

**CITY OF MEDICINE LAKE
ORDINANCE NO. 124**

**AN ORDINANCE AMENDING ORDINANCE 112
ZONING REGULATIONS
FOR THE CITY OF MEDICINE LAKE**

The City of Medicine Lake does ordain:

The following sections of Ordinance 112 are hereby amended to read as follows (new language is underlined and deleted language is ~~struck out~~):

200 - RULES AND DEFINITIONS

Section 200.2 Definitions

(3) Accessory, Building or Use Structure: A subordinate building or structure ~~or use~~ which is located on the same lot on which the main building or use is situated and which is reasonably necessary and incidental to the conduct of the primary use of such building or ~~main~~ principal use.

(4) Accessory, Use: A use incidental to and customarily associated with a specific principal use, located on the same lot or parcel.

(25) Building Setback: The minimum horizontal distance between the building and any ~~combination of the following: the~~ lot line or the ordinary high water mark (OHW) elevation for properties abutting Medicine Lake ~~, or roadway pavement edge.~~

(39) Conditions of Approval: Stipulations that are directly related and bear a rough proportionality to the impact of an action or request requiring a land use approval from the Planning Commission or City Council. Conditions are typically applied in the case of a variance request or a conditional use permit.

(45) Curb Level: The elevation of the established curb in front of a building measured at the center of such front. Where no curb level has been established, the City ~~Building Inspector~~ Zoning Administrator shall determine a curb level or its equivalent for the purpose of this Chapter.

(49) Design Guidelines: A set of guidelines defining parameters to be followed in a site or building design and development.

(66) Escrow Fund: A separate fund or account held by the city used to cover expenses incurred by the city in processing and administering land use applications or to hold funds as a guarantee/security ensuring stipulations and conditions are adhered to.

(98) Line of Sight: a) For lakeside setbacks - An imaginary building line that connects the forward most parts of two adjacent principal buildings in relation to the Normal (Ordinary) High Water Mark and b) for non lakeside ~~street side front yard setbacks~~ — an imaginary building line that connects the forward most parts of two adjacent principal buildings in relation to the street side front lot line which also delineates the public right of way. The line of sight affects the lake side setback of lakeshore property and the front setback of non lakeshore property.

(159) Public Works: Any improvement facility or service, together with its associated public site or right-of-way necessary to provide transportation, drainage, public or private utilities, energy, or similar essential services.

(160) Public Works Superintendent: The official responsible for reviewing and administering land use and development applications affecting road permits, street parking, and other public infrastructure and utilities.

(216) Yard, Front (Street side): A yard extending along the full width of a ~~front~~ lot line abutting a public street between side lot lines and from the front lot line to the front building line in depth.

(217) Yard, Front (Lakeside): Any yard extending along the full width of a lot at ~~abutting~~ the ordinary highwater line (OHW) between side lot lines and from the OHW to the building setback line.

(222) Zoning Administrator: The official designated by the City Council who is responsible for administering and enforcing the zoning code.

400 - ADMINISTRATION - CONDITIONAL USE PERMITS

Section 400.6 Performance Security

- (b) The security shall be in the amount equal to one hundred twenty-five (125) percent of the ~~City Engineer's or City Building Inspector's~~ estimated costs of labor and materials for the proposed improvements or development and shall be approved by the Zoning Administrator. Said project can be handled in stages upon the discretion of the ~~City Engineer and Building Inspector~~ Zoning Administrator.
- (c) The City shall hold the security until completion of the proposed improvements or development and a certificate of occupancy indicating compliance with the conditional use permit and regulations of the City has been issued by the ~~City Building Inspector~~ Zoning Administrator.

500 - ADMINISTRATION - VARIANCES

Section 500.1 General Provisions and Standards

- (2) A variance from the terms of this Chapter shall not be granted unless it can be demonstrated that:
 - a. ~~Undue hardship~~ Practical difficulties will result if the variance is denied. ~~Undue hardship~~ Practical difficulties shall exist under the following circumstances:
 - 1. The applicant for the variance establishes that there are practical difficulties in complying with this chapter. "Practical difficulties," as used in connection with the granting of a variance, means that all of the following must be found to apply:
 - i. Reasonableness: The property owner proposes to use the land in a reasonable manner for a use permitted in the zone where the land is located, but the proposal is not permitted by other official controls;

- ii. Uniqueness: The plight of the landowner is due to circumstances unique to the property and that are not created by the landowner; and
- iii. Essential Character: The variance, if granted, will not alter the essential character of the neighborhood.

- 2. Economic considerations alone do not constitute practical difficulties. There are special conditions and circumstances which are peculiar to the land, structure or building involved.

~~Undue hardship caused by the special conditions and circumstances may not be solely economic in nature.~~

~~The property in question cannot be put to reasonable use if used under the conditions allowed by this ordinance. Reasonable use does not mean that the applicant must show the land cannot be put to any reasonable use without the variance. Rather, the applicant may show that it would like to use the property in a reasonable manner that is prohibited by the ordinance. "Practical difficulties" may justify a variance, including functional and aesthetic concerns.~~

- ~~b. Literal interpretation of the provisions of this Chapter would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Chapter, or deny the applicant the ability to put the property in question to a reasonable use.~~
- ~~c. The special conditions and circumstances causing the undue hardship do not result from the actions of the applicant.~~
- ~~d. Granting the variance requested will not confer on the applicant any special privilege that is denied by this Chapter to other lands, structures or buildings in the same district.~~
- b. The request is not a use variance.
- c. Variance requested is the minimum variance necessary to accomplish the intended purpose of the applicant.
- ~~g. Variance requested will not alter the essential character of the locality.~~

- (4) Should the Council find that the conditions outlined heretofore apply to the proposed lot or parcel, the Council may grant a variance from the strict application of this Chapter so as to relieve such difficulties ~~or hardships~~ to the degree considered reasonable, provided such relief may be granted without impairing the intent of this Chapter. The Planning Commission shall have the power to advise and recommend such conditions related to the variance regarding the location, character and other features of the proposed building, structure, or use as it may deem advisable in the interest of the intent and purpose of this Chapter.

Section 500.2 Procedures

Request for variances, as provided within this chapter, shall be filed with the Planning Commission on an official application form. Such application shall be accompanied by a fee as provided for by City Council ~~Resolution~~. Such application shall also be accompanied by ~~ten (10) copies of an~~ electronic file submittal with detailed written and graphic material fully explaining the proposed change, development, or use ~~and a list of property owners located abutting or immediately neighboring of the subject property obtained from and certified by Hennepin County or the City~~. The request for variance shall be placed on the agenda of the first possible Planning Commission meeting occurring fourteen (14) days after the date of submission of the application. The request shall be considered officially submitted when all the informational requirements are complied with.

- (d) The Zoning Administrator, Planning Commission, and City Council shall have the authority to request additional information from the applicant concerning physical or operational factors or to retain expert testimony with the consent and at the expense of the applicant concerning operational factors, said information to be declared necessary to establish performance conditions in relation to all pertinent sections of this Chapter. Failure of an applicant to supply all necessary supportive information may be grounds for denial of the request.

Section 500.4 Performance Security

- (a) Upon approval of a variance, the City shall be provided, where deemed necessary by the Council, with an irrevocable letter of credit, surety bond, cash in an escrow fund, certificate of deposit payable to the City, or cash deposit prior to the issuing of building permits or initiation of work on the proposed improvements or development. Said security shall guarantee conformance and compliance with the conditions of the variance and City Chapter provisions.
- (b) The security shall be in the amount equal to one hundred twenty-five (125) percent of the ~~City Engineer's or Building Inspector's~~ estimated costs of labor and materials for the proposed improvements or development and shall be approved by the Zoning Administrator.
- (c) The City shall hold the security until completion of the proposed improvements or development and a certificate of occupancy indicating compliance with the variance and City regulations has been issued by the ~~Building Inspector~~ Zoning Administrator.

Section 500.5 Certificate of Survey Required

A certified survey of the subject site in question shall be required to show present topography, boundary lines, and other significant features including structures, easements, significant landscape features (such as trees with a diameter of more than twelve (12) inches, wetlands, regulatory flood plain elevation, ordinary high water line). Survey ~~to~~ shall include features from the adjacent properties within twenty (20) feet of the subject property or sufficient to determine line of site setbacks.

800 - ENFORCEMENT AND PENALTIES

Section 800.1 Enforcement

This Chapter shall be administered and enforced by the ~~Building Inspector~~ Zoning Administrator who is appointed by the City Council. The ~~Planning Commission~~ Zoning Administrator may institute in the name of the City of Medicine Lake any appropriate actions or proceedings against a violator as provided by statute, charter, ordinance or regulation.

1000 - GENERAL BUILDING AND PERFORMANCE REQUIREMENTS

Section 1000.3 Platted and Unplatted Property

- (a) Any person desiring to improve property shall submit to the ~~Building Inspector~~ Zoning Administrator a Certificate of Survey of said premises and information on the location and dimensions of existing and proposed buildings, location of easements crossing the property, encroachments, and any other information which may be necessary to ensure conformance to City regulations.

Section 1000.4 Accessory Buildings, Uses and Equipment

- (e) Single Family Detached Uses
(1) b. Side Yard: 3 7 feet
c. Rear Yard: 3 7 feet

Section 1000.6 Fences

- (b) Locations. All boundary line fences shall be located entirely upon the private property of the person constructing such fence. The ~~Building Inspector~~ Zoning Administrator may require the owner of the property upon which a fence now exists, or may require any applicant for a fence permit to establish the boundary lines of a person's property by a survey thereof to be made by a registered land surveyor. In the event of disputed boundary line, the fence shall be at least three feet from the midpoint of the disputed lines.

Section 1000.16 Outside Storage, Residential, and Commercial and Industrial Uses

- (b) (6) A site plan documenting the location and grading of the storage operation shall be submitted and shall be subject to the approval of the City ~~Building Inspector~~ Zoning Administrator.

1100 - GENERAL YARD, LOT AREA AND BUILDING REQUIREMENTS

Section 1100.4 Building Type and Construction

- (c) (8) Architecturally treated cement board

Section 1100.5 Yards

(a) The following shall not be considered as encroachments on yard setback requirements:

- (1) Awnings, balconies, chimneys, flues, leaders, sills pilasters, lintels, ornamental features, cornices, buttresses, eaves, gutters, and the like provided they do not project more than two (2) feet into the yard and are no closer than 5 feet to the property line.

Section 1100.10 Single Family Dwellings

All single family detached homes shall:

- (c) Have a composition, slate, copper, shingled or tiled roof. In addition, metal tile and standing seam metal roof coverings may be allowed by approval of the Zoning Administrator, provided they meet the standards adopted by the Minnesota State Residential Code.

1200 – OFF-STREET PARKING REQUIREMENTS

Section 1200.4 General Provisions

Subpart (g) Stall, Aisle, and Driveway Design subpart (5) Surfacing of all areas intended to be utilized for parking space and driveways shall be surfaced with ~~bituminous, crushed rock or asphalt,~~ concrete, or pavers of a similar hard surface, to control dust and drainage. Driveways and stalls of five or more vehicles shall be surfaced with asphalt, ~~crushed rock or concrete,~~ or pavers of a similar hard surface. Runoff from gravel driveways in the forms of silt or sand must be kept from flowing down city streets or into waterways. ~~Plans for surfacing and drainage of driveways and stalls for five (5) or more vehicle shall be submitted to the Planning Commission for its review and the final drainage plan shall be subject to its written approval.~~

Section 1200.6 Location

- (c) There shall be no exterior storage, long term (30 or more days) off-street parking of vehicles, or parking of recreational vehicles or travel trailers within ~~fifteen~~ ten (10) feet of any ~~street surface~~ street side property line (also the road right-of-way line).

1500 - SITE/BUILDING PLAN REVIEW

Section 1500.2 Plan Required

In addition to other plan requirements outlined in this Chapter, site and construction plans will be required and shall be submitted to and approved by the Building Inspector and Zoning Administrator prior to the issuance of any building permit.

Section 1500.3 Council Action

Except in the case of minor projects, additions or alterations as determined by the ~~Building Inspector~~ Zoning Administrator, all building and site plans for multiple family or commercial construction shall be subject to review by the Planning Commission and approval by the Council.

Section 1500.5 Enforcement

The ~~Building Inspector~~Zoning Administrator shall have the authority to order the stopping of any and all site improvement activities, when and where a violation of the provisions of this section has been officially documented by the ~~Building Inspector~~Zoning Administrator.

1800 - LAND FILLING OPERATIONS

Section 1800.3 Technical Reports

- (a) The ~~Public Works Superintendent~~ ~~Building Inspector~~ shall process all land fill permit applications. Such applications, when determined to be necessary by the ~~Public Works Superintendent~~ ~~Building Inspector~~ and all those for more than fifty (50) cubic yards shall be forwarded to the Planning Commission. Where watersheds, flood plains and/or wetlands are in question, the Minnesota Department of Natural Resources and Bassett’s Creek Watershed Management Organization shall also be contacted. These technical advisors shall be instructed by the Planning Commission to prepare reports for the Council.

Section 1800.4 Issuance of Permit

- (a) Unless sent to the Planning Commission for review and comment, the ~~Public Works Superintendent~~ ~~Building Inspector~~ shall determine as to whether, and when, and under what conditions a land fill permit for less than fifty (50) cubic yards shall be issued.
- (b) Upon receiving information and reports from the Planning Commission, the Council shall make its determination as to whether, and when, and under what conditions such permit for a land fill greater than fifty (50) cubic yards is to be issued to the applicant by the ~~Public Works Superintendent~~ ~~Building Inspector~~.

Section 1800.5 Conditions of Operation.

- (c) Unless expressly extended by permit, the hours of operation shall be limited to 7:00 AM to 6:00 PM, Monday through Friday.

Section 1800.6 Security

The Council may require either the applicant or the owner or user of the property on which the land fill is occurring to post as security in such form and sum as the ~~Public Works Superintendent~~ ~~Building Inspector~~ and/or City Engineer Shall determine, with sufficient surety provided to the Planning Commission, conditioned to pay to the City the extraordinary cost and expense of repairing, from time to time, any ~~highways~~, streets or other public ways where such repair work is made necessary by the special burden resulting from hauling and travel in transporting fill material, the amount of such cost and expense to be determined by the ~~Public Works Superintendent~~ ~~City Building Inspector~~; and conditioned further to comply with all requirements of this Chapter, and the particular permit, and to pay any expense the City may incur by reason of doing anything required to be done by any applicant to whom a permit is issued.

Section 1800.8 Completion of Operation

- (a) All land fill operations shall be completed within ninety (90) days of the issuance of the permit. Upon completion the permit holder shall notify the Public Works Superintendent ~~Building Inspector~~ in writing of the date of completion. If additional time beyond the ninety (90) days is needed for completion, the permit holder may apply to the Planning Commission and upon a satisfactory showing of need, the Council may grant an extension of time. If such extension is granted, it shall be for a definite period and the Public Works Superintendent ~~Building Inspector~~ shall issue an extension permit. Extensions shall not be granted in cases where the permit holder fails to show that good faith efforts were made to complete the land fill operation within ninety (90) days and that failure to complete the operation was due to circumstances beyond the permit holder's control such as shortage of fill material, teamster's strike, unusually inclement weather, illness or other such valid and reasonable excuse for non-completion. In the event a request for an extension is denied, the permit holder shall be allowed a reasonable time to comply with the other provisions of this Chapter relating to grading, leveling and seeding or sodding. What constitutes such "reasonable time" shall be determined by the Public Works Superintendent ~~Building Inspector~~ after inspection of the premises.
- (b) At the completion of a land fill operation, the premises shall be graded, leveled, and seeded or sodden with grass. The grade shall be such elevation with reference to any abutting street or public way as the Public Works Superintendent ~~Building Inspector~~ shall prescribe in the permit. The site shall also conform to such prerequisites as the Public Works Superintendent ~~Building Inspector~~ may determine with reference to storm water drainage runoff and storm water passage or flowage so that the land fill cannot become a source of, or an aggravation to, storm water drainage conditions in the area.
- (c) The Public Works Superintendent ~~Building Inspector~~ shall inspect the project following completion to determine if the applicant has complied with the conditions required thereto. Failure of such compliance shall result in the withholding of any building permits for the site and notice of such withholding shall be filed in the office of the City Clerk for the purpose of putting subsequent purchasers on notice.

1900 - LAND EXCAVATION/GRADING

Section 1900.4 Technical Reports

- (a) The Public Works Superintendent ~~Building Inspector~~ shall immediately upon receipt of such applications forward a copy thereof to the City Council. Where watersheds and/or wetlands are in question, the Minnesota Department of Natural Resources and Bassett's Creek Watershed Management Organization shall also be contacted. These technical advisors shall be instructed by the Public Works Superintendent ~~Building Inspector~~ to prepare reports for the Council.

Section 1900.5 Issuance of Permit

Upon receiving information and reports from the Public Works Superintendent ~~Building Inspector~~, the Council shall make its determination as to whether, and when, and under what conditions such permit for an excavation or grading is to be issued to the applicant by the Public Works Superintendent ~~Building Inspector~~.

Section 1900.7 Security

The Council may require either the applicant or the Owner or user of the property on which the excavation or grading is occurring to post a security in such form and sum as the Council shall determine, with sufficient surety provided to the City, conditioned to pay to the City the extraordinary cost and expense of repairing, from time to time, and highways, streets or other public ways where such repair work is made necessary by the special burden resulting from hauling and travel in transporting excavated material, the amount of such cost and expense to be determined by the Public Works Superintendent ~~City Building Inspector~~; and conditioned further to comply with all requirements of this Chapter, and the particular permit, and to pay any expense the City may incur by reason of doing anything required to be done by any applicant to whom a permit is based.

Section 1900.9 Completion of Operation

- (a) All excavation and grading operations shall be completed within ninety (90) days of the issuance of the permit. Upon completion the permit holder shall notify the Public Works Superintendent ~~Building Inspector~~ in writing of the date of completion. if additional time beyond the ninety (90) days is needed for completion, the permit holder may apply to the City and upon a satisfactory showing of need, the Council may grant an extension of time. If such extension is granted, it shall be for a definite period and the Public Works Superintendent ~~Building Inspector~~ shall issue an extension permit. Extensions shall not be granted in cases where the permit holder fails to show that good faith efforts were made to complete the excavation operation within ninety (90) days and that failure to complete the operation was due to circumstances beyond the permit holder's control, such as teamster's strike, unusually inclement weather, illness or other such valid and reasonable excuse for non- completion. In the event request for an extension is denied, the permit holder shall be allowed a reasonable time to comply with the other provisions of this Chapter relating to grading, leveling and seeding or sodding. What constitutes such "reasonable time" shall be determined by the ~~City~~ Public Works Superintendent ~~Building Inspector~~ after inspecting the premises.
- (b) At the completion of an excavation or grading project, the premises shall be graded, leveled, and seeded or sodded with grass. The grade shall be such elevation with reference to any abutting street or public way as the ~~City~~ Public Works Superintendent ~~Building Inspector~~ shall prescribe in the permit. The site shall also conform to such prerequisites as the Public Works Superintendent ~~City Building Inspector~~ may determine with reference to storm water drainage runoff and storm water passage or flowage so that the excavation cannot become a source of, or an aggravation to, storm water drainage conditions in the area. The Public Works Superintendent ~~City Building Inspector~~ shall inspect the project following completion to determine if the applicant has complied with the conditions imposed as part of the permit.

3100 - "R-1" RESIDENTIAL SINGLE FAMILY DISTRICT

Section 3100.3 Accessory Uses

The following are permitted accessory uses in an "R-1" District:

~~All permitted accessory uses as allowed in the "R-1" Zoning District except the keeping of animals and buildings and structures related thereto.~~

- (a) Accessory buildings and structures as regulated by Section 1000 of this Chapter.

- (b) Accessory uses incidental and customary to the uses listed as permitted or conditionally permitted or conditional in this section.
- (c) Home occupations and home offices as regulated by Section 1600 of this Chapter.
- (d) Keeping of animals subject to Section 2300 of this Chapter.
- (e) Off street Parking as regulated by Section 1200 of this Chapter.
- (f) Recreational vehicles and equipment parking and storage as regulated by Section 1200.4 subpart (f).

Section 3100.5 Lot Requirements and Setbacks

- (c) Setbacks:
 - (1) Yard Front yards (Streetside): Fifty (50) feet minimum. For non-lake-shore lots the line of sight shall also apply.
 - (4) Yard Front (Lakeside) yards: As determined by the line of sight but not less than fifty (50) feet. Fifty (50) feet minimum or the line of sight whichever is greater.

3200 - "R-2" RESIDENTIAL SINGLE AND TWO FAMILY DISTRICT

Section 3200.5 Lot Requirements and Setbacks

(c) Setbacks:

(1) Yard Front yards (Streetside): Fifty (50) feet minimum. ~~For non-lake-shore lots the line of sight shall also apply.~~

(4) Yard Front (Lakeside) yards: ~~Fifty (50) feet minimum or as determined by the line of sight but not less than fifty (50) feet.~~ Fifty (50) feet minimum or the line of sight whichever is greater.

3500 - PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT

Section 3500.3 Submission Requirements

(a) (11) The ~~Building Inspector~~ Zoning Administrator may excuse an applicant from submitting any specific item of information or document required in this stage, which it finds to be unnecessary to the consideration of the specific proposal for PUD approval.

(12) The ~~Building Inspector~~ Zoning Administrator may require the submission of additional information or documentation which it may find necessary or appropriate to full consideration of the proposed PUD or any aspect or stage thereof.

(b) (2) Ten (10) sets of preliminary plans, drawn to a scale of no less than one (1) inch equals one hundred (100) feet or scale requested by the ~~Building Inspector~~ Zoning Administrator containing at least the following information:

Section 3500.4 Procedure for Processing

(b) Application Conference. Prior to filing of an application for a PUD, the applicant of the proposed PUD is encouraged to arrange for and attend a conference with the ~~Building Inspector~~ Zoning Administrator. The primary purpose of the conference shall be to provide the applicant with an opportunity to gather information and obtain guidance as to the general suitability of the proposal for the area for which it is proposed and its conformity to the provisions of this section before incurring substantial expense in the preparation of plans, surveys and other data.

(c)(2)a. Applicant shall meet with the ~~Building Inspector~~ Zoning Administrator to discuss the proposed developments.

(d)(3)a. 2. The City ~~Building Inspector~~ Zoning Administrator and/or consulting engineering firm for review of all engineering data and the City/Developer Agreement.

(d)(3)a.4. The ~~Building Inspector~~ Zoning Administrator or their agent for review of all plans for compliance with the intent, purpose and requirements of this Chapter and conformity with the General Concept Plan and Comprehensive Plan.

- (d)(3)a.6. When appropriate, as determined by the ~~Building Inspector~~ Zoning Administrator to other special review agencies such as the Watershed Districts, Soil Conservation Services or other review agencies and governmental jurisdictions.
- (d)(7) Site Improvements. At any time following the approval of Development Stage Plan by the Council, the applicant may, pursuant to the applicable City Code provisions, apply for, and the City ~~Building Inspector~~ Zoning Administrator may issue, grading permits for the area within the PUD for which Development Stage Plan approval has been given.
- (e)(2)a. Upon approval of the Development Stage Plan, and within the time established in this Chapter, the applicant shall file with the ~~Building Inspector~~ Zoning Administrator a Final Plan consisting of the information and submissions required of this Chapter for the entire PUD or for one or more stages. This plan will be reviewed and approved or denied by City staff.
- (e)(3) Except as otherwise expressly provided herein, upon receiving notice from the ~~Building Inspector~~ Zoning Administrator that the approved Final Plan has been recorded and upon application of the applicant pursuant to the applicable City Code provisions, all appropriate officials of the City may issue building and other permits to the applicant for development construction and other work in the area encompassed by the approved Final Plan provided, however, that no such permit shall be issued unless the appropriate official is first satisfied that the requirements of all codes and City Code provisions in which are applicable to the permit sought, have been satisfied.
- (e)(5)a. Compliance with Overall Plan. Following Final Plan approval of a PUD, or a stage thereof, the ~~Building Inspector~~ Zoning Administrator shall, at least annually until the completion of the development, review all permits issued and construction undertaken and compare actual development with the approved development schedule.
- (e)(5)b. If the ~~Building Inspector~~ Zoning Administrator finds that development is not proceeding in accordance with the approved schedule, or that it fails in any other respect to comply with the PUD plan as finally approved, the City shall: by ordinance revoke the PUD permit, and the land shall thereafter be governed by the regulations applicable in the district in which it is located; or shall take such steps as it deems necessary to compel compliance with the Final Plans as approved; or shall require the landowner or applicant to seek an amendment to the Final Plan.

3600 - "S" SHORELAND OVERLAY DISTRICT

Section 3600.7 Shoreland Alterations

- (c) Excavations on shorelands where the intended purpose is to connect to a public water, such as boat slips, canals, lagoons, and harbors, shall require a permit from the ~~Building Inspector~~ Zoning Administrator prior to commencement of construction. Such permit shall be obtained only after the Commissioner of the Department of Natural Resources has approved the proposed connection to public waters. Approval will be given only if the proposed work is consistent with applicable State regulations for work in beds of public waters.

Section 3600.8 Sewage Treatment and Water Supply

- (c) High Water Elevation. For lakes, ponds, or flowages, no structure, except docks, shall be placed at an elevation inconsistent with the minimum elevation requirements of the flood plain management regulations. When fill is required to meet this elevation, the fill shall be allowed to stabilize, and construction shall not begin until the property has been inspected by the Zoning Administrator ~~Building Inspector~~. Plans shall also be submitted to the Department of Natural Resources and Bassett’s Creek Watershed Management Association. Instances where flood plain elevations are not available, the lowest floor including basement, of structures shall be at a level at least one (1) foot above the 100 year flood elevation.

3700 "W" WETLAND SYSTEMS OVERLAY DISTRICT

Section 3700.4 Development Regulations

- (b) High Water Elevation for lakes, ponds, or flowages, no structure, except docks, shall be placed at an elevation such that the lowest floor, including basement floor, is less than one (1) foot above the highest known water level. In those instances where sufficient data on known high water levels are not available, the elevation of the line of permanent shoreland vegetation shall be used as the estimated high water elevation. When fill is required to meet this elevation, the fill shall be allowed to stabilize, and construction shall not begin until the property has been inspected by the ~~Building Inspector~~ Zoning Administrator. Plans shall also be submitted to the Department of Natural Resources and Bassett’s Creek Watershed Management Association.

Effective Date. This ordinance becomes effective upon passage and publication.

Adopted by the City Council of Medicine Lake this 6th day of November, 2019.

Scott Marks, Mayor
ATTEST: Nancy Pauly, City Clerk