

RESOLUTION 90-18

Resolution to Approve Zoning Ordinance Amendment for the Town of St Croix Falls

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

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

2  
3 WHEREAS, paragraph 3 of Wisconsin Statute Chapter 60.62 relating to town zoning authority, if exercising  
4 village powers, reads: "In counties having a county zoning ordinance, no zoning ordinance or amendment of a  
5 zoning ordinance may be adopted under this section unless approved by the county board;" and  
6

7 WHEREAS the Town of St. Croix Falls adopted Zoning Ordinance No. 1 on August 5, 1965, amended in its  
8 entirety on May 12, 1994 and subsequent amendments including the amendment on March 20, 2001; January 16,  
9 2008; February 18, 2009; May 20, 2009; October 21, 2009; March 17, 2010; April 21, 2010; August 18, 2010;  
10 March 16, 2011; April 20, 2011; October 19, 2011; November 16, 2011; August 21, 2013; March 18, 2015; April  
11 15, 2015; March 16, 2016; March 15, 2017; November 15, 2017; June 20, 2018; October 17, 2018; and  
12

13 WHEREAS, the Town Board of the Town of St. Croix Falls passed Resolution 18-33 adopting Ordinance 18-  
14 04 amending Zoning Ordinance No. 1 at their October 17, 2018 meeting; and  
15

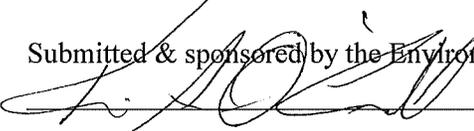
16 WHEREAS, the Town Board of the Town of St. Croix Falls deems it advisable and necessary to  
17 amend Zoning Ordinance No. 1, Chapter I, Administration and Enforcement, Section G to establish when  
18 an applicant can reapply after a denial/revocation of a special exception permit; and amend Chapter III,  
19 General Zoning, Section C.3 with the addition and deletion of permitted uses; and identifying specific  
20 uses that can be applied for as a special exception.  
21

22 WHEREAS, the Polk County Board of Supervisors must also approve any zoning ordinance amendments for  
23 the town; and  
24

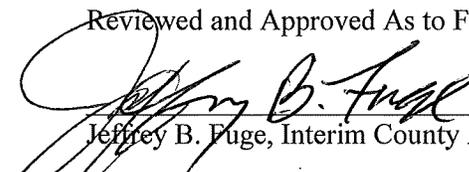
25 NOW, THEREFORE, BE IT RESOLVED, that the Polk County Board of Supervisors hereby approves  
26 Resolution 18-33 adopting Ordinance 18-04 amending Zoning Ordinance No. 1.

Funding Amount & Source: Not applicable  
Finance Committee Recommendation: Not applicable  
Effective Date: Upon Passage & Publication

Submitted & sponsored by the Environmental Services Committee:

  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Reviewed and Approved As to Form:

  
Jeffrey B. Fuge, Interim County Administrator/~~Corporation Counsel~~

At its regular business meeting on December 18, 2018, the Polk County Board of Supervisors adopted the above-entitled resolution, Resolution 90-18: Resolution to approve Zoning Ordinance No. 1 amendment for the Town of St Croix Falls, by a ~~simple majority~~ <sup>unanimous voice</sup> vote of    in favor and    against.

Dated this 18 day of December, 2018 at Polk County Wisconsin.

SIGNED BY:  
  
Dean Johansen, County Board Chairperson

Attest:   
Sharon Jorgenson, Polk County Clerk



*Malia T. Malone*

\_\_\_\_\_  
Malia T. Malone, Corporation Counsel

*Legal Impact Note:* This resolution does not have any legal impact on the County. This resolution approves the zoning changes made by the Town of St. Croix Falls.

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

Insert amendment to resolution according to minutes:



**TOWN**  
Of  
**ST. CROIX FALLS**

Polk County, Wisconsin

**Resolution 18-33**

**A RESOLUTION ADOPTING ORDINANCE 18-04  
AMENDING ZONING ORDINANCE No. 1**

WHEREAS the Town Board of 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 amendments on March 20, 2001; January 16, 2008; February 18, 2009; May 20, 2009; October 21, 2009; March 17, 2010; April 21, 2010; August 18, 2010; March 16, 2011; April 20, 2011; October 19, 2011; November 16, 2011; August 21, 2013; March 18, 2015; March 15, 2017; June 20, 2018; and

WHEREAS the Town Board of the Town of St. Croix Falls deems it advisable and necessary to amend Zoning Ordinance No. 1, Chapter I, Administration and Enforcement, Section G to establish when an applicant can reapply after a denial/revocation of a special exception permit; and amend Chapter III, General Zoning, Section C.3 with the addition and deletion of permitted uses; and identifying specific uses that can be applied for as a special exception.

WHEREAS the Plan Commission of the Town of St. Croix Falls held a public hearing on the proposed amendments on October 10, 2018, the first reading of the proposed amendments was had on September 19, 2018, and a second reading was held on October 17, 2018.

THEREFORE BE IT RESOLVED that the Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, does approve Ordinance 18-04 amending Zoning Ordinance No. 1; 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 Ordinance 18-04 become effective upon passage and publication and/or posting according to Wisconsin State Statute.

Dated this 17<sup>th</sup> day of October 2018

  
Attest: Janet Krueger, Town Clerk

  
Frank Behning, Chairperson

Approved by:

\_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"  
ORDINANCE 18-04**

**Section 1: Purpose**

The purpose of this ordinance is to amend Chapter I - Administration and Enforcement, Section G – Town Plan Commission, 4. – Procedures, c. – Make and Give Notice of Decision Made with the addition of:

The Commission shall make a decision on any matter brought before it in a timely manner, and make a written report of their decision or recommendation available to the applicant, the Zoning Administrator and the Town Board within thirty (30) days of any hearing held. ***Any special exception application that is denied cannot be reapplied for twelve (12) months from denial. Any special exception permit that is revoked cannot be reapplied for twenty-four (24) months from revocation.***

And amend Chapter III – General Zoning, Section C – Districts, 3 – Commercial District, b. – Permitted Uses, to amend by deleting the following uses:

~~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.~~

And

~~Nonresidential day care facility.~~

Amend the following use to read as follows:

Sporting goods and athletic shops/***Indoor gun range or archery range.***

And the addition of the following uses:

- ***Marine sales and service***
- ***Museum***

And amend Chapter III – General Zoning, Section C – Districts, 3 – Commercial District, c. – Special Exceptions by deleting the following:

~~Any use in a Commercial District no listed as a permitted use.~~

And the addition of the following:

- ***Antique store***
- ***Brewery/Brew Pub/ Winery***
- ***Car washes***
- ***Non residential day care***
- ***Feed mill***
- ***Fireworks stand***
- ***Funeral home***

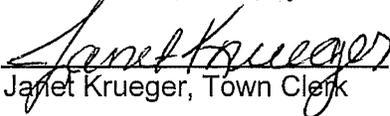
- **Laundromat**
- **Light manufacturing/distribution/and warehousing**
- **Mini storage. A series of bays, no wider than twenty (20) feet, no longer than forty (40) feet, connected to each other with common walls and separate overhead doors with no utilities. No commercial or retail sale of storage, packing and moving supplies by the owner/operator of the mini storage facility is permitted in the facility office area.**
- **Motel/hotel**
- **Outdoor Storage facility**
- **Ski resort**
- **Small engine repair**
- **Tattoo shop**
- **Truck stop**

**Section 2: Effective Date**

This ordinance shall take effect from and after its passage, Polk County Board of Supervisors approval and legal publication.

Adopted on October 17, 2018, by Resolution 18-33

  
\_\_\_\_\_  
Frank Behning, Town Chair

Attested:   
Janet Krueger, Town Clerk

Posted on October 18, 2018, at the following locations:  
Wayne's Cafe  
Lampert's  
Town Hall

Published in the Inter-County Leader on October 24, 2018.

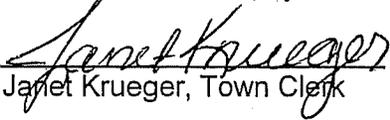
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**CERTIFIED COPY OF POLK COUNTY RESOLUTION**

STATE OF WISCONSIN

COUNTY OF POLK

I Sharon E. Jorgenson, Polk County Clerk do hereby certify that the attached hereto and incorporated herein is a full, true and correct copy of Resolution No. 90-18: Resolution to Approve Zoning Ordinance Amendment for the Town of St Croix Falls adopted by the Polk County Board of Supervisors at its regular business meeting held on December 18, 2018



Sharon E. Jorgenson

Sharon E. Jorgenson, Polk County Clerk

Date

12/18/18

