

Section 10.19. **"W" WETLAND SYSTEMS DISTRICT**

Subd. 1. **Purpose.** A district relating to low lands, marshes, wetlands, drainage ways, water bodies, and water courses regulating alteration and development of such lands and providing for the issuance of permits therefore, and specifically to:

A. Reduce danger to the health, safety and welfare of the residents of Alexandria by protecting surface and ground water supplies from the impairment which results from incompatible land uses and alterations, and by providing safe and sanitary drainage.

B. Restrict and control land development so it will not impede the flow of water or cause danger to life or property.

C. Designate suitable land uses that are compatible with the preservation of the natural vegetation and marshes which are a principal factor in the maintenance of constant rates of water flow through the year and which sustain many species of wildlife and plant growth.

D. Regulate runoff of surface waters from developed areas to prevent pollutants such as motor oils, sand, salt and other foreign materials from being carried directly into the nearest natural stream, lake or other public or private waters.

E. Regulate the alteration of wetland systems to prevent excessive sediment pollution, increased and rapid runoff, excessive nutrient runoff pollution and to maintain the aesthetic appearance of the wetlands.

F. Prevent the development of structures in areas which will adversely affect the public passage and use of creeks, marshes, low lands, and water courses within the City.

Subd. 2. **District Application.**

A. The "W" Wetland Systems District shall be applied to and superimposed upon the Agricultural-Open Space, Residential, Commercial, or Industrial Districts contained herein existing or amended by the text and map of this Ordinance. The regulations and requirements imposed by the "W" Wetland Systems District shall be in addition to flood plain and shoreland and those

established for the district which jointly apply. Under the Joint Application of Districts, the more restrictive requirements shall apply.

B. The Wetland Systems District within the City of Alexandria is defined and established to include those areas which include any water course, natural drainage system, water body, or wetland, that may be subject to periodic flooding, overflow, or seasonally high water tables. The district boundary lines shall be established at the edge of the aforesaid areas as depicted on the Alexandria "Wetland Systems Map". The "Wetland Systems Map" is based upon geographical, hydrological and surficial geological data obtained from the United States Department of Agriculture Soil Conservation Service and Soil Survey, Douglas County, Minnesota. The Wetland Systems areas indicated on said map are composed of soils groups 8, 9, 10 and 11 as defined by the USDA Soils Conservation Service. These specific soils groups are characterized as unsuitable for development due to their poor drainage qualities, flooding proneness, poor texture, high water table depth and general organic content.

Source: Ord. 338-2nd Series
Effective Date: 2/08/93

C. Provisions of the Wetland Conservation Act of 1991 (MS 1036.221 et. seq.) as amended and the regulations thereof, are made a part of these regulations by reference. In the event of conflicting provisions between the Wetland Conservation Act and Section 10.19 of the City Code, the more restrictive shall apply.

Source: Ord. 364-2nd Series
Effective Date: 11/28/94

Subd. 3. **Permitted Uses.** The following operations and uses are permitted in the "Wetland Systems District" as a matter of right, subject to any other applicable code, ordinance or law:

A. Grazing, farming, nurseries, gardening, and harvesting of crops.

B. Sustained yield forestry and tree farms.

C. Conservation of soils vegetation, water, fish and wildlife.

D. Scientific research and educational activities that teach principles of ecology and conservation.

E. Leisure activities such as hiking, nature studies, canoeing, boating, camping, water-skiing, skin-diving, horseback riding, field trails, and general outdoor recreation including play and sporting areas that are not inconsistent with the intent of this Ordinance.

F. Essential services.

Subd. 4. **Prohibited Uses.** Except as may hereinafter be conditionally permitted, it shall be unlawful for any person to:

A. Place, deposit or permit to be deposited, debris, fill or any material including structures into, within or upon any water body, water course, or wetland, flood plain or natural drainage system.

B. Dig, dredge, or in any other way alter or remove any material from water bodies, water courses, wetlands, flood plains, or natural drainage system.

C. Erect structures for human habitation.

D. Create ponds, dam or relocate any water course, or change the natural drainage system.

E. Clear and/or cut trees or other vegetation.

F. Permanently store materials.

G. Erect signs.

H. Dispose of waster materials, including but not limited to sewage, garbage, rubbish and other discarded materials.

Subd. 5. **Development Regulations.**

A. Land owners or developers desiring to develop land or construct any dwelling or any other artificial obstruction on land located within any of the wetlands district within the City of Alexandria shall first submit a conditional use permit application as regulated by Section 10.23 of this Ordinance and a plan of development, hereinafter referred to as "a wetland systems impact plan", which shall set forth proposed provisions for sediment control, water management, maintenance of landscaped features, and any additional matters intended to improve or maintain the quality of the environment. Such a plan shall set forth proposed changes

requested by the applicant and affirmatively disclose what, if any, change will be made in the natural condition of the earth, including loss of change of earth ground cover, destruction of trees, grade changes and its effect, is any, upon lakes, streams, water courses and marshes, lowlands and wetlands in the area. The plan shall minimize tree removal, ground cover change, loss of natural vegetation, and grade changes as much as possible, and shall affirmatively provide for the relocation or replanting of as many trees as possible which are proposed to be removed. The purpose of the wetland systems impact plan shall be to eliminate as much as possible potential pollution, erosion and siltation.

B. **High Water Elevation.** For lakes, ponds or lowages, no structure, except boathouses, piers and docks, shall be placed at an elevation such that the lowest floor, including basement floor, is less than three (3) feet above the highest known water level. In those instances where sufficient data on known high water levels are not available, the elevation of the line of permanent shoreland vegetation shall be used as the estimated high water elevation. When fill is required to meet this elevation, the fill shall be allowed to stabilize, and construction shall not begin until the property has been inspected by the Building Inspector.