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PRICE COUNTY ZONING ORDINANCE 4-79

Adopted April 17, 1979

Amended February 17, 2009

SECTION 1.0 INTRODUCTION

1.1 AUTHORITY

For the purpose listed in Wisconsin Statutes Section 59.97, 59.971, 59.99, and 87.30 the Board of Supervisors of Price County in regular session do ordain as follows:

1.2 TITLE

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

1.3 PURPOSE AND INTENT

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

1.4 INTERPRETATION

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

1.5 COURT INVALIDATION OR SEVERABILITY

If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

If any application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment.

1.6 CONFLICTING ORDINANCE

All prior County Ordinances, or parts of Ordinances, and amendments thereto conflicting with this Ordinance are hereby repealed and superseded by this ordinance, including the Zoning Ordinance for Price County, Wisconsin, adopted December 11, 1934, and the Comprehensive Amendment to Zoning Ordinance, Price County, enacted by the County

under Section 59.97, and adopted by this County Board on August 13, 1970, or amendments thereto, is hereby repealed and superseded by this Ordinance.

1.7 FORCE AND EFFECT

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

1.8 APPEALS

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

SECTION 2.0 STANDARD DISTRICT REGULATIONS

2.1 COMPLIANCE AND JURISDICTION

The unincorporated areas of Price County are hereafter regulated as to the use of any land or water; the size, shape, and placement of lots; the use, size, height, type, and location of structures thereon; and the provisions for open space shall be in compliance with the regulations set forth on the Official Zoning Map, Price County, Wisconsin and in the text of this Ordinance.

2.2 SITE REQUIREMENTS

Only one principal building or dwelling unit permitted per minimum lot size (as specified in the Price County Subdivision Control Ordinance). Minimum lot size will be required for each additional principal building or dwelling unit erected except for legally permitted multi-family dwellings or legally permitted resorts where the minimum lot size shall not be required for each dwelling unit.

SECTION 3.0 PERMITS

3.1 LAND USE PERMITS (Amended Resolution #6078, Aug. 19, 2003)

No structure shall be built, moved, or structurally altered, and no land use shall be substantially altered, until a Land Use Permit has been issued. Whenever 50% or more of a building, structure, or mobile home is destroyed by fire or other catastrophic cause, a Land Use Permit will be required before reconstruction or repair is started on that building, structure, or mobile home. The County Zoning Administrator shall not issue a Land Use Permit for a structure, use, or activity not in conformity with the requirements of this Ordinance. The fee for filing of application for Land Use Permits shall be established by the Price County Board of Supervisors.

A) All government entities covered by county zoning shall obtain all necessary permits; however, they are exempt from paying county zoning fees. Any fee that is not directly associated with the county zoning fee shall be paid unless waived by the Zoning Committee (i.e. state sanitary fee, Register of Deeds fees, publication fees. Res. #6078

3.2 APPROVAL OF DRIVEWAYS

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

3.3 TEMPORARY USES AND STRUCTURES

Under the conditions hereinafter specified, a house trailer, mobile home (of any size), or temporary building may be used at the construction site, if it is occupied by the owner or builders while residential construction is in progress.

The permit shall allow the temporary use for a specified period not to exceed one (1) year from the date of issuance. Extension of a temporary use shall require a Conditional Use Permit.

A Land Use Permit may be issued for the storage of a mobile home if the mobile home is not used for human habitation. The permit shall not be renewed after the one.

3.4 APPLICATION (Amended by Resolution 5614 - June 20, 1995)

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

3.5 DISPLAY OF PERMIT

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

3.8 EXPIRATION

Land Use Permits for construction or alteration shall expire 24 months from their date of issuance if no building activity has begun within such time. Land Use Permits for land use changes shall expire 18 months from their date of issuance where no action has been taken to accomplish such changes.

3.9 EXCEPTIONS (Amended Resolution 5908 -February 13, 2001) (Amended Resolution 5981 – February 19, 2002)

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

3.10 CONDITIONAL USE PERMITS

A Conditional Use Permit shall be required for all uses listed in this Ordinance as Conditional Use.

3.11 VIOLATIONS

It shall be unlawful to construct or use any structure, land or water in violation of any of the provisions of this Ordinance. In case of any violation, the Board of Supervisors, the

Zoning Administrator, the County Zoning Committee may institute appropriate action or proceeding to enjoin a violation of the Ordinance.

3.12 PENALTIES

Any person who violates this Ordinance shall forfeit a sum determined by the Price County Citation Ordinance plus costs of prosecution, for each day of violation and the presiding judge may order restoration of damage done due to the violation.

SECTION 4.0 SETBACK REQUIREMENTS ON HIGHWAYS AND ROADS

(Amended by Resolution #6125 on June 15, 2004)

- 4.1 All state and U.S. numbered highways are hereby designated Class A highways.
 - 4.2 All county trunk highways not otherwise designated as Class A highways are hereby designated Class B highways.
 - 4.3 All town roads not otherwise designated Class A or Class B highways are hereby designated Class C highways. All Federal Forest roads are hereby designated as Class C highways.
 - 4.4 The setback line for all structures shall be the following distance as measured from the centerline of so designated highway or from the right-of-way line, whichever is greater.
 - Class A 110 feet from the centerline of highway
or
50 feet from right-of-way line
 - Class B 75 feet from the centerline of highway
or
42 feet from right-of-way line
 - Class C 63 feet from the centerline of highway
or
30 feet from right-of-way line
- b. Fifield Sanitary District Setback Requirements. Within the Fifield Sanitary District, the following setback requirements for structures shall be maintained.
- 1. Along Highway 13 and 70
70 ft. setback from the centerline of the Highway or 20 ft. from the Right-of-Way line.
 - 2. Class C Highway, Town Roads or Side Streets
50 ft. setback from the centerline or the Highway, Road, or Street, or 20 ft. from the right-of-way line.
 - 3. Alleys
20 ft. setback from the centerline of the alley.
 - 4. Highway 13 from Cherry Street to Walnut Street
No driveway separation or visual clearance at intersection requirements.
In all cases, the greater setback requirement shall be used.
- c. Ogema Sanitary District Setback Requirements. Within the Ogema Sanitary District,

the following setback requirements for structures shall be maintained.

1. Along Old Highway 13 and Highway 86 West of Old Highway 13
70 ft. setback from the centerline of the highway or 20 ft. from the right-of-way line.
2. Along Highway 86 East of Old 13 extending to the Railroad tracks
North side of road
70 ft. setback from the centerline of the highway or 20 ft. from the right-of-way line.
South side of Highway 86
50 ft. setback from the centerline of the highway or 20 ft. from the right-of-way line.
3. Continuing East on Highway 86 from the railroad tracks to Highway 86 -- Front Street
33.5 ft. setback from the centerline of Highway 86.
4. Continuing East on Highway 86 from the intersection of Front Street and Highway 86 to the intersection of Dahl Road.
50 Feet from the centerline of the highway or 20 ft. from the right-of-way line.
5. Side Streets
50 ft. from the centerline of the highway or 20 ft. from the right-of-way line.
6. Holmes Street from the intersection of Highway 86 East to the alley between Front and 2nd Streets.
33.5 ft. setback from the centerline of Holmes Street.
7. Alleys
20 ft. setback from the centerline of the alley.

In all cases, the greater setback requirement shall be used. No driveway separation or visual clearance at intersection requirements.

(Amended by Resolution 5354 - August 21, 1990)

- d. Lymantown Sanitary District Setback Requirements. Within the Lymantown Sanitary District, the following setback requirements for structures shall be maintained.
 1. Along all named streets
53 ft. from the centerline of the road or 20 ft. from the right-of-way line.
 2. Alleys
20 ft. from the centerline.

In all cases, the greater setback requirement shall be used. No driveway separation or visual clearance at intersection requirements.

- 4.6 Minor readily removable structures such as open fences or signs permitted by this Ordinance may be placed within setback lines. Public utility equipment without permanent foundations is also permitted. When deemed necessary by the County

Zoning Committee in connection with developments such as highway improvement programs, property owners and public utilities may be required to remove, at their own expense and without right of compensation, any such structure erected within setback lines.

4.7 ZONING SCHEDULE

	<u>RR-1</u>	<u>RF-1</u>	<u>CI-1</u>	<u>C-1</u>	<u>A-1</u>
Front Yard Setback (ft.)	30	30	15	30	50
Side Yard Setback (ft.)					
Principal bldg.	10	10	15	10	20
Barns & Stables	100	100	–	--	--
Accessory bldg	5	5	5	5	10
Rear Yard Setback	20	20	20	20	20

4.8 SPECIAL EXCEPTIONS

Minimum side yard setbacks, rear yard setbacks, and minimum road setbacks may be reduced by special exception. Reduced shoreline setbacks shall not be considered under this section. Section 10.5 of the Price County Shoreland Ordinance shall apply to variances from dimensional standards set forth by the Price County Shoreland Ordinance. This shall be applicable in all Zoning Districts.

a) PROCEDURE

1. Upon receipt of an application and a nonrefundable fee for a special exception application, the Zoning Department shall give written notice thereof to all adjoining landowners and the town clerk of the town in which the property is located and shall request the town board’s recommendation with respect to the application.
2. A public hearing on the application shall be scheduled and noticed as a Class II notice according to State Statutes and section 22 of this ordinance.
3. The Zoning Committee shall act upon the application after receiving objections and town board recommendations. The Zoning Committee may request additional information from the applicant to make a decision. The Zoning Committee shall refer to section 17.2 of the Price County Zoning Ordinance as a basis of approval.
4. If a special exception is granted, the Price County Zoning Department shall record with the Price County Register of Deeds the approved application. The applicant shall pay the recording fee. The special exception shall benefit all current and future owners of such property unless the permit terminates under subsection (b) of this section.

b) TERMINATION

A special exception granted shall automatically terminate 12 months from its date of issuance if the authorized building activity has not begun within such time.

c) RECONSIDERATION

- 1) Resubmission. No appeal or application which has been dismissed or denied shall again be considered unless the applicant can show a material change in circumstances
- 2) Rehearing. No rehearing shall be held except upon the affirmative vote of a majority of members of the Zoning Committee upon finding that substantial material new evidence is submitted which could not reasonable have been presented at the previous hearing. Requests for rehearing shall be in writing and shall state the reasons for the request and be accompanied by necessary data and diagrams. Rehearings shall be subject to the same notice requirements as original hearings.

SECTION 6.0 LOT SIZES - ACCESSORY USES AND STRUCTURES

- 6.1 After adoption of this Ordinance, no lot area shall be so reduced that the dimensional and yard requirements imposed by this Ordinance cannot be met. Lots existing and of record prior to adopting of this Ordinance, but of substandard size, may be devoted to uses permitted in the district in which located provided they meet the appropriate requirements of the Wisconsin Administrative Code; and, are at least 50 feet wide at the building site, and contain a minimum area of 5,000 square feet. Existing lake shore lots shall meet the requirements established in the shoreland ordinance.
- 6.4 A land use permit shall not be issued for a parcel of land that has not been created in accordance with the Price County Subdivision Control Ordinance, unless the lot was in existence prior to April 11, 1968.
- 6.5 Parcels of land described on separate deeds, land contracts, or abstracts created before April 11, 1968, and contiguous to other lands owned, will be considered as separate parcels if the lots meet minimum lot size requirements.
- 6.6 Any permanent, roofed structure serving as an accessory use, and/or sundecks, if attached to the principal building, shall be considered a part of the principal building. If such structure is a building and is not attached to the principal building, it shall conform to the setback, and other dimensional requirements of the district within which it is located.
- 6.7 Walks, drives, garden accessories, game courts, and similar facilities shall not be closer than three feet to an abutting property line other than a street, except common walks and drives which may be located across property lines.
- 6.8 Fences, walls, and similar screening devices not over six feet high are permitted anywhere on a lot. Any such structure over six feet high is permitted provided it conforms to setback, height and other dimensional requirements of the district within which it is located.

SECTION 7.0 ZONING DISTRICTS

(Amended by Resolution #6138 on August 17, 2004)

(Amended by Resolution #6147 on November 9, 2004)

7.1 ESTABLISHMENT

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

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

7.2 ZONING MAP AND DISTRICT BOUNDARIES

The locations and boundaries of these districts are shown on a county map and individual town maps, officially designated Detailed Zoning Maps, Price County, Wisconsin.

These maps, together with all explanatory matter and regulations thereon, are an integral part of this Ordinance. In the event of a conflict between zoning district boundaries shown on the Official Zoning Map, Price County, Wisconsin (County Map) and the Detailed Zoning Map, Price County, Wisconsin (Town Map), the latter shall govern and prevail. District boundaries are normally lot lines; section and quarter section lines; center lines of streets, highways, railroads, or alleys. Questions regarding exact location of district boundaries shall be decided by the County Zoning Administrator. Decisions may be reviewed on appeal to the Board of Adjustment.

The official copies of the Official Zoning Map, Price County, Wisconsin and Detailed Zoning Maps, Price County, Wisconsin, together with a copy of this Ordinance shall be kept at the County Zoning Administration Office and shall be available for public inspection during office hours. These maps shall be certified by the Chairman of the County Board and attested by the County Clerk. Any changes affecting zoning district boundaries or explanatory matter and regulations shall be made in accordance with provisions of Wisconsin Statutes Section 59.97.

7.3 RECREATIONAL-RESIDENTIAL DISTRICT (RR-1)

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

A. Permitted use (Amended by Resolution 5614 - June 20, 1995)

1. One and two family dwelling units.
 1. Mobile homes over 320 sq. ft. that meet the Housing and Urban (HUD) Code shall be considered the equivalent of a one family dwelling unit in this district. Those units meeting the HUD code will have a HUD seal affixed to the structure certifying that it is a manufactured home defined under 42 U.S.C.

Sec. 5401 to 5426. This seal also signifies that the unit meets standards established in 24 CFR 3280 and 3282. These standards include general construction rules, fire safety, testing, thermal protection, plumbing, electrical, heating and cooling, and transportation.

B. Permitted accessory uses

1. All accessory buildings used in conjunction with the principal building permitted in the Recreational-Residential District.
2. Essential services and utilities intended to serve the principal permitted use, subject to Section 3.7
3. All barns, stables, or structures used to house one or more animal units must be located 100 feet from a lot line. Animal unit as defined in Definitions.
4. Horticulture and gardening.
5. Harvesting of wild crops such as marsh hay, ferns, moss, berries, tree fruits, tree seeds.
6. Production of forest crops, including tree plantations.
7. Micro wind energy system.

C. Conditional uses

1. Recreational service oriented uses such as resorts and motels, restaurants and cocktails lounges, marinas, sport shops and bait sales, and other recreational services which in the opinion of the County Zoning Committee are of the same general character or clearly incidental to a permitted use.
2. Multi-family dwellings.
3. Mobile home parks and campgrounds.
4. Cluster and planned developments.
5. Home occupation.
6. Expanded home occupation

7.4 RURAL RESIDENTIAL-FORESTRY DISTRICTS

7.41 RURAL RESIDENTIAL-FORESTRY DISTRICT (RF-1)

Purpose: This district provides for one-family and two-family year round residential development and for the continuation of forest programs. It is intended to encourage forest management programs and at the same time allow large lot residential development in conjunction with the small farm and forestry section of Price County.

A. Permitted uses

1. One and two family dwelling units.
2. Signs subject to the provisions of Section 16.

B. Permitted accessory uses

1. All accessory buildings used in conjunction with the principal building permitted in the Rural Residential-Forestry District.
2. Essential services and utilities intended to serve the principal permitted uses, subject to Section 3.7.
3. Horticulture and gardening.

4. Customary accessory uses providing such uses are clearly incidental to the permitted use.
5. Production of forest crops, including tree plantations.
6. Harvesting of wild crops such as marsh hay, ferns, moss, berries, tree fruits, tree seeds.
7. All barns, stables, or structures used to house one or more animal units must be located 100 feet from the lot line. Animal unit is defined in Definitions.
8. Small wind energy systems.
9. Micro wind energy systems.

C. Conditional use

1. Home Occupation.
2. Expanded Home Occupation.
3. Mobile home parks and campgrounds.
4. Large wind energy systems.
5. Telecommunication tower or antenna as defined in the Price County Telecommunications Tower, Antenna and Facilities Ordinance.
6. Bed and breakfast.
7. Short term rentals (<30 consecutive days).

7.42 COUNTY FORESTRY DISTRICT (RF-C)

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

A. Permitted Uses

1. ATV trails
2. Beaches
3. Boat landings
4. Game refuge or hunting and fishing area.
5. Golf Courses
6. Harvesting of wild crops such as marsh hay, ferns, moss, berries, tree fruits, tree seeds.
7. Hiking trails
8. Horse trails
9. Motorized bike trails
10. Mountain bike trails
11. Multiple use trails and wildlife refuges.
12. Parking lots
13. Parks
14. Production of forest crops, including tree plantations.
15. Ski trails
16. Snowmobile trails

17. Soil and water conservation programs
18. Wildlife flowages

B. Permitted Accessory Uses

1. All accessory buildings used in conjunction with the principal building permitted in the County Forestry District.
2. Essential services and utilities intended to serve the principal permitted uses, subject to Section 3.7.
3. Customary accessory uses providing such uses are clearly incidental to the permitted use
4. All barns and stables, or structures used to house one or more animal units must be located 100 feet from the lot line. Animal unit is defined in definitions.
5. Small wind energy systems.
6. Micro wind energy systems.

C. Conditional Uses

1. Airports
2. Campgrounds
3. Cemetery
4. Dams, plants for the production of electric power and flowage areas
5. Forest connected industries such as sawmills, debarking operations, chipping facilities, and similar operations
6. Green grave yards
7. Landfills
8. Public and private parks, playgrounds, and water sports areas.
9. Quarrying, mining, and processing of products for these activities, subject to the provisions of Section 13.
10. Recreation and youth camps
11. Riding stables
12. Shooting ranges
13. Telephone, telegraph, power transmission towers, poles and lines, including transformers, substations, relay and repeater stations, equipment housing, and other necessary appurtenant equipment and structures, radio and television stations, transmission towers, fire towers, microwave radio relay towers, and pipelines.
14. The location, operation, and maintenance of municipal sanitary landfills, solid waste disposal sites, sewage disposal plants; and privately owned domestic sewage treatment works; and necessary appurtenant equipment/structures subject to the provisions of the Wisconsin Administrative Code.
15. Utility towers
16. Year round residence for caretakers of recreation areas.
17. Large wind energy systems.
18. Telecommunication tower or antenna as defined in the Price County Telecommunications Tower, Antenna and Facilities Ordinance.

7.5 COMMERCIAL-INDUSTRIAL DISTRICTS

7.51 COMMERCIAL-INDUSTRIAL DISTRICTS (CI-1)

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

A. Permitted uses

1. Commercial establishments.
2. Industrial establishments.
3. Single-family residences, but only in connection with and accessory to another principal permitted use.
4. Residential quarters for the owner, proprietor, commercial tenant, employee, or caretaker located in the same building as the business.
5. Signs subject to the provisions of Section 16.

B. Permitted accessory uses

1. All accessory buildings used in conjunction with the commercial establishment, industrial establishment, permitted in the Commercial-Industrial District.
2. Off-street parking, loading, and storage area.
3. Essential services and utilities intended to serve the principal permitted uses, including power supply and sub-stations, subject to Section 3.7.

C. Conditional uses

1. Commercial establishments and industrial establishments of a potentially noxious, hazardous, or nuisance character.
2. Junk or salvage yards, subject to the provisions of Section 14.
3. Quarrying, mining, and processing of products for these activities, subject to the provisions of Sections 13.

7.52 COMMERCIAL DISTRICT (CI-C)
(Amended 6/20/2006 – Resolution 37-06)

Purpose: This district is intended to provide for the distribution of goods and services and is intended to be used principally by the retail trades. Uses in the district are considered to not be detrimental to the surrounding area by reason of noise, dirt, smoke, odor, physical appearance, compatibility or other similar factors.

A. Permitted Uses

1. Advertising, Display Manufacturing
2. Agricultural Implements, Distributor, Display, Repair, Sales
3. Animal Hospital
4. Association (Clubs and Lodges) Private
5. Athletic Club
6. Athletic Field
7. Automobile and Truck Sales, Repair, Parts, Supplies, Storage
8. Bait, Sales (Live and Artificial)
9. Baked Foods, Manufacturing, Sales
10. Bank and Trust Company, Loan Company
11. Barber

12. Beauty Shop
13. Bed & Breakfast Facility
14. Beverages, Wholesale & Storage
15. Boat and Yacht Club, Marina
16. Boat Sales, Repair & Service
17. Bowling Alley, Commercial
18. Broadcasting Studio (Radio, TV)
19. Broker, Real Estate
20. Camper Sales and Service (Trailers, etc.)
21. Carpenter Shop, Cabinet Making, Woodworking Shop, etc.
22. Cemetery
23. Church, Synagogue, Shrine
24. Clinic, Public & Private
25. Clothing Store
26. Community Center, Town Hall
27. Convent, Retreat House
28. Curio & Souvenir Shop
29. Dwelling, Single Family
30. Fairgrounds
31. Farm Related, Single Family Dwelling
32. Florist Greenhouse and Nursery (Commercial)
33. Florist Sales
34. Frozen Food, Cold Storage Locker
35. Funeral Home
36. Garages (Commercial)
37. Garages (Private)
38. Golf, Miniature
39. Grocery Store
40. Hardware, Sporting Goods
41. Health Center (Commercial)
42. Home, Old Age, Children, Maternity, Nursing, etc.
43. Hospital, Public or Private
44. Household Occupation
45. Laundry, Dry Cleaning, Pickup Station
46. Liquor, Off-Sale
47. Mini-Warehouse Storage
48. Mobile Home Sales and Service
49. Museum, Art, Cultural, Historical
50. Printing, Lithograph, Photo Engraving, etc.
51. Professional Office, Engineer, Doctor, Attorney, Dentist, etc.
52. Public & Municipal Building
53. Recreation Service Oriented Facilities
54. Roadside Park or Wayside Rest
55. Roadside Produce Stand (Permanent Structure)
56. School, Commercial, Beauty, Business
57. School, Public or Private
58. Single Family Dwellings and mobile homes when only occupied by owners or persons engaged in commercial activities on the site.
59. Storage (Campers, Boats, Mini-Storage, etc.)

60. Store, General Retail Goods
61. Swimming Pool, Private
62. Taxidermist
63. Tourist Homes
64. Travel Bureau
65. Archery Range
66. Bar, Cocktail Lounge Tavern
67. Bicycle, Motorcycle, Small Engine, Sale & Repair, Snowmobile
68. Billiard Parlor
69. Café, Restaurant, Supper Club
70. Camp, Private
71. Campground, Private (Commercial)
72. Camping Resort
73. Campground, Public & Camping Resort
74. Country Club
75. Driving Range, Golf
76. Gasoline or Filling Service Station
77. Golf Course, Public or Private
78. Resort (Rental Cabins, Lodging, Food & Related Facilities)
79. Multiple family (≥ 3) dwellings such as apartments or multi-unit condominiums

B. Accessory Uses

1. All accessory buildings used in conjunction with the principal building permitted in the Commercial District.
2. Small wind energy systems.
3. Micro wind energy systems.

C. Conditional Uses

1. Asylum, Public and Private
2. Auditorium, Arena
3. Bottled Gas, Storage & Distribution
4. Building Contractor, Equipment & Material Storage
5. Child Care Center & Play School
6. Collection Station
7. College, Public or Private
8. Commercial Entertainment Facilities
9. Dog Pound
10. Drive-In Restaurant
11. Drive-In/Outdoor Theater
12. Fire Tower
13. Game Farm
14. Go-Karts
15. Hotel, Motel
16. Mobile Home Park
17. Radio, TV Transmitting Station & Tower, Telecommunications Tower (Commercial)
18. Riding Stable
19. Rifle Range

20. Skate Park
21. Sauna, Steam bath (Commercial)
22. Shopping Center
23. Swimming Pool, Public
24. Transportation Terminals
25. Telecommunication tower or antenna as defined in the Price County Telecommunications Tower, Antenna and Facilities Ordinance.
26. Large wind energy systems.

7.53 INDUSTRIAL DISTRICT (CI-I)

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

A. Permitted Uses

1. Acoustical Material, Storage Mfg.
2. Armory
3. Bottling Plant
4. Brewery
5. Bus Line Depot, Garage, Repair
6. Cement & Concrete Products Mfg., Sales, Storage
7. Clothing Manufacturing
8. Dairy Products, Mfg., Sales
9. Disposal Plant, Sewage
10. Electric Light & Power Company Substations
11. Electric Light & Power Company Yards
12. Express Company, Warehouse, Garage
13. Feed, Wholesale, Sales & Storage & Fertilizer
14. Fish and Meat, Wholesale Storage or Curing
15. Fish Hatchery, Public or Private
16. Ice, Mfg., Sales & Storage
17. Light Industry
18. Pipe, Culvert, Sales & Storage
19. Septic Tank Sales, Service Mfg.
20. Storage Warehouse (Commercial, Industrial)
21. Water Reservoir Systems & Regulating Facilities Potable

B. Accessory Uses

1. All accessory buildings used in conjunction with the principal building permitted in the Industrial District.
2. Small wind energy systems.
3. Micro wind energy systems.

C. Conditional Uses

1. Abattoir (Slaughter House)
2. Acid, Ammonia, Bleach, Chlorine or Soap Manufacture

3. Airport, Public or Private including Seaplane Base
4. Amusement Park
5. Animal Boarding Facility
6. Arms, Ammunition, Mfg., Wholesale and Storage
7. Asphalt and Asphalt Products, Processing
8. Automobile and Truck Salvage and Scrap Yards, Junk and Salvage Yards
9. Bones, Distillation of
10. Disposal Plant, Incinerator
11. Drag Strip, Auto, Motorcycle
12. Dump, Solid Waste Disposal (Landfill)
13. Eggs, Poultry Processing
14. Elevators, Grain Storage, etc.
15. Explosives, Mfg., Storage & Distribution
16. Farming (Including Livestock) All Types and Farm Related Structures
17. Fat Rendering
18. Fertilizer Manufacture
19. Forge Plant
20. Fur Farm Preparation & Storage
21. Gasoline, Fuel Oil, Bulk Storage Tanks & Related Facilities
22. Gelatin, Glue or Size Manufacture
23. Gravel Pit, Crushing, Screening & Washing Plant
24. Irrigation Facilities, Canals, Dams, Reservoirs, etc.
25. Machine Shop, Welding, Metal Fabrication & Processing, Welding Shop
26. Mining, Quarry, Equipment, Storage, Rock Crushing, etc.
27. Paper & Wood Products Mfg. & Storage
28. Paving-batch Plant for Cement, Asphalt & Related Materials
29. Pipe, Culvert, Mfg. & Storage
30. Public Service, Utility Facilities & Plants
31. Racetrack (Automotive, Horses, Snowmobile)
32. Railroad Yards
33. Salvage & Scrap Yards (Automotive, Truck, Junk)
34. Sawmill & Lumber Yard
35. Smelting
36. Tire Recapping, Equipment & Supplies Including Sales
37. Transfer Stations (Solid Waste)
38. Large wind energy systems.

7.6 CONSERVANCY DISTRICT (C-1) (Amended Resolution 5979 – February 19, 2002)

Purpose: The purpose of this district is to conserve the wetlands, swamps, and low lands where the groundwater is at or near the surface much of the year and is unsuitable for building purposes over most of the area. The lands in this district shall retain their natural state and shall not be filled for buildable sites, and shall be used for the propagation of wildlife. However, areas that meet the minimum requirement of Comm 85 without filling can be used for building purposes. The Conservancy District is designated as C-1 on all zoning maps of Price County.

A. Permitted uses

1. Principal building where it is possible to meet the requirements of ~~H62-20~~ the Wisconsin Administrative Code and the minimum lot requirements of the Wisconsin Administrative Code, without filling.

B. Accessory uses

1. All accessory buildings used in conjunction with the principal building permitted in the Conservancy District.

C. Conditional uses

1. No conditional uses shall be permitted in this area for commercial establishments or industrial establishments, but may be issued for home occupations carried on in an accessory building other than the dwelling.

7.7 AGRICULTURE DISTRICT (A-1)

(Amended by Resolution 6126 on June 15, 2004)

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

A. Permitted uses

1. A one-family or two-family farm residence and a single additional mobile home or dwelling but only when occupied by owners, members of their immediate families, and/or persons engaged in farming activities on the premises.
2. Non-farm residence.
3. Signs subject to the provisions of Section 16.
4. Public and semi-public uses including but not limited to the following: public and private schools, churches, public parks and recreation areas, hospitals, rest homes, and homes for the aged, fire and police stations, historic sites.
5. Small wind energy systems.

B. Permitted accessory uses

1. All agricultural land uses, buildings and activities, including the growing of field crops, truck crops, dairying, livestock raising, poultry farming, hog raising, and so on.
2. Cemeteries.
3. Essential services and utilities intended to serve a permitted principal use, subject to Section 3.7
4. Forest Management Programs
5. Roadside stands for the sale of agricultural products provided sufficient off-street parking space for customers is furnished.
6. Horticulture and gardening.
7. Harvesting of wild crops such as marsh hay, ferns, moss, berries, tree fruits, tree seeds.
8. Small wind energy systems.

9. Micro wind energy systems.

C. Conditional uses

1. Vacation farms and other farm-oriented recreational uses such as riding stables game farms, and fishing ponds.
2. Agricultural processing industries and warehouses, slaughterhouses, rendering and fertilizer plants.
3. Other industry and commercial services or businesses.
4. Home Occupations.
5. Expanded Home Occupations.
6. Large wind energy systems.
7. Telecommunication tower or antenna as defined in the Price County Telecommunications Tower, Antenna and Facilities Ordinance.
8. Short term rentals (<30 consecutive days).
9. Bed and breakfast.

7.8 RECREATIONAL BUSINESS – RESIDENTIAL DISTRICT (RB-R)

(Amended June 19, 2007, Resolution #24-07)

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

A. Permitted Uses

1. One and two family dwelling units
2. Resort-(Rental cabins only or in combination with a restaurant that does not serve alcoholic beverages)
3. Curio & Souvenir Shop
4. Café or Restaurant without alcoholic beverages.
5. Campground (RV and tent camping)
6. Boat sales, repair & service
7. Bed and breakfast
8. Sport/Bait shop
9. Health and wellness spa

B. Permitted Accessory Uses

1. Essential services and utilities intended to serve the principal permitted uses, subject to section 3.7.
2. Customary accessory uses providing such uses are clearly incidental to the permitted use.
3. Micro wind energy systems.

C. Conditional Uses

1. Café or Restaurant serving alcoholic beverages
2. Bar or Tavern
3. Resort (Rental cabins in combination with a bar/restaurant that serves alcoholic

- beverages)
- 4. Mini-warehouse storage
- 5. Home occupation
- 6. Expanded home occupation
- 7. Brewery
- 8. Retail store
- 9. Multi-family dwellings

7.9 MISCELLANEOUS REQUIREMENTS

- A. The uses named in various districts are without limitation because of enumeration.
- B. Permitted uses shall require a Land Use Permit.
- C. Permitted accessory uses shall not require a permit, but will be subject to approval by the Zoning Administrator to assure that the accessory buildings meet the setback requirements of this Ordinance.
- D. Conditional uses shall require a Conditional Use Permit approved the Zoning Committee with or without conditions attached.
- E. The County Zoning Administrator shall have the right to appeal to the Zoning Committee for a ruling on any of the permitted uses, accessory uses, or new uses that he feels are not compatible with the intent of the Zoning Districts.

SECTION 8.0 SANITATION AND WATER SUPPLY

8.1 PRINCIPAL BUILDINGS

No principal building intended for human use or occupancy shall be erected, structurally altered, or relocated on a lot, unless provision is made for safe and adequate facilities for water supply and disposal of sewage in accordance with the regulations of the Price County Private Sewage System Ordinance and the appropriate requirements of the Wisconsin Administrative Code.

8.2 SEWAGE DISPOSAL (Amended Resolution 5979- February 19, 2002)

The County Zoning Administrator shall not hereafter authorize a building to be erected, structurally altered, or relocated which has a private waste disposal system unless the plans for the system have been reviewed in accordance with the provisions of the Price County Private Sewage System Ordinance, Wisconsin Administrative Code Comm 83 and a sanitary permit has been issued.

8.3 CLUSTER DEVELOPMENT (Amended Resolution 5979- February 19, 2002)

Cluster developments shall be served by sewerage facilities which meet the requirements of the Price County Private Sewage System Ordinance and the applicable minimum standards of the Wisconsin Administrative Code Comm 83.

SECTION 9.0 REGULATION OF SPECIAL USES

9.2 CLUSTER & PLANNED UNIT DEVELOPMENTS

Purpose -- This section affords a means whereby the minimum residential lot sized in the RR-1 or RF-1 District may be reduced without lowering the density standards for the district as a whole.

Requirements-- Proposed cluster developments shall include a minimum of five acres and shall be platted in accordance with the Price County Subdivision Control Ordinance. The permitted number of lots in such developments shall be determined by dividing the total area of the development, excluding streets, by the minimum permitted lot size of the zoning district in which it is located provided that the minimum lot sizes and sanitary facilities are consistent with applicable rules, regulations, and law as set forth in the Wisconsin Administrative Code.

SECTION 10.0 MOBILE HOMES, MOBILE HOME PARKS, CAMPGROUNDS AND CAMPING RESORTS

(Amended by Resolution 5117 - April 11,1986)
(Amended by Resolution 5614 - June 20, 1995)
(Amended by Resolution 6013 - August 20, 2002)

10.1 A mobile home over 32 feet in length will be treated as any principal building or dwelling unit. Any mobile home under 32 feet in length will be treated as a recreational vehicle. Buses use for human habitation shall also be treated as recreational vehicles. (Other standards apply in Recreational-Residential (RR-1) districts (See Section 7.3)).

10.2 Any recreational vehicle located outside a State or County approved park shall:

- A. Meet all of the dimensional, setback, and density requirements of the district in which it is located.
- B. Have a privy or other waste disposal system meeting the requirements of the Price County Private Sewage Systems Ordinance.

(Amended by Resolution 5279 - August 22, 1989)

- C. Shall not be stored on undeveloped land. Such units shall be permitted to be stored within a garage, carport, or accessory structure or in the rear or side yard areas of developed parcels of land, provided setback requirements are met. The storage of more than three (3) units shall require a conditional use permit.
- D. Acquire a 911 emergency number for the parcel.

10.3 Recreational vehicles shall be permitted to be used for temporary dwelling purposes for an aggregate time period of up to four (4) months per calendar year in all zoning districts except commercial. Any such unit that is to be used for temporary dwelling purposes and which is located on a site for a period of time greater than four months per annum shall require a Land Use Permit.

10.4 REMOVAL NOTICE

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

(Amended Resolution 5279 - August 22, 1989)

10.6 MOBILE HOME PARKS (Amended Resolution 5979- February 19, 2002)

A. A Conditional Use Permit shall be required to establish a mobile home park.

80. Mobile home parks shall conform to regulations of the Wisconsin Administrative Code, Department of Health and Family Services

81. The minimum size of a mobile home park shall be 3 acres

82. The maximum number of mobile home sites--ten per acre.

83. Minimum width of a mobile home site--40 feet.

84. Maximum height of a mobile home trailer--15 feet.

85. Minimum distance between mobile home trailers--20 feet.

86. Minimum distance between mobile home and service road--10 feet.

87. Each mobile home park shall be completely enclosed, except for permitted entrances and exits.

88. No mobile home sales office or other business or commercial use shall be located on the mobile home park except for park office as required in Wisconsin Administrative Code.

89. Minimum side yard setback--20 feet at all front, side and rear lot lines of the mobile home park.

90. Unless opaquely screened by existing vegetation cover, mobile home parks shall be screened by a temporary planting of fast growing material capable of reaching a height of 15 feet or more, such as hybrid poplar, and a permanent evergreen planting such as Norway pine; the individual trees to be such a number and so arranged that within ten years they will have formed a screen equivalent in opaqueness to a solid fence or wall. Such permanent planting shall be grown or maintained to a height of not less than 15 feet.

91. Where shoreline access is to be provided for a Mobile home park, there must be at least 50 feet of frontage for every 4 dwelling units in the park.

92. Mobile home parks shall comply with the sanitation regulations of the Price County Private Sewage System Ordinance and the appropriate requirements of the Wisconsin Administrative Code.

10.7 CAMPGROUNDS AND CAMPING RESORTS

(Amended Resolution 5979- February 19, 2002)

A. A Conditional Use Permit shall be required to establish a campground or camping resort.

B. All campgrounds and camping resorts shall conform to the requirements of the Wisconsin Administrative Code and Department of Health.

C. The minimum size of a campground or camping resort shall be 3 acres

- D. The maximum number of sites shall be 10 per acre and the maximum number of camping units shall be 1 per site, except that 10% of the total number of sites can be constructed and used as dual sites.
- E. All drives and parking areas other than those at individual trailer sites shall be hard surfaced with crushed rock or similar material.
- F. There shall be automobile parking space for each site, plus one extra parking space for every three sites.
- G. Maximum length of a mobile home, trailer, camping trailer, bus or other type recreational vehicle used for human habitation and to be parked in a campground or camping resort is 50 feet.
- H. Where shoreline access is to be provided for a campground or camping resort, there must be at least 100 feet of frontage for every 10 camp spaces in the campground or camping resort.
- I. No trailer shall be less than 20 feet from the front, side, or rear lot lines of the camp.
- J. Marshland and shoreline areas shall not be altered.
- K. The screening provisions for mobile home parks shall be met.
- L. In a campground or camping resort, a unit with its occupants shall not establish year round residency. It is the intent of this Ordinance that campgrounds and camping resorts be establish for a transient trade.

Section 10.8 WIND ENERGY SYSTEMS

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

- I. The use of any wind energy system shall comply with all applicable state and federal regulations.

SECTION 12 SAND AND GRAVEL PITS (NONMETALLIC MINING - See separate ordinance)

- 12.1 All operating gravel pits shall be registered with the Zoning Administrator showing names of owner, address, and legal description of the forty acres or more in which the gravel pit is located.
- 12.2 When the gravel or sand is depleted at a sand or gravel pit, the site shall be returned to a safe condition and seeded and sloped in accordance with the Soil Conservation District's Technical Guide.
- 12.3 Gravel pits found to be a hazard by the Zoning Administrator or any assistant shall be reported to the Zoning Committee and a meeting held with the owner to alleviate the hazardous condition.
- 12.4 If the operation is to include sand and gravel washing, the estimated daily quantity of water required, its sources and its disposition shall be identified. A land use permit shall be approved before the sand and gravel washing operation is commenced.

SECTION 13.0 MINES AND QUARRIES

- 13.1 Mines and Quarries include the removal of copper, zinc, or other metallic material from the earth by excavating, underground mining, stripping, leveling, or any other process and shall be restricted as follows:
- 13.2 APPLICATION REQUIRED
Application requesting County Zoning Committee approval of a proposed mine or quarrying activity shall be accompanied by:
 - A. A description of all phases of the contemplated operation including types of machinery and equipment which will or might be necessary to carry on the operation.
 - B. A legal description of the proposed site.
 - C. A restoration plan as hereinafter required.
- 13.3 CONSIDERATION OF COMPATIBILITY
In reviewing a proposal for a mine or quarrying activity, the County Zoning Committee shall take into consideration:
 1. The effect of the proposed operation on the environment.
 2. The most suitable land use for the area.
- 13.4 RESTORATION PLAN AND FINANCIAL GUARANTEE REQUIRED
No grant to carry on a mining or quarrying operation shall be given until the County Zoning Committee approves a restoration plan and the owner agrees to restore the

mined or quarried area to a condition of practical usefulness and reasonable physical attractiveness as soon as practicable after the operations have ceased. The owner shall provide sufficient financial guarantee to secure the performance of the restoration agreement. The agreement and financial guarantee shall be in a form approved by the County District Attorney.

13.5 CONDITION FOR APPROVAL

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

13.6 DURATION OF GRANT

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

SECTION 14.0 JUNK AND SALVAGE YARDS

No junk or salvage yards shall be permitted in Price County except in conformance with a Conditional Use Permit approved by the County Zoning Committee.

14.1 GENERAL PROVISIONS

- A. Junk or salvage materials shall not be located within 300 feet of public roads, streets, and highways, and all establishments of this kind shall have minimum side and rear yards of 100 feet each.
- B. Junk or salvage material shall not be located within areas covered by the Shoreland Ordinance.
- C. Junk or salvage materials shall be enclosed by a suitable fence or planting screen so that the materials are not visible from other property in the vicinity of the junk yard, nor from a public right-of-way such as roads, streets, highways, and waterways. The fence or planting screen shall be a minimum of eight feet in height and shall be kept in good repair.
- D. Junk or salvage materials shall not be piled higher than the height of the fence, nor against the fence.
- E. For fire protection, an unobstructed firebreak shall be maintained, one rod in width and completely surrounding the salvage or junk yard.
- F. Permits shall last for a period for five years and may be renewed. The permit may be revoked upon proof of a violation.

SECTION 15.0 SANITARY LANDFILLS

15.1 GENERAL PROVISIONS (Amended Resolution 5979 – February 19, 2002)

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

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

SECTION 16.0 SIGNS

16.1 PROHIBITED CHARACTERISTICS OF SIGNS

- 1. No sign shall resemble, imitate, or approximate the shape, size, form, or color of a railroad or traffic signs, signals, or devices.
- 2. No sign shall be so located as to interfere with the visibility or effectiveness of any official traffic sign or signal, or with driver vision at any access point or intersection.
- 3. No sign shall be erected, relocated, or maintained so as to prevent free ingress or egress from any door, window, or fire escape, and no sign shall be attached to a standpipe or fire escape.
- 4. No sign shall contain any rotating or moving parts, or be illuminated by flashing light.
- 5. No sign shall exceed the maximum height limitation of the district in which it located. (Amended by Ordinance 86-7 - November 12, 1986)
- 6. No sign shall be located on a lot so as to reduce the required dimensional setback and side yard requirements of the district in which it is located.
 - 1. Exception to above being that all signs may be setback 1 foot from the road right-of-way limit, as opposed to the specified setback requirement of structures from public roads in each district.

SECTION 17.0 CONDITIONAL USES

GENERAL PROVISIONS

17.1 APPROVAL REQUIRED

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

17.2 BASIS OF APPROVAL

The County Zoning Committee shall consider the effect of such grant on the health, general welfare, safety, and economic prosperity of the County and of the immediate area in which such use would be located, including such considerations as the effect on the established character and quality of the area, its physical attractiveness, existing topography, drainage features, erosion potential, vegetative cover, the prevention and control of water pollution, the movement of traffic and the relationship to existing or proposed roads, the demand for related services, the possible hazardous, harmful, noxious, offensive or nuisance effects resulting from noise, dust, smoke, or odor and other factors.

17.3 PROCEDURE

A. APPLICATION

Application for a Conditional Use Permit shall be made to the County Zoning Administrator who shall refer the application to the County Zoning Committee. In addition to the information required under Section 3.4 for a Land Use Permit, the County Zoning Committee may require the applicant to submit other pertinent data and information necessary to properly evaluate the request.

B. FEES (Amended by Resolution 6018, Oct.15, 2002) (Amended by Resolution 6078, Aug. 19, 2003)

The applicant, upon filing of his application, shall pay a fee in accordance with the schedule established by the Price County Board of Supervisors to the County Zoning Administrator. Such schedule shall be on file in the office of the County Zoning Administrator.

1.) All government entities covered by county zoning shall obtain all necessary permits; however, they are exempt from paying county zoning fees. Any fee that is not directly associated with the county zoning fee shall be paid unless waived by the Zoning Committee (i.e. state sanitary fee, Register of Deeds fees, publication fees).

C. NOTICE

Notice of the hearing held by the County Zoning Committee on an application for a Conditional Use Permit shall be mailed to the owners of all lands within 300 feet of any part of the land described in the application, to the clerk of the town in which the land described in the application is located, and to the county board member of any district in which the land described in the application is located. Said notices shall be mailed at least 10 days before the County Zoning Committee meets to decide upon said application. Notices when properly addressed with the owners last known address, posted and mailed First Class, shall constitute sufficient notice under this section.

D. HEARING

The County Zoning Committee shall schedule a public hearing on the application within 60 days after it is filed, or in a particular situation where all concerned persons have been notified as required under Section 18.3 (C) and there are no objections by those persons, the Committee may waive the public hearing requirement. The reasons for any waiver of a public hearing must be written into the minutes of the Committee meeting.

E. DETERMINATION

The Zoning Committee shall report its decision within 90 days after the filing of the application. Its decision shall include an accurate description of the use permitted, of the property on which it is permitted, and all conditions made applicable thereto. In making its decision, the Zoning Committee may request the County Soil and Water Conservation District and other agencies to advise and assist in making its determination.

F. MAPPING AND RECORDING

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

G. TERMINATION

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

H. RECONSIDERATION (Amended Resolution 4958- April 19, 1983)

- i. Resubmission. No appeal or application which has been dismissed or denied shall again be considered unless the applicant can show a material change in circumstances.
- ii. Rehearing. No hearing shall be held except upon the affirmative vote of a majority of the members of the Committee upon finding that substantial material new evidence is submitted which could not reasonably have been presented at the previous hearing. Requests for rehearing shall be in writing and shall state the reasons for the request and be accompanied by necessary data and diagrams. Rehearings shall be subject to the same notice requirements as original hearings.

SECTION 18.0 ADMINISTRATION

COUNTY ZONING ADMINISTRATOR

18.1 DESIGNATION

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

18.2 DUTIES

In administering and enforcing this Ordinance, the County Zoning Administrator and any of his deputies shall perform the following duties:

- A. Provide necessary forms and applications for use permits.
- B. Issue Land Use Permits where the provisions of this Ordinance have been complied with.
- C. Issue Conditional Use Permits when authorized by the County Zoning Committee.
- D. Survey the County, upon adoption of this Ordinance and when necessary upon the passage of amendments, identify and record information relative to non-conforming uses and structures.
- E. Maintain files of applications, permits, and other relevant information.

18.3 POWERS

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

- A. Access to any structure or premise for the purpose of performing his duties between 8:00 a.m. and 8:00 p.m. by the permission of the owner or upon issuance of a special inspection warrant.
- B. Upon reasonable cause or question as to proper compliance, to revoke any Land Use Permit and issue cease and desist orders requiring the cessation of any building, moving, alteration or use which is in violation of the provisions of this Ordinance.

SECTION 19.0 RULES GOVERNING NON-CONFORMANCE (STRUCTURES, USES OF STRUCTURES, LAND USES)

19.1 GENERAL PROVISIONS

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

19.2 NONCONFORMING STRUCTURE

- A. **LIMITATIONS:** No such structures shall be expanded or enlarged except in conformity with the regulations of the appropriate zoning district.
- B. **REPAIR:** When such structure is damaged to the extent of more than fifty (50) percent of its equalized value at the time it became nonconforming, it shall not be restored except in conformity with the regulations of the zoning district in which it is located.
- C. **RELOCATION:** Should such a structure be moved it shall thereafter conform to the regulations of the zoning district to which it is moved.
- D. **LOT LINES:** The size and shape of a lot shall not be altered in any way so as to increase the degree of nonconformity of a building or use.

19.3 NONCONFORMING USE OF STRUCTURE

- A. LIMITATIONS: No such use shall be expanded or enlarged. No use shall be expanded within a structure which, as of the effective date of this Ordinance or amendment, was only partially designed for or devoted to carrying on such use.
- B. USE CHANGE: Upon application to and approval by the County Zoning Committee such use may be changed to another use provided the Zoning Committee determines that the new use would result in no lesser degree of conformity.
- C. DISCONTINUANCE: If such use is discontinued for twelve (12) consecutive months, any future use of the structure shall conform to the regulations of the zoning district in which it is located.
- D. TERMINATION: If the building in which such use is carried on is damaged to the extent of more than fifty (50) percent of its equalized value at the time it became nonconforming, it shall not be restored for use except in conformity with the regulations of the zoning district in which it is located.
- E. REPAIRS: Structural repairs and alterations to a building housing such use shall not, as long as such use continues, exceed fifty (50) percent of the equalized value of the building at the time the use became nonconforming.

19.4 NONCONFORMING USE OF LAND

- A. LIMITATIONS: No such use shall be expanded or enlarged.
- B. USE CHANGE: Upon petition to and approval of the Price County Zoning Committee such use may be changed to another use provided the Zoning Committee determines that the new use would result in greater degree of conformity, and provided further that such new use shall thereafter determine the degree of legal nonconformity.
- C. DISCONTINUANCE: If any such use is discontinued for twelve (12) consecutive months, any further use of the land shall conform to the regulations of the zoning district in which it is located.

SECTION 20.0 BOARD OF ADJUSTMENT

20.1 The Office of the Board of Adjustment shall be in the County Clerks office.

SECTION 21.0 AMENDMENTS

21.1 PROCEDURE

The County Board of Supervisors may amend this Ordinance in accordance with the procedure prescribed by Wisconsin Statute Section 59.97(5).

21.2 FEE

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

SECTION 22.0 PUBLIC HEARINGS

22.1 NOTICE

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

22.2 PROCEDURE

A. PUBLISHING AND POSTING

1. Notice of public hearing shall be as required by Wisconsin Statutes Section 985.
2. In additions, when the hearing involves a proposed change in the zoning district classification of any property, the notice of said hearing shall be mailed to the owners of all lands within 300 feet of any part of the property and as required by Chapter 59 Wis. Stats.

SECTION 23.0 DEFINITIONS

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

1. Animal Unit: One animal unit shall be defined as being one steer, one dairy cow, one horse, four swine, ten sheep, 100 chickens or 100 turkeys.
2. Boarding House: A building or premise where meals or meals and lodging are offered for compensation for five but not more than 12 persons and where no more than five sleeping rooms are provided for such purpose. An establishment where meals are served for compensation for more than 12 persons shall be deemed a restaurant. An establishment with more than five sleeping rooms shall be deemed a hotel or motel.
3. Boathouse: Any structure located on the same lot as the principal building and used for protecting or storing of boats used for non-commercial purposes in conjunction with a residence.
4. Buildable Area of a Lot: That part of the lot bounded by the required building setback, side and rear yard lines.
5. Building: Any structure used, designed, or intended for the protection, shelter, or roofed enclosure of persons, animals, or property.
6. Building Accessory: Any building except the principal building or buildings on a lot. In the case of a house and detached garage on a lot, the accessory building is the garage.
7. Building, Height of: The vertical distance measured from the average established street grade in front of the lot or the finished grade at the building line, whichever is higher, to the highest point of the coping of a flat roof, to the deck line of a mansard roof, or to the average height between eaves of the highest gable of a gable, gambrel, hip, or shed roof.

8. Campgrounds and Camping Resorts: A privately or municipally owned site, designated, maintained, intended or used for the purpose of supplying a location for major recreational equipment/vehicles, open tents to the public for free or paying camping purpose, and used for transient trade.
9. Camping Trailer: A canvas or folding structure mounted on wheels and designed for temporary living and housekeeping purposes, and for the purposes of this Ordinance, a camping trailer is considered as being under 50 feet in length.
10. Commercial Establishment: A business that deals in a product, produce, and/or service for profit including professional services.
11. County Zoning Committee: A County Zoning Committee authorized by S. 59.97.
12. Dwelling: A building designed or used exclusively as the living quarters for one or more families.
13. Dwelling, Single-Family: A detached building designed for or occupied exclusively by one family. This shall include a primary housing unit as described in Wisconsin Statutes 348.07 - 348.07(2)(c).
14. Dwelling Unit: A building or portion thereof with rooms arranged, designed, or used for comfortable, independent human habitation, which includes a sanitary facility and a kitchen facility. Guesthouses or garage lofts with kitchen **and** bathroom facilities are considered to be dwelling units. (Amended by Resolution 6128 on June 15, 2004)
15. Family: One or more persons related by blood or marriage occupying the premises and living together as a single housekeeping unit, as distinguished from a group occupying a boarding house, lodging house, club fraternity, or hotel.
16. Farm Building: A permanent roofed and walled structure used in conjunction with the raising of livestock and/or crops as a primary source of income. Amended February 13, 2001 Resolution 5908.
17. Farming, General: The production of field or truck crops, or the raising of livestock and livestock products for commercial gain.
18. Farming, Tree: The production and management of trees as a crop.
19. Floor Area: The area within the outer lines of the exterior walls of a building at the top of the foundation or basement wall; provided that the floor area of a dwelling shall not include space not usable for living quarters such as attics, utility, or unfinished basement rooms, garages, breezeways, and unenclosed porches or terraces.
20. Garage, Private: A structure primarily intended for and used for the enclosed storage or shelter of the private motor vehicles of the families resident upon the premises. Carports are considered garages.

21. Garages, Public or Commercial: Any garage other than a private garage.
22. Grade, Established: The elevation of the finished street at the centerline or curb as fixed by such authority as shall be designated by law to determine such an elevation.
23. Home Occupation: A gainful occupation, conducted by a member of the family, within his or her place of residence, where the space used is incidental to residential use and no article is sold or offered for sale except such as is produced by such home occupation.
24. Home Occupation, Expanded: A home occupation that may involve persons other than the resident family and such occupation may be carried on other than within the confines of the home. Expanded home occupation shall not have more than 5 persons other than family members working at the site.
25. Impervious Surface: An area upon the land where precipitation in the form of water is essentially unable to effectively infiltrate into the in-situ soil during periods when the soil is absent of frost. Such surfaces include but are not limited to concrete, gravel and blacktop roadways and pathways; roofs; decks or patios constructed of paving blocks or concrete. Gravel utilized in areas around flower beds or borders of walkways, planter beds, retaining walls, gardens, building foundation drains and other drains may contain impervious surfaces but they shall not be regulated as part of the impervious surface provisions of this ordinance.
26. Industrial Establishment: A business which employs six or more persons in the manufacture of products and/or processes produced for resale.
27. Junk or Salvage Yard: Any premises in which more than one automotive vehicles, not in running or operating condition is stored in the open; any premises on which there is an accumulation of scrap metal, paper, rags, scrap lumber or other scrap materials stored or considered stored for salvage or sale, unless such accumulation shall be housed in a completely enclosed building.
28. Lot: A parcel or tract of land described in a recorded plat or by deed and abutting on a public street.
29. Major Recreational Equipment: Includes travel trailer, pickup campers, or coaches, motorized dwellings, tent trailers, boat and boat trailers, snowmobiles and snowmobile trailers, and the like.
30. Mobile Home: A unit capable of long term occupancy which does not require substantial on-site fabrication and which is or was as originally constructed, designed to be transported by any motor vehicle upon public highway and designed, equipped, and used primarily for sleeping, eating, and living quarters, or is intended to be so used; and which can be moved on its own axle and wheels or by similar means to a site, parcel, or lot; and, for the purpose of this Ordinance, is at least 32 feet long.
31. Mobile Home Park: Any tract of land upon which three or more mobile homes are located for temporary or permanent habitation.

32. Multi-Family Dwelling: A dwelling on one lot containing separate living quarters for two or more families.
33. Recreational Camp: An area containing one or more permanent buildings used periodically for the accommodation of members of associations or groups for recreational purposes.
34. Roadside Stand: A farm building used or intended to be used solely by the owner or tenant of the farm on which such building is located for the sale of farm products raised on said farm.
35. Sign: A sign is any structure or natural object or part thereof or device attached thereto or printed or represented thereon which is intended to attract attention to any object, product, place, activity, person, institution, organization, or business, or which shall display or include any letter, word, model, banner, flag, pennant, insignia, device, or representation used as or which is in the nature of an announcement, direction, or advertisement.
36. Story: That part of a building included between the surface of a floor and the surface of the floor next above it, or, if there is no floor above it, then the space between the floor and the ceiling next above it. A basement or cellar having one-half or more of its height above grade shall be deemed a story for purposes of height regulations.
37. Structure: Anything constructed or erected.
38. Structure, Permanent: A structure placed on or in the ground or attached to another structure in a fixed position, and intended to remain in place for a period of more than nine months. This includes motor homes and trailers.
39. Sustained Yield Forestry: Management of forested lands to provide annual or periodic crops or forest products.
40. Tourist Home: A building in which lodging with or without meals, is offered to transient guests for compensation, provided there are no more than five sleeping rooms for such purpose and no cooking facilities are provided in the individual rooms or apartments.
41. Trailer Park: Any tract of land upon which three or more trailers, camp cabins, house cars, or other mobile homes are located or trailer or camp sites are provided for temporary or permanent habitation.
42. Use, accessory: A use customarily incidental to the principal use and on the same lot as the principal use.
43. Use, Principal: The primary use of a property of structure.
44. Water Mark, Ordinary High: That point on the bank or shore up to which the presence and action of the water is so continuous as to leave a distinct mark either by erosion, destruction, or terrestrial vegetation, or other easily recognized characteristics.

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

PRICE COUNTY COMPREHENSIVE ZONING ORDINANCE