

Compliant: __yes; __no; __partial Reviewer: _____ Date: _____

SHORELAND ORDINANCE REVIEW CHECKLIST

County/City/Township _____

Ordinance Title _____

Type of Ordinance	Ordinance Status:
<input type="checkbox"/> Free Standing	<input type="checkbox"/> Rough Draft
<input type="checkbox"/> Comprehensive	<input type="checkbox"/> Final Draft
<input type="checkbox"/> Floodplain Management	<input type="checkbox"/> Officially Adopted
<input type="checkbox"/> Wild & Scenic Rivers	_____
	(date of adoption)

Part of and/or consistent with local water management plan.

Flexibility applied in following areas:

- Land Use Districts
- Shoreland Classifications
- Zoning Provisions (lot size, setbacks, etc.)
- Performance Standards (alterations, agriculture, etc.)
- PUD's
- Other _____

Note: * signifies an absolute minimum requirement that must be addressed in the ordinance or resolved through flexibility provisions in the rules.

signifies optional provisions not necessarily required by rules.

Unmarked sections refer to areas in the rules that may or may not be required, depending on local conditions (e.g., PUD standards may be omitted if not allowed by local ordinance).

Compliant:	Statutes,	Requirement	Section of	Comments:
Yes	No	MN Rules	Ordinance	
<input type="checkbox"/>	<input type="checkbox"/>	M.S. 103F M.S. 394 M.S. 462 6120.2600	<input type="checkbox"/>	Statutory Authorization and Policy
<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	Jurisdiction, Compliance, Enforcement, Severability, Abrogation and Greater Restrictions

Compliant:		Statutes, MN Rules	Requirement	Section of Ordinance	Comments:
Yes	No				
___	___	6120.2500	A. Definitions:		
			___ <u>Scope of terms; mandatory; distances.</u>		
—			___ Accessory structure or facility*		
			___ Bluff		
			___ Bluff Impact Zone Boathouse _		
			___ Building Line*		
			___ Commercial Planned Unit Development		
			___ Commercial Use*		
			___ Commissioner* Conditional Use*		
			___ Deck*		
			___ Duplex, Triplex, and Quad		
			___ Dwelling Site*		
			___ Dwelling Unit*		
			___ Extractive Use*		
			___ Feedlots		
			___ Forest Land Conversion		
			___ Guest Cottage Hardship*		
			___ Height of Building*		
			___ Industrial Use*		
			___ Intensive Vegetation Clearing*		
			___ Lot*		
			___ Lot Width*		
			___ Nonconformity*		
			___ Ordinary High Water Level*		
			___ Planned Unit Development		
			___ Public Waters*		
			___ Residential Planned Unit Development		
			___ Semipublic Use		
			___ Sensitive Resource Management		
			___ Setback*		
			___ Sewage Treatment System*		
			___ Sewer System*		
			___ Shore Impact Zone*		
			___ Shoreland*		
			___ Significant Historic Site		
			___ Steep Slope*		
			___ Structure		
			___ Subdivision*		
			___ Surface Water-oriented Commercial Use		
			___ Toe of the Bluff		
			___ Top of the Bluff Variance*		
			___ Water-oriented Accessory Structure or Facility		
			___ Wetland*		

Compliant:		Statutes, MN Rules	Requirement	Section of Ordinance	Comments:
Yes	No				
<input type="checkbox"/>	<input type="checkbox"/>	6120.3000	B. Shoreland Management Classification System:		
			Class Descriptions		
			<u>Lakes:</u>		
			<input type="checkbox"/> Natural Environment		
			<input type="checkbox"/> Recreational Development		
			<input type="checkbox"/> General Development		
			<u>Rivers:</u>		
			<input type="checkbox"/> Remote		
			<input type="checkbox"/> Forested Transitional		
			<input type="checkbox"/> Agricultural		
			<input type="checkbox"/> Urban Tributary		
			<u>Maps:</u>		
			<input type="checkbox"/> Lake ID referenced to PWI Maps		
			<input type="checkbox"/> Rivers identified by legal description		
			<input type="checkbox"/> Lake/river classes identified on official zoning map		
		Subp. 3, 4	<input type="checkbox"/> <u>Classification/Reclassification Procedures</u>		
		6120.3200	C. Land Use Districts:		
<input type="checkbox"/>	<input type="checkbox"/>	Subp. 1	<input type="checkbox"/> Criteria for designation		
<input type="checkbox"/>	<input type="checkbox"/>	Subp. 3	<input type="checkbox"/> Land use district descriptions:		
			<input type="checkbox"/> Special Protection District		
			<input type="checkbox"/> Residential District		
			<input type="checkbox"/> High Density Residential District		
			<input type="checkbox"/> Water-oriented Commercial District		
			<input type="checkbox"/> General Use District		
			or		
			<input type="checkbox"/> Alternative land use district descriptions (attach names and descriptions of compatible local zoning districts)		
<input type="checkbox"/>	<input type="checkbox"/>	Subp. 4	<input type="checkbox"/> Shoreland Classification/Uses:		
		Subp. 5	<input type="checkbox"/> Lakes		
			<input type="checkbox"/> Rivers		

Compliant:		Statutes, MN Rules	Requirement	Section of Ordinance	Comments:
Yes	No				
___	___		___ Compliant Land Use Districts identified on official zoning map.		
___	___	Subp. 2	___ Use and Upgrading of inconsistent land use districts		
		6120.3300	D.1. Zoning Provisions:		
___	___	Subp. 2a*	<u>Lot Area and Width Standards</u> Tables based on: ___ Lake Classifications ___ River Classifications ___ Sewered Lots ___ Non-Sewered Lots ___ Riparian Lots ___ Nonriparian Lots ___ Single Lots ___ Duplex ___ Triplex Quad		
___	___	Subp. 3	<u>Structure Setback</u> Tables based on: ___ Lake Classifications ___ River Classifications ___ Sewered Lots ___ Unsewered Lots ___ Bluffs ___ Unplatted Cemetery, Significant Historic Sites ___ Right-of-way line of federal, state, county highway ___ Right-of-way line of town road, public street, other unclassified roads ___ Allowance for established setback line if not in shore or bluff impact zone.		
___	___	Subp. 10*	___ Double setback for non-water oriented commercial, industrial, public, semi-public use		
___	___	Subp. 3B*	<u>Structure Height</u> ___ Lowest floor located 3' above highest known water level or at established flood protection elevation		
___	___	Subp. 3G	___ 25' limit in city residential districts		

Compliant:		Statutes, MN Rules	Requirement	Section of Ordinance	Comments:
Yes	No				
___	___	6120.3300	D.2. Additional Special Provisions For Structures:		
___	___	Subp. 2B	___ Duplexes, triplexes, quads on Natural Environment Lakes		
___	___	Subp. 2C	___ Guest Cottages		
___	___	Subp. 3C	___ No structures except stairways and landings allowed in bluff impact zone		
___	___	Subp. 3H	___ Water-oriented accessory structures ___ Limits ___ Design Screening ___ No Habitation ___ 400 ft ² (GD only)		
___	___	Subp. 3I	___ Stairways, lifts, landings		
___	___	Subp. 3J	___ Decks		
___	___	Subp. 3D*	D.3. Shoreland Alterations: <u>Steep Slope Evaluation</u>		
___	___	Subp. 4A*	<u>Vegetation Alteration</u> ___ No intensive vegetation clearing in shore impact or bluff impact zones ___ Use of vegetation for screening ___ Use of Best Management Practices for application on fertilizer, pesticides, erosion control.#		
___	___	Subp. 4B*	<u>Topographic Alterations (Grading and Filling.)</u> ___ Permits required: greater than 10 cu. yds. (steep slopes, shore impact zone, bluff impact zone) greater than 50 cu. yds. (other areas) ___ Wetland evaluation required for fill into wetlands ___ Use of Best Management Practices to minimize impacts# ___ Rock riprap provision		

Compliant:		Statutes, MN Rules	Requirement	Section of Ordinance	Comments:
Yes	No				

___ Reference to M.S. 103G.245 for fill below OHW and construction of connecting channels
 ___ No alterations of topography unless accessory to permitted or conditional use

Placement of Roads, Driveways, Parking Areas

___	___	Subp. 5* D	___ Designed to make use of existing topography, vegetative screening ___ Meet structure setback ___ Not allowed in Bluff Impact Zone, Shore Impact Zone ___ Exceptions: Public/private ramps if properly screened
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___	___	Subp. 3D	___ Permits required for construction on steep slopes
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___	___	Subp. 7A	E.1. Agriculture Use: ___ Shore Impact Zone (50')
___	___	Subp. 7B	___ Permanent Vegetation on Bluff Impact Zone, Steep Slopes and Shore Impact Zone.

or

___	___	Subp. 7D	Under approved conservation plan. Use of Best Management Practices for fertilizer, pesticides, erosion control.
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___	___	Subp. 7C	<u>Feedlots</u> ___ Located outside shoreland (rivers) or 300' beyond OHW (lakes). ___ Reference to PCA Rules 7020.0100-7020.1900 for compliance, permits.
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___	___	Subp. 8A,C	E.2. Forest Management: ___ Timber harvesting consistent with Best Management Practices (use of fertilizer, pesticide, erosion control).
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___	___	Subp. 8B	___ Conditional use permit required if conversion from forested land to another use.
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Compliant:		Statutes, MN Rules	Requirement	Section of Ordinance	Comments:
Yes	No				
___	___	Subp. 9	E.3. Extractive Use: ___ Processing machinery meets structure setback from OHW, bluffs. ___ Site development/restoration plan required.		
___	___	Subp. 12	___ Mining of metallic minerals and peat a permitted use.		
___	___	Subp. 10	E.4. Water-Oriented Uses: ___ Use of screening for parking areas, structures ___ Centralized mooring ___ Sign restrictions ___ Outside lighting controls		
___	___	Subp. 11A*	E.5. Stormwater Management: ___ Maximize use of natural drainage ways, wetland retention, vegetation infiltration to reduce runoff, erosion.		
___	___	Subp. 11B*	___ Limit impervious area to 25% lot area ___ Reference to SCS Field Technical Guide or Urban Best Management Practices for Design Standards ___ Outfalls to public waters designed to filter/skim discharge waters		
		6120.3400	F. Sanitary Provisions:		
			<u>Water Supply</u>		
___	___	Subp. 2*	___ Reference to MDH Water Well Code for proper location, construction		
			<u>Sewage Treatment</u>		
___	___	Subp. 3A*	___ Public sewer systems to be used whenever possible		
___	___	Subp. 3B*	___ Private sewage treatment systems must meet or exceed MPCA Ch. 7080 and state/local public health codes		
___	___	Subp. 3C*	___ Sewage Treatment System Setback Standards for Lake/River Classes		

Compliant:		Statutes, MN Rules	Requirement	Section of Ordinance	Comments:
Yes	No				
___	___		___ Reconstruction required for nonconforming systems whenever permit or variance of any type is required on the property.		
___	___	Subp. 3D*	___ Program to identify/upgrade nonconforming sewage systems via: (one or more) ___ Systematic review of existing records ___ Systematic on-site inspection program ___ Notification or Education Program ___ Other _____		
		6120.3500	G. Subdivisions:		
			<u>Land Suitability</u>		
___	___	Subp. 1*	___ Land must be suitable in its natural state with minimal alteration to land or water		
			<u>Platting</u>		
___	___	Subp. 2.*	___ 5 or more lots less than or equal to 2-1/2 acres to be platted		
___	___	Subp. 3*	___ Consistent with all official local controls (buildable without variance)		
___	___	Subp. 4*	___ Requirements for preliminary plat (topographic details, water features, soils, 100-yr. flood elevation, etc.)		
___	___	Subp. 5	___ Dedications. Easements for protecting natural drainage ways, wetlands, etc.		
		6120.3300,			
___	___	Subp. 2D*	___ Lots of record, requirements for building upon		
___	___	Subp. 2E#	___ Controlled access lots		
		6120.3800	H. Planned Unit Development:		
			___ Not allowed in zoning ordinance (omit rest of section)		

Compliant:		Statutes, MN Rules	Requirement	Section of Ordinance	Comments:
Yes	No				
___	___	Subp. 2	___ Allowed as conditional use and identified in local controls and on zoning map in appropriate land use district. ___ Expansions to existing commercial PUD of 6 or fewer units allowed as permitted use if density limit not exceeded		
___	___	Subp. 3	Information requirements ___ Site plan ___ Explanation of project, design, covenants, etc.		
___	___	Subp. 4	___ Site Density Evaluation ___ Tier dimensions table ___ Suitable land excludes wetlands, bluffs, and land below OHW		
___	___	Subp. 5 A-C	<u>Residential PUD</u> ___ Table for tier multipliers ___ PUD: 5 or more dwelling units ___ At least 50% kept in natural or existing state - 70% if in shore impact zone (new development) ___ 50% increase in setback for maximum density (25% if screened) ___ Centralized sewage treatment with space for replacement ~must meet PCA requirements) ___ Clustered dwelling units ___ Centralized shore facilities ___ Limited to number of units in first tier ___ Screening of structures, facilities, parking areas ___ Erosion control/stormwater management ___ Administration and maintenance ___ Maintenance/upkeep of grounds, structures, sewage treatment systems ___ Preservation of open space by covenants, deed restrictions, etc.		

Compliant:		Statutes, MN Rules	Requirement	Section of Ordinance	Comments:
Yes	No				

- ___ Commercial use prohibited
- ___ Control over vegetation removal, grading and filling, and structure alteration
- ___ Uncontrolled beaching prohibited
- Mandatory membership requirements

___ ___ Subp. SD

Conversions

- ___ Identify deficiencies:
 1. ___ Correct the following:
 - ___ Water supply, sewage treatment, color, impervious surface, open space, shore recreation facilities
 2. ___ Improve the following:
 - ___ Removal of excess docks, structures located in shore and bluff impact zones
 - ___ Increase screening, where needed
 3. ___ Maintain the following:
 - ___ Existing densities that exceed allowed standards may continue provided:
 - 1) No greater increase in density
 - 2) Enhanced screening and other requirements such as limitations to use

___ ___ Subp. 6

Commercial PUD

- ___ Floor area ratio table and instructions
- ___ Public water and sewer if possible, otherwise, must reserve space for replacement system, meet MHD, PCA requirements.
- ___ At least 50% open space
- ___ At least 50% shore impact zone kept in natural state
- ___ 50% increase in setback for maximum density (25% if screened)
- ___ Centralized shore recreation facilities
- ___ Screening of structures, parking areas, facilities

Erosion control/stormwater management
 Plan to minimize erosion during construction
 Designed to control stormwater runoff after construction
 25% impervious limit within tier (35% allowed in 1st tier GD lake)

<input type="checkbox"/>	<input type="checkbox"/>	6120.3900 Subp. 1*	I. Administration: <u>Enforcement</u> Permits required for: <input type="checkbox"/> Building construction <input type="checkbox"/> Installation of sewage treatment systems <input type="checkbox"/> Grading and filling Other <input type="checkbox"/> Certificates of Compliance # <input type="checkbox"/> Sewage treatment systems <input type="checkbox"/> Feed Lots <input type="checkbox"/> Floor Elev. (Floodplain) <input type="checkbox"/> Other permits _____		
<input type="checkbox"/>	<input type="checkbox"/>	Subp. 3*	<u>Variances</u> <input type="checkbox"/> Reference M.S. 394 or 462 <input type="checkbox"/> No variance for prohibited use <input type="checkbox"/> Basis for consideration including possible need to upgrade septic system		
<input type="checkbox"/>	<input type="checkbox"/>	Subp. 3a*	<u>Conditional Use Permits</u> <input type="checkbox"/> Thorough site evaluation based on topography, soils, vegetation, etc. <input type="checkbox"/> Assessment of water surface uses, where necessary		
<input type="checkbox"/>	<input type="checkbox"/>	Subp. 4*	<u>Nonconformities</u> <input type="checkbox"/> Must upgrade or replace all non-conforming on-site sewage treatment systems (as defined by PCA 7080) as they are identified <input type="checkbox"/> Nonconforming systems described as failing systems, deep disposal (seepage pits, etc.) or where ground water separation (3') not met		

Compliant:		Statutes, MN Rules	Requirement	Section of Ordinance	Comments:
Yes	No				

___ ___ Supb. 6*

Notification

___ Notice to DNR postmarked at least 10 days before all hearings on variances, zoning amendments, conditional use permits in shoreland area

___ Copies of approved amendments, plats and final decisions on variances, CUP's postmarked to DNR within 10 days of final action.

General Comments: