

Summary of Draft Amendments to Stevens County Zoning Ordinance July 21, 2020

1. Section 4.B (p. 7-23) - Definitions

a. Add definitions for:

Adult Use Business	Group Camp, Intermittent	Schools, Private
Campground	Impervious Surface	Schools, Public
Churches/Places of Worship	Kennel, Commercial	Solar Energy System
Dwelling, Accessory	Landfill	Solar Energy Systems – Accessory
Dwelling, Non-Farm	Pasture	Solar Farms
Dwelling, Temporary	Recreational Vehicle	Vacation/Private Home Rental
Group Camp, Organized	Rural Event Center	Wild Animals or Fish

b. Edit definitions for:

- i. Feedlot
- ii. Steep Slope
- iii. Structure
- iv. Yard

2. Section 7 – Shorelands Management District

- a. 3.1 (Permits Required - p.28-29) – Specify that permits are only required for structures exceeding 120 sq ft in size, but that the smaller structures are still required to meet setbacks. Specify that non-structural improvements (siding, windows, doors, etc.) and alterations that don't expand an existing structure do not require permits.
- b. 3.41 (p. 30) – Clarify that notices required to be sent to DNR may be emailed instead of postmarked.
- c. 4.22.A (Land Use Districts for Lakes, Rivers and Streams – p. 36-40) – Clarify certain types of uses require administrative permits, conditional use permits, are prohibited, etc..
- d. Section 5.0 – Zoning and Water Supply/Sanitary Provisions
 - i. Add language to address “sewered” lakes should there ever be any in Stevens County’s jurisdiction and to allow for condensing the existing information.
 - ii. Add language to clarify how road setbacks are measured
 - iii. Reduce required setbacks from road rights-of-way from 75 feet to 50 feet
 - iv. Reduce required side lot line setbacks from 20 feet to 10 feet.

- v. Reduce required rear lot line setbacks from 50 feet to 10 feet for accessory buildings (principal buildings remain at 50 feet).
- vi. Clarify that impervious surfaces and retaining walls are not allowed within bluff impact zones (except that retaining walls for erosion control purpose may be allowed).
- vii. Add language to allow the Zoning Administrator to require an erosion control plan when disturbed areas are likely to be exposed for more than 7 days.
- viii. Clarify that earth moved to create a driveway does not count towards the requirement for a separate grading/land use permit.
- ix. Section 5.9 – Add new language to specify that the zoning authority can impose mitigation requirements to permits in shoreland areas (consistent with the allowances in state law).

3. Section 9 (p. 61) – A-1 General Agriculture District

- a. Add language to clarify the purpose of the district.
- b. Add to list of permitted uses: 1) Stockpiling of manure; 2) Agricultural feedlots; 3) Single family homes (specifying a maximum of one per parcel); 4) Accessory solar energy systems; 5) Intermittent group camps
- c. Add to list of conditional uses: 1) a second single family dwelling per parcel; 2) allowance for additions to “Local and municipal administration and service structures, airports and air facilities” that were previously approved by conditional use;
- d. Add to list of interim uses: 1) Certain home occupations; 2) Facilities connected to schools, colleges, hospitals, etc.; 3) Recreation and service buildings in parks/playgrounds; 4) Fallout shelters; 5) Rural Event Centers.
- e. Add to list of prohibited uses: 1) Adult use businesses; 2) Other uses not listed, subject to review by the Planning Commission.
- f. Change maximum height of certain structures from 2.5 stories to 30 feet.
- g. Amend required front yard (road) setbacks to 100 feet for federal, state and county roads (increased from 75) and to 65 feet for township or other local roads (reduced from 75)
- h. Amend side yard regulations to require a minimum 10 ft setback (no setback currently required for agricultural buildings, down from 25 feet for all other buildings).
- i. Amend rear yard regulations to require a minimum 25 ft setback (no setback currently required for agricultural buildings, down from 50 feet for all other buildings).
- j. Increase minimum lot size requirement from 1 acre to 2.5 acres (except that existing farmsteads may use a 1 acre minimum)
- k. Limit the number of dwellings in the A-1 district to 4 per quarter/quarter section.

4. Section 10 (p. 68) – R-1 Rural Residence District

- a. Add language to clarify the purpose of the district.

- b. Add to list of permitted uses: 1) Agriculture, with limitations; 2) Single family homes (specifying a maximum of one per parcel); 3) Flood control/erosion control/drainage systems; 4) Stockpiling of manure; 5) Accessory solar energy systems
- c. Add to list of conditional uses: 1) Parks, recreational areas and similar; 2) the raising of animals in a pasture setting (by interim use permit); 3) moderate- and high-activity home occupations (as an interim use); 4) organized group camps; 5) intermittent group camps.
- d. Add to list of accessory uses: 1) Swimming pools with an automatic pool cover (or fence); 2) low-activity home occupations
- e. Add to list of prohibited uses: 1) Commercial solar energy systems; 2) Gun clubs; 3) Commercial dog kennels...and a number of other uses.
- f. Change maximum height of certain structures from 2.5 stories to 30 feet.
- g. Amend required front yard (road) setbacks to 100 feet for federal, state and county roads (increased from 75) and to 65 feet for township or other local roads (reduced from 75)
- h. Amend side yard regulations to require a minimum 50 ft setback for structures relating to a permitted agricultural use from other residentially-zoned lots.
- i. Amend rear yard regulations to require a minimum 20 ft setback (down from 50 feet) except that for structures relating to a permitted agricultural use the setback from other residentially-zoned lots shall remain 50 feet.

5. Section 11 – R-2 Mobile Home Park District

- a. Entire section deleted

6. Section 12 (p.74) – B-1 Highway Service Business District

- a. Add to list of permitted uses: Numerous (see actual section)
- b. Add to list of conditional uses: 1) Parks, recreational areas and similar; 2) the raising of animals in a pasture setting (by interim use permit); 3) moderate- and high-activity home occupations (as an interim use); 4) organized group camps; 5) intermittent group camps.
- c. Add to list of prohibited uses: Numerous (see actual section)
- d. Change maximum height of certain structures from 2.5 stories to 30 feet.
- e. Amend required front yard (road) setbacks to 100 feet for federal, state and county roads (increased from 75) and to 65 feet for township or other local roads (reduced from 75)
- f. Amend rear yard regulations to require a minimum 20 ft setback (down from 40 feet).
- g. Reduce minimum required road frontage for new lots from 100 feet to 66 feet, except that the portion of the lot where a building is constructed must have a width of at least 100 feet.

7. Section 13 (p.79) – B-1 Highway Service Business District

- a. Add to list of permitted uses: 1) Landfills; 2) Adult Use Businesses; 3) Other uses determined by the Planning Commission to be compatible.
- b. Add to list of prohibited uses: Uses not listed as permitted or conditional, unless the Planning Commission determines otherwise
- c. Change maximum height of certain structures from 2.5 stories to 40 feet.
- d. Amend required front yard (road) setbacks to 100 feet for federal, state and county roads (increased from 75) and to 65 feet for township or other local roads (reduced from 75)
- e. Amend rear yard regulations to require a minimum 30 ft setback (down from 40 feet).
- f. Allow for up to 75% lot coverage with structures (up from 50%) by conditional use permit if stormwater management is adequately addressed

8. Section 13A-C (p. 84-85)

- a. Add new zoning districts: 1) Orderly Annexation Agreement District; 2) Airport Zoning District; 3) Closed Landfill Restricted District

9. Section 14 (p. 86) – General Regulations

- a. Section 14.A – Sign Regulations: 1) Various amendments intended to ensure that the County is not regulating the message on a sign, only its size, location and other elements that don't conflict with 1st Amendment constitutional rights or state law; 2) Add a section for signage considered exempt from regulation; 3) add a property line setback requirement of 10 feet; 4) allow for up to 35 sq ft signs with 15 ft max height in the A-1 zoning district; 5) Allow for one pylon/pole sign up to 96 sq ft in the B-1 zoning district and additional pole/pylon signs limited to 64 sq ft in size;
- b. Section IX.E (Amendment) and F. (Violations): Add language to create a process for amending the Subdivision Ordinance and for how violations of the ordinance are to be administered.

10. Section 14.D (p. 102) – Extraction of Materials and Minerals, Open Pits and Impounding of Waters

- a. Significant rewrite of this section that 1) allows for such sites by interim use rather than conditional use; 2) clarifies certain activities exempted from permitting requirements; 3) Adds to the list of required information in a permit application; 4) adds requirements for reclamation of the site when the gravel is depleted or operation is no longer occurring; and 5) adds other general requirements related to setbacks, processing, ground and surface water protection and waste/debris management.
- b. Section 14.G.1 (Height Regulations): Add language to allow for certain structures to exceed the height limitations that normally apply – both administratively up to twice the normal height and by conditional use permit for higher increases.
- c. Section 14.G.2 (Yard Regulations): Modify language to clear how yard setbacks are measured and to which structures they apply.
- d. Section 14.G.5 (Fences): Modify language to clear how fences are regulated in each of the zoning districts.

- e. Section 14.G.6 (Dwelling Standards): Add new section to require that new homes be at least 24 feet wide and anchored to a permanent foundation.
- f. Section 14.J (Recreational Vehicles): Add new section regulating RVs as follows: 1) those in place for 72 hours or less are not regulated; 2) max of 4 RVs per parcel (except for lots 1 acre or smaller in shoreland, max of 1 is allowed); 3) allows for use of RVs as living quarters for up to 30 consecutive days during non-winter months, up to a total of 90 calendar days per year (unless approved otherwise by conditional use; 4) RVs must be road ready, licensed and properly dispose of sewage.
- g. Section 14.K (Vacation/Private Home Rental): Add new section regulating the renting out of personal homes to vacationers.
- h. Section 14.L (Home Occupations): Add new section defining and regulating different types of home occupations.
- i. Section 14.M (Adult Use Businesses): Add new section regulating adult use businesses.
- j. Section 14.N (Animal Feedlot Regulations): Significant rewrite of this section, requiring 1) setbacks between feedlots and homes, city boundaries, churches/schools, and other uses or land features; 2) regulation of manure storage and transportation; and 3) closure or abandonment of feedlots.
- k. Section 14.O (Rural Event Centers): Add new section regulating the use of rural buildings and land for event centers.
- l. Section 14.P (Solar Energy Systems): Add new section regulating the use of both personal, farm and large-scale utility solar energy systems.
- m. Section 14.Q (Wireless Telecommunication Towers): Add new section regulating wireless towers.

11. Section 15 (p. 137) - Conditional Use Permits

- a. Add language to clarify that conditional use permits are recommended by the Planning Commission to the County Board (currently, the Planning Commission makes the final decision).
- b. Add a section describing the process for terminating a conditional use permit should the conditions of approval not be met.

12. Section 17 (p. 147) – Land Use Permits

- a. Modify language to clarify when permits are required and extend their validity from 120 days to 12 months from the date of issuance.

13. Miscellaneous Edits

- a. Throughout: Correct typographical errors
- b. Throughout: Change the term “building” to “structure”
- c. Throughout: Change the term “building permit” to “land use permit”
- d. Allow for the Zoning Administrator to approve the requirement for screening and landscaping in certain circumstances (rather than the County Board)
- e. Other miscellaneous edits and amendments