

<b>NR 115 Comparison Document</b>			
<b>Issue</b>	<b>Current Law</b>	<b>2005 Hearing Draft</b>	<b>2007 Draft</b>
Lot Sizes - Residential	Sewered areas - 10,000 ft <sup>2</sup> and 65 ft average width Unsewered areas - 20,000 ft <sup>2</sup> and 100 ft average width	Same as Current Law	All newly created lots required to be 20,000 ft <sup>2</sup> with a minimum width of 100 feet at the building setback and the ordinary high water mark.
Other Lot Sizes	Silent - DNR interpretation is all lots must meet minimum sewer/unsewered sizes	1. Commercial/Other - 20,000 ft <sup>2</sup> with 100 ft width 2. Multifamily - sewer/unsewer distinction and additional proportional width and ft <sup>2</sup> requirements based on number of dwelling units 3. Campgrounds - 5 acres for first 10 sites and additional proportional width and ft <sup>2</sup> requirements based on total number of sites	1. Commercial/Other - 20,000 ft <sup>2</sup> with 100 ft width 2. Multi family and campgrounds - the counties must set standards
Setbacks	1. 75 ft for all structures except boat hoists, piers and boathouses 2. No more than 35 ft in any 100 ft can be clear-cut	1. Buildings - 75ft 2. Primary Buffer of natural vegetation - 35ft 3. Secondary Buffer of vegetation - 40ft	1. Buildings and other structures - 75 ft 2. Primary Buffer of natural vegetation - 35 ft 3. Secondary buffer of vegetation from primary buffer to structural setback
Exempt or Permitted Structures	1. Piers, boat hoists and boathouses were exempt 2. Open sided structures exempted in statute - 1997	1. Utilities 2. Open sided structures 3. Fishing rafts 4. Antennas and satellite dishes 5. Walkways/stairways 6. Signs/flagpoles 7. Improvement structures for water quality,	1. Boathouses up to 250 ft <sup>2</sup> 2. Utilities 3. Open sided structures 4. Fishing rafts 5. Antennas and satellite dishes 6. Flagpoles 7. Performance based for all permitted structures

Issue	Current Law	2005 Hearing Draft	2007 Draft
		Erosion control and habitat 8. Fuel Systems 9. Fences 10. Roads, driveways and sidewalks	
Setback Reduction	Unless an existing pattern of development exists - more detail was included in a model ordinance	1. No 30 ft compliant building location exists 2. 7,000 ft <sup>2</sup> minimum lot size 3. Setback could be reduced to 35 ft 4. Reduce to allow a 30 ft building envelope 5. Setback Averaging for lots with compliant building locations allowed 6. Mitigation standards must be met	1. No 30 ft compliant building location exists 2. Removed minimum lot size requirement 2. Setback can be reduced to 50 ft 3. Reduce to allow a 30 ft building envelope 4. Setback Averaging for lots with compliant building locations is not allowed 5. Must meet impervious surface and mitigation standards
Building Allowances	50% rule	1. Unlimited maintenance and repair 2. Replace in primary buffer if pursuant to 59.692 3. Replacement in secondary buffer on foundation 4. Expansion allowed within limits found in tables	1. Unlimited maintenance and repair 2. Replacement in primary if pursuant to 59.692 3. Replacement in secondary buffer on foundation 4. Expansion if under the impervious surface cap 5. May enclose existing impervious surfaces 6. May replace existing impervious surfaces
Nonconforming VS Cap	Nonconforming 50% rule	Nonconforming Regulations 1. Only used with existing structures 2. Based on ft <sup>2</sup> in tables 3. No impervious surface cap	Impervious Surface Standard 1. New Structures - 10% mitigation trigger and 20% impervious surface cap 2. Existing Structures - 15% mitigation trigger and 20% impervious surface cap

Issue	Current Law	2005 Hearing Draft	2007 Draft
Height Restrictions	None	Not addressed	<ol style="list-style-type: none"> <li>1. 35 ft for residential structures</li> <li>2. county determination for industrial, commercial and agricultural</li> </ol>
Land Disturbing Activities	DNR permit when and if Ch. 30 grading of more than 10,000 ft <sup>2</sup> was triggered	<ol style="list-style-type: none"> <li>1. Erosion control plan required</li> <li>2. Shoreland buffer vegetation plan required</li> <li>3. Wetland buffer (county option)</li> <li>4. Permit for disturbing more than 2,000 ft<sup>2</sup></li> </ol>	<ol style="list-style-type: none"> <li>1. County must establish a permit system to control erosion and sedimentation</li> <li>2. Exemption for Chap. 30 and NR 216 permits if the county chooses to exempt them</li> </ol>
Mitigation	None	<ol style="list-style-type: none"> <li>1. Must restore or maintain primary buffer in natural habitat</li> <li>2. Other methods as required by the county</li> </ol>	<ol style="list-style-type: none"> <li>1. Contain/infiltrate average annual rainfall to the maximum extent practicable (DNR Tech. Standards)</li> <li>2. Goal for runoff volumes is pre development equaling post development runoff</li> <li>3. Restore or maintain primary buffer</li> <li>4. One method may do all mitigation</li> <li>5. County establishes proportionality</li> </ol>
Comments and Questions			

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	2. County determination for industrial, commercial and agricultural.
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