

Section 23.3-4. Inclusionary as to Permitted Use.

The intent of this chapter is that it be "inclusionary." That is, principal uses, accessory uses, and conditional uses specifically stated for each zoning district shall be the only uses permitted. Any use proposed within any given zoning district which is not a stated use or use type within said district is expressly prohibited. Questions of whether a use is of a type listed shall be interpreted by either the Planning and Zoning Board or the Historic Resources Preservation Board, but no use variance shall be approved.

Division 8. Conservation District

Section 23.3-28. C - Conservation.

a) *Intent.* The C Conservation district is intended to provide standards for the protection and preservation of areas having natural beauty and to mitigate the effects of development on the environment. A conservation area designation can be applied to a tract of land to provide protected status in order to ensure that natural features or biota are safeguarded. A conservation area may be a nature reserve, a park, a land reclamation project or other area.

- a) *Use Restrictions.* Uses permitted by right and as either administrative or conditional uses shall be subject to the applicable provisions of Article 4, Development Standards. Refer to Permitted Use Table at Section 23.3-6 for a complete list of uses.
1. Permitted uses by right. No uses are permitted by right in the P public district. All uses shall be subject to conditional use review.
 2. Principal uses permitted as either administrative or conditional uses.
 - A. Botanical research and education.
 - B. Marine uses, kayak, canoe and other non-motorized watercraft.
 - C. Marine research and education.
 - D. Marinas and associated uses.
 - E. Limited dockage.
 - F. Nature, foot and bicycle trails.
 - G. Public and private nature preserves.
 - H. Public parks.
 - I. Water conservation areas, reservoirs and control structures.
 - J. Accessory structures not exceeding five hundred (500) square feet.
- c) *Prohibited uses.* The following uses are prohibited in the CON conservation district:
1. Wheeled or tracked vehicles, prop (agitation) dredging and airboats are prohibited. Government and emergency vehicles are exempt.
 2. Any use which has an adverse impact upon the habitat, bird roosting areas, archaeological sites, endangered or threatened wildlife species causing the deterioration of the habitat, physical alteration of the environment, or prohibiting the propagation or causing the extermination thereof is prohibited.
- d) *Development regulations.*

1. Height: thirty five (35) feet.
2. Setback: twenty (20) feet from all lot lines.
