



2017 ASSEMBLY BILL 399

June 19, 2017 - Introduced by Representatives JARCHOW, STAFSHOLT and ZIMMERMAN, cosponsored by Senator HARSORF. Referred to Committee on Natural Resources and Sporting Heritage.

1 **AN ACT to amend** 30.27 (3); and **to create** 30.27 (2) (d) of the statutes; **relating**
2 **to:** zoning ordinances in the Lower St. Croix riverway.

Analysis by the Legislative Reference Bureau

This bill provides that neither the Department of Natural Resources nor a county may enforce a guideline or standard for local zoning ordinances applicable to the Lower St. Croix riverway, a general zoning standard, or a stipulation made between a county and a property owner to prohibit the operation of an event facility and lodging establishment in existing buildings on a property located in the riverway that was historically used as a recreational campground.

Under current law, DNR is required to promulgate rules establishing guidelines and standards for local zoning ordinances that apply to the banks, bluffs, and bluff tops of the Lower St. Croix River, and counties and municipalities located in the riverway are required to adopt zoning ordinances complying with the guidelines and standards. Current law also prohibits a county or municipality from modifying or providing a variance from the ordinances without DNR consent. The bill eliminates this prohibition.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

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1 **SECTION 1.** 30.27 (2) (d) of the statutes is created to read:

2 30.27 **(2)** (d) Notwithstanding par. (a) 1., neither the department nor a county
3 may enforce a guideline or standard under this section, any general zoning standard,
4 or a stipulation made between a county and a property owner to prohibit the
5 operation of an event facility and lodging establishment in buildings that existed
6 prior to the effective date of this paragraph [LRB inserts date], on a property
7 located wholly or partially within the Lower St. Croix riverway that was historically
8 used as a recreational campground.

9 **SECTION 2.** 30.27 (3) of the statutes is amended to read:

10 30.27 **(3)** IMPLEMENTATION. Counties, cities, villages, and towns lying, in whole
11 or in part, within the areas affected by the guidelines adopted under sub. (2) are
12 empowered to and shall adopt zoning ordinances complying with the guidelines and
13 standards adopted under sub. (2) within 30 days after their effective date. If any
14 county, city, village, or town does not adopt an ordinance within the time limit
15 prescribed, or if the department determines that an adopted ordinance does not
16 satisfy the requirements of the guidelines and standards, the department shall
17 immediately adopt such an ordinance. An ordinance adopted by the department
18 shall be of the same effect as if adopted by the county, city, village, or town, and the
19 local authorities shall administer and enforce the ordinance in the same manner as
20 if the county, city, village, or town had adopted it. ~~No zoning ordinance so adopted~~
21 ~~may be modified nor may any variance therefrom be granted by the county, city,~~
22 ~~village or town without the written consent of the department, except nothing in this~~
23 ~~section shall be construed to prohibit a county, city, village or town from adopting an~~
24 ~~ordinance more restrictive than that adopted by the department.~~

25

(END)