

## Article B: General Provisions

### Sec. 13-1-20 General Zoning Requirements.

- (a) **Jurisdiction.** The jurisdiction of this Chapter includes all the shorelands in the unincorporated areas of Bayfield County and in all the areas of the unincorporated civil towns of Bayfield County that have approved this Chapter.
- (b) **Shorelands.** The shorelands shall include all lands in the unincorporated areas of Bayfield County, which are:
  - (1) Within one thousand (1,000) feet landward of the ordinary high water mark of navigable lakes, ponds or flowages. Lakes, ponds or flowages in Bayfield County shall be presumed to be navigable if they are listed in Wisconsin Department of Natural Resources' publication *Surface Water Resources of Bayfield County* or are shown on the United States Geological Survey Quadrangle Maps.
  - (2) Within three hundred (300) feet landward of the ordinary high water mark of navigable rivers or streams or to the landward side of the floodplain, whichever distance is greater. Rivers and streams in Bayfield County shall be presumed to be navigable if they are designated as continuous waterways or intermittent waterways on the United States Geological Survey Quadrangle Maps. Flood boundary maps, flood insurance rate maps or other existing county floodplain zoning maps shall be used to delineate floodplain areas.
- (c) **Maps.** The maps designated below are hereby adopted and made part of this Chapter. They are on file at the Bayfield County Zoning Department.
  - (1) United States Geological Survey Quadrangle Maps for Bayfield County.
  - (2) Wisconsin Wetland Inventory Maps stamped "FINAL" on March 19, 1985.
  - (3) U.S. Department of Housing and Urban Development's Flood Hazard Boundary Map for Bayfield County dated September 1, 1988.
  - (4) Official Bayfield County Zoning District Maps.

The Bayfield County Zoning District Map pertaining to Section 18-43-7 in the Town of Cable, incorporated as part of the Bayfield County Zoning Ordinance by Section 13-1-20(c) thereof, is amended to re-zone areas located within the service area of the Cable Sanitary District, located in said section, as shown on the map of said section showing proposed zoning district changes for the Cable Sanitary District prepared by the Bayfield County Land Records Department and filed with the Bayfield County Planning and Zoning Department on April 20, 2005
- (d) **Compliance.** Every building or other structure hereafter erected or relocated shall be in compliance with the provisions of this Chapter and the applicable provisions of the Bayfield County Sanitary and Subdivision regulations.
- (e) **Approval.** Regulations within the shoreland areas, as hereinafter defined, shall

not require the approval or be subject to disapproval of any town or town board.

- (f) **Water Elevation.** Elevations pertaining to the normal high water marks and groundwater levels, where not previously established, will be determined by the Zoning Department, subject to appeal under Section 13-1-102. In the event that the applicant appeals the Zoning Department's decision, the applicant shall be required to furnish a map of the property in question, indicating the normal high water mark, the data from which it was established, the waterline, and other pertinent information that the Board of Adjustment shall deem necessary.
- (g) **Interpretation.** In their interpretation and application, the provisions of this Chapter shall be held to be minimum requirements and shall be liberally construed in favor of the County and shall not be deemed a limitation or repeal of any other powers granted by Wisconsin Statutes. Where a provision of this Chapter is required by a standard in Ch. NR 115, Wis. Adm. Code, and where the Chapter provision is unclear, the provision shall be interpreted in light of the Ch. NR 115 standards in effect on the date of the adoption of this Chapter or in effect on the date of the most recent text amendment to this Chapter.

### **Sec. 13-1-21 General Land Use Requirements.**

- (a) **Land Use Classes.** For the purposes of this Chapter, there are five classes of land uses, namely, land uses that are prohibited, permitted by right, permitted as a Class A special use, permitted as a Class B special use, or permitted as a conditional use.
- (1) **Prohibited Land Uses.** Prohibited land uses (designated by a blank rectangle in Sec. 13-1-62) are not allowed in the indicated zoning district except as legal nonconforming uses (See Sec. 13-1-40).
- (2) **Land Uses Permitted by Right.** Land uses permitted by right (designated by a "P" in Sec. 13-1-62) are allowed in indicated zoning districts (upon the issuance of a land use permit), provided these uses comply with all provisions of this Chapter and any and all other applicable county, state and federal regulations.
- (3) **Land Uses Permitted as Special Uses.** Land uses permitted by a special use permit (either Class A or Class B, designated as "S-A" or "S-B", respectively, in Sec. 13-1-62) are allowed only after adjoining landowners have been notified, a town board recommendation has been sought, and the Zoning Department and/or Zoning Committee has determined whether any conditions need be imposed to allow the use. These categories of permit recognize that land uses vary in their degree of impact on surrounding areas. The potential impact of a special use is generally considered to be less than that of a conditional use but enough to require at least some review in determining whether a permit should be granted. Such review is governed by the provisions of Sec. 13-1-41A.
- (4) **Land Uses Permitted as a Conditional Use.** Land uses permitted by conditional use permit (designated as "C" in Sec. 13-1-62) are allowed

only after review, consideration, and approval by the County Zoning Committee. Conditional use review is governed by the provisions of Sec. 13-1-41.

(b) **Land Use Permits.**

- (1) **Requirement.** A land use permit shall be required for any new residence, any building or structure erected, relocated or structurally altered (excepting alterations which do not increase the size or change the shape of a structure); any change in the use of the land; or where any use of the land is altered. A land use permit shall be obtained *prior* to the initiation of construction or a change in land use. No permit shall be issued if the applicant is in violation of the Bayfield County Zoning Ordinance, Flood Plain Ordinance, Shoreland-Wetlands Zoning Ordinance, or Subdivision Control Ordinance.
  - (2) **Ingress and Egress:** Landings with steps shall not require a land use permit provided the landing area does not exceed 40 sq. ft., however; if landing is enclosed or covered a land use permit is required.
  - (3) **Improvements to Nonconforming Structures.** Exterior improvements and additions to nonconforming structures which change the size or shape thereof shall require a land use permit. Replacement of additions to, or decks attached to, non-conforming structures shall also require a land use permit.
  - (4) **Setback Compliance; Non-Habitable Structure Compliance.** All structures shall meet prescribed setback standards for the zoning district in which they are located. All structures in floodplain areas shall require a land use permit. A residential land use permit shall not be required for a non-habitable structure of less than two hundred (200) square feet in area, or for a private communication device, if not in a floodplain. A temporary structure of more than two hundred (200) square feet shall require a temporary permit.
  - (5) **Validity.** A land use permit shall expire twelve (12) months from its date of issuance if the authorized building activity, land alteration of use has not begun within such time.
  - (6) **Concurrent Jurisdiction Exemption.** A permit under this Chapter may not be required where another regulatory agency has concurrent jurisdiction and the substantive concerns of this Chapter are addressed and resolved by issuance of a permit under the authority of that regulatory agency. ((A)10/26/10)
- (c) **Application for Permit.** All applications for a land use permit shall be submitted to the Zoning Department, which shall issue a permit if the application conforms with this Chapter. If a determination cannot be made by the Zoning Department to either issue or deny a permit, the Department shall state the facts upon which it bases the conclusions of unsuitability in writing. The applicant may appeal the Zoning Department's and/or Zoning Committee's decision in denying the application as provided under Section 13-1-102. An incomplete application shall

expire four (4) months after written notice from the Department to the applicant that the application is incomplete, if it is not completed within such time period.  
(A)9/26/2000)

(d) **Temporary Permits.** The Zoning Department and/or the Zoning Committee may issue temporary permits and attach conditions or requirements to the permit. Such permits shall not exceed one year in duration, except that for good cause shown, such a permit may be extended one time only for up to an additional six (6) months.

(e) **Fees.** (©©6/1/1976); (D)9/26/2000)

(1) **Fee Schedule.** Unless otherwise noted, all fees are referenced to estimated Fair Market Value (FMV) of the structure or land use and shall be interpreted to mean the best reasonable estimate of the market value of the structure or land use (including labor and material costs) when construction is completed or the use becomes fully operational. Market value shall not be affected by virtue of any reduced or donated actual costs for labor or materials. Municipalities are subject to all applicable fees. When a permit has been denied any portion of a fee (other than an application fee) paid over Fifty Dollars (\$50.00) shall be returned. Required fees are as follows:

- a. Residences/Dwellings/Mobile Homes/Mobile Homes in Mobile Home Parks (new, converted, relocated, replaced); first (residential) structure on property; fee based on fair market value of structure:
  - 1. 0—less than \$50,000 ..... \$125.00
  - 2. \$50,000—less than \$100,000..... \$250.00
  - 3. \$100,000+ ..... \$3.00/\$1,000.00
- b. Additions/Alterations to Residences—Dwellings
  - 1. 0—less than \$25,000 ..... \$ 75.00
  - 2. \$25,000+ ..... \$ 3.00/1,000.00
- c. Residential Accessory Buildings
  - 1. 0—less than \$25,000 ..... \$ 75.00
  - 2. \$25,000 ..... \$ 3.00/1,000.00
- d. Additions/Alterations to Residential Accessory Buildings
  - 1. 0—less than \$25,000 ..... \$ 75.00
  - 2. \$25,000+ ..... \$ 3.00/1,000.00
- e. Commercial/Industrial/Municipal/  
Institutional--Principal Building ..... \* \$ 250.00
- f. Commercial/Industrial/Municipal/  
Institutional--Additions/Alterations ..... \* \$ 125.00
- g. Commercial/Industrial/Municipal/  
Institutional--Accessory Buildings..... \* \$ 125.00

[\*The minimum commercial / industrial / municipal/institutional fee for a principal building shall be \$250. For any principal building exceeding \$100,000 in estimated Fair Market Value, the fee shall be \$2.50/\$1,000 of estimated Fair Market Value. The minimum commercial / industrial / municipal / institutional additions / alterations, accessory buildings shall be \$125.00. For any commercial / industrial / municipal / institutional addition / alterations, accessory buildings, exceeding \$50,000 in estimated Fair Market Value, the fee shall be \$2.50/1,000 of estimated Fair Market value.] (A)9/26/2000

h.	Temporary Permits.....	\$	50.00
i.	On-Site Consultation (request for on-site information not involving pending permit application) .....	\$	250.00
j.	Gazebo(s) .....	\$	215.00
k.	Certified Soil Tests - Review & Filing Fee .....	\$	50.00
l.	Private Sewage System (Septic Tanks).....	\$	400.00
m.	Private Sewage System (Holding Tanks).....	\$	400.00
n.	Mounds or Systems requiring Pre-Treatment .....	\$	500.00
o.	Private Sewage System Reconnection And Private Interceptor .....	\$	50.00
p.	Sanitary Permit Transfer of Land Owner.....	\$	25.00
q.	Sanitary and Land Use Revisions .....	\$	25.00
r.	Return Inspection .....	\$	50.00
s.	County Sanitary Permit* (not including required soil verification for a pit privy (A)12/8/1998); (A)1/18/2005); ((A))7/26/2011)		
	1 .....	\$	150.00
	2-5.....	\$	300.00
	6-9.....	\$	450.00
	10+.....	\$	600.00
	(©7/26/2011)		
	Portable Restroom .....	\$	50.00
	((A)7/26/2011)		

(\* Cost applies to the initial or first phase of development. Subsequent phases must start over with fee schedule.) (©7/26/2011)

t.	Subdivision – Each Lot Created .....	\$	Cost as per Additional Lot Division Review .....	Land Records Dept
u.	Sign Permit (per sign) *(except R-1, R-2, R-3 & R-4 districts, where the Class A special use fee applies) .....	\$	50.00	
v.	Land Use Regulations Booklet.....	\$	Cost+postage	
w.	Conditional Use Applications (plus applicable land use fee) .....	\$	350.00	
x.	Special Use Applications (TBA for Ag-1 and F-1 Districts) (plus applicable land use fee)			
	Class A Special Use .....	\$	175.00	
	Class B Special Use .....	\$	250.00	
y.	Zoning Petition District Change			
	Number of Separately Owned Lots and Commonly Owned but Not Contiguous Lots included in Proposed Change			
	1 .....	\$	225.00	
	2 – 5 .....	\$	325.00	
	6 – 10 .....	\$	500.00	
	11 – 20 .....	\$	1,050.00	
	21 – 30 .....	\$	1,500.00	
	31 – 45 .....	\$	2,250.00	
	46 – 60 .....	\$	3,050.00	
	More than 60 .....	\$	5,050.00	
z.	Zoning Petition Text Change.....	\$	300.00	
aa.	Board of Adjustment Hearing .....			
	Special Exception .....	\$	550.00	
	Variance or Appeal .....	\$	800.00	
	Reconsideration* .....	\$	800.00	
	*Transcript and any copy fees shall be paid by individual(s) whom make the request			
bb.	Special Zoning Committee or Board of Adjustment Meeting (fee is in addition to any other applicable fee).....	\$	325.00	
cc.	Miscellaneous			
	1. Change of use .....	\$	Cost of Permit (i.e. from residence to accessory building; accy building to residence, etc)	
	2. Failure to Obtain Permit Prior to Construction		Double Fee Possible Citation	

((A)10/26/10)

- dd. Permit Renewal
  - 1. Sanitary Permit..... \$Cost of Permit
  - 2. All other Permits..... Non-renewable
  
- ee. Photocopies/Faxes
  - 1. Per Page ..... \$ .25 + tax
  - 2. Faxes-1<sup>st</sup> Page ..... \$ 1.00 + tax
  - Each Additional Page ..... \$ .50 + tax
  
- ff. Refunds
  - 1. Fee(s) paid minus \$50.00 service fee.
  - 2. No refunds after permit(s) have been issued.
  - 3. No refunds after one (1) year duration on unissued permits.
  - 4. No refunds on public hearing applications after application deadline date.
  - 5. No refunds on special request applications after agenda deadline date.
  - 6. No refunds on after-the-fact permits.
  
- gg. Permit Expiration
  - 1. State Sanitary Permits expire two (2) years from the issuance date and may be renewed per State policy.
  - 2. All other permits expire one (1) year from their issuance date.
  
- hh. Recreational Vehicle (RV) Placement Permit ..... \$ 75.00
  
- ii. Review of Condominium Plat ..... \$ 100.00  
 ..... Per Unit
  
- jj. Stairway to navigable waters ..... \$ 100.00

(2) **Fair Market Value, Fee Basis.** When an applicant's estimated Fair Market (FMV) is used in accepting a fee for issuance of a land use permit, and that FMV deviates by ten percent (10%) or more from the actual fair market value as determined from the tax rolls of the Town Assessor the year after project completion, and that deviation would have resulted in a different required fee, the applicant may request a refund for any overpayment and the Administrator may request an additional fee for underpayment. Where any such deviation exceeds one hundred percent (100%) of the applicant's estimated FMV and resulted in underpayment of fees, there shall be a presumption that the applicant either did not exercise reasonable diligence or misrepresented the estimated FMV to obtain a lower fee. In such cases, the Administrator may require that triple the additional fee be paid. Where any such additional fee is not paid thirty (30) days or more after a written request was sent, nor an appeal filed, the Administrator may issue a citation. If such additional fee is still not paid after another thirty (30) day period, the permit becomes void and other

enforcement actions may be taken.

- (3) **Payment of Fees.** All required fees shall be paid in full. No partial payment, payment schedules, loans, or debts shall be accepted. If fees are paid by check, and the check is returned for insufficient funds, any issued permit reliant upon the unpaid fees shall be voidable until the fees have in fact been paid. Where the Administrator informs an applicant and ostensible permit holder of such unpaid fees, and requests payment, an added Twenty-five Dollar (\$25.00) check handling fee shall be required and the permit shall not become valid until cash is paid or a subsequent check is honored by the applicant's bank. When such unpaid fees are not paid thirty (30) days or more after a written request was sent, nor an appeal filed, the Administrator may issue a citation. If such unpaid fees are still not paid after another thirty (30) day period, the permit becomes void and other enforcement actions may be taken.
- (4) **Refunds.** Except as provided in Subsection (e)(2), the Administrator shall not be responsible for tracking, crediting, or refunding any fees paid more than one (1) year prior to permit issuance. Applicants seeking refunds of fees paid for unissued permits shall submit a request to the Administrator within one (1) year of payment. Refunds sought for fees incurred due to erroneous information provided by the Zoning Department may be granted only by the Zoning Committee, in its sole discretion.
- (5) **Fee for Changes.** Where a permit is needed for a change in a land use or a change in the use of an existing structure, the fee shall be the same as that needed to initiate that new land use or to construct a structure of that estimated Fair Market Value for that new use.
- (6) **Sanitary Permit Fee.** The fee for renewal of a sanitary permit shall be the same as the fee to issue a new sanitary permit for that type of private sewage system.

## Sec. 13-1-22 Setbacks and Height Restrictions.

### (a) Shoreline Setbacks.

- (1) **[Setbacks.]** Except as otherwise provided in this subsection, setbacks for structures on shoreland lots shall be as provided in Section 13-1-32.
- (2) **Reduced Roadway, Rear Yard, and Shoreline Setbacks for Undeveloped and Redeveloped Lots of Record.**
  - a. **Nonconforming Plats.** If a lot platted prior to December 12, 2000, is not deep enough to accommodate required roadway or rear yard and shoreline setbacks, the roadway or rear yard setback may be reduced until a thirty-foot deep building site is established provided the resulting setback is not less than one-half the distance of the required setback.
  - b. **Shoreland Adjustment.** If the road or rear yard setback reduction above does not provide a thirty-foot deep buildings site, the shoreline setback may then be reduced until a thirty-foot deep

building site is established provided the resulting shoreline setback is not less than two-thirds of the distance of the required setback.

- c. **Mitigation.** A property owner shall comply with the mitigation requirements of Section 13-1-40(c)(5) in order to qualify for the setback reductions of this Section.
- (3) **Minor Structures Exempted.** Minor, innocuous structures whose presence on the setback area has no significant impact relating to the purpose of shoreland zoning as expressed in Ch. 144.26(l), Wis. Stats., and which meet all of the following criteria are exempted from the shoreline setback requirement:
- a. Construction shall involve minimal earth disturbing activities.
  - b. Construction shall not involve removal of any shoreland vegetation.
  - c. The structure shall not be visible from the adjacent waterway or from any public thoroughfare.
- (4) **Structures Exempt Under 59.692(1v) Wis. Stats.** As required by Section 59.692(1v), Wis. Stats., the shoreland setback requirements of this ordinance do not apply to a structure proposed to be constructed or placed in a shoreland setback area (as defined by Sec. 59.692(1)(bn), Wis. Stats.) if all of the following requirements are met:
- a. The part of the structure that is nearest to the water is located at least thirty-five (35) feet landward from the ordinary high water mark.
  - b. The total cumulative floor area of all structures within the shoreland setback area of the lot upon which the structure is to be located shall not exceed two hundred (200) feet.
  - c. The structure has no sides or has open or screened sides.
  - d. The side yard setback shall be a minimum of fifteen (15) feet.
  - e. The structure shall not exceed a thirteen (13) foot height, with a maximum overhang of twenty-four (24) feet.
  - f. The Bayfield County Zoning Department must approve a plan that will be implemented by the owner of the property to preserve or establish a shoreland buffer zone that covers at least seventy percent (70%) of the half of the shoreland setback area that is nearest to the water. The buffer zone shall comply with the following provisions:
    1. The buffer zone shall include a tree canopy, a shrub layer and ground cover.
    2. There shall be no disturbance of land in the buffer zone, and there shall be no disturbance of vegetation in the buffer zone, including the cutting or removal of vegetation, except for dead, dying, or diseased vegetation, or when vegetation must be trimmed or removed to eliminate a safety hazard.

3. The buffer zone must have existed for at least three months prior to the issuance of a permit for the structure. Photographs documenting establishment of the buffer zone must be submitted to the Bayfield County Zoning Department by the owner prior to the issuance of the permit.
  4. Any permit issued for a structure authorized by this section shall be recorded by affidavit with the Bayfield County Register of Deeds and shall include the conditions of this section.
- (5) **Stairways and Piers.** Stairways, elevated walkways and that portion of piers landward of the ordinary high water mark are exempted from the shoreline setback requirement provided:
- a. The structure is necessary to access the shoreline because of steep slopes or wet, unstable soils.
  - b. The structure shall be located so as to minimize earth disturbing activities and shoreline vegetation removal during construction and to be visually inconspicuous as viewed from the adjacent waterway and public thoroughfares.
  - c. The structure shall be no more than four (4) feet wide.
  - d. Structures shall be inconspicuously colored.
  - e. Railings are permitted only where required by safety concerns.
  - f. Canopies and roofs on such structures are prohibited.
  - g. Landings for stairways or docks are permitted only where required by safety concerns and shall not exceed forty (40) square feet.
  - h. No stairway, landing, elevated walkway, or similar structure shall be constructed without a land use permit having been issued therefore, and any such structure shall be constructed in accordance with best management practices for minimizing adverse impact on the shoreland area and adjoining water. In determining whether a structure will comply with best management practices the Zoning Department may seek the assistance of the county land conservationist.
- (6) **Boathouses.** No boathouse may be constructed closer to a navigable body of water than the applicable setback after the effective date of this provision. Any existing boathouse between the applicable setback and the ordinary high water mark shall be subject to Section 13-1-40(c)(2). Any existing boathouse extending beyond the ordinary high water mark shall be subject to Sec. 30.121, Wis. Stats.

(b) **Highway Setbacks.**

Class of Highway	Setback Front Centerline	Setback from Right of Way Line
State & Federal	110'	50', whichever is greater

County	75'	42', whichever is greater
Town	63'	30', whichever is greater

- (1) **Reduced Setbacks.** A reduced structural setback shall be allowed where an existing building(s) within three hundred (300) feet on either side of the proposed site is less than the required setback. In such cases, the setback shall be the average of the nearest principal building on each side of the proposed site. If there is no principal building on one side, the setback shall be the average of the one existing principal building and the required setback. In no case shall it be less than one-half (1/2) the required setback from the right-of-way line.
- (2) **Private Road Setbacks.** Structural setbacks from privately constructed streets or roads, including those located on easements providing access to other lots, shall be forty (40) feet from the centerline of the street or road.
- (3) **Unincorporated Village Overlay District Setbacks.** Within the unincorporated village overlay district, a minimum setback distance of ten (10) feet from the right-of-way line of any street, road or alley shall be maintained. Special structural setback reductions will be permitted within unincorporated villages if there are at least three (3) existing principal buildings, built to less than the required setback, within three (300) feet on either side of the proposed site, the reduced setback may be equal to but no greater than, the setback of the closest adjacent principal building.
- (c) **Greater Setbacks.** In cases of adverse soil to topographical conditions, the Zoning Administrator and/or Zoning Committee may require greater setbacks.
- (d) **Livestock Buildings, Feed Lots.** Buildings used for housing livestock, barnyards and feed lots, shall have a minimum setback distance of three hundred (300) feet from a commercial district or any residence on a non-farm lot and shall have a minimum setback distance of one hundred (100) feet from the normal high water mark of any navigable water (subject to diversion dikes where needed to control runoff).
- (e) **Intermittent Streams.** No structure shall be constructed or placed within 25 feet of the top edge of the eroded bank of a non-navigable stream.
- (f) **Wetlands.** No structure shall be constructed or placed within 25 feet of a mapped wetland two acres or greater in area.
- (g) **Measurements.** All setbacks shall be measured horizontally. Structural setbacks shall be measured from the furthest extension of the structure (including eaves and decks) to the closest point of the line in question.
- (h) **Height Restrictions.** A conditional land use permit shall be required for any structure within shoreland areas, which exceeds thirty-five (35) feet in height, excluding farm and public utility structures. The height of a structure shall be the difference in elevation between its highest point and its lowest point of intersection with ground level, exclusive of chimneys, communications, antennas, weather vanes, and lightning rods which do not extend more than five (5) feet above the highest point on the roof. Applications for land use permits for

structures thirty (30) feet and more in height shall include elevational drawings accurately showing the height of the proposed structure as defined above.

- (i) **Side and Rear Yard Setbacks.** Side and rear yard setbacks (other than shoreline and public road setbacks) shall be as set forth in Section 13-1-60.
- (j) **Special Exceptions.** Minimum side and rear yard setbacks (other than shoreline and public road setbacks) and minimum private road setbacks may be reduced, and side and rear yard setbacks (other than shoreline and public road setbacks) in commercial districts may be eliminated, by special exception granted by the Board of Adjustment pursuant to Section 13-1-102-(e)(4).
- (k) **Boundary Line Determinations.**
  - (1) Prior to the placement or construction of a structure within ten (10) feet of the minimum required setback, the boundary line from which the setback must be measured must be visible from one previously surveyed corner to the other previously surveyed corner or marked by a licensed surveyor at the owner's expense.
  - (2) Prior to the placement or construction of a structure more than ten (10) feet but less than thirty (30) feet from the minimum required setback, the boundary line from which the setback must be measured must be visible from one previously surveyed corner to the other previously surveyed corner, or verifiable by the Department by use of a corrected compass from a known corner within 500 feet of the proposed site of the structure, or must be marked by a licensed surveyor at the owner's expense.

### **Sec. 13-1-23 Shoreland-Upland Screening, Fencing and Vegetative Management.**

Regulation of screening, fencing, and vegetative management is necessary to minimize off-site nuisances, to control erosion, to protect the scenic beauty of an area, and, in the shoreland area, to reduce effluent and nutrient flow from the land to its receiving waters, as follows:

- (a) **Shoreland Vegetation Protection Areas.**
  - (1) There shall be a shoreland vegetation protection area on each lot adjoining or including navigable water extending from the ordinary high water mark to a line that is 25 feet closer to the ordinary high water mark than the required shoreline setback. Within such area, the removal of trees, shrubs, and ground cover, and land disturbing activities are prohibited with the following exceptions:
    - a. One viewing corridor for each lot may be established by pruning and selective removal of trees and shrubbery. Clear cutting, filling, grading, and other land disturbing activities are prohibited. Sufficient trees and shrubbery shall be retained to screen development from view from the water but provide a filtered view of the water. The viewing corridor shall be more or less perpendicular to the shore, no more than 30 feet wide in the dimension paralleling

the shore, and shall be set back at least ten (10) feet from each side lot line. For lots with less than 100 feet of frontage, the width of the viewing corridor shall be no more than 30% of the frontage. A viewing/access corridor may not be established where the absence of vegetation provides a similar naturally occurring opening.

- b. Plant removal and land disturbance are permitted to the extent, and only to the extent, that they are necessary in connection with the erection or placement of structures in the shoreland vegetation protection area which are authorized under Sec. 13-1-22(a)(5) or (6), or they have been authorized by a government agency having jurisdiction to do so for such purposes as mitigation, erosion control or shoreland restoration; or they are necessary for the removal of dying, or diseased vegetation, or vegetation creating a safety hazard.

(2) No fences shall be allowed in the shoreland vegetation protection area.

- (b) **Commercial Harvesting of Trees in Shoreland Areas.** From the inland edge of the shoreland vegetation protection area to the outer limits of the shorelands, the commercial harvesting of trees shall be allowed when accomplished under accepted forest management practices which are approved by the Soil Conservation Service, Bayfield County Forestry and Parks Department, Wisconsin Department of Natural Resources and U. S. Forest Service. The maintenance and improvement of water quality shall be emphasized in all timber harvesting operations. *(Forestry Name Change Revised 3-8-2011, Published 3-17-2011)*

- (c) **Shoreland and Upland Screening and Fencing.** Screening and/or fencing which may be required by this Chapter or by the Zoning Committee shall be subject to the following provisions:

- (1) **Plan Required.** Any use, special use, or conditional use listed in this Chapter requiring screening or fencing shall be permitted only when authorized by the Zoning Committee and subject to its approval of a screening or fencing plan for that particular use. In all instances the preferred screening material shall be vegetation natural to the region.

- (2) **Purposes.** Planting and other suitable screening, including fences and freestanding walls, shall be required when deemed necessary for screening or enclosure purposes by the Zoning Committee. Examples of uses which may necessitate screening include outdoor storage yards, industrial property lines, salvage yards, refuse disposal sites, quarries, mines, mobile home parks, trailer camps, and campgrounds. Such provisions shall be required to the extent needed to provide for:

- a. Screening of objectionable views.
- b. Enclosure of storage materials.
- c. Public health and safety.
- d. A suitable setting for the particular use and other facilities.

- (3) **Screen Planting.**

- a. Screen plantings shall be adequate to screen objectionable views effectively within a reasonable time. In some cases, temporary screening devices may be required until suitable screen planting can be achieved.
- b. Other planting: For uses such as mobile home parks and campgrounds, other planting should be adequate in size, quantity, and character to other improvements, to provide adequate privacy, minimize glare, and promote pleasant aesthetics.
- c. Existing planting: Existing planting is acceptable as required planting to the extent that it is equivalent, suitable, and preserved in good condition.
- d. Fences and walls shall be appropriately designed for the function intended and shall be substantially constructed to withstand conditions of soil, weather, and use.
- e. All screening, fences, and walls required by this Chapter shall be maintained so as not to provide an objectionable view by themselves.

### **Sec. 13-1-24 Filling; Grading; Dredging; Lagooning**

- (a) **General Requirements.** Only filling, grading, dredging, lagooning, ditching, and excavating which is done in a manner designed to minimize erosion, sedimentation and impairment of fish and wildlife habitat and which is accomplished in conformity with all applicable federal, state and local laws is permissible in the shoreland.
- (b) **Lake Superior.** Except as provided in subsection (c), a Class A special use permit shall be required for excavating, grading, or filling of two hundred (200) square feet or more within one thousand (1,000) feet of the normal high water mark of Lake Superior (roadway maintenance accepted).
- (c) **Filling.** A Class B special use permit shall be required for the filling of any wetland. In addition, a permit shall be required from the Department of Natural Resources under Ch. 30, Wis. Stats., or from any other state agency having jurisdiction:
  - (1) In passing upon a special use permit (see Section 13-1-41), the Zoning Committee shall require the following information:
    - a. A detailed description and a map showing the vegetation of the shoreline or wetland area to be affected, the soil types or bottom type of the area to be affected, the surrounding drainage patterns, and the proposed alterations to be carried out.
    - b. Whether the area to be filled serves as a nesting or spawning area for wildlife or as a habitat for any rare or endangered plant or animal species.
  - (2) The Zoning Committee may require the following conditions in addition to those specified under Section 13-1-41:

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- a. That fill not restrict a floodway or destroy the storage capacity of a floodplain.
  - b. That measures be taken to avoid siltation.
- (d) **Grading.** Except as provided in subsections (b) and (c), a Class A special use permit shall be required for the grading or filling of one thousand (1,000) square feet or more within a strip paralleling the shoreline of a navigable water and extending inland three hundred (300) feet from the ordinary high water mark.
- (1) All farm lands are excluded from the provisions of this Section.
  - (2) A Class A special use permit shall be required for any grading in areas on slopes greater than twenty percent (20%).
  - (3) In passing upon a special use permit, the Zoning Department and/or Zoning Committee may require the following information:
    - a. A detailed description of the grading that is to be conducted and the proposed plans for handling of the spoils.
    - b. A detailed description, including a topographic map of the existing topographic features, the drainage patterns, the existing vegetation and the soil types of the area to be affected.
    - c. A detailed plot plan illustrating the manner and time frame for the restoration of the graded area.
  - (4) The following conditions may be required in addition to those specified under Section 13-1-41:
    - a. That the smallest amount of bare ground be exposed for the shortest time feasible.
    - b. That temporary ground cover, such as mulch be used and permanent cover be planted.
  - (5) Routine road maintenance (but not significant upgrading or rebuilding) and grading incidental to approved construction activity are exempt from grading permit requirements.
- (e) **Dredging and Lagooning.** A Class B special use permit (see Section 13-1-41) shall be required for any dredging and lagooning. In addition, a permit shall be obtained from the Wisconsin Department of Natural Resources under Ch. 30, Wis. Stats. or any other state agency having jurisdiction:
- (1) In passing upon a special use permit, the Zoning Committee shall require the following information:
    - a. A detailed description, including a map of the vegetation, bottom type and surrounding drainage patterns of the area to be affected.
    - b. A detailed description, including a map of the proposed alterations, with plans for the disposal of spoils.
    - c. Whether the area to be filled serves as a nesting or spawning area for wildlife or as a habitat for any rare or endangered plant or animal species.

- (2) The Zoning Committee may require the following conditions in addition to those specified under Section 13-1-41:
- a. That dredging to a firm bottom be carried out before filling.
  - b. That dredging be conducted in such a manner as to avoid fish trap conditions.
  - c. That walls of a channel or artificial waterways be constructed with side slopes of fifty percent (50%) or less, unless vertical bulk heading is provided.

### **Sec. 13-1-25 Metallic and Nonmetallic Mines.**

- (a) **General Requirements.** The purpose of this Section is to insure that all metallic and nonmetallic mining operations, including the removal of sand and gravel, are conducted at locations and in such a manner so as to be compatible with the uses of neighboring lands and to minimize environmental degradation.
- (b) **Permit.** A conditional use permit shall be required before the commencement of any excavation or exploratory drilling, and an additional conditional use permit shall be required prior to any active mining or drilling operation in Bayfield County. Expressly allowed without a conditional use permit shall be nonmetallic mining sites that affect less than one (1) acre of total area over the life of the mine and preliminary exploration of potential sand and gravel sites when exploratory excavation is minimal, provided that there shall be immediate site restoration following such exploration. Applications for the post-exploration phase of mining of mineral deposits other than aggregates such as stone, sand and gravel, shall be accompanied with an Environmental Impact Analysis in accordance with Section 13-1-42.
- (c) **Basis of Approval.** In passing upon a conditional use permit, the Zoning Committee shall consider the four (4) stages of a mining operation: exploration, prospecting, ongoing commercial operation (extraction and processing), and reclamation, their effects upon the factors listed under Section 13-1-41, and whether or not they are consistent with the purpose of this Section, In order to facilitate such considerations, the following information *shall* be required by the Zoning Committee:
- (1) A legal description of the proposed site.
  - (2) A detailed description of the topography and vegetative cover of the area to be mined.
  - (3) The proposed setbacks that are to be observed and a description of the access to the area.
  - (4) A description of all phases of the contemplated operation, including types of equipment that may be used, the extent of vegetation removal, proposed dispositions of spoils, planned precautions against various types of pollution and plans for ongoing reclamation and erosion prevention where the operation is to include sand and gravel washing, the estimated daily quantity of water to be used, its source, and its disposition.

- (5) A site restoration plan, which shall include detailed grading and re-vegetation plans, and a written statement indicating the timetable for such restoration; in accordance with ABDI Land Conservation Department recommended approval and Title 16 Bayfield County Nonmetallic Mining Reclamation Ordinance.
- (d) **Conditions of Approval.**
- (1) The Zoning Committee shall require as conditions of the permit.
- (a) A boundary survey or accurate identification of exterior boundaries.
- (b) That appropriate setbacks and other dimensional requirements as set forth by the Zoning Committee be met.
- (c) That appropriate measures be taken to avoid nuisance affecting surrounding uses, pollution of any sort, and erosion.
- (d) That no more than a forty (40) acre parcel shall be permitted at any one time.
- (2) The Zoning Committee may require as conditions of the permit, as well as other conditions it determines to be necessary and appropriate pursuant to Section 13-1-41:
- (a) That suitable landscaping, screening, and fencing be required.
- (b) That a surety bond be posted to assure compliance with the provisions of the conditional use permit and to assure proper restoration or cleanup.
- (c) That the applicant provide the Zoning Committee with all test methods and results as well as company interpretations of the test data including that obtained by drilling, coring and excavating.
- (d) Designated hours and days of operation.
- (e) An expiration date.
- (e) **Duration of Conditional Grant.** The initial grant to carry on a mining operation shall be effective for a period of time to be specified by the Zoning Committee. To extend the operation beyond the initial time period, a new conditional grant must be applied for and all new conditions must be met.
- (f) **Existing Quarry Operations.** The owners of quarry, mining, and/or drilling sites shall submit to the Bayfield County Zoning Committee the names of the quarry, mining, and/or drilling owners and operators, including all parties to farm out contracts.
- (g) **Prohibited Areas.** Metallic mining, and/or drilling for oil or gas shall not be allowed in the following areas:
- (1) Under lakes, rivers, creeks, or streams.
- (2) Within one (1) mile of Lake Superior or connected wetlands.
- (3) Within one (1) mile of any lake, river, creek, or stream.

**NOTE:** Nonmetallic mine sites may be permitted within one (1) mile of Lake Superior and connected wetlands and within one (1) mile of any lake, river, creek or stream, but shall be excluded from under lakes, rivers, creeks, or streams.

### **Sec. 13-1-26 Substandard Lots of Record.**

- (a) **Substandard Lots of Record Prior to April 20, 1971.** A substandard lot of record in the Bayfield County Register of Deeds Office prior to April 20, 1971, which is not served by a public sanitary sewer and which is at least 10,000 sq. ft. in area, 65 ft. in width at the building line, and 65 ft. in width at the water line, or which is served by a public sanitary sewer and is at least 7500 sq. ft. in area, 50 ft. in width at the building line, and 50 ft. in width at the water line, may be used as a building site if it meets the following requirements:
- (1) The proposed use of the site is permitted in the zoning district in which it is located.
  - (2) All applicable setback requirements of this ordinance and all provisions of the Bayfield County Sanitary and Private Sewage Ordinance are complied with.
- (b) **Lots Rendered Substandard by Adoption of Sec. 13-1-32.** A lot of record in the Bayfield County Register of Deeds Office prior to December 12, 2000 which met all of the applicable size and dimensional requirements of this ordinance in effect immediately prior to such date, but which does not meet the applicable size and dimensional requirements in Sec. 13-1-32 may nonetheless be used as a building site upon the issuance of a zoning permit, if it meets the following requirements:
- (1) The proposed use of the site is permitted in the zoning district in which it is located.
  - (2) All applicable setback requirements of this ordinance and all provisions of the Bayfield County Sanitary and Private Sewage Ordinance are complied with.
- (c) **Other Substandard Lots.** A building permit for the improvement of a lot having lesser dimensions than those described in subsections (a) and (b) above shall be issued only after the granting of a variance by the Board of Adjustment.
- (d) **Common Ownership.** If a substandard lot is in common ownership with abutting lands, the contiguous lots shall be considered a single parcel under the terms of this ordinance, and such substandard lots shall not be transferable unless re-divided to conform to the provisions of this ordinance and the Bayfield County Subdivision Control Ordinance, provided that this provision shall not apply to lots described in subsection (b) above in common ownership of record with abutting lands prior to December 12, 2000.

### **Sec. 13-1-27 Mobile Homes.**

- (a) **Permits.** In any town in which the town board adopts an ordinance regulating mobile homes under the provisions of Sec. 66.058, Wis. Stats., and in which the town board has approved the County Zoning Ordinance, a permit shall be

obtained from the town and the county for the establishment of any mobile home residence, or mobile home park.

- (b) **Mobile Home Parks.** A conditional use permit (see Section 13-1-41) and an environmental impact analysis (see Section 13-1-42) shall be required. The following regulations shall apply to any mobile home residence, or mobile home park:

- (1) The minimum size of a mobile home park shall be three (3) acres.
- (2) Minimum dimensions of a mobile home site shall be fifty (50) feet wide by one hundred (100) feet long.
- (3) The minimum frontage for lots on the outer edge of a curved street shall be thirty (30) feet, and the lot area shall be large enough to include a rectangle with dimensions of fifty feet by one hundred feet (50' x 100).
- (4) All driveways, parking areas, and walkways shall be compacted sand, graveled, or paved, and maintained in good condition.
- (5) There shall be minimum yard setback of forty (40) feet at all lot lines of the mobile home park.
- (6) Mobile home parks shall conform to regulations of Ch. ADM 65, Wis. Adm. Code.
- (7) There shall be five thousand (5,000) square feet of open space for playgrounds, exclusive of streets, for every ten (10) mobile home sites.
- (8) Any basic unit shall be no closer than twenty (20) feet nor any accessory structure shall be no closer than five (5) feet to the site's lot line.
- (9) There shall be two (2) automobile parking spaces for each mobile home.
- (10) Unless opaquely screened by existing vegetative cover, mobile home parks shall be screened by a temporary planting of fast-growing material capable of reaching a height of fifteen (15) feet or more, such as hybrid poplar, and a permanent evergreen planting such as Norway pine, the individual trees to be such a number as so arranged that within ten (10) years they will have formed a screen equivalent in opaque to a solid fence or wall. Such permanent planting shall be grown or maintained to a height of not less than fifteen (15) feet.
- (11) No mobile home sales office or other business or commercial use shall be located within the mobile home park site other than as permitted per Ch. ADM 65, Wis. Adm. Code. Where shoreline access is to be provided for a mobile home park, there must be at least one hundred fifty (150) feet of frontage for every four (4) dwelling units in the park: (A)9/26/2000
  - a. The minimum lake frontage shall be six hundred (600) feet.
  - b. Tree cutting provisions of Section 13-1-23 shall apply except that the maximum clear cut opening shall not exceed fifty (50) feet for any park.

- (c) **Principal Building (Mobile Homes).**

- (1) Any mobile home located outside of a state or county approved mobile home park shall meet the specific dimensional setback and sanitary requirements of a principal building.
- (2) The placement of such mobile homes within the boundaries of the unincorporated village overlay district established pursuant to Section 13-1-61(n) shall require a "Class B" special use permit. (A)9/26/2000
- (d) **Foundation Required.** Every mobile home shall be provided with either a foundation or a mobile home stand.
- (e) **Foundation to Conform.** It is recommended that mobile home foundations be constructed in a manner conforming to the provisions of the State of Wisconsin One- and Two-Family Dwelling Code.
- (f) **Mobile Home Stand.** The mobile home stand shall be constructed with concrete, asphalt, gravel, crushed stone, or other suitable material sufficient to adequately support the mobile home in such a manner to prevent heaving, shifting, or uneven settling forces which occur as a result of frost, poor drainage, vibration, wind, or other forces acting on the structure.
- (g) **Skirting.** All mobile homes shall be boxed in or skirted with suitable materials to promote visual attractiveness and to prevent excessive wind loading, heat loss, and freezing.
- (h) **Ground Anchors.** Every mobile home site shall be provided with, and the mobile home affixed to, ground anchors to prevent rocking and overturn. Tie downs and anchors shall be installed in accordance to the mobile home manufacturer's installation manual.
- (i) **Special Land Use Permit Required.**
  - (1) The use of a mobile home as a storage or accessory structure shall require a Class B Special Land Use Permit.
- (j) **Pre-June 15, 1976, Mobile Homes Prohibited.** Placement or relocation of any mobile home manufactured prior to June 15, 1976, is prohibited (provided that this provision does not apply to such placements or relocations legally made prior to April 20, 2004), nor shall any mobile home including parts thereof, manufactured prior to such date be used for human occupation, storage, or any other purpose after the 31<sup>st</sup> day of May, 2005, unless such use qualifies as legally pre-existing.

### **Sec. 13-1-28 Campgrounds and Camping Resorts; Recreational Vehicles**

- (a) **Permits.** A conditional use permit (see Section 13-1-41) and an Environmental Impact Analysis (see Section 13-1-42) shall be required to establish a campground or camping resort.
- (b) **Creation and Management.** The following requirements shall apply to the creation and management of all parks:
  - (1) The minimum size of a campground or camping resort shall be three (3)

acres.

- (2) The maximum number of sites shall be ten (10) per acre and the maximum number of camping units shall be one (1) per site, except that ten percent (10%) of the total number of sites can be constructed and used as dual sites.
  - (3) Each site shall be plainly marked and surfaced with compacted sand, gravel, blacktop, or concrete, except for tent sites.
  - (4) Each camping unit shall be separated from other camping units by a yard not less than fifteen (15) feet.
  - (5) There shall be one (1) automobile parking space for each site, plus one extra parking space for every three (3) sites.
  - (6) Unless opaquely screened by existing vegetative cover, all parks shall be screened by a temporary planting of fast-growing material capable of reaching a height of fifteen (15) feet or more, such as hybrid poplar, and a permanent evergreen planting such as Norway pine, the individual trees to be such a number and so arranged that within ten (10) years of planting they will have formed an opaque screen. Such permanent planting shall be grown or maintained at a height of no less than fifteen (15) feet.
  - (7) Where shoreline access is to be provided for any campground or camping resort, the tree cutting provisions of Section 13-1-23 shall apply, except that the maximum clear cut opening shall not exceed fifty (50) feet.
  - (8) All campgrounds and camping resorts shall conform to the requirements of Ch. HFS 178, Wis. Adm. Code.
- (c) **Campground and Park Setbacks.** There shall be a minimum yard setback of forty (40) feet at all lot lines of the park and the park shall conform to the normal setback for permanent structures from highways, roads, and shorelines. This setback shall not apply to internal access roads within a park.
- (d) **Recreational Vehicles.**
- (1) No recreational vehicle shall be used as a permanent residence or as a storage accessory structure.
  - (2) Any recreational vehicle located outside a state or county approved park shall:
    - a. Require an RV placement permit issued by the Bayfield County Zoning Department prior to the unit being placed on an undeveloped parcel if placed more than twenty-one (21) days. The RV shall be permitted to be used for temporary dwelling purposes for an aggregate time period of up to four (4) months per calendar year in all zoning districts except Commercial, Forestry-2, Agricultural-2, Conservancy, and Industrial. Any such unit that is to be used for temporary dwelling purposes and which is located on an undeveloped site for a period of time greater than four (4) months per annum shall require a Class A special use permit.

- b. Meet all of the dimensional and setback requirements of the district in which it is located.
  - c. If placed for more than twenty-one (21) days, be provided with a pit privy, or other waste disposal system meeting the requirements of the Bayfield County Sanitary Ordinance.
  - d. Such units shall be permitted to be stored within a garage, carport, or accessory structure or in the rear or side yard areas of developed parcels of land, provided setback standards are met. The placement or storage of more than three (3) units shall require a conditional use permit. Units shall not be stored on undeveloped parcels.
- (3) A time limit of not less than fifteen (15) days shall be given in the order for the removal of any recreational vehicle not complying with the provisions of this Section.
  - (4) Within one (1) year after the adoption of this amendment, all nonconforming recreational vehicles shall comply with the terms of this Section.

### **Sec. 13-1-29 Multiple Unit Developments.**

- (a) **Introduction.** A Multiple Unit Development is a development on a single lot consisting of three or more units. It may be a condominium (in which case the lot consists of the condominium property); or a lot improved with a multiple unit dwelling; or a lot improved with a hotel/motel; or a lot improved with three or more units of other types. It requires a conditional use permit under Sec. 13-1-41 and an environmental impact analysis under Sec. 13-1-42, and shall also meet the following requirements:
- (b) **Requirements.**
  - (1) Multiple Unit Developments shall be designed and developed to maximize preservation of existing tree cover and native vegetation; to minimize impervious surfaces; to reduce to the extent practicable their impact on the natural environment, resource uses, and other adjacent land uses; and to minimize the disruption of the wooded and rural character of Bayfield County, by utilizing clustering, landscaping, screening, vegetation protection areas, and/or other conservation design techniques. Site restoration plans may be required for such purposes.
  - (2) Multiple Unit Developments providing shoreline access to navigable waters shall meet the requirements of Sec. 13-1-32(e).
  - (3) Multiple Unit Developments not providing shoreline access to navigable waters shall have a minimum of 30,000 square feet of open space per unit, with the following exceptions:

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- a. In an unincorporated village overlay district the minimum open space requirement may be reduced to 5,000 per square feet per unit if adequate public open space is available elsewhere, off-site, within the district.
  - b. If the development is to be served by a public sewer system but is not located in an unincorporated village overlay district, the minimum open space requirement may be reduced to 15,000 square feet per unit, except that such reduction shall not apply within the Town of Bayfield.
  - c. A Multiple Unit Development in an R-3 zoning district shall have a minimum open space requirement of two acres (87,120 sq. ft.) per unit. (©10/26/10)
  - d. A Multiple Unit Development in an F-1, A-1, or R-2 zoning district shall have a minimum open space requirement of 4.5 acres (196,020 sq. ft.) per unit. (©10/26/10)
- (4) The number of units allowed in an Multiple Unit Development may be restricted, through the conditional use permit process, to fewer units than would be allowed under the minimum open space requirements in paragraph (3), depending on the topographical and natural features of the property to be developed, adjacent land uses, and the nature of any unit(s) in the development other than dwelling units, such as a restaurant, office, conference center, or bar.
  - (5) Open space in a Multiple Unit Development shall be legally protected by recorded conditions of its conditional use permit, conservation easement, restrictive covenant, declaration, and/or similar legal arrangement, which shall expressly authorize enforcement by Bayfield County. Open space shall be within the boundaries of the lot(s) to be developed except as provided in 1-13-29 b(3)(a).
  - (6) No use shall be allowed in a Multiple Unit Development that is not allowed (as a permitted, special, or conditional use) under Sec. 13-1-62 in the zoning district in which the Multiple Unit Development is located.
  - (7) Multiple Unit Developments shall not be allowed in A-2, or F-2 zoning districts and Multiple Unit Developments of more than three units shall not be allowed in A-1 or F-1 zoning districts. A single lot in an A-1 or F-1 zoning district requesting more than three units shall require a rezone. ((A)10/26/10)
  - (8) If a Multiple Unit Development is to be located in more than one zoning district, each portion of the development shall be subject to the open space requirements of the zoning district in which it is to be located.

## **Sec. 13-1-29A Conservation Subdivisions**

- (a) **Introduction.** A Conservation Subdivision is a division of land subject to the Bayfield County Subdivision Control Ordinance under Sec. 14-1-21(a), which is permitted to use more flexible lot standards (as set forth or referred to below) than would otherwise be applicable, in order to provide more open space, preserve desirable natural features, and otherwise enhance the division and use of the land. It requires a conditional use permit under Sec. 13-1-41 and an environmental impact analysis under Sec. 13-1-42, and shall also meet the following requirements:
- (b) **Requirements.**
- (1) A Conservation Subdivision shall be created by plat or, if it consists of four or fewer lots, by certified survey map, prepared in accordance with and approved pursuant to the Bayfield County Subdivision Control Ordinance (Title 14, Chapter 1 of the Bayfield County Code of Ordinances).
  - (2) Each lot in a Conservation Subdivision shall be subject to restrictions limiting improvements thereon to one unit (with allowable accessory structures) (a “developable lot”); or, if the lot is to be preserved for open space, to restrictions prohibiting improvements thereon except for walkways, docks, benches, or other minor improvements, if approved in the issuance of a conditional use permit (an “open space lot”).
  - (3) Conservation Subdivisions shall be designed and developed to maximize preservation of existing tree cover and native vegetation; to minimize impervious surfaces; to reduce to the extent practicable their impact on the natural environment, resource uses, and other adjacent land uses; and to minimize the disruption of the wooded and rural character of Bayfield County, by utilizing clustering, landscaping, screening, vegetation protection areas, and/or other conservation design techniques. Site restoration plans may be required for such purposes.
  - (4) Conservation Subdivisions providing shoreline access to navigable waters shall meet the requirements of Sec. 13-1-32(em). Lots within such subdivisions shall not be subject to the dimensional requirements of Sec. 13-1-60(a).
  - (5) Conservation Subdivisions not providing shoreline access to navigable waters shall not be subject to the minimum area and minimum average width requirements of Sec. 13-1-60(a) but shall have minimum side and rear yard setbacks (for both principal and accessory buildings) of ten feet, and shall have a minimum of 30,000 square feet per developable lot, with the following exceptions:
    - a. In an unincorporated village overlay district the minimum area requirement may be reduced to 5,000 per square feet per developable lot if adequate public open space is available elsewhere, off-site, within the district.

- b. If the development is to be served by a public sewer system not in an unincorporated village overlay district, the minimum area requirement may be reduced to 15,000 square feet per developable lot, except that such reduction shall not apply within the Town of Bayfield.
  - c. A Conservation Subdivision in R-3 zoning district shall have a minimum of two acres (87,120 sq. ft.) per developable lot.
  - d. A Conservation Subdivision in an F-1, A-1, or R-2 zoning district shall have a minimum of 4.5 acres (196,020 sq. ft.) per developable lot.
- (6) The number of lots allowed in an Conservation Subdivision may be restricted, through the conditional use permit process, to fewer lots than would be allowed under the minimum area requirements in paragraph (5), depending on the topographical and natural features of the property to be developed, adjacent land uses, and the nature of any lot(s) in the subdivision improved with units other than dwelling units, such as a restaurant, office, conference center, or bar.
- (7) Open space lots in a Conservation Subdivision shall be legally protected by recorded conditions of the conditional use permit authorizing the Subdivision, conservation easement, restrictive covenant, and/or similar legal arrangement, which shall expressly authorize enforcement by Bayfield County. Open space shall be within the boundaries of the lot(s) to be developed except as provided in 1-13-29A b(5)(a).
- (8) No use shall be allowed in a Conservation Subdivision that is not allowed (as a permitted, special, or conditional use) under Sec. 13-1-62 in the zoning district in which the Conservation Subdivision is located.
- (9) Conservation Subdivisions shall not be allowed in A-2, or F-2 zoning districts and Conservation Subdivisions requesting more than three lots shall not be allowed in A-1 or F-1 zoning districts. More than three lots in an A-1 or F-1 zoning district shall require a rezone. ((A)10/26/10)
- (10) If a Conservation Subdivision is to be located in more than one zoning district, each portion of the subdivision shall be subject to the area requirements of the zoning district in which it is to be located.

### **Sec. 13-1-30 Junk and Salvage Yards.**

- (a) Permits Required.
- (1) A conditional use permit (see Section 13-1-41), and an Environmental Impact Analysis (see Section 13-1-42) shall be required for a junk or salvage yard. Junk and salvage yards shall not be located in the shoreland and floodplain protection districts.

- (2) No new accumulation or storage of junked automobiles or parts thereof shall be allowed within two thousand (2,000) feet outside the corporate limits of a city, or within seven hundred fifty (750) feet of the centerline of any county trunk, state trunk highway, or within five hundred (500) feet of the centerline of any town road and shall have minimum side and rear yards of one hundred (100) feet each, except upon a permit issued in accordance with Ch. 175.25, Wis. Stats.
- (b) Screening. Junk or salvage materials shall be enclosed by a suitable fence or vegetation screen so that materials are not visible from other property in the vicinity of the junk yard, nor from a public right-of-way.
- (c) Vertical Height. Junk or salvage materials shall not be piled higher than the height of the fence.
- (d) Fire Protection. An unobstructed fire break shall be maintained inside the fence, twenty (20) feet in width and completely surrounding the salvage or junk yard.
- (e) Grace Period. Within one (1) year after adoption of this Chapter, unlicensed existing junk and salvage yards shall submit a plan to the Zoning Committee, meeting the requirements of this Chapter.
- (f) Solid and Hazardous Waste Disposal Sites. Where deemed in the public interest, design standards for solid and/or hazardous waste disposal sites may be more stringent than minimum state and federal standards.

### **Sec. 13-1-31 Back Lot Access to Waters.**

Except for waterfront lots on Lake Superior in RRB or Commercial zoning districts and except as provided in Sec. 13-1-32(em)(5) (pertaining to Conservation Subdivisions), the use of waterfront lots to provide shoreline access to navigable waters from back lots is specifically prohibited, and no land division shall be recorded and no land use permit(s) shall be issued for a waterfront parcel unless the minimum lot area, buildable core and water frontage are provided for each dwelling unit which is located or proposed to be located on the waterfront parcel.

### **Sec. 13-1-32 Inland Lake Classification and Shoreland Lot Development Requirements.**

#### **(a) Classification of Inland Lakes.**

- (1) To achieve the following objectives the inland lakes of Bayfield County are classified as set forth in paragraph (2) into the following classes:

***Class 1 (Most Developed Lakes). Objectives:*** Preserve and enhance water quality to provide conditions for recreational use and aesthetics; retain existing natural shorelines and encourage restoration; acknowledge a mix of natural and developed shorelines; protect or restore a self-sustaining local ecosystem

capable of supporting diverse native flora and fauna; promote peace and quiet; balance public and riparian interests in recreational uses.

***Class 2 (Moderately Sensitive Lakes and Moderately Developed).***

**Objectives:** Preserve and enhance water quality to provide conditions for recreational use and aesthetics; balance the current level of development with the sensitivity of these lakes to maintain and protect water quality; maintain and restore natural shoreline aesthetics and encourage restoration; identify and protect current natural and undeveloped areas; promote peace and quiet; protect or restore a self-sustaining local ecosystem capable of supporting diverse native flora and fauna; balance public and riparian interests in recreational uses.

***Class 3 (Most Sensitive Developed and Undeveloped Lakes). Objectives:***

Maintain and protect water quality; protect or restore the natural/wild appearance of shorelines and lands visible from the water; promote a quiet and peaceful experience; protect or restore a self-sustaining local ecosystem capable of supporting diverse native flora and fauna; discourage commercial use.

(2) The lakes in each of the above classes are as follows:

<b><u>Class 1 Lakes</u></b>		
<b><i>Lake Name</i></b>	<b><i>Location</i></b>	<b><i>Rank</i></b>
Atkins	19-44-5	14
Birch	4-44-9	13
Bony	4-44-9	15
Buskey Bay	28-47-8	14
Devils	16-44-9	14
Diamond	29-44-6	15
Eagle	3-46-8	14
Hart	27-47-8	13
Hilder	2-46-8	14
Lower Eau Claire	25-44-9	17
Middle Eau Claire	17-44-9	15
Millicent	28-47-8	15
Namekagon	10-43-6	15
Owen	14-44-7	14
Siskiwit	21-50-6	13
Swett	35-45-9	13
Trapper	27-44-6	13
Twin Bear	33-47-8	14
Upper Eau Claire	10-44-9	14

<b><u>Class 2 Lakes</u></b>		
<b><i>Lake Name</i></b>	<b><i>Location</i></b>	<b><i>Rank</i></b>
Ahmeek	26-47-9	10
Angus	10-47-8	10

<b>Class 2 Lakes</b>		
<b>Lake Name</b>	<b>Location</b>	<b>Rank</b>
Balsam Pond	19-45-7	10
Bark Bay Slough	35-51-7	10
Bass	28-46-7	11
Bellevue	29-46-7	11
Bibon	29-50-8	10
Birch	22-45-5	10
Buffalo	35-43-5	10
Bullhead	8-46-7	10
Cable	12-43-8	12
Camp One	4-46-7	10
Camp Two	4-46-7	11
Chippewa	15-43-5	12
Cisco	21-45-7	10
Club	13-44-6	11
Coffee	24-44-5	10
Cranberry	34-44-6	11
Crystal	15-47-9	12
Crystal	32-44-6	10
Deep	14-47-9	10
Dells	27-43-5	10
Delta	7-46-7	12
Drummond	29-45-7	11
Duck	13-43-5	10
Ellison	30-45-9	11
Esox	21-45-7	10
Everett	18-46-7	11
Hammil	25-44-8	11
Hay	7-46-7	10
Hollibar	17-46-7	10
Iron River Flowage	12-47-9	10
Iron	24-47-9	12
Island	18-45-9	12
Jackman	33-48-8	10
Jackson	33-44-6	11
Kelly	26-45-9	10
Kern	27-46-7	10
Knotting	21-44-6	10
Little Hidden	1-44-7	10
Little Star	11-45-7	10
Long	2-47-8	11
Marengo	34-45-5	12
McCarry	28-47-8	12
Muskellunge	4-46-8	12
Nymphia	14-45-7	10
Ole	27-43-8	11

<b>Class 2 Lakes</b>		
<b>Lake Name</b>	<b>Location</b>	<b>Rank</b>
Orianta Flowage	10-49-9	12
Overby	21-45-7	10
Perch	21-47-8	10
Perch	5-45-7	10
Pickerel	5-44-9	12
Pond	14-45-8	10
Porcupine	17-44-6	10
Richardson	23-47-9	10
Robinson	4-44-9	12
Rust Flowage	5-44-7	10
Ruth	31-47-8	11
Samoset	36-44-8	10
Sand Bar	20-45-9	12
Sawmill	9-46-7	10
Shunenberg	2-44-9	11
Smith	2-44-9	10
Spider	19-47-8	12
Spirit	12-46-8	11
Star	10-45-7	11
Tahkodah	34-44-7	11
Tars Pond	12-44-9	11
Tomahawk	20-45-9	10
Totogatic	32-43-8	12
White Bass	25-43-5	10
Wiley	1-43-8	11

<b>Class 3 Lakes</b>		
<b>Lake Name</b>	<b>Location</b>	<b>Rank</b>
Adeline	7-44-6	8
Anderson	1-45-8	7
Anodanta	15-45-7	9
Armstrong	20-45-7	7
Arrowhead	16-45-7	8
Bailey	26-48-8	7
Barnes	24-44-9	9
Bass	13-44-7	8
Bass	16-47-9	8
Bass	24-44-6	9
Bass	33-44-7	9
Bass	33-47-8	7
Bass	6-45-9	7
Basswood	13-46-8	9
Bear Pond	1-45-8	8
Bear	6-46-7	8

<b>Class 3 Lakes</b>		
<b>Lake Name</b>	<b>Location</b>	<b>Rank</b>
Bearsdale Spring (lower)	8-44-8	6
Bearsdale Spring (lower)	8-44-8	6
Beaver House	2-47-8	8
Beaver	32-46-7	6
Bell	12-46-8	9
Big Brook	28-44-8	9
Bismark	19-47-8	9
Bladder	31-48-7	8
Blazer Creek Springs	34-44-5	8
Blue	7-45-9	8
Bog	2-46-8	6
Breakfast	7-45-9	8
Buck	19-47-7	7
Bufo	6-45-7	8
Bullhead	20-45-7	9
Bullhead	29-44-5	6
Camp Eleven	28-47-9	5
Camp Nine	8-45-8	7
Camp Two	6-46-8	8
Camp	20-44-8	7
Canthook	15-46-8	8
Carroll	20-47-9	7
Carson Pond	17-46-7	8
Casper	20-43-5	8
Castle Creek Springs	34-44-5	8
Cat	28-47-8	9
Claire	5-45-8	7
Clay	8-45-7	8
Connor	14-44-9	8
Cranberry	30-44-9	7
Cranberry	3-45-7	9
Crane	15-44-7	7
Crooked	26-47-8	8
Crystal	10-49-6	7
Dawn	9-43-8	8
De Champs Creek Spring	33-48-8	9
Deep	4-46-7	8
Deer	27-45-6	6
Dinner Camp	25-44-8	7
Dry Well	7-45-7	8
Ducetts	4-45-9	7
Duck	26-47-8	7
East Davis	11-44-6	8
East Eightmile	35-46-9	9

<b>Class 3 Lakes</b>		
<b>Lake Name</b>	<b>Location</b>	<b>Rank</b>
Egg	29-45-7	9
Eighteen Mile Creek Spring	18-44-6	7
Eko	36-49-6	7
Erick	34-47-9	8
Finger	32-47-7	9
Fire	5-47-8	7
Fish Creek Flowage	27-47-7	9
Fish Creek Spring	10-47-5	8
Five Island	34-47-8	7
Five	34-43-5	9
Flakefjord	5-45-7	6
Flynn	30-45-7	9
Flynn	3-46-8	9
Friedbauer	27-44-6	9
Frog	25-46-8	7
Fuller	33-43-8	7
George	18-45-9	9
Getsey	6-46-7	8
Ghost	20-43-5	9
Half Moon	17-47-8	8
Half Moon	24-44-8	7
Happles	9-46-8	8
Hay	18-45-9	7
Heart	7-46-7	8
Henderson	33-45-9	8
Henry	1-43-8	8
Hicks	11-47-8	7
Hobbs	3-47-8	7
Hoist	2-48-7	7
Holly	25-44-8	8
Honey	18-47-7	7
Horseshoe	13-48-7	6
Horseshoe	19-44-7	5
Hostrassers	14-47-9	8
Hyatt Spring	5-44-8	7
Idlewild	6-44-9	9
Inch	3-46-8	9
Indian	23-45-5	9
Island	24-47-8	7
Jesse	26-47-9	7
JoAnn	15-43-7	8
Johnson Spring	22-45-7	7
Johnson	2-47-8	9
Jones	22-47-9	5

<b>Class 3 Lakes</b>		
<b>Lake Name</b>	<b>Location</b>	<b>Rank</b>
Lamereau	6-45-8	7
Lee	12-45-8	8
Lemon	8-46-7	9
Lenawee	12-49-7	8
Lerche	22-43-8	7
Lester	1-46-8	9
Lindgren	21-47-9	7
Line	33-46-7	7
Little Bass	7-43-5	8
Little Island	21-45-9	7
Little Siskwit	22-50-6	9
Lizzy	15-44-6	8
Long	6-48-5	7
Loon	12-47-8	8
Lost	21-47-8	9
Louise	10-47-6	9
Lund	5-45-7	8
McCloud	31-43-5	9
McGinnis	24-48-6	7
Mimi	20-44-9	9
Mirror	16-45-7	7
Mirror	6-47-7	9
Moon	18-47-8	9
Moose	5-48-6	8
Motyka	32-44-7	6
Mountain	28-45-8	8
Mud Flat	6-46-7	7
Mud	35-44-7	8
Mullenhoff	20-47-8	9
Muskie Springs	34-43-5	9
Mystery	6-46-7	8
Nancy	6-45-8	7
Nelson	18-45-7	9
Nokomis	30-47-7	7
Northeast	26-44-7	8
Ole	18-45-9	8
Olson	20-45-5	7
Osborn	33-45-6	9
Patsy	20-47-7	7
Perch	22-50-6	8
Peterson	16-47-8	9
Perry	17-43-7	8
Phantom	6-46-7	9
Physa	6-45-7	7
Picture	31-44-7	7

<b>Class 3 Lakes</b>		
<b>Lake Name</b>	<b>Location</b>	<b>Rank</b>
Pigeon	34-45-8	9
Pike	21-47-8	9
Pine	10-48-7	7
Pine	22-47-8	8
Planorbis	5-45-7	8
Pond	17-44-8	6
Porter	9-43-7	9
Pot	27-45-7	8
Preemption Creek Pond	11-44-6	8
Price	8-43-7	7
Priest	19-45-9	9
Rainbow	36-46-8	9
Rana	20-45-7	9
Range Line	36-43-5	8
Ree	28-44-6	8
Reynard	7-45-7	8
Rib	2-48-7	8
Rock	29-43-6	8
Roger	10-44-7	9
Roger	30-47-8	8
Rosa	6-44-7	8
Russell	22-47-9	7
Ryberg	23-44-7	7
Sage	6-44-6	7
Sawdust	8-47-7	8
Shunenberg Springs	4-44-8	6
Siegal	22-44-6	8
Silver Sack	26-48-8	9
Silver	9-46-8	9
Simpson	11-47-9	8
Siskiwit Springs	24-50-6	6
Sixteen	16-44-8	6
Smear	36-44-8	8
Southwest	31-44-6	6
Spider	22-47-7	9
Spring	11-47-9	8
Spring	32-43-6	8
Spruce	27-44-5	8
Square	22-46-8	7
Steckbaur	3-47-8	8
Steelhead	15-46-8	9
Stewart	18-44-7	8
Swede	12-46-8	9
Tank	11-43-6	8
Tank	20-45-6	5

<b><u>Class 3 Lakes</u></b>		
<b><u>Lake Name</u></b>	<b><u>Location</u></b>	<b><u>Rank</u></b>
Taylor	30-44-5	9
Tea Cup	29-46-7	9
Toothpick	31-47-7	7
Topside	12-47-8	6
Tower	25-46-8	9
Travers	6-45-8	7
Trout	4-46-8	8
Tub	32-47-7	8
Turtle	17-45-9	8
Twin (East)	36-49-6	7
Twin (North)	17-43-6	9
Twin (Northeast)	17-47-7	8
Twin (Northwest)	17-47-7	8
Twin (South)	20-43-6	7
Twin (Southwest)	17-47-7	8
Twin (West)	36-49-6	9
Twin	25-45-9	5
Two	19-46-7	8
Wabigon	13-45-8	8
Wanoka	20-47-7	8
Wentzel	13-47-8	7
West Davis	10-44-6	7
West Eightmile	34-46-9	7
West	14-46-8	6
West	22-43-8	8
Wilderness	6-45-8	9
Wilipyro	36-44-8	8
Wishbone	8-45-7	7
Wolf	4-46-7	9
Wright	27-47-9	5

***UnNamed Lakes that have private lands bordering them.***

<b><u>Class 3 Lakes- UnNamed</u></b>		
<b><u>Section</u></b>	<b><u>Location</u></b>	<b><u>Area</u></b>
SW $\frac{1}{4}$	23-43-5	4.6
SW $\frac{1}{4}$ -NE $\frac{1}{4}$ -NW $\frac{1}{4}$	21-43-6	3.0
NE $\frac{1}{4}$	23-43-6	5.5
NW $\frac{1}{4}$	23-43-6	7.5
NW $\frac{1}{4}$	3-43-7	29.1
SE $\frac{1}{4}$	5-43-7	6.3
NE $\frac{1}{4}$	16-43-7	11.7

<b><u>Class 3 Lakes- UnNamed</u></b>		
<b><u>Section</u></b>	<b><u>Location</u></b>	<b><u>Area</u></b>
SE $\frac{1}{4}$	16-43-7	19.6
NW $\frac{1}{4}$	25-43-7	2.8
NE $\frac{1}{4}$	1-43-8	13.8
SW $\frac{1}{4}$	1-43-8	2.2
NE $\frac{1}{4}$	5-43-8	2.0
SW $\frac{1}{4}$	9-43-8	4.5
NW $\frac{1}{4}$	10-43-8	6.0
NE $\frac{1}{4}$ -NW $\frac{1}{4}$	12-43-8	8.4
NW $\frac{1}{4}$ -NW $\frac{1}{4}$	12-43-8	3.1
SE $\frac{1}{4}$ -NW $\frac{1}{4}$	12-43-8	2.1
NE $\frac{1}{4}$	14-43-8	3.6
SW $\frac{1}{4}$	14-43-8	4.7
NE $\frac{1}{4}$	15-43-8	3.8
NE $\frac{1}{4}$	22-43-8	2.9
SW $\frac{1}{4}$	22-43-8	2.4
NE $\frac{1}{4}$	24-43-8	2.0
SE $\frac{1}{4}$	24-43-8	2.9
SW $\frac{1}{4}$	35-43-8	10.6
SW $\frac{1}{4}$	3-43-9	8.3
NE $\frac{1}{4}$	5-43-9	3.5
NW $\frac{1}{4}$	19-44-5	11.2
NW $\frac{1}{4}$	23-44-5	5.9
NW $\frac{1}{4}$	16-44-6	8.6
NW $\frac{1}{4}$	28-44-6	2.1
NE $\frac{1}{4}$	7-44-7	5.2
SW $\frac{1}{4}$	29-44-7	3.5
SW $\frac{1}{4}$	30-44-7	2.0
SW $\frac{1}{4}$ -SE $\frac{1}{4}$	30-44-7	2.4
SE $\frac{1}{4}$ -SE $\frac{1}{4}$	30-44-7	2.7
NE $\frac{1}{4}$	31-44-7	2.1
SW $\frac{1}{4}$	23-44-8	3.8
SW $\frac{1}{4}$ -SE $\frac{1}{4}$	24-44-8	2.3
SE $\frac{1}{4}$	36-44-8	7.2
SW $\frac{1}{4}$ -SE $\frac{1}{4}$	1-44-9	2.1
SE $\frac{1}{4}$ -SE $\frac{1}{4}$	1-44-9	2.1
SW $\frac{1}{4}$	13-44-9	3.0
NE $\frac{1}{4}$	29-44-9	31.0
SE $\frac{1}{4}$	31-44-9	2.3
SW $\frac{1}{4}$	22-45-5	2.8
NE $\frac{1}{4}$ -SE $\frac{1}{4}$	23-45-5	4.0
NW $\frac{1}{4}$ -SE $\frac{1}{4}$	23-45-5	2.1
NE $\frac{1}{4}$ -SE $\frac{1}{4}$	24-45-5	5.2
NW $\frac{1}{4}$ -SE $\frac{1}{4}$	24-45-5	12.3
SW $\frac{1}{4}$	27-45-5	8.2

<b><u>Class 3 Lakes- UnNamed</u></b>		
<b><u>Section</u></b>	<b><u>Location</u></b>	<b><u>Area</u></b>
NE $\frac{1}{4}$	30-45-5	23.7
SW $\frac{1}{4}$	32-45-5	3.9
SE $\frac{1}{4}$	32-45-5	12.3
NW $\frac{1}{4}$ -NE $\frac{1}{4}$	19-45-6	3.3
NE $\frac{1}{4}$ NE $\frac{1}{4}$	19-45-6	5.1
NW $\frac{1}{4}$ -NW $\frac{1}{4}$	19-45-6	10.5
SE $\frac{1}{4}$	20-45-6	2.2
SW $\frac{1}{4}$	28-45-6	4.2
SE $\frac{1}{4}$	28-45-6	4.6
NE $\frac{1}{4}$	30-45-6	3.0
NE $\frac{1}{4}$ -NE $\frac{1}{4}$	33-45-6	2.0
NW $\frac{1}{4}$ -NE $\frac{1}{4}$	33-45-6	6.7
NW $\frac{1}{4}$	33-45-6	2.8
NW $\frac{1}{4}$ -NW- $\frac{1}{4}$ -NW $\frac{1}{4}$	36-45-6	3.5
SE $\frac{1}{4}$ -NW $\frac{1}{4}$ -NW $\frac{1}{4}$	36-45-6	5.2
SE $\frac{1}{4}$	24-45-8	8.2
SW $\frac{1}{4}$	34-45-8	2.9
SW $\frac{1}{4}$	5-45-9	17.1
SW $\frac{1}{4}$	7-45-9	3.6
NE $\frac{1}{4}$	9-45-9	7.2
SW $\frac{1}{4}$	17-45-9	2.0
NE $\frac{1}{4}$	18-45-9	3.0
NE $\frac{1}{4}$	19-45-9	10.8
NE $\frac{1}{4}$ -NE $\frac{1}{4}$	20-45-9	9.5
SE $\frac{1}{4}$ -NE $\frac{1}{4}$	20-45-9	10.5
NW $\frac{1}{4}$	21-45-9	3.0
NE $\frac{1}{4}$ -NW $\frac{1}{4}$	22-45-9	2.9
NW $\frac{1}{4}$ -NW $\frac{1}{4}$	22-45-9	2.4
SW $\frac{1}{4}$ -SW $\frac{1}{4}$	24-45-9	7.1
SE $\frac{1}{4}$ -SW $\frac{1}{4}$	24-45-9	2.2
NW $\frac{1}{4}$	25-45-9	2.8
NE $\frac{1}{4}$	30-45-9	2.2
NW $\frac{1}{4}$	35-45-9	4.3
SW $\frac{1}{4}$ -NE $\frac{1}{4}$	36-45-9	2.1
SE $\frac{1}{4}$ -NE $\frac{1}{4}$	36-45-9	2.7
SW $\frac{1}{4}$	4-46-7	5.3
NE $\frac{1}{4}$	6-46-7	4.5
NE $\frac{1}{4}$	8-46-7	5.9
SE $\frac{1}{4}$	9-46-7	10.9
NW $\frac{1}{4}$	33-46-7	6.3
SW $\frac{1}{4}$	33-46-7	3.7
SE $\frac{1}{4}$	33-46-7	4.2
NE $\frac{1}{4}$	1-46-8	8.7
SW $\frac{1}{4}$	1-46-8	23.1

<b><u>Class 3 Lakes- UnNamed</u></b>		
<b><u>Section</u></b>	<b><u>Location</u></b>	<b><u>Area</u></b>
SE $\frac{1}{4}$	1-46-8	2.8
NE $\frac{1}{4}$	2-46-8	2.7
SE $\frac{1}{4}$	2-46-8	3.8
SE $\frac{1}{4}$	4-46-8	3.5
SW $\frac{1}{4}$	9-46-8	3.8
SE $\frac{1}{4}$	11-46-8	3.0
NW $\frac{1}{4}$	13-46-8	6.2
SW $\frac{1}{4}$	13-46-8	2.0
NE $\frac{1}{4}$	14-46-8	3.1
NW $\frac{1}{4}$	15-46-8	3.6
NW $\frac{1}{4}$	34-46-9	8.7
NE $\frac{1}{4}$	1-47-5	13.9
NW $\frac{1}{4}$	1-47-5	22.8
NW $\frac{1}{4}$	18-47-5	4.1
NW $\frac{1}{4}$	7-47-7	14.0
NW $\frac{1}{4}$	19-47-7	8.9
NE $\frac{1}{4}$ -NE $\frac{1}{4}$ -NE $\frac{1}{4}$	33-47-7	3.0
SW $\frac{1}{4}$ -NE $\frac{1}{4}$ -NE $\frac{1}{4}$	33-47-7	3.3
NW $\frac{1}{4}$	35-47-7	2.0
NE $\frac{1}{4}$	2-47-8	13.9
SE $\frac{1}{4}$	2-47-8	14.3
NW $\frac{1}{4}$ -SW $\frac{1}{4}$ -NE $\frac{1}{4}$	7-47-8	2.4
SE $\frac{1}{4}$	8-47-8	9.1
NW $\frac{1}{4}$	12-47-8	3.8
NE $\frac{1}{4}$	13-47-8	5.0
NE $\frac{1}{4}$	17-47-8	2.0
SW $\frac{1}{4}$	17-47-8	10.0
NW $\frac{1}{4}$ -SW $\frac{1}{4}$ SE $\frac{1}{4}$	17-47-8	2.8
SW $\frac{1}{4}$ -SW $\frac{1}{4}$ -SE $\frac{1}{4}$	17-47-8	2.1
NW $\frac{1}{4}$ -SE $\frac{1}{4}$ -SE $\frac{1}{4}$	17-47-8	2.0
SE $\frac{1}{4}$	20-47-8	8.2
SE $\frac{1}{4}$	23-47-8	3.8
NW $\frac{1}{4}$ -NW $\frac{1}{4}$	25-47-8	4.9
SW $\frac{1}{4}$ -NW $\frac{1}{4}$	25-47-8	4.4
NE $\frac{1}{4}$	26-47-8	8.5
NE $\frac{1}{4}$	27-47-8	2.3
NW $\frac{1}{4}$	33-47-8	2.5
SE $\frac{1}{4}$	33-47-8	5.8
NW $\frac{1}{4}$ -SW $\frac{1}{4}$	35-47-8	4.7
SE $\frac{1}{4}$ -SW $\frac{1}{4}$	35-47-8	2.7
SE $\frac{1}{4}$	35-47-8	6.6
NE $\frac{1}{4}$	7-47-9	4.8
SE $\frac{1}{4}$	24-47-9	2.0
NE $\frac{1}{4}$ -SE $\frac{1}{4}$	25-47-9	5.5

<b><u>Class 3 Lakes- UnNamed</u></b>		
<b><u>Section</u></b>	<b><u>Location</u></b>	<b><u>Area</u></b>
SW $\frac{1}{4}$ -SE $\frac{1}{4}$	25-47-9	3.0
NW $\frac{1}{4}$	28-47-9	3.2
NE $\frac{1}{4}$	29-47-9	10.0
NE $\frac{1}{4}$	35-48-5	3.2
NE $\frac{1}{4}$	31-48-7	2.9
SW $\frac{1}{4}$	35-48-8	4.6
NE $\frac{1}{4}$	29-49-5	4.1
SW $\frac{1}{4}$	5-49-9	11.0
SW $\frac{1}{4}$ -SE $\frac{1}{4}$	5-50-7	7.3
SE $\frac{1}{4}$ -SE $\frac{1}{4}$	5-50-7	3.0
SE $\frac{1}{4}$	20-50-8	20.2
SW $\frac{1}{4}$	21-50-8	16.6
SE $\frac{1}{4}$	7-51-3	3.0
NW $\frac{1}{4}$	20-51-3	17.2
SE $\frac{1}{4}$	29-52-4	2.6
SW $\frac{1}{4}$	36-52-5	10.3

### UnNamed lakes surrounded by Public Lands

<b><u>Class 3 Lakes- UnNamed</u></b>		
<b><u>Section</u></b>	<b><u>Location</u></b>	<b><u>Area</u></b>
NW $\frac{1}{4}$	3-43-5	2.4
SW $\frac{1}{4}$	3-43-5	2.2
SW $\frac{1}{4}$	22-43-5	4.8
SW $\frac{1}{4}$	26-43-5	2.0
NE $\frac{1}{4}$	30-43-5	2.4
NE $\frac{1}{4}$	34-43-5	5.7
NW $\frac{1}{4}$	18-43-6	2.9
NW $\frac{1}{4}$	20-43-6	3.6
SE $\frac{1}{4}$	27-43-6	4.2
SW $\frac{1}{4}$ -NW $\frac{1}{4}$ -SW $\frac{1}{4}$	29-43-6	5.0
SW $\frac{1}{4}$ -SW $\frac{1}{4}$	29-43-6	2.0
SE $\frac{1}{4}$	29-43-6	2.1
NE $\frac{1}{4}$	31-43-6	11.0
SW $\frac{1}{4}$	31-43-6	4.4
SE $\frac{1}{4}$	31-43-6	8.9

<b><u>Class 3 Lakes- UnNamed</u></b>		
<b><u>Section</u></b>	<b><u>Location</u></b>	<b><u>Area</u></b>
NW $\frac{1}{4}$	32-43-6	9.0
SE $\frac{1}{4}$	27-43-7	2.5
NE $\frac{1}{4}$ -NE $\frac{1}{4}$	34-43-7	15.2
SW $\frac{1}{4}$ -NE $\frac{1}{4}$	34-43-7	2.4
SE $\frac{1}{4}$ -NE $\frac{1}{4}$	34-43-7	5.0
NW $\frac{1}{4}$	29-44-5	10.1
SW $\frac{1}{4}$	29-44-5	2.3
NW $\frac{1}{4}$	33-44-5	2.2
NW $\frac{1}{4}$	14-44-6	4.9
SW $\frac{1}{4}$	14-44-6	13.2
SE $\frac{1}{4}$	15-44-6	2.0
NE $\frac{1}{4}$	19-44-6	9.6
SW $\frac{1}{4}$	2-44-7	2.9
SE $\frac{1}{4}$	9-44-7	3.0
NE $\frac{1}{4}$	11-44-7	2.2
SW $\frac{1}{4}$	11-44-7	4.3
NW $\frac{1}{4}$	12-44-7	5.7
NW $\frac{1}{4}$	18-44-7	2.8
SW $\frac{1}{4}$	18-44-7	2.5
SW $\frac{1}{4}$	23-44-7	2.5
SE $\frac{1}{4}$	23-44-7	10.1
SW $\frac{1}{4}$	24-44-7	13.5
NW $\frac{1}{4}$ -SW $\frac{1}{4}$ -NE $\frac{1}{4}$	25-44-7	2.1
SW $\frac{1}{4}$ -SW $\frac{1}{4}$ -NE $\frac{1}{4}$	25-44-7	2.7
NW $\frac{1}{4}$	25-44-7	9.5
SW $\frac{1}{4}$	25-44-7	4.1
SE $\frac{1}{4}$	26-44-7	3.5
NW $\frac{1}{4}$	31-44-7	2.4
NW $\frac{1}{4}$ -NW $\frac{1}{4}$	15-44-8	4.0
SW $\frac{1}{4}$ -NW $\frac{1}{4}$	15-44-8	5.9
NE $\frac{1}{4}$ -SE $\frac{1}{4}$	17-44-8	3.8
NW $\frac{1}{4}$ -SE $\frac{1}{4}$	17-44-8	14.7
NE $\frac{1}{4}$	20-44-8	7.6
NW $\frac{1}{4}$	20-44-8	2.8
SE $\frac{1}{4}$	20-44-8	3.8
NW $\frac{1}{4}$	21-44-8	2.0
NW $\frac{1}{4}$	36-44-8	2.3
SE $\frac{1}{4}$	28-44-9	5.7
NW $\frac{1}{4}$	3-45-7	6.5
NW $\frac{1}{4}$	4-45-7	2.1
NE $\frac{1}{4}$	5-45-7	3.2
NE $\frac{1}{4}$ -NW $\frac{1}{4}$	5-45-7	8.6
NW $\frac{1}{4}$ -NW $\frac{1}{4}$	5-45-7	2.7
SE $\frac{1}{4}$ -NW $\frac{1}{4}$	5-45-7	2.8

<b><u>Class 3 Lakes- UnNamed</u></b>		
<b><u>Section</u></b>	<b><u>Location</u></b>	<b><u>Area</u></b>
NW <sup>1</sup> / <sub>4</sub>	7-45-7	2.0
SE <sup>1</sup> / <sub>4</sub>	8-45-7	16.6
SW <sup>1</sup> / <sub>4</sub>	10-45-7	5.1
NW <sup>1</sup> / <sub>4</sub>	16-45-7	6.3
NW <sup>1</sup> / <sub>4</sub>	17-45-7	4.1
NE <sup>1</sup> / <sub>4</sub> -NE <sup>1</sup> / <sub>4</sub>	18-45-7	9.8
NW <sup>1</sup> / <sub>4</sub> -NE <sup>1</sup> / <sub>4</sub>	18-45-7	7.3
SW <sup>1</sup> / <sub>4</sub>	18-45-7	6.0
NW <sup>1</sup> / <sub>4</sub>	19-45-7	8.7
SW <sup>1</sup> / <sub>4</sub>	20-45-7	2.5
SW <sup>1</sup> / <sub>4</sub>	28-45-7	4.4
SE <sup>1</sup> / <sub>4</sub>	30-45-7	2.3
SE <sup>1</sup> / <sub>4</sub>	35-45-7	4.0
NW <sup>1</sup> / <sub>4</sub>	36-45-7	7.2
SE <sup>1</sup> / <sub>4</sub>	12-45-8	4.7
NE <sup>1</sup> / <sub>4</sub>	14-45-8	2.9
NW <sup>1</sup> / <sub>4</sub>	31-45-8	2.4
NW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub>	31-45-8	7.3
SW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub>	31-45-8	10.1
SW <sup>1</sup> / <sub>4</sub>	34-45-8	2.0
SW <sup>1</sup> / <sub>4</sub>	4-45-9	2.7
NW <sup>1</sup> / <sub>4</sub>	8-45-9	6.1
NW <sup>1</sup> / <sub>4</sub>	9-45-9	2.7
NW <sup>1</sup> / <sub>4</sub>	12-45-9	2.5
NE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub>	16-45-9	3.3
SW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub>	16-45-9	7.3
NW <sup>1</sup> / <sub>4</sub>	16-45-9	2.8
SE <sup>1</sup> / <sub>4</sub>	17-45-9	7.5
NE <sup>1</sup> / <sub>4</sub>	31-46-7	7.1
NW <sup>1</sup> / <sub>4</sub>	6-46-8	5.2
SW <sup>1</sup> / <sub>4</sub>	18-46-8	5.0
NW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>	22-46-8	2.6
SW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>	22-46-8	2.1
SE <sup>1</sup> / <sub>4</sub>	23-46-8	2.3
NE <sup>1</sup> / <sub>4</sub>	24-46-8	5.0
SE <sup>1</sup> / <sub>4</sub>	24-46-8	2.5
SW <sup>1</sup> / <sub>4</sub>	36-46-8	3.0
NW <sup>1</sup> / <sub>4</sub>	4-46-9	2.8
NE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub>	4-46-9	21.6
SW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub>	4-46-9	8.6
SW <sup>1</sup> / <sub>4</sub>	27-46-9	4.0
NW <sup>1</sup> / <sub>4</sub>	5-47-7	3.7
NE <sup>1</sup> / <sub>4</sub>	6-47-7	5.3
NE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>	6-47-7	3.0

<b><u>Class 3 Lakes- UnNamed</u></b>		
<b><u>Section</u></b>	<b><u>Location</u></b>	<b><u>Area</u></b>
NE ¼ SW ¼ NW ¼	6-47-7	2.4
SE ¼ SW ¼ NW ¼	6-47-7	3.5
NE ¼ SE ¼ NW ¼	6-47-7	2.5
SE ¼	6-47-7	10.1
SW ¼	17-47-7	3.6
SW ¼	18-47-7	6.6
SW ¼	27-47-7	4.9
NW ¼	32-47-7	3.2
SW ¼	33-47-7	2.3
NE ¼	1-47-8	2.6
SE ¼	1-47-8	2.5
NW ¼	9-47-8	2.1
NE ¼	11-47-8	14.0
NW ¼	12-47-8	7.5
NE ¼	24-47-8	7.7
SW ¼	24-47-8	2.3
SE ¼	24-47-8	8.4
NE ¼	26-47-8	5.1
NE ¼	32-47-8	11.2
NE ¼ SW ¼	32-47-8	2.3
NW ¼ SW ¼	32-47-8	16.1
NW ¼	8-47-9	9.9
SE ¼	18-47-9	2.1
SE ¼	19-47-9	2.0
NE ¼	20-47-9	2.0
SW ¼ NW ¼ SE ¼	20-47-9	4.0
SE ¼ NW ¼ SE ¼	20-47-9	3.0
SW ¼ SE ¼	20-47-9	3.3
SE ¼	21-47-9	4.5
NE ¼	22-47-9	3.2
SE ¼	22-47-9	2.0
SW ¼	23-47-9	5.0
NE ¼	28-47-9	3.2
NW ¼	28-47-9	12.0
NW ¼ SW ¼	28-47-9	7.0
SW ¼ SW ¼	28-47-9	14.8
SE ¼ SW ¼	28-47-9	7.2
SE ¼	28-47-9	2.3
SE ¼	29-47-9	5.2
NE ¼	32-47-9	4.0
NE ¼	33-47-9	9.3
SE ¼	33-47-9	6.0
NE ¼ NE ¼	34-47-9	4.5
SW ¼ NE ¼	34-47-9	2.5

<b><u>Class 3 Lakes- UnNamed</u></b>		
<b><u>Section</u></b>	<b><u>Location</u></b>	<b><u>Area</u></b>
NW ¼	34-47-9	3.0
NW ¼	35-47-9	2.3
SW ¼	5-48-6	3.5
NE ¼	12-48-6	3.5
SE ¼	19-48-6	2.7
SW ¼	10-48-7	2.2
NE ¼	12-48-7	3.4
NW ¼	14-48-7	2.3
SW ¼	30-48-7	11.7
SE ¼	31-48-7	9.2
NW ¼ NW ¼ NW ¼	32-48-7	4.8
SE ¼ NW ¼ NW ¼	32-48-7	10.3
NW ¼	25-48-8	2.1
NW ¼	34-48-8	6.1
SE ¼ NW ¼ NE ¼	35-48-8	2.6
SE ¼ NE ¼	35-48-8	2.8
SW ¼ SE ¼	35-48-8	3.6
SE ¼ SE ¼	35-48-8	2.5
NW ¼	36-48-8	6.3
NE ¼ SW ¼	36-48-8	8.4
SE ¼ SW ¼	36-48-8	11.1
SE ¼	36-49-6	9.7
NW ¼	7-50-5	5.3
NE ¼	32-51-6	15.1

- (3) **Reclassification.** Inland lakes [ and portions thereof with at least one-half mile of contiguous shoreline ] may be reclassified by amendment of Section 13-1-32(a)(2), containing the lake classification list, pursuant to this provision and in accordance with Section 59.69(5)(e) Wis. Stats., containing the statutory procedure for amending county zoning ordinances. A petition for reclassification to a more restrictive class should be based on one or more of the following factors and should list each and every such factor upon which it is based. The petitioner should be prepared to demonstrate to the zoning committee and county board that each factor listed in the petition does in fact exist with respect to the lake [ or portion thereof ] proposed to be reclassified:

a. **Water Quality**

1. The waterway is sensitive to phosphorous loading based on its physical characteristics.

2. Water quality is good to excellent based on average summer secchi disk readings.
3. Dense stands of aquatic macrophytes or algal blooms that impair ecological or recreational values are absent from the waterway.
4. Significant impacts of point or nonpoint source pollution are absent from the watershed.

**b. Environmental Significance**

1. The shoreline is largely natural or undeveloped shoreline or shorelands are designated wilderness, scientific or natural areas.
2. The watershed is largely natural or undisturbed.
3. There are unique visual features such as inlands, bluffs or expansive viewsheds.
4. There are important botanical features such as extensive wild rice beds, rare or endangered species or unique community assemblages.

**c. Fisheries Significance**

1. The waterway has the ability to support a cold water fishery.
2. There are excellent sport fish population levels.
3. There is a significant crop of sport fish of large/trophy size.
4. There is significant use by rare, endangered, threatened or watch list aquatic species.

**d. Wildlife and Recreational Significance.**

1. The waterway provides high quality, multiple use or unique recreational experiences.
2. There is significant waterfowl or furbearer production.
3. The waterway provides significant use by rare, endangered, threatened or watch list species.
4. The waterway provides significant migratory habitat for water birds.

**(b) Inland Lake Lot Requirements.**

- (1) Except as provided in Section 13-1-26, no land use permit shall be issued for a lot having frontage on a classified lake unless the lot meets the following minimum lot requirements, and except as provided in Section 13-1-22(a)(2), (5) and (6), Section 13-1-40, and paragraphs (2) and subsection (dm) below, any structure thereon shall meet the following minimum setback requirements for the class in which the lake is included: (provided that if an applicable zoning district dimensional requirement in Sec 13-1-60 is more restrictive, it shall apply instead):

Lake Class	Class 1	Class 2	Class 3
<b>Lot Area</b>	30,000 sq. ft.	60,000 sq. ft.	120,000 sq. ft.
<b>Shoreline Frontage</b>	150 ft.	200 ft.	300 ft.
<b>Buildable Core</b>	3,000 sq. ft.	3,000 sq. ft.	3,000 sq. ft.
<b>Shoreline Setback</b>	75 ft.	75 ft.	100 ft.
<b>Shoreline Vegetation Protection Area</b>	50 ft.	50 ft.	75 ft.
<b>Side Yard Setback</b>	10' min/ 40' min total	20' min/ 50' min total	30' min/ 60' total
<b>Rear Yard Setback</b>	10 ft	20 ft	30 ft

- (2) If the requirements of subparagraph a below are met, then a principal structure may be constructed at a minimum setback of 75 feet from a Class 3 lake if all other applicable provisions of this ordinance are complied with, provided that such structure shall be subject to Section 13-1-40(c)(4)d:
- a. If a shoreland lot which was legally created prior to December 12, 2000, is less than 150 feet in width, the minimum side yard setback for structures on such lot shall be the minimum side yard setback requirement which applied to such lot prior to December 12, 2000.
- (c) **Lake Superior Lot Requirements.** Lots having frontage on Lake Superior and any improvements thereon shall be subject to the requirements applicable to lots on Class 1 lakes, except that if a lot has a bank or a bluff fronting the lake, the top of which is discernible due to evidence of erosion, (including but not limited to exposed rock), the required shoreline setback shall be 75 feet back from the top

edge of the bank or bluff, and if a lot is located in an area of active or potential erosion designated on a map entitled Erosion Hazard Areas—Bayfield County, a greater setback may be required as determined by the Zoning Committee or its duly designated agent, based on projected shoreland recession rates.

- (d) **Lots on Rivers and Streams.** Lots adjoining or including rivers or streams shall meet the following minimum requirements (provided that if an applicable zoning district dimensional requirement in Section 13-1-60 is more restrictive, it shall apply instead).

Lot Area	120,000 sq. ft.
Shoreline Frontage	300 ft.
Shoreline Setback	100 ft.
Buildable Core	3,000 ft.
Rear Yard Setback	30 ft.
Side Yard Setback	30' min/ 60' total
Shoreline Vegetation Protection Area	75 ft.
View Corridor	30 ft.

- (dg) **Lots to be Developed with Duplexes.** Minimum lot area and shoreline frontage requirements for lots to be developed with duplexes shall be twice the otherwise applicable requirements.

- (dm) **Application of Stricter Standards.** If, with respect to a lot subject to subsection (b), (c), (d), or (dm) above, a greater lot area, lot dimension, or setback greater is required under Sec. 13-1-60 or Sec. 13-1-22, such stricter requirement shall apply to the lot.

- (e) **Multiple Unit Developments.** Multiple Unit Developments providing shoreline access to navigable waters shall be subject to the following minimum requirements:

- (1) Table of requirements:

	<b>Class 1 Lakes, Lake Superior</b>	<b>Class 2 Lakes</b>	<b>Class 3 Lakes, Rivers, Streams</b>
<b>Shoreline Frontage</b>	50 feet per unit; 600 feet minimum	100 feet per unit; 800 feet minimum	150 feet per unit; 1,200 feet minimum
<b>Open Space (except as provided below)</b>	30,000 square feet per unit	60,000 square feet per unit	120,000 square feet per unit
<b>Open Space in UVOD</b>	7,500 square feet per unit	15,000 square feet per unit	30,000 square feet per unit

<b>Open Space in non-UVOD Public Sewer System (except Town of Bayfield)</b>	10,000 square feet per unit	20,000 square feet per unit	40,000 square feet per unit
<b>Open Space in non-UVOD Public Sewer System (Town of Bayfield)</b>	30,000 square feet per unit	60,000 square feet per unit	120,000 square feet per unit
<b>Open Space in R-3</b>	2 acres per unit	2 acres per unit	3 acres per unit
<b>Open Space in F-1, A-1, and R-2</b>	4.5 acres per unit	4.5 acres per unit	4.5 acres per unit
<b>Shoreline Setback</b>	200 feet	200 feet	225 feet
<b>Lot Line Setback</b>	10 ft.	20 ft.	30 ft.
<b>Viewing Corridors</b>	20% of frontage	15% of frontage	10% of frontage
<b>Viewing Corridors Width</b>	Up to 20% of total with no individual greater than 30 feet	Up to 15% of total with no individual greater than 30 feet	Up to 10% of total with no individual greater than 30 feet

- (2) The number of units allowed in an Multiple Unit Development may be restricted, through the conditional use permit process, to fewer units than would be allowed under the minimum open space requirements in paragraph (1), depending on the topographical and natural features of the property to be developed, adjacent land uses, and the nature of any unit(s) in the development other than dwelling units, such as a restaurant, office, conference center, or bar.
- (3) Boats stored and having mooring or dock privileges on navigable waters shall be only those of the property owners, their guests, and renters of dwelling units, except for boats at marinas or boat repair facilities. The maximum capacity for boat storage shall be no more than two times the number of dwelling units.
- (4) There shall be shoreland vegetation protection area, as described in Section 13-1-23, from the ordinary high water mark to a line 25 feet closer to the ordinary high water mark than the required shoreline setback. The combined widths of viewing corridors through a shoreland vegetation protection area shall not exceed the percentage of total frontage of the development indicated in the "Viewing Corridors" row under sub. 13-1-32(e)(1). View corridors shall be subject to the requirements of Sec. 13-1-23(a)(1)a except that the width requirements of this paragraph shall apply rather than the width requirements of Sec. 13-1-23(a)(1)a.

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- (5) Shoreline access corridors shall be located within permitted viewing corridors, shall be no more than four feet wide, and shall be used for non-motorized access only, except that one (and only one) motorized access corridor may be allowed if expressly authorized by the conditional use permit authorizing the development.
  - (6) No part of a limited common element in a condominium development shall be located within the shoreland vegetation protection area.
  - (7) If a Multiple Unit Development includes frontage on two or more water bodies under different classifications, each portion of the development shall be subject to the requirements of the classification of the water body upon which it has frontage. The Zoning Committee shall establish division lines between such portions for purposes of applying this provision. Such lines shall be located in a manner consistent with the purpose of this ordinance (as stated in Sec. 13-1-3), taking into consideration the conditional use factors stated in Sec. 13-1-41(b)(4)a and the classification objectives stated in Sec. 13-1-32(a).
  - (8) Accessory Structures shall be allowed only as authorized under Sec. 13-1-22(a) or by the express terms of the conditional use permit authorizing the Multiple Unit Development
- (em) **Conservation Subdivisions.** Conservation Subdivisions providing shoreline access to navigable waters shall be subject to the following minimum requirements (The meanings of “developable lot” and “open space lot” are as defined in Sec. 13-1-4(11t) and 47m):
- (1) Table of requirements:

	<b>Class 1 Lakes, Lake Superior</b>	<b>Class 2 Lakes</b>	<b>Class 3 Lakes, Rivers, Streams</b>
<b>Shoreline Frontage</b>	50 feet per developable lot; 600 feet minimum	100 feet per developable lot; 800 feet minimum	150 feet per developable lot; 1,200 feet minimum
<b>Area (except as provided below)</b>	30,000 square feet per developable lot	60,000 square feet per developable lot	120,000 square feet per developable lot
<b>Area in UVOD</b>	7,500 square feet per developable lot	15,000 square feet per developable lot	30,000 square feet per developable lot
<b>Area in non-UVOD Public Sewer System (except Town of Bayfield)</b>	10,000 square feet per developable lot	20,000 square feet per developable lot	40,000 square feet per developable lot
<b>Area in non-UVOD Public Sewer System (Town of Bayfield)</b>	30,000 square feet per developable lot	60,000 square feet per developable lot	120,000 square feet per developable lot
<b>Area in R-3</b>	2 acres per developable lot	2 acres per developable lot	3 acres per developable lot
<b>Area in F-1, A-1, and R-2</b>	4.5 acres per developable lot	4.5 acres per developable lot	4.5 acres per developable lot
<b>Shoreline Setback</b>	200 feet	200 feet	225 feet
<b>Lot Line Setback</b>	10 ft.	20 ft.	30 ft.
<b>Viewing Corridors</b>	20% of frontage	15% of frontage	10% of frontage
<b>Viewing Corridors Width</b>	Up to 20% of total with no individual greater than 30 feet	Up to 15% of total with no individual greater than 30 feet	Up to 10% of total with no individual greater than 30 feet

- (2) The number of developable lots allowed in an Conservation Subdivision may be restricted, through the conditional use permit process, to fewer lots than would be allowed under the minimum open space requirements in paragraph (1), depending on the topographical and natural features of the property to be developed, adjacent land uses, and the nature of any lot

in the subdivision improved with a unit other than a dwelling unit, such as a restaurant, office, conference center, or bar.

- (3) Boats stored and having mooring or dock privileges on navigable waters shall be only those of the property owners, their guests, and renters of dwelling units on the lots. The maximum capacity for boat storage shall be no more than two times the number of dwelling units.
  - (4) There shall be shoreland vegetation protection area, as described in Section 13-1-23, from the ordinary high water mark to a line 25 feet closer to the ordinary high water mark than the required shoreline setback. The combined widths of viewing corridors through a shoreland vegetation protection area shall not exceed the percentage of total frontage of the division indicated in the "Viewing Corridors" row under sub. 13-1-32(em)(1). View corridors shall be subject to the requirements of Sec. 13-1-23(a)(1)a except that the width requirements of this paragraph shall apply rather than the width requirements of Sec. 13-1-23(a)(1)a.
  - (5) The shoreland vegetation protection area shall be platted, owned and protected as one open-space lot.
  - (6) Notwithstanding Sec. 13-1-31, an open space lot in a Conservation Subdivision with frontage on navigable waters and owned in common by owners of developable lots within the subdivision may be used by such owners for access to the navigable waters, provided that access corridors shall be located within permitted viewing corridors, shall be no more than four feet wide, and shall be used for non-motorized access only, except that one (and only one) motorized access corridor may be allowed if expressly authorized by the conditional use permit authorizing the subdivision.
  - (7) If a Conservation Subdivision includes frontage on two or more water bodies under different classifications, each portion of the subdivision shall be subject to the requirements of the classification of the water body upon which it has frontage. The Zoning Committee shall establish division lines between such portions for purposes of applying this provision. Such lines shall be located in a manner consistent with the purpose of this ordinance (as stated in Sec. 13-1-3), taking into consideration the conditional use factors stated in Sec. 13-1-41(b)(4)a and the classification objectives stated in Sec. 13-1-32(a).
  - (8) Accessory Structures shall be allowed only as authorized under Sec. 13-1-22(a) or by the express terms of the conditional use permit authorizing the Conservation Subdivision.
- (f) **Impervious Surfaces.** That part of a shoreland lot within 300 feet of the ordinary high water mark shall not contain more than 4,500 square feet or 15% of impervious surfaces, whichever is greater, except pursuant to a fully implemented storm water management plan approved by the Department and

providing that there will be no increase in storm water discharge from the lot as a result of the construction for storms up to and including the 10-year 24-hour storm event. Such plan shall be certified by a registered professional engineer or, at the County's option, the applicant shall provide funds to defray the costs of County preparation of the plan.

(g) **Shoreland Lighting.**

- (1) All outdoor lighting on shoreland lots which is within 300 feet of the ordinary high water mark shall meet the following requirements:
  - a. Lighting shall be controlled so as not to shine up into the sky or onto any neighboring property or onto navigable waters. This may be accomplished by use of fully shielded cut-off fixtures, directing light fixtures downward rather than upward, or by other similarly effective means.
  - b. Where lighting is for security purposes or to illuminate walkways, roadways, equipment yards or parking lots, only fully shielded cut-off style light fixtures shall be used.
  - c. All illuminated signs for commercial purposes visible from navigable waters shall be turned off between 11:00 p.m. and sunrise except that signs may be illuminated while the business facility is open to the public.
  - d. All forms of flashing, rotating, or moving lights shall be prohibited.
- (2) The above requirements shall apply immediately to all lighting installed after September 25, 2001, and must be complied with no later than September 25, 2006, with respect to any lighting in existence as of September 25, 2001.
- (3) The provisions of this subsection shall not apply to seasonal holiday lighting.

- (h) **Relationship to Other Provisions.** Subsections (b) through (f) above are subject to the provisions of Section 13-1-22 (a) (modifying setbacks for certain structures), Section 13-1-26 (pertaining to substandard lots of record), and Section 13-1-40 (pertaining to nonconforming uses and structures).

### **Sec. 13-1-33 Multiple Structures.**

- (a) **Multiple Principal Buildings.** A conditional use permit shall be required for more than one (1) principal building on a parcel of land, unless that parcel could be divided under the terms of the Bayfield County Subdivision Control Ordinance with each building located on a resulting lot and meeting applicable setback requirements. No more than one principal building may be located on a substandard lot.

- (b) **Multiple Bunkhouse/Guest Quarters.** A conditional use permit shall be required for more than one (1) bunkhouse/guest quarter on a parcel of land, unless that parcel could be divided under the terms of the Bayfield County Subdivision Control Ordinance with each building located on a resulting lot and meeting applicable setback requirements. No bunkhouse/guest quarters may be located on a substandard lot.

**Secs. 13-1-34 through Sec. 13-1-39 Reserved for Future Use.**