

Price County, WI
Wednesday, February 8, 2023

Chapter 530. Zoning

[HISTORY: Adopted by the Board of Supervisors of Price County 4-17-1979 by Ord. No. 4-79. Amendments noted where applicable.]

GENERAL REFERENCES

Floodplain zoning — See Ch. 505.
Nonmetallic mining — See Ch. 514.
Shoreland zoning — See Ch. 520.
Subdivision of land — See Ch. 525.
Telecommunications facilities — See Ch. 527.

Article I. Introduction

§ 530-1. Authority.

For the purposes listed in §§ 59.69, 59.692, 59.694 and 87.30, Wis. Stats., the Board of Supervisors of Price County in regular session do ordain as follows.

§ 530-2. Title.

This chapter shall be known as, referred to, and cited as the "Zoning Ordinance for Price County, Wisconsin," and hereinafter referred to as "this chapter."

§ 530-3. Purpose and intent.

The purpose of this chapter is to promote and to protect the public health, morals, safety, and general welfare of the County. It is intended to encourage the use of lands and natural resources in Price County in accordance with their character and adaptability; to promote orderly development; to secure safety to health, life and property; to prevent highways from economic suffocation by encroaching uses; to preserve land values; and to ensure a quality environment for future generations. This chapter is intended to accomplish this purpose by providing for the proper location, construction, and use of buildings and structures and the use of land, shorelands, air and water within the unincorporated areas of Price County.

§ 530-4. Interpretation.

The provisions of this chapter shall be held to be minimum requirements adopted for the promotion and protection of the public health, morals, safety, or general welfare; whenever the requirements of this chapter are at variance with the requirements of any other lawfully adopted regulations or private covenants, the most restrictive, or that imposing the highest standards, shall govern.

§ 530-5. Severability.

If any section, clause, provision, or portion of this chapter is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this chapter shall not be affected thereby. If any application of this chapter to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment.

§ 530-6. Repealer.

All prior County ordinances, or parts of ordinances, and amendments thereto conflicting with this chapter are hereby repealed and superseded by this chapter, including the Zoning Ordinance for Price County, Wisconsin, adopted December 11, 1934, and the Comprehensive Amendment to the Zoning Ordinance, Price County, enacted by the County under § 59.69, Wis. Stats., and adopted by this County Board on August 13, 1970, or amendments thereto, which are hereby repealed and superseded by this chapter.

§ 530-7. Applicability.

[Amended 2-16-2010 by Res. No. 2-10]

Following passage and publication by the County Board of Supervisors, this chapter shall be in full force and effect in each town, as provided in Wisconsin Statutes.

§ 530-8. Appeals.

[Added 2-16-2010 by Res. No. 2-10]

Any and all decisions and determinations made under the authority granted by this chapter may be appealed to the Price County Board of Adjustment as per Ch. 59, Wis. Stats., through the office of the County Clerk.

Article II. Standard District Regulations

§ 530-9. Compliance required; jurisdiction.

The unincorporated areas of Price County are hereafter regulated as to 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 space, which shall be in compliance with the regulations set forth on the Official Zoning Map, Price County, Wisconsin, and in the text of this chapter.

§ 530-10. Site requirements.

[Amended 2-17-2009 by Res. No. 4-09; 2-16-2010 by Res. No. 2-10]

Only one principal building or dwelling unit shall be permitted per minimum lot size (as specified in Chapter 525, Subdivision of Land). Minimum lot size will be required for each additional principal building or dwelling unit erected except for legally permitted multifamily dwellings or legally permitted resorts where the minimum lot size shall not be required for each dwelling unit.

Article III. Permits and Enforcement

§ 530-11. Land use permits.

[Amended 8-19-2003 by Res. No. 6078]

- A. 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. Whenever 50% or more of a building, structure, or mobile home is destroyed by fire or other catastrophic cause, a land use permit will be required before reconstruction or repair is started on that building, structure, or mobile home. The County Zoning Administrator shall not issue a land use permit for a structure, use, or activity not in conformity with the requirements of this chapter. The fee for filing of applications for land use permits shall be established by the Price County Board of Supervisors.
[Amended 2-16-2010 by Res. No. 2-10]
- B. All government entities covered by County zoning shall obtain all necessary permits; however, they are exempt from paying County zoning fees. Any fee that is not directly associated with the County zoning fee shall be paid unless waived by the Land Use and UW Extension Committee (i.e., state sanitary fee, Register of Deeds fees, and publication fees).

§ 530-12. Approval of driveways.

[Amended 2-16-2010 by Res. No. 2-10]

A land use permit for a new building will not be issued until a driveway access form is submitted by the governing body of the road on which the driveway is located.

§ 530-13. Temporary uses and structures.

- A. Under the conditions hereinafter specified, a house trailer, mobile home (of any size), or temporary building may be used at the construction site, if it is occupied by the owner or builders while residential construction is in progress.
- B. The permit shall allow the temporary use for a specified period not to exceed one year from the date of issuance. Extension of a temporary use shall require a conditional use permit.
- C. A land use permit may be issued for the storage of a mobile home if the mobile home is not used for human habitation. The permit shall not be renewed after the one.

§ 530-14. Application for permit.

[Amended 6-20-1995 by Res. No. 5614; 2-16-2010 by Res. No. 2-10]

Any person desiring a permit shall submit a fee established by the Price County Board of Supervisors and an application to the Zoning Department on forms provided.

§ 530-15. Display of permit.

It shall be the responsibility of the owner, his agent, and of all persons working upon the property or lot to maintain a permit upon the lot and in a place visible from the street or highway from the time work is started upon the lot or property until it is completed.^[1]

[1] *Editor's Note: Original § 3.6, Refusal to work, and § 3.7, Public services, which immediately followed this section, were repealed 2-16-2010 by Res. No. 2-10.*

§ 530-16. Expiration of permit.

Land use permits for construction or alteration shall expire 24 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.

§ 530-17. Exceptions.

[Amended 2-13-2001 by Res. No. 5908; 2-19-2002 by Res. No. 5981]

A land use permit is not required for additions to buildings used for human habitation when the addition does not exceed 80 square feet of horizontal expansion, nor is a land use permit required for farm buildings, school bus stop shelters, temporary shelters for horses, equipment or humans at a logging or pulpwood cutting operation, or handicap ramps used exclusively to enter and exit a dwelling, provided that such structures meet the dimensional and setback requirements of this chapter.

§ 530-18. Conditional use permits.

A conditional use permit shall be required for all uses listed in this chapter as conditional use.

§ 530-19. Enforcement; violations and penalties.

[Amended 4-21-2015 by Res. No. 15-15]

Any development, any building or structure constructed, moved or structurally altered, or any use established after the effective date of this chapter in violation of the provisions of this chapter, by any person, firm, association, or corporation, including building contractors or their agents, shall be deemed a violation. A violation which is not corrected on the order of the Zoning Administrator shall be referred to the District Attorney or Corporation Counsel who shall expeditiously prosecute violations. Any person, firm or corporation who violates or refuses to comply with any of the provisions of this chapter shall be subject to a forfeiture as provided in Ch. 290 of the County Code, together with the taxable cost of action. Each day which the violation exists shall constitute a separate offense.

§ 530-20. (Reserved)

[1] *Editor's Note: Former § 530-20, Violations and penalties, as amended, was repealed 4-21-2015 by Res. No. 15-15.*

Article IV. Setback Requirements on Highways and Roads

[Amended 8-21-1990 by Res. No. 5354; 6-15-2004 by Res. No. 6125]

§ 530-21. Class A highways.

All state and United States numbered highways are hereby designated Class A highways.

§ 530-22. Class B highways.

All County trunk highways not otherwise designated as Class A highways are hereby designated Class B highways.

§ 530-23. Class C highways.

All town roads not otherwise designated Class A or Class B highways are hereby designated Class C highways. All federal forest roads are hereby designated as Class C highways.

§ 530-24. Required setback distances.

- A. The setback line for all structures shall be the following distance as measured from the center line of the designated highway or from the right-of-way line, whichever is greater:
- (1) Class A: 110 feet from the center line of the highway or 50 feet from the right-of-way line.
 - (2) Class B: 75 feet from the center line of the highway or 42 feet from the right-of-way line.
 - (3) Class C: 63 feet from the center line of the highway or 30 feet from the right-of-way line.
- B. Fifield Sanitary District setback requirements. Within the Fifield Sanitary District, the following setback requirements for structures shall be maintained:
- (1) Along Highways 13 and 70: 70 feet from the center line of the highway or 20 feet from the right-of-way line.
 - (2) Class C highways, town roads or side streets: 50 feet from the center line of the highway, road, or street or 20 feet from the right-of-way line.
 - (3) Alleys: 20 feet from the center line of the alley.
 - (4) Highway 13 from Cherry Street to Walnut Street: no driveway separation or visual clearance at intersection requirements. In all cases, the greater setback requirement shall be used.
- C. Ogema Sanitary District setback requirements. Within the Ogema Sanitary District, the following setback requirements for structures shall be maintained:
- (1) Along Old Highway 13 and Highway 86 west of Old Highway 13: 70 feet from the center line of the highway or 20 feet from the right-of-way line.
 - (2) Along Highway 86 east of Old Highway 13 extending to the railroad tracks:
 - (a) North side of road: 70 feet from the center line of the highway or 20 feet from the right-of-way line.
 - (b) South side of Highway 86: 50 feet from the center line of the highway or 20 feet from the right-of-way line.
 - (3) Continuing east on Highway 86 from the railroad tracks to Highway 86 – Front Street: 33.5 feet from the center line of Highway 86.
 - (4) Continuing east on Highway 86 from the intersection of Front Street and Highway 86 to the intersection of Dahl Road: 50 feet from the center line of the highway or 20 feet from the right-of-way line.
 - (5) Side streets: 50 feet from the center line of the highway or 20 feet from the right-of-way line.
 - (6) Holmes Street from the intersection of Highway 86 east to the alley between Front and 2nd Streets: 33.5 feet from the center line of Holmes Street.
 - (7) Alleys: 20 feet from the center line of the alley.
 - (8) In all cases, the greater setback requirement shall be used. There are no driveway separation or visual clearance at intersection requirements.
- D. Lymantown Sanitary District setback requirements. Within the Lymantown Sanitary District, the following setback requirements for structures shall be maintained:
- (1) Along all named streets: 53 feet from the center line of the road or 20 feet from the right-of-way line.

- (2) Alleys: 20 feet from the center line.
- (3) In all cases, the greater setback requirement shall be used. There are no driveway separation or visual clearance at intersection requirements.^[1]

[1] *Editor's Note: Original § 4.5, which immediately followed this section, was repealed 2-16-2010 by Res. No. 2-10.*

§ 530-25. Placement of certain structures within setback lines.

Minor readily removable structures such as open fences or signs permitted by this chapter may be placed within setback lines. Public utility equipment without permanent foundations is also permitted. When deemed necessary by the County Land Use and UW Extension Committee in connection with developments 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 structure erected within setback lines.

§ 530-26. Zoning schedule.

[Amended 8-21-2012 by Res. No. 29-12^[1]]

	Zoning District							
	RR-1	RB-R	RF-1 and RF-C	CI-1	CI-C	CI-I	C-1	A-1
Property line set-back (feet)								
Principal building	10	10	10	15	15	15	10	20
Barns and stables	100	100	100	–	–	–	–	–
Accessory building	5	5	5	5	5	5	5	10

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).*

§ 530-27. Special exceptions.

[Amended 2-16-2010 by Res. No. 2-10; 8-21-2012 by Res. No. 29-12]

Minimum property line setbacks and minimum road setbacks may be reduced by special exception. Reduced shoreline setbacks shall not be considered under this section. Section 520-44 of Chapter 520, Shoreland Zoning, shall apply to variances from dimensional standards set forth by Chapter 520. This shall be applicable in all zoning districts.

A. Procedure.

- (1) Upon receipt of an application and a nonrefundable fee for a special exception application, the Zoning Department shall give written notice thereof to all adjoining landowners and the town clerk of the town in which the property is located and shall request the town board's recommendation with respect to the application.
- (2) A public hearing on the application shall be scheduled and noticed as a Class 2 notice according to state statutes and Article XX of this chapter.
- (3) The Land Use and UW Extension Committee shall act upon the application after receiving objections and town board recommendations. The Land Use and UW Extension Committee

may request additional information from the applicant to make a decision. The Land Use and UW Extension Committee shall refer to § 530-67 of this chapter as a basis of approval.

- (4) If a special exception is granted, the Price County Zoning Department shall record with the Price County Register of Deeds the approved application. The applicant shall pay the recording fee. The special exception shall benefit all current and future owners of such property unless the permit terminates under Subsection **B** of this section.
- B. Termination. A special exception granted shall automatically terminate 12 months from its date of issuance if the authorized building activity has not begun within such time.
- C. Reconsideration.
- (1) Resubmission. No appeal or application which has been dismissed or denied shall again be considered unless the applicant can show a material change in circumstances.
- (2) Rehearing. No rehearing shall be held except upon the affirmative vote of a majority of members of the Land Use and UW Extension Committee upon finding that substantial material new evidence is submitted which could not reasonably have been presented at the previous hearing. Requests for rehearing shall be in writing and shall state the reasons for the request and be accompanied by necessary data and diagrams. Rehearings shall be subject to the same notice requirements as original hearings.^[1]

[1] *Editor's Note: Original §§ 4.9, 4.10 and 5.0, which immediately followed this section, were repealed 2-16-2010 by Res. No. 2-10.*

Article V. Lot Sizes; Accessory Uses and Structures

§ 530-28. Reduction of lot area.

[Amended 2-16-2010 by Res. No. 2-10]

After adoption of this chapter, no lot area shall be so reduced that the dimensional and yard requirements imposed by this chapter cannot be met. Lots existing and of record prior to adoption of this chapter but of substandard size may be devoted to uses permitted in the district in which located provided that they meet the appropriate requirements of the Wisconsin Administrative Code and are at least 50 feet wide at the building site and contain a minimum area of 5,000 square feet. Existing lake shore lots shall meet the requirements established in Chapter 520, Shoreland Zoning.^[1]

[1] *Editor's Note: Original §§ 6.2 and 6.3, which immediately followed this section, were repealed 2-16-2010 by Res. No. 2-10.*

§ 530-29. Compliance with subdivision regulations required.

A land use permit shall not be issued for a parcel of land that has not been created in accordance with Chapter 525, Subdivision of Land, unless the lot was in existence prior to April 11, 1968.

§ 530-30. Determination of separate parcels.

Parcels of land described on separate deeds, land contracts, or abstracts created before April 11, 1968, and contiguous to other lands owned will be considered as separate parcels if the lots meet minimum lot size requirements.

§ 530-31. Accessory structures.

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

§ 530-32. Setbacks for certain facilities.

Walks, drives, garden accessories, game courts, and similar facilities shall not be closer than three feet to an abutting property line other than a street, except common walks and drives which may be located across property lines.

§ 530-33. Fences, walls and screening devices.

Fences, walls, and similar screening devices not over six feet high are permitted anywhere on a lot. Any such structure over six feet high is permitted provided that it conforms to setback, height and other dimensional requirements of the district within which it is located.

Article VI. Zoning Districts

[Amended 6-20-1995 by Res. No. 5614; 2-19-2002 by Res. No. 5979; 6-15-2004 by Res. No. 6126; 6-15-2004 by Res. No. 6127; 8-11-2004 by Res. No. 6138; 11-9-2004 by Res. No. 6147]

§ 530-34. Establishment.

For the purposes of this chapter, the unincorporated area of Price County is hereby divided into the following zoning districts:

Recreational-Residential District	RR-1
Recreational Business-Residential District	RB-R
Rural Residential-Forestry Districts	RF-1 and RF-C
Commercial-Industrial Districts	CI-1, CI-C and CI-I
Conservancy District	C-1
Agriculture District	A-1

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).*

§ 530-35. Zoning Map and district boundaries.

- A. The locations and boundaries of these districts are shown on a County map and individual town maps officially designated "Detailed Zoning Maps, Price County, Wisconsin."
- B. These maps, together with all explanatory matter and regulations thereon, are an integral part of this chapter. In the event of a conflict between zoning district boundaries shown on the Official Zoning Map, Price County, Wisconsin (County Map), and the Detailed Zoning Map, Price County, Wisconsin (Town Map), the latter shall govern and prevail. District boundaries are normally lot lines, section and quarter section lines, and center lines of streets, highways, railroads, or alleys. Questions regarding exact location of district boundaries shall be decided by the County Zoning Administrator. Decisions may be reviewed on appeal to the Board of Adjustment.
[Amended 2-16-2010 by Res. No. 2-10]
- C. The official copies of the Official Zoning Map, Price County, Wisconsin, and Detailed Zoning Maps, Price County, Wisconsin, together with a copy of this chapter shall be kept at the County Zoning

Office and shall be available for public inspection during office hours. These maps shall be certified by the Chairperson 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 the provisions of § 59.69, Wis. Stats.^[1]

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

§ 530-36. Recreational-Residential District (RR-1).

The purpose of this district is to protect the waters and shorelands of Price County and all other areas so designated on all zoning maps of Price County as RR-1, to provide for safe and orderly development throughout the unincorporated limits of Price County and to provide the residents therein the opportunity to enjoy the recreational advantages in Price County.

A. Permitted uses.

- (1) One- and two-family dwelling units. Mobile homes over 320 square feet that meet the Housing and Urban Development (HUD) Code shall be considered the equivalent of a one-family dwelling unit in this district. Those units meeting the HUD Code will have a HUD seal affixed to the structure certifying that it is a manufactured home defined under 42 U.S.C. §§ 5401 to 5426. This seal also signifies that the unit meets standards established in 24 CFR 3280 and 3282. These standards include general construction rules, firesafety, testing, thermal protection, plumbing, electrical, heating and cooling, and transportation.

B. Permitted accessory uses.

- (1) All accessory buildings used in conjunction with the principal building permitted in the Recreational-Residential District.
- (2) Essential services and utilities intended to serve the principal permitted use.^[1]
[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).*
- (3) All barns, stables, or structures used to house one or more animal units must be located 100 feet from a lot line. "Animal unit" is defined in § 530-82.
- (4) Horticulture and gardening.
[Added 2-17-2009 by Res. No. 10-09]
- (5) Harvesting of wild crops such as marsh hay, ferns, moss, berries, tree fruits, and tree seeds.
[Added 2-17-2009 by Res. No. 10-09]
- (6) Production of forest crops, including tree plantations.
[Added 2-17-2009 by Res. No. 10-09]

C. Conditional uses.

- (1) 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 Land Use and UW Extension Committee are of the same general character or clearly incidental to a permitted use.
- (2) Multifamily dwellings.
- (3) Mobile home parks and campgrounds.
- (4) Cluster and planned developments.
- (5) Home occupation.
- (6) Expanded home occupation.

§ 530-37. Recreational Business-Residential District (RB-R).

[Added 6-19-2007 by Res. No. 24-07]

The purpose of this district is to provide for recreational businesses while protecting the waters and shorelands of Price County.

A. Permitted uses.

- (1) One- and two-family dwelling units.
- (2) Resort (rental cabins only or in combination with a restaurant that does not serve alcoholic beverages).
- (3) Curio and souvenir shop.
- (4) Cafe or restaurant without alcoholic beverages.
- (5) Campground (recreational vehicle and tent camping).
- (6) Boat sales, repair and service.
- (7) Bed-and-breakfast.
- (8) Sport/bait shop.
- (9) Health and wellness spa.

B. Permitted accessory uses.

- (1) Essential services and utilities intended to serve the principal permitted uses.^[1]
[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).*
- (2) Customary accessory uses, provided that such uses are clearly incidental to the permitted use.
- (3) Micro wind energy systems.
[Added 2-17-2009 by Res. No. 10-09]

C. Conditional uses.

- (1) Cafe or restaurant serving alcoholic beverages.
- (2) Bar or tavern.
- (3) Resort (rental cabins in combination with a bar/restaurant that serves alcoholic beverages).
- (4) Mini warehouse storage.
- (5) Home occupation.
- (6) Expanded home occupation.
- (7) Brewery.
- (8) Retail store.
- (9) Multifamily dwellings.

§ 530-38. Rural Residential-Forestry Districts.

- A. Rural Residential-Forestry District (RF-1). This district provides for one-family and two-family year-round 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 in conjunction with the small farm and forestry section of Price County.

(1) Permitted uses.

- (a) One- and two-family dwelling units.
- (b) Signs subject to the provisions of Article **XIV**.
- (c) Small wind energy systems.
[Added 2-17-2009 by Res. No. 10-09]

(2) Permitted accessory uses.

- (a) All accessory buildings used in conjunction with the principal building permitted in the Rural Residential-Forestry District.
- (b) Essential services and utilities intended to serve the principal permitted uses.^[1]
[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).*
- (c) Horticulture and gardening.
- (d) Customary accessory uses, provided that such uses are clearly incidental to the permitted use.
- (e) Production of forest crops, including tree plantations.
- (f) Harvesting of wild crops such as marsh hay, ferns, moss, berries, tree fruits, and tree seeds.
- (g) All barns, stables, or structures used to house one or more animal units must be located 100 feet from the lot line. "Animal unit" is defined in § **530-82**.

(3) Conditional uses.

- (a) Home occupation.
- (b) Expanded home occupation.
- (c) Mobile home parks and campgrounds.
[Added 2-17-2009 by Res. No. 10-09]
- (d) Large wind energy systems.
[Added 2-17-2009 by Res. No. 10-09]
- (e) Telecommunications tower or antenna as defined in Chapter **527**, Telecommunications Facilities, of the County Code.
[Added 2-17-2009 by Res. No. 10-09]
- (f) Bed-and-breakfast.
[Added 2-17-2009 by Res. No. 10-09]
- (g) Short-term rentals (less than 30 consecutive days).
[Added 2-17-2009 by Res. No. 10-09]

- B. County Forestry District (RF-C). 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 recreational activities compatible with sound forest management programs and to permit as a conditional use certain recreational activities which when adequately developed are not incompatible with the forest.

(1) Permitted uses.

All-terrain vehicle trails
 Beaches
 Boat landings
 Game refuge or hunting and fishing area
 Golf courses
 Harvesting of wild crops such as marsh hay, ferns, moss, berries, tree fruits, and tree seeds
 Hiking trails
 Horse trails
 Motorized bike trails
 Mountain bike trails
 Multiple use trails and wildlife refuges
 Parking lots
 Parks
 Production of forest crops, including tree plantations
 Ski trails
 Small wind energy systems
 [Added 2-17-2009 by Res. No. 10-09]
 Snowmobile trails
 Soil and water conservation programs
 Wildlife flowages

(2) Permitted accessory uses.

- (a) All accessory buildings used in conjunction with the principal building permitted in the County Forestry District.
- (b) Essential services and utilities intended to serve the principal permitted uses.^[2]
 [2] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).*
- (c) Customary accessory uses, provided that such uses are clearly incidental to the permitted use.
- (d) All barns and stables or structures used to house one or more animal units must be located 100 feet from the lot line. "Animal unit" is defined in § 530-82.

(3) Conditional uses.

Airports
 Campgrounds
 Cemetery
 Dams/plants for the production of electric power and flowage areas
 Forest-connected industries such as sawmills, debarking operations, chipping facilities, and similar operations
 Green graveyards
 Landfills
 Large wind energy systems
 [Added 2-17-2009 by Res. No. 10-09]
 Public and private parks, playgrounds, and water sports areas

Quarrying, mining, and processing of products for these activities, subject to the provisions of Article **XI**

Recreation and youth camps

Riding stables

Shooting ranges

Telecommunications tower or antenna as defined in Chapter **527**, Telecommunications Facilities, of the County Code

[Added 2-17-2009 by Res. No. 10-09]

Telephone, telegraph, power transmission towers, poles and lines, including transformers, substations, relay and repeater stations, equipment housing, and other necessary appurtenant equipment and structures, radio and television stations, transmission towers, fire towers, microwave radio relay towers, and pipelines

Utility towers

Year-round residence for caretakers of recreation areas

The location, operation, and maintenance of municipal sanitary landfills, solid waste disposal sites, sewage disposal plants, and privately owned domestic sewage treatment works and necessary appurtenant equipment/structures subject to the provisions of the Wisconsin Administrative Code

§ 530-39. Commercial-Industrial Districts.

A. Commercial-Industrial District (CI-1). This district is intended to provide for the orderly and attractive grouping, at appropriate locations, of retail stores, shops, offices, and similar commercial establishments and is intended to provide for any manufacturing or industrial operation which, on the basis of actual physical and operational characteristics, would not be detrimental to the surrounding area or the County as a whole by any manner of noise, dust, smoke, odor, traffic, physical appearance or similar factor, and subject to such regulatory controls as will reasonably ensure compatibility in this respect.

(1) Permitted uses.

(a) Commercial establishments.

(b) Industrial establishments.

(c) Single-family residences, but only in connection with and accessory to another principal permitted use.

(d) Residential quarters for the owner, proprietor, commercial tenant, employee, or caretaker located in the same building as the business.

(e) Signs subject to the provisions of Article **XIV**.

(2) Permitted accessory uses.

(a) All accessory buildings used in conjunction with the commercial establishment or industrial establishment permitted in the Commercial-Industrial District.

(b) Off-street parking, loading, and storage area.

(c) Essential services and utilities intended to serve the principal permitted uses, including power supply and substations.^[1]

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).*

(3) Conditional uses.

- (a) Commercial establishments and industrial establishments of a potentially noxious, hazardous, or nuisance character.
 - (b) Junk or salvage yards, subject to the provisions of Article **XII**.
 - (c) Quarrying, mining, and processing of products for these activities, subject to the provisions of Article **XI**.
- B. Commercial District (CI-C). This district is intended to provide for the distribution of goods and services and is intended to be used principally by the retail trades. Uses in the district are considered not to be detrimental to the surrounding area by reason of noise, dirt, smoke, odor, physical appearance, compatibility or other similar factors.
[Amended 6-20-2006 by Res. No. 37-06]
- (1) Permitted uses.

Advertising, display manufacturing
 Agricultural implements, distributor, display, repair, sales
 Animal hospital
 Archery range
 Association (clubs and lodges), private
 Athletic club
 Athletic field
 Automobile and truck sales, repair, parts, supplies, storage
 Bait sales (live and artificial)
 Baked foods, manufacturing, sales
 Bank and trust company, loan company
 Barber
 Bar, cocktail lounge, tavern
 Beauty shop
 Bed-and-breakfast facility
 Beverages, wholesale and storage
 Bicycle, motorcycle, small engine, sale and repair, snowmobile
 Billiard parlor
 Boat and yacht club, marina
 Boat sales, repair and service
 Bowling alley, commercial
 Broadcasting studio (radio, television)
 Broker, real estate
 Cafe, restaurant, supper club
 Camper sales and service (trailers, etc.)
 Campground, private (commercial)
 Campground, public and camping resort
 Camping resort
 Camp, private
 Carpenter shop, cabinetmaking, woodworking shop, etc.
 Cemetery
 Church, synagogue, shrine
 Clinic, public and private

Clothing store
Community center, town hall
Convent, retreat house
Country club
Curio and souvenir shop
Driving range, golf
Dwelling, single-family
Fairgrounds
Farm-related single-family dwelling
Florist greenhouse and nursery (commercial)
Florist sales
Frozen food, cold storage locker
Funeral home
Garages (commercial)
Garages (private)
Gasoline or filling service station
Golf course, public or private
Golf, miniature
Grocery store
Hardware, sporting goods
Health center (commercial)
Home, old age, children, maternity, nursing, etc.
Hospital, public or private
Household occupation
Laundry, dry cleaning, pickup station
Liquor, off-sale
Mini warehouse storage
Mobile home sales and service
Multiple-family (greater than or equal to 3) dwellings such as apartments or multiunit condominiums
Museum, art, cultural, historical
Printing, lithograph, photo engraving, etc.
Professional office, engineer, doctor, attorney, dentist, etc.
Public and municipal building
Recreation-service-oriented facilities
Resort (rental cabins, lodging, food and related facilities)
Roadside park or wayside rest
Roadside produce stand (permanent structure)
School, commercial, beauty, business
School, public or private
Single-family dwellings and mobile homes when only occupied by owners or persons engaged in commercial activities on the site
Small wind energy systems
[Added 2-17-2009 by Res. No. 10-09]
Storage (campers, boats, mini storage, etc.)

Store, general retail goods
 Swimming pool, private
 Taxidermist
 Tourist homes
 Travel bureau

(2) Accessory uses. All accessory buildings used in conjunction with the principal building permitted in the Commercial District.

(3) Conditional uses.
 [Amended 2-17-2009 by Res. No. 10-09]

Asylum, public and private
 Auditorium, arena
 Bottled gas, storage and distribution
 Building contractor, equipment and material storage
 Child-care center and play school
 Collection station
 College, public or private
 Commercial entertainment facilities
 Dog pound
 Drive-in restaurant
 Drive-in/outdoor theater
 Fire tower
 Game farm
 Go-karts
 Hotel, motel
 Large wind energy systems
 Mobile home park
 Radio or television transmitting station and tower, telecommunications tower (commercial)
 Riding stable
 Rifle range
 Sauna, steam bath (commercial)
 Shopping center
 Skate park
 Swimming pool, public
 Telecommunications tower or antenna as defined in Chapter 527, Telecommunications Facilities, of the County Code
 Transportation terminals

C. Industrial District (CI-I). The purpose of the Industrial District is to provide an area for manufacturing and industrial operations that, on the basis of their physical and operational characteristics, would achieve desirable economic benefits for the community while at the same time not producing unreasonably detrimental impacts to the surrounding area such as noise, dirt, smoke, odor, traffic, physical appearance or other similar factors.

(1) Permitted uses.

Acoustical material, storage, manufacture

Armory
 Bottling plant
 Brewery
 Bus line depot, garage, repair
 Cement and concrete products manufacture, sales, storage
 Clothing manufacture
 Dairy products, manufacture, sales
 Disposal plant, sewage
 Electric light and power company substations
 Electric light and power company yards
 Express company, warehouse, garage
 Feed, wholesale, sales and storage and fertilizer
 Fish and meat, wholesale storage or curing
 Fish hatchery, public or private
 Ice, manufacture, sales and storage
 Light industry
 Pipe, culvert, sales and storage
 Septic tank sales, service, manufacture
 Storage warehouse (commercial, industrial)
 Water reservoir systems and regulating facilities potable

- (2) Accessory uses. All accessory buildings used in conjunction with the principal building permitted in the Industrial District.
- (3) Conditional uses.

Abattoir (slaughterhouse)
 Acid, ammonia, bleach, chlorine or soap manufacture
 Airport, public or private, including seaplane base
 Amusement park
 Animal boarding facility
 Arms, ammunition, manufacture, wholesale and storage
 Asphalt and asphalt products, processing
 Automobile and truck salvage and scrap yards, junk and salvage yards
 Bones, distillation of
 Disposal plant, incinerator
 Drag strip, auto, motorcycle
 Dump, solid waste disposal (landfill)
 Eggs, poultry processing
 Elevators, grain storage, etc.
 Explosives, manufacture, storage and distribution
 Farming (including livestock) all types and farm-related structures
 Fat rendering
 Fertilizer manufacture
 Forge plant
 Fur farm preparation and storage

Gasoline, fuel oil, bulk storage tanks and related facilities
 Gelatin, glue or size manufacture
 Gravel pit, crushing, screening and washing plant
 Irrigation facilities, canals, dams, reservoirs, etc.
 Machine shop, welding, metal fabrication and processing, welding shop
 Mining, quarry, equipment, storage, rock crushing, etc.
 Paper and wood products manufacture and storage
 Paving-batch plant for cement, asphalt and related materials
 Pipe, culvert, manufacture and storage
 Public service, utility facilities and plants
 Racetrack (automotive, horses, snowmobile)
 Railroad yards
 Salvage and scrap yards (automotive, truck, junk)
 Sawmill and lumberyard
 Smelting
 Tire recapping, equipment and supplies including sales
 Transfer stations (solid waste)

§ 530-40. Conservancy District (C-1).

The purpose of this district is to conserve the wetlands, swamps, and lowlands where the groundwater is at or near the surface much of the year and is unsuitable for building purposes over most of the area. The lands in this district shall retain their natural state and shall not be filled for buildable sites and shall be used for the propagation of wildlife. However, areas that meet the minimum requirements of Chapter SPS 385, Wisconsin Administrative Code, without filling can be used for building purposes. The Conservancy District is designated as C-1 on all zoning maps of Price County.

- A. Permitted uses. Principal building where it is possible to meet the requirements of the Wisconsin Administrative Code and the minimum lot requirements of the Wisconsin Administrative Code without filling.
- B. Accessory uses. All accessory buildings used in conjunction with the principal building permitted in the Conservancy District.
- C. Conditional uses. Conditional uses shall not be permitted in this area for commercial establishments or industrial establishments but may be issued for home occupations carried on in an accessory building other than the dwelling.

§ 530-41. Agriculture District (A-1).

This district is intended to provide for exclusive farming-type activities and for the continuation of forestry programs in those areas best suited for such developments and to protect such areas from the encroachment by incompatible nonfarm and nonforestry uses.

- A. Permitted uses.
 - (1) A one-family or two-family farm residence and a single additional mobile home or dwelling but only when occupied by owners, members of their immediate families and/or persons engaged in farming activities on the premises.
 - (2) Nonfarm residence.

- (3) Signs subject to the provisions of Article **XIV**.
- (4) 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, and historic sites.
- (5) Small wind energy systems.
[Added 2-17-2009 by Res. No. 10-09]

B. Permitted accessory uses.

- (1) All agricultural land uses, buildings and activities, including the growing of field crops, truck crops, dairying, livestock raising, poultry farming, hog raising, and so on.
- (2) Cemeteries.
- (3) Essential services and utilities intended to serve a permitted principal use.^[1]
[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).*
- (4) Forest management programs.
- (5) Roadside stands for the sale of agricultural products, provided that sufficient off-street parking space for customers is furnished.
- (6) Horticulture and gardening.
[Added 2-17-2009 by Res. No. 10-09]
- (7) Harvesting of wild crops such as marsh hay, ferns, moss, berries, tree fruits, and tree seeds.
[Added 2-17-2009 by Res. No. 10-09]

C. Conditional uses.

- (1) Vacation farms and other farm-oriented recreational uses such as riding stables, game farms, and fishing ponds.
- (2) Agricultural processing industries and warehouses, slaughterhouses, rendering and fertilizer plants.
- (3) Other industry and commercial services or businesses.
- (4) Home occupations.
- (5) Expanded home occupations.
- (6) Large wind energy systems.
[Added 2-17-2009 by Res. No. 10-09]
- (7) Telecommunication tower or antenna as defined in Chapter **527**, Telecommunications Facilities, of the County Code.
[Added 2-17-2009 by Res. No. 10-09]
- (8) Short-term rentals (less than 30 consecutive days).
[Added 2-17-2009 by Res. No. 10-09]
- (9) Bed-and-breakfast.^[2]
[Added 2-17-2009 by Res. No. 10-09]
[2] *Editor's Note: Original § 7.8, Miscellaneous requirements, which immediately followed this section, was repealed at time of adoption of Code (see Ch. 1, General Provisions, Art. I).*

Article VII. Sanitation and Water Supply

§ 530-42. Principal buildings.

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 supply and disposal of sewage in accordance with the regulations of Chapter **518**, Sewage Systems, Private, and the appropriate requirements of the Wisconsin Administrative Code.

§ 530-43. Sewage disposal.

[Amended 2-19-2002 by Res. No. 5979; 2-16-2010 by Res. No. 2-10]

The County Zoning Administrator 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 Chapter **518**, Sewage Systems, Private, and Wisconsin Administrative Code Chapter SPS 383 and a sanitary permit has been issued.

§ 530-44. Cluster development.

[Amended 2-19-2002 by Res. No. 5979]

Cluster developments shall be served by sewerage facilities which meet the requirements of Chapter **518**, Sewage Systems, Private, and the applicable minimum standards of Wisconsin Administrative Code Chapter SPS 383.^[1]

[1] *Editor's Note: Original § 9.0, Regulation of special uses, as amended 2-16-2010 by Ord. No. 2-10, which immediately followed this section, was repealed at time of adoption of Code (see Ch. 1, General Provisions, Art. I).*

Article VIII. Recreational Vehicles, Mobile Homes and Campgrounds

[Amended 4-11-1986 by Res. No. 5117; 8-22-1989 by Res. No. 5279; 6-20-1995 by Res. No. 5614; 2-19-2002 by Res. No. 5979; 8-20-2002 by Res. No. 6013]

§ 530-45. Determination of dwelling unit or recreational vehicle.

A mobile home over 32 feet in length will be treated as a principal building or dwelling unit. Any mobile home under 32 feet in length will be treated as a recreational vehicle. Buses used for human habitation shall also be treated as recreational vehicles. [Other standards apply in Recreational-Residential (RR-1) Districts. See § **530-36**.]

§ 530-46. Recreational vehicles outside of approved parks.

Any recreational vehicle located outside a state- or County-approved park shall:

- A. Meet all of the dimensional, setback, and density requirements of the district in which it is located.
- B. Have a privy or other waste disposal system meeting the requirements of Chapter **518**, Sewage Systems, Private.
- C. Not be stored on undeveloped land. Such units shall be permitted to be stored within a garage, carport, or accessory structure or in the rear or side yard areas of developed parcels of land, provided that setback requirements are met. The storage of more than three units shall require a conditional use permit.

- D. Acquire a 911 emergency number for the parcel.

§ 530-47. Temporary dwellings.

Recreational vehicles shall be permitted to be used for temporary dwelling purposes for an aggregate time period of up to four months per calendar year in all zoning districts except commercial. Any such unit that is to be used for temporary dwelling purposes and which is located on a site for a period of time greater than four months per annum shall require a land use permit.

§ 530-48. Removal notice.

A time limit of not less than 15 days and not more than 30 days shall be given in the order for removal of any recreational vehicle not complying with the provisions of this article.

§ 530-49. Mobile home parks.

- A. A conditional use permit shall be required to establish a mobile home park.
- B. Mobile home parks shall conform to regulations of the Wisconsin Administrative Code, Department of Health Services.
- C. The minimum size of a mobile home park shall be three acres.
- D. Maximum number of mobile home sites: 10 per acre.
- E. Minimum width of a mobile home site: 40 feet.
- F. Maximum height of a mobile home trailer: 15 feet.
- G. Minimum distance between mobile home trailers: 20 feet.
- H. Minimum distance between mobile home and service road: 10 feet.
- I. Each mobile home park shall be completely enclosed, except for permitted entrances and exits.
- J. No mobile home sales office or other business or commercial use shall be located on the mobile home park except for a park office as required in the Wisconsin Administrative Code.
- K. Minimum side yard setback: 20 feet at all front, side and rear lot lines of the mobile home park.
- L. Unless opaquely screened by existing vegetation cover, mobile home parks shall be screened by a temporary planting of fast-growing material capable of reaching a height of 15 feet or more, such as hybrid poplar, and a permanent evergreen planting such as Norway pine, the individual trees to be such a number and so arranged that within 10 years they will have formed a screen equivalent in opaqueness to a solid fence or wall. Such permanent planting shall be grown or maintained to a height of not less than 15 feet.
- M. Where shoreline access is to be provided for a mobile home park, there must be at least 50 feet of frontage for every four dwelling units in the park.
- N. Mobile home parks shall comply with the sanitation regulations of Chapter 518, Sewage Systems, Private, and the appropriate requirements of the Wisconsin Administrative Code.

§ 530-50. Campgrounds and camping resorts.

- A. A conditional use permit shall be required to establish a campground or camping resort.

- B. All campgrounds and camping resorts shall conform to the requirements of the Wisconsin Administrative Code and Department of Health Services.
- C. The minimum size of a campground or camping resort shall be three acres.
- D. The maximum number of sites shall be 10 per acre and the maximum number of camping units shall be one per site, except that 10% of the total number of sites can be constructed and used as dual sites.
- E. All drives and parking areas other than those at individual trailer sites shall be hard surfaced with crushed rock or similar material.
- F. There shall be automobile parking space for each site, plus one extra parking space for every three sites.
- G. Maximum length of a mobile home, trailer, camping trailer, bus or other type recreational vehicle used for human habitation and to be parked in a campground or camping resort is 50 feet.
- H. Where shoreline access is to be provided for a campground or camping resort, there must be at least 100 feet of frontage for every 10 camp spaces in the campground or camping resort.
- I. No trailer shall be less than 20 feet from the front, side, or rear lot lines of the camp.
- J. Marshland and shoreline areas shall not be altered.
- K. The screening provisions for mobile home parks shall be met.
- L. In a campground or camping resort, a unit with its occupants shall not establish year-round residency. It is the intent of this chapter that campgrounds and camping resorts be established for a transient trade.

Article IX. Wind Energy Systems

[Added 2-17-2009 by Res. No. 8-09]

§ 530-51. General regulations.

- A. A micro wind energy system shall be defined as having a maximum nameplate capacity of 10 kilowatts and a total height less than 80 feet.
- B. A small wind energy system shall be defined as having a maximum nameplate capacity of 100 kilowatts and a total height less than 170 feet.
- C. A large wind energy system shall be defined as having a nameplate capacity of more than 100 kilowatts and/or a total height more than 170 feet.
- D. More than one micro or small wind energy system on a parcel shall be considered a large wind energy system.
- E. Total height means the vertical distance from the surface of the in situ soil on which the base of the support structure sits to the tip of a wind generator blade when the tip is at its highest point.
- F. A wind energy system less than 80 feet in total height shall meet all setback requirements as for an accessory structure in the respective district. The setback shall be measured from the base of the tower.
- G. A wind energy system with a total height greater than 80 feet shall be located on a parcel so that the base of the support structure is located a distance equal to the total height of the wind energy system away from any adjacent property owned by others. Such setback shall be adhered to regardless of whether the adjacent parcel is privately or publicly owned

- H. All wind energy systems shall comply with the provisions established by Chapter **485**, Airport Zones, of the County Code.
- I. The use of any wind energy system shall comply with all applicable state and federal regulations.^[1]
- [1] *Editor's Note: Original § 11.0, Off-street parking and service areas, which immediately followed this section, was repealed 2-16-2010 by Ord. No. 2-10.*

Article X. Sand and Gravel Pits

[1] *Editor's Note: For regulations concerning nonmetallic mining see Ch. 514.*

§ 530-52. Registration.

All operating gravel pits shall be registered with the Zoning Administrator, showing name of owner, address, and legal description of the 40 acres or more in which the gravel pit is located.

§ 530-53. Restoration.

When the gravel or sand is depleted at a sand or gravel pit, the site shall be returned to a safe condition and seeded and sloped in accordance with the Soil Conservation District's Technical Guide.

§ 530-54. Report of hazardous conditions.

Gravel pits found to be a hazard by the Zoning Administrator or any assistant shall be reported to the Land Use and UW Extension Committee and a meeting held with the owner to alleviate the hazardous condition.

§ 530-55. Washing operations.

If the operation is to include sand and gravel washing, the estimated daily quantity of water required, its sources and its disposition shall be identified. A land use permit shall be approved before the sand and gravel washing operation is commenced.

Article XI. Mines and Quarries

§ 530-56. Applicability.

Mines and quarries include the removal of copper, zinc, or other metallic material from the earth by excavating, underground mining, stripping, leveling, or any other process and shall be restricted as follows.^[1]

[1] *Editor's Note: For regulations concerning nonmetallic mining see Ch. 514.*

§ 530-57. Application required.

Application requesting County Land Use and UW Extension Committee approval of a proposed mine or 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.

- B. A legal description of the proposed site.
- C. A restoration plan as hereinafter required.

§ 530-58. Consideration of compatibility.

In reviewing a proposal for a mine or quarrying activity, the County Land Use and UW Extension Committee shall take into consideration:

- A. The effect of the proposed operation on the environment.
- B. The most suitable land use for the area.

§ 530-59. Restoration plan and financial guarantee required.

No grant to carry on a mining or quarrying operation shall be given until the County Land Use and UW Extension Committee approves a restoration plan and the owner agrees to restore the mined or quarried area to a condition of practical usefulness and reasonable physical attractiveness as soon as practicable after the operations have ceased. The owner shall provide sufficient financial guarantee to secure the performance of the restoration agreement. The agreement and financial guarantee shall be in a form approved by the County District Attorney.

§ 530-60. Conditions for approval.

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

§ 530-61. Duration of grant.

The initial grant to carry on a mining or quarrying operation shall not be effective for more than 50 years. Authorization may be extended for ten-year periods, subject to conditions specified by the County Land Use and UW Extension Committee.

Article XII. Junk and Salvage Yards

§ 530-62. Conditional use permit required.

No junk or salvage yards shall be permitted in Price County except in conformance with a conditional use permit approved by the County Land Use and UW Extension Committee.

§ 530-63. General provisions.

- A. Junk or salvage materials shall not be located within 300 feet of public roads, streets, and highways, and all establishments of this kind shall have minimum side and rear yard setbacks of 100 feet each.^[1]

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).*

- B. Junk or salvage material shall not be located within areas covered by Chapter 520, Shoreland Zoning.

- C. Junk or salvage materials shall be enclosed by a suitable fence or planting screen so that the materials are not visible from other property in the vicinity of the junkyard, nor from a public right-of-way such as roads, streets, highways, and waterways. The fence or planting screen shall be a minimum of eight feet in height and shall be kept in good repair.
- D. Junk or salvage materials shall not be piled higher than the height of the fence nor against the fence.
- E. For fire protection, an unobstructed firebreak shall be maintained, one rod in width and completely surrounding the salvage or junk yard.
- F. Permits shall last for a period of five years and may be renewed. The permit may be revoked upon proof of a violation.

Article XIII. Sanitary Landfills

§ 530-64. General provisions.

[Amended 2-19-2002 by Res. No. 5979]

No sanitary landfill sites shall be permitted in Price County except in conformance with rules and regulations of the Wisconsin Administrative Code.

- A. Sanitary landfills shall not be located within shoreland areas.
- B. All such sanitary landfills shall have minimum front, side, and rear yards of 100 feet each.
- C. The sanitary landfill shall be enclosed by a suitable screening so that the materials are not visible from other property in the vicinity of the landfill nor from a public right-of-way such as roads, streets, highways, and waterways.
- D. A permit shall be obtained from the Environmental Protection Agency (EPA) and/or Department of Natural Resources certifying that the sanitary landfill will not pollute the groundwater and surface water in the area.
- E. An unobstructed firebreak one rod wide completely surrounding the sanitary landfill shall be maintained for fire protection, and the sanitary landfill shall be enclosed by woven-wire fence to prevent the spreading of burning materials.
- F. No solid or liquid waste shall be commercially transported into Price County for storage or disposal purposes.

Article XIV. Signs

[Amended 11-12-1986 by Ord. No. 7-86; 2-16-2010 by Res. No. 2-10]

§ 530-65. Prohibited characteristics.

No sign shall:

- A. Resemble, imitate, or approximate the shape, size, form, or color of railroad or traffic signs, signals, or devices.
- B. 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. Be erected, relocated, or maintained so as to prevent free ingress or egress from any door, window, or fire escape, and no sign shall be attached to a standpipe or fire escape.

- D. Contain any rotating or moving parts or be illuminated by flashing light.
- E. Exceed the maximum height limitation of the district in which it located.
- F. 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, exception to above being that all signs may be set back one foot from the road right-of-way limit, as opposed to the specified setback requirement of structures from public roads in each district.

Article XV. Conditional Uses

§ 530-66. Approval required.

Any conditional uses listed in this chapter shall be permitted only when authorized by the County Land Use and UW Extension Committee and subject to its conditional approval. Upon such approval, issuance of a conditional use permit will be granted.

§ 530-67. Basis of approval.

The County Land Use and UW Extension 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 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.

§ 530-68. Procedure.

- A. Application. Application for a conditional use permit shall be made to the County Zoning Administrator who shall refer the application to the County Land Use and UW Extension Committee. In addition to the information required under § 530-14 for a land use permit, the County Land Use and UW Extension Committee may require the applicant to submit other pertinent data and information necessary to properly evaluate the request.
- B. Fees.
[Amended 10-15-2002 by Res. No. 6018; 8-19-2003 by Res. No. 6078]
 - (1) The applicant, upon filing of the application, shall pay a fee in accordance with the schedule established by the Price County Board of Supervisors to the County Zoning Administrator. Such schedule shall be on file in the office of the County Zoning Administrator.
 - (2) All government entities covered by County zoning shall obtain all necessary permits; however, they are exempt from paying County zoning fees. Any fee that is not directly associated with the County zoning fee shall be paid unless waived by the Land Use and UW Extension Committee (i.e., state sanitary fee, Register of Deeds fees, and publication fees).
- C. Notice. Notice of the hearing held by the County Land Use and UW Extension Committee on an application for a conditional use permit shall be mailed to the owners of all lands within 300 feet of any part of the land described in the application, to the clerk of the town in which the land described in the application is located, and to the County Board member of any district in which the land described in the application is located. Said notices shall be mailed at least 10 days before the County Land Use and UW Extension Committee meets to decide upon said application. Notices

when properly addressed with the owner's last known address, posted and mailed first class, shall constitute sufficient notice under this section.

- D. **Hearing.** The County Land Use and UW Extension Committee shall schedule a public hearing on the application within 60 days after it is filed or, in a particular situation where all concerned persons have been notified as required under Subsection **C** and there are no objections by those persons, the Committee may waive the public hearing requirement. The reasons for any waiver of a public hearing must be written into the minutes of the Committee meeting.
- E. **Determination.** The Land Use and UW Extension 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 making its decision, the Land Use and UW Extension Committee may request the County Soil and Water Conservation District and other agencies to advise and assist in making its determination.
- F. **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.
- G. **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 Land Use and UW Extension Committee.
- H. **Reconsideration.**
[Amended 4-19-1983 by Res. No. 4958]
 - (1) **Resubmission.** No appeal or application which has been dismissed or denied shall again be considered unless the applicant can show a material change in circumstances.
 - (2) **Rehearing.** No hearing shall be held except upon the affirmative vote of a majority of the members of the Committee upon finding that substantial material new evidence is submitted which could not reasonably have been presented at the previous hearing. Requests for rehearing shall be in writing and shall state the reasons for the request and be accompanied by necessary data and diagrams. Rehearings shall be subject to the same notice requirements as original hearings.

§ 530-69. Short-term rentals.

[Added 4-21-2013 by Res. No. 23-13]

In order to have fair and consistent regulation of all short-term rentals of single-family residences, all short-term rentals must have a valid conditional use permit and shall adhere to the provisions as follows:

- A. A permanent sign with black lettering and a white background measuring at least 16 inches by 16 inches shall be posted on the property on which there is a short-term rental in a location that is legible from a public road that contains the information as follows: the name(s) of the individual(s) who own(s) the property or the name of the business that manages the rental and a current phone number to contact the respective individual(s).
- B. Each rental must adhere to state regulations in collecting all applicable state and local taxes.
- C. Each rental must comply with all County ordinances, state laws, state statutes, state administrative rules, and federal regulations.
- D. Each rental must adhere to Wisconsin Department of Health Services requirements.
- E. Each rental must submit to the Price County Zoning Department an inspection report issued by a Wisconsin licensed plumber as proof of a compliant septic system prior to permit issuance.
- F. Each rental must list the maximum number of renters in the conditions.

- G. Failure to adhere to the provisions established in this section may result in the action of the Price County Land Use and UW Extension Committee terminating the conditional use permit for the parcel upon which noncompliance has been documented.

Article XVI. Administration

§ 530-70. Appointment of Zoning Administrator.

The County Land Use and UW Extension Committee shall appoint a County Zoning Administrator for the administration and enforcement of the provisions of this chapter. The County Land Use and UW Extension Committee may also authorize designation of Deputy Zoning Administrators to assist in the enforcement and administration of this chapter.

§ 530-71. Duties of Zoning Administrator.

In administering and enforcing this chapter, the County Zoning Administrator and any deputies shall perform the following duties. They shall:

- A. Provide necessary forms and applications for use permits.
- B. Issue land use permits where the provisions of this chapter have been complied with.
- C. Issue conditional use permits when authorized by the County Land Use and UW Extension Committee.
- D. Maintain files of applications, permits, and other relevant information.

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).*

§ 530-72. Powers of Zoning Administrator.

The County Zoning Administrator and duly appointed deputies shall have powers and authority including but not limited to the following:

- A. Access to any structure or premises for the purpose of performing 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 proper compliance, to revoke any land use permit and issue cease and desist orders requiring the cessation of any building, moving, alteration or use which is in violation of the provisions of this chapter.

Article XVII. Nonconforming Structures and Uses

§ 530-73. Maintenance and repair; continuation of lawful use.

The provisions of this chapter shall not be construed to prevent the customary and necessary maintenance or repairs of buildings, utilities, and property. The existing lawful use of a structure or premises (as of the effective date of this chapter or any amendment) which is not in conformity with the provisions of this chapter may be continued subject to the following conditions.

§ 530-74. Nonconforming structures.

- A. Limitations. No such structures shall be expanded or enlarged except in conformity with the regulations of the appropriate zoning district.
- B. Repair. When such structure is damaged to the extent of more than 50% of its equalized value at the time it became nonconforming, it shall not be restored except in conformity with the regulations of the zoning district in which it is located. A nonconforming structure which is damaged or destroyed by violent wind, vandalism, fire, flood, ice, snow, mold or infestation may be restored in accordance with the provisions of § 59.69(10m), Wis. Stats.^[1]
 [1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).*
- C. Relocation. Should such a structure be moved it shall thereafter conform to the regulations of the zoning district to which it is moved.
- D. Lot lines. The size and shape of a lot shall not be altered in any way so as to increase the degree of nonconformity of a building or use.

§ 530-75. Nonconforming use of structure.

- A. Limitations. No such use shall be expanded or enlarged. No use shall be expanded within a structure which, as of the effective date of this chapter or amendment, was only partially designed for or devoted to carrying on such use.
- B. Use change. Upon application to and approval by the County Land Use and UW Extension Committee, such use may be changed to another use provided that the Land Use and UW Extension Committee determines that the new use would result in no lesser degree of conformity.
- C. Discontinuance. If such use is discontinued for 12 consecutive months, any future use of the structure shall conform to the regulations of the zoning district in which it is located.
- D. Termination. If the building in which such use is carried on is damaged to the extent of more than 50% of its equalized value at the time it became nonconforming, it shall not be restored for use except in conformity with the regulations of the zoning district in which it is located. A building in which a nonconforming use is carried on which is damaged or destroyed by violent wind, vandalism, fire, flood, ice, snow, mold or infestation may be restored in accordance with the provisions of § 59.69(10m), Wis. Stats.^[1]
 [1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).*
- E. Repairs. Structural repairs and alterations to a building housing such use shall not, as long as such use continues, exceed 50% of the equalized value of the building at the time the use became nonconforming.

§ 530-76. Nonconforming use of land.

- A. Limitations. No such use shall be expanded or enlarged.
- B. Use change. Upon petition to and approval of the Price County Land Use and UW Extension Committee, such use may be changed to another use provided that the Land Use and UW Extension Committee determines that the new use would result in a greater degree of conformity and provided further that such new use shall thereafter determine the degree of legal nonconformity.
- C. Discontinuance. If any such use is discontinued for 12 consecutive months, any further use of the land shall conform to the regulations of the zoning district in which it is located.

Article XVIII. Board of Adjustment

[Amended 6-16-2009 by Res. No. 26-09; 2-16-2010 by Res. No. 2-10]

§ 530-77. Office.

The office of the Board of Adjustment shall be in the County Clerk's office.

Article XIX. Amendments

§ 530-78. Procedure.

The County Board of Supervisors may amend this chapter in accordance with the procedure prescribed by § 59.69, Wis. Stats.

§ 530-79. Fee.

[Amended 2-16-2010 by Res. No. 2-10]

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

Article XX. Public Hearings

§ 530-80. Notice.

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

§ 530-81. Procedure.

[Amended 2-16-2010 by Res. No. 2-10]

- A. Notice of public hearing shall be as required by Ch. 985, Wis. Stats.
- B. In addition, when the hearing involves a proposed change in the zoning district classification of any property, the notice of said hearing shall be mailed to the owners of all lands within 300 feet of any part of the property and as required by Ch. 59, Wis. Stats.

Article XXI. Definitions

§ 530-82. Word usage and definitions.

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

ANIMAL UNIT

One animal unit shall be defined as being one steer, one dairy cow, one horse, four swine, ten sheep, 100 chickens or 100 turkeys.

BOARDINGHOUSE

A building or premises where meals or meals and lodging are offered for compensation for five but not more than 12 persons and where no more than five sleeping rooms are provided for such purpose. An establishment where meals are served for compensation for more than 12 persons shall be deemed a restaurant. An establishment with more than five sleeping rooms shall be deemed a hotel or motel.

BOATHOUSE

Any structure located on the same lot as the principal building and used for protecting or storing of boats used for noncommercial purposes in conjunction with a residence.

BUILDABLE AREA OF A LOT

That part of the lot bounded by the required building setback, side and rear yard lines.

BUILDING

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

BUILDING, ACCESSORY

Any building except the principal building or buildings on a lot. In the case of a house and detached garage on a lot, the accessory building is the garage.

BUILDING, HEIGHT OF

The vertical distance measured from the average established street grade in front of the lot or the finished grade at the building line, whichever is higher, to the highest point of the coping of a flat roof, to the decline of a mansard roof, or to the average height between eaves of the highest gable of a gable, gambrel, hip, or shed roof.

CAMPGROUNDS and CAMPING RESORTS

A privately or municipally owned site designated, maintained, intended or used for the purpose of supplying a location for major recreational equipment/vehicles, open tents to the public for free or paying camping purpose, and used for transient trade.

CAMPING TRAILER

A canvas or folding structure mounted on wheels and designed for temporary living and housekeeping purposes, and for the purposes of this chapter a camping trailer is considered as being under 50 feet in length.

COMMERCIAL ESTABLISHMENT

A business that deals in a product, produce and/or service for profit, including professional services.

COUNTY LAND USE AND UW EXTENSION COMMITTEE

A County zoning committee authorized by § 59.69, Wis. Stats.

DWELLING

A building designed or used exclusively as the living quarters for one or more families.

DWELLING, SINGLE-FAMILY

A detached building designed for or occupied exclusively by one family. This shall include a primary housing unit as described in § 340.01(29), Wis. Stats.

DWELLING UNIT

A building or portion thereof with rooms arranged, designed, or used for comfortable, independent human habitation, which includes a sanitary facility and a kitchen facility. Guest houses or garage lofts with kitchen and bathroom facilities are considered to be dwelling units.
[Amended 6-15-2004 by Res. No. 6128]

FAMILY

One or more persons occupying a dwelling unit as a single, nonprofit housekeeping unit, who are living together as a bona fide stable and committed living unit, being a traditional family or the functional equivalent thereof, exhibiting the generic character of a traditional family.^[1]

FARM BUILDING

A permanent roofed and walled structure used in conjunction with the raising of livestock and/or crops as a primary source of income.

[Amended 2-13-2001 by Res. No. 5908]

FARMING, GENERAL

The production of field or truck crops or the raising of livestock and livestock products for commercial gain.

FARMING, TREE

The production and management of trees as a crop.

FLOOR AREA

The area within the outer lines of the exterior walls of a building at the top of the foundation or basement wall, provided that the floor area of a dwelling shall not include space not usable for living quarters such as attics, utility or unfinished basement rooms, garages, breezeways, and unenclosed porches or terraces.

GARAGE, PRIVATE

A structure primarily intended for and used for the enclosed storage or shelter of the private motor vehicles of the families resident upon the premises. Carports are considered garages.

GARAGE, PUBLIC OR COMMERCIAL

Any garage other than a private garage.

GRADE, ESTABLISHED

The elevation of the finished street at the center line or curb as fixed by such authority as shall be designated by law to determine such an elevation.

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.

HOME OCCUPATION, EXPANDED

A home occupation that may involve persons other than the resident family, and such occupation may be carried on other than within the confines of the home. An expanded home occupation shall not have more than five persons other than family members working at the site.

INDUSTRIAL ESTABLISHMENT

A business which employs six or more persons in the manufacture of products and/or processes produced for resale.

JUNK OR SALVAGE YARD

- A. Any premises in which more than one automotive vehicle, not in running or operating condition, is stored in the open.
- B. Any premises on which there is an accumulation of scrap metal, paper, rags, scrap lumber or other scrap materials stored or considered stored for salvage or sale, unless such accumulation shall be housed in a completely enclosed building.

LOT

A parcel or tract of land described in a recorded plat or by deed and abutting on a public street.

MAJOR RECREATIONAL EQUIPMENT

Includes travel trailers, pickup campers or coaches, motorized dwellings, tent trailers, boat and boat trailers, snowmobiles and snowmobile trailers, and the like.

MOBILE HOME

A unit capable of long-term occupancy which does not require substantial on-site fabrication and which is, or was as originally constructed, designed to be transported by any motor vehicle upon a public highway and designed, equipped, and used primarily for sleeping, eating, and living quarters, or is intended to be so used, and which can be moved on its own axle and wheels or by similar means to a site, parcel, or lot and, for the purpose of this chapter, is at least 32 feet long.

MOBILE HOME PARK

Any tract of land upon which three or more mobile homes are located for temporary or permanent habitation.

MULTIFAMILY DWELLING

A dwelling on one lot containing separate living quarters for three or more families.^[2]

RECREATIONAL CAMP

An area containing one or more permanent buildings used periodically for the accommodation of members of associations or groups for recreational purposes.

ROADSIDE STAND

A farm building used or intended to be used solely by the owner or tenant of the farm on which such building is located for the sale of farm products raised on said farm.

SIGN

Any structure or natural object or part thereof or device attached thereto or printed or represented thereon which is intended to attract attention to any object, product, place, activity, person, institution, organization, or business or which shall display or include any letter, word, model, banner, flag, pennant, insignia, device, or representation used as or which is in the nature of an announcement, direction, or advertisement.

STORY

That part of a building included between the surface of a floor and the surface of the floor next above it, or, if there is no floor above it, then the space between the floor and the ceiling next above it. A basement or cellar having 1/2 or more of its height above grade shall be deemed a story for purposes of height regulations.

STRUCTURE

Anything constructed or erected.

STRUCTURE, PERMANENT

A structure placed on or in the ground or attached to another structure in a fixed position and intended to remain in place for a period of more than nine months. This includes motor homes and trailers.

SUSTAINED YIELD FORESTRY

Management of forested lands to provide annual or periodic crops or forest products.

TOURIST HOME

A building in which lodging, with or without meals, is offered to transient guests for compensation, provided that there are no more than five sleeping rooms for such purpose and no cooking facilities are provided in the individual rooms or apartments.^[3]

USE, ACCESSORY

A use customarily incidental to the principal use and on the same lot as the principal use.

USE, PRINCIPAL

The primary use of a property or structure.

WATER MARK, ORDINARY HIGH

That point on the bank or shore up to which the presence and action of the water are so continuous as to leave a distinct mark, either by erosion, destruction of terrestrial vegetation, or other easily recognized characteristics.

YOUTH CAMP

An area periodically used for recreational purposes and containing one or more permanent buildings used to accommodate primarily youth members of associations or groups.

- [1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).*
- [2] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).*
- [3] *Editor's Note: The definition of "trailer park" which immediately followed this definition was repealed at time of adoption of Code (see Ch. 1, General Provisions, Art. I).*