

Proposed Shoreland & Floodland Protection Ordinance and General Zoning Code Modifications (excluding Downtown Okauchee District related standards) 4 29 19

Proposed Ordinance Modification (excluding Downtown Okauchee District related standards)	Shoreland & Floodland Protection Ordinance	Ordinance Section	Page #	General Zoning Code	Code Section	Page #
Definitions: offset (include structures, not just buildings), special exception (modify standards to reduce subjectivity of review), structure (include fences w/in 75 ft. of shore per DNR), substantial evidence, unnecessary hardship, and use & area variance (per state statute)	X	2	26-38	X (except fence reference)	2.02	15-22
Provide option for Town Plan Commission to waive some Plan of Operation review authority or assign to Town Planner	X	3(c)6	47	X	3.03(6)	25
Clarify that Town & County Plan Commission approval is not required for farm buildings within FLP District	X	3(d)1	52	X	3.04(1)	27
Require Town/County Plan Commission approval for walls less than 5 ft. from a lot line, rather than 5 ft. or less from a lot line	X	3(d)5.C	55	X	3.04(5)(A)	29
Remove provision that allows retaining walls within 75 ft. of the shore if necessary to abate a known and identified soil erosion and sedimentation problem (amendment required by DNR)	X	3(d)5.C	56			
Clarify that priority tree removal requires replacement with priority tree species, add black cherry to priority tree species list	X	3(d)9.D.ii & Table 3(d)9.B	59, 263		NA	NA
Remove multiple-family use statement regarding definition and permitting requirements, already specified elsewhere	X	3(e)4	62		NA	NA
Specify that road setback averaging applies to both public and private roads, clarify existing road setback averaging provisions and requirements for improvements to structures in road R-O-W, exempt fences from road setback	X	3(h)1	64-67	X	3.09(1)	62-65
Apply wetland setback averaging provisions to swimming pools located immediately adjacent to a residence	X	3(h)2.J.v	70	X	3.09(2)(C)5	66
Clarify provisions related to the clustering of accessory structures	X	3(h)3.A.iv	72	X	3.09(3)(A)3	67
Exempt fences from the offset provisions	X	3(h)3.A.ix	72		NA	NA
Require 20 ft. offset between buildings unless otherwise specified, remove provision that allows reduced offset on one side if increase setback on other side	X	3(h)3.C.ii	73	X	3.09(3)(C)2	68
Clarify that the 35 ft. building height restriction within 75 ft. of a waterway does not apply if only the adjacent deck/patio is located within 75 ft., include long-term maintenance provisions for the planting of trees that are required when increasing the height of a building adjacent to a waterway	X	3(i)1	73		NA	NA

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Provide an exception from the min. living floor area provisions in order to accommodate max. 600 sq. ft. garage	X	3(j)1.B	75	X	3.11(1)(B)	69-70
Modify minimum living floor area requirements for single-family and two-family units that are part of a mixed-use development to match multi-family unit provisions	X	3(j)1.C	75	X	3.11(1)(C)	70
Remove a substandard lot provision that was also recently removed from State Statutes				X	3.11(3)	71
Repeal and re-create off-street parking section: modernize stall and aisle sizes, determine minimum # of non-residential parking spaces required on a case-by-case basis using parking demand estimates, professional guidance documents and other factors, and add accessible parking standards	X	3(k)	79-84	X	3.12	73-79
Modify nonconforming structure section & North Lake Overlay District per State Statutes, specifically allow modifications/reconstruction of existing nonconforming structures	X	3(o)3	86-90, 205	X (except North Lake Overlay District)	3.17(2)	81-83
Identify Stormwater Permit requirement for new boathouse construction, ensures erosion control oversight to protect lakes	X	3(s)9	94		NA	NA
Include long-term maintenance provisions in the Treated Impervious Surface standards	X	3(t)9.C.iv	97		NA	NA
Replace the term "Treated Impervious Surface" with "Stormwater BMP" within the mitigation standards to simplify terminology	X	3(u)3.C.xiv	104-105		NA	NA
Amend Conditional Use section to add references to substantial evidence, etc. to incorporate new statutory requirements. A more comprehensive update of this section is planned in the future.	X	4	110-112	X	3.08	33-35
Clarify applicability of reverse shore setback averaging provisions & remove building separation requirement that considers buildings on adjacent lots (requested change by Town of Delafield)	X	37(c) & (d)	241-242		NA	NA
Reference existing Board of Adjustment rules of procedures & slightly modify considerations for decision making to match statutory language	X	38(b)3 & 38(c)	243-245	X	19.02(3) & 19.03	162-163
Add 2 recent LOMR's to official floodplain maps (Pewaukee River & Rosenow Creek)	X	Table 6(b)1.B.i	265		NA	NA