



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2015 Wisconsin Act 167 [2015 Assembly Bill 603]	Shoreland Zoning
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2015 Wisconsin Act 167 makes a number of changes to shoreland zoning laws.

The Act codifies and makes changes to current Department of Natural Resources (DNR) shoreland zoning standards that require that structures be set back at least 75 feet from the ordinary high-water mark (OHWM) of lakes and streams and that allow the averaging of the distances that neighboring structures are set back from the OHWM for purposes of allowing a less restrictive setback requirement for a proposed structure. Act 167 also creates authority for counties to impose a more restrictive setback requirement for a lot based on the location of principal structures on neighboring lots, in certain circumstances.

The Act codifies current DNR shoreland zoning standards that exempt certain boathouses, gazebos, fishing rafts, telecommunications and utility facilities, and walkways, stairways, and rail systems from the general setback requirements. The Act also prohibits the enactment of a county shoreland zoning ordinance that prohibits or regulates the maintenance, repair, replacement, restoration, rebuilding, or remodeling of all or any part of one of these structures in the existing three-dimensional building envelope of the structure.

The Act also codifies and changes requirements related to impervious surface limits in the DNR shoreland zoning standards that are applicable to “highly developed shorelines.” Lastly, the Act provides that the prohibition against DNR rules and county shoreland zoning ordinances that prohibit or regulate the maintenance, repair, replacement, restoration, rebuilding, or remodeling, in the existing three-dimensional building envelope of the structure, of all or any part of certain boathouses, gazebos, fishing rafts, certain telecommunications and utility facilities, and walkways, stairways, and rail systems, applies to these structures even if only partially constructed in the setback area.

Effective date: March 2, 2016

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature’s Web site at: <http://www.legis.wisconsin.gov>.