

ENROLLED ORDINANCE 169-46

AMEND THE WAUKESHA COUNTY ZONING CODE BY REPEALING AND RECREATING SECTION 6.7 RELATIVE TO ENVIRONMENTAL CORRIDOR REGULATIONS, SECTION 2.02(31) AND 2.02(32) RELATIVE TO EC DEFINITIONS, SECTIONS 3.08(7)(B), 3.08(7)(KK), 3.08(7)(P)(2)(a), 3.08(7)(P)(2)(b) AND 3.08(7)(P)(2)(g) RELATIVE TO CONDITIONAL USES AS THEY RELATE TO THE EC DISTRICT AND SECTIONS 9.04(1)(B) AND SECTION 9a.04(1)(B) RELATIVE TO FLOOR AREA RATIO IN THE R-1 AND R-1a RESIDENTIAL DISTRICTS (CZ-1459H)

WHEREAS, the Waukesha County Board of Supervisors enacted the Waukesha County Zoning Code on October 27, 1959, and

WHEREAS, the Waukesha County Board of Supervisors may make amendments to such Ordinance pursuant to Section 59.69, Wisconsin Statutes, and

WHEREAS, the Waukesha County Department of Parks and Land Use, Planning and Zoning Division Staff is in the process of making multiple revisions to the current Zoning Ordinance and have recommended those revisions to the Ordinance, and

WHEREAS, the proposed amendments have been the subject of a public hearing held on June 16, 2014, following the notice and procedures of Section 59.69 Wisconsin Statutes, and

WHEREAS, none of the towns under county zoning authority have filed a resolution disapproving of the proposed amendments in the time required by Section 59.69, Wisconsin Statutes, and

WHEREAS, the proposed amendments have been duly referred, considered and approved by the Waukesha County Park and Planning Commission at its meeting of July 17, 2014, and

WHEREAS, the proposed amendments are on file in the Department of Parks and Land Use, Room AC 230, 515 W. Moreland Blvd. in Waukesha, Wisconsin, and

WHEREAS, the Waukesha County Park and Planning Commission has forwarded the proposed amendments and the Staff Report and Recommendation to the Land Use, Parks and Environment Committee and to the Waukesha County Board of Supervisors with its recommendation that the proposed amendments be approved, and

WHEREAS, the Waukesha County Zoning Code has historically identified the Environmental Corridor District with varying titles throughout the text of said ordinance.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS that the official name of the environmental corridor zoning district is the EC Environmental Corridor District and the editor of the code of ordinances is granted the authority to amend all references within the Waukesha County Zoning Code to refer to the district as the EC Environmental Corridor District or abbreviate the reference as the EC District.

BE IT FURTHER ORDAINED that the text of the Waukesha County Zoning Code is repealed and recreated as follows:

Repeal and re-create Section 6.7 to read:

SECTION 6.7 EC ENVIRONMENTAL CORRIDOR DISTRICT

6.71 Purpose and Intent

The EC Environmental Corridor District, as mapped or intended to be mapped, includes non-wetland/floodplain Primary and Secondary Environmental Corridors and Isolated Natural Resource Areas as defined in this Ordinance, and is intended to be used to preserve, protect, enhance, and restore significant woodlands, upland wildlife habitat areas, scenic overlooks, slopes exceeding twelve (12) percent, and upland wooded areas, while also affording an opportunity to use the site for limited residential purposes, in concert with the goal and intent of the Regional Land Use Plan, Comprehensive Development Plan for Waukesha County, or locally adopted plan, which recommends that residential densities in such areas not exceed one unit per five acres for all parcels which lie entirely within the environmental corridor. Where questions arise as to the exact location or boundary of an environmental corridor, the extent and location of such corridors shall be refined and finally determined by infield investigation by the Zoning Administrator or his/her designee, and a notation shall be made on the District Zoning Map of the Waukesha County Zoning Code indicating that such a determination has been made for future reference and map amendment purposes.

6.72 Use Regulations

(1) Permitted Uses:

- (A) Any uses permitted in the C-1 Conservancy District except that, whenever possible, pasturing and grazing of livestock shall be located outside of the environmental corridor.
- (B) Single family dwellings.
- (C) Keeping of poultry and livestock on not less than five (5) acres of land where there shall be no more than one head of livestock or twenty (20) poultry for the first three (3) acres of land, and one additional head of livestock or twenty (20) additional poultry for each additional one (1) acre of land thereafter. The keeping of hogs, male goats or fur-bearing animals shall not be permitted.
- (D) The following accessory buildings and uses, subject to the conditions specified:
 - 1. Private garages, when located on the same lot, and not involving the conduct of a business; provided, however, that no private garage shall be erected unless that principal building to which such garage is an accessory use has been erected or is to be erected simultaneously with said garage.

2. Quarters for household or farm employees; provided, however, that such quarters shall be occupied only by individuals employed full time on the premises and their families.
 3. Stables, barns, or poultry houses, which house livestock or poultry, shall not be less than fifty (50) feet from an adjacent property line.
- (E) A sign in accordance with Section 7.01(1)(G).
- (F) Hobby kennel in accordance with Section 7.01(1)(I).
- (G) Guesthouses are prohibited in the EC Environmental Corridor District.
- (H) The establishment and enhancement of public parks and recreation areas, wilderness or walk-in unimproved boat access sites, natural and outdoor education areas, historic and scientific areas, wildlife refuges, game preserves, and wildlife habitat areas, provided that any tree and vegetation removal and subsequent restoration done in the EC Environmental Corridor District and any improvements and/or construction shall be approved by the County Zoning Administrator before beginning any development activities. Vegetative restoration may be allowed within the corridor for the purpose of improving wildlife habitat or to otherwise enhance wildlife values provided all necessary permits are obtained and said activities shall only be approved after review and approval and issuance of all permits, as required. Roads and trails to service the recreational and wildlife areas, etc. may be permitted, but said roads and trails may not include vegetation removal or other construction activity within the corridor without obtaining all approvals, as required.

6.73 Building Location

- (1) Setback: Fifty (50) feet minimum.
- (2) Offset: Thirty-five (35) feet minimum. In the case of existing legal non-conforming principal or accessory structures that are less than the required thirty-five (35) foot minimum, an extension or addition may be allowed closer than thirty-five (35) feet as long as said extension or addition does not extend or encroach closer to the side lot line than the existing structure to which it is attached, at its closest point as measured in this Ordinance, and in no case shall be less than twenty (20) feet unless a Special Exception is granted by the Board of Adjustment to allow such extension or addition, and with the requirement that all of the disturbance regulations of Section 6.7 of this Ordinance be met as applicable.

6.74 Height Regulations

- (1) Principal Building: Thirty-five (35) feet maximum.

- (2) Accessory Building:
 - (A) Farm: Sixty (60) feet maximum.
 - (B) Other: Fifteen (15) feet maximum.

6.75 Area Regulations

- (1) Floor Area:
 - (A) Minimum required:
 1. First floor: Eight hundred and fifty (850) square feet.
 2. Total: Eleven hundred (1,100) square feet.
 - (B) Maximum F. A. R. permitted: Lots that are less than two (2) acres in area are restricted to a maximum F. A. R. of fifteen (15) percent.
- (2) Lot size:
 - (A) Minimum area: The overall density of parcels lying entirely within the environmental corridor shall be not greater than one (1) dwelling unit per five (5) acres of corridor area, with no lot area being less than two (2) acres in size. On parcels which contain area outside of the environmental corridor or partially within the environmental corridor and in a zoning category requiring less than a five (5) acre lot, the five (5) acre density requirement shall not apply and the lot can be the size required for that adjacent zoning category, as determined by the Zoning Administrator, as long as any land altering activity and/or building envelopes are located outside of the corridor area and appropriately restricted as such on the face of the Certified Survey Map, Subdivision Plat or other document approved by the Waukesha County Park and Planning Commission or the Zoning Administrator and recorded in the office of the Register of Deeds. The overall goal of this requirement is to obtain a maximum density of building activity within the environmental corridor of not more than one (1) dwelling unit for each five (5) acres of environmental corridor lands.
 - (B) Lands which lie within a larger parcel or tract of land, the remainder of which is zoned either A-P Agricultural Land Preservation District or A-T Agricultural Land Preservation Transition District, shall have a minimum (gross) parcel size of thirty-five (35) acres.
- (3) Preservation of Open Space:
 - (A) For parcels lying entirely within an EC Environmental Corridor District, no open space regulation shall apply. However, the maximum area of disturbance in the EC Environmental Corridor District for all land altering activities and vegetative removal, including building sites, septic areas,

and drive areas, shall be the greater of 15,000 square feet or fifteen (15) percent of a parcel's area, up to a maximum of 32,670 square feet, and a deed restriction shall be recorded in the office of the Register of Deeds describing the permitted area of disturbance at the time of Zoning Permit issuance.

- (B) For parcels which lie partially within and partially outside of the EC Environmental Corridor District, the area of disturbance as described in Section 3(A) above shall be limited to that area outside of the EC Environmental Corridor District unless otherwise permitted by a building envelope on a certified survey map, subdivision plat, or other document, or unless the developable area of a parcel (that area that is not constrained by zoning district setback and offset requirements and that is located outside of the EC Environmental Corridor District) is less than 15,000 square feet or is less than the area that is equal to fifteen (15) percent of the area of a parcel, up to a maximum of 32,670 square feet.

If the developable area on a lot is less than the above specified thresholds, a maximum area of disturbance within the EC Environmental Corridor District, as described in Section 3(A) above, up to the amount of area needed to achieve the greater of a 15,000 square foot developable area or a developable area of fifteen (15) percent of the area of the parcel, up to a maximum of 32,670 square feet of disturbance area, as described in Section 3(A) above, may be permitted by the Zoning Administrator provided a deed restriction is recorded in the office of the Register of Deeds describing and authorizing the area of disturbance. The maximum area of disturbance within the environmental corridor portion of such a lot shall be determined by calculating the available developable area that is located outside of the environmental corridor and subtracting the available developable area from the above described 15,000 square foot or 15% threshold.

(4) Tree and Vegetation Cutting and Removal:

- (A) All tree and native brush and understory vegetation cutting and removal within the EC Environmental Corridor District shall require a Zoning Permit, in accordance with Section 3.03 of this Ordinance, prior to said activities commencing, with the following exceptions:

The cutting or removal of four or fewer dead, dying or diseased trees from a single property within a one-year time period, the removal of invasive species, or the removal of vegetation necessitated by extension of utilities to public or private property shall not require a Zoning Permit. In addition, the Zoning Administrator may waive Zoning Permit requirements for tree cutting or vegetation removal in the event of widespread storm damage or for the cutting of trees that present a safety hazard.

- (B) Tree and vegetation cutting or removal is regulated in order to protect natural beauty and wildlife habitat and to prevent erosion. Except for those activities conducted in accordance with the provisions of Section 6.75(3) above, tree and vegetation cutting and removal shall be limited to the cutting and removal of dead, dying, and diseased trees or vegetation; the cutting and removal of invasive species; or the cutting and removal of trees and vegetation related to the implementation of a forest management plan approved by the Zoning Administrator or his/her designee. Cutting and removal activities must demonstrate enhancement of the environmental corridor. The Zoning Administrator may consult with natural resource experts at the Southeastern Wisconsin Regional Planning Commission or other governmental agencies to determine the appropriateness of the proposed cutting or removal activities and to solicit recommendations regarding any required re-planting or restoration requirements in order to ensure that the project does not have an adverse impact on the natural environment.

SECTION 2

Repeal and re-create Section 3.08(7)(B) to read:

- (B) Antique Shops, Gift Shops, Art Studios and Similar Uses: Such uses are permitted by right in business districts. In addition, such uses are permitted conditionally in all other districts except C-1 and A-E Districts subject to the following:
1. The location, site plans and plan of operation have been submitted to and approved by the Plan Commission and County Zoning Agency.
 2. Such use is compatible with surrounding land uses.

Repeal and re-create Section 3.08(7)(KK) to read:

- (KK) Limited Family Business: The purpose and intent of this Section is to provide a listing of procedures and standards of operation for limited family businesses that may operate in an attached garage or detached accessory building under a conditional use permit in residential or agricultural districts except the EC Environmental Corridor and A-E Districts.
1. A conditional use permit for a limited family business is designed to accommodate small family businesses without the necessity for relocation or rezoning, while at the same time protecting the interest of the adjacent property owner and any future development of the area. Any expansion of the limited family business will be subject to an amendment to the conditional use permit and, if said amendment is denied, the conditional use permit would either terminate or the expansion could not take place.

2. All employees, except one full-time equivalent, shall be members of the family residing on the premises.
3. The plan commission and zoning agency shall determine the percentage of the property that may be devoted to the limited family business and the more restrictive determination shall apply.
4. The limited family business is restricted to a service oriented business or home occupation business and is prohibited from manufacturing or assembling products. The sale of products on the premises which are not produced by the limited family business is prohibited. The sale of products available for sale as accessories to the business may be permitted or limited by specific conditions in the conditional use permit (i.e. hair care products such as shampoo and conditioners normally associated with a business that cuts or styles hair).
5. The conditional use permit shall restrict the number and types of machinery and equipment the limited family business operator may be allowed to bring onto the premises and whether the machinery and equipment must be stored inside a building.
6. The structures used in the limited family business shall be considered to be residential accessory buildings and shall meet all the requirements for such buildings. The design and size of the structures are subject to conditions in the conditional use permit.
7. The conditional use permit shall automatically expire and terminate on the sale of the property or its transfer to a non-occupant of the property.
8. The limited family business shall not operate on a parcel having less than the minimum parcel size for the district in which it is located. For certain uses which are determined by the town and county to have a potential adverse effect on adjacent residential zoned properties, additional requirements regarding location and site standards (i.e. screening) may be required as conditions of the use.

Repeal and re-create Section 3.08(7)(P)(2)(a) to read:

- (a) The following table may be utilized to compute the maximum dwelling unit density requirements of the P.U.D., except that areas which are Primary or Secondary Environmental Corridors are also subject to (b) below.

A-1	120,000 sq. ft. (2.75 acres) per dwelling unit
A-2	120,000 sq. ft. (2.75 acres) per dwelling unit
A-3	80,000 sq. ft. (1.84 acres) per dwelling unit
A-5	200,000 sq. ft. (4.59 acres) per dwelling unit

File Number: 169-O-046

* Calculations for Environmental Corridors shall occur as established in (b) below.

Repeal and re-create Section 3.08(7)(P)(2)(b) to read:

- (b) If all of the Primary and Secondary Environmental Corridor or Environmental Corridor zoned lands are preserved in their entirety within the public open space or common open space and preserved in their natural state, the density of one unit per five (5) acres may be added to the maximum number of dwelling units derived from utilizing the table above.

Repeal and re-create Section 3.08(7)(P)(2)(g) to read:

- (g) Adequate guarantee shall be provided for permanent retention of the open space resulting from these regulations, either by private reservation for use of the residents within the development or others as may be specifically provided for, i.e.: farmers use of open space, dedication to a public entity or development of a private recreational facility open to the general public in perpetuity for a fee, subject to Plan Commission and Zoning Agency approval. There shall not be any clear cutting or clearing of vegetation other than dead, diseased, or dying vegetation or removal of invasive species on any lands being so preserved in public open space or common open space which are considered Primary or Secondary Environmental Corridor or Isolated Natural Resource Areas, as depicted on the Waukesha County Comprehensive Development Plan, except as provided in (e) for limited trail or recreational related development.

SECTION 3

Repeal and re-create Section 2.02(31) relative to environmental corridor definitions to read:

- (31) Environmental Corridors: Environmental corridors (Primary, Secondary and Isolated Natural Resource Areas) are concentrations of key significant natural resource elements including surface water such as lakes, streams, and rivers and their associated undeveloped floodlands and shorelands; woodlands, wetlands, and wildlife habitat; prairie remnants; areas of groundwater discharge and recharge; unfarmed wet, poorly drained and organic soils, rugged terrain and high relief topography; and significant geological formations and physiographic

features. In general, Primary Environmental Corridors are concentrations of significant natural resources at least 400 acres in area, at least two miles in length, and at least 200 feet in width. Secondary Environmental Corridors are concentrations of significant natural resources at least 100 acres in area and at least one mile in length (possibly smaller and shorter if considered a primary link). Isolated Natural Resource Areas are concentrations of significant natural resources at least five acres in area and at least 200 feet in width. Generalized Environmental Corridor boundaries are mapped by the Southeastern Wisconsin Regional Planning Commission, typically at five-year intervals, and precise boundaries are field delineated by, or reviewed and approved by, the Southeastern Wisconsin Regional Planning Commission Staff. A description of the processes for further defining and delineating Primary and Secondary Environmental Corridors and Isolated Natural Resource Areas is set forth in the Southeastern Wisconsin Regional Planning Commission's Technical Record, Volume 4, No. 2, and is incorporated herein by reference.

Repeal and re-create Section 2.02(32) relative to environmental corridor definitions to read:

- (32) Environmentally significant areas: Environmentally significant areas are lands which are zoned as C-1 Conservancy District, A-E Exclusive Agricultural Conservancy District, or EC Environmental Corridor District, or are designated as Primary Environmental Corridor, Secondary Environmental Corridor, or Isolated Natural Resource area on the Waukesha County Comprehensive Development Plan.

SECTION 4

Repeal and Recreate Section 9.04(1)(B) regarding R-1 floor area ratio to read:

- (B) Maximum F.A.R. permitted: Fifteen (15) percent.

Repeal and Recreate Section 9a.04(1)(B) regarding R-1 floor area ratio to read:

- (B) Maximum F.A.R. permitted: Fifteen (15) percent.

BE IT FURTHER ORDAINED that pursuant to Section 59.69(5)(e), Wisconsin Statutes, within seven days after enactment, this Ordinance shall be submitted in duplicate by the County Clerk by registered mail to the Town Clerk of each town in which the lands affected by the Ordinance are located, specifically the Towns of Genesee, Oconomowoc, Ottawa and Vernon.

Repeal and re-create Section 6.7 to read:

SECTION 6.7 EC ENVIRONMENTAL CORRIDOR DISTRICT

6.71 Purpose and Intent

The EC Environmental Corridor District, as mapped or intended to be mapped, includes non-wetland/floodplain Primary and Secondary Environmental Corridors and Isolated Natural Resource Areas as defined in this Ordinance, and is intended to be used to preserve, protect, enhance, and restore significant woodlands, upland wildlife habitat areas, scenic overlooks, slopes exceeding twelve (12) percent, and upland wooded areas, while also affording an opportunity to use the site for limited residential purposes, in concert with the goal and intent of the Regional Land Use Plan, Comprehensive Development Plan for Waukesha County, or locally adopted plan, which recommends that residential densities in such areas not exceed one unit per five acres for all parcels which lie entirely within the environmental corridor. Where questions arise as to the exact location or boundary of an environmental corridor, the extent and location of such corridors shall be refined and finally determined by infield investigation by the Zoning Administrator or his/her designee, and a notation shall be made on the District Zoning Map of the Waukesha County Zoning Code indicating that such a determination has been made for future reference and map amendment purposes.

6.72 Use Regulations

(1) Permitted Uses:

- (A) Any uses permitted in the C-1 Conservancy District except that, whenever possible, pasturing and grazing of livestock shall be located outside of the environmental corridor.
- (B) Single family dwellings.
- (C) Keeping of poultry and livestock on not less than five (5) acres of land where there shall be no more than one head of livestock or twenty (20) poultry for the first three (3) acres of land, and one additional head of livestock or twenty (20) additional poultry for each additional one (1) acre of land thereafter. The keeping of hogs, male goats or fur-bearing animals shall not be permitted.
- (D) The following accessory buildings and uses, subject to the conditions specified:
 - 1. Private garages, when located on the same lot, and not involving the conduct of a business; provided, however, that no private garage shall be erected unless that principal building to which such garage is an accessory use has been erected or is to be erected simultaneously with said garage.

2. Quarters for household or farm employees; provided, however, that such quarters shall be occupied only by individuals employed full time on the premises and their families.
 3. Stables, barns, or poultry houses, which house livestock or poultry, shall not be less than fifty (50) feet from an adjacent property line.
- (E) A sign in accordance with Section 7.01(1)(G).
- (F) Hobby kennel in accordance with Section 7.01(1)(I).
- (G) Guesthouses are prohibited in the EC Environmental Corridor District.
- (H) The establishment and enhancement of public parks and recreation areas, wilderness or walk-in unimproved boat access sites, natural and outdoor education areas, historic and scientific areas, wildlife refuges, game preserves, and wildlife habitat areas, provided that any tree and vegetation removal and subsequent restoration done in the EC Environmental Corridor District and any improvements and/or construction shall be approved by the County Zoning Administrator before beginning any development activities. Vegetative restoration may be allowed within the corridor for the purpose of improving wildlife habitat or to otherwise enhance wildlife values provided all necessary permits are obtained and said activities shall only be approved after review and approval and issuance of all permits, as required. Roads and trails to service the recreational and wildlife areas, etc. may be permitted, but said roads and trails may not include vegetation removal or other construction activity within the corridor without obtaining all approvals, as required.

6.73 Building Location

- (1) Setback: Fifty (50) feet minimum.
- (2) Offset: Thirty-five (35) feet minimum. In the case of existing legal non-conforming principal or accessory structures that are less than the required thirty-five (35) foot minimum, an extension or addition may be allowed closer than thirty-five (35) feet as long as said extension or addition does not extend or encroach closer to the side lot line than the existing structure to which it is attached, at its closest point as measured in this Ordinance, and in no case shall be less than twenty (20) feet unless a Special Exception is granted by the Board of Adjustment to allow such extension or addition, and with the requirement that all of the disturbance regulations of Section 6.7 of this Ordinance be met as applicable.

6.74 Height Regulations

- (1) Principal Building: Thirty-five (35) feet maximum.

- (2) Accessory Building:
 - (A) Farm: Sixty (60) feet maximum.
 - (B) Other: Fifteen (15) feet maximum.

6.75 Area Regulations

- (1) Floor Area:
 - (A) Minimum required:
 - 1. First floor: Eight hundred and fifty (850) square feet.
 - 2. Total: Eleven hundred (1,100) square feet.
 - (B) Maximum F. A. R. permitted: Lots that are less than two (2) acres in area are restricted to a maximum F. A. R. of fifteen (15) percent.
- (2) Lot size:
 - (A) Minimum area: The overall density of parcels lying entirely within the environmental corridor shall be not greater than one (1) dwelling unit per five (5) acres of corridor area, with no lot area being less than two (2) acres in size. On parcels which contain area outside of the environmental corridor or partially within the environmental corridor and in a zoning category requiring less than a five (5) acre lot, the five (5) acre density requirement shall not apply and the lot can be the size required for that adjacent zoning category, as determined by the Zoning Administrator, as long as any land altering activity and/or building envelopes are located outside of the corridor area and appropriately restricted as such on the face of the Certified Survey Map, Subdivision Plat or other document approved by the Waukesha County Park and Planning Commission or the Zoning Administrator and recorded in the office of the Register of Deeds. The overall goal of this requirement is to obtain a maximum density of building activity within the environmental corridor of not more than one (1) dwelling unit for each five (5) acres of environmental corridor lands.
 - (B) Lands which lie within a larger parcel or tract of land, the remainder of which is zoned either A-P Agricultural Land Preservation District or A-T Agricultural Land Preservation Transition District, shall have a minimum (gross) parcel size of thirty-five (35) acres.
- (3) Preservation of Open Space:
 - (A) For parcels lying entirely within an EC Environmental Corridor District, no open space regulation shall apply. However, the maximum area of disturbance in the EC Environmental Corridor District for all land altering activities and vegetative removal, including building sites, septic areas,

and drive areas, shall be the greater of 15,000 square feet or fifteen (15) percent of a parcel's area, up to a maximum of 32,670 square feet, and a deed restriction shall be recorded in the office of the Register of Deeds describing the permitted area of disturbance at the time of Zoning Permit issuance.

- (B) For parcels which lie partially within and partially outside of the EC Environmental Corridor District, the area of disturbance as described in Section 3(A) above shall be limited to that area outside of the EC Environmental Corridor District unless otherwise permitted by a building envelope on a certified survey map, subdivision plat, or other document, or unless the developable area of a parcel (that area that is not constrained by zoning district setback and offset requirements and that is located outside of the EC Environmental Corridor District) is less than 15,000 square feet or is less than the area that is equal to fifteen (15) percent of the area of a parcel, up to a maximum of 32,670 square feet.

If the developable area on a lot is less than the above specified thresholds, a maximum area of disturbance within the EC Environmental Corridor District, as described in Section 3(A) above, up to the amount of area needed to achieve the greater of a 15,000 square foot developable area or a developable area of fifteen (15) percent of the area of the parcel, up to a maximum of 32,670 square feet of disturbance area, as described in Section 3(A) above, may be permitted by the Zoning Administrator provided a deed restriction is recorded in the office of the Register of Deeds describing and authorizing the area of disturbance. The maximum area of disturbance within the environmental corridor portion of such a lot shall be determined by calculating the available developable area that is located outside of the environmental corridor and subtracting the available developable area from the above described 15,000 square foot or 15% threshold.

(4) Tree and Vegetation Cutting and Removal:

- (A) All tree and native brush and understory vegetation cutting and removal within the EC Environmental Corridor District shall require a Zoning Permit, in accordance with Section 3.03 of this Ordinance, prior to said activities commencing, with the following exceptions:

The cutting or removal of four or fewer dead, dying or diseased trees from a single property within a one-year time period, the removal of invasive species, or the removal of vegetation necessitated by extension of utilities to public or private property shall not require a Zoning Permit. In addition, the Zoning Administrator may waive Zoning Permit requirements for tree cutting or vegetation removal in the event of widespread storm damage or for the cutting of trees that present a safety hazard.

- (B) Tree and vegetation cutting or removal is regulated in order to protect natural beauty and wildlife habitat and to prevent erosion. Except for those activities conducted in accordance with the provisions of Section 6.75(3) above, tree and vegetation cutting and removal shall be limited to the cutting and removal of dead, dying, and diseased trees or vegetation; the cutting and removal of invasive species; or the cutting and removal of trees and vegetation related to the implementation of a forest management plan approved by the Zoning Administrator or his/her designee. Cutting and removal activities must demonstrate enhancement of the environmental corridor. The Zoning Administrator may consult with natural resource experts at the Southeastern Wisconsin Regional Planning Commission or other governmental agencies to determine the appropriateness of the proposed cutting or removal activities and to solicit recommendations regarding any required re-planting or restoration requirements in order to ensure that the project does not have an adverse impact on the natural environment.

SECTION 2

Repeal and re-create Section 3.08(7)(B) to read:

- (B) Antique Shops, Gift Shops, Art Studios and Similar Uses: Such uses are permitted by right in business districts. In addition, such uses are permitted conditionally in all other districts except C-1 and A-E Districts subject to the following:
1. The location, site plans and plan of operation have been submitted to and approved by the Plan Commission and County Zoning Agency.
 2. Such use is compatible with surrounding land uses.

Repeal and re-create Section 3.08(7)(KK) to read:

- (KK) Limited Family Business: The purpose and intent of this Section is to provide a listing of procedures and standards of operation for limited family businesses that may operate in an attached garage or detached accessory building under a conditional use permit in residential or agricultural districts except the EC Environmental Corridor and A-E Districts.
1. A conditional use permit for a limited family business is designed to accommodate small family businesses without the necessity for relocation or rezoning, while at the same time protecting the interest of the adjacent property owner and any future development of the area. Any expansion of the limited family business will be subject to an amendment to the conditional use permit and, if said amendment is denied, the conditional use permit would either terminate or the expansion could not take place.

2. All employees, except one full-time equivalent, shall be members of the family residing on the premises.
3. The plan commission and zoning agency shall determine the percentage of the property that may be devoted to the limited family business and the more restrictive determination shall apply.
4. The limited family business is restricted to a service oriented business or home occupation business and is prohibited from manufacturing or assembling products. The sale of products on the premises which are not produced by the limited family business is prohibited. The sale of products available for sale as accessories to the business may be permitted or limited by specific conditions in the conditional use permit (i.e. hair care products such as shampoo and conditioners normally associated with a business that cuts or styles hair).
5. The conditional use permit shall restrict the number and types of machinery and equipment the limited family business operator may be allowed to bring onto the premises and whether the machinery and equipment must be stored inside a building.
6. The structures used in the limited family business shall be considered to be residential accessory buildings and shall meet all the requirements for such buildings. The design and size of the structures are subject to conditions in the conditional use permit.
7. The conditional use permit shall automatically expire and terminate on the sale of the property or its transfer to a non-occupant of the property.
8. The limited family business shall not operate on a parcel having less than the minimum parcel size for the district in which it is located. For certain uses which are determined by the town and county to have a potential adverse effect on adjacent residential zoned properties, additional requirements regarding location and site standards (i.e. screening) may be required as conditions of the use.

Repeal and re-create Section 3.08(7)(P)(2)(a) to read:

- (a) The following table may be utilized to compute the maximum dwelling unit density requirements of the P.U.D., except that areas which are Primary or Secondary Environmental Corridors are also subject to (b) below.

A-1	120,000 sq. ft. (2.75 acres) per dwelling unit
A-2	120,000 sq. ft. (2.75 acres) per dwelling unit
A-3	80,000 sq. ft. (1.84 acres) per dwelling unit
A-5	200,000 sq. ft. (4.59 acres) per dwelling unit

File Number: 169-O-046

* Calculations for Environmental Corridors shall occur as established in (b) below.

Repeal and re-create Section 3.08(7)(P)(2)(b) to read:

- (b) If all of the Primary and Secondary Environmental Corridor or Environmental Corridor zoned lands are preserved in their entirety within the public open space or common open space and preserved in their natural state, the density of one unit per five (5) acres may be added to the maximum number of dwelling units derived from utilizing the table above.

Repeal and re-create Section 3.08(7)(P)(2)(g) to read:

- (g) Adequate guarantee shall be provided for permanent retention of the open space resulting from these regulations, either by private reservation for use of the residents within the development or others as may be specifically provided for, i.e.: farmers use of open space, dedication to a public entity or development of a private recreational facility open to the general public in perpetuity for a fee, subject to Plan Commission and Zoning Agency approval. There shall not be any clear cutting or clearing of vegetation other than dead, diseased, or dying vegetation or removal of invasive species on any lands being so preserved in public open space or common open space which are considered Primary or Secondary Environmental Corridor or Isolated Natural Resource Areas, as depicted on the Waukesha County Comprehensive Development Plan, except as provided in (e) for limited trail or recreational related development.

SECTION 3

Repeal and re-create Section 2.02(31) relative to environmental corridor definitions to read:

- (31) Environmental Corridors: Environmental corridors (Primary, Secondary and Isolated Natural Resource Areas) are concentrations of key significant natural resource elements including surface water such as lakes, streams, and rivers and their associated undeveloped floodlands and shorelands; woodlands, wetlands, and wildlife habitat; prairie remnants; areas of groundwater discharge and recharge; unfarmed wet, poorly drained and organic soils, rugged terrain and high relief topography; and significant geological formations and physiographic

features. In general, Primary Environmental Corridors are concentrations of significant natural resources at least 400 acres in area, at least two miles in length, and at least 200 feet in width. Secondary Environmental Corridors are concentrations of significant natural resources at least 100 acres in area and at least one mile in length (possibly smaller and shorter if considered a primary link). Isolated Natural Resource Areas are concentrations of significant natural resources at least five acres in area and at least 200 feet in width. Generalized Environmental Corridor boundaries are mapped by the Southeastern Wisconsin Regional Planning Commission, typically at five-year intervals, and precise boundaries are field delineated by, or reviewed and approved by, the Southeastern Wisconsin Regional Planning Commission Staff. A description of the processes for further defining and delineating Primary and Secondary Environmental Corridors and Isolated Natural Resource Areas is set forth in the Southeastern Wisconsin Regional Planning Commission's Technical Record, Volume 4, No. 2, and is incorporated herein by reference.

Repeal and re-create Section 2.02(32) relative to environmental corridor definitions to read:

- (32) Environmentally significant areas: Environmentally significant areas are lands which are zoned as C-1 Conservancy District, A-E Exclusive Agricultural Conservancy District, or EC Environmental Corridor District, or are designated as Primary Environmental Corridor, Secondary Environmental Corridor, or Isolated Natural Resource area on the Waukesha County Comprehensive Development Plan.

SECTION 4

Repeal and Recreate Section 9.04(1)(B) regarding R-1 floor area ratio to read:

- (B) Maximum F.A.R. permitted: Fifteen (15) percent.


Repeal and Recreate Section 9a.04(1)(B) regarding R-1 floor area ratio to read:

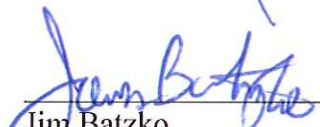
- (B) Maximum F.A.R. permitted: Fifteen (15) percent.

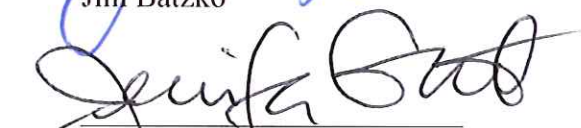
BE IT FURTHER ORDAINED that pursuant to Section 59.69(5)(e), Wisconsin Statutes, within seven days after enactment, this Ordinance shall be submitted in duplicate by the County Clerk by registered mail to the Town Clerk of each town in which the lands affected by the Ordinance are located, specifically the Towns of Genesee, Oconomowoc, Ottawa and Vernon.

AMEND THE WAUKESHA COUNTY ZONING CODE BY REPEALING AND RECREATING SECTION 6.7 RELATIVE TO ENVIRONMENTAL CORRIDOR REGULATIONS, SECTION 2.02(31) AND 2.02(32) RELATIVE TO EC DEFINITIONS, SECTIONS 3.08(7)(B), 3.08(7)(KK), 3.08(7)(P)(2)(a), 3.08(7)(P)(2)(b) AND 3.08(7)(P)(2)(g) RELATIVE TO CONDITIONAL USES AS THEY RELATE TO THE EC DISTRICT AND SECTIONS 9.04(1)(B) AND SECTION 9a.04(1)(B) RELATIVE TO FLOOR AREA RATIO IN THE R-1 AND R-1a RESIDENTIAL DISTRICTS (CZ-1459H)

Presented by:
Land Use, Parks, and Environment Committee

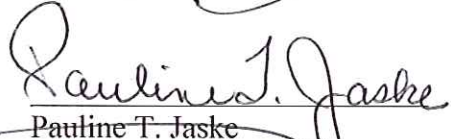

Walter L. Kolb, Chair


Jim Batzko


Jennifer Grant



Keith Hammitt


Eric Highum


Pauline T. Jaske


Thomas J. Schellinger

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, was presented to the County Executive on:

Date: 8/26/14, 
Kathleen Novack, County Clerk

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, is hereby:

Approved: X

Vetoed: _____

Date: 8-27-14, 
Daniel P. Vrakas, County Executive

WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-08/26/14

(ORD) NUMBER-1690046

- | | |
|--------------------------|-------------------------|
| 1 R. KOLB.....AYE | 2 D. Zimmermann.....AYE |
| 3 R. MORRIS.....AYE | 4 J. BATZKO.....AYE |
| 5 J. BRANDTJEN.....NAY | 6 J. WALZ.....AYE |
| 7 J. GRANT.....AYE | 8 E. HIGHUM.....AYE |
| 9 J. HEINRICH.....AYE | 10 D. SWAN.....AYE |
| 11 C. HOWARD.....AYE | 12 P. WOLFF.....AYE |
| 13 P. DECKER.....AYE | 14 C. PETTIS.....AYE |
| 15 W. KOLB.....AYE | 16 M. CROWLEY.....AYE |
| 17 D. PAULSON.....AYE | 18 L. NELSON.....AYE |
| 19 K. CUMMINGS.....AYE | 20 T. SCHELLINGER...AYE |
| 21 W. ZABOROWSKI.....AYE | 22 P. JASKE.....AYE |
| 23 K. HAMMITT..... | 24 S. WHITTOW..... |
| 25 G. YERKE.....AYE | |

TOTAL AYES-22

TOTAL NAYS-01

CARRIED X

DEFEATED _____

UNANIMOUS _____

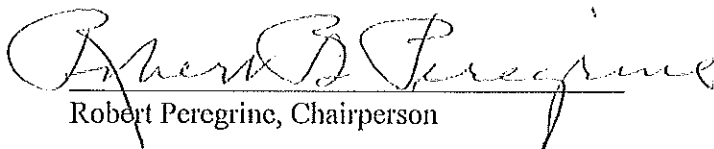
TOTAL VOTES-23

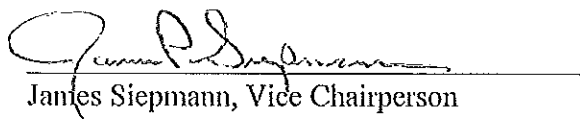
COMMISSION ACTION

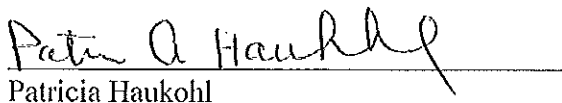
The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance to amend the Waukesha County Shoreland and Floodland Protection Ordinance, hereby recommends approval of SZ-1459J (Text Amendments) in accordance with the attached "Staff Report and Recommendation".

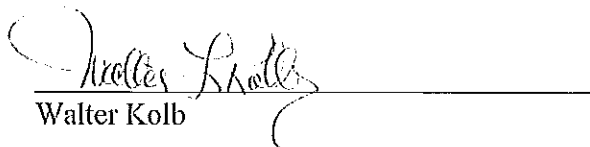
PARK AND PLANNING COMMISSION

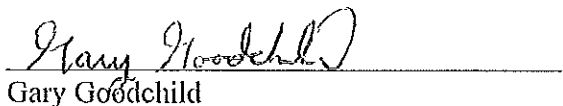
July 17, 2014

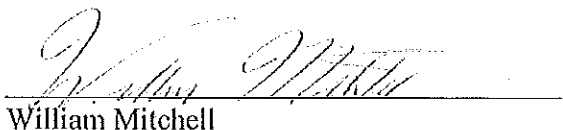

Robert Peregrine, Chairperson


James Siepmann, Vice Chairperson


Patricia Haukohl


Walter Kolb


Gary Goodchild

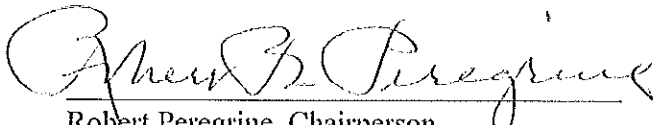

William Mitchell

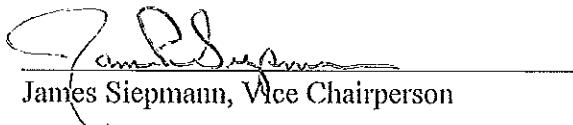
COMMISSION ACTION

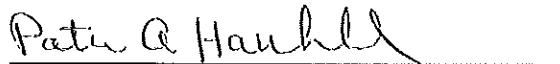
The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance to amend the Waukesha County Zoning Code, hereby recommends approval of CZ-1459H (Text Amendment) in accordance with the attached "Staff Report and Recommendation".

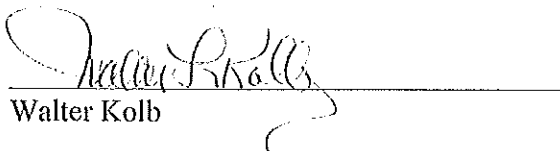
PARK AND PLANNING COMMISSION

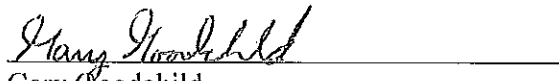
July 17, 2014

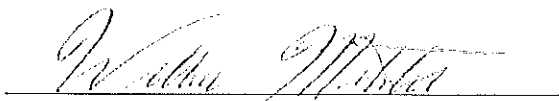

Robert Peregrine, Chairperson


James Siepmann, Vice Chairperson


Patricia Haukohl


Walter Kolb


Gary Goodchild


William Mitchell

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE
STAFF REPORT AND RECOMMENDATION
TEXT AMENDMENTS
WAUKESHA COUNTY SHORELAND AND FLOODLAND
PROTECTION ORDINANCE AND WAUKESHA COUNTY ZONING CODE

FILE NOS: SZ-1459J & CZ-1459H

DATE: July 17, 2014

PETITIONER: Waukesha County Park & Planning Commission

REQUEST:

- Text amendments to the Waukesha County Shoreland and Floodland Protection Ordinance (SFPO) to repeal and re-create Section 9 relative to Environmental Corridor District regulations, Section 2(b)(48) (Environmental Corridor definition) and Section 2(b)(49) (Environmentally significant areas definition).
- Text amendments to the Waukesha County Zoning Code (ZC) to repeal and re-create Section 6.7 relative to Environmental Corridor District regulations, Section 2.02(31) (Environmental Corridor definition), Section 2.02(32) Environmentally significant areas definition), Sections 3.08(7)(B) and 3.08(7)(KK), 3.08(P)(2)(a), 3.08(P)(2)(b) and 3.08(P)(2)(g) relative to Conditional Uses as they relate to the EC District.
- Text amendments to the Waukesha County Zoning Code (ZC) to repeal and re-create Section 9.04(1)(B) and Section 9a.04(1)(B) to increase maximum floor area ratio for the R-1 Residential District and R-1a Residential District from 10% to 15%.

PUBLIC HEARING DATE: June 16, 2014.

PUBLIC REACTION:

None.

CONFORMANCE WITH THE COMPREHENSIVE DEVELOPMENT PLAN FOR WAUKESHA COUNTY:

The County Development Plan recommends protection of environmental corridors and isolated natural resource areas in accordance with regional plan recommendations. Regional and County Plan recommendations recommend preservation of such resources limited low density residential development (generally a maximum of one residential dwelling unit per five acres of lands designated as such). Plan recommendations do not explicitly identify how vegetation removal or protection of habitat should occur. Instead, these regulations must be determined within applicable zoning codes. The Planning and Zoning Staff have prepared amendments to slightly ease restrictions for smaller lots of record that are now zoned Environmental Corridor (EC) and for lots that are partially zoned EC and partially located outside of the EC. The proposed amendments will ease regulatory burden for such parcels and will provide a more reasonable permissible disturbance area for said parcels while at the same time continuing to preserve environmental corridors and isolated natural resource areas in accordance with County and Regional Plan recommendations via lot size, density and vegetation preservation standards.

STAFF ANALYSIS:

Environmental Corridor amendments

As part of the advancement of the Countywide Zoning Map Modernization project last year, the Town of Genesee shared concerns regarding the Environmental Corridor (EC) District standards as they relate to existing developed EC lots and smaller lots of record within the Environmental Corridor District. Environmental Corridor zoning has been in place for approximately 20 years in three of the four towns subject to general County Zoning, but the district had not similarly been previously mapped within the Town of Genesee. Planning and Zoning Staff met with Jeff Herrmann, Town of Genesee Administrator/Planner, last year to discuss options for how to improve the zoning ordinances in order to address Genesee's concerns and to address observations of Planning Staff over the years in administering the existing EC district provisions.

The EC District includes lands designated as Primary Environmental Corridors, Secondary Environmental Corridors and Isolated Natural Resource Areas, as defined and mapped by SEWRPC in the most recent EC inventory. SEWRPC biologists routinely conduct in-field EC boundary determinations at the request of County or municipal staff to further refine precise resource boundaries for individual properties. SEWRPC's Regional Land Use Plan and the County Development Plan calls for preservation of environmental corridors in open space uses and recommends that EC lands that are developed for other purposes be limited to residential densities of one dwelling unit per five acres of EC. While the majority of EC lands are located on larger undeveloped properties or located on public lands, some EC areas were developed prior to the existence of protective EC zoning standards. Some existing EC lots of record were developed at densities much higher than plan recommendations.

The Planning and Zoning Staff and Mr. Herrmann agreed during discussions that while the codes' intent of directing development and disturbance activities outside of the EC portion of a lot that is both partially within and partially outside of the EC was well intentioned, there are those physical scenarios where the only area outside of the EC is not a feasible building envelope. In addition, the group agreed that the permissible disturbance area for smaller lots (those generally less than two acres) was not permissive enough to allow ordinary reasonable development or improvement of such lots within the EC.

The work group agreed that a 15,000 square foot disturbance area should be authorized for smaller lots rather than the existing scheme of 15% of the lot area (up to a maximum of 32,670 square feet). This takes into account the space needed for septic facilities, driveways, houses, etc. As an example, a one acre lot is currently restricted to a maximum of 6,534 square feet of disturbance. Under the proposed scheme, the same lot would now be afforded a maximum of 15,000 square feet of disturbance. In other words, approximately 2/3 of the lot would be protected natural area, with 1/3 of the lot available for all other improvements. Similarly, for lots split both within and outside of the EC, the group agreed allowable disturbance should be the greater of 15,000 square or 15% of the lot's EC area, up to a maximum of 32,670 square feet. In order to solicit further input, Staff communicated those contemplated changes to each of the four Town Planners for the Towns of Genesee, Oconomowoc, Ottawa and Vernon that are subject to

County Zoning. Each of the four Towns indicated their support for these changes, in concept, so Staff drafted and circulated proposed ordinance amendments to the towns and the Park & Planning Commission. Comments received back were predominantly favorable and Staff has since attempted to address or respond to all questions or comments shared. The final proposed ordinance amendment language is attached in "track changes" format (See Exhibits "A", "B"). In response to concerns raised by Genesee regarding a proposed no-cost cutting permit requirement for the removal of trees within EC areas, note that the proposed general Zoning Code language was further amended to allow for the cutting of up to four trees within an EC area in a one year period on a given property without the need for a no-cost cutting permit. In addition, proposed language was added to clarify that removal of invasive species and cutting for utility extensions to private property do not require permits. Permit exemptions have also been inserted for widespread storm damage and removal of hazardous trees. Upon review of final proposed code language, Genesee has indicated a neutral stance regarding the amendments.

Staff has prepared the subject ordinance amendments largely to effectuate the changes described above to provide an improved scheme of regulating smaller EC properties and properties partially within the EC. It should be noted that other definitional and other minor language updates to the EC district and related ordinance sections are being proposed. The EC definition was expanded in response to questions and comments shared by the Town of Vernon in order to more clearly describe the source and criteria of EC mapping determinations. An additional flexible provision that would allow for legal non-conforming EC structures that are substandard to side yard offset to expand laterally is also proposed to give further improvement options to the owners of non-conforming structures.

R-1 & R-1a District amendments

Planning & Zoning Staff prepared the subject amendments to the R-1 and R-1a District maximum floor area ratio (FAR) requirements of the Waukesha County Zoning Code (see Exhibit "A") in order to align the district standards of that ordinance with the already more permissive standards of the SFPO. The Zoning Code has not been amended as recently as the SFPO relative to this section and this issue has been on Staff's list of needed ordinance updates. The SFPO maximum FAR is 15%, whereas the Zoning Code maximum FAR for the same district is 10%. The proposal is to amend the R-1 and R-1a District FAR requirement within the Zoning Code to 15%. Floor area ratio is the proportion of all building square footage on a property (basement areas excluded) to parcel size. The two subject districts require a minimum lot size of one acre. A 10% FAR on a one acre lot allows for 4,356 in total building square footage, whereas 15% would allow for 6,534 square feet.

Staff elected to prioritize this issue because a lot owner within the Town of Vernon purchased a lot and fully designed a house plan not realizing that the FAR standards restricted the size of home that he could build. The owner asked Staff for advice regarding his dilemma and Staff volunteered that an ordinance amendment was already being contemplated and that if the four towns subject to County Zoning were agreeable to such a change, an amendment would be prepared. The four towns have expressed their support for this change.

STAFF RECOMMENDATION:

It is the opinion of the Waukesha County Planning and Zoning Division Staff that the text amendments to the Waukesha County Shoreland and Floodland Protection Ordinance (SFPO) and Waukesha County Zoning Code be **approved**. The proposed amendments pertaining to environmental corridor regulations improve and modernize regulations for smaller EC lots of record and for lots partially zoned EC. In addition, added flexibility is provided for non-conforming houses within the EC that will now have the option to expand laterally without need for a variance in certain scenarios.

The R-1 and R-1a District amendments bring Zoning Code requirements in line with SFPO requirements and will provide a more reasonable amount of available building square footage for parcels within those districts that are subject to the County Zoning Code.

Respectfully submitted,

Jason Fruth

Jason Fruth
Planning and Zoning Division Manager

Attachment: Exhibits "A", "B" (Proposed Zoning Code and SPFO amendment language in track changes).

N:\PRKANDLU\Planning and Zoning\Rezoning\Staff Reports\1459J & H SFPO and ZC Text Amendments 07 17 14 wco.doc

AMENDMENTS TO THE WAUKESHA COUNTY ZONING CODE

Zoning Code- 2014 Amendments (Environmental Corridor standards and R-1 and R-1a floor area ratio)

SECTION 1

Repeal and re-create Section 6.7, as follows:

SECTION 6.7 EC ENVIRONMENTAL CORRIDOR DISTRICT

6.71 Purpose and Intent

The EC Environmental Corridor District, as mapped or intended to be mapped, includes non-wetland/floodplain ~~p~~Primary ~~and~~ ~~or~~ ~~s~~Secondary eEnvironmental eCorridors and Isolated Natural Resource Areas as defined herein in this Ordinance, and is intended to be used to preserve, protect, enhance, and restore significant woodlands, upland wildlife habitat areas, scenic overlooks, slopes exceeding twelve (12)% percent, and upland wooded areas, while also affording an opportunity to use the site for the limited residential purposes, in concert with the goal and intent of the Regional Land Use Plan, Comprehensive Development Plan for Waukesha County, or locally adopted plan, which suggests recommends that residential densities in such areas not exceed one unit per five acres for all parcels which lie entirely within the Eenvironmental Ecorridor. Where questions arise as to the exact location or boundary of an environmental corridor, the extent and location of such corridors shall be refined and finally determined by infield investigation by the Zoning Administrator or his/her designee, and a notation shall be made on the District Zoning Map of the Waukesha County Zoning Code indicating that such a determination has been made for future reference and map amendment purposes.

6.72 Use Regulations

(1) Permitted Uses:

- (A) Any uses permitted in the C-1 Conservancy District except that, whenever possible, pasturing and grazing of livestock shall be located outside of the environmental corridor.
- (B) Single family dwellings.
- (C) Keeping of poultry and livestock on not less than five (5) acres of land where there shall be no more than one head of livestock or twenty (20) poultry for the

first three (3) acres of land, and one additional head of livestock or twenty (20) additional poultry for each additional one (1) acre of land thereafter. ~~Except that the keeping of hogs, male goats or fur-bearing animals shall not be permitted, on less than twenty (20) acres.~~

(D) The following accessory buildings and uses, subject to the conditions specified:

1. Private garages, when located on the same lot, and not involving the conduct of a business; provided, however, that no private garage shall be erected unless that principal building to which such garage is an accessory use has been erected or is to be erected simultaneously with said garage.
2. Quarters for household or farm employees; provided, however, that such quarters shall be occupied only by individuals employed full time on the premises and their families.
3. Stables, barns, or poultry houses, which house livestock or poultry, shall not be less than fifty (50) feet from an adjacent property line.

(E) A sign in accordance with Section 7.01(1)(G).

(F) Hobby kennel in accordance with Section 7.01(1)(I).

(G) Guesthouses are prohibited in the EC Environmental Corridor District.

(H) The establishment and enhancement of public parks and recreation areas, wilderness or walk-in unimproved boat access sites, natural and outdoor education areas, historic and scientific areas, wildlife refuges, game preserves, and wildlife habitat areas, provided that any tree and vegetation removal and subsequent restoration done in the EC Environmental Corridor District and any improvements and/or construction shall be approved by the County Zoning Administrator before beginning any development activities. Vegetative restoration may be allowed within the corridor for the purpose of improving wildlife habitat or to otherwise enhance wildlife values provided all necessary

permits are obtained and said activities shall only be approved after review and approval and issuance of all permits, as required. Roads and trails to service the recreational and wildlife areas, etc may be permitted, but said roads and trails may not include vegetation removal or other construction activity within the corridor without obtaining all approvals, as required.

(Section 6.72(1)(A) was amended by Enrolled Ordinance 159-69, effective 1-17-05.)

(Sections 6.72(1)(C) and 6.72(1)(D)3 were amended by Enrolled Ordinance 161-13, effective 09/04/06.)

6.73 Building Location

- (1) Setback: Fifty (50) feet minimum.

- (2) Offset: Thirty-five (35) feet minimum. In the case of existing legal non-conforming principal or accessory structures that are less than the required thirty-five (35) foot minimum, an extension or addition may be allowed closer than thirty-five (35) feet as long as said extension or addition does not extend or encroach closer to the side lot line than the existing structure to which it is attached, at its closest point as measured in this Ordinance, and in no case shall be less than twenty (20) feet unless a Special Exception is granted by the Board of Adjustment to allow such extension or addition, and with the requirement that all of the disturbance regulations of Section 6.7 of this Ordinance be met as applicable.

6.74 Height Regulations

- (1) Principal Building: Thirty-five (35) feet maximum.

- (2) Accessory Building:
 - (A) Farm: Sixty (60) feet maximum.

 - (B) Other: Fifteen (15) feet maximum.

(Section 6.74 was amended by Enrolled Ordinance 159-69, effective 1-17-05.)

6.75 Area Regulations

(1) Floor Area:

(A) Minimum required:

1. First floor: ~~Nine-Eight~~ hundred and fifty (~~900~~850) square feet.
2. Total: ~~Fifteen-Eleven~~ hundred (~~1,500~~1,100) square feet.

(B) Maximum F. A. R. permitted: Lots that are less than two (2) acres in area are restricted to a maximum F. A. R. of fifteen (15) percent.

(2) Lot size:

(A) Minimum area: ~~The~~ overall density of parcels lying entirely within the ~~Environmental~~ ~~Corridor~~ shall be not ~~greater than~~ ~~less than~~ one (1) dwelling unit per five (5) acres of corridor area, with no lot area being less than two (2) acres in size. On parcels which contain area outside of the environmental corridor or partially within the environmental corridor and in a zoning category requiring less than a five (5) acre lot, the five (5) acre density requirement shall not apply and the lot can be the size required for that adjacent zoning category, as determined by the Zoning Administrator, as long as any ~~earth-land~~ altering activity and/or building envelopes are located outside of the corridor area and appropriately restricted as such on the face of the Certified Survey Map, Subdivision Plat or other ~~appropriate-matter document approved by the~~ Waukesha County Park and Planning Commission or the Zoning Administrator and recorded in the office of the Register of Deeds. The overall goal of this requirement is to obtain a maximum density of building activity within the environmental corridor of not ~~less~~ ~~more~~ than one (1) dwelling unit for each five (5) acres of environmental corridor lands.

- (B) Lands which lie within a larger parcel or tract of land, the remainder of which is zoned either A-P Agricultural Land Preservation District or A-T Agricultural Land Preservation Transition District, shall have a minimum (gross) parcel size of thirty-five (35) acres.

(3) Preservation of Open Space:

- (A) For parcels lying entirely within an EC Environmental Corridor Zoning District, no open space regulation shall apply. However, the maximum area of disturbance in the EC Environmental Corridor District for all earth-land altering activities and vegetative removal, including building sites, septic areas, and drive areas, (area of disturbance) shall be the greater of no more than 15,000 square feet or fifteen (15) percent% of a parcel's area five (5) acres, (up to a maximum of 32,670 square feet), and a deed restriction shall be recorded in the office of the Register of Deeds describing the permitted area of disturbance at the time of Zoning Permit issuance. ~~in the environmental corridor may be disturbed with such land disturbance.~~

- (B) For parcels which lie partially within and partially outside of the EC Environmental Corridor District, the area of disturbance as described in Section 3(A) above shall be limited to that area outside of the EC Environmental Corridor District unless otherwise permitted by a building envelope on a certified survey map, subdivision plat, or other document, or unless (B) the developable area of a parcel (that area that is not constrained by zoning district setback and offset requirements and that is located outside of the EC Environmental Corridor District) is less than 15,000 square feet or is less than the area that is equal to fifteen (15) percent of the area of a parcel, up to a maximum of 32,670 square feet.

If the developable area on a lot is less than the above specified thresholds, a maximum area of disturbance within the EC Environmental Corridor District, as described in Section 3(A) above, up to the amount of area needed to achieve the greater of a 15,000 square foot developable area or a developable area of fifteen (15) percent of the area of the parcel, up to a maximum of 32,670 square feet of disturbance area, as described in Section 3(A) above, may be permitted by the Zoning Administrator provided a deed restriction is recorded in the office of the Register of Deeds describing and authorizing the area of disturbance. The maximum area of disturbance within the environmental corridor portion of such a lot shall be determined by calculating the available developable area that is located outside of the environmental corridor and subtracting the available developable area from the above described 15,000 square foot or 15% threshold.

(4) Tree and Vegetation Cutting and Removal:

- (A) All tree and native brush and understory vegetation cutting and removal within the EC Environmental Corridor District shall require a Zoning Permit, in accordance with Section 3.03 of this Ordinance, prior to said activities commencing, with the following exceptions:

The cutting or removal of four or fewer dead, dying or diseased trees from a single property within a one-year time period, the removal of invasive species, or the removal of vegetation necessitated by extension of utilities to public or private property shall not require a Zoning Permit. In addition, the Zoning Administrator may waive Zoning Permit requirements for tree cutting or vegetation removal in the event of widespread storm damage or for the cutting of trees that present a safety hazard.

- (B) Tree and vegetation cutting or removal is regulated in order to protect natural beauty and wildlife habitat and to prevent erosion. Except for those activities conducted in accordance with the provisions of Section 6.75(3) above, tree and vegetation cutting and removal shall be limited to the cutting and removal of dead, dying, and diseased trees or vegetation; the cutting and removal of invasive species; or the cutting and removal of trees and vegetation related to the implementation of a forest management plan approved by the Zoning Administrator or his/her designee. Cutting and removal activities must demonstrate enhancement of the environmental corridor. The Zoning Administrator may consult with natural resource experts at the Southeastern Wisconsin Regional Planning Commission or other governmental agencies to determine the appropriateness of the proposed cutting or removal activities and to solicit recommendations regarding any required re-planting or restoration requirements in order to ensure that the project does not have an adverse impact on the natural environment.

SECTION 2

Repeal and re-create Sections 3.08(7)(B) as follows: ~~3.08(7)(K), 3.08(P)(2)(a), 3.08(P)(2)(b) and 3.08(P)(2)(g)~~ as follows:

3.08 Conditional uses

(7) Conditional use permitted:

(B)- Antique Shops, Gift Shops, Art Studios and Similar Uses: Such uses are permitted by right in business districts. In addition, such uses are permitted conditionally in all other districts except C-I, E-C and A-E Districts subject to the following:

1. The location, site plans and plan of operation have been submitted to and approved by the Plan Commission and County Zoning Agency.
2. Such use is compatible with surrounding land uses.

Repeal and re-create Section 3.08(7)(KK) as follows:

(KK)- Limited Family Business: The purpose and intent of this Section is to provide a listing of procedures and standards of operation for limited family businesses that may operate in an attached garage or detached accessory building under a conditional use permit in residential or agricultural districts except the EC Environmental Corridor and A-E Districts.

1. A conditional use permit for a limited family business is designed to accommodate small family businesses without the necessity for relocation or rezoning, while at the same time protecting the interest of the adjacent property owner and any future development of the area. Any expansion of the limited family business will be subject to an amendment to the conditional use permit and, if said amendment is denied, the conditional use permit would either terminate or the expansion could not take place.
2. All employees, except one full-time equivalent, shall be members of the family residing on the premises.
3. The plan commission and zoning agency shall determine the percentage of the property that may be devoted to the limited family business and the more restrictive determination shall apply.

4. The limited family business is restricted to a service oriented business or home occupation business and is prohibited from manufacturing or assembling products. The sale of products on the premises which are not produced by the limited family business is prohibited. The sale of products available for sale as accessories to the business may be permitted or limited by specific conditions in the conditional use permit (i.e. hair care products such as shampoo and conditioners normally associated with a business that cuts or styles hair).
5. The conditional use permit shall restrict the number and types of machinery and equipment the limited family business operator may be allowed to bring onto the premises and whether the machinery and equipment must be stored inside a building.
6. The structures used in the limited family business shall be considered to be residential accessory buildings and shall meet all the requirements for such buildings. The design and size of the structures are subject to conditions in the conditional use permit.
7. The conditional use permit shall automatically expire and terminate on the sale of the property or its transfer to a non-occupant of the property.
8. The limited family business shall not operate on a parcel having less than the minimum parcel size for the district in which it is located. For certain uses which are determined by the town and county to have a potential adverse effect on adjacent residential zoned properties, additional requirements regarding location and site standards (i.e. screening) may be required as conditions of the use.

Repeal and re-create Section 3.08(7)(P)(2)(a) as follows:

(P)

_____ 2. Residential Planned Unit Development:

(a) _____ (a) — The following table may be utilized to compute the maximum dwelling unit density requirements of the P.U.D., except that areas which are Upland-Primary or Secondary Environmental Corridors are also subject to (b) below.

A-1	120,000 sq. ft. (2.75 acres) per dwelling unit
A-2	120,000 sq. ft. (2.75 acres) per dwelling unit
A-3	80,000 sq. ft. (1.84 acres) per dwelling unit
A-5	200,000 sq. ft. (4.59 acres) per dwelling unit
Environmental Corridor	5 acres per dwelling unit *
A-P	35 acres per dwelling unit
A-T	35 acres per dwelling unit
R-1a	39,000 sq. ft. (0.89 acres) per dwelling unit
R-1	39,000 sq. ft. (0.89 acres) per dwelling unit
R-2	25,000 sq. ft. (0.57 acres) per dwelling unit
R-3	15,000 sq. ft. (0.34 acres) per dwelling unit

* Calculations for Environmental Corridors shall occur as established in (b) below.

Repeal and re-create Section 3.08(7)(P)(2)(b) as follows:

- (b) If all of the Upland, Primary and Secondary Environmental Corridor or Environmental Corridor zoned lands are preserved in their entirety within the public open space or common open space and preserved in their natural state, the density of one unit per five (5) acres may be added to the maximum number of dwelling units derived from utilizing the table above.

Repeal and re-create Section 3.08(7)(P)(2)(g) as follows:

- (gg) Adequate guarantee shall be provided for permanent retention of the open space resulting from these regulations, either by private reservation for use of the residents within the development or others as may be specifically provided for, i.e.: farmers use of open space, dedication to a public entity or development of a private recreational facility open to the general public in perpetuity for a fee, subject to Plan Commission and Zoning Agency approval. There shall not be any clear cutting or clearing of vegetation other than dead, diseased, or dying vegetation or removal of invasive species on any lands being so preserved in public open space or common open space which are considered Primary or Secondary Environmental Corridor or Isolated Natural Resource Areas, as depicted on the Waukesha County Comprehensive Development Plan, except as provided in (e) for limited trail or recreational related development.

SECTION 3

Repeal and re-create Section 2.02(31) and Section 2.02(32) relative to environmental corridor definitions as follows:

- (31) Environmental Corridors: Environmental corridors (~~p~~Primary, ~~and s~~Secondary and Isolated Natural Resource Areas) are the composite of the best individual concentrations of key significant natural resource elements of the natural resource base including surface water such as, lakes, streams, and rivers and their associated undeveloped floodlands and shorelands; woodlands, wetlands, and wildlife habitat; prairie remnants; areas of groundwater discharge and recharge; unfarmed wet, poorly drained and organic soils, rugged terrain and high relief topography; and significant geological formations and physiographic features. In general, Primary Environmental Corridors are concentrations of significant natural resources at least 400 acres in area, at least two miles in length, and at least 200 feet in width. Secondary Environmental Corridors are concentrations of significant natural resources at least 100 acres in area and at least one mile in length (possibly smaller and shorter if considered a primary link). Isolated Natural Resource Areas are concentrations of significant natural resources at least five acres in area and at least 200 feet in width. Generalized Environmental Corridor boundaries are mapped by the Southeastern Wisconsin Regional Planning Commission, typically at five-year intervals, and precise boundaries are field delineated by, or reviewed and approved by, the Southeastern Wisconsin Regional Planning Commission Staff. A description of the processes for further defining and delineating of Primary and Secondary Environmental Corridors and Isolated Natural Resource Areas is set forth in the Southeastern Wisconsin Regional Planning Commission's Technical Record, Volume 4, No. 2, and is incorporated herein by reference.

Repeal and re-create Section 2.02(32) relative to environmental corridor definitions as follows:

- (32) Environmentally significant areas: Environmentally significant areas are lands which are zoned as C-1 Conservancy District, A-E Exclusive Agricultural Conservancy District, or E-C Environmental Corridor District, or are designated as ~~p~~Primary ~~e~~Environmental ~~e~~Corridor, ~~s~~secondary ~~e~~Environmental ~~e~~Corridor, or ~~i~~Isolated Natural Resource area on the Waukesha County Comprehensive Development Plan.

(Created by Enrolled Ordinance 161-13, effective 09/04/06.)

SECTION 4

Repeal and Recreate Section 9.04(1)(B) regarding R-1 floor area ratio to read as follows:

(B) Maximum F.A.R. permitted: ~~Ten (10)~~ Fifteen (15) percent.

Repeal and Recreate Section 9a.04(1)(B) regarding R-1 floor area ratio to read as follows:

(B) Maximum F.A.R. permitted: ~~Ten (10)~~ Fifteen (15) percent.

N:\PRKANDLU\Planning and Zoning\Zoning Code green cover\Text Amendments\2014\EC amendments\ZC EC AMENDMENTS for website Quicklinks with track changes.doc

**AMENDMENTS TO THE WAUKESHA COUNTY SHORELAND AND
FLOODLAND PROTECTION ORDINANCE**

Shoreland & Floodland Protection Ordinance- 2014 Environmental Corridor Amendments

SECTION 1

Repeal and re-create Section 9, as follows:

SECTION 9 EC ENVIRONMENTAL CORRIDOR DISTRICT

(a) Purpose and Intent

The EC Environmental Corridor District, as mapped or intended to be mapped, includes non-wetland/floodplain ~~primary or~~ ~~and~~ ~~secondary~~ environmental corridors and Isolated Natural Resource Areas as defined herein in this Ordinance, and is intended to be used to preserve, protect, enhance, and restore significant woodlands, upland wildlife habitat areas, scenic overlooks, slopes exceeding twelve (12%) percent, and upland wooded areas, while also affording an opportunity to use the site for the limited residential purposes, in concert with the goal and intent of the Regional Land Use Plan, Comprehensive Development Plan for Waukesha County, or locally adopted plan, which ~~suggests~~ recommends that residential densities in such areas not exceed one unit per five acres for all parcels which lie entirely within the ~~Environmental Corridor~~. Where questions arise as to the exact location or boundary of an environmental corridor, the extent and location of such corridors shall be refined and finally determined by infield investigation by the Zoning Administrator or his/her designee, and a notation shall be made on the District Zoning map of the Waukesha County Shoreland and Floodland Protection Ordinance indicating that such a determination has been made for future reference and map amendment purposes.

(b) Use Regulations:

1. Any uses permitted in the C-1 Conservancy District with the following exceptions:
 - A. Whenever possible, pasturing and grazing of livestock shall be located outside of the environmental corridor.
 - B. The cultivation of agricultural crops, except silviculture when done in accordance with the use regulations outlined in the C-1 Conservancy District.

2. Single-family dwellings.

3. Keeping of poultry and livestock on not less than five (5) acres of land where there shall be no more than one head of livestock or twenty (20) poultry for the first three (3) acres of land, and one additional head of livestock or twenty (20) additional poultry for each additional one (1) acre of land thereafter. The keeping of hogs, male goats or fur-bearing animals shall not be permitted.

4. The following accessory buildings and uses, subject to the conditions specified:
 - A. Private garages, when located on the same lot, and not involving the conduct of a business; provided, however, that no private garage shall be erected unless that principal building to which such garage is an accessory use has been erected or is to be erected simultaneously with said garage.

 - B. Quarters for household or farm employees; provided, however, that such quarters shall be occupied only by individuals employed full time on the premises and their families.

 - C. Stables, barns, or poultry houses, which house livestock or poultry, shall not be less than fifty (50) feet from an adjacent property line.

5. A sign in accordance with Section 18(a)7.

6. Hobby kennel in accordance with Section 18(a)8.

7. Guesthouses are prohibited in the EC District.

8. The establishment and enhancement of public parks and recreation areas, wilderness or walk-in unimproved boat access sites, natural and outdoor education areas, historic and scientific areas, wildlife refuges, game preserves, and wildlife habitat areas, provided that any tree and vegetation removal and subsequent restoration done in the EC Environmental Corridor District and any improvements and/or construction shall be approved by the Zoning Administrator before beginning any development activities. Vegetative restoration may be allowed within the corridor for the purpose of improving wildlife habitat or to otherwise enhance wildlife values provided all necessary permits are obtained and said activities shall only be approved after review and approval and issuance of all permits, as required. Roads and trails to service the recreational and wildlife areas, etc may be permitted, but said roads and trails may not include vegetation removal or other construction activity within the corridor without obtaining all approvals, as required.

(c) **Building Location**

1. Setback: Fifty (50) feet minimum.

2. Offset: Thirty-five (35) feet minimum. In the case of existing legal non-conforming principal or accessory structures that are less than the required thirty-five (35) foot minimum, an extension or addition may be allowed closer than thirty-five (35) feet as long as said extension or addition does not extend or encroach closer to the side lot line than the existing structure to which it is attached, at its closest point as measured in this Ordinance, and in no case shall be less than twenty (20) feet unless a Special Exception is granted by the Board of Adjustment to allow such extension or addition, and with the requirement that all of the disturbance regulations of Section 9 of this Ordinance be met as applicable.

3. Shore Setback: Seventy-five (75) feet minimum.

(d) **Height Regulations**

1. Principal Building: Thirty-five (35) feet maximum.

2. Accessory Building:

A. Farm: Sixty (60) feet maximum.

B. Other: Fifteen (15) feet maximum.

(e) Area Regulations

1. Floor Area: Minimum Required:

A. Minimum Required

i. First floor: ~~Nine-Eight hundred and fifty (900850)~~ square feet.

ii. Total: Eleven hundred (1,500) (1,100) square feet.

B. Maximum F.A.R. permitted: Lots that are less than two (2) acres in area are restricted to a maximum F.A.R. of fifteen (15) percent.

2. Lot size:

A. Minimum area: ~~The~~ overall density of parcels lying entirely within the ~~environmental C~~corridor shall be not more than one (1) dwelling unit per five (5) acres of corridor area, with no lot area being less than two (2) acres in size. On parcels which contain area outside of the environmental corridor or partially within the environmental corridor and in a zoning category requiring less than a five (5) acre lot, the five (5) acre density requirement shall not apply and the lot can be the size required for that adjacent zoning category, as determined by the Zoning Administrator, as long as any land altering activity and/or building envelopes are located outside of the corridor area and appropriately restricted as such on the face of the Certified Survey Map, Subdivision Plat or other appropriate matter document approved by the Waukesha County Park and Planning Commission or the Zoning Administrator and recorded in the office of the Register of Deeds. The overall goal of this requirement is to obtain a maximum density of building activity within the environmental corridor of not

more than one (1) dwelling unit for each five (5) acres of environmental corridor lands.

- B. Lands which lie within a larger parcel or tract of land, the remainder of which is zoned either A-P Agricultural Land Preservation District or A-T Agricultural Land Preservation Transition District, shall have a minimum (gross) parcel size of thirty-five (35) acres.

3. Preservation of Open Space:

- A. For parcels lying entirely within ~~an~~ the ~~EC~~ Environmental Corridor Zoning District, no open space regulation shall apply. However, the maximum area of disturbance in the EC Environmental Corridor District for all land altering activities and vegetative removal, including building sites, septic areas, and drive areas, shall be the greater of no more than 15,000 square feet or fifteen (15) percent ~~% of the a parcel's area five acres or larger in size~~, up to a maximum of 32,670 square feet, and a deed restriction shall be recorded in the office of the Register of Deeds describing the permitted area of disturbance at time of Zoning Permit issuance. ~~Where the parcel is less than five (5) acres in size, the area of land altering activities and vegetative removal in the Environmental Corridor District shall be no more than 15% of the parcel.~~

- B. For parcels which lie partially within and partially outside of the EC Environmental Corridor District, the area of disturbance as described in Section 3(A) above shall be limited to that area outside of the EC Environmental Corridor District unless otherwise permitted by a building envelope on a certified survey map, subdivision plat, or other document, or unless the developable area of a parcel (that area that is not constrained by zoning district setback and offset requirements and that is located outside of the EC Environmental Corridor District) is less than the greater of 15,000 square feet or fifteen (15) percent of the area of a parcel, up to a maximum of 32,670 square feet.

If the developable area on a lot is less than the above specified thresholds, a maximum area of disturbance within the EC Environmental Corridor District, as described in Section 3(A) above, up to the amount of area needed to achieve a 15,000 square foot developable area or a developable area of up to fifteen (15) percent of the area of the parcel, up to a maximum of 32,670 square feet of disturbance area, as described in Section 3(A) above, may be permitted by the Zoning Administrator provided a deed restriction is recorded in the office of the Register of Deeds describing and authorizing the area of disturbance. The maximum area of disturbance within the environmental corridor portion of such a lot shall be determined by calculating the available developable area that is located outside of the environmental corridor and subtracting the available developable area from the above described 15,000 square foot or 15% threshold.

~~For parcels which lie partially within and partially outside of the environmental corridor, the area of disturbance shall be limited to that area outside of the environmental corridor unless otherwise permitted by a building envelope on the certified survey map, subdivision plat or other document.~~

4. Tree and Vegetation Cutting and Removal:

- A. All tree and native brush and understory vegetation cutting and removal within the EC Environmental Corridor District shall require a Zoning Permit in accordance with Section 3(d)9 of this Ordinance, with the following exceptions:

The removal of invasive species or the removal of vegetation necessitated by the extension of utilities to public or private property shall not require a Zoning Permit. In addition, the Zoning Administrator may waive Zoning Permit requirements for tree cutting or vegetation removal in the event of widespread storm damage or for the cutting of trees that present a safety hazard.

- B. Except for those activities conducted in accordance with the provisions of Section 9(e)3 above, tree and vegetation cutting and removal in the EC Environmental Corridor District shall be limited to the cutting and removal of dead, dying, and diseased trees or vegetation; the cutting and removal of invasive species; the cutting and removal of trees and vegetation related to the implementation of a forest management plan approved by the Zoning Administrator or his/her designee; and the tree and vegetation cutting and

removal shall be conducted in accordance with the applicable provisions of Section 3(d)9 of this Ordinance, in order to protect natural beauty and wildlife habitat and to prevent erosion. Cutting and removal activities must demonstrate enhancement of the environmental corridor. The Zoning Administrator may consult with natural resource experts at the Southeastern Wisconsin Regional Planning Commission or other governmental agencies to determine the appropriateness of the proposed cutting or removal activities and to solicit recommendations regarding any required re-planting or restoration requirements in order to ensure that the project does not have an adverse impact on the natural environment.

(Section 9(b) was amended by Enrolled Ordinance 165-69, effective 12-23-2010.)

(Section 9(b)1 was amended by Enrolled Ordinance 163-55, effective 11-13-2008.)

(Section 9(b)3 was amended by Enrolled Ordinance 161-12, effective 07-13-2006.)

(Section 9(b)3 was amended by Enrolled Ordinance 165-69, effective 12-23-2010.)

(Section 9(b)C was amended by Enrolled Ordinance 161-12, effective 07-13-2006.)

(Section 9(b)7 was created by Enrolled Ordinance 165-69, effective 12-23-2010.)

(Section 9(d), formerly Section 6.74, was amended by Enrolled Ordinance 159-70, effective 12-12-2004.)

(Section 9(e)2.A was amended by Enrolled Ordinance 165-69, effective 12-23-2010.)

(Section 9(e)3.A was amended by Enrolled Ordinance 165-69, effective 12-23-2010.)

SECTION 2

Repeal and re-create Section 2(48) and ~~Section 2(49)~~ relative to the following environmental corridor definitions:

48. Environmental Corridors: Environmental corridors (p)Primary, sSecondary, and iIsolated nNatural rResource aAreas) are the composite of the best individual concentrations of key significant natural resource elements of the natural resource base including surface water such as ,lakes, streams, and rivers and their associated undeveloped floodlands and shorelands; woodlands, wetlands, and wildlife habitat; prairie remnants; areas of groundwater discharge and recharge; unfarmed wet, poorly drained and organic soils, rugged terrain and high relief topography; and significant geological formations and

physiographic features. In general, Primary Environmental Corridors are concentrations of significant natural resources at least 400 acres in area, at least two miles in length, and at least 200 feet in width. Secondary Environmental Corridors are concentrations of significant natural resources at least 100 acres in area and at least one mile in length (possibly smaller and shorter if considered a primary link). Isolated Natural Resource Areas are concentrations of significant natural resources at least five acres in area and at least 200 feet in width. Generalized environmental corridor boundaries are mapped by the Southeastern Wisconsin Regional Planning Commission, typically at five-year intervals, and precise boundaries are field delineated by or reviewed and approved by the Southeastern Wisconsin Regional Planning Commission Staff. A description of the processes for further defining and delineating of Primary and Secondary Environmental Corridors and Isolated Natural Resource Areas is set forth in the Southeastern Wisconsin Regional Planning Commission's Technical Record, Volume 4, No. 2 and is incorporated herein by reference.

(Amended by Enrolled Ordinance 165-69, effective 12-23-2010.)

Repeal and re-create Section 2(49) relative to the following environmental corridor definition:

49. Environmentally significant areas: Environmentally significant areas are lands which are zoned as C-1 Conservancy District, A-E Exclusive Agricultural Conservancy District, or E-C Environmental Corridor District, or are designated as pPrimary Eenvironmental eCorridor, sSecondary eEnvironmental eCorridor, or iIsolated nNatural Resource area on the Waukesha County Comprehensive Development Plan.

(Created by Enrolled Ordinance 161-12, effective 7-13-2006.)

N:\PRKANDLU\Planning and Zoning\SF Protection Ordinance - blue cover\Text Amendments\2014\EC amendments\SFPO EC AMENDMENTS for website Quicklinks with track changes.doc
N:\PRKANDLU\Planning and Zoning\SF Protection Ordinance - blue cover\Text Amendments\2014\EC amendments\SFPO-EC AMENDMENTS for website Quicklinks.doc