

**RESOLUTION
ROCK COUNTY BOARD OF SUPERVISORS**

Planning & Development Agency
INITIATED BY



Paul Benjamin
DRAFTED BY

Planning & Development Agency
SUBMITTED BY

July 27, 2011
DATE DRAFTED

**AUTHORIZING THE ACCEPTANCE OF A LAKE MANAGEMENT PROTECTION GRANT
FOR SHORELAND ZONING ORDINANCE DEVELOPMENT**

1 **WHEREAS**, Rock County is required to adopt shoreland zoning regulations in accordance with
2 Wisconsin State Statute 59.692; and,
3

4 **WHEREAS**, Rock County adopted shoreland zoning regulations in 1983 and subsequent amendments;
5 and,
6

7 **WHEREAS**, on February 1, 2010, the State of Wisconsin Department of Natural Resources amended NR
8 115 Shoreland Zoning to protect our lakes and rivers; and,
9

10 **WHEREAS**, Rock County has until February 1, 2012 to amend its shoreland zoning ordinance to comply
11 with Wisconsin State Statute 59.692 and NR 115; and,
12

13 **WHEREAS**, Rock County intends to continue to enforce shoreland zoning regulations and amend
14 ordinance language to comply with NR 115 in order to protect water quality, public recreation
15 opportunities, natural ecosystems and natural beauty; and,
16

17 **WHEREAS**, Rock County will utilize existing staff from the Planning and Development Agency, who
18 are qualified to carry out the responsibilities of this ordinance amendment and public education, and
19 existing budget support resources to insure no additional net appropriation funding is required; and,
20

21 **WHEREAS**, the Rock County Board of Supervisors, on April 14th, 2011, authorized the Rock County
22 Planning and Development Agency to apply for a Lake Management Protection Grant for Ordinance
23 Development; and,
24

25 **WHEREAS**, Rock County has been notified of approval of a Lake Management Protection Grant, which
26 shall provide reimbursement for up to 75 percent of the County's cost of preparing a shoreland zoning
27 ordinance amendment in compliance with NR 115 not to exceed \$5,000 based upon a total ordinance
28 amendment cost of \$6,667.00; and,
29

30 **WHEREAS**, it is necessary for the Rock County Board of Supervisors to approve the acceptance of the
31 Grant for Rock County to receive funds from this program.
32

33 **NOW, THEREFORE, BE IT RESOLVED** by the Rock County Board of Supervisors on this 11th day
34 of August, 2011 hereby authorizes and approves that the Rock County Planning and Development
35 Agency may accept funds and assistance available from the Wisconsin Department of Natural Resources
36 under the Lake Management Protection Grant program for the Development of Local Regulations and
37 Ordinances, authorized by Chaps 281.69 and 281.71, Wis. Stats and NR 191, Wis. Admin. Code.
38

39 **BE IT FURTHER RESOLVED** that the Rock County Board of Supervisors hereby authorizes that Paul
40 Benjamin, Planning Director, may act on behalf of the Rock County Planning and Development Agency
41 to sign the grant agreement, accepting the grant award from the State of Wisconsin for financial aid for
42 shoreland ordinance development, and sign documents related to the administration of the grant.

11-8A-433

AUTHORIZING A LAKE MANAGEMENT PROTECTION GRANT ACCEPTANCE FOR SHORELAND ZONING ORDINANCE DEVELOPMENT

Page 2

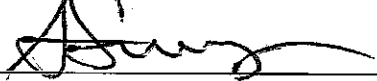
43 **BE IT FURTHER RESOLVED** by the Rock County Board of Supervisors that the Rock County
 44 Planning and Development Agency will meet the obligations of NR 115 and meet the financial
 45 obligations under this grant including the matching commitment of \$1,667.

46
 47 **BE IT FURTHER RESOLVED** that the 2011 County Budget be amended as follows:

<u>Source of Funds:</u>	<u>Budget at July 1, 2011</u>	<u>Amount of Increase/Decrease</u>	<u>Amended Budget</u>
State Aid			
64-6406-0000-42200	-0-	\$ 5,000	\$ 5,000
 <u>Use of Funds:</u>			
Administration Expense			
64-6406-0000-63110	-0-	\$ 5,000	\$ 5,000

Respectfully submitted,

Planning & Development Committee



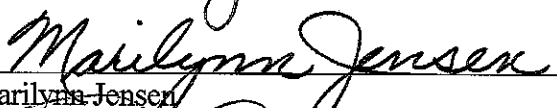
 Alan Sweeney, Chair

Absent

 Mary Mawhinney, Vice Chair



 Wayne Gustina



 Marilyn Jensen

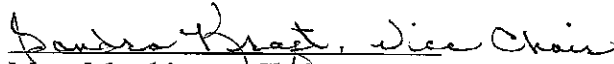


 Phillip Owens

FINANCE COMMITTEE ENDORSEMENT


Reviewed and approved on a vote of

3-0 2 absent



 Mary Mawhinney, Chair


ADMINISTRATIVE NOTE:

Recommended


 Craig Knutson
 County Administrator

FISCAL NOTE:

This resolution authorizes the acceptance and expenditure of a \$5,000 State Grant for Shoreland Zoning Ordinance development. The County's 25% matching share is already included in Planning's 2011 budget.



 Jeffrey A. Smith
 Finance Director

LEGAL NOTE:

The County Board is authorized to take this action by Wisconsin Statutes section 59.52(19). As an amendment to the adopted 2011 County Budget, this Resolution requires a 2/3 vote of the entire membership of the County Board pursuant to sec. 65.90(5)(a), Wis. Stats.



 Eugene R. Dumas
 Deputy Corporation Counsel

EXECUTIVE SUMMARY

RESOLUTION AUTHORIZING THE ACCEPTANCE OF A LAKE MANAGEMENT PROTECTION GRANT FOR SHORELAND ZONING ORDINANCE DEVELOPMENT

In February 1, 2010, revised Shoreland Zoning rules went into effect in Wisconsin through the amendment of Chapter NR 115 Wisconsin Administrative Code. These revisions are a result of a multi-year process of public comments, hearings and modifications conducted in an effort to balance the public purpose of shoreland zoning with property rights of landowners.

Wisconsin counties are required to adopted and enforce shoreland zoning regulations to “further the maintenance of safe and healthful conditions; prevent and control water pollution; protect spawning grounds, fish and aquatic life; control building sites, placement of structures and land uses and reserve shore cover and natural beauty.” Rock County has enforced a shoreland zoning ordinance, with amendments, since 1983. The revision to the state code requires counties to adopt the amendments by February 1, 2012.

The Department Natural Resources (DNR) provides grant funding though the Lake Protection Grant Program for ordinance development. Grant awards in the amount of \$5000 maximum are available for counties who choose to amend their ordinance to meet minimum standards. This is a reimbursement grant program consisting of a 75% state cost-share, which will require the county to provide at least \$1667.00 in local match for a total minimum project cost of \$6667.00 in order to receive the full grant amount. Rock County Planning and Development Agency staff intends to complete this project with existing staff and resources (which may be considered the local match), including conducting public education, without exceeding this cost.

The Rock County Board of Supervisors authorized the Rock County Planning and Development Agency to submit a grant application on April 14, 2011, which was subsequently approved for funding as part of the state biennial budget process. The project period is July 1, 2011 to December 31, 2012. In order to accept the award, a final agreement must be signed and returned to the DNR.

By the proposed action, the Rock County Board of Supervisors authorizes the Rock County Planning and Development Agency, through Paul Benjamin, Director, to sign the grant agreement to accept the partial funding for the required shoreland ordinance amendments. Approval of the resolution also amends the 2011 County Budget to accept these funds.