

WHAT CAN I DO WITH MY LAKESHORE?

This handout summarizes requirements for residential lakeshore development. For complete information and details, see the ***Itasca County Zoning Ordinance*** (Effective: 03/15/2009), www.co.itasca.mn.us, or contact Environmental Services at (218) 327-2857.

WHO DO I TALK TO?

Before you start your project, be sure to contact the appropriate agencies for your project. Up to three agencies may be involved.

- 1) **Itasca County Environmental Services (ESD)** for projects on land above the water (327-2857)
- 2) **Itasca County Soil & Water Conservation District (SWCD)** for projects in or near wetlands (326-0017)
- 3) **DNR** for projects below the water (327-4106)

GETTING THE BIG PICTURE

Lake Classifications are established by the DNR, each with its own requirements for setbacks and buffers. There are three main classifications, and one special:

- 1) **General Development Lakes (GD)**: structure setback = 75'; buffer = 10'
- 2) **Recreational Development (RD)**: structure setback = 100'; buffer = 15'
- 3) **Natural Environment (NE)**: structure setback = 200-300'; buffer = 50'
- 4) **Phosphorus Sensitive (PS)**: structure setback same as class; buffer = 50'.

If you don't know your lake's class, ask the Environmental Services staff. There are several additional requirements for each lake class regarding parcel size, septic setbacks, accessory buildings, recreational use area, etc.

The **Shoreland Overlay** is a zoning district that extends 1000 feet from a lake, and 300 feet from a river and stream. There are five areas within the Shoreland Overlay that have varying requirements:

- 1) **Vegetative Buffer** - This area starts at the Ordinary High Water Level (OHWL) and goes back 10 to 50 feet depending on the class of your lake.

You must maintain this buffer.

- 2) **Shore Impact Zone (SIZ)**- This area starts at the water's edge and goes back to 50% of the structure setback distance, depending on the class of your lake. Very little development can occur here.

- 3) **Secondary Setback Area** - This area is 50% of the setback area that lies between the Shore Impact Zone and the structure setback line. Some limited development is permitted here.

- 4) **Development Area**- This area lies beyond the structure setback line, as determined by the lake class. You may develop it in a reasonable manner provided you meet Shoreland requirements in the Ordinance, including the necessary permits.

5) **Bluff Impact Zone (BIZ)**- A bluff is an embankment within 1,000 feet of a lake that rises 25 feet or more above the water and has an average grade of 30% or more going towards the water. The bluff impact zone is land lying between the toe (bottom) of the bluff and within 20 feet of the bluff's top. All structures, except stairways and landings, must be set back 30 feet from the top of a bluff. It is advisable to have ESD staff determine if a "bluff" exists, and its boundaries.

RULES AND REQUIRMENTS

You may NEVER...

- * Clear-cut your property in the Shoreland overlay (1000').
- * Remove more than 1/3 of vegetation in the Shoreland (1000'), *cumulative of all previous owners.*
- * Remove vegetation on steep slopes (18% grade or more for 50 feet in length) except for a single access path from residence to shore of less than 12' width.
- * Use fertilizer containing phosphorus in the Shoreland (1000' from lake).
- * Use pesticides within 50 feet of the water's edge or within the Shore Impact Zone, which ever is greater.
- * Grade or fill a Wetland without prior evaluation and permitting.
- * Burn vegetative debris or yard waste within the Shore Impact Zone.

You MUST...

- * Maintain an effective vegetative buffer, with limited exceptions.
- * Maintain 50% screening of your structures as viewed from the lake during summer, leaf-on conditions.

WITH a Zoning Permit, you may...

- * Construct one residential structure, septic system and accessory structures such as garage or shed in the development area behind the setback for the lake class.
- * Alter vegetation and excavate as needed for the construction of permitted structures, septic system, and driveways in the Development Area behind the setback. If you move more than 50 yards of material within the Shoreland, or more than 10 yards in the SIZ or BIZ, you must obtain a Shoreland Alteration Permit.
- * Construct a Water-Oriented Accessory Structure (boathouse) with a 10 foot or more setback, size limited to 250 square feet, plus other requirements.
- * Construct a detached ground-level patio platform up to 160 square feet which when combined with the WOAS does not exceed 250 square feet.
- * Construct a Gazebo or Dry Sauna in the Secondary Setback Area, not to exceed 250 square feet in size.
- * Construct a Dwelling and other permitted structures in the Development Area.

WITH a Shoreland Alteration Permit, you may...

(Site inspection required before the permit is issued.)

- * Move more than 10 yards of material on steep slopes or within shore or bluff impact zones.
- * Move more than 50 yards of material outside of steep slopes and shore and bluff impact zones.
- * Construct a lake access road up to 12 feet wide that is not in a straight line and includes effective erosion controls.

- * Remove an ice ridge to a maximum of 12 feet wide at the bottom and 25 feet wide at the top.
- * Install a beach sand blanket that is up to 15 feet deep by 30 feet wide provided it is located within the View Corridor, is less than 5% grade and includes effective erosion controls.
- * Construct a retaining wall up to 2 feet high within the shore or bluff impact zones, unless approved to be up to 4 feet high by the Zoning Official. Beyond the shore impact zone, you may construct a retaining wall up to 4 feet high and 30 feet long. Retaining walls for shore protection require DNR permits.
- * Riprap a shoreline to control erosion. Additional permit(s) may be required from the DNR.

WITHOUT a permit, you may...

- * Construct a road or parking area in the Development Area, with exceptions as regulated by Section 5.9.3.
- * Move less than 10 yards of material on steep slopes or within shore or bluff impact zones or less than 50 yards of material elsewhere
- * Clear an area to accommodate one Shoreline Recreation Use Area (see Section 5.9.1.B.3.a for lake class size requirements), which includes a picnic area and to which all stairways, landings, and access paths (no greater than 12 feet wide) must lead.
- * Remove, prune and trim up to 1/3 trees and brush to provide a View Corridor, provided 50% screening of structures is retained as viewed from the lake during summer, leaf-on conditions. The View Corridor shall not exceed 50 feet in width, or 1/3 of the parcel width, whichever is less.
- * Remove trees, limbs, or branches that pose safety hazards.

General Storm Water Permit for Construction Activity.

If the construction activity (clearing, grading and excavation activities) will result in the disturbance of one acre or more, the property owner is responsible to obtain this permit from Jim Dexter, Wastewater Regulatory Compliance / Industrial Stormwater contact, at the MPCA (218) 529-6253 prior to construction.

FOR MORE INFORMATION ...

On Zoning Permits, Shoreland Alteration Permits, and Conditional Uses Permits, go to www.co.itasca.mn.us / in left margin, click "County Offices" / click on "Environmental Services" / scroll down to "CHECKLIST: Information Necessary for Zoning Permits."

To access the Itasca County Zoning Ordinance (Effective: 03/15/2009), contact Environmental Services at (218) 327-2857 or online at www.co.itasca.mn.us / in left margin, click "County Offices" / click on "Environmental Services" / scroll down to "Itasca County Zoning Ordinance."

On development in general, see these pamphlets available at the EDS office:

Northwood's Guide for Property Owners in Itasca County

Taking Care of Our Waters.

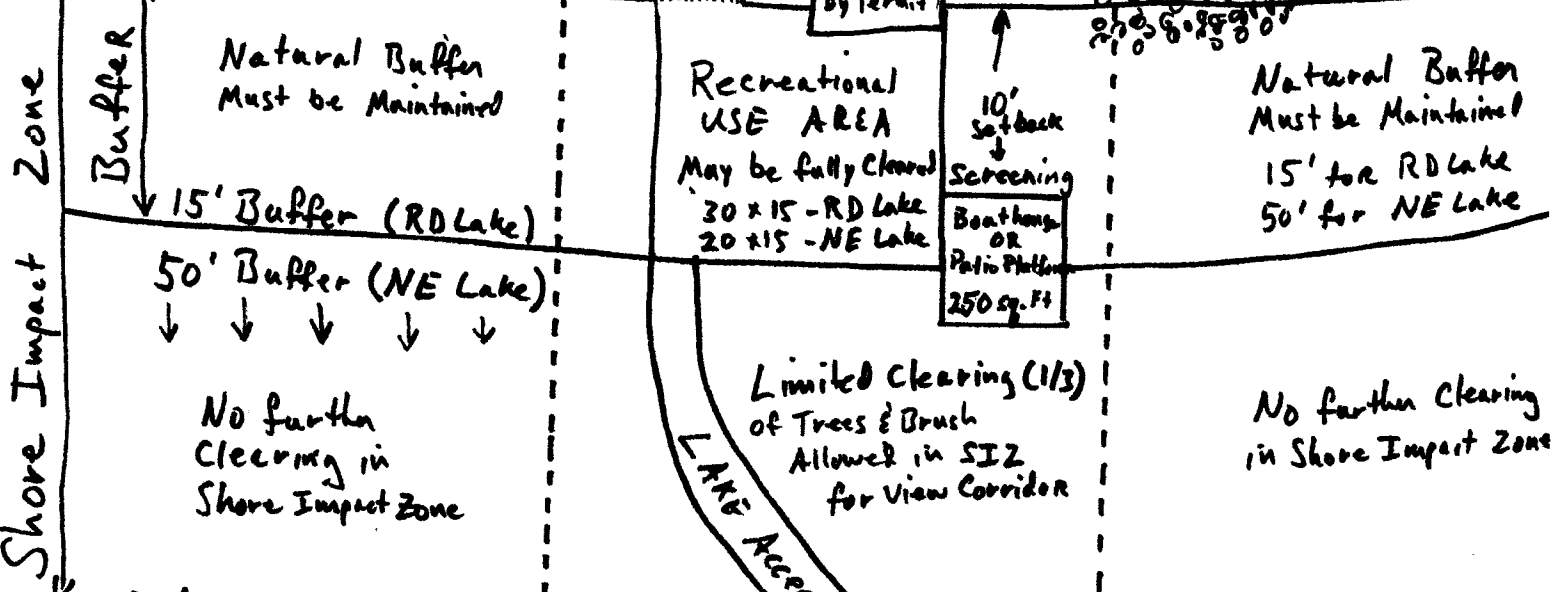
G D Lake
150' minimum width
10' Buffer
75' Shore Impact Zone

R D LAKE

200' Minimum Width
SIZ = 100'

NE Lake
200-300' minimum width
50' Buffer
100'-150' Shore Impact Zone

ORDINARY HIGH WATER LINE (OHWL)



50' Shore Impact Zone (RD Lake)

