

Chapter 22.12. Definitions

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22.04.01. General Provisions

- A. **Purpose.** For the purpose of interpreting this Code, certain words, concepts, and ideas are defined herein. Except as defined herein, all other words used in this Code shall have their everyday meaning as determined by their dictionary definition.
- B. **Applicability.** The rules of construction, interpretation, and measurement and the definitions established in this Chapter shall apply to all chapters of this Code, unless otherwise specified.

22.04.02. Rules of Construction and Interpretation

In interpreting the language of this Code, the following general rules of construction shall apply, unless explicitly stated otherwise in a particular use of a term or phrase. The requirements of this Code shall be interpreted and applied as the minimum requirements necessary to carry out the purpose of the Code and to promote public health, safety, and general welfare.

- A. **Mandatory.** The words "shall," "must," and "will" are mandatory in nature.
- B. **Permissive.** The word "may" is permissive in nature.
- C. **And / Or.** The term "and/or" means either or both of the subject components.
- D. **Tense.** Words used in the present tense include the past and the future tenses and vice versa unless manifestly inapplicable.
- E. **Plurals.** Words used in the singular number include the plural number and the plural number includes the singular number, unless the context of the particular usage clearly indicates otherwise.
- F. **Computation of Time.** The time in which an act is to be done shall be computed by excluding the first day and including the last day. If a deadline or required date of action falls on a Saturday, Sunday, or holiday observed by the City, the deadline or required date of action shall be the next day that is not a Saturday, Sunday, or holiday observed by the City. References to days are calendar days unless otherwise stated.
- G. **Including.** The word "including" is considered non-exclusive unless stated otherwise.
- H. **Façade.** That portion of any exterior elevation on the building extending from grade to top of the parapet, wall, or eaves and the entire width of the building elevation.
- I. **Fractions.** When any requirement of this Code results in a fraction of a unit, a fraction of one-half or more is considered a whole unit and a fraction of less than one-half is disregarded. When the determination of the number of dwelling units permitted on a lot results in a fraction of a

dwelling unit, any fractional component is disregarded and rounded down to the nearest whole number.

J. **Text and Illustrations.**

1. In the event of a conflict or inconsistency between the text of this Code and any heading, caption, figure, illustration, or map, the text shall control.
2. Diagrams and other illustrations are provided for informational purposes only and should not be relied upon as a complete and accurate description of all applicable regulations or requirements.

K. **Person.** The word "person" means natural person, joint venture, joint stock company, partnership, association, club, company, corporation, business, trust, organization, or the manager, lessee, agent, servant, officer or employee of any of them.

L. **Used or Occupied.** The words "used" and "occupied" include the words "intended, designed, or arranged to be used or occupied."

M. **Lot.** The word "lot" includes the words "plot" and/or "parcel."

N. **On the Premises.** The phrase "on the premises," means "on the same lot."

O. **Telecommunication.** The inclusion of the word "telecommunication" in a term name indicates defined terms that apply only to the application and administration of the Wireless Telecommunications Facility provisions of this Code.

P. **Terms not Defined.** If a term used in this Code is not defined, the Community Development Director or their designee is authorized to interpret the term in accordance with Section ####, Interpretations, based upon the definitions used in professionally accepted sources.

Q. **References to Other Regulations/Publications.** Whenever reference is made to a part of the City's municipal code, this zoning code, statute, regulation, or document, it shall be interpreted as a reference to the most recent edition of such regulation, manual, City's municipal code, this zoning code, statute, or document, unless otherwise specifically stated.

22.04.03. Rules of Measurements

Unless a particular use of a term or phrase in this Code explicitly states otherwise, the following general rules of measurement shall govern the application of the numerical standards in this Code.

A. **Separation.** If a standard of this Code requires a use or development to be separated from another use or development by a minimum distance, that distance is measured as the linear distance (also referred to as 'as the crow flies') between the nearest property line of the subject use or development and the property line of the use or development from which the subject use must be separated.

- B. **Building Height.** The vertical distance measured from the average elevation of the proposed finished grade at the façade adjacent to the front lot line to the highest point of the roof deck of a flat roof, to the highest point of a mansard roof, or to the mean height level between the eaves and ridge of a gable, hip, or gambrel roof. Parapets, spires, cupolas, antennae attached to a building, projections from buildings, mechanical equipment and associated screening, and accessory structures associated with an activated roof deck, are not to be included in the calculation of building height.
- C. **Story.** A story is a habitable level within a building. Where minimum height in stories is required in this Code, the minimum story height shall be 10 feet. Unoccupied attics less than seven feet in height and raised basements less than six feet in height (as measured from the average grade of the fronting sidewalk) are not considered stories for the purposes of determining building height. A mezzanine shall be considered a story if it is contiguous with at least 60 percent of the building's front façade, is designed to be occupiable, and maintains an average depth of at least 16 feet. A penthouse shall be considered a story if it exceeds one-third of the area of the roof. The under-roof area with dormers does not count as a story.
- D. **Opacity.** The degree to which light or view is blocked, is measured perpendicular to the fence or screening structure for each fence/screening structure section between supports.
- E. **Maximum Setback.** At least 50 percent of the building frontage must meet the maximum setback.

22.04.04. "A" Definitions

- A. **Accessory Restaurant / Bar / Lounge / Tavern within Parks** means a food-service establishment or beverage service use that provides meals, snacks, or beverages located within a park that is incidental to and operated in connection with the primary park use, including beer gardens.
- B. **Accessory Building / Structure** means a structure that is clearly incidental to and customarily found in connection with a principal building, is located on the same parcel and serves a principal building, and is subordinate in area, extent and purpose to the principal building served. Accessory Structures include but are not limited to canopies, composting bins, flag poles, detached garages, detached carports, sheds, swimming pools, cisterns, fences, walls, decks, patios, pergolas, kennels/enclosed outdoor pet areas, and gazebos.
- C. **Accessory Commercial Playground** means an outdoor play area or play equipment that is provided in connection with a principal commercial use and is intended for use by individuals visiting or using the principal use. The playground is located on the same lot and is incidental and accessory in scale and function.
- D. **Accessory Commercial Unit** means an occupation or profession conducted within a dwelling unit or building accessory to the dwelling unit by a resident of the dwelling unit that is incidental to the primary use of the dwelling as a residence. Accessory Commercial Units may be visible

from the frontage, receive clients/customers without appointment, and have non-resident employment.

- E. **Accessory Dwelling Unit** means a dwelling unit located on a lot, that is incidental and subordinate to the principal dwelling. An Accessory Dwelling Unit may be detached, such as a cottage, or attached to the principal dwelling, such as an attic or basement apartment.
- F. **Accessory Use** means a use subordinate to the principal use in terms of area, extent, and purpose that contributes to the comfort, convenience, or necessity of occupants of the principal building or principal use served and is located on the same lot as the principal use served.
- G. **Adult-Oriented Establishment** means any premises required to be licensed under Section 8.195 including, but not limited to, "adult bookstores," "adult motion picture theatres," "adult mini-motion picture establishments," or "adult cabarets." It further means any premises to which public patrons or members are invited or admitted and which are so physically arranged so as to provide booths, cubicles, rooms, compartments or stalls separate from the common area of the premises for the purposes of viewing adult oriented motion pictures, or wherein an entertainer provides adult entertainment to a member of the public, a patron or a member, whether or not such adult entertainment is held, conducted, operated, or maintained for a profit, direct or indirect. "Adult Oriented Establishment" further includes without being limited to any "adult entertainment studio" or any premises that is physically arranged and used as such whether advertised or represented as an adult entertainment studio, rap studio, exotic dance studio, encounter studio, sensitivity studio, modeling studio, or any other term of like import.
- H. **Agriculture** means farming in all its branches, including cultivation and tillage of the soil; dairying; production, cultivation, growing, and harvesting of any agricultural or horticultural commodity; raising of livestock, bees, furbearing animals, or poultry; and any practice, including any forestry or lumbering operations, performed on a farm in conjunction with farming operations, including preparation and delivery of produce to storage, to market, or to carriers for transportation to market.
- I. **Alley** means a legally established public right-of-way more than 10 feet and less than 30 feet in width that provides secondary access to abutting property.
- J. **Alternative Education Facilities** aA use that provides instructional or academic services through non-traditional or supplemental educational programs, including tutoring, test preparation, enrichment programs, learning centers, and similar services, and that is not classified as a school.**Amended Soil Area / Soil Amendment** means those landscape portions of a site where decomposed organic material has been incorporated into the soil to improve its performance for infiltration and vegetation, enabling the area to function as a vegetated stormwater control measure.
- K. **Animal Boarding Facility** means a facility for the boarding, training, or grooming of dogs and cats, excluding breeding sales of animals as regulated in Section 33.06 of the Waukesha Municipal Code.

- L. **Animal Hospital** means an establishment that includes services by license practitioners of veterinary medicine, dentistry, or surgery for animals; daycare and after-hours care; and training. Excludes non-patient care boarding.
- M. **Antenna** means any structure or device used for the purpose of collecting or radiating electromagnetic waves, including but not limited to directional antennas, such as panels, microwave dishes, and earth station dishes, television broadcast satellite dishes, and terrestrial antennas.
- N. **Artisan Manufacturing** means a fully indoor small-scale business that produces goods or specialty foods, primarily for direct sales to consumers, such as artisan leather, glass, wood, paper, ceramic, textile and yarn products, specialty foods and baked goods. This land use includes the design, processing, fabrication, assembly, treatment and packaging of products; as well as the incidental storage, sales and distribution of such products. This land use does not include uses producing noise, odor, vibration, or similar impacts perceivable by the natural senses outside of the structure or portion of the structure where the use is located.
- O. **Automatic Teller Machine (ATM)** means a computerized, self-service machine used by banking customers of financial institutions, including deposits, withdrawals, and fund transfers, without face-to-face contact with financial institution personnel.
- P. **Auto Dealership and Rental** means an establishment licensed in accordance with Chapter 218 of the Wisconsin Statutes which may have showrooms or open lots for selling, renting, or leasing automobiles, light trucks, motorcycles, and ATVs.

22.04.05. "B" Definitions

- A. **Basement** means a portion of a building partly or entirely underground whose ceiling or underpart of the floor above is four feet or less above the average finished ground elevation. The "average finished ground elevation" is the mean elevation of the finished grade around all of the exterior of the building.
- B. **Berm** means an earthen mound designed to provide visual interest, screen undesirable views, and/or decrease noise.
- C. **Bicycle Parking.**
 - a. **Short-Term Bicycle Parking** means a designated area for temporary bicycle storage (less than two hours), typically near building entrances, with simple racks or other bike storage solutions. The number of required spaces depends on the district and vehicle parking provided.
 - b. **Long-term Bicycle Parking** means a secure, weather-protected area for bicycle storage intended for longer-term use (several hours or more), typically required in multi-unit residential developments and the residential portions of mixed-use developments.

- D. **Bioretention area** means an excavated area that is backfilled with a prepared or amended soil mixture, which may or may not be covered with a mulch layer and planted with a diversity of woody or herbaceous vegetation, to which stormwater is directed to promote filtration, infiltration and/or evapotranspiration. Such an area may also be known as a “rain garden”.
- E. **Bioretention Planting.** See Chapter 7.
- F. **Boulevard.** See Median.
- G. **Brewery** means an establishment primarily engaged in the brewing of ale, beer, malt liquors, and/or nonalcoholic beer that are permitted to do so in accordance with the State of Wisconsin Department of Revenue. Breweries have a capacity of 15,000 barrels or more per year (see also definition for Micro-Brewery for under 15,000 barrels). The definition includes a public tasting room, and retail sales of ale, beer, or related products brewed or manufactured on site.
- H. **Buffer** means a combination of physical space and vertical elements, such as plantings or fencing, used to separate and screen incompatible land uses from each other.
- I. **Building** means a structure having a roof supported by columns or walls.
- J. **Building, Principal** means a building in which is conducted the principal use of the lot on which it is situated (includes attached garages).

22.04.06. "C" Definitions

- A. **Car Wash** means a building, or portion thereof, where automobiles or other motor vehicles are automatically or manually washed regularly as a business.
- B. **Canopy or Shade Tree.** See Chapter 7.
- C. **Cemetery** means an area used for the interment of human or pet remains, including structures such as gravestones, markers, foot stones, columbaria, mausoleums, crypts, fences, and walls.
- D. **Change of Use** means for the purposes of this Code only, this term means any alteration in the use of a lot or building / structure which, in the determination of the Community Development Director or their designee, changes the primary use of such lot or building / structure from one use category as defined in the Chapter ##### to another use category.
- E. **Child Day Care Home** means a dwelling licensed as a day care center by the State of Wisconsin pursuant to Section 48.65 of the Wisconsin Statutes, where care is provided for not more than eight (8) children.
- F. **Clear-cutting** means the practice of cutting down most or all of the trees in a woodland, woodlot, or forest or a section thereof, at the same time, usually in a uniform way.
- G. **Clinic** means a medical service facility that provides outpatient ambulatory or outpatient health care such as emergency medical clinics; ambulatory surgical centers; dialysis centers; outpatient

family planning services; community health centers and clinics; blood and organ banks; and medical services such as physician's, ophthalmologist's, and dentist's offices.

- H. **Clinic, Veterinary.** See Veterinary Clinic.
- I. **Closed Depression** means a low area that does not have a drainage outlet.
- J. **Coffee Shop** means a business primarily engaged in the sale of coffee, tea, and similar beverages, with incidental food service, for on- or off-premise consumption. A coffee shop does not include a restaurant providing full meal service.
- K. **College / University** means an institution for post-secondary education, public or private, offering courses in general or religious education and not operated for profit. It operates in buildings owned or leased by the institution for administrative and faculty offices, classrooms, laboratories, chapels, auditoriums, lecture halls, libraries, student and faculty centers, performing arts facilities, athletic facilities, health centers, dormitories, fraternities, sororities, and other on-campus housing, as well as associated maintenance facilities. It does not include vocational schools, online/remote programs, or colleges/universities operated for profit.
- L. **Commercial Adult and Child-Care Centers** means an establishment providing care and supervision for four or more persons under the age of seven and license by the State of Wisconsin pursuant to Section 48.65 of the Wisconsin Statutes.
- M. **Commercial Kitchen** means a facility containing a kitchen or kitchens in which food is prepared for off-site consumption, may also be referred to as a Ghost Kitchen.
- N. **Commercial Recreation, Indoor** means an establishment offering recreation or providing entertainment or games of skill to the general public for a fee or change and wholly enclosed in a building.
- O. **Commercial Recreation, Outdoor** means premises with outdoor athletic or entertainment facilities for commercial purposes.
- P. **Community Living Arrangement** means facilities licensed and operated, or permitted under the authority of the Wisconsin Statutes for the care and maintenance of residents, not members of the same family, including but not limited to: halfway houses, community living arrangements for children under Wis. Stats. Section 46.03(22), a foster homes under Section 48.02(6), or an adult family home under Section 50.01(1); but does not include commercial child care centers, nursing homes, general hospitals, special hospitals, prisons, or jails.
- Q. **Community Services Facility** means a permanent, stand-alone facility designed to provide support services to individuals in need. Primary services include temporary shelter and food provision. Incidental services may include educational programs, medical care, and other forms of assistance. This definition does not encompass emergency shelters, hazard shelters, or clothing/food donation centers, which are considered accessory uses.

- R. **Conditional Use** means any building, structure, and use which, on and after the effective date of this title complies with the applicable regulations and standards governing conditional uses of the zoning district in which such building, structure, and use is located and for which a permit is granted under Chapter #####.
- S. **Construction-Related** means a temporary construction activity, such as offices, equipment storage, or material staging, allowed for the duration of a specific construction project.
- T. **Contractor's Office** means a modular or portable office or storage structure for use by a contractor during construction activity.
- U. **Contractor's Yard** means a place where stone, gravel, sand, cement, brick, brick tile, cement tile, tile sewer pipe, wood, lumbar or other building materials are stored or kept for sale.
- V. **Co-Working Space** means a neutral, non-exclusive, limited shared space defined in a membership-based service arrangement or agreement or subscription wherein a firm has no tenancy interest, leasehold estate, or other real property interest with respect to the accommodation on an as-needed basis. The agreement gives the firm a right to share the use of the space and may include an exclusive mailing address and office services. An executive suite/exclusive desk/dedicated desk/secured suite/private office under a co-working space agreement falls under this definition.
- W. **Crematory** means a facility containing properly installed, certified apparatus intended for use in the act of cremation.

22.04.07. "D" Definitions

- A. **Design Storm** means a hypothetical discrete rainstorm characterized by a specific duration, temporal distribution, rainfall intensity, return frequency and total depth of rainfall.
- B. **Detention** means a stormwater management facility having a controlled release other than pumping, infiltration, or evaporation.
- C. **Developable land** means land which is not restricted by regulations or natural limitations (such as floodplains, steep slopes, high ground water, or other factors) from being developed.
- D. **Development.**
 - 1. **Development Activity** means one of the following:
 - a. The construction, erection, alteration, enlargement, renovation, substantial repair, movement to another site, or demolition of any structure,
 - b. The excavation, grading, filling, clearing, or alteration of land,
 - c. The subdivision of land, or
 - d. The initiation or substantial change in the use of land or the intensity of use of land.

2. **New Development** means it shall include development proposed on undeveloped sites or on previously developed sites after the demolition of existing buildings and site elements.
- E. **Diameter at Breast Height (DBH)** means the diameter of a tree, measured in inches at a point 54 inches above the ground. If the tree splits into multiple trunks at a height below 54 inches, but above the ground, the diameter is measured at the highest point beneath the split.
- F. **Distillery** means an establishment primarily engaged in the manufacturing of fortified spirits that is permitted to do so in accordance with the State of Wisconsin Department of Revenue. Distilleries have a capacity of more than 25,000 gallons per year (see also definition for Micro-Distillery for under 25,000 gallons). The definition includes a public tasting room and retail sales of spirits or related products manufactured on site.
- G. **Drainage Way** means an area where runoff from adjacent areas either collects or passes through the site, regardless of whether the runoff is from private, public property or road right-of-way. A drainage way under this section may be natural or constructed.
- H. **Driveway.** A private vehicular access area that connects a public or private street, alley, or internal access drive to a lot or development site and provides access to garages, carports, parking areas, or buildings. Driveways are distinct from internal access drives and drive lanes.
 1. **Residential Driveway.** A driveway serving a one- or two-unit residential use. A residential driveway includes an area used for vehicular parking that may be counted toward required off-street parking in accordance with this **Section #####** of this Code. A residential driveway does not include pedestrian walkways, sidewalks, patios, terraces, steps, or other areas designed exclusively for pedestrian use.
 2. **Nonresidential Driveway.** A driveway serving multi-unit residential, mixed-use, commercial, institutional, industrial, or other nonresidential uses. A nonresidential driveway is used for vehicular access and circulation and is not counted as an off-street parking space.

22.04.08.

22.04.09. Dwelling Unit means a room or a group of rooms including cooking accommodations, occupied by one household unit.

22.04.10. Dwelling, Cottage Home / Tiny Home Court means a group of small-scale, detached dwelling units on permanent foundation located on a single lot or individual lots and arranged around a shared court visible from the street.

22.04.11. Dwelling, Duplex, Side-by-Side means a residential building containing two dwelling units located beside one another, each with a separate exterior entrance, and separated by a common vertical wall.

22.04.12. Dwelling, Duplex, Stacked means a residential building containing two dwelling units arranged one above the other, with either separate exterior entrances or a shared entrance serving both units.

22.04.13. Dwelling, Live-Work Unit means an attached residential building type with a small commercial enterprise on the ground floor and a residential unit above or behind with a common tenant in both spaces.

22.04.14. Dwelling, Mobile Home Park means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

22.04.15. Dwelling, Multi-Unit, 5-8 Units means a residential building, or group of buildings on a single lot, containing five to eight dwelling units arranged side-by-side or stacked vertically, including units located above garages. This use does not include dwelling units located above a ground-floor nonresidential use, except where no more than one or two dwelling units are provided. This use does not include any other dwelling type defined by this Code.

22.04.16. Dwelling, Multi-Unit, More than 8 Units means a dwelling containing eight or more separate residential units, intended for occupancy by multiple families or households.

22.04.17. Dwelling, Multi-Unit, Above Ground Floor Only means one unit or more located above a ground floor non-residential use. The separate uses do not have to be inhabited by the same party.

22.04.18. Dwelling, Multi-Unit, Building Complex means a site containing multiple multi-unit residential buildings developed as part of a single project or on a single lot.

22.04.19. Dwelling, Multi-Unit, Rear Ground-Floor means a residential unit located on the rear portion of the ground floor in a multi-unit building, typically situated behind commercial or retail uses at the front. The unit provides independent living spaces, including sleeping, cooking, and sanitary facilities, with direct access to the exterior or common areas of the building, ensuring accessibility for residents while maintaining the functionality of the building's front storefronts.

22.04.20. Dwelling, Quadplex means a single detached dwelling on a lot that contains four dwelling units and is divided vertically or horizontally.

22.04.21. Dwelling, Rowhome.

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- a. **Rowhouse Unit** means a single dwelling within a rowhouse cluster, located on an individual lot, and sharing at least one common wall with an adjacent dwelling unit.
 - b. **Rowhouse Cluster** means a residential building containing three or more rowhouse units, but not more than eight, stacked horizontally and developed as a unified structure. Each unit has its own exterior entrance and is located on an individual lot.

22.04.22. Dwelling, Single-Family Detached means a detached dwelling containing one dwelling unit intended for use by one family.

22.04.23. Dwelling, Triplex means a single detached dwelling on a lot that contains three dwelling units and is divided vertically or horizontally.

22.04.24. "E" Definitions

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- A. **Erosion** means the process by which the land's surface is worn away by the action of wind, water, ice, or gravity.

- B. **Erosion and Sediment Control Plan** means a plan developed to address pollution caused by erosion and sedimentation of soil particles or rock fragments during construction.
- C. **Evergreen Tree.** See Chapter 7.

22.04.25. "F" Definitions

- A. **Fence** means any structure composed of wood, iron, steel, masonry, stone or other material and erected in such a manner and in such location as to enclose, secure, partially enclose or secure, provide privacy, decorate, define or enhance all or any part of any premises.
- B. **Financial & Professional Services** means an establishment that engages in financial transactions that create, liquidate, or change ownership of financial assets. Banks, credit unions, and savings institutions may perform central banking functions, accept deposits, and lend funds from these deposits. In addition to banks and credit unions, financial services institutions may include: credit agencies, trust companies, holding companies, savings and loan institutions, check cashing services, accounting services, bookkeeping services, payroll services, securities/commodity contract brokers and dealers, security and commodity exchanges, vehicle finance (equity) leasing agencies, and investment companies.
- C. **Flea Market** means an occasional or periodic market held in an open areas or structure where goods are offered for sale to the general public by individual sellers from open or semi-open facilities or temporary structures.
- D. **Fleet Fueling Facility** means an establishment that sells gasoline or other automotive fuels, dispensed directly to the users of motor vehicles. Use may include tire pressure and air stations, and other customarily incidental uses that do not fall under the definition of major or minor vehicle services.
- E. **Fleet Vehicle Storage / Maintenance** means an indoor or outdoor area for the storage of motor vehicles owned or leased by a business, government agency, or other organization rather than by an individual(s) and an accompanying indoor area for vehicle service work. Maintenance may include fueling of fleet vehicles but does not include sale of vehicle fuels.
- F. **Flood** means a general and temporary condition of partial or complete inundation of normally dry land areas caused by one of the following conditions:
 - a. The overflow or rise of inland waters;
 - b. The rapid accumulation or runoff of surface waters from any source;
 - c. The inundation caused by waves or currents of water exceeding anticipated cyclical levels along the shore of Lake Michigan or Lake Superior; or
 - d. The sudden increase caused by an unusually high-water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a seiche, or by some similarly unusual event.

- G. **Flood Frequency** means the probability of a flood occurrence that is determined from statistical analyses. The frequency of a particular flood event is usually expressed as occurring, on the average once in a specified number of years or as a percent chance of occurring in any given year.
- H. **Flood fringe** means that portion of the Floodplain outside of the Floodway that is covered by flood waters during the regional flood where water is standing and not flowing.
- I. **Flood Insurance Study** means a technical engineering examination, evaluation, and determination of the local flood hazard areas. It provides maps designating those areas affected by the regional flood and provides both flood insurance rate zones and Base Flood elevations and may provide Floodway lines. The flood hazard areas are designated as numbered and unnumbered A Zones. Flood Insurance Rate Maps, that accompany the Flood Insurance Study, form the basis for both the regulatory and the insurance aspects of the National Flood Insurance Program.
- J. **Flood Profile** means a graph or a longitudinal profile line showing the relationship of the water surface elevation of a flood event to locations of land surface elevations along a stream or river.
- K. **Floodproofing** means any combination of structural provisions, changes or adjustments to properties and Structures, water and sanitary facilities and contents of buildings subject to flooding, for the purpose of reducing or eliminating flood damage.
- L. **Flood Protection Elevation** means an elevation of two feet of freeboard above the Regional Flood Elevation. See also Freeboard.
- M. **Flood Storage** means those Floodplain areas where storage of floodwaters has been taken into account during analysis in reducing the regional flood discharge.
- N. **Floodway** means the Channel of a river or stream and those portions of the Floodplain adjoining the Channel required to carry the regional flood discharge.
- O. **Flowering Shrub**. See Chapter 7.
- P. **Food Truck** means a motorized or towed wheeled vehicle that is designed, equipped and used to prepare, or serve, and sell food at a transitory or static location, and is not situated in a permanent structure as an accessory to a business located in the structure for purposes of primarily serving patrons of the business.
- Q. **Food Truck Court** means a wheeled conveyance that can be moved, whether by its own power or by outside force, from which items for human consumption are sold directly to consumers, and which remains in one location for at least 5 minutes while selling. Without limitation, conveyance includes push carts, pedal carts, wagons, trailers, vans, and trucks.
- R. **Footcandle** means a unit of measure indicating the amount of light that reaches a surface, equal to one lumen per square foot.

- S. **Forbs.** See Chapter 7.
- T. **Foster Family Home** means the primary domicile of a foster parent which is for four or fewer foster children and which is licensed pursuant to Section 48.61 of the Wisconsin Statutes.
- U. **Freeboard** means a safety factor expressed in terms of a specified number of feet above a calculated flood level. Freeboard compensates for any factors that cause flood heights greater than those calculated, including ice jams, debris accumulation, wave action, obstruction of bridge openings and Floodways, the effects of watershed urbanization, loss of flood storage areas due to development and aggregation of the river or stream bed.
- V. **Funeral Home** means an establishment for preparing the dead for burial or interment and conducting funerals (i.e. providing facilities for wakes, arranging transportation for the dead, indoor stonecutting, and selling caskets and related merchandise). Funeral Homes may include accessory Crematoriums.

22.04.26. "G" Definitions

- A. **Garage, Accessory** means a fully enclosed building used for the parking or storage of vehicles associated with the principal use on the same lot
- B. **Garage / Rummage Sale** means the temporary sale of personal property from a residential dwelling.
- C. **Garden Center (with Outdoor Storage)** means a facility for the cultivation of plants within an enclosed environment on a commercial basis. Includes plant and tree nurseries.
- D. **General Manufacturing** means a non-residential use involving the manufacturing, processing, fabrication, compounding, or assembly of products or materials that may generate noise, vibration, odor, truck traffic, or other impacts that are greater than a Light Industrial use but do not rise to the intensity of Heavy Industrial operations. Activities are conducted primarily within enclosed buildings, with limited outdoor storage or operations.
- E. **General Retail** means a retail establishment engaged in the sale of products or merchandise to customers for their personal use or consumption and not for resale. This use may include ancillary services customarily associated with retail sales or small-scale retail operations.
- F. **General Service** means a non-residential use providing routine or frequent services to customers, clients, or the general public, including repair, maintenance, cleaning, rental, personal assistance, or similar service activities conducted within an enclosed building.
- G. **Grade** means the average elevation of the finished ground at the exterior walls of the main building.
- H. **Grasses.** See Chapter 7.

- I. **Green Infrastructure** means any combination of landscaping, facilities, or equipment that captures rain at or near the site where it falls through infiltration, evapotranspiration, or storage for beneficial use or delayed discharge. Green infrastructure includes, but is not limited to, amended soil areas, bioretention areas, biofiltration areas, stormwater trees, vegetated or biofiltration swales, landscaping with deeply-rooted plants in amended soil, rain barrels, permeable pavements, planter boxes, and vegetated buffer strips, as well as the removal of structures or pavements to allow revegetation.
- J. **Grocery Store** means a retail establishment that sells food, beverages, and household goods for off-site consumption, and may include ancillary services such as a pharmacy, bakery, deli, or prepared-food area.
- K. **Groundcover.** See Chapter 7.

22.04.27. "H" Definitions

- A. **Home Occupation** means any occupation customarily conducted for gain or support entirely within a dwelling or accessory building by a member or members of a household unit while residing in said dwelling, and which is clearly incidental and secondary to the residential use of the premises and does not change the character thereof.
- B. **Hospital** means an institution providing in-patient care and treatment for individuals with physical or mental disabilities, illnesses, addictions, or injuries, including facilities for the aged or those with intellectual or psychiatric conditions. Permitted accessory uses include medical clinics, doctors' offices, pharmacies, outpatient services, and related facilities integral to the hospital's function, provided these uses occupy no more than one-third of the total floor area (excluding x-ray and laboratory spaces).
- C. **Hotel / Motel** means a building or portion thereof in which ten or more guestrooms are provided for occupancy for daily rate compensation by transient guests. Provisions for cooking may be allowed, provided such cooking devices are provided by the hotel owner or operator and are maintained in accordance with health, fire, and safety codes.

22.04.28. "I" Definitions

- A. **Impervious Surface** means an area that releases as runoff all or a large portion of the precipitation that falls on it, except for frozen soil. Rooftops, sidewalks, driveways, gravel, or paved parking lots and streets are examples of areas that typically are impervious.

B. **Industrial.**

- a. **Industrial, General** means a non-residential use in which all principal heavy industrial activities are conducted wholly within an enclosed building, including intensive manufacturing, fabricating, finishing, cleaning, testing, or processing of products or materials. Any handling or storage of hazardous materials shall occur within the building. No outdoor manufacturing, processing, or material-handling operations are permitted, except for routine loading and unloading.
- b. **Industrial, Mixed** means a non-residential use in which principal heavy industrial activities occur outdoors, including outdoor processing, material handling, storage, equipment operations, mineral extraction, mining, or similar high-impact activities. Uses include operations requiring a National Pollutant Discharge Elimination System (NPDES) stormwater permit or the outdoor use or storage of hazardous materials. These uses are primarily conducted outside of enclosed buildings.
- c. **Industrial, Light** means a non-residential use in which all principal light-industrial activities are conducted within an enclosed building, including manufacturing, assembling, research, development, testing, and similar low-impact operations. Noise, odor, dust, vibration, and other by-products shall be fully contained within the building. Uses include scientific research laboratories, development and testing of electronic or technological components, limited product assembly, and high-volume laundry or dry-cleaning services.
- d. **Industrial, Office** means a non-residential use involving light-industrial activities with outdoor components that are incidental but necessary to the operation, such as outdoor equipment staging, screened storage, or loading activities. Any outdoor activity shall remain low-impact, and noise, odor, dust, and vibration shall be minimized and effectively screened.

C. **Infill** means an undeveloped area of land located within an existing urban sewer service area, currently served by city utilities, and surrounded by development or development and natural or man-made features where development cannot occur.

D. **Infiltration** means the entry of precipitation or runoff into or through the soil.

E. **Invasive Species** means nonindigenous species of plants whose introduction causes or is likely to cause economic or environmental harm or harm to human health (Wis.Stats.23.22(1)(c)).

22.04.29. "J" Definitions

[RESERVED]

22.04.30. "K" Definitions

[RESERVED]

22.04.31. "L" Definitions

- A. **Land Disturbing Activity** means a use of the land by any person in residential, industrial, educational, institutional, or commercial development, highway and road construction and maintenance, that results in a change in the natural cover or topography and that may cause or contribute to sedimentation.
- B. **Land Use Plan** means the element of a comprehensive plan, adopted under Wis. Stats. Section 66.1001, that identifies the general location and type of future land uses within the city and its extraterritorial area. It guides zoning, subdivision, and public improvement decisions to promote orderly growth and ensure consistency with adopted goals and policies.
- C. **Landowner** means any person holding fee title, an easement or other interest in property, which allows the person to undertake cropping, livestock management, land disturbing construction activity or maintenance of stormwater BMPs on the property.
- D. **Landscaping** means the installation and maintenance of any combination of trees, shrubs, grasses, and other live plant material, which shall not include are soil, uncultivated vegetation, and gravel.
- E. **Large Deciduous Shrub.** See Chapter 7.
- F. **Large Evergreen Shrub.** See Chapter 7.
- G. **Lawn** means an area of a yard vegetated chiefly with cultivated turfgrass or turfgrasses.
- H. **Letter of Map Amendment (LOMA)** means a letter from FEMA that officially removes a property or building from the FEMA special flood hazard area (SFHA) that was inadvertently shown in the SFHA on the FIRM.
- I. **Letter of Map Revision (LOMR)** means an official revision to the currently effective FEMA FIRM based on as-built conditions and/or more accurate data. It is issued by FEMA and may change FEMA base flood elevations; the location of the FEMA floodway lines and/or the location of the FEMA flood fringe line.
- J. **Loading Area** means an area provided outside the public right-of-way and on the same lot with a building or contiguous to a group of buildings for the temporary parking of a commercial vehicle loading or unloading merchandise and materials.
- K. **Lot** means the entire parcel of land occupied or to be occupied by a main building and its accessory buildings, or by a group of buildings, including the yards and open spaces required therefore by this title and other applicable law.
- L. **Lot, Corner** means a lot abutting on two intercepting or intersecting streets where the interior angle of intersection or interception does not exceed one hundred thirty-five degrees.

- M. **Lot Frontage** means the lot width measured along the street right-of-way line that abuts the street toward which the principal building is oriented and from which the building is addressed, regardless of the location of vehicular access.
- N. **Lot, Interior** means a lot with only one frontage on a street.
- O. **Lot Width** means the width of a lot, measured at a distance back from the front line equal to the required minimum front yard setback.

22.04.32. "M" Definitions

- A. **Mature Tree** means a tree or group of trees that are generally dominated by individuals older than 50 years that have a notably even-aged structure.
- B. **Median** means a raised structure between travel lanes used to separate opposing directions of traffic. This may also be called a boulevard.
- C. **Meeting / Event Facility** means a building or a facility used for hosting of parties, meetings, banquets, and conferences, other events; viewing, partaking in, and/or experiencing an amusement, including but not limited to movie theaters, arenas, athletic facilities, and performing arts venues; and programming, production, presentation, exhibition of any of the arts and cultural disciplines, including auditoriums, galleries, museums, and libraries. This use excludes explicit establishments.
- D. **Micro-Brewery** means an establishment primarily engaged in the brewing of ale, beer, malt liquors, and/or nonalcoholic beer that is permitted to do so in accordance with the State of Wisconsin Department of Revenue. Micro-Breweries have a capacity of up to 15,000 barrels per year (see also definition for Brewery above 15,000 barrels). The definition includes a public tasting room and retail sales of spirits or related products manufactured on site.
- E. **Micro-Distillery** means an establishment primarily engaged in the manufacturing of fortified spirits that is permitted to do so in accordance with the State of Wisconsin Department of Revenue. Micro-distilleries have a capacity of up to 25,000 gallons per year (see also definition for Distillery above 25,000 gallons). The definition includes a public tasting room and retail sales of spirits or related products manufactured on site.
- F. **Micro-Winery** means an establishment primarily engaged in the manufacture of unfortified or fortified wine of not more than 25,000 gallons per year (see also definition for Winery above 25,000 gallons) that is permitted to do in accordance the State of Wisconsin Department of Revenue. The definition includes a public tasting room and retail sales of wine and related products.
- G. **Model Home** means a dwelling temporarily used as an on-site sales office for a residential development under construction.

22.04.33. "N" Definitions

- A. **Native Plants** means plants that evolved in the upper Great Lakes region and as a result are uniquely adapted to local growing conditions.
- B. **Nonconforming Use.** As detailed in Chapter ##.
- C. **Noxious Weed** means Canada thistle, leafy spurge, field bindweed, any weed designated as a noxious weed by the Wisconsin Department of Natural Resources by rule, and any other weed the City Council declares, by ordinance or resolution, to be noxious within its City's boundaries. (Wis. Stats 66.0407(1)(b)).
- D. **Nursing Home** means a facility, as defined in Wis. Stat. 50.01(3), in which five or more persons not related to the operator, reside and receive care or treatment for physical or mental health conditions, and who require access to 24 hour nursing services, including limited nursing care, intermediate-level nursing care, or skilled nursing services.

22.04.34. "O" Definitions

- A. **Office, General** means a room or suite of rooms used for the practice of a profession or for the conduct of a business which does not involve the sale of goods from the premises. The term does not include a personal service shop. If goods or merchandise are sold for delivery on or from the premises in a manner other than incidental to the principal office use, then the premises shall be considered to be a store rather than an office.
- B. **Off-Site** means located outside the development site, as defined herein, or property boundary described in the permit application.
- C. **On-Site** means located within the development site, as defined herein, or property boundary described in the permit application.
- D. **Ordinary High-water Mark** means the point of the bank or shore to which the presence and action of surface water is so continuous as to leave a district marked by erosion, destruction or prevention of woody terrestrial vegetation, predominance of aquatic vegetation or other easily recognized characteristics. The ordinary high-water mark defines the channel of a stream.
- E. **Ornamental Tree.** See Chapter 7.
- F. **Outdoor Display / Sale of Merchandise** means the accessory sale of goods and products outside of a permanent structure that are clearly related to the function contained in that structure. This includes, but is not limited to, landscape materials, lawn, garden supplies, and produce.
- G. **Outdoor Seating** means the provision of on-site or on sidewalk outdoor seating areas by a restaurant, bar, or other use where food or beverages are served for consumption.

- H. **Outdoor Storage** means the storage of various materials outside of a structure, as an accessory use. This includes salvage yards used for the storage and/or collection of any type of equipment.

22.04.35. "P" Definitions

- A. **Parking Lot** means a stand-alone or accessory, off-street surface parking area for temporary storage of vehicles.
- B. **Parks and Playgrounds** means an area of open space that is maintained in its natural condition or improved for outdoor recreation purposes.
- C. **Permeable Surfacing** means a material or materials and accompanying subsurface treatments designed and installed specifically to allow stormwater to penetrate into the material, thereby reducing the volume of stormwater runoff from the surfaced area. Permeable surfacing may include, without limitation, permeable interlocking pavers, concrete lattice pavers, porous blocks or pavers or similar structural support materials, and permeable concrete or asphalt.
- D. **Permitted Use** means a land use allowed by right in a zoning district or overlay district, subject to compliance with all applicable standards specified in Chapter ## and Chapter ## of this Code.
- E. **Personal Services** means an establishment primarily engaged in providing individual services generally related to personal needs or cosmetic services, such as hair and nail salons, barber shops, clothing alterations, shoe repair, tattoo shops, weight loss centers, makeup services, massage services, gyms, dance studios, music and/or art studios, and laundry services.
- F. **Place of Assembly** means a building used for the programming, production, presentation, exhibition of any of the arts and cultural disciplines. This use often includes auditorium, gallery, office, and meeting facilities as well as museums and libraries.
- G. **Place of Worship** means a facility such as a church, temple, monastery, synagogue, or mosque used for worship by a not-for-profit organization and their customary related uses, such as administrative offices, classrooms, meetings rooms, cooking and eating facilities, and dwelling units housing no more than two faith leaders.
- H. **Planned Unit Development** means a land development project developed in accordance with the purpose, intent, and objectives of the PUD District (Section 22.02.05(G)).
- I. **Planter Box** means a container or planting area that is open or closed bottom that is planted with a soil medium and vegetation intended to collect, absorb, and filter runoff from impervious surfaces. Planter boxes may include stormwater planters, infiltration planters, and flow-through planters.
- J. **Plant Material** means the trees, shrubs, grasses, plants, and other ground cover, including turfgrass, that constitutes the vegetated component of landscaping.
- K. **Pop-Up Retail / Restaurant** means a retail or restaurant use established on a temporary basis in an existing commercial building.

- L. **Portable Storage Structure** means a vessel, container, or unit owned, rented, or leased for the temporary storage of commercial, industrial, or residential household goods, that does not contain a foundation or wheels for movement. Examples of this use include POD-type boxes that can be transported on a flatbed or other truck; but do not include prefabricated sheds that are not designed for transport after erection or cargo containers, or commercial trailers used by construction or other uses in the regular performance of their business.
- M. **Post Office** means an establishment conducting operations of the United States Postal Service including permanent, contract, and lease stations, not including mailboxes and cluster box units.
- N. **Principal Building.** See Building, Principal.
- O. **Principal Use** means the primary purpose or function of a building, structure, or parcel of land.

22.04.36. "Q" Definitions

[RESERVED]

22.04.37. "R" Definitions

- A. **Recreation, Commercial Indoor.** See Commercial Recreation, Indoor.
- B. **Recreation, Commercial Outdoor.** See Commercial Recreation, Outdoor
- C. **Redevelopment** means a proposed expansion, addition, or major facade change to an existing building, structure, or parking facility.
 - a. **Intermediate Redevelopment.** Redevelopment (as defined herein) which includes 25 percent or more up to less than 75 percent increase in gross floor area, dwelling units, disturbed area, or impervious surface area; an increase in building height.
 - b. **Major Redevelopment.** Redevelopment (as defined herein) which includes 75 percent or more increase in gross floor area, dwelling units, disturbed area, or impervious surface area.
 - c. **Minor Redevelopment.** Redevelopment (as defined herein) which includes any exterior changes to buildings or changes to required site elements not meeting the thresholds of other development categories.
- D. **Restaurant** means a retail business selling ready-to-eat food and/or beverages for on or off-premise consumption. Customers may be served from an ordering counter (i.e. cafeteria or limited service restaurant); at their tables (full-service restaurant); and at exclusively pedestrian-oriented facilities that serve from a walk-up ordering counter (snack and/or nonalcoholic bars). To qualify as a restaurant, an establishment's gross receipts from food and nonalcoholic beverages shall be not less than 30 percent of the total gross receipts from food, nonalcoholic beverages, and alcoholic beverages. This use may allow for drive-thru facilities, subject to the accessory use standards.

- E. **Retail, General.** See General Retail.
- F. **Retention** means a stormwater management facility that does not have a controlled release point other than pumping, infiltration, or evaporation.
- G. **Runoff** means stormwater or precipitation including rain, snow or ice melt, or similar water that moves on the land surface via sheet or channelized flow.

22.04.38. "S" Definitions

- A. **School, K-12** means a public or private institution for education or learning including athletic or recreational facilities, which does not include lodging. This institution includes any school licensed by the state and that meets the state requirements for secondary education.
- B. **School, Vocational/Technical** means a public or private institution for education or learning including athletic or recreational facilities. These schools offer vocational and technical training in a variety of technical subjects and trades. Training may lead to job-specific certification.
- C. **Screening** means a fence, wall, berm, landscaping planting, or combination thereof designed to visually obscure or buffer one land use, structure, or activity from another, or from a public street or sidewalk, while remaining in compliance with applicable height, opacity, and setback requirements.
- D. **Seasonal Sales** means temporary outdoor sales, typically recurring on an annual basis, located on a lot with a principal use for which the seasonal sales are not associated.
- E. **Seating, Outdoor.** See Outdoor Seating.
- F. **Sediment** means settleable solid material that is transported by runoff, suspended within runoff or deposited by runoff away from its original location.
- G. **Self-Storage Facility** means a building or group of buildings, ~~including indoor and outdoor storage areas,~~ containing separate enclosed storage spaces of varying sizes leased or rented on an individual basis.
- H. **Service, General.** See General Service.
- I. **Setback** means the shortest horizontal distance from a lot line of a lot to the minimum or maximum depth as prescribed in Chapter 2 or elsewhere in this this Code.
 - a. **Setback, Minimum** means a line parallel to the lot line in front of which no building shall be erected. Minimum setbacks shall be figured from the right-of-way line, lot line, or in the case of alley-accessed lots the alley easement.
 - b. **Setback, Front** means the horizontal distance from the front lot line of a lot measured perpendicular from the front lot line for the minimum depth prescribed in Chapter 2. Where

no right-of-way exists or if the right-of-way is only inclusive of the street pavement then the front setback shall be measured from an assumed right-of-way line.

- c. **Setback, Interior Side** means the horizontal distance from the interior side lot line of a lot measured perpendicular from the interior side lot line for the minimum depth prescribed in Chapter 2.
- d. **Setback, Rear** means the horizontal distance from the rear lot line of a lot, or in the case of alley-accessed lots to the alley easement boundary, measured perpendicular from the rear lot line from the minimum depth prescribed in Chapter 2.
- e. **Setback, Street Side** means the horizontal distance from the street side lot line of a lot measured perpendicular from the street side lot line for the minimum depth prescribed in Chapter 2.
- J. **Short-Term Rental** means the rental of any dwelling, in whole or in part to any person(s) for transient use for less than a continuous period of 30 days. This does not include a Bed and Breakfast use or ongoing month-to-month tenancy granted to the same renter for the same dwelling.
- K. **Sign** means any object, device, display, or structure, or part thereof, including its supporting base, frame, electrical and all other accessory components, situated outdoors or visible from outdoors, which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination, or projected images. Address signs, free standing microphone or speakers, and gas station fuel pumps shall not be considered a sign.
 - 1. **Awning Sign** means any sign attached or supported by a structure used or intended for supporting or sheltering any use or occupancy.
 - 2. **Blade Sign** means a sign that projects perpendicular from a building's supporting wall and does not swing or otherwise move via natural, manual, or automated methods.
 - 3. **Bracket Mounted Sign** means a sign affixed, attached, or secured to a wall or another structure through the use of a bracket or another type of supportive hardware and may swing or otherwise move via natural methods.
 - 4. **Canopy Sign** means a sign that is mounted to a canopy that is otherwise permitted by the City.
 - 5. **Wall Sign** means a sign attached to the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of, the sign and whose face is parallel to the façade of the building upon which it is attached.
 - 6. **Window Sign** means a sign that is applied or attached to the exterior or interior of a window or located within the interior of a structure so that its copy can be read from the exterior of

the structure. Window signs shall include window film, decals and clings which are more than 50 percent opaque and / or contain sign copy.

7. **Marquee Sign** means a sign attached to permanent roof-like shelter extending from part or all of a building face, constructed of some durable material such as metal or wood, and which is not supported from the ground.
8. **Roof Sign** means a sign that is mounted or painted on the roof of a building, or that is wholly dependent upon a building for support and that projects above the highest point of a building with a flat roof, the eave line of a building with gambrel, gable or hip roof or the deck line of a building with a mansard roof.
9. **Drive-Through Sign** means a sign appurtenant to a drive-through facility as defined herein.
10. **Billboard Sign.** An off-premise sign which advertises a business, commodity, good, service, entertainment or attraction which is not sold, produced, manufactured, or furnished on the premises where the billboard is located. (Also includes poster-panel signs).
11. **Monument Sign** means a detached sign mounted directly to the ground with a solid base and not supported by exposed posts or poles, where the sign has no more than two sides.
12. **Neighborhood Entry Sign** means a freestanding sign that is located at a vehicular entrance to a residential subdivision that is supported primarily by an internal structural framework or integrated into landscaping or other solid structural features other than support poles.
13. **On-Site Circulation Safety Sign** means a sign which conveys information to drivers, cyclists, and pedestrians that is pertinent to protect public safety, including but not limited to signs that identify one-way drive-aisles and access points, areas of low clearance, and the location of drive-through lanes.
14. **Post Sign, Permanent** means a freestanding sign affixed to the ground with one or no more than two stakes or poles.
15. **Pylon Sign** means an alternative to pole sign, a pylon sign is a detached sign mounted directly to the ground with a solid base and typically not supported by exposed posts or poles, they are taller than monument signs.
16. **Athletic Field Fence Sign** means a sign located within and affixed to the fence of an athletic field or court used for sports programs.
17. **Light Pole Banner Sign** means a sign made of cloth, fabric, or other lightweight material with only material for backing and designed for hanging from light poles
18. **Wall-Mounted Banner Sign** means a sign consisting of cloth, paper, plastic or other materials enclosed in a rigid frame attached and mounted to a building.

19. **A-Frame/Sandwich Board Sign** means a detached temporary sign with only two sides that are situated adjacent to a business with the intent to attract traffic to business(es). Sandwich board signs are not meant to be read by vehicular traffic. (Also known as sidewalk signs)
20. **Feather Sign** means a generally narrow vertical temporary sign with or without copy where the sign is mounted onto a pole or individual mounting device with the intent of utilizing natural or man-made air movement.
21. **Ground-Mounted Banner Sign** means a sign consisting of cloth, paper, plastic or other materials enclosed in a rigid frame attached and secured to the ground.
22. **Post and Panel Sign** means a sign, the face of which is affixed to a minimum of two posts installed on the ground without footings.
23. **Post Sign, Temporary** means a freestanding sign affixed to the ground with one or no more than two weather-resistant wood, aluminum, aluminum composite, or wrought iron stakes or poles with an arm from which the sign hangs.
24. **Yard Sign** means a freestanding, moveable sign on a wire or plastic frame, wood stake or similar support.
- L. **Site** means the entire area included in the legal description of the parcel on which the land disturbing construction activity is proposed in the permit application.
- M. **Solar Energy Collection System, Canopy** means a solar energy collection system consisting of elevated solar panels installed above parking lots, carports, and other paved areas.
- N. **Solar Energy Collection System, Ground-Mounted** means a solar energy collection system and associated mounting hardware that is affixed to or placed upon the ground including but not limited to fixed, passive, or active tracking racking systems and located on a site with a primary use.
- O. **Solar Energy Collection System, Roof-Mounted** means a solar energy collection system that is structurally mounted to the roof of a building or other permitted structure, including limited accessory equipment associated with system which may be ground-mounted.
- P. **Special Events** means a temporary event such as a block party, festival, musical event, competition, or other community-oriented event.
- Q. **Storage, Outdoor.** See Outdoor Storage.
- R. **Storage Structure, Portable.** See Portable Storage Structure.
- S. **Stormwater Tree** means a tree selected and installed, either with or without an engineered box or structure, as an integral and intentional component of a stormwater management or landscape plan, at points or sites where the tree will have the effect of capturing stormwater runoff and increasing tree canopy coverage.

- T. **Story** means that portion of a building included between the surface of a floor and the surface of a floor next above it, or if there is no floor above it, then the portion of the building between the surface of a floor and the ceiling or roof above it. A basement shall be counted as a story for the purposes of height regulations if the vertical distance from grade to the ceiling next above it is greater than distance from the grade to the basement floor.
- U. **Street** means a public thoroughfare which affords the principal means of access to abutting property.
- a. **Street, Collector** means Major or Minor routes that provide links between arterial and local streets and balance of mobility and access safely.
- b. **Street, Local** means provides access to homes, businesses, and other property. This includes frontage streets that usually run parallel to arterial streets.
- V. **Structure** means anything constructed or erected having location on or under the ground or attached to something having location on or under the ground.
- W. **Subdivision** means a division of a tract or parcel of land into two or more lots, building sites, or other divisions for the purpose of sale, or building development (whether immediate or future) and shall include all divisions of land involving the dedication of a new street or a change in existing streets.
3. **Subdivision, Major** means a subdivision that does not meet the criteria for a Minor Subdivision, typically involving more than five lots or requiring the opening, widening, or extension of public streets or roads.
4. **Subdivision Minor** means a subdivision involving no more than five lots, occurring along an existing public street or road, and not requiring the opening, widening, or extension of any street or road.
- X. **Substantial Improvement** (This definition pertains specifically to Chapter #####) means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include:
- a. Any improvement to a structure which is considered "new construction,"
- b. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified prior to the application for a development permit by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
- c. Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

22.04.39. "T" Definitions

- A. **Temporary Use** means a use or structure on improved or unimproved real estate which is of impermanent nature, and is used for a limited number of days per calendar year.
- B. **Tent** means a temporary structure composed of canvas, fabric, or other pliable material supported by poles, ropes, or a frame, and used for temporary shelter, events, or activities.
- C. **Terrace** means the public right-of-way area between the back of the curb or roadway edge and the sidewalk, or in the absence of a sidewalk, the area between the back of the curb or roadway edge and the property line.
- D. **Theater** means a building, room, or outside structure with rows of seats, each row usually higher than the one in front, from which people can watch a performance or other activity.
- E. **Trailer** means a temporary, transportable building such as a modular classroom or office, used during the planning and construction of a permanent structure.
- F. **Tree Box** means A designated planting area designed and sized to support the long-term growth of a tree, typically located within paved areas such as sidewalks or streetscapes.

22.04.40. "U" Definitions

- G. **Use** means the purpose for which land or a building or structure thereon is designed, arranged, intended or maintained or for which it is or may be used or occupied.
- H. **Use, Accessory.** See Accessory Use.
- I. **Use, Conditional.** See Conditional Use.
- J. **Use, Nonconforming.** See Nonconforming Use.
- K. **Use Permitted.** See Permitted Use.
- L. **Use, Principal.** See Principal Use.
- M. **Use, Temporary.** See Temporary Use.
- N. **Utilities** means services and supporting facilities that provide water, sewer, stormwater, electricity, gas, telecommunications, and other essential public or private utility functions. Utilities include both distribution systems and associated infrastructure necessary for service delivery.
- O. **Utility Infrastructure** means facilities and systems essential to the delivery of public services, including transportation, water, sewer, stormwater, energy, and communication networks. Public Infrastructure includes streets, sidewalks, utility lines, substations, pumping stations, reservoirs, and similar facilities owned or operated by a public agency or public utility.

22.04.41. "V" Definitions

- A. **Variance** means a grant of relief from the requirements of the Code. A variance may grant relief from water-related standards (stormwater, stream, water supply watershed, or special flood hazard area) or relief from other zoning or subdivision standards in the Code.
- B. **Vehicle Fueling Station** means an establishment that sells gasoline or other automotive fuels, dispensed directly to the users of motor vehicles. Use may include tire pressure and air stations, and other customarily incidental uses that do not fall under the definition of major or minor vehicle services.
- C. **Vehicle Services – Major Repair / Body Work** means the repair, servicing, alteration, restoration, towing, painting, cleaning, or finishing of automobiles, trucks, recreational vehicles, boats, and other vehicles as a primary use, including the incidental wholesale and retail sale of vehicle parts as an accessory use. This includes major repair and body work which encompasses towing, collision repair, other body work and painting services, and tire recapping.
- D. **Vehicle Services – Minor Maintenance / Repair** means the repair, servicing, alteration, restoration, towing painting, cleaning, or finishing of automobiles, trucks, recreational vehicles, boats, and other vehicles as a primary use, including the incidental wholesale and retail sale of vehicle parts as an accessory use. Minor facilities providing limited repair and maintenance services. Examples include car stereo and alarm system installers; detailing services; muffler and radiator shops; quick-lube services; tire and battery sales and installation (not including recapping).
- E. **Veterinary Clinic** means an establishment that includes services by licensed practitioners of veterinary medicine, dentistry, or surgery for animals; daycare; training; and grooming. Excludes non-patient care boarding.
- F. **Vision Triangle** means an area of land at the intersection of streets, or a street and a driveway, within which nothing may be erected, planted, placed, or allowed to grow in a manner which will obstruct the vision of motorists entering or leaving the intersection.
- G. **Vocational/Technical School**. See School, Vocational/Technical.

22.04.42. "W" Definitions

- A. **Wetland** means an area where water is at, near, or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation and which has soils indicative of wet conditions.
- B. **Wind Energy Conversion System (WECS), Ground-Mounted** means a machine that converts the kinetic energy in the wind into a usable form (commonly known as a wind turbine or windmill) attached to the ground. The WECS includes all parts of the system except the tower and the transmission equipment.

- C. **Wind Energy Conversion System, Roof-Mounted** means a machine or mechanism that converts the kinetic energy in the wind into a usable form of electrical or mechanical energy, such as but not limited to, a wind charger, wind turbine or windmill.
- D. **Winery** means an establishment primarily engaged in the manufacturing of fortified or unfortified wine that is permitted to do so in accordance with the State of Wisconsin Department of Revenue. Wineries shall have a capacity of more than 25,000 gallons per year (see also definition for Micro-Winery for less than 25,000 gallons). The definition includes a public tasting room and retail sales of spirits or related products manufactured on site.
- E. **Wireless Communications Facility** means a structure, including a freestanding mast, pole, monopole, guyed tower, lattice tower, freestanding tower, or other structure, designed and constructed for the primary purpose of supporting any Federal Communications Commission licensed or authorized wireless telecommunications facility antennas and their associated facilities.
- F. **Woodland** means an area covered in trees, differentiated from a forest, where the canopy allows sunlight to penetrate between the trees, limiting shade. Woodlands may support an understory of shrubs and herbaceous plants, including grasses.

22.04.43. "X" Definitions

[RESERVED]

22.04.44. "Y" Definitions

A. **Yard.**

1. **Yard, Front** means the shortest horizontal distance from the front lot line of a lot to the nearest point of a structure on the lot. Where no right-of-way exists or if the right-of-way is only inclusive of the street pavement then the front setback shall be measured from an assumed right-of-way line.
2. **Yard, Interior Side** means the shortest horizontal distance from the interior side lot line of a lot to the nearest point of a structure on the lot.
3. **Yard, Rear** means the shortest horizontal distance from the rear lot line of a lot, or in the case of alley-accessed lots to the alley easement boundary, to the nearest point of a structure on the lot.
4. **Yard, Street Side** means the shortest horizontal distance from the street side lot line of a lot to the nearest point of a structure on the lot.

22.04.45. "Z" Definitions

[RESERVED]