

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. As required by s.59.692, Wis Stats., and Ch NR 115, for any area within the Shoreland, the jurisdiction of this Zoning Code includes all areas of Bayfield County. (A)10/31/2017)
- (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 Planning and Zoning Agency. (A)7/30/2013); (A)10/31/2017); (A)2/27/2018)
- (1) United States Geological Survey Quadrangle Maps for Bayfield County. (©)10/31/2017); (D)10/31/17); (A)2/27/2018)
 - (2) Wisconsin Wetland Inventory Maps as reflected on the State of Wisconsin DNR Surface Water Data Viewer. (A)10/31/17); (A)2/27/2018)
 - (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 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) **Facilities.** The construction and maintenance of a facility is considered to satisfy the requirements of a shoreland zoning requirement if the Department of Natural Resources has issued all required permits or approvals authorizing the construction or maintenance under Ch. 30, 31, 281 or 283, Wis. Stats. A “facility” means any property or equipment of a public utility, as defined in s. 196.01(5), Wis. Stats, or a cooperative association organized under Ch. 185, Wis. Stats for the purpose of producing or furnishing heat, light, or power to its members only, that is used for the transmission, delivery, or furnishing of natural gas, heat, light, or power. (A)7/30/2013); (D)10/31/17); (©)10/31/2017)
- (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. (88)8/27/2002)
- (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). (88)8/27/2002)
 - (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. (88)8/27/2002)
 - (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 Planning and Zoning Agency and/or Planning and 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. (88)8/27/2002); (A)7/30/2013)
 - (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 Planning and Zoning Committee. Conditional use review is governed by the provisions of Sec. 13-1-41. (88)8/27/2002); (A)7/30/2013)
- (b) **Land Use Permits.**
- (1) **Requirement.** A land use permit shall be required for any new residence, any building or structure erected, relocated, rebuilt 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, Sanitary and Private Sewage Code, Flood Plain Ordinance, Shoreland-Wetland Zoning Ordinance, or Subdivision Control Ordinance. (88)6/1/1976); (A)1/18/2005); (A)5/31/2005); (A)3/29/2007); (A)1/29/2013); (A)10/29/2013)

- (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. (©)12/15/2009)
- (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 decks, additions to decks, or new decks attached to non-conforming structures shall also require a land use permit. (©)1/25/2000); (A)1/18/2005); (A)3/29/2007); (A)10/29/2013); (A)2/27/2018)
- (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. (D)5/29/2001; (A)1/27/2009); (A)5/25/2010)
- (5) ***Validity.*** A land use permit shall expire twelve (12) months from its date of issuance if the authorized building activity, land alteration or use has not begun within such time. (©)6/1/1976); (A)9/26/2000); (A)2/27/2018)
- An incomplete application shall expire four (4) months after written notice from the Zoning Agency to the applicant that the application is incomplete, if it is not completed within such time period. (©)1/29/2013); (A)2/27/2018)
- An incomplete or unfinished application shall expire twelve (12) months from the date received by the Planning and Zoning Agency, if not completed within such time period unless otherwise already expired. (©)3/27/2012); (A)1/29/2013); (A)2/27/2018)
- (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)5/25/2010); (A)8/31/2010)
- (7) ***Shoreland Permits.*** Within the Shoreland, a permit shall be required for any and all structures and none of the above exceptions shall apply. (©)10/31/2017)
- (c) ***Application for Permit.*** All applications for a land use permit shall be submitted to the Planning and Zoning Agency, which shall issue a permit if the application conforms with this Chapter. (©)6/1/1976); (A)9/26/2000); (A)5/31/2005); (A)3/2/2006); (A)3/27/2012)
- (1) ***Use of Bayfield County Land Use Plan and Comprehensive Plan.*** The Bayfield County Land Use Plan and Comprehensive Plan will be used as a guide, tool in making informed Zoning decisions by Department

personnel. (©)3/27/2012)

(2) **Decision Making Considerations.** Review and base decision on the following: (©)3/27/2012)

- a. Zoning Ordinance and all other applicable laws. (©)3/27/2012)
- b. Consistency with Town Comprehensive Plan (more specific detail) (©)3/27/2012)
- c. Consideration of Town Board Recommendation if applicable or if any. (©)3/27/2012)
- d. Consistency with County Comprehensive and Land Use Plan (general overview). (©)3/27/2012)

(3) If a determination cannot be made by the Planning and Zoning Agency 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 Planning and Zoning Agency's and/or the Planning and Zoning Committee's decision in denying the application as provided under Sections 13-1-102 and 13-1-102A.

(d) **Temporary Permits.** The Planning and Zoning Agency and/or the Planning and 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. (©)6/1/1976); (A)9/30/2004); (A)7/30/2013)

(e) **Fees.** (©)6/1/1976); (D)12/8/1998);(D)9/26/2000);(D)3/13/2002;(D)1/18/2005;(D)8/28/2007)

(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)3/13/2002); (A)1/18/2005)

- 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: (A) 3/13/2002); (A)9/26/2006)

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

 (A)12/8/1998); (A)1/18/2005)

b.	Additions/Alterations to Residences—Dwellings		
	1. 0—less than \$25,000	\$	75.00
	2. \$25,000+	\$	3.00/1,000.00
	<small>(©)6/1/1976); (A)12/8/1998); (A)3/13/2002); (A)1/18/2005); (A)3/28/2006); (A)9/26/2006); (D)3/29/2007)</small>		
c.	Residential Accessory Structures		
	1. 0—less than \$25,000	\$	75.00
	2. \$25,000	\$	3.00/1,000.00
	<small>(A)12/8/1998); (A)3/13/2002); (A)3/13/2002); (A)1/18/2005); (A)1/29/2013)</small>		
d.	Additions/Alterations to Residential Accessory Structures		
	1. 0—less than \$25,000	\$	75.00
	2. \$25,000+	\$	3.00/1,000.00
	<small>(A)12/8/1998); (A)1/18/2005); (A)3/28/2006); (A)9/26/2006); (D)3/29/2007); (A)1/29/2013)</small>		
e.	Commercial/Industrial/Municipal/Institutional--Principal Structures.....	* \$	250.00
	<small>(©)6/1/1976); (A)12/8/1998); (A)1/18/2005); (A)1/29/2013)</small>		
f.	Commercial/Industrial/Municipal/Institutional--Additions/Alterations	* \$	125.00
	<small>(©)6/1/1976); (A)12/8/1998); (A)1/18/2005)</small>		
g.	Commercial/Industrial/Municipal/Institutional--Accessory Structures.....	* \$	125.00
	<small>(A)12/8/1998); (A)1/18/2005); (A)1/29/2013)</small>		
	<p>[*The minimum commercial / industrial / municipal/institutional fee for a principal structures shall be \$250. For any principal structures 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 structures shall be \$125.00. For any commercial / industrial / municipal / institutional addition / alterations, accessory structures, exceeding \$50,000 in estimated Fair Market Value, the fee shall be \$2.50/1,000 of estimated Fair Market value.] <small>(©)6/1/1976); (A)12/8/1998); (A)3/13/2002); (A)4/15/2003); (A)1/18/2005); (A)5/31/2005); (A)8/28/2007); (A)1/29/2013)</small></p>		
h.	Temporary Permits.....	\$	50.00
	<small>(©)6/1/1976); (A)12/8/1998); (A)3/13/2002); (A)1/18/2005)</small>		
i.	On-Site Consultation (request for on-site information not involving pending permit application)	\$	250.00
	<small>(©)6/1/1976); (A)12/8/1998); (A)3/13/2002); (A)1/18/2005); (A)3/28/2006)</small>		
j.	Gazebo(s)	\$	215.00
	<small>(©)3/13/2002); (A)1/18/2005); (A)9/26/2006)</small>		

k.	Certified Soil Tests - Review & Filing Fee	\$	50.00
	<small>(A)12/8/1998); (A)1/18/2005; (A)1/27/2009)</small>		
l.	Private Sewage System (Septic Tanks)	\$	400.00
	<small>(A)12/8/1998); (A)3/13/2002); (A)1/18/2005; (A)1/27/2009)</small>		
m.	Private Sewage System (Holding Tanks).....	\$	400.00
	<small>(A)3/13/2002); (A)1/18/2005) (A)3/13/2002); (A)1/18/2005)</small>		
n.	Mounds or Systems requiring Pre-Treatment	\$	500.00
	<small>(©)1/27/2009)</small>		
o.	Private Sewage System Reconnection And Private Interceptor	\$	50.00
	<small>(A)12/8/1998)</small>		
p.	Sanitary Permit Transfer of Land Owner.....	\$	25.00
	<small>(A)12/8/1998); (A)3/13/2002)</small>		
q.	Sanitary and Land Use Revisions	\$	25.00
	<small>(A)12/8/1998)(A)3/13/2002)</small>		
r.	Return Inspection	\$	50.00
	<small>(A)12/8/1998); (A)1/18/2005); (©)9/26/2006); (D)1/27/2009)</small>		
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
	<small>(©)7/26/2011)</small>		
	Portable Restroom	\$	50.00
	<small>(©)12/15/12009); ((A)7/26/2011)</small>		
	(* 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
	<small>(©)6/1/1976); (A)12/8/1998); (A)3/28/2006; (A)1/27/2009)</small>		
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
	<small>(A)12/8/1998); (A)3/13/2002); (A)1/18/2005); (D)8/28/2007)</small>		
v.	Land Use Regulations Booklet.....	\$	Cost+postage
	<small>(A)12/8/1998)</small>		
w.	Conditional Use Applications (plus applicable land use fee)	\$	350.00
	<small>(©)6/1/1976); (A)12/8/1998); (A)1/18/2005); (A)9/26/2006); (A)8/28/2007)</small>		

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

(A)12/8/1998); (A)1/18/2005); (A)9/26/2006); (A)8/28/2007)

y. Zoning Petition District Change..... (see below)
(©)6/1/1976); (A)12/8/1998); (A)3/13/2002); (A)1/18/2005); (©)1/29/2008)

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
(A)12/8/1998); (A)1/18/2005)

aa. Board of Adjustment Hearing

Special Exception	\$	550.00
Variance or Appeal	\$	800.00
Refiling & Reopening*	\$	800.00
Reopening & Reconsideration	\$	250.00

* Transcript and any copy fees shall be paid by individual(s) whom
make the request

(©)6/1/1976); (A)12/8/1998); (A)3/13/2002); (A)9/30/2004); (A)1/18/2005); (A)3/28/2006);
(A)1/27/2009); (A)5/25/2010); (A)7/30/2013)

bb. Special Planning and Zoning Committee or Board of Adjustment
Meeting
(fee is in addition to any other applicable fee)..... \$ 325.00
(©)6/1/1976); (A)12/8/1998); (A)3/13/2002); (A)9/30/2004); (A)7/30/2013)

cc. Miscellaneous

1. Change of use	\$Cost of Permit
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(i.e. from residence to accessory building; accy building to residence, etc)

2. Failure to Obtain Permit Prior to Construction	Double Fee
	Possible Citation

(Doubling of fee may be waived by the Planning and Zoning Director).
(©)5/31/2005); (D)10/26/2010); (A)5/27/2014)

dd.	Permit Renewal		
	1. Sanitary Permit.....	\$	Cost of Permit
	2. All other Permits.....		Non-renewable
	(A)3/13/2002)		
ee.	Photocopies/Faxes (A)5/28/2002)		
	1. Per Page	\$.25 + tax
	2. Faxes-1 st 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.		
	(A)1/18/2005)		
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.		
	(A)1/18/2005)		
hh.	Recreational Vehicle (RV) Placement Permit	\$	75.00
	(©)4/20/2004); (A)1/18/2005)		
ii.	Review of Condominium Plat	\$	100.00
		Per Unit
	(©)9/30/2004); (A)9/26/2006)		
jj.	Stairway to navigable waters	\$	100.00
	(©)3/13/2002); (A)1/18/2005); (A)7/29/2008)		
kk.	Shoreland (non-conforming, impervious surface, etc.).....	\$	100.00
	(©)8/28/2012)		
ll.	Boathouse	\$	300.00
	(©)1/26/2016)		
mm.	Refiling or Rehearing before Planning and Zoning Committee.....	\$	(see below)
	(©)1/26/2016)		

The fee shall be equal to the fee for the underlying application, as set forth in Section 13-1-21(e)(1)a-II) (©)1/26/2016)

- (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. (A)12/8/1998)
- (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. (@@)6/1/1976); (A)12/8/1998)
- (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 Planning and Zoning Agency may be granted only by the Planning and Zoning Committee, in its sole discretion. (A)12/8/1998); (A)9/30/2004); (A)7/30/2013)
- (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. (A)12/8/1998)
- (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. (A)12/8/1998)

Sec. 13-1-22 Setbacks and Height Restrictions. (A)5/28/2002**(a) Shoreline Setbacks.**

- (1) **[Setbacks.]** Except as otherwise provided in this subsection, setbacks for structures on shoreland lots shall be 75 feet from the ordinary high-water mark. (A)10/31/2017
- (2) **Reduced Principal Structure Setbacks.** (s. 59.692(1n), Wis. Stats.) A setback less than the 75' required setback from the ordinary high-water mark shall be permitted for a proposed principal structure and shall be determined as follows: (©)10/31/2017
 - a. Where there are existing principal structures in both directions, the setback shall equal the average of the distances the two existing principal structures are set back from the ordinary high-water mark provided all of the following are met: (©)10/31/2017
 1. Both of the existing principal structures are located on adjacent lot to the proposed principal structure. (©)10/31/2017
 2. Both of the existing principal structures are located within 250' of the proposed principal structure. (©)10/31/2017
 3. Both of the existing principal structures are located less than 75' from the ordinary high-water mark. (©)10/31/2017
 4. The average setback shall not be reduced to less than 35' from the ordinary high-water mark of any navigable water. (©)10/31/2017
 - b. When a new principal structure qualifies for a reduced building setback, unenclosed accessory structures (functional appurtenances), such as open decks, or patios, if built in conjunction with the principal structure are allowed to be constructed at the reduced setback. (D)10/31/2017; (©)10/31/2017
- (3) **Increased Principal Structure Setback** (s. 59.692(1n)(c), Wis. Stats. A setback greater than the required 75' from the ordinary high-water mark shall be required for a proposed principal structure and determined as follows: (©)10/31/2017
 - a. Where there are existing principal structures in both directions, the setback shall equal the average of the distances the two existing principal structures are set back from the ordinary high-water mark provided all of the following are met: (©)10/31/2017
 1. Both of the existing principal structures are located on adjacent lots to the proposed principal structure. (©)10/31/2017

2. Both of the existing principal structures are located within 200' of the proposed principal structure. (©)10/31/2017)
 3. Both of the existing principal structures are located greater than 75' from the ordinary high-water mark. (©)10/31/2017)
 4. Both of the existing principal structures were required to be located at a setback greater than 75' from the ordinary high-water mark. (©)10/31/2017)
 5. The increased setback does not apply if the resulting setback limits the placement to an area on which the structure cannot be built. (©)10/31/2017)
- (4) **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 s 59.692, Wis. Stats and s. 281.31, Wis. Stats., and which meet all of the following criteria are exempted from the shoreline setback requirement: (A)10/31/2017); (D)2/27/2018-(4)a.); (A)2/27/2018)
- 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.
- (5) **Structures Exempt Under s. 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 the following structures proposed to be constructed or placed in a shoreland setback area (as defined by Sec. 59.692(1)(bn), Wis. Stats.): (A)10/31/2017); (A)2/27/2018)
- a. Open-sided and screened structures such as gazebos, decks, patios and screen houses in the shoreland setback area if all of the following requirements are met: (©)10/31/2017)
 1. 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. (©)10/31/2017)
 2. 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) square feet, excluding boathouses and walkways. (A)1/26/2016); (A)10/31/2017)
 3. The structure has no sides or has open or screened sides.

- (A)10/31/2017)
4. The side yard setback shall be a minimum of fifteen (15) feet. (A)10/31/2017)
 5. The structure sidewall height shall not exceed ten (10) feet, with a maximum overhang of twenty-four (24) inches. (A) 7/28/2015); (A)10/31/2017)
 6. The Bayfield County Planning and Zoning Agency 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: (A)7/30/2013); (A)10/31/2017)
 - i. The buffer zone shall include a tree canopy, a shrub layer and ground cover. (A)10/31/2017)
 - ii. There shall be no disturbance of land in the buffer zone, except to establish a buffer zone and except for Routine Maintenance of Vegetation. (A)10/31/2017)
 - iii. 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 Planning and Zoning Agency by the owner prior to the issuance of the permit. (A)7/30/2013); (A)10/31/2017)
 7. 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. (A)10/31/2017)
- b. **Boathouse.** If all of the following requirements are met: (A)7/31/2012); (D)1/26/2016); (D)10/31/2017-g.)
1. Only boathouse construction activities which follow Best Management Practices (BMPs) and are done in a manner designated to minimize erosion, sedimentation and impairment of fish and wildlife habitat and which are accomplished in conformity with all applicable federal, state and local laws are permissible in the shoreland. (©)1/26/2016); (A)10/31/2017)
 2. A Boathouse shall be designed, constructed and used solely for the storage of boats and/or related equipment and shall not include any habitable living area including but not limited

- to decks, patios, lean-tos or porches. (©)1/26/2016); (A)10/31/2017)
3. A Boathouse shall not be equipped with a potable water supply, fireplaces, patio doors, food preparation equipment, furniture or any features inconsistent with the use of the structure exclusively as a boathouse. (©)1/26/2016); (A)10/31/2017)
 4. A Boathouse shall have a gable roof with eaves not to exceed 24 inches. (©)1/26/2016); (A)10/31/2017)
 5. A Boathouse shall not be placed water ward beyond the ordinary high-water mark unless otherwise approved by the Department of Natural Resources. (©)1/26/2016); (A)10/31/2017)
 6. Only one boathouse is permitted, as an accessory structure, for each buildable lot. A boathouse may not be the first structure on the parcel. (©)1/26/2016); (A)10/31/2017)
 7. A Boathouse shall be entirely within the access and viewing corridor; due to the impacts of ice movement, must be setback a minimum of ten feet from the ordinary high-water mark, and shall be constructed in conformity with all floodplain zoning standards. (©)1/26/2016); (A)10/31/2017)
 8. A Boathouse shall not exceed one story. Maximum height from the boathouse floor to the top of the side wall shall not exceed 10 feet. The footprint shall not exceed 400 square feet. (©)1/26/2016) (A)10/31/2017)
 9. The maintenance and repair of existing nonconforming boathouse, which extend beyond the ordinary high-water mark, shall comply with the requirements of s. 30.121 Wis. Stats. (©)1/26/2016); (A)10/31/2017)
 10. Standards for removal of shoreline vegetation in Section 13-1-23 of this ordinance shall be complied with. (©)1/26/2016); (A)10/31/2017)
 11. A Boathouse must use exterior building materials or treatments that are inconspicuous and blend with the natural setting of the site. (©)1/26/2016); (A)10/31/2017)
 12. A boathouse requires a land use permit and must include an impervious surface calculation form and associated fee(s). (©)1/26/2016); (A)10/31/2017)
 13. The roof of a boathouse may be used as a deck provided that the boathouse is an existing boathouse with a flat roof, the roof has no side walls or screens and the roof may have a railing that meets the Department of Safety and

Professional Services standards.; (©)10/31/2017)

- c. Fishing rafts that are authorized on the Wolf River and Mississippi River under s.30.126, Wis Stats. (©)10/31/2017)
- d. Broadcast signal receivers, including satellite dishes or antennas that are one meter or less in diameter and satellite earth station antennas that are 2 meters or less in diameter. (©)10/31/2017)
- e. Utility transmission and distribution lines, poles, towers, water towers, pumping stations, well pumphouse covers, private on-site wastewater treatment systems that comply with Ch. SPS 383, Wis Adm. Code, and other utility structure that have no feasible alternative location outside of the minimum setback and that employ best management practices to infiltrate or otherwise control storm water runoff from the structure. (©)10/31/2017)
- f. Devices or systems used to treat runoff from impervious surfaces. (©)10/31/2017)
- g. **Stairways, Walkways or Rail Systems.** Stairways, elevated walkways and rail systems are exempted from the shoreline setback requirement provided: (A)10/31/2017)
 - 1. The structure is necessary to access the shoreline. (A)10/31/2017)
 - 2. 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. (A)10/31/2017)
 - 3. The structure shall be no more than sixty inches (60") wide. (A)10/31/2017)
 - 4. Structures shall be inconspicuously colored. (A)10/31/2017)
 - 5. Railings are permitted only where required by safety concerns. (A)10/31/2017)
 - 6. Canopies and roofs on such structures are prohibited. (A)10/31/2017)
 - 7. Landings for stairways or docks are permitted only where required by safety concerns and shall not exceed forty (40) square feet. (A)10/31/2017)
 - 8. 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 Planning and Zoning Agency may seek the assistance of the county land conservationist. (A)7/30/2013); (A)10/31/2017)

9. Only one such structure will be allowed per lot. (©)10/31/2017)

(6) **Existing Exempt Structures.** Existing exempt structures may be maintained, repaired, replaced, restored, or rebuilt and remodeled provided the activity does not expand the footprint and does not go beyond the three-dimensional building envelope of the existing structure. Expansion of a structure beyond the existing footprint may be allowed if the expansion is necessary to comply with applicable state or federal requirements. (©)10/31/2017); (A)2/27/2018)

(b) **Highway and Bluff or Bank Setbacks.** (©©)6/1/1976); (A)1/25/2000); (A)10/31/2017)

Class of Highway	Setback from 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. (©©)6/1/1976)

(1a) **Reduced Roadway, Rear Yard, Setbacks for Undeveloped and Redeveloped Lots of Record.** (©)2/27/2018)

a. **Nonconforming Plats.** If a lot of record is not deep enough to accommodate required roadway and rear yard 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. This provision shall not apply in the shoreland. (A)10/31/2017); (©)2/27/2018)

(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. (©©)6/1/1976); (A)3/28/2006)

- (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 hundred (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. (©)6/1/1976); (A)10/31/2017)
- (4) **Cul-de-sac Setback.** Setback of 75' from centerline of a cul-de-sac or 30' from ROW whichever is greater. (©)7/28/2015)
- (5) **Bluff or Bank Setback.** For lots having a bank or a bluff, the top of which is discernible due to evidence of erosion (including but not limited to exposed rock), the required 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 the Wisconsin Shoreline Inventory and Oblique Viewer web site (http://floodatlas.org/asfpm/oblique_viewer/), a greater setback may be required as determined by the Planning and Zoning Committee or its duly designated agent, based upon projected shoreland recession rates. (©)10/31/2017)
- (c) **Greater Setbacks.** In cases of adverse soil to topographical conditions, the Planning and Zoning Administrator and/or Planning and Zoning Committee may require greater setbacks. (A)7/30/2013)
- (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). (©)6/1/1976)
- (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. (©)6/1/1976)
- (h) **Height Restrictions.** Within shoreland areas no structures may be constructed taller than 35 feet in height. 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 lightening 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. (A) 7/28/2015)

- (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). (©)4/15/2003); (A)4/20/2004); (A)9/30/2004)
- (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.
- (l) **Setbacks on Properties Subject to Adverse Possession Claims.** In situations where there is a claim of adverse possession, setback requirements may be met or complied with by obtaining an easement from the adjacent property owner. Said easement shall specifically describe the easement parcel with a map of survey attached. Said easement does not eliminate any non-conforming status of the structure and expansion requests must comply with any other requirements of the Bayfield County Zoning Ordinance. For zoning purposes, any such easement shall be deemed to run with the land unless otherwise specifically stated or provided in the easement. The easement shall be reviewed and approved by the Bayfield County Planning and Zoning Agency and shall be recorded in the Bayfield County Register of Deeds Office. (©)1/31/2012)

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 and Vegetative Management Areas.
(A)10/31/2017)

(1) There shall be a shoreland vegetation protection area on each lot adjoining or including navigable water extending from the ordinary high-water mark (OHWM) to a line that is 35 feet from the ordinary high-water mark. Within such area, the removal of trees, shrubs, and ground cover, and land disturbing activities are prohibited with the following exceptions:
(A)10/31/2017)

- a. One 35 foot wide viewing corridor for every one hundred feet (100') of frontage on a body of water 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(s) shall be more or less perpendicular to 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 35% of the frontage. A viewing/access corridor may not be established where the absence of vegetation provides a similar naturally occurring opening. A viewing corridor may run contiguously for the entire maximum width allowed under this ordinance. (A)1/18/2005); (A)10/31/2017); (A)2/28/2018)
- 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 Subsections 13-1-22(a) (7) or (8) of this Ordinance. (A)1/18/2005); (A)10/31/2017)
- c. The county may allow routine maintenance of vegetation.
(©)10/31/2017)
- d. The county may allow removal of trees and shrubs in the vegetative buffer zone on a parcel with 10 or more acres of forested land consistent with "generally accepted forestry management practices" as defined in s. NR 125 (2)(b), Wis. Adm. Code, and described in Department publication "Wisconsin Forest Management Guidelines" (publication FR-226), provided that vegetation removal be consistent with these practices. (©)10/31/2017); (A)2/27/2018)

- e. The county may allow removal of vegetation within the vegetative buffer zone to manage exotic or invasive species, damaged vegetation, vegetation that must be removed to control disease, or vegetation creating an imminent safety hazard, provided that any vegetation removed be replaced by replanting in the same area as soon as practicable. (©)10/31/2017
 - f. The county may authorize by permit additional vegetation management activities in the vegetative buffer zone. The permit issued under this subd. par. shall require that all management activities comply with detailed plans approved by the county and designed to control erosion by limiting sedimentation into the waterbody, to improve the plant community by replanting in the same area, and to maintain and monitor the newly restored area. The permit also shall require an enforceable restriction to preserve the newly restored area. (©)10/31/2017
- (2) No fences shall be allowed in the shoreland vegetation protection area. (A)12/12/2000
- (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 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.
- (c) **Shoreland and Upland Screening and Fencing.** Screening and/or fencing which may be required by this Chapter or by the Planning and Zoning Committee shall be subject to the following provisions: (A)7/30/2013
- (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 Planning and 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. (A)7/30/2013
 - (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 Planning and 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)7/30/2013

- 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 permit shall be required from the Department of Natural Resources under Ch. 30, Wis. Stats., or from any other state agency having jurisdiction. (©©)10/31/2017) (D)10/31/2017-(1)(2)
- (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. (A) 7/28//2015)
- (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 Planning and Zoning Agency and/or Planning and Zoning Committee may require the following information: (A)7/30/2013)
 - 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 Planning and Zoning Committee shall require the following information: (A)7/30/2013
- 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 Planning and Zoning Committee may require the following conditions in addition to those specified under Section 13-1-41: (A)7/30/2013
- 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. (®®)6/1/1976); (®®)3/29/2007)

- (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. (®®)6/1/1976); (A)3/29/2007)
- (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. (®®)6/1/1976); (A)3/29/2007)
- (c) **Basis of Approval.** In passing upon a conditional use permit, the Planning and 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 Planning and Zoning Committee: (®®)6/1/1976); (®®) /2008); (A)7/30/2013)
- (1) A legal description of the proposed site. (®®)6/1/1976)
 - (2) A detailed description of the topography and vegetative cover of the area to be mined. (®®)6/1/1976)
 - (3) The proposed setbacks that are to be observed and a description of the access to the area. (®®)6/1/1976)
 - (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. (®®)6/1/1976)
 - (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. (®®)6/1/1976); (A)3/29/2007)
- (d) **Conditions of Approval.** (®®)6/1/1976); (D)3/29/2007)

- (1) The Planning and Zoning Committee shall require as conditions of the permit. (6/1/1976); (D)3/29/2007; (A)7/30/2013
 - (a) A boundary survey or accurate identification of exterior boundaries. (3/29/2007)
 - (b) That appropriate setbacks and other dimensional requirements as set forth by the Planning and Zoning Committee be met. (6/1/1976); (A)7/30/2013
 - (c) That appropriate measures be taken to avoid nuisance affecting surrounding uses, pollution of any sort, and erosion. (6/1/1976)
 - (d) That no more than a forty (40) acre parcel shall be permitted at any one time. (3/29/2007)
- (2) The Planning and 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: (3/29/2007); (A)7/30/2013
 - (a) That suitable landscaping, screening, and fencing be required. (6/1/1976); (3/29/2007)
 - (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. (3/29/2007)
 - (c) That the applicant provide the Planning and 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. (3/29/2007); (A)7/30/2013
 - (d) Designated hours and days of operation. (3/29/2007)
 - (e) An expiration date. (3/29/2007)
- (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 Planning and 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. (6/1/1976); (A)7/30/2013
- (f) **Existing Quarry Operations.** The owners of quarry, mining, and/or drilling sites shall submit to the Bayfield County Planning and Zoning Committee the names of the quarry, mining, and/or drilling owners and operators, including all parties to farm out contracts. (6/1/1976); (A)7/30/2013
- (g) **Prohibited Areas.** Metallic mining, and/or drilling for oil or gas shall not be allowed in the following areas: (A)3/29/2007

- (1) Under lakes, rivers, creeks, or streams.
- (2) Within one (1) mile of Lake Superior or connected wetlands. (A)3/29/2007
- (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. (A)3/29/2007

Sec. 13-1-26 Substandard Lots of Record. (D)2/17/2018-(e)

- (a) **Substandard Lots of Record.** The following substandard lots of record, if recorded in the Bayfield County Register of Deeds, Office, may be used as building sites, subject to the provisions set forth in subsection (b), below: (©)10/31/2017)
- (1) A non-shoreland substandard lot or contiguous lots of record which is or are not serviced by a public sanitary sewer and which is or are at least 10,000 sq. ft. in area and 65 ft. in width at the building line. (©)10/31/2017)
 - (2) A non-shoreland substandard lot or contiguous lots of record which is or are served by a public sanitary sewer and which is or are at least 7500 sq. ft. in area and 50 ft. in width at the building line; (©)10/31/2017)
- (b) Substandard lots of record must comply with the following provisions in order to be used as building sites: (©)10/31/2017)
- (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) **Buildings Sites on Substandard Shoreland Lots.** A legally created lot or parcel that met minimum area and minimum average width requirements when created, but does not meet current lot size requirements, may be used as a building site if all of the following apply: (©)7/31/2012); (A)10/31/2017)
- (1) The substandard lot or parcel was never reconfigured or combined with another lot or parcel by plat, survey, or consolidation by the owner into one property tax parcel. (©)7/31/2012)
 - (2) The substandard lot or parcel has never been developed with one or more of its structures placed partly upon an adjacent lot or parcel. (©)7/31/2012)
 - (3) The substandard lot or parcel is developed to comply with all other Bayfield County Zoning Ordinance requirements. (©)7/31/2012)
- (d) **Other Substandard Lots.** A building permit for the improvement of a lot having lesser dimensions than those described in subsections (a) and (b) above, or a shoreland lot having lesser dimensions than those described in subsection (c) above or in Subsection 13-1-32(d) of this Ordinance, shall be issued only after the granting of a variance by the Board of Adjustment. (A)10/31/2017)

Sec. 13-1-27 Mobile Homes. (6/1/1976)

- (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. (6/1/1976)
- (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: (6/1/1976)
- (1) The minimum size of a mobile home park shall be three (3) acres. (6/1/1976)
 - (2) Minimum dimensions of a mobile home site shall be fifty (50) feet wide by one hundred (100) feet long. (6/1/1976)
 - (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). (6/1/1976)
 - (4) All driveways, parking areas, and walkways shall be compacted sand, graveled, or paved, and maintained in good condition. (6/1/1976)
 - (5) There shall be minimum yard setback of forty (40) feet at all lot lines of the mobile home park. (6/1/1976)
 - (6) Mobile home parks shall conform to regulations of Ch. ADM 65, Wis. Adm. Code. (6/1/1976); (A)9/26/2000)
 - (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. (6/1/1976)
 - (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. (6/1/1976)
 - (9) There shall be two (2) automobile parking spaces for each mobile home. (6/1/1976)
 - (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. (6/1/1976)

- (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: (66)6/1/1976; (A)9/26/2000
- a. The minimum lake frontage shall be six hundred (600) feet. (66)6/1/1976
 - 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. (66)6/1/1976
- (c) **Principal Building (Mobile Homes).** (66)6/1/1976
- (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. (66)6/1/1976
 - (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; (A)9/30/2004; (A)8/28/2007
- (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. (A)4/20/2004; (A)1/27/2009)

- (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 31st day of May, 2005, unless such use qualifies as legally pre-existing. (D)4/20/2004; (C)4/20/2004; (A)5/31/2005)

Sec. 13-1-28 Campgrounds and Camping Resorts; (6/1/1976); (A)4/20/2004) 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. (6/1/1976)
- (b) **Creation and Management.** The following requirements shall apply to the creation and management of all parks: (6/1/1976)
- (1) The minimum size of a campground or camping resort shall be three (3) acres. (6/1/1976)
 - (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. (6/1/1976)
 - (3) Each site shall be plainly marked and surfaced with compacted sand, gravel, blacktop, or concrete, except for tent sites. (6/1/1976)
 - (4) Each camping unit shall be separated from other camping units by a yard not less than fifteen (15) feet. (6/1/1976)
 - (5) There shall be one (1) automobile parking space for each site, plus one extra parking space for every three (3) sites. (6/1/1976)
 - (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 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. (6/1/1976)
 - (7) All campgrounds and camping resorts shall conform to the requirements of Ch. ATCP 79, Wis. Adm. Code. (6/1/1976); (D)10/31/2017); (A)10/31/2017-(8)
- (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. (6/1/1976)
- (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 Planning and Zoning Agency 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.
(A)7/30/2013)
 - 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 be at least two acres in size or have a minimum of 200 feet of frontage on a navigable water. (A)10/31/2017)
 - (3) Multiple Unit Developments shall have a minimum of 30,000 square feet of open space per unit, with the following exceptions: (A)10/31/2017)
 - a. In an unincorporated village overlay district the minimum open space requirement may be reduced to 5,000 square feet per unit if adequate public open space is available elsewhere, off-site, within the district. (A)10/31/2017)
 - 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. (©)10/26/2010)
 - 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. (©)10/26/2010)
 - e. The Planning and Zoning Committee may adjust or waive the open space requirements when reviewing applications to make a non-

conforming use conforming. In considering whether to adjust or waive the requirements, the committee shall consider the following:
(©5/29/2018)

- i. The length of time the non-conforming use has been in existence. (©5/29/2018)
 - ii. Relevant public input. (©5/29/2018)
 - iii. Whether the non-conforming use was active and actual prior to the application to waive the open space requirements and not merely casual and occasional or incidental. (©5/29/2018)
 - iv. Whether waiving or adjusting the open space requirements will allow for repurposing of existing structures and prevent additional land disturbance. (©5/29/2018)
- (4) The number of units allowed in a 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)10/26/2010)
- (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 shall have a minimum of 30,000 square feet per developable lot, with the following exceptions: (D)10/31/2017; (A)10/31/2017)

e. In an unincorporated village overlay district the minimum area requirement may be reduced to 5,000 square feet per developable lot if adequate public open space is available elsewhere, off-site, within the district. (A)10/31/2017)

f. 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.

- g.** A Conservation Subdivision in R-3 zoning district shall have a minimum of two acres (87,120 sq. ft.) per developable lot.
 - h.** 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.
- (5) The number of lots allowed in a 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 (2), 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. (A)10/31/2017)
 - (6) 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 Subsection 13-1-29A b(5)(a) of this Ordinance. (A)10/31/2017)
 - (7) 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. (A)10/31/2017)
 - (8) 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)10/26/2010); (A)10/31/2017)
 - (9) 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. (A)10/31/2017)

Sec. 13-1-30 Junk and Salvage Yards. (6/1/1976)**(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. (6/1/1976)
 - (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. (6/1/1976)
- (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. (6/1/1976)
- (c) Vertical Height.** Junk or salvage materials shall not be piled higher than the height of the fence. (6/1/1976)
- (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. (6/1/1976); (A)3/2/2006
- (e) Grace Period.** Within one (1) year after adoption of this Chapter, unlicensed existing junk and salvage yards shall submit a plan to the Planning and Zoning Committee, meeting the requirements of this Chapter. (6/1/1976); (A)7/30/2013
- (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, 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. (A)2/27/2018)

Sec. 13-1-32 Inland Lake Classification and Shoreland Lot Development Requirements. (D)7/31/2012

(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:

Class 1 Lakes		
Lake Name	Location	Rank
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

Class 1 Lakes		
Lake Name	Location	Rank
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

Class 2 Lakes		
Lake Name	Location	Rank
Ahmeek	26-47-9	10
Angus	10-47-8	10
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

Class 2 Lakes		
Lake Name	Location	Rank
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
Oriente 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

Class 3 Lakes		
Lake Name	Location	Rank
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

Class 3 Lakes		
Lake Name	Location	Rank
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
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

Class 3 Lakes		
Lake Name	Location	Rank
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
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

Class 3 Lakes		
Lake Name	Location	Rank
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
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 Siskiwit	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

Class 3 Lakes		
Lake Name	Location	Rank
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
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

Class 3 Lakes		
Lake Name	Location	Rank
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
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.

Class 3 Lakes- UnNamed		
Section	Location	Area
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
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

Class 3 Lakes- UnNamed		
Section	Location	Area
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
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

Class 3 Lakes- UnNamed		
Section	Location	Area
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
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

Class 3 Lakes- UnNamed		
Section	Location	Area
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
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

Class 3 Lakes- UnNamed		
Section	Location	Area
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

Class 3 Lakes- UnNamed		
Section	Location	Area
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
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

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

Class 3 Lakes- UnNamed		
Section	Location	Area
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

Class 3 Lakes- UnNamed		
Section	Location	Area
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

- (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 Planning and 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)7/30/2013)

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) **Application of Stricter Standards.** If more than one requirement with respect to setback, lot area, or lot dimension applies to a parcel, the most restrictive requirement(s) shall be applied. (D)10/31/2017-(b)(c)(d)(dg)(dm); (©)10/31/2017)
- (c) **Impervious Surface Standards.** For any riparian lot or parcel and any non-riparian lot or parcel located entirely within 300 feet of the ordinary high-water mark of any navigable waterway, the construction, reconstruction, expansion, replacement or relocation of any impervious surface must meet the following requirements: (dp10/29/2013); (D)10/31/2017-(e)(em)(f); (©)10/31/2017-(g)
- (1) **Lots or Parcels with 15% or Less Impervious Surface.** Up to 15% of the portion of a lot or parcel that is within 300 feet of the ordinary high-water mark may consist of impervious surface without the need for mitigation. (dp10/29/2013)
- (2) **Lots or Parcels with More than 15% but no More than 30% Impervious Surface.** Between 15% and 30% of the portion of a lot or parcel that is within 300 feet of the ordinary high-water mark may consist of impervious surface provided that the landowner obtains a permit and provided that the mitigation measures of Sec. 13-1-40, subsection (f) paragraph (9) of this Ordinance shall apply. (dp10/29/2013); (A)10/31/2017)
- (3) **Existing Impervious Surfaces.** For existing impervious surfaces that were lawfully placed when constructed but that do not comply with the standards in paragraphs (1) and (2) above, the property owner may do any of the following: (dp10/29/2013); (D)10/31/2017-(3); (A)10/31/2017)
- a. Maintenance and repair of all impervious surfaces; (dp10/29/2013)
- b. Replacement of existing impervious surfaces with similar surfaces within the existing building envelope; (dp10/29/2013)
- c. Relocation or modification of existing impervious surfaces with similar or different impervious surfaces, provided that the relocation or modification does not result in an increase in the percentage of impervious surface that existed at the effective date of the Bayfield County Shoreland Zoning Ordinance, and meets the applicable setback requirements in s. NR 115.05 (1) (b), Wisconsin Administrative Code. (dp10/29/2013); (A)10/31/2017)
- (4) **Treated Impervious Surfaces:** Impervious surfaces that can be documented to show they meet either of the following standards shall be excluded from the impervious surface calculations. (©)10/31/2017)
- a. The impervious surface is treated by devices such as stormwater ponds, constructed wetlands, infiltration basins, rain gardens, bio-

swales or other engineered systems. (©)10/31/2017)

- b. The runoff from the impervious surface discharges to an internally drained pervious area that retains the runoff on or off the parcel and allows infiltration into the soil. (©)10/31/2017)

(5) **Calculation of Percentage of Impervious Surface:** Percentage of impervious surface shall be calculated by dividing the surface area of the existing and proposed impervious surfaces on the portion of a lot or parcel that is within 300 feet of the ordinary high-water mark by the total surface area of that lot or parcel, and multiplied by 100. (©)10/31/2017)

(d) **For the Town of Pilsen.** The following minimum lot sizes in the shoreland area shall apply: (©)10/31/2017-(d)

- (1) Sewered lots: the minimum lot area shall be 10,000 square feet and the minimum average lot width shall be 65 feet. (©)10/31/2017)
- (2) Unsewered lots: the minimum lot area shall be 20,000 square feet and the minimum average lot width shall be 100 feet. (©)10/31/2017)

(e) **Relationship to Other Provisions.** Subsections (b) and (c) above are subject to the provisions of Sec. 13-1-22 (a) (modifying setbacks for certain structures), Sec. 13-1-26 (pertaining to substandard lots of record), and Sec. 13-1-40 (pertaining to nonconforming uses and structures) of this Ordinance. (©)9/30/2001); (A)7/31/2012); (A)10/31/2017)

Sec. 13-1-33 Multiple Structures. (©)6/1/1976; (©)12/15/2009)

- (a) **Multiple Residences.** A conditional use permit shall be required for more than one (1) residence 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 residence may be located on a substandard lot. (©)6/1/1976; (©)5/28/2002; (A)9/30/2004; ©3/28/2006; (A)1/29/2008; (A)2/27/2018)
- (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. (©)12/15/2009)

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