

SECTION 1105.17 S-1 SHORELAND DISTRICT.

1105.17 SUBD. 1. SHORELAND DISTRICTS.

The shorelands within the City of Belle Plaine are hereby designated as Shoreland Districts (S-1 Districts), and the requirements set forth in this Ordinance shall govern development and other activities within these districts. The classification of the shoreland areas shall govern the use, alteration and development of these areas, according to said classification.

1105.17 SUBD. 2. DISTRICT APPLICATION.

The S-1 District shall be applied to and superimposed upon all zoning districts as contained herein as existing or amended by the text and map of this Ordinance. The regulations and requirements imposed by the S-1 District shall be in addition to those established for districts which jointly apply. Under the joint application of districts, the more restrictive requirements shall apply.

1105.17 SUBD. 3. BOUNDARIES.

The boundaries of the shoreland district are established within five hundred (500) feet from the ordinary high water mark of the Minnesota River and three hundred (300) feet from the ordinary high water marks of Brewery Creek, South Creek, and Robert Creek classified for general development.

1105.17 SUBD. 4. MINIMUM REQUIREMENTS.

The following table sets forth the minimum requirements of each classification. Where the requirements of the zoning district are more restrictive, the more restrictive standards shall apply.

DEVELOPMENTAL STANDARD	REQUIREMENTS
Lot Area	10,000 square feet
Water Frontage & Lot Width at Building Line	75 feet
Bldg. Setback from Ordinary High Water Mark	50 feet
Lowest Floor Elevation above Highest Known Water Level	2 feet
Building Height Limitation	35 feet
Total Lot Area Covered by Impervious Surface	30 percent
Sewage System Setback from Ordinary High Water Mark	50 feet
Sewage System Elevation Above Highest Groundwater Level of Bedrock	3 feet

1105.17 SUBD. 5. SHORELAND ALTERATIONS.

Natural vegetation in shoreland areas shall be preserved insofar as practical and reasonable in order to retard surface runoff and soil erosion, and to utilize excess nutrients. An alteration is defined as a clear cutting, grading, filling, removal of natural vegetation, dredging, etc., which involves the removal or addition of underbrush or vegetation which may have a detrimental impact by allowing soil erosion or runoff of excess nutrients to enter the public waters. Within the required building setback as provided in Subdivision 4 of this Section, the following shoreland alterations shall apply:

- A. Clear cutting shall be prohibited, except as necessary for placing public roads, utilities, structures and parking areas.
- B. Natural vegetation shall be restored insofar as feasible after any construction project.
- C. Selective cutting of trees and underbrush shall be allowed as long as sufficient cover is left to screen motor vehicles and structures when viewed from the water.
- D. Grading and filling or any other substantial alteration of the natural topography shall be permitted, if the applicant can demonstrate that:

1. The smallest amount of bare ground shall be exposed for as short a time as feasible.
2. Temporary ground cover, such as mulch, shall be used and permanent vegetative cover, such as sod, shall be provided.
3. Methods to prevent erosion and trap sediment shall be employed.
4. Fill shall be stabilized to accepted engineering standards.

1105.17 SUBD. 6. LAND SUITABILITY.

No land shall be subdivided which is held unsuitable by the City for the proposed use because of flooding, inadequate drainage, soil and rock formations with severe limitations for development, severe erosion potential, unfavorable topography, inadequate water supply or sewage disposal capabilities, or any other feature likely to be harmful the health, safety or welfare of future residents.

1105.17 SUBD. 7. INCONSISTENT PLATS.

All plats recommended for approval by the Planning and Zoning Commission, which are inconsistent with this Section, shall be reviewed by the Minnesota Commissioner of Natural Resources before approval by the City may be granted.

1105.17 SUBD. 8. NOTIFICATION PROCEDURES.

- A. Copies of all notices of any public hearing to consider variances, amendments, or conditional uses under the Shoreland District shall be submitted to the Commissioner of the Minnesota Department of Natural Resources at least ten (10) days prior to such hearing.
- B. A copy of all amendments and final decisions granting variances or conditional uses under the Shoreland District shall be submitted to the Commissioner of the Minnesota Department of Natural Resources within ten (10) days of final action or amendment.

Ord. 03-25, Sections 1101, 1104, 1105, and 1106, Adopted January 5, 2004.

Ord. 06-08, Replacing Section 1105.18 with Section 1109, Adopted July 17, 2006.

Ord. 09-03, Sections 1101.01, 1105.04, 1106.01, Adopted July 20, 2009.

Ord. 11-03, Sections 1101, 1104 and 1105, Adopted May 16, 2011.