

Sec. 106-100. CD conservancy district.

- (a) *Intent.* The CD conservancy district is intended to preserve, protect and enhance the ponds, streams and wetland areas of the city. The preservation, protection and enhancement of these areas will serve to maintain safe and healthful conditions; maintain and improve water quality, both ground and surface; prevent flood damage; control stormwater runoff; protect stream banks from erosion; protect groundwater recharge and discharge areas; protect wildlife habitat; protect native plant communities; avoid the location of structures on soils which are generally not suitable for use; and protect the water-based recreation resources of the city.
- (b) *Permitted uses.* Permitted uses in the CD district are as follows:
 - (1) Hiking, fishing and snowmobiling, unless prohibited by other laws and ordinances.
 - (2) Harvesting of wild crops, such as marsh hay, ferns, moss, wild rice, berries, tree fruits and tree seeds, in a manner that is not injurious to the natural reproduction of such crops, and that does not involve filling, flooding, draining, dredging, ditching, tilling or excavating.
 - (3) Silviculture, including the planting, thinning and harvesting of timber, provided that no filling, flooding, draining, dredging, ditching, tilling or excavating is done except for temporary water level stabilization measures to alleviate abnormally wet or dry conditions which would have an adverse impact on silvicultural activities if not corrected.
 - (4) Agricultural cultivation and pasturing, provided that the use does not involve extension of or creation of new drainage systems and further provided that the use does not substantially disturb or impair the natural fauna, flora, topography or water regimen.
 - (5) Ditching, tilling, dredging, excavating or filling done to maintain or repair an existing drainage system only to the extent necessary to maintain the level of drainage required to continue the existing use.
 - (6) The construction and maintenance of walkways, including those built on pilings.
 - (7) The maintenance, repair, replacement and reconstruction of existing streets, roads and bridges.
 - (8) Other similar businesses.
- (c) *Conditional uses.* For conditional uses in the CD district see section 106-127.
- (d) *Prohibited uses.* Any use not listed as a permitted use or a conditional use is prohibited in the CD district unless the CD district lands concerned are first rezoned into another district.
- (e) *Erosion control.*
 - (1) Topsoil removal and the sale of topsoil removed from a parcel is a conditional use in all districts except the CD conservancy district. The plan commission shall

require the use of adequate soil erosion control measures to prevent pollution of surface waters caused by runoff.

(2) See article XI of this chapter for additional provisions about erosion control.

(Ord. No. OR98-24, § I(106.0417), 10-26-1998)