

SECTION 1071 SHORELAND DEFINITIONS

1071.01 SHORELAND RELATED. The following words and terms, whenever they occur in Section 1070 of this Code, shall be interpreted as herein defined:

a. Shoreland Related.

1. Bluff. A topographic features such as a hill, cliff, or embankment having the following characteristics (an area with an average slope of less than eighteen (18) percent over a distance for fifty (50) feet or more shall not be considered part of the bluff):
 - a) Part or all of the features is located in a shoreland area.
 - b) The slope rises at least twenty-five (25) feet above the ordinary high water level of the water body.
 - c) The grade of the slope from the toe of the bluff to a point twenty-five (25) feet or more above the ordinary high water level averages thirty (30) percent or greater.
 - d) The slope must drain toward the water body.
2. Bluff Impact Zone. A bluff and land located within twenty (20) feet from the top of the bluff.
3. Boathouse. A structure designed and used primarily for the storage of boats or boating equipment.
4. Commissioner. The Commissioner of the Department of Natural Resources.
5. Development. The division of a parcel of land into two (2) or more parcels; the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any structure; any land disturbance, and any use or extension of the use of land.
6. Guest Cottage. A structure used as a dwelling unit that may contain sleeping spaces and kitchen and bathroom facilities in addition to those provided in the primary dwelling unit on a lot.
7. Impervious Surface. Any structure or surface which interferes with the direct absorption of water into the ground, including but not limited to, roofs, sidewalks, driveways and parking areas, patios, sport courts, swimming pools, decks, pavers or any other similar surface. *(adopted 12/13/07)*

8. Intensive Vegetation Clearing. The complete removal of trees or shrubs in a contiguous patch, strip, row or block.
9. Ordinary High Water Level. The boundary of public waters and wetlands, and shall be an elevation delineating the highest water level which has been maintained for a sufficient period of time to have evidence upon the landscape, commonly that point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial. For watercourses, the ordinary high water level is the elevation of the top of the bank of the channel. For reservoirs and flowage, the ordinary high water level is the operating elevation of the normal summer pool.
10. Public Waters. Any waters as defined in Minnesota Statutes, Section 103G.005, Subdivisions 15 and 18.
11. Public Waters - General Development (GD). Large, deep lakes or lakes of varying sizes and depths with high levels and mixes of existing development. These lakes often are extensively used for recreation and, except for the very large lakes, are heavily developed around the shore. Second and third tiers of development are fairly common. The larger examples in this class can accommodate additional development and use.
12. Sensitive Resource Management. The preservation and management of areas unsuitable for development in their natural state due to constraints such as shallow soils over ground water or bedrock, highly erosive or expansive soils, steep slopes, susceptibility to flooding, or occurrence of flora or fauna in need of special protection.
13. Sewer System. Pipelines or conduits, pumping stations, and force main, and all other constructions, devices, appliances, or appurtenances used for conducting sewage or industrial waste or other wastes to a point of ultimate disposal.
14. Shore Impact Zone. Land located between the ordinary high water level of a public water and a line parallel to it at a setback of fifty (50) percent of the structure setback.
15. Shoreland. Land located within the following distances from public waters: one thousand (1,000) feet from the ordinary high water level of a lake, pond, or flowage; and three hundred (300) feet from a river or stream, or the landward extent of a floodplain designated by Ordinance on a river or stream, whichever is greater. The limits of shorelands may be reduced whenever the waters involved are bounded by topographic divides which extend landward from the

waters for lesser distances and when approved by the Commissioner.

16. Significant Historic Site. Any archaeological site, standing structure, or other property that meets the criteria for eligibility to the National Register of Historic Places or is listed in the State Register of Historic Sites, or is determined to be an unplatted cemetery that falls under the provisions of Minnesota Statutes, Section 307.08. A historic site meets these criteria if it is presently listed on either register or if it is determined to meet the qualifications for listing after review by the Minnesota State Archaeologist or the Director of the Minnesota Historical Society. All unplatted cemeteries are automatically considered to be significant historic sites.
17. Steep Slope. Land where agricultural activity or development is either not recommended or described as poorly suited due to slope steepness and the site's soil characteristics, as mapped and described in available County soil surveys or other technical reports, unless appropriate design and construction techniques and farming practices are used in accordance with the provisions of the Ordinance. Where specific information is not available, steep slopes are lands having slopes over twelve (12) percent, as measured over horizontal distances of fifty (50) feet or more, that are not bluffs.
18. Surface Water-Oriented Commercial Use. The use of land for commercial purposes, where access to and use of a surface water feature is an integral part of the normal conductance of business. Marinas, resorts, and restaurants with transient docking facilities are examples of such use.
19. Toe of the Bluff. The lower part of a fifty (50) foot segment with an average slope exceeding eighteen (18) percent.
20. Top of the Bluff. The higher point of a fifty (50) foot segment with an average slope exceeding eighteen (18) percent.
21. Wetland. A surface water feature classified as a wetland in the United States Fish and Wildlife Service Circular No. 39 (1971 edition).