



**Treated impervious surfaces;** The impervious surface calculation may exclude any existing or proposed impervious surface where the property owner can show the county that runoff from the impervious surface is treated by existing or proposed devices such as storm water ponds, constructed wetlands, infiltration systems, rain gardens, bioswales or other engineered systems, or that the runoff discharges to internally drained pervious area that retains the runoff on or off the parcel to allow infiltration into the soil. If a property owner or subsequent property owner fails to maintain the treatment system, treatment device or internally drained area, the impervious surface is no longer exempt under this ordinance.

- a. For smaller sites, such as those usually associated with shoreland areas, hydrologic modeling is not necessary if the landowner simply infiltrates or treats the first ½ inch of runoff discharging from the existing and planned impervious surfaces. This method shall demonstrate how the infiltration system and/or best management practice(s) will result in the exceedance of the following storm water discharge standards:
  1. Capture 80% of the total suspended solids (i.e. sediment/water quality standard);
  2. Infiltrate 90% of the predevelopment runoff volume (i.e. runoff volume standard).
- b. The County may exclude an impervious surface from the impervious surface calculation provided the property owner can demonstrate that one or more of the following general standards apply, and the existing or proposed infiltration system or best management practice(s) conform to County Conservation Standards or the applicable technical standards:
  1. One half inch of runoff from the area of impervious surface is treated by a storm water BMP, complying with the County Conservation Standards, or
  2. One half inch of runoff from the surface is discharged to an internally drained pervious area that retains the runoff on or off the parcel to allow infiltration into the soil.
- c. A storm water management plan and permit must be approved by the County, pursuant to the Walworth County Storm Water Management Ordinance, Chapter 26, Walworth County Code of Ordinances.

**Mitigation Plan.** For lots or parcels that exceed the impervious surface standard, but do not exceed the maximum impervious surface standard, the county may issue a complete permit that requires a mitigation plan reviewed and approved by the county zoning division and land conservation division (if applicable) and implemented by the property owner by the date specified in the permit. The application shall include the following:

- a. A site plan that describes the proposed mitigation measures. The site plan shall be designed and implemented to restore natural functions lost through development and human activities.
- b. The mitigation measures shall be proportional in scope to the amount and impacts of the impervious surface being permitted to establish or maintain measures adequate to offset the impacts of the impervious surface on water quality, near-shore habitat, upland wildlife habitat and natural scenic beauty.
- c. The mitigation plan shall include an implementation schedule and enforceable obligations on the property owner to establish and maintain the mitigation measures.
- d. The obligations of the property owner under the mitigation plan shall be evidenced by an instrument recorded in the office of the county register of deeds.

**IMPERVIOUS SURFACE MITIGATION AFFIDAVIT – SHORELAND ZONING**

Mitigation requirements

**Permitted : 0% - 15% impervious surface GENERAL Mitigation- max of 30%**

- 2.5% increase impervious surface . . . . . 1 point
- 5% increase impervious surface . . . . . 2 points
- 7.5% increase impervious surface . . . . . 3 points
- 10% increase impervious surface . . . . . 4 points
- 12.5% increase impervious surface . . . . . 5 points
- 15% increase impervious surface . . . . . 6 points

**Permitted : 0%- 30% HIGHLY DEVELOPED SHORELINE –**

**Residential Mitigation - max of 40%**

- 2.5% increase impervious surface . . . . . 1 point
- 5% increase impervious surface . . . . . 2 points
- 7.5% increase impervious surface . . . . . 3 points
- 10% increase impervious surface . . . . . 4 points

**Permitted : 0% - 40% HIGHLY DEVELOPED SHORELINE –**

**Commercial/Business/Ind. Mitigation - max of 60%**

- 2.5% increase impervious surface . . . . . 1 point
- 5% increase impervious surface . . . . . 2 points
- 7.5% increase impervious surface . . . . . 3 points
- 10% increase impervious surface . . . . . 4 points
- 12.5% increase impervious surface . . . . . 5 points
- 15% increase impervious surface . . . . . 6 points
- 17.5% increase impervious surface . . . . . 8 points
- 20% increase impervious surface . . . . . 10 points

Number of Points required: \_\_\_\_\_

- Mitigation Measures.
- \_\_\_\_ 1 point - for every 5’ of permanent native shore yard buffer from 35’ to 75’
  - \_\_\_\_ 1 point - for every 5’ of buffer perpendicular to the shore from 35’ to 75’
  - \_\_\_\_ 1 point - for every 5’ reduced width of view/access corridor
  - \_\_\_\_ 1 point - for no shore yard lighting
  - \_\_\_\_ 1 point- Planting/restoration of a primary buffer 1 pt for every 7’ depth of buffer (max of 5 points)
  - \_\_\_\_ 1 point- Increase shore yard setback – 1 point for every 5’ of increase
  - \_\_\_\_ 1 point - Permanent plantings (native forbs/shrubs) to screen existing retaining walls 1 pt/35’
  - \_\_\_\_ 1 point - Removal of retaining wall - for every 100 square foot of face area
  - \_\_\_\_ 2 points - DNR approved rip rap or vegetated shore treatment
  - \_\_\_\_ 2 points - Code compliant POWTS/ septic (installed after 1980)
  - \_\_\_\_ 3 points - Removal of second access to shore
  - \_\_\_\_ 3 points - Rain garden
  - \_\_\_\_ 3 points - Roof run off collection system
  - \_\_\_\_ 4 points - Removal of legally constructed sand beach/pea gravel
  - \_\_\_\_ 2 points - No grade change within 75 feet of OHWM
  - \_\_\_\_ 4 points - No boathouse
  - \_\_\_\_ 5 points - Preserve existing permanent native buffer (OHWM extended 35’ landward)
  - \_\_\_\_ TBD points - Other method approved by LURM. points based on proposal and impacts

Total Impervious Surface \_\_\_\_\_ft<sup>2</sup> Total Impervious Surface Percentage calculated on worksheet \_\_\_\_\_%

I (print property owner name) \_\_\_\_\_ will implement the Mitigation Measures chosen (as noted above) and record a Deed in the Register of Deeds Office. A method not listed above but approved by LURM is: \_\_\_\_\_

\_\_\_\_\_ and is designated as \_\_\_\_\_ points.

Signature (Owner): \_\_\_\_\_ Date: \_\_\_\_\_