

Kenosha




County

BOARD OF SUPERVISORS

ORDINANCE NO. _____

Subject: Proposed amendments to shoreland zoning sections and definitions of the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance to assure compliance with the objectives of shoreland zoning enabling statutes 281.31 and 59.692, Stats, to parallel the regulatory provisions of NR 115 and the statutory language reflected in 1999 Wisconsin Act 9, 2011 Wisconsin Act 170, 2015 Wisconsin Act 55, 2015 Wisconsin Act 167 and 2015 Wisconsin Act 391.

Original <input type="checkbox"/>	Corrected <input type="checkbox"/>	2nd Correction <input type="checkbox"/>	Resubmitted <input type="checkbox"/>
Date Submitted: January 3, 2017		Date Resubmitted:	
Submitted By: Planning, Development & Extension Education Committee			
Fiscal Note Attached <input type="checkbox"/>		Legal Note Attached <input type="checkbox"/>	
Prepared By: Andy M Buehler, Director Division of Planning Operations		Signature: 	





WHEREAS, Kenosha County proposes to amend Chapter 12 Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance to change the language regarding the zoning of shorelands on navigable waters to assure compliance with the objectives of shoreland zoning enabling statutes 281.31 and 59.692, Stats, to parallel the regulatory provisions of NR 115 and the statutory language reflected in 1999 Wisconsin Act 9, 2011 Wisconsin Act 170, 2015 Wisconsin Act 55, 2015 Wisconsin Act 167 and 2015 Wisconsin Act 391; and,

WHEREAS, the Kenosha County Planning, Development and Extension Education Committee held a public hearing on the request on December 14, 2016, and recommended approval of the request.

NOW, THEREFORE BE IT RESOLVED that pursuant to the authority granted by Sections 59.69 of the Wisconsin State Statutes, the Kenosha County Board of Supervisors does hereby ordain that Chapter 12 of the Municipal Code of Kenosha County entitled "Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance" be and hereby is revised by the following additions, deletions and amendments, as set forth in the attached Exhibit A.

Approved by:

PLANNING, DEVELOPMENT
& EXTENSION EDUCATION
COMMITTEE

	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Excused</u>
 Erin Decker, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 John Poole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Michael Skalitzky	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Jill Gillmore	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
 Steve Bostrom	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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EXHIBIT "A"

Proposed amendments to the shoreland zoning sections and definitions of the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance to assure compliance with the objectives of shoreland zoning enabling statutes 281.31 and 59.692, Stats, and to parallel as closely as possible the regulatory provisions of NR 115 and the statutory language reflected in 1999 Wisconsin Act 9, 2011 Wisconsin Act 170, 2015 Wisconsin Act 55, 2015 Wisconsin Act 167 and 2015 Wisconsin Act 391.

LIST OF AMENDED SECTIONS

12.01-1	AUTHORITY
12.01-2	PURPOSE
12.02-3	JURISDICTION
12.02-6	ABROGATION
12.02.7	LIBERAL CONSTRUCTION
12.02-11	OTHER MAPS
12.02-12	ZONING MAP AMENDMENTS-EFFECTIVE DATE
12.02-13	INTERPRETATION OF DISTRICT BOUNDARIES
12.04-1	DEPARTMENT OF PLANNING AND DEVELOPMENT
12.05-2	APPLICATIONS NOT REQUIRED
12.18-1	REGULATIONS
12.18-2	TREE CUTTING, AND SHRUBBERY CLEARING
12.18-3	EARTH MOVEMENTS
12.18-4	STRUCTURES
12.18-5	TILLAGE AND GRAZING
12.18-6	WATER WITHDRAWAL AND DIVERSION USES
12.18-9	STIPULATED SHORELAND PERMITS
12.18-10	MITIGATION (New Section)
12.20-1	A-1 AGRICULTURAL PRESERVATION DISTRICT
12.21-4	R-4 URBAN SINGLE-FAMILY RESIDENTIAL DISTRICT
12.21-5	R-5 URBAN SINGLE-FAMILY RESIDENTIAL DISTRICT
12.21-6	R-6 URBAN SINGLE-FAMILY RESIDENTIAL DISTRICT
12.25-1	C-1 LOWLAND RESOURCE CONSERVANCY DISTRICT
12.27-3	AVERAGE STREET YARDS AND SHORE YARDS
12.27-6	ACCESSORY BUILDING REGULATIONS
12.28-5	EXISTING VACANT NON-CONFORMING LOTS
12.28-7	EXISTING NON-CONFORMING STRUCTURES
12.28-11	SHORELAND NON-CONFORMING STRUCTURES AND USES (New Section)
12.39-2	AMENDMENTS TO LANDS IN THE SHORELAND JURISDICTION OF THIS ORDINANCE

APPENDIX "A" --- DEFINITIONS

APPENDIX "D" --- VEGETATIVE BUFFER STANDARDS (New Appendix)

APPENDIX "E" --- SHORELAND SETBACK AVERAGING (New Appendix)