

RESOLUTION 19-19
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
4 exercising village powers, reads: "In counties having a county zoning ordinance, no zoning ordinance or
5 amendment of a zoning ordinance may be adopted under this section unless approved by the county
6 board;" and

7
8 WHEREAS the Town of St. Croix Falls adopted Zoning Ordinance No. 1 on August 5, 1965,
9 amended in its entirety on May 12, 1994 and subsequent amendments including the amendment on March
10 20, 2001; January 16, 2008; February 18, 2009; May 20, 2009; October 21, 2009; March 17, 2010; April
11 21, 2010; August 18, 2010; March 16, 2011; April 20, 2011; October 19, 2011; November 16, 2011;
12 August 21, 2013; March 18, 2015; April 15, 2015; March 16, 2016; March 15, 2017; November 15, 2017;
13 June 20, 2018; October 17, 2018; January 16, 2019; and

14
15 WHEREAS, the Town Board of the Town of St. Croix Falls passed Resolution 19-06 adopting
16 Ordinance 19-02 amending Zoning Ordinance No. 1 at their January 16, 2019 meeting; and

17
18 WHEREAS, the Town Board of the Town of St. Croix Falls deems it advisable and necessary to
19 amend Zoning Ordinance No. 1, Chapter I- Administration and Enforcement, Section I- Special
20 Exceptions, 7. adding that commercial design guidelines may be required for commercial type projects in
21 any district; Chapter II-Definitions- adding a definition for church; Chapter III- Agricultural district
22 ,Section C.2. identifying specific uses that can be applied for as a special exception; Chapter IV- Highway
23 Setbacks and Access, Section D, clarifying when a structure is permitted within the setback lines in the
24 Residential district; and Chapter V-Sign Regulations and Restrictions, Section D.2. adding language for
25 when an abandoned sign structure does not need to be removed; and

26
27 WHEREAS, the Polk County Board of Supervisors must also approve any zoning ordinance
28 amendments for the town; and

29
30 NOW, THEREFORE, BE IT RESOLVED, that the Polk County Board of Supervisors hereby
31 approves Resolution 19-06 adopting Ordinance 19-02 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:


Kim O'Connell

Environmental Services Committee Chairperson


Dean Johnson
Chair

Reviewed and Approved As to Form:

Nick Osborne
Nick Osborne, County Administrator

Approved as to Form and Execution:

Malia T. Malone
Malia T. Malone, Corporation Counsel

Legal Impact Note:

At its regular business meeting on April 16, 2019, the Polk County Board of Supervisors adopted the above-entitled resolution, Resolution 19-19: Resolution to approve Zoning Ordinance No. 1 amendment for the Town of St Croix Falls, by a ~~simple majority vote of~~ unanimous voice in favor and ~~—~~ against.

Dated this 16 day of April, 2019 at Polk County Wisconsin.

SIGNED BY:
Dean Johansen
Dean Johansen, County Board Chairperson

Attest: Sharon Jorgenson
Sharon Jorgenson, Polk County Clerk

TOWN of ST. CROIX FALLS

www.townofstcroixfalls.org
POLK COUNTY, WISCONSIN

FRANK BEHNING, CHAIRPERSON
KATIE APPEL, SUPERVISOR
MICHAEL DORSEY, SUPERVISOR
SHARON KELLY, SUPERVISOR
GARY KOECHER, SUPERVISOR
JANET KRUEGER, CLERK
MAXINE (MAX) SPIESS, TREASURER

March 21, 2019

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

RE: Amendment to Town Zoning Ordinance

Dear Land Information Director,

The Town Board of the Town of St. Croix Falls passed Ordinance 19-02 amending the Town's Zoning Ordinance No. 1, Chapter I (Administration & Enforcement) Section I with the addition that the commercial design guidelines may be required for commercial type projects in any district; Chapter II (Definitions) adding a definition for church; Chapter III, Section C, 2 (Agricultural District) identifying specific uses that can be applied for as a special exception; Chapter IV (Highway Setbacks & Access) Section D clarifying when a structure is permitted in the setback lines in the residential district; and Chapter V (Sign Regulations) Section D. 2 adding language for when an abandoned sign structure does not need to be removed.

Please present the Town of St. Croix Falls Town Board approved Ordinance 19-02 amending the Town's zoning ordinance to the Polk County Board of Supervisors for their approval.

Sincerely,



Janet Krueger
Town Clerk

Enclosure

Ordinance 19-02 Zoning Ordinance No. 1 Amendment & Resolution 19-06

TOWN
Of
ST. CROIX FALLS
Polk County, Wisconsin

**AMENDING ZONING ORDINANCE No. 1 ENTITLED "TOWN ZONING ORDINANCE"
ORDINANCE 19-02**

Section 1: Purpose

The purpose of this ordinance is to amend Chapter I - Administration and Enforcement, Section I – Special Exceptions, 7. – Conditions, with the addition of n. to read as follows:

n. Commercial Design Guidelines may be required for Commercial type projects in any district.

And

Amend Chapter II – Definitions, with the addition of:

Church – A building used for public worship.

And

Amend Chapter III – General Zoning, Section C – Districts, 2. – Agricultural District, f. – Special Exceptions, with the following deletions and additions.

1. Any use not listed in the permitted uses or prohibited uses may be applied for as a special exception.
Cemetery
2. ***Child Care Facility***
3. ***Churches***
4. ***Commercial Stables***
5. ***Concrete or hot mix plants engaged in public highway related projects provided that such operations are of a temporary nature not exceeding one hundred-twenty (120) days.***
6. ***Event Center***
7. ***Feedlot, dairying, and livestock raising of herds over four hundred (400) animal units, with one contiguous acre available for grazing, feed production, and waste disposal for each animal unit in the combined herd.***
8. ***Feed Mill***
9. ***Governmental uses such as police or fire stations, town halls, highway storage garages, solid waste disposal and sewage treatment plants, schools, public parks and campgrounds, public recreational use, or airports or landing strips.***
10. ***Health Care Facility***
11. ***Implement Dealer***
12. ***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.***
13. ***Licensed game management as set forth in Chapter 29 of Wisconsin State Statutes.***
14. ***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 separated 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.***
15. ***Non Metallic mining subject to Chapter I.I.10***
16. ***One additional single family dwelling when occupied by persons earning a substantial livelihood from the single entity owned farm operation.***

17. ***Renting any property, or portion of any property, as a transient lodging. In this section, transient means any person residing for a continuous period of less than seven (7) days in a hotel, motel, or other furnished accommodations available to the public.***
18. ***Restaurants, wineries, taverns, brew pubs, or similar establishments.***
19. ***Utility installations.***

And

Amend Chapter IV – Highway Setbacks and Access, Section D. – Structure Permitted within Setback Lines, amending 7 as follows:

7. Where buildings are proposed to be erected or moved between buildings existing at the time of the adoption of this chapter and having setback lines less than those established by this section, which existing buildings are located not more than ~~one hundred fifty (150)~~ ***two hundred fifty (250)*** feet apart, the Zoning Administrator may issue a permit for such proposed building, providing that the setback of such building shall not be less than the average of the setbacks of the nearest adjoining existing buildings on either side of the locations of the proposed building. ***In the residential District only, where buildings are proposed to be erected or moved next to or between one or more buildings existing at the time of the adoption of this chapter and having setback lines less than those established by this section, which has an existing building within one hundred fifty (150) feet on one side of property, the Zoning Administrator may issue a permit for such proposed building providing that the setback of such building shall not be less than the setback of the nearest adjoining existing building on either side of the location of the proposed building.***

And

Amend Chapter V – Sign Regulations and Restrictions, Section D – Removal and Disposition of Signs, amending 2 as follows:

2. Abandoned Signs.

All signs or sign messages shall be removed by the owner or lessee of the premises upon which an on-premises sign is located when the business it advertises is no longer conducted or, for an off-premises sign, when lease payment and rental income are no longer provided. ***If the sign structure meets all current regulations for size and setbacks the structure will not need to be removed, provided the structure is not deteriorated or dilapidated.*** If the owner or lessee fails to remove the sign, the Zoning Administrator shall give the owner sixty (60) days written notice to remove said sign. Upon failure to comply with this notice the Town of St. Croix Falls may cause removal to be executed, the expenses of which will be assessed to the tax roll of the property on which the abandoned sign is located.

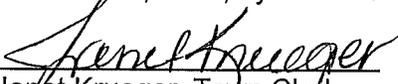
Section 2: Effective Date

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

Adopted on March 20, 2019, by Resolution 19-06



Frank Behning, Town Chair

Attested: 
Janet Krueger, Town Clerk

Posted on April 2, 2019, at the following locations:
Wayne's Cafe
Lampert's
Town Hall

Published in the Inter-County Leader on April 3, 2019.

TOWN
Of
ST. CROIX FALLS

Polk County, Wisconsin

Resolution 19-06

**A RESOLUTION ADOPTING ORDINANCE 19-02
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; October 17, 2018; January 16, 2019; 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 I - Special Exceptions, 7 adding that commercial design guidelines may be required for commercial type projects in any district; Chapter II - Definitions adding a definition for church; Chapter III - Section C. 2 - Agricultural District identifying specific uses that can be applied for as a special exception; Chapter IV - Highway Setbacks and Access, Section D, clarifying when a structure is permitted within the setback lines in the residential district; and Chapter V - Sign Regulations and Restrictions, Section D. 2 adding language for when an abandoned sign structure does not need to be removed; and

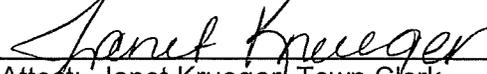
WHEREAS the Plan Commission of the Town of St. Croix Falls held a public hearing on the proposed amendments on March 13, 2019, the first reading of the proposed amendments was had on February 20, 2019, and a second reading was held on March 20, 2019.

THEREFORE BE IT RESOLVED that the Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, does approve Ordinance 19-02 amending Zoning Ordinance No. 1; Chapter I, I, 7; Chapter II; Chapter III C, 2, f; Chapter IV, D,7; and Chapter V, D, 2; 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 Ordinance 19-02 become effective upon passage and publication and/or posting according to Wisconsin State Statute.

Dated this 20th day of March 2019


Attest: Janet Krueger, Town Clerk


Frank Behning, Chairperson

Approved by:

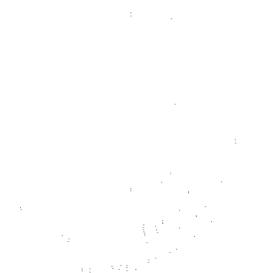
5 Yeas; 0 Nays; 0 Absent/Abstain x Roll Call Vote:

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. 19-19: 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 April 16, 2019.


Sharon E. Jorgenson 4/16/19

Sharon E. Jorgenson, Polk County Clerk

Date

