

ORDINANCE NO. 26

ZONING ORDINANCE GREY CLOUD TOWNSHIP

TABLE OF CONTENTS

	<u>PAGE</u>
SECTION ONE. TITLE AND PURPOSE.	
A. Short Title.	3
B. Purpose.	3
SECTION TWO. GENERAL PROVISIONS.	
A. Interpretation.	3
B. Definitions.	4
C. Lots, Structures and Buildings.	8
D. Permitted Encroachments.	9
SECTION THREE. DISTRICT PROVISIONS.	
A. Districts	10
B. Uses in Residential, Commercial Extraction, Industrial and Conservancy Districts.	11
C. Minimum Requirements for R - 1, R - 2, and I Zoning Districts.	13
D. Additions and Exceptions to Dimensional Requirements for R - 1, R -2, and I Districts	14
E. Planned Unit Development.	16
SECTION FOUR. DEVELOPMENT STANDARDS.	
A. Site Planning Requirements.	17
B. Natural Resource Management	19
C. Glare.	27
D. Signs.	27
E. Off-Street Parking and Loading.	28
F. Exterior Storage and Refuse.	29
G. River Surface Use.	30
H. Roads, Utility and Pipeline Construction and Routing Regulations.	30

I.	Marinas, Barge Fleeting and Loading Facilities	32
J.	Riverfront Use and Access	33
K.	Sewage Treatment Plants.	34
L.	Standards for On-Site Sewage Disposal Systems	34
M.	Standards for Uses Within Designated Floodplains	35
N.	Standard for Subdivision of Property for Residential Commercial and Industrial Development.	35
O.	Dedication of Riverfront and Park Lands	35
 SECTION FIVE. MINERAL EXTRACTION REGULATIONS.		
A.	Purpose.	37
B.	Annual Permit Required.	37
C.	Termination of Permit.	38
D.	Nuisance Defined.	38
E.	Application.	38
F.	Operation Conditions	45
 SECTION SIX. ADMINISTRATION.		
A.	Variances.	48
B.	Conditional Use Permits.	49
C.	Zoning Amendment.	50
D.	Review Procedure.	51
E.	Board of Adjustments and Appeals.	52
F.	Fees.	53
 SECTION SEVEN. NON-CONFORMING USES.		
A.	General Provisions.	54
B.	Non-Conforming Uses, Buildings and Structures.	55
 SECTION EIGHT. ZONING DISTRICT MAP		
A.	C Conservancy District.	57
B.	I Industrial District	57
C.	C E Commercial Extraction District	58
D.	R - 1 Residential District.	60
 SECTION NINE. ENFORCEMENT AND EFFECTUATION.		
A.	Enforcement.	60
B.	Effectuation.	60

GREY CLOUD TOWNSHIP ZONING ORDINANCE

AN ORDINANCE REGULATING THE USE, ALTERATION, AND IMPROVEMENT OF LAND AND STRUCTURES, THE DENSITY OF POPULATION, THE SIZE AND LOCATION OF STRUCTURES AND OTHER IMPROVEMENTS, THE GRADUAL ELIMINATION OF NON-CONFORMING USES, AND THE IMPLEMENTATION OF THE CRITICAL AREA AND COMPREHENSIVE PLAN OF GREY CLOUD TOWNSHIP.

The Town Board of the Town of Grey Cloud ordains:

SECTION ONE. TITLE AND PURPOSE

A. Short Title.

This Ordinance shall be cited as the "Grey Cloud Township Zoning Ordinance".

B. Purpose.

This Ordinance is enacted in order to accomplish the following purposes:

1. Provide for orderly growth consistent with regional development policies, environmental guidelines, and, metropolitan system plans for waste management, parks and open space, airports, and transportation.
2. Stage land development to coincide with the availability of community services and facilities, and discourage premature urban development.
3. Preserve the open, scenic, and natural characteristics and ecological and economic functions of the land and waters of the township.
4. Conserve the recreational, cultural, and historic resources of the Mississippi River corridor.
5. Implement the township Critical Area and Comprehensive plan.

SECTION TWO. GENERAL PROVISIONS

A. Interpretation.

In the event of conflicting provisions in the text of this Regulation, the most restrictive shall apply. The language set forth in the text of this Ordinance shall be interpreted as follows:

1. The singular number includes the plural, and the plural the singular.

2. The present tense includes the past and the future tenses, and the future the present.
3. The word "shall" is mandatory, while the word "may" is permissive.
4. The masculine gender includes the feminine and neuter.
5. All measured distances shall be to the nearest integral foot. If a fraction is 1/2 foot or less, the integral foot next below shall be taken.
6. The Town Board shall clarify any questions as to the meaning or intent of this Ordinance. In their interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements. Wherever this Ordinance imposes greater restrictions than are imposed or required by other provisions of law or by other rules or regulations, the provisions of this Ordinance shall govern.

B. Definitions.

The following words and terms, wherever they occur in this Ordinance, shall be interpreted as herein defined.

1. Accessory Use or Structure - A use or structure subordinate to the principal use or structure on the same lot and serving a purpose customarily incidental thereto.
2. Barge Fleeting Area - A portion of the riverfront where barges are temporarily secured while awaiting loading, unloading, or shipment.
3. Barge Loading Facility - A facility located on the riverfront for the loading or unloading of a barge, either as part of trans-shipment of goods or related specifically to a product manufactured, stored, excavated, or utilized at the site.
4. Building - Any structure which is built for the support, shelter, or enclosure of person, animals, chattels or movable property of any kind and which is permanently affixed to the land.
5. Critical Area - The area known as the Mississippi River Corridor Critical Area designated by the Governor in Executive Order No. 130 dated November 1976.

6. Dwelling - A residential building or portion thereof, but not including hotels, motels, boarding or rooming houses, tourist homes or trailers.
7. Engineer - An engineer registered with the Minnesota Board of Registration for Architects, Engineers, Landscape Architects, and Land Surveyors.
8. Existing Lot - A lot or parcel of land which was of record as a separate lot or parcel in the Office of the Washington County Recorder, on or before the date of adoption of this Ordinance.
9. Family - A family is:
 - (a) An individual, or two or more persons related by blood marriage or adoption, living together, or
 - (b) A group of not more than five persons who need not be related by blood, marriage or adoption, living together as a single housekeeping unit in a dwelling unit, exclusive of usual servants.
10. Floor Area - The sum of the gross horizontal areas of the several floors of the building or portion thereof devoted to a particular use, including accessory storage areas located within selling or working space such as counters, racks or closets, and any basement floor area devoted to retailing activities, to the production or processing of goods, or to business or professional offices. However, the floor area shall not include: basement floor area other than area devoted to retailing activities, the production or processing of goods, or to business or professional offices. The floor area of a residence shall include 50% of the area of attached garages and enclosed breezeways or porches, but shall not include basement area.
11. Home Occupation - Any gainful occupation or profession engaged in by the occupant of a dwelling at or from the dwelling when carried on within a dwelling unit and not in an accessory building.
12. Land Surveyor - A land surveyor registered with the Minnesota Board of Registration for Architects, Engineers, Landscape Architects, and Land Surveyors.
13. Landscape Architect - A landscape architect registered with the Minnesota Board of Registration for Architects, Engineers, Landscape Architects, and Land Surveyors.

14. Lift Station - A facility, usually including pumping facilities for the lifting of sewage or stormwater to a higher sewage facility or stormwater runoff facility.
15. Marina - Facilities which may include piers or systems of floating or fixed access ways providing moorings for motor boats and yachts and offering supply, repair, and other facilities for said use.
16. Mining and Mineral Resource Extraction is defined as follows:
 - (a) Mining and mineral resource extraction shall include the excavation, removal, processing, or storage of sand, gravel, rock, soil, clay and other natural deposits.
 - (b) Mining and mineral resource extraction shall not include the excavation, removal, processing, or storage of rock, sand, dirt, gravel, clay or other material for the purpose of the foundation, cellar, or basement of some pending structure within the township, for which a permit has been issued and which is to be erected immediately following the excavation, removal, processing or storage.
 - (c) Mining and mineral resource extraction shall not include the removal or moving of materials in the construction of roads, sewer lines, storm sewer, water mains, surface water drainage,, agriculture or conservation purposes and sod removal. Nor shall mining include the moving of dirt for landscaping purposes on a lot used or to be used for residential purposes.
17. Natural Rate of Absorption - The amount of stormwater absorbed into the soil during a storm of once in twenty-year occurrence.
18. Normal High water Mark - A mark delineating the highest water level which has been maintained for a sufficient period of time to leave evidence upon the landscape. The normal high water mark is commonly that point where the natural landscape changes from predominantly aquatic to predominantly terrestrial.
19. Off-Street Loading Space - A space accessible from a street, alley, or driveway for the use of trucks while loading or unloading merchandise or materials. Such space shall be of such size as to accommodate one truck of the type typically used in the particular business.

20. Pipeline - An underground line of pipe including associated pumps, valves, control devices and other structures utilized for conveying liquids, gases, sewage or other finely divided solids from one point to another.
21. Pleasure Craft - A canoe, boat or yacht used primarily for recreational activity.
22. Public Stables - A stable where horses are kept for hire or sale.
23. Public Uses - Municipal, County, School District, State, Federal, and other public uses.
24. Public Utility Uses - Transmission facilities of electric power, petroleum products, gas, water, telephone and railroad companies. These include railroad trackage, but not storage and switching yards.
25. Retaining Wall - A structure utilized to hold a slope in a position in which it would not naturally remain.
26. Riverfront - Every lot or parcel of land which is immediately adjacent to the Mississippi River.
27. Septic Tank - Any device for the treatment and disposal of human waste which utilizes the percolation of the liquid portion of the waste into the soil, including all portions of said system which are not contained inside a building.
28. Set-Back - The minimum horizontal distance between a building and street or lot line.
29. Sign - A name, identification description, display, illustration, structure, or device which is affixed, painted, or represented directly or indirectly upon a building or other outdoor surface or piece of land, and which directs attention to an object, product, place, activity, person, institution, organization or business, and may be a single-face, double-face, or "V"-type structure. This definition will not be held to include a real estate sign advertising for sale or rent the property on which it stands.
30. Single-family Dwelling - A building intended for human habitation by one family or not more than six unrelated people.
31. Slope - The inclination of the natural surface of the land from the horizontal.

32. Structure - Anything manufactured constructed or erected which is normally attached to or positioned on land, including roads, buildings, and portable structures.
33. Substation - Any utility structure other than lines, pipelines, holes, or towers.
34. Terrace A relatively level area bordered on one or more sides by a retaining wall.
35. Utility Facility - Physical facilities of electric, telephone, telegraph, cable television, water, sewer, solid waste, gas, and similar service operations.
36. Water Body - Any lake, stream, pond, wetland, or river.
37. Water Dependent Use - Uses which in order to exist or function require a location on or use of the riverfront including, but not limited to, barge loading and barge fleeting areas, marinas, industries which receive or ship goods or materials by water as an essential part of their operation, boat and barge construction, dismantling and repair, riverfront recreation, intakes and outfalls, and water monitor and measuring facilities.
38. Warehousing - The storage of materials of equipment within an enclosed building.
39. Wetland - Any land which is seasonably wet or flooded including all marshes, bogs, swamps, and floodplains.
40. Wholesaling - The selling of goods, equipment and materials by bulk to another business that in turn sells to the final customer.

C. Lots, Structures and Buildings.

1. Except as hereinafter provided, no land or water body, and no structure, building or other improvement, shall be altered, occupied, used, moved, or erected, and no permit shall be issued, except in conformity with the regulations specified in this ordinance.
2. No new building shall be constructed on any previously unimproved site that does not abut on a public street as required by the zoning district in which it is to be located.

3. No accessory building structure, unless an integral part of the principal building, shall be erected, altered, or moved within 8 feet of the principal building.
4. All principal buildings hereafter erected on lots one acre in size or more shall be so placed as to avoid obstruction of future street or utility extensions, and to permit reasonably anticipated future subdivisions and land use.
5. Placement of Structures - No structures shall be placed on undeveloped islands, except for developments specifically related to wildlife preservation and open space uses and bridge piers when other considerations dictate that bridge crossing alignment.
6. Line of Sight - Development of new and the expansion of existing permitted uses shall be allowed provided they cannot be seen from the normal high water mark on the opposite side of the river. Water related uses such as barge loading facilities shall not be subject to this requirement.

D. Permitted Encroachments.

The following shall be considered as permitted encroachments on setback and height requirements.

1. In any yards:
 - (a) Posts, off-street open parking spaces, open terraces, awnings, open canopies, steps, chimneys, flag poles, and windmills.
 - (b) Public safety facilities, public bridges, and their roadway approaches, public roadways serving water related uses on the riverfront.
 - (c) Public recreation facilities, such as scenic overlooks, public observation platforms, and the regional trail system, docks, boat launching facilities.
 - (d) Approved river crossings of essential service, and essential services distribution systems which are primarily underground except for terminal and metering devices not exceeding six (6) feet in height, and supporting structures for transmission crossing spans.
 - (e) The construction of above-ground pumping stations which shall be screened from view of the river.

- (f) The reconstruction or restoration of historical structures or sites on the inventory of the State Historical Society or the National Register of Historic Places.
- 2. In front yards: Fences at least 80% open.
- 3. In side and rear yards: Fences or walls six feet in height or less. However, in a corner lot no obstruction higher than three feet above curb level shall be located within twenty feet of the lot corner formed by any two streets, or within fifteen feet of any street right-of-way.
- 4. In rear yards: Recreational and laundry drying equipment, open arbors and trellises, balconies, breezeways, porches, detached outdoor living rooms, barbecue facilities.
- 5. Height limitations shall not apply to barns, silos and other structures on farms; to church spires, windmills, belfries, cupolas and domes; monuments; chimneys and smokestacks; flag poles, public and public utility facilities; transmission towers of commercial radio broadcasting station; television antennae; parapet walls extending not more than four feet above the limiting height of the building; essential service distribution systems; bridges, bridge approach roadways, and transmission services; restoration and construction of historical sites and structures; structures associated with mineral extraction if essential to the mining operation as approved in mining permits.

SECTION THREE. DISTRICT PROVISIONS.

A. Districts.

For the purposes of this Ordinance, the following districts are hereby established.

- R - 1 The purpose of this Residential district is to protect agricultural and related uses, and to permit residential development at a density consistent with the Critical Area and Comprehensive plan, to stage growth at a rate commensurate with available public facilities, to protect environmentally sensitive areas, and to prevent groundwater pollution in accordance with regional water quality guidelines.
- R - 2 The purpose of this Residential district is to permit more economic use of land for residential development under circumstances where adequate on-site sewage systems will comply with regional water

quality guidelines, and where density will be consistent with the Critical Area and Comprehensive plan.

- C E The purpose of this Commercial Extraction district is to permit mineral resource extraction in accordance with the Critical Area and Comprehensive plan, to protect adjacent residential, agricultural and environmentally sensitive lands, and to ensure restoration and reclamation of lands disrupted by mining operations.

- I The purpose of this Industrial district is to permit limited industrial development in areas adjacent to major streets, and to ensure compatibility with adjacent residential and agricultural land uses, in accordance with the Critical Area and Comprehensive plan.

- C The purpose of this Conservancy district is to preserve, protect and manage environmentally sensitive areas having wet soils, steep slopes, exposed bedrock, or other unique, fragile, or unstable natural and biological characteristics, in accordance with the Critical Area and Comprehensive plan.

- PUD The purpose of this Planned Unit Development overlay district is to allow innovative and flexible design for residential developments while protecting sensitive natural resources, in accordance with the Critical Area and Comprehensive plan.

B. Uses in Residential, Commercial Extraction, Industrial and Conservancy Districts.

R - 1 and R - 2 Districts

- Permitted Uses: Agriculture, Domestic Pets, Tree and Shrub Nurseries, Single Family Detached Dwellings, Wildlife Preserve.

- Conditional Uses: Domestic Farm Animals, Commercial Animal Boarding, Commercial Antennae, Campgrounds for Tents and Tent Trailers, Cemetery, Church, Club or Lodge, Commercial Recreation, Government Building, Transmission Facility, Commercial Feed Lot, Greenhouse, Guest House, Home Occupation, Marina, Mobile Home-Temporary, Day Nursery, Park, Roadside Sales Stand, Swimming Pool, Recreational Vehicle Storage, Utility Substation.

Permitted Accessory Uses: Non-Commercial Boat Dock, Fences, Private Garage, Off-Street Parking, Private Recreation Equipment Storage, Storage Shed.

C E District

Permitted Uses: Agriculture; Antenna or Towers; Commercial Animal Boarding; Domestic Farm Animals; Tree and Shrub Nurseries; Utility Substation or Transmission Facility; Wildlife or Park Preserve.

Conditional Uses: Excavation, Removal, Processing, or Storage of Sand, Gravel, Rock, Soil, Clay and Other Natural Deposits; Explosives Storage; Barge Fleeting, Loading, or Unloading; Commercial Recreation; Office Structure; Signs.

Permitted Accessory Uses: Fences; Off-Street Loading or Unloading or Parking of Vehicles, Temporary Equipment Storage.

I District

Permitted Uses: Agriculture; Antenna or Towers; Armories, Convention Halls, and Similar Uses; Archery Range -Commercial Outdoors; Auto/Car Wash; Automobile Repair; Automobile Service Station; Business-Seasonal, Clubs or Lodges; Commercial Animal Boarding and Training; Commercial Recreation Areas and Recreation Equipment Storage; Domestic Farm Animals; Farm Equipment Sales and Storage; General and Limited Manufacturing; Golf Courses and Country Clubs; Governmental Uses, Buildings, and Storage; Grain Elevators; Greenhouses, Nurseries, and Garden Supply Centers; Manufacturing Equipment Storage; Offices; Open Lot Sales; Railroad Operations; Park; Rental and Sales of Automobiles, Campers, Trailers and Similar Vehicles; Repair and Storage Garage; Research Facility; Signs; Temporary Office Structure; Transmission

Services, Buildings, and Storage; Transportation Terminal; Utility Substation; Used Automobile Parts; Veterinary Clinic; Warehouse; Wildlife Preserve.

Conditional Uses: Blacktop or Crushing Equipment for Highways; Bulk Fuel Sales; Explosives Storage; Commercial Feed Lot; Flammable Gases and Liquids Storage or Processing; Signs.

Permitted Accessory Uses: Fences, Landscaping Fixtures, Off-Street Loading and Parking.

C. District

Permitted Uses: Agriculture, Domestic Pets, Tree and Shrub Nurseries, Wildlife Preserve, Park.

C. Minimum Requirements for R - 1, R - 2, and I Zoning Districts.

These minimum dimensional requirements are established for the following zoning districts.

ZONING DISTRICT DIMENSIONAL STANDARDS

	<u>R - 1</u>	<u>R - 2</u>	<u>I</u>
(1) Lot Area per dwelling unit	10 acres	5 acres	N/A
(2) Minimum non-residential lot area	N/A	N/A	5 acres
(3) Minimum floor area per dwelling unit	850 Sq. Ft.	850 Sq. Ft.	N/A
(4) Minimum lot width at front lot line	300 Ft.	150 Ft.	100 Ft.
(5) Minimum lot depth	250 Ft.	250 Ft.	250 Ft.
(6) Minimum front yard setback	40 Ft.	40 Ft.	40 Ft.
(7) Minimum side yard setback:			
- From street, corner lot	40 Ft.	40 Ft.	40 Ft.
- From interior lot line	20 Ft.	20 Ft.	20 Ft.

(8)	Maximum height	35 Ft.	35 Ft.	45 Ft.
(9)	Maximum floor ratio	30%	30%	40%
(10)	Maximum parking surface or structure ratio	50%	50%	80%

D. Additions and Exceptions to Dimensional Requirements for R - 1, R - 2, and I Districts.

Additional dimensional requirements for Commercial Excavation and for Planned Unit Development zoning districts are specified in other sections of this ordinance.

1. Lot Size Exceptions - In any area not served by sanitary sewer, the minimum lot size for a single family structure shall be at least ten (10) acres in an R-1 district, or at least five (5) acres in an R-2 district, unless the lot was approved by the township and said lot was recorded in the office of the Washington County Recorder prior to April 25, 1975 and meets the following criteria:
 - (a) The lot was in separate ownership from all abutting land on April 25, 1975.
 - (b) It can be demonstrated that a proper and adequate sewage disposal system can be installed.

2. Minimum Percentage - Any such lot or parcel of land less than two-and one-half (2 1/2) acres in a residential district may be used for single family detached dwelling purposes provided the area and width thereof are within sixty percent (60) of the minimum requirements of this section; provided all setback requirements of this ordinance can be maintained, and provided it can be demonstrated that a safe and adequate sewage treatment system can be installed to serve such permanent dwelling.

3. Contiguous Lots - If in a group of two or more contiguous lots or parcels of land owned or controlled by the same person, any individual lot or parcel does not meet the full width or area requirements of this ordinance, such individual lot or parcel cannot be considered as a separate parcel of land for purposes of sale or development, but must be combined with adjacent lots or parcels under the same ownership so that the combination of lots or parcels will equal one or more parcels of land each meeting the full lot width and area requirements of this ordinance.

4. Reduction of Required Yard of Lot Size Prohibited - No yard shall be reduced in area or dimension so as to make it less than the minimum required by this ordinance, and if the existing yard is less than the minimum required, it shall not be further reduced. No required yard currently used for a building or dwelling group shall be used to satisfy minimum lot area requirements for any other building.
5. Setbacks for Corner Lot.- Where a structure fronts on two streets, one of the front setbacks may be reduced by 1/3 from that required. The determination as to which front yard shall have the full setback will be made by the Planning Commission on the basis of prevailing setbacks in the immediate vicinity.
6. Residential Garages - The required side-yard setback may be reduced five feet in the case of a residential garage.
7. Front Setbacks - Where a vacant buildable lot is adjacent to structures existing at the time of adoption of this Ordinance having a substandard setback from that required by this section, the Planning Commission shall determine a reasonable, average, calculated front yard setback to implement the requirements of this section, and to fulfill its purpose and intent. However, in no case shall a building be required to be setback more than one hundred eighty (180) feet from the street centerline, except where an industrial district is adjacent to a residential district. In a residential district, the front yard setback shall conform to the determined setback line, unless the Planning Commission determines that another setback is more appropriate as provided herein.
8. Setbacks From Private Roads - All setback requirements of this section shall be applicable to private roads and easement access rights-of-way.
9. Structure Setback - All new structures shall meet the following minimum setbacks.
 - (a) Setback from bluffline No structure shall be constructed less than one hundred (100) feet landward from the bluffline of the river.
 - (b) Setback from normal high water mark - No structure or road shall be constructed less than one hundred (100) feet from the normal high water mark of any water body.

- E. Planned Unit Development.
1. Planned Unit Development may be permitted in any residential district following the completion and approval of a site plan for a Planned Unit Development. The specific regulations in this district are in addition to rather than in lieu of regulations imposed by any other zoning classifications for the same land. The Planning Commission and Town Board shall first find that the proposed development plan is in substantial compliance with the applicable standards of this Ordinance and the Critical Area/ Comprehensive Plan.
 2. Planned Unit Development shall be defined in this Ordinance as a residential development in which a number of single family dwelling units are grouped on smaller than usual lots, leaving some land undivided for common use by all residents of the development.
 3. Common land may be preserved as agricultural land, open recreational facilities or for preservation of natural or scenic resources.
 4. Except for minimum setbacks and height limitations for the district in which the development is proposed, altered dimensional standards may be allowed as exceptions to this Ordinance for Planned Unit Development, provided that:
 - (a) The number of dwelling units allowed shall not exceed the total number of dwelling units allowed if the development were based on the minimum lot size requirements for a single family subdivision.
 - (b) Open space shall be preserved. At least fifty percent (50%) of the site shall be kept in its natural state or utilized for recreation or agricultural purposes.
 - (c) In areas where public sewer and water are not available, adequate soil area shall be shown on the preliminary plat for two (2) individual septic drainfields for each dwelling unit or plans and tests which provide adequate space for one (1) central septic drainfield and one (1) reserve or back-up area.
 5. Complete plans and documents of the homeowners association are submitted which explain:
 - (a) Ownership and membership requirements.
 - (b) Organization of the association.
 - (c) Time at which the developer turns the association over to the homeowners.

- (d) Maintenance agreements, service contracts, and assessment provisions for on-site sewage disposal systems.
 - (e) Approximate monthly or yearly association fee for homeowners.
 - (f) Specific listing of items owned in common, including such items as roads, recreation facilities, parking, common open space grounds and utilities.
6. No PUD site plan shall be for an area less than ten (10) acres.
7. Private Streets - Whenever it does not contradict the provisions of this Ordinance as it relates to an adopted transportation plan or the protection of opportunities for reasonable development of surrounding land adjacent to a development proposed in the application, streets which are intended to be kept continuously closed to public travel or are at all times posted as private streets may be retained as private streets and so reflected upon the final plat made a part of the permit; provided an agreement is entered into between the owner of said streets and the township assuring that the construction, operation and maintenance of said streets will be accomplished in accordance with approved county standards, and that no public improvements will be approved.
8. Final Plat All applicants for residential, single family PUD developments shall be required to file with the County Recorder, a plat of said PUD development complying with all of the requirements of the Township Subdivision Ordinance, except to the extent that the Planning Commission may have given specific permission to the effect that specific portions of the Subdivision Ordinance may be waived. Such required plats shall be filed within one hundred twenty (120) days after the date of the action giving final approval.

SECTION FOUR. DEVELOPMENT STANDARDS.

A. Site Planning Requirements.

1. Site Plan Required - No building permit, zoning or subdivision approval or permit shall be issued for any action located in an area covered by this ordinance until a site plan has been prepared and approved in accordance with the provisions of this Ordinance, except that in a Commercial Excavation district an application shall be submitted as specified in Section Five of this ordinance.
2. Site Plan Application - A written application for site plan approval shall be filed with the township containing evidence adequate to show that the

proposed use will conform to the standards set forth in this Ordinance. Three (3) sets of clearly legible blue or black lined copies or drawings and required information shall be submitted along with all required filing fees and appropriate bond when required.

3. Site Plan Contents.

- (a) Site plans shall be prepared to a scale appropriate to the size of the project and suitable for the review to be performed.
- (b) The following information shall be provided in the site plan, unless waived by the Planning Commission after written request and justification submitted by the applicant:
 - (1) Location of property, including adjacent roads, subdivisions, or other landmarks; lot dimensions and boundaries.
 - (2) Name and address of owner (s) and developer (s) the section, township and range; date and scale of drawing; number of sheets.
 - (3) Existing topography by at least 10 feet contour interval; bluffline; waterbodies, wetlands, and streams; floodway and flood fringe lines; surface water drainage direction and collection.
 - (4) Soils description as identified by the Washington County Soil Survey.
 - (5) Areas of vegetation or historic significance; proposed landscaping area.
 - (6) Proposed alteration of drainageways, if any, and capacity.
 - (7) Erosion and sedimentation control during construction; excavation areas.
 - (8) Proposed size, alignment, height, and intended use of any structure or land to be erected or located on the site.
 - (9) Vehicular and pedestrian access.
 - (10) Areas dedicated for public use.

- (11) Suitability of soils for on-site waste disposal, and location of disposal system.

B. Natural Resource Management.

The following standards have been developed to promote, preserve, and enhance the natural resources within the Mississippi River Corridor Critical Area. No site plan which fails to satisfy these standards shall be approved. In the case of an application for a permit in a Commercial Excavation district, the application shall conform to the standards of this section, to the extent practicable as determined by the Town Board

1. Standards for Soil Erosion Control - Since certain areas within the Township have steep slopes or unstable soils which may cause ecological problems due to siltation and pollution of water bodies and streams, the following standards shall be applied to all development within the Township except certain areas designated for mining or excavation which shall comply with soil erosion standards in the mining ordinance:
 - (a) No development shall be permitted on slopes of eighteen (18) percent or more.
 - (b) Development activities shall be conducted and staged to minimize soil erosion: the smallest practical increment of land shall be developed at any one time and that increment shall be subjected to erosion for the shortest practical period of time, not to exceed a single construction season.
 - (c) Sufficient control measures and retention facilities shall be put in place prior to commencement of each development increment to limit gross soil loss from the development site to no more than five (5) tons per acre per year during development. Gross soil loss from construction sites adjacent to streams and lakes shall not exceed two (2) tons per acre per year.
 - (d) During construction, wetlands and other water bodies shall not be used as sediment traps.
 - (e) Conditions on the site will be stabilized within thirty (30) days following completion of the work such that the yearly gross soil loss from the site will be less than 0.5 tons per acre.

2. Standards for Development on Restrictive Soils - Certain soils in the township, without proper management, unsuitable for development due to specific conditions which increase the probability of pollution of ground water, erosion or other problems detrimental to the public health, safety, and welfare. Therefore, the following standards shall be applied to any development designated or identified as an area of restrictive or unsuitable soil:
 - (a) No on-site sewage disposal systems shall be allowed on soils located where the water table is permanently or seasonably four (4) feet or less from the ground surface nor shall such systems be allowed on soils having a permeability rate greater than 0.5 minute per inch.
 - (b) No on-site sewage disposal system shall be permitted on soils located over bedrock which lies less than five (5) feet below the ground surface or on soils having a permeability rate between 60 and 120 minutes per inch unless the applicant proves that a conventional soil system will be successfully modified, installed, and maintained such that the restrictive conditions will be overcome.
 - (c) No residential, commercial, or industrial development shall be permitted on soils where the water table is permanently or seasonably three (3) feet or less from the ground surface.
 - (d) No development shall be permitted on slopes greater than eighteen (18) percent.
 - (e) No residential development shall be permitted on soils which are susceptible to severe changes in physical volume when moistened or are susceptible to changes in volume during periods of front unless the applicant proves that construction techniques capable of overcoming the restrictive condition will be utilized.
 - (f) Industrial uses requiring bulk storage of chemicals will not be allowed in wet soils, shallow soils or soils with high permeability rates.
 - (g) No solid waste or hazardous waste disposal shall be permitted in soils having a permeability rate faster than 5.0 minutes per inch or soils over fractured carbonate bedrock within fifty (50) feet of the ground surface.
3. Standards for Wetland Protection - No area defined and designated as a wetland shall be developed without first obtaining a conditional use permit.

No permit shall be issued unless the proposed development complies with the following standards:

- (a) Filling - A minimum amount of filling may be allowed when necessary but in no case shall the following restrictions on total amount of filling be exceeded.
 - (1) Total filling shall not cause the total natural flood storage capacity of the wetland to fall below the projected volume of runoff from the whole developed wetland watershed generated by a 6" rainfall in 24 hours.
 - (2) Only fill free of chemical pollutants and organic wastes may be used.
 - (3) Wetlands shall not be used for solid waste disposal.
- (b) Dredging may be allowed only when a boat channel is required for access to a navigable lake or for a marina or when it will not have a substantial or significantly adverse effect upon the ecological and hydrologic characteristics of the wetland. Dredging when allowed shall be limited as follows:
 - (1) It shall be located so as to maximize the activity in the areas of lowest vegetation density.
 - (2) It shall not significantly change the water flow characteristics.
 - (3) The size of the dredged area shall be limited to the absolute minimum.
 - (4) Disposal of the dredged material shall not result in a significant change in the current flow, or in substantial destruction of vegetation, fish spawning areas or water pollution.
 - (5) Work in the wetlands will not be performed during the breeding season of water fowl or fish spawning season.
 - (6) Only one approved boat channel or marina shall be allowed per large-scale development.

- (7) In other residential developments, dredging shall be located so as to provide for the use of boat channels and marinas by two or more adjacent property owners.
 - (8) The width of the boat channel to be dredged shall be not more than the minimum required for the safe operation of boats at minimum operating speed.
- (c) Discharges:
- (1) No part of any sewage disposal system requiring on-land or in ground disposal of waste shall be located closer than 100 feet from the normal high water mark unless it is proven by the applicant that no effluent will immediately or gradually reach the wetland because of existing physical characteristics of the site or the system.
 - (2) Organic waste which would normally be disposed of at a solid waste disposal site or which would normally be discharged into a sewage disposal system or sewer shall not be directly or indirectly discharged to the wetlands
 - (3) Storm water runoff from construction sites may be directed to the wetland only when substantially free of silt, debris and chemical pollutants and only at rate which will not disturb vegetation or increase turbidity.
- (d) Building Constraints:
- (1) The lowest floor elevation of buildings if used for living quarters or work area shall be at least three (3) feet above the seasonal high water level of the wetlands
 - (2) Development which will result in unusual road maintenance costs or utility line breakage's due to soil limitations, including high frost action shall not be permitted.
- (e) Vegetation - No wetland vegetation may be removed or altered except that reasonably required for the placement of structures and use of property.

4. Standards for Woodland Protection - No area defined and designated as a woodland habitat area may be developed unless that development complies with the following standards, with the exception of trees seriously damaged by storms or other natural causes, or diseased trees, or as provided in Paragraph 7.
 - (a) Development shall be conducted so that the maximum number of trees are preserved by the clustering of structures in existing cleared areas and natural clearings, and the utilization of other site design techniques.
 - (b) Grading, contouring and paving shall not detrimentally affect the root zone aeration and stability of existing trees and existing trees shall be provided with a watering area equal to at least one half (1/2) the crown cover.
 - (c) When trees are removed, the permittee will restore the density of trees utilizing nursery stocks of a size generally accepted as suitable for the purpose to that which existed before the development, provided that in no case need the density exceed ten (10) trees per acre.
 - (d) Development shall not reduce the existing crown cover greater than fifty percent (50%) and shall be conducted in such manner as to preserve the understory and litter unless otherwise approved by the Township.
 - (e) Trees used in reforestation or landscaping must be compatible with the local landscape and conditions and not presently under disease epidemic.

5. Standards for Unique Habitat Protection - In order to protect and preserve unique resource areas and unique and/or endangered species of plants or animals which populate these areas from the impact of unplanned development; and to manage said areas and species for educational, recreational, scientific, aesthetic and conservation purposes, the following standards shall apply to any development within an area defined or designated as a unique Habitat Area:
 - (a) Structures, including utilities and roadways shall be sited so as to minimize the impact on natural areas and unique plant and animal species within the district.

- (b) No substantial alteration of the natural environment or removal of vegetation may be permitted, when such alteration or removal would significantly diminish the scientific, historical, educational, recreational or aesthetic value of the resource or where the alteration or removal would remove a unique or endangered plant species or the supporting environment or critical habitat of a unique or endangered animal species, or where such activities would have a significant detrimental impact upon the food supply, security, and reproductive cycle of the species.
- (c) The noise level during and following development may not exceed the State of Minnesota standards for nature exhibits set forth in Minnesota Regulations MPC-1, 2.
- (d) The vibration level, including the generation of vibrations during construction, shall not be allowed to reach a level which would endanger fragile resources including geological features.
- (e) Public access to historically significant natural resource areas or unique and endangered species of plants and animals should be controlled and limited so as to minimize the intrusion and impact upon the resources.
- (f) No uses likely to generate air pollution which will be toxic to plants or animals or otherwise detrimental to the resource shall be allowed.
- (g) Development shall not detrimentally affect the existing water quality including the chemical, biological and turbidity characteristics of any water body or water course.
- (h) Development shall not cause extreme fluctuations of water levels or unnatural changes in water temperature or changes in water currents or movements which may have significant impact on endangered or unique species of the natural resource area.

6. Standards for Grading and Filling.

- (a) With the exception of approved mining and mineral extraction operations, grading, filling, excavation, or otherwise changing the topography landward of the ordinary high water mark shall not be conducted without a permit. A permit may be issued only if:

- (1) Earthmoving, erosion, vegetative cutting, and the destruction of natural amenities is minimized;
 - (2) The smallest amount of ground is exposed for as short a time as feasible;
 - (3) Temporary ground cover, such as mulch, is used and permanent ground cover, such as sod is planted;
 - (4) Methods to prevent erosion and trap sediment are employed; and
 - (5) Fill is established to accepted engineering standards.
- (b) A separate grading and filling permit is not required for grading, filling, or excavating the minimum area necessary for a building site, essential services, sewage disposal systems, and private road and parking areas undertaken pursuant to a validly issued building permit.
7. Standards for Vegetation Management - The following standards shall apply for management of vegetation except for approved mineral extraction operations.
- (a) On developed islands, public recreation lands, the slope or face of bluffs within 200 feet of the normal high water mark of the river, and within the area forty (40) feet landward from blufflines, clear cutting shall not be permitted.
 - (b) On all other lands, clear cutting shall require a permit from the Town Board and shall be guided by the following provisions:
 - (1) Clear cutting shall not be used where soil, slope, or other watershed conditions are fragile and subject to injury.
 - (2) Clear cutting shall be conducted only where clear cut blocks, patches or strips are, in all cases, shaped and blended with the natural terrain.
 - (3) The size of clear cut blocks, patches or strips shall be kept at the minimum necessary.
 - (4) Where feasible all clear cuts shall be conducted between September 15 and May 15. If natural regeneration will not

result in adequate vegetative cover, areas in which clear cutting is conducted shall be replanted to prevent erosion and to maintain the aesthetic quality of the area where feasible, replanting shall be performed in the same spring, or the following spring.

- (c) The selective cutting of trees greater than 6" in diameter may be permitted by local units of government when the cutting is appropriately spaced and staged so that a continuous natural cover is maintained.
- (d) These vegetative management standards shall not prevent the pruning and cutting of vegetation to the minimum amount necessary for the construction of bridges and roadways and for the safe installation, maintenance and operation of essential services and utility transmission services which are permitted uses.

8. Standards for Surface Water Run-Off Management.

- (a) Raw sewage, seepage from on-site sewage disposal systems, pollutants and industrial wastes shall not be deposited into public waters.
- (b) Withdrawal of groundwater shall not result in reducing surface water levels.
- (c) Water released into the natural drainage system shall be directed so as not to travel over contaminated surfaces.
- (d) Storm water runoff may be directed to public water bodies provided that storm water runoff is substantially free of silt, debris and chemical pollutants and only at rates which will not disturb vegetation or increase turbidity.

9. Noise Control in Public Open Space Areas - Noise levels within public open space areas shall not exceed those for nature exhibits as set forth in Minnesota Regulations MPC-1, 2.

10. Management of Undeveloped Islands - Existing undeveloped islands shall be managed under the provisions of the Conservancy District and other provision in the Critical Area Overlay District. No structures except those provided for in Section Two shall be allowed.

C. Glare.

Any lighting used to illuminate an off-street parking area or sign shall be Arranged as to deflect light away from any adjoining residential zone or from the public streets. Direct or sky-reflected glare, whether from floodlights or from high-temperature processes, such as combustion or welding, shall not be directed into any adjoining property.

D. Signs.

1. Type - Identification signs are permitted in all districts. Business signs are permitted in the C E and I Districts. Outdoor advertising signs are not permitted in any district, except that For Rent and For Sale signs may be placed in any yard, providing such signs are not closer than 10 feet to any property line and do not exceed 10 sq. ft. in Residential Districts and 32 sq. ft. in other Districts.
2. Illumination - Illuminated but non-flashing signs are permitted in all Districts. The lighting must be indirect or diffused in Residential Districts.
3. Height - Signs must not be over 10 feet above grade in Residential Districts. In Industrial or Commercial Excavation Districts, no sign shall be over 35 feet above grade.
4. Setback - Any sign over 5 sq. ft. may project only two feet into the required front or side setback area.
5. Size - The following are maximum permitted (total area per use):
 - one and two-family dwellings - 2 sq. ft.
 - Other uses in Residential Districts - 24 sq. ft.
 - Industrial and Commercial Excavation Districts - one sq. ft. for each 100 sq. ft. of ground floor area.
6. Distraction - Business signs shall be sufficient to identify, but not to distract:
 - (a) Except for grand openings and holidays, banners and stringers may not be used.
 - (b) There shall be no use of revolving signs, revolving beacons, zip flashers, or similar eye-catching device.

- (c) There shall be no temporary signs in any required setback area. There shall be no more than three such signs on any parcel, and the total area of such signs may not exceed 30 sq. ft.

- 7. Wall Signs - Signs shall not be painted on the outside wall of a building or on a fence in any District.
- 8. Advertising signs are prohibited between the flood fringe borderline and all county, state, or federal highways located within 1,000 feet of the line, except where the river cannot be viewed from the highway due to natural topography or existing buildings.
- 9. Views of the water from vistas and public roads and views from the water shall not be impaired by the placement of business or advertising signs.
- 10. All advertising signs, the location of which is not in conformance with this section and the Washington County Zoning Code, are deemed non-conforming uses and shall be removed within seven years of the effective date of this ordinance.

E. Off-Street Parking and Loading.

- 1. Off-Street Parking - All uses shall provide off-street parking facilities. Any parking lot containing six parking spaces or more, which is used more than 10% of the time, shall be improved with a durable and dustless surface and shall be so graded and drained as to dispose of all surface water accumulation. All offstreet parking spaces shall have access off driveways and not directly off the public street. The following uses must provide off-street parking spaces as specified (each space equaling 300 sq. ft. of standing and maneuvering area):
 - (a) Residential Uses - Two spaces per dwelling unit.
 - (b) Places of Assembly - one space for each three seats or each five feet of pew length.
 - (c) Industry - one space for each employee (based upon maximum planned employment during any work period) or one space for each 800 sq. ft. of floor area whichever requirement is the greater.
 - (d) Parking requirements for uses not listed shall be determined by the building inspector upon basis of probable parking need.

2. Off-Street Loading-- All industrial uses shall provide off-street loading space on the basis of the following minimum requirements:

<u>Sq. Ft. of Aggregate Gross Floor Area</u>	<u>Minimum Required Number of Berths</u>
Up to 10,000	0
10,000 to 16,000	1
16,000 to 40,000	2
For Each Additional 40,000	1 Additional

- (b) The size of the berths will depend upon the size of the trucks to be used.
- (c) No loading berth of vehicles over two-tons capacity shall be closer than 100 feet to any residence district unless completely enclosed by building walls not less than eight feet in height.
- (d) Where noise from loading or unloading activity is audible in a residential district, the activity shall terminate between the hours of 7:00 P.M. and 7:00 A.M.

F. Exterior Storage and Refuse.

1. Exterior Storage - All materials and equipment shall be stored within a building or fully screened (so as not to be visible) from adjoining properties, except for the following:
 - (a) Laundry drying and recreational equipment.
 - (b) Agricultural equipment and materials on farms.
 - (c) Off-street parking and loading.
 - (d) Materials being used for construction or landscaping on the premises.
2. Refuse - All waste material, debris, refuse, or garbage shall be kept in an enclosed building or properly contained in a closed container designated for such purpose. The owner of vacant land shall be responsible for keeping such land free of refuse.

G. River Surface Use.

Due to problems with erosion of shoreland and nuisances because of noise, the following standards for use of the surface waters shall apply:

1. Water surface use on backwater areas and lakes shall be restricted so as not to cause unnecessary wakes.
2. Any use of lakes or backwater areas for aircraft shall require a conditional use permit.
3. Docks and piers may be allowed subject to local review and approval by the applicable state or federal agencies.

H. Roads, Utility and Pipeline Construction and Routing Regulations.

1. Utility Facilities - Utility crossings or routing shall meet the following standards:
 - (a) Underground placing of the utility facility shall be required unless economic, technological and land characteristic factors make underground placement infeasible. Economic considerations alone shall not be made the major determinates regarding feasibility.
 - (b) Overhead crossings, if required, shall meet the following criteria:
 - (1) The crossings shall be adjacent to or part of an existing utility corridor, including bridge or overhead utility lines.
 - (2) All structures utilized shall be as compatible as practicable with land use, scenic views, and existing transmission structures in height, material, color and design.
 - (3) Right-of-way clearance shall be kept to a minimum.
 - (4) Vegetative screening shall be utilized to the maximum extent consistent with safety requirements.
 - (5) Routing shall avoid unstable soils, blufflines, or high ridges; the alteration of the natural environment, including grading, shall be minimized.
 - (c) Utility substations shall be subject to the following standards:

- (1) New substations or refurbishment of existing substations shall be compatible in height, scale, building materials, landscaping, and signing with the surrounding natural environment or land uses. Screening by natural means is encouraged and should be compatible with the surrounding environment.
- (d) Pipelines and underground utility facilities shall be subject to the following standards:
 - (1) The facilities shall be located to avoid wetlands, woodlands, and areas of unstable soils.
 - (2) All underground placing of utility facilities and pipelines shall be followed by revegetation and rehabilitation to the conditions which existed on site prior to development.
- (e) Public and Private Roads and Railways - New roads and railways shall meet the following standards:
 - (1) Roads and railways shall be constructed to minimize impacts on the natural terrain and natural landscape.
 - (2) Cuts and fills are to be avoided.
 - (3) New roads and railways shall not utilize the river corridor as a convenient right-of-way for new arterials or main lines.
 - (4) New roads and railways shall be restricted to those facilities needed to access existing and planned residential, commercial, and industrial uses.
 - (5) All new roads and railways shall provide safe pedestrian crossing points to allow access to the riverfront. Rest areas, vistas and waysides shall be provided as needed.

I. Marinas, Barge Fleeting and Loading Facilities.

1. Boat Launching Ramps.

- (a) Boat launching ramps may be located only where access streets are adequate to handle the traffic load generated by the facility.

- (b) Shared or joint use accessory parking will be preferred. Loading will be permitted only at ramps. Parking areas must be screened from the river and adjoining residential property and located at least one hundred (100) feet from the normal high water mark.
 - (c) The impact of the accessory parking must not adversely effect the environmental quality of the site or the surrounding neighborhood.
 - (d) Boat launching ramps and minor accessory buildings and haul-off facilities must be in character and scale with the surrounding neighborhood.
2. Public Marinas - Public marinas shall be permitted subject to the following conditions:
- (a) The marina must have lavatory facilities adequate to serve the marina clientele.
 - (b) Off-street parking areas should be provided in accordance with the requirements set forth for boat launching ramps.
 - (c) Areas for the winter storing of boats should be naturally screened from view from the river and from up-land lots.
 - (d) The marina shall be designed for and used only by pleasure craft.
 - (e) Accessory uses customarily incidental to public marinas including fueling stations may be permitted providing they are consistent in scale and intensity with the marina and surrounding uses.
3. Barge Fleeting, Loading and Storage - Barge fleeting, loading and storage shall be permitted only in compliance with the following provisions:
- (a) Any barge cleaning facilities must be serviced by public sewer.
 - (b) Barge fleeting areas shall be located more than two hundred (200) feet from marina access and boat access points in order to provide a clear line of sight for boaters using these facilities.
 - (c) Barge fleeting areas shall not be located immediately adjacent to park areas, unless it is shown that there is no conflict with the park usage.
 - (d) Existing trees shall not be utilized for tie-up facilities.

(e) First priority for new barge fleeting site shall be given to those sites adjoining industrial and commercial areas and where the topography serves as a buffer from noise and visual obstructions.

4. Pilings, Dredging, and Filling - No pilings shall be driven into the riverbed except as is necessarily incident to water dependent uses. Landfill and dredging shall not be permitted except as incident to a water dependent use when no feasible alternative exists. Dryland disposal of dredge spoils may be authorized only on shore sites which contain no unique or valuable resources.

J. Riverfront Use and Access.

1. Public pedestrian access shall be provided to the riverfront of public property when and where practical.

2. Public pedestrian access shall be provided to the riverfront of developments on publicly owned and publicly controlled riverfront property whether leased or private leasees or not, except where:

(a) Unavoidable hazards exist to the public.

(b) Public pedestrian access at a particular location cannot be designed or developed to provide a pleasant view or recreational experience.

(c) Access to the riverfront may be denied to any person who creates a nuisance or who engages in illegal conduct on the property, public access may be temporarily or permanently closed upon a finding that such offensive conduct cannot otherwise be reasonably controlled.

3. Public Access - Private Property. Public pedestrian access shall be provided to the riverfront for all non-water dependent uses which are:

(a) Developed as a planned unit development or requiring subdivision approval.

(b) Access to the riverfront may be denied to any person who creates a nuisance or who engages in illegal conduct on the property, public access may be temporarily or permanently closed upon a finding that such offensive conduct cannot otherwise be reasonably controlled.

4. Riverfront Uses Riverfront uses shall be preferred in the following order:
 - (a) Water dependent.
 - (b) Non-water dependent with public pedestrian access.
 - (c) Non-water dependent without public pedestrian access.

K. Sewage Treatment Plants.

The provisions of sewage treatment plants, sewage outfalls and water intake facilities shall:

1. Conform with the dimensional standards and criteria in this Section.
2. Dedicate the unused river frontage after construction, for public access or recreation open space use.
3. Not include new combined storm and sanitary sewer outfalls.

L. Standards for On-Site Sewage Disposal Systems.

Any premises intended for human occupancy must be provided with an adequate method of sewage disposal. Public or municipal collection and treatment facilities must be used where available and where feasible. Where public or municipal facilities are not available, all on-site individual sewer disposal systems shall conform to the minimum standards as set forth in MPCA WPC-40 and this Section of this Ordinance. A septic/drainfield system shall be the only acceptable system for installation unless it can be demonstrated that this system is not feasible on the particular lot in question and it can be demonstrated that the system being proposed as an alternate will not cause a pollution problem.

1. No person, firm or corporation shall install, alter, repair, or extend any individual sewer disposal system without first obtaining a permit for the specific installation, alteration, repair, or extension thereof.
2. All parts of an on-site sewage disposal system shall be located at least one hundred (100) feet from the normal high water mark and from blufflines.
3. No on-site sewage disposal system shall be placed within designated floodplains.

M. Standards for Uses Within Designated Floodplains.

All land in the Mississippi River Corridor Critical Area that is within the designated floodplain shall comply with the standards of the County and Township's floodplain and shoreland management ordinances.

N. Standard for Subdivision of Property for Residential, Commercial and Industrial Development.

No land shall be subdivided which is found to be unsuitable for reason of flooding, inadequate drainage, soil and rock formations with severe limitations for development, severe erosion potential, unfavorable topography, inadequate water supply or sewer disposal capabilities or any other feature likely to be harmful to the health, safety, or welfare of the future residents of the proposed subdivision or the community. The Town Board in applying the provisions of this section shall in writing cite the particular features upon which it bases its conclusions that the land is not suitable for the proposed use and afford the subdivider an opportunity to present evidence regarding such suitability at a public hearing. Thereafter, the Town Board may affirm, modify, or withdraw its determination of unsuitability. All subdivisions shall comply with the applicable provisions of the Subdivision Ordinance.

O. Dedication of Riverfront and Park Lands.

1. The subdivider shall consult with the Planning Commission, at the time his sketch plan is under consideration, to secure their recommendation as to the location of any property that should be dedicated to the public, such as parks, riverfront, scenic overlooks, or other public property. The plan shall show the location and dimensions of all areas to be dedicated in this manner.

Where a proposed drainage way, park, playground, scenic overlook, riverfront access or other public site, as shown on the Critical Area and Comprehensive Plan is embraced in part or in whole by the boundary of a proposed subdivision and such public sites are not dedicated, such sites shall be reserved and no action taken towards approval of a plan or plat for a period not to exceed ninety (90) days to allow the proper governmental agency the opportunity to consider and take actions towards acquisition of such public ground or park by purchase or other methods.

2. In all new residential subdivisions, commercial extraction and industrial developments, a portion of the area to be developed shall be dedicated for public

open space, riverfront access, or other public use with such dedication being in addition to property dedicated for streets, alleys, school sites, easements, or other public ways.

- (a) No areas may be dedicated for public use until they have been approved by the governing body as being suitable and needed for the public health, safety, convenience and/or general welfare. In those instances where the Town Board deems it in the public interest to require open space dedication from commercial or industrial subdivisions or developments, it may require dedication of ten (10) percent of the undeveloped land proposed to be subdivided or developed. Said dedicated lands shall be reserved for public use as parks, playgrounds, public open space, or any combination thereof.

- (b) It shall be deemed to be in the public interest to require open space dedication from a particular commercial or industrial subdivision or development when the governing body, after review and recommendation by the Planning Commission, makes one or more of the following affirmative findings of fact:
 - (1) All or part of the land proposed to be subdivided or developed has been previously designated as open space on the pertinent officially adopted plans of the governing body.

 - (2) The land proposed to be subdivided or developed adjoins existing park or open space property.

 - (3) All or part of the property proposed to be subdivided or developed is adjacent to a residentially zoned district and that an open space area is or will be in the near future necessary to protect the adjacent residents from safety or health hazards which are reasonably foreseeable from any of the permitted or conditional uses which would exist on the land to be subdivided.

 - (4) The land proposed to be subdivided or developed contains or borders upon existing unique topographical features including but not limited to ponds, lakes, streams, timber stands, water holding areas, hills, or bluffs, which should be preserved and reserved to all the public to prevent foreseeable safety hazards or to provide unique recreational and aesthetic enjoyment to the people or to maintain the public usefulness of the naturally created water holding areas.

- (c) In the event of practical difficulties or physical impossibility, the developer shall be required to contribute an equivalent amount of cash in lieu of the open space land dedication. The governing body shall use this cash contribution only for the acquisition of land for parks, open space, scenic overlooks, river access or other public services within the Township.

SECTION FIVE. MINERAL EXTRACTION REGULATIONS.

A. Purpose.

This Section is adopted for the purpose of:

1. Ensuring conformity of mining operations with the township Critical Area and Comprehensive plan.
2. Controlling the effects of noise, dust, erosion, traffic, drainage, ground water pollution, and other factors related to mining upon adjacent property and the township in general.
3. Ensuring the restoration of the mining area to make the site compatible with township land use patterns, and to promote the reuse of mining area for recreational, residential, commercial, industrial, or other purposes.

B. Annual Permit Required.

1. It shall be unlawful for any person, partnership, corporation, or other entity to engage in mining within the township or for a property owner to permit a person to mine on his property, without first having obtained an annual mining permit from the Town Board.
2. Persons, partnerships, corporations or other entities now conducting mining operations in the township in accordance with an annual mining permit approved by the Town Board may continue such operations, but upon expiration of the annual mining permit, shall make application for a permit in accordance with the requirements of this Ordinance.
3. The annual permit shall be issued only after a public hearing following ten days posted and published notice and notification of adjoining landowners. Any issued permit shall be posted by the applicant at the excavation site.
4. A permit, when issued, shall be valid for one year unless terminated pursuant to this Section.

C. Termination of Permit.

1. The Town Board may terminate a mining permit for violation of this Ordinance or a condition of the permit, or for other cause.
2. To terminate a permit, the Town Board shall give notice of the violation of other cause for the termination along with an order that the condition be remedied. If the condition has not been repaired within a reasonable time, and not less than two weeks, the Town Board shall hold a hearing to determine whether the permit should be terminated.
3. No mining shall take place after the permit is terminated pursuant to this Section.

D. Nuisance Defined.

1. Where unsafe conditions or conditions in violation of this Ordinance or the permit exist, said conditions are hereby declared to be a nuisance, and the Town Board may give notice to the operator or owner to abate the same.
2. If after a reasonable time for repair of the condition, it still exists, the Town Board may abate the nuisance and the costs of such work may be reimbursed by application of the bond or other security, as provided in this Section.

E. Application.

1. The application and five copies for the annual mining permit required in this Section shall be filed with the township clerk for approval by the Town Board. Application for renewal of the permit shall be made at least ninety (90) days prior to the termination of the previous permit. The application shall be made in the name(s) of the operator of the mine and the owner of the land to be mined. The application shall contain the following information.
2. Inventory of Existing Conditions.
 - (a) Legal name and address of the operator and owner of the land.
 - (b) A reproducible copy, either chronoflex or its equivalent, of a survey prepared by a registered land surveyor drawn to a scale of one inch equals two hundred feet (1" = 200'). The survey shall show the following:

- (1) The boundary of the entire area proposed for mining by metes and bounds, and total acreage.
- 2) The boundary of the area presently zoned for mining by the township, and total acreage.
- (3) Location of public roads, railroad ROW, easements, meandered water bodies, and other public land, structures, or facilities.

The survey shall be accompanied by a metes and bounds description in writing of the area proposed for mining. In the case of application for renewal of an annual mining permit, the applicant shall annually review the original survey for accuracy and amend as necessary.

- (c) Names of all adjacent landowners within a one-half mile radius of the perimeter of the application area.
- (d) Copies of any portions of agreements indicating the duration of any lease or easement, if applicable.
- (e) A vertical aerial photograph, enlarged to a scale of one inch equals two hundred feet (1" = 200') from the original photograph flown at a negative scale of one inch equals eight hundred feet (1" = 800'), and certified as flown not more than 24 months prior to the date on which the application is submitted. The area covered by the photo shall include all of the area proposed for mining and adjacent property within a quarter-mile of the proposed mining boundaries.
- (f) A separate map or drawing prepared by a registered landscape architect, engineer, or land surveyor, showing topographic data for the area proposed for mining, including contours at vertical intervals of not more than five feet. Water courses, marshes, wooded areas, rock outcrops, transmission poles and lines, pipelines, roads and other significant features shall be shown. USGS data shall be used for all topographic mapping where feasible. The topographic data shall be certified by the applicant as current within 24 months of the date of application.
- (g) A separate map or drawing, prepared by a registered landscape architect, engineer, or land surveyor, and drawn to a scale of one inch equals two hundred feet (1" = 200'), showing soils in the area proposed for mining, as inventoried by the U.S. Soil Conservation Service according to the name and location of each soil type. The

map or drawing shall be accompanied by a written analysis of the soil properties, as classified by the Soil Conservation Service.

- (h) A separate map or drawing, prepared by a registered landscape architect, engineer or land surveyor, and drawn to a scale of one inch equals two hundred feet (1" = 200'), showing the basic geologic formations within the area proposed for mining.
- (i) A separate map or drawing, prepared by a registered landscape architect, engineer, or land surveyor and drawn to a scale of one inch equals two hundred feet (1" = 200'), for each of the following hydrologic features:
 - (1) A floodplain map showing the 100-year floodplain as calculated from U.S. Army Corps of Engineers floodplain data.
 - (2) Subsurface water flow patterns as indicated by potentiometric contours; and rates of subsurface water flow.
 - (3) Surface water drainage patterns including subwatersheds, direction of flow, and a general description of run-off water volumes for at least a ten year storm.
- (j) A separate map or drawing, prepared by a registered landscape architect, and drawn to a scale of one inch equals two hundred feet (1" = 200'), showing dominant coverstory, understory, and aquatic and emergent plant communities, and accompanying written statement as to value for supporting fish and wildlife.
- (k) A separate map or drawing, prepared by a registered landscape architect, engineer, or land surveyors and drawn to a scale of one inch equals two hundred feet (1" = 200'), showing general road and street circulation patterns within one-half mile of the boundaries of the proposed mining area, the bearing capacity of roads proposed to be used for mineral transportation, existing on-site hauling roads, and existing barge fleeting and loading area, including peak number of barges.
- (1) A separate map or drawing, prepared by a registered landscape architect, and drawn to a scale of one inch equals two hundred feet (1" = 200'), showing wildlife habitat for mammals, upland game birds, waterfowl, songbirds and reptiles in the proposed mining area, including any endangered or threatened species.

In the case of application for renewal of an annual mining permit, the applicant shall review the original submissions required in the preceding subparagraphs (f) through (1); if no significant changes have occurred, the applicant may reference to the original submissions. With the prior approval of the Town Board, the applicant may combine one or more of the maps described in the preceding subparagraphs (f) through (1).

3. Operation Plan.

- (a) A separate map or drawing, prepared by a registered landscape architect, engineer, or surveyor, and drawn to a scale of one inch equals two hundred feet (1" = 200'), showing the following proposed activities for the permit year:
- (1) Clearing operations including a written statement describing removal and processing techniques and timing.
 - (2) Stripping operations, including a written statement describing depth of soil and overburden, removal techniques, and timing.
 - (3) Stockpiling operations, including location of topsoil and overburden stockpiles, and a written statement describing timing and simultaneous extraction and reclamation program, if any.
 - (4) Extraction operations, including location of proposed drilling, blasting, loading, dewatering, proposed pit depths, and cross-section of typical pit area and slope bank.
 - (5) Transportation facilities, including proposed on-site roads, proposed barge loading and fleeting areas, and estimated barge capacity for each area.
 - (6) An estimate prepared by a registered landscape architect or engineer of the total number of cubic yards of material to be removed or stored at the site during the permit year.
- (b) A separate map or drawing, prepared by a registered landscape architect, engineer, or land surveyor, and drawn to a scale of one inch equals two hundred feet (1" = 200'), showing the proposed sequence of extraction and reclamation by at least an approximate ten-year interval, for the projected lifetime of the proposed mining site.

- (c) A separate map or drawing, prepared by a registered landscape architect, engineer, or land surveyor, and drawn to a scale of one inch equals two hundred feet (1" = 200'), showing plans for drainage, sedimentation, and wind and water erosion control, and accompanied by a written statement, as appropriate. These plans shall be referred to the Washington County Soil and Water Conservation District for review and recommendations by the Town Board. These plans shall include the elevations of all abutting drainage conditions where the same affects the subject property.
4. Reclamation Plan - To provide for an orderly, sequential rehabilitation of all land permitted to be excavated, and to prepare the mined land for its ultimate re-use in accordance with township plans, policies, and regulations, a reclamation plan shall accompany each annual mining permit application. The reclamation plan shall be submitted by the applicant in three parts: (1) a general plan as an overlay for the vertical aerial photograph specified in Paragraph (e)(2) of this Section; (2) a reclamation contour plan; and (3) a description of reclamation and materials proposed for renewal of topsoil and planting.
- (a) General Plan for Reclamation - A general plan for reclamation, prepared by a registered landscape architect, and drawn to a scale of one inch equals two hundred feet (1" = 200'), shall be presented on a transparent overlay at the same scale as the vertical aerial showing:
 - (1) Area and acreage of completely reclaimed land as of the date of the annual mining permit application.
 - (2) Area and acreage of reclamation underway as of the date of the annual mining permit application.
 - (3) Area and acreage proposed for reclamation during the proposed permit year.
 - (4) Proposed final land use and supporting facilities shall be shown on a second transparent overlay, prepared in the same manner as described above.
 - (b) Reclamation Contour Plan - A reclamation contour plan shall be prepared by a registered landscape architect, and drawn to a scale of one inch equals two hundred feet (1" = 200'), indicating grading and sloping of mined areas, including:
 - (1) Landform topography at five foot contour intervals.

- (2) Specific slope of banks, and cross-sections of representative slopes.
 - (3) Average depth of topsoil and overburden of reclaimed landforms.
 - (4) Water impoundment areas, including surface acreage and elevations, public or private access, and typical cross-sections.
- (c) Topsoil and Replanting Plan - A general plan for replacement of topsoil and replanting, prepared by a registered landscape architect, drawn to a scale of one inch equals two hundred feet (1" = 200'), and accompanied by a written report, shall describe the following:
- (1) Seedbed and seed mix.
 - (2) Species, size, quantity, and location of trees, shrubs, and grasses.
 - (3) Planting season.
 - (4) Visual screening.
 - (5) Wildlife species to be introduced, if any.
 - (6) Required topsoil fertility.
- (d) Reclamation Standards - The applicant shall abide by the following operating and land rehabilitation practices:
- (1) Excavations resulting in the accumulation of substantial water areas after rehabilitation must meet the following requirements:
 - (A) The water depth must average at least three feet, to avoid stagnant water bodies.
 - (B) All banks shall be sloped to the waterline at a slope not to exceed four (4) feet horizontal to one (1) foot vertical, except that where soils and geological conditions permit, the Town Board may allow a steeper slope.
 - (C) All banks shall be sodded or surfaced with soil of a quality at least equal to the topsoil of land areas immediately surrounding and to a depth of at least three inches.

- (D) Such topsoil as required by subsection 3 above shall be planted with trees, shrubs, legumes or grasses upon the parts of such area where revegetation is possible.
- (2.) Excavations not resulting in water areas after rehabilitation but which must be graded or back-filled, shall meet the following requirements:
- (A) Such grading or back filling shall be made with non-noxious, non-flammable, non-combustible solids.
 - (B) The graded or back-filled area shall not collect or permit stagnant water to remain therein.
 - (C) The peaks and depressions of the area shall be reduced to a gently rolling topography in substantial conformity to the land area immediately surrounding and which will minimize erosion due to rainfall.
 - (D) Such graded or back-filled area shall be sodded or surfaced with soil of a quality at least equal to the topsoil of land areas immediately surrounding, and to a depth of at least three (3) inches.
 - (E) Such topsoil as required by the Topsoil and Reclamation Plan above shall be planted with trees, shrubs, legumes or grasses upon the parts of such area where revegetation is possible.
- (3) Slopes on boundary areas shall not be steeper than four (4) feet horizontal to one (1) foot vertical, except that where soils and geological conditions permit, the Town Board may allow a steeper slope.
- (4) The maximum depth of excavation may be regulated by the Town Board.

F. Operation Conditions.

1. As a condition of the permit issuing, the applicant and owner shall comply with the following.
 - (a) Fencing - The entire perimeter of any mining operation shall be surrounded by fencing and maintained in good condition.

- (b) Set-backs - No pit or bank excavation shall be made within fifty feet (50'), of any zoning boundary of a zoning district where mining is not permitted, except that no excavation shall be permitted below road grade within fifty feet (50') of the right-of-way line of any existing or platted street, road, cartway, or highway, except that excavating may be conducted within such limits in accordance with the approved reclamation plan to reduce the elevation thereof in conformity with proposed street grades. No excavation shall be permitted within five hundred feet (500') of any lake or the Mississippi River.

- (c) Hours of operation.
 - (1) Excavation, crushing, screening, washing, and stockpiling may be conducted only on weekdays, between the hours of 7:00 A.M. and 7:00 P.M.
 - (2) Loading of and hauling to barges, maintenance and repair of plant and equipment, and drilling of blast holes may be conducted between the hours of 12:01 A.M. and 12:00 midnight.
 - (3) Loading of trucks may be conducted only between the hours of 7:30 A.M. and 4:00 P.M., weekdays. No truck loading is permitted on Saturdays, Sundays, and on the following holidays: New Year's Day, Memorial Day (observed), Independence Day, Labor Day, Thanksgiving Day, and Christmas Day.
 - (4) Hauling by truck of excavation materials on public roads within the township may be conducted only between the hours of 8:00 A.M. And 4:30 P.M., weekdays. No truck hauling is permitted on Saturdays, Sundays, or on the following holidays: New Year's Day, Memorial Day (observed), Independence Day, Labor Day, Thanksgiving Day, Christmas Day.
 - (5) The foregoing hours of operation may be modified by the Town Board in case of public emergency upon request of the permit operator.

- (d) Land Transportation Routes - Township roads shall be used only for delivery of sand, gravel, and rock to a township resident and for delivery of supplies between mining sites within the township. Except

for deliveries within the township, only County Road 75 shall be used for hauling from mining sites located on the Upper Island portion of the township. Hauling from mining sites located on the Lower Island shall occur only on that portion of Grey Cloud Trail leading to 103rd Street to Hadley Avenue. The operator shall submit quarterly a truck report which includes the following information for each truck loaded at each mining site: truck owner's name and address, tons purchased, product, delivery address, purpose, and route within the township.

(e) Water Quality Monitoring.

- (1) The operator shall replace any well which goes dry as a result of quarry dewatering under this permit. In the event of a dispute, the Town Board and Operator shall mutually employ an independent consulting engineer to determine the cause and shall be bound by the engineer's conclusions.
- (2) The operator shall monitor water quantity and quality on an annual basis, pursuant to a monitoring program approved by the Town Board. The operator, with the prior approval of the Town Board, shall annually employ an independent consulting engineer to monitor and evaluate monitoring wells in the vicinity of the mining site, and shall analyze, at a minimum, the water quality parameters of pH, specific conductance nitrates, and chlorides. The operator shall provide monthly discharge measurements of any dewatering operation at the mining site, in a form acceptable to the consulting engineer. The consultant shall make an independent report to the operator and the Town Board by the end of the permit year.

(f) Seismic Standards and Monitoring.

- (1) Detonating fuse lines must be covered with earth to prevent air blast problems. No blasting operation shall cause the calculated particle velocity of the ground motion to exceed 0.4 inches per second in the vicinity of the Grey Cloud Town Hall or any residence other than one owned by the operator.
- (2) The operator shall monitor blasting operations on an annual basis, pursuant to a monitoring program approved by the Town Board. The operator, with the prior approval of the Town Board, shall annually employ an independent consulting engineer

to monitor and evaluate blasting operations, including monthly short records. The consultant shall make an independent report to the operator and Town Board by the end of the permit year.

- (g) Noise - The operator shall maintain and operate all equipment to mitigate, as far as practicable, noise and vibrations, in accordance with state and county standards.
- (h) Dust - The operator shall construct, maintain, and operate all equipment in such a manner as to minimize dust conditions, in accordance with state and county standards.
- (i) Insurance - The operator shall carry bodily injury and property damage, public liability insurance in the amount of \$100,000 for any one person and \$300,000 for any occurrence, including blasting insurance, and naming the township as an additional insured.
- (j) Bond - Before the issuance of an annual mining permit, the applicant and the owner of record of the property proposed for mining shall execute and file with the Town Clerk a bond approved by the Town Attorney in the amount of one thousand dollars (\$1,000.00) per acre proposed for excavation with a surety company licensed to do business in the State of Minnesota and conditioned upon the faithful performance of the conditions contained in this ordinance, the observance of all other applicable township ordinances, and to indemnify the township for any damage to town property. In the event of a default, the bond shall be forfeited to the Town of Grey Cloud. In lieu of such a bond, a cash deposit or deposit of negotiable securities may be made with the Town Clerk.
- (k) Removal of Structures - Within a period of six months after the expiration of the annual mining permit, unless the permit is renewed by Town Board approval for another year, the operator shall dismantle and remove buildings, structures, equipment, and materials incidental to the mining operation.
- (l) Site Inspection - The operator shall permit inspection of the mining site and operations by the Town Board or its representative at any time during the hours of permitted operation.
- (m) Additional Conditions - The operator shall comply with such other requirements and conditions as the Town Board from time to time

finds necessary for the health, safety, welfare, prevention of nuisance, and protection of the environment in the township.

SECTION SIX. ADMINISTRATION.

A. Variances.

1. **Application for Variances** - An application to the Board of Appeals and Adjustments may be made by any affected person for a variance from the setback, lot size, height restrictions, line of sight or other provisions of this ordinance, in accordance with the application procedures specified in this Section, and upon payment of the required fees.
2. **Factors to Be Considered** - Variances shall only be granted where there are particular hardships which make strict enforcement impractical, because of circumstances unique to the individual property and characteristics of the land under consideration, and not of the property owner; the plight of the landowner after April 25, 1975; and the variance, if granted, will not alter the essential character of the locality nor be contrary to the spirit and intent of this ordinance. Economic considerations alone shall not constitute a hardship for the reasonable use of the property and associated structures. In addition, no variance shall be granted that would permit any use that is prohibited in the zoning district where the affected person's land is located.

The Board of Appeals and Adjustments shall consider the following items in making its decision:

- (a) Preserving the scenic and recreational resources of the River Corridor, especially in regard to the view from and use of the river.
- (b) The maintenance of safe and healthful conditions.
- (c) The prevention and control of water pollution, including sedimentation.
- (d) The location of the site with respect to floodways, floodplains, slopes and blufflines.

- (e) The erosion potential of the site based on degree and direction of slope, soil type, and vegetative cover.
- (f) Potential impact on game and fish habitat.
- (g) Location of the site with respect to existing or future access roads.
- (h) The amount of wastes to be generated and the adequacy of the proposed disposal systems.
- (i) The anticipated demand for police, fire, medical, and school services and facilities.
- (j) The compatibility of the proposed development with uses on adjacent land, and with the comprehensive plan.

B. Conditional Use Permits.

1. Application for Conditional Use Permit - An application for a conditional use permit may be made to the Town Board by any affected person, in accordance with the application procedures specified in this Section, and upon payment of the required fees. The application shall contain sufficient information for the Town Board to determine whether the proposed development or use will meet all applicable standards.
2. The Town Board, after review by the Planning Commission, may grant a conditional use permit in any district provided the proposed use is designated in Section Two of this Ordinance as a conditional use for the district, upon a finding that:
 - (a) It is consistent with the adopted Grey Cloud Comprehensive Plan; and
 - (b) It is consistent with the intent of the Critical Area Order and the Grey Cloud Critical Area plan; and
 - (c) It is consistent with the adopted policies of the Metropolitan Council and the Environmental Policy Act; and
 - (d) It is compatible with uses in the immediate vicinity; and
 - (e) It is permitted by the standards and conditions of this Ordinance; and

(f) It is permitted by the ordinances of the township.

3. Conditions and Restrictions - The Town Board may impose such conditions and restrictions, including time limits, on the conditional use or periodic review as appears to be necessary and proper to protect adjacent property and other township residents, to ensure conformity with the township Critical Area and Comprehensive plan, and to comply with the intent and purpose of this Ordinance.
- 4 Existing Use - Any existing use without an approved permit which is in, the category of a conditional use in a zoning district shall automatically be considered to have a conditional use permit. Within twelve months of the date of adoption of this Ordinance, or upon expansion of such use, whichever event occurs first, application to the Town Board for a conditional use permit shall be made by the affected person or entity in accordance with the requirements of this Ordinance.

C. Zoning Amendment.

1. Application for Amendment - An application for an amendment to the zoning ordinance may be initiated by the Town Board, the Planning Commission, or by petition of affected property owners, and upon payment of the required fees if initiated by a property owner. An amendment not initiated by the Planning Commission shall be referred to the Planning Commission for study and recommendation, and may not be acted upon by the Town Board until it has received the recommendations of the Planning Commission or until 60 days have elapsed from the date of reference of the amendment without A report by the Planning Commission.
2. All applications for a zoning amendment shall be accompanied by an accurate list showing the names and mailing addresses of the record owners of all the property within the township within one-half (1/2) mile of the property for which the amendment is sought, verified as to accuracy by the applicant and a proposed site plan.
3. All applications for a zoning amendment shall be reviewed for consistency with the goals and policies of the adopted Critical Area and Comprehensive plan, other ordinances of the township, compatibility with adjacent land uses, and conformity with the Metropolitan Development Guide policies and plans of the Metropolitan Council.

D. Review Procedure.

1. Requirements - Where an application or other submission is proposed by a party other than the Planning Commission or Town Board, the application shall be filed with the Town Clerk, and shall be accompanied by such information as required by this Ordinance and by payment of the required fees, except that in the case of an application for a conditional use permit in a Commercial Excavation (C E) zoning district, application and review shall be in accordance with the procedures and requirements specified in Section Four of this Ordinance. If an applicant seeks waiver of certain informational requirements of this Ordinance, a written request for each waiver, and a brief explanation therefor, shall be attached to the application.
2. Planning Commission Hearing - The Town Clerk shall refer the application to the Planning Commission for consideration at its next regular meeting; provided, however, if the next regular meeting of the Planning Commission is within ten (10) days of the date of filing, then such consideration may be at the second regular meeting after the date of filing at the meeting, the Planning Commission shall set a date for public hearing. The public hearing shall be held within sixty (60) days after the date of filing of the application.
3. Notice - Notice of the purpose, time, and place of the public hearing shall be published in the official newspaper of the township at least ten (10) days prior to the date of the hearing. When an application is for a zoning amendment, a similar notice shall be mailed at least ten (10) days before the day of the hearing to each owner of record of affected property and property situated wholly or partly within the township within one-half (1/2) mile of the property which the amendment relates. For the purposes of giving mailed notice, the Town Clerk may use appropriate records to determine the names and addresses of owners. A copy of the notice and list of the owners and their addresses shall be attested to by the Town Clerk and shall be made a part of the records of the proceeding. The failure to give notice to individual property owners, or defects in the notice shall not invalidate the proceedings, provided a bona fide attempt to comply with this Section has been made. The applicant or his representative may appear at the public hearing to answer questions concerning the proposed application.
4. Planning Commission Report - The Planning Commission shall make its report on the application to the Town Board, in writing, within sixty (60) days of the public hearing, unless the applicant agrees to an extension of time. The Planning Commission shall recommend approval, denial, conditions to be imposed, or other action to be taken in regard to the application, and the

reasons therefor. At the request of the applicant, a copy of the report shall be provided to the applicant.

5. Town Board Action - The Town Board shall make its decision on the application within sixty (60) days of the filing of the Planning Commission report with the Town Clerk, or after the last meeting date of the Planning Commission if no report is filed. The Town Board shall make written findings and shall state therein its reasons for its decision. Upon request, a copy of the written findings and reasons shall be mailed to the applicant. The Town Board may impose such conditions and restrictions, including time limits, as it deems appropriate to protect adjacent property, comply with the intent and purposes of this ordinance, and implement the Critical Area and Comprehensive plan and policies. No re-application for a zoning amendment, conditional use permit, variance, or site plan shall be submitted to the Town Board or Planning Commission for a period of twelve (12) months from the date of the denial of a previous application.
6. Emergency Actions - A development permit may be issued when certified in writing by the Town Board that the development is essential to protect the public health, safety or welfare in the existing emergency and that a local ordinance or state regulation was in effect immediately prior to April 25, 1975 and a development permit would have been granted thereunder.

E. Board of Adjustments and Appeals.

1. Function - The Town Board shall serve as a Board of Adjustments and Appeals. The Board shall have the following powers and functions:
 - (a) To hear and decide appeals where it is alleged that there is an error in any order, requirement, decision, or determination made by an administrative officer in the enforcement of the zoning ordinance.
 - (b) To hear requests for variances form the literal provisions of the ordinance.
2. Procedure - An appeal to the Board may be taken by any affected person upon filing a written application with the Town Clerk, payment of any required fees, and mailing of notice of appeal to adjacent property owners and the Planning Commission. In the case of a variance, the affected person shall first apply for review by the Planning Commission in accordance with the procedures specified in this Section, and shall then file the Planning Commission's report, if any, with the Town Clerk.

3. Hearing - A Public hearing shall be held by the Board within sixty (60) days of the date of filing of the appeal with the Town Clerk, and after ten (10) days published notice in the official newspaper. Any party may appear at the hearing and provide testimony. The Board shall provide a record of its hearing which shall include the minutes of its meetings, its findings, and the action taken on each matter before it, including the final order.
4. Order - The Board shall make its final order within a reasonable time and, upon request of an applicant, shall serve a copy of its order upon the applicant by mail.

F. Fees

1. Establishment of Fee Schedule - There shall be a schedule of fees charged to an applicant or its agent to reimburse the Town Board and the Planning Commission for costs incurred in the review, investigation, and administration of any application, appeal, or other submission required by this Ordinance. Reimbursable costs shall include charges incurred for printing, mailing, reproduction, and graphic illustration, as well as professional charges for engineering, land surveying, planning, architectural, legal, and other services, necessarily and reasonably attributable to the application, appeal, or other submission. In the case of a zoning amendment initiated by the Town Board or Planning Commission, no fee shall be charged.

2. Residential Districts Fee Schedule - The following schedule of fees shall apply to submissions relating to single family residential development in the R - 1, R - 2, and PUD zoning districts.

<u>Submission</u>	<u>Review Fee</u>
Site plan	a. \$50 paid to Town Clerk at time of filing,
Zoning amendment	
Conditional use permit	b. \$25 per hour of professional services.
Variance Appeal	c. Other reimbursable costs described in
other application	this Ordinance.
	d. Total fee charged to an applicant shall
	not exceed \$500 per dwelling unit/lot.

3. Industrial, Commercial Extraction, and Conservancy Districts Fee Schedule - The following schedule of fees shall apply to submissions relating to the Industrial, Commercial Extraction, and Conservancy zoning districts.

<u>Submission</u>	<u>Review Fee</u>
-------------------	-------------------

- Site plan a. \$250 paid to Town Clerk at time of filing
- Zoning amendment
- Conditional use permit b. \$35 per hour of professional services.
- Variance
- Appeal c. Other reimbursable costs described in
- Other application d. This ordinance.
- Total fee charged to an applicant shall not exceed \$7,500.00.

4. Procedure - Upon submission for review, the Planning Commission shall make a written estimate of projected review costs. Within thirty (30) days of receipt or at some other later date as determined by the Planning Commission, the applicant shall pay to the Town Clerk one-half of the projected review costs, which initial payment shall not exceed \$3,000. Within thirty (30) days of the date of final action by the Town Board, or at some other date as it may determine, the Town Board shall provide the applicant with a final itemized statement of costs incurred by the Planning Commission and the Town Board, and shall certify that the costs were reasonably and necessarily related to the submission. The balance of the costs owed by the Applicant to the Town Board shall be paid within thirty (30) days of date of mailing of the itemized statement to the applicant, or at some other later date as determined by the Town Board.

SECTION SEVEN. NON-CONFORMING USES.

A. General Provisions.

- 1. Application Generally - Except as hereinafter provided, no building or structure shall be erected, moved, altered or extended, and no land, building or structure, or part thereof, shall be occupied or used unless in conformity with regulations specified in this Ordinance for the district in which it is located.
- 2. Application to Existing Structures - This Ordinance shall not apply to existing buildings and structures, nor to the existing use of any building, structure or land to the extent of such use on the effective date of this Ordinance. However, this Ordinance shall apply to any change in use, alteration, extension or movement of a building or structure, and to any change in the use of land subsequent to the effective date of this Ordinance.
- 3. "Use" Defined - For the purpose of this Section, the word "Use" shall mean:

- (a) Any purpose of which a building or other structure or a tract of land may be designed, arranged, intended, maintained or occupied; or
- (b) Any activity, occupation, business or operation carried on, or intended to be carried on, in a building or other structure, or on a tract of land.

B. Non-Conforming Uses, Buildings and Structures.

1. Definitions of Non-Conforming Uses, Buildings and Structures - "Non-Conforming Use", "Substandard Building" or "Substandard Structure" means any lawful use, building, or structure existing on the effective date of this Ordinance, or any amendment thereto, which does not conform with the regulations or standards for the zoning district in which it is located after the effective date of this Ordinance or such amendment.
2. Preservation of Non-Conforming Uses - Except as hereinafter provided in this Section, the lawful use of land or the lawful use of a building or structure existing on the effective date of this Ordinance or on the effective date of any amendment thereto may be continued although such use does not conform to the provisions of this Ordinance, except as otherwise provided in this Section.
3. Preservation of Dimensionally Substandard Buildings or Structures - Except as hereinafter provided in this Section, buildings or structures lawfully existing on the effective date of this Ordinance or on the effective date of any amendment thereto may be maintained although such building or structure does not conform to the dimensional standards of this Ordinance, but any such building or structure shall not be altered or improved beyond normal maintenance, except that any lawful dimensional standard residential building, accessory building or structure may be altered or improved if the existing substandard dimension relates only to setback requirements and does not exceed ten percent (10%) of the minimum setback requirements, but such alteration or improvement shall conform to all of the provisions of this Ordinance and shall not increase the existing substandard square footage.
4. Unlawful Uses, Buildings and Structures - No unlawful use of property existing on the effective date of this Ordinance or any amendment

thereto nor any building or structure which is unlawfully existing on such date shall be deemed a non-conforming use or a non-conforming building or structure.

5. **Permit Holders and Permit Applicants** - Any non-conforming structure that is ready for or under construction on the effective date of this Ordinance or any amendment thereto may be completed and occupied in accordance with the requirements of any valid building permit issued therefor prior to such effective date.
6. **Change From One Non-Conforming Use to Another** - A non-conforming use may be changed only to a use permitted in the district in which it is located; except that if no structural alterations are made, a non-conforming use of a building may be changed to another non-conforming use of the same or a more restrictive classification, and provided such change is approved by the Board of Adjustment and Appeals as provided by this Ordinance. Once changed to a conforming use, no building or land shall be permitted to revert to a non-conforming use.
7. **Change of Use With Approval of the Board of Adjustments and Appeals** - A non-conforming use, all or partially conducted in a building or structure, may be changed to another non-conforming use only upon determination by the Board, after a public hearing, that the proposed new use will be no more detrimental to its neighborhood and surroundings than is the use it is to replace, and will not be inconsistent with the goals and policies of the Critical Area and Comprehensive plan.
8. **Restoration of Non-Conforming Buildings or Structures** - A non-conforming building or structure which is damaged or destroyed by fire, flood, wind, earthquake or other calamity may be restored and the occupancy or use of such building, structure, or part thereof, which existing at the time of such partial destruction, may be continued or resumed, provided that the restoration is started within a period of one (1) year and is diligently prosecuted to completion, unless the damage to such building or structure is equal to fifty percent (50%) or more of the replacement cost thereof (as determined by the Building Official), in which case, the reconstruction shall conform to the provisions of this Ordinance, except by conditional use permit and not to exceed the gross square footage of the previous structure.

9. Abandonment of Use - When any non-conforming use of land or of a building or structure is abandoned for a period in excess of one (1) year, such land, building or structure shall, thereafter, be used only as provided by this Ordinance.

SECTION EIGHT. ZONING DISTRICT MAP.

The boundaries of the zoning districts as established by this ordinance are as shown on the map published herewith and made part of this Ordinance and designated as the Official Zoning Map of the township. The district boundary lines on the map are intended to follow street right-of-way lines, street centerlines, or lot lines, unless such boundary line is described otherwise.

- A. The C Conservancy District is hereby created and described as follows:

All that portion of Sections Thirty-Five (35) and Thirty-Six (36), Township 27, Range 22, in the boundaries of Grey Cloud Township lying south and west of a line commencing at the NW corner of NE 1/4 of NE 1/4 of Section 35, then south 45 deg. to the southern boundary of Grey Cloud Township.

All that portion of Section Twenty-Six (26), Township 27, Range 22, lying south and west of a line commencing at the SW corner of SE 1/4 of SE 1/4 of said section, thence north to a point 300 feet north of the SW corner of SE 1/4 of NE 1/4, thence N 64 deg. 01' W to the shore of the Mississippi River.

- B. The I Industrial District is hereby created and described as follows:

All of Section Thirteen (13) lying and being within Grey Cloud Township, Township 27, Range 22, except all that part of said section lying west of Grey Cloud Island Drive South, and except Blocks 115, 116, and 117 of the First Addition, St. Paul Park Division 4.

All of Section Twenty-Four (24) lying and being North and East of Grey Cloud Trail, in Grey Cloud Township, Township 27, Range 22.

- C. The C E Commercial Extraction District is hereby created and described as follows:

That part of Government Lot Two (2), Section TwentyThree (23), Township Twenty-Seven (27), North, Range Twenty-Two (22) West,, Washington County, South of a line beginning at an iron monument on the East line of said

Section Twenty-Three (23) at a point 338.85 feet South of the Northeast corner of said Government Lot Two (2) and continuing thence at right angles to the East line of Section Twenty-Three (23) a distance of 605.48 feet through an iron monument and thence continuing to the shore of the Mississippi River; and all of Government Lot Three (3) in said Section Twenty-Three (23), Township Twenty-Seven (27), North, Range Twenty-Two (22) West, Washington County, excepting therefrom the following tract: Commencing at a point on the East line of said Section Twenty-Three (23), Three (3) rods north from the Southeast corner thereof, thence West on a line parallel to the South line of said Section Twenty-Three (23) a distance of 40 rods; thence North on a line parallel to the East line of said Section Twenty-Three (23) to the North line of said Lot Three (3), thence Easterly on the North line of said Lot Three (3) to the East line of said section; thence Southerly along the East line of said section to the place of beginning. Also the East half of the Northeast Quarter (E 1/2 of NE 1/4) and Government Lots One and Two (1 & 2) of Section Twenty-Six (26), Township Twenty-Seven (27) North, Range Twenty-Two (22) West, Washington County excepting therefrom the following: That part of Government Lot Two (2) and of the Southeast Quarter of the Northeast Quarter (SE 1/4 of NE 1/4), Section Twenty-Six (26), Township Twenty-Seven (27) North, Range Twenty-Two (22) West of the Fourth Prime Meridian, described as follows, to-wit: Beginning at a point marked by an iron pipe set in the section line between Sections Twenty-Five (25) and Twenty-Six (26), said point being southerly 2340.00 feet from the section corner of Sections Twenty-Three, Twenty-Four, Twenty-Five and Twenty-Six (23, 24, 25, & 26); **and** running thence North 88 deg. 00' west a distance of 1315.70 feet to an iron pipe; thence North 64 deg., 01' West a distance of 1474.47 feet to a corner fence post on the high bank of the Mississippi River; continuing thence on the same course of North 64 deg. 01' West to the Western boundary of Government Lot Two (2); thence southwesterly along the Western boundary of Government Lot Two (2) to said western boundary's intersection with the EastWest Quarter-Section line of Section Twenty-Six (26); thence South 88 deg. 00' East to a One and One-Half (1 1/2) inch iron pipe and fence corner on the high bank of the Mississippi River, said fence corner being South 34 deg. 30' West, a distance of 1067.47 feet from the first aforementioned corner fence post; continuing thence on the same course of 88 deg. 00' East a distance of 3233.10 feet to the intersection of the said quarter section line of Section Twenty-Six (26) with the section line between Sections Twenty-Five (25) and Twenty-Six (26); thence North 2 deg. 00' East along said section line, 300.00 feet to the point or place of beginning containing 34.51 acres, more or less.

That part of Government Lot Three (3) in Section Twenty-Three (23), Township Twenty-Seven (27) North, Range Twenty-Two (22) West, Washington County, described as follows: Commencing at a point on the east line of said Section Twenty-Three (23), 3 rods north from the southeast corner thereof, thence West on a line parallel to the south line of said Section TwentyThree (23) a distance of 40 rods, thence north on a line parallel to the east line of said Section TwentyThree (23) to the north line of said Lot Three (3); thence easterly on the north line of said Lot Three (3) to the east line of said section; thence southerly along the east line of said section to the place of beginning.

Southeast Quarter of Southeast Quarter (SE 1/4 of SE 1/4) Section Twenty-Six (26), Township Twenty-Seven (27) North, Range Twenty-Two (22) West.

Southwest Quarter of Southwest Quarter (SW 1/4 of SW 1/4), Southeast Quarter of Southwest Quarter (SE 1/4 of SW 1/4), Southwest Quarter of Southeast Quarter (SW 1/4 of SE 1/4), Southeast Quarter of Southeast Quarter (SE 1/4 of SE 1/4), Section Twenty-Five (25), Township Twenty-Seven (27) North, Range Twenty-Two (22) West.

Northwest Quarter of Northwest Quarter (NW 1/4 of NW 1/4), Northeast Quarter of Northwest Quarter (NE 1/4 of NW 1/4), Northwest Quarter of Northeast Quarter (NW 1/4 of NE 1/4), Northeast Quarter of Northeast Quarter (NE 1/4 of NE 1/4), Southwest Quarter of Northwest Quarter (SW 1/4 of NW 1/4), Southeast Quarter of Northwest Quarter (SE 1/4 of NW 1/4), Southwest Quarter of Northeast Quarter (SW 1/4 of NE 1/4), Southeast Quarter of Northeast Quarter (SE 1/4 of NE 1/4), Northeast Quarter of Southwest Quarter (NE 1/4 of SW 1/4), Northwest Quarter of Southeast Quarter (NW 1/4 of SE 1/4), Northeast Quarter of Southeast Quarter (NE 1/4 of SE 1/4), Section Thirty-Six (36), Township Twenty-Seven (27) North, Range Twenty-Two (22), West, Lots One (1), Two (2), and Three (3).

Lot One (1), Northwest Quarter of Northeast Quarter (NW 1/4 of NE 1/4), Northeast Quarter of Northeast Quarter (NE 1/4 of NE 1/4), Section Thirty-five (35), Township Twenty-Seven (27), North, Range Twenty-Two (22) West.

Lot Two (2), Southwest Quarter of Northeast Quarter (SE 1/4 of NE 1/4), Southeast Quarter of Northeast Quarter (SE 1/4 of NE 1/4), Section Thirty-Five (35), Township Twenty-Seven (27) North, Range Twenty-Two (22) West.

- D. The R - 1 Residential District is hereby created and contains all of the rest and remainder of Grey Cloud Township, Township 27, Range 22, not included in the Districts defined above.

SECTION NINE. ENFORCEMENT AND EFFECTUATION.

A. Enforcement.

- 1. It is declared unlawful for any person to violate any of the terms and provisions of this Ordinance. Violation thereof shall be a misdemeanor and the violator, upon conviction, shall be punished by imprisonment in the county jail for not to exceed 90 days or by a fine of not to exceed \$300 and costs for each offense. Each day that the violation is permitted to exist shall constitute a separate offense.
- 2. In the event of a violation or a threatened violation of this Ordinance, the governing body, or any member thereof, in addition to other remedies, may institute appropriate actions or proceedings to prevent, restrain, correct, or abate such violations or threatened violations.

B. Effectuation.

- 1. It is hereby declared to be the intention that the several provisions of this Ordinance are separable in accordance with the following:
 - (a) If any court of competent jurisdiction shall adjudge any provision of this Ordinance to be invalid, such judgment shall not affect any other provisions, of this Ordinance not specifically included in said judgment.
 - (b) In any court of competent jurisdiction shall adjudge invalid the application of any portion of this Ordinance to a particular property, building or other structure, such judgment shall not affect the application of said provision to any other property, building or structure not specifically included in said judgment.
- 2. Validity and Date Effective - Ordinance Nos. 10, 17, 21 and all other ordinances or parts of ordinances of the Township of Grey Cloud in conflict with the provisions of this Ordinance are hereby repealed.

RESOLUTION OF APPROVAL

GREY CLOUD TOWNSHIP BOARD OF SUPERVISORS

WHEREAS certain portions of Grey Cloud Township have been designated a Critical Area under Minn. Stat. Chapter 116G (1978) pursuant to executive order no. 130, effective November 23, 1976, and continued pursuant to executive order no. 79-19, effective April 11, 1979; and

WHEREAS the Minnesota Environmental Quality Board has reviewed the Township Critical Area plan and regulations and has found them consistent with the standards and guidelines of the executive order, and with the Metropolitan Development Guide of the Metropolitan Council; and

WHEREAS Grey Cloud Township has planning and regulatory authority over development activities within the Township; and

WHEREAS the Township's proposed comprehensive plan and regulations for the area have been submitted to the Metropolitan Council, and the Council has found that the Township plan and regulations are consistent with regional plans, policies, and guidelines; and

WHEREAS, the Town Board of Grey Cloud Township adopted the comprehensive plan on January 21, 1981; and

WHEREAS, the Metropolitan Land Planning Act requires consistency of the Township zoning ordinance with the adopted comprehensive plan;

Based on the above findings and conclusions and the entire record in this matter,

BE IT RESOLVED THAT:

The Grey Cloud Town Board adopt the attached Grey Cloud Township Zoning regulations to take effect upon adoption and as provided by law.

Approved this 30th day of June, 1981, by the Town Board of the Township of Grey Cloud.

S/Harvey Stiefel, Town Board Chairman
S/Roland M. Peek, Town Board Supervisor
S/Theodora P. Bell, Town Board Supervisor

Attest: S/Marie C. Goracke, Town Clerk

RESOLUTION OF APPROVAL

GREY CLOUD TOWNSHIP BOARD OF SUPERVISORS

WHEREAS, the Grey Cloud Town Board has adopted revised zoning regulations, known as the "Grey Cloud Township Zoning Ordinance", on June 30, 1981; and

WHEREAS, the Grey Cloud Town Board has determined that publication of the title and a summary of the ordinance would clearly inform the public of the intent and effect of the ordinance; and

WHEREAS, the Grey Cloud Town Board has reviewed the text of the summary and finds that it clearly informs the public of the ordinance's intent and effect, as follows:

SUMMARY - GREY CLOUD TOWNSHIP ZONING ORDINANCE

SECTION ONE. TITLE AND PURPOSE

The Grey Cloud Township Zoning Ordinance is enacted to provide for orderly growth consistent with regional plans and policies, stage land development and discourage premature development, preserve rural character, and implement the township Critical Area and Comprehensive Plan.

SECTION TWO. GENERAL PROVISIONS

This section contains definitions of zoning terminology. It requires that, structures, improvements, and land alteration, conform to zoning regulations, and specifies permitted encroachments.

SECTION THREE. DISTRICT PROVISIONS

This section establishes various zoning districts, their permitted, conditional, and accessory uses. It establishes minimum requirements for the Residential -1, Residential -2, and Industrial zoning districts, including lot dimensions, height, floor and parking ratios. Additions and exceptions to dimensional requirements are specified for Residential -1, Residential -2, and Industrial districts, including lot size exceptions, minimum percentage of conformity, contiguous lots, prohibition of lot size reductions, and set-back requirements. Provision is made for Planned Unit Development and submission requirements.

SECTION FOUR. DEVELOPMENT STANDARDS

This section establishes the requirement of an approved site plan before issuance of any building permit, zoning or subdivision approval, and application for site plan approval. Site plan contents are set forth, unless waived by the Planning Commission.

Natural resource management standards are established which all site plans shall satisfy, including; (1) soil erosion control; (2) development on restrictive soils; (3) wetland protections; (4) woodland protection; (5) unique habitat protection; (6) grading and filling; (7) vegetation management; (8) surface water run-off management; and (9) noise control. Also, standards for glare, signs, off-street parking and loading; exterior storage and refuse; river surface use, road, utility and pipeline construction and routing; marinas, barge fleeting and loading facilities; riverfront use and access; sewage treatment plants; on-site sewage disposal systems; uses within designated floodplains; and dedication of riverfront and park lands.

SECTION FIVE. MINERAL EXTRACTION REGULATIONS

This section requires conformity of mining operation with the Critical Area and Comprehensive Plan, and ensures reclamation of mined areas. An annual mining permit is required, and application procedure is set forth, including various submission requirements: (1) Inventory of existing conditions; (2) operation plan; and (3) reclamation plan. Operation conditions are set- forth governing fencing, set-backs, hours of operation, truck routes, water quality and seismic monitoring; noise; dust; insurance; bonding; removal of structures; site inspection; and other additional conditions that might be imposed by the Town Board.

SECTION SIX. ADMINISTRATION

Requirements are set forth for variances, conditional use permits, zoning amendments, as well as general review procedure, including planning commission hearing, notice, planning commission report, town board action, and emergency action. A board of Adjustment is established, with administrative procedure. A fee schedule is established, for residential development and for industrial, commercial extraction, and conservancy uses.

SECTION SEVEN. NON-CONFORMING USES

General provisions are established, including application procedure, definition of non-conforming uses, buildings, and structures; preservation of substandard buildings; changes; restoration; and abandonment.

SECTION EIGHT. ZONING DISTRICT MAP

Boundaries of the following zoning districts are created and described for C Conservancy, I Industrial, C E Commercial Extraction, and R-1 Residential districts

SECTION NINE. ENFORCEMENT AND EFFECTUATION

Enforcement procedure and penalties are established. This ordinance is effective as of the date of adoption, June 30, 1981.

NOW, THEREFORE, BE IT RESOLVED THAT:

The Town Clerk shall publish the title of the ordinance and the above summary, with notice that a printed copy of the ordinance is available for inspection by any person during regular office hours of the town clerk, or at the town hall, and that publication of the title and summary shall be deemed to fulfill all legal publication requirements as completely as if the entire ordinance had been published. Proof of publication shall be attached to and filed with the ordinance.

Approved this 11th day of August 1981, by the Town Board of the Township of Grey Cloud.

S/Roland M. Peek, Town Board Chairman
S/Theodora P. Bell., Town Board Supervisor
S/Harvey C. Stiefel, Town Board Supervisor
Attest: S/Marie C. Goracke, Town Clerk