

AN ORDINANCE REQUIRING PERMITS FOR BUILDINGS, STRUCTURES AND THE USES THEREOF; FOR LAND USES AND FOR WATER SUPPLY AND SEWAGE TREATMENT FACILITIES; ESTABLISHING MINIMUM LOT SIZES, SETBACKS AND SIDE YARDS, PROVIDING FOR PARKING AND OTHER REQUIREMENTS; ESTABLISHING REGULATIONS FOR THE SUBDIVISION AND PLATTING OF LAND; PROVIDING FOR THE PREPARATION OF PLATS; PROVIDING FOR THE INSTALLATION OF STREETS, ROADS AND OTHER IMPROVEMENTS; ESTABLISHING PROCEDURES FOR THE APPROVAL AND THE RECORDING OF PLATS; AND PROVIDING PENALTIES FOR VIOLATION OF THIS ORDINANCE.

**TABLE OF CONTENTS**

**CHAPTER 1 INTRODUCTORY PROVISIONS ..... 6**

    Section 1    Purposes ..... 6

    Section 2    Statutory Authorization ..... 7

    Section 3    Title ..... 7

    Section 4    Jurisdiction ..... 7

    Section 5    Scope ..... 8

    Section 6    Interpretation and Greater Restrictions ..... 8

    Section 7    Headings ..... 8

    Section 8    Rules ..... 8

    Section 9    Severability/Validity ..... 8

    Section 10   Abrogation ..... 8

    Section 11   Date of Effect ..... 9

**CHAPTER 2 ADMINISTRATION ..... 10**

    Section 1    Zoning Administrator ..... 10

    Section 2    Planning Commission ..... 10

    Section 3    Board of Adjustments ..... 11

**CHAPTER 3 NONCONFORMITIES**

    Section 1    Non-Conforming Structures and Uses Allowed to Continue ..... 12

    Section 2    Discontinuance ..... 12

    Section 3    Change of Use ..... 12

Section 4	Residential Alterations .....	12
Section 5	Restoration .....	13
Section 6	Normal Maintenance .....	13
Section 7	Lots of Record .....	13
Section 8	Non-Conforming Signs .....	13
Section 9	Non-Conforming Junk Yards .....	14
Section 10	Mitigation Requirements for Nonconformities in Shoreland Areas .....	14
<b>CHAPTER 4 GENERAL PROVISIONS APPLYING TO LAND USE DISTRICTS .....</b>		<b>17</b>
Section 1	Purposes of Zoning Districts .....	17
Section 2	Land Use District Descriptions .....	17
Section 3	Official Zoning Map .....	18
Section 4	District Boundaries .....	18
Section 5	Reclassification of Districts .....	19
Section 6	Future Detachment .....	19
Section 7	Descriptions of Lake, River, and Stream Classes .....	19
Section 8	Shoreland Areas .....	21
Section 9	Water Systems .....	21
Section 10	Individual subsurface sewage treatment Systems (ISTS) .....	22
Section 11	Essential Services .....	24
<b>CHAPTER 5 LAND USE DISTRICT ALLOWED USES AND DIMENSIONAL REQUIREMENTS .....</b>		<b>26</b>
Section 1	Table of Permitted, Conditional and Not Permitted Uses by District .....	26
Section 2	Height, Yard, Setback, Area and Lot Width and Depth Requirements .....	31
<b>CHAPTER 6 ADDITIONAL STANDARDS APPLYING TO SHORELAND AREAS AND PUBLIC WATERS .....</b>		<b>37</b>
Section 1	Intent .....	37

Section 2	Floodplain Requirements .....	37
Section 3	Water – Oriented Accessory Structures .....	38
Section 4	Stairways, Lifts, and Landings .....	38
Section 5	Steep Slopes .....	39
Section 6	Fertilizer and Pesticide Use .....	39
Section 7	Vegetation Alterations .....	39
Section 8	Retaining Walls .....	40
Section 9	Placement and Design of Roads, Driveways, and Parking Areas .....	40
Section 10	Storm Water Management Standards .....	40
Section 11	Standards for Commercial, Industrial, Public and Semipublic Uses .....	41
Section 12	Agricultural Use Standards .....	42
Section 13	Forest Management Standards .....	42
Section 14	Alterations with Public Waters .....	43
<b>CHAPTER 7 ADDITIONAL REQUIREMENTS APPLYING TO SPECIFIC LAND USES</b>		<b>44</b>
Section 1	Intent .....	44
Section 2	Applicability .....	44
Section 3	Accessory Uses and Structures .....	44
Section 4	Adult Uses and Sexually Oriented Businesses .....	45
Section 5	Commercial and Industrial Performance Standards .....	52
Section 6	Extraction of Materials and Minerals .....	54
Section 7	Fences .....	55
Section 8	Height Regulations .....	56
Section 9	Home Occupations .....	57
Section 10	Mobile Home Parks and Multiple Family Dwellings .....	57
Section 11	Non-Residential Uses in GA, RES, and HDR Districts .....	57
Section 12	Parking and Loading Requirements .....	58

Section 13	Recreational Vehicles .....	60
Section 14	Residential Uses in Commercial and Industrial Districts .....	61
Section 15	Signs .....	61
Section 16	Single Family Residences .....	63
Section 17	Storage of Materials .....	63
Section 18	Towers .....	64
Section 19	Used Buildings .....	68
Section 20	Yard Encroachment Regulations .....	68
Section 21	Yard Maintenance and Landscaping Requirements .....	69
Section 22	Mass Gathering .....	69
<b>CHAPTER 8 PERMITS AND APPLICATION REVIEW PROCESSES .....</b>		<b>73</b>
Section 1	General Application Provisions that apply to All Permits & Subdivisions	73
Section 2	Public Hearing Requirements .....	73
Section 3	General Review Standards that apply to All Permits & Subdivisions ...	74
Section 4	Site Permits .....	76
Section 5	Subdivision of Land .....	77
Section 6	Non-Shoreland Multi-Unit Development (MUDs) .....	92
Section 7	Shoreland Conservation Subdivisions .....	96
Section 8	Controlled Access Lots .....	103
Section 9	Shoreland Commercial/Transient Multi-Unit Development .....	105
Section 10	Conditional Use Permits .....	114
Section 11	Variances .....	116
Section 12	Rezoning or Text Amendment .....	117
Section 13	Land Alteration Permit .....	118

**CHAPTER 9 VIOLATION, ENFORCEMENT, FEES AND APPEALS .....119**

Section 1 Violation ..... 119

Section 2 Enforcement ..... 119

Section 3 Fees and fines ..... 119

Section 4 Appeals ..... 120

**CHAPTER 10 DEFINITIONS ..... 121**

Section 1 Rules ..... 121

Section 2 Definitions ..... 121

**LIST OF APPENDICES**

APPENDIX A – LAKES, RIVERS, AND STREAM CLASSIFICATIONS..... 139

APPENDIX B – SUB-DIVISION ROAD CLASSIFICATIONS ..... 168

APPENDIX C – CUL-DE-SAC SPECIFICATIONS ..... 172

**LIST OF TABLES**

Table 4-1 Reclassification of zoning districts ..... 19

Table 5-1 Permitted, Conditional and Not Permitted Uses by Land Use District ..... 27

Table 5-2 Minimum setbacks for structures and sewage treatment systems  
in shoreland areas ..... 31

Table 5-3 Minimum setbacks for bluffs, cemeteries and historic sites in shoreland areas ... 32

Table 5-4 Height, yard, setback, area, lot width and lot depth requirements for  
land use districts ..... 34

Table 5-5 Minimum lot area and minimum width standards for shoreland areas in any land use  
district ..... 36

Table 7-1 Minimum number of on-site parking spaces required by land use ..... 60

Table 8-1 Minimum Right-of-Way Widths ..... 86

Table 8-2 Maximum Road Grades ..... 87

Table 8-3 Road and Highway horizontal alignments ..... 87

Table 8-4 Road and Highway vertical alignments ..... 88

Table 8-5 Shoreland tier dimensions ..... 99

Table 8-6 Density division factors for commercial/transient multi-unit developments ..... 108

Table 8-7 Commercial PUD shoreland tier dimensions ..... 112

Table 8-8 Commercial PUD floor area ratios ..... 113