

**2001 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA1-SB55)**

Received: 06/23/2001

Received By: gibsom

Wanted: As time permits

Identical to LRB:

For: Assembly Republican Caucus

By/Representing: Tessmer

This file may be shown to any legislator: NO

Drafter: gibsom

May Contact:

Addl. Drafters:

Subject: Nat. Res. - wet/shore/flood

Extra Copies:

Submit via email: NO

Requester's email:

**Pre Topic:**

ARC:.....Tessmer - AM94,

**Topic:**

Shoreland zoning for annexed lands

**Instructions:**

See Attached

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	gibsom 06/25/2001	wjackson 06/25/2001	kfollet 06/26/2001	_____	lrb_docadmin 06/26/2001		

FE Sent For:

<END>

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/?	gibsom	/1 WLJ 6/25	KJ 6/26	<del>1st</del> KJ/WF 6/26			

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<END>

consistent with the local comprehensive plan of the community where the property or development rights to be purchased are located.

Finally, prohibit the DNR from entering into any agreement to purchase development rights or conservation easements using Stewardship dollars if that agreement is for more than 30 years.

Affected agency: DNR

Fiscal Impact: \$0

Location/Status: New motion (Kedzie, Powers, Albers)

**C. Stewardship Earmarked Projects**

Delete Stewardship earmark of \$135,000 for conservation easements along the Plover River in Marathon and Portage Counties.

Affected agency: DNR

Fiscal Impact: \$0

Location/Status: [Comparative summary of Governor and Joint Finance Committee Budget Recommendations, Natural Resources—Departmentwide, page 515, item b]

**4. Growth and Planning for Wisconsin's Future**

**A. Shoreland Zoning**

Allow cities and villages to adopt their own shoreland zoning ordinance for annexed land. In addition, allow local governments to utilize a 75-foot setback or the average of abutting property setbacks.

*not as restrictive*

Agency affected: DNR

Fiscal Impact: \$0

Location/Status: New motion (Albers)

**B. Notice Requirements to Affected Persons by Zoning Actions**

Require a city, village, town or county or a sub-unit of a political subdivision to provide to people who request, a notice of a proposed new or an amendment to an existing zoning ordinance, land division ordinances, or comprehensive plans.

The notice shall at a minimum include a map of affected properties, a description of the affect, or information regarding how to obtain a specific information from the political subdivision or sub-unit of the political subdivision. This would extend to actions taken by appointed committees appointed for the purposes of developing comprehensive plans or portions of comprehensive plans and supporting ordinances.



State of Wisconsin  
2001 - 2002 LEGISLATURE

RMR  
LRBb1652/1  
MGG:.....  
WJ

noon

ARC:.....Tessmer – AM94, Shoreland zoning for annexed lands

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS ASSEMBLY AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 668, line 13: after that line insert:

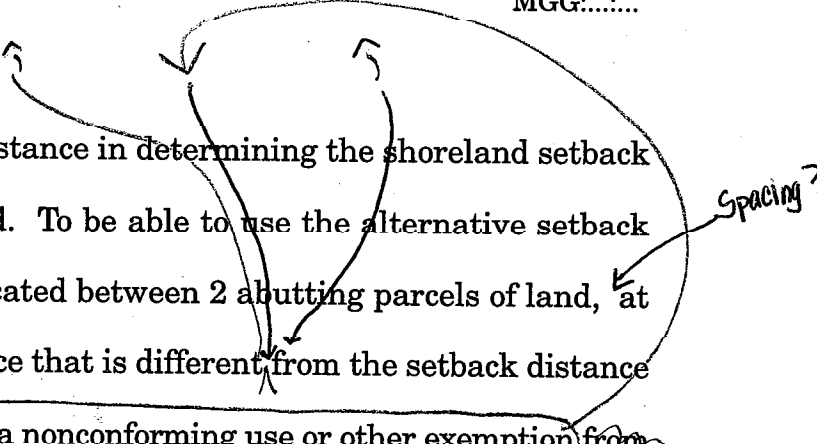
3 "SECTION 2002x. 59.692 (1) <sup>ag</sup> ~~(bg)~~ of the statutes is created to read:

4 59.692 (1) <sup>ag</sup> ~~(bg)~~ "Setback distance" means the linear distance landward from the  
5 ordinary high-water mark that is used in determining a shoreland setback area.

6 SECTION 2002y. 59.692 (1p) <sup>ag</sup> of the statutes is created to read:

7 59.692 (1p) If the department promulgates a shoreland zoning standard that  
8 establishes a setback distance ~~for a shoreland setback area~~ or if a county as part of  
9 an ordinance enacted under this section establishes a setback distance, an ordinance  
10 enacted under this section may allow that a landowner, upon the landowner's

1 request, use an alternative setback distance in determining the shoreland setback  
 2 area for the landowner's parcel of land. To be able to use the alternative setback  
 3 distance, the parcel of land must be located between 2 abutting parcels of land, at  
 4 least one of which has a setback distance that is different from the setback distance  
 5 established by rule <sup>er</sup> by ordinance due to a nonconforming use or other exemption from  
 6 ~~the setback distance~~. The alternative setback distance shall be the average of the  
 7 2 setback distances of the abutting parcels.



8 **SECTION 2002ym.** 59.692 (7) (a) 1. of the statutes is amended to read:

9 59.692 (7) (a) 1. The city or village enacts, administers and enforces a zoning  
 10 ordinance, for the annexed area, that complies with the shoreland zoning standards  
 11 ~~and that is at least as restrictive as the county shoreland zoning ordinance.~~

History: 1979 c. 233; 1981 c. 330; 1983 a. 189 s. 329 (23); 1991 a. 39; 1993 a. 329; 1995 a. 201 s. 476; Stats. 1995 s. 59.692; 1995 a. 227; 1997 a. 27, 35, 252; 1999 a. 9; 1999 a. 150 s. 672.

12 **SECTION 2002yp.** 59.692 (7) (ad) 1. of the statutes is amended to read:

13 59.692 (7) (ad) 1. The city or village enacts, administers and enforces a zoning  
 14 ordinance that complies with the shoreland zoning standards ~~and that is at least as~~  
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16 **SECTION 2002yr.** 59.692 (7) (b) of the statutes is amended to read:

17 59.692 (7) (b) If the department determines that a zoning ordinance enacted  
 18 by a city or village under par. (a) 1. or (ad) 1. does not meet the shoreland zoning  
 19 standards ~~or is not as restrictive as the county shoreland zoning ordinance~~, the  
 20 department shall, after providing notice and conducting a hearing on the matter,  
 21 either issue an order declaring the city or village ordinance void and reinstating the  
 22 applicability of the county shoreland zoning ordinance to the annexed or  
 23 incorporated area or issue an order declaring the city or village ordinance void and

1 adopting an ordinance for the annexed or incorporated area for the city or village that  
2 does meet the shoreland zoning standards ~~and that is at least as restrictive as the~~  
3 ~~county shoreland zoning ordinance.~~" ①

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4

(END)



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1 does meet the shoreland zoning standards ~~and that is at least as restrictive as the~~  
2 ~~county shoreland zoning ordinance.~~”

3 (END)