

## SECTION 15. DEFINITIONS

### 15.1 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, the present tense include the future tense; the plural number include the singular; the means "in these regulations"; the word means "these regulations."

(3) A "person" includes a corporation, a partnership, and an incorporated association of persons such as a club; "shall" is always mandatory; 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."

### 15.2 Words and Terms Defined

Accessory Building. Any building except the principal building on a lot. In the case of a house and unattached garage, the garage shall be deemed part of the principal building and shall not be counted as an accessory building.

Accessory Use. Any of the following uses on a *farm*:

(1) A building, structure, or improvement that is an integral part of, or is incidental to, an *agricultural use*. This may include, for example:

(A) A facility used to store or process raw agricultural commodities, all of which are produced on the *farm*.

(B) A facility used to keep *livestock* on a *farm*.

(C) A facility used to store or process inputs primarily for *agricultural uses* on the *farm*.

(D) A facility used to keep or service vehicles or equipment primarily employed in *agricultural uses* on the *farm*.

(E) A wind turbine or solar energy facility that collects wind or solar energy on the *farm*, and uses or transforms it to provide energy primarily for use on the *farm*.

(F) A manure digester, bio-fuel facility, or other facility that produces energy primarily from materials grown or produced on the *farm* primarily for use on the *farm*.

(G) A waste storage or processing facility used to store or process animal waste produced solely from *livestock* kept on the *farm*.

(2) An activity or business operation that is an integral part of, or incidental to, an *agricultural use*.

(3) A *farm residence*, including normal residential appurtenances.

(4) A *farm owner/operator business*.

Accessory Structure. A structure constructed on a mobile home lot apart from the basic mobile home unit, including awnings, cabanas, storage cabinets (or sheds), carports, windbreaks, attached porches and garages.

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.

Agricultural Use. Any of the following activities conducted for the purpose of producing an income or livelihood:

(1) Crop or forage production.

(2) Keeping *livestock*.

(3) Beekeeping.

(4) Nursery, sod, or Christmas tree production.

(5) Floriculture.

(6) Aquaculture.

(7) Fur farming.

(8) Forest management.

(9) Enrolling land in a federal agricultural commodity payment program or a federal or state agricultural land conservation payment program.

Agriculturally Related Residence. A residence which is occupied by (1) a person who, or a family at least one member of which, earns a substantial part of his or her livelihood from farm operations on the land, or (2) a parent or child of the owner of the farm.

Agricultural Processing and Packaging. An establishment primarily engaged in refining, processing or otherwise adding value to raw agricultural goods, including but not limited to washing, sorting, cutting, bagging, freezing, canning, packing, bottling, or butchering.

Agricultural Research and Development. The use of land or buildings for agriculture research and the cultivation of new agricultural products.

Agricultural Sales and Service. An establishment primarily engaged in (1) the sale or rental of farm tools and implements, feed and grain, tack, animal care products, farm

supplies and the like, or (2) performing agricultural or horticultural services on a fee or contract basis, including but not limited to crop dusting and spraying services, harvesting and plowing services, agricultural land grading services, farm equipment service and repair, and large animal veterinary services.

Agricultural Storage. Grain elevators and other facilities for the warehousing and storage of agricultural products.

Agriculture-related use. A facility, whether or not located on a *farm*, that has at least one of the following as a primary and not merely incidental purpose:

(1) Providing agricultural supplies, agricultural equipment, agricultural inputs or agricultural services directly to *farms*, including *farms* in the farmland preservation zoning district.

(2) Storing, processing or handling raw agricultural commodities obtained directly from *farms*, including *farms* in the farmland preservation zoning district.

(3) Slaughtering *livestock*, including *livestock* from *farms* in the farmland preservation zoning district.

(4) Marketing *livestock* to or from *farms*, including *farms* in the farmland preservation zoning district.

(5) Processing agricultural by-products or wastes received directly from *farms*, including *farms* in the farmland preservation zoning district.

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

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

Animal Unit. Has the meaning that was given in s. NR 243.03(3) as of April 27, 2004. A horse or pony shall constitute one animal unit. For any animal unit not named in the above-cited Chapter of the Wisconsin Administrative Code, the equivalent of an animal unit shall be determined by the Town Board (after review and recommendation by the Planning & Zoning Committee) in a manner so as to be generally consistent with the above-specified standards, depending upon the size and use of the animal.

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 and Highways. A street serving or designated to serve the rapid movement of concentrated volumes of vehicular traffic over relatively long distances. It provides primarily for movement between rather than within activity areas.

Automotive Vehicle. A vehicle that is self-propelled except a snowmobile unless specifically referred to as a motor vehicle herein.

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.

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 finished grade at the building line, whichever is greater.

Building Permit. A written building permit or certification issued by the Building Inspector or the Planning and Zoning Committee permitting the construction, alteration and/or extension of a building under the provisions of this Ordinance.

Center Pivot Waste Distribution Systems. A system for spreading lagoon wastewater or other liquid by-products of animal waste which involves spraying liquid form through nozzles attached to a pivoting arm located in a farm field.

Collector Roads and Highways. A street serving or designated to serve in the capacity of carrying moderate amounts of traffic between local streets and arterial streets and also providing access to individual lots. It provides for movement within, rather than between, activity areas such as neighborhoods.

Commercial. The offering or purchase of goods and services with the intention of making a profit.

Committee. The Planning and Zoning Committee for the Town of Rock.

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*, or by *persons* that are all wholly owned by the same *person* or *persons*. "Common Ownership" includes joint tenancy and tenancy in common. Solely for purposes of this definition, a parcel owned by one member of a married couple is deemed to be owned by the married couple.

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.

Complete Application for Local Approval. An application that contains everything required under ss. ATCP 51.30(1) to (4).

Conditional Use. A use of land which, while appropriate for inclusion within a given district, possesses a high likelihood of creating problems with regard to nearby parcels of land or the occupants thereof, and which are therefore permitted only subject to the fulfillment of conditions which effectively insure that no such problems will be created.

Confinement Operation. An animal confinement facility used or designed for the feeding or holding of 500 animal units, for 30 days or more.

Contiguous. Adjacent to or sharing a common boundary. “Contiguous” land includes land that is separated only by a river, stream, section line, 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.

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

Dependent Mobile Home. A mobile home which does not have complete bathroom facilities.

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

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

Development Guide. The Town's Smart Growth Comprehensive Plan (segment of the County Comprehensive Plan) (Section 59.97) or the incorporated municipality's Master Plan (Section 62.23).

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 building designed for, or occupied exclusively by, one family or household.

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

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

Earthwork. The moving of more than 2 cubic yards of any type of soils.

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

NOTE: This ordinance applies to local approvals of *new or expanded* livestock facilities that will have 500 or more animal units (or will exceed a lower permit threshold incorporated in a local *zoning* ordinance prior to July 19, 2003). See s. ATCP 51.02. Although this ordinance covers all livestock structures in an “expanded livestock facility,” existing structures are subject to less rigorous standards than new or expanded structures, and are completely exempt from certain requirements.

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*. 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 \$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) A majority of the land area is in *agricultural use*.

Farm residence. Any of the following structures located on a *farm*:

(1) A single-family or duplex 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 earns more than 50 percent of his or her gross income from the *farm*.

Farm Owner/Operator Business. A business, activity, or enterprise, whether or not associated with an *agricultural use*, which meets all of the following requirements:

(1) It is conducted on a *farm* by an owner or operator of that *farm*.

(2) It requires no buildings, structures, or improvements other than (A) a building, structure or improvement that is an integral part of, or is incidental to, an *agricultural use* or (B) a *farm residence*, including normal residential appurtenances.

(3) It employs no more than 4 full-time employees annually.

(4) It does not impair or limit the current or future *agricultural use* of the *farm* or other *protected farmland*.

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.

Freeway. An expressway with full control of access and with fully graded 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, Private. Any building or space incidental to a residential unit for the storage only of motor vehicles.

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 cost or 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. (A 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 Unit. The body of persons who live together in one dwelling unit as a single housekeeping unit.

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.

Large Farm Animal. Any bovine animal, equine animal, sheep, goat, swine, bison, farm raised deer, ratite, or camelid.

License. A written license issued by the municipality allowing a person to operate and maintain a mobile home park under the provisions of this Ordinance and regulations issued hereunder.

Livestock. Domestic animals traditionally used in this state in the production of food, fiber or other animal products. “Livestock” includes bovine animals, equine animals, goats,



poultry, sheep, swine, bison, farm-raised deer, farm-raised fish, captive game birds, ratites, camelids and mink.

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 chapter, 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 and Highways. A street providing or designated to provide direct access to adjacent land, short distance travel within the area, and access to the Collector and Arterial systems.

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 street yard.

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 adopted 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, movable 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. A structure which is, or was 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. A mobile home shall not include a recreational vehicle.

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

Mobile 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, 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 its facilities.

Mobile Home Stand. That part of an individual lot which has been reserved for the placement of one mobile home unit.

Mobile 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 and its facilities.

Mobile Office. A structure which is, or was as originally constructed, designed to be transported by any motor vehicle upon a public highway and is designed, equipped, and used for an office work area and not for sleeping, eating, or living quarters.

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

Navigable Waters. Has the meaning given in s. 30.01(4m), Wis. Stats.

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, or any amendments thereto, 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 passage of this Ordinance or amendments thereto, but which use or occupancy does not conform to the provisions of this Ordinance or any amendments thereto.

Non-dependent Mobile Home A mobile home which has complete bathroom facilities.

Open Space Parcel. A parcel on 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 denominated, of a local government which has the force of law, including any amendment or repeal of any ordinance.

Owner. Any person, group of persons, firm, corporation, 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 park or travel trailer park.

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

Permitted Use. Uses listed under this heading are permitted as of right. This means that an applicant for a Zoning Permit must be given a permit if he meets the other requirements of the 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. All of the following:

- (1) An area with a class I or class II land capability classification as identified by the Natural Resources Conservation Service of the United States Department of Agriculture.
- (2) Land, other than land described in subsection (1) above, which is identified as prime farmland in Rock County's certified farmland preservation plan.

Principal Building. The building of primary importance or permitted use on a parcel of land, in contrast to those which are accessory or of secondary importance.

Prior Nonconforming Use. A land use that does not comply with this farmland preservation zoning ordinance, but which lawfully existed prior to the application of this ordinance.

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

Protected Farmland. Land that is any of the following:

- (1) Located in a farmland preservation zoning district certified under Chapter 91, Wis. Stats.
- (2) Covered by a farmland preservation agreement under Chapter 91, Wis. Stats.
- (3) Covered by an agricultural conservation easement under Section 93.73 Wis. Stats.
- (4) Otherwise legally protected from nonagricultural development.

Qualified Nutrient Management Planner. A person qualified under s. ATCP 50.48 of the Wisconsin Administrative Code.

Recreational Vehicle (RV). A vehicular type unit primarily designed as temporary living quarters for recreation, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle, consisting of, but not limited to, a motor home, truck camper, camping trailer, travel trailer and fifth wheel travel trailer.

(1) Motor Home. A vehicular unit designed to provide temporary living quarters for recreation, camping or travel use built on or permanently attached to a self-propelled motor vehicle chassis or on a chassis cab or van which is an integral part of the completed vehicle. Motor homes are of three basic types as described below:

(A) Type A: A raw chassis upon which is built a driver's compartment and an entire body which provides temporary living quarters for use as defined above; and

(B) Type B: A completed van type vehicle which has been altered to provide temporary living quarters for use as defined above; and

(C) Type C: An incomplete vehicle upon which is permanently attached a body designed to provide temporary living quarters for use as defined above.

(2) Truck Camper. A portable unit constructed to provide temporary living quarters for recreation, travel, or camping use, consisting of a roof, floor, and sides, designed to be loaded onto and unloaded from the bed of a pick-up truck. In the travel mode, the unit is not more than eight feet in width.

(3) Camping Trailer. A vehicular unit mounted on wheels with an overall vehicle width of not more than eight feet in the travel mode and constructed with collapsible partial side walls which fold for towing by another vehicle and unfold at the campsite to provide temporary living quarters for recreation, camping or travel use.

(4) Travel Trailer. A vehicular unit, mounted on wheels, with an overall vehicle width of not more than eight feet in the travel mode, which is built to be attached to and drawn by another vehicle and designed to provide temporary living quarters for recreation, camping and travel.

(5) Fifth Wheel Travel Trailer. A vehicular unit, mounted on wheels with an overall vehicle width in the travel mode of not more than eight feet, primarily designed and constructed to provide temporary living quarters for recreation, camping, travel, and towed by a motor vehicle using a connecting device known as a fifth wheel.

Recreational Vehicle (RV) Park. A parcel of land under single ownership designed, maintained, intended or used for the purpose of providing a location and temporary accommodations for two or more recreational vehicles, 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 a recreational vehicle park or its facilities.

Recreational Vehicle Lot. A parcel of land in a recreational vehicle park designed for the placement of a single recreational vehicle and for the exclusive use of its occupants.

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.

NOTE: A mere acquisition of a neighboring livestock facility does not constitute an “expansion” unless more animal units are added to the combined facilities.

(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.

NOTE: Compare definition of “animal feeding operation” under s. NR 243.03(2) of the Wisconsin Administrative Code. “Related livestock facilities” are treated as a single livestock facility for purposes of local approval, except that a “separate species facility” may be treated as a separate livestock facility.

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 to 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, excluding uncovered steps.

Shipping Container. Any pre-fabricated object originally designed and historically used for transport of material goods, including but not limited to semi-trailers, PODS, and corrugated metal containers. (*Amended by Ordinance 2021-03*)

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.

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

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 a floor and the surface of the floor next above it or, if there be no floor above it, then the space between the floor

and the ceiling next 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 therefore and 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 erected having location on the ground.

Structural Alteration. Any change in the supporting members 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.

Subdivision. Any land, vacant or improved, which is divided or proposed to be divided into two (2) or more lots, parcels, sites, units, plots, or interests for the purpose of offer, sale, lease, or development, either on the installment plan or upon any and all other plans, terms and conditions, including resubdivision. Subdivision includes the division or development of residential or nonresidential zoned land, whether by deed, metes and bounds, devise, intestacy, lease, map, plat, or other recorded instrument.

Subdivision, Major. All subdivisions not classified as minor subdivisions, including but not limited to subdivision of five (5) or more lots, or any subdivision requiring any new street or extension of local governmental facilities, or the creation of any public improvements.

Subdivision, Minor. Any subdivision containing not more than four (4) lots fronting on an existing street, not involving any new street or road, or the extension of municipal facilities, or the creation of any public improvement, and not adversely affecting the remainder of the parcel or adjoining property, and not in conflict with any provision or portion of the master plan, development plan, official map, zoning ordinance, or these regulations.

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.

Traveling Gun Waste Distribution Systems. A system for spreading lagoon wastewater or other liquid by-products of animal waste which involves spraying liquid form through a hose and nozzle attached to a traveling device that traverses a farm field.

Turning Lanes. 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 the ordinance.

Value Added Agriculture. A small commercial, manufacturing or service operation, which is accessory to an agricultural use. Examples of value added agriculture include small scale food processing, handcrafting, product packaging and marketing, and agricultural tourism. These farm-based activities cannot exceed a certain size and scale, but may involve new structures. Additional permits and licenses may be required to carry on these activities.

Variance. The authority granted to the owner to depart from the terms of the zoning ordinance where it is shown that departing therefrom will not be contrary to the public interest, where, owing to special conditions, literal enforcement of the provisions of the ordinance will result in practical difficulty or unnecessary hardship, so that the spirit of the ordinance shall be observed, public safety and welfare secured, and substantial justice done. Variances will fall into one of the following categories:

(a) Area Variance: A modification to the dimensional, physical, or locational requirement such as a setback, frontage, height, bulk, or density restriction for a structure.

(b) Use Variance: An authorization for the use of land for a purpose that is otherwise not allowed or is prohibited by this Zoning Ordinance. A use variance shall not be granted under this Ordinance.

***(Amended by Ordinance No. 2018-03)***

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. “Waste storage facility” includes 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 ss. ATCP 51.12(2) and 51.14, “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.

Waterline. The shortest straight line at the waterfront end of a stream lot that lies wholly within the lot, provided that not less than 75 percent 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.
  - (A) An area which at any time has an average of more than 4 livestock animal units per acre.
- (2) 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.
- (3) An area in which manure deposited by livestock causes nutrient levels to exceed standards in ATCP 51.16.

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 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 lot line, where no front yard is required, to the rear yard between side lot line and the nearest part of the principal building.