

**ALEXANDRIA
TOWNSHIP
ZONING
ORDINANCE**

Effective:

~~December 16, 2020~~

The following set of tables establishes the uses permitted, permitted by conditional or interim use permit, or not permitted. **All uses are subject to the requirements or performance standards of this Ordinance.** Performance standards applicable to uses in all zoning districts are given in Section V.

ACCESSORY USES	Accessory uses, buildings and structures customarily incidental and directly related to the uses allowed as permitted, interim or conditional uses are permitted in all districts.
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AGRICULTURAL USES	RCR	RR	UR	RS	CS	C-U	C-R	I
Agricultural; limited, however, to plant husbandry and sale of plants and produce.	A	A	A	A	A	A	A	A
Limited livestock raising of 0.5 animal units <u>per acre</u> up to 49 a.u. (pasture)	A	A	IU	IU	IU	IU	IU	IU
Limited livestock raising of more than 0.5 animal units <u>per acre</u> (pasture)	IU							
Animal Feedlot	X	X	X	X	X	X	X	X
Other uses of the same general character as those listed above, provided they are deemed fitting or compatible to the district by the Planning Commission	<u>IU/</u> <u>CU</u>							

Key: A = Allowed, no permit required; P = A use allowed, but which may require a land use permit; CU = A use requiring a Conditional Use Permit; IU = A use requiring an Interim Use Permit; X = not permitted.

RESIDENTIAL USES	RCR	RR	UR	RS	CS	C-U	C-R	I
Dwelling								
<u>Shouse (on parcel less than 5 acres in size unless approved as part of a planned unit development)</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Shouse (on parcel 5 acres or larger)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>
Single Family	P	P	P	P	CU	CU	CU	CU
Second single family on a parcel (permanent)	X	X	X	X	X	X	X	X
Second single family on a parcel (temporary) ⁶	IU	IU	IU	IU	IU	IU	IU	IU
Multi-Family (2 units)	X	X	CU	X	X	CU	CU	CU

⁶ Added 8/4/2014 (Resolution #14-02)

RESIDENTIAL USES	RCR	RR	UR	RS	CS	C-U	C-R	I
Multi-Family (3-4 units)	X	X	CU	X	X	CU	CU	CU
Multi-Family (5+ units)	X	X	CU	X	X	CU	CU	CU
For security persons and their families located on the premises where they are employed	X	X	X	X	X	IU	IU	IU
Guest Cottage (riparian lots only)	X	X	X	CU	CU	X	X	X
Private/Vacation Home Rental (meeting occupancy and capacity standards) ⁷	P	P	P	P	N/A	P	P	CU
Private/Vacation Home Rental (exceeding overnight guests capacity) ⁷	CU	CU	CU	CU	N/A	P	P	CU
Private/Vacation Home Rental (exceeding property capacity) ⁷	CU	CU	CU	CU	N/A	CU	CU	CU
Travel Trailers/ Campers/ Recreational Vehicles (1 per lot)	A	A	A	A	A	X	X	X
Keeping of Animals (as per Section V.V of this Ordinance) ⁸	A	IU	IU	IU	IU	A	A	A
Home Occupations, Low Activity ⁹	<u>PA</u>	<u>PA</u>	<u>PA</u>	<u>PA</u>	<u>PA</u>	X	X	X
Home Occupations, Moderate Activity ^{9,999}	IU	IU	IU	IU	IU	X	X	X
Home Occupations, High Activity ^{9,999}	IU	IU	X	X	IU	X	X	X
Controlled Access Lot	X	X	X	CU (X in RS- NES distri ct)	CU (X in RS- NES distri ct)	X	X	X
Bed and Breakfast Facilities	CU	CU	CU	CU	CU	X	X	X
Planned Unit Developments – Residential (RS District) ¹⁰	X	X	X	CU	CU	X	X	X
Planned Unit Development – Single-Family ¹¹	X	X	CU	X	X	X	X	X
Planned Unit Development – Multi-Family ¹²	X	X	CU	X	X	CU	X	CU

⁷ Added 8/6/2018 (Resolution #18-01)

⁸ Added 5/21/2012 (Resolution #12-05)

⁹ Amended 3/21/2011 (Resolution #11-02)

¹⁰ Amended 5/21/2007 (Resolution #07-06)

¹¹ Amended 5/21/2007 (Resolution #07-06)

¹² Amended 5/21/2007 (Resolution #07-06)

RESIDENTIAL USES	RCR	RR	UR	RS	CS	C-U	C-R	I
Rural Reserve Development	CU	CU	X	X	X	X	X	X
Other uses of the same general character as those listed above, provided they are deemed fitting or compatible to the district by the Planning Commission	IU/ CU							

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COMMERCIAL/OTHER USES ¹³	RCR	RR	UR	RS	CS	C-U	C-R	I
Adult Uses	X	X	X	X	X	X	X	CU
Auto Repair	IU	X	X	X	X	CU	CU	CU
Automobile accessory store with no outdoor storage	X	X	X	X	X	P	P	P
Billboard sign	X	X	X	X	X	CU	CU	CU
Bowling alley	X	X	X	X	X	CU	X	CU
Cabinet Shop	IU	IU	X	X	X	CU	CU	P
<u>Cargo Containers whether privately owned or part of a larger commercial development or business on parcels 10 acres or larger (on parcels less than 10 acres they are prohibited in all zoning districts)</u>	<u>P or IU¹⁴</u>	<u>P or IU¹⁴</u>	<u>P or IU¹⁴</u>	<u>X</u>	<u>X</u>	<u>P or IU¹⁴</u>	<u>P or IU¹⁴</u>	<u>P or IU¹⁴</u>
Commercial uses which serve local permanent residents and the resort industry, such as grocery stores, marine supplies, equipment and service; recreational equipment sales and privately owned and licensed recreational activity.	IU	IU	IU X	IU X	IU	CU	CU	CU
Communications services and utility towers including wind towers, cellular phone towers and other wireless telecommunications towers.	CU	CU	CU	CU	CU	CU	CU	CU
<u>Contractors offices, shops and yards without outdoor storage</u>	<u>IU</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>P</u>	<u>P</u>	<u>P</u>
Contractors offices, shops and yards with outdoor storage	IU	X	X	X	X	CU	CU	CU

¹³ All commercial uses listed below, even when marked as prohibited, can be considered as home occupations subject to the requirements of Section V.U and other applicable sections of this Ordinance and approval by the Township.

¹⁴ Permitted if meeting the requirements outlined in Section V.J.1.g of this Ordinance.

COMMERCIAL/OTHER USES¹³	RCR	RR	UR	RS	CS	C-U	C-R	I
Gas and convenience store	X	X	X	X	CU	CU	CU	CU
Health/fitness center, racquetball club and roller rinks	X	X	X	X	X	CU	X	CU
Hospitals, nursing homes	X	X	X	X	X	CU	X	CU
Financial institutions	X	X	X	X	X	P	<u>PCU</u>	P
Laundromat/Dry cleaning	X	X	X	X	X	CU	X	CU
<u>Machinery, equipment sales, storage and service</u> <u>Sales, storage and service of machinery and equipment</u>	X	X	X	X	X	CU	CU	CU
<u>Mini-Storage/Self-Storage or Planned Unit-Developments composed primarily or exclusively of storage buildings (whether rented or sold)</u>	X <u>IU</u>	X <u>IU</u>	X	X	X	P	P	P
Motel/Hotel and/or convention centers	X	X	X	X	CU	CU	X	CU
Nurseries/garden store	IU	IU	X	X	X	P	P	P
Offices of members of recognized professions, such as doctors of medicine, optometry, dentistry and chiropractors; engineers, lawyers and architects. (In RR, R, RS and CS districts, provided such professions are carried on in their respective residents)	CU	CU	CU	CU	CU	P	CU	P
Retail sales and/or service, with no outdoor storage	X	X	X	CU	CU	P	CU	CU
Retail sales and/or service, with outdoor storage	X	X	X	CU	CU	CU	CU	CU
Restaurant, on/off sale liquor sales; supper club and fast food establishments	X	X	X	CU <u>X</u>	CU	CU	X	CU
<u>Event Venues</u>	CU <u>I</u> <u>U</u>							
<u>Seasonal Storage Facilities</u>	<u>IU</u>	<u>IU</u>	<u>IU</u>	<u>X</u>	<u>X</u>	<u>IU</u>	<u>IU</u>	<u>IU</u>
Planned Unit Development – Commercial (RS/CS District) ¹⁵	X	X	X	X	CU	X	X	X
Planned Unit Development – Non-Residential ¹⁶	X	X	CU	X	X	CU	CU	CU
Veterinary Clinic	IU	X	X	X	X	CU	CU	CU

¹⁵ Amended 5/21/2007 (Resolution #07-06)

¹⁶ Amended 5/21/2007 (Resolution #07-06)

COMMERCIAL/OTHER USES¹³	RCR	RR	UR	RS	CS	C-U	C-R	I
Other uses of the same general character as those listed above, provided they are deemed fitting or compatible to the district by the Planning Commission	<u>IU/</u> <u>CU</u>							

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INDUSTRIAL USES	RCR	RR	UR	RS	CS	C-U	C-R	I
Temporary concrete/bituminous storage or recycling facilities related to a specific project lasting less than 12 months. ¹⁷	IU	IU	X	X	X	CU	CU	CU
Permanent concrete/bituminous storage or recycling facilities. ¹⁸	X	X	X	X	X	CU	CU	CU
Heavy manufacturing and assembly	X	X	X	X	X	X	X	CU
Light manufacturing of parts and assembly, <u>new development.</u>	X	X	X	X	X	P	CU	CU
<u>Light manufacturing of parts and assembly, within a previously existing building.</u>	<u>IU</u>	<u>IU</u>	<u>IU</u>	<u>X</u>	<u>IU</u>	<u>IU</u>	<u>CU</u>	<u>CU</u>
Mining/Extraction of gravel or other materials	IU	IU	IU	IU	IU	CU	CU	CU
Hot mix plant, Temporary	IU	IU	X	X	X	IU	IU	IU
Hot mix plant, Non-temporary	X	X	X	X	X	CU	CU	CU
Ready mix plant	X	X	X	X	X	CU	CU	CU
Transportation or freight terminal	X	X	X	X	X	CU	CU	P
Warehouse	X	X	X	X	X	CU	CU	P
Wholesale business	X	X	X	X	X	CU	CU	P
Salvage Yard	X	X	X	X	X	X	X	CU
Recycling facilities (including processing and transferring) ¹⁹	X	X	X	X	X	X	X	CU
Other uses of the same general character as those listed above, provided they are deemed fitting or compatible to the district by the Planning Commission	<u>IU/</u> <u>CU</u>							

Key: A = Allowed, no permit required; P = A use allowed, but which may require a land use permit; CU = A use requiring a Conditional Use Permit; IU = A use requiring an Interim Use Permit; X = not permitted.

¹⁷ Amended 12/15/08 (Resolution #08-16)

¹⁸ Added 12/15/08 (Resolution #08-16)

¹⁹ Added 12/15/08 (Resolution #08-16)

PUBLIC/ SEMI-PUBLIC USES	RCR	RR	UR	RS	CS	C-U	C-R	I
Cemetery	CU							
Churches, chapels, temples, synagogues and other places of worship, including related buildings and parsonage	CU							
Educational institutions and incidental uses when situated on the same site or unit of property	CU							
Essential services, governmental use buildings and storage.	CU							
Parking lot	CU	CU	CU	CU	CU	P	P	P
Public parks, playgrounds, public recreation areas, and historic monuments	P	P	CU	CU	CU	CU	CU	CU
Other uses of the same general character as those listed above, provided they are deemed fitting or compatible to the district by the Planning Commission	<u>IU/</u> <u>CU</u>							

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recyclable demolition material in the event of permittees' unwillingness or inability to recycle or to remove and dispose of such material.

- f. Each site shall be subject to an annual inspection to assure conformance with Section V.I.5.
- g. Permitted concrete and bituminous storage/recycling facilities shall be subject to an annual administrative review by the Zoning Administrator. This review shall not require payment of a fee.

J. ACCESSORY BUILDINGS

To provide a higher development standard and to control the size and number of accessory buildings in a residential setting. This section shall be applicable to all parcels of land within the Urban Residential⁶⁷ or shoreland districts that contain five acres or less.

1. General Provisions.⁶⁸

- a. No detached accessory structure shall be utilized for human habitation unless specifically approved as a guest cottage.
- b. Semi-enclosed or roofed structures, such as attached lean-tos, gazebos, screen porches/patios or other similar structures shall be considered accessory structures or part thereof for the purposes of this section.⁶⁹
- c. Attached garages/storage buildings: A garage or other storage building not more than 1600 square feet shall be considered an integral part of a dwelling, and not an accessory building or part thereof, if it is attached to the dwelling or is connected to it by a covered passageway and further provided that the footprint of the attached garage or other attached storage building does not exceed 75 percent of the combined footprint of the garage/storage building and dwelling. On lots exceeding 60,000 sq ft only, the footprint of the attached garage/storage building may exceed 1,600 sq ft but that portion exceeding 1,600 sq ft shall be counted against the lots ~~additional~~ overall limit for accessory buildings in Section J.2 below. Up to 300 additional square feet may be included as part of an attached garage but the square feet exceeding 1600 shall be subtracted from the allowable amount of accessory building in the table below.
- d. Unpainted galvanized surfaces shall be prohibited on all accessory buildings.
- e. In shoreland areas only:
 - i. No detached accessory building shall be over one story in height. For the purposes of this requirement, at a minimum, any area with a floor truss is

⁶⁷ Amended 7/2/2007 (Resolution #07-09)

⁶⁸ Amended 3/21/2011 (Resolution #11-02), Amended 8/4/2014 (Resolution #14-02), Amended 8/6/2018 (Resolution #18-01)

⁶⁹ Amended 12/17/2007 (Resolution #07-20)

defined as a story. No detached accessory building shall have a basement or other sub-grade level in addition to a main floor level.

ii. Dormers within the roof of a detached accessory building shall not exceed three (3) feet in width and there shall not be more than three (3) dormers per side of the roof.

iii. There shall not be any direct exterior access to or from the attic or other upper level storage area of a detached accessory building.

iv. Attic or other storage areas within the rafters of a roof shall be accessed only by attic ladders or pull-down stairways if the storage areas is fully separated from the main level. This requirement shall not apply to lofted or other storage areas that are open to the main level.

f. In non-shoreland areas:

i. A detached accessory building may have a second level provided that such second level is contained completely within the roof rafters.

g. Cargo Containers. Cargo containers are considered to be accessory buildings subject to all of the requirements in this Ordinance applicable to such structures, as well as the following additional requirements:

i. All cargo containers, in all zoning districts, shall be permitted uses requiring a land use permit provided they meet the requirements of this section.

ii. Cargo containers shall only be allowed on parcels that are ten (10) acres in size or greater and the placement of cargo containers shall be subject to the same setbacks as apply to other accessory buildings except that cargo containers shall not be located closer to a public road than the setback of the primary structure on the property.

iii. No more than two (2) cargo containers are allowed per parcel.

iv. Cargo containers shall be counted towards impervious coverage limitations otherwise applicable.

v. No single cargo container shall exceed four hundred (400) square feet in footprint or 8 feet in height and cargo containers shall not be stacked vertically.

vi. Cargo containers shall be maintained in a reasonable condition of repair such that all doors are in working condition, chipped paint is maintained and they do not contain significant rust or holes within the structure.

vii. Cargo containers shall be painted a solid color that is the same as, or complementary to, that of other structures on the property and shall be partially screened from view from a neighboring property or public road with shrubs or other vegetation.

viii. Requests for cargo containers that do not meet the requirements of ii-vii. above may be applied for as an interim use permit. In the granting of an interim use permit, the Township may add conditions relating to ensuring that the exterior appearance of the container is not detrimental to neighboring

properties or the public, maintenance of the container in a reasonable condition of repair, screening of the container from view, size limitations, allowable materials to be stored within the container, increased setbacks from property lines, the length of time the container is allowed on the property or other considerations as deemed appropriate.

ix. Exemptions: The following uses/location of cargo containers shall be considered exempt from the requirement for a land use/building permit and g(i.-viii.) above:

a) Cargo containers used for periods of up to six (6) months for the purpose of temporary storage related to the owner of a property moving into or out of a building, during the construction of a building or following the partial or complete destruction of a building from a natural disaster. Extensions of the original six (6) month time period shall require a written request to, and approval by, the Alexandria Town Board. Once the use justifying the exemption has ceased, the cargo container shall be removed unless a land use permit is applied for and granted.

b) Up to two cargo containers shall be exempted if they are completely screened from the view of adjacent streets, properties or public trails.

c) Cargo containers which are completely enclosed within a building and not visible from adjacent streets, properties or public trails.

d) Cargo containers which are displayed for rent or sale as part of a commercial business.

2. Dimensional Limits

The maximum dimensions of detached accessory buildings (except cargo containers) shall be no greater than as listed in the following table:

Lot Size:	Maximum footprint (individually or combined):	Maximum sidewall height:	Maximum roof pitch:		Maximum number per parcel:
			Shoreland	Non-Shoreland	
0 – 60,000 sq ft	1,500 sq ft	12 feet*	6/12	No limit**	2
60,001 sq ft – 2.5 acres	2,400 sq ft	14 feet*	6/12	No limit**	3
2.51 – 5 acres	3,200 sq ft	16 feet*	8/12	No limit**	4
Greater than 5 acres	No limit**	No limit**	No limit**	No limit**	No limit**

* For roof styles other than gable roofs, the peak of the roof shall not be greater in height than what would be achieved with the highest allowable roof pitch and sidewall in the table above.

**Subject to other applicable ordinance limitations, such as overall height limits and impervious coverage limits.

K. RECREATIONAL EQUIPMENT (Recreational Vehicle)

To provide standards for recreational equipment utilized as temporary living quarters during recreational/vacation or other activities without the infringement upon and/or depreciation of neighborhood or adjacent properties.

The parking of uninhabited recreational equipment for strictly storage purposes is allowed and is subject to the general provisions of this subsection.

The parking of recreational equipment by a guest on the property of a permanent dwelling shall be allowed for a period not to exceed thirty (30) consecutive days and is subject to the general provisions K.2a 2-5 of this subsection.

1. This section applies to the following types of recreational equipment:

- a. Travel Trailer - A vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational, and vacation uses, permanently identified "travel trailer" by the manufacturer of the trailer.
- b. Pick Up Coach - A structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation and vacation.
- c. Motor Home - A portable, temporary structure to be used for travel, recreation and vacation, constructed as an integral part of a self-propelled vehicle.
- d. Camping Trailer - A folding structure, mounted on wheels and designed for travel, recreation and vacation uses.
- e. Slip-In Campers - A structure designed to be mounted into a pickup truck in the pickup box, either by bolting through the floor of the pickup box or firmly clamping to the side of the pickup box.
- f. Park Trailers - A structure not exceeding 8.5 feet in width but which is no larger than 400 square feet when the collapsible components are fully extended or at maximum horizontal width that is licensed for over the road and that is used for temporary living quarters except that in planned unit developments only, the directives in Section V.K.1.f. (1) shall control.

- (1) In planned unit developments only, park trailers or park models may exceed 8.5 feet in width and need not be licensed for over the road but must contain no more than 400 square feet on the main level when the collapsible components are fully extended, must be no greater than

- c. Significant Historic Sites. No structure may be placed on a significant historic site in a manner that affects the values of the site unless adequate information about the site has been removed and documented in a public repository.
- d. Steep Slopes. The Zoning Administrator must evaluate possible soil erosion impacts and development visibility from public waters before issuing a permit for construction of sewage treatment systems, roads, driveways, structures, or other improvements on steep slopes. When determined necessary, conditions must be attached to issued permits to prevent erosion and to preserve existing vegetation screening of structures, vehicles, and other facilities as viewed from the surface of public waters, assuming summer, leaf-on vegetation.

2. Alterations Within The Shoreland.

- a. Alterations of vegetation and topography will be regulated to prevent erosion into public waters, fix nutrients, preserve shoreland aesthetics, preserve historic values, prevent bank slumping, and protect fish and wildlife habitat.
 - (1.) Removal or alteration of vegetation is allowed with a shoreland alteration permit and is subject to the following standards⁷²:
 - (a.) Intensive vegetation clearing within the shore and bluff impact zones and on steep slopes is not allowed.
 - (b.) Intensive vegetation clearing for forest land conversion to another use is allowable as a conditional use if an erosion control and sedimentation plan is developed and approved by the Douglas County Soil and Water Conservation District.
 - (c.) Intensive vegetation clearing outside of shore and bluff impact zones and steep slopes for preparation of a building site is allowable with a shoreland alteration permit when the related building construction is not expected to occur within sixty (60) days of the disturbance of the area if an erosion control and sedimentation plan is developed and implemented by the applicant as approved by the Zoning Administrator, who may request review by the Douglas County Soil and Water Conservation District or other qualified agency. Where building construction is expected to occur within sixty (60) days of the disturbance of the area, the Zoning Administrator may exempt the applicant from need for a separate shoreland alteration permit, but shall require implementation of an

⁷² Amendments adopted on 12/7/2020 (Resolution #20-04).

erosion and sedimentation plan as a condition of their land use/building permit approval.

(d.) In shore and bluff impact zones and on steep slopes, limited clearing of trees and shrubs and cutting, pruning and trimming of trees is allowed without a shoreland alteration permit to provide a view to the water from the principal dwelling site and to accommodate the placement of stairways and landings, picnic areas, access paths, beach and watercraft access areas. This limited clearing cannot exceed twenty five (25) feet or twenty five percent (25%) of the shoreline frontage, whichever is the lesser of the two provided that:

- the screening of structures, vehicles, or other facilities as viewed from the water, assuming summer, leaf-on conditions, is not substantially reduced.
- along rivers, existing shading of water surfaces is preserved.
- the above provisions are not applicable to the removal of trees, limbs, or branches that are dead, diseased, or pose safety hazards.
- Should the limited clearing of trees and shrubs allowed by this section expose significant areas of a bluff or shore impact zone or steep slopes to potential erosion into a lake, stream or wetland, the Zoning Administrator may require a shoreland alteration permit and an erosion control and sedimentation plan be developed and implemented by the applicant as approved by the Zoning Administrator, who may request review by the Douglas County Soil and Water Conservation District or other qualified agency.

(e.) Violations: Should there be a violation of the restrictions on the clearing of vegetation listed above, the Township may require that the applicant submit for approval, implement and maintain a vegetation restoration plan designed to restore the site to a similar condition as it was prior to the clearing of vegetation.

- (2.) Public roads and parking areas are regulated by Section V.L.3. of this Ordinance.
- (3.) No excavation for walkout basements shall be allowed within a bluff impact zone.

- (4.) A shoreland alteration permit shall be required for:
- (a.) The movement of less than ten (10) cubic yards of material on steep slopes or within shore and/or bluff impact zones, if the Zoning Administrator determines that the potential for erosion exists.
 - (b.) The movement of more than fifty (50) cubic yards of material located outside of steep slopes and shore and/or bluff impact zones unless the Zoning Administrator determines that there is a potential for erosion necessitating a conditional use permit.
 - (c.) Any alteration with significant erosion potential, as determined by the Zoning Administrator. In such cases, the Zoning Administrator shall require that an erosion control and sedimentation plan be developed and implemented as part of the shoreland alteration permit (or as a condition of an issued land use permit for the construction activity) by the applicant as approved by the Zoning Administrator, who may request review by the Douglas County Soil and Water Conservation District or other qualified agency.
- (5.) In addition to the above, a shoreland alteration permit shall also be required for all of the following, within the shore impact zones, and shall be done in accordance with the applicable restrictions.
- (a.) Ice ridge removal - maximum width not to exceed 10 feet, maximum height not to exceed 2 feet.
 - (b.) Sand beach, or patio or combination - maximum size of 200 square feet, which may be located anywhere within the minimum required structure setback to a lake or stream provided it is not attached to a dwelling or other structure. Retaining walls are allowed when necessary to construct a sand beach or patio provided it does not exceed 3 feet in height. The cut must be a minimum of 12 inches above the ordinary high water level. The sand must be washed and cleaned and free of pollutants and nutrients.⁷³
 - (c.) Retaining walls - may be allowed where there is a demonstrated need, the design is consistent with the existing uses in the area, and is not an aesthetic intrusion upon the land. The height of new retaining walls should not exceed three (3) feet in height, some existing walls are higher than three (3) feet and these may

⁷³ Amended 12/17/2007 (Resolution #07-20)

be reconstructed with a shoreland alteration permit. If greater heights are needed for new retaining walls they may be granted with a conditional use permit.

- i. within steep slopes, bluff and/or shore impact zones retaining wall construction may be allowed where erosion problems preclude the use of vegetation or natural rock.
- ii. the repair and reconstruction of existing walls may be allowed subject to review by the Zoning Administrator

(d.) Permanent docks, piers, and boardwalks – may be allowed and if destroyed can only be repaired or replaced one (1) time, thereafter a seasonal dock must be used.

~~(d.)~~(e.) Natural Rock Riprap – may be allowed in situations where active erosion exists. Natural rock riprap shall only be used for the stabilization of an active erosion problem and must be consistent with MN DNR standards.

i. Rock rip rap may be placed within the lakeshore use area (area where dock, beach, deck patio, or other amenities are located) comprising not more than 25 linear feet or 25% of the of length of shoreline without meeting the standards listed in subpart ii. below.

ii. Rock riprap may be permitted for use outside of the lakeshore use area (i.e., greater than 25 linear feet or 25% of the linear shoreline) to address active lakeshore erosion meeting the following requirements:

1. A synthetic geo-textile may not be placed under rock rip rap located outside of the lakeshore use area.

2. At least thirty (30) percent of the entire Shore Impact Zone (SIZ) (SIZ area varies by MN DNR lake classification) of the parcel must be maintained in a natural shoreline vegetative condition; or

3. If the SIZ is not in a natural shoreline vegetative condition, areas must be restored such that thirty (30) percent of the entire SIZ is returned to native shoreline vegetative condition following an

approved buffer plan meeting the requirements listed below:

a. Buffer plans must include:

i. at least seven (7) native grass species suited to the area and soil type planted as a new seeding or as live plugs on a 1-foot spacing, and at least five (5) native forb species suited to the area and soil either included in a grass seeding or as live plugs on a 2-foot spacing; or Mn/DOT Seed Mixture 34-261 or equivalent approved by the Department of Land and Resource Management; and

ii. at least three (3) native shrub species suited to the area and soil type spaced on a 4-foot grid evenly throughout the restoration area.

iii. Buffer plans must be submitted with an application for a shoreland alteration permit and must be implemented within the first growing season immediately following rip rap installation.

4. Plantings located within the riprap, above ordinary high-water level (OHWL), may be included as part of the thirty (30) percent SIZ buffer area.

iii. Rock riprap must not extend landward more than 10 feet beyond the OHWL and the height of rock must not be more than three feet above the OHWL.

iv. Areas disturbed to place rock riprap shall be restored to the original vegetative condition.

(6.) A conditional use permit shall be required for:

(a.) The movement of more than ten (10) cubic yards of material on a steep slope or within a shore or bluff impact zone.

- (b.) The movement of more than fifty (50) cubic yards of material located outside of steep slopes and shore and/or bluff impact zones, if the Zoning Administrator determines that the potential for erosion exists.
 - (c.) Any alteration with erosion potential, as determined by the Zoning Administrator.
- (7.) Shoreland alteration permit: A shoreland alteration permit shall be issued upon the order of the Zoning Administrator
- (a.) Application for a shoreland alteration permit shall be accompanied by a fee designated by the appropriate fee schedule, shall be on a form prescribed by the Zoning Administrator and may require an grading and erosion control plan as specified in Section V.L.2.a.(9.) of this Ordinance.
 - (b.) No alteration or excavation shall be undertaken prior to the issuance of the permit. Such permit shall be posted in a conspicuous location and shall be visible from the water.
 - (c.) The permit shall require that the alteration or excavation be conducted in compliance with the restrictions and requirements standards of this Ordinance. The Zoning Administrator may establish restrictions to govern the alteration/excavation actively consistent with the provisions of the Ordinance. ~~The department may require that an applicant submit an erosion control plan.~~ The special restrictions shall be set forth in the permit and shall be binding upon the land owner.
- (8.) Application for a conditional or interim use permit ~~as required by this section~~ shall be accompanied by a fee designated by the appropriate fee schedule, shall be on a form prescribed by the Zoning Administrator and shall include an erosion control plan as specified in Section V.L.2.a.(9.) of this Ordinance.⁷⁴
- (9.) Clearing, Grading and Drainage Permits: A permit shall be required for:
- (a.) The clearing of vegetation and/or land disturbing activity on an area two thousand (2,000) square feet or greater and within five hundred (500) feet of the ordinary high-water level of a protected water.

⁷⁴ Amended 12/7/2009 (Resolution #09-05) to reference interim uses.

(b.) Application for a clearing and grading permit shall be accompanied by a fee designated by the appropriate fee schedule, shall be on a form prescribed by the Department of Land and Resource Management and shall require a grading and erosion control plan as specified in subpart (9.), below.

(c.) No such land disturbing activity, to the extent described above, shall be undertaken prior to the issuance of a permit that includes a grading and erosion control plan as specified in subpart (9.).

(d.) A separate clearing and grading permit will not be required in circumstances where another permit has been granted for construction or activity related to the clearing or land disturbing activity; a grading and erosion control plan meeting the requirements in subpart (9.) was included with the related permit; and the applicable standards in subpart (10.) are being met.

(e.) The ordinary agricultural practices of cultivating and planting, or activities as part of an agricultural conservation program, preformed as part of an ongoing farming operation on agricultural property and activities performed in the road right of way, are exempt from this permitting requirement.

(10.) A grading and erosion control plan shall include the following information:

a. Location map. An eleven by seventeen (11" x 17") map or smaller locating the site in relation to the surrounding area that includes property boundaries, a relative scale, and a north compass direction.

b. Name and phone number of the individual or agency responsible for plan preparation and any individual or company responsible for plan implementation.

c. Existing topography and natural features. Show existing two (2) foot contours extending at least ten (10) feet beyond the land disturbing activity. Include natural features such as streams, water bodies, and wetlands.

d. Existing vegetation. Indicate existing woods, tree lines, cultivated areas, grass/hay fields, Conservation Reserve Program (CRP), wetlands and other vegetative types.

- e. Final contours. Show all proposed changes to the existing contours due to land disturbance including any earth cuts or fills.
- f. Locations and dimensions of all proposed clearing and/or land disturbing activities including proposed improvements to the site such as driveways, retaining walls, sidewalks, stairways, buildings, or other construction
- g. Current and proposed drainage patterns depicting water movement direction including any culverts, tile, ditches, basins, or other stormwater collection, treatment, or conveyance
- h. Approximate soil texture (i.e., sand, loam, clay, silt) of the area being disturbed on site.
- i. Identify areas susceptible to erosion during and after construction. Critical erosion areas are areas which are prone to accelerated erosion, areas which have slopes of twelve (12) percent or greater, areas of long, continuous slopes or areas which contain erosive soils.
- j. Location of Best Management Practices (BMPs). Indicate location of erosion and sediment control best management practices proposed for the site.
- k. Implementation schedule. Outline the proposed order of land clearing and other aspects of construction including, but not limited to, erosion control implementation, site preparation, construction, final grading, final site stabilization/vegetation.
- l. Final site stabilization. Indicate how the disturbed areas on the site will be permanently vegetated (i.e., seeding materials, cover crop, erosion control blanket, mulch material, sod, etc.)

~~(9.)—An erosion control plan shall include at least the following:~~

- ~~(a.)—A location map drawn to a scale of not less than two hundred (200) feet to one inch showing the relationship of the site to its general surroundings.~~
- ~~(b.)—A plan of the site drawn to an appropriate scale showing:

 - ~~i.——The boundary lines of the site on which the work is to be performed, including the approximate acreage of the site.~~~~

- ii. ~~Existing topography including, but not limited to, existing streams, water bodies, wetlands, structures, road and vegetative cover of the site and on land adjacent to the site.~~
- iii. ~~Existing contours with intervals of not more than ten (10) feet where the slope is twenty percent (20%) or greater, and not more than five (5) feet where the slope is from ten percent (10%) to twenty percent (20%) and not more than two (2) feet where the slope is less than ten percent (10%). In any event, the drainage pattern will be indicated.~~
- iv. ~~Proposed improvements of the site, including present development and future use, if known, proposed changes to the land surface and vegetative cover, and areas of cuts and fills.~~
- v. ~~A stormwater removal system, including culverts, piping, ditches, sediment basins, diversions, or other devices, any non vegetative protection or support including paving, rip rap, walls or other structures or surfaces, any vegetative measures in connection with, or as part of, the proposed work.~~
- vi. ~~Title, scale, north arrow, date and name of person preparing the plan.~~
- vii. ~~A timing schedule and sequence of operations, stating the expected starting and completion dates of the development sequence.~~
- viii. ~~The estimated time of exposure of each area prior to the completion of effective erosion and sedimentation control measures and other related data such as seeding mixtures and rates, types of sod, seed bed preparation, lime and fertilizer application and mulching.~~
- ix. ~~A general description of the predominant soil types on the site.~~

- (10.) The following considerations and conditions must be adhered to during the issuance of construction permits, land use permits, ~~grading and filling permits~~clearing, grading and drainage permits, shoreland

alteration permits, conditional or interim use permits, variances and subdivision approvals:⁷⁵

- (a.) Grading or filling in any type 1, 2, 3, 4, 5, 6, 7, or 8 wetland must be evaluated to determine if allowable under the Wetland Conservation Act and how extensively the proposed activity would affect the following functional qualities of the wetland.
 - i. Sediment and pollutant trapping and retention.
 - ii. Storage of surface runoff to prevent or reduce flood damage.
 - iii. Fish and wildlife habitat.
 - iv. Recreational use.
 - v. Shoreline or bank stabilization.
 - vi. Noteworthiness, including special qualities such as historic significance, critical habitat for endangered plants and animals, or others.

*This evaluation must also include a determination of whether the wetland alteration being proposed requires permits, reviews, or approvals by other local, state, or federal agencies such as a watershed district, Soil and Water Conservation Districts, the Minnesota Department of Natural Resources, or the United States Army Corps of Engineers. The applicant will be so advised.

- (b.) Special Wetland Provisions for Natural Environment Lakes. Within 1000 feet of an NES lake, no filling of Type 3-8 wetlands is allowed. In addition, within 1000 feet of an NES lake, Type 1 and Type 2 wetlands may be filled only for the purpose of establishing or maintaining infrastructure.
- (c.) No landowner, operator, contractor or applicant shall cause or conduct any land disturbing activity which causes erosion or sedimentation, damages water or soil resources or creates off-site impacts. These impacts may include but are not limited to active gully erosion, increased channel erosion in any watercourse at any time during or following the disturbance or

⁷⁵ Amended 12/7/2009 (Resolution #09-05) to reference interim uses.

~~development. Alterations must be designed and conducted in a manner that ensures only the smallest amount of bare ground is exposed for the shortest time possible.~~

- (d.) ~~All development shall conform to the limitations presented by the natural topography and soil types in order to minimize soil erosion and sedimentation. Mulches or similar materials must be used, where necessary, for temporary bare soil coverage, and a permanent vegetation cover must be established as soon as possible.~~
- (e.) ~~Alterations of topography must only be allowed if they are accessory to permitted or conditional uses and do not adversely affect adjacent or nearby properties. Methods to minimize soil erosion and to trap sediments before they reach any surface water feature must be used.~~
- (f.) ~~Land disturbing activities shall only occur in increments of workable size such that adequate erosion and sediment controls can be provided throughout all phases of a development. The smallest practical area of land shall be exposed or otherwise disturbed at any one period of time. Altered areas must be stabilized to acceptable erosion control standards consistent with the field office technical guides of the local soil and water conservation districts and the United States Soil Conservation Service.~~
- (g.) ~~Permanent or temporary soil stabilization shall be applied to disturbed areas (areas where vegetation has been removed or where soil has been cut or filled), as soon as possible, but not to exceed fourteen (14) days after a substantial portion of rough grading has been conducted unless an extension is granted by the Director. Soil stabilization measures shall be selected to be appropriate for the time of year, site conditions and estimated duration of use. Fill or excavated material must not be placed in a manner that creates an unstable slope.~~
- (h.) ~~Sediment basins and traps, perimeter dikes (for diversion), sediment barriers (silt fences) and other measures intended to trap sediment on-site shall be constructed prior to or concurrent with any grading and shall be functional before upslope land disturbance takes place. Earthen structures such as dams, dikes and diversions shall be seeded and mulched within fourteen (14) days of installation. Plans to place fill or excavated material on steep slopes must be reviewed by qualified professionals for continued slope stability and must not create finished slopes of 30 percent or greater.~~

- (i.) Stabilization of disturbed areas and the implementation of erosion control measures must be consistent with Minnesota Department of Transportation’s (MnDOT) Standard Specifications for Construction (current ed.), Minnesota Pollution Control Agency’s (MPCA) publication’s “Protecting Water Quality in Urban Areas” (current ed.), and the State of Minnesota Stormwater Manual (current ed.), or equivalent specification. Fill or excavated material must not be placed in bluff impact zones.
- (j.) All temporary erosion and sediment control measures shall be properly disposed of within thirty (30) days after final site stabilization is achieved or after the temporary measures are no longer needed, unless otherwise authorized by the Department of Land and Resource Management. Any alterations below the ordinary high water level of public waters must first be authorized by the Commissioner under Minnesota Statutes, Section 105.42.
- (k.) All temporary and permanent erosion and sediment control practices shall be maintained and repaired as needed to assure continued performance of their intended functions. Alterations of topography must only be allowed if they are accessory to approved uses and do not adversely affect adjacent or nearby properties.⁷⁶
- (l.) No land disturbing activity shall result in the creation of unstable slopes which persist after the completion of the development. Plans to place fill or excavated material on steep slopes must be reviewed by qualified professionals for continued slope stability and must not create finished slopes of 30 percent or greater. Placement of natural rock riprap, including associated grading of the shoreline and placement of a filter blanket, is allowed if the finished slope does not exceed three (3) feet horizontal to one (1) foot vertical, the landward extent of the riprap is within five (5) feet of the ordinary high water level, and the height of the riprap above the ordinary high water level does not exceed three (3) feet.
- (m.) Fill or excavated material must not be placed in bluff impact zones.

⁷⁶ ~~Amended 12/7/2009 (Resolution #09-05)~~

(n.) Any alterations below the ordinary high water level of public waters must first be authorized by the Commissioner under Minnesota Statutes, Section 105.42 103G.245

(11.) Application of fertilizer, herbicides, pesticides, animal wastes or other chemicals within shorelands must be done in such a way as to eliminate impact on the shore impact zone of public water by the use of earth or vegetation. Use of fertilizer containing phosphorus is prohibited within 50 feet of the ordinary high water level of a public water.

(12.) Burning shall be prohibited within 100 feet of the ordinary high water level of a general development and recreational development lake. A wood burning campfire less than three feet in diameter, designed to enclose ash for removal would be exempt from this rule as well as agricultural zoned lands.

c. Connections to Public Waters. Excavations where the intended purpose is connection to a public water, such as boat slips, canals, lagoons, and harbors, must be controlled by local shoreland controls. Permission for excavations may be given only after the Commissioner has approved the proposed connection to public waters.

3. Placement and Design of Roads, Driveways, and Parking Areas.

a. Public and private roads and parking areas must be designed to take advantage of natural vegetation and topography to achieve maximum screening from view from public waters. Documentation must be provided by a qualified individual that all roads and parking areas are designed and constructed to minimize and control erosion to public waters consistent with the field office technical guides of the local soil and water conservation district, or other applicable technical materials.

b. Roads, driveways, and parking areas must meet structure setbacks and must not be placed within bluff and shore impact zones, when other reasonable and feasible placement alternatives exist. If no alternatives exist, they may be placed within these areas, and must be designed to minimize adverse impacts.

c. Public watercraft access ramps, approach roads, and access-related parking areas may be placed within shore impact zones provided the vegetation screening and erosion control conditions of this sub-part are met.

4. Storm Water Management.

a. The following general and specific standards shall apply in addition to those contained in Alexandria Township Storm Water Management Ordinance:

(1.) General Standards.

- (a.) When possible, existing natural drainageways, wetlands, and vegetated soil surfaces must be used to convey, store, filter, and retain storm water runoff before discharge to public waters.
- (b.) Development must be planned and conducted in a manner that will minimize the extent of disturbed areas, runoff velocities, erosion potential, and reduce and delay runoff volumes. Disturbed areas must be stabilized and protected as soon as possible and facilities or methods used to retain sediment on the site.
- (c.) When development density, topography features, and soil and vegetation conditions are not sufficient to adequately handle storm water runoff using natural features and vegetation, various types of constructed facilities such as diversions, settling basins, skimming devices, dikes, waterways, and ponds may be used. Preference must be given to designs using surface drainage, vegetation, and infiltration rather than buried pipes and man-made materials and facilities.
- (d.) Landowners may only drain surface water upon neighboring land if they act in good faith and;
 - i. there is a reasonable necessity for the drainage;
 - ii. the draining of water onto neighboring land does not create a health or safety hazard;
 - iii. the utility or benefit accruing to the drained land outweighs the gravity of the harm resulting to the burdened land; and
 - iv. the drainage is accomplished by reasonably improving and aiding the natural drainage system, or if, in the absence of a practical natural drain, a reasonable and feasible artificial drainage system is adopted.

(2.) Specific Standards.⁷⁷

- (a.) Impervious surface coverage of lots must not exceed twenty-five (25) percent of the lot area or twenty (20) percent of the lot area in Natural Environment Shoreland Zoning. ~~For the purposes of this section, twenty-five (25) percent of the total area covered by~~

⁷⁷ Amended 8/4/2014 (Resolution #14-02)

~~pervious paver systems designed to allow the infiltration of water between pavers may be considered pervious by conditional use permit provided that:~~

~~i. The pervious pavement system shall be designed and certified by a registered engineer or landscape architect and installed by someone qualified in the particular system used, or the installation shall be overseen by a product representative to ensure its proper long term function;~~

~~(1) The pervious pavement designer shall include maintenance instructions to the property owner along with a maintenance schedule, with a copy to the Township to be filed along with the permit;~~

~~(2) The design of the pervious paver system shall include features or methods intended to direct stormwater runoff away from the system if such runoff would be likely to carry sediments or other debris that would plug the system.~~

~~(b.) When constructed facilities are used for storm water management, documentation must be provided by a qualified individual that they are designed and installed consistent with the field office technical guide of the local soil and water conservation districts.~~

(c.) New constructed storm water outfalls to public waters must provide for filtering or settling of suspended solids for at least the two-year, 24-hour storm event and skimming of surface debris before discharge.

a. Impervious Surface Replacement on lots legally exceeding impervious coverage limits.

i. Purpose: The purpose of the regulations in this subsection is to prevent excessive amount of runoff that will be generated during a rainstorm by an enlarged impervious area. Such excessive runoff causes erosion and transport of pollutants to public waters thereby degrading water quality. ~~Existing properties exceeding the standards for impervious surface coverage~~ Properties that had more than 25 percent impervious surface coverage over the parcel area prior to March 24, 1993 (20 percent in NES Zoning in effect December 28, 2004) are considered to be legally non-conforming for impervious surface coverage

[and](#) present a distinct management challenge from that of newly developed properties and there is a need to establish clear and consistent guidelines for how re-development of these lots may occur.

- ii. **Standards:** Parcels that exceed the maximum allowed impervious surface may construct additional impervious surfaces without a variance or conditional use permit if the proposed new impervious surface meets all setback, height and other regulations of this Ordinance and if one of the two following conditions are met:

- (1) The applicant removes existing impervious surfaces at a ratio of one and one-half (1.5) square feet removed for every one (1) square foot added and restores these areas to a permeable surface.

- a. ~~Permeable pavement systems are encouraged in the management of sites currently over the impervious surface limit and shall be credited as twenty-five (25) percent pervious for these sites when installed according to the requirements of Section V.L.4.a.(2.)(d.)iii. Applicants are encouraged to replace existing impervious surfaces with natural vegetation at the 1.5 to 1 ratio listed above, however permeable pavement systems may also be used. In these cases they are to replace existing impervious surfaces at a ratio of at least four (4) square feet converted for every one (1) square foot of new impervious surface being added;~~

- (2) The applicant removes existing impervious surfaces at a 1:1 ratio and restores those areas to a permeable surface and in addition, submits a comprehensive stormwater management plan that emphasizes infiltration and onsite retention of stormwater for at least the two year 24-hour storm event through a combination of methods including buffer strips, swales, rainwater gardens, and other low impact development methods. The stormwater management plan must be designed by a registered engineer or landscape architect and installed as designed by a qualified professional.

- a. ~~Permeable pavement systems may be considered as 100% pervious when submitted as part of a~~

~~stormwater management plan consistent with this section.~~

iii. Specific Requirements: The applicant must provide the following evidence, in conjunction with meeting one of the two standards listed in (d).ii. above:

(1) A survey shall be submitted showing calculations of the exact dimensions of all existing impervious surfaces and of the lot before and after completion of the project. This survey must be submitted and approved by the Zoning Administrator⁷⁸ before any work may begin on the project;

(2) In ~~replacing~~ removing existing impervious surfaces ~~with surfaces designed to be permeable or porous,~~ the applicant must give priority to ~~replacing~~ removing those surfaces closest to the lake or those surfaces where the ~~replacement~~ removal is most likely to improve storm water management;

(3) No ~~pervious or porous pavement system~~ stormwater best management practice shall be allowed in a bluff impact zone or shore impact zone unless ~~specifically approved otherwise by the Zoning Administrator when~~ restoration to natural vegetation would not be practical or advised by a qualified engineer and approved by the Zoning Administrator. Additionally, existing native vegetation shall not be removed to establish stormwater best management practices on a property. These areas shall be maintained or restored to a natural vegetative buffer whenever feasible;

(4) ~~A pervious pavement system~~ Stormwater best management practices shall be designed and certified by a registered engineer or landscape architect and installed by someone qualified in the particular system used, or the installation shall be overseen by a product representative to ensure its proper long-term function;

~~(5) A pervious pavement system shall be set back from structures having basements, septic system leach fields, steep slopes and wells at least 10 feet unless~~

⁷⁸ Amended 12/17/2007 (Resolution #07-20)

~~otherwise designed by a registered engineer so as to prevent impacting these features;~~

~~(65) A pervious pavement design~~Any comprehensive stormwater management plan shall include maintenance instructions to the property owner along with a maintenance schedule, with a copy to the Township to be filed along with the permit;

~~(76)~~ All best management practices must be compatible with local stormwater management plans and NPDES Phase II stormwater permits, where required;

~~(87)~~ If, in the removal of existing impervious surfaces, the total lot coverage falls below the maximum coverage allowed by this Ordinance, the applicant must thereafter conform to the standards of this Ordinance.

~~(9) The design of the pervious paver system shall include features or methods intended to direct stormwater runoff away from the system if such runoff would be likely to carry sediments or other debris that would plug the system.~~

5. Special Provisions for Agricultural Uses.

- a. Agricultural uses within shorelands existing at time of adoption of this Ordinance may continue provided the following standards are met:
 - (1.) General cultivation farming, grazing, nurseries, horticulture, truck farming, sod farming, and wild crop harvesting are permitted uses if steep slopes and shore and bluff impact zones are maintained in permanent vegetation or operated under an approved conservation plan (Resource Management Systems) consistent with the field office technical guides of the local soil and water conservation districts or the United States Soil Conservation Service, as provided by a qualified individual or agency. The shore impact zone for parcels with permitted agricultural land uses is equal to a line parallel to and 50 feet from the ordinary high water level.

6. Water Supply.

- a. Water Supply.

operational and shall include a summary of the current antenna configuration on the tower. If the statement is not filed by January 10 of any year, the Township shall notify the owner in writing of failure to file. Failure to file a statement within sixty (60) days of receiving a notice of failure to file shall be prima facie evidence that the tower facility is no longer in use and may be considered abandoned. If it is determined to be abandoned the Township may contract for the removal of the obsolete tower and assess the fee title owner for the charges to be assessed against the property.

Q. EROSION CONTROL AND STORMWATER MANAGEMENT.

1. Purpose and Intent.

The Alexandria Town Board of Supervisors finds that construction site erosion and uncontrolled stormwater runoff from intensive vegetation clearing, land disturbing and land development activities have significant adverse impacts upon regional water resources and the health, safety and general welfare of the community, and diminish the public enjoyment and use of natural resources. The purpose of this section of the Ordinance is to set requirements for intensive vegetation clearing, construction site erosion control and stormwater management that will diminish threats to public health, safety, public and private property and natural resources of Alexandria Township.

This section is intended to regulate intensive vegetation clearing, construction site erosion and stormwater runoff to accomplish the following objectives:

- a. Promote local stormwater management;
- b. Minimize sedimentation, water pollution from nutrients, heavy metals, chemical and petroleum products and other contaminants, flooding and thermal impacts to the water resources of Alexandria Township;
- c. Promote infiltration and groundwater recharge;
- d. Protect functional values of wooded areas, natural water courses and wetlands;
- e. Provide a single, consistent set of performance standards for Alexandria Township;
- f. Protect public and private property from damage resulting from negative impacts resulting from intensive vegetation clearing, runoff or erosion.

The Alexandria Town Board of Supervisors finds that effective sediment and stormwater management depends on proper planning, design, and timely installation of conservation and management practices and their continuing maintenance.

2. Jurisdiction and Administration.

Alexandria Township hereby incorporates into this Ordinance, by reference, the standards put forth in the Alexandria Township Storm Water Management Ordinance #107, along with any future amendments.

3. Additional Provisions for the Natural Environment Shoreland Zoning Classification.

- a. Temporary erosion and sediment control measures must be inspected, maintained, and remain functional until final stabilization has occurred on disturbed areas.
- b. The creation of a half (.5) acre up to one (1) acre of new impervious surface shall require permanent stormwater structures for water quality treatment. Said structures are to be designed and inspected by a licensed professional engineer.
- c. Multiple cell stormwater ponds are required if one (1) or more acres of new impervious surface is created.

4. Additional Provisions for Intensive Vegetation Clearing.

- a. Intensive vegetation clearing shall require a conditional use permit in all zoning districts under the following circumstances:
 - 1) if the clearing is occurring on a property greater than five (5) acres in size; and
 - 2) if the clearing involves more than five thousand (5,000) square feet of area on the property within any three (3) year period; and
 - 3) if the clearing occurs within fifty (50) feet of a property line.
- b. Exemptions: The following shall be exempt from the above requirement for a conditional use permit:
 - 1) The clearing of land for the purposes of creating a tillable agricultural field;
 - 2) On all lots in any zoning district which is five (5) acres or less in size.

5. Additional Provisions for All Development Involving Greater Than Fifty (50) Cubic Yards of Fill or a Change in Elevation Greater than Two (2) Feet.

- a. A Clearing, Grading and Drainage Permit shall be required. The application for a Clearing, Grading and Drainage Permit shall include, at a minimum, the following information;

1) Location map. An eleven by seventeen (11" x 17") map or smaller locating the site in relation to the surrounding area that includes property boundaries, a relative scale, and a north compass direction.

2) Name and phone number of the individual or agency responsible for plan preparation and any individual or company responsible for plan implementation.

3) Existing topography and natural features. Show existing two (2) foot contours extending at least ten (10) feet beyond the land disturbing activity. Include natural features such as streams, water bodies, and wetlands.

4) Existing vegetation. Indicate existing woods, tree lines, cultivated areas, grass/hay fields, Conservation Reserve Program (CRP), wetlands and other vegetative types.

5) Final contours. Show all proposed changes to the existing contours due to land disturbance including any earth cuts or fills.

6) Locations and dimensions of all proposed clearing and/or land disturbing activities including proposed improvements to the site such as driveways, retaining walls, sidewalks, stairways, buildings, or other construction

7) Current and proposed drainage patterns depicting water movement direction including any culverts, tile, ditches, basins, or other stormwater collection, treatment, or conveyance

8) Approximate soil texture (i.e., sand, loam, clay, silt) of the area being disturbed on site.

9) Identify areas susceptible to erosion during and after construction. Critical erosion areas are areas which are prone to accelerated erosion, areas which have slopes of twelve (12) percent or greater, areas of long, continuous slopes or areas which contain erosive soils.

10) Location of Best Management Practices (BMPs). Indicate location of erosion and sediment control best management practices proposed for the site.

11) Implementation schedule. Outline the proposed order of land clearing and other aspects of construction including, but not limited to, erosion control implementation, site preparation, construction, final grading, final site stabilization/vegetation.

12) Final site stabilization. Indicate how the disturbed areas on the site will be permanently vegetated (i.e., seeding materials, cover crop, erosion control blanket, mulch material, sod, etc.)

b. Landowners may only drain surface water upon neighboring land if they act in good faith and;

- 1) there is a reasonable necessity for the drainage;
- 2) the draining of water onto neighboring land does not create a health or safety hazard;
- 3) the utility or benefit accruing to the drained land outweighs the gravity of the harm resulting to the burdened land; and
- 4) the drainage is accomplished by reasonably improving and aiding the natural drainage system, or if, in the absence of a practical natural drain, a reasonable and feasible artificial drainage system is adopted.
- 5) if after completion of the permitted work there is clear harm to a neighboring property, right-of-way, or wetland, the township may require remediation by the property owner.

R. SENSITIVE FEATURES.⁸²

1. Purpose and Intent.

The purpose of this section is to identify environmentally or culturally sensitive features which serve important ecological or other purposes to the people of Alexandria Township. Areas identified as sensitive features are based on the best available data and are general in nature in terms of exact locations and boundaries. The Township intends that the data be used to provide additional information to landowners, developers, staff and the Planning Commission so that the sensitive nature of the resources is considered as land is developed and/or altered. Properties where development or alteration is proposed are encouraged to avoid alteration of or impacting sensitive features or to mitigate potential negative impacts on sensitive features as much as is reasonably possible. In reviewing applications where sensitive features may be impacted, the Planning Commission may impose conditions as necessary to protect such features, including requirements to determine exact boundaries, avoidance of sensitive features during development or alteration, or specific practices intended to mitigate potential negative impacts.

Natural features considered by Alexandria Township to be sensitive features are listed below. Maps depicting these features will be available at the Township Office and are intended to be updated as new or improved data become available from the relevant data source.

Category	Sensitive Feature	Source of Data
Shallow Groundwater	1. Shallow and hydric soils (soils classified as “poorly drained” and	Soil Survey Geographical Data Base (SSURGO Douglas County Minnesota)

⁸² Added 7/2/2007 (Resolution #07-09)

- f. That side of the fence considered to be the face, the side not attached to the primary structural supports, shall face the abutting property or street right-of-way.
- g. No fence may be erected:
 - (1) on either street side of a corner lot that will obstruct or impede the clear view of an intersection by approaching traffic.
 - (2) where it will impede, in the opinion of the City Engineer or their designee the flow of water across or through a drainageway, drainage easement, wetland or a required stormwater management facility, (i.e., water quality/detention pond, rain garden, etc.).
- h. Both sides of any fence or wall shall be maintained in a condition of reasonable repair and appearance by its owner and shall not be allowed to become and remain in a condition of disrepair or danger, or constitute a nuisance, public or private. Minor chipping of paint, rusting, cracks or other blemishes shall not require repair.
- i. Notwithstanding height limitations elsewhere in this subsection, fences enclosing or adjacent to sport courts or fields, in any zoning district, may be allowed by conditional use permit up to twelve feet (12') in height with a minimum ten foot (10') setback from any property line.
- j. Swimming Pools – All swimming pools capable of holding water to a depth of greater than two (2) feet shall be:
 - (1) completely covered with a power safety cover complying with ASTM F 1346; or
 - (2) completely enclosed with fencing and self-closing and self-latching gates of a height of not less than four (4) feet and with openings, holes or gaps not larger than four (4) inches in any dimension. Pools accessed from an exterior deck shall provide such gates or railings on any exterior stairways leading to the deck.

Above-ground swimming pools inaccessible from an adjacent building or deck or other structure and with a side height of at least four (4) feet above the ground or structure need not have such a fence provided they are equipped with a fold-up ladder sufficient to prevent unsupervised entry to the pool.

AA. SHOUSE CONSTRUCTION

This section shall be applicable to the construction of all shouses, as defined in this Ordinance.

1. The footprint of the storage/non-residential portion of a shouse shall not exceed the footprint of the dwelling space to which it is attached by more than 125% except as allowed by conditional use permit.
2. In the granting of a conditional use permit for a larger storage/non-residential portion of a shouse, the applicant shall meet the following minimum standards unless specifically authorized otherwise in the granting of the conditional use permit:
 - a. Each wall of the combined structure must contain at least one egress window for every fifteen (15) full feet of the wall's length.
 - b. The combined structure must use consistent architectural features such as, but not limited to, wainscoting, board and batten for portions of the wall, two-tone color

schemes, residential design garage doors or other similar features through that ensure visual cohesiveness with the character of the area.

- c. Roof eaves must extend at least eighteen (18) inches beyond the longest two walls of the building and twelve (12) inches beyond other walls.

SECTION VI. ADMINISTRATION

A. LAND USE PERMITS.

1. A land use permit shall be obtained prior to erecting, installing, altering or remodeling, or moving any building, deck, patio or structure, or part thereof, in Alexandria Township outside the corporate limits of cities. All terms of this Ordinance, and Alexandria Township Ordinance #114 (Minnesota State Building Code)⁹³, shall be met before a land use permit is issued.
 - a. The following structures and improvements are exempt from the zoning or land use permit requirements providing all setback requirements applicable to a fence⁹⁴ are met, that the height of such structures or improvements does not exceed the maximum structure height in the relevant zoning district, and that no construction or maintenance activities, including stockpiling of materials, is done on a neighboring property without the consent of said landowner:⁹⁵
 - i. Satellite dishes, sidewalks, driveways, parking areas, flag poles, propane tanks, gardens, playground equipment, above-ground swimming pools of a temporary nature, customary television, radio or wireless internet antennas, underground sprinkler and/or irrigation systems, hot tubs, currently licensed fish houses/dark houses, stairways and landings for the purpose of entering or exiting a building not exceeding four feet in width or 32 square feet for residential buildings or, for commercial or public buildings, as would be customary and reasonable⁹⁶, and pump houses no larger than 4' x 4' x 4'.
2. A dwelling on a parcel of land in all zoning districts must meet the width and depth requirement of 24 feet.
3. A permit fee payable to the Township shall be required for each land use, in accordance with the Alexandria Township Permit and License Fee Schedule.
 - a. Permits applied for after the work has begun must comply in accordance with the provisions of the Alexandria Township Zoning Ordinance and permit and License Fee Schedule.
4. A land use permit issued under the terms of this Ordinance shall be valid for one (1) year from the date of issuance. The project must be completed in one (1) year from date of issuance.

⁹³ Amended 12/15/08 (Resolution #08-16)

⁹⁴ Amended 12/15/08 (Resolution #08-16)

⁹⁵ Amended 12/17/2007 (Resolution #07-20)

⁹⁶ Amended 3/21/2011 (Resolution #11-02)

5. A land use permit may be extended by yearly intervals in instances where reasonable diligent construction could not complete the proposed structure. No such time extension shall be granted if occupancy is planned before completion of the structure unless a Township approved sewage treatment system is installed and operating.
6. Prior to the issuance of a land use permit, a conditional use permit may be required by the Zoning Administrator for a used building being moved or placed on a tract of land.
 - a. If the building is being moved from the community with building codes, the applicant must provide written documentation from the appropriate official of that community that the building substantially meets the building code and is not currently subject to condemnation as a dilapidated or substandard building.
7. Prior to the issuance of a land use permit for any structure within all districts, any property with a dwelling or where human sewage is otherwise generated on-site (including wastewater from sinks and showers) must provide evidence of connection to a public wastewater treatment system or a compliant onsite sewage treatment system in accordance with the sanitation code as adopted by reference in this Ordinance. Prior to the issuance of a land use permit a system which is identified as nonconforming/failing must be upgraded to conform with the Minnesota Individual Sewage Treatment System standards (Minnesota Rules Chapter 7080) or connected to a public sewage treatment system within a time frame not to exceed two years or ten months if such system is declared to be an imminent health threat.⁹⁷
 - a. This requirement shall not apply to conditional or interim use permit applications that are solely for the purpose of constructing a sign or where the proposed use does not involve the construction of any building.⁹⁸
8. A verification of connection to a central sewage treatment system, a certificate of compliance for an existing individual sewage treatment system or an individual sewage treatment system design must be submitted and approved by the Zoning Administrator prior to the issuance of any land use permit for a building/structure containing plumbing. Additional requirements are set forth in Section V., Performance Standards.
9. Prior to the issuance of a land use permit within all districts, all conditional use, interim use and variance conditions on the property must be rectified.⁹⁹
10. No contractor or individual shall perform work upon a project requiring a permit under this Ordinance unless such permit has been issued and posted on the premises and until such contractor has first verified all conditions of the permit.

⁹⁷ Amended 12/17/2007 (Resolution #07-20)

⁹⁸ Amended 3/21/2011 (Resolution #11-02)

⁹⁹ Amended 12/7/2009 (Resolution #09-05) to reference interim uses.

11. An elevation certificate may be required if the project is located within a flood plain as determined by FEMA maps.
12. Prior to issuance of a land use permit Douglas County Sanitarian approval may be required.
- ~~13.~~ Prior to issuance of a land use permit, the Zoning Administrator may require the submittal of a survey or engineering analysis of the property when necessary to determine compliance with property line setbacks, impervious coverage limitations, drainage requirements or any other requirement of this Ordinance. Such survey may be required to include boundaries, dimensions, existing and proposed structures, existing and proposed topographic elevations, existing and proposed direction of drainage or other information necessary to determine compliance. Engineering analyses may be required to include calculations of stormwater runoff leaving the site before and after proposed development, soils analysis, slope/bluff stability or other information necessary to determine compliance.
- ~~1314.~~ A Land Use Permit may be denied administratively by the Zoning Administrator if it is considered to be inconsistent with the protection of health, safety and welfare.
- ~~1415.~~ In evaluating all variances, zoning and building permit applications, interim or conditional use requests, the Township shall require the property owner to address, when appropriate, storm water runoff management, reducing impervious surfaces, increasing setback, restoration of wetlands, vegetative buffers, sewage treatment and water supply capabilities, and other conservation-designed actions.¹⁰⁰

B. CONTRACTORS.

1. License Requirements.
 - a. No person, firm or corporation shall engage in the business of excavator or landscaping contractor within Alexandria Township without obtaining a license therefore from the Douglas County Commissioners and meeting all applicable county requirements.
 - b. Building contractors shall be licensed with the State of Minnesota.
2. No contractor or individual shall perform work upon a project requiring a permit under this Ordinance unless such permit has been issued and posted on the premises and until such contractor has first verified all conditions of the permit.

C. ADMINISTRATIVE OFFICER.

1. Duties and Responsibilities.

¹⁰⁰ Amended 3/21/2011 (Resolution #11-02)

SECTION VII. DEFINITIONS

For the purpose of this Ordinance, certain terms or words used herein shall be interpreted as follows:

The word **PERSON** includes a firm, association, partnership, trust, company, or corporation, as well as an individual.

The word **SHALL** is mandatory; the word **MAY** is permissive.

Words used in the present tense shall include the future; and words used in the singular number shall include the plural number, and the plural the singular.

The word **LOT** shall include the words **PIECE** and **PARCEL**.

ABANDONED MOTOR VEHICLE -

- A. One that has remained for a period of more than forty-eight (48) hours on public property, illegally parked or missing vital component parts.
- B. One that has remained more than forty-eight (48) hours on private property without the consent of the person in control at such property.
- C. One that is in an inoperable condition such that it has no substantial potential further use consistent with its usual functions unless it is kept in an enclosed garage or storage building.
- D. One that is voluntarily surrendered by its owner to a unit of government.
- E. Classic or pioneer cars and vehicles on the premises of junk yards or automobile salvage yards shall not be defined as abandoned motor vehicles.
- F. One that has been voluntarily unlicensed and is not licensed for use on a public street.

ACCESSORY BUILDING OR FACILITY Any non-dwelling building that is detached from a principal building. A use or structure on the same lot width and of a nature customarily incidental and subordinate to the principal use or structure.

ACCESSORY USE - A use subordinate to the principal use on a lot and used for purposes customarily incidental to those of the principal use.

ADULT BOOKSTORE - A building or portion of a building used for the barter, rental or sale of items consisting of printed matter, pictures, slides, records, audiotape, videotape, or motion picture film if a substantial or significant portion of such items are distinguished or characterized by an emphasis on the depiction or description of "specified sexual activities" or "specified anatomical areas" or the barter, rental or sale of instruments, devices, or paraphernalia that are designed for use in connection with specified sexual activities, "Substantial or significant portion of items," for purposes of this Ordinance, shall mean more than fifteen (15) percent of usable floor area.

ADULT CABARET - A building or portion of a building used for providing dancing or other live entertainment, if such building or portion of a building excludes minors by virtue of age, or if such

must include sufficient area for two standard sewer systems. An area shall not be considered in the calculation of buildable area if it is not at least fifty (50) feet in width and length.

BUILDING - Any structure or appurtenance which is built for the support, shelter or enclosure of persons, animals, chattels, or property of any kind. This shall include manufactured housing.

BUILDING-INTEGRATED SOLAR ENERGY SYSTEM - An active solar energy system that is an integral part of a principal or accessory building, rather than a separate mechanical device, replacing or substituting for an architectural or structural component of the building. Building-integrated systems include but are not limited to photovoltaic or hot water solar energy systems that are contained within roofing materials, windows, skylights, and awnings.

BUILDING HEIGHT—The vertical distance between the highest adjoining ground level at the building or ten feet above the lowest ground level, whichever is lower, and the highest point of flat roof or average height of the highest gable of a pitched or hipped roof.

BUILDING SEWER - The building sewer is that part of the horizontal portion of the building drainage system extending from the building drain to its connection with the septic tank and carrying the sewage of but one building.

BUILDING WIDTH - The main part of a building, excluding ells, breezeways, and porches.

CARGO CONTAINER - A metal and/or steel storage and transport receptacle structure normally used for moving goods on ships and trains. The size may vary from eight feet wide by eight feet high with lengths ranging from twenty to forty feet long.

CARTWAY - A land access road, generally two rods in width, established by specific action of a town board to provide access to otherwise land-locked property. Public maintenance may be provided at the direction of the town board.

CENTERLINE – A real or imaginary line that is equidistant from the surface or sides of a road as driven.

CENTRAL SEWAGE TREATMENT SYSTEM - A central sewage treatment system shall mean only a sewage treatment system managed or operated by any governmental authority, except in case of Planned Unit Development, the sewage treatment system may be managed and operated by the Homeowner's Association.

CENTRAL WATER DISTRIBUTION SYSTEM - A central water distribution system managed or operated by any governmental authority, except in case of Planned Unit Development, the water system may be managed and operated by the Homeowner's Association.

CERTIFICATE OF COMPLIANCE-.A document written after an individual sewage treatment inspection certifying that a system is in compliance with applicable requirements at the time of the inspection.

CHANGE IN OPERATION: An increase beyond the permitted maximum number of animal

LOT LINE, REAR - That boundary of a lot which is opposite the front lot line. If the rear lot line is less than ten (10) feet in length, or if the lot forms a point at the rear, the rear lot line shall be a line ten (10) feet in length within the lot parallel to, and at the maximum distance from the front lot line.

LOT LINE, RIPARIAN – The boundary or boundaries of a lot which are defined by the ordinary high water level of a lake or stream. If a lot includes land located below the ordinary high water level, the lot line, for the purposes of this Ordinance, shall be the ordinary high water level.

LOT LINE, SIDE – Any lot line of a lot that is not a front or rear lot line.

LOT WIDTH¹²¹ - The shortest horizontal distance between the side lot lines of a lot measured at ~~the building line and as the average width of~~ at any point between the front lot line and the rear lot line. ~~For riparian lots, the lot width shall also be the horizontal distance measured between lot corners at the ordinary high water level and at the minimum building setback line from the water body.~~ For the purposes of meeting minimum lot width requirements throughout this Ordinance, lot width shall be measured in a straight line rather than along a road or right-of-way. For riparian lots, the lot width shall also be the horizontal distance measured between lot corners at the ordinary high water level and at the minimum building setback line from the water body.

MALFUNCTION - The partial or complete loss of function of an SSTS component, which requires a corrective action to restore its intended function.

MANAGEMENT PLAN – A plan that requires the periodic examination, adjustment, testing, and other operational requirements to meet system performance expectations and potentially lower risk to human and environmental health, including a planned course of action in the event a system does not meet performance expectations.

MANUFACTURED HOME - A structure, transportable in one or more sections, which in the traveling mode, is eight (8) body feet or more in width and forty (40) body feet or more in length, or, when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation.

MANUFACTURED HOME PARK - A parcel of land under single ownership which has been planned and improved for the placement of manufactured home unit(s) for non-transient use.

MANUFACTURED HOME UNIT - One (1) manufactured home.

MANURE SPILL - Any release of manure on a public road that would impact the safe passage of traffic.

MANURE STORAGE AREA - An area associated with an animal feedlot where animal manure or runoff containing animal manure is stored until it can be utilized as domestic fertilizer or removed to a permitted animal manure disposal site. Animal manure packs or mounding within the animal feedlot shall not be considered to be manure storage for the purpose of this Ordinance.

¹²¹ Amended 3/21/2011 (Resolution #11-02)

METES AND BOUNDS DESCRIPTION - A description of real property which is not described by reference to a lot or block shown on a map or a recorded plot, but is described by starting at a known point and describing the direction and length of the lines forming the boundaries of the property.

MINI STORAGE - Any building for rental purposes which provides individual storage units or areas which may be accessed only by the individual who is storing materials in the unit or area.

MINOR REPAIR - The repair or replacement of an existing damaged or faulty component/part of an SSTS that will return the SSTS to its operable condition. The repair shall not alter the original area, dimensions, design, specifications or concepts of the SSTS.

MIXED MUNICIPAL SOLID WASTE - Garbage, refuse, and other solid waste from residential, commercial, industrial, and community activities that the generator of the waste aggregates for collection, but does not include auto hulks, street sweepings, ash, construction debris, mining waste, sludges, tree and agricultural wastes, tires, lead acid batteries, used oil, and other materials collected, processed, and disposed of as separate waste streams.

MPCA - The Minnesota Pollution Control Agency.

MSTS - A mid-sized subsurface sewage treatment system as defined in Minn. R. Ch. 7081.0020, Subpart 4.

MULTI-FAMILY PLANNED UNIT DEVELOPMENT¹²² - (Applicable outside of the Residential Shoreland (RS) district) – A planned unit development comprising attached dwelling units, detached dwelling units not on individual lots, or any combination thereof, the necessary streets and other public and/or private rights-of-way to serve such uses, and any appurtenant common open space, recreational facilities or other areas or facilities.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) - The program for issuing, modifying, revoking, reissuing, terminating, monitoring, and enforcing permits under the Clean Water Act (Sections 301, 318, 402, and 405) and United States Code Title 33, Sections 1317, 1328, 1342, and 1345.

NATURAL SHORELINE VEGETATIVE CONDITION - [The condition of vegetation growing in areas adjacent to lakes, rivers, streams, wetlands and other bodies of water such that it has not been actively altered by human activities including land development, crop farming, forestry, mining, dredging or other activity, but may have been passively altered by such actions as erosion, invasive species colonization, animal grazing, minor filling, fire, or other natural or indirect human cause.](#)

NES CLASS A – Those NES lakes that display the physiology, morphology and other physical and chemical characteristics common to larger lakes.

¹²² Added 5/21/2007 (Resolution #07-06)

the public to be, a place where sleeping accommodations are furnished to the public and primarily to those seeking recreation, for periods of one (1) day, one (1) week, or longer, and having for rent two (2) or more homes, cabins, units, campsites or enclosures. All cabins, rooms, dwelling units/sites or enclosures must be included in the resort rental business. The entire parcel(s), lot(s), or tract(s) of land must be controlled and managed by the licensee.

RESORT UNIT - One family occupying a single housekeeping unit and using common cooking facilities.

RESTRICTIVE LAYER - Layer in the soil treatment system area as shown by redoximorphic features, altered structure, bedrock, or a geologic aquifer formation.

RETAIL SALES AND SERVICE - Establishments which deal directly with the ultimate consumer for whom the goods or services are furnished.

RIGHT OF WAY – The strip of land over which a public road is built, to include the entire area dedicated or set aside.

RIPARIAN LOT - A tract of land located immediately adjacent to a lake, wetland, reservoir, watercourse or flowage.

ROOFTOP SOLAR ENERGY SYSTEM – A solar energy system mounted on the roof of a building.

RUBBISH - Non-putrescible solid wastes, including ashes, consisting of both combustible and non-combustible wastes, such as paper, cardboard, tin cans, yard clippings, wood, glass, bedding, crockery or litter of any kind.

RURAL ROAD - A public road constructed with side slopes and ditches to provide for drainage and snow storage. A rural road may include short isolated sections of curb and gutter without underground storm sewer.

RURAL RESERVE DEVELOPMENT¹³¹ – A method of developing land that provides for reservation of land for future development or for the preservation of open space and clustering of individual lots.

SATURATED SOIL - The highest seasonal elevation in the soil that is in a reduced chemical state because of soil voids being filled with water. Saturated soil is evidenced by the presence of redoximorphic features or other information.

SCRAP METAL - Scrap metal, other than abandoned motor vehicles; including, but not limited to, discarded metal in the form of machinery, appliances and motor vehicle parts.

SEASONAL STORAGE – [The use of an accessory building for the purposes of renting or leasing indoor storage space for the storing and removal of personal property, where the facility is open to the](#)

¹³¹ Added 7/2/2007 (Resolution #07-09)

public in the spring and fall on a limited seasonal basis. The accessory structure must meet all requirements of the Minnesota State Building Code. Outdoor storage shall be not be considered seasonal storage.

SEDIMENTS - Material of any kind that may run-off into a lake or public waterway.

SEDIMENT CONTROL - The methods employed to prevent sediment from leaving the site. Sediment control practices include silt fences, sediment traps, earth dikes, drainage swales, check dams, subsurface drains, pipe slope drains, storm drain inlet protection, and temporary or permanent sedimentation basins.

SEMIPUBLIC USE - The use of land by a private, nonprofit organization to provide a public service that is ordinarily open to some persons outside the regular constituency of the organization.

SENSITIVE RESOURCE MANAGEMENT - The preservation and management of areas unsuitable for development in their natural state due to constraints such as shallow soils over ground water or bedrock, highly erosive or expansive soils, steep slopes, susceptibility to flooding, or occurrence of flora or fauna in need of special protection.

SETBACK - The minimum horizontal distance between a structure, sewage treatment system, or other facility and an ordinary high water level, sewage treatment system, top of a bluff, road, highway, property line, or other facility.

SEWAGE - Waste from toilets, bathing, laundry or culinary activities or operations or floor drains associated with these sources, including household cleaners and other constituents in amounts normally used for domestic purposes.

SEWAGE TREATMENT SYSTEM - A septic tank and soil treatment area or other individual or cluster type sewage treatment system as described and regulated in this Ordinance.

SEWER PERMIT- A permit issued for new construction, replacement, alteration, or extension of an individual sewage treatment system or collector system.

SEWER SYSTEM - Pipelines or conduits, pumping stations, and force main, and all other construction, devices, appliances, or appurtenances used for conducting sewage or industrial waste or other wastes to a point of ultimate disposal.

SHORE IMPACT ZONE - Land located between the ordinary high water level of a public water and a line parallel to it at a setback of fifty (50) percent of the structure setback.

SHORELAND - Land located within the following distances from public waters: 1000 feet from the ordinary high water level of a lake, pond, or flowage; and 300 feet from a river or stream, or the landward extent of a floodplain designated by Ordinance on a river or stream, whichever is greater. The limits of shorelands may be reduced whenever the waters involved are bounded by topographic divides which extend landward from the waters for lesser distances and when approved by the commissioner.

SHORELAND ALTERATIONS - Grading and filling in shoreland areas or any alteration of the natural topography of a shoreland subject to the provisions of this Ordinance.

SHOUSE – A structure that combines dwelling space and storage/non-dwelling space and where 1) the height of the structure or the amount of ground covered by the garage/storage building portion of the structure is greater than 125% of that of the dwelling portion of the structure; 2) the sidewall height of any portion of the structure exceeds fourteen (14) feet; 3) the structure is built with post/pole-frame construction; and 4) the siding of the building is made of roll-formed steel installed in a vertical pattern.

SIDEWALL HEIGHT - The vertical distance between the lowest exposed floor and the point where the wall meets the roof truss. Wall dormers, whose facial plane is integral with the facial plane of the wall that it is built into, shall be considered part of the sidewall height if they are greater than 4 feet in width. The lower portion of a “tuck-under” garage shall not be considered part of the sidewall height provided only one wall is more than 25% exposed and the exposed wall is no more than twice the allowable sidewall height.

SIGN - Any device designed to inform or attract the attention of persons not on the premises on which the sign is located; provided, however, that the following shall not be included in the application of the regulations herein:

- A. Signs not exceeding one (1) square foot in area and bearing only property numbers, postal box numbers, names of occupants on premises or other identification of premises not having commercial connotations.
- B. Flags and insignia of any government except when displayed in connection with commercial promotion.
- C. Legal notices, identification, information or directional signs erected or required by governmental bodies.
- D. Integral decorative or architectural features of buildings, except letters, trademarks, moving parts or moving lights.
- E. Signs directing and guiding traffic, but bearing no advertising matter.
- F. Warning signs posted by public utilities.

SIGN, ADVERTISING - A sign which directs attention to a business, commodity service, activity or entertainment not necessarily conducted, sold or offered upon the premises where such sign is located.

SIGN, BILLBOARD¹³² - Sign structures that are periodically re-faced with paper or other form of regularly changing media, including electronic media.

SIGN, FREESTANDING - A portable sign whose supporting structures are not embedded in the ground, affixed to a wall or side of a building or to a roof.

SIGN, GROUND - A device whose supporting structures are embedded in the ground.

¹³² Amended 7/2/2007 (Resolution #07-09)