



CITY OF APPLETON

MEMORANDUM

Date: August 27, 2025
To: Plan Commission
From: Don Harp, Principal Planner
Subject: Informational Presentation of Draft Shoreland-Wetland, Shoreland Zoning Text and Shoreland District Map Amendments – Chapter 23 of the Municipal Code

PURPOSE OF MUNICIPAL CODE TEXT AMENDMENTS

The Wisconsin Department of Natural Resources (DNR) notified the City of the presence of wetlands that are five (5) acres or greater in size within the City corporate limits.

Pursuant to Wisconsin State Statutes 62.231 Zoning of wetlands in shorelands and NR 117.05 Shoreland-wetland protection standards, all cities are required to adopt and enforce zoning ordinances consistent with Chapter NR 117 of the Wisconsin Administrative Code standards for all wetlands of 5 acres or more, which are shown on the Wisconsin Wetland Inventory map and which are located in shorelands within the City corporate limits.

Shoreland areas are generally defined as follows:

1. 1,000 feet of the ordinary high-water mark of navigable lakes, ponds and flowages.
2. 300 feet of the ordinary high-water mark of navigable rivers or streams or to the landward side of floodplain, whichever is larger.

The proposed shoreland-wetland regulations govern the type of uses allowed in wetlands near rivers and lakes with some activities requiring a permit from the City. Activities include, but are not limited to, construction of roads, limited filling and excavating for public boat launch ramps, and construction and maintenance of electric, telephone and railroad lines.

The amendments include the following sections:

1. Create Article XI. Section 23-326 Shoreland-Wetland Zoning District Regulations.
 2. Amend Article XIX. Shoreland Zoning, delete text language located in Section 23-752 (b)(3) related to the reference "Probable Non-Navigable Stream" and associated text.
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GENERAL INFORMATION

The Department of Public Works, Engineering Division, City Attorney's Office and Community Development Department Planning staff collaborated on the proposed draft Chapter 23 Zoning text and Shoreland District Map amendments. The Shoreland District Map amendment will include adding wetland boundary lines of 5 acres or more from the DNR Surface Water Data Viewer (see attached map). The Official Shoreland District map amendment will be presented at the public hearing.

On August 13, 2025, the DNR confirmed the attached draft text amendments are in compliance with the minimum requirements of Wisconsin State Statutes 62.231 Zoning of wetlands in shorelands and NR 115 Shoreland protection and NR 117 Shoreland-wetland protection.

PROPOSED DRAFT TEXT AMENDMENTS

The text recommended to be added is underlined. The text recommended for deletion is identified by ~~strikethrough~~.

RECOMMENDATION

Based upon the above analysis, staff recommend the Plan Commission review the draft Municipal Code text amendments included in this report, discuss and receive public input on the proposed changes, and direct staff to make any revisions and prepare the necessary public hearing notices for the proposed text/map amendments to Chapter 23 Zoning.

NOTE: Chapter 23 Zoning text/map amendments initiated by Plan Commission will be processed in accordance with Section 23-65(c), Zoning Text Amendments. This process would include future review and action by Plan Commission (after public hearing), as well as review and action by Common Council.