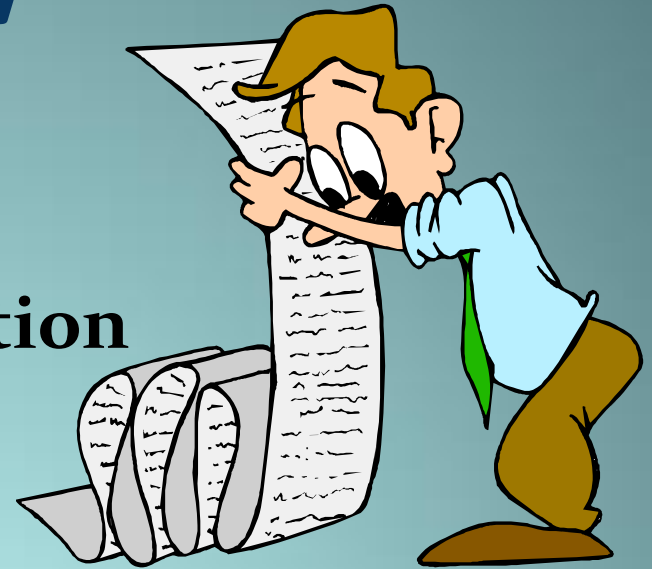


Shoreland Mitigation in Lincoln County

July 17th , 2014

Overview

- **Lincoln County Land Services**
- **Lincoln County Lake Classification**
- **Shoreland Mitigation**
- **Typical Project Timeline**
- **Challenges & Common Complaints**
- **Resources for the Public**



Land Services Department

Combined Department includes Planning & Zoning, Land Information, Land Conservation

Services provided to the public:

- natural resource and water quality protection information
- geographic information
- rural addressing
- Public Land Survey System (PLSS)
- surveying data
- property ownership and tax assessment information
- mapping products
- implementation of comprehensive zoning, shoreland, subdivision and floodplain ordinances



Shoreland Specialist – Laura Boquist
Lboquist@co.lincoln.wi.us (715) 539-1088

- **Guidance** on shoreland zoning regulations, permits, etc.
- Develop **shoreland buffer planting plans** for landowners
- Provide **assistance to landowners** in completing required mitigation

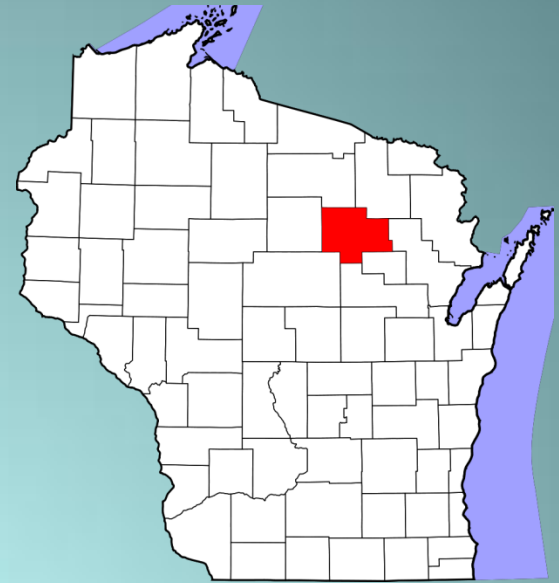


Shoreland Protection Specialist – Tyler Betry

TBetry@co.lincoln.wi.us (715) 539-1090



Lincoln & Langlade
Counties



- Develop **shoreland buffer planting plans** for landowners
- Provide **assistance to landowners** in completing required mitigation
- Provide up to 60% **cost-sharing** for volunteer buffers through shoreland protection grant

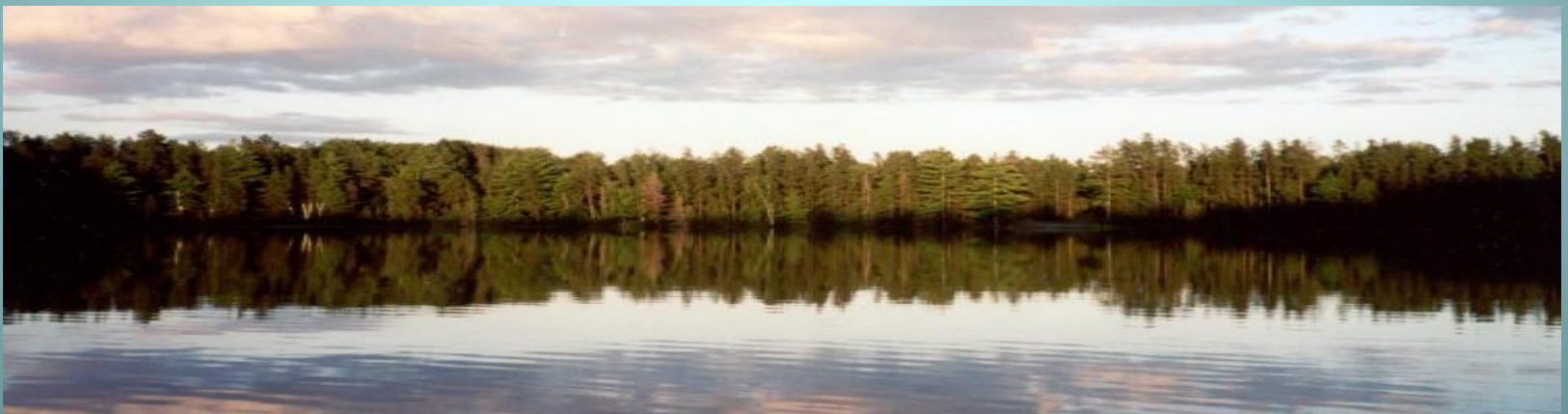
County Conservationist-
Mark Kaczorowski
MKaczorowski@co.lincoln.wi.us
(715) 539-1054

- **Design & cost-share** shoreland erosion control, water quality, agriculture, animal waste projects
- Designs include **environmentally sensitive practices** *example: vegetated retaining walls vs. hardscape*



Protection for Lincoln Co. Waters

- **Low, Moderate & High Sensitivity:** Different protection measures for each class
- **Scoring criteria included:** lake area, lake type, watershed area, current development, erosion hazard and suitability for septic, shoreline development factor



Shoreland Buffers & Mitigation in Lincoln County



Buffer Restoration as Mitigation

- Any construction activity within 300' of water
- Construction of a principal dwelling
- On properties exceeding 15% impervious surfaces
- Cutting violations



**Buffer
must be
restored**



Mitigation Point Schedule

Points are required for developing property under the following conditions:

- Building or excavating on slopes greater than or equal to 20% - 3 points
- Building at reduced setbacks from the OHWM- 1 point for 1st 0—10 ft. ½ point for each additional rounded 5 ft. increment
- Building at a reduced setback from the road right-of-way - 1 point for 1st 0—10 ft. ½ point for each additional rounded 5 ft. increment (only applies to nonconforming lots under §21.14)
- Impervious surface coverage is between 15% and 20% - 1 point
- Impervious surface coverage is between 20% and 30% - 2 points
- Impervious surface coverage is greater than 30% - 3 points

Opportunities to earn mitigation points include:

- **Increasing buffer depths - ½ point for each rounded 5 ft. increment**
- **Reducing the width of the view_/access corridor - ½ point for each rounded 5 ft. increment**
- If lot is larger than prescribed minimum size - ½ point for each rounded 5,000 sq. ft. increment
- Removal of legal nonconforming accessory structure - 1 point
- Removal of legal nonconforming habitable structure - 3 points
- Removal of nonstructural impervious surfaces - ½ point for each rounded 500 sq. ft. of pavement. ½ point for each rounded 1,000 sq. ft. of hard packed gravel
- **Restoration of a Passive Buffer -1 point**
- **Restoration of an Active Buffer -2 points**
- Installation of a preapproved runoff control structure- 2 points
- Leaving percentages of the parcel in a natural state:
1 point for 25—49% 2 points for 50—74% of lot 3 points for greater than 74%
- **Having a compliant shoreland buffer - 1 point**

* Only in special circumstances can a setback of less than 75 ft. to the OHWM be authorized by mitigation - see §§21.13 and 21.14 of this chapter.

The use of a specific runoff control structure is subject to approval by the Zoning Department

Shoreland Buffer Requirements

Waterbody Classification	Buffer Depth	Allowable View/Access Corridors
Low Sensitivity	35 feet from OHWM	No more than 30' in any 150 feet of frontage
Moderate Sensitivity	50 feet from OHWM	No more than 30' in any 175 feet of frontage
High Sensitivity	60 feet from OHWM	No more than 30' in any 200 feet of frontage



- An envelope of 15 feet is allowed around structures within the shoreland buffer area
- You have the option of combining corridors (ex. *60 foot wide corridor*) with an approved CUP

Active vs. Passive Restoration

Active Restoration



- Planting trees, shrubs, groundcovers to a sufficient density
- Turf grass removal
- Most sites require active restoration



Active Restoration Standards

- 1 tree, 2 shrubs for every 100 sq. ft. of area
- Mowing, trimming, raking prohibited
- Grass removal & groundcovers to the extent practicable
- Species must be native



Active vs. Passive Restoration

Passive Restoration

- Intended for sites well suited to natural regeneration
- Don't mow, let it grow



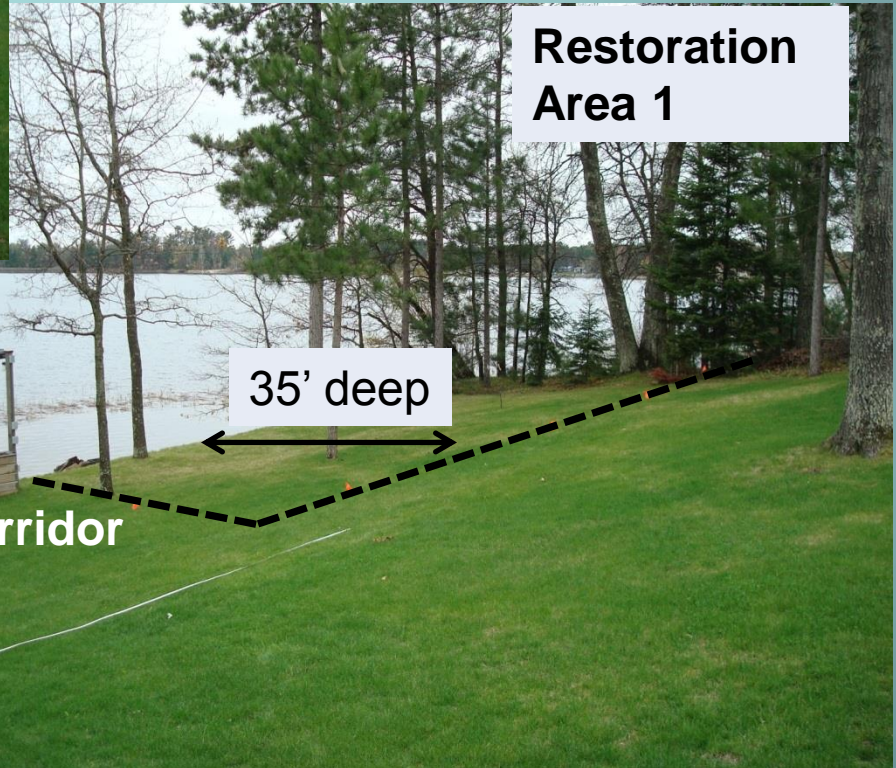
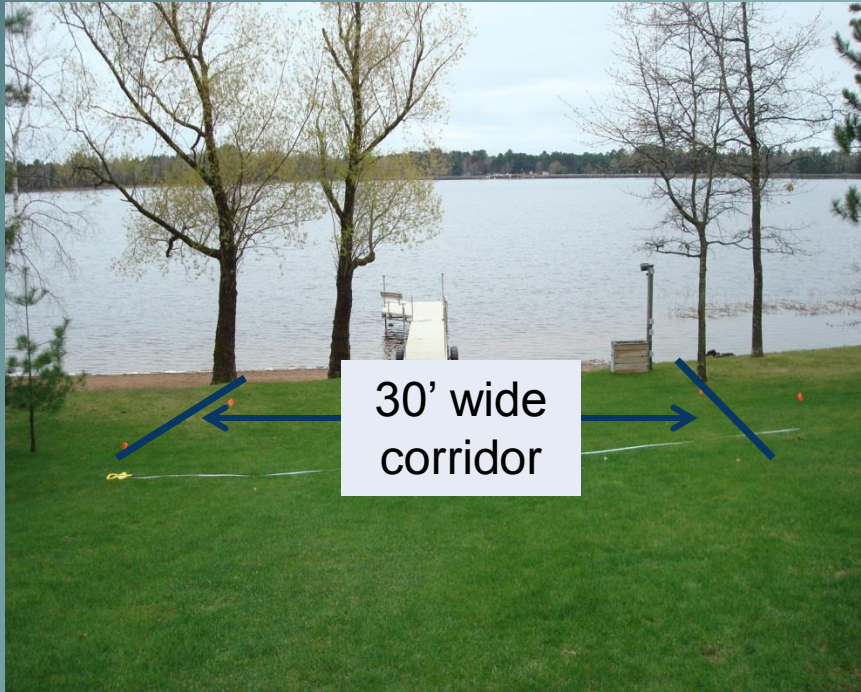
Other Mitigation Standards

- Buffer plan must include proposed method for removal of grass, non-native species
- Minimum size or age of species for restorations may be required depending on the site conditions. *Nuts not allowed*
- All shoreland mitigation activities must be completed within two years
- Any vegetation required as mitigation but subsequently dies shall be replaced and maintained

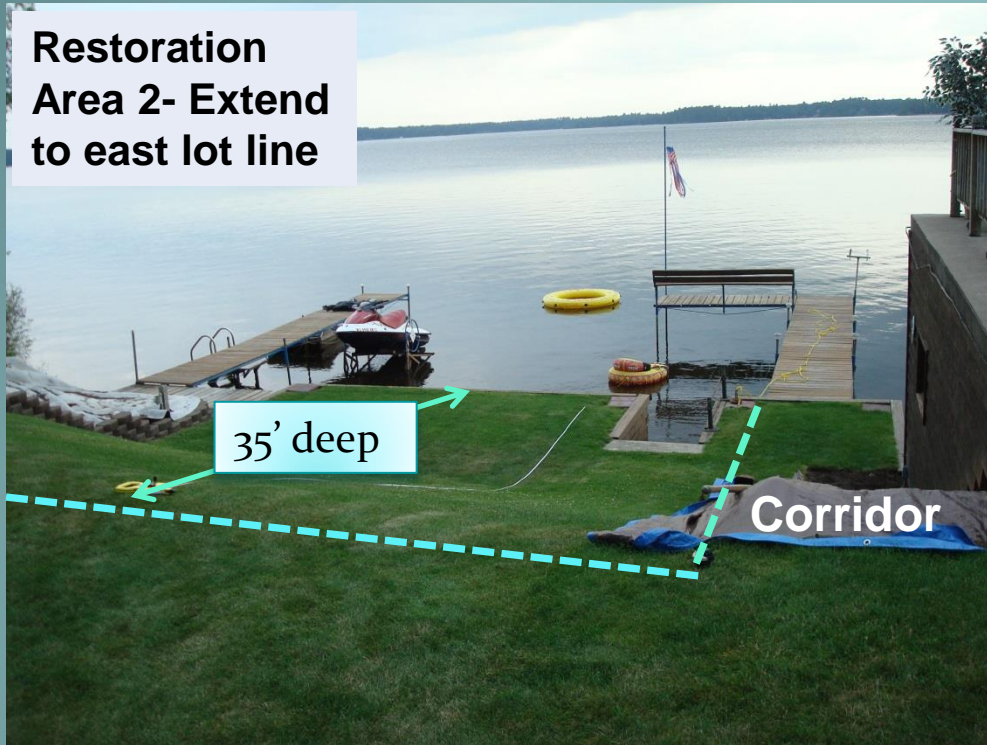


Example Planting Plan

- Plan normally created by staff
- Lay-out using pictures from property
- Includes restoration area sizes & allowable corridors



Example Planting Plan



- Includes suggested native plant list, information on watering, mulching, nursery list, etc.
- Includes required density (number of trees, shrubs, groundcovers)
- Provides deadline for completion
- If requested, plan includes suggested placement of plants

Land Use Permit Affidavit

LAND USE PERMIT AFFIDAVIT

Land Use Permit No.	This agreement is made between the Government Unit and the Real Property owner(s)
Governmental Unit Lincoln County Zoning Administration	Date:
Tax Key Nos. : Parcel # PIN #	Real Property owner(s):
We, the Real Property owner(s) acknowledge that the Land Use Permit applies to the following property (legal description, attach separate sheet if necessary): See attached legal description	
Return to: Lincoln County Zoning Administration	

This is an example. Zoning staff will draft an affidavit with specific information related to your project.

- Recorded with property deed BEFORE permit is issued
- Legal, notarized document
- Outlines buffer conditions, and other mitigation requirements
- Restrictions on property in perpetuity

As an inducement to Lincoln County to issue a Land Use Permit for the above described property, we agree to the following:

1. Owner(s) agree to conform to the conditions of the aforementioned Land Use Permit. If these conditions are not met Lincoln County does have the right to revoke said Permit. Owner(s) agrees that removal of the structures authorized by the Land Use Permit will not void this agreement or the conditions placed hereon.
2. Said Permit shall remain and be preserved upon this described property in perpetuity.
3. Owner(s) agree to allow authorized representatives of Lincoln County to enter upon the owner's property at the above description to inspect the structure(s) authorized by permit and to determine if agreed conditions are being met.
4. This agreement shall be binding upon the owner(s), their heirs, successors and assigns. The owner(s) shall submit this agreement & recording fee to the Lincoln County Zoning Administration, and the agreement shall be recorded by the Register of Deeds in a manner which will notify any individual referencing the deed to the property as to the existence of this agreement.

Soil Disturbance Permit # is conditionally granted for the purpose of constructing a walkway within the shorelands of Long Lake, a moderate sensitivity waterway. In order to conduct grading activities and issue a soil disturbance permit, the shoreland buffer must be restored to ordinance standards. ~~The owners have agreed to the following conditions to authorize the project:~~

- 1) Actively restore and maintain the shoreland buffer to a depth of 50 feet from the ordinary high water mark for the entire shoreline frontage, with exception for one 30 foot wide view and access corridor. Mowing, trimming, and raking is not allowed within the shoreland buffer.

All heirs and assigns of this property are bound and obligated to maintain the aforementioned mitigation.

Owner's Name(s) -- Please Print:	Subscribed & sworn to before me on this date:	Governmental Unit Official Name -- Please Print: Laura Boquist
	Notary Public (Printed or Typed):	Governmental Unit Official Title -- Please Print: Lincoln County Shoreland Specialist
Notarized Owner(s) Signature(s):	Notary Public (Signature):	Governmental Unit Official Signature:
	My Commission Expires:	

Drafted by: Laura Boquist

Personal information you provide may be used for secondary purposes (Privacy Law, s.15.04(1)(a))

Black Ink Only

Recorded Affidavits in Lincoln Co.

- **Currently monitoring all Land use affidavits/agreements in the county for compliance (2012-2015)**
- **All site visits and compliance tracked through access database & mapped on GIS map**
- **Lincoln County has approximately 310 such agreements. Of these, 272 are either compliant or in progress, 25 have an unknown status and will be checked during the 2014 season, and 13 (4%) are active violations**

Typical Project Timeline

- **Landowner turns in permit**

- May include Land -Use, Soil Disturbance, 59.692 , Sanitary, etc.



- **Staff review permit in field**

- 1-2 weeks on average, *except winter*
- Check set-backs, calculate impervious surfaces, mitigation



Typical Project Timeline

- **Staff follow up with landowner** regarding required mitigation
 - Affidavit sent to owner for signature
 - Restoration plan (if needed) sent to owners with affidavit
- **Permits approved** when affidavit is recorded with Deed (1-2 days to record)
- **Property monitored for compliance** for 2 growing seasons. Reminder letter sent after 1 growing season

Common Issues on Restorations

- Lack of watering for seasonal residents



- Poor planting techniques

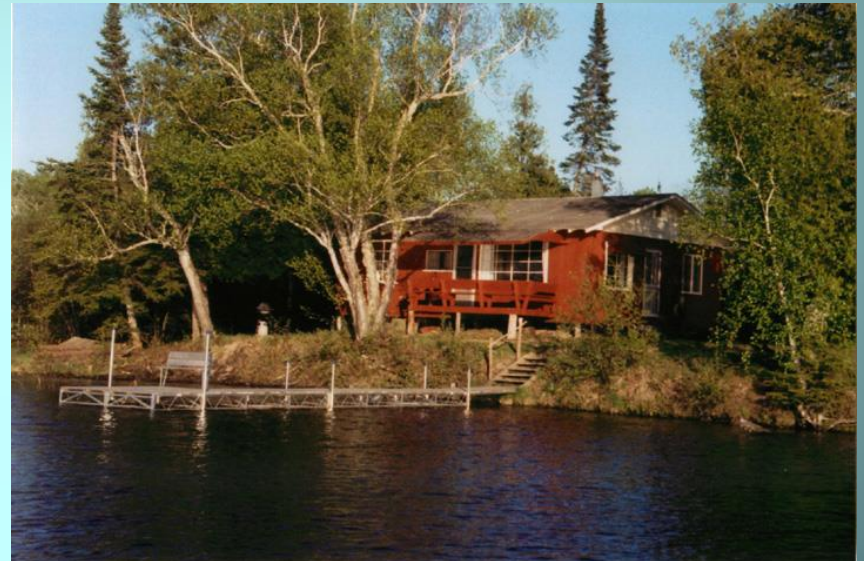


- Non-native or bad plant choices



Common Complaints from Public

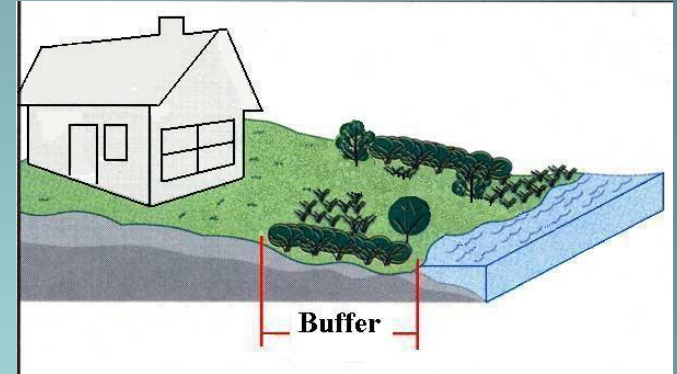
- Stopping Mowing
- Why? It's been that way forever
- Cost
- You can't plant in sand
- I won't be able to see the water
- My home is within the buffer area



Resources for the Public

<http://www.co.lincoln.wi.us>

- Native Plant Lists, Detailed & Brief
- Planting techniques & Information
- Nursery/Greenhouse Locations
- DNR & UW EX Publications



<http://lrrd.co.langlade.wi.us>

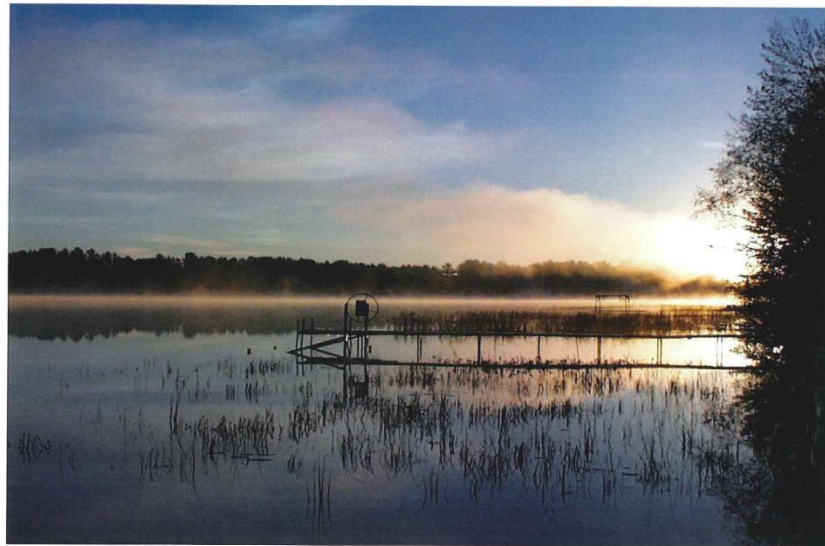


- Customize your plan tool!
- Shoreland Restoration Information & Publications

Resources for the Public

Shoreland Zoning Guidebook

Lincoln County, Wisconsin
Shoreland Property Owner Guidebook



A Companion Guide to Lincoln County
Shoreland Zoning Regulations

Questions?

