

**THE PLAN COMMISSION
CITY of CHETEK**

The Plan Commission of the City of Chetek will meet at City Hall 220 Stout Street on Thursday August 15, 2024 at 6:00 p.m. for a regular meeting. A quorum of City Council members may be present.

Regular Meeting

SCHEDULED ATTENDANCE

- 1. Call to order**
- 2. Roll Call**
- 3. Assure compliance with open meeting law**
- 4. Approve minutes of previous meeting**
 - **Discussion/Possible Action: approve or not approve alley vacate at 1100 15th Street for Hassemer and forward recommendation to council.**
 - **Discussion/ Possible Action. look at future ordinance changes and forward recommendations to the council.**
 - 1) **Repeal Division 6-Knapp Haven Nursing Home Board Sec. 349-352**
 - 2) **Repeal Division 4- Residential Rental Permits and Mandatory Inspections Sec. 330-338**
 - 3) **Text amendment- change Comm. 20, 21, 22, 23, 16 and 25 to SPS 320, 321, 322, 323, 16 NEC, 325 and add SPS 381-387 in Sec. 26-57 Adoption.**
 - 4) **Text amendment- change Comm. 23.04 and 23.11 to SPS 323.04 and 323.11 in Sec. 26-93 Class A chimney required.**
 - 5) **Text amendment- possible change in total sq. ft. from 1,200 to 1,500? in Sec. 26-151 Location of detached garages and accessory buildings.**
 - 6) **Text addition- add R-2 and R-3 to Sec. 26-151**
 - 7) **Text addition- add the following to Sec. 26-151 (2)**

Detached accessory buildings shall not be located less than five (5) feet from any residential building nor closer than five (5) feet to an alley, except that when the accessory building is a garage that has its entrance facing the alley, the rear yard setback shall be 20 feet for the garage. All other structures not involving an alley or a garage shall be a minimum of three (3) feet from the property line.

- 8) **Text addition- look at Sec. 118-86 Airport District and discuss overnight sleeping in hangers.**
- **Discussion/ Possible Action: recommend or not recommend to City Council to pass the shoreline provisions ordinance as written.**

- **Discussion/Possible Action: approve or not approve Justin Larsons plan and set a finish date for the shipping container that was placed on the property without City approval.**

**Set date and agenda items for September meeting
Adjourn**

2/15/24 proposed changes

Repeal -**DIVISION 6. - KNAPP HAVEN NURSING HOME BOARD (Sec. 349-352) no longer exist**

Repeal-**DIVISION 4. - RESIDENTIAL RENTAL PERMITS AND MANDATORY INSPECTION (Sec. 330-338) no longer exist**

Sec. 26-57. - Adoption.

(a)The following administrative code provisions, known as the Uniform Dwelling Code, are hereby adopted and by reference made a part of this chapter as if fully set forth herein:

(1)

Wis. Admin. Code ch. (SPS 320) Administrative and Enforcement. **Was Comm 20**

(2)

Wis. Admin. Code ch. (SPS 321) Construction Standards. **Was Comm 21**

(3)

Wis. Admin. Code ch. (SPS 322) Energy Conservation Standards. **Was Comm 22**

(4)

Wis. Admin. Code ch. (SPS 323) Heating, Ventilating and Air Conditioning. **Was Comm 23**

(5)

Wis. Admin. Code ch. (SPS 16 and NEC) **Electrical Standards. added NEC**

(6)

Wis. Admin. Code ch. (SPS 325) and (SPS 381-387) Plumbing and Potable Water Standards

Was Comm 25 and Comm 81-87

Sec. 26-93. - Class "A" chimney required.

All residential buildings shall be required to have a Class "A" chimney, except as provided in Wis. Admin. Code (SPS 323.04) and (SPS 323.11) **Was Comm 23**

Sec. 26-151. - Locations of detached garages and accessory buildings.

Detached garages and accessory buildings shall be governed by the following unless otherwise provided for in appropriate zoning codes:

(1) All private garages and accessory buildings are limited to a total size of 1,200 **1,500 ?** square feet per lot, with a maximum height of 35 feet. The number of garage/accessory buildings shall be limited in R-1, R-2, and R-3 Districts as set forth in Section 118-254. **Add R-2 and R-3**

(2) Detached, accessory ~~garages-~~ buildings shall not be located less than five feet from any residential building nor closer than five (5) feet to an alley, except that when the accessory building is a garage that has its entrance facing the alley, the rear yard setback shall be 20 feet for the garage. All other structures not involving an alley or a garage shall be a minimum of three (3) feet from the property line.

City of Cheatek - Ordinance Tracking (Planning Commission)

Ordinance Number	Ordinance Name	Last Upd <small>as of Date</small>	Action	Priority	Notes
793-A Chapter 118 Article XI	Shipping Container Shoreline Provisions RESIDENTIAL	July 2024 N/A		None	Addressed the use of containers within the City. Limited to short term. No use for building. J. Larson grandfathered with requirements. Waiting on attorney feedback.
2/15/24 DIVISION 4 SEC. 26-330 THROUGH 26-338	RENTAL PERMITS AND MANDATORY INSPECTIONS KNAAPP HAVEN NURSING HOME BOARD	June 201	Amendments	Medium	need to be consistent with the State
DIVISION 6 SEC. 2-349	UNIFORM DWELLING CODE BOARD	N/A	Repeal	High	no longer a Knapp Haven Nursing Home Board
DIVISION 2 SEC. 26-67	ADOPTION ARTICLE III	N/A	Amendments	High	need to be consistent with the State <small>Refer Comm. with SPS</small>
DIVISION 1 SEC. 26-93	BUILDING CODE LOCATION OF DETACHED GARAGES AND ACCESSORY	N/A	Repeal	High	no longer a Knapp Haven Nursing Home Board
DIVISION III SEC. 26-151 BUILDINGS	LOCATION OF DETACHED GARAGES AND ACCESSORY	Decembr	Amendments	High	ADDITION- Detached garages shall not be located less than five (5) feet from any principle structure nor closer than (5) feet to an alley, except that when the accessory building is a garage that has its entrance facing the alley, the setback shall be 20 feet for the garage. All other structures not involving an alley or a garage shall be a minimum of three (3) feet from the property line to the overhang of the structure.
ARTICLE II SEC. 118-75, ZONING DISTRICTS		July 2022	Amendments	High	Add alley language to 118-75, 118-76 a <small>et al</small>
DIVISION III SEC. 26-151: GARAGES		N/A	Repeal	Medium	Not required by State Code
DIVISION 1 SEC. 26-249 GENERALLY	LOCATION OF DETACHED GARAGES AND ACCESSORY	N/A	Amendments	Medium	Add construction, HVAC and electrical installation to 26-249
2/15/24 DIVISION 3 SEC. 26-151 BUILDINGS	BUILDINGS GENERALLY (fees)	Decembr	Amendments	Medium	Propose to change size of detached structures from 1,200sq ft to 1,500 sq. ft.
DIVISION 1 SEC. 26-252	GENERALLY (permits lapses)	N/A	Amendments	Medium	Add HVAC
DIVISION 1 SEC. 26-253	GENERALLY (inspection of work)	N/A	Amendments	High	Change 18 months to 24 months to be consistent with the state
DIVISION 1 SEC. 26-259	GENERALLY (electrical permit)	N/A	Amendments	High	Add State SPS 320 inspection of work categories
DIVISION 1 SEC. 26-289	PLUMBING PERMITS	N/A	Amendments	High	Add exception per State SPS 136- owner, occupier may do electrical work
ARTICLE IV SEC. 66-165, 166, 167	SUMMER ACTIVITY BOARD	N/A	Repeal	Medium	remove Department of Social Services and add Department of Safety and Professional Services
CHAPTER 82 SEC. 82-12 (5)	SIGNS	Septemb	Amendments	High	no longer an activity board
ARTICLE III SEC. 94-64	REQUIRED IMPROVEMENTS (11)	April 200	Amendments	Low	add e. off-premises signs, off premises signs <small>Section 66-11 (6)</small>
ARTICLE IV SEC. 94-97	BUILDING SETBACK LINES	April 200	Amendments	Medium	look at language pertaining to developments
			Amendments	Medium	add (c) exception, a reduced setback may be allowed in accordance with sec. 118-319- reduced building setback

ARTICLE II SEC. 118-75 SINGLE FAMILY RESIDENCES	July 2022	Additions	High	add to (b) 10 short term home rentals allowed under council approval
ARTICLE II SEC. 118-76 TWO FAMILY RESIDENCES	October	Additions	High	add to (b) 3 short term home rentals allowed under council approval
ARTICLE II SEC. 118-78 GENERAL COMMERCIAL DISTRICT HIGHWAY	July 2022	Amendments	High	change building height to 35 feet to be consistent with other structure requirements
ARTICLE II SEC. 118-80 COMMERCIAL DISTRICTS RESORT	July 2022	Amendments	High	change building height to 35 feet to be consistent with other structure requirements
ARTICLE II SEC. 118-81 COMMERCIAL DISTRICTS IN GENERAL	July 2022	Amendments	High	change building height to 35 feet to be consistent with other structure requirements
CHAPTER 118 Article 1 ZONING		Additions	Low	add definition of residential mobile home per State SPS 320.12 and 320.17

ARTICLE XI. SHORELINE PROVISIONS (DRAFT) Revision Date: 2/12/24

(revised 4/7/24) (revised 8/5/24)

Sec. 118-314. Purpose of shoreline regulations.

This article is established to further the maintenance of safe and healthful conditions, prevent and control water pollution, protect fish and aquatic life by controlling building sites, the placement of structures and land uses, and reserving shore cover and natural beauty for all waterfront and shoreland development. For the purposes of this article, the provisions shall apply to all shoreline property located in the City, including any land legally annexed by the City.

Sec. 118-315. Definitions.

In addition to the definitions listed in Article I of this chapter, for the purposes of this article the following terms shall have the meaning stated below:

Boathouse means any structure designed solely for the purpose of protecting or storing boats for noncommercial purposes.

Development means any man made change to improved or unimproved real estate, including, but not limited to, the construction of buildings, structures or accessory structures; the construction of additions or substantial alterations to buildings, structures or accessory structures.

Impervious Surfaces means an area that releases as runoff all or a large portion of the precipitation that falls on it. Rooftops, sidewalks, driveways, gravel or paved parking lots, and streets are examples of surfaces that typically are impervious. Aggregate driveway surfaces are considered impervious, unless specifically designed, constructed, and maintained to encourage infiltration.

Mitigation means balancing measures that are designed, implemented and function to restore natural functions and values that are otherwise lost through development and human activities.

Native Plant means a plant is considered native if it has occurred naturally in a particular region, ecosystem, or habitat without human introduction.

Ordinary high-water mark (OHWM) means the point of the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive mark, such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation or other easily recognized characteristics.

Rear lot line means the ordinary high-water mark. (OHWM)

Rear yard shall be the yard extending the full width of the lot between the ordinary high-water mark to the nearest part of the principal building.

Retaining Wall means a wall or barrier constructed to hold back earth or water.

Routine Maintenance of Vegetation means normally accepted horticultural practices that do not result in the loss of any layer of existing vegetation and do not require earth disturbance.

Shorelands means the area within the following distances from the ordinary high-water mark of navigable waters as defined in s. 281.31(2)(d): 1000 feet from a lake, three hundred feet from a river, stream or to the landward side of a floodplain, whichever distance is greater.

Vegetation means any organic material that originates from the plant kingdom, including but not limited to trees, shrubs, grasses, flowers, fruits, leaves, stems and roots. Plant matter may be in a living or non-living state and encompasses both natural and cultivated vegetation and is further inclusive of all plant-related products, including mulch, compost, and soil amendments when intended for use in landscaping, gardening, or horticultural activities.

Vegetative Buffer Zone means an area of undisturbed or restored native vegetation that provides natural shoreline features and functions for fish and wildlife habitat, water quality protection, and natural scenic beauty. This includes the area 35 feet inland from the ordinary high-water mark.

Sec. 118-316. Dimensions of shoreline property building site.

(a) *Lots not served by public sanitary sewer.* Dimensions of shoreline property building sites not served by the public sanitary sewer are as follows:

(1) *Lot size.*

- a. *Minimum lot area.* The minimum lot area shall be 20,000 square feet.
- b. *Minimum lot width.* The minimum average lot width shall be 100 feet. ~~with at least 100 feet of frontage at the water's edge.~~

(2) *Yards.*

- a. *Front yard setback.* Dimensional requirements for the front yard setback shall be the same as those required by the underlying zoning district in which the lot is located.
- b. *Side yard setback.* Dimensional requirements for the side yard setback shall be the same as those required by the underlying zoning district in which the lot is located.
- c. *Setback from the water (OHWM) 50 feet to the nearest part of a building or structure.*
- d. *Exempt Structures* All of the following non-dwelling structures are exempt from the shoreland setback standards: boathouses (above the OHWM), ~~open-sided and screened structures such as~~ gazebos and similar structures, fishing rafts, certain antennas and satellite dishes, utility lines and facilities, walkways, stairways or rail systems that are necessary to provide access to the shoreline and that are no more than 60 inches wide, decks, patios and screen houses under the following restrictions: all structures are located a minimum of 35 feet from the OHWM, the floor area of the structure will not exceed 200 sq. feet, wall height shall not exceed 8 feet and the structure has open sides or screen sides.
 - e. *Existing Exempt Structures.* Existing exempt structures may be maintained , repaired, restored, rebuilt and remodeled provided the activity does not expand the footprint and does not go beyond the three-dimensional building envelope of the existing structure. Structures shall also be subject to floodplain provisions.

(b) *Lots served by public sanitary sewer.* Dimensions of shoreline property building sites served by the public sanitary sewer are as follows:

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- (1) *Lot size; minimum lot area and width.* Dimensional requirements shall be ~~the same as those required by the underlying zoning district in which the lot is located.~~ a minimum of 65 feet wide and 10,000 sq. feet.
 - (2) *Yards; front and side yard setbacks.* Dimensional requirements shall be the same as those required by the underlying zoning district in which the lot is located.
 - (3) Setback from the water (OHWM) 75 feet to the nearest part of a building or structure.
 - (4) *Exempt Structures* All of the following structures are exempt from the shoreland setback standards: boathouses, ~~open sided and screened structures such as~~ gazebos and similar structures, fishing rafts, certain antennas and satellite dishes, utility lines and facilities, walkways, stairways or rail systems that are necessary to provide access to the shoreline and that are no more than 60 inches wide, decks, patios and screen houses under the following restrictions: all structures are located a minimum of 35 feet from the OHWM, the floor area of the structure will not exceed 200 sq. feet, wall height shall not exceed 8 feet and the structure has open sides or screen sides. Structures shall also be subject to floodplain provisions.
 - (5) *Existing Exempt Structures* existing exempt structures may be maintained , repaired, restored, rebuilt and remodeled provided the activity does not expand the footprint and does not go beyond the three-dimensional building envelope of the existing structure.

(Code 2005, § 13-1-162)

Sec. 118-317. Substandard shoreline lots.

A legally created lot or parcel that met minimum area and minimum average width requirements when created, but does not meet current lot size requirements, may be used as a building site if the substandard lot or parcel was never reconfigured or combined with another lot or parcel by plat, survey, or consolidation by the owner into one property tax parcel, the substandard lot or parcel has never been developed with one or more of its structures placed partly upon an adjacent lot or parcel, the substandard lot or parcel is developed to comply with all other ordinance requirements.

- (a) *Lots not served by public sanitary sewer.* A substandard lot that does not meet all the requirements found in Section 118-316(a) may be used as a building site upon issuance of all required permits as provided for in the City ordinances governing land use and development, if it meets all of the following requirements:
 - (1) Such use is permitted in the zoning district.
 - (2) The lot was on record in the County Register of Deeds' Office prior to the original effective date of the ordinance from which this section is derived.
 - (3) The lot was in separate ownership from abutting lands prior to the original effective date of the ordinance from which this section is derived. If abutting land and the substandard lot were owned by the same owner as of the original effective date of the ordinance from which this section is derived, the substandard lot shall not be sold or used without full compliance with the terms of this article, including the minimum area and width requirements found in Section 118-316(a).
 - (4) All the dimensional requirements of this article (including side yard and setback requirements) will be complied with insofar as practical.
- (b) *Lots served by public sanitary sewer.* A substandard lot served by a public sanitary sewer that does not contain sufficient area to conform to the dimensional requirements of the underlying zoning district in which it is located may be used as a building site upon issuance of a building permit by the Administrator, if it meets the requirements found in Sec. 118-318

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- (c) *Other substandard lots.* Except for lots which meet the requirements of Subsections (a) of this section, a building permit for the improvement of a lot having lesser dimensions than those stated in Section 118-316 shall be issued only after granting of a variance by the Board of Appeals.

Sec. 118-318. Setbacks from the water.

- (a) *Septic tanks, seepage pits and soil absorption melds.* Septic tanks, seepage pits and soil absorption fields shall be set back at least 75 feet from the ordinary high-water mark. (OHWM)
- (b) *Lots that are on navigable waters served and not served by public sanitary sewer.* All buildings and structures, except piers, boat hoists and boathouses which may require a lesser setback, shall be set back at least 50 feet from the ordinary high-water mark unless otherwise permitted in section 118-316 (2) (d) and (e) exceptions. Lesser setbacks may be granted by the Board of Appeals.
- (c) *Boathouses.* Boathouses shall not extend below the ordinary high-water mark and shall be designed solely for boat storage and storage of related equipment and shall not be used for human habitation. The highest point of the roof elevation of the boathouse shall not be more than ten feet vertical measurement above the ordinary high-water mark. Railings may be placed on top of the boathouse in excess of the ten-foot height standard provided the railing is not solid in appearance and not greater than 3.5 feet in height. Boathouses shall not be established where the existing slope is more than 50 percent. Excavation of the bank for purposes of creating a channel under a boathouse is prohibited.

Sec. 118-319. Reduced building setbacks.

Sec. 118-319. Reduced Building Setbacks.

A setback of less than that required by Section 118-318 may be permitted by the Board of Appeals according to Article XIV of this chapter. In no case shall the requirements of Section 118-318(a) regarding septic tanks, seepage pits and soil absorption melds be less than 75 feet as stated.

Sec. 118-320. - Provisions of Interpretation.

- (a) *Navigability.* The provisions of this section apply to the shorelands of all navigable waters, as "navigable waters" is defined in Wis. Stats. § 281.31.(2) (d)
- (b) *Administrative and enforcement officer.* The Zoning Administrator shall be responsible for determining questions of navigability and the location of the ordinary high-water mark. In the case of lakes which have a significantly fluctuating water level, the normal high water elevation shall be determined by the Administrator at the highest level which occurs with reasonable regularity. The Administrator may contact the appropriate district offices of the Department of Natural Resources for assistance when the determination of navigability of the ordinary high-water mark is difficult. Determinations of the Administrator shall be subject to appeal to the Board of Appeals as provided in Article XIV of this chapter.

Sec. 118-321. Retaining Walls.

All retaining walls constructed on shoreland property shall be constructed and maintained in a manner as to not have any adverse or negative effect on the water or shoreline and shall follow the following provisions:

- 1) All retaining walls require approval and a permit from the Zoning Administrator.
- 2) Retaining structures shall be located no closer than 35 feet from the OHWM.
- 3) Walls shall be constructed of rock, concrete or other approved non-degradable material. Cresol wood is prohibited.
- 4) Areas above and below the wall shall comply with the provision of Sec. 118-322 and 118-323.
- 5) Any other retaining walls may be permitted by the Board of Appeals per XIV of this chapter.

Sec. 118-322. Impervious Surface Standards.

(a) PURPOSE. Establish impervious surface standards to protect water quality and fish and wildlife habitat and to protect against pollution of navigable waters. Impervious surface standards apply to the construction, reconstruction, expansion, replacement or relocation of any impervious surface on a riparian lot or parcel and any non riparian lot or parcel that is located within 200 feet of the high-water mark of any navigable waterway. Impervious surfaces shall not be located within the vegetation buffer zone.

(b) CALCULATION OF PERCENTAGE OF IMPERVIOUS SURFACE. Percentage of impervious surface shall be calculated by dividing the surface area of the existing and proposed impervious surfaces on the portion of a lot or parcel that is within ~~200~~ 300 feet of the ordinary high-water mark by the total surface area of that lot and multiplied by 100. Impervious surfaces described in (e) shall be excluded from the calculation of impervious surfaces on the lot or parcel.

(c) GENERAL IMPERVIOUS SURFACE STANDARD. Up to 15% impervious surface is allowed on the portion of a lot or parcel that is within 200 feet of the ordinary high-water mark, except as allowed in (d) through (f).

(d) MAXIMUM IMPERVIOUS SURFACE. A property may contain impervious surface of more than 15% but not more than 30% on the portion of a lot or parcel that is within 200 feet of the ordinary high-water mark provided the landowner develops a mitigation plan that values a minimum of 3 points under Sec. 118-324.

(e) TREATED IMPERVIOUS SURFACES. Impervious surfaces that can be documented to show they meet either of the following standards shall be excluded from the impervious surface calculations under section (b).

1. The impervious surface is treated by devices such as stormwater ponds, constructed wetlands, infiltration basins, rain gardens, bio-swales or other engineered systems.
2. The runoff from the impervious surface discharges to an internally drained pervious area that retains the runoff on or off the parcel and allows infiltration into the soil.

(f) EXISTING IMPERVIOUS SURFACES. For existing impervious surfaces which were lawfully placed when constructed but that do not comply with the impervious surface standard in (c) the property owner may do any of the following:

1. Maintain and repair the existing impervious surfaces.
2. Replace existing impervious surfaces with similar surfaces within the existing footprint.

3. Relocate or modify an existing impervious surface with similar or different impervious surface, provided that the relocation or modification does not result in an increase in the percentage of any impervious surface that existed on the effective date of this ordinance, and the impervious surface meets the applicable setback requirements.

Sec.118-323 Vegetation Buffer Zone

(a) PURPOSE. To protect natural scenic beauty, fish and wildlife habitat, and water quality, the City of Chetek shall regulate the removal of vegetation in shoreland areas and shall establish ordinance standards that consider sound forestry and soil conservation practices and the effect of vegetation removal on water quality, including soil erosion and the flow of effluents, sediments and nutrients.

(b) ESTABLISHMENT OF A VEGETATIVE BUFFER ZONE. To protect water quality, fish and wildlife habitat, natural scenic beauty, and to promote preservation and restoration of native vegetation, a vegetative buffer zone has been designated extending inland 35 feet from the ordinary high water mark, prohibiting removal of vegetation in the vegetative buffer zone except as follows:

1. Routine maintenance of vegetation as defined in 118-315
2. The removal of exotic or invasive species, damaged vegetation, vegetation that must be removed to control disease, or vegetation creating an imminent safety hazard, provided that any vegetation removed is replaced by replanting in the same area as soon as practicable.
3. Removal of trees and shrubs in the vegetative buffer zone to create access and viewing corridors, provided that the combined width of all access and viewing corridors on a riparian lot or parcel may not exceed the lesser of 30 percent of the shoreline frontage or 200 feet.
4. The Zoning Administrator, by permit, may allow additional vegetation management activities in the vegetative buffer zone. The permit issued shall require that all management activities comply with detailed plans approved by the City and designed to control erosion by limiting sedimentation into the waterbody, improve the plant community by replanting in the same area, and maintain and monitor the newly restored area. The permit also shall require an enforceable restriction to preserve the newly restored area.
5. Filling, grading, lagooning , dredging, ditching and excavating may be permitted only in accordance with the provisions of s. NR 115.04, the requirements of ch. 30, stats., and other state and federal laws where applicable, and only if done in a manner designed to minimize erosion, sedimentation and impairment of fish and wildlife habitat and natural scenic beauty.

Sec. 118-324 Mitigation Options

Below is a catalog of the mitigation practices, and their point values, that are available for completing a Shoreland Mitigation Plan. 3 points are required to satisfy a Shoreland Mitigation Plan. A brief explanation of these options can be found on the pages below. More detailed information with diagrams and photos can be found in the Shoreland Mitigation Handbook which is available at the City of Chetek Zoning Office.

A mitigation plan worksheet and additional mitigation options can be provided by the Zoning Administrator. All proposed plans will be reviewed by the Zoning Administrator and are subject to his approval.

MITIGATION OPTIONS (3 points required)

Type of Mitigation Practice	Number of Points
(1) Preserve or restore a vegetative buffer zone that extends 35 feet landward from the ordinary high water mark (OHWM). (Must be native plants)	2 Points
(2) Preserve or restore a vegetative buffer zone that extends 50 feet landward from the OHWM. (Must be native plants)	3 Points
(3) Viewing and Access Corridor width of 15 feet or less	1 Points
(4) Install a rock infiltration trench or pit	Up to 3 Points
(5) Install a rain garden with native plantings, or similar feature	Up to 3 Points
(6) Preserve or restore both shoreland side yard areas with native plants	1 Point
(7) Remove or relocate a building or impervious structure, which is located within the shoreland setback, to a compliant location.	1 Point for each structure

Sec. 118-325 Explanation Of Mitigation Options

All Mitigation Plans must contain a written portion and site plan which provides all pertinent details to show that these mitigation options meet the necessary criteria for earning the proposed mitigation points.

- (1) Preserve or restore a vegetative buffer zone that extends 35 feet landward from the ordinary high water mark (OHWM). (Must be native plants) 2 points

A vegetative buffer zone is an area that extends landward from the OHWM of a waterbody a specified distance (35 feet in this case) and extends the entire width of the lot, with the exception of the viewing and access corridor that passes through the buffer to the waterbody. An intact vegetative buffer zone has many functions and provides many benefits for the health of the nearby waterbody and for users of those water bodies. Some of the functions and

benefits of the buffer zone are cleaning/filtration of stormwater runoff carrying pollutants which flow downhill towards the waterbody, providing near-shore habitat for wildlife, and creating natural screening between the waterbody and structures on the lot. In this part of Wisconsin, the vegetative buffer zone must be densely covered with the 3 layers of vegetation which is comprised of plants that are native to Wisconsin, and should be void of non-native/invasive species. The 3 layers of vegetation that must make up the buffer are a tree canopy layer, shrub (or tree seedling/sapling) layer, and a ground cover (i.e. grasses, forbs and ferns) layer. In order to receive 2 mitigation points, an existing compliant buffer can be preserved, or if there is not a compliant buffer on the lot currently, it can be restored/replanted. When determining if an existing buffer is sufficient or when restoring/replanting a vegetative buffer, it shall be in accordance with the standards contained in the USDA – Natural Resource Conservation Service (NRCS) guidance document Wisconsin Biology Technical Note # 1 – Shoreland Habitat. In general, the vegetation within the buffer zone must be left untouched, with the exception of certain removal and maintenance situations as established.

(2) Preserve or restore a vegetative buffer zone that extends 50 feet landward from the OHWM. (Must be native plants) 3 points

The vegetative buffer zone follows the same standards as mentioned in Option # 2 above, except 3 points can be earned rather than 2 if the buffer extends 50 feet or more landward from the OHWM.

(3) Viewing and Access Corridor width of 15 feet or less. 1 point

Each lot is allowed to have a viewing and access corridor that passes through the vegetative buffer zone. Unlike in the vegetative buffer zone, more vegetation removal is allowed within the viewing and access corridor. The purpose of the corridor is to concentrate human activity such as pedestrian traffic within one area, which can involve construction of a stairway or walkway if necessary for gaining access to the waterbody and also to allow a filtered view of the waterbody. The standard width that a viewing and access corridor can be is 35% of the width of lot/water frontage. In order to earn 1 mitigation point, the viewing and access corridor must be 15 feet or less in width and the lot must have a vegetative buffer zone that extends at least 15 feet landward from the OHWM of the waterbody. Having a narrower viewing corridor means the vegetative buffer zone is larger, which provides for even more effective filtration of stormwater runoff moving downhill towards the waterbody, more near-shore habitat for wildlife, and natural screening between the structures on the lot and the waterbody. An existing 15 foot wide viewing corridor can be preserved, or a wider corridor can be reduced down to 15 feet by restoring/replanting the necessary area of vegetative buffer.

(4) Install a rock-filled infiltration trench or pit. Up to 3 points

Digging, installing, and maintaining a rock-filled infiltration trench or pit is an effective way to capture stormwater runoff carrying pollutants and allows the water to filter through the soil and recharge the groundwater. Capturing the stormwater in an infiltration device lessens the amount of polluted runoff that would otherwise flow across the land downhill and enter the nearby waterbody, which has negative impacts on water quality. The sizing, location, materials, and other specifications for a rock infiltration trench or pit shall follow design standards. If the infiltration device is designed to treat at least the amount of impervious surface area that is being added in the proposed construction project, 3 mitigation points can be earned. In cases where the proposed construction project involves less than 200 square feet of additional impervious surface, the infiltration device must be sized and designed to treat at least 200 square feet of impervious area, which will earn 3 mitigation points.

(5) Install a rain garden with native plantings, or similar features. Up to 3 points

Digging, installing, and maintaining a rain garden is an effective way to capture stormwater runoff carrying pollutants and allows the water to filter through the soil and plant roots which then recharges the groundwater. Capturing the stormwater in a rain garden lessens the amount of polluted runoff that would otherwise flow across the land downhill and enter the nearby waterbody, which has negative impacts on water quality. A rain garden is a shallow depression in a yard area that has a flat bottom, which is designed to have stormwater from an impervious surface directed towards it, and is planted with native plants. Native plants have much deeper roots than lawn grass, which provides for much more effective filtration of pollutants and higher capacity for water absorption. Native plantings also provide habitat for many types of birds and butterflies. The sizing, location, materials, and other specifications for a rain garden shall follow design standards. If the rain garden is designed to treat at least the amount of impervious surface area that is being added in the proposed construction project, 3 mitigation points can be earned. In cases where the proposed construction project involves less than 200 square feet of additional impervious surface, the rain garden must be sized and designed to treat at least 200 square feet of impervious area, which will earn 3 mitigation points

(6) Preserve or restore both shoreland side yard areas with native plants. 1 point

The shoreland side yard areas extend 10 feet into the lot and run along each side lot line. There are 2 sideyards on a typical lot. For the purposes of this mitigation practice, a shoreland side yard area is 10 feet in width and the depth starts at a point 35 feet landward from the ordinary high water mark (OHWM) of the waterbody and extends to a point 75 feet from the OHWM, which runs parallel to the side lot line. Whether it is restoring or just preserving, a shoreland side yard vegetation buffer can slow down stormwater and filter out pollutants that are carried in the stormwater after a rainfall and allow it to seep into the ground, rather than flowing over the land and into the nearby waterbody. In order to receive 1 mitigation point, an existing compliant buffer can be preserved, or if there is not a compliant buffer on the lot currently, it can be restored/replanted. When determining if an existing buffer is sufficient or when

restoring/replanting a vegetative buffer, it shall be in accordance with the standards. In general, the vegetation within the buffer must be left untouched, with the exception of routine maintenance and removal of invasive/non-native species, diseased vegetation, vegetation causing an imminent safety hazard, provided that any vegetation removed is replaced by replanting in the same area as soon as practicable.

(7) Remove or relocate a building or impervious structure, which is located within the shoreland setback, to a compliant location. 1 point for each structure

Removing a structure from the shoreland setback area (within 75 feet of the ordinary high water mark of a waterbody) is a good way to restore the natural scenic beauty of the shoreland area and reduce the amount of impervious surfaces in close proximity to the waterbody. Buildings and other impervious surfaces located near the waterbody means there is little or no vegetative buffer to filter out pollutants that are carried in the stormwater runoff coming from those impervious surface before entering the waterbody. 1 mitigation point will be earned for each building or other impervious surface that is removed/relocated out of the shoreland setback area. Zoning staff will determine whether the building or surface qualifies for receiving mitigation points for its removal/relocation. The footprint area of the building or surface must be restored, revegetated, and stabilized appropriately after removal. Additional requirements include:

(a) Structures removed/relocated from the vegetative buffer zone (within 35 feet of the OHWM and outside the allowable viewing corridor).

1. The footprint location shall be restored and revegetated with native plantings and a plan for such restoration shall be created following the standards.

2. A site plan shall be drawn which depicts the current location of the structure including measurements from the OHWM, lot lines, septic system, roadways, etc.

(b) Structures being relocated.

1. The relocated structure shall comply with all size, density, location, and use standards of the City of Chetek Ordinance.

2. A site plan shall be drawn which depicts the current and new location of the structure including measurements from the OHWM, lot lines, septic system, roadways, etc.

3. All necessary Land Use Permits must be obtained prior to relocation.

Secs. 118-326—118-343. Reserved.