

**RESOLUTION  
ROCK COUNTY BOARD OF SUPERVISORS**

Planning & Development Agency  
INITIATED BY



Paul Benjamin  
DRAFTED BY

Planning & Development Agency  
SUBMITTED BY

March 31, 2011  
DATE DRAFTED

**AUTHORIZING A LAKE MANAGEMENT PROTECTION GRANT APPLICATION  
FOR SHORELAND ZONING ORDINANCE DEVELOPMENT**

1  
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43

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

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

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

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

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

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

**WHEREAS**, the Lake Management Grant for Ordinance Development shall provide reimbursement for up to 75 percent of the County's cost of preparing a shoreland zoning ordinance amendment in compliance with NR 115 not to exceed \$5,000 based upon a total ordinance amendment cost of \$6,667.00; and,

**WHEREAS**, it is necessary for the Rock County Board of Supervisors to approve the preparation and filing of an application for Rock County to receive funds from this program.

**NOW, THEREFORE, BE IT RESOLVED** by the Rock County Board of Supervisors on this 14<sup>th</sup> day of April, 2011 hereby authorizes and approves that the Rock County Planning and Development Agency may request the funds and assistance available from the Wisconsin Department of Natural Resources under the Lake Management Protection Grant program for the Development of Local Regulations and Ordinances, authorized by Chaps 281.69 and 281.71, Wis. Stats and NR 191, Wis. Admin. Code.

**BE IT FURTHER RESOLVED** that the Rock County Board of Supervisors hereby authorizes that Paul Benjamin, Planning Director, may act on behalf of the Rock County Planning and Development Agency to submit an application to the State of Wisconsin for financial aid for shoreland ordinance development and sign documents related to this grant application; and,

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

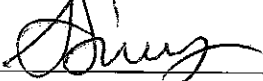
11-4A-347


**AUTHORIZING A LAKE MANAGEMENT PROTECTION GRANT APPLICATION FOR  
SHORELAND ZONING ORDINANCE DEVELOPMENT**

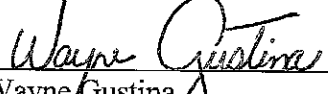
Page 2


Respectfully submitted,


**Planning & Development Committee**

  
Alan Sweeney, Chair

  
Mary Mawhinney, Vice Chair


  
Wayne Gustina

  
Marilyn Jensen

  
Phillip Owens

LEGAL NOTE:

The County Board is authorized to take this action by Wisconsin Statutes sections 59.51(2) and 59.52(19),



Eugene R. Dumas  
Deputy Corporation Counsel


FISCAL NOTE:

This resolution only authorizes an application for a grant and therefore has no fiscal impact at this time. If a grant is awarded, a subsequent resolution would be required to accept the grant and amend the budget.

  
Jeffrey A. Smith  
Finance Director

ADMINISTRATIVE NOTE:

Recommended.

  
Craig Knutson  
County Administrator

## EXECUTIVE SUMMARY

### RESOLUTION AUTHORIZING A LAKE MANAGEMENT PROTECTION GRANT APPLICATION 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 adopt 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 through 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 (additional funding is available for counties that choose to go beyond minimum standards, thus requiring more development time). 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.

Grant applications are due by May 1, 2011 and awards will not be announced until after September 1, 2011. Costs incurred prior to the start date of the grant agreement are ineligible for reimbursement, but state staff can back date the start of the agreement to the day the state budget is in effect. Agency staff intends to request a start date of July 1 (the typical beginning of the state fiscal year, which grant funds are based on) in order to get started on this project. If approval of the state budget is delayed beyond July 1, the start date for this project will also be delayed.

By the proposed action, the Rock County Board of Supervisors authorizes the Rock County Planning and Development Agency, through Paul Benjamin, Director, to submit an application to the Wisconsin DNR for financial aid for the required shoreland ordinance amendments. Acceptance of the grant will be a separate approval by the P&D Committee and the County Board.