

**ORDINANCE NO. L-2020-5**

**VILLAGE OF SHOREWOOD HILLS  
DANE COUNTY, WISCONSIN**

AN ORDINANCE AMENDING ARTICLE J, SUPPLEMENTAL REGULATIONS  
OF SEC. 10-1-100 OF THE VILLAGE OF SHOREWOOD HILLS ZONING CODE  
AND ADDING SECTION 17.06(9) ISSUANCE OF PERMIT FOR BEEKEEPING.

The Village Board of the Village of Shorewood Hills, Dane County, Wisconsin, ordains as follows (*new text indicated in red, removed text indicated by strikeout*):

**Exhibit 1: Accessory Land Uses and Supplemental Regulations related to Beekeeping.**

**ARTICLE J, SUPPLEMENTAL REGULATIONS**

**ZONING CODE SEC. 10-1-100**

Figure 10-1-100(f): Accessory Land Uses								
Accessory Land Use	Zoning District				Permitted in Yard & Required Setback from Lot Lines:			Supplemental Regulations?*
	R-1 R-2 R-3	R-4	C-1 C-2 C-3	CF	Front	Side	Rear	
(1) ATM (automated teller machine)	-	-	P	P	Per Installation Plan.			Yes
(2) Day Care Center, Family	P	-	-	-	Not	0'	0'	Yes
(3) Farmer's Market / Farm Stand	C	C	C	C	Only within a parking lot			Yes
(4) Home Occupation	P	P	-	-	Must be entirely indoors.			Yes
(5) Outdoor Sales / Display	-	-	P	-	Per Site Plan.			Yes
(6) Keeping Chickens	P	-	-	-	Not	3'	3'	Yes
<b>(7) Beekeeping</b>	<b>P</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>Not</b>	<b>3'</b>	<b>3'</b>	<b>Yes</b>
<del>(7)</del> (8) Portable Storage Units	P	P	P	P	In Driveway	3'	3'	Yes
<del>(8)</del> (9) Temporary Structure for Storage of Construction Materials & Equipment	P	P	P	P	3'	3'	3'	Yes
<del>(9)</del> (10) Yard Sales / Garage Sales	P	P	-	-	3'	Not	Not	Yes
<i>* See Section 10-1-100(g) for the Supplemental Regulations for Accessory Land Uses.</i>								

**(g) Accessory Uses Supplemental Regulations.**

(1) ATM (automated teller machine).

- a. An installation location/plan will be reviewed and approved by the Zoning Administrator and Police Department for security measures.
- b. Other than ATMs associated with a bank drive-through facility, which must meet the setback requirements of the main structure, ATMs must be integrated into a building façade and may not be in a stand-alone structure.

(2) Day Care Center, Family.

- a. The day care home shall be the principal place of residence of the operator.
- b. No employees shall be permitted other than residents of the dwelling; however, temporary or substitute caregivers may be present periodically.

(3) Farmer's Market/Farm Stand.

- a. Within any residential district, farmer's market or farm stand shall be accessory to a non-residential use and located in the parking lot of such use.
- b. The hours of the farmer's market or farm stand shall be set as part of the Conditional Use Permit required under Article E. All ancillary materials related to the farmer's market or farm stand (such as tables, signs, pavilions, etc.) may not be set up more than one hour before the open of the market or stand, and shall be removed within one hour of the close of the market or stand.

(4) Home Occupation. Permits are not required to engage in home occupations or activities provided the following standards are met:

- a. A home occupation or activity shall be secondary and incidental to the primary residential use of a lot or housing unit;
- b. The activity cannot significantly alter the residential character of the dwelling unit, dwelling structure, or the lot;
- c. The activity must not unreasonably interfere with residential occupancy of other lots in the neighborhood;
- d. The activity must not create environmental, safety or health hazards such as noise, light, odors, vibrations, electrical emissions, or other fire or safety hazards that are noticeably out of character with those produced by normal residential occupancy.
- e. Traffic generated by the occupation or activity may not exceed that which is customary to residential occupancies in the neighborhood;
- f. Signage of the home occupation or activity will be governed by Article H;
- g. The lot and structure must contain adequate area to accommodate the occupation or activity without interfering with residential occupancy of other lots in the neighborhood.

(5) Outdoor Sales/Display.

- a. Shall only be permitted in conjunction with a permitted retail use or approved conditional use in the primary structure.
- b. The area designated for outdoor sales/display shall be shown on a site plan, which shall be reviewed and approved by the Plan Commission prior to initiation of sales/display.
- c. Temporary outdoor sales/display areas for special events or sales are permitted, provided that such an area is not in place for more than one (1) week at a time and does not occur more than fourteen (14) total days per year. The property owner or business owner shall acquire a temporary use permit from the Zoning Administrator.

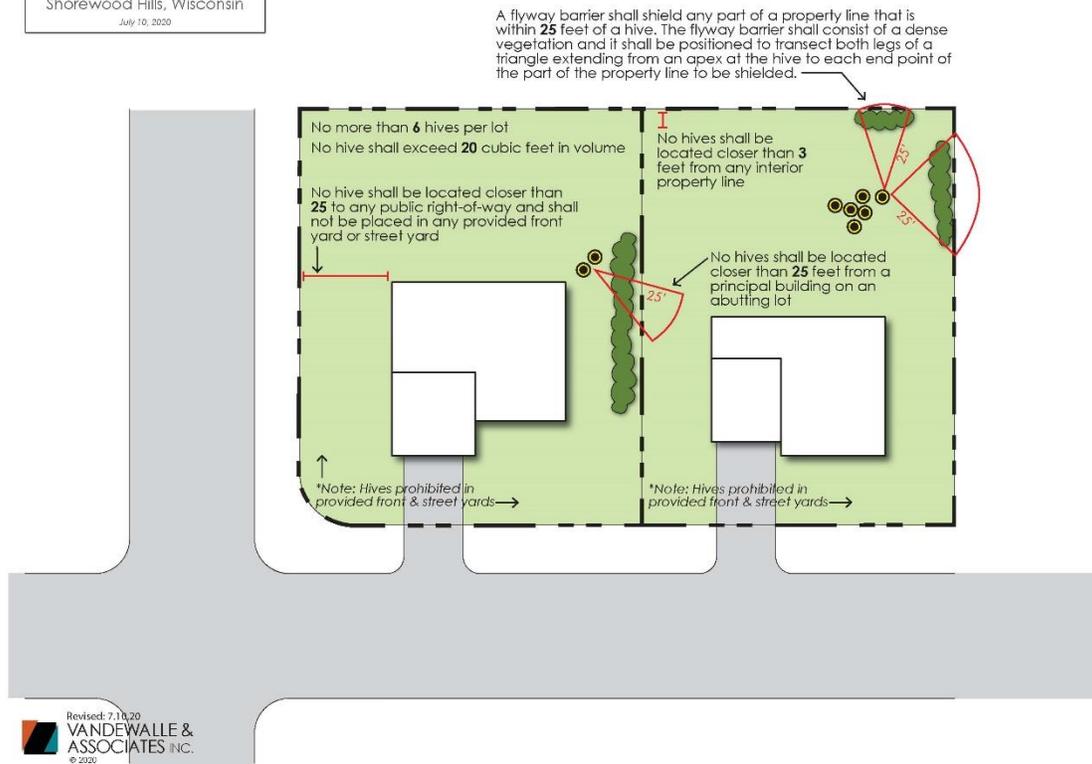
(6) Keeping Chickens.

- a. Definitions. For purposes of this subsection, the following definitions shall apply.
  - (i) Chicken. A chicken shall mean the common domestic fowl of the subspecies *Gallus gallus domesticus*. This does not include other birds or domestic fowl such as ducks, geese, or turkeys.
  - (ii) Rooster. A male chicken that is six months old or older.
- b. Keeping of Chickens.
  - (i) No more than four chickens may be kept on a lot or parcel at any one time.
  - (ii) No roosters may be kept on any lot or parcel.
  - (iii) No chickens may be slaughtered on any lot or parcel.
  - (iv) Chicken coops shall be constructed in a workmanlike manner, be moisture-resistant and either raised up off the ground or placed on a hard surface such as concrete, patio block or gravel.
  - (v) Chicken coops and yards shall be constructed and maintained to reasonably prevent the collection of standing water, and shall be cleaned of hen droppings, uneaten feed, feathers and other waste daily or as is necessary to ensure that the coop and yard do not become a health, odor or other nuisance.
  - (vi) The enclosure shall be located in compliance with all of the following, and in the event of conflicting requirements the more restrictive shall apply:
    - a. The nearest point of the enclosure must be at least 25 feet away from any residential structure on another lot;
    - b. There must be a three-foot set-back from any side or rear yard;
    - c. The enclosure, and all parts of the enclosure, are prohibited in any front yard.

- (vii) In addition to compliance with the requirements of this section, no one shall keep chickens that cause any nuisance, unhealthy condition, create a public health threat or otherwise interfere with the normal use of property or enjoyment of life by humans or animals.
  - (viii) Nothing herein shall be interpreted to authorize the conduct of a business or commercial use on a residential property. No sales of eggs, chicks, or chickens, shall be made from a residential property unless specifically permitted pursuant to applicable zoning regulations.
- c. Public Health Requirements.
- (i) Chickens shall be kept and handled in a sanitary manner to prevent the spread of communicable diseases among birds or to humans.

(7) Beekeeping.

- a. No bees shall be intentionally kept and maintained other than honey bees.
- b. No hive shall exceed twenty (20) cubic feet in volume.
- c. No more than six (6) hives may be kept on a lot.
- d. No hive shall be located closer than three (3) feet from any property line of a lot in different ownership.
- e. No hive shall be located closer than ten (10) feet from a public right-of-way, park, or bike path or twenty-five (25) feet from a principal building on an abutting lot in different ownership.
- f. No hive shall be located within any provided front yard or street yard.
- g. An ever-present supply of water shall be provided for all hives.
- h. Flyway Barrier: A flyway barrier at least six (6) feet in height shall shield any part of a property line of a lot in different ownership that is within twenty-five (25) feet of a hive. The flyway barrier must effectively direct bees to fly up and over the barrier when flying in the direction of the barrier. The flyway barrier shall consist of a building or structure allowed by the municipal code, dense vegetation, or combination thereof, and it shall be positioned to transect both legs of a triangle extending from an apex at the hive to each end point of the part of the property line to be shielded.



~~(7)~~ (8) Portable Storage Units.

- a. A maximum of two (2) portable storage units, not exceeding a cumulative gross floor area of two hundred fifty (250) square feet shall be allowed for up to ninety (90) consecutive days within a calendar year when part of an active building permit.
- b. When not part of an active building permit, such use is allowed for no more than sixty (60) days per calendar year.
- c. The portable storage unit(s) may not be located within the front or side yard setbacks unless located in a driveway.
- d. The property owner shall acquire a temporary use permit from the Zoning Administrator.

~~(8)~~ (9) Temporary Storage of Construction Materials and Equipment. Buildings must be located on the same zoning lot as the project under construction and shall be removed within thirty (30) days following completion of construction.

~~(9)~~ (10) Yard Sales / Garage Sales. A yard sale shall not exceed four (4) days in duration, and no more than one (1) sale shall be held in any three- (3) month period on any given lot.

**Exhibit 2: Adding section to permit Beekeeping.**

**17.06 Licensing of Dogs and Cats; Regulation of Animals.**

**(9) Issuance of Permit for Beekeeping.**

- (a) The fee for a permit to keep bees shall be set from time to time by resolution of the Village Board.
- (b) The permit shall be effective when issued and shall be for a term of three years.
- (c) Upon completion of the application form, payment of the permit fee, and approval by the Zoning Administrator, the clerk shall complete and issue to the applicant a permit to keep bees on the permitted premises.
- (d) All applicable provisions of the Village's zoning regulations, including the provisions of sections 10-1-100, shall apply to beekeeping.

Subsequent sections of Chapter 17.06 will be renumbered.

This Ordinance shall take effect upon passage and publication pursuant to law.

*The above and foregoing resolution was duly adopted by the Village Board of the Village of Shorewood Hills at its meeting held on \_\_\_\_\_.*

APPROVED: \_\_\_\_\_  
David J. Benforado, Village President

ATTEST: \_\_\_\_\_  
Karla Endres, Village Clerk