

1700 EARTH MOVING

1701 SITE PREPARATION

On undeveloped lots, vegetative alterations, grading, filling, and excavations necessary to prepare a site for development shall require an approved site preparation permit before any work commences.

- A. A site development plan must be included in all site preparation permit applications. This plan must contain all applicable items including: lot boundaries, general lot topography, wetland areas, proposed general area where buildings will be located, the lake access route, shoreline alteration area, and vegetative alterations from the OHW to the structure setback, driveway route, and erosion control measures.
- B. The movement of up to fifty (50) cubic yards of earthen material within the structure setback, and/or up to two hundred (200) cubic yards of earthen material behind the structure setback area may be permitted.
- C. If a construction and sewage treatment system permit is applied for within one year of the date a site preparation permit is approved on the same parcel, the site preparation permit fee will be deducted from the construction and sewage treatment system permit fee.

1702 GENERAL STANDARDS

The movement of earthen material within the shoreland zone shall require a shoreland alteration or conditional use permit, depending on the scope of the project, and comply with the following standards:

- A. The movement of up to fifty (50) cubic yards of earthen material requires a shoreland alteration permit
- B. The movement of more than 50 cubic yards of earthen material requires a conditional use permit including:
 - 1. Stormwater control and grading plans prepared by a registered professional engineer, including cost estimates.
 - 2. MPCA Stormwater Permit, if more than 5 acres is disturbed;
 - 3. Performance bond
- C. Total movement of earthen material in Shore Impact Zones 1 & 2 shall not exceed 50 cubic yards.

1703 SPECIFIC STANDARDS

- A. Bluff Zones
 - 1. No movement of earthen material is allowed within a bluff impact zone except in conjunction with a shoreland alteration permit to accommodate the placement of stairways, landings, or access paths.
 - 2. Walkout basements shall not be allowed in bluff zones.

3. Mechanized earth moving equipment shall not be used in bluff zones.

B. Shore Impact Zone-1

1. Walkout basements shall not extend into shore impact zone-1.

2. No mechanized earth moving equipment shall be used.

3. Beaches

a. New beaches on residential lots shall not exceed 12 feet in width and shall be incorporated in the shoreland alteration as described in Section 1703.

b. A one time addition of up to ten (10) cubic yards of sand may be placed on existing sand beaches on residential lots with a shoreland alteration permit.

c. Berms shall be placed landward of all beaches to prevent erosion from upland runoff.

d. Applications of beaches shall include an approved Department of Natural Resources aquatic vegetation removal permit, where required.

4. No alteration of wetlands is allowed.

C. Shore Impact Zone-2

1. Walkout basements may extend into shore impact zone-2

2. Mechanized earth moving equipment may be used.

3. No alteration of wetlands is allowed.

1704 SHORELINE ALTERATIONS

A. Annual Ice Ridges--Ice ridges created annually by ice action, may be regraded to their original shoreline contour without a permit after notifying the Planning and Zoning Administrator, provided that no topsoil or vegetative matter is deposited in the lake and the work is completed by July 1 of the year after the damage takes place.

B. Historic Ice Ridges--On those ice ridges with well established vegetative cover, alterations for lake access shall require a site preparation or shoreland alteration permit and comply with the following standards:

1. One alteration is allowed per lot.

2. On residential lots, the maximum bottom width shall be 12 feet with 2:1 side slopes at each end.

3. A berm of not less than 12 inches above grade level must be maintained parallel to the shoreline to control runoff from adjacent shoreline areas.

4. A silt fence must be properly installed between the project area and the lake or river before any construction begins and must remain in place until all permanent erosion control measures are in place.

5. Any disturbed soil must be protected from sedimentation with natural rock riprap, sodding, or seeding.
 6. All disturbed material must be graded landward or removed from the site.
 7. Any alteration below the ordinary high water level may require approval from the Department of Natural Resources and/or U.S. Army Corps of Engineers.
- C. Shorelines Without an Ice Ridge-- On shorelines without ice ridges, alterations shall require a site preparation or shoreland alteration permit and comply with the following standards:
1. One alteration is allowed per lot.
 2. On residential lots, the maximum bottom width shall be 12 feet.
 3. A silt fence must be properly installed between the project area and the lake or river before any construction begins and must remain in place until all permanent erosion control measures are in place.
 4. Any disturbed soil must be protected from sedimentation with natural rock riprap, sodding, or seeding.
 5. All disturbed material must be graded landward or removed from the site.
 6. Any alteration below the ordinary high water level may requires approval from the Department of Natural Resources and/or U.S. Army Corps of Engineers.
- D. Rock Riprap—Placement of natural rock riprap, including associated grading of the shoreline and placement of a filter blanket, requires a shoreland alteration permit and must be done in accordance with Department of Natural Resources-Division of Waters and US Army Corps of Engineers standards. Rock riprap will only be allowed in situations where active erosion problems exist.

1705 HARBOR EXCAVATION

Harbor excavations are prohibited.

1706 CONDITIONS

The following conditions shall apply to all the permits and approvals under the jurisdiction of this Ordinance:

- A. Alteration of any wetland must be undertaken in accordance with the rules of the Minnesota Wetlands Conservation Act.
- B. No impervious surface is permitted within the building setback area except as allowed for access paths and platforms.
- C. Mulches or similar materials must be used for temporary bare soil coverage. A permanent vegetation cover must be established within 14 days of completion of construction.
- D. Erosion and stormwater control plans must be consistent with the field office technical guide of the United States Natural Resources Conservation Service or other applicable technical standards be approved by the Cass Soil and Water Conservation District. A silt fence or other sediment control measures meeting SWCD standards must be properly installed between the project area and the lake

or river before any construction begins and must remain in place until all permanent erosion control measures are in place.

- E. Depending on site conditions and project scope, the Administrator, Board of Adjustment, or Planning Commission may also require the preparation of a grading plan prepared by a registered professional engineer including cost estimates, and a performance bond;
- F. Fill or excavated material must not be placed in bluff zones;
- G. Any alterations below the ordinary high water level of Protected Waters must be authorized by the Department of Natural Resources under Minnesota Statutes, Chapter 103G.245;
- H. Alterations of topography must not direct additional runoff to or otherwise adversely affect adjacent properties.