

# SHORELAND ALTERATIONS HANDOUT



Your property is within the (Insert) Shoreland District.

A Shoreland District is an area within 1000 feet from a DNR Public Waterbody (lakes) and 300 feet from a DNR Public Watercourse (rivers). These areas are regulated to help protect the health of our waters.

## Why are natural shorelines important?

- ❖ They help protect water quality by filtering nutrients
- ❖ They support diverse vegetation
- ❖ They provide habitat for fish and wildlife
- ❖ They reduce erosion and limit sedimentation

## Permits

Most alterations within a Shoreland District require a Shoreland Alteration Permit. Below are some examples of projects that require a permit from the County.

- Clearing vegetation, including trees
- Grading and filling
- Sand blankets
- Rip rap
- Decks/patios
- New homes
- Accessory buildings

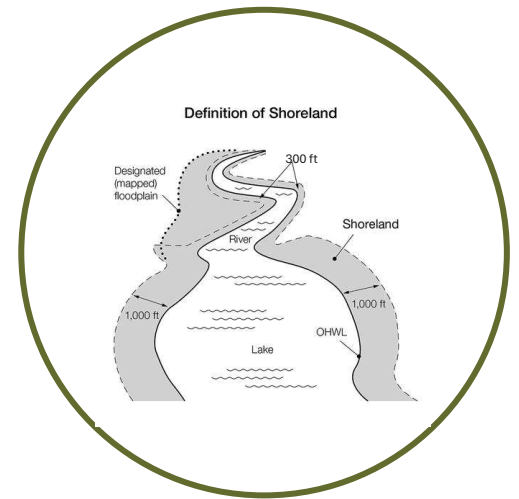
## Impervious Surface

Lots within a Shoreland District may not exceed 25% impervious surface area above the OHWL. Impervious surfaces are areas where water is unable to infiltrate into the ground. These areas include roofs, decks and driveways.

## Ordinary High Water Level (OHWL)

The Ordinary High Water Level (OHWL) is an elevation delineating the highest water level that has been maintained for a sufficient period of time to leave evidence upon the landscape. This elevation is set by the MN DNR. Below the OHWL, the DNR issues permits and above the OHWL, the County issue permits.

**TREE FACT:**  
Only dead, diseased and dying trees may be removed without a Shoreland Alteration Permit. Please reach out to Zoning staff prior to removal to ensure they meet the criteria



## Questions?

Contact Planning & Zoning at [zoning@co.sherburne.mn.us](mailto:zoning@co.sherburne.mn.us) or 763-765-4450

## Have a project in mind?

Apply for a Shoreland Alteration Permit by scanning the QR code



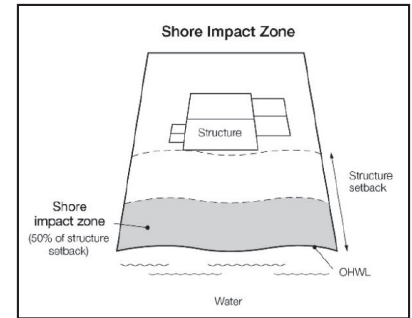
## Below are additional details on items that require a Shoreland Alteration Permit:

### Nonconforming Lots and Structures:

- All legally established nonconforming structures that existed prior to 1971 may continue but will be managed according to Minnesota Statutes, Sections 394.36 Subd. 5 and the Sherburne County Zoning Ordinance. Nonconforming structures may be continued, including through repair, replacement, restoration, maintenance, or improvement, **but expansion beyond their original dimensions.**
- Any proposed additions or expansions to the outside dimensions of an existing nonconforming structure must be evaluated by County staff to determine if it can be approved under an ordinance exemption or must be authorized by a variance.
- Legal nonconformities in floodplain areas are subject to stricter regulations due to federal and state law.
- Lots that were legally created before 1971 may be used building sites without a variance, provided all setback and impervious surface standards can be met and a Type 1 septic system can be accommodated.

### Grading and Filling:

- A permit is required for the movement of more than 10 cubic yards of material on steep slopes or within shore or bluff impact zones; the movement of more than 50 cubic yards of material outside of steep slopes, shore and bluff impact zones
- Alterations must be designed to limit disturbance and erosion and sediment control methods must be used
- Any alterations below the OHWL must obtain a permit from the MN DNR



### Stairways, Lifts and Landings:

- May not exceed 4 feet in width and landings may not exceed 32 square feet
- Canopies or roofs are not allowed
- May be constructed above the ground on posts or pilings, or placed into the ground, provided they are designed and built in a manner that ensures control of soil erosion
- Must be located in the most visually inconspicuous portions of lots, as viewed from the surface of the public water

### Vegetation Alterations:

- Intensive vegetation clearing within the shore and bluff impact zones and on steep slopes is not allowed
- In shore and bluff impact zones and on steep slopes, limited clearing of trees and shrubs and cutting, pruning, and trimming of trees is allowed to provide a view to the water and to accommodate the placement of stairways and landings, picnic areas, access paths, livestock watering areas, beach and watercraft access areas, and permitted water-oriented accessory structures or facilities provided that:
  - Vegetation must be maintained to screening of structures, vehicles, or other facilities by at least 50% as viewed from the water assuming summer, leaf on conditions
  - Along rivers, existing shading of water surfaces is preserved
  - The above provisions are not applicable to the removal of trees, limbs, or branches that are dead, diseased or pose safety hazards
  - Perennial ground cover is maintained
  - Picnic areas, access paths livestock watering areas, beaches and watercraft access areas are prohibited in bluff impact zones

### Water Oriented Accessory Structures:

- Each lot may have one water-oriented accessory structure, this includes detached decks and at-grade patios and cannot occupy an area greater than 250 sq ft
- The structure may not exceed 10 ft in height, exclusive of safety rails, & detached decks must not exceed 8 ft above grade
- The setback from the OHWL must be at least 10 ft and not in the bluff impact zone
- The structure must be treated to reduce visibility as viewed from public waters and adjacent shorelands by vegetation, topography, increased setbacks or color, assuming summer, leaf-on conditions

### Sand Blankets:

- A permit is required for the placement of sand above the OHWL
- It may have a maximum width of 50 feet or one half the lot width, whichever is less, at a depth of 6 inches
- No plant barrier or liner (i.e., filter fabric or plastic) is installed underneath your beach sand.
- Sand may only be replaced once

