

13-1-13(h)

SHORELAND USE AND DEVELOPMENT

1) Shoreland Jurisdictional Area

This subsection shall apply to lands lying within the following distances of navigable waters, as defined under s.281.31(2)(d) Wisconsin Statutes:

- a) One thousand feet from a pond, lake or flowage. If the navigable water is a glacial pothole lake, this distance shall be measured from the high water mark of the lake.
- b) Three hundred feet from a river or stream or to the landward side of the floodplain, whichever distance is greater.

This subsection shall not apply to an artificially constructed drainage ditch, pond, or storm water retention basin if the drainage ditch, pond, or retention basin is not hydrologically connected to a natural navigable body of water.

2) Use and Development Standards

a) For parcels within the corporate boundaries of the City of Menasha prior to May 8, 1982 the following standards shall apply within the R-1, R-1A, R-2, and R-2A, zoning districts:

- 1) Shoreland setback area for a principal building - 50 feet as measured from the ordinary high-water mark.

b) For parcels annexed to the City of Menasha after May 7, 1982 the following standards shall apply within all zoning districts:

- 1) Shoreland setback area for a principal building - 50 feet as measured from the ordinary high water mark, except that a principal structure may be constructed or placed within the shoreyard setback area if all of the following apply:

- a) The principal building is constructed or placed on a lot or parcel of land that is immediately adjacent on each side to a lot or parcel of land containing a principal building.
- b) The principal building is constructed or placed within a distance equal to the average setback of the principal building on the adjacent lots or 35 feet from the ordinary high-water mark, whichever distance is greater.

2) Maintenance of shoreland vegetation: Except as provided in subd. a & b, on properties containing vegetation a vegetative buffer zone shall be maintained along the entire shoreline and extending 35 feet inland from the ordinary high-water mark of the navigable water.

- a) If the vegetation in the vegetative buffer zone contains invasive species or dead or diseased vegetation, the owner of the shoreland property may remove the vegetation, except that if the owner removes all of the vegetation in the vegetative buffer zone, the owner shall establish a vegetative buffer zone with new vegetation.
- b) Owners maintaining or establishing a vegetative buffer zone may remove all of the vegetation in a part of that zone in order to establish a viewing or access corridor that is no greater than 30 feet wide for every 100 feet of shoreline frontage that extends no more than 35 feet inland from the ordinary high-water mark.