

**ORDINANCE NO. 2013-3**

**AN ORDINANCE ADOPTING AN AMENDMENT TO  
THE COMPREHENSIVE PLAN OF THE TOWN OF CADY**

The Town Board of the Town of Cady, St. Croix County, Wisconsin, do ordain as follows:

**SECTION I. ORDINANCE CREATED.**

- (a) **Statutory Authorization.** Pursuant to Sec. 60.22(3), Wis. Stats., the Town of Cady is authorized to prepare and adopt a comprehensive plan as defined in Sec. 66.1001(1)(a) and (2), Wis. Stats.
- (b) **Comprehensive Plan Adoption.** The Town Board, by enactment of an ordinance, formally adopted the document entitled the "Town of Cady Comprehensive Plan" on November 19, 2009.
- (c) **Plan Commission Recommendation for Amendment.** The Town of Cady Plan Commission, by a majority vote of the entire Commission at a meeting held on May 6, 2013, adopted a resolution recommending to the Town Board the adoption of amendments and revisions to the Town of Cady Comprehensive Plan.
- (d) **Public Hearing.** The Town published or legally posted a Class 1 public notice and held a public hearing regarding the Comprehensive Plan amendment.
- (e) **Plan Amendment Adopted.** The Town of Cady Board hereby adopts the proposed Plan amendment, a copy of which is attached and incorporated herein by reference.
- (f) **Adopted Plan Amendments to be Submitted.** The Town Clerk is directed to send a copy of this ordinance and the Plan amendment to the parties identified in Sec. 66.1001(4)(b), Wis. Stats.

**SECTION II. SEVERABILITY.**

If any provision of this Ordinance is invalid or unconstitutional or if the application of this Ordinance to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid or unconstitutional provisions or applications.

**SECTION III. EFFECTIVE DATE.**

This Ordinance shall take effect upon passage by a majority vote of the full membership of the Town Board and publication or legal posting as required by law.

ADOPTED this 6<sup>th</sup> day of May, 2013.

Ayes 3 Noes 0 Absent 2

TOWN OF CADY, WISCONSIN

*M. J. Kelly*  
Town Chairperson

*Carh Huber*  
Attest: Town Clerk

Date Published and/or Posted: May 22, 2013

Resolution No. 2013-1

The Plan Commission of the Town of Cady, St. Croix County, Wisconsin, does hereby resolve to recommend the Town Board of the Town of Cady approve the proposed Amendments to the Comprehensive Plan.

The above and foregoing Resolution was duly adopted at a meeting of the Town of Cady Plan Commission on the 25 day of April, 2013

Ayes 5 Noes \_\_\_\_\_ Absent \_\_\_\_\_

TOWN OF CADY, WISCONSIN

  
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Plan Commission Chairperson

  
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Attest: Town Clerk

# Town of Cady Comprehensive Plan – Amendments for March Plan Commission Public Hearing

## 1.1 Planning Authority and Scope, Page 2

(Second paragraph)

Beginning on January 1, 2010, any program or action of a local government which regulates land use (e.g., zoning, subdivision regulations, agricultural preservation programs) must be consistent with that government's comprehensive plan. According to Wisconsin Statutes, the comprehensive plan shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the community which will, in accordance with existing and future needs, best promote public health, safety, morals, order, convenience, prosperity, or the general welfare, as well as efficiency and economy in the process of development. The Town Board, Plan Commission, and all other governmental bodies and administrators shall use, and adhere to the Comprehensive Plan in making decisions about all elements in the plan.

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## 4.1 Transportation. Page 17

(Objective 1. Strategy 6) Discourage new land uses in the Town, outside of the two areas mapped for high intensity growth, that would place extraordinary demands on Town roads, produce heavy truck traffic on Town roads, and/or present public safety concerns in the Town.

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## 6.1 Resources, Page 24

(Objective 4. Strategy 2) Encourage agriculture and supporting businesses outside of the two areas mapped for high intensity growth. Agriculture-related businesses may be permitted that are consistent with the goals, objectives, and strategies of the Plan, Town ordinances, and other applicable regulations. Large-scale Industrial operations such as metallic and non-metallic (including frac sand) mining and processing/transloading facilities, landfills, meat processing, etc. are not consistent with the farmland preservation goals and objectives of the Plan and are not considered agricultural related uses.

(Objective 4. Strategy 3) Continue to recognize agriculture as the highest and best use of the land. Suitable non-farming uses of land shall be of a type and design that presents minimal impacts to the goals, objectives, and strategies in the elements of the Plan.

(Objective 4. Strategy 4) Discourage large-scale industrial operations such as metallic and non-metallic (including frac sand) mining and processing/transloading facilities, landfills, meat processing, etc. in agricultural or residential zoned lands. Determinations by any reviewing authority shall be consistent with the Plan, pursuant to the consistency requirements of Sec. 66.1001, Wis. Stats.

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## 7.6 Economic, Page 30

(Objective 1) Promote farming, forestry, natural resources, and other related uses that are consistent with the Plan.

(Objective 1, Strategy 1) Implement the applicable related policies in the Agricultural, Natural, and Cultural Resources Element which promote agricultural and forestry related practices and businesses.

(Objective 1, Strategy 2) Encourage businesses related to agriculture in the Town. Among other ways, this could be done in Town newsletters, postings at the Town Hall, and on the Town website.

(Objective 1, Strategy 3) Allow, with limited exception, small-scale aggregate extraction operations.

(Objective 1, Strategy 4) Require all parcels subject to nonmetallic mining reclamation under any ordinances adopted pursuant to NR 135, Wis. Adm. Code to have a reclamation plan and specify a proposed post-mining land use for the site. The post-mining land use will need to be consistent with the Plan.

(Objective 4, Strategy 1) Encourage businesses within the Town that are consistent with the goals, objectives, and strategies of the Plan, with an emphasis on locally owned businesses and home businesses. Among other ways, this could be done in Town newsletters, postings at the Town Hall, and on the Town website.

(Objective 5, Strategy 3) Encourage development and businesses that are synergetic with agriculture, conform to the Plan and Town ordinances, and have minimal transportation, environmental, and quality of life impacts.

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#### **9.4 Land Use, Page 36**

(Objective 1, Strategy 1) Use the Town of Cady Comprehensive Plan to guide and direct public decisions regarding land use and future development. This includes the Town Board, Plan Commission, and all other governmental bodies and administrators.

(Objective 2, Strategy 9) Delete strategy 9.

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#### **9.6 Planned Land Use Map, Page 40**

(First paragraph. Now two paragraphs)

The community is in the process of implementing Town zoning. It is important to note that the Planned Land Use Map that is part of the Plan is not the same as a zoning map. While the Planned Land Use Map can generally reflect any future zoning districts and their objectives, it is intended to be a general guide for development and a basis for applying the goals, objectives and policies.

The planning areas describe the predominate uses found there, while it is recognized that there is variation intended within them and any future zoning map would be parcel specific. Hence, future development shall follow and be consistent with the goals, objectives, and strategies in the Plan. This includes strategies that promote agriculture, open space and farmland preservation, productive forests, and natural resources while minimizing use conflicts. Given this approach, identifying the net density of planned land uses by specific location is not possible.