

## ARTICLE 15 ENVIRONMENTAL CORRIDOR OVERLAY DISTRICT

### 490-2000 Legislative findings

This article is adopted to promote the public health, safety, and welfare and is intended to:

- (1) retain existing woodlands to the extent possible while retaining development potential,
- (2) maintain property values by improving and preserving the aesthetic appeal of the City through tree regulation,
- (3) reduce the amount of erosion in the City due to tree removal, and
- (4) protect the quality of the waters of the state and the City.

### 490-2001 Boundary of district

- A. Generally.** The environmental corridor (EC) overlay district consists of all lands identified as Primary Environmental Corridor (PEC), Secondary Environmental Corridor (SEC), or Isolated Natural Resource Area (INRA) on the 2020 environmental-corridor maps prepared by the Southeastern Wisconsin Regional Planning Commission (SEWRPC).<sup>[1]</sup>
- B. Map updates.** If SEWRPC updates the mapping of any of the above areas, the City should evaluate the new maps and determine if the newly mapped areas should be adopted as an amendment of the zoning map consistent with the procedures and requirements in Article 5.

**Editorial Notes:**

[1] Based on SEWRPC mapping criteria, primary environmental corridors are at least 400 acres in area, at least two miles in length, and at least 200 feet in width; secondary environmental corridors are at least 100 acres in area and at least one mile in length; and isolated natural resource areas are other significant natural resources at least 5 acres in area and at least 200 feet in width.

### 490-2002 Boundary interpretation

- A. Generally.** Where questions arise as to the exact location or boundary of an environmental corridor overlay district, the Zoning Administrator is authorized to use their best judgment to establish the boundary of the district. If the location of the district is not readily evident to the Zoning Administrator, they should request a field investigation by the Southeastern Wisconsin Regional Planning Commission (SEWRPC) staff biologist or their designee.
- B. Zoning map revisions.** If the Zoning Administrator or SEWRPC staff determine that the area in question was incorrectly mapped as an environmental corridor, this article does not apply to such area. As soon as is practical after such determination, the Zoning Administrator should submit an application to amend the zoning map consistent with the procedures and requirements in Article 5.

### 490-2003 Tree removal

- A. Unregulated trees.** Trees that are less than 8 inches in diameter, measured at 4.5 feet above the ground (i.e., diameter breast height), are not regulated by this article.
- B. Regulated trees.** Trees with a diameter of 8 inches or greater, measured at 4.5 feet above the ground, except as set forth in subsection C below, are subject to the limitations as follows:
  - (1) In lots of 1/4 acre or less in size, all of such trees per lot may be removed, except those that may be otherwise regulated by other provisions in this chapter, including shoreland regulations in Article 13.
  - (2) In lots of more than 1/4 acre to one acre in size, up to 60 percent of any regulated trees per lot may be removed, except those that may be otherwise regulated by other provisions of this chapter, including shoreland regulations in Article 13.

- (3) In lots of more than one acre to 2.5 acres in size, up to 40 percent of the regulated trees per lot may be removed, except those that may be otherwise regulated by other provisions of this chapter, including shoreland regulations in Article 13.
- (4) In lots of more than 2.5 acres in size, up to 20 percent of the regulated trees per lot may be removed, except those that may be otherwise regulated by other provisions of this chapter, including shoreland regulations in Article 13.

To the greatest extent possible, the trees that are retained should be grouped together to form an identifiable area.

- C. **Use of replacement trees.** If the developer elects to remove more trees than permitted in subsection B above, the developer must replace those trees as described in § 490-2004.
- D. **Exceptions.** A tree of any size may be removed from a lot when it represents a danger to property or the health, safety, or welfare of any person, or where such tree is diseased or severely damaged. In this regard, the property owner may seek the advice of the Zoning Administrator before such tree is removed and/or provide documentary evidence showing the condition of the tree, including photographs or a letter from an arborist or other qualified individual.

#### 490-2004 Replacement trees

- A. **Planting specifications.** At the time of planting, a replacement tree must (1) have a caliper diameter of at least 2.5 inches, (2) be healthy, and (3) be a species as approved by the Zoning Administrator.
- B. **Credit for existing trees.** Existing trees on the property that are more than 5 inches but less 8 inches in diameter, measured at 4.5 feet above the ground, may be used as a replacement tree.
- C. **Nonqualifying trees.** A tree that is planted to satisfy the landscaping requirements in Article 22 does not qualify as a replacement tree.
- D. **Options in lieu of on-site planting.** If there is not a suitable location on the subject property to plant a replacement tree, the City may designate an alternative site for planting of the trees or accept a payment for each such tree to be used by the City for planting of trees on public property. The amount of the payment will be established by the Zoning Administrator based on prevailing costs, including planting costs.

#### 490-2005 Ongoing maintenance

Replacement trees planted on the subject property must be maintained in a healthy condition.

#### 490-2006 Other regulations

Nothing in this article may be construed to be an exception to or supersede any other regulation or requirement in this chapter or any other part of the municipal code.

#### 490-2007 through 490-2099 reserved