

RESOLUTION 21-09

Approval of Town of St. Croix Falls Zoning Ordinance Amendments

WHEREAS, the Town of St. Croix Falls administers their own Zoning Ordinance; and

WHEREAS, paragraph 3 of Wisconsin Statute Chapter 60.62 relating to town zoning authority, if exercising village powers, reads: "In counties having a county zoning ordinance, no zoning ordinance or amendment of a zoning ordinance may be adopted under this section unless approved by the county board;" and

WHEREAS, the Town Board of the Town of St. Croix Falls has approved the attached amendments to their Town Zoning Ordinance on February 18, 2009; and

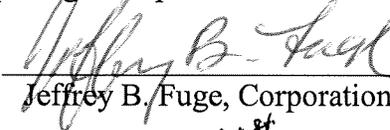
WHEREAS, the Polk County Board of Supervisors must also approve of the Ordinance Amendments.

NOW, THEREFORE, BE IT RESOLVED, that the Polk County Board of Supervisors hereby approves the attached Zoning Ordinance Amendments for the Town of St. Croix Falls.

Funding Amount: \$0.00.

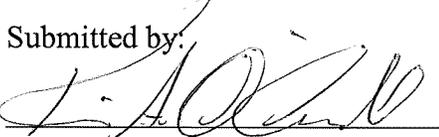
Date Finance Committee Advised: N/A.

Effective Date: Upon passage and publication.

Approved as to form: 
Jeffrey B. Fuge, Corporation Counsel

Date Submitted to County Board: April ²⁷~~7~~, 2009

County Board Action: Adopted

Submitted by: 

TOWN
Of
ST. CROIX FALLS

Polk County, Wisconsin

Resolution 09-08

A RESOLUTION ADOPTING ORDINANCE 09-01,
AMENDING ZONING ORDINANCE No. 1, CHAPTER III,
SECTION C, COMMERCIAL DISTRICT

WHEREAS the Town Board for the Town of St. Croix Falls has village powers under Section 60.10(2)(c), Stats., that grants police powers as set forth in Section 61.34(1), Stats., to act for the good order of the Town, for its commercial benefit and for the health, safety, and welfare of the public; and

WHEREAS the Town of St. Croix Falls adopted Zoning Ordinance No. 1 on August 5, 1965, amended in its entirety on May 12, 1994 and subsequent amendments including the amendment on March 20, 2001 and January 16, 2008; and

WHEREAS the Town Board of the Town of St. Croix Falls deems it advisable and necessary to amend Chapter III, Section C.3 Commercial district, a, d, i, and the addition of m to the Zoning Ordinance No. 1; and

WHEREAS the Town Board of the Town of St. Croix Falls held the first reading of the proposed Chapter III, Section C.3 Commercial District amendments on November 19 and December 17, 2008; and

WHEREAS the Town Board of the Town of St. Croix Falls approved Resolution 09-01 adopting the Ordinance 09-01 amending Zoning Ordinance No. 1, Chapter III, Section C.3 Commercial District, a, d(3)(a)&(c) and i on January 21, 2009; and

WHEREAS Ordinance 09-01 adopted by Resolution 09-01 on January 21, 2009, was missing some of the amendments that were read in the first and second readings.

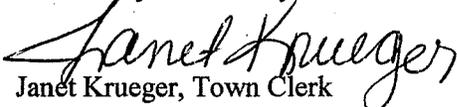
THEREFORE BE IT RESOLVED that the Town Board of the Town of St. Croix Falls does approve the amended Ordinance 09-01 amending Zoning Ordinance No. 1, Chapter III, Section C.3 Commercial District, a, d, i, & the addition of m; and

BE IT FURTHER RESOLVED that the Town Board of the Town of St. Croix Falls hereby petitions the Polk County Board of Supervisors to concur and ratify the amendment; and

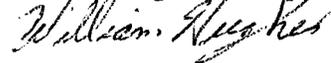
BE IT FURTHER RESOLVED that this ordinance becomes effective upon passage and publication of this enabling resolution.

Dated this 18th day of February 2009

Attest: Janet Krueger, Town Clerk



William Hughes, Chairperson



Approved by:

Voice Vote
 Roll Call Vote:
5 Yeas; 0 Nays; ___ Absent/Abstain

TOWN
Of
ST. CROIX FALLS
Polk County, Wisconsin

AMENDING ZONING ORDINANCE No. 1 ENTITLED "TOWN ZONING ORDINANCE"
Amended ORDINANCE 09-01

Section 1: Purpose

The purpose of this ordinance is to amend Chapter III General Zoning, Section C.3 Commercial District, a, to read as follows:

All new commercial development and commercial development involving a structural alteration, addition, or repair to a structure that exceeds fifty (50%) percent of the equalized assessed value of the structure over the lifetime of the structure and those that include a significant change of use, **except when the change of use is in an existing structure**, shall be subject to the Town Commercial Design Guidelines including site plan review and shall not be allowed unless approved by the Plan Commission and by the Town Board.

And amend Chapter III General Zoning, Section C.3 Commercial District, d. Lot Size, Yard and Building Requirements in its entirety to read as follows:

- (1) A minimum lot frontage of one hundred fifty (150) feet.**
- (2) A minimum lot area of one (1) acre.**
- (3) Front Yard.**
 - (a) The minimum front yard distance from the building or structure to the front lot line shall be according to the setback required by Chapter IV for the class of roadway it abuts.**
 - (b) The setback requirement for lots abutting a Class B Highway shall also be required within five hundred (500) feet of the intersection of a Class B Highway and any other Highway. The five hundred (500) feet shall be measured along the right-of-way of any Highway that intersects a Class B Highway.**
 - (c) Any lot abutting an Officially Mapped road shall have a setback of a Class D Highway according to Chapter IV of the Town Zoning Ordinance. This requirement is effective once the road is constructed.**
- (4) Side Yard.**
 - (a) Minimum of twenty (20) feet.**
 - (b) If buildings or abutting lots are not constructed with a common wall or with walls contiguous to one another, a side yard is required, an alternative access to the rear yard must be provided.**
 - (c) There shall be a side yard of not less than fifty (50) feet along side of any lots in the Commercial District which abuts the side lot line of a lot in a Residential or Transitional District and is not separated therefrom by a street or alley.**
- (5) Rear Yard.**
 - (a) There shall be a rear yard of not less than twenty (20) feet in depth.**
 - (b) There shall be a rear yard of not less than twenty-five (25) feet on any lot in the Commercial District which abuts the lot line of a Residential District.**
- (6) Every part of a required yard shall be open to the sky unobstructed, except for accessory building in a rear yard.**
- (7) Height. There shall be a maximum building height of thirty-five (35) feet. There shall be a maximum of two and one-half (2 ½) stories.**

And amend Chapter III General Zoning, Section C.3 Commercial District, i. Town Commercial Design Guidelines, to read as follows:

Town Commercial Design guidelines shall be applied to all new commercial development and commercial development involving a structural alteration, addition, or repair to a structure that exceeds fifty (50%) percent of the equalized assessed value of the structure over the lifetime of the structure and those that include a significant change of use, **except when the change of use is in an existing structure.**

And an addition to Chapter III General Zoning, Section C.3 Commercial District, adding m. Financial Guarantee which reads as follows:

m. Financial Guarantee. A cash escrow deposit shall accompany any site plan application. The cash escrow deposit shall cover all cost associated with the site plan review as estimated by the Zoning Administrator. The applicant shall pay the total cost of staff and/or consulting time spent exclusively in producing materials for the applicant's project.

(1) "Materials" shall include, but not limited to, maps, graphs, charts, reports, drawings, etc., and all printing or reproduction of same.

(2) "Staff and/or consulting time" shall include any time spent in researching for, presenting, information, or actual production of material.

(3) The hourly rate for "staff and/or consulting time" shall be established and made available to the applicant by the Zoning Administrator prior to production of any materials.

Section 2: Effective Date

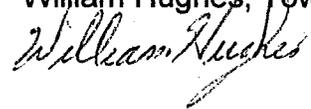
This ordinance shall take effect from and after its passage and legal publication.

Adopted on February 18, 2009, by Resolution 09-08

William Hughes, Town Chair



Attested: Janet Krueger, Town Clerk



Posted at the following locations on February 23, 2009:

Wayne's Café
Lampert's
Town Hall

STATE OF WISCONSIN)
) SS
COUNTY OF POLK)

I, Carole T. Wondra, County Clerk for Polk County, do hereby certify that the attached is a true and correct copy of Resolution No. 21-09 that was adopted by the Polk County Board of Supervisors on April 21, 2009.

Carole T. Wondra
Carole T. Wondra
Polk County Clerk