

CITY OF EDGERTON
EDGERTON CITY HALL
12 ALBION STREET
EDGERTON, WI

PLANNING COMMISSION
Thursday, October 29, 2020 at 6:00 P.M.

NOTE: PER EMERGENCY ORDER #1 FACE COVERINGS ARE REQUIRED

1. Call to Order; Roll Call.
2. Confirmation of appropriate meeting notice posted Friday, October 23, 2020.
3. Consider approval of Plan Commission meeting minutes:
 - A. September 14, 2020
 - B. October 7, 2020
4. Discuss possible Zoning Ordinance text amendments
 - a. Commercial apartments
 - b. Bee keeping
 - c. Potbelly pigs
5. Set next meeting date and future agenda items.
6. Adjourn.

cc: Commission Members All Council Members Department Heads
City Engineer Newspapers

Notice: Some members of the Commission may attend by telephone conference for this meeting.

NOTICE: If a person with a disability requires that the meeting be accessible or that materials at the meeting be in an accessible format, call the City Administrator's office at least 6 hours prior to the meeting to request adequate accommodations. Telephone: 884-3341.

Notice is hereby given that a majority of the Common Council is expected to be present at the above scheduled noticed meeting to gather information about a subject over which they have decision-making responsibility. The only action to be taken at this meeting will be action by the Planning Commission."

**SEPTEMBER 14, 2020 PLAN COMMISSION MEETING MINUTES
CITY OF EDGERTON**

Commission Chair Christopher Lund called the meeting to order at 6:02 p.m.

Present: Christopher Lund, Jim Burdick, Anne Radtke (remote connection), Jim Kapellen, Paul Davis, Julie Hagemann, and Ron Webb.

Others Present: City Administrator Ramona Flanigan and a few citizens.

City Administrator Ramona Flanigan confirmed the meeting agendas were properly posted on Friday, September 11th at the Post Office, Edgerton Library, and City Hall.

MINUTES: A Ron Webb/Jim Burdick motion to approve the minutes from the August 17, 2020 Plan Commission meeting passed on a 7/0 roll call vote.

DISCUSS POSSIBLE ZONING ORDINANCE TEXT AMENDMENTS:

Commercial Apartments: Flanigan explained the ordinance currently defines a commercial apartment as a residential unit located above the ground floor in a building having first floor commercial use. They are allowed as a conditional use in all four commercial districts and in the Historic Mixed Use District.

The question has been asked if the ordinance can be amended to allow residential units on the first floor in the downtown district under the condition the “storefront” has a non-residential use. The historic structures in the downtown are narrow, long buildings making it difficult to use all the space for a commercial use.

Aldersperson Casey Langan requested this amendment be considered. He feels that allowing a business owner the right to have their business in the front of the building and reside in the rear will create an increase in ownership of the buildings and downtown. Corner lots and HMU properties would need to have special consideration.

Jim Kapellen asked how is additional parking addressed for these buildings. Flanigan stated parking is another issue that would need to be addressed. Paul Davis noted that once an apartment is established it could be occupied by someone other than the business owner or property owner.

A Jim Kapellen/Ron Webb motion to develop a draft ordinance for apartments to be allowed on the first floor of a commercial buildings under the condition it will not be in the “storefront” and bring it back to Plan Commission for review before a public hearing passed on a 7/0 roll call vote.

Home Occupation Conditions: Flanigan stated the current ordinance allows for home occupations as a special use in a single-family home or a conditional use in a multi-family dwelling. There is a list of conditions that the petitioner must agree to in order to be granted a Home Occupation Permit.

Flanigan explained Alderperson Reynolds has requested the home occupation conditions be revised to make it easier to establish a home occupation by not requiring a conditional use permit. This would preclude input from the neighbors and the Plan Commission. Flanigan recommends if the Plan Commission wishes to amend this ordinance, they consider adding a condition that requires a conditional use permit be required for all uses that have more than 4 customers coming to the property in a month.

Reynolds stated there are a few items that he does not agree with in the conditions of a home occupation. His intent is to make it easier for those people having a business on eBay or making crafts for weekend craft fairs. He also believes home businesses should be allowed more than one employee. He is not looking at a retail store in their home.

Hagemann stated the Plan Commission is not saying people cannot have an in-home business but they need to apply for a permit.

Reynolds stated the other condition he finds too restrictive is that only 25% of the home can be used for the business. He is recommending expanding it to 25% or 250 sq ft to allow more space in smaller homes.

Hagemann asked if, home occupations are not required to have a permit, how will these individuals know what the rules are? Such as requiring two parking spaces. Reynolds stated enforcement would be driven on a complaint basis and the police department would be called in.

Paul Davis stated he is waiting to hear from Reynolds what the biggest change he is proposing that is currently preventing someone from having a home occupation. Reynolds stated the big change would be applying for a special use instead of a conditional use permit.

Davis stated he feels there would be more residents that would be unhappy with a neighboring home occupation that would not file a complaint than those that would file a complaint. At least with the current permitting process, the business owner is made aware of the conditions and action can be taken if there are violations.

Jim Kapellen stated the regulations that are currently in the Home Occupation Permit have been established because people have caused that specific problem. They were not created to make it more difficult to establish a business.

Reynolds argued that residents of Edgerton have an obligation to abide by the local ordinance. It is their responsibility so requiring a permit is not needed. The Commission members supported the requirement of a home business owner being required to sign a document stating that they will comply with the ordinance and be given that list of conditions.

Reynolds asked the Commission to consider all home occupations only be required under the special use permit and not the conditional use permit. This is a quicker process for the applicant. In addition, the requirement for only one employee be reconsidered.

Davis stated he does not see this ordinance as a big hurdle for a business owner. He feels it is a bigger issue if the neighbors have to put up with excessive traffic.

Flanigan was asked if the City's ordinance is that different from other communities. Flanigan responded that a comparison has not been done but the original ordinance was established by the City's consultant that does this type of work throughout the area communities.

Reynolds stated a local realtor asked him to pursue making a home occupation easier for home buyers because they have had a number of buyers turn away due to the conditions. He knows there are people not opening a business because of it. Mayor Lund stated the Commission has not turned down anyone applying either. Kapellen added that he recalls potential buyers coming in to discuss their intentions before they pursued a purchase.

Jim Kapellen moved to review home occupation ordinances from other cities and do some comparisons failed due to a lack of a second.

An Ann Radtke/Jim Burdick motion to deny the request to change the home occupation ordinances passed on a 7/0 roll call vote.

Temporary Outdoor Sales: Flanigan stated the temporary outdoor sales are regulated as a Temporary Use. These are commercial outdoor sales currently allowed on a commercial property. Temporary outdoor sales do not include garage sales. The request is to allow outdoor sales in the residential districts. Temporary outdoor sales are limited to 14 days in a calendar year.

Reynolds would like to make this opportunity available to the home occupation businesses. Hagemann stated at first glance she didn't think 14 days was a big deal until it occurred to her that it can be someone's neighbor with a sale 14 Saturdays in a row during the summer. They have the option of joining the Central Park Farmer's Market instead of a residential neighborhood.

Jim Kapellen pointed out that in the home occupation ordinance it prohibits the sale of any goods outside the premise. Changing the temporary outdoor sales does not benefit these individuals.

A Jim Kapellen/Julie Hagemann motion to deny changing the temporary outdoor sales ordinance passed on a 7/0 roll call vote.

Potbelly Pigs: Flanigan stated a resident has requested the City allow potbelly pigs as pets in the City. A substantial amount of information was provided by the resident and shared with the Commission members. The current ordinance considers potbelly pigs as a farm animal.

Citizen Veronica Ellingworth, 204 E Hubert St, provide information regarding the smaller size, cleanliness and justifications why potbelly pigs make good house pets. These pigs are not aggressive, they are very smart, and are not used for food. They do like to rut and graze in yards so she recommends they be fenced in.

Ellingworth is interested in creating a potbelly pig therapy animal program. The training involves

bringing these animals into her home to train them with special needs individuals. She provided ideas on how to adapt the City's ordinance to allow for potbelly pigs as pets. These ideas include:

- A weight limit of not more than 100 lbs. per animal.
- Consider potbelly pigs as a domestic animal or pet instead of livestock.
- Consider potbelly pigs the same as chickens by adding them to the chick guidelines.
- Allow a maximum of two potbelly pigs.
- Create a domestic animal permit program.
- Fencing requirement.
- Create a therapy support animal allowance.

Julie Hagemann asked if potbelly pigs sleep inside or outside. Ellingworth stated it can be either.

Anne Radtke asked if staff has looked if other communities that allow potbelly pigs. Staff had not done this research. Radtke stated she did some research and did not find any ordinance that allowed them. Ellingworth stated she had found a few.

Jim Kapellen asked why they cannot be used for food. Ellingworth stated she guesses they could be but the intent of the ordinance is to allow potbelly pigs as pets.

Anne Radtke stated that the City should be cautious about referring to any animal as an emotional support animal because it opens up for a wide variety of species.

Paul Davis asked if the next step is drafting an ordinance to review or take it to public hearing. Jim Kapellen supported creating a draft ordinance first.

Jim Burdick asked what authority does the City have in enforcing some of the suggestions being made to accommodate potbelly pigs. Flanigan stated we require a permit for chickens and the same could be applied here.

Ellingworth noted that many of the concerns with potbelly pigs can also be applied to dogs. The pigs that have been abandon are primarily due to ordinances that do not allow pigs. With the requirement of a permit, it shows the owners really do want them.

A Jim Kapellen/Julie Hagemann motion to have staff create a draft ordinance to allow potbelly pigs as a pet and bring it back for Commission review passed on a 6/1 roll call vote. Burdick voted against the motion.

Bee Keeping: Flanigan stated the ordinance currently allows bee keeping in the Agriculture, Suburban Commercial District, and the manufacturing districts. The City has received some requests from residents to allow bee keeping in the residential areas. Some cities do allow bee keeping in residential areas.

Anne Radtke stated she found communities that allow bee keeping with a permit. Flanigan agreed with the permitting because then the rules and restrictions can be provided to the bee keeper.

Julie Hagemann asked if residents would need to go through a conditional use process or would permits just be issued.

A resident stated the bees stay within their hives and only go out to gather food. There is a great need for bee keeping in the area. Jim Kapellen noted he lived beside someone with hives and they are more of a nuisance and not stinging bees.

Commission members discussed how big of lot is needed for bee keeping and do you allow one or more hives. Staff was asked to find examples of other ordinances.

A Jim Kapellen/Ron Webb motion to direct staff to review bee keeping ordinances; their conditions; and bring it back to the Commission passed on a 6/1 roll call vote. Burdick voted against the motion.

Being no other business before the Commission, a Ron Webb/Paul Davis motion to adjourn passed on a 7/0 roll call vote.

Ramona Flanigan/ch
City Administrator

Approved October 29, 2020

**OCTOBER 7, 2020 PLAN COMMISSION MEETING MINUTES
CITY OF EDGERTON**

Commission Chair Christopher Lund called the meeting to order at 6:02 p.m.

Present: Christopher Lund, Jim Burdick, Anne Radtke (remote connection), Jim Kapellen, Julie Hagemann, and Ron Webb.

Excused: Paul Davis.

Others Present: City Administrator Ramona Flanigan and a few citizens.

City Administrator Ramona Flanigan confirmed the meeting agendas were properly posted on Friday, October 2nd at the Post Office, Edgerton Library, and City Hall.

PUBLIC HEARING: The Plan Commission held a public hearing to hear comments regarding a request by Terri Nottestad for approval of a conditional use permit to allow the “permanent” establishment of an outdoor entertainment areas at 520 N. Main St. (parcel 6-26-305.02).

City Administrator Flanigan stated the Plan Commission previously approved a temporary conditional use for 520 N Main St. for an outdoor entertainment area. The petitioner has made improvements to the site and now wishes to apply for a conditional use permit without a sunset date.

The petitioner wishes to not include the rear entrance to the building within the beer garden because the entrance is used as an accessible entrance into the building. This means patrons accessing the beer garden will exit the building and go down a ramp before reaching the beer garden.

Terry Nottestad, owner of 520 N Main St, stated the majority of her parking is located in the rear beyond the beer garden. It would be inconvenient, especially for those with disabilities, to walk around the building to enter or go through the beer garden gate. There will be a gate to the beer garden so it will be fenced off.

Jim Kapellen asked if the new fencing will be located in the same place as the temporary. Terry Nottestad stated it would. Kapellen has not heard of any complaints since the temporary beer garden has been put into place.

Hearing no further comments, the Mayor closed the public hearing.

CONSIDER CONDITIONAL USE PERMIT FOR 520 N MAIN ST: Jim Kapellen/Jim Burdick moved to approve a conditional use permit to allow the establishment of an outdoor entertainment area at 520 N Main St in accordance with the approved plans with the following conditions and findings of fact:

Conditions:

1. Any lighting changes do not create a nuisance to the neighboring properties.

2. The Plan Commission allows the proposed configuration of the beer garden access without the building entrance included in the garden fence.
3. The petitioner amends the liquor licenses to allow the serving of alcohol in the beer garden prior to its expiration.
4. No outside music or entertainment is allowed in the beer garden.
5. The petitioner complies with all the conditions listed in 22.304(5)(y) other than those waived by the Plan Commission or Council.

Finding of fact:

1. The proposed conditional use with the above conditions is in harmony with the purposes, goals, and objectives of the Master Plan or the Zoning Ordinance. 22.206.(4)(c) 2.
2. The proposed conditional use, in its proposed location and as depicted on the site plan, will not result in undue adverse impact on nearby property, the character of the neighborhood, traffic factors, and public rights-of-way. 22.206.(4)(c) 3.
3. The proposed conditional use maintains the desired land use intensity and land use impact as it relates to the environs of the property 22.206.(4)(c) 4.
4. The proposed conditional use will not create major undesirable impacts on nearby properties, the environment, or the community as a whole, per Section 22.206(4)(d).
5. The potential public benefits of the proposed conditional use outweigh any and all potential adverse impacts of the proposed conditional use.

The motion passed on a 6/0 roll call vote.

PUBLIC HEARING: The Plan Commission held a public hearing to hear comments regarding a request by Rachel Murray for approval of a conditional use permit to allow the establishment of a home occupation manicure business as an accessory use at 1350 Savannah Woods Drive.

City Administrator Flanigan stated the proposal is to have 5-10 customers per week (Mon-Fri) coming to the home from 9:00 am – 2:00 pm and 2-3 clients per week from 4:00 pm – 6:00 pm. The Zoning Administrator (Flanigan) determined a conditional use is required to allow the Commission and adjoining property owners an opportunity to comment on the use because clients will be coming and going from the residence.

Petitioner Rachel Murray stated she has a State manicuring license and wishes to maintain her client base she has established. She does not plan on expanding the business nor have signs for the business outside. She wishes to have a business in her home to allow more time for home schooling her children.

Hearing no further comments, the Mayor closed the public hearing.

CONSIDER CONDITIONAL USE PERMIT FOR 1350 SAVANNAH WOODS DRIVE: Ron Webb/Julie Hagemann moved to approve a conditional use permit for Rachel Murray to allow the establishment of a home occupation for a manicure business for the parcel located at 1350 Savannah Woods Drive with the following conditions and findings of fact:

Conditions:

1. The business complies with the conditions listed in Section 22.304(5)(n) of the Code of Ordinances

2. The number of clients is limited to a maximum of 15 per week.
3. Clients are at the premises one at a time.
4. Hours of operation are limited to 9:00 am 6:00 pm Monday – Friday.

Findings of fact:

1. The proposed conditional use with the above conditions is in harmony with the purposes, goals, and objectives of the Master Plan or the Zoning Ordinance. 22.206.(4)(c) 2.
2. The proposed conditional use, in its proposed location and as depicted on the site plan, will not result in undue adverse impact on nearby property, the character of the neighborhood, traffic factors, and public rights-of-way. 22.206.(4)(c) 3.
3. The proposed conditional use maintains the desired land use intensity and land use impact as it relates to the environs of the property 22.206.(4)(c) 4.
4. The proposed conditional use will not create major undesirable impacts on nearby properties, the environment, or the community as a whole, per Section 22.206(4)(d).
5. The potential public benefits of the proposed conditional use outweigh any and all potential adverse impacts of the proposed conditional use.

The motion passed on a 6/0 roll call vote.

PUBLIC HEARING: The Plan Commission held a public hearing to hear comments regarding a request by Leslie Schneeberger for approval of a conditional use permit to allow the establishment of a home occupation massage therapy business as an accessory use at 209 Park Lane.

City Administrator Flanigan stated the proposal includes up to 20 customers per week (Mon-Fri) coming to the home from 10:00 am - 6:00 pm plus some clients on Saturdays 10:00 am-2:00 pm with one client at a time. Because this home occupation involves customers coming to the home for service, the Zoning Administrator determined a conditional use is required regarding provisions that the business shall in no way be incompatible with the character of nearby residents and not create a nuisance for neighboring properties. The conditional use allows the Plan Commission and the adjoining property owners to have input into the establishment of the use.

There are plans to have a small, removable yard sign advertising the business.

Business owner, Leslie Schneeberger, stated she hopes this will be a temporary move and she can return to a retail location after the pandemic. She does hold a State of Wisconsin license for massage therapy.

Hearing no other comments, the Mayor closed the public hearing.

CONSIDER CONDITIONAL USE PERMIT FOR 209 PARK LANE:

Jim Kapellen/Ron Webb moved to approve the conditional use permit for Leslie Schneeberger to allow the establishment of a home occupation massage therapy business for the parcel located at 209 Park Lane under the following conditions and findings of fact:

Conditions:

1. The business complies with the conditions listed in Section 22.304(5)(n) of the Code of Ordinances

2. The number of clients is limited to a maximum of 15 per week.
3. Clients are at the premises one at a time.
4. Hours of operation are limited to 10:00 am - 6:00 pm Monday – Friday and 10:00 am-2:00 pm on Saturdays.
5. A temporary yard sign is allowed when the business is open.

Findings of fact:

1. The proposed conditional use with the above conditions is in harmony with the purposes, goals, and objectives of the Master Plan or the Zoning Ordinance. 22.206.(4)(c) 2.
2. The proposed conditional use, in its proposed location and as depicted on the site plan, will not result in undue adverse impact on nearby property, the character of the neighborhood, traffic factors, and public rights-of-way. 22.206.(4)(c) 3.
3. The proposed conditional use maintains the desired land use intensity and land use impact as it relates to the environs of the property 22.206.(4)(c) 4.
4. The proposed conditional use will not create major undesirable impacts on nearby properties, the environment, or the community as a whole, per Section 22.206(4)(d).
5. The potential public benefits of the proposed conditional use outweigh any and all potential adverse impacts of the proposed conditional use.

The motion passed on a 6/0 roll call vote.

CSM AT 407 COLONIAL CIRCLE/ELM HIGH DRIVE: City Administrator Flanigan stated the southern end of this parcel touches a portion of Colonial Circle on the southern edge and also crosses Elm High Drive to the north. The petitioner proposes to divide the parcel into 3 lots.

Lot 3 will contain the existing single-family structure on Colonial Circle. The other 2 lots are not serviced with water and sewer and it is unlikely those services would be installed because a sanitary lift station would be required. If the land division is approved, the expectation is that an owner may request to construct a structure having a private well and septic.

Lots 1 and 2 are substandard in area for the A-1 District. If either lot were to be developed, they would have to be rezoned to residential. In addition, if developed, the petitioner would be required to pay the parkland and park improvement impact fees.

Julie Hagemann asked if the Master Plan would allow residential development in this area. Flanigan stated there are a number of small areas like this that would require a comprehensive plan amendment if someone wanted to build on the parcels.

A Jim Kapellen/Ron Webb motion to approve the preliminary and final 3 lot CSM located at 407 Colonial Circle/Elm High Drive subject to the following conditions:

1. The final CSM indicates all easements.
2. A note appears on the face of the CSM stating lots 1 and 2 have to be rezoned from A-1 prior to establishing a single-family structure.
3. The petitioner pays the \$20 platting fee for the two new lots.
4. The owner pays the parkland and park improvement impact fees in the amount of \$890.91 per housing unit at the time a building permit is issued for lots 1 and 2.

The motion passed on a 6/0 roll call vote.

Being no other business before the Commission, a Jim Kapellen/Ron Webb motion to adjourn passed on a 6/0 roll call vote.

Ramona Flanigan/ch
City Administrator

Approved October 29, 2020

TO: Edgerton Plan Commission

FROM: Staff

MEETING DATE: October 29, 2020

DISCUSSION

The Plan Commission requested to review draft ordinances for the text amendments below to determine if these items should be set for a public hearing. (New text is underlined and removed text is struck through.)

Commercial Apartments

(5) Accessory Land Uses.

(a) Commercial Apartment.

Description: Commercial apartments are dwelling units which are located in conjunction with, and accessory to, ~~above the ground floor of a building used for a commercial land use (as designated in Subsection (4), above)~~ – most typically an office or retail establishment. The primary advantage of commercial apartments is that they are able to share required parking spaces with nonresidential uses.

1. Permitted by Right: Not Applicable
2. Permitted by Right with Additional Special Requirements: Not Applicable
3. Conditional Use Regulations: {B-1, B-2, B-3, B-4, HMU}
 - a. The gross floor area devoted to commercial apartments shall be counted toward the floor area of a nonresidential development.
 - b. In the B-1, B-3, B-4 and HMU districts, commercial apartments cannot be located on the ground floor.
 - c. In the B-2 District, commercial apartments are allowed on the ground floor under the following conditions:
 - i. The business use shall occupy the traditional store front area(s) of the building;
 - ii. The commercial land use must comprise at least 50% of the Floor Area of the ground floor. The Plan Commission may reduce this standard, as necessary;

iii. Exterior features and architectural elements of existing building façades must not be altered in a manner which detracts significantly from the character of structure to accommodate the commercial apartment;

iv. Clear ingress and egress shall be established pursuant to all applicable building and fire codes, as amended from time to time;

v. Compliance with all other applicable city codes and regulations as may be required to allow for residential occupancy of first floor areas.

~~b-d.~~ A minimum of 1 off-street parking space shall be provided for each bedroom within a commercial apartment. Parking spaces provided by nonresidential land uses on the site may be counted for this requirement with the approval of the Zoning Administrator.

~~e-e.~~ Shall comply with Subsection 22.206, standards and procedures applicable to all conditional uses.

22.721 Central Business District (B-2).

(1) Description and Purpose:

Central Business District Architectural Requirements:

(a) General:

Nonresidential and residential construction, including new structures, building additions, building alterations, and restoration or rehabilitation shall correspond to the downtown design guidelines as determined by the Plan Commission and as evidenced by certain existing structures within the downtown and by the following requirements for building setback; height; building mass; horizontal rhythms (created by the placement and design of facade openings and related elements such as piers, columns); vertical rhythms (created by the placement and design of facade details such as sills, transoms, cornices and sign bands); roof forms; exterior materials; exterior surface features and appurtenances; exterior colors; exterior signage; on-site landscaping; exterior lighting; parking and loading area design; and the use of screening. Existing and new structures with less than a ten foot front yard setback must have a storefront or office (nonresidential) component on the first floor in the front of the building. All new residential construction on Fulton Street shall be required to have a storefront component. The first floor of all new construction which does not have a storefront shall provide pedestrian amenities such as sitting areas or shall have other features to make the building interesting for pedestrian traffic.

Mini Pigs

Policy Questions for Mini Pigs: (Some text is highlighted to draw attention to policy questions.)

- How many Mini Pigs are allowed on a property?
- Should having a mini pigs require a conditional use permit or a special use (chickens are a special use and dogs and cats do not require a land use permit). Are pigs more like chickens or dogs?
- Should mini pigs be allowed in residential districts only? (Chickens are only allowed in the A-1 District and in residential districts. Dogs and cats are not regulated by land use – rules apply to entire city so a dog could be kept in any zoning district.)
- Should mini pigs be allowed on parcels having single family structures only or also in multiple unit structures? Should they only be allowed on residential lots that have a yard?
- Should a license be required like dog or cat license?
- Is a fence required or is a leash OK? Does the fence have to be solid?
- Do pigs count as 1 of 4 maximum pets

Bee Keeping

Policy Questions for Bee Keeping

- In what districts should bee keeping be allowed? (Currently bee keeping is allowed as a conditional use in the Agricultural district, manufacturing districts, and B-4 Suburban Commercial.)
 - Should bee keeping require a conditional use permit? (Most cities do not require a conditional use.) The draft ordinance regulates it as special use, not a conditional use.
 - Should a permit be required?
-

22.304 (2) Agricultural Land Uses

(e) Husbandry.

Description: Husbandry land uses include all operations primarily oriented to the on-site raising and/or use of animals at an intensity of less than 1 animal unit (as defined in Subsection 22.102) per acre. Apiaries are considered husbandry land uses. Husbandry activities that are not the Principal Use of the property are regulated as Accessory uses in Section 22.304(5)(z)

1. Permitted by Right: Not Applicable
2. Permitted by Right with Additional Special Requirements: Not Applicable

3. Conditional Use Regulations: {A-1}

- a. Any building housing animals shall be located a minimum of 300 feet from any residentially zoned property, and 100 feet from all other lot lines.
- b. All outdoor animal containments (pastures, pens, and similar areas) shall be located a minimum of 10 feet from any residentially zoned property.
- c. Shall comply with Subsection 22.206, standards and procedures applicable to all conditional uses.

4. Parking Regulations: One space per employee on the largest work shift.

22.305(5) Accessory Uses

(z) Husbandry.

Description: Husbandry land uses include all operations primarily oriented to the on-site raising and/or use of animals at an intensity of less than one (1) animal unit (as defined in Section 22.102) per acre where the Husbandry activities are not the Principal Use of the property. Apiaries (bee keeping) are considered husbandry land uses.

Regulations for apiaries only

1. Permitted by Right: Not Applicable.
2. Permitted by Right with Additional Special Requirements: ~~Not Applicable all districts.~~
 - a. No bees shall be intentionally kept and maintained other than honey bees.
 - b. No hive shall exceed 20 cubic feet in volume.
 - c. No more than six hives may be kept on a zoning lot.
 - d. No hive shall be located closer than three feet from any property line of a zoning lot in different ownership.
 - e. No hive shall be located closer than ten feet from a public sidewalk or 25 feet from a principal building on an abutting lot in different ownership.
 - f. An ever-present supply of water shall be provided for all hives.
 - g. A flyway barrier at least six feet in height shall shield any part of a property line of a zoning lot in different ownership that is within 25 feet of a hive. The flyway barrier must effectively direct bees to fly up and over the barrier when flying in the direction of the barrier. The flyway barrier shall consist of a wall, fence, dense vegetation or combination thereof, and it shall be positioned to transect both legs of a triangle extending from an apex at the hive to each end point of the part of the property line to

be shielded. The barrier shall further comply with any applicable fence regulations contained in this Code of Ordinances

h. Shall comply with Subsection 22.207, standards and procedures applicable to all special uses.

3. Conditional Use Regulations: ~~{For apiaries only: A-1, B-4, M-1, M-2, M-3}~~ not applicable

~~a. Any buildings or hives housing animals or bees shall be located a minimum of three hundred (300) feet from any residentially zoned property, and one hundred (100) feet from all other lot lines.~~

~~b. All outdoor animal containments (pastures, pens, and similar areas) shall be located a minimum of ten (10) feet from any residentially zoned property.~~

~~c. Shall comply with Subsection 22.206, standards and procedures applicable to all conditional uses.~~

Regulations for Mini Pig keeping only: A Mini Pig is also known as a "miniature pig", "pet pigs", "small breed pigs", "American Mini Pig", or a "Potbellied Pig"

1. Permitted by Right: Not Applicable.

2. Permitted by Right with Additional Special Requirements: {R-1, R-2, R-3 and R-4}

a. No more than **ONE(1)** Mini Pig is allowed on a lot containing a single-family dwelling only. Mini Pigs are not allowed on residential lots containing two (2) or more dwelling units.

b. A Mini Pig can be no more than 24 inches tall and 100 pounds.

c. All owners of Mini Pigs shall have such pigs tested for Pseudorabies and Brucellosis prior to being brought into the city, and shall provide proof of such tests being performed by a veterinarian properly licensed by the state.

d. All owners of Mini Pigs shall have such pigs vaccinated for the following: Rabies, Erysipelas, Bordatella, Pasturella, and Tetanus and shall provide proof of such vaccinations being performed by a veterinarian properly licensed by the state prior to obtain a City license and with each license renewal.

e. All Mini Pigs brought into the city must be neutered or spayed before the pig reaches six months of age. Proof of testing and having been altered will be required as a condition of a City license.

f. Every owner of a domesticated Mini Pig shall obtain a license for such pig within seven days after bringing such pig into the city and annually thereafter. There will be a fee of \$10.00 for said license. Licensing Mini Pigs are required to be licensed by March 31st every year. License payments received after the March 31st deadline may be subject to a late fee of \$5.00 in addition to any applicable license fees. If a mini pig is acquired

by an owner after March 31st, a license must be purchased within 7 days of acquiring the pet.

g. Every owner must provide evidence that each Mini Pig is registered in accordance with the Wisconsin Livestock Premises Registration Act through the DATCP.

h. Mini Pigs must be maintained in a fenced yard. The fence must be a solid fence.

i. Mini Pigs are prohibited from running at large: Mini Pigs shall be attended to by the owner or the owner's designee in the outdoor premises of the owner so as to prohibit the Mini Pig from entering upon the private property or premises of another without the prior consent of the owner or person in possession or in charge of such private property, or upon any publicly owned property and facilities.

j. The following shall be considered a public nuisance and unlawful: excessive, continuous or untimely squealing by Mini Pigs, rooting to such an extent that the animal traverses the property boundary line; running at large on three or more occasions within a 12-month period; and failure to maintain good sanitation and health care.

k. A Mini Pig counts as one animal for the maximum number of animals permitted under Section 29.90(3).

l. Shall comply with Subsection 22.207, standards and procedures applicable to all special uses.

3. Conditional Use Regulations: Not Applicable.