Project Objectives

- Implement revised State shoreland rules (NR 115)
- Comply with revised State law (59.692)
- Improve & modernize County zoning provisions
Priority Topics

- Impervious Surface
- Building Bulk
- Non-conforming Structures
- Mitigation
- Shoreland Zoning Matters
Impervious Surface Limits

Previous rule – none (Code has limited IS rules)

NR115 – Maximum coverage allowances

ACT 55 - Must exempt “treated impervious surfaces”
# Impervious Surface Options

<table>
<thead>
<tr>
<th>General Standards</th>
<th>Highly Developed Shoreline option</th>
</tr>
</thead>
<tbody>
<tr>
<td>15% maximum (w/o mitigation)</td>
<td>Up to 30%- residential use (w/o mitigation)</td>
</tr>
<tr>
<td>30% maximum (w/ mitigation)</td>
<td>Up to 40%- residential use (w/ mitigation)</td>
</tr>
<tr>
<td></td>
<td>Up to 40% commercial/ind. use (w/o mitigation)</td>
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<tr>
<td></td>
<td>Up to 60% commercial/ind. use (w/ mitigation)</td>
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</tbody>
</table>
Highly Developed Shoreline Criteria

- Urban Census Tracts

- 500’ shorelines if following apply:
  - Municipal sewer
  - >50% of lots contain 30%+ IS
  - >50% of lots are less than 20,000 s.f.
Urbanized Areas and Clusters in Waukesha County
Impervious Surface Sample

- 37 surveys analyzed
  - 0% less than 15% IS
  - 51% contained 15-30% IS
  - 49% contained >30% IS

- Lake inventories- sampled lakes had nearly 50% of properties w/ 30%+ IS.
Preferred Impervious Alternative

- Employ Highly Developed Shoreline Option in the following areas:
  - Urban Census Tracts/Clusters
  - Additional 7 shorelines that met criteria

- Apply General Standard to all other shorelines (includes smaller lakes and most riverine shorelines).
Treated Impervious Surface

- Exclusions from IS calculations defined
- Performance Standard - Treat first \( \frac{1}{2} \) inch runoff
- Storm Water Permit required

Infiltration chamber - Image: tetoomey.com
Rain Gardens
Nonconforming Structures

Previous rule – Improvements limited to 50%.

NR 115 – Vertical & horizontal expansions of principal structures w/in setback.

ACT 55 – No mitigation for vertical expansions, must allow vertical expansions up to 35 ft. tall.
Illustration taken from Lynn Markham, CLUE
Non-conforming Conditions

- Development pattern pre-dates zoning
- 50% of lake lots less than 20,000 sq. ft.
- Code not adequately accommodating non-conformities.
Nonconforming Structures – Proposed “Tiered” Relief

- Offset
- Road setback
- Wetland & floodplain setback
- Footprint
Mitigation Required

- Exceed basic IS thresholds.
- Relocation of a similar sized structure within the shore setback*
- Horizontal expansion (200 sq. ft. or less) of a structure within the shore setback*
- Horizontal Expansion (200 sq. ft. or less) of a structure within the wetland setback*

*existing structure must be 35’ from shore/resource
Recommended Mitigation Measures

- 15 different mitigation types (Mitigation Handbook)
  - Vegetative buffers
  - Remove/screen retaining walls
  - Increased shore setback
  - Remove non-conforming structures

- Point system - different improvements require unique number of points as detailed in Handbook.
Vegetative Buffers
Building Bulk

- Replace floor area ratio & open space.
- Introduce building footprint scheme.
- Six footprint options analyzed.
- Amend Height regulations.
Floor Area Ratio Trends

- 49 FAR variance requests- ‘14-’15
- 84% granted some relief
- Ave. FAR sought- 23.8%
- Ave. FAR granted- 21.3%
## Floor Area Ratio

<table>
<thead>
<tr>
<th>Lot Size (sq. ft)</th>
<th>Total FAR permitted (at 15%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>5,000</td>
<td>750 sq. ft.</td>
</tr>
<tr>
<td>6,000</td>
<td>900 sq. ft.</td>
</tr>
<tr>
<td>7,000</td>
<td>1,050 sq. ft.</td>
</tr>
<tr>
<td>8,000</td>
<td>1,200 sq. ft.</td>
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<table>
<thead>
<tr>
<th>Year</th>
<th>Average Home Size (nationally)</th>
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<tbody>
<tr>
<td>1950</td>
<td>983 sq. ft.</td>
</tr>
<tr>
<td>1973</td>
<td>1,660 sq. ft.</td>
</tr>
<tr>
<td>2010</td>
<td>2,392</td>
</tr>
</tbody>
</table>
Recommended Footprint Scheme

- Residential Districts- 17.5% maximum footprint

- Non-residential Districts- Existing FAR % limits becomes footprint % limits.

- Accessory Building Footprint
  - Lots <14,000 s.f. = 600 s.f.
  - Lots 14,000 or more = 750 s.f. or 2% of lot area (whichever is greater)
Recommended Height Limits

- 35’ within 75’ of shore or lots < 65’ wide.
- 42’ beyond 75’ & lots > 65’ wide.
- Accessory building sidewalls (10’-15’) within 75’.
Boathouse Rule Changes

- Remove lot size eligibility requirements (Required per DNR).
- Set max. size constraints (450 s.f.)
- Must locate within view corridor (NR 115).
- No plumbing (NR 115 change).
- Wall height limits.
22'6" X 30', 675 SQ. FT.
Misc. Zoning Matters

- Substandard Lots
- Vegetative cutting
- Offsets
- Lot definition
- Accessory building footprint
Next Steps

- Public Information Meeting - June 23
- Distribute draft text - June
- Public Hearing - July