Minnesota's Alternative Shoreland Management Standards

In summary, the Alternative Standards include, but are not limited to:

⇒ Multiple shoreland lake classifications on a single lake, for example, a natural environment bay of a general development lake.

⇒ Sensitive area districts for lakeshore segments where development standards follow natural environment lake class standards.

⇒ New special protection lake classification for lakes where there is considerable wetland fringe, shallow depth, and/or unique fish and wildlife habitat or endangered species.

⇒ Improved planned unit development (PUD) standards, including: residential densities for all PUDs, increased setbacks, no density multipliers or bonuses, clustered or grouped docking.

⇒ Special resort standards that allow for expansion and improvements while addressing water quality concerns with provisions for shoreland revegetation and compliance with stormwater and wastewater treatment standards. If converted to a residential development, the resort must then meet residential standards.

⇒ Better water quality standards achieved by improved rainwater runoff management, increased drainfield setbacks, and higher shoreline vegetative buffer standards.

⇒ Prohibited controlled access lots for non-riparian lots (back lot access to water for nonriparian lots not allowed).

⇒ Advanced subdivision controls, including promotion of conservation subdivisions over conventional (lot & block) subdivisions.

⇒ Larger lot sizes for new lots on general development lakes, and no lot size bonuses for sewered areas in any classification.

⇒ Many new definitions and concepts that add clarity or simplify administration of ordinance, such as, buildable area, clustering or clustered, common interest community, common open space, conservation subdivision, conventional subdivision, impervious surface, major and minor subdivisions, planned unit development, resort, and suitable area.

[Table. Alternative Standards column: page numbers of attributes are referenced for their location in the Alternative Standards (based on the clean version). In county columns: ***Bold, italicized text*** highlights areas where a county adopted elements of the Alternative Standards.]

RESIDENTIAL ZONING PROVISIONS, INCLUDING VEGETATION ALTERATIONS AND CONTROLLED ACCESS LOTS

ATTRIBUTE	STATE OF MN *Rule 6120 Standards*	*Alternative Standards*	AITKIN	CASS	CROW WING	HUBBARD	ITASCA
Single Family Residential Riparian Min. Lot Standards	Lot Area (ft^2) GD, no sewer – 20,000 RD, no sewer – 40,000 NE, no sewer – 80,000 Lot Area (ft^2) GD, sewer – 15,000 RD, sewer – 20,000 NE, sewer – 40,000 Lot Width (ft) GD, no sewer – 100 RD, no sewer – 150 NE, no sewer – 200 Lot Width (ft) GD, sewer – 75 RD, sewer – 75 NE, sewer – 125	Lot Area (ft^2) GD – 30,000 RD – 40,000 NE – 80,000 Sensitive Area District – 80,000 SP – 217,800 Lot Width (ft) GD – 120 RD – 150 NE – 250 Sensitive Area District -- 250 SP – 400 There are also standards for suitable area, which is the sum of a contiguous buildable area and sewage treatment system suitable area. Suitable area varies by shoreland class. [pg 29] ***Rationale:*** The suitable area concept recognizes that marginal lands are now being developed, and that standards should be set such that adequate space exists for proposed and future developments. The elimination of the sewered lot standards reflects recent information on non-point source pollution.	Similar to State, except for sewered lakes. Sewered lakes: Lot Area (ft^2) GD – 20,000 RD – 20,000 NE – 40,000 Lot Width (ft) GD – 100 RD – 100 NE – 125	Lot Area (ft^2) GD – 30,000 RD – 40,000 NE – 80,000 Buildable Area (ft^2) GD – 12,000 RD – 16,000 NE – 40,000 Lot Width (ft) GD – 100 RD – 150 NE – 200	Same as State's no sewer standards (only allow single and duplex) for the SR1 district. SR2 district has larger lot requirements: Lot Area (ft^2) GD – 65,340 RD – 65,340 NE – 108,900 Lot Width (ft) GD – 150 RD – 150 NE – 200 ***Includes the suitable area concept of the Alternative Standards, and the same numeric requirements.***	Lot Area (ft^2) GD – 20,000 RD (unsewered) – 40,000 RD (sewered) – 30,000 NE – 80,000 Lot Width (ft) GD – 100 RD (unsewered) – 150 RD (sewered) -- 100 NE – 200 ***Includes the residential lot suitable area concept of the Alternative Standards.***	Lot Area (ft^2) GD – 32,700 RD2 – 66,000 RD1 – 87,200 NE1 – 87,200 NE2 – 108,900 NE3 – 130,800 Lot Width (ft) GD – 150 RD2 – 200 RD1 -- 200 NE1 – 200 NE2 – 300 NE3 – 300
Min. Structure Setbacks from ordinary high water level (OHW; ft)	GD, no sewer – 75 RD, no sewer – 100 NE, no sewer – 150 GD, sewer – 50 RD, sewer – 75 NE, sewer – 150	GD – 75 RD – 100 NE – 150 Sensitive Area District -- 150 SP – 200 [pg 30] ***Rationale:*** The elimination of the sewered lot standards reflects recent information on non-point source pollution.	Same as State, except for sewered lakes. Sewered lakes: GD – 75 RD – 75 NE – 150	GD – 75 RD – 100 NE – 150	Same as State, except NE lakes. NE – 200	GD – 75 RD – 100 NE – 150	GD – 75 RD2 – 100 RD1 -- 100 NE1 – 100 NE2 – 100 NE3 – 200

ATTRIBUTE	STATE OF MN *Rule 6120 Standards*	STATE OF MN *Alternative Standards*	AITKIN	CASS	CROW WING	HUBBARD	ITASCA
Min. Sewage System Setbacks from ordinary high water level (OHW; ft)	GD – 50 RD – 75 NE – 150	GD – 100* RD – 100 NE – 150 Sensitive Area District -- 150 SP – 200 * - soil tests showing high phosphorus adsorption capacity allow reduction to 75 ft [pg 43] ***Rationale:*** Nitrate plumes from septic systems can be a problem, and phosphorus migrations can be a serious concern, especially in calacaeous sandy soils. Research has found phosphorus plumes extending 66 to 98 ft, thus there is data to suggest that 100 ft may minimize the risk of phosphorus loading.	GD – 75 RD – 75 NE – 150	Same as State	Same as State for SR1 district For SR2 district: GD – 75 RD – 100 NE – 200 ***Greater setbacks for SR2 district based on the rationale of the Alternative Standards.***	GD – 150 RD – 150 NE – 150	GD – 50 RD2 – 75 RD1 -- 75 NE1 – 150 NE2 – 150 NE3 – 150
Max. Height of Structures (ft)	25 ft for all structures in residential districts in cities, except for churches and agricultural structures. Guest cottages must not exceed 15 ft.	30 ft height of building standard for all structures, except churches, towers, and agricultural structures. [pg 31] Guest cottages must not exceed 15 ft for those on duplex lots and 20 ft for those on triplex lots. [pg 27] ***Rationale:*** In an apparent oversight, the State lacked height standards outside of cities; 30 ft height of building is comparable to a 35 ft max. height, which is consistent with other ordinances.	35 ft for all structures, except churches and towers. Guest cottages must not exceed 15 ft.	30 ft, except towers. Guest quarters must not exceed 20 ft.	35 ft for all structures in residential districts, except churches and agricultural structures. Guest cottages must not exceed 15 ft.	35 ft for all structures, except for churches and agricultural structures. Guest cottages must not exceed 15 ft.	35 ft for all structures, except for churches, agricultural or industrial buildings. 35 ft Big Fork River, 18 ft Mississippi River Wild, 35 ft Mississippi River Scenic
Vegetation Alterations in Shore Impact Zone (SIZ)	Intensive cutting is not allowed.	A shoreline buffer, consisting of trees, shrubs, and ground cover of native plants and understory, is needed in the SIZ. Limited clearing of trees and	Specific numeric allowances for vegetation removal in the SIZ. Use of site review plans.	In the area from the shore to half of structure setback, a shoreland alteration permit is required. Here, cutting must be done by hand,	Similar to State.	***Adopted elements of the shoreline buffer provisions of the Alternative Standards.***	Similar to State. Specific numeric allowances for vegetation removal in the SIZ.

ATTRIBUTE	STATE OF MN *Rule 6120 Standards*	STATE OF MN *Alternative Standards*	AITKIN	CASS	CROW WING	HUBBARD	ITASCA
		shrubs to accommodate stairways, landings, view corridors, access paths, and recreational use areas can occur. Except for the access path and recreational use area, a native ground cover should be preserved or established in the SIZ, In the area beyond the shore impact zone to the structure setback (secondary shoreline buffer zone), removal of trees and shrubs is appropriate, provided that a well-distributed stand of trees and shrubs is maintained. Lawns and flower gardens are also appropriate in this area. Opening and lawns in the SIZ that are not allowed should be replanted or left unmowed. Issuance of any variance or permit calls for the vegetation in the SIZ to be restored. Or alternatively, the local government may use a mitigation scoring system that would also produce improvements to water quality and habitat. [pgs 33-36] ***Rationale:*** The conversion of forest shoreline to 'lawn-to-lake' shoreline results in 7 to 9 times more phosphorus entering the lake. Vegetation condition is critical for reducing pollutant runoffs and to provide wildlife habitat.		maximum width of clearing is 14 ft, and pruning of trees is allowed. For the remainder of the area to the structure setback, removal of more than 25% of the trees and 100% of the shrubs requires a permit. As a condition of permits, CU, or variances, restoration of shoreline buffers may be required.			
Docks	No limit specified. Docks must comply with 6115.021 rules: Placement of structures can't obstruct navigation,	Same as existing requirements, with the addition of the need for clustering or grouping of docks, lifts, and swimming areas (like with PUDs and resorts).	Same as State	Same as State	Same as State	Same as State	Same as State

ATTRIBUTE	STATE OF MN *Rule 6120 Standards*	STATE OF MN *Alternative Standards*	AITKIN	CASS	CROW WING	HUBBARD	ITASCA
	create hazard, be detrimental to significant fish and wildlife habitat, in posted fish spawning areas, or take threatened or endangered species; Structures can't be intended for human habitation; and No permit needed if it is safe, allows free flow of water beneath, not a marina, consistent with local land use controls, the length is limited to that which is needed to reach navigable water, or does not exceed 8 ft in width.	[pg 37]					
Controlled Access Lots	May be used by local governments to provide access to public waters to nonriparian lot owners.	Control access lots are prohibited. Access lots may be used as a tool for providing access to riparian lot owners where direct access is not feasible due to the presence of protected vegetation, wetlands, or other critical fish or wildlife habitat. Easements to non-riparian lot owners to allow access are prohibited. [pgs 48-49] ***Rationale:*** Given full-build out of lakes, many lakes are predicted to exceed safe boating density standards. Allowing these lots for non-riparian lot owners will likely create excessive crowding issues and result in the loss of economic and environmental value.	Same as State	***Adopted elements of the access lot and access easement provisions of the Alternative Standards.***	Controlled access lots are prohibited.	Similar to State.	Similar to State. Limits on the number of CALs based on surface acres per shoreline miles.
Max. Impervious Surface	25%	Class: GD – 15%* RD – 15%* NE – 12% Sensitive Area District – 12%	25% of lot area (building coverage can not exceed 15% of the lot area). Lot area	25%	25% in SR1, ***15% in SR2 (consistent with the intent of the Alternative Standards).***	25%	25%

ATTRIBUTE	STATE OF MN *Rule 6120 Standards*	STATE OF MN *Alternative Standards*	AITKIN	CASS	CROW WING	HUBBARD	ITASCA
Coverage (% of lot)		SP – 12% All River Classes – 12% Access lot --- 12% * - 20% with erosion control and stormwater management, and conformance with shoreline vegetative buffer standards. [pgs 39-42] ***Rationale:*** Scientific research on the amount of impervious surface coverage has found that it is a key indicator of the quality of water flowing into our lakes. Research consistently shows that as the amount of impervious surface increases in the watershed, water quality decreases. More than 12% imperviousness has been shown to consistently result in a degradation of water quality.	must not include wetland areas, bluff areas or land below the ordinary high water level when calculating the square footage of the lot.				

CONVENTIONAL SUBDIVISIONS, RESORTS, CONSERVATION SUBDIVISIONS, AND PLANNED UNIT DEVELOPMENTS (PUD)

Lot Splits and Conventional Subdivision Lot Sizes	Lot area and width standards same as 6120.3300, Subp. 2a (residential lot standards).	Conventional subdivisions would only be allowed with a conditional use permit. They must use larger lot sizes than existing standards, and impervious surface coverage shall not exceed 12%. Lot sizes for minor subdivisions, or lot splits, follow the residential standards summarized on page 1. [pgs 45-46] ***Rationale:*** Density disincentives are used for conventional subdivisions to promote the use of conservation subdivisions and PUDs, which are expected to	Same as residential lot standards.	Same as residential lot standards.	Same as residential lot standards.	Same as residential lot standards.	Same as residential lot standards.

ATTRIBUTE	STATE OF MN *Rule 6120 Standards*	STATE OF MN *Alternative Standards*	AITKIN	CASS	CROW WING	HUBBARD	ITASCA
		better meet the mission of the shoreland rules. Incorporated conservation subdivision concepts into the PUD section. Conservation subdivisions are an important tool used elsewhere to provide better lots for homeowners while protecting water quality, promoting economic development, and creating open space for recreational use, wildlife, and buffers to riparian areas for water quality protection.					
Conservation Subdivisions	No provisions to allow this form of development.	Specific provisions created, and this form of development is promoted over conventional subdivisions (where density disincentives are applied). The conservation subdivision provisions have many of the same standards as the modernized PUD provisions of the Alternative Standards with the following exceptions: • Where sewer unavailable, must establish dedicated areas for septic systems or establish a system to serve the entire subdivision; • At least 1 access corridor to the shoreline with a width greater than 50 ft; • Riparian lots (i.e., lots in first tier) must meet the lot standards in ALT6120.3300, Subps. 2a and 2b; • For nonriparian lots, the standards in ALT6120.3300, Subps. 2a and 2b become maximum lot size and lot width standards for second and third tier lots; • Sets a 15% impervious surface coverage limit for the lots meeting the standards in ALT6120.3300, Subps. 2a and 2b and 35% limit for the more	No provisions to allow this form of development.	No provisions to allow this form of development.	No provisions to allow this form of development.	No provisions to allow this form of development.	No provisions to allow this form of development.

ATTRIBUTE	STATE OF MN *Rule 6120 Standards*	STATE OF MN *Alternative Standards*	AITKIN	CASS	CROW WING	HUBBARD	ITASCA
		compact lots. [pgs 57-63] ***Rationale:*** These provisions are needed to address the shortcomings of conventional subdivisions and to promote developments that are less expensive to developers, more desired by potential buyers, and that offer greater protection and conservation of natural resources in the shorelands. Conservation subdivisions are an important tool used elsewhere to provide better lots for homeowners while protecting water quality, promoting economic development, and creating open space for recreational use, wildlife, and riparian buffers to protect water quality.					
Resorts	Resorts are commercial PUDs and must follow commercial PUD design criteria.	Resorts are separated from PUDs; however, new resorts must follow many of the PUD design criteria. Existing resorts may replace structures provided that stormwater management is addressed and at least 50% of the SIZ is preserved in its natural state or an area the SIZ is restored according to a plan approved by the local government. Resort expansion requirements depend on land impact measured by impervious surface coverage and size of resort (less than 20 cabins or greater than 20 cabins). Specific shoreline recreational facilities requirements for resorts.	Resorts are commercial PUDs and must follow PUD standards.	Resorts are separated from PUDs. Existing resorts may replace structures or expand with conditions.	***Adopted a draft of the Alternative Standards resort provisions, and were instrumental in their development.***	Resorts are commercial PUDs and must follow PUD standards.	Resorts are commercial PUDs and must follow PUD standards. Existing resorts may replace structures or expand with conditions. ***Adopted elements of the Alternative Standards, however, no provisions were included to mitigate consequences of the additional flexibility on water quality.***

ATTRIBUTE	STATE OF MN *Rule 6120 Standards*	STATE OF MN *Alternative Standards*	AITKIN	CASS	CROW WING	HUBBARD	ITASCA
		[pgs 50-56] ***Rationale:*** Resorts are given flexibility in rule due to their unique economic and cultural value within the State.					
Resort and PUD Tier Dimensions (ft)	GD 200 ft for 1st tier 267 ft for others	GD 200 ft for 1st tier 267 ft for 2nd tier and remainder for 3rd tier	Same as State	No tiers for residential PUDs, use of residential lot dimensions for shoreland. Nonshoreland density based on district standards. Same as State (unsewered) for commercial PUDs (resorts).	GD 200 ft for 1st tier 267 ft for 2nd tier and remainder for 3rd tier RD 267 ft for 1st and 2nd tiers and remainder for 3rd tier PUDs are not allowed on NE lakes. ***Adopted a draft of the Alternative Standards resort and PUD provisions.***	Same as State (unsewered)	GD 218 ft for 1st tier 290 ft for 2nd tier
	RD 267 ft for all tiers (200 ft for sewered)	RD 267 ft for 1st and 2nd tiers and remainder for 3rd tier					RD1 436 ft for 1st tier 545 ft for 2nd tier
	NE 400 ft for all tiers (320 ft for sewered)	NE or for PUDs in Sensitive Area Districts and SP shorelands 400 ft for all tiers					RD2 327 ft for 1st tier 436 ft for 2nd tier
	River 300 ft for all tiers	River 300 ft					No PUDs in NE and River classes
Min. PUD Structure Setbacks (ft)	GD 75 ft (50 ft - sewered)	GD 120 ft	GD 75 ft (75 ft - sewered)	GD 120 ft	GD 112.5 ft	GD 75 ft	GD 100 ft
	RD 100 ft (75 ft - sewered)	RD 150 ft	RD 100 ft (75 ft - sewered)	RD 160 ft	RD 150 ft	RD 100 ft	RD1, RD2 125 ft
	NE 150 ft	NE, Sensitive Area Districts, or PUDs in SP shorelands 200 ft [pg 58] ***Rationale:*** Greater setbacks are needed to reduce phosphorus export to the lake.	NE 150 ft	NE 240 ft	NE PUDs not allowed.	NE 150 ft	NA
	River Remote: 200 ft Forested: 150 ft	River Remote: 200 ft Forested: 150 ft	River Remote: 200 ft Forested: 150 ft	River Remote: 320 ft Forest: 240 ft	River Remote: 200 ft Forested: 150 ft	River Remote: 200 ft Forested: 150 ft	

ATTRIBUTE	STATE OF MN *Rule 6120 Standards*	STATE OF MN *Alternative Standards*	AITKIN	CASS	CROW WING	HUBBARD	ITASCA
	Ag, Urban: 100 ft (50 ft - sewered)	Ag, Urban: 100 ft	Trib: 100 ft (50 ft - sewered)	Urban, Trib: 160 ft	Ag, Urban: 100 ft	Trib: 150 ft	
PUD Structure Density	The base residential PUD density is calculated by determining the suitable area within each tier divided by the single residential lot size standard for the lake class.	The suitable area within each tier is divided by the single residential lot size standard for the shoreland class or district. [pg 58]	Same as the State	The lower of the two calculations: 1. The lot area divided by the non-riparian single residential lot area standard for the shoreland class. 2. The buildable area of the lot divided by the non-riparian single residential buildable area standard for the shoreland class.	***Adopted the Alternative Standards PUD provisions.***	Same as State	Same as State
Residential PUD Max. Density Bonuses	50% – 1st tier 100% – 2nd tier 200% – 3rd tier 200% – 4th tier 200% – 5th tier Maximum density increases may only be allowed if structure setbacks are increased to at least 50% greater than the minimum (or 25% with impacts reduced with other means acceptable).	No density increases. [pgs 58-59] ***Rationale:*** Maximum densities increases were large, which reduced the intent of the rules to create or maintain open space, protect water quality, and fish and wildlife habitat.	25% for each tier Maximum density increase constraints like the State. To receive density increases the shore impact zone must be revegetated.	No density increases	***Adopted the Alternative Standards PUD provisions.***	No density increases	25% for 1st tier 50% for 2nd tier no 3rd tier development
Commercial PUD Floor Area Ratios or Resort Structure Density	GD 1st tier unsewered and all tiers sewered: For Average Unit Floor Space (FS) less than 1500 sq ft: 0.022+8.53E-05(FS) For FS greater than 1500 sq ft: 0.150	Resort structure density calculations use ratios to determine the land surface area that can be covered by all structures. GD 0.125 for 1st tier 0.075 for 2nd tier 0.075 for 3rd tier	Same as State	Use of Licensed resort density building footprint factors. GD 0.12 for 1st tier 0.09 for 2nd tier	***Adopted the Alternative Standards provisions***.	Same as State	Same as State
	2nd tier and additional tiers of GD unsewered, RD tiers:	Resort structure density calculations use ratios to determine the land surface		Use of Licensed resort density building footprint			

ATTRIBUTE	STATE OF MN *Rule 6120 Standards*	STATE OF MN *Alternative Standards*	AITKIN	CASS	CROW WING	HUBBARD	ITASCA
	For Average Unit Floor Space (FS) less than 1500 sq ft: 0.011+4.32E-05(FS) For FS greater than 1500 sq ft: 0.075	area that can be covered by all structures. RD 0.075 for 1st tier 0.075 for 2nd tier 0.075 for 3rd tier		factors. RD 0.08 for 1st tier 0.065 for 2nd tier			
	NE For Average Unit Floor Space (FS) less than 1500 sq ft: 0.0055+2.18E-05(FS) For FS greater than 1500 sq ft: 0.038	Resort structure density calculations use ratios to determine the land surface area that can be covered by all structures. No new resorts are allowed on NE and SP lakes. NE 0.038 for 1st tier 0.038 for 2nd tier 0.038 for 3rd tier [pg 54] ***Rationale:*** Rule simplification. These changes for GD, RD and NE also allow greater flexibility in dwelling size. Again, flexibility for resorts is an important economic reason.		Use of Licensed resort density building footprint factors. NE 0.03 for 1st tier 0.03 for 2nd tier			
Commercial PUD Max. Density Bonuses or Maximum Resort Density	50% – 1st tier 100% – 2nd tier 200% – 3rd tier 200% – 4th tier 200% – 5th tier Maximum density increases may only be allowed if structure setbacks are increased to at least 50% greater than the minimum, or 25% with impacts reduced with other means acceptable.	For GD and RD lakes, resort higher densities are allowed by using alternative ratios. GD 0.125 for 1st tier 0.125 for 2nd tier 0.125 for 3rd tier RD 0.075 for 1st tier 0.100 for 2nd tier 0.100 for 3rd tier [pg 54] ***Rationale:*** Density increases may be allowed by local governments, provided that they meet some performance standards.	25% for each tier. Maximum density increase constraints like the State. To receive density increases the shore impact zone must be revegetated.	Use of Licensed resort density building footprint factors.	***Adopted the Alternative Standards provisions.***	15% increase when rebuilding rental units if the unit is at a conforming setback and it accommodates the same number of guests	25% - 1st tier 50% - 2nd tier Density increases are only allowed if structure setbacks are increased to at least 50% greater than the minimum setback, or 25% with impacts reduced with other means acceptable. Resort development plans.

ATTRIBUTE	STATE OF MN *Rule 6120 Standards*	STATE OF MN *Alternative Standards*	AITKIN	CASS	CROW WING	HUBBARD	ITASCA
Max. Impervious Surface Coverage (ISC)	For PUDs, ISC must not exceed 25% in any tier, except 35% allowed in the 1st tier of GD lakes with approved stormwater management plan and consistency with 6120.3300, Subp. 4.	PUDs: Maximum 15% for 1st tier and total area. Resorts: Maximum 25% within the total project area and in any tier, except for general development lakes the second and third tiers impervious surface coverage shall not exceed 35% provided that the total project area impervious surface coverage shall not exceed 25%. [pg 40] ***Rationale:*** Scientific research on the amount of impervious surface coverage has found that it is a key indicator of the quality of water flowing into our lakes. Research consistently shows that as the amount of impervious surface increases in the watershed, water quality decreases. More than 12% imperviousness has been shown to be consistently result in a degradation of quality.	Same as State	ISC must not exceed 25%.	***Adopted the Alternative Standards PUD provisions.***	Same as State	Same as State
PUD Open Space Requirements	At least 50% of total project area must be preserved as open space. Open space not defined.	At least 50% of total project area must be preserved as open space, and at least 75% of the open space must be upland areas. Open space is not the space between buildings in a cluster, nor 25 ft around buildings, nor shall it include any impervious surface. [pg 59] ***Rationale:*** Common strategies now in use elsewhere to conserve open space and fish and wildlife habitat. See 'Growing Greener: Conservation by Design' by the Natural Lands Trust or works	Same as State	Same as State	***Adopted language similar to Alternative Standards (50% of the total project area, with 25% of the open space suitable for recreational use).***	Same as State	Same as State

ATTRIBUTE	STATE OF MN *Rule 6120 Standards*	*Alternative Standards*	AITKIN	CASS	CROW WING	HUBBARD	ITASCA
		by Randall Arendt.					
Shore Impact Zone (SIZ)	50% of the structure setback. At least 50% of the SIZ of existing developments or at least 70% of the SIZ of new residential PUD (50% commercial PUD) must be preserved in their natural or existing state.	50% of the structure setback, but not less than 50 ft. PUDs, conservation subdivisions, and new resorts must meet standards in ALT6120.3300, Subp. 4. [pgs 33-35] Existing resorts must preserve or restore portions of the SIZ when replacing or expanding structures when less than 50% of the SIZ is preserved in a natural state. [pg 51-53] ***Rationale:*** Vegetation condition is critical for reducing pollutant runoffs and to provide wildlife habitat.	Same as State, however, SIZ means land located between the ordinary high water level of a public water and a line parallel to it at a setback of 50% of the structure setback but not less than 50 ft, whichever is greater.	Structure setback area shall be open space. Shoreland buffer plan is necessary. For Resorts, 50% of the SIZ shall be preserved or restored to natural state.	Similar to State. At least 60% of the shore impact zone area must be preserved in its natural state.	Same as State	50% of the structure setback. At least 50% of the SIZ of existing developments or at least 70% of the SIZ of new PUD must be preserved in their natural or restored to their natural state.
Docks in PUDs	Centralized and suitable site. The number of spaces for continuous docking must not exceed 1 for each dwelling unit in 1st tier.	Same as existing PUD requirements with clarifying language to stress centralized nature. [pg 70]	Same as State	A min. of 6 spaces, not to exceed no of dwellings. Additional spaces calculated based on length of frontage in development.	Same as State	Same as State	Same as State
Resort Conversions	Sewage treatment, impervious coverage, open space and shore facilities deficiencies must be corrected. Reasonable shore and bluff impact zone deficiencies must be made. Dwelling unit densities that exceed standards may be allowed.	Resorts that convert to PUDs must meet all the PUD standards. Dwelling unit or site densities must meet standard, so removal of dwellings may be necessary. Resorts that convert to residential lots must meet all residential standards, except deficiencies in suiltable area may be addressed with mitigating measures. [pgs 54-55]	Same as State	Once reclassified as residential, then must meet all residential standards.	***Adopted the Alternative Standards provisions.***	Same as State	Similar to State, but commercial density of living units must be reduced to conform to residential PUD standards.
Rainwater Management on PUDs and Resorts	Principles mentioned, but no specific performance standards, except for commercial PUDs impervious surface	Stormwater management must use best management practices (BMPs) found in the Minnesota Stormwater BMPs Manual. [pg 50-53, 61]	Same as State	Engineered stormwater management plans	Same as State	Specific performance standards	Similar to State

ATTRIBUTE	STATE OF MN *Rule 6120 Standards*	STATE OF MN *Alternative Standards*	AITKIN	CASS	CROW WING	HUBBARD	ITASCA
	limits.	***Rationale:*** Sediment and nutrient runoff are large problems with many developments. These standards are designed to provide criteria for design, construction, and maintenance of rainwater management systems.					
Limits on the no. of PUDs or Resorts	Through land districting. For NE lakes, only 25% of shoreline can be in duplex, triplex, or quad developments.	Through land districting. For NE lakes, only 25% of shoreline can be in duplex developments. [pg 27] No new resorts allowed on Special Protection and Natural Environment lakes or shorelands, or in Sensitive Area Districts. [pg 50]	Through districting.	Through land districting.	No new resorts or PUDs on NE lakes.	Through districting.	Not allowed on NE lakes. No more than 3% of a lake's shoreline can be cumulatively developed in PUDs.

CLASSIFICATION SYSTEM AND ADMINISTRATION

Classes	Lake Classes: Natural Environment (NE) Recreational Development (RD) General Development (GD) River Classes: Remote Forested Transitional Agricultural Urban Tributary	Added a Special Protection lake class (SP). [pg 16] ***Rationale:*** Special protection lakes are unique water bodies such as shallow or land-locked lakes that support or have supported significant aquatic plant, fish or wildlife populations. There are numerous constraints to development, such as hydric soils or erodible land. Rare, endangered, or special concern species may use the lake or surrounding shorelands. These lakes currently have low to moderate development, and they are especially vulnerable to the consequences of development.	Same as State. Miss. River Class	Same as State. Scenic River Wild River	Same as State.	Lake classes: GD RD NE-Residential NE-Protected Additional River Classes: Special Protection	Lake classes: GD RD2 RD1 NE1 NE2 NE3 Additional River Classes: Bigfork Miss. River Wild Miss. River Scenic

ATTRIBUTE	STATE OF MN *Rule 6120 Standards*	STATE OF MN *Alternative Standards*	AITKIN	CASS	CROW WING	HUBBARD	ITASCA
Multiple Shoreland Management Classifications	Each lake was placed in a shoreland class based on specific criteria.	A lake may be assigned multiple classes. [pg 19] ***Rationale:*** Different development standards in bays and areas with critical fish and wildlife habitat are warranted given documented and predicted losses to habitat from development.		***Initiated a pilot project and it is a leading force in moving this concept forward in a pragmatic way.***			
Administration	Local governments must administer and enforce shoreland management controls.	Additional information standards for PUDs, and the allowance that the local governments may assess a one-time fee for purposes of monitoring and enforcing terms and conditions of any open space governing instruments. [pgs 61-62, 64-67] Specific administrative standards for resort developments. [pg 56]					
Incentives for Shoreline Buffers	None	Local governments may establish shoreline protection incentive programs. [pgs 67-68] ***Rationale:*** As the late psychologist B.F. Skinner noted, we often need contrived reinforcements for good behavior.	Maybe required to obtain a variance.	Maybe required to obtain a variance.	Maybe required to obtain a variance.		Maybe required to obtain a permit, conditional use, or variance.
Variances	Variances may only be granted in accordance with MN Statutes, chapters 394 & 462. Local governments must also consider the need for sewage treatment system upgrades. No variance may be granted that would allow any use that is prohibited in the	Same with elaborations and additions. No variance shall be granted for development on new lots that do not meet the minimum lot dimension standards in part ALT6120.3300, Subparts 2a and 2b (except lots of record) and to exceed the impervious surface coverage standard on standard lots without mitigation using best management	Similar to State. For existing developments, the applicant must have conforming septic system. Also, there are specific lakeshore mitigation requirements.	Similar to State. Conditions may be attached to variances (financial assurance, shoreline buffers, or sewage treatment system upgrades).	Similar to State. Conditions may be attached to variances (increased setbacks, limitations on vegetation removal, sewage treatment, watercraft launching and docking areas, etc.).	Similar to State. Conditions may be attached to variances (increased setbacks, shore cover, sewage treatment, landscapaing and vegetative screening, location of docks, etc.).	Similar to State. For existing developments, the applicant must have conforming septic system. Also, there are specific lakeshore mitigation requirements.

ATTRIBUTE	STATE OF MN *Rule 6120 Standards*	STATE OF MN *Alternative Standards*	AITKIN	CASS	CROW WING	HUBBARD	ITASCA
	zoning district in which the subject property is located.	practices. Local governments shall require as a condition of issuance of any variance the following: the septic system must be inspected and upgraded, if necessary; the impervious surface coverage brought into compliance; the restoration of the shore impact zone to meet the shoreline buffer standards; and, if necessary, erosion control and stormwater management plans for the parcel must be implemented. [pgs 64-65] ***Rationale:*** Clarified variance requirements and provided tools to mitigate water quality impacts.					
Conditional Use Permits	Local governments must incorporate soil conditions and safe boating capacity in their review.	Same with additions. Local governments shall require as a condition of issuance of any conditional use the following: the septic system must be inspected and upgraded, if necessary; the impervious surface coverage brought into compliance; the restoration of the shore impact zone to meet the shoreline buffer standards; and, if necessary, erosion control and stormwater management plans for the parcel must be implemented. [pgs 65-66] ***Rationale:*** As noted in Variance section.	Specific requirements for CU permits.	Specific requirements for CU permits, and conditions may also be required.	Specific requirements for CU permits.	Specific requirements for CU permits.	Specific requirements for CU permits. There are specific lakeshore migitation conditions that are imposed.
Nonconformity	Lots of record may be allowed to be developed without variances from lot size requirements provided the use is permitted in the zoning district, the	Contiguous substandard lots in the same ownership are not considered as separate parcels of land for the purposes of development. Such lots must be combined to create conforming lots or be at	Similar to State. There are specific minimum lot area and width standards for developing nonconforming lots	Similar to State. Contiguous substandard lots in the same ownership are not considered as separate parcels of land for the	Similar to State. There are specific minimum lot area and width standards for developing nonconforming lots of record.	Similar to State. There are specific minimum lot area and width standards for developing nonconforming lots of record.	Similar to State. There are specific minimum lot area and width standards for developing nonconforming lots of record.

ATTRIBUTE	STATE OF MN *Rule 6120 Standards*	STATE OF MN *Alternative Standards*	AITKIN	CASS	CROW WING	HUBBARD	ITASCA
	lot has been in separate ownership from abutting lands, the lot was created in compliance, and sewage treatment and setbacks are met. Contiguous substandard lots in the same ownership are not considered as separate parcels of land for the purposes of development. Such lots may be combined to create conforming lots as much as possible. Local governments must require upgrading or replacement of sewage treatment systems identified as nonconforming.	least 75% of standard lots. [pg 28] The minimum lot area and minimum lot width standards for single residential lots for nonconforming lots of record shall be at least 75% of the standards in 6120.3300, Subps. 2a and 2b. [pg 28] Lots created compliant with official controls that met or exceeded the standards in 6120.3300, Subps. 2a and 2b, shall remain conforming. [pg 28] What is meant by 'an increase in nonconformity of a structure' was added. [pgs 66-67]	of record. No portion of an existing lot can be separated to create a substandard lot, except an existing parcel may be combined with an adjacent parcel to make it more conforming.	purposes of development. Such lots may be combined to create conforming lots.	Contiguous substandard lots in the same ownership are not considered as separate parcels of land for the purposes of development. Such lots may be combined to create conforming lots.		