



WAUPACA COUNTY PLANNING & ZONING OFFICE

811 Harding Street Waupaca, WI 54981
Phone: (715) 258-6255 Fax: (715) 258-6212

2024 ZONING ORDINANCE, CHAPTER 34

LEGEND:

Highlighted Term = Additional language proposed

~~Red Font Strikethrough~~ = Language proposed to be stricken

*All formatting changes, including subsets and internal references, are not shown and will be update accordingly. *

Section 1.6

General Interpretation

The following rules of construction shall apply to this Ordinance: The particular shall control the general; in case of any difference of meaning or implication between the text of this Ordinance and any caption or illustration, the text shall control; the word "shall" is always mandatory, whereas the word "may" is permissive; words used in the present tense shall include the future, and words used with singular number shall include the plural, and the plural the singular, unless the context clearly indicates the contrary; building or structure includes any part thereof; the phrase "used for" includes arranged for; the person includes an individual, a corporation, a partnership, an incorporated association or any other similar entity, unless the context clearly indicates the contrary. Where a regulation involves two (2) or more items, conditions, provisions or events connected by the conjunction and, or, either...or, the conjunction shall be interpreted as follows; and indicates that all the connected items, conditions, provisions or events shall apply, or indicates that the connected items, conditions or events may apply singly or in any combination; either...or indicates that the connected items, conditions, provisions or events shall apply singly, but not in combination; the masculine gender includes the feminine and the neutral. **Words used in this Ordinance shall be defined first by referring to this Ordinance. If this Ordinance does not contain a definition for the word or words, then the word or words shall be as defined in a common English dictionary used by the Planning and Zoning Director.**

Section 1.7.82

82. Yard, Front: The portion of the yard on the same lot with the principal building, located between the front line of the building and the front lot line and extending for the full width of the lot. ~~A yard extending along the full width of the front lot line between side lot lines.~~ The front yard shall be identified by where the address number providing the main access to the principal structure is located.

Section 1.7.83

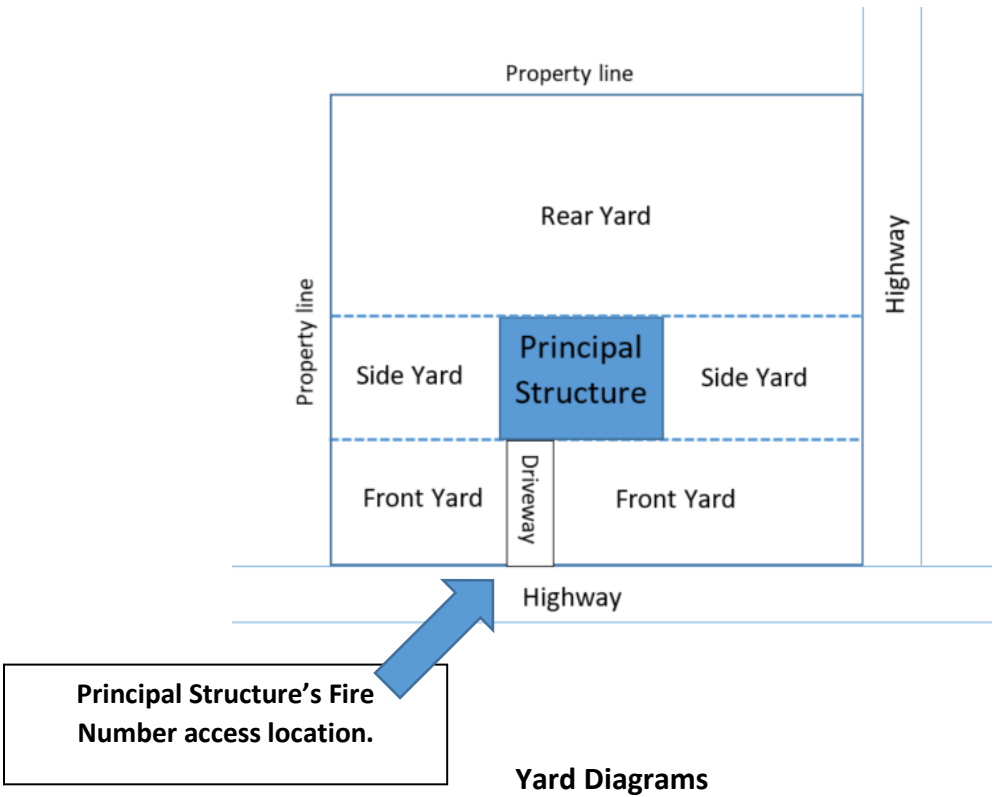
83. Yard, Rear: The portion of the yard on the same lot with the principal building, located between the rear line of the building and the rear lot line and extending for the full width of the lot. ~~In the instance of a corner lot, the rear yard shall be opposite the front yard which is associated with the address of the property.~~

Section 1.7.84

84. Yard, Side: A yard extending along a ~~side~~ lot line between the front and rear yards.

Section 1.7

Insert "Yard Diagrams" after Yard Definitions (81-84)



Section 2.2.2.c

2. Land Use Permit: Unless exempted under Section 2.3, a Land Use Permit is required to be issued before any of the following may occur:

- a. Before any building or structure, not excepted below, is erected, moved, or structurally altered; and
- b. Before any building or structure or any parcel or tract of land is changed as to use.
- c. Exceptions: A Land Use Permit shall not be required for the following:
 - (1) Above ground swimming pools that are erected seasonally and do not have accessory decking.
 - (2) Retaining walls located outside the jurisdiction of Chapter 32 Shoreland Protection Ordinance.
 - (3) Signs, however, must comply with applicable regulations.
 - (4) Rooftop and building mounted small solar energy systems.
 - (5) A five (5) foot by six (6) foot open platform for safe access to an **existing** egress/ingress on a principal structure. The allowed platform area: ~~may have a roof but may not be enclosed.~~
 - a. May have a roof covering with up to a one (1) foot overhang;
 - b. May not be enclosed.

- (6) The construction or maintenance of a hunting blind (maximum size limited to thirty-two (32) square feet).
- (7) Special Events under 200 people.
- (8) Walkways and sidewalks that are five (5) feet or less in width; and driveways.
- (9) Trails, pathways, walkways and sidewalks that are designed and intended for public use.
- (10) Fences, however, must be in accordance with Sec. 2.7(4)(d) and Sec. 2.8(5)(c),
- (11) Window wells extending five (5) feet or less from the foundation of the structure.

Section 2.7.5

- 5. Within this triangle, no structure over two (2) feet in height above these highways shall be allowed if it obstructs the view across the triangle.
 - a. Posts or fences a maximum of thirty percent (30%) solid and less than three (3) feet in height, natural vegetation, and agricultural crops are excluded from this provision.
 - b. ~~Additions or expansions to nonconforming s~~ Structures are allowed within the visual clearance triangle if the ~~addition~~ structure does not further obstruct the view across the triangle more than existing nonconforming structures and also meets all other applicable setback and height limitations.

Section 2.8.4

4. Lot Line Setbacks

- a. All principal and accessory structures must meet the required setbacks as specified in Table 4, unless otherwise specified.
- b. An accessory structure or use less than two hundred (200) square feet in area and located in a rear yard can be located seven and one-half (7 ½) feet from any lot line; however, highway setbacks shall be met.

Section 2.8.5

5. Setback Exemptions. The following shall be exempt from all highway, railroad, and lot line setbacks except where necessary to provide visual clearance at highway intersections as described in Section 2.7:

- a. Marquees and awnings adjoining the principal building's overhang roof eaves, driveways, ornamental light standards, flag poles, arbors, trellises, shrubs, retaining walls, outdoor fuel dispensing equipment, air conditioning units, and open accessory off-street parking spaces.
- b. Walkways and sidewalks that are five (5) feet or less in width.
- c. Fences; however, those located within a highway setback ~~must be less than four (4) feet in height~~ shall be greater than seventy percent (70%) open if greater than four (4) feet in height.
- d. Trails, pathways, walkways, and sidewalks that are designed and intended for public use.
- e. A five (5) foot by six (6) foot open platform for safe access to an ~~existing~~ egress/ingress on a principal structure. The allowed platform area: ~~may have a roof but may not be enclosed.~~
 - 1. May have a roof covering with up to a one (1) foot overhang;
 - 2. May not be enclosed.
- f. Structures utilized for the loading and unloading of rail cars are exempted from railroad setbacks.
- g. Window wells extending five (5) feet or less from the foundation of the structure.
- h. Recreational vehicles, except that any accessory decking or accessory structures shall be required to meet applicable setbacks and obtain necessary permits.
- i. Roof and building mounted solar panels.

Table 4.0 footnote 2

- 2. ~~One additional foot of extra height may be added above 35 feet for each additional foot of lot line setback.~~ See Section 2.8.6.

Table 4.0 footnote 4

- 4. Accessory Uses and Structures less than 200 square feet in area in the rear yard can be located 7.5 feet from any property line; ~~however, highway and any other applicable setback, shall be met.~~

Table 4.0 footnote 5

- 5. Base Zoning District Regulations remain the same within the Farmland Preservation Overlay Districts, ~~with the exception of minimum lot size, which is two (2) acres.~~

Table 4.0 footnote 8

8. Also see Section 8.0 Zoning District Overlays. Township ~~density~~ **overlay** restrictions may be more restrictive than the baseline standards.

Table 5.0 and 5.1 Industrial Land Uses

Salvage **or Junk** Yards

Section 6.5.13

13. Temporary Occupancy of Recreational Vehicle: The occupancy of a recreational vehicle that is equipped and used, or intended to be used, primarily for temporary or recreational human habitation; and that does not exceed forty-five (45) feet in length. This use does not include tents, utility trailers, livestock trailers, manufactured homes, mobile homes, modular homes, and all other types of vehicles, shelters, and permanent or temporary dwellings. This use shall meet the following performance standards:

a. The recreational vehicle shall comply with all adopted standards of the Recreation Vehicle Industry Association (RVIA).

b. Recreational vehicles may be used for temporary parking and living purposes on parcels without an existing dwelling for a period not to exceed thirty (30) days during the calendar year. A Conditional Use Permit shall be obtained if such use is proposed to continue for a period in excess of thirty (30) days during the calendar year and the proposed use is located within a district that allows such use.

c. The recreational vehicle shall remain “road ready” at all times.

d. The wheels or any similar transporting devices of any recreational vehicle shall not be removed except for repair, and any such recreational vehicle shall not be otherwise fixed to the ground in any manner that would prevent ready removal.

e. The parking of one (1) recreational vehicle ~~in an accessory private garage or building, or in a driveway of~~ **on** an existing ~~residential unit~~ **residentially developed property** is permitted, provided no living quarter shall be maintained in excess of thirty (30) days during the calendar year, and no business is conducted within the recreational vehicle.

Section 6.7.8

8. Salvage or Junk Yard: Land uses that include any land or structure used for a salvaging operation including, but not limited to, the above-ground outdoor storage, collection,

recycling, dismantlement, and/or sale of items listed in Section 6.7. ~~7.b~~ 8.b Licensed recycling facilities involving on-site outdoor storage of salvage materials are not included in this land use.

a. Required parking is one (1) space for every twenty thousand (20,000) square feet of gross storage area, plus one (1) space for each employee on the largest work shift.

b. "Junk" means any of the following:

(1) Scrap metal, glass, paper products, metal alloy, wood, perishables, refuse, aluminum, steel, tires, concrete, synthetic material, including but not limited to tanks, barrels, cages, pallets, wire/cable, furniture, culverts, bricks, appliances, electronics, plastics, batteries, hot tubs, bathroom fixtures, plumbing products, or bottles.

(2) Three (3) or more junked, ruined, dismantled, wrecked, unlicensed, unregistered or inoperative motor vehicles, including but not limited to buses, vans, trucks, cars, and recreational vehicles and parts of thereof.

(3) Any junked, ruined dismantled, or wrecked machinery or lawn and garden equipment, including but not limited to farm equipment, construction equipment, campers, snowmobiles, boats, bicycles, trailers, motorcycles and parts thereof.

(4) Construction/building materials or all or parts of dismantled buildings or structures, including but not limited to abandoned mobile homes and manufactured homes.