

RESOLUTION NO. 2019-13

**TOWN OF CLAYTON
WINNEBAGO COUNTY, WISCONSIN**

**A RESOLUTION TO ENACT A TEMPORARY MORATORIUM
ON STORAGE FACILITIES**

WHEREAS, the Town of Clayton (the “Town”) has adopted the Zoning Code of Ordinances (the “Code”), as amended; and

WHEREAS, the Town has adopted the Comprehensive Plan 2016-2023, as amended; and

WHEREAS, the Town of Clayton has experienced substantial growth, is adding a tax increment finance district, is anticipating becoming incorporated as a village, is adding sewer and water service to the Town; and

WHEREAS, the foregoing changes in the demand for and use of land within the Town and the anticipated governance changes has prompted a desire to consider changes to the Town’s Code; and

WHEREAS, the Town Board desires to review the uses permitted under the Code so that the long term value of land located within the Town boundaries is maximized to promote the highest value use for purposes of enhancing assessed values and employment within the Town (the “Storage Review”); and

WHEREAS, the Town Board has determined that it is necessary to provide direction, process and context for the future of the Town’s Zoning Districts of A-2, B-3, I-1, and I-2 with stakeholder and community involvement; and

WHEREAS, the Board has requested that the Town of Clayton Planning Commission along with its Development Director, to formulate and issue a plan for use of personal storage facilities in the Zones to assist in formulating a Storage Use Plan; and Town Board anticipates that the preparation and enactment of the Amendment arising from the Storage Use Plan will take approximately six months; and

WHEREAS, the Board of Trustees has requested that the Storage Use Plan contain the following elements:

- Identify strengths, needs, highlight development opportunities and establish priorities for development.
- Identify ways to improve and maintain the vital land located in the Town.
- Identify ways and uses that maximize the limited commercial land within the Town to increase the long term assessed values and employment.

WHEREAS, the Board anticipates that the formulation of the Storage Use Plan and its augmentation of the Town’s Master Plan under Wis. Stats. § 62.23(3) will take an approximate period of six months coupled with the enactment of zoning ordinance amendments; and

WHEREAS, the Board has received confirmation from the Planning Commission that the promotion of the health, safety and the general welfare of the Town warrants the prompt formulation of a Storage Use Plan and enactment of updated zoning provisions for the Code; and

WHEREAS, the Board has concluded that in order to foster the development that maximized value and job creation in the Zones, it is necessary to halt construction which may not be compatible with the standards and requirements of the anticipated Storage Use Plan and its related zoning implementation now in progress.

WHEREAS, the Town Board has deemed it in the best interests of the Town of Clayton to temporarily preclude the issuance of building permits for storage facilities within the Storage Review Area, where they are not sought as part of a Storage Review rezoning, the approval of a subdivision or other division of land by plat or certified survey map as provided for by Wis. Stats. § 66.1002 (1) (b).

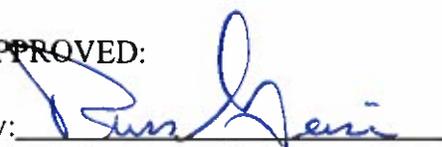
NOW, THEREFORE, BE IT RESOLVED, that the Town of Clayton Town Board hereby makes the following determinations:

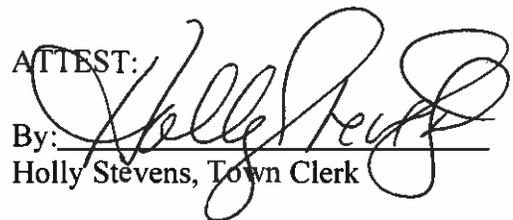
1. All of the above WHEREAS clauses are adopted and incorporated in this resolution as findings of the Town Board.
2. This resolution constitutes an exercise of the authority granted by Wis. Stat. § 62.23 (7) (am) and Wis. Stat. §60.10(2)(h) which in part states:

Exercise of certain zoning authority. In a town located in a county which has enacted a zoning ordinance under Wis. Stat. §59.69, authorize, under Wis. Stat. §60.62(2), the town board to enact town zoning ordinances under Wis. Stat. §61.35.

3. This resolution does not invoke or rely on the authority of Wis. Stat. § 66.1002.
4. This resolution hereby declares and establishes a *moratorium* until February 19, 2020 on the issuances of building permits for storage facilities located within the Zone by Town agents where they are not sought as part of a rezoning, the approval of a subdivision or other division of land by plat or certified survey map as provided for by Wis. Stat. §66.1002(1)(b). This moratorium may be terminated earlier than or extended, depending on the adoption of the anticipated Amendment.

The above Resolution was duly adopted at the meeting of the Town Board of the Town of Clayton on the 30TH day of November, 2019.

APPROVED:
By: 
Russ Geise, Town Chairman

ATTEST:
By: 
Holly Stevens, Town Clerk