

4.6.2 **Controlled Access Lots and Easements** *(AS AMENDED 3 July 2007)*

- A. **Purpose.** To ~~manage~~ **regulate private access to public waters so as to prevent** water surface crowding, to reduce fish and wildlife disturbance, to prevent pollution of surface water by suspension of sediment, to maintain property values, and to maintain natural characteristics of shorelands, ~~shoreland controls must regulate access to public waters.~~
- B. ~~Access lots.~~ **Controlled Access** lots, or parcels of land that provide access to ~~the lake public waters~~ for owners of riparian or nonriparian lots ~~within subdivisions~~, may be allowed ~~with where the local government~~ **approval, either through the subdivision process or a conditional use permit.** ~~determines that direct riparian access is not feasible due to the presence of protected vegetation, wetlands, or other critical fish or wildlife habitat. Access lots that provide riparian access for owners of nonriparian lots or parcels shall be prohibited. Where allowed by local governments,~~ **Controlled** access lots shall meet or exceed the following standards:
1. ~~These access lots shall also~~ comply with all of the dimensional standards under the ordinance.
 2. Where more than six subdivision lots are served, the width of the **controlled** access lot shall be increased by 25 percent for each additional subdivision lot in excess of six served.
 3. **The** lots shall be suitable in their natural state for the intended activities. All facilities shall be centralized and located in areas suitable for them. Evaluation of suitability shall include, but is not limited to, consideration of land slope, water depth, aquatic and shoreland vegetation, the presence of important fish and wildlife habitat, soils, depth to groundwater and other relevant factors.
 4. **Controlled Access** lots shall meet or exceed the shoreland vegetation buffer standards and have a vegetation management plan approved by the local government.
 5. The impervious surface coverage for **controlled** access lots must not exceed 12 percent of lot area, and stormwater management shall meet all relative standards.
 6. **The riparian controlled access** lots must be jointly owned by all ~~of those~~ purchasers of ~~the riparian lot~~ **lots having rights of usage of the access lot and be** governed by an owner's association.
 7. **Recreational vehicles and overnight camping are prohibited on controlled access lots.**
 8. ~~Access lots shall be governed by a covenant recorded on the title of every lot or parcel of land allowed to use the access lot.~~ **Controlled access lots are governed by the following standards:**
 - a) Permitted activities may include watercraft launching, loading, beaching, mooring, or docking, but shall not include residential or commercial uses.
 - b) A single dock and boat launching ramp may be permitted and no owner shall own an individual dock.

- c) Boating facilities must be located adjacent to the deepest water available.
- d) Continuous boat mooring shall be limited to one watercraft per lot served.
- e) ~~The covenants shall also specify which activities~~ **Allowable activities shall be specified**, such as swimming, sunbathing, ~~and or picnicking, shall be allowed on the access lot.~~
- f) These activities shall not conflict with general public use of the public water or the enjoyment of normal property rights by adjacent property owners.
- g) ~~Covenants governing access lots shall limit~~ **The total number of vehicles allowed to be parked on the lot shall be limited**, and ~~must require centralization of all common facilities and activities~~ **must be centralized** in the most suitable locations on the lot to minimize topographic and vegetation alterations.
- h) All parking areas, ~~storage buildings~~, and other facilities should be screened by vegetation or topography as much as practical from view from the public water, assuming summer, leaf-on conditions.
- i) **One (1) storage structure shall be allowed per controlled access lot, subject to Section 4.6.13. The following storage structure uses are prohibited: commercial uses and residential uses including, any structure with a dwelling unit.**

9. The owner's association shall enforce covenants.

~~C. **Controlled access lots.** Controlled access lots, or any lot, tract or parcel of land, however designated or described, intended to be used to provide accesses to public waters for owners of nonriparian lots, shall be restricted to having a single dock, no permanent watercraft, no loading or unloading of watercraft from lot and no structures on the access lot.~~