from the exterior faces of the exterior walls or from the center line of walls separating two buildings, excluding public corridors, common restrooms, attic areas, unenclosed stairways, elevator structures, heating, or other building machinery equipment or basement space.

*Freeboard* means a flood protection elevation requirement designed as a safety factor which is usually expressed in terms of a specified number of feet above a calculated flood level. Freeboard compensates for the effects of any factors that contribute to flood heights greater than the height calculated. These factors include, but are not limited to, ice jams, debris accumulation, wave action, obstruction of bridge openings and floodways, the effects of urbanization on the hydrology of the watershed, loss of flood storage areas due to development, and aggradation of the river or stream bed.

*Garage, private*, means an accessory structure designed or used for inside parking of private passenger vehicles, recreation vehicles, or boats by the occupants of the principal structure.

*Habitable building* means any building or portion thereof used for human habitation.

*Hearing notice* means a publication or posting meeting the requirements of Wis. Stats. ch. 985.

*Height, building*. See *Building height*.

*High flood damage potential* means damage that could result from flooding that includes any danger to life or health or any significant economic loss to a structure or building and its contents.

*Home occupation* means an occupation conducted entirely in a dwelling unit, provided that:

1. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants and shall, under no circumstances, change the residential character thereof.
2. No person, other than members of the family residing on the premises, shall be engaged in such occupation.
3. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than one sign, not exceeding two square feet in area, non-illuminated, mounted flat against the wall of the principal structure at a position not more than two feet in distance from the main entrance to the residence.
4. No home occupation shall occupy more than 25 percent of the first floor area of the residence. Home occupations may be conducted within an accessory building or

structure, provided that business is conducted entirely within the confines of such a building or structure and between the hours of 8:00 a.m. to 8:00 p.m.

5. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood and any need for parking generated by the conduct of such home occupation shall be met off the street and other than in the required front yard.
6. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates audible or visual interference in any radio or television receivers off the premises.

*Hotel* means an establishment where sleeping accommodations are offered to the public and intended primarily for rental to transients with daily charge, as distinguished from multiple-family dwellings and boarding houses, where rentals are for periods of a week or longer and occupancy is generally by residents rather than transients. Hotels may serve meals to both occupants and others. The term "hotel" is also intended to imply motel, motor court, motor lodge, tourist court, or any form which conforms to this definition.

*Increase in regional flood height* means a calculated upward rise in the regional flood elevation equal to or greater than 0.01 foot, resulting from a comparison of existing conditions and proposed conditions which is directly attributable to development in the floodplain, but not attributable to manipulation of mathematical variables, such as roughness factors, expansion, and contraction coefficients and discharge.

*Kindergarten.* See *Day nursery.*

*Landscaping* includes, but is not limited to, grass, ground covers, shrubs, vines, hedges, trees, berms, and complimentary structural landscape architectural features, such as rocks, fountains, sculpture, decorative walls, and tree wells.

*Limited access roads* means a street or highway to which private drives for vehicular access are prohibited by a governing jurisdiction.

*Lot* means a parcel of land used or set aside and available for use as the site for one or more buildings and building accessories thereto, or for any other purpose, in one ownership and not divided by a street, or including any land within the limits of a public or private street right-of-way. The term "record lot" means land designated as a distinct and separate parcel on a legally recorded deed or plat in the county clerk's office.

*Lot, corner,* means a lot located at the intersection of two or more streets. A lot abutting on a curved street shall be considered a corner lot if straight lines drawn from the foremost point of the lot meet at an interior angle of less than 135 degrees.

*Lot coverage* means the percentage of lot area that is covered or occupied by buildings, including accessory buildings, or the percentage of a lot that may be covered or occupied by buildings, including accessory buildings, under the terms of this chapter.

*Lot depth* means the distance between the midpoints of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.

*Lot frontage* means the portion nearest the street. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to a street shall be considered frontage, and yards shall be provided as set out in this chapter. For the purpose of computing number and area of signs, frontage of a lot shall be established by orientation of the frontage of buildings thereon, or of principal entrance points to the premises if building frontage does not clearly indicate lot frontage. If neither of these methods are determinant, the building inspector shall select on the basis of traffic flow on adjacent streets, and the lot shall be considered to front on the street with the greater flow.

*Lot, interior,* means a lot other than a corner lot with only one frontage on a street.

*Lot, reversed frontage,* means a lot on which the frontage is at right angles or approximately right angles (interior angle less than 135 degrees) to the general pattern in the area. A reversed frontage lot may also be a corner, interior, or through lot.

*Lot, through,* means a lot other than a corner lot with frontage on more than one street. Through lots abutting two streets may be referred to as double frontage lots.

*Lot types.* The diagram which follows illustrates terminology used in these zoning regulations with reference to corner lots, interior lots, reversed frontage lots, and through lots.

*Lot width* means the distance between each side lot line as measured along the street line or right-of-way line. However, the width of lots facing cul-de-sacs may be reduced to not less than 85 percent of the normal required width.

*May.* The term "may" is permissive.

*Mobile home* means a structure transportable in one or more sections, which is built on a permanent chassis and is designed to be used as a dwelling with or without a permanent foundation, when connected to required utilities and includes the plumbing, heating, air conditioning, and electrical systems contained therein. The term "mobile home" does not include recreational vehicles or travel.

*Mobile home park* means premises where mobile homes are located for nontransient living purposes and where sites or lots are set aside or offered for lease or rent for use by mobile homes for living purposes, including any land, building, structure, or facility used by occupants of mobile homes on such premises.

*Mobile home site* means a lot or parcel within a mobile home park designated for the accommodation of not more than one mobile home.

*Mobile home subdivision* means a premises where mobile homes are located for nontransient living purposes and where lots are set aside or offered for sale or use as mobile homes for living purposes, including land, building, structure, or facility used by occupants of mobile homes on such premises.

*Municipality or municipal* means the city.

*NGVD or National Geodetic Vertical Datum* means elevations reference to mean sea level datum, 1929 adjustment.

*Net acre* means the total acreage of a lot, tract, or parcel, excluding land in existing and proposed streets and street rights-of-way.

*Net density* refers to the number of residential dwelling units permitted per net acre of land and is determined by dividing the number of units by the total area of land within the boundaries of a lot or parcel not including streets or street rights-of-way. In the determination of the number of dwellings to be permitted on a specified parcel of land, a fractional unit shall not entitle the applicant to an additional unit.

*Nonconforming structure* means an existing lawful structure or building which is not in conformity with the dimensional or structural requirements of this chapter.

*Nonconforming use* means an existing lawful use or accessory use of a structure or building which is not in conformity with the provisions of this chapter.

*Nursing home.* See *Convalescent home*.

*Obstruction to flow* means any development which physically blocks the conveyance of floodwaters such that this development by itself or in conjunction with any future similar development will cause an increase in regional flood height.

*Occupied.* See *Used*.

*Office, business,* means an office for such activities as real estate agencies, advertising agencies, but not sign shops, insurance agencies, travel agencies and ticket sales, chamber of commerce, credit bureau, but not a finance company, abstract and title agencies, or insurance companies, stockbrokers, and the like. It is characteristic of a business office that retail or wholesale goods are not shown on the premises to a customer. The term "business office" does not include a barber and beauty shop.

*Office, professional,* means an office for the use of persons generally classified as professionals, such as architects, engineers, attorneys, accountants, doctors, dentists, veterinarians, psychiatrists, psychologists, and the like. It is characteristic that display advertising is not used and that the use is characterized by offering consultation services.

*Official floodplain zoning map* means that map, adopted and made part of this chapter, which has been approved by the department and FEMA.

*Off-street loading space* means any off-street space or berth located on the same site with a building or structure having the principal use of the site and utilized for the temporary parking, less than 24 hours, of commercial vehicles to facilitate the loading and unloading of merchandise and materials.

*Off-street parking space* means any off-street space or berth available to the general public to patronize businesses and serve nonresidential uses, for employees' on-the-job storage of their vehicles used for access to their jobs and for occupants of dwellings for storage of their personal vehicles.

*Open space use* means those uses having a relatively low flood damage potential and not involving structures.

*Ordinary high watermark* means the point on the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive mark, such as erosion, destruction, or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristics.

*Pari-mutuel racing facility* means an entertainment facility containing a racetrack, licensed under Wis. Stats. § 562.05(1), at which pari-mutuel betting is conducted. The term "pari-mutuel racing facility" may include such accessory uses and structures as restaurants and taverns, as well as boarding and veterinary facilities for racing animals.

*Person* includes a firm, association, organization, trust, partnership, company, or corporation as well as an individual.

*Planned unit development* means a residential land development comprehensively planned as an entity via a unitary plan which permits flexibility in building siting, mixtures of housing types, usable open spaces, and the preservation of significant natural resources.

*Present tense* includes the future tense and the singular includes the plural.

*Private sewage system* means a sewage treatment and disposal system serving a single structure with a septic tank and soil absorption field located on the same parcel as the structure. The term "private sewage system" also means an alternative sewage system approved by the department of industry, labor, and human relations, including a substitute for the septic tank or soil absorption field, a holding tank, a system serving more than one structure or a system located on a different parcel than the structure.

*Public utilities* means those utilities using underground or overhead transmission lines, such as electric, telephone and telegraph, and distribution and collection systems, such as water sanitary sewer and storm sewer.

*Reach, hydraulic*, means that portion of the river or stream extending from one significant change in the hydraulic character of the river or stream to the next significant change. These changes are usually associated with breaks in the slope of the water surface profile and may be

caused by bridges, dams, expansion and contraction of the water flow, and changes in the stream bed slope or vegetation.

*Regional flood.* See *Flood, regional.*

*Regional flood elevation.* See *Flood, regional elevation.*

*Salvage or wrecking yards* are sites or facilities at which vehicles, appliances, machinery, equipment, electronics, scrap metals, paper, cardboard, plastic or other like salvageable materials are collected, stored, processed, crushed, sorted, separated, dismantled, demolished or otherwise handled, whether such activity is conducted within or without a structure, and whether the same is screened, fenced or done in the open.

*Shopping center* means a commercial land development consisting of three or more establishments, comprehensively planned as an entity via a unitary plan, under one ownership or unified control or management.

*Sign* means any structure, part thereof or device attached thereto or painted or represented thereon, which displays or includes any numeral, letter, word, model, banner, emblem, device, trademark, or other representation used as or in the nature of an announcement, advertisement, direction, or designation of any person or thing in such a manner as to attract attention from outside of the building. The following types of signs are exempted from permit requirements, but must be in conformance with all other requirements in this chapter:

1. *Construction signs.* Two construction signs per construction site not exceeding 100 square feet in area which shall be confined to the site of construction and shall be removed 30 days after completion of construction or prior to occupancy after construction, whichever is sooner.
2. *Directional and instructional signs.* Directional and instructional non-electric signs which provide instruction or direction and are located entirely on a property to which they pertain, do not exceed six square feet in area and do not in any way advertise a business. This includes, but is not limited to, such signs as those identifying restrooms, telephones, parking areas, entrances, and exits.
3. *Non-illuminated emblems.* Non-illuminated emblems or insignia of any nation, political subdivision, or nonprofit organization.
4. *Government signs.* Government signs for control of traffic and other regulatory purposes and including danger signs, railroad crossing signs, and signs of public utilities indicating danger or aids to service or safety which are erected by or on the order of a public officer in the performance of his duty.
5. *Home occupation signs.* Home occupation signs associated with permitted home occupations as defined in this section.

6. *House numbers and nameplates.* Property numbers, post box numbers, names of occupants of the premises, or other identification not having commercial connotations.
7. *Interior signs.* Interior signs located entirely within a building.
8. *Memorial signs and plaques.* Memorial signs or tablets, plaques, names of buildings, and date of erection, which are cut into masonry surfaces or inlaid so as to be part of a building or when constructed of bronze or other noncombustible material not more than four square feet in area.
9. *No trespassing or no dumping signs.* No trespassing and no dumping signs not to exceed 1 1/2 square feet in area.
10. *Public notices.* Public notices posted by public officials or employees in the performance of their duties.
11. *Public signs.* Public signs required as specifically authorized for a public purpose by any law, statute, or ordinance.
12. *Political and campaign signs.* Political and campaign signs on behalf of candidates for public office or measures on election ballots, provided that such signs are subject to the following regulations:
  1. Such signs, except billboards, may be erected not earlier than 30 days prior to the primary election and shall be removed within 15 days following such general election.
  2. No sign, except billboards, shall exceed 16 square feet in nonresidential zoning districts and eight square feet in residential zoning districts.
  3. No sign shall be located within 15 feet of the public right-of-way at a street intersection or over the right-of-way.
13. *Real estate signs.* One real estate sales sign for each street frontage on any lot or parcel, provided that such sign is located entirely within the property to which the sign applies and is not directly illuminated. Such signs are subject to the following regulations:
  1. In residential zoning districts, such signs shall not exceed six square feet in area and shall be removed within seven days after the sale, rental, or lease has been accomplished.
  2. In all other zoning districts, such signs shall not exceed 32 square feet in area and shall be removed within 15 days after the sale, rental, or lease has been accomplished.
14. *Temporary window signs.* In commercial and industrial zoning districts, the inside surface of any ground floor window may be used for attachment of temporary signs. The

total area of such signs, however, shall not exceed 50 percent of the total window area and shall not be placed on door windows or other windows needed to be clear for pedestrian safety.

15. *On-premises symbols and insignia.* Religious symbols, commemorative plaques of recognized historic agencies, or identification emblems of religious orders or historic agencies.
16. *On- and off-premises temporary signs.* Temporary signs not exceeding 32 square feet in area pertaining to fund or pledge drives or events of civic, philanthropic, educational, or religious organizations, provided that such signs are posted not more than 30 days before such event and removed within five days after the event.
17. *Vehicular signs.* Truck, bus, trailer, or other vehicle signs while operating in the normal use of business, which is not primarily the display of signs.
18. *Neighborhood identification signs.* In any zone, a sign, masonry wall, landscaping, or other similar material and feature may be combined to form a display for neighborhood or tract identification, provided that the legend of such sign or display shall consist only of the neighborhood or tract name.

*Sign area* includes the entire area within the periphery of a regular geometric form or combinations of regular geometric forms, comprising all of the display area of the sign and including all of the elements of the matter displayed, but not including frames or structural elements of the sign bearing no advertising matter. In the case of double face signs, where both faces advertise a single facility, product, or service, only one face shall count toward the total aggregate area. Where both faces do not advertise a single facility, product, or service, each face shall be measured as surface area.

*Sign, number,* for the purpose of determining the number of signs, means a single display surface or device containing elements organized, related, and composed to form a unit. In the case of double face signs, where both faces advertise a single facility, product, or service, the total sign shall constitute a single sign. Where both faces do not advertise a single facility, product, or service, each sign face shall constitute a single sign. Where matter is displayed in a random manner without organized relationship of elements, or where there is reasonable doubt about the relationship of elements, each element shall be considered to be a single sign.

*Sign, on-site,* means a sign relating in its subject matter to the premises on which it is located. Unless provided otherwise, all permitted signs shall be on site.

*Sign types.*

*Abandoned sign* means a sign which no longer identifies or advertises a bona fide business, lessee, service, owner, product, or activity or for which no legal owner can be found.

*Awning sign* means a sign painted on, printed on, or attached flat against the surface of an awning. The term "awning" shall be defined as a shelter projecting from and supported by the exterior wall of a building constructed of non-rigid materials on a supporting framework.

*Billboard sign* means any wall-mounted or freestanding sign structure advertising an establishment, merchandise, service, or entertainment, which is not sold, produced, manufactured, or furnished at the property on which such sign is located.

*Changeable copy sign, automatic*, means a sign on which the characters, letters, or illustrations can be changed or rearranged automatically on a lampback or through mechanical means without altering the face or surface of the sign.

*Delivery sign* means signs identifying the occupant shall be permitted at the rear entrance doors to the premises. Such signs shall be of a nonluminous type, but may be illuminated by a protected, shielded incandescent light directed at the sign. The size of the sign shall not exceed six square feet in area. No other sign shall be permitted on the rear of the building.

*Detached sign* means a sign not attached to or painted on a building, but which is supported by structures or supports in or upon the ground, fence, or wall and independent of support from any building.

*Directory sign* means a sign identifying two or more persons, agencies, or establishments located in a place or location common to all.

*Facade* means the entire building front, including the store front, with an entrance and display windows, the upper facade, usually with regularly spaced windows, and the cornice that caps the building.

*Flat sign* means a sign attached to and parallel to the face of a building or erected or painted on the outside wall of a building and where support of such sign is provided by the wall. No part of such sign shall extend more than 18 inches from the building.

*Ground sign* means a sign erected on a freestanding frame, mast, pole, or more than one such mast or pole, not attached to any building.

*Home occupation sign* means a sign that identifies only the name or occupation of a practitioner or one conducting a permitted home occupation in a dwelling.

*Identification sign* means a sign whose copy is limited to the name and address of a building, institution, or person or to the activity or occupation being identified.

*Illuminated sign* means any sign illuminated in any manner by an artificial light source.

*Logo* means a symbol or trademark commonly used to identify a business or organization, but which in itself contains no word or numeral.

*Marquee sign* means any sign attached to or supported by a marquee structure. The term "marquee" shall be defined as a permanent roof-like structure or canopy of rigid materials supported by and extending from the facade of a building.

*Nonpermanent sign* means any sign not permanently affixed to a structure or a self-propelled or towed vehicle or not permanently ground mounted, which is intended to be displayed for a short time on the premises.

*Owner* means a person recorded as such on official records. For the purpose of this chapter, the owner of property on which the sign is located is presumed to be the owner of the sign, unless facts to the contrary are officially recorded or otherwise brought to the attention of the building inspector.

*Projecting sign* means a sign, other than a flat sign, which is attached to and projects 18 inches or more from the face of the building wall or other structure not specifically designed to support the sign.

*Roof line* means the uppermost line of the roof of a building or, in the case of an extended facade, the uppermost height of such facade, excluding any cupolas, pylons, chimneys, or minor projections.

*Roof sign* means a sign erected upon, against, or above a roof line and extending above the highest point of the roof.

*Roof street sign* means a sign erected on the roof of a building, no portion of which is above the roof line.

*Signable area* means one designated area of the facade of the building up to the roof line which is free of windows and doors or major architectural detail on which a sign is to be displayed. The size of the signable area is determined by calculating the number of square feet which are enclosed by an imaginary rectangle or square drawn around the selected area. The term "signable area" shall be limited to that portion of the building below the sill line of the second story, unless the business being signed is located on the second story, in which case the signable area may extend to the sill line of the third story.

*Subdivision identification sign* means a sign containing the name of the subdivision in which it is located.

*Temporary sign* means a sign not constructed or intended for long-term use.

*Wall sign* means a sign attached to or erected against the wall of a building with the face in a parallel plane to the plane of the building.

*Window sign* means any sign installed inside or upon a window, facing the outside, and which is intended to be seen from the exterior.

*Storage capacity of a floodplain.* See *Floodplain, storage capacity of.*

*Story* means that portion of a building, other than a basement, that is between the surface of any floor and the surface of the next floor above it, or, if there is not a floor above, then the space between such floor and the ceiling next above it.

*Street line* means the dividing line between the street and the lot. The term "street line" is the same as the legal right-of-way line.

*Structure* means any manmade object with form, shape, and utility, either permanently or temporarily attached to, placed upon, or set into the ground, stream bed, or lake bed, which includes, but is not limited to, such objects as roofed and walled buildings, gas, or liquid storage tanks, bridges, dams and culverts.

*Structure, accessory.* See *Accessory use or structure*.

*Substantial improvement* means any structural repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the present equalized assessed value of the structure, either before the improvement or repair is started or if the structure has been damaged and is being restored, before the damage occurred. Ordinary maintenance repairs are not considered structural repairs, modifications, or additions. Such ordinary maintenance repairs include internal and external painting, decorating, paneling, and the replacement of doors, windows, and other nonstructural components. For purposes of this definition, substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term "substantial improvement" does not, however, include either:

1. Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to ensure safe living conditions.
2. Any alteration of a structure or site documented as deserving preservation by the state historical society or listed on the national register of historic places.

*Unnecessary hardship* means a situation in which circumstance or special conditions affecting a particular property, which were not self-created, have made strict conformity with restrictions governing areas, setbacks, frontage, height, or density unnecessarily burdensome or unreasonable, in light of the purpose of this chapter.

*Used* means intended, designed, or arranged to be used or occupied.

*Utility storage structure* means an uninhabited, subordinate structure not attached to the principal structure or the accessory structure, the use of which is incidental to and customary in conjunction with the principal use of the structure, e.g., storage of lawn and garden equipment, etc., to be located in the rear yard of the principal structure.

*Variance* means an authorization by the board of appeals for the construction or maintenance of a building or structure in a manner which is inconsistent with dimensional standards contained in this chapter.

*Water surface profile* means a graphical representation showing the elevation of the water surface of a watercourse for each position along a reach of river or stream at a certain flood flow. A water surface profile of the regional flood is used in regulating floodplain areas.

*Well.* An excavation opening in the ground made by digging, boring, drilling, driving, or other methods for the purpose of obtaining groundwater, regardless of its intended use.

*Yard* means an open space, other than a court, on a lot, unoccupied and unobstructed from the ground upward; provided, however, that fences, walls, poles, posts, and other customary yard accessory ornaments and furniture may be permitted in any yard subject to height limitations and requirements limiting obstruction of visibility.

*Yard, front,* means a yard extending across the front of a lot between the side lot lines and extending from the street line to the nearest line of the principal structure or projection of the principal structure.

*Yard, rear,* means a yard extending across the rear of a lot between the side lot lines and extending from the rear property line to the nearest line of the principal structure or projection of the principal structure.

*Yard, side,* means a yard extending between the nearest building or projection thereto and the side lot line and extending from the front yard to the rear yard.

(Code 2011, § 17.03; Ord. No. 1677, 3-20-2012)

## **AFTER ADOPTION**

### **17.03 Definitions**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*A zones* means areas shown on the official floodplain zoning map which would be inundated by the base flood or regional flood as defined herein. These areas may be numbered A0, A1 to A30, or A99. A zones may or may not be reflective of flood profiles, depending on the availability of data for a given area.

*Accessory use or structure* means a use or structure on the same lot with the principal use or structure and of a nature customarily incidental and subordinate to the principal use or structure.

*Alteration* means a change or rearrangement in the structural parts of a structure, an enlargement of a structure, whether by extending on the side or by increasing the height, or the movement of a structure from one location to another.

*Automobile filling stations* means buildings and premises where gasoline, oil, grease, batteries, tires, and automobile accessories may be supplied and dispensed at retail and where, in addition, minor repair work may be performed, such as ignition service, tire repair, repair and replacement of minor parts such as pumps and filters, brake service, and the like. The term "filling station" does not include a repair or body shop.

*Base flood.* See *Flood, regional*.

*Base flood elevation.* See *Flood, regional elevation*.

*Boarding house* means an establishment where meals and lodging are provided for compensation by prearrangement other than in dwelling units without limitation on time periods involved and for a total of at least four or more boarders.

*Buildable area* includes the portion of a lot remaining after the required yards have been provided. Buildings may be placed in any part of the buildable area, but limitations on percent of the lot which may be covered by buildings may require open space within the buildable area.

*Building* means a structure having one or more stories and a roof which is used or intended to be used for the shelter or enclosure of persons, property, or animals.

*Building frontage*, for purposes of computation of number and area of signs permitted on buildings, in cases where lineal feet of building frontage is a determinant, the frontage of a building shall be computed as nearly at ground level as computation of horizontal distance permits. In cases where this test is indeterminate or cannot be applied, as, for instance, where there is a diagonal corner entrance, or where two sides of a building have entrances of equal importance and carry approximately equal volumes of pedestrian traffic, the building inspector shall select building frontage on the basis of interior layout of the buildings, traffic on adjacent streets, or other indicators available. See also *Lot frontage*.

*Building height* means a building's vertical measurement, from the mean level of the finished grade in front of the building to the highest point on the roof line of a flat roof or of a roof having a slope of less than 15 degrees from the horizontal, and to a point midway between the peak and the eaves of a roof having a slope of 15 degrees or more.

*Building line* means the rear edge of any required front yard or the rear edge of any required setback line.

*Bulkhead line* means a geographic line along a reach of navigable water that has been adopted by a city ordinance and approved by the department, pursuant to Wis. Stats. § 30.11, and which allows complete filling to the landward side of the line, except where such filling is prohibited by the floodway provisions of this chapter.

*Channel* means a natural or artificial watercourse with definite bed and banks to confine and conduct normal flow of water.

*Children's home.* See *Convalescent home*.

*Clinic* means an establishment where patients, who are not lodged overnight, are admitted for examination and treatment by one person or a group of persons practicing any form of the healing arts, whether such persons are medical doctors, chiropractors, osteopaths, optometrists, dentists, or any such profession, the practice of which is regulated by the state.

*Common open space* means a parcel of land or an area of water or combination of land and water designated and intended for either the recreational use and enjoyment of residents of the development for which it was established and for the general public, or for the exclusive recreational use and enjoyment of residents of the development from which it was established. No yard required in connection with any principal use or structure shall be designated or intended for use as common open space.

*Convalescent home* means a place where regular care is provided to three or more infirm persons, children, or aged persons who are not members of the family if care is provided in a private residence. The term "convalescent home" includes institutions, whether operated for profit or not, including places operated by units of government.

*Day nursery* means a place where day care is provided to four or more children who are not members of the family which resides on the premises, provided that the term "day nursery" does not include public or private schools organized, operated or approved under state law.

*Department (DNR)* means the state department of natural resources.

*Development* means any manmade change to improved or unimproved real estate, including, but not limited to, construction of, or additions or substantial improvements to, buildings, other structures or accessory uses, mobile homes, mining, dredging, filling, grading, paving, excavation or drilling operations, and deposition or extraction of materials.

*Dog kennel* means a place where more than two adult dogs are boarded for a fee on a recurrent basis, or a place where more than three adult dogs are kept for any purpose.

*Drive-in restaurant* means any establishment dispensing or serving food in automobiles, including those establishments where customers serve themselves and may eat or drink in the building or in their automobiles on the premises.

*Dry land access* means a vehicular access route which is above the regional flood elevation and which connects land located in the floodplain to land outside the floodplain.

*Dwelling, manufactured home*, means a structure transportable in one or more sections which, in traveling mode, is eight body feet or more in width or 40 body feet or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and any plumbing, heating, air conditioning, or electrical systems are included and contained therein.

*Dwelling, mobile home*, means a building transportable in one or more sections, built on a permanent chassis, with body width exceeding eight feet or body length exceeding 32 feet, designed to be used as a single dwelling with a permanent foundation when connected to the required utilities.

*Dwelling, multiple-family*, means a building containing three or more dwelling units. The term "multiple-family dwelling" includes cooperative apartments, condominiums, apartments, and the

like. Regardless of how rental units are equipped, any multiple-family dwelling in which units are available for rental periods of less than one week shall be considered a hotel.

*Dwelling, single-family detached*, means a building containing not more than one dwelling unit, entirely separated from structures on adjacent lots. The term "detached dwelling" shall not include mobile homes, travel trailers, or other forms of portable or temporary housing.

*Dwelling, two-family*, means one building, containing not more than two dwelling units or two buildings, attached at the side, with not more than one dwelling unit per building. The term "two-family dwelling" is intended to imply single-family semi-detached buildings and duplexes or any form which conforms to this definition.

*Dwelling unit* means a room connected together, constituting a separate, independent housekeeping establishment for one family only, for owner occupancy or rental, lease, or other occupancy on a weekly or longer basis, physically separated from any other rooms or dwelling units and containing independent cooking and sleeping facilities.

*Encroachment* means any fill, structure, building, accessory use, or development in the floodway.

*Encroachment, hydraulic; equal degree of*. Any encroachment into the floodway shall be computed by assuming an equal degree of hydraulic encroachment on the other side of a river or stream for a significant hydraulic reach. This computation assures that property owners up, down, or across the river or stream will have the same rights of hydraulic encroachment. Encroachments are analyzed on the basis of the effect upon hydraulic conveyance, not upon the distance the encroachment extends into the floodway.

*Erected* means anything built, constructed, reconstructed, moved upon, or any physical operation on the premises required for building. Excavation, fill, drainage, demolition of an existing structure and the like shall be considered part of erection.

*Family* means one or more persons occupying a single dwelling unit, provided that, unless all members are related by blood, marriage, or adoption, no such family shall contain over five persons, but provided, further, that domestic servants employed on the premises may be housed on the premises without being counted as family.

*Flood or flooding* means a general and temporary condition of partial or complete inundation of normally dry land areas caused by the overflow of inland waters or the unusual and rapid accumulation or runoff of surface waters from any source.

*Flood fringe* means that portion of the floodplain between the floodplain limits and the floodway area which is covered by floodwaters during the regional flood. The flood fringe is generally associated with standing water rather than rapidly flowing water.

*Flood hazard boundary map* means a map prepared by the federal emergency management agency (FEMA), designating approximate flood hazard areas. Flood hazard areas are designated as unnumbered A zones and do not contain floodway lines or regional flood elevations. Such map forms the basis for both the regulatory and insurance aspects of the national flood insurance program.

*Flood insurance study* means a technical engineering examination, evaluation, and determination of the local flood hazard areas. It provides maps designating those areas affected

by the regional flood, provides both flood insurance rate zones and regional flood elevations and may provide floodway lines. The flood hazard areas are designated as numbered and unnumbered A zones. Flood insurance study maps form the basis for both the regulatory and the insurance aspects of the national flood insurance program.

*Flood profile* means a graph or a longitudinal profile line showing the relationship of the water surface elevation of a flood event to locations of land surface elevations along a stream or river.

*Flood protection elevation* means an elevation two feet of freeboard above the water surface profile elevation designated for the regional flood.

*Flood, regional*, means a flood determined to be representative of large floods known to have generally occurred in state and which may be expected to occur on a particular stream because of similar characteristics once every 100 years. This means that in any given year, there is a one percent chance that the regional flood may occur or be exceeded.

*Flood, regional elevation*, means an elevation equal to that which reflects the height of the regional flood.

*Flood storage* means those floodplain areas where storage of floodwaters has been taken into account in reducing the regional flood discharge.

*Floodplain* means land which has been or may be covered by floodwater during the regional flood. The floodplain encompasses both the floodway and flood fringe district.

*Floodplain island* means a natural geologic land formation within the floodplain that is surrounded, but not covered, by floodwater during the regional flood.

*Floodplain, storage capacity of*, means the volume of space above an area of floodplain land that can be occupied by floodwater of a given stage at a given time, regardless of whether the water is moving.

*Floodproofing* means any combination of structural provisions, changes or adjustments to properties and structures, water, and sanitary facilities and contents of buildings subject to flooding for the purpose of reducing or eliminating flood damage.

*Floodway* means the channel of a stream and those portions of the floodplain adjoining the channel that are required to carry and discharge the floodwaters or flood flows of any river or stream associated with the regional flood.

*Floor area* means the sum of the gross horizontal areas of the several floors of a building measured from the exterior faces of the exterior walls or from the center line of walls separating two buildings, excluding public corridors, common restrooms, attic areas, unenclosed stairways, elevator structures, heating, or other building machinery equipment or basement space.

*Freeboard* means a flood protection elevation requirement designed as a safety factor which is usually expressed in terms of a specified number of feet above a calculated flood level. Freeboard compensates for the effects of any factors that contribute to flood heights greater than the height calculated. These factors include, but are not limited to, ice jams, debris accumulation, wave action, obstruction of bridge openings and floodways, the effects of

urbanization on the hydrology of the watershed, loss of flood storage areas due to development, and aggradation of the river or stream bed.

*Garage, private*, means an accessory structure designed or used for inside parking of private passenger vehicles, recreation vehicles, or boats by the occupants of the principal structure.

*Habitable building* means any building or portion thereof used for human habitation.

*Hearing notice* means a publication or posting meeting the requirements of Wis. Stats. ch. 985.

*Height, building*. See *Building height*.

*High flood damage potential* means damage that could result from flooding that includes any danger to life or health or any significant economic loss to a structure or building and its contents.

*Home occupation* means an occupation conducted entirely in a dwelling unit, provided that:

1. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants and shall, under no circumstances, change the residential character thereof.
2. No person, other than members of the family residing on the premises, shall be engaged in such occupation.
3. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than one sign, not exceeding two square feet in area, non-illuminated, mounted flat against the wall of the principal structure at a position not more than two feet in distance from the main entrance to the residence.
4. No home occupation shall occupy more than 25 percent of the first floor area of the residence. Home occupations may be conducted within an accessory building or structure, provided that business is conducted entirely within the confines of such a building or structure and between the hours of 8:00 a.m. to 8:00 p.m.
5. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood and any need for parking generated by the conduct of such home occupation shall be met off the street and other than in the required front yard.
6. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates audible or visual interference in any radio or television receivers off the premises.

*Hotel* means an establishment where sleeping accommodations are offered to the public and intended primarily for rental to transients with daily charge, as distinguished from multiple-family dwellings and boarding houses, where rentals are for periods of a week or longer and occupancy is generally by residents rather than transients. Hotels may serve meals to both

occupants and others. The term "hotel" is also intended to imply motel, motor court, motor lodge, tourist court, or any form which conforms to this definition.

*Increase in regional flood height* means a calculated upward rise in the regional flood elevation equal to or greater than 0.01 foot, resulting from a comparison of existing conditions and proposed conditions which is directly attributable to development in the floodplain, but not attributable to manipulation of mathematical variables, such as roughness factors, expansion, and contraction coefficients and discharge.

*Kindergarten.* See *Day nursery.*

*Landscaping* includes, but is not limited to, grass, ground covers, shrubs, vines, hedges, trees, berms, and complimentary structural landscape architectural features, such as rocks, fountains, sculpture, decorative walls, and tree wells.

*Limited access roads* means a street or highway to which private drives for vehicular access are prohibited by a governing jurisdiction.

*Lot* means a parcel of land used or set aside and available for use as the site for one or more buildings and building accessories thereto, or for any other purpose, in one ownership and not divided by a street, or including any land within the limits of a public or private street right-of-way. The term "record lot" means land designated as a distinct and separate parcel on a legally recorded deed or plat in the county clerk's office.

*Lot, corner,* means a lot located at the intersection of two or more streets. A lot abutting on a curved street shall be considered a corner lot if straight lines drawn from the foremost point of the lot meet at an interior angle of less than 135 degrees.

*Lot coverage* means the percentage of lot area that is covered or occupied by buildings, including accessory buildings, or the percentage of a lot that may be covered or occupied by buildings, including accessory buildings, under the terms of this chapter.

*Lot depth* means the distance between the midpoints of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.

*Lot frontage* means the portion nearest the street. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to a street shall be considered frontage, and yards shall be provided as set out in this chapter. For the purpose of computing number and area of signs, frontage of a lot shall be established by orientation of the frontage of buildings thereon, or of principal entrance points to the premises if building frontage does not clearly indicate lot frontage. If neither of these methods are determinant, the building inspector shall select on the basis of traffic flow on adjacent streets, and the lot shall be considered to front on the street with the greater flow.

*Lot, interior,* means a lot other than a corner lot with only one frontage on a street.

*Lot, reversed frontage,* means a lot on which the frontage is at right angles or approximately right angles (interior angle less than 135 degrees) to the general pattern in the area. A reversed frontage lot may also be a corner, interior, or through lot.

*Lot, through,* means a lot other than a corner lot with frontage on more than one street. Through lots abutting two streets may be referred to as double frontage lots.

*Lot types.* The diagram which follows illustrates terminology used in these zoning regulations with reference to corner lots, interior lots, reversed frontage lots, and through lots.

*Lot width* means the distance between each side lot line as measured along the street line or right-of-way line. However, the width of lots facing cul-de-sacs may be reduced to not less than 85 percent of the normal required width.

*May.* The term "may" is permissive.

*Mobile home* means a structure transportable in one or more sections, which is built on a permanent chassis and is designed to be used as a dwelling with or without a permanent foundation, when connected to required utilities and includes the plumbing, heating, air conditioning, and electrical systems contained therein. The term "mobile home" does not include recreational vehicles or travel.

*Mobile home park* means premises where mobile homes are located for nontransient living purposes and where sites or lots are set aside or offered for lease or rent for use by mobile homes for living purposes, including any land, building, structure, or facility used by occupants of mobile homes on such premises.

*Mobile home site* means a lot or parcel within a mobile home park designated for the accommodation of not more than one mobile home.

*Mobile home subdivision* means a premises where mobile homes are located for nontransient living purposes and where lots are set aside or offered for sale or use as mobile homes for living purposes, including land, building, structure, or facility used by occupants of mobile homes on such premises.

*Municipality or municipal* means the city.

*NGVD or National Geodetic Vertical Datum* means elevations reference to mean sea level datum, 1929 adjustment.

*Net acre* means the total acreage of a lot, tract, or parcel, excluding land in existing and proposed streets and street rights-of-way.

*Net density* refers to the number of residential dwelling units permitted per net acre of land and is determined by dividing the number of units by the total area of land within the boundaries of a lot or parcel not including streets or street rights-of-way. In the determination of the number of dwellings to be permitted on a specified parcel of land, a fractional unit shall not entitle the applicant to an additional unit.

*Nonconforming structure* means an existing lawful structure or building which is not in conformity with the dimensional or structural requirements of this chapter.

*Nonconforming use* means an existing lawful use or accessory use of a structure or building which is not in conformity with the provisions of this chapter.

*Nursing home.* See *Convalescent home*.

*Obstruction to flow* means any development which physically blocks the conveyance of floodwaters such that this development by itself or in conjunction with any future similar development will cause an increase in regional flood height.

*Occupied. See Used.*

*Office, business,* means an office for such activities as real estate agencies, advertising agencies, but not sign shops, insurance agencies, travel agencies and ticket sales, chamber of commerce, credit bureau, but not a finance company, abstract and title agencies, or insurance companies, stockbrokers, and the like. It is characteristic of a business office that retail or wholesale goods are not shown on the premises to a customer. The term "business office" does not include a barber and beauty shop.

*Office, professional,* means an office for the use of persons generally classified as professionals, such as architects, engineers, attorneys, accountants, doctors, dentists, veterinarians, psychiatrists, psychologists, and the like. It is characteristic that display advertising is not used and that the use is characterized by offering consultation services.

*Official floodplain zoning map* means that map, adopted and made part of this chapter, which has been approved by the department and FEMA.

*Off-street loading space* means any off-street space or berth located on the same site with a building or structure having the principal use of the site and utilized for the temporary parking, less than 24 hours, of commercial vehicles to facilitate the loading and unloading of merchandise and materials.

*Off-street parking space* means any off-street space or berth available to the general public to patronize businesses and serve nonresidential uses, for employees' on-the-job storage of their vehicles used for access to their jobs and for occupants of dwellings for storage of their personal vehicles.

*Open space use* means those uses having a relatively low flood damage potential and not involving structures.

*Ordinary high watermark* means the point on the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive mark, such as erosion, destruction, or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristics.

*Pari-mutuel racing facility* means an entertainment facility containing a racetrack, licensed under Wis. Stats. § 562.05(1), at which pari-mutuel betting is conducted. The term "pari-mutuel racing facility" may include such accessory uses and structures as restaurants and taverns, as well as boarding and veterinary facilities for racing animals.

*Person* includes a firm, association, organization, trust, partnership, company, or corporation as well as an individual.

*Planned unit development* means a residential land development comprehensively planned as an entity via a unitary plan which permits flexibility in building siting, mixtures of housing types, usable open spaces, and the preservation of significant natural resources.

*Present tense* includes the future tense and the singular includes the plural.

*Private sewage system* means a sewage treatment and disposal system serving a single structure with a septic tank and soil absorption field located on the same parcel as the structure. The term "private sewage system" also means an alternative sewage system approved by the

department of industry, labor, and human relations, including a substitute for the septic tank or soil absorption field, a holding tank, a system serving more than one structure or a system located on a different parcel than the structure.

*Public utilities* means those utilities using underground or overhead transmission lines, such as electric, telephone and telegraph, and distribution and collection systems, such as water sanitary sewer and storm sewer.

*Reach, hydraulic*, means that portion of the river or stream extending from one significant change in the hydraulic character of the river or stream to the next significant change. These changes are usually associated with breaks in the slope of the water surface profile and may be caused by bridges, dams, expansion and contraction of the water flow, and changes in the stream bed slope or vegetation.

*Regional flood*. See *Flood, regional*.

*Regional flood elevation*. See *Flood, regional elevation*.

*Salvage or wrecking yards* are sites or facilities at which vehicles, appliances, machinery, equipment, electronics, scrap metals, paper, cardboard, plastic or other like salvageable materials are collected, stored, processed, crushed, sorted, separated, dismantled, demolished or otherwise handled, whether such activity is conducted within or without a structure, and whether the same is screened, fenced or done in the open.

*Shopping center* means a commercial land development consisting of three or more establishments, comprehensively planned as an entity via a unitary plan, under one ownership or unified control or management.

*Sign* means any structure, part thereof or device attached thereto or painted or represented thereon, which displays or includes any numeral, letter, word, model, banner, emblem, device, trademark, or other representation used as or in the nature of an announcement, advertisement, direction, or designation of any person or thing in such a manner as to attract attention from outside of the building.

*Sign area* includes the entire area within the periphery of a regular geometric form or combinations of regular geometric forms, comprising all of the display area of the sign and including all of the elements of the matter displayed, but not including frames or structural elements of the sign bearing no advertising matter. In the case of double face signs, where both faces advertise a single facility, product, or service, only one face shall count toward the total aggregate area. Where both faces do not advertise a single facility, product, or service, each face shall be measured as surface area.

*Sign, number*, for the purpose of determining the number of signs, means a single display surface or device containing elements organized, related, and composed to form a unit. In the case of double face signs, where both faces advertise a single facility, product, or service, the total sign shall constitute a single sign. Where both faces do not advertise a single facility, product, or service, each sign face shall constitute a single sign. Where matter is displayed in a random manner without organized relationship of elements, or where there is reasonable doubt about the relationship of elements, each element shall be considered to be a single sign.

*Sign, on-site*, means a sign relating in its subject matter to the premises on which it is located. Unless provided otherwise, all permitted signs shall be on site.

*Sign types.*

*Abandoned sign* means a sign which no longer identifies or advertises a bona fide business, lessee, service, owner, product, or activity or for which no legal owner can be found.

*Awning sign* means a sign painted on, printed on, or attached flat against the surface of an awning. The term "awning" shall be defined as a shelter projecting from and supported by the exterior wall of a building constructed of non-rigid materials on a supporting framework.

*Billboard sign* means any wall-mounted or freestanding sign structure advertising an establishment, merchandise, service, or entertainment, which is not sold, produced, manufactured, or furnished at the property on which such sign is located.

*Changeable copy sign, automatic*, means a sign on which the characters, letters, or illustrations can be changed or rearranged automatically on a lampback or through mechanical means without altering the face or surface of the sign.

*Delivery sign* means signs identifying the occupant shall be permitted at the rear entrance doors to the premises. Such signs shall be of a nonluminous type, but may be illuminated by a protected, shielded incandescent light directed at the sign. The size of the sign shall not exceed six square feet in area. No other sign shall be permitted on the rear of the building.

*Detached sign* means a sign not attached to or painted on a building, but which is supported by structures or supports in or upon the ground, fence, or wall and independent of support from any building.

*Directory sign* means a sign identifying two or more persons, agencies, or establishments located in a place or location common to all.

*Facade* means the entire building front, including the store front, with an entrance and display windows, the upper facade, usually with regularly spaced windows, and the cornice that caps the building.

*Flat sign* means a sign attached to and parallel to the face of a building or erected or painted on the outside wall of a building and where support of such sign is provided by the wall. No part of such sign shall extend more than 18 inches from the building.

*Ground sign* means a sign erected on a freestanding frame, mast, pole, or more than one such mast or pole, not attached to any building.

*Home occupation sign* means a sign that identifies only the name or occupation of a practitioner or one conducting a permitted home occupation in a dwelling.

*Identification sign* means a sign whose copy is limited to the name and address of a building, institution, or person or to the activity or occupation being identified.

*Illuminated sign* means any sign illuminated in any manner by an artificial light source.

*Logo* means a symbol or trademark commonly used to identify a business or organization, but which in itself contains no word or numeral.

*Marquee sign* means any sign attached to or supported by a marquee structure. The term "marquee" shall be defined as a permanent roof-like structure or canopy of rigid materials supported by and extending from the facade of a building.

*Nonpermanent sign* means any sign not permanently affixed to a structure or a self-propelled or towed vehicle or not permanently ground mounted, which is intended to be displayed for a short time on the premises.

*Owner* means a person recorded as such on official records. For the purpose of this chapter, the owner of property on which the sign is located is presumed to be the owner of the sign, unless facts to the contrary are officially recorded or otherwise brought to the attention of the building inspector.

*Projecting sign* means a sign, other than a flat sign, which is attached to and projects 18 inches or more from the face of the building wall or other structure not specifically designed to support the sign.

*Roof line* means the uppermost line of the roof of a building or, in the case of an extended facade, the uppermost height of such facade, excluding any cupolas, pylons, chimneys, or minor projections.

*Roof sign* means a sign erected upon, against, or above a roof line and extending above the highest point of the roof.

*Roof street sign* means a sign erected on the roof of a building, no portion of which is above the roof line.

*Signable area* means one designated area of the facade of the building up to the roof line which is free of windows and doors or major architectural detail on which a sign is to be displayed. The size of the signable area is determined by calculating the number of square feet which are enclosed by an imaginary rectangle or square drawn around the selected area. The term "signable area" shall be limited to that portion of the building below the sill line of the second story, unless the business being signed is located on the second story, in which case the signable area may extend to the sill line of the third story.

*Subdivision identification sign* means a sign containing the name of the subdivision in which it is located.

*Temporary sign* means a sign not constructed or intended for long-term use.

*Wall sign* means a sign attached to or erected against the wall of a building with the face in a parallel plane to the plane of the building.

*Window sign* means any sign installed inside or upon a window, facing the outside, and which is intended to be seen from the exterior.

*Storage capacity of a floodplain.* See *Floodplain, storage capacity of.*

*Story* means that portion of a building, other than a basement, that is between the surface of any floor and the surface of the next floor above it, or, if there is not a floor above, then the space between such floor and the ceiling next above it.

*Street line* means the dividing line between the street and the lot. The term "street line" is the same as the legal right-of-way line.

*Structure* means any manmade object with form, shape, and utility, either permanently or temporarily attached to, placed upon, or set into the ground, stream bed, or lake bed, which includes, but is not limited to, such objects as roofed and walled buildings, gas, or liquid storage tanks, bridges, dams and culverts.

*Structure, accessory.* See *Accessory use or structure*.

*Substantial improvement* means any structural repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the present equalized assessed value of the structure, either before the improvement or repair is started or if the structure has been damaged and is being restored, before the damage occurred. Ordinary maintenance repairs are not considered structural repairs, modifications, or additions. Such ordinary maintenance repairs include internal and external painting, decorating, paneling, and the replacement of doors, windows, and other nonstructural components. For purposes of this definition, substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term "substantial improvement" does not, however, include either:

1. Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to ensure safe living conditions.
2. Any alteration of a structure or site documented as deserving preservation by the state historical society or listed on the national register of historic places.

*Unnecessary hardship* means a situation in which circumstance or special conditions affecting a particular property, which were not self-created, have made strict conformity with restrictions governing areas, setbacks, frontage, height, or density unnecessarily burdensome or unreasonable, in light of the purpose of this chapter.

*Used* means intended, designed, or arranged to be used or occupied.

*Utility storage structure* means an uninhabited, subordinate structure not attached to the principal structure or the accessory structure, the use of which is incidental to and customary in conjunction with the principal use of the structure, e.g., storage of lawn and garden equipment, etc., to be located in the rear yard of the principal structure.

*Variance* means an authorization by the board of appeals for the construction or maintenance of a building or structure in a manner which is inconsistent with dimensional standards contained in this chapter.

*Water surface profile* means a graphical representation showing the elevation of the water surface of a watercourse for each position along a reach of river or stream at a certain flood flow. A water surface profile of the regional flood is used in regulating floodplain areas.

*Well.* An excavation opening in the ground made by digging, boring, drilling, driving, or other methods for the purpose of obtaining groundwater, regardless of its intended use.

*Yard* means an open space, other than a court, on a lot, unoccupied and unobstructed from the ground upward; provided, however, that fences, walls, poles, posts, and other customary yard accessory ornaments and furniture may be permitted in any yard subject to height limitations and requirements limiting obstruction of visibility.

*Yard, front*, means a yard extending across the front of a lot between the side lot lines and extending from the street line to the nearest line of the principal structure or projection of the principal structure.

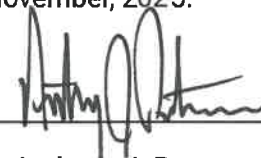
*Yard, rear*, means a yard extending across the rear of a lot between the side lot lines and extending from the rear property line to the nearest line of the principal structure or projection of the principal structure.

*Yard, side*, means a yard extending between the nearest building or projection thereto and the side lot line and extending from the front yard to the rear yard.

(Code 2011, § 17.03; Ord. No. 1677, 3-20-2012)

Introduced and adopted by Common Council on the 18th day of November, 2025.

APPROVED: \_\_\_\_\_



Anthony J. Penterman, Mayor

ATTEST: \_\_\_\_\_



Kayla Nessmann, Clerk