

**2014 ANNUAL SHORELAND ORDINANCE
ADMINISTRATIVE ACTIVITIES REPORT**

2014 Shoreland Block Grant Amount: \$ 3457

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).

Variations

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

Variance Type	# Approved with Conditions	# Approved without Conditions	# Denied
OHWL setback		2	1
Bluff setback			
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	1		1
Subdivision of land not meeting lot area/width standards			1
Building height			
Mooring spaces			
Other (please specify): Side Yard Setbacks, Right of Way Setbacks, Keep guesthouse and build new house, Build over 800 sq.’ structure	1 1	4 1 1	1 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 (yes or no). If yes, do the findings include detailed explanation or rationale for how the criteria were/were not met? Yes

3. If variations are approved with conditions, what are some examples of typical conditions?

Remove accessory structures, increase ohw setback, remove impervious surface coverage, vegetative buffers.

4. If variations are approved without conditions, why not?

Generally isn’t a need for any, like reduce side yard setback or right of way setback.

5. For approximately what percent of variance inquiries in 2014 were alternative solutions found (thus reducing the actual number of variance applications)? 30 %

6. If alternative solutions are found, what are some typical examples?

Change plans to meet setbacks, don’t proceed with project, scale down size of project.

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	27	0	0
Lot Splits (administrative subdivision)	20	0	0

8. Does your county ordinance contain shoreland PUD provisions? YES (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?
- New construction on previously undeveloped lots: 7 (total # of permits)
 - Redevelopment (e.g., expansion of structures, substantial improvements, new structures added to developed lots): 78 (total # of permits)
11. How many permits for grading, excavation, filling, or soil disturbance within the shore impact zone were issued in 2014? 12
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? Yes (yes or no)
If yes, describe the nature of the change: Update Non-Conforming section of ordinance to reflect change in statute.
14. Does your county have any plans to update, amend, or adopt a comprehensive plan or shoreland ordinance in 2015? No (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:
- Who do you notify? Stephanie Klamm, Area Hydrologist (name of DNR staff person)
 - How do you notify them? Email (mail, e-mail, other)
 - What information do you provide? (notice, application, site plans, etc.): Notice, Application, Site Plan, everything that is mailed out in the packet.

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:
<input checked="" type="checkbox"/>	No special effort	Haven't implemented anything, but do observe on site visits, aerial photography if we notice anything.
<input type="checkbox"/>	Some action taken	
<input type="checkbox"/>	Condition variance and/or permit approvals with measures to establish/restore buffers	
<input type="checkbox"/>	Condition financial or other assistance with	

	measures to establish/restore buffers	
<input type="checkbox"/>	Specific program to achieve voluntary compliance including some/all of the following strategies (check all that apply): <input type="checkbox"/> Aerial mapping/inventory of buffers <input type="checkbox"/> Evaluation/assessment of compliance <input type="checkbox"/> Outreach to property owners (letters, literature, site visits, inspections, etc.) <input type="checkbox"/> Technical and financial assistance (with SWCDs and other resource agencies)	
<input type="checkbox"/>	Code enforcement (penalties and/or legal action to achieve compliance/restoration)	
<input type="checkbox"/>	Other:	

17. What has your county found to be effective in achieving and maintaining 50 foot buffers?

Education

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):

<input checked="" type="checkbox"/>	Challenges/Barriers	Please describe:
<input checked="" type="checkbox"/>	Too controversial	
<input checked="" type="checkbox"/>	Lack of staffing/funding/resources	
<input type="checkbox"/>	Lack of data/technical expertise	
<input type="checkbox"/>	Lack of clarity on what's required by law	
<input type="checkbox"/>	Lack of interaction/opportunity to interface with ag producers	
<input checked="" type="checkbox"/>	Level of financial assistance for landowners/ag producers	
<input type="checkbox"/>	Other:	

19. What could DNR do to help your county with efforts to achieve and maintain 50 foot buffers?

More funding, education and outreach

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

Resources/Training

21. What shoreland-related training, guidance, or tools do your staff or Board of Adjustment need?
 Please describe below: general training for BOA and Planning Commission in our area.

22. Do you feel that DNR staff is available for assistance when needed? Please describe below:

Yes they are good to work with and respond.

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): No

✓	Higher Standard Type	Please describe:
<input type="checkbox"/>	Use of a special protection district or lake classification for which higher standards apply	
<input type="checkbox"/>	Lot size & width	
<input type="checkbox"/>	Structure setback from OHWL	
<input type="checkbox"/>	Structure setback from bluff	
<input type="checkbox"/>	Septic system setback from OHWL	
<input type="checkbox"/>	Impervious surface coverage limits	
<input type="checkbox"/>	Special standards applied to nonconforming structures or lots	
<input type="checkbox"/>	Vegetation assessment/restoration	
<input type="checkbox"/>	Stormwater/land alteration	
<input type="checkbox"/>	Shoreland PUD (i.e. conservation design)	
<input type="checkbox"/>	Mitigation for variances	
<input type="checkbox"/>	50-foot vegetative buffer on public ditches	
<input type="checkbox"/>	Other:	

24. Has your county pursued or considered pursuing any special initiatives or outreach efforts to protect shorelands in 2014? Please describe below: No

Contact Information

County: Polk County
 Contact Person: Josh Holte Title: Planning and Zoning Administrator
 E-Mail Address: josh.holte@co.polk.mn.us
 Phone Number: (218) 281-5700

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.