

8.0 ZONING ORDINANCE

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF DOUGLAS DOES ORDAIN AS FOLLOWS:

SECTION I. INTRODUCTION

1.1. Authority and Purpose

For the purposes listed in Sections 59.69 and 59.692 Wis. Stats., the Board of Supervisors of Douglas County in regular session this 10th day of December, 1970 do ordain and enact as follows:

An ordinance regulating and restricting the location, construction and use of buildings, structures, and the use of land in the unincorporated portions of Douglas County and or said purposes dividing the County into districts.

1.2 Interpretation

The provisions of this ordinance shall be held to be minimum requirements, adopted for the promotion and protection for the public health, morals, safety, or the general welfare. Whenever the requirements of this ordinance are at variance with the requirements of any other lawfully adopted regulations, ordinances, or private covenants, the most restrictive, or that imposing the higher standards, shall govern. The shoreland provisions of this ordinance shall not require approval or be subject to disapproval by any town board.

SECTION II. DEFINITIONS

2.1 For the purpose of this ordinance, certain terms or words herein shall be interpreted or defined as follows:

Words used in the present tense include the future tense.

The singular includes the plural.

The word "person" includes an individual, all partnerships, associations, and bodies politic and corporate.

The word "lot" includes the word "plot" or "parcel".

The term "shall" is always mandatory.

The word "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged or designed to be used or occupied."

(1) **ACCESSORY USE:** A use customarily incidental and subordinate to the principal use or building and located on the same lot with such principal use or building.

(2) **ACCESSORY STRUCTURE:** Any structure that includes but is not limited

to garages, sheds, decks, and patios.

- (3) **BACKLOT:** A parcel or tract of land located within a shoreland that does not front a navigable body of water, capable of being occupied by one residence and the accessory buildings or uses customarily incidental to it.
- (4) **BOATHOUSE:** Any permanent structure designed solely for the purpose of protecting or storing boats and related equipment for noncommercial purposes.
- (5) **BUILDING:** Any structure used, designed or intended for the protection, shelter, or roofed enclosure of persons, animals, or property.
- (6) **BUILDING, HEIGHT OF:** The vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat roofs, to the deck line of mansard roofs, and to the mean height between eaves and ridge for gable, hip and gambrel roofs.
- (7) **CAFO:** Large-Scale Concentrated Feeding Operations consisting of a lot or a facility, other than a pasture or grazing area, where 1000 or more of animal units have been or will be stabled, or concentrated, and will be fed or maintained by the same owner(s) manager(s) or operators for a total of 45 days or more in any 12 month period.
- (8) **CAMPGROUND:** Any parcel of land which is designed, maintained, intended, or used for the purpose of providing sites for temporary overnight use by two (2) or more camping units, or which is advertised or represented as a campground or camping area.
- (9) **CAMPING TYPE-SEASONAL:** Camping where the unit is allowed to be stored on the campsite/parcel during periods when the unit is not occupied or when the campground is not in operation.
- (10) **CAMPING TYPE-TEMPORARY:** Camping where the unit is removed when the unit is not occupied.
- (11) **CAMPING TYPE-RUSTIC/PRIMITIVE:** Camping as defined in ATCP 79.27.
- (12) **CAMPING UNIT-CABIN:** A building or other structure as defined in ATCP 79.03(4). These are used for temporary living quarters or shelter during periods of recreation, vacation, or leisure time.
- (13) **CAMPING UNIT-MOBILE:** A tent, tent trailer, travel trailer, camping trailer (ATCP 79.03 (2)), pick up camper, motor home (ATCP 79.03 (20)) or any other portable device or vehicular type structures as may be developed,

marketed, or used for temporary living quarters or shelter during periods of recreation, vacation, leisure time, or travel.

- (14) **CAMPING UNIT-PARK MODEL:** A camping unit that is built on a single chassis mounted on wheels that has a gross trailer area of not more than 400 square feet in setup mode, and bears a label, symbol, or other identifying mark indicating construction to nationally recognized standards ANSI 119.5 (ATCP 79.03 (23)) Typically, these have the tongue and wheels removed after set-up and/or is skirted and not meant to be mobile. A park model camping unit is not considered a mobile camping unit due to the fact of its limited mobility. These are used for temporary living quarters or shelter during periods of recreation, vacation or leisure time. These types of camping units are required to be connected to a POWTS, unless it is located at a facility licensed to sell this type of camping unit and is only located there for the purpose of sale.
- (15) **CAMPSITE:** An area of land that is capable of supporting one camping unit.
- (16) **CAPTIVE CERVID OPERATIONS:** Land and any buildings thereon where normally wild animals from the Cervidae Family are kept, bred, raised for meat, or available for visitors to observe or hunt for a fee or donation.
- (17) **DWELLING:** A building designed or used exclusively as the living quarters for one or more families. To include site built homes, manufactured homes, and modular homes. To include a "residence" found herein.
- (18) **DWELLING, MULTI-FAMILY:** A dwelling or group of dwellings on one plot containing separate living units for two or more families, but which may have joint services or facilities or both.
- (19) **ESSENTIAL SERVICES:** Services provided by public and private utilities, necessary for the exercise of the principal use or service of the principal structure. These services include underground, surface, or overhead gas, electrical, steam, water, sanitary sewerage, storm water drainage, and communication systems and accessories thereto, such as poles, towers, wires, mains, drains, vaults, culverts, laterals, sewers, pipes, catch basins, water storage tanks, conduits, cables, fire alarm boxes, police call boxes, traffic signals, pumps, lift stations, and hydrants, but not including buildings. Solid waste compactor roll offs multi-compartment recycling units, and similar equipment used for solid waste collection and recycling, excluding buildings. All zoning district setback requirements shall apply, except that they must be at least 100 feet from any navigable body of water or well. Screening may be required where it is deemed necessary by the Land Services Director, designee, or Zoning Committee. All units or receptacles shall be leak proof and maintained in good working condition. They shall also be secured with covers and be lockable if kept outside of

buildings to prevent use when attendants are not on duty. Leased parcels, without buildings, shall not be subject to minimum lot size requirements, but must be at least one (1) acre in size and allow compliance with all setback requirements.

- (20) FAMILY: One or more persons living, sleeping, cooking and eating on the same premises as a single housekeeping unit.
- (21) FARMING, GENERAL: The production of field or truck crops, or the raising of livestock and livestock products for commercial gain.
- (22) GAME FARM: Land and any buildings thereon where normally wild animals, not including animals from the Cervidae Family, are kept, bred, raised for meat, or available for visitors to observe or hunt for a fee or donation.
- (23) HOME OCCUPATION: A gainful occupation conducted by a member of the family, within his or her place of residence, where the space used is incidental to residential use and no article is sold or offered for sale except such as is produced by such home occupation.
- (24) HOSPITAL: Unless otherwise specified, the term "hospital" shall be deemed to include sanitarium, sanitorium, reventorium, clinic, rest home, nursing home, convalescent home and any other place for the diagnosis, treatment or other care of ailments, and shall be deemed to be limited to places for the diagnosis, treatment or other care of human ailments.
- (25) LOT: A parcel of land occupied or capable of being occupied by one building and the accessory buildings or uses customarily incident to it; including such open spaces as are required by this ordinance (see Section 14, H, Douglas County Subdivision Control Ordinance).
- (26) LOT, DEPTH OF: A mean horizontal distance between the front and rear lot lines, measured in the general direction of its side lot lines.
- (27) LOT, WIDTH OF: The mean width measured perpendicular to the mean bearings of the side lot lines, except lake shore lot must be 150 feet wide on the lake measured perpendicular to the mean bearing of the side lot lines.
- (28) LOT LINES: Any line dividing one lot from another.
- (29) MAJOR RECREATIONAL EQUIPMENT: Includes travel trailer, pickup campers, or coaches, motorized dwellings, tent trailers, boat and boat trailers, snowmobiles and snowmobile trailers and the like.
- (30) MANUFACTURED HOME: Any structure transportable in one or more sections, which in the traveling mode is 8 body feet or more in width or 40

body feet or more in length and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities. Each section must be built to the Manufactured Home Construction and Safety Standards (HUD Code) and display a red certification label on the exterior.

- (31) **MANUFACTURED/MOBILE HOME PARK:** An area or premise on which is provided the required space for the accommodation of manufactured/mobile homes. Together with the necessary accessory building, driveways, walks, screen and other required adjuncts
- (32) **MOBILE HOME:** Any structure built prior to July 1, 1976, originally designed to be capable of transportation by any motor vehicle upon public highway which does not require substantial on-site fabrication.
- (33) **MODULAR HOME:** Any structure built in two or more sections and transported to the home site on a reusable carrier which has its own wheels and axles and built to the Wisconsin Uniform Dwelling Code.
- (34) **NAVIGABLE WATERS:** Means Lake Superior, all natural inland lakes and all streams, ponds, sloughs, flowages and other waters within the territorial limits of this state, including the Wisconsin portion of boundary waters, which are navigable under the laws of this state and pursuant to Section 281.31(2)(d), Wis. Stats. Shoreland ordinances required under Sections 59.692 and 281.31(2)(d) Wis. Stats. and Ch. NR 115, Wis. Adm. Code, do not apply to lands adjacent to farm drainage ditches if:
 - (a) Such lands are not adjacent to a natural navigable stream or river;
 - (b) Those parts of such drainage ditches adjacent to such lands were not navigable streams before ditching; and
 - (c) Such lands are maintained in nonstructural agricultural use.
- (35) **NONCONFORMING USE:** A building, structure or use of land existing at the time of enactment of this ordinance, and which does not conform to the regulations of the district or zone in which it is situated or current dimensional standards such as setbacks, area or height.
- (36) **ORDINARY MAINTENANCE AND REPAIR:** Ordinary and routine actions necessary to continue or restore the safe and healthy use of a structure which has been damaged or has deteriorated through natural aging and wear and which does not result in a substantial structural improvement or a significant increase in value. Such actions may include, but are not limited to, painting and staining, and the repair of the following; exterior windows, skylights, doors, vents, siding, insulation, shutters, gutters, flooring, shingles, roofing materials, walls or the foundation, and internal improvements within the structural envelope without doing a structural alteration.

- (37) OUTLOT: A parcel of land not to be used for building purposes, so designated by a plat or Certified Survey Map.
- (38) SALVAGE YARD: A lot, parcel, structure, or part thereof, used primarily for the collection, storage and sale of wastepaper, rags, scrap metal or discarded material; or for the collection, dismantling, storage and salvaging of machinery or four or more motor vehicles not in running condition and for the sale of parts thereof.
- (39) SIGN: A sign is any structure or natural object or part thereof or device attached thereto or printed or represented thereon which is intended to attract attention to any object, product, place, activity, persons, institution, organization, or business, or which shall display or include any letter, word, model, banner, flag, pennant, insignia, device, or representation used as or which is in the nature of an announcement, direction, or advertisement.
- (40) SIGN COPY: The total area of the surface of a two dimensional portion of a sign on which words, numbers, pictures, and motifs are displayed.
- (41) STRUCTURAL ALTERATION: Any activity not considered ordinary maintenance and repair that results in a change to the integral framework, or the exterior silhouette or footprint of a structure.
- (42) STRUCTURE: Anything constructed or erected.
- (43) USE: The specific purpose for which land or a building is designed, arranged, intended, or for which it is or may be occupied or maintained. The term "permitted use" or its equivalent shall not be deemed to include any nonconforming use.
- (44) YARD, FRONT: An open unoccupied space on the same lot with the building between the front line of the building and the front line of the lot and extending the full width of the lot.
- (45) YARD, REAR: An open unoccupied space on the same lot with the building between the rear line of the building and the rear line of the lot and extending the full width of the lot.
- (46) YARD, SIDE: An open unoccupied space on the same lot with the building situated between the building and the side line of the lot and extending from the front yard to the rear yard. Any lot line not a rear line or a front line shall be deemed a side line.

SECTION III. ZONING DISTRICTS

3.1 Establishment of Districts

For the purposes of this ordinance, the unincorporated areas of Douglas County are hereby divided into the following types of districts:

- (1) R-1: Residential District
- (2) R-2: Residential District
- (3) RR-1: Residential-Recreation District
- (4) A-1: Agricultural District
- (5) A-2: Multiuse Agricultural Zoning District
- (6) C-1: Commercial District
- (7) RRC-1: Residential-Recreational/Recreational-Commercial District (Floating District)
- (8) I-1: Industrial District
- (9) F-1: Forestry District
- (10) W-1: Resource Conservation District
- (11) SP-1: Shoreland Protection District (overlay)
- (12) PUD: Planned Unit Development District
- (13) UVD: Unincorporated Village District (Overlay District)

3.2 Zoning Map and District Boundaries

The locations and boundaries of these districts are shown in a single map officially designated "Official Zoning Map, Douglas County, Wisconsin" and on separate maps number 1 to 16, officially designated "Detailed Zoning Maps, Douglas County, Wisconsin."

These maps, together with all explanatory matter and regulations thereon, are an integral part of this ordinance. In the event of a conflict between zoning district boundaries shown on the "Official Zoning Map, Douglas County, Wisconsin" and the "Detailed Zoning Maps, Douglas County, Wisconsin" the latter shall govern and prevail. District boundaries are normally lot lines; section and quarter section lines, center lines of streets, highways, railroads, or alleys. Questions regarding exact location of district boundaries shall be decided by the County Land Services Director or designee. Decisions may be reviewed on appeal to the Board of Adjustment as provided in Section 9.0 of this ordinance.

The single official copies of the "Official Zoning Map, Douglas County, Wisconsin" and "Detailed Zoning Maps, Douglas County, Wisconsin," together with a copy of this ordinance shall be kept at the County Land Services Director or designee's Office and shall be available for public inspection during office hours. These maps shall be certified by the chairman of the county board and attested by the county clerk. Any changes affecting zoning district boundaries or explanatory matter and regulations shall be made in accordance with provisions of Section 59.69 Wis. Stats.

3.3 R-1 RESIDENTIAL DISTRICT

This district provides for one-family and two-family year-round residential development protected from traffic hazards and the intrusion of incompatible land uses. It is intended to encourage such development around existing residential areas where soil conditions are suitable for such development and in those areas which can be economically and readily served by utilities and municipal facilities.

1. Permitted Uses

- (a) A single one-family or two-family year round dwelling.
- (b) Private garages and carports.
- (c) Essential services and utilities intended to serve the principal permitted use.
- (d) Signs subject to the provisions of Section 5.0.
- (e) Horticulture and gardening.
- (f) Customary accessory uses provided such uses are clearly incidental to the principal use and that no such use generates traffic or noise that would create a public or private nuisance.

2. Uses Authorized by Conditional Permit

- (a) Multi-family (three or more) dwelling units.
- (b) Rooming or boarding houses.
- (c) A single mobile home provided the lot area and setback requirements of this district are met and the owner provides an accessory building or garage for storage purposes.
- (d) Mobile home parks subject to the provisions of Section 6.0.
- (e) Public and semipublic uses including, but not limited to, the following: public and private schools, churches, public parks and recreation areas, hospitals, rest homes and homes for the aged, fire and police stations, historic sites. Sewage disposal plants, garbage incinerators and maintenance, repair or storage buildings shall not be permitted.
- (f) Telephone, telegraph and power transmission towers, poles and lines, including transformers, substations, relay and repeater stations, equipment housing and other necessary appurtenant equipment and structures.
- (g) Home occupations or professional offices provided no such use occupies more than 25 percent of the total floor area of the dwelling, not more than one nonresident person is employed on the premises, and such use will not include an operational activity that would create a nuisance to be otherwise incompatible with the surrounding residential area.
- (h) Snowmobile trails.

3.4 R-2: RESIDENTIAL DISTRICT

This district provides for one-family and two-family residential development and for the continuation of forest programs. It is intended to encourage forest management programs and at the same time, allow large lot residential development.

1. Permitted Uses

- (a) A single one-family or two-family year-round or seasonal dwelling.
- (b) Private garages and carports.
- (c) Essential services and utilities intended to serve the principal permitted use.
- (d) Signs subject to the provisions of Section 5.0.
- (e) Horticulture and gardening.
- (f) Customary accessory uses provided such uses are clearly incidental to the principal use.
- (g) Production of forest crops, including tree plantations.
- (h) Harvesting of wild crops such as marsh hay, ferns, moss, berries, tree fruits and tree seeds.

2. Uses authorized by conditional permit.

- (a) Telephone, telegraph and power transmission towers, poles and lines, including transformers, substations, relay and repeater stations, equipment housing and other necessary appurtenant equipment and structures.
- (b) A single mobile home provided lot area and setback requirements of this district are met and the owner provides an accessory building for storage purposes.
- (c) Hobby farms including horses, dogs, chickens, etc., providing all structures housing such animals are 75 feet from all human habitation, 50 feet from lot lines and 100 feet from any highway, and provided all animals are adequately contained.
- (d) Public and semipublic uses including, but not limited to, the following: public and private schools, churches, public parks and recreation areas, hospitals, rest homes and homes for the aged, fire and police stations, historic sites. Sewage disposal plants, garbage incinerators and maintenance, repair or storage buildings shall not be permitted.
- (e) Home occupations or professional offices provided no such use occupies more than 25 percent of the total floor area of the dwelling, not more than one nonresident person is employed on the premises, and such use will not include an operational activity that would create a nuisance to be otherwise incompatible with the surrounding residential area.
- (f) Small scale campgrounds of less than 25 sites, restricted to mobile camping units and/or rustic primitive campsites, with no more than one camping unit per site. Small scale campgrounds are subject to

the sanitary, layout, and density provisions of section VI of this chapter.

- (g) Special event campgrounds

3.5 RR-1: RESIDENTIAL-RECREATION DISTRICT

This district is intended to provide for residential development and essential recreation-oriented services in areas of high recreational value where soil conditions and other physical features will support such development without depleting or destroying natural resources.

1. Permitted Uses

- (a) A single one-family or two-family year-round or seasonal dwelling.
- (b) Private garages and carports.
- (c) Horticulture and gardening.
- (d) Essential services and utilities to serve the principal permitted use.
- (e) Signs subject to the provisions of Section 5.0.
- (f) Customary accessory uses provided such uses are clearly incidental to the principal permitted use.

2. Uses Authorized by Conditional Permit

- (a) A single mobile home provided the lot area and setback requirements of this district are met and the owner provides an accessory building or garage for storage purposes.
- (b) Mobile home parks and trailer parks subject to the provisions of Section 6.0.
- (c) Telephone, telegraph, and power transmission towers, poles and lines, including transformers, substations, relays and repeater stations, equipment housing and other necessary appurtenant equipment and structures.
- (d) Recreational service-oriented uses such as resorts and motels, restaurants and cocktail lounges, marinas, sport shops and bait sales, and other recreational services which in the opinion of the County Zoning Committee are of the same general character or clearly incidental to a permitted use or use authorized by conditional permit.
- (e) Small scale campgrounds of less than 25 sites, with no more than one camping unit per site. Owner operated camping cabins/yurts, under 400 square feet per unit, not served by plumbing are also allowed. Small scale campgrounds are subject to the sanitary, layout, and density provisions of section VI of this chapter.
- (f) Special event campgrounds

3.6 A-1: AGRICULTURAL DISTRICT

This district is intended to provide for the continuation of general farming and related activities in those areas best suited for such development; and to prevent the untimely and uneconomical scattering of residential, commercial, or industrial development into such areas.

1. Permitted Uses:

- (a) A single one-family or two-family year-round or seasonal dwelling.
- (b) A single one-family or two-family farm residence and a single mobile home, but only when occupied by owners and/or persons engaged in farming activities on the premises.
- (c) All agricultural land uses, buildings, and activities, except farms for disposal of garbage or offal.
- (d) Roadside stands for the sale of products grown on the premises, if sufficient off-street parking space for customers is provided.
- (e) Agricultural processing industries and warehouses, except slaughterhouses and rendering and fertilizer plants.
- (f) Vacation farms and other farm-oriented recreational uses such as riding stables, winter sports activities, and game farms.
- (g) Cemeteries and mausoleums.
- (h) Essential services and utilities intended to serve a permitted principal use on the premises.
- (i) Woodlots and tree farms.
- (j) Customary accessory uses provided such uses are clearly incidental to a principal permitted use.
- (k) Signs subject to the provisions of Section V.

2. Uses Authorized by Conditional Permit:

- (a) Mobile home parks and trailer parks subject to the provisions of Section 6.0.
- (b) A single mobile home provided the lot area and setback requirements of this district are met and the owner provides an accessory building or garage for storage purposes.
- (c) Dumps for the disposal of garbage, sewage, rubbish, or offal, subject to the applicable provisions of Wisconsin Administrative Code and the provisions of Section 6.0.
- (d) Slaughterhouses, rendering and fertilizer plants.
- (e) Public and semipublic uses including but not limited to the following: public and private schools, churches, public parks and recreation areas, hospitals, rest homes and homes for the aged, fire and police stations, historic sites, sewage disposal plants, garbage incinerators and maintenance, repair or storage buildings.
- (f) Telephone, telegraph and power transmission towers, poles and lines, including transformers, substations, relay and repeater stations, equipment housing and other necessary appurtenant

- equipment and structures.
- (g) Quarrying and mining and processing of products from these activities, subject to the provisions of Section 6.0.
- (h) Airports, subject to the provisions of Section 4.3.
- (i) Gas lines.
- (j) Home occupations or professional offices provided no such use occupies more than 25 percent of the total floor area of the dwelling, not more than one nonresident person is employed on the premises, and such use will not include an operational activity that would create a nuisance to be otherwise incompatible with the surrounding residential area.
- (k) Small scale campgrounds of less than 25 sites, with no more than one camping unit per site. Owner operated camping cabins/yurts, under 400 square feet per unit, not served by plumbing are also allowed. Small scale campgrounds are subject to the sanitary, layout, and density provisions of section VI of this chapter.
- (l) Special Event Campgrounds.

3.7 A-2: MULTIUSE AGRICULTURAL ZONING DISTRICT

This district is intended to provide for the continuation of general farming and related activities, including Captive Cervid Operations and Game Farms, in those areas best suited for large lot agriculture development, and to prevent the untimely and uneconomical scattering of residential, commercial, or industrial development in such areas.

1. Permitted Uses

- (a) All agricultural land uses, buildings, and activities, except farms for the disposal of garbage or offal.
- (b) Roadside stands for the sale of products grown on the premises, if sufficient off street parking space for customers is provided.
- (c) Agricultural processing industries and warehouses, except slaughterhouses and rendering and fertilizer plants.
- (d) Vacation farms and other farm oriented recreational uses such as riding stables, winter sports activities, and game farms.
- (e) Cemeteries and mausoleums
- (f) Essential services and utilities intended to serve a permitted principal use on the premises.
- (g) Woodlots and tree farms.
- (h) Customary accessory uses provided such uses are clearly incidental to a principal permitted use.

2. Uses Authorized by Conditional Permit

- (a) Captive Cervid Operations
- (b) Concentrated Animal Feeding Operations (CAFOs)

- (c) Dumps for the disposal of garbage, sewage, rubbish, or offal, subject to the applicable provisions of Wisconsin Administrative Code and the provisions of section 6.0.
- (d) Slaughterhouses, rendering, and fertilizer plants.
- (e) Telephone, telegraph, and power transmission towers, poles, and lines, including transformers, substations, relay and repeater stations, equipment housing and other necessary appurtenant equipment and structures.

3.8 C-1: COMMERCIAL DISTRICT

This district is intended to provide for the orderly and attractive grouping, at appropriate locations, of retail stores, shops, offices and similar commercial establishments.

1. Permitted Uses

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) Public and semipublic buildings and institutions.
- (e) Commercial entertainment facilities.
- (f) Laundromats.
- (g) Restaurants.
- (h) Taverns.
- (i) Medical and dental clinics.
- (j) Auto service stations and maintenance facilities.
- (k) Public and private marinas.
- (l) Recreation service-oriented facilities as stated in the RR-1 District.
- (m) Motels and tourist homes.
- (n) Rooming and boarding houses.
- (o) Essential services and utilities intended to serve the principal permitted use.

2. Uses Authorized by Conditional Permit

- (a) Public and semipublic conditional uses as stated in the R-1 District.
- (b) New and used car sales establishments.
- (c) Wholesaling establishments.
- (d) Transportation terminals.
- (e) Farm implements sales firms.
- (f) Outdoor theaters.
- (g) Miniature golf, go-karts and amusement parks.
- (h) Drive-in establishments offering in-car service to customers.

- (i) Single family dwellings and mobile homes, but only when occupied by owners and/or persons engaged in commercial activities on the premises.
- (j) Small scale campgrounds of less than 25 sites, with no more than one camping unit per site. Owner operated camping cabins/yurts, under 400 square feet per unit, not served by plumbing, are also allowed by conditional use permit. Small scale campgrounds are subject to the sanitary, layout, and density provisions of section VI of this chapter.
- (k) Special event campgrounds

3.9 RRC-1: RESIDENTIAL-RECREATIONAL/ RECREATIONAL-COMMERCIAL DISTRICT (FLOATING DISTRICT)

This district is intended to provide for a mixed use of seasonal and year round residential development in close proximity to essential recreation-oriented services in areas of high recreational value. Residential users should expect relatively high intensity recreation-oriented commercial uses to be ongoing within this district. Recreational-Commercial uses should be directly supporting the Recreational uses of the immediate area and district.

This “floating district” is available to rezone to and for uses appropriate within it, subject to the consistency and compatibility with the Town and County’s Comprehensive Land Use Plans, and approval by the Town Board, where applicable.

1. Permitted Uses

Facilities such as, but not limited to the following:

- (a) A single one-family or two-family year round or seasonal dwelling.
- (b) Private garages and carports.
- (c) Horticulture and gardening.
- (d) Essential services and utilities to serve the principal permitted use.
- (e) Signs subject to the provisions of Section 5.0.
- (f) Customary accessory uses provided such uses are clearly incidental to the principal permitted use.

2. Uses Authorized by Conditional Permit

- (a) Campgrounds of up to 100 campsites subject to the provision of Section VI of this chapter.
- (b) Special Event Campgrounds
- (c) Recreational service oriented uses such as resorts and motels, restaurants and cocktail lounges, sport shops and bait sales. And other recreational services, which in the opinion of the Douglas County Planning and Zoning Committee are of the same general

character or are clearly incidental to a permitted or conditionally approved use.

- (d) Storage rental buildings for storage of personal property when in conjunction with, and accessory to, a campground approved by conditional use permit.
- (e) Public and semipublic uses including, but not limited to, the following: public and private schools, churches, public parks and recreation areas, hospitals, rest homes and homes for the aged, fire and police stations, historic sites. Sewage disposal plants, garbage incinerators and maintenance, repair, or storage buildings not in conjunction with a licensed campground shall not be permitted.
- (f) Drive-in establishments offering in-car service to customers.
- (g) Home occupations or professional offices provided no such use occupies more than 25% of the total floor area of the dwelling and not more than one non-resident person is employed on the premises.
- (h) A single mobile home provided the lot area and setback requirements of this district are met and the owner provides an accessory building or garage for storage purposes.

3.10 I-1: INDUSTRIAL DISTRICT

This district is intended to provide for manufacturing and industrial operations which, on the basis of actual physical and operational characteristics, would not be detrimental to surrounding areas by reason of smoke, noise, dust, odor, traffic, physical appearance or similar factors relating to public health, welfare and safety. Those industries requiring outdoor storage for raw materials and/or finished products may be required to provide a fence or screen in accordance with the provisions of Section 6.0.

1. Permitted Uses

- (a) Manufacturing, assembly, fabricating, and processing plants and similar type industrial operations consistent with the purposes of this district.
- (b) General warehousing.
- (c) Accessory uses clearly incidental to a permitted use.
- (d) Railroad yards.
- (e) Essential services and utilities intended to serve the principal permitted use.

2. Uses Authorized by Conditional Permit

- (a) Salvage yards, subject to the provisions of Section 6.0.
- (b) Quarrying, mining and processing of products from these activities, subject to the provisions of Section 6.0.

*Any use determined to be objectionable by the County Zoning Committee

on the basis of pollution, noise, dust, smoke, vibration, odor, flashing lights, or danger of explosion may be permitted only upon the issuance of a conditional use permit setting forth dimensional and site requirements, performance standards, aesthetic controls and pollution standards for that particular use.

3.11 F-1: FORESTRY DISTRICT

This district provides for the continuation of forest programs and related uses in those areas best suited for such activities. It is intended to encourage forest management programs and also to recognize the value of the forest as a recreational resource by permitting as a conditional use certain recreational activities which when adequately developed, are not incompatible to the forest.

1. Permitted Uses

- (a) A single one-family or two-family year-round or seasonal dwelling.
- (b) Private garages and carports.
- (c) Production of forest crops, including tree plantations.
- (d) Harvesting of wild crops such as marsh hay, ferns, moss, berries, tree fruits and tree seeds.
- (e) Hiking trails wildlife refuges, and snowmobile trails and game management habitat areas.
- (f) Signs, subject to the provisions of Section 5.0.
- (g) Essential services and utilities intended to serve the principal permitted use.

2. Uses Authorized by Conditional Permit

- (a) Public and private parks, playgrounds and winter sports areas.
- (b) Dams, plants for production of electric power and flowage areas.
- (c) Trailer camps subject to the provisions of Section 6.0.
- (d) Forest-connected industries such as pulp and paper production plants, sawmills, debarking operations, chipping facilities and similar operations including temporary dwellings and mobile homes for persons engaged in these operations.
- (e) Recreation and youth camps.
- (f) Riding stables and personal horse barns.
- (g) Shooting ranges.
- (h) Quarrying and mining operations subject to the provisions of Section 6.0.
- (i) Year-round residences for caretakers of recreational areas.
- (j) 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, fire towers and microwave radio relay towers.

- (k) Garbage and refuse disposal sites subject to the provisions of Section 6.4.
- (l) Airports subject to the provisions of Section 4.3.
- (m) Gas lines.
- (n) Small scale campgrounds of less than 25 sites, with no more than one camping unit per site. Owner operated camping cabins/yurts, under 400 square feet, not served by plumbing, are also allowed by conditional use permit. Small scale campgrounds are subject to the sanitary, layout, and density provisions of section VI of this chapter.
- (o) Special Event Campgrounds

3.12 W-1: RESOURCE CONSERVATION DISTRICT

This district is intended to be used to prevent destruction of natural or man-made resources and to protect water courses including the shorelands of navigable waters, and areas which are not adequately drained, or which are subject to periodic flooding, where developments would result in hazards to health or safety, would deplete or destroy resources; or be otherwise incompatible with the public welfare.

1. Permitted Uses

- (a) Public fish hatcheries.
- (b) Soil and water conservation programs.
- (c) Forest management programs.
- (d) Wildlife preserves.

2. Uses Authorized by Conditional Permit

- (a) Drainage where such activity will not be in conflict with the stated purposes of this district.
- (b) Public and private parks.
- (c) Dams, plants for the production of electric power and flowage areas.
- (d) Grazing where such activities will not be in conflict with the stated purpose of this district.
- (e) Orchards and wild crop harvestings.
- (f) 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 station and transmission towers, fire towers, and microwave radio relay towers.
- (g) Signs, subject to the provisions of Section 5.0. No use shall involve dumping or filling, of mineral soil or peat removal that would disturb the natural fauna, flora, water courses, water regimen, or topography.

3.13 SP: SHORELAND PROTECTION DISTRICT (OVERLAY DISTRICT)

This district provides for the protection waters and shorelands, and for safe and orderly shoreland development in Douglas County. The intent is to further the maintenance of safe and healthful conditions; prevent and control water pollution; protect spawning grounds, fish and aquatic life; control building sites, placement of structures and uses, and to preserve shore cover and natural beauty. The district includes all lands in the unincorporated areas of the county within the following distance from the normal highwater elevation of navigable water; 1,000 feet from a lake, pond, or flowage, and 300 feet from a river or stream or to the landward side of a floodplain whichever distance is greater.

1. Permitted Uses

- (a) Any use permitted in the underlying districts, subject to the shoreland provisions of this ordinance.
- (b) Any accessory use permitted in the underlying districts, subject to the shoreland provisions of this ordinance.

2. Uses Authorized by Conditional Permit

- (a) Any conditional use authorized in the underlying districts, subject to the shoreland provisions of this ordinance.

3.14 PUD: PLANNED UNIT DEVELOPMENT DISTRICT

The PUD District is intended to provide for large-scale residential or residential-recreational development. This district shall have no definite boundaries until such are approved by the County Board on the recommendation of the Zoning Committee in accordance with procedures prescribed for zoning amendments by Wisconsin Statutes, Section 59.97. Plans for the proposed development shall be submitted in duplicate, and shall show the location, size, and proposed use of all structures and land included in the areas involved. The plans may provide for a combination of single-and multi-family development as well as related commercial uses, provided that the plans indicate that:

- (a) A single area of at least five acres is involved.
- (b) Each residential building and lot in the district will conform to the R-1 District requirements and each commercial building and lot will conform to the C-1 District requirements.
- (c) Adequate streets and sidewalks as determined to serve the needs of the area involved will be provided.
- (d) Adequate access to public streets and proper internal circulation will be provided.
- (e) Adequate sewer and water facilities will be provided.
- (f) The development will constitute a reasonable extension of the living areas in the county and will be compatible with surrounding land uses.

3.15 UNINCORPORATED VILLAGE DISTRICTS (OVERLAY DISTRICT)

The Unincorporated Village District is created to accommodate the land use patterns of those established unincorporated villages where, in order to insure development consistent with the intent of this Chapter, special provisions shall be applied:

The Unincorporated Village District shall encompass:

1. Those lands within the Towns of Brule, Gordon, Parkland, Solon Springs and Superior whose boundaries are delineated on the orders creating their respective sanitary districts under the provisions of Ch. 60.3, Wis. Stats., and on file with the Register of Deeds Office; and
2. Those lands with a public Inland Lake Protection and Rehabilitation District whose boundaries are delineated on the orders creating their respective district under the provision of Ch. 33, Wis. Stats. and on file with the Register of Deeds Office.

SECTION IV. REGULATIONS

4.1 Application of Regulations

The use of any land or water, the size, shape and placement of lots; the use, size, height, type, and location of structures thereon; and the provisions for open spaces shall be in compliance with the regulations set forth on the "Official Zoning Map, Douglas County, Wisconsin," and in the text of this ordinance.

4.2 Standard District Regulations

1. Setback Requirements on Highways and Roads
 - (a) All state and U.S. numbered highways are hereby designated Class A highways. The setback line for Class A highways and for any other roads designated as major roads on official maps in effect in the county shall be 130 feet from the centerline of the highway (State or U.S.) or 66 feet from the right-of-way line, whichever is greater.
 - (b) All county trunk highways not otherwise designated as Class A highways are hereby designated Class B highways. The setback for Class B highways and for roads designated as arterial roads on official maps in effect in the county shall be 75 feet from the centerline of such highway (County Trunk Highway) or 42 feet from the right-of-way line whichever is greater.
 - (c) All town roads not otherwise designated Class A or Class B highways are hereby designated Class C highways. The setback

for Class C highways and for streets other than major and arterial roads designated as such on official maps in effect in the county shall be 63 feet from the centerline of the highway (Town Road) or 30 feet from the right-of-way line, whichever is greater.

- (d) A setback equal to the average setback of existing principal buildings located within 500 feet of a proposed building site and on the same side of the street shall be permitted where these buildings do not conform with the appropriate setback line.
- (e) Minor, readily removable structures such as open fences or signs permitted by this ordinance may be placed within setback lines. Public utility equipment without permanent foundations is also permitted. When deemed necessary by the County Zoning Committee in connection with development such as highway improvement programs, property owners and public utilities may be required to remove, at their own expense and without right of compensation, any such structures erected within setback lines.

2. Visual Clearance at Intersections

In each quadrant of every street intersection there shall be designated a visual clearance triangle bounded by the street center lines and a line connecting them 200 feet from a Class A highway intersection, and 150 feet from a Class B highway. If two highways of a different class intersect, the largest distance shall apply to both center lines. Within this triangle, no object over two and one-half feet in height above these streets shall be allowed if it obstructs the view across the triangle. Posts or open fences are excluded from this provision.

Unincorporated Village District (Overlay District) Setbacks: Within the unincorporated village district, the minimum setback distance from the center line or right-of-way line, whichever is greater, of any street, road or alley shall be maintained.

3. Access Driveways

Access driveways to highways from abutting properties shall comply with the following requirements:

<u>Class of Highway</u>	<u>Minimum Distance of Highway Frontage Between Access Driveways for Separate Land Uses</u>	<u>Minimum Distance Access Driveways May be Located to the Right-of-Way of An Intersection Highway</u>
Class A Highways Federal Aid Primary Highways	600 feet	300 feet

Federal Aid Secondary		
Highways	500	250
Class B Highways	300	150
Class C Highways	75	75

Where there is more than one lot abutting on Class A and Class B highways between access driveways, a service road of not less than 50 feet right-of-way shall be provided across the entire frontage of each lot unless a temporary access permit has been granted with the approval of the agency having jurisdiction over the highway. Use of access is limited to the use authorized in the temporary access permit. This permit would be revocable when a frontage road is provided.

The maximum number and width of access driveways to highways and service roads shall be as follows:

<u>Type of Access Driveway</u>	<u>Maximum Number of Access Driveways</u>	<u>Maximum Width of Access Driveways</u>
Commercial and Industrial Land Uses	2	35 feet
Other Land Uses	1	24

Where crossovers in median strips have been provided, access driveways shall be directly opposite these crossovers.

4. Excessive Height Permitted

Heights of the following structures may exceed ordinance limits for the district in which it is to be located with the approval of the County Zoning Committee; cooling towers, penthouses, stacks, lookout towers, silos, windmills, water towers, spires, radio and television aerials, masts, antennae and necessary mechanical appurtenances.

5. Lot Sizes

After adoption of this ordinance, no lot area shall be so reduced that the dimensional and yard requirements required by this ordinance cannot be met. Lots existing and of record prior to adoption of this ordinance, but of substandard size, may be devoted to uses permitted in the district in which located.

6. Accessory Uses and Structures.

(a) Any permanent, roofed structures 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 it is located.

7. Drainage, Sanitation and Water Supply

- (a) No principal building shall be erected, structurally altered, or relocated on land which is not adequately drained a shallow impermeable bedrock, periodic flooding, or where the lowest floor level is less than four feet above the highest groundwater level.
- (b) No principal building intended for human use or occupancy shall be erected, structurally altered, or relocated on a lot, unless provision is made for safe and adequate facilities for water and disposal of sewage in accordance with the regulations of the Douglas County Sanitary Code and the appropriate requirements of the Wisconsin Administrative Code.
- (c) The County Land Services Director or designee shall not hereafter authorize a building to be erected, structurally altered, or relocated which has a private waste disposal system unless the plans for the system have been reviewed in accordance with the provisions of the Douglas County Sanitary Code, and a sanitary permit has been issued.
- (d) Private sewage disposal systems for dwelling units shall meet the located requirements of the Douglas County Sanitary Code and applicable minimum standards of the Wisconsin Administrative Code.
- (e) Where connection is not to be made to a public water system, no residential use shall be permitted unless provision is made for a safe and adequate supply of drinking water located on the premises, a permit for which has been obtained in accordance with the provisions of the Douglas County Sanitary Code.
- (f) Planned unit developments shall be served by sewerage facilities which meet the requirements of the Douglas County Sanitary Code and the applicable minimum standards of the Wisconsin Administrative Code.

4.3 Supplementary Regulations

1. Airport Safety Zones

Except for field crops and fences under five feet high, the maximum height of any object located within 500 feet of either side of the centerline of a landing strip, and extended to a distance of two miles from the end of the runway shall be no higher than one-fortieth of the distance of the object to the land strip.

2. Off-Street Parking

Any building hereafter erected or placed on a lot shall be provided with off-street parking spaces for those using such building.

- (a) Each parking space required shall be at least 200 square feet in area.
- (b) Residential uses shall be provided with at least one (1) parking space for each dwelling unit.
- (c) Commercial and industrial uses, as listed and permitted in the zoning districts, shall be provided, except as noted below with one parking space for each 200 square feet of floor area. However, restaurants, taverns, and similar establishments shall be provided with at least one space for each three seats devoted to patron use; motels, tourist cabins and similar establishments shall be provided with at least one space for each unit; drive-in eating stands offering in-car service shall be provided with at least five spaces for each person employed to serve customers.
- (d) Public gathering uses shall be provided with at least one space for each five patrons to be accommodated on the premises.

3. Off-Street Loading and Unloading

Any commercial or industrial building hereafter erected or placed on a lot shall be provided with sufficient off-street loading and unloading space so that no public streets or alleys need be blocked by such activities. In the industrial district, such building shall be provided with a minimum of 400 square feet of off-street loading and unloading space.

4.4 Shoreland Regulations

It is the policy of the Douglas County Board of Supervisors to regulate structures adjacent to shorelands according to county-wide minimum standards except where townships have cooperated in county planning under the authority cited in Section 60.23, Wis. Stats., by adopting a carrying-capacity plan which surveys and classifies the water resources of the town. Such a carrying-capacity plan shall incorporate both qualitative and quantitative criteria in its water resources classification system and shall recommend, by name or description, which water resources should receive minimum protection, which should receive moderate protection and which should receive maximum protection. Following its review and approval of a township's carrying-capacity plan, the Douglas County Board of Supervisors may direct the County Land Services Director or designee, through the Zoning Committee, to regulate structures adjacent to such water resources in accordance with the special dimensional levels provided for classified townships below.

1. Lake Class Development Standards for Waterfront Property on Navigable Waters

- (a) After adoption of this section, or an amendment thereto, no lot area shall be so reduced that the dimensional and yard requirements required by this ordinance cannot be met. Parcels of land existing and of record shall meet the minimum requirements of (Section 4.4) and lots existing and of record, i.e., documented by recording of a metes and bounds description; or a Certified Survey Map; or a recorded platted subdivision, but of substandard size to the Lake Class Development Standards are hereby not nonconforming to the parcel size. The construction of new dwellings or replacement dwellings; additions to existing structures and the construction of accessory buildings when a principal structure exists on the premises may be allowed by permit provided all other requirements, regulations and setbacks can be met.
- (b) The following classification lists identify lakes named in “Surface Water Resources of Douglas County”, published by Wisconsin Department of Natural Resources and appearing by name on the 1:24000 scale topographic maps published by the U.S. Geological Survey, commonly referred to as the U.S.G.S. Quadrangle Maps.

All unnamed lakes listed in the Surface Water Resources of Douglas County, Wisconsin Department of Natural Resources and all named lakes 40 acres in size or less are considered Class 3 protection lakes.

In addition, any lake inadvertently omitted from the “Surface Water Resources of Douglas County” over 40 acres in size will be classified according to available information and non-listed lakes 40 acres or less in size will be considered Class 3 protection lakes.

It should be noted that Douglas County’s shoreline regulation jurisdiction extends only to those portions of shoreline outside the boundaries of any incorporated municipality.

Development standards for rivers and streams refer to all rivers and streams in Douglas County deemed by the Wisconsin Department of Natural Resources to be navigable.

There are un-named lakes that have “local” names and for the purpose of this classification are considered Class 3 lakes.

The R-2 (Residential District), A-1 (Agricultural District), and F-1 (Forestry District) zone districts supersede the lake classification development standards. The town of Wascott Lake Development Standards, when more restrictive, supersede the Douglas County Shoreland development standards.

DIMENSIONAL REQUIREMENTS
DOUGLAS COUNTY
SHORELANDS CLASS DEVELOPMENT STANDARDS
to apply to Lake and River Properties

Lakes Classification	Lot Size	For Each Single Family Dwelling Unit Lot Width	Shoreline Setback	Lot Depth	Vegetation Removal	Side Yard Setback for all Structures
Class 1	30,000 s.f.	150 ft. *300 ft.	75 ft.	200 ft.	30' corridor within 35' of shore	10' min. 40' min total
Class 2	40,000 s.f.	175 ft. *350 ft.	100 ft.	230 ft.	30' corridor within 35' of shore	10' min. 40' min. total
Class 3	80,000 s.f.	200 ft. *400 ft.	125 ft.	400 ft.	30' corridor within 50' of shore	20' min. 50' min. total
Rivers & Streams	80,000 s.f.	200 ft.	**125 ft.	400 ft.	30' corridor within 50' of shore	20' min. 50' min. total

- *NOTE:
- *1. Two or Three Family Dwelling/Unit
 - **2. Brule, St. Croix, and Eau Claire Rivers have a 200' setback, Douglas County Shoreland Development Standards apply when more restrictive.
 - 3. The Town of Wascott Lake Development Standards, when more restrictive, supersede the Douglas County Shoreland Development Standards.

2. Lake Access

All private lake accesses; lake access easements; or outlots; deeded or contractual accesses for the purpose of lake access shall meet the following requirements:

- (a) The access to a navigable waterway for backlot or off-lake development shall meet the minimum lot and parcel size requirements of the Lake Class Development Standards. The lot width shall be measured at right angles at all points along its side lot lines and the minimum required lot area shall exclude any wetlands. A contiguous buffer area of 25 feet along each side lot line running the full depth of the lot shall remain in its natural state. The cutting of vegetation or trees or the construction/placement of buildings within the buffer zone is prohibited.
- b) The number of single family lots, building sites, single family units or single

- family condominium units utilizing said access shall be limited to four (4).
- (c) No structures will be allowed on the lake access parcel.
 - (d) The creation or use of land for a lake access shall be by conditional use only. The Zoning Committee shall consider the size, shape, depth, present and potential use of the lake, and the effect of the private access on public rights in navigable waters.

3. Resorts and Condominiums

The construction of additional rental cabins/dwellings within an existing resort or the construction of additional dwelling units within a recorded condominium shall meet the minimum lot width and parcel size requirements of the Lake Class Development Standards.

To determine the number of total cabins/dwelling units allowed, take the total lot or parcel size and divide by the lake class size requirement. No principal structure shall be located less than 20 feet from an existing principal structure and shall meet all water line, road, lot line, and septic setbacks.

CLASSIFICATION LIST

Class 1	Class 2	Class 3				
Lower Eau Claire	Bond	Anderson	Cream	2-(12)	34-(5)	25-(12)
Nebagamon	Park Creek Pond	Bass	Crooked	2-(13)	35-(13)	25-(2)
Minnesuing	Simms	Beaupre Springs	Flat	2-(16)	35-(14)	26-(4)
Upper St. Croix	St. Croix Flowage	Bennett	Grover	20-(13)	35-(15)	26-(8a)
Amnicon	Whitefish	Bluegill	Harriet	21-(4a)	36-(10)	27-(11)
Dowling	Bass	Breitzman	High Life	21-(8)	36-(12)	29-(2)
Minong Flowage	Big	Catherine	Hoodoo	22-(11)	36-(13)	29-(8)
	Cranberry	Crotty	Hopkins	22-(13)	36-(16)	3-(15)
	Cranberry Creek Flowage	Halfway	Jack Pine	22-(2)	36-(2)	3-(6)
	Crystal	Haugen	Little Simms	22-(2)	4-(12)	32-(10a)
	Eau Claire River Flowage	Interfalls	Long	22-(3)	4-(13)	32-(12d)
	Lyman	Island	Lynch Spring	22-(8)	4-(16)	32-(13)
	Red	Lake of the Woods	Minnow	23-(1)	4-(3)	34-(14)
	Bear	Loon	Muck	23-(1)	4-(8)	35-(8)
	Beglinger	Metzger	Mud	23-(1)	4-(9)	5-(10)
	Black	Plate	Paradise	23-(11)	4-(9)	5-(11)
	Leader	Saunders Pond	Rock	23-(15)	5-(1)	5-(12)
	Long	Snipe	Round	23-(16)	5-(12)	5-(3)
	Lund	Spring	Rush	24-(1)	5-(13a)	5-(4)
	Mulligan	Sunfish	Scout	24-(10)	5-(13b)	7-(12)
	Person	Thorne	Seventeen	24-(11)	5-(13c)	7-(1a)
	Poplar River Pond	Twin (East)	Smith	24-(16)	5-(15)	7-(2)
	Sauntrys Pocket	Twin (South)	Three Buck (Lower)	24-(3)	5-(6)	7-(2c)
	Upper Ox	Twin (West)	Three Buck (Upper)	24-(3)	6-(15)	7-(5)
	Beauregard	35-(1)	Whiteside	25-(1)	6-(2)	7-(8)
	Buffalo	6-(13)	Wilson	25-(16)	7-(10)	8-(11)
	Chain (Lower)	Alexander	Yokel	25-(3)	7-(13)	8-(14)

Class 1	Class 2	Class 3				
	Ferguson	Chain (Upper)	1-(13)	25-(3)	7-(16)	8-(15)
	Gander	Clear	1-(16)	25-(6)	7-(1b)	8-(7)
	Horseshoe	Clyde	1-(3)	25-(6)	7-(2d)	9-(1)
	Little Steele	Coffee	1-(7)	25-(7)	8-(16c)	9-(4)
	Loon	Deer	1-(8)	25-(7)	8-(16d)	Cedar Island Ponds
	Lucius	Deer	10-(15)	26-(5)	8-(8)	Horseshoe Springs
	Lydon	Flamang	10-(16)	26-(8)	8-(9)	McDougal Spring
	Radigan Flowage	Goose	10-(7)	26-(8d)	9-(10)	Mills
	Round	Loon	11-(1)	27-(12)	9-(15)	Mud Creek Springs
	Sand	Lower Ox	11-(1)	27-(14)	9-(16)	Newman
	Snake	Mirror	11-(11)	27-(6b)	9-(2)	Three Buck (Middle)
	Steele	Moose	11-(16)	27-(6c)	9-(4)	1-(14)
	Twin (North)	Moose Branch Flowage	11-(3b)	27-(8)	Bergen Creek Springs	11-(4)
	Wagner	Muck	11-(6)	28-(14)	Big Spring	11-(4)
	Webb	Mud	11-(6)	28-(16)	Bird Sanctuary	11-(9)
		Murray	12-(1)	28-(5)	Chency	12-(2)
		One Buck	12-(15a)	29-(10)	Cranberry Spring	14-(12)
		Peterson	12-(15d)	29-(10)	Deer	15-(14)
		Pickrel	12-(4)	29-(12)	Deer Print	17-(2)
		Rainbow	13-(10)	29-(16)	Gilbert	18-(16)
		Reichuster	13-(11)	29-(16d)	Long	19-(13)
		Sawyer	13-(13)	3-(16)	Muskrat	19-(8a)
		Scott	13-(16)	3-(8)	One Mile	20-(1)
		Shoberg	13-(4)	30-(10)	Pike	20-(16)
		Spider	14-(12)	30-(12)	Swenson	20-(5)
		Sullivan	14-(12)	30-(2)	1-(11)	22-(12)
		Twomile	14-(12)	30-(2)	10-(15)	23-(16)
		Wascott	14-(15)	30-(3)	10-(16)	25-(16)
		Whiskey	14-(16)	31-(12)	11-(3c)	29-(10)
		11-(2)	14-(3)	31-(12)	13-(1)	29-(15)
		13-(13)	14-(4)	31-(15)	13-(3)	3-(3)
		14-(3)	14-(6)	31-(3)	13-(4)	31-(16)
		15-(4a)	14-(7)	31-(3)	13-(7)	31-(16)
		19-(5)	14-(9)	31-(9)	14-(11)	32-(11)
		21-(16)	15-(11)	32-(10c)	14-(13)	34-(11)
		23-(4)	15-(13)	32-(10d)	14-(3)	34-(16)
		29-(16c)	15-(4c)	32-(11)	14-(6)	34-(3)
		32-(1)	16-(6)	32-(12b)	15-(10)	34-(7)
		32-(4)	16-(6a)	32-(15)	15-(10)	35-(6)
		34-(9)	16-(6db)	32-(16)	15-(16)	4-(15)
		36-(7)	16-(6dd)	32-(3)	18-(6)	5-(16)
		7-(6)	17-(15)	32-(5)	19-(8)	7-(2)
		7-(8b)	17-(2)	32-(8)	20-(16)	8-(14)
		7-(8c)	17-(8)	32-(9)	20-(16)	8-(3)
		8-(15)	17-(8)	33-(8)	20-(3)	9-(2)
		Apple	18-(6)	34-(13)	21-(4d)	26-(2)
		Black Fox	18-(8)	34-(15)	23-(15)	28-(7)
		Blue Spring	19-(2)	34-(2)	23-(2)	30-(10)
		Boot	19-(8c)	34-(2)	24-(10)	
		Buckley Spring	2-(12)	34-(3)	24-(12)	

Boathouse or similar structures which require waterfront location shall not be used

for habitation nor extend toward the water beyond the ordinary high waterline.

4. Removal of Shoreline Cover

The cutting of trees and shrubbery shall be regulated to protect scenic beauty, control erosion and reduce the flow of effluents and nutrients from the shoreland. In the strip 35 feet inland from the normal high waterline, no more than 30 feet in any 100 feet shall be clear cut. In other areas, trees and shrub cutting shall be governed by consideration of the effect on water quality and should be in accord with accepted management practices. Natural shrubbery shall be preserved as far as practicable.

5. Commercial Forestry

The commercial harvesting of trees is allowed. The maintenance and improvement of water quality shall be emphasized in all timber harvesting operations.

6. Filling, grading, lagooning and dredging of any watercourse may be permitted only in accord with state law and where protection against erosion, sedimentation, and impairment of fish and aquatic life has been assured.

7. Lake Superior Coastal Waters

1. Setback

For lots that abut on navigable waters the following setback regulation shall apply:

- (a) All permanent installations including soil absorption system, seepage pits and holding tanks; but not including piers and boathouses, shall be setback from all points along the bluff edge by the distance shown on the Lake Superior Shoreland Setback Table. Boathouses or similar structures which require waterfront location shall not be used for habitation nor extend toward the water beyond the ordinary high water elevation. The Land Services Director or designee shall determine the setback for those cases not shown on the Setback Table, but in no case shall the setback be less than 75 feet from all points along the bluff edge.
- (b) A setback equal to the average setback of existing principal buildings within 500 feet of a proposed building site shall be permitted where such existing buildings do not conform with the appropriate setback line. A minimum setback of 75 feet from all points along the bluff edge shall be required in all such cases.
- (c) Private sewage disposal systems shall conform to subparagraph 4.42.1.a of this ordinance and the applicable rules, regulations and laws as set forth in the Wisconsin Statutes and the Wisconsin Administrative Code.

- (d) The County Land Services Director or designee shall determine the bluff edge.

2. Removal of Shoreline Cover

The cutting of trees and shrubbery shall be regulated to protect scenic beauty, control erosion and reduce the flow of effluents and nutrients from the shoreland. In the strip 35 feet inland from the bluff edge, no more than 30 feet in any 100 feet shall be clear cut. In other areas, trees and shrub cutting shall be governed by consideration of the effect on water quality and should be in accord with the accepted management practices. Natural shrubbery shall be preserved as far as practicable.

3. Commercial Forestry

The commercial harvesting of trees is allowed consistent with 4.4.2.2. The maintenance and improvement of water quality shall be emphasized in all timber harvesting operations.

4. Filling, grading, lagooning and dredging of any watercourse may be permitted only in accord with local, state and federal law and where protection against erosion, sedimentation, and impairment of fish and aquatic life has been assured.

SETBACK TABLE @3.0 FEET/YEAR EROSION RATE B Slope Height (feet)

Slope Angle Degrees	5	10	15	20	25	30	35	40	45	50	55	60	65	70
16	170	183	184	186	187	189	191	192	193	194	195	196	197	199
18	172	187	190	195	198	201	205	209	212	215	218	221	224	227
20	174	191	195	201	206	212	217	223	227	232	236	241	245	252
22	175	193	198	206	212	219	226	232	238	244	250	255	260	270
24	175	195	201	211	218	226	234	242	248	256	263	270	275	285
26	175	197	205	215	223	232	241	250	258	266	274	282	290	300
28	175	199	207	218	227	237	246	256	265	274	283	291	300	311
30	175	200	209	221	231	241	251	262	271	281	290	300	309	321
32	175	202	211	224	234	245	256	267	277	288	298	308	318	331
34	176	203	212	226	237	249	260	272	282	294	304	315	325	339
36	176	203	213	228	240	252	264	276	287	299	310	321	332	346
38	176	204	214	230	242	255	268	280	291	304	316	327	339	353
40	176	204	214	232	244	257	271	284	295	308	320	332	344	359
42	176	205	215	232	246	259	274	287	299	312	325	338	349	364
44	176	205	216	234	250	261	277	290	302	316	329	342	354	369
46	176	206	217	236	252	263	279	293	305	320	333	347	359	374
48	177	206	218	238	253	265	281	295	308	323	336	351	363	379
50	177	207	219	240	254	267	283	297	311	326	339	355	367	383
52	177	208	220	240	255	269	285	299	314	329	342	359	371	387
54	177	209	221	241	256	271	287	301	316	332	345	363	375	391
56	177	210	222	242	257	272	289	303	318	335	348	366	379	394
58	177	211	223	243	258	274	291	305	320	337	351	368	381	397
60	177	212	224	244	259	275	292	308	323	339	354	369	384	399

SECTION V. SIGNS

5.1 General Provisions

1. Purpose

The purpose of this Section is to regulate the number, location, size, type, illumination, and other physical characteristics of signs within Douglas County in a manner that preserves the right of free speech and expression, promotes public safety and the preservation of scenic beauty, as well as the implementation of the desired overall character of the community and its constituent zoning districts.

2. Applicability

Except as otherwise specifically authorized, no sign shall be located, erected, moved, reconstructed, extended, enlarged, or structurally altered within Douglas County hereafter until a permit has been issued by the Douglas County Planning and Zoning Division. No permit shall be issued for a sign not in conformity with the size, type, number, location, and use regulations affecting each zoning district. In calculating the area of a sign to determine if it meets the requirements of this ordinance, the sign copy as well as any border or frame surrounding the copy will be considered. No permit for signs will be granted on public lands until a rental receipt for the land has been presented to the Douglas County Planning and Zoning Division.

a. Exceptions

1. Exempt signs-not subject to the provisions of this ordinance:

- a. Address, numbers, and dwelling unit nameplates
- b. A sign posted by Douglas County; Local; State; or Federal Agency
- c. Murals which are a design or representation painted on the exterior surface of a structure that do not advertise a business, product, service, or activity.
- d. Signs required by other codes, public safety, or health and welfare.
- e. Flag or emblem of any nation, organization of nations, or other governmental or municipal agencies or unit.
- f. Traffic control devices.
- g. "No trespassing" signs not exceeding 6 square feet.
- h. Permanent wall signs.
- l. Election campaign signs subject to 12.04
- j. On premise real estate signs.

3. Temporary Signs
 - a. Signs that meet the following:
 1. Do not exceed six (6) square feet.
 2. Are not permanently mounted or affixed to the ground.
 3. Meet all setback requirements of five feet from property lines, right of ways, and not in a visual clearance zone.
 4. Are not illuminated or have the potential to be illuminated.
 5. Do not contain flashing lights or moving parts.
 6. Are limited to a display period of 60 days two times per year. The 60 day periods shall not run concurrently.
 7. Number no more than two per parcel of land.

4. Prohibited Characteristics of 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 any access point or intersection.
 - c. No sign shall be erected, relocated, or maintained so as to prevent free ingress to 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 any rotating or moving parts, or be illuminated by flashing light. Bare (uncovered) light bulbs are prohibited as is any illumination source that causes a nuisance.
 - e. No sign shall exceed the maximum height limitation of the district in which it is located.
 - f. No sign shall be located on a lot so as to reduce the required dimensional setback and side yard requirements of the district in which it is located.

5.2 Signs Regulation by Zone District

1. Residential, Residential-Recreational, and Residential-Recreational Recreational-Commercial Districts, R-1, R-2, RR-1, RRC-1
 - a. Signs shall not exceed 16 square feet
 - b. Meet all setback requirements of five feet from property lines, right of ways, and not in a visual clearance zone.

2. Agricultural, Forestry Districts and Resource Conservation District, A-1, A-2, F-1, and W-1
 - a. Signs shall not exceed 32 square feet
 - b. Meet all setback requirements of five feet from property lines, right of ways, and not in a visual clearance zone.

3. Commercial and Industrial Districts, C-1 and I-1:
 - a. Signs shall be subject to the following conditions:
 1. Maximum of 40 square feet if illuminated
 2. Maximum of 80 square feet if not illuminated
 3. May incorporate electronic message components but:

- a. The electronic message shall not be changed more than once every five seconds.
 - b. Each such sign shall be placed in such a manner so as to not interfere with confuse, or present any hazard to traffic or pedestrians.
 - c. Audio speakers and all forms of pyrotechnics are prohibited.
 - d. Shall not be placed within 300 feet of any structure.
- b. The following signs shall be allowed only with a conditional use permit.
- 1. Signs that exceed 80 square feet, maximum of 300 square feet
 - a. Exception
 - 1. Signs located on Highway 53 may be a maximum of 650 square feet.
 - 2. The following conditions apply:
 - a. Shall be freestanding
 - b. Shall not exceed the height of 30 feet above ground level at the site of the sign.
 - c. Shall not be placed within 300 feet of any structure.
- c. Signs shall meet all setback requirements of five feet from property lines, right of ways, and not in a visual clearance zone.

5.3 Nonconformance

Signs lawfully existing before the date of enactment of this ordinance may be continued, although the use, size, or location does not conform with the provisions of this ordinance. However, permits shall be obtained for all signs erected before such date, and such signs shall be deemed a nonconforming use or structure; and the provisions of Section IX shall apply.

SECTION VI. REGULATION OF SPECIAL USES

6.1 General Provisions

Except as added or altered hereafter in the section, the procedures and requirements of Section 7.0 governing conditional uses shall apply.

6.2 Quarries and Mines

1. Application Required

Application requesting County Zoning Committee approval of a proposed quarrying activity shall be accompanied by:

- (a) A description of all phases of the contemplated operation including types of machinery and equipment which will or might be necessary to carry on the operation. Where the operation is to include sand and gravel washing, the estimated daily quantity of water required,

its source and its disposition shall be identified.

- (b) A legal description of the proposed site.
- (c) A topographic map (at a minimum contour interval of five feet) of the proposed site area extending beyond the site to a minimum distance of 300 feet on all sides.
- (d) A restoration plan as hereinafter required.

2. Consideration of Compatibility

In reviewing a proposal for quarrying activity, the County Zoning Committee shall take into consideration:

- (a) The effect of the proposed operation on drainage and water supply, particularly in connection with sand and gravel washing.
- (b) The possibility of soil erosion as a result of the proposed operation.
- (c) The most suitable land use for the area.

3. Restoration Plan and Financial Guarantee Required

No grant to carry on a quarrying operation shall be given until the County Zoning Committee approves a restoration plan and the owner agrees to restore the quarried area to a condition of practical usefulness and reasonable physical attractiveness as soon as practicable deemed necessary by the County Zoning Committee to secure the performance of the restoration agreement. The agreement and financial guarantee shall be in a form approved by the county district attorney.

4. Conditions for Approval

The County Zoning Committee may set forth conditions regarding appropriate setback and other dimensional requirements, particularly with reference to avoiding a nuisance effect on surrounding residential uses. Suitable fencing and landscaping may be required.

5. Duration of Conditional Grant

The initial grant to carry on a quarrying operation shall not be effective for more than five years. Authorization may be extended for three additional years, subject to conditions specified by the County Zoning Committee.

6. Existing Quarry Operations

Within 60 days after the effective date of this ordinance, the owners of all existing quarrying operations shall submit to the County Zoning Committee the names of the quarry owners and operators and information regarding its operation.

Within one year after adoption of this ordinance, the owners shall submit to the County Zoning Committee a plan for restoration of the quarrying site in accordance with subsection (3) of this section. The restoration plan shall not impose requirements which are economically or engineeringly

unreasonable with respect to conditions resulting from operations prior to enactment of this ordinance.

Within three years after the effective date of this ordinance any such existing operation shall be subject to the provisions of subsections 4, 5 and 6 of this section.

6.3 Salvage Yards

No salvage yard shall be permitted in Douglas County except in conformance with the standards, rules and regulations of Wisconsin Administrative Code and the requirements herein specified.

1. All salvage yards shall have minimum front, side and rear yard setback of 100 feet from all lot lines. No salvage yard shall be permitted within 250 feet of an adjoining dwelling.
2. All salvage yards shall be screened so that the salvage materials are not visible from other property in the vicinity nor from a public right-of-way such as a road, street, highway or waterway.
3. All salvage yards shall be at least 300 feet from a navigable stream, 1000 feet of a lake or 100 feet from a well.
4. Any application for a salvage yard or expansion shall include a Plan of Operation. At a minimum the plan will include a map showing the current zoning districts and future land uses within one-half (1/2) mile of the proposed site. The plan will detail days/hours of operation, setbacks, screening plan and hazardous fluid containment.
5. All solid waste and all fluids shall be removed and disposed of properly.
6. Three unlicensed and/or inoperable vehicles may be stored on a lot outside a building and must meet the principal building setbacks and screening requirements noted above.
7. All permitted non-commercial salvage yards of record on the date of this amendment are hereby allowed to continue under the conditions of the permit. As of the date of this amendment these permits are not subject to renewal.

6.4 Garbage and Refuse Disposal Sites

1. No garbage or refuse site shall be permitted in Douglas County except in conformance with the definitions and regulations of Wis. Adm. Code NR Ch. 500.
2. All such disposal sites shall have a minimum front, side and rear yard of 250 feet each. No garbage or refuse disposal site is permitted within the shoreland district, floodplain or wetlands.

3. Garbage and refuse disposal sites shall be screened so that the garbage materials are not visible from other property in the vicinity, nor from a public right-of-way such as a road, street, highway or waterway.

6.5 Manufactured/Mobile Home Parks

Except as otherwise specifically authorized, no mobile home intended for occupancy shall be located within Douglas County except in a mobile home park, the plan of which has been approved by the County Zoning Committee. Such parks shall meet the following requirements.

1. Minimum size--two acres.
2. Maximum number of manufactured/mobile home sites--ten per acre.
3. Minimum width of a manufactured/mobile home site--40 feet.
4. Maximum height of a manufactured/mobile home trailer--25 feet.
5. Minimum distance between manufactured/mobile home trailers-20 feet.
6. Minimum distance between manufactured/mobile home and service road-ten feet.
7. Each manufactured/mobile home site shall be connected to a public or common water supply system and a public or common sewage disposal system.
8. All drives, parking areas and walkways shall be hard surfaced. There shall be one parking space for each manufactured/mobile home and additional parking spaces for automotive vehicles within the park, totaling not less than one and one-quarter parking spaces for each mobile home space.
9. No manufactured/mobile home sales office or other business or commercial use shall be located on the manufactured/mobile home park site. However, laundries, washrooms, recreation rooms, maintenance equipment storage and one office are permitted.
10. Minimum side yard setback-40 feet at all front, side and rear lot lines of the manufactured/mobile home park.
11. Each manufactured/mobile home park shall be completely enclosed, except for permitted entrances and exits by:
 - (a) A temporary planting of fast-growing material, capable of reaching a height of 15 feet or more, and
 - (b) A permanent evergreen planting, the individual trees to be of such a number and so arranged that within ten years they will have formed a dense screen. Such permanent planting shall be grown or maintained to a height of not less than 15 feet.
12. All manufactured/mobile homes shall meet the construction standards of the Manufactured/Mobile Homes Manufacturing Association.
13. Manufactured/Mobile home parks shall comply with the sanitation regulations of the Douglas County Sanitary Code and the appropriate requirements of the Wisconsin Administrative Code.

6.6 Campgrounds

Campgrounds shall meet the following requirements:

1. Minimum Size: Minimum area for a campground shall be five (5) acres and if located on a road or water frontage, have a minimum width of 300 feet to the road and/or water frontage. All campsites and accessory structures shall maintain a minimum setback of 75 feet from all property line boundaries.
2. Density: Maximum density within a campground shall be ten (10) campsites per acre of suitable area as defined herein.
3. Layout: Each campsite shall be located in a well-drained area not subject to intermittent flooding. Exposed ground surfaces in all parts of every parking area shall be paved or covered with stone screenings or other solid material or protected with vegetative growth capable of preventing soil erosion. No campsite shall be within 75 feet of the ordinary high water mark of a navigable body of water. Campsites on Lake Superior shall adhere to bluff edge setbacks as outlined in Section IV of this chapter.
4. Campsite Identification: All campsites within campgrounds shall be marked with permanent markers identifying the campsite number/name.
5. Parking: Every campsite shall be provided with one (1) off-street parking space. Parking areas shall be constructed of the same materials as roads within the campground.
6. Plan Drawing: Plan drawings of the proposed campground must be submitted to the Douglas County Planning and Zoning Department with an application showing floodplains, wetlands, setbacks, campsites, parking spaces, roads, and buildings, locations of water sources, dump stations, and sanitary facilities.
7. Modification of Existing Campgrounds: Any modification or expansion of existing campgrounds shall require a conditional use permit.
8. Accessory Structures: The maximum area of accessory structure use on each campsite is limited to one 200 square foot deck and one 200 square foot shed. A Land Use Permit shall be obtained by the campground owner for each accessory structure, prior to its placement on a campsite.
9. Sanitary: All campgrounds shall be served by an appropriately sized and permitted sanitary system and/or approved non-plumbing sanitary system.
10. Compliance: A campground shall be in compliance with all state regulations including, but not limited to, Chapter ATCP 79 Campgrounds. Further, each campground and individual campsite shall be in compliance with setback standards within the zoning district it is located as established by Douglas County.

6.7 Major Recreational Equipment

1. The parking or storage of major recreational equipment shall not be subject to the provisions of this section, except that no major recreational equipment shall be parked or stored on any lot in a residential district except in a garage or carport or behind the nearest portion of a building to a street. Such equipment may be parked anywhere on residential premises for a period not to exceed 24 hours during loading or unloading. 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.
2. Except that any major recreational equipment that constitutes a camping

unit (MRECU) may be located on a residential lot for not more than one month in any one calendar year, no MRECU shall be located within Douglas County except in a campground, which has been approved by the County Planning and Zoning Committee. The use of a MRECU outside of a campground shall meet the following requirements:

- (a) A property owner may store their own MRECU on their own property without being subject to any time limit, as long as there is a seasonal or year-round dwelling on the same parcel. The number of MRECUs is limited to one (1) within the shoreland district and two (2) outside the shoreland district.
- (b) MRECU shall be allowed to be used or stored on the owner's property, when there is no residence, for up to 30 days in one calendar year. An extension of up to a total of one year will be allowed with the issuance of an annual land-use permit. Proof of adequate sanitary facilities must be provided, otherwise installation will be required.
- (c) On parcels outside shorelands, with a residence, that are at least 2 acres in size, a single MRECU will be allowed to be used for a period of up to 30 days in one calendar year. The MRECU must be self-contained, unless the existing sanitary facilities of the residence are large enough to handle it, since it is considered to be an additional bedroom. An extension of up to one year will be allowed with the issuance of an annual land use permit.
- (d) The owner(s) of any parcel in Douglas County may have overnight guests stay in either the owner's or the guest's MRECU for up to 14 days per calendar year. Up to 2 MRECUs or 1 structure and 1 MRECU will be allowed on any parcel for a combined total of 14 days per calendar year. All MRECUs must be self-contained and maintained in accordance with all applicable regulations. No permit will be required for this use.
- (e) Special Event Permit. A maximum of five (5) MRECUs will be allowed on any parcel for a period of up to 7 days per calendar year. A Land-Use permit will be required at the lowest approved fee. This permit will be in addition to any special event permit required by the County Health Department. Only 1 such permit will be allowed per parcel per calendar year.
- (f) MRECUs must meet all setback requirements of residential units.
- (g) Accessory Uses: Accessory structures (such as decks and enclosed porches) may be permitted on lots without a principal structure, however, the location of such structures shall not be attached to or be located in a manner that will hinder the removal of the MRECU. Each accessory structure requires a Land Use Permit prior to placement on the lot.

SECTION VII. CONDITIONAL USES

7.1 General Provisions

One of the purposes of this ordinance is to divide the unincorporated portions of the county into districts within which the use of land and buildings, and the bulk and location of buildings in relation to the land are mutually compatible, and substantially uniform. There are certain uses that may be entirely appropriate and not necessarily incompatible with the basic uses permitted in any district, but not at every or any location therein or without restrictions or conditions being imposed by reason of unique problems the use of its particular location presents from a zoning standpoint, including the impact of those uses upon neighboring land or public facilities, and the public need for the particular use at a particular location. Such uses may be necessary or desirable to be allowed in a particular district provided that due consideration is given to their location, development, and operation. Such uses are hereby classified as conditional uses and are subject to the provisions specified herein.

1. Approval Required

Any conditional uses listed in this ordinance shall be permitted only when authorized by the County Zoning Committee and subject to its approval. Upon such approval, issuance of a Conditional Use Permit will be granted.

2. Basis of Approval

In accordance with the provisions of Section 59.69(5e) Wis. Stats. relating to the consideration of conditional use permits using substantial evidence the County Zoning Committee shall consider the effect of such grant on the health, general welfare, safety and economic prosperity of the county and of the immediate area in which such use would be located, including such considerations as the effect on the established character and quality of the area, its physical attractiveness, existing topography, drainage features, erosion potential, vegetative cover, the prevention and control of water pollution, the location with respect to floodplains and flood ways, the movement of traffic and the relationship to existing or proposed roads, the demand for related services, the possible hazardous, harmful, noxious, offensive or nuisance effects resulting from noise, dust, smoke, or odor and other factors.

7.2 Procedure

1. Application

Application for a Conditional Use Permit shall be made to the County Land Services Director or designee who shall promptly refer the application to the County Zoning Committee. In addition to the information required under Section 8.0 for a Land Use Permit, the County Zoning Committee may require the applicant to submit other pertinent data and information necessary to properly evaluate the request.

2. Fees

The fee for filing of applications for Conditional Use Permits shall be established by the County Zoning Committee. A copy of the current fee

schedule shall be kept on file in the office of the County Land Services Director or designee.

3. Hearing

The County Zoning Committee shall schedule a public hearing on the application within 30 days after it is filed and whenever shorelands are involved, a copy of the notice for a public hearing shall be sent to the Wisconsin Department of Natural Resources.

4. Determination

The Zoning Committee shall report its decision within 90 days after the filing of the application. Its decision shall include an accurate description of the use permitted, of the property on which it is permitted, and all conditions made applicable thereto. In those cases where shorelands are involved a copy of the Zoning Committee's determination shall be sent to the Wisconsin Department of Natural Resources.

5. Mapping and Recording

When a Conditional Use Permit is granted, 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.

6. Termination

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

SECTION VIII. ADMINISTRATION

8.1 Land Services Director

1. Designation

The County Administrator shall appoint and supervise the head of the County Zoning Agency, the Land Services Director, subject to confirmation by the County Board. The Land Services Director shall be responsible for the administration and enforcement of the provisions of this ordinance. The County Administrator may also authorize designation of a deputy or Zoning Coordinator to assist in the enforcement and administration of this ordinance.

2. Duties

In administering and enforcing this ordinance, the County Land Services Director and any of his deputies shall perform the following duties:

- (a) Provide necessary forms and applications for use permits.
- (b) Issue land use permits where the provisions of this ordinance have been complied with.
- (c) Issue conditional use permits when authorized by the County Zoning Committee.
- (d) Upon adoption of this ordinance and when necessary upon the passage of amendments, identify and record information relative to nonconforming uses and structures.
- (e) Maintain files of applications, permits and other relevant information.
- (f) Make an annual report of his activities to the County Zoning Committee.

3. Powers

The County Land Services Director and his duly appointed deputies shall have powers and authority including, but not limited to the following:

- (a) Access to any structure or premise for the purpose of performing his duties between 8:00 a.m. and 8:00 p.m. by the permission of the owner or upon issuance of a special inspection warrant.
- (b) Upon reasonable cause or question as to property 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 ordinance.

8.2 Land Use Permits

1. Permit Required

No structure shall be built, moved or structurally altered, and no land use shall be substantially altered until a land use permit has been issued by the County Land Services Director or designee. They shall not issue a permit for a structure or a use not in conformity with the requirements of this ordinance. The fee for filing of applications for land use permits shall be established by the County Zoning Committee. A copy of the current fee schedule shall be kept on file in the office of the County Land Services Director or designee.

2. Application Procedure

Applications for land use permits shall be accompanied by scale maps or drawings showing accurately the location, size and shape of the lot(s) involved, and of 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.

3. Expiration

Land use permits for construction, alteration, or removal of structures shall expire 12 months from their date of issuance if no building activity has begun within such time. Land use permits for land use changes shall

expire 18 months from their date of issuance where no action has been taken to accomplish such changes.

8.3 Violations

Any person who violates this ordinance shall forfeit a sum up to \$200, plus costs of prosecution, for each day of violation. Default of payment shall result in imprisonment in the Douglas County Jail for a period of not to exceed six months.

SECTION IX. NONCONFORMING STRUCTURES AND USES

Present uses of principal or accessory buildings, signs and premises may be continued even though they do not conform to the development regulations of this ordinance. The ordinary maintenance, repair, renovation or remodeling of a nonconforming structure is allowed without the issuance of a land use permit. However, structural repairs or alterations or rebuilding of such buildings, signs or premises, requires the issuance of a land use permit. This ordinance does not prohibit or limit based on cost or require a variance for the repair, maintenance, renovation, rebuilding or remodeling of any nonconforming structure or any part of a nonconforming structure. Expansion of a nonconforming structure may not exceed 50% of the enclosed building area and may not increase the nonconformity without the approval of a variance by the Board of Adjustment unless a building, sign or premises conforming to the development regulations of this ordinance results. Any nonconforming use that is abandoned for one year shall be discontinued permanently unless this restriction is waived by the Douglas County Board. Any expansion of an existing nonconforming use must not change the use. Any change of an existing nonconforming use to another use requires compliance with the development regulations within that zoning district.

SECTION X. BOARD OF ADJUSTMENT

10.1 Composition

A Board of Adjustment is hereby created in accordance with the provisions of Section 59.694, Wis. Stats., and will be appointed by the County Administrator.

10.2 Rules

1. Chair and Vice Chair

The Board of Adjustment will elect a Chair and Vice Chair to preside over meetings. Elections will be held at the end of every three-year term of the Chair and Vice Chair.

2. Call for Meetings

The Board of Adjustment shall meet at the call of the chairman, and at such other times as the Board of Adjustment may determine, at a fixed time and

place.

3. Open Meetings

All meetings of the Board of Adjustment shall be open to the public.

4. Public Hearing Location

Any public hearing which the Board of Adjustment is required to hold shall be held in a location convenient to the public and a full description of the location of such place of hearing by name, address, or other commonly known means of identification, shall be included in the notice given of such hearing.

5. Notification of Public Hearing

Notice of any public hearing which the Board of Adjustment is required to hold under the terms of this ordinance shall specify the date, time, and place of hearing and the matter to come before the Board of Adjustment at such hearing, and such notice shall be given in each of the following ways:

- (a) By publication of a Class 2 notice in the official newspaper of the county.
- (b) By posting, not less than ten days prior to the date of such hearing, in each of the public places in which official notices are usually published, in each town affected by the matters to come before the Board of Adjustment at such hearing.
- (c) 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 variance or appeal at least ten days before such public hearing. The failure of such notice to reach any property owner shall not invalidate any variance or appeal.
- (d) In cases where shorelands are involved, a copy of the notice for a public hearing shall be sent to the Wisconsin Department of Natural Resources.

6. 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. In those cases where shorelands are involved a copy of the Board's determination shall be sent to the Wisconsin Department of Natural Resources.

7. 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.

8. Effectuation

The Board of Adjustment may adopt such rules as are necessary to carry into effect the regulations of the County Board.

9. Certiorari

In the case of all appeals, the Board of Adjustment shall call upon the County Zoning Committee for all information pertinent to the decision appealed from. Any decision by the Board of Adjustment may be appealed to the circuit court seeking the remedy available by certiorari. The circuit court may reverse, affirm, or modify, in whole or in part, the decision of the Board of Adjustment.

SECTION XI. AMENDMENTS

11.1 Procedure

The County Board of Supervisors may amend this ordinance in accordance with the procedures prescribed by Section 59.69(5)(e), Wis. Stats.

11.2 Fee

Any petition for amendment submitted by other than a governmental body shall be accompanied by a fee of \$150.00 to defray the cost of advertising, investigation, and processing, except that any petition by a governmental body which pertains to privately owned property shall be accompanied by the \$150.00 fee.

SECTION XII. PUBLIC HEARINGS

12.1 Notice

Adequate notice shall be given of any public hearing required by the provisions of this ordinance, stating the time and place of such hearing and the purpose for which it is being held.

12.2 Procedure

1. Posting and Publishing

- (a) Notice of public hearing shall be given as per Section 59.69(5)(e)(2), Wis. Stats.
- (b) In addition, when the hearing involves a proposed change in the zoning district classification of any property, or the granting of a conditional use, the town in which the affected land is located shall be notified as per Section 59.69(5)(e)(2), Wis. Stats. Also, a copy of

the notice shall be posted in the vicinity of the proposed change or 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.

SECTION XIII. VALIDITY

13.1 Conflict

All other ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

13.2 Court Invalidation

Invalidation by a court of any part of this ordinance shall not invalidate the rest of the ordinance.

13.3 Force and Effect

Following passage and publication by the County Board of Supervisors, this amendment shall be in full force and effect in each town, as provided in Section 59.69(5)(e)6, Wis. Stats.

All text and map regulations and districts relating to Douglas County shorelands as defined by Section 59.69(5)(e)6, Wis. Stats., shall become effective immediately upon adoption and publication by the Douglas County Board. These shoreland text and map regulations and districts shall not require town board action.

Dated this 17th day of March, 2022

ZONING SCHEDULE - DIMENSIONAL REQUIREMENTS¹

	<u>R-1</u>	<u>R-2</u>	<u>RR-1</u>	<u>A-1</u>	<u>A-2</u>	<u>C-1</u>	<u>RRC-1</u>	<u>I-1</u>	<u>F-1</u>
<u>Building Height Limit (ft)</u>	<u>35</u>	<u>35</u>	<u>35</u>	<u>35</u>	<u>35</u>	<u>35</u>	<u>35</u>	<u>60</u>	<u>35</u>
<u>Required Lot Area</u>									
With Public Sewer	<u>10,000 sqft</u>	<u>5 acres</u>	<u>10,000 sqft²</u>	<u>5 acres</u>	<u>40 acres</u>	<u>10,000 sqft³</u>	<u>5 acres</u>	<u>1 acre</u>	<u>10 acres</u>
Without Public Sewer	<u>20,000 sqft</u>	<u>5 acres</u>	<u>20,000 sqft</u>	<u>5 acres</u>	<u>40 acres</u>	<u>20,000 sqft</u>	<u>5 acres</u>	<u>1 acre</u>	<u>10 acres</u>
<u>Minimum Lot Width⁴ (in feet)</u>									
With Public Sewer	<u>75</u>	<u>300</u>	<u>150</u>	<u>300</u>	<u>1200</u>	<u>75</u>	<u>300</u>	<u>200</u>	<u>300</u>
Without Public Sewer	<u>100</u>	<u>300</u>	<u>150</u>	<u>300</u>	<u>1200</u>	<u>100</u>	<u>300</u>	<u>200</u>	<u>300</u>
<u>Dimensional Setbacks (in feet)</u>									
Front	<u>30</u>	<u>50</u>	<u>30</u>	<u>50</u>	<u>50</u>	<u>10</u>	<u>50</u>	<u>50</u>	<u>30</u>
Side	<u>10</u>	<u>20</u>	<u>10</u>	<u>20</u>	<u>20</u>	<u>10</u>	<u>10</u>	<u>20</u>	<u>10</u>
Principal	<u>5</u>	<u>10</u>	<u>5</u>	<u>10</u>	<u>10</u>	<u>5</u>	<u>5</u>	<u>10</u>	<u>5</u>
Accessory									
Rear	<u>40</u>	<u>50</u>	<u>40</u>	<u>50</u>	<u>50</u>	<u>20</u>	<u>40</u>	<u>50</u>	<u>40</u>
Principal	<u>20</u>	<u>50</u>	<u>40</u>	<u>50</u>	<u>50</u>	<u>20</u>	<u>40</u>	<u>50</u>	<u>40</u>
Accessory									

- 1 Unless specified elsewhere in this ordinance or on the official zoning map, the dimensional requirements of this schedule shall apply to the respective listed districts. Requirements for the W-1: Resource Conservation, SP-1: Shoreland Protection, and PUD: Planned Unit Development are contained on the Official Zoning Map.
- 2 Minimum for one-family dwellings; add 5,000 square feet for each additional unit over one.
- 3 Plus any additional area required by Wis. Adm. Code Comm 85.
- 4 No lot shall be created with a length to width ratio greater than (3) to (1).

SETBACK REQUIREMENTS ON HIGHWAY AND ROADS, AS STATED IN SECTION 4.2, Douglas County Zoning Ordinance:

The distance that is greater (measured from the centerline and from the right-of-way line), shall apply to

- (a) ALL STATE AND U.S. NUMBERED HIGHWAYS - 130 Ft. from centerline or 66 ft. from right-of-way line.
- (b) ALL COUNTY TRUNK HIGHWAYS - 75 Ft. from centerline or 42 Ft. from right-of-way line.
- (c) ALL TOWN ROADS - 63 Ft. from centerline or 30 Ft. from right-of-way line.