

ORDINANCE

SUBJECT: ZONING CODE

COMMITTEE: PLANNING RESOURCES & DEVELOPMENT COMMITTEE

FIRST CONSIDERATION: September 20, 2012 (rules suspended for first reading)

FINAL CONSIDERATION: September 20, 2012

ORDINANCE # 107 - 9/12 **PUBLICATION DATE** October 1, 2012

The County Board of Supervisors of La Crosse County does ordain as follows:

**AN ORDINANCE TO CREATE SS. 17.04(44a), 17.36(8a), AND 17.41(1)(c)15.
AND TO AMEND SS. 17.36(1) AND 17.36(12) OF THE REPEALED
"ZONING CODE" OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN**

ANALYSIS

La Crosse County Board recently passed a comprehensive revision of Chapter 17 of the La Crosse County Code of Ordinances. Pursuant to Wis. Stat. s. 59.69(5)(d), and pursuant to the provisions of the comprehensive revision, the existing County zoning ordinance remains in effect in a town for a period up to one year or until the comprehensive revision is approved by the town board, whichever period is shorter. This means that the old, existing ordinance continues to remain in effect in towns within La Crosse County until January, 2013 or until the comprehensive revision is adopted by the towns.

Under the repealed, existing ordinance, there are no provisions in an Industrial District or in Agricultural District "B" which require a conditional use permit for uses involving a high volume of vehicular traffic, such as over 200 vehicle trips per day. These changes require conditional use permits in areas zoned Industrial and Agricultural District "B" for uses that involve a high volume of vehicular traffic and also clarify the types of conditions that can be imposed in such areas. These changes are only intended to cover the limited situation of a potential use involving a high volume of traffic in two zoning districts between the time of enactment of these changes and January, 2013, when the existing County zoning ordinance will no longer be in effect in La Crosse County.

INFORMATION:

County Board Rules: Governing Body s. 2.02(8) states, in part: Ordinances are drafted by the Corporation Counsel. After the ordinance has been reviewed by a standing committee, each Supervisor will be given a copy of the ordinance showing the deleted language (grayed) and the new language (underlined) and an analysis of the intent of the ordinance. After introduction to the County Board, the ordinance shall be referred to the next monthly meeting unless waived by a 2/3 vote of the Supervisors present and a public hearing may be held if requested by a Supervisor. An amendment may be introduced and debated at either the original or the referred meeting. Copies of the ordinances of the County of La Crosse in their entirety are available with Corporation Counsel, County Clerk, or www.co.la-crosse.wi.us/code/.

(rev. 3/03)

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"ZONING CODE" OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN**

The County Board of Supervisors of the County of La Crosse does hereby ordain as follows:

Section 1. Section 17.04(44a) is created to read:

17.04(44a) Vehicle Trip. The event of a vehicle entering or leaving a location. Each time a vehicle enters or leaves a location is a separate trip.

Section 2. Section 17.36(8a) is created to read:

17.36(8a) USES AUTHORIZED BY CONDITIONAL USE PERMIT IN AGRICULTURAL DISTRICT "B". Any use generating more than 200 vehicle trips per day.

Section 3. Section 17.41(1)(c)15. is created to read:

17.41(1)(c)15. Any use generating more than 200 vehicle trips per day.

Section 4. Section 17.36(1) is amended to read:

17.36 CONDITIONAL USE PROVISIONS.

(1) APPROVAL REQUIRED. Certain uses and situations which are of such a special nature, or are so dependent upon actual contemporary circumstances as to make impractical the predetermination of permissibility, or the detailing in this chapter of specific standards, regulations or conditions which would permit such determination in each individual situation, may be permitted as conditional uses in the residential districts, Agricultural District "A", Agricultural District "B", the Exclusive Agricultural District and the Agricultural Transition District, subject to such requirements as are hereinafter specified for each situation.

Section 5. Section 17.36(12) is amended to read:

17.36(12) CONDITIONS WHICH MAY BE ATTACHED TO A CONDITIONAL USE PERMIT IN AN INDUSTRIAL DISTRICT AND IN AGRICULTURAL DISTRICT "B". Upon consideration of information supplied at the public hearing, the following conditions may be attached to the granting of a conditional use permit:

- (a) Increased setbacks and yards.
- (b) Specifications for water supply, liquid waste and solid waste disposal facilities.
- (c) Landscaping and planting screens.
- (d) Sureties.
- (e) Operational controls and time of operation.
- (f) Air pollution controls.

(g) Erosion prevention measures.

(h) Location of the use.

(i) Similar requirements found necessary to fulfill the purpose and intent of this chapter.

(j) Compliance with the County Solid Waste Management Plan and any other county comprehensive plan provided in this Code or otherwise approved by La Crosse County.

(k) For garbage, trash or recycling transfer stations used for the purpose of unloading and reloading garbage, trash, or recycling materials, the following conditions shall also apply:

1. The location is at least 500 feet from a flood plain, wetland, endangered and protected flora and fauna habitats, sites of historical, archeological or cultural significance, prime agricultural land, park land or preserves.

2. The location and operation complies with Federal regulations for operation in proximity to airports.

Section 6. This Ordinance shall take effect the day after passage and publication as required by law.

LA CROSSE COUNTY

By: 

Tara Johnson, County Board Chair

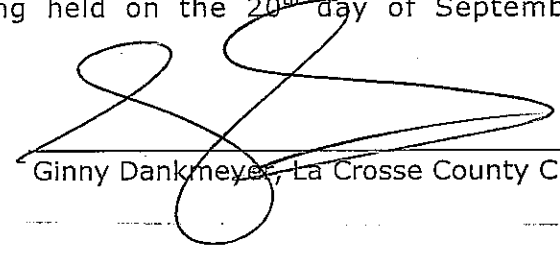
By: 

Ginny Dankmeyer, County Clerk

PASSED: September 20, 2012
PUBLISHED: October 1, 2012

STATE OF WISCONSIN
COUNTY OF LA CROSSE

I, Ginny Dankmeyer, County Clerk of La Crosse County do hereby certify that this document is a true and correct copy of the original ordinance required by law to be in my custody and which the County Board of Supervisors of La Crosse County adopted at a meeting held on the 20th day of September, 2012.


Ginny Dankmeyer, La Crosse County Clerk