

## Chapter 3

### Zoning Districts

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- 3.01 Zoning Districts.** The zoning districts shall apply as designated on the Zoning Map and defined within this Ordinance and applicable state or federal regulations. All lands under jurisdiction of this Ordinance shall be designated as lying within one, and only one, primary zoning district. In addition, one or more overlay districts may apply.

#### PRIMARY DISTRICTS

A-1, Agricultural Protection

A-2, Agriculture/Urban Fringe

A-3, Agriculture/Low-Density Residential

R-1, Rural Residential District

#### OVERLAY DISTRICTS

Floodplain

Shoreland

Bluffland

- 3.02 Zoning Map.** The location and boundaries of the primary districts established by this Ordinance are set forth on the zoning maps which are hereby incorporated as a part of this Ordinance. It shall be the responsibility of the Zoning Administrator to maintain and update the maps and amendments.
- 3.03 District Boundaries.** The boundaries of zoning districts, as shown on the County of Wabasha Official Zoning Map accompanying and made a part of this Ordinance, unless otherwise shown, are the centerline of streets, alleys or the subdividing or boundary lines of recorded plats or the extension thereof, railroad rights-of-way lines, and the corporate limits of cities within Wabasha County.
- 3.04 Zoning Boundary Interpretation.** Appeals from the Commissioners or any administrative officer's determination of the exact location of district boundary lines shall be heard by the Board of Adjustment.

Where interpretation is needed as to the exact location of the boundaries of the Floodplain, FP District, as for example where there appears to be a conflict between a mapped boundary and actual field conditions, the Board of Adjustment shall make the necessary interpretation based on a recommendation from the DNR Area Hydrologist, elevations of the regional (100 year) flood profile and other available technical data.

**3.05 Types of Uses.** All uses shall be classified and regulated as follows:

- (1) Principal Uses. These uses are sorted and assigned to specific zoning districts. Such uses shall be established only if they are located in the zoning district to which they are assigned. These uses are further divided into the following categories:
  - (a) Permitted uses. These uses are permitted by right, provided all requirements of the Ordinance are met.
  - (b) Conditional uses/Interim Uses. These uses are not permitted by right. Rather, their allowance is subject to the discretionary judgment of the Planning Commission and County Board as described in this Ordinance.
- (2) Accessory Uses. Accessory uses are permitted in all zoning districts, but are subject to the requirements of this ordinance. For accessory uses involving structures or buildings, such structures or buildings shall be subject to the requirements of this ordinance and obtain all necessary permits prior to construction.

**3.06 Uses Not Listed.** A proposed use that cannot be classified as one of the principal uses or conditional uses/interim uses it shall be considered an unclassified use and shall be regulated as follows:

- (1) The Zoning Administrator shall determine if the proposed unclassified use is similar to other uses listed for the zoning district applicable to the site of the proposed unclassified use. If so, the application for the proposed unclassified use shall be processed as specified by this Ordinance.
- (2) If the Zoning Administrator determines otherwise, then the application for the proposed unclassified use shall be denied and the applicant shall be so notified in writing.
- (3) The County Board or the Planning Commission, on their own initiative or upon request of a property owner, may conduct a study to determine if an unclassified use is acceptable and, if so, what zoning district would be most appropriate and the determination as to conditions and standards relating to development of the use. The County Board or Planning Commission, upon receipt of the study, shall, if appropriate, initiate an amendment to the Zoning Ordinance to provide for the particular use under consideration or shall find that the use is not compatible for development within the County.