

D. MINIMUM SETBACKS

1. Minimum setbacks must be applied in the following manner:

- a.** Shoreline setbacks must be measured from the normal high water mark of the nearest shoreline of each flowing water or body of standing water, and from the nearest upland edge of applicable wetlands.
- b.** Roadway setbacks apply to any privately or publicly owned roadway that is used for public access, including roadways used by the public for which a toll is paid, and must be measured from the travelled portion of the roadway.

2. Single-Family Residential Uses.

The minimum setbacks for structures, other than those described in Section 10.26,D,3 and except as provided in Section 10.26,G are:

- a.** Shoreline setbacks:
 - (1) 100 feet from each flowing water draining 50 square miles or more and of a body of standing water 10 acres or greater in size;
 - (2) 75 feet from each flowing water draining less than 50 square miles; body of standing water less than 10 acres in size except for constructed ponds; coastal wetland; and non-forested wetlands located in P-WL1 subdistricts; and
- b.** Roadway setbacks:
 - (1) 50 feet from all roadways except as provided for in Section 10.26,D,2,b,(2) and (3) below;
 - (2) 30 feet from all roadways within the D-RS and D- GN subdistricts, including cases where the P-FP overlaps these subdistricts; and
 - (3) 20 feet from all roadways on coastal islands;
- c.** Side and rear property line setbacks are 15 feet.

These setbacks also apply to all parking areas associated with single-family residential uses, parking areas for trailered ramps or hand-carry launches, those structures within a recreational lodging facility constructed solely for the housing of guests or staff, remote rental cabins, and residential campsites.

3. Multi-family Dwellings, and Commercial, Industrial, and Other Non-Residential Uses.

The minimum setbacks for multi-family dwellings and commercial, industrial, and other non-residential principal and accessory structures, other than those described in Section 10.26,D,2, 4, and 5 and except as provided in Sections 10.26,G and 10.27,Q are:

- a.** Shoreline setbacks:
 - (1) 150 feet from each flowing water draining 50 square miles or more and a body of standing water 10 acres or greater in size;

Chapter 10, Sub-Chapter II, 10.26, D-F

- (2) 100 feet from each flowing water draining less than 50 square miles; body of standing water less than 10 acres in size except constructed ponds; coastal wetland, and non-forested wetlands located in P-WL1 subdistricts; and
- b. Roadway setbacks:**
- (1) 75 feet from all roadways except as provided for in Section 10.26,D,3,b,(2) and (3) below;
 - (2) 30 feet from all roadways in D-RS and D-GN subdistricts, including cases where the P-FP overlaps these subdistricts; and
 - (3) 20 feet from all roadways on coastal islands;
- c.** 25 feet from the side and rear property lines, except as provided for in Section 10.27,S,4,a for outdoor cultivation of cannabis.

Except as provided for in Section 10.26,D,2 above, these setbacks also apply to all parking areas associated with multi-family dwellings and commercial, industrial, and other non-residential uses, and drive-to campsites and all other structures within a recreational lodging facility, including, but not limited to, a main lodge, dining area, workshop and parking area.

4. Campsites.

The provisions of Section 10.26,D,4 apply to all stand-alone campsites and their related camping sites, and camping locations designed and used as only accessible by foot within recreational lodging facilities. Notwithstanding Section 10.26,D,3, the minimum setbacks for the areas designed for camping, including cleared or graded areas, fire rings, tables, and related construction, are:

- a. Shoreline setbacks:**
- (1) 75 feet from all flowing water; bodies of standing water except constructed ponds; coastal wetlands; and non-forested wetlands located in P-WL1 subdistricts;
- b. Roadway setbacks:**
- (1) 50 feet from all roadways except as provided for in Section 10.26,D,4,b,(2) and (3) below;
 - (2) 30 feet from roads in D-RS and D-GN subdistricts; and
 - (3) Notwithstanding the above, the area designed for camping must be set back at least 10 feet from roads internal to a campground or a recreational lodging facility, and campsite parking areas may be located adjacent to such roads, except that the Commission may require a greater setback where necessary due to site conditions in order to protect public safety.
- c.** 25 feet from property lines.

5. Remote Campsites.

Notwithstanding Section 10.26,D,3 and 4, the minimum setbacks for remote campsites are:

- a. Shoreline setbacks:**

Chapter 10, Sub-Chapter II, 10.26, D-F

- (1) 25 feet from all shorelines, except that the Commission may require a greater setback from shorelines for remote campsites where necessary due to site conditions in order to avoid accelerated soil erosion or sedimentation of surface waters;
- b. Roadway setbacks:
 - (1) 50 feet from all roadways;
- c. 25 feet from property lines.

6. Flexible Building Setbacks in Prospectively Zoned Areas.

- a. For commercial or residential development in the D-GN, D-GN2, D-GN3, D-RS, and D-RS2 subdistricts, building setback distances from roads may be less than specified in Section 10.26,D in order to meet prevailing setbacks on adjacent properties. The prevailing setback is the average setback of those principal and accessory structures on lots within 500 feet on either side of the subject parcel.
- b. In the D-GN2, D-GN3, D-RS, and D-RS2 subdistricts, road setbacks for commercial buildings may be reduced to 50 feet where all parking areas are to be placed to the side or rear of the structure.
- c. These reduced setbacks will be granted where the existing character of an area will be maintained and provided that the reduction will not adversely impact public safety.

7. **Farm Stands and Recreation Supply Businesses without Structures.** All components of farm stands and all components of recreation supply businesses without structures, including all activity, storage, and parking areas associated with such stands and businesses, must be set back at least 30 feet from the traveled portion of all roadways, provided such will not result in unsafe conditions. Farm stands and recreation supply businesses without structures must meet setbacks for commercial facilities as specified in Sections 10.26,D,3,a, and c. A farm stand or recreation supply business without structures located on a coastal island must meet setbacks from roads specified in Section 10.26,D,3,b,(3). Pursuant to Section 10.27,B, all vegetation clearing standards apply to development of a farm stand or recreation supply business without structures.
8. A remote rental cabin must be setback at least 1,000 feet of any public road, and at least 1,000 feet from any other type of residential or commercial development.

E. MAXIMUM LOT COVERAGE

- i. Except as provided in Sections 10.26,E,3, 10.26,E,4, and 10.26,E,5 below, the maximum lot coverage shall be 30% for all uses involving one or more buildings.
- ii. "Coverage" shall be calculated by determining the percentage of lot area covered by all impervious surfaces, which include but are not limited to, buildings, driveways, sidewalks, and parking lots.
- iii. **Flexible Lot Coverage Requirements in Prospectively Zoned Areas Outside of the Shoreland Areas.**
 1. For commercial and institutional development outside the shoreland area in the D-GN, D-GN2, D-GN3, D-RS, and D-RS2 subdistricts that is proposed on lots of 2 acres or less, lot coverage may be increased to

50%. This waiver shall be granted in order to accommodate in-fill development or compact development patterns that promote pedestrian access and social interaction, provided there is no adverse impact on water bodies from surface water runoff.

- iv. For lots in a D-CI subdistrict that are not within 250 feet of a major flowing water or a body of standing water 10 acres or greater in size, the maximum lot coverage shall be 50% for all uses involving one or more buildings.
- v. For lots in a D-MT subdistrict, the maximum lot coverage shall be 50% for all uses, except residential uses, involving one or more buildings. For residential uses in the D-MT the lot coverage standard in Section 10.26,E,1 shall apply.

F. MAXIMUM STRUCTURE HEIGHT

- i. Except as provided for in Section 10.26,F,2, 4, and 5 below, the maximum structure height shall be:
 - 1. 75 feet for residential uses, campsites, and residential campsites; and
 - 2. 100 feet for commercial, industrial, and other non-residential uses involving one or more structures.
- ii. Structures within 500 feet of the normal high water mark of a body of standing water 10 acres or greater or coastal wetland shall be no higher than 30 feet. The Commission may apply this provision at greater distances from the normal high water mark of bodies of standing water having significant or outstanding scenic values where there is the likelihood that such structures would have an adverse impact on scenic values. Bodies of standing water having such scenic values are shown in Appendix C.
- iii. Features of structures which contain no floor area such as chimneys, towers, ventilators and spires and freestanding towers and turbines may exceed these maximum heights with the Commission's approval.

- iv. **Structure Height in Prospectively Zoned Areas.**

- 1. In areas beyond 500 feet of the normal high water mark of a body of standing water 10 acres or greater, structure height in the D-GN, D-GN2, D-GN3, D-RS, D-RS2, D-RS3, D-CI, and D-ES in prospectively zoned areas shall be limited to 35 feet. Structures used for agricultural management, structures with no floor area, or features of buildings which contain no floor area such as chimneys, towers, ventilators, and spires may exceed these maximum heights with the Commission's approval.
- 2. Structures within 500 feet of the normal high water mark of a body of standing water 10 acres or greater in size shall conform to the provisions of Section 10.26,F,2 above.

- v. **Structure Height in Trescott Township.** Structures within 500 feet of State Route 191 in Trescott Township shall be no higher than 40 feet.