

Richland County Natural Resources Standing Committee

Date Posted: February 25, 2025

NOTICE OF MEETING

Please be advised that the Richland County Natural Resources Standing Committee will convene on Monday, March 3, 2025 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 Support at 608-649-4371 (phone) or mis@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 February 3, 2025 Meeting
6. Public Comment
7. Zoning Petitions
 - A. Steve Beutler- Town of Henrietta
 - B. Allison Bock & Dawn Piech- Town of Orion
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: Approval Of The Richland County Zoning Ordinance
11. Discussion & Possible Action: Water Study Project
12. Discussion & Possible Action: Approval Of Conservation Reserve Enhancement Program Plan Revision For Scott and Leean Rettler
13. Discussion & Possible Action: Approval Of 2026 Farmland Preservation Planning Grant Application
14. Discussion & Possible Action: Approval Of 2026 Joint DATCP/DNR Grant Application
15. Discussion & Possible Action: Approval Of Agreement With Ayres Associates, Inc For Geospatial Services
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

February 3, 2025

The Richland County Natural Resources Standing Committee convened on Monday, February 3, 2025 in person and virtually at 9:30 AM in the County Boardroom of the Richland County Courthouse.

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

Roll Call: Deputy Clerk Hege conducted roll call. Committee members present: Steve Carrow, Richard McKee, Mark Gill, Julie Fleming, and Robert Brookens via WebEx. Committee members absent: Alayne Hendricks, Craig Woodhouse. Craig Woodhouse joined the meeting at 9:32 AM.

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

Approval Of Agenda: Motion by Fleming, second by McKee to approve agenda. Motion carried and agenda declared approved.

Supervisor Woodhouse arrived at 9:32 AM.

Approval Of Minutes From January 6 & January 30, 2025 Meetings: Chair Carrow asked if there were any comments on or corrections to be made to the minutes from the January 6 & January 30, 2025 meetings. Hearing none, Chair Carrow declared the minutes approved as published.

Public Comment: None.

Zoning Petitions:

A. Jerel & Claudia Berres – Town Of Dayton: County Conservationist, Ms. Cathy Cooper presented the zoning petition to the committee. Motion by Fleming, second by McKee to approve the zoning petition. Brief discussion ensued. Motion carried and the zoning petition was approved.

B. Nathan Perkins – Conditional Use Permit: Conservationist Cooper presented the application for a conditional use permit to the committee. Motion by McKee, second by Woodhouse to approve the conditional use permit. Extensive discussion ensued. Motion carried and the conditional use permit was approved.

Reports:

A. Zoning Administrator: Departmental Activities: County Conservationist Cathy Cooper reported that County Zoning Administrator, Electra Drea was not able to attend the meeting because she was ill. Conservationist Cooper reported that the project unloading data into the Catalis system had begun, Ms. Cooper received both of her licenses, made report on several failing septic systems and the progress made to correct them, gave a brief out line of a future C.S.M. policy project, reported that the pumping reports had been sent out, and reported on several upcoming conference opportunities. Brief discussion ensued.

B. County Conservationist: Departmental Activities: County Conservationist Cathy Cooper introduced Josh Bushee, the District Conservationist who serves both Richland and Crawford Counties. Brief discussion ensued. Conservationist Cooper reported that Conservationist Tech Rogers is

Richland County Natural Resources Standing Committee

currently working on getting nutrient management classes set up, that the payments and reports for the non-metallic mines are starting to come in, and reminded the committee that the tree sale is still going on.

C. UW-Extension: Departmental Activities: Mr. Adam Hady, Area 13 Extension Director, presented his January 2025 report to the committee for their review. Mr. Hady introduced Sarah Kubiak, the Human Development and Relationships Educator to the committee. Ms. Kubiak briefly spoke on her projects and education events with area schools and organizations. Brief discussion ensued.

Discussion & Possible Action: Approval Of Short-Term Rental Ordinance: Chair Carrow presented the proposed ordinance to the committee. Discussion on what would be a reasonable fee ensued. Chair Carrow entertained a motion to set the fee to \$25.00 and then to forward the short-term rental ordinance on to the Executive and Finance Standing Committee. Motion by Gill, second by Fleming set the fee to \$25.00 and then to forward the short-term rental ordinance on to the Executive and Finance Standing Committee. Motion carried and the fee was set to \$25.00 and the short-term rental ordinance was forwarded on to the Executive and Finance Standing Committee. Chair Carrow requested that the minutes reflect that “If the Short-term Rental ordinance is adopted, Recreational rental/tourist home use would be changed from a conditional use permit to a permitted use with stipulation that they are following the short-term rental ordinance.”

Discussion & Possible Action: Modifications To The Richland County Zoning Ordinance: Conservationist Cooper stated that she would provide the updated ordinance at the March 2025 meeting. No action was taken.

Discussion & Possible Action: Designation Of Signatory For Voluntary Notice Of Non-compliance: Conservationist Cooper have an explanation of the need for a signatory. Discussion on the Farmland Preservation certification process ensued. Chair Carrow entertained a motion to designate the Director of Land Conservation and Zoning as the signatory for Voluntary Notice of Non-compliance forms. Motion by Fleming, second by Gill that the Director of Land Conservation and Zoning be designated the signatory for Voluntary Notice of Non-compliance forms. Motion carried and the Director of Land Conservation and Zoning was designated the signatory for Voluntary Notice of Non-compliance forms.

Discussion & Possible Action: Approval Of 2024 Wildlife Damage Claims: Mr. Gregory Cerven with the WI DNR presented the 2024 Wildlife Damage Claims report to the committee and gave any explanation of how the program works. Brief discussion ensued. Motion by McKee, second by Fleming that the 2024 Wildlife Damage Claims be approved as presented. Motion carried and the 2024 Wildlife Damage Claims were approved as presented.

Correspondence: None.

Future Agenda Items:

Discussion & Possible Action: Approval Of The Richland County Zoning Ordinance – Cathy Cooper/Steve Carrow

Discussion & Possible Action: Water Study Project – Mark Gill

Adjourn: Chair Carrow entertained a motion to adjourn. Motion by Fleming, second by McKee to

Richland County
Natural Resources Standing Committee

adjourn. Motion carried and meeting adjourned at 10:31 AM.

A handwritten signature in black ink, reading "Miranda H. Hege". The signature is written in a cursive, flowing style.

Myranda H. Hege
Deputy County Clerk

DRAFT

Richland County Committee

Agenda Item Cover

Agenda Item Name: Rezone Parcels owned by Steve Beutler in Henrietta Township

Department	Land and Zoning	Presented By:	
Date of Meeting:	03/03/2025	Action Needed:	Adopt Rezone Ordinance
Disclosure:		Authority:	Zoning ordinance
Date submitted:	02/24/2025	Referred by:	Natural Resources Committee
Action needed by no later than (date)		Resolution	

Recommendation and/or action language:

Background:

Steve Beutler is requesting to rezone parcel 014-2611-2000 from Legal Non-conforming (LC) to Ag/Residential (A/R). This 6.66 acre vacant land parcel will become a future home site. This parcel has a Certified Survey Map

Attachments and References:

Financial Review:

(please check one)

<input type="checkbox"/>	In adopted budget	Fund Number	
<input type="checkbox"/>	Apportionment needed	Requested Fund Number	
<input type="checkbox"/>	Other funding Source		
<input checked="" type="checkbox"/>	No financial impact		

Cathy Cooper

Department Head



Administrator

Richland County Committee

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(please check one)

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<input type="checkbox"/>	Other funding Source		
<input checked="" type="checkbox"/>	No financial impact		

_____*Cathy Cooper*_____

Department Head

Administrator

RECEIVED
JAN 15 2025

P+P

Customer #
Petition # 2025-003

COUNTY OF RICHLAND ZONING COMMITTEE
NOTICE OF PETITION

(I) (We)	First Name(s)	Steve	Last Name	Beutler	Phone	608	212-8858
Address	W10546 Co Rd V		City	Locli	State	WI	Zip 53555
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	Legal-NC	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 # 014-261-2000

Qtr	NE	Qtr	NE	Section	26	Town	12N	Range	1E	Township	H2N	# of acres	6.660
Lot		Block		Subdivision		# of Acres Approved							

Present Use	Vacant land
Present Improvements	None
Proposed Use	Future Home Site
Legal Description	

Petition Filed	1/15/25	Petitioner Notified		Rezone Decision		Ordinance #	
Catagory	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 Feb 13th

County Clerk Approval

(Signed) Appellant(s) or Agent(s) Steve Beutler

State Bar of Wisconsin Form 1-2003
WARRANTY DEED

Document Number

Document Name

THIS DEED, made between

Pamela D. Brown

("Grantor," whether one or more), and

Steven W. Beutler and Micki L. Beutler

("Grantee," whether one or more).

Grantor, for a valuable consideration, conveys to Grantee the following described real estate, together with the rents, profits, fixtures and other appurtenant interests, in Richland County, State of Wisconsin ("Property") (If more space is needed, please attach addendum):

Recording Area

Name and Return Address:

Steven W. Beutler and Micki L. Beutler

Soules Creek Road

Richland Center, WI 53581

014-2611-0000

Parcel Identification Number (PIN)

This is not homestead property.

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Grantor warrants that the title to the Property is good, indefeasible in fee simple and free and clear of encumbrances except:

Municipal and zoning ordinances and agreements entered under them, recorded easements for the distribution of utility and municipal services, recorded building and use restrictions and covenants, present uses of the property in violation of the foregoing disclosed in real estate condition report and offer, and general taxes levied in the year of closing.

Dated: January 15, 2025

Pamela D. Brown

Pamela D. Brown

AUTHENTICATION

Signature(s): Pamela D. Brown authenticated on

*
TITLE: MEMBER STATE BAR OF WISCONSIN

(If not, _____
authorized by Wis. Stat. § 706.06)

THIS INSTRUMENT DRAFTED BY:

Southwest Title LLC

Attn: Holly R. Beranek

168 N. Main Street

Richland Center, WI 53581

ACKNOWLEDGMENT

STATE OF WISCONSIN)

RICHLAND COUNTY) ss.

Personally came before me on January 15, 2025
the above-named Pamela D. Brown to me known to be the
person(s) who executed the foregoing instrument and
acknowledged the same.

[Signature]

Notary Public, State of Wisconsin

My Commission expires: 1-15-2025

(Signatures may be authenticated or acknowledged. Both are not necessary.)

NOTE: THIS IS A STANDARD FORM. ANY MODIFICATIONS TO THIS FORM SHOULD BE CLEARLY IDENTIFIED.

© 2003 STATE BAR OF WISCONSIN

WARRANTY DEED

*Type name below signatures

FORM NO. 1-2003

EXHIBIT "A"

Lot One (1) of Certified Survey Map No. 819, recorded in the Office of the Richland County Register of Deeds Office on October 6, 2008 at 11:36 a.m. in Volume 7 of Certified Survey Maps, pages 217-219, as Document No. 284902. Survey being located in the Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) of Section Twenty-six (26), Township Twelve (12) North, Range One (1) East, Town of Henrietta, Richland County, Wisconsin.

014-2611-2000

(Signatures may be authenticated or acknowledged. Both are not necessary.)

NOTE: THIS IS A STANDARD FORM. ANY MODIFICATIONS TO THIS FORM SHOULD BE CLEARLY IDENTIFIED.

WARRANTY DEED

© 2003 STATE BAR OF WISCONSIN

FORM NO. 1-2003

*Type name below signatures



Name	Title	Address	City	State	Zip
Property					
Steve Beutler	Parcel 014-2611-2000	Soules Creek Dr	Cazenovia	WI	53924
Neighbors					
Timothy & Kristy Newman		W232S8448 Rosemary Dr	Big Bend	WI	53103
Benjamin & Ashley Coy		PO Box 47	La Valle	WI	53941
Philip & Kathleen Lindsey		804 Donnelly Place	McHenry	IL	60050
Lane Revocable Living Trust		N1915 State Hwy 113	Lodi	WI	53555
Lane Property and Land Management		154 S Main St	Lodi	WI	53555
Vickie Pinkham		26502 Pinkham Ln	Cazenovia	WI	53924
Jacalyn Cloud Trust		S66W18557 Jewel Crest Dr	Muskego	WI	53150
Rachael Aide					
Vacant	Henrietta Township Clerk Supervisory District 3	15814 Crofton Dr	Richland Center	WI	53581

CERTIFIED SURVEY MAP NUMBER 819

Located in the Northeast Quarter (NE $\frac{1}{4}$)
of the Northeast Quarter (NE $\frac{1}{4}$)
of Section 26, T. 12 N., R. 1 E.,
Township of Henrietta, Richland County, Wisconsin.

SURVEYOR'S CERTIFICATE

State of Wisconsin) SS
County of Richland)

I, Terry L. Cornell, Registered Land Surveyor, do hereby certify that I have surveyed, monumented and mapped at the request of Thomas L. Donovan, 13320 Jungle Bar Lane, Cazenovia, Wisconsin 53924;

All that part of the Northeast Quarter (NE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section 26, T. 12 N., R. 1 E., Township of Henrietta, Richland County, Wisconsin bounded and described as follows:

Commencing at the Northeast Corner of said Section 26; Thence N 88°-29'-36" W (previously described as S 89°-59'-24" W) 580.57 feet along the North Line of the Northeast Quarter (NE $\frac{1}{4}$) of said Section 26 to an iron pipe situated on the South Line of Certified Survey Map Number 312 and the Northerly Right-of-Way of Soules Creek Road, the Point of Beginning;

Thence S 88°-29'-36" E, 51.89 feet (previously described as 51.93 feet) to a railroad spike on the centerline of Soules Creek Road, said point being the P.C. of a curve to the left;

Thence 174.70 feet along said centerline and the arc of said curve, radius of 2140.12 feet, the center of which lies to the Southeast, chord bearing S 48°-33'-38" W, 174.65 feet to the P.T. of said curve;

Thence S 46°-13'-19" W, 248.08 feet along said centerline to the P.C. of a curve to the right;

Thence 363.50 feet along said centerline and the arc of said curve, radius of 1005.89 feet, the center of which lies to the Northwest, chord bearing S 56°-34'-28" W, 361.52 feet to a point of reverse curvature;

Thence 250.48 feet along said centerline and the arc of said curve, radius of 873.25 feet, the center of which lies to the Southeast, chord bearing S 58°-42'-35" W, 249.62 feet to a point on the West Line of the Northeast Quarter (NE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$);

Thence leaving said centerline N 00°-12'-43" W, 637.78 feet along said West Line to an iron pipe located at the Northwest Corner of the Northeast Quarter (NE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$), said point being the Southwest Corner of Certified Survey Map Number 312;

Thence S 88°-29'-36" E (previously described as N 89°-59'-24" E), 775.84 feet along the North Line of the Northeast Quarter (NE $\frac{1}{4}$) of said Section 26 and the South Line of Certified Survey Map Number 312 to the Point of Beginning;

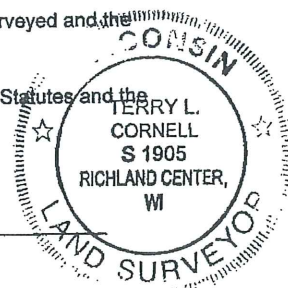
That the above described parcel, inclusive of a conveyance for Soules Creek Road, contains 290,080 square feet or 6.659 acres; exclusive of said conveyance, parcel contains 255,867 square feet or 5.873 acres;

That such map is a correct representation of all exterior boundaries of the land surveyed and the division thereof made;

That I have fully complied with the provisions of Chapter 236.34 of the Wisconsin Statutes and the Ordinances of Richland County in surveying and mapping the same.

Dated this 3rd day of October, 2008
Richland Center, Wisconsin

Terry L. Cornell
Terry L. Cornell
Registered Land Surveyor S-1905



Resolved, that this Certified Survey Map in the Township of Henrietta, be and hereby is approved in compliance with Chapter 236.34 of the Wisconsin Statutes and the Richland County Land Division Ordinance.

Harriet Ledley
Administrator

APPROVED

10-6-08
Date

Town of Henrietta

Meeting Minutes

February 13, 2025

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

Town Officer(s) excused absent: None

Citizen(s) present: Daniel Timm

Guest(s) present: Lucas Winchel

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 January 9, 2025, town meeting. Dvorak makes motion to approve January 9, 2025, meeting minutes with no additions or corrections, Dennis Brown seconds, no discussion, motion carried.

Diane Brown gives January 2025 financial report. Dvorak makes motion to approve January 2025 financial report, Dennis Brown seconds, no discussion motion carried.

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

Lucas Winchel approached the board about opening the Henrietta Johnson Quarry on Quarry Dr. This quarry has been closed since 2004 and was never reclaimed. Winchel stated the trucks will be entering the quarry from Quarry Dr with plans to use the quarry as long as feasible selling anything from gravel to landscape rock. A bond and road agreement will need to be set in place between Lucas Winchel and Henrietta Township. Dvorak makes motion to open the Henrietta Johnson Quarry once the agreement has been signed by both parties, Dennis seconds, no discussion, motion carried.

Aide presented the rezone inquiry in Steve Beutler's absence. Butler contacted Aide about a possible rezone on parcel number 014-2611-2000. Parcel is currently zoned Class – G5 Undeveloped. Beutler is looking to bring the parcel into compliance by rezoning to agricultural residential. There are no plans to build but would like the option to put a small cabin on property at some point. Dennis makes motion to approve the rezone of parcel 014-2611-2000 to agricultural residential, Dvorak seconds, no discussion, motion carried.

Stittleburg gave an update on the Soules Creek Cemetery project. Attorney Hayes needs a copy of the Cemetery Association map to compare to the Platt map from Richland County. If they are the same a quick deed would be done if not the cemetery will need to be surveyed. Board will have to decide once the cemetery is owned by the township if it will just be maintained as is or if plots will still be sold.

Crofton LRIP funding has been approved with a one time waiver and will not cover patrolman's labor or township equipment used.

Culvert bids have been received from Richland County. Two have been approved for 50/50 cost share on Syresville and Woodstock Dr. Other bids were for Lebansky Dr, Harmony Ln and Engine Creek Dr.

Clerk report given to Board. Dvorak makes motion to approve checks 100, 101 and 5523 - 5573, Dennis seconds, no discussion, motion carried.

Next monthly meeting is set for March 6, 2025, at 7 P.M.

Dvorak makes motion to adjourn at 8:09 p.m., Dennis seconds, no discussion, motion carried.

Respectively submitted this 13th day of February 2025

Rachael Aide, Town Clerk

RICHLAND COUNTY Extension Youth Programs



Extension
UNIVERSITY OF WISCONSIN-MADISON

Karleen Craddock, Extension 4-H Educator

Educational Outreach Programs:

- 11 4-H Community Clubs
- 7 Countywide Youth Organizations
- After-school Programs
- Juntos 4-H - Hispanic Family Outreach
- Additional educational programs in partnership with community organizations



January 2025 - Club Officer Workshop

4-H Club Secretaries practice taking minutes at the Club Officer Workshop. (Upper photo); 4-H Club Treasurers learn to write checks, balance a check book and present a treasurer's report. (Lower photo)

Leadership

Richland County youth develop leadership skills while serving as club officers, youth leaders and 4-H camp counselors.



Career Pathways

Youth discover their “sparks” while participating in a variety of hands-on 4-H activities. Whether they dream of becoming a veterinarian, being a teacher or raising beef cattle, many youth start their journey in 4-H!

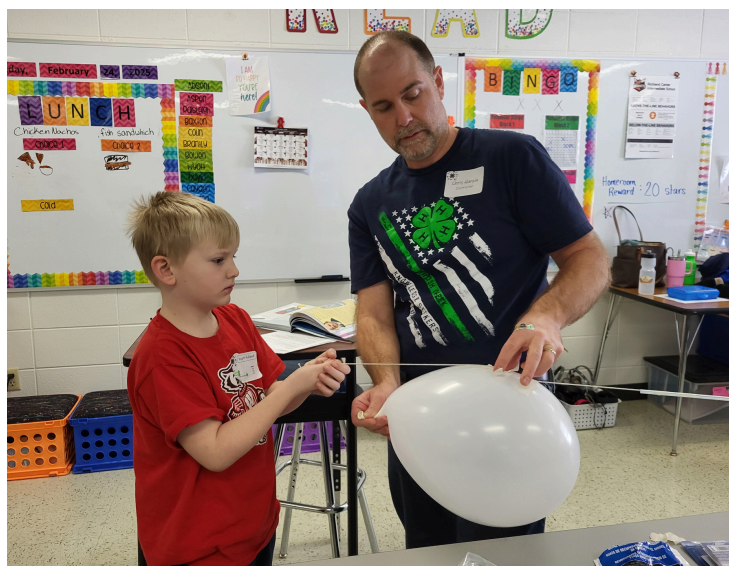
February 2025 - 4-H Discovery Day

(Left Photo) Local veterinarian, Kristen Joseph, talked with six aspiring veterinarians during 4-H Discovery Day.

Connections with Adult Mentors

Community volunteers are the heart of the 4-H program. By generously giving of their time and talents to the youth, they help young people feel valued and supported.

(Right Photo) 4-H volunteer, Chris Harpin, led an experiment demonstrating rocket propulsion at 4-H Discovery Day. Participants built model rockets that they will launch at an event this summer.



Richland County Committee

Agenda Item Cover

Agenda Item Name: Discussion and possible action on Short-term rental ordinance

Department	Land conservation & zoning	Presented By:	Cathy Cooper
Date of Meeting:	03/03/2025	Action Needed:	Approve ordinance
Disclosure:		Authority:	County Board rules
Date submitted:	02/24/2025	Referred by:	Natural Resources Committee
Action needed by no later than (date)		Resolution	

Recommendation and/or action language:

Background:


This is an ordinance the covers short-term rentals. Approval is needed to send on the the executive committee

Attachments and References:

Financial Review:

(please check one)

<input type="checkbox"/>	In adopted budget	Fund Number	
<input type="checkbox"/>	Apportionment needed	Requested Fund Number	
<input type="checkbox"/>	Other funding Source		
<input checked="" type="checkbox"/>	No financial impact		

<u>Cathy Cooper</u>		
Department Head	Administrator	

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 1 year.

1 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 one (1) year later.

HOTELS AND MOTELS

An establishment with 5 or more short-term rental units (e.g., rooms, cottages, cabins) offered for compensation at one location (i.e., 5 or more units across all directly adjacent parcels under the same ownership is considered a hotel or motel). Hotels and motels are excluded from this ordinance.

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 or

other precautions are taken to ensure septic can handle additional guests such as on-site porta-pots, requiring RV's to dump at public dump sites, etc.

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 ensure their contact information is provided to guests and updated with the Zoning Department. 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. Property owners must also provide guests with emergency contact information (e.g., 911, local police, fire, nearest hospital).
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 ensure their contact information is provided to guests and updated with the Zoning Department. 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. Property owners or their property manager must also provide guests with emergency contact information (e.g., 911, local police, fire, nearest hospital).
5. Must have designated parking that abides by all laws.
6. Applicant is required to display county license number on any advertising or online reservation system.

§ xxx-4. Short-term rental license. A license is required for each rental location. Under a Richland County short-term rental license, an operator may rent as many as four units (e.g., rooms, cottages, cabins) at one location, which is in line with state licensing requirements. You are a motel or hotel if you rent 5 or more units at one location.

- 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 respond to inquiries within a reasonable length of time.
 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 respond to inquiries within a reasonable length of time. 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 90 days but shall be conditioned upon the Zoning Department's receipt of a copy of such state license from the applicant within said ninety 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 ninety 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 respond to inquiries within a reasonable length of time, 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 next year and may be renewed for additional one-year period. 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. 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. The Zoning Department may be lenient in allowing applicants to fix issues within 14 days when an application is deemed incomplete or information was missing, without applicant needing to re-apply and pay an additional application fee.

- D. 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 leading to formal written violation or arrest in a twelve (12) month period. Law enforcement calls from potentially unreasonable neighbors which do not lead to formal written violation or arrest cannot and will not be used to deny renewal applications.
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.
- E. 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. Annual 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 license, the Zoning Department shall notify the licensee in writing 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-8B.
- 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:
 - a. 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.
 - b. Failure to maintain all required local, county and state licensing requirements.
 - c. 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 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-8B (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 90 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 short-term rental license holder who violates any provision of this chapter shall be subject to revocation of their short-term rental license per § XXX-8. Any person who knowingly and willfully operates a tourist rooming house without a valid short-term rental license described in this ordinance 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, after multiple written notices of amounts due have been sent and ignored over the course of not less than 90 days, 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. Failure to comply with an order of correction issued under this ordinance shall constitute a violation of this ordinance and each day of continued violation 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 and shall be posted in the County's Fee Schedule.

§ 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.

Richland County Committee

Agenda Item Cover

Agenda Item Name: Discussion of Zoning Ordinance update

Department	Land and Zoning	Presented By:	
Date of Meeting:	03/03/2025	Action Needed:	Review zoning ordinance
Disclosure:		Authority:	Zoning ordinance
Date submitted:	02/24/2025	Referred by:	Natural Resources Committee
Action needed by no later than (date)		Resolution	

Recommendation and/or action language:

Background:

Review potential changes to zoning ordinance

Attachments and References:

Financial Review:

(please check one)

<input type="checkbox"/>	In adopted budget	Fund Number	
<input type="checkbox"/>	Apportionment needed	Requested Fund Number	
<input type="checkbox"/>	Other funding Source		
<input checked="" type="checkbox"/>	No financial impact		

_____*Cathy Cooper*_____

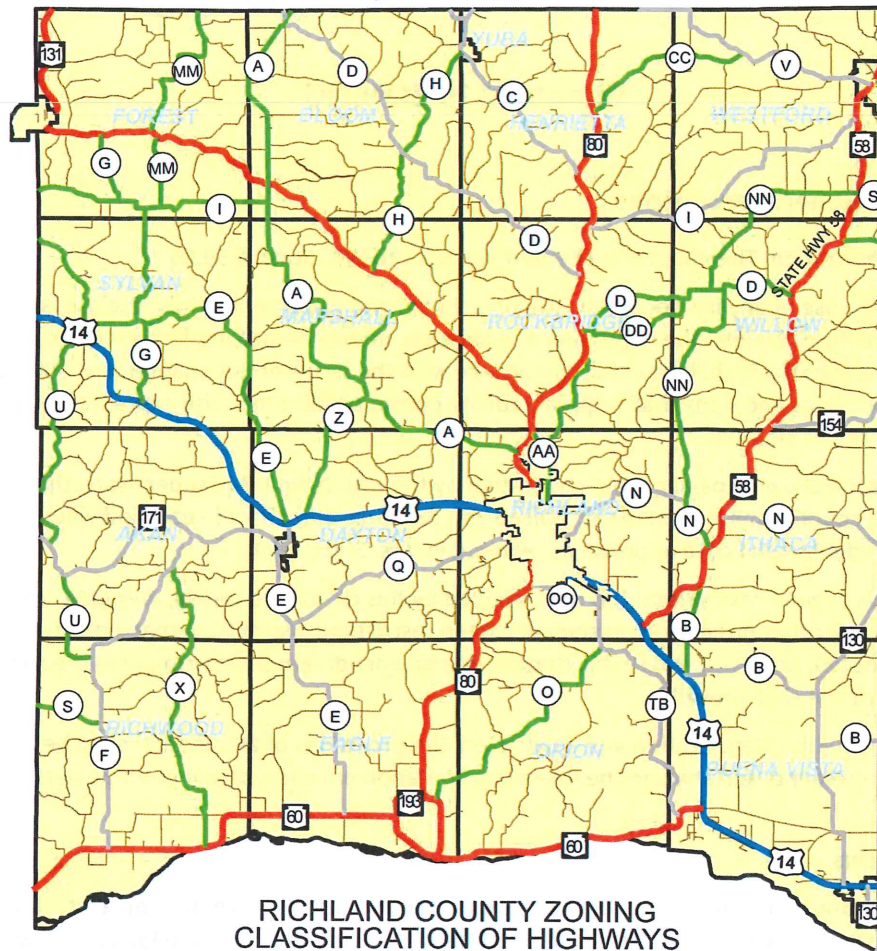
Department Head

Administrator

Chapter 119 ZONING

Sec. 119.04.010. General provisions.

- (a) *Statutory authorization.* This chapter is adopted pursuant to Wis. Stats. § 59.69.
- (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 junkyards; and the subdivision of lots shall be in full compliance with the terms of this chapter and other applicable regulations. Buildings and signs shall require a zoning permit unless otherwise expressly excluded by the requirements of this chapter.
- (c) *Force and effect.* Following passage and publication by the county board of supervisors, this comprehensive revision of the county zoning regulations shall go into full force and effect in each individual town only after receiving individual town board approval as required in Wis. Stats. § 59.69.
- (d) *Abrogation and greater restrictions.* It is not intended by this chapter to repeal, abrogate, annul, impair or interfere with any other ordinances, easements, deed restrictions, permits, agreements, rules, or regulations previously adopted; however, where this chapter or any amendment thereto imposes greater restrictions, the more restrictive shall prevail.
- (e) *Interpretation.* In this interpretation and application, the provisions of this chapter shall be held to be minimum requirements and shall not be deemed a limitation or repeal of any other powers granted by state law.
- (f) *Site requirements.*
 - (1) Only one principal structure, as defined by this chapter, 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 chapter is adopted by the township, all newly created rights-of-way shall have a width of not less than 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 the county are divided into the following five zoning classifications in relation to the county Functional and Jurisdictional Highway Plan Update of 1995, as the plan shall be amended from time to time by the Southwestern Wisconsin Regional Planning Commission. The highways so classified are shown as the Highways Zoning Classification Map below.



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

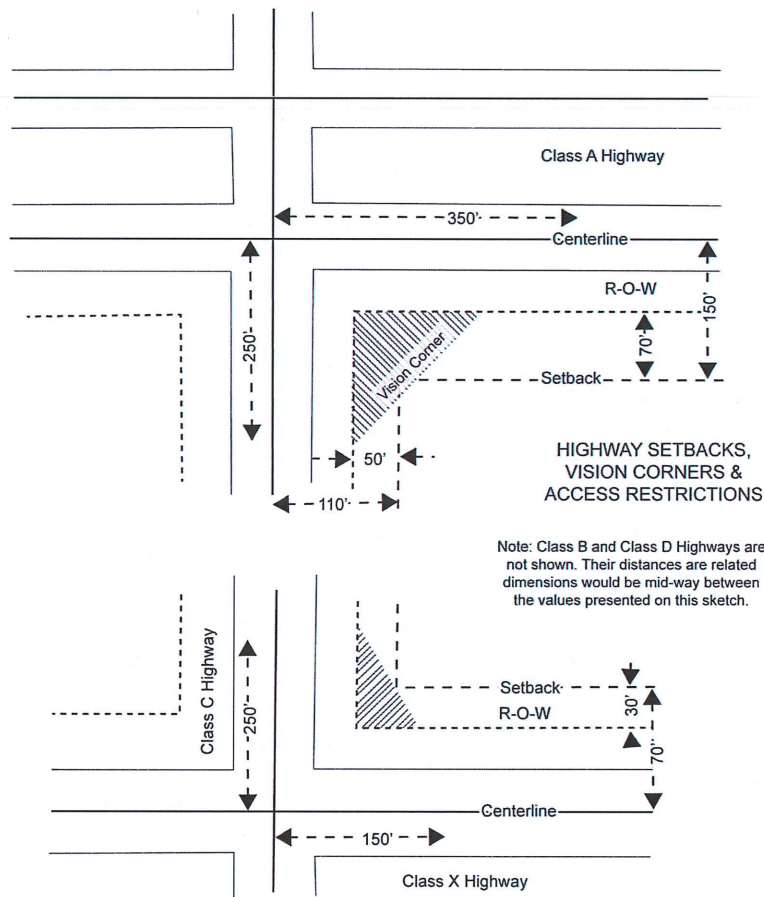
- b. *Minimum highway setback.* Unless otherwise permitted in this chapter, all buildings, structures, and other objects shall be set back from abutting public highways so as to comply with the minimum requirements set forth in this subsection (g)(1), or otherwise permitted or modified by the approval of the plat of a legal subdivision or a particular provision of this chapter.
- c. *Specifications.* Setbacks from public highways shall be not less than the horizontal distances set forth in this subsection (g)(1) and measured from either the near existing right-of-way line or the centerline 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
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- (2) *Conditional modifications.* The above-listed highway setback requirements are subject to the following conditional modifications. When such conditions occur, the county zoning administrator may permit a setback that meets the following requirements:
- 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.
 - When two or more principal structure 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 the user's ability to perceive an on-coming vehicle.
 - 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 the centerlines and at the following horizontal distances from the point of intersection. In case of a multi-lane or divided highway or a multi-track railroad, the centering shall be construed to be the centerline of the near pair of travel lanes or the near pair of rails.

Zoning Classification	Distance from Intersections
Class A Highways	350 feet
Class B Highways	300 feet
Class C Highways	250 feet
Class D Highways	200 feet
Class E Highways	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

- b. Public service roads designed to keep private access from entering directly onto Class A and B highways may be located closer to the intersection than would otherwise be required.
- c. Vehicular entrances and exits serving drive-in-establishments which generate traffic volumes in excess of 100 vehicles per day, shall be not less than 100 feet from any pedestrian entrance or exit serving a school, church, hospital, park, playground or other place of public assembly.

- (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:
- 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.
 - 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.
 - Communication and power transmission lines, poles and appurtenant structures, and underground structures provided the same are not capable of being used as a foundation for a prohibited above-grade structure.
 - 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 12 consecutive months.
 - Minor readily removable structures such as open fences and small signs permitted by this chapter may be placed within setback lines, provided all requirements of this chapter are met.
 - 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 the ordinance from which this chapter is derived by the township by conditional use only.
- (6) *Lot size requirements in the residential and commercial districts.*
- Lots created after adoption of the ordinance from which this chapter is derived shall meet the minimum area requirements shown on Table 1 below.

Table 1. Yard, Area and Width Requirements

	A-F	A-R	R-1	C-1	I
Side yards, principal buildings (ft.)	20	20	10	10*	20
Lots not served by public sewer (ft.)	20	20	10	10*	20
Lots served by public sewer (ft.)	—	20	8*	8**	20
Side yards, accessory and building (ft.)	10	10	5	5	5
Rear yard (ft.)	50	50	40	20	20
Floor area dwelling (sq. ft.)	600	960	960	500	
***Minimum lot area agricultural (acres)	35	5	—	—	—
Lots not served by public sewer (acres)	—	5	2	1	1
Lots served by public sewer	—	5 acres	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
Lots served by public sewer (ft.)	—	200	65	65	65

*Although the minimum width of one side yard can be ten feet, the minimum aggregate width of both side yards shall be 25 feet.

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

***Maximum lot area in the agricultural/residential district is 34.99 acres.

- b. 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.*
 - (i) The minimum lot area shall be ~~43,560 square feet~~ **1 acre** in **commercial district** and **2 acres** in **single-family residential district** and the minimum lot width 200 feet at the building line and 200 feet at the water's edge.
 - (ii) There shall be a side yard for each principal building. The minimum width of one side yard shall be ten feet. The minimum aggregate width of both side yards shall be 25 feet.
 2. *Lots served by public sewer.*
 - (i) The minimum lot area shall be 10,000 square feet and the minimum lots width 65 feet at the building line and 65 feet at the water's edge.
 - (ii) There shall be a side yard for each principal building. The minimum width of one side yard shall be eight feet. The minimum aggregate width of both side yards shall be 20 feet.
 3. *Existing lots served by public sewer.* A lot which does not contain sufficient area to conform to the dimensional requirements of this chapter but which is at least 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 the ordinance from which this chapter is derived and providing the lot is in separate ownership from abutting lands.
 4. *Existing lots not served by public sewer.* A lot which does not contain sufficient area to conform to the dimensional requirements of this chapter but which is at least 65 feet in width at the building line and 65 feet at 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 the ordinance from which this chapter is derived in the township, and providing the lot is in separate ownership from abutting lands.
 5. *Substandard lots.*
 - (i) A zoning permit for the improvement of a lot having lesser dimensions than those stated in subsections (g)(6)c and d of this section shall be issued only after the granting of a variance by the board of adjustment.
 - (ii) If two or more substandard lots with continuous frontage have the same ownership as of the effective date of the ordinance from which this chapter is derived, the lots involved shall be considered to be an individual parcel for the purposes of this chapter.

-
6. *Spacing between buildings.* No agricultural structure may be placed within 500 feet of an existing nonagricultural structure under separate ownership unless otherwise permitted by conditional permit, or no nonagricultural structure may be placed within 500 feet of an existing agricultural structure under separate ownership unless otherwise permitted by conditional permit.
- (7) *Lot size requirements in the agricultural and forestry district.* Lots created after adoption of the ordinance from which this chapter is derived shall meet the minimum area requirements shown on Table 1. The dimensions of the building sites in the agricultural and forestry districts shall meet the following minimum requirements:
- a. The minimum lot area shall be 35 acres and the minimum lot width 200 feet at the building line.
 - b. 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 ten feet.
 - c. A lot which does not contain sufficient area to conform to the dimensional requirements of this section, but which is at least 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 the ordinance from which this chapter is derived in the township, and providing the lot is in separate ownership from abutting lands, and providing it meets the provisions of the sanitary ordinance.
- (8) *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.
- (9) *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 chapter. This provision excludes fences and public utility poles.
- (10) *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 ten percent of the total lot area.
- (11) *Storage restrictions.* 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 the 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 the ordinance from which this chapter is derived shall be permitted to continue.

(Ord. No. 84-3, § I, 6-19-1984; Ord. No. 94-14, § 1, 12-13-1994; Ord. No. 95-19, § 1, 12-12-1995; Ord. No. 97-26, §§ 1—5, 12-9-1997; Ord. No. 2003-16, § 1, 5-20-2003; Ord. No. 2003-22, 7-15-2003; Ord. No. 17-12, §§ 3, 4, 7-18-2017)

Sec. 119.04.020. Zoning map and district boundaries.

(a) *Zoning districts.* The lands of the county are divided into the following districts:

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

(b) *Zoning district boundaries.*

- (1) 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."
- (2) These maps, together with all explanatory material and regulations thereon, are an integral part of this chapter. In the event of a conflict between zoning district boundaries shown on the official zoning map for Richland County, Wisconsin, and the detailed zoning maps for Richland County, Wisconsin, the latter shall govern and prevail. District boundaries are normally lot lines; section, quarter-section or sixteenth lines; centerlines of streets, highways, alleys, railroad right-of-way or such lines extended; unless otherwise noted on the zoning maps. Districts not specifically indicated on the zoning map shall be determined by the scale of the map. In accordance with Wis. Stats. § 59.69(4), zoning district boundaries shall be decided by the county board. It shall be the policy of the county natural resources standing 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 natural resources standing committee or its authorized representative. Decisions may be reviewed on appeal to the board of adjustment as provided in section 119.04.070.
- (3) The official zoning maps shall be certified by the chairperson of the county board and attested by the county clerk. Copies of the official zoning maps together with a copy of this chapter 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 Wis. Stats. § 59.69.
- (4) Copies of the official zoning maps together with copies of this chapter shall be kept at the county zoning department and shall be available for public inspection during office hours. Maps are available from the county zoning department for a fee in the amount provided in the county fee schedule.

(c) *General Agricultural and Forestry District (A-F).*

- (1) *Purpose.* This district provides for the continuation of general agricultural and forestry practices. Minimum district size is 35 acres. 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 Wis. Stats. ch. 91. Land being rezoned out of this district shall occur only if the town and county find the following:

- a. The land is better suited for a use not allowed in this district.
 - b. The rezoning is consistent with the county comprehensive plan.
 - c. The rezoning is consistent with the county farmland preservation plan.
 - d. 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.
- (2) *Reporting.* The 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 the A-F district during the previous year.
- (3) *Permitted uses.*
- a. *Agricultural uses.* An agricultural use in the A-F district 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.
- (4) *Accessory uses.* An accessory use in the A-F district means any of the following uses on a farm:
- a. A building, structure, or improvement that is an integral part of or is incidental to an agricultural use.
 - b. An activity or business operation that is an integral part of or incidental to an agricultural use.
 - c. **Up to 2 F** farm residences.
 - d. 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 subsection (c)(4)a or c of this section, that employs no more than four 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.
 - e. Prior nonconforming uses.
 - f. 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.
 - g. Undeveloped natural resources and open space areas.

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- h. Community and other living arrangements per Wis. Stats. § 59.69(15) and meet the definition of an accessory use found in section 119.04.090.
- (5) *Uses authorized by conditional permit.* Before granting a conditional use permit in the A-F district the county shall require comment from the town board and/or natural resources standing committee of the affected town prior to any issuance of the 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 A-F district are consistent with the purposes of that district.
 - 2. The use and its location in the A-F district 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 three years.
 - e. Nonmetallic mineral extraction if the following apply:
 - 1. The operation and its location in the A-F district are consistent with the purposes of that district.
 - 2. The operation and its location in the A-F district 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 county nonmetallic mining regulations, which include section 111.12.020(c).
 - f. Transportation, communications, pipeline, electric transmission, utility, wind energy systems, or drainage uses, if consistent with Wis. Stats. § 91.46(4), 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 A-F district are consistent with the purposes of that district.
 - 2. The use and its location in the A-F district are reasonable and appropriate, considering alternative location or are specifically approved under state or federal law.

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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 meet the definition of an accessory use found in section 119.04.090 and are consistent with Wis. Stats. § 91.01(1).
 - h. Trailer camps, campgrounds, institutional recreational camps and camping resorts per section 119.04.030(b) and meet the definition of an accessory use found in section 119.04.090 and are consistent with Wis. Stats. § 91.46(5).
 - i. Private landing strips that meet the definition of an accessory use found in section 119.04.090 and are consistent with Wis. Stats. § 91.46(4).
 - j. ~~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 119.04.090.~~
 - k. Placement of an agricultural structure within 500 feet of an existing nonagricultural structure under separate ownership.
 - l. Recreational residential rental if consistent with Wis. Stats. § 91.01(1).
 - m. Bed and breakfast establishments, as defined in Wis. Stats. § 91.01(1)(d).
- (6) *Area, height and setback requirements.*
- a. Lots not served by public sanitary sewer: minimum of 35 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 subsection (c)(5)g of this section.
 - 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 chapter. 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.

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- (d) *Agricultural and Residential District (A-R)*. The purpose of the agriculture/residential district is to provide for limited residential uses on rural lots between 5.0 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. For lot area, width, and yard requirements, refer to Table 1.

(1) *Permitted uses.*

- a. One single-family dwelling. When an existing dwelling is to be replaced with a new dwelling, the existing dwelling must be razed or otherwise removed from the property within six months of the issuance of the certificate of compliance for the new dwelling.
- b. Historic sites.
- c. 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.
- d. Forestry, beekeeping, plant nurseries, fish hatcheries and non-commercial greenhouses.
- e. One temporary roadside stand per lot, not more than 300 square feet used solely for the sale of products at least 50 percent of which were produced on the premises.
- f. Storage of campers or major recreational equipment. No such equipment shall be used for living or housekeeping purposes.
- g. Signs per section 119.04.030(f)(1), (2), (4) and (6).
- h. Adult family home.
- i. Community-based residential facility ~~with eight or fewer residents.~~
- j. Placement of up to four animal units on 5 to 12 acres and an additional animal unit for every additional three acres thereafter.
- k. ~~Campers that are licensed and road ready and used for temporary parking and living purposes, as long as they are removed between December 1 and March 1 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.~~ Not sure about this

(2) *Permitted accessory uses.*

- a. Garage and/or usual accessory buildings, except as provided in section 119.04.050.
- b. 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.
- c. 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.

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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 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 the provisions of section 119.04.030.
- 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 the provisions of section 119.04.030.
- 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 three 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.

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- (e) *Single-Family Residential District (R-1)*. This district is intended to provide for high quality, single-family year-round residential development. District size is 2.0—4.99 acres. ~~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. Historical sites.
- c. Horticulture and gardening but not including commercial greenhouses.
- d. Community-based residential facility with eight or fewer residents.

(2) *Permitted accessory uses.*

- a. Private garages, carports and boathouses when located on 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 use permit.*

- a. Public park and recreation areas, churches, schools, public museums and art galleries for exhibition in artists' own work.
- b. Bed and breakfast establishments, as defined in Wis. Stats. § 50.50(1).
- c. Community-based residential facility with nine or more residents.
- d. Rest homes and homes for the aged.
- e. Hospitals.
- f. Medical and dental offices.
- g. Funeral homes.
- h. Multiple-family residences.
- i. Rooming houses, boardinghouses and tourist homes.

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- j. Radio and television stations and transmission towers and microwave radio relay towers and telephone buildings (provided there is no service garage or storage yard).
 - k. 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 100 feet from any continuous flowing water and shall be located so that manure will not drain into any continuous flowing water.
 - l. Mobile home parks subject to the provisions of section 119.04.030.
 - m. Golf courses.
 - n. Municipal buildings.
 - o. Mobile home.
 - 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 three years.
 - q. 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 microwave relay towers; municipal buildings.
- (f) *General Commercial District (C-1)*. 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 the table attached to the ordinance from which this chapter is derived.
- (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. Post offices.
 - e. Community-based residential facilities ~~with eight or fewer residents~~.
 - f. Restaurants.
 - g. Dental, medical, and veterinary clinics.
 - h. Rooming houses and boardinghouses.
 - i. Public and semi-public buildings and institutions.
 - j. Telephone buildings, 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 microwave relay towers.
 - k. Laundromats.
 - l. Commercial entertainment facilities.
 - m. ~~Rest homes and homes for the aged~~.
 - n. ~~Wholesaling establishments~~.
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- o. Outdoor theaters.
 - p. Lumber and building supply yards.
 - q. Taverns.
 - r. Mobile home sales.
 - s. Wineries/distilleries/breweries.
 - t. Drive-in establishments serving food or beverages to customers other than at a booth or table.

(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 dwelling containing residential quarters for the owner, proprietor, commercial tenant employee or caretaker located on the same premises as the business.

(3) *Uses authorized by conditional permit.*

- a. ~~Rest homes and homes for the aged.~~
- b. Funeral homes.
- c. 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 three years.
- 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 microwave relay towers; and/or municipal buildings.
- e. Auto service stations and maintenance facilities.
- f. Nonmetallic mining operations: construction aggregate, industrial sand or both, subject to the provisions of section 119.04.030.
- g. 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).
- 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 100 feet from any continuous flowing water and shall be so located so that manure will not drain into any continuous flowing stream.
- i. ~~Wholesaling establishments.~~
- j. Transportation terminals.
- ~~k. Drive-in establishments serving food or beverages to customers other than at a booth or table.~~
- l. Car sales.
- m. Farm implement sales.
- n. Golf courses and golf driving ranges.
- ~~o. Outdoor theaters.~~
- p. Miniature golf, go-kart, and amusement parks.

~~q. Lumber and building supply yards.~~

r. Small industrial establishments.

~~s. Taverns.~~

t. Mobile home sales.

~~u. Wineries/distilleries.~~

v. Recreation rental/tourist home.

w. Campgrounds

- (g) *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 ensure 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 the table attached to the ordinance from which this chapter is derived.

(1) *Permitted uses.*

- a. Any use permitted in the commercial district, except residences or rooming houses and boardinghouses.
- b. The following uses are in keeping with the standards stated in subsection (g) of this section:
 1. General warehousing.
 2. Lumber and building supply yards.
- c. Wholesaling establishments.
- d. Car sales.
- e. 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 use permit.* Uses authorized by conditional use permit include, but are not limited to, the following:

- a. Junkyards or salvage yards.
- b. Quarrying, mining, and processing of products from these activities.
- c. Stock yards or slaughterhouses.
- d. Storage and mixing of cement, asphalt, or road oils.
- e. Landfills and disposal sites.
- f. Nonmetallic mining operations: construction aggregate, industrial sand or both, subject to the provisions of section 119.04.030.
- g. Manufacture, assembly fabrication, and processing plants of similar type industrial operations.
- h. Municipal sewer facilities.

(h) *Conservancy District (CON)*.

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- (1) *Purpose.* This district is intended to be used to prevent destruction of natural or human-made resources and to protect watercourses, 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 federal geological survey quadrangle map sheets.
 - (2) *Specifications.* Wetlands are any lands wet enough to support the 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:
 - a. Septic tank systems will not function because of high groundwater;
 - b. Water supplies are often polluted by septic tank wastes that have not been adequately absorbed by the soil;
 - c. Foundations and roads crack due to poor support capabilities and frost action;
 - d. Flooding is often common in spring and other times of high water.
 - (3) *Wetlands.* 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 119.04.040. 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, 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 sanitation regulations.
 - (4) *Conditional requirements.* 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 chapter.
 - (5) *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.
 - (6) *Uses authorized by conditional use 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.

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- e. Piers, docks, boathouses.
 - f. Vegetable farming.
- (i) *Scenic Resources Districts (SR).*
- (1) *Purpose.* This is an overlay district. It provides for special controls over and above those which are defined in the respective districts enumerated in this chapter. These special controls are intended to protect the view of outstanding scenery and natural resources along certain roads and waterways.
 - (2) *Applicable regulations.* Any regulations applicable to the underlying district shall be applicable to any use permitted in this district.
 - (3) *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 materials.
 - 3. Nonmetallic mining/quarrying, removal or storage of any surface or subsurface minerals or materials.
 - 4. Signs, billboards, outdoor advertising structures, or advertisements of any kind, except as provided in subsection (i)(3)b of this section.
 - 5. One off-premises 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 on-premises 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 or manufacture of any goods, products, or services upon the land.
 - 2. Off-premises 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.

(Ord. No. 84-3, § II, 6-19-1984; Ord. No. 1985-1, 3-19-1985; Ord. No. 1987-5, 9-22-1987; Ord. No. 1990-2, §§ 1, 2, 2-20-1990; Ord. No. 95-19, § 2(a)—(d), 12-12-1995; Ord. No. 96-15, §§ 1—3, 8-20-1996; Ord. No. 97-1, § 1, 4-15-1997; Ord. No. 97-8, § 1, 6-17-1997; Ord. No. 97-17, §§ 1—8, 9-23-1997; Ord. No. 97-26, §§ 6—27, 12-9-1997; Ord. No. 98-9, § 1, 3-24-1998; Ord. No. 99-32, §§ 2, 3, 9-21-1999; Ord. No. 2003-16, § 2(a)—(l), 5-20-2003; Ord. No. 2004-11, § 1, 3-16-2004; Ord. No. 2005-5, §§ 2—19, 2-15-2005; Ord. No. 06-10, §§ 1, 2, 4-25-2006; Ord. No. 08-24, §§ 2, 3, 10-28-2008; Ord. No. 14-9, § 1, 5-20-2014; Ord. No. 14-12, §§ 1—3, 6-17-2014; Ord. No. 15-5, § 3, 5-19-2015; Ord. No. 16-19, §§ 1—3, 6-21-2016; Ord. No. 17-12, § 2, 7-18-2017; Ord. No. 18-26, § 2, 9-18-2018)

Sec. 119.04.030. Special uses.

- (a) *Mobile home 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 natural resources standing committee and a conditional use permit has been granted. Mobile home parks shall meet the requirements stated below:

- a. Any person with two or more existing mobile homes on the premises shall submit a plan of the property to the county zoning department within three months of the effective date of the ordinance from which this chapter is derived, showing the location of all such mobile homes.
- b. Any mobile home development which meets the minimum requirements stated 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:
 1. No additional mobile homes shall be located on the premises.
 2. 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 119.04.060.
 3. Minimum lot size shall be five acres.
 4. Maximum number of mobile home sites shall be six per acre.
 5. Minimum dimensions of a mobile home site shall be 50 feet wide by 100 feet long.
 6. Minimum distance between mobile home trailers shall be 15 feet.
 7. Minimum distance between mobile home and service road shall be ten feet.
 8. All drives, parking areas, and walkways shall be surfaced with dust-free material. There shall be two parking spaces for each mobile home.
 9. 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.
 10. In addition to the highway setback requirements and setback requirement from the high water mark, there shall be a minimum setback of 40 feet from all other exterior lot lines.
 11. Mobile home parks shall comply with county sanitation regulations and the appropriate sanitary requirements of the Wisconsin Administrative Code. No mobile home site shall have an individual on-site soil absorption sewage disposal system.
 12. No mobile home site shall be rented for a period of less than 30 days.
- (b) *Trailer camps, campgrounds, and camping resorts.* The county natural resources standing committee shall approve all plans for trailer camps and campgrounds. Such facilities shall meet the following conditions:
 - (1) Each trailer or camp site shall be plainly marked and surfaced.
 - (2) Maximum number of trailer or camp sites shall be 15 per acre.
 - (3) The minimum size of a travel trailer park or campground shall be three acres.
 - (4) Minimum dimensions of a travel trailer or camp site shall be 25 feet wide by 40 feet long.
 - (5) Each travel trailer or camp site shall be separated from other travel trailer sites by a yard not less than 15 feet wide.
 - (6) There shall be 1½ automobile parking spaces for each trailer or camp site.

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- (7) In addition to the highway setback requirements and setback requirements from the high water mark, there shall be minimum setback of 40 feet from all other exterior lot lines.
 - (8) Campgrounds shall comply with the requirements of Wis. Admin. Code ch. ATCP 79 to the extent the chapter is applicable.
 - (9) No trailer or camping unit shall be located on one site for a period of more than 30 days or an extension thereof not to exceed 60 days. No trailer shall be stored in a trailer park, camping ground or camping resort.
- (c) *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 ten feet by 20 feet in size.
 - b. Residential uses shall be provided with at least one parking space for each dwelling unit.
 - c. Commercial and industrial uses as listed and permitted in the zoning districts, except as noted below, shall be provided, with one parking space for each 200 square feet of floor area. However:
 - 1. Restaurants, taverns, and similar establishments shall provide one space for each 150 square feet of floor area.
 - 2. Drive-in eating stands offering in-car service shall provide five spaces for each person employed to serve customers.
 - 3. Motel and tourist cabins shall provide one space for each unit.
 - 4. Industrial uses and warehouses shall provide one space for each two employees on the premises at maximum employment on the main shift.
 - 5. Service stations shall provide parking for all vehicles used directly in the conduct of the business, plus two spaces for each gas pump, plus three spaces for each grease rack.
 - d. 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 nonresidential 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 ten 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 to be blocked by such activities.
 - (5) *Landscaping.* The natural resources standing committee may require landscaping of open areas established in connection with off-street parking and service.
- (d) *Nonmetallic mining.* See chapter 111.
- (e) *Junkyards or salvage yards.*
- (1) No junkyards or salvage yards shall be permitted in the county except in conformance with a plan approved by the county natural resources standing committee.
 - (2) 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.

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- 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 at least 16.5 feet wide surrounding the junkyard or salvage yard.
- (f) *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 natural resources standing 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 the ordinance from which this chapter is derived for all signs which were erected before the date of enactment of the ordinance from which this chapter is derived. 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 chapter.
- (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 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 1½ square feet in gross area.
 - d. On-premises nameplates for residences, provided that no such nameplate shall exceed three 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 nonconforming structures 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.
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(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 square feet in gross area, shall be attached to the building and, if illuminated, shall be indirectly lighted. No more than one 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 square feet in gross area. When a common posting standard is provided, all such signs shall be attached to the standard. A conditional use permit from the county natural resources standing committee shall be required for any common posting standard. The natural resources standing committee may attach any conditions felt necessary to ensure 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 and the conservancy districts.*

- 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 percent of the wall space fronting the adjacent highway, and roof signs or roof extensions shall not exceed ten feet above the peak roofline. All roof signs shall be anchored to the frame of the building over which they are constructed.
- c. On-premises signs advertising a public or semi-public use shall be permitted. Such signs shall not exceed 32 square feet in gross area per side. Sign shall be at the business or site advertised location. Such sign may be placed at the right-of-way of the highway.
- d. Off-premises 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-premises sign shall not exceed 150 square feet in gross area.
- e. All other off-premises 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 premises and shall not extend above the roofline 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 premises, shall not extend above the roofline 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 ten 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 premises 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 the ordinance from which this chapter is derived may be continued although the use, size, or location does not conform with the provisions of this chapter.

(Ord. No. 84-3, § III, 6-19-1984; Ord. No. 97-26, § 28, 12-9-1997; Ord. No. 99-15, §§ 1, 2, 6-22-1999; Ord. No. 2003-16, § 3(a)—(c), 5-20-2003; Ord. No. 14-9, § 2, 5-20-2014)

Sec. 119.04.040. Administration.

- (a) *County natural resources standing committee.* The administration and enforcement of the provisions of this chapter shall be the responsibility of the county natural resources standing committee or its authorized representatives.

- (1) *Duties.* In administering and enforcing this chapter, the county natural resources standing committee shall:

- a. Provide necessary forms and applications for use permits.
- b. Issue zoning and sign permits where the provisions of this chapter have been complied with.
- c. Issue conditional use permits and certificates of compliance.
- d. Upon adoption of the ordinance from which this chapter is derived 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 county natural resources standing 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 of 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 this chapter.

- (b) *Zoning permits.*

- (1) *Required.* 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 county natural resources standing committee or its authorized representative. No permit shall be issued for a structure or a use not in conformity with the requirements of this chapter. Any structure started before this chapter 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 county natural resources standing 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 lots 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 serving the intended structure will pass over land not owned by the applicant.

f. Approval from the township with jurisdiction

(c) Conditional use permits.

- (1) *Approval required.* Any use listed as a conditional use in this chapter shall be permitted only upon application to the county natural resources standing committee or its authorized representative and issuance of a conditional use permit by the natural resources standing committee. However, in the case of the proposed alteration of an existing building listed as a conditional use where there are not additional rental units involved, it shall only be necessary to obtain a regular zoning permit. A conditional use zoning permit shall be required for any new nonconforming structure to be constructed or moved onto 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 natural resources standing committee. The application shall be accompanied by the appropriate data and any information necessary to properly evaluate the request.

(3) Township approval. Approval of township with jurisdiction is required.

~~(3)~~ (4) *Public hearing.* Before passing upon an application for a conditional use permit the county natural resources standing committee shall hold a public hearing. Notice of such public hearing shall be given in the manner specified in section 119.04.080. 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 office of the division of environmental protection. The natural resources standing 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 grounds for refusing a conditional use permit shall be stated in writing.

~~(4)~~ (5) *Basis of approval.* In passing upon a conditional use permit, the county natural resources standing 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. Locational factors under which:

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1. Domestic uses shall be generally preferred;
 2. Uses not inherently a source of pollution with an area shall be preferred overuses that are or may be a pollution source;
 3. Use locations within an area tending to minimize the possibility of pollution shall be preferred overuse locations tending to increase the possibility.
- j. In addition, where required, the natural resources standing committee may require, as a condition, that a permit be first obtained from the division of environmental protection.
- k. 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 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.

~~(5)~~ (6) *Conditions attached to conditional use permit.*

- a. Upon consideration of the factors listed above, the county natural resources standing committee may attach such conditions, in addition to those required elsewhere in this chapter, that it deems necessary in furthering the purpose of this chapter. 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 chapter.

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- b. In order to secure information upon which to base its determination, the natural resources standing committee may require the applicant to furnish, in addition to the customary information required for a zoning permit, the following information. Failure on the part of the applicant to do so may result in denial of the permit.
1. A plan of the area showing contours, soil types, high water mark, groundwater conditions, bedrock, slope and vegetative cover.
 2. Location of buildings, parking areas, traffic access, driveways, walkways, piers, open spaces, and landscaping.
 3. Plans of buildings, sewage disposal facilities, water supply systems, and arrangements of operations.
 4. Specifications for areas of proposed filling and grading.
 5. Other pertinent information necessary to determine if the proposed use meets the requirements of this chapter.

~~(6)~~ (7) *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)~~ (8) *Termination.* When 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 natural resources standing committee.

~~(8)~~ (9) *General considerations.* The determination of the county natural resources standing 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 chapter. The natural resources standing committee may attach such conditions as it deems necessary for furthering the purposes of this chapter. 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 subsection (c)(4) of this section.

(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 natural resources standing 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 chapter.
 - 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 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 chapter and any other applicable regulations.
- (2) The county natural resources standing committee may issue a temporary certificate of compliance for part of a building, pursuant to rules and regulations established therefor by the county board of supervisors.
- (3) Upon written request from the owner, the county natural resources standing committee shall issue a certificate of compliance for any building or premises existing at the time of the adoption of the ordinance from which this chapter is derived, 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 chapter.

(e) *Fees.*

- (1) No permit is required for maintenance, including reroofing, residing, window replacement, painting, new furnace, plumbing update, electrical update and wallpapering. Fees shall be paid to the zoning administrator at the time the application is filed in the amounts provided on the county fee schedule.
- (2) The zoning administrator shall charge an amount as provided in the county fee schedule for each copy of the zoning regulations. The natural resources standing committee shall determine the price to be charged to the public for copies of any zoning ordinance pamphlet.

(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 chapter.

(g) *Violations.* Any building or structure hereinafter erected, moved or structurally altered or any use hereinafter established in violation of the provisions of this chapter by any person, firm, association, corporation (including building contractors) or agent shall be deemed an unlawful structure or use. The zoning administrator and designee may issue citations in accordance with the county citation procedure for violations of this chapter. The county natural resources standing committee or its authorized agent may sign a complaint and report the violation to the corporation counsel or 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 in the amount specified in the county penalty schedule together with taxable costs in such action, and every day of violation shall constitute a separate offense. In addition, compliance with this chapter may also be enforced by injunction order at the suit of the county or the owner of real estate within the district affected by such regulation.

(Ord. No. 84-3, § IV, 6-19-1984; Ord. No. 1987-5, 9-22-1987; Ord. No. 94-11, §§ 1, 2, 10-25-1994; Ord. No. 97-26, §§ 29—32, 12-9-1997; Ord. No. 98-9, § 2, 3-24-1998; Ord. No. 98-29, § 1, 12-8-1998; Ord. No. 2002-21, 6-18-2002; Ord. No. 2002-26, §§ 2—7, 7-16-2002; Ord. No. 2003-4, § 2, 1-21-2003; Ord. No. 2003-16, § 4, 5-20-2003; Ord. No. 2004-5, § 1, 1-20-2004; Ord. No. 2004-36, § 1, 12-14-2004; Ord. No. 2005-8, § 2, 3-15-2005; Ord. No. 2005-28, §§ 1—13, 10-25-2005; Ord. No. 08-31, §§ 2—8, 12-10-2008; Ord. No. 11-5, § 1, 1-18-2011; Ord. No. 12-24, 12-11-2012; Ord. No. 17-24, § 1, 10-31-2017; Ord. No. 19-20, § 1, 9-17-2019; Ord. No. 21-13, § 1, 5-18-2021)

Sec. 119.04.050. Nonconforming uses and structures.

Provisions of this chapter 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 the ordinance from which this chapter is derived may be continued although the use does not conform with the provisions of this chapter. 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 chapter.
 - (2) Total lifetime structural repairs or alterations shall not exceed 50 percent of the equalized assessed valuation of the structure at the time of it becoming a nonconforming use unless it is permanently changed to conform to the use provisions of this chapter.
 - (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.

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- (b) *Abolishment or replacement.* If such nonconforming use is discontinued or terminated for a period of 12 months, any future use of the structure, land or water shall conform to the provisions of this chapter. When a nonconforming use or structure is damaged by fire, explosion, flood, the public enemy, or other calamity, to the extent of more than 50 percent of its current equalized assessed valuation, it shall not be restored except so as to comply with the use provisions of this chapter. A current file of all nonconforming uses shall be maintained by the county natural resources standing 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 the ordinance from which this chapter is derived 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 chapter; however, total lifetime structural repairs, alterations, or additional shall not exceed 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 chapter. All such additions shall meet the setback provisions of this chapter.
 - (d) *Changes and substitutions.* Once a nonconforming use or structure has been changed to conform, it shall not revert back to a nonconforming use or structure. Once the board of adjustment has permitted the substitution of a more restrictive nonconforming use for an existing nonconforming use, the substituted use shall lose its status as a legal nonconforming use and become subject to all the conditions required by the board of adjustment.

(Ord. No. 84-3, § V, 6-19-1984)

Sec. 119.04.060. Board of adjustment.

- (a) *Generally.*
 - (1) The board of adjustment shall:
 - a. Hear and decide appeals where it is alleged there is error in any order, requirements, decision or determination made by an administrative official in the enforcement or administration of this chapter.
 - b. Hear and decide applications for special exception permits pursuant to section 115.04.150.
 - c. Grant a variance from the standards of this chapter pursuant to section 115.04.140.
 - (2) In granting a variance, the board may not impose conditions which are more restrictive than any of the specific standards in this chapter. When this chapter is silent as to the extent of restriction, the board may impose any reasonable permit conditions to affect the purpose of this chapter.
- (b) *Appeals to the board.* Appeals to the board of adjustment may be made by any person or entity aggrieved or affected by any decision of the zoning administrator or other administrative officer. Such appeal shall be made within 30 days, as provided by the rules of the board, by filing with the officer whose decision is in question, and with the board of adjustment, a notice of appeal specifying the reasons for the appeal. The zoning administrator or other officer whose decision is in question shall promptly transmit to the board all the papers constituting the record concerning the matter appealed.
- (c) *Hearings procedure.* The following shall apply to hearings before the board:
 - (1) The board of adjustment shall fix a reasonable time for a hearing on the appeal or application. The board shall give public notice thereof by publishing a Class 2 notice under Wis. Stats. ch. 985 specifying the date, time and place of the hearing and the matters to come before the board. Notice shall be mailed to the parties in interest. Written notice shall be given to the appropriate office of the

department at least ten days prior to hearings on proposed shoreland variances, special exceptions (conditional uses), and appeals for map or text interpretations.

- (2) A decision regarding the appeal or application shall be made as soon as practical. Copies of all decisions on shoreland variances, special exceptions (conditional uses), and appeals for map or text interpretations shall be submitted to the appropriate office of the department within ten days after they are granted or denied.
- (3) The final disposition of an appeal or application to the board of adjustment shall be in the form of a written resolution or order signed by the chairperson and secretary of the board. Such resolution shall state the specific facts which are the basis of the board's determination and shall either affirm, reverse, vary or modify the order, requirement, decision or determination appealed, in whole or in part, dismiss the appeal for lack of jurisdiction or prosecution or grant the application.
- (4) At the public hearing, any party may appear in person or by agent or by attorney.
 - a. Composition. There shall be a board of adjustment consisting of five members to be appointed by the chairperson 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 one, two, and three 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 chairperson. 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 chairperson, 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 natural resources standing 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 the county, person or entity 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 natural resources standing committee and with the board of adjustment a notice of

appeal specifying the grounds thereof. The county natural resources standing 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 natural resources standing committee shall certify 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 natural resources standing 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.

d. Powers and duties.

1. To hear and decide appeals. When it is alleged that there is error in any order, requirement, decision, or determination made by the county natural resources standing committee, the board of adjustment shall hear appeals and render decisions therefrom.
2. Variances. When there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of this chapter, the board of adjustment shall have the power, in passing upon appeals, to authorize such variance from the terms of this chapter as will not be contrary to the public interest and so that the purpose of this chapter 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 this chapter upon which such board is required to pass under the terms of this chapter.

(Ord. No. 84-3, § VI, 6-19-1984; Ord. No. 2004-15, § 1, 5-18-2004)

Sec. 119.04.070. Amendments.

- (a) *Procedure.* The county board of supervisors may amend this chapter in accordance with the procedures described in Wis. Stats. § 59.69.
- (b) *Fee.* Any petition for amendment submitted by other than a governmental body shall be accompanied by a fee to be determined by the county board of supervisors which will be used to defray the cost of advertising, investigation, and processing.

(Ord. No. 84-3, § VII, 6-19-1984; Ord. No. 92-1, § 2, 3-17-1992; Ord. No. 94-11, § 3, 10-25-1994)

Sec. 119.04.080. Public hearings.

Notice of any public hearing which the board of adjustment or county natural resources standing committee is required to hold under the terms of this chapter 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 Wis. Stats. § 59.694. 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 ten 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.

(Ord. No. 84-3, § VIII, 6-19-1984)

Sec. 119.04.090. Definitions.

Except where specifically defined herein, all words used in this chapter shall carry their customary meanings. Words used in present tense include the future, and the plural includes the singular; the word "shall" is intended to be mandatory. The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Adult family home means 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 three or four adults, or more adults if all of the adults are siblings, each of whom has a developmental disability, as defined in Wis. Stats. § 51.05(5).

Agricultural structure means any structure which is devoted primarily to agricultural use.

Agriculture-related uses means an agricultural equipment dealership, facility providing agricultural supplies, facility for storing or processing agricultural products or facility for processing agricultural wastes.

Animal unit means one cow, steer, bull, horse, mule or donkey over six months of age, or two of any of these animals under six months of age, two miniatures or ponies, four hogs, ten sheep, ten 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.

Bed and breakfast establishment means any place of lodging that provides four 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.

Blasting means 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.

Boardinghouse means a building or premises 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.

Boathouse means any structure used for protecting or storing of boats used for noncommercial purposes in conjunction with a residence.

Building area of a lot means that part of the lot bounded by the required building setback, side, and rear yard line.

Building, accessory, means any building except the principal building on a lot. In the case of a house and detached garage on a lot, the accessory building is the garage.

Buildings means any structure used, designed, or intended for the protection, shelter, or roofed enclosure of persons, animals, or property.

Camper means a sleeping unit such as a recreational vehicle or part thereof, which is used to house persons 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 36 feet long, including the hitch and eight feet or less in width.

Campgrounds and camping resorts mean 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.

Community-based residential facility means a place where five 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, as defined in Wis. Stats. § 50.01(1g).

Conditional use means a use allowed under a conditional use permit.

Construction aggregate means 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, decorative 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.

County natural resources standing committee means the county natural resources standing committee as authorized by Wis. Stats. § 59.69. An authorized representative of the natural resources standing committee (such hiring to be approved by the executive and finance standing committee and the county board) for the purpose of carrying out the terms of this chapter.

Crushing means the act of breaking down, squeezing, pressing and pounding an object or material so that the action destroys or deforms the object into a usable or desired form.

Drying means the action to remove moisture from the intended marketable material.

Dwelling means a structure, which is used or intended to be used as a home, residence or sleeping place by one person or by two or more persons maintaining a common household, to the exclusion of all others.

Dwelling, multifamily, means a dwelling containing separate living units for two or more families and is a minimum of 24 feet in width. The term "dwelling, multifamily," includes manufactured homes but excludes mobile homes. The structure and the land on which it is placed must be owned in common.

Dwelling, single-family, means a residential structure which is designed to house a single family and is a minimum of 24 feet in width. The term "dwelling, single-family," includes manufactured homes but excludes mobile homes. The structure and the land on which it is placed must be owned in common.

Extraction means obtaining the raw material from the permitted site following the permitted conditions. The term "extraction" also includes the acts of blasting, stripping, hauling, and mine construction.

***Extraterritorial District* means a zone outside of a city's boundaries where the city may have some regulatory authority.**

Family means persons who live together in one dwelling unit as a single housekeeping unit.

Family farm business means 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 two persons who are not members of the resident farm family may be employed in the farm family business.

Farm means all land under common ownership that is primarily devoted to agricultural use.

Farm acreage means the size of a farm in acres. The term "farm acreage" does not include non-farm residential acreage.

Farm residence means:

- (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 the gross income from the farm.
- (b) A migrant labor camp that is certified under Wis. Stats. § 103.92.

Floor area means 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.

Garage, private, means a structure primarily intended for the enclosed storage or shelter of the private motor vehicles and the families resident upon the premises. Carports are considered garages.

Garage, public or commercial, means any garage other than a private garage.

Grade, established, means 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.

Greenhouse means a structure for production or sale of plants.

Group home community-based residential facility means a place where five 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.

Hauling means 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.

Historical site means a building:

- (a) Listed on or nominated by the state historical society for listing on the National Register for Historical Places in Wisconsin;
- (b) 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;
- (c) Listed on a certified municipal register of historic property; or
- (d) 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.

Holiday means legal holidays recognized by the state on which no work is performed by employees of the state. These shall include New Year's 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.

Household occupations means a gainful occupation conducted by a member of the family within the place of residence, where the space used is incidental to residential use, where the floor area does not exceed 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 babysitting, 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.

Industrial sand means 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.

Institutional recreational camp means an area containing one or more permanent buildings used periodically for the accommodation of members of associations or groups for recreational purposes.

Junkyard or salvage yard means 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.

Kennel means premises where dogs, cats or other household pets, for remuneration, are maintained, boarded, bred or cared for or kept for the purpose of sale.

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.

Livestock means bovine animals, equine animals, cattle, swine, sheep, goats, poultry, and farm raised game birds.

Lot means 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 public right-of-way.

Major recreational equipment means 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.

Manufactured dwelling.

- (a) The term "manufactured dwelling" means any structure or component thereof which is intended for use as a dwelling; and
 - (1) Is of closed construction and fabricated or assembled on-site or off-site in manufacturing facilities for installation, connection or assembly and installation at the building site; or
 - (2) 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.
- (b) The term "manufactured dwelling" does not include a building of open construction which is not subject to subsection (a)(2) of this definition. All manufactured dwellings shall meet the requirements of applicable state administrative regulations.

Manufactured home means a structure transportable in one or more sections, which in the traveling mode, is eight 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 agricultural and forestry district or 960 square feet or more of floor space in the Agricultural and Residential (A-F), Single-Family Residential (R-1) 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. The

term "manufactured home" includes all structures which meet the above requirements, and which the manufacturer voluntarily files a certification pursuant to 24 CFR 3282.13 and complies with the standards set forth in 24 CFR 3280. The term "manufactured home" 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.

Mine construction means 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.

Migrant labor camp means the site and all structures maintained as living quarters by, for or under the control and supervision of any person for:

- (a) A migrant worker; or
- (b) Any other person who is not related by blood or marriage to said 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.

Mobile home means 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.

Mobile home park means any plot 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 a part of the equipment thereof, whether or not a charge is made for the use of the mobile home park and its facilities.

Nonconforming uses or structures means any structure, land, or water lawfully used, occupied, or erected at the time of the effective date of the ordinance from which this chapter is derived or amendments thereto which does not conform to the regulations of this chapter 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.

Nonfarm residence means a single-family or multifamily residence other than a farm residence.

Nonfarm residential acreage means the total number of acres of all parcels on which nonfarm residences are located. If a nonfarm residence is located on one, two, or more adjoining parcels owned by the same person, the adjoining parcels are also considered nonfarm residential acreage unless clearly devoted to nonresidential use other than open space use.

Nonmetallic mineral-mining or nonmetallic mining means all or any part of the process involved in the mining of nonmetallic minerals, including, but not limited to, the commercial extraction, agglomeration, beneficiation, removal of overburden and the production of refuse. The term "nonmetallic mineral-mining" or "nonmetallic mining" does not mean exploration, or prospecting, or mining of nonmetallic minerals for a property-owner's sole use on the property-owner's property.

Normal high water mark means a line of reference commonly identified as being where the land is coterminous to the normal high water elevation. For the purposes of this chapter, the normal high water mark is defined as the line where the natural vegetation changes from predominantly aquatic to predominately terrestrial.

Parcel means an area of land with particular ownership.

Prime farmland means 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.

Prior nonconforming use means a land use that does not conform with the county zoning regulations but that existed lawfully before the farmland preservation zoning ordinance was enacted.

Processing means 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 loadout. The term "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.

Professional home offices means residences of medical doctors, dentists, veterinarians, clergymen, architects, landscape architects, professional engineers, registered land surveyors, lawyers, artists, teachers, authors, and musicians used to conduct their professions.

Protected farmland means 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.

Recreation camp means an area containing one or more permanent buildings used periodically for the accommodation of members of associations or groups for recreational purposes.

Recreational residential rental means the use of land or a building, in whole or in part, for the temporary accommodation of visitors, but does not include the accommodation of visitors without receipt of payment or other consideration, where the accommodation is incidental to and normally associated with the permitted residential use of a dwelling unit.

Resort means a recreational development consisting of at least five 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 119.04.020(c). A resort does not include a tavern or a gift shop.

Roadside stand means 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 the farm.

Screening means sorting or sizing of material into a marketable product size.

Setbacks from a highway means the minimum horizontal distance from the centerline of a highway or its right-of-way (line) to the nearest part of a structure, measured at right angles to the centerline or right-of-way line.

Shed means a structure used for shelter or storage. A shed shall not be used as a dwelling.

Sign means 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 work, model, banner, flag, pennant, insignia, device, or representation used as or which is in the nature of an announcement, direction, or advertisement.

Single-family dwelling means 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 three to 12 pitch, placed on a basement and has a minimum of an eight-inch eave attached to at least 50 percent of the perimeter of the structure. The term "single-family dwelling" includes manufactured homes but excludes mobile homes. This structure and the land on which it is placed must be owned in common.

Solar farm means producing energy that will primarily go back to the grid.

Solar, residential private, means producing energy that primarily does not go back to the grid.

Story means 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.

Stripping means to take away or remove soil, rock, or other overburden materials from nonmetallic minerals and use that material in the reclamation process, where applicable.

Structural alterations means 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.

Structure means anything constructed or erected, the use of which requires a more or less permanent location on or in the ground.

Structure, existing, means a structure which has been completed, or for which a zoning permit has been obtained or on which construction has actually begun.

Structure, permanent, means 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 nine months.

Structure, principal, means the building or structure containing the primary use of a property.

Sustained yield forestry means management of forested lands to provide annual or periodic crops of forest products.

Tourist home means 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.

Trailer means 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.

Trailer camp means 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.

Use, accessory, means a use customarily incidental to the principal use and on the same lot as the principal use.

Use, principal, means the primary use of a property or structures.

Washing means the action that involves water or some other liquid for the purpose of cleansing by removing impurities or undesirables from the intended product.

Wind energy system means a system whereby the wind is utilized to generate electricity.

Zoning administrator means the public official charged with the administration, enforcement and interpretation of the county zoning regulations who shall carry out the directions of the county natural resources standing committee.

(Ord. No. 84-3, § IX, 6-19-1984; Ord. No. 1990-2, §§ 3, 4, 2-20-1990; Ord. No. 95-19, § 3(a)—(h), 12-12-1995; Ord. No. 96-15, § 3, 8-20-1996; Ord. No. 97-1, §§ 2—5, 4-15-1997; Ord. No. 97-8, § 2, 6-17-1997; Ord. No. 97-17, §§ 9—12, 9-23-1997; Ord. No. 97-26, §§ 30—42, 12-9-1997; Ord. No. 99-32, § 1, 9-21-1999; Ord. No. 2001-11, §§ 1, 2, 5-29-2001; Ord. No. 2003-16, § 5(a)—(i), 5-20-2003; Ord. No. 2005-5, §§ 20—26, 2-15-2005; Ord. No. 2005-7, §§ 4, 5, 3-15-2005; Ord. No. 08-24, § 4, 10-28-2008; Ord. No. 14-9, §§ 1—30, 5-20-2014; Ord. No. 18-26, § 3, 9-18-2018; Ord. No. 21-13, § 2, 5-18-2021; Ord. No. 21-37, § 2, 12-14-2021)

Richland County Committee

Agenda Item Cover

Agenda Item Name: Conservation Plan Amendment Proposal for perpetual CREP Easement

Department	Land and Zoning	Presented By:	Kori Rogers
Date of Meeting:	3/3/2025	Action Needed:	Approval of conservation plan amendment
Disclosure:		Authority:	DATCP
Date submitted:	2/17/2025	Referred by:	Natural Resources Committee
Action needed by no later than (date)		Resolution	

Recommendation and/or action language:

Background:

The Conservation Reserve Enhancement Program (CREP) is a joint effort between federal, state and county governments. Any amendments to CREP conservation plans must go before the Richland County Natural Resources Committee for approval before they can be approved by the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP).

Scott and Llean Rettler own land in the Town of Westford property in the Town of Westford with a perpetual CREP easement recorded on the title. In August 2024, it was found to be out of compliance with the terms of the easement (*LWR-281 Sec 3.C. & 3.L.1-2.*). To resolve these violations and restore conservation cover, the landowners would like to convert the practice from CP21-Filter Strip to CP22-Riparian Forest Buffer. This conversion will prevent any further crop encroachment and will enhance the Rettler's recreational use of their property for years to come. The cost of establishing the new conservation practice is the responsibility of the landowner.

Attachments and References: Proposed Conservation Plan and Plan Map

Financial Review:

(please check one)

<input type="checkbox"/>	In adopted budget	Fund Number	
<input type="checkbox"/>	Apportionment needed	Requested Fund Number	
<input type="checkbox"/>	Other funding Source		
<input checked="" type="checkbox"/>	No financial impact		

Cathy Cooper

Department Head

Administrator



181 West Seminary St.
Richland Center, WI 53581
Telephone 608-647-2100

Conservation Plan

SCOTT A. AND LEEAN A. RETTLER
6021 COUNTY ROAD K
HARTFORD WI 53027

Effective Date-

Objective: Resolve the compliance violations found on Conservation Reserve Enhancement Program (CREP) perpetual conservation easement #1563-1 by converting the defined conservation practice from CP21-Grass Filter Strip to CP22- Riparian Forest Buffer.

Tract 13456

Cropland

Fields # 3, 4 (7.40 acres)

Conservation Practice CP22: Riparian Forest Buffer

Re-establish CREP Easement areas A and B by establishing a riparian forest buffer where shown on the conservation plan map according to NRCS standards and specifications, excepting any provisions defined by DATCP.

- Conversion must be completed within 12 months of the date of DATCP approval
- The conservation practice will be established and maintained according to the following documents:
 - a) 391 -Riparian Forest Buffer Implementation Requirements
 - b) 490 – Tree/Shrub Site Preparation Implementation Requirements
 - c) Wisconsin Job Sheet 143 – Tree Planting
 - d) Wisconsin Job Sheet 391 – CP22-Forest Riparian Buffer-CRP/CREP
 - e) 393 – Filter Strip Implementation Requirements
 - f) Wisconsin Job Sheet 134 – How to Establish and Maintain Introduced Grasses and Legumes
 - g) Wisconsin Job Sheet 397 – Conservation Cover Maintenance (CRP)
- Control noxious weeds and/or woody invasive vegetation by spot mowing or spot spraying with an herbicide as ongoing maintenance. Contact Richland County Land Conservation Department prior to application of herbicides on the site.
- After 15 years, consider a thinning of the established tree stand with the approval of Richland County Land Conservation and DATCP.



COUNTY
Richland
Land Conservation

181 West Seminary St.
Richland Center, WI 53581
Telephone 608-647-2100

Structure Removal

- Shipping container will be removed from the defined CREP easement Area shown on the conservation plan map
- Placement of deer stands or blinds of any kind in the CREP easement area should be temporary

Certification of Participant(s)

Scott Rettler

Date

Leean Rettler

Date

County Conservationist

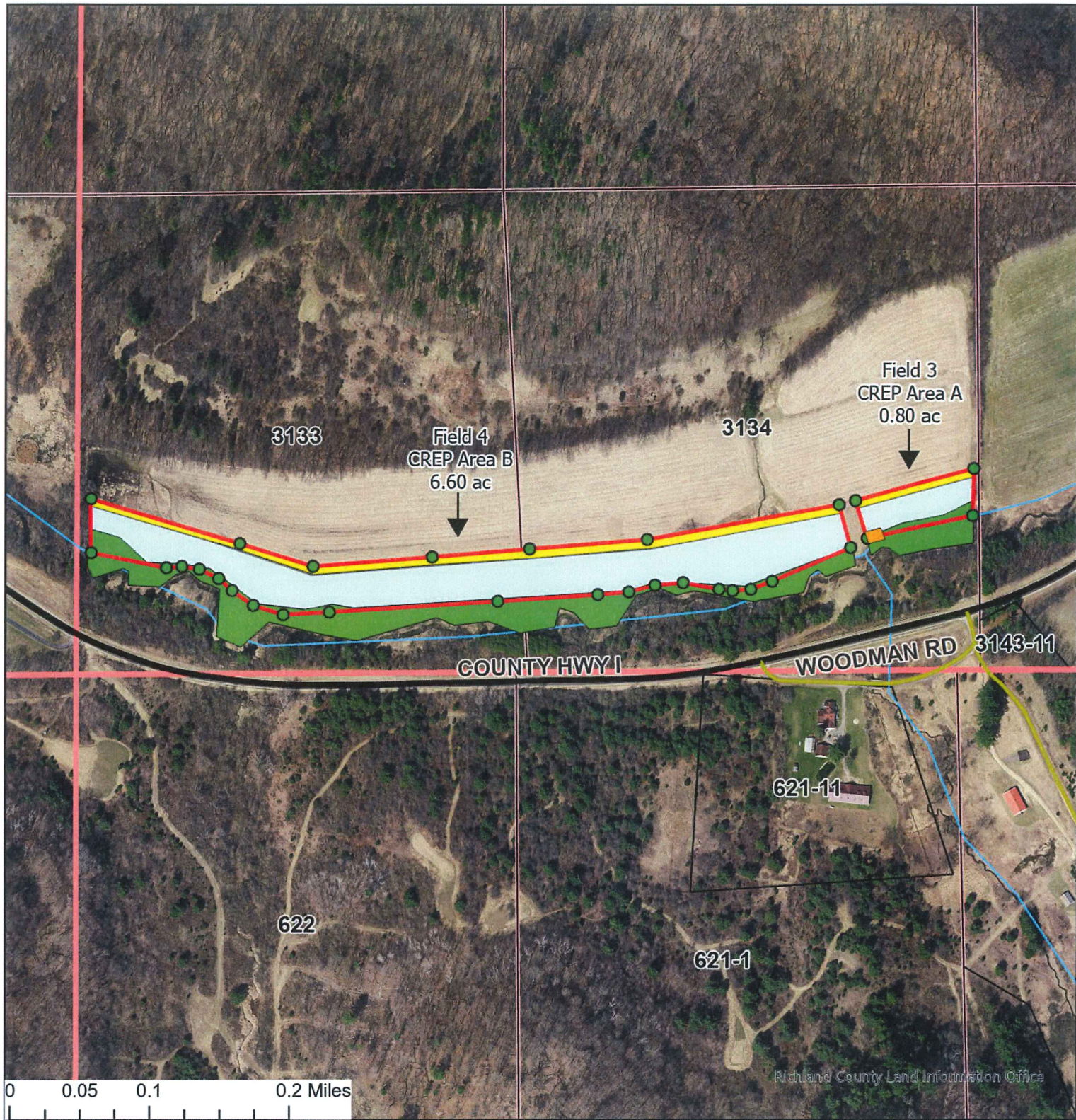
Cathy Cooper

Date

CREP PLAN MAP

SCOTT & LEEAN RETTLER

Print Date: 11/26/2024



Richland COUNTY
Discover it here!



- CREP Easement Areas
- CREP Easement Points
- Zone 1
- Zone 2
- Zone 3
- Structure To Be Removed

- Streams
- Sections
- Section Quarter Quarters
- Parcel Lines

TRACT 13456
SEC. 31 T12N R2E
TOWN OF WESTFORD
RICHLAND COUNTY, WI

Richland County Committee

Agenda Item Cover

Agenda Item Name: Approve 2025 Farmland Preservation Plan Grant Application

Department	Land and Zoning	Presented By:	
Date of Meeting:	03/03/2025	Action Needed:	Approve 2025 Farmland Preservation Grant application
Disclosure:		Authority:	County Board Procurement Policy
Date submitted:	02/24/2025	Referred by:	Natural Resources Committee
Action needed by no later than (date)		Resolution	

Recommendation and/or action language:

Background:

Richland County is required to update the county's Farmland Preservation plan by December 31, 2026. The Wisconsin Department of Ag, Trade, and Consumer Protection has grants available to write the plans. There is a 50% match required. The Zoning Department is looking at contracting with SWWRPC to write the plan. The estimate from SWWRPC to write the plan is \$20,000 with half of it coming from the grant and half would have to be budgeted for in the 2026 budget. We are also asking another \$2500 for the grant for staff costs and printing and mailings. The match will come out of existing budgeted staff and printing and mailings. The total of the grant request is \$12,500.

Attachments and References:

Financial Review:

(please check one)

<input type="checkbox"/>	In adopted budget	Fund Number	
<input checked="" type="checkbox"/>	Apportionment needed	Requested Fund Number	\$10000 in 2026 Zoning Budget
<input type="checkbox"/>	Other funding Source		
<input type="checkbox"/>	No financial impact		

_____*Cathy Cooper*_____

Department Head

Administrator



Wisconsin Department of Agriculture, Trade and Consumer Protection
Division of Agricultural Resource Management
 PO Box 8911, Madison, WI 53708-8911
 Phone: (608) 224-4621

Farmland Preservation Planning Grant Application

Wis. Stats. s. 91.10(6)

Contact Information

PRIMARY CONTACT Cathy Cooper	PRIMARY CONTACT PHONE NO. 608-647-2447
PRIMARY CONTACT EMAIL ADDRESS cathy.cooper@co.richland.wi.us	MAILING ADDRESS PRIMARY CONTACT 181 W Seminary St, Richland Center, WI 53581

Grant Information

AMOUNT OF GRANT REQUEST \$ 12500.00
MAILING ADDRESS FOR REIMBURSEMENT 181 W Seminary St, Richland Center, WI 53581

Farmland Preservation Plan Certification

DO THE REQUESTED FUNDS RELATE TO A FULL PLAN CERTIFICATION OR A PLAN UPDATE? (CHECK ALL THAT APPLY) <input checked="" type="checkbox"/> FULL PLAN CERTIFICATION <input type="checkbox"/> MAP UPDATE <input type="checkbox"/> TEXT UPDATE	
EXISTING PLAN CERTIFICATION EXPIRATION DATE (IF APPLICABLE) 12/31/2026	
WILL THE COUNTY REQUEST CERTIFICATION EXTENSION UNDER s. 91.14(4), Wis. Stats.? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	IF SO, FOR HOW LONG? <input type="checkbox"/> 1 YEAR <input type="checkbox"/> 2 YEARS
ANTICIPATED DATE OF PLAN COMPLETION AND SUBMISSION FOR CERTIFICATION December 31, 2026	
IF THE REQUESTED GRANT FUNDS ARE FOR A PLAN UPDATE, WILL THE UPDATE ALLOW FOR CERTIFICATION OF A ZONING DISTRICT OR DESIGNATION OF AN AEA? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF KNOWN, PLEASE IDENTIFY (NAME OF ZONING JURISDICTION OR AEA):	
A. Summarize county work plan for updating and adopting a farmland preservation plan (include relevant planning steps and projected dates, consistent with 66.1001(4), Wis. Stats.):	
Richland County with Southwest Wisconsin Regional Planning Commission to develop the County Farmland Preservation Plan. 1. Review the existing to determine which elements of the plan are relevant. SWWRPC staff will work with LCD and DATCP- January/February 2026 Update Data, charts and Text update from previous plans (SWWRPC)- March 2026 Inventory & GIS Mapping (SWWRPC). Such as population trends, municipal expansion trends, economic growth, housing, environmental preservation, agricultural resources & infrastructure, conversion of agriculture to other uses and land use, proposed land use and zoning maps.- April/May 2026 Analysis- May/June 2026 Settling goals, policies and actions- June/July 2026 Farmland Preservation Map- July 2026 Develop Draft and Land Conservation Staff Review- August/September 2026 Public Comment Period- September/October 2026 Public Hearing- October/November 2026 Recommended for Adoption by Natural Resources Committee- October/November Adoption by County Board- November/December 2026 DATCP Certification- December 2026	

B. List a description of the total anticipated farmland preservation planning costs divided into the three following categories: 1) County Employees 2) Independent contractors, including the professional services of a planning consultant 3) Support costs related to plan development (see eligible support costs listed below). Please be as accurate as possible- this list will be included as Appendix B in your planning grant contract. You may provide this information in a separate document.

1. County employees \$2,500 - Staff time spent on gathering data, reviewing the plan, participating in public planning sessions and public hearing
2. Southwest Wisconsin Regional Planning Commission- \$20,000
3. Support costs- \$2,500- photocopying educational materials & survey material; postage and envelopes for mailings, publicizing meetings and public hearing

Eligible support costs include the following: a) Computerized planning data, planning software and hardware; b) Development, purchase and documentation of data, maps and computerized information used within the plan or plan update; c) Costs related to conducting public planning sessions, meetings and hearings, including room rentals; d) Public participation and outreach activities including educational materials, citizen surveys, internet activities and newsletters; e) Photocopying, printing and postage; f) Mileage expenses for county employees performing work on the grant activities billed at the state rate; g) Professional training for county employees related to land use planning and the Farmland Preservation Program; h) Other expenses incurred in the development and preparation of a plan that are not defined as ineligible.

C. How does the proposed farmland preservation planning effort relate to county comprehensive planning efforts (including relevant past and future efforts), if any? Briefly explain the timing and coordination of development of the any county comprehensive planning and farmland preservation planning.

Richland County just completed the County Comprehensive Plan. Southwest Regional Planning Commission wrote the plan with input from the county and the townships

I am authorized by _____ County, and by affixing my name and date below, I signify that I have reviewed the terms of the DATCP planning grant provided in the application and have submitted this application on behalf of the County for a DATCP planning grant.

NAME & TITLE

Cathy Cooper, Director Land Conservation and Zoning

DATE

Richland County Committee

Agenda Item Cover

Agenda Item Name: Discussion and possible action on 2026 Joint Grant Allocation Application

Department	Land and Zoning	Presented By:	
Date of Meeting:	03/03/2025	Action Needed:	Approval of grant application
Disclosure:		Authority:	County Procurement policy
Date submitted:	02/24/2025	Referred by:	Natural Resources Committee
Action needed by no later than (date)		Resolution	

Recommendation and/or action language:

Background:

Each year, the department applies for staffing and cost-share grant from the Dept of Ag, Trade and Consumer Protection and Department of Natural resources. There is a required match of the staffing costs. 0% of the first position, 30% of the second position and 50% of the third position. The match will be part of the 2026 budget requests. The total of the staffing grant request is up to \$134,680.00, bond cost-sharing (constructed practices) up to \$75,000.00 and SEG cost-share (management practices) up to \$20,000.00

Attachments and References:

Financial Review:

(please check one)

<input checked="" type="checkbox"/>	In adopted budget	Fund Number	
<input type="checkbox"/>	Apportionment needed	Requested Fund Number	
<input type="checkbox"/>	Other funding Source		
<input type="checkbox"/>	No financial impact		

Cathy Cooper

Department Head

Administrator



Wisconsin Department of Agriculture, Trade and Consumer Protection
Division of Agricultural Resource Management
P.O. Box 8911, Madison, WI 53708

DARM-BLWR-011.xlsm (rev. 01/23)

JOINT DATCP/DNR NONPOINT SOURCE GRANT APPLICATION FOR CALENDAR YEAR 2026

1. Read the request for proposal document before completing this application.
2. Complete all yellow-highlighted items in the combined application and Table 1.
3. Sign the completed application electronically
4. Submit the signed Excel spreadsheet to: datcpswrn@wisconsin.gov
5. April 15, 2025 is the deadline for submission of this grant application.

Richland	county, through its authorized representative, is applying for annual grant funds from the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) awarded under s. 92.14, Wis. Stats., and the Department of Natural Resources (DNR) awarded under ss. 281.65 and 281.66, Wis. Stats. By signing and dating a completed application, the authorized representative certifies that (i) the Land Conservation Committee (LCC) or other committee designated under s. 92.06(1), Wis. Stats., has authorized the representative to submit this application; (ii) the county has submitted an Annual Report and Annual Work Plan, and has complied with other grant requirements including ATCP s. 50.20, Wis. Admin. Code; and (iii) the information provided in this application (including Table 1) is true, complete and accurate to the best of his or her knowledge. (s. 92.14, Wis. Stats.) This is a mandatory form for applying for grant funds. Any personally identifiable information, as defined under s. 19.62(5), Wis. Stats., requested on this form may be used for purposes other than that for which it is originally being collected (s. 15.04(1)(m), Wis. Stats.). Confidentiality of this information will be maintained to the extent authorized by law.

SIGNATURE OF AUTHORIZED REPRESENTATIVE

LCC CHAIR OR OTHER TITLE

DATE

The authorized representative may sign this application electronically by typing his or her name in the space provided for a signature, and inserting the person's title and the date. An electronic signature has the same force and effect, pursuant to chapter 137 of the Wisconsin statutes, as a non-electronic signature.

NOTICE: This application does not represent a commitment by DATCP or DNR to provide funding for any grant category at any specific level. If grant funds are awarded, the county must agree to comply with any resulting terms including those specified in a grant contract.

SECTION I. STAFFING/PLANNING GRANTS			Amount Requested of DATCP	Amount Requested of DNR
1	Soil and Water Resource Management (SWRM) Tier 1 A. Base Funding \$75,000 is automatically entered.		\$ 75,000.00	
2	SWRM Tier 2 A. Funding for three positions Automatically enters amounts from Table 1, column F, for first three positions <div>Amount from Table 1, column F</div>			
	i. First (100%) position	\$63,253	\$ 63,253.00	
	ii. Second (70%) position	\$48,530	\$ 33,971.00	
	iii. Third (50%) position	\$47,842	\$ 23,921.00	
	B. Funding for subsequent positions Automatically enters amount from Table 1, column G			
	iv. Fourth & more (50%) positions	\$27,070	\$ 13,535.00	
	Urban NPS & Storm Water Management - Planning Projects			
3	(Complete separate application available on DNR website)			
TOTAL STAFFING REQUESTS ►			\$ 134,680.00	

SECTION II. COST-SHARING GRANTS			Amount Requested of DATCP	Amount Requested of DNR
1	Land and Water Resource Mgmt. (LWRM) Plan Implementation: Structural Funds		\$ 75,000.00	
2	LWRM Plan Implementation: SEG Funds		\$ 20,000.00	
	Nutrient Management Programming in County (enter "yes" if True)		3	
	We employ a staff agronomist			



Wisconsin Department of Agriculture, Trade and Consumer Protection
Division of Agricultural Resource Management
P.O. Box 8911, Madison, WI 53708

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3	We employ a nutrient management specialist			
	NM planning and implementation strategy are in our 2025	Yes		
	Workplan			
	We support NUE/MRTN projects in the county through grant	Yes		
	funds or education.			
	We have programming to support outreach and education	Yes		
	regarding NM planning, soil testing, plan renewal, soil health.			
	Other			
4	Targeted Runoff Management Projects (Complete separate application available on DNR website)			
5	Urban NPS & Storm Water Management - Construction Projects (Complete separate application on DNR website)			
TOTAL COST-SHARING REQUESTS ►			\$	95,000.00



SECTION III. FINANCIAL AND OTHER DATCP REPORTING REQUIREMENTS

1 Financial Report of County LCD Expenditures for 2024

A. Enter the total amount of all county LCD expenditures in 2024 from all funding sources. \$ 345,553.24

B. Enter the amount of expenditures in 2024 from all non-county sources. \$ 182,967.12

(Of the total expenditure listed in line 1A., enter the amount funded using non-county sources, which may include grants, shared revenue, and other funds from sources external to the county.

NOTE: Line 1B. plus line 1C. equals line 1A.)

C. Amount of county source funding expended in 2024 \$ 162,586.12

(County source funding may include county levies, fees, permits, tree sales, or other funds generated by the county. This amount is used to determine fulfillment of maintenance of effort requirements).

D. Enter the amount of salary and fringe benefits paid using county source funding. \$ 86,510.42

(NOTE: LINE 1D. CANNOT EXCEED LINE 1C.)

2 Funding for 2024 Staff (FTE,LTE,IC)

Enter the total number of 2024 staff funded by each of the following categories:

County	DATCP SWRM	All Other	*TOTAL 2024 Staff
1	1.9	0.1	3

*Total 2024 staff should be equal to the sum of FTE, LTE and IC staff listed in Table 1.

3 2025 Work Plan

Each county must submit a current work plan that describes activities planned for 2025.

Submissions must comply with the requirements identified by DATCP in separate communications.

Work plans should be emailed by no later than April 15, 2025 to DATCPSWRM@wisconsin.gov. Grant applications will not be processed if work plans are not submitted, are incomplete, or fail to meet DATCP requirements.

4 2024 Annual Report

Reminder : To be eligible for 2026 funding, counties must electronically complete a 2024 Annual Report, which DATCP is requesting that counties submit by March 15, 2025.

Richland County Committee

Agenda Item Cover

Agenda Item Name: Contract with Ayres Associates, Inc for Geospatial Services

Department	Land Information Council	Presented By:	Cathy Cooper
Date of Meeting:	03/03/2025	Action Needed:	Approve Contract
Disclosure:		Authority:	County Board Procurement
Date submitted:	02/24/2025	Referred by:	Natural Resources Committee
Action needed by no later than (date)		Resolution	

Recommendation and/or action language:

Background:

In 2021, a LiDAR (Light Detection and Ranging) project was under taken. LiDAR measures vertical distances on the earth. To make the LiDAR data more useful, Richland County is working with Ayres to enhance the data. These enhancements will allow many of the county departments to know what the topography of the site before they go out or before they start a project. Ayres has been vetted by the Wisconsin Regional Orthoimagery Consortium (WROC) to complete this work. This project will be paid from the 2024 and 2025 Land Records grants and the retained fees in Fund 48. No tax levy dollars will be used

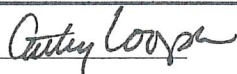
Attachments and References:

Financial Review:

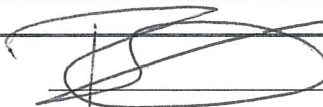
(please check one)

<input type="checkbox"/>	In adopted budget	Fund Number	
<input type="checkbox"/>	Apportionment needed	Requested Fund Number	
<input type="checkbox"/>	Other funding Source		
<input checked="" type="checkbox"/>	No financial impact		

Cathy Cooper



Department Head



Administrator

Richland County Committee

Agenda Item Cover

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Attachments and References:

Financial Review:

(please check one)

<input type="checkbox"/>	In adopted budget	Fund Number	
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<input type="checkbox"/>	Other funding Source		
<input checked="" type="checkbox"/>	No financial impact		

<u>Cathy Cooper</u> 	
Department Head	Administrator

AGREEMENT FOR PROFESSIONAL SERVICES

FOR

GEOSPATIAL SERVICES

THIS AGREEMENT is made by and between Richland County, Wisconsin, (OWNER) and Ayres Associates Inc, 5201 East Terrace Drive, Suite 200, Madison, Wisconsin, 53718 (CONSULTANT).

WHEREAS, the OWNER intends to retain the CONSULTANT to provide geospatial services within the project areas delineated in Attachment A.

NOW, THEREFORE, the OWNER and CONSULTANT agree to the performance of professional services by CONSULTANT and payment for those services by OWNER as set forth below:

ARTICLE 1 – SCOPE OF SERVICES

1.1 BASIC SERVICES

After written authorization to proceed, CONSULTANT shall:

- 1.1.1 Perform topographic mapping services and deliver enhancements and derivative datasets using the lidar base data collected by USGS (referred to as 'original data' in this agreement) in spring 2021.

CONSULTANT is not responsible for the vertical accuracy, point cloud classification accuracy, or completeness of the original data. CONSULTANT will not collect new lidar data or perform additional ground control to assess or improve accuracy of the original data. See Attachment A for a map of the project area. Services include:

- 1.1.1.1 Reference all lidar deliverables to Wisconsin County Reference System (WISCRS) – Richland County; North American Datum 1983 (2011); vertically geo-referenced to the North American Vertical Datum 1988 (Geoid 18), with vertical and horizontal units in US Survey Feet.
- 1.1.1.2 Compile hydro-flattened breaklines for ponded water that is one acre or greater and double lined streams with a minimum width of eight feet. The streams will break at road crossings (culvert locations). The hydrographic features will be flattened as per the criteria outlined in "National Geospatial Program Lidar Base Specification 2020 rev. A" (the road fills will not be removed from the DEM, streams will not break at bridges, and when the identification of a feature as a bridge or culvert cannot be made reliably, the feature will be regarded as a culvert). The hydro breaklines will be delivered in ESRI polylineZ feature class.
- 1.1.1.3 Prepare project-wide 1-foot contours from the original data and the breaklines.
 - a) Create contours from largest blocks of bare earth points that is achievable within the limitations of the lidar processing software.
 - b) Add index depression and intermediate depression contour types to the contour attributes.
 - c) Run topology tests for contour type and contour location across the entire contour dataset.

- 1.1.1.4 Add building and high vegetation classifications to the original data.
 - a) Use automated routines to classify vegetation points that exist 10 feet or greater above the ground. The high vegetation points will be placed in Class 5 of the classified point cloud.
 - b) Use automated routines to classify building points that exist 10 feet or greater above the ground. The building points will be placed in Class 6 of the classified point cloud.
- 1.1.1.5 Generate a bare earth Digital Elevation Model (DEM) from classified bare earth points (Class 2) and improved breaklines. Water bodies and streams will be hydro-flattened within the DEM. The cell size will be 2.0 feet. The delivery format will be tiles, 32-bit floating grid.
- 1.1.1.6 Generate a Digital Surface Model (DSM)
 - a) Use first return Lidar points to create a countywide DSM.
 - b) Delivery format will be tiles, 32-bit floating grid.
- 1.1.1.7 Generate bare-earth point datasets from calibrated point cloud.
 - a) Export bare earth points to .txt or .las file format.
- 1.1.1.8 Prepare Lidar intensity images using first return values within the original data. The intensity images will be delivered as 8-bit, 256 color gray scale, GeoTIFF format images.
- 1.1.1.9 Extract Culverts
 - a) Locate culverts throughout the project area using leaf-off orthoimagery and lidar.
 - b) Collect culvert locations and lowest point elevations using classified point cloud.
 - c) Create culvert breaklines that extend through each culvert.
 - d) Export shapefile with 3D polyline culvert features.
- 1.1.1.10 Generate hydro-enforced DEM
 - a) Use culvert breaklines with one-meter buffer to classify lidar points as breakline proximity.
 - b) Hydro-enforce the DEM using the culvert breaklines and re-classified points in proximity to the culvert.
 - c) Produce countywide DEM that represents cuts in the surface model where culverts exist.
- 1.1.1.11 Generate a closed depression dataset
 - a) Use automated hydrologic routines to model maximum capacity of low areas
 - b) Generate automated potential closed depression raster layer for areas greater than 0.1 acre
 - c) Minimal manual editing will be performed to depression layer
 - d) Generate polygon boundary for individual surface depressions
- 1.1.1.12 Generate flow accumulation and catchment datasets from lidar
 - a) Use automated hydrologic routines to model flow paths and catchments outside of hydrologic breaklines.
 - b) Generate automated accumulated flow paths with acreage attributes for contribution areas greater than 0.1 acres.

- c) Generate automated catchments based on watershed intervals of 6 acres, 20 acres, and 40 acres.
 - d) Perform minimal manual editing to flow accumulation and catchment layers.
- 1.1.1.13 Generate a percent slope raster
 - a) Use automated routines to model slope ranges
 - b) Classify ranges of 6%-12%, 12%-20%, and areas with greater than 20% slopes
 - c) Minimal manual editing will be performed to slope dataset
 - d) Deliver data in a raster format
- 1.1.1.14 Tile the lidar deliverable products to a tile index across the project area. A tile schematic will be delivered in geodatabase format.
- 1.1.1.15 Prepare lidar deliverable products to full extent of the project area.
- 1.1.1.16 Deliver the final products on external USB hard drive.
- 1.1.1.17 Lidar Project Deliverables include:
 - a) Hydro flattening breaklines, polylineZ, geodatabase format.
 - b) 1-ft contours, geodatabase format with single feature class.
 - c) Classified Point Cloud, LAS v1.4 format.
 - d) Bare Earth DEM, GeoTIFF format.
 - e) First return DSM, GeoTIFF format.
 - f) Bare earth point dataset, .txt or .las format.
 - g) Intensity Imagery, GeoTIFF format
 - h) Culvert dataset, .shp format
 - i) Hydro-enforced DEM, GeoTIFF format
 - j) Depression Mapping, .shp format
 - k) Flow Accumulation, .shp format
 - l) Percent Slope Raster, GeoTIFF format
- 1.1.2 Create a customized web application to optimize, host, and store Lidar and aerial imagery derived layers in ArcGIS Online®. CONSULTANT will provide OWNER with a web link to the application, referred to as Ayres Lidar Online. The application will run in current versions of common web browsers.
 - 1.1.2.1 Optimize spring 2020 aerial imagery and spring 2021 lidar datasets into formats compatible in ArcGIS Online. CONSULTANT will create the following layers from existing Lidar and imagery:
 - a) Slope shade bare earth surface model
 - b) Hillshade bare earth surface model
 - c) Colorized high vegetation point cloud
 - 1.1.2.2 Store and host data layers and the web application using the CONSULTANT's ArcGIS Online account. CONSULTANT is not responsible for changes to current ArcGIS Online functionality or tools.
 - 1.1.2.3 Create and host the following layers in the web application:
 - a) Slope shade bare earth layer
 - b) Hillshade bare earth layer
 - c) Elevation surface layer from lidar DEM

- d) Ground lidar point cloud layer
- e) High vegetation lidar point cloud colorized with spring 2020 imagery
- f) Building lidar point cloud layer (includes bridge decks)
- g) 1-foot topographic contour layer
- h) Culvert lines
- i) Spring 2020 orthoimagery layer
- j) Tax parcels (provided by OWNER)
- k) Hydro-breaklines
- l) Depression layer
- m) Flow accumulation layer
- n) Catchment layer
- o) Percent slope layer

1.1.2.4 The following additional publicly available layers will be included in the web application:

- a) Base map streets layer
- b) County boundaries
- c) Municipal boundaries

1.1.3 Provide on-site lidar training services after delivery of project data.

1.1.3.1 Send staff to OWNER's office location for one day of training.

1.1.3.2 Train attendees on use of OWNER's lidar deliverables using commercially available software packages

1.1.4 CONSULTANT may render to the OWNER advice, consultation, and expertise with respect to the development, use, and technical application of the deliverables provided under this project.

ARTICLE 2 – CHANGES IN THE SCOPE OF SERVICES

2.1 Services Requiring Changes in the Scope of Services

The OWNER or the CONSULTANT may, from time to time, request changes in the scope of services to be performed hereunder. Such changes, while not anticipated, may include an increase or decrease in the amount of CONSULTANT'S compensation. Any such changes must be mutually agreed by and between OWNER and CONSULTANT and shall be incorporated in written amendments to this agreement. Such changes may include:

- 2.1.1 Services to investigate existing conditions or facilities or to verify the accuracy of information furnished by OWNER.
- 2.1.2 Services resulting from significant changes in the general scope, extent or character of the Project.
- 2.1.3 Furnishing services of independent professional associates and consultants for other than Basic Services.
- 2.1.4 Preparing to serve or serving as a consultant or witness for OWNER in any litigation, arbitration or other legal or administrative proceeding involving the Project.
- 2.1.5 Additional services in connection with the Project, including services, which are to be

furnished by OWNER and services not otherwise, provided for in this Agreement.

ARTICLE 3 - OWNER'S RESPONSIBILITIES

OWNER shall do the following in a timely manner so as not to delay the services of CONSULTANT:

- 3.1 Place at CONSULTANT's disposal all reasonably available pertinent information, upon which the CONSULTANT can rely. This includes, but is not limited to, project boundaries in georeferenced vector format, original lidar data, original lidar project reports and metadata, and original lidar ground control information.
- 3.2 Arrange for access to and make all provisions for CONSULTANT to enter upon public and private property as required for CONSULTANT to perform services under this Agreement.
- 3.3 Furnish approvals and permits from all governmental authorities having jurisdiction over the Project and such approvals and consents from others as may be necessary for completion of the Project.
- 3.4 Give prompt written notice to CONSULTANT whenever OWNER observes or otherwise becomes aware of any development that affects the scope or timing of CONSULTANT's services.

ARTICLE 4 - PERIODS OF SERVICE

- 4.1 The provisions of this Article 4 and the compensation for CONSULTANT's services have been agreed to in anticipation of the orderly and continuous progress of the Project. If completion dates are exceeded through no fault of CONSULTANT, compensation provided herein shall be subject to equitable adjustment.
- 4.2 The services called for in Article 1 will be completed and submitted according to the following schedule:
 - a) Countywide lidar enhancements and derivatives: delivered eight months after execution of this Agreement.
 - b) The OWNER has 30 days after delivery of the countywide enhancements and derivatives to review the data and provide the CONSULTANT with written comments. If needed, the CONSULTANT shall make final delivery within 30 days of OWNER's review.
- 4.3 The expiration date of this Agreement is December 31, 2030.
- 4.4 CONSULTANT's services under this Agreement shall be considered complete when submissions have been accepted by the OWNER.
- 4.5 If OWNER has requested significant modifications or changes in the general scope, extent or character of the Project, as memorialized in a written change order executed by the Parties, the time of performance of CONSULTANT's services shall be adjusted equitably.
- 4.6 If CONSULTANT's services for the Project are delayed or suspended in whole or in part

by OWNER for more than three months for reasons beyond CONSULTANT's control, CONSULTANT shall on written demand to OWNER (but without termination of this Agreement) be reimbursed for all charges and services rendered through the date of suspension, however such reimbursement shall not exceed the amount set forth in 5.1.1 and shall take into the consideration the costs and compensation to complete the Project.

ARTICLE 5 - PAYMENTS

5.1 Compensation for Services

5.1.1 OWNER shall compensate CONSULTANT for services provided on a lump sum basis.

5.1.1.1 Total fees for lidar enhancements, derivatives, and training: \$115,450.00.

5.2 Times of Payments

5.2.1 CONSULTANT shall submit monthly invoices for Basic and Additional Services rendered. OWNER shall make prompt monthly payments in response to CONSULTANT's invoices.

5.3 Other Provisions Concerning Payments

5.3.1 If OWNER fails to make any payment due CONSULTANT for services and expenses within sixty days after receipt of Consultant's invoice, the amounts due CONSULTANT will be subject to equitable adjustment but in no event shall it be increased by more than a rate of 1-1/2% per month (18% A.P.R.) from said sixtieth day, and in addition, CONSULTANT may, after giving seven days' written notice to OWNER, suspend services under this Agreement until CONSULTANT has been paid in full all amounts due for services and expenses. If for some reason there is a dispute concerning an invoice and the dispute extends beyond one month, the owner will not be assessed a 1.5% penalty to that invoice.

5.3.2 In the event of termination by OWNER for reasons other than CONSULTANT'S breach of this agreement, CONSULTANT will be reimbursed for all charges and services rendered, however, in no event shall such reimbursement exceed the compensation set forth in 5.1.1.

5.3.3 Records pertinent to CONSULTANT's compensation will be kept in accordance with generally accepted accounting practices.

5.3.4 Factors determining compensation payable to CONSULTANT will be adjusted periodically and equitably to reflect changes in various elements that comprise such factors. Any changes must be mutually agreed by and between the OWNER and the CONSULTANT and shall be incorporated in written amendments to this agreement.

ARTICLE 6 - GENERAL CONSIDERATIONS

6.1 Reuse of Documents

Any reuse of the services and documents provided under this agreement for purposes not intended, will be at the OWNER'S sole risk.

6.2 Controlling Law

This Agreement is to be governed by the law of the State of Wisconsin.

6.3 Termination

The obligation to provide further services under this Agreement may be terminated by either party upon seven days' written notice in the event of substantial failure by either party to perform in accordance with the terms hereof through no fault of the terminating party.

6.4 Indemnification

The CONSULTANT hereby agrees to indemnify the OWNER for all claims arising solely from negligent acts, errors or omissions of the CONSULTANT in the performance of professional services under this agreement.

6.5 Data ownership Assignment

The CONSULTANT assigns ownership of the data to the OWNER and its project participants for all deliverable products produced under this contract. The CONSULTANT agrees that the deliverable products and documents shall not be made available to nor used to prepare additional products for any individual or organization at any time without prior written approval by the OWNER.

ARTICLE 7 - EXHIBITS AND SCHEDULES

7.1 The following Exhibits are attached to and made a part of this Agreement.

7.1.1 Attachment A – Project Area Map of Richland County (consists of 1 page).

7.2 This Agreement (consisting of pages 1 to 9, inclusive), together with the Exhibits and Attachments identified above, constitute the entire agreement between OWNER and CONSULTANT and supersede all prior written or oral understandings. This Agreement and said Exhibits may only be amended, supplemented, modified or canceled by a duly executed written instrument.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement as of the day and year first written above.

<u>Richland County, WI</u>		<u>Ayres Associates Inc</u>
<u>OWNER</u>		<u>CONSULTANT</u>
<u></u>	(Signature)	<u></u>
<u></u>	(Typed Name)	<u>Zachary J. Nienow</u>
<u></u>	(Title)	<u>Manager – Aerial Mapping</u>
<u></u>	(Date)	<u></u>

Attachment A Map of Project Area

