

Article VII: Sensitive Area Overlay (SENSO)

Section 1 Overlay District Establishment

- A. **Overlay location.** The Sensitive Overlay District (SENSO) in the Town of Duluth is designated on the land use zoning district map. (see the *Zoning Map, page 2*)
- B. **Purpose.** This overlay was established to protect the water quality of the North Shore streams and Lake Superior. These areas were designated sensitive because of a number of factors including topography, soils, depth to bedrock, and vegetation including wetlands.

Section 2 Requirements in the SENSO Area

Any application for a land use permit on a parcel less than nine (9) acres in size must include the following:

- A. **Impervious surface area.** Impervious surface area shall not exceed five percent (5%) of the total lot area.
- B. **Mitigation plan.** A mitigation plan is required if sensitive areas and/or resources are identified, which include: wetlands, water courses, springs, seeps, groundwater recharge areas, steep slopes and shallow soil (if less than the frost line). The mitigation plan must include the following:
 - 1. Identification of sensitive areas and/or resources on the scale map of the parcel.
 - 2. Measures and actions that will be taken to protect and minimize impact and disturbance of sensitive areas and/or resources. These measures may include, but are not limited to:
 - a. undisturbed buffer zones
 - b. silt fences
 - c. vegetation plantings
 - d. retaining walls
 - e. terraced landscapes
 - f. other storm water management measures
- C. **Site visit by the Planning Director**

The Planning Director will arrange for a site visit after the parcel map and mitigation plan (if needed) have been submitted for a land use permit on parcels less than nine (9) acres in size. The purpose of the visit will be to verify the accuracy and completeness of the map. A qualified designee of the Planning Director may conduct the visit.
- D. **Complete application.** A complete application includes a map to scale of the parcel, mitigation plan (if needed), the fee, and the land use application itself. The decision on the adequacy of a proposed mitigation plan is made by the Planning Director in consultation with the Planning Commission.
- E. **Wetland credits.** No wetland "credit/s" (i.e. substituting wetland area/s on another lot for wetland/s in this overlay) shall be permitted or allowed under any circumstances.

Section 3 Consistency with other articles.

All underlying zone district requirements must also be met..