

Town of Gibraltar Sign Code Draft of 9/27/18

8.09 Town of Gibraltar additional sign and outdoor display requirements.

(1) Findings. It is a primary objective of the Town of Gibraltar to maintain and enhance its unique visual character. That character emphasizing water vistas, scenic beauty, and historic buildings could be threatened by the uncontrolled proliferation of signs. The resultant scenic blight would diminish the community's attractiveness to tourists, reduce property values, and the distractions of excessive signage could aggravate traffic safety concerns. *(Amended: 18 April 2000; Ord. 06-00 - Effective 29 May 2000)*

(2) Purpose. The purpose of this section is to set forth additional requirements to safeguard life, health, property, and public welfare and to preserve and enhance the Town's unique visual character ~~aesthetic values~~ by regulating and controlling the design, size, number, location, construction, illumination, installation, and maintenance of all signs referred to in this section and by controlling outdoor displays.

(3) Applicability. ~~This section shall apply to all signs located within the Town of Gibraltar. Except as otherwise authorized, no sign visible from a state or county road, from any Town street, from a private street, from a public parking lot, from a private parking lot, from the water or from any adjacent property shall be located, erected, moved, reconstructed, extended, enlarged or structurally altered, including the placement of various components of the sign, until a Zoning permit has been reviewed and approved. Signs located on a property or location with multiple buildings or businesses under common or separate ownership shall not be exempt from the requirements of this Code. Additions to and alterations of existing signs and support structures require a new permit. The use of any other sign not otherwise authorized by this ordinance, or any banner, pennant, flag, balloon, streamers, pinwheel, posters, or similar object used for identifying or advertising a product, business, show, or carnival shall be prohibited unless duly authorized by the Gibraltar Town Board.~~ Otherwise authorized, no sign visible from a state or county road, from any Town street, from a private street, from a public parking lot, from a private parking lot, from the water or from any adjacent property shall be located, erected, moved, reconstructed, extended, enlarged or structurally altered, including the placement of various components of the sign, until a Zoning permit has been reviewed and approved. Signs located on a property or location with multiple buildings or businesses under common or separate ownership shall not be exempt from the requirements of this Code. Additions to and alterations of existing signs and support structures require a new permit. The use of any other sign not otherwise authorized by this ordinance, or any banner, pennant, flag, balloon, streamers, pinwheel, posters, or similar object used for identifying or advertising a product, business, show, or carnival shall be prohibited unless duly authorized by the Gibraltar Town Board. *(Amended: 18 April 2000; Ord. 06-00 - Effective 29 May 2000)*

(4) Additional general sign requirements. The following requirements shall be in addition to any requirements listed in Section 8.03, General Sign Requirements.

(a) Hotels and motels shall be permitted one internally illuminated sign not to exceed two square feet. ~~No sign shall be illuminated from within, except "Vacancy/No Vacancy" signs.~~

(b) Each ~~business~~ property regulated under Section 8.03 shall be permitted ~~no more than two art flags~~ two flags or banners not to exceed 12 square feet each either for sale or for display. Any flag or banner on a regulated property that can be seen from the public right of way will be considered one of the two flags or banners above, regardless of the owners intent or the size of the property, except governmental flags as stated in (6)(c). ~~The use of any other sign not otherwise authorized by this ordinance, or any banner, pennant, flag, balloon, streamers, or similar articles, or the outdoor display of clothing and accessories, stuffed animals, or posters, for identifying or advertising a product, business, show, or carnival shall be prohibited unless duly authorized by the Gibraltar Town Board.~~ *(Amended: 18 April 2000; Ord. 06-00 - Effective 29 May 2000)*

(c) Sandwich board signs are prohibited.

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1 ~~(c) No satellite dish shall be used as a sign or sign structure.~~

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3 (d) No sign shall be affixed to public utility poles.

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5 (e) ~~Reader boards shall be prohibited. (Amended: 23 March 2004; Ord. 2004-09)~~ Note: Relo-
6 cated to (5)(d)

7
8 (f) All wall, projecting, and freestanding (including directional) signs shall be constructed pre-
9 dominantly of natural materials such as wood or manufactured materials, which give the
10 appearance of wood. Signs with relief are encouraged. (Amended: 24 February 2009; Ord.
11 2009-02; Effective: 6 March 2009)

12
13 (g) Projecting Signs. Projecting signs shall not exceed 16 feet in height, except that such signs
14 shall not extend above the roof if the roof of the building is less than 16 feet in height.

15
16 (h) Freestanding signs.

17 1. Such signs shall not exceed a height of 12 feet.

18
19 2. In order to provide visual clearance for vehicles, freestanding signs located within
20 15 feet of an intersection of two public rights-of-way, or an intersection of a drive-
21 way and a public right-of-way shall not exceed three feet in height or the bottom of
22 the sign shall be at least seven feet above grade.

23
24 3. Such signs shall be self-supporting structures permanently attached to sufficient
25 foundations.

26
27 4. Electric service to freestanding signs shall be underground.

28
29 (i) ~~Vehicular signs. No motor vehicle or trailer, which has attached thereto or located thereon~~
30 ~~any sign for the purpose of advertising a product or directing people to a business activity,~~
31 ~~shall be parked in view of a public road for more than three consecutive hours.~~ No per-
32 sons shall park any vehicle or trailer on a public right-of-way, public property or on private
33 properties so as to be seen from a public right-of-way which has attached thereto or lo-
34 cated thereon any sign or advertising device for the basic purpose of providing advertise-
35 ment of projects or directing people to a business activity in the trailer or vehicle or locat-
36 ed on the same or nearby property or any other premises. This section shall not prohibit
37 for sale signs on vehicles for sale, provided the vehicle is not parked on a public right-of-
38 way.

39
40 (5) On Premise Signs without a permit. The following signs are permitted in all zoning districts with-
41 out a Zoning permit.

42
43 (a) Rummage sale signs.

44 Rummage sale and garage sale signs provided that such signs are removed within 12
45 hours following the sale.

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1 (b) Bulletin boards.

2 Bulletin boards for businesses are permitted not to exceed four square feet in area on one
3 side located on the building. Erasable blackboards or glass-enclosed cases are acceptable.

4
5 (c) Fixed location reader boards with changeable copy, including gas station price signs may
6 be permitted for businesses. Moveable reader boards are not allowed to function as
7 sandwich board signs. A reader board sign shall be considered part of the total sign area
8 allowed in Section 8.03(12) and Section 8.03(15(a)(3) and not in addition to. (Amended: 23
9 March 2004; Ord. 2004-09)

10
11 (d) Restaurant Menu Boards.

12 One menu board is allowed per restaurant. The maximum allowable size for a menu board
13 is nine square feet. If it is over nine square feet in size the menu board's area shall be in-
14 cluded in the total signage calculation. All menu boards must be mounted on or near the
15 building and match, the design of the building and/or any signage displayed on that build-
16 ing. Erasable blackboards or glass-enclosed cases are acceptable.

17
18 (e) Seasonal signs. Seasonal signs advertising the sale of seasonal products, including Christ-
19 mas trees and pumpkins, provided that:

20
21 1. Only one sign per business site will be allowed.

22
23 2. The sign shall be set back a minimum of 10 feet from all lot lines.

24
25 3. The sign area shall not exceed 24 square feet.

26
27 4. The sign shall not exceed six feet in height.

28
29 5. The sign shall not be posted for more than 30 consecutive days in any calendar year.

30
31 **(56)** Additional requirements for particular signs. The following requirements shall be in addition to
32 any requirements provided in Section 8.03, general sign requirements, and Section 8.04, specific re-
33 quirements for particular signs:

34
35 (a) Flags. ~~There shall be not~~ No more than two government entity flags or nonprofit organi-
36 zation flags, emblems, or insignia displayed on a lot or building site at any one time, with
37 the exception that no limitation shall be imposed on the display of the United States Flag.
38 Such flags, emblems, or insignia shall not be illuminated, with the exception of the United
39 States flag. Flagpoles shall not exceed a height of 35 feet above preconstruction grade.
40 (Amended: 24 February 2009; Ord. 2009-02; Effective 6 March 2009) (Amended: 18 April
41 2000; Ord. 06-00 - Effective 29 May 2000) (Amended: 28 May 2002; Ord. 08-02 - Effective
42 8 July 2002)

43
44 (b) Nameplates and/or addresses; signs identifying prohibited activities are permitted and
45 shall not exceed two square feet in sign face area. "No Hunting"; "No Trespassing;" "No
46 Dumping;" ~~One sign related to business operating conditions and or one sign related to the~~
47 ability to serve customers; ~~"Open/Closed;" and "Vacancy/No Vacancy" signs~~ shall not ex-

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ceed two square feet in sign face area. ~~No more than one "Open/Closed" and one "Vacancy/No Vacancy" sign shall be displayed for each business.~~

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3
4 (c) Election campaign signs. In addition to the requirements of Section 8.04(1), election campaign signs, which, are not located on residential property, as, defined in Section 12.04, Wis. Stats., shall meet the following:
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8 1. Such signs shall not be erected or displayed earlier than 45 days prior to the primary
9 election and shall be removed within two days following the general election.
10
11 2. Such signs shall not exceed four square feet in sign face area.
12
13 3. Such signs shall be set back at least 15 feet from a public right-of-way.
14
15 4. Only one such sign for each candidate or measure shall be permitted on any lot or
16 parcel.
17
18 (d) Outdoor vending machines shall be placed only next to the wall of a principal building,
19 shall not be located within any public right-of-way, nor shall be placed on any public side-
20 walk.
21
22 (e) There shall be no more than three windsocks displayed on any parcel at any time.
23
24 (f) ~~Temporary special event signs, which promote events of community significance, shall re-~~
25 ~~quire authorization of the Gibraltar Town Board.~~ Special Event and Fund Raising Signage.
26 The temporary use of banners, balloons, inflatable signs, streamers, pennants, and other
27 similar signage or media used for special event, fund raising and other advertising purpos-
28 es in any district may be allowed subject to Town Board approval, provided that the ad-
29 vertising media will not be located on any sidewalk or bikeway if one is present or in any
30 public right-of-way. These signs/media shall be erected and removed within the period es-
31 tablished by the Town Board. The property owner must grant permission in writing for the
32 placement of the sign/media. The sign/media, will not be located closer than ten feet to
33 an adjacent property; driveway, and will not cause a hazard to traffic or adjoining proper-
34 ties. These sign/media shall not exceed 24 square feet in area on 1 side or 48 square feet
35 on all sides.
36
37 (g) Off-premise advertising signs. Off-premise advertising signs other than directional signs
38 shall be prohibited. (Amended: 18 April 2000; Ord. 06-00 - Effective 29 May 2000)
39
40 (h) On-premise advertising signs. On-premise advertising signs shall be restricted as follows:
41
42 1. When there is only one business on a lot, such signage shall comply with the follow-
43 ing requirements:
44
45 a. Not more than two advertising signs, which are freestanding, or projecting
46 signs shall be permitted.
47

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b. The total area of all advertising signs (including wall and window signs) shall not exceed 36 square feet in sign face area and no individual sign shall exceed 24 square feet in sign face area.

2. When more than one business establishment are located in a single building or on one lot, such signage shall comply with the following requirements:

a. Two signs advertising the name of the multiple business establishment shall be permitted. Each sign shall not exceed 24 square feet in sign face area and the total sign face area of the two signs shall not exceed 36 square feet.

b. In addition to the two signs advertising the name of the multiple business establishment, directory signs shall be permitted for the establishment in accordance with the following table:

| Number of Businesses | Number of Directory Signs Allowed | Square Footage of Each Directory Sign |
|-----------------------------|--|--|
| 2 - 4 | 1 | 12 sq. ft. |
| 5 - 10 | 2 | 16 sq. ft. |
| 11 - 15 | 2 | 20 sq. ft. |
| Over 15 | 3 | 20 sq. ft. |

c. Each business within the multiple business establishment shall be permitted two signs. Each sign must be placed either on the entrance door or on the exterior wall of the business. Each sign shall not exceed six square feet in sign face area and the total sign face area of the two signs shall not exceed ten square feet.

(i) Home occupations, home offices, home businesses and vacation rentals.

Home occupations and home businesses are permitted a single sign not to exceed four square feet. Home offices are not permitted any on or off premise signage regardless of zoning district. Vacation rental options:

1. Home offices are not permitted any on or off premise signage regardless of zoning district.

2. Vacation rental properties shall be subject to Section 8.04(2) and in particular Section 8.04(2)(f) of the Code.

(j) Directional signs.

1. Directional signs shall only be located on common signposts provided by the Town of Gibraltar and shall only be permitted at each intersection of Main Street/State Highway 42 with a town or county road, each intersection of two county roads, and each intersection of a county and town road. *(Amended: 18 April 2000; Ord. 06-00-Effective 29 May 2000)*

2. Such signs shall be white with black lettering and shall measure four feet wide by eight inches high.

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- 2
- 3 3. Directional signs shall not be permitted for any business located immediately adjacent to Main Street/State Highway 42.
- 4
- 5 4. No business shall be permitted more than one directional sign, except that a business, which operates on or from two roads, shall be permitted not more than two
- 6 directional signs.
- 7
- 8
- 9 5. All costs associated with a directional sign shall be assumed by the business listed
- 10 thereon.

11 (7) Historic Signs. Signs of historic significance which make a contribution to the cultural, historic or
12 aesthetic quality of the Town because of their unique construction materials or unique design, unusual
13 age, prominent location within the Town, or unique craftsmanship from another period of time may
14 be exempted from any or all size, height, animation, lighting, or setback requirements of the section,
15 when the Town Plan Commission determines the following conditions exist:

16

17 (a) The sign is of exemplary technology, craftsmanship, or design of the period in which it was
18 constructed; uses historic sign materials (wood, metal, or paint applied directly to a build-
19 ing) and means of illumination (neon or incandescent fixtures); and is not significantly al-
20 tered from its historic period. If the sign has been altered, it must be restored to its histor-
21 ic function and appearance.

22

23 (b) The sign is integrated into the architecture of a period building.

24

25 (c) A sign not meeting the criteria listed above may be considered if it demonstrates extraor-
26 inary aesthetic quality, creativity or innovation in design.

27

28 (d) Historic signs are exempt from the requirements of section 8.06 "Non-conforming Signs."

29

30 (8) Outdoor Displays.

31 (a) Outdoor displays are allowed on a regular basis in the VC District. No permit will be re-
32 quired if the owner of a business in the VC District wishes to display a small amount of
33 merchandise which is offered for sale outdoors, excluding the items included in 8.09(8)(d).
34 Merchandise for sale includes any and all items offered for sale, including but not limited
35 to gifts, clothing, works of art, yard art, food products, beverages, etc. The display must
36 satisfy the following requirements:

37

38 (1) The appearance of the display must be proportionate to the size of the build-
39 ing in which the store is located.

40

41 (2) The items to be displayed outdoors must be placed at least ten feet from the
42 face of the curb. If the building is located on a corner, then a 10-foot setback shall
43 be from both curb faces. If it will be impossible for a business owner to satisfy the
44 ten-foot regulation a small display will be allowed by the building entrance. The to-
45 tal area for the display of items in 8(b) shall not exceed 20% of the front yard sub-
46 ject to the setbacks.

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1 (3) If goods are removed from the display area, all support fixtures shall also be
2 removed.

3
4 (4) The purchase transaction for the merchandise displayed outdoors shall occur
5 inside the building.

6 (5) The sale of merchandise, food or beverages in 8.09(8)(a) is not permitted from
7 a vehicle or trailer.

8
9 (b) Outdoor displays are allowed on a regular basis in the General Commercial, Recreation
10 Commercial and Light Industrial Districts. No permit will be required if the owner of a
11 business in the GC, RC and LI Districts wishes to display merchandise which is for sale out-
12 doors, excluding the items included in 8.09(8)(d). Merchandise for sale includes any and
13 all items offered for sale, including but not limited to gifts, clothing, works of art, yard art,
14 food products, beverages, etc. The display must satisfy the following requirements:

15
16 (1) The outdoor display of merchandise shall not extend more than 50 percent
17 from the building into the required front setback area or into the side setback are-
18 as.

19
20 (2) Signs, screening, enclosures, landscaping or materials being displayed shall
21 not interfere in any manner with either on-site or off-site traffic visibility, including
22 pedestrian traffic.

23
24 (3) The display area shall not inhibit the use of or number of required parking
25 stalls.

26
27 (4) Display areas shall be separated from any vehicular parking or circulation area
28 and the separation shall be clearly indicated.

29
30 (5) If goods are removed from the display area, all support fixtures shall also be
31 removed.

32
33 (6) The purchase transaction for the merchandise displayed outdoors shall occur
34 inside the building.

35
36 (7) The sale of merchandise, food or beverages in 8.09(8)(b) is not permitted
37 from a vehicle or trailer.

38
39 (c) Number of sidewalk sales allowed per calendar year.

40
41 (1) Sidewalk sales in any of the business districts shall be subject to Town Board
42 approval.

43
44 (d) Certain outdoor displays require a Zoning permit in the GC, RC and LI business districts. If
45 the owner of a business in the GC, RC and LI business districts wishes to display larger
46 items for sale such as automobiles, farm implements, trucks, trailers, motorcycles, RV's,
47 campers, ATV's, boats, garden and landscaping products and the like, a zoning permit

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1 which delineates the area where the large item display will be allowed is required; the
2 number of items displayed and the duration of the display. The display must meet the fol-
3 lowing requirements:

4
5 (1) The parcel shall be located on a State Highway or County road and shall ex-
6 ceed five acres in size.

7
8 (2) The display shall not extend more than 20 percent from the building into the
9 front yard area, and may not extend into the required side or rear setbacks.

10
11 (3) Automobiles, farm implements, trucks, trailers, motorcycles, RV's, campers,
12 ATV's, boats and the like shall only be displayed or placed on a surface as specified
13 in the Zoning Code.

14
15 (4) The display area shall not inhibit the use of or number of required parking
16 stalls.

17
18 (5) Display areas shall be separated from any vehicular parking or circulation area
19 and the separation shall be clearly indicated.

20
21 (6) If goods are removed from the display area, all support appurtenances shall
22 also be removed.

23
24 (7) Screening may be required if the abutting property is not similarly zoned.

25
26 (9) Other District Signage.

27 Signage in any district other than General Commercial GC, Recreation Commercial RC, Light In-
28 dustrial LI, and Village Commercial VC shall be considered non-conforming unless the property
29 owner can provide written evidence of an approved Zoning Permit for the sign. Signage for farm
30 stands and farm markets is permitted while the products are for sale.

31
32 (10) Any group, business or entity utilizing Section 8.09(5) On Premise Signs, Section 8.09(6)(f) Spe-
33 cial Event Signs and Section 8.09(8)(a), (b) and (c) Outdoor Displays or other provision that re-
34 quires the approval of the Town Board that fails to follow the standards outlined in that section
35 shall be notified in writing that all future utilization of those particular provisions shall require a
36 regular Zoning permit.

37
38 (11) Food carts, food trucks, portable food vending units.

39 The sale of food, beverages or goods from a truck, trailer, tent or table is prohibited in all zoning
40 districts, unless it is permitted by the Town Board as part of a festival permit.

180619 Definition Outdoor Active Recreation v4.docx

Particular User Requirements 4.07(9) Outdoor Active Recreation Facility. Shall be defined as:

~~A commercially operated facility with one or more outdoor active recreation uses.~~ (Amended: 26 Feb. 2013; Ord. 2013-07) (Added: 26 February; Ord. 2013-07)

Group 1: recreational uses, areas, and activities oriented toward potential competition or involving special equipment such as, but not limited to zip lines, paint ball facilities, bungee jumping, climbing walls or towers, go-cart tracks and mini-golf.

Group 2: recreational uses, areas, and activities including, but not limited to playgrounds, disc golf, sports fields, walking trails, mountain biking trails, tennis courts, pickle ball courts, basketball courts, swimming pools, and skating rinks.

- (a) Group 1: all projects shall be subject to a conditional use permit.
- (b) Group 1: the minimum lot size requirement shall be 20 acres.
- (b) Group 1: front, side, and rear lot line and road setbacks shall be a minimum of 100 feet.
- (c) Group 1: one parking space per four customers shall be provided, based on maximum site design capacity.
- (d) Reserved.
- (e) Group 2: outdoor active recreation activities on land owned by a local government, easements granted to a local government and operated as a public park shall be permitted subject a regular zoning permit and to the underlying district setbacks and minimum lot size requirements. One parking space per four customers shall be provided, based on maximum site design capacity.
- (f) Group 2: outdoor active recreation activities on land owned by a non-profit providing community based recreation opportunities shall be permitted subject to the underlying district setbacks and minimum lot size requirements. No additional parking shall be required unless the facilities are open to the public. No additional zoning permit shall be required in addition to the zoning permit required for the primary use.
- (g) Group 2: outdoor active recreation activities incorporated into a MOD project shall be subject to the underlying district setbacks and minimum lot size requirements. No additional parking shall be required unless the facilities are open to the public. No additional zoning permit shall be required in addition to the zoning permit required for the primary use.
- (h) Other events such as running races, marathons, bike races and iron-man style events that take place primarily on public property or right of way shall be subject to a safety review by the Gibraltar Town Board.

Door County Businesses Uses in Residential Districts

1 **(9) Home offices/studios.** The use of a dwelling unit or accessory structure for a home office/studio shall
2 be clearly secondary to the residential use of the property and shall not change the property's residential
3 character. The following shall apply:

4 (a) Home offices/studios shall not require a zoning permit.

5 (b) A maximum of two home offices/studios shall be permitted per ~~lot or building site~~ dwelling. ~~In no in-~~
6 ~~stance shall there be more than two home based enterprises on a lot or building site, whether those en-~~
7 ~~terprises are home offices/studios and/or home occupations and/or home businesses.~~

8 (c) The home office/studio business shall be conducted by the owner ~~resident~~(s) of the dwelling unit.
9 Other persons may be employed by the business, but shall not work on the premises.

10 (d) Home offices/studios may be conducted in any dwelling unit or accessory building. The total floor ar-
11 ea dedicated to home offices/studios, whether located within the dwelling unit and/or in an accessory
12 building, shall be no more than 25% of the floor area of the dwelling unit.

13 (e) Such use shall not include the conduct of any retail or wholesale business on the premises, nor any
14 other activity requiring visits by members of the public.

15 (f) Such use shall not include the operation of any machinery, tools, appliances, or other operational ac-
16 tivity that would create a nuisance due to noise, dust, odors, or vibration, or be otherwise incompatible
17 with the surrounding area.

18 (g) Such use shall not involve any outdoor storage or display of any products, materials, equipment,
19 dumpsters, or machinery used in conjunction with the home office/studio. (Amended: 20 Sept. 2016; Ord.
20 2016-14)

21 (h) Any on-site vehicles bearing business insignia or trailers used in conjunction with the home
22 office/studio shall be stored indoors.

23 (i) No parking in addition to that required for the dwelling unit shall be required.

24 (j) Deliveries to or shipments from the property of products, materials, equipment, or machinery used
25 in conjunction with a home office/studio shall not exceed two per week.

26 (k) No off-premise nor on premise advertising signs shall be permitted.

27 (l) Sanitary facilities shall be provided per county and state sanitary code requirements.

28 (m) Uses subject to regulations found elsewhere in this ordinance shall also comply with those regula-
29 tions.

Door County Businesses Uses in Residential Districts

1 **(9a) Home occupations.** The use of a dwelling unit or accessory structure for a home occupation shall be
2 clearly secondary to the residential use of the property and shall not change the property's residential
3 character. The following shall apply:

4 (a) Home occupations shall require a regular zoning permit. [The sale of the property or cessation of the](#)
5 [home occupation for a period in excess of twelve months shall void the zoning permit.](#)

6 (b) A maximum of ~~two~~one home occupations shall be permitted per ~~lot or building site~~dwelling. ~~In no~~
7 ~~instance shall there be more than two home-based enterprises on a lot or building site, whether those en-~~
8 ~~terprises are home offices/studios and/or home occupations and/or home businesses.~~

9 (c) The home occupation shall be conducted by the owner~~resident~~(s) of the dwelling unit on the proper-
10 ty. Other persons may be employed by the business, but no more than one non-resident shall work on the
11 premises.

12 (d) Home occupations may be conducted in any dwelling unit or accessory building. The total floor area
13 dedicated to home occupations, whether located within the dwelling unit and/or an accessory building,
14 shall be no more than 25% of the floor area of the dwelling unit.

15 (e) Such use shall not include the conduct of any retail or wholesale business on the premises, except for
16 the sale of products or services produced by the home occupation.

17 (f) Such use shall not include the operation of any machinery, tools, appliances, or other operational ac-
18 tivity that would create a nuisance due to noise, dust, odors, or vibration, or be otherwise incompatible
19 with the surrounding area.

20 (g) Such use shall not involve any outdoor storage or display of any articles offered for sale or produced
21 on the premises in conjunction with the home occupation, nor any outdoor storage or display of any prod-
22 ucts, materials, equipment, dumpsters, or machinery used in conjunction with the home occupation

23 (h) A maximum of one on-site vehicle bearing business insignia and one trailer used in conjunction with
24 the home occupation may be stored outdoors, provided that the vehicle and/or trailer are screened from
25 rights-of-way and neighboring properties.

26 (i) In addition to parking required for the dwelling unit, one off-street parking space shall be provided
27 for each 150 square feet of floor area used for the home occupation.

28 (j) Deliveries to or shipments from the property of products, materials, equipment, or machinery used
29 in conjunction with the home occupation shall not exceed five per week.

30 (k) A maximum of one on premise advertising sign, not to be illuminated and not to exceed 4 square feet
31 in area, shall be permitted for a home occupation. Such signs shall be authorized through issuance of a sign
32 permit in compliance with the requirements of this ordinance. No off-premise advertising signs shall be
33 permitted.

34 (l) Sanitary facilities shall be provided per county and state sanitary code requirements.

35 (m) Uses subject to regulations found elsewhere in this ordinance shall also comply with those regula-
36 tions.

Door County Businesses Uses in Residential Districts

1 **(10) Home businesses.** The use of a dwelling unit or accessory structure for a home business shall be
2 clearly secondary to the residential use of the property and shall not change the property's residential
3 character. The following shall apply.

4 (a) Home businesses shall require a regular zoning permit, ~~permits as indicated in s. 2.05(3).~~ The sale of
5 the property or cessation of the home business for a period in excess of twelve months shall void the zon-
6 ing permit.

7 (b) A maximum of ~~two~~ one home businesses shall be permitted per ~~lot or building site~~ dwelling. ~~In no in-~~
8 ~~stance shall there be more than two home based enterprises on a lot or building site, whether those en-~~
9 ~~terprises are home offices/studios and/or home occupations and/or home businesses.~~

10 (c) The home business shall be conducted by the owner ~~resident~~(s) of the dwelling unit who shall reside
11 in the dwelling. Other persons may be employed in this business as well, working on- or off-site.

12 (d) If located within a dwelling unit, home businesses shall occupy no more than ~~60~~ 30 percent of the
13 floor area of the dwelling unit. If located in accessory buildings, home businesses shall not occupy an area
14 greater than ~~100~~ 30 percent of the floor area of the dwelling unit. ~~, except that home businesses may occu-~~
15 ~~py an entire accessory building that existed prior to the effective date of this ordinance.~~

16 (e) Such use shall not include the conduct of any retail or wholesale business on the premises, except for
17 the sale of products or services produced by the home business.

18 (f) Such use shall not involve any outdoor display of any articles offered for sale or produced on the
19 premises in conjunction with the home business. Outdoor storage of products, materials, equipment,
20 dumpsters, or machinery used in conjunction with the home business shall be permitted if the outdoor
21 storage areas are provided with fencing that creates an attractive view from abutting properties. All fences
22 shall be maintained in a structurally sound and attractive condition to the satisfaction of the Zoning Admin-
23 istrator. Any fence shall be not less than four feet or more than six feet in height sufficiently opaque to
24 prevent visibility by adjacent properties or from a public right of way. ~~or vegetative screening, as described~~
25 ~~in s. 3.10(4), land-landscape buffer tree requirements, so that such storage is not visible from public rights-of-~~
26 ~~way nor neighboring properties. (Amended: 20 Sept. 2016; Ord. 2016-14)~~

27 (g) Vehicles bearing business insignia and trailers used in conjunction with the home business may be
28 stored on-site, provided that no more than one of each is visible from public rights-of-way and surrounding
29 properties and that they are parked in the rear yard area of the dwelling or accessory building.

30 (h) Off-street parking shall be provided in accordance with the requirements in Chapter 7, parking, load-
31 ing, and access requirements.

32 (i) A maximum of one on premise advertising sign, not to be illuminated and not to exceed 12 square
33 feet in area, shall be permitted for a home business. Such signs shall be authorized through issuance of a
34 sign permit in compliance with the requirements of this ordinance. No off-premise advertising signs shall
35 be permitted.

36 (j) Sanitary facilities shall be provided per county and state sanitary code requirements.

37 (k) Uses subject to regulations found elsewhere in this ordinance shall also comply with those regula-
38 tions.

Proposed Temporary Use Language Changes – Section 2.07

2.07 Temporary uses.

- (1) Uses which are conducted on a lot for not more than 10 days total, including not more than 7 consecutive days, in a calendar year shall be known as temporary uses and may be conducted in any zoning district, except the Wetland district. Only those uses shown in § 2.05(4), uses pertaining to the Wetland district, are allowed in the Wetland district. All temporary uses conducted on a lot within a calendar year count toward the allowed number of days. Uses, which are conducted for more than the allowed number of days, shall be regarded as principal uses and regulated accordingly. (Amended: 15 April 2014, Ord. 2014-05; Effective 27 May 2014)
- (a) In the Town of Liberty Grove, temporary uses may be conducted for not more than 6 days total, including not more than 3 consecutive days. (Added: 15 April 2014, Ord. 2014-05; Effective 27 May 2014)
- (b) In the Town of Gibraltar, temporary uses may not be conducted for more than three consecutive days nor more than six days total, in a calendar year. Flea markets, circuses, carnivals, concerts, festivals and outdoor group assemblies may be only permitted on a parcel located in the VC, LI, GC and RC districts. The temporary use of a property for a private party or similar event not open to the public by the owner of the property is exempt from these requirements. Activities and events issued a festival permit by the Gibraltar Town Board shall be exempt from these requirements.
- (c) In the Town of Gibraltar any existing temporary use as of the date of this ordinance that operates in a district other than VC, LI, GC and RC may be allowed to operate for the six day total subject to a conditional use permit.[COMMENT: A TEMPORARY USE BY ITS VERY NATURE DOES NOT CREATE A PRE-EXISTING RIGHT TO CONTINUE OPERATIONS IN VIOLATION OF THE ZONING CODE.]
- (d) Restaurants in the Town of Gibraltar shall be permitted to have special events involving the sale of food on the property subject to the setback and parking restrictions.
- (2) Temporary uses shall ~~not~~ require a ~~regular~~ temporary use zoning permit. The fee for the Temporary use permit shall be set by the County Board. Copies of temporary use permits shall be provided to the respective town where the use is located.
- (3) Temporary uses shall meet all setback and yard requirements of sections 3.02(3)(a) and (b), tables of general requirements, 3.05, roads, 3A.04, navigable water, and 5.10, wetlands, of this Ordinance.(Amended: 24 March 2015; Ord. 2015-02)
- (4) Temporary uses shall not involve the construction or alteration of any permanent structure. A temporary use permit shall not exempt the permit holder from complying with the health, sanitary and fire codes.
- (5) (Deleted: 15 April 2014, Ord. 2014-05; Effective 27 May 2014)



Kufirin Consulting

MEMO

To: Gibraltar Town Board
From: Robert L. Kufirin
Subject: Request for Highly Developed Shoreline Designation
Date: Thursday, August 16, 2018

The Town of Gibraltar Plan Commission has been evaluating the setback and development issues in the VC Village Commercial zoned area of the Town. Prior to the adoption of the County Shoreland Zoning Code, the Town had the ability to restrict building heights and impervious surface ratios. When the State directed the County to adopt that ordinance there were several critical impacts.

Key shoreland zoning criteria that apply to VC Village Center zoning:

1. It applies to all properties within 1,000 feet of the ordinary high water mark (OHWM) of Green Bay, which covers most of the downtown and land zoned VC.
2. It applies to all properties within 300 feet of the OHWM of Fish Creek inside and out-side the VC area.
3. Building setbacks from the water and are covered by the underlying zoning plus the shoreland setback is 75 feet with setback averaging allowed.
4. Impervious surface minimum of 15% to 30% compared to VC at 75%.
5. Buildings that are riparian to the OHWM can be up to 35 feet tall as defined under the regular zoning standards (Section 3.08(1)).
6. Buildings within the VC district that are not riparian to the OHWM can be up to 28 feet tall as defined under the regular zoning standards (Section 3.08(1)).

The Plan Commission is working on several of these impacts and will present recommendations to you in the near future. The Plan Commission recommends that the Board request that the County begin the process to designate the VC area a "highly developed shoreline."

Many years ago, the Town determined that the appropriate amount of impervious surface in VC was 75%. The County Shoreland Zoning code seeks to reduce run off impacts on water bodies by reducing the imperious surface to 15-30% compared to the existing VC level of 75%. This severely reduces the amount of developable land.

The shoreland zoning code allows for the downtown area to be designated a "highly developed shoreline" which would raise the limit to 30% up to 60%. This upper limit is still below the Town standard of 75%. In order to become designated a highly developed shoreline the County would do an assessment of the area, and if it meets **one** of the three measures below then the standards change:

1. The area has a majority of lots with 30% impervious surface.
2. The area is composed of a majority of lots that are less than 20,000 square feet.
3. The area is on a lake and served by a sewer system.
- 4.

Certainly, number 3 would apply to the downtown area and depending upon the exact boundaries number 1 and/or 2 could apply. The County has not designated any area as highly developed, but has a process outlined in the Code to do so.

The Shoreland Zoning Code standards are as follow:

- e. County has not, as of December 27, 2016, established areas of highly developed shoreline. The County may do so prospectively consistent with the processes and standards that follow.
- 1) A "highly developed shoreline" means a shoreline within an area identified as an Urbanized Area or Urban Cluster in the 2010 US Census or a shoreline that has a commercial, industrial, or business land use as of January 31, 2013.
 - 2) County may establish, after conducting a hearing and receiving approval by the Wisconsin DNR, a map of additional areas of highly developed shorelines not included in par. e. 1) above.
 - 3) Consistent with § 59.692(1k)(am)2, Wis. Stats., if the standards in this section allow a greater amount of impervious surface on areas with highly developed shorelines than areas with shorelines that are not highly developed, as determined by the Department, then these standards also require an area with highly developed shorelines must include at least 500 feet of shoreline and require one of the following must apply:
 - a) The area is composed of a majority of lots with more than thirty percent (30%) impervious surface area, as calculated by the County and approved by the Wisconsin DNR.
 - b) The area is composed of a majority of lots that are less than 20,000 square feet in area.
 - c) The area is located on a lake and served by a sewerage system, as defined in § 281.01 (14), Wis. Stats. [§ NR 110.03 (30), Wis. Adm. Code].
- f. Maximum impervious surface. County may allow a property owner to exceed the impervious surface standard under pars. d. and e. above provided that:
- 1) For lots or parcels described under par. b. above that will exceed the impervious surface standard under par. d. above and are not located within a highly developed shoreline as defined in par. e. above, County may allow more than 15% impervious surface but not more than 30% impervious surface as calculated under par. c. on the lot or parcel.
 - 2) For lots or parcels described under par. b. above and located within an area defined by this ordinance as a highly developed shoreline under par. e. above, County may allow more than 30% impervious surface but not more than 40% impervious surface as calculated under par. c. above on the lot or parcel for properties that have a residential land use, or more than 40% impervious surface but not more than 60% impervious surface as calculated under par. c. above for properties that have a commercial, industrial, or business land use.
 - 3) For lots or parcels described under par. b. above that will exceed the impervious surface standard under pars. d. and e. above, but do not exceed the maximum impervious surface standards under par. f. 1) or 2) above, the County shall issue a permit that requires a mitigation plan approved by the County and implemented by the property owner by the date specified in the permit. The mitigation plan shall include enforceable obligations of the property owner to establish or maintain measures that the County determines adequate to offset the impacts of the impervious surface on water quality, near-shore aquatic habitat, upland wildlife habitat, and natural scenic beauty. The mitigation measures shall be proportional to the amount and impacts of the impervious surface being permitted. The obligations of the property owner under the mitigation plan shall be evidenced by an instrument recorded in the Office of the Door County Register of Deeds.

It appears from the regulations above that the Town can determine the area to be designated as a highly developed shoreline. The easiest standard to meet is the e(3)(c): The area is located on a lake and served by a sewerage system, as defined in § 281.01 (14), Wis. Stats. [§ NR 110.03 (30), Wis. Adm. Code]. There is nothing in the Code that requires the Town to pay a fee for that designation and the County could have easily made that determination in 2016 when they first adopted the Code.

In the absence of that designation, the residential uses in VC will range from 15% to 30% compared to the desired standard of 75%.



Kufrin Consulting

MEMO

To: Gibraltar Town Board
From: Robert L. Kufrin
Subject: Changes to side setback regulations in VC Village Commercial
Date: Monday, September 17, 2018

Based on the comments from the Plan Commission's last meeting an ongoing problem in the Village Commercial area is the side setback for structures, which is 10 feet, which has created issues for property owners seeking to build decks, patios, stairs and balconies in the side setback area. Decks, patios, stairs and balconies are include in 3.09(3) of the Code:

- (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)

There are several ways to address the problem.

1. Add a footnote to section 3(b) Table of District Requirements – Town of Gibraltar for Village Commercial as follows:

Side setbacks for all decks, patios, stairs and balconies shall be five (5) feet.

Comment: If accessory structures further away from the principal structure than three feet can be located within five feet of the side property line the three-foot distance is merely arbitrary. If the County considers a patio as a structure then they need to be called out as well.

2. Add an amending subsection to 3.09(3) of the code to read as follows:

Town of Gibraltar Village Commercial Zoning District. Applicability to functional appurtenances. Any functional appurtenances to a principal building, such as decks, patios, stairways, and balconies, which are attached to or located within 3 feet of the principal building, shall comply with the yard requirements for accessory structures.

Comment: This just uses the same language as the rest of the Code and clearly states decks, patios, stairways and balconies may extend to within five feet of the side yard line.



Kufrin Consulting

MEMO

To: Town of Gibraltar Plan Commission
From: Robert L. Kufrin
Subject: VC front yard setbacks
Date: Monday, September 17, 2018

The Plan Commission has expressed an interest in addressing the issue of front setbacks for new construction in the Village Commercial District. There are existing buildings with a variety of setbacks from the roads. Section 3.05 of the Code addresses this issue.

Section 3.05(5) states the front setback from the right of way shall be 25 feet.

The attached sheet shows the significant variance in front yard setbacks. They vary between 0 feet and 115 feet with the average being 32 feet. However, when you eliminate the north end the average drops to 20 feet, which occurs primarily due to the large number of 0-foot setback properties. The location of the highway right of way varies upon which side Main Street the property is located. On the east, side of Main Street between Spruce Street / Highway 42 to the Town Park the right of way line is the backside of the sidewalk. On the west side of the road from Spruce Street to the Town Park the right of way line is generally 5 feet back of the sidewalk. The difference is primarily the wider grassy strip on the east side.

Main Street was originally platted as a Town Road with a 65-foot right of way and was taken over by the State sometime in the past. The road is generally in the center of the right of way. The provisions of Section 3.05(6) provide for averaging based on adjacent buildings within 200 feet, but given the significant variance from the 20 foot required setback over the entire Main Street area within the VC district the use of sub (a) or (b) probably will not make much of a difference.

Generally, the north end of Main Street has commercial buildings with parking in front and the south end has street parking. The south end of Main Street has more walking customers looking in storefronts and the north end is more destination shopping. If you don't reduce the amount of green space required reducing the south end setback to 10 feet creates more of a walking shopping area without reducing green space. Since the edge of the right of way has a different impact on the east side compared to the west side you could also adjust the setback to be from the face of the curb instead of the right of way line.

Based on the comments and suggestions from the Plan Commission meeting in August the following language is for Section 3.05 is proposed:

(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. No. 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)

(5b) The required front setback for roads in the Village Commercial shall be 20 feet from the face of the curb or edge of pavement if no curb exists.

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

| Type of Use | Zoning Districts | | | | | | | | | | | | | | | | | | |
|---|------------------|-----------------|-------------------|-----------------|----------------|----|-----------------|----------------|------|------|------|----|----|----|----------------|----------------|---------------------------|--------------|--------------|
| | W | NA | EA | GA | PA | CS | HL ⁸ | ES | SF10 | SF20 | SF30 | SE | RR | HD | CC | MC | RC | LI | |
| AGRICULTURAL USES | | | | | | | | | | | | | | | | | | | |
| Agricultural Visitation Facility (4.03(4)) (Added: 26 Aug 1997; Ord. 21-97) | | | | C | C | | | | | | | | | | | | | | |
| Farm Markets (s. 4.03(3)) (Amended: 30 Sept 2010; Ord. 2010-13) | | | C ¹⁷ | C | | C | C | | | | | | | | P | P | C | | |
| Agriculture (s.4.03(1)) (Amended: 26 Aug 1997; Ord. 21-97) | P | P | P | P | P | P | P | P | | | | | | | | | | | P |
| Greenhouses (Amended: 30 Sept 2010; Ord. 2010-13) | | | P ¹⁷ | P | P ¹ | P | P | P ¹ | | | | | | | C | C | | | |
| Roadside Stands (s. 4.03(2)) (Amended: 30 Sept 2010; Ord. 2010-13) | P | P ¹⁷ | P | P | P | P | P | P | | | | | | | | | | | |
| Tree/Shrub Nurseries | | P ¹ | P | P | P ¹ | P | P | P ¹ | | | | | | | | | | | |
| COMMERCIAL USES | | | | | | | | | | | | | | | | | | | |
| Art Galleries (Amended: 9 May 2008; Ord. 2008-01) | | | | C | C | C | C ¹⁰ | | | | | | | | P | P | P | | |
| Assembly Hall (s.4.04(17)) (Added: 5 Aug. 2013; Ord. 2013-13) | | | | C ¹⁴ | C | C | C ¹⁴ | C | | | | | | | C | C | C¹⁴ | | |
| Auto Repair (s. 4.04(5)) | | | | C | | C | | | | | | | | | C | C | | | P |
| Auto/Recr. Vehicle Sales, Rental, and Service Lot (Amended: 20 Sept. 2016; Ord. 2016-14) | | | | | | | | | | | | | | | C | C | | | |
| Banks | | | | | | | | | | | | | | | P ² | P ² | | | |
| Carwash (Added: 27 August 2002; Ord. 12-02) | | | | | | | | | | | | | | | C | C | C | C | P |
| Commercial Fishing Facilities | | | | | P | P | | | | | | | | | C | C | C | C | P |
| Commercial Trucking Establishments (Amended: 30 Sept 2010, Ord. 2010-13) | | | C ^{3,17} | C ³ | | | | | | | | | | | | | | | P |
| Commercial Storage Facilities(s. 4.04(8)) | | | | | | | | | | | | | | | C | C | C | | P |
| Community Commercial Kitchen (s.4.04(16)) (Added: 28 May 2012; Ord. 2012-13) | | | | | | | | | | | | | | | P | P | | | P |
| Conference Facilities | | | | | | | | | | | | | | | C | C | C | | |
| Day Care Centers (s. 4.04(14)) | | | | | | | | | | | | | | | C | C | C | | C |

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

| Type of Use | Zoning Districts | | | | | | | | | | | | | | | | | | |
|--|------------------|----|-----------------|------------------------------|----|--------------|------------------------------|----|------|--------------|------|----|----|----|----|----|--------------|--------------|--------------|
| | W | NA | EA | GA | PA | CS | HL ⁸ | ES | SF10 | SF20 | SF30 | SE | RR | HD | CC | MC | RC | LI | |
| COMMERCIAL USES (Continued) | | | | | | | | | | | | | | | | | | | |
| Family Day Care Homes (s. 4.04(13)) (Amended: 16 April 1996; Ord. 9-96) (Amended: 30 September 2010; Ord. 2010-13) | | P | P ¹⁷ | P | P | P | P | P | C | C | C | P | P | C | P | P | P | P | P |
| Farm Implement Sales/Service (Amended: 30 September 2010; Ord. 2010-13) | | | C ²² | C | C | C | | | | | | | | | C | C | | | P |
| Ferry Terminals | | | | | | | | | | | | | | | P | P | C | | |
| Fertilizer Distribution Plants (Amended: 30 Sept., 2010, Ord. 2010-13) | | | C ²² | C | C | C | | | | | | | | | | | C | C | |
| Fitness Centers, Tanning Salons & Spas (Added: 30 January 2003; Ord. 01-03) | | | | | | | | | | | | | | | C | C | C | | |
| Funeral Homes | | | | | | | | | | | | | | | C | C | | | |
| Gas Stations | | | | | | | | | | | | | | | C | C | C | C | C |
| Grain Mills (Amended: 30 September 2010; Ord. 2010-13) | | | C ²² | C | C | C | | | | | | | | | C | C | C | C | P |
| Home Businesses (s. 4.04(10)) (Amended: 20 April 2010, Ord. 2010-03) (Amended: 27 September 2012; Ord. 2012-21) | | | | C | C | C | C | C | | | | | C | | | P | | | |
| Home Occupations (s. 4.04(9a)) (Amended: 8 August 2000; Ord. 12-00) (Amended: 30 Sept 2010; Ord. 2010-13) | | P | P ¹⁷ | C P | P | P | C P | P | P | P | P | P | P | P | P | P | P | P | P |
| Home Office/Studio (s. 4.04(9)) (Added: 8 August 2000; Ord. 12-00) (Amended: 30 Sept 2010; Ord. 2010-13) | | P | P ¹⁷ | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P |
| Indoor Recreation | | | | | | | | | | | | | | | P | C | | P | |
| Kennels (s. 4.04(2)) | | | | P | P | P | | | | | | | | | | | | C | P |
| Laundromats and Laundry Service | | | | | | | | | | | | | | | P | P | C | | P |
| Lumber/Building Supply Yards(s. 4.04(6)) | | | | | | | | | | | | | | | C | C | | | P |
| Medical/Dental Clinics | | | | | | | | | | | | | | | P | P | | | |
| Model Homes (s. 4.04(4)) | | | | | | | C | C | C | C | C | C | C | P | P | P | P | P | P |

ZONING DISTRICTS; USE REGULATIONS 2.05(3)(a)

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

| Type of Use | Zoning Districts | | | | | | | | | | | | | | | | | | |
|---|------------------|----|----|----|----|----|-----------------|----|------|------|------|----|----|----|----|----|----|----|--|
| | W | NA | EA | GA | PA | CS | HL ⁸ | ES | SF10 | SF20 | SF30 | SE | RR | HD | CC | MC | RC | LI | |
| COMMERCIAL USES (Continued) | | | | | | | | | | | | | | | | | | | |
| Passenger Bus Terminals | | | | | | | | | | | | | | | | | | | |
| Personal Service Establishments | | | | | | | | | | | | | | | | | | | |
| Professional Offices/Studios | | | | | | | | | | | | | | | | | | | |
| Radio/TV Stations (Amended: 29 Sept. 2015; Ord. 2015-09 Effective 9 Nov. 2015) | | | | | | | | | | | | | | | | | | | |
| Non-Motorized Recreational Equipment Sales/Service/Rentals (Amended: 26 Feb. 2013; Ord. 2013-07) (Amended: 20 Sept. 2016; Ord. 2016-14) | | | | | | | | | | | | | | | | | | | |
| Motorized Recreational Equipment Sales/Service/Rentals (Amended: 26 Feb. 2013; 2013-07) (Amended: 20 Sept. 2016; Ord. 2016-14) | | | | | | | | | | | | | | | | | | | |
| Restaurants or Taverns (s. 4.04(3)) | | | | | | | | | | | | | | | | | | | |
| Retail Stores | | | | | | | | | | | | | | | | | | | |
| Trade or Contractor Establishments (s. 4.04(7)) (Amended: 18 Dec. 2001; Ord. 12-01) | | | | | | | | | | | | | | | | | | | |
| Veterinarian Clinics | | | | | | | | | | | | | | | | | | | |
| Wineries/Breweries (Amended: 5 Aug. 2013; Ord. 2013-10) | | | | | | | | | | | | | | | | | | | |
| INDUSTRIAL USES | | | | | | | | | | | | | | | | | | | |
| Asphalt/Concrete Plants | | | | | | | | | | | | | | | | | | | |
| Bulk Storage of Fuel Products | | | | | | | | | | | | | | | | | | | |
| Freight Terminals (s. 4.05(2)) | | | | | | | | | | | | | | | | | | | |
| Fruit/Vegetable/Cheese Processing Plants (Amended: 30 Sept. 2010; Ord. 2010-13) | | | | | | | | | | | | | | | | | | | |
| Manufacturing, Assembly, Processing | | | | | | | | | | | | | | | | | | | |
| Nonmetallic Mining (s. 4.05(3)) (Amended: 30 Sept. 2010; Ord. 2010-13) | | | | | | | | | | | | | | | | | | | |
| Resource Recovery Facilities (s. 4.05(6)) | | | | | | | | | | | | | | | | | | | |
| Salvage Yards (s. 4.05(4)) | | | | | | | | | | | | | | | | | | | |

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

| Type of Use | Zoning Districts | | | | | | | | | | | | | | | | | | |
|---|------------------|--------------|-----------------|-----------------|----|----|-----------------|----|------|---------------------------|------|--------------|----|----|----|----|--------------|----|---|
| | W | NA | EA | GA | PA | CS | HL ⁸ | ES | SF10 | SF20 | SF30 | SE | RR | HD | CC | MC | RC | LI | |
| INDUSTRIAL USES (Continued) | | | | | | | | | | | | | | | | | | | |
| Sawmills/Planing Mills (s. 4.05(1)) (Amended: 30 Sept 2010; Ord. 2010-13) | | C | C ²² | P | C | P | C | | | | | | | | | | | P | |
| Sewage Disposal/Treatment Plants (Amended: 30 Sept 2010; Ord. 2010-13) | | | | C | C | C | C | | | | | | | | | | | C | |
| Slaughterhouses | | | | C | C | C | | | | | | | | | | | | C | |
| Solid Waste Facilities (s. 4.05(5)) (Amended: 30 Sept 2010; Ord. 2010-13) | | | | C | C | C | | | | | | | | | | | | C | |
| Temporary Asphalt/Concrete Plants (s. 4.05(7)) (Amended: 30 Sept 2010; Ord. 2010-13) | | | | C | C | C | C | C | | C¹⁴ | C | C | C | C | C | C | C | C | |
| Wholesale Establishments/Distributorships | | | | | | | | | | | | | | | | | | C | P |
| INSTITUTIONAL USES | | | | | | | | | | | | | | | | | | | |
| Auditorium (Added: 25 June 2013; Ord. 2013-12) | | | | | | | | | | | | | | | | | | C | C |
| Cemeteries (Amended: 30 Sept 2010; Ord. 2010-13) | | P | C ²⁰ | P | P | P | P | P | | P ¹⁴ | P | P | P | P | P | P | P | P | |
| Churches (Amended: 30 Sept 2010; Ord. 2010-13) | | C | C ²⁰ | C | C | C | C | C | | C¹⁴ | C | C | C | C | C | P | P | P | |
| Community Living Arrangements | | | | | | | | | | | | | | | | | | | |
| Fine Arts Venue (s. 4.06(2)) (Added: 28 May 2012; Ord. 2012-12) | | C | | C ¹⁴ | C | C | C ¹⁴ | C | | | | | | | C | C | C | | |
| Fire/Police Stations (Amended: 30 Sept 2010; Ord. 2010-13) | | | | C | C | C | P | C | | | | C | C | C | C | C | | | |
| Hospitals | | | | | | | | | | | | | | | | | | C | |
| Institutional Residential | | | | C | | C | | | | | | | | | C | C | C | | |
| Libraries/Museums (Amended: 28 June 2006; Ord. 2006-11) | | | | | | | C | | | C¹² | | | | | P | P | P | P | |
| Post Offices | | | | | | | | | | | | | | | P | P | | | |
| Private Schools (Amended: 30 Sept 2010; Ord. 2010-13) | | | C ¹⁷ | C | | C | C | C | | | | | C | C | C | C | C | | |

As regulated in s. 59.69(15), Wis. Stats.

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

| Type of Use | Zoning Districts | | | | | | | | | | | | | | | | | | |
|---|------------------|-----------------|-----------------|----|----|----|-----------------|----|------|------|------|-----------------|----|----|----|----|--------------|----|---|
| | W | NA | EA | GA | PA | CS | HL ⁸ | ES | SF10 | SF20 | SF30 | SE | RR | HD | CC | MC | RC | LI | |
| INSTITUTIONAL USES (Continued) | | | | | | | | | | | | | | | | | | | |
| Public Schools (Amended: 30 Sept., 2010; Ord. 2010-13) | | | C ²⁰ | C | | C | C | C | | | | C | C | C | C | C | C | | |
| Public Highway Garages (s. 4.06(1)) (Amended: 30 Sept., 2010; Ord. 2010-13) | | | | C | | C | C | C | | | | | C | | | C | | | P |
| Town Halls/Community Centers (Amended: 22 March 2005; Ord. 2005-11) (Amended: 30 Sept 2010; Ord. 2010-13) | | P ¹¹ | C ²⁰ | P | P | P | P | | | | | | P | | P | P | | | |
| Travelers' Information Centers | | | | | | | | | | | | | | | P | P | P | | |
| OUTDOOR RECREATIONAL USES | | | | | | | | | | | | | | | | | | | |
| Amusement Park | | | | | | | | | | | | | | | | C | | C | |
| Campgrounds/Trailer Camps (s. 4.07(2)) (Amended: 24 Feb. 2004; Ord. 2004-04) | | C | | C | | C | C | | | | | | | | | C | C | | |
| Camping (s. 4.07(3)) (Amended: 30 Sept. 1997; Ord. 28-97) (Amended: 30 Sept 2010; Ord. 2010-13) | | P | P ¹⁷ | P | P | P | P | P | | P | P | P | P | P | | | P | | |
| Commercial Riding Stables (s. 4.07(4)) (Amended: 28 May 1996; Ord. 11-96) | | C | | C | C | C | C | | | | | C ¹⁴ | | | | | C | | |
| Golf Courses | | | | | | C | C ¹⁴ | C | | | | C ¹⁴ | | | | | | C | |
| Golf Driving Range (Added: 25 March 1997; Ord. 7-97) | | | | C | | | | | | | | | | | | | | | |
| Gun Clubs/Shooting Ranges | | C | | C | | C | | | | | | | | | | | | | |
| Institutional Recreation Camps (s. 4.07(6)) | | C | | | | C | C | | | | | | | | | | | C | |
| Marinas/Excursion Boating/Charter Fishing (s. 4.07(5)) | | | | | | | | | | | | | | | C | C | C | | |
| Outdoor Active Recreation Facility (Added: 26 Feb. 2013; Ord. 2013-07)(s.4.07(9)) | | C | | C | C | C | C | C | | | | | | | C | C | C | | |
| Outdoor Theatre | | | | | | | | | | | | | | | | C | C | C | |

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

Zoning Districts

| Type of Use | Zoning Districts | | | | | | | | | | | | | | | | | | |
|--|------------------|----------------|-----------------|-----------------|----------------|----------------|-----------------|----------------|------|-----------------|----------------|----------------|----------------|-----------------|-----------------|-----------------|-----------------|-----------------|----------------|
| | W | NA | EA | GA | PA | CS | HL ⁸ | ES | SF10 | SF20 | SF30 | SE | RR | HD | CC | MC | RC | .. | |
| OUTDOOR RECREATIONAL USES (Cont.) | | | | | | | | | | | | | | | | | | | |
| Parks (s. 4.07(1)) (Amended: 30 Sept., 2010; Ord. 2010-13) | | P ⁹ | C ²⁰ | P ⁹ | P ⁹ | P ⁹ | P ⁹ | P ⁹ | | P ⁹ | P ⁹ | P ⁹ | P ⁹ | P ⁹ | P ⁹ | P ⁹ | P ⁹ | P ⁹ | 1 |
| Private Riding Stables (s. 4.07(4)) (Amended: 30 Sept., 2010; Ord. 2010-13) | | P | P ¹⁷ | P | P | P | P | P | | | | | | | | | | | C |
| Public Boat Launching Facilities (Amended: 22 March 2005; Ord. 2005-10) (Amended: 20 Sept. 2016; Ord. 2016-14) | | C | | | | | | | | C | C | C | C | C | C | C | C | C | C |
| Retreat Centers (s. 4.07(7)) (Amended: 18 Dec 1997; Ord. 40-97) | | C | | C | | C | C | C | | | | | | | | | | C | C |
| Ski Resorts | | | | | | | | | | | | | | | | | | C | |
| RESIDENTIAL USES | | | | | | | | | | | | | | | | | | | |
| Accessory Residences (s. 4.08(3)) (Amended: 27 July 2000; Ord. 17-00) (Amended: 17 April 2012; Ord. 2012-14) | | | | | | | | | | | | | | | P | P | P | P | P |
| Bed & Breakfast Establishments (s. 4.08(10)) (Amended: 9 Nov 2011; Ord. 2011-14) | | P | | P | P | P | C | P | | C ¹⁴ | C | P | P | P | P | P | P | P | P |
| Boardinghouses (s. 4.08(11)) (Amended: 9 Nov 2011; Ord. 2011-14) | | | | P | P | P | P | P | | | | | P | P | P | P | P | P | P |
| Conservation Subdivisions (Ch. 6)(Added 4 April 2011; Ord. 2011-05) | | P | | P | P | P | P | P | | P | P | P | P | P | P | P | P | P | P |
| Duplexes | | | | P ¹³ | | P | P ¹³ | | | | | | P | P ¹⁶ | P ¹⁶ | P ¹⁶ | P ¹³ | P ¹⁶ | P |
| Dwellings for Agricultural Production & Processing Workers (s. 4.08(7)) (Added: 25 June 1996; Ord. 16-96) | | | | P | | P | P | | | | | | | | | | | | P |
| Farm Related Residences (s. 4.08(2)) (Amended: 30 Sept., 2010; Ord. 2010-13)(Amended: 11 Dec., 2012 Ord. 2012-25) | | P | | P | P | P | P ¹⁵ | P | | | | | | | | | | | |
| Manufactured Homes (s. 4.08(4)) | | | | | | P | P ¹⁴ | | | | | | P | P | | | | | |
| Manufactured Home Parks (s. 4.08(5)) | | | | | | C | C ¹⁴ | | | | | | C | C | | | | | |
| Multiple Occupancy Developments (s. 4.08(8)) (Amended: 5 Oct. 1998; Ord. 22-98) | | | | | | | | | | | | | | C ⁷ | C ⁷ | C ⁷ | C ⁷ | C ⁷ | C ⁷ |

ZONING DISTRICTS: USE REGULATIONS 2.05(3)(a)

ZONING DISTRICTS: USE REGULATIONS 2.05(3)(a)

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

| Type of Use | Zoning Districts | | | | | | | | | | | | | | | | | |
|--|------------------|----|-----------------|----|----|----|-----------------|----|------|------|------|----|----|----|----|----|----|----|
| | W | NA | EA | GA | PA | CS | HL ⁸ | ES | SF10 | SF20 | SF30 | SE | RR | HD | CC | MC | RC | LI |
| RESIDENTIALS USES (Continued) | | | | | | | | | | | | | | | | | | |
| Nonfarm Residential Lots (s.4.08(2a)) (Added: 11 December 2012; Ord. 2012-25) | | | C | | | | | | | | | | | | | | | |
| Secondary Dwelling Units (s.4.08(9)) (Added: 4 April 2011; Ord. 2011-04) | | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | |
| Single Family Residences (Amended: 30 Sept. 2010; Ord. 2010-13) | | P | P ¹⁹ | P | P | P | P | P | P | P | P | P | P | P | P | P | P | |
| Single Family Residences Separated From Farm Parcels (s. 4.08(1)) (Amended: 30 Sept. 2010; Ord. 2010-13) (Amended: 11 Dec. 2012; Ord. 2012-25) | | P | | P | P | P | P ¹⁵ | P | | | | | | | | | | |
| Temporary Manufactured Homes (s. 4.08(6)) (Amended: 30 Sept. 2010; Ord. 2010-13) | | P | P ¹⁹ | P | P | P | P | P | | P | P | P | P | P | P | P | P | |
| MISCELLANEOUS USES | | | | | | | | | | | | | | | | | | |
| Airports (s. 4.09(1)) | | | | C | | C | | | | | | | | | | | | |
| Airstrips and Landing Fields (s. 4.09(1)) | | | | C | C | C | C | | | | | | | | | | | |
| Animal Shelters/Pounds (s. 4.09(3)) | | | | C | C | C | | | | | | | | | | | | |
| Municipal/Commercial Parking Lots | | | | | | | | | | | | | | | | | | |
| Utility Facilities - Type A (s. 4.09(2)) (Amended: 28 March 2000; Ord. 05-00) (Amended: 30 Sept. 2010; Ord. 2010-13) | | C | C ²¹ | C | C | C | C | C | P | C | C | C | C | C | C | C | C | C |
| Utility Facilities - Type B (s. 4.09(2)) (Amended: 30 Sept. 2010; Ord. 2010-13) | | C | C ²¹ | C | C | C | C | C | | C | C | C | C | C | C | C | C | C |
| Mobile Service Support Structures and Related Facilities (Amended: 29 Sept. 2015; Ord. 2015-09 Effective 9 Nov. 2015) | | | | | | | | | | | | | | | | | | |

-----As regulated by Chapter 14 of this ordinance-----

KEY: P = Permitted uses.

S = (Deleted: 27 May 2008; Ord. 2008-04)

C = Uses permitted as conditional uses.

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

FOOTNOTES:

1. Such use shall not entail on-site retail sales.
 2. Establishments with drive-through facilities shall be permitted only as provided in s. 11.04, conditional use permits. (Amended: 27 May 2008; Ord. 2008-04)
 3. Restricted to commercial trucking of farm products or to provide a farm service.
 4. Such use shall be incorporated into a larger development and the floor area dedicated to the retail use shall not exceed 30% of the total floor area of the buildings which serve the development's clientele.
 5. (Deleted: 28 May 2012; Ord. 2012-13)
 6. Establishments where the total floor area of all buildings which serve a retail use on the lot exceeds 20,000 sq. ft. shall only be permitted as conditional uses.
 7. See s. 4.08(8)(a). (Amended: 26 Feb. 2103; Ord. 2013-06)
 8. The HL column shall refer to the principal uses allowed in the Heartland-3.5 (HL3.5), Heartland-5 (HL5), and Heartland-10 (HL-10) districts. (Added: 28 May 1996; Ord. 13-96)
 9. Privately owned parks which include active recreation shall only be permitted as conditional uses. (Added: 27 May 1997; Ord. 15-97)
 10. Subject to Section 4.04(15) in the Town of Liberty Grove. (Recreated: 15 April 2008; Ord. 2008-01; Effective 9 May 2008)
 11. Allowed in Natural Area (NA) zoning district only in the Town of Union. (Added: 22 March 2005; Ord. 2005-11, Effective 2 May 2005)
 12. Allowed in the Town of Jacksonport only. (Added: 28 June, 2006; Ord. 2006-11)
 13. Allowed in the Town of Gibraltar only by Conditional Use Permit. (Added: 22 Aug. 2006; Ord. 2006-16; Effective 12 Sept. 2006)
 14. Not allowed in Town of Gibraltar. (Added: 22 Aug 2006, Ord. 2006-16; Effective 12 Sept. 2006) (Added: 5 Aug 2013; Ord. 2013-13)
 15. Permitted in Town of Gibraltar only. (Added: 22 Aug 2006, Ord. 2006-16; Effective 12 Sept. 2006)
 16. Allowed in the Town of Liberty Grove only by Conditional Use Permit. (Added: 22 May 2007; Ord. 2007-11)
- Note: Please see Appendix A for further information regarding footnotes 17-22.** (Relocated from below footnote 22: 20 Sept. 2016; Ord. 2016-14)
17. Shall meet the requirements of s.91.01(1)(d), Wis. Stats. (Added: 30 Sept 2010, Ord. 2010-13)
 18. (Deleted: 12 December 2012; Ord. 2012-25)
 19. Shall only be authorized if located on a conforming lot. (Added: 30 Sept 2010; Ord. 2010-13)(Amended: 11 Dec. 2012; Ord. No. 2012-25)
A residence in the EA zoning district which meets the requirements of s.91.01(19), Wis. Stats. shall be authorized with a regular zoning permit.
A residence in the EA zoning district which fails to meet s.91.01(19), Wis. Stats., must obtain a Conditional Use Permit in accordance with s.91.46(2), Wis. Stats.
 20. Shall meet the requirements of s.91.46(5), Wis. Stats., and shall not include active recreation. (Added: 30 Sept. 2010; Ord. 2010-13)
 21. Shall meet the requirements of s.91.46(4) or s.91.44(1)(f), Wis. Stats., as appropriate. (Added: 30 Sept 2010; Ord. 2010-13)
 22. Shall meet the requirements of 91.01(3), Wis. Stats., as appropriate. (Added: 30 Sept 2010; Ord. 2010-13)
 23. Allowed only in the Town of Liberty Grove. Such use is restricted to wineries only and may be established only on lots five acres or larger. (Added: 5 August 2013; Ord. 2013-10)

(3)(b) Table of principal uses – Town of Gibraltar. This table shall apply in the Town of Gibraltar.

Commentary: In order to determine all principal uses allowed in the Town of Gibraltar, reference to s. 2.05(3)(a), table of principal uses – General, is also required.

| Type of Use | Zoning Districts | | | | | | |
|---|------------------|----------------|----|----|----------------|----------------|--|
| | CA | CSS | CI | NR | VC | GC | |
| AGRICULTURAL USES | | | | | | | |
| Agricultural Visitation Facility (s. 4.03(4)) (Added: 26 Aug. 1997, Ord. 21-97) | | | | | | | |
| Farm Markets (s. 4.03(3)) | | C | | | P | P | |
| Agriculture (s. 4.03(1)) (Amended: 26 Aug. 1997, Ord. 21-97) | | P ⁶ | | | | | |
| Greenhouses | | P | | | P | P | |
| Roadside Stands (s. 4.03(2)) | | P | | | | | |
| Tree/Shrub Nurseries | | P | | | | | |
| COMMERCIAL USES | | | | | | | |
| Art Galleries (Amended: 26 Oct. 2000, Ord. 18-00) | | P | | | P | P | |
| Assembly Hall (Added: 5 August 2013, Ord. 2013-13) | | | | | C | C | |
| Auto Repair (s. 4.04(5)) | | P | | | P | C | |
| Auto/Recreational Vehicle Sales, Rental, and Service Lot (Amended: 20 Sept. 2016, Ord. 2016-14) | | | | | P | C | |
| Banks | | | | | P ¹ | P ¹ | |
| Carwash (Added: 27 August 2002, Ord. 12-02) | | | | | P | P | |
| Commercial Fishing Facilities | | P | | | P | P | |
| Commercial Trucking Establishments | | | | | | | |
| Commercial Storage Facilities(s. 4.04(8)) | | | | | P | P | |
| Community Commercial Kitchen (s. 4.04(16)) (Added: 28 May 2012, Ord. 2012-13) | | | | | P | P | |

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

Commentary: In order to determine all principal uses allowed in the Town of Gibraltar, reference to s. 2.05(3)(a), table of principal uses – General, is also required.

| Type of Use | Zoning Districts | | | | | |
|--|------------------|--------------|--------------|--------------|--------------|--------------|
| | CA | CS5 | CI | NR | VC | GC |
| COMMERCIAL USES (Continued) | | | | | | |
| Conference Facilities | | | | | P | C |
| Day Care Centers (s. 4.04(14)) | | | | | P | R |
| Family Day Care Homes (s. 4.04(13)) (Amended: 16 April 1996; Ord. 9-96) | | P | P | X | P | P |
| Farm Implement Sales/Service | | C | | | C | C |
| Ferry Terminals | | | | | P | P |
| Fertilizer Distribution Plants | | X | | | | |
| Fitness Centers, Tanning Salons & Spas (Added: 30 January 2003; Ord. 01-03) | | | | | P | P |
| Funeral Homes | | | | | P | P |
| Gas Stations | | | | | P | C |
| Grain Mills | | C | | | X | X |
| Home Businesses (s. 4.04(10)) (Amended: 18 Dec. 2001; Ord. 12-01) | | C | | | P | P |
| Home Occupations (s. 4.04(9a)) (Amended: 8 August 2000; Ord. 12-00) | | C | P | P | P | P |
| Home Office/Studio (s. 4.04(9)) (Added: 8 August 2000; Ord. 12-00) | P | P | P | P | P | P |
| Indoor Recreation | | | | | P | P |
| Kennels (s. 4.04(2)) | | P | | | | |
| Laundromats and Laundry Service | | | | | P | P |
| Lumber/Building Supply Yards(s. 4.04(6)) | | | | | X | C |

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

Commentary: In order to determine all principal uses allowed in the Town of Gibraltar, reference to s. 2.05(3)(a), table of principal uses – General, is also required.

| Type of Use | Zoning Districts | | | | | |
|---|------------------|-----|--------------|----|----------------|----------------|
| | CA | CS5 | CI | NR | VC | GC |
| COMMERCIAL USES (Continued) | | | | | | |
| Medical/Dental Clinics | | | | | P | P |
| Model Homes (s. 4.04(4)) | | | P | P | P | P |
| Passenger Bus Terminals | | | | | P | P |
| Personal Service Establishments | | | | | P | P |
| Professional Offices/Studios | | | | | P | P |
| Radio/TV Stations (Amended: 29 Sept. 2015; Ord. 2015-09 Effective 9 Nov. 2015) | | | | | P | P |
| Non-Motorized Recreational Equipment Sales/Service/Rentals (Amended: 20 Sept. 2016; Ord. 2016-14) | | | | | P | P |
| Motorized Recreational Equipment Sales/Service/Rentals (Amended: 20 Sept. 2016; Ord. 2016-14) | | | | | P | C |
| Restaurants or Taverns (s. 4.04(3)) | | | | | P ¹ | P ¹ |
| Retail Stores | | | | | P ³ | P ³ |
| Trade or Contractor Establishments (s. 4.04(7)) (Amended: 18 Dec. 2001; Ord. 12-01) | | C | | | | |
| Veterinarian Clinics | | | | | P | P |
| Wineries/Breweries | | C | | | P | P |
| INDUSTRIAL USES | | | | | | |
| Asphalt/Concrete Plants | | | | | | |
| Bulk Storage of Fuel Products | | | | | | |
| Freight Terminals (s. 4.05(2)) | | | | | | P |
| Fruit/Vegetable/Cheese Processing Plants | | C | | | | |
| Manufacturing, Assembly, Processing | | | | | C | P |

ZONING DISTRICTS; USE REGULATIONS 2.05(3)(b)

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

Commentary: In order to determine all principal uses allowed in the Town of Gibraltar, reference to s. 2.05(3)(a), table of principal uses – General, is also required.

| Type of Use | Zoning Districts | | | | | |
|--|------------------|--------------|--------------|----|--------------|--------------|
| | CA | CS5 | CI | NR | VC | GC |
| INDUSTRIAL USES (Continued) | | | | | | |
| Nonmetallic Mining (s. 4.05(3)) | | X | | | | |
| Resource Recovery Facilities (s. 4.05(6)) | | X | | | | |
| Salvage Yards (s. 4.05(4)) | | X | | | | |
| Sawmills/Planing Mills (s. 4.05(1)) | | P | | | | |
| Sewage Disposal/Treatment Plants | | X | | | C | C |
| Slaughterhouses | | X | | | | |
| Solid Waste Facilities (s. 4.05(5)) | | X | | | X | X |
| Temporary Asphalt/Concrete Plants (s.4.05(7)) | | X | X | | X | X |
| Wholesale Establishments/Distributors | | | | | P | P |
| INSTITUTIONAL USES | | | | | | |
| Auditorium (Added: 25 June 2013; Ord. 2013-12) | | | | | P | P |
| Cemeteries | | P | P | | P | P |
| Churches | | X | X | | P | P |
| Community Living Arrangements | | | | | | |
| Fine Arts Venue (s. 4.06(2)) (Added: 28 May 2012; Ord. 2012-12) | | | | | X | X |
| Fire/Police Stations | | P | P | | P | P |
| Hospitals | | X | X | | P | P |
| Institutional Residential | | C | | | C | C |
| Libraries/Museums | | | | | P | P |
| Post Offices | | | | | P | P |
| Public or Private Schools | | X | | | P | P |

CONDITIONS FOR SIZE/DENSITY

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

Commentary: In order to determine all principal uses allowed in the Town of Gibraltar, reference to s. 2.05(3)(a), table of principal uses – General, is also required.

| Type of Use | Zoning Districts | | | | | | |
|---|------------------|--------------|----|--------------|--------------|--------------|--|
| | CA | CSS | CI | NR | VC | GC | |
| INSTITUTIONAL USES | | | | | | | |
| Public Highway Garages (s. 4.06(1)) | | P | | | | C | |
| Town Halls/Community Centers (Amended: 22 March 2005; Ord. 2005-11) | | P | | | P | P | |
| Travelers' Information Centers | | | | | P | P | |
| OUTDOOR RECREATIONAL USES | | | | | | | |
| Amusement Park | | | | | | C | |
| Campgrounds/Trailer Camps (s. 4.07(2)) (Amended: 24 Feb. 2004; Ord. 2004-04) | | C | | | | C | |
| Camping (s. 4.07(3)) (Amended: 30 Sept. 1997; Ord. 28-97) | P | P | P | | | | |
| Commercial Riding Stables (s. 4.07(4)) (Amended: 28 May 1996; Ord. 11-96) | | C | | | | | |
| Golf Courses | | | | | | | |
| Golf Driving Range (Added: 25 March 1997; Ord. 7-97) | | | | | | | |
| Gun Clubs/Shooting Ranges | | P | | | | | |
| Institutional Recreation Camps (s. 4.07(6)) | | C | | | | | |
| Marinas/Excursion Boating/Charter Fishing (s. 4.07(5)) | | | | | P | P | |
| Outdoor Active Recreation Facility (Added: 26 Feb 2013; Ord. 2013-07)(s.4.07(9)) | P | C | | | C | C | |
| Outdoor Theatre | | | | | | C | |
| Parks (s. 4.07(1)) ⁵ | P | P | P | P | P | P | |
| Private Riding Stables (s. 4.07(4)) | | P | P | | | | |

DELETE FOOTNOTE 5

ZONING DISTRICTS; USE REGULATIONS 2.05(3)(b)

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

Commentary: In order to determine all principal uses allowed in the Town of Gibraltar, reference to s. 2.05(3)(a), table of principal uses – General, is also required.

| Type of Use | Zoning Districts | | | | | | |
|---|------------------|--------------|--------------|----------------|----------------|----------------|--|
| | CA | CSS | CI | NR | VC | GC | |
| OUTDOOR RECREATIONAL USES (Continued) | | | | | | | |
| Public Boat Launching Facilities (Amended: 22 March 2005; Ord. 2005-10) (Amended: 20 Sept. 2016; Ord. 2016-14) | X | P | P | P | P | P | |
| Retreat Centers (s. 4.07(7)) (Amended: 18 Dec 1997; Ord. 40-97) | | C | | | | | |
| Ski Resorts | | | | | | | |
| RESIDENTIAL USES | | | | | | | |
| Accessory Residences (s. 4.08(3)) (Amended: 27 July 2000; Ord. 17-00) | | | | | P | P | |
| Bed & Breakfast Establishments (s. 4.08(10)) (Amended: 9 Nov 2011; Ord. 2011-14) | | P | P | | P | P | |
| Boardinghouses (s. 4.08(11)) (Amended: 9 Nov 2011; Ord. 2011-14) | | P | | | P | P | |
| Conservation Subdivisions(Ch.6) (Added: 4 April 2011; Ord. 2011-05) | | P | | P | | P | |
| Duplexes | | X | | X | P | P | |
| Dwellings for Agricultural Production & Processing Workers (s. 4.08(7)) (Added: 25 June 1996; Ord. 16-96) | | P | | | | | |
| Farm Related Residences (s. 4.08(2)) | | P | | | | | |
| Manufactured Homes (s. 4.08(4)) | | P | | | | | |
| Manufactured Home Parks (s. 4.08(5)) | | X | | | | | |
| Multiple Occupancy Developments (s.4.08(8)) (Amended: 5 Oct. 1998; Ord. 22-98) | | | | C ⁴ | C ⁴ | C ⁴ | |
| Secondary Dwelling Units (s.4.08(9)) (Added: 4 April, 2011; Ord. 2011-04) | P | P | P | P | P | P | |
| Single Family Residences | P | P | P | P | P | P | |
| Single Family Residences Separated From Farm Parcels (s. 4.08(1)) | | P | | | | | |
| Temporary Manufactured Homes (s. 4.08(6)) | | P | P | P | | P | |

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

Commentary: In order to determine all principal uses allowed in the Town of Gibraltar, reference to s. 2.05(3)(a), table of principal uses – General, is also required.

| Type of Use | Zoning Districts | | | | | | |
|--|---|-----|----|----|----|----|--|
| | CA | CSS | CI | NR | VC | GC | |
| MISCELLANEOUS USES | | | | | | | |
| Airports (s. 4.09(1)) | | | | | | | |
| Airstrips and Landing Fields (s. 4.09(1)) | | | | | | | |
| Animal Shelters/Pounds (s. 4.09(3)) | | C | | | | C | |
| Municipal/Commercial Parking Lots | | | | | Px | Px | |
| Utility Facilities - Type A (s. 4.09(2)) (Amended: 28 March 2000; Ord. 05-00) | | C | C | C | C | C | |
| Utility Facilities - Type B (s. 4.09(2)) | | C | C | C | C | C | |
| Mobile Service Support Structures and Related Facilities (Created: 24 August 2004; Ord. 2004-18) (Amended: 29 Sept. 2015; Ord. 2015-09 Effective 9 Nov. 2015) | -----As regulated by Chapter 14 of this ordinance ----- | | | | | | |

KEY: P = Permitted uses. S = (Deleted: 27 May 2008; Ord. 2008-04). C = Uses permitted as conditional uses.

FOOTNOTES:

- Establishments with drive-through facilities shall be permitted only as provided in s. 11.04, conditional use permits. (Amended: 27 May 2008; Ord. 2008-04)
- (Deleted: 28 May 2012; Ord. 2012-13)
- Establishments where the total floor area of all buildings which serve a retail use on the lot exceeds 20,000 sq. ft. shall only be permitted as conditional uses.
- See s. 4.08(8)(a). (Amended: 26 Feb. 2013; Ord. 2013-06)
- Privately owned parks which include active recreation shall only be permitted as conditional uses. (Added: 27 May 1997; Ord. 15-97)
- Forestry Practices only.
(Table and footnotes added 22 Aug. 2006; Ord. 2006-16, effective 12 Sept. 2006)



Kufrin Consulting

MEMO

To: Gibraltar Town Board
From: Robert L. Kufrin
Subject: Request for Highly Developed Shoreline Designation
Date: Thursday, August 16, 2018

The Town of Gibraltar Plan Commission has been evaluating the setback and development issues in the VC Village Commercial zoned area of the Town. Prior to the adoption of the County Shoreland Zoning Code, the Town had the ability to restrict building heights and impervious surface ratios. When the State directed the County to adopt that ordinance there were several critical impacts.

Key shoreland zoning criteria that apply to VC Village Center zoning:

1. It applies to all properties within 1,000 feet of the ordinary high water mark (OHWM) of Green Bay, which covers most of the downtown and land zoned VC.
2. It applies to all properties within 300 feet of the OHWM of Fish Creek inside and out-side the VC area.
3. Building setbacks from the water and are covered by the underlying zoning plus the shoreland setback is 75 feet with setback averaging allowed.
4. Impervious surface minimum of 15% to 30% compared to VC at 75%.
5. Buildings that are riparian to the OHWM can be up to 35 feet tall as defined under the regular zoning standards (Section 3.08(1)).
6. Buildings within the VC district that are not riparian to the OHWM can be up to 28 feet tall as defined under the regular zoning standards (Section 3.08(1)).

The Plan Commission is working on several of these impacts and will present recommendations to you in the near future. The Plan Commission recommends that the Board request that the County begin the process to designate the VC area a "highly developed shoreline."

Many years ago, the Town determined that the appropriate amount of impervious surface in VC was 75%. The County Shoreland Zoning code seeks to reduce run off impacts on water bodies by reducing the imperious surface to 15-30% compared to the existing VC level of 75%. This severely reduces the amount of developable land.

The shoreland zoning code allows for the downtown area to be designated a "highly developed shoreline" which would raise the limit to 30% up to 60%. This upper limit is still below the Town standard of 75%. In order to become designated a highly developed shoreline the County would do an assessment of the area, and if it meets **one** of the three measures below then the standards change:

1. The area has a majority of lots with 30% impervious surface.
2. The area is composed of a majority of lots that are less than 20,000 square feet.
3. The area is on a lake and served by a sewer system.
- 4.

Certainly, number 3 would apply to the downtown area and depending upon the exact boundaries number 1 and/or 2 could apply. The County has not designated any area as highly developed, but has a process outlined in the Code to do so.

The Shoreland Zoning Code standards are as follow:

- e. County has not, as of December 27, 2016, established areas of highly developed shoreline. The County may do so prospectively consistent with the processes and standards that follow.
- 1) A "highly developed shoreline" means a shoreline within an area identified as an Urbanized Area or Urban Cluster in the 2010 US Census or a shoreline that has a commercial, industrial, or business land use as of January 31, 2013.
 - 2) County may establish, after conducting a hearing and receiving approval by the Wisconsin DNR, a map of additional areas of highly developed shorelines not included in par. e. 1) above.
 - 3) Consistent with § 59.692(1k)(am)2, Wis. Stats., if the standards in this section allow a greater amount of impervious surface on areas with highly developed shorelines than areas with shorelines that are not highly developed, as determined by the Department, then these standards also require an area with highly developed shorelines must include at least 500 feet of shoreline and require one of the following must apply:
 - a) The area is composed of a majority of lots with more than thirty percent (30%) impervious surface area, as calculated by the County and approved by the Wisconsin DNR.
 - b) The area is composed of a majority of lots that are less than 20,000 square feet in area.
 - c) The area is located on a lake and served by a sewerage system, as defined in § 281.01 (14), Wis. Stats. [§ NR 110.03 (30), Wis. Adm. Code].
- f. Maximum impervious surface. County may allow a property owner to exceed the impervious surface standard under pars. d. and e. above provided that:
- 1) For lots or parcels described under par. b. above that will exceed the impervious surface standard under par. d. above and are not located within a highly developed shoreline as defined in par. e. above, County may allow more than 15% impervious surface but not more than 30% impervious surface as calculated under par. c. on the lot or parcel.
 - 2) For lots or parcels described under par. b. above and located within an area defined by this ordinance as a highly developed shoreline under par. e. above, County may allow more than 30% impervious surface but not more than 40% impervious surface as calculated under par. c. above on the lot or parcel for properties that have a residential land use, or more than 40% impervious surface but not more than 60% impervious surface as calculated under par. c. above for properties that have a commercial, industrial, or business land use.
 - 3) For lots or parcels described under par. b. above that will exceed the impervious surface standard under pars. d. and e. above, but do not exceed the maximum impervious surface standards under par. f. 1) or 2) above, the County shall issue a permit that requires a mitigation plan approved by the County and implemented by the property owner by the date specified in the permit. The mitigation plan shall include enforceable obligations of the property owner to establish or maintain measures that the County determines adequate to offset the impacts of the impervious surface on water quality, near-shore aquatic habitat, upland wildlife habitat, and natural scenic beauty. The mitigation measures shall be proportional to the amount and impacts of the impervious surface being permitted. The obligations of the property owner under the mitigation plan shall be evidenced by an instrument recorded in the Office of the Door County Register of Deeds.

It appears from the regulations above that the Town can determine the area to be designated as a highly developed shoreline. The easiest standard to meet is the e(3)(c): The area is located on a lake and served by a sewerage system, as defined in § 281.01 (14), Wis. Stats. [§ NR 110.03 (30), Wis. Adm. Code]. There is nothing in the Code that requires the Town to pay a fee for that designation and the County could have easily made that determination in 2016 when they first adopted the Code.

In the absence of that designation, the residential uses in VC will range from 15% to 30% compared to the desired standard of 75%.