2014 ANNUAL SHORELAND ORDINANCE
ADMINISTRATIVE ACTIVITIES REPORT

2014 Shoreland Block Grant Amount: $2,988

Directions: Please answer the following questions for your county's 2014 activities within the shoreland area (*1000 feet from lakes & 300 feet from rivers or the extent of the floodplain, whichever is greater*).

Variances

1. List the number of shoreland variances you issued in 2014:

Variance Type	# Approved with Conditions	# Approved without Conditions	# Denied
OHWL setback		3	
Bluff setback		0	
Expansion of nonconforming structure	1		
Combination of contiguous nonconforming lots of record in common ownership for sale or development as provided under MS Chapter 394.36, Subd. 5, item (d)			
Impervious surface		0	
Subdivision of land not meeting lot area/width standards		0	
Building height		0	
Mooring spaces		0	
Other (please specify): Property line setback	1		

2. For all variance requests, did your Board of Adjustment develop findings of fact for each of the five variance criteria in MS Chapter 394.27, Subd. 7? (**yes** or no). If yes, do the findings include detailed explanation or rationale for how the criteria were/were not met? **Yes**

3. If variances are approved with conditions, what are some examples of typical conditions?
Accessory structure not to be used for bedrooms.

4. If variances are approved without conditions, why not?
The variances for septic systems are granted when no other acceptable place is available.

5. For approximately what percent of variance inquiries in 2014 were alternative solutions found (thus reducing the actual number of variance applications)? 10%

6. If alternative solutions are found, what are some typical examples?
Reduce structure size to meet setback.

Lots & Land Subdivisions

7. List the number of lots created in 2014:

Type of subdivision or conversion:	Total # of Lots Created	How many of these lots were part of Conservation Subdivisions?	How many of these lots were part of Resort Conversions?
PUD Plats	0	0	0
Non-PUD Plats	0	0	0
Lot Splits (administrative subdivision)	0	0	0

8. Does your county ordinance contain shoreland PUD provisions? **No** (yes or no)

9. Has your county updated its ordinance to comply with 2009 legislative changes regarding existing nonconforming lots in shoreland areas in Minnesota Statutes, chapter 394.36, Subd. 5? **Yes** (yes or no)

Permits

10. How many land use permits were issued in shoreland areas in 2014?
    a. New construction on previously undeveloped lots:____1___(total # of permits)
    b. Redevelopment (e.g., expansion of structures, substantial improvements, new structures added to developed lots):___20__(total # of permits)

11. How many permits for grading, excavation, filling, or soil disturbance within the shore impact zone were issued in 2014? __3__
    Do you generally inspect the work? __yes___ (yes or no)

Planning and Enforcement

12. Did your county update or amend its comprehensive plan in 2014?__no__(yes or no)

13. Did your county update or amend its shoreland ordinance in 2014?__no__(yes or no)
    If yes, describe the nature of the change:

14. Does your county have any plans to update, amend, or adopt a comprehensive plan or shoreland ordinance in 2015?__yes the comprehensive plan_____ (yes/no, and if yes, plan or ordinance)

15. Does your county notify the DNR at least 10 days prior to public hearings for variances, CUPs, and ordinance amendments, and within 10 days after final decisions? _yes__(yes or no) If yes:
    a. Who do you notify?__Gary Bennett_____(name of DNR staff person)
    b. How do you notify them? __E-mail_____ (mail, e-mail, other)
    c. What information do you provide? (notice, application, site plans, etc.): Application, site plans and background information.

Shoreland Buffers

16. Please describe your efforts to achieve and maintain 50 foot buffers around streams and water bodies on agricultural land in 2014. Please check and describe ALL that apply (feel free to attach additional materials):

✓	Effort	Please describe:
x	No special effort	Encourage the use of BMPs or conservation program incentives.
☐	Some action taken	
☐	Condition variance and/or permit approvals with measures to establish/restore buffers	
☐	Condition financial or other assistance with measures to establish/restore buffers	
☐	Specific program to achieve voluntary compliance including some/all of the following strategies (check all that apply): ☐ Aerial mapping/inventory of buffers ☐ Evaluation/assessment of compliance ☐ Outreach to property owners (letters, literature, site visits, inspections, etc.) ☐ Technical and financial assistance (with SWCDs and other resource agencies)	

☐	Code enforcement (penalties and/or legal action to achieve compliance/restoration	
☐	Other:	

17. What has your county found to be effective in achieving and maintaining 50 foot buffers?
Still working on a good incentive to promote the 50 foot buffers.

18. What challenges and barriers has your county encountered in achieving and maintaining 50 foot buffers? Please check and describe ALL that apply (feel free to submit additional materials):

✓	**Challenges/Barriers**	**Please describe:**
x	Too controversial	Not enough uniformity with state wide enforcement.
☐	Lack of staffing/funding/resources	
☐	Lack of data/technical expertise	
☐	Lack of clarity on what's required by law	
☐	Lack of interaction/opportunity to interface with ag producers	
☐	Level of financial assistance for landowners/ag producers	
☐	Other:	

19. What could DNR do to help your county with efforts to achieve and maintain 50 foot buffers?
Provide dollars to buy an easement on the needed land.

20. Do you require compliance with vegetation management standards for non-agricultural properties?
yes(yes or no) If yes, describe 2014 activities in the space below:

A condition of getting the permit is to also supply vegetative management plan for approval.

Resources/Training

21. What shoreland-related training, guidance, or tools do your staff or Board of Adjustment need?
Please describe below: The state needs to provide refresher courses and training on shoreland regulations.

22. Do you feel that DNR staff is available for assistance when needed? Please describe below:
Yes, our area hydrologist is always available to answer questions and come to meetings when asked.

Other

23. Does your shoreland ordinance contain "higher standards" that exceed the statewide minimums in Minnesota Rules, Chapter 6120? Please check and describe ALL that apply (feel free to attach additional information):

✓	**Higher Standard Type**	**Please describe:**
x	Use of a special protection district or lake classification for which higher standards apply	1 house per 40 acres in the shoreland conservation district.
☐	Lot size & width	
x	Structure setback from OHWL	200 foot setback from natural environment lakes.
☐	Structure setback from bluff	
☐	Septic system setback from OHWL	
☐	Impervious surface coverage limits	
☐	Special standards applied to nonconforming structures or lots	
☐	Vegetation assessment/restoration	
☐	Stormwater/land alteration	
☐	Shoreland PUD (i.e. conservation design)	
☐	Mitigation for variances	
☐	50-foot vegetative buffer on public ditches	
☐	Other:	

24. Has your county pursued or considered pursuing any special initiatives or outreach efforts to protect shorelands in 2014? Please describe below:

Keep enforcing the limited development in the shoreland conservation districts.

Contact Information

County: _McLeod_____

Contact Person:__Roger Berggren_____Title: Environmental Services Director _

E-Mail Address:__roger.berggren@co.mcleod.mn.us_____

Phone Number:_(320) 864-1214_____

To receive a shoreland grant in 2015, this form must be completed by March 2, 2015.

Any questions, please contact: Kathleen Metzker, DNR Land Use Hydrologist, 500 Lafayette Road, St. Paul, MN 55155-4032. Tel. 651-259-5694. Please e-mail the completed form to Kathleen.metzker@state.mn.us. Alternatively, you may fax it to 651-296-1811 or mail it to the above address. E-mail is preferred.