

**WAUPACA COUNTY BOARD OF SUPERVISORS  
COUNTY BOARD SESSION  
May 16, 2017**

Chair Koeppen called the meeting to order at 9:00 a.m. with 26 members present.

Present: Suprs. Barrington, Boyer, Craig, Ellis, Federwitz, Flease, Gabert, Handrich, Johnson, Jonely, Kietzmann, Koeppen, Kussmann, McClone, Much, G. Murphy, T. Murphy, Neumann, Nygaard, Penney, Poehlman, Rohan, Sorensen, Spierings, Wilfuer, Zaug. Supr. Whitman was excused.

Chair Koeppen made the open meeting statement that this meeting and all other meetings of this board are open to the public. Proper notice has been posted and given to the press, in accordance with Wisconsin Statutes so the citizenry may be aware of the time, place and agenda of this meeting.

A moment of silent meditation was observed followed by the Pledge of Allegiance.

Supr. Federwitz moved and Supr. Kussmann seconded the motion amending the agenda to move action on Resolution No. 8 (2017-2018) before action on agenda item 6(a). Motion carried 26-0. Passed the 16<sup>th</sup> day of May, 2017. Supr. Rohan moved and Supr. Much seconded the motion approving the amended agenda. Motion carried 26-0. Passed the 16<sup>th</sup> day of May, 2017.

Supr. McClone moved and Supr. Zaug seconded the motion approving the minutes from the April 18, 2017 meeting. Motion carried 26-0. Passed the 16<sup>th</sup> day of May, 2017.

**RESOLUTION NO. 8 (2017-2018)  
TO AMEND WAUPACA COUNTY  
ORDINANCE NO. 45 OF THE GENERAL CODE OF ORDINANCES  
COMPREHENSIVE PLAN MAP**

The County Board of Supervisors of Waupaca County, Wisconsin, does ordain as follows;

**WHEREAS**, Wisconsin Statutes 66.1001 authorize Waupaca County to adopt and amend a comprehensive plan map; and,

**WHEREAS**, Waupaca County has adopted written procedures designed to foster public participation at every stage of the comprehensive plan amendment process as required by section 66.1001(4)(a), Wisconsin Statutes; and,

**WHEREAS**, the Planning and Zoning Committee held a public hearing on May 4, 2017 for Preferred Land Use Map: PLUM-04-17, Town of Waupaca; in compliance with the requirements of Section 66.1001(4), Wisconsin Statutes; and,

**WHEREAS**, the attached comprehensive plan amendment was approved and deemed to be consistent with the overall planning goals and objectives by the respective township of origin; and,

**NOW, THEREFORE, LET IT BE RESOLVED** that Waupaca County Board of Supervisors adopt an Ordinance amending the Comprehensive Plan Map as originally adopted in Ordinance #45.

**RECOMMENDED FOR INTRODUCTION BY WAUPACA COUNTY PLANNING & ZONING COMMITTEE AND LEGISLATIVE, JUDICIAL, ETHICS, SAFETY & SECURITY COMMITTEE:** /s/ John F. Penney, Dennis Kussmann, Wayne Wilfuer, DuWayne Federwitz, Dona Gabert, Fred Zaug, Terry Murphy

ATTEST:  
/s/ Jill Lodewegen  
Waupaca County Clerk

APPROVED AS TO FORM:  
/s/ Diane Meulemans  
Corporation Counsel

Supr. Poehlman moved and Supr. Johnson seconded the motion to approve Resolution No. 8 (2017-2018). Motion carried 26-0. Passed the 16<sup>th</sup> day of May, 2017.

**AMEND CHAPTER 34 – WAUPACA COUNTY ZONING ORDINANCE  
OF THE WAUPACA COUNTY CODE OF ORDINANCES  
SELECTED REVISIONS**

**The Waupaca County Board of Supervisors does hereby ordain and enact the following amendments to the Waupaca County Zoning Ordinance, Chapter 34:**

**Amend Table 4:**

**“PURF (Public Recreation and Forestry) District”** – change the maximum building height to “None”.

**Amend Table:**

“Indoor Commercial Entertainment”

**“Commercial Animal Facility”** – should add “C” (Conditional Use) to RC-N (Rural Commercial - Neighborhood) District

**“Campgrounds and Camping Resorts”** – should add “C” (Conditional Use) to RC-N (Rural Commercial - Neighborhood) District

“Agriculture” changed to “Agricultural Use”

**Amend Table 5.1:**

“Indoor Commercial Entertainment”

“Agriculture” changed to “Agricultural Use”

**Add Footnote #5 to Table 5 and Footnote #10 to Table 5.1:**

Accessory Structures are permitted in all zoning districts, except the Conservancy District which may require a Conditional Use Permit, as set forth in Sec. 2.15.

**Table 4.0**

Zoning District	Residential Density		Lot Size			Setbacks			Maximum Building Height
	Minimum	Maximum <sup>1</sup> (See Appendix A for Examples)	Minimum Area	Maximum Non-Farm Residential Lot Area <sup>2</sup>	Minimum Width	Front Yard: Per Section 2.08			
						Minimum Side Yard	Minimum Rear Yard	Waterfront: Per Shoreland Zoning	
CV <sup>10</sup> Conservancy	-	-	5 Acres	-	100 Ft	None <sup>10</sup>	None <sup>10</sup>	None <sup>10</sup>	
PURF Public Recreation and Forestry	-	-	1 Acre	-	-	20 Ft	20 Ft <sup>6</sup>	35 Ft None	
PVRF <sup>9</sup> Private Recreation and Forestry	-	1 Unit / 10 Acres <sup>7</sup>	1 Acre	-	150 Ft	20 Ft	20 Ft <sup>6</sup>	35 Ft	
AE <sup>9</sup> Agriculture Enterprise	-	1 Unit / 40 Acres <sup>8</sup>	1 Acre	2 Acres	100 Ft	20 Ft	20 Ft <sup>6</sup>	35 Ft	
AR <sup>9</sup> Agriculture Retention	-	1 Unit / 10 Acres <sup>7</sup>	1 Acre	-	100 Ft	20 Ft	20 Ft <sup>6</sup>	35 Ft	
AWT Agriculture and Woodland Transition	-	1 Unit / 2 Acres	1 Acre	-	100 Ft	15 Ft	15 Ft <sup>6</sup>	35 Ft	
RR Rural Residential	-	1 Unit / 1 Acre	1 Acre	-	100 Ft	15 Ft	15 Ft <sup>6</sup>	35 Ft	
RR-O Rural Residential - Overlay	-	-	2 Acre	-	100 Ft	15 Ft	15 Ft <sup>6</sup>	35 Ft	
SR Sewered Residential	-	-	20,000 SF	-	100 Ft	10 Ft	15 Ft <sup>6</sup>	35 Ft	
PD Planned Residential Development	To be determined through the Site Plan Review Process According to the County and Local Comprehensive Plans				75 Ft	10 Ft	15 Ft <sup>6</sup>	35 - 60 Ft <sup>4</sup>	
H Hamlet	-	-	15,000 / 20,000 SF (Per Unit: 5,000 / 10,000 SF) <sup>3</sup>	-	50 Ft	10 Ft	15 Ft <sup>6</sup>	35 Ft	
RC-N Rural Commercial - Neighborhood	-	-	-	-	50 Ft	None <sup>5</sup>	20 Ft <sup>6</sup>	35 - 60 Ft <sup>4</sup>	
RC-O Rural Commercial - Overlay	-	-	1 Acre	-	50 Ft	None <sup>5</sup>	20 Ft <sup>10</sup>	35 - 60 Ft <sup>8</sup>	
RC-G Rural Commercial - General	-	-	10,000 SF	-	75 Ft	None <sup>5</sup>	20 Ft <sup>6</sup>	35 - 60 Ft <sup>4</sup>	
RI-G Rural Industrial - General	-	-	20,000 SF	-	150 Ft	20 Ft	20 Ft <sup>6</sup>	35 - 60 Ft <sup>4</sup>	
RI-I Rural Industrial - Intensive	-	-	10,000 SF	-	75 Ft	10 Ft	20 Ft <sup>6</sup>	35 - 60 Ft <sup>4</sup>	

Notes:

- <sup>1</sup> The statement, "Please refer to the Waupaca County Density Management Tracking System maintained by the Waupaca County Planning & Zoning Department (811 Harding Street, Waupaca, WI) for current information on available residential development rights on this/these parcels," shall be recorded on each Certified Survey Map, plat, and plat of survey created for parcels within the PVRF, AE, AR, AWT, and RR zoning districts.
- <sup>2</sup> Maximum lot areas, where required through base zoning district regulation or overlays, may be increased up to ten (10) acres in area for the purpose of consolidation of farm structures. Site plan review (Level 1) is required.
- <sup>3</sup> Lots served by public sewer/water: minimum lot area: 15,000 square feet; minimum lot area per residential unit: 5,000 square feet. Lots served by private sewer/water: minimum lot area: 20,000 square feet; minimum lot area per residential unit: 10,000 square feet.
- <sup>4</sup> One additional foot of extra height may be added above 35 Ft for each additional foot of side or rear yard.
- <sup>5</sup> Minimum side yard setback shall be the same as neighboring lot zoning unless the neighboring lot is zoned RC-N or RC-G.
- <sup>6</sup> Accessory Uses and Structures less than 200 square feet in area in the rear yard can be located within 7.5 feet from any property line.
- <sup>7</sup> One dwelling unit per ten (10) acres or a 1/64 of a section.
- <sup>8</sup> One dwelling unit per forty (40) acres or a 1/16 of a section.
- <sup>9</sup> Base Zoning District Regulations remain the same within the Farmland Preservation Overlay Districts.
- <sup>10</sup> No Structures allowed per Section 6.10

Table 5.0	Zoning Districts <sup>5</sup>														
	CV	PURF	PVRF	AE	AR	AWT	RR	SR	PD	H	RC-N	RC-G	RI-G	RH	Land Use Definition and Requirements (Section #)
<b>Land Uses</b>															
<b>RESIDENTIAL LAND USES</b>															<b>6.05</b>
Single Family Residence (Nonfarm)			P	P	P	P	P	P	P <sup>1</sup>	P					1
Two Family Residence (Nonfarm)			P	C	P	P	P	C	P <sup>1</sup>	P <sup>1</sup>					2
Multiple Family Residence						C	C	C	P <sup>1</sup>	P <sup>1</sup>					3
Nonfarm Residential Cluster															4
Lot Clustering Density Bonus				C	C	C	C								5
Single Family Residence - Accessory to a Principal Commercial Use										P	C	C			6
Accessory Structure			P	P	P	P	P	P	P <sup>1</sup>	P	P	P			7
Major Home Occupation			C	C	C	C				C					7
Minor Home Occupation			P	P	P	P	P	P	P	P					8
Family Day Care Home			C	C	C	C	C	C	C	C					9
Bed and Breakfast Establishment			C	C	C	C	C	C	C	P	P				10
Dwelling less than 22 feet in Width			C	C	C	C	C	C	C	C					11
Manufactured/Mobile Home Community or Park									C						12
Temporary Occupancy of RV (over 30 days)			C	C	C	C	C			C					13
<b>COMMERCIAL LAND USES</b>															<b>6.06</b>
Personal or Professional Service										P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>			1
Indoor Sales and Service										P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>			2
Medium Indoor Sales and Service											C	P <sup>1</sup>			3
Large Indoor Sales and Service												C			4
Long Term Outdoor Display and Sale											C	C			5
Indoor Maintenance Service										P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	6
Outdoor Maintenance Service												C	C	C	7
In-Vehicle Sales and Service										C	C	C			8
Indoor Commercial Entertainment and Service										C	P <sup>1</sup>	P <sup>1</sup>			9
Commercial Indoor Lodging Facility										C	C	P <sup>1</sup>			10
Resort Establishment											C	P <sup>1</sup>			11
Group Day Care Center Facility										C	P <sup>1</sup>	P <sup>1</sup>			12
Group Day Care Center Facility - Accessory to a Principal Use		C	C	C	C	C	C	C	C	P	P	P			12
Commercial Animal Facility			C	C	C	C					C	C			13
Sexually-Oriented Business												C		P	14
Mini-Warehouse			C	C	C	C					P	P	P	P	15
Indoor Storage or Wholesaling											C	C	C	C	16
Outdoor Storage or Wholesaling												C	C	C	17
Indoor Retail Sales Activity as an Accessory to Industrial or Indoor Storage and Wholesaling													C	C	18
Marinas and Boat Liveries												C			19
Mobile Service Facilities & Support Structures <sup>2</sup>		C	C	C	C	C	C	C	C	C	C	C	C	C	20
Commercial Wind Energy Systems		C	C	C	C	C	C				C	C	C	C	21
General Temporary Outdoor Sales										P	P	P	P	P	22
Off-Site Commercial Parking		C	C	C	C	C			C	C	C	C	C	C	<b>6.04</b>

Table 5.0 (continued)

Land Uses	Zoning Districts <sup>5</sup>													Land Use Definition and Requirements (Section #)	
	CV	PURF	PVRF	AE	AR	AWT	RR	SR	PD	H	RC-N	RC-G	RI-G		RH
<b>INDUSTRIAL LAND USES</b>															<b>6.07</b>
Light Industrial Accessory Activity as an Accessory to Retail Sales or Service												C			1
Light Industrial												C	P <sup>1</sup>	P <sup>1</sup>	2
Heavy Industrial													C	C	3
Contractor Shop			C	C	C	C					C	C	P <sup>1</sup>	P <sup>1</sup>	4
Truck, Freight or Bus Terminal														C	5
Mineral Extraction (Non-Metallic)			C	C	C	C							C	C	6
Salvage Yard														C	7
Solid or Hazardous Waste Facility														C	8
<b>PUBLIC / INSTITUTIONAL LAND USES</b>															<b>6.08</b>
Community Living Facility - 1 to 8 Residents			C	C	P	P	P	C	P						1
Community Living Facility - 9 to 15 Residents			C	C	C	C		C	C	C					2
Community Living Facility - 16 or More Residents			C	C	C	C		C	C						3
Outdoor Institutional			C	C	C	C	C	C	C	C	P <sup>1</sup>	P <sup>1</sup>			4
Airport					C	C							C	C	5
Minor Indoor Institutional		C	C	C	C	C	C	C	C	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>			6
Major Indoor Institutional		C	C	C	C	C	C	C	C		C	C			7
Public Service and Utility			C			C		C	C	C	C	C	C	C	8
Small Solar Energy Systems		P	P	P	P	P	P	P	P	P	P	P	P	P	9
Large Solar Energy Systems			P	P	P	P					P	P	P	P	10
<b>PARK / RECREATION LAND USES</b>															<b>6.09</b>
Outdoor Public Recreation	C <sup>4</sup>	P	P			P	P	P	P <sup>1</sup>	P	P	P			1
Outdoor Public Recreation - Active		C	C			C	C	C	C		C	C			2
Shooting Ranges for Firearms		C	C	C	C	C						C			3
Temporary Events		P	P	P	P	P				P	P	P	P	P	4
Temporary Events (greater than 750 people)		C	C	C	C	C				C	C	C	C	C	4
Campgrounds and Camping Resorts		C	C		C	C		C		C					5
Vehicle Course or Track		C	C	C	C	C						P	P	P	6
<b>OPEN LAND / AGRICULTURE USES</b>															<b>6.10</b>
Agriculture-Agricultural Use	P <sup>4</sup>		P	P	P	P	C								1
Agriculture - Animal Husbandry <sup>3</sup>	P <sup>4</sup>		P	P	P	P	C								2
Agriculture - Related Use				C	C	C				C					3
On-site Agricultural Retail				P	P	P									4
Agricultural Accessory Use				P	P	P									5
Outdoor Storage of Motor Vehicles, Farm Machinery and Collectibles			C	C	C	C									6
Agriculture Home Occupation			P	P	P	C									7
Farm Residence			P	P	P	P									8
Secondary Farm Residence			P	P	P	P									9
Forestry Management	P <sup>4</sup>	P	P	P	P	P	P								10

<sup>1</sup> Permitted use subject to site plan review as outlined in Section 10.0

<sup>2</sup> Mobile Service Facilities & Support Structures - New Structures and Class 1 Collocations require a Conditional Use Permit and Class 2 Collocations require a Land Use Permit as outlined in Chapter 48 Mobile Service Facilities & Support Structures Ordinance.

<sup>3</sup> See Section 6.10.2 for permitted animal units within the PVRF zoning district and non-farm residential lots within the AE, AR, and AWT zoning districts.

<sup>4</sup> No structures allowed as per Section 6.10.

<sup>5</sup> Accessory Structures are permitted in all zoning districts, except the Conservancy District which may require a Conditional Use Permit, as set forth in Sec. 2.15.

Table 5.1	Zoning Districts <sup>10</sup>						Land Use Definition and Requirements (Section #)
	Conservancy District <sup>9</sup>	Private Recreation and Forestry	Agriculture Enterprise	Agriculture Retention	Rural Residential - Overlay	Rural Commercial - Overlay	
Land Uses	CV	PVRF	AE	AR	RR-O	RC-O	
<b>RESIDENTIAL LAND USES</b>							<b>6.05</b>
Single Family Residence (Non-Farm)					P		1
Two Family Residence (Non-Farm)					P		2
Multiple Family Residence					C		3
Nonfarm Residential Cluster					P		4
Lot Clustering Density Bonus							5
Single Family Residence - Accessory to a Principal Commercial Use						C	6
<b>Accessory Structure</b>		<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>7</b>
Major Home Occupation <sup>4</sup>		C	C	C	C		7
Minor Home Occupation <sup>4</sup>		P	P	P	P		8
Family Day Care Home <sup>4</sup>		C	C	C	C		9
Bed and Breakfast Establishment <sup>4</sup>					C	P	10
Dwelling less than 22 feet in Width		C	C	C	C		11
Manufactured/Mobile Home Community or Park							12
Temporary Occupancy of RV (over 30 days)		C	C	C	C		13
<b>COMMERCIAL LAND USES</b>							<b>6.06</b>
Personal or Professional Service						p <sup>1</sup>	1
Indoor Sales and Service						p <sup>1</sup>	2
Medium Indoor Sales and Service						C	3
Large Indoor Sales and Service							4
Long Term Outdoor Display and Sale						C	5
Indoor Maintenance Service						p <sup>1</sup>	6
Outdoor Maintenance Service							7
In-Vehicle Sales and Service						C	8
Indoor Commercial Entertainment and Service						p <sup>1</sup>	9
Commercial Indoor Lodging Facility						C	10
Resort Establishment						C	11
Group Day Care Center Facility						p <sup>1</sup>	12
Group Day Care Center Facility - Accessory to a Principal Use							12
Commercial Animal Facility		C	C	C			13
Sexually-Oriented Business							14
Mini-Warehouse		C	C	C		P	15
Indoor Storage or Wholesaling						C	16
Outdoor Storage or Wholesaling							17
Indoor Retail Sales Activity as an Accessory to Industrial or Indoor Storage and Wholesaling							18
Marinas and Boat Liveries							19
Mobile Service Facilities & Support Structures <sup>2, 4, 8</sup>		C	C	C	C	C	20
Commercial Wind Energy Systems <sup>4</sup>		C	C	C	C	C	21
General Temporary Outdoor Sales						P	22
Off-Site Commercial Parking							<b>6.04</b>

Table 5.1 (continued)	Zoning Districts <sup>10</sup>						Land Use Definition and Requirements (Section #)
	Conservancy District <sup>8</sup>	Private Recreation and Forestry	Agriculture Enterprise	Agriculture Retention	Rural Residential - Overlay	Rural Commercial - Overlay	
Land Uses	CV	PVRF	AE	AR	RR-O	RC-O	
<b>INDUSTRIAL LAND USES</b>							<b>6.07</b>
Light Industrial Accessory Activity as an Accessory to Retail Sales or Service							1
Light Industrial							2
Heavy Industrial							3
Contractor Shop <sup>4</sup>		C	C	C		C	4
Truck, Freight or Bus Terminal <sup>4</sup>		C	C	C			5
Mineral Extraction (Non-Metallic) <sup>6</sup>		C	C	C			6
Salvage Yard							7
Solid or Hazardous Waste Facility							8
<b>PUBLIC / INSTITUTIONAL LAND USES</b>							<b>6.08</b>
Community Living Facility - 1 to 8 Residents <sup>5</sup>		C	C	C	P		1
Community Living Facility - 9 to 15 Residents <sup>5</sup>		C	C	C			2
Community Living Facility - 16 or More Residents <sup>5</sup>		C	C	C			3
Outdoor Institutional <sup>5</sup>		C	C	C	C	P <sup>1</sup>	4
Airport <sup>4</sup>				C			5
Minor Indoor Institutional <sup>5</sup>		C	C	C	C	P <sup>1</sup>	6
Major Indoor Institutional <sup>5</sup>		C	C	C	C	C	7
Public Service and Utility <sup>8</sup>		C				C	8
Small Solar Energy Systems		P	P	P	P	P	9
Large Solar Energy Systems <sup>4</sup>		C	C	C		P	10
<b>PARK / RECREATION LAND USES</b>							<b>6.09</b>
Outdoor Public Recreation	C <sup>9</sup>	P			P	P	1
Outdoor Public Recreation - Active <sup>5</sup>		C			C	C	2
Shooting Ranges for Firearms		C	C	C			3
Temporary Events		P	P	P		P	4
Temporary Events (greater than 750 people)		C	C	C		C	4
Campgrounds and Camping Resorts <sup>7</sup>		C		C			5
Vehicle Course or Track <sup>7</sup>		C	C	C			6
<b>OPEN LAND / AGRICULTURE USES</b>							<b>6.10</b>
Agriculture - Agricultural Use	P <sup>9</sup>	P	P	P	C <sup>3</sup>		1
Agriculture - Animal Husbandry	P <sup>9</sup>	P	P	P	C <sup>3</sup>		2
Agriculture - Related Use		C	C	C		C	3
On-site Agricultural Retail		P	P	P			4
Agricultural Accessory Use		P	P	P	C		5
Outdoor Storage of Motor Vehicles, Farm Machinery and Collectibles		C	C	C			6
Agriculture Home Occupation		P	P	P			7
Farm Residences		P	P	P			8
Secondary Farm Residence		P	P	P			9
Forestry Management	P <sup>9</sup>	P	P	P	P		10

<sup>1</sup> Permitted use subject to site plan review as outlined in Section 10.0

<sup>2</sup> Mobile Service Facilities & Support Structures - New Structures and Class 1 Collocations require a Conditional Use Permit and Class 2 Collocations require a Land Use Permit as outlined in Chapter 48 Mobile Service Facilities & Support Structures Ordinance.

<sup>3</sup> See Section 6.10.2 for permitted animal units within non-farm residential lots

<sup>4</sup> Conditional use Permit shall be compliant with Wis Stats 91.01(1)

<sup>5</sup> Conditional use Permit shall be compliant with Wis Stats 91.46(5)

<sup>6</sup> Conditional use Permit shall be compliant with Wis Stats 91.46(6)

<sup>7</sup> Open Space Use Only, unless there are permanent structures and for public use then compliant with 91.46(5)

<sup>8</sup> Conditional Use Permits shall be compliant with Wis. Stats 91.46(4)

<sup>9</sup> No Structures allowed as per Section 6.10.

<sup>10</sup> Accessory Structures are permitted in all zoning districts, except the Conservancy District which may require a Conditional Use Permit, as set forth in Sec. 2.15.

**Amend Sec. 1.04:**

***1.04 Application of Overlapping Regulations***

This Ordinance shall not repeal, impair, or modify private covenants or other municipal Ordinance, with the exception of Chapters 32 or 36 as stated below.

The Shoreland and Floodplain regulations of this Ordinance and of Chapters 32 and 36 of this Code of Ordinances, when applied within the jurisdictional area as defined in Sections 59.692 and 87.30, Wis. Stats., supplement and take precedence over the less restrictive provisions of the respective zones. Where the provisions of this Ordinance are more restrictive than similar provisions in Chapters 32 or 36, the provisions of this Ordinance shall prevail.

**Amend Sec. 1.07(4) and it will become (2):**

2. Accessory Structure: A subordinate structure, the use of which is incidental and customary to that of the principal structure, located on the same lot as the principal structure. No accessory structure or part thereof shall be used for living, sleeping, or eating quarters.

**Amend Sec. 1.07(8):**

8. Building, Public and Semi-Public: Public and semi-public buildings, in the sense of this Ordinance, are structures principally of an institutional nature and serving a public need such as: churches, hospitals, rest homes, schools, including private academic schools and preschools, libraries, museums, post offices, police and fire stations, public and private utilities, and other public services, but not including the operation of a public bar, restaurant, or recreational facility as commercial enterprise.

**Amend Sec. 1.07(27):**

1.07(27) Height: Structure height is the measurement of the vertical line segment starting at the lowest point of any exposed wall and its intersect with the ground to a line horizontal to the highest point of a structure as described in Section 2.06.

**Amend Sec. 2.02(2), moved from Sec. 14.03(5)(a):**

2. Land Use Permit: Unless exempted under Section 2.03, a Land Use Permit is required to be issued before any of the following may occur:

- (a) Before any building or structure, not excepted below, is erected, moved, or structurally altered; and
- (b) Before any building or structure or any parcel or tract of land is changed as to use.
- (c) Exceptions: A Land Use Permit shall not be required for the following:
  - (1) Above ground swimming pools that are erected seasonally and do not have accessory decking.
  - (2) Retaining walls located outside the jurisdiction of Chapter 32 Shoreland Protection Ordinance.
  - (3) Signs, however, must comply with applicable regulations.

- (4) Rooftop and building mounted small solar energy systems.
- (5) A four (4) foot by six (6) foot open platform for safe access to an existing egress/ingress on a principal structure.
- (6) The construction or maintenance of a hunting blind (maximum size limited to thirty-two (32) square feet).

**Amend Sec. 2.02(5):**

(5) Expiration: Within two (2) years from issuance of a Land Use Permit for construction, the project shall have progressed at least to the point of the exterior shell being completed. Unless extended as provided herein, the original permit shall lapse if this state of completion is not accomplished within the two (2)-year period. A new permit shall be required to recommence work on the project.

**Amend Sec. 2.03:**

**2.03 Exemptions**

The following uses are exempted by this Ordinance and are permitted in any zoning district: poles, wires, cables, conduits, vaults, laterals, pipe mains, valves, or any other similar distributing equipment for telephone or other communications and electric power, gas, water, and sewer lines, structural alterations involving ordinary maintenance, and satellite dishes less than one (1) meter in diameter.

**Amend Sec. 2.04(3):**

3. Change/Expansion in Uses: If a change/expansion in the use of the property occurs and that use is listed as a permitted use, then a Land Use Permit is required. If the new use is listed as a Conditional Use, then a Conditional Use Permit is required.

**Amend Sec. 2.05(4) & (5):**

5. Building Over Lot Lines: When the same entity owns more than one (1) contiguous lot and wishes to place a new building across lot lines or within minimum required yard areas between lots in the same ownership, the two (2) or more lots shall be legally combined into one (1) lot before a Land Use Permit will be issued.

**Amend Sec. 2.07(3):**

3. All other roads in the County that are named per Chapter 11, Street Name and Building Numbering Ordinance (E911 Addressing), are hereby designated Level III highways.

**Amend Sec. 2.08:**

**2.08 Setback**

1. Level I highway setback shall be one hundred ten (110) feet from the centerline of the highway or fifty (50) feet from the right-of-way line, whichever is greater. Level II highway setback shall be seventy-five (75) feet from the centerline of the highway or forty-two (42) feet from the right-of-way line, whichever is greater. Level III highway setback shall be sixty-three (63) feet from the centerline of the highway or thirty (30) feet from the right-of-way line, whichever is greater. Where no right of way exists, the centerline of the as travelled Level III Highway shall be utilized for the measurement.

## 2. Road Setback Average

a. Average Setback Determination: The road setbacks for Level III Highways found in Section 2.08 may be reduced, as described in par. b, provided all the following are met:

- (1) There are existing structures located on adjacent lots to the proposed building site in both directions on the same side of the road.
- (2) The existing structures are located within two hundred and fifty (250) feet of the proposed building site.
- (3) Both existing structures do not meet the required road setback.
- (4) Required setbacks cannot be met.

b. Average Setback Application: The average setback shall be calculated by averaging the road setback distances of the existing adjacent structures described in par. a. The following shall also apply:

- (1) The road setback may not be reduced to less than twenty (20) feet to the right of way or fifty-three (53) feet to the centerline of the road, whichever setback distance is greater.
- (2) Where no right of way exists, the centerline of the as travelled Level III Highway shall be utilized for the measurement. The road setback in this case may not be reduced below fifty-three (53) feet from the centerline.
- (3) Accessory structures may not be utilized in the application of a reduced setback for a proposed principal structure and, likewise, principal structures may not be utilized in the application for a proposed accessory structure.

### **Amend Sec. 2.14(3)(d):**

d. A Land Use Permit is first obtained per Section 2.02.2

### **Amend Sec. 2.15:**

#### **2.15 Accessory Uses and Structures**

1. Accessory buildings, structures and uses are permitted in all zoning districts, except the Conservancy District which may require a Conditional Use Permit, and they shall be compatible with the principal uses on a parcel. An accessory structure may be placed on a parcel prior to a principal structure if approved by the Planning & Zoning Director or designee, and if the following conditions are met:
  - a. No accessory building or part thereof shall be used for living, sleeping, or eating quarters.
  - b. No commercial use shall be allowed in this structure unless the property is appropriately zoned for the proposed use or a land use

permit for home occupation (see Section 6.05 (8) & (9) ) has been obtained.

- c. In residential uses, no sanitary system or plumbing shall be allowed in this structure if it is built prior to the dwelling.
  - d. The structure must be according to the site plan and meet all the required setbacks.
  - e. All other Sections of this Ordinance must be met.
2. Accessory Use: see definition in Section 1.07(1) and Section 2.04(2)
  3. Accessory Structure: Any detached private garage, carport, or utility shed on a lot that primarily accommodates the sheltered parking of a vehicle, the storage of maintenance equipment to serve the same lot or a contiguous lot, or a detached shelter such as a gazebo. It also includes swimming pools, greenhouses, wind and solar energy systems for on-site residential use, and private kennels. Attached garages, attached carports, and decks shall be considered part of the principal building, not an accessory structure.
  4. Location: No accessory building or structure shall be erected or altered or moved to a location within the required setback area of a front or side yard. An accessory building, structure or use under two hundred (200) square feet in area and located in a rear yard shall be not less than seven and one-half (7 ½) feet from any property line, except that on a corner lot, a reversed corner lot or a through lot, such accessory building, structure or use shall be set back from the property line adjoining a street the distance required for a front yard, unless otherwise required herein for a specific permitted or conditional use.
  5. Encroachment: No accessory building, structure or use shall encroach upon that side yard of a corner lot which is adjacent to the street, upon the side yard of a reversed corner lot which is adjacent to the street, upon that part of a rear yard of a through lot, which is within thirty-five (35) feet from the street line abutting the rear lot line or upon a front yard, except as permitted herein for specific uses.
  6. Non-conforming: See Sections 2.11, 2.12 and 2.13
  7. Campground: See Section 6.09(5)
  8. Agricultural Accessory Structures: See Section 6.10(5)
  9. Portable Storage Facilities (includes shipping containers, portable on demand storage (PODS), and store and move (SAM) containers), buses, heavy-duty trucks and their bodies, semi-trailers, freight containers, mobile homes, and similar items which are no longer in use for their designated purpose are prohibited from being used as an accessory structure.

### **Amend Sec. 2.16(1) & (2)(a):**

#### **2.16 Yard Regulations**

1. Yard setbacks are measured to the first vertical wall or post of any structure.

(a) Roofs, overhangs, or other architectural features in excess of three (3) feet within side yard setbacks are not permitted.

2. The following shall not be considered to be obstructions when located in yards as specified:

(a) In Any Yards: Marquees and awnings adjoining the principal building's overhanging roof eaves; ornamental light standards, flag poles, arbors, trellises, shrubs, retaining walls for landscaping purposes, permitted signs, outdoor fuel dispensing equipment, air conditioning units and fences. However, fences must be less than four (4) feet in height if located in a front yard setback.

(b) In Side Yards: Open accessory off-street parking spaces, except in a side yard abutting a street.

(c) In Rear Yards: Enclosed, attached, or detached off-street parking spaces; open off-street parking spaces; and balconies, breezeways and open porches.

(d) Accessory Buildings or Structures: See Section 2.15 and Table 4.

**Amend Sec. 2.16(3):**

3. In all zoning districts, any building or structure that exceeds thirty-five (35) feet in height must be set back from all parcel, property lines and lot lines, a distance equal to the height of the building or structure, excepting amateur radio antennas.

**Amend Sec. 2.18:**

**2.18 Shoreland Zoning**

See Waupaca County Shoreland Protection Ordinance, Chapter 32, Waupaca County Code of Ordinances.

**Amend Sec. 3.02 through 3.17:**

**3.02 PURF: Public Recreation and Forestry District**

Purpose: To accommodate and maintain publicly owned property for the purpose of natural resource management and public outdoor recreation, parks and open space. The PURF zoning district corresponds with the Public Recreation and Forestry Enterprise or Forestry Preferred Land Use Category within the Waupaca County Comprehensive Plan.

**3.03 PVRF: Private Recreation and Forestry District**

Purpose: To maintain privately owned large tracts of forest and woodland areas that are managed to produce sustainable forest products and to provide quality outdoor recreation experiences. Selective cutting, sustained yield, and other practices of good forestry management shall be encouraged within the district.

Residential development shall be limited and placed on the landscape in a fashion that minimizes the fragmentation of large forest tracts and prevents conflicts between forest management, outdoor recreation, and residential land uses.

The PVRF zoning district corresponds with the Private Recreation and Forestry Enterprise or Forestry Preferred Land Use Category within the Waupaca County Comprehensive Plan.

**3.04 AE: Agriculture Enterprise District**

Purpose: To preserve and promote a full range of agricultural uses in areas where soil and other conditions are best suited to cultivation and livestock.

Nonfarm development shall be limited and placed on the landscape in a fashion that prevents conflicts between agricultural and residential land uses, and minimizes the loss of prime agricultural soils as identified by the Natural Resource Conservation Service. The AE zoning district corresponds with the Agriculture Enterprise or Agriculture Preferred Land Use Category within the Waupaca County Comprehensive Plan.

**3.05 AR: Agriculture Retention District**

Purpose: To preserve and promote a full range of agricultural uses in areas where soil and other conditions are best suited to cultivation and livestock.

Nonfarm development shall be limited and placed on the landscape in a fashion that prevents conflicts between agricultural and residential land uses, and minimizes the loss of prime agricultural soils as identified by the Natural Resource Conservation Service. Though still limited, residential densities are generally higher in the AR District than the AE District. The AR zoning district corresponds with the Agriculture Retention or Agriculture Preferred Land Use Category within the Waupaca County Comprehensive Plan.

**3.06 AWT: Agriculture and Woodland Transition District**

Purpose: To accommodate agricultural uses and woodlands, but also to allow for land use change or “transition” to residential and compatible uses within these areas driven primarily by market forces or land sale trends.

Nonfarm development shall be placed on the landscape in a fashion that prevents conflicts between agricultural, forestry, and residential land uses. The AWT zoning district corresponds with the Agriculture and Woodland Transition or Agriculture Preferred Land Use Category within the Waupaca County Comprehensive Plan.

**3.08 RR: Rural Residential District**

Purpose: To accommodate existing and planned residential development including compatible neighborhood uses that rely on private on-site wastewater treatment systems and private wells in a rural setting.

Residential development shall be placed on the landscape in a fashion that allows the concentration of local services while minimizing the consumption of agricultural land, forested land, and open space. The RR zoning district corresponds with the Rural Residential or Residential Preferred Land Use Category within the Waupaca County Comprehensive Plan.

**3.11 PD: Planned Residential Development District**

Purpose: To provide the means whereby land may be planned and developed as a unit for residential uses under standards and conditions which encourage good design and promote a stable, desirable living environment. This district is intended to permit flexibility and variety in development, to encourage the preservation of natural features and open space, and to minimize the present and future burdens upon the community as a whole which result from poor planning. Such developments shall be site designed as a total unit development and may be developed by sub-units in accordance with the approved overall site plan. All rezone applications must be accompanied by a Site Plan according to Section 10.0. The PD zoning district corresponds with the Sewered Residential and the Residential Preferred Land Use Categories within the Waupaca County Comprehensive Plan.

**3.12 H: Hamlet – Mixed Use District**

Purpose: To accommodate historic or planned future collections of small-scale commercial, office institutional, residential, and open space uses in which community character is protected through building scale, appearance and signage. This district should be generally mapped at or near road crossings that serve as gathering points for rural communities, which are often referred to as hamlets or unincorporated communities. The district best corresponds with the Rural Crossroads-Mixed Use (RCM) or Hamlet Preferred Land Use Category within the Waupaca County Comprehensive Plan.

**3.13 RC-N: Rural Commercial - Neighborhood District**

Purpose: To accommodate rural commercial development that is generally neighborhood or locally oriented in areas well-served by the transportation system, does not conflict with adjacent land uses in terms of use or generated traffic, and is properly buffered from residential or other potentially conflicting land uses. The RC-N zoning district corresponds with the Rural Crossroads-Mixed Use and the Rural Commercial/Industrial or Commercial Preferred Land Use Categories within the Waupaca County Comprehensive Plan.

**3.14 RC-G: Rural Commercial - General District**

Purpose: To accommodate rural commercial development that includes uses that are generally more intensive than allowed in the RC-N District in areas that are well-served by the transportation system, does not conflict with adjacent land uses in terms of use or generated traffic, and is properly buffered from residential or other potentially conflicting land uses. These uses are generally oriented to the greater county and region rather than the neighborhood or community level.

The RC-G zoning district corresponds with the Rural Commercial/Industrial or Commercial Preferred Land Use Category within the Waupaca County Comprehensive Plan.

### **3.16 *RI-G: Rural Industrial - General District***

Purpose: To accommodate rural industrial development with a variety of lot sizes that is generally light intensity, in terms of noise, dirt, smoke, odor, physical appearance, traffic generated, etc., in areas that are well-served by the transportation system, does not conflict with adjacent land uses in terms of use or generated traffic, and is properly buffered from residential or other potentially conflicting land uses. The RI-G zoning district corresponds with the Rural Commercial/Industrial or Industrial Preferred Land Use Category within the Waupaca County Comprehensive Plan.

### **3.17 *RI-I: Rural Industrial - Intensive District***

Purpose: To accommodate rural industrial development with a variety of lot sizes that is generally more intensive than the RI-G District in areas that are well-served by the transportation system, does not conflict with adjacent land uses in terms of use or generated traffic, and is properly buffered from residential or other potentially conflicting land uses. The RI-I zoning district corresponds with the Rural Commercial/Industrial or Industrial Preferred Land Use Category within the Waupaca County Comprehensive Plan.

## **Amend Sec. 3.07, move Sec. 6.10(11) to this section & delete portions of it:**

### **3.07 *CV: Conservancy District***

Purpose: The intention of this district is to provide for general agricultural and open-space activities with the prohibition of any structures or buildings, except as provided in Table 5.0 and 5.1. It is intended to be used as a tool to preserve tracts of land that are to remain free from structural development, but can continue to be used for agriculture.

#### **a. Requirements:**

- (1) Minimum of five (5) acres, no maximum acreage required
- (2) Consistent with all Forestry (or PVRF (Private Recreation and Forestry) District) and Agriculture (or AE (Agriculture Enterprise) District, AR (Agriculture Retention) District and AWT (Agriculture and Woodland Transition) District) Planning Districts found within the Preferred Land Use Map.
- (3) Requires no development rights. Any existing development rights may exist but cannot be used in this district. They can be transferred in accordance with Sec. 7.06(2) and Sec. 8.07(1)(d).
- (4) Any existing or new structures are prohibited, except as provided in Table 5.0 and 5.1.

- (5) Property owners may rezone into the Conservancy District with approval of a Petition of Zoning Map Amendment and a document recorded detailing the acreage under the Conservancy District.
- (6) Once in the Conservancy District, property owners may adjust the acreage as long as it results in a greater or equal amount of acreage that remains in the Conservancy District. This procedure would also require a Petition for Zoning Map Amendment and a new document recorded detailing the change in acreage.
- (7) This Conservancy District is not the same as Chapter 47 Waupaca County Voluntary Conservation Easement Donation Ordinance which is administered through the Waupaca County Land & Water Conservation Department.

**Amend Sec. 6.05(1)(c); (1)(c)(1) & (1)(c)(4):**

- 1. Single-Family Residence, Nonfarm: Land uses consisting of a single detached building containing one (1) dwelling unit.
  - a. Parking required is two (2) spaces per dwelling unit.
  - b. This land use includes modular homes as defined in the Wisconsin Statutes Section 101.71(6) and manufactured homes as defined in the Wisconsin Administrative Code SPS 327. This does not include mobile homes as defined in the Wisconsin Statutes 101.91(10).
  - c. All dwellings shall meet the following requirements:
    - (1) All dwellings shall have a minimum width of twenty-two (22) feet.
    - (2) Roof pitch shall not be less than a nominal 3:12, rise to run.
    - (3) Roof overhang shall not be less than a nominal six (6) inches excluding any gutter.
    - (4) Any dwelling not meeting the above standards shall require a Conditional Use Permit.

**Delete Sec. 6.05(7), moved to Sec. 2.15:**

**Delete Sec. 6.05(12), this was in the ordinance twice:**

**Amend Sec. 6.05(13):**

- 13. Dwelling Less Than Twenty-Two (22) Feet in Width.
  - a. Required parking is two (2) spaces per dwelling unit.
  - b. All residential dwellings under this section shall be skirted and have a proper foundation.
    - (c) A contractor trailer may be used as a temporary office by a contractor for a permitted project not to exceed the project's duration without the requirement of a Conditional Use Permit.

(d) In the Farmland Preservation Overlay, a dwelling less than 22 feet in width must meet the standards for a Farm Residence as described in Section 6.10.8.

**Amend Sec. 6.05(14)(m):**

m. Accessory Structures:

- (1) Only one (1) accessory structure may be placed on each lot.
- (2) The following set back requirements apply to each accessory structure:
  - (a) Minimum front yard setback: 20 feet
  - (b) Minimum rear yard setback: 3 feet
  - (c) Minimum side yard setback: 3 feet
- (3) All accessory structure, except for automobile garages, shall be located in the rear one-half (1/2) of the lot.
- (4) No accessory structure shall exceed one (1) story in height or four hundred (400) square feet in area.

**Amend Sec. 6.06(12):**

Group Day Care Center Facility: Land uses in which qualified persons provide child care services for nine (9) or more children. Examples of such land uses include day care centers and preschools. Such land uses shall not be located within a residential building. Such land uses may be operated on a for-profit or a not-for-profit basis. Such land uses may be operated in conjunction with another principal land use on the same environs, such as a church, school, business, or civic organization, which may require a Conditional Use Permit.

**Amend Sec. 6.06(13):**

13. Commercial Animal Facility: Land uses where nonfarm animals six (6) months of age or older are bred by a person providing facilities for breeding and the offspring are sold, or where animals are received for care, training, grooming and boarding for compensation, excluding personal pets. This would include a small animal hospital, clinic, or pet shop. These uses include exercise yards, fields, training areas, and trails.

**Amend Sec. 6.06(15):**

15. Mini-Warehouse: Land uses oriented to the indoor storage of personal items entirely within partitioned buildings having an individual access to each partitioned area. Such storage areas may be available on either a condominium or rental basis. Onsite retail is prohibited, although General Temporary Outdoor Sales is permitted in accordance with Table 5 and Table 5.1.

**Amend Sec. 6.06(16):**

16. Indoor Storage or Wholesaling: Land uses primarily oriented to the receiving, holding, and shipping of materials for a single business or a single group of businesses. With the exception of loading and parking facilities, such land uses are contained

entirely within an enclosed building. Examples of this land use include conventional warehouse facilities, long-term indoor storage facilities, and joint warehouse and storage facilities, but not uses described in the “mini-warehouse” land use category.

**Delete Sec. 6.06(19)(h):**

**Amend Sec. 6.06(19)(i), which will now become (h):**

If located within the (F-P) Floodplain Zone or (RP) Resource Protection Overlay District, subject to periodic flooding, the provisions of the Waupaca County Floodplain Ordinance, Chapter 36, and Waupaca County Shoreland Protection Ordinance, Chapter 32, shall also apply.

**Amend Sec. 6.07(3):**

3. Heavy Industrial: Land uses which meet one (1) or more of the following criteria: are not conducted entirely within an enclosed building; are potentially associated with nuisances such as odor, noise, heat, vibration, and radiation which are detectable at the property line; and pose a significant safety hazard, such as danger of explosion. Examples of heavy industrial land uses include meat product producers; alcoholic beverage producers; paper, pulp or paperboard producers; chemical dealers and/or storage facilities; chemical and allied product producers, except drug producers, but including poison or fertilizer producers; petroleum and coal product producers; asphalt, concrete or cement producers; tanneries; stone, clay or glass product producers; primary metal producers; heavy machinery producers; electrical distribution equipment producers; electrical industrial apparatus producers; transportation vehicle producers; commercial sanitary sewage treatment plants; railroad switching yards; and recycling facilities not involving the on-site storage of salvage materials.

**Add Sec. 6.07(6):**

6. Mineral Extraction (Non-Metallic): For requirements, see the Waupaca County Non-Metallic Mining Ordinance, Chapter 38.

**Amend Sec. 6.07(6), now (7): (We didn't need to make this change)**

**Amend Sec. 6.09(1)(b)(2):**

2. The provisions of the Waupaca County Shoreland Protection Ordinance, Chapter 32, shall apply.

**Amend Sec. 6.09(6):**

6. Vehicle Course or Track: Any privately operated track, course, circuit, strip, or loop designed for use by motorized vehicles such as automobiles, trucks, ATVs, motorcycles, motocross bikes, dirt bikes, snowmobiles, go-carts, or boats. Such uses occasionally are operated for recreational purposes for family use. This use shall meet the following standards:

**Amend Sec. 6.10(6)(b): (We didn't need to make this change)**

**Delete Sec. 6.10(11) and move it to Sec. 3.07:**

**Amend Sec. 7.05(1):**

1. Nothing in this Section shall preclude the petitioner from seeking a zoning map amendment to remove lands from the PVRF, AE, AR, or AWT zoning districts unless located in Farmland Preservation in accordance with Sec. 14.05(11). In the event that such lands are rezoned away from one of these districts, and not rezoned to another one of these districts, the provisions of this Section shall no longer apply.

**Amend Sec. 8.01(1):**

***8.01 Establishment of Zoning District Overlays***

1. The purpose of zoning district overlays is to allow the County to establish special land use regulations or procedures in areas with unique land use, site planning, building design, or environmental resource issues. Zoning district overlays are intended to be applied only where special circumstances justify the modification of base zoning district regulations to achieve specific land use and design objectives based on the Waupaca County and local Town Comprehensive Plans and applicable ordinances. Zoning district overlays are established in Sections 8.02 through 8.07.

**Amend Sec. 8.03:**

***8.03 Limited Development Overlay***

1. Purpose: To graphically show parcels of land that no longer have any development rights. If, however, a landowner is able to transfer development rights to a parcel in this overlay, the overlay will automatically be modified. This overlay is not a certified farmland preservation district.

2. For landowners without any development rights, permits will still be issued for any structures that are not principal structures and do not require development rights. (see Section 7.0).

**Delete Sec. 8.08, this was basically the same as Sec. 8.03:**

**Amend Sec. 10.02(1) and (2):**

***10.02 Applicability***

1. A Site Plan is required for all Conditional Uses as identified in Section 5.0, 5.1 and 6.0.

2. A Site Plan is required for certain Permitted Uses where specifically identified in Section 5.0 and 5.1.

**Amend Sec. 10.06(2)(a):**

a. Adherence to the County's Site Plan Components as established in a stand-alone document.

**Add Sec. 11.04(1)(b):**

b. Invasive species, regulatory signs or any other signs as approved by the lake association.

**Amend Sec. 14.03(5)(a) and move portions of it to Sec. 2.02:**

a. Land Use Permit

(1) When required: A Land Use Permit shall be required to be issued in accordance with Sec. 2.02.

**Amend Sec. 14.03(5)(b)(5):**

(5) Setback Verifications: Setback verifications at the footings stage may be conducted at the property owner's request or upon decision of the Planning & Zoning Director to ensure that the proper setbacks are met.

**Add Sec. 14.04(1)(b)(4):**

(4) To promote effective use of resources, the Planning & Zoning Office will wait for two (2) or more variance applications to come into the office before scheduling or 45 days from the receipt of the first application, whichever comes first.

(a) At the discretion of the Board of Adjustment Chair, the Board may delay the scheduling of the public hearings for variances/appeals due to seasonal inclement weather that may hinder the Board from properly assessing the site.

**Amend Sec. 14.05, add #1:**

1. Conditional Use Permit Decisions. Certain uses are of such special nature that their effects are so dependent upon specific circumstances as to make impractical the determination in advance of where and when and under what conditions they should be permitted. Provision has been made in this Ordinance for the determination of such cases as Conditional Uses (C) in a Zoning District as identified in Sections 5.0, 5.1 and 6.0. A Conditional Use Permit may be granted in a Zoning District only upon approval by the Planning and Zoning Committee.

**Amend Sec. 14.05, change to #2:**

2. Rezone Review Process: Waupaca County's process for each amendment to the Official Zoning Map (rezoning) is as directed by Wisconsin Statutes Section 59.69 and is as follows.

**Amend Sec. 14.05(1)(b):**

(b) Step 2—Initial Recommendation from Town: Following the application for a Conditional Use Permit, the County will forward the complete application to the Clerk of the affected Town, or the Town Chair if that particular Town has designated the Chair as the receiving party, along with a Town Recommendation Form. The consultation process may vary from town to town, and may involve the Town Plan Commission and/or Town Board. The Town shall have forty-five (45) days from the date the application materials and Town Recommendation Form were forwarded by the County to provide the County with a recommendation regarding the potential application. After forty-five (45) days, if the affected town has not provided a recommendation to the County regarding the potential application, and provided the applicant has attempted to meet or has met with representatives of the Town, the County shall schedule the public

hearing before the Planning and Zoning Committee. The Planning & Zoning Director may grant an extension to the forty-five (45) days if requested by the Town.

**Amend Sec. 14.05(9)(b):**

(b) Step 2—Initial Action by Town: Following receipt of a rezone application, the County will forward the complete application to the clerk of the affected town or the Town Chair if that particular town has designated the Chair as the receiving party, along with a Town Recommendation Form. Prior to scheduling of a Planning and Zoning Committee meeting, the potential applicant, within one (1) month of the application, shall attempt to arrange a consultation with representatives of the affected town. The consultation process may vary from town to town, and may involve the Town Plan Commission and/or Town Board. The Town shall have forty-five (45) days from the date the application materials and Town Recommendation Form were forwarded by the County to provide the County with a recommendation regarding the potential application. After forty-five (45) days, if the affected Town Board has not taken action, and provided the applicant has attempted to meet with representatives of the Town, the County shall schedule the Planning and Zoning Committee meeting to review the rezone application. The Planning & Zoning Director may grant an extension to the forty-five (45) days if requested by the Town.

*EFFECTIVE DATE*

Approval of the Planning & Zoning Committee and Upon enactment of the County Board of Supervisors, the amendment will be in full force and effect within Waupaca County and each Town as provided in Section 59.69(5)e, Wis. Stats.

ATTEST:  
/s/ Jill Lodewegen  
Waupaca County Clerk

APPROVED AS TO FORM:  
/s/ Diane Meulemans  
Corporation Counsel

Supr. Zaug moved and Supr. Kussmann seconded the motion to approve the amendments to Chapter 34 of the Waupaca County Code of Ordinances. Motion carried 26-0. Passed the 16<sup>th</sup> day of May, 2017.

**AMEND CHAPTER 37 – WAUPACA COUNTY SUBDIVISION ORDINANCE  
OF THE WAUPACA COUNTY CODE OF ORDINANCES  
SELECTED REVISIONS**

**The Waupaca County Board of Supervisors does hereby ordain and enact the following amendments to the Waupaca County Subdivision Ordinance, Chapter 37:**

**Amend Sec. 7.01(6):**

6. **Setbacks or Building Lines** from public rights-of-way, existing buildings or shorelines as provided in the Zoning Ordinance or the following plat note shall be

depicted on the Certified Survey Map, "For building setbacks, contact the Waupaca County Planning and Zoning Office."

**Amend Sec. 8.07(3)(a):**

- (a) At the creation of the third principal structure, the road is required to be named and a road sign erected in accordance with Town standards and E-911 County addressing provisions. These roads will be hereby designated as a Level III highway.

***EFFECTIVE DATE***

Approval of the Planning & Zoning Committee and Upon enactment of the County Board of Supervisors, the amendment will be in full force and effect within Waupaca County and each Town as provided in Section 59.69(5)e, Wis. Stats.

ATTEST:  
/s/ Jill Lodewegen  
Waupaca County Clerk

APPROVED AS TO FORM:  
/s/ Diane Meulemans  
Corporation Counsel

Supr. Zaug moved and Supr. Handrich seconded the motion to approve the amendments to Chapter 37 of the Waupaca County Code of Ordinances. Motion carried 26-0. Passed the 16<sup>th</sup> day of May, 2017.

**AMENDMENT TO CHAPTER 34 OF THE  
WAUPACA COUNTY CODE OF ORDINANCES  
2017-626, Town of Waupaca**

**TO THE COUNTY BOARD OF WAUPACA COUNTY:**

Petition #Z-005-17, Town of Waupaca

The Waupaca County Planning & Zoning Committee, having considered the above petition on the 4<sup>th</sup> day of May, 2017 by **Riverhill Dental Associates of Waupaca** for a Petition for Zoning Map Amendment from an AWT (Agriculture and Woodland Transition) District to an RC-N (Rural Commercial - Neighborhood) District for the construction of a dental clinic on approximately 3.46 acres.

The following described lands: Located in part of the SW ¼ of the NW ¼ of Sec. 31, Town of Waupaca, lying along Shadow Road, Fire Number N2846, Waupaca County, Wisconsin. (Parcel #20-31-23-7)

Having held public hearings thereon, pursuant to the Wisconsin Statutes, notice thereof having been given as provided by law, and being duly informed of the facts pertinent to the changes proposed, and duly advised of the wishes of the people in the area affected, hereby recommends as follows:

Based on the testimony presented at the public hearing, the Committee decided to **GRANT** the Petition for Zoning Map Amendment due to the following:

- The Town of Waupaca Planning Commission and the Town Board of Waupaca have both recommended approval of this request and it is consistent with the Town's Comprehensive Plan.

Waupaca County Planning & Zoning Committee on May 4, 2017

By: /s/ John F. Penney, Chairman

This ordinance shall be in full force and effect in the Town of Waupaca upon filing with the County Clerk of Waupaca County a certified copy of a resolution of the Town Board of Supervisors of said town approving said ordinance or 40 days after the adoption of the ordinance by County Board, unless a certified copy of a resolution disapproving the amendment is filed within ten (10) days with the County Clerk within that time.

Certification of County Board Approval: 26 ayes 0 nays

**I, Jill Lodewegen, Waupaca County Clerk**

do hereby certify that the above Zoning Amendment was enacted by the County Board on May 16, 2017.

Supr. Johnson moved and Supr. Wilfuer seconded the motion to approve the amendments to Chapter 34 of the Waupaca County Code of Ordinances. Motion carried 26-0. Passed the 16<sup>th</sup> day of May, 2017.

**REPORTS**

**CLERK OF CIRCUIT COURT 2016 ANNUAL REPORT**

**Terrie Tews, Clerk of Circuit Court**

Terrie Tews reviewed the 2016 Annual Report. Chair Koeppen placed the report on file in the County Clerk's Office.

**2017 COUNTY BOARD UWEX ANNUAL TOUR**

**Iola Area**

**Penny Tank, UWEX**

Penny reviewed the plans for the County Board Tour of the Iola area.

Chair Koeppen called for a short recess. Chair Koeppen called the meeting to order.

**WAUPACA COUNTY INDUSTRIES UPDATE**

**Chuck Price, DHHS Director**

Chuck Price presented a short history of WCI and reported on the future of WCI.

## **COUNTY BOARD CHAIR REPORT**

Chair Koeppen reported on Student Government Day.

### **ANNOUNCEMENTS AND CORRESPONDENCE**

Chair Koeppen placed the following correspondence for May on file in the County Clerk's Office: WCEDC Monthly Report, Child Support Agency 2016 Certificate of Outstanding Achievement award, Waupaca County Department of Health & Human Services Public Hearing June 7, 2017, and April Sexual Assault Awareness Month Proclamation.

Supr. Sorensen moved and Supr. Jonely seconded the motion to adjourn. Motion carried 26-0. Chair Koeppen declared the meeting adjourned at 10:28 a.m.

Jill Lodewegen  
Waupaca County Clerk