

SECTION 4.0 - ZONING DISTRICTS

4.1 Establishment.

For the purpose of this Ordinance, the Town of Plymouth is divided into the following Zoning Districts:

Agricultural District One (A-1)
Agricultural District Two (A-2)
Agricultural District Three (A-3)
Rural Residential District (R-R)
Residential District (R-I)
Local Business District (B-1)
Light Industrial District (M-1)
Special Purpose District (SP)
Lowland Conservancy Overlay District (C-1)
Highland Conservation District (C-2)
Manufactured Home Park District (MHP)

4.2 Zoning Map and District Boundaries.

- (1) Boundaries. The boundaries of such districts are hereby established as shown on a map entitled "Official Zoning Map, Town of Plymouth, Wisconsin", dated January 13, 2015, which accompanies and is made a part of this Ordinance. Such boundaries shall be construed to follow all of the following: Town and corporate limit lines; U.S. Public Land Survey Lines; lot or property lines; soil mapping unit lines; topographic lines; centerlines of streets, roads, highways, alleys, easements, and railroad right-of-ways lines or such lines extended; unless otherwise noted on the Zoning Map. Said map shall be kept on file in the office of the Town Clerk and is correct only as of the day of passage of this Ordinance. The Town Clerk shall keep a revised version of said map reflecting any and all changes of zoning boundaries
- (2) Overlay Districts. Overlay districts, as presented in this Section, may be created for the purpose of imposing special regulations in given designated areas of the Town to accomplish stated purposes that are set forth for each overlay district. Overlay districts shall be in addition to and shall overlap and overlay all other zoning districts within which lands placed in each district also lie, so that any parcel of land lying in an overlay district shall also lie in one or more of the other zoning districts provided for by this Ordinance.

4.3 General District Regulations.

The following regulations set forth requirements that usually do not apply universally throughout the Town, but rather cover things that are applicable to one or more districts:

- (1) Erection of More than One Principal Structure on a Lot. In any district, no more than one structure housing a permitted or conditional use may be erected on a single lot except in the A-1, A-2, and A-3 districts where the requirements of those districts shall be met for each structure. Mobile homes or manufactured homes are permitted only when in a manufactured home park in a Manufactured Home Park District.
- (2) Maximum Zoning Permits. A maximum of two Zoning Permits for new residential construction will be issued in each calendar year for those areas depicted as “Agricultural/Scattered Residential” on the Town’s Smart Growth Land Use Plan Map.
- (3) Exceptions to Height Regulations. The height limitation contained in the requirements for permitted and conditional uses does not apply to spires, belfries, cupolas, antennas, water tanks, fire towers, windmills, ventilators, chimneys, or other appurtenances usually required to be placed above the roof level and not intended for human occupancy.
- (4) Structures to Have Access. Every residential building hereafter erected or moved shall be on a lot adjacent to a public street and all structures shall be located on lots so as to provide safe and convenient access for servicing, fire protection, and required off-street parking.
- (5) Parking and Storage of Certain Vehicles. Any vehicle, watercraft, or trailer required to be registered and/or licensed by DOT or DNR without current license plates and/or registration shall not be parked or stored on any residentially zoned property other than in completely enclosed buildings.
- (6) Setback. A setback less than the setback required by this Ordinance may be permitted where there are at least five (5) existing main buildings existing at the date of enactment of this Ordinance within five hundred (500) feet of the proposed site that are built to less than the required setback. In such case, the setback shall be the average of the nearest main building on each side of the proposed site or if there is no building on one side, the average of the setback for the main building on one side and the required setback, such setback shall be granted by a permit from the Planning and Zoning Committee and shall not require a special exception or variance. Livestock Facilities must follow setback requirements in the agricultural related zoning districts and WI ADMIN CODE ATCP 51.

- (7) Loading Space. In Business or Industrial Districts, sufficient space for loading or unloading of vehicles shall be provided off the highway in connection with any commercial or industrial use so that the highway shall at all times be free and unobstructed to the passage of traffic.
- (8) Undersized Lots. Where a residential lot has an area less than the minimum number of square feet per family required for the district in which it is located and was of record at the time of the passage of this Ordinance, such lot may be occupied by one (1) family.
- (9) Vacation of Public Streets. Alleys and Right-of-Ways shall cause the land vacated to be automatically placed in the same district as the abutting side to which the vacated land reverts.
- (10) Criteria for Evaluation of Conflicting Land Use. Districts adjacent to Agricultural Districts are to recognize that agriculture is a necessary use and should be encouraged and there are certain environmental conditions that take place as a normal part of a farm operation. Those charged with reviewing this situation shall consider which land use has existed for the longest period of time and what land use existed at the time the adjacent use was created.
- (11) Underground Utility Lines. Utility lines which will serve individual lots to include electric lines under 12,000 volts, internet, fiber optic, cable T.V., telephone, natural gas, etc. shall be installed underground within the utility easements indicated on the land division map and provisions made to assure that installation of said utilities will take place prior to conveyance of any lots so created.
- (12) Overhead Utility Lines. No overhead power, internet or telephone lines shall be erected within one half mile of any boundary of the site of any airport, landing field, or landing and takeoff strip.
- (13) Community Living Arrangements. Community living arrangements shall be permitted without restriction as to the number of facilities so long as the total capacity of all the community living arrangements does not exceed 25 or one percent (1%) of the Town's population, whichever is greater. No community living arrangement may be located within 2,500 feet of any other such facility. Two community living arrangements may be adjacent if authorized by the Planning and Zoning Committee and if both comprise essential components of a single program.
- (14) Habitation of Recreational Vehicle. Habitation of any recreational vehicle, tent, or camper shall not take place on a parcel located in the Town unless a primary residence is available for use of required services such as sewer and water and unless such habitation is temporary in nature and does not exceed 7 days in any calendar year.

- (15) Permanent Foundation. A permanent foundation is required for all residential structures and shall comply with the design standards set forth in Section SPS 321.18 of the WI ADMIN CODE as that section may be amended, re-created, or re-numbered from time to time. In addition to the requirements of that section, the foundation for all residential structures shall be constructed in one of the following manners:
- (A) As a continuous poured wall with footings of no less than 4 feet in depth;
 - (B) As a mortared concrete block wall on poured footings of no less than 4 feet in depth; or
 - (C) As a monolithic slab to which the structure is permanently attached.

The parking of a trailer on a poured slab does not constitute a permanent attachment under this Section. The requirements of this subsection shall also apply to all structures used as offices. This subsection shall not be deemed to require a foundation for an open-air screened porch or a gazebo-type structure which is accessory to a residential structure. Further, this subsection shall not be deemed to apply to construction trailers which are temporarily placed for 120 days or less and used for the purpose of housing temporary office and storage space to aid in the construction of a structure.

- (16) Required Compliance of New Land Parcels. No new land parcel shall be created that is not in compliance with the requirements and standards of this Ordinance.
- (17) Garages. Each single-family dwelling and each residential unit of a two-family dwelling may have only one private garage being either an attached garage or an unattached garage, provided:
- (A) Such garage is clearly incidental to the residential use of the property.
 - (B) The square footage of an attached or unattached garage shall not exceed the greater of 864 square feet or 50 percent of the finished livable floor area of the residential unit up to a maximum of 1,500 square feet. Finished livable floor area of the residential unit shall not include a garage, breezeway, attic, or basement.
 - (C) An attached garage shall not exceed the height of the residential structure.
 - (D) An unattached garage shall not exceed 14 feet in height measured from floor to peak of roof.
 - (E) No portion of a garage may be used as a separate dwelling unit.

- (F) A garage, whether attached or unattached, shall not be counted as an accessory building. The maximum number of car garage doors allowed on any one side of a structure is three (3) single car garage doors or one (1) double car garage door and one (1) single car garage door. The maximum width of a single car garage door is 12 feet and the maximum width of a double car garage door is 18 feet. The maximum number of car garage doors allowed on other walls is one (1) single car garage door per wall.
- (18) Flag Lots. Flag lots shall be allowed only in special circumstances when various factors render creation of a more proportionate lot, in length and width, unachievable. The “pole” of a flag lot width shall not exceed two hundred fifty (250) feet in length unless additional length is needed to either avoid significant degradation or depletion of ESA, cultural resources, productive agricultural soils and/or woodlands, or disruption of efficient agricultural operations. The “pole” shall be used exclusively for vehicular access with specified improvements including landscaping, fencing, utilities, mailboxes, and signs also permitted on the “pole”. Once improvements as assessed for property tax purposes are made to the flag lot, the provisions of Town of Plymouth Ordinance 2014-01 Regulating Driveways shall be utilized. The “pole” shall maintain a minimum width of one hundred fifty (150) feet for all lots without access to a connection to a public sanitary sewer system and fifty (50) feet for all lots with access to a connection to said system, for the entire length of the “pole”. No “pole” shall be located within two hundred (200) feet from another on the same side of the street unless said “poles” utilize a joint driveway.