

2015 DRAFTING REQUEST

Senate Amendment (SA-SB477)

Received: 2/2/2016 Received By: **eshea**
For: **Devin LeMahieu (608) 266-2056** Same as LRB:
May Contact: By/Representing: **Ashley**
Subject: **Nat. Res. - nav. waters** Drafter: **eshea**
Nat. Res. - wet/shore/flood Addl. Drafters:
Extra Copies:

Submit via email: **YES**
Requester's email: **Sen.LeMahieu@legis.wisconsin.gov**
Carbon copy (CC) to: **elisabeth.shea@legis.wisconsin.gov**
zachary.wyatt@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Activities within a shoreland setback area

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	eshea 2/2/2016	jdyer 2/2/2016	_____			
/1			_____	lparisi 2/2/2016	lparisi 2/2/2016	

FE Sent For:

<END>

Shea, Elisabeth

From: Czaja, Ashley
Sent: Tuesday, February 02, 2016 9:34 AM
To: Shea, Elisabeth
Subject: RE: SB 477
Attachments: AA2-AB 603.pdf; AA-AA2-AB603.pdf

Good morning Elisabeth,

I am looking to get senate amendments to SB 477. Can you draft the changes made in the AA-AA2-603, so it is one comprehensive amendment?

Assembly Amendment 2 to Assembly bill 603 and Assembly Amendment, to Assembly Amendment 2 to Assembly Bill 603 are attached.

Please let me know if you have questions.

Sincerely,

Ashley Czaja
Legislative Assistant
State Senator Devin LeMahieu
9th Senate District
608-266-2056



State of Wisconsin
2015 - 2016 LEGISLATURE

LRBA1519/1 a1876/1
EHS:jld
↑ take
keep

SA to
SB 477

In 2/2
Due today

**ASSEMBLY AMENDMENT 2,
TO ASSEMBLY BILL 603**

January 19, 2016 - Offered by Representative JARCHOW.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 3, line 2: after "constructed" insert "wholly or partially within the
3 shoreland setback area".

INS
1-4 ✓

4 **2.** Page 4, line 10: delete "pars. (b), (c), and (d)" and substitute "pars. (b), (bm),
5 (c), and (d)".

6 **3.** Page 4, line 12: delete lines 12 to 24 and substitute:

✓ on an adjacent
lot and

7 "(b) Except as provided in pars. (bm) and (c), if the closest principal structure
8 in each direction along the shoreline to a proposed principal structure exists within
9 250 feet of the proposed principal structure and both of the existing principal
10 structures are set back less than 75 feet from the ordinary high-water mark, a
11 county shoreland zoning ordinance shall establish a setback equal to the average of
12 the distances that those structures are set back from the ordinary high-water mark
13 but no less than 35 feet.

on an adjacent lot and ✓

1

(bm) If a principal structure exists within 250 feet of a proposed principal structure in only one direction along the shoreline, is the closest principal structure to the proposed principal structure, and is set back less than 75 feet from the ordinary high-water mark, a county shoreland zoning ordinance may establish a setback equal to the average of 75 feet and the distance that the existing structure is set back from the ordinary high-water mark but no less than 35 feet.

2

3

4

5

6

7

8

(c) 1. Except as provided in subd. 2., if the closest principal structure in each direction along the shoreline to a proposed principal structure exists within 200 feet of the proposed principal structure and both of the existing principal structures are set back more than 75 feet from the ordinary high-water mark at or farther landward from the setback that was required at the time each structure was built, a county shoreland zoning ordinance may establish a setback equal to the average of the setbacks required for those structures at the time they were built.

9

10

11

12

13

14

2. Subdivision 1. does not apply if the resulting setback limits the placement of the proposed principal structure to an area on which the structure cannot be built.”.

15

16

17

(END)



State of Wisconsin
2015 - 2016 LEGISLATURE

LRBa1671/1
EHS:ahc

ASSEMBLY AMENDMENT ,
TO ASSEMBLY AMENDMENT 2,
TO ASSEMBLY BILL 603

INS. 1-4

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

2 1. Page 1, line 3: after that line insert:

stet

3 ~~2m~~ # Page 3, line 3: delete lines 3 to 21 and substitute:

4 "SECTION 2m. 59.692 (1k) (a) 5. of the statutes, as created by 2015 Wisconsin
5 Act 55, is renumbered 59.692 (1k) (am) (intro.) and amended to read:

6 59.692 (1k) (am) (intro.) Establishes The department may not impair the
7 interest of a landowner in shoreland property by establishing a shoreland zoning
8 standard, and a county may not impair the interest of a landowner in shoreland
9 property by enacting or enforcing a shoreland zoning ordinance, that establishes
10 standards for impervious surfaces unless the all of the following apply:

11 1. The standards provide that a surface is considered pervious if the runoff from
12 the surface is treated by a device or system, or is discharged to an internally drained



1 pervious area, that retains the runoff on or off the parcel to allow infiltration into the
2 soil.

3 **SECTION 3m.** 59.692 (1k) (am) 2. and 3. of the statutes are created to read:

4 59.692 (1k) (am) 2. If the standards allow a greater amount of impervious
5 surface on areas with highly developed shorelines than areas with shorelines that
6 are not highly developed, as determined by the department, the standards also
7 require an area with highly developed shorelines to include at least 500 feet of
8 shoreline and require that one of the following applies:

9 a. The area is composed of a majority of lots with more than 30 percent
10 impervious surface area, as calculated by the county and approved by the
11 department.

12 b. The area is composed of a majority of lots that are less than 20,000 square
13 feet in area.

14 c. The area is located on a lake and served by a sewerage system, as defined in
15 s. 281.01 (14).

16 3. The standards prohibit considering a roadway, as defined in s. 340.01 (54),
17 or a sidewalk, as defined in s. 340.01 (58), as impervious surfaces.”.”.

18 **2.** Page 1, line 8: after “principal structure exists” insert “on an adjacent lot
19 and”.

20 **3.** Page 2, line 1: after “principal structure exists” insert “on an adjacent lot
21 and”.

22 **4.** Page 2, line 8: after “principal structure exists” insert “on an adjacent lot
23 and”.

24 (END)