

**2014 ANNUAL SHORELAND ORDINANCE  
ADMINISTRATIVE ACTIVITIES REPORT**

2014 Shoreland Block Grant Amount: \$ 2,772.00

**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	0	0	0
Bluff setback	0	0	0
Expansion of nonconforming structure	0	0	0
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)	0	0	0
Impervious surface	0	0	0
Subdivision of land not meeting lot area/width standards	0	0	0
Building height	0	0	0
Mooring spaces	0	0	0
Other (please specify):	0	0	0

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? N/A (yes or no). If yes, do the findings include detailed explanation or rationale for how the criteria were/were not met?

*We did not do any Variations inside of Shoreland this year, but we normally do have a findings of fact with the decision.*

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

*The variations usually carry conditions to follow the rest of the ordinance*

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

N/A

5. For approximately what percent of variance inquiries in 2014 were alternative solutions found (thus reducing the actual number of variance applications)? 100%

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

Movement of the building to outside of the Shoreland, and or changing the size and place of the proposed building

**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
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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?  
No (yes or no)

### Permits

10. How many land use permits were issued in shoreland areas in 2014?
- New construction on previously undeveloped lots: 0 (total # of permits)
  - Redevelopment (e.g., expansion of structures, substantial improvements, new structures added to developed lots): 9 (total # of permits)
11. How many permits for grading, excavation, filling, or soil disturbance within the shore impact zone were issued in 2014? 2  
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? no (yes/no, and if yes, plan or ordinance)  
We plan to amend the ordinance closer to the Minnesota State Statute 394.36
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? Ryan Doorenbos (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

### 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):

<input checked="" type="checkbox"/>	Effort	Please describe:
<input type="checkbox"/>	No special effort	
<input checked="" type="checkbox"/>	Some action taken	One Rod buffer on Redetermined Ditches
<input type="checkbox"/>	Condition variance and/or permit approvals with measures to establish/restore buffers	
<input checked="" type="checkbox"/>	Condition financial or other assistance with measures to establish/restore buffers	RIM Buffer and CRP encouragement near ditches and other waterways
<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?

Educating the Landowner, the informed Citizen is the most effective thing we can do

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	Land is valuable and citizens are extremely reluctant to give up the use of it.
<input checked="" type="checkbox"/>	Lack of staffing/funding/resources	The County is so large, and it is difficult to have a land owner keep a 50 ft. setback while the neighbor is not abiding by the rule.
<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 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?  
By developing a better piece of information to hand out to producers.

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:

Lake shore owners are required to maintain the existing lake shore vegetation that is in place.

CUP conditions usually require that there is a runoff containment strategy in place, and also that they cover the exposed soil as soon as possible.

### Resources/Training

21. What shoreland-related training, guidance, or tools do your staff or Board of Adjustment need?  
Please describe below:

More Training related to CUP process and the need for tighter restrictions inside of shoreland

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

Yes, they have been a great help so far.

**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):

✓	<b>Higher Standard Type</b>	<b>Please describe:</b>
<input type="checkbox"/>	Use of a special protection district or lake classification for which higher standards apply	
<input checked="" type="checkbox"/>	Lot size & width	Lot area is set at 2.5 acres inside of shoreland
<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:   Cottonwood County    
 Contact Person:   Jared Morrill   Title:   Cottonwood County Planning and Zoning Technician    
 E-Mail Address:   jared.morrill@co.cottonwood.mn.us    
 Phone Number:   507-831-1153  

**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](mailto: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.*