

1712 Bob Bea Jan Road
De Pere, WI 54115
Phone: (920) 336-2814
www.townofrockland.org
Dennis Cashman – Chairman
Julie Koenig - Clerk

Town of Rockland Brown County, Wisconsin Ordinance No. 2023-05

Ordinance 2023-05 seeks to update the R.C.O to establish water flow restrictions and eliminate confusion in certain texts.

Whereas, pursuant to its authority granted under Sections 66.0113, Wis. Stats., the Town Board of Rockland, Brown County, Wisconsin does hereby update the Rockland Code of Ordinances as detailed herein.

Auxiliary Dwelling Unit

Chapter 18

Add to 18-01.11 RS-1 B. Uses 2. Conditional Uses (f)

Add to 18-01.12 RR-1 B. Uses 2. Conditional Uses (e)

Add to 18-01.13 ER-2 B. Uses 2. Conditional Uses (i)

Add to 18-01.14 ER-5 B. Uses 2. Conditional Uses (b)

Add to 18-01.15 ER-10 B. Uses 2. Conditional Uses (x)

Add to 18-01.16 NPWLI B. Uses 2 Conditional Uses (s)

Add definition to 18-01-08 in alphabetical order.

Auxiliary Dwelling Unit – an additional single dwelling unit including separate kitchenette, sleeping area and bathroom facilities. Separate from the owners occupied primary residential dwelling unit on a single family lot not to exceed 500 square feet. The unit cannot be bought or sold separately and shall be attached to the primary unit and to the standards set forth in SPS 320-325.

Add to General provisions 18-01-09 B. Buildings and uses, number 10, and renumber 10, 11 to 11 and 12.

Auxiliary Dwelling Unit – an additional single dwelling unit including separate kitchenette, sleeping area and bathroom facilities. Separate from the owners occupied primary residential dwelling unit on a single family lot not to exceed 500 square feet. The unit cannot be bought or sold separately and shall be attached to the primary unit and to the standards set forth in SPS 320-325.



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These uses shall comply with the following conditions including and not limited to:

1. Structure shall have a foundation with a frostwall and footings.
2. Structure exterior shall be consistent with building materials of the primary structure.
3. Shall not have a front door entrance
4. Unit shall have independent side or rear access and primary unit access.
5. Shall have two accesses to grade
6. Shall not have separate well or septic
7. Shall be constructed to UDC and ADA standards
8. Shall share a driveway with the principal structure
9. Owner shall live on the property.
10. Unit shall only be rented to or used by a family member(s), with a maximum of two occupants
11. Cannot be used as a rental unit or vacation rental

Planning & Zoning members & alternates

A Chapter 18-10.05 Planning Commission

B. Jurisdiction

Currently reads 1. Review all applications for conditional uses, land use permits, and amendments to this ordinance and report said findings and recommendations to the Town Board in the manner designated by this ordinance for amendments, land uses and conditional uses.

Add land divisions, retracements and/or combinations

Change to: 1. Review all applications for conditional uses, land use permits, *land divisions, retracements and/or combinations, plat of surveys* and amendments to this ordinance and report said findings and recommendations to the Town Board in the manner designated by this ordinance for amendments, land uses and conditional uses.

D. Decisions

Currently reads: 1) All actions of the Planning Commission shall require the vote of a majority of the members of the Commission.

Change to: (1) All actions of the Planning Commission shall require the vote of a majority of the Planning Commission members or a quorum. Four members constitute a quorum. If there is not a quorum present, the fact shall be entered on the journal and the Commission adjourns. At least four members of the Commission must vote on all matters, exclusive of abstentions; a majority vote of all members electing to vote shall be necessary for passage or approval of any matter before the Commission.

E. Membership



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- 1) Reads: The Planning Commission shall consist of seven members appointed by the Rockland Town Chairman and subject to confirmation by the Rockland Town Board.

Change to: (E) (1) The Planning Commission shall consist of seven members and two alternates appointed by the Rockland Town Chairman and subject to confirmation by the Rockland Town Board.

Other amendments/updates

Chapter 18-01.08 Definitions

#15 Currently reads: Basement: That portion of any structure located partly underground and having more than one-half of its height below the finished lot grade.

Change to: #15, Basement: That portion of any structure located partly underground and having more than one-half of its height below the finished lot grade *on all sides*.

Add and insert into numbering where appropriate.

Walk out basement: a basement in a building which has a door that exits directly to the exterior grade

#22 Building, attached: A building which has at least part of a wall in common with another building, or which is connected to another building by a roof.

Change to read: #22 Building, attached: A building which has at least part of a wall in common with another building, or which is connected to another building by a roof, **wall or foundation**

~~#27 Currently reads: #27 Building, temporary: Excluding agricultural structures, any building not designed to be permanently located in the place where it is, or where it is intended to be placed or affixed, for a period of time not to exceed six months, or as otherwise allowed in a specific ordinance. Manufactured homes used as residences and affixed to a permanent foundation shall not be classified as temporary buildings. See also "roadside stands"~~

Change to read: Building, temporary – a structure permitted in a district for period not to exceed 180 days. Only one temporary structure permit per year per parcel. It shall be removed off the property upon the expiration of the permit period for a minimum of 90 days. Temporary structures may include but not limited to recreational vehicles, temporary construction trailers, semi-trailers, pods, tents, seasonal structures, etc. Manufactured homes used as residences and affixed to a permanent foundation shall not be classified as temporary buildings. See also "roadside stands". *Construction trailers that are being used as part of an active building permit are allowed.*

Add to chapters 18 and renumber as appropriate:

Easement: An easement is a legal right to occupy or use another person's land for a specific purpose. The use of the land is limited and the original owner retains legal title of the land. **(note this is different than the definition in chapter 19: Easement:** The quantity of land set aside or over which a liberty, privilege, or advantage in land without profit, existing distinct from the ownership of the land is granted to the public, utility, or some particular person, corporation or part of the public for limited right of use.)



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#78 Currently reads: # 78. Hard surfaced. A driveway or parking lot surfaced with concrete or bituminous paving.

Change to: # 78. Hard surfaced. A driveway or parking lot surfaced with concrete or bituminous paving, or compacted gravel ~~as may~~ be approved by the town. *Any business driveway shall be approved by the town*

18-01.08 #81 Home occupations, Keep intact, but add: **add r.** *Or any other business approved by the town.*

Add to chapters 18 and 19 in definitions and renumber as appropriate.

Home Owners Association (HOA) is an organized group of homeowners within a particular subdivision, condominium or planned unit development. Homeowners Association typically consist of a board of directors that homeowners have elected to maintain predetermined rules and regulations of said development.

#151 Structure: Anything constructed or erected on the ground (to include all types of buildings, attachments to buildings, parking lots, fences and berms). **Change to:** #151 Structure – a structure of any kind either temporary or permanent which has a roof supported by walls, poles or columns
(removed parking lot and berm) – added columns poles or walls.

Reads: #153 Structure, Accessory. A subordinate structure detached from, *or attached to*, but located on the same lot as a principal building. The use of an accessory structure must be identical and accessory to the use of the principal building.

Change to: #153 Structure, Accessory. A subordinate structure detached from but located on the same lot as a principal building. The use of an accessory structure must be identical and accessory to the use of the principal building. *(removal of or attached to)*

161 add: and part of a condominium property is subject to exclusive ownership.

Chapter 18-01.09 General Provisions G. Fences, walls, trees and berms.

1. Currently reads: A fence, wall, hedge, berm or shrubbery may be erected, placed, maintained or grown along a lot line on a residentially zoned property or adjacent thereto to a height not exceeding eight feet above the ground level. No fence, wall, hedge, berm or shrubbery which is located in a front or corner side yard shall exceed a height of three feet.

Change to: A fence, wall, hedge or shrubbery may be erected, placed, maintained or grown along a lot line on a residentially zoned property or adjacent there to. The exception is a berm which must be positioned no less than five feet from the lot line to be measured from the bottom of the down slope. No fence, wall or berm shall exceed eight feet above the ground level. No fence, wall, hedge, berm or shrubbery which is located in a front or corner side yard shall exceed a height of three feet.

Chapter 19



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#92

Structure: Replace definition in chapter 19 with Structure: anything constructed or erected on the ground (to include all types of buildings, attachments to buildings, fences ETC. that is temporary or permanent which has a roof supported by columns, poles, or walls.

#102 Unit, condominium. Remove definition and replace with Chapter 18's definition which reads:

Unit: Any division of a parcel by the owner/developer for the purpose of sale, lease or building development. An isolated plot of land in a Planned Unit Development or Planned Development district.

Insert this text into Chapter 19-01.12 F. Final Plat Add number 2.

2. Certified survey map submittal procedures

a. General. A drainage plan (separate from the official certified survey map) shall be required for all certified survey maps unless this requirement is waived by Town Staff. The plan shall comply with the design standards set forth in Chapter 19 of the Rockland Code of Ordinances and shall be prepared by a Professional Certified Land Surveyor with the State of Wisconsin. The plan shall be prepared with a scale of not more than 200 feet to the inch (fitted to ledger size paper – 11x17) and shall be submitted prior to the review of the CSM on both paper and digital format. Such plan shall clearly detail the following information:

- (1) The words “Drainage Plan” clearly indicated on the document.
- (2) The certified survey map name associated with the drainage plan.
- (3) Property location of the proposed map by government lot, quarter section, township, range, county state.
- (4) Date, written scale, graphic scale, and North arrow.
- (5) A legend identifying any symbols appearing on the plan.
- (6) Names, addresses, and contact information of the owner, subdivider, and party preparing the drainage plan.
- (7) The immediate areas contiguous to the proposed certified survey map shall be included on the drainage plan. Rockland Town staff or the Zoning Administrator may waive this requirement where it is deemed unnecessary due to topography and/or location and undo hardship would result from strict application thereof.
- (8) Restrictive Covenant be placed on the certified survey map that states: *Landowner is responsible to make sure their property maintains compliance with the most current grading and/or drainage plan of record at all times; before, during, and after any land disturbing and/or construction activity except where incorporated into the grading and or drainage plan of record. No owner shall block, dam, or otherwise obstruct the flow of surface water drainage so as to cause such water to back-up onto the lot of any other owner or public right-of-way. If land owner is found to be in violation or in non-compliance with said grading and/or drainage plan, the land owner causing the violation or non-compliance shall be responsible for all expenses associated with discovery, verification, and rectification of the violation to bring property into compliance.*



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- (9) Restrictive Covenant be placed on the certified survey map that states: *Permanent lawns and landscaping be established in conformance with the drainage plan elevations within one year of initial occupancy of any structure.*
- b. Drainage plan data. All drainage plans shall meet the requirements of Chapters 19 of the Rockland Code of Ordinances, in addition to the following:
- (1) Where the Planning & Zoning Commission or the Zoning Administrator finds that additional information is necessary and relative to a particular problem presented by a proposed certified survey map in order to review the drainage plan, they shall have the authority to request in writing such information from the subdivider.
- c. Filing of true copy of drainage plan. The subdivider shall file three (3) copies of the final drainage plan on both paper and in digital format with the Town Clerk. The Town Clerk shall retain one (1) copy of the drainage plan and forward the other two (2) copies to the following:
- (1) Zoning Administrator
 - (2) Planning and Zoning Commission

Insert into Chapter 19-01.12 under F – Final Plat create #2

- 2) In land divisions of four lots or less, surveyor shall prepare the following information and make it available to the Town Zoning Administrator at the time of the final plat submittal.
- a. Drainage plan for all lots which shall include all final corner lot elevations that correspond with the drainage plan.
 - b. Elevations showing drainage away from all structures
 - c. Top of the basement wall(s) two feet above the flood plain
 - d. Lowest opening shall be 2 feet above the floodplain
 - e. A stormwater plan
 - f. Grading contour plan w/arrows for each lot
 - g. Top of road elevations
 - h. All final elevation forms shall be complete and signed by a state certified surveyor with a copy being filed with the town as part of the occupancy permit prior to the return of the contractor deposit
 - i. Garage floor 2 feet above floodplain.

Certified survey map submittal procedures as number B. Submittal requirements begin number 2

2. Drainage plan technical requirements for Plats for minor land divisions

- a. General. A drainage plan (separate from the official certified survey map) shall be required for all plats and be based upon the final plat. The plan shall comply with the design standards set forth in



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Chapter 19 of the Rockland Code of Ordinances and shall be prepared by a Professional Certified Land Surveyor with the State of Wisconsin. The plan shall be prepared with a scale of not more than 100 feet to the inch (fitted to ledger size paper – 11x17) and shall be submitted prior to the review of the final plat on both paper and in digital format. Such plan shall clearly detail the following information:

- b. The words “Drainage Plan” clearly indicated on the document.
 - c. The title or name under which the proposed plat is to be recorded; such title shall exactly match that of the final plat, or phrase thereof, to be recorded.
 - d. Property location of the proposed plat by government lot, quarter section, township, range, county state.
 - e. Date, written scale, graphic scale, and North arrow.
 - f. A legend identifying any symbols appearing on the plan.
 - g. Names, addresses, and contact information of the owner, subdivider, and party preparing the drainage plan.
 - h. The immediate areas contiguous to the proposed plat shall be included on the drainage plan. Rockland Town staff or the Zoning Administrator may waive this requirement where it is deemed unnecessary due to topography and/or location and undue hardship would result from strict application thereof.
 - i. Restrictive Covenant be placed on the plat that states: *Landowner is responsible to make sure their property maintains compliance with the most current grading and/or drainage plan of record at all times; before, during, and after any land disturbing and/or construction activity except where incorporated into the grading and or drainage plan of record. No owner shall block, dam, or otherwise obstruct the flow of surface water drainage so as to cause such water to back-up onto the lot of any other owner or public right-of-way. If land owner is found to be in violation or in non-compliance with said grading and/or drainage plan, the land owner causing the violation or non-compliance shall be responsible for all expenses associated with discovery, verification, and rectification of the violation to bring property into compliance.*
 - j. Restrictive Covenant be placed on the plat that states: *Permanent lawns and landscaping be established in conformance with the drainage plan elevations within one year of initial occupancy of any structure.*
3. Drainage plan data. All final drainage plans shall meet the requirements of Chapter 19 of the Rockland Code of Ordinances in addition to the following:
- a. Where Planning & Zoning Commission or the Zoning Administrator finds that additional information is necessary and relative to a particular problem presented by a proposed plat in order to review the drainage plan, they shall have the authority to request in writing such information from the subdivider.
4. Filing of true copy of drainage plan. The subdivider shall file three (3) copies of the final drainage plan on both paper and in digital format with the Town Clerk. The Town Clerk shall retain one (1) copy of the drainage plan and forward the other two (2) copies to the following:



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- a. Zoning Administrator
- b. Planning and Zoning Commission

Chapter 20

Current heading reads: Site Plan review and design standards for commercial and multiple family developments.

Heading change: SITE PLAN REVIEW AND DESIGN STANDARDS FOR ALL DEVELOPMENTS

20-01.04 Administration

Currently reads 2) All proposed site plans shall be forwarded to the following: Town Clerk, Zoning Administrator, local fire departments and Planning Commission. Each department shall review each plan and make recommendations to approve, approve with conditions, or reject said plan to the Planning Commission within 60 days of submittal. These departments shall be responsive to applicants and their possible time constraints and shall expedite the review process to the extent possible and forward to the Town Board for final approval.

Change to 2) All proposed site plans shall be forwarded to the following: Town Clerk, Zoning Administrator, local fire departments and Planning Commission. Each department shall review each plan and make recommendations to approve, approve with conditions, or reject said plan to the Planning Commission within **90** days of submittal. These departments shall be responsive to applicants and their possible time constraints and shall expedite the review process to the extent possible and forward to the Town Board for final approval.

The town board of the town has the authority under § 60.61, § 101.65 Wis. Stats, and general authority under its village powers under § 60.22 Wis. Stats., to adopt this ordinance.

Adopted this 5th day of July, 2023 by the Town Board of Rockland:



Dennis J. Cashman, Chairman



Attest: Julie Koenig, Town Clerk



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Roll Call Tally:

Cashman YES/NO

Meeuwsen YES/NO

Lasee YES/NO TOTAL YES 3 / NO 0



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**Town of Rockland
Brown County, Wisconsin
Ordinance No. 2023-06**

Ordinance 2023-06 seeks to update the R.C.O to establish temporary storage restrictions and update definitions.

Whereas, pursuant to its authority granted under Sections 66.0113, Wis. Stats., the Town Board of Rockland, Brown County, Wisconsin does hereby update the Rockland Code of Ordinances as detailed herein.

Revise: # 27 Building, temporary – a structure permitted in a district for period not to exceed 180 days. Only one temporary structure permit per year per parcel. It shall be removed from the property upon the expiration of the permit period for a minimum of 90 days. Temporary structures may include but not be limited to recreational vehicles, temporary construction trailers, semi-trailers, pods, tents, seasonal structures, C-cans cargo containers etc. Manufactured homes used as residences and affixed to a permanent foundation shall not be classified as temporary buildings. See also “roadside stands”.

Semi trailers are considered temporary structures unless they are legally turned into a permanent structure which shall be mounted to a permanent foundation, such as walls & footings or a slab with reinforced perimeter bond beam to minimize settling. The running gear (axles, hitch etc) shall be removed. This will require a building permit and shall be converted to real property as an accessory structure.

1. Trailers shall meet all setbacks for the district; they are not allowed in the front yard of any property
2. The square footage shall be included in the total square footage of the accessory structures for the lot size.
3. Shall match existing color of the primary structure
4. Shall require a building permit
5. Shall comply with most recent established recorded drainage plans
6. Shall not be used for promotional purposes and shall be free of any lettering or imaging except for manufacturer’s dataplate.

Add and renumber as appropriate: Kitchenette – A kitchenette is a small kitchen area usually found in a studio or efficiency apartment. It typically includes a sink, small refrigerator, a microwave and sometimes a stovetop or hot plate and usually these are not full sized appliances.

Easement: Add to chapters 18 and 19 and renumber as appropriate:

Easement: An easement is a legal right to occupy or use another person’s land for a specific purpose. The use of the land is limited and the original owner retains legal title of the land. Also: The quantity of land set aside or over which a liberty, privilege, or advantage in land without profit, existing distinct from the ownership of the land is




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granted to the public, utility, or some particular person, corporation or part of the public for limited right of use, such as but not limited to fire access, utility, stormwater, driveway, pond/river access, etc.

The town board of the town has the authority under § 60.61, § 101.65 Wis. Stats, and general authority under its village powers under § 60.22 Wis. Stats., to adopt this ordinance.

Adopted this 5th day of Sept, 2023 by the Town Board of Rockland:


Dennis J. Cashman, Chairman

Attest: Julie Koenig, Town Clerk

Roll Call Tally:

Cashman YES / NO

Meeuwsen YES / NO

Lasee YES / NO TOTAL YES 3 / NO 0