

LYNDEN TOWNSHIP ORDINANCE NO. 2009-1

An Ordinance amending Zoning and Land Use Ordinance 2.1 within Lynden Township.

WHEREAS, the Lynden Township Board of Supervisors instituted proceedings to adopt Lynden Township Ordinance 2009-1; and,

WHEREAS, on January 2, 2009, Notice of Public Hearing and intent to adopt Lynden Township Ordinance 2009-1 was published in the official newspaper of the town; and,

WHEREAS, on January 12, 2009, the Lynden Township Board of Supervisors held a public hearing to consider the proposed ordinance; and,

WHEREAS, on January 26, 2009, the Lynden Township Board of Supervisors approved the Ordinance 2009-1 amending Ordinance 2.1; and,

NOW PURSUANT TO THE AUTHORITY VESTED BY MINNESOTA STATUTES SECTION 462.16, THE LYNDEN TOWNSHIP BOARD OF SUPERVISORS ORDAINS:

The following are the amendments to Zoning and Land Use Ordinance 2.1 adopted by Lynden Township as Ordinance 2009-1.

SECTION 3 DEFINITIONS

Add 3.2.216 A - Viewshed

A viewshed is an area of land, water, and/or other natural or environmental elements that is visible from a fixed vantage point. Viewsheds tend to be areas of particular scenic or historic value that are deemed worthy of preservation against development or other change. Viewsheds are often spaces that are readily visible from public areas such as from public roadways or public parks. The preservation of viewsheds is frequently a goal in the designation of open space areas, greenways, and buffers.

SECTION 6 PERFORMANCE STANDARDS

Amend Section 6.1 Accessory Buildings - Agricultural

Add A construction site permit, issued by the Lynden Township Building Official, is required for all agricultural accessory structures in Lynden Township. Any single story accessory structure less than 120 square feet is not subject to this regulation.

Amend Section 6.51.3 A-Table

Add an asterisk to all Residential Districts and Shoreland Overlay District

* WECS 5.99 kw or less shall be limited to a tower height of 35 feet with a total WECS height of 40 feet from the natural ground. A Conditional Use Permit is required for all WECS greater than 40 feet in height in all Residential (R) Districts or on residentially designated parcels and in the Shoreland Overlay District. Only one WECS shall be allowed per residential lot.

Amend the third column of Table; 6 kw- 40kw, last row, Shoreland Overlay District shall be a Conditional Use permit.

Add to Section 6.51.4 A, the following sentence: Guy wires shall be subject to the setback requirements.

Add

Section 6.52 Alternative Energy

Any freestanding alternative energy structure greater than 15 square feet in size or in excess of 35 feet in height not currently regulated in Stearns County Ordinance #209, as amended or in this Ordinance shall require a conditional use permit.

SECTION 8 GENERAL ZONING DISTRICT RULES OF APPLICATION

Section 8.3 District Regulations

Add

Section 8.3.1 A

Whether or not they are so designated on the zoning map, residential plats which were approved prior to April 21, 2000 shall be considered as though zoned R-1 District regardless of the primary or underlying zoning district in which they are located. Any further subdivision within these residential plats that will increase the residential density to a greater level than otherwise allowed in the primary or underlying zoning district shall not be allowed.

Interim Ordinance Number 2008-1 is repealed and Ordinance 2009-1 is enacted.

This ordinance is effective on the date publication.

Approved and adopted by the Lynden Township Board of Supervisors this 26th day of January in the year of 2009.

Anne Ackerman, Chair
Lynden Township Board of Supervisors

ATTEST:

Del Moeller
Lynden Township Clerk

Drafted by:
Lynden Township Clerk, Del Moeller
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