

CHAPTER 3

GENERAL REQUIREMENTS

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|--|---|
| 3.01 Compliance. | 3.08 Height requirements. |
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3.01 Compliance. All development shall comply fully with the requirements of this Chapter.

3.02 District requirements.

(1) Developments shall meet the minimum requirements for the applicable district shown in the tables in sub. (3), except as otherwise required in s.3.15, special development requirements. (Amended: 22 Aug. 2006; Ord. No. 2006-16 – Effective 12 September 2006)

Commentary: The provisions of s. 3.15 apply to all or parts of the Towns of Washington, Liberty Grove, and Baileys Harbor. For projects within those towns, applicants are advised to check the provisions of s. 3.15. Note, too, that many other town- or district-specific regulations may be found in other sections of the ordinance. (Amended: 22 Aug. 2006; Ord. No. 2006-16; Effective 12 Sept. 2006) (Amended: 20 Sept. 2016; Ord. 2016-14)

(2) How to use the tables in sub. (3).

(2) How to use the tables in Sub. (3).

Table of district requirements (portion)

ZONING DISTRICT Development Type(s)	Individual Lot Requirements			Yards					Conservation Subdivision & Manufactured Home Park Requirements		
	Min. Lot Area	Min. Lot Width ⁶ (feet)	Max Imperv. Surface Ratio ¹	Side Principal (feet)	Side Accessory (feet)	Rear Principal (feet)	Rear Accessory (feet)	Front (feet)	Min. Site Area	Max. Allowable Density (density unit per acre)	Min Preser. Open Space
<u>WETLAND (W)</u> Development, per s. 2.05(4)	10 acres ⁸	300	7.5%	25	50	50	50	25	n/a	n/a	n/a
<u>NATURAL AREA (NA)</u> All Other Development Conservation Subdivision	15 acres 10,000 ¹²	450 65 ¹²	25% n/a	25 50 ²	20 50 ²	50 50 ²	50 50 ²	25 25	n/a 15 acres	n/a .10	n/a 80%
<u>EXCLUSIVE AGRICULTURE (EA)</u> All Development	35 acres	600	25%	50 ³	50 ³	50	50	25	n/a	n/a	n/a

Refers to the various types of developments permitted in each specific zoning district.

Refers to the minimum size for an individual lot or each type of development, shown in acres or square feet.

Refers to the minimum width of a lot as measured through the midpoint of the shortest line that can be drawn between the front lot line and the rear lot line. (Amended: 23 March 1999; Ord. 4-99)

Refers to the maximum percentage of a lot that may be covered with buildings, pavements, and other untreated impervious surfaces. (Amended: 20 Sept.2016; Ord.2016-14)

Refers to the minimum allowable distance between any side lot line and a principal or accessory structure.

Refers to the minimum allowable distance between a rear lot line and a principal or accessory structure.

Refers to the minimum allowable distance between a front lot line and any building.

Refers to the minimum total land area needed to implement a Manufactured Home Park or Conservation Subdivision.

The number that is used to determine the maximum number of dwelling units permitted in a conservation subdivision or manufactured home park.

Refers to the minimum percentage of the total site area that must be preserved as open space.

KEY:
n/a - Not applicable.

(3)(a) Table of district requirements – General. This table shall apply as appropriate wherever this Ordinance is applicable.

<u>ZONING DISTRICT</u> Development Type	Individual Lot Requirements			Yards					Conservation Subdivision & Manufactured Home Park Requirements		
	Min. Lot Area	Min. Lot Width ⁶ (feet)	Max. Imperv. Surface Ratio ¹	Side Principal (feet)	Side Accessory (feet)	Rear Principal (feet)	Rear Accessory (feet)	Front (feet)	Min. Site Area	Max. Allowable Density (density unit per acre)	Min. Preser. Open Space
<u>WETLAND (W)</u> Development, per s. 2.05(4)	10 acres ⁸	300	7.5%	25	25	50	50	25	n/a	n/a	n/a
<u>NATURAL AREA (NA)</u> All Other Development Conservation Subdivision (Added: 4 April 2011; Ord. 2011-05)	15 acres 10,000 ¹²	450 65 ¹²	25% n/a	25 25 ²	20 20 ²	50 50 ²	50 50 ²	25 25	n/a 15 acres	n/a 0.10	n/a 80%
<u>EXCLUSIVE AGRICULTURAL (EA)</u> All Development	35 acres	600	25%	50 ³	50 ³	50	50	25	n/a	n/a	n/a
<u>GENERAL AGRICULTURAL (GA)</u> All Other Development Conservation Subdivision (Added: 4 April 2011; Ord. 2011-05)	20 acres ⁴ 10,000 ¹²	600 65 ¹²	25% n/a	50 ³ 50 ²	50 ³ 50 ²	50 50 ²	50 50 ²	25 25	n/a 20 ⁴ acres	n/a .10	n/a 80%
<u>PRIME AGRICULTURAL (PA)</u> All Other Development Conservation Subdivision(Added: 4 April 2011, Ord.2011-05)	20 acres ⁴ 10,000 ¹²	600 65 ¹²	25% n/a	50 ³ 50 ²	50 ³ 50 ²	50 50 ²	50 50 ²	25 25	n/a 20 ⁴ acres	n/a 0.10	n/a 80%
<u>COUNTRYSIDE (CS)</u> All Other Development Conservation Subdivision(Added: 4 April 2011; Ord. 2011-05) Manufactured Home Park	10 acres ^{8,9} 10,000 ¹² 4,500 ⁵	300 ¹⁰ 65 ¹² 50 ⁵	25% n/a n/a	40 ³ 40 ² 40 ²	20 20 ² 40 ²	50 50 ² 40 ²	50 50 ² 40 ²	25 25 25	n/a 10 ⁸ 20 ⁴ acres	n/a 0.20 1.50	n/a 80% 50%
<u>HEARTLAND-3.5 (HL3.5)</u> All Other Development Conservation Subdivision(Added: 4 April 2011; Ord.2011-05) Manufactured Home Park (Amended: 28 May 1996' Ord. 13-96)	3.5 acres 10,000 ¹² 4,500 ⁵	250 65 ¹² 50 ⁵	25% n/a n/a	40 ³ 40 ² 40 ²	20 20 ² 40 ²	50 50 ² 40 ²	20 20 ² 40 ²	25 25 25	n/a 7 acres 7 acres	n/a 0.50 0.50	n/a 60% 75%

(3)(a) Table of district requirements – General. This table shall apply as appropriate wherever this Ordinance is applicable.

ZONING DISTRICT Development Type	Individual Lot Requirements			Yards					Conservation Subdivision & Manufactured Home Park Requirements		
	Min. Lot Area	Min. Lot Width ⁶ (feet)	Max. Imperv. Surface Ratio ¹	Side Principal (feet)	Side Accessory (feet)	Rear Principal (feet)	Rear Accessory (feet)	Front (feet)	Min. Site Area	Max. Allowable Density (density unit per acre)	Min. Preser. Open Space
<u>HEARTLAND-5 (HL5)</u> All Other Development Conservation Subdivision(Added: 4 April 11, Ord. 2011-05) Manufactured Home Park (Added: 28 May 1996; Ord. 13-96)	5 acres 10,000 ¹² 4,500 ⁵	250 65 ¹² 50 ⁵	25% n/a n/a	40 ³ 40 ² 40 ²	20 20 ² 40 ²	50 50 ² 40 ²	40 40 ² 40 ²	25 25 25	n/a 10 acres 20 ⁴ acres	n/a 0.35 0.50	n/a 60% 75%
<u>HEARTLAND-10 (HL10)</u> All Other Development Conservation Subdivision(Added: 4 April 2011, Ord. 2011-05) Manufactured Home Park (Added: 28 May 1996; Ord. 13-96)	10 acres ⁸ 10,000 ¹² 4,500 ⁵	300 65 ¹² 50 ⁵	25% n/a n/a	40 ³ 40 ² 40 ²	20 20 ² 40 ²	50 50 ² 40 ²	50 50 ² 40 ²	25 25 25	n/a 10 acres 20 ⁴ acres	n/a 0.20 0.50	n/a 80% 75%
<u>ESTATE(ES)</u> All Other Development Conservation Subdivision(Added: 4 April 2011;Ord. 2011-05)	5 acres 10,000 ¹²	250 65 ¹²	25% n/a	25 25 ²	20 20 ²	50 50 ²	40 40 ²	25 25	n/a 10 ⁸ acres	n/a 0.35	n/a 60%
<u>SINGLE FAMILY RESIDENTIAL-10,000 (SF10)</u> All other Development (with public sewer)	10,000	65 ^{11,12}	45%	10	5	20	10	25	n/a	n/a	n/a
<u>SINGLE FAMILY RESIDENTIAL-20,000 (SF20)</u> All Other Development • unsewered • with public sewer Conservation Subdivision (Added: 4 April 2011; Ord. 2011-05)	20,000 16,200 10,000 ¹²	100 90 65 ¹²	45% 45% n/a	10 10 20 ²	5 5 10 ²	40 40 40 ²	10 10 20 ²	25 25 25	n/a n/a 1.8 acres	n/a n/a 3.27	n/a n/a 30%
<u>SINGLE FAMILY RESIDENTIAL-30,000 (SF30)</u> All Other Development Conservation Subdivision (Added: 4 April 2011; Ord. 2011-05)	30,000 10,000 ¹²	150 65 ¹²	35% n/a	20 40 ²	15 30 ²	50 50 ²	20 40 ²	25 25	n/a 2.8 acres	n/a 2.18	n/a 40%
<u>SMALL ESTATE RESIDENTIAL (SE)</u> All Other Development Conservation Subdivision (Added: 4 April 2011; Ord. 2011-05)	1.5 acres 10,000 ¹²	150 65 ¹²	25% n/a	20 40 ²	15 30 ²	50 50 ²	20 40 ²	25 25	n/a 6 acres	n/a 1.00	n/a 40%

(3)(a) Table of district requirements – General. This table shall apply as appropriate wherever this Ordinance is applicable.

ZONING DISTRICT Development Type	Individual Lot Requirements			Yards					Conservation Subdivision & Manufactured Home Park Requirements		
	Min. Lot Area	Min. Lot Width ⁶ (feet)	Max. Imperv. Surface Ratio ¹	Side Principal (feet)	Side Accessory (feet)	Rear Principal (feet)	Rear Accessory (feet)	Front (feet)	Min. Site Area	Max. Allowable Density (density unit per acre)	Min. Preser. Open Space
RURAL RESIDENTIAL (RR) All Other Development Duplex Conservation Subdivision (Added: 4 April 2011; Ord. 2011-05) Manufactured Home Park	40,000 60,000 10,000 ¹² 4,500 ⁵	150 200 65 ¹² 50 ⁵	35% 35% n/a n/a	20 20 40 ² 40 ²	15 15 30 ² 40 ²	50 50 50 ² 40 ²	20 20 40 ² 40 ²	25 25 25 25	n/a n/a 3.7 acres 5 acres	n/a n/a 1.63 6.00	n/a n/a 40% 25%
HIGH DENSITY RESIDENTIAL (HD) All Other Development • unsewered • with public sewer Conservation Subdivision (Added: 4 April 2011; Ord. 2011-05) Manufactured Home Park	20,000 16,200 10,000 ¹² 4,500 ⁵	100 90 65 ¹² 50 ⁵	45% 45% n/a n/a	10 10 20 ² 40 ²	5 5 10 ² 40 ²	20 20 40 ² 40 ²	10 10 20 ² 40 ²	25 25 25 25	n/a n/a 1.8 acres 5 acres	n/a n/a 3.27 6.00	n/a n/a 30% 25%
Multiple Occupancy Development	----- See s. 4.08(8), multiple occupancy development requirements (Amended: 5 October 1998, Ord. 22-98) -----										
COMMERCIAL CENTER (CC) All Other Development • unsewered • with public sewer Multiple Occupancy Development	20,000 16,200	100 90	75% 75%	10 10	5 5	20 20	10 10	25 25	n/a n/a	n/a n/a	n/a n/a
Multiple Occupancy Development	----- See s. 4.08(8), multiple occupancy development requirements (Amended: 5 Oct. 1998, Ord. 22-98) -----										
MIXED USE COMMERCIAL (MC) All Other Development • unsewered • with public sewer Multiple Occupancy Development	20,000 16,200	100 90	45% 45%	10 10	5 5	20 20	10 10	25 25	n/a n/a	n/a n/a	n/a n/a
Multiple Occupancy Development	----- See s. 4.08(8), multiple occupancy development requirements (Amended: 5 Oct. 1998, Ord. 22-98) -----										
RECREATIONAL COMMERCIAL (RC) All Other Development Conservation Subdivision (Added: 4 April 2011; Ord. 2011-05) Multiple Occupancy Development	20,000 10,000 ¹²	100 65 ¹²	45% n/a	10 20 ²	5 10 ²	20 20 ²	10 20 ²	25 25	n/a 1.8 acres	n/a 3.27	n/a 30%
Multiple Occupancy Development	----- See s. 4.08(8), multiple occupancy development requirements (Amended: 5 Oct. 1998, Ord. 22-98) -----										
LIGHT INDUSTRIAL (LI) All Development	60,000	200	60%	20 ⁷	10 ⁷	20 ⁷	10 ⁷	25	n/a	n/a	n/a

Key: n/a – Not applicable.

FOOTNOTES:

1. Regarding impervious surface ratio regulations:
 - a. For lots existing as provided in s. 3.04(5), lots created prior to the effective date of this Ordinance, the maximum impervious surface ratio on the lot shall be as it existed on the effective date of this Ordinance or as required here, whichever is greater. (Amended: 20 Sept. 2016; Ord. 2016-14)
 - b. For lots in zoning districts with impervious surface ratio allowances less than 30%, where a portion of but not the entire lot, is subject to the Door County Shoreland Zoning Ordinance, the shoreland ordinance allowances only shall be applied to the entire lot. (Added: 20 Sept. 2016; Ord. 2016-14)
 - c. For conservation subdivisions and manufactured home parks, the maximum impervious surface ratio shall be calculated using the entire development, with the maximum being no more than that allowed for an individual lot in the district. (Amended: 17 April 2012; Ord. 2012-14) (Amended: 27 May 2014; Ord. 2014-10)
 - d. Property owners seeking to exceed the allowable impervious surface ratio shall be required to obtain an Impervious Surface Authorization permit as described in s. 11.03. (Added: 20 Sept. 2016; Ord. 2016-14)
2. For conservation subdivisions and manufactured home parks, the yards refer to minimum yard requirements as measured from perimeter of site area devoted to development. (Amended: 17 April 2012; Ord. 2012-14)
3. For lots existing as provided in s. 3.04(5), lots created prior to the effective date of this Ordinance, the minimum side yard requirements shall be 20% of the lot width or 50 feet in the EA, GA, and PA district or 40 feet in the CS, HL3.5, HL5, and HL10 districts, whichever is less. In the Heartland zoning districts in the Town of Gibraltar, the minimum side yard requirement for lots existing as provided in Section 3.04(5) shall be 20% of the lot width or 20 feet, whichever is less. (Amended 22 Aug. 2006; Ord. 2006-16; Effective 12 Sept. 2006) (Amended: 27 May 2014; Ord. 2014-10) (Amended: 20 Sept. 2016; Ord. 2016-14)
4. This minimum area requirement shall include areas which are one half of one-sixteenth of a section as shown on the original United States Government Survey, such areas being 20 acres, or nearly so, in size.
5. Refers to minimum area or minimum width requirements for individual manufactured home sites within a manufactured home park. (Amended: 25 June 1996; Ord. 16-96)
6. (Amended: 22 October 1996; Ord. 29-96) (Deleted: 20 Sept. 2016; Ord. 2016-14)
7. For side and rear lot lines that coincide with the boundary of the Light Industrial district, such yard requirements shall be doubled. (Added: 25 June 1996; Ord. 16-96)
8. This minimum area requirement shall include parcels which are quarter, quarter, quarter sections (1/64th of a section) as described within the original United States Government Survey, said parcels being 10 acres, or nearly so in area. (Added: 22 October 1996; Ord. 33-96) (Amended; 4 April 2011; Ord. 2011-05)
9. Minimum lot area in the Countryside (CS) zoning district in the Town of Baileys Harbor shall be 5 acres. (Added: 26 June 2008; Ord. 2008-07)
10. The minimum lot width in the Countryside (CS) zoning district in the Town of Baileys Harbor shall be 250'. (Added: 26 June 2008; Ord. 2008-07)
11. The minimum lot width for corner lots shall be 75'. (Added: 22 February 2011; Ord. 2011-03)
12. (Added: 17 April 2012; Ord. 2012-14) (Deleted: 20 Sept. 2016; Ord. 2016-14)

(3)(b) Table of district requirements – Town of Gibraltar. This table shall apply in the Town of Gibraltar. Commentary: In order to determine all district requirements in the Town of Gibraltar, reference to s. 3.02(3) (a), table of district requirements – general, is also required.

ZONING DISTRICT Development Type	Individual Lot Requirements			Yards					Conservation Subdivision & Manufactured Home Park Requirements		
	Min. Lot Area	Min. Lot Width ⁵ (feet)	Max. Imperv. Surface Ratio ¹	Side Principal (feet)	Side Accessory (feet)	Rear Principal (feet)	Rear Accessory (feet)	Front (feet)	Min. Site Area	Max. Allowable Density (density unit per acre)	Min. Preser Open Space
<u>CONSERVATION AREA (CA)</u> All Development	15 acres	450	25%	25	20	50	50	25	n/a	n/a	n/a
<u>COUNTRYSIDE-5 (CS5)</u> All Other Development	5 acres	250	25%	40 ³	20	50	40	25	n/a	n/a	n/a
Conservation Subdivision (Added: 4 April 2011; Ord. 2011-05)	10,000 ⁸	65 ⁸	n/a	40 ²	20 ²	50 ²	40 ²	25	10 ⁶ acres	0.35	60%
Manufactured Home Park	4,500 ⁴	50 ⁴	n/a	40 ²	40 ²	40 ²	40 ²	25	20 ⁷ acres	1.50	50%
<u>CHAMBERS ISLAND (CI)</u> Lots fronting navigable water, all development	3 acres	350	25%	50 ³	15	50	20	25	n/a	n/a	n/a
Lots not fronting navigable water, all development (Added: 25 March 2014; Ord. 2014-03)	10 acres ⁶	600	25%	100 ³	15	50	20	25	n/a	n/a	n/a
<u>NEIGHBORHOOD RESIDENTIAL (NR)</u> All Other Development	20,000	100	45%	10	5	20	10	25	n/a	n/a	n/a
• unsewered	16,200	90	45%	10	5	20	10	25	n/a	n/a	n/a
• with public sewer											
Conservation Subdivision (Added: 4 April 2011; Ord. 2011-05)	10,000 ⁸	65 ⁸	n/a	20 ²	10 ²	40 ⁴	20 ²	25	1.8 acres	3.27	30%
Multiple Occupancy Development	----- See s. 3.15(4)(d) and s. 4.08(8), multiple occupancy development requirements (Amended: 5 Oct. 1998, Ord. 22-98) -----										
<u>VILLAGE COMMERCIAL (VC)</u> All Other Development	20,000	100	75%	10	5	20	10	25	n/a	n/a	n/a
• unsewered	16,200	90	75%	10	5	20	10	25	n/a	n/a	n/a
• with public sewer											
Multiple Occupancy Development	----- See s. 3.15(4)(b) and s. 4.08(8), multiple occupancy development requirements (Amended: 5 Oct. 1998; Ord. 22-98) -----										

(3)(b) Table of district requirements – Town of Gibraltar (continued). This table shall apply in the Town of Gibraltar.

ZONING DISTRICT Development Type	Individual Lot Requirements			Yards					Conservation Subdivision & Manufactured Home Park Requirements		
	Min. Lot Area	Min. Lot Width ⁵ (feet)	Max. Imperv. Surface Ratio ¹	Side Principal (feet)	Side Accessory (feet)	Rear Principal (feet)	Rear Accessory (feet)	Front (feet)	Min. Site Area	Max. Allowable Density (density unit per acre)	Min. Preser Open Space
<u>GENERAL COMMERCIAL (GC)</u> All Other Development <ul style="list-style-type: none"> • unsewered • with public sewer 	20,000 16,200	100 90	45% 45%	10 10	5 5	20 20	10 10	25 25	n/a n/a	n/a n/a	n/a n/a
Multiple Occupancy Development	----- See s. 4.08(8), multiple occupancy development requirements (Amended: 5 Oct. 1998; Ord. 22-98) -----										

KEY: n/a - Not applicable.

FOOTNOTES:

1. Regarding impervious surface ratio regulations:

- a. For lots existing as provided in s. 3.04(5), lots created prior to the effective date of this Ordinance, the maximum impervious surface ratio on the lot shall be as it existed on the effective date of this Ordinance or as required here, whichever is greater. (Typographical Correction: 16 May 2007) (Amended: 20 Sept. 2016; Ord. 2016-14)
- b. For lots in zoning districts with impervious surface ratio allowances less than 30% where a portion of but not the entire lot is subject to the Door County Shoreland Zoning Ordinance, the shoreland ordinance allowances only shall be applied to the entire lot. (Added: 20 Sept. 2016; Ord. 2016-14)
- c. For conservation subdivisions and manufactured home parks, the maximum impervious surface ratio shall be calculated using the entire development, with the maximum being no more than that allowed for an individual lot in the district. (Amended: 17 April 2012; Ord. 2012-14) (Amended: 27 May 2014; Ord. 2014-10)
- d. Property owners seeking to exceed the allowable impervious surface ratio shall be required to obtain an Impervious Surface Authorization permit as described in s. 11.03. (Added: 20 Sept. 2016; Ord. 2016-14)

2. For conservation subdivisions and manufactured home parks, the yards refer to minimum yard requirements as measured from perimeter of site area devoted to development. (Amended: 17 April 2012; Ord. 2012-14)

3. For lots existing as provided in s. 3.04(5), lots created prior to the effective date

of this Ordinance, the minimum side yard requirements shall be 20% of the lot width or 40 feet in the CS5 and CI districts, whichever is less. (Amended: 22 Aug. 2006; Ord. 2006-16; Effective 12 Sept. 2006) (Amended: 25 March 2014; Ord. 2014-03) (Amended: 27 May 2014; Ord. 2014-10) (Amended: 20 Sept. 2016; Ord. 2016-14)

Commentary: This footnote (3) grandfathers long-standing side yard setbacks in two of the larger zoning districts which are unique to the Town of Gibraltar. (Added 22 Aug. 2006; Ord. 2006-16 ; Effective 12 Sept. 2006) (Amended: 25 March 2014; Ord. 2014-03)

4. Refers to minimum area or minimum width requirements for individual manufactured home sites within a manufactured home park. (Amended: 25 June 1996; Ord. 16-96)

5. (Amended: 22 October 1996; Ord. 29-96) (Deleted: 20 Sept. 2016; Ord. 2016-14)

6. This minimum area requirement shall include parcels which are quarter, quarter, quarter sections (1/64th of a section) as described within the original United States Government Survey, said parcels being 10 acres, or nearly so in area. (Added: 4 April 2011; Ord. 2011-05)

7. This minimum area requirement shall include areas which are one half of one-sixteenth of a section as shown on the original United States Government Survey, such areas being 20 acres, or nearly so, in size. (Added: 4 April 2011; Ord. 2011-05)

8. (Added: 17 April 2012; Ord. 2012-14) (Deleted: 20 Sept. 2016; Ord. 2016-14)

3.03 Multiple occupancy development requirements. (This section deleted effective 5 Oct. 1998; Ord. 22-98) (For Multiple Occupancy Development Requirements, see Section 4.08(8), page 82a.) (Typographical errors corrected: 20 Sept. 2016; Ord. 2016-14)

3.04 Lot requirements.

(1) No lot shall hereafter be created which does not meet the minimum width and area requirements of this Ordinance. No lot shall be so reduced that it fails to meet any density, dimensional, or other requirement of this Ordinance. (Amended: 20 Sept. 2016; Ord. 2016-14)

(2) Lot of record required. Every building hereafter erected, structurally altered, or relocated shall be placed on a lot of record.

(3) Access to road. No lot shall hereafter be created nor any building placed on a lot which does not have an access to a public road or a private road which is described and recorded in the Door County Register of Deeds office. The property owner shall be responsible for securing such access.

(4) Except for multiple occupancy developments, only one single family residence, one duplex, or one manufactured home shall be permitted on a lot or a site condominium unit, as defined by the county land division ordinance. (Amended: April 17 2007; Ord. 2007-09) (Amended: 22 May 2018; Ord. 2018-10)

(5) Lots created prior to the effective date of this Ordinance. Lots which were created before the effective date of this Ordinance shall be considered building sites provided they meet the criteria established in both pars.(a) and (b): (Amended: 20 Sept. 2016; Ord. 2016-14)

(a) They are of record in at least one of the following forms to establish the lot's date of creation:

1. A recorded land subdivision or certified survey map on file in the Door County Register of Deeds Office showing the lot in its present form.
2. A lot of record by means of a deed or land contract on file in the Door County Register of Deeds Office and which predates the effective date of this Ordinance.
3. (Deleted: 23 June 1998, Ord. 11-98)
4. A recorded condominium plat.

(b) Minimum lot requirements for lots created prior to the effective date of this Ordinance. A legally-created lot or parcel that met minimum area and width requirements when created but does not meet current lot size requirements may

be used as a building site if the following apply:
(Amended: 20 Sept. 2016; Ord. 2016-14)

1. The substandard lot or parcel was never reconfigured or combined with another lot or parcel by plat, survey, or deed; and
(Amended: 22 Aug. 2006; Ord. 2006-16; Effective 12 Sept. 2006) (Amended: 22 Feb. 2011; Ord. 2011-03) (Deleted and replaced: 20 Sept. 2016; Ord. 2016-14)
2. The substandard lot or parcel is developed to comply with all other ordinance requirements.
(Amended 22 Aug. 2006; Ord. 2006-16; Effective 12 Sept. 2006)
(Amended 28 Feb. 2012; Ord. 2012-09)
(Amended 25 March 2014; Ord. 2013-03)
(Deleted and replaced: 20 Sept. 2016; Ord. 2016-14)
3. (Deleted: 20 Sept. 2016; Ord. 2016-14)

(c) (Deleted: 30 Sept. 2010; Ord. 2010-13)

(6) Lots which qualify as building sites as provided in sub. (5) may be enlarged through acquisition of adjacent property, but need not comply with the provisions of s. 3.02(3), table of district requirements. Any such lots which have been enlarged through land acquisition or combining of separate parcels into a single legal description shall not be thereafter reduced or rearranged except in compliance with s. 3.02, district requirements. (Amended: 25 June 1996; Ord. 16-96)

3.05 Setbacks from roads.

(1) State and federal roads. Except as provided in subs. (5),(5a), and (6), the minimum required setback for all structures fronting on state and federal roads shall be 90 feet from the centerline of the right-of-way or 57 feet from the edge of the right-of-way, whichever is greater.(Amended: 29 January 2002; Ord. 02-02) (Amended: 26 Feb. 2013; Ord. 2013-08) (Typographical error corrected: 20 Sept. 2016; Ord. 2016-14)

(2) County roads. Except as provided in subs. (5), (5a), and (6), the minimum required setback for all structures fronting on county roads shall be 75 feet from the centerline of the right-of-way or 42 feet from the edge of the right-of-way, whichever is greater. (Amended: 29 January 2002; Ord. 02-02) (Amended: 28 Feb. 2013; Ord. 2013-08)

(3) Town roads. Except as provided in subs. (5),(5a), and (6), the minimum required setback for all structures fronting on all town roads shall be 65 feet from the centerline of the right-of-way or 32 feet from the edge of the right-of-way, whichever is greater. (Amended: 29 January 2002; Ord. 02-02) (Amended: 26 Feb. 2013; Ord. 2013-08) (Typographical error corrected: 20 Sept. 2016; Ord. 2016-14)

(4) Private roads. The required setback for all structures fronting on private roads or private road easements, except those serving 4 lots or less, shall be 30 feet. No setback shall be required from private roads or private road easements which serve 4 lots or less. If the width of the private road or private road easement is described by

plat, survey, deed or similar document, the setback shall be measured from the edge of the described road or road easement. If the width of the private road or private road easement is not so described, then the setback shall be measured from the edge of the traveled roadway. (Amended: 27 May, 1997; Ord. 14-97)

(5) The required setback for roads in the Commercial Center, Mixed Use Commercial, Village Commercial, and General Commercial Districts within areas designated "Core" in the Door County Comprehensive and Farmland Preservation Plan shall be 25' from the right-of-way. (Amended: 27 February 2007; Ord. 2007-04; Effective 12 March 2007) (Amended: 30 August 2011; Ord. 2011-11) (Amended: 26 Feb. 2013; Ord. 2013-08) (Amended: 20 Sept. 2016; Ord. 2016-14)

(5a) The required setback for roads in the Single-Family Residential 10,000 district shall be 25' from the right-of-way. (Added: 26 Feb 2013; Ord.2013-08)

(6) Setback reduction. (Amended: 20 Sept. 2016; Ord. 2016-14)

(a) Where each side of the proposed building location is occupied by an adjacent principal building located closer to the road than the required setback and located within 200 feet of the proposed building footprint, the required setback for the proposed building shall be the average of the setbacks of the adjacent principal buildings. (Amended: 20 Sept. 2016; Ord. 2016-14)

(b) Where one side of the proposed building location is occupied by an adjacent principal building located closer to the road than the required setback and located within 200 feet of the proposed building footprint, the required setback for the proposed building shall be the average of the setback of the adjacent principal building and the setback required for that particular road. (Amended: 20 Sept. 2016; Ord. 2016-14)

(c) When the required road setback, in conjunction with the Door County Shoreland Zoning Ordinance required ordinary high water mark setback, leaves a buildable area of less than 30 feet in depth, the required road setback shall be reduced to provide a buildable area depth of up to 30 feet, except that in no case shall the required road setback be less than 10 feet from the right-of-way. (Added: 20 Sept. 2016; Ord. 2016-14)

(7) How measured. Setbacks from roads shall be measured from the nearest portion of a structure. (Amended: 25 June 1996; Ord.16-96)

(8) Exemptions. The following structures shall be permitted within the required setback of roads, provided that they do not violate any other provisions of this Ordinance:

(a) Structures which are not buildings and which are less than 6 inches above preconstruction grade.

- (b) Public utility poles, lines, and related equipment without permanent foundations.
- (c) Minor structures, as listed in s. 3.12(1)(a).
- (d) Fences, provided they are not located within a public right-of-way.
- (e) Signs, as provided in Chapter 8.
- (f) Outdoor lighting installations and unenclosed canopies for lighting and rain protection in conjunction with such uses as automobile fuel sales or drive-in facilities, provided these items are not located within a public right-of-way and provided that they are not located in side yards.
- (g) Structures such as ramps and landings, lifts, or elevator housing, which are designed and intended to comply with the requirements of the Americans with Disabilities Act or fair housing laws to make existing buildings accessible to disabled people, and where no feasible alternative locations exist.
- (h) Overhanging eaves and gutters, provided they extend not more than 2 feet into the required setback and are not located within a public right-of-way. (Added: 25 June 1996; Ord. 16-96)
- (i) Unenclosed stoops which are not more than 25 square feet in area and unenclosed stairs which are not more than 5 feet in width, provided such items extend not more than 6 feet from the wall of the building and are not located within a public right-of-way. (Added: 25 June 1996; Ord. 16-96) (Amended: 17 December 1996; Ord. 37-96) (Amended: 20 Sept. 2016; Ord. 2016-14)

3.06 Additional setbacks from roads for large buildings. In order to reduce detrimental effects upon roadside scenery within Door County, all nonresidential buildings, and additions thereto, constructed after the effective date of this Ordinance shall conform to the additional setback requirements of this section. These requirements shall apply to all districts, except the Commercial Center, Light Industrial, and Village Commercial districts, and except for the Mixed Use Commercial and General Commercial districts located within areas designated "Core" in the Door County Comprehensive and Farmland Preservation Plan, and are in addition to the required setbacks provided in s. 3.05, setbacks from roads. (Amended: 27 February 2007; Ord. 2007-04; Effective 12 March 2007) (Amended: 20 Sept. 2016; Ord. 2016-14)

(1) The requirements of this section shall not apply to residential buildings, including multiple occupancy developments, and emergency service buildings, including fire stations, EMS buildings, and police facilities. (Amended: 25 February 2003; Ord. 02-03; Effective 7 April 2003)

(2) Additional setback schedule. The required additional setback from a road shall be determined by a building's total volume according to the following schedule:

<u>Total Volume(cubic feet)</u>	<u>Additional Setback Required (feet)</u>
0 - 50,000	0
50,001 - 60,000	25
60,001 - 90,000	75
90,001 - 120,000	125
120,001 - 180,000	175
180,001 - 250,000	225
250,001 - 400,000	275
400,001 - 600,000	325
> 600,000	375

(3) Clusters of buildings. For the purposes of this section, buildings which are less than 30 feet apart shall be considered as one building and the total of each building's volume shall be used to determine the additional setback of each building.

(4) Reduced setback by screening. The required setback may be reduced by vegetative screening, as described in s. 3.10(4), landscape buffer tree requirements. The screening shall be placed to obscure the view of the building(s) from the road, except for a not greater than 30 foot wide opening that provides access to the site. This option will reduce the required setback by 50%, but cannot be used to reduce the total setback beyond the minimum required in s. 3.05, setback from roads.

(5) Exemptions. An exemption will be made for newly created buildings or additions that are associated by use with building(s) existing prior to the effective date of this Ordinance. However, to be exempted, the new building must be located within 150 feet of the existing building(s). Road setback requirements for these exemptions will be the minimum setback required in s. 3.05, setback from roads, or no closer to the road than the closest existing building, whichever is greater.

3.07 Setback from navigable water. (Relocated to s.3A.04: 27 May 2014; Ord. 2014-10) (Navigable water setback regulations in s. 3A.04 revised and moved to Door County Shoreland Zoning Ordinance: 20 Sept. 2016; Ord. 2016-14)

3.08 Height requirements.

(1) Height limitation. Except as provided below and in subs. (2) and (3), no building, structure, or sign shall exceed an average of 35 feet in height above the finished grade elevation, or 37 feet in height above pre-construction grade elevation, whichever is lower. For riparian lots, (a) through (d) below shall not apply, and subs. (2) and (3) shall not apply within 75 feet of the ordinary high water mark. (Amended: 29 June 2000; Ord. 15-00; Effective 8 August 2000) (Amended: 17 April 2012; Ord. 2012-14) (Amended: 20 Sept. 2016; Ord. 2016-14)

(a) For lots with widths less than 90', no building, structure, or sign shall exceed an average of 26 feet in height above the finished grade elevation, or 28

feet in height above preconstruction grade elevation, whichever is lower. (Amended: 29 June 2000; Ord. 15-00; Effective 8 August 2000) (Amended: 27 February 2007; Ord. 2007-04; Effective 12 March 2007) (Amended: 22 February 2011; Ord. 2011-03) (Amended: 17 April 2012; Ord. 2012-14) (Relocated from 3.08(1): 20 Sept. 2016; Ord. 2016-14)

(b) In the Village Commercial (VC) zoning district in the Town of Gibraltar, no building, structure, or sign shall exceed an average of 28 feet in height above finished grade elevation, or an average of 30 feet in height above preconstruction grade elevation, whichever is lower. In addition, no part of a structure or building shall exceed 35 feet above finished grade elevation. (Added to s. 3.15: 22 Aug. 2006; Ord. No. 2006-16 – Effective 12 Sept. 2006) (Amended and relocated: 20 Sept. 2016; Ord. 2016-14)

(c) In the Mixed Use Commercial (MC) and Single Family Residential-20,000 (SF20) zoning districts located in the Core Area of the Town of Jacksonport, no building, structure, or sign shall exceed an average height of 28 feet above finished grade elevation, or an average of 30 feet in height above preconstruction grade elevation, whichever is lower. (Added to s. 3.15: 29 July 2008, Ord. 2008-13) (Amended: 17 April 2012, Ord. 2012-14) (Amended and relocated: 20 Sept. 2016; Ord. 2016-14)

(d) In the Mixed Use Commercial (MC) zoning district in the Town of Jacksonport, no multiple occupancy development building, including associated accessory buildings, shall exceed an average height of 28 feet above finished grade elevation, or an average of 30 feet in height above preconstruction grade elevation, whichever is lower. (Added to s. 4.08(8): 29 July 2008; Ord. 2008-13) (Amended and relocated: 20 Sept. 2016; Ord. 2016-14)

(2) Exemptions. The following shall be exempted from the height requirements of this section:

(a) Architectural projections such as spires, belfries, parapet walls, domes, chimneys, and cupolas, provided that such cupolas do not exceed 64 square feet in floor area, including stairwells, are not higher than 8 feet above the adjacent roof ridge, and contain no living quarters.

(b) Agricultural structures such as silos, barns, and grain storage buildings.

(c) Special structures such as elevator penthouses, grain elevators, observation towers in parks, electrical poles and towers, and smoke stacks. (Amended: 29 Sept. 2015; Ord. 2015-09; Effective 9 Nov. 2015)

(d) (Deleted: 20 Sept. 2016; Ord. 2016-14)

(3) Public or semi-public facilities such as schools, churches, monuments, libraries, governmental offices and stations, may be erected to a height of 60 feet provided that all required setbacks and yards are increased by not less than one foot for each foot the structure exceeds 35 feet in height.

3.09 Front, rear, and side yards. Except as dictated by s. 3.05, setbacks from roads, the following shall apply to front, rear, and side yards: (Amended: 20 Sept. 2016; Ord. 2016-14)

(1) How measured. The yard distances shall be measured from the nearest portion of the structure, except that the first 2 feet of overhanging eaves and gutters of buildings shall not be included where the yard requirement exceeds 5 feet. (Amended: 20 Sept. 2016; Ord. 2016-14)

(2) Exemptions. The following structures are permitted in front, rear, and side yards provided they do not violate any other provision of this Ordinance:

(a) Public utility poles, lines, and related equipment without permanent foundations.

(b) Fences, provided they are not located within public rights-of-way.

(c) Structures which are not buildings and which are less than 6 inches above preconstruction grade.

(d) Minor structures, as listed in s. 3.12(1)(a).

(e) Signs, as provided in Chapter 8. (Added: 20 Sept. 2016; Ord. 2016-14)

(f) Structures such as ramps and landings, lifts, or elevator housing which are designed and intended to comply with the requirements of the Americans with Disabilities Act or fair housing laws to make existing buildings accessible to disabled people, and where no feasible alternative locations exist. (Added: 20 Sept. 2016; Ord. 2016-14)

(g) Unenclosed stoops which are not more than 25 square feet in area and unenclosed stairs which are not more than 5 feet in width, provided such items extend not more than 6 feet from the wall of the building and are not located within a public right-of-way. (Added: 20 Sept. 2016; Ord. 2016-14)

(3) Applicability to functional appurtenances. Any functional appurtenances to a principal building, such as decks, stairways, and balconies, which are attached to or located within 3 feet of the principal building shall comply with the yard requirements for principal structures. (Added: 25 February 1997, Ord. 5-97)

3.10 Landscape buffers.

(1) Purpose. These requirements are intended to reduce potential adverse impacts that a particular land use might have on occupiers of adjacent properties, such as glare of lights, dust, litter, and visual appearance. With vegetative screening, such adverse impacts will be lessened.

(2) Applicability. The landscape buffer requirements shall only apply to proposed uses and expansions of existing uses which 1) adjoin lots located in the districts specified in par. (a) and which 2) carry a higher use impact rating than existing uses on adjoining lots. The absence of either situation shall nullify the requirement for a landscape buffer. (Amended: 25 June 1996; Ord. 16-96)

(a) The landscape buffer requirement applies where a use is proposed to be located on a lot which adjoins, along a side or rear lot line, a lot which is located in either the Single Family Residential-10,000, Single Family Residential-20,000, Single Family Residential-30,000, Small Estate Residential, Rural Residential, High Density Residential, or Recreational Commercial districts.(Amended: 17 April 2012; Ord. 2012-14)

Commentary: Landscape buffers are not required where an adjoining lot is in the Commercial Center, Mixed Use Commercial, or Village Commercial districts because the use of landscape buffers in a commercial setting might upset the integration of stores, shops, offices, and other activities, and would, therefore, be inappropriate.(Amended: 17 April 2012, Ord. 2012-14)

Landscape buffers are not required when an adjoining lot is located in the Wetland, Natural Area, Exclusive Agricultural, Prime Agricultural, General Agricultural, Countryside, Countryside-5, Chambers Island, Heartland-3.5, Heartland-5, Heartland-10, and Estate districts because the minimum lot sizes and setback requirements are great enough to separate use activities and thereby overcome adverse impacts between adjoining uses. (Amended: 20 Sept. 2016; Ord. 2016-14)

(b) With reference to sub. 1., when the proposed use carries a higher use impact rating than does the existing use on an adjoining lot, a landscape buffer shall be required, but not otherwise. If the proposed use is not listed in sub. 1., no landscape buffer shall be required. If the existing use on an adjoining lot is not listed in sub. 1., no landscape buffer shall be required.

1. Use impact rating chart.

Low Use Impact Rating

Art Galleries	Model Homes
Banks	Parks
Bed and Breakfast Establishments	Personal Service Establishments
Boarding Houses	Post Offices
Cemeteries	Professional Offices & Studios
Community Commercial Kitchens	Public & Private Schools
Churches	Radio & Television Stations
Duplexes	Recreational/Fishing Equipment Sales
Family Day Care Homes	Retail Stores < 10,000 sq. ft. of floor area
Fitness Centers/Tanning Salons/Spas	Retreat Centers
Funeral Homes	Single Family Residences
Home Occupations	Town Halls/Community Centers
Home Office/Studio	Utility Facilities <1000 square feet
Institutional Residential	
Laundromats	
Libraries/Museums	(Amended: 8 August 2000; Ord. 12-00)
Manufactured Homes	(Amended: 20 Sept. 2016; Ord. 2016-14)

Medium Use Impact Rating

Animal Shelters and Pounds	Institutional Recreation Camps
Assembly Halls	Kennels
Auditoriums	Lumber & Building Supply Yards
Automobile Sales and Service Lots	Manufactured Home Parks
Auto Repair	Marinas/Excursion Boating/Charter Fishing
Breweries/Wineries	Medical/Dental Clinics
Campgrounds/Trailer Camps	Multiple Occupancy Developments
Carwashes	Outdoor Theaters
Commercial Fishing Facilities	Passenger Bus Terminals
Commercial Storage Facilities	Public Boat Launching Ramps
Conference Facilities	Recreational Vehicle Sales & Service
Day Care Centers	Resource Recovery Facilities
Farm Implement Sales/Service	Restaurants/Taverns
Farm Markets	Retail Stores > 10,000 sq. ft. of floor area
Ferry Terminals	Trade or Contractors Establishments
Fine Arts Venue	Traveler's Information Centers
Fire/Police Stations	Utility Facilities > 1000 square feet
Fruit/Veg./Cheese Processing Plants	Veterinary Clinics
Gas Stations	Wholesale Establishments
Grain Mills	(Amended: 20 Sept. 2016; Ord. 2016-14)
Greenhouses	
Home Businesses	
Hospitals	
Indoor Recreation	

High Use Impact Rating

Amusement Parks	Manufacturing, Assembly, Processing
Asphalt/Concrete Plants	Nonmetallic Mining
Bulk Storage of Fuel Products	Public Highway Garages
Commercial Trucking Establishments	Salvage Yards
Fertilizer Distribution Plants	Sawmills/Planing Mills
Freight Terminals	Sewage Disposal/Treatment Plants
Gun Clubs/Shooting Ranges	Slaughterhouses
Laundry Service Establishments	Solid Waste Facilities

2. Landscape buffer exemptions.

- a. Landscape buffers shall not be required when the principal buildings and outdoor storage areas associated with the proposed use are located at least 300 feet from the principal structures on the adjoining lots. (Amended: 25 June 1996, Ord. 16-96)
- b. Landscape buffers shall not be required if the adjoining lot is vacant.

(3) General Requirements.

(a) Landscape buffers shall be located in such manner that principal buildings and outdoor storage areas associated with the proposed use are screened as viewed from the vantage point of the principal buildings on affected adjoining lots.

(b) Landscape buffers may be located in an area devoted to meeting minimum side or rear yard requirements.

(c) Landscape buffers, when required, shall be established on a lot at the time of the lot's development, or at the time the use of the lot is changed to a use having a higher use impact rating than the previous use. If the new use has an equal or lesser use impact rating than the previous use, no landscape buffer shall be required. The landscape buffer shall be established prior to operation of the new use or expanded part of the use, unless a bond, certificate of deposit, cash, or other form of financial assurance acceptable to the Zoning Administrator is submitted to the County. Such financial assurance shall cover the estimated cost of installing the landscape buffer and shall be returned to the applicant upon proper installation of the landscape buffer by the applicant. If the landscape buffer materials are not properly installed within 9 months of commencement of operation of the use, the financial assurance shall be used for installation of the landscape buffer by the County. (Amended: 25 June 1996; Ord. 16-96)

(d) Landscape buffers shall be provided on each lot as required by this section independent of existing landscape buffers on adjoining lots.

(e) Installation and maintenance of the required landscape buffers shall be the responsibility of the owner of the lot.

(f) Existing woody plants which meet the requirements listed in sub. (4) may be used to meet the landscape buffer requirements.

(4) Landscape buffer tree requirements. Landscape buffers, at the time of establishment, shall meet the following:

(a) Number of trees. There shall be at least 10 evergreen trees per 100 linear feet of landscape buffer.

(b) Height. The required trees shall be at least 2 feet in height at the time of establishment of the landscape buffer.

(c) Tree placement. The trees may be staggered provided that the centers of the trees are not greater than 15 feet apart, and provided there is at least one tree within each 10 foot horizontal segment of the landscape buffer.

(d) Mature height. The required trees shall be capable of attaining heights of at least 15 feet.

(e) Tree materials. Tree species to be located in landscape buffers shall be suitable for survival in Door County's climate and soil conditions found at the site.

Commentary: To select suitable trees, applicants are urged to consult with foresters, landscape architects, or arboriculturists, or landscape architects; or, to refer to the publication, *A Guide To Selecting Landscape Plants for Wisconsin*, by E. R. Hasselkus, available from University of Wisconsin-Extension, Cooperative Extension Service.

(5) Mature landscape buffers.

(a) The required trees, at maturity, shall be at least 15 feet in height.

(b) Maintenance. Mature landscape buffers shall be maintained so as to retain the required spacing and height characteristics. However, trees may be thinned provided an opaque screening is still maintained.

3.11 Floor area requirements.

(1) Except for occupancy units within a multiple occupancy development and except as specified in subs.(2),(3), and (4) for dwelling units in all districts the minimum floor area shall be 750 square feet for units with 2 bedrooms or less, and 1,000 square feet for units with 3 bedrooms or more.(Amended: 17 April 2012; Ord.2012-14)

(2) For accessory residences the minimum floor area shall be 300 square feet for efficiency or one-bedroom units, 400 square feet for two-bedroom units, and 500 square feet for units with three bedrooms or more. (Amended: 27 July 2000, Ord. 17-00)

(3) Manufactured homes in manufactured home parks shall be subject to the floor area requirements of s. 4.08(5), manufactured home parks.

(4) Secondary dwelling units shall not exceed 749 square feet in floor area. (Added: 4, April 2011; Ord. 2011-04)

3.12 Accessory structures. Accessory structures are permitted subject to the following:

(1) Permit required. Accessory structures shall require a regular zoning permit except:

(a) Minor structures such as birdhouses, yard light poles, birdbaths, doghouses (housing dogs which are licensed as the personal pets of the residents of the property), treehouses, noncommercial fuel storage tanks and pumps, clothes line poles, lawn ornaments, flag poles, mailboxes, garbage containers, ice fishing shanties, school bus waiting shelters, farm livestock hutches, and firewood storage structures with no more than three sides and which are less than or equal to 48 square feet and six feet in height. (Amended: 25 June 1996; Ord. 16-96) (Amended: 20 Sept. 2016; Ord. 2016-14)

(b) Fences.

(2) Accessory structures may contain living quarters, subject to the following: (Amended: 20 Sept. 2016; Ord. 2016-14)

(a) The accessory structure(s) is/are accessory to a single-family residence; and (Added: 20 Sept. 2016; Ord. 2016-14)

(b) The square footage of all living quarters in all accessory structures totals 749 square feet or less; and (Added: 20 Sept. 2016; Ord. 2016-14) (Amended: 28 August 2018; Ord. 2018-16)

(c) Except for detached secondary dwelling units, which shall be regulated per s. 4.08(9), accessory structures containing living quarters shall not contain sleeping places; and (Added: 28 August 2018; Ord. 2018-16)

(d) A restrictive covenant is recorded indicating the accessory structure(s) containing living quarters shall not contain sleeping places nor be conveyed or separated in ownership from the associated single-family residence, unless the Door County Land Use Services Department approves, per ordinances in effect at that time. This restrictive covenant shall apply only to the accessory structures containing living quarters which have not been authorized as a secondary dwelling unit. (Added: 20 Sept. 2016; Ord. 2016-14) (Amended: 28 August 2018; Ord. 2018-16)

(3) Accessory structures shall be located on the same lot as the principal use to which it is accessory.

(4) Accessory structures shall not be permitted until its associated principal structure is present or under construction, except that one accessory building may be permitted prior to the erection of a principal structure, provided the following requirements are met:

(a) The floor area of the accessory building shall not exceed 120 square feet.

(b) The total height of the accessory building shall not exceed 8 feet 6 inches as measured from the grade elevation to the highest point on the roof.

(c) The accessory building shall be constructed of wood.

(d) There shall be no windows, skylights, patio doors, or other glazing in the building.

(e) Not more than one entrance door, not to exceed 6 feet in width, shall be permitted.

(f) The building shall comply with all setback and yard requirements for accessory structures.

(g) There shall be no water service, sanitary waste disposal, or electricity connected to the accessory building.

(5) Items prohibited as accessory structures. Such items as, but not limited to, boats, truck bodies, manufactured homes, buses, railroad cars, shipping containers, and trailers shall not be used as accessory structures.

(6) Additional requirements in the SF10, SF20, SF30, HD, RC, and NR districts. Buildings which are accessory to single family residences and duplexes in the Single Family Residential-10,000, Single Family Residential-20,000, Single Family Residential-30,000, High Density Residential, Recreational Commercial and Neighborhood Residential districts shall comply with the following requirements: (Amended: 27 February 2007, Ord. No. 2007-04; Effective 12 March 2007) (Amended: 22 February 2011, Ord. No.2011-03)

(a) No more than 4 accessory buildings shall be permitted on a lot in these districts. The combined total floor area of such accessory buildings shall not exceed the area of the building footprint of the principal building on the lot. (Amended: 28 May 2012, Ord. No. 2012-11)

(b) The maximum height of an accessory building shall be determined by either of the following methods:

1. General method. No accessory building shall have a height greater than 16 feet above finished grade elevation. (Amended: 17 April 2012, Ord. No.2012-14)

2. Alternate method. Accessory buildings may exceed 16 feet above finished grade elevation provided the following requirements are met: (Amended: 17 April 2012, Ord. 2012-14)

- a. The height of an accessory building shall not exceed the height of the principal building to which it is accessory.
- b. Roof pitch. The pitch of the largest roof element of an accessory building shall be at least a 4-unit vertical to 12-unit horizontal pitch. Additionally, the roof pitch of the largest roof element of an accessory building shall not be steeper than 1 unit in 12 units more than the pitch of the largest roof element of the principal building and no flatter than 3 units in 12 units less than the pitch of the largest roof element of the principal building.
- c. (Deleted: 20 Sept. 2016; Ord. 2016-14)
- d. (Deleted: 20 Sept. 2016; Ord. 2016-14)
- e. (Deleted: 27 February 2007; Ord. 2007-03)
- f. (Deleted: 25 June 1996; Ord. 16-96)
- g. (Deleted: 25 June 1996; Ord. 16-96)
- h. Side wall height. The height of the highest side wall of an accessory structure shall not exceed the height of the highest side wall of the principal building.
- i. (Deleted: 25 June 1996; Ord. 16-96)

(c) (Added: 25 June 1996; Ord. 16-96) (Deleted: 20 Sept. 2016; Ord. 2016-14)

(7) Additional requirements in the HL districts. In the Heartland-3.5, Heartland-5, and Heartland-10 districts, the size of accessory buildings shall be limited as follows: (Amended: 28 May 1996; Ord. 13-96)

(a) For buildings accessory to residential uses, the total floor area of all accessory buildings on the lot shall not exceed 3,000 square feet. The floor area of buildings sided in wood and/or stone and which existed on May 3, 1992 shall not be counted in calculating the 3,000 sq. ft. maximum. (Amended: 24 June 1997, Ord. 16-97)

(b) Buildings accessory to agricultural uses on farms or orchards shall not be restricted in regard to floor area provided: (Amended: 17 April 2012, Ord. 2012-14)

- 1. The entire operation of the farm or orchard is at least 60 acres, or
- 2. In the year preceding application, the farm or orchard produced gross farm

profits (as defined in Section 71.58(4), Wis. Stats.) of not less than \$6000 or which during the three years preceding application produced gross farm profits of not less than \$18,000.

For buildings accessory to agricultural uses on farms or orchards other than indicated above, the total floor area of all such accessory buildings on the lot shall not exceed 3,000 square feet. (Amended: 22 October 1996; Ord. 32-96)(Amended: 17 April 2012; Ord. No. 2012-14)

(c) For buildings accessory to all other uses, the total floor area of accessory buildings on the lot shall not exceed 100 percent of the floor area of the principal building(s); except that for golf courses consisting of at least 9 holes and 2,500 playable yards, the total floor area of all accessory buildings on the lot shall not exceed 3,000 square feet. (Amended: 17 December 2002; Ord. 20-02)

3.13 Outdoor storage of junk material.

(1) In all Single Family Residential-20,000, Single Family Residential-30,000, Small Estate Residential, Rural Residential, High Density Residential, Commercial Center, Mixed Use Commercial, Recreational Commercial, Neighborhood Residential, Village Commercial, and General Commercial districts, all outdoor storage of junk material shall comply with the following: (Amended: 27 February 2007; Ord. No. 2007-04; Effective 12 March 2007)

(a) Such outdoor storage of junk material shall be located no closer to the front lot line than the furthest portion of the principal building.

(b) The junk material shall be located such that all setback and yard requirements for accessory structures for the applicable district are met.

(c) Such outdoor storage of junk material shall not exceed one inoperable vehicle nor 150 square feet of area.

(2) In the Natural Area, Exclusive Agricultural, Prime Agricultural, General Agricultural, Countryside, Heartland-3.5, Heartland-5, Heartland-10, Estate, Light Industrial, Conservation Area, Countryside-5, and Chambers Island districts, junk material may be stored outdoors, provided that the storage of junk material that exceeds 3 inoperable vehicles or 1,000 square feet of storage area shall be located at least 300 feet from a public right-of-way or shall be screened from the public right-of-way by a vegetative screening, as described in s.3.10(4), landscape buffer tree requirements. (Amended: 27 February 2007; Ord. No. 2007; Effective 12 March 2007 (Amended: 25 March 2014; Ord. No. 2014-03)

(3) The provisions of subs.(1) and (2) shall not apply to the storage of idle, but operable farm equipment, nor to legally licensed salvage yards, sanitary landfills, or other waste disposal or storage activities for which a valid license from the State of Wisconsin and/or other municipality is required and has been issued.

3.14 Filling and grading. Filling, grading, lagooning, dredging, excavating, and ditching may be authorized under this section in any zoning district, except the Wetland district, subject to the following:

(1) Two feet of fill above the pre-construction grade elevation shall be permitted for each building or structure provided said fill is contained within 20 horizontal feet of the perimeter of the proposed building footprint. Fill that exceeds a depth of two feet above pre-construction grade elevation may be allowed provided that the finished slope of said fill shall not exceed one foot vertical per five feet horizontal. Building site preparation and filling required to comply with the provisions of the Door County Floodplain Zoning Ordinance shall be exempt from the provisions of this paragraph. (Added: 8 August 2000; Ord. 15-00)

(2) Navigable water protection. (Relocated to s. 3A.06: 27 May 2014; Ord. 2014-10) (Navigable water protection regulations in s. 3A.06 revised and moved to Door County Shoreland Zoning Ordinance: 20 Sept. 2016; Ord. 2016-14)

(3) Land disturbance. A regular zoning permit shall be required for any land disturbance of a site in excess of 10,000 square feet or in excess of 1,000 cubic yards of earth material by means of filling, grading, or excavating. This section shall not apply to planting, growing, cultivating and harvesting agricultural crops, nor to installation of public utilities or sanitary waste disposal systems or construction of public roads and walkways.

(4) Permit. If a regular zoning permit is required by sub. (3) for the filling, grading, lagooning, dredging, ditching, excavating, or land disturbance, the permit shall be granted only upon finding that the proposed activity would not result in erosion nor alter any wetland, and would be designed and constructed in accordance with standards contained in the *United States Department of Agriculture/ Soil Conservation Service/ Wisconsin Section IV Technical Guide*. (Amended: 8 August 2000; Ord. 15-00) (Amended: 20 Sept. 2016; Ord. 2016-14)

Commentary: Filling and grading in the Wetland district may only be authorized under s. 2.05(4), uses pertaining to the Wetland district.

3.15 Special development requirements.

(1) Purpose. The purpose of this section is to provide specific development requirements which are necessary to protect scenic and natural resources, preserve the character of an area, or otherwise protect public health, safety, and welfare within certain towns, portions of towns, or portions of the county.

(2) Applicability. The requirements of this section shall apply only to the districts and/or areas specified in each subsection. These requirements shall override any requirements which are described elsewhere in this Ordinance for the zoning districts, but only to the extent that they conflict with such requirements.

(3) Town of Washington special development requirements.

(a) The requirements in subds. 1.-5. shall apply to all parts of the Town of Washington, except for the following parcels of land:

In Section 32, Town 34 North, Range 30 East, the NE1/4 NE1/4, the SW1/4 NE1/4, the SE1/4 NE1/4, the NE1/4 SE1/4 and the NW1/4 SE1/4.

In Section 33, Town 34 North, Range 30 East, the SW1/4 NE1/4 NE1/4, the S1/2 NW1/4 NE1/4, the SW1/4 NW1/4, the SE1/4 NW1/4, the NE1/4 SW1/4, the NW1/4 SW1/4 and the SW1/4 SW1/4.

1. Minimum lot area. The minimum required lot area in all districts shall be as specified in s. 3.02(3), table of district requirements, or 60,000 square feet, whichever is greater.

2. Minimum lot width. The minimum required lot width in all districts shall be as specified in s. 3.02(3), table of district requirements, or 200 feet, whichever is greater. For lots fronting on navigable water, the distance as measured along the shore between the points of intersection of the lot lines with the ordinary high water mark shall also be at least 200 feet.

3. Side yard, principal building. The required minimum side yard for each principal building shall be as specified in s. 3.02(3), table of district requirements, or 25 feet, whichever is greater, except that for lots of record which do not contain sufficient area or width to conform to the requirements of subds. 1. and 2. the yard requirements of s. 3.02(3), table of district requirements, shall apply. (Amended and relocated from s. 3.15(3)(a)4.: 20 Sept. 2016; Ord.2016-14)

4. (Amended: 27 May 2014; Ord. 2014-10) (Deleted: 20 Sept. 2016; Ord. 2016-14)

5. Manufactured homes restricted. No manufactured home park shall be permitted. No manufactured home shall be permitted, except as provided by s. 4.08(6), temporary manufactured homes.

(b) The following shall apply to the areas excepted in par.(a) above: (Amended: 20 Sept. 2016; Ord. 2016-14)

1. Minimum lot area. The required minimum lot area shall be 5 acres.

2. Minimum lot width. The required minimum lot width shall be 300 feet.

3. (Deleted: 20 Sept. 2016; Ord. 2016-14)

(4) Town of Gibraltar special development requirements. (Deleted: 20 Sept. 2016; Ord. 2016-14)

(a) (Added: 22 Aug. 2006; Ord. 2006-16 – Effective 12 Sept. 2006) (Amended and relocated to s. 3.08: 20 Sept. 2016; Ord. 2016-14)

(b) (Deleted: 20 Sept. 2016; Ord. 2016-14)

1. (Deleted: 20 Sept. 2016; Ord. 2016-14)

2. (Added: 22 Aug. 2006; Ord. No. 2006-16 – Effective 12 Sept. 2006) (Amended and relocated to s. 3.08: 20 Sept. 2016; Ord. 2016-14)

(c) Blank

(d) (Added: 22 Aug. 2006; Ord. No. 2006-16 – Effective 12 Sept. 2006) (Amended and relocated to sections 4.08(8)(c)1.a. and (c)2.a.: 20 Sept. 2016; Ord. 2016-14)

(5) Town of Liberty Grove special development requirements. (Created 6 May 1996, Ord. 10-96)

(a) Purpose. The provisions of this subsection are intended to protect public health, safety, aesthetics, and other aspects of the general welfare by ensuring that future development is harmonious with Liberty Grove's visual and physical character and that the scale of buildings is compatible with surrounding development.

(b) Applicability. The provisions of this subsection shall apply to the entire Town of Liberty Grove.

(c) Building footprints. For each individual building the total area of the building footprint shall not exceed 15% of the area of the lot on which it is located or 5000 square feet, whichever is less, unless a conditional use permit is issued.

(d) Side yard setback requirements for all structures in the SF10 and SF20 zoning districts. Structures exceeding a building footprint of 3,000 square feet shall have a minimum required side yard setback of 20 feet. (Amended: 29 January 2002; Ord. 03-02) (Amended: 22 February 2011; Ord. 2011-03) (Amended: 20 Sept. 2016; Ord. 2016-14)

(6) Town of Baileys Harbor special development requirements.

(a) Purpose. These provisions are intended to protect public health, safety, aesthetics, and other aspects of the general welfare by insuring that future development is in harmony with the desired visual and physical character of the town.

(b) Principal and accessory structures in the Core Area of Baileys Harbor as designated by the Door County Comprehensive and Farmland Preservation Plan shall not have pressed or corrugated metal, or corrugated fiberglass or plastic as exterior siding materials. This prohibition shall not apply to products meant to simulate horizontal clapboard such as vinyl or aluminum siding. (Added: 03 August 1998; Ord. 13-98) (Amended: 22 February 2011; Ord. No. 2011-03)(Amended: 15 April 2014; Ord. 2014-06) (Amended: 20 Sept. 2016; Ord. 2016-14)

(7) Town of Jacksonport special development requirements. (Added: 29 July 2008, Ord. No. 2008-13)(Amended: 17 April 2012; Ord. 2012-14) (Deleted or amended and relocated: 20 Sept. 2016; Ord. 2016-14)

(a) (Amended and relocated to s. 3.08: 20 Sept. 2016; Ord. 2016-14)

(b) (Deleted: 20 Sept. 2016; Ord. 2016-14)

3.16 Exclusive Agricultural district restriction. (Deleted 30 Sept. 2010; Ord. 2010-13)

3.17 Alleys. (Created: 30 August 2011; Ord. 2011-11)

- (1) Alleys shall only be allowed in the SF10, SF20, HD, CC, MC, RC, NR, VC, and GC zoning districts.
- (2) Alleys shall not exceed 600 feet in length, as measured from the intersecting road rights-of-way.

- (3) The minimum required setback from alleys for all structures in the SF20, HD, CC, MC, RC, NR, VC, and GC zoning districts shall be 20 feet from the edge of the alley right-of-way as measured from the nearest portion of a structure. The minimum required setback from alleys for all structures in the SF10 zoning district shall be 10 feet from the edge of the alley right-of-way, as measured from the nearest portion of a structure. These setbacks shall supersede the yard setbacks listed in sections 3.02(3(a) and (b), tables of district requirements. The structures listed in section 3.05(8) are permitted within the alley setback, provided that they do not violate any other provision of this Ordinance.
- (4) Any lot that abuts an alley shall also abut a road.

CHAPTER 3A

SHORELAND ZONING REGULATIONS

(Chapter created: 27 May 2014; Ord. 2014-10)
(Amended: 22 December 2015; Ord. 2015-14)
(Deleted: 20 Sept. 2016; Ord. 2016-14. See instead
Door County Shoreland Zoning Ordinance.)