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CHAPTER 15 ZONING

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Introduction
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Development Standards
Procedures
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Agencies
Enforcement
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EXECUTIVE SUMMARY

The St. Croix County zoning code establishes standards and procedures for new development or redevelopment in the County. The zoning code is not designed to be read from cover to cover. Instead, it is organized so readers may look up only the parts they need. The list of subchapters in "How to Read this Document" shows the main topics and overall organization of the zoning code. Later portions of this executive summary explain different ways to use the zoning code to answer frequently asked questions.

Planning in St. Croix County

The major purpose of the zoning code is to implement the County's long-term planning policies found in the St. Croix County 2024-2045 Comprehensive Plan. As part of the comprehensive plan, the land use chapter and future land use map (vol. 1-11) establishes long-term policies for land use. The zoning code provides clear rules about what is expected of applicants in order to gain approval to develop land in the County. The County Board finds and determines this ordinance is in substantial conformance with said comprehensive plan.

How to Read this Document

Purpose statements are included to assist readers in understanding the intent of a regulation.

How the Document is Organized

The zoning code is divided into 11 subchapters. These are structured so that the most frequently used information appears first, with the definitions and technical information (such as submittal requirements) appearing later.

1. The first subchapter, called **Introduction**, contains some basic information on the purpose of the zoning code. It sets the stage for the remainder of the document.
2. The **Zoning Districts** establish the uses permitted in each district, conditional uses, and prohibited uses. Development standards for each zoning district include metrics for residential density, height, setbacks, open space, landscaping, design standards, and civic space. A table showing the permitted and conditional uses in all districts is presented in § 15.285.
3. The **Use Regulations** contain requirements for specific uses and development types that apply in all zoning districts. Examples include accessory uses, home occupations, and signs. These uses may or may not be permitted as of right or as a conditional use, depending on how they are listed in the applicable zoning district. The standards are designed

to address particular issues that are raised by the particular use - such as state or federal legal requirements, impact on surrounding neighborhoods, or development allowances or incentives.

4. The **Development Standards** consolidate the development metrics that apply to all development and land uses in the County's zoning jurisdiction. This includes standards for site improvements such as access, parking, landscaping, grading, and building height.
5. The **Submittal Requirements** provide a checklist of the information that applicants need to have a complete application that the County can process.
6. The **Nonconformities** subchapter addresses situations where a use or building has been legally established before new regulations that would otherwise not allow them. Under Wisconsin law, these uses are grandfathered, but may have standards that dictate whether and how they can expand or continue.
7. The **Agencies** subchapter establishes, or references state statutes relating to, the agencies involved in administering the zoning code. These include the Community Development Committee, Land Use Administrator and Board of Adjustment. The County Board of Supervisors is the County's legislative body and adopts amendments to this Chapter (including rezonings).
8. The **Enforcement** subchapter establishes procedures to enforce the zoning code, including penalties for violations.
9. The **Definitions & Rules of Interpretation** provide the zoning code's "glossary." It defines terms and phrases used in the Zoning Code, the uses listed in the zoning districts, and acronyms.
10. The **Legal Provisions** include legal language such as the severability clause, how to apply standards that differ from each other, and the effective date.

Determining the Regulations for a Specific Site

To determine the regulations of the zoning code applicable to a site, the user must first find the site on the "Official Zoning Map." The map will show the zoning district that is applied to the site. The official Zoning Map is maintained online through the County's Geographic Information Systems website.

The reader should then look up all the relevant regulations. Start with the zoning districts and development standards. The zoning districts state whether a use is allowed by right, as a conditional use, or prohibited. In addition, readers should consult the Use Regulations to see if additional requirements apply to the use they are contemplating.

INTRODUCTION

Contents:

15.100 Title
15.105 Purpose
15.110 Authority
15.115 Applicability
15.116 to 15.199 Reserved.

15.100 Title

This Chapter shall be cited as the "St. Croix County Zoning Code," and is referred to in this Chapter as "this Chapter" or "this Code."

15.105 Purpose

This Chapter is adopted to:

- implement the St. Croix County Comprehensive Plan; and
- promote the public health, safety, convenience and general welfare;
- encourage planned and orderly land use development;

- protect property values and the property tax base;
- permit the careful planning and efficient maintenance of highway systems;
- ensure adequate highway, utility, health, educational and recreational facilities;
- recognize the needs of agriculture, forestry, industry and business in future growth;
- encourage uses of land and other natural resources which are in accordance with their character and adaptability;
- provide adequate light and air, including access to sunlight for solar collectors and to wind for wind energy systems;
- encourage the protection of groundwater resources;
- preserve wetlands;
- conserve soil, water and forest resources;
- protect the beauty and amenities of landscape and man-made developments;
- provide healthy surroundings for family life;
- to promote the efficient and economical use of public funds;
- incorporate any master plan adopted under Wis. Stat. § 62.23(2) or (3) and the official map of any city or village in the county adopted under Wis. Stat. § 62.23(6).

15.110 Authority

This Chapter is adopted under the authority of Wis. Stat. §§ 59.69 to 59.698, 66.1001 to 66.1037; and additional authority cited in specific sections of this Chapter.

15.115 Applicability

1. **Generally.** The following shall comply with this Chapter:
   a. The use of any land or water,
   b. the size, shape and placement of lots,
   c. the use, size and locations of structures on lots,
   d. the installation and maintenance of water supply and waste disposal facilities,
   e. the filling, grading, lagooning and dredging and any land, and
   f. the subdivision of lots.
2. **Governmental Units**
   a. Unless specifically exempted by law, all cities, villages, towns and counties shall comply with this Chapter and obtain all necessary permits.
   b. State agencies shall comply with this Chapter if Wis. Stat. § 13.48(13) applies.
3. **Statutory Exemptions**. This Chapter does not apply to any use, development, building or activity that is exempt from this Chapter by state or federal law. This section supersedes any other section of this Chapter to the extent of any inconsistency.

15.116 to 15.199 Reserved.

ZONING DISTRICTS

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15.275 CON Conservancy District
15.285 Use Table
15.286 to 15.299 Reserved.

15.200 General Provisions

1. This Subchapter establishes the Zoning Districts, along with the use and dimensional standards for property within each district. [⇔ *§ 15.285 establishes the uses allowed within each district*]
2. Only one single family, two-family, or multi-family dwelling shall be allowed per parcel unless allowed to have a second farm dwelling under § 15.285. Two-family and muti-family dwellings shall comply with the density requirements of the parcel and may require a land use permit under § 15.285.

15.205 Districts Established

1. This subchapter divides the area to which it applies into districts. Each district has its own rules on use, yard space, lot size and building height.
2. The zoning districts are categorized as base and overlay districts, as follows:

Table 15.205.1 District Categories

District Category	Description	Districts (Symbol)
Base	Districts that establish uniform use, dimensional and design standards.	Agricultural (AG-1) Agricultural (AG-2) Residential (R-1) Residential (R-2) Residential (R-3) Commercial (C-1) Commercial (C-2) Commercial (C-3) Industrial (I-1) Industrial (I-2) Conservancy (CON)
Overlay	A zoning district that is superimposed on one or more other zoning districts and imposes additional restrictions on the underlying base districts.	Shoreland Overlay (SO) Lower St. Croix Riverway Overlay (SCR) Floodplain Overlay (FO) Non-Metallic Mining Overlay (NMO)

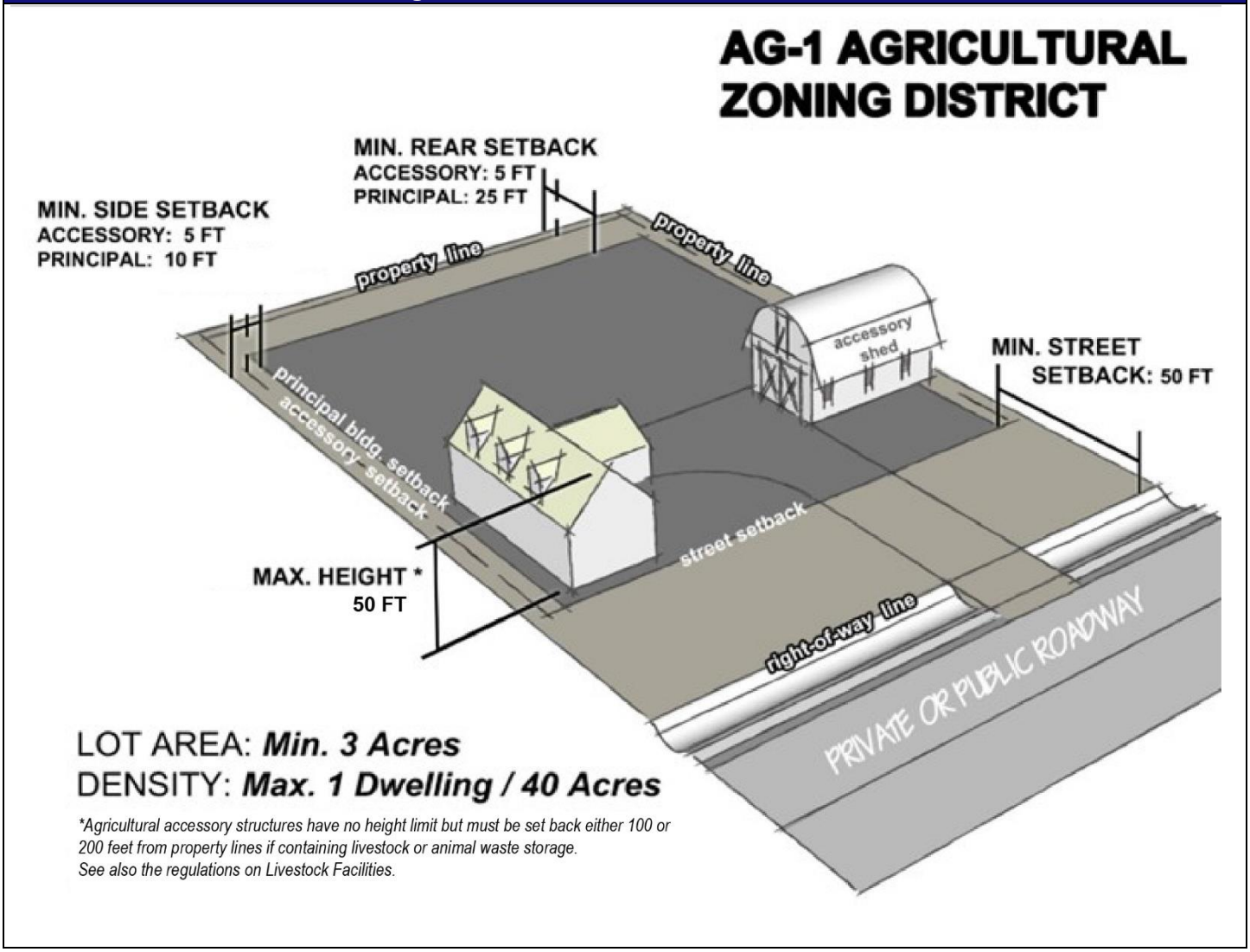
15.220 AG-1 Agricultural District

Purpose: The purpose of the AG-1 District is to preserve productive agricultural lands, protect existing farm and forestry operations from encroachment by incompatible uses, promote further investments in farming and maintain farmer eligibility for incentive programs. The AG-1 District meets the criteria for certification as a Farmland Preservation Zoning District under Wis. Stat. §91.38.

1. **Permitted and Conditional Uses**.
   a. Refer to § 15.285.
2. **Dimensional Standards.**

Table 15.220.1 AG-1 Dimensional Standards		
1	**Lot area** *(min)*	3 acres
2	**Density** *(max)*	1 principal dwelling per 40 acres or quarter-quarter (¼ - ¼) section
3	**Height** *(max)*	50 feet No height limit applies to agricultural accessory uses such as silos, bins, barns and seed storage facilities
4	**Street setback** *(min)*	50'
5	**Side setback** *(min)*	10' any side 5' accessory structure, 100' structure that houses animals
6	**Rear setback** *(min)*	25' for principal building 5' accessory structure, 100' structure that houses animals
Notes: "min" = minimum required / "max" = maximum allowed / "DU" = dwelling unit / "ac" = gross acres		

Figure 15.220.1 AG-1 Dimensional Standards



3. **Restriction on Rezoning**. No land in the AG-1 District shall be rezoned except in accordance with § 15.540 and Wis. Stat. § 91.48.

15.221 AG-2 Agricultural District

Purpose: The purpose of the AG-2 District is to preserve productive agricultural lands, protect existing farm and forestry operations from encroachment by incompatible uses, promote further investments in farming and maintain farmer eligibility for incentive programs. The AG-2 District meets the criteria for certification as a Farmland Preservation Zoning District under Wis. Stat. §91.38.

The permitted uses in the AG-2 District are often indistinguishable from an active farm operation. Conditional uses in this District are clearly commercial or industrial in nature and may involve facilities or processes that require a remote location distant from incompatible uses, proximity to agricultural products or suppliers and/or access to utility services or major transportation infrastructure.

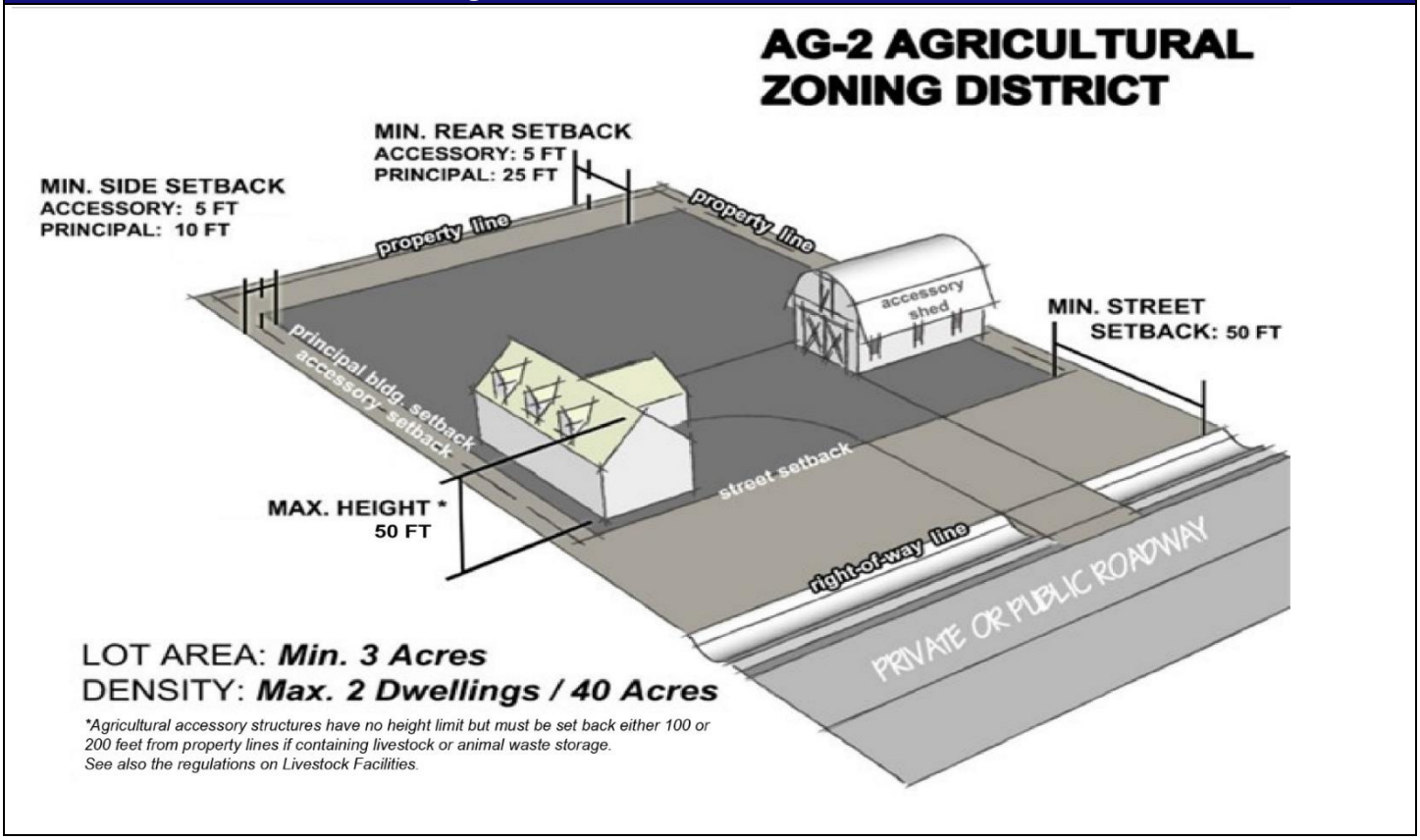
1. **Permitted and Conditional Uses**. Refer to Sec. 15.285.
2. **Dimensional Standards**.

Table 15.221.1 AG-2 Dimensional Standards

1	**Lot area** *(min)*	3 acres
2	**Density** *(max)*	2 principal dwellings per 40 acres or quarter-quarter (¼ - ¼) section
3	**Height** *(max)*	50 feet No height limit applies to agricultural accessory uses such as silos, bins, barns and seed storage facilities
4	**Street setback** *(min)*	50'
5	**Side setback** *(min)*	10' any side 5' accessory structure, 100' structure that houses animals
6	**Rear setback** *(min)*	25' for principal building 5' accessory structure, 100' structure that houses animals

Notes: "min" = minimum required | "max" = maximum allowed | "DU" = dwelling unit | "ac" = gross acres

Figure 15.221.1 AG-2 Dimensional Standards



3. **Restriction on Rezoning**. No land in the AG-2 District shall be rezoned except in accordance with § 15.540 and Wis. Stat. § 91.48.

15.230 R-1 Residential District

Purpose: The R-1 district establishes areas within which agricultural uses, commercial uses serving agriculture and limited residential uses with a rural character are located. The R-1 District includes areas in or adjacent to agricultural uses, and that may retain an agricultural character. However, exclusive agricultural use (i.e. AG-1 or AG-2) *on an area-wide basis is not warranted due to the existence of residential uses, demonstrated or expected ability of farm and selected nonfarm uses to exist in close proximity without undue conflict, the need to buffer agricultural and urban-residential uses, and related factors.*

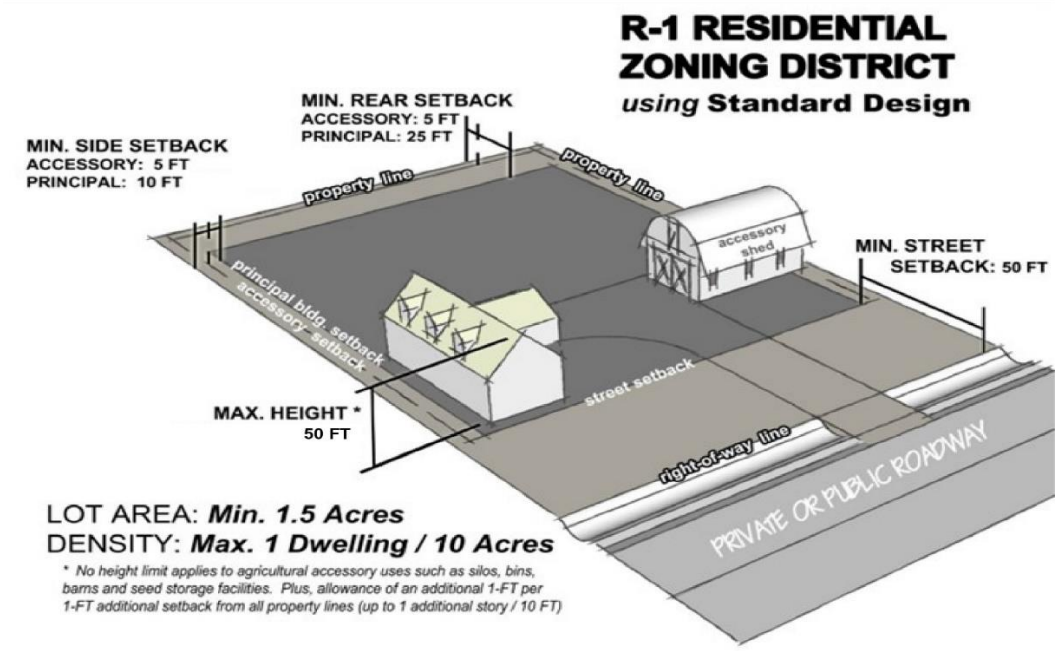
1. **Permitted and Conditional Uses**
   a. Refer to Sec. 15.285.
2. **Density and Lots**
   a. The number of potential lots that may be created from an existing parcel while it is zoned R-1 will be calculated by the Land Use Administrator whenever a land division is proposed. The allowable number of parcels shall be calculated by dividing the size of the parcel at adoption of this ordinance by 10. (Example: 35-acre parcel/10=3.5 which rounds up to 4 lots)
3. **Dimensional Standards**.

Table 15.230.1 R-1 Dimensional Standards

		Standard Design
1	**Lot area** *(min)*	1.5 acre minimum
2	**Density** *(max)*	1 principal dwelling per 10 acres
3	**Height** *(max)*	50 feet No height limit applies to agricultural accessory uses such as silos, bins, barns and seed storage facilities
4	**Street setback** *(min)*	50'
5	**Side setback** *(min)*	10' any side 5' accessory structure,100' structure housing animals
6	**Rear setback** *(min)*	25' for principal building 5' accessory structure, 100' structure housing animals

Notes: "min" = minimum required | "max" = maximum allowed | "DU" = dwelling unit | "ac" = gross acres | -- = not applicable.

Figure 15.230.1 R-1 Dimensional Standards



15.231 R-2 Residential District

Purpose: The R-2 district provides for limited residential uses with a rural character and provides for higher residential density than R-1. This district restricts agricultural uses to lower-intensity operations and prevents large-scale or noxious agricultural processing uses.

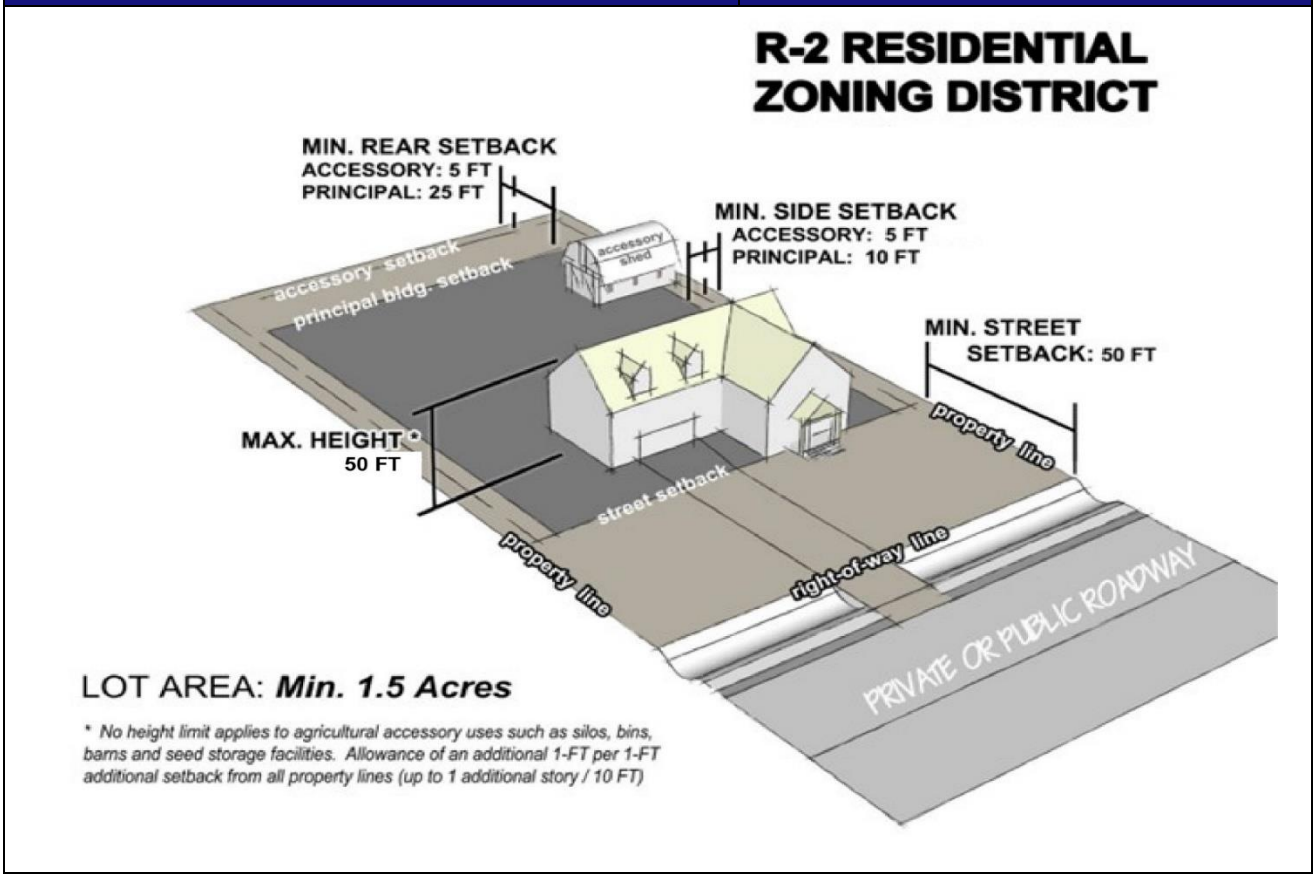
1. **Permitted and Conditional Uses**
   a. Refer to Sec. 15.285.

2. **Dimensional Standards**.

Table 15.231.1 R-2 Dimensional Standards			
		Standard Design	**Conservation Design**
1	**Lot area** *(min)*	1.5 acres	--
2	**Density** *(max)*	--	See Subdivision Ordinance Add Link
	Height *(max)*	Principal Building: 50 feet Accessory Structure: 25 feet No height limit applies to agricultural accessory uses such as silos, bins, barns and seed storage facilities	
4	**Street setback** *(min)*	50'	25'
5	**Side setback** *(min)*	10' for principal building 5' accessory structure	10' for principal building 5' accessory structure
6	**Rear setback** *(min)*	25' for principal building 5' accessory structure	10' for principal building 5' accessory structure
7	**Open Space** *(min)*	--	40% of gross site area
Notes: "min" = minimum required / "max" = maximum allowed / "DU" = dwelling unit / "ac" = gross acres / -- = not applicable.			

Figure 15.231.1 R-2 Dimensional Standards

Table 15.231.1 R-2 Dimensional Standards



15.232 R-3 Residential District

Purpose: The R-3 district accommodates and protects the essential characteristics of areas with a predominantly low-density residential character, along with community and recreational uses that serve the district's residents. The R-3 district allows limited multi-family appropriate for rural areas and requires extension of municipal water and wastewater treatment or a common septic or community wastewater treatment system. Lower-density multi-family uses are allowed depending on site characteristics and town/county plans.

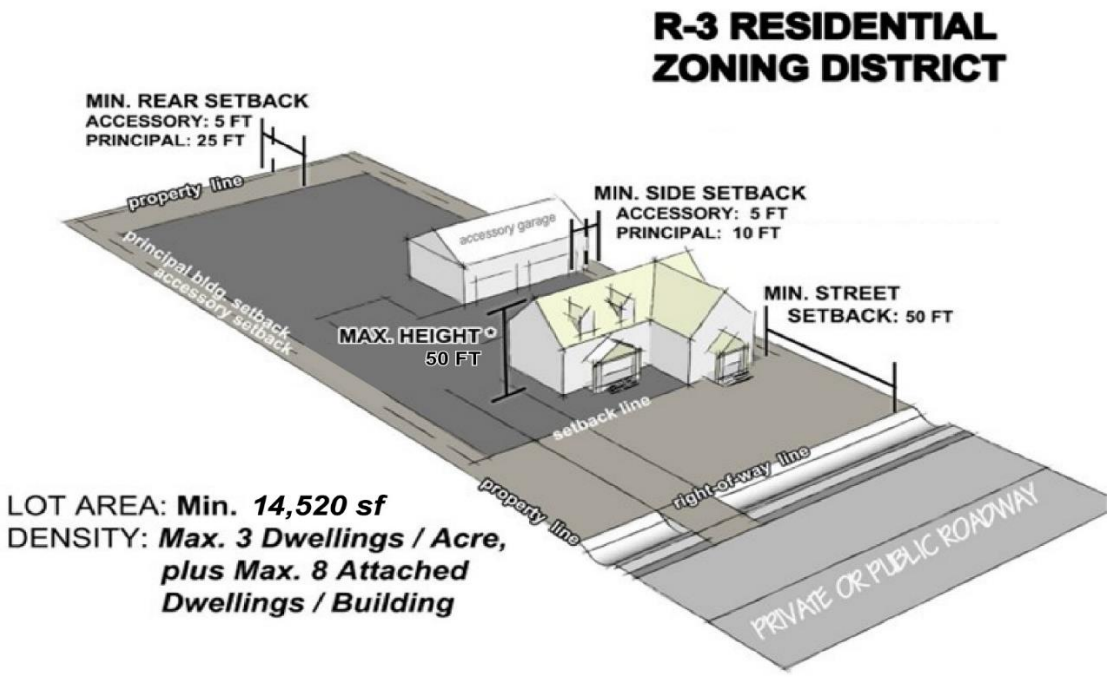
1. **Permitted and Conditional Uses.** Refer to § 15.285.
2. **Dimensional Standards.**

Table 15.232.1 R-3 Dimensional Standards

		Standard Design	Conservation Design
1	**Lot area** *(min)*	Sewered lots: 14,520 sf (1/3 acre)	--
2	**Density** *(max)*	3 principal dwelling units per acre Maximum 8 attached dwellings per building	4.5 principal dwelling units per acre Maximum 8 attached dwellings per building
3	**Height** *(max)*	Principal Building: 50 feet Accessory Structure: 25 feet	
4	**Street setback** *(min)*	25'	25'
5	**Side setback** *(min)*	10' for principal building 5' accessory structure	10' for principal building 5' accessory structure

Table 15.232.1 R-3 Dimensional Standards			
		Standard Design	Conservation Design
6	**Rear setback** *(min)*	25' for principal building 5' accessory structure	10' for principal building 5' accessory structure
7	**Open Space** *(min)*	--	40% of gross site area
8	**Landscaping / Civic Space** *(min)*	10% of lot area	10% of lot area
Notes: "min" = minimum required / "max" = maximum allowed / "DU" = dwelling unit / "ac" = gross acres / -- = not applicable.			

Table 15.232.1 R-3 Dimensional Standards



15.240 C-1 Commercial District

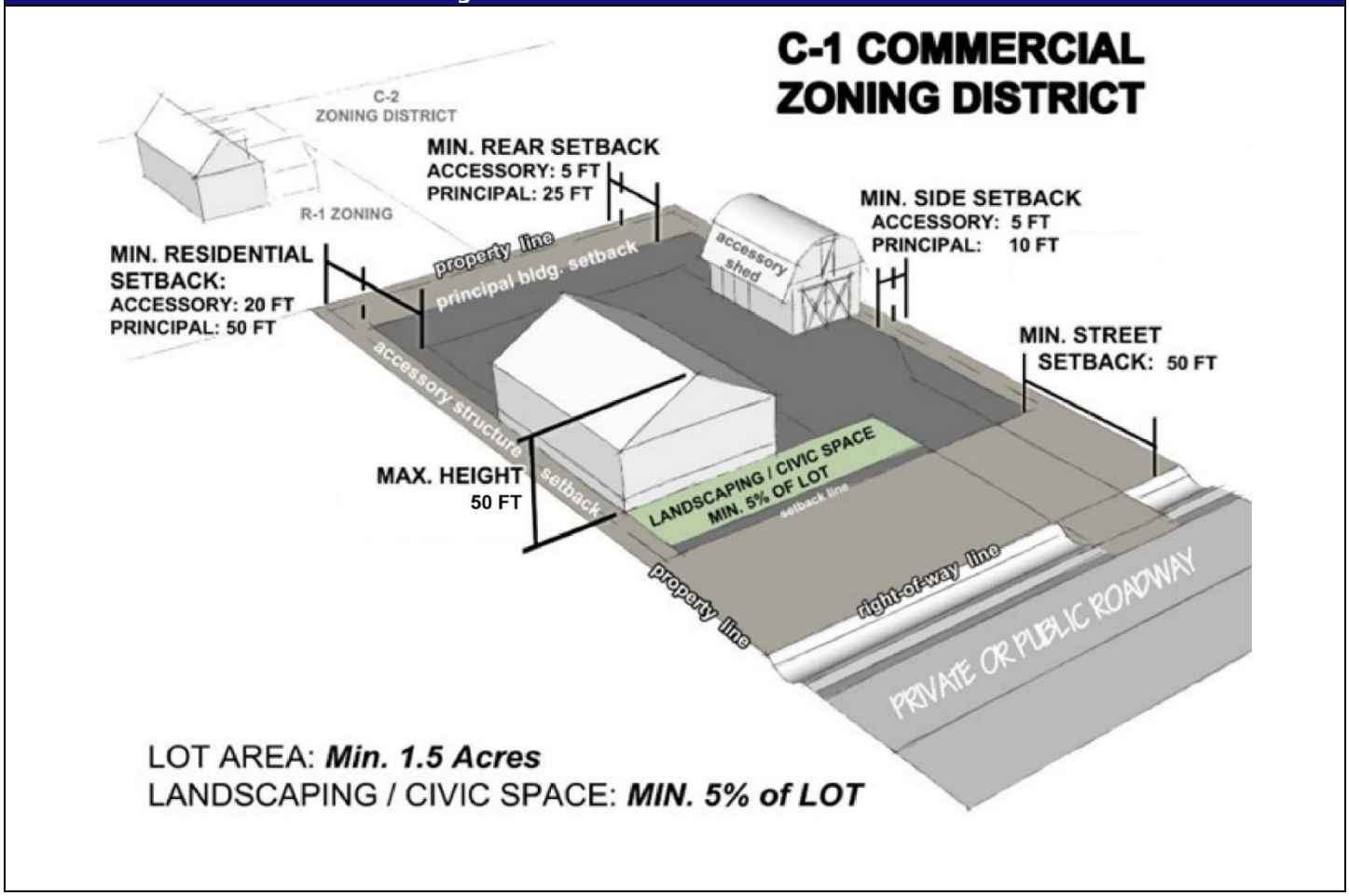
Purpose: The C-1 district is established for commercial uses in areas that serve the County's agricultural businesses and rural communities. This district accommodates commercial and other non-residential uses while protecting surrounding properties from excessive noise, traffic, drainage, or other potential nuisance factors. Landscaping, parking, and paving standards appropriate for rural areas are established in the Development Standards subchapter to protect surrounding development, minimize stormwater runoff, and mitigate aesthetic impacts consistent with a rural environment.

1. **Permitted and Conditional Uses**. Refer to § 15.285.
2. **Dimensional Standards**.

Table 15.240.1 C-1 Dimensional Standards		
1	**Lot area** *(min)*	1.5 acres
2	**Height** *(max)*	50 feet
3	**Street setback** *(min)*	50'
4	**Side setback** *(min)*	10' any side 5' accessory structure
5	**Rear setback** *(min)*	25' for principal building 5' accessory structure
6	**Residential setback** *(min)*	50' principal building and 20' for accessory structure abutting residential zoning district
7	**Landscaping / Civic Space** *(min)*	5% of lot area, may be used for stormwater collection area.

Table 15.240.1 C-1 Dimensional Standards
Notes: "min" = minimum required / "max" = maximum allowed / "DU" = dwelling unit / "ac" = gross acres / -- = not applicable.

Figure 15.240.1 C-1 Dimensional Standards



15.241 C-2 Commercial District

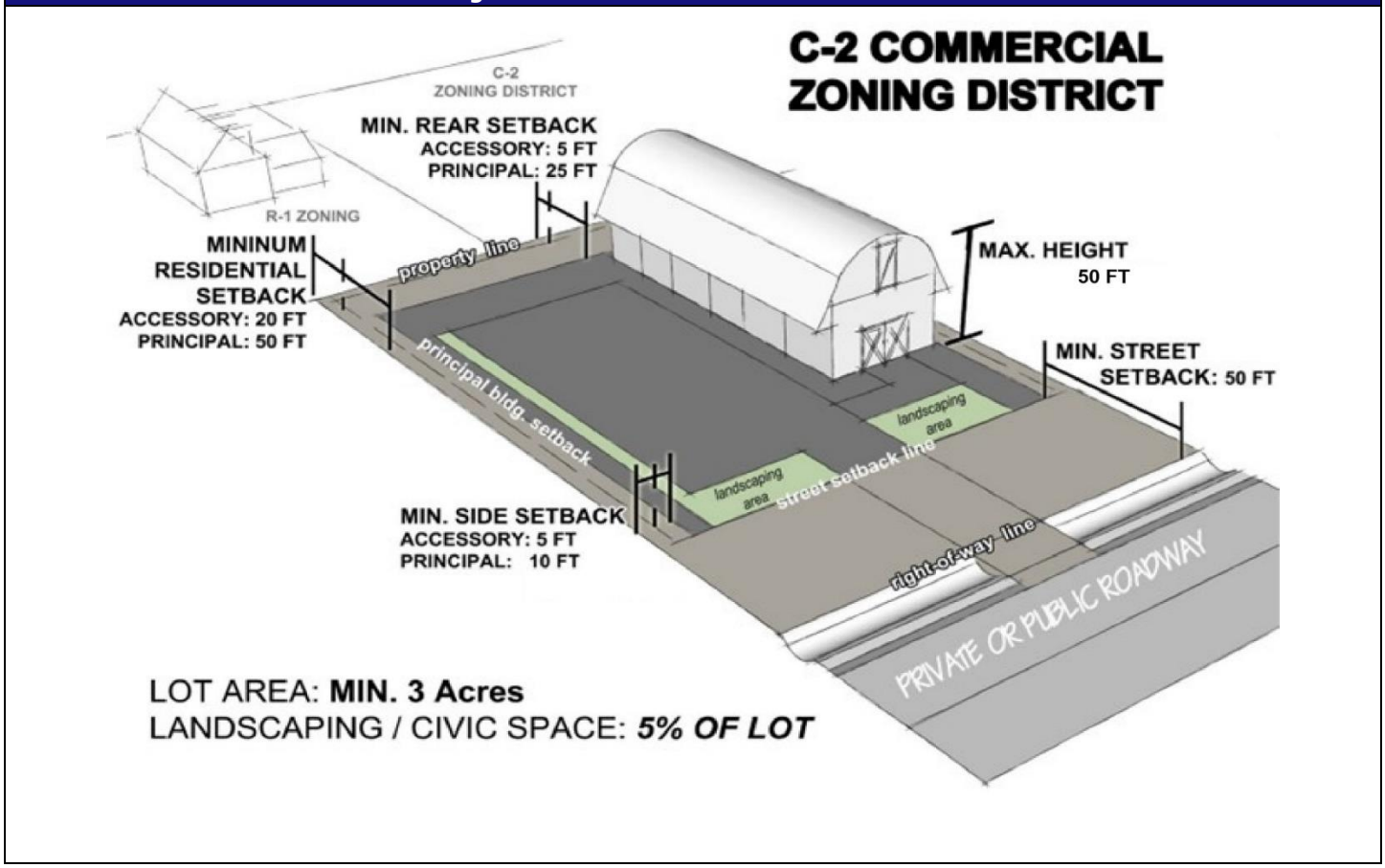
Purpose: The C-2 district provides for rural and agricultural tourism and entertainment uses such as wedding barns, agritourism activities with sales of off-site products, outdoor recreation, and related activities. This district accommodates those uses while protecting surrounding properties from excessive noise, traffic, drainage, or other potential nuisance factors.

1. **Permitted and Conditional Uses**. Agricultural Entertainment and Agritainment, consistent with the Use Regulations.
2. **Dimensional Standards**.

Table 15.241.1 C-2 Dimensional Standards		
1	**Lot area** *(min)*	3 acres
2	**Height** *(max)*	50 feet
3	**Street setback** *(min)*	50'
4	**Side setback** *(min)*	10' for principal building 5' accessory structure
5	**Rear setback** *(min)*	25' for principal structure 5' accessory structure
6	**Residential setback** *(min)*	50' principal building and 20' for accessory structure abutting residential zoning district

Table 15.241.1 C-2 Dimensional Standards		
7	**Landscaping / Civic Space** *(min)*	5% of lot area, may be used for stormwater collection.
Notes: "min" = minimum required / "max" = maximum allowed / "DU" = dwelling unit / "ac" = gross acres / -- = not applicable.		

Figure 15.241.1 C-2 Dimensional Standards



15.242 C-3 Commercial District

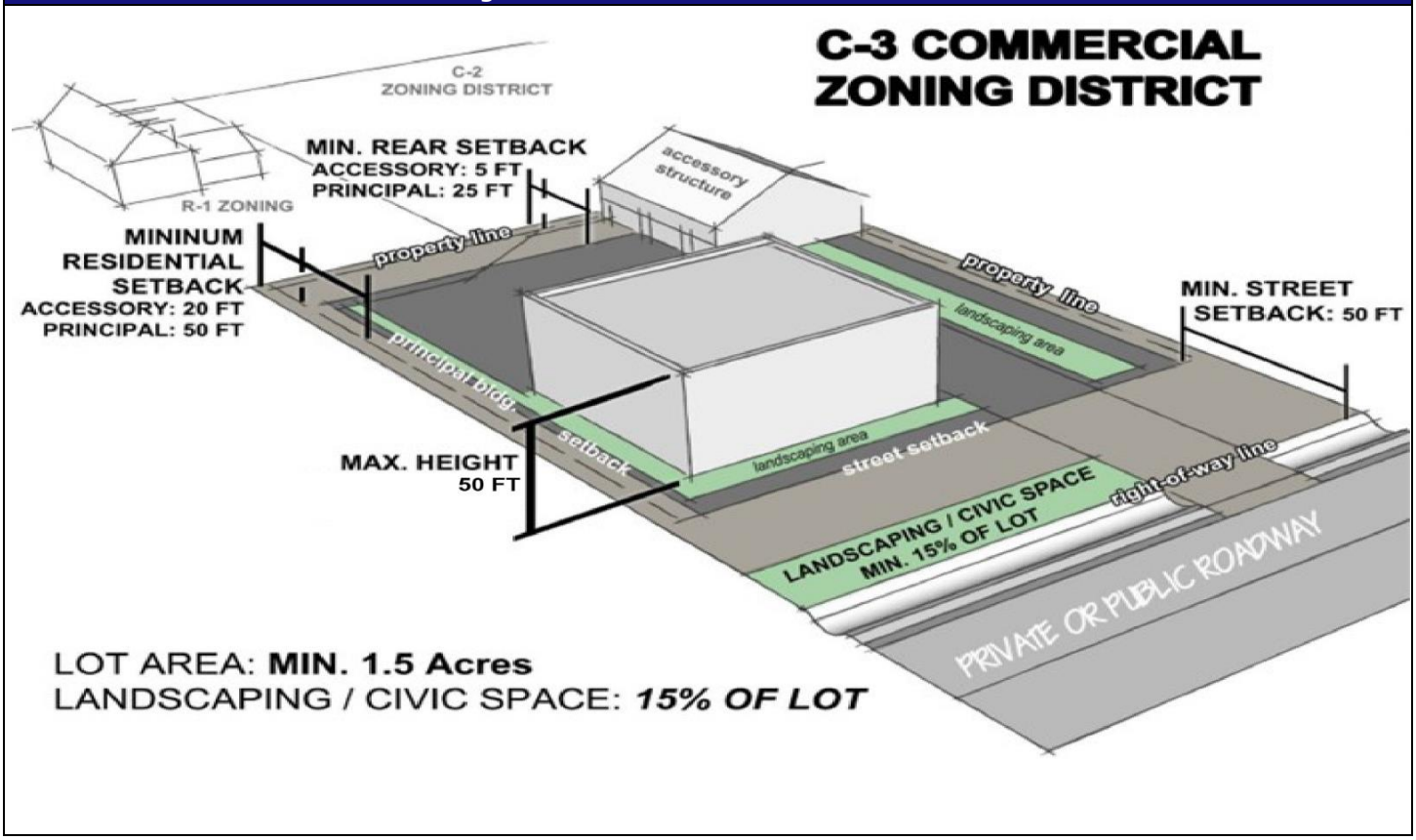
Purpose: The C-3 district is established to provide for commercial uses in corridors and centers that are accessible to residential neighborhoods or other businesses. This district accommodates commercial and other non-residential uses while protecting surrounding properties from excessive noise, traffic, drainage, or other potential nuisance factors. Landscaping, parking, and paving standards are established in the Development Standards subchapter to protect surrounding development, minimize stormwater runoff, and mitigate aesthetic impacts consistent with development in and abutting corridors and centers.

1. **Permitted and Conditional Uses**. Refer to § 15.285.
2. **Dimensional Standards**.

Table 15.242.1 C-3 Dimensional Standards		
1	**Lot area** *(min)*	1.5 acres
2	**Height** *(max)*	50 feet
3	**Street setback** *(min)*	50'
4	**Side setback** *(min)*	10' for principal building, 5' accessory structure
5	**Rear setback** *(min)*	25' for principal building 5' accessory structure

Table 15.242.1 C-3 Dimensional Standards		
6	**Residential setback** *(min)*	50' principal building and 20' for accessory structure abutting residential zoning district
7	**Landscaping / Civic Space** *(min)*	10% of lot area
Notes: "min" = minimum required | "max" = maximum allowed | "DU" = dwelling unit | "ac" = gross acres | -- = not applicable.		

Figure 15.242.1 C-3 Dimensional Standards



15.250 I-1 Industrial District

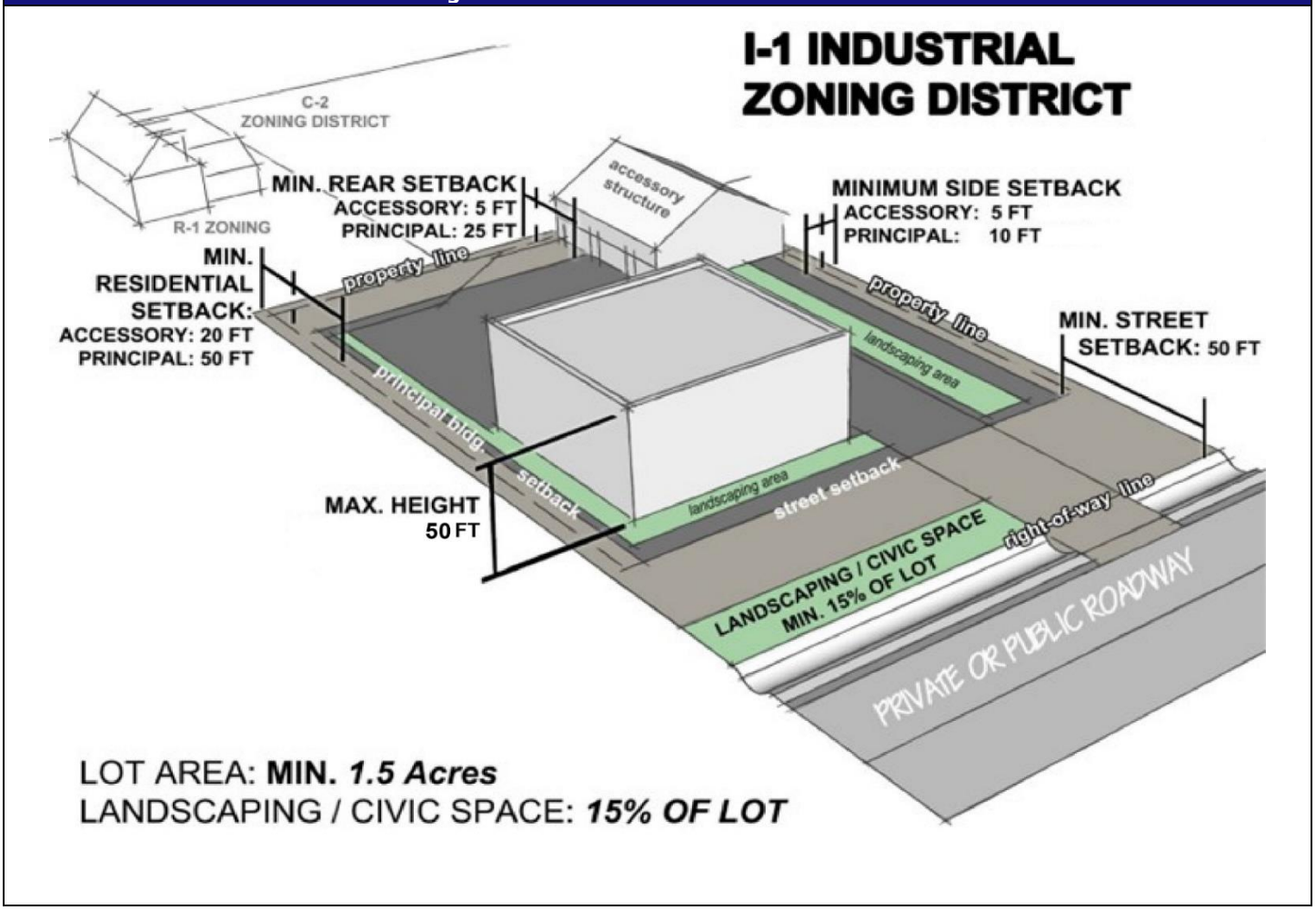
Purpose: The I-1 District provides for development of light industrial uses in an industrial park setting, or for employment or production type uses that are fully enclosed and have low intensity and environmental, noise, vibration, or related impacts. These uses may include amenities and open space that serve employees, including limited and internalized retail and service uses.

1. **Permitted and Conditional Uses**. Refer to § 15.285.
2. **Dimensional Standards**.

Table 15.250.1 I-1 Dimensional Standards		
1	**Lot area** (*min)*	1.5 acres
2	**Height** *(max)*	50 feet
3	**Street setback** *(min)*	50 feet
4	**Side setback** *(min)*	10' for principal building, 5' accessory structure
5	**Rear setback** *(min)*	25' for principal building 5' accessory structure
6	**Residential setback** *(min)*	50' principal building and 20' for accessory structure abutting residential zoning district
7	**Landscaping / Civic Space** *(min)*	15% of lot area

Table 15.250.1 I-1 Dimensional Standards
Notes: "min" = minimum required | "max" = maximum allowed | "DU" = dwelling unit | "ac" = gross acres | -- = not applicable.

Figure 15.250.1 I-1 Dimensional Standards



15.251 I-2 Industrial District

Purpose: The I-2 district is created to accommodate production, processing, assembly, warehousing and distribution uses with related outdoor storage needs. The Heavy Industrial district requires sufficient space in appropriate locations for industrial uses while protecting surrounding properties from excessive noise, traffic, drainage, or other potential nuisance factors and air, water or thermal pollution or any other environmental degradation.

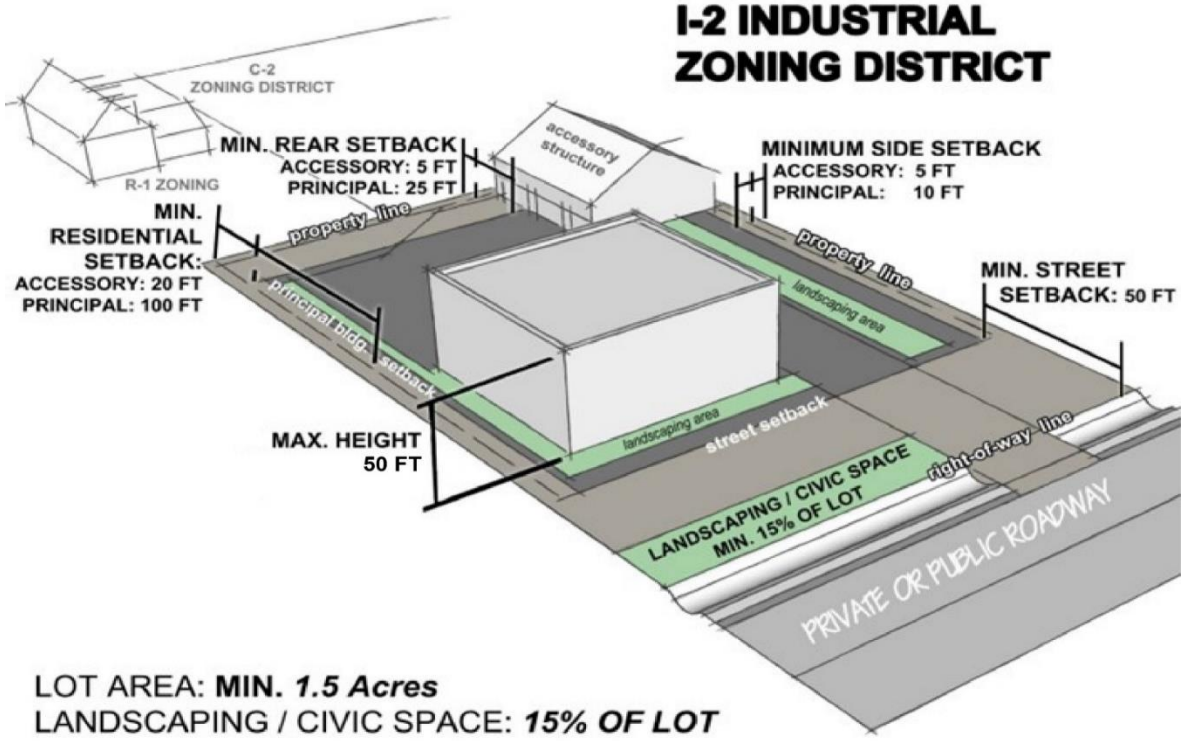
The district also protects locations where a variety of compatible industrial uses are located.

1. **Permitted and Conditional Uses**. Refer to § 15.285.
2. **Dimensional Standards**.

Table 15.251.1 I-2 Dimensional Standards		
1	**Lot area** *(min)*	1.5 acres
2	**Height** *(max)*	50 feet
3	**Street setback** *(min)*	50 feet

Table 15.251.1 I-2 Dimensional Standards		
4	**Side setback** *(min)*	10′ for principal building 5′ accessory structure
5	**Rear setback** *(min)*	25′ for principal building 5′ accessory structure
6	**Residential setback** *(min)*	100′ for principal building and 20′ for accessory structure abutting residential zoning district
7	**Landscaping / Civic Space** *(min)*	15% of lot area
Notes: "min" = minimum required | "max" = maximum allowed | "DU" = dwelling unit | "ac" = gross acres | -- = not applicable.		

Figure 15.251.1 I-2 Dimensional Standards



15.252 NMO Nonmetallic Mining Overlay

Purpose: The Nonmetallic Mining Overlay provides for the site location of new and expansion of existing heavy industrial non-metallic mining sites. Nonmetallic mining is an important industry that contributes to the County's economic well-being. However, heavy industrial mining operations, if not properly sited and regulated, can create short-term and long-term damage to the physical environment and tax base. The NMO allows the County to permit the expansion of existing heavy industrial mining sites, engage in case-by-case review of proposals for new heavy industrial mining sites, and regulate heavy industrial mining to minimize or prevent damage to the public and to restore mining sites to a useful and stable condition after mining ceases.

1. **Permitted and Conditional Uses**. The following uses are allowed:
   a. Heavy Industrial Mining operations, subject to an approved reclamation plan and any conditions of approval of an NMO district, and consistent with Chapter 14 of the County Code, all applicable state and federal regulations, and any conditions of a permit or reclamation plan approved by the County and the State of Wisconsin; and
   b. Permitted and conditional uses allowed in the base district, subject to their applicable requirements and approval processes.

2. **Dimensional Standards.**
   a. The nonmetallic mining site must comply with any buffer zone, setback, height, or area of operations standards required by Chapter 14 of the County Code, any state or federal statute, and any condition of a state or County permit.

15.275 CON Conservancy District

Purpose: The Conservancy District preserves and perpetuates in an open state area such as lowland swamps, marshes and wetlands, floodplains and stream beds, slopes, bluffs, wooded areas, native or restored prairie, parks, recreation areas, wildlife habitat and other areas of aesthetic value which, because of their unique physical features, are deemed desirable to be retained for the benefit of this and future generations.

1. **Permitted and Conditional Uses**. Refer to Sec. 15.285.
2. **Dimensional Standards**.

Table 15.275.1 Conservancy District Dimensional Standards		
1	**Impervious surface coverage (***max)*	10%
2	**Street setback** *(min)*	50 feet
Notes: "min" = minimum required | "max" = maximum allowed.		

15.285 Use Table

1. **Use Categories.** The Use Table (see Table 15.285.2) establishes uses permitted within each zoning district, and how they are permitted. The uses permitted in each of the Zoning Districts established in this Chapter are defined as follows:

Table 15.285.1 Use Categories		
P	**Permitted by Right**	Uses in the Use Table identified by "P" in any column are permitted subject to district regulations, any conditions of rezoning, and the conditions specified in the Use Regulations or Development Standards or elsewhere in this Chapter.
L	**Land Use Permit**	The use is permitted if a land use permit is issued (see § 15.555).
C	**Conditional Use**	Conditional Uses are uses that are allowed only after the County Community Development Committee reviews the proposed use, holds a public hearing and decides whether to approve the use, based upon the application of standards found in this chapter. Conditional uses are also subject to any conditions and limitations specified in the Use Regulations or imposed as a condition of conditional use permit approval. See Submittal Requirements for application information.
A	**Accessory**	Uses in the Use Table identified with an "A" are permitted only as an accessory use to another use that is permitted as a by right or conditional use in the applicable district.
U	**Use Regulations**	Permission, standards and location determined by Use Regulations
	Not Permitted	Uses in the Use Table identified by a blank cell are not permitted in that particular district.
	Not Listed	Not permitted unless the use is approved as provided in subsection 3 below.

2. **Additional Regulations Apply.** The fact that a use is shown as a permitted use does not always mean that the project may proceed. Chapter 12 Sanitary, Chapter 13 Land Division, or other sections of this code may result in a permitted use not being allowed to proceed, depending upon the manner in which those provisions apply.
3. **Uses Not Listed.**
   a. The Land Use Administrator may determine that an unlisted use is permitted by right or as a conditional use if sufficiently similar in nature and impact to a permitted use or a conditional use. The Land Use Administrator may require the applicant to provide justification on how the proposed use is similar to one of the uses listed in the use table. The determination may be appealed to the Board of Adjustment as an appeal of an administrative decision.
4. **Preemption.** Uses regulated by the State of Wisconsin and exempt from local control are permitted subject to state regulations.

15.285.2 Use Table											
Use Category	**AG-1**	**AG-2**	**R-1**	**R-2**	**R-3**	**C-1**	**C-2**	**C-3**	**I-1**	**I-2**	**CON**
AGRICULTURE											
Aquaculture	P	P	P	P							P
Beekeeping	P	P	P	P	A						P
Crop or Forage Production	P	P	P	P	P						
Enrolled Land	P	P	P	P	P						
Farm-Based Biopower Facility	A/C	A/C									
Farm-Based Manure Processing Facility	A/C	A/C									
Floriculture	P	P	P	P							
Forest Management	P	P	P	P							P
Fur Farm	P	P	P	C	C						
Keeping Livestock	P	P	P	P							
Sod or Christmas Tree Production	P	P	P	P							
Wholesale Nursery	P	P	P								
Agricultural Resource Production	P	P	C								
Animal Production, Other											C
Community Garden – AG-1 and AG-2 compliance with Wis. Stat. § 91.46(5)	C	C	P	P	P	P		P			
Community Supported Agriculture (CSA) – AG-1 and AG-2 compliance with Wis. Stat. § 91.46(5)	C	C	P	P	P	P		P			
Crop/Limited Agriculture	P	P	P	P	A	P		P			
Grazing	P	P	P	P							P
Greenhouse	A	A	A			P		A			
Harvesting of Wild Crops	P	P	P	P							P
Livestock Facility (< 200 animal units) (§ 15.360; L where required by Table 15.360.1) *	P	P	P	P							
Livestock Facility (200-499 animal units) (§ 15.360; L where required by Table 15.360.1)*	P	P	P								
Livestock Facility (> 500 animal units) (§ 15.360; L where required by Table 15.360.1)*	L	L	L/C								
Manure Storage	P	P	C	C							
Pick-Your-Own Operations	P	P	P				P				
Raising of Chickens and Ducks*	P	P	A	A	A						
Raising of Waterfowl, Fowl, and Fish											P
Stock Yard or Livestock Auction Facility	C	C				C				C	
RESIDENTIAL	**AG-1**	**AG-2**	**R-1**	**R-2**	**R-3**	**C-1**	**C-2**	**C-3**	**I-1**	**I-2**	**CON**
Residences											
Dwelling, Single-Family			P	P	P		P				
Caretaker Unit								A			
Conservation Design Development (§ 15.325)*			P	P	P						

15.285.2 Use Table											
Use Category	**AG-1**	**AG-2**	**R-1**	**R-2**	**R-3**	**C-1**	**C-2**	**C-3**	**I-1**	**I-2**	**CON**
Dwelling, Secondary Farm		L	L	L							
Dwelling, Two-Family			L	L	P						
Farm Residence (Single-Family, Manufactured and Modular)	P	P									
Manufactured Home			P	P	P		P				
Mobile Home Park				C	C						
Modular Home			P	P	P		P				
Multifamily Dwelling					P						
Temporary Residence (§ 15.390)*	L	L	L	L	L						
Group Living											
Community Living Arrangement (9-15 persons) *(Wis. Stat. § 59.69(15))*			C	C	P						
Community Living Arrangement (> 15 persons) *(Wis. Stat. § 59.69(15))*			C	C	C						
Foster Home / Adult Family Home *(Wis. Stat. § 59.69(15)(bm), (br)2)*			P	P	P						
Life Care or Continuing Care Service					P			P			
Retirement Housing Service					P			P			
Skilled-Nursing Service *(above intermediate level nursing care)*					P			P			
LODGING	**AG-1**	**AG-2**	**R-1**	**R-2**	**R-3**	**C-1**	**C-2**	**C-3**	**I-1**	**I-2**	**CON**
Boarding House								P			
Bed and Breakfast Establishment *(subject to Wis. Stat. § 97.01(1g) or 97.625(1p) as determined by DATCP)*		C	C	C	C	C		C			
Campground, Private (§ 15.322)			C	C		C	C	C			
Campground, Public (§ 15.322)			C	C							L
Special Event Camping		L	C	C		L	L	L			
Hotel or Motel								C			
Short-Term Rental (§ 15.375)*	L	L	L	L	L						
ART, ENTERTAINMENT, & RECREATION	**AG-1**	**AG-2**	**R-1**	**R-2**	**R-3**	**C-1**	**C-2**	**C-3**	**I-1**	**I-2**	**CON**
Adult Establishment (§ 15.310)*						L		L	L	L	
Agricultural Entertainment (< 15 days) (§ 15.315 L if > 100 persons during 24-hour period)*	L	L					L				
Agricultural Entertainment (> 15 days) (§ 15.315; L if > 100 persons during 24-hour period)*	C	C					C				
Agricultural Entertainment (< 30 days) (§ 15.315; L if > 100 persons during 24-hour period)*							P				
Agricultural Entertainment (> 30 days) (§ 15.315; L if > 100 persons during 24-hour period)*							C				
Amusement or Theme Park								C			
Drive-In Theater			C					C			
Farm Exhibition (< 5 days) (§ 15.315; L if > 100 persons during 24-hour period)*	A	A					P				

15.285.2 Use Table											
Use Category	**AG-1**	**AG-2**	**R-1**	**R-2**	**R-3**	**C-1**	**C-2**	**C-3**	**I-1**	**I-2**	**CON**
Farm Exhibition (> 5 days) (§ 15.315; L if > 100 persons during 24-hour period)*	A/C	A/C					L				
Golf Course			C	C	C			C			C
Hiking, Biking, and Bridle Trails – AG-1 and AG-2 compliance with Wis. Stat. § 91.46(5)	C	C	P	P	P	P	P	P	P	P	P
Indoor Recreational Facility						C		C			
Miniature Golf								P			
Museum – AG-2 compliance with Wis. Stat. § 91.46(5)		C	L					L			L
Outdoor Entertainment Facility						C		C			
Outdoor Recreational Facility			C	C		C	C	C			
Racetrack								C			
Skiing Facilities *							C	C			
Stadium, Arena, or Conference Center								C			
Theater, Movie, or Performing Arts								C			
Zoos, Botanical Gardens, Arboreta, and similar uses								C			
COMMERCIAL/MIXED USE	**AG-1**	**AG-2**	**R-1**	**R-2**	**R-3**	**C-1**	**C-2**	**C-3**	**I-1**	**I-2**	**CON**
Animal Services											
Game Management	P	P	C								C
Kennel, Commercial (§ 15.355)*	A/C	A/C	C			P		P			
Stable, Commercial	A/C	A/C	C	C		C		C			
Veterinary Clinic						P		P			
Automotive											
Automotive Parts, Accessories, and Tire Stores								P			
Automotive Service, Repair, and Towing						P		P			
Car Wash								A			
Dealerships (Motor, Off-Road, Watercraft, Trailers, and Implements)						L		P			
Vehicle Service Station/(Charging Station)						P		P	P		
Truck Service, Repair, and Towing						P		P	P	P	
Auto Garage/Condo						C		C			
Day Care											
Childcare Home, Family *(< 8 children)*	A	A	A	A	A	A		A			
Childcare Center *(Wis. Stat. § 48.65)*						P		P			
Group Day Care						P		P			
Financial Services											
Financial or Investment Institution								P			
Food & Beverage Sales/Service											
Bar or Tavern								P			
Grocery Store								P			
Liquor Store								P			

15.285.2 Use Table											
Use Category	**AG-1**	**AG-2**	**R-1**	**R-2**	**R-3**	**C-1**	**C-2**	**C-3**	**I-1**	**I-2**	**CON**
Restaurant								P			
Roadside Stand*	P	P	P	P	P	P		P			
Sales - Processed or Preserved Agricultural Products and Produce	C	C	C	C		P		P			
Mixed Uses											
Mixed Use (retail or office with residential)						L	L	L	L	L	
Office, Business & Professional											
Postal, Courier, or Messenger Service								P			
Office								P			
Plant or Livestock Genetic Laboratory		C				C		P	P		
Personal/Business Services											
Barber or Beauty Shop								P			
Business Support Services								P			
Funeral Home								P			
Indoor Maintenance and Repair of Goods and Equipment						P		P			
Laundry								C			
Retail Sales											
Contractor Sales and Service			C	C		P		P			
Convenience Store								P			
Drug Store/Pharmacy								P			
Garden Center			C			P		P			
Landscape Supply and Contracting Business (Plant or Tree Nursery)		C	C			P		P			
Notion, Variety, or Gift Shop								P			
Retail Sales and Service (< 1000 sf)			C	C	C	P		P			
Retail Sales and Service (> 1000 sf)						C		C			
Riding Supply	A/C	A/C				P		P			
Miscellaneous Commercial											
Agricultural Supply			C			P		P			
Business Conducted by Owner/Operator of Farm*	A/C	A/C									
Farm-Related Exhibition, Sale, or Event (5 days or less)(§ 15.315)*	P	P	P			P	P	P			
Farm-Related Exhibition, Sale, or Event (more than 5 days)(§ 15.315)*	C	C	C			P	P	P			
Home Occupation, Major (§ 15.345)*	C	C	C	C	C		C				
Home Occupation, Minor (§ 15.345)*	A	A	A	A	A		A				
Motion Picture or Sound Recording								P	P		
Sale or Storage of Agricultural Byproducts		C	C			C		L			
Salvage Operation (§ 15.352)			C			C			C	C	
INFRASTRUCTURE	**AG-1**	**AG-2**	**R-1**	**R-2**	**R-3**	**C-1**	**C-2**	**C-3**	**I-1**	**I-2**	**CON**
Transportation/Parking											
Airstrip (§ 15.320)*		C	C					C			

15.285.2 Use Table											
Use Category	**AG-1**	**AG-2**	**R-1**	**R-2**	**R-3**	**C-1**	**C-2**	**C-3**	**I-1**	**I-2**	**CON**
Freight Terminal									C	C	
Parking Facility								C			
Taxi and Limousine Service								P			
Transit System								P	P	P	
Utilities											
Air Conditioning and Steam Supply										P	
Biopower Facility										C	
Dam – AG-2 compliance with Wis. Stat. § 91.46(4)		C	C	C	C						C
Electric Generating Facility (Large Scale) – AG-1 and AG-2 compliance with Wis. Stat. § 91.46(4)	C	C									
Electric Generating Facility (Small Scale) – AG-1 and AG-2 compliance with Wis. Stat. § 91.46(4)	C	C	C	C	C	P		P	P	P	
Flowage Area – AG-2 compliance with Wis. Stat. § 91.46(4)		C	C	C	C						C
Irrigation and Industrial Water Supply – AG-1 and AG-2 compliance with Wis. Stat. § 91.46(4)	C	C	P	P					P	P	
Power Plant										C	
Large Solar Collector / Solar Energy System (§ 15.385)* - AG-1 and AG-2 compliance with Wis. Stat. § 91.46(4)	C	C	C	C	C	C	C	C	C	C	C
Small Solar Collector / Solar Energy System (§ 15.385)*	P	P	P	P	P	P	P	P	P	P	P
Utility, Major – AG-1 and AG-2 compliance with Wis. Stat. § 91.46(4)	C	C								P	
Utility, Minor	P	P	P	P	P	P	P	P	P	P	
Large Wind Energy System (§ 15.395)* - AG-1 and AG-2 compliance with Wis. Stat. § 91.46(4)	C	C	C	C	C	C	C	C	C	C	C
Small Wind Energy System (§ 15.395)*	L	L	L	L	L	L	L	L	L	L	L
Wired Communication/Cable Facility* - AG-2 compliance with Wis. Stat. § 91.46(4)		C	C	C	C						C
Battery Storage Facility (>3MW)						C		C	C	C	
Battery Storage Facility (<3MW) - AG-1 and AG-2 compliance with Wis. Stat. § 91.46(4)	C	C	L	L	L	L	L	L	L	L	
Communications Uses											
Radio and Television Broadcasting Studio								P			
Mobile Support Structures and Facilities (§ 15.365; may require L)* - AG-1 and AG-2 compliance with Wis. Stat. § 91.46(4)	C	C	U	U	U	U	U	U	U	U	
Waste-Related											
Hazardous Waste Collection, Treatment, and Disposal										C	
Septic Tank and Related Services*			C			C		C	C	C	

15.285.2 Use Table											
Use Category	**AG-1**	**AG-2**	**R-1**	**R-2**	**R-3**	**C-1**	**C-2**	**C-3**	**I-1**	**I-2**	**CON**
Solid Waste Collection, Treatment, and Disposal									C	C	
Solid Waste Processing or Transferring									C	C	
PUBLIC, CIVIC, & INSTITUTIONAL	**AG-1**	**AG-2**	**R-1**	**R-2**	**R-3**	**C-1**	**C-2**	**C-3**	**I-1**	**I-2**	**CON**
Assembly											
Governmental, Institutional, or Nonprofit Community Use – AG-1 and AG-2 compliance with Wis. Stat. § 91.46(5)	C	C	P	P	P			P			
Club or Lodge – AG-1 and AG-2 compliance with Wis. Stat. § 91.46(5)	C	C				P		P			
Religious Institution – AG-1 and AG-2 compliance with Wis. Stat. § 91.46(5)	C	C	P	P	P	P		P			
Civic and Open Space											
Cemetery – AG-1 and Ag-2 compliance with Wis. Stat. § 91.46(5)	C	C	P	P	P	P		P			
Burial Plot under Wis. Stat 157 - AG-1 and AG-2 compliance with Wis. Stat. § 91.46(5)	C	C	L	L							L
Historic or Natural Resource – AG-1 and AG-2 compliance with Wis. Stat. § 91.46(5)	C	C	P	P	P	P	P	P	P	P	P
Open Space	P	P	P	P	P	P	P	P	P	P	P
Park			P	P	P	P	P	P	P	P	P
Educational Services											
Personal Instruction Services						P		P			
Private One-Room Schoolhouse – AG-1 and AG-2 compliance with Wis. Stat. § 91.46(5)	C	C	P	L							
School (public or private)								P			
Technical or Trade School								P			
Public Administration / Institutional											
Library								P			
Correctional or Military Institution								P		C	
Hospital								P			
Medical Clinic			C					P			
Public Safety								P	P	P	
Social Services and Non-Profit Organizations											
Child and Youth Services								P			
Elderly and Disabled Services								P			
Family Services (food, emergency, etc.)								P			
INDUSTRIAL/PRODUCTION	**AG-1**	**AG-2**	**R-1**	**R-2**	**R-3**	**C-1**	**C-2**	**C-3**	**I-1**	**I-2**	**CON**
Manufacturing & Employment											
Agricultural Products Processing	C								C	C	
Asphalt Plant	L	L	L	L	L				P	P	

15.285.2 Use Table											
Use Category	**AG-1**	**AG-2**	**R-1**	**R-2**	**R-3**	**C-1**	**C-2**	**C-3**	**I-1**	**I-2**	**CON**
Brewery or Distillery							C	C	P	P	
Building Construction Services								C	C	P	
Composting, Commercial										C	
Forest Products Processing	C	C	C						C	C	
Heavy Construction Services										P	
Industry, Heavy									C	P	
Industry, Light									P	P	
Manure Processing Facility										C	
Recycling Facility								C	C	C	
Renewable Fuel Manufacturing		C								C	
Slaughterhouse						C			P	P	
Winery	A	A	C						P	P	
Mining & Natural Resource Extraction											
Heavy Industrial Mining (if located within the NMO District 15.252)										P	
Metal Extraction										C	
Nonmetallic Mining, (§ 15.370)*	C	C							C	C	
Temporary Nonmetallic Mining (§ 15.370)		L	L	L						L	
Warehousing, Storage & Distribution											
Contractor Storage Yard (§ 15.330)*			C	C		L		L	L	L	
Dead Stock Hauling Service		C							C	C	
Propane Storage and Distribution						C		C	C	C	
Seasonal Storage	L	L	L								
Self-Storage Facility			C	C		C		L			
Warehouse (Greater than 20,000 sf)									C	C	
Warehouse (Less than 20,000 sf)									P	P	
Wholesaling								C	P	P	
Wrecking and Demolition Service										C	
MISCELLANEOUS	**AG-1**	**AG-2**	**R-1**	**R-2**	**R-3**	**C-1**	**C-2**	**C-3**	**I-1**	**I-2**	**CON**
Accessory Structures & Uses* (15.305)	A	A	A	A	A	A	A	A	A	A	A
Portable Storage Unit	L	L	L	L	L	L	L	L	L	L	
Outdoor Junk Storage (§ 15.353)*	P	P	P	P	P	P	P	P	P	P	
Minor Subdivisions	P	P	P	P	P	P	P	P	P	P	P
Major Subdivisions				P	P	P		P	P	P	

Notes:
P = Permitted | L = Land Use Permit required | C = Conditional | * = Use Regulations apply | U = approval determined by Use Regulations A = Accessory Use

15.286 to 15.299 Reserved.

USE REGULATIONS

Contents:

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15.305 Accessory Structures & Uses

1. **Accessory Buildings**.
   a. Accessory buildings, including private garages and buildings clearly incidental to the residential use of the property, are permitted in the R-1, R-2 or R-3 districts.
   b. An accessory building may be constructed in the R-1 and R-2 Zoning Districts prior to a principal residential dwelling if the accessory structure meets principal building setbacks.
   c. No accessory building may be constructed in the R-3 Zoning District, unless a primary residential building is under construction or is already constructed.
   d. No accessory building may be used as a separate dwelling unit.
2. **Accessory Uses.** Accessory uses are permitted uses requiring no additional zoning approval, unless the Use Table in 15.285 or a specific Use Regulation in this subchapter describes the need for a Land Use Permit or Conditional Use Permit.
3. **Agricultural Accessory Uses.** Agricultural Accessory Uses are subject to the following:
   a. **Accessory to Agricultural Uses**

1. Agricultural Accessory Uses shall be subordinate to a Primary Agricultural Use in the AG-1 and AG-2 districts and cannot be engaged in unless a Primary Agricultural Use is actively maintained on the same parcel of land.

b. **Conditional Uses.**

1. The following Agricultural Accessory Uses require a conditional use permit in the AG-1 and AG-2 Districts:
   a. A business, activity or enterprise, whether or not associated with an agricultural use, that is conducted by the owner or operator of a farm, that requires no buildings, structures or improvements other than those described in the definition of "Agricultural Accessory Building " in § 15.805 and that employ no more than four (4) full time employees annually and that does not impair or limit the current or future agricultural use of the farm or other protected farmland.
   b. Sale of agricultural and dairy products not produced on the premises and incidental sale of non-alcoholic beverages and snacks.
   c. Farm exhibitions as permitted in § 15.315.
   d. Farm-Based Biopower Facility
   e. Commercial Kennel
   f. Commercial Stable
   g. Riding Supply
   h. Winery
2. The following Agricultural Accessory Uses require a conditional use permit in the AG-2 District:
   a. Bed and breakfast operations in existing farm residences located on a farm.
   b. Airstrips, subject to § 15.320

15.310 Adult Establishments

Intent. It is the intent of these regulations to protect the health, safety, and general welfare of the residents of St. Croix County, to preserve the quality of family life, to preserve the rural and urban characteristics of its neighborhoods in St. Croix County and to prevent downgrading of neighborhoods. Being mindful of the effects of adult entertainment upon minors, it is the intent of this section to regulate the location of establishments of adult entertainment. By the enacting this ordinance, the St. Croix County Board of Supervisors does not intend to give any explicit, implicit or tacit approval or condone any activity relating to adult entertainment.

1. **Applicability**. This section applies to any Adult Establishment. For purposes of this section, an "Adult Establishment" includes any of the following uses as defined in § 15.805:
   a. Adult Bookstore,
   b. Adult Motion Picture Theater,
   c. Adult Motion Picture Theater (Outdoor),
   d. Adult Mini Motion Picture Theater,
   e. Adult Bath House,
   f. Adult Massage Parlor,
   g. Adult Modeling Studio,
   h. Adult Body Painting Studio,
   i. Adult Cabaret, and
   j. Adult Video Store.
2. **Standards for Adult Entertainment Uses**. In addition to all other applicable requirements of this Ordinance, all Adult Establishments shall meet the following standards:
   a. No Adult Establishment shall be permitted within 1,320 feet of the center of any public entrance to a school, library, church, park, playground or daycare facility. The distance shall be measured along the shortest route

along the street or highway between the points where lines perpendicular to the centers of the public entrances intersect with the street or highway.

b. No adult entertainment use shall be permitted within 500 feet of property zoned R-1, R-2 or R-3, AG-1, or AG-2 districts. The distance shall be measured from the center of any public entrance of the adult entertainment use in a straight line to the closest point of the other property.

c. There shall be no sale of intoxicating beverages in the Adult Establishment.

d. Signs advertising any of the Adult Establishment shall conform with § 15.380.

e. Parking shall comply with § 15.430, and all parking shall be provided in a lighted area.

f. There shall be no pornographic displays or signs depicting specified sexual activities or specified anatomical areas on the premises.

g. The owner and/or operator of the adult entertainment establishment shall comply with all federal, state and local laws and ordinances, including obscenity, liquor and cabaret laws, and shall further ensure that minors are not permitted on the premises. Solicitation for purposes of prostitution shall be strictly prohibited.

h. The hours of operation for such establishments shall be from 8:00 a.m. to 2:00 a.m.

i. Outdoor adult motion picture theaters shall also have the viewing screen located in such a fashion as to not be visible from any road, street or highway or residence and the premises shall be surrounded by solid fencing at least eight feet in height. All theaters shall comply with Wis. Stat. § 134.46.

j. This section does not permit or authorize any establishment or use which violates other applicable local or county ordinances or Wisconsin law.

15.315 Agricultural Entertainment and Farm Exhibitions

Purpose: This section establishes standards for Agricultural Entertainment and Farm Exhibition uses in the County's Agricultural districts and rural commercial areas that accommodate an economic and entertainment demand, complement the County's agricultural economy, and protect surrounding neighborhoods.

1. **Agricultural Entertainment**

a. **Applicability**. This subsection applies to Agricultural Entertainment, as defined in § 15.805. The applicant must demonstrate the proposed enterprise or business is farm based, meets the definition of a "farm" and is able to clearly show agricultural use activities taking place on the property as the primary use. When applied to the C-2 district, a broader range of recreational uses may be permitted that do not relate to agriculture, however motorized recreational uses are prohibited.

b. **Where Permitted.**

1. Agricultural Entertainment activities that **do not exceed 15 calendar days** annually are considered an Agricultural Accessory Use and are permitted by right only if accessory to an agricultural use in the AG-1 and AG-2 districts. This agricultural accessory use must comply with Wis. Stat. § 91.01(1).

2. Agricultural Entertainment activities which **exceed 15 days** annually are considered an Agricultural Accessory Use that requires a conditional use permit in the AG-1 and AG-2 districts.

3. Agricultural Entertainment activities that **do not exceed 30 calendar days** annually are considered an Agricultural Accessory Use and are permitted by right only if accessory to an agricultural use in the in the C-2 District. This agricultural accessory use must comply with Wis. Stat. § 91.01(1).

4. Agricultural Entertainment activities which **exceed 30 days** annually are considered an Agricultural Accessory Use that requires a conditional use permit in the C-2 district.

c. **Food and Beverages.** Agricultural Entertainment may include the incidental preparation and sale of beverages and food. For purposes of this subsection, "incidental" means that:

1. food or beverages are not a primary reason to frequent the establishment, but instead are offered for purchase as a convenience to the customer, and

2. occur either:

a. inside a structure devoted to an agricultural use or a residence, or

b. in locations that are not visible from the public right-of-way and that occupy no more than 2,000 square feet cumulatively.

2. **Farm Exhibitions.**

a. **Applicability**. This section applies to farm related exhibitions, sales or events such as auctions, dairy breakfasts, exhibitions of farm machinery and technology, agricultural association meetings and similar activities.

b. **Where Permitted.**

1. Farm Exhibitions occurring **no more than 5** days in a calendar year are considered an Agricultural Accessory Use and are permitted by right only if accessory to an agricultural use in the AG-1 and AG-2 districts. This agricultural accessory use must comply with Wis. Stat. § 91.01(1). In the C-2 district this use is permitted by right.

2. Farm Exhibitions occurring on **more than 5** days in a calendar year are considered an Agricultural Accessory Use that requires a conditional use permit in the A-1 and A-2 districts; in the C-2 district this use requires a land use permit.

3. **Event Plan / Land Use Permit**

a. This subsection applies to any Rural or Agricultural Entertainment or Farm Exhibition anticipated to have attendance of more than 100 persons during a 24-hour period.

b. An event plan addressing the items in Table 15.315.1 (Event Plans) shall be filed and approved with a land use permit from the Land Use Administrator. For Farm Exhibitions, the applicant shall file and obtain approval of the event plan annually. The event plan shall address the following:

Table 15.315.1
Event Plans

Item Addressed	Agricultural Entertainment	Farm Exhibitions
Parking	*	*
Proposed days and hours of operation	*	*
Ingress and egress *(including any permit required by the appropriate road jurisdiction)*	*	*
Sanitation	*	*
Other public safety issues	*	*
Signs	*	
Solid waste management	*	*

(asterisk [*] = item is required | blank cell = item not required)

c. The applicant shall file the approved land use permit with the appropriate town clerk, fire department, emergency medical provider, the St Croix County Sheriff's Department and any other local law enforcement agency that has responsibility for providing police protection services for the Agricultural Entertainment or Farm Exhibition activities, at least 30 days prior to the start of any such activities in each calendar year.

15.320 Airstrips

1. **Applicability**. This section applies to airstrips that are not agriculture-related or agriculture-accessory uses.
2. **Notice to Law Enforcement Agencies**. If approved by the Community Development Committee, the applicant shall notify all police Agencies in the vicinity of the airstrip, together with the County Sheriff's Department and the Central Communication Center of the existence of the airstrip, its location and its length.
3. **Location.** The airstrip in question shall be located as close as possible to the center of the real estate owned by the applicant, unless the topography of the real estate in question causes a central location to be unreasonable.
4. **Length.** The airstrip shall be of sufficient length to:

a. Enable safe takeoffs and landings by any and all airplanes owned by the applicant or by airplanes that the applicant approves to land at the airstrip.

b. Be approved by the Wisconsin Department of Transportation, Bureau of Aeronautics, and

c. Safely and reasonably comply with 14 CFR § 91.9 (Civil aircraft flight manual, marking, and placard requirements).

5. **Abandonment.** Upon being notified that an airstrip with an approved conditional use permit is abandoned by the applicant, the Land Use Administrator shall notify the applicant and its successor or assigns that the conditional use permit is terminated.
6. **Conveyance.** Upon the sale, transfer, lease or other conveyance of the real estate on which an approved airstrip is located, the new purchaser, transferee or lessee of the real estate shall immediately file a notice of the purchase, transfer or lease with the County Land Use Administrator. The notice shall contain the statement that the new purchaser, transferee or lessee agrees to conform to and abide by these standards. Upon receipt of the notice, the Land Use Administrator shall inform the purchaser, transferee or lessee of these standards.
7. **Paved Strips Not Permitted.** Airstrips shall remain as grass or sod strips only and be properly maintained for that use. (See submittal requirements of § 15.590)
8. **Hold Harmless Agreement**. Upon approval of the proposed airstrip by the Community Development Committee, the applicant shall execute a hold harmless agreement in favor of the County, which shall indicate that the applicant has sole responsibility for any and all damage caused to any person or property by the operation of the County approved airstrip.
9. **Flight Altitudes**. The airstrip shall comply with Section 14 CFR § 91.119 (Minimum Safe Altitudes; General).

15.322 Campgrounds

1. **Applicability**. This section applies to public and private campgrounds that accommodate 3 or more camping units.
2. **Standards.**
   a. Campgrounds shall have adequate water supply and sanitary facilities to accommodate occupancy per Wisconsin State Statute and Administrative Code.
   b. Campgrounds shall be licensed by the Department of Agriculture, Trade and Consumer Protection (DATCP) and comply with Wisconsin Administrative Code ATCP 79, Campgrounds.
   c. Public and Private Campgrounds may include commercial recreational activities such as waterslides, mini golf, etc., and may include retail sales of goods directly related to the recreational activities on the site.
   d. No campground shall be located so that drainage from the campground will endanger any water supply, surface or ground.
   e. All sites shall be well drained. No wastewater from the trailers or other recreational vehicles shall be deposited on the surface of the ground.
   f. Each campsite parking spot shall be plainly marked and surfaced with gravel, asphalt, or other material to free the site of mud.
   g. The operator shall require a minimum distance of 10 feet between camping units measured from the outside edge of one camping unit to the outside edge of another camping unit, including slide outs.
   h. No more than one travel trailer or motorhome shall be allowed on any individual campsite.
   i. No porches, lean-tos, or additions shall be constructed onto or immediately adjacent to a camping unit.
   j. A camping unit shall not be occupied for more than eight months in a calendar year.
   k. All campsites shall be located at least fifty (50) feet from all exterior lot lines.
   l. An operator may designate no more than 15 individual campsites per acre of campground. Each campsite is limited to six (6) campers or an individual family. An operator may allow no more than 60 campers per acre in a group campsite.
   m. Every structure in a campground shall be developed and maintained in a safe manner.
   n. The operator shall provide a waste management plan.
   o. Each campground shall have a building for the use of the operator distinctively marked "office". A map of the campground shall be displayed at the office.
   p. The operator shall maintain a written or electronic campground register that contains the name of each principal campsite occupant, the person's contact information, the person's arrival and departure dates and the number

of campers in the person's party. The campground register shall be available to any authorized employee or agent of the department who, in carrying out his or her duties, asks to inspect the register. The operator shall keep the campground register for at least two (2) years after the principal campsite occupant's date of departure from a campsite.

q. The operator shall display a durable sign posted in public view with the following wording "EMERGENCY COMMUNICATIONS". The sign shall provide directions to the nearest location where a telephone is available for emergency use.

3. **Application.** In addition to conditional use permit submittal requirements outlined in Table 15.590.1, the following information shall be provided:
   a. Location and size of all vehicle or tent sites, recreation areas, storage areas, roadways, parking areas and all setback dimensions.
   b. Plans for sanitary sewage disposal, surface drainage, water systems, electrical service and gas service.
   c. Plans for site lighting.
   d. Method of disposing of garbage.
   e. Road construction plans and specifications.
   f. Such other information as may be required by the Department.

15.324 Special Event Campgrounds

1. **Applicability-** This section applies to special events which do not exceed 14 days in duration per event.
2. **Standards.**
   a. Special Event Campgrounds shall obtain a license from the St. Croix County Public Health Department.
   b. Adequate potable water supply and sanitary facilities shall be provided to accommodate occupancy per Wisconsin State Statute and Administrative Code. No wastewater from the trailers or other recreational vehicles shall be deposited on the surface of the ground.
   c. All sites shall be well drained.
   d. Each campsite shall be plainly marked.
   e. The operator shall require a minimum distance of 10 feet between camping units measured from the outside edge of one camping unit to the outside edge of another camping unit, including slide outs.
   f. No more than one travel trailer, pickup camper, tent, or motorhome shall be allowed on any individual campsite.
   g. All campsites shall be located at least fifty (50) feet from all exterior lot lines.
   h. An operator may designate no more than 30 individual campsites per acre. Each campsite is limited to six (6) campers or an individual family.
   i. Every structure onsite shall be developed and maintained in a safe manner.
   j. The operator shall provide a liquid and solid waste management plan.
   k. A map of the campground and emergency contacts shall be displayed at the entrance and restroom facilities.
   l. The operator shall maintain a written or electronic campground register that contains the name of each principal campsite occupant, the person's contact information, the person's arrival and departure dates and the number of campers in the person's party. The campground register shall be available to any authorized employee or agent of the department who, in carrying out his or her duties, asks to inspect the register. The operator shall keep the campground register for at least two (2) years after the principal campsite occupant's date of departure from a campsite.
3. **Application.** In addition to conditional use permit submittal requirements outlined in Table 15.590.1, the following information shall be provided:
   a. Location and size of all vehicle or tent sites, recreation areas, storage areas, roadways, parking areas and all setback dimensions.
   b. Plans for sanitary sewage disposal, surface drainage, water systems, electrical service and gas service.
   c. Plans for site lighting.

d. Method of disposing of liquid and solid waste.
e. Road construction plans and specifications.
f. Such other information as may be required by the Department.

15.325 Conservation Design Development

Purpose: The Conservation Design Development standards are intended to provide a residential development option that supports the rural character and residential development goals of St. Croix County, as referenced in the St. Croix County Comprehensive Plan, while preserving open space, agriculture, and natural resource areas.

1. **Permitted Uses**
    1. Permitted uses in the Common Open Space portion of the Conservation Design Development shall include all uses permitted in the Conservancy District (§ 15.275) and the development's clubhouse/lodge.
2. **Conditional Uses.** The following uses require a conditional use permit:
    1. Conditional Uses allowed in the Conservancy District.
    2. Equestrian boarding and riding facilities available only to development residents. A 590 Nutrient Management Plan is required for the manure produced on the site.
3. **Density Standards**.
    a. **Residential Base Density.** The Residential Base Density, or the base number of allowable dwelling units, is determined by the yield plan pursuant to Ch. 13, St. Croix County Code of Ordinances. Existing dwellings that may or may not be part of a farmstead that will be retained shall be counted toward the base density.
    b. **Residential Gross Density**. The total number of dwelling units allowed in a CDD is referred to as the Residential Gross Density. This is calculated as the Residential Base Density plus 25% of the number of dwelling units prescribed by the Residential Base Density.

Table 15.325.1
Conservation Design Density Allocation Examples

Yield Plan	Base Density	Gross Density	Dwelling Units Mix	Sample Breakdown	Totals
18 Lots	18 DU	22 DU	22 SFDU	22 –1-Family Detached DU	22 DU
50 Lots	50 DU	62 DU	47 SFDU + 15 MFDU = 62 DU	47 –1-Family Detached DU 5 –3-Family Attached DU	47 DU + 15 DU = 62 DU
100 Lots	100 DU	125 DU	94 SFDU + 31 MFDU = 125 DU	94 –1 Family Detached DU 7 – 2-Family Attached DU 3 – 3-Family Attached DU 2 – 4-Family Attached DU	94 DU + 14 DU + 9 DU + 8 DU = 125 DU

DU = Dwelling Units | SFDU = Single Family Detached Dwelling Units | MFDU = Multi Family Attached Dwelling Units

15.330 Contractor Storage Yards

1. **Permits**
    a. A Contractor Storage Yard permit shall be obtained prior to operating this type of use.
    b. A Contractor Storage Yard shall not be permitted on a lot less than three (3) acres in size.
2. **Operational Standards**
    a. The applicant shall maintain the property in a neat and orderly manner.
    b. Activities are limited to the storage of equipment and vehicles for use off-site. No manufacturing, retail services, or other business services shall take place on the same lot.
    c. In the R-1 or R-2 districts, hours of operation shall not occur earlier than 6:00 a.m. or later than 7:00 p.m.

d. The applicant shall secure all necessary permits and approvals from the Town and obtain any other required local, state, or federal permits and approvals.

3. **Lighting.** To minimize glare, all lighting associated with the Contractor Storage Yard shall be illuminated downward and shielded away from abutting properties and any public road.
4. **Screening.** The applicant shall provide vegetative screening from any abutting lot in the R-1, R-2 or R-3 Zoning Districts.

15.335 Chickens and Ducks

Purpose: This section provides for the raising of chickens and ducks as an accessory use in a residential district, to allow for local food production while protecting the surrounding neighborhood and environment.

1. **Applicability**. This section applies to the keeping of chickens and ducks on lots less than three (3) acres within the residential districts.
2. **Generally.** For purposes of this section, "Chickens" refers to either chickens or ducks.
3. **Standards.**
   a. The maximum number of chickens allowed is twelve (12) per parcel.
   b. Only female chickens (hens) are allowed.
   c. Chickens must be contained within the parcel at all times.
   d. Henhouses and chicken pens must be located in a rear or side yard, at least ten (10) feet from the property line and at least twenty-five (25) feet from any adjacent residential dwelling, church, school or place of business.

15.340 Fences and Walls

Purpose: This section regulates fences and walls to preserve the County's rural character, and to prevent the obstruction of motorists' vision.

1. **Applicability.** This section applies generally to fences or walls. Any conflicting provisions in the zoning district regulations, another Use Regulation, or a Development Standard supersede this section.
2. **Location**. Fences and walls may be located in any required setback area. Privacy fences must meet road setbacks, but open fences can go up to the highway right-of-way. No privacy fences are allowed within the vision triangle.
3. **Height**. Privacy Fences, at least 50% opaque and at least 4 feet in height, shall not exceed 8 feet in height. Open fences shall not exceed 12 feet in height.
4. **Design**. The finished side of the fence shall face outward toward the public right-of-way and/or adjacent parcel.
5. **Fences along Highways**: When a fence is located along a road right-of-way, adequate parking shall be provided between the fence/gate and roadway to prevent a vehicle or object from protruding into the roadway while the operator is opening the fence.

15.345 Home Occupations

Purpose: *The purpose of this section is to:*

Protect residential and agricultural areas from adverse impacts of activities associated with home occupations;

Permit residents of the community an opportunity to conduct a business at their place of residence; and

Establish criteria and development standards for home occupations conducted in dwelling units and accessory structures in the Residential Rural (R-1), Residential Neighborhood (R-2), Residential Mixed (R-3), and Agricultural (A-1 and A-2) districts.

Provide for certain types of restricted occupational uses within the Residential Rural (R-1), Residential Neighborhood (R-2), Residential Mixed (R-3), and Agricultural (A-1 and A-2) districts which:

- *Are incidental to the use of the premises as a residence or a farm;*
- *Are compatible with residential or agricultural uses;*

- *Are limited in extent; and*
- *Do not detract from the residential or agricultural character of the neighborhood.*

1. **Applicability and Definitions**. This section applies to any home occupation. Home occupations are divided into minor, major, and nonconforming home occupations, defined as follows:
   a. A **minor home occupation** is a home occupation as defined in subsection 3 authorized by this section without a hearing or permit.
   b. A **major home occupation** is a home occupation as defined in subsection 4 that is authorized as a conditional use.
   c. A **nonconforming home occupation** is one which was established and maintained prior to the effective date of this section but is no longer allowed because of the application of this section or any amendment hereto.
2. **General Standards**. The following standards apply to all home occupations:
   a. The person principally responsible for the home occupation must reside at the location of the proposed home occupation.
   b. All home occupations shall be clearly incidental and secondary to the use of a dwelling or accessory structure for residential or agricultural purposes, and the appearance of the structure shall not be altered or the occupation within the dwelling or accessory structure be conducted in such a manner which would cause the premises to differ from its residential or agricultural character by either the use of colors, materials, construction, lighting, signs, or the emission of sounds, noises, odors or vibrations.
   c. In no case shall any home occupation be open to the public at times earlier than 7:00 a.m. nor later than 10:00 p.m.
   d. A home occupation shall have adequate off-street parking spaces available to compensate for additional parking needs generated.
   e. Storage
      1. There shall be no exterior storage of business equipment, merchandise, inventory, vehicles or heavy equipment.
      2. Materials, including organic materials such as rock or plants, may be stored within the permitted home occupation area (see subsection 4.c.1.c below) outside of an enclosed structure.
      3. There shall be no exterior storage of junk.
   f. Home occupations shall not produce noise or objectionable odors, vibrations, glare, fumes or electrical interference detectable beyond the lot line of the parcel on which the home occupation is located.
   g. Home occupations shall not illegally discharge any materials, fluids or gases into the sewer system or into an on-site waste disposal system nor discharge such items in violation of any applicable government code.
   h. Garage sales, craft sales or other similar sales are permitted without special permit if they meet the following standards:
      1. Sales last no longer than three days.
      2. Sales are held no more than twice yearly.
      3. Sales are conducted on the owner's property. Multiple family sales are permitted if they are held on the property of one of the participants.
   i. Only one major home occupation shall be allowed per residence, regardless of how many parcels the owner owns. If the proposed use of the property falls under different uses listed in § 15.285 or different definitions in this chapter, the proposed use shall be considered more than one home occupation and prohibited under this provision.
3. **Minor Home Occupations**.
   a. A home occupation is considered a minor home occupation that is allowed without permit or hearing, if it conforms to all of the following:
      1. Minor home occupations shall not be conducted in any building on the premises other than the principal dwelling.

2. Only one person other than a resident of the principal dwelling may be engaged or employed in a minor home occupation.
3. The area set aside for the home occupation shall not exceed 50% of the total floor area of the residence.
4. The selling of stocks of merchandise, supplies or products is not conducted on the premises. However, orders previously made by internet, telephone or at a sales party may be filled on the premises. That is, the direct sale of products off display shelves or racks is not allowed, but a person may pick up an order placed earlier as described above.
5. Parties for the purpose of selling merchandise or taking orders are not held more than 4 times each month.
6. Minor home occupations cannot involve explosives, fireworks, or repair of motor vehicles.
7. Any traffic generated should be minimal and normal for a residential neighborhood, with client meetings required to be by appointment only.
8. Signage shall be limited to a maximum of two square feet.

b. In the AG-1 and AG-2 district, Minor Home Occupations are allowed if they:

1. comply with all applicable requirements of this section, and
2. do not impair or limit current or future agricultural use of the farm on which they are performed, and
3. do not engage or employ any persons other than the residents of the principal residence located on the farm, and
4. comply with Wis. Stat. § 91.01(1).

4. **Major Home Occupations**

a. A major home occupation is any proposed or existing home occupation that does not meet the standards for a minor home occupation.
b. A major home occupation requires a conditional use permit.
c. All major home occupations shall meet all of the following additional standards:

1. Major home occupations must be conducted:
   a. within the principal dwelling if the area set aside for the major home occupation does not exceed 50% of the total floor area of the principal dwelling, or
   b. within a permitted accessory structure (alone or in combination with the principal dwelling), if the total floor area dedicated to the home occupation, including any area used in the principal dwelling, is limited to 6,500 square feet, or
2. Major home occupations may not be located within 100 feet of any preexisting neighboring residence.
3. Home occupations shall be service orientated or involve taking a raw product and creating a finished product onsite. Only 45% of sales shall be merchandise items not produced onsite or sold within the dwelling or structure used for a major home occupation. A product bought and installed offsite by the business is not limited by this provision.
4. Major home occupations authorized in an Agricultural District must be limited to agriculturally related activities.

5. **Inspections**. There may be 1 annual inspection each year of any authorized home occupation by the Land Use Administrator or his designee. In addition, the Land Use Administrator or his designee may at any time, upon reasonable request, enter and inspect the premises for safety and compliance purposes.

15.350 Housing

Purpose: To Accommodate housing types that diversify St. Croix County housing stock, provide a broad choice of housing types, and affordable housing options, while promoting the efficient use of land through different development styles.

1. **Applicability**. This section applies to single family detached units, two-family and multifamily units, manufactured homes and caretaker units as specified below.
2. **Dwelling Unit Area**. Every dwelling unit shall provide 500 sq. feet of minimum floor area for each family residing in the building.
3. **Multifamily Dwellings**
   a. Where allowed. Multifamily dwellings are a permitted use in the R-3 district.
   b. Landscaping and Screening. All Multifamily structures shall meet landscaping requirements as described in 15.420.
3. **Manufactured Homes**
   a. **Where Allowed**. Manufactured Homes are permitted in all districts where Single-Family Dwellings are permitted, to include the AG-1, AG-2, R-1, R-2, R-3, and C-2 Districts, subject to the supplemental regulations in this subsection.
   b. **Installation**. A Manufactured Home shall comply with the installation standards established by the Wisconsin Department of Safety and Professional Services. The bottom of manufactured homes shall be skirted and shall be anchored sufficiently for high winds.
   c. **Foundation**. A continuous permanent masonry foundation or masonry curtain wall slab, unpierced except for required ventilation and access, shall be installed under the perimeter of Manufactured Home.
   d. **Moving Equipment Removed**. The moving hitch, transporting lights shall be removed.

15.352 Salvage Operations

1. **Standards.**
   a. Commercial salvage operations are permitted only as a conditional use and only in the R-1, C-1, I-1 and I-2 districts.
   b. No portion of any salvage operation may be located in the road setback area.
   c. Salvage materials shall be enclosed by an opaque fence, berm, and/or year-round vegetative screening so that materials are not visible from other property in the vicinity of the salvage operation nor from a public road nor from navigable water.
   d. Salvage materials shall not be located within 300 feet of any residence other than that owned by the owner of the premises and 1,000 feet from a lake, river or stream.
   e. Salvage material shall not be located in a wetland, floodplain, intermittent stream, drainage way or storm water basin.
   f. For public safety, an emergency management plan and spill response plan shall be in place to address fire protection, chemical or oil spills, and other contaminants that may be present onsite.
   g. No item may be stored within the salvage operation that contains hazardous materials that could contaminate the soil or water. All liquids shall be drained from any containers, salvage vehicles or equipment.
   h. All lithium batteries shall be isolated and contained to prevent damage to other vehicles and structures if a fire starts.
   i. At a minimum, there shall be five feet of soil between the water table or bedrock.

15.353 Junk

Purpose: This section provides for the regulation of junk, when stored outdoors, in order to protect the general health and welfare of the community. Junk stored outdoors can cause soil and water contamination, cause negative impacts to surface waters and groundwater, decrease property values, and have negative impacts on the aesthetics of an area or neighborhood.

1. **Applicability**. Specifically, but not limited by enumeration, the following items meet the definition of junk as defined in Section 15.805:
    a. Motorized vehicles or motorized equipment of any type, if not currently capable of motorized operation including, but not limited to, cars, vans, trucks, recreation vehicles, watercraft, motor homes, lawn mowers, snow blowers, outboard motors, go-carts, mopeds, scooters, agricultural equipment, and minibikes
    b. Non-motorized vehicles intended to transport persons or property on a road or highway, including trailers and bicycles, if not currently safe to use on the road.
    c. Vehicle parts
    d. Tires, with or without rims
    e. Interior appliances and electronic equipment not in use including, but not limited to, cooktop range and ovens, refrigerators, dishwashers, fans, clothes dryers, clothes washers, microwaves, televisions, screens, audio equipment, computers, arcade games and vending machines.
    f. Interior plumbing and mechanical fixtures not in use including, but not limited to, toilets, sinks, piping, bathtubs, tub surrounds, water heaters/tanks, water softeners, humidifiers, dehumidifiers, wood-burning stoves, furnaces and related piping and ductwork.
    g. Interior furniture that is abandoned, discarded or damaged including, but not limited to, sofas, recliners, mattresses, bed frames, dressers, credenzas, desks, tables and chairs.
    h. Outdoor recreation equipment that is disassembled or broken including, but not limited to, trampolines, above-ground swimming pools, swimming pool components and patio furniture.
    i. Building components or construction materials not suitable for use or in use including, but not limited to, doors, windows, siding, shingles, lumber and flooring.
    j. Outdoor fixtures or containers not currently in use including, but not limited to, fuel tanks, propane tanks, liquid barrels and air conditioners.
    k. Scrap metal, plastic, or glass not in use.
    l. Any other item similar in nature to the above list

2. **Standards**
    a. The accumulation of junk outdoors is prohibited in any zoning district.
    b. **Exceptions.** The accumulation of certain junk items is permitted in the rear yard if it meets the following:
        1. The items are unbroken and intended to be put to use.
        2. Screened from ordinary public view and from neighboring property by means of opaque fencing and/or year-round vegetative screening or other appropriate means.
        3. If the property is vacant or does not have a primary building located on the lot, the rear yard area shall begin 100 feet from the front lot line.
        4. Located in one (1) contiguous area.
        5. The area does not exceed the lesser of 2000 square feet or 2% of the area of the rear yard.
        6. Agricultural equipment in operational condition and still being used.
        7. No item may be stored within the designated storage area that contains hazardous materials that could contaminate the soil or water. All liquids shall be drained from any containers, junk vehicles or equipment.

Stored items shall not be located in a wetland, floodplain, intermittent stream, drainage way or storm water basin. **Figure 15.353.1 Outdoor Junk Storage Dimensional Standards**



15.355 Kennels, Commercial

2. **Location**
   a. Kennel structures shall be set back at least 300 feet from all property lines.
   b. Kennel structures shall be located at least 50 feet from any potable water supply well.
3. **Standards**
   a. Kennel structures housing animals shall provide soundproofing so that animal noise cannot be heard beyond owner's lot lines.
   b. All animals shall be housed indoors from 9:00 p.m. to 6:00 a.m.
   c. There shall be no more than the following number of adult dogs or cats, six months of age or older, outdoors at any one time:
      1. 16 in the AG-1, AG-2, C-1, or C-3 districts.
      2. 6 in the R-1 District.
   d. The operator shall provide a plan for animal waste management to ensure timely collection and safe disposal. This requirement is intended to address site odor, stormwater runoff contamination and public health protection.
   e. Additional standards to allow lesser setbacks for outdoor kennels by conditional use permit:
      1. Views of outdoor kennel structures shall be entirely obscured from the property line through a combination of walls, berms, fences and/or landscaping.
      2. Barking and other noises shall be mitigated through the use of walls, berms, fences, bark suppression collars and/or landscaping.

15.360 Livestock Facilities

Purpose: This section provides for livestock facilities that support the County's agricultural economy, allow a reasonable economic return for agricultural property owners, protect surrounding neighborhoods, and minimize the environmental and public health impacts of intensive livestock facilities.

1. **Applicability**. This section applies to all animal units, except household pets, in all districts.
2. **Generally.**
   a. Except for chickens and ducks as permitted under 15.335, no animal units may be kept on lots or parcels less than 3 acres, nor on lots or parcels in a major subdivision unless provided for in the plat.
   b. No livestock facility with 200 or more animal units shall be permitted in the R-2 district.
   c. One animal unit per acre of land suitable for animal waste utilization, consistent with NRCS 590 Nutrient Management, is allowed without a permit on lots or parcels of 3 acres or more in size. Land suitable for animal waste utilization excludes:
      1. wetlands or lands below the OHWM,
      2. closed depressions,
      3. slopes in excess of 25%, and
      4. other areas that may be determined as sensitive and adversely affecting surface water or groundwater quality.
3. **Permitted Districts and General Standards**

Table15.360.1 Livestock Facility Locations and Standards				
Standard	Livestock Facility Threshold (AU = animal unit)			
	< 1 AU per acre of land suitable for animal waste utilization or < 200 AU	**> 1 AU per acre of land suitable for animal waste utilization and < 200 AU**	**< 1 AU per acre of land suitable for animal waste utilization and 200-499 AU**	**≥ 1 AU per acre of land suitable for animal waste utilization or ≥ 500 AU**
Land Use Permit Required?	No		No (A-1, A-2, R-1)	Yes (A-1, A-2)
Conditional Use Permit Required?	No	Yes (R-2)	No	Yes (R-1)

4. **Minimum Parcel Size**. Minimum parcel size for any livestock facility exceeding 199 AU in the R-1 district is 10 acres.
5. **Structure Setbacks**
   a. The following structure setback provisions apply to livestock structures, including animal waste storage structures, manure processing facilities, and other structures housing animal units in the **A-1, A-2, R-1, R-2** Districts.
      1. All structures must be set back at least 100 feet from any property line or public road right-of-way if the facility has less than 1000 animal units.
      2. All structures must be set back at least 200 feet from any property line or 150 feet from a public road right-of-way if the facility has 1000 animal units or more.
      3. All animal waste storage structures must comply with Chapter 11 of the St. Croix County Code of Ordinances and be set back at least 350 feet from any property line or the nearest point of any public road right-of-way unless the animal waste storage structure existed prior to May 1, 2006.
      4. Minimum of five feet of vertical soil separation between bedrock, karst features, the water table, or other limiting factor and any storage facilities.

b. **Exemption for Equipment and Piping.** Equipment and piping used to transport animal waste from a livestock facility to an animal waste storage structure are exempt from the setback provisions in this subsection.

c. **Manure Processing Facilities.**

1. All manure processing facilities must follow the conditional use permit requirements and submit necessary supporting documentation, including a nutrient management plan for all waste processed onsite. All manure processing facilities shall provide 180 days of waste storage onsite for both processed and unprocessed waste.
2. No processed waste from such facility shall be spread or applied to land with less than 10 feet to bedrock or karst features. The separation of five (5) feet shall be maintained between the application depth and seasonally saturated groundwater areas.
3. No industrial or biological waste may be mixed with the organic animal waste.
4. No animals or animal parts may be processed in such facility.
5. All waste transported into or processed at the facility must originate within St. Croix County.
6. Facility must comply with Chapter 11 of the St. Croix County Code of Ordinances, including internal drainage and containment of runoff of the facility.
7. Truck Traffic must comply with seasonal weight restrictions.
8. Manure processing facilities shall not be located within a wellhead protection area.
9. Owner shall provide routine testing to make sure the air quality standards are met.

15.365 Mobile Tower Siting

Purpose: Accommodate communication, radio and television generation needs while protecting the public health, safety and welfare. Minimize adverse visual impacts of the associated ground structures with screening requirements and impacts of nearby property.

1. **General Provisions**
   a. **Applicability.**
      1. The following regulations and standards apply to all mobile support structures and facilities in all Zoning Districts unless otherwise provided in this section.
      2. Subject to subsections 3.b and c below, Mobile Support Structures and Radio and Television Broadcasting Studios are permitted in all Zoning Districts, with a Land Use Permit.
   b. **Mobile Support Structures in The Public Right-of-Way.** Pursuant to the County's authority under Wis. Stat. § 59.54(6), no mobile support structure or its structural components shall be erected or temporarily placed within any road or highway or its right-of-way.
   c. **Mobile Support Structures Exempt from Regulation**. The following mobile support structures and facilities are exempt from regulation under this section:
      1. Amateur Radio Antennas constructed for use by licensed amateur radio operators up to:
         a. 60 feet high, or
         b. 100 feet when extended by a telescoping or crank-up mechanism, with a maximum height of 60 feet when retracted.
      2. Reception-only antennas and dishes for television and radio.
2. **Permit Process**
   a. **Permit Required.** A land use permit is required for a new mobile support structure and facilities, Co-Locations, and modifications to existing facilities.
   b. **Permit Decision & Appeal Process for New Mobile Support Structures**

1. If an applicant submits to the Land Use Administrator an application for a permit for a new or modification of mobile support structure and facilities, or collocation, which contains all of the information required under this ordinance, it shall be considered complete.
2. If the Land Use Administrator does not believe that the application is complete, the applicant will be notified in writing, within 10 days of receiving the application that the application is not complete. The written notification shall specify in detail the required information that was incomplete.

c. **Permit Decision & Appeal Process for Collocations and Modifications**

1. If any of the required information is not in the application, the Land Use Administrator shall notify the applicant in writing, within 5 days of receiving the application, that the application is not complete. The written notification shall specify in detail the required information that was incomplete.
2. Within 45 days of receipt of a complete application, the Land Use Administrator shall complete the review of the application, or the applicant may consider the application approved, except that the applicant and the Land Use Administrator may agree in writing to an extension of the 45-day period.

3. **Standards**

a. **Setbacks.** The setback for mobile service support structures and facilities shall meet the provisions of § 15.242. or at least 150% of height unless a fall zone approval by a professional engineer is submitted.

b. **Aeronautical Safety.** The County may disapprove an application involving creation of a new mobile support structure where:

1. the new structure would extend into air space protected by 47 C.F.R. 17.7(b).

c. **Removal of Mobile Support Structure & Facilities.** Any mobile support structure and facilities which is not used for the use for which the permit was granted for 12 consecutive months must be removed and the site restored within 3 months. The site shall be restored to its original condition and anchoring elements shall be removed from the ground to a depth of at least 8 feet below grade. If removal and restoration are not completed, the County is authorized to complete the removal and site restoration and charge the cost to the performance bond.

d. **Performance Requirements**

1. A performance bond in a form acceptable to the Land Use Administrator shall be submitted at the time of application to provide for the removal of the mobile support structure and facilities. The bond shall be $20,000.
2. The bottom of the mobile support structure and facilities from ground level to 12 feet above ground shall be designed to prevent unauthorized climbing and shall be enclosed with a minimum 6-foot-high chain link fence with a locked gate. Guyed tower anchoring points shall also be enclosed with a 6-foot-high chain link fence.
3. Security lighting shall be downward directed and shielded to keep light within the boundaries of the site.
4. Adequate parking shall be provided for maintenance and repair vehicles.
5. A written acknowledgment from the landowner of a leased site that they will abide by the applicable conditions of the Land Use Permit, including the restoration and reclamation requirements in subsection 5.c of this section.
6. Installation of the wireless mobile support structure and facilities shall comply with the manufacturer's specifications.
7. New mobile support structure and facilities shall provide space for at least two co-locations.

e. **Prohibitions**

1. No wireless communication facility shall be artificially illuminated unless required by the FCC or FAA.
2. A temporary mobile transmission facility site is not permitted except in the case of equipment failure, equipment testing, equipment replacement, or emergency and prior authorization is obtained from the Land Use Administrator. Use of a temporary site for testing purposes shall be limited to 24 hours, and the use of a temporary site for equipment failure, equipment replacement or emergency shall be limited to 30 days unless extended for good cause in writing by the Land Use Administrator.

3. There shall only be one mobile support structure and facilities on a parcel of land.

f. **Biennial Report.** The mobile support structure and facilities owner shall submit each even-numbered year on or before January 31st, a transmission facility information report, on a county- provided form. The report shall detail the use, maintenance and condition of the wireless mobile support structure and facilities. The report shall be accompanied by a 2-year renewal of the performance bond.

g. **Safety Inspection**. If the county has reason to believe that a wireless mobile support structure and facilities is a safety risk, it may require the permit holder to perform an inspection by a registered engineer and provide a copy of the report to the Land Use Administrator within 60 days of notice by the County that an inspection is required.

15.370 Nonmetallic Mining

***Purpose**: Nonmetallic Mining is permitted as a conditional use or a temporary use in the AG-1, AG-2, and I-2 districts and is regulated by Chapter 14 of the County Code of Ordinances. This section protects public health, safety and general welfare and ensures that Nonmetallic Mining is compatible with the applicable district, while accommodating these uses as an important industry that contributes to the County's economic well-being.*

1. **General Standards.** Non-metallic mining operations shall comply with:
   a. Chapter 14 of the County Code of Ordinances.
   b. A buffer zone of at least one hundred (100) feet, measured horizontally, shall be maintained along adjoining property lines and public roads and highways. Areas within the buffer zone may be used for earthen berms, fencing, egress/ingress (except for internal haul roads), planting of trees and other uses that help create a buffer between the nonmetallic mining operation and neighboring properties.
   c. If an operator is not the owner of a nonmetallic mining site, the term of the nonmetallic mining permit shall not exceed the term of the lease and/or agreement between the operator and the owner of the nonmetallic mining site.
   d. Wash ponds and settling ponds shall have five feet of separation distance to bedrock.
   e. For sites with planned excavation lower than the groundwater table, the operator shall submit a detailed hydrogeologic report. The operator shall be required to reimburse the county for the expense of professional work or opinions in review of a hydrogeologic report if recommended by staff or the Community Development Committee. The hydrogeologic report shall provide the following information, as well as a description and justification of all hydrologic methods used:
      i. Existing conditions to establish baseline data, including but not limited to:
         1. Analysis of groundwater quality on the mining site consistent with Wisconsin Administrative Code NR § 140.20.
         2. Identification of all known contaminated groundwater resources within one-half mile of the mining site.
         3. Identification of all karst features such as sink holes, stream sinks, springs, caves, joints, or fractures within one-half mile of the mining site.
         4. Identification and elevation of all surface waters and headwaters within a minimum of one-half mile of the mining site. Elevations must include the existing water level, as well as the ordinary high-water mark where applicable.
         5. Identification of all existing groundwater users (neighboring private water-supply wells, well head protection areas, municipal wells, irrigation wells, etc.) within 1200 feet of the mining site consistent with Wisconsin Administrative Code Chapter NR 812. Well construction reports including well location, well depth, depth of casing, depth to water, and aquifers penetrated should be identified.
         6. Elevation of the groundwater table, groundwater flow directions, and groundwater velocities.
         7. All information in b) – e) above shall be presented in the form of contour maps and multiple geologic cross-sections passing through the proposed excavation and all areas of concern. All horizontal and vertical measurements shall be referenced to a permanent reference point of the St. Croix County Coordinate System.

ii. Proposed operational data, including but not limited to:
    1. Elevation of the lowest point of mining and dewatering activities below groundwater.
    2. Description of the means planned to prevent surface water running into the excavation.
    3. Where dewatering is proposed, provide pumping rates and times; elevation of the groundwater draw down level; and identification of groundwater discharge locations and quantities.
    4. A groundwater monitoring program to ensure compliance with a. and b. above. Such program should include the installation of monitoring wells near the site perimeter of the proposed area of excavation to measure groundwater elevations, quality, flow directions, and velocities.

iii. The Community Development Committee may require the applicant to provide additional relevant hydrogeologic studies such as groundwater modeling, when:
    1. Dewatering is proposed at the mining site,
    2. Known contaminated groundwater resources exist within one-half mile of the mining site,
    3. Known karst features such as sink holes, stream sinks, springs, caves, joints, or fractures exist within one-half mile of the mining site,
    4. Exceptional, outstanding, and/or 303d WDNR-listed waters exist within one-half mile of the mining site, or

f. All petroleum products kept onsite and related to the mining operation shall be stored in state approved fuel storage containers and shall be in accordance with federal standards for storage and fueling areas.

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

h. Wis. Stat. Chapter 295, subchapter I, and rules promulgated under that subchapter as well as with local ordinances adopted under Wis. Stat. §§ 295.13 or 295.14, applicable provisions of this Section, and any requirements of the Wisconsin Department of Transportation concerning restoration of nonmetallic mineral mine sites.

2. **AG-1 and AG-2 Districts.** In the AG-1 and AG-2 districts, the applicant shall demonstrate that:
    a. The operation and its location:
        1. considered alternative locations outside of the AG-2 District, or
        2. is specifically approved for the location under state or federal law.
    b. The operation is reasonably designed to minimize the conversion of land around the mine site from agricultural or open space uses to other land uses.
    c. The operation does not substantially impair or limit the current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.
    d. The owner or operator will restore the mine site to agricultural uses, consistent with a reclamation plan calling for such type of restoration once the nonmetallic mineral mining operation has been completed.

3. **Temporary Nonmetallic Mining.** Temporary Nonmetallic Mining operations are allowed if the operation:
    a. Extracts a total of 20,000 cubic yards or less of material, and
    b. does not exceed 2 years in duration, and
    c. obtains a Land Use Permit.

15.371 Private One-Room Schoolhouse

1. **Standards.**
    a. Maximum capacity of 37 occupants.
    b. The use shall comply with St. Croix County sanitary wastewater requirements.

15.373 Roadside Stands

Purpose: This section provides for the regulation of structures near the public right-of-way used to sell farm products and agriculture goods, to enable that use while protecting rural character and roadway safety.

1. **Standards.**
   a. The maximum ground area covered by a roof shall be 300 sq. ft.
   b. The structure shall not be permanently fixed to the ground and shall be readily removable in its entirety.
   c. The structure shall not be fully enclosed.
   d. The structure shall be used solely for the sale of farm products produced on the premises or adjoining premises.
   e. The structure shall be sited to allow vehicles to safely exit and enter the public roadway. Vehicles should be able to turn around on the parcel before exiting.
   f. The structure shall not be located within any road right-of-way or vision triangle areas.

15.375 Short-Term Rentals

Purpose: This section identifies County and State regulations allowing for the short-term rental of principal residential dwellings

1. **Applicable Regulations.** Short-term rentals are regulated by Wis. Admin. Code Ch. ATCP 72 Hotels, Motels and also by Wis. Stat. § 66.1014.
2. **Registration and Licensing.** The owner of a short-term rental Property shall annually obtain a tourist rooming house license from the Department of Agriculture, Trade and Consumer Protection. These licenses are locally issued by the St. Croix County Public Health Department. The license year for all licenses is from July 1 to June 30 of the following year.

15.380 Signs

Purpose: *This section identifies sign regulations to minimize visual impacts on scenery and distractions to the general public while promoting local businesses, events, and attractions.*

1. **General Provisions**
   a. **Applicability**. This subsection applies to all signs in all zoning districts, including permanent, temporary, on-premise and off-premise signs, unless otherwise provided by this section.
   b. **Substitution Clause & Sign Content**
      1. Subject to the landowner's consent, noncommercial speech of any type may be substituted for any duly permitted or allowed commercial speech; provided, that the sign structure or mounting device is legal without consideration of message content. Such substitution of message may be made without any additional approval or permitting. This provision prevails over any provision to the contrary in this ordinance. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over noncommercial speech or favoring of any particular noncommercial message over any other noncommercial message. This provision does not create a right to increase the total amount of signage on a lot or parcel, nor does it affect the requirement that a sign structure or mounting device be properly permitted.
      2. All noncommercial speech is considered on-premise signage and is entitled to the privileges that on-premise signs receive under this section.
   c. **Signs in the Public Right-of-way**
      1. No sign or its structural components shall be erected or temporarily placed within any road, highway, right-of-way, public easement or upon any public property, except for the following, which may be placed without a permit:
         a. Public signs erected by or on behalf of a government body for the purpose of carrying out an official duty or responsibility, including but not limited to posting legal notices, identifying property, or to direct or regulate pedestrian or vehicular movements or pertaining to traffic control or safety.

ii. Signs that are traffic control devices and are permitted or allowed by the Wisconsin Manual on Uniform Traffic Control Devices published by the Wisconsin Department of Transportation.

a. Signs, red reflective with white lettering, maximum size 20 inches wide by 12 inches high, if they are located to the right of the driveway. (to a person facing the driveway from the road).

b. Signs posted or placed by a public utility or communications franchise holder near one or more of its poles, lines, pipes or facilities.

c. Signs erected by a governmental agency, a public utility company or a contractor doing authorized or permitted work within the public right-of-way, to ensure safety.

2. Unauthorized signs erected or temporarily placed within any road, highway, right-of-way, public easement or upon any public property may be removed by the County or town in which the sign is located at the sign owner's expense.

d. **Signs Exempt from Regulation.** The following signs are exempt from regulation under this section:

1. Double sided signs 32 square feet or less in size.
2. Interior signs located completely within a building and not visible from outside the building.
3. Up to three flags/banners on a single lot or parcel containing less than 100 square feet in size.
4. Governmental signs erected by or on behalf of a government body to carry out an official duty or responsibility, including but not limited to posting legal notices, identifying public property and indicating a public use.

e. **Prohibited Signs.** All signs, other than those permitted herein, shall be prohibited, including but not limited to:

1. Flying signs, such as blimps or kites, designed to be kept aloft by mechanical, wind, chemical or hot air means that are attached to the property, ground or other permanent structure.
2. Inflatable signs that are attached to the property, ground or other permanent structure, including but not limited to balloons.
3. Signs and components of signs that are animated, move, shimmer, or contain reflective devices.
4. Signs which emit any noise or visible matter other than light.
5. Signs on utility poles.
6. No advertising message or sign shall be affixed to any transmission facility.

2. **Standards**

a. **Placement Standards**

1. Building signs shall not be any higher than the building itself.
2. No person shall place a sign which will obstruct or interfere with a driver's or pedestrian's ability to see a road, highway, traffic sign, signal, railway crossing, crossroad or crosswalk. No sign or its structural components shall be erected or temporarily placed within the vision triangle of a road or highway.
3. Double faced signs shall be placed back-to-back with an internal angle no greater than 30 degrees.
4. No signs under private ownership are allowed within the Conservation Zoning District, unless listed as an exempt sign above.

b. **Dimensional Standards**

1. Signs shall be set back at least 5 feet from any right-of-way.
2. Signs shall be set back at least 5 feet from all side and rear yard lot lines.
3. Signs over 100 square feet shall be at least 500 feet from any preexisting residence or residential district.
4. A freestanding pylon sign shall not exceed 96 square feet in size.
5. Freestanding sign(s) shall be separated from other structures by a minimum of 10 feet, measured from edge of roof overhang to sign.
6. The maximum height of any freestanding sign, including structure, shall be 15 feet in the R-1, R-2, AG-1, AG-2 zoning districts and 35 feet in the C-1, C-2, C-3, I-1, I-2 districts.

7. Sign area/size includes the total sign face, writing, and any emblems, but does not include the base, apron, supports, structural members, framework, poles, or roof.

c. **Illumination Standards**

1. Illuminated signs shall only be bright enough to make the message readable. Illuminated signs shall be designed so as not to direct any light or produce glare onto adjacent properties.
2. Illuminated signs shall not flash, move, travel or use animation. However, different messages may be displayed up to every 30 seconds with clean breaks between message content.

d. **Construction & Maintenance Standards**

1. All signs, supports and accessories and construction shall be structurally sound, safe, and capable of meeting minimum engineering standards to support the structure and sign.
2. Sign display surfaces shall be anti-glare.
3. All signs, supports and accessories shall be maintained in good repair.
4. When any use is discontinued for a period of 180 consecutive days, all signs and sign supports relating to that use shall be removed.
5. Signs that are in structural disrepair or damaged and are left without repair for 60 consecutive days shall be removed.
6. Signs and their structural components may be maintained or repaired with a land use permit, provided there is no enlargement or alteration to the sign, mounting device(s) or structural components of the sign. A permit is not required if the only change is to a sign's message.

e. **On-premise Sign Regulations Nonconforming Signs**

1. Nonconforming permanent freestanding signs lawfully existing on July 1, 2007, shall be allowed to continue in use, but shall not be altered other than to change the message without being brought into compliance with this section.
2. If a nonconforming permanent sign's use is discontinued for a period of 12 months, the nonconforming sign shall be removed or brought into compliance with this section within 60 days of notification by the Land Use Administrator.

f. **Permit Required.** A land use permit for signage is required prior to the improvement, erection, construction, reconstruction, enlargement or alteration of any sign, structural component or mounting device unless otherwise provided by this section.

15.381 Skiing Facilities

Purpose: This section, along with other parts of the zoning ordinance, has been created to regulate skiing facilities, *to provide development standards for this type of use, and to regulate, manage and protect the unique and steeper terrain in which skiing facilities are inherently located upon.*

1. **General Standards.** Skiing Facilities shall comply with:

a. Chapter 15 of the St. Croix County Code of Ordinances.
b. Wisconsin Administrative Code Ch. SPS 333 and ANSI B77.1-2011.
c. Wisconsin Administrative Code Ch. NR 151, Subchapter III, Non-Ag Performance Standards.

Standards.

a. The area(s) of site disturbance shall be limited to that necessary to accommodate proposed development, including access and supporting infrastructure and shall be stabilized and revegetated at the completion of construction and final grading.
b. Skiing Facilities shall conform with all applicable Development Standards set forth in Section 15.405 to 15.430 of this Chapter, except the maximum height of a ski resort or structure shall not exceed 60 feet.
c. Structures shall be designed, to the maximum extent physically feasible, to conform to rather than alter existing slopes.

d. Conditions of approval under these standards may include, but are not limited to:
   1. Limitations on the total portion of the Skiing Facility site that may be cleared, regraded, filled, drained, excavated or otherwise modified.
   2. Performance bonds or other sureties acceptable to the St. Croix County Community Development Committee to ensure that construction, stormwater management and erosion control systems and slope stabilization and revegetation are completed as approved.
   3. Maintenance agreements that ensure permanent slope stabilization and stormwater management facilities are properly maintained.
   4. Modifications in required erosion prevention and stormwater management plans.
   5. The submission of monitoring and site inspection reports and professional certifications during and after the completion of construction.
   6. Construction materials that minimize the visibility of development on steep slopes.
   7. Replanting and vegetation screening requirements.
   8. Documentation that all required local, state, and federal regulations/permits have been obtained to the start of site work.

15.385 Solar Energy Systems (SES)

Purpose: This section provides the standards and procedures for solar energy systems. This section ensures that any proposed solar energy system or solar collector complies with applicable provisions of Wis. Stat. §§ *66.0401-66.0403, Wis. Stat. §§ 196.491 and this section.*

1. **Types.**
   a. **Small SES.** Equipment which directly converts and then transfers or stores solar energy into usable forms of thermal or electric energy, which is incidental and subordinate to a permitted use on the same parcel or on a contiguous parcel of common ownership and is intended to supply thermal energy or electric power solely for on-site use, except that when a parcel on which the system is installed also receives electrical power supplied by a utility company, excess electrical power generated and not presently needed for on-site use may be used by the utility company.
   b. **Large SES.** Equipment which directly converts and then transfers or stores solar energy into usable forms of thermal or electrical energy which is intended for off-site consumption.
2. **Standards.**
   a. **Setbacks.** Any portion of the SES shall not encroach within five (5) feet of any property line and within 25 feet of any road right-of-way. Battery storage facilities within a large SES system shall be a minimum of 50 feet from a lot line or road right-of-way.
   b. **Height restrictions.** A SES shall not exceed 35 feet in height. A building mounted SES may extend six feet above the allowable height limit.
   c. **Glare.** The SES shall be positioned so glare does not create any unsafe conditions.
   d. **Installer.** All SES shall be installed by a North American Board of Certified Practitioners (NABCEP) certified solar installer or other person qualified to perform such work.
   e. **Code Compliance.** A SES shall comply with all applicable State of Wisconsin electrical codes and the National Electric Code. A SES that will connect to a commercial structure or a multi-unit dwelling shall comply with the State of Wisconsin Commercial Building Code, when necessary. Other applicable SES shall comply with the Uniform Dwelling Code.
   f. **Structural integrity.** The structure upon which the proposed SES is to be mounted shall have the structural integrity to carry the weight and wind loads of the SES.
   g. **Emergency Services.** A large SES shall provide training to local fire departments and emergency responders upon their request.
   h. **Battery Storage Facilities**. Shall be designed to minimize and contain any fire risks. Containers housing battery storage shall be made of non-flammable materials.

i. **Fencing**. Perimeter fencing shall be designed to be wildlife friendly and shall not include barb or woven wire. There shall also be a 4" gap at the bottom of the fence.

3. **Permits.**
   a. Small SES shall be permitted by right in all zoning districts provided standards in 15.385.3 are met.
   b. Large SES under 100 Megawatts shall require a conditional use permit, prior to construction, and may be permitted in all zoning districts and subject to the regulations and requirements in this section.
   c. Large SES 100 Megawatts or greater are reviewed by the Public Service Commission of Wisconsin (PSC) and must receive a certificate of public necessity from the PSC under Wis. Stat. §§ 196.491. If the PSC grants the project a certificate of public necessity, that approval preempts local ordinances.
   d. All large SES battery storage facilities, regardless of whether they are part of a solar array, shall require a conditional use permit.
4. **Limits on restrictions.** The Community Development Committee shall review a conditional use permit for a Large SES under 100 Megawatts and apply the criteria set forth in subsection a through c below. No restriction shall be placed, either directly or in effect, on the installation or use of a Large SES, unless the restriction satisfies one of the following conditions:
   a. Serves to preserve or protect the public health or safety.
   b. Does not significantly increase the cost of the system or decrease its efficiency.
   c. Allows for an alternative system of comparable cost and efficiency.
5. **Application.** The following information shall be provided on all SES applications:
   a. Name and contact information of the applicant, owner and installer.
   b. The legal description, and address of the site.
   c. A description of the scope of work.
   d. Solar system specifications, including the manufacturer and model, generating capacity, total height, collector square footage, wiring plan and means of interconnecting with the electrical grid.
   e. Site layout, including the location of property lines, structures, SES and the total extent of system movements and interconnection points with the electrical grid.
   f. Installer's qualifications and signature certifying the SES will be installed in compliance with this section and all other applicable codes.
   g. Submittal requirements outlined in Table 15.590.1 regarding a conditional use permit for a SES.
6. **Additional Application requirements for a Large SES:**
   a. Percentage of land coverage by the SES.
   b. Structures on adjacent properties and distance from boundary of SES project.
   c. A decommissioning and site restoration plan providing financial assurance for removal of the Large SES at the end of its useful life shall be provided. The amount of financial assurance shall be the average of two professional estimates for the removal and disposal of the panels and other equipment plus 10% and be re-evaluated every 5 years.
   d. Owners of a large SES must notify the Community Development Department upon transfer of ownership.
7. **Recommended Application Submittal Items for a Large SES:**
   a. Copies of property leases.
   b. Preliminary engineering design.
   c. Vegetation plan.
   d. Market impact analysis.
   e. Glare analysis study.
   f. Visual analysis study.
   g. Pre-construction sound report.

h. Wetland and waterway report/navigability determinations.
i. Environmental impact analysis/certified endangered resources review.
j. Electric and magnetic field (EMF) study.

15.390 Travel Trailers

1. **Travel Trailer Use.**
   a. **Applicability**. This section applies to the occupancy of a camping unit, as provided below. This subsection supersedes any contrary provisions of this Chapter.
   b. **Standards**
      1. **Generally.** All camping units must meet principal structure setbacks for the property in which they are located. All camping units shall be maintained in an orderly fashion.
      2. **Vacant Land.** No person shall place, occupy or use one camping unit on a vacant parcel of land for more than 14 nights/days out of a 60-day period.
      3. **Parcels with a principal structure.** No person shall occupy or use one camping unit on a lot/parcel with a principal structure for more than 14 nights/days out of a 60-day period. A camping unit can be stored onsite between trips year-round as long as it is not occupied more than allowed above.
      4. **Seasonal Travel Trailers.** A seasonal travel trailer land use permit can be obtained to allow for placement of one camping unit on a vacant lot/parcel from May 15th to September 15th if the property has a state sanitary system and obtains a yearly sanitary reconnection permit. Seasonal travel trailers are not allowed in major subdivisions.
      5. **Non-Camping Unit**. No trailer, van, bus, truck, automobile or similar apparatus not originally intended for human occupation shall be placed on any parcel for residential purposes, temporary or permanently.
      6. **Temporary Placement**
         a. The owner of a parcel who holds a valid building permit and sanitary permit for construction of a principal structure may obtain a Land Use Permit for temporary placement and occupancy of a camping unit or manufactured home during construction of the principal structure as long as the camping unit is connected to a legal sanitary system.
         b. The zoning office shall send a copy of the land use permit to the town wherein the lot is located.
         c. All residential occupancy of the travel trailer or manufactured home shall cease when the principal home is capable of occupancy. Additionally, when the residence becomes occupied, the manufactured home shall be removed from the property.
         d. Temporary occupancy permits shall only be valid for 1 year.

15.395 Wind Energy Systems

Purpose: *The purpose of this Chapter is to adopt and incorporate the requirements of Wis. Stat. § 66.0401 and Wis. Admin. Code Ch. PSC 128 as a local ordinance to establish local regulations on the installation, siting, use and decommissioning of wind energy systems that are authorized by, compliant with, and are no more restrictive than the rules promulgated by the Wisconsin Public Service Commission and that serve to preserve and protect the public health, safety, and welfare. For the purposes of this chapter, Large Wind Energy Systems are systems that have a total installed nameplate capacity of 300 kilowatts or greater and consists of individual wind turbines that have an installed nameplate capacity of more than 100 kilowatts. Systems with a total installed nameplate capacity of greater than 100 Megawatts may not be regulated by this ordinance. The Public Service Commission of Wisconsin (PSC) has siting authority for systems over 100 Megawatts. Small Wind Energy Systems are systems that have a total installed nameplate capacity of 300 kilowatts or less and that consists of individual wind turbines that have an installed nameplate capacity of not more than 100 kilowatts.*

1. **Application Exemptions and Fees.**

a. For Small Wind Energy Systems:

1. The exemptions listed under Wis. Admin. Code PSC § 128.60 and modifications under PSC § 128.61 shall apply to an application that is submitted for a Small Wind Energy System.

b. For All Wind Energy Systems:

a. The established fee or reimbursement requirements consistent with PSC § 128.32(5) shall include the requirement that the applicant shall pay all reasonable costs incurred by the county in connection with the review and processing of the application, including the cost for services provided by outside attorneys, engineers, environmental specialists, planners, and other consultants and experts that are actual and necessary costs of review. The department is authorized to contract with one or more engineers, environmental specialists, planners, and other consultants and experts to perform necessary services in connection with this ordinance.

b. The corporation counsel is authorized to contract with outside legal counsel to perform services in connection with this ordinance.

1. The Department shall make the applicant aware of any such reasonable and necessary costs prior to incurring such costs and, if the applicant decides not to pay the reasonable and necessary costs, the application shall be denied.
2. The Department may require the owner of a Wind Energy System to submit up to 50% of the total estimated amount of the fee or reimbursement for the wind energy system application under PSC §128.32(5) before issuing a written decision consistent with PSC §128.32(3), if the county gives written notice to the owner of its intent to do so within 10 days of the date the application is deemed complete and the notice contains an estimate of the amount of the fee and the relevant reimbursement requirements.
3. The Department shall invoice the applicant for the reasonable costs incurred pursuant to this chapter. The applicant will be provided 30 days from the date of the invoice to reimburse the county.

2. **Permit, Application, and Filing Requirements.**

a. For Small Wind Energy Systems - An owner shall file a land use permit application with the department that, at a minimum, includes the following information:

1. Wind Energy System description and maps showing the locations of all proposed wind energy facilities. (This may include the description and maps for alternative wind energy facility locations.)
2. Technical description of wind turbines and wind turbine sites.
3. Timeline and process for constructing the Wind Energy System.
4. Information regarding anticipated impact of the Wind Energy System on local infrastructure.
5. Information regarding noise anticipated to be attributable to the Wind Energy System.
6. Information regarding shadow flicker anticipated to be attributable to the Wind Energy System, consistent with PSC §128.15, with the exception of PSC §§128.15(1)(c), 3(b)-(e) and (5) which do not apply to Small Wind Energy Systems.
7. Information regarding the anticipated effects of the Wind Energy System on existing land uses within 0.5 miles of the Wind Energy System.
8. Information regarding the anticipated effects of the Wind Energy System on airports and airspace.
9. Information regarding the anticipated effects of the Wind Energy System on line-of-sight communications, consistent with PSC § 128.16, with the exception of PSC §§ 128.16(2)-(4) which do not apply to Small Wind Energy Systems.
10. A list of all state and federal permits required to construct and operate the Wind Energy System.
11. Information regarding the planned use and modification of roads during the construction, operation, and decommissioning of the Wind Energy System, including a process for assessing road damage caused by Wind Energy System activities and for conducting road repairs at the owner's expense.
12. A representative copy of all notices issued consistent with PSC §§ 128.105(1) and 128.30(5), except as provided by PSC § 128.61.

b. For Large Wind Energy Systems - An owner shall file a conditional use permit application with the department that, at a minimum, includes the following information:

1. All information required under §§ 15.395.2.a.1-6 and 8-12 of this chapter.

2. Information regarding the anticipated effects of the Wind Energy System on existing land uses within 0.5 miles of the Wind Energy System (For example, information may include the anticipated effects to applicable environmental conditions and/or development limitations within 0.5 miles).
3. A representative copy of all notices issued under PSC §§ 128.105(1), 128.30(5), and 128.42(1), which are:

    a. Pre-application notice - At least 90 days before an owner files an application to construct a Wind Energy System, an owner shall use commercially reasonable methods to provide written notice of the planned wind energy system to all of the following:
        1. Landowners within one mile of the planned wind turbine host properties.
        2. Political subdivisions within which the Wind energy System may be located.
        3. Emergency first responders and air ambulance service providers serving the political subdivisions within which the Wind Energy System may be located.
        4. The Wisconsin Department of Transportation.
        5. The Wisconsin Public Service Commission.
        6. The Wisconsin Department of Natural Resources.
        7. The Wisconsin Department of Agriculture, Trade and Consumer Protection.
        8. The Office of the Deputy Secretary of the U.S. Department of Defense.

    b. Notice of process for making complaints - Before construction of a Wind Energy System begins, an owner shall provide written notice of the process for making complaints and obtaining mitigation measures to all residents and landowners within 0.5 miles of any wind energy system facility. An owner shall include in the notice the requirements under PSC § 128.40(1) for submitting a complaint to the owner, a petition for review to the political subdivision, and an appeal to the commission, and shall include a contact person and telephone number for the owner for receipt of complaints or concerns during construction, operation, maintenance and decommissioning.

    c. A copy of all emergency plans developed in collaboration with appropriate first responders under PSC § 128.18(4)(b). An owner may file plans using confidential filing procedures as necessary.

    d. A decommissioning and site restoration plan providing financial assurance that the owner will be able to comply with PSC § 128.19.

c. For all applications - Evidence shall be included for all applications to show that, on the same day an owner filed an application under this ordinance, the owner used commercially reasonable methods to provide written notice of the filing of the application to property owners and residents located within one mile of the proposed location of any Wind Energy System facility. The notice shall include all of the following:

1. A complete description of the Wind Energy System, including the number and size of the wind turbines.
2. A map showing the location of all proposed Wind Energy System facilities.
3. The proposed timeline for construction and operation of the Wind Energy System.
4. Locations where the application is available for public review.
5. Owner contact information (including the contact person(s), primary phone number, and email).

3. **Local Regulations.**

a. **Airports and Heliports.** The owner shall comply with any restrictions established for public use airports or heliports under Wis. Stat. §§ 114.135 or 114.136. If no such restrictions are effective, wind turbine height and setback distances shall comply with the Federal Aviation Administration obstruction standards in 14 CFR Part 77.

b. **Farmland Preservation Zoning Districts.** No conditional use permit or land use permit application for a wind energy system shall be approved by the St. Croix County Board of Adjustment or Land Use Administrator

within the Farmland Preservation Zoning Districts (AG1 and AG2), unless such application meets the applicable standards and conditions identified in Wis. Stat. §§ 91.46(4) (a-e) as shown below.

1. The use and its location in the farmland preservation zoning districts are consistent with the purposes of the farmland preservation zoning districts.
2. The use and its location in the farmland preservation zoning districts are reasonable and appropriate considering alternative locations or are specifically approved under State or Federal Law.
3. The use is reasonably designed to minimize conversion of land at or around the site of the use, from agricultural use or open space use.
4. The use does not substantially impair or limit the current or future agricultural use of surrounding parcels of land that are zoned for, or legally restricted to, agricultural use.
5. Construction damage to land remaining in agricultural use is minimized and repaired, to the extent feasible.

c. Abandonment and Decommissioning. Section 15.395, 3, c, 1-3 below apply to both Large and Small Wind Energy Systems, whereas §§15.395, 3, c, 4 applies solely to Large Wind Energy Systems.

1. A wind energy system that is at the end of its useful life and/or does not generate electricity for a continuous period of 360 days will be deemed abandoned and the department may send a Notice of Abandonment to the owner. Exemptions under PSC § 128.60 and modifications under PSC § 128.61 apply to all Small Wind Energy Systems.
2. If, within 30 days of receipt of a Notice of Abandonment, the owner provides the department with information showing to the department's satisfaction that the wind energy system has not been abandoned, the department will withdraw the Notice.
3. Unless the department withdraws the Notice of Abandonment, a wind energy system tower must be decommissioned as prescribed by PSC § 128.19. If the owner fails to remove a wind energy system and reclaim the site, the county may remove or cause the removal of the wind energy system and arrange for the reclamation of the site.
4. For Large Wind Energy Systems.
    a. An owner with a nameplate capacity of one megawatt or larger shall provide the county with and maintain proof of financial assurance of the owner's ability to pay the actual and necessary cost to decommission the wind energy system before commencing major civil construction activities such as blasting or foundation construction at the wind energy system site. An owner may comply with this paragraph by choosing to provide a bond, deposit, escrow account, irrevocable letter of credit, or some combination of these financial assurances, that will ensure the availability of funds necessary for decommissioning throughout the expected life of the wind energy system and through to completion of the decommissioning activities, consistent with PSC § 128.19(3).
    b. An owner shall provide the county with two (2) estimates of the actual and necessary cost to decommission the wind energy system. The cost estimates shall be prepared by third parties agreeable to the owner and the county. The amount of financial assurance required by the county shall not exceed the average of the two estimates.
    c. An owner shall establish financial assurance that is acceptable to the county and that places the county in a secured position, subject to § 15.395.3.c.4.b. The financial assurance must provide that the secured funds may only be used for decommissioning the wind energy system until such time as the county determines that the wind energy system has been decommissioned, as provided for in PSC § 128.19(5), or the county otherwise approves the release of funds, whichever occurs first.
    d. An owner shall establish financial assurance that allows the county to access funds for the purpose of decommissioning the wind energy system if the owner does not decommission the wind energy system when decommissioning is require Source PSC § 128.19(3)(c)(4).

e. The county may periodically request information from the owner regarding industry costs for decommissioning the wind energy system. If the county finds that the future anticipated cost to decommission the wind energy system is at least 10 percent more or less than the amount of financial assurance provided under this section, the county may correspondingly increase or decrease the amount of financial assurance required but shall not adjust the financial assurance required under this paragraph more often than once in a five-year period.

f. The county may require an owner to submit a substitute financial assurance of the owner's choosing if an event occurs that raises material concern regarding the viability of the existing financial assurance.

g. Except as provided in § 15.395.3.c.4.h., if a wind energy system was constructed on land owned by a person or persons other than the owner of the wind energy system, the owner of the wind energy system shall ensure that the property is restored to pre-construction condition, unless otherwise provided in a contract signed by an affected landowner, considering any modifications needed to comply with DNR requirements.

h. If a wind energy system was constructed on a brownfield, as defined in Wis. Stat. § 238.13(1)(a), the owner shall restore the property to eliminate effects caused by the wind energy system, except for the effects of environmental remediation activities, as defined in Wis. Stat. § 238.13(1)(d).

d. **Lighting Criteria.** A wind energy system may be artificially lighted only if lighting is required by the Federal Aviation Administration. An owner shall use shielding or control systems approved by the Federal Aviation Administration to reduce visibility of light when viewed from the ground.

e. **Noise Criteria**. For both Large and Small Wind Energy Systems.

1. The noise generated by the operation of a wind energy system may not exceed 50 dB(A) during the daytime hours and 45 dB(A) during the nighttime hours as measured at the outside wall of a non-participating residence or occupied community building that existed when the owner gave notice pursuant to PSC § 128.105(1) or for which complete publicly available plans for construction were on file with a political subdivision within 30 days of the date when the owner gave notice pursuant to PSC § 128.05(1). Nighttime hours are the hours beginning at 10:00 p.m. and ending at 6:00 a.m. daily and daytime hours are the hours beginning at 6:00 a.m. and ending at 10:00 p.m. daily.
2. The owner of an adjacent nonparticipating residence or adjacent occupied community building may relieve the owner of the wind energy system of the requirement to meet any of the noise limits in this section by written contract as provided in PSC §§ 128.14(5) and (6).
3. The owner shall provide the notice as prescribed by PSC § 128.61(4).
4. If an owner receives a complaint of a violation of the noise standards contained in PSC § 128.14 and the owner has not provided the department with the results of an accurate test conducted within two (2) years of the date of the complaint showing that the wind energy system is in compliance with the noise standard at the location relating to the complaint, the owner shall promptly conduct a noise study to evaluate compliance with the noise standards at that location using the most current version of the noise measurement protocol as described in PSC § 128.50(2).

f. **Ownership Changes.**

1. For Small Wind Energy Systems. The owner shall provide the county with notice of any change in ownership of the wind energy system on or within 30 days of the effective date of the change.
2. For Large Wind Energy Systems. The owner shall provide the county with notice of any change in ownership of the wind energy system on or within 30 days of the effective date of the change. Notwithstanding the timing of notice of change in ownership of the wind energy system set forth above, the notice shall include information showing that the financial responsibility specified in § 15.395.3.c of this Chapter was assumed by the new owner, upon effective date of the change.

g. **Setbacks and Siting Criteria.** An owner shall work with a political subdivision and owners of participating and nonparticipating properties to site wind turbines to minimize individual hardships. Source: PSC § 128.13(1)(c).

1. For Small Wind Energy Systems: Shall comply with the minimum setback distances shown in Table 2 to PSC § 128.13 included in PSC § 128.61, which are:

Description	Setback Distance *
Occupied Community Buildings	1.0 times the maximum blade tip height
Participating Residences	None
Nonparticipating Residences	1.0 times the maximum blade tip height
Participating Property Lines	None
Nonparticipating Property Lines	1.0 times the maximum blade tip height
Public Road Right-of-Way	None
Overhead Communication and Electric Transmission or Distribution lines - not including utility service lines to individual houses or outbuildings	1.0 times the maximum blade tip height
Overhead Utility Service Lines - Lines to individual houses or outbuildings	None

* Wind turbine setback distances shall be determined as a straight line from the vertical centerline of the wind turbine tower to the nearest point on the permanent foundation of a building or residence or to the nearest point on the property line or feature, as applicable.

a. The owner of an adjacent nonparticipating residence or adjacent occupied community building may waive the applicable turbine setback distances as described in PSC § 128.61(3)(b).

2. For Large Wind Energy Systems: Shall comply with the minimum setback distances shown in Table 1 of PSC § 128.13, which are:

Description	Setback Distance *
Occupied Community Buildings	The lesser of 1,250 feet or 3.1 times the maximum blade tip height
Participating Residences	1.1 times the maximum blade tip height
Nonparticipating Residences	The lesser of 1,250 feet or 3.1 times the maximum blade tip height
Participating Property Lines	None
Nonparticipating Property Lines	1.1 times the maximum blade tip height
Public Road Right-of-Way	1.1 times the maximum blade tip height
Overhead Communication and Electric Transmission or Distribution lines - not including utility service lines to individual houses or outbuildings	1.1 times the maximum blade tip height
Overhead Utility Service Lines - Lines to individual houses or outbuildings	None

* Wind turbine setback distances shall be determined as a straight line from the vertical centerline of the wind turbine tower to the nearest point on the permanent foundation of a building or residence or to the nearest point on the property line or feature, as applicable.

a. The owner of a nonparticipating residence or occupied community building may waive the applicable wind turbine setback distances of this chapter for those structures to a minimum setback distance of 1.1 times the maximum blade tip height. The owner of a nonparticipating property may waive the applicable wind turbine setback distance in this chapter from a nonparticipating property line.

h. **Notice of Federal or State Agency Consultation.**

1. For Large Wind Energy Systems: In the event the owner has consulted with and received any nonbinding recommendations for constructing, operating, or decommissioning of the wind energy system from any state or federal agency, the owner shall provide the county with information about the consultation and whether the owner has incorporated such non-binding recommendations into the design of the wind energy system, within 30 days of receiving such recommendations. Source PSC § 128.33(1).

4. **Local Procedure.**

a. **All applications regulated by this chapter** may be subject to additional conditions and restrictions consistent with but no more restrictive than those in Wis. Stat. § 66.0401(1m) and authorized by, and consistent with, Wis. Admin. Code Ch. PSC 128. Where such conditions are considered and applied on a case-by-case basis: as well as satisfying one of the following:

1. Serves to preserve or protect the public health or safety.
2. Does not significantly increase the cost of the system or significantly decrease its efficiency.
3. Allows for an alternative system of comparable cost and efficiency.

b. **Small Wind Energy Systems** shall be processed as a land use permit.

1. This section does not apply to Small Wind Energy Systems subject to standards and conditions within the farmland preservation zoning districts. See §15.395.3. b.

c. **Large Wind Energy Systems** shall be processed as a conditional use permit.

1. In addition to conditions established pursuant to §15.395.4. a. the Land Use Administrator or Board of Adjustment may require the owner of a Wind Energy System to offer monetary compensation to the owner of a nonparticipating residence consistent with PSC § 128.33(3) and may be subject to the monetary compensation requirements of PSC § 128.33(3m).

d. **Application Processing.**

1. Within 45 days of receiving the application, the department shall notify the applicant whether the application is complete and, if it's not, what the applicant must do in order to make it complete.
   a. The applicant shall provide the additional information specified in the notice to the department within 60 days of the date of the notice.
   b. The owner may file a new application at a later date; there is no limit to the number of times that an owner may file an application.
   c. An application shall be deemed complete if it complies with the filing requirements specified in §15.395.2 of this ordinance and of PSC §§ 128.30(2) and 128.50(1).
2. As soon as reasonably possible after receiving a complete application, the department shall publish a class 1 notice, under Wis. Stat. Ch. 985, stating that an application for approval has been filed with the county.
   a. For Large Wind Energy Systems. The application will be forwarded to the Board of Adjustment for issuance of a conditional use permit under § 15.550 of this ordinance and reviewed under the criteria of this Sec. §15.395. Notwithstanding the provisions of § 15.550, the application shall be determined to be complete if it meets the requirements under PSC §§ 128.30(2) and 128.50(1).
   b. For Small Wind Energy Systems. The department shall make the application available for public review consistent with PSC §128.30(6)(a) and shall accept written comments on the application for a minimum period of 10 days following the date of the published notice. The county may hold one public meeting to obtain comments and inform the public about the proposed wind energy system.
3. The county shall make a record of its decision making on an application, including a recording of any public hearing, copies of documents submitted at any public hearing, and copies of any other documents provided to the county in connection with the application for approval.
4. The county shall base its decision on an application on written findings of fact that are supported by the evidence in the record.
   a. For Large Wind Energy Systems. For Wind Energy Systems with a nominal capacity of at least one megawatt, the county may deny an application for approval if the proposed site of the wind energy system is in an area primarily designated for future residential or commercial development, as shown in a map that is adopted, as part of a comprehensive plan, under Wis. Stat. §§ 66.1001 (2)(b) and (f), before June 2, 2009, or as shown in such maps after December 31, 2015, as part of a comprehensive plan that is updated as required under Wis. Stat. § 66.1001 (2)(i). This provision applies to Wind Energy Systems that have a nominal capacity of at least one megawatt. Wis. Stat. § 66.0401 (4)(f)(2).

5. The county shall approve or disapprove an application for approval no later than 90 days after the day on which it notifies the applicant that the application for approval is complete. The county may extend this time period in writing provided the extension is done during the initial 90-day period, except the total amount of time for all extensions granted may not exceed 90 days. Any combination of the following extensions may be granted:
    a. An extension of up to 45 days if the county needs additional information to determine whether to approve or deny the application.
    b. An extension of up to 90 days if the applicant makes a material modification to the application.
    c. An extension of up to 90 days for other good cause specified in writing by the county.
    d. If the county fails to act within the initial 90 days, or within any extended time period, the application is considered approved.
6. The decision made by the county to deny an application shall be made in writing to the applicant and must include the reasons for denial.
7. The county shall provide a written decision to the applicant and the Public Service Commission. Said decision shall contain findings of fact supported by evidence in the record.

5. **Modification to an Approved System.**

a. An owner may not make a material change in the approved design, location or construction of a wind energy system without the prior written approval of the Land Use Administrator and/or Board of Adjustment. An owner shall submit an application for a material change for an approved wind energy system to the county. The county may not reopen the merits of the earlier approval but shall consider only those issues relevant to the proposed change.
b. An application for material change is subject to PSC § 128.35.
c. At its discretion, the county may hold at least one public meeting to obtain comments on and to inform the public about a proposed material change to an approved wind energy system.

6. **Post Construction Filing Requirements (applicable only to Large Wind Energy Systems).**

a. Within 90 days of the date a wind energy system commences operation, the owner shall file with the department and the Wisconsin Public Service Commission an as-built description of the wind energy system, an accurate map of the wind energy system showing the location of all wind energy system facilities, geographic information system information showing the location of all wind energy system facilities, and current information identifying the owner of the wind energy system.
b. An owner shall label each wind turbine location described in its filing and shown on the map of the wind energy system with a unique identifier consistent with the information posted at the wind turbine location under PSC § 128.18(1).

7. **Compliance Monitoring (applicable only to Large Wind Energy Systems and subject to PSC § 128.36).**

a. The department may contract with a third-party inspector to monitor and report to the department regarding the owner's compliance with permit requirements during construction. The inspector monitoring compliance under this section shall also report to a state permitting authority upon the state permitting authority's request. The inspector shall make monthly written reports to the department. The owner shall reimburse the county for the reasonable cost of the inspector.
b. At any time, following completion of construction, the department may contract with consultants or experts it deems necessary to monitor compliance by the owner with conditions of the permit and to assess when wind energy system facilities are not maintained in good repair and operation.
    1. At a minimum, the owner shall provide the department an annual report regarding maintenance checks and any maintenance performed on each turbine within the approved wind energy system.
    2. The public shall have access to any reports or assessments produced pursuant to this section.
    3. The owner of the wind energy system shall reimburse the county for reasonable costs associated with monitoring and/or assessment.

8. **Decommissioning Review.**

a. An owner shall file notice of decommissioning completion with the county and any political subdivision within which its wind energy system facilities are located when a wind energy system approved by the county has been decommissioned and removed.

b. The department shall conduct a decommissioning review to determine whether the owner has decommissioned and removed the wind energy system as required by PSC § 128.19(1)(a) and, for Large Wind Energy Systems, whether the owner has complied with its site restoration obligations under PSC § 128.19(4) when applicable.

c. The owner shall cooperate with the county by participating in the decommissioning review process and, for Large Wind Energy Systems, ensure the obligations under PSC § 128.19(3) are met.

9. **Appeals.**

a. A decision of the department to determine that an application is incomplete under §15.395.4, or to approve or disapprove a wind energy system under §§15.395.2 or 15.395.3, or an action of the county to enforce a restriction on a wind energy system, may be appealed only as provided in this section.

b. Any aggrieved person seeking to appeal a decision or enforcement action specified under §§15.395.2, or 15.395.3 may begin the administrative appeal process as set forth in §15.560.

1. If the person is still aggrieved after the administrative review is completed, the person may file an appeal with the Wisconsin Public Service Commission (WPSC). No appeal to the WPSC under this section may be filed later than 30 days after the county has completed its administrative review process. For purposes of this section, if the county fails to complete its administrative review process within 90 days after an aggrieved person begins the review process, the county is considered to have completed the process on the 90th day after the person began the process.

2. Rather than beginning an administrative review under §15.395.9, an aggrieved person seeking to appeal a decision or enforcement action of the county specified in §15.395.4, may file an appeal directly with the WPSC. No appeal to the WPSC under this section may be filed later than 30 days after the decision or initiation of the enforcement action.

3. An applicant whose application for approval is denied under § 15.395.9 may appeal the denial to the WPSC. The WPSC may grant the appeal notwithstanding the inconsistency of the application for approval with the political subdivision's planned residential or commercial development if the WPSC determines that granting the appeal is consistent with the public interest.

10. **Complaints.**

a. Complaint process for wind energy systems. The owner of a Small Wind Energy System is exempt from the provisions of §15.395.10.4-6 and 8.

1. An aggrieved person who has made a complaint to the owner in accordance with PSC § 128.40 may petition the county for review of the complaint if it has not been resolved within 45 days of the day the owner received the original complaint.

2. The petition for review must be filed with the department within 90 days of the date of the original complaint and shall contain the following:

a. Name, address, and telephone number of the person filing the petition.

b. Copy of the original complaint to the owner.

c. Copy of the owner's original response.

d. Statement describing the unresolved complaint.

e. Statement describing the desired remedy.

f. Any other information the complainant deems relevant to the complaint.

g. Notarized signature of the person filing the petition.

3. The department shall forward a copy of the petition to the owner by certified mail within 10 days of the department receiving the petition.

4. The owner shall file a written answer to the petition with the department and provide a copy of its answer to the complainant with 30 days of its receipt of the petition. The answer must include the following:
    a. Name, address, and telephone number of the person filing the answer.
    b. Statement describing the actions taken by the owner in response to the complaint.
    c. Statement of the reasons why the owner believes the complaint has been resolved or why the complaint remains unresolved.
    d. Statement describing any additional action the owner plans or is willing to take to resolve the complaint.
    e. Any other information the owner deems relevant to the complaint.
    f. Notarized signature of the person filing the answer.
5. The complainant and the owner may, within 30 days following the owner's filing of its answer, file such additional information with the department as each deems appropriate.
6. The department may request such additional information. from the complainant and the owner as it deems necessary to complete its review.
7. The department may retain such consultants or experts as it deems necessary to complete its review.
8. The department shall issue a written decision and may take such enforcement action as it deems appropriate with respect to the complaint.
9. The decision of the department and enforcement action is subject to review under Wis. Stat. § 66.0401(5).

b. Additional process for Large Wind Energy Systems.
    1. An owner shall comply with the notice requirements contained in PSC § 128.42(1).
    2. An owner shall, before construction of a Large Wind Energy System begins, provide the department with a copy of the notice issued pursuant to PSC § 128.42(1), along with a list showing the name and address of each person to whom the notice was sent and a list showing the name and address of each political subdivision to which the notice was sent.
    3. An owner shall, before construction of a Large Wind Energy System begins, file with the department the name and telephone number of the owner's contact person for receipt of complaints or concerns during construction, operation, maintenance, and decommissioning. the owner shall keep the name and telephone number of the contact person on file with the department current.

15.396 To 15.399 Reserved.

DEVELOPMENT STANDARDS

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15.431 To 15.499 Reserved.

15.405 Road Setback, Access Management & Driveways

Purpose. This section promotes the public safety, welfare and convenience by easing congestion on the public roads, by controlling access to public roads, and by establishing setbacks from roads and road rights-of-way.

1. **Applicability.**

a. This section applies to all land abutting all freeways and expressways, principal arterials, minor arterials, major collectors, minor collectors, sub collectors and access roads.

2. **Setbacks.**

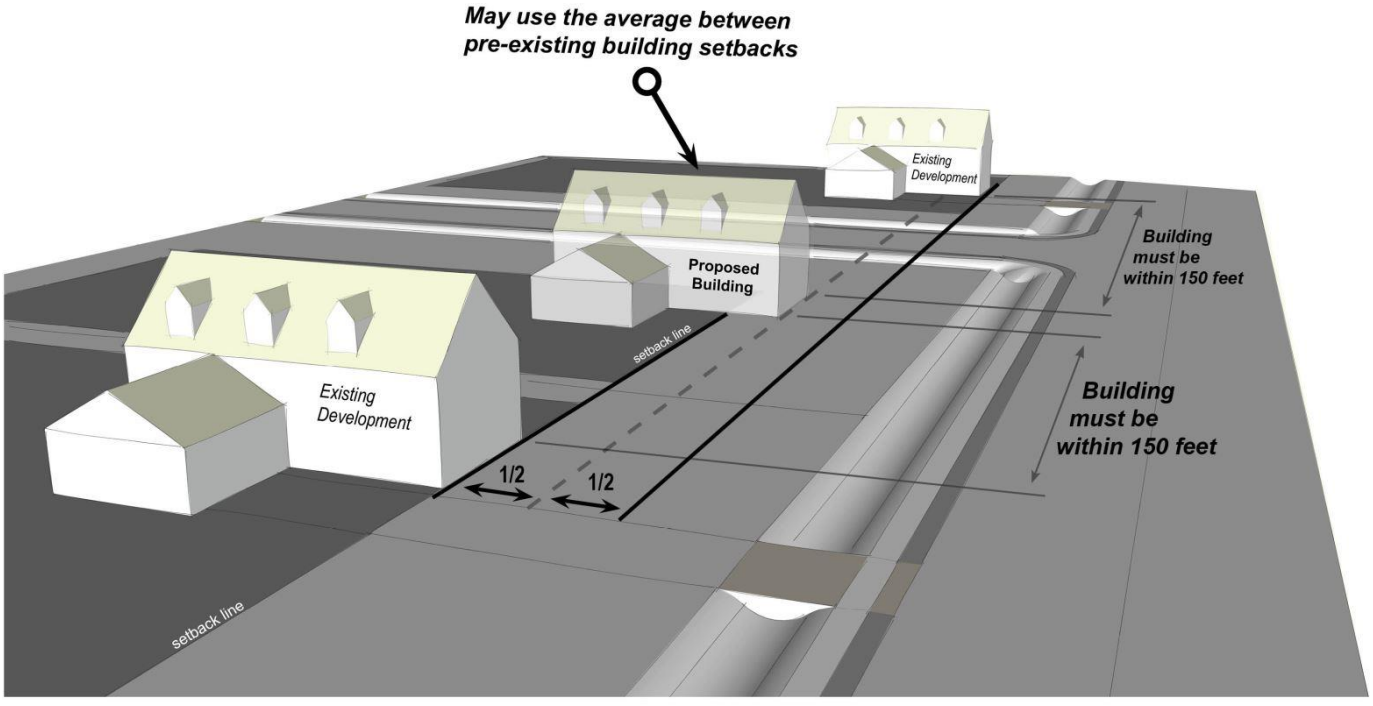
a. **Setbacks from Roads or Highways.**

1. No structure shall be located between the setback lines established by this section and the road right-of-way, except as provided in subsection c below.
2. All structures shall be setback a minimum of 50 feet from the right-of-way or easement except in a conservation design development where the minimum setback shall be 25 feet.

b. **Average Setbacks.**

1. This subsection applies to buildings that are proposed to be erected or moved between existing buildings that have setback lines less that those established by this section and were lawfully constructed.
2. The Land Use Administrator may issue a permit for the proposed building if its setback is at least the average of the setbacks of the nearest adjoining existing buildings within 150' on either side of the locations of the proposed building. If no building exists on the adjoining lot, the minimum setback applies.

Figure 15.405.2 Setback Averaging



c. **Structures Permitted Within Setback Lines**. Structures and signs may be placed between the setback line and the right-of-way on all highways and roads if:

1. The Land Use Administrator, in conjunction with the St. Croix County Highway Department, determines that the road's line of sight is not impaired, and
2. The structure is:
   a. An open fence.
   b. A parking lot located at least 20 feet from the established highway or road right-of-way.

c. A telecommunication or power transmission pole or line, or a microwave radio relay structure (this includes all appurtenances thereto that are readily removable as a unit, including public utility equipment housing or structures).

d. A well, septic tank, or drainfield dispersal cell.

e. A landscaping, retaining wall or utility structure that does not obstruct the line of sight.

f. A nonpermanent structure less than 35 square feet in area.

g. A sign, but only as allowed under (§ 15.380 Signs).

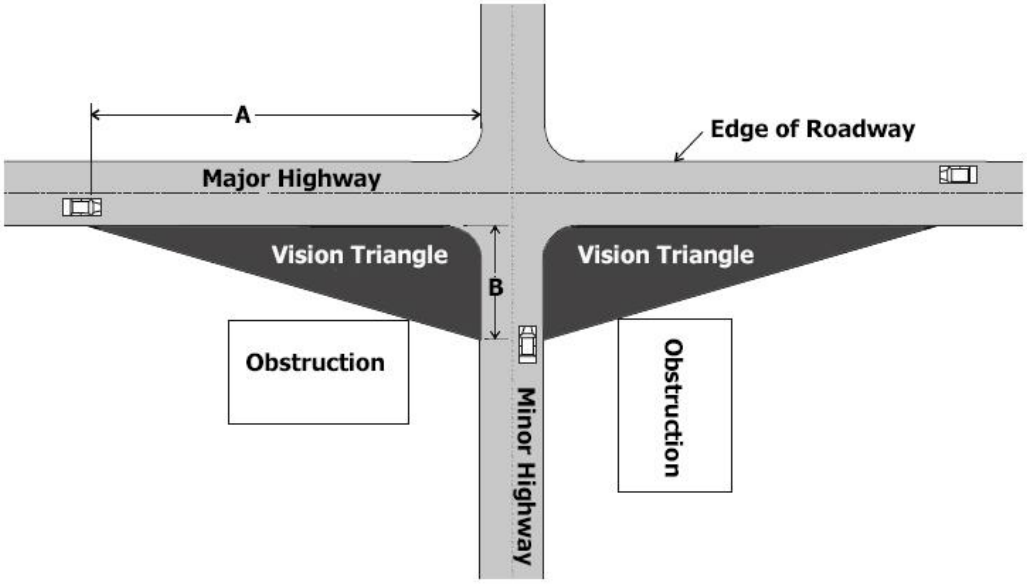
3. **Intersection Visibility (Vision Triangle)**

a. The vision triangle is bounded by the highway or road edge of roadway and a line connecting points on the highway edge of roadway as shown in Figure 15.405.3.

b. A vision triangle is established for each quadrant of every uncontrolled or yield-controlled public highway or road intersection.

c. No structure shall be located within a vision triangle.

Figure 15.405.3



d. Vision triangles shall meet the standards in Table 15.405.2:

Table 15.405.2 Vision Triangle Standards

	Posted Speed Limit			
	60 mph or greater	**55 mph**	**50 or 45 mph**	**40 mph or less**
Major Intersecting Highway or Road, Distance "A"	600 feet	500 feet	400 feet	300 feet
Minor Intersecting Highway or Road, Distance "B"	175 feet	160 feet	150 feet	120 feet

Major intersecting highway or road = Through traffic, which does not stop at the intersection.

Minor intersecting highway or road = Controlled traffic, which stops at the intersection.

e. A visual triangle is established in each quadrant of an at grade intersections of a road with a railroad. Each vision triangle is established by a supplementary setback line, which is a straight line connecting points located on the setback lines along the road and the railroad right-of-way lines and 100 feet back from the intersection of the road setback lines and the railroad right- of-way.

f. No building, fence, structure, vegetation or any other object preventing a line of sight through a vision triangle may be placed within a vision triangle.

g. The vision triangle may be expanded to fit site conditions and requirements of the Wisconsin Department of Transportation or the St. Croix County Highway Department.

4. **Road Access and Driveway Separation**

a. No parcel may be improved for residential, commercial or industrial use unless it has direct access to a public roadway or permanent easement access to a public roadway.

b. All driveway accesses installed, altered, changed, replaced or extended shall meet the following requirements:

1. All driveway accesses must meet the minimum standards in Table 15.405.3. All distances shall be measured from the centerline to the centerline, unless otherwise noted.

5. Driveway access to state or federal highways must be approved by the Wisconsin Department of Transportation.

6. Driveway access to county highways must be approved by the St. Croix County Highway Department.

7. Driveway access to Town roads shall be approved by the respective town responsible for the road maintenance.

8. Driveway accesses shall meet the following standards:

Table 15.405.5 Driveway Access Standards	
Maximum grade at any point along the driveway	20%
Maximum grade within 50' of the centerline of the intersecting road	2%
surface/mat (min)	10'

15.410 Building Height

Purpose: The zoning districts establish maximum heights for buildings and structures*. This section describes how to measure building height and exemptions to height limitations.*

1. **Measurement.** Building height is the vertical distance from the lowest exposed grade to the peak or highest point of the structure.
2. **Exceptions.**

a. The regulations of this Chapter relating to building or structure height and the size of yard, and other open spaces are subject to the following exceptions:

1. Religious assemblies, schools and other public and quasi-public buildings may be erected to a height up to 60 feet or 5 stories if the required street, side and rear setbacks increase at least 1 foot for each additional foot of height above the height limit otherwise established for the district.

2. Chimneys, cooling towers, church steeples or spires, cupolas, tanks, water towers, ski lift structures, television antennas, microwave radio relay or broadcasting towers, masts or aerials, farm silos, barns and other farm structures and necessary mechanical appurtenances are exempt from the height regulations of this chapter and may be erected in accordance with other regulations or ordinances of the County, or of other jurisdictions such as the Federal Aviation Administration (FAA).

3. The Shoreland Overlay (SO) and Lower St. Croix Riverway Overlay (SCR) districts have different structure height regulations.

15.415 Grading and Land Disturbance

Purpose: This section establishes standards for grading to mitigate the impacts of development on water resources and stormwater runoff, and to avoid erosion.

1. **Applicability**

a. This section applies to construction or land disturbance activities above the thresholds specified in this section.
b. Slopes as described in this section are measured over a horizontal distance of 50 feet. The 50-foot segment will be the steepest portion of the slope disturbance.

2. **Standards and Prohibitions.** All construction or land disturbance activities on slopes equal to or greater than 20% and over 10,000 sq. feet requires a land use permit and erosion control plan. In addition, a stormwater plan shall be required for disturbances over 25% or one acre. Slopes over 30% shall not be disturbed except for the installation of erosion control practices.
3. **Exceptions.** Exceptions to the prohibition of development on slopes 30% or greater may include the following, subject to obtaining applicable permit approvals: Operations, structures, and facilities associated with Skiing Facilities (Commercial) and limited to Ski Slopes/Trails, Snowmaking Equipment, Ski Lifts, Terrain Parks and Ski Slope/Trail Lighting. The overall impact to slopes should be the minimum amount needed to accommodate the proposed use.

15.420 Screening, Landscaping & Tree Preservation

Purpose: The purpose of this section is to establish and maintain appropriate ground cover vegetation to control soil erosion; to enhance, when necessary, the natural environment, particularly in instances where the natural environment is disturbed during the course of development; and to establish standards for utilization of natural materials to achieve desired screening and buffering.

1. **Applicability**
   a. **This section applies** to the following zoning districts:
      1. *Residential (R-3 only), Commercial (C-1, C-2, C-3), and Industrial (I-1 and I-2)*
2. **Landscaping Plans**. If this Section requires landscaping, the applicant shall provide a Landscaping Plan. [refer to §15.590 (Submittal Requirements)]
3. **Tree Protection Encouraged**. Property owners are encouraged to protect and retain existing trees, shrubbery and grasses not located in rights-of way, drainageways, vision triangles, and the like, and to protect and preserve trees during construction.
4. **Required Landscaping**
   a. **Generally.** Landscaping shall occupy the minimum percent of a lot or parcel as provided in the applicable zoning district. All of the buffer and parking lot landscaping required by this section shall be provided, even if those requirements exceed the minimum percentage required.
   b. **R-3 Zoning District Minimum Standards.**
      1. One (1) tree planting for each dwelling unit in the development.
      2. Lights from automobiles and parking lot lights shall be shielded and directed downward to prevent glare or illumination onto dwellings on adjoining properties.
      3. Any trash and trash handling equipment intended to be collected outside of the dwelling units shall be screened from view from public roadways and adjacent residentially zoned properties.
   c. **C-1, C-2, C-3, I-1, I-2 Zoning District Minimum Standards.**
      1. One (1) tree planting per 1,000 square feet of gross building floor area.
      2. Lights from automobiles and parking lot lights shall be shielded and directed downward to prevent glare or illumination onto adjoining residentially zoned properties.
      3. The following areas shall be screened from view from public roadways and adjacent residentially zoned properties:
         a. Trash and trash handling equipment.
         b. Loading docks and loading berths that face a residentially zoned area.
         c. Outdoor storage area.
   d. **Options for Screening.**
      1. Rows of trees that achieve 75% opacity upon maturity.
      2. Fencing up to six (6) feet high and 90% opacity.

3. Earthen berm with side slopes not exceeding three (3) to one (1). Berms shall be natural in appearance, provide adequate line of sight for accesses, and undulating wherever possible. Fences and walls shall blend into the surrounding landscape and be earthtone in color.
4. Existing vegetation when the developer can demonstrate health of trees and other plant material and obtain 75 % opacity.

e. Any required landscape area shall be planted with any combination of perennial plants, woody shrubs and/or trees, but excluding mowed turf grass. The use of mulch or landscape stone is required in the first three years to prevent erosion and weed growth and is encouraged thereafter.

5. **Location and Design of Plantings.**

a. Landscaping may overlap drainage and/or utility easements. However, plantings shall not:

1. impede the flow of water within a drainage easement, or
2. obstruct the use of a utility easement or right-of-way.

b. Where space allows, landscape plantings shall be placed in an informal, random pattern to create a naturalized landscape.

c. All screening and landscaping must be kept out of the vision clearance triangle.

6. **Species and Materials.**

a. The landscaped buffer area may contain any combination of preserved natural vegetation or newly installed plantings.
b. Landscape materials shall allow growth to the required height and opacity.
c. Landscape species shall be indigenous or proven adaptable to the climate but shall not be invasive species as identified by the Wisconsin Department of Natural Resources.
d. Landscape species should include a mix of trees and shrubs and can also include herbaceous materials such as grasses, vines, aquatic plants, wildflowers, tall-grass prairie, and other vegetative materials.
e. The landscape plantings shall include low-maintenance, drought and salt tolerant species.
f. Landscape materials shall be tolerant of heat, drought, salt, or other conditions that could degrade quality and survivability.

7. **Plant Size**. Minimum plant size shall be as specified in Table 15.420.2. To determine trunk size, caliper inches are measured 6 inches above ground level.

Table 15.420.2 Plant Size

Plant Type	Minimum Size
Trees	
Evergreen	4' in height
Deciduous	1" caliper inches
Shrubs	
Evergreen or Deciduous	18" in height

a. **Preservation Credits**

1. *Purpose: Preserving existing healthy, native, non-invasive vegetation should always take precedence over planting new vegetation and is encouraged by crediting preservation toward these landscaping requirements.*

2. Preservation of existing trees or shrubs count toward the landscaping required by this section if:

a. For road setback, parking area perimeter or residential buffers, they meet an opacity of at least 50 percent, and

b. they meet the minimum plant sizes specified in Table 15.420.2 above.

8. **Timing of Installation.** If a subdivision plat is not required, plantings and screening shall be installed prior to issuance of a certificate of occupancy. The applicant may propose, and the Land Use Administrator may approve, alternative timing for installation of landscaping subject to a schedule specified in a Developer's Agreement, a condition of zoning or conditional use permit approval, or another legally enforceable condition or agreement.

9**. Maintenance**

a. Existing healthy trees and shrubs shall be properly protected from construction activities in accordance with sound conservation practices.

b. Financial assurances shall cover the cost of installation of plant materials and replacement of all dead, dying, defective or diseased plant material for a period of 18 months.

10. **Other standards.** Additional standards may be required as part of a conditional use permit or land use permit approval.

15.425 Lot Development, Reasonable Accommodations for Disabled Persons, Outlots

Purpose: This section includes standards and rules of interpretation for applying the lot area, setbacks and yards requirements for the zoning districts established in this Chapter.

1. **Generally**. A lot, yard or other open space provided for a building to comply with this chapter does not count as part of a lot, yard or other open space required for another building.

2. **Reasonable Accommodation for Disabled Persons**

   a. Ramps, walkways or decks to provide a disabled person with reasonable access to their property as required by the Federal Americans with Disabilities Act, the Federal Fair Housing Act and the Wisconsin Fair Housing Act are allowed by land use permit, subject to the following standards:

      1. Only the minimum relaxation of dimensional, density or other standards needed to provide reasonable access may be approved.
      2. No use, structure or other relaxation of standards may be approved that would violate or undermine the stated purposes of this Section.
      3. The land use permit will expire, and the structure shall be removed once the property is no longer used by a disabled person. Subsequent landowners no longer needing disabled access shall not replace or expand the facilities. Routine maintenance is allowed.

   b. An affidavit describing the approved land use permit shall be executed and recorded with the County Register of Deeds by the property owner. The affidavit shall state that the ramp, walkway, or deck must be removed as required above, and shall alert subsequent purchasers of the land of the requirements of the land use permit.

3. **Outlots**. An Outlot may not be developed for any use or structure that requires a private, onsite wastewater treatment system. A new Outlot shall only be created for a public improvement or common open space. An Outlot for public improvements or common open space shall be owned as a fractional interest (i.e. 10 lots=1/10th) based on the lots it's serving and assessed with the lots.

15.430 Parking and Loading

Purpose: This section provides safety, comfort and convenience to parking lot users, pedestrians and motorists.

1. **Applicability**. All uses regulated by this Chapter shall provide off-street parking and loading consistent with the standards established in this section.

2. **Generally**

   a. An off-street parking space shall have a minimum width of 10 feet and minimum area of 200 square feet. A single stall in any garage may replace a required parking space.

b. Where four or more off-street parking spaces are provided and an access aisle is necessary, that aisle shall meet the following minimum width standards.

Table 15.430.1 Parking Lot Aisle Minimum Width	
Angle of Parking (degrees)	Width of one-way drive aisle (feet-inches)
0	12-0
45	12-10
60	14-6
75	17-10
90	24

c. No parking spaces required under this section may be used for another purpose.

d. Parking spaces are not allowed in the vision clearance triangle.

e. For all non-residential uses along a road or street with a speed limit greater than 25 MPH, parking shall be configured so that ingress to and egress from the parcel can be achieved by driving forward, including space to turn around on the parcel as necessary. Parking spaces with direct access from the right-of-way will not be permitted in these circumstances.

f. All parking spaces and access drives and lanes shall be graded to prevent the accumulation of surface water.

3. **Paving**

a. Parking spaces and access lanes in the following districts shall be provided with a dust free, bituminous or concrete paved surface adequate for the proposed vehicle use: R-3, C-3, I-1, I-2. Storage and staging areas in the I-1 and I-2 districts shall be provided with such a paved surface or a gravel surface as described in this section.

b. Parking spaces and access lanes in the following districts shall be provided with a gravel or paved surface adequate for the proposed vehicle use and appropriate to the subsurface soil conditions: AG-1, AG-2, R-1, R-2, C-1, C-2.

c. Unpaved field areas may be used for special event parking up to 30 days per year and up to 9 consecutive days if the ground is dry and maintained with living vegetative ground cover (e.g. grass) to prevent erosion. Access to such field areas must be provided via an approved paved or gravel driveway to reduce the tracking of mud or other materials onto the public roadway. If vegetative ground cover cannot be maintained, a gravel surface shall be provided consistent with this section and as approved by the County.

4. **Landscaping**. Refer to § 15.420.

5. **Lighting**. Lighting shall be shielded and directed downward to prevent glare or illumination of adjoining property in those districts.

6. **Required Off-Street Parking Spaces.**

a. For purposes of Table 15.430.2, "sf" means the entire gross floor area of all buildings in which the use is conducted. Outdoor spaces are excluded from consideration, unless indicated otherwise in the table. For buildings with multiple distinct uses, the gross floor area is allocated by use and parking spaces are calculated accordingly.

b. Any use not specifically named shall be assigned to the most appropriate classification as provided in § 15.285.

15.430.2 Parking Spaces Required	
Use Category	**Parking Spaces Required**
Agriculture, Aquaculture	1 per 500 sf
Dwelling, including manufactured, modular, multifamily	2 per dwelling
Community Living Arrangement	1 + 1 per 4 bedrooms
Retirement Housing Service	1 per 2 dwelling units

15.430.2 Parking Spaces Required	
Use Category	**Parking Spaces Required**
Campground	2 per campsite
Motels, Boarding House, Bed and Breakfast Establishment, Hotels	1 per guest room
Adult Establishment (§ 15.310)*	1 per 400 sf
Agricultural Entertainment & Farm Exhibition (Must be all off-road parking)	15 + 1 per 400 sf
Miniature Golf, Amusement or Theme Park	15 per acre
Theater, Game Arcade, Museums	1 per 400 sf
Golf Course	6 per hole
Indoor Recreational Facility	1 per 400 sf
Outdoor Entertainment & Recreational Facilities - including all athletic courts and fields	1 per 3 users (participants and spectators) at maximum capacity, plus one stall per two employees
Racetrack	1 per 4 seats
Stadium, Arena, or Conference Center	1 per 4 seats
Zoos, Botanical Gardens, Arboreta, and similar uses	12 per acre
Animal Services	1 per 1,500 sf
Automotive	1 per 500 sf
Day Care	1 per 350 sf
Financial Services	1 per 400 sf
Restaurant/ Bar or Tavern	1 per 100 sf, including outdoor seating area dimensions
Grocer/Liquor Store	1 per 500 sf
Roadside Produce Stand	5 spaces
Vertical Mixed Use (retail or office on ground floor, residential on upper floors)	1 per 400 sf retail/office + 1.5 per dwelling
Office, Business & Professional	1 per 400 sf
Funeral Home	1 per 150 sf of group seating or assembly areas
Retail Sales	1 per 400 sf
Contractor Sales and Service	1 per 1,500 sf
Convenience Store	1 per 300 sf
Landscape Supply and Contracting Business (Plant or Tree Nursery)	1 per 1,000 sf
Utilities	1 per 400 sf (building area)
Salvage Yard	1 per employee of largest shift plus 1 per 0.75 acres of lot area
PUBLIC, CIVIC, & INSTITUTIONAL	1 per 300 sf
School	4 per classroom or office; 1 per 150 sf of group seating area (auditorium, gymnasium, etc.)
Library	1 per 400 sf
Correctional or Military Institution*	1 per 500 sf
Hospital*	1 per 400 sf
INDUSTRIAL/PRODUCTION	1 per 500 sf
Warehouse	1 per 1,500 sf

15.430.2 Parking Spaces Required	
Use Category	**Parking Spaces Required**
Notes: *sf = gross sf building area of the principal structure unless otherwise indicated; "--" = not applicable*	

7. **Shared Parking.** Two or more uses on different, adjacent parcels may share off-street parking provided the number of stalls shall not be less than the sum of the requirements of the individual uses computed separately. If the owners can demonstrate that hours of parking use will not overlap for certain land uses, the total number of stalls may be reduced to eliminate excess parking spaces.

8. **Loading.**
   a. **Applicability**. Adequate off-street truck loading facilities shall be provided and maintained for any Commercial/Mixed Use or Industrial/Production use.
      1. Access, maneuvering area, ramps and other appurtenances shall be:
         a. furnished off the street right-of-way, and
         b. arranged so that vehicles are not required to back from the street into the loading area or to back from the loading area into the street.

PROCEDURES

Contents:

15.530 Town Recommendation
15.540 Rezonings & Text Amendments

15.530 Town Recommendation

Purpose: This Section establishes a process for the Towns to review and submit a recommendation on applications.

1. **Applicability.** This section applies to any of the following applications:
   a. Rezoning, or
   b. Conditional use permit, or
   c. Variances to the Board of Adjustment.
2. **Submittal**.
   a. The Town's recommendation for approval of a rezone shall accompany a rezoning application upon submittal. If the Town does not recommend approval of a rezone, it is considered an objection to the ordinance amendment under Wis. Stat. 59.69(5)(e), and the application will not be scheduled for public hearing. If the Town fails to submit a recommendation, the public hearing shall occur without a Town recommendation.
   b. The Town may provide a written recommendation on variance and conditional use permit applications at or before the public hearing. The Town's recommendation for variance and conditional use applications is advisory only and has no impact on the public hearing schedule.

15.540 Rezonings & Text Amendments

1. **Applicability**
   a. **Generally.** This section applies to:
      1. Any amendment to the text of this Chapter, or
      2. Any comprehensive revision, as defined in subsection b. below.
   b. **Comprehensive Revisions**. A comprehensive revision may be adopted as a single ordinance by the County Board, following its normal amendment procedure. For purposes of this subsection, a "comprehensive revision" is defined in Wis. Stat. § 59.69(5)(d).

2. **Initiation**

   a. A petition for amendment to this Chapter may be filed by:

      1. any property owner in the area affected by the amendment,
      2. the town board of any town where Chapter is in effect,
      3. the Land Use Administrator, County Planner, Community Development Director, or designee,
      4. any member of the County Board, or
      5. any member of the Community Development Committee (CDC).

   b. The applicant shall present the petition to the Department and County Clerk.

   c. The Department shall refer the petition to the CDC with notice to the County Board.

   d. Upon receipt of the petition, the CDC shall set a time and place for a public hearing on the petition and shall publish notice of the application.

3. **Notice**- A class 2 notice under Wisconsin Statute Chapter 985 shall be provided for any text amendments and the Town Clerk of each town affected by the amendment shall be noticed via certified mail.

4. **Decision**

   a. **CDC Action**

      1. The CDC shall conduct a public hearing and shall recommend approval, approval with modifications, or disapproval of the proposed amendment to the full County Board. A report to the County Board shall contain the CDC recommendations, proof of publication of the notice of public hearing, proof of notice of hearing to town clerks, and copies of all town board resolutions that were received. (if applicable)

   b. **County Board Action.** The County Board shall:

      1. refuse to adopt the ordinance submitted or amended by the CDC, or
      2. adopt the ordinance submitted by the CDC with or without amendments.

   c. **Town Board Notification.** The County Clerk shall provide notice of text amendments to the town clerks of all towns affected by the proposed change. Disapproval or approval of the proposed change shall occur by action of a majority of the town boards subject to and affected by the amending ordinance.

15.571 To 15.574 Reserved.

SUBMITTAL REQUIREMENTS

Contents:

15.575 General Provisions
15.580 Technical Plans or Studies
15.585 Digital applications
15.590 Application Checklists
15.596 To 15.599 Reserved.

15.575 General Provisions

This Subchapter establishes the information that applications must include in order to be considered complete for review under the Procedures.

15.580 Technical Plans or Studies

Purpose: *In the administration of this chapter, the various boards and committees which are assigned decision-making responsibilities will occasionally confront proposed land use changes which have unusually significant consequences. In those cases, the decision maker may find that the procedures specified in the sections of this chapter which govern the case do not allow a full and complete examination and articulation of the environmental and other impacts of the proposed change in use. This situation is expected since those procedures are generally tailored to the more average or routine cases and are designed to balance the need of the board or committee for information against the burdens which a more complete procedure imposes upon landowners. Therefore, this section provides a special procedure to handle more complex cases or applications.*

1. **Applicability**. This section applies to:
   a. Proposed amendments to the County land use regulations governed by subchapter §§ 15.540 and 15.545.
   b. Proposed conditional uses.
   c. Variances and appeals governed by this section.
2. **A determination that Impact Studies are Needed.**
   a. The board or committee which has before it a matter listed in this subsection may, for reasons stated in a written determination, decide that the particular application, petition or matter raises unusually significant questions of impact. (environmental or other) The determination by the board or committee shall set forth the impact questions on which it requires research, data, and input from affected or interested persons.
   b. The listing of impact questions can include items of data that this chapter already enables the board or committee to obtain, or it may include additional items of information that are relevant to the impact questions specified in the resolution.
   c. The request may also assign responsibility for the acquisition of data on the specified impact questions to County agencies or officials, or to officials or agencies in other units of government who have or may be willing to assist or to the developer or applicant.

15.585 Digital Applications

Applications plans may require a digital copy with different improvements and requirements shown on separate layers. The digital file may be provided in *.DXF or *.DWG format compatible with AutoCAD or other software prescribed by the Land Use Administrator.

15.590 Submittal Requirements and Application Checklists

1. **Generally**
   a. Table 15.590.1 provides the submittal information required for rezonings, conditional use permits, land use permits, appeals and variances.

Table 15.590.1 Submittal Requirements

Item	Text Amendment	Rezoning	Conditional Use Permit	Land Use Permit	Appeal	Variance
General						
Property Owner	*	*	*	*	*	*
Contractor/Agent	*	*	*	*	*	*
Contact information for property owner and contractor/agent (mailing address, daytime phone and mobile number, email)	*	*	*	*	*	*
Site Address		*	*	*	*	*
Property Location (Town, township, section and range)		*	*	*	*	*
Parcel number		*	*	*	*	*
Application fee		*	*	*	*	*

Table 15.590.1 Submittal Requirements						
Item	Text Amendment	Rezoning	Conditional Use Permit	Land Use Permit	Appeal	Variance
Proof of ownership/ Letter of Representation				*	*	*
Existing Conditions						
Area subject to application (acres)	*	*	*	*	*	*
Metes and Bounds description or boundary description (prepared by a registered land surveyor)		*				
Existing zoning district		*	*	*		
Any Farmland Preservation agreement for the site		*				
Proposed Development						
Proposed zoning district		*				
Use requested			*	*		
Site Plan						
Lot/parcel dimensions with total lot area, property lines and all applicable setbacks			*	*		*
Location of existing access roads, right-of-way, and recorded easements			*	*		*
Topographic map (if applicable)			*			
Pre- and post-contours with grading limits (For land disturbance activities)			L	L		*
Location of all existing and proposed structures			*	*		*
Location of existing and proposed POWTS, wells, parking areas			*	*		*
Location and type of landscaping and trees as needed to determine compliance with § 15.420.			*			*
Location of OHWM, wetlands, floodplains, and any other unique limiting conditions of the property			*	*		*
Location of slopes 20% and greater			*	*		*
Detailed drawings (scale not greater than 1" inch = 100')		*	*	*		*
Erosion control plan (If applicable)			L	L		L
Storm water management plan				L		
Vegetation plan including schedule, seeding rates, and species size, type and location				L		
* = information required | L = information required if project involves land disturbance request						

2. **Erosion and Sediment Control Plan**
   a. An erosion and sediment control plan must be prepared by a registered landscape architect, professional soil scientist, professional engineer, engineer in training, certified professional in erosion and sediment control, certified professional in storm water quality, certified soil tester, or other licensed professional acceptable to the Land Use Administrator.
   b. The erosion and sediment control plan shall include all the following items:
      1. Description of construction sequencing.
      2. Contact information for property owner, grading contractor, and erosion control subcontractor as applicable.
      3. Site map showing all of the following:
      4. Property boundaries.
      5. Existing and proposed buildings.
      6. The location of buildings on adjoining properties.

7. Grading limits.
8. Pre and post construction 2-foot contours.
9. Pre and post construction drainage patterns.
10. The locations and quantities of all BMPs.
11. Wetland boundaries.
12. Existing and proposed wells and POWTS.
13. Existing and proposed vegetation.

3. **Stormwater Management Plan**

   a. A stormwater management plan must be prepared and submitted by a registered landscape architect, professional soil scientist, professional engineer, engineer in training, certified professional in erosion and sediment control, certified professional in storm water quality, certified soil tester, or other licensed professional acceptable to the Land Use Administrator.

   b. The stormwater management plan shall meet the performance standards described in Wisconsin Administrative Code Ch. NR 151 Subchapter III, Non-Ag Performance Standards.

15.596 To 15.599 Reserved.

NONCONFORMITIES & VESTED RIGHTS

Contents:

15.600 General Provisions
15.605 Nonconforming Uses
15.610 Nonconforming Lots
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15.600 General Provisions

1. **Applicability.** This subchapter applies to any nonconformity. A "nonconformity" means any nonconforming use, nonconforming lot, nonconforming structure, nonconforming site improvement, or application or project in progress on the effective date.
2. **Effective Date.** For purpose of this subchapter, the "effective date" means the time that any ordinances that create a nonconformity take effect.

15.605 Nonconforming uses

A nonconforming use (including any building, premises, structure, or fixture for any trade or industry for which the building, premises, structure, or fixture is used at the Effective Date), may continue subject to the following limitations:

1. **No Increase in Nonconformity.** Except as provided in subsection 2 below, no nonconforming use shall be expanded, enlarged or altered in any way which increases its nonconformity.
2. **Discontinuance**. If any nonconforming use is discontinued for 12 consecutive months, any future use of the building, premise, structure or fixture shall conform to this Chapter.

15.610 Nonconforming Lots

1. **Generally**. A legal nonconforming lot may be used for an allowable use in the applicable zoning district, if that use complies with all other development standards of the applicable zoning district.
2. **Alteration of property boundary lines**

a. The location of a property boundary line of a legal nonconforming lot shall not be modified unless the lot is brought closer to conformity.

15.615 Nonconforming Structures

1. **Damage or Destruction**
   a. Nonconforming structures may be repaired, restored, or rebuilt to the same size, location and use with a Land Use Permit.

15.626 To 15.699 Reserved.

AGENCIES

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15.700 General Provisions
15.705 Land Use Administrator
15.710 Community Development Committee (CDC)
15.715 Board of Adjustment
15.716 To 15.749 Reserved.

15.700 General Provisions

This Subchapter formally establishes committees, agencies or officials, or recognizes existing committees, agencies or officials, that administer this Chapter. It establishes the composition of those agencies, their jurisdiction, and related administrative matters.

15.705 Land Use Administrator

1. **Created**. There is created the office of County Land Use Administrator with the powers and duties set forth in subsection 2 below.
2. **Powers and Duties**. The Land Use Administrator shall:
   a. **Advise Applicants**. Advise applicants for permits as to the provisions of the chapter and assists them in preparing applications.
   b. **Issue Permits**. Issue permits as provided for specific processes in this Chapter or the County Code of Ordinances.
   c. **Keep Records**. Keep records of all permits issued, inspections made, work approved and other official actions.
   d. **Access to Premises for Inspection Purposes**. Access any structure or premises to perform the duties provided in this Section. This power shall be exercised at a reasonable hour.
   e. **Enforcement**. Take actions to enforce violations of this Chapter.

15.710 Community Development Committee (CDC)

1. **Created**. The Community Development Committee (CDC) is created as a standing committee of the County Board of Supervisors.
2. **Powers and Duties**. The CDC is organized and has the powers assigned by the *Rules of the Board of Supervisors, St. Croix County Wisconsin*. This includes the power and duty to act as the County Zoning Agency pursuant to Wis. Stat. § 59.69(2).
3. **Fees**: The CDC establishes the yearly fees in the Community Development Department Fee Schedule.
4. **Conditional Uses:** CDC shall be responsible for hearing all conditional use permit applications submitted to the Department and the following shall apply to conditional use permits:

a. **Application for a conditional use permit.** Any use listed as a conditional use in this chapter shall be permitted only after an application has been submitted and an appropriate application fee paid to the land use administrator and a conditional use permit has been granted by the Community Development Committee.

b. **Standards applicable to all conditional uses**. In reviewing a conditional use permit, the Committee shall evaluate the effect of the proposed use upon the following criteria:
   a. The maintenance of safe and healthful conditions.
   b. The prevention and control of water pollution including sedimentation.
   c. Existing topographic and drainage features and vegetative cover on the site.
   d. The location of the site with respect to environmental corridors.
   e. The erosion potential of the site based upon degree and direction of slope, soil type, and vegetative cover.
   f. The location of the site with respect to existing and future access roads.
   g. The need of the proposed use in that location.
   h. Its compatibility with uses on adjacent land.
   i. The amount of septic waste to be generated and the adequacy of the proposed disposal system.
   j. Location factors that:
      i. Domestic uses shall be generally preferred.
      ii. Uses not inherently a source of pollution within an area shall be preferred over uses that are or may be a pollution source; and
      iii. Use locations within an area tending to minimize the possibility of pollution shall be preferred over use locations tending to increase that possibility.

5. **Conditions attached to conditional use permit.** Upon consideration of the factors listed above, the Community Development Committee shall attach such conditions, in addition to those required elsewhere in this chapter as are necessary to further the purposes of this Chapter. Violations of any of these conditions shall be deemed a violation of this Chapter and result in immediate revocation of the conditional use permit. Such conditions may include, without limitation of a specific enumeration: increased setbacks and yards; specific sewage disposal and water supply facilities; landscaping and planting screens; period of operation; operational control; sureties; bonding; deed restrictions; and type of construction. To secure information upon which to base its determination, the committee may require the applicant to furnish, in addition to the information required for a conditional use permit, the following information:
   a. A plan of the area showing contours, soil types, ordinary high-water marks, groundwater conditions, bedrock, slope and vegetative cover.
   b. Location of buildings, parking areas, traffic access, driveways, walkways, piers, open space and landscaping.
   c. Plans of buildings, sewage disposal facilities, water supply systems and arrangements of operations.
   d. Specifications for areas of proposed filling and grading.
   e. Other pertinent information necessary to determine if the proposed use meets the requirements of this article.
6. **Notice and public hearing.** Before passing upon an application for a conditional use permit; the committee shall hold a public hearing. Notice of such public hearing, specifying the time, place, and matters to come before the Community Development Committee, shall be given as a class 2 notice under Wis. Stats. Ch. 985.
7. **Recording.** When a conditional use permit is approved, an appropriate record shall be made of the land use and structures permitted and such permit shall be applicable solely to the structures, use and property so described.
8. **Expiration.** Conditional 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.

15.715 Board of Adjustment

1. **Created.** A Board of Adjustment is created pursuant to Wis. Stat. § 59.694.
2. **Authorization and Composition**. The County Administrator shall appoint a Board of Adjustment consisting of 5 members and 2 alternates. All appointments shall be subject to confirmation by the County Board.
3. **Procedural Rules.**

a. The Board of Adjustment shall adopt rules for conducting business relevant to state statutes and select its own chairman and vice-chair.

b. All meetings of the Board of Adjustment shall be open to the public and publicly noticed.

c. The Board of Adjustment shall keep minutes of its proceedings showing the vote of each member upon each question, and records of the hearings, all of which shall be filed in the office of the Land Use Administrator as a public record.

4. **Powers and Duties**. The Board of Adjustment shall hear:

a. **Administrative Appeals.** Where it is alleged, there is error in any order, requirement, decision or determination made by an administrative official or committee in the enforcement or administration of this chapter.

b. **Variances.** The Board shall authorize upon application, in specific cases, such variances from the terms of this Chapter as shall not be contrary to the public interest, where owing to special conditions, a literal enforcement of this chapter will result in an unnecessary burden.

1. In the issuance of a variance, the spirit of the ordinance shall be observed, and substantial justice done. No variance shall have the effect of granting or increasing any use of property, which is prohibited in that zoning district by this chapter.
2. Variances do not expire but remain with the property.

c. **Application/review process/procedure.**

1. An application to the Board of Adjustment shall include all of the required submittal information listed above.

2. *Notice of public hearing.* Before acting upon an application, the board of adjustment shall hold a public hearing within a reasonable time. Notice of such public hearing, specifying the time, place, and matters to come before the board of adjustment, shall be given as a Class 2 notice under Wis. Stats. Ch. 985, and notice shall be mailed to the appropriate district office of the department of natural resources, when applicable, at least ten days prior to the hearing, as well as to all property owners within 300 feet of the site under consideration.

3. *Decisions/Recording.* An appropriate record shall be made of any decision made by the board of adjustment. A decision regarding the application appeal shall be made as soon as practical and within a reasonable timeframe. The board of adjustment shall state in writing the grounds for their decision and shall stat the specific facts which are the basis of the board determination. All decisions may be reviewed by a court of competent jurisdiction.

15.716 To 15.749 Reserved.

ENFORCEMENT

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15.755 Violations
15.760 Penalties
15.770 Revocation of Permit or Approval
15.771 To 15.799 Reserved.

15.750 General Provisions

This section provides for enforcement and penalties for violations of this chapter. The County may initiate court action to enforce the chapter. An enforcement action can result in a citation, court injunction, and/or forfeitures.

15.755 Violations

1. **Declaration of Violations.** Any of the following are considered unlawful and a violation of this Chapter, and are subject to the enforcement remedies provided by § 15.760 and Wisconsin state law:
   a. **Generally**
      1. Any of the following activities if they occur in a manner that does not conform to this Chapter, including the district where the land or structure is located:
         a. The use, expansion/change in use, or occupancy of any land, premises, building or structure,
         b. The construction, placement, design, erection, moving, alteration of a building or structure,
   b. **Development or use without, or inconsistent with, permit or approval**. Any activity that is not authorized or is inconsistent with all of the required permits, approvals, certificates and authorization required by this Chapter.
   c. **Development or use inconsistent with this Chapter.** Any use or activity that:
      1. is not allowed by the applicable zoning district,
      2. does not include any conditional use permit or other authorization required by the zoning district or this Chapter,
      3. does not comply with the dimensional standards or other regulations of the applicable district,
      4. does not comply with any applicable Development Standards,
      5. does not comply with any applicable Use Regulations, or
   d. **Development or use inconsistent with conditions**. With regard to any term, condition or qualification placed by the County upon a required permit, rezoning, conditional use permit, variance, appeal, land use permit, or other form of authorization granted by the County to allow the use, development or other activity upon land or improvements of land:
2. **Continuation a Separate Offense**. Each day a violation exists or continues is a separate offense.

15.760 Penalties

1. **Citations.** For a violation, a citation may be issued pursuant to Chapter 1 of the St. Croix County Code of Ordinances.
2. **Forfeitures**. For a violation, a forfeiture of not less than $100 nor more than $1000 plus court costs. Attorney fees may be imposed if so ordered by the court.
3. **Injunctions/Restraining Orders**. As a substitute for or an addition to forfeiture actions, the Corporation Counsel may, on behalf of the County, seek enforcement of any and all parts of this Chapter by court actions seeking injunctions or restraining orders.
4. **Stop work**. The County may issue a stop work order on any development, building, use, or structure where there is a violation of this Chapter or a condition or qualification of a permit, approval or other authorization previously granted by the County.
5. **Other Remedie**s.
   a. No provision of this Chapter shall be construed to bar action to enjoin or abate the use or occupancy of any land or structure as a nuisance under Wisconsin law.
   b. In addition to the enforcement powers and remedies specified in this Section, the County may exercise any and all enforcement powers and remedies granted to it by Wisconsin state law.
6. **Cumulative**. These remedies are cumulative.

15.770 Revocation of Permit or Approval

1. **Permits**
   a. A permit may be revoked by the official issuing the permit at any time prior to the completion of the use, building, structure or sign for which the permit was issued, when any of the following conditions are present:
      1. There is departure from the plans, specifications or conditions as required under the terms of the permit,
      2. The permit was procured by false representation, or
      3. Any provision of this Chapter is being violated.

   b. Written notice of the revocation shall be:
      1. served upon the owner, the owner's agent or contractor, or upon any person employed in the building or structure for which the permit was issued, or
      2. posted in a prominent location on the property, or
      3. sent by certified mail.

   c. Where notice of revocation is served or posted, no further construction or use of the property shall proceed.

   d. Any revocation of a permit may be appealed to the Board of Adjustment as provided in § 15.560.

15.771 To 15.799 Reserved.

DEFINITIONS & RULES OF INTERPRETATION

Contents:

15.805 Definitions
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15.805 Definitions

This section defines key words and phrases used throughout this Chapter.

Abut: To share a property line or lie directly across a street or stream. Includes "adjacent," "adjoin," "adjoining" or "abutting."

Accessory Building: A subordinate building or portion of the main building, the use of which is incidental to the permitted use of the main building.

Accessory Structure: A subordinate structure, the use of which is incidental to, customarily found in connection with, and located on the same lot as the principal structure or use of the property. Accessory structures include, but are not limited to, swimming pools, hot tubs, fences, retaining walls and detached stairways and lifts, sidewalks, patios and decks.

Accessory Use: A use subordinate to, serving, and customarily incidental to the principal use on the same lot or parcel. An accessory use is subordinate in area, extent and purpose to the principal building or use served. Accessory uses include, but are not limited to, Home Childcare, Home Occupations, and Roadside Stands.

Adult Bath House: An establishment or business which provides the services of baths of all kinds, including all forms and methods of hydrotherapy, that is not operated by a medical practitioner, or a professional physical therapist licensed by the State of Wisconsin and which establishment provides to its patrons an opportunity for engaging in "specified sexual activities" as defined in this ordinance.

Adult Body Painting Studio: An establishment or business wherein patrons are afforded an opportunity to paint images on a body which is wholly or partially nude. For purposes of this ordinance, the adult body painting studio shall not be deemed to include a tattoo parlor.

Adult Bookstore: An establishment having as a substantial or significant portion of its stock-in-trade in books, magazines and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas" as defined herein or an establishment with a segment or section devoted to the sale or display of such material.

Adult Cabaret: An establishment or business which features male and/or female topless and/or bottomless dancers, go-go dancers, exotic dancers, strippers, burlesque shows, male or female impersonators, or similar entertainers.

Adult Establishment: An "adult establishment" as defined by the applicability section of § 15.310.

Adult Massage Parlor: An establishment or business with or without sleeping accommodations which provides the services of massage and body manipulation, including exercises, heat and light treatments of the body, and all forms and methods of physiotherapy, not operated by medical practitioner or professional physical therapist licensed by the State of Wisconsin and which establishment provides for its patrons the opportunity to engage in "specified sexual activity" as defined in this ordinance.

Adult Mini-Motion Picture Theater: An enclosed building with a capacity for less than 50 persons used for presenting materials distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas" as defined herein for observation by patrons therein.

Adult Modeling Studios: An establishment or business which provides the services of modeling for the purpose of reproducing the human body wholly or partially in the nude by means of photography, painting, sketching, drawing or otherwise.

Adult Motion Picture Theater: An enclosed building with a capacity of 50 or more persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas" as defined herein for observation by patrons therein.

Adult Motion Picture Theater (Outdoor): A parcel of land from which individuals may view a motion picture presented out of doors which present material distinguishably characterized by an emphasis on matter depicting, describing or relating to "specified sexual activity" or "specified anatomical areas".

Adult Novelty Shop: An establishment or business having as a substantial or significant portion of its stock-in-trade in novelty or other items which are distinguished or characterized by their emphasis on, or designed for, "specified sexual activity" as defined herein or stimulating such activity.

Adult Video Store: An establishment having as a substantial or significant portion of its stock and trade in videotapes for sale or rent which are distinguished or characterized by their emphasis on matter depicting, describing or relating to "specific sexual activities" or "specified anatomical areas" as defined herein or an establishment with a segment or section devoted to the sale, display or rental of such material.

Agricultural Accessory Building or Structure: Any building or structure that performs an incidental function in support of the primary agricultural use of property and which is customarily associated with the primary agricultural use of the property.

Agricultural Accessory Use: A use that is incidental to and customarily associated with an agricultural use of property. To be deemed incidental, a use must not be the principal use of the property but is one that is minor in significance to the principal use, and which has a reasonable relationship to the principal use. To be deemed customary, a use must be commonly and by long practice established as being reasonably associated with the primary agricultural use. See 15.305.
Agricultural Enterprise Area (AEA): A designated highly productive agricultural land area designated by DATCP and County through agreements with the goals of preserving farmland.

Agricultural Entertainment: A farm-based enterprise or business that combines the elements and characteristics of agriculture and tourism. Agricultural Entertainment includes a wide array of farm and farm-related activities, including outdoor recreation (nature-based tourism, fishing, hunting, wildlife study, horseback riding); educational experiences (day camps, hands-on chores, cannery tours, cooking classes, wine tasting, on-farm museums); entertainment (harvest festivals, barn dances, "petting" farms); and hospitality services (weddings, overnight farm or ranch stays). The uses listed in this definition apply only to C-2 and state certified zoning districts, AG-1 and AG-2.

Agricultural Products Processing: A facility used for the cooking, dehydrating, refining, bottling, canning, or other treatment of agricultural products which changes the naturally grown product for consumer use. Does not include slaughterhouses, animal reduction yards, tallow works, or rendering plants. May include warehousing and packaging as secondary uses. Warehousing may include controlled atmosphere and cold storage of processed and/or packaged agricultural products. Packaging may include washing, sorting, crating, and other functional operations such as drying, field crushing or other preparation in which the agricultural product remains essentially unaltered.

Agricultural Supply: An establishment primarily engaged in the retail sales, sale or rental of farm tools and implements, feed, grain, tack, animal care products, large implements (such as tractors and combines), and other farm supplies. This includes farm machinery repair services.

Effective on: 12/1/2019

Agricultural Use: Any of the following activities conducted for the purpose of an income or livelihood crop or forage production, keeping livestock, beekeeping, wholesale nursery, sod or Christmas Tree production, floriculture, aquaculture, fur farming, forest management, or enrolling land in a federal agricultural commodity payment program or a federal or state agricultural land conservation payment program.

Airstrip: Any area of land or water which is used, or intended for use, for the landing and take-off of aircraft. This includes any appurtenant areas which are used, or intended for use, for airport buildings or other airport facilities or rights-of-way, together with all airport buildings and facilities located in those areas. [*Source: Wis. Stat.* § *114.002 (7)*]

Alpine Skiing: The action of traveling over snow on skis, especially as a sport or recreation. Alpine skiing would be recognized as downhill skiing, as opposed to Nordic skiing.

Alcoholic Beverage: fermented malt beverages or intoxicating liquor.

Amateur Radio Antenna: A freestanding or building-mounted structure, including any base, tower or pole, antenna, and appurtenances, intended for airway communication purposes by a person holding a valid amateur radio (HAM) license issued by the Federal Communications Commission.

Amusement or Theme Park: An establishment primarily engaged in operating a variety of attractions, such as mechanical rides, water rides, games, shows, theme exhibits, refreshment stands, and picnic grounds.

Animal Unit: As defined in Wisconsin Administrative Code Chapter NR 243.

Animal Waste Utilization: The application of animal waste on suitable land in a manner which will achieve compliance with livestock performance standards and prohibitions established in Wisconsin Administrative Code Chapter NR 151, NRCS Conservation Practice Standard Code 590, and other designated water quality standards adopted by the State of Wisconsin or the County.

Antenna: Communications equipment that transmits and receives electromagnetic radio signals and is used in the provision of mobile services.

Applicant: Any person who applies for a permit or rezoning under this Chapter.

Aquaculture: means the controlled cultivation of aquatic plants and animals, using "normal aquaculture activities" as defined in Wis. Stat. § 281.36.

Asphalt Plant: A building and associated equipment used for to produce materials used in the construction or maintenance of public roads, and that is limited in duration to the project in which its products are used. Also referred to as a "Ready-Mix Concrete Plant."

Attached: A building or structure having a common wall or roof.

Automotive Garage/Condo: A structure that comprises of separate units and is intended for automotive storage and no human habitation. Game rooms and conditioned spaces are allowed in these structures.

Automotive Parts, Accessories, and Tire Stores: Establishments that are principally engaged in the retail sale of parts, accessories, and supplies used for the repair, maintenance, and modification of motor vehicles.

Automotive Service, Repair, and Towing: Repairs, incidental body and fender work, replacement of parts and motor services, towing, and detailing to passenger automobiles and trucks.

Bar or Tavern: A building or part of a building open to the public, where alcoholic beverages are sold at retail for consumption on the premises. The following are not considered a bar or tavern:

1. a restaurant where alcoholic beverages are sold only at tables and only in conjunction with meals.
2. a club not open to the public where alcoholic beverages are sold in conjunction with the operation of the club.
3. premises where alcoholic beverages are sold by established organizations in conjunction with the operation of a picnic, fair or other amusement enterprise.

Barber or Beauty Shop: An establishment that provides personal appearance care services to individual consumers. Includes services that provide appearance care not otherwise listed, such as nail salons, tanning salons, ear piercing services, steam or Turkish baths, massage parlors, tattoo parlors, and non-medical diet and weight reducing centers.

Basement: Any enclosed area of a building having its floor below ground level.

Bed and Breakfast Establishment: Any place of lodging that provides 8 or fewer rooms for rent to no more than a total of 20 tourists or other transients for more than 10 nights in a 12-month period, is the owner's personal residence, is occupied by the owner at the time of rental, and in which the only meal served to guests is breakfast.

[Source: Wis. Admin. Code ATCP Ch. 73]

Beekeeping: means the maintenance of bee colonies in hives.

Best Management Practice (BMP): A practice or industry standard designed to minimize environmental damage.

Biopower Facility: An establishment engaged in the production, distribution, and sale, both retail and wholesale, of energy generated by biomass.

Biopower Facility, Farm-Based: A facility that provides energy from biomass and originates from materials grown or produced on the farm, primarily for use on the farm.

Board of Adjustment: The St. Croix County Board of Adjustment.

Boarding House: A building where, for compensation, meals and lodging are provided for more than 3 guests not members of a family, and that are not transients. A "Boarding House" includes any building other than a hotel or motel where lodging only is provided for compensation. Examples include fraternities, sororities, or dorms. This use type does not include a hotel, motel, or multi-family building. A multifamily building includes separate dwelling units occupied by a single household, while a boarding house includes separate households sharing kitchen facilities. This does not include migrant labor camps, which are defined, conditioned and permitted by Wis. Stat. § 59.69(4e). Also referred to as a "Lodging House."

Brewery: A facility for the manufacture of fermented malt beverages, as defined in Wis. Stat. § 125.02, and associated authorized activities, as described in Wis. Stat. § 125.29.

Building: A structure used, designed or intended for the protection, shelter, enclosure or support of person, animals or property.

Building, Construction Services: An establishment primarily engaged in the construction or remodeling of both residential and nonresidential buildings.

Building Envelope: The three-dimensional space within which a structure is built.

Building Line: A line measured across the width of a lot at that point where the principal structure is placed in accordance with setback provisions.

Business Support Services: Establishments that provide routine support functions that businesses and organizations traditionally do for themselves, such as: document preparation, telephone answering, telemarketing, mailing, court reporting, and steno typing. They may operate copy centers, which provide photocopying, duplicating, blueprinting, or other copying services besides printing. They may provide a range of support activities, including mailing services, document copying, facsimiles, word processing, on-site computer rental, and office product sales.

Business Conducted by Owner/Operator of Farm: The operation of a use listed under the "office" category, or the sale of items listed in the "retail sales and service" or "notion, variety, or gift shop" category, within the principal dwelling or a farm building.

Camouflage Design: A wireless communication service facility that is disguised, hidden or screened, but remains recognizable as a tower or antenna.

Camper Cabin: A structure that is a hard sided shelter, is 400 square feet or less in area, can be relocated if necessary and does not have interior plumbing, sewer and water.

Campground, Private: Any parcel of land owned by a private entity which is designed, maintained, intended or used for the purpose of providing sites for nonpermanent overnight use by 3 or more camping units, wherein a fee is charged for use. See § 15.322.

Campground, Public: Any parcel of land owned by a public entity which is designed, maintained, intended or used for the purpose of providing sites for nonpermanent overnight use by 3 or more camping units, wherein a fee is charged for use. See § 15.322.

Camping Unit: A camper cabin or any portable device, no more than 400 square feet in area, used as a temporary shelter, including but not limited to a camping or travel trailer, motor home, bus, van, pick-up truck, tent, yurt or other mobile recreational vehicle.

Car Wash: Establishments primarily engaged in cleaning, washing, and/or waxing automotive vehicles, such as passenger cars, trucks, and vans, and trailers.

Cemetery: A place used for interment of human or cremated remains, including a burial park for earth interments, a mausoleum for vault or crypt interments, a columbarium for cinerary interments, or a combination thereof.

Chairlift: A type of aerial lift, which consists of a continuously circulating steel cable loop strung between towers, carrying a series of chairs, typically with skier or snowboarding passengers.

Child and Youth Services: An establishment primarily engaged in providing nonresidential social assistance services for children and youth. These establishments provide for the welfare of children in areas such as adoption and foster care, drug prevention, life skills training, and positive social development.

Childcare Center: A facility where a person provides care and supervision for less than 24 hours a day for at least 4 children under the age of 7 who are not related to the provider. This includes any "Family childcare center" licensed by the Wisconsin Department of Children and Families under Wis. Stat. § 48.65, and Wis. Admin. Code Ch. DCF 250.

Childcare Home, Family: A dwelling licensed as a childcare center by the Department of Children and Families under Wis. Stat. § 48.65 where care is provided for not more than 8 children. [Source: Wis. Stat. § 66.1017] These are certified by the Wisconsin Department of Children and Families pursuant to Wisconsin Administrative Code DCF 250.

Club or Lodge: A building owned, rented, or leased by a non-profit association of persons for the exclusive use of its members and guests. This includes fraternal organizations, clubs, lodges, banquet halls, community halls, or other meeting facilities of private or non-profit groups that are primarily used by group members. This includes any "club" as defined by Wis. Stat. Chapter 125.

Co-Location: The placement of a new mobile service facility on an existing support structure such that the owner of the facility does not need to construct a free-standing support structure for the facility whether involving substantial modification or not.

Commercial: Open to the public for a fee or operated with the intention of making a profit.

Committee: The St. Croix County Community Development Committee.

Community Garden: A site operated and maintained by a group (such as a homeowner's association, condominium association, or membership association) to cultivate trees, herbs, fruits, vegetables, flowers, or other ornamental foliage for the following uses: personal use, consumption, donation or off-site sale of items grown on the site.

Community Living Arrangement: A place where adults who are not related to the operator or administrator and who do not require care above intermediate level nursing care reside and receive care, treatment or services that are above the level of room and board but that include no more than 3 hours of nursing care per week per resident (Wis. Stat. § 50.01 (1g)).

Community Supported Agriculture: An area of land managed and maintained by an individual or group of individuals to grow and harvest food and/or horticultural products for shareholder consumption or for sale or donation. This does not include a personal garden.

Compliant Building Location: An area on a lot where a building could be located in compliance with all applicable requirements of this Chapter.

Composting, Commercial: A composting facility that handles organic material from businesses and/or government entities.

Conditional Use: A use that would not be appropriate generally or without restriction throughout the zoning district, but would not be detrimental to the public health, safety or general welfare with appropriate conditions.

Conservation Design Development: A subdivision or development that complies with § 13.7.K of the County Code of Ordinances. This type of development provides the controlled, sustainable development of land, which allows for residential development while ensuring the protection of natural environmental features such as open spaces and vistas.

Conservation Practice: A facility or practice that is designated to prevent or reduce soil erosion, prevent or reduce non-point pollution, or achieve or maintain compliance with soil and water conservation standards; it includes a nutrient management plan.

Construction Permit: A written document issued by the Land Use Administrator authorizing design, location, enlargement, construction and/or reconstruction of an animal waste storage facility.

Contiguous: Adjacent to, sharing a common boundary, or connected by a piece of land at least 16' in width.

Contractor Sales and Service: An establishment engaged in: (1) providing building property maintenance services including but not limited to extermination and pest control; janitorial services; plumbing; carpet and upholstery cleaning; lawn, pool and garden care; snow plowing and removal; packing and crating; security services; locksmiths; building equipment and machinery installation; excavation; and tree trimming and removal, or (2) selling equipment to establishments engaged in the services listed above.

Contractor Storage Yard: The outdoor portion of a lot or interior of a building that is used to store and maintain construction or service equipment and other materials customarily used by the construction or service contractor.

Convenience Store: A facility associated with the sale of gasoline products that also offers for sale prepackaged food items and consumer goods, primarily for self-service by the consumer. Hot beverages, fountain-type beverages and pastries may be included in the food items offered for sale.

Correctional Institution: Any building or area that is used to confine persons who are either arrested, incarcerated, imprisoned, or otherwise detained or incarcerated by any law enforcement or immigration agency, or a private entity under contract to a law enforcement or immigration agency. This does not include uses that are exempt from County zoning pursuant to state law.

Courier and Messenger Service: An establishment that provides air, surface, or combined courier delivery services of parcels and messages.

Crawl Space: An enclosed area below the first usable floor of a building, generally less than 5 feet in height, used for limited access to plumbing and electrical utilities.

Crop or Forage Production: Growing or producing crops or forage for the purpose of an income or livelihood. "Crop" means a cultivated plant that includes any of the following: (a) Field crops, including corn, wheat, oats, rye, barley, hay, potatoes, and dry beans; (b) Fruits, including apples, grapes, cranberries, cherries, and berries; (c) Vegetables, including tomatoes, carrots, sweet corn, and squash; (d) Plants raised for culinary, medicinal, or aesthetic purposes, including herbs and spices, ginseng, and ornamental shrubs and trees; (e) Plants raised for energy production, including switchgrass, or textile use, including cotton or bamboo; or as defined by Wis. Admin. Code Ch. ATCP 49. "Forage" means bulky food for animals when taken by browsing or grazing.

Crop/Limited Agriculture: An area of land managed and maintained by an individual or group of individuals to grow and harvest food crops, horticultural and limited animal products (including flowers, trees, bees and apiary products, and chickens) for off-site sale in locations where retail sales are an allowed use. Crop/limited agriculture may be a principal or accessory use.

Dead Stock Hauling Service: An establishment that collects dead animals for disposal, processing or rendering.

Dealerships (Motor, Off-Road, Watercraft, and Implements): Establishments primarily engaged in retailing or leasing new and used automobiles and light trucks, such as sport utility vehicles, passenger and cargo vans, and/or manufactured homes.

Decision Making Agency: The agency or entity with final authority to render a decision to approve, approve with conditions, or deny an application required by the Procedures. For example, the Board of Supervisors is the Decision-Making Agency for text amendments and rezonings, and the Board of Adjustment is the Decision-Making Agency for appeals and variances.

Deck: An unenclosed exterior structure that has no roof or sides but has a permeable floor that allows the infiltration of precipitation.

Density: the number of dwelling units per gross acre.

Department: The St. Croix County Community Development Department, unless otherwise indicated.

Detached: A building having open space on all sides, and that is not an attached building.

Development: Any artificial change to improved or unimproved real estate, including, but not limited to, the construction of buildings, structures or accessory structures; the construction of additions or alterations to buildings, structures or accessory structures; the repair of any damaged structure or the improvement or renovation of any structure, regardless of percentage of damage or improvement; the placement of buildings or structures; subdivision layout and site preparation; mining, dredging, filling, grading, paving, excavation or drilling operations; the storage, deposition or extraction of materials or equipment; and the installation, repair or removal of public or private sewage disposal systems or water supply facilities.

Diameter at Breast Height (**DBH**): The width of a tree as measured at 4.5 feet above the ground surface.

Disabled: Having a physical or mental impairment that substantially limits one or more major life activities.

Distillery: A facility for the manufacture or rectification of intoxicating liquors, as defined in Wis. Stat. § 125.02, and associated authorized activities, as described in Wis. Stat. § 125.52.

District: Parcels or sections of St. Croix County, Wisconsin, for which the regulations governing the use of land and buildings are uniform.

Drainage System: One or more artificial ditches, tile drains or similar devices which collect surface runoff or groundwater and convey it to a point of discharge.

Drive-In Theater: An establishment consisting of a movie screen, projection booth, concession stand, and parking lot with the purpose of showing movies to customers who view them from their parked vehicle.

Drug Store/Pharmacy: An establishment that is principally engaged in retailing prescription or nonprescription drugs and medicines. These establishments may also sell candies, food products, cosmetics, and household items incidental to their principal business.

Duly Licensed: The use or activity has obtained all required licenses or permits from local, state or federal agencies with jurisdiction to license or permit the use or activity.

Dwelling: A room or suite of rooms occupied or capable of being occupied as an independent and separate housekeeping establishment by only 1 family, and which contains independent cooking, bathroom and sleeping facilities. This includes any community living arrangement for up to 8 persons pursuant to Wis. Stat. § 59.69(15)(c).

Dwelling, Secondary Farm: A dwelling used for farm help involved in the daily farm operations and where the occupants receive a majority of their income from the farm.

Dwelling, Multifamily: A building or portions thereof designed for and used by 3 or more families. Classification of a residential structure shall be determined by its present or projected occupancy and design and not by the characteristics of ownership and tenancy such as condominium arrangements. Includes any townhouse/rowhouse or triplex.

Dwelling, Two-Family: A dwelling designed for and occupied exclusively by 2 families.

Elderly and Disabled Services: An establishment primarily engaged in providing nonresidential social assistance services to improve the quality of life for the elderly, persons diagnosed with intellectual and developmental disabilities, or persons with disabilities. The establishment may provide for the welfare of these individuals in such areas as day care, non-medical homemaker services, social activities, group support, and companionship.

Electric Generating Facility: Electric generating equipment and associated facilities that, together, constitute a complete facility for the generation of electricity. "Electric generating equipment" means any of the following: (1) an electric generator, (2) a machine that drives an electric generator, including an engine, turbine, water wheel, or windmill, (3) Equipment that converts a fuel or source of energy into energy that powers a machine that drives an electric generator, including a boiler, but not including a nuclear reactor. (4) A fuel or photovoltaic cell. [Source: Wis. Stat. § 196.52]

Electric Generating Facility (Large Scale): An electric generating facility designed for nominal operation at a capacity of 100 megawatts or more [See Wis. Stat. § 196.491] This does not apply to testing activities undertaken by an electric utility for purposes of determining the suitability of a site for the placement of an electric generating facility, to the extent prohibited by statute.

Electric Generating Facility (Small Scale): An electric generating facility designed for nominal operation at a capacity of less than 100 megawatts [*See Wis. Stat. § 196.491*]

Enrolled Land: Land that is enrolled in a federal agricultural commodity payment program or a federal or state agricultural land conservation payment program.

Establishment: A place of business, government, or nonprofit activity.

Excavation: any act by which organic matter, earth, sand, gravel, rock or any other similar material is cut into, dug, quarried, uncovered, removed, displaced, relocated or bulldozed and shall include the resulting conditions.

Expansion: An addition to an existing structure regardless of whether the addition is vertical or horizontal or both. Expansion also refers to an increase in the existing use or offering of new uses onsite.

Facility: A structure or place which is built, installed, or established to serve a particular purpose.

Family: The body of persons who live together in one dwelling unit as a single housekeeping entity.

Family Services: An establishment primarily engaged in at least one of the following: collecting, preparing, and delivering food for the needy; providing short-term emergency shelter, temporary residential shelter, transitional housing, volunteer construction or repair of low-cost housing, and/or repair of homes for individuals or families in need; or providing food, shelter, clothing, medical relief, resettlement, or counseling to victims of domestic or international disasters or conflict.

Farm: All contiguous land under common ownership that is over 50% devoted to agricultural use per the St. Croix County's tax assessment records.

Farm Animals: Dairy cattle, beef cattle, swine, sheep, horses, ducks, chickens, turkeys and animals or fowl of similar character and customarily maintained in a large parcel setting for food, recreational, breeding, zoological or similar purposes.

Farm-Related Exhibition, Sale, or Event: An exhibition, sale or event that is accessory to a farm or agricultural use, or that directly promote the County's agricultural economy. Examples include auctions, dairy breakfasts, exhibitions of farm machinery and technology, agricultural association meetings and similar activities but not to exceed 5 calendar days per calendar year. This use must comply with Wis. Stat. § 91.01(1).

Farmland, Prime: Land identified within the county's certified farmland preservation plan as having Land Evaluation Scores (LESA) greater than 66 points.

Farmland, Protected: Lands that are considered to be any of the following: located in a farmland preservation zoning district as certified under Wis. Stat. Ch. 91, covered by a farmland preservation agreement under Wis. Stat. Ch. 91, covered by an agricultural conservation easement under Wis. Stat. § 93.73, or otherwise legally protected from nonagricultural development.

Farm Residence: A single-family dwelling, manufactured home or modular home that is occupied by any of the following:

1. An owner or operator of the farm
2. A parent or child of an owner or operator of the farm
3. An individual who earns more than 50% of his or her gross income from the farm

Fence, Open: Any Structure intended to create a boundary that is less than 12' tall and less than 50% opaque. The legal property boundary fences of Wisconsin Statute Chapter 90 shall be considered open fences. Any non-masonry vertical structure constructed to prevent physical or visual access to a parcel or portion thereof.

Fence, Privacy: Any structure constructed to block the view of others or offer privacy which is at least 4' tall and no more than 8' tall but is at least 50% opaque.

Fill: Any act by which earth, sand, gravel, rock or any other material is deposited, placed, replaced, pushed, dumped, pulled, transported, or moved to a new location and shall include the resulting conditions.

Filling, Draining, or Dredging of Wetlands: The act of altering existing wetlands through their filling, draining, or dredging, as follows:

- "Filling" means the activities referred to in the definition of "discharge of fill material" in 40 CFR 232.2 in a wetland, regardless of whether the wetland is a "water of the United States."
- "Draining" means any human activity that diverts or reduces wetland groundwater and/or surface water sources.
- "Dredging" means the activities referred to in the definition of "discharge of dredged material" in 40 CFR 232.2 in a wetland, regardless of whether the wetland is a "water of the United States."

Financial or Investment Institution: An establishment primarily engaged in the dealing of monetary transactions such as deposits, loans, investments and currency exchanges.

Flag: Any fabric, bunting or other lightweight material that is secured or mounted so as to allow movement.

Floor Area: The area within the exterior walls of a building. The floor area of a dwelling does not include space not usable for living quarters, such as attics, basements or utility rooms, garages, breezeways, unenclosed porches or terraces.

Footprint: The land area covered by a structure at ground level, measured on a horizontal plane. The "footprint" of a residence includes attached garages and porches, decks, and overhangs.

Floriculture: Floriculture conducted for the purpose of an income or livelihood. "Floriculture" means an establishment engaged in the production of field-grown or greenhouse-grown plants for their flowers or showy leaves.

Forest Management: Forest management for the purpose of an income or livelihood. "Forest Management" means establishments that grow and harvest timber on a production cycle of at least 10 years and that specialize in various stages of the production cycle, including reforestation, timber production, and timber harvesting. Reforestation means the production of seedlings in specialized nurseries. Timber production means the maintenance of natural forest or growing timber on areas of land that are available for the entire production cycle. Timber means the use of specialized machinery to gather forest products, such as timber, gums, barks, balsam needles, rhizomes, fibers, Spanish moss, and ginseng and truffles. Examples include timber tract operations, logging, forest nurseries (growing trees for reforestation, and gathering forest products.

Forest Products Processing: A facility used for the dry processes of chipping, grinding, sawing, and planing lumber, which changes them for consumer use. This use does not include any wet processing such as paper manufacturing. May include warehousing and packaging as secondary uses.

Foster Home / Adult Family Home: A dwelling that is the primary domicile of a foster parent who is licensed under Wis. Stat. § 48.62 or a dwelling that has been certified as an adult family home under Wis. Stat. § 50.032(1m)(b).

Foundation: The underlying base of a building or other structure, including pillars, footings, and concrete and masonry walls.

Freight Terminal: A facility where freight brought to the lot by motor truck or rail is assembled and/or sorted for routing in intrastate and interstate shipment by motor truck or rail. "Freight" includes commodities that are prepared for shipment, including palletized and containerized materials.

Frontage: That side of a lot abutting on a street or road and ordinarily regarded as the front of the lot. To determine yard requirements on corner lots, all sides of a lot adjacent to streets are considered frontage, and yards shall be provided as indicated in § 15.425.

Funeral Home: An establishment primarily engaged in preparing the dead for burial or interment and conducting funerals.

Fur Farm: A commercial operation that raises and harvests wild game and fur producing animals for fur, including such animals as deer, elk, mink and chinchilla.

Game Arcade: An indoor structure, open to the public, that contains coin-operated games, rides, shows, and similar entertainment facilities and devices. Also known as an "amusement arcade."

Game Management: A commercial and duly licensed operation raising and harvesting wild game for meat, including animals such as deer and elk.

Garden Center: An establishment where retail and wholesale garden products and produce are sold to the consumer. These centers, which may include a nursery and/or greenhouses, import most of the items sold, and may include plants, nursery products and stock, potting soil, hardware, power equipment and machinery, hoes, rakes, shovels, and other garden and farm variety tools and utensils.

Golf Course: A tract of land laid out with at least 9 holes for playing a game of golf and improved with tees, greens, fairways, and hazards. A golf course may include a clubhouse (which may include dining, social events and gatherings, and other recreational facilities) and shelters as accessory uses. Golf Courses may provide golf equipment rental and golf instruction services.

Governmental, Institutional, or Nonprofit Community Use: A building or land area not otherwise defined in this Chapter, that:

1. Is used to administer, oversee, or manage public programs exercising executive, legislative, or judicial authority, or
2. Nonprofit and civic functions described in 26 U.S.C. § 501(c) such as grant making, charitable trusts or fundraising, social or political advocacy, preservation and protection of the environment and wildlife, promoting the civic and social interests of a nonprofit organization, or promoting public or professional interests such as business associations, professional organizations, labor unions, and political organizations,
3. provides meeting spaces for the general public or a neighborhood, such as a meeting hall, community center, or exhibition hall.

Grading: filling, placing or moving of rock and soil material.

Grazing: The use of public and/or private land for the free range feeding of livestock (cattle, pigs, sheep, etc.). Unlike Keeping Livestock, grazing does not involve buildings or structures (other than fences used to confine the livestock).

Greenhouse: A building constructed for the propagation of food crops (e.g., fruits, melons, tomatoes), mushrooms, or other plants under glass or protective cover. This definition does not include private greenhouses with no commercial sales.

Grocer: The sale of agricultural, food and dairy products not produced or grown on the premises.

Ground Cover: Small plants such as mosses, forbs, ferns, grasses, and undershrub growing on a forest floor.

Groundwater: Any of the Waters of the State occurring in a saturated subsurface geological formation of permeable rock or soil. [See Wis. Stat. § 281.75]

Group Day Care: A facility where a person for less than 24 hours a day provides care and supervision for 9 or more children who are not related to the provider. It includes preschools and nursery schools, and any "group childcare center" licensed by the licensed Wisconsin Department of Children and Families under Wis. Stat. § 48.65, Stats., and Wis. Admin. Code Ch. DCF 251.

Habitable Structure: Any structure used or designed for occupation by humans for the purpose of cooking, eating, sleeping, recreation and general living periods.

Harvesting of Wild Crops: The use of machinery to reap the fruit and/or seed produced by wild plants on undeveloped public and/or private land. Unlike Agriculture - Crop or Forage Production, Harvesting of Wild Crops does not involve buildings or structures, or the use of seeds or fertilizers to propagate plant growth.

Hazardous Waste Collection, Treatment, and Disposal: A site or structure for the treatment, storage or disposal of hazardous waste as defined by Wis. Stat. § 291.01 and includes all the contiguous property under common ownership or control surrounding the site or structure.

Heavy Construction Services: Establishments that engage in the construction of infrastructure projects such as bridges, roads, and dams, and industrial and other nonbuilding construction.

Heavy Industrial Mining: Any "nonmetallic mining site" as defined by Wisconsin Administrative Code NR § 135.03 that has a particularly high impact on the environment and nearby properties including frac sand mining, mining that impacts the groundwater table, and mining operations that involve loud or noxious material processing. This includes, but is not limited to, the following:

1. The operation of an establishment that is engaged in excavating or otherwise removing from the land any sand or sandstone by any means, including any associated stripping of overburden, removal of sand or sandstone washing, screening, sorting, beneficiation, drying, loading, stockpiling or other processing or preparation of sand or sandstone for any use other than construction aggregate.
2. Extraction from the earth of sand, sandstone bedrock, fluvial sands, alluvial sands or aggregates for offsite use or sale of industrial sand products including associated activities such as drilling, blasting, excavation, stripping, grading and dredging of such materials and removing, relocating or disposing of overburden and other wastes of the mining process.
3. Stockpiling of industrial sand products, rail transloading of industrial sand products, non-metallic mining waste materials, or topsoil intended for use in reclaiming a non-metallic mine site.
4. Manufacturing or processing operations on the mining site that involve the use of equipment for crushing, screening, separation, beneficiation, classification, washing dewatering, drying coating, or blending of the industrial sand or products obtained by extraction from the mining site.
5. Reclamation of the mine site.

Hiking, Biking, and Bridle Trails: A linear corridor that is a public right-of-way or private easement reserved for recreation and travel by foot, bicycle, horseback, or other forms of non-motorized travel.

Historic or Natural Resource: Any of the of the following uses that are preserved for the uses listed below by a local, state or federal agency, or a conservation easement:

- An Historic Structure, and
- Any land that is preserved for scenic, scientific or wildlife use.

Historic Structure: any structure that is:

- Listed individually in the National Register of Historic Places or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register.
- Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district.
- Individually listed on a state inventory of historic places in states with historic preservation programs approved by the Secretary of the Interior; or

- Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either by an approved state program, as determined by the Secretary of the Interior, or by the Secretary of the Interior in states without approved program.

Hospital: A facility that provides 24-hour continuous inpatient medical and nursing service to patients. This includes any "hospital" as defined by Wis. Stat. § 50.33.

Hotel or Motel: A building or group of buildings containing rooms which are offered for compensation for the temporary accommodations of transients and where there is no permanent occupancy of any unit except by the owner, his agent or employees. Includes any "hotel" as defined by Wis. Stat. § 97.01.

Household Pet: Any animal commonly found in a residence as a pet. Examples include dogs, cats, birds, and other small animals, if they are not raised or reared for commercial resale.

HUD Code: The federal construction code for manufactured homes, codified at 42 USC 5401 to 5425 and the corresponding regulations implemented by HUD (24 CFR part 3280).

Impervious Surface: Any land cover that prevents rain or melting snow from soaking into the ground, such as roofs including overhangs, roads, sidewalks, patios, driveways and parking lots, including gravel surfaces.

Indoor Maintenance and Repair of Goods and Equipment: An establishment operating inside a building that repairs and services small engines or small motors (such as lawn mowers, washing machines, sewing machines, jet ski, four wheelers and small equipment such as guns, chain saws, and shoes).

Industry, Heavy: A use engaged in the basic processing and manufacturing of materials or products predominantly from extracted or raw materials or a use engaged in storage of or manufacturing processes using toxic, corrosive, flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions, such as smoke, noise, soot, dirt, vibration, and odor. Examples include the leather and allied products, chemicals, plastics, rubber products, primary and fabricated metals, machinery, automobiles and transportation equipment, and petroleum and coal products refining.

Industry, Light: A use engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including research, development, processing, fabrication, assembly, treatment, packaging, incidental storage, sales and distribution of those products, but excluding basic industrial processing, which activities are conducted wholly within an enclosed building. Examples include textiles and clothing mills, industrial launderers, and manufacturing of paper and printing materials, furniture, electronics, jewelry, silverware, toys, games, musical instruments, office supplies, and signs. Includes research laboratories not otherwise listed.

Indoor Recreational Facility: A recreational use that occurs inside a building. Examples include indoor tennis, racquetball, skating rinks, driving ranges, curling, dance schools, ice arenas, shooting ranges, pool hall, bowling alleys, and health clubs.

Inland Wetlands: Wetlands at least 1 acre in size, located throughout unincorporated St. Croix County.

Institutional: A nonprofit or quasi-public use. See examples in the Use Table, § 15.285.

Irrigation and Industrial Water Supply: A water treatment plant and water supply systems that provide irrigation and industrial supply only. The water supply system may include pumping stations, aqueducts, or distribution mains.

Junk: Items, materials, or products that are no longer used as originally intended and, though capable of being repaired or converted to another use, are not actually still being used.

A motor vehicle is junk if it meets any of the following criteria:

1. It is not currently registered; or
2. It is not capable of operation, lawful or otherwise, on public highways of Wisconsin.

This definition does not apply to a vehicle licensed as an antique or special interest vehicle under Wis. Stat. §§ 341.265 or 341.266, or to any one parts car, if the vehicle(s) is stored as required by Wis. Stat. § 341.266(4).

Karst Feature: An area or surficial geologic feature subject to bedrock dissolution so that it is likely to provide a conduit to groundwater, and may include caves, enlarged fractures, mine features, exposed bedrock surfaces, disappearing streams, sinkholes, springs, seeps or swallets.

Keeping Livestock: Keeping livestock (other than Livestock Facilities) for the purpose of an income or livelihood.

Kennel, Commercial: An establishment, structure or premises where 5 or more adult dogs or cats, six months of age or older, are bred and raised for sale, taken in and sheltered for adoption, boarded, groomed and/or trained as a service.

Land Disturbance Activity: Any alteration or disturbance that may result in soil erosion, sedimentation, or change in runoff including, but not limited to, filling, grading, trenching, excavating and removal of ground cover.

Land Division: As defined in § 13.13 of the County Code of Ordinances.

Landscape Architect: A person who has graduated with a major in landscape architecture from a college accredited by the American Society of Landscape Architects.

Landscape Supply and Contracting Business: The onsite propagation and growing of plants, shrubs, trees, or vines for retail sales. Products raised onsite may be sold onsite. Retail sales of any other products are not allowed. Garden centers are not included. Includes any plant nursery or tree nursery.

Laundry: An establishment primarily engaged in operating coin-operated or similar self-service laundries and dry cleaners; providing dry cleaning and laundry services and supplying, on a rental or contract basis, laundered items. Does not include industrial launderers, which are classified as Light Industrial.

Library: An establishment primarily engaged in providing library or archive services. "Library or archive services" refers to maintaining collections of documents and facilitating their use as required to meet the informational, research, educational, or recreational needs of the general public or customers. Libraries may also acquire, research, store, preserve, and generally make accessible to the public historical documents, photographs, maps, audio material, audiovisual material, and other archival material of historical interest.

Life Care or Continuing Care Service: Church or social welfare organization run retirement centers. Residents turn over some or all of their assets in exchange for housing, personal care, convenience care, and some health care.

Limited Commercial Recreational Activities: Activities that are subordinate to a primary agricultural use of the property, compatible with the agricultural use on that and surrounding properties, and not likely to attract related commercial uses.

Liquor Store: Establishments primarily engaged in selling, or offering for sale, alcohol beverages to persons not holding a permit or a license under Wis. Stat. Ch. 125.

Livestock: Bovine animals, equine animals, goats, poultry, sheep, swine, farm-raised deer, farm-raised game birds, camelids, ratites and farm-raised fish.

Livestock Auction Facility: A Stock Yard where livestock are held for sale or transfer by auction, consignment, or other means.

Livestock Facility: A feedlot, dairy farm or other operation where livestock are or will be fed, confined, maintained or stabled for a total of 45 days or more in any 12-month period. It includes all the tax parcels of land on which the facility is located but does not include a pasture or winter grazing area. Related livestock facilities are collectively treated as a single livestock facility for purposes of this Chapter, except that an operator may elect to treat a separate species facility as a separate livestock facility. [*Source: Wisconsin Administrative Code ATCP § 51.01(19)*]

Livestock Structure: A building or other structure used to house or feed livestock, to confine livestock for milking, to confine livestock for feeding other than grazing, to store livestock feed, or to collect or store waste generated at a livestock facility. "Livestock structure" includes a barn, milking parlor, feed storage facility, feeding facility, animal lot or waste storage facility. Livestock structure does not include a pasture or winter grazing area, a fence surrounding a pasture or winter grazing area, a livestock watering or feeding facility in a pasture or winter grazing area, or a machine shed or like facility that is not used for livestock. [*Source: Wisconsin Administrative Code ATCP § 51.01(20)*]

Loft: A floor level located more than 30 inches above the main floor, open to the main floor on one or more sides and used as a living or sleeping space.

Lot: A parcel of land occupied or designed to provide space necessary for one dwelling and its accessory buildings or uses, including the open spaces required by this chapter and abutting on a public street or other officially approved means of access. A lot also includes a: (1) parcel designated in a plat or described in a conveyance recorded in the office of the county register of deeds, and/or (2) any part of a parcel when such part complies with the requirements of this chapter as to width and area for the district in which it is located.

Lot, Corner: A lot that is located at the intersection of 2 streets.

Lot Line: A line bounding a lot.

Lot Width: The average of 3 lot width measurements including the widest and narrowest measurements. distance between the side lot lines at the setback lines.

Major Subdivision: As defined in § 13.13 of the County Code of Ordinances.

Manufactured Home: A dwelling that is designed to be used as a dwelling and that is certified by HUD as complying with the HUD Code.

Manure: Excreta from livestock kept at a livestock facility. "Manure" includes livestock bedding, water, soil, hair, feathers, and other debris that becomes intermingled with livestock excreta in normal manure handling operations.

Manure Processing Facility: A facility that specializes in the processing of livestock manure into fertilizer and other byproducts.

Manure Processing Facility, Farm-Based: A facility that specializes in the processing of livestock manure, generated on the property of the farm operation and processed into fertilizer and other products for use or sale as part of the farm operation.

Manure Storage: An impoundment made by constructing an embankment or excavating a pit or dugout or by fabricating a structure to contain manure and other animal or agricultural wastes.

Medical Clinic: A use that provides ambulatory, outpatient or in-patient medical care including but not limited to health maintenance, diagnosis, therapy or treatment of disease, pain, injury, deformity, mental illness and addiction.

Metal Extraction: An area that includes mine sites and where metallic minerals are mined, with equipment for dressing and beneficiating ore through crushing, grinding, washing, drying, sintering, concentrating, calcining, leaching, or similar activities. Beneficiating may be performed at mills operated in conjunction with the mines, or at mills operated separately.

Military Institution: Any building or area used for state or national security and operated by a state or federal government, or a private entity under contract to a state or federal national security agency. Examples include military base or training sites and armories.

Miniature Golf: A theme-oriented recreational facility where a novelty version of golf is played with a putter and a golf ball, typically comprised of nine or 18 putting greens, each with a "cup" or "hole," where patrons in groups pay a fee to move in consecutive order from the first hole to the last. Miniature golf may include artificial playing surfaces and obstacles such as bridges and tunnels.

Minor Subdivision: As defined in § 13.13 of the County Code of Ordinances.

Mitigation: Action taken to minimize the adverse impacts of development. Mitigation includes, but is not limited to, the installation of vegetative buffers and the implementation of best management practices for erosion control and storm water management. Mitigation should compensate for loss of vegetation when development or improvements occur.

Mobile Home: A dwelling that is built in a factory, but that does not comply with the HUD Code and is not a modular home. This includes any "mobile home" as defined by Wis. Stat. § 101.91.

Mobile Home Park: Any area or tract of land designed for the installation of Mobile Homes or Manufactured Homes on spaces, or lots offered for lease or rent, together with necessary accessory buildings, driveways, walks, screening and other required adjuncts.

Mobile Service Facility: The set of equipment and network components, including antennas, transmitters, receivers, base stations, power supplies, cabling, and associated equipment, that is necessary to provide mobile service to a discrete geographic area.

Mobile Service Provider: A person who provides mobile service.

Mobile Service Support Structure: A freestanding structure that is designed to support a mobile service facility.

Model Home: A dwelling unit that has never been occupied for residential purposes, temporarily open for inspection by the general public in order to sell that unit or similar dwelling units that can be constructed for sale or rental in a particular subdivision or other residential development approved by the County. Model homes may also incorporate sales or rental offices for dwellings within that development.

Modification: Includes but is not limited to, any addition, alteration, rebuilding or replacement of any existing building, accessory building or accessory use.

Modular Home: A dwelling that is built in a factory, but that complies with the applicable state or local building code.

Motion Picture or Sound Recording: An establishment that produces and distributes motion pictures and sound recordings by contracting with performers, creating the film or sound content, and providing technical postproduction services, distributing film or recordings to exhibitors (such as theaters and broadcasters) rather than through the wholesale and retail distribution chain.

Museum: An establishment that preserves and exhibits objects, sites, and natural wonders of historical, cultural, or educational value. Includes any planetarium or aquarium.

Native Vegetation: Those species of vegetation that occurred naturally in pre-settlement Wisconsin. Refer to publications about native vegetation available from the Wisconsin Department of Natural Resources, such as the Wisconsin Native Plants manual published in August 2016.

Nonconforming Lot: A lot that at the time of creation conformed to the applicable existing regulations including lot size, dimensions, lot configuration, and other dimensional and design standards, but is now inconsistent with this Chapter.

Nonconforming Sign: Any sign which was lawfully constructed, but which does not comply with the terms of this Chapter.

Nonconforming Structure: A structure that existed lawfully before the current Chapter was enacted or amended, but that does not conform with one or more of the development regulations in the current Chapter. For purposes of this definition, "development regulations" means any part of this Chapter that applies to elements including setback, height, lot coverage, and front, rear and side yards. [*Reference: Wis. Stat. § 59.69(10e)* and (10m)]

Nonconforming Use: A use of land, a dwelling, or a building that existed lawfully before the current Chapter was enacted or amended, but that does not conform with the use restrictions in the current Chapter. [*Reference: Wis. Stat. § 59.69(10)*(ab)]

Nonmetallic Mining: Means all of the following:

1. Operations or activities at a nonmetallic mining site for the extraction from the earth of mineral aggregates or nonmetallic minerals for sale or use by the operator. Nonmetallic mining includes use of mining equipment or techniques to remove materials from the in-place nonmetallic mineral deposit, including drilling and blasting, as well as associated activities such as excavation, grading and dredging. Nonmetallic mining does not include removal from the earth of products or commodities that contain only minor incidental amounts of nonmetallic minerals, such as commercial sod, agricultural crops, ornamental or garden plants, forest products, Christmas trees or plant nursery stock.
2. Processes carried out at a nonmetallic mining site that are related to the preparation or processing of the mineral aggregates or nonmetallic minerals obtained from the nonmetallic mining site. These processes include, but are not limited to stockpiling of materials, blending mineral aggregates or nonmetallic minerals with other mineral aggregates or nonmetallic minerals, blasting, grading, crushing, screening, scalping or dewatering.

North American Vertical Datum (*NAVD*): Elevations referenced to mean sea level datum, 1988 adjustment.

Notion, Variety, or Gift Shop: An establishment that retails books, newspapers, magazines, stationery, school and office supplies, novelty merchandise, souvenirs, greeting cards, seasonal and holiday decorations, curios, sheet music, prerecorded audio and video tapes, compact discs, and phonograph records.

Off-Site: Located outside the lot or parcel lines of the principal use.

Office: A building used as the place of business for recognized professional (such as a Doctor of Medicine or dentistry, practitioner, minister, architect, landscape architect, professional engineer, lawyer, author, musician), or to conduct the affairs of a business, profession, service industry, or government where goods are not sold at retail from the premises.

Open Space: An open space with natural vegetation and landscaping, and that is designed and reserved for passive recreational, educational, cultural, or aesthetic uses such as picnic areas, garden plots, or walking and jogging trails.

Ordinary Maintenance and Repair: Any work done on a nonconforming structure that does not constitute expansion, structural alteration or reconstruction and does not involve the replacement, alteration of any portion of the structure's foundation.

Outdoor Entertainment Facility: A facility with recreation or entertainment activities that host 10 or more people at one time and that generate noise and/or light. This includes activities such as:

1. Amphitheaters.
2. Batting cages.
3. Driving ranges.
4. Go-kart tracks.
5. Lighted athletic fields.
6. Shooting ranges.
7. Marinas.

Outdoor Recreation Facility: A facility with recreation activities that host 10 or more people at one time and that do not typically generate noise and/or light. This includes activities such as:

1. Arboretums, wildlife sanctuaries, forests, and other natural areas which may be used for walking or hiking.
2. Archery ranges.
3. Athletic fields without lighting
4. Jogging, cycling, tot-lots, fitness trails, playing fields, playgrounds, outdoor swimming or wave pools, and tennis courts.
5. Outdoor roller or ice-skating rinks,
6. Paint ball.
7. Riding stables; and
8. Zip lines.

Outlot: A lot remnant or parcel of land within a plat remaining after platting, which is intended for open space use, for which no development is intended other than that which is accessory to the open space use.

Parcel: Contiguous land under single ownership, not separated by public roads or railroad

rights-of-way.

Park: Any land reserved for recreational, cultural, or aesthetic use (such as a picnic area) by a public agency, conservation easement, or a legally enforceable covenant or restriction. This includes any mini-park, neighborhood park, community park, special use park, school park, county park, state forest, state park.

Parking Facility: A tract or building where automobiles are parked or stored temporarily, but not including wrecked vehicles.

Pennant: Any flag.

Person: An individual, or group of individuals, corporation, partnership, association, municipality or state agency.

Personal Instruction Services: Establishments that primarily instruct individuals, one on one or in small group settings. Examples include exam preparation and tutoring, or personal instruction in a variety of skills such as art, music, and dancing.

Pick-Your-Own Operation: An agricultural use wherein fruits or vegetables grown on-site are sold directly to consumers who pick the farm products themselves.

Plan Revision: A modification to an approved application where a valid permit is in effect.

Plant or Livestock Genetic Laboratory: An establishment primarily engaged in performing physical, chemical and other analytical testing services directly relating to genotyping, selective breeding, hybridization, grafting, or mutation of plants or livestock.

Pollution: Contaminating or rendering unclean or impure the land and/or Waters of the State, or making those features injurious to public health, harmful for commercial or recreation use or deleterious to fish, bird, animal or plant life.

Porch: A building walkway with a roof over it, providing access to a building entrance.

Portable Storage Unit: A transportable, standardized, reusable vessel or container, or receptacle that is originally and specifically designed for or is used in stowing, packing, shipping, moving, or transporting freight, articles, goods or commodities, is designed for or is capable of being mounted or moved on a truck, and is located at site for temporary storage of personal property, or any similar device. Examples include "Pack-Rat", "PODS®," or shipping container ("CONEX").

Postal Service: An establishment that sorts, routes, and delivers mail.

Power Plant: A facility that converts one or more energy sources, including but not limited to water, natural gas, geothermal, fossil fuels, biomass, wind or solar, into electrical energy or steam. A power generation plant may also perform either or both of the following: (a) operation of a transmission system that conveys the energy or steam from the generation facility to a power distribution system; or (b) operation of a distribution system that conveys energy or steam from the generation facility or the transmission system to final consumers. This does not include an oil refinery.

Principal Dwelling: The main dwelling on a lot where the property's principal use is located. Principal dwelling includes attached garages and porches.

Principal Structure: The main building or other structure on a lot where the property's principal use is located. Principal structure includes attached garages and porches.

Principal Use: The primary purpose for which a lot or parcel is used.

Private One-Room Schoolhouse: A one-room structure used for education and / or religious instruction. See § 15.371.

Professional Engineer: One who is trained, registered and professionally engaged in a specific branch of engineering pursuant to Wis. Stat. § 443.04.

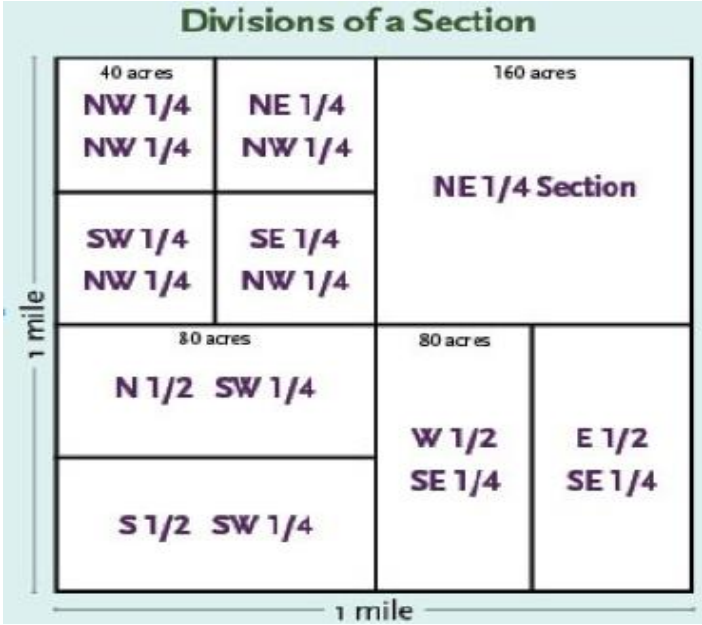
Propane Storage and Distribution: An establishment that maintains a propane gas system for storage, wholesale or retail distribution. A "Propane gas system" means an assembly consisting of one or more containers that has a total water capacity of at least 100 gallons and a means of conveying propane gas from the container or containers to a point of connection with devices used to consume the propane gas. A "propane gas system" includes all piping and other components associated with the assembly that are used to control the quantity, flow, pressure, and physical state of the propane gas. [Source: Wis. Stat. § 101.16]

Public Safety: Government establishments primarily engaged in criminal and civil law enforcement, police, traffic safety, firefighting, related fire protection activities, and other activities related to the enforcement of the law and preservation of order.

Public Utilities: Those utilities using underground or overhead transmission lines such as electric, telephone and telegraph, and distribution and collection systems such as water, sanitary sewer and storm sewer.

Quarrying: The removal of mineral aggregates, topsoil or other natural materials from the earth by excavating, stripping or any other mining process.

Quarter-Quarter (¼-¼): A federal subdivision of a Public Land Survey System Section, commonly known as a "forty." A Quarter-Quarter (¼-¼) is nominally 40 acres.



Racetrack: A measured course where animals or machines are entered in competition against one another or against time, such as auto, dog, and horse races, and tracks used only to train animals. A racetrack may include seating, concession areas, suites, and parking facilities, but does not include accessory offices, residences, or retail facilities. This definition shall also include any facility used for driving automobiles under simulated racing or driving conditions (test tracks, "shakedown" tracks, or other similar facilities), but which does not include seating, concession areas, or retail facilities for the general public.

Radio and Television Broadcasting Studio: A building or structure that provides over the air or satellite delivery of radio and television programs of entertainment, news, talk, and similar media, or studios for the audio or video recording or filming of musical performances, radio or television programs, or motion pictures. This does not include uses classified as "Mobile Support Structures and Facilities."

Raising of Chickens and Ducks: Buildings primarily used for breeding, hatching, and raising chickens and ducks, and that are not used for residential purposes.

Raising of Waterfowl, Fowl, and Fish: Buildings primarily used for breeding, hatching, and raising waterfowl, minnows and other similar lowland animals, fowl, and fish, and that are not occupied for residential purposes.

Reasonable Accommodation: Allowing a disabled person to deviate from the strict requirements of this Chapter if an accommodation is necessary and reasonable, in order not to unlawfully discriminate against the disabled person and to allow them equal housing opportunity.

Reconstruction: The replacement of all or substantially all of the components of a structure other than the foundation.

Recreation: The pursuit of leisure-time activities. Includes "recreational."

Recycling Facility: A facility that accepts recyclable materials and may perform some processing activities. The principal function is to separate and store materials that are ready for shipment to end-use markets, such as paper mills, aluminum smelters, or plastic remanufacturing plants. The facility may include power-driven processing equipment to process recyclable materials. The facility receives and processes only residential and commercial recyclables such as food and beverage containers and paper.

Religious Institution: A place of religious worship and instruction. Accessory uses requiring independent approval include (1) an associated private school, and (2) a childcare in the main building or the same lot as the Religious Institution that accepts customers not attending the Religious Institution, recreational facilities, dormitories or other facilities for temporary or permanent residences. Childcare facilities located in the main building that are used only during worship services, for persons attending the service, are considered accessory to the church and do not require independent approval. For purposes of this section, "religious worship" includes any "religious exercise" as defined by the Religious Land Use and Institutionalized Persons Act (RLUIPA), 42 U.S.C. § 2000cc-5.

Removal of Topsoil and Peat: The grading or removal of topsoil or peat for compensation by excavating, stripping or any other process. "**Topsoil**" means the surface layer of soil which is generally more fertile than the underlying soil layers, which is the natural medium for plant growth. "**Peat**" means organic matter, excluding coal, formed by the partial decomposition of plant material under saturated conditions.

Renewable Fuel Manufacturing: Establishments that manufacture, store, and distribute renewable fuel. "Renewable Fuel" means biodiesel, biogas, ethanol fuel, or renewable fuel, as defined by the federal Renewable Fuel Standard (40 CFR § 80.1101).

Residential: A property where dwelling units for personal residences are allowed as the principal use including accessory structures and uses.

Restaurant: An establishment primarily engaged in (1) providing food services to patrons who order and are served while seated and pay after eating ("**Sit-down Restaurant**"), or (2) providing food through a drive-through window in inside the building for consumption off the premises ("**Carryout Restaurant**" or "**Drive-through Restaurant**"). Sit-down Restaurants may provide this type of food service to patrons in combination with selling alcoholic beverages or presenting live entertainment (such as a "**Dinner Club**"). This includes any "**Brewpub**" as defined by Wis. Stat. Ch. 125.

Retail Sales and Service: The sale of goods, wares, or merchandise directly to the ultimate consumer. Examples include the sale or service of goods and/or services such as general merchandise (such as clothing, luggage, jewelry, and shoes), electronics, furniture, lumber or building supplies, hardware, flowers, art, antiques, pets and pet supplies, health supplies, cosmetics, optical goods, and music or sports equipment. Includes personal services not otherwise listed, such as non-veterinary pet care (such as boarding, grooming, sitting, and training pets), photofinishing, and fitness training.

Retirement Housing Service: Housing intended and operated for persons 55 years of age or older, consistent with 24 C.F.R. §§ 100.304—100.307.

Rezoning: an amendment to this Chapter that changes district boundary lines, including any change to the zoning map that reclassifies an area from one zoning district to another.

Riding Supply: An establishment primarily engaged in the retail sales of equestrian supplies such as grooming supplies, bridles, and saddles.

Road: A public way for vehicular traffic. Includes any highway, or any collector, sub collector, or access road.

Roadside Stand: A structure in a street yard used for the sale of farm products. See § 15.373.

Routine Vegetation Maintenance: Normally accepted horticultural practices that do not result in the loss of any layer of existing vegetation and do not require a land disturbing activity.

Rural Area: Generally, an unincorporated area not associated with a city or Village with low population density and predominate land uses are agriculture and forestry.

Sale or Storage of Agricultural Byproducts: An establishment that primarily engages in the storage and wholesale sale of secondary organic materials produced from the raising of animals and crops as part of agronomic, horticultural, silvicultural, or livestock operations. This includes, but is not limited to, animal manure, liquid manure, bedding materials, plant stalks, leaves, and other vegetative matter and byproducts from the on-farm processing of fruits, vegetables, dairy and other food products.

Sales - Processed or Preserved Agricultural Products and Produce: The sale of food or dairy products grown on the premises that are processed, packaged, canned, or otherwise preserved for retail sales.

Salvage Operation: A commercial use with outdoor junk storage and on-site sales. See § 15.352.

School: A public, parochial, or private institution which provides an educational program for:

1. one or more grades between kindergarten and grade twelve (12) and (such as elementary schools, grade schools, middle schools, junior high schools, or high schools); or
2. post-secondary education, offering courses in general, technical, or religious education, in buildings owned or leased by the institution for administrative and faculty offices, classrooms, laboratories, chapels, auditoriums, lecture halls, libraries, student and faculty centers, athletic facilities, dormitories, fraternities, and sororities.

Includes any Charter School or Private School.

Search Ring: A shape drawn on a map to indicate the general area within which a mobile service support structure should be located to meet radio frequency engineering requirements, taking into account other factors including topography and the demographics of the service area.

Seasonal Rustic Shelter/Primitive Rural Hunting Cabin: A structure that is not used as a dwelling, is used principally for recreational hunting activity, does not exceed 2 stories in height, and is not provided with water or sewage facilities. [Wis. Stat. § 101.61]

Seasonal Storage: Seasonal storage for compensation of recreational equipment and motor vehicles owned by persons other than those persons residing on the premises, and fully enclosed in an accessory structure and compliant with Wis Stats. 91.01 (1). This shall not include the storage of a dealer's inventory.

Self-Storage Facility: Indoor storage of customer's items within partitioned buildings with individual access to each partitioned area.

Septic Tank and Related Services: Establishments primarily engaged in (1) pumping (i.e., cleaning) septic tanks and dispersal fields and/or (2) renting and/or servicing portable toilets.

Service Contractor: Contractors engaged in providing property maintenance services including but not limited to lawn, pool and garden care; snow plowing and removal; and tree trimming and removal.

Service Station: An establishment that primarily dispenses or retails automotive fuels and that has pumps and storage tanks. A Service Station may or may not be in combination with a Convenience Store or Food Mart. A Service Station may provide incidental services such as automotive repair, automotive oils, replacement parts and accessories, or food and beverage sales. A Service Station may provide battery, tire and similar services, but does not include buildings or premises where the business is incidental to the conduct of a public garage used to repair or store motor vehicles.

Setback: The minimum horizontal distance between a structure (excluding roof eaves) and any of the following:

1. Ordinary High-Water Mark (OHWM),
2. a bluffline,
3. side and rear lot lines, or
4. streets or roads.

Setback Line: A line established parallel to a highway, lot line, lake or stream, or other place, to define limits within which any or certain buildings, structures or uses may not be constructed, maintained.

Short-Term Rental Agent: The person or firm designated by the owner of a Short-Term Rental Property who is available as the 24-hour contact during any period of rental or lease transaction.

Short-Term Rental Property: Any residential property where a principal dwelling unit or a portion of a principal dwelling unit is rented or leased by a Tourist or Transient for fewer than 29 consecutive days. This definition excludes Bed and Breakfast Establishments.

Short-Term Rental Tenant: Any person who rents or leases a Short-Term Rental Property.

Sign: A display, illustration, structure or device that has a visual display and designed to identify, announce, direct or inform.

Sign, Building: Any single-faced sign painted on, attached to or erected against the exterior wall of a building, structure, marquee, canopy or awning. Also including any sign placed on the interior of a window or painted on a window such that it can be read from the outside of the building.

Sign Component: Any element of a sign or its source of support (excluding a building), including but not limited to support structure, accessories, wiring, framing. Paint, vinyl, paper, fabric, lightbulbs, diodes, or plastic copy panels on a sign do not constitute components.

Sign, Freestanding: Any sign supported by structures or supports that are placed on or anchored in the ground and that are independent from any building or other structure, including, but not limited to, a ground mounted sign, detached sign, pole sign, pylon sign or monument sign.

Sign, Off-Premise: A sign which meets any one or more of the following criteria:

1. it is used to direct attention to a commodity, product, service, activity or any other person, place, thing or idea other than noncommercial speech, which is not located, found or sold on the premises upon which the sign is located: or
2. the message display area, or any part thereof, is made available to message sponsors other than the owner(s) or operator(s) of the sign, typically for a fee or other consideration, i.e. it is general advertising for hire.

Sign, On-Premise: A sign which only displays a commodity, product, service, activity or any other person, place, thing or idea, which is located, found or sold on the premises upon which such sign is located.

Sign, Portable: Any sign -

- not permanently attached to the ground or other permanent structure,
- a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels.
- signs converted to A-or T-frames.
- balloons used as signs.
- umbrellas used for advertising; and
- signs attached to or painted on vehicles parked and visible from the public right-of-way, unless the vehicle is used for transportation in the normal day-to-day operations of the business.

Site Plan: A plan prepared to scale, showing accurately and with complete dimensions, the boundaries of a site and the location of all buildings, structures, uses, drives, parking, drainage, landscape features and other principal site development improvements for a specific parcel of land.

Skiing Facilities: The commercial use of land for Alpine Skiing/Snowboarding to include:

1. All operations customarily and incidental to alpine skiing/snowboarding including, but not limited to, food service, ski/snowboard instruction, equipment rental, retail sales (ski shops) and ski patrol/first aid.
2. All facilities and structures customary and incidental to alpine skiing/snowboarding/snow tubing including, but not limited to, ski trails, ski lifts, terrain parks, skier service chalets, shelters, maintenance buildings and ski racing facilities.
3. All equipment customary and incidental to alpine skiing/snowboarding/snow tubing including, but not limited to, grooming, snowmaking and lighting. For the purpose of this ordinance, the principal building shall be considered the skier service chalet with the greatest floor area.

Ski Chalet: The use of land and buildings as part of an approved skiing facility to provide services included within the definition of skiing facilities. In addition, the ski chalet use would include, constituting an incidental, but not primary use, the following: the use of the ski chalet and adjoining premises for functions such as weddings, retirement parties, class reunions, or similar activities.

Ski Slopes/Trails: A slope or trails suitable for skiing or snowboarding. In general, beginner slopes are between 6% and 25%. Intermediate slopes are between 25% and 40% and difficult slopes are 40% and up.

Ski Slope/Trail Lighting: The use of floodlights - including LED lamps to illuminate ski slopes/trails to allow night skiing or to provide for better visibility during overcast conditions during daytime hours.

Skilled-Nursing Service: An establishment primarily engaged in providing inpatient nursing and rehabilitative services, with a permanent core staff of registered or licensed practical nurses who provide nursing and continuous personal care services. Examples include convalescent homes, nursing homes, assisted living facilities for the elderly with nursing care, rest homes with nursing care, and inpatient care hospices.

Slaughterhouse: A plant or premises, including retail premises, where livestock or poultry are slaughtered for human consumption, or where meat or poultry products are processed. These facilities do not raise most of the animals onsite but haul in animals for slaughter and processing on a regular basis. but does not include the premises of a person who is the owner of the livestock or poultry to be slaughtered or of the meat or poultry products to be processed, if the resulting product is for exclusive use by the owner, members of the owner's household, or the owner's nonpaying guests and employees.

Slope: the net vertical rise over horizontal run, expressed as a percentage, which represents a relatively homogeneous surface incline or decline over the area.

Sod or Christmas Tree Production: Sod or Christmas Tree Production conducted for the purpose of an income or livelihood. "Sod production" means an establishment engaged in growing turf grass for harvesting and sale. "Christmas tree production" means an establishment engaged in growing Christmas trees for harvesting and sale on a seasonal basis.

Soil and Water Conservation and Stream Bank Protection: Management practices that conserve or stabilize soil, water, or stream banks.

Solar Collector: A device, structure or a part of a device or structure which transforms solar energy into thermal, mechanical, chemical or electrical energy.

Solar Energy: Radiant energy received from the sun.

Solar Energy System: Equipment which directly converts and then transfers or stores solar energy into usable forms of thermal or electrical energy.

Solid Waste Processing or Transfer: A facility for the collection, processing or temporary storage of solid waste prior to offsite disposal, not to exceed one year.

Solid Waste Collection, Treatment, and Disposal: A facility for solid waste treatment, solid waste storage or solid waste disposal as defined in Wis. Stat. § 289.01. This includes commercial, industrial, municipal, state and federal establishments or operations such as sanitary landfills, dumps, land disposal sites, incinerators, transfer stations, storage facilities, collection and transportation services and processing, treatment and recovery facilities. This term includes the land where the facility is located. This term does not include:

- a facility for the processing of scrap iron, steel or nonferrous metal using large machines to produce a principal product of scrap metal for sale or use for remelting purposes,
- a facility which uses large machines to sort, grade, compact or bale clean wastepaper, fibers or plastics, not mixed with other solid waste, for sale or use for recycling purposes, or
- a salvage operation
- a rendering facility that collects or stores dead carcasses for decomposition.

Specified Anatomical Areas: Less than completely and opaquely covered human genitals, pubic region, buttocks, anal region or female breast below a point immediately above the top of the areola; or human male genitals in a discernibly turgid state even if completely and opaquely covered.

Specified Sexual Activities: Any of the following: (1) Human genitals in a state of sexual stimulation or arousal, (2) Acts of human masturbation, sexual intercourse or sodomy, (3) Fondling or other erotic touching of human genitals, pubic region, buttock or female breast, (4) Flagellation or torture in the context of a sexual relationship, (5) Masochism, erotic or sexually oriented torture, beating or the infliction of pain, (6) Erotic touching, fondling or other such contact with an animal by a human being, (7) Human excretion, urination, menstruation, vaginal or anal irrigation as part of or in connection with any of the activities set forth in (1) through (6) above.

Stable, Commercial: A commercial establishment that trains, rides, or boards horses, mules, donkeys, and other equines for compensation.

Stadium, Arena, or Conference Center: A structure with tiers of seats rising around a field or court, designed for viewing athletic events, entertainment and other public gathering purposes such as conventions, circuses, or concerts. Incudes a convention center or conference facility.

Start of Construction: The first placement of permanent construction on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond initial excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling, nor does it include the installation of streets and/or walkways, nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms. For an alteration, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Stock Yard: A building or buildings whose purpose is the temporary storage of livestock while they await sale, slaughter, or transport.

Stormwater Runoff: The waters derived from rain, snowmelt, or ice melt occurring within the drainage area, flowing over the surface of the ground and collected in channels, watercourses or conduits.

Story: The vertical distance between:

- the surface of any floor and the floor next above it, or
- if there is no floor above it, the space between such floor and the ceiling next above it.

Story, Half: A story under any roof except a flat roof, the wall plats of which on at least 2 opposite exterior walls are not more than 2' above the floor of the story.

Structural Alteration: The replacement or alteration of one or more of the structural components of any of a structure's exterior walls.

Structural Component: Any part of the framework of a building or other structure. The structural components of a building's exterior walls include the vertical studs, top and bottom plates, and window and doorsills and headers. A structural component may be non-load bearing, such as the framework of a wall at the gable end of a one-story house. Wall coverings, such as siding on the exterior and dry wall on the interior, are not included in the definition of structural component.

Structural Erosion Control Measure: A retaining wall or other man-made structure whose primary function is to control erosion.

Structure: means a principal structure or any accessory structure including a garage, shed, boathouse, sidewalk, stairway, walkway, patio, deck, retaining wall, porch, or fire pit.

Structure Height Measurement: The vertical distance from the lowest exposed grade to the highest point of the structure excluding chimneys and antennas.

Substantial Evidence: Facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion.

Substantial Modification: For purposes of § 15.365 (Telecommunications Facilities), the modification of a mobile service support structure, including the mounting of an antenna on such a structure, that does any of the following:

1. For structures with an overall height of 200 feet or less, increases the overall height of the structure by more than 20 feet.
2. For structures with an overall height of more than 200 feet, increases the overall height of the structure by 10 percent or more.
3. Measured at the level of the appurtenance added to the structure as a result of the modification, increases the width of the support structure by 20 feet or more, unless a larger area is necessary for collocation.
4. Increases the square footage of an existing equipment compound to a total area of more than 2,500 square feet.

Support Structure: For purposes of § 15.365 (Telecommunications Facilities), an existing or new structure that supports or can support a mobile service facility, including a mobile service support structure, utility pole, water tower, building, or other structure.

Taxi and Limousine Service: An establishment that provides passenger transportation using automobiles, vans, or specialty and luxury passenger vehicles such as limousines or luxury sedans. Services are generally provided on a reserved basis, and vehicles are stored at the site. This use does not operate over regular routes and on regular schedules.

Technical or Trade School: A school that offers vocational and technical training in a variety of technical subjects and trades.

Temporary Hot Mix Plant: A facility with equipment that mixes asphalt coatings, petroleum lubricating oils, and other related byproducts to produce blacktopping for roads and streets.

Temporary Residence: A trailer, van, mobile home, recreational vehicle, tent, bus, truck, automobile or similar apparatus for residential purposes, temporary or permanent, for temporary occupancy pending construction of a permanent dwelling.

Temporary Structure: A movable structure not designed for human occupancy which may be used for the protection of goods or chattels.

Text Amendment: an amendment to this Chapter that does not affect district boundary lines, including any amendment that is not a rezoning.

Theater, Movie, or Performing Arts: A building that is designed and used for live presentations by actors and actresses, singers, dancers, musicians, and other performing artist, or that displays motion pictures indoors.

Tourist: A person who travels to a location away from his or her permanent address for a short period of time for vacation, pleasure, recreation, culture, business, or employment.

Townhouse/Rowhouse: A type of structure that: (1) has three or more separate dwelling units divided vertically, and (2) where dwelling unit has separate ground floor entrances to a front and rear yard.

Transmission Services: Electric power lines, telephone and telegraph lines, communication towers, cables, sewage lift stations, sewer and water pipes, and other pipes, conduits and accessory structures that are used to transport power, convey information or transport material between 2 points, other than wireless communication service facilities.

Travel Trailer (*also referred to as a "Mobile Recreational Vehicle"*): A vehicle which is:

- built on a single chassis,
- 400 square feet or less when measured at the largest horizontal projection,
- designed to be self-propelled, carried or permanently towable by a licensed, light-duty vehicle,
- licensed for highway use if registration is required, and
- is not designed primarily for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel or seasonal use.

This definition does not apply to:

A Manufactured Home or Mobile Home. **Transit System**: Passenger services provided by public, private, or nonprofit entities such as the following surface transit modes: commuter rail, rail rapid transit, light rail transit, light guideway transit, school bus, express bus, special needs transportation, charter bus, and local fixed route bus.

Truck Service, Repair, and Towing: Repairs, incidental body and fender work, replacement of parts and motor services, towing and steam cleaning to freight vehicles and trucks equal to or exceeding 12,000 pounds gross weight.

Undeveloped Natural Resources and Open Space Land Use: Land withheld from development due to future natural resource extraction or to facilitate agriculture and recreational uses that require open green spaces such as livestock grazing, parks, and conservation.

Unnecessary Hardship: Special conditions affecting a particular property, which were not self-created, and that have made strict conformity with restrictions governing areas, setbacks, frontage, height or density unnecessarily burdensome or unreasonable in light of the purposes of this Chapter.

Utility, Major: Includes any:

- Building or other structure used for water supply or wastewater treatment, or the production of steam, air conditioning, hot water or potable water for consumption by the general public.
- Electric substation and distribution facility with a nominal capacity exceeding 115KV.
- Water treatment and purification (WTP) facility or water pumping plant with a capacity of > 10 MGD.
- Sewage treatment plant.
- Transmission pipeline to transport products, such as crude oil, natural gas, refined petroleum products, or slurry.

Utility, Minor: Includes any:

- Electrical power line, telephone or telegraph line, water pump station, sewage lift station, sewer or water pipe, or other pipe, conduit or accessory structure used to transport power, or transport material between two points, other than wireless communication service facilities.
- Electric substation and distribution facility with a nominal capacity of no more than 115KV.
- Gas and fuel lines for local natural gas distribution.
- Water pumping plant with a capacity of < 10 MGD.
- Water tank, septic tank, well, or water reservoir.

This use does not include a service garage or storage yard, either as a primary use or accessory to the utility. In AG-1 and AG-2, this category includes facilities that are either (a) required by state or federal law to be located on a specific site in the AG-1 or AG-2 district, or (2) are authorized to be located in a specific site under state, federal or local laws or regulations that expressly exempt its location from the requirement for a conditional use permit.

Variance: An authorization by the Board of Adjustment for the construction, modification or maintenance of a building or structure in a manner that deviates from dimensional standards (not uses) contained in this Chapter.

Vehicle: Every device, in, upon or by which any person or property is or may be transported or drawn upon a road or highway, including any car, truck, trailer, semi-trailer, watercraft, mobile home or other motor craft, whether it is self-powered or remains capable of travel in its present state.

Veterinary Clinic: An establishment that provides medical care and treatment, observation, dentistry, or surgery for domestic animals.

Vertical Mixed Use: A multi-story building whose ground floor is comprised of retail spaces and contains single family dwelling units on the floors above.

Vision Clearance: An unoccupied triangular space at the intersection of highways or streets with railroads. Such vision clearance triangles shall be bounded by the intersecting highway, street or railroad right-of-way lines and a setback line connecting points located on such right-of-way lines by measurement from their intersection as specified in § 15.405.

Warehouse: A facility that stores and distributes products, supplies, and equipment, and that is characterized by trucking activity and storage of material in open areas or enclosed buildings for distribution to freight vehicles.

Wastewater Treatment System: A wastewater treatment and disposal system serving one or several structures with a septic tank and soil absorption field component.

Watershed: An entire land area contributing runoff or surface water to a watercourse or body of water.

Waters of the State: Those portions of Lake Michigan and Lake Superior within the boundaries of Wisconsin, all lakes, bays, rivers, streams, springs, ponds, wells, impounding reservoirs, marshes, water courses, drainage systems and other surface water or groundwater, natural or artificial, public or private within the state or under its jurisdiction, except those waters which are entirely confined and retained completely upon the property of a person. [Source: Wis. Stat. § 281.01(18)]

Well: An excavation opening in the ground made by digging, boring, drilling, driving or other methods, to obtain groundwater regardless of its intended use.

Wetland: An area where water is at, near, or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation and which has soils indicative of wet conditions. [Source: Wis. Stat. § 23.32]

Wholesaler: An establishment that provides goods and services to other businesses, and that is not otherwise defined in this Chapter.

Wholesale Nursery: The onsite propagation and growing of plants, shrubs, trees, or vines. Products raised onsite may be sold onsite. Retail sales of any other products are not allowed. Garden centers are not included.

Wind Energy System: As defined in Wis. Stat. § 66.0403.

Winery: A facility for the manufacture of wine, as defined in Wis. Stat. § 125.02, and associated authorized activities, as described in Wis. Stat. § 125.53.

Wired Communication/Cable Facility: A transmission facility and infrastructure used to transmit voice, data, text, sound, and video over a wired telecommunications network. Examples of services include telephone services, including VoIP services; wired (cable) audio and video programming distribution; and wired broadband Internet services.

Wireless Communication Service: Any "mobile service facility," "mobile service provider" or "mobile service support structure" as defined by Wis. Stat. § 66.0404 and that is subject to § 15.365 of this Chapter.

Wrecking and Demolition Service: An establishment that provides wrecking and demolition of buildings and structures, including underground tank removal and the dismantling of non-hazardous steel oil tanks. The establishment may sell materials derived from demolition operations.

Yard: An open space on the same lot with a building, unoccupied and unobstructed from the ground upward (except as otherwise provided in this Chapter).

Yard, Rear: The open space on a parcel between the primary building and the rear parcel boundary (the boundary typically opposite from and parallel to the street right-of-way).

Yard, Side: The open space on a parcel between the primary building and a side parcel boundary (typically a boundary perpendicular to the street).

Yard, Street: The open space on a parcel between the primary building and the street right-of-way

Zoos, Botanical Gardens, Arboreta, and similar uses: Establishments that preserve and exhibit living plant and animal life displays, including those in natural areas or settings.

15.807 Acronyms

Abbreviations and acronyms used in this Chapter have the following meanings:

Table 15.807 Acronyms	
¼-¼	Quarter-Quarter or "forty"
ac	acre(s)
DATCP or ATCP	Wisconsin Department of Agriculture, Trade and Consumer Protection
BMP	Best Management Practice
CDC	Community Development Committee
CFR	Code of Federal Regulations
ft or ' (e.g., 3')	foot or feet
DBH	Diameter at Breast Height
DNR or WDNR	Wisconsin Department of Natural Resources
du	dwelling unit(s)
EPA	United States Department of Environmental Regulation
HUD	United States Department of Housing and Urban Development
max	Maximum
min	Minimum
NAVD	North American Vertical Datum
OHWM	Ordinary High-Water Mark
sf	Square feet
THOW	Tiny House on Wheels
USC	United States Code
USDA	United States Department of Agriculture
Wis. Stat.	Wisconsin Statutes

15.810 Interpretation of Zoning Map

1. **Generally**
   a. The boundaries of the zoning districts established by this Chapter are shown on the Zoning Map.

b. The Zoning Map, including all notations and references shown on the Zoning Map, is incorporated by reference and made a part of this Chapter. It is as much a part of this Chapter as if actually depicted within its pages.

2. **Official Version**
   a. The Zoning Map is a geographic coverage layer entitled "County Zoning" that is maintained under the direction of the Land Use Administrator as part of the County's geographic information system (GIS). This "County Zoning" geographic coverage layer constitutes the County's Zoning Map.
   b. The Zoning Map filed as provided in subsection 2.a above is the official version, and controls if differences occur between it and other copies.
   c. The Land Use Administrator will have up to 10 business days following a decision resulting in a change to the Zoning Map to revise the County Zoning GIS layer to reflect that change.
   d. The County may maintain printed copies of the Zoning Map, attested by the Land Use Administrator, which become the Zoning Map if the Land Use Administrator certifies that the County's GIS is destroyed or corrupted.
3. **Boundaries**
   a. When the district boundaries are either roads or streets, unless otherwise shown, and where the designation on the district map indicates that the various districts are bounded by a road or street line, the centerline of such road or street shall be the district boundary line.
   b. In unplatted areas of 10 acres or less, the district boundary lines, where not otherwise indicated, are determined by use of the scale shown on the Zoning Map.

15.815 Conflicting Rules

1. **Generally**. This chapter supersedes all inconsistent provisions of any County Zoning Ordinance enacted under Wis. Stat. § 59.97. However, when an ordinance adopted under a statute other than Wis. Stat. § 59.97 is more restrictive than this Chapter, that ordinance continues in full force and effect to the extent of the greater restriction, but not otherwise.
2. **Deeds or Permits**. This Chapter does not repeal, abrogate or impair any existing deed restrictions, easements, covenants or permits already issued. However, where this chapter imposes greater restrictions, the provisions of this chapter shall prevail. The County does not enforce private restrictions.

15.816 To 15.899 Reserved.

15.900 LEGAL PROVISIONS

Contents:

15.900 Relationship to Other Provisions of the County Code
15.910 Private Restrictions
15.915 Severability
15.920 Repeal of existing ordinance
15.925 Effective Date

15.900 Relationship to Other Provisions of the County Code

1. **Stricter Standards in this Chapter.** If this Chapter requires a greater width or size of yards or other open spaces, a lower height of buildings, a greater percentage of lot be left unoccupied, or other higher standards than are required in any other applicable statute, chapter or regulation, the provisions of this Chapter govern. This section does not apply to the extent that a Wisconsin or federal statute preempts local regulation.
2. **Stricter Standards in Other Statutes, Ordinances or Regulations**. If another applicable statute, ordinance, or regulation requires a higher standard than a provision of this Chapter, the other applicable statute, chapter or regulation governs.

15.915 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.

15.920 Repeal of Existing Ordinance

All provisions of Chapter 15 in effect prior to the effective date (§ 15.925) are repealed.

15.925 Effective Date

1. **Generally**. This Chapter takes effect on the 3rd day of March, 2026.