



Stearns County Land Use & Zoning Ordinance Review Committee

Executive Summary of Potential Changes

Proposed New Language in Blue Removed Language in Red

1. Shoreland Excavator Licensing

Add proposed language for shoreland contractor licensing.

Noncompliance. Licensed contractors who complete defective work in violation of this Ordinance or who perform work without a minor shoreland permit shall be required to meet with the Department and identify a plan to correct the noncompliance and/or obtain a minor shoreland alteration permit. The contractor may not complete or be granted additional permits for shoreland work until all previous projects satisfy permit conditions and Ordinance requirements.

2. Rock Riprap

Change when rock riprap is allowed.

Rock riprap placement shall only be allowed where deemed appropriate by the Department or SWCD to prevent active erosion. Riprap is not allowed for aesthetic reasons. If riprap is not authorized, bioengineered solutions such as the use of natural vegetation, slope stabilization, or other bioengineered means shall be the method used to prevent erosion. Bioengineered solutions do not require a permit from the Department unless required due to topographic alteration activity.

3. Retaining Walls

Change requirements for walls in bluff, steep slopes, or in the shore impact zone.

Retaining walls proposed in the SIZ, BIZ, or steep slopes may only be authorized by a major shoreland alteration permit when the following apply:

- a. Retaining walls may be allowed where there is a demonstrated need, the design is consistent with the existing uses in the area, and there is not an aesthetic intrusion upon the land.
- b. No wall(s) shall exceed four feet in height without a plan signed by a Minnesota licensed professional engineer.

Change how wall height is measured.

Wall height as it pertains to this Section is measured from the ground surface to the top of the wall. Wall components below grade shall not be included in wall height determination.

~~Wall height as it pertains to this Section is measured from the bottom of the retaining material to the top of the cap as measured from the highest point of the wall and shall include the height of all components constituting the wall.~~

4. Topographic Alterations

Require a permit for all alterations in the shore impact zone, bluff impact zone, or on steep slopes. Require vegetation buffers between alterations and the water body.

A permit shall be required for any topographic alteration in the SIZ, BIZ, or on steep slopes (slopes greater than 12%). If no vegetation buffer exists between the project area and the water body, one must be established as part of the project. If an existing vegetation buffer adjacent to the water body will be eliminated or disturbed by the project, restoration of the buffer, with dimensions determined by the Department, shall be a condition of permit approval.

Exclusions:

~~(5) Topographic alterations involving the movement of ten (10) cubic yards or less of material, not including sand blankets.~~

5. Sand Blankets

Create a single size for all sand blankets.

- (b) The sand blanket may be up to twelve (12) inches in depth, up to ~~thirty (30)~~ **twenty five (25)** feet in width along the shoreline or one-half (1/2) the lot width, whichever is less; and may not extend more than ten (10) feet landward of the ordinary high water level.
- (c) An earthen berm shall be constructed on the landward side of the sand blanket to divert surface water runoff around the sand area. The berm shall be planted with vegetation such as grass to aid in the assimilation of surface water runoff.

~~(2) Sand blanket placement without excavation:~~

- ~~(a) Only clean, washed sand, free of organic or toxic materials shall be used.~~
- ~~(b) The sand blanket may be up to twelve (12) inches in depth, up to fifty (50) feet in width along the shoreline or one-half (1/2) the lot width, whichever is less; and may not extend more than ten (10) feet landward of the ordinary high water level.~~

6. Impervious Surfaces

Limit impervious surfaces in the shore impact zone (separate from Water Oriented Accessory Structures) to 150 square feet, require a permit, and require a vegetation buffer between the impervious surface and the water body.

In addition to a WOAS, each riparian lot may be allowed an area of impervious surface up to 150 square feet in size. Addition of impervious surface in the SIZ requires a minor shoreland alteration permit. A buffer of native vegetation at least 20 feet wide shall exist between the impervious surface and the water body. Water runoff from the impervious surface shall not be directed toward an adjacent property or the water body.

7. Water Access on Steep Slopes – Stairways, Lifts, and Landings

Require permits for water access when slopes exceed 18% if the access is not being constructed above ground.

A permit shall be required for constructing impervious surfaces to achieve access to shore areas on slopes exceeding 18% if stairways, lifts, and landings constructed above ground are not used. Stairways, lifts, and landings constructed on posts or pilings above the ground surface are the preferred method to achieve access on bluffs and steep slopes and shall not require a permit.

8. Vegetation Alterations

Change view corridor size and removal intensity. Define access and view corridors to exist in the same location. Retain

~~*The total cumulative tree/shrub removal within any view corridor shall not exceed 25% of the trees greater than 5" in diameter, 4.5 feet above ground (diameter breast height or DBH) and 25% of the trees/shrubs less than 5" DBH~~

Up to 100% removal of trees and shrubs in a 25ft corridor between the building setback for the applicable shoreland classification and the water body can be authorized by a Vegetative Alteration Permit. The corridor shall serve as the access and view corridor. Vegetation outside of the 25ft corridor shall not be disturbed or removed.

Areas considered a bluff or steep slope shall only be allowed 25% removal within a 25ft corridor.

9. Score Your Shore Site Assessment

Create performance standards for riparian lots to meet before authorizing further alteration of the property.

During the pre-application site visit, a Score Your Shore assessment shall be completed by the Department and the property owner and/or licensed shoreland contractor.

Properties with site conditions below the following thresholds shall not be allowed additional alterations until improved:

Upland Zone Score: 19

Shoreline Zone Score: 17

Sites failing to meet this threshold shall include mitigation as part of the application or seek a variance to be allowed the alteration permit.

10. Permit Fees/Violations

- Potentially require SSTS compliance inspections when unpermitted work is conducted regardless of mitigative action
- Creation of tiered shoreland alteration permit fees to better represent project scale
- Potential increases to after-the-fact fees