

RESOLUTION 33-10

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 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; January 16, 2008; February 18, 2009; May 20, 2009; October 21, 2009; and

WHEREAS, the Town Board of the Town of St. Croix Falls deems it advisable and necessary to amend Chapter III; Section C of the Zoning Ordinance No. 1; and

WHEREAS, the Town Board of the Town of St. Croix Falls deems it advisable and necessary to amend Chapter IV; Section E of the Zoning Ordinance No. 1; and

WHEREAS, the Town Board of the Town of St. Croix Falls held the first reading of the proposed amendments to Chapter III on January 20, 2010, and a second reading was held on March 17, 2010; and

WHEREAS, the Town Board of the Town of St. Croix Falls held the first reading of the proposed amendments to Chapter IV on March 17, 2010, and a second reading was held on April 21, 2010; and

WHEREAS, a public hearing was held on March 10, 2010 on the proposed amendments along with amendments that were previously adopted on February 18, 2009 (Resolution 09-08); May 20, 2009 (Resolution 09-13); and October 21, 2009 (Resolution 09-32) which were adopted without holding a public hearing; and

WHEREAS, the Town Board of the Town of St. Croix Falls has approved the attached amendments to their Town Zoning Ordinance on March 25th, 2010 and April 21st, 2010; and

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

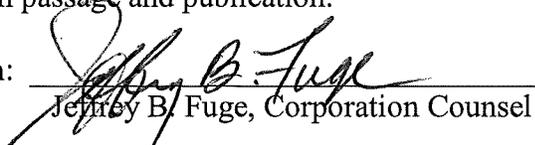
NOW, THEREFORE, BE IT RESOLVED, that the Polk County Board of Supervisors hereby approves the attached Zoning Ordinance Amendments for the Town of St. Croix Falls.

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: May 18th, 2010

County Board Action: adopted

Submitted by the Land Information Committee:

[Signature]
[Signature]
[Signature]
[Signature]

TOWN of
ST. CROIX FALLS

www.townofstcroixfalls.org
POLK COUNTY, WISCONSIN

April 23, 2010

WILLIAM (BILL) HUGHES, CHAIRMAN
ERICK VITALIS, SUPERVISOR
STEVE PALMER, SUPERVISOR
JAMES H. BELSTLE, SUPERVISOR
MARY LYNNE MCALONIE, SUPERVISOR
JANET KRUEGER, CLERK
MAXINE (MAX) SPIESS, TREASURER

Land Information Director
Sarah McCurdy
100 Polk County Plaza Ste 130
Balsam Lake, WI 54810

RE: Items for approval of the County Board

Dear Ms. McCurdy:

The Town Board at their April 21, 2010, Town Board meeting adopted Ordinance 10-03 amending the Town Zoning Ordinance No. 1. Enclosed is a copy of Resolution 10-08 adopting Ordinance 10-03 and a copy of Ordinance 10-03.

Please review and forward to the Board of County Supervisors for approval at their next scheduled County Board meeting.

If you have any questions regarding this letter or the attachments please contact me at 715-483-1851.

Sincerely,



Janet Krueger
Town Clerk

Enclosure:

Resolution 10-08 "Adoption of Ordinance 10-03"
Ordinance 10-03 "Amendments to Zoning Ordinance No. 1"

TOWN
Of
ST. CROIX FALLS

Polk County, Wisconsin

Resolution 10-08

A RESOLUTION ADOPTING ORDINANCE 10-03
AMENDING ZONING ORDINANCE No. 1

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; January 16, 2008; February 18, 2009; May 20, 2009; October 21, 2009; March 17, 2010; and

WHEREAS the Town Board of the Town of St. Croix Falls deems it advisable and necessary to amend Chapter IV; Section E of the Zoning Ordinance No. 1; and

WHEREAS the Town Board of the Town of St. Croix Falls held the first reading of the proposed amendments on March 17, 2010, and a second reading was held on April 21, 2010; and

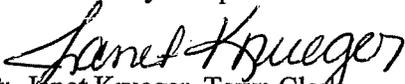
WHEREAS a public hearing was held on March 10, 2010, on the proposed amendments.

THEREFORE BE IT RESOLVED that the Town Board of the Town of St. Croix Falls Polk County, Wisconsin does approve Ordinance 10-03 amending Zoning Ordinance No. 1, Chapter IV, Section E; and

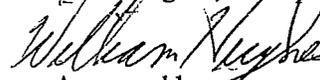
BE IT FURTHER RESOLVED that the Town Board of the Town of St. Croix Falls hereby petitions the Polk County Board of Supervisors to concur and ratify the amendments; and

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

Dated this 21st day of April 2010

Attest: 
Janet Krueger, Town Clerk

William Hughes, Chairperson


Approved by:

__ Voice Vote
x 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 10-03

Section 1: Purpose

The purpose of this ordinance is to amend Chapter IV: Highway Setbacks and Access, Section E. Highway Setback Requirements, with the deletion of e. Access Driveways which read as follows:

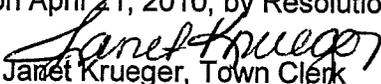
~~a. Access Driveways:~~

- ~~(1) Access driveways to highways from abutting properties shall comply with the following:
 - ~~(a) Class A Highway. No access driveways allowed.~~
 - ~~(b) Class B Highway.
 - ~~[1] There shall be a minimum distance of one thousand two hundred (1200) feet of highway frontage between access driveways for separate land uses.~~
 - ~~[2] No access driveway, not in existence at the effective date of this ordinance, may be closer than one thousand two hundred (1200) feet from the centerline of an intersecting highway.~~
 - ~~[3] It is the intent of this ordinance that Highway 35, from the South town boundary to Centuria, and Highway 8 be developed as limited access highways.
 - ~~[a] The Wisconsin Department of Transportation has designated most of Highway 8 and 35 as part of their "Access Management Plan."~~
 - ~~[b] All access rights to Highway 8, between highway 35 South and 35 North have been purchased by the WIDOT. No additional accesses will be granted to this segment of highway without DOT approval.~~
 - ~~[c] Any future development of land adjacent to a Class B Highway will require access to the Class B Highway by a system of frontage and back roads linked to town roads, existing driveways and driveways meeting standards of [1] and [2] above.~~~~~~
 - ~~(c) Class C & D Highways. A minimum of two hundred (200) feet spacing between access driveways, adjoining driveways permitted to accomplish same. A minimum distance to two hundred (200) feet spacing between access driveways and the centerline of an intersecting highway.~~~~
- ~~(2) Where there are two (2) or more lots in less than six hundred (600) feet of frontage on a Class B highway, a service road of not less than fifty (50) feet of right of way shall be provided across the entire frontage of each lot unless a temporary access permit has been granted with the approval of the agency having jurisdiction over the highway.~~
- ~~(3) The maximum number and width of access driveways to highways and service roads shall be as follows:
 - ~~(a) Commercial and Industrial Land Use Driveways. Maximum of two (2) access driveways with a maximum of fifty (50) foot width.~~
 - ~~(b) Other Land Use Driveways. A Maximum of one (1) access driveway with a maximum of twenty four (24) feet of width.~~~~
- ~~(4) Where crossovers in median strips have been provided, access driveways shall be directly opposite these crossovers.~~
- ~~(5) In addition to the above standards, a permit E-M 404 M68 or its subsequent revision must be filed with the Wisconsin Department of Transportation for access to all State highways. Approval must be given by the above agency before the town will consider and give approval to the applicants requested.~~

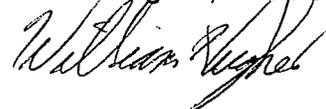
Section 2: Effective Date

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

Adopted on April 21, 2010, by Resolution 10-08

Attested: 
Janet Krueger, Town Clerk
Posted at the following locations on April 23, 2010:
Wayne's Café
Lampert's
Town Hall

William Hughes, Town Chair



TOWN of
ST. CROIX FALLS

www.townofstcroixfalls.org
POLK COUNTY, WISCONSIN

March 25, 2010

WILLIAM (BILL) HUGHES, CHAIRMAN
ERICK VITALIS, SUPERVISOR
STEVE PALMER, SUPERVISOR
JAMES H. BEISTLE, SUPERVISOR
MARY LYNN MCALONIE, SUPERVISOR
JANET KRUEGER, CLERK
MAXINE (MAX) SPIESS, TREASURER

Land Information Director
Sarah McCurdy
100 Polk County Plaza Ste 130
Balsam Lake, WI 54810

RE: Town zoning amendments for approval of the County Board

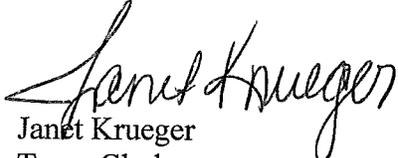
Dear Ms. McCurdy:

The Town Board at their March 25, 2010, Town Board meeting adopted Ordinance 09-01; Ordinance 09-04; Ordinance 09-06; and Ordinance 10-01 amending the Town Zoning Ordinance No. 1. Enclosed is a copy of Resolution 10-05 adopting Ordinance 09-01; Ordinance 09-04; Ordinance 09-06; and Ordinance 10-01 along with copies of the ordinances.

Please review and forward to the Board of County Supervisors for approval at their next scheduled County Board meeting. Please send verification of the County Board Supervisors approval to the Town Hall at 1305 200th Street, St. Croix Falls, Wisconsin, 54024.

If you have any questions regarding this letter or the attachments please contact me at 715-483-1851.

Sincerely,



Janet Krueger
Town Clerk

Enclosure:

Resolution 10-05 "Adoption of Ord 09-01; Ord 09-04; Ord 09-06 & Ord 10-01"
Ordinance 09-01 "Amendments to Zoning Ordinance No. 1"
Ordinance 09-04 "Amendments to Zoning Ordinance No. 1"
Ordinance 09-06 "Amendments to Zoning Ordinance No. 1"
Ordinance 10-01 "Amendments to Zoning Ordinance No. 1"

TOWN
Of
ST. CROIX FALLS

Polk County, Wisconsin

Resolution 10-05

A RESOLUTION ADOPTING ORDINANCE 09-01; ORDINANCE 09-04; ORDINANCE 09-06; AND ORDINANCE 10-01, AMENDING ZONING ORDINANCE No. 1

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; January 16, 2008; February 18, 2009; May 20, 2009; October 21, 2009; and

WHEREAS the Town Board of the Town of St. Croix Falls deems it advisable and necessary to amend Chapter III; Section C of the Zoning Ordinance No. 1; and

WHEREAS the Town Board of the Town of St. Croix Falls held the first reading of the proposed amendments on January 20, 2010, and a second reading was held on March 17, 2010; and

WHEREAS a public hearing was held on March 10, 2010, on the proposed amendments along with amendments that were previously adopted on February 18, 2009 (Resolution 09-08); May 20, 2009 (Resolution 09-13); and October 21, 2009 (Resolution 09-32) which were adopted without holding a public hearing.

THEREFORE BE IT RESOLVED that the Town Board of the Town of St. Croix Falls does approve Ordinance 10-01 amending Zoning Ordinance No. 1, Chapter III, Section C; and

BE IT FURTHER RESOLVED that the Town Board adopts the amendments of Ordinance 09-01, Ordinance 09-04, and Ordinance 09-06; and

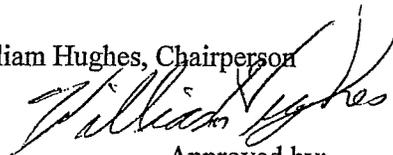
BE IT FURTHER RESOLVED that the Town Board of the Town of St. Croix Falls hereby petitions the Polk County Board of Supervisors to concur and ratify the amendments; and

BE IT FURTHER RESOLVED that these ordinances (Ordinance 09-01, Ordinance 09-04, Ordinance 09-06, and Ordinance 10-01) become effective upon passage and publication of this enabling resolution.

Dated this 17th day of March 2010

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
Readopted on March , 2010, by Resolution 10-05

/s/William Hughes, Town Chair

Attested: /s/Janet Krueger, Town Clerk

Posted at the following locations on February 23, 2009:

Wayne's Café
Lampert's
Town Hall

TOWN
Of
ST. CROIX FALLS
Polk County, Wisconsin

**AMENDING ZONING ORDINANCE No. 1 ENTITLED "TOWN ZONING ORDINANCE"
ORDINANCE 09-04**

Section 1: Purpose

The purpose of this ordinance is to amend Chapter II Definitions by adding the following two definitions:
Animal Unit. A unit of measure used to determine the total number of single animal types or combination of animal types, as determined in Wisconsin DNR NR 243.05

Kennel. Any person who owns, harbors, or keeps more than five (5) dogs is presumed to be operating a kennel. A dog is any canine more than five (5) months of age.

And delete the following sentence in the definition of fence:

Fence. Adequate fencing shall be determined by its use for:

Screening: Shall be solid six (6) feet or more in height.

Swimming Pool: ~~Shall be five (5) feet or greater in height, with no opening greater than four (4) inches.~~

And amend Chapter III General Zoning, Sections C Districts, 1 Residential District, a(3) by deleting existing language and rewording to read as follows:

~~(3) Lodging, bed and breakfast or boarding house restricted to not over five (5) boarders or lodgers not members of the resident family.~~

(3) Renting a single family dwelling to a single family unit, provided there is a lease agreement of a minimum of one (1) month in length.

And amend Chapter III General Zoning, Section C Districts, 1 Residential District, a(7) to read as follows:

~~(7) Swimming pools, above or below ground. With proper fencing.~~

And amend Chapter III General Zoning, Section C Districts, 1 Residential District, d((1) to read as follows:

~~(1) No building shall be more than two and one half (2 ½) stories or thirty five (35) feet in height, whichever is greater. With height measurements commencing at the grade level of the highest existing topography.~~

And amend Chapter III General Zoning, Section C Districts, 1 Residential District, g with the addition of a new (#3) to read as follows and renumber existing 3 to #4 and so on:

(3) Renting any property, or portion of any property, as transient lodging. In this section, transient means any person residing for a continuous period of less than one month in a hotel, motel or other furnished accommodations available to the public. Hotel and motel are defined in WI State Statute 77.52(2)(a)1 effective April 20, 2009.

And amend Chapter III General Zoning, Section C Districts, 1 Residential, g by deleting:

~~(4) Non household pet, including farm animals.~~

And amend Chapter III General Zoning, Section C Districts, 2 Agriculture District, b(2) by deleting existing language and reword to read as follows:

~~(2) Hereafter, every dwelling erected in the town shall provide not less than one thousand, one hundred and twenty (1,120) square feet of living space. And a minimum width of said home shall be twenty six (26) feet. The square footage to be measured using the area of the first floor and all additional floors, the basement can be included if it has an entrance directly accessible to the outside, and at least one (1) window that is not over four (4) feet above the basement floor.~~

(2) No building shall be more than thirty-five (35) feet in height or two and a half (2 ½) stories, whichever is greater.

And amend Chapter III General Zoning, Section C Districts, 2 Agriculture District, c Permitted Uses, to read as follows:

c. Permitted Uses. The Agricultural District shall include permitted uses as follows, ***except that a minimum lot size of five (5) acres is required for any permitted use involving the raising or maintaining of farm animals.***

And amend Chapter III General Zoning, Section C Districts, 2 Agriculture District, c(7) to read as follows:

(7) Poultry raising involving fewer than five thousand ~~ten thousand (10,000)~~ ***(5,000) birds or one (1) animal unit per acre, whichever is less.***

And amend Chapter III General Zoning, Section C Districts, 2 Agriculture District, c(18) and (19) by combining the two to read as follows and renumbering 20 to 19 and so on:

(18) One (1) residence occupied by one (1) or more persons, or families, earning a substantial livelihood from the farm operation, ~~provided that not more than two (2) such dwelling units may be established,~~ ***except that existing dwellings and related structures, which remain after farm consolidation, on a minimum of five (5) acres are permitted.***

~~(19) Farm dwellings and related structures, which remain after farm consolidation, on a minimum of five (5) acres.~~

And amend Chapter III General Zoning, Section C Districts, 2 Agriculture District, c(21) to read as follows:

(21) Swimming pools, above or below ground. ~~With proper fencing.~~

And amend Chapter III General Zoning, Section C Districts, 2 Agriculture District, d(1),(2),(3) and (6) to read as follows:

(1) Combined dairying, livestock raising, and/or feedlot operations in excess of four hundred (400) animal units. ~~as defined by the Wisconsin Department of Natural Resources NR243.11 of the Wisconsin Administrative Code, effective March 1, 1984.~~

(2) Feedlots in excess of one hundred (100) animal ***units, or*** when the feedlot is within five hundred (500) feet, ~~and~~ or drains toward a navigable water body, or within fifteen hundred (1,500) feet of a residence of someone other than the feedlot owner.

(3) Poultry raising in excess of ~~ten thousand (10,000)~~ ***five thousand (5,000) birds.***

(6) Kennels. ~~(as in 5.f.(5) of this section.)~~

And the addition to Chapter III General Zoning, Section C Districts, 2 Agriculture District, d to read as follows:

(16) Other uses that are similar in use to the permitted uses or largely agricultural in nature.

And rescind Chapter III General Zoning, Section C Districts, 4 Industrial District in its entirety:

4. INDUSTRIAL DISTRICT.

The Industrial District is created to provide a means for the location of industrial uses. Residential and institutional uses which would not be compatible with the permitted industrial uses and which would impede the development of industrially zoned lands for industrial purposes are prohibited.

The purpose of this district is to provide for manufacturing and industrial operations which on the basis of actual physical and operational characteristics would not be detrimental to surrounding areas by reason of smoke, noise, dust, odor, traffic, physical appearance, air, water or thermal pollution or any other environmental degradation. Industries requiring outdoor storage of raw materials and/or finished products will be required to provide fencing and screening. Building and land in the industrial district may not be used for religious, educational, charitable and medical institutions and places of dwelling or lodging whether on a permanent or transient basis except there may be a dwelling for a watchman or caretaker employed on the premises and members of his family, or uses contrary to the laws of the State of Wisconsin or ordinances adopted by the County of Polk, Town of St. Croix Falls, Wisconsin.

a. Permitted Uses.

(1) Any use in the Industrial District shall only be allowed as a special exception if approved by the Plan Commission and the Town Board.

b. Lot Size, Height and Yard Requirements.

(1) The minimum lot size shall be one (1) acre and one hundred fifty (150) feet wide.

- (2) No building shall be more than two and a half (2 ½) stories or thirty five (35) feet high, with height measurements commencing at grade level of the natural topography.
 - (3) The side yard, for buildings or parts of buildings erected, moved or structurally altered for industrial use, measured from the building or structure to the lot line, shall be not less than twenty (20) feet, except:
 - (a) If building on adjoining lots are constructed with a common wall or with walls contiguous to one another, no side yard is required, provided that an alternative access to the back yard is provided.
 - (b) There should be a side yard of not less than fifty (50) feet along the side of any lot in the industrial district which abuts the side lot line of a lot in a residential district and is not separated there by a street or an alley.
 - (4) 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 class of roadway it abuts.
 - (5) The minimum rear yard distance from the building or structure to the lot line shall be twenty (20) feet. It shall not be less than fifty (50) feet in depth if:
 - (a) Such rear yard abuts a residential or commercial district and such district boundary line does not lie within a street, alley or railroad right-of-way or;
 - (b) Such rear yard is to be used for open storage and will contain stockpiles, storage piles or water; an equipment storage yard, or other accumulations of material or equipment.
 - (6) Any property line abutting a residential or commercial district must be suitably fenced and screened.
 - (7) Minimum screening is a planting belt not less than fifteen (15) feet wide and not less than six (6) feet high.
- c. Other Requirements.
- (0) Set back lines from a Class A or Class B highway, in an Industrial District shall be one hundred (100) feet from the right-of-way or one hundred fifty (150) feet from the centerline, whichever is greater.
 - (1) Set back lines from the Class C, Class D or Class E highway, in an Industrial District, shall be fifty (50) feet from the right-of-way or eighty (80) feet from the centerline, whichever is greater.
 - (2) Industrial uses shall provide at least one parking space for each two employees on the premises at any one time, plus at least one additional space for each vehicle operated in connection with such use for which parking on the premise is required.
 - (3) Provision for parking, for employees, business invitees and the loading and unloading of delivery trucks, must be off-street, in graded and drained lots, on the premises, or abutting the premises, with no more than two (2) driveways accessing the public road so that no vehicle will normally be required to back onto the highway.
- d. Special Exceptions.
- (a) In reviewing a special exception application, the Plan Commission and the Town Board shall consider the effect of the proposed use upon the health, safety, morals, convenience and general welfare of the occupants of the surrounding lands, existing and anticipated traffic conditions, including parking needs, the effect on utility capacities, the effect on property values and scenic views in the surrounding area, drainage, erosion control, environmental effects and how the proposed use relates to any adopted County or Town Comprehensive Plan. The Plan Commission and the Town Board will give special attention to such factors as smoke, dust, noxious or toxic gases and odors, noise, glare, vibration, heavy vehicular traffic and increased traffic on the public streets. If it determines that the proposed use is not detrimental to the above factors and can comply with the above factors, and that the use is in harmony with the general purpose and intent of this ordinance and any comprehensive plan, the Plan Commission and the Town Board may grant such special exception permit.
 - (b) If the Plan Commission and the Town Board grants the special exception permit, it may impose conditions which are considered necessary to protect the public health, safety and welfare and such conditions may include a time limit for the use to exist or operate.
 - (c) Any construction or land disturbance activities on slopes of twenty (20%) percent or with the horizontal interval or measurement being twenty-five (25) feet when calculating slope, except conservation practices identified in a currently approved soil and water conservation plan, shall require a special exception permit granted by the Plan Commission.
 - (d) Application Requirements. In a case of any industrial application a site plan and facility plan shall be submitted for each new request. Significant changes to any existing industrial use will require Plan Commission and Town Board review as a special exception and will require site plans and facility plans as part of the application.
 - (e) Supplemental design and improvement standards for industrial special exception exceptions:

- [1] Minimum road rights-of-way shall be eighty (80) feet unless the right-of-way preexists adoption of this ordinance. In this case, the Plan Commission and the Town Board in its discretion may authorize a reduced minimum right-of-way based on the criteria listed in (j) below.
- [2] Minimum pavement width shall be twenty-four (24) feet.
- [3] Minimum turn radiuses shall be sufficient to handle the size of vehicles likely to use the site.
- [4] All utilities including electric, cable television, telephone, gas, water and storm and sanitary sewers, except electric power lines exceeding 1200 volts shall be underground.
- [5] Special exception use reviews shall include specification of planting and landscape areas. In design, every effort should be made to protect and retain existing trees, shrubbery and grasses not actually located in right-of-way drainageways, vision triangles, and the like. Trees should be protected and preserved during construction. Planting shall be required in road setback areas and in side and rear yard offset areas, particularly where the development is immediately adjacent to a residential area. A minimum of at least fifteen (15%) percent of the area within the property lines of each lot shall be devoted to landscape purposes.
- [6] Any industrial lot that abuts or is across from a residential area shall have perimeter landscape screening that will substantially screen parking areas and headlights from vehicles.
- [7] The Plan Commission and the Town Board may require deed restrictions for architectural control and appearance consistent with guidelines established by the local community.
- [8] All roads, walks, driveways, parking lots and loading areas shall be paved. Roads shall be paved meeting a pavement design approved by the Town Board.
- [9] The Plan Commission and the Town Board may require cross easements where industrial lots are side-by-side to allow linking of parking lots.
- [10] Road standards for industrial development may be increased by the Plan Commission and the Town Board. An increase of these will be on relevant information such as town plan, driveway widths, speed limits, number and types of vehicles using the road, parking availability sound engineering judgment, and any other pertinent information. The Town Board shall review road plans and submit comments.

And amend Chapter III General Zoning, Section C Districts, 4 Industrial District to read as follows:

4. INDUSTRIAL DISTRICT.

The Industrial District is created to provide a means for the location of industrial uses. Residential and institutional uses which would not be compatible with the permitted industrial uses and which would impede the development of industrially zoned lands for industrial purposes are prohibited.

The purpose of this district is to provide for manufacturing and industrial operations which on the basis of actual physical and operational characteristics would not be detrimental to surrounding areas or create public or private nuisance by reason of smoke, noise, dust, odor, traffic, physical appearance, air, water or thermal pollution or any other environmental degradation.

All new industrial development including additions is subject to site plan review and shall not be allowed unless approved by the Plan Commission and by the Town Board.

Industries requiring outdoor storage of raw materials and/or finished products will be required to provide fencing and screening.

b. Permitted Uses.

- (1) Cabinetry, provided all materials are kept indoors.***
- (2) Commercial greenhouses.***
- (3) Equipment rental.***
- (4) Farm implement, machinery, and services.***
- (5) Health and athletic clubs, including such uses as tennis, racquetball, basketball, swimming, running tracks and exercise rooms.***
- (6) Mini storage. A series of bays, no wider than 20 feet, no longer than 40 feet, connected to each other with common walls and separate overhead doors with no utilities. No commercial or retail uses other than the original lease of space is permitted. The retail sale of storage, packing and moving supplies by the owner/operator of the mini storage facility is permitted in the facility office area.***
- (7) Municipal buildings.***

b. Special Exceptions.

- (1) *Automotive maintenance and mechanical repair facility, excluding collision repair.*
- (2) *Building material sales and storage.*
- (3) *Building contractor's offices such as plumbing, heating, glazing, painting, paper hanging, roofing, ventilation, air conditioning, masonry, electrical, and refrigeration. On-site storage for contractor's offices for the related uses is allowable.*
- (4) *Boat sales, boat repair and boat canvas businesses, provided there is no boat storage, other than boats awaiting repair and boats for sale, on site. All boats shall be screened as to not be visible from adjacent lots.*
- (5) *Cement manufacture; cement or concrete mixing plants.*
- (6) *Feed mills and dairy plants.*
- (7) *Lawn implement and accessories business.*
- (8) *Manufacture, fabrication, packing and packaging and assembly of products from furs, glass, leather (but not tanning of hides or manufacture of leather), metals, paper (but not the manufacture of paper or pulp), plaster, plastic (but not the manufacture of plastic), textiles and wood (but not the manufacture of paper or pulp). On-site storage of production equipment, materials and trucks and trailers is permissible when such uses are a direct support to the principal use of the site for the manufacturing, compounding, processing, packaging and/or assembly of products and materials; such equipment may only be stored on-site if actively being used.*
- (9) *Manufacture, fabrication, processing, packaging and packing of confections, cosmetics, electrical appliances, electronic devices, food (except meat and meat products, fish and fish products, cabbage products or the vining of peas). On-site storage of production equipment, materials and trucks and trailers is permissible when such uses are a direct support to the principal use of the site for the manufacturing, compounding, processing, packaging and/or assembly of products and materials; such equipment may only be stored on-site if actively being used.*
- (10) *Manufacture of furniture, home supplies and appliances, instruments, jewelry, office supplies, pharmaceuticals, sporting goods, and toiletries. On-site storage of production equipment, materials and trucks and trailers is permissible when such uses are a direct support to the principal use of the site for the manufacturing, compounding, processing, packaging and/or assembly of products and materials; such equipment may only be stored on-site if actively being used.*
- (11) *Non-metallic mining.*
- (12) *Printing and publishing houses and related activities.*
- (13) *Rescue and towing service, excluding salvage yards, and providing that no vehicle shall remain on the premises in excess of 90 days. The number of vehicles is subject to the Special Exception. All vehicles shall be screened as to not be visible from adjacent lots.*
- (14) *Sale of new utility, recreational, camper and agricultural trailers and pick-up truck accessories to accommodate 5th wheels.*
- (15) *School bus garage facilities.*
- (16) *Scientific research, investigation, nonhazardous testing or experimentation*
- (17) *Warehousing of perishable or nonperishable products, provided that the products are owned by or consigned to the owner of the principal use or a lessee, and further provided that said owner or lessee does not establish such principal use in the capacity of a carrier for the purpose of a freight operation or terminal for trucking operations.*
- (18) *Welding shops.*
- (19) *Machine shops.*
- (20) *Other uses similar in character to the permitted uses, giving due consideration to such items as smoke, noise, dust, noxious or toxic gases and odor, traffic and parking, safety, hours and type of operation, glare, physical appearance, air, water or thermal pollution or any other environmental degradation.*

c. Special Exception Review Procedures

In reviewing a special exception application, the Plan Commission and the Town Board shall consider the effect of the proposed use upon the health, safety, morals, convenience and general welfare of the occupants of the surrounding lands, existing and anticipated traffic conditions, including parking needs, the effect on utility capacities, the effect on property values and scenic views in the surrounding area, drainage, erosion control, environmental effects and how the proposed use relates to any adopted County or Town Comprehensive Plan. The Plan Commission and the Town

Board will give special attention to such factors as smoke, noise, dust, noxious or toxic gases and odor, traffic and parking, safety, hours and type of operation, glare, physical appearance, air, water or thermal pollution or any other environmental degradation. If it determines that the proposed use is not detrimental to the above factors and can comply with the above factors, and that the use is in harmony with the general purpose and intent of this ordinance and any comprehensive plan, the Plan Commission and the Town Board may grant such special exception permit.

- (a) If the Plan Commission and the Town Board grants the special exception permit, it may impose conditions which are considered necessary to protect the public health, safety and welfare and such conditions may include a time limit for the use to exist or operate.*
- (b) Any construction or land disturbance activities on slopes of twenty (20%) percent or with the horizontal interval or measurement being twenty-five (25) feet when calculating slope, except conservation practices identified in a currently approved soil and water conservation plan, shall require a special exception permit granted by the Plan Commission.*
- (c) Application Requirements. In a case of any industrial application a site plan and facility plan shall be submitted for each new request. Significant changes to any existing industrial use, other than a permitted use, will require Plan Commission and Town Board review as a special exception and will require site plans and facility plans as part of the application.*
- (d) Supplemental design and improvement standards for industrial special exceptions:
 - [1] Minimum road rights-of-way shall be eighty (80) feet unless the right-of-way preexists adoption of this ordinance. In this case, the Plan Commission and the Town Board in its discretion may authorize a reduced minimum right-of-way based on the criteria listed in [10] below.*
 - [2] Minimum pavement width shall be twenty-four (24) feet.*
 - [3] Minimum turn radiuses shall be sufficient to handle the size of vehicles likely to use the site.*
 - [4] All utilities including electric, cable television, telephone, gas, water and storm and sanitary sewers, except electric power lines exceeding 1200 volts shall be underground.*
 - [5] Special exception use reviews shall include specification of planting and landscape areas. In design, every effort should be made to protect and retain existing trees, shrubbery and grasses not actually located in right-of-way drainageways, vision triangles, and the like. Trees should be protected and preserved during construction. Planting shall be required in road setback areas and in side and rear yard offset areas, particularly where the development is immediately adjacent to a residential area. A minimum of at least fifteen (15%) percent of the area within the property lines of each lot shall be devoted to landscape purposes.*
 - [6] Any industrial lot that abuts or is across from a residential area shall have perimeter landscape screening that will substantially screen parking areas and headlights from vehicles.*
 - [7] The Plan Commission and the Town Board may require deed restrictions for architectural control and appearance consistent with guidelines established by the local community.*
 - [8] All roads, walks, driveways, parking lots and loading areas shall be paved. Roads shall be paved meeting a pavement design approved by the Town Board.*
 - [9] The Plan Commission and the Town Board may require cross easements where industrial lots are side-by-side to allow linking of parking lots.*
 - [10] Road standards for industrial development may be increased by the Plan Commission and the Town Board. An increase of these will be on relevant information such as town plan, driveway widths, speed limits, number and types of vehicles using the road, parking availability sound engineering judgment, and any other pertinent information. The Town Board shall review road plans and submit comments.**

d. Lot Size, Height and Yard Requirements.

- (2) The minimum lot size shall be one and a half (1 ½) acres and one hundred fifty (150) feet of road frontage.*
- (3) No building shall be more than two and a half (2 ½) stories or thirty five (35) feet high, whichever is greater.*
- (4) The side yard, for buildings or parts of buildings erected, moved or structurally altered for industrial use, measured from the building or structure to the lot line, shall be not less than twenty (20) feet, except:
 - (a) If buildings on adjoining lots are constructed with a common wall or with walls contiguous to one another, no side yard is required, provided that an alternative access to the back yard is provided.**

(1) Meet with the Town Zoning Administrator to review for verified compliance with ordinances, Town Commercial Design Guidelines, and any applicable regulations from both State and County agencies.

And amend Chapter III General Zoning, Section C Districts, 5 Transitional District, a Permitted Uses to read as follows:

(1) Any permitted use in the Agricultural District, ***except that a minimum lot size of five (5) acres is required to raise or maintain farm animals, and the maximum number of farm animals allowed are one (1) animal unit, per contiguous acre of grazing and feed production.***

~~(2) Raising or maintaining farm animals on a parcel of five (5) acres or larger in size.~~

~~(3) (2) Single-family residence.~~

~~(4) (3) Swimming pools, above or below ground, with proper fencing and screening or four (4) feet of chain-link fence with shrubbery screening, or a five (5) foot solid fence.~~

~~(5) (4) Minor Home Occupations pursuant to Section D. of this Chapter.~~

And amend Chapter III General Zoning, Section C Districts, 5 Transitional District, b. to read as follows: Minimum Lot Area. The following provisions shall apply to residential ***transitional*** parcels.

And amend Chapter III General Zoning, Section C Districts, 5 Transitional District, c Height and Area to read as follows:

Height and Area. The following provisions shall apply to buildings used for human habitation:

(1) No building shall be more than two and a half (2 ½) stories or thirty-five (35) feet in height, whichever is greater. ~~with the height measurements commencing at the highest level of natural topography.~~

~~(2) No residence shall be constructed with less than eight hundred (800) square feet of living space.~~

And amend Chapter III General Zoning, Section C Districts, 5 Transitional District, f(5) to read as follows:

~~(5) Kennels. when located not less than three hundred (300) feet from any lot line shared with premises devoted to residential use, nor closer than one thousand (1,000) feet from any residential building other than that of the owner of the kennel, his agent or employee.~~

And amend Chapter III General Zoning, Section C Districts, 5 Transitional District, f with the addition of (13) to read as follows:

(13) Farm animals on parcels less than five (5) acres in size.

And amend Chapter V Sign Regulations and Restrictions, Section B Permits, Applications, Issuance and Denial, Appeals, Indemnification, Insurance Penalties, 7 Penalties, a to read as follows:

a. Any sign erected, altered, moved or structurally modified without a permit or altered with a permit, but in violation with the provisions of this ordinance, shall be removed at the owner's expense or brought into compliance within thirty (30) days of written notification by the Zoning Administrator. If the violation is a failure to obtain a permit, a permit fee shall be required and ~~the permit fee shall be five (5) times normal~~ ***a penalty will be imposed as required in the Town Schedule of Penalties and Cash Deposits.*** In the event that the owner does not remove or bring into compliance, the Zoning Administrator may order removal, the expenses of which will be assessed to the tax roll of the property on which the non-complying sign is located.

And amend Chapter V Sign Regulations and Restrictions, Section G Signs not requiring a permit, 12 to read as follows:

13. POLITICAL AND CAMPAIGN SIGNS.

Political and campaign signs on behalf of candidates for public office or measures on election ballots provided that signs are subject to the following regulations:

a. ~~Said signs may be erected no earlier than sixty (60) days prior to the election and shall be removed within seven (7) days following said election.~~

b. ~~Each sign, except billboards, shall not exceed sixteen (16) square feet in non-residential zoning districts and eight (8) square feet in residential zoning districts.~~

c. No sign shall be located within fifteen (15) feet of the public right-of-way, nor closer than fifty (50) feet of an intersection, nor over the right-of-way.

d. Political and campaign signs shall not be attached to public signs or utility poles.

And amend Chapter VI Off-Street Parking, Section C Required Off-Street Parking Spaces for Specified

TOWN
Of
ST. CROIX FALLS
Polk County, Wisconsin

**AMENDING ZONING ORDINANCE No. 1 ENTITLED "TOWN ZONING ORDINANCE"
ORDINANCE 09-06**

Section 1: Purpose

The purpose of this ordinance is to amend Chapter III General Zoning, Sections C Districts, 3 Commercial District, e Off-Street Parking (3) by amending as follows:

- (3) ***Paving and striping of*** roads, walk, driveways, parking lots and loading areas shall be paved and striped meeting ***is encouraged but may be required pending*** design approval by the Town Board and in accordance with Chapter VI, Off-Street Parking.

Section 2: Effective Date

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

Adopted on October 21st, 2009, by Resolution 09-32
Readopted on March 17, 2010, by Resolution 10-05

/s/William Hughes, Town Chair

Attested: /s/Janet Krueger, Town Clerk

Posted on November 9, 2009, at the following locations:

Wayne's Café
Lampert's
Town Hall

STATE OF WISCONSIN)
) SS
COUNTY OF POLK)

I, Carole T. Wondra, Clerk for Polk County, do hereby certify that the
attached is a true and correct copy of Resolution No. 33-10 that was adopted
by the Polk County Board of Supervisors on May 18, 2010.

Carole T. Wondra 5-20-10
Carole T. Wondra Date
Polk County Clerk