

Article C: Zoning Districts

Sec. 13-1-40 Zoning Districts Designated.

- (a) For the purpose of this Chapter, the Village of Rudolph is hereby divided into the following eleven (11) zoning districts:
- (1) R-1 Single-Family Residential District (Low Density)
 - (2) R-2 Single-Family and Two-Family Residential District (Medium Density)
 - (3) R-3 Multiple-Family Residential District
 - (4) C-1 Conservancy District
 - (5) P-1 Public/Semipublic District
 - (6) B-1 Central Commercial District
 - (7) B-2 Highway Commercial District
 - (8) I-1 Industrial District
 - (9) A-1 Agricultural District
 - (10) A-2 Exclusive Agricultural District
 - (11) AEO Adult Entertainment Overlay District

Sec. 13-1-41 District Boundaries.

- (a) **Zoning Map.** The boundaries of the districts enumerated in Section 13-1-40 above are hereby established as shown on a map entitled "Zoning Map, Village of Rudolph, Wisconsin", as amended, which is adopted by reference and made a part hereof. The map shall bear upon its face the attestation of the Village President and the Village Clerk and shall be available to the public in the office of the Village Clerk.
- (b) **Boundary Lines.** The boundaries shall be construed to follow corporate limits; U.S. Public Land Survey lines; lot or property lines; center lines of streets, highways, alleys, easements and railroad rights-of-way; or such lines extended unless otherwise noted on the Zoning Map. Where the district boundaries are not otherwise indicated and where the property has been or may hereafter be divided into blocks and lots, the district boundaries shall be construed to be lot lines and where the designations on the Zoning Map are approximately bounded by lot lines, such lot line shall be construed to be the boundary of the district.
- (c) **Vacation.** Vacation of public streets and alleys shall cause the land vacated to be automatically placed in the same district as the abutting side to which the vacated land reverts.
- (d) **Annexations and Consolidations.** Annexations to or consolidations with the Village subsequent to the effective date of this Chapter shall be placed in the A-1 General Agricultural District unless the annexation ordinance places the land in another district.

Sec. 13-1-42 R-1 Single-Family Residential District (Low Density).

- (a) **Purpose.** The purpose of this District is to provide the opportunity for construction and maintenance of primarily single-family detached dwelling units at a low dwelling unit per acre density. The primary emphasis of this District is new development areas.
- (b) **Permitted Uses.** The following uses of land are permitted in the R-1 District:
 - (1) Single-family detached dwellings, served by public sewer, excluding all mobile homes constructed on a frost wall or full basement; for purposes of this Chapter manufactured homes are included in the definition of single-family dwelling.
 - (2) Manufactured homes or other conventional new construction of new or replacement construction complying with all of the following requirements and limitations:
 - a. The home shall be a double wide (two or more fabricated units) of at least twenty-four (24) feet in width and one thousand two hundred (1,200 sq. ft) square feet in area.
 - b. The home shall be installed on a full basement foundation system. The wheels and axles must be removed. The foundation shall be approved by the Building Inspector and/or Village Engineer; the Building Inspector may require a plan to be certified by a registered architect or engineer to ensure proper support for the home. Any addition shall comply with the Uniform Dwelling Code.
 - c. The home shall be equipped with foundation siding which in design, color and texture appears to be an integral part of the adjacent exterior wall of the manufactured home.
 - d. The home shall be covered by a roof pitched at a minimum slope of three (3) inches in twelve (12) inches, which is permanently covered with non-reflective material.
 - e. The home shall have a pitched roof, overhanging eaves and such other design features required of all new single-family dwellings located within the Village of Rudolph.
 - (3) One (1) private garage per Section 13-1-140 specifications. All new homes in the R-1 District shall have, at a minimum, a one-stall attached or detached garage.
 - (4) Accessory uses and buildings as permitted in Article J.
 - (5) Community living arrangements and day care centers which have a capacity for eight (8) or fewer persons.
 - (6) Foster family care.
 - (7) Home occupations and professional home offices. (See Section 13-1-72.)
 - (8) Family day care, limited to eight (8) children. Family day care homes shall be subject to state licensing requirements.
 - (9) Neighborhood parks, playgrounds and greenways.
 - (10) Uses customarily incident to any of the above uses, provided that no such use generates traffic or noise that would create public or private nuisance.

- (c) **Conditional Uses.** The following are permitted as conditional uses within the R-1 District:
- (1) Community living arrangements and day care centers which have a capacity for nine (9) or more persons.
 - (2) Bed and breakfast inns [7011]. (See Section 13-1-71.)
 - (3) Public utility structures, except those incompatible with the characteristics of the district.
 - (4) Planned residential developments.
 - (5) Golf courses and private clubs.
 - (6) Nursery schools.
- (d) **Area, Height and Yard Requirements.**
- (1) **Lot.**
 - a. Area: Minimum ten thousand (10,000) square feet.
 - b. Width: Minimum ninety (90) feet.
 - (2) **Building Height.** Maximum thirty-five (35) feet.
 - (3) **Building Area.** One thousand two hundred (1,200) square foot minimum.
 - (4) **Yards.**
 - a. Street: Minimum forty (40) feet.
 - b. Rear: Minimum twenty-five (25) feet.
 - c. Side: Minimum ten (10) feet each side; twenty-five (25) feet for a side yard on a street.

Sec. 13-1-43 R-2 Single-Family and Two-Family Residential District (Medium Density).

- (a) **Purpose.** The purpose of this District is to provide the opportunity for construction and maintenance of primarily single-family detached dwelling units or two-family units at a medium dwelling unit per acre density. It particularly reflects older and/or pre-existing neighborhoods in the Village.
- (b) **Permitted Uses.** The following uses of land are permitted in the R-2 District:
- (1) Single-family detached dwellings constructed on a frost wall or full basement and served by public sewer, excluding all mobile homes; for purposes of this Chapter, manufactured homes are included in the definition of single-family dwelling.
 - (2) Manufactured homes or other conventional housing of new construction complying with all of the following requirements and limitations:
 - a. The home shall be a double wide (two or more fabricated units) of at least twenty-four (24) feet in width and one thousand two hundred (1,200 sq. ft) in area.
 - b. The home shall be installed on a full basement foundation system. The wheels and axles must be removed. The foundation shall be approved by the Building

Inspector and/or Village Engineer; the Building Inspector may require a plan to be certified by a registered architect or engineer to ensure proper support for the home.

- c. The home shall be equipped with foundation siding which in design, color and texture appears to be an integral part of the adjacent exterior wall of the manufactured home.
 - d. The home shall be covered by a roof pitched at a minimum slope of three (3) inches in twelve (12) inches, which is permanently covered with non-reflective material.
 - e. The home shall have a pitched roof, overhanging eaves and such other design features required of all new single-family dwellings located within the Village of Rudolph,
- (3) Two-family dwellings (duplex).
 - (4) One (1) private garage per Section 13-1-140 specifications.
 - (5) Accessory uses and buildings as permitted in Article J.
 - (6) Community living arrangements and day care centers which have a capacity for eight (8) or fewer persons.
 - (7) Foster family care.
 - (8) Home occupations and professional home offices. (See Section 13-1-72.)
 - (9) Family day care limited to eight (8) children. Family day care homes shall be subject to state licensing requirements.
 - (10) Neighborhood packs, playgrounds and greenways.
 - (11) One or more mobile homes in the R-2 Single-Family and Two-Family Residential District subject to the following regulations:
 - a. Location: The location is approved and a license granted by the Village Board as a part of a planned mobile home development. A planned mobile home development is intended to be exclusively for residential use of mobile homes and shall comply with the following restrictions.
 - b. Use: Only the following uses and buildings shall be permitted:
 - 1. Single-family mobile homes.
 - 2. Office and dwelling for the owner or administrator of the mobile home development.
 - 3. Buildings include toilets, bathing, clothes washing facilities, and similar services for residents of the mobile home development.
 - c. Height: No mobile home building shall exceed one (1) story or fifteen (15) feet in height.
 - d. Yards: Every mobile home development shall have minimum front and rear yard setbacks of forty (40) feet.
 - e. Spacing of Units: Mobile homes shall not be placed closer than thirty (30) feet apart or within fifteen (15) feet of the roadway serving such units.

- f. Area: Each mobile home development shall have a minimum area of five (5) acres. Each mobile home lot shall have a minimum lot area of five thousand (5,000) square feet and a minimum lot width of fifty (50) feet.
 - g. Screening: Each mobile home development shall be screened as required by the Village Board.
 - h. Additional Requirements: In addition to the foregoing, the Village Board may impose such other conditions, requirements or limitations concerning the design, development and operation of such mobile home developments as it may deem necessary for the protection of adjacent properties or the public interest.
- (12) Uses customarily incident to any of the above uses, provided that no such use generates traffic or noise that would create public or private nuisance.
- (c) **Conditional Uses.** The following are permitted as conditional uses within the R-2 District:
- (1) Community living arrangements and day care centers which have a capacity for nine (9) or more persons.
 - (2) Bed and breakfast inns [7011]. (See Section 13-1-67.)
 - (3) Public utility structures, except those incompatible with the characteristics of the district.
 - (4) Planned residential developments.
 - (5) Golf courses and private clubs.
 - (6) Nursery schools.
 - (7) Public and semipublic conditional uses as prescribed in Section 13-1-70.
 - (8) Residential conditional uses as prescribed in Section 13-1-67, 13-1-68, 13-1-69 and 13-1-71.
- (d) **Area, Height and Yard Requirements.**
- (1) **Lot.**
 - a. Area:
 - 1. Buildings or parts of buildings hereafter erected or structurally altered for single-family dwelling purposes shall provide a lot area of not less than nine thousand (9,000) square feet with a minimum width of eight (80) feet. If no municipal sewer service is available, a lot shall be not less than twenty thousand (20,000) square feet and no such lot shall be less than one hundred (100) feet wide.
 - 2. Minimum seven thousand two hundred (7,200) square feet; twelve thousand (12,000) square feet for two-family lots served by public sewer.
 - b. Width: Minimum eight (80) feet for one-family dwellings; one hundred (100) feet for two-family dwellings.
 - (2) **Building Height.** Maximum thirty-five (35) feet.
 - (3) **Building Area.** One thousand (1,000) square feet minimum for one-family dwellings; one thousand four hundred (1,400) square feet total for a two-family dwelling.
 - (4) **Yards.**
 - a. Street: Minimum forty (40) feet.

- b. Rear: Minimum twenty-five (25) feet.
 - c. Side: Minimum ten (10) feet each side (25 feet for a side yard on a street) for one-family or two-family dwellings.
- (e) **Permitted Special Use — Zero Lot Line Duplexes.**
- (1) Zero-lot line duplex separation into two (2) individual lots will only be available for new duplexes constructed after the adoption date of this Code of Ordinances;
 - (2) A zero lot line duplex may be built on the dividing line between two halves of an existing legal lot of record having at least ten thousand (10,000) square feet in area and at least eighty (80) feet of lot width;
 - (3) The common wall of the zero lot line duplex shall be centered on the dividing line between the two (2) halves of the lot;
 - (4) The setback from the opposite lot line shall be not less than ten (10) feet;
 - (5) When attached dwelling units are created, the plans, specifications, and construction of such building shall require that the installation and the construction of sewer, water and other utility services be done in such a manner so as to provide separate systems to each dwelling unit; provided however, that common services are permitted if:
 - a. Current Wisconsin State Plumbing Code permits the installation of common systems and
 - b. Cross easement and maintenance provisions for the common systems are provided for and included in the Deed Restrictions referred to in Subsection (e)(5) below.
 - (6) When attached dwelling units are created, matters of mutual concern to the adjacent property owners due to construction, catastrophe, and maintenance shall be guarded against by private covenants, deed restrictions and the approving authority. Deed restrictions shall provide:
 - a. Each side of the building shall be constructed at the same time and in such a way as to be harmonious with the other side so that the overall effect is aesthetically pleasing.
 - b. Each side of the duplex shall be provided with a minimum of two (2) trees and foundation plantings covering two-thirds (2/3) of the street side of the unit. Lots shall be maintained equally with respect to lawn care, pruning of shrubs and trees.
 - c. The dwelling shall be painted, stained or sided one (1) color scheme and any subsequent repainting, staining or siding shall be of one (1) color scheme, or according to the plan established by these covenants.
 - d. Violation of these covenants should be handled by the signing parties; however, they shall provide that the Village may enforce the same or facilitate the proper solution.
 - e. Copies of the deed restrictions and private covenants shall be placed on file in the assessor's office and recorded in the office of the County Register of Deeds.
 - f. Changes to covenants or deed restrictions shall require an amendment to the special use approval or conditional use permit required by the zoning ordinance.

- g. Basements shall be provided across zero lot lines where necessary for water, sewer and utility services.
- h. There shall be a common wall which shall be a minimum one (1) hour fire wall running from the lowest floor level, including the basement, to the underside of the roof sheathing. Such basement wall, if any, shall be masonry.
- i. No fences shall be permitted along the zero lot line in the front or rear yards.

Sec. 13-1-44 R-3 Multiple-Family Residential District.

- (a) **Purpose.** The purpose of this District is to provide the opportunity for construction and maintenance of multiple-family dwelling units at varying dwelling units per acre densities.
- (b) **Permitted Uses.**
 - (1) Multiple-family rental apartments under twelve (12) units in size.
 - (2) Condominiums.
- (c) **Conditional Uses.**
 - (1) Professional home offices and home occupations.
 - (2) Planned residential developments.
 - (3) Golf courses and private clubs.
 - (4) Mobile home parks/courts.
 - (5) Condominiums.
 - (6) Nursery schools.
 - (7) Retirement homes.
 - (8) Day care centers (state licensed).
- (d) **Area, Height and Yard Requirements.**
 - (1) **Lot.**
 - a. Area:
 - 1. Two-family dwellings: Six thousand (6,000) square feet per residential unit.
 - 2. Multi-family (over two): Five (5) times floor area.
 - b. Width: Minimum one hundred twenty (120) feet.
 - (2) **Building Height.** Maximum forty-five (45) feet.
 - (3) **Yards.**
 - a. Street: Minimum thirty (30) feet.
 - b. Rear: Minimum thirty (30) feet.
 - c. Side: Minimum fifteen (15) feet each side (25 feet for a side yard on a street).

Sec. 13-1-45 C-1 Conservancy District.

- (a) **Purpose.** The purpose of this District is to preserve, protect, and maintain the natural environment and character of areas exhibiting significant natural resource features which contribute to the productive, recreational, or aesthetic value of the community.

(b) **Permitted Uses.**

- (1) Farming and related agricultural uses when conducted in accordance with conservation standards.
- (2) Forest and game management.
- (3) Hunting, fishing and hiking.
- (4) Parks and recreation areas; arboreta; botanical gardens; greenways.
- (5) Stables.
- (6) Utilities.
- (7) Non-residential buildings used solely in conjunction with the raising of water, fowl or fish.
- (8) Harvesting of wild crops.
- (9) Recreation related structures not requiring basements.

(c) **Conditional Uses.**

- (1) Animal hospitals, shelters and kennels.
- (2) Archery and firearm ranges, sports fields and skating rinks.
- (3) Land restoration, flowage, ponds.
- (4) Golf courses and clubs.
- (5) Ski hills and trails.
- (6) Recreation camps.
- (7) Public and private campgrounds.
- (8) Riding stables.
- (9) Sewage disposal plants.
- (10) Governmental, cultural and public buildings or uses.
- (11) Utilities.
- (12) Hunting and fishing clubs.
- (13) Farm structures.

(d) **Area, Height and yard Requirements.**

- (1) **Lot.**
 - a. Area: Minimum eighteen thousand (18,000) square feet.
 - b. Width: Minimum one hundred fifty (150) feet.
- (2) **Building Height.** Maximum forty-five (45) feet.
- (3) **Other Structures Height.** Maximum one-half (1/2) the distance from the structures nearest lot line.
- (4) **Yards.**
 - a. Street: Minimum thirty (30) feet.
 - b. Rear: Minimum thirty (30) feet.
 - c. Side: Minimum twenty (20) feet except structures used for the housing of shelters of animals must be one hundred (100) feet from lot lines.

Sec. 13-1-46 P-1 Public/Semipublic District.

(a) **Purpose.** Uses associated with essential governmental and institutional activities related to the conduct of the public business; provision of necessary public and semipublic service; and/or implementation of planned community development programs.

(b) **Permitted Uses.** Public and semipublic uses such as:

- (1) Arboretums.
- (2) Churches, schools and libraries.
- (3) Public offices and meeting rooms.
- (4) Community centers.
- (5) Fishing, swimming and wading facilities.
- (6) Parks, playgrounds and sports fields.
- (7) Sledding, skating and skiing facilities.
- (8) Sports arenas, rinks, and gymnasia.
- (9) Pumping stations.
- (10) Water and wastewater treatment facilities.
- (11) Fire stations, garages and protective devices.
- (12) Water control and measurement facilities.
- (13) Land, soil and water conservation practices.
- (14) Wildlife preserves.
- (15) Related institutional needs.

(c) **Conditional Uses.**

- (1) All buildings and structures.

(d) **Lot and Yard Requirements.**

(1) Minimum Lot	Width	150 ft.
	Area	18000 sf.
(2) Maximum Bldg.	Height	40 ft.
(3) Minimum Yards	Street	30 ft.
	Rear	30 ft.
	Side	20 ft.

- (4) Lots shall be of sufficient size and width to accommodate present and identified future needs.
- (5) No space above the third floor above grade shall be accessible to persons other than the owner, hisher employees, service or work crews, or maintenance personnel.
- (6) Yards shall be in accord with the average of those in abutting properties or zoning districts, and with the required setback from the centerline of abutting arterial highways.

Sec. 13-1-47 B-1 Central Commercial District.

- (a) **Purpose.** The B-1 District is intended to provide an area for the business, financial, professional, and commercial needs of the community, especially those which can be most suitably located in a compact and centrally located business district.
- (b) **Permitted Uses.** The following uses of land are permitted in the B-1 District:
- (1) Paint, glass and wallpaper stores. [523]
 - (2) Hardware stores. [525]
 - (3) Department stores, variety stores, general merchandise stores. [53]
 - (4) General grocery stores, supermarkets, fruit and vegetable stores, delicatessens, meat and fish stores and miscellaneous food stores. [54]
 - (5) Candy, nut or confectionery stores. [544]
 - (6) Dairy products stores, including ice cream stores. [545]
 - (7) Retail bakeries, including those which produce some or all of the products sold on the premises, but not including establishments which manufacture bakery products primarily for sale through outlets located elsewhere or through home service delivery. [546]
 - (8) Clothing and shoe stores. [56]
 - (9) Furniture, home furnishings, floor covering and upholstery shops/stores. [57]
 - (10) Restaurants, lunch rooms and other eating places, except drive-in type establishments. [5812]
 - (11) Taverns, bars and other drinking places with permit by Village Board. [5813]
 - (12) Drug stores and pharmacies. [591]
 - (13) Liquor stores. [592]
 - (14) Antique stores and secondhand stores. [593]
 - (15) Sporting goods stores and bicycle shops. [5941]
 - (16) Bookstores. [5942]
 - (17) Stationery stores. [5943]
 - (18) Jewelry and clock stores. [5944]
 - (19) Camera and photographic supply stores. [5946]
 - (20) Gift, novelty and souvenir shops. [5947]
 - (21) Florist shops. [5992]
 - (22) Tobacco and smokers' supplies stores. [5993]
 - (23) News dealers and newsstands. [5994]
 - (24) Wholesale merchandise establishments, only for retail items listed above; e.g., #19 would allow wholesale camera sales.
 - (25) Banks and other financial institutions. [60-62]
 - (26) Offices of insurance companies, agents, brokers and service representatives. [63-64]
 - (27) Offices of real estate agents, brokers, managers and title companies. [65-67]
 - (28) Miscellaneous business offices.

- (29) Heating and plumbing supplies.
- (30) Retail laundry and dry cleaning outlets, including coin-operated laundries and dry cleaning establishments, commonly called laundromats and laundrettes. Tailor shops, dressmakers' shops, and garment repair shops, but not garment pressing establishments, hand laundries, or hat cleaning and blocking establishments. [721]
- (31) Photographic studios and commercial photography establishments. [722]
- (32) Barbershops, beauty shops and hairdressers. [723-4]
- (33) Shoe repair shops and shoe shine parlors. [725]
- (34) Trade and contractor's offices (office only).
- (35) Advertising agencies, consumer credit reporting, news agencies, employment agencies. [731-2, 735-6]
- (36) Duplicating, blueprinting, photocopying, addressing, mailing, mailing list and stenographic services; small print shops. [733]
- (37) Computer services. [737]
- (38) Commercial parking lots, parking garages, parking structures. [752]
- (39) Watch, clock and jewelry repair services. [763]
- (40) Motion picture theaters, not including drive-in theaters. [7832]
- (41) Miscellaneous retail stores. [5999]
- (42) Offices/clinics of physicians and surgeons, dentists and dental surgeons, osteopathic physicians, optometrists and chiropractors, but not veterinarian's offices. [801-4]
- (43) Law offices. [811]
- (44) The offices, meeting places, churches, and premises of professional membership associations; civic, social, and fraternal associations; business associations, labor unions and similar labor organizations; political organizations; religious organizations; charitable organizations; or other non-profit membership organizations. [86]
- (45) Engineering and architectural firms or consultants. [891-3]
- (46) Accounting, auditing and bookkeeping firms or services. [8721]
- (47) Professional, scientific, or educational firms, agencies, offices, or services, but not research laboratories or manufacturing operations. [899]
- (48) The offices of governmental agencies and post offices. [91-92, 431]
- (49) Public transportation passenger stations, taxicab company offices, taxicab stands, but not vehicle storage lots or garages. [411-14]
- (50) Telephone and telegraph offices. [481-2]
- (c) **Conditional Uses.** The following are permitted as conditional uses in the B-1 District; provided that no nuisance shall be afforded to the public through noise, the discharge of exhaust gases from motor-driven equipment, unpleasant odors, smoke, steam, harmful vapors, obnoxious materials, unsightly conditions, obstruction of passage on the public street or sidewalk, or other conditions generally regarded as nuisances; and provided that where operations necessary or incident to the proper performance of these services or occupations would tend to afford such nuisances, areas, facilities, barriers, or other devices

shall be provided in such a manner that the public is effectively protected from any and all such nuisances. These uses shall be subject to the consideration of the Village Board with regard to such matters.

- (1) Miscellaneous repair shops and related services. [769]
- (2) Garment pressing establishments, hand laundries, hat cleaning and blocking shops and coin-operated dry cleaning establishments. [721]
- (3) Establishments engaged in the publishing and printing of newspapers, periodicals or books. [2711]
- (4) Dwelling units, provided that no dwelling shall be permitted below the second floor and business uses are not permitted on any floor above the ground floor, except in those buildings or structures where dwelling units are not established.
- (5) Farm supplies, wholesale trade. [5191]
- (6) Establishments engaged in the retail sale of automobiles, trailers, mobile homes, or campers; provided that any inoperable vehicles or vehicles awaiting repair be maintained in a way that does not constitute a nuisance and remains in full compliance with Village ordinances. [551-2, 556]
- (7) Stores for the sale and installation of tires, batteries, mufflers or other automotive accessories; provided that any inoperable vehicles or vehicles awaiting repair be maintained in a way that does not constitute a nuisance and remains in full compliance with Village ordinances. [553]
- (8) Gasoline service stations; provided, further, that all gasoline pumps, storage tanks and accessory equipment must be located at least thirty (30) feet from any existing or officially proposed street line; provided that any inoperable vehicles or vehicles awaiting repair be maintained in a way that does not constitute a nuisance and remains in full compliance with Village ordinances. [5541]
- (9) Establishments engaged in the daily or extended-term rental or leasing of house trailers, mobile homes or campers; provided that any inoperable vehicles or vehicles awaiting repair be maintained in a way that does not constitute a nuisance and remains in full compliance with Village ordinances. [703]
- (10) Establishments engaged in daily or extended-term rental or leasing of passenger automobiles, limousines or trucks, without drivers, or of truck trailers or utility trailers; provided that any inoperable vehicles or vehicles awaiting repair be maintained in a way that does not constitute a nuisance and remains in full compliance with Village ordinances. [751]
- (11) Establishments for the washing, cleaning or polishing of automobiles, including self-service car washes; provided that any inoperable vehicles or vehicles awaiting repair be maintained in a way that does not constitute a nuisance and remains in full compliance with Village ordinances. [754]
- (12) Hotels, motor hotels, motels, tourist courts, tourist rooms, etc. [70]
- (13) Farm implement sales.

- (14) Mini-warehouses.
 - (15) Veterinarian's offices/clinics.
 - (d) **Lot, Yard and Building Requirements.**
 - (1) **Lot Width.** Minimum forty (40) feet or building width plus required yards.
 - (2) **Lot Area.** Minimum four thousand eight hundred (4,800) square feet or building plus required yards.
 - (3) **Principal Building.**
 - a. Front Yard: None required.
 - b. Side Yard: Minimum ten (10) feet; if sideyard is necessary to be compatible with neighborhood. (None for pre-existing nonconforming structures.)
 - c. Rear Yard: Minimum twenty-five (25) feet. (None for pre-existing nonconforming structures).
- NOTE:** Pre-existing structures may be nonconforming. In blocks in the business districts which are already developed, the dimensional requirements of this Chapter can be modified if in the opinion of the Board of Appeals, such action would be in keeping with the purpose of this Code where a practical difficulty or hardship would result from a literal enforcement of the requirements.
- (4) **Building Height.** Maximum thirty-five (35) feet.
 - (5) **Minimum Building Floor Area.** One thousand two hundred (1,200) square feet.
 - (6) **Alley Setback.** Minimum fifteen (15) feet.

Sec. 13-1-48 B-2 Highway Commercial District.

- (a) **Purpose.** The purpose of the B-2 District is to encourage the growth and development of business activities and establishments which require highway frontage and exposure due to their automobile and vehicular orientations.
- (b) **Permitted Uses.** The following are specific permitted uses in this District:
 - (1) Amusement activities.
 - (2) Automobile and truck retail services.
 - (3) Bars and taverns.
 - (4) Candy, nut and confectionery sales.
 - (5) Gasoline service stations.
 - (6) Gift, novelty and souvenir sales.
 - (7) Hotels, motels and tourist courts.
 - (8) Night clubs and dance halls.
 - (9) Restaurants.
 - (10) Sales, service and installation of tires, batteries and accessories.
 - (11) Animal hospital, shelters and kennels.
 - (12) Commercial recreation facilities.

- (13) Off-season storage facilities.
 - (14) Lodges and fraternal buildings.
 - (15) Drive-in food and beverage establishments.
 - (16) Drive-banks.
 - (17) Vehicle sales and service.
 - (18) Public parking lots.
 - (19) Governmental, cultural, and public buildings or uses, such as fire and police stations, community centers, libraries, public emergency shelters, parks, playgrounds and museums.
 - (20) Utilities.
 - (21) Schools and churches.
 - (22) Mobile home sales.
 - (23) Farm implement sales.
 - (24) Mini-warehouses.
 - (25) Other uses similar to or customarily incident to any of the above uses.
- (c) **Conditional Uses.** The following are specific conditional uses in this District:
- (1) Automobile repair services.
 - (2) Residential dwelling units.
 - (3) Public assembly uses.
 - (4) Nursing homes.
 - (5) Nursery and day care centers.
 - (6) Retirement homes.
 - (7) Log stacks are a conditional accessory use in the B-2 District, provided that they are located a minimum of sixty (60) from the center of adjacent public road right-of-ways.
- (d) **Area, Height and Yard Requirements.**
- (1) Lot.
 - a. Area: Fifteen thousand (15,000) square feet.
 - b. Width: Minimum one hundred fifty (150) feet.
 - (2) **Building Height.** Maximum thirty-five (35) feet.
 - (3) **Yards.**
 - a. Street: Minimum fifty (50) feet (may include parking).
 - b. Rear: Minimum twenty (20) feet.
 - c. Side: Minimum twenty (20) feet each side.

Sec. 13-1-49 I-1 Industrial District.

- (a) **Purpose.** This District is intended to provide an area for manufacturing, marketing, and industrial and agribusiness activities. It is also intended to provide an area for a variety of uses which require relatively large installations, facilities or land areas, or which would create or tend to create conditions of public or private nuisance, hazard, or other undesirable

conditions, or which for these or other reasons may require special safeguards, equipment, processes, barriers, or other forms of protection, including spatial distance, in order to reduce, eliminate, or shield the public from such conditions.

(b) **Permitted Uses.** The following are permitted uses in the I-1 District:

- (1) Manufacturing establishments, usually described as factories, mills or plants, in which raw materials are transformed into finished products, and establishments engaged in assembling component parts of manufactured products. [20, 23-28, 30, 32-39]
- (2) Building construction contractors. [15-17]
- (3) Motor freight transportation. [41-42]
- (4) Light industry and service uses.
 - a. Cleaning, pressing, dyeing.
 - b. Commercial bakeries.
 - c. Commercial greenhouses.
 - d. Distributors.
 - e. Food locker plants.
 - f. Printing and publishing.
 - g. Trade and contractor's facilities.
 - h. Offices.
 - i. Painting services.
 - j. Retail sales and service facilities such as retail and surplus outlet stores, and restaurants and food service facilities when established in conjunction with a permitted manufacturing or processing facility.
 - k. Recreation vehicle, boat and miscellaneous storage.
- (5) Public facilities and uses.
 - a. Governmental, cultural and public buildings or uses, such as fire and police stations, community centers, libraries, public emergency shelters, parks, playgrounds and museums.
 - b. Schools and churches.
 - c. Airports, airstrips and landing fields.
- (6) Agriculture related industry and service uses.
 - a. Production of natural and processed cheese.
 - b. Production of shortening, table oils, margarine and other edible fats and oils.
 - c. Production of condensed and evaporated milk.
 - d. Wet milling of corn.
 - e. Production of creamery butter.
 - f. Drying and dehydrating fruits and vegetables.
 - g. Creameries and dairies.
 - h. Production of flour and other grain mill products; blending and preparing of flour.
 - i. Fluid milk processing.
 - j. Production of frozen fruits, fruit juices, vegetables and other specialties.

- k. Fruit and vegetable sauces and seasoning, and salad dressing preparation.
- l. Poultry and small game dressing and packing providing that all operations be conducted within an enclosed building.
- m. Production of sausages and other meat products providing that all operations be conducted within an enclosed building.

(7) Mini-warehouses.

(c) **Conditional Uses.** The following are permitted as conditional uses within the I-1 District. Such use shall be subject to the consideration of the Village Board with regard to such matters as the creation of nuisance conditions for the public or for the users of nearby areas, the creation of traffic hazards; the creation of health hazards, or other factors:

- (1) Other industrial or commercial activities which possess the special problem characteristics described above relating to the creation of hazards or nuisance conditions.
- (2) The outdoor storage of industrial products, machinery, equipment, or other materials, provided that such storage be enclosed by a suitable fence or other manner of screening to prevent a view of the premises from any other property or public right-of-way; and said premises are not less than three hundred (300) feet from any Residential or Public/Semi-Public District. [50, 51]
- (3) Wholesale establishments and warehouses. [50-51]
- (4) Automotive body repair.
- (5) Automotive upholstery.
- (6) Agriculture-related industry involving preparation of feeds for animal and fowl.
- (7) Adult entertainment establishments, subject to the requirements of the AEO Adult Entertainment Overlay District.
- (8) Corn shelling, hay baling and threshing services.
- (9) Grist mill services.
- (10) Horticultural services.
- (11) Canning of fruits, vegetables, preserves, jams and jellies.
- (12) Canning of specialty foods.
- (13) Grain elevators and bulk storage of feed grains.
- (14) Fertilizer production, sales, storage, mixing and blending.
- (15) Sales or maintenance of farm implements and related equipment.
- (16) Animal hospitals, shelters and kennels.
- (17) Veterinarian services.
- (18) Sawmills.

(d) **Prohibited Uses.**

- (1) Specifically excluded from this designation and expressly prohibited is any use or business which is dangerous or which would create a public nuisance.
- (2) All residential uses are expressly prohibited.
- (3) Also specifically excluded and expressly prohibited is any use or business involving the wrecking of automobiles, junk yards, scrap yards, garbage removal.

(e) **Lot, Yard and Building Requirements.**

- (1) **Lot Frontage.** No minimum.
- (2) **Lot Area.** Minimum fifteen thousand (15,000) square feet.
- (3) **Front Yard.** Minimum thirty (30) feet.
- (4) **Side Yards.** Minimum twenty (20) feet.*
- (5) **Rear Yard.** Minimum thirty (30) feet.*
- (6) **Building Height.** Maximum sixty (60) feet.
- (7) **Percentage of Lot Coverage.** Maximum seventy percent (70%).

* **Required Buffer Strips in Industrial Districts.** Where an Industrial District abuts a Residential District, there shall be provided along any rear, side or front line, coincidental with any industrial-residential boundary, a buffer strip not less than forty (40) feet in width as measured at right angles to said lot line. Plant materials at least six (6) feet in height of such variety and growth habits as to provide a year-round, effective visual screen when viewed from the Residential District shall be planted in the exterior twenty-five (25) feet abutting the Residential District. If the required planting screen is set back from the industrial-residential boundary, the portion of the buffer strip facing the Residential District shall be attractively maintained. Fencing may be used in lieu of planting materials to provide said screening. The fencing shall be not less than four (4) nor more than eight (8) feet in height, and shall be of such materials as to effectively screen the industrial area. The exterior twenty-five (25) feet of the buffer strip shall not be devoted to the parking of vehicles or storage of any material or accessory uses. The interior fifteen (15) feet may be devoted to parking of vehicles.

Sec. 13-1-50 A-1 General Agricultural District.

- (a) **Purpose.** The A-1 General Agricultural District is intended to provide for the continuation of general farming and related uses in those areas of the Village that are not yet committed to urban development. It is further intended for this District to protect lands contained therein from urban development until their orderly transition into urban-oriented districts is required.
- (b) **Permitted Uses.**
 - (1) General farming, including agriculture, dairying, floriculture, forestry, grazing, hay, orchards, truck farming and viticulture (grape growing); provided, however, that farm buildings housing animals, barnyards, and feed lots shall not be located in a floodland, and shall be at least one hundred (100) feet from any navigable water or district boundary.
 - (2) Keeping and raising of domestic stock for agribusiness, show, breeding, or other purposes incidental to the principal use of the premises, and for the use of the

occupants of the premises, provided that such use shall not be located within one hundred fifty (150) feet of a dwelling unit other than the dwelling unit on the property in question.

- (3) Forestry, grazing, hatcheries, nurseries, orchards, paddocks, poultry raising, stables, and truck farming.
- (4) Harvesting of wild crops and management of wildlife including nonresidential buildings used solely in conjunction with such activity.
- (5) In-season roadside stands for the sale of farm products produced on the premises, and up to two (2) unlighted signs not larger than eight (8) square feet each advertising such sale.
- (6) Customary home occupations.
- (7) One (1) and two (2) family farm residences and a single mobile home, but only when occupied by owners and/or persons engaged in farming activities on the farm on which it is located.
- (8) Woodlots and tree farms.
- (9) Production of forest crops, including tree plantations.

(c) **Permitted Accessory Uses.**

- (1) Attached or detached private garages and carports accessory to permitted or permitted accessory uses.
- (2) General farm buildings including barns, silos, sheds, storage bins and including not more than one (1) roadside stand for the sale of farm products produced on the premises. Any such stand shall conform to the setback, sign and other provisions of this Chapter.
- (3) One (1) farm dwelling. The only residences allowed as permitted uses on newly established parcels are those to be occupied by a person who or a family at least one (1) member of which earns a substantial part of his or her livelihood from farm operations on the parcel or is related to the operator of the larger farm parcel from which the new parcel is taken. Preexisting residences located in areas subject to zoning under this Section which do not conform to this paragraph may be continued in residential use. The minimum parcel size to establish a residence or a farm operation is thirty-five (35) acres. No structure or improvement may be built on the land unless consistent with agricultural uses.
- (4) Private garages and parking space.
- (5) Private swimming pool and tennis court.
- (6) Home occupation.
- (7) Signs as regulated by the Village.
- (8) Buildings temporarily located for purposes of constructing on the premises for a period not to exceed time necessary for such constructing.
- (9) Gardening and other horticultural uses where no sale of products is conducted on the premises.

(d) **Conditional Uses.**

- (1) Airports, airstrips and landing fields provided that the site is not less than twenty (20) acres.
- (2) Commercial feed lots, livestock sales facilities and fur farms.
- (3) Housing for farm laborers and seasonal or migratory farm workers.
- (4) Transmitting towers, receiving towers, relay and microwave towers without broadcast facilities or studios.
- (5) Utilities.
- (6) Veterinary clinics, provided that no structure or animal enclosure shall be located closer than one hundred fifty (150) feet to a property boundary. [074, 075]
- (7) Public and parochial schools, provided no building shall be located within fifty (50) feet of any lot line.
- (8) Churches, including those related structures located on the same site which are an integral part of the church proper, convents or homes for persons related to a religious function on the same site, provided no more than ten (10) persons shall reside on the site and no building shall be located within fifty (50) feet of any lot line.
- (9) Golf courses, country clubs, tennis clubs or public swimming pools serving more than one (1) family. The principal structure for any of the above listed uses shall be one hundred (100) feet or more from any abutting lot in a Residential District, and accessory structures shall be a minimum of fifty (50) feet from any lot line.
- (10) Essential service structures, including but not limited to buildings such as telephone exchange stations, booster or pressure-regulating stations, wells, pumping stations, elevated tanks, lift stations and electrical power substations, provided no building shall be located within ten (10) feet from any lot line of an abutting lot in a Residential District. Prior to granting such permit, it shall be found that the architectural design of service structures is compatible to the neighborhood in which it is to be located and thus will promote the general welfare.
- (11) Hospitals for human care, sanitariums, rest homes, and nursing homes, provided that all structures, except fences, shall be located one hundred (100) feet or more from the lot line of any abutting lot in a Residential District.
- (12) Cemeteries.
- (13) Fur farms, kennels, greenhouses and other agricultural uses that may cause noxious odors or noise, or create health or sanitation hazards.
- (14) Campgrounds, tourist camps and travel trailer parks, subject to the provisions of this Chapter and the Wisconsin Administrative Code.
- (15) Trap or skeet shooting facilities, target ranges, gun clubs, shooting preserves.
- (16) Riding stables.
- (17) Golf courses.

(e) **Lot, Yard and Building Requirements.**

- (1) **Lot Frontage.** Minimum one hundred fifty (150) feet.
- (2) **Lot Area.** Minimum three (3) acres.

- (3) **Principal Building.**
 - a. Front Yard: Minimum sixty (60) feet.
 - b. Side Yards: Minimum thirty (30) feet.
 - c. Rear Yard: Minimum forty (40) feet.

Sec. 13-1-51 A-2 Exclusive Agricultural District.

- (a) **Purpose.** The A-2 District is intended for farm operations and farming practices designed to:
 - (1) Preserve agricultural land for food and fiber production;
 - (2) Maintain viable agricultural processing and service industries;
 - (3) Promote conservation practices and reduce soil loss;
 - (4) Prevent conflicts between incompatible land uses;
 - (5) Implement provisions of the county Farmland Preservation Plan; and
 - (6) Comply with provisions of the Farmland Preservation Law so as to permit eligible landowners to receive tax credits under Sec. 71.09(11), Wis. Stats.
- (b) **Permitted Uses.** Those agricultural land uses identified as principal uses, or enumerated as permitted uses, in the A-1 General Agricultural District provided such uses are also in accord with the applicable provisions of the Wood County laws as they apply to Exclusive Agriculture Zoning.
- (c) **Lot, Yard and Building Requirements.**
 - (1) **Lot Frontage.** Minimum one hundred fifty (150) feet.
 - (2) **Lot Area.** Minimum three (3) acres.
 - (3) **Principal Building.**
 - a. Front Yard: Minimum sixty (60) feet.
 - b. Side Yards: Minimum thirty (30) feet.
 - c. Rear Yard: Minimum forty (40) feet.

Sec. 13-1-52 AEO Adult Entertainment Overlay District.

- (a) **Authority.**
 - (1) The Village Board has authority, to be liberally construed in favor of the Village, under its general police powers set forth in Ch. 61, Wis. Stats., to act for the good order of the municipality and for the health, morals, safety and welfare of the public; and may carry out its powers by regulation and suppression; and
 - (2) The Village Board recognizes it lacks authority to regulate obscenity under Sec. 66.0107(3), Wis. Stats., and does not intend by adopting this Section to regulate obscenity, since nudity in and of itself is not obscene, it declares its intent to enact

- an ordinance addressing the secondary effects of live, totally nude, non-obscene, erotic dancing in bars and taverns; and
- (3) Adult establishments in other communities tended to further the increase of criminal and other offensive activity, to disrupt the peace and order of the communities, to depreciate the value of real property, to harm the economic welfare of the communities and to negatively affect the quality of life of the communities; and such secondary effects are detrimental to the public health, safety and general welfare of citizens; and
 - (4) The Village Board recognizes the U.S. Supreme Court has held that material with adult content is within the outer perimeters of the First Amendment to the United States Constitution and therefore entitled to some limited protection under the First Amendment, and the governing body further recognizes that freedom of speech is among our most precious and highly protected rights, and wishes to act consistently with full protection of those rights; and
 - (5) However, the Village Board is aware, based on the experiences of other communities, that adult establishments may and do generate secondary effects which the governing body believes are detrimental to the public health, safety and welfare of the citizens of the Village of Rudolph; and
 - (6) Among these secondary effects are:
 - a. The potential increase in prostitution and other sex-related offenses, as well as other crimes and offenses;
 - b. The potential depreciation of property values in neighborhoods where adult establishments featuring nude dancing exist;
 - c. Health risks associated with the spread of sexually transmitted diseases; and
 - d. The potential for infiltration by organized crime for the purpose of unlawful conduct; and
 - (7) The Village Board desires to minimize, prevent and control these adverse effects and thereby protect the health, safety and general welfare of the citizens of the Village of Rudolph; protect the citizens from increased crime; preserve the quality of life; preserve the property values and character of surrounding neighborhoods; and deter the spread of urban blight; and
 - (8) The Village Board has determined that the enactment of a zoning ordinance provision allowing adult establishments viable areas in which to exist within the Village while keeping those adult establishments separated from each other, residential areas, schools, churches, day care centers, or bars or taverns, promotes the goal of minimizing, preventing and controlling the negative secondary effects associated with such adult establishments.
- (b) **Purpose.** The purpose of the AEO Adult Entertainment Overlay District is to create an overlay zoning district whereby adult establishments are sufficiently separated from each other and conflicting uses so as to ameliorate the negative secondary effects of adult uses

while providing adult establishments sufficient area and opportunity to operate within the Village so as not to suppress their existence.

- (c) **Definitions.** For purposes of this District, the following definitions shall be applicable:
- (1) **Adult Establishment.** Shall include, adult book stores, adult motion picture theaters, adult novelty stores, and further means any premises to which public patrons or members are invited or admitted that is substantially devoted to the purveyance, demonstration or display of specified sexual activities or specified anatomical areas.
 - (2) **Adult Bookstore.** An establishment which as its substantial course of conduct, presents adult entertainment for observation by patrons therein, or which, as part of its substantial course of conduct, offers for sale, rent, trade, lease, inspection or viewing books, films, videocassettes, magazines or other such media, which are distinguished or characterized by their emphasis on matters depicting, describing or relating to specified anatomical areas or specified sexual activities.
 - (3) **Adult Entertainment.** Any exhibition of any motion picture, live performance, display or dance of any type which has as a significant or substantial portion of such performance, or is distinguished or characterized by an emphasis on, any actual or simulated performance of specified sexual activities or exhibition and viewing of specified anatomical areas.
 - (4) **Adult Motion Picture Theater.** Any establishment for the presentation of motion pictures that as its dominant theme, or distinguished or characterized by an emphasis on, matters depicting, describing or relating to specified sexual activities, or specified anatomical areas for observations by patrons therein.
 - (5) **Adult Novelty Store.** Any establishment which as its substantial course of conduct offers for sale, rent, trade, lease, inspection or viewing any adult novelty items, sex toys, sexual gratification appliances, or other similar products, excluding contraceptives or similar products of medical value, that are distinguished or characterized by their emphasis on matters depicting, describing or relating to specified anatomical areas or specified sexual activities.
 - (6) **Specified Anatomical Areas.** Means either:
 - a. Less than completely and opaquely covered human genitals pubic region.
 - b. Human male genitals in a discernible turgid state, even if opaquely covered.
 - c. Less than completely and opaquely covered nipples or areolas of the human female breast.
 - (7) **Specified Sexual Activities.** Means simulated or actual:
 - a. Showing of human genitals in a state of sexual stimulation or arousal; or
 - b. Acts of masturbation, sexual intercourse, sodomy, bestiality, necrophilia, sadomasochistic abuse, fellatio or cunnilingus; or
 - c. Fondling or erotic touching of human genitals, pubic region, buttocks or female breasts.
 - (8) **Substantial.** Forty percent (40%) or more of business stock in trade, display space, floor space or retail sales in any one month. Upon reasonable belief that an entity is

in excess of the forty percent (40%) threshold, that entity shall provide all necessary records, receipts and documentation to the Village upon request. Failure to do so shall result in a presumption that the entity is operating in excess of the threshold.

(d) **Location.**

- (1) No adult establishment shall be located:
 - a. Within any zoning district other than general commercial, limited commercial, highway commercial, industrial, and heavy industrial.
 - b. Within two hundred fifty (250) feet (plus) feet of an existing adult establishment.
 - c. Within two hundred fifty (250) feet of any dwelling as defined by this Zoning Code.
 - d. Within two hundred fifty (250) feet of any pre-existing school, church or daycare, as defined in this Zoning Code.
 - e. Within two hundred fifty (250) feet of any pre-existing establishment licensed to sell or dispense fermented malt beverages or intoxicating liquor.
- (2) For purposes of this District, distances are to be measured in a straight line, without regard to intervening structures or objects, from the property line of the adult establishment, to the nearest property line of another establishment, dwelling, school, church, daycare or establishment selling or dispensing fermented malt beverages or intoxicating liquor.

(e) **Hours of Operation.**

- (1) No adult establishment shall be open between the hours of 2:00 a.m. and 8:00 a.m., Monday through Friday, between the hours of 2:30 a.m. and 8:00 a.m. on Saturdays, or between the hours of 2:30 a.m. and 12:00 noon on Sundays.
- (2) All adult establishments shall be open to inspection at all reasonable times by the law enforcement authorities, Zoning Administrator and/or other Village representatives.

Sec. 13-1-53 through Sec. 13-1-59 Reserved for Future Use.