

CHIPPEWA COUNTY
PLANNING & ZONING COMMITTEE
REGULAR MEETING
SEPTEMBER 18, 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

Motion to approve.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Rocky Kempe, District 16
SECONDER:	Duane Shoebridge, District 3, Vice-Chair
AYES:	Bergeron, Shoebridge, Kelly, Kempe, Hull

1. Approve the Agenda

2. Approve the Minutes

Planning & Zoning Committee - Regular Meeting - Aug 21, 2025 5:00 PM

3. Schedule Next Meeting Date - October 23, 2025

5. PUBLIC HEARINGS - FOR DISCUSSION AND ACTION

1. 2025-0005 Nelson - Home Occupation CUP Request - Wheaton

Clary introduced the petition to the committee. Mike Nelson gave an overview of the request along with changes that would reflect (1) no onsite customers and (2) no employees, except for the owners of the business. Mary Rudd spoke on behalf of the Town of Wheaton. The Town Board did not make a motion to deny or approve based on the fact that they did not have a revised document showing the redlined language. Dale Schiferl questioned the traffic in regards to pick-ups and deliveries. Nelson indicated that initially, there would be semi-load of product delivered, but then outgoing would be the smaller box-type of FedEx, Amazon etc. If they start moving a lot of product requiring more deliveries by semi, they would find an off-loading site. The goal is to get the business up and running in order to move into a commercial district.

Planning & Zoning Committee

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Regular Meeting

Chippewa County Courthouse, Rm 302

September 18, 2025
5:00 PM

A general discussion occurred about the language of the proposal and what should be revised. Clary indicated that he would like to have the opportunity to review the proposed changes with Nelson, assuming those particular changes would be limited to those as discussed.

Motion to approve the request with Clary's review of the final edits.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Duane Shoebridge, District 3, Vice-Chair
SECONDER:	Rocky Kempe, District 16
AYES:	Bergeron, Shoebridge, Kelly, Kempe, Hull

6. REPORTS

1. Discussion on Catalis (Permitting Program) & the POWTS Maintenance Program

Clary discussed the status of Catalis (permitting program) and the POWTS maintenance program. Clary explained the department went live with the program about a year ago. The department has been working with the developer to make upgrades to the program so that it is not so cumbersome to get information entered into the program. The focus has been on the POWTS Maintenance notifications and reporting portion which is utilized by staff and service providers.

The POWTS maintenance notifications were delayed this year because of the data migration from the legacy system. 4,315 notices (postcards) for the septic system maintenance were mailed in early July. This list contained 1,725 septic system owners that did not have a maintenance record within the past 9 years. Based on a previous request by a service provider, we removed these records from the list provided to them. However, the department did send out notices to all 4,315 owners and offered to send the list of 1,725 to the service providers if they wanted it.

In late July, we became aware that the list did not capture all property owners that needed maintenance this year. After discussing this with Catalis, we discovered the provided query utilized in the initial mailing missed 6 months worth of records. After working with Catalis on a fix, another 1,089 records were sent postcards in late August.

A plan for POWTS maintenance enforcement (for those who have not pumped) was to be implemented in 2025. However, with the transition to Catalis, Clary felt it was appropriate to start the enforcement in 2026. DPZ will start working on the enforcement portion of the POWTS Maintenance Program in Q4 of 2025 with implementation in 2026.

RESULT:	DISCUSSED
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7. BUSINESS ITEMS

1. Discussion on section 70-115 of the Zoning Ordinance (Home Occupations)

Clary briefly reviewed the proposed modifications to section 70-115 for home occupations. Discussion was in regards to quiet home occupations and the sale of inventory on a regular basis. Clary will further review the language.

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RESULT: **DISCUSSED**

2. Preliminary Review: Solar Energy Systems (Zoning Ordinance Amendment) - Draft 2025-09-12
Clary briefly reviewed the 2025-09-12 draft with the committee. Discussion centered around: excluding large SES's from the residential zoning districts, toxic chemicals from the solar panels, battery housing regulations, and the storage of batteries. Clary will look further into the toxic chemicals, battery housing and the storage of batteries onsite.

RESULT: **DISCUSSED**

8. AGENDA ITEMS FOR FUTURE CONSIDERATION

Home Occupations and Solar Amendments.

9. ADJOURN

Motion to approve.

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

CHIPPEWA COUNTY
PLANNING & ZONING COMMITTEE
REGULAR MEETING
AUGUST 21, 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	Absent	
Chuck Hull	Chippewa County	District 19	Present	

3. MEMBERS OF THE PUBLIC WISHING TO BE HEARD

None

4. CONSENT AGENDA

Motion to approve.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	David Kelly, District 14
SECONDER:	Chuck Hull, District 19
AYES:	Bergeron, Shoebridge, Kelly, Hull
ABSENT:	Kempe

1. Approve the Agenda

2. Approve the Minutes

Planning & Zoning Committee - Regular Meeting - Jul 24, 2025 5:00 PM

Planning & Zoning Committee - Special Meeting - Aug 14, 2025 5:00 PM

3. Schedule Next Meeting Date - September 18, 2025 @ 5:00pm

5. PUBLIC HEARINGS - FOR DISCUSSION AND ACTION

1. 2025-0009 Eckwright Rezone - Town of Lafayette

Roder read petition into record. Michael Nichols-20264 72nd Avenue expressed approval of the rezone BUT opposition to the development of this property. Specific concerns were about traffic onto 72nd Avenue and would rather see traffic exit onto Hwy K. Cory Pecha explained 5 year development plans for the initial 9 lots along 72nd Avenue and then after that time they would discuss the feasibility of developing the remaining acreage to the south. Renee Price-20381 72nd Avenue had

Minutes Acceptance: Minutes of Aug 21, 2025 5:00 PM (Consent Agenda)

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concern over traffic and stormwater. General discussion occurred between staff, developer, and Committee members that after the development of these first three lots, the common plan of development would trigger Stormwater Management plans for the property.

Motion to approve WITH a condition of no access for future development of this site onto Hwy K.

RESULT:	APPROVED WITH CONDITIONS [UNANIMOUS]
MOVER:	Chuck Hull, District 19
SECONDER:	Duane Shoebridge, District 3, Vice-Chair
AYES:	Bergeron, Shoebridge, Kelly, Hull
ABSENT:	Kempe

2. 2025-0010 Lis Rezone - Town of Lafayette

Roder read petition into record and explained limitation of no future access onto 50th Avenue. Jason Hiess, surveyor clarified that existing driveway would remain on 50th Avenue but all new would access 51st Avenue to the north. General discussion occurred.

Motion to approve with a condition that all NEW driveways access 51st Avenue.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	David Kelly, District 14
SECONDER:	Chuck Hull, District 19
AYES:	Bergeron, Shoebridge, Kelly, Hull
ABSENT:	Kempe

3. 2025-0011 Lis Rezone - Town of Lafayette

Roder read petition into record and explained that development of this site will trigger Stormwater Management plans. General discussion occurred and Heiss stated the development plans are fluid at this time with nothing settled upon.

Motion to approve.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	David Kelly, District 14
SECONDER:	Duane Shoebridge, District 3, Vice-Chair
AYES:	Bergeron, Shoebridge, Kelly, Hull
ABSENT:	Kempe

6. **AGENDA ITEMS FOR FUTURE CONSIDERATION**

Tourist Rooming Houses in the Commercial Districts.

7. **ADJOURN**

Motion to Approve

Minutes Acceptance: Minutes of Aug 21, 2025 5:00 PM (Consent Agenda)

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5:00 PM

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Duane Shoebridge, District 3, Vice-Chair
SECONDER:	Chuck Hull, District 19
AYES:	Bergeron, Shoebridge, Kelly, Hull
ABSENT:	Kempe

Minutes Acceptance: Minutes of Aug 21, 2025 5:00 PM (Consent Agenda)



STATEMENT OF EXPLANATION
2025-0005 NELSON - HOME OCCUPATION CUP REQUEST - WHEATON

5.1

To allow a home occupation in the Agricultural District in accordance with 70-108 and 70-115(a) of the Chippewa County Zoning Ordinance on Lot 4, Certified Survey Map 3029, which is located in the SW ¼ of the SW ¼, Section 21, Township 28 North, Range 10 West. Town of Wheaton. Physical Address: 3064 31st Avenue

**CONDITIONAL USE PERMIT APPLICATION****XReloadUSA LLC****TO:** Chippewa Valley Zoning Board Committee**FROM:** Michael Nelson, Member of XReloadUSA LLC (future company that is being formed)**DATE:** August 15, 2025**PROPERTY ADDRESS:** 3064 31st Avenue, Elk Mound, Wi 54739**PARCEL ID:** 22810-2133-73029004**APPLICATION SUMMARY****Applicant Information****Business Name:** XReloadUSA LLC**Business Type:** Limited Liability Company (Wisconsin)**Primary Applicant:** Michael Nelson**Title:** Managing Member**Mailing Address:** 3064 31st Ave, Elk Mound, Wi 54739**Phone:** 715-308-3798**Email:** nelsonm9414@gmail.com**Property Information****Property Address:** 3064 31st Ave, Elk Mound, Wi 54739**Property Owner:** Michael and Charlene Nelson**Zoning District:** Agricultural**Lot Size:** 5 Acres**Structure Size:** 32' x 36'**Proposed Business Use Area:** 1,152 square feet (accessory structure)**REQUEST FOR CONDITIONAL USE PERMIT****Nature of Request**

XReloadUSA LLC respectfully requests approval of a Conditional Use Permit to operate a home-based business for the retail sale and distribution of ammunition reloading components and shooting sports supplies from the existing garage facility at the above-referenced property.

Applicable Zoning Ordinance Sections

This application is submitted pursuant to Chippewa Valley Zoning Ordinance Sections 70-108 and 70-115, as the proposed business operations will:

1. Utilize more than 25% of the dwelling unit area (1,152 sq ft garage of 2,400 sq ft property)
2. Have employees working at the location on a part-time basis
3. Maintain business inventory on the premises

BUSINESS DESCRIPTION

Business Overview

XReloadUSA LLC is a Wisconsin limited liability company formed to operate a retail business specializing in ammunition reloading components, including bullets, gunpowder, primers, brass casings, and related equipment. The business serves recreational shooters, hunters, competitive shooters, and hobbyist reloaders throughout the United States.

Primary Products:

- Bullets and projectiles for various calibers
- Smokeless gunpowder for reloading
- Primers for ammunition
- Brass casings (new and once-fired)
- Reloading equipment and tools
- Shooting accessories and supplies
- Educational resources and training materials

Business Operations Model

- **Primary Sales Channel:** E-commerce website (90% of sales)
- **Secondary Channel:** Local customer pickup (5% of sales)
- **Tertiary Channel:** Trade shows and events (5% of sales)
- **Operating Hours:** Evenings and weekends initially, with expansion to daytime hours as business grows

- **Customer Interaction:** Primarily online and phone, with limited on-site pickup by appointment

OPERATIONAL DETAILS

Facility Usage

Garage Facility (1,152 sq ft):

- Inventory storage: 900 sq ft (climate-controlled storage with proper ventilation)
- Office space for administrative functions: 200 sq ft
- Order processing and packaging area: 100 sq ft

Storage and Safety Measures:

- All gunpowder stored in ATF-compliant containers with proper ventilation
- Temperature and humidity control for product integrity
- Secure storage meeting federal firearms licensing requirements
- Insurance coverage for inventory and liability

Staffing Plan

Phase 1 (Year 0-2):

- Two business owners working part-time (evenings/weekends)
- Combined 40-50 hours per week
- No external employees initially

Phase 2 (Year 3-5):

- One owner transitions to full-time operations
- Addition of one part-time employee (20-30 hours/week)
- Customer service and order fulfillment support

Traffic and Customer Impact

Expected Traffic Generation:

- Minimal vehicular traffic due to primarily e-commerce model

- Estimated 1 customer pickup per week maximum
- All customer visits by appointment only
- Delivery vehicles: 1-2 UPS/FedEx pickups per day
- Supplier deliveries: 2-3 times per month

Operating Schedule:

- Monday-Friday: 5:00 PM - 9:00 PM (processing orders, inventory management)
- Saturday: 8:00 AM - 6:00 PM (customer pickups, shipping, general operations)
- Sunday: 12:00 PM - 6:00 PM (administrative work, planning)
- Customer pickup hours: Saturday 10:00 AM - 4:00 PM by appointment only

REGULATORY COMPLIANCE**Federal Licensing and Compliance****Licenses and Permits Obtained/In Process:**

- Federal Firearms License (FFL) - Type 01 Dealer License
- Wisconsin Business Registration
- Wisconsin Seller's Permit for sales tax collection
- HAZMAT transportation certification for shipping compliance

Safety and Security Compliance:

- ATF storage and security requirements compliance
- Department of Transportation HAZMAT shipping compliance
- OSHA workplace safety standards

Environmental and Safety Considerations**Storage Safety Measures:**

- Climate-controlled environment for temperature-sensitive products
- Proper ventilation for gunpowder storage areas
- Secure storage preventing unauthorized access

- Material Safety Data Sheets (MSDS) for all hazardous materials

Environmental Impact:

- No manufacturing or production activities on-site
- No discharge of materials or chemicals
- Minimal waste generation (packaging materials only)
- No noise generation beyond normal residential levels
- No outdoor storage of materials or equipment

NEIGHBORHOOD COMPATIBILITY**Impact Mitigation Measures****Traffic Management:**

- Customer pickup by appointment only to control traffic flow
- Staggered pickup times to prevent multiple simultaneous visits
- Clear signage directing customers to designated parking areas

Noise and Disturbance Minimization:

- All operations conducted within enclosed garage facility
- No machinery or equipment generating excessive noise
- Operating hours limited to reasonable times
- No outdoor activities or storage

Visual Impact Minimization:

- Minimal signage visible on door from public roads
- No advertising displays or banners on property
- Vehicles parked in designated areas only
- Maintenance of residential appearance of property

Community Benefits**Positive Economic Impact:**

- Local job creation as business grows
- Property tax revenue generation
- Support for local shooting sports community
- Partnership opportunities with local gun clubs and ranges

Educational and Safety Benefits:

- Promotion of safe reloading practices through education
- Expert consultation reducing unsafe reloading attempts
- Support for responsible firearms ownership and shooting sports
- Contribution to local sporting goods economy

COMPLIANCE WITH CONDITIONAL USE STANDARDS

Compliance with Section 70-115.a.3 Requirements

"Business uses more than 25% of dwelling unit area":

- Proposed use: 1,152 sq ft garage facility
- Total dwelling area: 2,400 sq ft
- Percentage of dwelling used: 50%
- Acknowledgment: Business use exceeds 25% threshold, requiring conditional use permit

Compliance with Section 70-115.a.4 Requirements

"Has employees working at the location":

- Initial phase: Business owners only (part-time operations)
- Future phase: Addition of 1 part-time employee (20-30 hours/week)
- All employees properly trained in safety and security procedures
- Workers' compensation and employment law compliance

Compliance with Section 70-115.a.5 Requirements

"Has inventory on premises":

- Estimated \$250,000 initial inventory value
- All inventory stored in compliance with federal regulations
- Proper insurance coverage for inventory protection
- Climate-controlled storage ensuring product integrity

General Conditional Use Standards

Public Health, Safety, and Welfare:

- All operations conducted in compliance with federal, state, and local regulations
- Professional insurance coverage protecting public and property
- Safety protocols meeting or exceeding industry standards

Character of Neighborhood:

- Minimal visual impact on residential character
- Limited operating hours respecting neighborhood quiet
- No outdoor storage or activities
- Maintenance of property appearance and landscaping

Property Values:

- Professional business operation enhancing property utility
- Proper maintenance and improvement of facility
- No activities or uses that would negatively impact neighboring property values

FUTURE CONSIDERATIONS

Long-term Planning

The applicants acknowledge that if business growth requires:

- Expanded facility usage beyond the proposed 1,152 sq ft
- Changes to customer traffic patterns
- Any modifications to the approved conditional use

A new conditional use permit application or modification request will be submitted to the Zoning Board Committee for review and approval.

CONCLUSION

XReloadUSA LLC respectfully requests approval of this Conditional Use Permit to operate a home-based ammunition reloading supply business. The proposed operation has been carefully planned to:

1. **Minimize neighborhood impact** through limited hours, appointment-only customer service, and professional operations
2. **Ensure regulatory compliance** with all federal, state, and local requirements
3. **Promote community safety** through expert consultation and education
4. **Generate positive economic impact** through job creation and tax revenue

The business model emphasizes e-commerce sales with minimal on-site customer traffic, making it an ideal home-based business that respects the residential character of the neighborhood while providing valuable services to the shooting sports community.

We believe this conditional use permit request aligns with the intent of the Chippewa Valley Zoning Ordinance to allow reasonable home-based businesses while protecting neighborhood character and property values.

APPLICANT CERTIFICATION

I hereby certify that all information contained in this application is true and correct to the best of my knowledge. I understand that any false statements may result in denial of this application or revocation of any permit issued. I agree to comply with all conditions of approval and applicable regulations.

Primary Applicant:

Signature: _____

Name: Michael Nelson

Title: Managing Member, XReloadUSA LLC

Date: _____

For Office Use Only:

Application Received: _____

Fee Paid: _____

Hearing Date: _____

Decision: _____

Conditions: _____

(Posted on August 27, 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 hearing will be held on **September 18, 2025** beginning at **5:00 PM** at the Chippewa County Courthouse, Room 302, 711 N Bridge Street, Chippewa Falls, Wisconsin relative to the following petition:

Conditional Use Petition: 2025-0005

Petitioner: Michael Nelson

To allow a home occupation in the Agricultural District in accordance with 70-108 and 70-115(a) of the Chippewa County Zoning Ordinance on Lot 4, Certified Survey Map 3029, which is located in the SW ¼ of the SW ¼, Section 21, Township 28 North, Range 10 West. Town of Wheaton. Physical Address: 3064 31st Avenue.

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 26th day of August, 2025

Douglas Clary, Director
Department of Planning & Zoning
Chippewa County

Attachment: 2025-0005 Nelson CUP - Public Notices and Maps (9195 : 2025-0005 CUP - Nelson - Wheaton)

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: August 26, 2025

To: Property Owner(s)

From: Douglas Clary, Director *Douglas Clary*

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 #2025-0005

Petitioner: Michael Nelson

To allow a home occupation in the Agricultural District in accordance with 70-108 and 70-115(a) of the Chippewa County Zoning Ordinance on Lot 4, Certified Survey Map 3029, which is located in the SW ¼ of the SW ¼, Section 21, Township 28 North, Range 10 West. Town of Wheaton. Physical Address: 3064 31st Avenue.

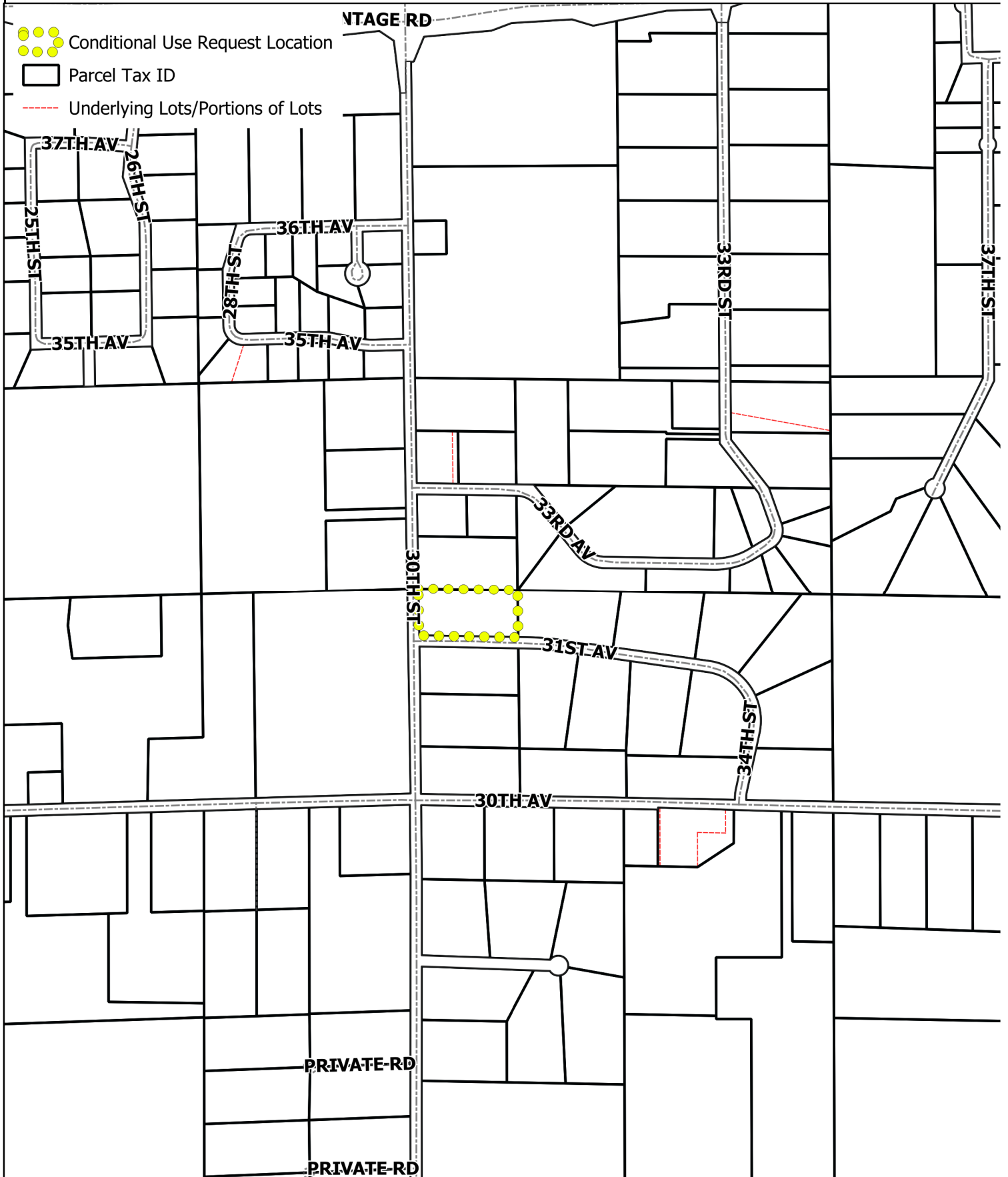
The Wheaton Parks and Planning Commission will **REVIEW** this request on **September 2, 2025 at 6:00 PM**, at the Wheaton Town Hall, 4975 County Highway T, Chippewa Falls, Wisconsin 54729. The Parks and Planning Commission will forward an **ADVISORY** recommendation to the Wheaton Town Board to approve, disapprove or approve with modification(s) and/or condition(s).

The Wheaton Town Board will **REVIEW** this request on **September 9, 2025 at 7:00 PM**, at the Wheaton Town Hall, 4975 County Highway T, Chippewa Falls, Wisconsin 54729. 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).

The Chippewa County Planning & Zoning Committee will hold a **PUBLIC HEARING** on **September 18, 2025 at 5:00 PM** in Room 302, of the Chippewa County Courthouse located at 711 N Bridge Street, Chippewa Falls, Wisconsin. The Committee will make a final determination to approve or disapprove of the conditional use petition.

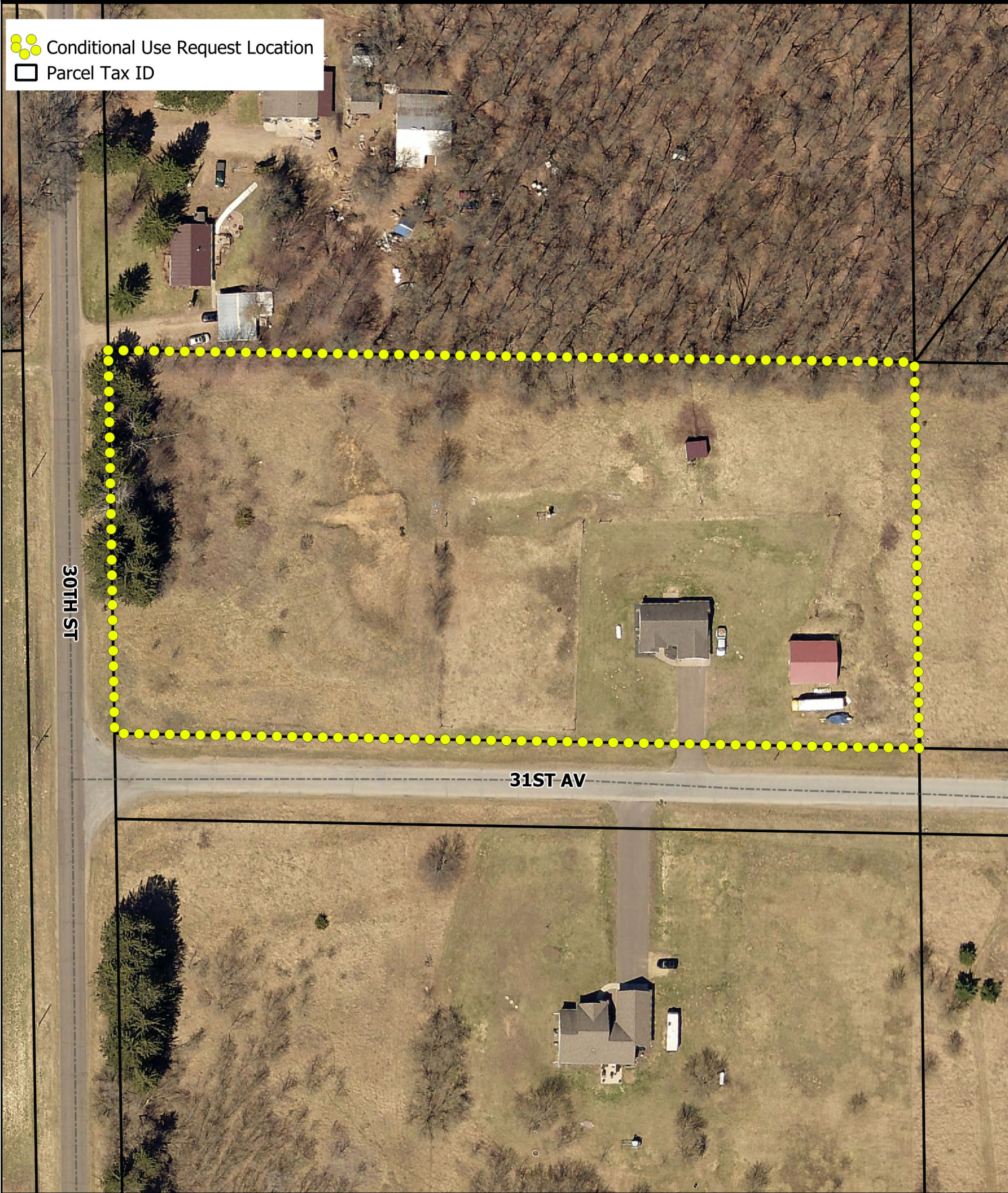
Attachment: 2025-0005 Nelson CUP - Public Notices and Maps (9195 : 2025-0005 CUP - Nelson - Wheaton)

2025-0005 Nelson Conditional Use Permit Request Location Map



Attachment: 2025-0005 Nelson CUP - Public Notices and Maps (9195 : 2025-0005 CUP - Nelson - Wheaton)

2025-0005 Nelson Conditional Use Request Location
Aerial (2023)



Attachment: 2025-0005 Nelson CUP - Public Notices and Maps (9195 : 2025-0005 CUP - Nelson - Wheaton)

- (d) Search lights, laser source lights, or any similar high-intensity light shall not be permitted, except in emergencies by police and fire personnel or at their direction.
- (e) Outdoor athletic fields, courts, tracks, or ranges, and airports are exempt from all lighting requirements.
- (f) All outdoor flood light projection above the horizontal is prohibited.
- (g) Temporary lighting, which does not conform to the provisions of this section, may be allowed for a total period of no longer than 30 days within a year.

Sec. 70-115 Home Occupations

It is the intent of this section to set standards under which home occupations may be conducted so that such home occupations do not undermine the purpose of the ordinance.

- (a) Home occupations shall be allowed without permit in all residential and the agricultural districts, provided they conform to the following performance standards:
 - (1) The home occupation shall be conducted entirely within a dwelling unit or entirely within an accessory building. A home occupation may be allowed within a dwelling unit and an accessory structure as a conditional use permit issued under section 70-108.
 - (2) The home occupation is incidental to the residential use of the property and does not involve any external alterations that would effect a substantial change in the residential character of the dwelling unit or accessory building.
 - (3) The floor area devoted to the home occupation shall not exceed 25% of the habitable floor area of the dwelling unit, except as a conditional use permit issued under section 70-108.
 - (4) No person other than a resident of the dwelling unit shall be employed therein; except that additional non-resident employees may be approved as a conditional use under section 70-108.
 - (5) No inventory of a commodity shall be sold on a regular basis on the premises except as a conditional use permit under section 70-108.
 - (6) The home occupation shall not be objectionable to neighboring uses due to noise, dust, odors, and hours of operation, traffic generation or electrical interference.
 - (7) There shall be one (1) sign allowed, which cannot exceed six (6) square feet in the residential district or thirty-two (32) square feet in the agriculture district.
 - (8) There shall be no outside storage or display of products, materials, or equipment except for seasonal products such as Christmas trees, which do not exceed 8 weeks.
- (b) The following home occupations may be allowed, but only after a conditional use permit is approved under section 70-108:

- (1) Professional Offices, including but not limited to physicians, chiropractors, dentists, lawyers, real estate brokers, insurance agents and contractors;
- (2) Beauty and barber shops;
- (3) Repair of motor vehicles and small engines including the construction and operation of racing machines such as stock cars, snowmobiles and tractors.
- (4) Storage of motor vehicles and recreational vehicles in accessory structures that were existing at the time of adoption of the zoning code (1974).
- (5) CNC Machining; allowed only within the Agriculture District.
- (6) Wedding Venues; allowed only within the Agriculture District.

(Ord. 02-18, 06-12-2018; Ord. No. 08-22, 10-11-2022)

Cross references: Traffic and vehicles, ch. 58.

Sec. 70-116 Tourist Rooming House

It is the intent of this section to identify County and State Regulations governing the short-term rental of a principal building and procedures for permitting and licensing for a tourist rooming house.

- (a) *Applicable Regulations.* Short-Term Rentals are regulated by Wis. Stats. §§ 97 and 66.1014, Wis. Admin. Code ch. ATPC 72, 73 and 75, and the Chippewa County Public Health Department. Short-Term Rentals may also be regulated by the local towns.
- (b) Application for a zoning permit to operate a short-term rental shall include the following:
 - (1) A completed zoning permit application and the applicable fee.
 - (2) Provide adequate documentation verifying the dwelling or dwelling unit has been approved through zoning or is considered a legal non-conforming use. It is the intent of this section to provide adequate documentation showing that the dwelling or dwelling unit met applicable codes and approvals at the time of construction or the addition of the unit within the building. Illegal structures, dwellings or dwelling units shall be prohibited from obtaining a zoning permit for the use of the structure as a short-term rental.
 - (3) A copy of the application submitted to the Chippewa County Department of Public Health.
- (c) The following restrictions or conditions shall be applied to the zoning permit:
 - (1) The number of occupants allowed within the short-term rental is dependent upon the size of the septic system. The property owner shall provide written evidence such as a copy of the approved and permitted POWTS and/or an investigative report detailing the location, size and performance capabilities of the POWTS.

SPS 361.03

WISCONSIN ADMINISTRATIVE CODE

13.92 (4) (b) 7., Stats., Register December 2011 No. 672; CR 15-016: am. (14) (a) Register October 2015 No. 718, eff. 11-1-15; CR 16-094: am. (1) (a), (c), (2), (3) (a), (5) (a) 1., 2., (5) (b) 1., 2., 3. c., 4., cr. (5) (b) 5., am. (6), (7) (intro.), (8) (intro.), (9) (intro.), (10) (intro.), (11) (intro.), (12) (b), (13), (14), (15) (intro.), (f), Register April 2018 No. 748 eff. 5-1-18.

SPS 361.04 Definitions. In chs. SPS 361 to 366:

(1) “Authorized representative” means any certified municipality or county as specified in s. SPS 361.60, and any appointed agent under s. 101.12 (3g), Stats.

(1g) “Compliance assurance program” means a detailed system documenting the methods used to ensure modular multifamily housing, modular multifamily building systems, and building system components are manufactured in accordance with department-approved plans and chs. SPS 361 to 366.

(1r) “Crematory” means a building or portion of a building within which a cremation chamber is located.

(2) “Department” means the department of safety and professional services.

(3) “Dwelling unit” has the meaning given in s. 101.61 (1), Stats., for the purpose of determining whether chs. SPS 361 to 366 applies to a residential occupancy. For all other purposes, the meaning is as given in IBC section 202, IECC section 202, and IMC section 202.

Note: Section 101.61 (1), Stats., reads in part: “ ‘Dwelling unit’ means a structure or that part of a structure which is used or intended to be used as a home, residence or sleeping place by one person or by 2 or more persons maintaining a common household, to the exclusion of all others.”

(3m) “Home-based business” means any business, profession, trade, or employment conducted in a person’s dwelling unit, which may involve the person’s immediate family or household and a maximum of one other unrelated person, but does not involve any of the following:

- (a) Explosives, fireworks, or repair of motor vehicles.
- (b) More than 25% of the habitable floor area of the dwelling unit.

Note: A dwelling unit that includes a home-based business is referred to as a “live/work” unit as defined in s. SPS 362.0202 (2) (h).

(4) “HVAC system” means a heating, ventilating, or air conditioning system or a component thereof that is permanently installed to provide control of environmental conditions within buildings.

(5) “IBC” or “International Building Code” means the *International Building Code*[®], as adopted under s. SPS 361.05 and modified in chs. SPS 361 to 366.

(6) “ICC Electrical Code” means ch. SPS 316.

(7) “IEBC” or “International Existing Building Code” means the *International Existing Building Code*[®], as adopted under s. SPS 361.05 and modified in chs. SPS 361 to 366.

(8) “IECC” or “International Energy Conservation Code” means the *International Energy Conservation Code*[®], as adopted under s. SPS 361.05 and modified in chs. SPS 361 to 366.

(9) “IFC” and “International Fire Code” mean the *International Fire Code*[®].

(10) “IFGC” or “International Fuel Gas Code” means the *International Fuel Gas Code*[®], as adopted under s. SPS 361.05 and modified in chs. SPS 361 to 366.

(11) “IMC” or “International Mechanical Code” means the *International Mechanical Code*[®], as adopted under s. SPS 361.05 and modified in chs. SPS 361 to 366.

(12) “IPC” and “International Plumbing Code” mean chs. SPS 381 to 387.

(13) “IPSC” and “International Private Sewage Code” mean chs. SPS 381 to 387.

Published under s. 35.93, Stats. Updated on the first day of each month. Entire code is always current. The Register date on each page is the date the chapter was last published.

(13g) “IRC” or “International Residential Code” means the *International Residential Code*[®].

(13r) “Mausoleum” means a public building, structure, or part of a building or structure that is used or intended to be used for the burial of human remains.

(14) “Multifamily dwelling” has the meaning given in s. 101.971 (2), Stats.

(15) “Recreational and educational camp” has the meaning given in s. 101.053, Stats.

(15g) “Seasonal recreational and educational camp building” means a building or structure occupied only between the dates of May 1st and October 15th and located at a recreational and educational camp.

(15m) “Secretary” has the meaning given in s. 101.01 (14), Stats.

(16) “Wisconsin insignia” means a device or seal approved by the department to certify compliance with chs. SPS 361 to 366.

Note: Many of the model building codes created by the International Code Council (ICC) and adopted by the Department of Safety and Professional Services may be viewed free of charge on the ICC website. To access these codes go to codes.iccsafe.org and click on “I-Codes.”

History: CR 00-179: cr. Register December 2001 No. 552, eff. 7-1-02; CR 04-016: (4) renum. from Comm 62.0202 (1) (j), am. (1), renum. (3) and (4) to be (5) and (6), cr. (3) Register December 2004 No. 588, eff. 1-1-05; CR 05-113: am. (6) Register December 2006 No. 612, eff. 4-1-07; CR 06-120: renum. (4) to (6) to be (14), (4) and (15) and am. (15), cr. (7), renum. Comm 62.0202 (1) (c), (d) and (e) to (j) to be Comm 61.04 (5), (6) and (8) to (13) and am. (5) and (8) to (11), Register February 2008 No. 626, eff. 3-1-08; CR 10-103: r. and recr. (4), am. (15), Register August 2011 No. 668, eff. 9-1-11; correction in (1), (2), (5), (6), (7), (8), (10), (11), (12), (13), (15) made under s. 13.92 (4) (b) 6., 7., Stats., Register December 2011 No. 672; CR 16-094: am. (intro.), cr. (1g), (1r), am. (3), cr. (3m), am. (5), (7), (8), (10), (11), cr. (13g), (13r), r. (15), cr. (15m), (16) Register April 2018 No. 748 eff. 5-1-18; 2017 Wis. Act 198: am. (1) Register April 2018 No. 748, eff. 5-1-18; CR 22-069: cr. (15), (15g) Register July 2023 No. 811, eff. 8-1-23.

SPS 361.05 Adoption of the International Codes.

(1) IBC. The *International Building Code*[®] – 2015, subject to the modifications specified in this chapter and ch. SPS 362 is incorporated by reference into chs. SPS 361 to 366.

(2) IECC. The *International Energy Conservation Code*[®] – 2015, subject to the modifications specified in this chapter and ch. SPS 363 is incorporated by reference into chs. SPS 361 to 366.

(3) IMC. The *International Mechanical Code*[®] – 2015, subject to the modifications specified in this chapter and ch. SPS 364 is incorporated by reference into chs. SPS 361 to 366.

(4) IFGC. The *International Fuel Gas Code*[®] – 2015, subject to the modifications specified in this chapter and ch. SPS 365 is incorporated by reference into chs. SPS 361 to 366.

(5) IEBC. The *International Existing Building Code*[®] – 2015, subject to the modifications specified in this chapter and ch. SPS 366 is incorporated by reference into chs. SPS 361 to 366.

Note: A copy of the *International Building Code*[®], *International Energy Conservation Code*[®], *International Mechanical Code*[®], *International Fuel Gas Code*[®], and *International Existing Building Code*[®] is on file in the offices of the Department and the Legislative Reference Bureau. Copies of the International Codes may be purchased from the International Code Council[®], 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795, (708) 799-2300, Website www.iccsafe.org.

Note: The references in chs. SPS 362 to 366 to individual ICC code sections typically are to a particular paragraph or set of paragraphs within a referenced ICC section, and are not intended to affect any subsequent subdivisions of the specified section unless stated otherwise. For example, the directive in s. SPS 362.0907 (1) to substitute certain language for IBC section 907.1 is not intended to mean that IBC sections 907.1.1 through 907.1.2 are also being changed.

Note: Many of the model codes created by the International Code Council (ICC) and adopted by the Department of Safety and Professional Services may be viewed free of charge on the ICC website at codes.iccsafe.org and select the version adopted under s. SPS 361.05.

History: CR 00-179: cr. Register December 2001 No. 552, eff. 7-1-02; CR 01-109: cr. (5) Register June 2002 No. 558, eff. 7-1-02; CR 06-120: am. (1) to (4), r. and recr. (5), Register February 2008 No. 626, eff. 3-1-08; corrections made under s. 13.92 (4) (b) 7., Stats., Register February 2008 No. 626; CR 10-103: am. (1) to (5) Register August 2011 No. 668, eff. 9-1-11; correction in (1), (2), (3), (4), (5) made

SPS 362.0202

WISCONSIN ADMINISTRATIVE CODE

(b) “Neutral plane for a deep foundation” means the level at which drag load, accumulated from the top down, added to the long-term static service load, equals the upward acting shaft resistance accumulated from the bottom up, added to the deep foundation’s toe resistance.

(c) “Self-service storage facility” has the meaning given in s. 704.90 (1) (g), Stats.

(2) **SUBSTITUTIONS.** Substitute the following definitions for the corresponding definition in IBC section 202:

(a) “Approved” means acceptable to the department.

(b) “Automatic sprinkler system” or “automated fire sprinkler system” has the meaning given in s. 145.01 (2), Stats.

Note: Section 145.01 (2), Stats., reads as follows: “ ‘Automatic fire sprinkler system,’ for fire protection purposes, means an integrated system of underground and overhead piping designed in accordance with fire protection engineering standards. The system includes a suitable water supply, such as a gravity tank, fire pump, reservoir or pressure tank or connection beginning at the supply side of an approved gate valve located at or near the property line where the pipe or piping system provides water used exclusively for fire protection and related appurtenances and to standpipes connected to automatic sprinkler systems. The portion of the sprinkler system above ground is a network of specially sized or hydraulically designed piping installed in a building, structure or area, generally overhead, and to which sprinklers are connected in a systematic pattern. The system includes a controlling valve and a device for actuating an alarm when the system is in operation. The system is usually activated by heat from a fire and discharges water over the fire area.”

(c) “Commercial motor vehicle” means a motor vehicle used to transport passengers or property if the motor vehicle meets either of the following:

1. The vehicle has a gross vehicle weight rating of 26,000 pounds or more.
2. The vehicle is designed to transport 16 or more passengers including the driver.

(d) “Fire area” means the aggregate floor area enclosed and bounded by fire walls, fire barriers, exterior walls, or fire-resistance-rated horizontal assemblies of a building.

(e) “Fire separation distance” means the distance measured at right angles from the face of the building wall to one of the following:

1. The closest interior lot line.
2. A permanent no-build easement line.
3. The centerline of a street, an alley, or a public way.
4. An imaginary line between two buildings on the same property.

(f) “Fuel-burning appliance” means a device that is installed in a building and burns fossil-fuel or carbon-based fuel when carbon dioxide is a combustion by-product, including ranges, ovens, grills, clothes dryers, furnaces, boilers, water heaters, heaters, fireplaces, and stoves.

(g) “Immediately dangerous to life and health (IDLH)” means a concentration of air-borne contaminants that poses a threat of death, immediate or delayed permanent adverse health effects, or effects that could prevent escape from such an environment. This contaminant concentration level is established by the National Institute of Occupational Safety and Health based on both toxicity and flammability. It generally is expressed in parts per million by volume, or milligrams per cubic meter.

(h) “Live/work unit” means a dwelling unit that includes a “home-based business” as defined in s. SPS 361.04 (3m).

Note: SPS 361.04 (3m) reads as follows: “Home-based business” means any business, profession, trade, or employment conducted in a person’s dwelling unit, that may involve the person’s immediate family or household and a maximum of one other unrelated person, but does not involve any of the following:

- (a) Explosives, fireworks, or repair of motor vehicles.
- (b) More than 25% of the habitable floor area of the dwelling unit.

(i) “Sealed combustion appliance” means a listed appliance that acquires all air for combustion through a dedicated sealed passage from the outside to a sealed combustion chamber and all combustion products are vented to the outside through a separate dedicated sealed vent.

(3) **DELETIONS.** The following terms and corresponding definitions in IBC section 202 are not included as part of chs. SPS

361 to 366: approved agency, approved fabricator, base flood, base flood elevation, certificate of compliance, design flood, design flood elevation, designated seismic system, dry floodproofing, fabricated item, label, lowest floor, manufacturer’s designation, mark, special flood hazard area, special inspection, sprayed fire-resistant materials, start of construction, and structural observation.

History: CR 00-179: cr. Register December 2001 No. 552, eff. 7-1-02; CR 01-139: renum. (1) (b) to be (2) (c) and renum. (1) (c) to (k) to be (1) (b) to (j) Register June 2002 No. 558, eff. 7-1-02; CR 04-016: am. (1) (a), renum. (1) (b) to (j) to be (1) (c) to (j) and Comm 61.04 (4), cr. (1) (b) and (3), r. and cr. (2) (b) Register December 2004 No. 588, eff. 1-1-05; CR 06-120: am. (1) (intro.) and (3), renum. (1) (c), (d) and (e) to (j) to be Comm 61.04 (5), (6) and (8) to (13) and am. (5) and (8) to (11) Register February 2008 No. 626, eff. 3-1-08; correction made in (2) (c) under s. 13.92 (4) (b) 7., Stats., Register February 2008 No. 626, eff. 3-1-08; CR 10-103: r. and recr. (1), (2) Register August 2011 No. 668, eff. 9-1-11; CR 16-094: renum. (1) to (1) (intro.), (a) and am., cr. (1) (b), (c), renum. (2) to (2) (intro.), (a) and am., cr. (2) (b) to (i), am. (3), Register April 2018 No. 748 eff. 5-1-18; correction in (2) (h) made under s. 35.17, Stats.

SPS 362.0306 Cheese factories classified as F-2 occupancy. This is a department rule in addition to the examples in IBC section 306.3: Cheese factory.

History: CR 16-094: cr., Register April 2018 No. 748 eff. 5-1-18.

SPS 362.0307 Pyrophoric materials. This is a department informational note to be used under IBC section 307.4: Note: See ch. SPS 314 for additional requirements for pyrophoric materials.

History: CR 06-120: cr. Register February 2008 No. 626, eff. 3-1-08.

SPS 362.0308 Classification of institutions with 5 or fewer persons receiving medical care. Substitute the following wording for IBC section 308.4.2: Five or fewer persons receiving medical care. A facility with 5 or fewer persons receiving medical care shall be classified as Group R-3.

History: CR 16-094: cr., Register April 2018 No. 748 eff. 5-1-18.

SPS 362.0310 Use and occupancy classification. This is a department informational note to be used under IBC section 310.2: Note: See s. SPS 361.02 Notes for statutory definitions of adult family home and community-based residential facility. See s. SPS 361.04 for definitions of dwelling unit and multifamily dwelling.

History: CR 00-179: cr. Register December 2001 No. 552, eff. 7-1-02; CR 04-016: renum. to be (2), cr. (1) Register December 2004 No. 588, eff. 1-1-05; CR 06-120: r. (1), renum. (2) to be Comm 62.0310 Register February 2008 No. 626, eff. 3-1-08.

SPS 362.0400 Special detailed requirements based on use and occupancy. These are department rules in addition to the requirements in IBC chapter 4:

(1) **FIREWORKS, BLACK POWDER AND EXPLOSIVE MATERIALS.** Fireworks, black powder and explosive materials shall be stored and isolated in accordance with ch. SPS 314.

Note: Pursuant to s. 167.10 (6) (d), Stats., no wholesaler, dealer or jobber may store fireworks within 50 feet of a dwelling.

(2) **RECYCLING SPACE.** An owner of a building shall provide a separate room or designated space within or adjacent to the building for the separation, temporary storage and collection of recyclable materials that are likely to be generated by the building occupants, under any of the following conditions:

(a) The construction of a new building.

Note: See Appendix for guidelines for recommended designated areas.

Note: The collection and temporary storage of recyclable materials that are flammable or combustible is regulated by ch. SPS 314. Storage of liquids that are flammable or combustible is regulated by ch. ATPC 93. Owners of buildings where these materials are stored should consult those chapters for isolation, removal, and storage standards.

(3) **LUNCHROOMS.** A space for eating lunches shall be provided in all places of employment where there is exposure to injurious dusts, toxic material and industrial poisons. Such space

- (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.
- (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~~ 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.
- (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 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;

- (d) Search lights, laser source lights, or any similar high-intensity light shall not be permitted, except in emergencies by police and fire personnel or at their direction.
- (e) Outdoor athletic fields, courts, tracks, or ranges, and airports are exempt from all lighting requirements.
- (f) All outdoor flood light projection above the horizontal is prohibited.
- (g) Temporary lighting, which does not conform to the provisions of this section, may be allowed for a total period of no longer than 30 days within a year.

Sec. 70-115 Home Occupations

It is the intent of this section to set standards under which home occupations may be conducted so that such home occupations do not undermine the purpose of the ordinance.

- (a) Home occupations shall be allowed without permit in all residential and the agricultural districts, provided they conform to the following performance standards:
 - (1) The home occupation shall be conducted entirely within a dwelling unit or entirely within an accessory building. A home occupation may be allowed within a dwelling unit and an accessory ~~structure~~ building as a conditional use permit issued under section 70-108.
 - (2) The home occupation is incidental to the residential use of the property and does not involve any external alterations that would effect a substantial change in the residential character of the dwelling unit or accessory building.
 - (3) The floor area devoted to the home occupation shall not exceed 25% of the habitable floor area of the dwelling unit, except as a conditional use permit issued under section 70-108.
 - (4) No person other than a resident of the dwelling unit shall be employed therein; except that additional non-resident employees may be approved as a conditional use under section 70-108.
 - (5) No inventory of a commodity shall be sold on a regular basis on the premises except as a conditional use permit under section 70-108.
 - (6) The home occupation shall not be objectionable to neighboring uses ~~due to noise, dust, odors, and hours of operation, traffic generation or electrical interference by reason of~~ emission of odor, dust, smoke, gas, vibration or noise, hours of operation, traffic generation, electrical interference or because of subjection of life, health or property.
 - (7) There shall be one (1) sign allowed, which cannot exceed six (6) square feet in the residential district or thirty-two (32) square feet in the agriculture district.
 - (8) There shall be no outside storage or display of products, materials, or equipment except for seasonal products such as Christmas trees, which do not exceed 8 weeks.

- (b) The following home occupations may be allowed, but only after a conditional use permit is approved under section 70-108:
- (1) Professional Offices, including but not limited to physicians, chiropractors, dentists, ~~lawyers, real estate brokers, insurance agents~~ and contractors;
 - (2) Beauty and barber shops;
 - (3) Repair of motor vehicles and small engines including the construction and operation of racing machines such as stock cars, snowmobiles and tractors.
 - (4) Storage of motor vehicles and recreational vehicles in accessory ~~structures~~ buildings that were existing at the time of adoption of the zoning code (1974).
 - (5) CNC Machining; allowed only within the Agriculture District.
 - (6) Wedding Venues; allowed only within the Agriculture District.

(Ord. 02-18, 06-12-2018; Ord. No. 08-22, 10-11-2022)

Cross references: Traffic and vehicles, ch. 58.

Sec. 70-116 Tourist Rooming House

It is the intent of this section to identify County and State Regulations governing the short-term rental of a principal building and procedures for permitting and licensing for a tourist rooming house.

- (a) *Applicable Regulations.* Short-Term Rentals are regulated by Wis. Stats. §§ 97 and 66.1014, Wis. Admin. Code ch. ATPC 72, 73 and 75, and the Chippewa County Public Health Department. Short-Term Rentals may also be regulated by the local towns.
- (b) Application for a zoning permit to operate a short-term rental shall include the following:
- (1) A completed zoning permit application and the applicable fee.
 - (2) Provide adequate documentation verifying the dwelling or dwelling unit has been approved through zoning or is considered a legal non-conforming use. It is the intent of this section to provide adequate documentation showing that the dwelling or dwelling unit met applicable codes and approvals at the time of construction or the addition of the unit within the building. Illegal structures, dwellings or dwelling units shall be prohibited from obtaining a zoning permit for the use of the structure as a short-term rental.
 - (3) A copy of the application submitted to the Chippewa County Department of Public Health.
- (c) The following restrictions or conditions shall be applied to the zoning permit:
- (1) The number of occupants allowed within the short-term rental is dependent upon the

New Definitions to be added to section 70-8 of the Zoning Ordinance:

"Solar collector" means a device, structure or a part of a device or structure a substantial purpose of which is to transform solar energy into thermal, mechanical, chemical or electrical energy (per Wis Stat 66.0403(1)(j))

"Solar energy system" means equipment which directly converts and then transfers or stores solar energy into usable forms of thermal or electrical energy (per SPS 371.10(32))

"Solar energy" means direct radiant energy received from the sun (per Wis Stat 66.0403(k))

DIVISION 6. SOLAR ENERGY SYSTEMS (SES)**Sec. 70-190 Purpose.**

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

Sec. 70-191 Applicability. This section applies to solar collectors and solar energy systems.

Sec. 70-192 Types of SES.

- (a) Small SES. Equipment which directly converts and then transfers or stores solar energy into usable forms of thermal or electric energy, which is incidental and subordinate to a permitted use on the same parcel or on a contiguous parcel of common ownership and is intended to supply thermal energy or electric power solely for on-site use, except that when a parcel on which the system is installed also receives electrical power supplied by a utility company, excess electrical power generated and not presently needed for on-site use may be used by the utility company.
- (b) Large SES. Equipment which directly converts and then transfers or stores solar energy into usable forms of thermal or electrical energy which is intended for off-site consumption.

Sec. 70-193 General Standards

- (1) **Setbacks.** Any portion of the SES shall not encroach within five (5) feet of any property line and within 25 feet of any road right-of-way. (NOTE: I think we should uphold the setbacks within the applicable zoning district.)
- (2) **Height restrictions.** A SES shall not exceed 35 feet in height. A building mounted SES may extend six feet above the allowable height limit. (NOTE: I can see the advantage of limiting the height.)
- (3) **Glare.** The SES shall be positioned so glare does not create any unsafe conditions.
- (4) **Installer.** All SES shall be installed by a North American Board of Certified Practitioners (NABCEP) certified solar installer or other person qualified to perform such work.
- (5) **Code Compliance.** A SES shall comply with all applicable State of Wisconsin electrical codes and the National Electric Code. A SES that will connect to a commercial structure or a multi-unit dwelling shall comply with the State of Wisconsin Commercial Building Code, when necessary. Other applicable SES shall comply with the Uniform Dwelling Code.
- (6) **Structural integrity.** The structure upon which the proposed SES is to be mounted shall have the structural integrity to carry the weight and wind loads of the SES.
- (7) **Notification.** Upon issuance of a conditional use permit, all large SES shall notify the Public Service Commission of Wisconsin.

Sec. 70-194 Permits

- (1) Small SES shall be permitted by right in all zoning districts provided standards in 70-193 are met.
- (2) Large SES under 100 Megawatts shall require a conditional use permit, prior to construction, and may be permitted in all zoning districts and subject to the regulations and requirements in this section. (Note: Do we want to limit these to certain zoning districts?)
- (3) Large SES 100 Megawatts or greater are reviewed by the Public Service Commission of Wisconsin (PSC) and must receive a certificate of public necessity from the PSC

- (d) *Limits on restrictions.* The Chippewa County Planning and Zoning Committee shall review a conditional use permit per section 70-108 for a Large SES under 100 Megawatts and apply the criteria set forth in subsection 1 through 3 below. No restriction shall be placed, either directly or in effect, on the installation or use of a Large SES, unless the restriction satisfies one of the following conditions:
- (1) Serves to Preserve and protect the public health or safety.
 - (2) Does not significantly increase the cost of the system or decrease its efficiency.
 - (3) Allows for an alternative system of comparable cost and efficiency.
- (e) *Application.* The following information shall be provided on all SES applications:
- (1) Name and contact information of the applicant, owner and installer.
 - (2) The legal description, and address of the site.
 - (3) A description of the scope of work.
 - (4) Solar system specifications, including the manufacturer and model, generating capacity, total height, collector square footage, wiring plan and means of interconnecting with the electrical grid. *(Note: Does this information provide any benefit to in regards to the issuance of the permit?)*
 - (5) Site layout, including the location of property lines, structures, SES and the total extent of system movements and interconnection points with the electrical grid.
 - (6) Installer's qualifications and signature certifying the SES will be installed in compliance with this section and all other applicable codes.
- (f) *Additional Application requirements for a Large SES:*
- (1) Percentage of land coverage by the SES.
 - (2) Structures on adjacent properties and distance from boundary of SES project. *(Note: I think we should remove this.)*
 - (3) A decommissioning and site restoration plan providing reasonable financial assurance the Large SES will be removed at the end of its useful life. *(Note: I think we should remove the word financial as I do not want to track any type of financial assurances such as bonds.)*
- (g) *Recommended Application Submittal Items for a Large SES: (Note: As written, recommended, but not required. Do we want to require any of this information? My opinion: (3), (5), (6) and (8) should be required. All others we should get rid of.)*
- (1) Copies of Property Leases.
 - (2) Preliminary Engineering Design.
 - (3) Vegetation Plan.
 - (4) Market Impact Analysis.
 - (5) Glare Analysis Study.
 - (6) Visual Analysis Study.
 - (7) Pre-Construction Sound Report.
 - (8) Wetland and Waterway Report/Navigability Determinations.
 - (9) Cultural Resources Report.
 - (10) Certified Endangered Resources Review.
 - (11) Electric and Magnetic Field (EMF) Study.

New Definitions to be added to section 70-8 of the Zoning Ordinance:

“Solar collector” means a device, structure or a part of a device or structure a substantial purpose of which is to transform solar energy into thermal, mechanical, chemical or electrical energy (per Wis Stat 66.0403(1)(j))

“Solar energy system” means equipment which directly converts and then transfers or stores solar energy into usable forms of thermal or electrical energy (per SPS 371.10(32))

“Solar energy” means direct radiant energy received from the sun (per Wis Stat 66.0403(k))

DIVISION 6. RENEWABLE ENERGY**Sec. 70-190 Solar Energy Systems.**

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

- (a) **Applicability.** This section applies to solar collectors and solar energy systems.
- (b) **Types of SES.**
 - (1) Small SES. Equipment which directly converts and then transfers or stores solar energy into usable forms of thermal or electric energy, which is incidental and subordinate to a permitted use on the same parcel or on a contiguous parcel of common ownership and is intended to supply thermal energy or electric power solely for on-site use, except that when a parcel on which the system is installed also receives electrical power supplied by a utility company, excess electrical power generated and not presently needed for on-site use may be used by the utility company.
 - (2) Large SES. Equipment which directly converts and then transfers or stores solar energy into usable forms of thermal or electrical energy which is intended for off-site consumption.
- (c) **General Standards**
 - (1) *Setbacks.*
 - (a) Small SES. All setbacks of the applicable zoning district shall be required
 - (b) Large SES. A 50' setback from all property lines shall be required.
 - (2) *Height restrictions.* A SES shall not exceed 35 feet in height. A building mounted SES may extend six feet above the allowable height limit.
 - (3) *Glare.* The SES shall be positioned so glare does not create any unsafe conditions.
 - (4) *Installer.* All SES shall be installed by a North American Board of Certified Practitioners (NABCEP) certified solar installer or other person qualified to perform such work.
 - (5) *Code Compliance.* A SES shall comply with all applicable State of Wisconsin electrical codes and the National Electric Code. A SES that will connect to a commercial structure or a multi-unit dwelling shall comply with the State of Wisconsin Commercial Building Code, when necessary. Other applicable SES shall comply with the Uniform Dwelling Code.
 - (6) *Structural integrity.* The structure upon which the proposed SES is to be mounted shall have the structural integrity to carry the weight and wind loads of the SES.
 - (7) *Notification.* Upon issuance of a conditional use permit, all large SES shall notify the Public Service Commission of Wisconsin.
- (d) **Permits**
 - (1) Small SES shall be permitted by right in all zoning districts provided all standards in this section are met.
 - (2) Large SES under 100 Megawatts shall require a conditional use permit, prior to construction, and may be permitted in all zoning districts and subject to the regulations and requirements in this section. *(Note: Do we want to limit these to certain zoning districts?)*
 - (3) Large SES 100 Megawatts or greater are reviewed by the Public Service Commission of Wisconsin (PSC) and must receive a certificate of public necessity from the PSC

- (e) *Limits on restrictions.* The Chippewa County Planning and Zoning Committee shall review a conditional use permit per section 70-108 for a Large SES under 100 Megawatts and apply the criteria set forth in subsection 1 through 3 below. No restriction shall be placed, either directly or in effect, on the installation or use of a Large SES, unless the restriction satisfies one of the following conditions:
- (1) Serves to Preserve and protect the public health or safety.
 - (2) Does not significantly increase the cost of the system or decrease its efficiency.
 - (3) Allows for an alternative system of comparable cost and efficiency.
- (f) *Application.* The following information shall be provided on all SES applications:
- (1) Name and contact information of the applicant, owner and installer.
 - (2) The legal description, and address of the site.
 - (3) A description of the scope of work.
 - (4) Solar system specifications, including the manufacturer and model, generating capacity, total height, collector square footage, wiring plan and means of interconnecting with the electrical grid. *(Note: Does this information provide any benefit to in regards to the issuance of the permit?)*
 - (5) Site layout, including the location of property lines, structures, SES and the total extent of system movements and interconnection points with the electrical grid.
 - (6) Installer's qualifications and signature certifying the SES will be installed in compliance with this section and all other applicable codes.
- (g) *Additional Application requirements for a Large SES:*
- (1) Percentage of land coverage by the SES.
 - (2) All structures within 100' on adjacent properties.
 - (3) Written statement signed by both the applicant and property owner(s) that a decommissioning and site restoration plan is part of the contract.
 - (4) Vegetation Plan.
 - (5) Glare Analysis Study.
 - (6) Visual Analysis Study.
 - (7) Pre-Construction Sound Report.
 - (8) Wetland and Waterway Report/Navigability Determinations.
 - (9) Electric and Magnetic Field (EMF) Study.
 - (10) Soil Borings for and after to establish a baseline