

Procedural Guide for the Implementation...

Supp. Report No. 6

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PROCEDURAL GUIDE for the IMPLEMENTATION of MUNICIPAL SHORELAND ORDINANCES

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SHORELAND MANAGEMENT

Supplementary
Report
No. 6

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DEPARTMENT OF NATURAL RESOURCES
Division of Waters

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Shoreland Management
Supplementary Report No. 6

Prepared by: Department of Natural Resources
Division of Waters
Land Use Management Section

PREFACE

This report is intended to acquaint municipal officials with the terminology, procedures for adoption and administrative duties included in zoning ordinances. It is primarily intended for those municipalities which have had no previous experience in zoning. The approach may seem too elementary for those municipalities already engaged in planning and zoning activities, but the explanations are woven around the particular topic of shoreland zoning. This report also contains alternatives for incorporating shoreland zoning provisions into existing zoning ordinances. In this respect, the report may prove beneficial to all municipalities regardless of their levels of planning and zoning expertise.

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I. INTRODUCTION

Shoreland management in Minnesota is designed to be a cooperative effort of the state and local units of government. The Statewide Standards and Criteria for Management of Municipal Shoreland Areas were officially promulgated by the Commissioner of Natural Resources on March 15, 1976. Shoreland Management Reports, No. 1¹ and No. 5², have been devoted to an explanation of the features of this program.

It now becomes the responsibility of each municipality with public waters to adopt, administer and enforce a shoreland management ordinance that at least meets these minimum statewide standards:

If a municipality fails to adopt a shoreland management ordinance which substantially complies with the statewide standards for municipal shoreland management pursuant to the requirements of Minnesota Statutes 1974, Section 105.485, subd. 6, the Commissioner of Natural Resources may adopt an ordinance, rules or regulations for the municipality. The costs incurred by the Commissioner in adopting the ordinance, rule or regulation shall be paid by the municipality as provided under Minnesota Statutes 1974, Section 105.485, subd. 5 and 6.³

Many Minnesota municipalities are unfamiliar with the procedures involved in implementation, administration and enforcement of land use controls. These procedures, to which the municipality must adhere, are specified in various chapters of the Minnesota Statutes. This report is intended to clarify these procedures and to draw attention to the alternatives available to municipalities in fulfilling their responsibilities under the Shoreland Management Program.

¹"Shoreland Management Classification System For Public Waters," Department of Natural Resources, Division of Waters, January 1976.

²"Elements and Explanation of the Municipal Shoreland Rules and Regulations," Department of Natural Resources, Division of Waters, May 1976.

³Minnesota Statutes 1974, Section 105.485.

II. REGULATORY POWERS

Land use controls are adopted by local units of government to limit uses of private property which are detrimental to the public interest. Municipalities are delegated power by the state to adopt and enforce these controls. Controls and regulations prescribed by the governing bodies in exercising this regulatory power must be designed to increase or protect the public health, safety, morals or general welfare. A further test is that the controls and regulations must be reasonable and nonconfiscatory. Federal and state constitutions prevent the taking of land or property without due process of law and without adequate and just compensation.

Laws that enable municipal governments in Minnesota to plan and zone are designed to aid in the orderly development of the area and to regulate land use. They provide for land use controls based on both the police and eminent domain powers.

Ordinances that prohibit land uses already in existence (generally called nonconforming uses) must adhere to the most stringent rules in attempting to eliminate these uses by use of the police power. Minnesota law authorizes the gradual elimination of a nonconforming use, and the courts have recognized this authority but only when the regulations provide for a period of time sufficient to amortize the investment of the current owner. A distinction is often drawn between the elimination of a land use and the elimination of a building or structure.

The Shoreland Management Program extends these principles to prevent land uses which may seriously impair public waters and their adjacent shoreland. The intention of the shoreland regulations is to guide the development of shoreland areas to avoid nuisances, protect natural environ-

mental values, and protect the local and state economies. The shoreland regulations require each municipality to implement at least three types of land use controls, all based upon the police power of the municipality. These controls are sanitary, zoning and subdivision controls.

Planning Agency

Minnesota Statutes 1974, Section 462.354 authorizes municipalities to create a Planning Agency either by charter or ordinance. The Planning Agency should be advisory in nature, except as other powers are imposed on it by state statute (re: M.S. Section 462.351 and 462.364), municipal charter and/or municipal ordinance. The Planning Agency may take one of the two following forms:

(1) *It may consist of a planning commission, which may or may not include municipal officials among its members. The planning commission may be provided with staff which may be a division of the administrative structure of the municipal government. The commission shall be advisory directly to the governing body.*

(2) *It may consist of a planning department with a planning commission advisory to it and shall function as a department advisory to the governing body and the municipal administration. The planning department may be provided with an executive director and other staff as in the case of other municipal departments.*

The Planning Agency may be aided by a professional consultant and they should work with the regional staff of the Department of Natural Resources in drafting shoreland management regulations in order to avoid any future conflicts with the Statewide Standards and Criteria for Management of Municipal Shoreland Areas of Minnesota.

The Planning Agency should be familiar with local problems which need remedy. A major task of the Planning Agency is to develop a comprehensive plan to provide a basis for land use controls. A comprehensive plan is a dynamic concept. By definition, it must apply throughout an area

and to all people and the public at large. The plan can be adopted in a sequence of logical parts. For example, the shoreland management portions of a comprehensive plan can be adopted separately. The plan then serves as the basis for adopting the shoreland controls. The plan must precede the enactment of the regulations, and it is valuable evidence in case the regulations are contested in court.

Sanitary Codes

Sanitary codes are designed to eliminate groundwater contamination and pollution of surface waters. Since they relate directly to public health objectives, they apply to existing as well as future sanitary facilities. A sanitary code should contain the following provisions:

- a. Detailed standards for private sewage treatment systems to ensure their proper operation. Such standards should include construction, location and maintenance requirements.
- b. Standards and requirements for the construction and location of private water supplies.
- c. Provisions for an administrator to issue permits, inspect installations and existing facilities, and enforce the ordinance.

Sanitary codes differ from zoning regulations in that they must be more flexible. Zoning regulations must be uniform over a single zoning district and treat all persons in similar situations equally. Sanitary regulations, however, must be varied to provide adequate protection of the public health. In order to design a properly functioning sewage treatment system, one must consider the expected quantity of waste material, in addition to the physical characteristics of the site.

Thus, the standards for a specific site are tailor-made for a particular combination of circumstances, such as the size of the family using the system, soil texture of the treatment area, ground slope, and location relative to bodies of water, lot lines, and other sanitary facilities.

Zoning Regulations

Zoning regulations, the most common type of land use controls, regulate the use of land in two basic ways. First, zoning can be used to determine the proper location for types of land use, such as agricultural or industrial, commercial or residential, single family homes or multiple dwelling units, etc. This control can also be used to separate conflicting uses of land, such as a drive-in restaurant in a residential area or a home in an industrial area.

Second, zoning can be used to regulate the manner of land use, such as:

1. Preventing overcrowding of buildings through minimum lot sizes and yard requirements. Minimum lot sizes will also aid in proper sewage treatment and protect against pollution;
2. Establishing adequate setbacks of structures and sewage treatment systems from the water's edge to protect the quality of the water and the beauty of the shoreline;
3. Delineating special protection areas to prevent building on unsuitable sites;
4. Regulating tree cutting to protect scenic beauty, control erosion, and reduce siltation in the lakebed; and
5. Controlling filling, grading and dredging which would result in substantial detriment to public waters due to erosion and sedimentation.

Zoning regulations are a means for implementing a comprehensive plan. The comprehensive plan consists of policies and proposals approved by the governing body for planning the physical development of the area, for coordinating governmental programs and services and for promoting the general welfare. The importance of the comprehensive plan in developing a zoning ordinance is emphasized by state enabling legislation and numerous court cases. State planning legislation indicates that zoning districts must be established to carry out the comprehensive plan. In addition, zoning regulations must be reasonably related to existing conditions and development.

The greatest limitation of zoning is that it applies primarily to development occurring after its adoption. Most uses and development existing before zoning remain as legal nonconforming uses. For example, if a business exists in an area which is later zoned for residences only, the business remains undisturbed. Only under special circumstances, as explained on page 17 sanitary systems, can nonconforming uses be eliminated.

Subdivision Regulations

Subdivision is the process by which land is divided into sites suitable for building or sale. Subdivision regulations require that certain areas be "platted." A plat is a detailed and accurate map of the subdivided land. The regulations set specifications for plat approval and require that, after the plat is prepared, it be reviewed by local officials to determine compliance with state laws and local ordinances. Once the plat has been properly reviewed, it is recorded in the office of the county register of deeds. When lots within the recorded plat are later transferred, they are described by reference to this plat.

Subdivision ordinances are useful in protecting prospective buyers. A person who plans to divide land into lots for sale must first obtain

municipal approval. This approval is given only when the subdivider complies with certain conditions, such as demonstrating that each lot contains a suitable building site, adequate open spaces, and provisions for a suitable road network. These precautions protect the future buyer from purchasing a lot which is unsuitable for its intended use as well as protecting the taxpayers against future public expenditures to adequately service improperly planned developments.

III. PRELIMINARY PLANNING

Shoreland protection involves decisions which affect many natural resources. Local resource technicians and persons familiar with the problems of the area can provide the Planning Agency with valuable information and suggestions in formulating an adequate ordinance. Department of Natural Resources regional personnel are familiar with the lakes and streams of the area and can supply much valuable information. The Soil Conservation Service and Soil & Water Conservation District personnel can also be of great assistance in interpreting soils maps to identify wetlands, locate areas with severe soil limitations, and evaluate soils for various uses. Regional Development Commissions can perform a valuable service in coordinating and assisting in the planning and educational processes involved in adopting shoreland management ordinances.

Contact these people and other local resource personnel and involve them in the task of shoreland management. They are available to help you and your overall land use management program will be improved if they are included.

Review Shoreland Management Classification

A major part of the Shoreland Management Program is the shoreland management classification of public waters. This classification is designed to provide flexibility to the program and to reflect the varying problems of lakes and streams. If the Planning Agency has not already done so, it should review this classification to insure compatibility of the classification with local land use plans. The procedures for this review are outlined in the Shoreland Management Supplementary Report No. 1, "Shoreland Management Classification System for Public Waters."

Shoreland Evaluation

The next step in the planning process is to evaluate the shorelands of the municipality in terms of their suitability for development. Suitability must be determined upon consideration of soil types and their engineering capabilities, topographic characteristics, vegetative cover, present ownership and use, and development alternatives:

Shoreland Soil Types. The types of shoreland soils and their engineering capabilities should be carefully evaluated in relation to land use criteria as follows:

- a. Wet and alluvial soils generally have poor engineering capabilities for building, are frequently flooded, are very susceptible to frost action and heaving, and have poor foundation support capabilities. Filling rarely solves all of the problems encountered in areas with these types of soils. They have severe limitations for on-site sewage treatment systems. They are characterized by a high water table, poor drainage and frequent flooding.
 - b. Clay soils generally have fair to poor engineering capabilities for building, have fair to poor shear strength, have poor bearing capacity, and present drainage problems. They have severe limitations for on-site sewage treatment systems. Their fine texture results in a very slow to medium-slow percolation rate.
 - c. Loam soils generally have good to fair capabilities for building, have good to fair bearing capacity. They have slight to moderate limitations for on-site sewage treatment systems. They are characterized by moderate to rapid percolation rates.
 - d. Sand and gravel soils generally have good engineering capabilities for building, and are generally the most suitable for developments of all types. For on-site sewage treatment they have slight limitations due to their rapid percolation rates; however, there is a possibility of groundwater contamination if the percolation rate is too rapid.
3. Areas with thin soils and large amounts of exposed bedrock generally have good engineering capabilities for buildings but may present economic problems due to high costs of excavation when necessary. For on-site sewage treatment areas of exposed bedrock have severe limitations, the percolation rate is usually very slow to zero.

Topographic Conditions. Topographic conditions may place severe limitations on land development and should be carefully considered in establishing land use zoning.

- a. Steep slopes are subject to erosion and may present severe construction problems.
- b. Shorelands which are very low and have slight relief are subject to frequent flooding and are generally undesirable for construction when filled.
- c. Shorelands of extremely uneven topography may be difficult to utilize without major excavation and filling which will usually have detrimental effects on the natural environment.

The Nature and Extent of Vegetative Cover. The nature and extent of vegetative cover on shorelands merits careful consideration in shoreland use zoning.

- a. Wetland areas where groundwater levels are typically at or near the surface are valuable areas for fish and wildlife and are necessary to provide ecological balance for the water and related land areas of lakes and streams. They also provide valuable urban open space for both recreational and educational purposes.
- b. Forested areas along shorelands help to prevent land erosion and sedimentation which could adversely affect the adjacent waters. Trees and shrubs also present natural vegetative screens which keep lakeshores looking natural and which increase aesthetic values.

Present Land Ownership and Development. Present ownership and types of land use must be considered in delineating land use zones. However, care should be taken to prevent perpetuation or expansion of uses located in inappropriate areas.

Development Alternatives. Space requirements for growing land uses will play an important part in reserving areas for specific uses. These decisions should be based upon the amount and type of shoreline existing in the municipality and the priority given to certain uses. For example, a municipality may need sites for power plants or commercial marina facilities, even though the most appropriate use of its shoreland may be for residential or open space uses. However, the protection of fish spawning grounds, wildlife habitat areas, forested areas and unique scenic or historical areas are major objectives of shoreland management. These areas should be given careful scrutiny when determining land use potential. The Planning Agency must consider local, regional and state priorities in its review of its shorelands.

Once this evaluation has been completed, the municipality should state its development goals, objectives and priorities in a comprehensive plan.

Sample Plan

Such a plan for shoreland may include the following features:

Management Policies for the Shoreland of the Municipality of _____

The uncontrolled use of shoreland of the Municipality of _____, Minnesota affects the public health, safety and general welfare not only by contributing to pollution of public waters, but also by impairing the local tax base. Therefore, it is in the best interests of the public health, safety and welfare to provide for the wise development of shorelands of public waters. The Legislature of Minnesota has delegated responsibility to the municipalities of the state to regulate the subdivision, use and development of the shorelands of public waters located in municipal areas and thus preserve and enhance the quality of surface waters, preserve the economic and natural environmental values of shorelands, and provide for the wise utilization of waters and related land resources. This responsibility is hereby recognized by the Municipality of _____, Minnesota.

In order to guide the wise development and utilization of shorelands of public waters for the preservation of water quality, natural characteristics, economic values and the general health, safety and welfare, all public waters in the incorporated areas of the Municipality of _____, Minnesota, have been given a shoreland management classification to best manage these resources consistent with their physical capabilities. The classification system recognizes the varied nature of lakes and streams in the Municipality of _____ and is designed to insure that development standards for any particular body of water will reflect the quality of the resource base.

Shoreland Management Classification

The classification system is based on:

- a. Size - relating to available space for development on the shore and for use of the water space;*
- b. Crowding potential - relating to the ratio of lake surface area to the length of shoreline;*
- c. Amount and type of existing development;*
- d. Existing natural characteristics of the public waters and surrounding shorelands;*
- e. Municipal, county and regional public waters needs.*

The categories of public waters shall be managed to provide a balance between general public and resource protection:

- a. Natural Environment Lakes and Streams: to preserve and enhance high quality waters by protecting them from pollution and to protect shorelands of waters which are unsuitable*

for development; to maintain a low density of development; and to maintain high standards of quality for permitted development.

- b. Recreational Development Lakes and Streams: to provide management policies reasonably consistent with existing development and use; to provide for the beneficial use of public waters by the general public, as well as the riparian owners; to provide a balance between the lake resource and lake use; to provide for a multiplicity of lake uses; and to protect areas unsuitable for residential and commercial uses from development.*
- c. General Development Lakes and Streams: to provide minimum regulations of areas presently developed as high density, multiple use areas; and to provide guidance for future growth of commercial and industrial establishments which require locations on public waters.*

The classification listing for the Municipality of _____ is as follows:

** * * * **

*Insert Shoreland Management Classification
as approved by the Commissioner of Natural
Resources*

** * * * **

LAND USE DISTRICTS

The development of shorelands of public waters shall be controlled by means of land use zoning districts which are compatible with the classes of public waters. The purposes of the land use zoning districts are to:

- a. Manage areas unsuitable for development due to wet soils, steep slopes, inadequate drainage, severe erosion potential, or any other feature likely to be harmful to the health, safety or welfare of the residents of the community.*
- b. Reserve areas suitable for residential development from encroachment by commercial and industrial uses.*
- c. Centralize service facilities for residential areas and enhance economic growth potential for those areas suitable for limited commercial development.*
- d. Manage areas where use may be directed toward commercial or industrial activities, rather than strictly recreational activities, and for use by industry requiring a location within shoreland areas.*

In establishing the type and number of zoning districts it deems necessary to achieve the purposes of the comprehensive plan, the governing body of the municipality of _____ shall consider preservation of natural areas; present ownership and development of lakeshore and adjacent land; shoreland soil types and their engineering capabilities; topographic characteristics; vegetative cover; municipal socio-economic development needs and plans as they involve water and related land resources; the land requirements of industry which, by its nature, requires location in shoreland areas; and the necessity to preserve and restore certain areas having great historical or ecological value.

Maps

The plan should be supplemented with maps and diagrams to better illustrate the proposed objectives, such as a map showing the location of lakes and streams in different classes or the location of soils which are unsuitable for development. The map scale should be large enough to show details of the areas mapped. Municipal highway maps (put out by the Minnesota Department of Highways) and low altitude aerial photographs are suitable for this task.

Other suitable maps might include U.S.G.S. topographic maps, S.C.S. detailed soils survey maps, or municipal plat maps. Check to see if these maps are available for your municipality. If these are not suitable, you may wish to have a consultant draft a base map of the scale you desire.

Administrative Format

Basic to the preparation of an ordinance is the choice of administrative format. The Planning Agency must know how the ordinance is to be administered to be able to draft an ordinance which is practical and workable. A part-time administrator will have a difficult time in handling a multitude of permit applications and inspections for a municipality with numerous lakes and streams.

Under the usual form of administration, both a zoning administrator and a board of adjustment and appeals are designated. Enforcement is secured

by the issuance of permits for all buildings and uses established in the future.

The Planning Agency (with the consent of the governing body) must decide what its function will be and what duties will be assigned to the administrative bodies, in order to draft appropriate provisions in the ordinance. (Administrative procedures are discussed more fully in Section VI.)

IV. ORDINANCE PREPARATION

It is the responsibility of the Planning Agency to draft a preliminary ordinance for discussion purposes. The preliminary regulations should be designed to achieve the goals and objectives of the comprehensive plan, as well as to comply with the statewide standards.

Supplementary Report No. 5, "Elements and Explanation of the Municipal Shoreland Rules and Regulations," discusses the rationale behind the adopted standards. In addition, the Department of Natural Resources is developing several examples of local land use ordinances which would satisfy the statewide standards. A review of these sources would be beneficial before proceeding to draft a shoreland ordinance.

However, no "model" or "example" ordinance will prove adequate or desirable for all municipalities. Because each community will possess its own unique problems, the statewide shoreland standards allow for variations to meet individual municipal needs. The Division of Waters regional shoreland and flood plain management personnel should be consulted to determine which standards may be varied and to what extent. The Division of Waters urges the adoption of an adequate ordinance that meets local problems.

The remainder of this chapter discusses the essential components of a shoreland management ordinance and alternatives open to the individual municipalities. For an indication of essential features of a shoreland ordinance, refer to Appendix I.

Drafting Sanitary Provisions

In areas not served by public sewer systems, sanitary provisions must be flexible to allow the application of different standards for different site conditions. Sewage treatment problems can be grouped into three

generalized categories: failure of the septic system due to faulty design and construction; installation of septic systems in soils not suitable for receiving the effluent; and groundwater contamination resulting from the concentration of septic systems on small lots in crowded subdivisions.⁴

A municipal sanitary code should contain provisions for size and construction of septic tanks, size of soil absorption units based upon a percolation test, conditions under which soil absorption is prohibited, setbacks from the ordinary high water marks, and provisions for the elimination of nonconforming systems. Specifications for all of these parameters are contained in the statewide shoreland standards, NR 83(d)(2). Any additional standards, such as specifications for alternative sewage treatment systems, should be discussed with the Minnesota Department of Health and/or Minnesota Pollution Control Agency.

It is strongly recommended that each municipality adopt provisions in its ordinance for inspections of new installations before they are covered. Such a provision is contained in the code recommended by the Minnesota Department of Health:⁵

Inspection. The inspector shall make such inspection or inspections as are necessary to determine compliance with this ordinance. No part of the system shall be covered until it has been inspected and accepted by the inspector. It shall be the responsibility of the applicant for the permit to notify the inspector that the job is ready for inspection or re-inspection, and it shall be the duty of the inspector to make the indicated inspection within 48 hours after such notice has been given. It shall be the duty of the owner or occupant of the property to give the inspector free access to the property at reasonable times for the purpose of making such inspections. Upon satisfactory completion and final inspection of the system the inspector shall issue to the applicant a certificate of approval.

⁴Generalized from: Cain, John M. and M. T. Beatty, "Disposal of Septic Tank Effluent in Soils," Journal of Soil and Water Conservation, Vol. 20, No. 3, May - June, 1965.

⁵Code Regulating Individual Sewage Disposal Systems, Recommended by the Minnesota Department of Health, 1971.

If upon inspection the inspector discovers that any part of the system is not constructed in accordance with the minimum standards provided in this ordinance, he shall give the applicant written notification describing the defects. The applicant shall pay an additional fee of _____ dollars for each re-inspection that is necessary. The applicant shall be responsible for the correction or elimination of all defects, and no system shall be placed or replaced in service until all defects have been corrected or eliminated.

Inspections are the best and virtually only method of enforcing a sanitary code. Once a system is installed and covered, checking for compliance becomes very difficult.

A provision to eliminate nonconforming sanitary systems within five years is required by the statewide shoreland standards, NR 84(a)(3). This nonconforming provision does not mean that all existing soil absorption systems must meet the requirements for setbacks from the ordinary high water mark. Where a system is constructed and functioning properly, the property owner should not be required to move it just to meet the setback. Indeed, on many substandard lots, this would be impossible due to area limitations. The nonconforming provision does mean that an existing system that is constructed improperly or setting in the water table should be removed. This means that cesspools are no longer considered an adequate method of sewage treatment. It also means that existing soil absorption systems are not adequate in areas of exposed or shallow bedrock and shallow groundwater. Five years is considered a reasonable compliance period since the investment in older sanitary systems is not usually large and improperly constructed systems tend to fail within a few years anyway. An alternative to this five year approach is to require immediate compliance with the code by all systems, new and existing. Such a provision, allowing a reasonable time after notification, might read:

Sanitary facilities inconsistent with Section _____ shall be eliminated within (30) days of notification of nonconformance by the zoning administrator.

It should be kept in mind, however, that such provisions should be justified via the comprehensive plan as being in the best interest of public health, safety and welfare.

Regulations regarding the installation of wells and water quality are designed to promote the public health. These provisions are especially important for crowded subdivisions where the ground may become contaminated by sewage effluent. The Minnesota Department of Health should be consulted on provisions dealing with water quality and the construction of wells.

Further information on these matters can be obtained from the following offices:

Minnesota Department of Health
717 S.E. Delaware Street
Minneapolis, MN 55440
Telephone: (612) 296-5221

Division of Environmental Health
Frederick F. Heisel, Director

Section of Water Supply & General Engineering
Paul B. Johnson, Chief

Section of Hotels, Resorts & Restaurants
Charles B. Schneider, Chief

District Offices:

Region I	Box 516, 15th & Delton, Bemidji 56601 (218) 755-3820
Region II	Box 3047, 75 Navaho Ave, Mankato 56001 (507) 389-6025
Region III	423-3rd Ave SE, Rochester 55901 (507) 285-0178
Region IV	Room 108 Gateway Towers, Duluth 55802 (218) 723-4642
Region V	Box 1065, 1104 E. College Dr, Marshall 56258 (507) 537-6110

Region VI Minneapolis Office

Region VII Box 675, 615½ S. Mill, Fergus Falls
56537 (218) 736-6922

Region VIII 16 North 12th Ave., St. Cloud 56301
(612) 255-4216

Drafting Zoning Provisions

The important thing to remember when drafting zoning provisions is to design adequate standards which cover all of the community's anticipated problems. The statewide shoreland standards had to be designed for all municipalities, a certain degree of generalization was necessary to avoid extraneous and inadequate restrictions which might otherwise result. Furthermore, the statewide standards deal mainly with the problems of single family residential development on shorelands. These standards, such as lot sizes and building setbacks, may not be appropriate or suitable for, say, commercial establishments, apartment complexes or mobile home courts. A particular municipality must insure that its zoning standards will provide adequate protection in view of the types of development allowed within the community. (The establishment of land use zones is discussed later in this chapter on page 23.)

There are three general topics within the realm of zoning provisions to which the Planning Agency should give careful attention. These are: substandard lot sizes, building setbacks and shoreland alterations.

The regulation of substandard lots may pose a problem when drafting the ordinance. The state standards for lot sizes apply only to lots created after the local ordinance is in effect. It is recommended that lots already in existence be allowed to be developed, provided the proposed development will not be detrimental to the public interest and that the development can be accomplished under the other provisions of the ordinance.

The municipality may or may not wish to set lower size limits for substandard lots. If lower limits are set, they should be consistent with past platting practices allowed in the municipality. It would be unwise to set the limits larger than lots in subdivisions which have been approved by the municipality. Only lots which do not contain enough area to meet reasonable development standards should be excluded.

The development of substandard lots can be regulated without setting size limits. By setting conditions in the ordinance, the zoning administrator can be allowed to issue building permits for substandard lots. Such a provision might read:

Section _____. Substandard Lots

The zoning administrator may issue a building permit for a lot of record in the office of the County Register of Deeds prior to the date of enactment of this ordinance which does not meet the lot size requirements of Section ____, provided the lot is in separate ownership from abutting lands and the proposed development complies with setback provisions and sanitary provisions of this ordinance.

Any other lot which does not meet these conditions could be accommodated on an individual basis under the variance procedures.

The state standards for building setbacks from the water are not intended to be variable at the municipality's discretion. However, where the shorelands surrounding a particular body of water pose administrative problems for applying the prescribed state setback, a reclassification of the water or a special setback provision for that body of water may be appropriate. The state's approach is one of reasonability, and where unique circumstances would indicate difficulty in administering the shoreland provisions, reasonable alternatives will be considered. (Reasons for granting variances or exceptions are discussed in Supplementary Report No. 5.)

Boathouses are excluded from the state setback requirements. This was done because boathouses are essential in some areas of the state and because new zoning standards would not apply to such existing structures, anyway. Boathouses, however, may be a problem in a particular area or on a particular lake. The Planning Agency should consider regulations for boathouses wherever appropriate.

Shoreland Alterations pose another problem when drafting zoning provisions. The state standards (NR 83(c)(3)) do not specify exact provisions for removal of the natural vegetation and grading and fill, because this is an area of tremendous variability from city to city. No single set of regulations could treat each municipality equally. It is extremely important, however, that each municipality adopt provisions for controlling these activities and so protect its lakes and streams from abuse. Each municipality should select provisions suited to its needs, especially in consideration of enforcement and administration. These provisions can be coordinated quite easily to control excavations and channeling for large subdivisions, which can pose severe problems.

For further assistance, contact the Division of Waters regional shoreland and flood plain management personnel.

Drafting Subdivision Provisions

Subdivision controls are somewhat similar to zoning controls. Lot sizes in new plats must be equivalent to those specified in the zoning ordinance, and similar provisions regarding shoreland alterations also apply to subdivisions. In other respects, subdivision controls are different. They are designed to provide a measure of planning before actual construction of dwellings begins. They are designed to give public officials a chance to guide future development and to prevent lands which are unsuitable for development from being subdivided.

Under the statewide shoreland standards, a subdivision is defined as...three or more lots.... Particular municipalities may wish to narrow this definition to...two or more lots.... This can avoid problems with lengthy metes-and-bounds descriptions for recording deeds.

A subdivision code should include, at a minimum:

A. Procedures for Plat Approval

1. Preliminary plat.
2. Information on the suitability of the land for development, such as soil types, slope, depth to bedrock or ground water, etc.
3. Final plat incorporating desired changes.
4. Action of governing body.

B. General Design Standards

1. Lot dimensions.
2. Width and spacing of streets, with regulations to control the laying out of sharp curves, steep grades or streets with poor sight distances on curves and hills at intersections.
3. Storm drainage.

C. Required Improvements

1. Surfacing of streets.
2. Community water and sewerage.
3. Parks and playgrounds, etc.

Detailed specifications pertaining to the platting of lands and subdivision procedures are set forth in Minnesota Statutes 1974, Chapters 462 and 505. The Planning Agency should review these statutes before drawing up a subdivision code.

The municipality should also include provisions for cluster developments. The statewide standards provide for variations in the zoning provisions when applied to this type of development. The DNR has not promul-

gated detailed standards at this time, but requires review of proposed cluster developments before the municipality grants final approval (see Supplementary Report No. 4, the Concept of Cluster Development--Explanation and Guidelines).

Delineating Land Use Districts

The next step in the zoning process is to prescribe allowable uses of the land being zoned. The function of the land use district or zone is to separate conflicting land uses. Land use districts or zones should be established to accommodate all desirable activities of the municipality and to set aside sufficient areas for potential growth. These zones should be based upon the shoreland evaluation discussed under "Preliminary Planning," page 8. This will promote a stable tax base for the municipality while still preserving property values and ecological values.

The Planning Agency must decide what land use activities are desirable for their community and delineate appropriate land use zones in suitable areas. Uses allowed in each zoning district should be compatible with the management goals and objectives of each shoreland management class. For example, a Special Protection District and/or a Residential-Recreational District would be compatible with all three shoreland management classes. On the other hand, a Commercial-Recreational District should be limited to Recreational Development and/or General Development lakes and streams. A General Use District or Industrial Use District should be limited to General Development lakes and streams only. Permitted uses and conditional uses for each land use zoning district should be carefully specified in the ordinance. This approach may seem too detailed and time consuming, but it provides for a well planned and orderly growth in the municipality in the long run.

If a particular municipality does not have an existing zoning ordinance, the Planning Agency should consider the possibility of adopting a comprehensive ordinance, not just an ordinance for shoreland areas. This approach may be more beneficial for the municipality in achieving an orderly growth pattern, especially for separating conflicting land uses and for implementing adequate sanitary provisions to safeguard the public health.

An alternative to delineating detailed land use zones involves applications of the "conditional use" device. Under this approach only the most general uses of shorelands are allowed for each shoreland management class, such as residential, agricultural and/or open space. All other uses are permitted only after review by the governing body or their legally designated agent. If there is a danger of incompatibility with neighboring uses, conditions to minimize the conflicts can be attached to the conditional use permit, such as screening from view, greater setbacks, or off-street parking areas, etc. The application may be denied if the proposed development is totally incompatible with the established uses in the area.

This approach has the advantage of ease of adoption, but it can lead to future problems. The municipality may not benefit from an ordered growth pattern, residents cannot be assured of separation from unwanted land uses and the conditional use permits may be granted too freely by the reviewing body with little regard for planning goals and objectives.

There can be no substitute for sound planning. Employment of the conditional use approach can be viewed only as a temporary approach in which to gain time and expertise before adopting a comprehensive zoning ordinance.

Compiling the Ordinance

A land use ordinance should contain four distinct parts:

- I. Purposes and Definitions
- II. Establishment of Land Use Zoning Districts
- III. Regulations (zoning, sanitary and subdivision)
- IV. Administrative Procedures

Incorporation of Shoreland Controls Into an Existing Ordinance

If a municipality has an existing comprehensive ordinance, it can be a relatively simple matter to incorporate shoreland provisions into the ordinance. All that is necessary is to draft shoreland regulations consistent with the shoreland management classification system. These regulations can be added to the existing ordinance in a number of ways.

1. The shoreland regulations can be incorporated into the ordinance by the creation of a "Shoreland Overlay District." Under this approach, the shoreland regulations apply to lands within the shoreland jurisdiction, but the land uses specified by the original comprehensive ordinance would remain the same. No additional mapping would be necessary, but the shoreland management classification would have to be listed in the ordinance.
2. By rezoning, land use districts can be designated around each shoreland management class. Development regulations for each land use district can be established to comply with the shoreland standards.
3. A separate shoreland ordinance can be adopted, but the administrative provisions can be simplified by referring to the procedures established in the existing ordinance. If the shore-

land sanitary and subdivision requirements are satisfied by the existing ordinance they, too, can be adopted by reference. They need not be included in the new shoreland ordinance.

Joint Powers Agreement

Many smaller communities may find it difficult to undertake and implement a full scale planning and zoning program. In such cases, the municipality may wish to enter into a joint powers agreement with the county or another nearby community. Basically, this is a contractual arrangement whereby the municipality purchases planning and zoning services from another unit of government. Such an agreement can save smaller municipalities the expense and administrative problems of creating a full-time planning and zoning agency.

The statewide shoreland management standards encourage the use of this option wherever feasible and practicable. NR 84(b) provides for the use of joint powers agreements as follows:

(b) JOINT EXERCISE OF POWERS

In order to facilitate more logical, consistent, and efficient administration of municipal shoreland management ordinances, municipalities are encouraged, wherever feasible and practicable, to enter into joint powers agreements with adjacent or otherwise similarly situated local units of government for the purpose of jointly administering and enforcing shoreland management ordinances pursuant to the procedures and authority of Minnesota Statutes 1974, Section 394.32 and 471.59.

The municipality should choose the approach best suited to its needs, in terms of clarity of the final product, ease of administration, and accomplishment of the goals and objectives of the shoreland program. The main concern of the Department of Natural Resources is that the shorelands of the state's public waters are adequately protected against overcrowding and unwise development. The particular method of achieving this protection can be decided by each municipality.

V. ENACTMENT

Once the Planning Agency has decided upon a draft ordinance that meets the approval of the governing body, the next step is to inform the public of the proposals. Public meetings should be held (as many as possible) to discuss the regulations and why they are needed. Often, local opposition to zoning dissolves when the residents have a clear understanding of the purposes and intent of the ordinance.

The municipality may enact zoning ordinances under the authority contained in Minnesota Statutes 1974, Section 462.357, subdivision 1. The procedures a municipality must follow in enacting an ordinance are found in M.S. § 462.357, subdivisions 2 thru 5, which provide for published notice for the intention to enact an ordinance and a public hearing.

The final draft of the ordinance is then prepared after an evaluation of the testimony presented at the hearing. The final draft can then be enacted by the governing body. Every municipal ordinance, including shoreland ordinances, must be enacted by a two-thirds vote of all the members of the governing body.

No ordinance of a municipality, including shoreland ordinances, may be enacted unless a notice of the intention to enact such ordinance has been published in the official newspaper of the municipality not less than ten days before the meeting at which the ordinance is to be considered. The notice shall state the subject matter and the general purpose of the proposed ordinance.

A municipality may incorporate in an ordinance, by reference, any statute of Minnesota and any administrative rule or regulation of any department of the State of Minnesota affecting a municipality. This would include the shoreland management regulations promulgated by the Department

of Natural Resources, and the statutory authority for the enactment of the shoreland regulations. Provisions of the entire ordinance or of the statute, rule or regulation, thus incorporated in such ordinance by reference shall be as much a part of the ordinance as if they had been set out in full therein.

The governing body shall have power to declare that the violation of any ordinance shall be a penal offense and to prescribe penalties therefor. Such penalties may not exceed those permitted for conviction of a misdemeanor as defined by law. All prosecutions for violation of municipal ordinances shall be brought by the city attorney in the name of the municipality upon a complaint and warrant as in other criminal cases. All fines, forfeitures, and penalties recovered for the violation of any municipal ordinance, including shoreland ordinances, shall be paid into the city treasury.

For further explanation of the powers of the governing body to enact ordinances, refer to Minnesota Statutes 1974, Section 462.357.

VI. ADMINISTRATION

Once the ordinance is enacted it becomes the municipality's responsibility to administer and enforce it. Even if the Commissioner of Natural Resources adopts an ordinance for a municipality which does not meet the administrative deadline, that municipality still is responsible for the administration of the ordinance. A municipality may have the best written ordinance in the world, but it will do little to solve its problems if it is not administered effectively.

Format

Administration should be set upon a three-point program:

1. An executive office (zoning administrator) to advise persons of the permitted uses of their properties, issue permits, make inspections, and report violations;
2. An agency of the governing body (planning agency) to oversee the administration of the ordinance and to conduct hearings, to make reports on proposed amendments, and to review proposed plats; and
3. A semi-judicial body (board of adjustment and appeals) to interpret the ordinance, where necessary, and to grant variances and any other duties specifically called for in the ordinance.

Zoning Administrator

The office of planning or zoning administrator is provided for in Minnesota Statutes 1974, Section 462.354, subdivision 1. The municipality may employ a person to fill this office, but they may also assign the duty to an existing official. The zoning administrator is responsible for up-

holding the ordinance. He must function as a record keeper and a processor of permit applications. He also has enforcement responsibilities. He must insist upon strict compliance. However, he cannot change any regulations to suit particular circumstances, no matter how reasonable the change may seem. Such changes can be made only by the board of adjustment and appeals pursuant to Minnesota Statutes 1974, Section 462.357, subdivision 6.

Some of the day-to-day duties of the zoning administrator may include:

- (a) Issuing forms to applicants upon request;
- (b) Assisting applicants in filling out forms;
- (c) Checking each item for completeness, clarity and accuracy;
- (d) Making on-site inspections, if necessary, in order to be sure that statements on the form are correct;
- (e) Determining compliance with the ordinance, or areas of non-conformance;
- (f) Granting or denying permits;
- (g) Issuing appeal forms to applicant, if permit is denied and if applicant desires to appeal the decision; and
- (h) Transmitting appeal forms and case records to the board of adjustment and appeals.

In summary, the zoning administrator serves as a link between the governing body and the general public. He has the responsibility of educating the public to the requirements of the ordinance and the reasons behind them.

Planning Agency

The Planning Agency should continue to function after the adoption of the ordinance to oversee its administration. The Planning Agency should

detect any inadequacies of the ordinance which become evident and make recommendations for changes. In this respect, the Planning Agency should work closely with the zoning administrator to be informed of administrative problems with the ordinance.

The most time consuming job of the Planning Agency, however, will be the review of plats. Under the "usual" format of administration of subdivision codes, the Planning Agency receives preliminary plats, makes recommendations to the subdivider for any necessary changes, reviews the final plat and refers the final plat to the governing body for approval, if appropriate.

Board of Adjustment & Appeals

Minnesota Statutes 1974, Section 462.354, subdivision 2 requires that a municipality must provide for a Board of Adjustment and Appeals whenever it adopts official land use controls. The Board of Adjustment and Appeals is created by the governing body through its ordinance. The purpose of the board is to hear grievances caused by the ordinance and to grant relief from the provisions of the ordinance wherever appropriate. This relief mechanism exists to ensure that no one is caused unnecessary hardship by the strict application of new zoning ordinances.

The most important function of the board of adjustment and appeals is its role as an appellate board. In this capacity, it reviews certain decisions made by the zoning administrator which have been appealed by landowners. The board can also make limited adjustments of the location of zoning district boundaries. A property owner might be caused hardship where a boundary divides his property and creates different standards that apply to parts of his property. The board of adjustment and appeals can alter the boundary enough to allow the property owner to develop under a consistent set of standards.

In all probability, the principal business of the board will be the granting or denying of variances. A variance is a change in the regulations as they apply to a specific property which, due to unique physical characteristics, cannot be developed in accordance with the zoning ordinance. A variance is not a convenience to the owner of the property. Nor should a variance be granted for a reason common to other lots or premises (the appropriate remedy there would be an amendment to the ordinance).

Variances should be granted only in proved cases of unnecessary hardship. "Unnecessary hardship" should be understood as involving an unusual or extreme decrease in the adaptability of the property to the uses permitted in the zoning district which is caused by facts, such as rough terrain, uniquely applicable to the particular piece of property as distinguished from those applicable to most or all property in the same zoning district. It should be understood that financial gain or loss by the applicant is not interpreted as an "unnecessary hardship." The following additional tests of the property for granting a variance will be helpful:

- (a) The condition causing the hardship is unique to that property.
- (b) The variance is proved necessary in order to secure for the applicant the right or rights that are enjoyed by other owners in the same area of the district.
- (c) The granting of the variance will not be contrary to the public interest or damaging to the rights of other persons or to property values in the neighborhood.
- (d) The granting of the variance will not be contrary to management policies of the area or district.
- (e) No variance shall be granted simply because there are

no objections or because those who do not object outnumber those who do; nor for any other reason than a proved hardship.

The State's Administrative Role

The Department of Natural Resources will have a limited role in the administration of municipal shoreland ordinances. Municipalities are required to supply the Department with information on their zoning programs, as set forth in the statewide standards:

NR 84(e) NOTIFICATION PROCEDURES

(1) Copies of all notices of any public hearings to consider variances, amendments, or conditional uses under the municipal shoreland management ordinance shall be received by the Commissioner at least ten (10) days prior to such hearings.

(2) A copy of amendments and final decisions granting variances or conditional uses under the municipal shoreland management ordinance shall be received by the Commissioner within ten (10) days of final action or amendment.

Information regarding plats is also required:

NR 83(e)(2) INCONSISTENT PLATS REVIEWED BY COMMISSIONER

All plats which are inconsistent with the municipal shoreland ordinance shall be reviewed by the Commissioner before approval by the municipality may be granted. Such review shall require that the proposed plats be received by the Commissioner at least ten (10) days before a hearing is called by the municipality for consideration of approval of a final plat.

(3) COPIES OF PLATS SUPPLIED TO COMMISSIONER

Copies of all plats within shoreland areas shall be submitted to the Commissioner within ten (10) days of approval by the municipality.

Plans for proposed cluster developments must also be submitted to the Department prior to their approval by the municipality. The intent behind these requirements is to provide a continual review of development pressures occurring in shoreland areas to support future amendments or additions to the shoreland standards.

APPENDIX I.

CHECKLIST FOR COMPLIANCE
OF
MUNICIPAL SHORELAND ORDINANCES

The following checklist is used by the Department of Natural Resources in determining compliance of municipal shoreland ordinances with the Statewide Standards and Criteria for Management of Municipal Shoreland Areas of Minnesota.

Date of Review _____

Community Identification Code _____

Reviewer _____

Compliance ☐ Yes ☐ No**-SHORELAND MANAGEMENT ORDINANCE REVIEW & INVENTORY FORM-**

County _____, City of _____

Date of Adoption _____ Date of Effect _____

Type of Ordinance: Separate shoreland ☐ Zoning ☐ Subdivision ☐Combined FP/SH ☐ Sanitary ☐ Comprehensive ☐GENERAL PROVISIONSAuthority (reference to MS 105.485 and MS 394 or MS 462) ☐ Yes ☐ NoJurisdiction (1,000 ft. & 300 ft.) ☐ Yes ☐ No Greater _____Definitions: Hardship ☐ Yes ☐ No Shorelands ☐ Yes ☐ NoOrdinary high water mark ☐ Yes ☐ No Subdivision ☐ Yes ☐ NoPublic Waters ☐ Yes ☐ No Variance ☐ Yes ☐ NoLAND USE PROVISIONS

Shoreland Management Classification System:

Listed in Ordinance ☐ Yes ☐ No Concurs with DNR List ☐ Yes ☐ NoShown on Zoning Map ☐ Yes ☐ No Expanded Classification ☐ Yes ☐ NoAdopted by Reference ☐ Yes ☐ No Includes smaller water bodies down to _____ acres

Land Use Districts:

Single Shoreland District ☐ Yes ☐ No Combined Shoreland/Flood Plain District ☐ Yes ☐ NoMultiple Shoreland Districts ☐ Yes ☐ No Districts shown on Zoning Map ☐ Yes ☐ NoOverlay Shoreland District(s) ☐ Yes ☐ NoZONING PROVISIONS

Lot Size (Area, width & frontage):	Unsewered	Sewered*
Natural Environment	_____ ft ² x _____ ft.	_____ ft ² x _____ ft.
Recreational Development	_____ ft ² x _____ ft.	_____ ft ² x _____ ft.
General Development	_____ ft ² x _____ ft.	_____ ft ² x _____ ft.

20,000 100

*List back lot dimensions below waterfront lot dimensions (i.e. 15,000 ft.² x 75 ft.)

Additional Classes-
(Specify name & Dimensions)

_____	ft ² X	ft.	_____	ft ² X	ft.
_____	ft ² X	ft.	_____	ft ² X	ft.
_____	ft ² X	ft.	_____	ft ² X	ft.

Smaller Lot Sizes Allowed For: Cluster Development ☐ Yes ☐ No Size _____
Sewered Areas ☐ Yes ☐ No Size _____

Structure Setbacks:

	<u>Unsewered</u>	<u>Sewered</u>
Natural Environment	_____ ft.	_____ ft.
Recreational Development	_____ ft.	_____ ft.
General Development	_____ ft.	_____ ft.

Additional Classes-
(Specify name & Dimensions)

_____	ft.	_____ ft.
_____	ft.	_____ ft.
_____	ft.	_____ ft.

Building Height Limitation: 35 feet ☐ Yes ☐ No Greater _____

Road Setbacks: federal, state, & county _____ ft. Other roads _____ ft.

Substandard Lots: Allowed as building sites ☐ Yes ☐ No

Must use contiguous lots ☐ Yes ☐ No

Minimum allowable size ☐ Yes ☐ No Size _____ ft², or
_____ % of minimum

Structure Elevation: 3 ft. above highest known water level ☐ Yes ☐ No

Outside of floodway and above regional flood ☐ Yes ☐ No

Lot Coverage: Total structure and impervious surface cover = 30% ☐ Yes ☐ No

Boat Houses: Allowed ☐ Yes ☐ No Conditional use ☐ Yes ☐ No

Shoreland Alterations:

Vegetation removal permit ☐ Yes ☐ No...Conditional use ☐ Yes ☐ No

Grading and/or filling permit ☐ Yes ☐ No...Conditional use ☐ Yes ☐ No

Excavations to connect with public waters permit required ☐ Yes ☐ No

Works in the beds of public waters permit required ☐ Yes ☐ NO

SANITARY PROVISIONS

Water Supply: Reference to Minn. Dept. of Health standards ☐ Yes ☐ No
Required to be flood-proofed ☐ Yes ☐ No
Separation distance between well and septic system _____ ft.

Sewage Treatment & Waste Disposal:

Reference to Minn. Pollution Control Agency Standards ☐ Yes ☐ No
Reference to Minn. Dept. of Health recommended code ☐ Yes ☐ No
Inspection required to new systems ☐ Yes ☐ No
Sewage Disposal Permits required ☐ Yes ☐ No
System setback from normal high water mark-

Natural environment _____ ft.

Recreational development _____ ft.

General development _____ ft.

Additional Classes-
(Specify name & dimensions)

_____ ft.

_____ ft.

_____ ft.

System at least 4 ft. above groundwater or bedrock ☐ Yes ☐ No
Systems restricted in areas of flooding and/or steep slope ☐ Yes ☐ No
Percolation test required ☐ Yes ☐ No
Privies allowed ☐ Yes ☐ No
Holding tanks allowed ☐ Yes ☐ No
Provisions for alternative systems ☐ Yes ☐ No

SUBDIVISION PROVISIONS

Land Suitability Clause: ☐ Yes ☐ No

Preliminary Plat:

Reviewed by-Planning Commission/Agency ☐ Board of Adjustment ☐ Governing Body ☐
Public hearing required ☐ Yes ☐ No

Hearing notice to DNR ☐ Yes ☐ No

Inconsistent plats to DNR ☐ Yes ☐ No

Final Plat:

Copies of final plats to DNR ☐ Yes ☐ No

Inconsistent plats approved by DNR ☐ Yes ☐ No

Cluster Development (PUD):

Preliminary plans approved by DNR ☐ Yes ☐ No

Central sewer and water system ☐ Yes ☐ No

Open space preserved ☐ Yes ☐ No

Central water recreation facilities ☐ Yes ☐ No

Any density limitations? (specify) _____

ADMINISTRATIVE PROVISIONS

Permit Requirements: Building permit ☐ Yes ☐ No

Sewage Disposal permit ☐ Yes ☐ No

Well permit ☐ Yes ☐ No

Certificate of Compliance ☐ Yes ☐ No

Grading & Filling permit ☐ Yes ☐ No

Vegetation Removal permit ☐ Yes ☐ No

Conditional Use Permits:

Reviewed by - Planning Commissioner/Agency ☐ Approved by - Planning Commission/Agency ☐

Board of Adjustment ☐ Board of Adjustment ☐

Governing body ☐ Governing body ☐

Public Hearing required ☐ Yes ☐ No

Hearing notice to DNR ☐ Yes ☐ No

Final copy to DNR ☐ Yes ☐ No

Variances: For proved hardship only ☐ Yes ☐ No

Reviewed by-Board of Adjustment ☐ Planning Commission /Agency ☐

Approved by-Board of Adjustment ☐ Governing body ☐

Public hearing required ☐ Yes ☐ No

Hearing notice to DNR ☐ Yes ☐ No

Final copy to DNR ☐ Yes ☐ No

Nonconforming Uses: No expansion allowed ☐ Yes ☐ No

Eliminated if destroyed or damaged ☐ Yes ☐ No

5 yr. elimination of nonconforming sanitary systems ☐ Yes ☐ No

Substandard sanitary systems allowed ☐ Yes ☐ No

Enforcement & Administration:

Handled by - Zoning Administrator and/or sanitarian ☐

Planning Department ☐

Other Official ☐ Title _____

Violation a misdemeanor ☐ Yes ☐ No

Every day a separate violation ☐ Yes ☐ No

-NOTES-

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears slightly aged or off-white. There is no handwriting or other markings on the page.

