

**Richland County
Natural Resources Standing Committee**

Date Posted: September 30, 2024

NOTICE OF MEETING

Please be advised that the Richland County Natural Resources Standing Committee will convene on Monday, October 7, 2024 at 9:30 AM in the Richland County Board Room of the Courthouse at 181 West Seminary Street, Richland Center, WI 53581.

Information for attending the meeting virtually (if available) can be found at the following link:

<https://administrator.co.richland.wi.us/minutes/natural-resources-committee/>

If you have any trouble accessing the meeting, please contact MIS Director Barbara Scott at 608-649-5922 (phone) or barbara.scott@co.richland.wi.us (email).

AGENDA

1. Call To Order
2. Roll Call
3. Verification Of Open Meetings Law Compliance
4. Approval Of Agenda
5. Approval Of Minutes From August 26, 2024 Meeting
6. Public Comment
7. Zoning Petitions
 - A. William & Amie Twining – Town Of Richland
 - B. Rowen Wipperfurth – Town Of Orion
 - C. Aaron Wallace – Town Of Forest
 - D. Gary Manning – Town Of Dayton
 - E. Aaron Halverson / Wild Hills Real Estate – Town Of Orion
 - F. Melvin Mischler – Town Of Henrietta
 - G. Nathan Perkins Conditional Use Permit – Town Of Willow
 - H. Triple Moore Farms, LLC Livestock Siting Permit – Town Of Buena Vista
 - I. John Herbst – Town Of Ithaca
 - J. Robert McConkey – Town Of Richland
8. Reports
 - A. Zoning Administrator – Departmental Activities
 - B. County Conservationist – Departmental Activities
 - C. UW-Extension – Departmental Activities
9. Discussion & Possible Action: Approval Of Short-Term Rental Ordinance
10. Discussion & Possible Action: Future Land Use Maps For The Richland County Comprehensive Plan Recommended By The Townships
11. Discussion & Possible Action: 2025 Wildlife Damage Budget
12. Discussion & Possible Action: Resolution For The 2025 Lake Monitoring And Protection Network Grant Application
13. Discussion & Possible Action: Resolution For Setting The Fee For Certain Rezoning Requests
14. Discussion & Possible Action: Addressing Of Complaints From Landowners On Returned Septic Maintenance Forms
15. Discussion & Possible Action: Amendment(s) To The Richland County Zoning Ordinance No. 5 Concerning The Number Of Houses Allowed In Ag/Forestry District
16. Correspondence
17. Future Agenda Items
18. Adjourn

A quorum may be present from other Committees, Boards, or Commissions. No committee, board or commission will exercise any responsibilities, authority or duties except for the Natural Resources Standing Committee.

Derek S. Kalish
County Clerk

Richland County

Natural Resources Standing Committee

August 26, 2024

The Richland County Natural Resources Standing Committee convened on Monday, August 26, 2024 in person and virtually at 9:30 AM in the County Boardroom of the Richland County Courthouse.

Call To Order: Committee Vice Chair Fleming called the meeting to order at 9:31 AM.

Roll Call: Deputy Clerk Hege conducted roll call. Committee members present: Richard McKee, Alayne Hendricks, Mark Gill, Craig Woodhouse, Julie Fleming, and Robert Brookins (via WebEx). Committee members absent: Steve Carrow (Committee Chair).

Verification of Open Meetings Law Compliance: Deputy Clerk Hege confirmed the meeting had been properly noticed.

Approval Of Agenda: Committee Vice Chair Fleming requested that item #8: Zoning Petitions A, B, and C be moved up on the agenda to follow item #6: Public Comment. Motion by McKee, second by Gill to approve agenda as reordered. Motion carried and agenda declared approved as reordered.

Approval Of Minutes From August 5th, 2024 Meeting: Vice Chair Fleming asked if there were any corrections to the minutes from the August 5th, 2024 meeting. Vice Chair Fleming requested that in the first sentence of the section titled “Discussion & Possible Action – Establishment of Agent For Short-Term Rental Ordinance” that the word “discussed” be replaced with the word “discussion” and in the seventh sentence of the section titled “Discussion & Possible Action – Ag Forest/Residential Zoning Ordinance Requirements” that the word “Supervisor” be followed by the name of the quoted Supervisor. It was Supervisor Hendricks. Motion by Gill, second by Woodhouse to approve the minutes from August 5th, 2024 with the corrections as noted. Motion carried and minutes from August 5th, approved with the corrections as noted.

Public Comment: Mr. Scott Pernitz briefly questioned the committee why he received a notice of public hearing letter. Discussion ensued. Mr. Jim Dillon of County Hwy Z, in Dayton Township briefly voiced his opinion in opposition to the proposed campground. Brief discussion ensued.

Zoning Petitions:

A. Barelli -Town of Dayton: Mr. Andrew Barelli, of Dayton Township, presented his petition for a Conditional Use Permit for a 9 site, rustic campground to the Natural Resources Standing Committee and assembled community members. Vice Chair Fleming called on County Zoning Administrator Katrina Salewski for comment. Zoning Administrator Salewski stated that Mr. Barelli has completed all the correct paperwork needed for a Conditional Use Permit. Motion by McKee, second by Gill to approve the Mr. Andrew Barelli’s petition for a Conditional Use Permit. Extensive discussion ensued regarding the number of sites, toilet facilities, foot and vehicle traffic, safety of those staying at the sites, any and all effects of hunting and hunters, trespassing, and potential noise issues. Several adjacent property owners shared their concerns with the committee and asked questions of Mr. Barelli. Cathy Cooper, Richland County Conservationist, briefly explained to the Natural Resources Standing Committee, and assembled community members, how long a Conditional Use Permit lasts and the enforcement process. Committee Vice Chair Fleming shared several emails from concerned property owners who were not able to attend the meeting. Extensive discussion ensued. Committee Vice Chair Fleming asked if there were any further stipulations that the Natural Resources Standing Committee would like to add to the Conditional Use

Richland County Natural Resources Standing Committee

Permit. Discussion ensued. Consensus from the committee was to add the stipulation that Mr. Bartelli submit a list to the Zoning department of rules that he will have in place for the campground and that there would be no hunting without permission on the property in addition to following the standard conditions of the Conditional Use Permit. Motion by Woodhouse, second by Gill to approve the Conditional Use Permit with the added stipulations. Motion carried and the Conditional Use Permit was approved with the added stipulations.

B. Wallace – Town of Forest: Mr. Wallace was not present for the meeting. Brief discussion ensued. Zoning Administrator Salewski reported that the Zoning Department had not received the survey results for this parcel as of the meeting. Motion by McKee, second by Woodhouse to table this petition until the October meeting of the Natural Resources Standing Committee. Motion carried and this petition was move to the October meeting of the Natural Resources Standing Committee.

C. Cook – Town of Dayton: Mr. Ken Cook, of Dayton Township, presented his petition for a rezone of property. Brief discussion ensued. Vice Chair Fleming stated that that since the August 14, 2024 Town of Dayton meeting did not comply with Wisconsin open meetings laws, the Richland County Natural Resources Standing Committee could approve the petition, but it would be contingent on the petition being reapproved at a correctly noticed Town of Dayton meeting. Brief discussion ensued. Motion by McKee, second by Gill to approve the petition, contingent on the petition being reapproved at a correctly noticed Town of Dayton meeting. Motion carried and the petition was approved, contingent on the petition being reapproved at a correctly noticed Town of Dayton meeting.

Reports:

A. Zoning Administrator – Departmental Activities: Zoning Administrator Katrina Salewski briefly reported on the activities of the Zoning Department including her passing the Private Onsite Waste Water Treatment Inspector licensure exams and that the Zoning Department issued 12 sanitation permits and 16 use permits since the last meeting. County Conservationist, Cathy Cooper reported she passed part 1 of the Soil Tester's licensure exam and would retry part 2 in October and that the Zoning Office is working with Richland County Corporation Council, Attorney Windle, on the Richland County Zoning ordinance. Conservationist Cooper also reported issues the Zoning Office was dealing with, including a resident being in violation of their Conditional Use Permit, and unapproved structures being moved onto properties. Brief discussion ensued.

B. County Conservationist – Departmental Activities: County Conservationist Cathy Cooper introduced Conservation Technician, Derrick Warner, to the committee. Conservation Technician Warner reported on various projects including erosion repair projects, well projects, and gave an update on the progress made with reclaiming a non-metallic mine near Sextonville. Discussion ensued. Conservationist Cooper reported that the Land Conservation Department received their first livestock siting permit application. There would need to be a public hearing at the October meeting of the Natural Resources Standing Committee. Conservationist Cooper reminded the members of the committee of the upcoming Richland County Fair.

C. UW-Extension – Departmental Activities: Mr. Adam Hady, Extension Director reported on various activities including the up coming Richland County Fair, the 4-H camp that happened in the beginning of August, meetings with the beef producers, and various projects with the nutrition program including working with a local market getting EBT access. No discussion.

Richland County Natural Resources Standing Committee

Discussion: Review Of Water Quality In Richland County: County Conservationist Cooper presented several maps of water testing results for the State of Wisconsin and Richland County. Extensive discussion ensued.

Discussion: Duties Of Agent Of The State For Inspections: County Conservationist Cooper reported to the committee that she reached out to the Department of Agriculture and received a response back requesting that the Health Officer for Richland County reach out to the Department of Agriculture to start the conversation. County Administrator Pesch stated she would reach out to Health and Human Services Director Clements in regards to this conversation.

Discussion & Possible Action: Approval Of Short-Term Rental Ordinance: Conservationist Cooper gave a brief background on the proposed ordinance. Discussion ensued. Consensus from the committee to forward the proposed ordinance to Corporation Council for review and then bring it back to the Natural Resources Standing Committee in October.

Discussion & Possible Action: Modifications To The Manure Storage Ordinance: Conservationist Cooper gave a brief background on the proposed modifications to the Richland County Manure Storage and Management Ordinance. Brief discussion ensued. Motion by McKee, second by Gill to approve the ordinance as presented with noted, changes. Motion carried and the ordinance was approved as presented, with noted changes.

Discussion & Possible Action: Modifications To The Richland County Zoning Ordinance: Conservationist Cooper gave a brief background on the proposed modifications to the Richland County Zoning Ordinance. Extensive discussion ensued. No action taken on this item.

Discussion & Possible Action: 2025-2027 Land Information Plan: Conservationist Cooper presented the 2025-2027 Richland County Land Information Plan to the committee. Discussion ensued. Motion by Hendricks, second by Gill to approve the 2025-2027 Richland County Land Information Plan. Motion carried and the 2025-2027 Richland County Land Information Plan was approved.

Discussion & Possible Action: Sending Certified Survey Maps To The Department Of Administration Plat Review Unit For Their Review: Mr. Todd Rummmler, surveyor for Richland County, gave a brief explanation of the proposed process. Extensive discussion ensued. Motion by Woodhouse, second by Hendricks to approve sending certified survey maps to the Department of Administration Plat Review Unit for their review. Motion carried and sending certified survey maps to the Department of Administration Plat Review Unit for their review was approved.

Correspondence: None

Future Agenda Items:

Zoning Petitions: Wallace – Town of Forest

Discussion & Possible Action: Approval Of Short-Term Rental Ordinance

Discussion & Possible Action: Modifications To The Richland County Zoning Ordinance

Conservationist Cooper briefly asked if she and Zoning Administrator Salewski needed to attend every monthly County Board meeting. Vice Chair Fleming recommended them getting direction from

Richland County
Natural Resources Standing Committee

Committee Chair Carrow.

Adjourn: Committee Vice Chair Fleming entertained a motion to adjourn. Motion by McKee, second by Woodhouse to adjourn. Motion carried and meeting adjourned at 11:52 AM.



Myranda H. Hege
Deputy County Clerk

DRAFT

CK 2647

RECEIVED
SEP 04 2024
BY: *Larry Sam*

Customer # Petition # Original Owner:

COUNTY OF RICHLAND ZONING COMMITTEE
NOTICE OF PETITION

(I) (We) First Name(s) William & Amie Last Name Twining Phone 608-604-3221
Address 463 E. Seminary St. City Richland Center State WI Zip 53581
First Name(s) Last Name Phone
Address City State Zip

hereby petition the Richland County Zoning Committee for a: Mail Report

☒ Rezone from AG1 Forestry Rezone to R-1 (Residential)
☐ CUP to permit
☐ SUP to permit
☐ Other
Authorized by Section(s) of the Richland County Zoning Ordinance.

Present description of the property involved in this petition is as follows: Parcel # 02202341000
Qtr SE Qtr SW Section 2 Town 10N Range 1E Township RLD # of acres 2.3506
Lot Block Subdivision # of Acres Approved

Present Use AG1 Forestry
Present Improvements
Proposed Use Residential
Legal Description

Petition Filed <u>9/4/24</u>	Petitioner Notified <input type="text"/>	Rezone Decision <input type="text"/>	Ordinance # <input type="text"/>
Catagory <input type="text"/>	Town Notified <u>8/14/24</u>	CUP Decision <input type="text"/>	CB Date <input type="text"/>
Fee Amount <u>\$500</u>	<input checked="" type="checkbox"/> Township Approval	CUP Expires <input type="text"/>	CB Decision <input type="text"/>
Meeting Date <u>10/7/24</u>	Decision Date <input type="text"/>	SUP Decision <input type="text"/>	Amendment # <input type="text"/>

Comments

(Signed) Appellant(s) or Agent(s) A. Twining
William A Twining

County Clerk Approval

TOWN OF RICHLAND
Regular Monthly Board Meeting Minutes
Wednesday: August 14, 2024

1. Chairman, Matt Williams called to order the regular monthly board meeting at 6:00 PM. Board Officials Present: Chairman- Matt Williams, Supervisors- Aaron Palmer and Matt Schmitz, Treasurer- Jane Ewing, Clerk- Kayla Williams.

- A. The board meeting was opened with the Pledge of Allegiance.
- B. The meeting was posted at the Town Garage and posted to the Town's website.
- C. Aaron Palmer made a motion to modify agenda and remove Ambulance Report then approve with amendment, it was seconded by Matt Schmitz. The motion carried.
- D. Matt Williams made a motion to approve the July 10, 2024 Town Board meeting minutes, it was seconded by Aaron Palmer. The motion carried.

2. No Public Comments.

3. Rick Fruit at the meeting to discuss parceling land and house on Covered Bridge Dr. Matt Williams made a motion to approve the parceling of land, it was seconded by Matt Schmitz. The motion carried.

4. Timb Biba was not present at the meeting. Request not reviewed.

5. Bill Twining present at the meeting to discuss rezoning of 2 acres from Ag Forestry to Residential from Sunset Orchards. Aaron Palmer made a motion to approve the zoning request, it was seconded by Matt Williams. The motion carried.

6. Ambulance Report – removed.

7. Burkhamer Report: Have made 1 pass through with mowing. Another pass excepted in a month or two. Patching completed on Neon Lane and Hill Crest. Discussed \$250 per month rent fee for the township garage during the winter. Will take off monthly payment when start using.

8. Matt Williams made a motion to approve the Picnic Beer/Wine license for the Wisconsin Motorsport Group-Hub City Dirt Drags at the Fairgrounds, it was seconded by Aaron Palmer. The motion carried.

9. Matt Williams made a motion to approve the Picnic Beer/Wine license for the Richland County Fair at the Fairgrounds, it was seconded by Aaron Palmer. The motion carried.

10. Clerk will get a Board of Review update from Bruce before next meeting as it needs to be scheduled as soon as possible.

11. Discussed hiring a grant writer or having clerk assist with completing applications of grants. No decision made, will bring back later.

12. Election Update: we had 301 voters including absentee voters which was a decent turnout for an August election. Already prepping for November Presidential election.

13. Town Roads & Zoning: reviewed roads that may need to have sections of the road turned to gravel. Discussed small section on Hill Crest and ¼ mile or so on Pleasant Valley near the end of the road by the quarry.

14. Kayla Williams presented 9 items to be paid totaling \$23,601.81. Matt Schmitz made a motion to pay the town's bills & expenses, it was seconded by Matt Williams. The motion carried.

15. Treasurer, Jane Ewing, gave the treasurer's report. Last months debits totaled \$57,284.96 and deposits to the checking account were \$82,774.05. The town's checking account balance at Peoples Community Bank is \$97,858.22 with approximately \$6500 in outstanding checks. The Towns reserve account balances are: Tax Account \$148,198.42 and ARPA Fund Account \$0.00 and closed out. Matt Williams made a motion to approve the Treasurer's Report as given; it was seconded by Aaron Palmer. The motion carried.

16. Additional items for next month's agenda: Ambulance Report, RRFD Report, BOR Update, Burkhamer Report/Update

17. Next meeting scheduled for September 11, 2024.

18. Aaron Palmer made a motion to adjourn the regular monthly board meeting, it was seconded by Matt Williams. The motion carried. Meeting adjourned at 7:16 PM.

Kayla Williams,
Town Clerk

BEING LOCATED IN PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 10 NORTH, RANGE 1 EAST, TOWN OF RICHLAND, RICHLAND COUNTY, WISCONSIN.

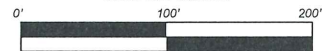
AL VIGNIERI

SURVEY PREPARED BY:
SEAN M WALSH, PLS 2016

608-383-1501 (O) 608-347-9307 (M)

○ 1.2" OD IRON PIPE FOUND
● 3/4" X 18" IRON REBAR, WEIGHT 1.5 LBS/FT PLACED BY THIS SURVEY
00) DIMENSIONS IN PARENTHESIS ARE AS PREVIOUSLY RECORDED / DESCRIBED
— EXISTING FENCE

GRAPHIC SCALE

[illegible]

RICHLAND COUNTY CERTIFIED SURVEY MAP NO. _____ cont'd

BEING LOCATED IN PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 10 NORTH, RANGE 1 EAST, TOWN OF RICHLAND, RICHLAND COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE:

I, SEAN M. WALSH, PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY: THAT I HAVE SURVEYED, DIVIDED, MAPPED AND MONUMENTED THE LANDS SHOWN HEREON, BEING LOCATED IN PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 10 NORTH, RANGE 1 EAST, TOWN OF RICHLAND, RICHLAND COUNTY, WISCONSIN MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 2;
THENCE NORTH 00°18'36" EAST, ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER, 604.50 FEET;
THENCE NORTH 89°41'24" WEST, 19.47 FEET TO A POINT ON THE CENTERLINE OF HUSTLERS RIDGE DRIVE AND THE POINT OF BEGINNING OF THE LANDS HEREINAFTER DESCRIBED;
THENCE SOUTH 32°19'47" WEST, ALONG SAID CENTERLINE, 174.61 FEET;
THENCE NORTH 55°54'43" WEST, 411.35 FEET;
THENCE NORTH 00°19'55" EAST, 107.56 FEET;
THENCE NORTH 87°32'33" EAST, 324.58 FEET;
THENCE SOUTH 28°05'29" EAST, 231.79 FEET TO THE POINT OF BEGINNING.

THAT I HAVE MADE THIS SURVEY AND LAND DIVISION UNDER THE DIRECTION OF AL VIGNIERI, FOR OWNERS OF SAID LANDS;

THAT THIS MAP IS A CORRECT REPRESENTATION OF ALL OF THE EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE DIVISION OF SAID LAND.

THAT I HAVE FULLY COMPLIED WITH CHAPTER A-E7 OF THE WISCONSIN ADMINISTRATIVE CODE, CHAPTER 236.34 OF THE WISCONSIN STATUTES AND THE LAND DIVISION ORDINANCES OF RICHLAND COUNTY IN SURVEYING, DIVIDING AND MAPPING THE SAME.

OWNERS CERTIFICATE:

AS REPRESENTATIVE FOR KENOSHA BEEF INTERNATIONAL, LTD., OWNER OF THE LANDS SHOWN HEREON, I DO HEREBY CERTIFY THAT I CAUSED THE LAND DESCRIBED ON THIS CERTIFIED SURVEY MAP TO BE SURVEYED, DIVIDED AND MAPPED AS REPRESENTED HEREON.
I ALSO CERTIFY THAT THIS CERTIFIED SURVEY MAP IS REQUIRED BY SECTIONS 236.10 OR 236.12 OF THE WISCONSIN STATUTES TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL:

RICHLAND COUNTY ZONING

NAME DATE
FOR KENOSHA BEEF INTERNATIONAL LTD., OWNER

NOTARY CERTIFICATE:

STATE OF WISCONSIN)

COUNTY OF _____)

PERSONALLY CAME BEFORE ME THIS ____ DAY OF _____, 2024, THE ABOVE NAMED

KNOWN BY ME TO BE THE PERSON WHO EXECUTED
THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

NAME
NOTARY PUBLIC, _____ COUNTY, WISCONSIN
MY COMMISSION EXPIRES _____

RICHLAND COUNTY ZONING APPROVAL:

RESOLVED THAT THE THIS CERTIFIED SURVEY MAP LOCATED IN THE TOWN OF RICHLAND, RICHLAND COUNTY, KENOSHA BEEF INTERNATIONAL LTD., OWNER, IS HEREBY APPROVED BY RICHLAND COUNTY ZONING.

APPROVED THIS _____ DAY OF _____, 2024

RICHLAND COUNTY ZONING ADMINISTRATOR



Legend

- | | | | |
|-------------------------|----------------------|------------|-----------------------|
| AG-FOR | R-1 | Legal-NC | BOA |
| AG-RES | R-2 | Illegal-NC | RC Address Points |
| AG-RES Deed Restriction | R-2 Deed Restriction | Researched | RC Parcel Numbers |
| | COMMERCIAL | Legal | RC Parcel Owners |
| | INDUSTRIAL | CUP | RC PLSS_Sections_2020 |

RC

- | |
|----|
| To |
| US |
| Co |
| st |



Name	Title	Address	City	State	Zip
<u>Property</u>					
William & Amie Twining		Parcel 022-0234-1000 - Hustler's Ridge Rd	Richland Center	WI	53581
<u>Neighbors</u>					
Kent & Jane Ewing		26394 Maple Grove Rd	Richland Center	WI	53581
Kenosha Beef International		PO Box 639	Kenosha	WI	53141
Michael & Lisa Benson		22840 Hustlers Ridge Dr	Richland Center	WI	53581
Grace Frutiger		22858 Hustlers Ridge Dr	Richland Center	WI	53581
Carlyle & Mary Brewer		1480 Wedgewood Dr, Unit 108	Richland Center	WI	53581
Phillip Martin		2330 Agate Dr	Loveland	CO	80538
Lucas & Jennifer Norman		26105 Maple Grove Rd	Richland Center	WI	53581
Kayla Williams	Richland Township Clerk	23076 Three Springs Ln	Richland Center	WI	53581
VACANT	Supervisory District 6	NA	NA	NA	NA

Wipperfurth Remnant Lands

ck 9214

Customer # 11303
Petition # 222024-012

COUNTY OF RICHLAND ZONING COMMITTEE
NOTICE OF PETITION

(I) (We) First Name(s) Rowen Last Name Wipperfurth Phone (608) 604-4086 Owner
Address 28248 County Hwy 0 City Richland Center State WI Zip 53581

First Name(s) Ray Last Name Schmitz Phone (608) 604-3405 Agent
Address 26556 US Hwy 14 City Richland Center State WI Zip 53581

hereby petition the Richland County Zoning Committee for a:

☒ Rezone from Agricultural/Forestry Rezone to Agricultural/Residential
☐ CUP to permit
☐ SUP to permit
☐ Other

Authorized by Section(s) of the Richland County Zoning Ordinance.

Present description of the property involved in this petition is as follows: Parcel # 020-0314-2000

Qtr SE 1/4 Qtr NE 1/4 Section 3 Town 9N Range 1E Township ORN # of acres 26.05
Lot Block Subdivision # of Acres Approved

Present Use Woodland

Present Improvements House, Pole Bldg

Proposed Use 24.05 Woodland properly rezoned to Ag/Res

Legal Description Too follow.

Petition Filed 6/10/24 Petitioner Notified 7/12/24 Rezone Decision Ordinance #
Category Rezoning Town Notified CUP Decision CB Date
Fee Amount \$500.00 ☒ Township Approval CUP Expires CB Decision
Meeting Date 8/5/24 Decision Date SUP Decision Amendment #

Comments

County Clerk Approval

(Signed) Appellant(s) or Agent(s)

Ted Greenheck, Agent
Driftless Area Group

TOWN OF ORION, RICHLAND COUNTY WI

NOTICE OF ACTION

Notice is hereby given that on June 19, 2024, during a during a properly noticed meeting of the Orion Town Board with a quorum present and voting, the Orion Town Board reviewed the following request:
Request to rezone a 3.3 acre section of parcel #020-0314-2000, owened by Mr. Rowan Wipperfurth and identified in the map provided by Mr Ray Schmitz from G-6 Productive Forest Land to Ag Residential. The Schmitz family will build a home on the 3.3 acre lot.

Made by: Ray Schmitz and took the following action:

- X Approved the request as listed above
- Approved the request with Changes listed
- Delayed action
- Denied the request

Explanation for action taken if needed:

Diane Parduhn, Orion Town Clerk
Diane Parduhn, Orion Town Clerk

6/19/2024
Date

339663

VOL 12 PAGE 29

CERTIFIED SURVEY MAP No. 1289

PART OF THE SOUTHEAST QUARTER OF THE
NORTHEAST QUARTER OF SECTION 3, TOWN 9
NORTH, RANGE 1 EAST, TOWN OF ORION,
RICHLAND COUNTY, WI.

DATE: JUNE 18, 2024

DWG NO. 1735-1CSM.DWG

SURVEYED FOR:

RAY SCHMITZ

26777 JELLAND DR.

RICHLAND CENTER, WI 53581

SURVEY BY:

TODD T. RUMMLER, P.L.S.-2443

AGENT OF

DRIFTLESS AREA SURVEYING LLC

27128 US HWY 14

RICHLAND CENTER, WI 53581

VOLUME: 12 PAGE: 29-30

339663

09/03/2024 02:02 PM

SUSAN TRIGGS

RICHLAND COUNTY WI

PAGES: 2

LEGEND

THESE STANDARD SYMBOLS WILL
BE FOUND ON SHEETS 1



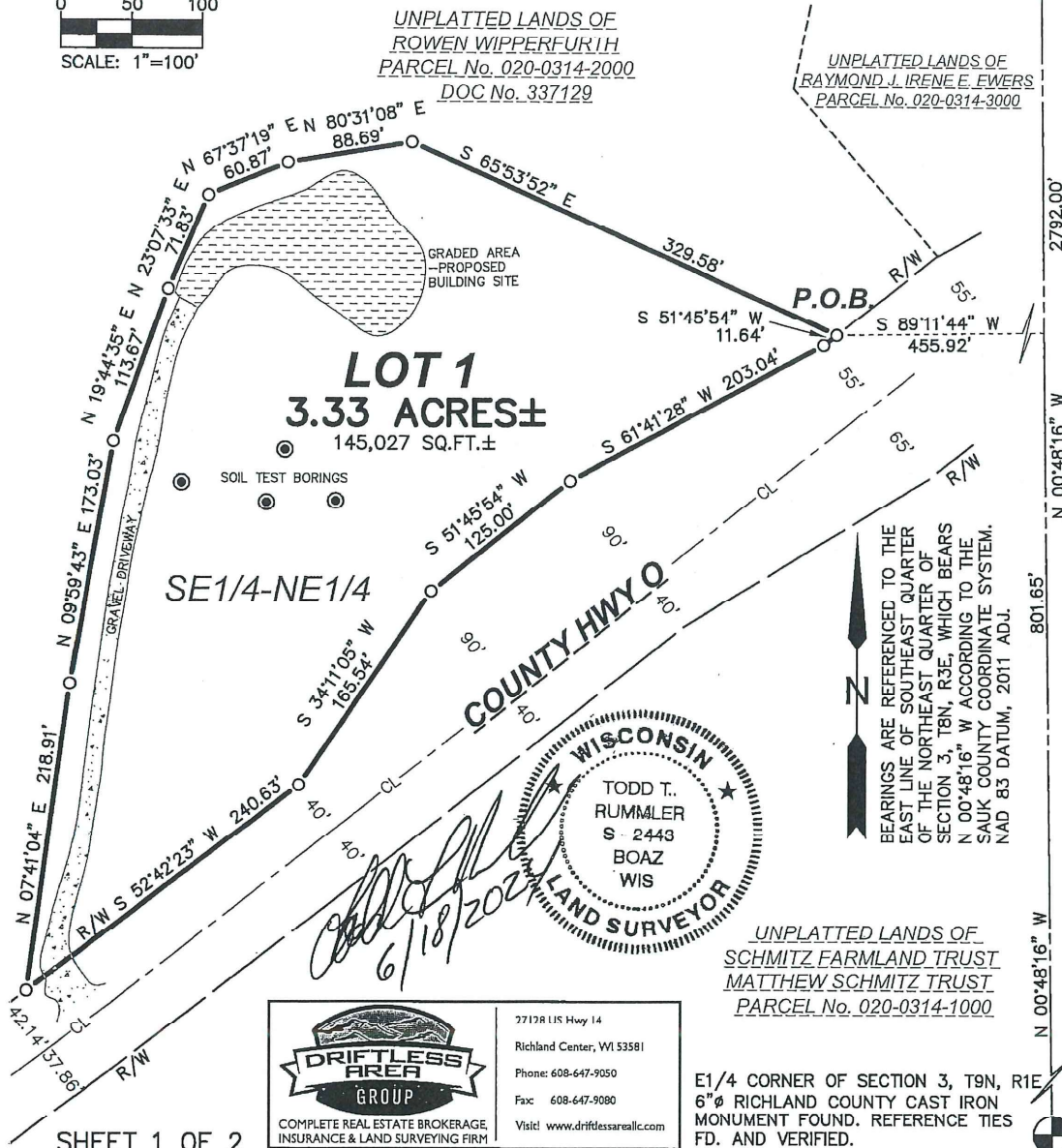
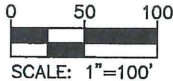
SECTION CORNER MONUMENT
(SEE COUNTY RECORDS)



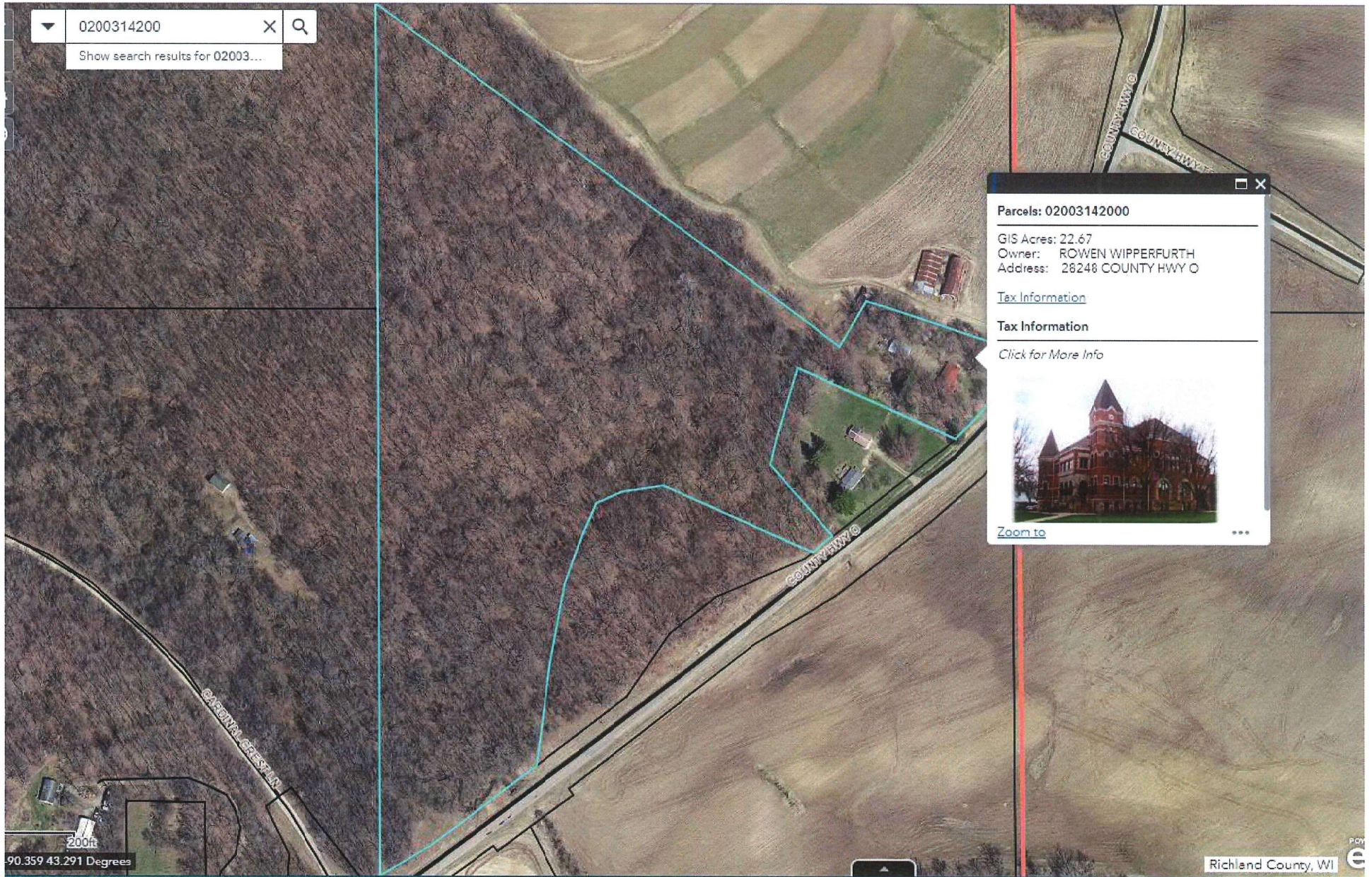
SET 3/4" x 24" LONG REBAR
WT.=1.502 LB./FT.

NE CORNER OF SECTION 3, T9N, R1E
3/4" Ø REBAR FD. REFERENCE TIES
SET AND NEW TIE SHEET PREPARED.

*REFER TO SHEET
2 FOR IMPORTANT
NOTES REGARDING
LOT 1.*



SHEET 1 OF 2



0200314200



Show search results for 02003...

Parcels: 02003142000

GIS Acres: 22.67

Owner: ROWEN WIPPERFURTH

Address: 28248 COUNTY HWY O

[Tax Information](#)

Tax Information

[Click for More Info](#)



[Zoom to](#)

...

Richland County, WI

Name	Title	Address	City	State	Zip
<u>Property</u>					
Rowen Wipperfurth		28248 County Hwy O	Richland Center	WI	53581
<u>Neighbors</u>					
Schmitz Farmland Trust - Matthew Schmitz		25360 County Hwy RC	Richland Center	WI	53581
Raymond & Irene Ewers Trust		9533 E Meseto Ave	Mesa	AZ	85209
Jeffrey & Suzanne Bauer		573 E 8th St	Richland Center	WI	53581
Kirk & Shelly Stibbe Brent & Sarah Stibbe		28515 County Hwy O	Richland Center	WI	53581
Russell Bakken		25861 Bovee Ln	Richland Center	WI	53581
Brian Lawrence		25648 Bovee Ln	Richland Center	WI	53581
Diane Parduhn	Orion Township Clerk	PO Box 506	Muscoda	WI	53573
Marc Couey	Supervisory District 18	23372 Bomkamp Rd	Muscoda	WI	53573

ck 2791e

Customer #		COUNTY OF RICHLAND ZONING COMMITTEE
Petition #		NOTICE OF PETITION

(I) (We)	First Name(s)	Last Name	Phone	
	Aaron	Wallace	920-284-9865	
Address	15868 Bufon Hollow Rd		City	Viola
			State	WI
			Zip	54664

First Name(s)	Last Name	Phone	
Sarah	Wallace	920-284-9864	
Address	15868 Bufon Hollow Rd		City
			Viola
			State
			WI
			Zip
			54664

hereby petition the Richland County Zoning Committee for a:

<input checked="" type="checkbox"/> Rezone from	A/F	Rezone to	AG/Residential
<input type="checkbox"/> CUP to permit			
<input type="checkbox"/> SUP to permit			
<input type="checkbox"/> Other			

Authorized by Section(s) _____ of the Richland County Zoning Ordinance.

Present description of the property involved in this petition is as follows:

Parcel #	012-3442000		
Qtr	SE	Qtr	SE
Section	13	Town	12
Range	02	Township	Forest
# of acres	10-12		
Lot		Block	
Subdivision		# of Acres Approved	

Present Use	Ag field
Present Improvements	New resident / Ag shed
Proposed Use	Primary resident and Ag field / Forest.
Legal Description	SE 1/4 SE 1/4 NE 1/4 SE 1/4 The S 1/4 W of CtrLn of road in both.

Petition Filed		Petitioner Notified		Rezoning Decision		Ordinance #	
Category	Rezoning	Town Notified		CUP Decision		CB Date	
Fee Amount	\$500.00	<input checked="" type="checkbox"/> Township Approval		CUP Expires		CB Decision	
Meeting Date		Decision Date		SUP Decision		Amendment #	

Comments 	County Clerk Approval
(Signed) Appellant(s) or Agent(s) <i>Sarah Wallace</i> <i>Aaron J Wallace</i>	

DRAFT

**Town of Forest
Richland County, WI
Regular Monthly Board Meeting
Tuesday, May 14, 2024**

DRAFT

Chairman John Matthes called the regular monthly board meeting of the Town of Forest to order at 6:02 pm. Also in attendance: Supervisors Jim Carley, John Bronski; Clerk Lynette Owens, Treasurer Shyla Stedman.

Affirmation of Notice: Clerk affirmed meeting notice was duly posted and emailed to interested parties.

Previous Minutes Approval: Motion by Carley, second by Bronski to approve minutes of the April meeting. Carried with no negative votes.

Treasurer's Report: Treasurer noted most deposits were solid waste income; money market interest and balance; and income and expenses by category.

Patrolman's Report: Not present. Chair noted Henry was cleaning up Bear Road (see "Accident" below); John has been cold patching.

Business:

- **Zoning Request(s):** Aaron Wallace presented pictures of the property he would like rezoned. Matthes moved to **rezone 10 to 12 acres, dependent on survey results, from Ag Forestry to Ad Residential**. Bronski seconded; motion carried.

- **Spring Clean-up Day: Saturday, May 18; 7a-1p??:** Chair asked what timing was agreed upon at the last meeting. It was verified that 7:00 a.m. to Noon was the agreed-on timeframe.

- **New Bucket:** The work on the new bucket for the front-end loader almost complete. Waiting on hooks.

- **Accident on Bear:** Semi trailer with grain left the seal coated roadway on Bear Road and traveled approximately 100 yards down the embankment. A fuel tank ruptured and leaked into the waterway. Road sealcoating was damaged. DNR, Hazmat, phone and environmental cleanup companies were contacted. Matthes will ask Scott's to repair sealcoat when they work on River Road. An approximately 4-year-old road tube was also damaged, will need to decide whether to splice or replace it. Incident will be turned in to insurance. Accident report attached to minutes.

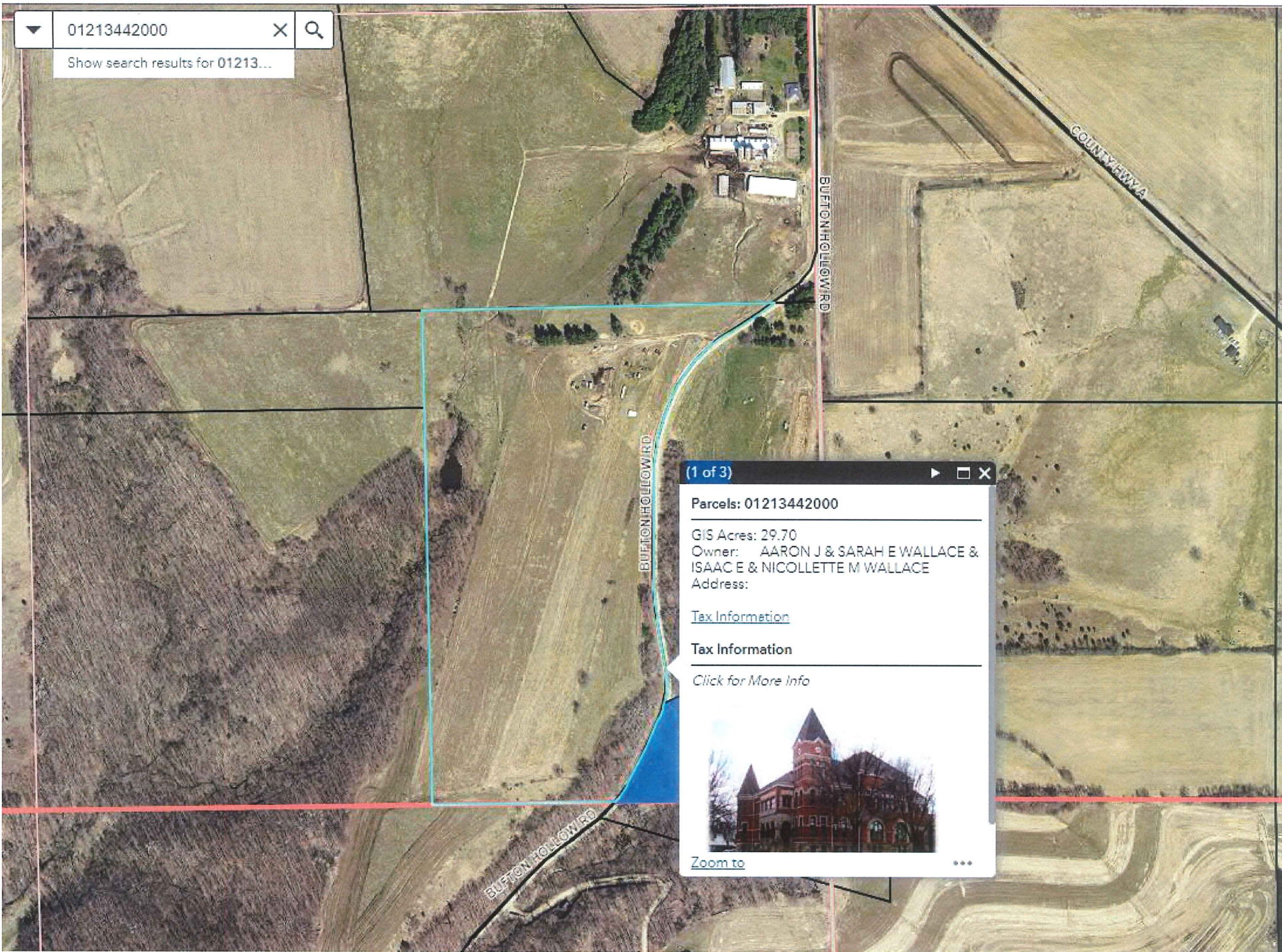
Public Comment: After the accident information was presented, Wallace inquired about reclassifying Bear Road to prohibit large truck traffic. Matthes informed him of current regulations. Wallace will investigate how another town accomplished this and whether it was done legally. On another subject, Matthes stated he will send a letter to a resident who needs to replace an older, too-small tube with a 15"x30' tube.

Monthly Bills/Financial Activity: Board reviewed Current Bills for Approval Report prepared by clerk. Matthes moved to pay the bills as presented, second by Bronski. Carried, no negative votes.

Set Next Meeting Date: Next regular town board meeting is Tuesday, June 11, 2024 at 6:00 pm.

Adjourn: Carley moved to adjourn; Bronski seconded. Carried with no negative votes.

Respectfully submitted,
Lynette Owens, Clerk



▼ 01213442000 X Q
Show search results for 01213...

(1 of 3) ▶ □ X

Parcels: 01213442000

GIS Acres: 29.70
Owner: AARON J & SARAH E WALLACE &
ISAAC E & NICOLLETTE M WALLACE
Address:

[Tax Information](#)

Tax Information

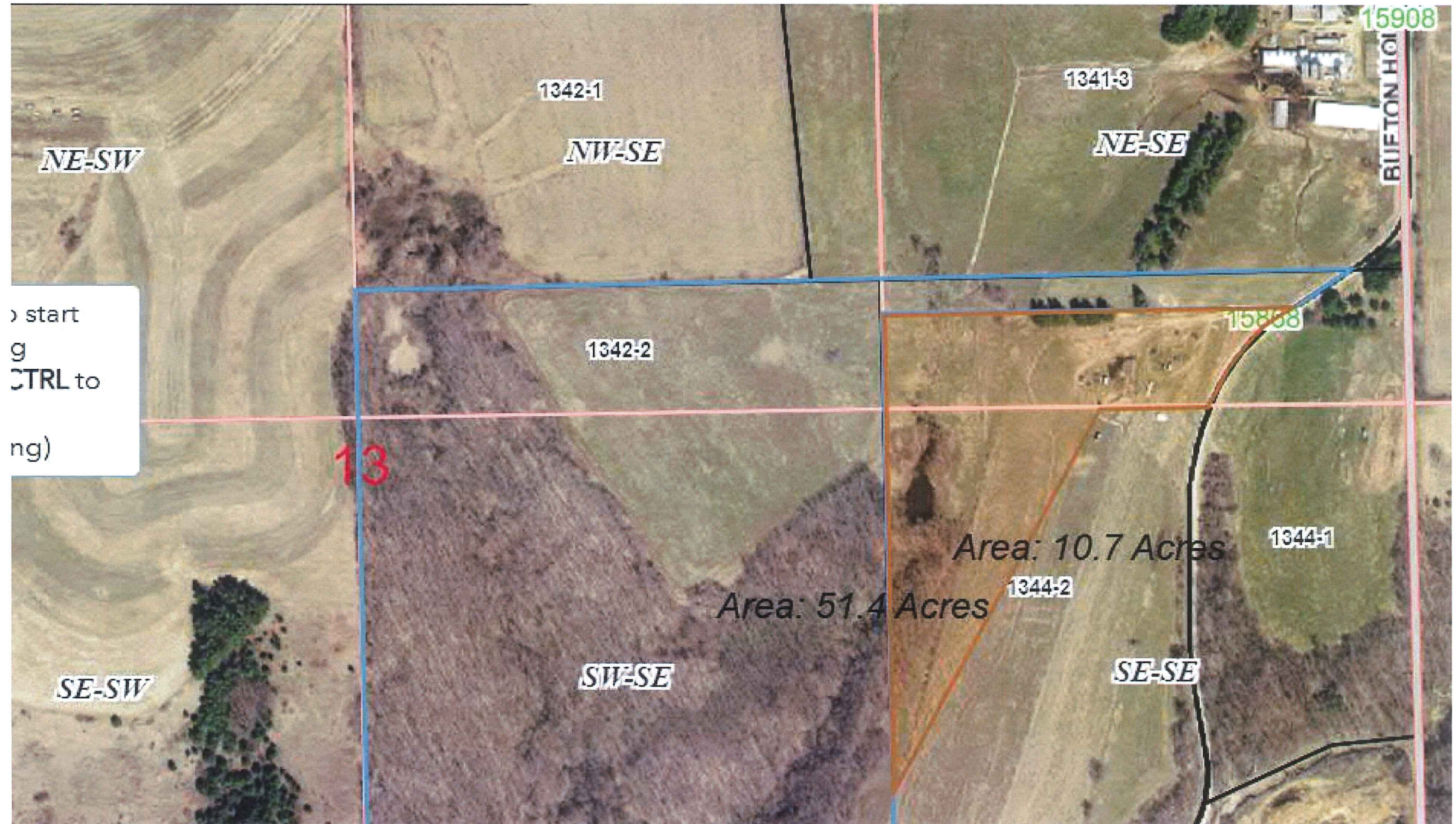
[Click for More Info](#)



[Zoom to](#) ...

Jenn Schrap

From: Katrina Salewski
Sent: Friday, September 20, 2024 8:38 AM
To: Jenn Schrap
Subject: Aaron Wallace



Name	Title	Address	City	State	Zip
<u>Property</u>					
Aaron & Sarah Wallace and Nicollette Wallace		15868 Bufton Hollow Rd	Viola	WI	54664
<u>Neighbors</u>					
Rufus Haucke		15270 Haucke Ln	Viola	WI	54664
Clair & Jean Mummau		1311 Schwanger Rd	Mount Joy	PA	17552
Jessica & Marcus Hammann		15908 Bufton Hollow Rd	Viola	WI	54664
Julie Crotsenberg Fraser		12728 County Hwy A	Viola	WI	54664
Donald Johnson		15771 Bufton Hollow Rd	Viola	WI	54664
Douglas & Frances Campbell		15721 Bufton Hollow Rd	Viola	WI	54664
Kenneth Kuettner Trust		100 N Collier Blvd Unit 1108	Marco Island	FL	34145
Martin & Kira Kennedy		14912 Bufton Hollow Rd	Viola	WI	54664
Jody & Lisa Anderson		14560 Bufton Hollow Rd	Viola	WI	54664
Richard Haucke		608 N Bird St	La Farge	WI	54639
Lynette Owens	Forest Township Clerk	12725 County Hwy MM	Viola	WI	54664
Steve Carrow	Supervisory District 1	13749 Goose Creek Rd	Viola	WI	54664

Customer #

Petition #

Original Owner:

COUNTY OF RICHLAND ZONING COMMITTEE
NOTICE OF PETITION

(I) (We)	First Name(s)	Gary	Last Name	Manning	Phone	608-604-3869	
Address	27321 Manning Ln	City	Richland Center	State	WI	Zip	53581
First Name(s)		Last Name		Phone			
Address		City		State		Zip	

hereby petition the Richland County Zoning Committee for a:

Mail Report

<input checked="" type="checkbox"/> Rezone from	Ag Forest	Rezone to	Residential 2
<input type="checkbox"/> CUP to permit			
<input type="checkbox"/> SUP to permit			
<input type="checkbox"/> Other			
Authorized by Section(s)		of the Richland County Zoning Ordinance.	

Present description of the property involved in this petition is as follows:						Parcel #	008-3633-1100						
Qtr	SW	Qtr	SW	Section	36	Town	10N	Range	1W	Township	DTN	# of acres	.94 +/-
Lot		Block		Subdivision							# of Acres Approved		

Present Use	Home
Present Improvements	Home, Garage, Shed
Proposed Use	Same
Legal Description	

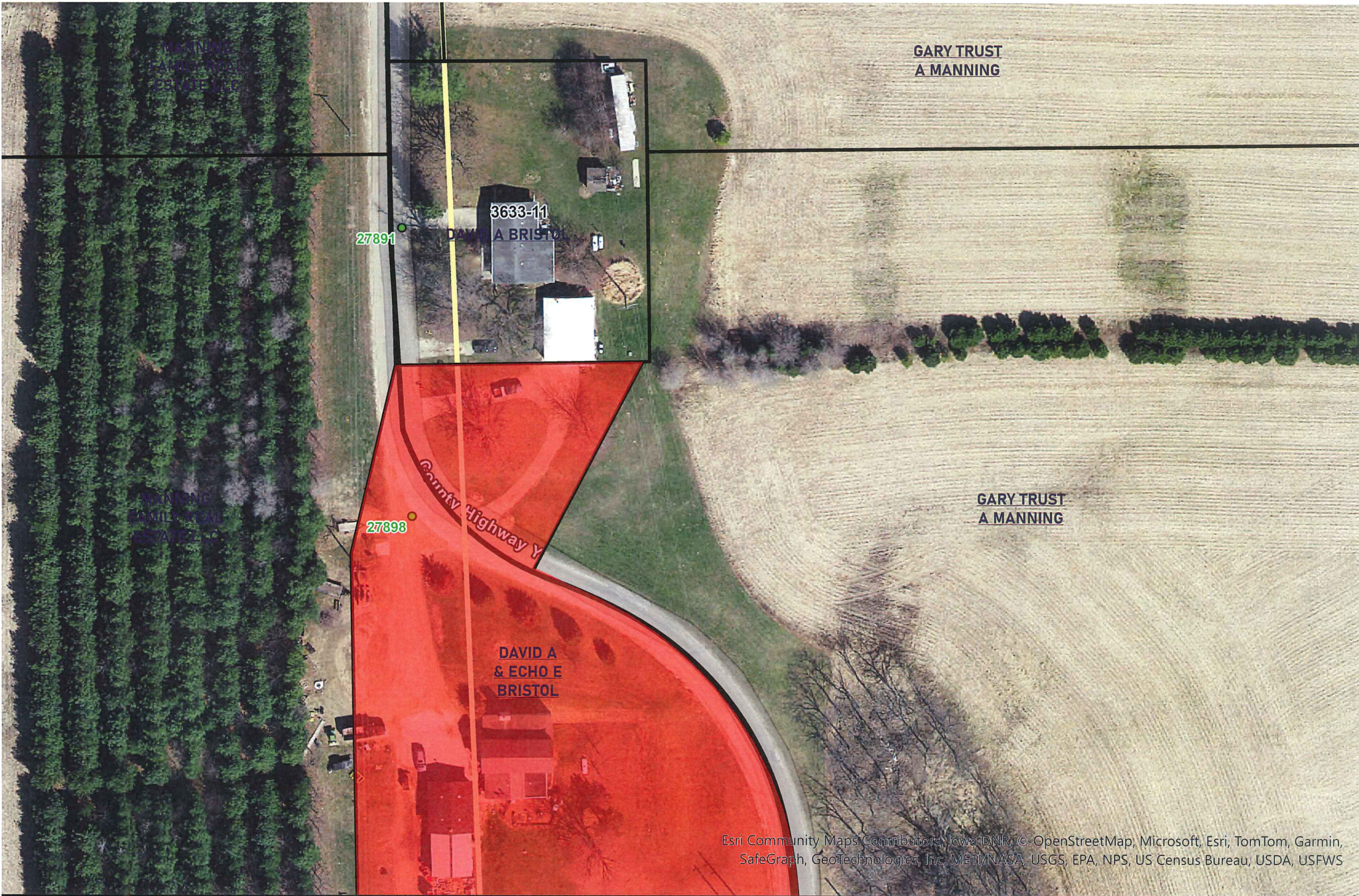
Petition Filed	9/20/24	Petitioner Notified		Rezone Decision		Ordinance #	
Catagory	Rezone	Town Notified		CUP Decision		CB Date	
Fee Amount	\$500	<input checked="" type="checkbox"/> Township Approval		CUP Expires		CB Decision	
Meeting Date	10/7/24	Decision Date		SUP Decision		Amendment #	

Comments



County Clerk Approval

(Signed) Appellant(s) or Agent(s)



Legend

oning	R-1	Legal-NC	BOA
AG-FOR	R-2	Illegal-NC	RC Address Points
AG-RES	R-2 Deed Restriction	Researched	RC Parcel Numbers
AG-RES Deed Restriction	COMMERCIAL	Legal	RC Parcel Owners
	INDUSTRIAL	CUP	RC PLSS_Sections_2020

RC	To
	US
	Co
	ct



TOWN OF DAYTON BOARD MEETING

Wednesday, September 11, 2024 Minutes

In attendance: Cheryl Dull, Kurt Monson, Jim Lingel, Tammy Newberry, and Jessica Laeseke

1. **Call to Order** at 6:02 pm
2. **Proof of Notification (Town Web Page, Town Hall and copy to Clerks E-Mail)**- posted at the Boaz Country Store, at the Town Hall, delivered to the emails of the board, and posted on the website morning of September 9th.
3. **Approval of Agenda** Dull would like to table item 13 for the handbook, motion by Lingel to approve the agenda with the tabling of item 13, second by Monson. All aye carried
4. **Approval of minutes from previous meeting** Motion to approve by Dull with a second by Monson. All aye carried.
5. **Rezone**
 - **Ken Cook – Rezone 10 acres from Ag/For to Ag/Res in Section 24 SE¼ of the SW¼ and SW¼ of the SE¼.** Motion by Dull to approve Section 24 rezoning from Ag/For to Ag/Res with a second by Lingel. All aye carried.
 - **David Bristol – Rezone .94 +/- from Ag/For to Residential 2 in Section 36 mostly in the SW¼ of the SW¼ and request a variance of 1.1 acres for the minimum requirement of 2 acres in a Residential 2 district.** Motion by Monson with a second by Lingel to approve the rezone for David Bristol from Ag/For to Residential. All aye carried.
6. **Treasurer Report** Checking balance forward of \$288,811.59, after monthly activity month end balance for August was \$188,472.28. Tax account ending balance of \$75.88 and Westby CDs are at \$24,080.39 and \$93,034.34.
7. **CD renewal** Nothing new to report next CDs are coming due in 2025.
8. **Add Signatory to Peoples Bank** Motion by Dull to add Kurt Monson as a signatory for People's Community Bank to sign checks, second by Lingel. All aye carried.
9. **Review of YTD revenue/expenses** Laeseke reviewed the YTD revenue/expenses and has updated the levy line so you see what was left in the township after all payments were sent to the school district, county, and tech school.
10. **Committee appointment** Dull motioned to appoint herself to the JAC- Joint Ambulance Committee given her background, second by Lingel. The chair will go out of rotation for Fire District and Monson and Lingel will share duties for fire. All aye carried.
11. **2024 Road Ban Attestment for ARIP Grant and ARIP Grant** We followed the county road bans in the spring, but didn't officially have it in our minutes that we did follow the county road ban. Lingel motioned to sign the attestation for the ARIP grant indicating we did follow the county road ban, second by Dull. All aye carried.
12. **Reports:**
 - Fire- NA
 - EMS- Four people have resigned in the last month
 - Patrolman- Would like a weed wacker or mower, weed wacker would be very helpful. Board doesn't see a problem with the purchase, should be less than \$200.
 - Clerk- NA
 - Chairman- Discussed upcoming meeting dates for the board and upcoming trainings for townships. Dull is attending the fall workshops and state convention.
13. **Handbook review**- tabled
14. **Replacement cemetery signs**- Signs are looking old that have the rules on the signs they are also falling apart. Name signs are also falling apart at some cemeteries. Dull will look into the cost to replace the signs with different options.
15. **Approval of Bills** Motion by Monson with a second by Lingel. All aye carried.
16. **Future Agenda items and public comments** Laeseke requested we add the bills to our budget meeting and to approve two operator's licenses.
17. **Adjournment** at 7:10 pm

Jessica Laeseke, Clerk

Name	Title	Address	City	State	Zip
<u>Property</u>					
Gary Manning		27891 County Hwy Y	Richland Center	WI	53581
<u>Neighbors</u>					
Manning Family Real Estate LLC		27321 Manning Ln	Richland Center	WI	53581
David & Echo Bristol		27898 County Hwy Y	Richland Center	WI	53581
Douglas & Jill Sommer		27838 County Hwy Y	Richland Center	WI	53581
Brian Breininger		27856 Manning Ln	Richland Center	WI	53581
Eunice Black		28058 County Hwy Y	Richland Center	WI	53581
Jessica Laeseke	Dayon Township Clerk	25089 Five Points Dr	Blue River	WI	53518
Gary Manning	Supervisory District 8	27321 Manning Ln	Richland Center	WI	53581

TOWN OF ORION, RICHLAND COUNTY WI

NOTICE OF ACTION

Notice is hereby given that on August 21, 2024, during a properly noticed meeting of the Orion Town Board with a quorum present and voting, the Orion Town Board reviewed the following request:

Aaron Halverson, for Wild Hills Real Estate LLC requests that four parcels be rezoned from Ag/Ag Residential to Commercial. The parcell #'s are 020-1733-2000, 020-2022-1100, 020-2022-2000 & 020-2023-0000.

Made by: Aaron Halverson/Wild Hills Real Estate LLC

and took the following action:

- ☒ Approved the request as listed above
☐ Approved the request with Changes listed
☐ Delayed action
☐ Denied the request

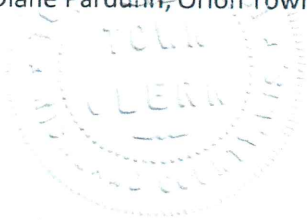
Explanation for action taken if needed:

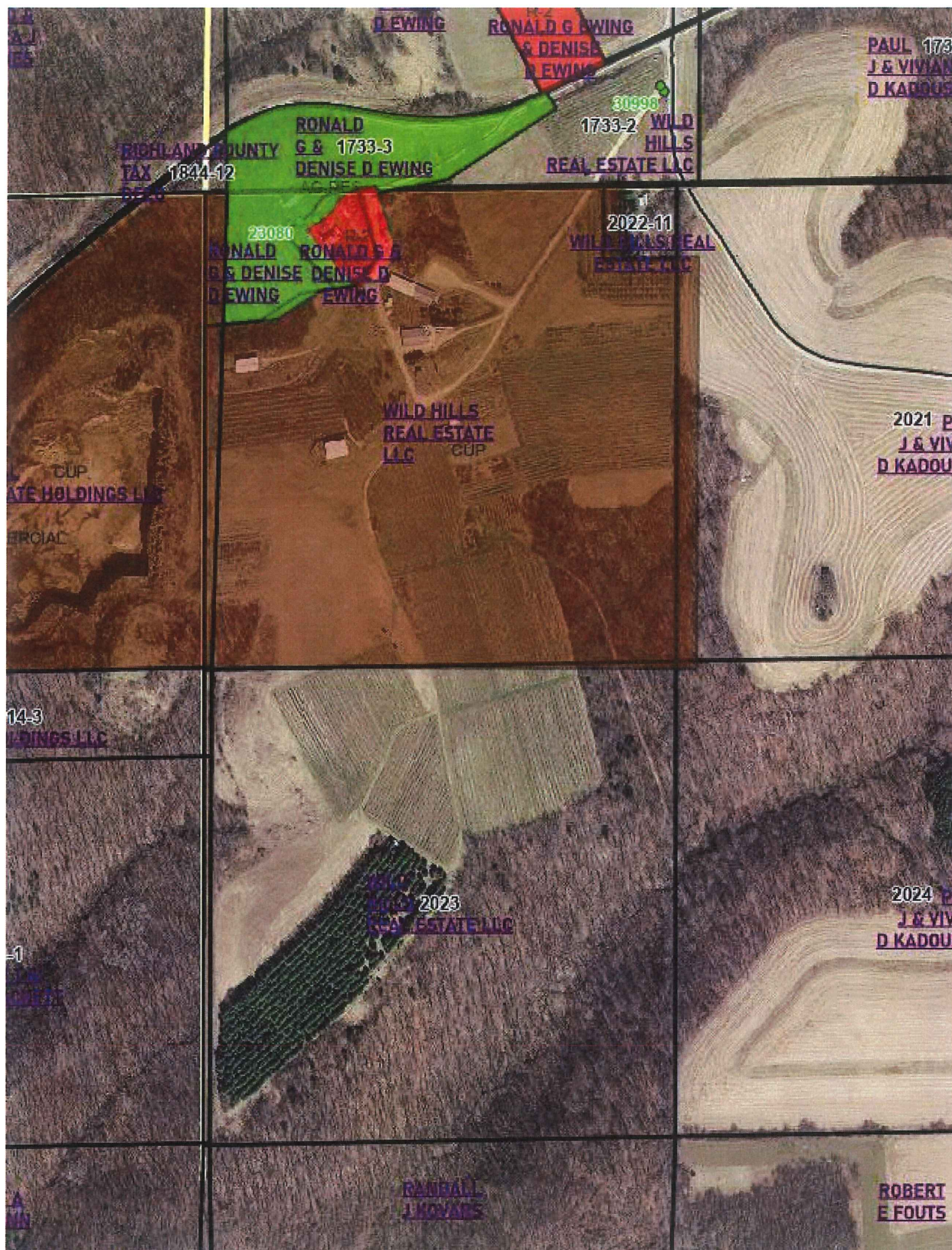


Diane Parduhn, Orion Town Clerk



Date





D EWING

RONALD G EWING
& DENISE
D EWING

PAUL 173
J & VIVIAN
D KADOU

HIGHLAND COUNTY
TAX 1844-12
DENISE

RONALD
G & 1733-3
DENISE D EWING
ACRES

30998
1733-2
WILD
HILLS
REAL ESTATE LLC

23080
RONALD RONALD S &
G & DENISE DENISE D
EWING EWING

2022-11
WILD HILLS REAL
ESTATE LLC

WILD HILLS
REAL ESTATE
LLC
CUP

2021 P
J & VIV
D KADOU

14-3
LDINGS LLC

2023
REAL ESTATE LLC

2024 P
J & VIV
D KADOU

RANDALL
J KOVACS

ROBERT
E FOUTS

Name	Title	Address	City	State	Zip
<u>Property</u>					
Wild Hills Real Estate LLC		30940 Oakridge Dr	Muscoda	WI	53573
<u>Neighbors</u>					
Ronald & Denise Ewing		23080 Vineyard Ln	Muscoda	WI	53573
James & Barbara Jefferies		30548 Oakridge Dr	Richland Center	WI	53581
Paul & Vivian Kadousek		31334 Indian Creek Dr	Muscoda	WI	53573
TKC Real Estate Holdings LLC		820 Wachter Ave	Plain	WI	53577
Richard & Rayna Hackett		162 E Water St	Montello	WI	53949
Mark Reimann		22826 Bluejay Ln	Muscoda	WI	53573
Robert Fouts		46-09 Vernon Blvd	Long Island City	NY	11101
Randall Kovars		N5589 1220th St	Prescott	WI	54021
Diane Parduhn	Orion Township Clerk	PO Box 506	Muscoda	WI	53573
Marc Couey	Supervisory District 18	23372 Bomkamp Rd	Muscoda	WI	53573

Customer #

Petition #

Original Owner:

COUNTY OF RICHLAND ZONING COMMITTEE

SEP 16 2024 NOTICE OF PETITION

CK 2568

(I) (We) First Name(s) Melvin & Marietta Last Name Mishler Phone N/AAddress 10162 Fox Ridge Dr City Hillsboro State W.I. Zip 54634

First Name(s) Last Name Phone

Address City State Zip

I hereby petition the Richland County Zoning Committee for a:

Mail Report

☒ Rezone from AG1F Rezone to Residential (R-1)☐ CUP to permit☐ SUP to permit☐ Other

Authorized by Section(s) of the Richland County Zoning Ordinance.

Present description of the property involved in this petition is as follows: Parcel # 01404211000Qtr NE Qtr NW Section 4 Town 12N Range 1E Township HRN # of acres 2.04

Lot Block Subdivision # of Acres Approved

Present Use Agriculture

Present Improvements

Proposed Use Residence

Legal Description

Petition Filed 9/16/24 Petitioner Notified Rezone Decision Ordinance #

Category Town Notified CUP Decision CB Date

Fee Amount \$500 ☒ Township Approval CUP Expires CB Decision

Meeting Date Decision Date SUP Decision Amendment #

Comments



County Clerk Approval

(Signed) Appellant(s) or Agent(s)

Melvin & MishlerMarietta J. Mishler

Town of Henrietta

Meeting Minutes

June 13, 2024

Town Officers present: Todd Stittleburg, Ken Dvorak, Dennis Brown, Rachael Aide

Town Officer(s) excused absent: Diane Brown

Citizen(s) present: Mr & Mrs Melvin Mishler and Kevin Macovec

Guest(s) present: None

Chairman Stittleburg called the meeting to order at 7:00 P.M.

Agenda read by Stittleburg. Dvorak makes motion to approve agenda with no additions or corrections, Dennis Brown seconds, no discussion, motion carried.

Aide reads meeting minutes from May 9, 2024, town meeting. Dvorak makes motion to approve May 9, 2024, meeting minutes with no additions or corrections, Dennis Brown seconds, no discussion, motion carried.

Aide gives May 2024 financial report. Dvorak makes motion to approve May 2024 financial report, Dennis Brown seconds, no discussion motion carried.

Stittleburg opened the meeting up for citizen comments. No citizen comments.

Melvin Mishler approached the board wanting to rezone his property from ag to residential. Mishler owns 35 acres of property at 10162 Fox Ridge Drive where he has a home and a store operation. He is wanting to sell his 35 acres with keeping 2 or 2.5 acres to use as a retirement property. Dvorak approves the rezone from ag to residential, Dennis seconds, no discussion, motion carried.

BLAKESLEE LAND SURVEYING
1228 E. MAIN STREET
REEDSBURG, WI 53959
(608) 524-0402

SHEET 1 OF 2

RICHLAND COUNTY CERTIFIED SURVEY MAP NO.

A PARCEL OF LAND LOCATED IN THE FRACTIONAL NE1/4-NW1/4 OF SECTION 4,
T12N, R1E, TOWN OF HENRIETTA, RICHLAND COUNTY, WISCONSIN.

OWNERS:
MELVIN & MARIETTA MISHLER
10162 FOX RIDGE DRIVE
HILLSBORO, WI 54634



BEARINGS ARE REFERENCED TO THE NORTH-SOUTH 1/4 LINE OF SECTION 4, COMPUTED TO BEAR S00°54'39"E USING THE RICHLAND COUNTY COORDINATE SYSTEM. (NAD 83/2011)

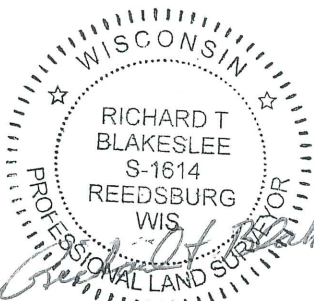
N1/4 CORNER
OF SECTION 4
(RICHLAND CO. CAST IRON MON.)

FRACTIONAL
NE1/4-NW1/4
SECTION 4

FRACTIONAL
NW1/4-NE1/4
SECTION 4

UNPLATTED LANDS

UNPLATTED LANDS



448.21'
N04°48'23"E

LOT 1

2.04 ACRES (GROSS)
88,882 SQ. FT.
1.57 ACRES (NET)
68,494 SQ. FT.

177.60'
S88°31'21"W 224.20'

UNPLATTED LANDS

S00°58'29"E

FOX RIDGE DRIVE

R/O/W

FC

R/O/W

4184.54'

S00°54'39"E

S00°54'39"E

S1/4 CORNER
OF SECTION 4
(1" IRON ROD)

NORTH-SOUTH 1/4 LINE
OF SECTION 4

S00°54'39"E

433.77'

5453.31' (TOTAL)

P.O.B.

33'

33'

835.00'

S00°54'39"E

RICHARD T. BLAKESLEE
PROFESSIONAL LAND SURVEYOR S-1614

FIELD WORK COMPLETED
AUGUST 15, 2024

LEGEND

- SECTION CORNER MONUMENT FD. AS NOTED
(ALL TIES FOUND AND VERIFIED)
- 3/4" X 18" REBAR SET WEIGHING
1.50 LBS./LIN. FT.

GRAPHIC 1" = 100' SCALE



SURVEYOR'S CERTIFICATE

I, Richard T. Blakeslee, Professional Land Surveyor, hereby certify that I have surveyed, divided and mapped a parcel of land located in the fractional NE1/4-NW1/4 of Section 4, T12N, R1E, Town of Henrietta, Richland County, Wisconsin; being more fully described as follows:

Commencing at the North ¼ corner of Section 4; thence S00°54'39"E, 835.00 feet along the North-South ¼ line of Section 4 to the point of beginning; thence continuing S00°54'39"E, 433.77 feet along the aforesaid North-South ¼ line of Section 4; thence S88°31'21"W, 224.20 feet; thence N04°48'23"E, 448.21 feet; thence S87°43'26"E, 179.82 feet to the point of beginning.

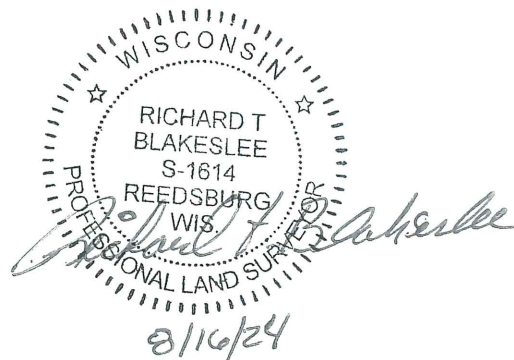
Said parcel contains 2.04 acres, more or less, and is subject to the rights-of-way of Fox Ridge Drive and all utility easements of record.

That I have complied with the provisions of Chapter 236.34 of the Wisconsin State Statutes and the Richland County Subdivision Regulations. Also that this map is in compliance with Chapter A.E. 7 of the Administrative Code of the State of Wisconsin to the best of my knowledge and belief in surveying, dividing and mapping the same.

That such plat is a true and correct representation of the exterior boundaries of the land surveyed and the subdivision thereof made.

That I have performed such Certified Survey under the direction of Melvin & Marietta Mishler, 10162 Fox Ridge Drive, Hillsboro, WI 54634 owners of said lands.

Richard T. Blakeslee
Professional Land Surveyor S-1614

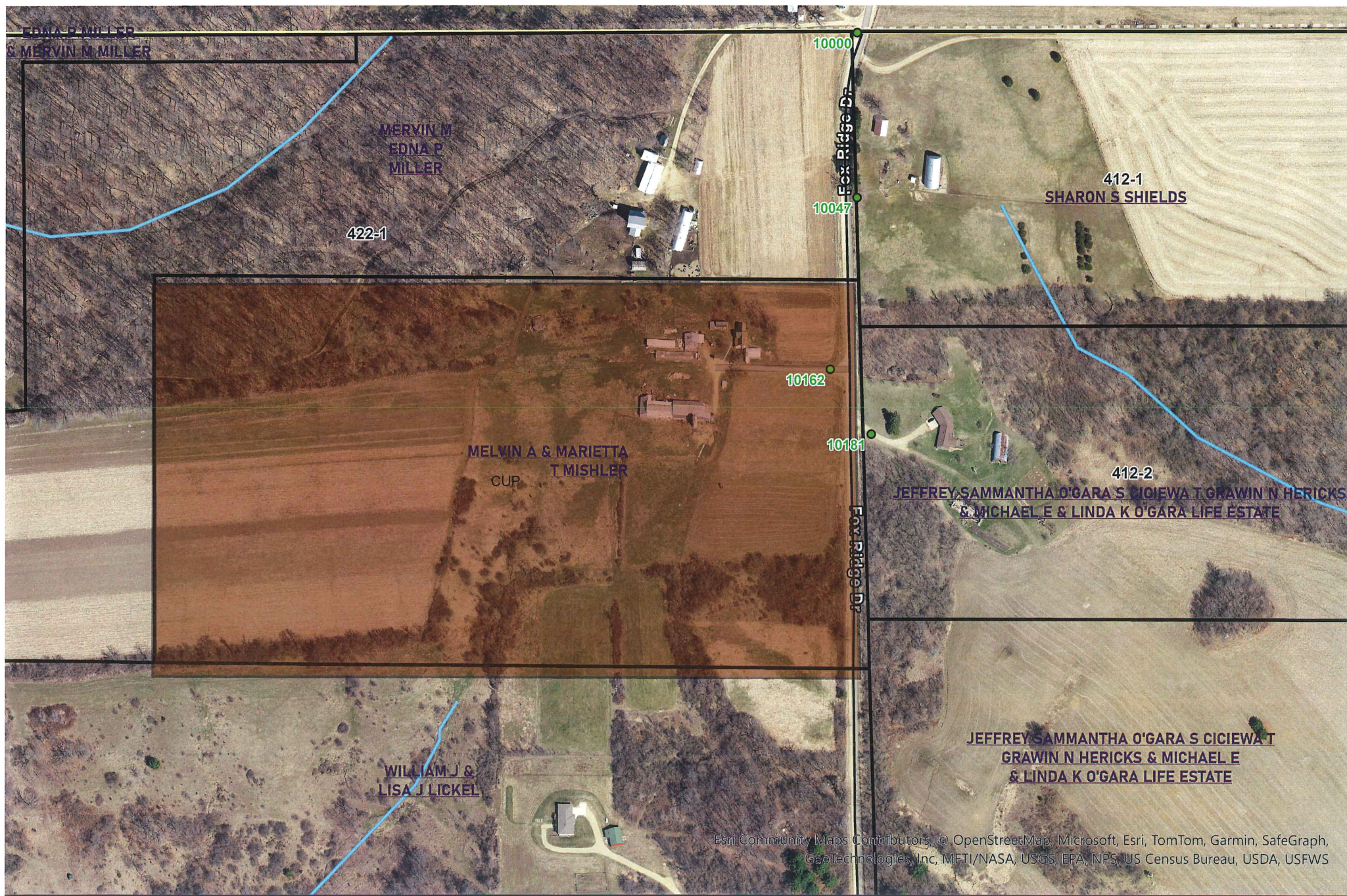


Richland County Zoning Department Approval

Resolved, that this Certified Survey in the Town of Henrietta, be and is hereby approved in compliance with Chapter 236 of the Wisconsin Statutes, and the zoning requirements of the Richland County Zoning Department.

Date

Administrator



Esri Community Maps Contributors, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

Legend

- | | | | | |
|-------------------------|----------------------|------------|-----------------------|-----------|
| Planning | R-1 | Legal-NC | BOA | RC |
| AG-FOR | R-2 | Illegal-NC | RC Address Points | To |
| AG-RES | R-2 Deed Restriction | Researched | RC Parcel Numbers | US |
| AG-RES Deed Restriction | COMMERCIAL | Legal | RC Parcel Owners | Co |
| | INDUSTRIAL | CUP | RC PLSS_Sections_2020 | St |



Name	Title	Address	City	State	Zip
<u>Property</u>					
Melvin & Marietta Mishler		10162 Fox Ridge Dr	Hillsboro	WI	54634
<u>Neighbors</u>					
Mervin & Edna Miller		54819 Fox Ridge Rd	Hillsboro	WI	54634
Sharon Shields		25659 Shields Ln	Hillsboro	WI	54634
Michael & Linda O'Gara Life Estate		10181 Fox Ridge Dr	Hillsboro	WI	54634
William & Lisa Lickel		10490 Fox Ridge Dr	Hillsboro	WI	54634
Rachael Aide	Henrietta Township Clerk	15814 Crofton Dr	Richland Center	WI	53581
Marty Brewer	Supervisory District 3	26766 County Hwy DD	Richland Center	WI	53581

ATCP 51 SITING

TRIPLE MOORE FARMS, LLC

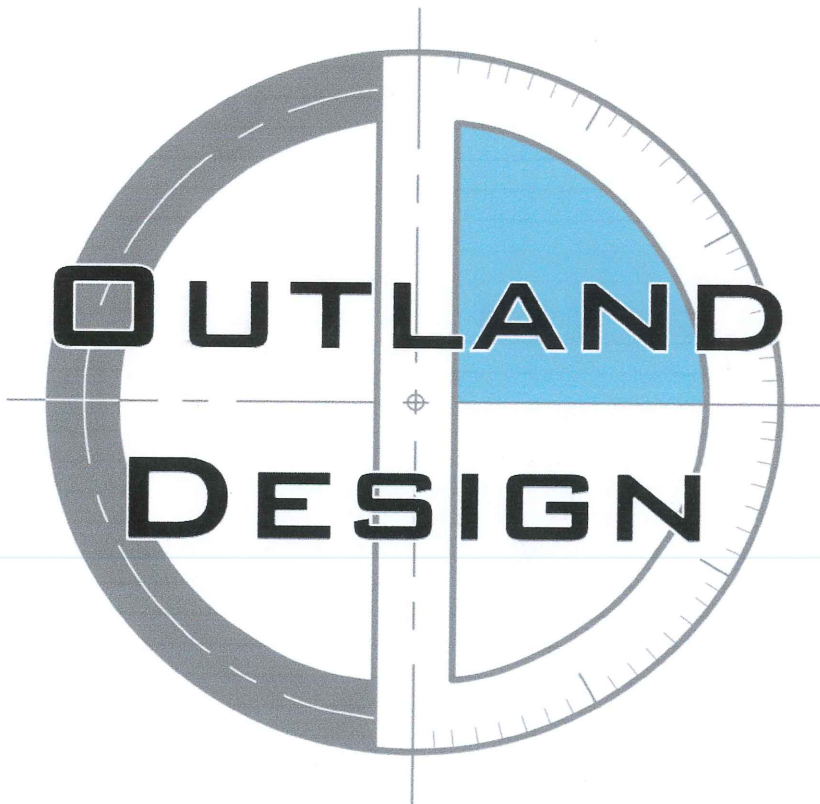
AUGUST 2024

PREPARED FOR:

**TRIPLE MOORE FARMS, LLC
29775 STATE HWY 130
LONE ROCK, WI 53556**

PREPARED BY:

**OUTLAND DESIGN
4630 SOUTH BILTMORE LANE
MADISON, WI 53718**



A DIVISION OF RUEKERT & MIELKE, INC.

Chapter **ATCP 51****APPENDIX A****APPLICATION FORM AND WORKSHEETS**

Application for Local Approval
New or Expanded Livestock Facility



Wisconsin Department of Agriculture, Trade and Consumer Protection
2811 Agriculture Drive
P.O. Box 8911
Madison, WI 53708-8911
(608) 224-4622
(608) 224-4500

APPENDIX A – ATCP Permit Application

TABLE OF CONTENTS

APPENDIX A	ATCP 51 PERMIT APPLICATION
APPENDIX B	AREA MAPS
APPENDIX C	EMPLOYEE TRAINING PROGRAM
APPENDIX D	ENVIRONMENTAL INCIDENT RESPONSE PLAN
APPENDIX E	ELECTRONIC ODOR SCORE SHEET
APPENDIX F	WASTE STORAGE CALCULATIONS SHEETS

Introduction

Use this application form to obtain local approval for a *new* or *expanded* livestock facility (cattle, swine, poultry, sheep or goats) that will exceed 500 “animal units” (or a lower threshold established by local zoning ordinance prior to July 19, 2003).

Some local governments require local approval, but others do not. Check with your local government (county and town or municipality) to see if local approval is required in your area.

In some cases, you may need local approval from more than one local government (for example, the county and the town, or 2 towns if your livestock facility straddles the town line). But the application and approval process should be the same.

The construction of a new or altered *livestock structure* does not, by itself, constitute an “expansion” (unless there will also be an increase in *animal units*). If you already have a permit or local approval, you may not need another approval unless your planned expansion exceeds the number of animals previously authorized by your local government.

Local approval, if required, is governed by statewide uniform standards in Wisconsin Statutes s. 93.90 and Wisconsin Administrative Code chapter ATCP 51. This application documents compliance with those standards.

The Livestock Facility

A livestock facility includes livestock, livestock structures, the land on which they are located (it does not include pastures or winter grazing areas). *Related livestock facilities* (see definition below) are treated as a single livestock facility, for purposes of local approval. However:

- A *separate species facility* (see definition below) may be treated as a separate livestock facility, even if it is owned by the same person and located on the same land parcel as another livestock facility.
- A mere acquisition of a neighboring livestock facility does not constitute an *expansion* unless more *animal units* are added to the combined facilities.

Completing the Application

If local approval is required, complete this entire application form (including the worksheets). Follow the instructions in the application form. Attach all of the supplementary documentation required. Your application must be complete, credible and internally consistent.

The application form and worksheets ask for information to show compliance with Wisconsin livestock facility siting standards. A local government has *very limited* authority to modify the standards by local ordinance (modifications, if any, must be reflected in the local version of this application form).

As part of your application, you must specify the number of *animal units* that you will keep at a new or expanded livestock facility. If the local government approves your requested number, this will be the maximum number that you may keep for 90 days or more in any 12-month period.

A local government may require you to submit up to 4 duplicate copies of the complete application, worksheets, maps and other attachments. But you are not required to submit duplicate copies of engineering design specifications.

Worksheets

This application includes the following worksheets:

- *Animal units* (worksheet 1)
- Odor management (worksheet 2)
- Waste and nutrient management (worksheet 3)
- Waste storage facilities (worksheet 4)
- Runoff management (worksheet 5)

Complete the worksheets following all instructions (including those on each worksheet). You may use a convenient automated spreadsheet in place of Tables A and B of worksheet 2 if you prefer (results are identical). The spreadsheet is available at <http://www.datcp.state.wi.us>.

If the Wisconsin Department of Natural Resources (DNR) has issued a Wisconsin Pollutant Discharge Elimination System (WPDES) permit for your proposed livestock facility, you can check a box on worksheets 3, 4 and 5, and submit a copy of that permit with the worksheets. A WPDES permit does not affect the requirements for completing worksheets 1 and 2.

Fees

A local government may require a fee to offset its reasonable costs to review and process this application. The fee, if any, must be established by local ordinance and may not exceed \$1,000. A local government may NOT charge any other fee, or require you to post any bond or security.

Local Approval Process

If you complete the application properly, the local government **MUST APPROVE** the proposed livestock facility unless it finds, based on clear and convincing evidence in the local record, that the facility fails to meet the state standards.

Within 45 days after you submit your application, the local government must notify you whether your application is complete. If you failed to complete part of the application, you must submit the missing information. The local government must grant or deny the application within 90 days after it declares the application complete, and issue its decision in writing. The approval must include a duplicate copy of the approved application, marked "approved." The duplicate copy shall include all the worksheets, maps, and other attachments included in the application, with the exception of the engineering design specifications. The local government must make a record of its decision making process, and the evidence supporting its decision. The record must include your application.

Appeal of Local Decision

If you disagree with the local government's decision on your application, you may appeal that decision to the Wisconsin Livestock Facility Siting Review Board ("Board"). Other "aggrieved persons" may also appeal to the Board. An "aggrieved person" includes any person who resides or owns land within 2 miles of your proposed livestock facility.

You must file your appeal within 30 days after the local government issues its decision (or, if you pursue a local administrative appeal process first, within 30 days after that appeal process is complete). The Board will review the local decision based on the evidence in the local record (it will not hold a new hearing or accept new testimony or evidence). You must file your appeal in writing at the following address:

Wisconsin Livestock Facility Siting Review Board
c/o Secretary, Department of Agriculture, Trade and Consumer Protection
P.O. Box 8911
Madison, WI 53708-8911

Terms Used in this Application Form

In this application form, you will see a number of **italicized** terms. Those terms are defined below (for more specific definitions, see ATCP 51):

"Adjacent" – Located on land parcels that touch each other, or on land parcels that are separated only by a river, stream, or transportation or utility right-of-way.

"Affected Neighbors" – Residences or *high-use buildings* within 2500 feet of any livestock structure at the proposed facility, other than those owned by the applicant or by persons who have agreed to exclude them from the applicant's odor score calculation. The total odor score for a *livestock facility* depends, in part, on the proximity and density of "affected neighbors."

"Animal housing area" – That portion of an animal housing structure to which animals have access, and in which manure may accumulate. "Animal housing area" includes free-stalls and travel lanes. It does NOT include holding areas, feed alleys, storage areas or milking parlors.

"Animal lot" – A feedlot, barnyard or other outdoor facility where livestock are concentrated for feeding or other purposes. Pastures and winter grazing areas are NOT "animal lots." Treat multiple "animal lots" as a single "animal lot" if runoff from the "animal lots" drains to the same treatment area or if runoff from the "animal lot" treatment areas converges or reaches the same surface water within 200 feet of any of those treatment areas.

"Animal units" – Equivalent units of *livestock*. The number of animals constituting an "animal unit" varies by species. For example, one milking dairy cow equals 1.4 "animal units." A beef animal over 600 lbs. equals 1.0 "animal units." A pig over 55 lbs. equals 0.4 "animal units." A laying chicken equals 0.01 "animal unit." The number of "animal units" kept at a *livestock facility* means the largest number of "animal units" that will be at the *livestock facility* on at least 90 days in any 12-month period. Calculate "animal units" according to worksheet 1.

"BARNY runoff model" – The Wisconsin version of a model that is commonly used to predict nutrient runoff from *animal lots*. An Excel computer spreadsheet version is available on the DATCP website (engineering directory).

"Certified agricultural engineering practitioner" – A practitioner who is properly qualified under ATCP 50.46.

"Cluster" – Any group of one or more *livestock structures* within a *livestock facility*. If you wish to do so, you may calculate separate odor scores for "clusters" that are separated by more than 750 feet.

“Complete application for local approval” – An application that contains everything required under ss. [ATCP 51.30\(1\)](#) to [\(4\)](#).

“DATCP” – Wisconsin Department of Agriculture, Trade and Consumer Protection. The application form cites DATCP rules including Wis. Adm. Code chs. [ATCP 51](#) (livestock facility siting), [ATCP 50](#) (soil and water resource management) and [ATCP 17](#) (livestock premises registration).

“DNR” – Wisconsin Department of Natural Resources. The application form cites DNR rules including Wis. Adm. Code chs. [NR 243](#) (WPDES permits), [NR 811](#) (community wells) and [NR 812](#) (private wells).

“Expanded livestock facility” – The entire *livestock facility* created by an *expansion*, including new, existing and altered *livestock structures* (existing structures are subject to less rigorous standards). Your application must indicate the maximum number of *animal units* that you will keep at the “expanded livestock facility.”

“Expansion” – An increase in the largest number of *animal units* kept at a *livestock facility* on at least 90 days in any 12-month period. The acquisition of an existing livestock facility, by the operator of an *adjacent* facility, is not an “expansion” unless the operator increases the largest number of *animal units* kept at the combined livestock facilities on at least 90 days in any 12-month period.

“High-use building” – A residential building that has at least 6 distinct dwelling units; a restaurant, hotel, motel, or tourist rooming house; a school building; a hospital or licensed care facility; or a non-farm business or workplace that is open at least 40 hours a week. The odor score for your *livestock facility* depends, in part, on the proximity and density of neighboring “high-use buildings.”

“Karst features” – Sinkholes, fractured bedrock or like features that may result in direct pollution runoff to groundwater.

“Livestock” – Cattle, swine, poultry, sheep or goats.

“Livestock facility” – A feedlot, dairy farm, or other operation where *livestock* are or will be fed, confined, maintained, or stabled for a total of 45 days or more in any 12-month period. A “livestock facility” includes all of the tax parcels on which the facility is located, but it does NOT include a parcel used only for *pasture* or as a *winter grazing area*. *Related livestock facilities* are considered a single “livestock facility,” except a livestock operator may elect to treat a *separate species facilities* as a separate livestock facility.

“Livestock structure” – A building or structure such as a barn, milking parlor, feed storage facility, feeding facility, *animal lot* or *waste storage structure*. *Pastures*, *winter grazing areas* and machine sheds are NOT “livestock structures.”

“Local approval” – A license, permit, special zoning exception, conditional use permit, or other local authorization for a *new* or *expanded livestock facility*. This application form applies, regardless of the form of local approval. However, this application form does NOT cover any of the following permits (for which separate requirements may apply):

- Building, electrical or plumbing permits (if local standards are consistent with state code).
- Manure storage system permits (see [ATCP 50.56](#)), UNLESS construction is part of a *new* or *expanded livestock facility*.
- Permits required by certain local ordinances related to shoreland zoning, floodplain zoning, construction site erosion control or stormwater management.

“New livestock facility” – A *livestock facility* used for the first time, or for the first time in at least 5 years.

“NRCS” – The Natural Resource Conservation Service of the United States Department of Agriculture. Wisconsin livestock siting standards refer to NRCS Technical Guide standards.

“Pasture” – Land on which livestock graze or otherwise seek feed in a manner that maintains the vegetative cover over all of the grazing or feeding area.

“Premises ID” – The unique ID number assigned to your *livestock facility* under the Wisconsin Livestock Premises Registration Program ([ATCP 17](#)). Go to <http://www.datcp.state.wi.us> for more information. To register your *livestock facility*, go to <http://www.wiid.org/>.

“Qualified nutrient management planner” – A person, other than the applicant, who is qualified under [ATCP 50.48](#).

“Related livestock facilities” – Two or more *livestock facilities* that are owned or managed by the same person and meet any of the following criteria:

- They are located on the same tax parcel or *adjacent* tax parcels.
- They use any of the same *livestock structures* to collect or store manure.
- They generate manure that is applied to the same parcel of land.

“Separate Species Facility” – A distinct part of a *livestock facility* that meets all of the following criteria:

- It has only one of the following types of livestock, and that type is not found in any other part of the *livestock facility*:
 - Cattle
 - Swine
 - Poultry
 - Sheep
 - Goats
- It has no more than 500 *animal units*.
- Its animal housing and manure storage structures, if any, are located at least 750 feet from *livestock structures* that are used by other parts of the *livestock facility*.

“Substantially altered” livestock structure – A *livestock structure* that undergoes a material change in construction or use such as:

- An increase in the capacity of a *waste storage facility*.
- The addition of a liner to a *waste storage facility*.
- An increase of more than 20% in the area or capacity of a *livestock structure* used to house, feed, or confine *livestock* or to store livestock feed.
- An increase of more than 20% in the number of *animal units* that will be kept in a *livestock structure* on at least 90 days in any 12- month period.


“Waste storage structure” – An embankment structure, excavated pit, dugout or fabricated structure that is used to store manure, milking center waste or other organic waste generated by a *livestock facility*. For the purposes of waste storage structure setback (application form, A-2) and worksheet 2, a “waste storage structure” does not include a structure used to collect and store waste under an animal housing facility, or a manure digester consisting of a sealed structure in which manure is subjected to managed biological decomposition.

“Waste storage facility” — A *waste storage structure* and any attached piping or equipment used to load or unload the structure.

“Winter grazing area” – Cropland or *pasture* where *livestock* feed on dormant vegetation or crop residue, with or without supplementary feed, during the period October 1 to April 30. “Winter grazing area” does *not* include any of the following:

- An area, other than a *pasture*, where *livestock* are kept during the period from May 1 to September 30.
- An area which at any time has an average of more than 4 *animal units* per acre.
- An area from which *livestock* have unrestricted access to navigable waters of the state.
- An area in which manure deposited by *livestock* causes nutrient levels to exceed standards in ATCP 51.16.

“WPDES permit” – Wisconsin Pollutant Discharge Elimination System permit issued by DNR for a concentrated animal feeding operation over 1000 *animal units*, or for operations of any size that discharge pollutants directly to waters of the state.

arm-lwr- 11/04 January, 2006  Wisconsin Department of Agriculture, Trade and Consumer Protection 2811 Agriculture Drive, PO Box 8911, Madison WI 53708-8911 Phone: (608) 224-4622 or (608) 224-4500				
Application for Local Approval New or Expanded Livestock Facility			Wis. Statutes s. 93.90 Wis. Adm. Code ch. ATCP 51	
1. Legal Name of Applicant (Business Entity): Triple Moore Farm, LLC				
2. Type of Business Entity: check one				
<input type="checkbox"/> Individual	<input type="checkbox"/> Corporation	<input type="checkbox"/> Partnership	<input type="checkbox"/> Cooperative	<input checked="" type="checkbox"/> LLC LLC
<input type="checkbox"/> Trust	<input type="checkbox"/> Other	Describe:		
3. Other names, if any, under which applicant does business (list all):				
4. Contact Individual:		Name: Neal Moore		
Phone: (608)604-6314		E-mail: derekmoore207@gmail.com		
5. Business Address:				
Street Address: 29775 State Hwy 130		City/Village/Town: Lone Rock		
County: Richland		State: WI	Zip: 53556	
6. Principal Owners or Officers (list if applicant is an entity other than an individual):				
Name: Neal Moore		Title: Owner		Phone: (608)604-6314
Address: 29775 State Hwy 130		City: Lone Rock		State: WI
Name: Derek Moore		Title: Owner		Phone: (608)604-6314
Address: 29775 State Hwy 130		City: Lone Rock		State: WI
Name:		Title:		Phone:
Address:		City:		State:
7. Description of Proposed Livestock Facility				
Check one: <input type="checkbox"/> New Livestock Facility <input checked="" type="checkbox"/> Expanded Livestock Facility				Premises ID:
Expanded Livestock Facility				
Address of Proposed Livestock Facility: <small>29775 State Hwy 130</small>				
City/Village/Town: Lone Rock		County: Richland		State: WI
Town # Buena Vista		Range # (E or W) 02 E		Section # 11
¼ Section # SE1/4 SW1/4				

The Wisconsin Administrative Code on this web site is current through the last published Wisconsin Register. See also Are the Codes on this Website Official?

Application (continued)

8. Total Animal Units

Enter total *animal units* from **worksheet 1**:

Total Animal Units: 999. This is the maximum *livestock facility* size for which the applicant requests approval at this time.

9. Area Map of Livestock Facility

Attach a scale map or aerial photo of the proposed *livestock facility* and surrounding area. The map or photo must be appropriately sized and marked, so that it clearly and legibly shows all of the following:

- All existing and proposed *livestock structures*. Label each *livestock structure* to show structure type, and whether existing or proposed.
- The area lying within 2 miles of any of the *livestock structures*. Show all existing buildings, property lines, roadways, and navigable waters lying within that area.
- All residences and *high use buildings* within 2500 ft. of any *livestock structure*. Show which (if any) of those buildings are owned by the applicant, or by persons who have agreed to exclude the buildings from the applicant's odor worksheet calculations.
- Topographic lines at 10 ft. elevation intervals.
- Map scale and north direction indicator.

10. Site Map of Livestock Facility

Attach a scale map or aerial photo of the proposed *livestock facility* site. The map or photo shall be appropriately sized and marked, so that it clearly and legibly shows all of the following:

- All existing and proposed *livestock structures*. Label each *livestock structure* to show structure type, and whether existing or proposed.
- The area lying within 1,000 ft. of any of the *livestock structures*. Show all existing buildings, property lines, roadways, navigable waters, and known *karst features* within that area.
- Topographic lines, at 2 ft. elevation intervals, for the area within 300 feet of the *livestock structures*.
- Map scale and north direction indicator.

11. Location of Livestock Structures

The applicant certifies that:

- All *livestock structures* comply with applicable local property line and road setbacks (see ATCP 51.12).
- All *waste storage structures* comply with setbacks in ATCP 51.12(2).
- All *livestock structures* comply with applicable local shoreland, wetland, and floodplain zoning ordinances (copies available from local government).
- Wells comply with the Wisconsin well code (NR 811 and 812). New or substantially altered *livestock structures* are separated from existing wells (including neighbors' wells) by setback distances required in NR 811 and 812.

Application (continued)
<p>12. Employee Training Plan</p> <p>Attach an Employee Training Plan for employees who will work at the <i>livestock facility</i>. Applicant determines plan contents, as long as the plan identifies all of the following:</p> <ul style="list-style-type: none"> • Training topics including, at a minimum, nutrient management, odor management, runoff management, manure and waste handling, employee safety, and environmental incident response. • The number and job categories of employees to be trained. • The form and frequency of training, which at a minimum must include a plan for at least one training per year. • Training presenters (these may include <i>livestock facility</i> managers, consultants or professional educators). • A system for taking and recording attendance.
<p>13. Environmental Incident Response Plan</p> <p>Attach an Environmental Incident Response Plan for the <i>livestock facility</i>. Applicant determines plans contents, as long as the plan identifies all of the following:</p> <ul style="list-style-type: none"> • Types of environmental incidents covered. These must include, at a minimum, overflows and spills from waste storage facilities, catastrophic system failures, manure spills during transport and application, movement of manure during or after application, catastrophic mortality disposal emergency, and odor complaints. • The name and business telephone number of at least one individual who will handle public questions and concerns related to environmental incidents. • The names and telephone numbers of first responders (e.g. DNR, fire departments, excavation contractors). • Incident response procedures, including emergency response, recordkeeping and reporting procedures.
<p>14. Odor Management Plan (Optional)</p> <p>An applicant required to complete the odor management worksheet may attach an <i>optional</i> odor management plan. The applicant determines plan contents, as long as the plan addresses all of the following: activities to reduce community conflict; practices used to reduce dust; practices used to reduce odor from feed storage leachate; practices used to conserve water; and practices used to reduce odor from dead animals.</p>

Application (continued)

15. Other Laws

The following laws, among others, may apply to the operation of a *livestock facility*. Local approval of a *livestock facility* siting application is NOT based on these laws, except as specifically provided in ATCP 51. However, violations may have other legal consequences:

- Soil conservation and nonpoint pollution laws (contact your county land conservation department). Livestock facilities that have 1,000 or more animal units, or that discharge pollutants directly to waters of the state, must also obtain a *WPDES permit* from DNR.
- Pesticide and agricultural chemical laws administered by DATCP.
- Animal disease control laws administered by DATCP.
- Animal mortality laws administered by DATCP.
- Vehicle weight limits and state prohibitions against spilling waste on roads.
- Food safety and animal health licenses administered by DATCP. All livestock operations must register, and some (such as dairy farms) must hold a state license.
- Air pollution control regulations administered by DNR.
- Building, electrical, plumbing and sanitation codes administered by the Wisconsin Department of Safety and Professional Services. A local authority may disapprove a proposed *livestock facility* that violates a conforming local code.
- Construction site erosion control laws administered by DNR.
- Local erosion control and stormwater management ordinances.
- Petroleum storage laws administered by the Wisconsin Department of Safety and Professional Services.
- High capacity well regulations administered by DNR.

16. Worksheets

Complete worksheets as required (follow instructions on each worksheet) and attach to application.

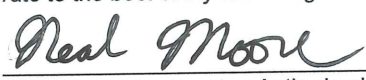
Worksheet 1 – Animal Units.

Worksheet 2 – Odor Management.

Worksheet 3 – Waste and Nutrient Management. If you hold a *WPDES permit* from DNR for the same proposed *livestock facility* (for an equal or greater number of *animal units*), check the appropriate box on this worksheet, and submit a copy of the permit with this application.

Worksheet 4 – Waste Storage Facilities. If you hold a *WPDES permit* from DNR for the same proposed *livestock facility* (for an equal or greater number of *animal units*), check the appropriate box on this worksheet, and submit a copy of the permit with this application.

Worksheet 5 – Runoff Management. If you hold a *WPDES permit* from DNR for the same proposed *livestock facility* (for an equal or greater number of *animal units*), check the appropriate box on this worksheet, and submit a copy of the permit with this application.

Application (continued)	
Authorized Signature: <i>I certify that the information contained in this application (including worksheets and all attachments) is complete and accurate to the best of my knowledge.</i>	
 _____ Signature of Applicant or Authorized Representative	<u>8-15-24</u> Date
<u>Neal Moore</u> _____ Print Name	<u>owner</u> _____ Title
For Office Use Only:	
Application #:	
Date Application Received:	
Date Completeness Determined:	Date Notice Sent to Applicant:
Date Notice Sent to Adjacent Landowners:	
Decision Date:	
Approved or Disapproved:	
Date Appeal Filed (if any):	

arm-lwr-11/04 January 2006



Wisconsin Department of Agriculture, Trade and Consumer Protection
 2811 Agriculture Drive, PO Box 8911, Madison WI 53708-8911
 Phone: (608) 224-4622 or (608) 224-4500

Worksheet 1 – Animal Units

Instructions: Use this worksheet to determine the number of *animal units* for which you request approval. You may request approval for a number that is large enough to accommodate current and potential future expansions. If the local government approves the requested number of *animal units*, that is the maximum number that you may keep for 90 days or more in any 12-month period. You may not exceed that number without additional approval.

To complete this worksheet:

1. Identify each type of *livestock* that you might keep at the proposed facility. Enter the maximum number of animals of each type that you might keep for at least 90 days in any 12-month period.
2. Multiply the number of animals of each type by the relevant Animal Unit Factor to obtain *animal units* of each type.
3. Sum the *animal units* for all *livestock* types to obtain the Total *Animal Units* for which you request approval.

	Livestock Type	Animal Unit Factor	Animal Units For Proposed Facility		
Example – Milking & Dry Cows			1.4 x	800	= 1120 AU
Dairy	Milking and Dry Cows	1.4	1.4 x	704	=986
	Heifers (800 lbs. to 1200 lbs.)	1.1	1.1 x		=
Cattle	Heifers (400 lbs. to 800 lbs.)	0.6	0.6 x		=
	Calves (up to 400 lbs.)	0.2	0.2 x	66	= 13.2
Beef	Steers or Cows (600 lbs. to market)	1.0	1.0 x		=
	Calves (under 600 lbs.)	0.5	0.5 x		=
	Bulls (each)	1.4	1.4 x		=
Swine	Pigs (55 lbs. to market)	0.4	0.4 x		=
	Pigs (up to 55 lbs.)	0.1	0.1 x		=
	Sows (each)	0.4	0.4 x		=
	Boars (each)	0.5	0.5 x		=
Poultry	Layers (each)	0.01	0.01 x		=
	Broilers (each)	0.005	0.005 x		=
	Broilers – continuous overflow watering	0.01	0.01 x		=
	Layers or Broilers – liquid manure system	0.033	0.033 x		=
	Ducks – wet lot (each)	0.2	0.2 x		=
	Ducks – dry lot (each)	0.01	0.01 x		=
	Turkeys (each)	0.018	0.018 x		=
Sheep (each)		0.1	0.1 x		=
Goats (each)		0.1	0.1 x		=
Total Animal Units for Which Applicant Requests Approval					= 999.2

Neal Moore

Signature of Applicant or Authorized Representative

8-14-2024

Date

Arm-lwr-11/04 January 2006



Wisconsin Department of Agriculture, Trade and Consumer Protection
 2811 Agriculture Drive, PO Box 8911, Madison WI 53708-8911
 Phone: (608) 224-4622 or (608) 224-4500

Worksheet 2 – Odor Management

Instructions: This worksheet addresses odor from *livestock structures*. You are NOT required to complete this worksheet if any of the following apply (check box if applicable):

- ☐ I am requesting approval for a *new livestock facility* with fewer than 500 *animal units*.
- ☐ I am requesting approval for an *expanded livestock facility* with fewer than 1,000 *animal units*.
- ☐ All *livestock structures* will be at least 2500 ft. from the nearest affected neighbor.

If you checked any of the above boxes, just sign below and submit this page with your application. If you did NOT check any of the above boxes, you must complete this worksheet to calculate the odor score (Box 4) for your proposed *livestock facility*. To meet the odor management standard, you must have a total odor score of 500 or more.

If *livestock structures* are located in *clusters* that are separated by more than 750 feet, you may elect to complete a separate worksheet for each *cluster*. If you choose that option, each *cluster* must meet the odor management standard.

A complete worksheet must include Tables A and B. You may use a convenient automated spreadsheet in place of Tables A and B if you prefer (submit spreadsheet output instead of tables, results will be identical). However, you must still sign and submit this signature page. The spreadsheet is available at the *DATCP* website, <http://www.datcp.state.wi.us>.

TO COMPLETE THIS WORKSHEET, FOLLOW THESE STEPS:

Step 1: Complete Table A to determine the Predicted Odor from your *livestock structures*. Enter the Predicted Odor in Box 3 below (NOT Box 1).

Step 2: Complete Table B to determine your Separation Score. Enter your Separation Score in Box 1 below. (NOT Box 2).

Step 3: Enter your management credits in Box 2 (maximum 100 points). All applicants may enter 80 points for completing required incident response and employee training plans (described on page A-3). Applicants completing an optional odor management plan (described on page A-3), may add an additional 20 points. Applicants determine plan contents, as long as the plan addresses the required topics.

Step 4: Add Box 1 and Box 2. Subtract Box 3 and enter the total in Box 4. This is your Odor Score.

730	+	80	-	57	=	753
Box 1 Separation Score (from Step 2)		Box 2 Management Score (from Step 3)		Box 3 Predicted Odor (from Step 1)		Box 4 Odor Score

A local government must approve a *livestock facility* with an odor score of 500 or more (Box 4). You may add odor control practices to increase your odor score to 500 or more. A local government may approve, but is not required to approve, a *livestock facility* with an odor score less than 500 but not less than 470.

Neal Moore
 Signature of Applicant or Authorized Representative

8-14-2024
 Date

Worksheet 2 (continued)

TABLE A: Predicted Odor from Livestock Structures

Instructions: Complete Table A. You must measure all structures to the same affected neighbor. If the nearest neighbor is not the same for all livestock structures, you will need to complete the table once for each close neighbor. Compare the "H" Total of the table for each neighbor. The neighbor that has the lowest weighted distance is considered your nearest affected neighbor, and you should use that table to complete the odor worksheet. Enter the Column F total on page A-6 in **Box 3**. Enter the Column G result on page A-8 in **Table B, Step 1**. Add lines or use additional sheet, if needed, to list all structures.

1. Animal Housing Areas – List each

Column A Manure Management Type Enter your housing buildings and the related 4-letter code from Chart 2. You may exclude up to 1000 calf hutches and 4 structures less than the sq. footage listed in Chart 2.	Column B Odor Generation Number From Chart 2	Column C Housing Area (Ft ²) Use occupied animal area only. Exclude feed alleys, holding areas and milking parlors. Express in 10,000's. (Ex: 15,523 ft ² = 1.55)	Column D Odor Control Practice Codes List all that apply to each housing area, from Chart 3	Column E Multiplier for Odor Control Practice List all that apply to each from Chart 3. Enter "1" if none.	Column F Predicted Odor Multiply columns B, C, and E	Column G Distance to Nearest Affected Neighbor(ft) Measure from corner of the bldg to corner of the neighbor's bldg. Measure all to the same neighbor.	Column H Weighted Distance (ft.) Multiply columns F & G
1A..							
1B.							
1C.							
1D.							
1E.							

2. Waste Storage Facilities – List each

Column A Waste Storage Type Enter 4-letter type code from Chart 2	Column B Odor Generation Number From Chart 2	Column C Exposed Surface Area Measure surface area (ft ²) when pit is filled to capacity, excluding freeboard. Enter in 10,000's. (Ex: 75,575 = 7.56)	Column D Odor Control Practice Codes List all that apply to each facility from Chart 3	Column E Multiplier for Odor Control Practice List all that apply to each from Chart 3. Enter "1" if none.	Column F Predicted Odor Multiply columns B, C, and E	Column G Distance to Nearest Affected Neighbor (ft) Measure from top inside edge to neighbor's bldg corner. Measure to the same neighbor.	Column H Weighted Distance (ft.) Multiply columns F & G
2A.							
2B.							
2C.							
2D.							

3. Animal Lots – List each

Column A Animal Lot Type Enter 4-letter type code from Chart 2	Column B Odor Generation Number From Chart 2	Column C Animal Lot Area (ft ²) Enter in 10,000's (Ex: 7438 = .74)	Column D Odor Control Practice Codes List all that apply to each facility from Chart 3	Column E Multiplier for Odor Control Practice List all that apply to each from Chart 3. Enter "1" if none.	Column F Predicted Odor Multiply columns B, C, and E	Column G Distance to Nearest Affected Neighbor(ft) Measure from corner to corner. Measure all structures to the same neighbor.	Column H Weighted Distance (ft.) Multiply columns F & G
3A.							
3B.							
3C.							
					F Total	G = (H Total) ÷ (F Total)	H Total

Enter on page A-6, Box 3

Enter on page A-8, Table B, Step 1

SEE APPENDIX E OF ATCP 51 REPORT FOR ODOR SCORE CALCULATION SHEETS

Worksheet 2 (continued)

Table B: Separation Score

INSTRUCTIONS		RESULTS
Step 1: Enter, at right, the result from Table A, Column G (page A-7).		Distance (ft.) to Nearest Affected Neighbor: _____
Step 2: Select multiplier based on the compass direction looking from the livestock facility to the nearest affected neighbor. Enter at right.		Multiplier: _____
Compass Direction	Multiplier	
North	1.0	
Northeast	1.0	
East	1.1	
Southeast	1.2	
South	1.2	
Southwest	1.2	
West	1.3	
Northwest	1.1	
Step 3: Calculate wind-adjusted separation distance (Distance to nearest <i>affected neighbor</i> x multiplier). Enter at right.		Wind-Adjusted Separation Distance (ft.) _____
Step 4: Determine <i>affected neighbor</i> density and enter at right: <i>Low density</i> = No more than 5 residences and no <i>high-use buildings</i> within 1300 ft of each structure. <i>High density</i> = 6 or more residences or at least one <i>high-use building</i> within 1300 ft of each structure.		Low or High Density? _____
Step 5: Use results above and Chart 1 to find your Separation Score. Enter at right and on Page A-6 in Box 1 .		Separation Score _____

Chart 1: Separation Score

Wind-Adjusted Separation Distance (ft.)	Low Density	High Density
0-99	505	503
100-149	506	504
150-199	511	507
200-249	516	510
250-299	521	514
300-349	527	518
350-399	534	523
400-449	541	528
450-499	548	533
500-599	560	542
600-699	577	555
700-799	595	569
800-899	615	585
900-999	636	601
1000-1099	658	619
1100-1199	681	637
1200-1299	705	657
1300-1399	730	
1400-1499	756	
1500-1599	783	
1600-1699	810	
1700-1799	839	
1800-1899	868	
1900-1999	899	
2000-2099	930	
2100-2199	962	
2200-2299	994	
2300-2399	1027	
2400-2499	1061	
2500-2749	1123	
2750-2999	1214	
3000-3249	1309	

SEE APPENDIX E OF ATCP 51 REPORT FOR ODOR SCORE CALCULATION SHEETS

Worksheet 2 (continued)

Chart 2: Odor Generation Numbers

Animal Housing Area Type	Housing/ Management Type Code	Manure Management Method	Odor Generation Number	Exempt Buildings Maximum Size (ft²) (May exclude up to 4)
Dairy Stanchion	DSDC	Daily to weekly cleaning	2	7500
Dairy Free Stall and Beef & Dairy Heifers (Forage Ration)	DBSS	Slatted floor (includes floor and pit below)	6	2500
	DBSC	Scrape	4	3500
	DBAF	Alley flush to storage	10	1500
	DBBP	Bedded pack	2	7500
Beef Finishing (High Energy Ration)	BFSF	Slatted floor (includes floor and pit below)	12	1000
	BFSC	Scrape	8	2000
	BFBP	Bedded pack	4	3500
Pork Gestation/ Farrow/Nursery	PGSF	Slatted floor (includes floor and pit below)	46	N/A
	PGPP	Pull plug to storage	22	N/A
Pork Finishing	PFSF	Slatted floor (includes floor and pit below)	34	N/A
	PFPP	Pull plug to storage	20	N/A
	PFSS	Scrape systems to storage	11	1500
	PFDB	Deep bedded	4	3500
Poultry	PBLT	Broiler (litter)	1	15000
	PDLQ	Ducks (liquid)	20	N/A
	PLAY	Layers	20	N/A
	PTDL	Turkey and Ducks (litter)	2	7500

Type Codes	Waste Storage Facility Types <i>Note: Storage under slatted floor is addressed under animal housing.</i>	Odor Generation Number
WSSS	Solid (stack)	2
WSLT	Long term (6 months or longer as determined in Column E of worksheet 3)	13
WSST	Short term (less than 6 months as determined in Column E of worksheet 3)	28

Animal Lot Codes	Animal Lot Types		Odor Generation Number
ALPV	Paved		4
UPDB	Unpaved	Dairy/Beef/Sheep/Goats	6
UPSW		Swine/Poultry	11

SEE APPENDIX E OF ATCP 51 REPORT FOR ODOR SCORE CALCULATION SHEETS

Worksheet 2 (continued)

Chart 3: Odor Control Practices

Category	Practice Code	Practice Name (Practices must meet specifications on pages A-11 to A-13)	Multiplier*
Animal Housing Area			
A	A1	Diet manipulation	0.8
B (Choose only 1)	B1	Bio-filter	0.1
	B2	Vegetable oil sprinkling (for swine only)	0.4
	B3	Fresh water flush	0.4
	B4	Treated water flush	0.7
	B5	Air Dam (for swine only)	0.9
C	C1	Windbreak (includes man-made berms)	0.9
D	D1	Frequent cleaning of animal housing area	0.9
Waste Storage Facilities			
E (Choose only 1)	E1	Anaerobic digestion	0.2
	E2	Chemical or biological additives	0.8
	E3	Compost	0.2
	E4	Solids Separation and Reduction	0.6
	E5	Water Treatment	0.1
F (Choose only 1)	F1	Aeration	0.3
	F2	Bio-cover	0.4
	F3	Geotextile cover	0.5
	F4	Impermeable cover	0.1
	F5	Natural crust	0.3
	F6	Bottom fill	0.9
G	G1	Windbreak (includes man-made berms)	0.9
Animal Lots			
H (Choose only 1)	H1	Frequent cleaning of <i>animal lot</i>	0.4
	H2	Drag <i>animal lot</i>	0.5
I	I1	<i>Animal lot</i> moisture control	0.8
J	J1	Windbreak (includes man-made berms)	0.9

*Smaller multiplier = more odor controlled (e.g. a multiplier of 0.4 represents a 60% control).

Innovative Odor Control Practices (all odor sources):

You may take credit for odor control practices not listed in Chart 3 if *DATCP* pre-approves a multiplier for each of those practices. Follow the procedure in *ATCP 51.14(5)(c)* to obtain *DATCP* approval. If you obtain *DATCP* approval, you may include the approved practice and multiplier in odor worksheet calculations in the same manner as for odor control practices listed in Chart 3 (attach *DATCP* approval to your application).

SEE APPENDIX E OF ATCP 51 REPORT FOR ODOR SCORE CALCULATION SHEETS

Worksheet 2 (continued)

Odor Control Practice Specifications

Odor control practices identified in Chart 3 must meet the following specifications:

Animal Housing

Diet manipulation (A1) – Limit protein in animal diet by one of the following means:

- Match nutrient supply with animal requirements.
- Formulate low-protein amino acid supplemented diets.
- Add phytase enzyme ingredients.
- Process ingredients in ways that limit protein content of processed feed.
- Use phase feeding.
- Use split sex feeding.
- Minimize feed wastage.

Bio-filter (B1) – Vent air from *animal housing areas* through a bio-filter consisting of compost and wood chips, mixed at a rate of 30:70 to 50:50 (ratio by weight of compost to wood chips). The mixture must be at least 40% moisture by weight. The bio-filter must be 10" to 18" thick, and must have an area of at least 50 to 85 sq. ft. per 1000 cu. ft. per minute (cfm) of airflow.

Vegetable oil sprinkling (B2) – Sprinkle vegetable oil on floors in *animal housing areas* (swine) each day. Apply oil at start-up rate of approximately 40 milliliters per square meter per day (mL/m²-day) in the first 1-2 days of each production cycle. During the remainder of each production cycle, apply oil at maintenance rate of 5 mL/m²-day. Avoid oil applications to pens near fans, to areas near heaters, and to areas surrounding feeders.

Fresh water flush (B3) – Use fresh water to flush manure from floors of *animal housing areas* into collection or *waste storage structures*. Flush at least 3 times a day, and more often if necessary, to prevent manure from drying and sticking to floors. Flush must be adequate to remove manure solids effectively.

Treated water flush (B4) – Use treated manure effluent to flush manure from floors of *animal housing areas* into collection or *waste storage structures*. Flush at least 3 times a day, and more often if necessary, to prevent manure from drying and sticking to floors. Flush with waste storage effluent treated by one of the following means:

- *Solids Separation and Reduction (see E4 below).*
- *Aeration (see F1 below).*
- *Anaerobic digestion (see E1 below).*

Air Dam (B5) – Erect and maintain a wall (typically a 10-foot x 10-foot pipe frame and tarpaulin) placed at the end of a swine-finishing building, immediately downwind of the exhaust to deflect air and odor plume. Replace material used for the barriers (tarpaulins on a frame of solid wood, for example) as needed, which may be from a few years to decades, depending on the material.

Windbreak (C1) – Maintain a solid or porous windbreak, 10 to 50 feet from the odor source, which reduces forward momentum of airflow and vertically disperses the odor plume. The length of a windbreak shall be at least half of the perimeter of the animal housing. A windbreak may be constructed of vegetation or other materials. Vegetation windbreaks must contain at least 3 rows of trees and shrubs, of both fast and slow-growing species, that are well suited for the site. Windbreaks must be designed and constructed according to NRCS Technical Guide Standard 380 (June, 2002).

Frequent cleaning of animal housing area (D1) – Scrape and remove manure from *animal housing areas* at least 3 times a day.

SEE APPENDIX E OF ATCP 51 REPORT FOR ODOR SCORE CALCULATION SHEETS

Worksheet 2 (continued)

Waste Storage Facilities

Anaerobic digestion (E1) – Subject manure to managed biological decomposition within a sealed oxygen-free container (“digester”). Anaerobic digestion must meet design and operational standards necessary to achieve adequate odor control, including requirements for solids concentration, flow rates, retention time, and minimum temperatures. Systems must meet the following:

- *Plug flow digester.* Treats manure with a total solids concentration of 8 to 14%. Must be kept in the digester for at least 20 days at a temperature of 95° to 104° F. (35° to 40° C). The digester’s ratio of flow path width to fluid depth must be between 3.5:1 and 5:1.
- *Complete mix digester.* Treats manure with a total solids concentration of 2.5 to 10%. Must be kept in the digester for at least 17 days at a temperature of 95° to 104° F. (35° to 40° C.). The digester must have appropriate mixing devices to ensure complete mixing.
- *Fixed film digester.* Treats manure with a total solids concentration of not more than 5%. Must be kept in the digester for 1 to 6 days at a temperature of 59° to 99° F (15° to 39° C). Microbial support material must have at least 3-inch openings.
- *Other systems.* Use proprietary design and performance specifications that are commonly accepted and provide adequate odor mitigation.

Chemical or biological additives (E2) – Apply, to stored manure, chemical or biological additives that are scientifically proven to be effective in reducing odor from that manure when applied under applicable conditions and in applicable amounts.

Compost (E3) – Aerobically treat solid or semi-solid manure to create compost. Compost must have a carbon: nitrogen ratio of 25:1 to 40:1, and must consist of at least 40 to 60% moisture by weight. Composted material must be held at a temperature of more than 130° F. (54° C.) for more than 5 days.

Solids Separation and Reduction (E4) – Reduce the solid content of stored manure to an average of less than 2% solids through separation, multi-tiered pits or other means.

Water Treatment (E5) – Install and use a physical, chemical or biological process that removes the majority of contaminants from the waste stream, resulting in a liquid effluent meeting surface water discharge standards. The remaining solid fraction or sludge must be accounted for based on its form, and the management it is subject to.

Aeration (F1) – Use aeration equipment to maintain aerobic activity in stored manure. Aeration must maintain an average of 2 milligrams of dissolved oxygen per liter of manure stored in the upper foot of manure stored in the aerated structure between April and October.

Bio-cover (F2) – Cover the surface of waste storage structure with an 8” to 12” thick blanket of dry wheat, barley or good quality straw. The blanket must cover nearly all of the waste surface between the months of April and October. Add to the blanket as necessary (typically every 6 weeks to 4 months) to maintain the required cover.

Geotextile cover (F3) – Cover the surface of waste storage structure with a geotextile membrane that is at least 2.4 mm thick. The membrane must cover nearly all of waste surface between the months of April and October.

Impermeable cover (F4) – Cover the surface of waste storage structure with an impermeable barrier that prevents gas from escaping. Gas must be drawn off, and either treated or burned.

Natural crust (F5) – Maintain a natural crust of dry manure on the surface of stored manure. The natural crust must cover a substantial amount of the surface area of the stored manure, for most of the time between the months of April and October.

Bottom fill (F6) – Add manure to a liquid *manure storage structure* from the bottom so as to limit disturbance to the surface of the stored manure.

Windbreak (G1) – Maintain a solid or porous windbreak, 10 to 50 feet from the odor source, which reduces forward momentum of airflow and vertically disperses the odor plume. The length of a windbreak shall be at least half of the perimeter of the *waste storage facility*. A windbreak may be constructed of vegetation or other materials. Vegetation windbreaks must contain at least 3 rows of trees and shrubs, of both fast and slow-growing species, that are well suited for the site. Windbreaks must be designed and constructed according to NRCS Technical Guide Standard 380 (June, 2002).

SEE APPENDIX E OF ATCP 51 REPORT FOR ODOR SCORE CALCULATION SHEETS

Worksheet 2 (continued)

Animal Lots

Frequent cleaning of animal lot (H1) – Scrape and remove manure from *animal lot* surfaces at least once every 3 days. You may leave an undisturbed, compacted manure layer (1 to 2 inches thick) on the surface of unpaved *animal lots* to provide good surface sealing.

Drag animal lot (H2) – Drag manure in *animal lots* with harrow or disk at least once every 7 days during the months of April through October, to aerate and dry the manure.

Animal lot moisture control (I1) – Prevent runoff water from flowing onto *animal lots* from roofs and other surfaces. Use diversions or roof runoff systems identified in s. [ATCP 50.70](#) or [50.85](#). *Animal lots* must have a grade of at least one percent to promote drainage and drying.

Windbreak (J1) – Maintain a solid or porous windbreak, 10 to 50 feet from the odor source, which reduces forward momentum of airflow and vertically disperses the odor plume. The length of a windbreak shall be at least half of the perimeter of the *animal lot*. A windbreak may be constructed of vegetation or other materials. Vegetation windbreaks must contain at least 3 rows of trees and shrubs, of both fast and slow-growing species, that are well suited for the site. Windbreaks must be designed and constructed according to *NRCS Technical Guide Standard 380* (June, 2002).

Arm-lwr- 11/04 January 2006


Wisconsin Department of Agriculture, Trade and Consumer Protection

2811 Agriculture Drive, PO Box 8911, Madison WI 53708-8911

Phone: (608) 224-4622 or (608) 224-4500

Worksheet 3 – Waste and Nutrient Management
Part A. Waste Generation and Storage Summary

Instructions: You must complete Parts A and B of this worksheet. If your *livestock facility* will have fewer than 500 *animal units* you may be exempt from Part C, depending on results of Part B. If Part C applies, it must be signed by a *qualified nutrient management planner* (you must also sign).

You are NOT required to complete this worksheet if you already hold a *WPDES permit* for the proposed *livestock facility* (for the same or greater number of *animal units*). Simply check the following box, sign at the bottom of this page, and include a copy of the *WPDES permit* with your application.

☐ I enclose a copy of my *WPDES permit* in place of Worksheet 3.

Specify a single livestock type (dairy, beef, swine, etc.). *Use a separate worksheet for each livestock type.*

Livestock Type: Dairy

Description of Storage	Column A Waste Storage Capacity (Gallons or Tons)	Column B Source of Waste (Animal Waste, Wastewater, Leachate, etc.)	Column C Average Annual Volume of Waste Produced from Each Source (Gallons or Tons)	Column D Total Average Annual Volume Waste Produced (Gallons or Tons)	Column E Storage Duration in Days (Column A divided by Column D times 365 days)
Example: Unit 1 – lagoon	5,000,000 gallons	Animal waste	4,000,000 gallons	7,000,000 gallons	260 days
		Wastewater	1,000,000 gallons		
		Leachate	2,000,000 gallons		
Unit 1	673,200 gallons	Animal Waste	7,358,805 gallons	7,358,805 gallons	27 days
Unit 2					
Unit 3					

Applicant affirms that the information provided in Part A is accurate.

Neal Moore

Signature of Applicant or Authorized Representative

8-14-2024

Date

ORDINANCE NO. 2024-_____

AN ORDINANCE TO AMEND THE ZONING CODE AND MAP OF THE TOWN OF ITHACA, RICHLAND COUNTY, WISCONSIN.

WHEREAS, the Town Board of Ithaca, Richland County, Wisconsin has determined to consider a proposed amendment to the zoning code and map of the Town, and

WHEREAS, notice of a public hearing on said proposed amendments was published in the Richland Observer on August 8, 2024 and August 15, 2024, and sent to adjoining landowners, and

WHEREAS, a public hearing was held on August 29, 2024 with respect to said proposed amendment.

NOW, THEREFORE, THE TOWN BOARD OF THE TOWN OF ITHACA, RICHLAND COUNTY, WISCONSIN, DO ORDAIN AS FOLLOWS:

- The zoning code and map of the town of Ithaca are hereby amended to rezone the following described parcel of land (John Herbst) from its current Farmland Preservation (FP) district to a Commercial zoning district classification. This land will be sold and the new owners will turn it into an Airbnb and Wedding Venue. The parcel of land to be rezoned is described as follows:
- A part of the Southeast quarter (SE 1/4) of the Southeast quarter (SE 1/4), the Southwest quarter (SW 1/4) of the Southeast quarter (SE 1/4), and the Southeast quarter (SE 1/4) of the Southwest quarter (SW 1/4) of Section twenty (20), and the Northeast quarter (NE 1/4) of the Northwest quarter (NW 1/4), and the Southeast quarter (SE 1/4) of the Northwest quarter (NW 1/4) of Section twenty-nine (29), all in Town ten(10)North, Range two(2)East, Town of Ithaca, Richland, County, Wisconsin.

Commencing of the SW Corner of Section 20, T10N, R2E;

Thence South 88°42'22" East along the South Section line of said Section 20, a distance of 1323.75 feet to the Southeast corner of SW1/4, SW1/4 of said Section 20,

Thence continuing South 88-42'22" East along said South Section line, a distance of 66.00 feet to the Point of Beginning of Parcel #2 (POB Parcel #2).

Thence North 00135'42" West, a distance of 101.55 feet,

Thence North 77°56'11" East, a distance of 322.34 feet,

Thence North 88°16'30" East, a distance of 114.00 feet.

Thence North 89°49'22" East, a distance of 259.90 feet,

Thence North 85°39'42" East, a distance of 566.06 feet to the North-South 1/4 Section line of said Section 20,

Thence South 00°58'54" East along said North-South 1/4 Section line, a distance of 244.39 to the N1/4 Corner of Section 29, T10N, R2E,

Thence South 84°11'31" West, a distance of 570.38 feet,

Thence South 72°59'38" West, a distance of 64.91 feet,

Thence South 48°51'02" West, a distance of 152.95 feet,

Thence South 85°44'17" West, a distance of 151.60 feet,

Thence North 51°52'00" West, a distance of 109.80 feet,
Thence North 52°22'23" West, a distance of 177.40 feet,
Thence North 87°45'00" West, a distance of 120.55 feet,
Thence North 20°42'32" West, a distance of 37.72 feet to the Point of Beginning,
Parcel #2 having an area of 7.77 acres (338,609 square feet).

This ordinance shall take effect upon its passage and publication as required by law.

Adopted and approved this 9th day of September, 2024.

Steve Michel
Town Chairman (Steve Michel)

Attest: Sheila Kitsembel
Town Clerk (Sheila Kitsembel)

Date Adopted 9/9/2024
Date Recorded 9/9/2024
Date Posted 9/9/2024
Date Affidavit Filed 9/9/2024
Effective Date 9/9/2024

RECEIVED
SEP 11 2024

ck 1923

Customer #

Petition #

COUNTY OF RICHLAND ZONING COMMITTEE
By _____ NOTICE OF PETITION

(I) (We)	First Name(s)	Robert	Last Name	McConkey	Phone	608 604	2021	
Address	22040 Leelo Ln		City	Richland Center	State	WI	Zip	53581
First Name(s)		Last Name		Phone				
Address		City		State	WI	Zip		

hereby petition the Richland County Zoning Committee for a:

<input checked="" type="checkbox"/> Rezone from	Ag Forest	Rezone to	Ag Residential
<input type="checkbox"/> CUP to permit			
<input type="checkbox"/> SUP to permit			
<input type="checkbox"/> Other			

Authorized by Section(s) _____ of the Richland County Zoning Ordinance.

Present description of the property involved in this petition is as follows: Parcel # 022-0632-2000

Qtr	NW	Qtr	SW	Section	16	Town	10N	Range	1E	Township	RLD	# of acres	10.30
Lot		Block		Subdivision		# of Acres Approved							

Present Use House existing non-conforming parcel

Present Improvements House, shed, garage

Proposed Use House, shed, garage, pole building

Legal Description

Petition Filed	9/11/24	Petitioner Notified		Rezone Decision		Ordinance #	
Category	Rezoning	Town Notified		CUP Decision		CB Date	
Fee Amount	\$500.00	<input type="checkbox"/> Township Approval		CUP Expires		CB Decision	
Meeting Date		Decision Date		SUP Decision		Amendment #	

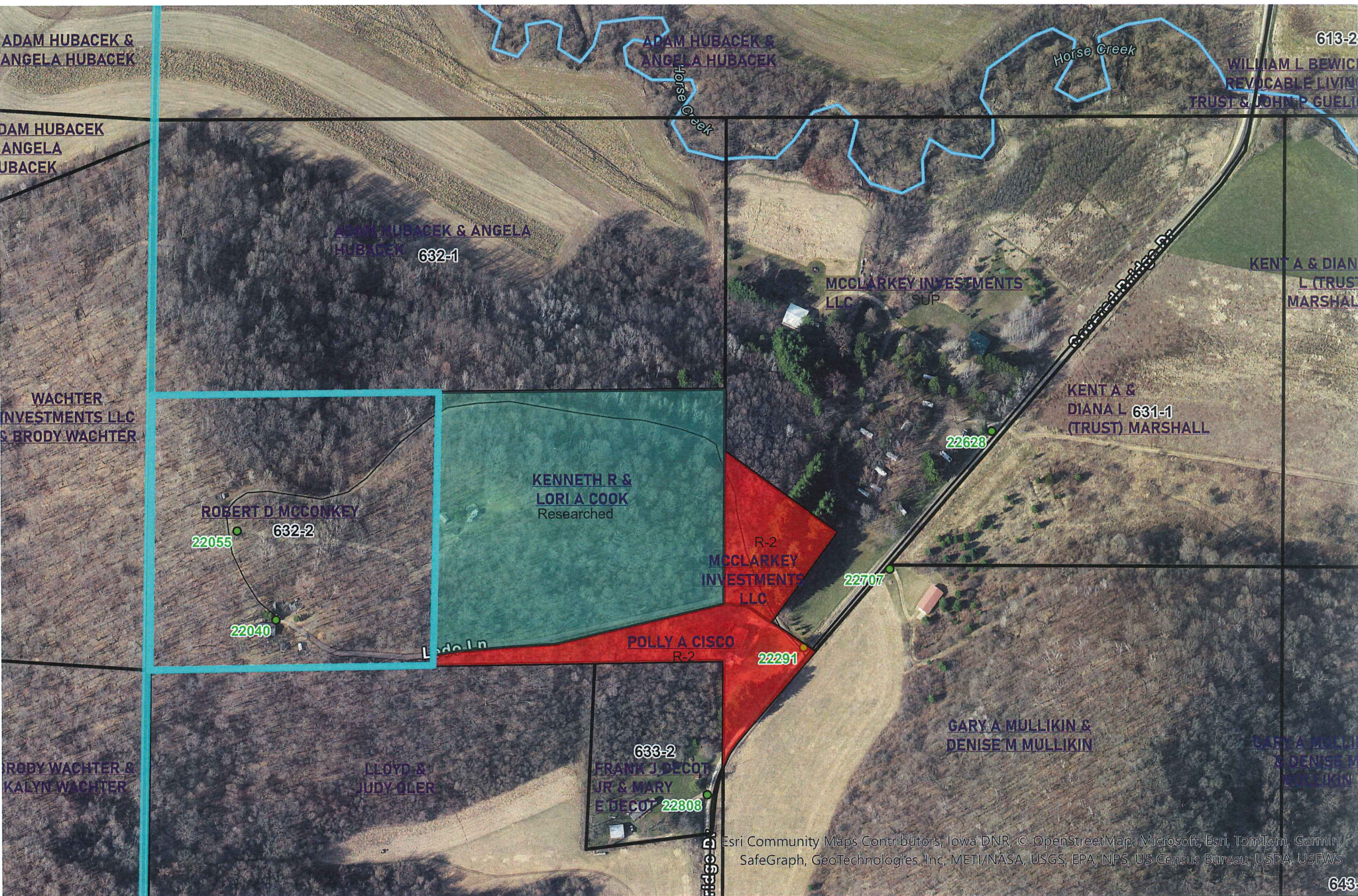
Comments

Township meeting 10-3

County Clerk Approval

(Signed) Appellant(s) or Agent(s)





Legend

Zoning

- AG-FOR
- AG-RES
- AG-RES Deed Restriction
- R-1
- R-2
- R-2 Deed Restriction
- COMMERCIAL
- INDUSTRIAL
- Legal-NC
- Illegal-NC
- Researched
- Legal
- CUP

- BOA
- RC Address Points
- RC Parcel Numbers
- RC Parcel Owners
- RC PLSS_Sections_2020

RC

- To
- US
- Co
- ct



TOWN OF RICHLAND
Regular Monthly Board Meeting Minutes
Wednesday: October 02, 2024

1. Chairman, Matt Williams called to order the regular monthly board meeting at 6:00 PM. Board Officials Present: Chairman- Matt Williams, Supervisors- Aaron Palmer and Matt Schmitz, Clerk- Kayla Williams, Treasurer-Jane Ewing.

- A. The board meeting was opened with the Pledge of Allegiance.
- B. The meeting was posted at the Town Garage and posted to the Town's website.
- C. Matt Williams made a motion to amend the agenda and add Robert McConkey Rezoning Request after Public Comment, it was seconded by Aaron Palmer. The motion carried.
- D. Aaron Palmer made a motion to approve the September 10, 2024 Regular Town Board meeting minutes, it was seconded by Matt Schmitz. The motion carried.

2. Public Comment: no comments by the public.

3. Robert McConkey was present at the meeting tonight for a rezoning request regarding 10.3 acres. Robert is asking to rezone all 10.3 acres from Ag. Forest to Ag. Residential and he would like to build a pole shed. Matt Williams made a motion to approve Robert McConkey's request to rezone all 10.3 acres from Ag. Forest to Ag. Residential, it was seconded by Aaron Palmer. Motion carried.

4. Ambulance Report: Gordon Palmer present for this report. Noted concerns about vehicle the director is requesting. Also concerned about roles of the County and JAC. JAC was removed from the county's responsibility and is instead a collaboration of 10 townships, City of Richland Center, Village of Yuba and Village of Boaz. Next meeting is October 28 at 7 PM at the ambulance building.

5. Board of Review: Clerk indicated Open Book was held on September 25 from 3:30-5:30 PM. Board of Review was held on September 25 from 5-7 PM. There was one late request that was denied at Board of Review.

6. ETZ Board: Aaron Palmer made a motion to name Kelly Bradford on the ETZ Board and Gordon Palmer as first alternate. It was seconded by Matt Schmitz. Motion carried.

7. Resolution to Increase Levy: This was discussed in length by the board as they do not want to raise taxes but the township needs financial assistance to help with road repair, etc. Aaron Palmer made a motion to Adopt a Resolution Supporting a 30% Increase to the Allowable Levy. It was seconded by Matt Williams. Motion carried.

The board scheduled a Special Town Electors Meeting for Tuesday, October 29, 2024 at 6:00 PM for this percentage increase to the levy.

8. Burkhamer Report: Three Springs Lane was done, Colt Lane was patched, Comar Lane was brushed and patched. They had 4 tree calls just in the past week. Kurt Burkhamer is going to be called first when Kevin is unavailable. Updated Sheriff Department.

9. Election Update: Clerk provided an update on absentee ballot requests and in person absentee voting. Board asked several questions about the absentee ballot process, questions were answered by the clerk.

10. Town Roads & Zoning: Matt presented picture provided by Bill Bewick regarding a parcel of land he would like to build rental properties on County Hwy A. Board indicated that if it is allowable under zoning and all procedures and protocols are followed then there would be no concern.

Matt Williams discussed Maple Grove Road. There was a discussion around what needs to be done and questions about why these things have not been done yet such as ditching and culverts. These things have reportedly not been done yet as other roads needed attention first after rain this summer made some roads impassable. A noted concern about water runoff and ruining the road of not done correctly. Sunset date of the grant is 2026-2027. The approximate cost of the project is \$240,000 and the grant is worth \$102,000. Noted the board will come back to this before the end of the meeting.

Board discussed Hillview needs to be ditched as it is reportedly washing out underneath. Board also stated all capital improvements completed to the Township need to come before the board for approval first.

11. Kayla Williams presented 7 items to be paid totaling \$21,090.40. Aaron Palmer made a motion to pay the town's bills & expenses, it was seconded by Matt Schmitz. The motion carried.

12. Jane Ewing present the Treasurer's Report. Last months debits totaled \$29,105.11 and deposits to the checking account were \$488.40. The town's checking account balance at Peoples Community Bank is \$99,415.27. The Towns reserve account balances are: Tax Account \$148,733.36 plus interest and ARPA Fund Account (Closed) \$0.00. Matt Schmitz made a motion to approve the Treasurer's Report as given; it was seconded by Matt Williams. The motion carried.

13. Additional items for next month's agenda: Ambulance Report, Election Update, Burkhamer Report/Update.

The board then went back to discussing Maple Grove Road. After reviewing the budget and how much money the township currently has, it was decided the township does not currently have the funds available to pay for the project this year. Maple Grove Road will be started in approximately June 2025. All culverts need to be replaced on Maple Grove Road before the end of this year.

14. Next meeting scheduled for November 13, 2024 at 6:00 PM. The Town Board also scheduled the yearly Budget Meeting for November 13, 2024 at 5:30 PM.

15. Matt Schmitz made a motion to adjourn the regular monthly board meeting, it was seconded by Aaron Palmer. The motion carried. Meeting adjourned at 7:19 PM.

Kayla Williams,
Town Clerk

Name	Title	Address	City	State	Zip
<u>Property</u>					
Robert McConkey		22040 Ledo Ln	Richland Center	WI	53581
<u>Neighbors</u>					
Adam & Angela Hubacek		261 Silver Fox Dr N	Kewaskum	WI	53040
Kenneth & Lori Cook		23306 US Hwy 14	Richland Center	WI	53581
Polly Cisco		PO Box 64	Richland Center	WI	53581
Lloyd & Judy Oler		220 S Grove St	Richland Center	WI	53581
Brody & Kalyn Wachter		175 Potomac Pl	Oregon	WI	53575
Wachter Investments LLC		175 Potomac Pl	Oregon	WI	53575
Kayla Williams	Richland Township Clerk	23076 Three Springs Ln	Richland Center	WI	53581
Mark Gill	Supervisory District 9	22791 Pioneer Ln	Richland Center	WI	53581

Ordinance **XXX**. Short-Term Rentals

§ XXX-1. Purposes.

The purposes of this ordinance are to ensure that the quality of short-term rentals operating within the County is adequate for protecting public health, safety and general welfare by establishing:

- a. minimum standards of space for human occupancy and parking
- b. adequate level of maintenance
- c. the responsibilities of owners and property managers operating or managing these rental properties for tourists or transient occupants

In addition, it is the intent of this ordinance to determine the responsibility of owners/property managers to expeditiously and personally respond to, stop, mitigate, or prevent the reoccurrence of unreasonable activities on, or conditions, uses or misuses of, these rental properties which adversely impact or substantially annoy, disturb, threaten, harm, offend or interfere with the residential uses, nature or values of other properties in the neighborhoods in which these rental properties operate.

§ XXX-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

DWELLING UNIT

One or more rooms designed, occupied, used, or intended to be occupied or used, as separate living quarters, with a food preparation area and sleeping and sanitary facilities provided within such room(s).

ENTITY

A corporation, investment company, limited partnership, limited-liability partnership, limited-liability company, cooperative association, unincorporated cooperative association, common law trust, or any other group or organization licensed to do business in this state.

NATURAL RESOURCE STANDING COMMITTEE

Committee of the Richland County Board of Supervisors with oversight of the Zoning Department and responsible for due process for appeals. Also referred to as Committee.

LICENSE

The short-term rental license issued under § XXX-4 will be valid for 2 years.

2 YEAR LICENSE

License Duration. Each permit shall expire on June 30, except that licenses initially issued during the period beginning April 1 and ending on June 30 shall expire on June 30 twenty-four (2) years later.

OCCUPANT

Any person, over one year of age, living, sleeping, cooking or eating in, or having actual possession of, a dwelling unit.

PERSON

An individual, group of individuals, or an entity.

PROPERTY MANAGER

Any person who is not the property owner and is authorized by the property owner, expressly or impliedly, to act as agent and as the local contact person on behalf of the property owner for one or more short-term rental, and to take remedial action and promptly respond to any violation of this chapter.

PROPERTY OWNER

The owner of a short-term rental.

RENEWAL LICENSE

Any license issued under this Ordinance after the initial 2-year license has expired.

SHORT-TERM RENTAL

The rental of a tourist rooming house for a period of twenty-nine (29) consecutive days or less.

TOURIST ROOMING HOUSE

All lodging places and tourist cabins and cottages, other than hotels and motels, in which sleeping accommodations are offered for pay to tourists or transients. It does not include private boarding or rooming houses not accommodating tourists or transients, or bed and breakfast establishments regulated under Ch. ATCP 73, Wis. Admin. Code.

ZONING DEPARTMENT

Richland County Zoning Department employee or designee that is responsible for issuing licenses and renewals.

§ XXX-3. Operation of short-term rentals. Each short-term rental shall comply with this chapter's requirements and any other applicable state, county or local laws, codes, rules or regulations. Each short-term rental shall comply with the following standards:

- A. No person may maintain, manage or operate a short-term rental more than 10 nights each license year without a short-term rental license. Every short-term rental shall be operated by a property owner or property manager.
- B. Each short-term rental property owner is required to have the following licenses:
 - (1) A state of Wisconsin tourist rooming house license. Information can be found at https://datcp.wi.gov/Pages/Programs_Services/TouristRoomingHouses.aspx
 - (2) A license from Richland County issued pursuant to this ordinance.
- C. Each short-term rental shall comply with all of the following:
 - (1) The number of occupants in any dwelling unit shall not exceed the limits set forth in Wis. Admin. Code § ATCP 72.14 for hotels, motels, and tourist rooming houses.

- (2) No recreational vehicles (RVs), campers, tents or other temporary lodging arrangements shall be permitted on site as a means of providing additional accommodations for paying guests or other invitees. Exceptions can be made if septic is appropriately sized to handle additional guests.
- (3) If the property owner resides within 60 miles of the short-term rental property, a local property manager is not required to be designated. The property owner shall be available between the hours of 8:00 a.m. and 11:00 p.m. on those days when the property is rented. The property owner must notify the Zoning Department within three business days of any change in the property owner's contact information and submit the revised contact information to the Zoning Department within the same time period.
- (4) Unless the property owner resides within 60 miles of the short-term rental property, a local property manager must be designated for contact purposes and his or her name must be included in the application filed with the Zoning Department. The local property manager must reside within 60 miles of the short-term rental property and shall be available between the hours of 8:00 a.m. and 11:00 p.m. on those days when the property is rented. The property owner must notify the Zoning Department within three business days of any change in the property manager's contact information for the short-term rental and submit the revised contact information to the Zoning Department within the same time period.
- (5) Must have designated parking that abides by all laws.
- (6) Applicant is required to display county license number on any advertising or on-line reservation system.

§ 280-4. Short-term rental license. A license is required for each individual unit of rental

- A. The Zoning Department shall issue a short-term rental license if an applicant demonstrates compliance with the provisions of Richland County Ordinance XXX. A short-term rental license is issued for two years and may be renewed biennially as provided in § XXX-6. The license shall contain the following information:
 - (1) The name of the property owner, with contact information including mailing address and a telephone number at which the property owner is available. If the property owner is also acting as the property manager, then the requirements of Section 3 Subsection C (3) shall apply to the property owner.
 - (2) The name of the property manager, with contact information, including mailing address, physical address (if different from mailing address) and a telephone number at which the property manager shall be available between the hours of 8:00 a.m. and 11:00 p.m. on those days when the property is rented.
 - (3) Description of the property and maximum occupancy allowed.

- (4) The license term.
- (5) The state of Wisconsin tourist rooming house license number.

§ XXX-5. Short-term rental license procedure.

- A. All applications for a short-term rental license shall be filed with the Zoning Department on forms provided by the Department. Applications must be filed by the property owner or the property manager. No license shall be issued unless the completed application form is accompanied by payment of the required application fee, which fee shall be nonrefundable.
- B. Each application shall include the following information and documentation for each short-term rental unit in order to demonstrate compliance with all requirements of this chapter, including, but not limited to, § XXX-8:
 - (1) The name of the property owner, with contact information including mailing address and a telephone number at which the property owner is available. If the property owner is also acting as the property manager, then the application shall include mailing address, physical address (if different from mailing address) and a telephone number at which the property owner shall be available between the hours of 8:00 a.m. and 11:00 p.m. on those days when the property is rented. Including a brief description of the unit and maximum occupancy allowed.
 - (2) A copy of a most recent completed State Lodging Establishment Inspection form.
 - (3) A copy of the state of Wisconsin tourist rooming house license issued under Wis. Stats. § 97.605; or proof that such state license has been applied for, in which event a provisional short-term rental license may be issued under this chapter for a period of 30 days but shall be conditioned upon the Zoning Department's receipt of a copy of such state license from the applicant within said thirty-day period, and if a copy of such state license is not received by the Zoning Department within said period, then such provisional license shall expire and be void at and after the end of said thirty-day period.
 - (4) Designation of a property manager, unless the property owner is acting as the property manager, with contact information, including mailing address, physical address (if different from mailing address) and a telephone number at which the property manager shall be available between the hours of 8:00 a.m. and 11:00 p.m. on those days when the property is rented, and an affirmative statement that the property manager is authorized to act as agent and as the local contact person for the property owner with respect to operation of the short-term rental, including taking remedial action and promptly responding to any violation of this chapter or the County Ordinance relating to the licensed premises, and receiving service of notice of violation of this chapter's provisions.

- (5) Written certification by the property owner that the short-term rental meets the requirements of this chapter and applicable state and county laws, ordinances and regulations.
- C. Unless earlier revoked, each license period shall run from July 1 of one year to June 30 of the second year and may be renewed for additional two-year periods. The application fee shall be paid upon filing of the application. Any application that does not include all of the information and supporting documentation required by this chapter shall not be considered as complete.
- D. When the Zoning Department determines that an application is complete and meets the requirements of this chapter, the Zoning Department shall approve the application and issue a short-term rental license (or, if applicable, a provisional short-term rental license) to the applicant. If the Department determines that the application is incomplete or does not meet the requirements of this chapter, the Department shall deny the application and inform the applicant, in writing, of the reason(s) why the application was denied and what action is needed to obtain approval of the application.
- E. If the short-term rental property has outstanding fees, taxes, special charges or forfeitures owed to Richland County this may be a factor in whether or not the application will be approved. The Zoning Department may refuse to issue or renew a short-term rental license for any property or owner-applicant that has violated this Chapter any time within a period of twelve (12) months prior to the date of the permit application or if the property has had three (3) or more calls for law enforcement services in a twelve (12) month period.
 - (1) No short-term rental license (or, if applicable, a provisional short-term rental license) shall be issued if the applicant or short-term rental property is found to be subject to one of the grounds for revocation as provided in § XXX-8C.
- F. A short-term rental license is nontransferable and shall expire upon a transfer of legal control of the tourist rooming house property. The holder of any permit or license shall promptly notify the Zoning Department in writing of any transfer of the legal control of any property covered by the permit. A transfer of property to an entity or trustee shall not be considered a transfer of legal control as long as the owner(s) continue to have majority control of the entity or are trustees of the trust with control of the property; however, such new form of ownership shall be identified on any permit renewal application after such transfer. No refunds will be issued.

§ XXX-6. Biennial Renewal.

- A. Each application for renewal of a short-term rental license shall include updated information for the documentation on file with the Zoning Department, and payment of the renewal fee. A renewal application must be filed with, and a nonrefundable renewal fee must be paid to, the Zoning Department at least 90 days prior to the license expiration date to allow the Department adequate time to review the application. The Department shall determine whether the information provided in the renewal application is complete and meets the requirements of this chapter. The Department may also request reports from the Building Inspector, the Sheriff's Department and other law enforcement agencies regarding any enforcement actions taken with respect to the short-term rental properties and operations, and their owners, tenants, occupants or visitors.
- B. The Department shall review the renewal application and may approve or deny the application after taking into consideration the number, frequency and/or severity of law violations relating to the short-term rental property and operations, and its owner(s), tenant(s), occupant(s) or visitor(s), and whether such violations substantially harm or adversely impact the predominantly residential uses and nature of the surrounding neighborhood. If after such consideration the Department determines not to renew the license, the Department shall notify the applicant in writing of the reason(s) for such decision, and the applicant's right to appeal the decision to the Richland County Natural Resource Standing Committee as provided in § XXX-8.
- C. No license shall be renewed if the short-term rental property is under an order issued by the Building Inspector or a local health officer, or his or her designee, to bring the premises into compliance with state, county or local laws, codes, rules or regulations.

§ XXX-7. Display of permit.

Each license shall be displayed on the inside of the main entrance door of each short-term rental.

§ XXX-8. Appeal of licensing decisions; license revocation; appeal procedure; judicial review.

- A. The Zoning Department's decision to deny an initial short-term rental license or to deny renewal of a short-term rental license shall specify the reason(s) for such denial, in writing. Prior to the time for the renewal of the license, the Zoning Department shall notify the licensee in writing of the County's intention not to renew the license and notify the licensee of his or her right to an appeal hearing as provided in § XXX-9B.
- B. The Zoning Department's decision to deny an initial license or to deny renewal of a license may be appealed to the Natural Resource Standing Committee by filing a written appeal with the Department within 21 calendar days (excluding legal holidays) after the date of mailing of the written notice of the Zoning Department's decision denying such license or renewal license. The Natural Resource Standing Committee shall conduct a due process hearing and issue a written decision on the appeal within 30 calendar days of the County's receipt of the written appeal, or the license shall be deemed granted. If the appellant appears at the hearing he or she may produce and cross-examine witnesses, present relevant evidence, and be represented by counsel of his or

her choosing, at his or her expense. If the Natural Resource Standing Committee finds the Zoning Department's reason(s) for his or her decision sufficient, the decision shall be affirmed. If the Committee finds the Zoning Department's reason(s) for his or her decision insufficient, the decision shall be reversed, and the license shall be granted and issued. If the appellant does not appear at the hearing and the Committee finds the Zoning Department's reason(s) for his or her decision sufficient, the decision shall be affirmed. The Committee's written decision on the appeal must specify the reason(s) for its determination. The Zoning Department shall give written notice of the Committee's decision to the applicant or licensee. A license may be revoked by the Natural Resource Standing Committee during the term of a license year and following a due process hearing for one or more of the following reasons:

- (1) Failure by the licensee to make payment of delinquent fees, taxes, special charges, forfeitures or other debt owed to the County on the licensed property.
 - (2) Failure to maintain all required local, county and state licensing requirements.
 - (3) Any violation of local, county or state laws or regulations which, based upon their number, frequency and/or severity, and their relation to the short-term rental property, its owner(s), tenant(s), occupant(s) or visitor(s), substantially harm or adversely impact the predominantly residential uses and nature of the surrounding neighborhood.
- C. Revocation. Any resident of or owner of property within Richland County may file a sworn written complaint with the Zoning Department alleging one or more of the reasons set forth in § XXX-9B (1-3) as grounds for revocation of a short-term rental license issued under this chapter. Upon the filing of the complaint, the Natural Resource Standing Committee shall notify the licensee of the complaint by certified mail, return receipt requested and provide the licensee with a copy of the complaint. The notice shall direct the licensee to appear before the Committee on a day, time and place included in the notice, not less than 10 days and not more than 45 days from the date of the notice, and show cause why his or her license should not be revoked. The hearing shall be conducted as provided in § XXX-8B. If a license is revoked, the Zoning Department shall give notice of revocation to the licensee by certified mail, return receipt requested. No part of the fee paid for any license so revoked may be refunded.
- D. Judicial review. The action of the Natural Resource Standing Committee in granting or renewing, refusing to grant or renew, or revoking a license under this chapter may be appealed to the full Richland County Board. Final appeal can be reviewed by the Richland County Circuit Court upon appeal by the applicant, licensee, or a resident of or owner of property within the County. Such appeal shall be filed within 30 days of the date of mailing by the Zoning Department of the notice of the Natural Resource Standing Committee's action granting or renewing, refusing to grant or renew, or revoking a license. The procedure on review shall be the same as in civil actions commenced in the circuit court pursuant to Wis. Stats. Chs. 801 to 807.

§ XXX-9. Penalties.

- A. Any person who violates any provision of this chapter shall be subject upon conviction thereof to a forfeiture of not less than \$250 nor more than \$750 for each offense, together with the costs of prosecution, and in the event of default of payment of such forfeiture and costs shall be

imprisoned in the Richland County Jail until such forfeiture and costs are paid, except that the amount owed is reduced at the rate of \$25 for each day of imprisonment and the maximum period of imprisonment is 30 days. Each violation and each day a violation occurs or continues to exist shall constitute a separate offense.

- B. The penalties set forth in this section shall be addition to all other remedies of injunction, abatement or costs, whether existing under this chapter or otherwise.

§ XXX-10. Fees.

Any person applying for an initial short-term rental license or renewing a license pursuant to this chapter shall be subject to the fees as established by resolution of the Richland County Board.

§ XXX-11. Severability.

Should any portion of this chapter be declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of any other provisions of this chapter.

Section IV. - County Budget - Required by all Parties

~~2022~~ Richland County WDACP Budget

Approved amount to be provided by:

	County Request	WDNR Approved
County Admin.	1200.00	
Admin. Overhead	1500.00	
Salaries	12,000.00	
Mileage	2000.00	
Abatement	2500.00	
Venison Donation	2000.00	
Total Abate. & Admin.	21200.00	

We expect to assist 30 growers with damage that may result in wildlife damage requests equaling or exceeding \$ 70,000 worth of claims.

Signature of intention: County _____ Date _____
WDNR _____ Date _____

RESOLUTION NO. 24 – XX

Resolution Approving The Natural Resources Standing Committee Applying For And Accepting A Lake Monitoring And Protection Grant From The Wisconsin Department Of Natural Resources.

WHEREAS the Natural Resources Standing Committee and the County Conservationist, Ms. Cathy Cooper, have recommended that the Committee be granted authority to apply for a Lake Monitoring and Protection Grant from the Wisconsin Department of Natural Resources to pay for staff time and supplies relating to aquatic invasive species projects in the County, and

WHEREAS Rule 14 of the Rules of the Board requires County Board approval for any department of County government to apply for and accept a grant.

WHEREAS, the applicant attests to the validity and veracity of the statements and representations contained in the grant application;

NOW THEREFORE BE IT RESOLVED by the Richland County Board of Supervisors that approval is hereby granted for the Land Conservation Committee to apply for a Lake Monitoring and Protection Grant from the Wisconsin Department of Natural Resources in the amount of up to \$8560.00 to pay for staff time and supplies for aquatic invasive species projects in the County, and

BE IT FURTHER RESOLVED, that the Richland County Land Conservation Department will meet the financial obligations necessary to fully and satisfactorily complete the project and hereby authorize and empowers the following employees to submit the following documents to the Wisconsin Department of Natural Resources for the financial assistance that may be available:

<u>Task</u>	<u>Title of Authorized Representative</u>
Sign and submit a grant application	County Conservationist
Enter into a grant agreement with the DNR	County Conservationist
Submit quarterly and/or final reports to the DNR to satisfy the grant agreement, as appropriate	County Conservationist
Submit reimbursement request(s) to the DNR no later than the date specified in the grant agreement	County Conservationist

BE IT FURTHER RESOLVED that there is no County match required for this grant and approval is hereby granted for the grant funds to be spent in accordance with the terms of the grant and the County Conservationist, Ms. Cathy Cooper, is hereby authorized to sign on behalf of the County any documents needed to carry out this Resolution, and

BE IT FURTHER RESOLVED that the applicant will comply with all local, state and federal rules, regulations and ordinances relating to the project and the cost-share agreement, and

BE IT FURTHER RESOLVED that this Resolution shall be effective immediately upon its passage and publication.

VOTE ON FOREGOING RESOLUTION

AYES_____NOES_____

RESOLUTION _____

DEREK S. KALISH
COUNTY CLERK

DATED: OCTOBER 29, 2024

RESOLUTION OFFERED BY THE NATURAL
RESOURCES STANDING COMMITTEE
(07 OCTOBER 2024)

FOR AGAINST

ROBERT BROOKENS
STEVE CARROW
MARK GILL
ALAYNE HENDRICKS
JULIE FLEMING
RICHARD MCKEE
CRAIG WOODHOUSE

RESOLUTION NO. 24 – XX

Resolution Setting The Fee For Certain Rezoning.

NOW THEREFORE BE IT RESOLVED by the Richland County Board of Supervisors that the fee for the rezoning of parcels which are not new land division, as described in [Cite to Ordinance], shall be set at \$125.

BE IT FURTHER RESOLVED that this Resolution shall be effective immediately upon its passage and publication.

VOTE ON FOREGOING RESOLUTION

RESOLUTION OFFERED BY THE NATURAL
RESOURCES STANDING COMMITTEE
(07 OCTOBER 2024)

AYES_____ NOES_____

RESOLUTION _____

FOR

AGAINST

DEREK S. KALISH
COUNTY CLERK

ROBERT BROOKENS
STEVE CARROW
MARK GILL
ALAYNE HENDRICKS
JULIE FLEMING
RICHARD MCKEE
CRAIG WOODHOUSE

DATED: OCTOBER 29, 2024

Richland County Zoning Administrator,

On August 12, 2024 we received a notification, from your office, that we may be experiencing a problem with our septic system that is located at 31324 Loyd St. parcel number 03222200400. Upon receiving this notification we contacted the licensed provider, David Huth, Richland Septic Service and we were told that they made a mistake checking the box stating yes that there was "ponding observed at tank or drainfield". I have called Mr. Huth on this notification and he told me it was a mistake he made on the form and that it would be taken care of when he contacted your office. I have requested Mr. Huth to contact your office on three or four occasions and each time he told me it would be resolved. I have contacted your office on three occasions and I've been told he has not contacted your office.

We would like to resolve this matter but we have not been able to due to the difficulty having the licensed provider contact your office. We are notifying you of our complaint with Mr. Huth and his company Richland Septic Service. Please notify us if there is something else that we may be able to do. We may also be contacted at ricedan@ithaca.k12.wi.us.

Thanks,



Dan Rice

9/13/24

Dean Mohr

29764 Whispering Pines Road

Lone Rock, WI 53556

608-583-0039

Attention:

Jenn Schrap

Katrina Salewski

I am writing this letter to file a complaint about the supposed service received from Richland Septic on 8/7/2023. It was time for my 3 year inspection, due in August 2023, and I also wanted the tank emptied for proper inspection. I had the official form, from the county, that was to be filled out for the inspection and then signed by the inspection service and myself, the homeowner. When I called (I believe Tim Clary), he said they would be out the week of 8/7, but would call prior to make sure I was home and get the form filled out and signed. Well a few days into the week I still had not heard from them, until that Thursday as I was pulling out of my garage and watching the door close, I noticed something attached to the door. It ended being a magnet from Richland Septic, and all it said was the next service date in 3 years. I will add that I was not sure how they emptied the tank and inspected it as there are locked chains over each cap. I called the service back then and asked when they were out and why they did not call, but also how do I get this form completed now to turn into the county. I was told that they would call me back later that day to work out the details. Well that call never came, I then repeatedly called asking for the same information and that I need to get this form filled out and turned in as now it is late and I am having to pay a fine. Early October I then received an invoice for the service, maintenance form fee, and also late fees. Again called with no follow up from this company, this continued each month going into December 2023.

Finally, after Dec invoice and again no response from Richland Septic, I contacted Boaz Septic. They came out immediately that afternoon and performed the inspection, filled out the form I had, and that I sent in with payment that also included the fine or late fee. When Boaz was performing the inspection, he was surprised when he measured how much sludge was on the bottom of the tank, as if this was just emptied in August (will add there is only 2 people at this address), then how could there be that much sludge left if it was done properly or emptied at all. Obviously being in December with the colder temps, we had to wait until 2024 to have it properly cleaned out.

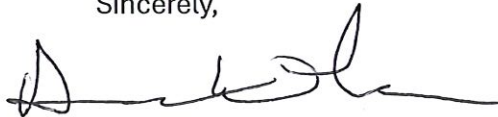
Well in Feb 2024, I again get another invoice from Richland Septic with continued late fees and asking for payment. I proceeded to call and again leave a message that I wanted to discuss the service, the maintenance form, and the billing prior to sending in payment. Again never received a call back.

Come late spring/early summer, Boaz Septic came out pumped out the tank and cleaned it properly. He again stated that he was surprised by how much sludge was left in the bottom if it was pumped out last August and there are only 2 people living at this address. Paid for his services and will add that I received great service and tremendous customer focus, will recommend them and use them for future services.

Now we are into August and I get another invoice from Richland Septic, with a note written on it, please pay. Keep in mind this the first time I heard from them since the Feb. invoice. I again called and actually spoke to the owner, told my story for at least the 12th time and he got defensive and kept repeating that he turned in the form for me and that he performed the service properly. I mentioned that how would I know that he turned in a generic form and why not the official form I had in hand. He says they do that when no one is home, which in my mind does not make it official as the homeowner has a space on the form to sign and date as well. Any way after further discussions he finally said when I get back to the office I will call you to review and we will work out the details to satisfy me as customer. Well guess what I have not heard from him since and that call was on 9/3/24. That is when I visited you on 9/5 to get copies of the reports that we were turned in and after discussing my situation decided to file a complaint about the service and treatment I have received from Richland Septic.

I will never use them again and will not reach out to them again.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dean Mohr', with a stylized, cursive script.

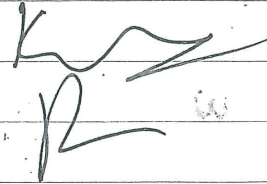
Dean Mohr

To: whom it may
concern.

I had taped
inspection paperwork
to my door as
previously discussed
and was not aware
it was filled out
as inspector claimed
he would take it
Send it in and
send invoice.
I made multiple
calls regarding
this invoice since
June. As you can
see included I owl

Received invoice
Aug - 18.

Thanks

A handwritten signature, possibly reading 'K. R.', written in dark ink.

09 August 2024

Cathy Cooper

Zoning Administrator
Richland County
181 West Seminary
Richland Center, WI 53581

Dear Ms. Cooper:

I spoke with you several times this past month regarding an issue I experienced with Richland Septic, LLC, whom I hired to pump (*not just inspect*) our septic system (per three-year maintenance requirement).

On the morning of July 9, 2024, David Huth left a voice mail that he would come some time that day (I was not home) to "get you done". I came home that evening and went down to make sure that the tank lid was back on securely. (I have animals on the premises and do not leave anything to chance). I did not see any evidence that any work had been done-no trampling of tall grass, etc., some of the grass blades were still laying over the top of the tank lid. My husband and I removed the tank lid only to discover that the tank was full.

We have not had any change in our lifestyle or number of people in our household for many years. I understand and appreciate the importance of a functioning septic system and was expecting to have the tank pumped. Not having it pumped was very disturbing and I proceeded to make several phone calls to both Vernon County Zoning. It was suggested that I either call Richland Septic LLC or contact another company to perform the job.

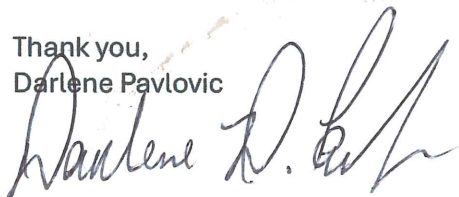
I received an invoice stating that no pumping had been conducted. The paperwork from Richland Septic LLC indicated that accumulated sludge and scum occupied less than one-third of the tank volume and was being charged for an inspection instead of what I had expected to be a routine service of pumping out three years of accumulated contents from our household. Further, the company incorrectly identified our system as *at grade* when in fact it is a *conventional* system.

I hired Ron from Boaz Sunrise Septic Service to pump our tank who examined the system and pumped out a full tank of accumulated contents!

I contacted Richland Septic LLC and spoke with David Huth to report the concern and asked for his inspection fee to be waived. I offered to send him a check for \$25.00 filing fee, and he said that he would not cash it if I did send it to him. He also stated that he would tell his wife to remove the inspection fee from their records.

Please attach this letter to our records for 12862 County Hwy MM, Viola, WI 54664.

Thank you,
Darlene Pavlovic

A handwritten signature in dark ink, appearing to read "Darlene D. Pavlovic", is written over the typed name.

ORDINANCE NO. 24 – XX

An Ordinance Approving an Amendment to the Richland County Zoning Ordinance No. 5

The Richland County Board of Supervisors does hereby ordain that Section II.C.1.b.(3) of the Richland County Zoning Ordinance No. 5 is amended to read as follows:

(3) Up to two (2) farm residences

BE IT FURTHER ORDAINED that this ordinance shall be effective upon its passage and publication.

DATED: OCTOBER 29, 2024
PASSED: OCTOBER 29, 2024
PUBLISHED: NOVEMBER 07, 2024

ORDINANCE OFFERED BY THE NATURAL
RESOURCES STANDING COMMITTEE
(07 OCTOBER 2024)

FOR AGAINST

DAVID TURK, CHAIR
RICHLAND COUNTY
BOARD OF SUPERVISORS

ROBERT BROOKENS
STEVE CARROW
JULIE FLEMING
MARK GILL
ALAYNE HENDRICKS
RICHARD MCKEE
CRAIG WOODHOUSE

DEREK KALISH
RICHLAND COUNTY CLERK

Richland County Zoning Ordinance

**Number
5**

**Adopted by
Richland County
Board of Supervisors**

**INCLUDING AMENDMENTS
THROUGH 07/22/2022**

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ORDINANCE No. 2003-16

An Ordinance Creating Richland County Comprehensive Zoning Ordinance #5

The County Board of Supervisors of Richland County Wisconsin, does hereby ordain as follows.

SECTION I. GENERAL PROVISIONS

A. STATUTORY AUTHORIZATION

This Zoning Ordinance is adopted pursuant to section 59.69, Wisconsin Statutes.

B. COMPLIANCE

The use of any land or water, the size, shape, and placement of lots; the use, size, type, and location of structures on lots; the regulation of billboards, mobile homes, trailers, quarries, and junk yards; and the subdivision of lots shall be in full compliance with the terms of this Ordinance and other applicable regulations. Buildings and signs shall require a zoning permit unless otherwise expressly excluded by the requirements of this Ordinance.

C. ABROGATION AND GREATER RESTRICTIONS

1. The Richland County Zoning Ordinance, adopted March 15, 1966, is hereby repealed.
2. It is not intended by this Ordinance to repeal, abrogate, annul, impair or interfere with any other ordinance, easements, deed restrictions, permits, agreements, rules, or regulations previously adopted; however, where this Ordinance or any amendment thereto imposes greater restrictions, the more restrictive shall prevail.

D. INTERPRETATION

In this interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements and shall not be deemed a limitation or repeal of any other powers granted by Wisconsin Statutes.

E. SEPARABILITY

It is hereby declared to be the intention of the County Board that the several provisions of this Ordinance are separable in accordance with the following:

If any court of competent jurisdiction shall adjudge any provision of this Ordinance to be invalid, such judgment shall not affect any other provisions of this Ordinance not specifically included in said judgment.

If any court of competent jurisdiction shall adjudge invalid the application of any Provision of this Ordinance to a particular property, building or structure not specifically included in said judgment.

F. SITE REQUIREMENTS

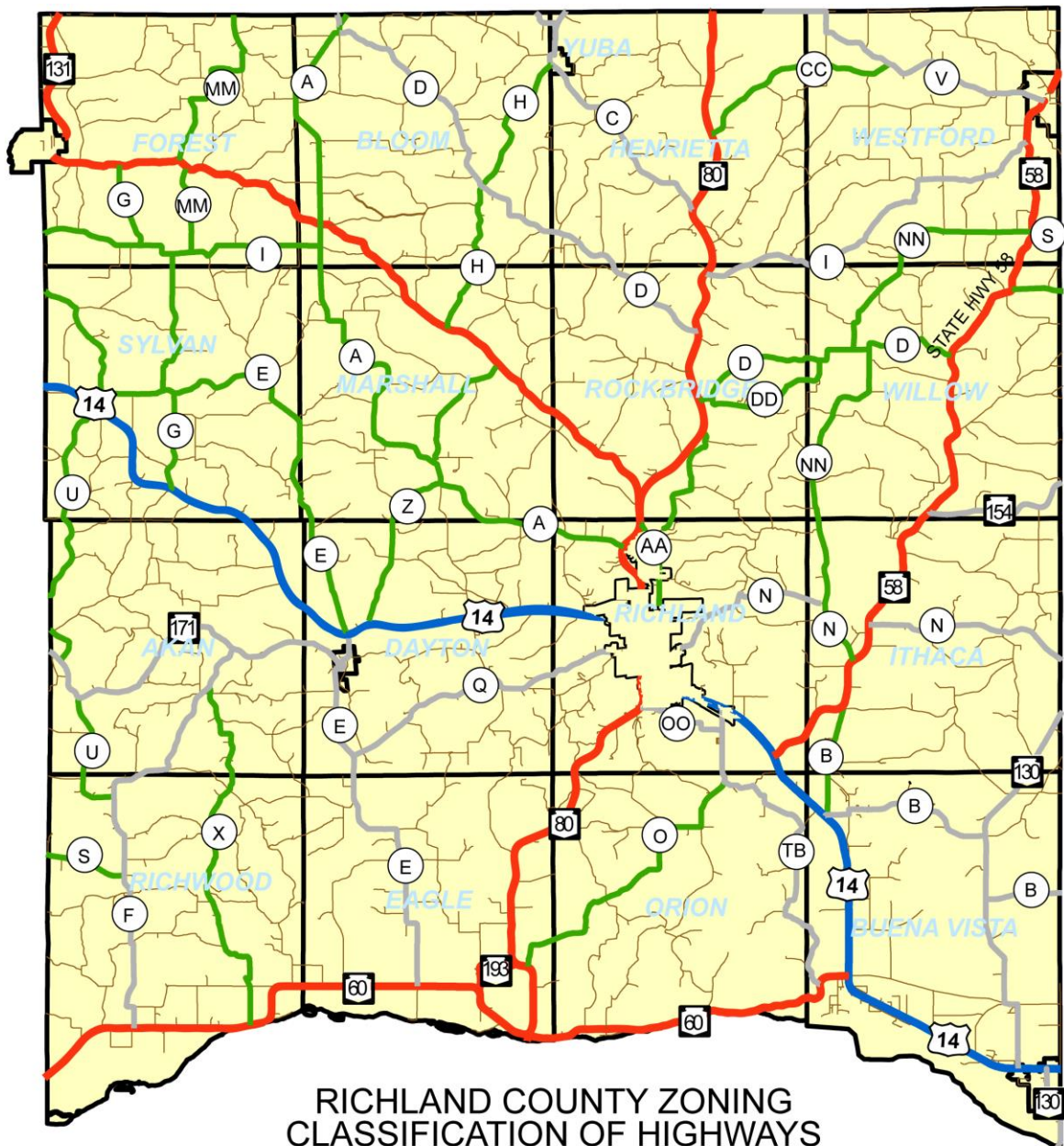
1. Only one principal structure, as defined by this Ordinance, shall be permitted on a lot. However, additional principal structures shall be permitted providing the minimum lot size, lot width, and yard requirements for each zoning district are met.
2. All lots shall abut upon or have irrevocable recorded access to a public road, street, or highway. After this ordinance is adopted by the township, all newly created right-of-ways shall have a width of not less than three rods or 49.5 feet.

G. STANDARD DISTRICT REGULATIONS

1. Setback Requirements on Highways and Roads

The following provisions apply to lands abutting a public road, street, or highway so as to lessen conflicts and congestion and to promote the safety and efficiency of such transportation facilities:

- a. Classification of Highways: The public roads, streets, and highways of Richland County are hereby divided into the following five (5) zoning classifications in relation to the Richland County Functional and Jurisdictional Highway Plan Update of 1995, as said Plan shall be amended from time to time by the Southwestern Wisconsin Regional Planning Commission. The highways so classified are shown on the attached Highways Zoning Classification map.



ZONING CLASSIFICATION	FROM CENTERLINE	HIGHWAY CLASSIFICATION
Class A Highway (Blue)	150'	Principal Arterial Highways
Class B Highway (Red)	130'	Minor Arterial Highways
Class C Highway (Gray)	110'	Major Collector Highways
Class D Highway (Green)	90'	Minor Collector Highways
Class E Highway (Brown)	70'	Local Highways, Town Roads, Public Roads and streets other than those listed above

- b. **Minimum Highway Setbacks:** Unless otherwise permitted in this Ordinance, all buildings, structures, and other objects shall be set back from abutting public highways so as to comply with the following minimum requirements, or otherwise permitted or modified by the approval of the plat of a legal subdivision or a particular provision of this Ordinance.

(1) Setbacks from public highways shall be not less than the horizontal distances set forth in this subsection and measured from either the near existing right-of-way line or the center-line of the abutting roadway or the centerline of the near pair of travel lanes, whichever is more restrictive. The more restrictive of the two measurements shall prevail.

ZONING CLASSIFICATION	SETBACK FROM RIGHT-OF-WAY	SETBACK FROM CENTERLINE
Class A Highways	70 feet	150 feet
Class B Highways	60 feet	130 feet
Class C Highways	50 feet	110 feet
Class D Highways	40 feet	90 feet
Class E Highways	30 feet	70 feet

(2) The above listed highway setback requirements are subject to the following conditional modifications. Where such conditions occur, the County Zoning Administrator may permit a setback that meets the following requirements.

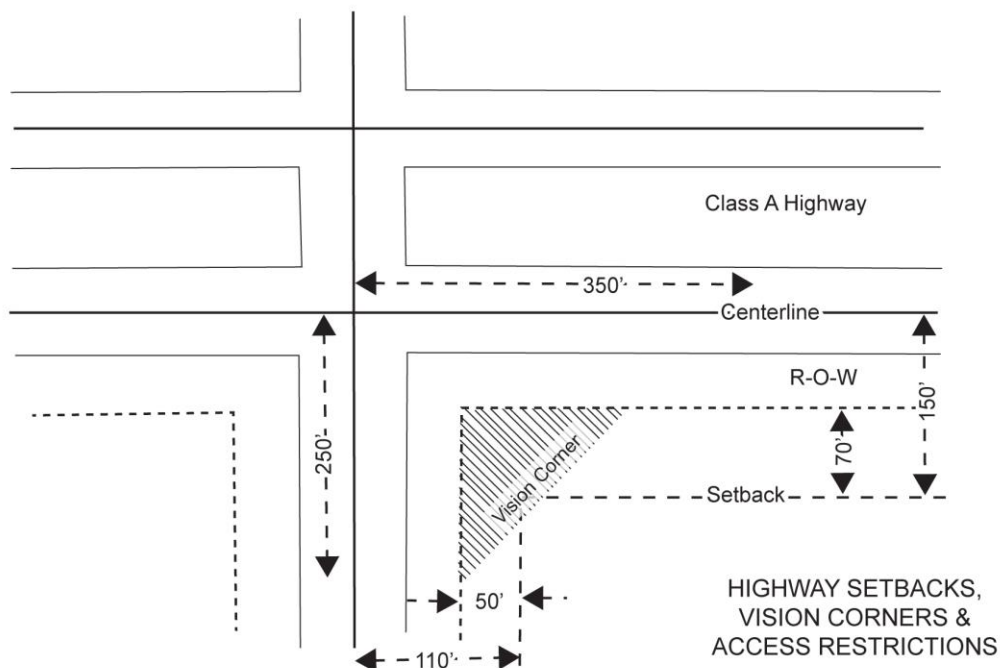
(a) When an existing principal structure or building fronts on the same side of the abutting highway and within 200 feet on both sides of the proposed structure, the highway setback may be modified to the average of the setbacks existing on the two abutting structures.

(b) Where two (2) or more principal structures or buildings front on the same side of the abutting highway and within 400 feet in one direction from the subject site, the highway setback may be modified to the average of the setback on the near existing structure and the required setback for the appropriate class of highway.

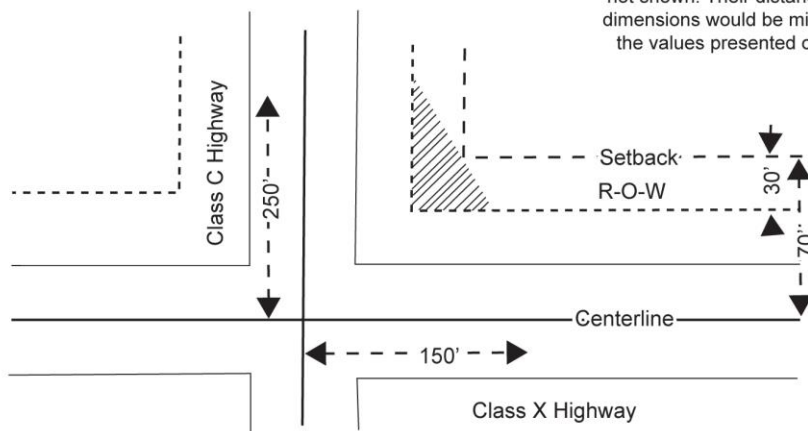
(3) Vision Corners: In each quadrant of every at-grade intersection of a public road, street, or highway with another public road, street, or highway or with a mainline railroad, there shall be a vision corner consisting of a triangular area within which no structure, building, vegetation or other fixed object shall be permitted if the same would obstruct the highway users view across such vision corner or otherwise restrict said users ability to perceive an on-coming vehicle.

(a) All such vision corners shall be bounded by the centerlines of the intersecting roads, streets, highways or railroad tracks, on a straight line connecting points on said centerline and at the following horizontal

distances from their point of intersection. In case of multi-land or divided highway or a multi-track railroad, said centerline shall be construed to be the centerline of the near pair of travel lanes or the near pair of rails.



Note: Class B and Class D Highways are not shown. Their distances are related dimensions would be mid-way between the values presented on this sketch.



ZONING CLASSIFICATION

Class A Highways
Class B Highways
Class C Highways
Class D Highways
Class E Highways

DISTANCE FROM INTERSECTION

350 feet
300 feet
250 feet
200 feet
150 feet

(4) Access Restrictions: No direct public access shall be permitted to the rights-of-way of any public road, street or highway except in compliance with the

following provisions:

- (a) No direct private access shall be permitted to the rights-of-way of two intersecting public roads, streets or highways within the following horizontal distances as measured from the point of intersection of the two right-of-way lines and along the right-of-way abutting the subject site. The distance shall be measured for each intersecting highway according to the class of highway listed below:

ZONING CLASSIFICATION	RESTRICTED DISTANCE
Class A Highway	500 feet
Class B Highway	400 feet
Class C Highway	300 feet
Class D Highway	200 feet
Class E Highway	100 feet

Public service roads designed to keep private access from entering directly onto Class A & B Highways may be located closer to the intersection than would otherwise be required.

- (b) Vehicular entrances and exits serving drive-in-establishments which generate traffic volumes in excess of one-hundred (100) vehicles per day, shall be not less than one-hundred feet from any pedestrian entrance or exit serving a school, church, hospital, park, playground or other place of public assembly.

History: Cr. 5/20/03, Ord. No.2003-16; Ord. No. 17-12, Effective 7/18/17, (b) repealed, (c) relettered to (b)

(5) Exceptions to Highway Requirements and Restrictions: The following structures and uses are excepted from the above listed highway setbacks, vision corner and access regulations.

- (a) Signs placed by or under the direction of the appropriate highway agency for the guidance, direction, control or warning of traffic, including construction barricades and safety devices.
- (b) The planting and harvesting of field crops, flowers, shrubs, hedges and the like and the use of open fences, equipment and machinery commonly associated with such planting or harvesting, provided the same shall be subject to such trimming, pruning cropping or control as may be deemed necessary by the highway agent having jurisdiction over the abutting highway.
- (c) Communication and power transmission lines, poles and appurtenance structures, and underground structures provided the same are not capable of being used as a foundation for a prohibited above-grade structure.
- (d) Temporary use of the above restricted areas may be permitted but such temporary permit shall be revocable, subject of particular conditions, and limited to not more than twelve (12) consecutive months.

(e) Minor readily removable structures such as open fences and small signs permitted by the Ordinance may be placed within setback lines provided all requirements of this Ordinance are met.

(f) Structures not conforming to the above setback, vision corner, and access requirements may be placed on lots platted and recorded prior to the adoption of this Ordinance by the township, by conditional use only.

2. Lot Size Requirements in the Residential and Commercial Districts.

- a. Lots created after adoption of this Ordinance shall meet the minimum area requirements shown on the attached 'Yard, Area, and Width Requirements' Table. The dimensions of the building sites in the General Commercial and Single Family Residential Districts shall meet the following minimum requirements.

(1) Lots Not Served by Public Sewer

(a) The minimum lot area shall be 43,560 square feet and the minimum lot width 200 feet at the building line and 200 feet at water edge.

(b) There shall be a side yard for each principal building. The minimum width of one side yard shall be ten (10) feet. The minimum aggregate width of both side yards shall be twenty-five (25) feet.

(2) Lots Served by Public Sewer

(a) The minimum lot area shall be 10,000 square feet and the minimum lot width sixty-five (65) feet at the building line and sixty-five (65) feet at the water's edge.

(b) There shall be a side yard for each principal building. The minimum width of one side yard shall be eight (8) feet. The minimum aggregate width of both side yards shall be twenty (20) feet.

(3) Existing Lots Served by Public Sewer

(a) A lot which does not contain sufficient area to conform to the dimensional requirement of this Ordinance but which is at least fifty (50) feet wide and 7,500 square feet in area may be used as a building site providing that the use is permitted in the zoning district providing the title to the lot has been transferred prior to the effective date of this Ordinance and providing the lot is in separate ownership from abutting lands.

(4) Existing Lots Not Served by Public Sewer

(a) A lot which does not contain sufficient area to conform to the dimensional requirements of this Ordinance but which is at least sixty-five (65) feet in width at the building line and sixty-five (65) feet of the water's edge, and which is 10,000 square feet in area, may be used as a building

site, providing it meets the requirements of the Sanitary Ordinance, providing that the use is permitted in the zoning district, providing the title to the lot has been transferred and notarized prior to the effective date of this Ordinance in the township, and providing the lot is in separate ownership from abutting lands.

(5) Substandard Lots

(a) A zoning permit for the improvement of a lot having lesser dimensions than those stated in (3) and (4) above shall be issued only after the granting of a variance by the Board of Adjustment.

(b) If two or more substandard lots with continuous frontage have the same ownership as of the effective date of this Ordinance, the lots involved shall be considered to be an individual parcel for the purposes of this Ordinance.

(6) Spacing Between Buildings

(a) No agricultural structure may be placed within 500 feet of an existing non-agricultural structure under separate ownership unless otherwise permitted by conditional permit, or no non-agricultural structure may be placed within 500 feet of an existing agricultural structure, under separate ownership unless otherwise permitted by conditional permit.

TABLE 1
YARD, AREA AND WIDTH REQUIREMENTS

Zone	A-F	A-R	R-1	R-2	C-1	I
Side Yards: Principal Buildings (ft.):	20	20	10	10	10*	20
Lot NOT served by public sewer (ft.):	20	20	10	10	10*	20
Lot served by public sewer (ft.):	-	20	8*	8*	8**	20
Side yards: Accessory & Building (ft.):	10	10	5	5	5	5
Rear yard (ft.):	50	50	40	40	20	20
Floor area dwelling minimum (Sq. Ft.)	600	960	960	960	500	-
***Minimum lot area agricultural (acres)	35	5	-	-	-	-
Lots NOT served by public sewer	-	5	2	2	1	1
Lots served by public sewer	-	5 acres	10,000 Sq. Ft.	10,000 Sq. Ft.	10,000 Sq. Ft.	10,000 Sq. Ft.
Minimum lot width lot NOT served by public sewer (ft.):	200	200	200	200	200	200
Lot served by public sewer (ft.):	-	200	65	65	65	65

*Although the minimum width of one side yard can be ten (10) feet, the minimum aggregate width of both side yards shall be twenty-five (25) feet.

**Although the minimum width of one side yard can be eight (8) feet, the minimum aggregate width of both side yards shall be twenty (20) feet.

***Maximum lot area in the Agricultural/Residential District is 34.99 acres.

3. Lot Size Requirements in the Agricultural and Forestry District

- a. Lots created after adoption of this Ordinance shall meet the minimum area requirements shown on Table 1 "Yard, Area, and Width requirements." The dimension of the building sites in the Agricultural and Forestry Districts shall meet the following minimum requirements.

(1) The minimum lot area shall be 35 acres and the minimum lot width 200 feet at the building line.

(2) There shall be a side yard for each principal building and accessory building. The minimum side yard setback for principal buildings shall be 20 feet. The minimum side yard for accessory buildings shall be 10 feet.

(3) A lot which does not contain sufficient area to conform to the dimensional requirements of this section, but which is at least two hundred (200) feet in width at the building line, and which is 43,560 square feet in area, may be used as a building site, provided the use is permitted in the zoning district, providing the title to the lot has been transferred (and notarized) prior to the effective date of this Ordinance in the township, and providing the lot is in separate ownership from abutting lands, and providing it meets the sanitary ordinance.

4. Open Space Requirements

Every part of the required area of a yard shall be open to the sky. In this regard, the setback and yard requirements shall apply to all projections, such as sills, cornices, steps, porches, ornamental features, and fire escapes.

5. Structures Not Buildings

Structures which are not buildings and which are six inches or more in height from the surface of the ground shall be subject to the setback and other dimensional requirements of this ordinance. Excludes fences and public utility poles.

6. Accessory Uses and Structures

- a. Any permanent, roofed structure serving as an accessory use if attached to the principal building by an enclosed structure shall be considered a part of the principal building. If such structure is a building and is not attached to the principal building it shall conform to the setback, and other dimensional requirements of the district within which it is located.

- b. Accessory buildings permitted in residential districts, shall conform to the following requirements:

(1) No more than one accessory building shall be permitted on a lot, except by conditional permit.

(2) No accessory building shall have a floor area greater than 70 percent of the floor area of the principal building on the lot.

(3) No accessory building shall have a floor area in excess of 10 percent of the

total lot area.

7. No large object other than licensed passenger motor vehicles, and major recreational equipment, may be stored on a lot in a Residential District, except within a garage or where it will at all times be completely shielded from view from the street or adjoining properties, by landscaping, walls, or fencing. No such equipment shall be used for living or housekeeping purposes when parked or stored on a residential lot, or in any location not approved for such use. The storage of such equipment shall only be permitted adjacent to a residence and shall never be the principal use of an individual lot. The storage of such equipment prior to the adoption of this Ordinance shall be permitted to continue.

SECTION II. ZONING MAP AND DISTRICT BOUNDARIES

A. ZONING DISTRICTS

The lands of Richland County are hereby divided into the following districts:

1. **General Agricultural and Forestry (A-F)**
2. **Agricultural and Residential District (A-R)**
3. **Single Family Residential (R-1)**
4. **Single Family Residential (R-2)**
5. **General Commercial (C-1)**
6. **Industrial (I)**
7. **Conservancy (CON)**
8. **Scenic Resource (SR)**

B. ZONING DISTRICT BOUNDARIES

The locations and boundaries of the County's districts are shown on a single map officially designated "OFFICIAL ZONING MAP, RICHLAND COUNTY, WISCONSIN" and on separate township maps officially designated "DETAILED ZONING MAPS, RICHLAND COUNTY, WISCONSIN." These maps together with all explanatory material and regulations thereon are an integral part of this Ordinance. In the event of a conflict between zoning district boundaries shown on the "Official Zoning Map, Richland County, Wisconsin" and the "Detailed Zoning Maps, Richland County, Wisconsin," the latter shall govern and prevail. District boundaries are normally lot lines; section, quarter-section or sixteenth lines; center lines of street, highways, alleys, railroad right-of-way or such lines extended; unless otherwise noted on the zoning maps. Distances not specifically indicated on the zoning map shall be determined by the scale of the map. In accordance with Section 59.97(4) of the Wisconsin Statutes, zoning district boundaries shall be decided by the County Board. It shall be the policy of the county zoning committee to consult with individual township boards in decisions regarding district boundaries, before making recommendations to the county board. Questions regarding exact location of district boundaries shall be decided by

the County Zoning Committee or its authorized representative. Decisions may be reviewed on appeal to the Board of Adjustment as provided in Section VII of this Ordinance.

The official zoning maps shall be certified by the chairman of the county board and attested by the county clerk. Copies of the official zoning maps together with a copy of this Ordinance shall be kept on file in the office of the county clerk. Any changes affecting zoning district boundaries shall be recorded on the applicable maps. All such changes shall be made in accordance with provisions of Section 59.69, Wisconsin Statutes.

Copies of the official zoning maps together with copies of this Ordinance shall be kept at the County Zoning Department, and shall be available for public inspection during office hours. Maps are available for a nominal fee from the County Zoning Department.

C. GENERAL AGRICULTURAL AND FORESTRY DISTRICT (A-F)

This district provides for the continuation of general agriculture and forestry practices. The intent is to preserve areas with adequate soil types, drainage and topography for farming and forestry and to prevent uneconomical scattering of residential, commercial and industrial development in such areas. This district shall be in compliance with Chapter 91, Wisconsin Statutes. Land being rezoned out of this district shall occur only if the town and county find the following:

1. The land is better suited for a use not allowed in this district.
2. The rezoning is consistent with the Richland County Comprehensive Plan.
3. The rezoning is consistent with Richland County Farmland Preservation Plan.
4. The rezoning will not substantially impair or limit current or future agricultural use of surrounding parcels of land that is zoned for or legally restrict to agricultural use.

Richland County shall by March 1 of each year provide to DATCP a report of the number of acres that the political subdivision has rezoned out of A-F district during the previous year.

1. Permitted Uses

- a. **Agricultural use.** An agricultural use in the General Agricultural and Forestry District (A-F) means any of the following activities conducted for the purpose of producing an income or livelihood:
 - (1) Crop or forage production
 - (2) Keeping livestock
 - (3) Beekeeping
 - (4) Nursery, sod, or Christmas tree production
 - (5) Floriculture
 - (6) Aquaculture

(7) Fur farming

(8) Forest management

(9) Enrolling land in a federal agricultural commodity payment program or a federal or state agricultural land conservation payment program.

b. **Accessory use.** An accessory use in the General Agricultural and Forestry District (A-F) means any of the following uses on a farm.

(1) A building, structure, or improvement that is an integral part of, or is incidental to, an agricultural use.

(2) An activity or business operation that is an integral part of or incidental to, an agricultural use.

(3) Farm residences.

(4) A business, activity or enterprise whether or not associated with an agricultural use that is conducted by the owner or operator of a farm, that requires no buildings, structures or improvements other than those described in sub. (1) or (3), that employs no more than 4 full-time employees annually and that does not impair or limit the current or future agricultural use of the farm or of other protected farmland. No outside storage of stock in trade or vehicles, or other items related to the business, activity, or enterprise is permitted excepting those vehicles incidental to the permitted use of the property.

c. Prior nonconforming uses.

d. Transportation, utility, communication, or other uses that are required under state or federal law to be located in a specific place or that are authorized to be located in a specific place under a state or federal law that preempts the requirement of a conditional use permit for those uses.

e. Undeveloped natural resources and open space areas.

f. Community and other living arrangements per Wisconsin Statute 59.69 (15), and meet the definition of an accessory use found in Section IX.

History: Cr. 5/20/03, Ord. No.2003-16; Ord. No. 2005-5, Eff. 2/15/05, add b., modify f.; Ord. No. 2016-19, Eff. 6/21/16, modify b.; Ord. No. 2018-26, Eff. 9/24/18, repeal A-F, Insert revised A-F

2. Uses Authorized by Conditional Permit

Before granting a conditional use permit in the, General Agriculture and Forestry District (A-F) the County shall require comment from the Town Board and or Plan Commission of the affected town prior to any issuance of said conditional use permit.

a. Agriculture-related uses that support and enhance agricultural uses within the district, do not impair or limit agricultural uses within the district, and do not unnecessarily convert cropland or prime farmland within the district.

- b. Governmental, institutional, religious, or nonprofit community uses if the following apply:
 - (1) The use and its location in the General Agriculture and Forestry District (A-F) are consistent with the purposes of that district.
 - (2) The use and its location in the General Agriculture and Forestry District (A-F) are reasonable and appropriate, considering alternative location or are specifically approved under state or federal law.
 - (3) The use is designed to minimize the conversion of land at and around the site of the use from agricultural use or open space use.
 - (4) The use does not impair or limit the current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.
 - (5) Construction damage to land remaining in agricultural use is minimized and repaired to the extent feasible.
- c. One manufactured home incidental to a farm operation provided such home does not require more than a single access to a Class A, B or C highway and meets the definition of a farm residence. If the party living in the manufactured home no longer works on the farm, the manufactured home shall be removed from the premises.
- d. Temporary placement of a manufactured home less than 24 feet wide while a permanent dwelling is being constructed. Except in exceptional circumstances, temporary placement shall not exceed 3 years.
- e. Non-metallic mineral extraction if the following apply:
 - (1) The operation and its location in the General Agriculture and Forestry District (A-F) are consistent with the purposes of that district.
 - (2) The operation and its location in the General Agriculture and Forestry District (A-F) are reasonable and appropriate, considering alternative location or are specifically approved under state or federal law.
 - (3) The operation and its location are designed to minimize the conversion of land at and around the site of the use from agricultural use or open space use.
 - (4) The operation does not impair or limit the current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.
 - (5) The operation is permitted and in compliance with the Richland County Non-Metallic Mining Ordinance #2, which includes Section 13.30 (1) and (2).

- f. Transportation, communications, pipeline, electric transmission, utility, wind energy systems, or drainage uses if consistent with Ch. 91.46(4) WI Stats, including wind and solar energy systems where the energy generated is primarily to be used off site and as long as the following apply:
- (1) The use and its location in the General Agriculture and Forestry District (A-F) are consistent with the purposes of that district.
 - (2) The use and its location in the General Agriculture and Forestry District (A-F) are reasonable and appropriate, considering alternative location or are specifically approved under state or federal law.
 - (3) The use is designed to minimize the conversion of land at and around the site of the use from agricultural use or open space use.
 - (4) The use does not impair or limit the current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.
 - (5) Construction damage to land remaining in agricultural use is minimized and repaired to the extent feasible.
- g. Kennels, as long as they are located more than 2,640 feet from a dwelling other than one occupied or rented by the owner and meets the definition of an accessory use found in Section IX and is consistent with CH 91.01 (1) WI Stats. Public airports.
- h. Trailer Camps, Camp Grounds, Institutional Recreational Camps and Camping Resorts per Section III A. 2. and meets the definition of an accessory use found in Section IX and is consistent with CH 91.46 (5) WI Stats.
- i. Public Airports that meet the definition of an accessory use found in Section IX and is consistent with CH 91.46 (4) WI Stats.
- j. Private landing strips that meet the definition of an accessory use found in Section IX and is consistent with CH 91.46 (4) WI Stats.
- k. Replacement of an existing manufactured home less than 24 feet wide or an existing mobile home less than 24 feet wide with a replacement manufactured home less than 24 feet wide that has at least 1,000 square feet of floor space and meet the definition of an accessory use found in Section IX.
- l. Placement of an agricultural structure within 500 feet of an existing non-agricultural structure under separate ownership.
- m. Recreational Residential Rental if consistent with Ch. 91.01(1) WI Stats.
- n. Bed and Breakfast establishments, as defined in section 91.01(1) (d)

Wisconsin Statutes.

History: Cr. 5/20/03 No. 2003-16; Ord. No. 2004-11, Eff. 3/16/04, Manufactured home; Ord. No. 2005-5, Eff. 2/15/05, repeal n., relettered o. and q. add q.; Ord. No. 2005-7, Eff. 3/15/05, o. p. and q. relettered, q. added; Ord. No. 2006-10, Eff. 4/25/06, m. repealed, n. through q. relettered; Ord. No. 2008-24, Eff. 10/28/08, q. added; Ord. No. 2014-9, Eff. 5/20/14, f. modified; Ord. No. 2016-19, Eff. 6/21/16, , r. added; Ord. No. 2017-12, Eff. 7/18/17, r. modified

3. Area, Height and Setback Requirements

- a. Lots not served by public sanitary sewer - Minimum of 2 acres.
- b. Minimum Floor Area: 600 square Feet
- c. Minimum Lot Width: 200 feet at the building setback line
- d. Setbacks
 - (1) Principal Structure Side Yard: 20 feet
 - (2) Secondary or Accessory Structure Side Yard: 20 feet
 - (3) Rear Yard: Principal or Secondary: 50 feet
 - (4) Minimum highway setback shall be determined by Section G of this ordinance.
- e. Open Space Requirements

Every part of the required area of a yard shall be open to the sky. In this regard, the setback and yard requirements shall apply to all projections, such as sills, cornices, steps, porches, ornamental features, and fire escapes.
- f. Structures Not Buildings

Structures that are not buildings and which are six inches or more in height from the surface of the ground shall be subject to the setback and other dimensional requirements of this ordinance. Excludes fences and public utility poles.
- g. Accessory Uses and Structures

Any permanent, roofed structure serving as an accessory use if attached to the principal building shall be considered a part of the principal building. If such structure is a building and is not attached to the principal building it shall conform to the setback, and other dimensional requirements of the district within which it is located.

History: Cr. 5/20/03 No. 2003-16; Ord. No. 2005-7, Eff. 3/15/05, Sec. 6 amended; Ord. No. 2018-26, Eff. 9/24/18, repeal A-F, Insert revised A-F

D. AGRICULTURAL AND RESIDENTIAL DISTRICT (A-R).

1. **Purpose.** The purpose of the Agriculture/Residential district is to provide for limited residential uses on rural lots between 5 and 34.99 acres. Residents of this district

shall recognize this area as primarily agricultural and shall accept those environmental conditions associated with farming and its related uses.

2. **Lands included in this district.** This district is for the accommodation of rural parcels between 5 and 34.99 acres in size that are not part of larger farm operation.

3. **Permitted uses.**

- a. One single family dwelling. When an existing dwelling is to be replaced with a new dwelling the existing dwelling may be occupied during the construction of the new dwelling, but the existing dwelling must be razed or otherwise removed within 6 months of the issuance of the Certificated of Compliance for the new dwelling.
- b. Campers that are licensed and road ready and used for temporary parking and living purposes, as long as they are removed between December 1st to March 1st and as long as a parking permit has been issued by the Zoning Administrator, with the exception that any camper may be parked with no permit for 14 consecutive days in any one year.
- c. Historical Sites.
- d. Limited farming including feed and vegetable crops and other similar enterprises or uses, provided that no agricultural structure shall be placed within 500 feet of an existing non-agricultural structure other than that of the owner.
- e. Forestry, beekeeping, plant nurseries, fish hatcheries and non-commercial greenhouses.
- f. One temporary roadside stand per lot, not more than 300 square feet used solely for the sale of products at least 50% of which were produced on the premises.
- g. Storage of campers or major recreational equipment. No such equipment shall be used for living or housekeeping purposes.
- h. Signs per section III, F. 1., 2., 4. & 6.
- i. Adult family home.
- j. Community-based residential facility with 8 or fewer residents.
- k. Placement of up to 4 animal units as set forth in the table in Section 1X3 on 5 to 12 acres and an additional animal unit for every additional 3 acres thereafter.

History: Cr. 5/20/03, Ord. No. 2003-16; Ord No. 2016-19, Eff. 6/21/16, d repealed, d-k relettered

4. **Permitted accessory uses:**

- a. Garage and/or usual accessory buildings, except as provided in section 5n. herein.
- b. Permitted Accessory uses in R-1 District

5. Uses authorized by conditional permit

- a. Institutional recreation camps.
- b. Group homes -- community based residential facilities.
- c. Public and private schools, churches, public parks and recreational area, historical sites. Landing strips are not allowed.
- d. One single family mobile home, provided that the mobile home and the land upon which it is located are owned in common.
- e. Kennels as long as they are located further than 1,320 feet from a dwelling other than that occupied or rented by the owner.
- f. Migrant labor camps.
- g. Mobile home parks, subject to section III herein.
- h. Shooting ranges.
- i. Multi-family dwellings.
- j. Non-metallic mining, including the removal of rock, gravel, decomposed granite, sand, topsoil or other natural material from the earth by excavating, stripping, leveling or any other process whereby these materials are substantially removed from the site, subject to Section III herein.
- k. Agriculture related business including, but not limited to, veterinary hospitals and clinics, seed sales, but excluding stockyards or farm implement sales or service and fertilizer or chemical sales.
- l. Commercial greenhouses.
- m. Governmental uses including, but not limited to, township halls and garages.
- n. Livestock, poultry and State-licensed game farms.
- o. Manufactured homes less than 24 feet wide after placement.
- p. Temporary placement of a mobile home or a manufactured home less than 24 feet wide while a permanent dwelling is being constructed. Except in exceptional circumstances, temporary placement shall not exceed 3 years.

- q. Community-based residential facility with 9 or more residents
- r. Bed and breakfast establishments.
- s. Family farm business.
- t. A wind energy system.
- u. Telephone buildings, (provided there is no service garage or storage yard), telephone, telegraph, and power transmission towers, poles and lines, including transformers, substations, relay and repeater stations, equipment housings and other necessary appurtenant equipment and structures; radio and television stations and transmission towers and micro-wave radio relay towers; municipal buildings.
- v. Recreational Rental/Tourist Home

History: Cr. 5/20/03, Ord. No. 2003-16; Ord. No. 2005-5, Eff. 2/15/05, repeal o., q. amended, p. through t. relettered; Ord. No. 2005-7, Eff. 3/15/05, Section 6 amended; Ord. No. 2008-24, Eff. 10/28/08, u. added; Ord. No. 2014-9, Eff. 5/20/14, j. modified; Ord. No. 2015-5, Eff. 5/19/15, D. 3. (a) modified; Ord. No. 2016-19, Eff. 6/21/16, u. added; Ord. 22-4 Eff 7/19/22 v added

E. SINGLE FAMILY RESIDENTIAL DISTRICT (R-1)

This district is intended to provide for high quality, single-family, year-round residential development. It is preferred that this development be around existing villages and subdivisions. If this development takes place in a rural setting, the residents of this district shall accept those environmental conditions associated with farming and its related uses. For lot area, width, and yard requirements refer to Table 1.

1. Permitted Uses:

- a. Single family dwellings
- b. Historic sites.
- c. Horticulture and gardening but not including commercial greenhouses.
- d. Community based residential facility with 8 or fewer residents.

History: Cr. 5/20/03, Ord. No. 2003-16; Ord. No. 2016-19, Eff. 6/21/16, d repealed, e. renumbered to d.

2. Permitted Accessory Uses:

- a. Private garages, carports, and boathouses when located on the same lot and not involving the conduct of a business, except as a permitted household occupation or conditional use, provided that no such structure shall be erected prior to the erection of the principal building to which it is necessary.
- b. Permitted household occupations and professional offices when incidental to the principal residential use, situated in the same building, and carried on by the residential occupant, subject to the following conditions:

(1) Such use shall not occupy more than 20 percent of the classified floor area of the principal building in which it is located.

(2) Such use shall not employ more than one person not a resident on the premises.

(3) Any off-street parking area provided shall be maintained reasonably dustless, and adequately screened from adjoining residential properties.

(4) Such use shall not include the conduct of any retail or wholesale business on the premises, nor the removal of sand, gravel, stone, topsoil or peat moss for commercial purposes.

(5) Such use shall not include the operation of any machinery, tools or other appliances, or the outside storage of materials or other operational activity any of which would create a nuisance or be otherwise incompatible to the surrounding residential area.

3. Uses Authorized by Conditional Use Permit:

- a. Rest homes and homes for the aged.
- b. Hospitals.
- c. Medical and dental offices.
- d. Funeral homes.
- e. Multiple family residences.
- f. Rooming houses, boarding houses and tourist homes.
- g. Radio and television stations and transmission towers and micro-wave radio relay towers and telephone buildings (provided there is no service garage or storage yard).
- h. Farm buildings on an existing farm, provided that buildings in which farm animals are kept shall be at least 500 feet from the nearest residence on a non-farm lot. Farm buildings housing animals, barn yards or feed lots shall be at least one hundred (100) feet from any continuous flowing water and shall be so located so that manure will not drain into any continuous flowing water.
- i. Mobile home parks, subject to the provisions of Section III of this Ordinance.
- j. Golf courses.
- k. Public park and recreation areas, churches, schools, public museums and art galleries for exhibition in artist's own work.

- l. Municipal buildings.
- m. Mobile home.
- n. Bed & Breakfast establishments, as defined in section 50.50(1) Wisconsin Statutes.
- o. Manufactured homes less than 24 feet wide after placement.
- p. Temporary placement of a mobile home or a manufactured home less than 24 feet wide while a permanent dwelling is being constructed. Except in exceptional circumstances, temporary placement shall not exceed 3 years.
- q. Community-based residential facility with 9 or more residents.
- r. Telephone buildings, (provided there is no service garage or storage yard), telephone, telegraph, and power transmission towers, poles and lines, including transformers, substations, relay and repeater stations, equipment housings and other necessary appurtenant equipment and structures; radio and television stations and transmission towers and micro-wave radio relay towers; municipal buildings.
- s. Recreational Rental/ Tourist Home

History: Cr. 5/20/03, Ord. No. 2003-16; Ord. No. 2005-5, Eff. 2/15/05, o. repealed, q. amended, p. through r. relettered, b. deleted, c. amended; Ord. No. 2016-19, Eff. 6/21/16, r. added; Ord. 22-4 Eff 7/19/22 s added.

F. SINGLE FAMILY RESIDENTIAL DISTRICT (R-2)

This district is intended to provide for high quality single family year round residential development in existing villages and subdivisions in order to make it more reasonable to provide these developments with the necessary municipal services, such as sewer and water facilities and fire protection. For lot area, width and yard requirements refer to table on Table 1, R-1.

1. Permitted Uses:

- a. Single-family dwellings
- b. Historical sites
- c. Horticulture and gardening but not including commercial greenhouses.
- d. Community-based residential facility with 8 or fewer residents.

History: Cr. 5/20/03, Ord. No. 2003-16; Ord. No. 2005-5, Eff. 2/15/05, c. and d. relettered; Ord. No. 2006-19, Eff. 6/21/16, d. repealed, e. relettered

2. Permitted Accessory Uses:

- a. Private garages, carports, and boathouses when located on the same lot and not involving the conduct of a business, except as a permitted household

occupation or conditional use, provided that no such structure shall be erected prior to the erection of the principal building to which it is necessary.

- b. Permitted household occupations and professional offices when incidental to the principal residential use, situated in the same building, and carried on by the residential occupant, subject to the following conditions:

- (1) Such use shall not occupy more than 20 percent of the classified floor area of the principal building in which it is located.

- (2) Such use shall not employ more than one person not a resident on the premises.

- (3) Any off-street parking area shall be maintained reasonably dustless, and adequately screened from adjoining residential properties.

- (4) Such use shall not include the conduct of any retail or wholesale business on the premises, nor the removal of sand, gravel, stone, topsoil or peat moss for commercial purposes.

- (5) Such use shall not include the operation of any machinery, tools or other appliances, or the outside storage of materials or other operational activity any of which would create a nuisance or be otherwise incompatible to the surrounding area.

3. Uses Authorized by Conditional Permit:

- a. Public park and recreation areas, churches, schools, public museums and art galleries or exhibition in artist's own work.
- b. Temporary placement of a mobile home or a manufactured home less than 24 feet wide while a permanent dwelling is being constructed. Except in exceptional circumstances, temporary placement shall not exceed 3 years.
- c. Community-based residential facility with 9 or more residents.
- d. Telephone buildings, (provided there is no service garage or storage yard), telephone, telegraph, and power transmission towers, poles and lines, including transformers, substations, relay and repeater stations, equipment housings and other necessary appurtenant equipment and structures; radio and television stations and transmission towers and micro-wave radio relay towers; municipal buildings.
- e. Recreational Rental/Tourist Home

G. GENERAL COMMERCIAL DISTRICT

This district is intended to provide for the orderly and attractive grouping, at convenient locations, of retail stores, shops, offices, and establishments serving the daily needs of the area. For lot area, width, and yard requirements refer to Table 1.

History: Cr. 5/20/03, Ord. No. 2003-16; Ord. No. 2005-5, Eff. 2/15/05, add Table 1

1. Permitted Uses:

Community service facilities such as, but not limited to the following:

- a. Retail stores and shops offering convenience goods and services.
- b. Business and professional offices and studios.
- c. Banks and savings and loan offices.
- d. Commercial entertainment facilities.
- e. Post offices.
- f. Restaurants.
- g. Dental, medical, and veterinary clinics.
- h. Rooming and boarding houses.
- i. Public and semi-public buildings and institutions.
- j. Laundromat.

History: Cr. 5/20/03, Ord. No. 2003-16; Ord. No. 2016-19, Eff. 6/21/16, j. repealed, k. relettered

2. Permitted Accessory Uses:

- a. Garages for storage of vehicles used in conjunction with the operation of a business.
- b. Off-street parking and loading areas.
- c. One single family dwelling for the owner, proprietor, commercial tenant, employee or caretaker located on the same premises as the business.

3. Uses Authorized by Conditional Permit include, but are not limited to the following:

- a. Rest homes and homes for the aged.
- b. Hospitals.
- c. Funeral homes.

- d. Radio and television stations and transmission towers and micro-wave radio relay towers and telephone buildings (providing there is no service garage or storage yard).
- e. Farm buildings on an existing farm, provided that buildings in which farm animals are kept shall be at least 500 feet from the nearest residence on a non-farm lot. Farm buildings housing animals, barn yards or feed lots shall be at least one hundred (100) feet from any continuous flowing water and shall be so located so that manure will not drain into any continuous flowing stream.
- f. Wholesaling establishments.
- g. Transportation terminals.
- h. Drive-in establishments serving food or beverages to customers other than at a booth or table.
- i. Car sales.
- j. Farm implement sales.
- k. Golf courses and golf driving ranges.
- l. Outdoor theaters.
- m. Miniature golf, go-kart, and amusement parks.
- n. Lumber and building supply yards.
- o. Small industrial establishments.
- p. Taverns.
- q. Auto service stations and maintenance facilities.
- r. Mobile Home Sales.
- s. Temporary placement of a mobile home or a manufactured home less than 24 feet wide while a permanent dwelling is being constructed. Except in exceptional circumstances, temporary placement shall not exceed 3 years.
- t. Quarrying and mining operations, subject to the provisions of Section III.
- u. Rental storage units.
- v. Cheese Factory.
- w. Telephone buildings, (provided there is no service garage or storage yard), telephone, telegraph, and power transmission towers, poles and lines, including

transformers, substations, relay and repeater stations, equipment housings and other necessary appurtenant equipment and structures; radio and television stations and transmission towers and micro-wave radio relay towers; municipal buildings.

History: Cr. 5/20/03, Ord. No. 2003-16; Ord. No. 2005-5, Eff. 2/15/05, s. repealed, t. amended, t. through v. relettered; Ord. No. 2014-9, Eff. 5/20/14, t. modified; Ord. No. 2015-1, Eff. 1/20/15, G. 3. v. added; Ord. No. 2016-19, Eff. 6/21/16, w. added

H. INDUSTRIAL DISTRICT (I)

This district is intended to provide for any manufacturing or industrial operation which, on the basis of actual physical and operational characteristics, would not be detrimental to the surrounding area or to the county as a whole by reason of noise, dust, smoke, odor, traffic, physical appearance or other similar factors, and subject to such regulatory control as will reasonably insure compatibility in this respect. (No specific area for such development is proposed on the zoning map at this time). For lot area, width and yard requirements refer to Table I.

1. Permitted Uses:

- a. Any use permitted in the Commercial District, except residences or rooming and boarding houses.
- b. The following uses are in keeping with the standards stated in the preamble to this section.
- c. Manufacture, assembly fabrication, and processing plants and similar type industrial operations.
 - (1) General warehousing.
 - (2) Lumber and building supply yards.
- d. Wholesaling establishment.
- e. Car sales.
- f. Farm Implement Sales.

2. Permitted Accessory Uses:

- a. Any accessory use permitted in the Commercial District, except residences.
- b. Office, storage, power supply and other such uses normally auxiliary to the principal industrial operations.

3. Uses Authorized by Conditional Permit:

- a. Junk or salvage yards.

- b. Stock yards or slaughter houses.
- c. Storage and mixing of cement, asphalt, or road oils.
- d. Landfills and disposal sites.
- e. Municipal sewer facilities.
- f. Manufacture, assembly fabrication, and processing plants and similar type industrial operations.
- g. Non Metallic mining operations: Construction Aggregate, Industrial Sand or both, subject to the provisions of Section III.

Cr. 5/20/03, Ord. No. 2003-16; Ord. No. 2014-9, Eff. 5/20/14, f. modified; Ord. No. 14-12, Eff. 6/17/14, H 1. b. (1) repealed, (2) (3) renumbered (1) (2), H 3. f. added

I. CONSERVANCY DISTRICT (CON)

This district is intended to be used to prevent destruction of natural or man-made resources and to protect water courses including the shorelands of navigable waters, and areas which are not adequately drained, or which are subject to periodic flooding, where development would result in hazards to health or safety, would deplete or destroy resources, or be otherwise incompatible with the public welfare. This district includes all wetlands areas designated as swamps or marshes on the United States Geological Survey Quadrangle map sheets.

Wetlands are any lands wet enough to support a growth of moisture-loving plants or aquatics and having an accumulation of organic matter, such as peat or muck. Wet soils can be the result of a high water table (as close to the surface as one foot, but frequently no closer than three feet) or a permeable layer within the soil causing slow seepage. A thick, dark colored topsoil along with a gray or highly mottled subsoil indicates wet soil conditions. Wetlands are seldom suitable for building for the following reasons: (1) Septic tank systems will not function because of high ground water: (2) Water supplies are often polluted by septic tank wastes that have not been adequately absorbed by the soil, (3) Foundations and roads crack due to poor support capabilities and frost action: (4) Flooding is often common in spring and other times of high water.

The filling or draining of a wetland, so as to substantially change the condition of the soil or lower the water table, may make it possible in some cases to install an adequate septic tank system. In such cases, the applicant shall present evidence proving that the suitability of the soil at the site has been altered at a public hearing as provided in Section IX, of this Ordinance. In such cases, the Board of Adjustment may grant permission to use this land for any use permitted in the adjacent land use district. The applicant shall have additional on-site investigations made, including percolation tests, obtain the certification of a soils specialist that specific areas lying within this district are suitable for the proposed facility; and meet the State Division of Health and other state regulations.

Upon consideration of these factors, the Board of Adjustment may attach conditions,

without limitations because of specific enumeration, such as requirements for larger minimum lot size, modified soil absorption system; provisions of sewage holding tanks and methods of sewage collection; and other requirements it deems necessary to fulfill the purpose and intent of this Ordinance.

1. Permitted Uses:

- a. Public fish hatcheries.
- b. Soil and water conservation programs.
- c. Forest management programs.
- d. Wildlife preserves.
- e. Telephone, telegraph and power transmission towers, poles and lines, including transformers, substations, relay and repeater stations, equipment housings and other necessary appurtenant equipment and structures.

2. Uses Authorized by Conditional Permits:

- a. Public and private parks.
- b. Dams, plants for the production of electric power and flowage areas.
- c. Grazing where such activities will not be in conflict with the stated purposes of the district.
- d. Orchards and wild crop harvesting.
- e. Piers, docks, boathouses,
- f. Vegetable farming.

J. SCENIC RESOURCES DISTRICTS (SR)

This is an "overlay" district. It provides for special controls over and above those which are defined in the respective districts enumerated in this Ordinance. These special controls are intended to protect the view of outstanding scenery and natural resources along certain roads and waterways.

Any regulations applicable to the underlying district shall be applicable to any use permitted in this district.

1. Permitted Uses:

- a. **Any use permitted in the underlying districts, except for the following:**
 - (1) Trailer houses, mobile homes, or any portable living quarters.

(2) Dump sites, whether public or private, for ashes, trash, rubbish, sawdust, garbage, offal, storage of vehicle bodies or parts, storage of junked farm implements or any other unsightly or offensive material.

(3) Quarrying, removal or storage of any surface or sub-surface minerals or materials.

(4) Signs, billboards, outdoor advertising structures, or advertisements of any kind, except as provided in sub-paragraph b.

(5) One off-premise directional sign for a business not located directly adjacent to the highway provided such sign is no more than 24 square feet in area and provided such directional sign is located near the intersection where the traveling public must turn to get to the place of business.

b. Signs:

(1) One (1) on-premise sign of not more than 24 square feet in size may be erected and maintained to advertise the sale, hire, or lease of the property, or the sale and/or manufacture of any goods, products, or services upon the land.

(2) Off-premise signs shall be located no closer than 300 feet from the business or site advertised. One sign may be allowed from any direction to the business or site advertised. Such sign shall be no more than 24 square feet in area and shall be located approaching the intersection where the traveling public must turn to get to the place of business.

History Cr. 5/20/03, Ord. No. 2003-16; Ord. No. 2014-9, Eff. 5/20/14, 1. a. (3) modified

SECTION III. REGULATION OF SPECIAL USES

A. Mobile Homes Parks and Trailer Parks

1. Mobile Home Parks

Except for single mobile homes permitted in the Agricultural and Forestry Zoning District, no mobile home shall be located on any premises which is situated outside of an approved mobile home park, except where permitted as a conditional use. No mobile home park shall be developed until the plans for the park have been approved by the County Zoning Committee and a Conditional Use Permit has been granted. Mobile Home Parks shall meet the requirements stated below:

Any person with two or more existing mobile homes on his premises shall submit a plan of his property to the County Zoning Department within three months of the effective date of this Ordinance, showing the location of all such mobile homes. Any mobile home development which meets the minimum requirements state below shall be designated as an "Approved Mobile Home Park" and the owner shall be permitted to locate additional mobile homes on approved mobile home sites. Those mobile home developments not able to meet these requirements shall be permitted to continue as "nonconforming uses", but

shall be subject to the following conditions:

- No additional mobile homes shall be located on the premises.
- The replacement of an existing nonconforming mobile home with a different mobile home shall only be permitted by the Board of Adjustment subject to the provisions of Section VII of this Ordinance.

2. Minimum size shall be five (5) acres.

- a. Maximum number of mobile home sites shall be six per acre.
- b. Minimum dimensions of a mobile home site shall be fifty (50) feet wide by one hundred (100) feet long.
- c. Minimum distance between mobile home trailers shall be fifteen (15) feet.
- d. Minimum distance between mobile home and service road shall be ten (10) feet.
- e. All drives, parking areas, and walkways shall be surfaced with dust-free material. There shall be two parking spaces for each mobile home.
- f. No mobile home sales office or other business or commercial use shall be located on the mobile home park site. However, laundries, washrooms, recreation rooms maintenance equipment storage and one office are permitted.
- g. In addition to the highway setback requirements and setback requirement from the high water mark, there shall be a minimum setback of forty (40) feet from all other exterior lot lines.
- h. Mobile home parks shall comply with the sanitation regulations of the Richland County Sanitary Ordinance and the appropriate sanitary requirements of the Wisconsin Administrative Code. No mobile home site shall have an individual onsite soil absorption sewage disposal system.
- i. No mobile home site shall be rented for a period of less than thirty (30) days.

3. Trailer Camps, Camp Grounds, and Camping resorts

The County Zoning Committee shall approve all plans for trailer camps and campgrounds. Such facilities shall meet the following conditions:

- a. Each trailer or campsite shall be plainly marked and surfaced.
- b. Maximum number of trailer or campsites shall be 15 per acre.
- c. The minimum size of a travel trailer park or campgrounds shall be three (3) acres.
- d. Minimum dimensions of a travel trailer or campsite shall be twenty-five (25) feet wide by forty (40) feet long.

- e. Each travel trailer or camp site shall be separated from other travel trailer sites by a yard not less than fifteen (15) feet wide.
- f. There shall be 1 ½ automobile parking spaces for each trailer or camp site.
- g. In addition to the highway setback requirements and setback requirements from the high water mark, there shall be minimum setback of forty (40) feet from all other exterior lot lines.
- h. Campgrounds shall comply with the requirements of Chapter HFS 178, Wisconsin Administrative Code, to the extent said Chapter is applicable.
- i. No trailer or camping unit shall be located on one site for a period of more than thirty (30) days or an extension thereof not to exceed sixty (60) days. No trailer shall be stored in a trailer park, camping ground or camping resort.

B. OFF-STREET PARKING AND SERVICE AREAS

1. **Spaces Required:** Any building hereafter erected or placed on a lot shall be provided with off-street vehicle parking spaces for those using such building in accordance with the following regulations:

- a. Each parking space required shall be at least 200 square feet in area, or approximately 10 feet by 20 feet in size.
- b. Residential uses shall be provided with at least one (1) parking space for each dwelling unit.
- c. Commercial and industrial uses as listed and permitted in the zoning districts, shall be provided, except as noted below, with one parking space for each 200 square feet of floor area.
 - Restaurants, taverns, and similar establishments shall provide one (1) space for each one hundred fifty (150) square feet of floor area.
 - Drive-in eating stands offering in-car service shall provide five (5) spaces for each person employed to serve customers.
 - Motel and tourist cabins shall provide one (1) space for each unit.
 - Industrial uses and warehouses shall provide one (1) space for each two (2) employees on the premises at a maximum employment on the main shift.
 - Service stations shall provide parking for all vehicles used directly in the conduct of the business; plus two (2) spaces for each gas pump; plus three (3) spaces for each grease rack.

The above parking requirements can be met by a public parking lot when possible.

2. **Paving:** Paving or dust-free surfacing is required of any non-residential off-street parking area having a capacity of more than four vehicles and located within 500 feet of a residential district.

3. **Setback:** No vehicle shall be parked within 10 feet of the existing street line.
4. **Off-Street Loading and Unloading:** Any commercial or industrial building hereafter erected or placed on a lot, shall be provided with sufficient off-street loading and unloading space so that no public streets or alleys need be blocked by such activities.
5. **Landscaping:** The Richland Zoning Committee may require landscaping of open areas established in connection with off-street parking and service.

C. NONMETALLIC MINING

The following apply to applications for Industrial Sand and Construction Aggregate Conditional Use Permits:

In considering applications for Industrial Sand and Construction Aggregate Conditional Use Permits, the County shall specifically analyze non-metallic mineral mining proposals in light of the County's interest in providing for the wise use of the natural resources of the county, aesthetic implications of the siting of such a mine at a given location and the impacts of such a mining operation on the general health, safety and welfare of the public. Each application shall be judged on its own merits. Subject only to the standards set forth in this section and in the zoning ordinance as a whole, it is impossible to prescribe the criteria upon which such a permit may be granted in each and every case.

- a. **Application:** The committee shall determine if the nonmetallic mining site is in the public interest after consideration of the following:
 1. The nonmetallic mining site complies with all provisions of this chapter, Richland Co. Non-Metallic Mining Reclamation Ordinance, and Wis. Admin. Code Ch. NR 135.
 2. The establishment, maintenance, or operation of the conditional use permit shall not endanger the public health, safety, or general welfare, nor impair significant aesthetic, scientific, educational, or agricultural values.
 3. That the establishment, maintenance, or operation of the conditional use permit will not substantially affect the existing use of adjacent properties and will not have a substantial adverse effect on the most suitable long term future use for the area.
 4. That adequate utilities, access roads, drainage, traffic plans, and other site improvements are or will be provided.
 5. That the nonmetallic mining use shall conform to all government regulations and standards pertaining to the activity, including air and water quality standards and storm and waste water permit discharge requirements.
 6. That the noise, vibration, and dust levels be within the standards as established by this ordinance.

7. That an undeveloped buffer zone adjacent to extraction operations, commencing not less than 500 feet from a property line for industrial sand and 50 feet for construction aggregate, or up to 600 feet from an established residential building, 100 feet of the right-of-way of any railroad intersection, street road or highway, or such other distance as the Richland County Zoning and Land Information Committee finds necessary for the protection and safety of adjacent properties from mineral extraction sites, with a stable angle of repose being provided along property lines.
8. That the reclamation plan, which shall similarly be imposed as a condition of approval, will be enforceable and, as enforced, will result in the property being in a final condition which is reasonably safe, attractive and, if possible, conducive to productive new uses for the site.
9. **Storm water** runoff leaving the site will be controlled to limit sediment delivery to surface waters. Appropriate storm water discharge or construction site erosion permits must be obtained.
10. **Ground Water** Nonmetallic mining operations and reclamation shall be conducted in a manner that meets groundwater quality standards pursuant to Wis. Admin. Code Ch. NR 140. Non-metallic mining operations must at all times remain at least (10) feet above the water table level, unless an alternative level proposed by the applicant and established by water table elevation monitoring is approved by the County. The County may require monitoring wells to establish the groundwater level prior to the commencement of non-metallic mining operations on a site. (See Ground Water Monitoring Section) In addition the applicant must demonstrate that the operation does not pose a legitimate risk as determined by the County to water table level or groundwater quality of the area.
11. Nonmetallic mining operations and reclamation shall be conducted in a manner that does not cause a permanent lowering of the groundwater table that results in adverse effects on surface waters or a significant reduction in the quantity of groundwater available for reasonable use to future users.
12. Hours of operation for non-metallic mining shall be limited based upon the defined activities of Extraction and Processing.
 - a. **Extraction.** Extraction shall be allowed Monday through Friday between 6:00 a.m. and 7:00 p.m. during Daylight Savings time and between 6:00 a.m. and 6:00 p.m. during Standard Time. Extraction shall be allowed Saturday between 7:00 a.m. and 3:00 p.m. No Extraction shall be allowed on Sundays or Holidays, as defined in this ordinance.
 - b. **Processing.** Processing may be allowed Monday through Friday between 6:00 a.m. and 8:00 p.m. during Daylight Savings time and between 6:00 a.m. and 6:00 p.m. during Standard Time. Processing shall be allowed Saturday between 7:00 a.m. and 3:00 p.m. No Processing shall be allowed between

Saturday at 3:00 p.m. and Monday at 6:00 a.m. for industrial sand. Processing may be allowed between Monday at 6:00 a.m. through Saturday at 3:00 p.m. for construction aggregate. No processing shall be allowed on Holidays, as defined in this ordinance.

c. **Emergency Extraction.** If a construction aggregate operator conducts nonmetallic mining extraction outside of the stated hours of operation due to an emergency and at the request of the Governor of the State of Wisconsin, Sheriff of Richland County, Emergency Management Director of Richland County, Zoning Administrator of Richland County, Highway Commissioner for Richland County, or any Chairperson of a Town in Richland County on behalf of their respective Town, then such operator shall give notice to the Zoning Administrator within 48 hours of the emergency Extraction. If the Zoning Administrator is unable to verify the emergency requiring the Extraction outside of the stated hours of operation, the operator shall be deemed to have violated the conditional use permit. If after a second occurrence when the Zoning Administrator is unable to verify the emergency, then the conditional use permit may be revoked by the Zoning Administrator.

13. Notification must be provided to the Zoning Administrator and adjacent neighbors at least 24 hours prior to any blasting.

14. Active/disturbed acres should at a maximum be 40 acres. Once more than 40 acres is active/disturbed, reclamation will be required to keep it at 40 acres or less.

15. **Operational Plan:**

a. Dates of the planned commencement and cessation of the operation

b. Description of mining methods, machinery and equipment to be used for extraction and processing of the extracted material, and the sequence of operations

c. Estimated volume of material to be extracted over the life of the mine and for the next calendar year (or if the mine site is solely a drying, processing, trans load or transfer facility, the amount of product that will pass through the site over the life of the site and for the next calendar year)

d. Location of road access points; the proposed location within the site of all buildings, and other structures, equipment, stockpiles, storage and parking areas

e. Identification of all proposed off-site trucking routes, together with the frequency of traffic and the common schedule of travel to be used for transporting extracted materials or products to or from the site

f. A water budget including an estimate of the amount of daily water use, water

sources and methods for disposing of water including methods used for infiltration and control of run-off

g. A listing of any hazardous materials, including fuel supplies that will be stored on-site and a description of measures to be used for securing and storing these materials

h. A listing of all chemicals and approximate quantities used in the manufacturing or processing operations or in controlling dust. Note: If the Operator desires to change or add chemicals, the County must be notified three days in advance of any such change or addition

i. Operator shall also provide information establishing baseline conditions at the site before mining operations commence, including the groundwater elevation across the site, groundwater quality at the site for lead, arsenic and any other toxic metal that may be reasonably be believed to be present in the area or in the type of deposit from which the extraction will be made, and the base flow of surface water within 3 ½ miles of the site.

16. **Vegetative Screening.** The County upon its review of the conditional use permit application shall require screening from adjacent public highways and adjacent non-compatible land uses. Existing vegetation shall be taken into consideration provided it is of sufficient height and density. An earth bank, berm, or vegetative screen of 50 feet along the bordering property lines and public roadways shall be constructed and maintained to screen the mining operation from view.

17. **Fencing Standards.** The nonmetallic mining site shall be enclosed by at least a 4 strand barbed wire fence, maintained at all times, with warning signs posted no more than 100 feet apart to indicate the presence of a nonmetallic mining site. Fencing and signs shall be installed prior to commencement of operations.

18. **Traffic Standards.** The Operator shall obtain a current bus schedule from all school districts, which operate regular bus runs on any roads used by the trucks. The operator shall ensure that trucks from the mining site shall not interfere with the safety of children being taken or returned from school, or the safety of residents and commuters at times when traffic volume from commuters going to and from work is highest.

19. **Air Quality and Dust Control.** The industrial sand operator shall utilize all relevant dust control measures specified in Wis. Admin. Code NR 415.075. Operator must meet the air quality standard of 3 micrograms per cubic meter or respirable crystalline silica (as established by the California OEHHA) at the boundary of the mine. Operator must meet the EPA particle size standards PM 10 and PM2.5 at the boundary of the mine site. At Operator's expense, site must have a minimum of four (4) automatic and continuous monitors installed and

properly functioning; strategically located on the borders of the mine site with monthly readings from the monitors collected by an independent service. The County may require air quality and dust control measures for construction aggregate.

20. **Light Pollution.** The Operator shall limit night lighting on site to that which is minimally necessary for security and whenever possible, shall be shielded from illuminating off-site areas. Every effort consistent with legal requirements for aerial safety shall be made to minimize illumination of the night sky.

21. **Groundwater Monitoring.**

a. The industrial sand operator shall install a groundwater monitoring well network for the purpose of establishing the actual groundwater elevation at the mine site and for monitoring changes to the groundwater elevation over time. The network shall consist of a minimum of four (4) monitoring wells. The network shall be designed to triangulate the elevation of the water table surface and to establish the direction of groundwater flow at the site. The monitoring well network design shall be designed by a Professional Hydrologist or Professional Engineer and reviewed and approved by the County Conservationist in advance of well installation. Using the information gathered in the monitoring well network the operator shall prepare a site-specific groundwater elevation map. The elevations of the water table surface in each of the wells shall be recorded monthly the first year of operations and quarterly thereafter for the life of the mine and be included as part of the Annual Reclamation Report and Activities Plan. The County may require a groundwater network for construction aggregate mining.

b. The operator shall provide a copy of any application and permit for a high capacity well subject to state permit requirements. The application and permit shall be provided to the County Conservationist within 30 days of permit issuance. Production wells installed at the mine site shall be constructed to limit the potential for groundwater movement between aquifers and to limit impacts on surface waters near the mine. Wells shall be cased from the surface through the lowest extent **to be determined**. The operator shall keep records of pumping rates and volumes for all high capacity wells at the mine site on a monthly basis following procedures established in NR 820.13. The operator shall provide a copy of those records to the County Conservationist as part of the Annual Reclamation Report and Activities Plan.

c. The operator shall prepare a Water Conservation Plan to limit consumptive use of groundwater. The plan shall include a water budget for the operation that shows the typical annual volume of gains and losses to mining operations and reclamation activities. The plan shall also describe the processes and best management practices used in a mine operation to reduce the consumptive use of groundwater at the mine site.

d. In the event that offsite monitoring shows that mining or reclamation activities at this site have caused a lowering of the water table that results in adverse effects on surface waters or significant reduction in the quantity of groundwater reasonably available for future users of groundwater, the operator will mitigate these effects by revising the Water Conservation Plan to limit the pumping frequency, rate or volume of groundwater or to implement water conservation practices to restore groundwater elevations. Any changes to the Water Conservation Plan are subject to review and approval by the County Conservationist.

e. In the event that offsite monitoring shows that mining or reclamation activities at this site have caused groundwater quality standards of Wisconsin Administrative Code NR140 to be exceeded at a point of standards application the operator will seek to mitigate these effects by altering site operations.

22. Settling Ponds.

a. Settling ponds and associated earthen conveyances shall be lined to limit the infiltration and leaching of chemical constituents that may be used in mining processes. Liners shall be designed by a Professional Engineer and constructed under their supervision to meet standards and specifications of Wisconsin Administrative Code NR.213.

b. Circumstances where flocculants, dispersants, or other chemicals are used in the mining or reclamation process the operator shall select products that limit the potential for groundwater pollution, as may be identified on recognized product lists available from Wisconsin DNR, EPA or other agencies. The type, volume and frequency of flocculent, dispersants, or other chemicals used shall be provided as part of the Annual Reclamation Report and Activities Plan.

c. The operator will test the sediment accumulated in the mine site settling ponds for concentrations of residual materials associated with the type of chemicals used. Testing will be performed annually or at any time when there are changes to the type of chemicals used. These test results will be included as part of the Annual Reclamation Report & Activities Plan.

d. The operator shall apply appropriate best management practices when removing and managing liquids, sediment, and liner material from the settling ponds. In selecting the best management practices, the operator shall consider the results of material testing and material characterization.

e. In circumstances where the settling pond will be abandoned in-place, the operator shall apply an earthen cap. The cap shall be designed to reduce the potential for long-term leaching of any deleterious materials into the groundwater.

23. Solid Waste & Spills.

- a. The import, storage or disposal of any solid waste, recyclable materials or nonmetallic mine refuse generated outside the mine site is subject to the registration provisions of the Richland County Nonmetallic Mining Reclamation Ordinance.
- b. In the event of fuel spills or other hazardous waste spills the operator shall immediately contact the County Conservationist.
- c. The operator shall not dispose of waste materials containing any hazardous chemicals in toxic amounts or residuals declared to be hazardous by a government agency in toxic amounts onsite or in Richland County, except in accordance with applicable state and federal law and with prior approval of the County.

Fueling inside of the mine shall be discouraged and limited to vehicles such as tracked equipment that cannot readily access an off-site fueling station. Fueling of highly mobile equipment such as rubber-tired loaders, scrapers and trucks shall occur in areas that pose a reduced risk of groundwater pollution. In all cases, spill containment practices; such as drip pans, absorbent pads or other recognized practices; shall be used to contain drips and spills during fueling.

24. Water from site washing operations will meet the conditions of the required Wisconsin Pollution Discharge Elimination System (WPDES) permit from DNR.
25. **Noise Pollution.** Any noise shall be kept below 45 dB for Industrial and 70 for Construction Aggregate as measured at the nonmetallic mining site's property line during operational hours. Back up alarms on vehicles that are required by OSHA shall be exempt from this requirement. Verification of this requirement shall be provided to the zoning administrator upon written request. The operator shall control off-site noise levels to the maximum extent practicable to include "jake braking".
26. **Blasting Safety.** Blasting shall, at a minimum, comply with the provisions listed in SPS 307, Wis. Administrative Code. At sites where there is a principal structure on neighboring property within 500 feet of the shared property line with the mining site, blast charges may be required to be reduced in size as blasting activity nears the property line.
27. Verification that the applicant has requested that a Cultural Resource Site Review and Natural Heritage Inventory be performed by the Department of Natural Resources and that the site review has been completed. A copy of the site review reports must be provided to the County prior to the issuance of a Conditional Use Permit.
28. Any conditions reasonable to protect public health, safety, and welfare, including the factors listed above, may be imposed as part of the conditional use permit.

29. The County may request the applicant to submit additional information if the County determines that the application is incomplete. The County may also retain the services of an engineering firm or other qualified person with appropriate expertise ("retained expert") to review the application and report to the County whether additional information is required for review of the application and to determine whether the application meets the standards of this Ordinance. If the County determines that additional expertise is required, the County shall authorize retaining the services of an engineering firm, attorney or other qualified person with appropriate expertise to advise the County and shall give written notice to the applicant of the additional administrative fee to be charged beyond the base administrative fee to cover the cost of the services of any such retained expert. The additional fee shall be paid before the additional review is undertaken. Once the applicant has submitted any additional information and has paid the additional administrative fee in the amount charged, the retained expert shall report to the County on whether the application meets the requirement of this Ordinance. The county may also require the services of an engineering firm or other qualified person with appropriate expertise ("retained expert") to review the nonmetallic mining operation throughout the life of the mine site and shall be paid for by the operator.
30. **Navigable streams.** No industrial sand mining is allowed within half (½) mile of a navigable stream.
31. No person may cause, allow or permit any materials to be handled, transported or stored without taking precautions to prevent particulate matter from becoming airborne. Precautions shall include, but not be limited to: covering, treatment or securing of materials likely to become airborne from haul trucks during transport, prior to any transportation off site from the quarry or mine.
32. Application of asphalt, water, suitable chemicals or plastic covering on dirt roads, material stockpiles and other surfaces which can create airborne dust, provided such application does not create a hydrocarbon, odor or water pollution problem.
33. Factors to be considered for Adopting Conditions.
- (1) When considering an application for a non-metallic mineral mine permit, the County shall consider, among other factors, the following: the effect or impact of the proposed operation upon;
- a. public infrastructure, including but not limited to streets and highways, schools and other public facilities;
 - b. present and proposed uses of land in the vicinity of the proposed operation;

- c. surface water drainage, water quality and supply;
- d. soil erosion;
- e. aesthetics, including but not limited to scenic beauty and the conservation of natural resources of outstanding quality or uniqueness;
- f. the market value of lands in the vicinity of the proposed operation;
- g. the physical practicality of reclamation of the site after the operation has been concluded;
- h. the public interest from the standpoints of smoke, dust, noxious or toxic gases and odors, noise, vibration, blasting and the operation of heavy machinery and equipment; and
- i. Approved documentation from the Highway department and any towns if a road agreement is needed and has been approved.

(2) In order to grant a conditional use permit for non-metallic mineral mining, the County shall find that the proposed operation is an appropriate land use at the site in question, based upon consideration of such factors as: existence of non-metallic mineral deposits; proximity of site to transportation facilities and to markets; and the ability of the operator to avoid harm to the public health, safety and welfare and to the legitimate interests of properties in the vicinity of the proposed operation.

34. **RECLAMATION ASSURANCE.** The Richland County Zoning and Land Information Committee shall require reasonable assurance that the conditions it may impose will be satisfied. The amount of financial assurance shall equal as closely as possible the cost to Richland County of hiring a contractor to complete reclamation according to the approved reclamation plan. The amount of financial assurance shall be reviewed periodically by the Zoning Department to assure it equals the current estimated reclamation cost.

Such assurance shall be achieved through a combination of the following prior to commencement of operation activities:

- (1) Performance bonds or substitute guarantees in the form of pledged collateral.
- (2) Clear identification of the relationships between landowners, lessees, licensees, and operators and the signing of written pledges by those persons who assume responsibility for various elements of the conditions imposed.
- (3) If there is any unresolved dispute between a claimant and the applicants with regard to permit conditions, the applicants agree that the same shall be submitted to arbitration in accordance with Wis. Stat. Ch. 788, if the claimant so requests.

35. **OTHER ASSURANCE.** Financial assurance shall be provided to the County as a condition of license approval in the amount necessary for the following:

(1) **Road repair:** An amount necessary for the repair and maintenance of county and zoned town roads used for truck traffic transporting materials to or from the site. Upon the agreement of the County, the financial assurance may be in the form of a Road Use Agreement Escrow Account.

(2) **Water Supply:** An amount necessary to provide an alternative water supply to potentially affected residences or agricultural operations within 3 ½ miles of the site or such other area shown to be impacted by the Operator's operations.

36. **TIME OF OPERATION.** Unless otherwise specified in this ordinance, the permit shall be in effect for not more than 3 years for industrial sand or 5 years for construction aggregate, and may be renewed by application to the County. All permitted operations may be inspected at least once every year by the Office and may be inspected at the time a request for renewal is submitted for the purpose of determining if all conditions of the operations are being complied with. Renewed permits shall be modified to be in compliance with all state, county, and local law in effect at the time of renewal. Permits may be amended on application to the Commission to allow extensions or alterations in operations under new ownerships or managements.

37. **TERMINATION OF NONMETALLIC MINING ACTIVITIES.** If nonmetallic mining activities terminate for a period of 2 years or more on a site which is the subject of an approved conditional use permit, the land use permit holder is not entitled to a right of renewal at the end of the permit period, despite compliance of former operations with all conditions of the original permit, unless:

(1) The discontinuance was specified as part of the original operations plan.

(2) The operator has Richland County Zoning and Land Information Committee approval of an amendment to the original permit placing the operation on inactive status with conditions as to interim or partial reclamation.

(3) Within 2 years of the cessation of the operation all equipment, stockpiles, rubble heaps, other debris and temporary structures, except fences, shall be removed or backfilled into the excavation, leaving the premises in a neat and orderly condition.

(4) As a condition of approval, the operator shall accept responsibility for remediation, or the permit may be revoked.

After a conditional use permit has been issued and if no activity has taken place at a Industrial Sand mining site, or rail load out facility under the permit whatsoever or, alternatively, where activity was originally commenced but then has been terminated and such condition of non-activity, exclusive of required, ongoing reclamation under such a permit, has continued for a period of twelve (12) months in succession, the permit shall

lapse as a matter of law and no further or other activities in operating the site other than reclamation will be allowed.

38. **STOCKPILING.** Stockpiling of any nonmetallic mineral, including stone, sand, gravel, clay, and topsoil shall not be permitted beyond final reclamation.

D. JUNK OR SALVAGE YARDS

No junk or salvage yards shall be permitted in Richland County except in conformance with a plan approved by the County Zoning Committee.

1. General Provisions

- a. Junk or salvage materials shall not be located within 300 feet of public roads, streets, and highways, and all establishments of this kind shall have minimum side and rear yards of 100 feet each.
- b. Junk or salvage material shall not be located in the Shoreland and Floodplain Protection District.
- c. Junk or salvage materials shall be enclosed by a suitable fence or planting screen so that the materials are not visible from other property in the vicinity of the junk yard, nor from a public right-of-way such as roads, streets, highways, and waterways. The fence or planting screen shall be a minimum eight feet in height and shall be kept in good repair.
- d. Junk or salvage materials shall not be piled higher than the height of the fence.
- e. For fire protection, an unobstructed fire break shall be maintained one rod in width and completely surrounding the salvage or junk yard.

E. SIGNS AND BILLBOARDS

Except as otherwise specifically authorized, no sign that is visible from any state, county, or town road, from the water, or from any adjacent property shall be located, erected, moved, reconstructed, extended, enlarged, or structurally altered until a permit has been issued by the County Zoning Committee or its authorized representative. No permit shall be issued for a sign not in conformity with the size, type, number, location and use regulations affecting each zoning district. Permits shall be obtained within 12 months after adoption of this Ordinance for all signs which were erected before the date of enactment of this Ordinance. Signs shall display the sign permit number, in legible form in the lower left-hand front corner. One permit for the "life" of each sign is required. Such permit shall authorize the use of each sign as long as such sign is kept in good repair and complies with the requirements of this Ordinance.

1. Exceptions. A permit shall not be required for the following types of signs:
 - a. Official traffic control signs, and informational or directional notices erected

by federal, state, or local units of government.

- b. Signs advertising the sale, rent, or lease of the property on which the sign is placed. Such signs shall not exceed four (4) square feet in gross area and may be placed at the right-of-way of the highway.
- c. "No-Hunting" or "No Trespassing" signs, provided that no such sign shall exceed one and one-half (1 ½) square feet in gross area.
- d. On-premise nameplates for residences provided that no such nameplate shall exceed three (3) square feet in gross area. Such nameplates may not be affixed to trees.
- e. Signs for test plots for various farm crops and temporary commercial signs in place for no more than 30 days.

2. Prohibited Signs.

- a. No sign shall resemble, imitate, or approximate the shape, size, form or color of railroad or traffic signs, signals, or devices.
- b. No sign shall be so located as to interfere with the visibility or effectiveness of any official traffic sign or signal, or with driver vision at the access point or intersection.
- c. No sign shall be erected, relocated, or maintained so as to prevent free ingress or egress from any door, window, or fire escape, and no sign shall be attached to a standpipe or fire escape.
- d. No sign shall contain, include, or be illuminated by flashing light or by any light directed toward a neighboring residence or toward the water.
- e. No sign shall be permitted in a vision corner, except for on-premises signs on non-conforming structure by conditional use.
- f. No sign shall contain, include, or be composed of any conspicuous animated part.
- g. No sign shall be painted on rocks nor affixed to trees.

3. Signs Permitted in the Single Family Residential District.

- a. Signs advertising a permitted home occupation or professional office shall be permitted. Such signs shall not exceed six (6) square feet in gross area, shall be attached to the building, and if illuminated shall be indirectly lighted. No more than one such sign for each use located on the premises shall be permitted.
- b. Directory signs indicating the direction to a cottage, resort or residence shall

be permitted providing such signs do not exceed four (4) square feet in gross area. Where a common posting standard is provided, all such signs shall be attached to the standard. A conditional use permit from the County Zoning Committee shall be required for any common posting standard. The Committee may attach any conditions felt necessary to insure that the over-all size and design of the standard will be compatible with the residential character of the district.

4. Signs Permitted in the Agricultural and Forestry District and the Conservancy District.

- a. Signs permitted in the Single Family Residential District shall be allowed.
- b. Signs attached to commercial and industrial buildings advertising a business conducted or a service available on the premises shall be permitted. Such attached signs shall not cover more than 30% of the wall space fronting the adjacent highway, and roof signs and/or roof extensions shall not exceed ten (10) feet above the peak roof line. All roof signs shall be anchored to the frame of the building over which they are constructed.
- c. On-premise signs advertising a public or semi-public use shall be permitted. Such signs shall not exceed thirty-two (32) square feet in gross area per side. Sign shall be at business or site advertised location. Such sign may be placed at the right-of-way of the highway.
- d. Off-premise signs shall be located no closer than 300 feet from the business or site advertised. One sign may be allowed from any direction to the business or site advertised. Additional signs may be permitted by conditional use. Such off-premise sign shall not exceed 150 square feet in gross area.
- e. All other off-premise signs and billboards (other than noted above) shall be prohibited.

5. Signs Permitted in the General Commercial and Industrial Districts.

All signs are permitted in the General Commercial and Industrial Districts subject to the following restrictions:

- a. Wall signs placed flat against the exterior walls of a building shall not extend beyond the corners of the building, shall not exceed 100 square feet in area for any one premise and shall not extend above the roof line of the building.
- b. Projecting signs fastened to, suspended from, or supported by structures shall not exceed 32 square feet in area for any one premise, shall not extend above the roof line of any building, shall not extend into any public right-of-way, shall be at least ten feet from all side lot lines, shall not exceed a height of 20 feet above the mean centerline street grade, and shall be not less than 10 feet above the sidewalk nor less than 15 feet above a driveway or alley.

- c. Ground signs shall not exceed 40 square feet on one side or 80 square feet on all sides for any one premise and shall not exceed 20 feet in height above the mean centerline grade.
- d. Window signs shall be placed only on the inside of commercial and industrial buildings and shall not exceed 25 percent of the glass area upon which the sign is displayed.
- e. No sign or sign structure shall be erected in such a manner that any portion of its surface or supports will interfere in any way with the free use of any fire escape, exit, or standpipe, no signs shall obstruct any window to such an extent that any light or ventilation is reduced to a point below that required by any law or ordinance. Signs shall be so located as to maintain all required clearances from overhead power and service lines.

6. Nonconformance.

Signs lawfully existing before the date of enactment of this Ordinance may be continued although the use, size or location does not conform with the provisions of the Ordinance.

History: Cr. 5/30/03 No. 2003-16; Ord. No. 2014-9, Eff. 5/20/14, C. repealed, C. added

SECTION IV. ADMINISTRATION

A. RICHLAND COUNTY PLANNING AND ZONING COMMITTEE

The administration and enforcement of the provision of the Ordinance shall be the responsibility of the Richland County Planning and Zoning Committee or its authorized representatives.

1. Duties.

In administering and enforcing this Ordinance, the County Planning and Zoning Committee shall:

- a. Provide necessary forms and applications for use permits.
- b. Issue zoning and sign permits where the provisions of the Ordinance have been complied with.
- c. Issue conditional use permits and Certificates of Compliance.
- d. Upon adoption of this Ordinance and, when necessary upon the passage of amendments, identify and record information relative to nonconforming uses and structures.
- e. Maintain files of applications, permits and other relevant information.

2. Powers.

The Richland County Zoning Committee shall have powers and authority including but not limited to the following:

- a. At any reasonable time, and for any proper purpose, to enter upon any public or private premises and make inspection hereof.
- b. Upon reasonable cause or question as to proper compliance, to revoke any land use permit and issue cease and desist orders requiring the cessation of any building, moving, alteration or use which is in violation of the provisions of the Ordinance.

B. ZONING PERMITS

1. No structure shall be built, moved, or structurally altered so as to change its use or increase its floor area, and no land use shall be substantially altered until a zoning permit has been issued by the Richland County Zoning Committee or its authorized representative. No permit shall be issued for a structure or a use not in conformity with the requirements of this Ordinance. Any structure started before this Ordinance was adopted shall be completed within one year after approval by the town board. A zoning permit shall be required for all structures not completed by this time.

2. Application for Zoning Permit

An application for a zoning permit shall be made to the Richland County Zoning Committee or its authorized representative upon forms furnished and shall include, for the purpose of proper enforcement of these regulations, the following data:

- a. Name and address of property owner.
- b. Description and location of the property and type of proposed use.
- c. A sketch of the dimensions of the lot showing the location, size, and shape of the lot(s) involved, and any proposed structures, including the relation to abutting streets and any abutting lakes or streams, and the existing and proposed use of each structure and lot, and the number of families to be accommodated.
- d. Proof that an access or driveway permit has been obtained for the driveway which will serve the proposed structure, if required by the highway authority having jurisdiction over the highway which will serve the proposed structure.
- e. Proof that the applicant is the record owner of a permanent easement of ingress and egress for the driveway which will serve the intended structure, in those instances in which the driveway which will serve the intended structure will pass over the land owned by the applicant.

C. CONDITIONAL USE PERMITS

1. Approval Required

Any use listed as a conditional use in this Ordinance shall be permitted only upon application to the Richland County Zoning Committee or its authorized representative and issuance of a Conditional Use Permit by the Committee. However, in the case of the

proposed alteration of an existing building listed as a conditional use where there are not additional rental unit involved, it shall only be necessary to obtain a regular zoning permit. A Conditional Use Zoning Permit shall be required for any new non-conforming structure to be constructed or moved on to the site of an existing conditional use.

2. Application for Conditional Use Permit

A request for a conditional use grant shall be submitted in writing to the County Zoning Committee. The application shall be accompanied by the appropriate data and any information necessary to properly evaluate the request.

3. Public Hearing

Before passing upon an application for a Conditional Use Permit the Richland County Zoning Committee shall hold a public hearing. Notice of such public hearing shall be given in the manner specified in Section VIII of this Ordinance. If the site under consideration is located in the Shoreland and Floodplain Protection District, notice of the public hearing shall be sent to the main and regional of office the Division of Environmental Protection. The Committee shall report its decision in writing and shall include an accurate description of the use permitted, a description of the property on which it is permitted and any or all conditions made applicable thereto. The ground or grounds for refusing a Conditional Use Permit shall be stated in writing.

4. Basis of Approval

The Zoning Committee shall review each conditional use permit application for compliance with all requirements applicable to that specific use and to all other relevant provisions of this Ordinance. In approving conditional uses, the Zoning Committee also shall determine that the proposed use at the proposed location will not be contrary to the public interest and will not be detrimental or injurious to the public health, public safety, or character of the surrounding area.

In passing upon a Conditional Use Permit the Richland County Zoning Committee shall evaluate the effect of the proposed use upon:

- a. The maintenance of safe and healthful conditions.
- b. The prevention and control of water pollution including sedimentations.
- c. Existing topographic, drainage features, and vegetative cover on the site.
- d. The location of the site with respect to floodplains and floodways of rivers or streams.
- e. The erosion potential of the site based upon degree and direction of slope, soil type, and vegetative cover.
- f. The location of the site with respect to existing or future access roads.
- g. The compatibility of the use with other uses on adjacent land.

- h. The amount of liquid wastes to be generated and the adequacy of the proposed disposal systems.
- i. Location factors under which:
 - Domestic uses shall be generally preferred.
 - Uses not inherently a source of pollution with an area shall be preferred over uses that are or may be a pollution source;
 - Use locations within an area tending to minimize the possibility of pollution shall be preferred over use locations tending to increase the possibility.

In addition, where required, the Committee may require as a condition that a permit be first obtained from the Division of Environmental Protection.

- j. To aid in the review of the proposed project under the above criteria, the Zoning Committee may take into consideration such of the following factors or additional factors as are deemed by it to be relevant to its decision making process with respect to the project in question.

- (1) Whether the proposed project will adversely affect property in the area.
- (2) Whether the proposed use is similar to other uses in the area.
- (3) Whether the proposed project is consistent with adopted Richland County plans or any officially adopted town plan.
- (4) Provision of an approved sanitary waste disposal system.
- (5) Provision for a potable water supply
- (6) Provisions for solid waste disposal.
- (7) Whether the proposed use creates noise, odor, or dust.
- (8) Provision of safe vehicular and pedestrian access.
- (9) Whether the proposed project adversely impacts neighborhood traffic flow and congestion.
- (10) Adequacy of emergency services and their ability to service the site.
- (11) Provision for proper surface water drainage.
- (12) Whether proposed buildings contribute to visual harmony with existing buildings in the neighborhood, particularly as related to scale and design.
- (13) Whether the proposed project creates excessive exterior lighting glare or spillover onto neighboring properties.

(14) Whether the proposed project leads to a change in the natural character of the area through the removal of natural vegetation or altering of the topography.

(15) Whether the proposed project would adversely affect the natural beauty of the area.

(16) Whether the proposed project would adversely affect any historic or archeological sites.

The applicant's failure to satisfy the criteria listed in par. (j) or any other applicable requirement in this Ordinance may be deemed grounds to deny the conditional use permit. At all times the burden of proof to demonstrate satisfaction of these criteria remains with the applicant.

5. Conditions attached to Conditional Use Permit

Upon consideration of the factors listed above, the Richland County Zoning Committee may attach such conditions, in addition to those required elsewhere in this Ordinance, that it deems necessary in furthering the purpose of this Ordinance. Such conditions may include specifications for, without limitation because of specific enumeration: type of shore, cover; increased setbacks and yards; specified sewage disposal and water supply facilities; docks; parking and signs; type of construction, or any other requirements necessary to fulfill the purpose and intent of this Ordinance.

In order to secure information upon which to base its determination, the Zoning Committee may require the applicant to furnish, in addition to the customary information require for a zoning permit, the following information. Failure on the part of the applicant to do so may result in denial of the permit.

- a. A plan of the area showing contours, soil types, high water mark, ground water conditions, bedrock, slope and vegetative cover.
- b. Location of buildings, parking areas, traffic access, driveways, walkways, piers, open spaces, and landscaping.
- c. Plans of buildings, sewage disposal facilities, water supply systems, and arrangements of operation.
- d. Specifications for areas of proposed filling and grading.
- e. Other pertinent information necessary to determine if the proposed use meets the requirements of this Ordinance.

6. Mapping and Recording

When a conditional use is approved, an appropriate record shall be made of the land use and building permits and such grant shall be applicable solely to the structures, use and property so described.

7. Termination

Where a permitted conditional use does not continue in conformity with the conditions of the original approval, the conditional grant shall be terminated by action of the County Zoning Committee.

8. General Considerations

The determination of the Richland County Zoning Committee on each Conditional Use Permit shall be based on the effects of the proposed project with regard to the objectives and purposes of this Ordinance. The Committee may attach such conditions as it deems necessary for furthering the purposes of this section of the Ordinance. Such conditions may include specifications for, without limitation because of specific enumeration: modification of sewage disposal and water supply facilities, modification of other waste disposal methods and facilities, landscaping, periods of operation, operational controls, sureties, deed restrictions, and other considerations cited in Item 4 above.

Agriculture and Forestry District

The Department of Agriculture, Trade, and Consumer Protection shall be notified of all conditional use permits issued by the Richland County Zoning Committee in areas zoned in the Agriculture and Forestry district (exclusive agricultural use district).

D. CERTIFICATION OF COMPLIANCE

1. No land shall be occupied or used and no buildings hereafter erected, altered, or moved shall be occupied until a certificate of compliance is issued by the County Zoning Committee.
 - a. The Certificate of Compliance shall show that the building or premises or part thereof and the proposed use thereof conform to the provisions of this Ordinance.
 - b. Application for such certificate shall be concurrent with the applications for a zoning permit.
 - c. The Certificate of Compliance shall be issued within ten (10) days after the completion of the work specified in the zoning permit if the building or premises or proposed use thereof conforms with all the provisions of this Ordinance and any other applicable regulations.
2. The County Zoning Committee may issue a temporary Certificate of Compliance for part of a building, pursuant to rules and regulations established therefore by the County Board of Supervisors.
3. Upon written request from the owner, the County Zoning Committee shall issue a certificate of compliance for any building or premises existing at the time of the adoption of this Ordinance, certifying, after inspection, the extent and type of use made of the building or premises and whether or not such use conforms to the provisions of this Ordinance.

E. FEES

No permit is required for maintenance, including reroofing, residing, window

replacement, painting, new furnace, plumbing update, electrical update and wallpapering.

The following fees shall be paid to the Zoning Administrator at the time the application is filed:

1. Land use permits for new residential structures20 cents for each square foot in the floor containing the largest square footage or living spaces, or ½ the total living space if 3 floors or more with minimum fee of \$225.00
2. Land use permit for garage attached to residence \$ 100.00
3. Land use permits for an addition over \$2,000 and less than 50% of original floor space \$ 75.00
4. Land use permits for residential addition which is 50% or more size increase over original floor space \$.20 per square foot
5. Land use permit for residential shed or garage \$ 100.00
6. Land use permits for new agriculture structures of less than 1,000 square feet \$ 125.00
7. Land use permit for new agriculture structure of 1,000 square feet or more \$150.00
8. Land use permits for new commercial \$525.00
9. Land use permit for new industrial structure \$525.00
10. No permit is required for a new structure of 120 square feet which has no foundation.
11. Late land use permits sought after construction has commenced \$500.00
In addition to fee for timely filing
12. County address signs \$ 100.00
13. An additional fee for a County address sign if an additional site visit by the Zoning Administrator is necessary in addition to the site visit made as part of the soil test \$ 50.00
14. Permits for any signs which is not an address sign \$ 65.00 minimum plus \$1.50 per square foot of display

15. Application to rezone a single parcel or 4 or less non-contiguous parcels, with a separate fee for the single parcel or for each non-contiguous parcel of \$500.00
16. Conditional use permit \$500.00
17. Application for variance or special exception permit from Board of Adjustments \$500.00
18. Application to transfer or renew sanitary permit \$125.00
19. Application for Special Use Permit \$500.00
20. Floodplain or Shoreland/Wetland land use permits \$125.00
21. Floodplain or Shoreland/Wetland land use permits where an on-site inspection is necessary \$175.00
22. Application for a rezone and conditional use permit on the same application \$800.00
23. Land use permit for solar farm \$750.00

The Zoning Committee shall determine the price to be charged to the public for copies of any zoning ordinance pamphlet.

History: Cr. 5/20/03, Ord. No. 2003-16; Ord. No. 2004-5, Eff. 1/20/04, County Address Sign fee; Ord. No. 2004-36, Eff. 12/14/04, Fees; Ord. No. 2005-8, Eff. 3/15/05, Board of Adjustment fee Amended; Ord. No. 2005-28, Eff. 10/25/05, 1. amended, 2. added, 3. amended, 4. and 5. added, 4. renumbered to 6., 7. added, 2. renumbered to 8., 6. renumbered to 9., 5. renumbered to 10., 7. through 13. renumbered; Ord. No. 2008-31, Eff. 12/10/08, 3. 5. 6. 8. amended, 9. added, 10. and 11. renumbered, 13. added, 12. through 16 renumbered, 17. repealed; Ord. No. 11-5, Eff. 1/18/11, 1. 2. 7. modified, 20. and 21. added, 18. renumbered to 19.; Ord. No. 12-24, Eff. 12/11/12, 14. 15. 16. modified, 19. added; Ord. No. 14-9, Eff. 5/20/14, add Basis of Approval, added C. 4. J.; Ord. No. 2017-24, Eff. 1/1/18, fee changes; Ord. No. 2021-13, Eff. 5/18/21, added E. 23

F. EXPIRATIONS

Zoning permits for construction or alteration of structures shall be completed within 12 months from the date of issuance of the permit. An extension may be applied for if it is impossible to complete the building within the given time. Any building activity or change of land use after the expiration date shall be considered a violation of this Ordinance.

History: Cr. 5/20/03, Ord. No. 2003-16; Ord. No. 2019-20, Eff. 9/17/19, Expiration change

G. VIOLATIONS

Any building or structure hereinafter erected, moved or structurally altered or any use hereinafter established in violation of the provisions of this Ordinance by any person, firm, association, corporation (including building contractors) or his or their agent shall be deemed an unlawful structure or use. The Zoning Administrator and his or her designee may issue citations in accordance with Citation Ordinance No. 79-9, as amended, for violations of this Ordinance. The County Zoning Committee or its authorized agent may sign a complaint and report the violation to the district attorney. It shall be the duty of the district attorney or corporation counsel to expeditiously prosecute all such violators. A violator shall, upon conviction, forfeit to the County a penalty of not less than \$50 together

with taxable costs in such action, and every day of violation shall constitute a separate offense. In addition, compliance with this ordinance may also be enforced by injunctive order at the suit of Richland County or the owner or owners of real estate within the district affected by such regulation.

SECTION V. NONCONFORMING USES AND STRUCTURES

Provisions of this Ordinance shall not be construed to prevent the customary and necessary maintenance or repairs of buildings, utilities, and property.

A. EXISTING NONCONFORMING USES

The lawful nonconforming use of a structure, land, or water existing at the time of the adoption or amendment of this Ordinance may be continued although the use does not conform with the provisions of this Ordinance. However:

1. Only that portion of the land or water in actual use may be so continued and the structure may not be extended, enlarged, reconstructed, substituted, moved or structurally altered except when required to do so by law or order or so to comply with the provisions of this Ordinance.
2. Total lifetime Structural Repairs or alterations shall not exceed fifty (50) percent of the equalized assessed valuation of the structure at the time of its becoming a nonconforming use unless it is permanently changed to conform to the use provisions of this Ordinance.
3. Substitution of new equipment may be permitted by the Board of Adjustment if such equipment will reduce the incompatibility of the nonconforming use with the neighboring uses.

B. ABOLISHMENT OR REPLACEMENT

If such nonconforming use is discontinued or terminated for a period of twelve (12) months, any future use of the structure, land or water shall conform to the provisions of this Ordinance. When a nonconforming use or structure is damaged by fire, explosion, flood, the public enemy, or other calamity, to the extent of more than fifty (50) percent of its current equalized assessed valuation, it shall not be restored except so as to comply with the provisions of this Ordinance.

1. A current file of all nonconforming uses shall be maintained by the Richland County Zoning Committee listing the following; owner's name and address, use of the structure, land, or water; and equalized assessed valuation at the time of its becoming a nonconforming use.

C. EXISTING NONCONFORMING STRUCTURES

The lawful nonconforming structure existing at the time of the adoption or amendment of this Ordinance may be continued although its size or location does not conform with the lot width, lot area, yard, height, parking and loading, and access provisions of this Ordinance however, total lifetime structural repairs, alterations, or additions shall not exceed fifty (50) percent of the equalized assessed valuation of the

structure at the time of its becoming a nonconforming structure unless it, or the lot it is located on, is permanently changed to conform to the provisions of this Ordinance. All such additions shall meet the setback provisions of this Ordinance.

D. CHANGES AND SUBSTITUTIONS

Once a nonconforming use or structure had been changed to conform, it shall not revert back to a nonconforming use or structure. Once the Board of Adjustment had permitted the substitution of a more restrictive nonconforming use for an existing nonconforming use, the substitute use shall lose its status as a legal nonconforming use and become subject to all the conditions required by the Board of Adjustment.

SECTION VI. BOARD OF ADJUSTMENT

A. COMPOSITION

There shall be a Board of Adjustment consisting of five (5) members to be appointed by the chairman of the county board with the approval of the county board for terms of three years. However, the terms of the first members so appointed shall be for 1, 2, and 3 years, with one member serving for one year, two members serving for two years, and two members serving for three years. Successors shall be appointed in like manner at the expirations of each term and their terms of office shall be three years in all cases, beginning July 1 in the year in which they are appointed and until their successors are appointed. The members of the Board of Adjustment shall all reside within the county and outside the limits of incorporated cities and villages, provided; however, that no two members shall reside in the same town. The Board of Adjustment shall choose its own chairman. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant in the same manner as the original appointment.

B. RULES

1. **Call for Meetings:** The Board of Adjustment shall meet at the call of the chairman, and at such other time as the Board of Adjustment may determine, at a fixed time and place.
2. **Open meetings:** All meetings of the Board of Adjustment shall be open to the public.
3. **Minutes:** The Board of Adjustment shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be public record.
4. **Performance of Duties:** The Board of Adjustment shall have power to call on any county departments for assistance in the performance of its duties and it shall be the duty of such other departments to render all such assistance as may be reasonably required.
5. **Effectuation:** The Board of Adjustment may adopt such rules as are necessary to

carry into effect the regulations of the county board.

6. **Certiorari:** In the case of all appeals, the Board of Adjustment shall call upon the County Zoning Committee for all information pertinent to the decision appealed from.

C. APPEALS TO THE BOARD

1. **General Provisions:** Appeals to the Board of Adjustment may be taken by any person aggrieved or by any officer, department, board or bureau of Richland County, affected by any decision of the Zoning Administrator. Such appeal shall be taken within a reasonable time, as provided by the rules of the Board of Adjustment, by filing with the County Zoning Committee and with the Board of Adjustment a notice of appeal specifying the grounds thereof. The County Zoning Committee shall forthwith transmit to the Board of Adjustment all the papers constituting the record upon which the action appealed from was taken.
2. **Stays:** An appeal shall stay all proceedings in furtherance of the action appealed from unless the County Zoning Committee shall certify to the Board of Adjustment after notice of appeal shall have been filed that by reason of facts stated in the certificate a stay would cause imminent peril to life or property. In such case, the proceedings shall not be stayed otherwise than by a restraining order, which may be granted by the Board of Adjustment or by a court of record on application or notice to the County Zoning Committee.
3. **Hearing Appeals:** The Board of Adjustment shall fix a reasonable time for the hearing of the appeal, give public notice hereof, as well as due notice to the parties in interest, and decide the same within a reasonable time. At the hearings, any party may appear in person or by agent or by attorney.

History: Cr. 5/20/03, Ord No. 2003-16; Ord. No. 2001-15, Eff. 5/18/04, General Provisions

D. POWERS AND DUTIES

1. **To Hear and Decide Appeals:** Where it is alleged that there is error in any order, requirement, decision, or determination made by the County Zoning Committee, the Board of Adjustment shall hear appeals and render decisions therefrom.
2. **Variance to Ordinance:** Where there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of this Ordinance, the Board of Adjustment shall have the power, in passing upon appeals, to authorize such variance from the terms of this Ordinance as will not be contrary to the public interest and so that the purpose of the Ordinance shall be observed and substantial justice done, provided however that no such variance shall have the effect of allowing in any district, uses prohibited in that district.
3. **Special Exceptions:** The Board of Adjustment shall hear and decide special exceptions to the terms of the Ordinance upon which such board is required to pass under the terms of this Ordinance.

SECTION VII. AMENDMENTS

A. PROCEDURE

The County Board of Supervisors may amend this Ordinance in accordance with the procedures prescribed by Wisconsin Statutes Section 59.69 (5)

B. FEES

Any petition for amendment submitted by other than a governmental body shall be accompanied by a fee to be determined by the Richland County Board of Supervisors which will be used to defray the cost of advertising, investigation, and processing.

SECTION VIII. PUBLIC HEARINGS

Notice of any public hearing which the Board of Adjustment or County Zoning Committee is required to hold under the terms of this Ordinance shall specify the date, time, and place of hearing and the matter to be presented at the hearings. Such notice shall be given as per Wisconsin Statutes 59.99(6). In addition, when the hearing involves the granting of a conditional use, the town in which the affected land is located shall be notified. Also, a copy of the notice shall be posted in the vicinity of the conditional use where practical, and notice of the public hearing shall be mailed to the owners of all lands within 300 feet of any part of the land included in such proposed change or conditional use at least 10 days before such public hearing. The failure of such notice to reach any property owner shall not invalidate any amending ordinance or grant of a conditional use.

SECTION IX. DEFINITIONS

Except where specifically defined herein all words used in this Ordinance shall carry their customary meanings. Words use in the present tense include the future, and the plural includes the singular; the word "shall" is intended to be mandatory.

1. **Adult Family Home:** A private residence in which care and maintenance above the level of room and board but not including nursing care are provided in the private residence by the care provider whose primary domicile is this residence for 3 or 4 adults, or more adults if all of the adults are siblings, each of whom has a developmental disability, as defined in section 51.05 (5), Wisconsin Statutes.
2. **Agricultural Structure:** Any structure which is devoted primarily to agricultural use.
3. **Agriculture-Related Uses:** An Agricultural equipment dealership, facility providing agricultural supplies, facility for storing or processing agricultural products or facility for processing agricultural wastes.
4. **Animal unit:** 1 Cow, steer, bull, horse, mule or donkey over 6 months of age, or 2 of any of these animals under 6 months of age, 2 Miniatures or ponies, 4 Hogs, 10 Sheep, 10 Goats, 100 Poultry, 100 Rabbits or any equivalent combination of the above. Other animal, fowl or fish types shall be considered on an individual basis on specific application.
5. **Bed and Breakfast Establishment:** Any place of lodging that provides 4 or fewer

rooms for rent to tourists or transients, provides no meals other than breakfast, is the owner's personal residence and is occupied by the owner at the time of rental.

6. **Blasting:** The act of using a set charge of dynamite or other explosive at one firing to free up, loosen, or dislodge a desired product at the permitted mine site.
7. **Boarding house:** A building or premise where meals, and lodging and meals are offered for compensation for five but not more than 12 persons and where no more than five sleeping rooms are provided for such purpose. An establishment where meals are served for compensation for more than 12 persons shall be deemed a restaurant. An establishment with more than five sleeping rooms offered for compensation shall be deemed a hotel or motel.
8. **Boathouse:** Any structure used for protecting or storing of boats used for noncommercial purposes in conjunction with a residence.
9. **Building Area of a Lot:** That part of the lot bounded by the required building setback, side, and rear yard line.
10. **Buildings:** Any structure used, designed, or intended for the protection, shelter, or roofed enclosure of persons, animals, or property.
11. **Building Accessory:** Any building except the principal building or buildings on a lot. In the case of a house and detached garage on a lot, the accessory building is the garage.
12. **Camp Grounds and Camping Resorts:** Any privately or municipally owned parcel or tract of land accessible by automobile or other engine driven vehicle designed, maintained, intended or used for the purpose of supplying accommodations for overnight use by recreational vehicles, open to the public and designated as a developed camp area and set aside for free or paying camping purposes.
13. **Camper:** A sleeping unit such as a recreational vehicle or part thereof, which is used to house person(s) on a temporary basis and is not considered a structure and is not permanently hooked to a private septic system. Campers shall be between ten and thirty-six feet long, including the hitch and eight feet or less in width.
14. **Community-Based Residential Facility:** A place where 5 or more unrelated adults reside in which care, treatment or services above the level of room and board but not including nursing care are provided to persons residing in the facility as a primary function of the facility and which is licensed as a community-based residential facility by the State of Wisconsin, as defined in sec. 50.01(1g), Wisconsin Statutes.
15. **Conditional Use:** A use allowed under a conditional use permit.
16. **Construction Aggregate:** is either sand and gravel or crushed stone (stone crushed from bedrock) that is predominately produced and used for local

construction purposes (i.e., asphalt or concrete roads, concrete asphalt, building or dimension stone, railroad ballast, decorate stone, retaining walls, revetment stone, roofing granules, and other similar uses) or used for agricultural uses such as ag lime and bedding sand for livestock operations. Small amounts of sand and gravel or crushed stone may be produced and used for other purposes such as salt and sand for icy roads, water filtration systems in septic systems, landfills, mortar sand, and sand for sand blasting.

17. **County Planning and Zoning Committee:** The Richland County Planning and Zoning Committee as authorized by Section 59.97 of the Wisconsin Statutes. An authorized representative of the Planning and Zoning Committee (such hiring to be approved by the Personnel Committee and the County Board) for the purpose of carrying out the terms of this Ordinance.
18. **Crushing:** The act of breaking down, squeezing, pressing and pounding an object or material so the at the action destroys or deforms the object into a usable or desired form.
19. **Drying:** The action to remove moisture from the intended marketable material.
20. **Dwelling:** A structure, which is used or intended to be used as a home, residence or sleeping place by one person or by 2 or more persons maintaining a common household, to the exclusion of all others.
21. **Dwelling, Multi-family:** A dwelling containing separate living units for two or more families and is a minimum of 24 feet in width. This definition includes manufactured homes but excludes mobile homes. The structure and the land that it is placed on must be owned in common.
22. **Dwelling, Single-family:** A residential structure which is designed to house a single family and is a minimum of 24 feet in width. This definition includes manufactured homes but excludes mobile homes. The structure and the land that it is placed on must be owned in common.
23. **Extraction:** Obtaining the raw material from the permitted site following the permitted conditions. This also includes the acts of "Blasting", Stripping", "Hauling", and "Mine Construction".
24. **Family:** A person or persons who live together in one dwelling unit as a single housekeeping unit.
25. **Family farm business:** Any lawful activity, except a farm, conducted primarily for any of the following:
 - a. The purchase, sale, lease or rental of personal or real property;
 - b. The manufacturing, processing or marketing of products, commodities or any other personal property.

- c. The sale of services, except farm implement sales or repair shops, automotive sales or repair shops and major recreation equipment sales or repair shops.
 - d. No more than 2 persons who are not members of the resident farm family may be employed in the farm family business.
26. **Farm:** All land under common ownership that is primarily devoted to agricultural use.
27. **Farm Acreage:** The size of a farm in acres. Farm acreage does not include non-farm residential acreage.
28. **Farm Residence:**
- a. A single-family or duplex residence that is the only residential structure on the farm or is occupied by any of the following:
 - (1) An owner or operator of the farm
 - (2) A parent or child of an owner or operator of the farm.
 - (3) An individual who earns more than 50 percent of his or her gross income from the farm.
 - (4) A migrant labor camp that is certified under s.103.92.
29. **Floor Area:** The sum of the gross horizontal areas of the several floors of the building, measured from the outer lines of the exterior walls of the building; provided that the floor area of a dwelling shall not include space not useable for living quarters, such as attics, unfinished basement rooms, garages, breezeways, and unenclosed porches or terraces.
30. **Garage, Private:** A structure primarily intended for and used for the enclosed storage or shelter of the private motor vehicles of the families resident upon the premises. Carports are considered garages.
31. **Garage, Public or Commercial:** Any garage other than a private garage.
32. **Grade, Established:** The elevation of the finished street at the centerline or curb as fixed by such authority as shall be designated by law to determine such an elevation.
33. **Greenhouse:** Structure for production and/or sale of plants.
34. **Group home-community based residential facility:** A place where 5 or more unrelated adults reside in which care, treatment or services above the level of room and board but not including nursing care is provided to persons residing in the facility as a primary function of the facility.

35. **Hauling:** The action of carting or transporting of any material on public roadways, either raw or processed, from the original location of the raw or processed material to another location not on the permitted grounds.
36. **Historical Site:** A building (1) listed on or nominated by the State Historical Society for listing on the National Register for Historical Places in Wisconsin; or (2) included in a district which is listed on the National Register for Historic Places in Wisconsin, and which has been determined by the State Historical Society to contribute to the historic significance of the district; or (3) listed on a certified municipal register of historic property; or (4) included in a district which is listed on a certified municipal register of historic property and which has been determined by the municipality to contribute to the historic significance of the district.
37. **Household Occupations:** A gainful occupation conducted by a member of the family within his or her place or residence, where the space used is incidental to residential use, where the floor area does not exceed twenty (20) percent of the total floor area, and where no article is sold or offered for sale except such as is produced by such home occupation. A household occupation includes such things as baby sitting, millinery, dressmaking, canning, laundering and crafts, but does not include the display of any goods nor such occupations as barbering, beauty shops, dance schools, real estate brokerage, or photographic studios.
38. **Industrial Sand:** is a high purity silica sand product sold for any of the following uses: glassmaking, metal casting, metal production, chemical production, paint and coatings, ceramics and refractories, and oil and gas recovery (i.e. "frac sand"). This sand is classified as 212322 Industrial and Sand Mining according to the NAICS (North American Industry Classification System) Standard Industrial Classification (SIC) System.
39. **Institutional recreational camp:** An area containing one or more permanent buildings used periodically for the accommodation of members of associations or groups for recreational purposes.
40. **Junk or Salvage Yard:** An area consisting of buildings, structures or premises where junk, waste, discarded or salvage materials are bought, sold, exchanged, stored, baled, packed, disassembled or handled, including automobile wrecking yards, house wrecking and structural steel materials and equipment yards, but not including the purchase or storage of used furniture and household equipment or used cars in operable condition.
41. **Kenel:** Premises where dogs, cats or other household pets are maintained, boarded, bred or cared for remuneration or kept for the purpose of sale.
42. **Holiday:** Legal holidays recognized by the State of Wisconsin on which no work is performed by employees of the State. These shall include; New Years Day, Martin Luther King Jr. Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Eve Day, Christmas Day, and New Year's Eve Day.

43. **Large-volume animal breeding or feeding operation:** means a feedlot or facility, other than a pasture, which became operational, or which came to be such a facility, after April 16, 1997, and where 1,000 or more animal units will be fed, confined, maintained or stabled for a total of 45 consecutive days or more in any 12-month period. Two or more animal feeding operations under common ownership are deemed to be a single animal feeding operation if they are adjacent to each other or if they utilize a common area or system for the disposal of wastes.
44. **Lot:** For the purpose of this Ordinance a lot shall be defined as a parcel of land on which a principal building and its accessory buildings are placed, together with the required open spaces; provided that no such parcel shall be bisected by a public street, and shall not include any portion of a public right-of-way.
45. **Major recreational equipment:** Large items normally used for recreational purposes, including but not limited to travel trailers, motor homes, all-terrain vehicles, snowmobiles, boats and motors, buses and vans converted for sleeping purposes.
46. **Manufactured dwelling:** Any structure or component thereof which is intended for use as a dwelling and:
- a. Is of closed construction and fabricated or assembled on side or off site in manufacturing facilities for installation, connection or assembly and installation at the building site; or
 - b. Is a building of open construction which is made or assembled in manufacturing facilities away from the building site for installation, connection, or assembly and installation on the building site and for which certification is sought by the manufacturer.

The term manufactured dwelling does not include a building of open construction which is not subject to paragraph (a) 2. All manufactured dwellings shall meet the requirements of Wisconsin Administrative Code, Chapter DSPS.

47. **Manufactured home:** A structure transportable in one or more sections, which in the traveling mode, is 8 feet or more in width or 40 body feet or more in length, and when erected on site is 600 square feet or more of floor space in the General Agriculture and Forestry district or 960 square feet or more of floor space in the Agriculture and Residential, Single Family Residential (R-1), Single Family Residential (R-2) and General Commercial Districts and which is built on a permanent chassis and designed to be used as a dwelling with a foundation when connected to the required utilities and includes the plumbing, heating, air conditioning and electrical systems contained therein. This term includes all structures which meet the above requirements, and which the manufacturer voluntarily files a certification pursuant to Title 24 Code of Federal Regulations Part 3282.13 and complies with the standards set forth in Title 24 Code of Federal Regulations Part 3280. This term is meant to include double-wide mobile homes that meet the above requirements and were manufactured after June 15, 1976. No manufactured home which is less than 24 feet wide shall be used for any purpose

other than human habitation. A manufactured home which is less than 24 feet wide shall not be used for a purpose which is merely incidental to residential use.

48. **Mine Construction:** The process involved in preparing a site for nonmetallic mineral extraction activities, including but not limited to the stripping of topsoil and overburden, the destruction of tree cover and other vegetation, the building of access roads, and the construction of accessory structures and buildings to be used in the course of mining activities.
49. **Migrant labor camp:** The site and all structures maintained as living quarters by, for or under the control and supervision of any person for: 1. A migrant worker, or 2. Any other person who is not related by blood or marriage to his or her employer and who occasionally or habitually leaves an established place of residence to travel to another locality to accept seasonal employment in the planting, cultivating, raising, harvesting, handling, drying, packing, packaging, processing, freezing, grading or storing of any agricultural or horticultural commodity in its unmanufactured state.
50. **Mobile Home:** A vehicle manufactured or assembled before June 15, 1976, designed to be towed as a single unit or in sections upon a highway and equipped and used or intended to be used primarily for human habitation; with walls of rigid uncollapsible construction; and which has an overall length in excess of 45 feet. No mobile home shall be used for any purpose other than human habitation. A mobile home shall not be used for a purpose which is merely incidental to residential use.
51. **Mobile Home Park:** Any plot or plots of land designed, maintained, intended or used for the purpose of supplying a location or accommodations for more than two mobile homes on a year-round basis and shall include all buildings used or intended for use as part of the equipment thereof, whether or not a charge is made for the use of the mobile home park and its facilities.
52. **Non Conforming Uses or Structures:** Any structure, land, or water lawfully used, occupied, or erected at the time of the effective date of this Ordinance or amendments thereto which does not conform to the regulations of this Ordinance or amendments thereto. Any such structure conforming in respect to use but not in respect to frontage, width, height, area, yard, parking, loading or distance requirements, shall be considered a nonconforming structure and not a nonconforming use.
53. **Nonfarm Residence:** A single-family or multi-family residence other than a farm residence.
54. **Nonfarm Residential Acreage:** The total number of acres of all parcels on which nonfarm residences are located. If a nonfarm residence is located on one or 2 or more adjoining parcels owned by the same person, the adjoining parcels are also considered "nonfarm residential acreage" under clearly devoted to non-residential use other than open space use.
55. **Non-Metallic Mineral-Mining or Non-metallic mining:** All or any part of the

process involved in the mining of non-metallic minerals including but not limited to the commercial extraction, agglomeration, beneficiation, removal of overburden and the production of refuse. It does not mean exploration, or prospecting, or mining of non-metallic minerals for a property-owner's sole use on the property-owner's property.

56. **Normal High Water Mark:** A line of reference commonly identified as being where the land is coterminous to the normal high water elevation. For the purposes of this Ordinance, the normal high water mark is defined as the line where the natural vegetation changes from predominantly aquatic to predominately terrestrial.
57. **Prime Farmland:** An area with a Class I or II land capability classification as identified by the Natural Resources Conservation Service (NRCS) of the Federal Department of Agriculture (FDA) or land that is identified as prime farmland in a certified farmland preservation plan.
58. **Prior Nonconforming use:** A land use that does not conform with the Richland County Zoning Ordinance Number Six, but that existed lawfully before the Farmland Preservation Zoning Ordinance was enacted.
59. **Processing:** To convert raw material into a marketable form, on site, by a special process that includes the actions of "crushing", "washing", "screening", "drying" and "rail-load out". Processing shall also include moving material by way of conveyor system or other forms of transportation, but shall not include moving material on public roadways.
60. **Professional Home Offices:** Residences of doctors of medicine, dentists, veterinarians, clergymen, architects, landscape architects, professional engineers, registered land surveyors, lawyers, artists, teachers, authors, and musicians used to conduct their professions.
61. **Protected Farmland:** Land that is located in a General Agricultural and Forestry District (A-F), is covered by a Farmland Preservation Agreement, or is otherwise legally protected from nonagricultural development.
62. **Recreation Camp:** An area containing one or more permanent buildings used periodically for the accommodation of members of associations or groups for recreational purposes.
63. **Recreational Residential Rental:** The use of land or a building, whole or in part, for the temporary accommodation of visitors, but does not include the accommodation of visitors without receipt of payment or other considerations, where the accommodation is incidental to and normally associated with the permitted residential use of a dwelling unit.
64. **Resort:** A recreational development consisting of at least 5 rental units providing lodging, with or without meals, for transient guests, providing that no unit shall have an individual on-site soil sewage disposal system unless it meets the minimum lot

size specifications stated in Section II.G.7, of this Ordinance. A resort does not include a tavern or a gift shop.

65. **Roadside Stand:** A farm building used or intended to be used solely by the owner or tenant of the farm on which such building is located for the sale of farm products raised on said farm.
66. **Screening:** Sorting or sizing of material into a marketable product size.
67. **Setbacks from a Highway:** The minimum horizontal distance from the center line of a highway or its right-of-way (line) to the nearest part of a structure, measured at right angles to the center line or right-of-way line.
68. **Shed:** A structure used for shelter or storage. A shed shall not be used as a dwelling.
69. **Sign:** A sign is any structure or natural object or part thereof or device attached thereto or printed or represented thereon which is intended to attract attention to any object, product, place, activity, person, institution, organization, or business, or which shall display or include any letter word, model, banner, flag, pennant, insignia, device, or representation used as or which is in the nature of an announcement, direction, or advertisement.
70. **Single Family Dwelling:** A residential structure which is designed to house a single family and which is a minimum of 24 feet in width, has a roof with a minimum slope of 3 to 12 pitch, placed on a basement and has a minimum of an 8 inch eave attached to at least 50% of the perimeter of the structure. This definition includes manufactured homes but excludes mobile homes. This structure and the land that it is placed on must be owned in common.
71. **Solar, residential private solar:** producing energy that primarily does not go back to the grid.
72. **Solar, farm:** producing energy that will primarily go back to the grid.
73. **Story:** The part of a building included between the surface of a floor and the surface of the floor next above it, or, if there is no floor above it, then the space between the floor and the ceiling next above it.
74. **Stripping:** To take away or remove soil, rock, or other overburden materials from Nonmetallic minerals and use that material in the reclamation process, where applicable.
75. **Structural Alterations:** Any change in the supporting members of a building such as bearings, wall columns, beams or girders or any substantial changes in the roof and exterior wall in excess of \$2,000.00 in value.
76. **Structure:** Anything constructed or erected, the use of which requires a more or

less permanent location on or in the ground.

77. **Structure, Existing:** A structure which has been completed, or for which a Zoning Permit has been obtained or on which construction has actually begun.
78. **Structure, Permanent:** A structure placed on or in the ground or attached to another structure in a fixed position, and intended to remain in place for a period of more than 9 months.
79. **Structure, Principal:** The building or structure containing the primary use of a property.
80. **Sustained Yield Forestry:** Management of forested lands to provide annual or periodic crops of forest products.
81. **Tourist Home:** A building in which lodging, with or without meals is offered to transient guests for compensation, provided there are no more than five sleeping rooms for such purpose and no cooking facilities are provided in the individual rooms or apartments.
82. **Trailer:** A vehicular, portable structure built on a chassis which can be transported by any motor vehicle and is designated to be used as a temporary dwelling for travel, recreation, and vacation use, which does not fall within the definition of a mobile home.
83. **Trailer Camp:** Any privately or publicly owned parcel or tract of land accessible by automobile or other engine-driven vehicle designed, maintained, intended, or used for the purpose of supplying accommodations for use by recreational vehicles on a temporary basis, open to the public and designated as a trailer camp area.
84. **Use, Accessory:** A use customarily incidental to the principal use and on the same lot as the principal use. In buildings, customary family occupations and workshops not conducted for compensation shall be deemed accessory uses.
85. **Use, Conditional:** A "conditional use" is a use which, because of its unique characteristics and impact upon the environment, cannot be properly classified as a permitted use.
86. **Use, Principal:** The primary use of a property or structures.
87. **Washing:** The action that involves water or some other liquid for the purpose of cleansing by removing impurities or undesirables from the intended product.
88. **Wind Energy System:** A system whereby the wind is utilized to generate electricity.

History: Cr. 5/20/03, Ord. No. 2003-16; Ord. No. 2005-5, Eff. 2/15/05, 4. repealed, 15. amended, 16. amended, 17. amended, 35. added, 35. amended, 3-35 renumbered; Ord. No. 2005-7, Eff. 3/15/05, 24. (a) 2 amended to b., 25 definition amended; Ord. No. 2008-24, Eff. 10/28/08, 63. added; Ord. No. 2014-9, Eff. 5/20/14, added 5. 14.16. 17. 21. 31. 37. 35. 45. 49. 51. 56. 62. 75., renumbered; Ord. No. 2021-13, Eff. 5/18/21, added 71 & 72, renumbered 71-86 to 73-88; Ord. No.21-37 Animal Unit redefined eff 12/23/21.

SECTION X. PASSAGE AND PUBLICATION

The Zoning Administrator and the Corporation Counsel are directed to work together to combine all amendments to Richland County Comprehensive Zoning Ordinance No. 2 as amended to date (including Richland County Comprehensive Zoning Ordinance No. 3), and said combined Ordinance shall be known as Richland County Zoning Ordinance No. 4. Ordinance No. 4 shall be published in separate pamphlet form. Copies of Ordinance No.4 shall be available for purchase by the public at the sale price established by the Zoning Committee.

This Ordinance shall be effective immediately upon its passage and publication.

Passed: May 20, 2003

Published: May 29, 2003

/s/Ann M. Greenheck, Chairman
Richland County Board of Supervisors

Attest:
/s/ Victor V. Vlasak,
Richland County Clerk

ORDINANCE OFFERED BY THE ZONING COMMITTEE

	<u>For</u>	<u>Against</u>
/s/ Allen Clary	X	
/s/ Ken Duncan	X	
/s/ Owen Ewers	X	
/s/ Glenn L. Ferguson	X	
/s/ Marilyn Marshall	X	

REVISIONS

Ordinance No. 2004-5

County Address Sign Fees

Ordinance 2004-11

Add Replacement of an existing manufactured home

Ordinance 2004-15

Board of Adjustments General Provisions

Ordinance 2004-36

Rezone Fees

Conditional Use Fees

Special Use Fees

Ordinance 2005-5

Agricultural and Forestry Single Family Dwelling

Remove local regulation

Agricultural and Forestry repeal and renumber

Agricultural and Residential repeal, amendment and renumber

R-1 repeal, amendment and renumber

R-2 repeal, amendment and renumber

Attached table renamed

Commercial repealed, amendment and renumber

Definitions amended, added, renumber

Ordinance 2005-7

Amendments to 2005-5 Ordinance

Ordinance 2005-8

Board of Adjustment fees

Ordinance 2005-28

Land Use residential fees

Garage fees

New Agricultural fees

Commercial and Industrial fees

County Address Fees

Sign Fees

Ordinance 06-10

Agricultural and Forestry animal change and renumber

Ordinance 08-24

Agricultural and Forestry Wind Energy System

Agricultural and Residential Wind Energy System
Definitions

Ordinance 08-31

Land Use Addition Fees
Shed or Garage Fees
New Agricultural fees
Commercial Fees
Industrial Fees
County Address Fees

Ordinance 11-5

New Residential Fees
Attached Garage Fees
Floodplain or Shoreland/Wetland Fees
Floodplain or Shoreland/Wetland Fees with inspection

Ordinance 12-24

Rezone Fees
Conditional Use Permit Fees
Board of Adjustment Fees
Rezone with Conditional Use Fees

Ordinance 14-9

Non-Metallic Mining Agricultural and Forestry, Agricultural and Residential,
Commercial, Industrial, and Scenic Resource changes
Definitions for Mining

Ordinance 14-12

Industrial Permitted Uses
Industrial Conditional Uses

Ordinance 15-1

Commercial Cheese Factory

Ordinance 15-5

Single Family Residential replacement

Ordinance 16-19

General Agricultural and Forest District
Agricultural and Residential District
Single-Family Residential (R-1) District
Single-Family Residential (R-2) District
Commercial District

Ordinance 17-12

Agricultural and Forest District
Road Frontage

Ordinance 17-24
Fees

Ordinance 18-26
General Agricultural and Forest District
Definitions

Ordinance 19-20
Administration

Ordinance 21-13
New Solar fee
Definitions

Ordinance 21-37
Definition-Animal Unit