

Ordinance To Enact Amended Polk County Shoreland Protection Zoning Ordinance

TO THE HONORABLE SUPERVISORS OF THE COUNTY BOARD OF THE COUNTY OF POLK:

Ladies and Gentlemen:

WHEREAS, the Polk County Board of Supervisors enacted Ordinance No. 38-19 on September 25, 2019, entitled as Polk County Shoreland Protection Zoning Ordinance, to regulate the unincorporated shoreland areas of Polk County under Wisconsin Statute 281.31 and 59.692; and

WHEREAS, on November 29, 2019, the Polk County Zoning Administrator filed pursuant to Wisconsin Statute Section 59.69(5)(e), a petition to amend the Polk County Shoreland Protection Zoning Ordinance, through the enactment of the proposed Amended Polk County Shoreland Protection Zoning Ordinance with associated zoning maps; and

WHEREAS, the amendments incorporate the twelve zoning districts from the Polk County Comprehensive Land Use Ordinance; and

WHEREAS, on December 18, 2019, the Polk County Environmental Services Committee, as the planning and zoning committee, opened and held a public hearing on the petition to amend the Polk County Shoreland Protection Zoning Ordinance; and

WHEREAS, after considering DNR, town, and public input received in the public hearing and incorporating such input and recommendations, as appropriate, the Polk County Environmental Services Committee recommends the Polk County Board of Supervisors enact as and for the county's shoreland protection zoning ordinance under Section 59.692 the attached proposed ordinance, entitled "Amended Polk County Shoreland Protection Zoning Ordinance".

NOW, THEREFORE, pursuant to Wisconsin Statute Sections 59.692(2)(a), the Polk County Board of Supervisors ordains as follows:

1. The Amended Polk County Shoreland Protection Zoning Ordinance and zoning maps, attached hereto and incorporated herein, are enacted.
2. Pursuant to Wisconsin Statute Section 59.592(5), the provisions of the Amended Polk County Shoreland Protection Zoning Ordinance shall supersede the shoreland related provisions of Ordinance 38-19 Polk County Shoreland Protection Zoning Ordinance.

- 34 3. The Polk County Zoning Administrator is directed to forward the Amended Polk
35 County Shoreland Protection Zoning Ordinance to the Wisconsin Department of
36 Natural Resources.
- 37 4. Pursuant to Wisconsin Statute Sections 59.14(1) and 985.01(5), the County Clerk
38 is directed to cause to be published the ordinance enacted herein.
- 39 5. The Amended Polk County Shoreland Protection Zoning Ordinance shall be
40 effective upon passage and publication.

BY: _____

Brad Olson, Supervisor, District #1

Doug Route, Supervisor, District #2

Dean Johansen, Chair,
Supervisor, District #3,

Chris Nelson, Supervisor, District #4

Tracy LaBlanc, Supervisor, District #5

Brian Masters, Supervisor, District #6

Michael Prichard, Supervisor, District #7

James Edgell, Supervisor, District #8

Kim O'Connell, Supervisor, District #9

Larry Jepsen, Supervisor, District #10

Jay Luke, 1st Vice Chair,
Supervisor, District #11

Michael Larsen, Supervisor, District #12

Russell Arcand, Supervisor, District #13

John Bonneprise, 2nd Vice Chair,
Supervisor, District #14

Joe Demulling, Supervisor, District #15

County Administrator's Note:



Vince Netherland
County Administrator

Fiscal Impact Note: No fiscal impact



Maggie Wickre, Finance Director

Approved as to Form and Execution:



Malia T. Malone, Corporation Counsel

Legal Impact Note:

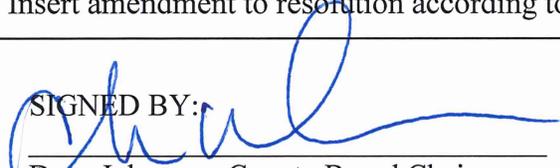
Excerpt of Minutes

41 At its regular business meeting on the 21st of April 2020, the Polk County Board of
42 Supervisors acted upon **Ordinance No. 08-20: Ordinance To Enact Amended Polk**
43 **County Shoreland Protection Zoning Ordinance.**

44 _____
45 _____

- Adopted by a majority of the members present by a vote of _____ in favor and _____ against.
- Adopted by unanimous voice vote.
- Adopted as amended. See Below.
- Defeated
- Other: _____

Insert amendment to resolution according to minutes:

SIGNED BY: 
Dean Johansen, County Board Chairperson
Chris Nelson

ATTEST: 
Lisa Ross, County Clerk

Executive Summary

The 2015-2016 comprehensive rewrite of the zoning ordinances initiated the concept of putting general zoning districts within the shoreland area. This concept does not remove any of the protective shoreland regulations, but instead will make the shoreland regulations an overlay on one of the general zoning districts like Residential, Agricultural, or Commercial. This amendment will not affect the minimum lot sizes. The County provided the towns with a copy of the proposed zoning maps and allowed them to provide comments through this process. A public hearing was held on the proposed changes and the residents strongly supported a 300 foot buffer around class one water bodies, which was included in the proposed maps. The County Board adopted Resolution 03-20 extending the moratorium on Swine CAFO's, and prohibiting them within the shoreland area. This amended shoreland ordinance includes text that prohibits swine farming operations with 1000 animal units or more within the shoreland areas. The zoning office takes no position on the proposed amendment because it is a policy decision.

