

IMPERVIOUS SURFACE

REGULATIONS & REQUIREMENTS

Winnebago County Zoning Code:
Chapter 27.9



Winnebago County Zoning Department

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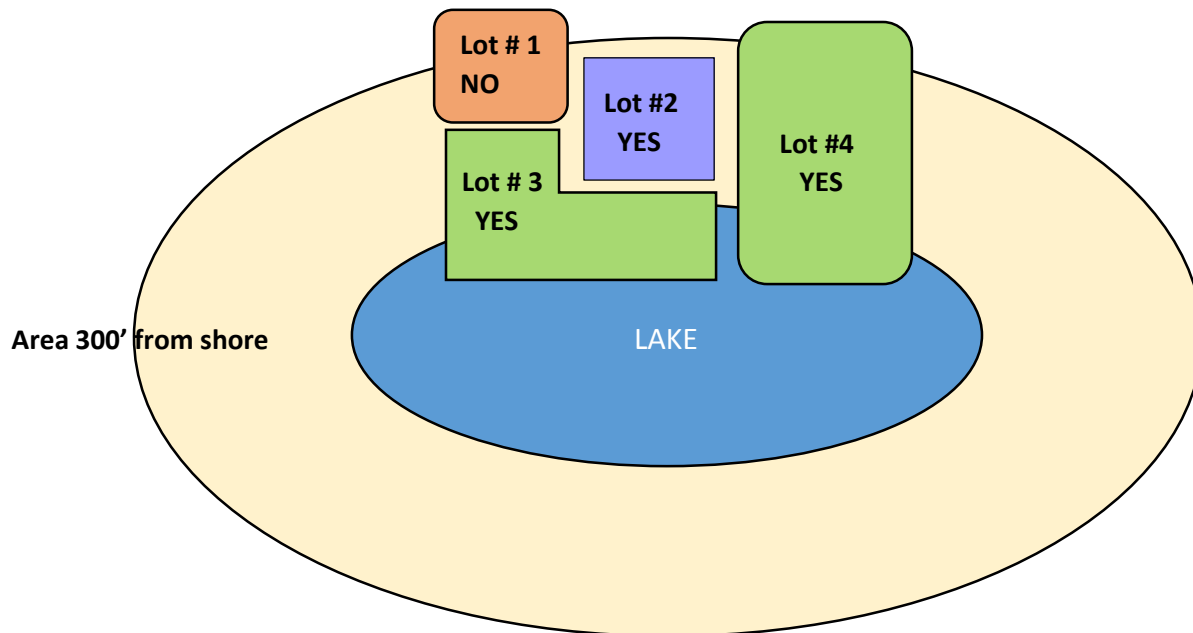
IMPERVIOUS SURFACES: Areas that restrict, entirely or partially, precipitation from infiltrating into the ground. Examples are sidewalks, gravel pads, driveways, buildings, building overhangs, patios, decks, etc.

AFFECTED AREAS: areas within 300' of the water:

- all waterfront lots that are partially or entirely located within the 300' area
- non-waterfront lots located entirely within 300' of the shore.

EXAMPLES OF AFFECTED AREAS:

- The *waterfront* lots #3 and #4 (green) are located partially or entirely within 300' (yellow) of the water and are therefore subject to impervious surface regulations.
- The non-riparian lot (orange) is not subject to impervious surface regulations
 - Lot #1 is not a waterfront lot and is only partially located within 300' of the shore, therefore it is not subject to impervious surface regulations.
- Lot #2 (purple) is *non-waterfront property* located entirely within 300' of the shore and is therefore subject to impervious surface regulations.



A PERMIT IS REQUIRED FOR:

- All projects typically regulated by a zoning permit such as buildings, fencing, decks, etc.
- All projects such as sidewalks, driveways, patios, fire pits etc., which are not typically regulated by a zoning permit, but which are located on property subject to impervious surface regulations.

A zoning permit application, site plan, and fee must be submitted to the Zoning Department for review. No work may start on a project until a signed permit has been *issued* by a Code Enforcement Officer.

AMOUNT OF IMPERVIOUS SURFACE ALLOWED:

- pre-existing impervious surfaces currently on the property *that are greater than the allotted amount*. If additional impervious surface area is desired, see Special Impervious Surface Allowances below for options. *
- if the impervious surface of a parcel is currently less than the allowed amount (including vacant parcels):
 - 30% if in an area designated as highly developed as indicated by the Winnebago County Highly Developed Map
 - 15% in all other circumstances

PLANNING CALCULATIONS: Entire lot area x 15% or 30% = allowable impervious surface allotment

- Example: **9,041.74** sq. ft. (total parcel area) x **30%** = **2712.52 sq. ft.** of impervious surface allowed in an area designated as highly developed
- These calculations are to be used only as a tool to help plan your project – they will need to be confirmed prior to issuance of a permit

CONFIRMED PERMITABLE IMPERVIOUS SURFACE AMOUNTS:

- **For a vacant parcel**, submit a zoning permit application with a site plan showing all impervious surfaces dimensions
- **For pre-existing impervious surfaces:**
 - Contact the Zoning Dept. and request an impervious surface survey
 - Contact a land surveyor and request an impervious surface survey

NOTE: Surveys to determine pre-existing impervious surfaces must not be done while the ground has snow cover.

STRUCTURE REPLACEMENT: If a *structure is non-conforming*, such as being within a setback, you will need a survey conducted by a licensed land surveyor verifying all setbacks of the existing non-conforming structure as well as the structure's footprint and square footage.

If the *structure is conforming* to zoning standards, verification from the county or by a licensed land surveyor, in the form of an impervious surface survey, is required showing the dimensions of all current impervious surfaces/structures.

***SPECIAL IMPERVIOUS SURFACE ALLOWANCES:** Impervious surfaces over the allotted amount may be allowed with a professionally engineered (PE) treatment system plan. An example is a rain garden. Submit PE stamped plans with a zoning permit application, a site plan and the fee. After the project is completed, the system will need to be verified by the PE and documentation presented to the county. A maintenance agreement recorded with the Register of Deeds is also required.

Mitigation options can be used to be allowed more impervious surface. These are acts that balance and restore natural functions lost through development. Please see Winnebago County Shoreland Zoning Code, Chapter 27, Section 13 for specific options available. Some options include vegetative buffers, removal of a boat slip, removal of boathouse allowance, and removal of structures in the shoreland setbacks.

PLEASE CONTACT THE ZONING DEPARTMENT WITH QUESTIONS OR FOR ADDITIONAL INFORMATION.

THIS HANDOUT IS ONLY INTENDED TO ASSIST INDIVIDUALS WITH A BASIC UNDERSTANDING OF IMPERVIOUS SURFACE REGULATIONS AND SHOULD NOT BE CONSIDERED APPLICABLE IN ALL SITUATIONS.