#### DIVISION 24. CAMPGROUNDS AND RESORTS

 **UPDATED AS OF 5/30/23**

 **~~Deleted wording is red with a line through it.~~**

 **Changed or re-worded is highlighted in yellow.**

Sec. 38-655. Purpose.

The purpose of this division is to regulate campgrounds and resorts in order to protect the health, safety, and welfare of the citizens, and the natural, historical and cultural resources of the county. These land uses are encouraged by the county because of their importance in providing the general public access to recreational opportunities and the public waters in accordance with the state public trust doctrine. It is also recognized that such land uses promote tourism and contribute to the general economic welfare of the county.

(Code 2000, § 38-560; Res. No. 61-08, 6-17-2008)

Sec. 38-656. Applicability.

(a) The provisions of this division shall apply to all campgrounds and resorts within the unincorporated areas of the county that are created, expanded, require a new conditional use permit, or require an amendment to an existing conditional use permit after the effective date of this Code.

(b) All previous requirements contained in this division are hereby repealed after the effective date of this Code.

(Code 2000, § 38-561; Res. No. 61-08, 6-17-2008)

Sec. 38-657. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Campground* means a publicly or privately owned parcel of land that has a valid permit issued under Wis. Stats. § 97.67 and Wis. Admin. Code Ch. ATCP 79, and an approved conditional use application by the Washburn County Zoning Committee if applicable, open to the general public, with or without a daily fee that is used primarily for the purpose of providing camping sites for use by camping units. A campground may also provide one permanent dwelling unit for the use of the owner or operator of the campground.

*Camping site* means a portion of land within a campground or resort for placing a camping unit.

Camping Type - seasonal means camping where the unit is allowed to be stored on the campsite/parcel during periods when the unit is not occupied or when the campground is not in operation.

Camping Type – temporary means camping where the unit is removed when the unit is not occupied.

Camping Type – rustic/primitive means camping as defined in ATCP 79.27.

Camping Unit – cabin means a building or other structure as defined in ATCP 79.03(4). These are used for temporary living quarters or shelter during periods of recreation, vacation or leisure time.

Camping Unit – mobile means tents, tent trailer, travel trailer, camping trailer (ATCP 79.03(5), pickup camper, motor home (ATCP 79.03(20), or any other portable device or vehicular type structure as may be developed, marketed, or used for temporary living quarters or shelter during periods of recreation, vacation, leisure time or travel.

Camping Unit – park model means a camping unit that is built on a single chassis mounted on wheels that has a gross trailer area of not more than 400 square feet in setup mode, and bears a label, symbol or other identifying mark indicating construction to nationally recognized standards ANSI 119.5 (ATCP 79.03(23). If the tongue and wheels are removed after set up and/or is skirted the tongue, wheels and axle must remain on the campground or resort property. A park model camping unit is not considered a mobile camping unit due to the fact of its limited mobility. These are used for temporary living quarters or shelter during periods of recreation, vacation or leisure time. These type of camping units are required to be connected to a POWTS; unless it is located at a facility licensed to sell this type of camping unit and only located there for the purpose of sale.

Camping Unit – yurt means a building or other structure as defined in ATCP 79.03(42). These are used for ~~temporary~~ seasonal living quarters or shelter during periods of recreations, vacation or leisure time.

 Contiguous parcels or tracts of land means - adjoining, touching or unbroken.

*Density point* means - a measure of land that is used, in conjunction with developable ~~acreage~~ building area to determine the density of units in campgrounds and resorts.

*Developable building area* means - an area suitable for construction which does not include floodways, wetlands, slopes greater than or equal to 20 percent, easement areas which prohibit construction, or the area required for setbacks.

*Dwelling unit* means - a permanent structure or part thereof having one or more rooms and providing bathroom and kitchen facilities designed and constructed as a permanent residential occupancy for the owner or manager.

*Entity*means - a person or organization possessing separate and distinct legal rights, such as an individual, partnership or corporation. An entity can, among other things, own property, engage in business, enter into contracts, pay taxes, sue and be sued. An entity is capable of operating legally, suing and making decisions through agents, e.g. a corporation, a state or an association.

*Resort* means - a publicly or privately owned parcel of land that has a valid permit issued under Wis. Stats. § 97.67 and Wis. Admin. Code Ch. ATCP 79, and an approved conditional use application by the Washburn County Zoning Committee if applicable, open to the general public, with or without a daily fee that is used primarily for the purpose of providing resort units. A~~nd~~ resort may have one permanent dwelling unit for the use of the owner or manager of the resort.

*Resort unit* means - a permanently placed ~~structure~~ cabin ~~(e.g., building or cabin)~~ in a resort or campground used for seasonal or temporary use only, for 365 days to rent, year not to exceed more than 180 cumulative calendardays per occupancy.

 (Code 2000, § 38-562; Res. No. 61-08, 6-17-2008; Res. No. 47-17, 6-20-2017)

Sec. 38-658. General provisions.

Campgrounds and resorts shall be subject to the following provisions:

(1) Nothing in this division shall apply to the placement of mobile homes, which are regulated by federal and state authorities and division 23 of this article.

(2) A campground or resort shall be allowed only in residential-recreation 1, residential-recreation 2, residential-agriculture, agriculture, and forestry zoning districts by an approved conditional use application by the Washburn County Zoning Committee. An application for a conditional use permit for a campground or resort must include a description with a map including the boundaries of neighboring properties and roads abutting to the campground or resort, and a plot plan with the estimated location of the proposed campground or resort including camping sites and resort units density points, and all accessory structures and facilities (e.g., pavilions, shelters, sanitary facilities, wash houses.) of the campground or resort.

(3) A campground or resort shall have a valid permit issued under Wis. Stats. § 97.67 and Wis. Admin. Code Ch. ATCP 79, ~~if applicable~~ and an approved conditional use application by the Washburn County Zoning Committee if applicable.

(4) A campground or resort may be any combination of camping sites, and resort units.

(5) Camping sites shall be restricted to permitted campgrounds or resorts.

(6) All roads in a campground or resort shall be no less than 20 feet wide and have an unobstructed overhead clearance of no less than 15 feet.

(7) Camping units, resort units, and accessory structures (e.g., pavilions, shelters, sanitary facilities, wash houses,.) of the campground or resort shall conform to all dimensional requirements of the zoning district in which they are located, and the setback requirements as indicated in the parameters of the campgrounds and resorts table located under sub paragraph 13 below.

(8) Land-use permits shall not be required for individual camping units.

(9) Land-use permits shall be required for (a) all resort units and all accessory structures (e.g., pavilions, shelters, wash houses, of the campground or resort. (b) Each individual camping unit, camping site, or resort unit is allowed 1. One storage shed with 100 square feet maximum, maximum of 12 feet high, and not for human habitation. 2. One deck or patio with 150 square feet maximum and to be open sided without a roof. No shed or deck may be attached to camping unit or resort unit.

(10) A campground or resort abutting navigable waters shall be subject to the additional provisions:

a. The minimum standards specified in Wis. Admin. Code Ch. NR 115 and 116 shall be satisfied.

b. Shore~~line~~ land setbacks for all structures including camping units, resort units, and accessory structures and facilities (e.g., sheds, decks, patios, sanitary facilities, wash houses) associated with a campground or resort shall conform to the provisions of division 27 of this article.

c. The shoreline viewing corridor, the access pathway, and the vegetative protection buffer shall conform to the provisions of division 27 of this article. Pathways and viewing corridors, depending on the total parcel area and shore~~line~~ land frontage, may be allowed.

d. ~~Campgrounds/resorts created after October 1, 2016~~, New impervious surfaces that are located within 300 feet of navigable lakes, rivers, creeks or streams shall comply with the impervious surface provisions of division 27 of this article.

e. Temporary items such as benches, chairs, picnic tables, fire rings, etc. in the shoreline setback area, access corridor, are allowed.

All docks and piers shall conform to the State department of natural resources (DNR) regulations and guidelines for docks and piers.

(11) ~~Only a permitted campground or resort may permit camping units to be located at a camping site beyond the dates of April 1 to November 30~~. No camping unit or resort unit may be used as a primary residence. ~~See section 38-659 for provisions for placing camping units outside of a permitted~~ ~~campground or resort.~~

(12) All camping units located at camping sites for three or more consecutive weeks shall be served with suitable sanitary facilities in accordance with the county private sewage systems ordinance (chapter 74) and Wis. Admin. Code Ch. SPS 383. All proposals for expansion of existing campgrounds and/or resorts includes an inspection and evaluation of the private sewage system. Modifications to existing sanitary systems may be required by the zoning committee as a condition of the conditional use permit.

(13) A campground or resort shall have a minimum area, and if abutting navigable waters, a minimum shoreline measured at the ordinary high water mark, according to the following table:

Parameters for Campgrounds and Resorts

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| *Zoning District.* | *Minimum* *Area.* | *Minimum**Shoreline.* | *Density**Point Per**Developable Acre.* | *Minimum Setbacks**From All Lot Lines.* |
|  Residential-Recreational 1  | 4 acres  | \*See below. | 3 Limited to maximum of ~~75~~ 25 sites. | ~~75~~ 50 Feet. Buffer to be trees and a fence. |
| Residential-Recreational 2  | 6 acres  | \*See below. |  5 Limited to maximum of ~~75~~ 25 sites. | ~~75~~ 50 Feet.Buffer to be trees and a fence. |
| Residential Agriculture  | 8 acres  | \*See below. |  5 Limited to maximum of 75 sites. | ~~75~~ 50 Feet.Buffer to be trees and a fence. |
| Agriculture  | 20 acres  | \*See below. | 6 Limited to maximum of 100 sites. | ~~75~~ 50 Feet.Buffer to be trees and a fence. |
| Forestry  | 20 acres  | \*See below. |  6 Limited to maximum of 100 sites. | ~~75~~ 50Feet.Buffer to be trees and a fence. |
| \*~~Navigable lakes, streams, rivers and creeks.~~Shoreland Zoning | 6 acres | 600 ft. |  3Limited to maximum of 50 sites. | ~~75~~ 50Feet.Buffer to be trees and a fence. |
|  |  |  |  |  |

(14) The number of camping sites and resort units permitted in a campground or resort shall not exceed, and may be less than by condition of the conditional use permit, the least of that established by the following procedure, Wis. Admin. Code Ch. ATCP 79 and NR 115 or 116, if applicable:

a. Density of camping sites and resort units shall be determined by density points. Listed in the table under subsection 13 above.

b. The allowable number of density points for a campground or resort shall be determined by multiplying the developable acreage by the density factor in table of parameters for campgrounds and resorts. Fractional numbers shall be rounded down.

c. The density point value for camping sites is 1 and the density point value for resort unit is 1.

d. The allowable density points thusly obtained shall be allocated as follows until the number of density points has been exhausted.

1. Example: A proposed campground or resort contains 20 acres of which 16 acres are developable in Forestry District. The total density points are 6 ~~by~~ multiplied by 16 equaling 96 sites.

2. Example: A proposed campground or resort contains 20 acres of which 20 acres are developable in Forest district. The total density points are 6 ~~by~~ multiplied by 20 equaling 120 sites. However, only a maximum of 100 sites are allowable.

e. For a campground or resort abutting a navigable waterway, the campground or resort, shall conform to the Shore land Class Development Standards of division 27 of this article.

f. The proposed number of camping sites and resort units in a new campground or resort, or in the expansion area of an existing campground or resort, established by this procedure shall be verified by the zoning office prior to applying for a conditional use permit or applying to amend an existing conditional use permit.

(15) When a campground or resort existing before the effective date of the ordinance from which this article is derived wishes to expand (e.g., add camping sites, resort units) the existing campground or resort and the expansion area will be considered as a whole to determine the allowable density points.

(16) Provisions applicable to condominium ownership:

a. A new campground or resort created in condominium ownership shall conform to the density standards of this division of this Code and shall be operated with valid state and county permits if the campground or resort contains any camping sites.

b. Any campground or resort with camping sites regardless of ownership must be operated with valid state and county permits. Any campground or resort that ceases to operate with valid state and county permits shall not be allowed any camping sites or resort units. ~~and shall be restricted~~ ~~to resort units.~~

(17) Any contiguous parcels or tracts of land, which are owned, controlled, or managed as a single entity shall be treated as a single parcel or tract for the purpose of this chapter.

(Code 2000, § 38-563; Res. No. 61-08, 6-17-2008; Res. No. 25-15, 3-24-2015; Res. No. 47-17, 6-20-2017; Res. No. 1-19, 2-19-2019)

Sec. 38-659. Camping units outside of permitted campgrounds and resorts.

Camping units including mobile recreational vehicles located outside of a state-licensed and permitted campground or resort shall be subject to the following provisions:

(1) A camping unit outside of a permitted campground or resort shall be allowed only in residential, residential mobile, residential-recreational 1, residential-recreational 2, residential-agricultural, agricultural, and forestry zoning districts. unless ~~such unit is being stored in accordance with~~ ~~subsection (8) of this section.~~

(2) No more than two camping units shall be allowed on any parcel at the same time.

(3) A camping unit shall not be used as a primary residence.

~~(4) The following time limitations shall apply to the use of camping units:~~

~~a. Camping units may remain on the property from April 1 through November 30, unless such unit is being stored in accordance with subsection (8) of this section.~~

And must be authorized by a land use permit issued by the zoning department.

 ~~(5)~~ (4) A camping unit shall conform to all dimensional and setback requirements of the zoning district in which it is located.

~~(6)~~ (5) A camping unit located on a parcel abutting navigable waters shall conform to shoreline setbacks as specified in division 27 of this article.

~~(7)~~ (6) A camping unit occupied for a period of 9 days or more shall be served with suitable sanitary facilities in accordance with the County private sewage systems ordinance (chapter 74) and Wis. Admin. Code Ch. SPS 383.

~~(8) A camping unit may be stored within a pole barn, garage, carport, or in conjunction with a residential dwelling if placed in the rear or side yard area and located in accordance with all applicable setbacks. A conditional use permit shall be required for the storage of more than two mobile recreational vehicles or camping units.~~

 (Code 2000, § 38-564; Res. No. 61-08, 6-17-2008; Res. No. 64-10, 7-27-2010; Res. No. 25-15, 3-24-2015; Res. No. 47-17, 6-20-2017)

Secs. 38-660—38-681. Reserved.