

Impervious Surface Innovative Standards

Part of a series highlighting innovative local government standards intended to help encourage adoption of more protective shoreland standards.



Benefits

- Provides space for riparian vegetation and habitat
- Preserves and enhances natural lake shore character
- Reduces stormwater runoff and nutrient flows into surface waters

Types of Approaches

1. Impervious Surface Definition	1
2. Prohibition of Impervious Surface.....	2
3. Reduced Limits	3

The ordinance language used in these examples varies significantly depending on complexity of the issue and method of implementation. In straight forward cases, actual ordinance language is provided. In complex examples, the key provisions are summarized. Please contact the planning and zoning staff with the relevant community if you have questions about the specific ordinance provisions.

1. Impervious Surface Definition

Otter Tail County

The impervious surface definition includes decks, patios, gravel driveways and permeable pavers. The shoreland rules do not have an impervious surface definition. The County’s definition includes examples that address administrative grey areas if they are not defined. Defining permeable pavers as impervious surface addresses the purpose of the shoreland rules to limit the amount of “hard surface” area to no more than 25% to provide

significant area for vegetation/habitat and to maintain shoreland character. The complete impervious surface definition is:

“A constructed hard surface that either prevents or retards the entry of water into the soil and causes water to run off the surface in greater quantities and at an increased rate of flow than prior to development. Examples include, but are not limited to, decks, rooftops, sidewalks, patios, permeable pavers, storage areas, and concrete, asphalt, or gravel driveways.’

Ordinance Citation: Section II. 42.

2. Prohibition of Impervious Surface

Douglas County

No pervious or porous pavement systems shall be allowed in a bluff impact zone or shore impact zone unless specifically approved otherwise by the Land and Resource Director when restoration to natural vegetation would not be practical or advised by a qualified engineer. These areas shall be maintained or restored to natural vegetative buffer whenever feasible.

Ordinance Citation: Section V.L.4.(2.)(d.)iii.c.

Crow Wing County

Patios shall not be located in the shore impact zone except as a water-oriented accessory structure. Patios are not defined or regulated in the Shoreland Rules creating an administrative grey area. This standard clarifies that patios may be allowed in the shore impact zone if treated as a water-oriented structure which is allowed up to 250 square feet. This higher standard works to ensure that the total amount of impervious surface within the sensitive shore impact zone is limited to 250 square feet, the amount allowed for water-oriented structures.

Ordinance Citation: Section 11.8. A. 1.

No impervious surfaces shall be allowed within the shore impact zone, except stairways, lifts or landings. Portions of boat launching ramps greater than 10 feet landward from the OWHL shall be constructed of pervious material.

Ordinance Citation: Section 33.12 D.

Cass County

Patios and platforms are allowed within the structure setback with a shoreland alteration permit with specific standards limiting size and establishing setbacks from the OWHL.

Ordinance Citation: Section 1126.7.

3. Reduced Limits

Itasca County

The maximum allowed impervious coverage varies by shoreland class.

Lake Class	Maximum Coverage (Percent)
General Development	20
Recreational Development	15
Natural Environment, Phosphorus Sensitive, and Rivers	12

Ordinance Citation: Article 3, Section 3.4

Crow Wing County

Standards are designed to encourage less impervious surface by calling for fewer requirements as the amount of impervious surface is reduced. Lots with impervious surfaces exceeding 20% must complete and implement a stormwater plan that includes a no maintenance riparian buffer. Lots with impervious surface between 15% and 20% must complete and implement a stormwater plan. And, lots with less than 15% impervious surface do not require a stormwater plan.

Ordinance Citation: Section 41.2.