

TITLE IV- WETLAND AND WATERCOURSE (WW) ZONING DISTRICT

SECTION 1: Intended Purposes:

The WW Zoning District is established to protect the health, safety and welfare of the residents of the Town of Cedar Lake and its environs by promoting its development in land uses that will carry out the following objectives:

1. Provide for the protection, preservation, proper maintenance and use of watercourses and wetlands in order to minimize disturbance to them and to prevent damage from erosion, turbidity or siltation, a loss of fish or other beneficial aquatic organisms, a loss of wildlife and vegetation and/or from the destruction of the natural habitat thereof.
2. Provide for the protection of the Town's potable fresh water supplies from the dangers of drought, overdraft, pollution or mismanagement; and
3. Provide maximum protection for the residents of the Town of Cedar Lake and their property in areas affected by high water tables, periodic flooding and unstable soil conditions caused by marshy or swamp like terrain.

SECTION 2: Use Regulations:

The following regulations shall apply in Wetland and Watercourse (WW) Zoning Districts, as listed hereafter:

- A. **Permitted Uses:** The following uses are permitted provided that they do not require the erection or construction of any structure of any significant change to the elevation, topography or configuration of the land through dredging, filling, drainage or similar activities:
 1. Gardening, general farming, horticulture, forestry or any similar agricultural activity;
 2. Public and private open recreation areas such as parks, playgrounds, playfields, golf courses, bridle paths, etc;
 3. Utility transmission lines;
 4. Dams or other control devices for the purpose of improving fish or wildlife habitat or recreation facilities when permitted under state regulations;
 5. Driveways and roads where alternative means of access are proven to be impractical.
- B. **Uses Prohibited:** All uses other than those permitted above are prohibited.
- C. The provisions of Wetland and Watercourse Zoning Districts shall apply to all lands adjacent to streams or creeks which are at or below the 100 year flood elevation as established by the Indiana

Department of Natural Resources, and also to all land in or directly adjacent to any body of water or any wetland connected to such a body of water as determined by the U.S. Army Corps of Engineers.

Prior to the issuance of a permit in an area subject to the jurisdiction of the Indiana Department of Natural Resources or the U.S. Army Corps of Engineers, written approval from that Agency (and any other applicable state or federal officer) must have been received and a petition for changing the Zone Map to the appropriate zone must have been approved by the Town. (Approval from the Indiana Department of Natural Resources or the U.S. Army Corps of Engineers should not be interpreted as a requirement that the Town also approve the petition, because the criteria used by those Agencies and the Town are not necessarily the same.)

- D. Signs are set forth in TITLE XXII;
- E. Supplementary District Regulations as set forth in TITLE XX;
- F. In the exercise of its approval of the uses enumerated, the Plan Commission may impose such conditions regarding the uses, location, character of development, and other reasonable requirements deemed necessary to safeguard the community interest and general welfare.