

SHORELAND PROTECTION

Since January 1, 1971 Adams County has had a Shoreland Protection Ordinance with the general goal of preventing pollution and other adverse impacts on the navigable waters of Adams County. This Ordinance was revised in August of 2011 and was renamed the Shoreland Wetland and Habitat Protection Ordinance and is available on line for your review at: <http://www.co.adams.wi.gov/Departments/PlanningandZoning/tabid/81/Default.aspx>

Highlighted changes in this revision include language pertaining to: (a) limits of impervious surfaces on lots or portions of lots within 300 feet of the ordinary high water mark (Section 3-8) and (b) requirements pertaining to vegetated buffers, extending a minimum of 35 feet deep along the shorelines of navigable waters (Section 4-2).

Impervious surfaces

This revision applies to all construction activities on your property which create an impervious surface that occur within 300 feet of the ordinary high water mark of a navigable body of water. Calculation of the percentage of impervious surface is done by dividing the surface area of the proposed and existing impervious surfaces that are on a lot or portion of a lot that lies within 300 feet of the ordinary high water mark by the total surface area of the lot or portion of the lot that lies within 300 feet of the ordinary high water mark and then multiply by 100. The impervious surface standard allows up to fifteen percent impervious surface on the portion of a lot or parcel that is within 300 feet of the ordinary high water mark of a navigable body of water without a mitigation plan. Mitigation plans must be filed if the permitted construction activity creates impervious surfaces greater than 15% but not more than 30% on the lot in question. Mitigation plans must be agreed upon and recorded with the Adams County Planning and Zoning Department and in the Office of the Register of Deeds.

Existing impervious surfaces may: (a) be maintained or repaired, (b) be replaced with a similar surface within the existing building envelope, (c) be relocated as an impervious surface with a similar or different surface provided that there is no increase in the percentage that existed prior to the effective date of this ordinance and that all other zoning requirements are met.

Vegetated buffer zone

This revision applies to all properties that abut navigable waters. This revision promotes the preservation and/or restoration of native vegetation within a vegetated buffer zone that extends from the ordinary high water mark to a minimum of 35 feet landward and prohibits the removal of vegetation in this vegetated buffer zone.

A landowner IS allowed to remove trees and shrubs to create view/access corridors on the property provided that the cumulative width of all view/access corridors may not exceed 30% of the shoreline frontage of the lot. The remaining 70% of this buffer zone must be maintained and preserved as stated in a maintenance agreement as approved by Adams County. At a minimum, the maintenance agreement will be on file at Adams County and will describe existing and/or restored vegetation, maintenance activities for said vegetation, and a map of the view/access corridor(s) with dimensions and distances from property lines included. Details of what constitutes a compliant vegetated buffer can be found in Section 4-2 of the Shoreland, Wetland, and Habitat Protection Ordinance.

By July 1, 2015, all properties that extend from the ordinary high water mark to a minimum of 35 feet inland which do not meet the requirements of this ordinance revision will be considered in violation of this ordinance. The exception to this requirement are lands that extend from the ordinary high water mark to a minimum of 35 feet landward that had no existing vegetation prior to the adoption of the Adams County Shoreland Protection Ordinance, January 1, 1971. Landowners who can provide evidence that there was no existing vegetation at that time may be exempted from the vegetated buffer requirements.

Landowners may receive technical assistance by contacting the Adams County Planning and Zoning Department (608) 339-4508 or the Adams County Land and Water Conservation Department (608) 339-4268. Cost sharing for native species buffer designs may be available through the Adams County Land and Water Conservation Department.



PLANNING AND ZONING DEPARTMENT

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FACT SHEET

SHORELAND ZONING – MAJOR REVISIONS 2011

BUFFER ZONE

MAINTENANCE AND ESTABLISHMENT OF A VEGETATIVE BUFFER ZONE

To protect water quality, fish and wildlife habitat and natural scenic beauty, and to promote preservation and restoration of native vegetation, this ordinance designates land that extends from the ordinary high water mark to a minimum of thirty-five (35) feet inland as a vegetative buffer zone and prohibits the removal of vegetation in the vegetative buffer zone except as follows:

1. Trees and shrubs may be removed in the vegetative buffer zone to create access and viewing corridors, provided that the combined width of all access and viewing corridors on a riparian lot or parcel may not exceed thirty percent (30%) of the shoreline frontage. Within the access and viewing corridor, a sand recreational area may be maintained with hand tools. All access to water, including piers, docks, and/or stairs must be placed in the access and viewing corridor. All storage of any material or equipment must also be confined to the access and viewing corridor.
2. In the remaining seventy percent (70%) length of this strip, vegetation shall be preserved as stated in a maintenance agreement approved by the County. At a minimum, the maintenance agreement shall be on file at the County and shall describe existing vegetation and/or vegetation restored and what activities shall occur to maintain the vegetative buffer zone. Vegetative buffer zones shall consist of a minimum fifty percent (50%) native plant canopy upon maturity.
3. By July 1, 2015, all lands that extend from the ordinary high water mark to a minimum of thirty-five (35) feet inland that currently do not meet the above requirements, shall become vegetative buffer zones or be considered in violation of this ordinance. Exception to this requirement are lands that extend from the ordinary high water mark to a minimum of thirty-five (35) feet inland that had no existing vegetation prior to the Adams County Shoreland Protection Ordinance effective date of 1/1/1971.

IMPERVIOUS SURFACE STANDARD

CONSTRUCTION WITHIN 300' OF ANY SHORELINE

Along with your Permit Application and the normal construction plans, you must submit a detailed and accurate site plan showing all setback measurements, description and dimensions of all existing and proposed impervious surfaces and the impervious surface calculations for that part of your lot that is within 300' of the water. Your proposed construction project will likely be an impervious surface, unless specifically designed, constructed and maintained to be pervious. Impervious surfaces include but are not limited to: buildings, driveways, decks, patios, gazebos, pavilions, and sidewalks – basically any ground coverage that is not specifically designed and maintained to allow infiltration of rainfall. **The site plan as submitted to Planning and Zoning must be signed by the property owner.**

CALCULATION OF IMPERVIOUS SURFACE

The percentage of impervious surface shall be calculated by dividing the surface area of existing and proposed impervious surfaces on the portion of a lot or parcel that is within three hundred (300) feet of the ordinary high-water mark by the total surface area of that portion of the lot or parcel that is within three hundred (300) feet of the ordinary high-water mark, and multiplied by one hundred (100).

IMPERVIOUS SURFACE STANDARD

Up to fifteen percent (15%) impervious surface on the portion of a lot or parcel that is within three hundred (300) feet of the ordinary high-water mark is allowed without mitigation plans. All applicable permits must still be obtained.

MAXIMUM IMPERVIOUS SURFACE

More than fifteen percent (15%) impervious surface but less than thirty percent (30%) impervious surface on the portion of a lot or parcel that is within three hundred (300) feet of the ordinary high-water mark is allowed provided a permit is issued for ALL development that exceeds fifteen percent (15%) impervious surface but not more than thirty percent (30%) impervious surfaces AND a mitigation plan meeting the standards. Mitigation plans must be agreed upon and recorded with Adams County Planning and Zoning Department.

EXISTING IMPERVIOUS SURFACES

For existing impervious surfaces that do not comply with the impervious surface standard or the maximum impervious surface standard, the property owner may:

1. Maintain and repair the existing impervious surfaces;
2. Replace existing impervious surfaces with similar surfaces within the existing building or structure envelope;
3. Relocate or modify an existing impervious surface with similar or different impervious surface, provided that the relocation or modification does not result in an increase in the percentage of impervious surface that existed on the effective date of this ordinance revision, and the impervious surface meets the applicable setback requirements and the applicable zoning district requirements.
4. This does not supersede other provisions in the ordinance. Maintenance, reconstruction, relocation and expansion of existing structures must comply with other applicable provisions in this ordinance, the shoreland setback standards, and nonconforming structure provisions.