

PROCEEDINGS
OF THE
BOARD OF SUPERVISORS
Columbia County, Wisconsin

Portage, Wisconsin
March 19, 2014
9:50 A.M.

The Board of Supervisors of Columbia County convened in annual session at the Carl C. Frederick Administration Building in Portage pursuant to law. The meeting was called to order by Chair Ross and was certified to be in compliance with the Wisconsin Open Meetings Law.

All Supervisors were present, except DeYoung, Hutler and Wingers absent with notice. Supervisory District 8 vacant.

Members stood and recited the Pledge of Allegiance followed by a moment of silence for Supervisor Boockmeier.

A motion was made by Baebler, second by Konkell to approve the Journal of February 19, 2014. Motion carried.

A motion to approve the agenda, with the ordinance amending Title 16, Chapter 100, Zoning Code to be considered before Title 9, Chapter 1, Planning and Zoning Fee Schedule was made by Bradley, second by Foley. Motion carried.

Appointments for the 2014 Emergency Fire Wardens for Columbia County (listing was included in board packets) were announced. Motion by Cupery, second by Martin, to approve the appointments. Motion carried.

REPORT OF THE PLANNING AND ZONING COMMITTEE

The Planning and Zoning committee having held a public hearing thereon pursuant to Section 59.69 Wisconsin Statutes, notice thereof have been given as provided by law and being duly advised of the wishes of the people in the areas affected hereby recommend as follows:

1. A petition by Derrick and Linda Trentin, Columbus, WI, Petitioners and Owners, to rezone from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay District, Parcel 251, Section 16, T10N, R12E in the Town of Columbus to be approved as follows: To change from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay District, Parcel 251, Section 16, T10N, R12E, Town of Columbus.
2. A petition by Matthew Dushek, Portage, WI, Petitioner and Owner, to rezone from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay District, Parcels 984 & 1000, Sections 35 & 36 T12N, R8E in the Town of Caledonia to be approved as follows: To change from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay District, Parcels 984 & 1000, Sections 35 & 36, T12N, R8E, Town of Caledonia.
3. A petition by Harry and Amelia Mishler, Dalton, WI, Petitioners and Owners, to rezone from C-2 General Commercial to A-1 Agriculture and A-1 Agriculture to C-2 General Commercial District, Parcels 6 & 6.1, Section 1, T13N, R10E in the Town of Marcellon to be approved as follows: To change from G-2 General Commercial to A-1 Agriculture and A-1 Agriculture to G-2 General Commercial District, Parcels 6 & 6.1, Section 1, T13N, R10E, Town of Marcellon.
4. A petition by Judith Roberts, Columbus, WI, Petitioner and Owner, to rezone from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay District, Parcels 454, 511 & 516, Section 23, T10N, R11E in the Town of Hampden to be approved as follows: To change from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay District, Parcels 454, 511 & 516, Section 23, T10N, R11E, Town of Hampden.

Fred C. Teitgen
Mike Weyh
Mary Cupery
Harlan Baumgartner
James E. Foley
PLANNING AND ZONING COMMITTEE

Upon hearing no objection, Chair Ross directed the report be accepted and placed on file.

Chair Ross gave a final report of the Columbia County Master Plan and recommendations of the Ad Hoc Infrastructure Committee. Ron Locast from Potter Lawson was available to address any questions about the report. Handouts of both were placed on supervisor's desks and will be available on the Columbia County website at www.co.columbia.wi.us.

RESOLUTION NO. 5-14

WHEREAS, Town of West Point Parcel No. 648.03, more particularly described as Section 31, Town 10N, Range 7E, Government Lot 5, was acquired by Columbia County through tax delinquency foreclosure proceedings in Columbia County Circuit Court Case No. 12 CV 358; and,

WHEREAS, following the Judgment of Foreclosure in Case No. 12 CV 358, the Wisconsin Department of Transportation ("WisDOT") provided Columbia County with documentation showing that the property now known as Town of West Point Parcel No. 648.03 was actually transferred to WisDOT by the Federal Bureau of Land Management on November 22, 1971, in U.S. Land Patent No. 1242366; and,

WHEREAS, WisDOT has requested that Columbia County land records be corrected, via a Quit Claim Deed, authorized under secs. 59.12(1), 59.51(2), and 59.52(6)(b) and (c), Stats., transferring ownership of Town of West Point Parcel No. 648.03 from Columbia County to WisDOT.

NOW, THEREFORE BE IT RESOLVED, that the transfer of ownership of Town of West Point Parcel No. 648.03 from Columbia County to WisDOT for the purpose of correcting Columbia County land records and at no cost to WisDOT is hereby authorized and approved; and,

BE IT FURTHER RESOLVED, that the Columbia County Board Chair and Columbia County Clerk are hereby authorized to execute a Quit Claim deed and all other documents required to complete the transfer of property as authorized in this Resolution.

Fiscal Note: None.

Fiscal Impact: None.

Robert R. Westby
Mary Cupery, Secretary
Vern E. Gove, Vice Chair
Andy Ross, Chair
EXECUTIVE COMMITTEE

Motion was made to adopt the Resolution by Baumgartner, second by Gove. The resolution was adopted.

RESOLUTION NO. 6-14

WHEREAS, an Agricultural Enterprise Area (AEA) is an area of contiguous land, devoted primarily to agricultural use, as designated by the Wisconsin Department of Agriculture, Trade and Consumer Protection through the Wisconsin's Working Lands Initiative in response to a local petition; and

WHEREAS, the designation of an AEA identifies an area as valuable for current and future agricultural uses and may help to promote the development of agricultural businesses; and

WHEREAS, an AEA designation enables eligible farmers to enter into voluntary Farmland Preservation Program agreements with the Wisconsin Department of Agriculture, Trade and Consumer Protection for at least a 15-year period and enables farmers to receive income tax credits in return for preserving their land in agricultural use; and

WHEREAS, the West Point Town Board approached the Columbia County Land and Water Conservation and Planning and Zoning departments to assist the town and interested farmers with the development of a petition to establish an AEA in the Town of West Point; and

WHEREAS, the Land and Water Conservation and Planning and Zoning departments have prepared a petition entitled the West Point Agricultural Enterprise Area (AEA) which encompasses an area in excess of 15,000 acres; and

WHEREAS, the participating farmers would be eligible for a tax credit of 10.00 per acre provided they meet compliance with runoff rules established by ATCP 50; and

WHEREAS, the West Point Town Board, in February, 2014 voted to approve a resolution supporting the West Point AEA; and

WHEREAS, in order to fully prepare an AEA petition that can be submitted to the Wisconsin Department of Agriculture, Trade and Consumer Protection, each political subdivision that has land within the boundary of the proposed AEA must submit a copy of a resolution clearly stating that the political subdivision is petitioning the State of Wisconsin on behalf of the AEA; and

WHEREAS, the lands identified to be part of the West Point AEA are located within Columbia County, a political subdivision of the State of Wisconsin, and therefore requires the support of the Columbia County Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED, by the Columbia County Board of Supervisors supports the petition and designation of the West Point Agriculture Enterprise Area by the State of Wisconsin under Wis. Stat., Sec 91.84.

For consideration by the Columbia County Board of Supervisors on March 19, 2014.

Mike Weyh
Mary Cupery
Harlan Baumgartner
James Foley
Fred Teitgen
PLANNING AND ZONING COMMITTEE

Mike Weyh
JoAnne Wingers
Tim Zander
Phil Baebler
John Stevenson
LAND AND WATER CONSERVATION
COMMITTEE

A letter from Kevin Kessler, County Board Supervisor representing District 28, supporting the resolution was placed on supervisor's desks.

Motion was made to adopt the Resolution by Kessler, second by Sleger. The resolution was adopted.

RESOLUTION NO. 7-14

WHEREAS, the 2013 Register in Probate accounts have overdrawn County appropriations; and
WHEREAS, these shortages are due to lower than budgeted Register in Probate Fees and higher costs for Guardian Ad Litem Attorney Fees.

NOW, THEREFORE, BE IT RESOLVED, that the following transfer be made from the pre-closing General Fund to:

Register in Probate \$18,952

Fiscal Note: Transfer \$18,952 from the 2013 pre-closing Contingency Fund #100.350000 to the Register in Probate Account No. 1216.

Fiscal Impact: Cost to County is \$18,952

Kirk Konkel
Richard C. Boockmeier
Bruce J. Rashke
James L. Bechen
Kenneth W. Hutler

Motion was made to adopt the Resolution by Rashke, second by Baebler. The resolution was adopted.

RESOLUTION NO. 8-14

WHEREAS, the 2013 Solid Waste accounts have a net overdrawn balance of \$18,303; and
WHEREAS, this budgetary shortage is due primarily to increased hauling costs, associated with
elimination of stock-piled garbage in the co-composting building.

NOW, THEREFORE, BE IT RESOLVED, that the following transfer be made from the pre-closing
Contingency Fund to:

Solid Waste Accounts	\$18,303
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Fiscal Note: Transfer \$18,303 from the 2013 pre-closing Contingency Fund account #100.350000 to Solid
Waste Account #3632.

Fiscal Impact: 2013 cost to the County is \$18,303.

Robert C. McClyman
~~Kenneth W. Hutler~~
Susanna R. Bradley
Philip Baebler
Mark L. Sleger
SOLID WASTE COMMITTEE

Motion was made to adopt the Resolution by Sleger, second by Konkel. The resolution was
adopted.

RESOLUTION NO. 9-14

WHEREAS, the 2013 Sheriff's Department accounts have overdrawn County appropriations; and
WHEREAS, these shortages are due to:

- Overtime
- Decrease in Board of Federal Inmates Revenue
- Increase in vehicle gas
- Increase in Jail medical costs

NOW, THEREFORE, BE IT RESOLVED, that the following transfer be made from the pre-closing General
Fund to:

Sheriff's Department	\$147,562
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Fiscal Note: Transfer \$147,562 from the 2013 pre-closing General Fund #100.341100 to the Sheriff's
Department Accounts as required.

Fiscal Impact: Cost to County is \$147,562

JoAnn Wingers
Fred C. Teitgen
Kevin Kessler
Adam Field
Kirk Konkel
PUBLIC SAFETY COMMITTEE

Motion was made to adopt the Resolution by Teitgen, second by Gove. The resolution was adopted.

RESOLUTION NO. 10-14

BE IT RESOLVED, that effective January 1, 2014, the following accounts be designated as continuing appropriation accounts:

Wellness Funds	1271	Sheriff 9-1-1	2911
Unemployment Control	1432	Solid Waste Container Rental	3632
Employee Retirement Payout Pool	1433	Veterans Relief	4720
PC Maintenance Reserve	1455	U.W. Grant/Program Accounts	various
Printer Maintenance Reserve	1456	LWCD Duck Creek Funds	7411
Revolving Loan Fund Program	1513	LWCD Tree Sale Program FY 13/14	7424
Environmental Assessments	1564	Conservation Practices	7435
Land Records Trust	1721	ATC Conservation Fund	7437
County Owned Lands Inventory	1725	LWCD Nonpoint Watersheds	7445
Sheriff Donations	various	Tree Planter – Rental Program	7449
Drug Education	2240	Clean-up Underground Tank	7450
Sheriff Federal Drug Seizures Trust	2241	Capital Outlay Pool	8000
Sheriff State Drug Seizures Trust	2242	Accounting/HR Computer System	9910
CEASE Program	2243	Hlth & Human Services Restricted Funds	
Project Lifesaver	2246	Hlth & Human Services Circles of Support	4516
Sheriff's Inmate Trust	2252	Health Care Center - All Accounts	
Comprehensive Plan/Zoning Revisions	6312	Highway - All Accounts	

Fiscal Note: None
Fiscal Impact: None

Vern E. Gove
Harlan Baumgartner
Robert R. Westby
Barry Pufahl
John H. Tramburg
FINANCE COMMITTEE

Motion was made to adopt the Resolution by Pufahl, second by Tramburg. The resolution was adopted.

RESOLUTION NO. 11-14

WHEREAS, pursuant to Wis. Stat. § 59.22(1), the Board must establish the total annual compensation for services to be paid to County elected officials (other than Supervisors and Circuit Judges) prior to the earliest time for filing nomination papers for the County elective office; and

WHEREAS, the Board desires to establish the total annual compensation for County elected officials, which is separate and distinct from the fringe benefits offered by the County to elected officials, and which fringe benefits are subject to increase or decrease during the officer's term at the discretion of the Board and in accordance with State and Federal law; and

WHEREAS, as part of the County's fringe benefit program, County elected officials may participate in the Wisconsin Retirement System in accordance with State law; and

WHEREAS, as part of the County's fringe benefit program, County elected officials may elect to receive health insurance coverage under the same terms and conditions as the health insurance coverage offered to non-represented managerial County employees who are not law enforcement managerial employees or non-represented managerial employees described in Wis. Stat. § 111.70(1)(mm)2.

NOW, THEREFORE, BE IT RESOLVED, by the Columbia County Board of Supervisors, that the total annual compensation for County elected officers under Wis. Stat. § 59.22(1) shall be as follows, effective on the first day of a term of office that begins after the date of this Resolution:

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
Sheriff	\$84,710.16	\$87,069.60	\$89,086.40	\$91,767.60
Clerk of Court	\$72,119.52	\$73,789.92	\$75,192.00	\$75,481.20

BE IT FURTHER RESOLVED, that the aforementioned County elected officials are entitled to participate in the Wisconsin Retirement System in accordance with law and the County shall pay only its share of contributions required by law; and

BE IT FURTHER RESOLVED, that the aforementioned County elected officials are entitled to participate in the County's health insurance program subject to the terms and conditions of the program, which may be modified from time to time, under the same terms and conditions as the health insurance coverage offered to non-represented managerial county employees who are not law enforcement managerial employees or non-represented managerial employees described in Wis. Stat. § 111.70(1)(mm)2.

Fiscal Note: Funds to be included in the 2015-2018 budgets.

Fiscal Impact: NONE

Vern E. Gove
Harlan Baumgartner
Robert R. Westby
Barry Pufahl
John H. Tramburg
FINANCE COMMITTEE

Motion was made to adopt the Resolution by Baumgartner, second by Martin. The resolution was adopted, not unanimous.

ORDINANCE NO. Z420-14

The Columbia County Board of Supervisors do ordain as follows: That Title 16 – Chapter 100, entitled "Zoning", of the County Code, as passed by the Board of Supervisors on March 21, 2012 is hereby amended and added thereto as follows:

- (1) "To change from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay District", (Derrick and Linda Trentin, Petitioners and Owners) parcel of land located in Section 16, T10N, R12E, Town of Columbus more particularly described as follows: Land to be Rezoned from A-1 Agriculture and RR-1 Rural Residence - Commencing at the East Quarter corner of said Section 16; thence South 00°07'06" West along the East line of the Southeast Quarter of said Section 16, 599.91 feet to the point of beginning; thence continuing South 00°07'06" West along the East line of the Southeast Quarter of said Section 16, 240.13 feet; thence South 88°51'00" West, 847.76 feet; thence North 00°12'00" East, 300.15 feet; thence North 88°51'00" East, 238.00 feet; thence South 01°09'00" East, 60.00 feet; thence North 88°51'00" East, 608.00 feet to the point of beginning. Containing 217,800 square feet, (5.00 acres) more or less. Land to be Rezoned from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay District - Beginning at the East Quarter corner of said Section 16; thence South 00°07'06" West along the East line of the Southeast Quarter of said Section 16, 599.91 feet; thence South 88°51'00" West, 608.00 feet; thence North 01°09'00" West, 60.00 feet; thence South 88°51'00" West, 238.00 feet; thence South 00°12'00" West, 300.15 feet; thence North 88°51'00" East, 847.76 feet to a point in the east line of the Southeast Quarter of said Section 16; thence South 00°07'06" West along the east line of the Southeast Quarter of said Section 16, 490.16 feet to the southeast corner of the Northeast Quarter of the Southeast Quarter of said Section 16; thence South 88°59'18" West along the south line of the Northeast Quarter of the Southeast Quarter of said Section 16, 1,322.89 feet to the southwest corner thereof; thence North 00°00'45" East along the west line of the Northeast Quarter of the Southeast Quarter of said Section 16, 1,322.92 feet to the northwest corner thereof; thence North 88°40'32" East along the east-west quarter line of said Section 16, 1,325.50 feet to the point of beginning. Containing 1,538,405 square feet, (35.32 acres) more or less. All effective upon recording the Certified Survey Map.

- (2) "To change from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay District", (Matthew Dushek, Petitioner and Owner) parcel of land located in Section 36, T12N, R8E, Town of Caledonia more particularly described as follows: Land to be Rezoned from A-1 Agriculture and RR-1 Rural Residence - Commencing at the Southwest corner of said Section 36; thence South 89°57'38" East along the South line of the Southwest Quarter of said Section 36, 425.91 feet; thence North 00°02'22" East, 49.50 feet to a point on the Northerly right-of-way line of Potter Road and the point of beginning; thence North 08°05'15" West, 398.18 feet; thence North 04°29'40" West, 228.20 feet; thence North 00°05'58" West, 218.20 feet; thence North 00°45'25" West, 78.53 feet; thence South 89°57'38" East, 360.49 feet; thence South 77°34'13" East, 67.18 feet; thence South 06°27'55" East, 105.41 feet; thence South 45°00'54" West, 38.15 feet; thence North 88°02'11" West, 193.21 feet; thence South 00°02'13" East, 406.70 feet; thence South 06°11'49" East, 246.45 feet; thence South 16°00'49" East, 132.20 feet to a point on the Northerly right-of-way line of Potter Road; thence North 89°57'38" West along said Northerly right-of-way line of Potter Road, 205.90 feet to the point of beginning. Containing 217,800 square feet, (5.00 acres), more or less. Land to be Rezoned from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay District - Beginning at the West Quarter corner of said Section 36; thence North 89°56'38" East along the East - West Quarter line of said Section 36 and the South line of Lot 1, Certified Survey Map, No. 5117, 1,317.87 feet to the Northeast corner of the Northwest Quarter of the Southwest Quarter of said Section 36; thence South 00°37'45" East along the East line of the Northwest Quarter of the Southwest Quarter of said Section 36 and the West line of Lot 1, Certified Survey Map, No. 5117, 759.62 feet; thence North 89°57'38" West, 1,077.46 feet; thence North 68°58'17" West, 724.18 feet; thence North 71°32'59" West, 214.90 feet to the Southeast corner of Lot 1, Certified Survey Map, No. 1715; thence North 16°33'33" East along the East line of said Lot 1, 295.71 feet; thence North 08°33'23" East along the East line of said Lot 1, 146.37 feet to a point on the East - West Quarter line of Section 35; thence North 89°50'18" East along the East - West Quarter line of said Section 35 and the South line of said Lot 1, Certified Survey Map, No. 5117, 525.00 feet to the point of beginning. Containing 1,306,800 square feet, (30.00 acres), more or less. All effective upon recording the Certified Survey Map.
- (3) "To change from C-2 General Commercial to A-1 Agriculture and A-1 Agriculture to C-2 General Commercial", (Harry and Amelia Mishler, Petitioners and Owners) parcel of land located in Section 1, T13N, R10E, Town of Marcellon more particularly described as follows: Land to be Rezoned from G-2 General Commercial to A-1 Agriculture - Commencing at the North Quarter Corner of said Section 1; thence South 89°27'57" West along the North line of the Northwest Quarter of said Section 1, 260.76 feet to the point of beginning; thence South 06°10'00" East, 211.16 feet; thence South 83°36'49" West, 130.04 feet; thence North 01°54'09" West, 223.46 feet; thence North 89°27'57" East along the north line of said Northwest Quarter, 113.98 feet to the point of beginning. Containing 26,460 square feet or 0.607 acres - Land to be Rezoned from A-1 Agriculture to G-2 General Commercial - Commencing at the North Quarter Corner of said Section 1; thence South 89°27'57" West along the North line of the Northwest Quarter of said Section 1, 260.76 feet to the Point of Beginning; thence South 06°10'00" East, 214.92 feet; thence South 61°29'15" West, 21.11 feet; thence South 80°17'48" West, 114.03 feet; thence North 89°00'00" West, 270.35 feet; thence North 00°54'00" West, 234.73 feet; thence North 89°27'57" East along the North line of the Northwest Quarter of said Section 1, 381.87 feet to the Point of Beginning. Containing 92,627 square feet or 2.126 acres.

- (4) "To change from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay District", (Judith Roberts, Petitioner and Owner) parcel of land located in Section 23, T10N, R11E, Town of Hampden more particularly described as follows: Land to be Rezoned from A-1 Agriculture and RR-1 Rural Residence - Commencing at the North Quarter corner of Section 26, Town 10 North, Range 11 East; thence South 88°35'37" West 222.24 feet along the north line of Section 26 to the point of beginning of this description: thence South 18°58'59" East 77.62 feet to the centerline of Sanderson Road; thence South 75°10'04" West 314.25 feet along the centerline of Sanderson Road; thence North 14°49'56" West 387.89 feet; thence North 76°57'06" East 85.83 feet; thence South 63°38'57" East 239.28 feet; thence South 36°35'56" East 104.98 feet; thence South 18°58'59" East 52.89 feet to the point of beginning. Containing 95,928 square feet or 2.20 acres - Land to be Rezoned from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay District - Commencing at the North Quarter corner of Section 26, Town 10 North, Range 11 East; thence South 00°02'59" West 26.71 feet along the north-south ¼ line of Section 26 to the centerline of Sanderson Road, being the point of this description; thence continue South 00° 02'59" West 1431.65 feet along the north-south ¼ line; thence South 89°10'24" West 1338.94 feet to the west line of the Southeast ¼ of the Northwest ¼ of Section 26; thence North 00°01'27" East 1096.23 feet along the west line of the Southeast ¼ of the Northwest ¼ and the Northeast ¼ of the Northwest 1/4 ; thence North 75°10'04" East 1385.75 feet along the centerline of Sanderson Road and the southwesterly extension thereof to the point of beginning. Containing 38.85 acres including Sanderson Road right-of-way and 37.8 acres excluding Sanderson Road right-of-way. All effective upon recording the Certified Survey Map.

Andy Ross, Chair
COLUMBIA COUNTY
BOARD OF SUPERVISORS
Susan M. Moll
COLUMBIA COUNTY CLERK

DATE PASSED: March 19, 2014
DATE PUBLISHED: March 25, 2014

Motion was made by Foley, second by Baumgartner, to approve the rezone request for Derrick and Linda Trentin, Petitioners and Owners. Zander abstained from voting. Motion carried.

Motion was made by Weyh, second by Bradley, to approve the rezone request for Matthew Dushek, Petitioner and Owner. Motion carried.

Motion was made by Teitgen, second by Pufahl, to approve the rezone request for Harry and Amelia Mishler, Petitioners and Owners. Motion carried.

Motion was made by Foley, second by Gove, to approve the rezone request for Judith Roberts, Petitioner and Owner. Motion carried.

The Ordinance was declared passed and is to be known as Ordinance Z420-14.

ORDINANCE NO. 139-14

The Columbia County Board of Supervisors do ordain as follows: That Title 16 – Chapter 100, entitled "Zoning", of the County Code, as passed by the Board of Supervisors on March 21, 2012 is hereby amended and added thereto as follows:

Amend Table 16-105-020(1) as follows:

Table 16-105-020(1): Allowed Principal Uses in Agricultural and Open Space Zoning Districts

	Agricultural and Open Space Zoning Districts					
↓ LAND USES ↓ See Subchapter 16-155 for detailed land use descriptions	Agriculture (A-1)	General Agriculture (A-2)	Agriculture Business (A-3)	Agricultural Overlay (A-4)	Recreation (RC-1)	Subject to Use and Building Specific Standards in Subchapter 16-125
Agricultural and Open Space Use Group						
Agritainment or agritourism	C	C	C			
Bee keeping, commercial feed lots, dairying, and egg production (500 animal units or fewer)	P	P		P		
Campgrounds					C	See Section 16-125-110 for details
Floriculture and growing field crops	P	P		P		
Fish or fur farming	P	P		P		
Forest and game management	P	P		P	P	
Golf course, public or private					P	
Keeping of animals (below)						
•Grazing and livestock and farm animal raising (500 animal units or fewer)	P	P		P		
•Farm animal or livestock facility with more than 500 animal units	CP			CP		See Section 16-125-060 for details
•Keeping of farm animals on small parcels	P	P		P		See Section 16-125-060 for details
•Residential kennel	C	C				See Section 16-125-060 for details
Livestock and farm commodity trucking service	C		P			
Outdoor shooting range					C	See Section 16-125-040 for details

	Agricultural and Open Space Zoning Districts					
↓ LAND USES ↓ See Subchapter 16-155 for detailed land use descriptions	Agriculture (A-1)	General Agriculture (A-2)	Agriculture Business (A-3)	Agricultural Overlay (A-4)	Recreation (RC-1)	Subject to Use and Building Specific Standards in Subchapter 16- 125
Processing, preserving and sale of natural agricultural products, fruits and vegetables not produced on the farm			P			
Public park and recreation					P	
Raising of grain, grass, mint, seed crops, fruits, nuts and berries	P	P		P		
Retreat					C	
Road side stand	P	P				See Section 16-125-070 for details
Sales, distribution, mixing, blending and storage of agricultural supplies such as feeds, seeds, propane and fertilizer	C		P			
Sales, service or repair of machinery and equipment used in agriculture	C		P			
Saw mill, plane mill	C		P			
Ski hill					C	
Sod farming and vegetable raising	P	P		P		
Residential Use Group						
Household living (below)						
•Single-family use	P	P				See Section 16-125-090 for details
•Family Day Care Home (4-8 children)	P	P				
•Intermediate Family Day Care Home (9-15 children)	C	C				
Group Living						

	Agricultural and Open Space Zoning Districts					
↓ LAND USES ↓ See Subchapter 16-155 for detailed land use descriptions	Agriculture (A-1)	General Agriculture (A-2)	Agriculture Business (A-3)	Agricultural Overlay (A-4)	Recreation (RC-1)	Subject to Use and Building Specific Standards in Subchapter 16-125
•Community Living Arrangement: 1-8 residents	P	P				
•Community Living Arrangement: 9-15 residents	C	C				
•Manufactured home meeting all performance standards associated with single-family use in Section 16-125-090A	P	P				See Section 16-125-090 for details
Civic and Institutional Use Group						
Religious, utility (other than those for which the Public Service Commission has issued a certificate of public convenience), institutional, or governmental use	C		C			See Section 16-125-080 for details
Commercial Use Group						
Animal services (below)						
•Animal sales and grooming			P			
•Commercial animal shelter, boarding kennel, or breeding facility			C			See Section 16-125-150 for details
•Veterinary	C		P			See Section 16-125-150 for details
•Stable	P	C			P	
Commercial entertainment or recreation, indoor or outdoor					C	See Section 16-125-240 for details
Lodging facility (below)						
•Tourist rooming house	C	C				See Section 16-125-100 for details
•Bed and breakfast establishment	C	C				See Section 16-125-100 for details

	Agricultural and Open Space Zoning Districts					
↓ LAND USES ↓ See Subchapter 16-155 for detailed land use descriptions	Agriculture (A-1)	General Agriculture (A-2)	Agriculture Business (A-3)	Agricultural Overlay (A-4)	Recreation (RC-1)	Subject to Use and Building Specific Standards in Subchapter 16-125
Utility, Communication, and Transportation Use Group						
Air quality monitoring station, non-mobile	C	C		C	C	
Airport or landing strip	C		C			
Dam, power plant, flowage area	C			C		
Metrological tower	C	€	€	€	€	
Radio <u>broadcast service facilities and</u> or television transmission tower, microwave and radio relay tower	C	C	C	C	C	See Section 16-125-200
Telephone, telegraph and power distribution tower, poles and lines, including transformers, substation relay stations, equipment housings and other similar necessary appurtenant facilities, together with all gas utility used and all uses governed by Section 196.491, Wisconsin Statutes.	P	P	P	P	P	
Wireless communications facility (cell tower) <u>Mobile Service Tower and Facilities</u>	€P	€P	€P	€P	€P	See Section 16-125-200 for details
<u>Small Wind Energy System</u>	P	P	P	P	P	See Section 16-125-250 for details
<u>Large Wind Energy System</u>	P	P	P	P	P	See Section 16-125-260 for details
Industrial Use Group						
Contractor shop			C			
Composting, recycling or waste transfer operation			C			See Section 16-125-190 for details

Amend Table 16-105-030(1) as follows:

Table 16-105-030(1): Parcel and Building Standards in Agricultural and Open Space Zoning Districts

	Agricultural and Open Space Zoning Districts				
	Agriculture (A-1)	General Agriculture (A-2)	Agriculture Business (A-3)	Agricultural Overlay (A-4)	Recreation (RC-1)
Minimum Lot Specifications					
Minimum <u>Net</u> Lot Size (acres)	5 for agricultural use; see also residential density provisions in Section 16-125-020	1	1	n/a	20,000 sq.ft.
Maximum Lot Size (acres)	n/a	34.99	n/a	n/a	n/a
Minimum Lot Width (ft.)	200	200	200	n/a	100
Minimum Lot Depth (ft.)	n/a	n/a	n/a	n/a	n/a
Development Specifications					
Maximum Building Coverage (% of lot area covered by all buildings)	n/a	n/a	50%	n/a	n/a
Maximum Building Height (ft.) (except agricultural & residential structures- see Section 16-140-030K)	35	35	50	n/a	50
Minimum Floor Area (sq. ft.)	SF= 900 TF = 600/DU 900	SF=900 0	n/a	n/a	n/a

Amend Table 16—110-020 (1) as follows:

Table 16-110-020(1): Allowed Principal Uses in Residential Zoning Districts

↓ LAND USES ↓	Residential Zoning Districts				Subject to Use and Building Specific Standards in Subchapter 16-125
	Rural Residence (RR-1)	Single-Family Residence (R-1)	Multiple-Family Residence (R-2)	Manufactured/ Mobile Home Park (R-3)	
Agriculture and Open Space Use Group					
Flower farming and growing field crops	P	C			
Keeping of animals	--	--	--	--	--
•Grazing and livestock raising (500 animal units or fewer)	C				
•Keeping of farm animals on small parcels	P				See Section 16-125-150 for details
•Residential kennel	C	C	C		See Section 16-125-150 for details
•Keeping of chickens as an accessory residential use	P	P			See Section 16-125-150 for details
Road side stand	P				See Section 16-125-070 for details
Residential Use Group					
Household Living (below)					
•Single-family use	P	P	P		See Section 16-125-090 for details
•Family Day Care Home (4-8 children)	P	P			
•Intermediate Family Day Care Home (9-15 children)	PC	PC			
•Two-family use		C	P		See Section 16-125-190 for details
•Multiple-family use (3-8 units)			P		
•Multiple-family use (9+ units)			C		
•Mobile home				P	See Section 16-125-190 for details

Amend Table 16–110-020 (1) as follows:

Table 16-110-020(1): Allowed Principal Uses in Residential Zoning Districts

↓ LAND USES ↓	Residential Zoning Districts				Subject to Use and Building Specific Standards in Subchapter 16-125
	Rural Residence (RR-1)	Single-Family Residence (R-1)	Multiple-Family Residence (R-2)	Manufactured/Mobile Home Park (R-3)	
•Manufactured home meeting all single-family use performance standards in Section 16-125-090A	P	P	P	P	See Section 16-125-090 for details
•Manufactured home NOT meeting all single-family use performance standards in Section 16-125-090A				P	
•Manufactured home park or mobile home park				P	See Section 16-125-090 for details
•Conservation neighborhood development		P	P	P	See Section 16-125-090 for details
Group Living	--	--	--	--	
•Community living arrangement (1–8 residents)	P	P	P	P	
•Community living arrangement (9–15 residents)	C	C	P	C	
•Community living arrangement (16+ residents)			C		
•Boarding house			C		
•Other group living facility			C		
Civic and Institutional Use Group					
Fraternal organization		C	C		
Library or cultural exhibit		C	C		
Municipal service, town hall, or community center		C	P		
Religious assembly		C	P		
School		C	P		
Commercial Use Group					
Lodging facility (below)					
•Tourist rooming house	C	C	C		See Section 16-125-100 for details
•Bed and breakfast establishment	C	C	P		See Section 16-125-100 for details

Amend Table 16–110-020 (1) as follows:

Table 16-110-020(1): Allowed Principal Uses in Residential Zoning Districts

↓ LAND USES ↓	Residential Zoning Districts				Subject to Use and Building Specific Standards in Subchapter 16-125
	Rural Residence (RR-1)	Single-Family Residence (R-1)	Multiple-Family Residence (R-2)	Manufactured/Mobile Home Park (R-3)	
Utility, Communication, and Transportation Use Group					
Public utility or service	C	C	C	C	
<u>Mobile Service Tower and Facilities</u>	P		P	P	<u>See Section 16-125-200 for details</u>
<u>Radio Broadcast Service Facility</u>	C		C	C	<u>See Section 16-125-200 for details</u>
<u>Small Wind Energy System</u>	C	C	C	C	<u>See Section 16-125-250</u>
<u>Large Wind Energy Systems</u>	C		C	C	<u>See Section 16-215-260 for details</u>

Amend Table 16-110-030 (1) as follows:

Table 16-110-030(1): Parcel and Building Standards in Residential Zoning Districts

	Residential Zoning Districts			
	Rural Residence (RR-1)	Single-Family Residence (R-1)	Multiple-Family Residence (R-2)	Manufactured or Mobile Home Park (R-3)
Minimum Lot Specifications				
Minimum <u>Net</u> Lot Size in Conventional Development (square feet except where indicated)	43,560	POWTS: 43,560 PSSS: SF = 12,000 TF/Other = 16,000	POWTS: 43,560 PSSS: SF: 12,000 TF/Other: 16,000 MF: 16,000 for first two units + 6,000 for every unit thereafter.	Min. Individual Site Size: 6,000 Min. Park Size: 10 acres
Maximum Lot Size	5 acres	n/a	n/a	n/a
Minimum <u>Net</u> Lot Size in Conservation Neighborhood Development (square feet except where indicated)	n/a	POWTS: 30,000 PGWTS/PSSS: SF = 12,000 TF/Other = 16,000	POWTS: 30,000 PGWTS/PSSS: SF: 12,000 TF/Other: 16,000 MF: 16,000 sq. ft. for first two units + 6,000 sq. ft. for every unit thereafter.	N/A
Minimum Lot Width (ft.)	150	POWTS: 100 PSSS/PGWTS: SF = 60 TF/Other = 100	POWTS: 100 PSSS/PGWTS: SF = 60 TF/MF/Other = 100	50
Minimum Lot Depth (ft.)	200	n/a	n/a	n/a
Development Specifications				
Maximum Building Coverage (% of lot area covered by all buildings)	20% or 8,712 sq. ft., whichever is less	20% <u>or 8,712 sq. ft. which ever is less</u>	30%	40%
Maximum Building Height for Principal Structure (ft.) except agricultural & residential structures – see Section 16-140-030 K	35	35	45	35
Minimum Floor Area (sq. ft.)	SF=900	SF= 900 TF = 600/DU	SF = 900 TF/MF = 600/DU	N/A

Amend table 16-115-030 (1) as follows:

Table 16-115-030(1): Parcel and Building Standards in Commercial and Industrial Districts

	Light Commercial (C-1)	General Commercial (C-2)	Highway Interchange (C-3)	Light Industrial (I-1)	General Industrial (I-2)
Minimum Lot Specifications					
Minimum <u>Net</u> Lot Size (sq. ft.)	POWTS: 43,560 PSSS/PG WTS: 12,000	POWTS: 43,560 PSSS/PG WTS: 20,000	POWTS: 43,560 PSSS/PG WTS: 20,000	POWTS: 43,560 PSSS/PG WTS: 20,000	POWTS: 43,560 PSSS/PGW TS: 20,000
Minimum Lot Width (ft.)	POWTS: 80 PSSS/PG WTS: 60	POWTS: 130 PSSS/PG WTS: 100	POWTS: 130 PSSS/PG WTS: 100	POWTS: 130 PSSS/PG WTS: 100	POWTS: 130 PSSS/PGW TS: 100
Development Specifications					
Maximum Building Coverage (% of lot area covered by all buildings)	40%	50%	50%	40%	50%
Minimum Landscaped Area (% of lot area)	n/a	n/a	15%	n/a	n/a
Maximum Building Height (ft.)	35	50	50	50	80

Amend Table 16-115-020 (1) as follows:

Table 16-115-020(1): Allowed Principal Uses in Commercial and Industrial Districts

	Commercial and Industrial Zoning Districts					
↓ LAND USES ↓	Light Commercial (C-1)	General Commercial (C-2)	Highway Interchange (C-3)	Light Industrial (I-1)	General Industrial (I-2)	Subject to Use and Building Specific Standards in Subchapter 16-125
Agriculture and Open Space Use Group						
Bee keeping, commercial feed lots, dairying, and egg production (500 animal units or fewer)			C			
Campground			C			See Section 16-125-110 for details
Fish or fur farming			C			
Flower farming and growing field crops			P			
Forest and game management			P			

	Commercial and Industrial Zoning Districts					
↓ LAND USES ↓	Light Commercial (C-1)	General Commercial (C-2)	Highway Interchange (C-3)	Light Industrial (I-1)	General Industrial (I-2)	Subject to Use and Building Specific Standards in Subchapter 16-125
Keeping of animals (below)						
•Residential kennel	C					See Section 16-125-150 for details
•Grazing and livestock and farm animal raising (500 animal units or fewer)			P			
Raising of grain, grass, mint, seed crops, fruits, nuts, and berries			P			
Sod farming and vegetable raising			P			
Residential Use Group						
Household Living (below)						
•Single-family use	C					
•Two-family use	C					
•Multiple-family use (3-8 units)	C					
•Multiple-family use (9-16 units)	C					
• Manufactured home meeting all performance standards associated with single-family use in Section 16-125-090A	PC					
Civic and Institutional Use Group						
College or university		P	C	C		
Detention or correctional facility		P	C	C		
Fraternal organization	P	P	C			
Hospital		P	C	C		
Library or cultural exhibit	P	P	C			
Municipal service, town hall, or community centers	P	P	C			
Outdoor institutional use	C	P	C			
Religious assembly	P	P	C			
School	P	P	C			
Commercial Use Group						
Adult use					C	See Section 16-125-160 for details
Animal services (below)						
•Animal sales and grooming	P	P	C	P		

	Commercial and Industrial Zoning Districts					
↓ LAND USES ↓	Light Commercial (C-1)	General Commercial (C-2)	Highway Interchange (C-3)	Light Industrial (I-1)	General Industrial (I-2)	Subject to Use and Building Specific Standards in Subchapter 16-125
•Commercial animal shelter, boarding kennel, or breeding facility	C	C	C	P	P	See Section 16-125-150 for details
•Veterinary	C	P		P		See Section 16-125-150 for details
Commercial entertainment or recreation, Indoor	C	P	C			
Commercial entertainment or recreation, Outdoor		C	C		C	See Section 16-125-240 for details
Commercial service	P	P	C	C		
Commercial apartment	C	C				See Section 16-125-090 for details
Day care center	C	P	C			
Drive-in or drive- through use, including fueling	C	C	C	C	C	See Section 16-125-120 for details
Eating and drinking establishment (below)						
•Restaurant	P	P	C	C		
•Tavern or nightclub	C	P	C			
Financial services (below)						
•Bank	P	P	C	P		
•Check cashing or loan service	P	P	C			
•Pawn shop	P	P	C			
Funeral and internment services						
•Cemetery or columbarium or mausoleum	PC	P	C			
•Crematory services		C	C			
•Undertaking services	P	P	C			
Lodging facility (below)						
•Tourist rooming house	C					See Section 16-125-100 for details
•Hotel, motel, or lodging resort	C	P	C			See Section 16-125-100 for details
•Bed and breakfast establishment	C					See Section 16-125-100 for details

	Commercial and Industrial Zoning Districts					
↓ LAND USES ↓	Light Commercial (C-1)	General Commercial (C-2)	Highway Interchange (C-3)	Light Industrial (I-1)	General Industrial (I-2)	Subject to Use and Building Specific Standards in Subchapter 16-125
Office (below)						
•Administrative, professional, or general office	P	P	C	P	P	
•Medical office	C	P	C	P		
Retail sales						
•Retail sales, indoor	P	P	C	C		
•Retail sales, outdoor	C	C	C		C	
Vehicle repair or maintenance service	C	C	C			See Section 16-125-130 for details
Industrial Use Group						
Artisan workshop	C	C	C	P	P	
Asphalt or concrete rock crushing facility or batch or ready-mix plant					C	
Brewery				C	P	
Contractor shop	C	C	C	P	P	
Distribution center				C	P	
Freight or bus terminal			C	C	C	
General manufacturing					C	
Junkyard or salvage yard					C	See Section 16-125-170 for details
Light manufacturing			C	P	P	See Section 16-125-220 for details
Non-metallic mineral extraction use					C	See Section 16-125-230 for details
Outdoor storage				C	P	
Personal storage facility or mini-warehouse	C	C	C	P	P	See Section 16-125-210 for details
Water Extraction				C	C	
Wholesaling			C	C	P	
Utility, Communication, and Transportation						
Airport or landing strip			C		P	
Composting, recycling or waste transfer operation			C	C	P	See Section 16-125-190 for details
Public utility or service	P	P	C	P	P	

	Commercial and Industrial Zoning Districts					
↓ LAND USES ↓	Light Commercial (C-1)	General Commercial (C-2)	Highway Interchange (C-3)	Light Industrial (I-1)	General Industrial (I-2)	Subject to Use and Building Specific Standards in Subchapter 16-125
Waste disposal operation					C	See Section 16-125-180 for details
<u>Wireless communication facility</u> <u>Mobile Service Tower and Facilities</u>	P	CP	CP	CP	CP	See Section 16-125-200 for details
<u>Radio Broadcast Service Facilities</u>	C	C	C	C	C	See Section 16-125-200 for details
<u>Small Wind Energy System</u>	P	P	P	P	P	See Section 16-125-250 for details
<u>Large Wind Energy System</u>	P	P	P	P	P	See Section 16-125-260 for details

Repeal Section 16-125-060 A. and relist Section 16-125-060 A – C.

16-125-060 Keeping of Animals

~~A. **Farm animal or livestock facility with more than 500 animal units in A-1 District.**~~

~~Proposed operations shall be subject to applicable standards and limitations within the following state and county rules:~~

- ~~1. Wisconsin Administrative Code, Chapter ATCP 51, Livestock Facility Siting.~~
- ~~2. Wisconsin Administrative Code, Chapter NR 243, Animal Feeding Operations.~~
- ~~3. Wisconsin Administrative Code, Chapter NR 151, Runoff Management.~~
- ~~4. Columbia County Code of Ordinances, Title 15, Animal Waste Management Ordinance.~~
- ~~5. Natural Resources Conservation Service, Conservation Practice Standard Code 590, Nutrient Management.~~
- ~~6. Standards for review of conditional use permit requests included within Section 16-150-070D~~

Amend Section 16-125-100 as follows:

Lodging Facility

A. **Tourist rooming house.**

1. Occupancy shall be limited to two persons per bedroom, plus an additional two persons. At no time may the number of guests exceed eight regardless of the number of bedrooms in the unit. Two exits are required for each bedroom.
2. The number of guest vehicles allowed on site is limited to the number of bedrooms in the tourist rooming house. On-street parking is prohibited. No recreational vehicle or tent may be used for living or sleeping purposes.

3. Must meet all requirements associated with a single-family dwelling in [Section 16-125-090\(A\)](#). A legally constructed single-family dwelling with less square feet than current requirement can be considered for a tourist rooming house. The appearance or use of the tourist rooming house shall not be altered in a manner that would cause the premises to differ from its residential character either by the use of colors, materials, construction, lighting, signs, or the emission of sounds, odors, dust or vibrations that carry beyond the premises.
4. The availability of the tourist rooming house to the public shall not be advertised on site.
5. Must be licensed by the State of Wisconsin.
6. ~~In addition to any state required license fee, each operator of a tourist rooming house shall provide Columbia County with an annual fee and an annual report on a form furnished by the County to enable the County to confirm compliance with any conditions of approval, the standards of this chapter and any fulfill state reporting requirements.~~
- ~~6.7. The Conditional Use Permit shall not be transferable to another owner.~~
- ~~7.8. Conditional use permit may be subject to revocation or alteration if the Planning and Zoning Committee finds that these standards or the standards for all conditional use permits in [Section 16-150-070D](#) are not being met.~~

B. Bed and breakfast establishment.

1. No premises shall be utilized for a bed and breakfast unless there are at least two exits to the outdoors from such premises.
- ~~2.~~ The dwelling unit in which the bed and breakfast takes place shall be the principal dwelling of the operator or owner and said operator or owner shall live on the premises when the bed and breakfast is active, as required under the Wisconsin Administrative Code.
- ~~2.3.~~ ~~The Conditional Use Permit shall not be transferable to another owner.~~
- ~~3.4.~~ The maximum stay for any occupants of a bed and breakfast establishment shall be 31 consecutive days.
- ~~4.5.~~ All such facilities shall be required to obtain a license to serve liquor, if applicable.
- ~~5.6.~~ In addition to any state required license fee, each operator of a bed and breakfast establishment shall provide Columbia County with an annual fee to enable the County to confirm compliance with the standards of this chapter and fulfill state reporting requirements.

Repeal and recreate Section 16-125-200 as follows:

16-125-200 MOBILE AND RADION BROADCAST SERVICES

A. PURPOSE AND INTENT. The purpose of this section is to regulate by zoning permit(1) the siting and construction of any new mobile service support structure and facilities; (2) with regard to a class 1 collocation, the substantial modification of an existing support structure and mobile service facilities; (3) with regard to a class 2 collocation, collocation on an existing support structure and mobile service facilities; and (4) radio broadcast facilities.

1. It is intended that the County shall apply these regulations to accomplish to the greatest degree possible the following:
 - a. Minimize adverse effects of mobile service facilities and mobile service support structures.
 - ~~a-b.~~ Maintain and ensure that a non-discriminatory, competitive and broad range of mobile services and high quality mobile service infrastructure consistent with the Federal Telecommunications Act of 1996 and provided to serve the community, as well as serve as an important and effective part of Columbia County's police, fire, and emergency response network.

- c. Provide a process of obtaining necessary permits for mobile service facilities and support structures while at the same time protecting the legitimate interests of Columbia County citizens.
- d. Encourage the use of alternative support structures, co-location of new antennas on existing support structures, camouflaged mobile service support structures, and construction of support structures with the ability to locate three (3) or more providers.
- e. Furthermore, this section is not intended to regulate residential satellite dishes or residential television antennas that are used privately. Additionally, it is not intended to regulate satellite dishes/antennas whose regulation is prohibited by Sec. 59.69(4d), or its successor sections, of the Wisconsin Statutes or as permitted by Federal Law.

B. DEFINITIONS

- 1. All definitions contained in s. 66.0404(1), Wisconsin Statutes are hereby incorporated by reference.
- 2. For the purpose of this section, the following terms and phrases shall be defined as:
 - a. Camouflaged Mobile Service Support Structure: Any mobile service support structure that due to design or appearance hides, obscures, or conceals the presence of the mobile service support structure.
 - b. Satellite Dish: A device incorporating a reflective surface that is solid, open mesh, or bar configured that is shallow dish, cone, horn or cornucopia shaped and is used to transmit and/or receive electromagnetic signals. This definition is meant to include, but is not limited to, what are commonly referred to as satellite earth stations, TVROs and satellite microwave antennas.

C. EXEMPT FROM PERMITTING. The following shall be exempt from the requirement to obtain a land use permit, unless otherwise noted.

- 1. The use of all receive-only television antenna and satellite dishes.
- 2. Amateur Radio and/or Receive-Only Antennas. This ordinance shall not govern the installation of any antenna that is owned and/or operated by a federally licensed amateur radio operator and is used for amateur radio purposes or is used exclusively for receive-only purposes.
- 3. Mobile services providing public information coverage of news events of a temporary or emergency nature.

D. SITING AND CONSTRUCTION OF ANY NEW MOBILE SERVICE SUPPORT STRUCTURE AND FACILITIES AND CLASS 1 COLLOCATION.

- 1. Application Process
 - a. A land use permit is required for the siting and construction of any new mobile service support structure and facilities and for Class 1 Collocation.
 - b. A written permit application must be completed by any applicant and submitted to the Planning and Zoning Department. The application must contain the following information:
 - 1) The name and business address of, and the contact individual for, the applicant.
 - 2) The location of the proposed or affected support structure.
 - 1)3) The location of the proposed mobile service facility.
 - 2)4) If the application is to substantially modify an existing support structure, a construction plan which describes the proposed modifications to the support structure and the equipment and network components, including antennas, transmitters, receivers, base stations, power supplies, cabling, and related equipment associated with the proposed modifications.

- 5) If the application is to construct a new mobile service support structure, a construction plan which describes the proposed mobile service support structure and the equipment and network components, including antennas, transmitters, receivers, base stations, power supplies, cabling, and related equipment to be placed on or around the new mobile service support structure.
- 6) If an application is to construct a new mobile service support structure, an explanation as to why the applicant chose the proposed location and why the applicant did not choose collocation, including a sworn statement from an individual who has responsibility over the placement of the mobile service support structure attesting that collocation within the applicant's search ring would not result in the same mobile service functionality, coverage, and capacity; is technically infeasible; or is economically burdensome to the mobile service provider.
 - c. A permit application will be provided by the Planning and Zoning Department upon request to any applicant.
2. Completed Applications. If an applicant submits to the Planning and an application for a permit to engage in an activity described in this ordinance, which contains all of the information required under this ordinance, the Planning and Zoning Department shall consider the application complete. If the Planning and Zoning Department does not believe that the application is complete, the Planning and Zoning Department shall notify the applicant in writing, within 10 days of receiving the application, that the application is not complete. The written notification shall specify in detail the required information that was incomplete. An applicant may resubmit an application as often as necessary until it is complete.
3. County Responsibilities. Within 90 days of its receipt of a complete application, the Planning and Zoning Department shall complete all of the following or the applicant may consider the application approved, except that the applicant and the Planning and Zoning Department may agree in writing to an extension of the 90 day period:
 - a. Review the application to determine whether it complies with all applicable aspects of the county's building code and, subject to the limitations in this section, zoning ordinances.
 - b. Make a final decision whether to approve or disapprove the application.
 - c. Notify the applicant, in writing, of its final decision.
 - d. If the decision is to disapprove the application, include with the written notification substantial evidence which supports the decision.
4. Disapproval. The Planning and Department may disapprove an application if an applicant refuses to evaluate the feasibility of collocation within the applicant's search ring and provide the sworn statement described under paragraph D. 1. b. 6).
5. Application of Set Back/Fall Zone. If an applicant provides the Planning and Zoning Department with an engineering certification showing that a mobile service support structure, or an existing structure, is designed to collapse within a smaller area than the set back or fall zone area required in a zoning ordinance, the zoning ordinance does not apply to such structure unless the Planning and Zoning Department provides the applicant with substantial evidence that the engineering certification is flawed.
6. Fees. See Section 9-1-12 Columbia County Code of Ordinance.
7. Limitations. Land Use Permits for Siting and Construction of any new mobile service support structure and facilities and land use permits for Class 1 Collocations shall only be granted provided the following conditions exist:
 - a. If the location of the proposed mobile service support structure or mobile service facility is on leased land, the lease agreement does not preclude the lessee from entering into leases on the site with other provider(s) and there is no other lease provision operating as a bar to collocation of other providers.

- b. The applicant has obtained Federal Communications Commission (FCC) license numbers and registration numbers if applicable.
- c. The applicant and/or agent have copies of Findings of No Significant Impacts (FONI) statement from the Federal Communications Commission (FCC) or Environmental Assessment or Environmental Impact Study (EIS), if applicable.
- d. The applicant and/or agent have copies of the determination of no hazard from the Federal Aviation Administration (FAA) including any aeronautical study determination or other findings, if applicable.
- e. The applicant and/or agent have plans indicating security measures (i.e. access, fencing, lighting, etc.).
- f. For new mobile service support structures, the applicant has obtained a report prepared by an engineer licensed by the State of Wisconsin certifying the structural design of the tower and its ability to accommodate additional antennas.
- g. The applicant and/or agent have proof of liability coverage.
- h. The applicant and/or agent have copies of an Affidavit of Notification indicating that all operators and owners of airports located within five (5) miles of the proposed site have been notified via certified mail.
- i. The Facility or collocation is designed to promote site sharing, such that space is reasonably available to collocators and such that telecommunication towers and necessary appurtenances, including but not limited to parking areas, access road, and utilities, are shared by site users whenever possible.

E. CLASS 2 COLLOCATION

- 1. Application Process
 - a. A zoning permit is required for a class 2 collocation. A class 2 collocation is a permitted use, but still requires the issuance of the permit.
 - b. A written permit application must be complete by any applicant and submitted to the Planning and Zoning Department. The application must contain the following information:
 - 1) The name and business address of, and the contact individual for, the applicant.
 - 2) The location of the proposed or affected mobile service support structure.
 - 1)3) The location of the proposed mobile service facility.
 - c. A permit application will be provided by the Planning and Zoning Department upon request to any applicant.
- 2. Requirements. A class 2 collocation is subject to the same requirements for the issuance of a zoning subject to the same requirements for the issuance of a zoning permit to which any other type of commercial development or land use development is subject, except that the maximum fee for a zoning permit shall be \$500. See Sec. 9-1-12 of the Columbia County Code of Ordinances.
- 1-3. Completed Applications. If an applicant submits to the Planning and Zoning Department an application for a permit to engage in an activity described in this ordinance, which contains all of the information required under this ordinance, the Planning and Zoning Department shall consider the application complete. If any of the required information is not in the application, the Planning and Zoning Department shall notify the applicant in writing, within 5 days of receiving the application, that the application is not complete. The written notification shall specify in detail the required information that was incomplete. An applicant may resubmit an application as often as necessary until it is complete.

4. County Requirements. Within 45 days of its receipt of a complete application, the Planning and Zoning Department shall complete all of the following or the applicant may consider the application approved, except that the applicant and the Planning and Zoning Department may agree in writing to an extension of the 45 day period:
 - a. Make a final decision whether to approve or disapprove the application.
 - b. Notify the applicant, in writing, of its final decision.
 - c. If the application is approved, issue the applicant the relevant permit.
 - d. If the decision is to approve the application, include with the written notification substantial evidence which supports the decision.
5. Fees. The fee for the permit is as set forth in Columbia County Code of Ordinances Sec. 9-1-12, except that the maximum fee for the land use permit shall be \$500.
- F. **INFORMATION REPORT.** The purpose of the report under this subsection is to provide the County with accurate and current information concerning the mobile service facility owners and providers who offer or provide mobile services within the County, or that own or operate mobile service facilities within the County, to assist the County in enforcement of this subsection, and to assist the County in monitoring compliance with local, state and federal laws.
 1. Information Report. Every year beginning in 2015 every owner of any mobile service support structure shall submit to the Planning and Zoning Department a Telecommunications Facility Information Report (the "Report") on or before January 31, .or within forty-five (45) days of receipt of a written request from the Planning and Zoning Department. The Report shall include the mobile service support structure owner's name(s), address(es), phone number(s), contact person(s), and proof of liability insurance and bonding as security for removal. The support structure owner shall also supply the mobile service support structure height or current occupancy, if applicable, the number of collocation positions designated, occupied or vacant. This information shall be submitted on the County form provided and designated for such use, and shall become evidence of compliance.
- G. **REMOVAL/SECURITY OF REMOVAL.**
 - 2.1. It is the express policy of Columbia County and this code that mobile service support structures be removed once they are no longer in use and not a functional part of providing mobile service and that it is the mobile service support structure owner's responsibility to remove such mobile service support structures and restore the site to its original condition or a condition approved by the Columbia County Planning and Zoning Department. This restoration shall include removal of any subsurface structure or foundation, including concrete, used to support the mobile service support structure down to 5 feet below the surface. After a mobile service support structure is no longer being used for mobile service that is in operation, the mobile service support structure owner shall have one hundred eighty (180) days to effect removal and restoration unless weather prohibits such efforts. Permittee shall record a document with the Columbia County Register of Deeds showing the existence of any subsurface structure remaining below grade. Such recording shall accurately set forth the location and describe the remaining structure.

2. Security for Removal. The owner of any mobile service support structure other than a municipality or other unit of government shall provide to Columbia County, prior to the issuance of the zoning permit, a performance bond in an amount based on a written estimate of a qualified remover of said types of structures, or Twenty Thousand Dollars (\$20,000), whichever is less, to guarantee that the mobile service support structure will be removed when no longer in operation. Columbia County will be named as obligee in the bond and must approve the bonding company. The County may require an increase in the bond amount after five (5) year intervals to reflect increases in the Consumer Price Index, but at no point shall the bond amount exceed Twenty Thousand Dollars (\$20,000). The provider shall supply any increased bond within a reasonable time, not exceeding sixty (60) days, after the County's request. A permittee may submit a letter of credit in the amount set forth above, or, in the alternative, a permittee with several sites in the County may submit a master bond to cover all of said sites. A master bond or a letter of credit may, in the Committee's discretion, be in an amount sufficient to secure removal from one site if the master bond or letter of credit provides for replenishing any amount used as the master bond or letter of credit covers any other site in the County.

H. STRUCTURAL, DESIGN AND ENVIRONMENTAL STANDARDS

1. Mobile Service Support Structure, Antenna and Facilities Requirements. All mobile service facilities and mobile service support structures, except exempt facilities as defined in subsection (c), shall be designed to reduce the negative impact on the surrounding environment by implementing the measures set forth below:
 - a. Mobile Service support structures shall be constructed of metal or other nonflammable material, unless specifically permitted by the County to be otherwise.
 - b. Satellite dish and parabolic antennas shall be situated as close to the ground as possible to reduce visual impact without compromising their functions.
 - a-c. Equipment compounds shall be constructed of nonreflective materials (visible exterior surfaces only). Equipment compounds shall be designed to blend with existing architecture in the area or shall be screened from sight by mature landscaping, and shall be located or designed to minimize their visibility.
 - d. Mobile service facilities, support structures and antennas shall be designed and constructed in accordance with the State of Wisconsin Uniform Building Code, National Electrical Code, Uniform Plumbing Code, Uniform Mechanical Code, and Uniform Fire Code, Columbia County Subdivision Ordinance, Columbia County Sanitation Ordinance, Electronic Industries Association (EIA), American National Steel Institute Standards (ANSI), and American National Standards Institute (ANSI) in effect at the time of manufacture.
 - e. Mobile service facilities and support structures shall not interfere with or obstruct existing or proposed public safety, fire protection or Supervisory Controlled Automated Data Acquisition (SCADA) operation telecommunication facilities. Any actual interference and/or obstruction shall be corrected by the applicant at no cost to the County.
2. Site Development. A leased parcel intended for the location of new mobile service facilities, mobile service support structures, and equipment compounds shall be located so as to permit expansion for mobile service facilities to serve all potential colocators.
3. Vegetation protection and facility screening.
 - b-a. Except exempt facilities as defined in subsection (c), all mobile service facilities shall be installed in a manner to as to minimize disturbance to existing native vegetation and shall include suitable mature landscaping to screen the facility, where necessary. For purposes of this section, "mature landscaping" shall mean trees, shrubs or other vegetation of a minimum initial height of five (5) feet that will provide the appropriate level of visual screening immediately upon installation.

- b. Upon project completion, the owner(s)/operator(s) of the facility shall be responsible for maintenance and replacement of all required landscaping as long as a telecommunication facility is maintained on the site.
- 4. Fire prevention. All mobile service facilities shall be designed and operated in accordance with all applicable codes regarding fire prevention.
- 5. Noise and Traffic. All mobile service facilities shall be constructed and operated in such a manner as to minimize the amount of disruption caused to nearby properties. To that end the following measures shall be implemented for all mobile service facilities, except exempt facilities as defined in subsection (c):
 - a. Noise producing construction activities shall take place only on weekdays (Monday through Saturday, non-holiday) between the hours of 6:00 am and 6:00 pm, except in times of emergency repair and,
 - b. Backup generators, if present, shall be operated only during power outages and for testing and maintenance purposes.
- 6. Separation Requirements. Mobile service support structures shall be separated by a minimum of 2640 feet, except that:
 - a. Two (2) mobile service support structures may be permitted to be located within 100 feet of each other subject to approval of the Columbia County Planning and Zoning Committee.
 - e.b. Camouflaged mobile service support structures are exempt from the separation between mobile service support structures requirement listed above.

I. COMPLIANCE/PENALTIES

- 1. Abandonment. Any antenna, mobile service facility, or mobile service support structure that is not operated for a continuous period of twelve (12) months shall be considered abandoned. Upon application, the Committee may extend the time limit to abandon once for an additional twelve-month period. Such extension shall be based on the finding that the owner or permit holder is actively seeking tenants for the site. After the expiration of the time periods established above, the following shall apply:
 - a. The owner of such antenna, mobile service facility or mobile service support structure shall remove said antenna, mobile service facility or mobile service support structure, including all supporting equipment, building(s) and foundations to the depth as otherwise herein required within ninety (90) days of receipt of notice from the Planning and Zoning Department notifying the owner of such abandonment. If removal to the satisfaction of the Planning and Zoning Department does not occur within said ninety (90) days, the Columbia County Director of Planning and Zoning may order removal utilizing the established bond as provided under subsection (g) and salvage said antenna, mobile service facility or mobile service support structure, including all supporting equipment and building(s). If there are two or more users of a single mobile service support structure, then this provision shall not become effective until all operations of the mobile service support structure cease.
 - b. The recipient of a zoning permit allowing a mobile service support structure and facility under this section, or the current owner of operator, shall notify the Columbia County Planning and Zoning Department within 45 days of the date when the mobile service facility is no longer in operation.
- 3.2. Penalties. Any person, partnership, corporation, or other legal entity that fails to comply with the provisions of this ordinance shall be subject to the penalty provisions set forth in Sec. 16-150-080 of this Code.

J. RADIO BROADCAST SERVICES FACILITIES AND STRUCTURES

1. Application Procedure

- a. Zoning Permit is required for:
 - 1) The modification of a pre-existing facility or structure if the modification is inconsistent with the original zoning permit
 - 2) The construction of any new radio broadcast service facility or structure.
- b. The department will provide an applicant with a zoning permit application form and a zoning permit application form upon request.
- c. An applicant's zoning permit application will be processed as provided for in Section 16-155-080.
- d. An applicant must submit a written application for a zoning permit to the department. The application must contain the following information:
 - 1) The name and business address of the applicant, along with the name of a contact person.
 - 1)2) The location of the proposed facility and structure.
 - 3) A construction plan describing the existing or proposed facility and structure and the equipment and network components, including antennas, base stations, cabling, power supplies, receivers, transmitters, and related equipment to be placed on or around the new facility and structure.
- e. An application that contains all of the information required under this ordinance will be considered to be complete. If the department does not believe that the application is complete, it shall notify the applicant in writing, within 10 days of receiving the application, that the application is not complete. The written notification must specify in detail the required information that was incomplete. An applicant may resubmit an application as often as necessary until it is complete.
- f. Within 90 days of receipt of a complete application, the department shall complete all of the following or the applicant may consider the application approved, except that the applicant and the department may agree in writing to an extension of the 90 day period:
 - 1) Review the application determine whether it complies with all applicable aspects of the county's zoning ordinances, subject to the limitations in Wis. Stat. § 66.0404.
 - 2) Make a final decision whether to approve or disapprove the application.
 - 3) Notify the applicant, in writing, of its final decision.
 - 4) If the decision is to disapprove the application, the written notification must set forth the substantial evidence that supports the decision.
- ~~b.g.~~ A party who is aggrieved by the department's final decision may appeal the action to the Board of Adjustment.

Amend Section 16-125-210 as follows:

- A. The appropriate County approval authority shall require a landscaped transitional yard, in accordance with the standards in [Section 16-140-060B4](#).
- ~~B.~~ Shall not involve the on-site holding, storage or disposal of hazardous wastes as defined by States Statutes.
- C. ~~No electrical power shall be run to the storage facilities, except for exterior lighting.~~
- C. Aside from storage, no business activity shall be operated from or outside of any portioned area within a personal storage facility or mini-warehouse.

Amend Section 16-125-240 I. as follows:

- I. Amplification devices may be placed within or directed toward the outdoor entertainment area for the purposes of playing music or spoken words, subject to the following standards:
 1. No amplified music may be played between the hours of 10:00 p.m. and 10:00 a.m.
 2. Amplification devices and live music staging areas shall be located within 50 feet of the principal structure and shall be a minimum of 50 feet from any property lines.
 3. Except for occasional events not occurring more than three times in any calendar year, sound from amplified music shall not exceed 65 dBA at any property line before 8:00 p.m. and shall not exceed 65 dBA after 8:00 p.m. If a town has sound and time restrictions that are less restrictive that regulation shall be applicable so long as the town enforces their regulations.
 4. At the discretion of the Zoning Administrator, the property owner may be required to install sound containment barriers.

Create Section 16-125-250 as follows:

16-125-250 SMALL WIND ENERGY SYSTEMS

A. PURPOSE. The purpose of this section is to adopt and incorporate the requirements of Wisconsin Stat. § 66.0401 and Wisconsin Admin. Code Ch. PSC 128 as a local ordinance and to establish local regulations on the installation and use of small wind energy systems that are authorized by, compliant with, and no more restrictive than the rules promulgated by the Wisconsin Public Service Commission and that serve to preserve or protect the public health or safety, do not significantly increase the cost of the system or significantly decrease its efficiency, or allow for an alternative system of comparable cost or efficiency.

1. Statutes, Regulations and Rules

a. This section is subject to the provisions of the Wisconsin Statutes and all regulations and rules promulgated thereunder.

b. Wisconsin Stat. § 66.0401 and Wis. Admin. Code Ch. PSC 128 are adopted and incorporated by reference.

B. DEFINITIONS. Besides the definitions in PS 128.01, in this Section:

1. "Department" means the Columbia County Planning and Zoning Department.

2. "Department Director" or "Director" means the Director of the Columbia County Planning and Zoning Department or the Department Director's Designee.

3. "Permit" means a zoning permit issued by the Columbia County Planning and Zoning Department pursuant to this code.

4. "PSC 128" means Wis. Admin Code Ch. PSC 128, Wind Energy Systems.

5. "Small Wind Energy System" means a wind energy system that has a total installed nameplate capacity of 300 kilowatts or less and that consists of individual wind turbines that have an installed nameplate capacity of not more than 100 kilowatts.

C. ZONING PERMIT REQUIREMENTS

1. Permit Requirement. The owner must apply for and receive a zoning permit from the department before installing, constructing, or expanding any small wind energy system.

2. Permit Fee. The owner must pay an application fee at the time the application for a small wind energy system is filed with the department.

4-3. Permit Expiration. A zoning permit issued by the department expires if construction of the small wind energy system is not commenced within 24 months from the date of the permit or if the small wind energy system is not installed and functioning within 12 months from the date construction begins.

D. APPLICATION REQUIREMENTS

1. The owner must file an application that contains the information specified in PSC 128.30, except as amended by PSC 128.61(6).
2. A plan must be submitted that includes information specified in Section 16-150-080 D. The owner must also provide the following additional information on the plan or as part of the permit application:
 - a. Location of any overhead utility lines on or adjacent to the property.
 - b. Description and specifications of the components of the small wind energy system, including the manufacturer, model, capacity, blade length, and total height of the small wind energy system; and
 - c. Blueprints or drawings which have been approved by a registered professional engineer for any tower and tower foundation.

E. FILING REQUIREMENTS

1. Any document or paper required to be filed with the county pursuant to PSC 128 or this ordinance must be filed at or delivered to the department's office.
2. Any document, paper, or other material submitted to the county that relates to an application must be delivered to the department's office.
3. Any document or paper filed or otherwise submitted by an owner or any other interested party that relates to an application must be 8-1/2 x 11 inches in size. A person who wishes to submit a paper that is larger than 8-1/2 x 11 inches in size shall also submitted reduced copy that is 8-1/2 x 11 inches in size.

F. CONDITIONS REQUIRED FOR APPROVAL

1. An owner shall provide information showing that it has complied with the notification requirements of PSC 128.105(1), as amended by PSC 128.61(1).
2. An owner shall provide information showing that it has complied with the notification requirements specified in PSC 128.14(6)(b), as amended by PSC 128.61(4).
3. An owner shall provide information showing that it has complied with the notification requirements specified in PSC 128.15(5)(b).

G. ABANDONMENT AND DECOMMISSIONING

1. A small wind energy system that does not generate electricity for a continuous period of 540 days will be deemed abandoned and the department may issue a Notice of Abandonment to the owner.
2. If, within 30 days of receipt of a Notice of Abandonment, the owner provides the department with information showing that the small wind energy system has not been abandoned, the department will withdraw the Notice.
3. Unless the department withdraws the Notice of Abandonment, a small wind energy system tower must be decommissioned as prescribed by PSC 128.19. If the owner fails to remove a small wind energy system and reclaim the site, the county may remove or cause the removal of the small wind energy system and arrange for the reclamation of the site. The cost of removal and reclamation will become a lien upon the property and may be collected in the same manner as property taxes.

H. CODE COMPLIANCE. A small wind energy system must comply with the National Electrical Code and all applicable state construction and electrical codes. The owner must provide certification from a state licensed inspector showing that the small wind energy system complies with all applicable codes before placing the small wind energy system into operation.

G-I. ELECTRICAL WIRES. All electrical wires associated with a small wind energy system, other than wires necessary to connect the wind generator to the tower wiring, the tower wiring to the disconnect junction box, and the grounding wires, must be located underground.

J. EMERGENCY COMMUNICATIONS CORRIDORS

1. An owner may not construct wind energy systems facilities within an emergency communication corridor, which is defined as the area within an existing line-of-sight communication path that is used by a government or military entity to provide services essential to protect public safety.
2. An owner shall provide information showing that wind energy systems facilities will be in compliance with sub. (1).
3. Columbia County will provide the locations of emergency communication services and line of sight corridors that are essential to protect public safety.

K. EQUIPMENT ACCESS. All ground-mounted electrical and control equipment must be labeled and secure to prevent unauthorized access.

L. LIGHTING.

1. A small wind energy system may be artificially lighted only if lighting is required by the Federal Aviation Administration.
2. An owner shall use shielding or control systems approved by the federal aviation administration to reduce visibility of light to individuals on the ground.

M. NOISE.

1. The noise generated by the operation of a small wind energy system may not exceed 50 db(A) during the daytime hours and 45 db(A) during the nighttime hours as measured at the outside wall of a nonparticipating residence or occupied community building that existed when the owner gave notice pursuant to PSC 128.105(1) or for which complete publicly available plans for construction were on file with a political subdivision within 30 days of the date when the owner gave notice pursuant to PSC 128.105(1).
2. The owner of an adjacent nonparticipating residence or adjacent occupied community building may relieve the owner of the small wind energy system of the requirement to meet any of the noise limits in this section by written contract as provided in PSC 128.14(5) and (6).
3. The owner shall provide the notice as prescribed by PSC 128.61(4).
4. If an owner receives a complaint of a violation of the noise standards contained in PSC 128.14 and the owner has not provided the department with the results of an accurate test conducted within 2 years of the date of the complaint showing that the small wind energy system is in compliance with the noise standard at the location relating to the complaint, the owner shall promptly conduct a noise study to evaluate compliance with the noise standards at that location using the most current version of the noise measurement protocol as described in PSC 128.50(2).

N. OWNERSHIP CHANGE. An owner shall provide the county with notice of any change in ownership of the small wind energy system on or before the effective date of the change.

O. PERMITS. An owner shall submit a copy of all necessary state and federal permits and approvals to the department.

P. SETBACKS

1. A small wind energy system must be set back at least 1.0 times the maximum blade tip height from any nonparticipating property line, nonparticipating residence, occupied community building or overhead communication and electrical transmission line, not including utility service lines to individual houses or outbuildings.
- 1.2. The owner of an adjacent nonparticipating residence or adjacent occupied community building may waive the required setback distance.

Q. SIGNAL INTERFERENCE

1. An owner shall use reasonable and commercially available technology to mitigate interference with personal communications that were not in use when the small wind energy system began operation if the small wind energy system is causing the interference and the interference occurs at a location at least one-half mile from a wind turbine. Except as provided in sub.(4), an owner shall mitigate personal communications interference caused by the small wind energy system by making the affected party's preferred reasonable mitigation solution effective until either the small wind energy system is decommissioned or the communication is no longer in use, whichever is earlier.
2. An owner shall, under a protocol established by PSC 128.50(2), implement a new technology solution that becomes commercially available before the small wind energy system is decommissioned to address interference for which mitigation is required under PSC § 128.16(2) and (3) and for which the original mitigation solution is only partially effective.

R. UTILITY INTERCONNECTION. A small wind energy system that connects to the electric utility must comply with Wis. Admin. Code § PSC 119, Rules for Interconnecting Distributed Generation Facilities.

S. APPLICATION PROCESSING

1. The application for a zoning permit will be processed following the procedures set forth in Section 16-150-080.
2. An owner shall, on the same day that it files an application for a small wind energy system, use commercially reasonable methods to provide written notice of the filing of the application to property owners and residents located adjacent to the small wind energy system. The notice shall contain the information specified in PSC 128.30(5).
3. Upon receipt of an application, the department shall publish the notice required by Wis. Stat. § 66.0401(4)(a)(1) and PSC 128.30(5)(b).
4. The department will accept written comments on the application for a period of 10 days following the date of the published notice.
5. If the permit application is denied, the department will notify the owner in writing and provide a written statement of the reason why the application was denied. The owner may appeal the department's decision to the Board of Adjustment as provided by Section 16-150-040 E.

T. COMPLETENESS REVIEW

1. An application is complete if it complies with the filing requirements of this ordinance and of PSC 128.30(2) and 128.50(1).
2. An application is considered filed the day the owner notifies the department in writing that all the application materials have been filed.
3. The department shall determine the completeness of an application and shall notify the owner in writing of the completeness determination no later than 45 days after the day the application is filed.
4. If the department determines that the application is incomplete, it shall provide the owner with written notice stating the reasons for the determination. The owner shall provide additional information specified in the notice, and an additional 45-day completeness review period will begin the day after the department receives responses to all items identified in the notice.
5. If the owner fails to provide additional information specified in the notice of an incomplete application within 90 days, the application will be deemed abandoned. The owner may refile the application at a later date, subject to payment of a new application fee. There is no limit to the number of times that an owner may refile an application.
- 2.6. If the county does not make a completeness determination within the applicable review period, the application is considered to be complete.

U. REQUESTS FOR ADDITIONAL INFORMATION

1. The department may request additional information necessary to understand the small wind energy system after determining that an application is complete.
2. An owner shall provide additional information in response to all reasonable requests.
3. An owner shall respond to all inquiries made subsequent to a determination of completeness in a timely, complete and accurate manner.
4. If the owner fails to provide additional information requested within 90 days, the application will be deemed abandoned. The owner may refile the application at a later date, subject to the payment of a new application fee. There is no limit to the number of times that an owner may refile an application.

V. APPROVAL REVIEW

1. The department shall have 90 days from the date that it notifies the owner that the application is complete in which to approve or disapprove the application.
2. The review period may be extended upon written notice to the applicant for one or more of the following reasons; but the total time for all extensions may not exceed 90 days:
 - a. Up to 45 days if additional information is needed.
 - b. Up to 90 days if the applicant makes a material modification to the application.
 - c. Up to 90 days for other good cause specified in writing.
3. If the department fails to act within the 90 days, or within any extended time period, the application will be considered approved.

W. WRITTEN DECISION

1. The department shall issue a written decision to grant or deny an application for a small wind energy system. The written decision must include findings of fact supported by evidence in the record. If an application is denied, the decision must specify the reason for the denial.
2. The department shall provide a duplicate original of its written decision to the owner and the commission.
3. The owner shall record the duplicate original of a decision approving an application with the register of deeds.

X. MODIFICATIONS

1. An owner shall comply with PSC 128.35 before making any material change to a small wind energy system.
2. The department will conduct a review of any application for a material change in a small wind energy system as provided for in PSC 128.35(2).

Y. POSTCONSTRUCTION FILING REQUIREMENT

1. Within 90 days of the date a small wind energy system commences operation, the owner shall file with the department and the commission an as-built description of the small wind energy system, an accurate map of the small wind energy system showing the location of all small wind energy system facilities, geographic information system information showing the location of all small wind energy system facilities, and current information identifying the owner of the small wind energy system.
2. An owner shall label each wind turbine location described in its filing and shown on the map of the small wind energy system with a unique identifier consistent with the information posted at the wind turbine location under PSC 128.18(1).

Z. DECOMMISSIONING REVIEW

- 3-1. An owner shall file a notice of decommissioning completion with the county and any political subdivision within which its small wind energy systems facilities are located when a small wind energy system approved by the county has been decommissioned and removed.

2. The department shall conduct a decommissioning review to determine whether the owner has decommissioned and removed the small wind energy system as required by PSC 128.29(1)(a) and whether the owner has complied with its site restoration obligation under PSC 128.29(4).
3. The owner shall cooperate with the county by participating in the decommissioning review process.

AA. APPEALS

1. A decision by the department that the application is incomplete, to approve or disapprove the application, or to impose a restriction on a small wind energy system may be appealed to the commission.
2. Any action by the county to enforce a restriction on a small wind energy system may be appealed to the commission.
3. An appeal must be filed with the commission within 30 days after the date of the decision or the start of the enforcement action that is being appealed.

BB. COMPLAINT PROCESS

1. An aggrieved person who has made a complaint to an owner in accordance with PSC 128.40 may petition the county for review of the complaint if it has been resolved within 45 days of the day the owner received the original complaint.
2. The petition for review must be filed with the department within 90 days of the date of the original complaint.
3. The petition must include the following:
 - a. Name, address, and telephone number of the person filing the petition.
 - b. Copy of the original complaint to the owner
 - c. Copy of the owner's initial response
 - d. Statement describing the unresolved complaint
 - e. Statement describing the desire remedy
 - f. Any other information the complainant deems relevant to the complaint.
 - g. Notarized signature of the person filing the petition.
4. The department shall forward a copy of the petition to the owner by certified mail within 10 days of the department's receipt of the petition.
5. The owner shall file an answer to the petition with the department and provide a copy of its answer to the complainant within 30 days of its receipt of the petition.
6. The answer must include the following:
 - a. Name, address and telephone number of the person filing the answer
 - b. Statement describing the actions taken by the owner in response to the complaint
 - c. Statement of the reasons why the owner believes that the complaint has been resolved or why the complaint remains unresolved.
 - d. Statement describing any additional action the owner plans or is willing to take to resolve the complaint.
 - e. Any other information the owner deems relevant to the complaint.
 - f. Notarized signature of the person filing the answer.
7. The complainant and the owner may, within 30 days following the owner's filing of its answer, file such additional information with the department as each deems appropriate.
8. The department may request such additional information from the complainant and the owner as it deems necessary to complete its review.
9. The department may retain such consultants or experts as it deems necessary to complete its review.
10. The department shall issue a written decision and may take such enforcement action as it deems appropriate with respect to the complaint.
- 4-11. The department's decision and enforcement action is subject to review under Wis. Stat. § 66.0401(5).

Create Section 16-125-260 as follows:

16-125-260 LARGE WIND ENERGY SYSTEMS

A. PURPOSE. The purpose of this section is to adopt and incorporate the requirements of Wis. Stat. § 66.0401 and Wis. Admin. Code Ch. PSC 128 as a local ordinance and to establish local regulations on the installation and use of large wind energy systems that are authorized by, compliant with, and no more restrictive than the rules promulgated by the Wisconsin Public Service Commission and that serve to preserve or protect the public health or safety, do not significantly increase the cost of the system or significantly decrease its efficiency, or allow for an alternative system of comparable cost and efficiency. Local regulations on the installation and use of small wind energy systems are contained in Section 016-125-250.

1. Statutes, Regulations and Rules.

a. This section is subject to the provisions of the Wisconsin Statutes and all regulations and rules promulgated thereunder.

b. Wis. Stat. § 66.0401 and Wis. Admin. Code Ch. PSC 128 are adopted and incorporated by reference.

B. DEFINITIONS. Besides the definitions in PSC 128.01, in this Section:

1. "Department" means the Columbia County Planning and Zoning Department.

2. "Department Director" or "Director" means the Director of the Columbia County Planning and Zoning Department or the Department Director's Designee.

3. "Permit" means a zoning permit issued by the Columbia County Planning and Zoning Department pursuant to this ordinance.

4. "PSC 128" means Wis. Admin. Code Ch. PSC 128, Wind Energy Systems.

5. "Large Wind System" has a capacity of less than 100 megawatts but more than a wind energy system that has a total installed nameplate capacity of 300 kilowatts or less and that consists of individual wind turbines that have an installed nameplate capacity of not more than 100 kilowatts.

C. APPLICATION REQUIREMENTS

1. An owner shall file an original application which contains the information required by PSC 128.30(2) with the department.

2. The owner shall submit 11 copies of the application to the department and one copy of the application to the clerk of each town in which any wind energy system facility is located.

3. The owner shall submit 1 digital copy of the application to the department in a format that is acceptable to the department.

4. Each copy of the application shall include all documents, drawings, maps, worksheets, and other materials that are included in the original application.

D. FILING REQUIREMENTS

1. Any document or paper required to be filed with the county pursuant to PSC 128 or this ordinance must be filed at or delivered to the department's office.

2. Any document, paper, or other material submitted to the county that relates to an application must be delivered to the department's office or submitted to the department on the record at a public hearing.

3. Any document or paper filed or otherwise submitted by an owner or any other interested party that relates to an application must be 8-1/2 x 11 inches in size. A person who wishes to submit a paper that is larger than 8-1/2 x 11 inches in size shall also submit a reduced copy that is 8-1/2 x 11 inches in size.

E. APPROVAL AND PERMIT REQUIREMENT

1. An owner must obtain the county's approval before constructing a wind energy system or expanding an existing or previously approved wind energy system, and no wind turbine may be installed, constructed, or expanded without a zoning permit issued for a principal commercial structure by the department under Section 16-150-080.
2. Permit Fee. The owner must pay an application fee at the time the application for a wind energy system is filed with the department.
3. A zoning permit issued by the department expires if construction of the wind energy system is not commenced within 24 months from the date of the permit.

F. CONDITIONS REQUIRED FOR APPROVAL

1. An owner shall provide information about whether it has consulted with and received any non-binding recommendations for construction, operating, or decommissioning the wind energy system from any federal or state agency and whether the owner has incorporated the non-binding recommendation into the design of the wind energy system.
2. An owner shall cooperate with any study of the effects of wind energy systems that is coordinated by a state agency.
3. An owner shall submit a copy of all necessary state and federal permits and approvals to the county.
4. An owner shall provide information showing that it has complied with the notification requirements specified in PSC 128.14(6)(b).
5. An owner shall provide information showing that it has complied with the notification requirements specified in PSC 128.15(5)(b).
6. An owner shall provide information showing that it has complied with the financial responsibility requirements specified in sec. 24.17(2) and (3).

G. AERIAL SPRAYING. An owner shall offer an agreement that includes monetary compensation to a farm operator farming on a nonparticipating property located within one-half mile of a constructed wind turbine if the farm operator demonstrates all of the following:

1. Substantial evidence of a history, before the wind energy system owner gives notice under PSC 128.105(1), of using aerial spraying for pest control or disease prevention for growing potatoes, peas, snap beans, or sweet corn on all or part of the farm field located within one-half mile of a constructed wind turbine.
2. A material reduction in potato, pea, snap bean, or sweet corn production or a material increase in application costs on all or part of a farm field located within one-half mile of a constructed wind turbine as a result of the wind energy system's effect on aerial spraying practices.

H. ANNUAL REPORTS. An owner shall, on or before January 31 of each year, file an annual report with the department documenting the operation and maintenance of the wind energy system during the previous calendar year.

I. EMERGENCY PROCEDURES

1. An owner shall establish and maintain a liaison with each political subdivision within which its wind energy systems facilities are located and with fire, police, and other appropriate first responders serving the area in which the wind energy systems facilities are located in order to create effective emergency plans as required by PSC 128.18(4)(b).
2. An owner shall distribute a copy of its emergency plans to the following:
 - a. Columbia County Office of Emergency Management
Attn: Emergency Management Director
711 Cook Street
Portage, WI 53901

- b. Columbia County Sheriff's Department
Attention: Columbia County Sheriff
711 Cook Street
Portage, WI 53901
- c. Clerk for any town or village within which its wind energy systems facilities are located or that are within one-half mile of any of its wind energy systems facilities.
- d. Clerk for any city within one-half mile of any of its wind energy systems facilities
- e. Any fire, police, or other first responder identified by the county's emergency management director or the clerk of any city, village, or town who has received a copy of the owner's emergency plans pursuant to pars. (c) and (d).
- 3. An owner shall provide annual training for the county's emergency management department, sheriff's department, and any other fire, police, or other first responder identified in the owner's emergency plans. An owner shall provide at least 8 hours of training during each calendar year and is responsible for all direct training costs.
- 4. If an owner is required to implement its emergency plans as the result of a wind energy system emergency, it shall conduct a review of employee activities to determine whether the procedures were effectively followed. The owner shall provide the county's emergency management director with a copy of its review. If the review results in any changes to its emergency plans, the owner shall distribute the revised emergency plans as provided in sub. (2).

J. FINANCIAL RESPONSIBILITY

- 1. An owner with a nameplate capacity of one megawatt or larger shall provide the county with financial assurance of the owner's ability to pay the actual and necessary cost to decommission the wind energy system before commencing major civil construction activities.
- 2. An owner shall provide the county with 3 estimates of the actual and necessary cost to decommission the wind energy system. The cost estimates shall be prepared by third parties agreeable to the owner and the county. The amount of financial assurance required by the county will be the average of the 3 estimates.
- 3. An owner shall establish financial assurance that is acceptable to the county and that places the county in a secured position. The financial assurance must provide that the secured funds may only be used for decommissioning the wind energy system until such time as the county determines that the wind energy system has been decommissioned, as provided for in PSC 128.30(5)(b), or the county approves the release of the funds, whichever occurs first. The financial assurance must also provide that the county may access the funds for the purpose of decommissioning the wind energy system if the owner does not decommission the system when decommissioning is required.
- 4. The county may periodically request information from the owner regarding industry costs for decommissioning the wind energy system. If the county finds that the future anticipated cost to decommission the wind energy system is at least 10 percent more or less than the amount of financial assurance provided under this section, the county may correspondingly increase or decrease the amount of financial assurance required.
- 2.5. The county may require an owner to submit a substitute financial insurance of the owner's choosing if an event occurs that raises material concern regarding the viability of the existing financial assurance.

K. INFORMATION

1. An owner shall, within 30 days of consulting with any federal or state agency about the construction, operation, or decommissioning of the wind energy system, provide the county with information about the reason for the consultation.
2. An owner shall, within 30 days of receiving any non-binding recommendation for the construction, operation, or decommissioning of the wind energy system from any federal or state agency, provide the county with information about the consultation and recommendation and whether the owner has incorporated the non-binding recommendation into the design of the wind energy system.

L. LIGHTING An owner shall use shielding or control systems approved by the federal aviation administration to reduce visibility of light to individuals on the ground.

M. MONETARY COMPENSATION FOR NONPARTICIPATING RESIDENCES

1. An owner shall offer an agreement to the owner of a nonparticipating residence, if the residence is located within one-half mile of a constructed wind turbine, that includes the following initial annual monetary compensation of \$600 for 1 turbine located within one-half mile of a nonparticipating residence, \$800 for two turbines located within one-half mile of a nonparticipating residence, and \$1,000 for 3 or more turbines located within one-half mile of a nonparticipating residence.
2. The initial annual monetary compensation under this subsection shall apply to agreements entered into in 2014. For agreements entered into in 2015 and thereafter, the initial annual amounts shall increase each year by the greater of two percent or the increase in the Consumer Price Index, as described in Wis. Stat. § 196.374(5)(bm)2 from the previous year.
3. An agreement offered under this subsection shall specify in writing any waiver of a requirement or right under this ordinance or PSC 128 and whether the landowner's acceptance of payment establishes the landowner's property as a participating property under this ordinance or PSC 128.

N. NOISE. If an owner receives a complaint of a violation of the noise standards contained in PSC 128.14 and the owner has not provided the department with the results of an accurate test conducted within 2 years of the date of the complaint showing that the wind energy system is in compliance with the noise standard at the location relating to the complaint, the owner shall promptly conduct a noise study to evaluate compliance with the noise standards at that location using the most current version of the noise measurement protocol as described in PSC 128.50(2)

O. OWNERSHIP CHANGE

1. An owner shall provide the county with notice of any change in ownership of the wind energy system on or before the effective date of the change.
2. A notice of change in ownership of the wind energy system shall include information showing that the financial responsibility requirements specified in secs. 24.17(2) and (3) will be met following the change in ownership.

P. PERMITS An owner shall submit a copy of all necessary state and federal permits and approvals to the county within 30 days of the owner's receipt of any permit or approval that was not provided with the owner's application.

Q. SIGNAL INTERFERENCE

- 3-1. An owner shall use reasonable and commercially available technology to mitigate interference with personal communications that were not in use when the wind energy system began commercial operations if the wind energy system is causing the interference and the interference occurs at a location at least one-half mile from a wind turbine. Except as provided in sub. (4), an owner shall mitigate personal communications interference caused by the wind energy system by making the affected party's preferred reasonable mitigation solution effective until either the wind energy system is decommissioned or the communication is no longer in use, whichever is earlier.

2. An owner shall, under a protocol established by PSC 128.50(2), implement a new technology solution that becomes commercially available before the wind energy system is decommissioned to address interference for which mitigation is required under PSC § 128.16(2) and (3) and for which the original mitigation solution is only partially effective.

R. EMERGENCY COMMUNICATIONS CORRIDORS

1. A tower may not be located within an emergency communication corridor, which is defined as the area within an existing line-of-sight communication path that is used by a government or military entity to provide services essential to protect public safety.
2. Columbia County will provide the locations of emergency communication services and line-of-site corridors that are essential to protect public safety. :

S. SOIL AND DRAINAGE SYSTEM PROTECTION

1. An owner shall utilize all applicable best practices in the placement, construction, operation, and maintenance of its wind energy facilities in order to minimize soil compaction, protect the topsoil, prevent topsoil mixing, and avoid and repair any damage to drainage systems on agricultural land.
2. An owner shall describe the applicable best practices that it intends to use in the placement, construction, operation, and maintenance of its wind energy facilities in its application.

T. STUDIES. An owner shall cooperate with any study of the effects of wind energy systems that is coordinated by a state agency.

U. COSTS AND FEES

1. An applicant shall pay an application fee to the county at the time that it files its application. The fee will be applied to the cost of reviewing the application.
2. An applicant is responsible for paying all costs incurred by the county in connection with the review and processing of the application, including the cost for services provided by outside attorneys, engineers, environmental specialists, planners, and other consultants and experts.
3. An owner is responsible for paying all costs incurred by the county in connection with monitoring compliance during construction and assessing when wind energy facilities are not maintained in good repair and operation condition.
4. The county shall invoice the applicant or owner for the actual and necessary costs incurred pursuant to this ordinance. The applicant or owner shall reimburse the county for those costs within 15 days of the date of invoice.

V. CONSULTANTS

1. The department is authorized to contract with one or more engineers, environmental specialists, planners, and other consultants and experts to perform necessary services in connection with this ordinance.
2. The corporation counsel is authorized to contract with outside attorneys to perform necessary services in connection with this ordinance.

W. COMPLETENESS REVIEW

1. An application is complete if it complies with the filing requirements of this ordinance and of PSC 128.30(2) and 128.50(1).
2. An application is considered filed the day the owner notifies the department in writing that all the application materials have been filed.
- 4.3. The department shall determine the completeness of an application and shall notify the owner in writing of the completeness determination no later than 45 days after the day the application is filed.

4. If the department determines that the application is incomplete, it shall provide the owner with written notice stating the reasons for the determination. The owner shall provide additional information specified in the notice, and an additional 45 day completeness review period will begin the day after the department receives responses to all items identified in the notice.
5. If the owner fails to provide additional information specified in the notice of an incomplete application within 90 days, the application will be deemed abandoned. The owner may refile the application at a later date, subject to payment of a new application fee. There is no limit to the number of times that an owner may refile an application.
6. If the county does not make a completeness determination within the applicable review period, the application is considered to be complete.

X. REQUESTS FOR ADDITIONAL INFORMATION

1. The department may request additional information necessary to understand the wind energy system after determining that an application is complete.
2. An owner shall provide additional information in response to all reasonable requests.
3. An owner shall respond to all inquiries made subsequent to a determination of completeness in a timely, complete, and accurate manner.
4. If the owner fails to provide additional information requested within 90 days, the application will be deemed abandoned. The owner may refile the application at a later date, subject to the payment of a new application fee. There is no limit to the number of times that an owner may refile an application.

Y. APPROVAL REVIEW

1. The department shall have 90 days from the date that it notifies the owner that the application is complete in which to approve or disapprove the application.
2. The review period may be extended upon written notice to the applicant for one or more of the following reasons; but the total time for all extensions may not exceed 90 days:
 - a. Up to 45 days if additional information is needed.
 - b. Up to 90 days if the applicant makes a material modification to the application.
 - c. Up to 90 days for other good cause specified in writing.
3. If the department fails to act within the 90 days, or within any extended time period, the application will be considered approved.
4. The Planning and Zoning Committee shall hold one public hearing during the initial 90 day application review period for the purpose of receiving public comments on the application. A hearing notice will be published and the hearing will normally be held at the first commission meeting following notice to the applicant that the application is complete.
5. Written comments will be accepted for 10 days following the close of the hearing.

Z. WRITTEN DECISION

1. The department shall issue a written decision to grant or deny an application for a wind energy system. The written decision must include findings of fact supported by evidence in the record. If an application is denied, the decision must specify the reason for the denial.
2. The department shall provide a duplicate original of its written decision to the owner and the commission.
3. The owner shall record the duplicate original of a decision approving an application with the register of deeds.

AA. MODIFICATIONS

1. An owner shall comply with PSC 128.35 before making any material change to a wind energy system.
- 5-2. The department will conduct a review of any application for a material change in a wind energy system as provided for in PSC 128.35(2).

BB. THIRD-PARTY CONSTRUCITON INSPECTOR

1. The department may contract with a third party inspector to monitor and report to the department regarding the owner's compliance with permit requirements during construction.
2. The inspector monitoring compliance under this section shall also report to a state permitting authority upon the state permitting authority's request.
3. The inspector shall make monthly written reports to the department.
4. The owner shall reimburse the county for the actual and necessary cost of the inspector.

CC. POSTCONSTRUCTION FILING REQUIREMENT

1. Within 90 days of the date a wind energy system commences operation, the owner shall file with the department and the commission an as built description of the wind energy system, an accurate map of the wind energy system showing the location of all wind energy system facilities, geographic information system information showing the location of all wind energy system facilities, and current information identifying the owner of the wind energy system.
2. An owner shall label each wind turbine location described in its filing and shown on the map of the wind energy system with a unique identifier consistent with the information posted at the wind turbine location under PSC 128.18 (1).

DD. COMPLIANCE MONITORING

1. An owner shall maintain a maintenance log for each wind turbine. The log must contain the following information regarding any maintenance performed on the wind turbine:
 - a. date and time maintenance was performed.
 - b. nature of the maintenance performed.
 - c. reason for the maintenance.
2. An owner shall, at the owner's expense, provide the department with a copy of the maintenance log for each wind turbine for each month within 5 calendar days after the end of the month.
3. The department may retain such consultants or experts as it deems necessary to assess and determine whether the wind energy system facilities are compliant or to assess whether the wind energy system facilities are being maintained in good repair and operating condition.

EE. DECOMMISSIONING REVIEW

1. An owner shall file a notice of decommissioning completion with the county and any political subdivision within which its wind energy systems facilities are located when a wind energy system approved by the county has been decommissioned and removed.
2. The department shall conduct a decommissioning review to determine whether the owner has decommissioned and removed the wind energy system as required by PSC 128.29(1)(a) and whether the owner has complied with its site restoration obligation under PSC 128.29(4).
3. The owner shall cooperate with the county by participating in the decommissioning review process.

FF. APPEALS

1. A decision by the department that the application is incomplete, to approve or disapprove the application, or to impose a restriction on a wind energy system may be appealed to the commission.
2. Any action by the county to enforce a restriction on a wind energy system may be appealed to the commission.
- 6-3. An appeal must be filed with the commission within 30 days after the date of the decision or the start of the enforcement action that is being appealed.

GG. COMPLAINT NOTICE REQUIREMENTS

1. An owner shall comply with the notice requirements contained in PSC 128.42(1).
2. An owner shall, before construction of a wind energy system begins, provide the department with a copy of the notice issued pursuant to PSC 128.42(1), along with a list showing the name and address of each person to whom the notice was sent and a list showing the name and address of each political subdivision to which the notice was sent.
3. An owner shall, before construction of a wind energy system begins, file with the department the name and telephone number of the owner's contact person for receipt of complaints or concerns during construction, operation, maintenance, and decommissioning. The owner shall keep the name and telephone number of the contact person on file with the department current.

HH. COMPLAINT MONITORING

1. An owner shall maintain a complaint log as required by PSC 128.40(2)(d).
2. An owner shall, at the owner's expense, provide the department with a copy of the complaint log for each month within 5 calendar days after the end of the month.
3. An owner shall, before construction of a wind energy system begins, provide the department with a written copy of the owner's complaint resolution process. An owner shall provide the department with a written copy of any changes to the complaint resolution process at least 30 days prior to implementing the change.

II. COMPLAINT PROCESS

1. An aggrieved person who has made a complaint to an owner in accordance with PSC 128.40 may petition the county for review of the complaint if it has not been resolved within 45 days of the day the owner received the original complaint.
2. The petition for review must be filed with the department within 90 days of the date of the original complaint.
3. The petition must include the following:
 - a. name, address, and telephone number of the person filing the petition.
 - b. copy of the original complaint to the owner.
 - c. copy of the owner's initial response.
 - d. statement describing the unresolved complaint.
 - e. statement describing the desired remedy.
 - f. any other information the complainant deems relevant to the complaint.
 - g. notarized signature of the person filing the petition.
4. The department shall forward a copy of the petition to the owner by certified mail within 10 days of the department's receipt of the petition.
5. The owner shall file an answer to the petition with the department and provide a copy of its answer to the complainant within 30 days of its receipt of the petition.
6. The answer must include the following:
 - a. name, address, and telephone number of the person filing the answer.
 - b. statement describing the actions taken by the owner in response to the complaint.
 - c. statement of the reasons why the owner believes that the complaint has been resolved or why the complaint remains unresolved.
 - d. statement describing any additional action the owner plans or is willing to take to resolve the complaint.
 - e. any other information the owner deems relevant to the complaint.
 - f. notarized signature of the person filing the answer.
7. The complainant and the owner may, within 30 days following the owner's filing of its answer, file such additional information with the department as each deems appropriate.

8. The department may request such additional information from the complainant and the owner as it deems necessary to complete its review.
9. The department may retain such consultants or experts as it deems necessary to complete its review.
10. The department shall issue a written decision and may take such enforcement action as it deems appropriate with respect to the complaint.
11. The department's decision and enforcement action is subject to review under Wis. Stat. § 66.0401(5).

Amend Section 16-130-020 as follows:

16-130-020 ACCESSORY USES AND STRUCTURES, DEFINITIONS AND GENERAL STANDARDS

- A. **Accessory Use.** An accessory use is a land use that both serves and is customarily incidental and subordinate to a principal use, as defined in [Section 16-160-020](#). Accessory uses may be established only after the principal use of the property is established, and must be on the same parcel as the principal use.
- B. **Accessory Structure.** An accessory structure is a building or other structure that both serves and is incidental and subordinate to a principal use or principal structure, as defined in [Section 16-160-020](#). Except as otherwise allowed in this chapter, accessory structures must be constructed in conjunction with or after the principal structure or principal use is established, and must be on the same parcel as the principal use or structure.
1. In the R-1 Single Family District an accessory structure is allowed on a lot across the street or road from a principal residential use. The lot must align directly or diagonally with existing residential lot with the principal structure and both lots must be under the same ownership.
 2. One accessory structure per lot not to exceed 800 square feet.
 3. The accessory structure shall be similar in appearance and construction to the residential structure to which it is subordinate.
 - ~~(4)~~4. Prior to the issuance of a zoning permit, the lot on which the accessory structure is proposed shall be deed restricted so as to treat use and transfer of ownership of the 2 lots as one. This restriction can only be removed by consent of both the Town Board and the Planning and Zoning Committee.
- B.C. **Applicable Regulations and Standards.** Unless other expressly stated, accessory uses and structures are subject to the same regulations and standards as apply to principal uses and structures on the subject parcel.
- ~~C~~.D. **Human Habitation.** Unless expressly stated no accessory structure shall be used for human habitation.
- ~~D~~.E. **Separation and Height.** Accessory buildings must be separated by a minimum of 10 feet, measured from wall to wall from all other accessory or principal buildings to qualify for accessory structure setbacks, otherwise principal structure setbacks apply. In residential zoning districts, the height of an accessory building shall not exceed 22 feet. In all other zoning districts, the height of an accessory building may not exceed the maximum height of a principal building as indicated in Tables [16-105-030\(1\)](#), [16-110-030\(1\)](#), and [16-115-030\(1\)](#).
- E.F. **Incidental and Subordinate To:** In order to classify a use or structure as an accessory use or structure, the Zoning Administrator shall determine that the use or structure meets all the following criteria:
1. The use or structure is subordinate to the principal use or principal structure in terms of area and function.
 2. The use or structure is customarily found in association with the subject principal use or principal building.
 3. ~~Unless expressly stated~~Except for RR-1 Rural Residence within residential zoning districts, any accessory structure must have less a smaller floor area footprint than any principal residential structure on the same lot.

Amend Section 16-130-050 C. 3. as follows:

- a.3. The appearance of the structure(s) that contain the minor home occupation shall not be altered or the occupation within the structures be conducted in a manner that would cause the premises to differ from its residential character either by the use of colors, materials, construction, lighting, signs, or the emission of sounds, odors, dust or vibrations that carry beyond the premises. There shall be no advertising, display, or other indications of a home occupation on the premises.

Amend Section 16-130-060 D. 5. as follows:

5. Camping and storage of camping units which for this Subchapter do not include a camping cabin or resort cabin outside of a campground or camping resort:
1. Camping, parking or storing camping unit when located on lot where a residential dwelling does not exist shall be subject to the following conditions:
 - 1) Camping, parking or storing a camping unit shall be permitted in all the A-1 District districts except, and Residential Districts, where they may be permitted by conditional use permit. Camping is prohibited in Commercial and Industrial District but the storage and parking of camping units is allowed as part of an approved outdoor retail sales of camping units.
 - 2) No more than one camping unit shall be allowed on a lot.
 - 3) No accessory structures or additions may be attached to the camping unit.
 - 4) Camping is only allowed if approved sanitary provisions, such as State approved systems; self-contained units, approved non-plumbing sanitation systems, or a private on-site waste treatment system is used to serve the camping unit.
 - 5) Arrangements shall be made for the proper disposal of trash and garbage.
 - 6) Camping, parking and or storing a unit on a lot shall only be permitted from April 15, through December 1 except as provided for below in Section b.
 - 7) Occupation of a unit by a person having no other permanent residence ~~regular place or dwelling~~ at the time the unit is so occupied is prohibited.

Amend Section 16-135-030 C. as follows:

- C. **Structural modification or repair:** The replacement or restoration, ~~enclosure of a deck or patio,~~ change of a roof pitch, replacement of roof trusses or rafters, replacement of foundational elements or similar components, or other structural modification or alteration of a structure or premises that contains a nonconforming use that do not enlarge or extend the structure is permitted only if all of the following criteria are met, except where Wisconsin Statutes requires less restrictive criteria:

Amend Section 16-135-040 A. as follows:

3. Structural repairs, alterations, and expansions to non-conforming structures are not allowed, except as provided in 4 and 5 below.
4. Nonconforming structures which are damaged or destroyed by violent wind, vandalism, fire, flood, ice, snow, mold or infestation on or after March 1, 2006 may be reconstructed if the structure will be restored to the size, location, and use that it had immediately before the damage or destruction occurred provided:
 - a. Damage which is due to an intentional act or due to general deterioration or dilapidated condition, may not be reconstructed except in conformance with standards of this chapter and other applicable codes;
 - b. The owner must establish the specific extent of the damage to a structure and its improvements;

- c. Repair and reconstruction are limited to that part of the structure and its improvements that were actually damaged and similar building materials are employed;
 - d. Repair and reconstruction are in compliance with all other provisions of applicable ordinances; if necessary for the structure to comply with applicable state or federal requirements, the structure may be larger than the size it was immediately before the damage or destruction, and
 - e. Nonconforming structures located within a floodplain and shoreland districts shall comply with ~~standards of Title 16 Chapter 400~~ all applicable standards.
5. Expansions and Structural repairs of nonconforming structures.
- a. An existing structure that was lawfully placed when constructed but is less than one-half of any required setback of this Code shall not be altered, expanded or make any structural repairs unless it is in compliance with subsections 1- 4 above.
 - b. An existing structure that was lawfully placed when constructed but is one-half or more of any required setback of this Code is subject to the requirements of subsections 1, 3 and 4 above and additionally:–
 - 1) That portion of the structure that meets all required setbacks may be extended, enlarged, reconstructed or structurally altered; provided that portion continues to meet all standards.
 - 2) That portion of the structure that is non-conforming may be repaired to include foundation and exterior walls, enclosure of windows and doors, installation of new windows and doors, replacement of decks; provided that there is no change in the footprint or elevation of this part of the structure.
- ~~5.6.~~ The use of the structure is limited to uses permitted within the zoning district(s) applicable to the subject property.
- ~~6.7.~~ A zoning permit is first obtained per [Section 16-150-080](#).

Amend Section 16-135-030 as follows:

16-135-030 SUBSTANDARD LOTS

- A. **Creation of ~~conforming~~ lots:** No new lot shall be created and no existing lot shall be reduced in dimensions or area in a manner that does not meet the dimensional or area requirements of the base zoning district in which it is located or as specified by subdivision ordinance, whichever is larger. The combination of existing substandard lots into one lot shall not be considered to be a new lot and is allowed even though the combined lots do not meet the minimum dimensional and area requirements of the base zoning district.
- ~~(9)~~B. **No further reduction of substandard lots:** No existing lot that does not meet any dimensional or area requirement of the base zoning district in which it is located or as specified by subdivision ordinance, whichever is larger, shall be further reduced in any dimension or area. Existing lots that do not meet one or more dimensional or area requirements of the base zoning district may be reconfigured, provided that any degree of nonconformity of any lot does not increase as a result of the reconfiguration.

Amend Section 16-140-020 F. as follows:

- F. **Standards for the keeping of junk:** For the purpose of this chapter, any premises used for the storage, gathering, recycling, or sale of junk (see [Section 16-160-020](#)) except as specified below, is a Junk or Salvage Yard.
 - 1. Junk, as defined in this chapter, may be stored on any premises provided that it is stored solely for use on the premises or is being accumulated for disposal, and that all junk is at all times stored in a manner securing it from public view within an enclosed building.

2. One inoperable motor vehicle may be stored without securing it from public view.
3. Farm machinery and equipment including operable and inoperable semi-trailers that are used for agriculture purposes or stored on a farm does not need to be secured from public view and are not considered junk and the farm is not considered a junkyard or salvage yard.

Amend Section 16-140-030 F. as follows:

- ~~1.~~ **1.1. Setbacks:** The distance between a structure and any property line. All distances are measured along a horizontal plane from the appropriate property line to a foundation, building wall edge of structure, storage or parking area. These distances are not measured by following the topography of the land and are the shortest distance between the lot line and the structure.
- ~~1.2.~~ **1.2. Front Setback:** The minimum setback required from the buildings, through the front yard, to the front lot line or the centerline of the public street, whichever is greater, extending along the full length of the front lot line between the side lot lines. See Figure 16-~~0~~140-030(1) below.
- ~~2.3.~~ **2.3. Interior Side Setback:** The shortest distance from the building, through the interior side yard, to the nearest point on the interior side lot line, and measured at right angles to the interior side lot line. See Figure 16-~~0~~140-030(1) below.
- ~~3.4.~~ **3.4. Rear Setback:** The shortest distance from the building, through the rear yard, to the nearest point on the rear lot line, and measured at right angles to the rear lot line. See Figure 16-~~0~~140-030(1) below.
- ~~4.5.~~ **4.5. Street Side Setback:** The shortest distance from the building, through the street side yard, to the street side lot line or the centerline of the public street, whichever is greater. See Figure 16-~~0~~140-030(1) below.

Amend Table 16-140-030(1) as follows:

Table 16-140-030(1): Permitted Intrusions of Building Components into Minimum Required Setbacks

	Normal Minimum Required Setback in which Building May Intrude				Other Limitations
	Front Yard	Street Side Yard	Interior Side Yard	Rear Yard	
Belt courses, cornice, leader, lintel, sill, pilaster	✓	✓	✓	✓	Projecting no more than 3 feet into minimum required setback.
Ornamental architectural features part of a building	✓	✓	✓	✓	Projecting no more than 3 feet into minimum required setback.
Eaves and gutters	✓	✓	✓	✓	Projecting no more than 3 feet into minimum required setback.
Awnings and canopies	✓	✓	✓	✓	Projecting no more than 3 feet into minimum required setback.
Chimneys and flues	✓	✓	✓	✓	Projecting no more than 3 feet into minimum required setback.
Bay windows	✓	✓	✓	✓	Projecting no more than 3 feet into minimum required setback.
Building-mounted lighting	✓	✓	✓	✓	Projecting no more than 3 feet into minimum required setback.
Fire escapes or stairs		✓	✓	✓	Projecting no more than 3.5 feet. Total length of the projection shall not be more than one-third of the length of the building wall on which it is located.
Steps, open-walled stoops and porches, and landings	✓	✓	✓	✓	Projecting no more than 6 feet into the minimum required setback, provided no such projection extends above the height of the main entrance floor (except for a railing) and the total length of any such projection is not more than one-third of the length of the building wall on which it is located.
Walks and drives	✓	✓	✓	✓	Extending no more than 6 inches above the average ground level at their edges
Ramps for use by persons with disabilities	✓	✓	✓	✓	
Attached Elevated decks and patios		✓	✓	✓	Not covered, setback a minimum of 3 feet from all property lines, and not elevated more than 30 inches above grade

Table 16-140-030(1): Permitted Intrusions of Building Components into Minimum Required Setbacks

	Normal Minimum Required Setback in which Building May Intrude				Other Limitations
	Front Yard	Street Side Yard	Interior Side Yard	Rear Yard	
Attached mechanical equipment			✓	✓	

Amend Section 16-140-030 K. 5. as follows:

5. Mobile service and radio support structures ~~Wireless communications~~ and facilities in accordance with the requirements of [Section 16-125-200](#).

Amend Section 16-140-030 L as follows:

- L. **Exceptions to side yard setbacks:** For single family lots less than fifty-five feet wide, the aggregate width of the side yards shall be the equivalent of four (4) inches for each foot of lot width and no single side yard shall be less than forty percent (40%) of the aggregate width; provided, further, that the buildable width of no lot shall be reduced to less than twenty-four (24) feet.

<u>Lot Width</u>	<u>Total Side Yard</u>	<u>40% Side Yard</u>
55 ft.	18 ft., 4 in.	7 ft., 4 in.
50 ft.	16 ft., 8 in.	6 ft., 8 in.
45 ft.	15 ft.	6 ft.
40 ft.	13 ft., 43 in.	5 ft., 42 in.

Amend Section 16-140-040 C. as follows:

- C. **Outdoor storage:** Where outdoor storage is allowed for the land use on a site, such storage area shall be surrounded by a solid fence, wall or landscaping screen suitable to provide a year around buffer that totally screens the storage area from surrounding developed properties and public rights-of-way. No outdoor storage area may be located within a front yard.

Amend Table 16-140-00(1) as follows:

Table 16-140-090(1): Maximum Pre-Development Settlement (woods-grass combination) Runoff Curve Numbers (CN)

Hydrological Soil	A	B	C	D
Runoff Curve Number	<u>32</u>	<u>58</u>	<u>72</u>	<u>79</u>
<u>Woodland</u>	<u>30</u>	<u>55</u>	<u>70</u>	<u>77</u>
<u>Grassland</u>	<u>39</u>	<u>61</u>	<u>71</u>	<u>78</u>
<u>Cropland</u>	<u>55</u>	<u>69</u>	<u>78</u>	<u>83</u>

Source: "Urban Hydrology for Small Watersheds," USDA Technical Release 55; June 1986.

Amend Section 16-140-100 C and G as follows:

- C. **Mapping and interpretation of overlay zoning district boundaries:** Overlay zoning districts established by this chapter are shown on one or more zoning maps maintained and from time to time amended by Columbia County, including but not limited to the Official Zoning Map. The following rules shall be used to determine the location of overlay zoning district boundaries:
 - 1. Refer to Title 16, Chapter 4 of the Columbia County Code of Ordinances for the establishment, interpretation, and mapping of the FW Floodway, FF Flood Fringe, and GFP General Floodplain, ~~and FP2 Flood Plain No. II~~ overlay district boundaries.
- G. **FW Floodway, FF Flood Fringe, and GFP General Flood Plain, ~~and FP2 Flood Plain No. II~~ Overlay District standards:** Refer to the Flood Plain chapter in the Columbia County Code of Ordinances for regulations applicable in the FW Floodway, FF Floodfringe, and GFP General Floodplain, ~~and FP2 Flood Plain No. II~~ overlay districts. In general, these overlay districts are mapped by the Federal Emergency Management Agency in certain areas along navigable waters that have a 1% chance of flooding in any given year (100-year floodplain).

Amend Section 16-145-040 B. 2. f. as follows:

- f. Any such sign shall be a freestanding ~~monument~~ design.

Amend Section 16-145-040 B. 7. as follows:

- 7. A sign on property on which a home occupation is lawfully taking place is considered an On-Premise Sign under this Subchapter if it does no more than draw attention to a product or service lawfully offered on the premises, and is allowed subject to the following standards:
 - a. One sign per home occupation.
 - ~~b. Minor Home Occupation sign maximum area shall be two square feet.~~
 - ~~c.~~ b. Major Home Occupation sign maximum area shall be six square feet.
 - ~~d.~~ c. Maximum height shall be six feet.
 - ~~e.~~ d. Any such sign shall be a freestanding design.
 - ~~f.~~ e. Any such sign shall not be illuminated.

Amend Table 16-145-040 (2) as follows:

Table 16-145-040(2): Permanent Signs Standards						
Sign Type ↓	Maximum Number	Maximum Area	Maximum Height	Type	Permit	Additional Standards
On-Premise Residential	1/Lot or Parcel	6 sq. ft.	6 ft.	Freestanding	A	Yes
On-Premise Non-Residential	1/Frontage	32 sq. ft./sign 64 sq. ft. total	6 ft.	Monument Freestanding	ZP ²	Yes
On-Premise Commercial, Industrial, Highway Interchange ¹	1/Frontage	80 sq. ft./sign 120 sq. ft. total	20 ft.	Freestanding	ZP ²	Yes
On-Premise Building ¹	Unlimited on 3 faces	80 sq. ft./face 240 sq. ft. total	N/A	Wall/Window	ZP	Yes
On-Premise Area or Neighborhood	1/Entrance/Road	32 sq. ft./sign	6 ft.	Freestanding	ZP	Yes
On-Premise Agricultural	1/Frontage	32 sq. ft./sign 64 sq. ft. total	12 ft.	Freestanding	A	Yes
On-Premise Major Home Occupation	1/Lot or Parcel	2 sq. ft./ sign Minor 6 sq. ft./sign Major	6 ft.	Freestanding	ZP ²	Yes
On-Premise Directional	2/Place	2 to 4 sq. ft. /sign 4 to 8 sq. ft. total	6 to 12 ft.	Freestanding	ZP	Yes
Off-Premise Directional	Change in Direction	7.5 sq. ft./sign 37.5 sq. ft. total	12 ft.	Freestanding	ZP	Yes

Amend Section 16-145-050 A. as follows:

Administration

A. **Nonconforming signs:**

1. Nonconforming permanent freestanding signs lawfully existing on September 25, 2008 shall be allowed to continue in use, but shall not be altered ~~other than to change the message~~, added to, or repaired in excess of 50 percent of the assessed value of the sign, without being brought into compliance with this Subchapter. Electronic changeable copy and electronic graphic display areas may not be added to any nonconforming sign.

2. Nonconforming permanent building signs lawfully existing on September 25, 2008 shall be allowed to continue in use, and may be repaired provided the repair does not increase the nonconforming aspect of the sign, but shall not otherwise be altered other than to change the message or copy, relocated, or added to, without being brought into compliance with this Subchapter. Change of message or copy includes painting or placing a new message on vinyl over the existing message. The sign face can be replaced with plastic copy panels which must be the exact dimensions as the existing sign, but no structural components can be altered or replaced. The physical replacement of the sign face to change the copy or message is an alteration which requires a zoning permit.

Amend Section 16-145-050 B. 3. as follows:

3. Where the terms or conditions on any zoning permit for signage are violated, the permit may be revoked by the Zoning Administrator. ~~The Board of Adjustment may revoke a special exception permit.~~

Amend Section 16-150-070 A. as follows:

16-150-070

- A. **Purpose:** The purpose of this subsection is to provide the procedure and standards for the review of conditional use permit requests, and amendments conditional use permits previously granted. All legal uses existing at the time of adoption of this chapter that now require a conditional use permit may continue. Any enlargement, structural alteration, modification or addition or intensification of the use shall require a conditional use permit under this chapter.

Amend Section 16-150-070 C. 2. as follows:

2. The town board of the town where a conditional use is proposed shall be given notice and the opportunity to approve or disapprove a conditional use. After receipt of complete application the Planning and Zoning Department shall mail to the chair, clerk and plan commission chair of the town within which the conditional use is proposed, a copy of the application, all maps, plans and other documents submitted by the applicant. At the same time the Department shall provide an application summary which besides the application will include a site analysis, air photo and comments relative to the application/site. The town shall use the application sent by the County as the application, however, the town may charge application fees as they see appropriate to process the application. A town may request supplemental information as part of their review process, but any change by the town to the information and plan submitted by the applicant and accepted as the County application may require the applicant to reapply under sub. 1 above. The town board shall indicate its approval or denial of the application for a conditional use in writing on a form provided by the Department. The decision must be made by the town received by the Department within 60 days of the date of the pre-application report ~~on~~ which the Department mails ~~the application~~ to the town clerk, unless an extension is mutually agreeable between the town and County. The form on which the town approval or denial is made in writing must be submitted to the Department within 15 days of the date of the town decision.

Amend Section 16-150-070 E.

- E. Appeals of Committee or town decision on conditional use permits: Proceedings for an appeal of the Planning and Zoning Committee's or town's decision may be initiated by any person aggrieved, or by any officer, department, board, or bureau of the County affected by the Committee's decision. An appeal must be made not more than 30 days from the date of the decision. The appeal shall be initiated by an application to the Zoning Administrator and shall be heard by the Board of Adjustment following the same procedure as an appeal to a Zoning Administrator decision included in Section 16-150-040C. A decision of the Planning and Zoning Committee or applicable town may only be reversed by the affirmative vote of four (4) members of the full Board. The County will process an appeal of the town denial of a conditional use permit but it is the town's responsibility to defend its decision before the Board of Adjustment.

Amend Section 16-150-070 H.

- H. **Effect of denial:** No application which has not been enacted under this Subchapter shall be resubmitted for a period of twelve months from the date of final Planning and Zoning Committee action or town denial, except on grounds of new evidence or proof of change of factors found valid by the Planning and Zoning Committee.

Amend Section 16-150-080 B. 1. As follows:

1. Before any structure, as defined in [Section 16-160-020](#), is erected, affixed, moved, or structurally altered to increase its floor area or footprint.

Amend Section 16-150-090 D. 1. as follows:

- D.
1. Violation of a permit or other approval issued under this chapter, or any condition or approved plan associated with such permit or other approval, shall be deemed a violation of this chapter, and shall constitute grounds for revocation of the permit, as well as fines and forfeitures and any other available remedies. A permit or other approval may be revoked only by action of the body that initially granted the permit or other approval, following procedures required for its initial issuance to the extent practical. The decision of the appropriate body shall be furnished to the permit holder in writing, stating the reasons therefore. Beginning construction without a permit will result in a double fee being charged.

Amend Section 16-155-040 G. as follows:

- G. **Religious assembly:** Religious services involving public assembly such as those that customarily occur in synagogues, temples, mosques, and churches, but not including cemeteries.

Amend 16-155-050 K. 1. as follows:

1. **Cemetery or columbarium or mausoleum:** ~~Land or Land or~~ facilities used for burial of the dead that are platted in accordance with Chapter 157.07 of Wisconsin Statutes, including green and pet cemeteries.

Amend 16-155-050 L.1. as follows:

1. **Tourist rooming house:** A single-family dwelling licensed by the state used as a lodging place or tourist cabin or cottage ~~where sleeping accommodations for less than 30 days are offered for pay~~ rented to tourists or transients for the purpose of overnight lodging for a period of not less than 1 night and not more than 30 consecutive days other than ongoing month-to-month tenancy granted to the same renter for the same unit.

Amend Section 16-155-070 E. as follows:

E. ~~**Wireless communications facility:** Includes all facilities, sites, or locations that contain one or more antennas, telecommunication towers, alternative support structures, satellite dish antennas, other similar communication devices, and support equipment used for transmitting, receiving, or relaying telecommunication signals.~~

Amend Section 16-160-020 Definitions as follows:

BUILDING COVERAGE: The percentage of a lot covered by the footprint of principal buildings, and accessory buildings, and all other structures with a roof. Not usually the same as lot coverage, which also included other impervious surfaces as defined in this Subchapter.

BUILDING FOOTPRINT: The land area covered by a building, frequently defined by the edges of the building foundation, as the surface area projected on the ground that falls directly beneath all areas that are included in the definition of a building. The surface area projected on the ground of any part of the building, including roof overhangs, the projects outward beyond it supporting exterior columns, poles or walls by more than three feet shall be included in the surface area.

CAMPING: Human habitation of a camping cabin, camping unit or resort cabin.

HEIGHT, WIRELESS COMMUNICATION FACILITY, MOBILE SERVICE SUPPORT STRUCTURE OR RADIO TOWER: The distance measured from the original grade at the base of the facility to the highest point of the facility, excluding any attached antennas and lighting.

~~A semi-trailer used exclusively for agricultural related storage on a farm shall not be classifiable as an inoperable motor vehicle.~~

INOPERABLE SEMI-TRAILER: Any semi-trailer that is used for storage or is unable to operate on roads legally and safely, which includes those with improperly operating lights, flat tires, or no current license plate.

JUNK: Garbage, waste, refuse, trash, including waste paper, rags, scrap metal, wood, demolition material, cordage, glass, and other worn-out, discarded, or second-hand materials; any inoperable motor vehicle, any inoperable machinery, equipment or appliances, any used tire or used motor vehicle part, and any inoperable semi-trailer.

LOT SIZE, NET: The total area within a lot or parcel excluding any public road or railroad right of way or prescriptive easement.

TOURIST: See Transient

TRANSIENT: A person who travels to a location away from his or her permanent address for a short period of time for a vacation, pleasure, recreation, culture , business or employment.

Andy Ross, Chair
COLUMBIA COUNTY
BOARD OF SUPERVISORS
Susan M. Moll
COLUMBIA COUNTY CLERK

DATE PASSED: March 19, 2014
DATE PUBLISHED: March 25, 2014

Motion was made by Teitgen, second by Baebler, to adopt.

A motion was made by Teitgen, to amend the last two sentences of Section 16-150-070 C.2. to read "The decision must be made by the town within 60 days of the date of the pre-application report which the Department mails to the town clerk, unless an extension is mutually agreeable between the town and County. The form on which the town approval or denial is made in writing must be submitted to the Department within 15 days of the date of the town decision". Second by Baumgartner. Motion to amend carried. The Ordinance as amended was declared passed and is to be known as Ordinance 139-14.

ORDINANCE NO. 140-14

The Columbia County Board of Supervisors hereby amends Title 9, Chapter 1, entitled "Planning & Zoning Fee Schedule", Section 12, as follows:

Section 19-1-12 Planning and Zoning

~~Repealed and Replaced on December 17, 2008,
County Board Published and effective~~ ~~12/30/08~~

<u>Sanitary Permits</u>		<u>Date</u>
Septic Tank Replacement	\$ 250.00 + State Fee	01/01/04
Seepage Cell Replacement	\$ 250.00 + State Fee	01/01/04
System-in-fill	\$ 300.00 + State Fee	01/01/04
Non-pressurized In-ground (Conventional)	\$ 300.00 + State Fee	01/01/04
Mound	\$ 450.00 + State Fee	01/01/04
In-Ground Pressure	\$ 450.00 + State Fee	01/01/04
At-grade	\$ 450.00 + State Fee	01/01/04
Large Scale System (over 3,000 gallon tank capacity)	\$ 450.00 + State Fee	01/01/04
Holding Tank	\$ 500.00 + State Fee	01/01/04
Individual Site Design	\$ 500.00 + State Fee	01/01/09
Each Additional Seepage Area	\$ 175.00	01/01/04
Reconnection or Component Repair	\$ 125.00	01/01/04
Privy	\$ 125.00	01/01/04
<u>Sanitary Permits—Other</u>		
Private Onsite Waste Treatment System	\$ 15.00	01/01/09
Management Plan/Agreement Filing Fee		
Reinspection When Required	\$ 100.00	01/01/01
Permit Transfer and Renewal	\$ 100.00	01/01/01
On-site Prior to Submission of Soil Test Report	\$ 200.00	01/01/01
Application for Wisconsin Fund	\$ 325.00	01/01/04

Land Division

Preliminary Plats (0-10 lots including outlots)	\$ 350.00	01/01/04
Each additional lot over 10	\$ 25.00	01/01/04
Final Plats (0-10 lots including outlots)	\$ 250.00	01/01/04
Each additional lot over 10	\$ 25.00	01/01/04
Reapplication Fee (for any plat which has been previously reviewed)	\$ 50.00	01/01/01
Certified Survey Review (one lot)	\$ 50.00	01/01/01
Certified Survey Review (each lot in excess of one)	\$ 10.00	01/01/01
Certified Survey--Resubmittal	\$ 50.00	01/01/01
Variance--Certified Survey	\$ 50.00	01/01/01
Variance--Subdivision Plat	\$ 50.00	01/01/01

Research - Property Evaluations

Zoning Certifications, Septic and Zoning Development Restrictions	\$ 20.00	01/01/05
Septic and Zoning Database Reports	\$ 100.00	01/01/01
	\$ 20.00/Month	01/01/05

Public Hearings

Variance	\$ 400.00	01/01/04
Conditional Use		
Conditional Use Permit Application	\$ 50.00	07/24/12
Conditional Use Public Hearing	\$ 400.00	01/01/04
Rezoning and code text amendment	\$ 400.00	01/01/04
Re-publication due to postponement at applicant's request	\$ 50.00	01/01/04
Home Occupation Permit	\$ 400.00	01/01/04
Development Plan Review	\$ 400.00	01/01/04
Appeals (App & Court Reporter)	\$ 700.00	01/01/05
Special Use Application for Land Under Farmland Preservation Agreement	\$ 400.00	01/01/09
Comprehensive Plan Amendment	\$ 500.00	07/23/09
Scheduled Comprehensive Plan Amendment	\$ 250.00	07/23/09
Wireless Communication Towers	\$ 750.00	01/01/01

Zoning Permits

Principal Residential Buildings and Structures	\$ 500.00	01/01/01
Additions and Alterations to principal structure	\$ 150.00	01/01/01
Residential accessory buildings, structures and decks	\$ 50.00	01/01/05
Principal Commercial/Industrial buildings and structures and new additions	\$ 500.00 + \$2.00 for each \$1,000.00 of construction cost over \$300,000.00	01/01/08
Commercial, Industrial accessory buildings, structures and decks	\$ 50.00	01/01/05
Agricultural accessory buildings and structures	\$ 50.00	01/01/05
Land disturbance and pond construction	\$ 200.00	07/24/12
Communication Tower & Equipment and first antenna	\$ 500.00	01/01/01
Collocation antenna and equipment	\$ 500.00	01/01/01
Additions and Alterations to antenna/equipment	\$ 150.00	01/01/01
<u>Mobile Service Support</u>		
Structures and Class 1 Collocations	\$ 3,000.00	03/19/14

Class 2 Collocations	\$ 500.00	03/19/14
Sign ≤ 32 sq. ft.	\$ 50.00	09/25/08
Sign > 32 sq. ft.	\$ 2.00 x total sq. ft.	09/25/08
Zoning Permit Renewal Fee	\$ 50.00	09/25/08
Permitted Shoreland Structures within setback (boathouse, retaining wall, gazebo, stairs, etc.); separate filing & grading	\$ 200.00	01/01/09
Floodplain Permit	\$ 200.00	01/01/09
Temporary Use	\$ 50.00	07/24/12
Camping	\$ 50.00	07/24/12
Small Wind System	\$ 350.00	03/19/14
Large Wind System Application	\$ 2,500.00	03/19/14
Radio Broadcast Service Facilities and Structures	\$ 2,500.00	03/19/14

Annual Permits

Temporary Trailer for Farm Labor	\$ 100.00	03/16/11
Licensed Campground		
1-99 Campsites	\$ 100.00	07/24/12
100-199 Campsites	\$ 150.00	07/24/12
200-299 Campsites	\$ 200.00	07/24/12
300+ Campsites	\$ 250.00	07/24/12
Licensed Tourist Rooming House	\$ 110.00	07/24/12
Wireless Communication Facilities	\$ 500.00	07/24/12
Year-round Camping	\$ 250.00	07/24/12
Licensed Bed and Breakfast	\$ 100.00	03/19/14

<u>Emergency Service Number Issuance</u>	\$ 75.00	01/01/04
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Non-metallic Mining Reclamation

Mine Size in Unreclaimed Acres,
Rounded to the Nearest Whole Acre
1-5 6-10 11-15 16-25 26-50 >51

Plan Review	\$150	\$250	\$300	\$350	\$400	\$450	05/22/01
Permit Modification	\$ 50	\$100	\$150	\$200	\$250	\$350	05/22/01
Expedited Plan Review (In addition to regular fee)	\$150	\$250	\$300	\$350	\$400	\$450	05/22/01

Annual Fee	300	500	600	700	800	900	05/22/01
1 to 5 Acres	265	+ State Fee					03/19/14
6 to 10 Acres	\$430	+ State Fee					03/19/14
11 to 15 Acres	\$495	+ State Fee					03/19/14
16 to 25 Acres	\$560	+ State Fee					03/19/14
26 to 50 Acres	\$640	+ State Fee					03/19/14
51 Acres or Larger	\$725	+ State Fee					03/19/14

Copies of Ordinances

Zoning	\$ 10.00	01/01/01
Land Division and Subdivision	\$ 10.00	01/01/01
Shoreland-Wetland	\$ 10.00	01/01/01
Floodplain	\$ 10.00	01/01/01

Fiscal Note: None
Fiscal Impact: None

Andy Ross, Chair
COLUMBIA COUNTY
BOARD OF SUPERVISORS
Susan M. Moll
COLUMBIA COUNTY CLERK

DATE PASSED: March 19, 2014
DATE PUBLISHED: March 25, 2014

Motion was made by Foley, second by Teitgen, to adopt. Motion carried. The Ordinance was declared passed and is to be known as Ordinance 140-14.

ORDINANCE NO. P10-2014

The Columbia County Board of Supervisors do ordain as follows: That Title 17, Chapter 1, entitled "Columbia County Comprehensive Plan" of the County Code, as passed by the Board of Supervisors on September 19, 2007, is hereby amended and added thereto as follows:

Pursuant to section 59 of the Wisconsin Statutes, Columbia County, is authorized to amend a comprehensive plan as defined in section 66.1001(1)(a) and 66.1001(2) of the Wisconsin Statutes.

The Planning and Zoning Committee of Columbia County, by a majority vote of the entire committee recorded in its official minutes, has recommended to the County Board the adoption of the document dated December 1, 2009 and entitled "Amendments to the Columbia County Comprehensive Plan 2030" as specified in section 66.1001(2) of the Wisconsin Statutes.

The "Amendments to the Columbia County Comprehensive Plan 2030" include the following items:

Map Amendment – Commercial to Single Family Residence; Carolyn A. Reinwand, Petitioner & Owner, Town of Lewiston, Reference File No. 2014-010 in the Planning & Zoning Department.

The County Planning and Zoning Committee has held at least one public hearing on this ordinance, in compliance with the requirements of section 66.1001(4) (d) of the Wisconsin Statutes.

The County Board of Columbia County, Wisconsin, does, by enactment of this ordinance, formally adopt the document dated December 1, 2009 and entitled "Amendments to the Columbia County Comprehensive Plan 2030" pursuant to section 66.1001.(4) (c) of the Wisconsin Statutes.

This ordinance shall take effect on March 19, 2014 upon passage by a majority vote of the members-elect of the County Board and posted as required by law.

Andy Ross, Chair
COLUMBIA COUNTY
BOARD OF SUPERVISORS
Susan M. Moll
COLUMBIA COUNTY CLERK

DATE PASSED: March 19, 2014
DATE PUBLISHED: March 25, 2014

Motion was made by Teitgen, second by Baumgartner, to adopt. Motion carried. The Ordinance was declared passed and is to be known as Ordinance P10-2014.

RESOLUTION NO. 12-14

WHEREAS, Richard C. Boockmeier, of Portage, Wisconsin, recently passed away, and
WHEREAS, prior to his death Richard C. Boockmeier faithfully served the residents of Columbia County as a member of the Columbia County Board of Supervisors, and

WHEREAS, Mr. Boockmeier was elected to serve on the Columbia County Board of Supervisors to represent District 7 from April 19, 1994 to April 17, 2012 and District 8 from April 17, 2012 to March 6, 2014.

WHEREAS, Mr. Boockmeier served as Chair of the Information Services Committee from April 17, 2012 to March 6, 2014. Chair of the Judiciary Committee from April 18, 2006 to April 20, 2010. Chair of the Management Information Services Committee from January 10, 2011 to April 17, 2012. Chair of the Property & Insurance Committee from April 21, 1998 to April 20, 2004. Chair of the Ad Hoc Huber Facility Study Committee from January 16, 2002 to September 20, 2006.

WHEREAS, Mr. Boockmeier served on the following committees: Ad Hoc Building Space Needs, Aging & Disability Resource Center, Health Care Center, Commission On Aging, Executive, Health & Human Services, Human Resources, Information Services, Judiciary, Judiciary & Property, Land Information, Local Emergency Planning, Management Information Services, Property & Insurance, Portage TIF District.

NOW, THEREFORE, BE IT RESOLVED, that this Resolution is permanently entered into the official records of the Proceedings of the Columbia County Board of Supervisors in recognition of Richard C. Boockmeier's service to his county, his country, his community and that a copy will be sent to his family.

Philip Baebler	Brad Basten	Harlan Baumgartner
James L. Bechen	Susanna R. Bradley	Mary Cupery
Don DeYoung	Adam Field	James E. Foley
Vern E. Gove	Kenneth W. Hutler	Kevin Kessler
Kirk Konkell	Susan G. Martin	Robert C. McClyman
Barry Pufahl	Bruce J. Rashke	Andy Ross
Mark L. Sleger	John G. Stevenson	Teresa A. Sumnicht
Fred C. Teitgen	John H. Tramburg	Robert R. Westby
Mike Weyh	JoAnn Wingers	Tim Zander

Motion was made to adopt the Resolution by Field, second by Baebler. The resolution was adopted.

RESOLUTION NO. 13-14

WHEREAS, the Columbia County Board of Supervisors wishes to express its appreciation to those who have worked on behalf of the citizens of Columbia County by serving on the County Board, and

WHEREAS, service on the Columbia County Board of Supervisors requires dedication, perseverance, and personal sacrifices on the part of its members, and

WHEREAS, James L. Bechen has served as County Board Supervisor representing District 25 from April 17, 2012, to April 15, 2014, and

WHEREAS, Mr. Bechen served on the Health & Human Services Committee and Judiciary & Property Committee.

NOW, THEREFORE, BE IT RESOLVED, that the Columbia County Board of Supervisors hereby expresses its appreciation and commends James L. Bechen for his faithful and dedicated years of service to the people of Columbia County and wishes his continued success and happiness in the years to come.

BE IT FURTHER RESOLVED, that the Chair of the Columbia County Board of Supervisors is directed to present an appropriate certificate of commendation to Mr. Bechen.

BE IT FURTHER RESOLVED, that this Resolution is permanently entered in the record of the Proceedings of the Columbia County Board of Supervisors and that a copy is forwarded to Mr. Bechen as a token of appreciation on behalf of the County Board.

Philip Baebler
Susanna R. Bradley
Adam Field
Kenneth W. Hutler
Susan G. Martin
Bruce J. Rashke
John G. Stevenson
John H. Tramburg
JoAnn Wingers

Brad Basten
Mary Cupery
James E. Foley
Kevin Kessler
Robert C. McClyman
Andy Ross
Teresa A. Sumnicht
Robert R. Westby
Tim Zander

Harlan Baumgartner
Don DeYoung
Vern E. Gove
Kirk Konkell
Barry Pufahl
Mark L. Slegler
Fred C. Teitgen
Mike Weyh

RESOLUTION NO. 14-14

WHEREAS, the Columbia County Board of Supervisors wishes to express its appreciation to those who have worked on behalf of the citizens of Columbia County by serving on the County Board, and

WHEREAS, service on the Columbia County Board of Supervisors requires dedication, perseverance, and personal sacrifices on the part of its members, and

WHEREAS, Susan G. Martin has served as County Board Supervisor representing District 17 from April 21, 1998, to April 14, 2014, and

WHEREAS, Ms. Martin served as Chair of the Board of Supervisors from April, 2004, to April, 2006, and

WHEREAS, Ms. Martin served as Chair of the Executive Committee from April, 2004, to April, 2006, and Human Resources Committee from April, 2008, to April, 2014, and

WHEREAS, Ms. Martin served on the following committees: Ad Hoc Negotiating; Building Space Needs Ad Hoc; County Library Systems Board; Executive; Finance; Highway; Human Resources; Intercounty Coordinating; Management Information Services; Planning and Zoning; Revolving Loan/Housing; South Central Library Systems Board; and WCA Legislative.

NOW, THEREFORE, BE IT RESOLVED, that the Columbia County Board of Supervisors hereby expresses its appreciation and commends Susan G. Martin for her faithful and dedicated years of service to the people of Columbia County and wishes her continued success and happiness in the years to come.

BE IT FURTHER RESOLVED, that the Chair of the Columbia County Board of Supervisors is directed to present an appropriate certificate of commendation to Ms. Martin.

BE IT FURTHER RESOLVED, that this Resolution is permanently entered in the record of the Proceedings of the Columbia County Board of Supervisors and that a copy is forwarded to Ms. Martin as a token of appreciation on behalf of the County Board.

Philip Baebler
James L. Bechen
Don DeYoung
Vern E. Gove
Kirk Konkell
Bruce J. Rashke
John G. Stevenson
John H. Tramburg
JoAnn Wingers

Brad Basten
Susanna R. Bradley
Adam Field
Kenneth W. Hutler
Robert C. McClyman
Andy Ross
Teresa A. Sumnicht
Robert R. Westby
Tim Zander

Harlan Baumgartner
Mary Cupery
James E. Foley
Kevin Kessler
Barry Pufahl
Mark L. Slegler
Fred C. Teitgen
Mike Weyh

RESOLUTION NO. 15-14

WHEREAS, the Columbia County Board of Supervisors wishes to express its appreciation to those who have worked on behalf of the citizens of Columbia County by serving on the County Board, and

WHEREAS, service on the Columbia County Board of Supervisors requires dedication, perseverance, and personal sacrifices on the part of its members, and

WHEREAS, John G. Stevenson has served as County Board Supervisor representing District 31 from April 21, 1998, to April 17, 2012, and District 24 from April 17, 2012 to April 15, 2014.

WHEREAS, Mr. Stevenson served as Chair of the Agriculture & Land & Water Conservation from April, 2012, to April, 2014, and

WHEREAS, Mr. Stevenson served on the following committees: Agriculture & Land & Water Conservation, Central Wisconsin Community Action, Columbia Health Care Center, Commission on Aging, Health & Human Services, Highway, Planning & Zoning, and Property & Insurance.

NOW, THEREFORE, BE IT RESOLVED, that the Columbia County Board of Supervisors hereby expresses its appreciation and commends John G. Stevenson for his faithful and dedicated years of service to the people of Columbia County and wishes his continued success and happiness in the years to come.

BE IT FURTHER RESOLVED, that the Chair of the Columbia County Board of Supervisors is directed to present an appropriate certificate of commendation to Mr. Stevenson.

BE IT FURTHER RESOLVED, that this Resolution is permanently entered in the record of the Proceedings of the Columbia County Board of Supervisors and that a copy is forwarded to Mr. Stevenson as a token of appreciation on behalf of the County Board.

Philip Baebler
James L. Bechen
Don DeYoung
Vern E. Gove
Kirk Konkell
Barry Pufahl
Mark L. Sleger
John H. Tramburg
JoAnn Wingers

Brad Basten
Susanna R. Bradley
Adam Field
Kenneth W. Hutler
Susan G. Martin
Bruce J. Rashke
Teresa A. Sumnicht
Robert R. Westby
Tim Zander

Harlan Baumgartner
Mary Cupery
James E. Foley
Kevin Kessler
Robert C. McClyman
Andy Ross
Fred C. Teitgen
Mike Weyh

RESOLUTION NO. 16-14

WHEREAS, the Columbia County Board of Supervisors wishes to express its appreciation to those who have worked on behalf of the citizens of Columbia County by serving on the County Board, and

WHEREAS, service on the Columbia County Board of Supervisors requires dedication, perseverance, and personal sacrifices on the part of its members, and

WHEREAS, Robert R. Westby has served as County Board Supervisor representing District 30 from October 17, 2001 to April 16, 2002 and District 29 from April 16, 2002 to April 17, 2012 and District 27 from April 17, 2012 to April 15, 2014.

WHEREAS, Mr. Westby served as Chair of the Board of Supervisors from April, 2010, to April, 2012, and

WHEREAS, Mr. Westby served as Chair of the Executive Committee from April, 2010, to April, 2012, and Chair of the Judiciary Committee from April, 2004, to April, 2006, and

WHEREAS, Mr. Westby served on the following committees: Ad Hoc Facilities, Ad Hoc Negotiating, Columbia Health Care Center, Executive, Finance, Health & Human Services, Human Resources, Intercountry Coordinating, Judiciary, Land Information & Records, Marsh Country Health Alliance, Revolving Loan/Housing and WCA Legislative.

NOW, THEREFORE, BE IT RESOLVED, that the Columbia County Board of Supervisors hereby expresses its appreciation and commends Robert R. Westby for his faithful and dedicated years of service to the people of Columbia County and wishes his continued success and happiness in the years to come.

BE IT FURTHER RESOLVED, that the Chair of the Columbia County Board of Supervisors is directed to present an appropriate certificate of commendation to Mr. Westby.

BE IT FURTHER RESOLVED, that this Resolution is permanently entered in the record of the Proceedings of the Columbia County Board of Supervisors and that a copy is forwarded to Mr. Westby as a token of appreciation on behalf of the County Board.

Philip Baebler
James L. Bechen
Don DeYoung
Vern E. Gove
Kirk Konkell
Barry Pufahl
Mark L. Sleger
Fred C. Teitgen
JoAnn Wingers

Brad Basten
Susanna R. Bradley
Adam Field
Kenneth W. Hutler
Susan G. Martin
Bruce J. Rashke
John G. Stevenson
John H. Tramburg
Tim Zander

Harlan Baumgartner
Mary Cupery
James E. Foley
Kevin Kessler
Robert C. McClyman
Andy Ross
Teresa A. Sumnicht
Mike Weyh

Motion was made to adopt the Resolutions by Teitgen, second by Cupery. The Resolutions were adopted.

Chair Ross presented Supervisors Bechen, Martin, Stevenson and Westby with Certificate of Appreciation and Resolution for their service to Columbia County. Outgoing supervisors were given an opportunity to address the board.

On motion by Baebler, second by Stevenson, minutes of March 19, 2014 meeting were approved. The motion carried.

On motion by Martin, second by Westby, the meeting adjourned sine die at 10:52 a.m. The motion carried.