

IMPERVIOUS SURFACES

in the Rusk County Shoreland Zoning Ordinance

- **Why are there limits to impervious surfaces?**

Impervious surfaces are limited because of the concerns and negative impacts that unfiltered stormwater has on our lakes and rivers. Hard surfaces prevent water from infiltrating through the soil and increase the velocity and often the duration of runoff. Impervious surfaces may also cause negative impacts by diverting runoff to neighboring properties. Studies have shown that once the area around a waterway reaches 10-15% impervious surfaces, water quality is greatly and noticeably reduced and fish are affected negatively. In addition, phosphorous levels are increased in the waterway.

- **Where do the rules apply?**

Only areas within 300' of the shoreline of a lake, river or stream are affected by impervious surface limits.

- **What are impervious surfaces?** Means the footprint of structures or land areas where precipitation is essentially unable to infiltrate into the soil. Such surfaces include but are not limited to roadways and pathways which are paved or graveled, roofs, patios, decks and similar areas.

- **What are the rules?** Section 50-190(e) limits impervious surfaces on a shoreland lot within 300' of the shoreline to **15%**.

- If the lot is surveyed and mitigation is completed, a property owner can go up to **30%** impervious surfaces.
- If a property has more than 30% of existing and lawfully placed impervious surfaces, a property owner can maintain, modify and repair the existing impervious surface, provided the modification does not result in an increase in the percentage of impervious surfaces.

You can determine your impervious surface limit by using the following formula:

* Remember to only use the area within 300' of the OHWM.

Width of lot (if pie shaped, add two widths together and divide by 2) _____

X Length of lot _____ = Total square footage of lot _____

X 15% = Total allowed impervious surface _____

To determine the amount of existing and proposed impervious surface on your property, add together the square footage of all buildings (square footage of the roofs), paved or graveled driveways, patios and sidewalks.

**RUSK COUNTY
MITIGATION AGREEMENT
IMPERVIOUS SURFACES**

Legal Description: _____ **Land Use Permit #** _____
 _____ ¼, _____ ¼, Gov't Lot _____ Section _____, T _____ N, R _____ W
 Lot _____ Block _____ Subdivision or CSM _____
Parcel ID # _____ **Township** _____
Property Owner _____
Mailing Address _____
City, State, Zip _____

Section 50-190(e) of the Rusk County Code of Ordinance requires that a plan to mitigate for the adverse effects of impervious surfaces greater than 15% within 300' of the shoreline shall be implemented concurrent with the expansion or improvement of impervious surfaces on the property. The plan and the compliance schedule shall be approved by the zoning administrator and recorded by the property owner with the deed to the property prior to the issuance of the related zoning permit.

The following must be submitted with all such projects:

- (1) A site plan completed by a Professional Land Surveyor showing property lines, total square footage of the lot, and locations and total square footage of all impervious surfaces.**

In addition, a property owner shall choose the number of points required by the Rusk County Shoreland Mitigation Guidebook. The practices shall be described here:

Owner agrees to mitigate, upgrade, restore and/or maintain all practices noted above in accordance with the Rusk County Shoreland Zoning Ordinance. Owner agrees to permit county officials charged with administering county ordinances to have access to the above described premises at reasonable time for the purpose of inspection to verify that mitigation practices are in conformance with this agreement and with the Rusk County Shoreland Zoning Ordinance.

Owner understands that surface water quality is affected by activities conducted on the land adjacent to water bodies, and agrees to maintain the mitigation practices in perpetuity. This agreement shall be binding upon the owners, the heirs of the owner and assignees of the owner. Should any owner fail to initiate or maintain the above mitigation practices, the permit issued for any expansion shall become null and void and any permitted expansion shall be removed at the expense of the owner. Further, owner understands that should the need arise, owner may change the way that mitigation points have been achieved, but only through a new mitigation agreement approved by the zoning administrator.

Owner Name (Print)	Subscribed and sworn to before me on this date:	Zoning Administrator Approval
Notarized Owner Signature	Notary Signature	
	My commission expires:	Date

Drafted By _____