

April 2026 Ordinances

**ORDINANCE NO. 707
ORDINANCE AMENDING WAUSHARA COUNTY CODES
NOS. 8, 54 and 58**

WHEREAS, the Waushara County Planning & Zoning Committee did file attached Draft 2 Ordinance Amending Waushara County Codes; and

WHEREAS, the Waushara County Planning Committee did consider said application at a regular meeting held at the Waushara County Government Center on March 19, 2026; and

WHEREAS, the said Planning Committee did approve said request with the following conditions:

1. The application is now referred to the Waushara County Board of Supervisors for their consideration.

THEREFORE, the Waushara County Board of Supervisors do hereby ordain as follows:

1. That the Waushara County Codes Nos. 8, 54 and 58 are amended.
2. That these Codes shall be effective upon approval and recording with the office of the County Clerk for Waushara County.

Ordinance No. 707

Ayes 11 Nays 0 Abstain Absent [] Voice Vote



Approved and adopted this 21st day of April, 2026



Denied this 21st day of April, 2026

Approved as to Form:

/s/ Ruth Zouski

Ruth Zouski

Corporation Counsel

Submitted by:

/s/ David Bosshard

David Bosshard, Chair

Waushara County Planning & Zoning

Attest:

/s/ Desiree Acantilado

Desiree Acantilado

Waushara County Clerk

Signed by:

/s/ John Jarvis

John Jarvis, Chair

Waushara County Board of Supervisors

**(DRAFT#2) 2/5/26
ORDINANCE AMENDING WAUSHARA COUNTY CODE
CHAPTERS 8, 54 AND 58**

WHEREAS, Waushara County has enacted Chapters 8, 54 and 58, to promote and protect the public health, safety, comfort, convenience, prosperity, aesthetics, and other aspects of the general welfare and to affix reasonable standards as applicable thereto; and

WHEREAS, the Waushara County Planning and Zoning Committee has determined that it is in the interest of the public health, safety, and welfare to enact certain amendments to such Chapter; then

NOW, THEREFORE BE IT RESOLVED the County Board of Waushara County, Wisconsin, do hereby ordain as follows:

FOLLOWING ARE AMENDMENTS PROPOSED TO THE WAUSHARA COUNTY CODE CHAPTER 8 (Buildings and Building Regulations):

(amended sections are bold and underlined) ~~(deleted sections are stricken)~~

Explanatory notations are in italics.

A PORTION OF SECTION 8-31 IS HEREBY AMENDED TO READ AS FOLLOWS:

Sec. 8-31. Authority.

These regulations are adopted under the statutory authority granted pursuant to Wis. Stats. §§ 101.65, 101.651, 101.76, and 101.761.

This article shall apply in all municipalities that have officially delegated the authority to enforce and administer the Uniform Dwelling Code to the county. At the time of the adoption of the ordinance from which this article derives, the following other municipalities have officially requested county enforcement: Town of Aurora, Town of Bloomfield, Town of Coloma, Town of Dakota, Town of Deerfield, Town of Hancock, Town of Leon, Town of Marion, Town of Mt. Morris, Town of Oasis, Town of Plainfield, Town of Poy Sippi, Town of Richford, Town of Rose, Town of Saxeville, Town of Springwater, Town of Wautoma, Village of Coloma, Village of Hancock, Village of Lohrville, **and** Village of Plainfield ~~and Village of Redgranite~~. A list of the municipalities delegating authority to the county shall be maintained, updated and accessible to the public in the Waushara County Land Conservation and Zoning Office.

Explanatory Note: *The Village of Redgranite is being stricken from our Codes as the Village of Redgranite now has their own building codes, fee schedule and Building Inspector. The County has been working with DSPS to amend our delegation status and respective paperwork.*

FOLLOWING ARE AMENDMENTS PROPOSED TO THE WAUSHARA COUNTY CODE CHAPTER 54 (Utilities):

(amended sections are bold and underlined) ~~(deleted sections are stricken)~~

Explanatory notations are in italics.

A PORTION OF SECTION 54-35 IS HEREBY AMENDED TO READ AS FOLLOWS:

Sec. 54-35. Basic principles.

- (a) *Need.* Every building that has or is required to have plumbing fixtures and that is intended for human habitation or occupancy shall be provided with an approved method of treatment and disposal of domestic sewage and sanitary wastewater. This may be through connection to a public sewer system, a POWTS or other means approved by the department.
- (b) *Prohibited discharges.* ~~Every POWTS shall be designed, located, constructed and maintained to prevent any discharge of sewage, partially treated sewage or effluent into drain tiles, onto the ground surface, into the structure served, into the surface or subsurface waters of the state (including zones of seasonal saturation) or into zones of bedrock. The term "surface waters" shall have the meaning described in Wis. Stats. § 281.01.~~ **Are defined per State Chapter 145.01 (4m) as a "Failing Private On-site Wastewater Treatment System". All systems meeting one or more of the requirements as noted below are deemed failed or failing and shall be replaced within one year of being documented.**
- (1) The discharge of sewage into surface water or groundwater.**
- (2) The introduction of sewage into zones of saturation that adversely affects the operation of a private on-site wastewater treatment system.**
- (3) The discharge of sewage to a drain tile or into zones of bedrock.**
- (4) The discharge of sewage to the surface of the ground.**
- (5) The failure to accept sewage discharges and back up of sewage into the structure served by the private on-site wastewater treatment system.**
- (c) *Maintenance.* Every POWTS shall be maintained so as to prevent prohibited discharges designated in subsection (b) of this section. In addition, every POWTS located within Waushara County shall be entered into the county's inventory and maintenance program, and shall be regulated as provided in SPS 383.255 and 383.54 of the Wisconsin Administrative Code. Notice of maintenance requirements for each system requiring servicing more than once each year shall be recorded with the register of deeds office prior to sanitary permit issuance.
- (d) *Sizing.* Every private on-site wastewater treatment system (POWTS) shall be designed and constructed to adequately dispose of all the sewage and sanitary wastewater generated in the structure or facility it is serving.
- (e) *Installation, inspection and approval prior to occupation.* The private on-site wastewater treatment or sanitation system for newly constructed structures shall be installed, inspected, and approved before the structure can be occupied.

Explanatory Note: *The proposed text amendment is to further define what constitutes a failed system and to better align with those systems identified per State Statute.*

FOLLOWING ARE AMENDMENTS PROPOSED TO THE WAUSHARA COUNTY CODE CHAPTER 58 (Zoning):

(amended sections are bold and underlined) ~~(deleted sections are stricken)~~

Explanatory notations are in italics.

A PORTION OF SECTION 58-9 IS HEREBY AMENDED TO READ AS FOLLOWS:

Sec. 58-9. Definitions.

Conditional use means uses having characteristics so as to make their designation as a principal use within a particular zone permitted; provided that, said use is deemed compatible with the surrounding area, said use maintains community character, said use aligns with the County's Comprehensive Plan, ~~certain conditions specified in the Code are met~~ said use meets certain conditions specified in the Code and that a permit is granted by the planning and zoning committee.

Data Center means a physical facility, regardless of size, that houses IT infrastructure including servers, storage systems, and networking equipment, necessary for building, running and delivering applications and services. It is essential for storing and managing data associated with these applications.

Home occupation means a gainful occupation conducted by a member of the family within his place of residence or an accessory building on the same parcel of the residence, where the space used is incidental to residential use, and is clearly and obviously subordinate of such residential use. ~~No article is sold or offered for sale except such as produced by such home occupation.~~ **any business, profession, trade, or employment conducted in a person(s) dwelling unit or accessory building, that may involve the person(s) immediate family or household and a maximum of one other unrelated person but does not involve any of the following: explosives, fireworks or repair of motor vehicles. A home-based business established under this section has to conform to all of the standards listed in subsection 58-236(4).**

***Explanatory note:** Based upon a recent Circuit Court decision and the fact the County maintains a number of spot zoned situations, the first Amendment listed above is being proposed to insure that Conditional Uses are compatible with not only the underlying zoning district in which the use is being proposed, but also with surrounding land uses. The second definition is to provide clarity and definition on what constitutes a data center. And lastly - Home Occupation has been revised to reflect State Statute definition per SPS 320.02 for further clarity.*

A PORTION OF SECTION 58-163 IS HEREBY AMENDED TO READ AS FOLLOWS:

Sec. 58-163. Conditional use permit.

- (a) *Required.* All uses listed as conditional uses within the respective zones require a conditional use permit.
- (b) *Application.* Applications for conditional use permits shall be made to the zoning administrator on forms furnished by the zoning administrator. The application shall be accompanied by a preliminary site plan containing the information listed in section 58-164 and fee payment as on file at the zoning office. **The Applicant shall demonstrate how the proposed use is compatible with not only the underlying zoning, but with that of the surrounding area, as well as how the use maintains community character and aligns with the County's Comprehensive Plan. The Zoning Administrator may require additional information and studies to explain how potential impacts will be mitigated such as traffic studies, environmental impact assessments, property value assessments or operational plans.**

- (c) *Hearing.* The zoning administrator shall screen applications for completeness; and determine whether the proposed use may be considered as a conditional use in the underlying zone or whether the proposal should be considered as a permitted or conditional use in another zone. If the zoning administrator determines that the proposed application and use are complete and appropriate as presented, he/she shall fix a reasonable time and place for public hearing before the zoning committee on the application. Notice of the time and place of such hearing shall be given by publication in the county of a class II notice under Wis. Stats. ch. 985.
- (d) *Standards in reviewing.* In reviewing proposed conditional uses, the zoning committee shall be guided by the following standards and requirements. Additional standards as enumerated in section 58-236 shall apply to selected conditional uses.
- (1) All conditional uses must be in accordance with the purpose and intent of this chapter and shall not be hazardous, harmful, offensive, or otherwise adverse to the environmental quality, water quality, shoreland cover, or property values in the county and its communities.
 - (2) It has been demonstrated that said use is compatible with not only the underlying zoning district, but with the surrounding land uses in both scope and scale and that said use aligns with the County's Comprehensive Plan.**
 - ~~(3)~~ (2) Compliance with all other provisions of this chapter, such as lot width and area, yards, height, parking, loading, traffic, highway access, and performance standards, shall be required for all conditional uses.
- (e) *Conditions attached to conditional use permits.* Upon consideration of the factors listed in subsection (d) of this section and the purposes of this chapter, the zoning committee may attach such conditions, in addition to those required by specific permits, as it deems necessary in furthering the purposes of this chapter. Such conditions may include specifications for, without limitation because of specific enumeration, modification of sewage disposal and water supply facilities, modification of other waste disposal methods and facilities, landscaping, periods of operation, operational controls, sureties, deed restrictions, and adequate floodproofing. When floodproofing is required, the zoning committee shall require that the applicant submit a plan or document certified by a registered professional engineer that the floodproofing measures are consistent with the flood protection elevation for the particular area.
- (f) *Review by town board.* The county zoning administrator shall mail to the clerk of the town within which the conditional use is proposed a copy of all maps, plans and other documents submitted by the applicant for a conditional use permit and notice of the time and place of the public hearing to be held on the proposed conditional use. Such information shall be mailed at least ten days prior to the hearing. The town board or its representative may attend the hearing and in any event may then or earlier indicate its position with regard to granting, denying, granting in part or conditionally the application. Failure of the town board to communicate its position on the application shall be deemed to constitute approval by the town board of whatever action the zoning committee may take. If the town board or its representative shall at such hearing request an extension, it shall be granted for a period which the zoning committee shall consider reasonable.
- (g) *Decision.* The zoning committee shall decide all applications within 90 days after the public hearing and shall transmit a signed copy of its decision to the applicant and to the town clerk of the town in which the subject site is located. Upon granting of the conditional use permit, a final site plan shall be filed as part of the records for the permit issued. The final site plan shall include all the information required under section 58-164. If an application for a conditional use permit has been denied, the applicant may not reapply for a conditional use permit involving the same or substantially the same use within 12 months of the date the decision was made on the initial application.

- (h) *Discontinuance.* If the conditional use is discontinued for 12 consecutive months or more, any future use of the structure or premises shall not be re-established without a hearing, as required in subsection (c) above.
- (i) Appeals of a decision by the planning and zoning committee as it relates to a conditional use permit shall be made to the circuit court in accordance with the procedures contained in Wis. Stats. § 59.694(10).

Explanatory note: Based upon a recent Circuit Court decision and the fact the County maintains a number of spot zoned situations, this Amendment is being proposed to insure that Conditional Uses are compatible with not only the underlying zoning district in which the use is being proposed, but also with surrounding land uses.

A PORTION OF SECTION 58-234 IS HEREBY AMENDED TO READ AS FOLLOWS:

Sec. 58-234. Prohibited structures and uses.

- (a) Any use not listed as a permitted or conditional use shall be considered to be prohibited except as provided in this article. Where deemed appropriate, the zoning committee and the zoning administrator shall have the authority to authorize uses not specifically enumerated in this article. Any person aggrieved by these determinations can appeal to the board of adjustment as authorized by sections 58-104 and 58-106.
- (b) Portable storage facilities (including shipping containers, cargo containers, portable on demand storage (PODS), and store and move (SAM) containers, busses, heavy duty trucks and their bodies, semi-trailers, freight containers, mobile homes and similar items) which are no longer in use for their designated purposes and/or are un-licensed and considered un-road worthy are prohibited **with the following exception.**

Portable storage facilities such as cargo containers or shipping containers may only be used as an accessory structure if they adhere to all of the following conditions.

(1) Meet all listed uses and/or regulations as specified in Section 58-232 – Accessory Uses and Structures.

(2) The structure shall be completely re-sided or encased on all 4 sides with building materials different than that of the existing storage container.

(3) The door(s) shall either be completely concealed and/or converted to a more standard accessory structure door(s).

(4) A roof shall be installed with a minimum pitch of 4/12.

Explanatory note: The County has received an overwhelming number of requests over the years to use these types of structures for personal storage. This amendment is to allow these structures subject only to specified conditions. Said conditions are intended to address the unsightly nature of the vast majority of these structures and give them the appearance of a more typical accessory structure. Said amendment replicates Codes of other Zoning Offices in the immediate area and is in accordance with a Policy directive from the Planning & Zoning Committee from the Business Meeting held in May of 2026.

A PORTION OF SECTION 58-236 IS HEREBY AMENDED TO READ AS FOLLOWS:

Sec. 58-236. Selected Conditional uses.

- (4) *Home occupations.* Home occupations include, but are not limited to, activities such as dressmaking, tv/radio repair, dog grooming, sign painting, tool sharpening, professional offices, etc., subject to the following limitations:

- a. Such use is clearly incidental to the principal use of the premises.
- b. Such use does not involve any exterior alteration that would effect a substantial change in the residential character of the structure.
- c. The home occupation shall not exceed ~~20~~ **25** percent of the **habitable** floor area or more than 600 square feet of the residence. In the case of a home occupation being located within an accessory building on the same parcel of land as the residence, such home occupation shall not exceed 600 square feet (including storage area for inventory and supplies). In the case of a home occupation being located both within the residence and an accessory building on the same parcel of land, such home occupation shall not exceed a cumulative total of 600 square feet (including storage area for inventory and supplies). If any home occupation is located either partially or entirely in an accessory structure, commercial building codes may apply.
- d. Other than the immediate family, no more than one person may be employed in the home occupation.
- e. There shall be no exterior display or storage of goods, storage of products, materials, inventory, supplies, parts, or scrap or waste materials.
- f. There shall be no more than one advertising sign on the premises, and such sign shall not exceed 32 square feet in area.
- g. Adequate off-street parking shall be provided and shall be maintained in a reasonably dust-free condition and is adequately screened from adjoining residential properties. The amount of parking spaces shall be dictated by section 58-432 and the county zoning administrator.
- h. The establishment of a home occupation, where allowed by ordinance, shall require the issuance of a land use permit or conditional use permit, depending on the respective zoning district, and shall be accompanied by a site plan meeting all the requirements of section 58-164.
- i. No home occupation shall generate excessive dust, glare, noise, odor, smoke or vibration or pose a hazard to public safety, nor involve the storage or use of toxic or hazardous materials or waste that meets or exceeds the threshold requirements of SARA regulations relating to reporting or planning facilities.

Explanatory Note: *The Home Occupation percentage has been revised to reflect State Statute SPS 320.02 for further clarity.*

A PORTION OF SECTION 58-784 IS HEREBY AMENDED TO READ AS FOLLOWS:

Sec. 58-784. Conditional uses.

Conditional uses in the M-I zone are as follows:

- (1) The manufacturing and processing of:
 - Abrasives
 - Acetylene
 - Acid

Alkalies
Ammonia
Asbestos
Asphalt
Batteries
Bedding
Bleach
Bone
Cabbage
Candles
Carpeting
Celluloid
Cement
Cereals
Charcoal
Chemicals
Chlorine
Coal
Coffee
Coke
Cordage
Creosote
Dextrine
Disinfectant
Dye
Excelsior
Felt
Fish
Fuel
Furs
Gelatin
Glucose
Gypsum

Hair products
Ice
Ink
Lampblack
Lime
Lime products
Linoleum
Matches
Meat
Oil cloth
Paint
Paper
Peas
Perfume
Pesticides
Pickle
Plaster of Paris
Plastics
Poison
Polish
Potash
Pulp
Pyroxylin
Radium
Rope
Rubber
Sausage
Shoddy
Shoe and lampblackening
Size
Starch
Stove polish
Textiles

Varnish

(2) The manufacturing, processing and storage of:

Building materials

Dry ice

Explosives

Fat

Fertilizer

Flammables

Gasoline

Glue

Grains

Grease

Lard

Plastics

Radioactive materials

Shellac

Solid and hazardous waste disposal and transfer facilities

Soap

Turpentine

Vinegar

Yeast

(3) Animal reduction

(4) Bag cleaning

(5) Bleacheries

(6) Bone distillation

(7) Canneries

(8) Coal storage yards

(9) Cold storage warehouses

(10) Electric and steam generating plants

(11) Electroplating

(12) Enameling

(13) Forges

(14) Foundries

- (15) Incinerators
- (16) Lacquering
- (17) Lithographing
- (18) Manufacturing and bottling of alcoholic beverages
- (19) Oil storage depot
- (20) Refineries
- (21) Road test facilities
- (22) Salvage yards
- (23) Sanitary landfills
- (24) Sawmills
- (25) Slaughterhouses
- (26) Smelting
- (27) Stockyards
- (28) Textiles
- (29) Tanneries
- (30) Mining of metallic materials

(31) Data Centers

Explanatory Note: *In light of the recent onslaught of Data Centers coming to Wisconsin, Staff felt that we should specifically list these types of uses in our Codes where deemed most appropriate. Presently there is no mention of them in any zoning district. Given the potential environmental concerns that come with these facilities (excessive water use, excessive electrical demand and excessive noise generated by the cooling towers), we felt it best that these facilities be located only in the M-I (Intensive Manufacturing) zone and only as a potential Conditional Use. Said Text Amendment would thereby expand the list of uses as noted above. As the State is currently pondering legislative regulations, we will have to adopt and/or prepare specific requirements and/or regulations for these uses under our Selective Conditional Use Section 58-236 in the near future. Until then, the County can still require detailed environmental impact/use studies and other information deemed necessary to demonstrate that these uses are appropriate in any given location (Section 58-163).*

A PORTION OF SECTION 58-824 IS HEREBY AMENDED TO READ AS FOLLOWS:

Sec. 58-824. Yard and open space regulations.

- (a) All yards and other open spaces allocated to a building (or group of buildings comprising one principal use) shall be located on the same lot as such building. The maintenance of yards and other open space and minimum lot area legally required for a building shall be a continuing obligation of the owner of such building or of the property on which it is located, as long as the building is in existence. Furthermore, no legally required yards, other open space or minimum lot area allocated to any building shall, by virtue of

change of ownership or for any other reason, be used to satisfy yard, other open space, or minimum lot requirements for any other building.

- (b) Except as otherwise provided in this chapter, any side yard or rear yard abutting a zone boundary line shall have a minimum width and depth in the less restricted district equal to the average of the required minimum widths and depths of such yards in the two districts which abut the zone boundary line.
- (c) The following shall not be considered to be obstructions when located in the required yards specified, subject to the requirements of section 58-231:
 - (1) *In any yards.* Marquees and awnings adjoining the principal building and overhanging roof eaves that do not exceed 24 inches from the exterior of the structure, chimneys, ornamental light standards, flagpoles, arbors, trellises, trees, shrubs, coin-operated telephones, satellite antenna dishes that are six feet or less in diameter, stairs no more than five feet in width, walkways and sidewalks no more than five feet in width, landings of 40 square feet or less (and less than five feet in width) when necessary for safety purposes, piers, wharves, bridges, retaining walls, permitted signs, open accessory off-street parking areas and open space uses customarily accessory to the principal use, and outdoor fuel-dispensing equipment.
 - (2) *Fences.* Fences are permitted on the property lines in all districts, but shall not be closer than two feet to any public right-of-way. In residential districts, fences shall not exceed a height of six feet. Security fences are permitted in all districts, except residential districts, but shall not exceed ten feet in height and shall be of an open type similar but not limited to woven wire or wrought iron fencing. In all districts within the visual clearance triangle, the provisions of subsections 58-826~~(e)~~ **(d)** or 58-827(d) shall prevail. Landowners are responsible for complying with any other applicable regulations including, but not limited to, Wis. Stats. chs. 90 and 844.

Explanatory note: *The proposed amendment is to correct a clerical error as the previous subsection specified no longer exists.*

A PORTION OF SECTION 58-826 IS HEREBY AMENDED TO READ AS FOLLOWS:

Sec. 58-826. Setback.

- (a) *Generally.* Buildings shall be set back in accordance with the requirements of this section and shall meet the yard requirements of the respective zones.
- (b) *Highway setback.* All state and federal highways in the county are designated Class A highways. All county trunk highways not designated Class A are designated Class B. All other public roads in the county are designated Class C highways. Class A highway setback shall be 110 feet from the centerline of the highway or 50 feet from the right-of-way line, whichever is greater. Class B highway setback shall be 75 feet from the centerline of the highway or 42 feet from the right-of-way line, whichever is greater. Class C highway setback shall be 63 feet from the centerline of the highway or 30 feet from the right-of-way line, whichever is greater. **On platted private roads, a 15' setback shall apply from the front property line for all principal structures and a 7 ½' setback shall apply from the front property line for all accessory structures.**
- (c) *Reduced building setback.* A setback less than that required by subsection (b) of this section may be permitted by the zoning administrator where there is at least one dwelling or an accessory building on either side of the applicant's lot, within 250 feet of the proposed site built to less than the required setback. The reduced setback afforded by a dwelling on either side of the applicant's lot may be applied to the construction of either a dwelling or an accessory building. In the case where there are

accessory structures or only one dwelling on either side of the applicant's lot built to less than the required setback, the reduced setback that may be allowed shall only apply to a permitted accessory structure. In no case shall averaging allow a setback of less than 35 feet from the centerline of a county or town highway, nor less than 75 feet to the centerline of a state or federal (Class "A") highway. In all cases, the reduced setback for a dwelling shall take into account the footprint of the structure being proposed. When averaging is allowed, the zoning administrator may average portions of an existing dwelling that are not enclosed with either walls or roofs for similar proposed construction of portions of a dwelling that will not have walls or roofs; conversely, the zoning administrator may allow averaging of portions of an existing dwelling that are enclosed with walls and roofs for proposed construction of a dwelling that will be similarly enclosed with walls and roofs.

- (d) *Visual clearance.* In each quadrant of every intersection, there shall be designated a visual clearance triangle to provide motorists a safe braking and stopping distance to avoid accidents and to provide motorists turning onto roads, streets and highways a safe accelerating distance to merge with traffic to reduce traffic congestion. Within this triangle, no structure and/or object over two feet in height above these streets shall be allowed if it obstructs the view across the triangle. Posts or open fences are excluded from this subsection. Vegetation and landscaping over two feet in height occurring in the visual clearance triangle may be ordered to be pruned, thinned and/or removed if it is capable of causing a traffic hazard.

Standards for visual clearance triangles are as follows:

- (1) At each uncontrolled road intersection, a visual clearance triangle bounded by the street centerlines and a line connecting them 300 feet from a Class A highway intersection, 200 feet from a Class B highway, and 150 feet from a Class C highway intersection. If two highways of a different class intersect, the greater distance shall apply to both centerlines.
- (2) At controlled intersections when one road has a stop sign, traffic light or yield sign, the leg of the visual clearance triangle following the centerline of the road that has no stop sign, traffic light or yield sign shall be the length as required in subsection (d)(1). The visual clearance triangle line shall extend from the end of that line to a point on the center line of the street which has a stop sign, traffic light or yield sign and which is 100 feet from the intersection of the centerlines of the two streets.
- (3) When both roads have stop signs, traffic lights or yield signs, the visual clearance triangle shall be bounded by the street centerlines and a line connecting points on them 100 feet from their intersection.

Explanatory Note: Due to the rural nature of nearly all of our private roads, the County has always applied a lesser setback for structures. The proposed amendment is to codify said application.

A PORTION OF SECTION 58-828 IS HEREBY AMENDED TO READ AS FOLLOWS:

Sec. 58-828. Access driveways.

- (a) *Access permits.* Permits are required for all new access points created after the effective date of the ordinance from which this section is derived.
- (1) Permit applications for access to Class A highways shall be made with the state department of transportation, and to Class B highways with the county highway department. ~~and to Class C~~

~~highways with the county zoning office. No separate access permit is needed for Class C highways if a land use permit has been issued.~~ **Access permits on Class C highways are subject to Town review and may be required regardless of land use permit issuance.**

- (2) The agency which issues the permit application shall conduct inspections of the point of access to determine compliance with the applicable provisions and shall maintain permanent records of data submitted, staff recommendations and permits issued.
- (3) The authority to approve, conditionally approve or reject an application is delegated to the agency which issues the permit except if the proposed access does not conform to the access provisions of this chapter. Requests for nonconforming accesses shall be subject to review and approval by the board of adjustment prior to the issuing agency granting the permit.
- (4) A copy of applications for conditional use permits, variance and zone changes related to access provisions shall be forwarded for review to the county highway department or the state department of transportation ten days prior to hearing on access to highways within their jurisdictions. Copies of decisions on these matters shall be submitted to these departments within ten days after they are granted or denied.

Explanatory Note: *Class C access permit requirements are subject to Town review and may be required by certain Towns.*

EFFECTIVE DATE

Upon passage by the County Board of Supervisors, the amendments will be in full force and effect, as provided for in Section 59.97(5)(e), Wis. Stats.

Ordinance _707_____

Ayes__11_____ Nays__0_____ Abstain_____ () Voice Vote

Approved and adopted this _21st_____ day of _April_____, 2026.

Approved:

/s/ Ruth Zouski

Ruth Zouski,
Corporation Counsel

Submitted by:

/s/ David Bosshard

David Bosshard, Chairman
Planning & Zoning Committee

Attest:

/s/ Desiree Acantilado

Desiree Acantilado,
Waushara County Clerk

Signed by:

/s/ John Jarvis

John Jarvis, Chairperson
Waushara Co. Board of Supervisors

ORDINANCE NO 708

ORDINANCE AMENDING WAUSHARA COUNTY ZONING MAPS PURSUANT TO THE AUTHORITY GRANTED IN CHAPTER 58 WAUSHARA COUNTY CODE

ZONE CHANGE – MIKE CARTER – NAPOWAN LLC – TOWN OF MT> MORRIS

WHEREAS, on February 5, 2026, Mike Carter did file an application with the Waushara County Zoning Office for a zoning amendment in Section 01, in the Town of Mt. Morris; and

WHEREAS, said application involves an approximate 32.5 acre parcel of land known as part of the SE1/4 of the SW1/4, except parcel in SE corner, Section 01, T19N, R11E, Town of Mt. Morri, Beechnut Avenue; and

WHEREAS, the said Zoning Office did process said application as required; and

WHEREAS, the Waushara County Planning Committee did consider said application at a regular meeting held at the Waushara County Government Center on March 19, 2026; and

WHEREAS, the said Planning Committee did approve said request with the following conditions:

1. The development must be in substantial compliance with the site plan and testimony provided at the public hearing.
2. All required setbacks must be complied with, and all other codes must be adhered to.
3. All permits must be obtained for a future residence, including land use, building and sanitary.
4. While the property still maintains camping structures from the old Boy Scout Camp (Camp Napowan), the structures must be abandoned and used only as accessory structures. Overnight or overflow sleeping within these structures is prohibited.
5. All future driveways shall meet all required codes, including fire and access code requirements to provide for access by emergency vehicles. In addition, the driveway shall provide good visibility and a turnaround area to prevent backing onto the road.
6. The applicant will allow agents of Waushara County access to the property to ensure compliance with all applicable regulations.
7. The application is now forwarded to the Waushara County Board of Supervisors and the Town Board of Mt. Morris for their consideration. The Town Board is responsible for determining whether this application, if approved, is in compliance with the Town's approved Land Use Plan.

THEREFORE, the Waushara County Board of Supervisors does hereby ordain as follows:

1. That the Waushara County Zoning maps are amended by changing the zoning district of the described property from O-P to AG-4.
2. That this ordinance shall be effective upon approval and recording with the Office of the County Clerk for Waushara County.

Ordinance No. 708

Ayes 11 Nays 0 Abstain Absent [] Voice Vote

☒ Approved and adopted this 21st day of April, 2026

☐ Denied this 21st day of Apri, 2026

Approved as to Form:

Submitted by:

/s/ Ruth Zouski
Ruth Zouski
Corporation Counsel

/s/ David Bosshard
David Bosshard, Chair
Waushara County Planning & Zoning

Attest:
/s/ Desiree Acantilado
Desiree Acantilado
Waushara County Clerk

Signed by:
/s/ John Jarvis
John Jarvis, Chair
Waushara County Board of Supervisors

ORDINANCE NO. 709

AN ORDINANCE AMENDING ARTICLE IV. ATVS

WHEREAS, the Waushara County Board previously adopted multiple ordinances to address the use of ATV/UTVs on County Roads; and

WHEREAS, Waushara County has previously opened all county roads to ATV/UTV traffic; and

WHEREAS, the Public Works Committee has received a request to open a portion of State Highway 152 where the posted speed limit is 35 miles per hour or less pursuant to Wis. Stat. s. 23.33(11)(am)4; and

WHEREAS, the Highway Commissioner and Public Works Committee are recommending this addition to the current route designation.

THEREFORE, the Waushara County Board of Supervisors does hereby ordain to amend Chapter 50, Article IV, Section 50-150 as follow:

Sec. 50-150. Route designation.

All county roads unless otherwise posted.

The portion of State Highway 152 between Blackhawk Road and County G/W that has a speed limit of 35 miles per hour or less to connect to other existing routes

BE IT FURTHER ORDAINED that this ordinance takes effect May 1, 2026 or when the additional route is posted, whichever is later.

Ordinance No.

Ayes 11 Nays 0 Abstain _____ Absent _____ [] Voice Vote

☒ Approved and adopted this 21st day of April, 2026

☐ Denied this 21st day of April, 2026

Approved as to Form:
/s/ Ruth Zouski
Ruth Zouski

Submitted by:
/s/ John Jarvis
John Jarvis, Public Works Member

Corporation Counsel

Attest:

/s/ Desiree Acantilado

Desiree Acantilado

Waushara County Clerk

Public Works Committee

Signed by:

/s/ John Jarvis

John Jarvis, Chair

Waushara County Board of Supervisors