CHIPPEWA COUNTY

PLANNING & ZONING COMMITTEE

REGULAR MEETING

MAY 22, 2025

CHIPPEWA COUNTY COURTHOUSE, RM 302

5:00 PM

1. CALL TO ORDER

2. ROLL CALL

Attendee Name	Organization	Title	Status	Arrived
Jason Bergeron	Chippewa County	District 7, Chair	Present	
Duane Shoebridge	Chippewa County	District 3, Vice-Chair	Present	
David Kelly	Chippewa County	District 14	Present	
Rocky Kempe	Chippewa County	District 16	Present	
Chuck Hull	Chippewa County	District 19	Present	

3. MEMBERS OF THE PUBLIC WISHING TO BE HEARD

None

4. CONSENT AGENDA

1. Approve the Agenda
   Motion to remove 5.1 (GT Business Venture LLC Rezone) and 5.3 (Olson's Valley Properties LLC Conditional Use Request) as the petitioners have withdrawn their requests.

5. PUBLIC HEARINGS - FOR DISCUSSION AND ACTION

1. 2025-0003 GT Business Venture LLC Rezone - Town of Eagle Point
   Petitioner has withdrawn this request, so no action.

RESULT:	**WITHDRAWN**

2. 2025-0005 Paul Rezone - Town of Lafayette
   Motion to approve as presented.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Chuck Hull, District 19
SECONDER:	Rocky Kempe, District 16
AYES:	Bergeron, Shoebridge, Kelly, Kempe, Hull

3. 2025-0004 Olson's Valley Properties LLC Conditional Use Request - Town of Wheaton
   Petitioner has withdrawn this request, so no action.

RESULT:	**WITHDRAWN**

4. Ord. 05-2025: Ordinance To Amend Sections 70-8, 70-63, 70-70 Through 70-73, And 70-76 Of The Chippewa County Code of Ordinances - Second Reading - Doug Clary
   Motion to approve the proposed zoning ordinance amendments with modifications to the following sections:

(1) Modifications to Section 70-8(134), (135) and (136) definitions for front yard, rear yard and side yard as highlighted yellow in the attached ordinance.
(2) Modifications to Section 70-71(a)(13) as highlighted yellow in the attached ordinance.

RESULT:	**FORWARD TO COUNTY BOARD [UNANIMOUS]**	**Next: 6/10/2025 6:00 PM**
MOVER:	Chuck Hull, District 19	
SECONDER:	Duane Shoebridge, District 3, Vice-Chair	
AYES:	Bergeron, Shoebridge, Kelly, Kempe, Hull	

6. BUSINESS ITEMS

1. Discussion on Planning & Zoning Committee Meeting Date in June
   Discussion on keeping the June 19, 2025 meeting date and adding June 26, 2025 as an additional meeting for Comprehensive Planning. Both still staring at 5:00 PM.

RESULT:	**DISCUSSED**

7. AGENDA ITEMS FOR FUTURE CONSIDERATION

June: Proposal for an additional Uniform Dwelling Code Inspector in the DPZ.
August: Home Occupations

8. ADJOURN

Motion to Adjourn.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	David Kelly, District 14
SECONDER:	Rocky Kempe, District 16
AYES:	Bergeron, Shoebridge, Kelly, Kempe, Hull

STATEMENT OF EXPLANATION
2025-0003 GT BUSINESS VENTURE LLC REZONE - TOWN OF EAGLE POINT

A proposed two-lot CSM, which will modify the property lines for parcel number 22908-3011-01000000. The property is located in the NE ¼ of the NE ¼, Section 30, Township 29 North, Range 08 West. Town of Eagle Point. Physical address: 8984 State Highway 124.

From: Highway Commercial **To:** Residential 1 and Residential 3

CHIPPEWA COUNTY

DEPARTMENT OF PLANNING & ZONING

• 711 North Bridge Street, Chippewa Falls, WI 54729 • Phone:715.726.7940 • Fax:715.726.4596 • www.co.chippewa.wi.us •

2025 Rezone Application

Comprehensive zoning consists of written text (commonly referred to as the zoning ordinance) and an official zoning map. The zoning ordinance is a guideline for permitted and conditional uses, which are separated into zoning classifications or districts. The zoning map shows how a town board has designated the particular zoning classifications or districts to parcels of land within their particular jurisdiction. A **REZONE** is where a property owner or other authorized entity seeks to amend the official zoning map, which would allow a use that is currently not permitted on the parcels of land based on the existing zoning classification or district. This is referred to as a zoning map amendment or "rezoning". The requested rezoning change may not be granted if it does not fit with the comprehensive plan and community goals for the respective town and county.

SECTION I: Parcel Owner Information			**SECTION II: Agent Information**		
Name: GT Business Ventures Holding LLC			Name: Real Land Surveying – Jeremy Skaw		
Mailing Address: PO Box 236			Mailing Address: 1356 International Dr		
City: Altoona	State: WI	Zip: 54720	City: Eau Claire	State: WI	Zip: 54701
Telephone: 715-209-5612			Telephone: 715-514-4116		
Email Address (Required): graybamholding1@gmail.com			Email Address (Required): jskaw@rlswi.com		

SECTION III: Parcel Information			
Town of: Eagle Point	Property Address: 8984 STH 124		
Parcel Number(s): 22908-3011-G1000000	City: Chippewa Falls	State: WI	Zip: 54729
Existing Zoning District(s): HC	Proposed Zoning District(s): R3, R1		

GENERAL DIRECTIONS:

RECEIVED MAR 31 2025

1. **Complete** this Application form and the required four (4) parts:
   - ☐ Part 1: General Questions related to the request
   - ☐ Part 2: Planning & Zoning Committee Schedule - 2025
   - ☐ Part 3: General Rezoning Process
   - ☐ Part 4: Applicant Acknowledgement/Signature
2. **Submit** the completed application, all required information and a **$350.00** public hearing fee (Make check payable to: Chippewa County Treasurer) by the deadline (as listed in Part 2) to the Chippewa County Department of Planning & Zoning, Room 009, 711 N. Bridge Street, Chippewa Falls, Wisconsin 54729.
3. **Make arrangements** to attend or have a representative attend any local town plan commission or town board meetings, and the required Planning & Zoning public hearing. This presence is needed so that questions can be answered and concerns addressed.

FOR DEPARTMENT OF PLANNING & ZONING STAFF USE:		
Receipt Number:	Appeal Number: 2025-0003	Public Hearing Date: 5-22-25

Attachment: 2025-0003 GT Business Ventures Rezone - Application (8974 : 2025-0003 GT Business Venture LLC Rezone)

Chippewa County – 2025 Rezone Application

Once a completed application is received, the Chippewa County Department of Planning & Zoning will prepare a public hearing notice for your administrative appeal. The public hearing notice will be posted to the Chippewa County Website and the County Clerks bulletin board. In addition, your neighbors, the Town Board and any applicable county or state agency(s) will also be notified. At the hearing, any party may appear in person or may be represented by an agent or attorney to present information to the Planning & Zoning Committee in opposition or support of your request.

PART 1: General Questions. Please use a separate 8.5" x 11" sheet to answer these questions.

(A) As the applicant, do you have legal title to the parcel(s)? If you **do not** have legal title to the property, please have the property owner sign this application.

(B) Identify the parcel(s) that are or will be part of this rezone request. If needed, an additional sheet listing those parcels can be attached.

(C) Describe the present and, if known, any proposed improvements on each parcel of land.

(D) Explain why you are requesting to rezone of each parcel. Please identify the proposed use of each parcel.

(E) Explain the compatibility of your proposed use(s) with the existing use(s) on adjacent parcels and those in the vicinity of this parcel(s).

(F) Discuss any additional issues you feel that supports the consistency of your proposed use with County ordinances and plans as well as any Town ordinances or plans.

Be prepared to give a detailed presentation when called upon at the public hearing before the Planning and Zoning Committee. Prepare an outline of your proposal, something similar to a "business plan", detailing for the Planning & Zoning Committee your proposal. Include any documentation you feel is necessary as part of your presentation in defining your proposal for the Committee and possibly the County Board. It is vital to your application to consult with professionals you feel may be able to assist with your application (i.e. surveyor, attorney, engineer, etc.)

PART 2: Planning & Zoning Committee Schedule - 2025

Applications will not be placed on the appropriate agenda unless they are properly completed and include **ALL** required supporting information or documents **and** payment of the public hearing fee. Applicants are encouraged to consult with staff of the Department of Planning & Zoning prior to the filing of the application. This is an important step to ensure that all pertinent issues are identified and to determine what information in addition to the application forms might be necessary in order for the department to accept and process your application. Please CIRCLE or HIGHLIGHT the meeting you intend on attending:

	2025 - Thursdays											
	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Applications Due @ 12:00 Noon	12-26	01-23	02-20	03-27	04-24	05-22	06-26	07-24	08-21	09-25	10-23	11-20
Public Hearing/Meeting (Thu)	01-23	02-20	03-20	04-24	05-22	06-19	07-24	08-21	09-18	10-23	11-20	12-18
County Board Meeting (Tues)	02-11	03-11	04-08	05-13	06-10	07-08	08-12	09-09	10-14	11-11	12-09	01-13

Note: Typically, the Planning & Zoning Committee meetings start at 5:00 PM on the designated dates above.
Note: No Committee meeting in April due to the Spring Election.

PART 3: General Rezoning Process:

(A) The rezone application is filed with the Department of Planning & Zoning. This includes the legal description of the parcels to be rezoned, a written statement addressing the questions as listed in Part 1 and any other information your feel will aid in a decision on this request.

(B) The Town Board will be notified of the rezone application. The Town Board can recommend approval or denial of a rezoning request. If the Town Board denies a rezone request, the Planning & Zoning Committee can only recommend an approval with modification to the rezone request or deny the rezone request.

(C) The public hearing notice will be posted to the Chippewa County Website and the County Clerks bulletin board detailing the request and the date and time of the Public Hearing.

Attachment: 2025-0003 GT Business Ventures Rezone - Application (8974 : 2025-0003 GT Business Venture LLC Rezone)

(D) Property owners of the land and those property owners within 400' (or maybe a greater distance) of the requested rezone change are notified directly by mail as well as the Town Board Chair and Town Clerk. The notice to the property owners will generally contain a portion of the public hearing notice and information pertaining to meetings to be held at the Town level (plan commission, town board, etc) as well as the Public Hearing in front of the Planning & Zoning Committee.

(E) General maps (location map, aerial view and existing zoning districts map) will be prepared for the request by the Department.

(F) A department staff report is prepared and sent to the Planning & Zoning Committee, while comments from the general public are solicited.

(G) Following the Public Hearing, the Planning & Zoning Committee will make a motion to either approve, approve with modification or deny the rezoning request. If the rezone request receives an approval or approval with modification an ordinance amendment will be prepared and placed on the next County Board meeting agenda for their approval.

(H) If the County Board approves the rezone and the town board files an objection to the approval, the town board will then have 45 days to veto the rezone request following the applicable state statutes.

(I) If the rezone request receives County Board approval, the final step is the publication of the amendment in the Chippewa Herald. Once published, the zoning district amendment takes effect. The entire process from application deadline to final publication can take two months or more to complete depending upon the scheduling of hearing dates.

PART 4: Applicant Acknowledgement/Signature

This application must be signed by the property owner or in case of an agreement to purchase the property, a letter from the property owner acknowledging the potential buyer is seeking the rezone.

- I certify that the information I have provided in this application is true, accurate and complete.
- I or a representative will have an opportunity to present to the Planning & Zoning Committee information in favor of this request.
- I have the authority to allow the staff of the Department of Planning & Zoning and Planning & Zoning Committee member's access to the property to conduct necessary inspections related to this request.
- I understand that I cannot speak to any member of the Planning & Zoning Committee about this application, except at the public hearing.
- I understand that I cannot direct any written communication about this application to a member of the Planning & Zoning Committee, unless I also file a copy with the Department of Planning & Zoning and direct additional copies to each person who has registered an interest in this application.
- I also understand that if I or my representative fail to appear in front of the Planning & Zoning Committee during the designated public hearing or my failure to observe the above mentioned rules, my request may be **DENIED**.

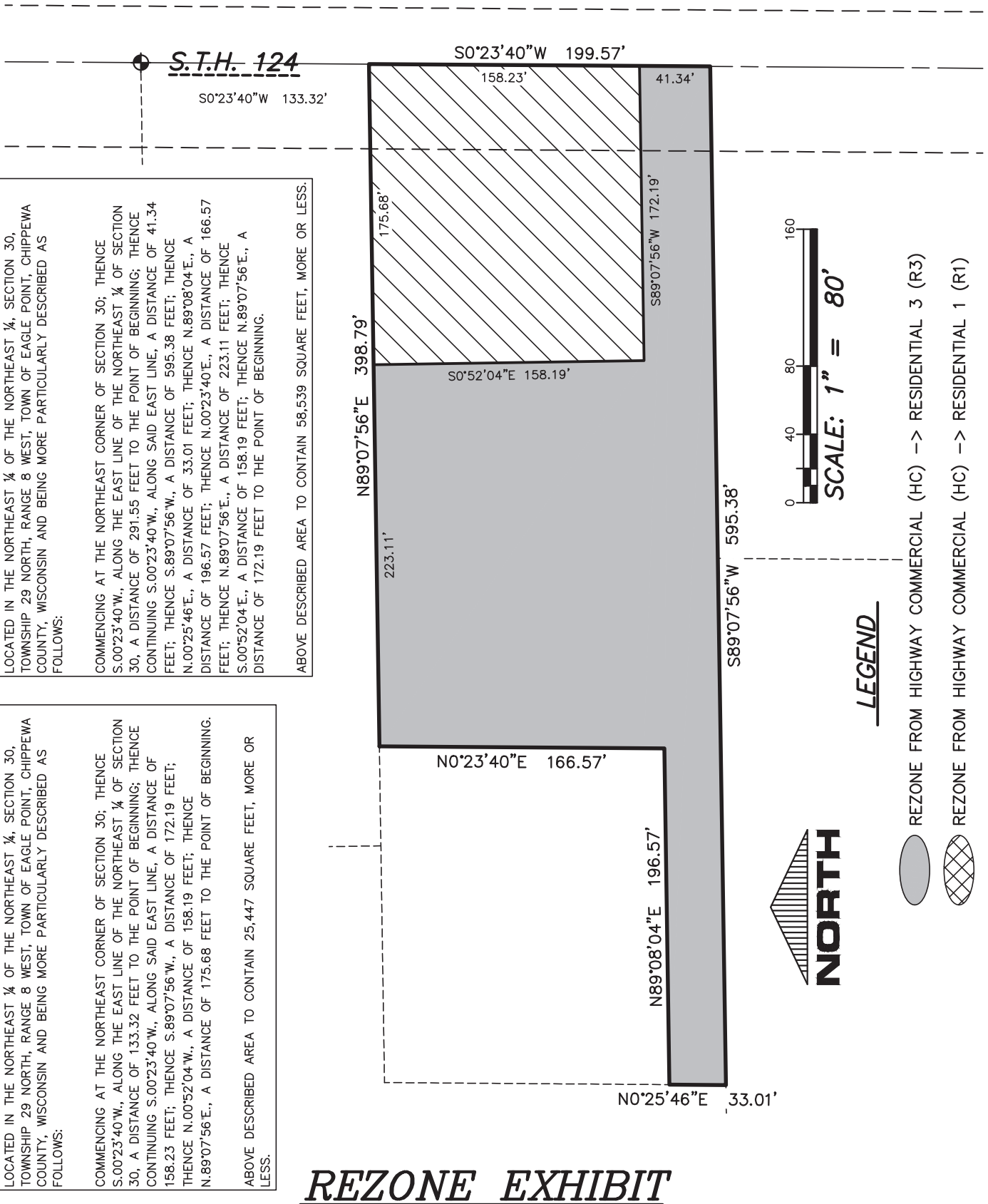
Signed: Ryan Gray _____ Date: 03/26/2025

Owner/Agent

PART 5: Planning & Zoning Department Mailing List

Applicant
Property Owner Owners within 400'
Planning & Zoning Committee Members
Town Board Chair & Clerk
County Board Supervisor
News Media
Wisconsin DNR
US Army Corp of Engineers
Wisconsin DOT

Attachment: 2025-0003 GT Business Ventures Rezone - Application (8974 : 2025-0003 GT Business Venture LLC Rezone)



REZONE FROM HIGHWAY COMMERCIAL (HC) -> RESIDENTIAL 3 (R3)

LOCATED IN THE NORTHEAST ¼ OF THE NORTHEAST ¼, SECTION 30, TOWNSHIP 29 NORTH, RANGE 8 WEST, TOWN OF EAGLE POINT, CHIPPEWA COUNTY, WISCONSIN AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 30; THENCE S.00°23'40"W., ALONG THE EAST LINE OF THE NORTHEAST ¼ OF SECTION 30, A DISTANCE OF 291.55 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S.00°23'40"W., ALONG SAID EAST LINE, A DISTANCE OF 41.34 FEET; THENCE S.89°07'56"W., A DISTANCE OF 595.38 FEET; THENCE N.89°08'04"E., A DISTANCE OF 33.01 FEET; THENCE N.00°23'40"E., A DISTANCE OF 166.57 FEET; THENCE N.89°07'56"E., A DISTANCE OF 223.11 FEET; THENCE S.00°52'04"E., A DISTANCE OF 158.19 FEET; THENCE N.89°07'56"E., A DISTANCE OF 172.19 FEET TO THE POINT OF BEGINNING.

ABOVE DESCRIBED AREA TO CONTAIN 58,539 SQUARE FEET, MORE OR LESS.

REZONE FROM HIGHWAY COMMERCIAL (HC) -> RESIDENTIAL 1 (R1)

LOCATED IN THE NORTHEAST ¼ OF THE NORTHEAST ¼, SECTION 30, TOWNSHIP 29 NORTH, RANGE 8 WEST, TOWN OF EAGLE POINT, CHIPPEWA COUNTY, WISCONSIN AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 30; THENCE S.00°23'40"W., ALONG THE EAST LINE OF THE NORTHEAST ¼ OF SECTION 30, A DISTANCE OF 133.32 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S.00°23'40"W., ALONG SAID EAST LINE, A DISTANCE OF 158.23 FEET; THENCE S.89°07'56"W., A DISTANCE OF 172.19 FEET; THENCE N.00°52'04"W., A DISTANCE OF 175.68 FEET; THENCE N.89°07'56"E., A DISTANCE OF 158.19 FEET TO THE POINT OF BEGINNING.

ABOVE DESCRIBED AREA TO CONTAIN 25,447 SQUARE FEET, MORE OR LESS.

REZONE EXHIBIT

LOCATED IN THE NORTHEAST ¼ OF THE NORTHEAST ¼, SECTION 30, TOWNSHIP 29 NORTH, RANGE 8 WEST, TOWN OF EAGLE POINT, CHIPPEWA COUNTY, WISCONSIN

CADD No. 25062 REZONE

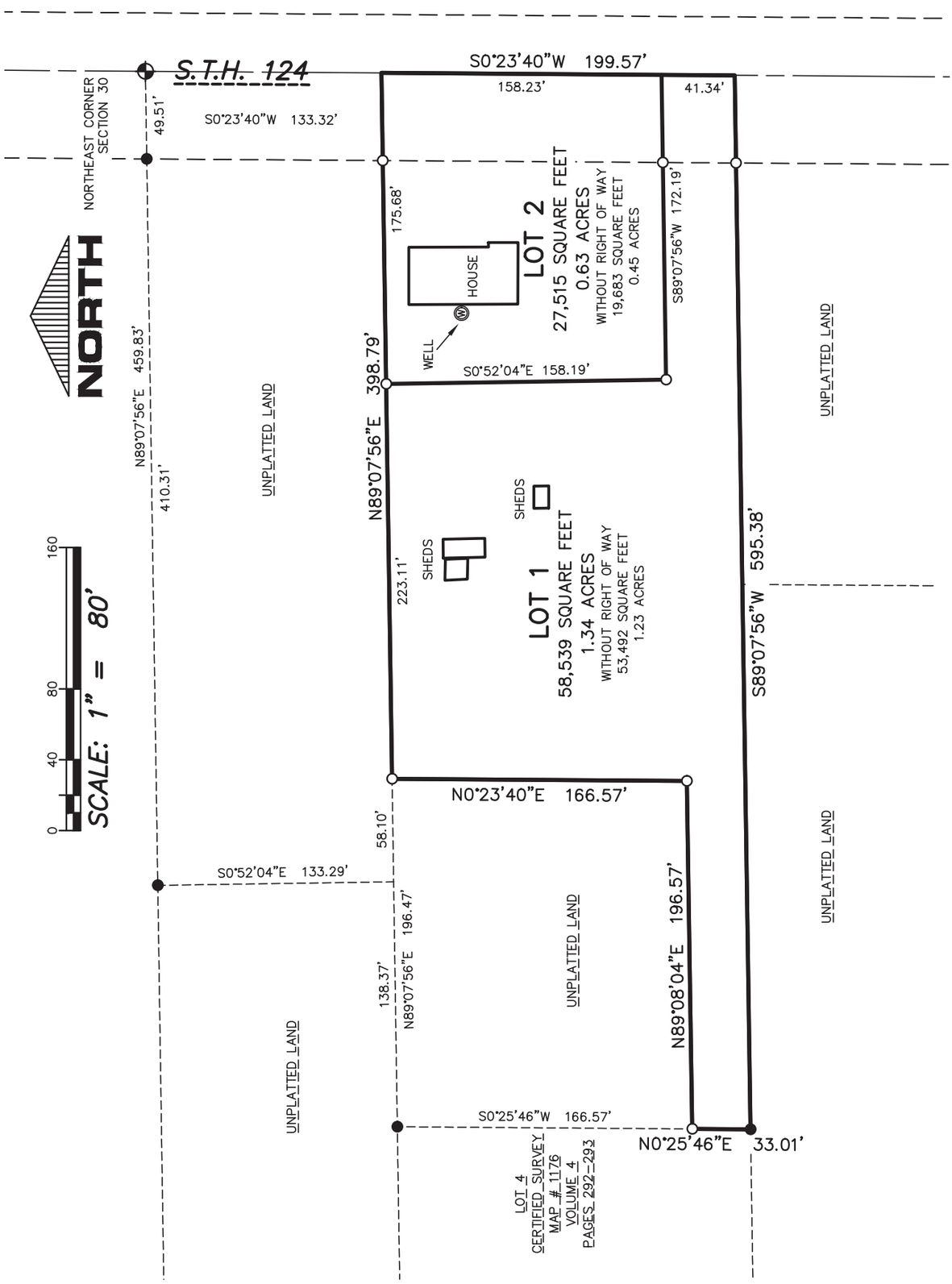
REVIS

Attachment: 2025-0003 GT Business Ventures Rezone - Application (8974 : 2025-0003 GT Business Venture LLC Rezone)

CHIPPEWA COUNTY CERTIFIED SURVEY MAP NO._____

RECORDED IN VOL. ____ OF CERTIFIED SURVEY MAPS PAGE_____

LOCATED IN THE NORTHEAST ¼ OF THE NORTHEAST ¼, SECTION 30, TOWNSHIP 29 NORTH, RANGE 8 WEST, TOWN OF EAGLE POINT, CHIPPEWA COUNTY, WISCONSIN



REAL LAND SURVEYING, LLC
1356 INTERNATIONAL DRIVE
EAU CLAIRE, WI 54701
(715)514-4116
rlswi.com
CADD #: 25062

PAGE_____

Attachment: 2025-0003 GT Business Ventures Rezone - Application (8974 : 2025-0003 GT Business Venture LLC Rezone)

REZONE APPLICATION – GENERAL QUESTIONS

A. Landowner has signed application
B. Parcel info:
    a. PIN: 22908-3011-01000000
    b. Address: 8984 STH 124, Chippewa Falls, WI 54729
    c. Located on the west side of STH 124, approximately 850 feet north of the intersection of STH 124 & 88th Ave.
C. Site improvements
    a. Current improvements on site:
        i. Single family home
        ii. Three out buildings
        iii. Two separate septic systems
        iv. A single well
        v. LP tank
        vi. Two asphalt driveways off of STH 124
        vii. Overhead Xcel powerline (no easement found)
    b. Proposed site improvements
        i. 30' x 150' at grade, single story apartment building
        ii. New well for apartments
        iii. Connect onto existing septic for apartments
        iv. Overflow parking area in rear portions of the lot
        v. Two-lot CSM, separating the single-family home from the apartments
D. Given the dire need for affordable housing in the greater Chippewa valley, we are seeking two different zoning districts for this parcel. The landowner was left with either rebuild a motel or go a different direction with the property. After discussing these options with Town of Eagle Point personnel, the choice was clear that a multi-family structure would be most appropriate for the site.
    a. Residential 1 (R1) will be for the lands around the single-family home and the remainder of the lot will be zoned residential 3 (R3).

Attachment: 2025-0003 GT Business Ventures Rezone - Application (8974 : 2025-0003 GT Business Venture LLC Rezone)

E. The 1.97-acre parcel had multiple uses. Prior to the recent fire that burned down the motel that was located on-site, the parcel contained both a motel and a single-family home.
   a. See attached exhibit C for adjacent zoning districts. There are numerous R1 and R3 parcel located nearby to the subject parcel;
   b. Current adjacent uses are:
      i. North = commercial & residential
      ii. West = residential
      iii. South = residential & industrial
      iv. East = commercial & residential
   c. See attached exhibit C for adjacent zoning districts. There are numerous R1 and R3 parcel located nearby to the subject parcel.

F. Prior to the construction of USH 53, STH 124 was a main thoroughfare to go north out of Chippewa Falls. The motel likely thrived, given its location along this well-traveled corridor.

   Those times have significantly changed, and the surrounding Chippewa Falls has a crucial need for housing, especially affordable housing. Even though the Town of Eagle Point's future land use map shows this lot with as a commercial lot (the presence of the motel was likely the reasoning for the commercial designation), residential is the dominant use along the west side of STH 124.

Attachment: 2025-0003 GT Business Ventures Rezone - Application (8974 : 2025-0003 GT Business Venture LLC Rezone)

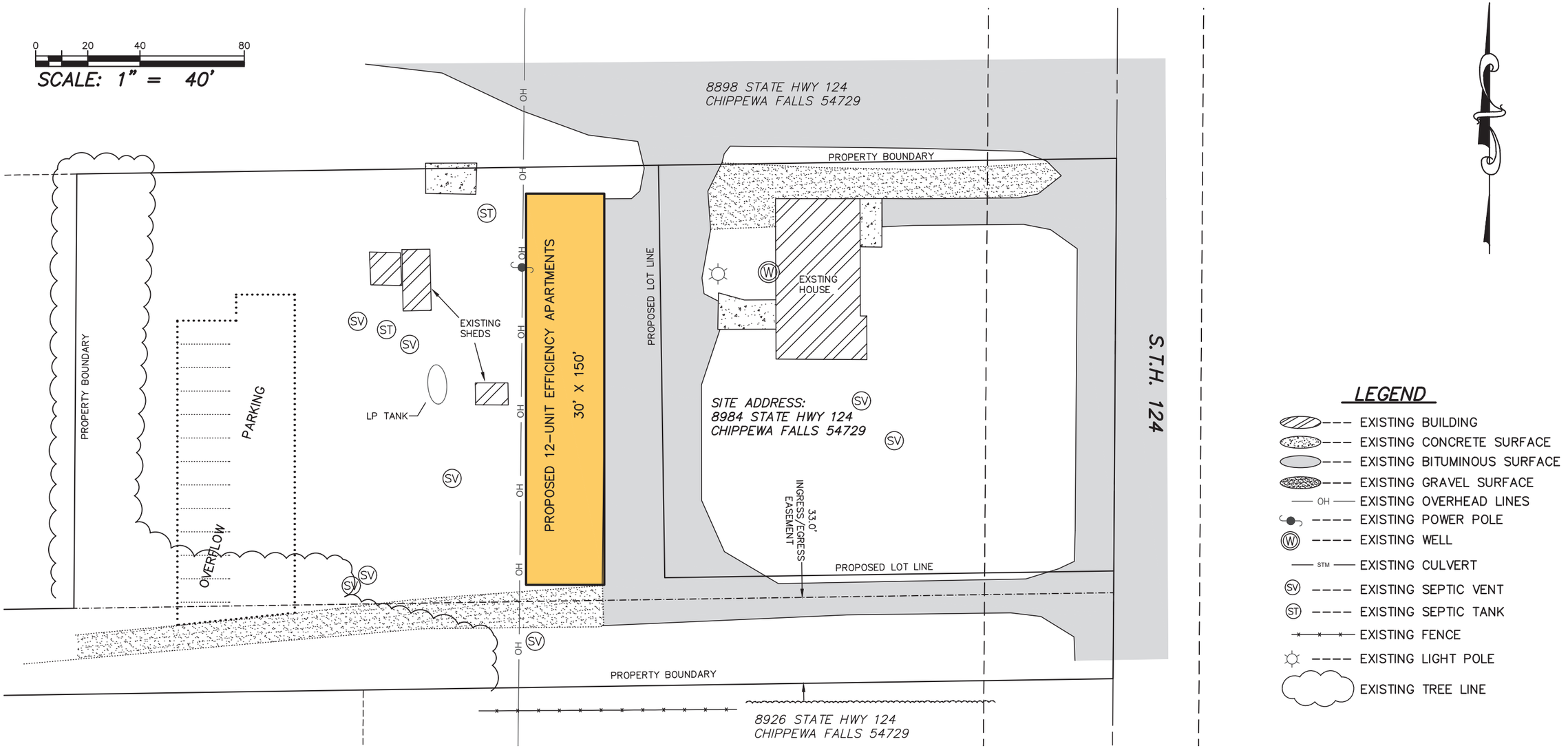
Map

EXHIBIT C

Printed 03/26/2025 Scale = 1:248'

Attachment: 2025-0003 GT Business Ventures Rezone - Application (8974 : 2025-0003 GT Business

Disclaimer: This map is a compilation of records as they appear in the Chippewa County Offices affecting the area shown and is to be used only for reference purposes.



LEGEND

- EXISTING BUILDING
- EXISTING CONCRETE SURFACE
- EXISTING BITUMINOUS SURFACE
- EXISTING GRAVEL SURFACE
- OH — EXISTING OVERHEAD LINES
- EXISTING POWER POLE
- W — EXISTING WELL
- STM — EXISTING CULVERT
- SV — EXISTING SEPTIC VENT
- ST — EXISTING SEPTIC TANK
- EXISTING FENCE
- EXISTING LIGHT POLE
- EXISTING TREE LINE

REAL LAND SURVEYING
1356 INTERNATIONAL DRIVE
EAU CLAIRE, WI 54701
(715) 514-4116
rlswi.com

COPYRIGHT 2013
REAL LAND SURVEYING

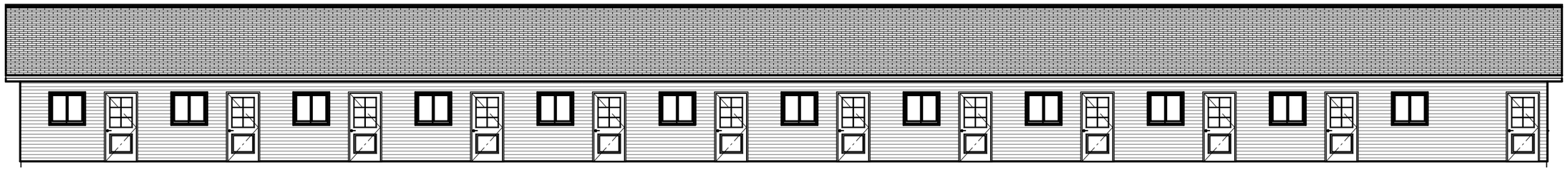
SITE PLAN

LOCATED IN THE NORTHEAST ¼ OF THE NORTHEAST ¼,
SECTION 30, TOWNSHIP 29 NORTH, RANGE 8 WEST,
TOWN OF EAGLE POINT, CHIPPEWA COUNTY, WISCONSIN

CADD No. 25062 SITE PLAN

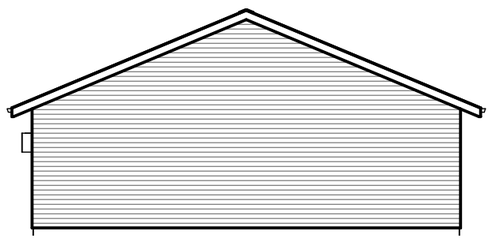
REVISION DATE: 03/26/25

Attachment: 2025-0003 GT Business Rezone - Application (8974 : 2025-0003 GT Business Venture LLC Rezone)

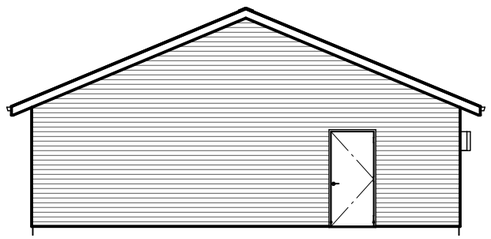


East Elevation

West Elevation



South Elevation



North Elevation

NO	DESCRIPTION	BY	DATE

PROJECT DESCRIPTION:
Proposed New
Efficiency Apot Bldg

THE CONSTRUCTION

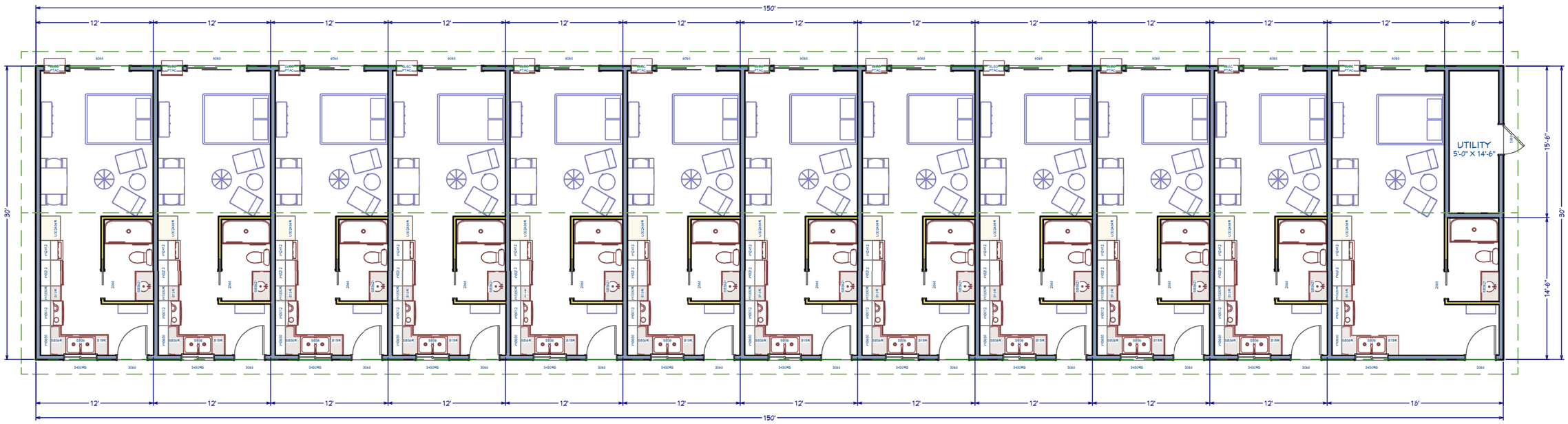
PROJECT LOCATION:
8984 State Hwy 124

DATE:
3/25/20

SCALE:
3/32" =

SHEET.

Attachment: 2025-0003 GT Business Ventures Rezone - Application (8974 : 2025-0003 GT Business Venture LLC Rezone)



Floor Plan

NO	DESCRIPTION	BY	DATE

PROJECT DESCRIPTION:
Proposed New
Efficiency Apot Bldg

THE CONSTRUCTION

PROJECT LOCATION:
8984 State Hwy 124

DATE:
3/25/20

SCALE:
3/32" =

SHEET.

Attachment: 2025-0003 GT Business Ventures Rezone - Application (8974 : 2025-0003 GT Business Venture LLC Rezone)

(Posted on May 5, 2025)
Chippewa County Website & County Clerk's Bulletin Board

CHIPPEWA COUNTY PLANNING & ZONING COMMITTEE
NOTICE OF PUBLIC HEARING
STATE OF WISCONSIN

PUBLIC NOTICE is hereby given to all persons in the County of Chippewa, Wisconsin, that public hearings will be held on **May 22, 2025,** beginning at **5:00 PM** at the Chippewa County Courthouse, Room 302, 711 N Bridge Street, Chippewa Falls, Wisconsin relative to the following petitions:

Rezone Petition: 2025-0003
Petitioner: GT Business Ventures Holding **Agent:** Real Land Surveying/Jeremy Skaw
A proposed two-lot CSM, which will modify the property lines for parcel number 22908-3011-01000000. The property is located in the NE ¼ of the NE ¼, Section 30, Township 29 North, Range 08 West. Town of Eagle Point. Property Address: 8984 State Highway 124.
From: Highway Commercial **To:** Residential 1 and Residential 3

Conditional Use Request: 2025-0004
Petitioner: Olson's Valley Properties LLC **Agent:** Tyler Hastings, CBS Squared
To allow a contractor's storage yard (Dan's Construction & Excavating, Inc.), with the ability to lease out space to additional contractors, in the Agricultural District in accordance with 70-71(b)(5) and 70-108 of the Chippewa County Zoning Ordinance on a parcel which is located in the NW ¼ of the SW ¼, Section 15, Township 28 North, Range 09 West. Town of Wheaton. Physical Address: 10268 CTH X.

Rezone Petition: 2025-0005
Petitioner: Derrick & Carrie Paul
Parcel number 22907-3242-05500000, located in the NW ¼ of the SE ¼, Section 32, Township 29 North, Range 07 West. Town of Lafayette. Property Address: vacant.
From: Residential 2 **To:** Residential 1

Specific information regarding these public hearings can be obtained at the Chippewa County Department of Planning & Zoning. All persons interested are invited to attend this meeting.

Dated this **30th** day of **April**, 2025

Douglas Clary, Director
Department of Planning & Zoning
Chippewa County

Attachment: 2025-0003 GT Business Ventures Rezone - Public Notices & Maps (8974 : 2025-0003 GT Business Venture LLC Rezone)

CHIPPEWA COUNTY
DEPARTMENT OF PLANNING & ZONING

• 711 North Bridge Street, Chippewa Falls, WI 54729 • Phone:715.726.7940 • Fax:715.726.4596 • www.co.chippewa.wi.us •

Land Management | Land Planning | Land Records & G.I.S. | POWTS & Wells

Date: April 30, 2025

To: Property Owner(s)

From: Douglas Clary, Director

Re: Public Meetings & Public Hearing

Dear Property Owner(s):

The Chippewa County Department of Planning & Zoning has received a rezone petition for a parcel of land that is located either adjacent to or in the vicinity of property owned by you. You are receiving this notice because your property has been determined to be within the legal public hearing notification distance per county and state requirements. I have enclosed a map identifying the location of the parcel associated with the rezone petition. If you have any questions regarding this rezone petition, please contact me at (715) 726-7941.

REZONE PETITION: #2025-0003
Property Owner: GT Business Ventures Holding LLC **Agent:** Real Land Surveying/Jeremy Skaw
A proposed two-lot CSM, which will modify the property lines for parcel number 22908-3011-01000000. The property is located in the NE ¼ of the NE ¼, Section 30, Township 29 North, Range 08 West. Town of Eagle Point. Physical address: 8984 State Highway 124.

From: Highway Commercial **To:** Residential 1 and Residential 3

Proposal: To create a two-lot certified survey map. One lot will encompass the existing single-family dwelling and a 12-unit efficiency apartment complex is proposed on the other lot.

THESE MEETINGS ARE OPEN TO THE PUBLIC:

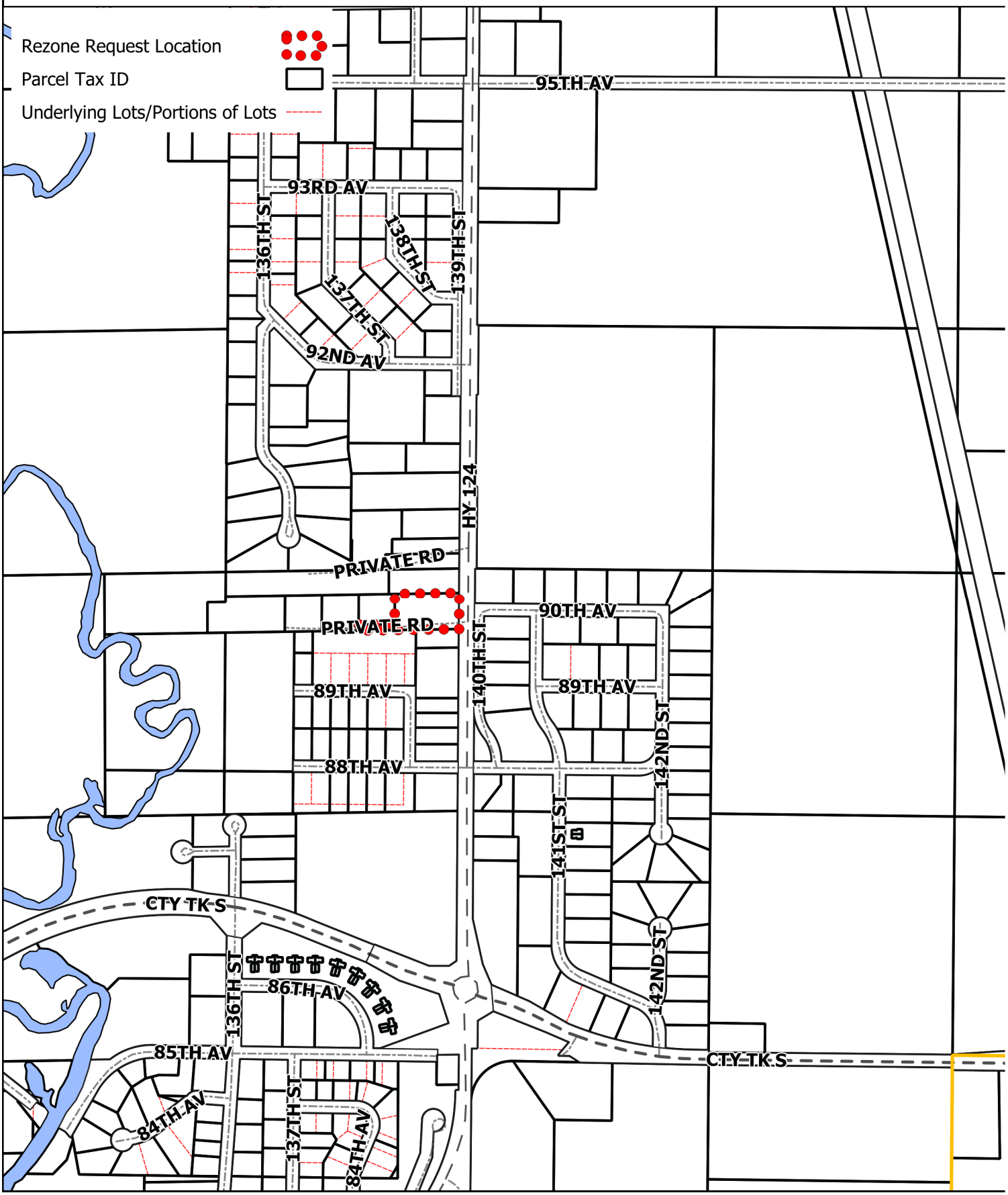
Eagle Point Plan Commission
The Eagle Point Town Board will **REVIEW** this request on **May 12, 2025** at **7:00 PM,** at the Eagle Point Town Hall, 14802 State Highway 124, Chippewa Falls, Wisconsin 54729. The Plan Commission will forward a recommendation on the petition to approve, disapprove or approve with modification(s) and/or conditions to the Town Board.

Eagle Point Town Board
The Eagle Point Town Board will **REVIEW** this request on **May 19, 2025** at **7:00 PM,** at the Eagle Point Town Hall, 14802 State Highway 124, Chippewa Falls, Wisconsin 54729. The Town Board will forward a recommendation on the petition to approve, disapprove or approve with modification(s) and/or conditions to the Planning & Zoning Committee.

Chippewa County Planning & Zoning Committee:
The Chippewa County Planning & Zoning Committee will hold a **PUBLIC HEARING** for this petition on **May 22, 2025** at **5:00 PM** in the Chippewa County Courthouse, Room 302, 711 N Bridge Street, Chippewa Falls, Wisconsin. The Committee will make a determination on the petition to approve, disapprove or approve with modification(s) and/or conditions. If the Planning & Zoning Committee approves or approves with modification/conditions, the petition will be forwarded to the County Board meeting on **June 10, 2025** at **6:00 PM** for their consideration. If the Planning & Zoning Committee disapproves, the petition will fail.

Attachment: 2025-0003 GT Business Ventures Rezone - Public Notices & Maps (8974 : 2025-0003 GT Business Venture LLC Rezone)

2025-0003 GT Business Ventures Holding LLC Rezone Request
Location Map



Produced on April 30, 2025 by the Chippewa County Department of Planning & Zoning and is for reference purposes only.

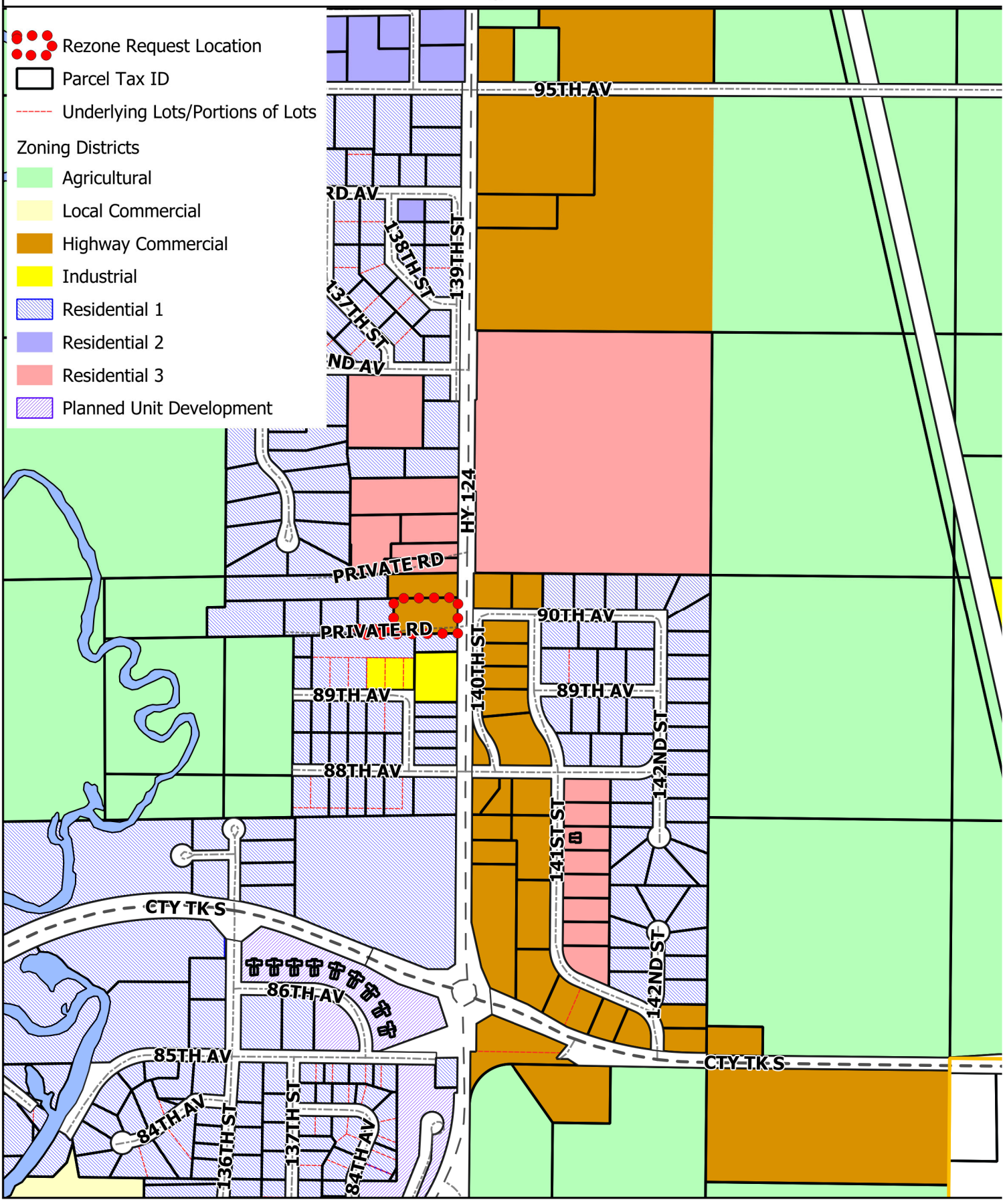
Attachment: 2025-0003 GT Business Ventures Rezone - Public Notices & Maps (8974 : 2025-0003 GT Business Venture LLC Rezone)

2025-0003 GT Business Ventures Holding LLC Rezone Request
Aerial (2023)

Produced on April 30, 2025 by the Chippewa County Department of Planning & Zoning and is for reference purposes only.

Attachment: 2025-0003 GT Business Ventures Rezone - Public Notices & Maps (8974 : 2025-0003 GT Business Venture LLC Rezone)

2025-0003 GT Business Ventures Holding LLC Rezone Request
Zoning Districts



Attachment: 2025-0003 GT Business Ventures Rezone - Public Notices & Maps (8974 : 2025-0003 GT Business Venture LLC Rezone)

Produced on April 30, 2025 by the Chippewa County Department of Planning & Zoning and is for reference purposes only

STATEMENT OF EXPLANATION
2025-0005 PAUL REZONE - TOWN OF LAFAYETTE

Parcel number 22907-3242-05500000, located in part of the NW ¼ of the SE ¼, Section 32, Township 29 North, Range 07 West. Town of Lafayette. Physical Address: vacant

From: Residential 2

To: Residential 1

CHIPPEWA COUNTY

DEPARTMENT OF PLANNING & ZONING

• 711 North Bridge Street, Chippewa Falls, WI 54729 • Phone:715.726.7940 • Fax:715.726.4596 • www.co.chippewa.wi.us •

2025 Rezone Application

Comprehensive zoning consists of written text (commonly referred to as the zoning ordinance) and an official zoning map. The zoning ordinance is a guideline for permitted and conditional uses, which are separated into zoning classifications or districts. The zoning map shows how a town board has designated the particular zoning classifications or districts to parcels of land within their particular jurisdiction. A **REZONE** is where a property owner or other authorized entity seeks to amend the official zoning map, which would allow a use that is currently not permitted on the parcels of land based on the existing zoning classification or district. This is referred to as a zoning map amendment or "rezoning". The requested rezoning change may not be granted if it does not fit with the comprehensive plan and community goals for the respective town and county.

SECTION I: Parcel Owner Information			SECTION II: Agent Information		
Name: DERRICK & CARRIE PAUL			Name:		
Mailing Address: 1922 Gregerson Dr			Mailing Address:		
City: EAU CLAIRE	State: WI	Zip: 54703	City:	State:	Zip:
Telephone: 715-829-2350			Telephone:		
Email Address (Required): dpaul@gopresto.com			Email Address (Required):		
SECTION III: Parcel Information					
Town of: Lafayette			Property Address: 20364 72nd Ave		
Parcel Number(s): 22907-3242-05500000			City: Chippewa Falls	State: WI	Zip: 54729
Existing Zoning District(s): R2			Proposed Zoning District(s): R1		

GENERAL DIRECTIONS:

1. **Complete** this Application form and the required four (4) parts:
   - ☐ Part 1: General Questions related to the request
   - ☐ Part 2: Planning & Zoning Committee Schedule - 2025
   - ☐ Part 3: General Rezoning Process
   - ☐ Part 4: Applicant Acknowledgement/Signature
2. **Submit** the completed application, all required information and a **$350.00** public hearing fee (Make check payable to: Chippewa County Treasurer) by the deadline (as listed in Part 2) to the Chippewa County Department of Planning & Zoning, Room 009, 711 N. Bridge Street, Chippewa Falls, Wisconsin 54729.
3. **Make arrangements** to attend or have a representative attend any local town plan commission or town board meetings, and the required Planning & Zoning public hearing. This presence is needed so that questions can be answered and concerns addressed.

FOR DEPARTMENT OF PLANNING & ZONING STAFF USE:		
Receipt Number:	Appeal Number: 2025-0005	Public Hearing Date: 5-22-25

Attachment: 2025-0005 Paul Rezone - Application (8976 : 2025-0005 Paul Rezone - Town of Lafayette)

Chippewa County – 2025 Rezone Application

Once a completed application is received, the Chippewa County Department of Planning & Zoning will prepare a public hearing notice for your administrative appeal. The public hearing notice will be posted to the Chippewa County Website and the County Clerks bulletin board. In addition, your neighbors, the Town Board and any applicable county or state agency(s) will also be notified. At the hearing, any party may appear in person or may be represented by an agent or attorney to present information to the Planning & Zoning Committee in opposition or support of your request.

PART 1: General Questions. Please use a separate 8.5" x 11" sheet to answer these questions.

(A) As the applicant, do you have legal title to the parcel(s)? If you **do not** have legal title to the property, please have the property owner sign this application.

(B) Identify the parcel(s) that are or will be part of this rezone request. If needed, an additional sheet listing those parcels can be attached.

(C) Describe the present and, if known, any proposed improvements on each parcel of land.

(D) Explain why you are requesting to rezone of each parcel. Please identify the proposed use of each parcel.

(E) Explain the compatibility of your proposed use(s) with the existing use(s) on adjacent parcels and those in the vicinity of this parcel(s).

(F) Discuss any additional issues you feel that supports the consistency of your proposed use with County ordinances and plans as well as any Town ordinances or plans.

Be prepared to give a detailed presentation when called upon at the public hearing before the Planning and Zoning Committee. Prepare an outline of your proposal, something similar to a "business plan", detailing for the Planning & Zoning Committee your proposal. Include any documentation you feel is necessary as part of your presentation in defining your proposal for the Committee and possibly the County Board. It is vital to your application to consult with professionals you feel may be able to assist with your application (i.e. surveyor, attorney, engineer, etc.)

PART 2: Planning & Zoning Committee Schedule - 2025

Applications will not be placed on the appropriate agenda unless they are properly completed and include **ALL** required supporting information or documents **and** payment of the public hearing fee. Applicants are encouraged to consult with staff of the Department of Planning & Zoning prior to the filing of the application. This is an important step to ensure that all pertinent issues are identified and to determine what information in addition to the application forms might be necessary in order for the department to accept and process your application. Please CIRCLE or HIGHLIGHT the meeting you intend on attending:

	2025 - Thursdays											
	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Applications Due @ 12:00 Noon	12-26	01-23	02-20	03-27	04-24	05-22	06-26	07-24	08-21	09-25	10-23	11-20
Public Hearing/Meeting (Thu)	01-23	02-20	03-20	04-24	05-22	06-19	07-24	08-21	09-18	10-23	11-20	12-18
County Board Meeting (Tues)	02-11	03-11	04-08	05-13	06-10	07-08	08-12	09-09	10-14	11-11	12-09	01-13

Note: Typically, the Planning & Zoning Committee meetings start at 5:00 PM on the designated dates above.
Note: No Committee meeting in April due to the Spring Election.

PART 3: General Rezoning Process:

(A) The rezone application is filed with the Department of Planning & Zoning. This includes the legal description of the parcels to be rezoned, a written statement addressing the questions as listed in Part 1 and any other information your feel will aid in a decision on this request.

(B) The Town Board will be notified of the rezone application. The Town Board can recommend approval or denial of a rezoning request. If the Town Board denies a rezone request, the Planning & Zoning Committee can only recommend an approval with modification to the rezone request or deny the rezone request.

(C) The public hearing notice will be posted to the Chippewa County Website and the County Clerks bulletin board detailing the request and the date and time of the Public Hearing.

Attachment: 2025-0005 Paul Rezone - Application (8976 : 2025-0005 Paul Rezone - Town of Lafayette)

(D) Property owners of the land and those property owners within 400' (or maybe a greater distance) of the requested rezone change are notified directly by mail as well as the Town Board Chair and Town Clerk. The notice to the property owners will generally contain a portion of the public hearing notice and information pertaining to meetings to be held at the Town level (plan commission, town board, etc) as well as the Public Hearing in front of the Planning & Zoning Committee.

(E) General maps (location map, aerial view and existing zoning districts map) will be prepared for the request by the Department.

(F) A department staff report is prepared and sent to the Planning & Zoning Committee, while comments from the general public are solicited.

(G) Following the Public Hearing, the Planning & Zoning Committee will make a motion to either approve, approve with modification or deny the rezoning request. If the rezone request receives an approval or approval with modification an ordinance amendment will be prepared and placed on the next County Board meeting agenda for their approval.

(H) If the County Board approves the rezone and the town board files an objection to the approval, the town board will then have 45 days to veto the rezone request following the applicable state statutes.

(I) If the rezone request receives County Board approval, the final step is the publication of the amendment in the Chippewa Herald. Once published, the zoning district amendment takes effect. The entire process from application deadline to final publication can take two months or more to complete depending upon the scheduling of hearing dates.

PART 4: Applicant Acknowledgement/Signature

This application must be signed by the property owner or in case of an agreement to purchase the property, a letter from the property owner acknowledging the potential buyer is seeking the rezone.

- I certify that the information I have provided in this application is true, accurate and complete.
- I or a representative will have an opportunity to present to the Planning & Zoning Committee information in favor of this request.
- I have the authority to allow the staff of the Department of Planning & Zoning and Planning & Zoning Committee member's access to the property to conduct necessary inspections related to this request.
- I understand that I cannot speak to any member of the Planning & Zoning Committee about this application, except at the public hearing.
- I understand that I cannot direct any written communication about this application to a member of the Planning & Zoning Committee, unless I also file a copy with the Department of Planning & Zoning and direct additional copies to each person who has registered an interest in this application.
- I also understand that if I or my representative fail to appear in front of the Planning & Zoning Committee during the designated public hearing or my failure to observe the above mentioned rules, my request may be **DENIED**.

Signed: _____ Date: 4/20/2025
Owner/Agent

PART 5: Planning & Zoning Department Mailing List

Applicant
Property Owner Owners within 400'
Planning & Zoning Committee Members
Town Board Chair & Clerk
County Board Supervisor
News Media
Wisconsin DNR
US Army Corp of Engineers
Wisconsin DOT

Attachment: 2025-0005 Paul Rezone - Application (8976 : 2025-0005 Paul Rezone - Town of Lafayette)

Derrick & Carrie Paul

20364 72nd Ave, Chippewa Falls, WI 54729

General Questions

A. As the applicant, do you have legal title to the parcel?
    a. Yes, we do
B. Identify the parcel that are or will be part of this rezone request.
    a. The entirety of parcel number 22907-3242-05500000
C. Describe the present, and if known, any proposed improvements on each parcel of the land.
    a. Current state would be to rezone the R2 property to be R1. In two years, we would like to build a single-family house on the property. Future plans could be to divide the property into 2 lots. Each lot could house a single family dwelling.
D. Explain why you are requesting to rezone of each parcel. Please identify the proposed use of each parcel.
    a. In two years, we would like to build a single-family house on the property.
E. Explain the compatibility of your proposed use(s) with the existing use(s) on adjacent parcels and those in the vicinity of this parcel.
    a. Adjacent parcels have single family houses.
F. Discuss any additional issues you feel that supports the consistency of your proposed use with County ordinances and plans as well as any Town ordinances or plans.
    a. We have met with land/zoning employees in Chippewa County as well as a DNR representative to discuss our plans. Those individuals did not see issues. We have been told by the county that this lot would eventually be rezoned to be R1 to match surrounding lot usage.

Attachment: 2025-0005 Paul Rezone - Application (8976 : 2025-0005 Paul Rezone - Town of Lafayette)

(Posted on May 5, 2025)
Chippewa County Website & County Clerk's Bulletin Board

CHIPPEWA COUNTY PLANNING & ZONING COMMITTEE
NOTICE OF PUBLIC HEARING
STATE OF WISCONSIN

PUBLIC NOTICE is hereby given to all persons in the County of Chippewa, Wisconsin, that public hearings will be held on **May 22, 2025,** beginning at **5:00 PM** at the Chippewa County Courthouse, Room 302, 711 N Bridge Street, Chippewa Falls, Wisconsin relative to the following petitions:

Rezone Petition: 2025-0003
Petitioner: GT Business Ventures Holding **Agent:** Real Land Surveying/Jeremy Skaw
A proposed two-lot CSM, which will modify the property lines for parcel number 22908-3011-01000000. The property is located in the NE ¼ of the NE ¼, Section 30, Township 29 North, Range 08 West. Town of Eagle Point. Property Address: 8984 State Highway 124.
From: Highway Commercial **To:** Residential 1 and Residential 3

Conditional Use Request: 2025-0004
Petitioner: Olson's Valley Properties LLC **Agent:** Tyler Hastings, CBS Squared
To allow a contractor's storage yard (Dan's Construction & Excavating, Inc.), with the ability to lease out space to additional contractors, in the Agricultural District in accordance with 70-71(b)(5) and 70-108 of the Chippewa County Zoning Ordinance on a parcel which is located in the NW ¼ of the SW ¼, Section 15, Township 28 North, Range 09 West. Town of Wheaton. Physical Address: 10268 CTH X.

Rezone Petition: 2025-0005
Petitioner: Derrick & Carrie Paul
Parcel number 22907-3242-05500000, located in the NW ¼ of the SE ¼, Section 32, Township 29 North, Range 07 West. Town of Lafayette. Property Address: vacant.
From: Residential 2 **To:** Residential 1

Specific information regarding these public hearings can be obtained at the Chippewa County Department of Planning & Zoning. All persons interested are invited to attend this meeting.

Dated this **30th** day of **April**, 2025

Douglas Clary, Director
Department of Planning & Zoning
Chippewa County

Attachment: 2025-0005 Paul Rezone - Public Notices & Maps (8976 : 2025-0005 Paul Rezone - Town of Lafayette)

CHIPPEWA COUNTY
DEPARTMENT OF PLANNING & ZONING

• 711 North Bridge Street, Chippewa Falls, WI 54729 • Phone:715.726.7940 • Fax:715.726.4596 • www.co.chippewa.wi.us •

Land Management | Land Planning | Land Records & G.I.S. | POWTS & Wells

Date: April 30, 2025

To: Property Owner(s)

From: Douglas Clary, Director

Re: Public Meetings & Public Hearing

Dear Property Owner(s):

The Chippewa County Department of Planning & Zoning has received a rezone petition for a parcel of land that are located either adjacent to or in the vicinity of property owned by you. You are receiving this notice because your property has been determined to be within the legal public hearing notification distance per county and state requirements. I have enclosed a map identifying the location of the parcel associated with the rezone petition. If you have any questions regarding this rezone petition, please contact me at (715) 726-7941.

REZONE PETITION: #2025-0005
Petitioner: Derrik & Carrie Paul
Parcel number 22907-3242-05500000, located in part of the NW ¼ of the SE ¼, Section 32, Township 29 North, Range 07 West. Town of Lafayette. Physical Address: vacant

From: Residential 2 **To:** Residential 1

THESE MEETINGS ARE OPEN TO THE PUBLIC:

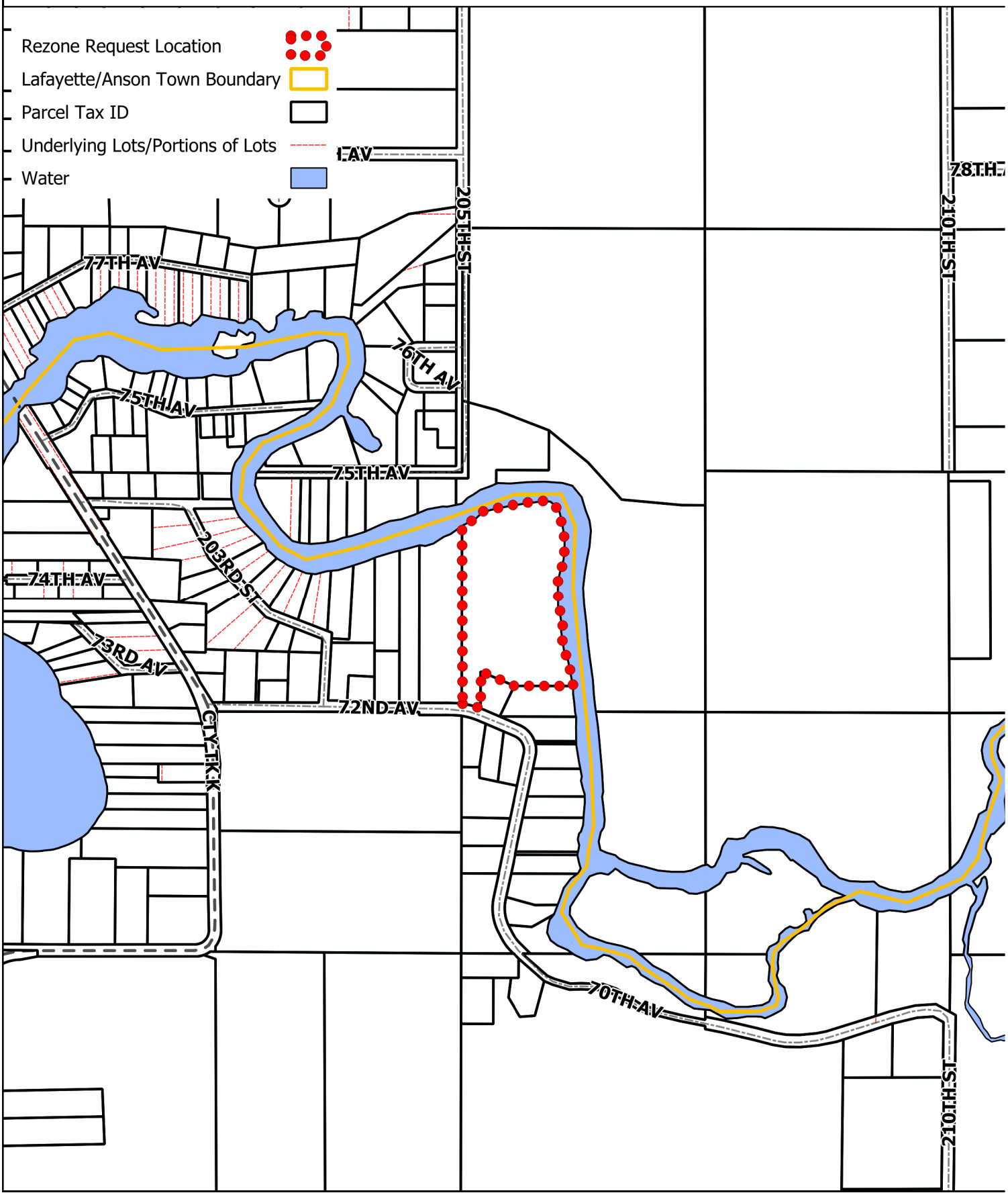
Lafayette Town Park, Recreation & Land Use Planning Commission (PRLPC):
The PRLPC will **REVIEW** this request on **May 12, 2025** at approximately **7:00 PM**. The PRLPC will make an **ADVISORY** recommendation to the Lafayette Town Board to approve or disapprove. This meeting will be held at the Lafayette Town Hall, 5765 197th Street, Chippewa Falls, Wisconsin 54729.

Lafayette Town Board:
The Town Board will **REVIEW** this request on **May 19, 2025** at approximately **7:00 PM**. The Town Board will forward an **ADVISORY** recommendation to the Chippewa County Planning & Zoning Committee to approve, disapprove or approve with modification(s) and/or condition(s). This meeting will be held at the Lafayette Town Hall, 5765 197th Street, Chippewa Falls, Wisconsin 54729 or via telephone.

Chippewa County Planning & Zoning Committee:
The Chippewa County Planning & Zoning Committee will hold a **PUBLIC HEARING** for this petition on **May 22, 2025** at **5:00 PM** in the Chippewa County Courthouse, Room 302, 711 N Bridge Street, Chippewa Falls, Wisconsin. The Committee will make a determination on the petition to approve, disapprove or approve with modification(s) and/or conditions. If the Planning & Zoning Committee approves or approves with modification, the petition will be forwarded to the County Board meeting on **June 10, 2025** at **6:00 PM** for their consideration. If the Planning & Zoning Committee disapproves, the petition will fail.

Attachment: 2025-0005 Paul Rezone - Public Notices & Maps (8976 : 2025-0005 Paul Rezone - Town of Lafayette)

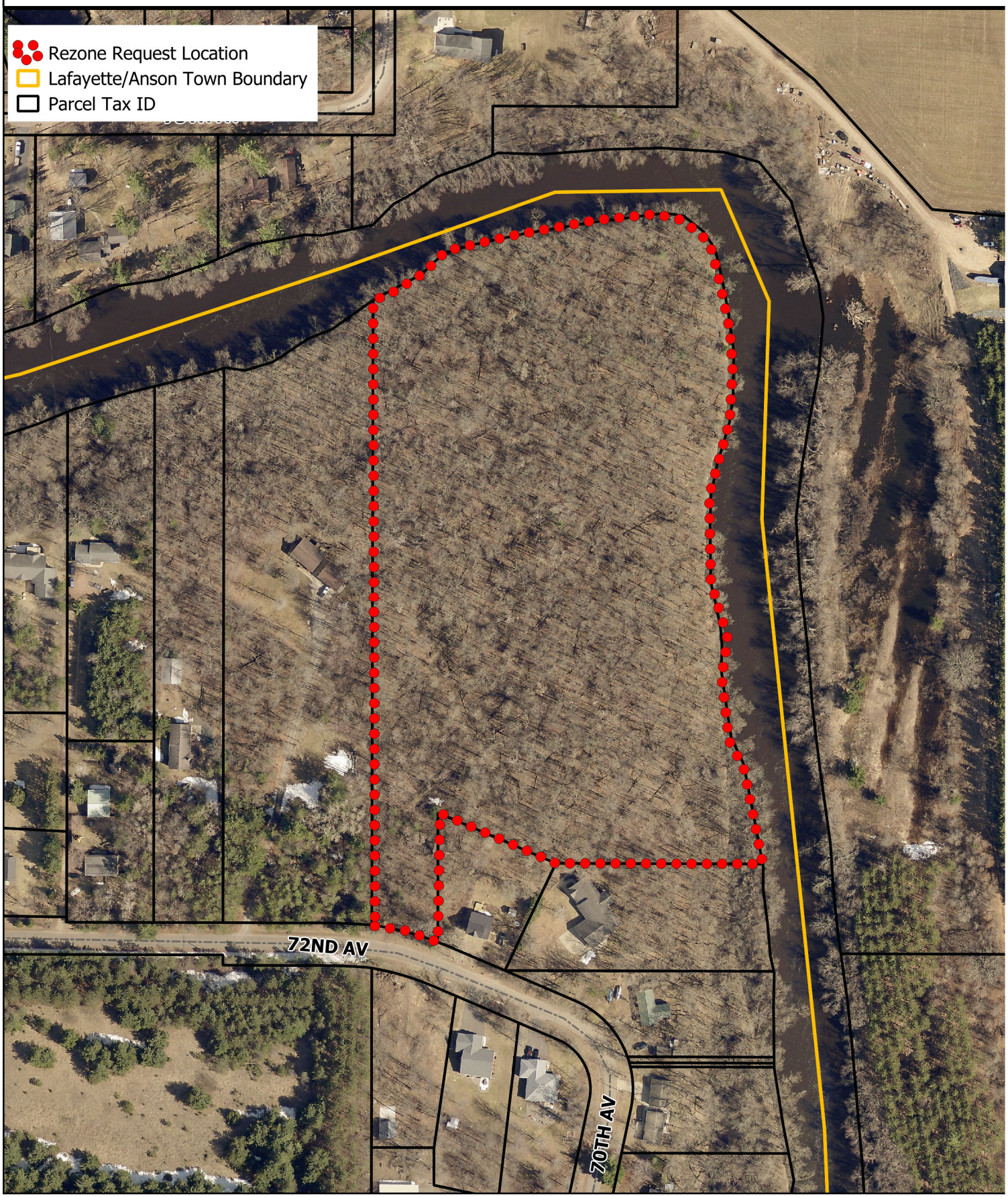
2025-0005 Paul Rezone Request
Location Map



Attachment: 2025-0005 Paul Rezone - Public Notices & Maps (8976 : 2025-0005 Paul Rezone - Town of Lafayette)

Produced on April 30, 2025 by the Chippewa County Department of Planning & Zoning and is for reference purposes only.

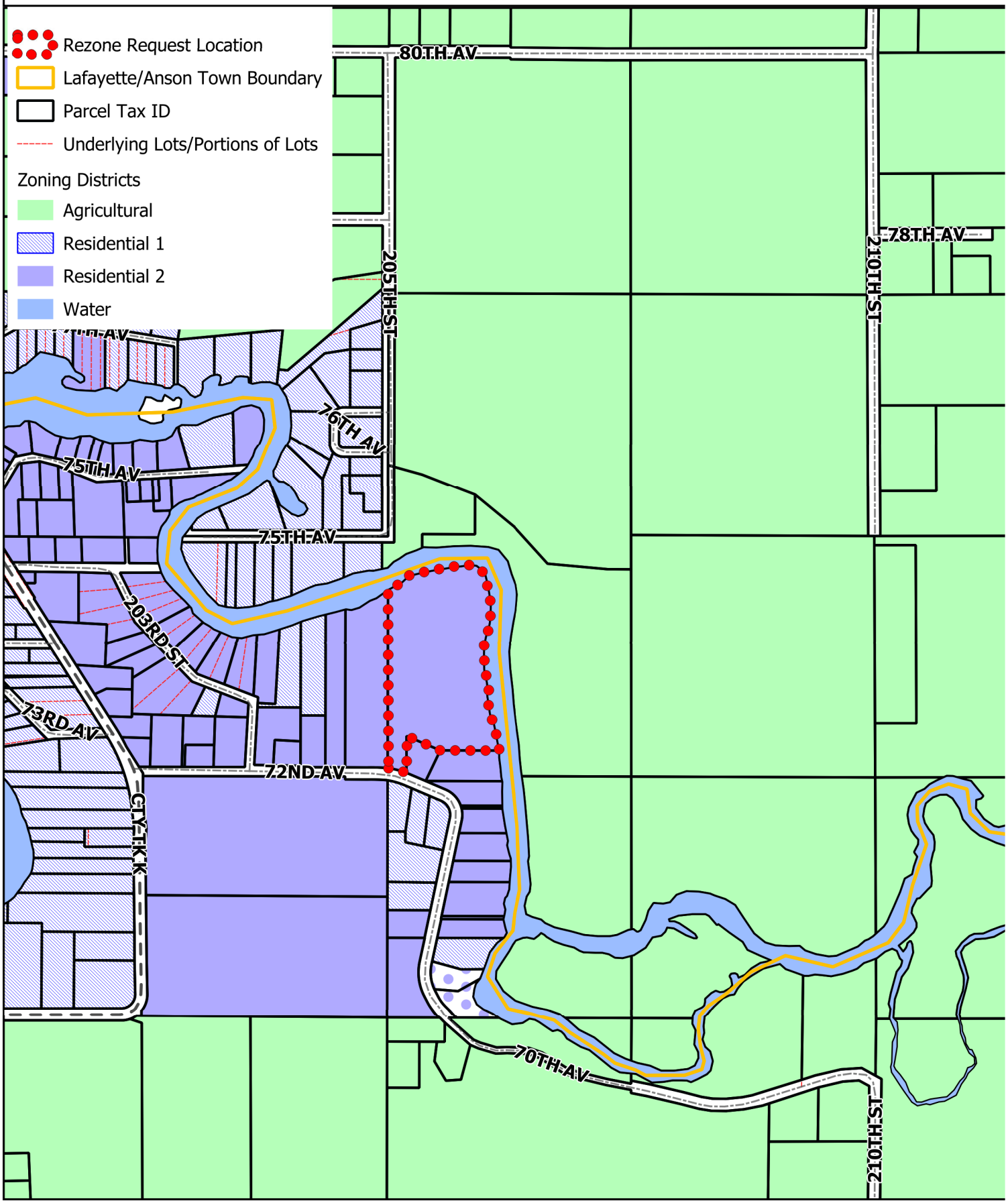
2025-0005 Paul Rezone Request
Aerial (2023)



Attachment: 2025-0005 Paul Rezone - Public Notices & Maps (8976 : 2025-0005 Paul Rezone - Town of Lafayette)

Produced on April 30, 2025 by the Chippewa County Department of Planning & Zoning and is for reference purposes only.

2025-0005 Paul Rezone Request
Zoning Districts



Attachment: 2025-0005 Paul Rezone - Public Notices & Maps (8976 : 2025-0005 Paul Rezone - Town of Lafayette)

Produced on April 30, 2025 by the Chippewa County Department of Planning & Zoning and is for reference purposes only

STATEMENT OF EXPLANATION
2025-0004 OLSON'S VALLEY PROPERTIES LLC CONDITIONAL USE REQUEST - TOWN OF WHEATON

To allow a contractor's storage yard (Dan's Construction & Excavating, Inc.), with the ability to lease out space to additional contractors, in the Agricultural District in accordance with 70-71(b)(5) and 70-108 of the Chippewa County Zoning Ordinance on a parcel which is located in the NW ¼ of the SW ¼, Section 15, Township 28 North, Range 09 West. Town of Wheaton. Physical Address: 10268 CTH X

Request: To utilize the property for multiple contractors vs. just limited to Dan's Construction & Excavating, Inc.

CHIPPEWA COUNTY – PLANNING & ZONING COMMITTEE
NOTICE OF ACTION

Conditional Use Permit
Contractor's Storage Yard in the Agricultural District

APPEAL NUMBER: 2024-0003
APPEAL DATE: 07-18-2024

LAND OWNER(S):
Daniel Olson, 7929 County Highway Q, Chippewa Falls, Wisconsin 54729

PARCEL NUMBER:
22809-1532-00020002

LEASEE/FUTURE OWNER:
Dan's Construction & Excavation, Inc.

Dear Property Owner,

On July, 18, 2024, the Planning & Zoning Committee considered your Conditional Use Permit request to allow a contractor's storage yard (Dan's Construction & Excavation, Inc.) in the Agricultural District pursuant to 70-71(b)(5) and 70-108. The parcel associated with this conditional use permit is 22809-1532-00020002, which is located in the NW ¼ of the SW ¼, Section 15, Township 28 North, Range 09 West. Town of Wheaton.

DECISION:
The Planning & Zoning Committee has **GRANTED** the conditional use permit with the following conditions:

1. Description and Size of the Structure(s): Principal Building: 62' x 240' shop with office, a 20' x 20' fuel island, 50' x 100' accessory structure (unheated storage) and a 30' x 100' accessory structure (unheated storage). All proposed buildings shall be built to the Wisconsin Commercial Building Code, unless exempt.
2. Concise Description of the Permitted Use: Approved as outlined in the introductory letter from CBS Squared dated June 19, 2024 and the Project Manual dated June 20, 2024 and August 18, 2021 and confined to the boundaries as shown on the site plan.
3. Outdoor Storage: All outdoor storage of equipment or business items for Dan's Construction & Excavation, Inc shall be placed or screened by plantings or fences, so that the storage of the equipment is not visible from any public highway or any residential building. Trees and/or shrubs shall be planted shall be able to reach a height of 5-8 feet within 3 years.
4. Onsite Activities Prohibited: The storage of materials such as gravel, sand, wood chips, stumps, etc would not be allowed on the property. The site shall not be used as a burrow site or a staging area for materials.
5. Setback Requirements: All setbacks of the Agricultural District shall be met with the proposed buildings. The outdoor storage of items shall be located at least 20' from all property lines.
6. Road Access: If not already granted, both access points shall be approved by the Chippewa County Highway Department prior to their construction
7. Terms & Duration: This conditional use permit is issued to Dan's Construction & Excavation, Inc. This permit would not be transferable to a future property owner, unless approved by the Planning & Zoning Committee after conducting a public hearing. A renewal period is not attached to this permit. The rental or leasing of land or building space to a third party under this conditional use permit is prohibited.
8. Allowed Expansion: Expansions of the proposed buildings are not allowed, unless approved by the Planning & Zoning Committee.

Attachment: 2024-0003 Olson (Dan's Construction & Excavation, Inc) - CUP FINAL_DECISION (8975 : 2025-0004 Olson's Valley Properties LLC

9. Future Subdivision of the Property: If the property is subdivided, this CUP shall be revised to include the new legal description and parcel number.
10. Parking Consideration: The parking of employee vehicles shall follow the setback requirements for outdoor storage under number 3 of this conditional use permit.
11. Drainage & Sanitary Disposal: All activities conducted on the site shall be in accordance with all applicable local, state and federal regulations.
12. Days and Hours of Operation: Outdoor activities would be allowed to begin one-half (1/2) hour after sunrise and shall cease one-half (1/2) hour prior to sunset, Monday through Saturday. Occasionally, the hours of operation might be outside these hours. No Sundays or holidays.
13. It is the responsibility of the owner to apply for and keep all required permits valid and in compliance.
14. Conditions as outlined in 70-108(d), (e) and (f) of the Chippewa County Zoning Ordinance.

A complete record of the hearing and the decision of the Planning & Zoning Committee are available for inspection in the Chippewa County Planning & Zoning Department, Room 009, 711 N. Bridge Street, Chippewa Falls, Wisconsin. Information can be reviewed and/or requested between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding Holidays.

TERMINATION AND REVOCATION

The conditional use permit shall lapse and is void:

1. Twelve (12) months after approval by the Committee unless the use is fully established and improvement to the property described in the permit is implemented.
2. On the date of expiration set forth in the conditional use permit.
3. At such time as the conditional use for which the permit was granted shall cease or be abandoned for twelve (12) consecutive months.
4. If any condition of the permit is violated or if the conditional use is substantially detrimental to persons or property in the neighborhood, the Committee, following notice to all parties listed in 70-108(b)(2), shall hold a public hearing on the revocation of the conditional use permit. If, upon finding of facts, any material condition of the conditional use permit has been violated or if the character and quality of the area has been substantially and adversely affected by the continuation of the conditional use permit, the Committee may revoke or modify the conditional use. The Committee may thereafter direct counsel for the county to initiate such legal actions as are necessary to ensure compliance with this chapter.

EFFECT OF REVOCATION

In the event of revocation or termination, the conditional use is void and the property shall be governed thereafter by the rules of the zoning district to which the property is zoned at the time of the termination.

BINDING EFFECT

The applicant shall acknowledge in their application and the conditional use permit shall recite that the use is conditional and binding upon the applicant, his successors, assigns and personal representatives and is a restriction that runs with the land.

WRIT OF CERTIORARI

Any person or persons jointly or severally aggrieved by this decision of the Planning & Zoning Committee or any taxpayer, or any officer, department, board or bureau of the County, may commence an action in the circuit court for writ of certiorari to review the legality of such decision.

Dated this **19th** day of **July**, 2024.

By the Order of the Planning & Zoning Committee.

Douglas Clary

Attachment: 2024-0003 Olson (Dan's Construction & Excavation, Inc) - CUP FINAL_DECISION (8975 : 2025-0004 Olson's Valley Properties LLC

Douglas Clary, Director
Department of Planning & Zoning

CC: Alice Droske, Wheaton Town Chair – *via email*
File

Attachment: 2024-0003 Olson (Dan's Construction & Excavation, Inc) - CUP FINAL_DECISION (8975 : 2025-0004 Olson's Valley Properties LLC

Your Project Solutions Start Here

Date: June 19th, 2024
Chippewa County Planning and Zoning
Attn: Doug Clary, Director
711 N Bridge Street
Chippewa Falls, WI 54729

RE: Conditional Use Permit Application

Dear Mr. Clary:

Our office is assisting Dan's Construction and Excavation Inc. in its application for a conditional use permit for the property with Parcel ID 22809-1532-00020002 at County Highway X, Chippewa Falls, WI 54729 located in the Town of Wheaton. The land is owned by Daniel Olson of Dan's Construction and Excavation Inc.

The Property is currently zoned as Agriculture District (see Exhibit A) and Dan's Construction and Excavation Inc, is requesting to use the property as a contractor's storage yard which is a conditional use of property within the Agriculture District pursuant to Chippewa County Ordinance 70-71 (b) (5). As required by Chippewa County Ordinance 70-71 (b) (5) there is a 5-foot berm that will act as a screening device. Trees will be planted on top of the berm to further improve screening. Where berms are not constructed, trees will be planted with spacing to provide screening.

Construction plans can be found in Exhibit B. The site will be used for storage of equipment, primarily in the winter, and have no customer traffic. The site will only be accessed when equipment is needed from storage. Currently there are no plans for expansion. The gravel pad and stormwater ponds have been installed already with plans to construct the buildings in the near future. The hours of operation will be Monday through Friday, 6 am to 7 pm. The site will be used immediately upon completion indefinitely. There will be minimal traffic impacts from this project, as it will only be accessed to store and retrieve equipment. Water may be applied to the gravel pad from time to time to control dust. As seen in Exhibit B, all setback requirements will be met. The stormwater plan was approved by the Wisconsin DNR as compliant with NR 151, but an amendment request was submitted on 6.19.2024. Chippewa County Zoning will be notified when the amendment is approved.

If you or the Chippewa County Planning & Zoning Committee need any further documentation or have questions/concerns, please contact me at (715) 505-8633.

Sincerely,

Tyler Hastings, PE

770 Technology Way
Chippewa Falls, WI
54729

info@cbssquaredinc.com

cbssquaredinc.com

Attachment: 2024-0003 Dan's Construction - CUP Application_Business Letter_2024-06-19 (8975 : 2025-0004 Olson's Valley Properties LLC

Your Project Solutions Start Here

Date: March 6th, 2025
Chippewa County Planning and Zoning
Attn: Doug Clary, Director
711 N Bridge Street
Chippewa Falls, WI 54729

RE: Conditional Use Permit Application

Dear Mr. Clary:

Our office is assisting Dan's Construction and Excavation Inc. in its application for a conditional use permit for the property with Parcel ID 22809-1532-00020002 at County Highway X, Chippewa Falls, WI 54729 located in the Town of Wheaton. The land is owned by Daniel Olson of Dan's Construction and Excavation Inc.

The Property is currently zoned as Agriculture District (see Exhibit A) and Dan's Construction and Excavation Inc, has previously obtained a conditional use permit to use the site as a contractor's storage yard. The Owner is resubmitting to add to the conditional use permit to have the ability to lease space to be used only as a contractor's storage yard, consistent with the already approved conditional use of the property within the Agriculture District pursuant to Chippewa County Ordinance 70-71 (b) (5). As required by Chippewa County Ordinance 70-71 (b) (5) there is a 5-foot berm that will act as a screening device. Trees will be planted on top of the berm to further improve screening. Where berms are not constructed, trees will be planted with spacing to provide screening.

The construction plans and specifications that were used can be found in Exhibit B. The site will be used for storage of equipment, primarily in the winter, and have no customer traffic. The site will only be accessed when equipment is needed from storage. From time to time, the Owner may lease portions of the building to others. The Owner will ensure that building space is only leased for use as a contractor's storage yard, consistent with the conditional use. Currently there are no plans for expansion. The gravel pad and stormwater ponds have been installed already and the 62x240 building is near completion with plans to construct the additional buildings in the future. The hours of operation will be Monday through Friday, 6 am to 7 pm. The site will be used immediately upon completion indefinitely. There will be minimal traffic impacts from this project, as it will only be accessed to store and retrieve equipment. Water may be applied to the gravel pad from time to time to control dust. As seen in Exhibit B, all setback requirements will be met. The stormwater plan was approved by the Wisconsin DNR as compliant with NR 151, on 8.2.2024, and a copy was sent to Chippewa County Zoning at that time.

If you or the Chippewa County Planning & Zoning Committee need any further documentation or have questions/concerns, please contact me at (715) 505-8633.

Sincerelv.

Tyler Hastings, PE

770 Technology Way
Chippewa Falls, WI
54729

info@cbssquaredinc.com

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Attachment: 2025-0004 Olson's Valley Properties LLC - Submitted Information (8975 : 2025-0004 Olson's Valley Properties LLC Conditional Use

CHIPPEWA COUNTY – PLANNING & ZONING COMMITTEE
NOTICE OF ACTION

Conditional Use Permit a Contractor's Storage Yard in the Agricultural District

APPEAL NUMBER: ~~2021-0010~~2024-0003
APPEAL DATE: ~~09-23-2021~~07-18-2024

LAND OWNER(S):
Daniel Olson, 7929 County Highway Q, Chippewa Falls, Wisconsin 54729

PARCEL NUMBER:
22809-1532-00020002

LEASEE/FUTURE OWNER:
Dan's Construction & Excavation, Inc,

Dear Property Owner,

On ~~September 23, 2021~~July, 18, 2024, the Planning & Zoning Committee considered your Conditional Use Permit request to allow a contractor's storage yard (Dan's Construction & Excavation, Inc.) in the Agricultural District pursuant to 70-71(b)(5) and 70-108. The parcel associated with this conditional use permit is 22809-1532-00020002, which is located in the NW ¼ of the SW ¼, Section 15, Township 28 North, Range 09 West. Town of Wheaton.

DECISION:
The Planning & Zoning Committee has **GRANTED** the conditional use permit with the following conditions:

1. Description and Size of the Structure(s): Principal Building: ~~24' x 36' Office with an 80' x 100' attached heated garage~~62' x 240' shop with office, ~~a 40' x 100' accessory shed,~~ a ~~24~~20' x ~~30~~20' fuel island, ~~20~~50' x 100' ~~bin area~~accessory structure (unheated storage) and a ~~40~~30' x 100' ~~Cold Storage (flat)~~accessory structure (unheated storage). All proposed buildings shall be built to the Wisconsin Commercial Building Code, unless exempt.
2. Concise Description of the Permitted Use: Approved as outlined in the introductory letter from CBS Squared dated ~~August 25, 2021~~June 19, 2024 and the Project Manual dated June 20, 2024 and August 18, 2021 and confined to the boundaries as shown on the site plan.
3. Outdoor Storage: All outdoor storage of equipment or business items for Dan's Construction & Excavation, Inc shall be placed or screened by plantings or fences, so that the storage of the equipment is not visible from any public highway or any residential building. Trees and/or shrubs shall be planted shall be able to reach a height of 5-8 feet within 3 years.
4. Onsite Activities Prohibited: The storage of materials such as gravel, sand, wood chips, stumps, etc would not be allowed on the property. The site shall not be used as a burrow site or a staging area for materials.
5. Setback Requirements: All setbacks of the Agricultural District shall be met with the proposed buildings. The outdoor storage of items shall be located at least 20' from all property lines.
6. Road Access: If not already granted, both access points shall be approved by the Chippewa County Highway Department prior to their construction
7. Terms & Duration: This conditional use permit is issued to Dan's Construction & Excavation, Inc. This permit would not be transferable to a future property owner, unless approved by the Planning & Zoning Committee after conducting a public hearing. A renewal period is not attached to this permit. The rental or leasing of land or building space to a third party under this conditional use permit is prohibited.
8. Allowed Expansion: Expansions of the proposed buildings are not allowed, unless approved by the Planning & Zoning Committee.

Attachment: 2025-0004 Olson's Valley Properties LLC - Submitted Information (8975 : 2025-0004 Olson's Valley Properties LLC Conditional Use

9. Future Subdivision of the Property: If the property is subdivided, this CUP shall be revised to include the new legal description and parcel number.

10. Parking Consideration: The parking of employee vehicles shall follow the setback requirements for outdoor storage under number 3 of this conditional use permit.

11. Drainage & Sanitary Disposal: All activities conducted on the site shall be in accordance with all applicable local, state and federal regulations.

12. Days and Hours of Operation: Outdoor activities would be allowed to begin one-half (1/2) hour after sunrise and shall cease one-half (1/2) hour prior to sunset, Monday through Saturday. Occasionally, the hours of operation might be outside these hours. No Sundays or holidays.

13. It is the responsibility of the owner to apply for and keep all required permits valid and in compliance.

14. Conditions as outlined in 70-108(d), (e) and (f) of the Chippewa County Zoning Ordinance.

A complete record of the hearing and the decision of the Planning & Zoning Committee are available for inspection in the Chippewa County Planning & Zoning Department, Room 009, 711 N. Bridge Street, Chippewa Falls, Wisconsin. Information can be reviewed and/or requested between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding Holidays.

TERMINATION AND REVOCATION

The conditional use permit shall lapse and is void:

1. Twelve (12) months after approval by the Committee unless the use is fully established and improvement to the property described in the permit is implemented.

2. On the date of expiration set forth in the conditional use permit.

3. At such time as the conditional use for which the permit was granted shall cease or be abandoned for twelve (12) consecutive months.

4. If any condition of the permit is violated or if the conditional use is substantially detrimental to persons or property in the neighborhood, the Committee, following notice to all parties listed in 70-108(b)(2), shall hold a public hearing on the revocation of the conditional use permit. If, upon finding of facts, any material condition of the conditional use permit has been violated or if the character and quality of the area has been substantially and adversely affected by the continuation of the conditional use permit, the Committee may revoke or modify the conditional use. The Committee may thereafter direct counsel for the county to initiate such legal actions as are necessary to ensure compliance with this chapter.

EFFECT OF REVOCATION

In the event of revocation or termination, the conditional use is void and the property shall be governed thereafter by the rules of the zoning district to which the property is zoned at the time of the termination.

BINDING EFFECT

The applicant shall acknowledge in their application and the conditional use permit shall recite that the use is conditional and binding upon the applicant, his successors, assigns and personal representatives and is a restriction that runs with the land.

WRIT OF CERTIORARI

Any person or persons jointly or severally aggrieved by this decision of the Planning & Zoning Committee or any taxpayer, or any officer, department, board or bureau of the County, may commence an action in the circuit court for writ of certiorari to review the legality of such decision.

Dated this ~~23rd~~19th day of ~~September~~July, ~~2021~~2024.

By the Order of the Planning & Zoning Committee.

Douglas Clary

Attachment: 2025-0004 Olson's Valley Properties LLC - Submitted Information (8975 : 2025-0004 Olson's Valley Properties LLC Conditional Use

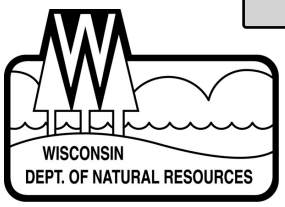
Douglas Clary, Director
Department of Planning & Zoning

CC: ~~Mark Blaskowski~~Alice Droske, Wheaton Town Chair – *via email*
File

Attachment: 2025-0004 Olson's Valley Properties LLC - Submitted Information (8975 : 2025-0004 Olson's Valley Properties LLC Conditional Use

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
West Central Region Headquarters
1300 W. Clairemont Ave
Eau Claire, WI 54701

Tony Evers, Governor
Secretary
Telephone (715) 839-3700
Toll Free 1-888-936-7463
TTY Access via relay - 711



August 2, 2024

Chad Olson
Dans Construction and Excavation Inc. Site
7929 County Hwy Q
Chippewa Falls WI 54729
Via email: dansconstructionexcavating@gmail.com

SUBJECT: Coverage Under WPDES General Permit No. WI-S067831-06: Construction Site Storm Water Runoff

Permittee Name: Dans Construction and Excavation Inc. Site
Site Name: Dan's Construction New Shop
FIN: 79022

Dear Permittee:

The Wisconsin Department of Natural Resources received your Water Resources Application for Project Permits or Notice of Intent, on August 18, 2021, and renewal on August 2, 2024 for the Dan's Construction New Shop site and has evaluated the information provided regarding storm water discharges from your construction site. We have determined that your construction site activities will continue to be regulated under ch. 283, Wis. Stats., ch. NR 216, Wis. Adm. Code, and in accordance with Wisconsin Pollutant Discharge Elimination System (WPDES) General Permit No. WI-S067831-06, Construction Site Storm Water Runoff. All erosion control and storm water management activities undertaken at the site must be done in accordance with the terms and conditions of the general permit.

The **Start Date** of renewed permit coverage for this site is August 02, 2024. The maximum period of permit coverage for this site is limited to 3 years from the **Start Date**. Therefore, permit coverage automatically expires and terminates 3 years from the Start Date and storm water discharges are no longer authorized unless another Notice of Intent and application fee to retain coverage under this permit or a reissued version of this permit is submitted to the Department 14 working days prior to expiration.

A copy of the general permit along with extensive storm water information including technical standards, forms, guidance and other documents is accessible on the Department's storm water program Internet site. To obtain a copy of the general permit, please download it and the associated documents listed below from the following Department Internet site: **http://dnr.wi.gov/topic/stormwater/construction/forms.html**

- Construction Site Storm Water Runoff WPDES general permit No. WI-S067831-06
- Construction site inspection report form
- Notice of Termination form

If, for any reason, you are unable to access these documents over the Internet, please contact me and I will send them to you.

To ensure compliance with the general permit, please read it carefully and be sure you understand its contents. Please take special note of the following requirements (This is not a complete list of the terms and conditions of the general permit.):

1. The Construction Site Erosion Control Plan and Storm Water Management Plan that you completed prior to submitting your permit application must be implemented and maintained throughout construction. Failure to do so may result in enforcement action by the Department.

Attachment: 2025-0004 Olson's Valley Properties LLC - Submitted Information (8975 : 2025-0004 Olson's Valley Properties LLC Conditional Use

2. The general permit requires that erosion and sediment controls be routinely inspected at least every 7 days, and within 24 hours after a rainfall event of 0.5 inches or greater. Weekly written reports of all inspections must be maintained. The reports must contain the following information:

a. Date, time, and exact place of inspection;
b. Name(s) of individual(s) performing inspection;
c. An assessment of the condition of erosion and sediment controls;
d. A description of any erosion and sediment control implementation and maintenance performed;
e. A description of the site's present phase of construction.

3. A **Certificate of Permit Coverage** must be posted in a conspicuous place on the construction site. The Certificate of Permit Coverage (WDNR Publication # WT-813) is enclosed for your use.

4. When construction activities have ceased and the site has undergone final stabilization, a Notice of Termination (NOT) of coverage under the general permit must be submitted to the Department.

It is important that you read and understand the terms and conditions of the general permit because they have the force of law and apply to you. Your project may lose its permit coverage if you do not comply with its terms and conditions. The Department may also withdraw your project from coverage under the general permit and require that you obtain an individual WPDES permit instead, based on the Department's own motion, upon the filing of a written petition by any person, or upon your request.

If you believe that you have a right to challenge this decision to grant permit coverage, you should know that the Wisconsin statutes and administrative rules establish time periods within which requests to review Department decisions must be filed. For judicial review of a decision pursuant to ss. 227.52 and 227.53, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to file your petition with the appropriate circuit court and serve the petition on the Department. Such a petition for judicial review must name the Department of Natural Resources as the respondent.

To request a contested case hearing pursuant to s. 227.42, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for hearing on the Secretary of the Department of Natural Resources. All requests for contested case hearings must be made in accordance with s. NR 2.05(5), Wis. Adm. Code, and served on the Secretary in accordance with s. NR 2.03, Wis. Adm. Code. The filing of a request for a contested case hearing is not a prerequisite for judicial review and does not extend the 30-day period for filing a petition for judicial review.

Thank you for your cooperation with the Construction Site Storm Water Discharge Permit Program. If you have any questions concerning the contents of this letter or the general permit, please contact John Eaton at (715) 491-4092.

Sincerely,

Teagan Wagner

Teagan Wagner
Northern & West Central Region
Storm Water Program

ENCLOSURE: Certificate of Permit Coverage

Attachment: 2025-0004 Olson's Valley Properties LLC - Submitted Information (8975 : 2025-0004 Olson's Valley Properties LLC Conditional Use

CERTIFICATE OF PERMIT COVERAGE

UNDER THE
WPDES CONSTRUCTION SITE STORM WATER RUNOFF PERMIT
Permit No. WI-S067831-06

Under s. NR 216.455(2), Wis. Adm. Code, landowners of construction sites with storm water discharges regulated by the Wisconsin Department of Natural Resources (WDNR) Storm Water Permit Program are required to post this certificate in a conspicuous place at the construction site. This certifies that the site has been granted WDNR storm water permit coverage. The landowner must implement and maintain erosion control practices to limit sediment-contaminated runoff to waters of the state in accordance with the permit.

EROSION CONTROL COMPLAINTS

should be reported to the WDNR Tip Line at

1-800-TIP-WDNR (1-800-847-9367)

Please provide the following information to the Tip Line:

WDNR Site No. (FIN): 79022

Site Name: Dan's Construction New Shop

Address/Location: State Highway 29 Business City of CHIPPEWA FALLS

Additional Information:

Landowner: Dans Construction and Excavation Inc. Site

Landowner's Contact Person: Chad Olson

Contact Telephone Number: (715) 726-1262

Permit Start Date (Renewal): August 02, 2024

By: Teagan Wayne

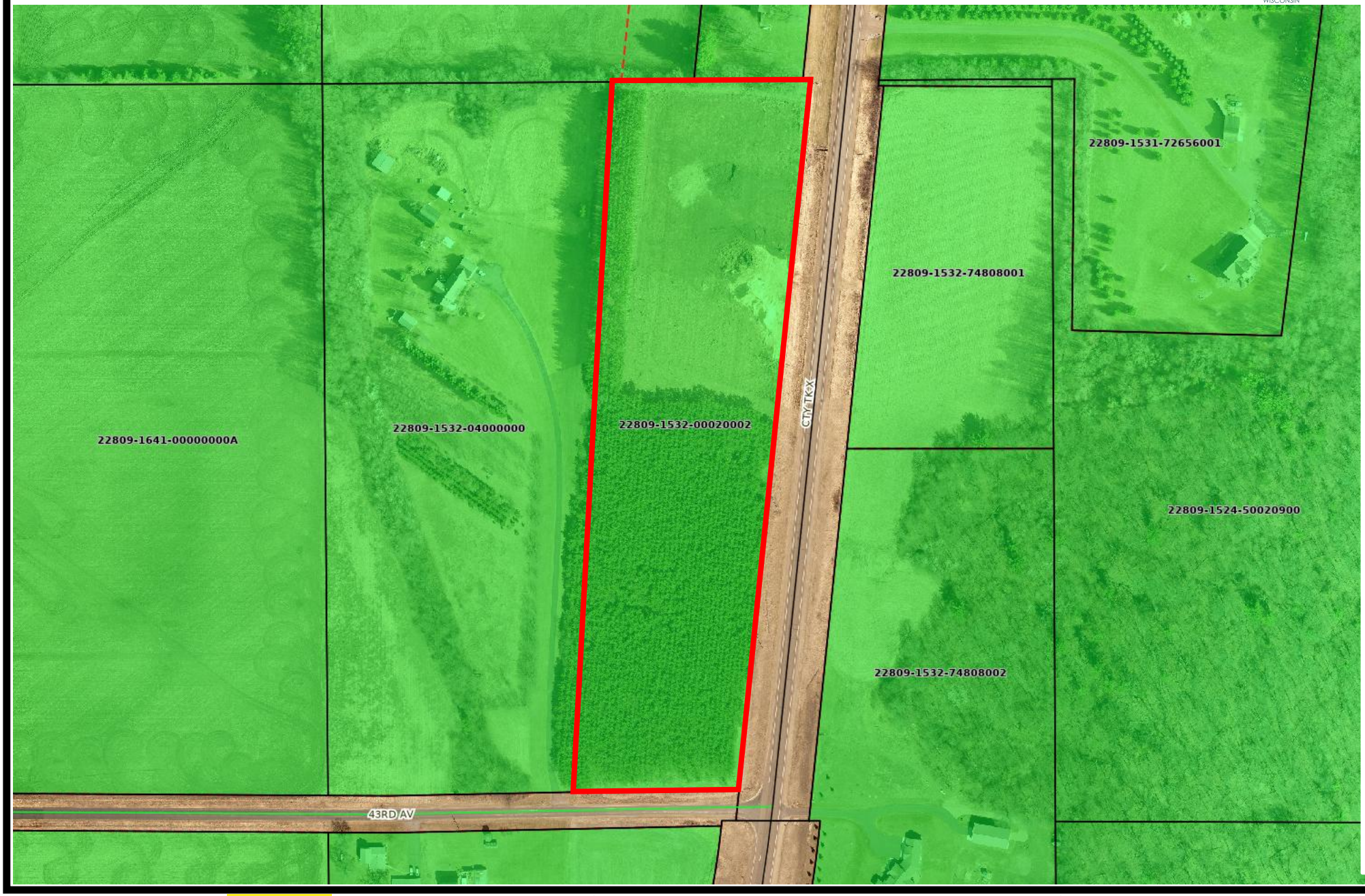
WDNR Publication # WT-813 (10/11)

Attachment: 2025-0004 Olson's Valley Properties LLC - Submitted Information (8975 : 2025-0004 Olson's

Map

Exhibit A-1

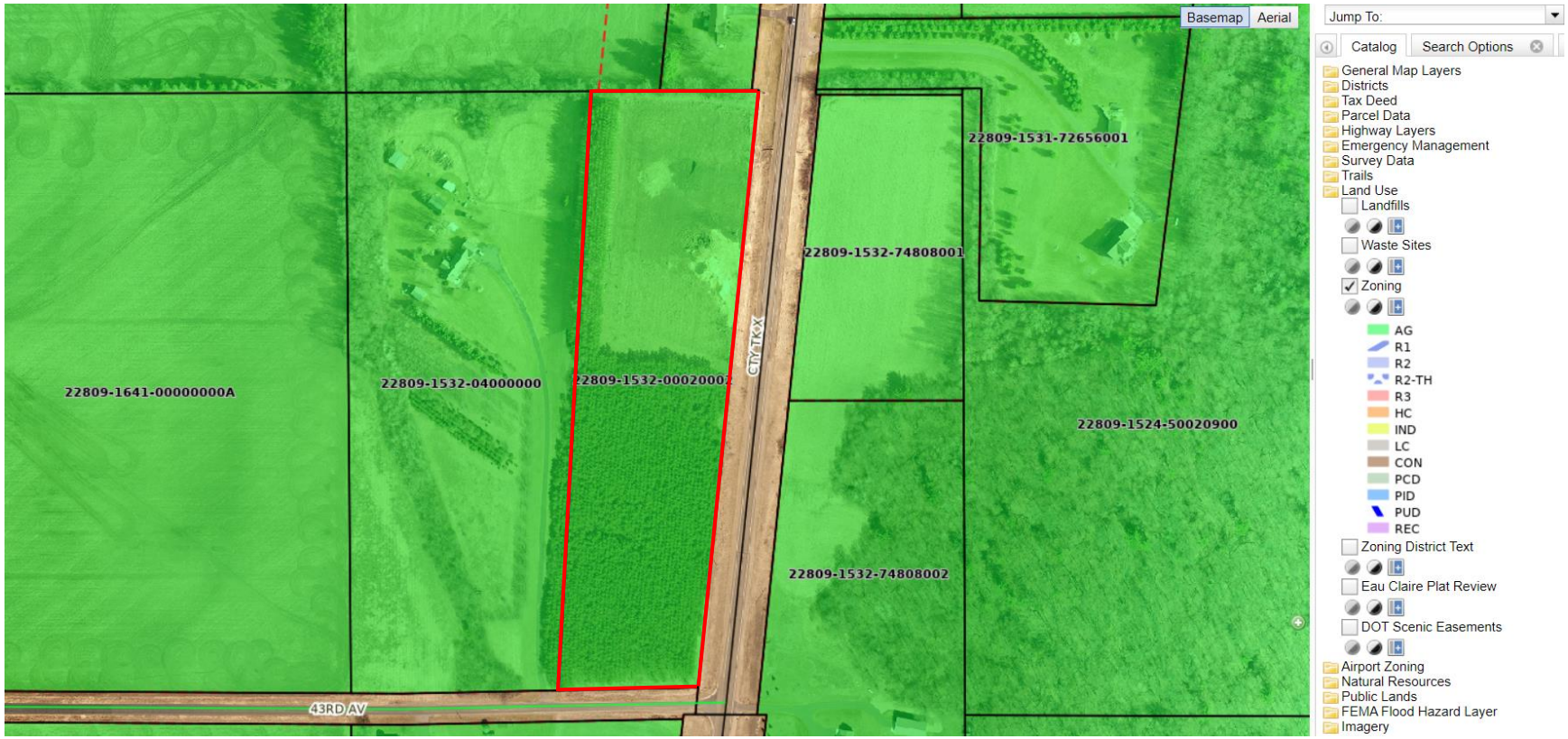
Printed 08/25/2021 Scale = 1:232'



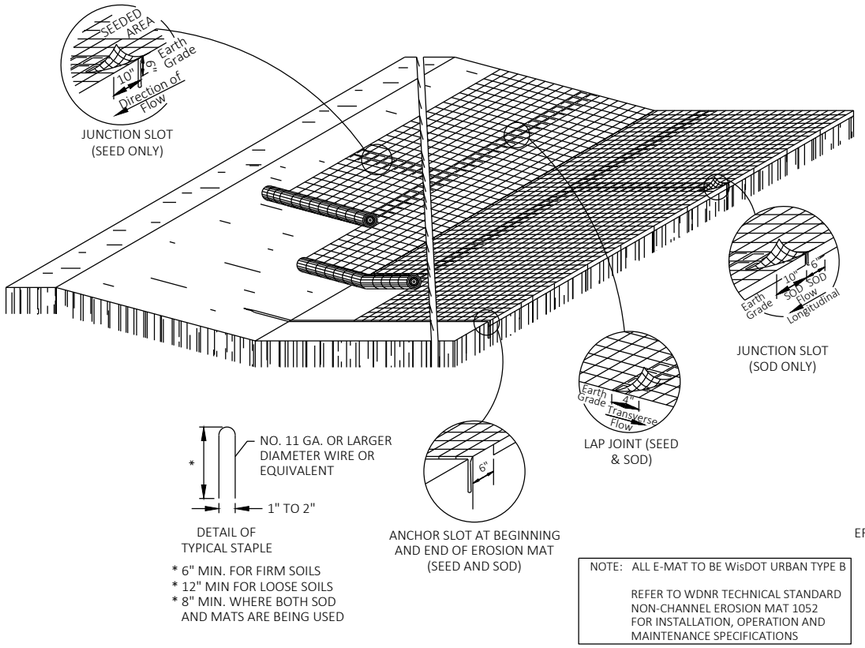
Attachment: 2025-0004 Olson's Valley Properties LLC - Submitted Information (8975 : 2025-0004 Olson's

Disclaimer: This map is a compilation of records as they appear in the Chippewa County Offices affecting the area shown and is to be used only for reference purposes.

Exhibit A-2



Attachment: 2025-0004 Olson's Valley Properties LLC - Submitted Information (8975 : 2025-0004 Olson's



* 6" MIN. FOR FIRM SOILS
* 12" MIN FOR LOOSE SOILS
* 8" MIN. WHERE BOTH SOD AND MATS ARE BEING USED

NOTE: ALL E-MAT TO BE WisDOT URBAN TYPE B

REFER TO WDNR TECHNICAL STANDARD NON-CHANNEL EROSION MAT 1052 FOR INSTALLATION, OPERATION AND MAINTENANCE SPECIFICATIONS

EROSION MAT

EROSION CONTROL

GENERAL NOTES: DETAILS OF CONSTRUCTION, MATERIALS AND WORKMANSHIP NOT SHOWN ON THIS DRAWING SHALL CONFORM TO THE PERTINENT REQUIREMENTS OF THE STANDARD SPECIFICATIONS AND THE APPLICABLE SPECIAL SPECIFICATIONS.

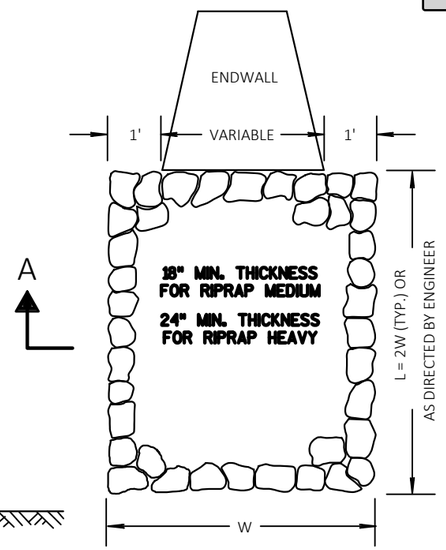
GENERAL NOTES: VARIATIONS IN THE DIMENSIONS OF MATERIALS SHOWN HEREON SHALL BE PERMITTED IF THEY PROVIDE EQUIVALENT PROTECTION AND MATERIAL STRENGTH AND IF PRIOR APPROVAL OF THE ENGINEER IS OBTAINED.
LAP JOINTS SHALL NOT BE PLACED IN THE BOTTOM OF V-SHAPED DITCHES.
JUNCTION SLOTS ON ADJACENT STRIPS OF MATTING SHALL BE STAGGERED A MINIMUM OF 4 FEET APART.
EDGES OF THE EROSION MAT SHALL BE IMPRESSED IN THE SOIL.

EROSION MAT OVER SOD:
A: ONLY JUTE FABRIC WILL BE PERMITTED OVER SOD.
B: ROAD STAKES FOR THE SOD MAY BE OMITTED BY THE ENGINEER IF THE EXISTING SLOPE AND SOIL CONDITIONS SO WARRANT.
C: THE WIDTH OF EROSION MAT SHALL ALWAYS EQUAL THE SOD WIDTH.
D: SOD STRIPS MAY BE PLACED EITHER LONGITUDINALLY OR TRANSVERSELY TO THE FLOW LINE OF THE DITCH.

EROSION MAT OVER SEEDING: JUNCTION OR ANCHOR SLOTS SHALL BE AT MINIMUM INTERVALS OF 100 FEET ON GRADES UP TO AND INCLUDING 3 PERCENT, AND 50 FEET ON GRADES EXCEEDING 3 PERCENT.

ROADWAY CLEANING: SWEEPING OF ROAD MUST BE DONE AT A MINIMUM OF ONCE A DAY OR MORE TO REMOVE ALL SEDIMENTS FROM THE ROADWAYS AS NEEDED.

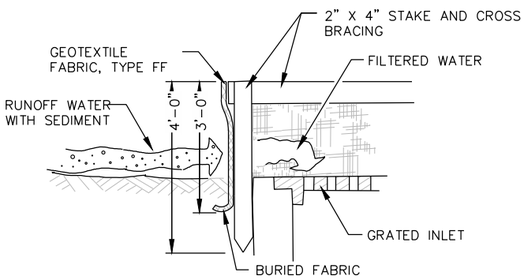
15" W = 8'
18" W = 10'
21" W = 10'
24" W = 12'



SECTION A-A

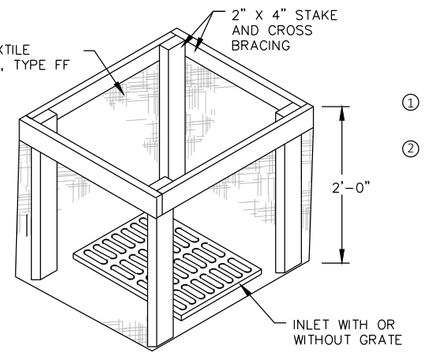
RIPRAP TREATMENT AT CULVERTS

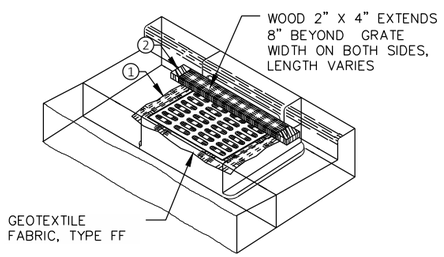
NOTE: ATTACH GEOTEXTILE FABRIC, TYPE FF TO THE TOP OF STAKES AND CROSS BRACING.



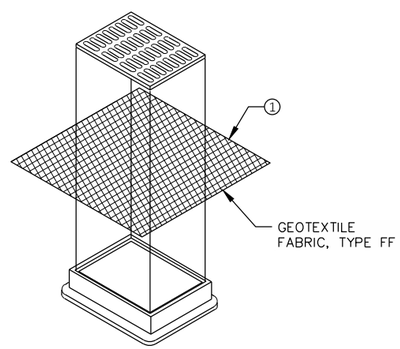
INLET PROTECTION, TYPE A

NOTE: REFER TO WDNR TECHNICAL STANDARD STORM DRAIN INLET PROTECTION FOR CONSTRUCTION SITES 1060 FOR INSTALLATION, OPERATION AND MAINTENANCE SPECIFICATIONS





INLET PROTECTION, TYPE C (W/ CURB BOX)



INLET PROTECTION, TYPE B (W/O CURB BOX)
(CAN BE INSTALLED ON ANY INLET TYPE)

INLET PROTECTION

GENERAL NOTES:

FABRIC SHALL BE REPLACED AT THE ENGINEERS DISCRETION. MANUFACTURED ALTERNATIVES APPROVED AND LISTED ON THE DEPARTMENT'S EROSION CONTROL PRODUCT ACCEPTABILITY LIST MAY BE SUBSTITUTED FOR THE INLET PROTECTION TYPE SPECIFIED. WHEN REMOVING OR MAINTAINING INLET PROTECTION, CARE SHALL BE TAKEN SO THAT THE SEDIMENT TRAPPED ON THE GEOTEXTILE FABRIC DOES NOT FALL INTO THE INLET. ANY MATERIAL FALLING INTO THE INLET SHALL BE REMOVED IMMEDIATELY.

FABRIC SIZE SHALL BE 8" (MIN) GREATER ON ALL SIDES OF THE INLET COVER TO PROVIDE A HAND HOLD WHEN MAINTENANCE OR REMOVAL IS REQUIRED.

FOR INLET PROTECTION, TYPE C, WITH A CURB BOX, AN ADDITIONAL 18" OF FABRIC IS WRAPPED AROUND THE WOOD AND SECURED WITH STAPLES. THE WOOD SHALL NOT BLOCK THE ENTIRE HEIGHT OF THE CURB BOX.

cbs²
ENGINEERS - SURVEYORS - ARCHITECTS
770 Technology Way
Chippewa Falls, WI 54729
Phone: 715.861.5226
www.cbssquaredinc.com

DRAWN BY:	DLS
DATE:	06/14/2024
CHECKED BY:	TJH
HORIZ. SCALE:	
VERT. SCALE:	
PROJECT NO.	OLSON20001

REVISIONS	
DATE:	DESCRIPTION:

DAN'S CONSTRUCTION STORAGE YARD WHEATON,WI

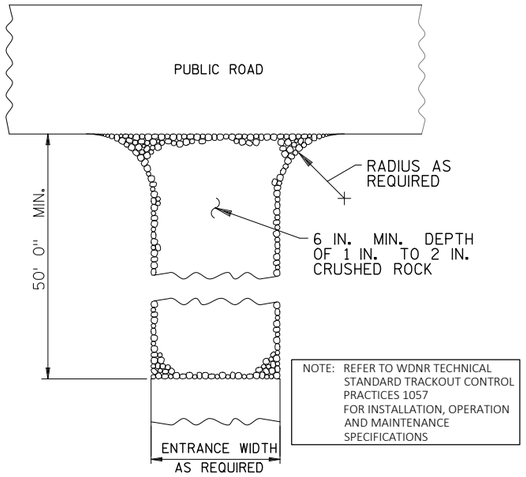
CONSTRUCTION DETAILS

SHEET
CD01

Attachment: 2025-0004 Olson's Valley Properties LLC - Submitted Information (8975 : 2025-0004 Olson's Valley Properties LLC Conditional Use

EROSION CONTROL NOTES

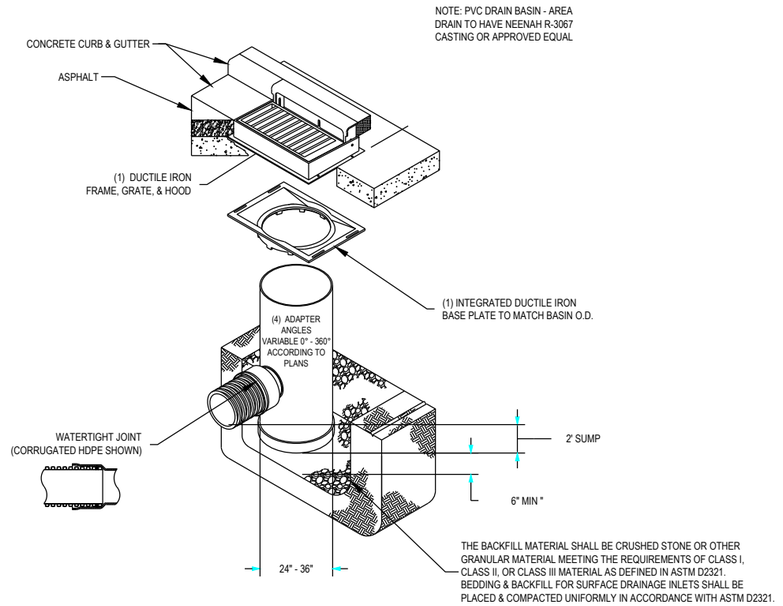
1. POST WDNR CERTIFICATE OF PERMIT COVERAGE ON SITE AND MAINTAIN UNTIL CONSTRUCTION ACTIVITIES HAVE CEASED, THE SITE IS STABILIZED, AND A NOTICE OF TERMINATION IS FILED WITH WDNR.
2. KEEP A COPY OF THE CURRENT EROSION CONTROL PLAN ON SITE THROUGHOUT THE DURATION OF THE PROJECT.
3. CONTRACTOR IS RESPONSIBLE FOR ROUTINE SITE INSPECTIONS AT LEAST ONCE EVERY 7 DAYS AND WITHIN 24 HOURS AFTER A RAINFALL EVENT OF 0.5 INCHES OR GREATER. KEEP INSPECTION REPORTS ON-SITE AND MAKE THEM AVAILABLE UPON REQUEST.
4. INSPECT AND MAINTAIN ALL INSTALLED EROSION CONTROL PRACTICES UNTIL THE CONTRIBUTING DRAINAGE AREA HAS BEEN STABILIZED.
5. WHEN POSSIBLE: PRESERVE EXISTING VEGETATION (ESPECIALLY ADJACENT TO SURFACE WATERS), MINIMIZE LAND-DISTURBING CONSTRUCTION ACTIVITY ON SLOPES OF 20% OR MORE, MINIMIZE SOIL COMPACTION, AND PRESERVE TOPSOIL.
6. REFER TO THE WDNR STORMWATER CONSTRUCTION TECHNICAL STANDARDS AT HTTP://DNR.WI.GOV/TOPIC/STORMWATER/STANDARDS/CONST_STANDARDS.HTML.
7. INSTALL PERIMETER EROSION CONTROLS AND ROCK TRACKING PAD CONSTRUCTION ENTRANCE(S) PRIOR TO ANY LAND-DISTURBING ACTIVITIES, INCLUDING CLEARING AND GRUBBING. USE WDNR TECHNICAL STANDARD *STONE TRACKING PAD AND TIRE WASHING #1057* FOR ROCK CONSTRUCTION ENTRANCE(S).
8. INSTALL INLET PROTECTION PRIOR TO LAND-DISTURBING ACTIVITIES IN THE CONTRIBUTING DRAINAGE AREA AND/OR IMMEDIATELY UPON INLET INSTALLATION. COMPLY WITH WDNR TECHNICAL STANDARD *STORM DRAIN INLET PROTECTION FOR CONSTRUCTION SITES #1060.*
9. STAGE CONSTRUCTION GRADING ACTIVITIES TO MINIMIZE THE CUMMULATIVE EXPOSED AREA. CONDUCT TEMPORARY GRADING FOR EROSION CONTROL PER WDNR TECHNICAL STANDARD *TEMPORARY GRADING PRACTICES FOR EROSION CONTROL #1067.*
10. PERMITTING OF GROUNDWATER DEWATERING IS THE RESPONSIBILITY OF THE CONTRACTOR. GROUNDWATER DEWATERING IS SUBJECT TO A DNR WASTEWATER DISCHARGE PERMIT AND A DNR HIGH CAPACITY WELL APPROVAL IF CUMULATIVE PUMP CAPACITY IS 70 GPM OR MORE.
11. PROVIDE ANTI-SCOUR PROTECTION AND MAINTAIN NON-EROSIVE FLOW DURING DEWATERING. PERFORM DEWATERING OF ACCUMULATED SURFACE RUNOFF IN ACCORDANCE WITH WDNR TECHNICAL STANDARD *DE-WATERING #1061. (REV. FEBRUARY 2017)*
12. CONSTRUCT AND PROTECT THE BIOINFILTRATION BASIN AND VEGETATION FROM RUNOFF AND SEDIMENT DURING CONSTRUCTION. REFERENCE THE WDNR TECHNICAL STANDARD BIORETENTION FOR INFILTRATION # 1004.
13. INSTALL AND MAINTAIN SILT FENCING PER WDNR TECHNICAL STANDARD *SILT FENCE #1056.* REMOVE SEDIMENT FROM BEHIND SILT FENCES AND SEDIMENT BARRIERS BEFORE SEDIMENT REACHES A DEPTH THAT IS EQUAL TO ONE-HALF OF THE FENCE AND/OR BARRIER HEIGHT.
14. REPAIR BREAKS AND GAPS IN SILT FENCES AND BARRIERS IMMEDIATELY. REPLACE DECOMPOSING STRAW BALES (TYPICAL BALE LIFE IS 3 MONTHS). LOCATE, INSTALL, AND MAINTAIN STRAW BALES PER WDNR TECHNICAL STANDARD *DITCH CHECKS #1062.*
15. IMMEDIATELY STABILIZE STOCKPILES AND SURROUND STOCKPILES AS NEEDED WITH SILT FENCE OR OTHER PERIMETER CONTROL IF STOCKPILES WILL REMAIN INACTIVE FOR 7 DAYS OR LONGER.
16. IMMEDIATELY STABILIZE ALL DISTURBED AREAS THAT WILL REMAIN INACTIVE FOR 14 DAYS OR LONGER. BETWEEN SEPTEMBER 15 AND OCTOBER 15: STABILZE WITH MULCH, TACKIFIER, AND A PERENNIAL SEED MIXED WITH WINTER WHEAT, ANNUAL OATS, OR ANNUAL RYE, AS APPROPRIATE FOR REGION AND SOIL TYPE OCTOBER 15 THROUGH COLD WEATHER: STABILIZE WITH A POLYMER AND DORMANT SEED MIX, AS APPROPRIATE FOR REGION AND SOIL TYPE.
17. STABILIZE AREAS OF FINAL GRADING WITHIN 7 DAYS OF REACHING FINAL GRADE.
18. SWEEP/CLEAN UP ALL SEDIMENT/TRASH THAT MOVES OFF-SITE DUE TO CONSTRUCTION ACTIVITY OR STORM EVENTS BEFORE THE END OF THE SAME WORKDAY OR AS DIRECTED BY CITY OR ENGINEER. SEPARATE SWEPT MATERIALS (SOILS AND TRASH) AND DISPOSE OF APPROPRIATELY.
19. CONTRACTOR IS RESPONSIBLE FOR CONTROLLING DUST PER WDNR TECHNICAL STANDARD *DUST CONTROL ON CONSTRUCTION SITES # 1068.*
20. PROPERLY DISPOSE OF ALL WASTE AND UNUSED BUILDING MATERIALS (INCLUDING GARBAGE, DEBRIS, CLEANING WASTES, OR OTHER CONSTRUCTION MATERIALS) AND DO NOT ALLOW THESE MATERIALS TO BE CARRIED BY RUNOFF INTO THE RECEIVING CHANNEL.
21. MAKE PROVISIONS FOR WATERING DURING THE FIRST 8 WEEKS FOLLOWING SEEDING OR PLANTING OF DISTURBED AREAS WHENEVER MORE THAN 7 CONSECUTIVE DAYS OF DRY WEATHER OCCUR.
29. [ENTER RESPONSIBLE PARTY] IS RESPONSIBLE FOR COMPLYING WITH ALL APPLICABLE WDNR REMEDIATION AND WASTE MANAGEMENT REQUIREMENTS FOR HANDLING AND DISPOSING OF CONTAMINATED MATERIALS. SITE-SPECIFIC INFORMATION FOR AREAS WITH KNOWN OR SUSPECTED SOIL AND/OR GROUNDWATER CONTAMINATION CAN BE FOUND ON WDNR'S BUREAU OF REMEDIATION AND REDEVELOPMENT TRACKING SYSTEM (BRRTS) PUBLIC DATABASE AT: HTTP://DNR.WI.GOV/BOTW/
30. INSTALL AND MAINTAIN A CONCRETE WASHOUT BASIN PER EPA 833-F-11-006: HTTPS://WWW3.EPA.NOV/NPDES/PUBS/CONCRETEWASHOUT.PDF. REQUIRE USE BY ALL CONCRETE CONTRACTORS. LIQUID MAY BE REUSED IN CONCRETE MIXING, EVAPORATED, OR DISPOSED OF AS WASTEWATER.



NOTES:

② MAINTAIN TRACKING PAD IN GOOD CONDITION TO PREVENT MUD OR SEDIMENT FROM LEAVING CLEAN UP & REMOVE ANY TRACKED MUD OR SEDIMENT LEAVING SITE IMMEDIATELY.

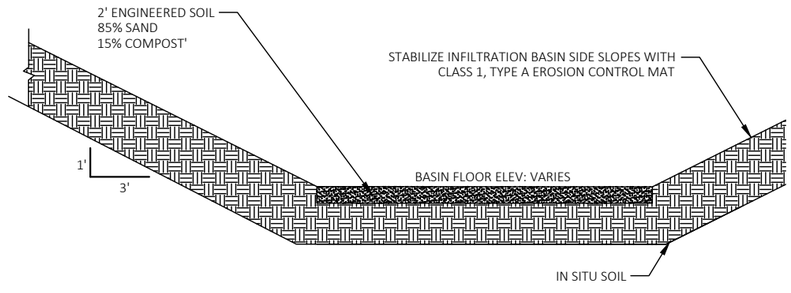
ROCK TRACKING PAD



PVC DRAIN BASIN

NOTES:

1. EXCAVATION WITHIN 2' OF FINAL GRADE IS PROHIBITED UNTIL THE CONTRIBUTING DRAINAGE AREAS ARE CONSTRUCTED AND FULLY STABILIZED
2. RIGOROUS SEDIMENT AND EROSION CONTROLS MUST BE USED TO DIVERT SEDIMENT LADEN RUNOFF AWAY FROM THE SYSTEM
3. CONSTRUCTION MUST OCCUR IN DRY SOIL CONDITIONS. EXCAVATION, SOIL PLACEMENT, AND RAPID STABILIZATION OF PERIMETER SLOPES MUST BE ACCOMPLISHED PRIOR TO THE NEXT PRECIPITATION EVENT
4. EXCAVATION SHALL BE PERFORMED BY AN EXCAVATOR WITH A TOOTHED BUCKET. USE EXCAVATOR BUCKET TO PLACE MATERIALS. CONSTRUCTION EQUIPMENT IS NOT ALLOWED IN THE BASIN
5. PLANT BASIN BOTTOM WITH A NATIVE OR PRAIRIE GRASS SEED MIX (WISDOT TYPE 70A OR APPROVED EQUIVALENT) AND STABILIZE WITH CLASS 1 TYPE A EROSION CONTROL MAT



BIORETENTION BASIN

ENGINEERS - SURVEYORS - ARCHITECTS
770 Technology Way
Chippewa Falls, WI 54729
Phone: 715.861.5226
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DATE:	06/14/2024
CHECKED BY:	TJH
HORIZ. SCALE:	
VERT. SCALE:	
PROJECT NO.	OLSON20001

REVISIONS	
DATE:	DESCRIPTION:

DAN'S CONSTRUCTION STORAGE YARD WHEATON,WI

CONSTRUCTION DETAILS

SHEET
CD02

FILE NAME : X:\PROJECTS ARCHIVED\OLSON\20001 - SURVEY\CAD\C3D\SHEETSPLAN\CDOLSON20001.DWG

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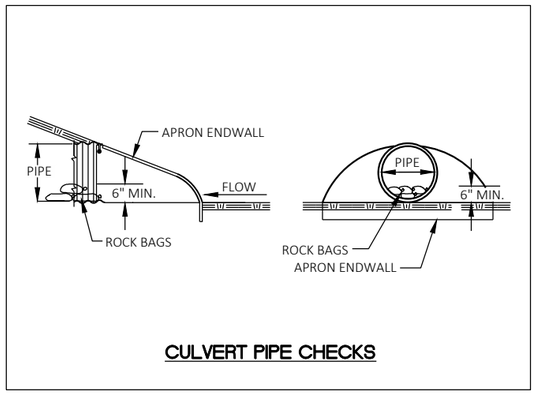
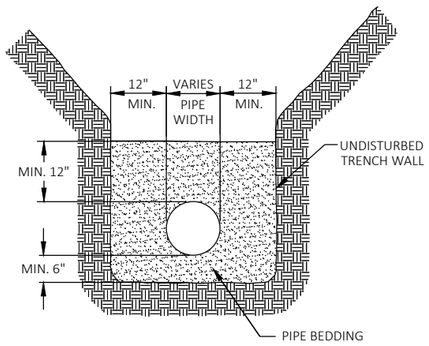
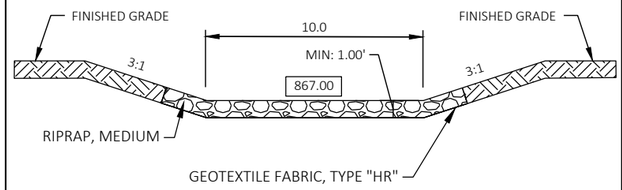


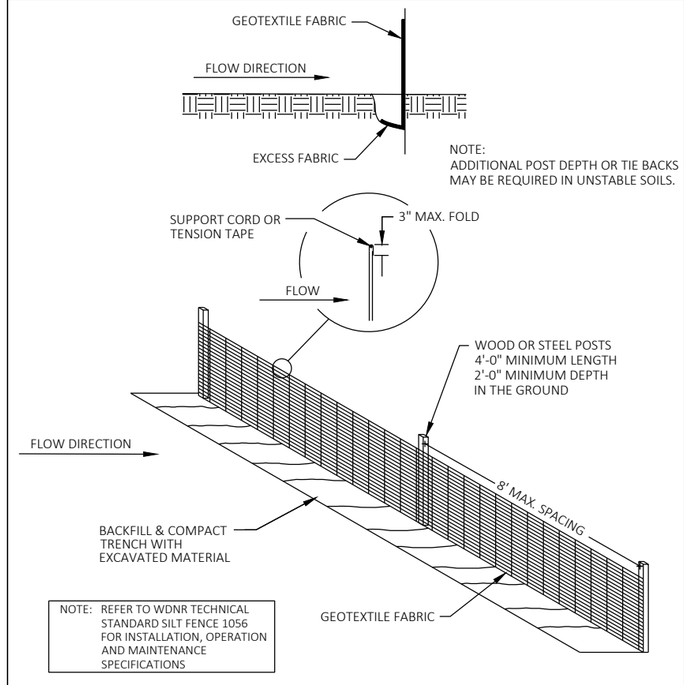
CULVERT PIPE CHECKS



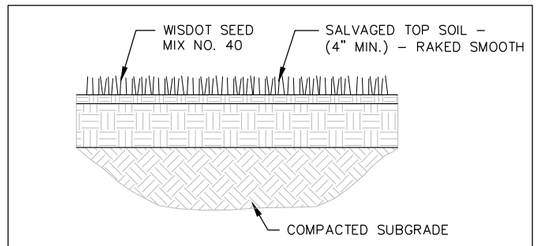
TRENCH BEDDING



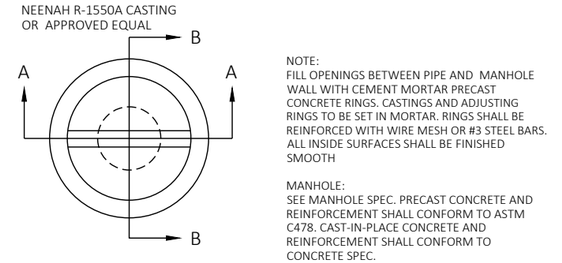
OVERFLOW WEIR



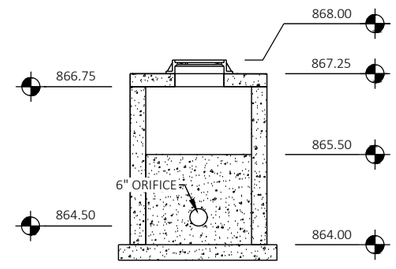
SILT FENCE



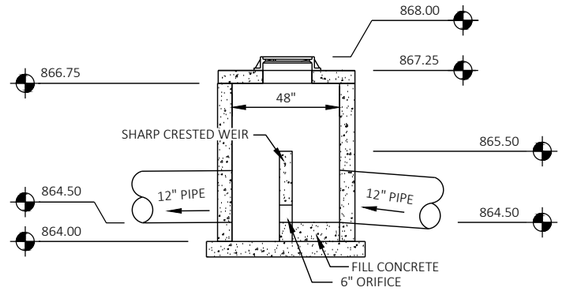
TURF ESTABLISHMENT



PLAN VIEW



SECTION A-A



SECTION B-B

SOUTH POND OUTLET STRUCTURE

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VERT. SCALE:			
PROJECT NO.	OLSON20001		

DAN'S CONSTRUCTION STORAGE YARD WHEATON,WI

CONSTRUCTION DETAILS

SHEET
CD03

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EXISTING PROPERTY LINE

PROTECTED PROPOSED SEPTIC AREA

STORMWATER POND
WITH TOPSOIL LINER

BASIN BOTTOM: 855.50
SHELF: 863.50
PERM POOL: 864.50

STORM POND OUTLET
STRUCTURE

BASIN BOTTOM:
863.75

SHOP WITH OFFICE
62'x240'

240'

62'

50'

EDGE OF PARKING
LOT/TURF ESTABLISHMENT

112'

100'

160'

100'

82'

COVERED FUEL
ISLAND 20' x 20'

90'

UNHEATED STORAGE
50'x100'

50'

100'

UNHEATED STORAGE
30'x100'

30'

POND DOES NOT FUNCTION.
DO NOT USE FOR TREATMENT.

RIPRAP

STORM WATER
INFILTRATION BASIN

CHAINLINK SWING GATE

40'

32'

LANDSCAPED BERM (TYP)

CHAINLINK SWING GATE

15'

35'

R25' (TYP)

40'

COUNTY SETBACK
FROM R/W

30" C&G TYPE D (TYP)

CONCRETE APRON (TYP)

CONCRETE APRON (TYP)

30" C&G TYPE D (TYP)

RIPRAP

COUNTY ROAD X

OH

FO

N

0 30 60

SCALE, FEET

ENGINEERS - SURVEYORS - ARCHITECTS

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PROJECT NO.	OLSON 20001

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DAN'S CONSTRUCTION STORAGE YARD WHEATON, WI

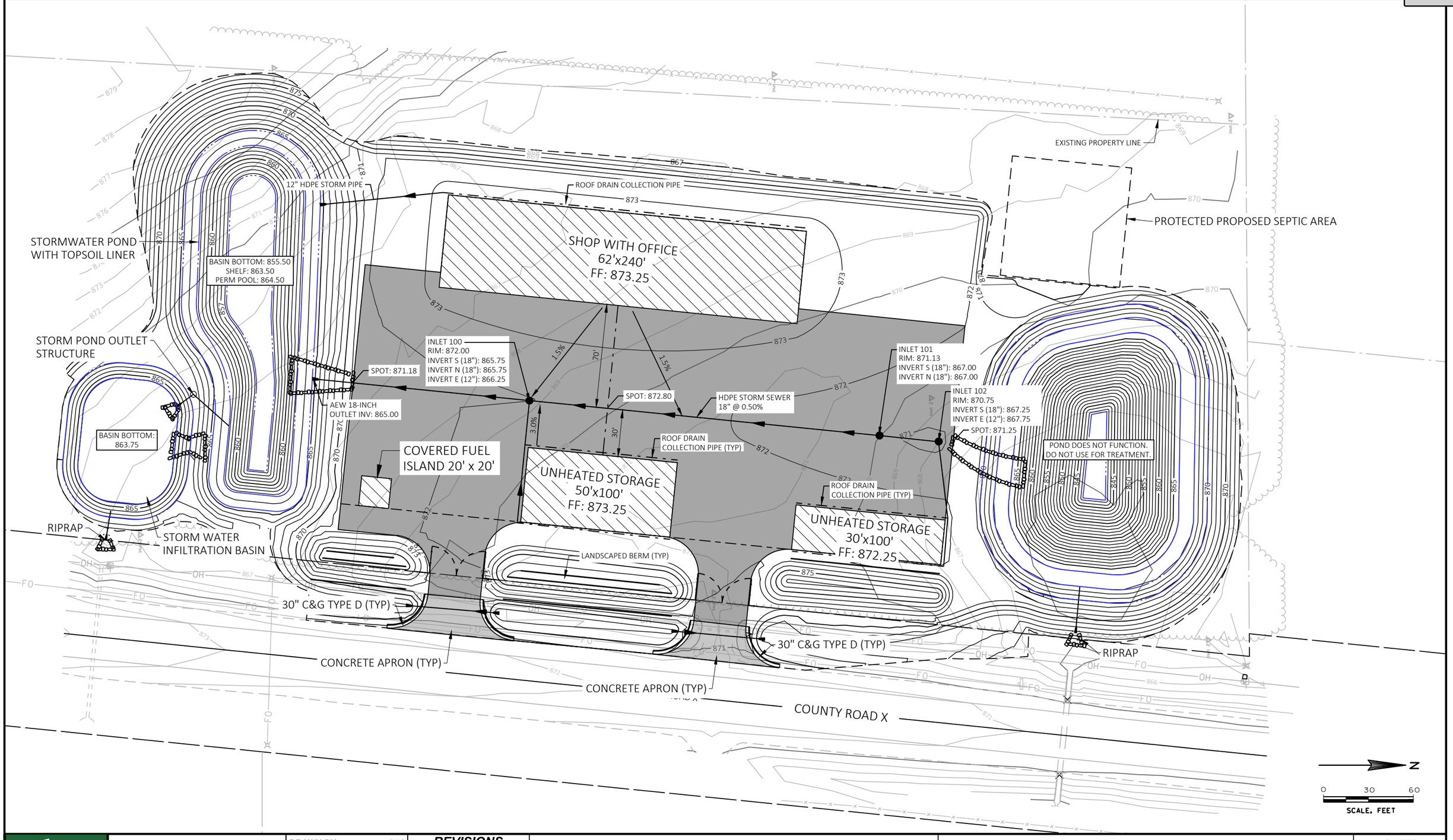
SITE LAYOUT PLAN

SHEET

P01

FILE NAME : X:\PROJECTS ARCHIVED\OLSON\20001 - SURVEY\CAD\C3D\SHEETSPLAN\SITE PLAN_02.DWG

Attachment: 2025-0004 Olson's Valley Properties LLC - Submitted Information (8975 : 2025-0004 Olson's Valley Properties LLC Conditional Use



cbs²	ENGINEERS - SURVEYORS - ARCHITECTS 770 Technology Way Chippewa Falls, WI 54729 Phone: 715.861.5226 www.cbssquaredinc.com	DRAWN BY: DLS DATE: 06/14/2024 CHECKED BY: TJH HORIZ. SCALE: VERT. SCALE: PROJECT NO. OLSON20001	REVISIONS DATE: DESCRIPTION:	**DAN'S CONSTRUCTION STORAGE YARD WHEATON, WI**	**GRADING PLAN**	SHEET **G01**

FILE NAME : X:\PROJECTS ARCHIVED\OLSON\20001 - SURVEY\CAD\C3D\SHEETSPLAN\GRADING PLAN_02.DWG

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EMAT ALL SLOPES ≥ 3:1 (TYP)
(SEE WDNR TECH STANDARD 1052)

STORMWATER POND
WITH TOPSOIL LINER

BASIN BOTTOM: 855.50
SHELF: 863.50
PERM POOL: 864.50

BASIN BOTTOM:
863.75

SILT FENCE (TYP)
(SEE WDNR TECH
STANDARD 1056)

SHOP WITH OFFICE
62'x240'

INLET PROTECTION (TYP)
(SEE WDNR TECH
STANDARD 1060)

COVERED FUEL
ISLAND 20' x 20'

UNHEATED STORAGE
50'x100'

UNHEATED STORAGE
30'x100'

BASIN BOTTOM: 842.00
SHELF: 866.00
PERM POOL: 867.00

IF POND DOES NOT HOLD WATER,
EMAT ALL SLOPES BELOW DESIGNED
PERMANENT POOL ELEVATION

STORMWATER POND
WITH TOPSOIL LINER

EMAT ALL SLOPES ≥ 3:1 (TYP)
(SEE WDNR TECH STANDARD 1052)

N

0 30 60
SCALE. FEET

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PROJECT NO.	OLSON 20001		

DAN'S CONSTRUCTION STORAGE YARD WHEATON, WI

EROSION CONTROL

SHEET
EC01

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Your Project Solutions Start Here

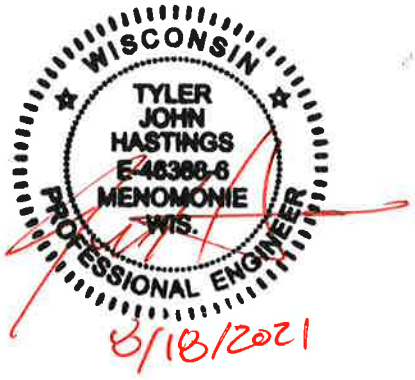
Project Manual

Dan's Construction and Excavation Inc.
New Shop

Wheaton, Wisconsin

CBS² No. OLSON 20001

Date: August 17, 2021



770 Technology Way
Chippewa Falls, WI
54729

info@cbssquaredinc.com

cbssquaredinc.com

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Dan's Construction and Excavation Inc. New Shop

Wheaton, Wisconsin

CBS² No. OLSON 20001

Date: August 18, 2021

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SECTION 31 11 00

CLEARING AND GRUBBING (WisDOT 201)

PART 1 GENERAL

1.01 SUMMARY

A. Section Includes:
   1. Removal and disposal of trees, shrubs, brush, stumps, roots, windfalls, unsound branches and other plant life.

B. Method of Measurement:
   1. Clearing:
      a. Measure quantity by field count of trees cleared.
         1) To be counted, trees must be at least 3 inches in diameter at a point 4-1/2 feet above the ground.
            a) Diameter is measured circumference divided by 3.
            b) Grubbing is incidental.
            c) Must be approved by Engineer.
   2. Grubbing:
      a. Measure staked areas to the nearest 1/20 of an acre.
      b. All measurements will be made horizontally.

C. Basis of Payment:
   1. Pruning of branches on plantings being preserved shall be considered incidental.
   2. Payment for acceptable quantities of clearing and grubbing shall be at the contract unit price as listed on the Bid Form. All associated work items shall be considered incidental.

1.02 REFERENCES

A. WisDOT 201 - Clearing and Grubbing

PART 2 PRODUCTS

Not Used

PART 3 EXECUTION

3.01 PROTECTION

A. Confine operations to the areas staked or trees marked for removal.

B. Protect all trees and plant materials that are not designated for removal.

C. Conduct all operations in a manner that will not damage or injure surrounding plant life and property.

3.02 CLEARING OPERATIONS

A. Cut and remove all designated trees, shrubs, bushes, windfalls and other vegetation.

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B. Prune and remove any low hanging or unsound branches.

3.03 GRUBBING OPERATIONS

A. Remove and dispose of designated stumps, roots and other remains to a permitted disposal site.

B. Remove stumps completely.

C. Backfill depressions with native soils and compact.

3.04 DISPOSAL OPERATIONS

A. Obtain all permits and pay all fees for disposal.

END OF SECTION

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SECTION 31 23 10

EXCAVATION AND EMBANKMENT (WisDOT 205 AND 207)

PART 1 GENERAL

1.01 SUMMARY

A. Section includes construction of excavations and embankments within the designated construction limits.

B. Related Sections:
   1. Section 31 23 33 Trench Excavation and Backfill

C. Method of Measurement:
   1. Excavation Material:
      a. Measure by volume of material in its original position.
      b. Compute volumes in cubic yards by average end area method determined from original and final cross sections.
      c. Dewatering incidental to excavation.
      d. Contractor to obtain all dewatering permits.
      e. Excavation volume does not include asphalt.
   2. Borrow Material (Granular Borrow, Top Soil, and Compost):
      a. Measure by volume in cubic yards for each type.
      b. Basis of measure will be Compacted Volume inplace for borrow material.
      c. Measure only materials that are accepted for use.

D. Basis of Payment:
   1. Payment for acceptable quantities of excavation and embankment shall be at the contract unit price as listed on the Bid Form. All associated work items shall be considered incidental.

1.02 REFERENCES

A. WisDOT:
   1. 205 - Roadway and Drainage Excavation
   2. 207 – Embankment
   3. 625 - Topsoil and Salvaged Topsoil

B. WDNR
   1. S100 – Compost for Storm Water Management

PART 2 PRODUCTS

2.01 MATERIALS

A. Granular Borrow: WisDOT 209, Grade 2, except that all material must pass the 1-inch sieve.
B. Compost: WDNR S100

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PART 3 EXECUTION

3.01 GENERAL REQUIREMENTS

A. If present, remove ice and snow prior to grading operations.

B. All grading shall conform to the planned grades, cross-sections and stakes.

C. Confine operations to established limits.

D. Maintain Site in a well-drained condition at all times.
   1. Install planned drainage facilities concurrent with embankment operations.
   2. Provide temporary drainage facilities to maintain existing drainage courses until permanent facilities are operative.

3.02 PREPARATION OF EMBANKMENT FOUNDATION

A. Remove topsoil, organic and unstable material from the roadbed prior to placing embankment.

B. Disc Compost into pond subgrade to a depth of 6 inches.

3.03 EXCAVATING OPERATIONS

A. Conform to lines, grades and slopes staked by Engineer.

B. Provide seepage trenches for granular backfill replacement of unstable areas.

3.04 DISPOSAL OF EXCAVATED MATERIAL

A. Use suitable excavated materials for embankment construction.

B. Construct embankment layers from uniform materials.

C. Place granular materials in upper most portion of the embankment.

D. Mechanically mix non-uniform soils to produce uniform moisture content and density.

E. Excavate all suitable topsoil material separately and stockpile.

F. Do not place snow, ice, or frozen lumps in the roadbed embankment.

G. Do not place stone, concrete or bituminous fragments exceeding 3 inches in any dimension roadbed embankment.

H. Do not place stone, concrete, or bituminous fragments exceeding 3 inches in the upper 6 inches of roadbed embankment or within 18 inches of the structure.

I. Excess materials may be placed on site in area(s) and quantities as shown on the plans and/or designated by the Engineer. Volume of material will be measured by GPS.

J. All surplus excavated materials shall become the property of the Contractor for disposal.

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3.05 PLACING EMBANKMENTS

A. Do not place material on soil which is frozen.

B. Backfill excavations below subgrade and seepage trenches in accordance with this Section.

C. Deposit and spread material in uniform layers parallel to the profile grade extending over the full width of the embankment.

D. Place upper 3 feet of roadbed in maximum 8-inch layers.

E. Place remainder of roadbed in maximum 12-inch layers.

F. Place compacted topsoil borrow in maximum 6-inch layers.

3.06 COMPACTING EMBANKMENTS

A. Compact upper 3 feet of embankment to not less than 100 percent of Standard Proctor Density.

B. Compact remainder of embankment to not less than 95 percent of Standard Proctor Density.

C. Maintain proper moisture content during placement and compaction.

3.07 FINISHING OPERATIONS

A. Finish all earthwork to within 0.1 foot of the staked grade.

B. Conduct finishing and topsoiling concurrent with the grading operations to provide for erosion control.

C. Till composted areas to a minimum depth of 1 foot.

END OF SECTION

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SECTION 31 23 33

TRENCH EXCAVATION AND BACKFILL

PART 1 GENERAL

1.01 SUMMARY

A. Section Includes:
   1. Trench excavation.
   2. Special pipe foundation.
   3. Trench backfill.
   4. Compaction.
   5. Pipe grade and alignment conflicts.

B. Related Sections:
   1. Section 01 45 00-Quality Control for Street and Utility Construction
   2. Section 33 11 00 - Water Distribution Systems
   3. Section 33 31 00 - Sanitary Sewer Systems
   4. Section 33 41 00 - Storm Sewer Systems

C. Method of Measurement:
   1. Trench Excavation and Backfill: Incidental to associated pipe installation.
   2. Special Pipe Foundation Materials:
      a. Incidental to pipe installation.
      b. Pipe foundation materials shall be used for the pipe zone as shown in the pipe bedding detail in the Drawing set.
   3. Replacement Backfill:
      a. Measure by cubic yards compacted in place of material acceptably placed.
      b. Bid price includes removal and disposal of material replaced.
   4. Compaction: Incidental to associated pipe installation.
   5. Dewatering:
      a. Incidental to associated pipe installation.

D. Basis of Payment:
   1. Payment for quantities measured in this Section shall be at the Contract Unit Price as listed on the Bid Form. All associated Work items shall be considered incidental.

1.02 SUBMITTALS

A. Provide for each granular material:
   1. Name and location of source.
   2. Sample gradation.

1.03 SITE CONDITIONS

A. Groundwater: Provide trench dewatering if groundwater surface is above or within 3 feet of pipe zone.

B. Incidental to pipe construction.

C. Contractor to obtain all permits for dewatering.

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1.04 WARRANTY

A. Repair all trench settlements and resulting damage or displacement of surface facilities that occur within the Contract correction period.

PART 2 PRODUCTS

2.01 MATERIALS

A. Granular Pipe Bedding: WisDOT 209, Grade 2, except that all material must pass the 1-inch sieve.

B. Aggregate Pipe Bedding: WisDOT 305. ¾-inch virgin crushed aggregate base material.

C. Replacement Backfill: WisDOT 209, Grade 2, except that all material must pass the 1-inch sieve.

PART 3 EXECUTION

3.01 CONSTRUCTION REQUIREMENTS

A. Trench Excavation:
   1. Alignment and Grade:
      a. Excavate trench to alignment and grade as staked.
      b. Excavate no more than 100 feet in advance of pipe laying operation.
   2. Trench Width at Pipe Zone:
      a. Center trench on pipe alignment.
      b. Minimum width: Pipe outside dimension plus 12 inches.
      c. Maximum width: Pipe outside dimension plus 24 inches (except rock excavation).
      d. Utilize trench box for both mainline construction and service installation. Trench box for service installation shall be a narrower trench box designed for service pipe installation.
   3. Excavated Materials:
      a. Use stable material for backfill.
      b. Waste unstable material as directed.
      c. Do not place materials on sidewalk, driveways, or drainageways.
   4. Drainage:
      a. Provide dewatering trenches when required.
      b. Drain trench water into natural channels or storm sewer.
      c. Do not drain trench water into sanitary sewer.

B. Pipe Foundations:
   1. Engineer to determine condition of trench bottom.
   2. Stable Trench Bottom Condition:
      a. Shape trench bottom to conform to bottom half of pipe.
      b. Excavate bell holes to permit proper jointing.
   3. Unstable Trench Bottom Condition:
      a. Excavate below pipe grade to specified depth.
      b. Refill with specified foundation material in accordance with Drawings details and contract.

C. Trench Backfill:
   1. Pipe Zone:
      a. Use specified foundation material free of rocks and other unsuitable debris.
      b. Deposit material uniformly on both sides of pipe throughout entire trench width.
      c. Place material in 6-inch lifts and mechanically compact.

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2. Above Pipe Zone:
   a. Use native materials free of debris and rock, concrete or clay lumps with a volume greater than 1/3 cubic foot.
   b. Place in uniform lifts no more than 1 foot thick.
   c. Mechanically compact each lift of the upper 3 feet of trench to a standard Proctor density of 100 percent.
   d. Mechanically compact each lift under the upper 3 feet of trench to a standard Proctor density of 95 percent.
   e. Do not backfill unless approved compaction equipment is operating.
   f. Fine grade street subgrade to staked elevation and cross section.
3. Replacement Backfill:
   a. Engineer to determine suitability of native material for backfill.
   b. Use replacement backfill in lieu of native materials as directed.
4. Excess or Deficiency of Backfill Material:
   a. Dispose of excess backfill material as directed after all trenches are backfilled.
   b. Provide replacement backfill as required to establish required surface elevation.

D. Trench Box
   1. A trench box is required for all pipe and service pipe installation.

3.02 FIELD QUALITY CONTROL

A. Density tests on backfill materials will be as directed by Engineer.

B. Recompact all areas represented by failed density tests.

C. Owner will provide for initial test only.

D. Costs of subsequent retests to be deducted from Contractor's payment.

3.03 PIPE CLEARANCES AND CONFLICTS

A. Provide clearance between sewers and water main as follows:
   1. Maintain 8-foot horizontal between pipes.
   2. Maintain 18-inch vertical separation between pipes.

B. When 18-inch vertical separation between sewer and water main cannot be maintained, provide special pipe crossing as follows:
   1. Advise Engineer of pipe conflict.
   2. Lower water main in accordance with Drawing or as directed.
   3. Provide 18-inch vertical separation between pipes.
   4. Construct sewer using pipe material and joints equal to water main at crossing point.
   5. Center pipe lengths at crossing point.
   6. Provide special foundation material for both pipes.
   7. Place insulation as directed.

END OF SECTION

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SECTION 31 23 50

PREPARING THE FOUNDATION (WisDOT 211)

PART 1 GENERAL

1.01 SUMMARY

A. Section includes shaping and compacting of subgrade prior to placement of base course.

B. Related Sections:
1. Section 01 45 00-Quality Control for Street and Utility Construction
2. Section 31 23 10 - Excavation and Embankment
3. Section 31 23 33 - Trench Excavation and Backfill
4. Section 31 34 15 - Geotextile Fabrics

C. Method of Measurement:
1. Measurement shall be on a lump sum basis.

D. Basis of Payment:
1. Payment for subgrade preparation shall be at the contract unit price as listed on the Bid Form. All associated work items shall be considered incidental.

1.02 REFERENCES

A. WisDOT 211 - Preparing the Foundation

1.03 SEQUENCING AND SCHEDULING

A. Prepare subgrade after unstable areas have been repaired and in-place surface courses have been removed.

PART 2 PRODUCTS

Not Used

PART 3 EXECUTION

3.01 PREPARATION

A. Re-excavate, compact and shape the top 6 inches of subgrade area to provide smooth, stable surface for the placement of base course thereon.

B. Compact subgrade material to 100 percent of Standard Proctor Density.

C. Produce and maintain the necessary moisture content in the subgrade material by scarification or application of water.

D. Continue operations until no rutting or displacement occurs under construction traffic.

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E. Provide a finished surface within 0.05 foot of the prescribed elevation at all locations.

END OF SECTION

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SECTION 31 25 10

TEMPORARY EROSION CONTROL

PART 1 GENERAL

1.01 SUMMARY

A. Section Includes:
   1. Temporary measures to control soil erosion and sedimentation.
   2. Furnishing, installing and maintaining erosion or sediment control devices.

B. Related Sections:
   1. Section 31 25 20 – Silt Fence
   2. Section 32 92 12 – Turf Establishment

C. Method of Measurement:
   1. Erosion Mat: Measure by number of square yards furnished, acceptably installed and maintained.
   2. Culvert Pipe Checks (3 Rock Bags): Measure by each furnished, acceptably installed and maintained.
   3. Tracking Pad: Measure by each furnished, acceptably installed and maintained.
   4. Silt Fence:
      a. Measure by linear foot furnished and acceptably installed. Includes silt fence maintenance.
      b. Measure along base of fence from outside to outside of end posts.
   5. Inlet Protection: Measure by number furnished, acceptably installed and maintained.

D. Basis of Payment:
   1. Payment for acceptable quantities of erosion control items shall be at the contract unit price as listed on the Bid Form. All associated work items shall be considered incidental.

1.02 REFERENCES

A. WisDOT 628 - Erosion Control
B. WisDOT Erosion Control Product Acceptability List (PAL)

PART 2 PRODUCTS

2.01 MATERIALS

A. Materials: WisDOT 628.2.
B. Inlet Protection: Fast Flow (Type FF) Geotextile Fabric

PART 3 EXECUTION

3.01 GENERAL

A. Coordinate erosion control measures with earthwork and turf establishment operations.

B. Complete grading, finishing, erosion control and turf establishment on a drainage area basis to prevent excessive soil erosion.

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3.02 PLACING TEMPORARY EROSION CONTROL ITEMS

A. Construct items in conformance with typical sections and elevation controls shown on the Drawings.

B. Remove all items upon completion of the contract work.

C. Spread and shape accumulated sediment to permit natural drainage and provide for turf establishment.

3.03 ACCEPTANCE OF WORK

A. Maintain and repair erosion control items to insure proper function.

END OF SECTION

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SECTION 31 25 20

SILT FENCE

PART 1 GENERAL

1.01 SUMMARY

A. Section includes silt fence.

B. Related Sections:
1. Section 31 23 33 - Trench Excavation and Backfill
2. Section 31 25 20 – Temporary Erosion Control

1.02 REFERENCES

A. United States Department of Agriculture - Soil Conservation Service - Silt fences

1.03 SUBMITTALS

A. Product data in accordance with Section 01 78 23.

PART 2 PRODUCTS

2.01 MATERIALS

A. Posts and geotextile fabric: In accordance with the Soil Conservation Service criteria.

B. WisDOT Erosion Control Product Acceptability List.

PART 3 EXECUTION

3.01 LOCATION

A. Locate silt fence at the Site as required to keep silt out of surface water, floodplain, drainageways and stormwater inlets and sewers.

B. Locate silt fence along contour, arranged so runoff cannot bypass ends.

C. Locate silt fence in independent units, each less than 600 feet long.

3.02 CONSTRUCTION

A. Maximum post spacing 10 feet. Drive posts minimum 2 feet in ground.

B. Secure geotextile fabric to posts. Bury fabric in 6-inch by 6-inch trench along bottom and 1 side. Backfill and compact trench.

C. Locate splices at supporting post, with minimum 6-inch overlay, folded over and securely fastened.

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D. Inspect silt fence immediately after each runoff event, and at least daily during prolonged rain.

E. Repair any damaged areas immediately.

F. When sediment deposits are 1/2 the height of the fence, remove silt or construct second silt fence.

G. Remove silt fence when vegetation is re-established.

END OF SECTION

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SECTION 31 34 15

GEOTEXTILE FABRICS
WISDOT TYPE SAS

PART 1 GENERAL

1.01 SUMMARY

A. Section includes geosynthetic materials to be used in construction of trails or parking lots on soft base soils.

B. Related Sections:
   1. Section 31 23 10 - Excavation and Embankment

C. Method of Measurement:
   1. Measurement for the geotextile will be on a square yard basis. Overlapped fabric at seams as well as fabric placed in anchor trenches will be considered incidental.

D. Basis of Payment:
   1. Payment for acceptable quantities of geotextile shall be at the contract unit price as listed in the Bid Form. All associated work shall be considered incidental.

1.02 REFERENCES

1. WisDOT 645 – Geotextile Fabrics

1.03 SUBMITTALS

A. Certificate of Compliance:
   1. Submit manufacturer's Certificate of Compliance for the geotextile fabric furnished.
   2. Submit Certified Test Report from the manufacturer that show sewn seams meet minimum geotextile requirements.

PART 2 PRODUCTS

2.01 MATERIAL

A. Follow WisDOT 645.2 and WisDOT 645.2.2.2

PART 3 EXECUTION

3.01 SEAMS

A. Geotextile fabric seams may be of 2 types:
   1. Sewn.
   2. Overlapped.

B. Sewn Seams: All factory and field seams shall be sewn with a thread having the same or greater durability as the material in the fabric. A 401 stitch conforming to Federal Standard No. 751a shall be used for all sewn seams.

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C. Overlapped Seams: Overlap material a minimum of 3 feet.

3.02 CONSTRUCTION METHODS

A. Follow WisDOT 645.3.1.1 and WisDOT 645.3.1.2

END OF SECTION

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SECTION 31 37 00

RIPRAP (WisDOT 606)

PART 1 GENERAL

1.01 SUMMARY

A. Section Includes:
   1. Stone riprap.
   2. Filter material.

B. Method of Measurement:
   1. Riprap:
      a. Measure by volume in cubic yards based on staked surface dimensions and specified thickness.
      b. Measure each type and class separately.
   2. Filter Materials:
      a. Geotextile filter:
         1) Incidental to riprap.

C. Basis of Payment:
   1. Bid Price Includes:
      a. Excavation.
      b. Foundation preparation.
      c. Geotextile filter:
         1) Type HR.
   2. Payment for riprap shall be at the contract unit price as listed on the Bid Form. All associated work items shall be considered incidental.

1.02 REFERENCES

A. WisDOT:
   1. 606 - Riprap
   2. 645 - Geotextile Fabrics

PART 2 PRODUCTS

2.01 MATERIALS

A. All materials shall be in accordance with the respective WisDOT Specifications as follows:
   1. Riprap Materials: WisDOT 606, Except waste concrete shall not be acceptable.
   2. Fabric: WisDOT 645.

2.02 ACCESSORIES

A. All accessories shall be in accordance with the respective WisDOT Specifications.

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PART 3 EXECUTION

3.01 FOUNDATION PREPARATION

A. Excavate and shape foundation areas to the location and cross section staked by Engineer.

B. Compact all loose foundation material prior to filter material placement.

C. Provide smooth surface, free of stones, sticks, and other debris.

3.02 FILTER MATERIAL

A. Geotextile Filter:
1. Place multiple fabric widths with the longest dimension parallel to the direction of water flow.
2. Splice multiple fabric widths by mechanical seaming or minimum 24-inch overlap (36 inches under water).
3. Overlap joints in shingle arrangement.
4. Bury upgrade edges of fabric to a minimum depth of 8 inches to prevent undermining.
5. Anchor fabric to prevent movement during riprap placement.
6. Do not operate equipment on fabric.

3.03 RIPRAP STONE

A. Placement:
1. Begin placement at the lowest elevation and work upgrade.
2. Do not drop stones from greater than 1-foot height.
3. Position stones to provide uniform size distribution and minimize void space.
4. Level surface to provide uniform thickness and appearance.
5. Seat smaller stones between the larger stones to produce a uniform surface.
6. Suitable material obtained from on-site rock excavation may be used as chinking.

3.04 THICKNESS REQUIREMENTS

A. All Areas: Minimum 85 percent of specified thickness.

B. Average: Minimum 95 percent of specified thickness.

END OF SECTION

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SECTION 32 11 26

CRUSHED AGGREGATE BASE COURSE (WisDOT 305)

PART 1 GENERAL

1.01 SUMMARY

A. Section includes construction of crushed aggregate base course on a prepared subgrade.

B. Related Sections:
1. Section 01 45 00-Quality Control for Street and Utility Construction
2. Section 31 23 50 - Preparing the Foundation

C. Method of Measurement:
1. Measure by volume in compacted cubic yards based on planned roadway dimensions.

D. Basis of Payment:
1. Payment for acceptable quantities of crushed aggregate base course shall be at the Contract Unit Price as listed on Bid Form. All associated work items shall be considered incidental.

1.02 REFERENCES

A. WisDOT 305 - Dense Graded Base

1.03 SUBMITTALS

A. Provide for each aggregate material:
1. Name and location of source.
2. Two sample gradations taken within the past 30 days from each potential source, delivered to Architect at least 10 days prior to placement on the project.

1.04 HANDLING AND DELIVERY

A. Stockpile and drain aggregate removed from below water for a minimum 24 hours prior to delivery.

1.05 SITE CONDITIONS

A. Deposit aggregate only on dry, compact subgrade so that no rutting or displacement will occur under construction traffic.

PART 2 PRODUCTS

2.01 MATERIALS

A. Crushed Aggregate Base Course Materials: WisDOT 305.

B. Aggregate Gradation: 1-1/4-inches.

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PART 3 EXECUTION

3.01 CONSTRUCTION REQUIREMENTS

A. Placing and Mixing:
   1. Place aggregate in layers to produce a maximum 3 inches of compacted thickness.
   2. With vibratory compaction, place to produce maximum 6 inches of compacted thickness.
   3. Deposit only the amount of aggregate that is intended to be spread and compacted during the same day.
   4. Add water as may be required during mixing to produce proper compaction.

B. Spreading and Compacting:
   1. Mix aggregate uniformly to maintain proper gradation.
   2. Spread and compact each layer to the required cross section and density prior to placing a succeeding layer.
   3. Compact each layer to 100 percent of Standard Proctor Density.

C. Tolerances: Construct each course to within 0.05 foot of the planned grades and staked elevations at all locations.

3.02 PROTECTION

A. Place initial surface course or otherwise protect the in-place aggregate base within 72 hours after placement.

B. Remove and replace any portion of the material that becomes contaminated after placement.

END OF SECTION

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SECTION 32 12 18

HOT MIX ASPHALT PAVEMENT (WisDOT 460)

PART 1 GENERAL

1.01 SUMMARY

A. Section Includes:
1. Hot mix asphalt HMA Pavement
2. Tack coat.
3. Adjusting manhole castings.
4. Adjusting valve boxes.

B. Method of Measurement:
1. Measurement shall be on a per ton basis based on the weight tickets supplied to Engineer.
2. Weight will include the mixture of aggregate and asphalt delivered to and incorporated into the work. Asphaltic materials required for and incorporated into the mixture will not be measured separately for payment.
3. Contractor shall furnish weight tickets at the time of delivery.
4. Tack coat shall **be incidental to the paving operation**.
5. Adjusting manhole castings are incidental.
6. Adjusting valve boxes shall be measured by the unit for those fixtures installed new as part of this Project and existing remaining structures that require adjustment.
7. Tonnage quantity for removal and installation of asphalt used for patching and adjusting manholes and valve boxes between paving lifts, whether new or existing, shall be considered incidental.

C. Basis of Payment:
1. Payment for asphaltic concrete pavement, measured as provided above, will be paid at the contract unit price per ton.
2. Tack coat is incidental to pavement.
3. Adjust manhole casting will be paid for at the contract unit price each.
4. Adjust valve box will be paid for at the contract unit price each.

1.02 REFERENCES

A. WisDOT - Standard Specifications for Highway and Structure Construction:
1. 211 - Preparing the Foundation
2. 305 - Dense Graded Base
3. 350 - Subbase
4. 450 - General Requirements for Asphaltic Pavements
5. 455 - Asphaltic Materials
6. 460 - Hot Mix Asphalt Pavement

1.03 SUBMITTALS

A. Submittals in accordance with Section 01 33 00 - including:
1. Asphalt mix design in accordance with WisDOT Section 460.2.7.

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PART 2 PRODUCTS

2.01 MATERIALS

A. Asphaltic surface: Gradation 4, LT traffic volume, 58-34 asphalt material and standard binder (4LT 58-34S), WisDOT 460.3.

B. Asphaltic material: PG 58-34S per WisDOT 455.2.

PART 3 EXECUTION

3.01 SCHEDULE

A. Contractor shall notify Engineer at least 36 hours in advance of scheduled paving operations.

B. Asphalt shall not be placed after October 15 without approval of the Owner and Engineer.

3.02 APPLICATION

A. Construct pavement conforming to the general provisions of WisDOT 450.3.

B. Compaction of the pavement shall be in accordance with the HMA Pavement Density Maximum Density Method of WisDOT 460.3.3.

C. Tack coat shall be in conformance with WisDOT 455.2.

D. Contractor shall comply with Quality Management Program as described in WisDOT 460.

3.03 ADJUSTING

A. Adjust valve boxes, manholes, cleanouts or other appurtenances to new surface elevation. Engineer shall approve method of adjustment.

B. Items to be adjusted shall be protected with plates or caps and paved over during the first lift of paving. Once pavement has cooled, Contractor shall then remove asphalt and adjust structure up to the final elevation before final paving layer.

C. Removal of pavement for adjustments shall be saw cut and patched prior to surface layer placement. Saw cuts shall be circular or diamond shaped. Asphalt shall be patched and compacted up to the level of the first paving lift.

D. All temporary protection, saw cutting, asphalt patching, and adjustment materials and labor necessary to bring castings and valve boxes to final grade shall be considered incidental to the adjusted item.

END OF SECTION

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SECTION 32 92 12

TURF ESTABLISHMENT

PART 1 GENERAL

1.01 SUMMARY

A. Section includes establishment of herbaceous ground cover on designated areas.

B. Related Sections:
1. Section 31 23 10 - Excavation and Embankment
2. Section 31 25 10 - Temporary Erosion Control

C. Method of Measurement:
1. Turf Establishment: Measure turf establishment by the square yard.
2. Establishment of turf in Contractor staging area(s) shall be considered incidental.
3. All measurements to be within the area of construction.

D. Basis of Payment:
1. Payment for acceptable quantities of turf establishment shall be at the contract unit price as listed on the Bid Form. All associated work items including but not limited to topsoil, fertilizer, seed, mulch and water shall be considered incidental.

1.02 REFERENCES

A. WisDOT:
1. 625 - Topsoil and Salvaged Topsoil
2. 627 - Mulching
3. 629 - Fertilizer and Agricultural Limestone
4. 630 - Seeding

1.03 SUBMITTALS

A. Submit certified test report for each seed mixture.

1.04 ACCEPTANCE OF WORK

A. Turf establishment will be accepted on a total project basis.

B. All erosion control items must also be in place and properly maintained prior to acceptance.

C. Once accepted, Contractor is relieved of any further maintenance or repair.

1.05 DELIVERY, STORAGE, AND HANDLING

A. Protect seed from moisture, heat, rodents, and other damage prior to use.

B. Deliver fertilizer in waterproof bags showing weight, chemical analysis and name of manufacturer.

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1.06 SCHEDULE OF WORK

A. Coordinate turf establishment to minimize lag time after topsoil placement.

B. Plant seed between May 1 and September 20.

1.07 MAINTENANCE

A. Maintain and repair all areas until acceptance.

B. Contractor shall apply water as needed in accordance with the requirements of WisDOT 631.3.5. Watering is incidental to Turf Establishment.

PART 2 PRODUCTS

2.01 MATERIALS

A. Topsoil: WisDOT 625.2.

B. Mulch: WisDOT 627.

C. Fertilizer: WisDOT 629, Type B.

D. Seed: WisDOT 630.2.1.5.

PART 3 EXECUTION

3.01 SOIL PREPARATIONS

A. Remove all undesirable weeds as directed.

B. Loosen topsoil on all areas with 2:1 slopes or flatter prior to seeding.

C. Cultivate to a depth of 3 inches using discs or other suitable equipment.

D. Operate equipment at right angles to direction of drainage.

E. Fill all washouts prior to cultivation.

F. Finish all areas to provide a smooth, moist, even-textured foundation of uniform density.

G. Approval of the Engineer is required prior to placing seed.

3.02 CONSTRUCTION REQUIREMENTS

A. Applying Fertilizer and Conditioners:
   1. Apply fertilizer uniformly over the designated area using mechanical spreading devices.
   2. Apply at a rate of 7 pounds per 1,000 square feet.
   3. Apply fertilizer no more than 48 hours prior to seeding.

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B. Sowing Seed:
   1. Apply seed mixture 10 and 30 over designated areas at a rate of 1.5 pounds per 1,000 square feet for each mixture for a total rate of 3 pounds per 1,000 square feet.
   2. Apply seed uniformly by mechanical or hydrospreading method.
   3. Firm all seeded areas with a drag or cultipacker immediately after seeding and prior to mulching.

C. Watering:
   1. Turf establishment areas shall be watered initially with 1-½ inches of water using a water truck with hoses, nozzles, or arms capable of watering the restored areas.
   2. Continued watering is to be included in this bid item. On days 2-14 (or until complete germination, whichever comes last), following the seeding, the restored areas shall be watered ½ inch every other day. Natural rain events may substitute for watering, but perform additional watering on rain event days to achieve specified water amounts.

END OF SECTION

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SECTION 33 41 00

STORM SEWER SYSTEMS

PART 1 GENERAL

1.01 SUMMARY

A. Section Includes:
1. Storm sewer pipe.
2. Manholes and appurtenances.
3. Aprons.
4. Drain Tile.
5. PVC Drain Basin and appurtenances.

B. Related Sections:
1. Section 31 23 33 – Trench Excavation and Backfill
2. Section 31 37 00 - Riprap

C. Method of Measurement
1. Storm Sewer Pipe:
   a. Measure by distance in linear feet.
   b. Measure from structure centers and pipe ends not including end sections.
   c. Measure each pipe size, type and class separately.
2. PVC Drain Basin: Measure each type installed as a unit.
3. Castings: Incidental to manhole, drain basin, or pond outlet structure.
4. Pond Outlet Structure: Measure each type as an installed unit.
5. Aprons: Measure each size and type installed as a unit.

D. Basis of Payment:
1. Payment for acceptable quantities of storm sewer items shall be at the Contract Unit Price as listed on the Bid form. All associated Work items shall be considered incidental.

1.02 REFERENCES

A. ASTM:
1. A48 - Specification for Gray Iron Castings
2. D2321 - Recommended Practice for Installation of Flexible Thermo-Plastic Sewer Pipe
3. F477 - Specification for Elastomeric Seals (Gaskets) for Joining Plastic Pipe
4. F667 - Standard Specifications for Large Diameter Corrugated Polyethylene Pipe and Fittings

1.03 SUBMITTALS

A. Submit Certification of Compliance as required under Article 1.04.

B. Provide Shop Drawings for each structure.

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1.04 QUALITY ASSURANCE

A. Provide certificate from manufacturer certifying that the following materials meet the respective requirements listed in Article 1.02.
   1. Storm Sewer Pipe
   2. Drain Basins
   3. Pond Outlet Structure
   4. Castings
   5. Drain Tile Pipe

1.05 DELIVERY OF MATERIALS

A. Inspect all pipe and materials during the unloading process.

B. Notify Engineer of any cracked, flawed or otherwise defective material.

C. Remove all materials found to be unsatisfactory by Engineer from the Site.

PART 2 PRODUCTS

2.01 PIPE

A. High Density Polyethylene (HDPE) corrugated and smooth wall lined storm sewer pipe.
   1. Pipe Stiffness:
      a. 50 psi: 12 inches.
      b. 40 psi: 15 inches.

B. Drain Tile: Shall be single wall, perforated, corrugated polyethylene drainage tubing with a sock. Ends of pipe shall be capped with an end cap fitting. Shall meet the requirements of AASHTO M252 designation.

C. Provide all pipe from the same manufacturer.

2.02 POND OUTLET STRUCTURES

A. See Drawings for diameter.

B. Provide gasket joint.

C. Provide base and cone section or flat top as shown on Drawing details.

D. Manhole Steps:
   1. Provide 12-inch wide step in accordance with the following:
      a. Cast aluminum by Modern Metals Foundry (A-12).
      b. Polypropylene coated steel by M.A. Industries, Inc.
      c. Cast iron or aluminum alloy by Neenah Foundries (R-1980-I).

E. Castings: As indicated on the Drawings.

F. Manhole Adjustment Rings: Ladtech Adjustment Rings or approved equal.

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2.03 APRONS

A. Provide the same strength class as the pipe.

2.04 PVC DRAIN BASIN

A. Drain Basins shall be Nyloplast, Inc. Drain Basin, Harco Drain Basins, or approved equal manufactured to plan details. All Drain Basins shall have watertight outlet adaptors molded by manufacturer providing 2' sumps on all structures.

B. See Drawings for diameter.

C. Where required, INSERTA TEE tee or equal for connecting the corrugated HDPE storm sewer to the PVC Drain Basin, or approved equal, shall be used on Drain Basins requiring inlets per plan and shall be installed in the field.

D. The pipe and accessories shall be PVC with either Elastomeric or solvent weld joints. All pipe and components shall be made from PVC components as defined and described in ASTM D-1784. PVC pipe and fitting shall conform to the requirements of ASTM D-3034 schedule 40. ASTM 3033 (1979) or ASTM F 679 (1980).

E. Transition plates shall be Nyloplast, Inc. Catalog #24BASECD, compatible with Neenah Foundry R-3010 Catch Basin Frames, or approved equal.

F. Sealant shall be Chem Link, M-1 Structural Adhesive Sealant, or approved equal, and shall be used on all new inlets between the casting and transition plate.

G. Castings
   1. ATSM A48
   2. See Drawings for casting type.
   3. Grate Type
      a. Type L Grate for one direction flow
      b. Type R Grate for two direction flow

PART 3 EXECUTION

3.01 PREPARATION

A. Line and Grade:
   1. Conform to lines, elevations, and grades shown on the Drawings.
   2. Provide means for accurately transferring line and grade from ground surface stakes to the working point in the trench.

3.02 CONSTRUCTION REQUIREMENTS

A. Unless otherwise noted in the Drawing, Contractor has choice to use double wall HDPE or Class 5 reinforced concrete pipe for storm sewer construction.

B. Pipe Installation:
   1. Inspect pipe for defects while suspended before lowering into the trench.

2. Comply with ASTM D2321 for HDPE installation.
   a. See Drawings for bedding details.
3. Place pipe bell at upstream end of pipe length.
4. Install pipe from lower to higher invert elevation.
5. See Section 31 23 33 for pipe foundation and backfill procedures.

C. Pond Outlet Structure Installation:
1. Place precast base on compacted granular subgrade.
2. Install in accordance with drawing details.
3. Locate steps within 1 inch of vertical alignment and within 1 inch of required vertical spacing.
4. Install manhole adjustment rings to provide final horizontal and vertical adjustment within tolerances.
5. Maximum horizontal tolerance: 3 inches in any direction.
6. Construct watertight to prevent groundwater infiltration.

D. Drain Tile Installation: Place pipe as shown on the drawings. Connect drain tile to PVC Drain Basins and Catch Basins. Place ¾-inch washed stone to a thickness of 6-inches over the top and side of pipe prior to backfilling with granular subbase material.\

E. PVC Drain Basin Installation:
1. Install per manufacturer's recommendations.

3.03 FIELD QUALITY CONTROL

A. Deflection Test:
1. Perform on HDPE pipe at least 30 days after trench backfill has been placed.
2. Perform test by pulling a mandrel through each line between manholes without aid of mechanical pulling devices.
3. Mandrel Diameter: 95 percent of nominal pipe size.
4. The line will be considered acceptable if mandrel can progress through line without binding.
5. Provide corrective measures for lines not meeting these requirements.

3.04 CLEANING

A. Remove all dirt and foreign material from the pipe and structure interiors.

END OF SECTION

Attachment: 2025-0004 Olson's Valley Properties LLC - Submitted Information (8975 : 2025-0004 Olson's Valley Properties LLC Conditional Use

(Posted on May 5, 2025)
Chippewa County Website & County Clerk's Bulletin Board

CHIPPEWA COUNTY PLANNING & ZONING COMMITTEE
NOTICE OF PUBLIC HEARING
STATE OF WISCONSIN

PUBLIC NOTICE is hereby given to all persons in the County of Chippewa, Wisconsin, that public hearings will be held on **May 22, 2025,** beginning at **5:00 PM** at the Chippewa County Courthouse, Room 302, 711 N Bridge Street, Chippewa Falls, Wisconsin relative to the following petitions:

Rezone Petition: 2025-0003
Petitioner: GT Business Ventures Holding **Agent:** Real Land Surveying/Jeremy Skaw
A proposed two-lot CSM, which will modify the property lines for parcel number 22908-3011-01000000. The property is located in the NE ¼ of the NE ¼, Section 30, Township 29 North, Range 08 West. Town of Eagle Point. Property Address: 8984 State Highway 124.
From: Highway Commercial **To:** Residential 1 and Residential 3

Conditional Use Request: 2025-0004
Petitioner: Olson's Valley Properties LLC **Agent:** Tyler Hastings, CBS Squared
To allow a contractor's storage yard (Dan's Construction & Excavating, Inc.), with the ability to lease out space to additional contractors, in the Agricultural District in accordance with 70-71(b)(5) and 70-108 of the Chippewa County Zoning Ordinance on a parcel which is located in the NW ¼ of the SW ¼, Section 15, Township 28 North, Range 09 West. Town of Wheaton. Physical Address: 10268 CTH X.

Rezone Petition: 2025-0005
Petitioner: Derrick & Carrie Paul
Parcel number 22907-3242-05500000, located in the NW ¼ of the SE ¼, Section 32, Township 29 North, Range 07 West. Town of Lafayette. Property Address: vacant.
From: Residential 2 **To:** Residential 1

Specific information regarding these public hearings can be obtained at the Chippewa County Department of Planning & Zoning. All persons interested are invited to attend this meeting.

Dated this **30th** day of **April**, 2025

Douglas Clary, Director
Department of Planning & Zoning
Chippewa County

Attachment: 2024-0004 Olson's Valley Properties LLC - Public Notices & Maps (8975 : 2025-0004 Olson's Valley Properties LLC Conditional Use

CHIPPEWA COUNTY
DEPARTMENT OF PLANNING & ZONING

• 711 North Bridge Street, Chippewa Falls, WI 54729 • Phone:715.726.7940 • Fax:715.726.4596 • www.co.chippewa.wi.us •

Land Management | Land Planning | Land Records & G.I.S. | POWTS & Wells

Date: May 1, 2025

To: Property Owner(s)

From: Douglas Clary, Director

Re: Public Meetings & Hearing

Dear Property Owner(s):

The Chippewa County Department of Planning & Zoning has received a conditional use petition on a parcel of land that is located either adjacent to or in the vicinity of property owned by you. You are receiving this notice because your property has been determined to be within the legal public hearing notification distance per county and state requirements. I have enclosed a map identifying the location of the parcel associated with this conditional use petition. If you have any questions regarding this conditional use petition, please contact me at (715) 726-7941.

CONDITIONAL USE PETITION #2025-0004

Petitioner: Olson's Valley Properties LLC **Agent:** Tyler Hastings, CBS Squared

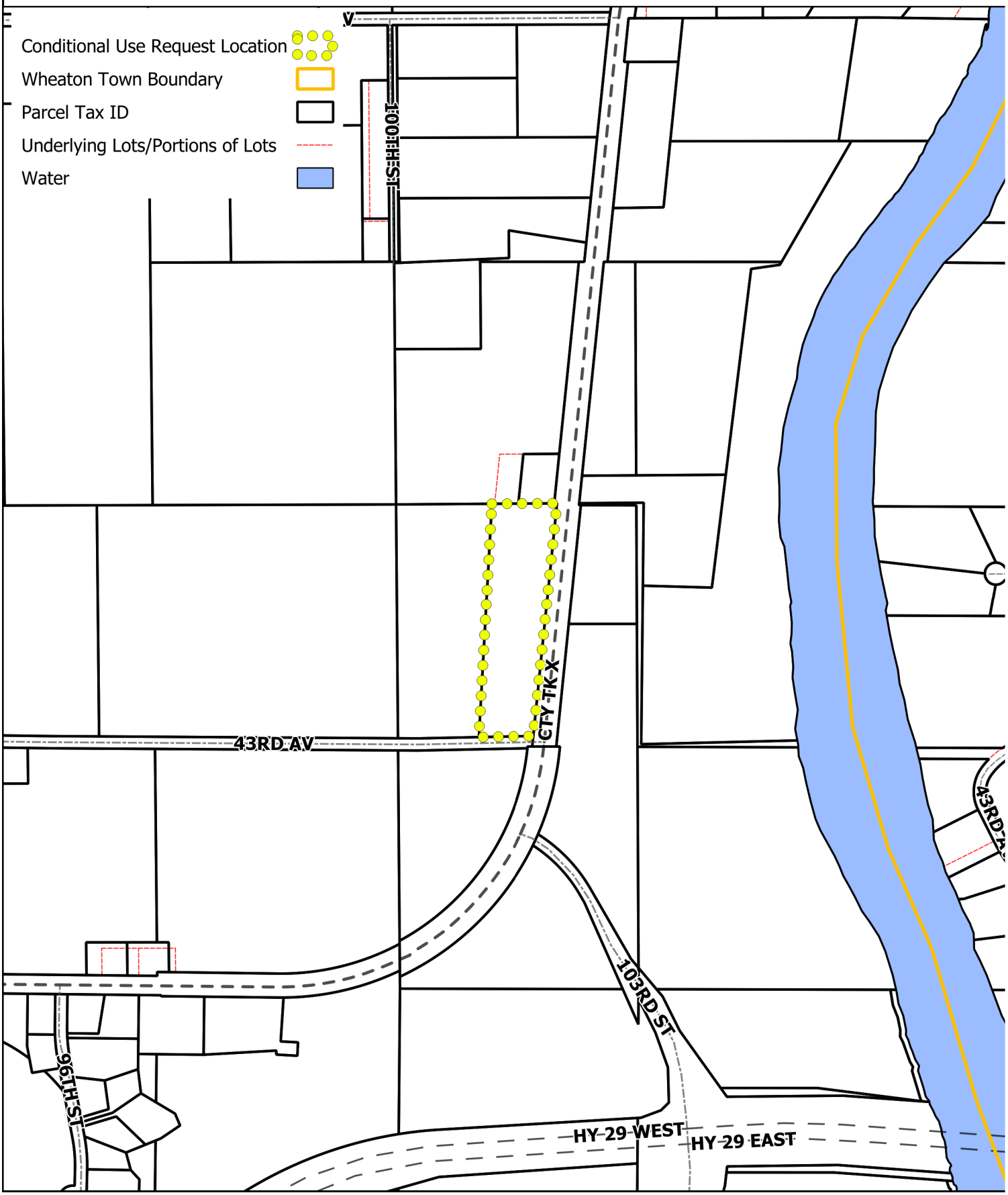
To allow a contractor's storage yard (Dan's Construction & Excavating, Inc.), with the ability to lease out space to additional contractors, in the Agricultural District in accordance with 70-71(b)(5) and 70-108 of the Chippewa County Zoning Ordinance on a parcel which is located in the NW ¼ of the SW ¼, Section 15, Township 28 North, Range 09 West. Town of Wheaton. Physical Address: 10268 CTH X

Request: To utilize the property for multiple contractors vs. just limited to Dan's Construction & Excavating, Inc.

The Chippewa County Planning & Zoning Committee will hold a **PUBLIC HEARING** on **May 22, 2025** at **5:00 PM**. The Committee may make a final determination to approve or disapprove of the conditional use petition.

Attachment: 2024-0004 Olson's Valley Properties LLC - Public Notices & Maps (8975 : 2025-0004 Olson's Valley Properties LLC Conditional Use

2025-0004 Olson's Valley Properties LLC Conditional Use Request
Location Map



Produced on May 2, 2025 by the Chippewa County Department of Planning & Zoning and is for reference purposes only.

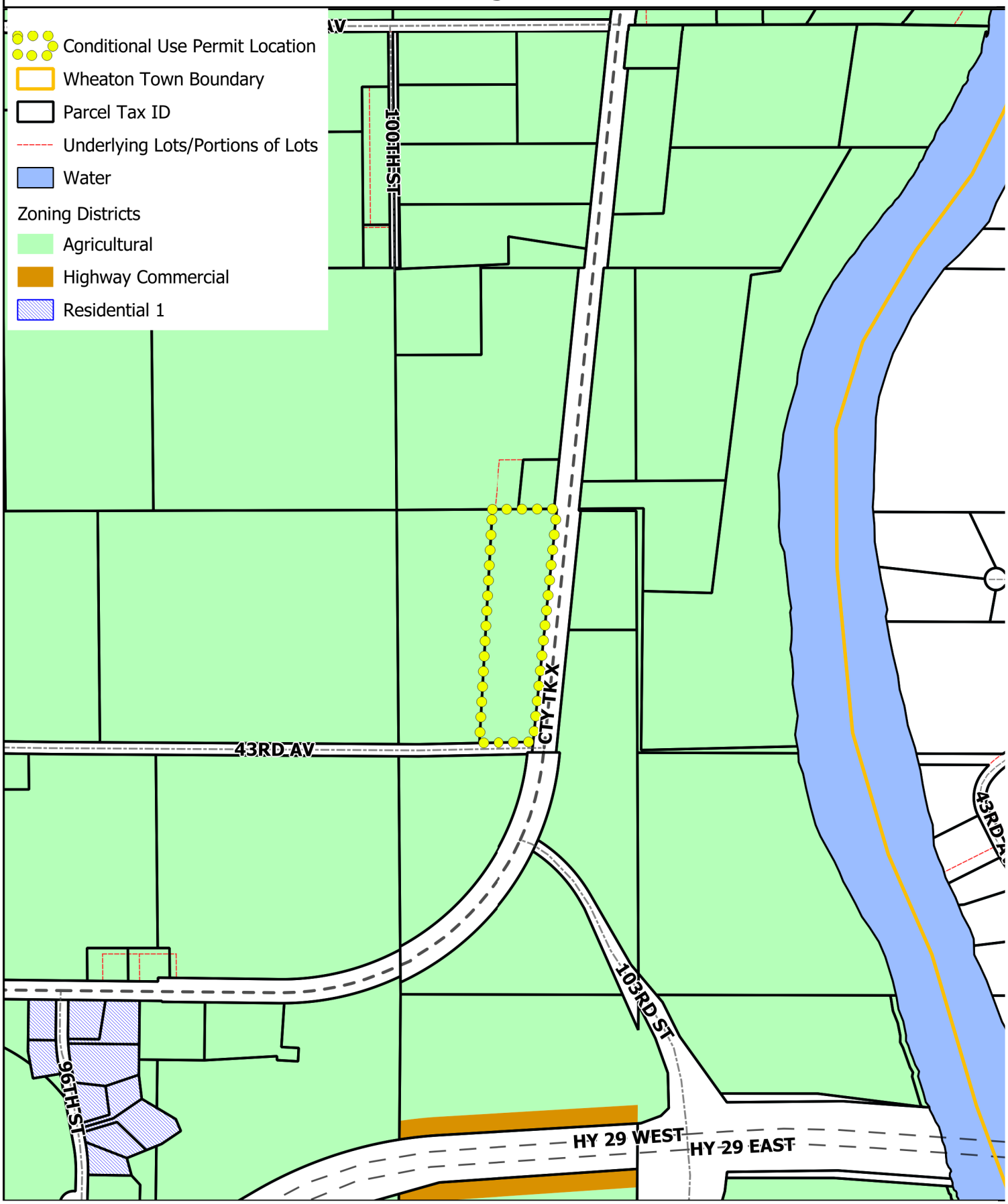
Attachment: 2024-0004 Olson's Valley Properties LLC - Public Notices & Maps (8975 : 2025-0004 Olson's Valley Properties LLC Conditional Use

2025-0004 Olson's Valley Properties LLC Conditional Use Request
Aerial (2023)

Produced on May 2, 2025 by the Chippewa County Department of Planning & Zoning and is for reference purposes only.

Attachment: 2024-0004 Olson's Valley Properties LLC - Public Notices & Maps (8975 : 2025-0004 Olson's Valley Properties LLC Conditional Use

2025-0004 Olson's Valley Properties LLC Conditional Use Request
Zoning Districts



Produced on May 2, 2025 by the Chippewa County Department of Planning & Zoning and is for reference purposes only

Attachment: 2024-0004 Olson's Valley Properties LLC - Public Notices & Maps (8975 : 2025-0004 Olson's Valley Properties LLC Conditional Use

STATEMENT OF EXPLANATION

Ordinance No. 05 - 25

ORD. 05-2025: ORDINANCE TO AMEND SECTIONS 70-8, 70-63, 70-70 THROUGH 70-73, AND 70-76 OF THE CHIPPEWA COUNTY CODE OF ORDINANCES - SECOND READING - DOUG CLARY

SEE ATTACHED LETTER DATED MAY 05, 2025, FROM DOUG CLARY TO TOWNS OF ANSON, EAGLE POINT, HALLIE, LAFAYETTE, WHEATON AND WOODMOHR

Ordinance No. 05 - 25

ORD. 05-2025: ORDINANCE TO AMEND SECTIONS 70-8, 70-63, 70-70 THROUGH 70-73, AND 70-76 OF THE CHIPPEWA COUNTY CODE OF ORDINANCES - SECOND READING - DOUG CLARY

SEE ATTACHMENT

FINANCIAL IMPACT:

There is no fiscal impact to Chippewa County by passage of these ordinance amendments.

05/22/2025	**Planning & Zoning Committee**	
RESULT:	**FORWARD TO COUNTY BOARD [UNANIMOUS]**	**Next: 6/10/2025 6:00 PM**
MOVER:	Chuck Hull, District 19	
SECONDER:	Duane Shoebridge, District 3, Vice-Chair	
AYES:	Bergeron, Shoebridge, Kelly, Kempe, Hull	

Approved as to Form:

Todd A. Pauls
Todd A. Pauls, Corporation Counsel 5/13/2025

Lori Zwiefelhofer
Lori Zwiefelhofer, Finance Director 5/13/2025

Andy J. Albarado
Andy J. Albarado, County Administrator 5/14/2025

CHIPPEWA COUNTY
DEPARTMENT OF PLANNING & ZONING

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Land Management | Land Planning | Land Records & G.I.S. | POWTS & Wells

Date: May 5, 2025

To: Town Chairs: Anson, Eagle Point, Hallie, Lafayette, Wheaton and Woodmohr

From: Douglas Clary, Director

Re: Zoning Ordinance Amendments Package (ZOA) - 2025

Dear Town Chairs,

Please find attached the final draft of the amendments to the zoning ordinance (ZO). The red underlines (ex: added text) indicates text that is proposed to be added to the zoning ordinance. The red strikethrough (ex: ~~removed text~~) indicates text that is proposed to be removed from the zoning ordinance. This being said, in some situations, I have removed text from one section and then added it to another section.

Here is a very brief summary for some of the changes:

ZOA #1: 70-8 Definitions: I revised the hotel and motel definitions to align with Wis Stats Admin Code ATCP 72; updated definition for setback, setback lines and definitions for all yards (front, rear and side); and minor spelling corrections.

ZOA #2: 70-63 Zoning Schedule of Dimensional Requirements: Reduced the rear yard setback for accessory structures within the agricultural, local commercial, high commercial and industrial zoning districts to align with the side yard setback.

ZOA #3: 70-70 Residential 3 District (R3): I moved boarding houses from an approved use to a conditional use permit; created a provision that requires a conditional use permit for five (5) or more units in a multi-family dwelling.

ZOA #4: 70-71 Agricultural District (AG): Created a provision for the Outdoor storage of low explosives with certain written approvals from the Town and the ATF.

> ***Note:*** This provision was created after a request from a Town of Lafayette resident who is looking to store fireworks on a piece of agricultural land. In reviewing the steps necessary to obtain the ATF permit, it was determined that this could be an approved use under defined circumstances.

ZOA #5: 70-72 Local Commercial District (LC): Listed churches, public schools, private schools, animal hospitals, veterinary clinics and kenneling as an approved uses; listed hotels as a conditional use; listed two or more apartments as a secondary use on a non-ground floor level as a conditional use.

> ***Note:*** The two or more apartments on a non-ground floor commercial structure was in relation to a request from a Town of Lafayette property owner. This would allow for the first floor to remain as commercial, while the upper floors could be utilized for apartments. I felt the most appropriate location for the request was a conditional use permit because this would be a completely new use that we have not seen yet in the zoned towns.

ZON #6: 70-73 Highway Commercial District (HC): Listed all conditional uses except for the two or more apartments as a secondary use as approved uses; listed two or more apartments as a secondary use on a non-ground floor level as a conditional use.

> ***Note:*** See note under Local Commercial District above.

Attachment: LTR - Doug Clary to Towns of Anson, Eagle Point, Hallie, Lafayette, Wheaton and Woodmohr 05.05.25 (05 - 25 : Ordinance to

ZOA #7: 70-76 Planned Unit Development (PUD): This is the district that we would be able to allow more than one principal structure on the property. This section was modified after I reviewed the request for the commercial/residential structure in the Town of Lafayette. I am recommending additional information be submitted when reviewing a request for a PUD.

Miscellaneous: Spelling corrections within these sections

The following is a tentative schedule for these amendments:

1. Late April/Early May – Final Public Hearing Draft is released to Towns for May meetings.
2. May 22, 2025 – Public Hearing on Proposed Changes
3. June 10, 2025 – County Board First Reading (NOTE: We would request the second reading be waived, so the provisions are effective upon approval.)
4. July 8, 2025 – Second Reading at County Board Meeting. (NOTE: Only If needed)

If you have any questions, please contact me at (715) 726-7941.

Attachment: LTR - Doug Clary to Towns of Anson, Eagle Point, Hallie, Lafayette, Wheaton and Woodmohr 05.05.25 (05 - 25 : Ordinance to

ORDINANCE TO AMEND SECTIONS 70-8, 70-63, 70-70 THROUGH 70-73, AND 70-76 OF THE CHIPPEWA COUNTY CODE OF ORDINANCES

1. That Sections 70-8, 70-63, 70-70 through 70-73, and 70-76 of the Chippewa County Code of Ordinances be amended as follows:

Chapter 70 ZONING

ARTICLE I. IN GENERAL

Sec. 70-8 Definitions

For the purposes of this chapter, certain terms are defined as follows: words used in the present tense include the future, words in the singular number include the plural number, and words in the plural number include the singular number. The word "building" includes the word "structure" and the word "shall" is mandatory and not directory. The word "person" includes an individual, all partnerships, associations, and bodies politic and corporate. The word "lot" includes the word "plot" or "parcel." The word "used" or "occupied" as applied to any land or building shall be construed to include the words "intended," "arranged" or "designed to be used or occupied."

(1) *Abutting* means having a common property line or district line.

(2) *Accessory building* means a subordinate building, the use of which is purely incidental to the permitted use of the ~~principle~~principal building,

(3) *Accessory use.* See *Use, accessory.*

(4) *Administrator* means the Planning & Zoning Administrator or an agent designated by the Planning & Zoning Administrator.

(5) *Adult Bookstore* means an establishment having as a predominant portion of its stock in trade, books, magazines and other periodicals, video cassettes, DVD's or other electronic media, 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).

(6) *Adult Cabaret* means a nightclub, bar, theater, restaurant or similar establishment which frequently features live performances by topless or bottomless dancers, go-go dancers, exotic dancers, strippers or similar entertainers, where such performances are distinguished or characterized by an emphasis on specified sexual activities or by exposure of specified anatomical areas or which regularly feature films, motion pictures, video cassettes, slides or other photographic reproductions which are distinguished or characterized by an emphasis upon the depiction or description of "specified sexual activities" or "specified anatomical areas" (as defined herein) for observation by patrons. An adult cabaret does not include theaters, performing arts centers, civic centers and dinner theaters where live dance, ballet, music and dramatic performances of serious artistic merit are offered on a regular basis and in which the predominant business or attraction is not the offering to customers and where the

Attachment: Ordinance to Amend Sec 70-8 70-63 70-70 to 70-73 and 70-76 FINAL 050925_PZC Revisions_2025-05-22_HIGHLIGHTED VERSION

establishment is not distinguished by an emphasis on, or the advertising or promotion of, employees engaging in nude erotic dancing.

(7) *Adult Motion Picture Theater* means *a*n enclosed building which is significantly or substantially used for presenting motion picture films, video cassettes, cable television, or any other such visual media, distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas" (as described herein) for observation by patrons therein.

(8) *Agricultural-related business* means a business which is operated from a property located in an agricultural district which (a) services the local farm community through the repair or servicing of farm machinery or equipment or (b) the sale of products that are grown on the property and additional products as long as the home-grown products represent at least 50% or more of the sales.

(9) *Airport* means any airport which complies with the definition contained in Wis. Stats. § 114.002(7), or any airport which serves or offers to serve any common carriers engaged in air transport.

(10) *Alley* means a way which affords only a secondary means of access to abutting property.

(11) *Animal unit* means a unit of measure used to determine the total number of single animal types or combination of animal types, as specified in Wis. Admin. Code NR § 243.11, table 2, which are fed, confined, maintained or stabled in an animal feeding operation. For the purposes of this chapter, one animal unit is equivalent to one head of beef or slaughter cattle weighing more than 1,000 pounds.

(12) *Apartment* means a portion of a multiple dwelling used as a separate housing unit and having cooking facilities and a private bath.

(13) *Apartment house.* See *Dwelling, multiple.*

(14) *Approved use.* See *Use, approved.*

(15) *Arterial street.* See *Street, arterial.*

(16) *Automobile wrecking yard* means an establishment or place of business, which is maintained, used or operated for storing, keeping, buying or selling wrecked, scrapped, ruined or dismantled motor vehicles or motor vehicle parts. 2 or more such vehicles constitute an automobile wrecking yard.

(17) *Basement* means a story whose floor line is below grade at any entrance or exit and whose ceiling is not more than five feet above grade at any such entrance or exit. The first floor is the floor next above the basement or the lowest floor if there is no basement. A basement shall not be counted as a story for the purposes of story restrictions.

Attachment: Ordinance to Amend Sec 70-8 70-63 70-70 to 70-73 and 70-76 FINAL 050925_PZC Revisions_2025-05-22_HIGHLIGHTED VERSION

(18) *Billboard* means an advertising device, either freestanding or attached to a building which is used to display information not related to the use or ownership of the establishment on the property upon which it is located.

(19) *Block* means a tract of land bounded by streets or by a combination of streets and public parks or other recognized lines of demarcation.

(20) *Board* means the board of adjustment, as provided in section 70-35.

(21) *Boardinghouse* means a building, other than a hotel, where meals or lodging and meals are provided for compensation for not more than six persons.

(22) *Building* means a structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of persons, animals or chattels; each portion of a building separated by a division of walls from the ground up, without openings in those walls, is a separate building for the purpose of this chapter.

(23) *Building, alterations of,* means any change or rearrangement of the supporting members (such as bearing walls, beams, columns or girders) of a building, an addition to a building or movement of a building from one location to another.

(24) *Building, height of,* means the vertical distance from the average elevation of the finished grade at the building line to the highest point of a flat roof, or the deck line of a mansard roof, or to the average height of the highest gable or gambrel, hip or pitch roof.

(25) *Building, principal,* means a building in which is conducted the main use of the lot on which such building is located.

(26) *Building line, front,* means a line parallel to the street, intersecting the foremost point of the building, excluding uncovered steps.

(27) *Business* means a commercial establishment engaged in the purchase and sale of goods and services for a profit (not including manufacturing or industrial establishments).

(28) *Camping grounds* means a parcel of land used or intended to be used, let or rented for occupancy by campers or for occupancy by or of trailers or movable or temporary dwellings, rooms or sleeping quarters of any kind.

(29) *Carport* means a structure providing shelter, which consists of a roof and support posts with the potential of being either permanently or temporarily enclosed by walls. It may be free-standing or attached to an existing building.

(30) *Clinic* means an establishment for medical examination and treatment of patients, but without provisions for keeping such patients overnight on the premises. For purposes of this chapter, a doctor's or dentist's office in a residence, when it complies with the requirements of this chapter relating to such office, shall not be considered a clinic; but any doctor's or dentist's

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office which is not a part of ~~his~~ their own home, or the office of two or more doctors or dentists, whether in a residence or not, shall be considered a clinic.

(31) *Club* means an association of persons for some common purpose, but not including groups organized primarily to render a service which is customarily carried on as a business.

(32) *Committee* means the Planning & Zoning Committee which is made up of county board members and oversees the policy for planning and zoning as outlined in Wis. Stats. §§ 59.69.

(33) *Conforming use* means any lawful use of a building or lot which complies with the provisions of this chapter.

(34) *Department* means the Chippewa County Department of Planning & Zoning.

(35) *District* means a section or sections of the county for which the regulations governing the use of land and buildings are uniform.

(36) *Dwelling, multiple,* means a building or portion thereof used or designated as a residence for three or more families as separate housekeeping units, including apartments, apartment hotels and townhouses.

(37) *Dwelling, single-family,* means a detached building designed for and occupied exclusively by one family which is a minimum of 24 feet in width and 24 feet in length and has a roof with a minimum slope of 3:12. The dwelling shall be erected on a permanent, state code approved foundation.

(38) *Dwelling, two-family,* means a detached building designed for and occupied exclusively by two families living independently of each other which is a minimum of 24 feet in width and 24 feet in length and has a roof with a minimum slope of 3:12. The dwelling shall be erected on a permanent, state code approved foundation.

(39) *Dwelling unit* means any room or group of rooms located within a dwelling and forming a single habitable unit, with facilities which are used or intended to be used for living, sleeping, cooking and eating.

(40) *Emergency shelter* means public or private enclosures designed to protect people from aerial, radiological, biological or chemical warfare; fire, flood, windstorm, riots or invasions.

(41) *Environmental Pollution* has the meaning in Wis. Stats. § 295.22(2).

(42) *Expressway* means a divided arterial highway with controls on public and private access and, generally, with interchanges at major intersections.

(43) *Family* means any number of individuals related by blood, adoption or marriage, living together on the premises as a single housekeeping unit.

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(44) *Farm* means an area of land of indeterminate size where animals, produce, plants or bees are raised or maintained for sale or off premise consumption, or where animals are commonly associated with farming are maintained for pleasure.

(45) *Forest industries* means the cutting and storing of forest products, the operation of portable sawmills, the production of maple syrup and sugar.

(46) *Forest products* means products obtained from stands of forest trees which have been either naturally or artificially established.

(47) *Freeway* means an expressway with full control of access and with grade separations at all intersections.

(48) *Frontage, street,* means the smallest dimension of a lot abutting a public street measured along the street line.

(49) *Fur farm* means any property comprising land or buildings or both, used for the purpose of raising or harboring fur-bearing animals including those defined in Wis. Stats. § 29.001(30), and also other fur-bearing animals, if any, whether the animals are kept for breeding, slaughtering or pelting purposes.

(50) *Garage, private,* means an accessory building or accessory portion used, or intended to be used, for the storage of private motor vehicles and having a capacity of not more than three automobiles or not more than two automobiles per family housed in the building, whichever is greater.~~,~~ The capacity limitations shall not apply in the agricultural district.

(51) *Garage, public,* means a building or portion thereof used for the housing or care of motor vehicles for the general public or where such vehicles are equipped or repaired for remuneration or kept for hire or sale. This may include premises commonly known as gasoline stations or service stations.

(52) *Gasoline service station* means any area of land, including any structure thereon, that is used for the sale of gasoline or other motor vehicle fuel and oil or other lubricating substances, or motor vehicle accessories; and which may include facilities used or designed to be used for polishing, repairing, greasing, washing, spraying, dry cleaning or otherwise cleaning such vehicles.

(53) *Hazardous Waste* means any solid waste as defined by the Wisconsin Department of Natural Resources, in Wis. Stats. § 291.01, and identified as hazardous under §§§ 295.01(1), (2) or (4).

(54) *Highway* means a public or private thoroughfare which affords a primary means of access to abutting property.

(55) *Highway corridor* means an area of land marked by state or federal officials where potential highway development is being planned for construction.

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(56) *Home occupation* means any occupation for gain or support conducted entirely within a building by resident occupants, which is customarily incidental to the principal use of the premises, does not exceed 25% of the habitable floor area of the dwelling unit, unless a conditional use permit is issued, and no article is sold or offered for sale except such as is produced by such home occupation. A household occupation includes such uses as babysitting, millinery, dressmaking, canning, laundering and crafts, and does not include the display of any goods or products nor the storage or sale of explosives or fireworks.

(57) *Hospital,* unless otherwise specified, shall be deemed to include sanitarium, sanatorium, preventorium, rest home, nursing home, convalescent home and any other place for the diagnosis, treatment or other care of ailments. It shall be limited to places for the diagnosis, treatment or other care of human ailments with provisions for keeping such patients overnight on the premises.

(58) *Hotel* means ~~an establishment for transient guests having sleeping rooms without individual cooking facilities for more than six persons for compensation~~ all places wherein sleeping accommodations are offered for pay to transients, in 5 or more rooms, and all related rooms, buildings and areas.

(59) *Impervious Surface* means an area that releases as runoff all or a large portion of the precipitation that falls on it, other than frozen soil. Examples of surfaces that typically are impervious are any paved, covered, compacted or structural surface that limits or impedes infiltration or otherwise causes additional runoff of surface water, including roofs of buildings, the surfaces of solid decks and patios, and gravel, paved and crushed stone driveways, parking areas and walkways.

(60) *Inoperative Motor Vehicle* means any motor vehicle which satisfies one or more of the following criteria:

a. That is partially dismantled or wrecked;

b. That is not operable

c. That is not licensed;

d. That could not be safely or legally operated on a highway;

e. That has become a habitat for rodents, vermin or insects;

f. That in any other way constitutes a threat to the public health or safety.

(61) *Interchange* means a grade-separated intersection with one or more direct connections for vehicular travel between the intersecting streets or highways.

(62) *Junked Vehicle* means a vehicle or piece of equipment which is incapable of proper operation or use upon a highway or road.

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(63) *Junkyard* means an open space where waste, used or secondhand materials are bought, sold, exchanged, stored, baled, packed, disassembled or handled, including, but not limited to, scrap iron and other metals, paper, rags, rubber, tires and bottles. The term "junkyard" also includes an auto wrecking yard, but does not include uses established entirely within enclosed buildings.

(64) *Licensed* means the proper display of the registration which includes the necessary plates, tags or decals issued by the authority having jurisdiction over such vehicle or equipment licenses.

(65) *Livestock operation* means a feedlot or other facility or a pasture where animals are fed, confined, maintained or stabled.

(66) *Loading area* means a completely off-street space or berth on the same lot for the loading or unloading of freight carriers, having adequate ingress and egress to a public street or alley.

(67) *Lot* means a division of land occupied or designed to be occupied by one building and its accessory building or uses, including open spaces required by this chapter. A lot may be a parcel of land designated in a plat laid out prior to the effective date of the ordinance from which this chapter is derived or amendment thereof, or a division described in a conveyance recorded in the office of the register of deeds, or contained in, or a part of a certified survey, approved by the Committee and recorded in the office of the register of deeds, when such parcels comply with the requirements of this chapter as to width and area for the district in which it is located and have frontage on a public street or an approved private street. No land included in any street, highway or railroad right-of-way shall be included in computing lot area.

(68) *Lot area* means the total area in a horizontal plane within the peripheral boundaries of a lot.

(69) *Lot coverage* means the percent of the area of a lot occupied by buildings or structures, including accessory buildings or structures.

(70) *Lot lines* means the peripheral boundaries of a lot as defined in this section.

(71) *Lot width* means, for the purposes of this chapter, the width of a lot shall be the shortest distance between the side lines at the setback line.

(72) *Meat locker* means an establishment which processes meat or meat food products for human consumption. Processes mean cutting, grinding, manufacturing, compounding, intermixing or preparing.

(73) *Mobile home* means a vehicular structure manufactured and designed to be transported and towed upon a highway by a motor vehicle and equipped and used, or intended to be used, primarily for human habitation, including any additions, attachments, foundations and appurtenances.

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(74) *Mobile home park* means any lot on which two or more mobile homes are parked for the purpose of permanent habitation and including any associated service, storage, recreation and other community service facilities designed for the exclusive use of park occupants.

(75) *Motel* means a ~~building or group of buildings containing rooms which are offered for compensation and the temporary accommodation of transients, and where there is no permanent occupancy of any unit, except by the owner or his agent or employees~~ hotel that furnishes on-premise parking for motor vehicles of guests as part of the room charge, without extra cost, and that is identified as a "motel" rather than a "hotel" at the request of the operator.

(76) *Motor Vehicle* means any self-propelled land vehicle which can be used for towing or transporting people or materials, including but not limited to automobiles, trucks, buses, motorized campers, motorcycles, motor scooters, and tractors.

(77) *Motor Vehicle Accessories* means any part or parts of any motor vehicle.

(78) *Motor freight terminal* means a building or area in which freight brought by motor truck is assembled or stored for routing in intrastate and interstate shipment by motor truck.

(79) *Nonconforming building or structure* means any building or structure which does not comply with all of the regulations of this chapter or of any amendment hereto governing bulk for the zoning district in which such building or structure is located.

(80) *Nonconforming use* means any use of land, buildings or structures which does not comply with all of the regulations of this chapter or of any amendments thereto governing use for the zoning district in which such use is located. Also see subsection 70-7(c).

(81) *Nonmetallic mineral* means a product, commodity or material consisting principally of natural occurring, organic or inorganic, nonmetallic, nonrenewable material. Nonmetallic minerals include, but are not limited to: stone, sand, gravel, asbestos, beryl, diamond, clay, coal, feldspar, peat, talc and topsoil

(82) *Nonmetallic mining* means the following:

a. 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 or incidental amounts of nonmetallic minerals, such as commercial sod, agricultural crops, ornamental or garden plants, forest products, Christmas trees or plant nursery stock.

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b. 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 and dewatering.

(83) *Nonmetallic mining refuse* means waste soil, rock and mineral, as well as other natural site material resulting from nonmetallic mining. Nonmetallic mining refuse does not include marketable byproducts resulting directly from or displaced by the nonmetallic mining that are scheduled to be removed from the nonmetallic mining site within a reasonable period of time after extraction.

(84) ~~*Nonmellatic*~~ *Nonmetallic mining site* means all contiguous areas of present or proposed mining described as:

a. The location where nonmetallic mining is proposed or conducted.

b. Storage and processing areas that are in or contiguous to areas excavated for nonmetallic mining.

c. Areas where nonmetallic mining refuse is deposited.

d. Areas affected by activities such as the construction or improvement of private roads or haulage ways for nonmetallic mining

e. Areas where grading and regarding is necessary.

f. Areas where nonmetallic mining reclamation activities are carried out or structures needed for nonmetallic mining reclamation, such as topsoil stockpile areas, revegetation test plots or channels for surface water diversion are located.

(85) *Nursery* means any building or lot, or portion thereof, used for the cultivation or growing of plants and including all accessory buildings.

(86) *Nursery school* means any building used routinely for the daytime care and education of preschool age children and including all accessory buildings and play areas, other than the child's home or the homes of relatives or guardians.

(87) *Park, public,* means an area owned and operated by the state, county or municipality within the county, operated for the convenience and recreation of the public and containing such facilities as the owning government may see fit.

(88) *Parking lot* means a lot where automobiles are parked or stored temporarily for public use whether free, for compensation or as an accommodation for clients or customers but not

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including the wrecking of automobiles or other vehicles or storage for purposes of repair or wrecking.

(89) *Parking space* means an off-street space available for the parking of a motor vehicle and which is held to be an area containing 200 square feet and nine feet wide (nine feet by 22 feet), exclusive of passageways and driveways appurtenant thereto and giving access thereto.

(90) *Permanent Habitation* means more than 14 days of occupancy within a calendar year.

(91) *Planned unit development* means a tract of land of at least five acres which contains or will contain two or more principal buildings, developed under single ownership or control; the development of which is unique and of substantially different character than that of surrounding areas.

(92) *Professional home offices* means residences of doctors of medicine, practitioners, dentists, clergymen, architects, landscape architects, professional engineers, registered land surveyors, lawyers, artists, teachers, authors, musicians or other recognized professions, used to conduct their professions where the office does not exceed one-half the area of only one floor of the residence and only one nonresident person is employed.

(93) *Property lines* means the lines bounding a tract of land in single ownership.

(94) *Public way* means any sidewalk, street, alley, highway or other public thoroughfare.

(95) *Railroad right-of-way* means a strip of land with tracks and auxiliary facilities for track operation, but not including freight depots or stations, loading platforms, train sheds, warehouses, car or locomotive shops or car yards.

(96) *Recreational camp* means an area containing one or more permanent buildings used occasionally or periodically for the accommodation of members of associations or groups for recreational purposes.

(97) *Recreational vehicle (RV)* means a vehicular portable structure designed as a temporary dwelling for travel, recreation and vacation use, which does not fall within the definition of mobile homes.

(98) *Recreational vehicle (RV) camp* means any park, court, campsite plot or parcels or tracts of land used to park camping type units of any nature and not used as permanent residence.

(99) *Recycling drop-off station* means a facility consisting of appropriate storage containers designed to accept a limited volume of recyclable materials from households, including aluminum food and beverage containers, glass food and beverage containers, magazines or other materials printed on similar paper, newspapers or other material printed on newsprint, kraft paper (e.g. grocery bags), corrugated cardboard, office paper, plastic food and beverage containers, steel or bimetal food or beverage containers, and waste tires, that are intended to be stored temporarily in the containers provided before being taken to a resource recovery facility or

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resource recovery processing facility. Sorting, shredding, crushing, baling or other separation, other than that required by residents using a municipal recycling drop-off station to separate recyclable materials for placement in appropriate containers, shall be prohibited.

(100) *Registered geologist* means a person who is registered as a professional geologist pursuant to Wis. Stats. §§ 443.037 and 443.09.

(101) *Registered professional engineer* means a person who is registered as a professional engineer pursuant to Wis. Stats. §§ 443.04 and 443.09.

(102) *Rendering plant* means a plant for the reduction of dead animals, or slaughtered animals not suitable for human consumption to byproducts such as hide, skin, grease, bones, glue, soap and for the storage of such byproducts.

(103) *Resource recovery facility* means a building in which collected recyclables from residential and commercial sources, including aluminum food and beverage containers, glass food and beverage containers, magazines or other materials printed on similar paper, newspapers or other material printed on newsprint, kraft paper (e.g. grocery bags), corrugated cardboard, office paper, plastic food and beverage containers, steel or bimetal food or beverage containers, or other incidental recyclable items that may be delivered from time to time provided no dismantling is necessary according to market requirements and in which the incoming recyclables are sorted, shredded, crushed, baled or otherwise separated using equipment, for later shipment to markets. All activities that take place at a resource recovery facility shall take place inside the building, including the storage of recyclables. Dismantling, salvaging, crushing, or storage of motor vehicles, machinery, or appliances, or the processing or storage of putrescible, hazardous or toxic wastes are prohibited.

(104) *Restaurant* means a space within a suitable building provided with adequate and sanitary kitchen equipment, approved by the state board of health and a dining room of related capacity, having employees for preparing, cooking and servicing suitable food.

(105) *Right-of-way line* means the dividing line between a highway and the abutting lots or other divisions of land.

(106) *Roadside stand* means a structure having a ground area of not more than 300 square feet, not permanently fixed to the ground, readily removable in its entirety, not fully enclosed and to be used solely for the sale of farm or garden products produced on the premises.

(107) *Rooming unit* means any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping but not for cooking or eating purposes.

(108) *Rooming house, Tourist* as defined in Wis Stats. § 97.01 (15k) means any lodging place or tourist cabin or cottage where sleeping accommodations are offered for pay to tourists or transients. “Tourist rooming house" does not include: (a) a private boarding or rooming house, ordinarily conducted as such, not accommodating tourists or transients, (b) a hotel, or (c) bed and breakfast establishments.

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(109) Tourist or Transient means a person who travels to a location away from ~~his or her~~their permanent address for a short period of time for vacation, pleasure, recreation, culture, business or employment.

(110) *School, commercial,* means a school limited to special instruction, such as business, art, music, trades, handicraft, dancing or riding.

(111) *Setback* means the minimum horizontal distance, measured at right-angles from ~~the front line of the lot, the~~ right-of-way lines, property lines or buildings or structures ~~of the highway or the centerline of the highway, as designated, to the front wall of the building, exclusive of permitted projections. The setback shall be measured at right angles to such front lot line, right-of-way line or centerline of the highway~~.

(112) *Setback lines* means lines established a~~djacent to highways for the purpose of defining limits within which no building or structure or any part thereof shall be erected or permanently maintained, except as shown therein. The phrase "within a setback line" means between the setback line and the highway right-of-way~~parallel to the right-of-way lines, lot lines or water bodies for the purpose of defining limits in which structures, buildings or uses must be constructed, maintained or confined.

(113) *Shopping center* means a group of stores planned and designed for the site on which it is built, functioning as a unit, with off-street parking provided on the property as an integral part of the unit. (See *Planned unit development*)

(114) *Sign* means anything erected, hung, suspended, painted or attached to any other structure, carrying words, letters, figures, phrases, sentences, names, designs, trade names or trademarks or any other devices placed so as to be visible from a street or highway and calling attention to a business, trade, profession, commodity, product, person, firm or corporation.

(115) *Slaughterhouse* means any building or premises used commercially for the killing, processing or dressing of cattle, sheep, swine, goats or horses for consumption and the storage, freezing and curing of meat and the preparation of meat products.

(116) *Story* means that portion of a building included between the surface of any floor and the surface of the floor next above it, or, if there is no floor above it, then the space between such floor and the ceiling next above it.

(117) *Story, half,* means a story under a gable, hip or gambrel roof, the wall plates of which, on at least two opposite exterior walls, are not more than two feet above the floor of such story.

(118) *Street* means a public or private thoroughfare which may either provide the principal means of pedestrian and vehicular access to abutting property or may provide for the movement of pedestrian or vehicular traffic or both.

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(119) *Street, arterial,* means a public street or highway intended to be used primarily for fast or heavy through traffic. Arterial streets and highways shall include freeways and expressways, as well as major thoroughfares, highways and parkways.

(120) *Structural alterations* means any change in the supporting members of a structure such as bearing walls, columns, beams or girders, foundations and poles.

(121) *Structure* means anything constructed or erected, the use of which requires location on the ground or that it be attached to something having a location on the ground but not including utility lines and their normal accessory equipment.

(122) *Survey, certified* means a certified survey map of not more than four parcels of land which shall be recorded in the office of the register of deeds of the county and which shall meet the requirements of Wis. Stats. § 236.34.

(123) *Temporary structure* means a movable structure not designed for human occupancy which may be used for protection of goods or chattels.

(124) *Transportation Standards* means Wisconsin State Statutes, Wisconsin Administrative Codes, Wisconsin Department of Transportation Construction Standards and Facilities Design Manual, American Association of State Highway and Transportation Officials (AASHTO) publications and Institute of Transportation Engineers (ITE) publications.

(125) *Use* means the use of property is the purpose or activity for which the land or building thereon is designed, arranged or intended, or for which it is occupied or maintained and shall include any manner of standards of this chapter.

(126) *Use, accessory,* means a use subordinate in nature, extent or purpose to the principal use of a building or lot.

(127) *Use, approved,* means a use which may be lawfully established in a particular district or districts, provided it conforms with all requirements, regulations and performance standards (if any) of such districts.

(128) *Use, Conditional,* means the use of property, including the size, use and location of buildings, the size of lots and the dimensions of required yards, otherwise not allowable under the terms of this chapter, which is permissible by reasons of special provisions of the chapter, or for which a special permit may be issued by the Committee, under conditions specified in this chapter

(129) *Use, principal,* means the main use of land or buildings as distinguished from a subordinate or accessory use. A principal use may be an approved use or a conditional use.

(130) *Variance* means a departure from the terms of this chapter as applied to a specific building, structure or parcel of land, which the board of adjustment may permit, contrary to the regulations of this chapter for the district in which such building, structure or parcel of land is located, when the board of adjustment finds that a literal application of such regulation will

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affect a limitation on the use of the property which does not generally apply to other properties in the same district and for which there is no compensating gain to the public health, safety or welfare.

(131) *Vision clearance* means an unoccupied triangular space at the intersection of highways or streets with other highways or streets or at the intersection of highways or streets with railroads. Such vision clearance triangle shall be bounded by the intersecting highway, street or railroad right-of-way lines by measurement from their intersection as specified in this chapter.

(132) *Water quality management area* means any of the following:

a. The area within 1,000 feet from the ordinary high-water mark of navigable waters that consists of a lake, pond or flowage, except that, for a navigable water that is a glacial pothole lake. The term "water quality management area" means the area within 1,000 feet from the high-water mark of the lake.

b. The area within 300 feet from the ordinary high-water mark of navigable waters that consist of a river or stream.

c. A site that is susceptible to groundwater contamination or that has the potential to be a direct conduit for contamination to reach groundwater.

(133) *Yard* means an open space on the same lot with a structure, unoccupied and unobstructed from the ground upward, except for vegetation as permitted, and except for permitted accessory buildings in rear yards.

(134) *Yard, front,* means a yard extending across the full width of a lot, ~~having a depth equal to the minimum horizontal distance~~ between the front property line ~~and the nearest point of the principal structure, excluding permitted projections~~ and the nearest point of a building or structure, excluding such projections as are permitted in the this chapter. A lot abutting two intercepting or intersecting streets shall have two front yards, one side yard and one rear year. A lot which is surrounded by public road right-of-ways on three sides will have three front yards.

(135) *Yard, rear,* means a yard~~, unoccupied except by accessory buildings,~~ extending ~~from the rear line of the main building to the rear lot line for the entire~~across the full width of the lot between the rear lot line ~~to~~and the nearest part of a building or structure, excluding such projections as are permitted in this chapter. On all lots with access to one street, the rear yard shall be opposite a front yard. A lot abutting two intercepting or intersecting streets shall have two front yards, one side yard and one rear year. A lot which is surrounded by public road right-of-ways on three sides will have three front yards and no rear yard.

(136) *Yard, side,* means a yard ~~or open space~~ on ~~each~~a side of the ~~main~~ building or structure and the side lot line of the lot, and extending from ~~the side lot line~~ the required front yard to the required rear yard, to the side wall of the building or structure, ~~exclusive of permitted~~excluding such projections ~~and from the front yard to the rear yard, when an accessory building is~~

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~~constructed as part of the main building or constructed on one side of the main building, the side yard requirements shall be the same for the accessory building as required for the main building~~as are permitted in this chapter. A lot abutting two intercepting or intersecting streets shall have two front yards, one side yard and one rear year. A lot which is surrounded by public road right-of-ways on three sides shall have three front yards and one side yard.

(137) *Youth camps.* See *Recreational camps.*

(138) *Zoning district* means an area or areas for which the regulations and requirements governing use, lot and bulk of buildings and premises are uniform.

(139) *Zoning permit* means a permit stating that the purpose for which a building or land is to be used is in conformity with the uses permitted and all other requirements under this chapter for the zone in which it is located.

(Code 1980, § 17.07, Ord. 10-11, 01-10-12; Ord. 02-18, 06-12-18; Ord. No. 08-24, 07-09-2024)

Secs. 70-9--70-30. Reserved.

ARTICLE III. DISTRICTS

Sec. 70-63 Zoning Schedule of Dimensional Requirements

For buildings hereafter erected, converted in use, enlarged, moved or structurally altered, the building height limit, minimum dimension of yards, minimum area and width of lots shall comply with the following requirements:

(TABLE ON NEXT PAGE)

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Zoning Schedule of Dimensional Requirements – TABLE

Dimensional Requirements	CON	REC	R1	R2	R2-TH	R3	AG	LC	HC	IND
Building height	35 ft	35 ft	35 ft	35 ft	35 ft	45 ft	45 ft	45 ft	75 ft	75 ft
Minimum Lot Area										
Without public sewer	5 Acres	30,000 ft^2	20,000 ft^2	20,000 ft^2	10,000 ft^2 per side	20,000 ft^2	1.5 acres	20,000 ft^2	20,000 ft^2	1 acre
With public sewer			10,000 ft^2	10,000 ft^2	10,000 ft^2 per side	10,000 ft^2		10,000 ft^2	10,000 ft^2	
Minimum Lot Width										
Without public sewer	150 ft	150 ft	100 ft	100 ft	50 ft per side	100 ft	150 ft	100 ft	100 ft	150 ft
With public sewer			70 ft	70 ft	50 ft per side	70 ft		70 ft	70 ft	
Side Yard										
Principal Single side	20 ft	20 ft	10 ft	10 ft	10 ft	10 ft	20 ft	10 ft	10 ft	20 ft
Shared Property Line	NA	NA	NA	NA	0 ft	NA	NA	NA	NA	NA
Accessory building	20 ft	20 ft	10 ft	10 ft	10 ft	10 ft	15 ft	10 ft	10 ft	15 ft
Rear Yard										
Principal Building	40 ft	40 ft	25 ft	25 ft	25 ft	25 ft	40 ft	25 ft	25 ft	40 ft
Accessory Building	20 ft	20 ft	10 ft	10 ft	10 ft	10 ft	~~20~~15 ft	~~15~~10 ft	~~15~~10 ft	~~20~~15 ft

Note 1: Road setbacks are found in section 70-109.

Note 2: Non-conforming lot requirements are found in section 70-111.

Note 3: All of the setback requirements are in feet, while the required lot area is square feet, unless duly noted.

Note 4: See the individual zoning districts and 70-106 and 70-107 for additional height and setback restrictions and/or regulations.

See each district section for exceptions to the standards in this section.

(Code 1980, § 17.22) (Ord. 06-15, 01-12-2016)

Sec. 70-70 Residential 3 District (R3)

Specified uses. In the residential 3 district no building shall be erected, moved or structurally altered after the effective date of the ordinance from which this chapter is derived, unless otherwise provided in this chapter, except for one or more of the following specified uses:

(a) *Approved use*. The following are approved uses in the residential 3 district.

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(1) Any use permitted in the residential 2 district. The use shall be in keeping with the conditions, if any, set forth in section 70-69 for the residential 2 district.

(2) Multi~~ple~~-family dwellings with a maximum of four (4) dwelling units. An additional 3,000 square feet of buildable land shall be required for each dwelling unit of a multi-family dwelling that exceeds two (2) dwelling units.

~~a. An additional 3,000 square feet of land shall be provided for each dwelling unit above two.~~

~~(3) Lodging houses and boardinghouses.~~

(4~~3~~) Private clubs and fraternities, except those whose principal activity is a service customarily carried on as a business.

(5~~4~~) Signs as permitted in article IV, division 3 of this chapter.

(b) *Conditional Uses.* The following uses shall be conditional uses in the Residential 3 District when the location of each shall have been approved by the Committee following a public hearing pursuant to Section 70-108.

(1) Multi~~ple~~-family dwellings with five (5) or more dwelling units. An additional 3,000 square feet of buildable land shall be required for each dwelling unit of a multi-family dwelling that exceeds two (2) dwelling units.

(2) Boarding Houses.

(1~~3~~) Mobile home parks are permitted if approved by the Committee after public hearing and in keeping with subsection 70-71(b)(10)a.

(2~~4~~) Hospitals may be permitted if the establishment, having up to ten patients, client or guest rooms, has a lot area of not less than 30,000 square feet and that all yards except the front yard shall be not less than two times the width or depth otherwise required by this section for residential buildings; provided further, that for each five such rooms in addition to the first ten, the area shall be increased by 4,000 square feet, but in no case shall a lot area of more than 100,000 square feet be required.

(c) *Dimensional requirements*. See section 70-63.

(d) *Highway setback lines.* See section 70-109.

(e) *Off-street parking and loading areas.* See section 70-110.

(f) *Substandard lots*. See section 70-111.

(Code 1980, § 17.27)

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Sec. 70-71 Agricultural District (AG)

In the agricultural district no building or premises shall be used and no building shall be erected, moved or structurally altered after the effective date of the ordinance from which this chapter is derived, unless otherwise provided in this chapter, except for one or more of the following uses:

(a) *Approved use.* The following are approved uses in the agricultural district:

(1) General farming, including dairying livestock and poultry raising, nurseries, greenhouses and other similar enterprises or uses, except fur farms and farms operated for the disposal or reduction of garbage, sewage and rubbish.

a. New or existing livestock operations which will house up to 649 animal units shall not require a zoning permit. However, the following requirements shall be met:

1. Livestock operations shall be in conformance with provisions of chapter 62, article IV, division 4 of this Code.

2. Livestock operations shall meet minimum statutory prohibitions for nonpoint source pollution control as follows:

3. A livestock operation may have no overflow of manure storage structures.

4. A livestock operation may have no unconfined manure pile in a water quality management area.

5. A livestock operation may have no direct runoff from a feedlot or stored manure into the waters of the state.

6. A livestock operation may not allow unlimited access by livestock to waters of the state in a location where high concentrations of animals prevent the maintenance of adequate sod cover.

7. Requirements of Wisconsin Administrative Code NR 151 and Wisconsin State Statutes 281.

(2) Single Family Dwellings.

(3) Additional dwelling units for a parent or child of a farmer, or persons earning a substantial part of their livelihood on the farm. The additional dwelling(s) must meet all applicable setback, lot size and spacing requirements in case it is sold in the future.

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(4) Telephone, power transmission towers, poles and lines including transformers, substations, relay stations, equipment and television stations and transmission towers and microwave relay towers.

(5) Roadside stands provided that there shall not be more than one stand on any single premises.

(6) Signs as permitted in article IV, division 3 of this chapter.

(7) Sawmills, provided that the location of any sawmill on the same premises is less than ten days, excluding portable sawmills.

(8) Single-family mobile homes. Such home shall be connected to an acceptable water supply and separate and individual private wastewater facilities. See section 70-101.

(9) Accessory structures utilized solely in the business of agriculture, farm or farming, including but not limited to barns, equipment storage sheds, plant greenhouses and stables.

(10) Any non-commercial activity, which does not last longer than 96 hours, such as but not limited to: graduation parties, family reunions and picnics, and weddings.

(11) Agricultural-related businesses

(12) Recycling drop-off Station this is maintained and operated by the township or county.

(13) Outdoor Storage of ~~low explosives~~1.3g Display Fireworks (formerly known as Class B), on the condition that all of the following requirements are met:

a. The outdoor storage is an accessory use to the principal residential structure on the property. The intent is to allow a property owner the ability to store fireworks on their property as long as they are "living" on the property. This provision is not meant to allow a property owner to have a vacant parcel of land whereby they can place a structure for the storage of ~~low explosives~~1.3g Display Fireworks.

b. Written approval from the town in which the storage is proposed is submitted to the Department.

c. Written approval from the Bureau of Alcohol, Tobacco, Firearms & Explosives detailing the type of structure and the minimum setback requirements to structures and property lines is submitted to the Department.

d. Setbacks for the placement of any structure for the outdoor storage of ~~low explosives~~1.3g Display Fireworks comply with local, county, state and federal law.

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(b) *Conditional uses.* The following uses shall be conditional uses in the Agricultural District when the location of each such use has been approved by the Committee following a public hearing pursuant to Section 70-108).

(1) Junk or salvage yards. See article IV, division 2 of this chapter.

(2) Non-Metallic Mining. See Division 5 of this chapter.

(3) Saw mills. See subsection 70-71(a)(7) of this section.

(4) Aircraft landing fields. Including the location on such fields of buildings related to the operation, storage or maintenance of aircraft. All aircraft landing fields shall take into consideration safety zones as set forth in subsection 70-106(d).

(5) Contractor's storage yards. Any such yard shall be placed or screened by plantings or fences as not to be visible from any public highway or any residential building other than that of the owner of such yard, ~~his~~ their agent or employee.

(6) Power plants and flowage areas. As allowed upon consideration of the Department of Natural Resources and the soil conservation service.

(7) Drive-in theaters. Provided the following requirements are met:

a. There shall be no direct entrance to or exit from such drive-in theater and any federal, state or county highway.

b. No parking shall be permitted on any street or highway on which a drive-in theater abuts or on any street or highway connecting with an abutting street or highway anywhere within one-half mile of an entrance to or exit from such drive-in theater.

c. There shall be a distance of not less than one-quarter mile between the boundary of any residential district and the nearest point on the boundary of such drive-in theater site, measured in a straight line.

(8) Fur farms and pea vineries. When located not less than 1,000 feet from any residential building, other than that of the owner of the premises, ~~his~~ their agent~~s~~ or employee~~s~~ and not less than 500 feet from the right-of-way line of any federal, state and county trunk highway provided that this regulation shall not apply to portable pea vineries where there is no stacking of the vines.

(9) Animal hospitals, veterinary clinics and kennels. When located not less than 500 feet from any residential building other than that of the owner of such kennels, ~~his~~ their agent or employee.

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(10) Mobile home parks and recreational vehicle camps. The following requirements shall be met:

a. Mobile home park provided as follows:

1. The minimum size of a mobile home park shall be five acres.

2. The maximum number of mobile homes shall be eight per acre.

3. The minimum dimensions of a mobile home site shall be 50 feet wide by 100 feet long.

4. All drives, parking areas and walkways shall be hard surfaced or graveled, maintained in good condition, have natural drainage and all driveways shall be lighted at night.

5. In addition to the requirements of highway setback of this chapter, there shall be a minimum setback of 40 feet from all other lot lines.

6. The parks shall conform to the requirements of Wis. Admin. Code ATCP125, which shall apply until amended and then apply as amended.

7. No mobile home site shall be rented for a period of less than 30 days.

8. Each mobile home site shall be separated from other mobile home sites by a yard not less than 15 feet wide.

9. There shall be two surfaced automobile parking spaces for each mobile home.

10. Unless adequately screened by existing vegetation cover, the mobile home park shall be screened by a planting of fast-growing vegetation, capable of reaching a height of 15 feet or more, the individual trees to be such number and so arranged that within ten years they will have formed a screen equivalent in capacity to a solid fence or wall. Such permanent planting shall be grown or maintained to a height of not less than 15 feet.

b. Recreational Vehicle (RV) camps provided as follows:

1. The minimum size of a RV camp shall be five acres.

2. The maximum number of RVs shall be 15 per acre.

3. Minimum dimensions of a RV site shall be 25 feet wide by 40 feet long.

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4. Each RV site shall be separated from other RV sites by a yard not less than 15 feet wide.

5. There shall be 1 1/2 automobile parking spaces for each RV site.

6. In addition to the requirement of highway setback of this chapter, there shall be a minimum setback of 40 feet from all other exterior lot lines.

7. It shall conform to the requirement of Wis. Admin. Code HFS ch. 178 which shall apply until amended and then apply as amended.

8. The screening provisions for mobile home parks are met.

(11) Garbage and refuse disposal sites provided as follows:

a. The sites shall have clearly defined boundaries at the time of issuing a permit.

b. The site shall be screened so that the salvage materials are not visible from other property in the vicinity or from a public right-of-way such as roads, streets and highways or waterways.

c. The site shall not be located within 5 miles of the boundary of any residential district or any incorporated city or village, nor within 5 miles of any other residences, nor within 1,200 feet of the right-of-way of any federal, state, county or town highway.

1. All such sites shall have minimum front, side and rear yards of 1,200 feet each.

2. No location permit shall be issued without approval of the County and Town Board.

(12) Sale barns. Provided that no sale barn be located within one-half mile of the boundary of any residence district or any incorporated city or village, nor within one-quarter mile of any other residence except that of the owner of the property on which such sale barn is located or ~~his~~ their agent, nor within 500 feet of the right-of-way line of any federal, state or county trunk highway.

(13) Slaughterhouses shall be located not less than 1,000 feet from any residential building other than that of the owner of the premises, ~~his~~ their agent or employee.

(14) Creameries, dairies, cheese factories.

(15) Mixing construction materials. Mixing of concrete, asphalt hot mix or other related materials.

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(16) A new or existing livestock operation, which houses or expands to house 650 or more animal units.

(17) Manmade ponds. Construction/use of manmade ponds over one acre or combined to be over one acre, except agricultural activities, including, but not limited to, cranberry bogs, commercial fish farming, livestock watering holes, and ponds established by non-metallic mining activities, are exempt. It shall be the responsibility of the petitioner to submit sufficient evidence to satisfy the following concerns: pollution to groundwater, drainage and flood protection, and depletion of groundwater, safety, aesthetics, traffic, noise and restoration of the site. The Committee may require documentation of other concerns which may be brought up during the public hearing.

a. Facilities that are approved in stormwater management plans are exempt from the provisions of this section.

b. The property owner must retain ownership of a minimum of 10 adjacent acres of property for every one acre of water and the property required shall be located around the entire manmade pond.

(18) Hatcheries

(c) *Dimensional requirements.* See section 70-63.

(d) *Highway setback lines.* See section 70-109.

(e) *Off-street parking and loading area.* See section 70-110.

(f) *Substandard lots*. See section 70-111.

(Code 1980, § 17.29; Ord. No. 08-02, § 2(17.29), 07-09-2002; Ord. No. 01-04, § 1, 03-09-2004)

Sec. 70-72 Local Commercial District (LC)

In the local commercial district, no building or premises shall be used and no building shall be moved, erected or structurally altered after the effective date of the ordinance from which this chapter is derived unless otherwise provided in this chapter except for one or more of the following specified uses:

(a) *Approved uses.* The following are approved uses in the local commercial district:

(1) One dwelling unit on the premises in connection with a permitted use for the owner or ~~his~~ their agent.

(2) Small retail stores and shops such as: art shops, clothing, drug, grocery, fruit, meat, vegetables, confectionery, hardware, sporting goods, stationery, music, variety and notion stores, household appliances and small service businesses such as stores and

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shops for barbers, beauticians, florists, jewelers, watchmakers, locksmiths, painters, plumbers, shoemakers, tailors, dressmakers, pressers, photographers.

(3) Signs as permitted in article IV, division 3 of this chapter.

(4) Offices and office buildings for business and professional firms including banks, medical and dental offices and public and public utility offices.

(5) Churches.

(6) Public and private schools.

(~~5~~7) Cleaning, dyeing and laundry pickup stations and self-service laundries and cleaning shops.

(~~6~~8) Bakeries, confectioneries, ice cream and soft drink shops, but with food preparation limited to that for on-site sale and consumption.

(~~7~~9) Restaurants.

(~~8~~10) Frozen food or meat lockers for service to families and individuals.

(~~9~~11) Liquor stores selling only packaged goods.

(~~10~~12) Radio (AM or FM) or television broadcasting stations and transmitters and microwave radio relay structures.

(~~11~~13) Clubs, lodges, and meeting rooms with seating capacities less than 300 persons.

(~~12~~14) Telephone exchanges and accessory service garage and storage yards.

(15) Animal Hospitals or Veterinary Clinics and kenneling for patients.

(~~13~~16) Telephone, electric power and oil and gas distribution lines and necessary appurtenant equipment housings.

(~~14~~17) Other retail stores and shops and small service businesses catering to neighborhood patronage, including only those deemed to be as appropriately located in local commercial districts as those enumerated above and only those not dangerous or otherwise detrimental to persons residing or working in the vicinity thereof, or to the public welfare and not impairing the use, enjoyment or value of any property.

(b) *Conditional Uses.* The following uses shall be conditional uses in the Local Commercial District when the location of each shall have been approved by the Committee following a public hearing pursuant to Section 70-108.

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(1) Hotels and Motels.

(2) Drive-in restaurants and refreshment stands.

(3) Gasoline service stations, repair garages and shops for motor vehicles, including parking, storage, repair, maintenance and washing of vehicles and parts, but excluding sand or steam cleaning and manufacture of vehicles and parts.

(4) Auto-wash, except steam.

(5) Commercial recreation uses.

(6) Two (2) or more apartments as a secondary use on a non-ground floor level and providing each apartment has a minimum residential floor area of 400 square feet.

(c) *Dimensional requirements.* See section 70-63.

(1) Additional standards for side yards are as follows:

a. There shall be a side yard of not less than 15 feet wide along the side of any lot in the local commercial district which abuts the side lot line of a lot in a residential district and is not separated there from by a street or alley.

b. Buildings on abutting lots may be constructed with a common wall or with walls contiguous to one another.

(d) *Highway setback lines.* See section 70-109.

(e) *Off-street parking and loading areas.* See section 70-110.

(f) *Substandard lots*. See section 70-111.

(g) *Commercial Screening Regulations*. See section 70-113.

(h) *Commercial Lighting Regulations*. See section 70-114.

(Code 1980, § 17.30)

Sec. 70-73 Highway Commercial District (HC)

In the highway commercial district, no building or premises shall be used and no building shall be erected, moved or structurally altered after the effective date of the ordinance from which this chapter is derived, unless otherwise provided in this chapter, except for one or more of the following uses:

(a) *Approved uses.* The following are approved uses in the highway commercial district:

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(1) Uses permitted in the local commercial district, including ~~those requiring approval of the Committee in such district~~the conditional uses as listed in 70-72 (B)(1) through (B)(5).

(2) Automobile display and salesroom, parking lots and structures and when accessory thereto, the retail sale of automobile parts and accessories and the washing, cleaning, greasing and servicing of automobiles, including minor adjustments, repairs, overhauling and rebuilding, but not demolition.

(3) Bars, taverns, nightclubs.

(4) Boat and mobile home salesrooms and lots.

(5) Cleaning, laundering and dyeing plants.

(6) Department stores.

(7) Engraving, photoengraving, photofinishing, lithographing, printing, publishing and bookbinding plants.

(8) Household appliance and equipment repair shops.

(9) Laboratories; medical, dental and optical; other laboratories of non-hazardous or inoffensive operations when accessory to permitted uses.

(10) Loft buildings and mini-warehouses.

(11) Music conservatories, dancing studios.

(12) Paint shops, including sign and other painting.

(13) Retail, wholesale and jobbing businesses.

(14) Tire repair shops.

(15) Used car, farm implement sales lots.

(16) Signs as permitted in article IV, division 3 of this chapter.

(17) Other retail, wholesale or services considered to be as appropriate and desirable for inclusion within the highway commercial district as those permitted above and which will not be dangerous or otherwise detrimental to persons residing or working in the vicinity thereof or to the public welfare and will not impair the use, enjoyment or value of any property.

(18) Any of the following uses are excluded from the highway commercial district:

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a. Any use permitted in only the industrial district, including uses permitted only with Committee approval.

b. Automobile wrecking yards, junkyards, public dumping grounds.

c. Manufacturing and processing other than accessory uses customarily incidental to permitted retail, wholesale and service uses.

d. Any use which is objectionable by reason of emission of odor, dust, smoke, gas, vibration or noise, or because of subjection of life, health or property to hazard.

(b) *Conditional Uses.* The following uses shall be conditional uses in the Highway Commercial District only when the location of each shall have been approved by the Committee following a public hearing pursuant to Section 70-108.

(1) Bottling works bottling nonalcoholic beverages.

(2) Bottle gas storage for local distribution.

(3) Bus, taxi and truck terminals, and storage; railroad lines, spurs and passenger terminals.

(4) Dairies, ice cream plants.

(5) Drive-in movies.

(6) Ice plants, cold storage plants.

(7) Mortuaries.

(8) Recycling drop-off station.

(9) Resource Recovery Facility.

(10) Two (2) or more apartments as a secondary use on a non-ground floor level and providing each apartment has a minimum residential floor area of 400 square feet.

(c) *Dimensional requirements.* See section 70-63.

(d) *Highway setback lines.* See section 70-109.

(e) *Off-street parking and loading area.* See section 70-110.

(f) *Substandard lots*. See section 70-111.

(g) *Commercial Screening Regulations*. See section 70-113.

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(h) *Commercial Lighting Regulations*. See section 70-114.

(Code 1980, § 17.31)

Cross references: Businesses, ch. 14.

Sec. 70-76 Planned Unit Development District (PUD)

The PUD district is intended to provide for ~~large-scale~~a mixture of residential or ~~residential/recreational~~ commercial development on a parcel or parcels of land. This district shall have no definite boundaries until such are approved by the County Board on the recommendation of the Committee in accordance with ~~procedures prescribed for zoning amendments by Wis. Stats. § 59.69~~section 70-36 of this ordinance. ~~Plans for the proposed development shall be submitted in duplicate, and shall show the location, size and proposed use of all structures and land included in the areas involved. The plans may provide for a combination of single and multifamily development as well as related commercial uses, provided that the plans indicate that:~~ All buildings and lots in the PUD district shall conform to the appropriate underlying zoning district requirements, including the requirement for applying for and receiving approval for conditional use permits.

(a) To protect the value of neighboring buildings or uses, the Committee may attach reasonable conditions and safeguards that are consistent with the general purpose and intent of this chapter when approving the Final Development Plan.

(b) The approved zoning classification or classifications of the land included within the PUD shall be recognized by the addition of "PUD" to the applicable zoning classifications. As an example, the residential zoning districts of R1, R2 and R3, if included within a PUD, would be labeled as PUD-R1, PUD-R2 and PUD-R3. The commercial zoning districts of LC and HC, if included within the PUD, would be labeled as PUD-LC and PUD-HC. Each approved zoning classification shall be on individual lots within the PUD.

(c) A Development plan shall be submitted a part of the request to rezone the parcel or parcels of land into a PUD. At a minimum, the Development Plans shall show the following:

~~(a) A single area of at least five acres is involved.~~

(~~b~~1) ~~Each residential building and lot in the district shall conform to the appropriate residential district requirements and each commercial building and lot shall conform to the appropriate commercial district requirements.~~ The location, size and proposed use of all structures and land to be included in the PUD district.

(2) Sufficient information to indicate that all applicable zoning ordinance requirements shall be met.

(~~c~~3) Adequate improvements to existing public streets ~~as determined to serve the needs of the area involved shall be provided~~, if required.

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(~~d~~4) Adequate access to existing public streets and proper internal circulation ~~shall be provided~~ for the development and emergency services.

(~~e~~5) Adequate ~~sewer~~ septic, ~~and~~ drinking water, stormwater or other applicable facilities ~~shall be provided~~.

(6) Any additional items as requested by the town or the Committee to be incorporated into the Final Development Plan.

(e) The property owner shall record the Final Approved Development Plan, including all approved conditions, in the Chippewa County Register of Deeds Office within 30 days of final approval. If the Final Development Plan is not recorded within said timeframe, the Final Development Plan shall be voided.

(f) Amendments to Final Development Plan.

(1) After approval of the Final Development Plan by the Committee, the property owner may seek amendments to the Final Development Plan as recorded, only if difficulties or significant changes in circumstances are encountered in constructing the PUD which could not have reasonably been foreseen, such as with terrain or soil conditions or other physical complications, or changing market conditions, new technologies or emerging design ideas.

(2) Minor changes in the location, siting, and height of buildings and structures, or reductions in project density or intensity may be authorized by the Committee without additional public hearings if required by engineering or other circumstances not foreseen at the time the Final Development Plan was approved. No change authorized by this subsection may cause any of the following:

a. A change in the use or character of the development.

b. An increase in overall coverage of structures.

c. An increase in the intensity of use.

d. An increase in the problems of traffic circulation and public utilities.

e. A reduction in approved open space.

f. A reduction of off-street parking and loading space.

g. A reduction in required pavement widths.

(3) All other proposed changes in use, or rearrangement of lots, blocks, and building tracts, or any proposed changes in the provision of common open spaces and changes other than listed above, must be approved by the Committee subject to the procedures

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specified in section 70-36. Such amendments may be made only if they are shown to be required by changes in conditions that have occurred since the Final Development Plan was approved.

(g) Enforcement.

(1) Violations of the Final Development Plan shall be subject to enforcement under the provisions of section 70-31.

(2) The property owner shall begin construction of the PUD within 12 months following the date of the recording of the Final Development Plan. The Committee may grant, in writing, an extension of this time period of up to 12 months upon demonstration of good cause by the property owner. If the property owner fails to commence construction of the PUD within the specified time, the Committee shall proceed with actions as specified in subsection 4. hereinbelow.

(3) If the PUD is to be developed in stages, then the property owner must begin the construction of each stage within the time limits specified in the Final Development Plan. Construction in each phase shall include all the elements of that phase specified in the Final Development Plan.

(4) The Administrator shall periodically monitor the construction of the PUD, with respect to conformance with the Final Development Plan, start of construction and development phasing. If the Administrator finds that the property owner has failed or is failing to develop the PUD in conformance with the Final Development Plan; or that the property owner has failed to begin development within the specified time period; or that the property owner is not proceeding in accordance with the approved development phasing, with respect to either timing of construction or an approved mix of project elements, then the Administrator shall give written notice to the developer to appear before the Committee within 30 days to report on the status of the PUD. Upon review of the PUD, the Committee may extend the time for start of construction or the length of the time needed to complete a phase, recommend that the property owner amend the Final Development Plan subject to the procedures specified in section 70-36, or terminate the project and repeal the PUD.

(5) In the event the Committee deems it necessary to terminate the project and repeal the PUD Final Development Plan, the termination shall be subject to the procedures in section 70-36.

(Code 1980, § 17.34)

Secs. 70-77--70-100. Reserved.

2. That these ordinance amendments shall take effect upon passage and publication.

Forwarded to the County Board by the Planning & Zoning Committee.

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ORDINANCE TO AMEND SECTIONS 70-8, 70-63, 70-70 THROUGH 70-73, AND 70-76 OF THE CHIPPEWA COUNTY CODE OF ORDINANCES

1. That Sections 70-8, 70-63, 70-70 through 70-73, and 70-76 of the Chippewa County Code of Ordinances be amended as follows:

Chapter 70 ZONING

ARTICLE I. IN GENERAL

Sec. 70-8 Definitions

For the purposes of this chapter, certain terms are defined as follows: words used in the present tense include the future, words in the singular number include the plural number, and words in the plural number include the singular number. The word "building" includes the word "structure" and the word "shall" is mandatory and not directory. The word "person" includes an individual, all partnerships, associations, and bodies politic and corporate. The word "lot" includes the word "plot" or "parcel." The word "used" or "occupied" as applied to any land or building shall be construed to include the words "intended," "arranged" or "designed to be used or occupied."

(1) *Abutting* means having a common property line or district line.

(2) *Accessory building* means a subordinate building, the use of which is purely incidental to the permitted use of the ~~principle~~principal building,

(3) *Accessory use.* See *Use, accessory.*

(4) *Administrator* means the Planning & Zoning Administrator or an agent designated by the Planning & Zoning Administrator.

(5) *Adult Bookstore* means an establishment having as a predominant portion of its stock in trade, books, magazines and other periodicals, video cassettes, DVD's or other electronic media, 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).

(6) *Adult Cabaret* means a nightclub, bar, theater, restaurant or similar establishment which frequently features live performances by topless or bottomless dancers, go-go dancers, exotic dancers, strippers or similar entertainers, where such performances are distinguished or characterized by an emphasis on specified sexual activities or by exposure of specified anatomical areas or which regularly feature films, motion pictures, video cassettes, slides or other photographic reproductions which are distinguished or characterized by an emphasis upon the depiction or description of "specified sexual activities" or "specified anatomical areas" (as defined herein) for observation by patrons. An adult cabaret does not include theaters, performing arts centers, civic centers and dinner theaters where live dance, ballet, music and dramatic performances of serious artistic merit are offered on a regular basis and in which the predominant business or attraction is not the offering to customers and where the

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establishment is not distinguished by an emphasis on, or the advertising or promotion of, employees engaging in nude erotic dancing.

(7) *Adult Motion Picture Theater* means *a*n enclosed building which is significantly or substantially used for presenting motion picture films, video cassettes, cable television, or any other such visual media, distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas" (as described herein) for observation by patrons therein.

(8) *Agricultural-related business* means a business which is operated from a property located in an agricultural district which (a) services the local farm community through the repair or servicing of farm machinery or equipment or (b) the sale of products that are grown on the property and additional products as long as the home-grown products represent at least 50% or more of the sales.

(9) *Airport* means any airport which complies with the definition contained in Wis. Stats. § 114.002(7), or any airport which serves or offers to serve any common carriers engaged in air transport.

(10) *Alley* means a way which affords only a secondary means of access to abutting property.

(11) *Animal unit* means a unit of measure used to determine the total number of single animal types or combination of animal types, as specified in Wis. Admin. Code NR § 243.11, table 2, which are fed, confined, maintained or stabled in an animal feeding operation. For the purposes of this chapter, one animal unit is equivalent to one head of beef or slaughter cattle weighing more than 1,000 pounds.

(12) *Apartment* means a portion of a multiple dwelling used as a separate housing unit and having cooking facilities and a private bath.

(13) *Apartment house.* See *Dwelling, multiple.*

(14) *Approved use.* See *Use, approved.*

(15) *Arterial street.* See *Street, arterial.*

(16) *Automobile wrecking yard* means an establishment or place of business, which is maintained, used or operated for storing, keeping, buying or selling wrecked, scrapped, ruined or dismantled motor vehicles or motor vehicle parts. 2 or more such vehicles constitute an automobile wrecking yard.

(17) *Basement* means a story whose floor line is below grade at any entrance or exit and whose ceiling is not more than five feet above grade at any such entrance or exit. The first floor is the floor next above the basement or the lowest floor if there is no basement. A basement shall not be counted as a story for the purposes of story restrictions.

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(18) *Billboard* means an advertising device, either freestanding or attached to a building which is used to display information not related to the use or ownership of the establishment on the property upon which it is located.

(19) *Block* means a tract of land bounded by streets or by a combination of streets and public parks or other recognized lines of demarcation.

(20) *Board* means the board of adjustment, as provided in section 70-35.

(21) *Boardinghouse* means a building, other than a hotel, where meals or lodging and meals are provided for compensation for not more than six persons.

(22) *Building* means a structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of persons, animals or chattels; each portion of a building separated by a division of walls from the ground up, without openings in those walls, is a separate building for the purpose of this chapter.

(23) *Building, alterations of,* means any change or rearrangement of the supporting members (such as bearing walls, beams, columns or girders) of a building, an addition to a building or movement of a building from one location to another.

(24) *Building, height of,* means the vertical distance from the average elevation of the finished grade at the building line to the highest point of a flat roof, or the deck line of a mansard roof, or to the average height of the highest gable or gambrel, hip or pitch roof.

(25) *Building, principal,* means a building in which is conducted the main use of the lot on which such building is located.

(26) *Building line, front,* means a line parallel to the street, intersecting the foremost point of the building, excluding uncovered steps.

(27) *Business* means a commercial establishment engaged in the purchase and sale of goods and services for a profit (not including manufacturing or industrial establishments).

(28) *Camping grounds* means a parcel of land used or intended to be used, let or rented for occupancy by campers or for occupancy by or of trailers or movable or temporary dwellings, rooms or sleeping quarters of any kind.

(29) *Carport* means a structure providing shelter, which consists of a roof and support posts with the potential of being either permanently or temporarily enclosed by walls. It may be free-standing or attached to an existing building.

(30) *Clinic* means an establishment for medical examination and treatment of patients, but without provisions for keeping such patients overnight on the premises. For purposes of this chapter, a doctor's or dentist's office in a residence, when it complies with the requirements of this chapter relating to such office, shall not be considered a clinic; but any doctor's or dentist's

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office which is not a part of ~~his~~ their own home, or the office of two or more doctors or dentists, whether in a residence or not, shall be considered a clinic.

(31) *Club* means an association of persons for some common purpose, but not including groups organized primarily to render a service which is customarily carried on as a business.

(32) *Committee* means the Planning & Zoning Committee which is made up of county board members and oversees the policy for planning and zoning as outlined in Wis. Stats. §§ 59.69.

(33) *Conforming use* means any lawful use of a building or lot which complies with the provisions of this chapter.

(34) *Department* means the Chippewa County Department of Planning & Zoning.

(35) *District* means a section or sections of the county for which the regulations governing the use of land and buildings are uniform.

(36) *Dwelling, multiple,* means a building or portion thereof used or designated as a residence for three or more families as separate housekeeping units, including apartments, apartment hotels and townhouses.

(37) *Dwelling, single-family,* means a detached building designed for and occupied exclusively by one family which is a minimum of 24 feet in width and 24 feet in length and has a roof with a minimum slope of 3:12. The dwelling shall be erected on a permanent, state code approved foundation.

(38) *Dwelling, two-family,* means a detached building designed for and occupied exclusively by two families living independently of each other which is a minimum of 24 feet in width and 24 feet in length and has a roof with a minimum slope of 3:12. The dwelling shall be erected on a permanent, state code approved foundation.

(39) *Dwelling unit* means any room or group of rooms located within a dwelling and forming a single habitable unit, with facilities which are used or intended to be used for living, sleeping, cooking and eating.

(40) *Emergency shelter* means public or private enclosures designed to protect people from aerial, radiological, biological or chemical warfare; fire, flood, windstorm, riots or invasions.

(41) *Environmental Pollution* has the meaning in Wis. Stats. § 295.22(2).

(42) *Expressway* means a divided arterial highway with controls on public and private access and, generally, with interchanges at major intersections.

(43) *Family* means any number of individuals related by blood, adoption or marriage, living together on the premises as a single housekeeping unit.

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(44) *Farm* means an area of land of indeterminate size where animals, produce, plants or bees are raised or maintained for sale or off premise consumption, or where animals are commonly associated with farming are maintained for pleasure.

(45) *Forest industries* means the cutting and storing of forest products, the operation of portable sawmills, the production of maple syrup and sugar.

(46) *Forest products* means products obtained from stands of forest trees which have been either naturally or artificially established.

(47) *Freeway* means an expressway with full control of access and with grade separations at all intersections.

(48) *Frontage, street,* means the smallest dimension of a lot abutting a public street measured along the street line.

(49) *Fur farm* means any property comprising land or buildings or both, used for the purpose of raising or harboring fur-bearing animals including those defined in Wis. Stats. § 29.001(30), and also other fur-bearing animals, if any, whether the animals are kept for breeding, slaughtering or pelting purposes.

(50) *Garage, private,* means an accessory building or accessory portion used, or intended to be used, for the storage of private motor vehicles and having a capacity of not more than three automobiles or not more than two automobiles per family housed in the building, whichever is greater.~~,~~ The capacity limitations shall not apply in the agricultural district.

(51) *Garage, public,* means a building or portion thereof used for the housing or care of motor vehicles for the general public or where such vehicles are equipped or repaired for remuneration or kept for hire or sale. This may include premises commonly known as gasoline stations or service stations.

(52) *Gasoline service station* means any area of land, including any structure thereon, that is used for the sale of gasoline or other motor vehicle fuel and oil or other lubricating substances, or motor vehicle accessories; and which may include facilities used or designed to be used for polishing, repairing, greasing, washing, spraying, dry cleaning or otherwise cleaning such vehicles.

(53) *Hazardous Waste* means any solid waste as defined by the Wisconsin Department of Natural Resources, in Wis. Stats. § 291.01, and identified as hazardous under §§§ 295.01(1), (2) or (4).

(54) *Highway* means a public or private thoroughfare which affords a primary means of access to abutting property.

(55) *Highway corridor* means an area of land marked by state or federal officials where potential highway development is being planned for construction.

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(56) *Home occupation* means any occupation for gain or support conducted entirely within a building by resident occupants, which is customarily incidental to the principal use of the premises, does not exceed 25% of the habitable floor area of the dwelling unit, unless a conditional use permit is issued, and no article is sold or offered for sale except such as is produced by such home occupation. A household occupation includes such uses as babysitting, millinery, dressmaking, canning, laundering and crafts, and does not include the display of any goods or products nor the storage or sale of explosives or fireworks.

(57) *Hospital,* unless otherwise specified, shall be deemed to include sanitarium, sanatorium, preventorium, rest home, nursing home, convalescent home and any other place for the diagnosis, treatment or other care of ailments. It shall be limited to places for the diagnosis, treatment or other care of human ailments with provisions for keeping such patients overnight on the premises.

(58) *Hotel* means ~~an establishment for transient guests having sleeping rooms without individual cooking facilities for more than six persons for compensation~~ all places wherein sleeping accommodations are offered for pay to transients, in 5 or more rooms, and all related rooms, buildings and areas.

(59) *Impervious Surface* means an area that releases as runoff all or a large portion of the precipitation that falls on it, other than frozen soil. Examples of surfaces that typically are impervious are any paved, covered, compacted or structural surface that limits or impedes infiltration or otherwise causes additional runoff of surface water, including roofs of buildings, the surfaces of solid decks and patios, and gravel, paved and crushed stone driveways, parking areas and walkways.

(60) *Inoperative Motor Vehicle* means any motor vehicle which satisfies one or more of the following criteria:

a. That is partially dismantled or wrecked;

b. That is not operable

c. That is not licensed;

d. That could not be safely or legally operated on a highway;

e. That has become a habitat for rodents, vermin or insects;

f. That in any other way constitutes a threat to the public health or safety.

(61) *Interchange* means a grade-separated intersection with one or more direct connections for vehicular travel between the intersecting streets or highways.

(62) *Junked Vehicle* means a vehicle or piece of equipment which is incapable of proper operation or use upon a highway or road.

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(63) *Junkyard* means an open space where waste, used or secondhand materials are bought, sold, exchanged, stored, baled, packed, disassembled or handled, including, but not limited to, scrap iron and other metals, paper, rags, rubber, tires and bottles. The term "junkyard" also includes an auto wrecking yard, but does not include uses established entirely within enclosed buildings.

(64) *Licensed* means the proper display of the registration which includes the necessary plates, tags or decals issued by the authority having jurisdiction over such vehicle or equipment licenses.

(65) *Livestock operation* means a feedlot or other facility or a pasture where animals are fed, confined, maintained or stabled.

(66) *Loading area* means a completely off-street space or berth on the same lot for the loading or unloading of freight carriers, having adequate ingress and egress to a public street or alley.

(67) *Lot* means a division of land occupied or designed to be occupied by one building and its accessory building or uses, including open spaces required by this chapter. A lot may be a parcel of land designated in a plat laid out prior to the effective date of the ordinance from which this chapter is derived or amendment thereof, or a division described in a conveyance recorded in the office of the register of deeds, or contained in, or a part of a certified survey, approved by the Committee and recorded in the office of the register of deeds, when such parcels comply with the requirements of this chapter as to width and area for the district in which it is located and have frontage on a public street or an approved private street. No land included in any street, highway or railroad right-of-way shall be included in computing lot area.

(68) *Lot area* means the total area in a horizontal plane within the peripheral boundaries of a lot.

(69) *Lot coverage* means the percent of the area of a lot occupied by buildings or structures, including accessory buildings or structures.

(70) *Lot lines* means the peripheral boundaries of a lot as defined in this section.

(71) *Lot width* means, for the purposes of this chapter, the width of a lot shall be the shortest distance between the side lines at the setback line.

(72) *Meat locker* means an establishment which processes meat or meat food products for human consumption. Processes mean cutting, grinding, manufacturing, compounding, intermixing or preparing.

(73) *Mobile home* means a vehicular structure manufactured and designed to be transported and towed upon a highway by a motor vehicle and equipped and used, or intended to be used, primarily for human habitation, including any additions, attachments, foundations and appurtenances.

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(74) *Mobile home park* means any lot on which two or more mobile homes are parked for the purpose of permanent habitation and including any associated service, storage, recreation and other community service facilities designed for the exclusive use of park occupants.

(75) *Motel* means a ~~building or group of buildings containing rooms which are offered for compensation and the temporary accommodation of transients, and where there is no permanent occupancy of any unit, except by the owner or his agent or employees~~ hotel that furnishes on-premise parking for motor vehicles of guests as part of the room charge, without extra cost, and that is identified as a "motel" rather than a "hotel" at the request of the operator.

(76) *Motor Vehicle* means any self-propelled land vehicle which can be used for towing or transporting people or materials, including but not limited to automobiles, trucks, buses, motorized campers, motorcycles, motor scooters, and tractors.

(77) *Motor Vehicle Accessories* means any part or parts of any motor vehicle.

(78) *Motor freight terminal* means a building or area in which freight brought by motor truck is assembled or stored for routing in intrastate and interstate shipment by motor truck.

(79) *Nonconforming building or structure* means any building or structure which does not comply with all of the regulations of this chapter or of any amendment hereto governing bulk for the zoning district in which such building or structure is located.

(80) *Nonconforming use* means any use of land, buildings or structures which does not comply with all of the regulations of this chapter or of any amendments thereto governing use for the zoning district in which such use is located. Also see subsection 70-7(c).

(81) *Nonmetallic mineral* means a product, commodity or material consisting principally of natural occurring, organic or inorganic, nonmetallic, nonrenewable material. Nonmetallic minerals include, but are not limited to: stone, sand, gravel, asbestos, beryl, diamond, clay, coal, feldspar, peat, talc and topsoil

(82) *Nonmetallic mining* means the following:

a. 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 or incidental amounts of nonmetallic minerals, such as commercial sod, agricultural crops, ornamental or garden plants, forest products, Christmas trees or plant nursery stock.

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b. 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 and dewatering.

(83) *Nonmetallic mining refuse* means waste soil, rock and mineral, as well as other natural site material resulting from nonmetallic mining. Nonmetallic mining refuse does not include marketable byproducts resulting directly from or displaced by the nonmetallic mining that are scheduled to be removed from the nonmetallic mining site within a reasonable period of time after extraction.

(84) ~~*Nonmellatic*~~ *Nonmetallic mining site* means all contiguous areas of present or proposed mining described as:

a. The location where nonmetallic mining is proposed or conducted.

b. Storage and processing areas that are in or contiguous to areas excavated for nonmetallic mining.

c. Areas where nonmetallic mining refuse is deposited.

d. Areas affected by activities such as the construction or improvement of private roads or haulage ways for nonmetallic mining

e. Areas where grading and regarding is necessary.

f. Areas where nonmetallic mining reclamation activities are carried out or structures needed for nonmetallic mining reclamation, such as topsoil stockpile areas, revegetation test plots or channels for surface water diversion are located.

(85) *Nursery* means any building or lot, or portion thereof, used for the cultivation or growing of plants and including all accessory buildings.

(86) *Nursery school* means any building used routinely for the daytime care and education of preschool age children and including all accessory buildings and play areas, other than the child's home or the homes of relatives or guardians.

(87) *Park, public,* means an area owned and operated by the state, county or municipality within the county, operated for the convenience and recreation of the public and containing such facilities as the owning government may see fit.

(88) *Parking lot* means a lot where automobiles are parked or stored temporarily for public use whether free, for compensation or as an accommodation for clients or customers but not

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including the wrecking of automobiles or other vehicles or storage for purposes of repair or wrecking.

(89) *Parking space* means an off-street space available for the parking of a motor vehicle and which is held to be an area containing 200 square feet and nine feet wide (nine feet by 22 feet), exclusive of passageways and driveways appurtenant thereto and giving access thereto.

(90) *Permanent Habitation* means more than 14 days of occupancy within a calendar year.

(91) *Planned unit development* means a tract of land of at least five acres which contains or will contain two or more principal buildings, developed under single ownership or control; the development of which is unique and of substantially different character than that of surrounding areas.

(92) *Professional home offices* means residences of doctors of medicine, practitioners, dentists, clergymen, architects, landscape architects, professional engineers, registered land surveyors, lawyers, artists, teachers, authors, musicians or other recognized professions, used to conduct their professions where the office does not exceed one-half the area of only one floor of the residence and only one nonresident person is employed.

(93) *Property lines* means the lines bounding a tract of land in single ownership.

(94) *Public way* means any sidewalk, street, alley, highway or other public thoroughfare.

(95) *Railroad right-of-way* means a strip of land with tracks and auxiliary facilities for track operation, but not including freight depots or stations, loading platforms, train sheds, warehouses, car or locomotive shops or car yards.

(96) *Recreational camp* means an area containing one or more permanent buildings used occasionally or periodically for the accommodation of members of associations or groups for recreational purposes.

(97) *Recreational vehicle (RV)* means a vehicular portable structure designed as a temporary dwelling for travel, recreation and vacation use, which does not fall within the definition of mobile homes.

(98) *Recreational vehicle (RV) camp* means any park, court, campsite plot or parcels or tracts of land used to park camping type units of any nature and not used as permanent residence.

(99) *Recycling drop-off station* means a facility consisting of appropriate storage containers designed to accept a limited volume of recyclable materials from households, including aluminum food and beverage containers, glass food and beverage containers, magazines or other materials printed on similar paper, newspapers or other material printed on newsprint, kraft paper (e.g. grocery bags), corrugated cardboard, office paper, plastic food and beverage containers, steel or bimetal food or beverage containers, and waste tires, that are intended to be stored temporarily in the containers provided before being taken to a resource recovery facility or

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resource recovery processing facility. Sorting, shredding, crushing, baling or other separation, other than that required by residents using a municipal recycling drop-off station to separate recyclable materials for placement in appropriate containers, shall be prohibited.

(100) *Registered geologist* means a person who is registered as a professional geologist pursuant to Wis. Stats. §§ 443.037 and 443.09.

(101) *Registered professional engineer* means a person who is registered as a professional engineer pursuant to Wis. Stats. §§ 443.04 and 443.09.

(102) *Rendering plant* means a plant for the reduction of dead animals, or slaughtered animals not suitable for human consumption to byproducts such as hide, skin, grease, bones, glue, soap and for the storage of such byproducts.

(103) *Resource recovery facility* means a building in which collected recyclables from residential and commercial sources, including aluminum food and beverage containers, glass food and beverage containers, magazines or other materials printed on similar paper, newspapers or other material printed on newsprint, kraft paper (e.g. grocery bags), corrugated cardboard, office paper, plastic food and beverage containers, steel or bimetal food or beverage containers, or other incidental recyclable items that may be delivered from time to time provided no dismantling is necessary according to market requirements and in which the incoming recyclables are sorted, shredded, crushed, baled or otherwise separated using equipment, for later shipment to markets. All activities that take place at a resource recovery facility shall take place inside the building, including the storage of recyclables. Dismantling, salvaging, crushing, or storage of motor vehicles, machinery, or appliances, or the processing or storage of putrescible, hazardous or toxic wastes are prohibited.

(104) *Restaurant* means a space within a suitable building provided with adequate and sanitary kitchen equipment, approved by the state board of health and a dining room of related capacity, having employees for preparing, cooking and servicing suitable food.

(105) *Right-of-way line* means the dividing line between a highway and the abutting lots or other divisions of land.

(106) *Roadside stand* means a structure having a ground area of not more than 300 square feet, not permanently fixed to the ground, readily removable in its entirety, not fully enclosed and to be used solely for the sale of farm or garden products produced on the premises.

(107) *Rooming unit* means any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping but not for cooking or eating purposes.

(108) *Rooming house, Tourist* as defined in Wis Stats. § 97.01 (15k) means any lodging place or tourist cabin or cottage where sleeping accommodations are offered for pay to tourists or transients. “Tourist rooming house" does not include: (a) a private boarding or rooming house, ordinarily conducted as such, not accommodating tourists or transients, (b) a hotel, or (c) bed and breakfast establishments.

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(109) Tourist or Transient means a person who travels to a location away from ~~his or her~~their permanent address for a short period of time for vacation, pleasure, recreation, culture, business or employment.

(110) *School, commercial,* means a school limited to special instruction, such as business, art, music, trades, handicraft, dancing or riding.

(111) *Setback* means the minimum horizontal distance, measured at right-angles from ~~the front line of the lot, the~~ right-of-way lines, property lines or buildings or structures ~~of the highway or the centerline of the highway, as designated, to the front wall of the building, exclusive of permitted projections. The setback shall be measured at right angles to such front lot line, right-of-way line or centerline of the highway~~.

(112) *Setback lines* means lines established a~~djacent to highways for the purpose of defining limits within which no building or structure or any part thereof shall be erected or permanently maintained, except as shown therein. The phrase "within a setback line" means between the setback line and the highway right-of-way~~parallel to the right-of-way lines, lot lines or water bodies for the purpose of defining limits in which structures, buildings or uses must be constructed, maintained or confined.

(113) *Shopping center* means a group of stores planned and designed for the site on which it is built, functioning as a unit, with off-street parking provided on the property as an integral part of the unit. (See *Planned unit development*)

(114) *Sign* means anything erected, hung, suspended, painted or attached to any other structure, carrying words, letters, figures, phrases, sentences, names, designs, trade names or trademarks or any other devices placed so as to be visible from a street or highway and calling attention to a business, trade, profession, commodity, product, person, firm or corporation.

(115) *Slaughterhouse* means any building or premises used commercially for the killing, processing or dressing of cattle, sheep, swine, goats or horses for consumption and the storage, freezing and curing of meat and the preparation of meat products.

(116) *Story* means that portion of a building included between the surface of any floor and the surface of the floor next above it, or, if there is no floor above it, then the space between such floor and the ceiling next above it.

(117) *Story, half,* means a story under a gable, hip or gambrel roof, the wall plates of which, on at least two opposite exterior walls, are not more than two feet above the floor of such story.

(118) *Street* means a public or private thoroughfare which may either provide the principal means of pedestrian and vehicular access to abutting property or may provide for the movement of pedestrian or vehicular traffic or both.

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(119) *Street, arterial,* means a public street or highway intended to be used primarily for fast or heavy through traffic. Arterial streets and highways shall include freeways and expressways, as well as major thoroughfares, highways and parkways.

(120) *Structural alterations* means any change in the supporting members of a structure such as bearing walls, columns, beams or girders, foundations and poles.

(121) *Structure* means anything constructed or erected, the use of which requires location on the ground or that it be attached to something having a location on the ground but not including utility lines and their normal accessory equipment.

(122) *Survey, certified* means a certified survey map of not more than four parcels of land which shall be recorded in the office of the register of deeds of the county and which shall meet the requirements of Wis. Stats. § 236.34.

(123) *Temporary structure* means a movable structure not designed for human occupancy which may be used for protection of goods or chattels.

(124) *Transportation Standards* means Wisconsin State Statutes, Wisconsin Administrative Codes, Wisconsin Department of Transportation Construction Standards and Facilities Design Manual, American Association of State Highway and Transportation Officials (AASHTO) publications and Institute of Transportation Engineers (ITE) publications.

(125) *Use* means the use of property is the purpose or activity for which the land or building thereon is designed, arranged or intended, or for which it is occupied or maintained and shall include any manner of standards of this chapter.

(126) *Use, accessory,* means a use subordinate in nature, extent or purpose to the principal use of a building or lot.

(127) *Use, approved,* means a use which may be lawfully established in a particular district or districts, provided it conforms with all requirements, regulations and performance standards (if any) of such districts.

(128) *Use, Conditional,* means the use of property, including the size, use and location of buildings, the size of lots and the dimensions of required yards, otherwise not allowable under the terms of this chapter, which is permissible by reasons of special provisions of the chapter, or for which a special permit may be issued by the Committee, under conditions specified in this chapter

(129) *Use, principal,* means the main use of land or buildings as distinguished from a subordinate or accessory use. A principal use may be an approved use or a conditional use.

(130) *Variance* means a departure from the terms of this chapter as applied to a specific building, structure or parcel of land, which the board of adjustment may permit, contrary to the regulations of this chapter for the district in which such building, structure or parcel of land is located, when the board of adjustment finds that a literal application of such regulation will

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affect a limitation on the use of the property which does not generally apply to other properties in the same district and for which there is no compensating gain to the public health, safety or welfare.

(131) *Vision clearance* means an unoccupied triangular space at the intersection of highways or streets with other highways or streets or at the intersection of highways or streets with railroads. Such vision clearance triangle shall be bounded by the intersecting highway, street or railroad right-of-way lines by measurement from their intersection as specified in this chapter.

(132) *Water quality management area* means any of the following:

a. The area within 1,000 feet from the ordinary high-water mark of navigable waters that consists of a lake, pond or flowage, except that, for a navigable water that is a glacial pothole lake. The term "water quality management area" means the area within 1,000 feet from the high-water mark of the lake.

b. The area within 300 feet from the ordinary high-water mark of navigable waters that consist of a river or stream.

c. A site that is susceptible to groundwater contamination or that has the potential to be a direct conduit for contamination to reach groundwater.

(133) *Yard* means an open space on the same lot with a structure, unoccupied and unobstructed from the ground upward, except for vegetation as permitted, and except for permitted accessory buildings in rear yards.

(134) *Yard, front,* means a yard extending across the full width of a lot, ~~having a depth equal to the minimum horizontal distance~~ between the front property line ~~and the nearest point of the principal structure, excluding permitted projections~~ and the nearest point of a building or structure, excluding such projections as are permitted in the this chapter. A lot abutting two intercepting or intersecting streets shall have two front yards, one side yard and one rear year. A lot which is surrounded by public road right-of-ways on three sides will have three front yards.

(135) *Yard, rear,* means a yard~~, unoccupied except by accessory buildings,~~ extending ~~from the rear line of the main building to the rear lot line for the entire~~across the full width of the lot between the rear lot line ~~to~~and the nearest part of a building or structure, excluding such projections as are permitted in this chapter. On all lots with access to one street, the rear yard shall be opposite a front yard. A lot abutting two intercepting or intersecting streets shall have two front yards, one side yard and one rear year. A lot which is surrounded by public road right-of-ways on three sides will have three front yards and no rear yard.

(136) *Yard, side,* means a yard ~~or open space~~ on ~~each~~a side of the ~~main~~ building or structure and the side lot line of the lot, and extending from ~~the side lot line~~ the required front yard to the required rear yard, to the side wall of the building or structure, ~~exclusive of permitted~~excluding such projections ~~and from the front yard to the rear yard, when an accessory building is~~

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~~constructed as part of the main building or constructed on one side of the main building, the side yard requirements shall be the same for the accessory building as required for the main building~~as are permitted in this chapter. A lot abutting two intercepting or intersecting streets shall have two front yards, one side yard and one rear year. A lot which is surrounded by public road right-of-ways on three sides shall have three front yards and one side yard.

(137) *Youth camps.* See *Recreational camps.*

(138) *Zoning district* means an area or areas for which the regulations and requirements governing use, lot and bulk of buildings and premises are uniform.

(139) *Zoning permit* means a permit stating that the purpose for which a building or land is to be used is in conformity with the uses permitted and all other requirements under this chapter for the zone in which it is located.

(Code 1980, § 17.07, Ord. 10-11, 01-10-12; Ord. 02-18, 06-12-18; Ord. No. 08-24, 07-09-2024)

Secs. 70-9--70-30. Reserved.

ARTICLE III. DISTRICTS

Sec. 70-63 Zoning Schedule of Dimensional Requirements

For buildings hereafter erected, converted in use, enlarged, moved or structurally altered, the building height limit, minimum dimension of yards, minimum area and width of lots shall comply with the following requirements:

(TABLE ON NEXT PAGE)

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Zoning Schedule of Dimensional Requirements – TABLE

Dimensional Requirements	CON	REC	R1	R2	R2-TH	R3	AG	LC	HC	IND
Building height	35 ft	35 ft	35 ft	35 ft	35 ft	45 ft	45 ft	45 ft	75 ft	75 ft
Minimum Lot Area										
Without public sewer	5 Acres	30,000 ft^2	20,000 ft^2	20,000 ft^2	10,000 ft^2 per side	20,000 ft^2	1.5 acres	20,000 ft^2	20,000 ft^2	1 acre
With public sewer			10,000 ft^2	10,000 ft^2	10,000 ft^2 per side	10,000 ft^2		10,000 ft^2	10,000 ft^2	
Minimum Lot Width										
Without public sewer	150 ft	150 ft	100 ft	100 ft	50 ft per side	100 ft	150 ft	100 ft	100 ft	150 ft
With public sewer			70 ft	70 ft	50 ft per side	70 ft		70 ft	70 ft	
Side Yard										
Principal Single side	20 ft	20 ft	10 ft	10 ft	10 ft	10 ft	20 ft	10 ft	10 ft	20 ft
Shared Property Line	NA	NA	NA	NA	0 ft	NA	NA	NA	NA	NA
Accessory building	20 ft	20 ft	10 ft	10 ft	10 ft	10 ft	15 ft	10 ft	10 ft	15 ft
Rear Yard										
Principal Building	40 ft	40 ft	25 ft	25 ft	25 ft	25 ft	40 ft	25 ft	25 ft	40 ft
Accessory Building	20 ft	20 ft	10 ft	10 ft	10 ft	10 ft	~~20~~15 ft	~~15~~10 ft	~~15~~10 ft	~~20~~15 ft

Note 1: Road setbacks are found in section 70-109.

Note 2: Non-conforming lot requirements are found in section 70-111.

Note 3: All of the setback requirements are in feet, while the required lot area is square feet, unless duly noted.

Note 4: See the individual zoning districts and 70-106 and 70-107 for additional height and setback restrictions and/or regulations.

See each district section for exceptions to the standards in this section.

(Code 1980, § 17.22) (Ord. 06-15, 01-12-2016)

Sec. 70-70 Residential 3 District (R3)

Specified uses. In the residential 3 district no building shall be erected, moved or structurally altered after the effective date of the ordinance from which this chapter is derived, unless otherwise provided in this chapter, except for one or more of the following specified uses:

(a) *Approved use*. The following are approved uses in the residential 3 district.

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(1) Any use permitted in the residential 2 district. The use shall be in keeping with the conditions, if any, set forth in section 70-69 for the residential 2 district.

(2) Multi~~ple~~-family dwellings with a maximum of four (4) dwelling units. An additional 3,000 square feet of buildable land shall be required for each dwelling unit of a multi-family dwelling that exceeds two (2) dwelling units.

~~a. An additional 3,000 square feet of land shall be provided for each dwelling unit above two.~~

~~(3) Lodging houses and boardinghouses.~~

(4~~3~~) Private clubs and fraternities, except those whose principal activity is a service customarily carried on as a business.

(5~~4~~) Signs as permitted in article IV, division 3 of this chapter.

(b) *Conditional Uses.* The following uses shall be conditional uses in the Residential 3 District when the location of each shall have been approved by the Committee following a public hearing pursuant to Section 70-108.

(1) Multi~~ple~~-family dwellings with five (5) or more dwelling units. An additional 3,000 square feet of buildable land shall be required for each dwelling unit of a multi-family dwelling that exceeds two (2) dwelling units.

(2) Boarding Houses.

(1~~3~~) Mobile home parks are permitted if approved by the Committee after public hearing and in keeping with subsection 70-71(b)(10)a.

(2~~4~~) Hospitals may be permitted if the establishment, having up to ten patients, client or guest rooms, has a lot area of not less than 30,000 square feet and that all yards except the front yard shall be not less than two times the width or depth otherwise required by this section for residential buildings; provided further, that for each five such rooms in addition to the first ten, the area shall be increased by 4,000 square feet, but in no case shall a lot area of more than 100,000 square feet be required.

(c) *Dimensional requirements*. See section 70-63.

(d) *Highway setback lines.* See section 70-109.

(e) *Off-street parking and loading areas.* See section 70-110.

(f) *Substandard lots*. See section 70-111.

(Code 1980, § 17.27)

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Sec. 70-71 Agricultural District (AG)

In the agricultural district no building or premises shall be used and no building shall be erected, moved or structurally altered after the effective date of the ordinance from which this chapter is derived, unless otherwise provided in this chapter, except for one or more of the following uses:

(a) *Approved use.* The following are approved uses in the agricultural district:

(1) General farming, including dairying livestock and poultry raising, nurseries, greenhouses and other similar enterprises or uses, except fur farms and farms operated for the disposal or reduction of garbage, sewage and rubbish.

a. New or existing livestock operations which will house up to 649 animal units shall not require a zoning permit. However, the following requirements shall be met:

1. Livestock operations shall be in conformance with provisions of chapter 62, article IV, division 4 of this Code.

2. Livestock operations shall meet minimum statutory prohibitions for nonpoint source pollution control as follows:

3. A livestock operation may have no overflow of manure storage structures.

4. A livestock operation may have no unconfined manure pile in a water quality management area.

5. A livestock operation may have no direct runoff from a feedlot or stored manure into the waters of the state.

6. A livestock operation may not allow unlimited access by livestock to waters of the state in a location where high concentrations of animals prevent the maintenance of adequate sod cover.

7. Requirements of Wisconsin Administrative Code NR 151 and Wisconsin State Statutes 281.

(2) Single Family Dwellings.

(3) Additional dwelling units for a parent or child of a farmer, or persons earning a substantial part of their livelihood on the farm. The additional dwelling(s) must meet all applicable setback, lot size and spacing requirements in case it is sold in the future.

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(4) Telephone, power transmission towers, poles and lines including transformers, substations, relay stations, equipment and television stations and transmission towers and microwave relay towers.

(5) Roadside stands provided that there shall not be more than one stand on any single premises.

(6) Signs as permitted in article IV, division 3 of this chapter.

(7) Sawmills, provided that the location of any sawmill on the same premises is less than ten days, excluding portable sawmills.

(8) Single-family mobile homes. Such home shall be connected to an acceptable water supply and separate and individual private wastewater facilities. See section 70-101.

(9) Accessory structures utilized solely in the business of agriculture, farm or farming, including but not limited to barns, equipment storage sheds, plant greenhouses and stables.

(10) Any non-commercial activity, which does not last longer than 96 hours, such as but not limited to: graduation parties, family reunions and picnics, and weddings.

(11) Agricultural-related businesses

(12) Recycling drop-off Station this is maintained and operated by the township or county.

(13) Outdoor Storage of ~~low explosives~~1.3g Display Fireworks (formerly known as Class B), on the condition that all of the following requirements are met:

a. The outdoor storage is an accessory use to the principal residential structure on the property. The intent is to allow a property owner the ability to store fireworks on their property as long as they are "living" on the property. This provision is not meant to allow a property owner to have a vacant parcel of land whereby they can place a structure for the storage of ~~low explosives~~1.3g Display Fireworks.

b. Written approval from the town in which the storage is proposed is submitted to the Department.

c. Written approval from the Bureau of Alcohol, Tobacco, Firearms & Explosives detailing the type of structure and the minimum setback requirements to structures and property lines is submitted to the Department.

d. Setbacks for the placement of any structure for the outdoor storage of ~~low explosives~~1.3g Display Fireworks comply with local, county, state and federal law.

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(b) *Conditional uses.* The following uses shall be conditional uses in the Agricultural District when the location of each such use has been approved by the Committee following a public hearing pursuant to Section 70-108).

(1) Junk or salvage yards. See article IV, division 2 of this chapter.

(2) Non-Metallic Mining. See Division 5 of this chapter.

(3) Saw mills. See subsection 70-71(a)(7) of this section.

(4) Aircraft landing fields. Including the location on such fields of buildings related to the operation, storage or maintenance of aircraft. All aircraft landing fields shall take into consideration safety zones as set forth in subsection 70-106(d).

(5) Contractor's storage yards. Any such yard shall be placed or screened by plantings or fences as not to be visible from any public highway or any residential building other than that of the owner of such yard, ~~his~~ their agent or employee.

(6) Power plants and flowage areas. As allowed upon consideration of the Department of Natural Resources and the soil conservation service.

(7) Drive-in theaters. Provided the following requirements are met:

a. There shall be no direct entrance to or exit from such drive-in theater and any federal, state or county highway.

b. No parking shall be permitted on any street or highway on which a drive-in theater abuts or on any street or highway connecting with an abutting street or highway anywhere within one-half mile of an entrance to or exit from such drive-in theater.

c. There shall be a distance of not less than one-quarter mile between the boundary of any residential district and the nearest point on the boundary of such drive-in theater site, measured in a straight line.

(8) Fur farms and pea vineries. When located not less than 1,000 feet from any residential building, other than that of the owner of the premises, ~~his~~ their agent~~s~~ or employee~~s~~ and not less than 500 feet from the right-of-way line of any federal, state and county trunk highway provided that this regulation shall not apply to portable pea vineries where there is no stacking of the vines.

(9) Animal hospitals, veterinary clinics and kennels. When located not less than 500 feet from any residential building other than that of the owner of such kennels, ~~his~~ their agent or employee.

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(10) Mobile home parks and recreational vehicle camps. The following requirements shall be met:

a. Mobile home park provided as follows:

1. The minimum size of a mobile home park shall be five acres.

2. The maximum number of mobile homes shall be eight per acre.

3. The minimum dimensions of a mobile home site shall be 50 feet wide by 100 feet long.

4. All drives, parking areas and walkways shall be hard surfaced or graveled, maintained in good condition, have natural drainage and all driveways shall be lighted at night.

5. In addition to the requirements of highway setback of this chapter, there shall be a minimum setback of 40 feet from all other lot lines.

6. The parks shall conform to the requirements of Wis. Admin. Code ATCP125, which shall apply until amended and then apply as amended.

7. No mobile home site shall be rented for a period of less than 30 days.

8. Each mobile home site shall be separated from other mobile home sites by a yard not less than 15 feet wide.

9. There shall be two surfaced automobile parking spaces for each mobile home.

10. Unless adequately screened by existing vegetation cover, the mobile home park shall be screened by a planting of fast-growing vegetation, capable of reaching a height of 15 feet or more, the individual trees to be such number and so arranged that within ten years they will have formed a screen equivalent in capacity to a solid fence or wall. Such permanent planting shall be grown or maintained to a height of not less than 15 feet.

b. Recreational Vehicle (RV) camps provided as follows:

1. The minimum size of a RV camp shall be five acres.

2. The maximum number of RVs shall be 15 per acre.

3. Minimum dimensions of a RV site shall be 25 feet wide by 40 feet long.

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4. Each RV site shall be separated from other RV sites by a yard not less than 15 feet wide.

5. There shall be 1 1/2 automobile parking spaces for each RV site.

6. In addition to the requirement of highway setback of this chapter, there shall be a minimum setback of 40 feet from all other exterior lot lines.

7. It shall conform to the requirement of Wis. Admin. Code HFS ch. 178 which shall apply until amended and then apply as amended.

8. The screening provisions for mobile home parks are met.

(11) Garbage and refuse disposal sites provided as follows:

a. The sites shall have clearly defined boundaries at the time of issuing a permit.

b. The site shall be screened so that the salvage materials are not visible from other property in the vicinity or from a public right-of-way such as roads, streets and highways or waterways.

c. The site shall not be located within 5 miles of the boundary of any residential district or any incorporated city or village, nor within 5 miles of any other residences, nor within 1,200 feet of the right-of-way of any federal, state, county or town highway.

1. All such sites shall have minimum front, side and rear yards of 1,200 feet each.

2. No location permit shall be issued without approval of the County and Town Board.

(12) Sale barns. Provided that no sale barn be located within one-half mile of the boundary of any residence district or any incorporated city or village, nor within one-quarter mile of any other residence except that of the owner of the property on which such sale barn is located or ~~his~~ their agent, nor within 500 feet of the right-of-way line of any federal, state or county trunk highway.

(13) Slaughterhouses shall be located not less than 1,000 feet from any residential building other than that of the owner of the premises, ~~his~~ their agent or employee.

(14) Creameries, dairies, cheese factories.

(15) Mixing construction materials. Mixing of concrete, asphalt hot mix or other related materials.

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(16) A new or existing livestock operation, which houses or expands to house 650 or more animal units.

(17) Manmade ponds. Construction/use of manmade ponds over one acre or combined to be over one acre, except agricultural activities, including, but not limited to, cranberry bogs, commercial fish farming, livestock watering holes, and ponds established by non-metallic mining activities, are exempt. It shall be the responsibility of the petitioner to submit sufficient evidence to satisfy the following concerns: pollution to groundwater, drainage and flood protection, and depletion of groundwater, safety, aesthetics, traffic, noise and restoration of the site. The Committee may require documentation of other concerns which may be brought up during the public hearing.

a. Facilities that are approved in stormwater management plans are exempt from the provisions of this section.

b. The property owner must retain ownership of a minimum of 10 adjacent acres of property for every one acre of water and the property required shall be located around the entire manmade pond.

(18) Hatcheries

(c) *Dimensional requirements.* See section 70-63.

(d) *Highway setback lines.* See section 70-109.

(e) *Off-street parking and loading area.* See section 70-110.

(f) *Substandard lots*. See section 70-111.

(Code 1980, § 17.29; Ord. No. 08-02, § 2(17.29), 07-09-2002; Ord. No. 01-04, § 1, 03-09-2004)

Sec. 70-72 Local Commercial District (LC)

In the local commercial district, no building or premises shall be used and no building shall be moved, erected or structurally altered after the effective date of the ordinance from which this chapter is derived unless otherwise provided in this chapter except for one or more of the following specified uses:

(a) *Approved uses.* The following are approved uses in the local commercial district:

(1) One dwelling unit on the premises in connection with a permitted use for the owner or ~~his~~ their agent.

(2) Small retail stores and shops such as: art shops, clothing, drug, grocery, fruit, meat, vegetables, confectionery, hardware, sporting goods, stationery, music, variety and notion stores, household appliances and small service businesses such as stores and

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shops for barbers, beauticians, florists, jewelers, watchmakers, locksmiths, painters, plumbers, shoemakers, tailors, dressmakers, pressers, photographers.

(3) Signs as permitted in article IV, division 3 of this chapter.

(4) Offices and office buildings for business and professional firms including banks, medical and dental offices and public and public utility offices.

(5) Churches.

(6) Public and private schools.

(~~5~~7) Cleaning, dyeing and laundry pickup stations and self-service laundries and cleaning shops.

(~~6~~8) Bakeries, confectioneries, ice cream and soft drink shops, but with food preparation limited to that for on-site sale and consumption.

(~~7~~9) Restaurants.

(~~8~~10) Frozen food or meat lockers for service to families and individuals.

(~~9~~11) Liquor stores selling only packaged goods.

(~~10~~12) Radio (AM or FM) or television broadcasting stations and transmitters and microwave radio relay structures.

(~~11~~13) Clubs, lodges, and meeting rooms with seating capacities less than 300 persons.

(~~12~~14) Telephone exchanges and accessory service garage and storage yards.

(15) Animal Hospitals or Veterinary Clinics and kenneling for patients.

(~~13~~16) Telephone, electric power and oil and gas distribution lines and necessary appurtenant equipment housings.

(~~14~~17) Other retail stores and shops and small service businesses catering to neighborhood patronage, including only those deemed to be as appropriately located in local commercial districts as those enumerated above and only those not dangerous or otherwise detrimental to persons residing or working in the vicinity thereof, or to the public welfare and not impairing the use, enjoyment or value of any property.

(b) *Conditional Uses.* The following uses shall be conditional uses in the Local Commercial District when the location of each shall have been approved by the Committee following a public hearing pursuant to Section 70-108.

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(1) Hotels and Motels.

(2) Drive-in restaurants and refreshment stands.

(3) Gasoline service stations, repair garages and shops for motor vehicles, including parking, storage, repair, maintenance and washing of vehicles and parts, but excluding sand or steam cleaning and manufacture of vehicles and parts.

(4) Auto-wash, except steam.

(5) Commercial recreation uses.

(6) Two (2) or more apartments as a secondary use on a non-ground floor level and providing each apartment has a minimum residential floor area of 400 square feet.

(c) *Dimensional requirements.* See section 70-63.

(1) Additional standards for side yards are as follows:

a. There shall be a side yard of not less than 15 feet wide along the side of any lot in the local commercial district which abuts the side lot line of a lot in a residential district and is not separated there from by a street or alley.

b. Buildings on abutting lots may be constructed with a common wall or with walls contiguous to one another.

(d) *Highway setback lines.* See section 70-109.

(e) *Off-street parking and loading areas.* See section 70-110.

(f) *Substandard lots*. See section 70-111.

(g) *Commercial Screening Regulations*. See section 70-113.

(h) *Commercial Lighting Regulations*. See section 70-114.

(Code 1980, § 17.30)

Sec. 70-73 Highway Commercial District (HC)

In the highway commercial district, no building or premises shall be used and no building shall be erected, moved or structurally altered after the effective date of the ordinance from which this chapter is derived, unless otherwise provided in this chapter, except for one or more of the following uses:

(a) *Approved uses.* The following are approved uses in the highway commercial district:

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(1) Uses permitted in the local commercial district, including ~~those requiring approval of the Committee in such district~~the conditional uses as listed in 70-72 (B)(1) through (B)(5).

(2) Automobile display and salesroom, parking lots and structures and when accessory thereto, the retail sale of automobile parts and accessories and the washing, cleaning, greasing and servicing of automobiles, including minor adjustments, repairs, overhauling and rebuilding, but not demolition.

(3) Bars, taverns, nightclubs.

(4) Boat and mobile home salesrooms and lots.

(5) Cleaning, laundering and dyeing plants.

(6) Department stores.

(7) Engraving, photoengraving, photofinishing, lithographing, printing, publishing and bookbinding plants.

(8) Household appliance and equipment repair shops.

(9) Laboratories; medical, dental and optical; other laboratories of non-hazardous or inoffensive operations when accessory to permitted uses.

(10) Loft buildings and mini-warehouses.

(11) Music conservatories, dancing studios.

(12) Paint shops, including sign and other painting.

(13) Retail, wholesale and jobbing businesses.

(14) Tire repair shops.

(15) Used car, farm implement sales lots.

(16) Signs as permitted in article IV, division 3 of this chapter.

(17) Other retail, wholesale or services considered to be as appropriate and desirable for inclusion within the highway commercial district as those permitted above and which will not be dangerous or otherwise detrimental to persons residing or working in the vicinity thereof or to the public welfare and will not impair the use, enjoyment or value of any property.

(18) Any of the following uses are excluded from the highway commercial district:

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a. Any use permitted in only the industrial district, including uses permitted only with Committee approval.

b. Automobile wrecking yards, junkyards, public dumping grounds.

c. Manufacturing and processing other than accessory uses customarily incidental to permitted retail, wholesale and service uses.

d. Any use which is objectionable by reason of emission of odor, dust, smoke, gas, vibration or noise, or because of subjection of life, health or property to hazard.

(b) *Conditional Uses.* The following uses shall be conditional uses in the Highway Commercial District only when the location of each shall have been approved by the Committee following a public hearing pursuant to Section 70-108.

(1) Bottling works bottling nonalcoholic beverages.

(2) Bottle gas storage for local distribution.

(3) Bus, taxi and truck terminals, and storage; railroad lines, spurs and passenger terminals.

(4) Dairies, ice cream plants.

(5) Drive-in movies.

(6) Ice plants, cold storage plants.

(7) Mortuaries.

(8) Recycling drop-off station.

(9) Resource Recovery Facility.

(10) Two (2) or more apartments as a secondary use on a non-ground floor level and providing each apartment has a minimum residential floor area of 400 square feet.

(c) *Dimensional requirements.* See section 70-63.

(d) *Highway setback lines.* See section 70-109.

(e) *Off-street parking and loading area.* See section 70-110.

(f) *Substandard lots*. See section 70-111.

(g) *Commercial Screening Regulations*. See section 70-113.

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(h) *Commercial Lighting Regulations*. See section 70-114.

(Code 1980, § 17.31)

Cross references: Businesses, ch. 14.

Sec. 70-76 Planned Unit Development District (PUD)

The PUD district is intended to provide for ~~large-scale~~a mixture of residential or ~~residential/recreational~~ commercial development on a parcel or parcels of land. This district shall have no definite boundaries until such are approved by the County Board on the recommendation of the Committee in accordance with ~~procedures prescribed for zoning amendments by Wis. Stats. § 59.69~~section 70-36 of this ordinance. ~~Plans for the proposed development shall be submitted in duplicate, and shall show the location, size and proposed use of all structures and land included in the areas involved. The plans may provide for a combination of single and multifamily development as well as related commercial uses, provided that the plans indicate that:~~ All buildings and lots in the PUD district shall conform to the appropriate underlying zoning district requirements, including the requirement for applying for and receiving approval for conditional use permits.

(a) To protect the value of neighboring buildings or uses, the Committee may attach reasonable conditions and safeguards that are consistent with the general purpose and intent of this chapter when approving the Final Development Plan.

(b) The approved zoning classification or classifications of the land included within the PUD shall be recognized by the addition of "PUD" to the applicable zoning classifications. As an example, the residential zoning districts of R1, R2 and R3, if included within a PUD, would be labeled as PUD-R1, PUD-R2 and PUD-R3. The commercial zoning districts of LC and HC, if included within the PUD, would be labeled as PUD-LC and PUD-HC. Each approved zoning classification shall be on individual lots within the PUD.

(c) A Development plan shall be submitted a part of the request to rezone the parcel or parcels of land into a PUD. At a minimum, the Development Plans shall show the following:

~~(a) A single area of at least five acres is involved.~~

(~~b~~1) ~~Each residential building and lot in the district shall conform to the appropriate residential district requirements and each commercial building and lot shall conform to the appropriate commercial district requirements.~~ The location, size and proposed use of all structures and land to be included in the PUD district.

(2) Sufficient information to indicate that all applicable zoning ordinance requirements shall be met.

(~~c~~3) Adequate improvements to existing public streets ~~as determined to serve the needs of the area involved shall be provided~~, if required.

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(~~d~~4) Adequate access to existing public streets and proper internal circulation ~~shall be provided~~ for the development and emergency services.

(~~e~~5) Adequate ~~sewer~~ septic, ~~and~~ drinking water, stormwater or other applicable facilities ~~shall be provided~~.

(6) Any additional items as requested by the town or the Committee to be incorporated into the Final Development Plan.

(e) The property owner shall record the Final Approved Development Plan, including all approved conditions, in the Chippewa County Register of Deeds Office within 30 days of final approval. If the Final Development Plan is not recorded within said timeframe, the Final Development Plan shall be voided.

(f) Amendments to Final Development Plan.

(1) After approval of the Final Development Plan by the Committee, the property owner may seek amendments to the Final Development Plan as recorded, only if difficulties or significant changes in circumstances are encountered in constructing the PUD which could not have reasonably been foreseen, such as with terrain or soil conditions or other physical complications, or changing market conditions, new technologies or emerging design ideas.

(2) Minor changes in the location, siting, and height of buildings and structures, or reductions in project density or intensity may be authorized by the Committee without additional public hearings if required by engineering or other circumstances not foreseen at the time the Final Development Plan was approved. No change authorized by this subsection may cause any of the following:

a. A change in the use or character of the development.

b. An increase in overall coverage of structures.

c. An increase in the intensity of use.

d. An increase in the problems of traffic circulation and public utilities.

e. A reduction in approved open space.

f. A reduction of off-street parking and loading space.

g. A reduction in required pavement widths.

(3) All other proposed changes in use, or rearrangement of lots, blocks, and building tracts, or any proposed changes in the provision of common open spaces and changes other than listed above, must be approved by the Committee subject to the procedures

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specified in section 70-36. Such amendments may be made only if they are shown to be required by changes in conditions that have occurred since the Final Development Plan was approved.

(g) Enforcement.

(1) Violations of the Final Development Plan shall be subject to enforcement under the provisions of section 70-31.

(2) The property owner shall begin construction of the PUD within 12 months following the date of the recording of the Final Development Plan. The Committee may grant, in writing, an extension of this time period of up to 12 months upon demonstration of good cause by the property owner. If the property owner fails to commence construction of the PUD within the specified time, the Committee shall proceed with actions as specified in subsection 4. hereinbelow.

(3) If the PUD is to be developed in stages, then the property owner must begin the construction of each stage within the time limits specified in the Final Development Plan. Construction in each phase shall include all the elements of that phase specified in the Final Development Plan.

(4) The Administrator shall periodically monitor the construction of the PUD, with respect to conformance with the Final Development Plan, start of construction and development phasing. If the Administrator finds that the property owner has failed or is failing to develop the PUD in conformance with the Final Development Plan; or that the property owner has failed to begin development within the specified time period; or that the property owner is not proceeding in accordance with the approved development phasing, with respect to either timing of construction or an approved mix of project elements, then the Administrator shall give written notice to the developer to appear before the Committee within 30 days to report on the status of the PUD. Upon review of the PUD, the Committee may extend the time for start of construction or the length of the time needed to complete a phase, recommend that the property owner amend the Final Development Plan subject to the procedures specified in section 70-36, or terminate the project and repeal the PUD.

(5) In the event the Committee deems it necessary to terminate the project and repeal the PUD Final Development Plan, the termination shall be subject to the procedures in section 70-36.

(Code 1980, § 17.34)

Secs. 70-77--70-100. Reserved.

2. That these ordinance amendments shall take effect upon passage and publication.

Forwarded to the County Board by the Planning & Zoning Committee.

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