



2021 SENATE BILL 867

January 13, 2022 - Introduced by Senators FELZKOWSKI and STROEBEL, cosponsored by Representatives SWEARINGEN, CALLAHAN and DITTRICH. Referred to Committee on Natural Resources and Energy.

1 **AN ACT to amend** 59.692 (1f) (b) 1.; and **to create** 59.692 (1n) (d) 7. of the
2 statutes; **relating to:** the construction of bridges in a shoreland setback area
3 and vegetative buffer zone requirements.

Analysis by the Legislative Reference Bureau

This bill makes changes to shoreland zoning laws relating to the construction of bridges and required vegetative buffer zones.

Current law requires each county to zone by ordinance all shorelands in its unincorporated area. The Department of Natural Resources is required to promulgate by rule shoreland zoning standards, and a county shoreland zoning ordinance may not regulate a matter more restrictively than the matter is regulated by a shoreland zoning standard.

Under current law, a “shoreland setback area” is an area in a shoreland that is within a certain distance of the ordinary high-water mark in which the construction or placement of structures has been limited or prohibited under a shoreland zoning ordinance. Current law requires a county shoreland zoning ordinance to establish a shoreland setback of 75 feet, but provides that a county shoreland zoning ordinance may not prohibit the construction of certain structures within the shoreland setback area, such as a boathouse or a structure that provides pedestrian access to the shoreline. This bill adds that a county shoreland zoning ordinance may not prohibit within the shoreland setback area the construction of a bridge for which DNR has issued a bridge permit.

Under current law, a county shoreland zoning ordinance generally may not require a person to establish a vegetative buffer zone on previously developed land

