SECTION 12.0
DEFINITIONS

A. General Definitions. For the purpose of this Ordinance, certain words or phrases shall have meanings that either vary somewhat from their customary dictionary meanings or are intended to be interpreted to have a specific meaning. Words used in the present tense in this Ordinance include the future. The word **"person"** includes a firm, association, partnership, trust, company or corporation as well as an individual. The word **"shall"** is mandatory and the word **"may"** is permissive. When applicable, pronouns and relative words herein shall be read as plural, feminine or neuter. Any words not defined in this Section shall be presumed to have their customary dictionary definitions.

B. Specific Words and Phrases.

A Zones. Those areas shown on the Official Floodplain Zoning which would be inundated by the regional flood. These numbers may be numbered or unnumbered A Zones. The A Zones may or may not be reflective of flood profiles, depending on the availability of data for a given area.

Accessory Building or Structure. A detached building or structure on the same lot, with and of a nature customarily incidental and subordinate to the principal building or structure, or the use of the land, i.e., garage, shed.

Accessory Use. A use on the same lot with, and of a nature customarily incidental and subordinate to, the principal building or structure, or the use of the land.

Accessway. See "Thoroughfare".

Addition. Any construction which increase the outside dimensions of a building or structure.

Administrator, Zoning or Administrator. Shall mean the "Chief of the Inspection Department".

Adult Day Care Center. Any establishment which provides supplemental care and guidance for adults during the whole or any part of the day.

Agriculture. The use of land for agricultural purposes, including farming, pasturage, horticulture, floriculture, viticulture, and the necessary accessory uses for packing, treating, or storing the produce; provided, however, that the operation of any such accessory uses shall be secondary to that of the normal agricultural activities.

Air Strip or Landing Field. Any land intended for the landing or takeoff of aircraft.

Alley. A public thoroughfare less than thirty (30) feet in width.

Alternative Tower Structure(s). An existing manmade building, structure, Communication Tower or Radio/Television/Relay Tower to which an antenna and/or an antenna support structure is attached.

Aluminum Collection Center. A facility used for the temporary storage of empty aluminum beverage cans and other discarded aluminum products, provided non-aluminum products such as insulation, glass, etc., are removed from the aluminum prior to bringing it to the Collection Center.

Amendment. A repeal, revision or modification of or supplement to the Zoning Ordinance text.

Amusement Enterprises. As defined in Chapter 12 of the Code of General Ordinances.

Animal Unit. One animal unit shall be defined as being the equivalent of the following: one (1) 1,000 pound steer; one (1) dairy cow; four (4) swine; ten (10) sheep; one hundred (100) laying hens; one hundred (100) broilers; one (1) horse or one hundred (100) turkeys.

Antenna(s). Any exterior transmitting or receiving device mounted on a tower, building or structure, intended for transmitting or receiving digital, microwave, cellular, telephone or similar forms of electromagnetic communication.

Arcade. A series of arches supported by columns or piers; a building or part of a building with a series of arches; a roofed passageway, especially with shops on either side.

Architectural Masonry. The following materials shall be considered architectural masonry: brick, decorative concrete block, decorative/textured concrete panels, masonry siding and stone.

Artisan. A skilled manual worker who crafts items, including, but not limited to, food, clothing, jewelry, household items, pottery, sculptures, and tools.

Artisan Manufacturing. The on-site production of handmade items by an artisan or group of artisans that is conducted within an artisan studio.

Artisan Studio. Artisan Studio shall mean a building or portion thereof used for the purpose of the display and sale of individually crafted handmade items.

Assisted Living Facility. The definition of "Assisted Living Facility" set forth in Section 50.01(1d), Wisconsin Statutes, is adopted and incorporated herein and restated below:

"Assisted Living Facility" or **"Facility"** means a place where five (5) or more adults reside that consists of independent apartments, each of which has an individual lockable entrance and exit, a kitchen, including a stove, and individual bathroom, sleeping and living areas, and that provides, to a person who resides in the place, not more than twenty-eight (28) hours per week of services that are supportive, personal and nursing services. "Assisted Living Facility" does not include a nursing home or a community-based residential facility, but may be physically part of a structure that is a nursing home or community-based residential facility.

Awning. A roof-like shelter of canvas or other material extending over a doorway, from the top of a window, over a deck, etc., in order to provide protection, as from the sun.

Back Yard. That area of the yard located directly behind the principal physical structure which extends up to the rear lot line as defined.

Base Flood. Means the flood having a one (1%) percent chance of being equaled or exceeded in any given year, as published by FEMA as part of a FIS and depicted on a FIRM. Base Flood elevations are derived from the flood profiles in the FIS.

Base Line. A definite line adopted as a base or foundation from which setback line measurements are carried or on which they depend or rest and to which other lines and points may be referred.

Basement. A story partly or wholly underground. A basement shall be counted as a story for purposes of height measurement where more than one-half (1/2) of its height is above the average level of the surrounding grounds. Any enclosed area of a building having its floor subgrade; I.e., below ground level, on all sides.

Bed and Breakfast Enterprises. Any place of lodging that provides rooms for rent for more than ten (10) nights in a twelve (12) month period, is occupied by the owner or an employee at the time of rental, and in which meals are served only to guests.

Beauty Salon. Any commercial establishment wherein cosmetology is offered or practiced on a regular basis for compensation.

Board. Shall mean the "Board of Zoning Appeals".

Boathouse. As defined in §30.121(1), Wisconsin Statutes, means a permanent structure used for the storage of watercraft and associated materials and includes all structures which are totally enclosed, have roofs or walls or any combination on or off the premises or for limited wholesaling purposes.

Body-Piercing Establishment. An establishment where a body piercer performs body-piercing. Such terms are defined in Section HFS 173, Wisconsin Administrative Code, and Section 252.23, Wisconsin Statutes.

Brewpub. An accessory use of a restaurant, tavern, cocktail lounge or package beverage store which manufactures, processes or stores limited quantities of fermented malt beverages, as defined in Chapter 125, Wisconsin Statutes, for consumption on or off the premises or for limited wholesaling purposes.

Buildable Area. The portion of a lot remaining after required yards have been provided.

Building. A structure having a roof supported by columns or walls for the housing or enclosure of persons, animals or personal property. When separated by party walls without openings it shall be deemed a separate building except as provided in **§§3.03 B.5.** and **3.03 C.2.a.(5)**.

Building - Detached. A building surrounded by open space on the same lot and having no structural connection with another building.

Building - Height Of. The vertical distance from the grade of the front of the building to the highest point of the roof surface, if a flat roof; and to the highest peak if a gable, hip, mansard or gambrel roof.

Building Line. A line, usually fixed parallel to the lot line, beyond which a building or structure cannot extend under the terms of this Ordinance.

Building Line - Existing. A building line formed by an existing building or structure which is in existence prior to the effective date of this Ordinance which conformed to the provisions established prior to the effective date of this Ordinance.

Build-To Line. A line parallel to a lot line or major street setback line along which a portion of a building, determined by use, shall be required to be built.

Bulkhead Line. A geographic line along a reach of navigable water that has been adopted by a City Ordinance and approved by the Wisconsin Department of Natural Resources pursuant to Section 30.11, Wisconsin Statutes, and which allows limited filling between this bulkhead line and the original ordinary highwater mark, except where such filling is prohibited by the floodway provisions of this Ordinance.

Carport. A structure having a roof, or common wall with the principal or accessory building and not more than one closed wall, the rest remaining open meeting the area specifications set for in **§5.08** of the Code of General Ordinances for parking spaces.

Certificate Of Compliance. A certification that the construction and the use of land or a building, the elevation of fill or the lowest floor of a structure is in compliance with all of the provisions of this Ordinance.

Change To District Boundaries. A change in the Zoning Map modifying the zoning district designation of a lot(s) or parcel(s), also known as a rezoning.

Channel. A natural or artificial watercourse with definite bed and banks to confine and conduct the normal flow of water.

City. The City of Kenosha, Wisconsin, the Kenosha Water Utility, or any subunit of the City.

City Attorney. Shall mean the "City Attorney of the City of Kenosha".

City Clerk/Treasurer. Shall mean the "City Clerk/Treasurer of the City of Kenosha".

City-Owned Site(s). Any site that is owned, leased or otherwise controlled by the City of Kenosha, the Kenosha Water Utility or any subunit of the City.

City Plan Commission (CPC). Shall mean the "City Plan Commission".

City Planner. Shall mean the "City Planner of the City of Kenosha".

Class 2 Public Notice. Means publication of a public hearing notice under Chapter 985, Wisconsin Statutes, in a newspaper or circulation in the affected area. Publication is required on two consecutive weeks, the last at least seven days prior to the hearing.

Clinic - Medical Or Dental. An individual or organization offering medical, chiropractic and/or dental services, operated by a State licensed health practitioner. A clinic shall not include inpatient care.

Club Or Lodge - Civic, Social & Fraternal(NonProfit). A nonprofit association of persons, who are bona fide members paying dues, which owners, hires or leases a building, or portion thereof; the use of such premises being restricted to members and their guests. The affairs and management of such "private club or lodge" are conducted by a board of directors, executive committee, or similar body chosen by the members. It shall be permissible to serve food, meals and beverages on such premises.

Code of General Ordinances. Shall mean the "Code of General Ordinances of the City of Kenosha".

Co-Location. The provision of more than one (1) commercial wireless communication service provider or government entity on a single tower or structure.

Communication Tower(s). A monopole or lattice tower, constructed as a freestanding structure or in association with another permanent building, structure or equipment containing one (1) or more Antennas intended for transmitting or receiving television digital, microwave, cellular, telephone or similar forms of electromagnetic communication, exclusive of Radio/Television/Relay Towers..

Community Living Arrangements. The definition of Community Living Arrangements set forth in §62.237 (i), Wisconsin Statutes, is adopted and incorporated herein by reference.

Conditional Use. Use of a special nature as to make impractical their predetermined classification as a permitted use in a district.

Conditional Use Permit. Authorizes the use of a building, structure or land according to stated conditions.

Convenient Cash Business(es). Also referred to as "payday loan business", "title for cash business", "check cashing business", or similar enterprise, shall mean any business licensed pursuant to Sections 138.09 or 218.05, Wisconsin Statutes, which provides nontraditional, short-term consumer loans by accepting a check or title, holding the check or title for a period of time before negotiating or presenting the check or title for payment, and paying to the issuer an agreed upon amount of cash, or refinancing or consolidating such a transaction.

Council (CC). Shall mean the "Common Council".

Court. An open unoccupied space, other than a yard, on the same lot with a building and bounded on two or more sides by such building.

Crawlways or Crawl Space. An enclosed area below the first usable floor of a building, generally less than five (5') feet in height, used for access to plumbing and electrical utilities.

Cubic Content. As defined in **Chapter 9** of the Code of General Ordinances.

Curb Level. The mean level of the established curb in front of the building. Where no curb level has been established, the City Engineer shall establish such curb level or its equivalent for the purpose of this Ordinance.

Decks. An unenclosed or partially enclosed exterior structure which has a floor, and does not extend above the first floor of the principle structure. Also, an unenclosed or partially enclosed exterior structure, which has a floor and is attached to or adjacent to a swimming pool, constitutes a deck. A hard surface platform, without structural support, constructed at grade level, does not constitute a deck.

Density. Density is expressed as "dwelling units per acre". Areas used in computing "density" are the actual sites devoted to the residential use and consist of the area of the lot and any private roads.

Department. Means the Wisconsin Department of Natural Resources.

Development. (Relative to Floodlands). Any artificial change to improved or unimproved real estate, including, but not limited to, the construction of buildings, structures or accessory structures; the construction of additions or alterations to buildings, structures or accessory structures; the repair of any damaged structure or the improvement or renovation of any structure, regardless of percentage of damage or improvement; the placement of buildings or structures; subdivision layout and site preparation; mining, dredging, filling, grading, paving, excavation or drilling operations; the storage, deposition or extraction of materials or equipment; and the installation, repair or removal of public or private sewage disposal systems or water supply facilities.

Development. (Relative to Shoreland-Wetlands) Means any manmade change to improved or unimproved real estate, including, but not limited to, the construction of buildings, structures or accessory structures; the construction of additions or substantial alterations to buildings, structures; the placement of buildings or structures; ditching, dredging, filling, grading, paving, excavation or drilling operations; and the deposition or extraction of

earthen materials.

Development Standards. Minimum requirements and maximum allowable limits established for the effects and characteristics of conditional uses.

District - Basic Or Underlying. A part or parts of the City for which the regulations of this Ordinance governing the use and location of land and buildings are uniform, such as the Residential, Business, Manufacturing, Institutional-Park and Floodway District classifications.

District - Overlay. Overlay districts provide for the possibility of superimposing certain additional requirements or different regulations upon a basic zoning district without disturbing the requirements and regulations of the basic zoning district. In the instance of conflicting requirements or regulations, unless otherwise provided, the more strict of the conflicting requirements or regulations shall apply.

Division (CPD). Shall mean the "City Plan Division".

Drainage System. Means one or more artificial ditches, tile drains or similar devices which collect surface runoff or groundwater and convey it to a point of discharge.

Drive-thru Facility. An improvement to a new or existing building which expands the use and physical characteristics of the property so as to permit patrons and customers who are operators or passengers in a motor vehicle, to receive a service or obtain a product on or from the exterior of the property.

Driveway Apron. Shall mean that surface paved or graveled located on private property a minimum of nine (9') feet in width which extends from the street right-of-way to the accessory building or its termination, whose intended use is egressing and ingressing the property with motor-driven vehicles. The width of the driveway apron shall not exceed the width of the driveway approach at the property line, unless a variance is obtained therefor.

Dryland Access. A vehicular access route which is above the regional flood elevation and which connects land located in the floodplain to land outside the floodplain, such as a road with its surface above regional flood elevation and wide enough for wheeled rescue and relief vehicles.

Dwelling Unit. Two or more rooms in a residence designed for and occupied by not more than one family for living and sleeping purposes and containing only one (1) kitchen. Dwelling unit shall be the unit of measure in determining minimum lot area and parking requirements.

Dwelling Unit - Efficiency. One room in a residence designed for and occupied by not more than two (2) persons for living and sleeping purposes and containing a kitchenette.

Egg Production-Commercial. An animal confinement facility used or designed for the raising of poultry for egg production having a capacity of two hundred (200) or more animal units.

Elderly shall mean a person of the age of fifty-five (55) years or greater.

Elderly Housing. Multiple-family development designed, constructed, and managed for exclusive and permanent occupancy by elderly resident.

Encroachment. Any fill, structure, equipment, building, use or development in the floodway.

Environment Control Facility. Means any facility, temporary or permanent, which is reasonably expected to abate, reduce or aid in the prevention, measurement, control or monitoring of noise, air or water pollutants, solid waste and thermal pollution, radiation or other pollutants, including facilities installed principally to supplement or to replace existing property or equipment not meeting or allegedly not meeting applicable pollution control standards or which are to be supplemented or replaced by other pollution control facilities.

Equal Degree Of Hydraulic - Encroachment. The effect of any encroachment into the floodway must be computed by assuming an equal degree of hydraulic encroachment on the other side of a river or stream for a significant hydraulic reach. This computation assures that property owners up, down, or across the river or stream will have the same rights of hydraulic encroachment. Encroachments are analyzed on the basis of the effect upon hydraulic conveyance, not upon the distance the encroachment extends into the floodway.

Equal Degree Of Hydrologic Encroachment. The effect of any development on the storage capacity of a floodplain area, particularly upstream from urban areas, is analyzed assuming an equal loss of flood storage for all property owners in the storage area of a floodplain on both sides of a river or stream for the entire watershed of that river or stream.

Essential Municipal And Utility Services. Services provided by public and private utilities, necessary for the exercise of the principal use or service of the principal structure. These services include underground, surface or overhead gas, electrical, steam, water, sanitary sewer, storm water drainage, and communication systems and accessories thereto, such as poles, towers, wires, mains, drains, vaults, culverts, laterals, sewers, pipes, catch basins, conduits, cables, fire alarm boxes, police call boxes, traffic signals, and hydrants, but not including buildings or utility substations.

Family. Family shall be defined as the occupancy of a place of resident for sleeping or lodging purposes by one of the following:

- An individual; or,
- Two (2) or more persons all of whom are related to each and every other by blood or marriage.

Servants and children placed in a foster home under the provisions of Chapter 48, Wisconsin Statutes, shall be treated as if they were related by blood or marriage to the other members of said family unit provided family units licensed under Chapter 48 shall maintain and comply with the terms of their license, and no more than two (2) unrelated individuals; or,

- Four (4) or less persons unrelated to each and every other by blood or marriage.
- The number of unrelated individuals authorized to reside in a Community Living Arrangement, consistent with Section 62.23(7)(i.), Wisconsin Statutes.

Farm. A zoned area which is used for the growing of the usual farm products such as vegetables, fruit trees, and grain, etc. and their storage on the area, as well as for raising thereon the usual farm poultry and farm animals, such as horses, cattle, sheep and swine, etc..

Farming. The business of cultivating land, or employing it for the purposes of husbandry; the cultivation and fertilization of the soil as well as caring for and harvesting the crop.

Federal Emergency Management Agency. The Federal agency that administers the National Flood Insurance Program.

Feedlot Commercial. The following shall be considered feedlots:

- Any tract of land or structure where any type of fowl or the by-products thereof are raised for sale at wholesale or retail.
- Any structure, pen, or corral wherein cattle, horses, sheep, goats, and swine are maintained in close quarters for the purpose of fattening such livestock for final shipment to market.
- The raising of swine under any conditions. An animal confinement facility used or designed for the feeding or holding of 500 or more animal units for a period of thirty (30) days or more.

FEMA. See "Federal Emergency Management Agency".

Fenestration. The detailing or arrangement of windows in a wall.

Finished Grade. The average elevation of the finished surface of the ground adjacent to the exterior walls of the building or structure.

FIRM. See "Flood Insurance Rate Map".

First Floor. That portion of a building included between the first floor elevation and surface of the floor next to it.

First Floor Elevation. The elevation of that first floor which has the lesser dimension from finished grade to finished floor.

FIS. See "Flood Insurance Study".

Fixed Houseboat. As defined in §30.121(1), Wisconsin Statutes, means a structure not actually used for navigation which extends beyond the ordinary highwater mark of a navigable waterway and is retained in place either by cables to the shoreline or by anchors or spudpoles attached to the bed of the waterway.

Flood or Flooding. A general and temporary condition of partial or complete inundation of normally dry land areas caused by one of the following conditions:

- The overflow or rise of inland waters;
- The rapid accumulation or runoff of surface waters from any source;
- The inundation caused by waves or currents of water exceeding anticipated cyclical levels along the shore of Lake Michigan or Lake Superior; or,
- 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.

Flood Area - Gross. The total area of all floors of a building as measured to the outside surface of exterior walls.

Flood Frequency. The probability of a flood occurrence which 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.

Flood Insurance Rate Map. A map of a community on which the Federal Insurance Administration has delineated both special flood hazard areas (the floodplain) and the risk premium zones applicable to the community. This map can only be amended by the Federal Emergency Management Agency (FEMA).

Flood Insurance Study. 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.

Flood Hazard Boundary Map. A map designating approximate flood hazard areas. Flood hazard areas are designated as unnumbered A Zones and do not contain floodway lines or regional flood elevations. This map forms the basis for both the regulatory and insurance aspects of the national Flood Insurance Program (NFIP) until superseded by a Flood Insurance Study and a Flood Insurance Rate Map.

Floodlands. Land which has been or may be

covered by flood water during the regional flood. It includes the floodway and the floodplain fringe, and may include other designated floodplain areas for regulatory purposes.

Flood Profile. A graph or 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.

Flood Protection Elevation. A point two (2) feet above the water surface elevation of the one hundred (100) year recurrence interval flood. This safety factor, also called a "freeboard", is intended to compensate for the many unknown factors that contribute to flood heights greater than those computed. Such unknown factors may include ice jams, debris accumulation, wave action, and obstructions of bridge openings.

Flood Stage. The elevation of the floodwater surface above an officially established datum plane, which is Mean Sea Level, 1929 Adjustment, on the Supplementary Floodland Zoning Map.

Floodplain. See "Floodlands".

Floodplain Fringe. Those floodlands, excepting the floodway, subject to inundation by the regional flood. For the purpose of this Ordinance, the floodplain fringe includes the Floodplain Fringe Overlay (FFO) District.

Floodplain Island. A natural geologic land formation within the floodplain that is surrounded, but not covered, by floodwater during the regional flood.

Floodplain Management. Policies and procedures to insure wise use of floodplains, including mapping and engineering, mitigation, education, and administration and enforcement of floodplain regulations.

Floodproofing. 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.

Flood Protection Elevation. An elevation of two (2') feet of freeboard above the water surface profile elevation designated for the regional flood. (Also see: "Freeboard".)

Flood Storage. Those floodplain areas where storage of floodwaters has been taken into account during analysis in reducing the regional flood discharge.

Floodway. The channel of a river or stream and those portions of the floodplain adjoining the channel required to carry the regional flood discharge.

Freeboard. 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 jambs, 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.

Frontage. All the property fronting on one side of a street between intersecting or intercepting streets, or between a street and existing or proposed right-of-way, waterway, end of deadend street, the center line of the right-of-way intersecting with the apex of a cul-de-sac, or City boundary measured along the street line. An intercepting street shall determine only the boundary of the frontage on the side of the street which it intercepts.

Frontage - Primary. For fence regulation purposes only, primary frontage is the lot frontage of a building at the main entrance.

Funeral Home. An establishment defined in Chapter 156.01(5), Wisconsin Statutes, for the care and preparation for burial or transportation of dead human bodies or for the holding or conducting of funeral services. Funeral homes may include a crematorium facility as a part of the establishment.

Fur Farm. Any property comprising land, buildings or both, used for the purpose of raising or harboring fur bearing animals including those defined in §29.01(3)(c), Wisconsin Statutes, and also including chinchillas and other fur bearing animals, if any, whether the animals are kept for breeding or slaughtering or pelting purposes.

Garage. A detached accessory building or portion of a principal building which is fully enclosed when the doors are closed, used for the parking or temporary storage of motor vehicles.

Habitable Structure. Any structure or portion thereof used or designed for human habitation.

Handicapped. Any person who has a physical or mental impairment that substantially limits one or more major life activities; has a record of such an impairment; or is regarded as having such an impairment.

1. "Physical or Mental Impairment" includes:

a. Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems; neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genital-urinary; hemic and lymphatic; skin; or endocrine; or,

b. Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. The term "physical or mental impairment" includes, but is not limited to, such diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, drug addiction and alcoholism.

2. "Major Life Activities" means functions such as caring for one's self, performing manual

tasks, walking, seeing, hearing, speaking, breathing, learning and working.

3. "Has a record of such an impairment" means:

a. Has a physical or mental impairment that does not substantially limit one or more major life activities but that is treated as constituting such a limitation;

b. Has a physical or mental impairment that substantially limits one or more major life activities only as a result of the attitudes of others toward such impairment; or,

c. Has none of the impairments defined in this section but is treated as having such an impairment.

Handmade. The design and creation of items from raw materials and its finishing and decoration accomplished by hand labor and/or by manually controlled methods that permit the maker to control and vary the construction, shape, design, and/or finish of each individual piece, but does not exclude the use of hand tools and equipment, nor does it exclude the hand assembly of pre-manufactured components in a creative manner.

Hearing Notice. Publication or posting meeting the requirements of Chapter 985, Wisconsin Statutes. For appeals, a Class 1 Notice, published once at least one week (7 days) before the hearing, is required. For all Zoning Ordinances and amendments, a Class 2 Notice, published twice, once each week consecutively, the last at least a week (7 days) before the hearing. Local Ordinances or bylaws may required additional notice, exceeding these minimums.

High Flood Damage Potential. Damage that could result from flooding that includes any danger to life or health, or any significant economic loss to a structure or building and its contents.

High Water Elevation. The average annual high water level of a pond, stream, lake, flowage, or wetland referred to an established datum plane or, where such information is not available, the elevation of the line up to which the presence of the water is so continuous as to leave a distinct make by erosion, change in, or destruction of, vegetation or other easily recognizable topographic, geologic, or vegetative characteristics.

Historic District, Structure, or Site. As defined and designed by the Common Council as provided in **Section 15** of this Ordinance.

Home Occupation. An accessory use of a residence for gainful self-employment involving the uses specified in **§3.03 E.** of this Ordinance.

Hotel or Motel. Shall have the meaning provided for in HSS 195, Wisconsin Administrative Code.

Household Stable. A structure not more than twenty (20') by twenty (20') feet used for the sheltering of not more than two (2) horses.

Husbandry. The cultivation or production of plants and animals (livestock) and/or the byproducts thereof.

Increase In Regional Flood Height. A calculated upward rise in the regional flood elevation, equal to or greater than 0.01 foot, based on a comparison of existing conditions and proposed conditions which is directly attributable to development in the floodplain, but not attributable to manipulation of mathematical variables such as roughness factors, expansion and contraction coefficients and discharge.

Kennel. Any establishment wherein four (4) or more dogs or cats over the age of six (6) months of age are kept, boarded, bred and/or offered for sale or trade.

Land Use. Any nonstructural use made of unimproved or improved real estate. (Also see "Development".)

Large Scale Commercial Development. A commercial development which contains building(s) exceeding two hundred thousand (200,000) square feet of total building area, and/or a single building or individual tenant space exceeding one hundred thousand (100,000) square feet of building in area, and meets the criteria of **Section 4.06 B.22.a.**

Lattice Tower(s). A tower that consists of vertical and horizontal supports and crossed braces

Licensed Capacity. The maximum number of persons that can avail themselves of the services or goods of an establishment or use at any one time, as determined by the required floor space per person established in the Wisconsin Administrative Code.

Livestock Animal. Shall be animals of any kind kept or raised for sale, resale, agricultural field production or pleasure, excluding furbearing animals.

Loading Space. Any off-street area provided in a business or manufacturing district for the circulation, maneuvering, or temporary parking of trucks for the purpose of loading or unloading raw materials or manufactured goods.

Lot. Land occupied or to be occupied by a building or unit group of buildings, accessory buildings and/or structures, and/or uses, together with such yards, open spaces, lot width and lot area as are required by this Ordinance and having frontage upon a public street, or officially approved accessway.

Lot - Area. The total horizontal area within the lot lines of the lot.

Lot - Corner. A lot abutting two (2) or more streets at their intersection provided that the corner of such intersections shall have an angle of one hundred thirty-five (135°) degrees or less, measured on the side lot line.

Lot - Depth. The horizontal distance between the front and rear lot lines measured in the mean direction of the side lot lines.

Lot - Double Frontage. An interior lot having street frontage on the front and the rear of the lot.

Lot - Interior. A lot other than a corner lot.

Lot Line - Front. In the case of an interior lot, a line separating the lot from the street or accessway, and in the case of a corner lot, a line separating the narrowest street frontage of the lot from the street.

Lot Line - Interior. A side or rear lot line which separates the lot from another lot.

Lot Line - Rear. A lot line which is opposite and most distant from the front lot line and, in the case of an irregular, triangular or gore-shaped lot, a line ten (10) feet in length within the lot, parallel to and at the maximum distance from the front lot line.

Lot Line - Side. Any lot boundary line not a front lot line or a rear lot line.

Lot Line - Street Side. A side lot line which separates the lot from the street or accessway.

Lot - Through. A lot having frontage on two (2) parallel or approximately parallel streets.

Lot of Record. A lot which is part of a subdivision recorded in the office of the Kenosha County Register of Deeds, or a lot or parcel described by metes and bounds, the description of which has been recorded in said office, or a certified survey which has been recorded in said office.

Lot Width. The horizontal distance between the side lot lines measured at right angles to the lot depth at a point midway between the front and rear lot line.

Major Streets. The greater, more important streets forming the radial, arterial and crosstown thoroughfares of the City of Kenosha.

Manufactured/Mobile Home. As defined in Chapter 20 of the Code of General Ordinances.

Manufactured/Mobile Home Park. As defined in Chapter 20 of the Code of General Ordinances.

Mobile Recreational Vehicle. A vehicle which is built on a single chassis, four hundred (400) square feet or less when measured at the largest horizontal projection, designed to be self-propelled, carried or permanently towable by a licensed, light duty vehicle, is licensed for highway use if registration is required, and is designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel or seasonal use. Manufactured homes that are towed or carried onto a parcel of land, but do not remain capable of being towed or carried, including park model homes, do not fall within the definition of "Mobile Recreation Vehicles".

Monopole Tower(s). A tower consisting of a single pole or spire self-supported without guy wires.

National Geodetic Vertical Datum. Elevations referenced to mean sea level datum, 1929 adjustment.

NAVD. See "North American Vertical Datum".

Navigable Waters. Means Lake Superior, Lake Michigan, all natural inland lakes within Wisconsin, and all streams, ponds, sloughs, flowages and other waters within the territorial limits of this state, including the Wisconsin portion of boundary waters, which are navigable under the laws of this State. Under §144.26(2)(d), Wisconsin Statutes, other provisions of law or administrative rule promulgated thereunder, shoreland ordinances required under §§61.351 or 66.221, Wisconsin Statutes, and Chapter NR 117, Wisconsin Administrative Code, do not apply to lands adjacent to farm drainage ditches if:

- Such lands are not adjacent to a natural navigable stream or river;
- Those parts of such drainage ditches adjacent to such lands were not navigable streams before ditching; and,
- Such lands are maintained in nonstructural agricultural use.

New Construction. For Floodplain Management purposed, "New Construction" means structures for which the start of construction commenced on or after the effective date of floodplain zoning regulations adopted by the City, and includes any subsequent improvements to such structures. For the purpose of determining flood insurance rates, it includes any structures for which the Start of Construction commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures.

NGVD. See "National Geodetic Vertical Datum".

Nonconforming Building or Structure. Any building or structure that lawfully existed on the effective date of this Ordinance, or for the area of the floodplain which it occupies, and which does not conform to the area, height, yard, open space or visual clearance provisions of this Ordinance.

Nonconforming Use. Any building, structure or land that was lawfully occupied or used on the effective date of this Ordinance, or for the area of the floodplain which it occupies, which does not conform to the use provisions of this Ordinance.

North American Vertical Datum. Elevations referenced to mean sea level datum, 1988 adjustment.

Nuisance. A wrong that arises from the unreasonable, unwarranted, or unlawful use by a person of his/her own property, either real or personal, or from his/her own improper, indecent, or unlawful personal conduct, which wrong works as an obstruction of or injury to the right of another or of the public, which wrong interferes with the comfortable enjoyment of life or property, which wrong obstructs the free passage or use, in the customary manner, of any navigable lake or river, bay, stream, canal, or basin, or any public park,

square, street or highway, or which wrong produces material annoyance, inconvenience, discomfort, or hurt. When used in the context of sound, "nuisance" is further characterized as a sound which annoys or disturbs a reasonable person of normal sensibilities.

Nursery and Childcare Center. Any establishment which provides supplemental parental care and supervision, and/or educational instruction to preschool age children during the whole or any portion of the day.

Nursing Home. The definition of Nursing Home set forth in Section 50.01(3) Wisconsin Statutes, is adopted and incorporated herein by reference. For purposes of this Ordinance, the term shall also mean a place which provides 24 hour services including room and board and room to 3 or more unrelated residents who because of their mental or physical condition require nursing care or personal care in excess of 7 hours a week. "Nursing Home" does not include any of the following:

1. A convent or facility owned or operated exclusively by and for members of a religious order that provides reception and care or treatment of an individual.

2. A hospice that directly provides inpatient care.

Obstruction To Flow. Any development which blocks the conveyance of floodwaters such that this development alone or together with any future development will cause an increase in regional flood height.

Occupancy. The use of a building or structure for its intended purpose.

Occupied. A building is occupied when it is open to the public, when a business or manufacturing activity is performed therein, when people reside therein, or when any personal property is moved therein.

Official Floodplain Zoning Map. That map, adopted and made part of this Ordinance, as described in **Section 3.02**, which has been approved by the Wisconsin Department of Natural Resources and FEMA.

Official Letter of Map Amendment. Official notification from the Federal Emergency Management Agency (FEMA) that a Flood Hazard Boundary Map or Flood Insurance Rate Map has been amended.

Ordinary High-Water Mark. Means the point on the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive mark such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristic.

On-Site Sewage Disposal System. Includes a State approved septic or holding tank or mound system for collection of sanitary waste.

Parking Facility(ies). An off-street parking area, including lots from which motor vehicles are sold, but not including salvage yards or areas used to store towed motor vehicles, in any zoning district, which is utilized or constructed for the purpose of storing or parking five (5) or more motor vehicles, whether or not compensation for such services is charged, except for the following: parking facilities owned or operated by a municipality; and parking facilities owned or operated by industrial or manufacturing establishments and utilized for employee parking or for storing owned or leased vehicles.

Parking Space. A designated place reserved for the placement of a stored or parked motor vehicle exclusive of driveways, ramps, columns, office and work areas.

Permanent Cosmetic Makeup. Procedures performed typically involving eyebrows, eyelashes or lips, or as otherwise recognized and endorsed by The Society of Permanent Cosmetic Professionals, using tattooing techniques.

Permitted Use. A use which may be lawfully established in a particular district or districts provided it conforms with all requirements, regulations, and standards of such district.

Person. An individual or group of individuals, corporation, limited liability corporation, partnership, association, municipality or State agency.

Philanthropic or Charitable Institutions. Buildings, structures and/or facilities devoted to the betterment and/or improvements of community life; including, but not limited to, youth, educational or charitable institutions and foundations.

Planned Development. A residential development planned as a unit, which is intended to preserve open space and respect the natural characteristics of the land, and as permitted in **§3.22** of this Ordinance.

Porch. A platform at or above ground level adjoining and extending outward from the exterior walls of a building.

Premises. A lot, or a building or structure.

Principal Building or Structure. A building or structure in which is located the principal use of the land.

Principle Use. The main use of the land, building or structure as distinguished from an accessory use. A "principle use" may be "permitted" or "conditional".

Private Sewage System. A sewage treatment and disposal system serving one structure with a septic tank and soil absorption field located on the same parcel as the structure. It also means an alternative sewage system approved by the Department of Commerce, including a substitute for the septic tank or soil absorption field, a holding tank, a system serving more than one structure or a system located on a different parcel than the structure.

Public Utilities. Those utilities using

underground or overhead transmission lines, such as electric, telephone and telegraph, and distribution and collection systems such as water, sanitary sewer and storm sewer.

Radio/Television/Relay Tower. A monopole or lattice tower, constructed as a freestanding structure or in association with another permanent building, structure or equipment containing one (1) or more antennas intended for transmitting or receiving television and/or AM/FM radio or similar forms of communication.

Reach. A longitudinal segment of a stream generally including those floodlands wherein flood states are primarily and commonly controlled by the same manmade or natural obstructions to flow.

Rear Lot Access. A minimum open area reserved for purposes of providing ingress and egress to the rear of a residential lot.

Reasonably Safe From Flooding. Means base flood waters will not inundate the land or damage structures to be removed from the special flood hazard area, and that any subsurface waters related to the base flood will not damage existing or proposed buildings.

Recycling Collection Center. A facility solely used for the collection and temporary storage (less than seven (7) days) of aluminum, newspaper, cardboard, plastic, metal cans and glass.

Regional Flood. A flood determined to be representative of large floods known to have occurred in Wisconsin. A regional flood is a flood with a one (1%) percent chance of being equaled or exceeded in any given year, and if depicted on the FIRM, the RFE is equivalent to the BFE.

Religious Institution. Buildings or structures in which a church, chapel, temple, synagogue, convent, seminary, rectory, parsonage, parish house or religious retreat is located.

Residence. A building, or portion thereof designed or used exclusively for residential occupancy, including single-family residences, two-family residences and multiple-family residences.

- **Residence - Single-Family.** A detached building designed exclusively for occupancy by one family.
- **Residence - Two-Family.** A building designated exclusively for occupancy by two (2) families living independently of each other.
- **Residence - Multiple-Family**. A building or portion thereof designed for occupancy by three (3) or more families living independently of each other.
- **Residence - Detached.** See "Building - Detached".
- **Residence - Existing.** A residence which is in existence prior to the effective date of this Ordinance.

Review Authority. The Division, Commission or Council responsible for the review and final decision of applications for a Conditional Use Permit.

Rezoning. See "Change To District Boundaries".

Riding Stable. A building or premises used for the rent or lease of horses or animals for riding.

Road Stand. A structure for the display and sale of agricultural products, with no space for customers within the structure itself.

Rooming and Boarding House. A place where sleeping accommodations are offered for pay to non-transients and all related rooms, buildings and areas.

Salvage Dealer, Shop or Yard. As defined in Chapter 13 of the Code of General Ordinances.

Secondary Religious Facilities. A building or structure which services and is incidental and auxiliary to a religious institution, including statues, towers and chapels.

Self-Service Storage Facility. A building or group of buildings that contain varying sizes of individual, compartmentalized and controlled access stalls or lockers designed primarily for the storage of household items and inventory of small commercial business where storage stalls or lockers are individually leased or rented.

Setback Line. In district abutting upon major streets, the maximum horizontal distance measured at right angles from the base line established in said major streets by **§5.02** of this Ordinance, to the front line of the building including steps, doors and any other projection thereof.

Sexually-Oriented Business(es). A Sexually-Oriented Business(es) shall mean any business that exploits interest in sex in a graphic manner. Sexually-Oriented Business shall specifically mean the following:

- **Adult Cabaret.** An establishment or business which regularly or on a frequently recurring basis, features live entertainment that is distinguished or characterized by an emphasis on the exhibiting of "specified anatomical areas" or "specified sexual activities" for observation by patrons therein, or which holds itself out or identifies itself to the public by its name, signs and/or advertising as an establishment where such live entertainment occurs regularly or on a frequently recurring basis, including, without limitation, by verbal or pictorial allusions to sexual stimulation or gratification, or by references to "adult entertainment", "strippers", "showgirls", "exotic dancers", "gentlemans' club", or similar terms.
  - **"Specified Anatomical Areas"** shall mean less than completely and opaquely covered human genitals, pubic region, buttocks and female breasts below the

point immediately above the top of the areola; human male genitals in a discernible turgid state, even if opaquely covered.

- **"Specified Sexual Activities"** shall mean simulated or actual showing of human genitals in a state of sexual stimulation or arousal; acts of masturbation, sexual intercourse, sodomy, bestiality, necrophilia, sadomasochistic abuse, fellation or cunnilingus; fondling or erotic touching of human genitals, pubic region, buttocks or female breasts.

- **Adult Media Store.** An establishment or business having a substantial or significant portion of its stock and trade in the rental or sale of books, magazines, videotapes, movies, slides, CD-Roms, DVD's, posters, or other devices to display images that are distinguished or characterized by their emphasis on matters depicting, describing or relating to "specified anatomical areas" or "specified sexual activities".
- **Adult Modeling Studio.** Any establishment or business where a person who displays "specified anatomical areas" and is provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons who pay money or any form of consideration. Adult modeling studios shall not include a proprietary school licensed by the State of Wisconsin or a college, technical college, or university; or in a structure:
  - that has no sign visible from the exterior of the structure and no other advertising that indicates a nude or semi-nude person is available for viewing; and,
  - where, in order to participate in a class, a student must enroll at least three (3) days in advance of the class; and,
  - where no more than one (1) nude or semi-nude model is on the premises at any one (1) time.
- **Adult Motion Picture Theater.** An establishment or business located in an enclosed building having an area of not less than six hundred (600) square feet, and emphasizing or predominantly showing movies distinguished or characterized by an emphasis on "specified anatomical areas" or "specified sexual activities" for observation by patrons therein.
- **Adult Novelty Shop.** An establishment or business having as a substantial or significant portion of its stock and trade in novelty or other items which are distinguished or characterized by their emphasis on or designed for "specified sexual activity" or stimulating such activity.

Sexually-Oriented Business(es) shall specifically exclude, and therefore prohibit, the following:

- **Adult Bath House.** An establishment or business which provides the services of baths of any kind, including all forms and methods of hydrotherapy, that is not operated by a medical practitioner, professional physical therapist, or massage therapist licensed or registered by the State of Wisconsin, and which establishment provides to its patrons an opportunity to engage in "specified sexual activities" or to observe employees or independent contractors exhibiting "specified anatomical areas" or "specified sexual activities".
- **Adult Body Painting Studio.** An establishment or business wherein patrons are afforded an opportunity to paint images on the body of a person who is exhibiting "specified anatomical areas" or "specified sexual activities". For purposes of this Ordinance, the adult body painting studio shall not be deemed to include a tattoo parlor.
- **Adult Massage Parlor.** An establishment or business with or without sleeping accommodations which provides the services of massage and body manipulation, including, without limitation, exercises, heat and light treatments of the body, and all forms and methods of physiotherapy, not operated by a medical practitioner, professional physical therapist, or massage therapist licensed or registered by the State of Wisconsin, and which establishment provides to its patrons an opportunity to engage in "specified sexual activities" or to engage in any method of rubbing, pressing striking, kneading, tapping, pounding, vibrating or stimulating a "specified anatomical area" with the hands or with any instruments, or the opportunity to observe employees or independent contractors exhibiting "specified anatomical areas" or "specified sexual activities".
- **Adult Outdoor Motion Picture Theater.** An establishment located on a parcel of land and emphasizing or predominantly showing movies out-of-doors for observation by patrons, which movies are distinguished or characterized by an emphasis on "specified anatomical areas" or "specified sexual activities".

Shelter Facility. As defined in §46.97(1)d., Wisconsin Statutes, if operated by a nonprofit

organization or governmental agency.

Shorelands. Means lands within the following distances from the ordinary highwater mark of navigable waters: 1,000 feet from a lake, pond or flowage; and 300 feet from a river or stream or to the landward side of the floodplain, whichever distance is greater.

Shoreland Wetlands. Means wetlands of five (5) acres or more, as identified on the Wisconsin Wetlands Inventory Maps, which are located within shoreland boundaries.

Shore Yard. A yard separating the principal structure from the ordinary high water mark of any navigable water body.

Sign - Outside Advertising. As defined in Chapter 15 of the Code of General Ordinances.

Single-Family Attached Residence. Three (3) or more dwelling units joined together by at least one (1) common wall, each of which is separated from other dwelling units by an unpierced wall extending from the lowest level to the roof and having individual entrances, but not necessarily located on individual lots.

Start of Construction. The date the Building Permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within one hundred eighty (180) days of the permit date. The actual start means either the first placement of permanent construction on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond initial excavation, or the placement of a Manufactured/Mobile Home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling, nor does it include the installation of streets and/or walkways, nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms, nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For an alteration, the actual Start of Construction means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Stealth Design. Any Communication Tower, Radio/Television/Relay Tower or Antenna which is designed to blend into the surrounding environment or to the building or structure to which it is attached, and protect important visual vistas to the greatest extent possible.

Storage. The holding or safekeeping of goods, materials, equipment, vehicles and the like in a building or structure, or on a lot for future use, sale or trade. Storage in a residential district shall be exclusively the storage of goods, materials, equipment and vehicles customarily used in the conduct of a residence in a residential district.

Storage Capacity. (Relative to Floodlands) The volume of space available above any area of floodplain fringe land for the temporary storage of floodwater.

Story. That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between such floor and ceiling next above it. Also see "Basement".

Street. An existing or proposed public thoroughfare thirty (30') feet or more in width.

Structure. Any manmade object with form, shape and utility, either permanently or temporarily attached to, placed upon or set into the ground, streambed or lakebed, including, but not limited to, roofed and walled buildings, gas or liquid storage tanks, bridges, dams and culverts.

Structural Alteration. Any change, which would alter the supporting structures or members of a building or structure, such as bearing walls, columns, beams or girders.

Subdivision. Has the meaning given in Section 236.02(12), Wisconsin Statutes.

Substantial Damage. Damage of any origin sustained by a structure whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed fifty (50%) percent of the equalized assessed value of the structure before the damage occurred.

Swimming Pool. As defined in Chapter 9 of the Code of General Ordinances.

Tattoo Establishment. An establishment where a tattooist applies a tattoo to another person. Such terms are defined in Section HFS 173, Wisconsin Administrative Code, and Section 252.24, Wisconsin Statutes. Services limited to Permanent Cosmetic Makeup, as defined in this **Section 12.0**, shall be exempt from the location requirements of a Tattoo Establishment.

Temporary Use. A use which is either a limited term or recurring seasonal activity that does not involve any permanent structures or building.

Thoroughfare. An open unoccupied space permanently reserved for the purposes of access to abutting property.

Total Assessed Value. The most recent total assessed value of a building or structure appearing on the Kenosha County Assessor's assessment records.

Transitional Parking. Employee and/or customer parking for a use within the business, manufacturing or institutional district in which the parking facility is located on land zoned Rs-3, Rg-1, or Rg-2 and meeting the requirements of **§4.06A.6.** of this Ordinance.

Unified Business Center. Any Commercial Building or group of Commercial Buildings comprised of permitted and/or conditional uses located on a lot or group of lots, regardless of ownership, which is planned, developed or functions as a unit, whose limits are defined by one (1) or more public streets.

Unnecessary Hardship. Where special conditions affecting a particular property, which were not self-created, have made strict conformity with restrictions governing areas, setbacks, frontage, height or density unnecessarily burdensome or unreasonable in light of the purposes of the Ordinance.

Use. The purpose of which land, a building or structure is arranged, designed or intended, or for which either land, a building or structure is or may be occupied or maintained.

Utility Substation. Public or private buildings or structures required to provide essential municipal or other utility services (gas, electric, telephone, water).

Variance. A deviation from the literal provisions of this Ordinance, which is granted by the Board.

Visual Clearance. An open, unoccupied triangular space at the intersection of an existing or proposed street right-of-way line with another existing or proposed street right-of-way line, alley right-of-way line or a line formed by an edge of driveway; the space defined by a line joining points on such lines, the length of which is established in **§2.06** of this Ordinance and Section 7.131 of the Code of General Ordinances regarding Commercial Visual Clearance.

Waste Disposal, Treatment and Transportation Facility. A nongovernmental facility involved in the disposal, treatment or transportation of hazardous, infectious, domestic or other waste or any commercial handling, storage or processing of such waste conducted on other than the site of the generator.

Watershed. The entire region contributing runoff or surface water to a watercourse or body of water.

Water Surface Profile. A graphical representation showing the elevation of the water surface of a watercourse for each position along a reach of river or stream at a certain flood flow. A water surface profile of the regional flood is used in regulating floodplain areas.

Well. Means an excavation opening in the ground made by digging, boring, drilling, driving or other methods, to obtain groundwater, regardless of its intended use.

Wetlands. Means those areas where water is at, near or above the land surface long enough to support aquatic or hydrophytic vegetation and which have soils indicative of wet conditions.

Wetland Alteration. Means any filling, flooding, drainage, dredging, ditching, tiling, excavating, temporary water level stabilization measures or dike and dam construction in a wetland area.

Winery. An establishment where wine, as defined in Chapter 125, Wisconsin Statutes, is manufactured, processed and stored for consumption on or off the premises or for wholesaling purposes.

Yard. An open space on the same lot with a building or structure, unoccupied and unobstructed from the ground upward except as otherwise provided herein. A "yard" shall extend along a lot line to a depth specified in the yard requirements of the district in which the lot is located.

- **Front Yard.** A yard extending along the entire frontage of the lot between the side lot lines.
- **Side Yard.** A yard extending along the side lot line between the front and rear lot lines.
- **Interior Side Yard.** A yard which is located immediately adjacent to another lot or to an alley separating such side yard from another lot.
- **Street Side Yard.** A side yard which adjoins a public street.
- **Rear Yard.** A yard extending along the full length of the rear lot line between the side lot lines.
- **Accessory Yard**. Any yard required for an accessory building, structure or use.
- **Accessory Front Yard.** An accessory yard extending from the front lot line to the front of the accessory building, structure or use, between side lot lines.
- **Accessory Side Yard.** An accessory yard extending along the side lot line between the front and rear lot lines.
- **Accessory Interior Side.** An accessory yard which is located immediate adjacent to another lot or to an alley separating such accessory from another lot.
- **Accessory Street Side Yard.** An accessory side yard which adjoins a public street.
- **Accessory Rear Yard.** An accessory yard extending from the rear lot line to the rear of the accessory building, structure or use, between the side lot line.