

SECTION 16.0 - DEFINITIONS

16.1 Usage.

- (1) For the purpose of these regulations, certain numbers, abbreviations, terms, and words used herein shall be used, interpreted, and defined as set forth in this Section.
- (2) Unless the context clearly indicates to the contrary, words used in the present tense include the future tense; words used in the plural number include the singular; the word "herein" means "in these regulations"; the word "regulations" means "these regulations."
- (3) "Shall" is always mandatory.
- (4) A "building" includes a "structure"; a "building" or "structure" includes any part thereof; "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged, or designed to be used or occupied."
- (5) A "person" includes a corporation, a partnership, and an incorporated association of persons such as a club.
- (6) Any words not defined herein shall be presumed to have their customary dictionary definitions as provided by the most recent edition of Webster's Collegiate Dictionary or by ATCP 51 and other Wisconsin State Statutes.

16.2 Words and Terms Defined.

Accessory Building: Any building on a lot except the principal building and garage, whether attached or unattached.

Accessory Structure: A structure constructed on a mobile home lot apart from the basic mobile home unit including awnings, cabanas, storage cabinets or sheds.

Accessory Use: Minor land uses that are secondary uses directly supported by the principal use or a permitted use.

Adjacent: Located on land parcels that touch each other, or on land parcels that are separated only by a river, stream or transportation or utility right-of-way.

Airport Not Open to the Public: Any airport on privately owned land used solely by the property owner.

Airport Open to the Public: Any airport, whether publicly or privately owned, which is open for use by the general public without the necessity of obtaining prior use approval.

Alley: A street or thoroughfare less than 21 feet wide and affording only secondary access to abutting properties.

Animal Unit: A unit of measure used to determine the total number of single animal types or combination of animal types, as specified in s. NR 243.11 (April 2004), that are at an animal feeding operation. See Appendix.

Applicant: The owner of the land or his representative. If the owner's representative is the applicant, consent shall be required in writing from the legal owner of the premises.

Arterial Roads & Highways: Streets serving inter-community travel within and outside the area, providing a high level of urban mobility with little variation in operating conditions, and forming a continuous system with other arterials as indicated on the Rock County Functional Highway Classification Map.

Basement: A story partly underground.

Boarding House: A building other than a hotel where meals or lodging and meals are provided for compensation for three or more persons not members of the owner's family.

Bond: Any form of security including cash deposit, surety bond, collateral, property, or instrument of credit in the amount and form satisfactory to governing body. All bonds shall be approved by the Planning & Zoning Committee wherever a bond is required by these regulations.

Building: Any structure used, designed or intended for the protection, shelter, enclosure or support of persons, animals or property.

Building Area: Total ground coverage in square feet of all buildings and structures including garages, carports, and other attached or accessory structures.

Building Height: The vertical distance from the top of the building roof to the top of the basement or to the foundation whichever is less.

Certified Survey Map (CSM): A division of a lot, parcel, or tract of land by the owner thereof or his or her agent for the purpose of sale or building development where the act of division creates not more than four (4) parcels of land.

Child or Children: A first degree descendant, not a grandchild or one farther removed in degree of descendance.

Collector Roads & Highways: Streets serving intermediate to long trips within an area, collecting and distributing traffic to and from local roads and adjacent land within the area, providing fair mobility, and forming a generally continuous pattern when combined with the arterial system as indicated on the Rock County Functional Highway Classification Map.

Committee: The Planning & Zoning Committee.

Common Area: An area or space designed for joint use of tenants or owners residing in a Planned Unit Development.

Common Ownership: Ownership by the same person or persons. Common ownership includes joint tenancy and tenancy in common. Solely for purposes for this definition, parcel owned by one member of a married couple is deemed to be owned by the married couple. Land is deemed to be under common ownership for purposes of this Ordinance if it is all owned by the same individual, married couple, joint tenants, tenants in common, corporation, LLC, partnership, estate or trust. If land parcels are owned by separate legal entities, but those legal entities are solely owned by exactly the same person or persons, those land parcels are deemed to be under common ownership for purposes of this Ordinance, but not necessarily for all other purposes.

Common Sewerage: A legal sewage system that serves two or more dwelling units.

Community: A legal entity organized under appropriate statutory authority as a body corporate which represents a town, village, city, or county such as the case may be.

Community Living Arrangement: Any of the following facilities licensed, operated, or permitted under the authority of the Wisconsin Department of Health and Family Services: child welfare agencies under Section 48.60 of the Wisconsin Statutes, group foster homes for children under Section 48.02(7) of the Wisconsin Statutes, and community-based residential facilities under Section 50.01 of the Wisconsin Statutes, but not including day care centers, nursing homes, general hospitals, special hospitals, prisons, or jails.

Complete Application for Local Approval: An application that contains everything required under Sections ATCP 51.30(1)-(4) of the WI ADMIN CODE.

Conditional Use: A use allowed under this Ordinance, provided that certain conditions are met and a Conditional Use Permit is granted by the Planning & Zoning Committee.

Contiguous: Adjacent to or sharing a common boundary. Contiguous land includes land that is separated only by a river, stream, section, public road, private road, railroad, pipeline, transmission line, or transportation or transmission right-of-way. Parcels are not contiguous if they meet only at a single point.

DATCP: The Wisconsin Department of Agriculture, Trade, and Consumer Protection.

Dependent Mobile Home or Manufactured Home: A mobile home or manufactured home which does not have complete bathroom facilities.

Density: The number of living units per acre allowable under a schedule of district regulations.

Department: The Wisconsin Department of Agriculture, Trade, and Consumer Protection.

Developer: The owner of land proposed for subdivision or his or her representative. If the owner's representative is the developer, written consent shall be required from the legal owner of the premises.

Drive-in Establishment: A place of business in which patrons can be served while remaining in their automobiles.

Driveway: A minor private way used by vehicles and pedestrians for common access to a lot, small group of lots, or facilities.

Dwelling, Single-Family: A detached building designed for, or occupied exclusively by, one family or household.

Dwelling, Two-Family: A detached or semi-detached building designed for, or occupied exclusively by, two families or households.

Dwelling, Multiple-Family: A building or portion thereof designed for, occupied by, three or more families or households.

Easement: Authorization by a property owner for the use by another and for a specified purpose, of any designated part of his or her property.

Emergency Shelter: Public or private enclosures designed to protect people from flood, windstorm, fire, riots, or invasions; and from aerial, radiological, biological, or chemical warfare.

Essential Services: Services provided by public and private utilities necessary for the exercise of the principal use or service of the principal structure. These services include underground, surface, or overhead gas, electricity, steam, water, sanitary sewer, storm water drainage, and communication systems and accessories thereto, such as poles, towers, wires, mains, drains, vaults, culverts, laterals, sewers, pipes, catch basins, water storage tanks, conduits, cables, fire alarm boxes, police call boxes, traffic signals, pumps, lift stations, and hydrants, but does not include buildings.

Expanded Livestock Facility: The entire livestock facility that is created by the expansion, after May 1, 2006. "Expanded livestock facility" includes all livestock structures in the expanded facility, regardless of whether those structures are new, existing, or altered.

Expansion: An increase in the largest number of animal units kept at a livestock facility on at least 90 days in any 12-month period. The acquisition of an existing livestock facility, by the operator of an adjacent livestock facility, does not constitute an "expansion" unless that operator increases the largest number of animal units kept at the combined livestock facilities on at least 90 days in any 12-month period.

Expressway: A divided arterial street or highway, either with full or partial control of access, and with or without grade separated intersections.

Family: A group of persons related by blood or marriage and living together as a single housekeeping entity.

Farm: All land under common ownership that is primarily devoted to agricultural use as defined in each zoning district. For purposes of this definition, land is deemed to be primarily devoted to agricultural use if any of the following apply:

- (1) The land produces at least six thousand dollars (\$6,000) in annual gross farm revenues to its owner or renter, regardless of whether a majority of the land area is in agricultural use.
- (2) Majority of the land areas are in agricultural use.
- (3) In determining whether land is in agricultural use herein, the Town may consider how the land is classified for property tax purposes.

Farm Acreage: The size of a farm in acres.

Farm Residence: Any of the following structures located on a farm:

- (1) A single family residence that is the only residential structure on the farm.
- (2) A single family or duplex residence that is occupied by any of the following:
 - (A) An owner or operator of the farm.
 - (B) A parent or child of an owner or operator of the farm.
 - (C) An individual who earned more than fifty-percent (50%) of his or her gross income from the farm.
- (3) A migrant labor camp that is certified under section 103.92, Wis. Stats.

Flood Plain: The land adjacent to a body of water which is subject to periodic overflow therefrom as designated on the official maps of the Rock County Shoreland Zoning Ordinance.

Floodway: The channel of a stream and such adjacent portions of the floodplain as are required to accommodate flood flows as designated on the official maps of the Rock County Shoreland Zoning Ordinance.

Floor Area: The area within the exterior walls of a building which is usable as living quarters not including the basement or porches.

Freeway: An expressway with full control of access and with fully grade-separated intersections.

Frontage: The side of a lot abutting on a street or way and ordinarily regarded as the front of the lot; but it shall not be considered as the ordinary side of a corner lot.

Garage, Attached: A closed shelter for the storage of automobiles attached to a residence. The combined area of a carport and attached garage may not exceed the maximum area for an attached garage as allowed in this Ordinance.

Garage, Private: Any building or space for the storage of automobiles.

Garage, Public: Any building or premises, other than a private or storage garage, where motor vehicles are equipped, repaired, serviced, hired, sold or stored.

Garage, Storage: Any building or premises used for storage only of motor vehicles.

Grade School: A facility used for the education of students, kindergarten through the twelfth grade.

Gross Farm Revenue: Gross receipts from agricultural uses, less the costs for other basis of livestock or other agricultural items purchased for resale which are sold or otherwise disposed of during the taxable year. Gross farm revenue includes receipts accruing to a renter but does not include rent paid to the land owner.

High Density: Those residential zoning districts in which the density is greater than one dwelling unit per 8,500 square feet.

Home Occupation: A gainful occupation conducted by members of a family only, within their place of residence, provided that no article is offered for sale on the premises except such as is produced by such occupation, that no stock in trade is kept or sold, that no mechanical equipment is used other than such as is permissible for purely domestic purposes. (Home occupation includes, for example, such activities as babysitting, millinery, dressmaking, canning, laundering, and crafts, but does not include, for example, such occupations as barbering, beauty shops and hairdressing, dancing schools, or photographic studios).

Hotel: A building in which lodging, with or without meals, is offered to transient guests for compensation and in which there are more than five (5) sleeping rooms with no cooking facilities in any individual room or apartment.

Household Pet: Tame animals which have been traditionally kept in the home to include dogs, cats, rabbits, birds, hamsters, and other animals which in their adult life do not exceed 250 pounds, or 4 feet in height at normal posture.

Household: A body of persons who live together in a common living area, usually sharing kitchen and bathroom facilities. The persons comprising a household will normally be related by blood, marriage, co-habitation, or a similar social connection other than their common address.

Intensive Soils Survey: The testing of soil at a particular geographic location as to its individual assets and limitations.

Interchange: A grade-separated highway intersection with one or more turning lanes for travel between intersecting roads or highways.

Kennel: An establishment, structure or premises where dogs, cats and other household domestic animals are raised and sold, bred, boarded, trained or groomed for compensation. The raising and selling of household domesticated animals shall constitute a “kennel” if one or more litters are raised and sold per year.

Land Division: The division of a tract or interest in real property by the owner thereof for the purpose of sale or building development which creates one or more lots, parcels, ownership units, or the need for a public land dedication.

Large Farm Animal: Any horse, head of cattle, pony, sheep, goat, or hog (Ungual).

Livestock: Bovine animals, equine animals, goats, poultry, sheep, swine, farm-raised deer, farm-raised game birds, camelids, ratites, farm-raised fish.

Livestock facility: A feedlot, dairy farm or other operation where livestock are or will be fed, confined, maintained or stabled for a total of 45 days or more in any 12-month period. A "livestock facility" includes all of the tax parcels of land on which the facility is located, but does not include a pasture or winter grazing area. Related livestock facilities are collectively treated as a single "livestock facility" for purposes of this Ordinance, except that an operator may elect to treat a separate species facility as a separate "livestock facility."

Livestock Structure: A building or other structure used to house or feed livestock, to confine livestock for milking, to confine livestock for feeding other than grazing, to store livestock feed, or to collect or store waste generated at a livestock facility. "Livestock structure" includes a barn, milking parlor, feed storage facility, feeding facility, animal lot or waste storage facility. "Livestock structure" does not include a pasture or winter grazing area, a fence surrounding a pasture or winter grazing area, a livestock watering or feeding facility in a pasture or winter grazing area, or a machine shed or like facility that is not used for livestock.

Loading Area: A completely off-street space or berth on a lot for the loading or unloading of freight carriers, having adequate ingress and egress to a public street or alley.

Local Roads & Highways: Streets serving primarily to provide direct access to adjacent land, providing for short distance travel within the area, and providing access to the Collector and Arterial systems. Through traffic movement on locals is generally discouraged.

Lodging House: A building other than a hotel where lodging only is provided for compensation for not more than twelve (12) persons not members of the owner's family.

Lot: A parcel of land described in a recorded plat or deed.

Lot Area. The total area reserved for exclusive use of the owners of a particular piece of real property.

Lot, Corner: A lot abutting on two or more streets at their intersection.

Lot Lines and Area: The peripheral boundaries of a parcel of land and the total area lying within such boundaries.

Lot Depth: The mean horizontal distance between the front and rear lot lines.

Lot Width: The width of a parcel of land measured at the rear of the specified road side of the parcel.

Low Density: Those residential zoning districts in which the density is between 12,000 and 40,000 square feet per dwelling unit.

Master Plan: A comprehensive plan for development of the local government prepared and adapted by the local government, pursuant to state law, and including any part of such plan separately adopted and any amendment to such plan, or parts thereof.

Medium Density: Those residential zoning districts in which the density is between 8,500 and 12,000 square feet per dwelling unit.

Minor Structure: Any small, moveable accessory structure or construction such as birdhouses, tool houses, pet houses, play equipment, arbors, and walls and fences under four (4) feet in height.

Mobile Home or Manufactured Home: A structure which is, or has as originally constructed, designed to be transported by any motor vehicle upon a public highway and is designed, equipped and used primarily for sleeping, eating and living quarters, or is intended to be so used; and includes any additions, attachments, annexes, foundations and appurtenances.

Mobile Home or Manufactured Home Lot: A parcel of land designed for the placement of a single mobile home or manufactured home and for the exclusive use of its occupants.

Mobile Home or Manufactured Home Park: A parcel of land under single ownership designed, maintained, intended or used for the purpose of providing a location and accommodations for two or more mobile homes or manufactured homes, including all buildings used or intended for use as part of the equipment thereof, whether or not a charge is made for the use of the mobile home park or manufactured home park or its facilities; except that a mobile home subdivision shall not be deemed a mobile home park.

Mobile Home or Manufactured Home Stand: The part of an individual lot, which has been reserved for the placement of one mobile home or manufactured home unit.

Mobile Home or Manufactured Home Subdivision: A parcel of land subdivided into lots, each lot individually owned and utilized as the site for placement of a single mobile home or manufactured home and its facilities.

Motel: A series of attached, semi-attached, or detached sleeping units for the accommodation of transient guests.

Navigable Waters: The meaning given in s. 30.01(4m), Wisconsin State Statutes.

New Livestock Facility: A livestock facility that will be used as a livestock facility for the first time, or for the first time in at least 5 years. "New livestock facility" does not include an expanded livestock facility if any portion of that facility has been used as a livestock facility in the preceding 5 years.

Non-Conforming Structure: A building or premises lawfully used, occupied, or erected at the time of the passage of this Ordinance or amendment thereto, which does not conform to the regulations of this Ordinance with respect to frontage, width, height, area, yard, parking, loading, or distance requirements.

Non-Conforming Use: The use or occupancy of a building or premises, which is lawful at the time of the enactment of this Ordinance or amendments thereto, but which use or occupancy does not conform to the provisions of this Ordinance or any amendments thereto.

Nondependent Mobile Home: A mobile home that has complete bathroom facilities.

Nonfarm Residence: Any residence other than a farm residence.

Open Space Parcel: A parcel in which no buildings, other than hunting blinds or small sheds, have been constructed or approved for construction.

Operator: A person who applies for or holds a local approval for a livestock facility.

Ordinance: Any legislative action, however nominated, of a local government, which has the force of law, including any amendment or repeal of any ordinance.

Overlay District: A zoning district established by this Ordinance which is created for the purpose of imposing special uses and regulations in designated areas to accomplish the stated purposes that are set forth in each overlay district. Overlay districts shall be in addition to, and shall overlap and overlay all other zoning districts within the lands placed in each district, so that any parcel of land lying in an overlay district shall also lie in one or more of the zoning districts provided for by this Ordinance. The most restrictive provision of the district shall prevail.

Owner: Any person, group of persons, firm or firms, corporation or corporations, or any other legal entity having legal title to or sufficient proprietary interest in the land or water which is subject to the terms of this Ordinance, or in any building or structure located thereon.

Park Management: The person who owns or has charge, care or control of Mobile Home or Manufactured Home Park.

Park Street: A private way which affords principal means of access to individual mobile home or manufactured home lots, spaces, or auxiliary buildings.

Permitted Use: Uses listed under this heading are permitted as a right. This means that an applicant for a Zoning Permit must be given a permit if he or she meets the other requirements of this Ordinance, e.g., yards, setbacks, and so forth.

Person: An individual, corporation, partnership, cooperative, limited liability company, trust or other legal entity.

Populate: To add animal units for which a permit or other local approval is required.

Prime Farmland:

- (1) An area with class 1 or class 2 land capabilities classification as identified by the Natural Resources Conservation Service of the United States Department of Agricultural.
- (2) Land, other than the land described in paragraph 1, which is identified as prime farm land in the county certified farmland preservation plan.

Principal Structure: The building of primary importance or permitted use on a parcel of land, in contrast to those which are accessory or of secondary importance. In an agricultural district a barn for agricultural use or swine confinement facilities can be considered a principal structure.

Property Line: A line that separates parcels of land owned by different persons.

Protected Farmland: Land that is located in a Agricultural Zoing District, is covered by a farmland preservation agreement, or is otherwise legally protected from nonagricultural development.

Qualified Nutrient Management Planner: A person qualified under s. ATCP 50.48 of the WI ADMIN CODE.

Recreational Vehicle: A touring or recreational unit other than a primary housing unit designed to be either self-propelled or towed which does not exceed the minimum statutory size of a mobile home under Section 348.07(2) of the Wisconsin Statutes. Commonly referred to as a motor home, pop-up-camper, fifth wheel mobile home, or similar type of vehicle equipped and used or intended to be used for temporary human habitation. A unit may or may not include plumbing, heating, and electrical systems or appliances.

Related Livestock Facilities: Livestock facilities that are owned or managed by the same person, and related to each other in at least one of the following ways:

- (1) They are located on the same tax parcel or adjacent tax parcels of land.
- (2) They use one or more of the same livestock structures to collect or store manure.
- (3) At least a portion of their manure is applied to the same landspreading acreage.

Roadside Stand: A building or part of a building no more than 500 square feet used for the retail sale of agricultural and related incidental products, excluding livestock, produced on the farm where the stand is located.

Rooming House: A building other than a hotel where lodging only is provided for compensation from three or more persons not members of the owner's family.

Separate Species Facility: A livestock facility that meets all of the following criteria:

- (1) It has only one of the following types of livestock, and that type of livestock is not kept on any other livestock facility to which the separate species facility is related (see definition of a "related livestock facility"):
 - (A) Cattle;
 - (B) Swine;
 - (C) Poultry;
 - (D) Sheep;
 - (E) Goats.
- (2) It has no more than 500 animal units.
- (3) Its livestock housing and manure storage structures, if any, are separate from the livestock housing and manure storage structures used by livestock facilities to which it is related.
- (4) It meets one of the following criteria:
 - (A) Its livestock housing and manure storage structures, if any, are located at least 750 feet from the nearest livestock housing or manure storage structure used by a livestock facility to which it is related.
 - (B) It and the other livestock facilities to which it is related have a combined total of fewer than 1,000 animal units.

Service Building: A structure housing toilet, washing, and bathing facilities and such other facilities as may be required by this Ordinance.

Setback: The minimum horizontal distance between the lot line and the nearest point of a building or any projection thereof. The nearest point of a building for purposes of this definition shall not include uncovered steps or roof overhangs of 36 inches or less. If a roof overhang exceeds 36 inches, the setback shall be measured to the point on the underside of the overhang located 36 inches from its outer edge.

Sign: A structure or devise on which advertising is displayed, or by which attention is directed to advertising on the same or any other structure, by any means visible to the eye.

Signage: Outdoor advertising attached to, made a part of, or placed in front, rear, sides, or top of any structure or on any land to announce the name or nature of a farm business including a roadside stand. Signs are limited to 8 square feet of panel area, not to exceed eight feet (8') in height above grade, unlighted.

Single Family Residence: The principal use of a lot is only for one dwelling unit.

Stable: A building with stalls for the lodging and feeding of livestock incidental to a farm.

Stable, Commercial: A building or land where horses are kept for remuneration, hire, sale, boarding, riding, or show.

Standards: The setbacks, vision corners, sideline requirements, height limitations, square footage requirements and other specifications as required by this Ordinance.

Standard Soils Survey: A soils survey of Rock County by the Soil Conservation Service, U.S. Department of Agriculture.

Story: That portion of a building included between the surface of the floor and the surface of the floor next above it, or the space between the floor and the ceiling next above it if there is no floor above it. A basement or cellar having one-half or more of its height above grade is a story for purposes of height regulation.

Story, Half: The space under any roof except a flat roof, the wall plates of which on at least two opposite exterior walls are not more than four feet above the floor of such story.

Street: All property dedicated or intended for public or private street purposes or subject to public easements 21 feet or more in width.

Street Right-of-Way Line: The dividing line between a lot, tract or parcel of land and an abutting street.

Structure: Anything constructed or having stationary location on the ground, not including roadways and small landscaping accoutrements, or small non-permanent structures of less than 40 square feet, such as dog houses, play houses, and compost bins, but including, without limitation, other storage sheds, and further including swimming pools, tennis courts, and their related accessories, such as fencing and lighting structures.

Structural Alteration: Any change in the supporting elements of a structure, such as foundations, bearing walls, columns, beams, or girders, or any substantial change in the roof structure or in the exterior or interior walls.

Structure, Single-Family: A building designed to be occupied by one household.

Structure, Two-Family: A building designed to be occupied by two households.

Structure, Multiple-Family: A building or portion thereof designed to be occupied by three or more families or households.

Subdivision Plat: Any divisions of a lot, parcel, or tract of land by the owner thereof or his or her agent for the purpose of sale or building development where:

- (1) The act of division creates five (5) or more parcels or building sites;
- (2) Five or more parcels or building sites are created by successive divisions within a period of 5 years; or
- (3) There is a dedication or reservation for public improvements.

Taper: Point at which the access road to or from a highway interchange meets another intersecting road.

Temporary Structure: A removable structure not designed for human occupancy nor for the protection of goods or chattels and not forming an enclosure.

Tenant Storage Area: An enclosed space designed to provide auxiliary general storage space for the occupants of an individual mobile home or manufactured home.

Tourist Camp or Court: A tract of land of at least one acre upon which two or more camp cottages are located or where temporary accommodations are provided for two or more trailers or house cars, open to the public either free or for a fee.

Track: A course or trail which may be permitted in the Special Purpose District, as a Conditional Use, where mini-bikes, motorcycles, dirt bikes, 3-wheelers, 4-wheelers and/or cars are allowed to ride, subject to, but limited to, the following conditions: (a) The operation of the track being limited to 8 hours in a week (measured from Monday through Sunday), (b) The operation of the track shall not be allowed prior to noon on Sundays, (c) The operation of the track shall not be allowed between dusk and dawn, and (d) The operation of the track shall not involve concessions, outdoor lighting, permanent structures, permanent seating, parking facilities or on-street parking, and (e) The operation of the track shall not disperse dirt and/or dust to neighboring properties.

Trailer Space: A parcel of land in a travel trailer parking area for the placement of a single trailer and the exclusive use of its occupants.

Travel Trailer: A vehicular, portable unit designed as a temporary living unit for travel, recreation, and vacation, which may take one of the following forms, or a similar form:

- (1) A unit built on a chassis, having a body width not exceeding 8 feet and body length not exceeding 32 feet;
- (2) A unit designed to be mounted on a truck chassis;
- (3) A unit constructed as an integral part of a self-propelled vehicle; or
- (4) A canvas, folding unit mounted on wheels.

Travel Trailer Camp: A parcel of land in which two or more spaces are occupied or intended for occupancy (not more than 7 days) by travel trailers for transient dwelling purposes.

Turning Lane: An existing or proposed connecting roadway between an arterial street and any other street. Turning lanes include grade-separated interchange ramps.

Use (Land Use): That which is customarily or habitually done, may include seasonal uses, and need not have extended to the entire tract of land at the time of the adoption of this Ordinance.

Variance: A departure from the terms of this Ordinance where it is shown that, due to unique physical characteristics of a land parcel, application of a given provision of this Ordinance to that land parcel causes a hardship to the owner, and that the condition permitted by the departure will still be in fundamental harmony with surrounding uses.

- (1) Area Variance: A variance which does not involve a use prohibited by this Ordinance. Area variances involve matters such as setback lines, frontage requirements, height limitations, lot size restrictions, density regulations, and yard requirements.
- (2) Use Variance: A variance which permits a use of land other than that which is prescribed by this Ordinance. It is primarily a grant to erect, alter, or use a structure for a permitted use in a manner other than that prescribed by this Ordinance. A Use Variance shall not be granted under this Ordinance.

Vehicles and Equipment: Any motor vehicles, including but not limited to automobiles, trucks, buses, and motorcycles, and any machinery, equipment, trailers, semi-trailers, and mobile homes.

- (1) Abandoned Vehicles and Equipment. Any vehicles and equipment which remain in one location on public property for more than 48 hours. Also included are any vehicles and equipment which remain in one location on private property without any permission of the occupant of the private property for more than 1 hour. Any substantial part or parts of any vehicles and equipment are included in the above definition.
- (2) Inoperable Vehicles and Equipment. Any vehicles and equipment or any substantial part or parts thereof which are incapable of being operated.
- (3) Unlicensed Vehicles and Equipment. Any vehicles and equipment subject to a license law which do not have affixed thereto a current license under the applicable licensing law.

Vision Clearance Triangle: An unoccupied triangular space at the corner lot which is bounded by the street lines and a setback line connecting points determined by measurement from the corner of each street line.

Waste: Manure, milking center waste and other organic waste generated by a livestock facility.

Waste Storage Facility: One or more waste storage structures, including stationary equipment and piping used to load or unload a waste storage structure if the equipment is specifically designed for that purpose and is an integral part of the facility. "Waste storage facility" does not include equipment used to apply waste to land.

Waste Storage Structure: A waste storage impoundment made by constructing embankments, excavating a pit or dugout, or fabricating a structure. "Waste storage structure" does not include equipment used to apply waste to land. For purposes of Sections ATCP 51.12(2) and 51.14 of the WI ADMIN CODE, "waste storage structure" does **not** include any of the following:

- (1) A structure used to collect and store waste under a livestock housing facility.
- (2) A manure digester consisting of a sealed structure in which manure is subjected to managed biological decomposition.

Water Line: The shortest straight line at the waterfront end of a stream lot that lies wholly within the lot, provided that not less than 75% of the length of such water line shall be on or on the landward side of the normal high-water mark of such stream.

Winter grazing area: Cropland or pasture where livestock feed on dormant vegetation or crop residue, with or without supplementary feed, during the period October 1 to April 30. "Winter grazing area" does not include any of the following:

- (1) An area, other than a pasture, where livestock are kept during the period from May 1 to September 30.
- (2) An area which at any time has an average of more than 4 livestock animal units per acre.
- (3) An area from which livestock have unrestricted access to navigable waters of the state, such that the livestock access prevents adequate vegetative cover on banks adjoining the water.
- (4) An area in which manure deposited by livestock causes nutrient levels to exceed standards in ATCP 5 1.16.

WPDES Permit: A Wisconsin Pollutant Discharge Elimination System permit issued by DNR under Ch. NR 243.

Yard: An open space on the same lot with a building, unoccupied and unobstructed from the ground upward except as otherwise provided herein.

Yard, Front: A yard extending the full width of the lot between the front lot line and the nearest part of the principal building, excluding uncovered steps.

Yard, Rear: A yard extending the full width of the lot between the rear lot line and the nearest part of the principal building excluding only such projections as are permitted herein.

Yard, Side: A yard extending from the front yard, or from the lot line where no front yard is required, to the rear yard between the side lot line and the nearest part of the principal building.

DATCP Original Submitted: March 1st, 2014

DATCP Resubmitted: June 30th, 2014

DATCP Certified: October 17th, 2014

Adopted: January 13th, 2015