



Wisconsin's Shoreland Protection Program

Summary of Proposed Revisions

Wisconsin Department
of Natural Resources

Where are “Shorelands”?

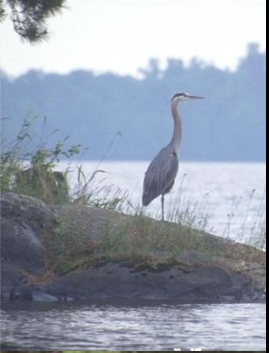
Statutory definition of the Shoreland Zone:

The greater of:

- 1000 feet from the OHWM of a “navigable” lake, pond or flowage
- 300 feet from a “navigable” stream
- the floodplain

Applies in:

- unincorporated areas
- areas annexed since May 7, 1982 or incorporated since April 30, 1994



Program History

- Created in 1966
- Revised 2010
- Statutory objectives
 - Water Quality
 - Fish & Wildlife Habitat
 - Natural Scenic Beauty
- Implemented by Counties
- DNR establishes the minimum standards

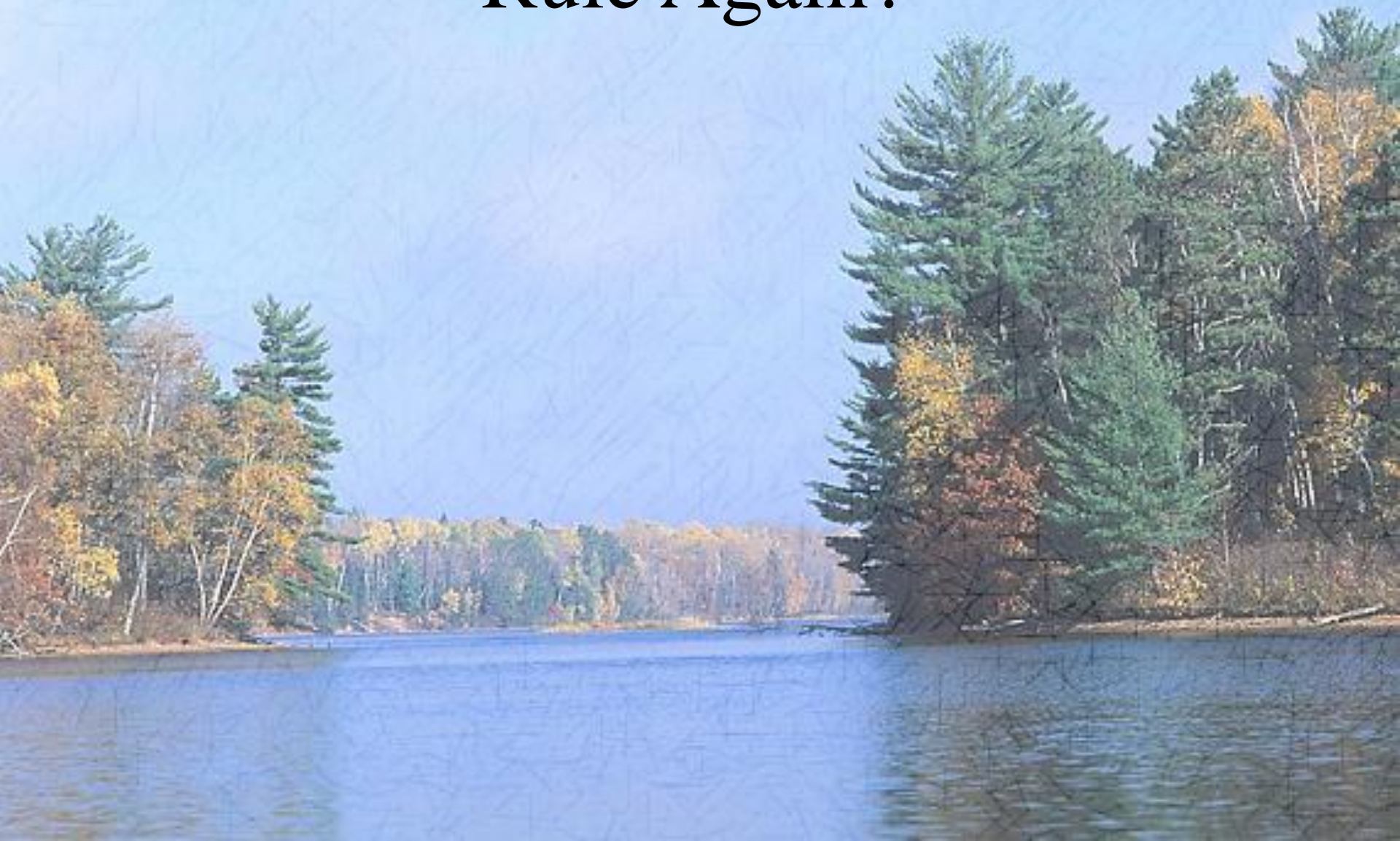


A Partnership for Protection

Wisconsin's Shoreland Management Program is a partnership between state, county and local gov't that sets minimum standards for development near navigable waters.



Why Are We Changing the Rule Again?





Counties had concerns about the administration and implementation of the rule that went into effect in 2010

NR 115 Revision Process



- Met with a group of counties to identify concerns
 - Developed draft rule concepts.
- Scoping statement approved
 - Discussed draft rule language with
 - Counties
 - Stakeholder groups



Proposed Changes:

- Impervious Surface Limits
- Nonconforming Structure Standards
- Vegetative Management Standards
- Reporting Standards



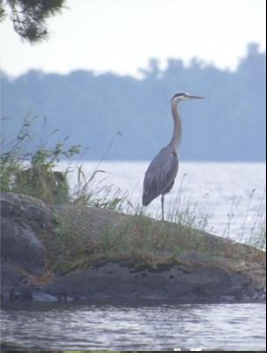


Impervious Surface Standards

- Limit application of impervious surface standards to only riparian lots or non-riparian lots that are entirely within 300 feet of the OHWM
 - Eliminates application to portions of parcels
- Impervious surfaces that do not drain directly or drain to treatment system prior to discharge are not counted towards impervious surface limits.

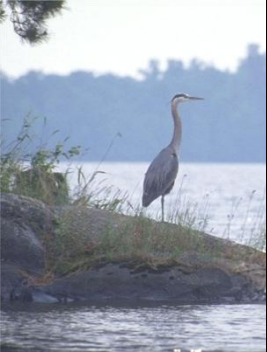
Impervious Surface Standards

- Would allow counties to create a higher impervious surface standard for already highly developed areas
 - Proposed definition
 - Urbanized Areas or Urbanized Clusters in 2010 US Census
 - Commercial, Industrial or Business land use
 - Counties could add additional areas if all of the following meet the standards.



Impervious Surface Standards

- For Highly Developed Shorelines
 - Impervious surface standard (IS):
 - No permit needed for
 - residential land use with less than 30% IS
 - commercial, industrial or business land use with under 40% IS
 - Permit with mitigation for expansion over the standard
 - Maximum impervious surface standard:
 - Residential land use exceeds 40% IS
 - Commercial, industrial or business land use exceeds 60% IS





Nonconforming Structures



- One-time lateral expansion within setback
 - 200 sq. ft. expansion no closer to OHWM.
 - Could still do vertical expansion
- Clarify discontinuance language
 - Only structures with a nonconforming use
- Eliminate
 - Requirement to remove NC accessory structures for replacement/relocation of NC principal structure.
 - Provision about wet boathouses to clarify that county may regulate dry boathouses

Other Proposed Changes

- Vegetative Management
 - Clarify that permit is not required to remove invasive, damaged or diseased vegetation, or vegetation that poses a safety hazard.
- Reporting standards
 - Eliminates a requirement that counties submit nonconforming structure permits to the department
 - Reporting requirements would then reflect what has been required since 1968.





Next Steps

- Written Comments accepted until September 5th
- Evaluate Comments
- Post Summary of Comments
- Revise rule language as appropriate
- Natural Resources Board Approval
- Governor Approval
- Legislative Review
- Rule revisions published.



For more information & to provide comments:

Check out:

<http://dnr.wi.gov/news/input/ProposedPermanent.html>

<https://health.wisconsin.gov/admrules/public/Search>

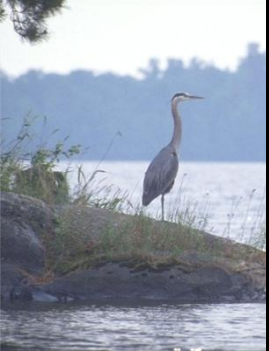
Contact the department at

DNRNR115COMMENTS@wisconsin.gov

For automatic email or text message updates.

Sign up for the shoreland zoning topic on govdelivery

<https://public.govdelivery.com/accounts/WIDNR/subscriber/new>



**For an electronic copy
of the presentation
please go to:**

<http://dnr.wi.gov/topic/ShorelandZoning/>