

**PROPOSED AMENDMENTS TO BAYFIELD COUNTY ZONING ORDINANCE
AND BAYFIELD COUNTY SUBDIVISION CONTROL ORDINANCE**

(New language to be added to an existing provision is underlined. Language to be deleted from an existing provision is lined through.)

1. Section 13-1-4(a)(61) is amended as follows:

~~**Shoreland Measurement.**~~ **Shoreline Frontage.** The shortest horizontal straight line that can be ~~drawn~~ established between points on the side lot lines at the waterfront end of a lot or parcel abutting a lake or stream. At least one point along the horizontal straight line must lie on the ordinary high water mark, and its entire extent must be lie wholly within the lot or parcel. ~~In cases of oddly shaped parcels where this formula cannot be applied, the Zoning Committee shall determine the shoreline measurement.~~

2. Section 13-1-21(a)(2)c.4 is created to read:

4. If a special use is discontinued for 12 consecutive months, the special use permit authorizing it shall automatically terminate, and any future use of the building, structure, or property to which the permit pertained shall conform to this chapter.

3. Section 13-1-21(a)(2)d.3 is created to read:

3. If a conditional use is discontinued for 12 consecutive months, the conditional use permit authorizing it shall automatically terminate, and any future use of the building, structure, or property to which the permit pertained shall conform to this chapter.

4. Section 13-1-21(e)(1)gg.1 is amended as follows:

1. Photocopy—Per Page: \$ ~~.50~~ .25 plus tax.

5. Section 13-1-62 is amended by changing the heading therefor to “Classification of Uses” and recodifying the text and table therein as subsection 13-1-62(a).

6. Subsections 13-1-21(f) and (i) are recodified as subsections 13-1-61(b) and (c) respectively and recodified subsection 13-1-61(c) is amended as follows:

(c) **Household Occupations.** Household occupations shall require a special use permit and shall occupy not more than twenty-five percent (25%) of the residential floor space or seventy-five percent (75%) of the floor space of an accessory structure and shall not employ more than one (1) nonresident employee. ~~An accessory building may not be specifically constructed for household occupation use.~~

7. Subsection 13-1-21(g) is repealed.

8. Subsection 13-1-21(h) is recodified as paragraph 13-1-22(a)(6).

9. The heading for Section 13-1-22 is amended to read “Setbacks and Height Restrictions” and subsection 13-1-21(j) is recodified as Section 13-1-22(h) and amended as follows:

(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. Applications for land use permits for structures 30 feet and more in height shall include elevational drawings accurately showing the height of the proposed structure as defined above.

10. Section 13-1-32(a)(2) is amended to add the attached lists of unnamed lakes to the list of Class 3 lakes.

UnNamed Lakes that have private lands bordering them.

Class 3 Lakes-UnNamed

<i>Section</i>	<i>Location</i>	<i>Area</i>
SW ¼	23-43-5	4.6
SW ¼ NE ¼ NW ¼	21-43-6	3.0
NE ¼	23-43-6	5.5
NW ¼	23-43-6	7.5
NW ¼	3-43-7	29.1
SE ¼	5-43-7	6.3
NE ¼	16-43-7	11.7
SE ¼	16-43-7	19.6
NW ¼	25-43-7	2.8
NE ¼	1-43-8	13.8
SW ¼	1-43-8	2.2
NE ¼	5-43-8	2.0
SW ¼	9-43-8	4.5
NW ¼	10-43-8	6.0
NE ¼ NW ¼	12-43-8	8.4
NW ¼ NW ¼	12-43-8	3.1
SE ¼ NW ¼	12-43-8	2.1
NE ¼	14-43-8	3.6
SW ¼	14-43-8	4.7
NE ¼	15-43-8	3.8
NE ¼	22-43-8	2.9
SW ¼	22-43-8	2.4
NE ¼	24-43-8	2.0
SE ¼	24-43-8	2.9
SW ¼	35-43-8	10.6
SW ¼	3-43-9	8.3
NE ¼	5-43-9	3.5
NW ¼	19-44-5	11.2
NW ¼	23-44-5	5.9
NW ¼	16-44-6	8.6
NW ¼	28-44-6	2.1
NE ¼	7-44-7	5.2
SW ¼	29-44-7	3.5
SW ¼	30-44-7	2.0
SW ¼ SE ¼	30-44-7	2.4
SE ¼ SE ¼	30-44-7	2.7
NE ¼	31-44-7	2.1
SW ¼	23-44-8	3.8
SW ¼ SE ¼	24-44-8	2.3
SE ¼	36-44-8	7.2
SW ¼ SE ¼	1-44-9	2.1
SE ¼ SE ¼	1-44-9	2.1

SW ¼	13-44-9	3.0
NE ¼	29-44-9	31.0
SE ¼	31-44-9	2.3
SW ¼	22-45-5	2.8
NE ¼ SE ¼	23-45-5	4.0
NW ¼ SE ¼	23-45-5	2.1
NE ¼ SE ¼	24-45-5	5.2
NW ¼ SE ¼	24-45-5	12.3
SW ¼	27-45-5	8.2
NE ¼	30-45-5	23.7
SW ¼	32-45-5	3.9
SE ¼	32-45-5	12.3
NW ¼ NE ¼	19-45-6	3.3
NE 1/4NE ¼	19-45-6	5.1
NW ¼ NW ¼	19-45-6	10.5
SE ¼	20-45-6	2.2
SW ¼	28-45-6	4.2
SE ¼	28-45-6	4.6
NE ¼	30-45-6	3.0
NE ¼ NE ¼	33-45-6	2.0
NW ¼ NE ¼	33-45-6	6.7
NW ¼	33-45-6	2.8
NW ¼ NW ¼ NW ¼	36-45-6	3.5
SE ¼ NW ¼ NW ¼	36-45-6	5.2
SE ¼	24-45-8	8.2
SW ¼	34-45-8	2.9
SW ¼	5-45-9	17.1
SW ¼	7-45-9	3.6
NE ¼	9-45-9	7.2
SW ¼	17-45-9	2.0
NE ¼	18-45-9	3.0
NE ¼	19-45-9	10.8
NE ¼ NE ¼	20-45-9	9.5
SE ¼ NE ¼	20-45-9	10.5
NW ¼	21-45-9	3.0
NE ¼ NW ¼	22-45-9	2.9
NW ¼ NW ¼	22-45-9	2.4
SW ¼ SW ¼	24-45-9	7.1
SE ¼ SW ¼	24-45-9	2.2
NW ¼	25-45-9	2.8
NE ¼	30-45-9	2.2
NW ¼	35-45-9	4.3
SW ¼ NE ¼	36-45-9	2.1
SE ¼ NE ¼	36-45-9	2.7
SW ¼	4-46-7	5.3
NE ¼	6-46-7	4.5

NE ¼	8-46-7	5.9
SE ¼	9-46-7	10.9
NW ¼	33-46-7	6.3
SW ¼	33-46-7	3.7
SE ¼	33-46-7	4.2
NE ¼	1-46-8	8.7
SW ¼	1-46-8	23.1
SE ¼	1-46-8	2.8
NE ¼	2-46-8	2.7
SE ¼	2-46-8	3.8
SE ¼	4-46-8	3.5
SW ¼	9-46-8	3.8
SE ¼	11-46-8	3.0
NW ¼	13-46-8	6.2
SW ¼	13-46-8	2.0
NE ¼	14-46-8	3.1
NW ¼	15-46-8	3.6
NW ¼	34-46-9	8.7
NE ¼	1-47-5	13.9
NW ¼	1-47-5	22.8
NW ¼	18-47-5	4.1
NW ¼	7-47-7	14.0
NW ¼	19-47-7	8.9
NE ¼ NE ¼ NE ¼	33-47-7	3.0
SW ¼ NE ¼ NE ¼	33-47-7	3.3
NW ¼	35-47-7	2.0
NE ¼	2-47-8	13.9
SE ¼	2-47-8	14.3
NW ¼ SW ¼ NE ¼	7-47-8	2.4
SE ¼	8-47-8	9.1
NW ¼	12-47-8	3.8
NE ¼	13-47-8	5.0
NE ¼	17-47-8	2.0
SW ¼	17-47-8	10.0
NW ¼ SW ¼ SE ¼	17-47-8	2.8
SW ¼ SW ¼ SE ¼	17-47-8	2.1
NW ¼ SE ¼ SE ¼	17-47-8	2.0
SE ¼	20-47-8	8.2
SE ¼	23-47-8	3.8
NW ¼ NW ¼	25-47-8	4.9
SW ¼ NW ¼	25-47-8	4.4
NE ¼	26-47-8	8.5
NE ¼	27-47-8	2.3
NW ¼	33-47-8	2.5
SE ¼	33-47-8	5.8
NW ¼ SW ¼	35-47-8	4.7

SE ¼ SW ¼	35-47-8	2.7
SE ¼	35-47-8	6.6
NE ¼	7-47-9	4.8
SE ¼	24-47-9	2.0
NE ¼ SE ¼	25-47-9	5.5
SW ¼ SE ¼	25-47-9	3.0
NW ¼	28-47-9	3.2
NE ¼	29-47-9	10.0
NE ¼	35-48-5	3.2
NE ¼	31-48-7	2.9
SW ¼	35-48-8	4.6
NE ¼	29-49-5	4.1
SW ¼	5-49-9	11.0
SW ¼ SE ¼	5-50-7	7.3
SE ¼ SE ¼	5-50-7	3.0
SE ¼	20-50-8	20.2
SW ¼	21-50-8	16.6
SE ¼	7-51-3	3.0
NW ¼	20-51-3	17.2
SE ¼	29-52-4	2.6
SW ¼	36-52-5	10.3

UnNamed lakes surrounded by Public Lands

Class 3 Lakes-UnNamed

Section	Location	Area
NW ¼	3-43-5	2.4
SW ¼	3-43-5	2.2
SW ¼	22-43-5	4.8
SW ¼	26-43-5	2.0
NE ¼	30-43-5	2.4
NE ¼	34-43-5	5.7
NW ¼	18-43-6	2.9
NW ¼	20-43-6	3.6
SE ¼	27-43-6	4.2
SW ¼ NW ¼ SW ¼	29-43-6	5.0
SW ¼ SW ¼	29-43-6	2.0
SE ¼	29-43-6	2.1
NE ¼	31-43-6	11.0
SW ¼	31-43-6	4.4
SE ¼	31-43-6	8.9
NW ¼	32-43-6	9.0
SE ¼	27-43-7	2.5
NE ¼ NE ¼	34-43-7	15.2

SW ¼ NE ¼	34-43-7	2.4
SE ¼ NE ¼	34-43-7	5.0
NW ¼	29-44-5	10.1
SW ¼	29-44-5	2.3
NW ¼	33-44-5	2.2
NW ¼	14-44-6	4.9
SW ¼	14-44-6	13.2
SE ¼	15-44-6	2.0
NE ¼	19-44-6	9.6
SW ¼	2-44-7	2.9
SE ¼	9-44-7	3.0
NE ¼	11-44-7	2.2
SW ¼	11-44-7	4.3
NW ¼	12-44-7	5.7
NW ¼	18-44-7	2.8
SW ¼	18-44-7	2.5
SW ¼	23-44-7	2.5
SE ¼	23-44-7	10.1
SW ¼	24-44-7	13.5
NW ¼ SW ¼ NE ¼	25-44-7	2.1
SW ¼ SW ¼ NE ¼	25-44-7	2.7
NW ¼	25-44-7	9.5
SW ¼	25-44-7	4.1
SE ¼	26-44-7	3.5
NW ¼	31-44-7	2.4
NW ¼ NW ¼	15-44-8	4.0
SW ¼ NW ¼	15-44-8	5.9
NE ¼ SE ¼	17-44-8	3.8
NW ¼ SE ¼	17-44-8	14.7
NE ¼	20-44-8	7.6
NW ¼	20-44-8	2.8
SE ¼	20-44-8	3.8
NW ¼	21-44-8	2.0
NW ¼	36-44-8	2.3
SE ¼	28-44-9	5.7
NW ¼	3-45-7	6.5
NW ¼	4-45-7	2.1
NE ¼	5-45-7	3.2
NE ¼ NW ¼	5-45-7	8.6
NW ¼ NW ¼	5-45-7	2.7
SE ¼ NW ¼	5-45-7	2.8
NW ¼	7-45-7	2.0
SE ¼	8-45-7	16.6
SW ¼	10-45-7	5.1
NW ¼	16-45-7	6.3
NW ¼	17-45-7	4.1

NE ¼ NE ¼	18-45-7	9.8
NW ¼ NE ¼	18-45-7	7.3
SW ¼	18-45-7	6.0
NW ¼	19-45-7	8.7
SW ¼	20-45-7	2.5
SW ¼	28-45-7	4.4
SE ¼	30-45-7	2.3
SE ¼	35-45-7	4.0
NW ¼	36-45-7	7.2
SE ¼	12-45-8	4.7
NE ¼	14-45-8	2.9
NW ¼	31-45-8	2.4
NW ¼ SW ¼	31-45-8	7.3
SW ¼ SW ¼	31-45-8	10.1
SW ¼	34-45-8	2.0
SW ¼	4-45-9	2.7
NW ¼	8-45-9	6.1
NW ¼	9-45-9	2.7
NW ¼	12-45-9	2.5
NE ¼ NE ¼	16-45-9	3.3
SW ¼ NE ¼	16-45-9	7.3
NW ¼	16-45-9	2.8
SE ¼	17-45-9	7.5
NE ¼	31-46-7	7.1
NW ¼	6-46-8	5.2
SW ¼	18-46-8	5.0
NW ¼ NW ¼	22-46-8	2.6
SW ¼ NW ¼	22-46-8	2.1
SE ¼	23-46-8	2.3
NE ¼	24-46-8	5.0
SE ¼	24-46-8	2.5
SW ¼	36-46-8	3.0
NW ¼	4-46-9	2.8
NE ¼ NW ¼ SW ¼	4-46-9	21.6
SW ¼ NW ¼ SW ¼	4-46-9	8.6
SW ¼	27-46-9	4.0
NW ¼	5-47-7	3.7
NE ¼	6-47-7	5.3
NE ¼ NW ¼	6-47-7	3.0
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
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

11. Section 13-1-32(a)(3) is created to read:

(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.

12. Section 13-1-32(b)(1) is amended by replacing the term “Lot Width:” in the left hand column of the table with the term “Shoreline Frontage”.

13. Section 13-1-32(d) is amended by replacing the term “Lot Width” in the left hand column of the table with the term “Shoreline Frontage”.

14. Section 13-1-40(c)(4)c.1 is amended as follows:

The resulting structure shall not exceed twenty-six (26) feet in height; , as defined in Section 13-1-22(h).

15. Section 13-1-41(f) is amended as follows:

(f) **Compliance.** When a conditional use permit is approved, an appropriate record shall be made of the land use and structures permitted, and prior to the issuance of the permit the Zoning Department shall record with the Bayfield County Register of Deeds an affidavit prepared by the Zoning Department setting

forth the terms and conditions of the permit and a legal description of the property to which they pertain. The recording fee shall be paid by the applicant. The terms and conditions of the permit shall be binding upon and inure to the benefit of all current and future owners of such property unless otherwise expressly provided by the permit, or unless the permit is terminated hereunder or expires pursuant to Section 13-1-21(a)(2)d.2 or 3. Conditional uses shall be reviewed periodically by the Zoning Department. Where a conditional use does not continue in conformity with the conditions of the original approval or ~~Section 13-1-21(a)(2) d.2~~, the permit shall be terminated and such noncompliance shall constitute a violation under this Chapter.

16. Section 13-1-102(a) is amended as follows:

(a) **Composition.** The Chairman of the County Board is hereby authorized to appoint a Board of Adjustment consisting of five (5) members and two (2) alternates, with such appointments requiring the approval of the County Board. Terms of appointments, annual designation of first and second alternates, and all matters under this Section, shall be according to the provisions of Sec. ~~59.99~~ 59.694 Wis. Stats. The members of the Board, including the alternates, shall live within Bayfield County and outside the limits of an incorporated city or village, but no two (2) members shall be from the same town.

17. Section 13-1-102(e)(3) is created to read:

(3) Whenever a variance is granted, the Bayfield County Zoning Department shall record the decision granting it, setting forth the terms and conditions of the variance and a legal description of the property to which it pertains, with the Bayfield County Register of Deeds. The recording fee shall be paid by the applicant. The terms and conditions of the variance shall be binding upon and inure to the benefit of all current and future owners of such property.

18. Section 14-1-42(a) is amended as follows:

The applicant shall pay ~~a fee amount of Twenty Dollars (\$20)~~ the fee specified in Section 13-1-21(e)(1) for each lot created.